

PURSUANT TO A.R.S. §38-431.01, THE GILA COUNTY BOARD OF SUPERVISORS WILL HOLD A MEETING AT THE GILA COUNTY COURTHOUSE, BOARD OF SUPERVISORS' HEARING ROOM, 1400 EAST ASH STREET, GLOBE, ARIZONA. ONE OR MORE BOARD MEMBERS MAY PARTICIPATE IN THE MEETING BY TELEPHONE CONFERENCE CALL OR BY INTERACTIVE TELEVISION VIDEO (ITV). THE MEETING IS ALSO TELEVISED TO THE GILA COUNTY COMPLEX, BOARD OF SUPERVISORS' CONFERENCE ROOM, 610 E. HIGHWAY 260, PAYSON, ARIZONA.

**NOTE:** Per the most recent guidelines from the federal government regarding COVID-19 and to protect citizens, no citizens will be allowed in the Board of Supervisors' hearing room at the Globe Courthouse or at the County Complex, Board of Supervisors' conference room in Payson. The only exception to this statement is for public hearings. Citizens may attend the public hearing in person, one at a time, in Globe or in Payson to provide comments. A face mask must be worn while in the building; however, it may be removed while addressing the Board of Supervisors.

Citizens may watch the Board meeting live-streamed at:

<https://www.youtube.com/channel/UChCHWVqrI5AmJKbvYbO-k2A/live>

Citizens may submit written comments related to the September 15th Special Meeting agenda by no later than 5 p.m. on Monday, September 14th, by emailing to the Clerk of the Board at [msheppard@gilacountyaz.gov](mailto:msheppard@gilacountyaz.gov) or calling 928-402-8757. Please include the meeting date, agenda item number, your name and residence address in the email.

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## **SPECIAL MEETING - TUESDAY, SEPTEMBER 15, 2020 - 1:30 P.M.**

1. **CALL TO ORDER - PLEDGE OF ALLEGIANCE**
2. **REGULAR AGENDA ITEMS:**
  - A. Information/Discussion/Action to affirm, modify or reverse the decision of the Gila County Hearing Officer's Final Judgment on Community Development Department Complaint/Case No. CG1901-004. **(Scott Buzan)**
3. **CALL TO THE PUBLIC:** A call to the public is held for public benefit to allow individuals to address the Board of Supervisors on any issue within the jurisdiction of the Board of Supervisors. Board members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(H), at the conclusion of an open call to the public, individual members of the Board of Supervisors may respond to criticism made

by those who have addressed the Board, may ask staff to review a matter or may ask that a matter be put on a future agenda for further discussion and decision at a future date.

4. At any time during this meeting pursuant to A.R.S. §38-431.02(K), members of the Board of Supervisors and the County Manager may present a brief summary of current events. No action may be taken on information presented.

IF SPECIAL ACCOMMODATIONS ARE NEEDED, PLEASE CONTACT THE RECEPTIONIST AT (928) 425-3231 AS EARLY AS POSSIBLE TO ARRANGE THE ACCOMMODATIONS. FOR TTY, PLEASE DIAL 7-1-1 TO REACH THE ARIZONA RELAY SERVICE AND ASK THE OPERATOR TO CONNECT YOU TO (928) 425-3231.

THE BOARD MAY VOTE TO HOLD AN EXECUTIVE SESSION FOR THE PURPOSE OF OBTAINING LEGAL ADVICE FROM THE BOARD'S ATTORNEY ON ANY MATTER LISTED ON THE AGENDA PURSUANT TO A.R.S. §38-431.03(A)(3).

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING.

**ARF-6242**

**Regular Agenda Item 2. A.**

**Special BOS Meeting**

Meeting Date: 09/15/2020

Submitted For: Scott Buzan, Community Development Director

Submitted By: Marian Sheppard, Clerk of the Board

Department: Community Development

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Information

Request/Subject

Appeal of the Gila County Hearing Officer's Decision Re: Community Development Department Complaint No. CG1901-004 - Bernice Santillanez

Background Information

In accordance with Amended Ordinance No. 05-01 - *Gila County Hearing Officer Rules of Procedure*, Bernice Santillanez submitted a written request for a hearing before the Board of Supervisors to appeal Hearing Officer Donald Voakes' ruling on Complaint No. CG1901-004 known as Final Judgment dated July 24, 2020.

This case involves a civil violation of the Gila County Zoning Ordinance, Section 103.1 (E). The violation occurred at Ms. Santillanez's residence at 230 S. Central, Globe, AZ.

Evaluation

Ms. Santillanez, the Defendent, has correctly followed the procedures outlined in Ordinance No. 05-01 to request a hearing before the Board of Supervisors regarding a decision rendered by the Gila County Hearing Officer on Community Development Department Complaint No. CG1901-004; therefore, the appellate review by the Board of Supervisors has been granted and set for this date, time and location.

Conclusion

A hearing has been set for this date regarding Gila County Hearing Officer Donald Voakes' Final Judgment on Community Development Department Complaint No. CG1901-004 (Bernice Santillanez).

Recommendation

N/A

### Suggested Motion

Information/Discussion/Action to affirm, modify or reverse the decision of the Gila County Hearing Officer's Final Judgment on Community Development Department Complaint/Case No. CG1901-004. **(Scott Buzan)**

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### Attachments

Santillanez 1

Santillanez 2

Santillanez 3

Santillanez 4

Santillanez 5

Santillanez 6

Santillanez 7

Santillanez 8

Santillanez 9 and 10

Letter Requesting Modification of Fine-Complaint No. CG1901-004

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1

William Hanna Code Enforcement Officer

Gila County Community Development Code Enforcement Division

Case # CG1901-004

Parcel # 208-11-069 B

Address: 230 S Central Ave, Globe, Arizona

Legal Descriptions: SOUTH GLOBE TWNS LOT 3 BLK 12 COMM AT NE COR BLK 12; TH S 11D 24' W 112.85' TO POB; TH S 11D24' W 67.15'; TH S 62D24' W 55.85'; TH N 27D36' W 46.63'; TH N 62D24' E 15.16'; TH N 58D34' E 83.13' TO POB APPROX 0.08 AC M/L

Owner: Bernice Santillanez

Zoning: This parcel is zoned R1-D8 Single-Family Residential

Violations:

#### SECTION 103.1 STRUCTURES AND USES COMPLIANCE TO DISTRICT REQUIREMENTS

The following stipulations and provisions shall apply to all districts unless supplanted and/or supplemented by differing stipulations and provisions established in any district.

103.1(E) No property or use shall be operated or maintained in such a manner as to be a fire and/or explosion hazard; no property or use shall be allowed to emit toxic fumes or generate toxic waste; neither shall there be emitted into the atmosphere smoke, soot, dust, radiation, odor, noise, vibration, heat, or glare to such an extent as to constitute a nuisance; no property or use shall be operated or maintained for the outside storage of junk or in such a manner as to be deemed a junk yard, unless permitted within a specific zoning district.

#### SECTION 102 DEFINITIONS

**JUNK:** Any scrap, waste, reclaimable material, or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal, or other use or disposition, including but not limited to inoperable and unregistered motor vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood and lumber.

**JUNK YARD:** The use, either commercially or otherwise, of a lot, parcel, or portions thereof, for the storage, collection, processing, purchase, sale or abandonment of waste paper, rags, scrap metal, or other scrap or discarded goods, materials or machinery, or two or more unregistered, inoperable motor vehicles, or other type of junk

#### SUMMARY:

On January 8, 2019, I received a complaint about this property from the Gila County Board of Supervisors and Director Scott Buzan. Exhibit A.

I inspected the property on January 10, 2019. Exhibit B. No trespassing sign. Small property with a lot of stuff on it. 0.08 of an acre. I can't get to the front door. Scrap metal, scrap wood, auto parts, appliances, building materials such as water heaters and unregistered vehicles. A porta-potty is on site,

~ 1 ~

Santillanez

but there is no smell from road and it is not level. I assume it is not in use and is being stored on the property.

On January 14, 2019, I mailed a Notice of Violation Return Service Requested Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

On February 8, 2019, I took pictures from street and neighbor's property with permission. Exhibit C. I counted six vehicles on the property including a hot rod. Three of these vehicles were inoperable or unregistered. The rest could not be verified. Two trailers on the property appear to be inoperable. A large amount of scrap metal, scrap wood, auto parts, building materials, appliances, appliance parts, furniture, tools, etc. are on the property. I mailed Inspection Report Return Service Requested Bernice Santillanez PO Box 1754 Globe, Arizona 8550 that same day.

I have not been contacted by the property owner.

Relief:

Gila County Community Development requests that the Hearing Officer

1. Find in favor of Gila County Community Development and against property owner Bernice Santillanez.
2. Impose an immediate fine of \$750.00 (21.2.3 Ordinance Gila County Zoning Ordinance 05-01 Gila County Hearing Officer Rules of Procedure)
3. Impose a fine of \$100.00 per day for every day following March 16, 2019 until the violation is corrected by cleaning the property (21.2.3)
4. Schedule a review of the orders of the Hearing Officer for May 23, 2019, at 9 AM (21.2.4)

**Gila County Property Report**

Wednesday, January 02, 2019

Account #: R000015034

Parcel #: 208-11-069B

Appraisal Year : 2019

Acct Type : Residential

Tax District : 0100

Map #: 11

Parcel Size : 0.08 acres

**Owner Name and Address :****Property Location :**

SANTILLANEZ BERNICE

PO BOX 1754

GLOBE AZ 85502

230 S Central  
210 1/2 W CENTRAL AVE

No #

GLOBE AZ 85501

MH Space

**Business/Complex :****Property Sales History**

Sale Date	Doc Date	Book	Page	Type	Amount	Grantor	Grantee
9/17/1990	9/17/1990	-	592325	QC	\$5,000.00	-	-

**Legal Description :**

SOUTH GLOBE TWNS LOT 3 BLK 12 COMM AT NE COR BLK 12; TH S 11D 24' W 112.85' TO POB; TH S 11D 24' W 67.15'; TH S 62D 24' W 55.85'; TH N 27D 36' W 46.63'; TH N 62D 24' E 15.16'; TH N 58D 34' E 83.13' TO POB APPROX 0.08AC M/L

**Building Count :**

Bldg ID	Occupancy	Built As	Quality	Sq Ft	Year
1.00	Single Family Residential	Ranch 1 Story	Fair	864	1941

**Valuation:**

Value Method:	Cost	Full Cash Value (FCV):	\$33,317.00	Use Code:	0121
		Limited Value (LPV):	\$21,755.00	Property Use:	0121-SFR-010-2 URBAN-SUBDIVID
Assessment Ratio:	10.00 %	Assessed FCV:	\$3,332.00		
		Assessed LPV:	\$3,332.00		

**Disclaimer:**

The Assessor's Office has compiled information on this website that it uses to identify, classify, and value real and personal property. This website is not updated in 'real time.' The Assessor does not guarantee that any information provided on this website is accurate, complete, or current. The information provided on this site is not equivalent of a title report or a real estate survey. Users should independently research, investigate, and verify all information before relying on it or in the preparation of legal documents. Please contact (928) 402-8714 if you believe any information is incomplete, out of date, or incorrect so that the appropriate correction can be addressed. Please note that a statutory process is available to correct errors pursuant to Arizona Revised Statutes 42-16254

When recorded, mail to:

Name: Bernice Santillanez

Address: P O Box 1754

City/State/Zip Code: Globe Az 85502

Gila County, AZ  
Linda Haught ( ), Recorder  
05/11/2004  
03:40PM  
Doc Code: QCD

Doc Id: 2004-009189  
Receipt #: 25010  
Rec Fee: 13.00

BERNICE SANTILLANEZ



Gila County, AZ

QCD

2004-009189

Page: 1 of 3

05/11/2004 03:40P

13:00

Space above this line for Recorder's use

## QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That I(we), Edward & Debra Villalobos  
the undersigned, for the consideration of Ten Dollars (\$10.00), and other valuable considerations, do  
hereby release, remise, and forever quitclaim unto Bernice Santillanez

all right, title and interest in that certain Property situated in \_\_\_\_\_  
State of \_\_\_\_\_, and described as follows:

County,

South Globe Trwns Lot 3 BLK 12 COMM  
AT NE COR BLK 12 TH S N D 24' W 112.85'

EXEMPT PER  
ARS 11-1134 -A-M

See Attached

IN WITNESS WHEREOF, I(we) have hereunto set my(our) hand(s) and seal this \_\_\_\_\_ day of \_\_\_\_\_

Edward R Villalobos

Debra Villalobos

Debra Villalobos

Printed Name of Releasor

Edward R Villalobos

Debra Villalobos

Signature of Releasor

Printed Name of Witness (If required by State Laws)

Signature of Witness (If required by State Laws)



**ACKNC**  
(States Other than California)

Gila County, AZ

QCD

2004-009189

Page: 2 of 3  
06/11/2004 03:40P  
13.00

State of Arizona )  
County of Gila ) ss.

On this 11<sup>th</sup> day of June, 2004, before me, the undersigned  
Notary Public, personally appeared Edward B Villalobos +  
Debra Villalobos  
known to me to be the individual(s) who executed the foregoing instrument and acknowledged the same  
to be his(her)(their) free act and deed.

My Commission Expires: 12-31-06

Notary Public

Deputy Clerk

If acknowledged in the State of Florida, complete section(s) below:

(Releasor) ☐ Personally Known (or) ☐ Produced Identification

If applicable, Type of Identification Produced: \_\_\_\_\_

(Co-Releasor) ☐ Personally Known (or) ☐ Produced Identification

If applicable, Type of Identification Produced: \_\_\_\_\_

**ACKNOWLEDGMENT**  
(State Of California)

State of California )  
County of \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, \_\_\_\_\_  
\_\_\_\_\_, the undersigned Notary Public, personally appeared,

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose  
name(s) is(are) subscribed to the attached instrument and acknowledged to me that he(he)(they)  
executed the same in his(her)(their) authorized capacity(ies), and that by his(her)(their) signature(s) on  
the instrument, the person(s) or the entity upon behalf of which the person(s) acted, executed the  
instrument.

WITNESS my hand and official seal.

Notary Public



Gila County, AZ

GCD

2004-009189

Page: 3 of 3  
06/11/2004 03:40P  
13.00

## EXHIBIT "A"

## Parcel 2

Parcel #208-11-069b described as follows: That portion of Lots 2 and 3 Block 12 of SOUTH GLOBE TOWNSITE according to the plat of record in the Office of the County Recorder of Gila County Arizona recorded in map No. 20 ; more particularly described as follows:

to find the TRUE PONT OF BEGINNING;

COMMENCE at the Northeast corner of said Block 12;

thence South 11 degrees 24 minutes West, 112.85 feet along the Easterly end line of Lots 1 and 2 of said Block , also being the Westerly right of way line of CENTRAL AVENUE to the TRUE POINT OF BEGINNING ;

thence South 11 degrees 24 minutes West, 67.15 feet to the most Easterly corner of Lot 3;

thence South 62 degrees 24 minutes West, 55.85 feet along the boundary line between Lots 3 and 4 of said Block 12;

thence North 27 degrees 36 minutes West 46. 63 feet to the boundary line between Lots 2 and 3 of said Block 12;

thence North 62 degrees 24 minutes East, 15.16 feet along said line;

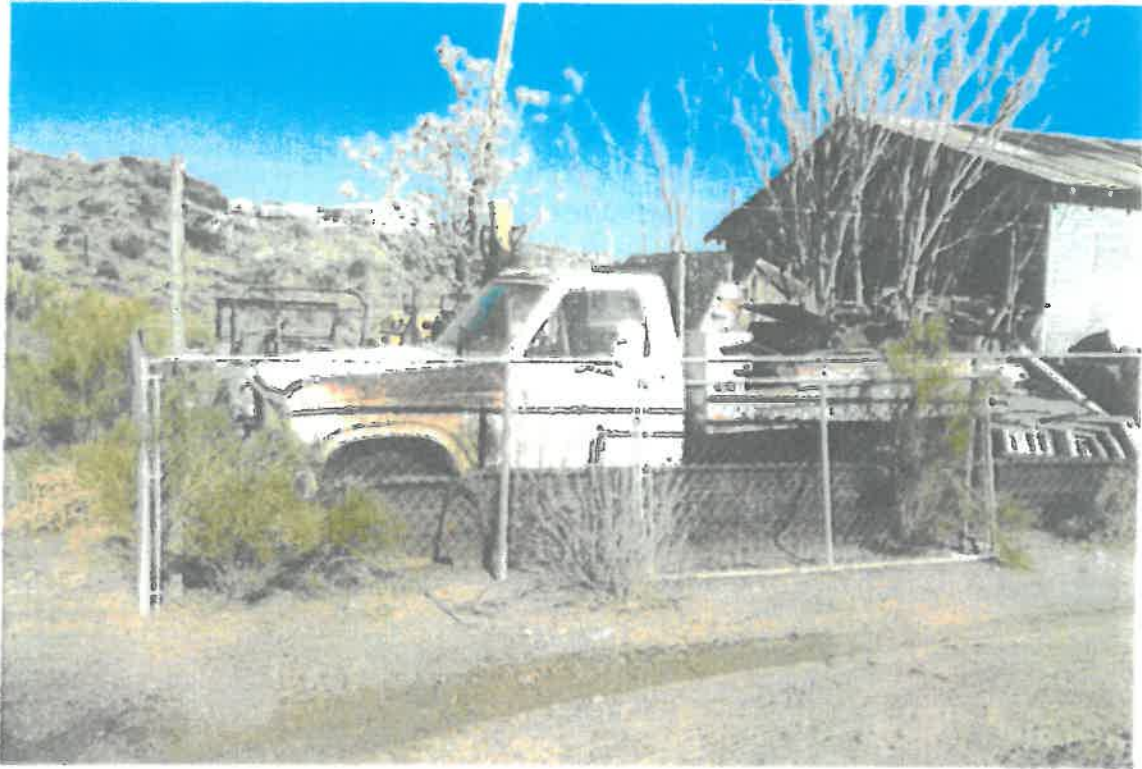
thence North 58 degrees 34 minutes East 83.13 feet to the Westerly

right of way line of said CENTRAL AVENUE and the TRUE POINT OF BEGINNING.

