

Staff Summary Report



Hearing Officer Hearing Date: April 20, 2010

Agenda Item Number: 7

SUBJECT: This is a public hearing for a request by the City of Tempe – Code Compliance Division to abate public nuisance items at the Doede Residence located at 1028 W. Cornell Drive.

DOCUMENT NAME: 20100420dsdk01 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the City of Tempe – Code Compliance Division to abate public nuisance items in violation of the Tempe City Code for the **DOEDE RESIDENCE (PL100071/ABT10002/CE100251)** (Brandy Zedlar, Inspector; Douglas Doede, property owner) located at 1028 West Cornell Drive in the R1-6, Single Family Residential District.

PREPARED BY: Diana Kaminski, Senior Planner (480-858-2391)

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

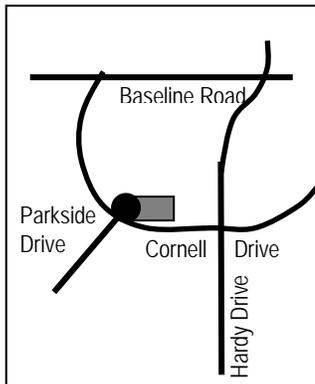
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:



Code Compliance is requesting approval to abate the Doede Residence located at 1028 West Cornell Drive. The property is generally located south of Baseline Road and west of Hardy Drive, east of the Highline canal. The property has had three previous abetments in the past two years, ten complaints and two civil citations. The property has not been maintained and staff has received another complaint regarding the condition of the property. The deteriorated landscape and unregistered car have been brought to the owner's attention through code compliance inspections and actions detailed in this case. Correspondence for compliance with the property owner was initiated in February and has continued for several months.

Staff requests the approval of an abatement of the following nuisance items under Complaint CE100251: in violation of TCC 21-3-b-8 and TCC 21-3-b-3 including landscape clean-up in the front and side yards and removal of the unregistered vehicle License #917-YVE. Staff also requests an ongoing 180 day continuous abatement for maintenance of the property and preservation of the neighborhood.

PAGES:

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

ATTACHMENTS:

1. Location Map
2. Aerial Photo
- 3-10. Neighborhood Enhancement Report

COMMENTS:

Code Compliance is requesting approval to abate the Doede Residence located at 1028 West Cornell Drive in the R1-6, Single Family Residential District. This case was initiated on February 8, 2010 by a complaint. Code Compliance inspected the property and attempted to obtain compliance through correspondence with the property owner, Douglas Doede, regarding violations of the Tempe City Code for deteriorated landscaping.

Mr. Doede has received a courtesy notice citing the specific items in violation with Tempe City Code with regards to nuisance items under Complaint CE100251: in violation of TCC 21-3-b-8 and TCC 21-3-b-3 including landscape clean-up in the front and side yards and removal of the unregistered vehicle License #917-YVE. Mr. Doede has been issued two (2) prior civil citations and three previous abatements have been conducted on this property.

