

MEETING MINUTES 15617 NORTH 69th AVENUE

**CITY OF GLENDALE
BUILDING SAFETY DEPARTMENT**

**COUNCIL CHAMBERS BUILDING
COUNCIL CHAMBERS
5850 WEST GLENDALE AVENUE
GLENDALE, ARIZONA 85301**

**TUESDAY, FEBRUARY 2, 2010
10:00AM**

Hearing Officer Nancy Mangone called the meeting to order at approximately 10:00 am. Roll call was conducted with the following results.

CITY STAFF PRESENT: Russ Romney, Assistant Deputy City Attorney
Mark Ptashkin, Senior Building Inspector
Remigio Cordero, Planner

UNSAFE INSTALLATION AND UNSANITARY CONDITIONS

Hearing officer Mangone stated the purpose of this meeting is regarding a notice of violation of unsafe installation and unsanitary conditions located at 15617 North 69th Avenue. The City of Glendale is the complaining party, and Mr. Stanley Frey is the appellant.

Mr. Mark Ptashkin, on behalf of the City of Glendale, stated on approximately July 17, 2009, the City of Glendale Police Department notified the Building Safety Department of unsafe living conditions. Upon observation of the property, it was discovered there were sewer overage above ground, and unpermitted structures and unsanitary living conditions. A notice was posted and a continuance was given of a couple days to allow one of the tenants to relocate their goods / property. From that point, it was posted again and the owner was asked to move forward with demolition or to repair the property. Due to the state of the conditions of the facility, it did not look like repair was an option. It was decided to move forward with demolition. Over the course of that time and after posting, it appeared that there were occupants residing in the building and/or on the property. After several visits, the Building Safety Department disconnected the utilities to the property. As of today's date, the building remains as is.

Hearing officer Mangone called upon Mr. Frey for his testimony.

Mr. Frey stated the property is approximately 1,800 square feet with the additions. He stated no one is living on the property at this time and they are ready to proceed with demolition. They have retained a contractor and permits.

Hearing officer Mangone asked for a copy of the contract. Mr. Frey complied.

Hearing officer Mangone asked Mr. Frey what would take place after the building has been demolished. Mr. Frey explained that he would like to install another mobile home. Hearing officer Mangone asked Mr. Ptashkin if permits will be required in order to place another mobile home on the property. Mr. Ptashkin said yes, and added inspections will be required at that point. Mr. Frey provided a permit for the demolition.

Hearing Officer Mangone stated she needs to make sure when the new unit is placed on the lot that it is for a single family dwelling and all city codes are met at this time prior to moving a new unit in. Mr. Frey will comply. Hearing officer Mangone asked who owned the property and Mr. Frey stated he and his brother are the owners with their mother being the beneficiary.

The issues agreed upon were the owner will demolish the property and the City of Glendale will inspect the property before the new mobile home is installed. In addition, all safety concerns will be addressed and resolved. Mr. Ptashkin would also like to review the installation of the septic system and the clean out of the septic system if necessary, before the new mobile home is installed. Mr. Ptashkin also has concerns about the lot being used as storage. The Zoning Ordinance does not allow the lot to be used as a storage facility without a primary use. He stated Mr. Remigio Cordero with the Planning Department is in attendance and available for questions.

Hearing Officer Mangone would like clarification of a primary use. She felt this would be helpful for the applicant as well. Mr. Remigio Cordero, Planning Department, went on record to explain the primary use of this property is the mobile home. Once the mobile home is removed, the accessory structures must be removed and cannot be used as an accessory or storage area as this is in violation of the code. Mr. Frey stated he has a travel trailer, RV, and several vehicles parked on the property.

Hearing officer Mangone asked if anyone living in the RV. Mr. Frey stated no, and added he has no funds available to cover the costs of removal of the structures as his primary focus is only the demolition. Hearing Officer stated he cannot leave these items on the property. Mr. Frey asked if once he clears the property, would he be allowed to have the power turned on. Mr. Ptashkin stated no, he must run a generator. Mr. Cordero and Mr. Ptashkin have agreed to a 60 day allowance.

The order from the Hearing officer is as follows: Mr. Frey has 30 days from Monday to demolish and 60 days thereafter to remove stored materials from the property including the travel trailer unless a new mobile home is located on site. During this time period,

there is to be no living in the R.V. Mr. Frey is ordered not to use R.V. as a residence. Mr. Frey also ordered to have a plumber from the City of Glendale review the installation of the septic tank and the clean out of the septic system if necessary; this is before the new mobile home is located on site. The new mobile home will be used as a single family dwelling and no additions can be added. Mr. Frey is also to comply with all building codes and all other city codes that are applicable when the new trailer is located. It is also ordered that Mr. Frey's contractor is to comply with all codes during demolish in including disposal of materials if required.

A written order will be provided in the next few weeks. A formal written ruling will be provided by February 19, 2010.

Maria Terrones, Recording Secretary