

Staff Summary Report



Hearing Officer Hearing Date: 12/07/10

Agenda Item Number: 15

SUBJECT: This is a public hearing for a request by the City of Tempe – Code Compliance Section to abate public nuisance items at the **COSTALES PROPERTY** located at 1050 East Greenway Drive.

DOCUMENT NAME: 20101207cdr101 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the City of Tempe – Code Compliance Section to abate public nuisance items in violation of the Tempe City Code for the **COSTALES PROPERTY (PL100369/ ABT10034/ CE102475)** (Jack Scofield, Inspector; Bernabe & Elenita Costales, property owner) located at 1050 East Greenway Drive in the R1-6, Single Family Residential District.

PREPARED BY: Ryan Levesque, Senior Planner (480-858-2393)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

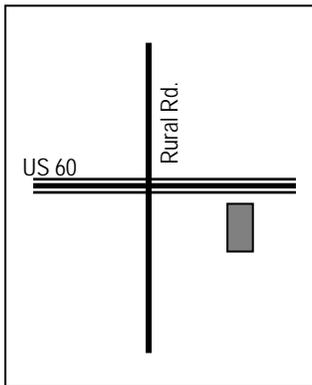
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

FISCAL NOTE: \$135.00 for abatement request includes towing of RV in the front yard.

RECOMMENDATION: Staff – Approval of Abatement Proceedings

ADDITIONAL INFO:



Code Compliance is requesting approval to abate the Costales Property located at 1050 East Greenway Drive in the R1-6, Single Family Residential District. The property is generally located southeast of Rural Road and the US 60. The details of this case represent several months of correspondence for compliance with the property owner. Staff requests the approval of abatement of the following nuisance items under Complaint CE102475: "RV parking in the front yard on an unimproved surface"

PAGES:

1. List of Attachments
2. Comments; History & Facts/Description

ATTACHMENTS:

1. Location Map
2. Aerial Photo
- 3-17. Code Compliance Report & Photographs

COMMENTS:

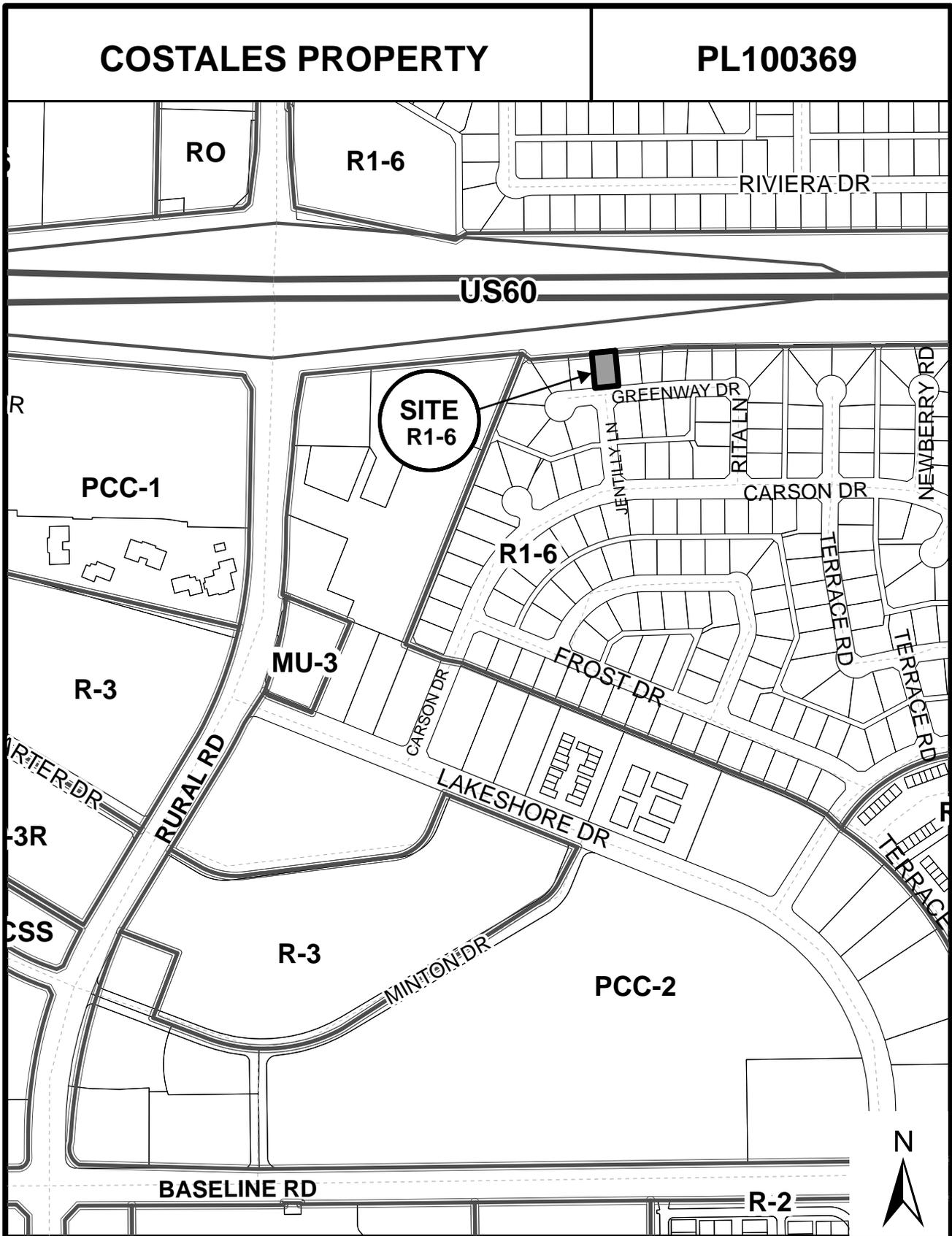
Code Compliance is requesting approval to abate the Costales Property located at 1050 East Greenway Drive in the R1-6, Single Family Residential District. This case was initiated on July 8, 2010 following which Code Compliance has attempted to obtain compliance through correspondence with the property owners, Bernabe & Elenita Costales, regarding violations of the Tempe City Code and Zoning and Development Code.

