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**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 9/03/2019  
Agenda Item: 4**

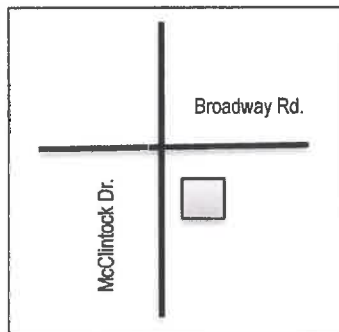
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**ACTION:** Request approval to abate public nuisance items at the Placentia Property located at 1810 E. Palmcroft Drive. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$896.00 for abatement request, remove grass and weeds from gravel landscape over entire property.

**RECOMMENDATION:** Staff – Approval of 180 day open abatement

**BACKGROUND INFORMATION:** City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the PLACENTIA PROPERTY. 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 CE192336: remove grass and weeds from gravel landscape over entire property.



Property Owner: Placentia Land Trust  
Applicant: City of Tempe – Code Compliance  
Zoning District: R1-6, Single Family Residential  
Code Compliance Inspector: Michael Glab, Code Inspector

**ATTACHMENTS:** Supporting Attachment

**STAFF CONTACT:** Drew Yocom, Planning & Research Analyst (480-858-2190)

Department Director: Chad Weaver, Community Development Director  
Legal review by: N/A  
Prepared by: Barbara Simons, Code Inspector  
Reviewed by: Drew Yocom, Planning & Research Analyst

**COMMENTS:**

Code Compliance is requesting approval to abate the Placentia Property located at 1810 E. Palmcroft Drive, in the R1-6, Single Family Residential district. This case was initiated 04/10/2019, after 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 a 180 day open 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

Part 1 of 2

City of Tempe  
 Community Development Department  
 31 East 5<sup>th</sup> 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	PLACENTIA LAND TRUST ABATEMENT	EXISTING ZONING	R1-6 <input type="checkbox"/>
PROJECT ADDRESS	1810 E PALMCROFT DR TEMPE AZ 85282	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	PALMCROFT MANOR 1 ABATEMENT OF CE192336 SEPTEMBER 03, 2019	PARCEL NO(S)	133-44-009 <input type="checkbox"/>

PROPERTY OWNER INFORMATION - REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW)			
BUSINESS NAME	ADDRESS	CITY	STATE ZIP
CONTACT NAME	PHONE 1	PHONE 2	
EMAIL			

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 COMPLIANCE	ADDRESS	21 E 6TH ST SUITE 208
CONTACT NAME	MICHAEL GLAB / CODE INSPECTOR	CITY	TEMPE STATE AZ ZIP 85281-3681
EMAIL	michael_glab@tempe.gov	PHONE 1	(480) 350-5461 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	7/31/2019
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BUSINESS INFORMATION - REQUIRED FOR USE PERMITS & SIGN DPRs			
BUSINESS NAME	ADDRESS	CITY	STATE ZIP
CONTACT NAME	PHONE	EMAIL	
TYPE OF BUSINESS			

APPLICATION (check all that apply)	QTY	SPECIFIC REQUEST (see 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. SUBDIVISIONS / CONDOMINIUMS			SSD	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
TOTAL NUMBER OF APPLICATIONS	0			

FOR CITY USE ONLY			
DS TRACKING #	FILE THIS APPLICATION WITH CE / CM TRACKING #	DATE RECEIVED (STAMP)	VALIDATION OF PAYMENT (STAMP)
PL TRACKING #			
SPR TRACKING # (if 2 <sup>nd</sup> or 3 <sup>rd</sup> submittal, use planning resubmittal form)			TOTAL APPLICATION FEES
			RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA

**DATE:** 07/31/2019

**SUBJECT:** PLACENTIA LAND TRUST Abatement

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**LOCATION:** 1810 E PALMCROFT DR, TEMPE, AZ 85282

**LEGAL:** LOT 21, BOOK 90, PAGE 43, as recorded with the Maricopa County Assessor

**OWNER:** PLACENTIA LAND TRUST  
2764 LAKE SAHARA DR STE 111  
LAS VEGAS, NV 89117

**FINDINGS:**

In September of 2018, violations of City Code were observed at the property and notice was post to the structure. The property became compliant with Code and the complaint was closed.

In January of 2019, violations of City Code returned to property; property owners/managers notified; property became compliant and complaint was closed.

In April of 2019, violations of City Code returned to property; property owners were notified by mail

In May of 2019, I observed little to no change at the property; violations remained; I sought bids for property abatement

In June of 2019, I observed some improvement at the property;

In July of 2019, I observed worsening at the property; notice posted to front of structure. Violations remained after posting, seeking abatement approval as a result.

**RECOMMENDATIONS:**

The owner(s) of this property, PLACENTIA LAND TRUST, has made little attempt to bring the property into compliance. PLACENTIA LAND TRUST has not had a prior abatement conducted on this property. Due to the failure of the property owner(s) to address this matter, a 180 day open abatement period is being sought for this property. I therefore request the City of Tempe Community Development Abatement Hearing Officer for authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code.