ACCEPTED AND APPROVED AS TO CONTENT	
BY:	<i>[Signature]</i>
RY:	<i>[Signature]</i>

Continued

ACCEPTED AND APPROVED AS TO CONTENT	
BY:	<i>[Signature]</i>
RY:	<i>[Signature]</i>

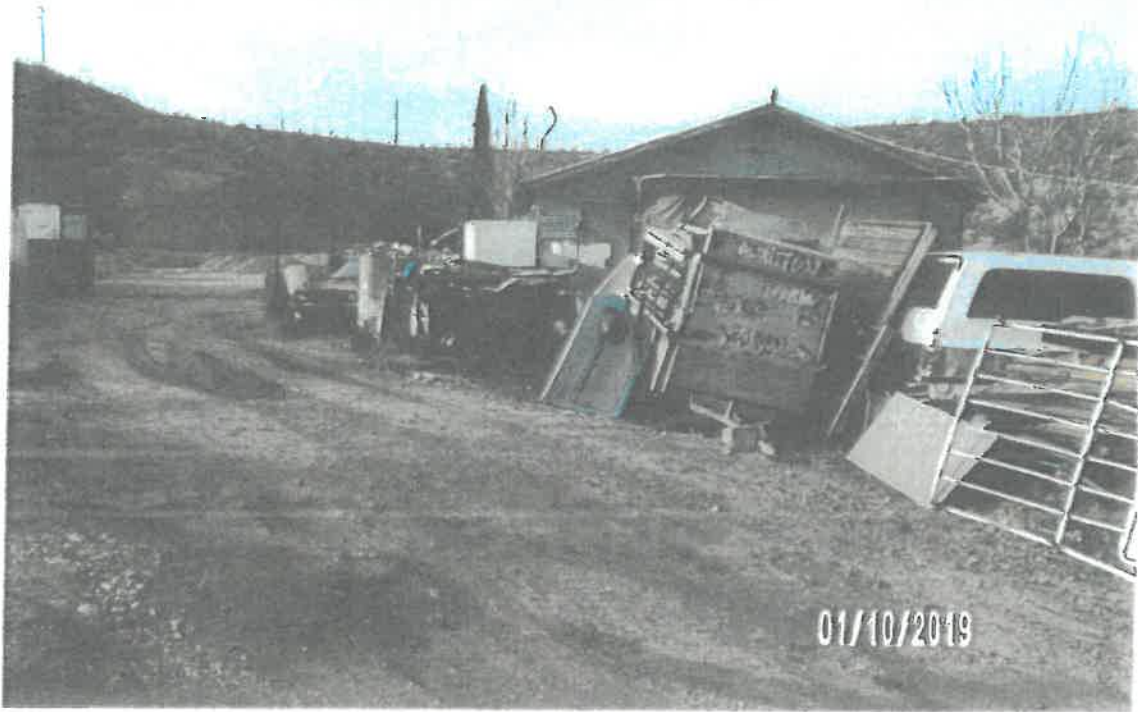


Buzan 1/8/19



Duzon  
1/8/19





608 E. Highway 260  
Payson, AZ 85541  
(928)474-7112



745 N. Rose Mofford Way  
Globe, AZ 85501  
(928)402-8513

## **NOTICE OF VIOLATION/SUMMONS**

**DEFENDANT: BERNICE SANTILLANEZ, as property owner**

<b><u>230 S Central</u></b>	<b><u>Globe</u></b>	<b><u>AZ</u></b>	<b><u>85501</u></b>
<b>VIOLATION ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>

<b><u>PO Box 1754</u></b>	<b><u>Globe</u></b>	<b><u>AZ</u></b>	<b><u>85502</u></b>
<b>MAILING ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>

<b>CASE # <u>CG1901-004</u></b>	<b>ZONING: <u>R1-D6</u></b>	<b>APN # <u>208-11-069 B</u></b>
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**Legal Description of Property:** SOUTH GLOBE TWNS LOT 3 BLK 12 COMM AT NE COR BLK 12; TH S 11D 24' W 112.85' TO POB; TH S 11D 24' W 67.15'; TH S 62D 24' W 55.85'; TH N 27D 36' W 46.63'; TH N 62D 24' E 15.16'; TH N 58D 34' E 83.13' TO POB APPROX 0.08AC M/L

The undersigned certifies that on January 10, 2019, the defendant named above committed the following violation(s) of the Gila County Zoning Ordinance No. 2014-04:

### **SECTION 103.1 STRUCTURES AND USES COMPLIANCE TO DISTRICT REQUIREMENTS**

E) No property or use shall be operated or maintained in such a manner as to be a fire and/or explosion hazard; no property or use shall be allowed to emit toxic fumes or generate toxic waste; neither shall there be emitted into the atmosphere smoke, soot, dust, radiation, odor, noise, vibration, heat, or glare to such an extent as to constitute a nuisance; no property or use shall be operated or maintained to store junk or in such a manner as to be deemed a junk yard, unless permitted within a specific zoning district.

Items meeting the Gila County Zoning Ordinance definition of junk are on the property such as scrap metal, scrap wood, auto parts, appliances, building materials, inoperable or unregistered vehicles, etc. These items need to be properly stored or removed from the property. A maximum of one inoperable or one unregistered vehicle can be on the property.

and that on January 14, 2019, I served this Complaint and Summons upon the defendant by First-Class Mail, Return Service Requested.

BY: William Hanna Gila County Code Compliance Specialist  
928-402-8513

**YOU MUST APPEAR BEFORE THE GILA COUNTY HEARING OFFICER AT THE  
GILA COUNTY BOARD OF SUPERVISOR CONFERENCE ROOM  
610 E. Highway 260, Payson AZ 85541  
February 14, 2019 at 9:00 AM**

**You can also request in advance to videoconference from our Globe office**

### **PLEASE NOTE THE FOLLOWING:**

- ✓ CIVIL PENALTIES MAY BE SET IN ACCORDANCE WITH THE GILA COUNTY HEARING OFFICER RULES OF PROCEDURE, RULE 21.
- ✓ IF THE ABOVE-LISTED VIOLATION(S) ARE RESOLVED BY **February 1, 2019**, THE ABOVE SCHEDULED HEARING WILL BE CANCELLED. TO DISCUSS CORRECTIVE MEASURES AND/OR SOLUTIONS OR TO VERIFY THAT THE ABOVE LISTED VIOLATIONS ARE RESOLVED AND THAT YOUR HEARING WILL BE CANCELLED, CONTACT THE CODE COMPLIANCE SPECIALIST AT (928) 402-8513. IF YOU DO NOT RECEIVE CONFIRMATION FROM THE CODE COMPLIANCE SPECIALIST THAT YOUR HEARING WILL BE CANCELLED, YOUR HEARING WILL TAKE PLACE AS SCHEDULED, WHETHER OR NOT YOU APPEAR AT THE HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, A DEFAULT JUDGMENT MAY BE ENTERED AGAINST YOU, IN WHICH CASE YOU WILL BE NOTIFIED OF THE DEFAULT JUDGMENT BY FIRST-CLASS MAIL.
- ✓ IF AN ATTORNEY REPRESENTS YOU, YOU MUST NOTIFY THE CODE COMPLIANCE SPECIALIST OF THIS IN WRITING AT LEAST 15 DAYS PRIOR TO THE HEARING. FAILURE TO DO THIS, THE HEARING OFFICER SHALL CAUSE A POSTPONEMENT OF THESE PROCEEDINGS UPON THE REQUEST OF THE COUNTY OFFICER. DEFENDANT MAY ALSO SUBMIT A SHORT, SIGNED STATEMENT ADMITTING OR DENYING THE VIOLATIONS LISTED IN THE ABOVE COMPLAINT. FOR CONSIDERATION, THESE WRITTEN STATEMENTS MUST BE RECEIVED IN THE OFFICE OF THE CODE COMPLIANCE SPECIALIST BY 5:00 P.M. ON THE BUSINESS DAY PRIOR TO THE DATE SET FOR APPEARANCE AND PLEA.

# INSPECTION REPORT

*Gila County, Arizona*

## Community Development Department

745 N Rose Mofford Way, Globe, Arizona (928) 425-3231 Ext. 4224

608 E. Hwy 260, Payson, Arizona (928) 474-9276

Applicant:	<u>Bernice Santillanez</u>	Location:	<u>230 S Central Ave Globe</u>
Parcel #	<u>208-11-069 B</u>	Permit #:	<u>CG1901-004</u>
Type of Inspection:	<u>Zoning - Junk</u>	Appt. Time:	<u>2/8/19</u>

Based on the requirements of the Uniform Building, Plumbing, and Mechanical Codes, and the National Electrical Code, along with Gila County Zoning Ordinance, the inspector noted below has conducted an inspection of your project and has noted the following:

### Initials:

<u>          </u>	This inspection has passed; you are free to proceed.
<u>          </u>	This inspection has passed, with comment, Please review the inspector's remarks
<u>X</u>	This inspection has failed. Please see the inspector's remarks, make any required changes, and then call for reinspection.

### Remarks:

Several vehicles on the property appear to be inoperable or unregistered. Large amount of  
scrap metal, scrap wood, auto parts, building materials, appliances, appliance parts,  
furniture, tools, etc.

The hearing remains scheduled for February 14, 2019, at 9:00 AM at:

Gila County Board Of Supervisor Conference Room

610 E. Highway 260, Payson, Arizona

You can also request in advance to videoconference from our Globe office

When all the required corrections have been made, please call for a reinspection. Do not cover any work until it has been approved. If you need clarification as to what is being required, please contact the appropriate office for assistance.

Date/Time: 2/8/19 Inspector: bh Data Input: 2/8/19









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Tag

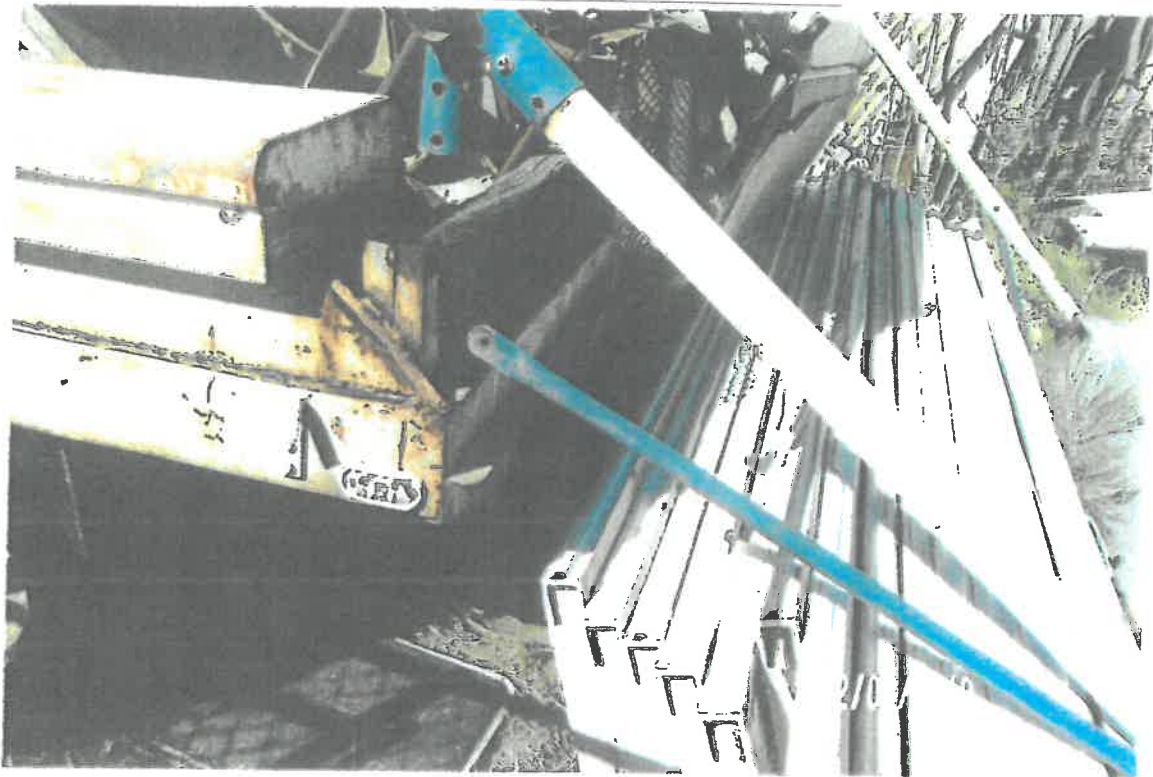






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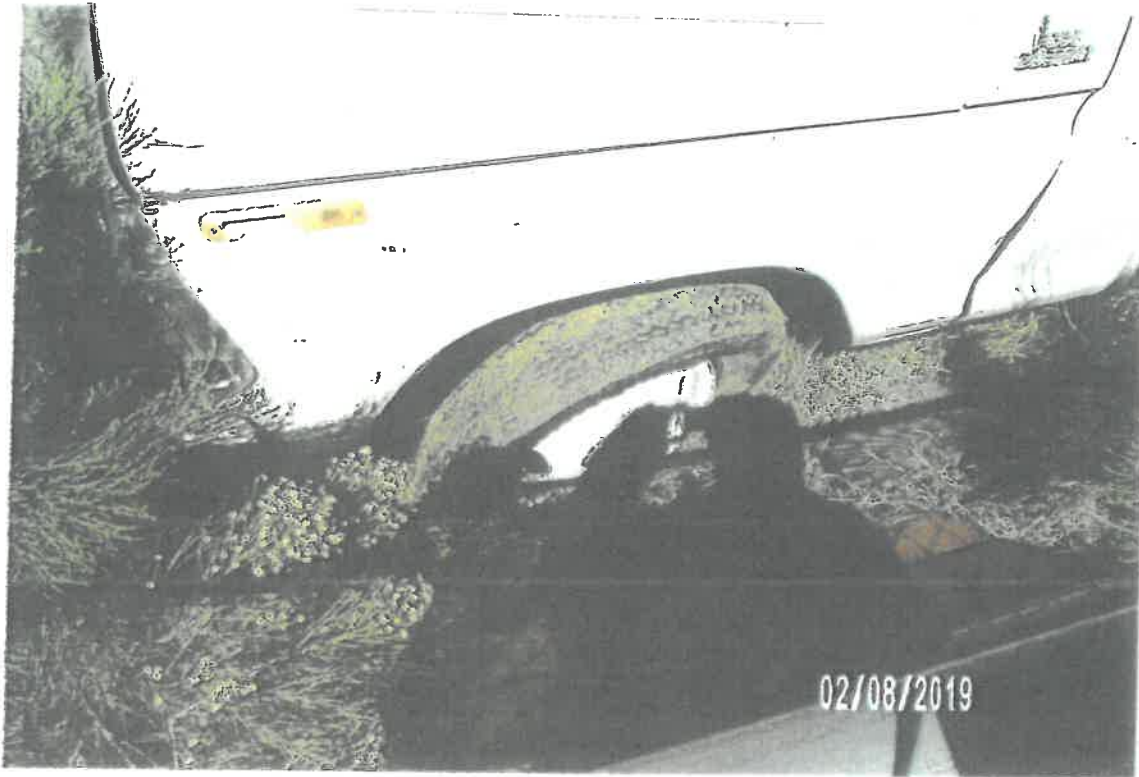




