

Staff Summary Report



Hearing Officer Hearing Date: 12/07/10

Agenda Item Number: 16

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

DOCUMENT NAME: 20101207cddk02 **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 **REVIE RESIDENCE (PL100374/ ABT10036/ CE101686)** (Shawn Daffara, Inspector; Kevin Revie, property owner) located at 1215 West 11th Street 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*

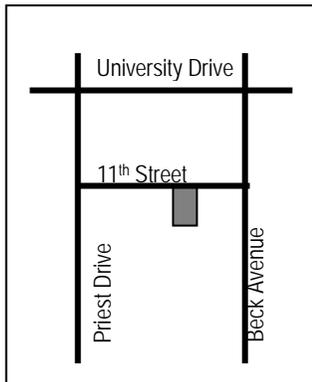
LEGAL REVIEW BY: N/A

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

FISCAL NOTE: \$840 for abatement plus \$135 per vehicle for towing, the cost of the abatement and towing will be levied on the property.

RECOMMENDATION: Staff – Approval of Abatement Proceedings

ADDITIONAL INFO:



Code Compliance is requesting approval to abate the Revie Residence located at 1215 West 11th Street in the R1-6, Single Family Residential District. The property is generally located south of University Drive, east of Priest Drive, and west of Beck Avenue. 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 CE101686: weeds, debris and inoperable vehicles.

The property has had six complaints in the past three years, with minimal response or effort to comply and failure to appear in court when cited. Due to the history of recidivism of the property owner and eleven months of attempts to have the site remediated by the property owner, **staff is requesting a 180-day open abatement to prevent repeated property neglect and neighborhood decline.**

PAGES:

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

ATTACHMENTS:

1. Location Map
2. Aerial Photo
- 3-14. Code Compliance Report & Photographs

COMMENTS:

Code Compliance is requesting approval to abate the Revie Residence located at 1215 West 11th Street in the R1-6, Single Family Residential District. This case was initiated on January 14th, 2010 with an additional complaint received on May 6th, 2010 following which Code Compliance has attempted to obtain compliance through correspondence with the property owner, Kevin Revie, regarding violations of the Tempe City Codes 21-3-B-3, 21-B-3-8, and 21-3-B-1: for inoperable/unregistered vehicles and excessive weeds and debris.

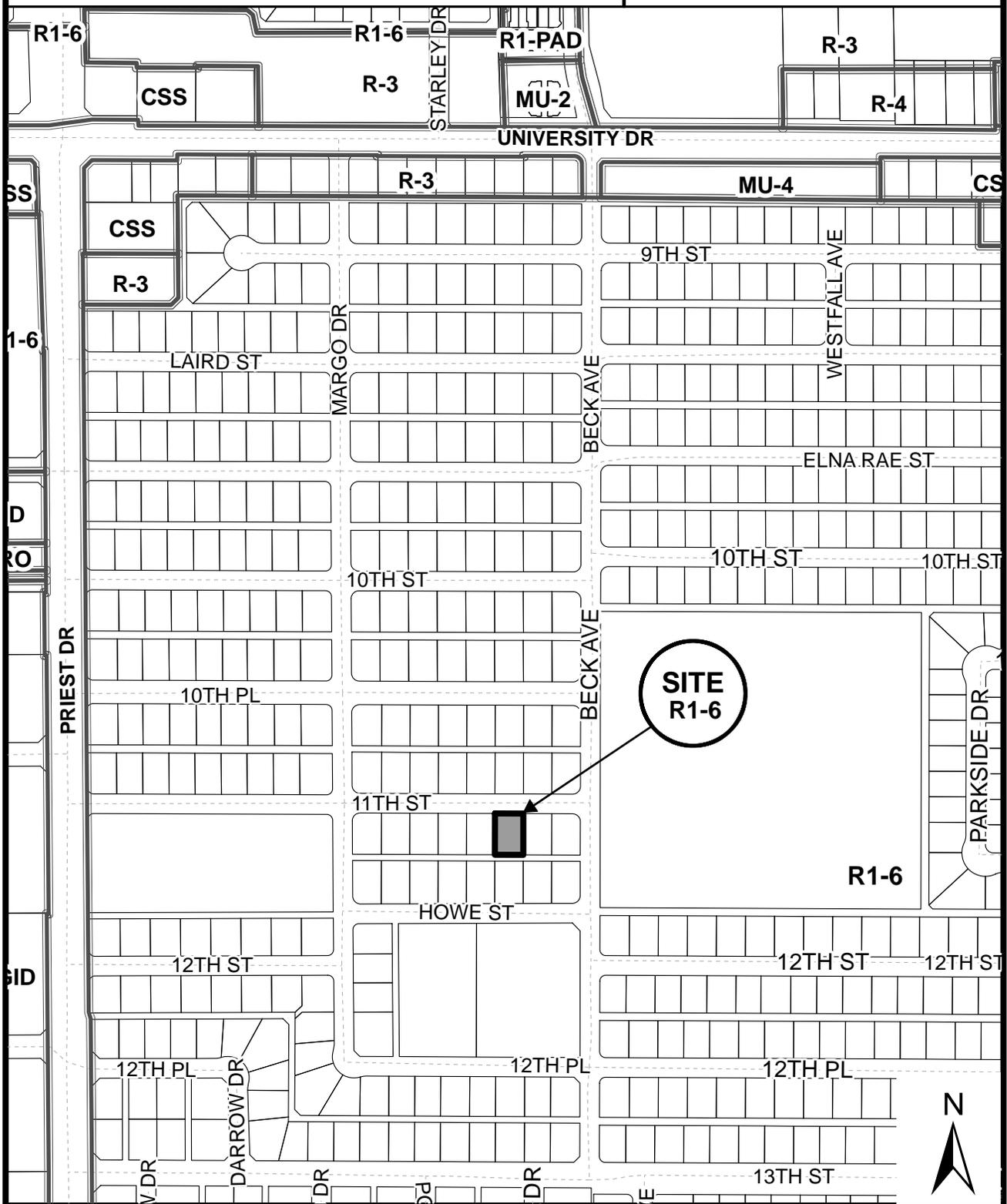
The property has had multiple violations over the past three years with little response from the property owner. Without the intervention of abatement the property will continue to deteriorate. It is therefore requested that the City of Tempe Community Development Hearing Officer approve the abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code.