Bernabe & Elenita Costales have received a courtesy notice citing the specific items in violation with Tempe City Code with regards to: Parking in the front or street side yard in an area not improved and designated for parking; Non-permitted parking of recreational vehicles.

Without the intervention of abatement the property will continue to deteriorate. It is therefore requested that the City of Tempe Community Development Hearing Officer approve the abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code.

HISTORY & FACTS:

The history and facts of this case are detailed in an attached memo from the Code Compliance Inspector.



Location Map



COSTALES PROPERTY (PL100369)

DATE: November 3, 2010
TO: Michael Spencer, Senior Code Inspector
FROM: Jack Scofield, Code Inspector
SUBJECT: CE102475, Costales Property Abatement

LOCATION: 1050 E GREENWAY DR TEMPE, AZ 85282

LEGAL: TEMPE GARDENS TWELVE

PARCEL: 133-38-191

OWNER: COSTALES BERNABE M/ELENITA G
523 PACIFIC AVE
ALAMEDA CA 94501

FINDINGS:

7/8/2010 The Code Compliance Division received a complaint concerning a recreational vehicle exceeding 21 feet in length parked in the required front yard setback.

7/9/2010 Inspected property and found a 25'6" recreational vehicle parked within the front yard setback. Notice to comply mailed to the property owner and tenant Gino Cruse.

7/26/2010 Received phone call from tenant Gino Cruse requesting an extension. Extension granted until 8/24/2010

8/25/2010 Final notice to comply mailed to property owner and tenant. Also left voicemails for property owner and property manager with no response

9/8/2010 Citation issued to Gino Cruse.

10/4/2010 Received phone call from Gino Cruse stating that the recreational vehicle would be moved by 10/17/2010.

10/18/2010 Second citation issued to Gino Cruse.

11/1/2010 Gino Cruse failed to appear for second citation.

11/2/2010 Posted notice of intent to abate to property and mailed copy to property owner and tenant.

RECOMMENDATIONS:

I recommend an abatement of the zoning violation at the property at 1050 E. Greenway Dr., due to property owner and tenant's failure to bring property into compliance with Tempe City Zoning and development Code 4-602.B.7. Mr. Cruse has been issued 2 citations and has failed to appear for court to address the second citation. Mr. Costales and Mr. Cruse have been given ample time to come into compliance. There has been no indication Mr. Costales and Mr. Cruse will come into compliance. The property represents an eyesore to the community.