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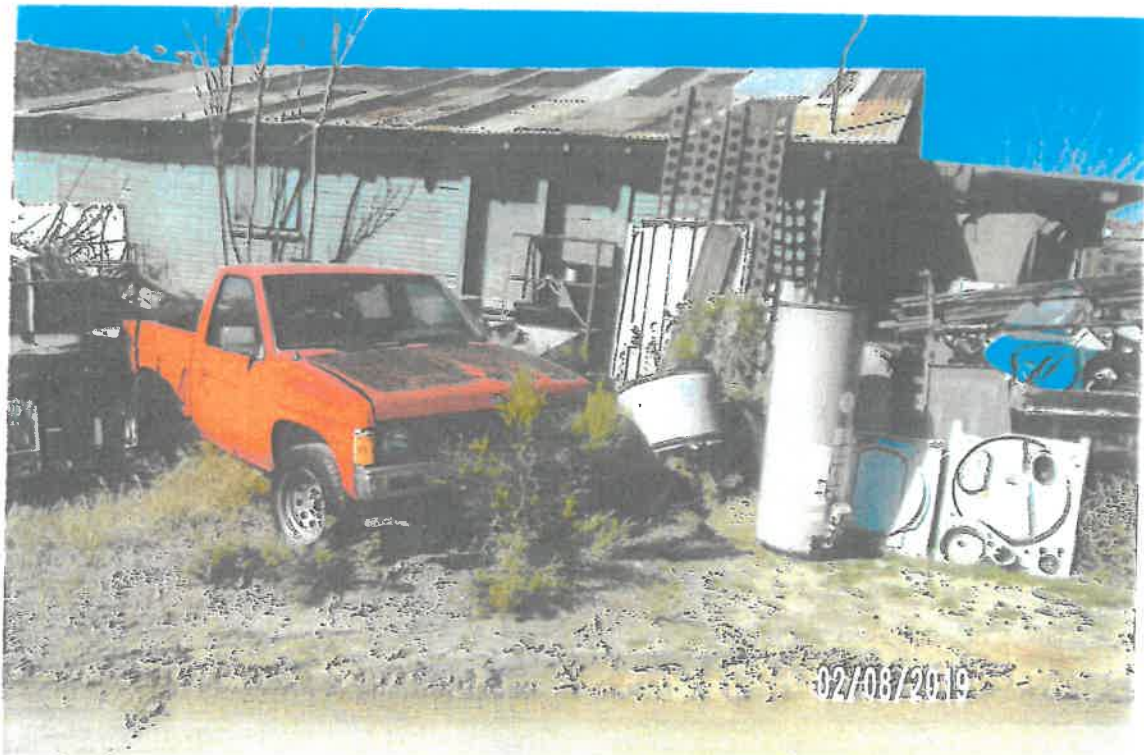
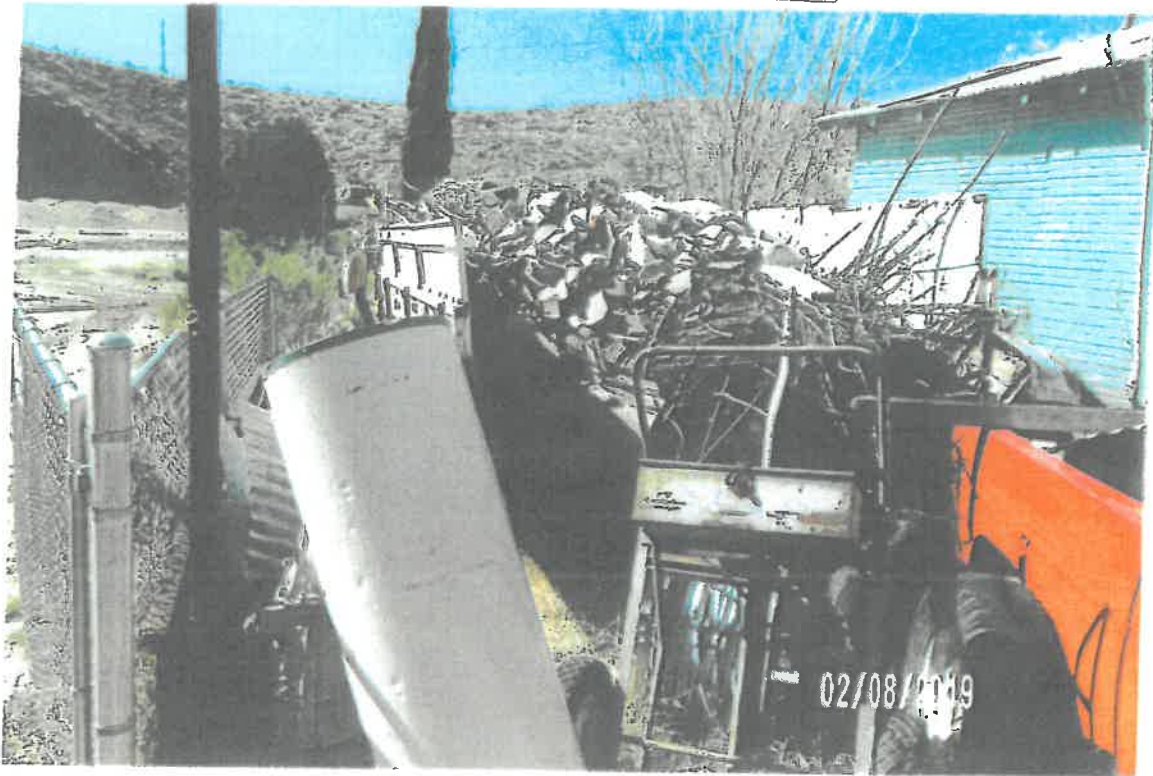






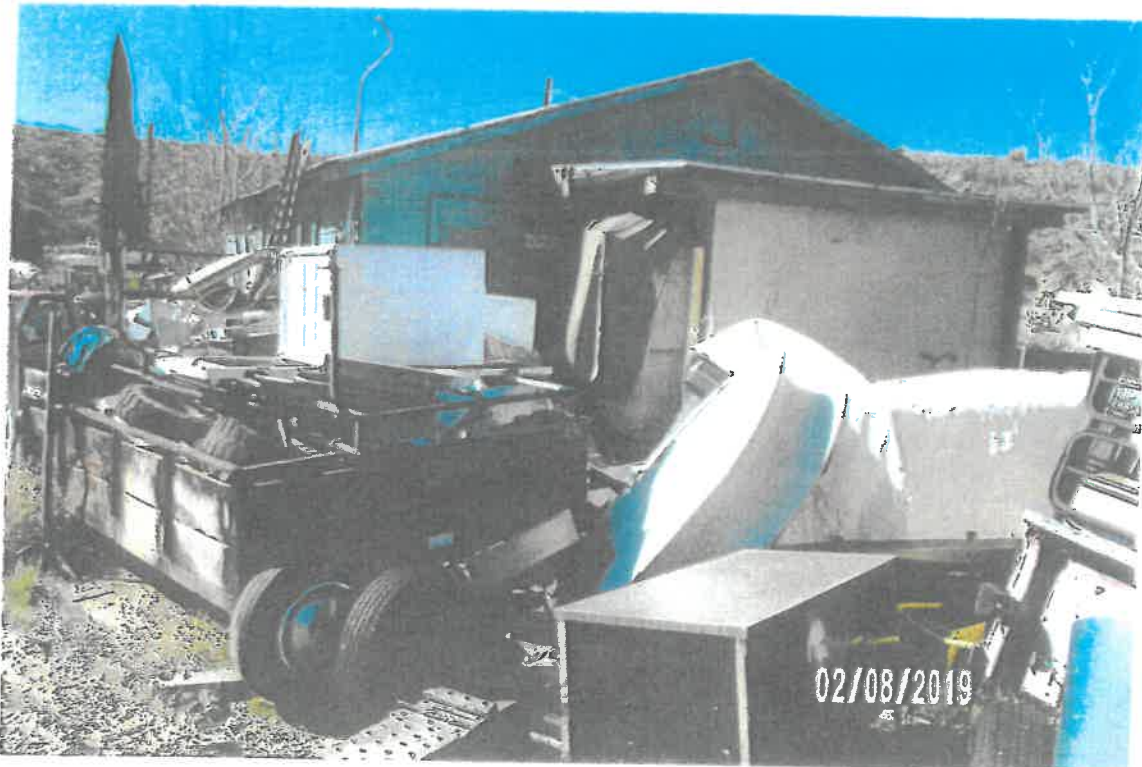
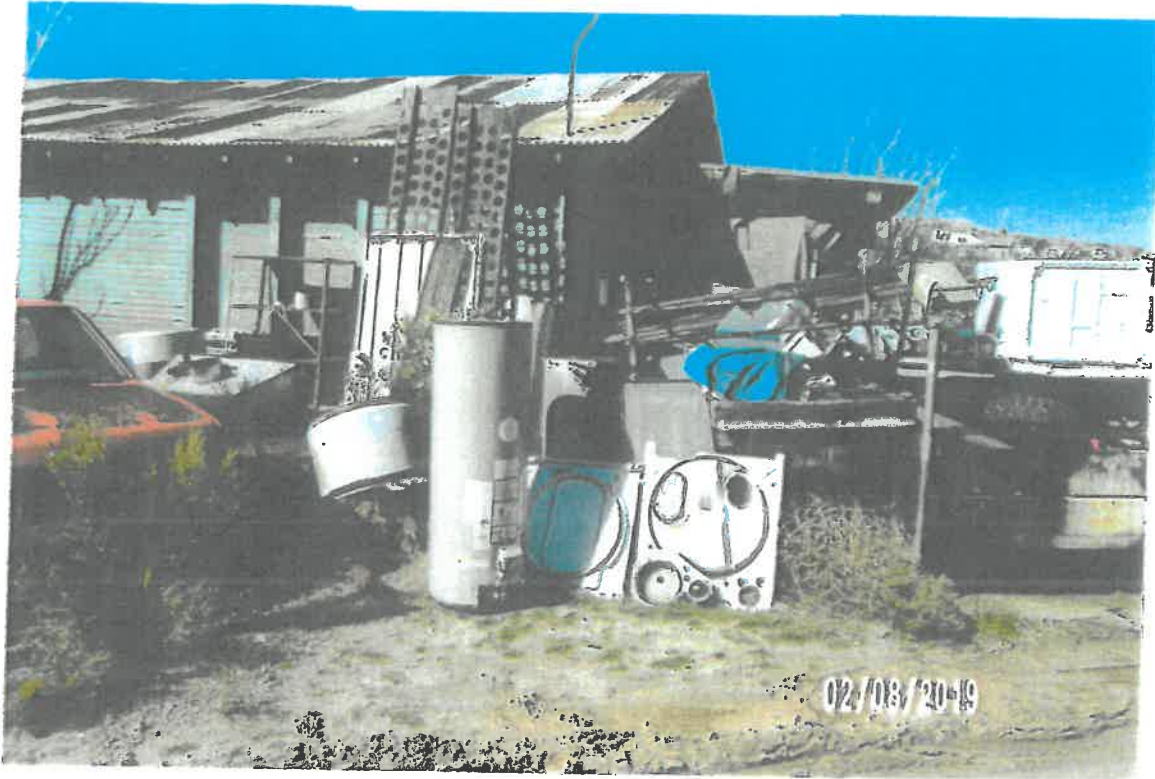
Flat  
Tire



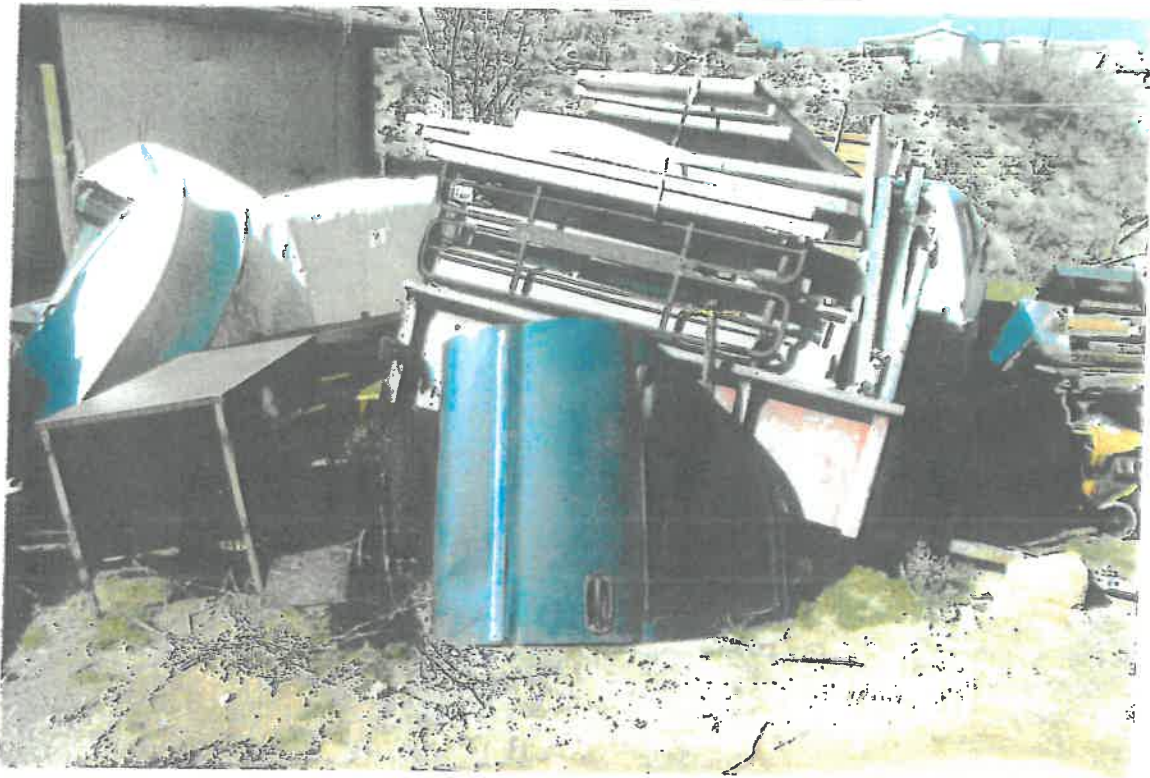


can't  
verify





Trailer  
Missing  
Wheels

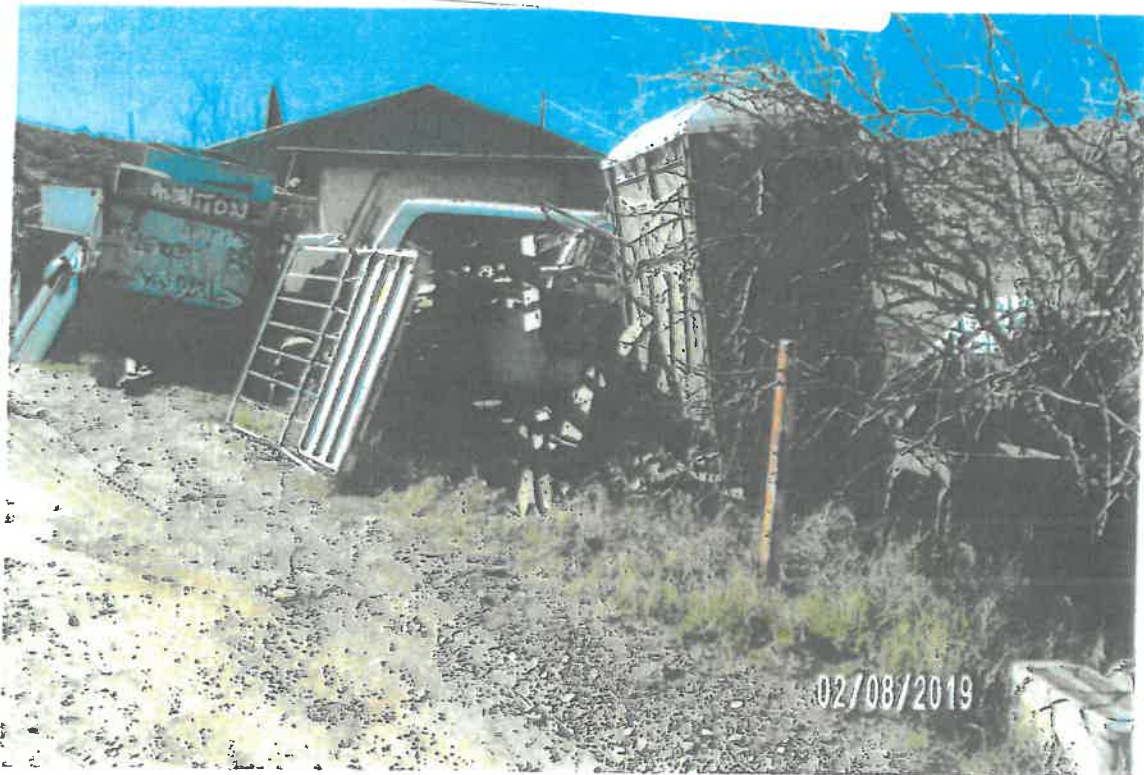


Trailer  
Flat or  
Missing  
wheels



can't  
verify







William Hanna Code Enforcement Officer

Gila County Community Development Code Enforcement Division

Case # CG1901-004

Parcel # 208-11-069 B

Address: 230 S Central Ave, Globe, Arizona

Legal Descriptions: SOUTH GLOBE TWNS LOT 3 BLK 12 COMM AT NE COR BLK 12; TH S 11D 24' W 112.85' TO POB; TH S 11D24' W 67.15'; TH S 62D24' W 55.85'; TH N 27D36' W 46.63'; TH N 62D24' E 15.16'; TH N 58D34' E 83.13' TO POB APPROX 0.08 AC M/L

Owner: Bernice Santillanez

Zoning: This parcel is zoned R1-D8 Single-Family Residential

Violations:

#### SECTION 103.1 STRUCTURES AND USES COMPLIANCE TO DISTRICT REQUIREMENTS

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#### SECTION 102 DEFINITIONS

JUNK: Any scrap, waste, reclaimable material, or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal, or other use or disposition, including but not limited to inoperable and unregistered motor vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood and lumber.