HISTORY & FACTS:

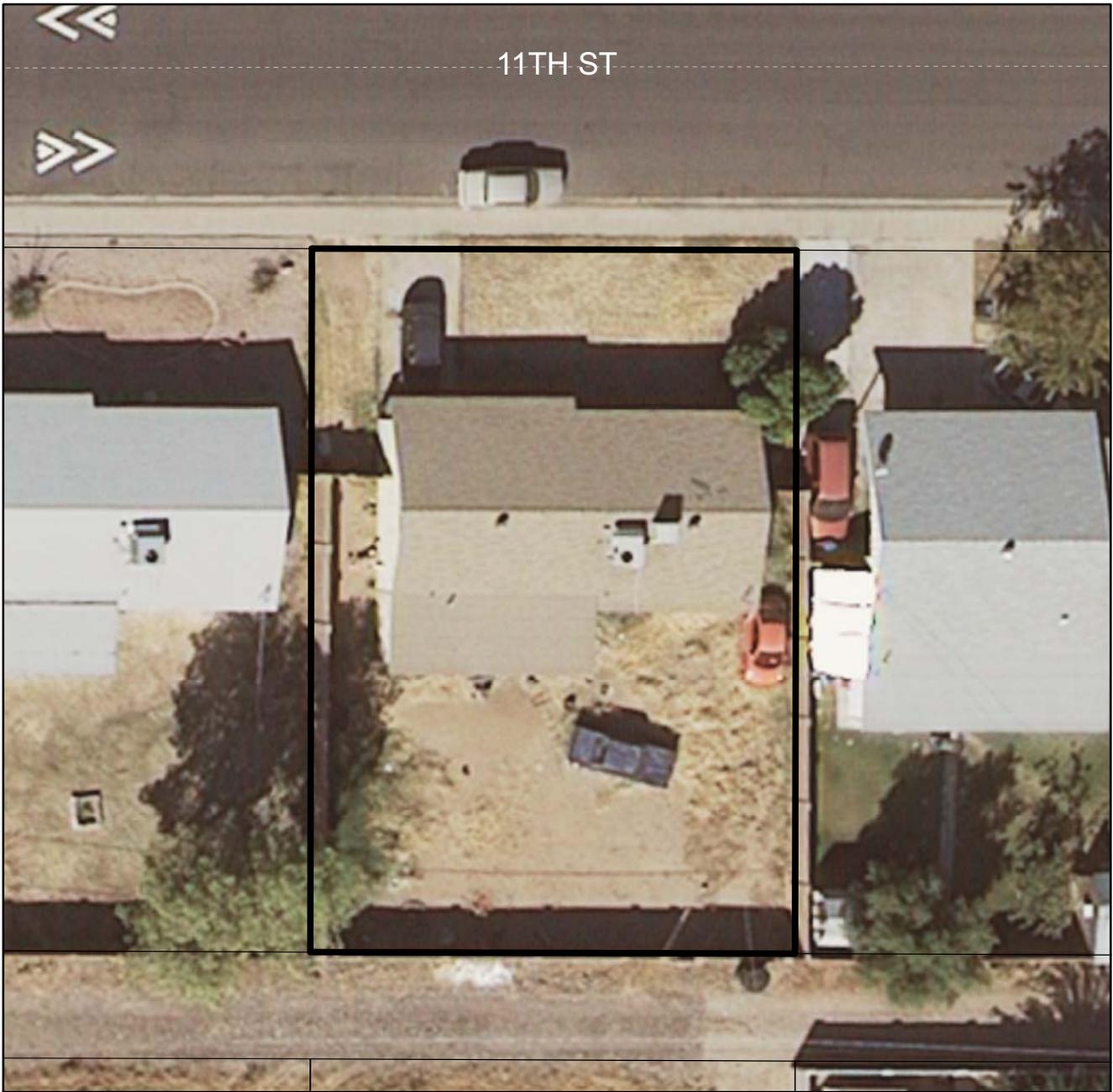
The history and facts of this case are detailed in an attached memo from the Code Compliance Inspector.