Respectfully submitted,

Jack Scofield
Code Inspector II

ACTION TAKEN: submit
NAME Michael S. Jones
DATE: 11-24-2010



DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

07-09-2010

COSTALES BERNABE M/ELENITA G
523 PACIFIC AVE
ALAMEDA, CA 94501

Case#: CE102475
Site Address: 1050 E GREENWAY DR

SITE REINSPECTION ON OR AFTER: 07/26/2010

This is a notice to inform you that this site was inspected on 07/09/2010 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Table with 2 columns: SECTION and VIOLATION. Rows include CC 21-3.b.4 (Parking in the front or side yard...), CC 21-3.b.8 (Landscaping that is substantially dead...), CC 21-3.b.15 (A wall or fence deteriorated...), CC 21-38.h (Landscaping not properly installed...), and ZDC 4-602.B.7 (Non-permitted parking of recreational vehicles).

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION

Table with 2 columns: SECTION and VIOLATION. Rows include CC 21-3.b.4 (Please remove vehicle from yard...), CC 21-3.b.8 (Please remove grass and weeds from gravel area...), CC 21-3.b.15 (Repair/replace damaged/missing blocks...), CC 21-38.h (Please remove grass and weeds from gravel area...), and ZDC 4-602.B.7 (Please remove RV/boat/trailer from the front or street yard setback).

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Jack Scofield
Code Inspector II

Direct: 480-350-8967
Code Compliance: (480)350-8372
Email: jack_scofield@tempe.gov

CC:

Civil and Criminal Penalties

City Code Section 21-3, subsections (b) 1-8, 15 and 17-19; Section 21-4; Sections 21-13; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$150 per violation, 2nd occurrence \$250 per violation, 3rd occurrence \$350 per violation | Sections 21-31, 21-32, 21-33, 21-35, 21-36: 1st occurrence \$250 per violation, 2nd occurrence \$450 per violation, 3rd occurrence \$650 per violation | Section 21-3, subsections (b) 9-14, 16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$350 per violation, 2nd occurrence \$650 per violation, 3rd occurrence \$950 per violation. | Section 21-25: \$1000 per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs. | Section 21-4 (B) Habitual Offender: 1st occurrence \$500 in addition to other fines, 2nd occurrence \$1000 in addition to other fines, 3rd occurrence, \$1500 in addition to other fines. | Zoning and Development Code: 1st occurrence \$120 per violation, 2nd occurrence \$370 per violation, 3rd occurrence \$770 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.

PAGE 2 - TEMPE CITY CODE/ZONING AND DEVELOPMENT CODE REFERENCE

Violation of City of Tempe Code 21-3-B-4

To leave or permit to remain outside of any single-family or multifamily dwelling or accessory building any camper, vehicle, or part thereof in any portion of the front or side area of the building visible from the street that is not on an improved area designed or intended for such use. An improved area shall:

- a. Be contiguous to, parallel with, and share an access point with, the required driveway;
- b. Have a consistent length and width, but not necessarily the same dimensions of the parking area or required driveway;
- c. Be no greater than thirty-five percent (35%) of the front and side areas visible from the street;
- d. Be a minimum of three (3) inches in depth if gravel, crushed rock or other aggregate. If using materials other than asphalt or concrete, an improved surface containing material such as gravel or crushed rock must be contained within a permanent border, imbedded in the ground, delineating the improved area from the remainder of the yard; and
- e. Be maintained free of all vegetation, including, but not limited to grasses, trees and bushes.

Zoning and Development Code reference—Section 4-602(B)(7), recreational vehicle parking.

Violation of City of Tempe Code 21-3-B-8

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

Violation of City of Tempe Code 21-3-B-15

Any wall or fence that is missing blocks, boards or other material, or is otherwise deteriorated so as to constitute a hazard to persons or property. This includes but is not limited to, leaning or damaged fences, fences missing slats or blocks or any other materials that are otherwise broken or damaged in such amounts as to present a deteriorated or slum-like appearance. All replacement materials shall be uniform, compatible and consistent with the design thereof.