JUNK YARD: The use, either commercially or otherwise, of a lot, parcel, or portions thereof, for the storage, collection, processing, purchase, sale or abandonment of waste paper, rags, scrap metal, or other scrap or discarded goods, materials or machinery, or two or more unregistered, inoperable motor vehicles, or other type of junk

#### SUMMARY:

To clear up a misconception from the last hearing, Rural Addressing states the correct address of this property is 230 S Central Avenue.

A Hearing was held on February 14, 2019. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development and imposed a \$750.00 fine. A daily fine was not imposed. The Defendant was ordered to bring the property into compliance by March 16, 2019, and to appear at the next hearing

date (this date). The Civil Decision was mailed on February 15, 2019, Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

Angel Redondo stopped by our office on March 15, 2019. He said property is not cleaned up and he wants an extension due to son's murder trial. I told him I cannot give extensions once it has gone to hearing. Only the Hearing officer could do that. I told him clean up the property, notify me immediately once clean to verify date, and to appear at the next hearing to discuss fines with the Hearing Officer.

I inspected the property on March 18, 2019. Exhibit D. There is improvement in condition of the property. Particularly in the front of the property. The property remains in violation with junk. I counted four vehicles that either lacked registration, expired registration or clearly inoperable. There may be more as I could not see back clearly. On March 19, 2019, I mailed Inspection Report with pictures Return Service Requested Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

Relief:

Gila County Community Development requests that the Hearing Officer

1. Find in favor of Gila County Community Development and against property owner Bernice Santillanez.
2. Impose an immediate fine of \$750.00 (21.2.3 Ordinance Gila County Zoning Ordinance 05-01 Gila County Hearing Officer Rules of Procedure)
3. Impose a fine of \$100.00 per day for every day following June 23, 2019 until the violation is corrected by cleaning the property (21.2.3)
4. Schedule a review of the orders of the Hearing Officer for August 22, 2019, at 9 AM (21.2.4)

Courtesy recordation  
**When recorded return to:**  
Gila County Community Development  
745 N Rose Mofford Way  
Globe, Arizona 85501

**GILA COUNTY COMMUNITY DEVELOPMENT DIVISION  
IN AND BEFORE THE HEARING OFFICER**

COUNTY OF GILA,

Plaintiff,

vs.

BERNICE SANTILLANEZ  
210 S Central  
Globe, Arizona 85501

Defendant.

Gila County Zoning Ordinance 2014-04  
Section: 103.1(E)

Complaint No.: CG1901-004  
Tax Parcel No.: 208-11-069 B

CIVIL VIOLATION DECISION,  
ORDER AND JUDGMENT

(The Honorable Donald Voakes)

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THE MATTER HAVING BEEN HEARD, the Hearing Officer finds the following:

- 1 The Defendant was properly served according to the ordinance number 05-01 Gila County Hearing Officer Rules of Procedure creating personal jurisdiction over the Defendant.
- 2 The Defendant admitted responsibility for the above zoning violation.
- 3 The Defendant was duly notified of the date and time set for the hearing.
- 4 The Defendant appeared at said hearing.
- 5 Based on evidence such as photographs presented at hearing, the property located at 230 S Central, Globe, Arizona is in violation of Gila County Zoning Ordinance 2014-04 103.1(E) Junk.
- 6 The above-named Defendant is responsible for the zoning violations on this property.

IT IS THEREFORE ORDERED that the following judgments shall be entered against the above-named Defendant:

1. The Defendant shall be fined in the amount of \$750.00 for said zoning violation.
2. The Defendant is ordered to bring the violating property into compliance with Gila County Zoning Ordinance 2014-04 by March 16, 2019. This includes:
  - A Remove or properly store all items meeting the Gila County Zoning Ordinance 2014-04 definition of Junk such as scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or one unregistered vehicle can be on the property.
3. If this Civil Violation Decision, Order and Judgment is recorded with the Gila County Recorder's Office, the above-listed fines may be turned over to a collection agency for collection purposes.
4. If the property is not brought into compliance with Gila County Zoning Ordinance, and a Gila County has authorized a Clean and Lien Ordinance, Gila County is authorized to clean the property and place a lien on the property for the costs of the cleanup and related inspections.
5. A review of the orders of the Hearing Officer is scheduled for May 23, 2019 at 9:00 A.M. The location of this hearing is:

Gila County Community Development/IT Conference Room  
745 N Rose Mofford Way, Globe, AZ

You can also request in advance to videoconference from our Payson office

DATED this 14 day of FEBRUARY, 2019.

  
\_\_\_\_\_  
Donald Voakes, Hearing Officer  
Gila County

# INSPECTION REPORT

Gila County, Arizona

## Community Development Department

745 N Rose Mofford Way, Globe, Arizona (928) 425-3231 Ext. 4224

608 E. Hwy 260, Payson, Arizona (928) 474-9276

Applicant:	<u>Bernice Santillanez</u>	Location:	<u>230 S Central Ave Globe</u>
Parcel #	<u>20811069B</u>	Permit #:	<u>CG1901-004</u>
Type of Inspection:	<u>Zoning - Junk</u>	Appt. Time:	<u>3/18/19</u>

Based on the requirements of the Uniform Building, Plumbing, and Mechanical Codes, and the National Electrical Code, along with Gila County Zoning Ordinance, the inspector noted below has conducted an inspection of your project and has noted the following:

Initials:

           This inspection has passed; you are free to proceed.

           This inspection has passed, with comment, Please review the inspector's remarks

X This inspection has failed. Please see the inspector's remarks, make any required changes, and then call for reinspection.

Remarks:

Per Rural Addressing, the correct address of the property is 230 S Central Ave.

There is improvement in the condition of the property, but the property remains in violation with unregistered vehicles, inoperable vehicles, scrap metal, building materials, auto parts, tires, etc.

As we discussed on March 15, 2019, only the Hearing Officer can grant extensions to the deadlines imposed at hearing. You can discuss the \$750.00 initial fine with the Hearing Officer at the next hearing.

The next hearing is scheduled for May 23, 2019, at 9:00 AM. The location is:

Gila County Community Development/IT Conference Room

745 N Rose Mofford Way, Globe, Arizona

You can attend by videoconference from our Payson office at 608 E. Highway 260.

When all the required corrections have been made, please call for a reinspection. Do not cover any work until it has been approved. If you need clarification as to what is being required, please contact the appropriate office for assistance.

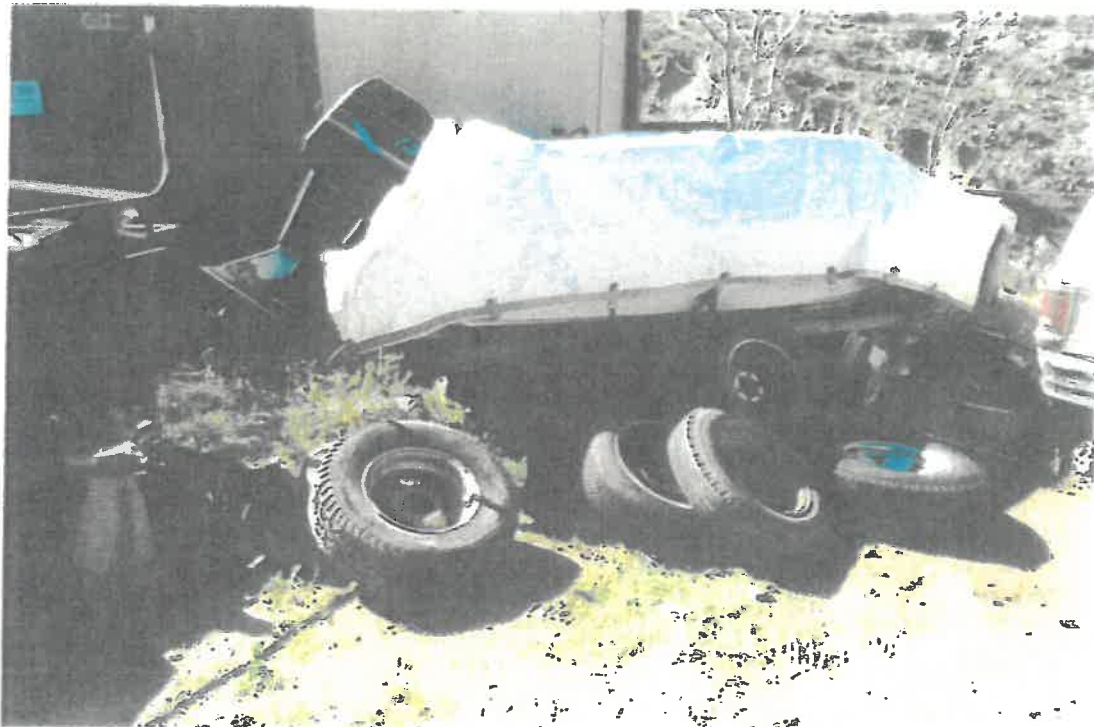
Date/Time: 3/18/19

Inspector: bh

Data Input: 3/19/19













William Hanna Code Enforcement Officer

Gila County Community Development Code Enforcement Division

Case # CG1901-004

Hearing Date: November 14, 2019

Parcel # 208-11-069 B

Address: 230 S Central Ave, Globe, Arizona

Legal Descriptions: SOUTH GLOBE TWNS LOT 3 BLK 12 COMM AT NE COR BLK 12; TH S 11D 24' W 112.85' TO POB; TH S 11D24' W 67.15'; TH S 62D24' W 55.85'; TH N 27D36' W 46.63'; TH N 62D24' E 15.16'; TH N 58D34' E 83.13' TO POB APPROX 0.08AC M/L

Owner: Bernice Santillanez

Zoning: This parcel is zoned R1-D8 Single-Family Residential

Violations:

#### SECTION 103.1 STRUCTURES AND USES COMPLIANCE TO DISTRICT REQUIREMENTS

The following stipulations and provisions shall apply to all districts unless supplanted and/or supplemented by differing stipulations and provisions established in any district.

103.1(E) No property or use shall be operated or maintained in such a manner as to be a fire and/or explosion hazard; no property or use shall be allowed to emit toxic fumes or generate toxic waste; neither shall there be emitted into the atmosphere smoke, soot, dust, radiation, odor, noise, vibration, heat, or glare to such an extent as to constitute a nuisance; no property or use shall be operated or maintained for the outside storage of junk or in such a manner as to be deemed a junk yard, unless permitted within a specific zoning district.

#### SECTION 102 DEFINITIONS

**JUNK:** Any scrap, waste, reclaimable material, or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal, or other use or disposition, including but not limited to inoperable and unregistered motor vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood and lumber.

**JUNK YARD:** The use, either commercially or otherwise, of a lot, parcel, or portions thereof, for the storage, collection, processing, purchase, sale or abandonment of waste paper, rags, scrap metal, or other scrap or discarded goods, materials or machinery, or two or more unregistered, inoperable motor vehicles, or other type of junk

#### SUMMARY:

A hearing was held on February 14, 2019. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development and imposed a \$750.00 fine. A daily fine was not imposed. The Defendant was ordered to bring the property into compliance by March 16, 2019, and to appear at the next hearing date.

A second hearing was held on May 23, 2019. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development. The \$750.00 fine imposed on February 14, 2019. The Defendant was ordered to clean the property by August 21, 2019 and appear at the next hearing on August 22, 2019. Compliance includes removal or proper storage of all scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or unregistered vehicle can be on the property. If not in compliance by August 21, 2019 an additional \$750.00 fine will be imposed. A daily fine was not imposed. This Civil Violation Decision, Order and Judgment was mailed on May 24, 2019, Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

A Notice of Continuance to September 6, 2019 was mailed on August 14, 2019 Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

I inspected the property on August 26, 2019. Exhibit E. I saw no improvement in the backyard of property. In the front and side yards. I saw more building materials such as countertops and carpeting, scrap metal, and auto parts such as rims and tires.

On August 27, 2019, I mailed Inspection Report Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

On September 6, 2019, the car of the Defendant's Representative broke down on the way to the hearing. The Hearing Officer granted a continuance to November 11, 2019.

I inspected the property on November 5, 2019. Exhibit F. I saw no improvement in the backyard of the property. Building materials, scrap metal, scrap wood, auto parts, inoperable vehicles, etc. remain in the backyard.

On November 6, 2019, I mailed Inspection Report Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

Relief:

Gila County Community Development requests that the Hearing Officer

1. Find in favor of Gila County Community Development and against property owner Bernice Santillanez.
2. Affirm the two fines of \$750.00 totaling \$1,500.00 (21.2.3 Ordinance Gila County Zoning Ordinance 05-01 Gila County Hearing Officer Rules of Procedure)
3. Impose a fine of \$100.00 per day for every day following November 14, 2019 until the violation is corrected by cleaning the property (21.2.3)
4. Schedule a review of the orders of the Hearing Officer for January 23, 2020, at 9 AM (21.2.4)

Courtesy recordation  
**When recorded return to:**  
Gila County Community Development  
745 N Rose Mofford Way  
Globe, Arizona 85501

## GILA COUNTY COMMUNITY DEVELOPMENT DIVISION IN AND BEFORE THE HEARING OFFICER

COUNTY OF GILA,

Plaintiff,

vs.

BERNICE SANTILLANEZ  
230 S Central  
Globe, Arizona 85501,  
Defendant.

Gila County Zoning Ordinance 2014-04  
Section: 103.1(E)

Complaint No.: CG1901-004  
Tax Parcel No.: 208-11-069 B

CIVIL VIOLATION DECISION,  
ORDER AND JUDGMENT

(The Honorable Donald Voakes)

THE MATTER HAVING BEEN HEARD, the Hearing Officer finds the following:

- 1 The Defendant was properly served according to the ordinance number 05-01 Gila County Hearing Officer Rules of Procedure creating personal jurisdiction over the Defendant.
- 2 A Representative of the Defendant appeared at the February 14, 2019 hearing and admitted responsibility for the above zoning violation.
- 3 The Defendant was duly notified of the date and time set for today's hearing.
- 4 A Representative of the Defendant appeared at today's hearing.
- 5 Based on evidence such as photographs presented at hearing, the property located at 230 S Central, Globe, Arizona is in violation of Gila County Zoning Ordinance 2014-04 103.1(E) Junk.

6 The above-named Defendant is responsible for the zoning violations on this property.

IT IS THEREFORE ORDERED that the following judgments shall be entered against the above-named Defendant:

1. The Defendant shall not be fined for said zoning violation. The \$750.00 fine imposed at the February 14, 2019 hearing remains in effect.
2. The Defendant is ordered to bring the violating property into compliance with Gila County Zoning Ordinance 2014-04 by August 21, 2019. This includes:
  - A Remove or properly store all items meeting the Gila County Zoning Ordinance 2014-04 definition of Junk such as scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or one unregistered vehicle can be on the property.
3. A review of the orders of the Hearing Officer is scheduled for August 22, 2019 at 9:00 A.M. The location of this hearing is:

Gila County Board of Supervisor Conference Room  
608 E Highway 260, Payson, Arizona

You can also appear by videoconference from our Globe office 745 N Rose Mofford Way.

DATED this 23 day of MAY, 2019.

  
Donald Voakes, Hearing Officer  
Gila County

GILA COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
IN AND BEFORE GILA COUNTY

GILA COUNTY, ARIZONA

Plaintiff,

vs.

BERNICE SANTILLANEZ

Re: 230 S Central

Globe, Arizona 85501, (the "Property"),

Defendant.

Complaint No.: CG1901-004

Tax Parcel No.: 208-11-069 B

**NOTICE OF CONTINUANCE OF  
HEARING**

(Hearing Officer, Donald Voakes)

**DUE TO A SCHEDULE CONFLICT,**

**NOTICE IS HEREBY GIVEN** that the Gila County Hearing Officer has continued the Hearing in the above referenced Complaint to September 6, 2019, at 9:00 a.m. at the following location:

Gila County Board of Supervisors Conference Room  
610 E. Highway 260, Payson, AZ

Defendant may also attend by videoconference from the Globe office, located at 745 N. Rose Mofford Way, Globe, AZ.

DATED this 14 day of AUGUST, 2019.