REVIE RESIDENCE

PL100374



Location Map



REVIE RESIDENCE (PL100374)

DATE: 11/08/2010
TO: Michael Spencer, Senior Code Inspector
FROM: Shawn Daffara, Code Inspector II
SUBJECT: Request to Abate Nuisance and Zoning Violations

LOCATION: 1215 W. 11TH St., Tempe, AZ 85281

LEGAL: Book 124, Map 76, Parcel 067, as recorded with the Maricopa County Assessor

OWNER: KEVIN REVIE
1215 W. 11TH ST
TEMPE, AZ 85281

CE101686-FINDINGS:

- 5/6/10 The Neighborhood Enhancement Department received a complaint for the above property for deteriorated landscaping and vehicle in driveway with expired registration.
- 5/10/10 Inspected the property. There were some weeds and grass on property and Purple KIA (AZ) 174-YGK with expired registration. First notice sent Inspector Julie Scofield.
- 5/26/10 Checked the property, No progress or change. Second notice sent. Inspector Julie Scofield.
- 6/22/10 Case transferred to Shawn Daffara. Final notice sent
- 7/08/10 No Change. Posted Final notice to front door of property.
- 7/30/10 No Change. No contact from owner Mr. Revie. 1st Citation issued, posted to front door. Took photos of property. Mr. Revie failed to appear for this court date.
- 8/16/10 No Change. No contact from owner Mr. Revie. 2nd Citation issued, posted to front door. Took photos of property. Mr. Revie failed to appear for this court date.
- 9/01/10 Some minor progress. Portions of yard have been cut. Unregistered vehicle still in driveway no change.
- 09/22/10 No new changes. 3rd Citation issued. Took photos of property. Mr. Revie failed to appear for this court date.
- 10/26/10 No changes. Notice to Abatement posted to property. Took photos of property.

COMPLAINT HISTORY:

CE0776522	11/01/07	Complaint for deteriorated landscape and lawn parking.
CE085613	08/05/08	Complaint for deteriorated landscape, inoperable vehicle in driveway
CE091360	02/26/09	Complaint for inoperable/unregistered vehicle
CE095707	10/10/09	Complaint for deteriorated landscape
CE100077	01/14/10	Complaint for inoperable vehicle in driveway.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violation be done at the property of 1215 W. 11th Street due to Kevin Revie failure to come into compliance with Tempe City Codes. Mr. Revie has been given ample time in previous cases to come into compliance and maintain the property. There has been no indication in Mr. Revie actions that he plans on coming into compliance. I request approval for a 180 day Standing Abatement to remove the over height grass and weeds, litter, debris and unregistered vehicle in driveway due to the past history of code violations and owners lack of response in correcting these violations.

Respectfully submitted,

Shawn Daffara

ACTION TAKEN: Submit

NAME: 

DATE: 11-9-10



**DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE**

05-11-2010

KEVIN REVIE
1215 W 11TH ST
TEMPE AZ 85281-5327

Case#: CE101686
Site Address: 1215 W 11TH ST

SITE REINSPECTION ON OR AFTER: 05/25/2010

This is a notice to inform you that this site was inspected on 05/10/2010 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.