Violation of City of Tempe Code 21-38.H

Every rental housing unit shall have landscaping in all yard areas which are visible from a public street, alley or sidewalk or a neighboring property. Such landscaping shall be installed and maintained so as to enhance the appearance and value of the property on which it is located and shall not present a deteriorated or slum-like appearance.

Violation of Tempe Zoning and Development Code 4-602.B.7

Recreational vehicles exceeding twenty-one (21) feet in length and all boats and trailers shall not be parked in the required front yard building or required street side yard, except for periods of up to forty-eight (48) hours within seven (7) consecutive days for the purpose of loading, unloading and cleaning. Such vehicles parked or stored in the defined setbacks shall be subject to a use permit.

Sec. 21-43.D Notice to comply

Additional notice; notice not required. Nothing herein shall preclude the city from giving additional verbal or written notice at its discretion but it is not obligated to notify the same person as to a second (or additional) violation which has been the subject of a notice to comply within the previous twelve (12) month period. If the city does elect to give any additional notice in any instance, it shall not thereby become obligated to give such additional notice thereafter in the same or other situations. Nothing in this section shall require the issuance of a second notice to comply within twelve (12) months prior to commencement of civil or criminal violation proceedings.



DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

07-09-2010

CRUSE, GINO
1050 E GREENWAY DR
TEMPE, AZ 85282

Case#: CE102475
Site Address: 1050 E GREENWAY DR

SITE REINSPECTION ON OR AFTER: 07/26/2010

This is a notice to inform you that this site was inspected on 07/09/2010 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Table with 2 columns: SECTION and VIOLATION. Rows include CC 21-3.b.4, CC 21-3.b.8, CC 21-3.b.15, CC 21-38.h, and ZDC 4-602.B.7 with corresponding violation descriptions.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION

Table with 2 columns: SECTION and VIOLATION. Rows include CC 21-3.b.4, CC 21-3.b.8, CC 21-3.b.15, CC 21-38.h, and ZDC 4-602.B.7 with corresponding corrective actions.

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Jack Scofield
Code Inspector II

Direct: 480-350-8967
Code Compliance: (480)350-8372
Email: jack_scofield@tempe.gov

CC: COSTALES BERNABE M/ELENITA G

Civil and Criminal Penalties

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- a. Be contiguous to, parallel with, and share an access point with, the required driveway;
- b. Have a consistent length and width, but not necessarily the same dimensions of the parking area or required driveway;
- c. Be no greater than thirty-five percent (35%) of the front and side areas visible from the street;
- d. Be a minimum of three (3) inches in depth if gravel, crushed rock or other aggregate. If using materials other than asphalt or concrete, an improved surface containing material such as gravel or crushed rock must be contained within a permanent border, imbedded in the ground, delineating the improved area from the remainder of the yard; and
- e. Be maintained free of all vegetation, including, but not limited to grasses, trees and bushes.

Zoning and Development Code reference—Section 4-602(B)(7), recreational vehicle parking.

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Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

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Sec. 21-43.D Notice to comply

Additional notice; notice not required. Nothing herein shall preclude the city from giving additional verbal or written notice at its discretion but it is not obligated to notify the same person as to a second (or additional) violation which has been the subject of a notice to comply within the previous twelve (12) month period. If the city does elect to give any additional notice in any instance, it shall not thereby become obligated to give such additional notice thereafter in the same or other situations. Nothing in this section shall require the issuance of a



**DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE**

8/25/10

COSTALES BERNABE M/ELENITA G
523 PACIFIC AVE
ALAMEDA, CA 94501

Case#: CE102475
Site Address: 1050 E GREENWAY DR

SITE REINSPECTION ON OR AFTER: 09/08/2010

This is a notice to inform you that this site was inspected on 8/25/10 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

<u>SECTION</u>	<u>VIOLATION</u>
CC 21-3.b.4	Parking in the front or side yard in an area not improved and designated for parking
ZDC 4-602.B.7	Non-permitted parking of recreational vehicles

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION

CC 21-3.b.4	Please remove vehicle from yard. Additional parking must meet the conditions of 21-3.b.4
ZDC 4-602.B.7	Please remove RV/boat/trailer from the front or street yard setback

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Jack Scofield
Code Inspector II

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SEE PAGE 2 (OTHER SIDE OF NOTICE) FOR CC/ZDC REFERENCE

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- e. Be maintained free of all vegetation, including, but not limited to grasses, trees and bushes.