By: 

Donald Voakes, Hearing Officer

# INSPECTION REPORT

*Gila County, Arizona*

## Community Development Department

745 N Rose Mofford Way, Globe, Arizona (928) 425-3231 Ext. 4224

608 E. Hwy 260, Payson, Arizona (928) 474-9276

Applicant:	<u>Bernice Santillanez</u>	Location:	<u>230 S Central Ave Globe</u>
Parcel #	<u>208-11-069 B</u>	Permit #:	<u>CG1901-004</u>
Type of Inspection:	<u>Zoning - Junk</u>	Appt. Time:	<u>8/26/19</u>

Based on the requirements of the Uniform Building, Plumbing, and Mechanical Codes, and the National Electrical Code, along with Gila County Zoning Ordinance, the inspector noted below has conducted an inspection of your project and has noted the following:

### Initials:

<input type="checkbox"/>	This inspection has passed; you are free to proceed.
<input type="checkbox"/>	This inspection has passed, with comment, Please review the inspector's remarks
<input checked="" type="checkbox"/>	This inspection has failed. Please see the inspector's remarks, make any required changes, and then call for reinspection.

### Remarks:

No improvement in backyard of property. More building materials such as countertop and carpeting, scrap metal, and auto parts such as rims and tires are in the front and side yard.

The Hearing remains scheduled for September 6, 2019, at 9:00 AM at:

Gila County Board Of Supervisor Conference Room

610 E. Highway 260, Payson, Arizona

You can also appear by videoconference from our Globe office at 745 N Rose Mofford Way.

When all the required corrections have been made, please call for a reinspection. Do not cover any work until it has been approved. If you need clarification as to what is being required, please contact the appropriate office for assistance.

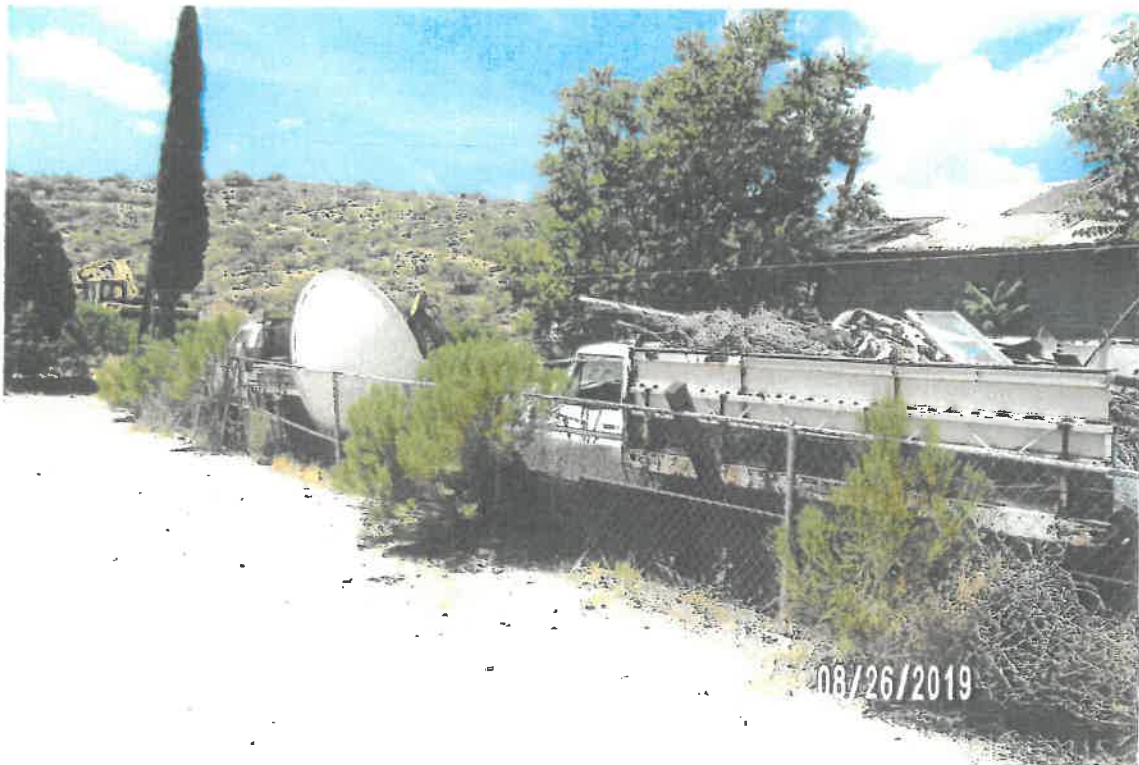
Date/Time: 8/26/19 Inspector: bh Data Input: 8/27/19













GILA COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
IN AND BEFORE GILA COUNTY

GILA COUNTY, ARIZONA

Plaintiff,

vs.

BERNICE SANTILLANEZ

Re: 230 S Central

Globe, Arizona 85501, (the "Property"),

Defendant.

Complaint No.: CG1901-004

Tax Parcel No.: 208-11-069 B

**NOTICE OF CONTINUANCE OF  
HEARING**

(Hearing Officer, Donald Voakes)

NOTICE IS HEREBY GIVEN that the Gila County Hearing Officer has continued the Hearing in the above referenced Complaint to November 14, 2019, at 9:00 a.m. at the following location:

Gila County Community Development/IT Conference Room  
745 N Rose Mofford Way, Globe, AZ

The Defendant may also attend by videoconference from the Globe office of Community Development, located at 610 E Highway 260 in Payson.

DATED this 6 day of SEPTEMBER, 2019.

By:

  
Donald Voakes, Hearing Officer

# INSPECTION REPORT

Gila County, Arizona

## Community Development Department

745 N Rose Mofford Way, Globe, Arizona (928) 425-3231 Ext. 4224

608 E. Hwy 260, Payson, Arizona (928) 474-9276

Applicant: Bernice Santillanez

Location: 230 S Central Ave Globe

Parcel # 208-11-069 B

Permit #: CG1901-004

Type of Inspection: Zoning - Junk

Appt. Time: 11/5/19

Based on the requirements of the Uniform Building, Plumbing, and Mechanical Codes, and the National Electrical Code, along with Gila County Zoning Ordinance, the inspector noted below has conducted an inspection of your project and has noted the following:

### Initials:

           This inspection has passed; you are free to proceed.

           This inspection has passed, with comment, Please review the inspector's remarks

X This inspection has failed. Please see the inspector's remarks, make any required changes, and then call for reinspection.

### Remarks:

No improvement in backyard of property. Building materials, scrap metal, scrap wood  
auto parts, inoperable vehicles, etc. remain in the backyard

The Hearing remains scheduled for November 14, 2019, at 9:00 AM at:

Gila County Community Development/IT Conference Room

745 N Rose Mofford Way, Globe, Arizona

You can attend by videoconference from our Payson office at 608 E. Highway 260.

When all the required corrections have been made, please call for a reinspection. Do not cover any work until it has been approved. If you need clarification as to what is being required, please contact the appropriate office for assistance.

Date/Time: 11/5/19

Inspector: bh

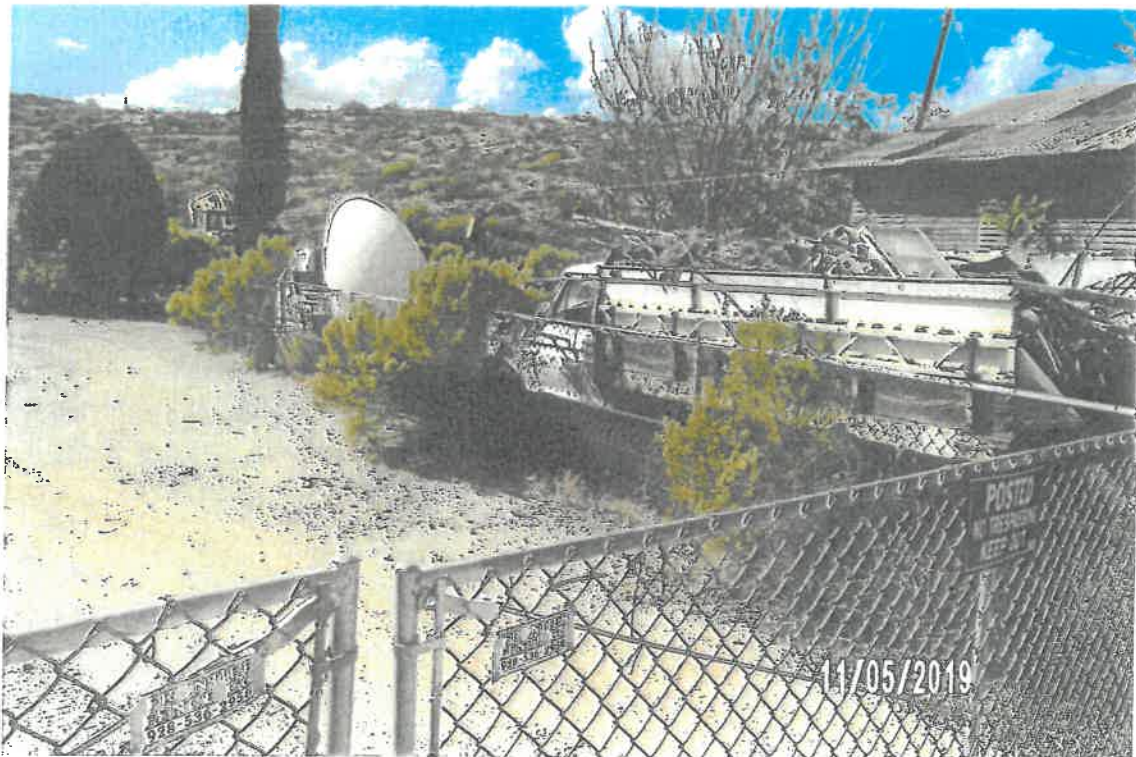
Data Input: 11/6/19





November 5, 2019

230 S Central Ave







November 5, 2019

230 S Central Ave





4

William Hanna Code Enforcement Officer

Gila County Community Development Code Enforcement Division

Case # CG1901-004

Hearing Date: January 23, 2020

Parcel # 208-11-069 B

Address: 230 S Central Ave, Globe, Arizona

Legal Descriptions: SOUTH GLOBE TWNS LOT 3 BLK 12 COMM AT NE COR BLK 12; TH S 11D 24' W 112.85' TO POB; TH S 11D24' W 67.15'; TH S 62D24' W 55.85'; TH N 27D36' W 46.63'; TH N 62D24' E 15.16'; TH N 58D34' E 83.13' TO POB APPROX 0.08AC M/L

Owner: Bernice Santillanez

Zoning: This parcel is zoned R1-D8 Single-Family Residential

Violations:

#### SECTION 103.1 STRUCTURES AND USES COMPLIANCE TO DISTRICT REQUIREMENTS

The following stipulations and provisions shall apply to all districts unless supplanted and/or supplemented by differing stipulations and provisions established in any district.

103.1(E) No property or use shall be operated or maintained in such a manner as to be a fire and/or explosion hazard; no property or use shall be allowed to emit toxic fumes or generate toxic waste; neither shall there be emitted into the atmosphere smoke, soot, dust, radiation, odor, noise, vibration, heat, or glare to such an extent as to constitute a nuisance; no property or use shall be operated or maintained for the outside storage of junk or in such a manner as to be deemed a junk yard, unless permitted within a specific zoning district.

#### SECTION 102 DEFINITIONS

JUNK: Any scrap, waste, reclaimable material, or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal, or other use or disposition, including but not limited to inoperable and unregistered motor vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood and lumber.

JUNK YARD: The use, either commercially or otherwise, of a lot, parcel, or portions thereof, for the storage, collection, processing, purchase, sale or abandonment of waste paper, rags, scrap metal, or other scrap or discarded goods, materials or machinery, or two or more unregistered, inoperable motor vehicles, or other type of junk

#### SUMMARY:

A hearing was held on February 14, 2019. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development and imposed a \$750.00 fine. A daily fine was not imposed. The Defendant was ordered to bring the property into compliance by March 16, 2019, and to appear at the next hearing date.

~ 1 ~

Santillanez

A second hearing was held on May 23, 2019. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development. The \$750.00 civil sanction imposed on February 14, 2019 remains in effect. The Defendant was ordered to clean the property by August 21, 2019 and appear at the next hearing on August 22, 2019. Compliance includes removal or proper storage of all scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or unregistered vehicle can be on the property. If not in compliance by August 21, 2019 an additional \$750.00 civil sanction will be imposed. A daily fine was not imposed. This Civil Violation Decision, Order and Judgment was mailed on May 24, 2019, Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

At request of Hearing Officer Don Voakes, a Notice of Continuance to September 6, 2019 was mailed on August 14, 2019 Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

On September 6, 2019, the car of the Defendant's Representative broke down on the way to the hearing. Hearing Officer Don Voakes granted a continuance to November 11, 2019.

A third hearing was held on November 14, 2019. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development. An additional \$750.00 civil sanction was imposed for a total of \$1,500.00. The Defendant was ordered to bring the property into compliance by December 16, 2019 or a daily fine of \$100.00 would be imposed. Compliance includes removal or proper storage of all scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or unregistered vehicle can be on the property. The Defendant was ordered to appear at the next hearing on January 23, 2020 for a review of the orders of the Hearing Officer. This Civil Violation Decision, Order and Judgment was mailed on November 14, 2019, Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

I inspected the property on January 2, 2020. Exhibit G. The property was not in compliance. Two vehicles appear to be inoperable or unregistered. One has a 2014 license plate. The other has not moved and, based on old pictures showing flat tires, was inoperable. Scrap metal, scrap wood, auto parts such as an engine block, discarded building materials, furniture such as shelving or drawers. various tools, etc. are on the property.

On January 13, 2020, I mailed Inspection Report Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

A total of 38 days has elapsed since the compliance date of December 16, 2019, bringing the total zoning violation fine to \$5,300.00 consisting of a \$3,800.00 daily fine and a civil sanction of \$1,500.00.

Relief:

Gila County Community Development requests that the Hearing Officer

1. Find in favor of Gila County Community Development and against property owner Bernice Santillanez.



2. Affirm the fines of \$5,300.00 consisting of a \$3,800.00 daily fine and a civil sanction of \$1,500.00 (21.2.3 Ordinance Gila County Zoning Ordinance 05-01 Gila County Hearing Officer Rules of Procedure)
3. Order the Defendant to bring the property into compliance. Compliance includes removal or proper storage of all scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or unregistered vehicle can be on the property. (21.2.1)
4. Continue the daily fine of \$100.00 per day for every day until the violation is corrected by bringing the property into compliance. Compliance includes removal or proper storage of all scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or unregistered vehicle can be on the property. (21.2.3)
5. Schedule a review of the orders of the Hearing Officer for March 5, 2020, at 9 AM (21.2.4)

Courtesy recordation  
**When recorded return to:**  
Gila County Community Development  
745 N Rose Mofford Way  
Globe, Arizona 85501

**GILA COUNTY COMMUNITY DEVELOPMENT DIVISION  
IN AND BEFORE GILA COUNTY**

GILA COUNTY, ARIZONA

Plaintiff,

vs.

BERNICE SANTILLANEZ

Re: 230 S Central

Globe, Arizona 85501, (the "Property"),

Defendant.

Complaint No.: CG1901-004

Tax Parcel No.: 208-11-069 B

**CIVIL VIOLATION DECISION,  
ORDER AND JUDGMENT**

(Hearing Officer, Donald Voakes)

THIS MATTER HAVING BEEN HEARD, the Hearing Officer finds the following:

- 1 The Defendant was properly served in accordance with Arizona Revised Statutes 11-815. E. and Arizona Rules of Civil Procedure.
- 2 The Defendant was duly notified of the location, date and time set for the hearing.
- 3 The Defendant's Representative did appear.
- 4 A hearing was held on February 14, 2019. A \$750.00 civil sanction was imposed if the property was not brought into compliance.
- 5 A second hearing was held on May 23, 2019. The Defendant was ordered to remove or properly store all junk from the property or a second \$750.00 civil sanction will be imposed.

6 Based on evidence presented at hearing, the Property was found to be in violation of the following codes and/or ordinances:

a. Gila County Zoning Ordinance:

i. Section 103.1 General Stipulations & Provisions – All Districts

103.1(E) No property or use shall be operated or maintained in such a manner as to be a fire and/or explosion hazard; no property or use shall be allowed to emit toxic fumes or generate toxic waste; neither shall there be emitted into the atmosphere smoke, soot, dust, radiation, odor, noise, vibration, heat, or glare to such an extent as to constitute a nuisance; no property or use shall be operated or maintained for the outside storage of junk or in such a manner as to be deemed a junk yard, unless permitted within a specific zoning district

7 The above-named Defendant is the Property owner of record and thereby responsible for the violations.

IT IS THEREFORE ORDERED that the following judgments shall be entered against the above-named Defendant(s):

1. The two civil sanctions of \$750.00 each and totaling \$1,500.00 are affirmed.
2. The Defendant is ordered to abate the violations, bringing the Property into compliance with Gila County Zoning Ordinance by December 16, 2019. The following conditions of compliance shall be completed:

A Remove or properly store all items meeting the Gila County Zoning Ordinance definition of Junk such as scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or one unregistered vehicle can be on the property

3. The Defendant shall be fined in the amount of \$100.00 every day following December 16, 2019, that the Property does not comply with Gila County Zoning Ordinance.
4. A compliance inspection will be performed after December 16, 2019. If the Property is found to be in compliance and the Civil Sanction has been paid in full, this matter will be dismissed. If the Property is not in compliance or the Civil Sanction has not been paid in full, the Defendant must appear at the review of this Civil Violation Decision, Order and Judgment which is scheduled for January 23, 2020 at 9:00 A.M.

