



**CITY OF TEMPE
HEARING OFFICER**

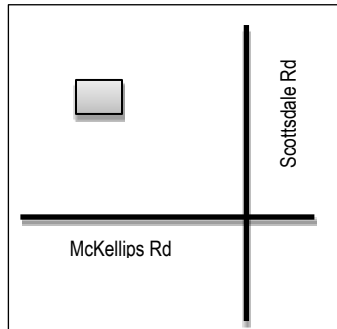
**Meeting Date: 1/6/2026
Agenda Item: 3**

ACTION: Request approval to abate public nuisance items at the KELLEY PROPERTY located at 321 E. Beatryce St. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$5300.00 for abatement request, including removal of junk and debris. Security on site.

RECOMMENDATION: Staff – Approval

BACKGROUND INFORMATION: City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the KELLEY PROPERTY (CE253490). 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 CE253490: removal of junk and debris. The request includes the following:



Property Owner	Keith Kelley
Applicant	City of Tempe – Code Compliance
Zoning District:	R1-6, Single Family Residential District
Code Compliance Inspector:	Michael Moreno, Code Inspector

ATTACHMENTS: Supporting Attachment

STAFF CONTACT: Shawn Daffara, Crime Prevention Planning Coordinator (480-858-2284)

Department Director: Jeff Tamulevich, Community Development Director
Prepared by: Cassidy McFerran, Executive Assistant
Reviewed by: Drew Yocom, Deputy Community Development Director – Community Enhancement

COMMENTS:

Code Compliance is requesting approval to abate the KELLEY PROPERTY located at 321 E. Beatryce St. in the R1-6, Single Family Residential District. This case was initiated 06/10/2025 following which Code Compliance has attempted to obtain compliance through correspondence with the property owner regarding violations of the Tempe City Code.

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.

ABATEMENT

Planning Application Submittal Form

Part 1 of 2

City of Tempe
Community Development Department
31 East 5th Street, Garden Level, Tempe, Arizona 85281
(480) 350-4311 Fax (480) 350-8677
Planning Fax (480) 350-8872
<http://www.tempe.gov/planning>



All applications must be accompanied by the required plans, submittal materials, and correct fee(s)

PROJECT INFORMATION – REQUIRED			
PROJECT NAME	Keith Kelley Property Abatement	EXISTING ZONING	R1-4 <input type="checkbox"/>
PROJECT ADDRESS	321 E. Beatryce St. Tempe, AZ, 85281	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	Abatement of CE253490 Hearing Officer Date: 01/06/2026	PARCEL No(s)	129-15-055 <input type="checkbox"/>

PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)			
BUSINESS NAME		ADDRESS	321 E. Beatryce St.
CONTACT NAME	Keith Kelley	CITY	Tempe
EMAIL	n/a	PHONE 1	480-848-1818
		PHONE 2	

I hereby authorize the applicant below to process this application with the City of Tempe.

PROPERTY OWNER SIGNATURE	X	DATE	
or attach written statement authorizing the applicant to file the application(s)			

APPLICANT INFORMATION – REQUIRED			
COMPANY / FIRM NAME	City of Tempe Code Enforcement	ADDRESS	21 E. 6th St #208
CONTACT NAME	Michael Moreno / Code Inspector	CITY	Tempe
EMAIL	michael_moreno@tempe.gov	PHONE 1	480-350-2836
		PHONE 2	

I hereby attest that this application is accurate and the submitted documents are complete. I acknowledge that if the application is deemed to be incomplete it will be returned to me without review, to be resubmitted with any missing information.

APPLICANT SIGNATURE	X	DATE	11/14/25
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BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs			
BUSINESS NAME		ADDRESS	
CONTACT NAME		CITY	
TYPE OF BUSINESS		PHONE	
		STATE	
		ZIP	
		EMAIL	

APPLICATION (Check all that apply)	QTY	SPECIFIC REQUEST (See Planning & Zoning Fee Schedule for types)	FOR CITY USE ONLY (Planning record tracking numbers)	
<input type="checkbox"/> A. PRELIMINARY SITE PLAN REVIEW			SPR	
<input type="checkbox"/> B. ADMINISTRATIVE APPLICATIONS			ADM	
<input type="checkbox"/> C. VARIANCES			VAR	
<input type="checkbox"/> D. USE PERMITS / USE PERMIT STANDARDS			ZUP	
<input type="checkbox"/> E. ZONING CODE AMENDMENTS			ZOA	ZON
<input type="checkbox"/> F. PLANNED AREA DEVELOPMENT OVERLAYS			PAD	REC
<input type="checkbox"/> G. SUBDIVISION / CONDOMINIUM PLATS			SBD	REC
<input type="checkbox"/> H. DEVELOPMENT PLAN REVIEW			DPR	
<input type="checkbox"/> I. APPEALS				
<input type="checkbox"/> J. GENERAL PLAN AMENDMENTS			GPA	
<input type="checkbox"/> K. ZONING VERIFICATION LETTERS			ZVL	
<input checked="" type="checkbox"/> L. ABATEMENTS			CE	CM
<input type="checkbox"/> M. SIGN TYPE K			GO	SE
TOTAL NUMBER OF APPLICATIONS	0			