Respectfully submitted,

MICHAEL GLAB  
Code Inspector  
City of Tempe

**ACTION TAKEN:** SUBMIT  
**NAME:** [Signature]  
**DATE:** 7 31 19



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

Date: 07/31/2019  
Case #: CE192336

**PLACENTIA LAND TRUST  
TATUM FINANCIAL GROUP INC  
2764 LAKE SAHARA DR STE 111  
LAS VEGAS, NV 89117**

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

Location: 1810 E PALMCROFT DR TEMPE, AZ 85282  
Parcel: 13344009

This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda to be held on 09/03/2019 at 5pm, at the Tempe History Museum, located at 809 E. Southern Ave., Tempe. 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.4	Lawn parking
CC 21-3.b.7	Sidewalk obstruction
CC 21-3.b.8	Deteriorated landscape

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.4	<b>Please park vehicle(s) on property compliant with all five requirements of TCC 21-3.b.4</b>
CC 21-3.b.7	<b>Please cut back, trim or remove any growth obstructing sidewalk access to pedestrians (e.g. grass/weeds to east of structure; bushes along front of property with limbs leaning over sidewalk, etc.)</b>
CC 21-3.b.8	<b>Please remove grass/weeds from gravel landscape over entirety of property (e.g. front, both east and west sides of house, etc.)</b>

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 \$896.00. 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 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.

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**Code Inspector: Michael Glab**  
**Phone Number: 480-350-5461**  
**E-mail: Michael\_Glab@tempe.gov**



COMMUNITY DEVELOPMENT DEPARTMENT  
 CODE COMPLIANCE  
 CORRECTION NOTICE

04/10/2019

BDIRAHMAN MURSAL  
 1810 E PALMCROFT DR  
 TEMPE, AZ 85282

Case #: CE192336  
 Site Address: 1810 E PALMCROFT DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 04/08/2019 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.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.
CC 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;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.4	<b>Please park vehicle(s) compliant with all five requirements of TCC 21-3.b.4 (e.g. vehicle(s) parked on gravel must have surface meet all five conditions; be free of vegetation, grass/weeds, etc.)</b>	4/24/2019
CC 21-3.b.8	<b>Please remove grass/weeds from gravel portions of front and/or side yard landscape</b>	4/24/2019

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

**Michael Glab**  
**Code Inspector**

**Direct: 480-350-5461**  
**Code Compliance: 480-350-8372**  
**Email: Michael\_Glab@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 \$75.00 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  
 CORRECTION NOTICE

04/10/2019

HORIZON PROPERTY MANAGEMENT GROUP  
 20930 N TATUM BLVD STE 110-101  
 PHOENIX, AZ 85050

Case #: CE192336  
 Site Address: 1810 E PALMCROFT DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 04/08/2019 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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CC 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;

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CC 21-3.b.8	<b>Please remove grass/weeds from gravel portions of front and/or side yard landscape</b>	4/24/2019

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**Michael Glab**  
**Code Inspector**

**Direct: 480-350-5461**  
**Code Compliance: 480-350-8372**  
**Email:Michael\_Glab@tempe.gov**

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COMMUNITY DEVELOPMENT DEPARTMENT  
 CODE COMPLIANCE  
 CORRECTION NOTICE

04/10/2019

PLACENTIA LAND TRUST  
 c/o TATUM FINANCIAL GROUP, INC.  
 2764 LAKE SAHARA DR STE 111  
 LAS VEGAS, NV 89117

Case #: CE192336  
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<b>PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION</b>		
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CC 21-3.b.8	<b>Please remove grass/weeds from gravel portions of front and/or side yard landscape</b>	4/24/2019

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**Michael Glab**  
**Code Inspector**

**Direct: 480-350-5461**  
**Code Compliance: 480-350-8372**  
**Email:Michael\_Glab@tempe.gov**

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COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
POST TO STRUCTURE

07/01/2019

PLACENTIA LAND TRUST  
c/o TATUM FINANCIAL GROUP, INC.  
2764 LAKE SAHARA DR STE 111  
LAS VEGAS, NV 89117

Case #: CE192336  
Site Address: 1810 E PALMCROFT DR, TEMPE, AZ 85282

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Section	Violation
CC 21-3.b.7	Object, building, tree, bush or vehicle that interferes with or obstructs a sidewalk or street
CC 21-3.b.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.7	<b>Please trim vegetation so it does not obstruct passage of sidewalk or street</b>	07/15/2019
CC 21-3.b.8	<b>Please remove grass/weeds from all gravel portions of landscape</b>	07/15/2019

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

**Michael Glab**  
Code Inspector

**Direct: 480-350-5461**  
**Code Compliance: 480-350-8372**  
**Email:Michael\_Glab@tempe.gov**

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HAMANN ENTERPRISES, LLC  
2925 N 19TH AVE UNIT 97  
PHOENIX, AZ 85015  
(602) 575-4455  
[hamannenterprises@yahoo.com](mailto:hamannenterprises@yahoo.com)

THE FOLLOWING DOCUMENT IS FOR:

NAME: MICHEAL GLAB

FIRM: CITY OF TEMPE

DATE: 5/28/19

### PROPOSAL

WE PROPOSE TO DO THE FOLLOWING WORK FOR THE CITY OF TEMPE  
UNDER CONTRACT # T18-011-03

ADDRESS: 1810 E PALMCROFT DR.