Zoning and Development Code reference—Section 4-602(B)(7), recreational vehicle parking.

Violation of Tempe Zoning and Development Code 4-602.B.7

Recreational vehicles exceeding twenty-one (21) feet in length and all boats and trailers shall not be parked in the required front yard building or required street side yard, except for periods of up to forty-eight (48) hours within seven (7) consecutive days for the purpose of loading, unloading and cleaning. Such vehicles parked or stored in the defined setbacks shall be subject to a use permit.

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CORRECTION NOTICE**

8/25/10

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1050 E GREENWAY DR
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Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa County
State of Arizona



Complaint Number 1442762		Case Number		Social Security Number		Military		<input type="checkbox"/> Serious Physical Injury		<input type="checkbox"/> Accident <input type="checkbox"/> Fatality		<input type="checkbox"/> Commercial <input type="checkbox"/> Haz. Material		
Driver's License No.				DLP <input type="checkbox"/>	State	Class	Endorsements M H N P T X D				Incident Report Number CE102475			
Defendant		Name (First, Middle, Last) Gino Cruse										Juvenile		
Residence Address, City, State, Zip Code 1050 E Greenway Dr. Tempe, AZ 85282										Residence Phone No. () () ()				
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth		Restrictions						
Business Address, City, State, Zip Code										Business Phone No. () () ()				
Vehicle		Color	Year	Make	Model	Style	License Plate		State	Expiration Date				
Registered owner & address, City, State, Zip Code								Vehicle Identification Number						
The Undersigned Certifies That:														
On	Month 09	Day 08	Year 2010	Time 1000	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Speed	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace			Direction of Travel	
At	Location 1050 E Greenway Dr								<input checked="" type="checkbox"/> Tempe <input type="checkbox"/> State of Arizona		Area	Dist.		
The Defendant Committed the Following:														
A	Section: 1-201 A			ARS Violation: ZDC4-602.B.7 RV Parked in frontyard	<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic						
	Docket Number		Disp. Code:	Date of Disposition:		Sanction:		<input checked="" type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense				
MVD														
B	Section:			ARS Violation:	<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic						
	Docket Number		Disp. Code:	Date of Disposition:		Sanction:		<input type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense				
MVD														
C	Section:			ARS Violation:	<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic						
	Docket Number		Disp. Code:	Date of Disposition:		Sanction:		<input type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense				
MVD														
D	Section:			ARS Violation:	<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic						
	Docket Number		Disp. Code:	Date of Disposition:		Sanction:		<input type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense				
MVD														
E	Section:			ARS Violation:	<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic						
	Docket Number		Disp. Code:	Date of Disposition:		Sanction:		<input type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense				
MVD														
You must appear on the date and time indicated at:		Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753			<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor		Date: 9-22-2010	Time: Between 9AM & 4PM						
		<input type="checkbox"/> Court:		Date:	Time:	<input type="checkbox"/> AM <input type="checkbox"/> PM	Court No.							
Court Address, City, State, Zip Code														
Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.						Victim? <input type="checkbox"/>		Victim Notified? <input type="checkbox"/>						
Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.						I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.								
X						Complainant Jack Neffield		PSN 70003						
Comments: Juvenile Notification: Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday. Initials _____														
Date issued if not violation date														