<u>SECTION</u>	<u>VIOLATION</u>
CC 21-3.b.3	An unregistered vehicle outside of or under a roof area not enclosed
CC 21-3.b.8	Uncultivated plants, weeds, tall grass, or growth higher than 12 inches

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION

CC 21-3.b.3	Please register or remove the KIA vehicle with license plate of (174YGK) from the driveway
CC 21-3.b.8	Please cut overheight weeds and grass from the front and sides of the front landscaping.

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

Julie Scofield
Code Inspector II

Direct: 480-350-8951
Code Compliance: (480)350-8372
Email: julie_scofield@tempe.gov

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.



**DEVELOPMENT SERVICES DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE**

05-26-2010

KEVIN REVIE
1215 W 11TH ST
TEMPE AZ 85281-5327

Case#: CE101686
Site Address: 1215 W 11TH ST

SITE REINSPECTION ON OR AFTER: 06/10/2010

This is a notice to inform you that this site was inspected on 05/26/2010 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.

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Julie Scofield
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Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa County
State of Arizona



Complaint Number 1362212	Case Number	Social Security Number	Military	<input type="checkbox"/> Serious Physical Injury	<input type="checkbox"/> Accident	<input type="checkbox"/> Fatality	<input type="checkbox"/> Commercial
Driver's License No.	DLP <input type="checkbox"/>	State	Class	Endorsements M H N P T X D	<input type="checkbox"/> 16 Passenger Vehicle	<input type="checkbox"/> Haz. Material	Incident Report Number CE101686

Defendant	Name (First, Middle, Last) Kevin Revie	Juvenile
Residence Address, City, State, Zip Code 1215 W 11th St.		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 7	Day 30	Year 10	Time 9:50	<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 1215 W 11th St.						<input checked="" type="checkbox"/> Tempe	State of Arizona		Area	Dist.

The Defendant Committed the Following:

A	Section: 21-3 B8	ARS Violation: <input checked="" type="checkbox"/> Deteriorated Landscape	<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
B	Section: 21-3 B3	ARS Violation: <input checked="" type="checkbox"/> Unregistered/Inoperable Vehicle	<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
C	Section:	ARS Violation: <input type="checkbox"/> CC	<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
D	Section:	ARS Violation: <input type="checkbox"/> CC	<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
E	Section:	ARS Violation: <input type="checkbox"/> CC	<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

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: 8/13/10	Time: Between 9AM & 4PM
		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
	<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 Posted to property 7/30/10	Complainant: [Signature]	PSN: #15376

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 _____	213B8 = \$150.00 213B3 = \$150.00 \$300.00 total fine	Code Compliance 7/30/10 Date issued if not violation date
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COMPLAINT



1362212

Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa County
State of Arizona



Complaint Number 1442732		Case Number		Social Security Number		Military		<input type="checkbox"/> Serious Physical Injury	<input type="checkbox"/> Accident	<input type="checkbox"/> Fatality	<input type="checkbox"/> Commercial
Driver's License No.		<input type="checkbox"/> DLP	State	Class	Endorsements M H N P T X D			Incident Report Number CE101686			
Defendant Name (First, Middle, Last) Kevin Revie											Juvenile
Residence Address, City, State, Zip Code 1215 W. 11th St. Tempe, AZ 85281										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 8	Day 16	Year 10	Time 10:15	<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 1215 W. 11th St							<input checked="" type="checkbox"/> Tempe	State of Arizona		Area	Dist.

The Defendant Committed the Following:

A	Section: 21-3 B 8	ARS <input checked="" type="checkbox"/>	Violation: Deteriorated Landscapes	<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: 21-3 B 3	ARS <input checked="" type="checkbox"/>	Violation: Unregistered Vehicle	<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 Purple KIA Sophia AZ-174-YGR						
C	Section:	ARS <input type="checkbox"/>	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 <input type="checkbox"/>	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 <input type="checkbox"/>	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: 8/31/10	Time: Between 9AM & 4PM
		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
	<input type="checkbox"/> Court:		Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
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 Mailed on 8/16/10	Complainant: [Signature]	PSN: #15376

Comments: Juvenile Notification: 2nd Ticket	21-3B8 = \$270.00	Code Compliance
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 _____	21-3B3 = \$270.00	8/16/10
Total Fine \$540.00		Date issued if not violation date