The location of this hearing is:

Gila County Board of Supervisor Conference Room  
610 E. Highway 260, Payson, AZ

The Defendant may also attend by videoconference from the Globe office of Community Development, located at 745 N. Rose Mofford Way in Globe.

A pre-hearing site inspection will be performed within 7 days prior to the review hearing.

5. The Defendant shall notify the Code Compliance Specialist when the conditions of compliance are completed.

DATED this 14 day of NOVEMBER, 2019.

  
Donald Voakes, Hearing Officer

# INSPECTION REPORT

Gila County, Arizona

Community Development Department

745 N Rose Mofford Way, Globe, Arizona (928) 425-3231 Ext. 4224

608 E. Hwy 260, Payson, Arizona (928) 474-9276

Applicant:	<u>Bernice Santillanez</u>	Location:	<u>230 S Central Ave Globe</u>
Parcel #	<u>208-11-069 B</u>	Permit #:	<u>CG1901-004</u>
Type of Inspection:	<u>Zoning - Junk</u>	Appt. Time:	<u>1/2/2020</u>

Based on the requirements of the Uniform Building, Plumbing, and Mechanical Codes, and the National Electrical Code, along with Gila County Zoning Ordinance, the inspector noted below has conducted an inspection of your project and has noted the following:

Initials:

           This inspection has passed; you are free to proceed.

           This inspection has passed, with comment, Please review the inspector's remarks

X This inspection has failed. Please see the inspector's remarks, make any required changes, and then call for reinspection.

Remarks:

Two vehicles on the property appear to be inoperable or unregistered. Items meeting the  
Gila County Zoning Ordinance definition of junk are on the property such as scrap metal,  
scrap wood, auto parts, building materials, appliances, appliance parts, furniture, tools, etc.

The hearing remains scheduled for January 23, 2020, at 9:00 AM at:

Gila County Board Of Supervisor Conference Room

610 E. Highway 260, Payson, Arizona

You can also appear by videoconference from our Globe office at 745 N Rose Mofford  
Way.

When all the required corrections have been made, please call for a reinspection. Do not cover any work until it has been approved. If you need clarification as to what is being required, please contact the appropriate office for assistance.

Date/Time: 1/2/2020 Inspector: bh Data Input: 1/13/2020

















William Hanna Code Enforcement Officer

Gila County Community Development Code Enforcement Division

Case # CG1901-004

Hearing Date: March 5, 2020

Parcel # 208-11-069 B

Address: 230 S Central Ave, Globe, Arizona

Legal Descriptions: SOUTH GLOBE TWNS LOT 3 BLK 12 COMM AT NE COR BLK 12; TH S 11D 24' W 112.85' TO POB; TH S 11D24' W 67.15'; TH S 62D24' W 55.85'; TH N 27D36' W 46.63'; TH N 62D24' E 15.16'; TH N 58D34' E 83.13' TO POB APPROX 0.08AC M/L

Owner: Bernice Santillanez

Zoning: This parcel is zoned R1-D8 Single-Family Residential

Violations:

#### SECTION 103.1 STRUCTURES AND USES COMPLIANCE TO DISTRICT REQUIREMENTS

The following stipulations and provisions shall apply to all districts unless supplanted and/or supplemented by differing stipulations and provisions established in any district.

103.1(E) No property or use shall be operated or maintained in such a manner as to be a fire and/or explosion hazard; no property or use shall be allowed to emit toxic fumes or generate toxic waste; neither shall there be emitted into the atmosphere smoke, soot, dust, radiation, odor, noise, vibration, heat, or glare to such an extent as to constitute a nuisance; no property or use shall be operated or maintained for the outside storage of junk or in such a manner as to be deemed a junk yard, unless permitted within a specific zoning district.

#### SECTION 102 DEFINITIONS

JUNK: Any scrap, waste, reclaimable material, or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal, or other use or disposition, including but not limited to inoperable and unregistered motor vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood and lumber.

JUNK YARD: The use, either commercially or otherwise, of a lot, parcel, or portions thereof, for the storage, collection, processing, purchase, sale or abandonment of waste paper, rags, scrap metal, or other scrap or discarded goods, materials or machinery, or two or more unregistered, inoperable motor vehicles, or other type of junk

#### SUMMARY:

A hearing was held on February 14, 2019. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development and imposed a \$750.00 fine. A daily fine was not imposed. The Defendant was ordered to bring the property into compliance by March 16, 2019, and to appear at the next hearing date.

~ 1 ~

Santillanez

A second hearing was held on May 23, 2019. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development. The \$750.00 civil sanction imposed on February 14, 2019 remains in effect. The Defendant was ordered to clean the property by August 21, 2019 and appear at the next hearing on August 22, 2019. Compliance includes removal or proper storage of all scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or unregistered vehicle can be on the property. If not in compliance by August 21, 2019 an additional \$750.00 civil sanction will be imposed. A daily fine was not imposed. This Civil Violation Decision, Order and Judgment was mailed on May 24, 2019, Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

At request of Hearing Officer Don Voakes, a Notice of Continuance to September 6, 2019 was mailed on August 14, 2019 Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

On September 6, 2019, the car of the Defendant's Representative broke down on the way to the hearing. Hearing Officer Don Voakes granted a continuance to November 11, 2019.

A third hearing was held on November 14, 2019. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development. An additional \$750.00 civil sanction was imposed for a total of \$1,500.00. The Defendant was ordered to bring the property into compliance by December 16, 2019 or a daily fine of \$100.00 would be imposed. Compliance includes removal or proper storage of all scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or unregistered vehicle can be on the property. The Defendant was ordered to appear at the next hearing on January 23, 2020 for a review of the orders of the Hearing Officer. This Civil Violation Decision, Order and Judgment was mailed on November 14, 2019, Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

A Hearing was held on January 23, 2020. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development. The Defendant was ordered to clean the property by February 13, 2020. The fine will remain at \$1,500.00 if the property is in compliance by February 13, 2020. If the property is not in compliance by February 13, 2020, the fine and civil violation will total \$5,300.00. I arranged to meet with Angel Redondo at the property on January 29, 2020. The Defendant was ordered to appear at the next hearing if the fine is not paid or the property is not in compliance. The Civil Violation Decision, Order and Judgment was signed on January 24, 2020. I mailed signed Civil Violation Decision, Order and Judgment on January 29, 2020 Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

On January 29, 2020, I met with owner's son at property. The truck shows 2011 tags. He says the truck is registered so I told him show me a copy or put up to date tags on vehicle. The Jeep is not running. He has no plans for go-carts so I said to properly store, fix, or remove. He says the backhoe runs but has rotten hoses. He said it is difficult to scrap. If sold as backhoe that needs work, he could get more money than scrap. I suggested he run ad and sell. I pointed out scrap wood.

I inspected the property on February 19, 2020. Exhibit H. The condition of the property is improved. Only one registered motor vehicle remained on the property. There is still scrap metal and scrap wood

~ 2 ~

Santillanez

by the trailer and towards the backyard. On February 24, 2020, I mailed Inspection Report Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502

A total of 80 days has elapsed since the compliance date of December 16, 2019, bringing the total zoning violation fine to \$9,500.00 consisting of a \$8,000.00 daily fine and a civil sanction of \$1,500.00.

Relief:

Gila County Community Development requests that the Hearing Officer

1. Find in favor of Gila County Community Development and against property owner Bernice Santillanez.
2. Affirm the fine of \$9,500.00 consisting of a \$8,000.00 daily fine and a civil sanction of \$1,500.00 with the understanding that if the property is brought into compliance in 45 days, Gila County Community Development will support a significant reduction in the amount of this fine. (21.2.3 Ordinance Gila County Zoning Ordinance 05-01 Gila County Hearing Officer Rules of Procedure)
3. Order the Defendant to bring the property into compliance April 19, 2020. Compliance includes removal or proper storage of all scrap metal, scrap wood, auto parts, appliances, building materials, etc. (21.2.1)
4. Continue the daily fine of \$100.00 per day for every day until the violation is corrected by bringing the property into compliance. Compliance includes removal or proper storage of all scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or unregistered vehicle can be on the property. (21.2.3)
5. Schedule a review of the orders of the Hearing Officer for May 7, 2020, at 9 AM (21.2.4)

Courtesy recordation  
**When recorded return to:**  
Gila County Community Development  
745 N Rose Mofford Way  
Globe, Arizona 85501

## GILA COUNTY COMMUNITY DEVELOPMENT DIVISION IN AND BEFORE GILA COUNTY

GILA COUNTY, ARIZONA

Plaintiff,

vs.

BERNICE SANTILLANEZ

Re: 230 S Central

Globe, Arizona 85501, (the "Property"),

Defendant.

Complaint No.: CG1901-004

Tax Parcel No.: 208-11-069 B

### **CIVIL VIOLATION DECISION, ORDER AND JUDGMENT**

(Hearing Officer, Donald Voakes)

THIS MATTER HAVING BEEN HEARD, the Hearing Officer finds the following:

- 1 The Defendant was properly served in accordance with Arizona Revised Statutes 11-815. E. and Arizona Rules of Civil Procedure.
- 2 The Defendant was duly notified of the location, date and time set for the hearing.
- 3 The Defendant's Representative did appear.
- 4 Based on evidence presented at hearing, the Property was found to be in violation of the following codes and/or ordinances:
  - a. Gila County Zoning Ordinance:
    - i. Section 103.1 General Stipulations & Provisions – All Districts  
103.1(E) No property or use shall be operated or maintained in such a manner as to be a fire and/or explosion hazard; no property or use shall



be allowed to emit toxic fumes or generate toxic waste; neither shall there be emitted into the atmosphere smoke, soot, dust, radiation, odor, noise, vibration, heat, or glare to such an extent as to constitute a nuisance; no property or use shall be operated or maintained for the outside storage of junk or in such a manner as to be deemed a junk yard, unless permitted within a specific zoning district.

5 A hearing was held on February 14, 2019. A \$750.00 civil sanction was imposed at this hearing.

6 A second hearing was held on November 14, 2019. An additional \$750.00 civil sanction and a \$100.00 fine for each day of violation following December 16, 2019 was imposed.

7 The above-named Defendant is the Property owner of record and thereby responsible for the violations.

8 A total of 38 days has elapsed since the compliance date of December 16, 2019, bringing the total zoning violation fine to \$5,300.00, consisting of a \$3,800.00 daily fine and a civil sanction of \$1,500.00.

IT IS THEREFORE ORDERED that the following judgments shall be entered against the above-named Defendant:

1. The Defendant is ordered to abate the violations, bringing the Property into compliance with Gila County Zoning Ordinance by February 13, 2020. The following conditions of compliance shall be completed:

A Remove or properly store all items meeting the Gila County Zoning Ordinance definition of Junk such as scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or one unregistered vehicle can be on the property.

2. A compliance inspection will be performed after February 13, 2020.
3. If the property is not in compliance by February 13, 2020, the full \$5,300.00 is due. If the property is in compliance by February 13, 2020, the fine is reduced to \$1,500.00.
4. If the Property is found to be in compliance and the Civil Sanction/fine has been paid in full, this matter will be dismissed. If the Property is not in compliance or the Civil Sanction/fine has not been paid in full, the Defendant must appear at the review of this Civil Violation Decision, Order and Judgment which is scheduled for March 5, 2020, at 9:00 A.M.

The location of this hearing is:

Gila County Community Development/IT Conference Room  
745 N. Rose Mofford Way in Globe

The Defendant may also attend by videoconference from the Payson office of Community Development, located at 610 E. Highway 260, in Payson.

A pre-hearing site inspection will be performed within 7 days prior to the review hearing.

5. The Defendant shall notify the Code Compliance Specialist when the conditions of compliance are completed.

DATED this 24 day of JANUARY, 2020.

  
Donald Voakes, Hearing Officer

# INSPECTION REPORT

Gila County, Arizona

Community Development Department

745 N Rose Mofford Way, Globe, Arizona (928) 425-3231 Ext. 4224

608 E. Hwy 260, Payson, Arizona (928) 474-9276

Applicant: Bernice Santillanez

Location: 230 S Central Ave Globe

Parcel # 208-11-069 B

Permit #: CG1901-004

Type of Inspection: Zoning - Junk

Appt. Time: 2/19/2020

Based on the requirements of the Uniform Building, Plumbing, and Mechanical Codes, and the National Electrical Code, along with Gila County Zoning Ordinance, the inspector noted below has conducted an inspection of your project and has noted the following:

Initials:

           This inspection has passed; you are free to proceed.

           This inspection has passed, with comment, Please review the inspector's remarks

X This inspection has failed. Please see the inspector's remarks, make any required changes, and then call for reinspection.

Remarks:

Property is improved but there is still scrap metal and scrap wood by trailer and towards  
the backyard.

The Hearing remains scheduled for March 5, 2020, at 9:00 AM at:

Gila County Community Development/IT Conference Room

745 N Rose Mofford Way, Globe, Arizona

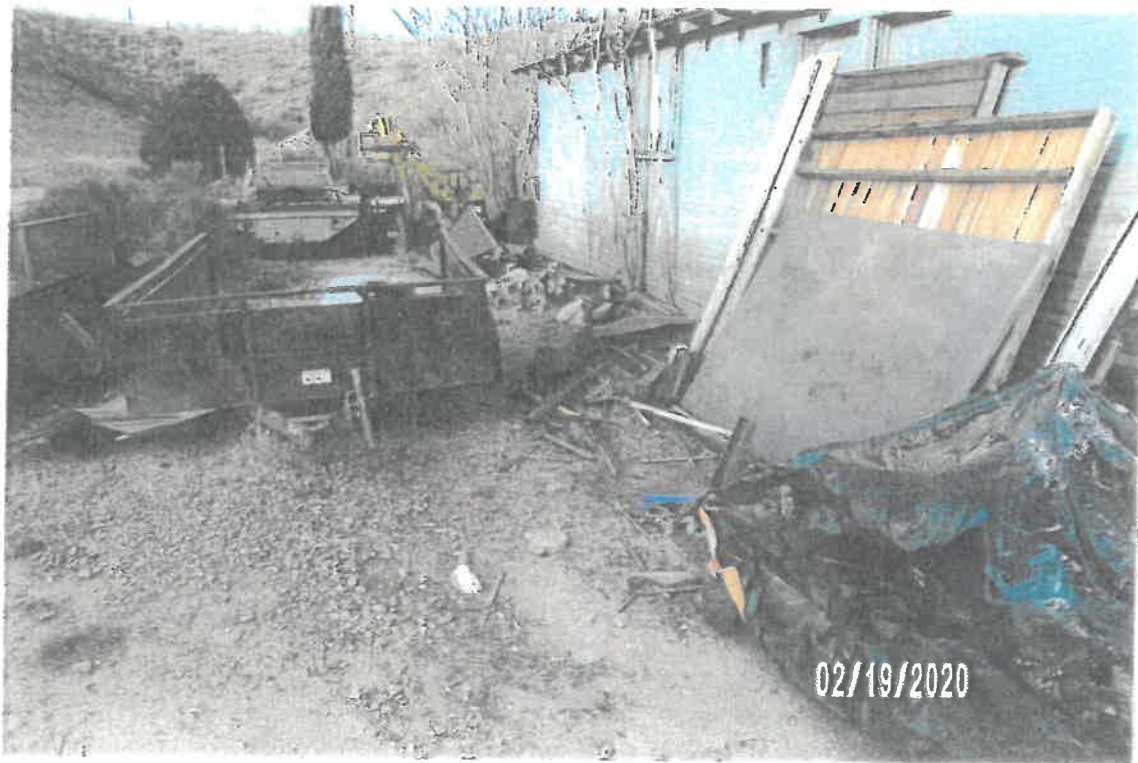
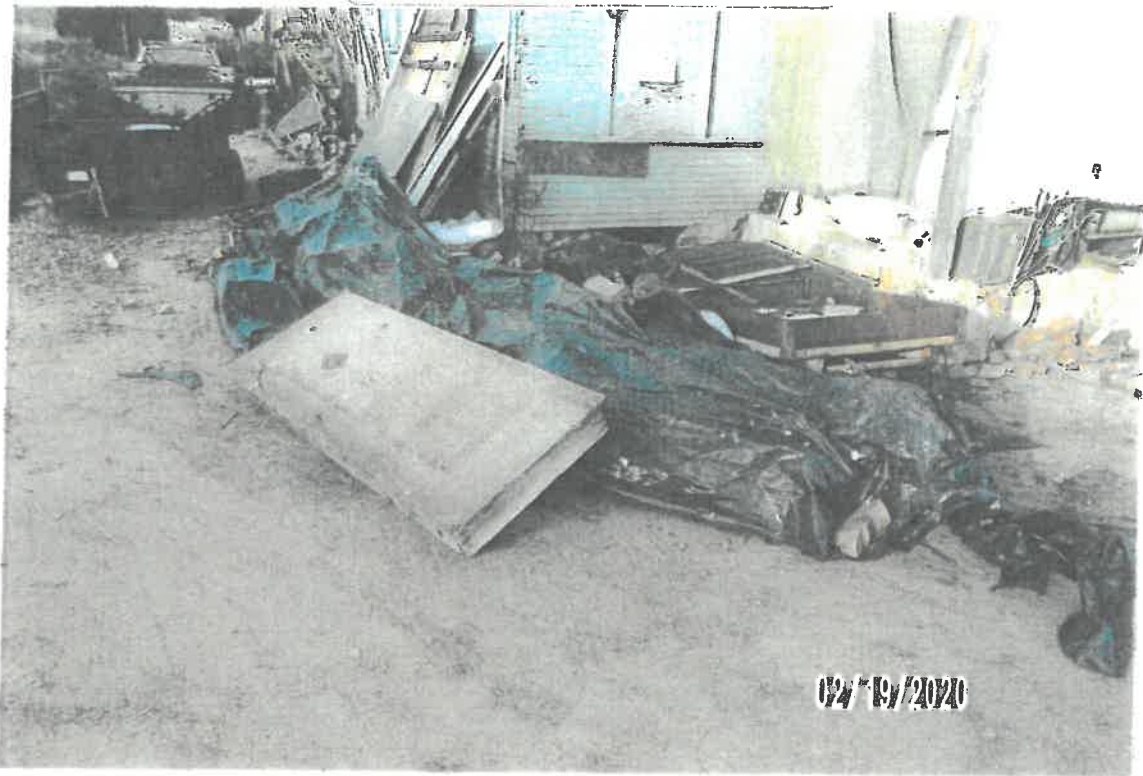
You can attend by videoconference from our Payson office at 608 E. Highway 260.