FOR CITY USE ONLY			
DS TRACKING #		FILE APPLICATION WITH CE / CM / IP TRACKING #	DATE RECEIVED (STAMP)
PL TRACKING #			VALIDATION OF PAYMENT (STAMP)
SPR TRACKING # (If 2 nd or 3 rd submittal, please use Planning Resubmittal Form)			TOTAL APPLICATION FEES
			RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA



DATE: November 14, 2025
TO: Kevin Kowalski, Senior Code Inspector
FROM: Michael Moreno, Code Inspector
SUBJECT: CE253490, Keith Kelley Property Abatement

LOCATION: 321 E BEATRYCE ST. TEMPE, AZ 85281

PARCEL: 129-15-055

OWNER: KEITH KELLEY
321 E BEATRYCE
TEMPE, AZ 85281

FINDINGS:

6/10/2025 The Code Compliance Division received complaint for people living in the rear yard.

6/11/2025 Inspected property and found trash and debris in the front, sides, and rear yards. An Inoperable vehicle in the driveway. Notice to comply mailed to owner.

6/25/2025 I reinspected the property and found that the violations had not been corrected. Mailed final notice to comply to owner.

7/10/2025 – 8/14/2025 monitored the property to allow the property owner to evict the homeless living in the rear yard.

8/15/2025 Civil Citation issued.

9/2/2025 Received subpoena for civil citation.

10/9/2025 Owner pleaded responsible for the violations. All fees paid.

11/14/2025 Posted notice of intent to abate to property and mailed to property owner.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violations at the property at 321 E Beatryce St. due to property owner's failure to bring property into compliance with Tempe City Code 21-3.B.1. Mr. Kelley has been given ample time to come into compliance and maintain the property. The property owner has been issued a civil citation and has pleaded responsible. There has been no indication that the property owner will bring the property into compliance. The property represents a health hazard and an eyesore to the community.

Without the intervention of abatement, the property will continue to deteriorate. I therefore make a request to the City of Tempe Community Development Hearing Officer for authorization to abate this public nuisance in accordance with section 21-53 of the Tempe City Code and authorization of multiple abatements for a period not to exceed one hundred eighty (180) days from the previous abatement order.

Respectfully submitted,

Michael Moreno
Code Inspector

ACTION TAKEN: Submitted
NAME Kevin Kowal 186
DATE: 11/17/2025



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 11/14/2025
CASE #: CE253490

**KELLY KEITH
321 E BEATRYCE ST
TEMPE, AZ 85281**

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

LOCATION: 321 E BEATRYCE ST TEMPE, AZ 85288
PARCEL: 12915055

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers 01/06/2026 at 5:00pm 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:

CC 21-3.b.1 Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building

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

CC 21-3.b.1 PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, SIDES, AND BACK OF THE PROPERTY. THIS INCLUDES THE BOXES, WOOD, CONTAINERS, BARRELS, BUCKETS, BAGS, TIRES, CANS, FABRIC CHAIRS, METAL, ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.

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 \$5300.00 In addition to the actual cost of abatement, an administrative charge of fifteen percent (15%) 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 of 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)350-4311.

**Code Inspector: Michael Moreno
Phone Number: 480-350-2836
E-mail: Michael_Moreno@tempe.gov**



Skunkys Junk Removal

321 East Beatryce Street
Tempe, AZ 85288

✉ emailprocurementofficerdirectly@none.com

ESTIMATE	#769
SERVICE DATE	Nov 7, 2025
EXPIRATION DATE	Dec 22, 2025
TOTAL	\$5,300.00

CONTACT US

2618 W. First Street, Suite 7
Tempe, AZ 85281

☎ (844) 758-6597
✉ info@skunkysjunk.com

ESTIMATE

Services	amount
CE253490, 321 E Beatryce Dr Remove any junk, trash and debris from the front, sides and rear of the property.	\$4,500.00
Security (Off-Duty Tempe PD) 3 hr. minimum	\$800.00
	Services subtotal: \$5,300.00
Subtotal	\$5,300.00
Total	\$5,300.00

Skunkys Junk Removal is a full service Junk removal company located in Tempe Arizona. Skunkys is dedicated to diverting waste from landfills and donates salvageable items to local charity's.