COMPLAINT



1442732

Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa County
State of Arizona



Complaint Number 1442736	Case Number CE101686	Social Security Number	Military	<input type="checkbox"/> Serious Physical Injury	<input type="checkbox"/> Accident	<input type="checkbox"/> Fatality	<input type="checkbox"/> Commercial
Driver's License No.	DLP <input type="checkbox"/>	State	Class	Endorsements M H N P T X D	<input type="checkbox"/> 16 Passenger Vehicle	<input type="checkbox"/> Haz. Material	Incident Report Number
Defendant	Name (First, Middle, Last) Kevin L Revie						Juvenile
Residence Address, City, State, Zip Code 1215 W. 11th St. Tempe AZ 85281						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
Registered owner & address, City, State, Zip Code						Vehicle Identification Number	

The Undersigned Certifies That:

On	Month 9	Day 22	Year 10	Time 11:15	<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 1215 W. 11th St.								<input checked="" type="checkbox"/> Tempe	State of Arizona	
										Area	Dist.

The Defendant Committed the Following:

A	Section: 21-3 B 8	ARS Violation: <input checked="" type="checkbox"/> Deteriorated Landscape	<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: 21-3 B 3	ARS Violation: <input checked="" type="checkbox"/> Unregistered Vehicle	<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 Purple KIA (AZ) 174-46K					
C	Section:	ARS Violation: <input type="checkbox"/> CC	<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"/> CC	<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"/> CC	<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					

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	<input type="checkbox"/> Court:	<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
Court Address, City, State, Zip Code		Date: _____	Time: _____	<input type="checkbox"/> AM <input type="checkbox"/> PM Court No.

Criminal: Without admitting guilt, I promise to appear as directed hereon.
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Victim? Victim Notified?

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 Mailed on **9/22/10** **# 15376**
PSN

Comments:
Juvenile Notification:
 Failure to appear or comply as ordered will result in a suspension of your driver's license/driver privileges until you comply or reach your 18th birthday. Initials _____

3rd Ticket. 213B.8 = 370.00
213B.3 = 370.00
Total Fines: 740.00 **9/22/10**

Date issued if not violation date _____

COMPLAINT



1442736



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

Neighborhood Enhancement Division

NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: OCTOBER 26, 2010

TO: KEVIN REVIE
1215 W. 11TH ST
TEMPE, AZ 85281

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations **CE101686** on the following described property:

LEGAL: Book 124, Map 76, Parcel 067, as recorded with the Maricopa County Assessor.

LOCATION: 1215 W. 11TH ST. TEMPE, AZ 85281

This office will submit this complaint to the Development Services Abatement Hearing Officer to be placed on the Hearing Officer agenda of DECEMBER 7 2010, at 1:30 pm. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal or repair of:

- REMOVE VEHICLE (AZ) 174-YGK WITH EXPIRED REGISTRATION, WHICH IS IN VIOLATION OF TEMPE CITY CODE 21-3-B-3.
- REMOVE EXCESS VEHICLES IN BACK YARD (ONLY 2 VEHICLES ALLOWED), WHICH IS IN VIOLATION OF TEMPE CITY CODE 21-3-B-3.
- REMOVAL OF ALL OVER HEIGHT GRASS AND WEEDS ON THE PROPERTY THAT ARE IN VIOLATION OF TEMPE CITY CODE 21-3-B-8.
- REMOVAL OF ALL JUNK AND DEBRIS ON THE PROPERTY THAT ARE IN VIOLATION OF TEMPE CITY CODE 21-3-B-1.

As owner of the property, this is your receipt of this letter to abate or correct the violation. If the violations have not been corrected, 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 approximately \$840.00. 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) 858-2284.

Code Inspector: Shawn Daffara
Phone Number: 480-858-2284
E-mail: Shawn_Daffara@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: SHAWN
FIRM: CITY OF TEMPE CODE COMPLIANCE

THIS EMAIL PLUS 0 PAGE(S)

DATE: 10-25-2010 TIME: _____ A.M. 12:40 P.M.

PROPOSAL

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

ADDRESS: 1215 W. 11TH ST. TEMPE, AZ.

1. CLEAN FRONT & BACK YARDS OF WEEDS & DEBRIS. 15 MAN HRS @ \$22./HR	\$330.00
2. TWO LOADS TO DUMP @ \$40.00	\$80.00
3. TOW VEHICLE FROM FRONT YARD	\$135.00
4. POLICE 5 HRS @ \$59/HR	<u>\$295.00</u>
TOTAL COST FOR ABOVE ITEMS	\$840.00

NOTE: IF WE NEED TO TOW VEHICLES FROM THE REAR YARD, \$135.00
WILL NEED TO BE ADDED PER VEHICLE.

THANK YOU

ACCEPTANCE

JACK HARRINGTON