COMPLAINT



1442762

Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa County
State of Arizona



Complaint Number 1442763		Case Number		Social Security Number		Military		<input type="checkbox"/> Serious Physical Injury		<input type="checkbox"/> Accident <input type="checkbox"/> Fatality		<input type="checkbox"/> Commercial <input type="checkbox"/> Haz. Material			
Driver's License No.				<input type="checkbox"/> DLP	State	Class	Endorsements M H N P T X D					Incident Report Number CE102475			
Defendant		Name (First, Middle, Last) Gino Cruse										Juvenile			
Residence Address, City, State, Zip Code 1050 E Greenway Dr Tempe, AZ 85282										Residence Phone No. () () ()					
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions								
Business Address, City, State, Zip Code										Business Phone No. () () ()					
Vehicle		Color	Year	Make	Model	Style	License Plate		State	Expiration Date					
Registered owner & address, City, State, Zip Code							Vehicle Identification Number								
The Undersigned Certifies That:															
On	Month 10	Day 18	Year 2010	Time 1:00	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Speed	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace			Direction of Travel		
At	Location 1050 E Greenway Dr							<input checked="" type="checkbox"/> Tempe		State of Arizona			Area Dist.		
The Defendant Committed the Following:															
A	Section: 1-201 A			ARS CC	Violation: ZDC4-602.B.7 RV Parked in front yard setback				<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:							
MVD															
B	Section:			ARS CC	Violation:				<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:							
MVD															
C	Section:			ARS CC	Violation:				<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:							
MVD															
D	Section:			ARS CC	Violation:				<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:							
MVD															
E	Section:			ARS CC	Violation:				<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:							
MVD															
You must appear on the date and time indicated at:		Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753			<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor		Date: 11-1-2010		Time: Between 9AM & 4PM						
		<input type="checkbox"/> Court:		Suite 200, 2nd Floor		Date:		Time:		<input type="checkbox"/> AM <input type="checkbox"/> PM		Court No.			
		Court Address, City, State, Zip Code													
Criminal: <input type="checkbox"/>	Without admitting guilt, I promise to appear as directed hereon.										Victim? <input type="checkbox"/>	Victim Notified? <input type="checkbox"/>			
Civil: <input type="checkbox"/>	Without admitting responsibility, I acknowledge receipt of this complaint.										I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.				
X								<i>Beafield</i> Complainant		70003 PSN					
Comments: Juvenile Notification: Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday. Initials _____															
Date issued if not violation date															

COMPLAINT



1442763

CASE # CE102475



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 11/02/2010

COSTALES BERNABE M/ELENITA G
523 PACIFIC AVE
ALAMEDA CA 94501

GINO CRUSE
1050 E GREENWAY DR
TEMPE, AZ 85282

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations on the following described property:

Legal: TEMPE GARDENS TWELVE
Location: 1050 E GREENWAY DR TEMPE, AZ 85282
Parcel: 133-38-191

This office will submit this complaint to the Development Services Abatement Hearing Officer to be placed on the Hearing Officer agenda of **12/07/2010**. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of:

- **REMOVE RECREATIONAL VEHICLE FROM THE REQUIRED FRONT YARD SETBACK**

As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct the violation. If the violations have not been corrected within thirty days, our office will proceed with the abatement process.

Upon receipt of the Hearing Officer approval to abate this public nuisance, the necessary work will be performed at the expense of the property owner. The cost of this work will be **\$135.00**. In addition to the actual cost of abatement, an administrative charge of fifteen (15) percent of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the city for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate for judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property whether or not the public nuisance is abated by the City.

If you have questions regarding this matter, please contact our office at (480) 350-8372.

Code Inspector: Jack Scofield
Phone Number: (480)350-8967
E-mail: jack_scofield@tempe.gov

JACK HARRINGTON
3831 W AVALON
PHOENIX, AZ. 85019
TEL: (602) 446-2630
FAX: (602) 347-5487
EMAIL: JACKHBOARDUPS@YAHOO.COM

THE FOLLOWING DOCUMENT IS FOR:

NAME: JACK
FIRM: CITY OF TEMPE CODE COMPLIANCE

THIS EMAIL PLUS __0__ PAGE(S)

DATE: 10-28-2010 TIME: _____ A.M. ___3:10___ P.M.

PROPOSAL

WE PROPOSE TO DO THE FOLLOWING WORK FOR THE CITY OF TEMPE

UNDER CONTRACT # TO8-092-02

ADDRESS: 1050 E. Greenway Dr. TEMPE, AZ.

- | | |
|--------------------------------|----------|
| 1. TOW R.V. IN FRONT YARD | \$135.00 |
| 2. TOTALL COST FOR ABOVE ITEMS | \$135.00 |

THANK YOU

ACCEPTANCE

JACK HARRINGTON