November 14, 2025



November 14, 2025



November 14, 2025



November 14, 2025



November 14, 2025



November 14, 2025



November 14, 2025





COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

06/11/2025

PECKHAM JUANITA M / KELLY KEITH
321 E BEATRYCE ST
TEMPE, AZ 85281

Case #: CE253490
Site Address: 321 E BEATRYCE ST, TEMPE, AZ 85288

This is a notice to inform you that this site was inspected on 06/11/2025 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.

Section	Violation
CC 21-3.b.1	Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building
CC 21-3.b.3	An inoperable vehicle or parts thereof outside of or under a roof area not enclosed
ZDC 3-102	Non-permitted use in residential district

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, SIDES, AND BACK OF THE PROPERTY. THIS INCLUDES THE BOXES, WOOD, CONTAINERS, BARRELS, BUCKETS, BAGS, TIRES, CANS, FABRIC CHAIRS, METAL, ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.	6/25/2025
CC 21-3.b.3	VEHICLES OUT IN THE OPEN MUST BE REGISTERED AND APPEAR OPERABLE. PLEASE PROPERLY REGISTER ANY UNREGISTERED VEHICLE(S) WITH AZ MVD AND DISPLAY CURRENT PLATES AND OR TAGS. OR REMOVE THE VEHICLE(S) FROM THE FRONT OF THE PROPERTY. (WHITE TRUCK)(FLAT TIRES)	6/25/2025
ZDC 3-102	PLEASE ENSURE THAT THERE IS NO PERSON(S) LIVING IN THE REAR YARD.	6/25/2025

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

Michael Moreno
Code Inspector

Direct: 480-350-2836
Code Compliance: 480-350-4311
Email: Michael_Moreno@tempe.gov

Please Note: In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b).

Civil and Criminal Penalties

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 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.



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

06/25/2025

PECKHAM JUANITA M / KELLY KEITH
321 E BEATRYCE ST
TEMPE, AZ 85281

Case #: CE253490
Site Address: 321 E BEATRYCE ST, TEMPE, AZ 85288

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ZDC 3-102	Non-permitted use in residential district

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CC 21-3.b.3	VEHICLES OUT IN THE OPEN MUST BE REGISTERED AND APPEAR OPERABLE. PLEASE PROPERLY REGISTER ANY UNREGISTERED VEHICLE(S) WITH AZ MVD AND DISPLAY CURRENT PLATES AND OR TAGS. OR REMOVE THE VEHICLE(S) FROM THE FRONT OF THE PROPERTY. (WHITE TRUCK)(FLAT TIRES)	7/9/2025
ZDC 3-102	PLEASE ENSURE THAT THERE IS NO PERSON(S) LIVING IN THE REAR YARD.	7/9/2025

CORRECTIVE ACTION MUST BE COMPLETED OR CITATIONS MAY BE ISSUED

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

Michael Moreno
Code Inspector

Direct: 480-350-2836
Code Compliance: 480-350-4311
Email: Michael_Moreno@tempe.gov

Please Note: In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b).

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Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa County
State of Arizona



Complaint Number 1792158		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		Incident Report Number CE253490	
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language											
Defendant		Name (First, Middle, Last) KEITH KELLEY								Juvenile	
Residence Address, City, State, Zip Code 321 E. BEATRICE ST. TEMPE, AZ, 85281										Telephone: (cell phone) <input type="checkbox"/>	
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions	Email Address			
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 08	Day 15	Year 2025	Time 15:42	<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 321 E BEATRICE ST.						<input checked="" type="checkbox"/> Tempe 85281		State of Arizona		Area	Dist.

The Defendant Committed the Following:

A	Section: TC 21-3 A	ARS CC: 21-3-B-1	Violation: JUNK, TRASH, DEBRIS	<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:	ARS CC:	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	
C	Section:	ARS CC:	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	
D	Section:	ARS CC:	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	
E	Section:	ARS CC:	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	

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: 08/29/2025	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 MAILED/CERT	M. MORENO	28116
	Complainant	ID #

Comments: **AF \$200.00 (First offense)**
TOTAL = \$200.00

Initials _____ Date issued if not violation date _____

COMPLAINT

If you were charged with a civil ordinance violation and you fail to appear as directed in this complaint, a default judgement will be entered, and a monetary penalty will be imposed.



1792158