When all the required corrections have been made, please call for a reinspection. Do not cover any work until it has been approved. If you need clarification as to what is being required, please contact the appropriate office for assistance.

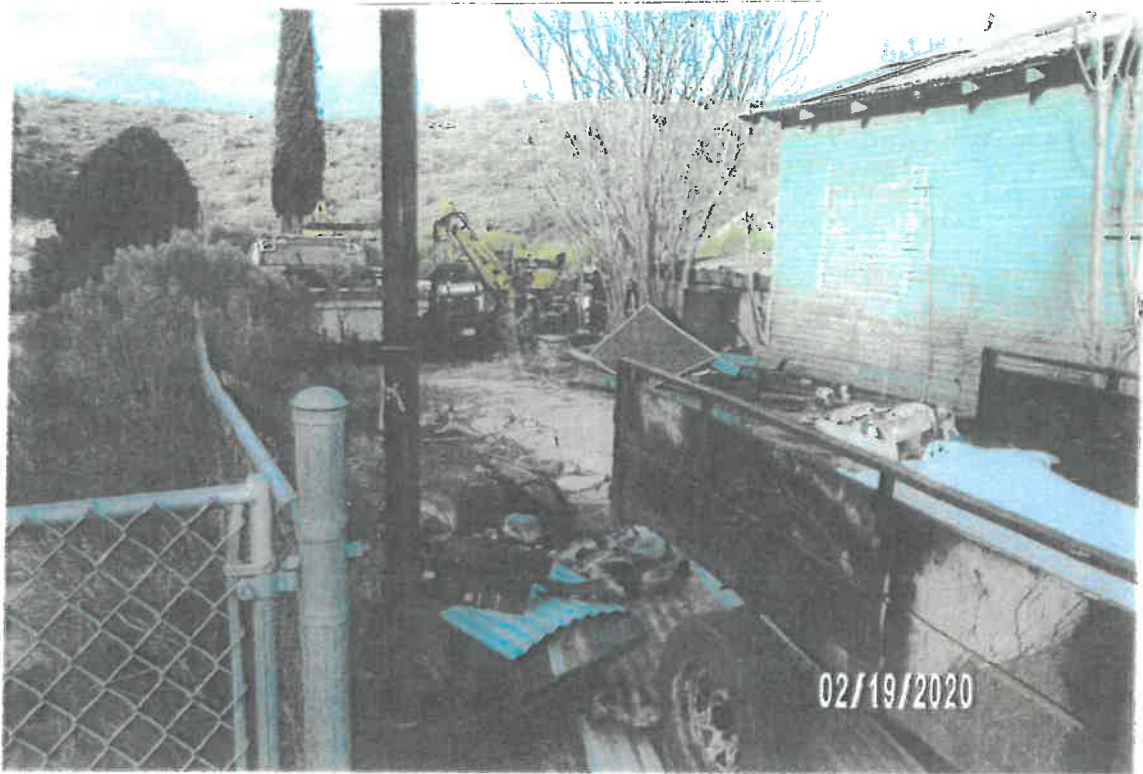
Date/Time: 2/19/2020

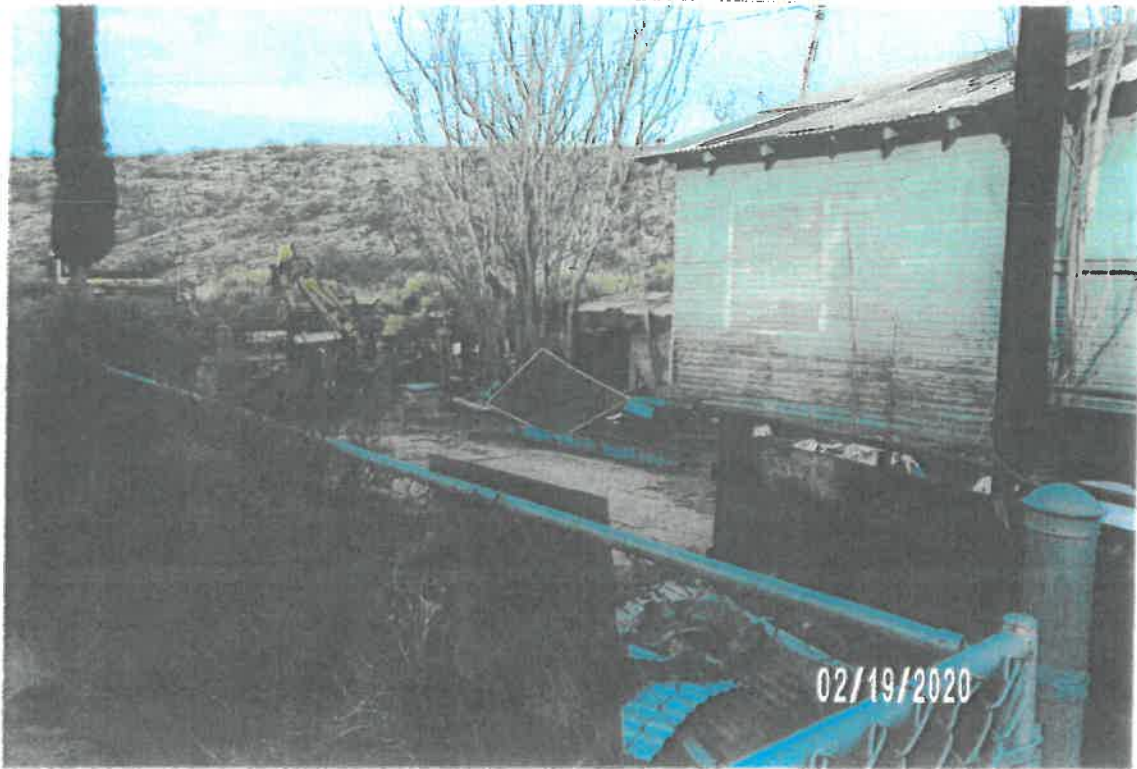
Inspector: bh

Data Input: 2/24/2020









6

William Hanna Code Enforcement Officer

Gila County Community Development Code Enforcement Division

Case # CG1901-004

Hearing Date: July 23, 2020

Parcel # 208-11-069 B

Address: 230 S Central Ave, Globe, Arizona

Legal Descriptions: SOUTH GLOBE TWNS LOT 3 BLK 12 COMM AT NE COR BLK 12; TH S 11D 24' W 112.85' TO POB; TH S 11D24' W 67.15'; TH S 62D24' W 55.85'; TH N 27D36' W 46.63'; TH N 62D24' E 15.16'; TH N 58D34' E 83.13' TO POB APPROX 0.08AC M/L

Owner: Bernice Santillanez

Zoning: This parcel is zoned R1-D8 Single-Family Residential

Violations:

#### SECTION 103.1 STRUCTURES AND USES COMPLIANCE TO DISTRICT REQUIREMENTS

The following stipulations and provisions shall apply to all districts unless supplanted and/or supplemented by differing stipulations and provisions established in any district.

103.1(E) No property or use shall be operated or maintained in such a manner as to be a fire and/or explosion hazard; no property or use shall be allowed to emit toxic fumes or generate toxic waste; neither shall there be emitted into the atmosphere smoke, soot, dust, radiation, odor, noise, vibration, heat, or glare to such an extent as to constitute a nuisance; no property or use shall be operated or maintained for the outside storage of junk or in such a manner as to be deemed a junk yard, unless permitted within a specific zoning district.

#### SECTION 102 DEFINITIONS

JUNK: Any scrap, waste, reclaimable material, or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal, or other use or disposition, including but not limited to inoperable and unregistered motor vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood and lumber.

JUNK YARD: The use, either commercially or otherwise, of a lot, parcel, or portions thereof, for the storage, collection, processing, purchase, sale or abandonment of waste paper, rags, scrap metal, or other scrap or discarded goods, materials or machinery, or two or more unregistered, inoperable motor vehicles, or other type of junk

#### SUMMARY:

A hearing was held on February 14, 2019. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development and imposed a \$750.00 fine. A daily fine was not imposed. The Defendant was ordered to bring the property into compliance by March 16, 2019, and to appear at the next hearing date.

~ 1 ~

Santillanez

A second hearing was held on May 23, 2019. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development. The \$750.00 civil sanction imposed on February 14, 2019 remains in effect. The Defendant was ordered to clean the property by August 21, 2019 and appear at the next hearing on August 22, 2019. Compliance includes removal or proper storage of all scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or unregistered vehicle can be on the property. If not in compliance by August 21, 2019 an additional \$750.00 civil sanction will be imposed. A daily fine was not imposed. This Civil Violation Decision, Order and Judgment was mailed on May 24, 2019, Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

At request of Hearing Officer Don Voakes, a Notice of Continuance to September 6, 2019 was mailed on August 14, 2019 Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

On September 6, 2019, the car of the Defendant's Representative broke down on the way to the hearing. Hearing Officer Don Voakes granted a continuance to November 11, 2019.

A third hearing was held on November 14, 2019. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development. An additional \$750.00 civil sanction was imposed for a total of \$1,500.00. The Defendant was ordered to bring the property into compliance by December 16, 2019 or a daily fine of \$100.00 would be imposed. Compliance includes removal or proper storage of all scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or unregistered vehicle can be on the property. The Defendant was ordered to appear at the next hearing on January 23, 2020 for a review of the orders of the Hearing Officer. This Civil Violation Decision, Order and Judgment was mailed on November 14, 2019, Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

A Hearing was held on January 23, 2020. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development. The Defendant was ordered to clean the property by February 13, 2020. The fine will remain at \$1,500.00 if the property is in compliance by February 13, 2020. If the property is not in compliance by February 13, 2020, the fine and civil violation will total \$5,300.00. I arranged to meet with Angel Redondo at the property on January 29, 2020. The Defendant was ordered to appear at the next hearing if the fine is not paid or the property is not in compliance. The Civil Violation Decision, Order and Judgment was signed on January 24, 2020. I mailed signed Civil Violation Decision, Order and Judgment on January 29, 2020 Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502.

On January 29, 2020, I met with owner's son at property. The truck shows 2011 tags. He says the truck is registered so I told him show me a copy or put up to date tags on vehicle. The Jeep is not running. He has no plans for go-carts so I said to properly store, fix, or remove. He says the backhoe runs but has rotten hoses. He said it is difficult to scrap. If sold as backhoe that needs work, he could get more money than scrap. I suggested he run ad and sell. I pointed out scrap wood.

I inspected the property on February 19, 2020. Exhibit H. The condition of the property is improved. Only one registered motor vehicle remained on the property. There is still scrap metal and scrap wood

~ 2 ~

Santillanez



by the trailer and towards the backyard. On February 24, 2020, I mailed Inspection Report Return Service Requested to Bernice Santillanez PO Box 1754 Globe, Arizona 85502

A Hearing was held on March 5, 2020. The son of the Defendant, Angel Redondo, appeared and identified himself as representing the Defendant. The Hearing Officer found in favor of Gila County Community Development. The Defendant was ordered to clean the property by May 5, 2020 by removing or properly storing all junk such as scrap metal, scrap wood, auto parts, appliances, building materials, etc. A compliance inspection was to be performed on May 6, 2020 at 11 am with Angel Redondo present. If the property is in compliance, only the \$1,500 civil sanction will remain in effect. If the property is not in compliance, the \$100.00 per day fine will also remain in effect. The Defendant was ordered to appear at the May 7, 2020 hearing.

On March 6, 2020, I mailed signed Judgment Return Service Requested to Angel Redondo PO Box 1360 Globe, Arizona 85502 (this is address he gave at hearing) and to Bernice Santillanez PO Box 1754 Globe, Arizona 85502 (address with Assessor).

On April 30, 2020, I mailed Continuance to 7-23-20 Return Service Requested to Angel Redondo PO Box 1360 Globe, Arizona 85502 (this is address he gave at hearing) and to Bernice Santillanez PO Box 1754 Globe, Arizona 85502 (address with Assessor). This Continuance was requested by the Hearing Officer.

It was agreed at hearing that I would meet Angel Redondo at the property May 6, 2020 at 11 AM. I was there at 10:50 am and waited to 11:15 am. He did not appear. I took pictures Exhibit I. Auto parts are on the property such as seats and roll bar. Water heater, fan, carpet padding, and scrap metal. Two trailers with miscellaneous junk. I mailed Inspection Report with pictures Return Service Requested to Angel Redondo PO Box 1360 Globe, Arizona 85502 (this is address he gave at hearing) and to Bernice Santillanez PO Box 1754 Globe, Arizona 85502 (address with Assessor).

A total of 220 days has elapsed since the compliance date of December 16, 2019, bringing the total zoning violation fine to \$23,500.00 consisting of a \$22,000.00 daily fine and a civil sanction of \$1,500.00. One reason this amount is so high is because the last hearing was continued by the Hearing Officer. At last hearing of May 23, 2020, A total of 159 days has elapsed since the compliance date of December 16, 2019, bringing the total zoning violation fine to \$17,400.00 consisting of a \$15,900.00 daily fine and a civil sanction of \$1,500.00.

Relief:

Gila County Community Development requests that the Hearing Officer

1. Find in favor of Gila County Community Development and against property owner Bernice Santillanez.
2. Affirm the fine of \$23,500.00 consisting of a \$22,000.00 daily fine and a civil sanction of \$1,500.00 or an amount the Hearing Officer deems reasonable such as only counting days through May 23, 2020. (21.2.3 Ordinance Gila County Zoning Ordinance 05-01 Gila County Hearing Officer Rules of Procedure)
3. Sign the recommended Final Judgment to be recorded after expiration of the appeal period. (21.5 Ordinance Gila County Zoning Ordinance 05-01 Gila County Hearing Officer Rules of Procedure)

4. Sign the Order to Abate (21.2.2 Ordinance Gila County Zoning Ordinance 05-01 Gila County Hearing Officer Rules of Procedure; Gila County Ordinance 08-02 Gila County Clean and Lien Ordinance Part II.C.4)

Courtesy recordation

**When recorded return to:**

Gila County Community Development  
745 N Rose Mofford Way  
Globe, Arizona 85501

## GILA COUNTY COMMUNITY DEVELOPMENT DIVISION IN AND BEFORE GILA COUNTY

GILA COUNTY, ARIZONA

Plaintiff,

vs.

BERNICE SANTILLANEZ

Re: 230 S Central

Globe, Arizona 85501, (the "Property"),

Defendant.

Complaint No.: CG1901-004

Tax Parcel No.: 208-11-069 B

### **CIVIL VIOLATION DECISION, ORDER AND JUDGMENT**

(Hearing Officer, Donald Voakes)

THIS MATTER HAVING BEEN HEARD, the Hearing Officer finds the following:

- 1 The Defendant was properly served in accordance with Arizona Revised Statutes 11-815. E. and Arizona Rules of Civil Procedure.
- 2 The Defendant was duly notified of the location, date and time set for the hearing.
- 3 The Defendant's Representative did appear.
- 4 Based on evidence presented at hearing, the Property was found to be in violation of the following codes and/or ordinances:
  - a. Gila County Zoning Ordinance:
    - i. Section 103.1 General Stipulations & Provisions – All Districts  
103.1(E) No property or use shall be operated or maintained in such a manner as to be a fire and/or explosion hazard; no property or use shall

be allowed to emit toxic fumes or generate toxic waste; neither shall there be emitted into the atmosphere smoke, soot, dust, radiation, odor, noise, vibration, heat, or glare to such an extent as to constitute a nuisance; no property or use shall be operated or maintained for the outside storage of junk or in such a manner as to be deemed a junk yard, unless permitted within a specific zoning district.