1 REMOVAL OF GRASS AND WEEDS IN GRAVEL YARD TRIMMING BUSHES OBSUTRECTING SIDEWALK	\$400.00
2 ESTAMATED DUMP FEES	\$20.00
3 APPLICATION OF PRE-EMERGENT	\$200.00
4 SECURITY BY TEMPE POLICE	\$276.00
5	\$0.00
6	\$0.00
TOTAL COST OF JOB	<hr/> \$896.00

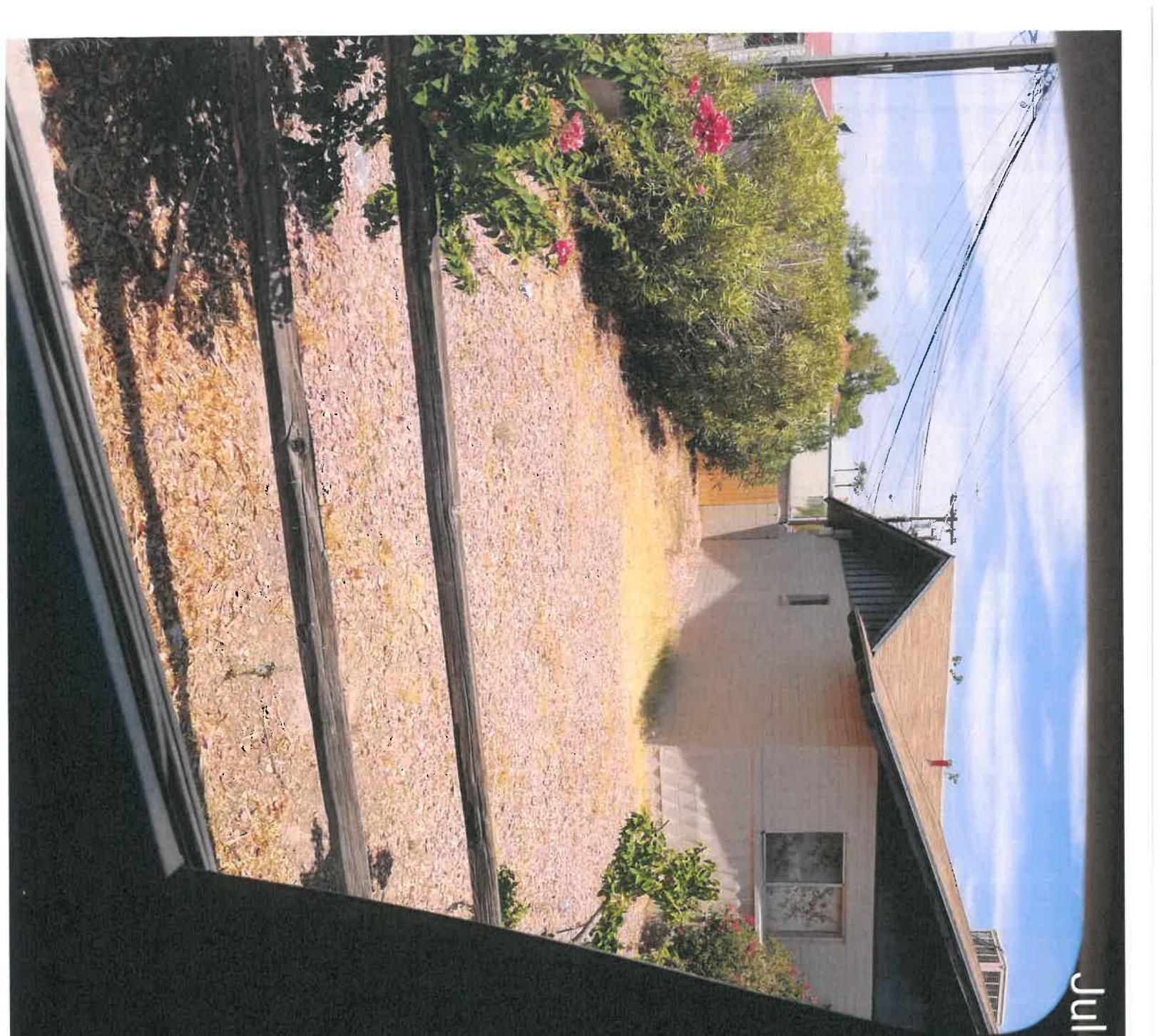
THANK YOU FOR YOUR BUSINESS

BOB HAMANN



JUL 30, 2019 12:45:20 PM  
Tempe





JUL 30, 2019 12:45:44 PM  
Tempe