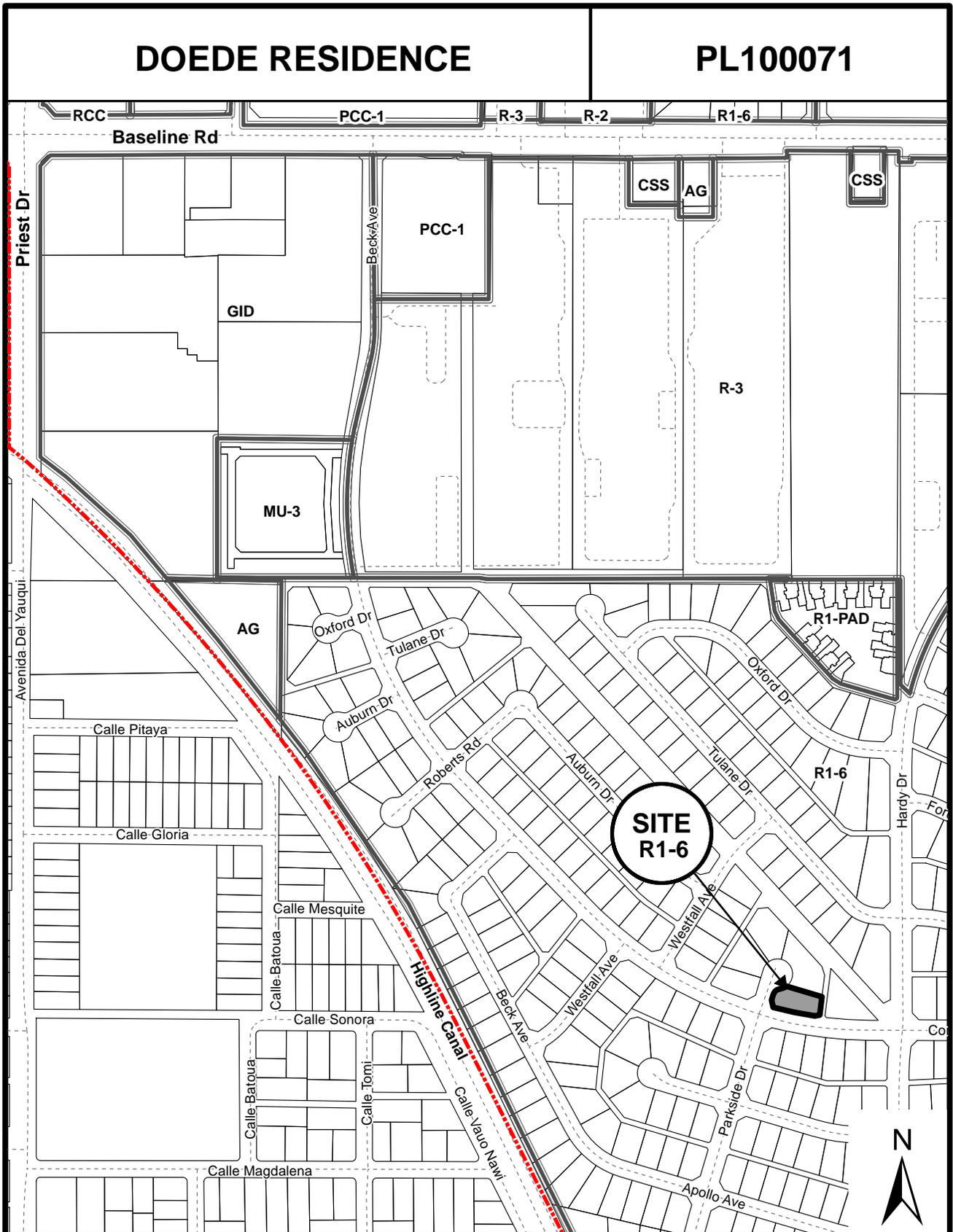
Without the intervention of abatement the property will continue to deteriorate. It is therefore requested that the City of Tempe Development Services Hearing Officer approve the abatement of this public nuisance in accordance with section 21-53 of the Tempe City Code. It is further requested that the Hearing Officer approve additional abatements as deemed necessary by Code Compliance for a period not to exceed one hundred eighty (180) days from this abatement order.

HISTORY & FACTS:

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

DOEDE RESIDENCE

PL100071



Location Map



DOEDE RESIDENCE (PL100071)

DATE: 3/10/10
TO: Michael Spencer, Sr. Code Inspector
FROM: Brandy Zedlar
SUBJECT: Request to Authorize for Abatement– Reference Complaint #CE100251

LOCATION: 1028 W. Cornell Dr., Tempe, AZ 85283
LEGAL: Parcel #301-07-217, as recorded with the Maricopa County Assessor
OWNER: Douglas Doede

FINDINGS:

2/08/10 – The Neighborhood Enhancement Division received a complaint on the above property concerning the deteriorated landscape. The property was inspected and found to have deteriorated landscape in the front and side yard and a unregistered car Lic #912-YVE parked in the east side yard. Final notice to comply was sent to the property owner.

3/08/10 – The property was inspected with no change in its condition. The Neighborhood Enhancement Division filed for an Abatement Hearing.

PROPERTY HISTORY:

- 10/29/2009, 5/26/2009, 11/04/2008 - Landscape was cleaned up per Abatement approval.
- 10 complaints have been received for deteriorated landscape between 2002-2008.
- 2 civil citations have been issued in 2008 for deteriorated landscape in which Mr. Doede defaulted.

RECOMMENDATIONS:

I recommend the approval for abatement at 1028 W. Cornell Dr., which is owned by Mr. Douglas Doede. Mr. Doede has been given ample time and opportunities to bring his property into compliance and has failed to take corrective action. Due to the history of this property, I am requesting approval for continuous abatements in the next 180 days if deemed necessary. There has been no indication in Mr. Doede actions that he plans to correct and maintain his property.