- 5 A hearing was held on February 14, 2019. A \$750.00 civil sanction was imposed at this hearing.
- 6 A hearing was held on November 14, 2019. An additional \$750.00 civil sanction and a \$100.00 fine for each day of violation following December 16, 2019 was imposed.
- 7 A hearing was held on January 23, 2020. The Defendant was ordered to clean the property by February 13, 2020. The fine will remain at \$1,500.00 if the property is in compliance by February 13, 2020. If the property is not in compliance by February 13, 2020, the fine and civil violation will total \$5,300.00.
- 8 The above-named Defendant is the Property owner of record and thereby responsible for the violations.
- 9 A total of 80 days has elapsed since the compliance date of December 16, 2019, bringing the total zoning violation fine to \$9,500.00, consisting of a \$8,000.00 daily fine and a civil sanction of \$1,500.00.


IT IS THEREFORE ORDERED that the following judgments shall be entered against the above-named Defendant:

1. The Defendant is ordered to abate the violations, bringing the Property into compliance with Gila County Zoning Ordinance by May 6, 2020. The following conditions of compliance shall be completed:



- A Remove or properly store all items meeting the Gila County Zoning Ordinance definition of Junk such as scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or one unregistered vehicle can be on the property.
2. A compliance inspection will be performed on May 6, 2020. If the property is in compliance, the \$1,500.00 civil sanction will remain in effect. If the property is not in compliance, the \$100.00 per day fine imposed November 14, 2019 will remain in effect.
3. The Defendant is ordered to appear for a review of this Civil Violation Decision, Order and Judgment which is scheduled for May 7, 2020, at 9:00 A.M.
- The location of this hearing is:
- Gila County Board of Supervisor Conference Room  
610 E. Highway 260, Payson, AZ
- The Defendants may also attend by videoconference from the Globe office of Community Development, located at 745 N. Rose Mofford Way in Globe.
- A pre-hearing site inspection will be performed within 7 days prior to the review hearing.
4. The Defendant shall notify the Code Compliance Specialist when the conditions of compliance are completed.

DATED this 5 day of MARCH, 2020.

  
Donald Voakes, Hearing Officer

GILA COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
IN AND BEFORE GILA COUNTY

GILA COUNTY, ARIZONA

Plaintiff,

vs.

BERNICE SANTILLANEZ

Re: 230 S Central

Globe, Arizona 85501, (the "Property"),

Defendant.

Complaint No.: CG1901-004

Tax Parcel No.: 208-11-069 B

**NOTICE OF CONTINUANCE OF  
HEARING**

(Hearing Officer, Donald Voakes)

DUE TO A SCHEDULE CONFLICT,

NOTICE IS HEREBY GIVEN that the Gila County Hearing Officer has continued the Hearing in the above referenced Complaint to July 23, 2020, at 9:00 a.m. at the following location:

Gila County Community Development/IT Conference Room  
745 N. Rose Mofford Way, Globe, Arizona

Defendant may also attend by videoconference from the Payson office, located at 610 E. Highway 260, Payson, AZ.

DATED this 20<sup>th</sup> day of April, 2020.

By:

  
Donald Voakes, Hearing Officer

# INSPECTION REPORT

Gila County, Arizona

Community Development Department

745 N Rose Mofford Way, Globe, Arizona (928) 425-3231 Ext. 4224

608 E. Hwy 260, Payson, Arizona (928) 474-9276

Applicant:	<u>Bernice Santillanez</u>	Location:	<u>230 S Central Ave Globe</u>
Parcel #	<u>208-11-069 B</u>	Permit #:	<u>CG1901-004</u>
Type of Inspection:	<u>Zoning - Junk</u>	Appt. Time:	<u>5/6/2020 11 AM</u>

Based on the requirements of the Uniform Building, Plumbing, and Mechanical Codes, and the National Electrical Code, along with Gila County Zoning Ordinance, the inspector noted below has conducted an inspection of your project and has noted the following:

Initials:

\_\_\_\_\_ This inspection has passed; you are free to proceed.

\_\_\_\_\_ This inspection has passed, with comment, Please review the inspector's remarks

\_\_\_\_\_ This inspection has failed. Please see the inspector's remarks, make any required changes, and then call for reinspection.

Remarks:

It was agreed at hearing that I would meet Angel Redondo at the property May 6, 2020 at 11 AM. I was there at 10:50 am and waited to 11:15 am. He did not appear. I took pictures Auto parts are on the property such as seats and roll bar. Water heater, fan, carpet padding, and scrap metal. Two trailers with miscellaneous junk.

The Hearing remains scheduled for July 23, 2020, at 9:00 AM at:

Gila County Community Development/IT Conference Room

745 N Rose Mofford Way, Globe, Arizona

You can attend by videoconference from our Payson office at 608 E. Highway 260.

When all the required corrections have been made, please call for a reinspection. Do not cover any work until it has been approved. If you need clarification as to what is being required, please contact the appropriate office for assistance.

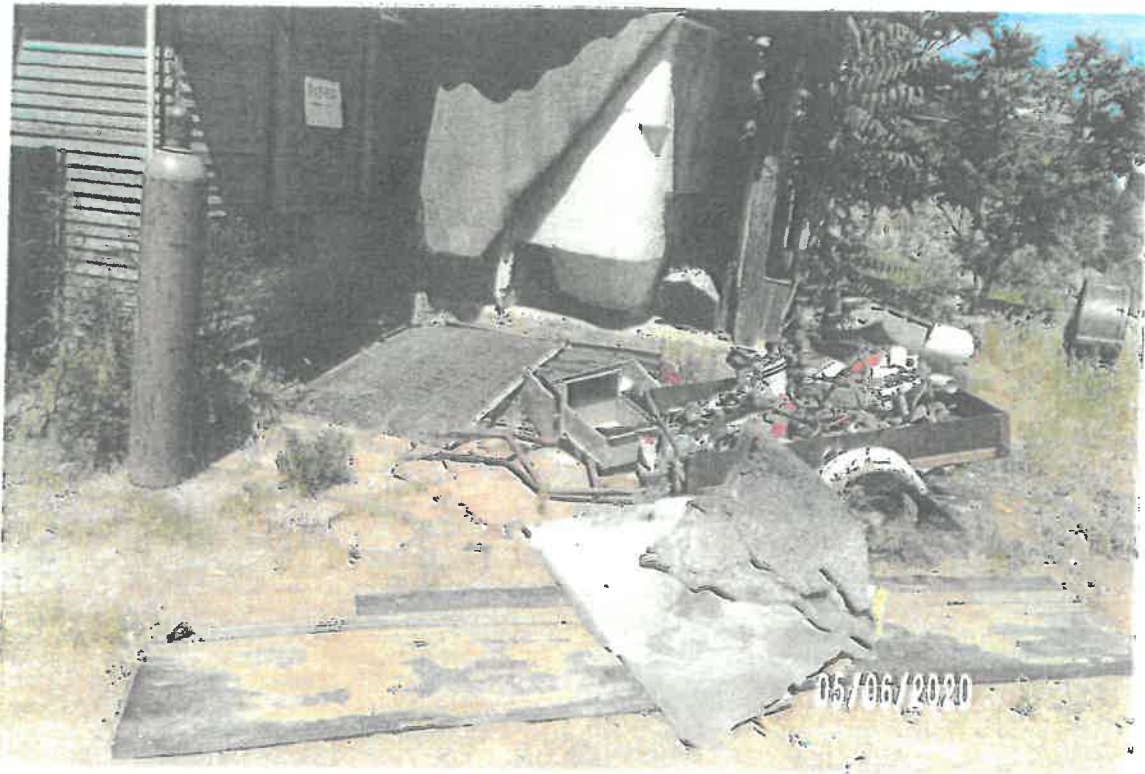
Date/Time: 5/6/2020

Inspector: bh

Data Input: 5/6/2020



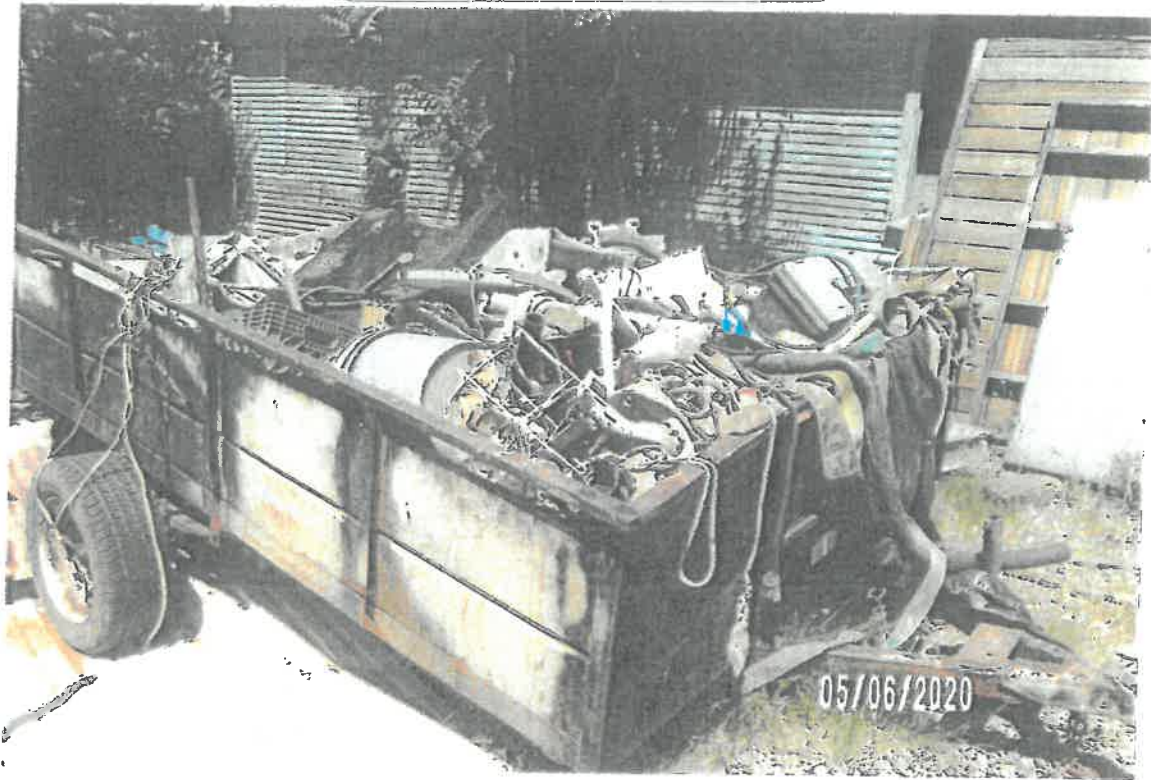




















Courtesy recordation  
**When recorded return to:**  
Gila County Community Development  
745 N Rose Mofford Way  
Globe, AZ 85501

**GILA COUNTY COMMUNITY DEVELOPMENT DEPT.  
IN AND BEFORE GILA COUNTY**

GILA COUNTY, ARIZONA

Plaintiff,

vs.

BERNICE SANTILLANEZ

Re: 230 S Central, Globe, Arizona 85501, (the  
"Property"),

Defendant.

Complaint No.: CG1901-004

Tax Parcel No.: 208-11-069 B

**FINAL JUDGMENT**

(Hearing Officer, Donald Voakes)

THE MATTER HAVING BEEN HEARD, the Hearing Officer finds the following:

- 1 A Civil Violation Decision, Order and Judgment was entered against the Defendant on March 5, 2020. The Judgment included a determination that violations of the Gila County Zoning Ordinance, Section 103.1(E) exist and ordered the following conditions of compliance be completed by May 6, 2020:
  - A. Remove or properly store all items meeting the Gila County Zoning Ordinance definition of junk such as scrap metal, scrap wood, auto parts, appliances, building materials, etc. A maximum of one inoperable or one unregistered vehicle can be on the property.
- 2 The Judgment included a Civil Sanction of \$1,500.00 and a daily fine of \$100.00 starting December 16, 2019. If the property is in compliance May 6, 2020, the \$1,500.00 civil sanction will remain in effect. If the property is not in compliance

by May 6, 2020, the \$100.00 per day fine imposed November 14, 2019 will remain in effect.

3 The Defendant was notified to appear at this final hearing if the Property remained in violation of Gila County Zoning Ordinance.

4 A compliance inspection was performed on May 6, 2020, and a pre-hearing site inspection was performed on July 17, 2020.

5 Based on the compliance inspections and other evidence presented, the Property remains in violation of Gila County Zoning Ordinance, Section 103.1(E).

6 A total of 143 days has elapsed since the compliance date of December 16, 2019 to May 7, 2020, bringing the total zoning violation fine to \$15,800.00 consisting of a \$14,300.00 daily fine and a civil sanction of \$1,500.00

IT IS THEREFORE ORDERED that the following judgment shall be entered against the above-named Defendant:

1. A Final Judgment in the amount of \$7,500.00 shall be entered against the Defendant for the above referenced zoning violation and may be turned over to a collection agency.
2. This Final Judgment shall be recorded with the Gila County Recorder's Office after the expiration of the appeal period.

DATED this 24 day of July, 2020.

  
Donald Voakes, Hearing Officer



GILA COUNTY COMMUNITY DEVELOPMENT DIVISION  
IN AND BEFORE THE HEARING OFFICER

COUNTY OF GILA,

Plaintiff,

vs.

BERNICE SANTILLANEZ

Re: 230 S Central

Globe, Arizona 85501, (the "Property"),

Defendant.

Complaint No.: CG1901-004

Tax Parcel No.: 208-11-069 B

NOTICE OF RIGHT TO APPEAL

(The Honorable Donald Voakes)

NOTICE is hereby given to the above referenced defendant of the right to a review of the Hearing Officer's final decision by the Board of Supervisors, provided said defendant files a written Notice of Request for Appellate Review with the Code Compliance Officer within fifteen (15) days after the signing of the Final Decision by the Hearing Officer. This filing shall contain the original Notice of Request for Appellate Review and an identical copy.

FURTHERMORE, the Notice of Request for Appellate Review shall identify the decision being appealed. The Notice of Request for Appellate Review shall be signed by the defendant as Appellant, the defendant's attorney or Designated Representative and shall contain the names, addresses and telephone numbers of all parties and their attorney or Designated Representative. The Request for Appellate Review shall state whether the defendant will represent herself or the name of Appellant's attorney or Designated Representative. Failure to designate representation by an attorney or Designated Representative at the time of the Request Appellate Review may cause a recess or postponement of the proceedings by the Board of Supervisors.

RECEIVED

AUG 07 2020

10

July 7, 2020

TO WHOM IT MAY CONCERN.

I BERNICE SANTILLANES AUTHORIZE  
my son Angel Redondo to REPRESENT  
my BEST INTEREST CONCERNING my property  
AT 230 S. CENTRAL GLOBE ARIZONA. I  
HEREBY REQUEST AN APPEAL HEARING  
ON Complaint No: CG 1901-004  
TAX PARCEL No: 208-11-069 B

230 S. CENTRAL GLOBE ARIZONA 85501

THE NOTICE OF REQUEST FOR APPELATE  
REVIEW OF A FINAL JUDGE MADE IN THE  
AMOUNT OF \$7300<sup>00</sup> THAT WAS ENTERED  
AGAINST THIS PROPERTY BY DONALD VOKER  
HEARING OFFICER DATE JULY 24 2020

Angel Redondo, Tony Redondo  
MARTINE Redondo shall be my designated  
REPRESENTATIVES AS I AM AN ELDERLY  
PERSON THAT IS HANDICAPPED AND WILL  
NOT BE ABLE TO ATTEND THIS CONFERENCE

Respectfully

OWNER:

Bernice Santillanes

REPRESENTATIVE:

Angel Redondo: son

REPRESENTATIVE:

Tony Redondo: son

REPRESENTATIVE:

Martine Redondo: son

NO ATTORNEYS WILL BE INVOLVED IN THIS MATTER

NO.  
DATE  
Sept 1, 2020

To the Board of Supervisors

Greeting my NAME is Angel Redondo. I AM writing on BEHALF of my mother BEATRICE SANTILLAN and the property AT 230 S CENTRAL LOMA BLVD year 01 & my mother is a 85 year old HANDICAPED woman living on the minimum amount the social security allowed. I was payed off due to the COVID-19 pandemic and did not qualify for unemployment benefits.

This \$1000 fine imposed on the property would place a FINANCIAL HARDSHIP on both me and my mother. The REASON why the property did not meet compliance was because of the stay at home order imposed by the Governor's office. The property is in compliance to the best of my knowledge. I plead to the council to reconsider the fine imposed and put the original fine of \$7500 in its place. The council office continued the hearing numerous times because of the COVID-19 pandemic. It would greatly be appreciated if the council would show some mercy and leniency in this matter. I tried everything in my actions to improve and comply with zoning. Would you please show some compassion and understanding in this matter. Thank you on behalf of my mother: Angel Redondo

NO.

DATE

Angel REDONDO

PO Box 1360

Globe Arizona 85502

ph<sup>##</sup> 928-200-8962