

**Minutes
HEARING OFFICER
DECEMBER 2, 2008**

Minutes of the regular public hearing of the Hearing Officer, of the City of Tempe, which was held at the Council Chambers, 31 East Fifth Street, Tempe, Arizona.

Present:

David Williams, Hearing Officer
Steve Abrahamson, Planning & Zoning Coordinator
Shawn Daffara, Planner II

Number of Interested Citizens Present: 2

Meeting convened at 1:30 PM and was called to order by Mr. Williams. He noted that anyone wishing to appeal a decision made today by the Hearing Officer would need to file a written appeal to that decision within fourteen (14) days by December 16, 2008 at 3:00 PM to the Development Services Department.

1. Mr. Williams approved the Hearing Officer Minutes for November 18, 2008.

2. Mr. Williams noted that the following case(s) had been removed from today's agenda:

Request by **ARIZONA MILLS (PL080395)** (Todd Olson, applicant; Simon Property Group Inc., property owner) located at 5000 Arizona Mills Circle in the RCC, Regional Commercial Center District for:

ZUP08166 Use permit to allow outdoor retailing (periodic auto sales) events.
CONTINUED TO DECEMBER 16, 2008 HEARING OFFICER

Request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **THARP RESIDENCE (PL080415/ABT08039)** (Dawn Tharp, property owner) Complaint CE083934 located at 1750 East Palmcroft Drive in the R1-6, Single Family Residential District.

WITHDRAWN BY CITY OF TEMPE – NEIGHBORHOOD ENHANCEMENT DEPARTMENT

3. Request by the **DOERING RESIDENCE (PL080421)** (John & Jennie Doering, applicant/property owner) located at 8102 South College Avenue in the R1-10, Single Family Residential District for:

ZUP08172 Use permit standard to reduce the required front yard setback by twenty percent (20%) from thirty (30) feet to twenty-four (24) feet for a guest room addition.

ZUP08173 Use permit to allow an increase in fence height from four (4) feet to six (6) feet in the front yard setback.

Mr. John Doering was present to represent this case. He confirmed that the existing wall would remain as is and would not be increased in height.

Shawn Daffara, staff planner, gave an overview of this case and stated that no additional public input information had been received since the staff report had been issued.

DECISION:

Mr. Williams approved PL080421/ZUP08172/ZUP08173 subject to the following conditions:

1. Obtain all necessary clearances from the Building Safety Division.
2. The new addition shall be compatible with the existing residence in color, form and material.

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4. Request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **PAOLUCCI PROPERTY (PL080398/ABT08035)** (Emma Paolucci, property owner) Complaint CE086695 located at 730 East Cavalier Drive in the R1-6, Single Family Residential District.

No one was present to represent the property owner.

Andres Lara, City of Tempe – Neighborhood Enhancement Inspector, stated that property remain in non-compliance and requested that this abatement be approved for a continuous period of 180 days. There is a history of citations on this property.

DECISION:

Mr. Williams approved abatement proceedings for PL080398/ABT08035 for an open period of 180 days.

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5. Request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **FELSINGER RESIDENCE (PL080413/ABT08037)** (Arthur Felsinger, property owner) Complaint CE072099 located at 1031 East Lilac Drive in the R1-6, Single Family Residential District.

No one was present to represent the property owner.

Andres Lara, City of Tempe – Neighborhood Enhancement Inspector, stated that property remain in non-compliance and requested that this abatement be approved for a continuous period of 180 days. There is a history of citations on this property.

DECISION:

Mr. Williams approved abatement proceedings for PL080413/ABT08037 for an open period of 180 days.

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6. Request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **FAGAN RESIDENCE (PL080414/ABT08038)** (Shane Fagan, property owner) Complaint CE085857 located at 4433 South Poplar Street in the R1-6, Single Family Residential District.

No one was present to represent the property owner.

Julie Scofield, City of Tempe – Neighborhood Enhancement Inspector, stated that property remain in non-compliance and requested that this abatement be approved for a continuous period of 180 days. There is a history of citations on this property.

DECISION:

Mr. Williams approved abatement proceedings for PL080414/ABT08038 for an open period of 180 days.

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7. Request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **CORDEIRO RESIDENCE (PL080416/ABT08040)** (Mary Cordeiro, property owner) Complaint CE082793 located at 1743 East Palmcroft Drive in the R1-6, Single Family Residential District.

No one was present to represent the property owner.

Julie Scofield, City of Tempe – Neighborhood Enhancement Inspector, stated that the owner had removed one (1) of the vehicles. Landscaping and outdoor storage remain non-compliant. The abatement amount had been modified to a total of \$699.00 due to the removal of the vehicle.

DECISION:

Mr. Williams approved abatement proceedings for PL080416/ABT08040.

The next Hearing Officer public hearing will be held on **Tuesday, December 16, 2008.**

There being no further business the public hearing adjourned at 1:44 PM.

Prepared by: Diane McGuire, Administrative Assistant II
Reviewed by:



Steve Abrahamson, Planning and Zoning Coordinator
for David Williams, Hearing Officer
SA:dm