Respectfully submitted,
Brandy Zedlar

ACTION TAKEN: Referred to Hearing Officer

NAME: Michael Spencer

DATE: 3/10/10

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: BRANDY
FIRM: CITY OF TEMPE CODE COMPLIANCE

THIS EMAIL PLUS 0 PAGE(S)

DATE: 3-09-2010 TIME: _____ A.M. 2:00 P.M.

PROPOSAL

WE PROPOSE TO DO THE FOLLOWING WORK FOR THE CITY OF TEMPE
UNDER CONTRACT # TO8-092-02

ADDRESS: 1028 W. CORNELL

1. REMOVE WEEDS FROM FRONT BACK AND SIDE
YARDS
8 MAN HRS @ \$22./HR \$176.00

2. TOW VEHICLE FROM PREMISES \$135.00

NO OFFICER NEEDED

TOTAL COST FOR ABOVE ITEMS \$311.00



City of Tempe
P. O. Box 5002
Tempe, AZ 85280
www.tempe.gov
(480) 350-8372
(480) 858-2231 (fax)

Code Compliance Division

NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: March 10, 2010

TO: Douglas Doede
1028 W. Cornell Dr.
Tempe, AZ 85283

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

LEGAL: Parcel # 301-07-217, as recorded with the Maricopa County Assessor.

LOCATION: 1028 W. Cornell Dr. Tempe, AZ 85283

This office will submit this complaint to the Development Services Abatement Hearing Officer to be placed on the Hearing Officer agenda of April 20, 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: Those items constituting a violation of TCC 21-3-b-8 and TCC 21-3-b-3 which would include landscape clean-up in the front and side yard and removal of the unregistered vehicle Lic #917-YVE.

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 \$311.00. 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 Enforcement Officer: Brandy Zedlar

Phone Number 480-350-8372

Query Response (Order 18801058)

Plate Number 912YVE
VIN
Name

ARIZONA MOTOR VEHICLE RECORD AS OF 03/10/2010

PLATE 912YVE - 001	TAB 825B611	CAT A	VIN 1G8ZK5272XZ187475
MAKE STRN	YEAR 1999	VST 4DSD	FLP 013615
GVW 000000	FUEL G	MFR APR 1999	EXP OCT 31, 2007
		PRD	FNED 00000000

TITLE	ST	DATE	FILM	OTC	OD	CODE
557M007232022	AZ	08202007	H232557M11	OTC	0109210	A

LEGAL STATUS

OWNER1 DOUGLAS, ALAN, DOEDE
OWNER2

M/ADR 1028 W CORNELL DR	CITY TEMPE	ST AZ 852831624	CO 07
L/ADR	CITY	ST	CO 00

COMMENTS

LIEN1	DATE	LEGAL STATUS
ADR		
LIEN2	DATE	LEGAL STATUS
ADR		
LIEN3	DATE	
ADR		
STATUS CODE 25		



Keith E. Russell
M.A.I.



Maricopa
County
Assessor

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Property Information

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Parcel #: 301-07-217

MCR #: 19824

Property Address: 1028 W CORNELL DR
TEMPE 85283

Property Description: WOOD PARK VILLAGE MCR 198-24
Section Township Range: 4 1S 4E

Associated Parcel:

Subdivision Name: WOOD PARK VILLAGE LOT 1-314 & TR A-C

Lot #: 210

School Dist: TEMPE SCHOOL DISTRICT

Local Jurisdiction: TEMPE

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Owner Information

[View Tax Information](#)

Owner: DOEDE DOUGLAS A

In Care Of:

Mailing Address: 1028 W CORNELL DR
TEMPE AZ 85283 USA

Deed #: 030342030

Deed Date: 3/20/2003

Sales Price: \$99,900

Sales Month/Year: 3/2003

Valuation Information

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Tax Year:	2011	2010	2009
Full Cash Value (FCV):	\$87,500	\$118,500	\$136,100
Limited Property Value (LPV):	\$87,500	\$118,500	\$127,119
Notice: The values displayed on this page may not reflect constitutional or statutory adjustments.			
Legal Class:	3	3	3
Assessment Ratio:	10.0%	10.0%	10.0%
Assessed FCV:	\$8,750	\$11,850	\$13,610
Assessed LPV:	\$8,750	\$11,850	\$12,712
Property Use Code:	0131	0131	0131
Tax Area Code:	031608	031608	031608

Additional Component Information (for this parcel)

[Valuation](#) [Characteristics](#)

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Helpful Information:

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Maricopa County Assessor || 301 W. Jefferson St. || Phoenix, AZ 85003

602-506-3406





