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**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 02/20/2024  
Agenda Item: 3**

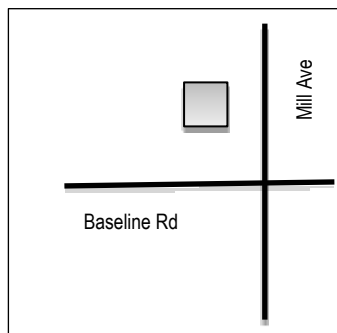
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**ACTION:** Request approval to abate public nuisance items at the ZAHA PROPERTIES LLC Property located at 4812 S. Mill Ave. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$752.00 for abatement request: Remove graffiti from the property, cut high weeds and grass, remove dead tree.

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

**BACKGROUND INFORMATION:** City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the ZAHA Properties LLC property. The details of this case represent several months of correspondence for compliance with the property owner. Staff requests the approval of abatement of the following nuisance items under Complaint CM231559: Removal of graffiti on the property, cut high grass and weeds, remove a dead tree.



Property Owner  
Applicant  
Zoning District:  
Code Compliance  
Inspector:

ZAHA Properties LLC  
City of Tempe – Code Compliance  
GID- General Industrial District  
Michelle Van Etten

**ATTACHMENTS:** Supporting Attachment

**STAFF CONTACT:** Jack Scofield, Code Administrator (480-350-8967)

Department Director: Jeffrey Tamulevich, Department Director  
Legal review by: N/A  
Prepared by: Shawn Daffara, CPTED Coordinator  
Reviewed by: Jack Scofield, Code Administrator

**COMMENTS:**

Code Compliance is requesting approval to abate the ZAHA PROPERTIES LLC located at 4812 S. Mill Ave t in the GID: General Industrial District. This case was initiated 07/24/2023, after which Code Compliance has attempted to obtain compliance through correspondence with the property owner regarding violations of the Tempe City Code.

Without the intervention of abatement, the property will continue to deteriorate. It is therefore requested that the City of Tempe Community Development Hearing Officer approve a 180-day open abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code.

**HISTORY & FACTS:**

The history and facts of this case are detailed in an attached memo from the Code Compliance Inspector.

ABATEMENT

# Planning Application Submittal Form

Part 1 of 2

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



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

### PROJECT INFORMATION – REQUIRED

PROJECT NAME	ZAHA Properties LLC, Property Abatement	EXISTING ZONING	GID	<input type="checkbox"/>
PROJECT ADDRESS	4812 S Mill Ave, Tempe AZ 85282	SUITE(S)		<input type="checkbox"/>
PROJECT DESCRIPTION	Abatement of CM231559 February 20, 2020 <b>2024</b>	PARCEL No(s)	133-41-630B	<input type="checkbox"/>

### PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)

BUSINESS NAME	ZAHA Properties LLC	ADDRESS	4812 S Mill Ave		
CONTACT NAME		CITY	Tempe	STATE	AZ
EMAIL		PHONE 1		ZIP	85282
		PHONE 2			

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

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

### APPLICANT INFORMATION – REQUIRED

COMPANY / FIRM NAME	City of Tempe Code Enforcement	ADDRESS	21 E 6th St. Ste 208		
CONTACT NAME	Michelle Van Etten, Code Inspector	CITY	Tempe	STATE	AZ
EMAIL	michelle_vanetten@tempe.gov	PHONE 1	480-350-2895	ZIP	85281
		PHONE 2			

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

APPLICANT SIGNATURE	X <i>Michelle Van Etten</i>	DATE	1/12/24
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### BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs

BUSINESS NAME		ADDRESS	
CONTACT NAME		CITY	
TYPE OF BUSINESS		PHONE	
		STATE	
		ZIP	
		EMAIL	

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

### FOR CITY USE ONLY

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

**SEE REVERSE SIDE FOR REQUIRED PROJECT DATA**



**DATE:** January 12, 2024  
**TO:** Jack Scofield, Code Compliance Administrator  
**FROM:** Michelle Van Etten, Code Inspector  
**SUBJECT:** CM231559, 4812 S Mill Ave, Tempe - Abatement

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**LOCATION:** 4812 S Mill Ave, Tempe, AZ. 85282

**PARCEL:** 133-41-630B

**OWNER:** ZAHA Properties LLC  
4812 S Mill Ave  
Tempe, AZ 85282

**FINDINGS:**

On 07/24/2023 I inspected the property located at 4812 S Mill Ave. and observed tall grass and weeds. I mailed a notice to the owner.

I reinspected the property on 08/04/2023 and found that the violations had not been corrected. I mailed a "final" notice to the owner.

On 08/28/2023 I inspected the property and found that the violations had not been taken care of. I issued a citation to the owner.

On 10/16/2023 I observed that there was new graffiti on the trash container's screening wall. I also noticed that a tree on the property had no green on it and appeared dead. I sent another notice to the owner, adding the dead tree and the graffiti violation. I posted returned notice(s) to the property as well as the returned citation that came back to me as "unclaimed."

I reinspected the property on 10/31/2023 and found the violations had not been corrected. I issued a second citation to the owner for the landscape violations.

On 12/22/2023 I reinspected the property and found that the graffiti was not removed or covered and the landscape violations were not taken care of. The second citation had been returned to me by the USPS as unclaimed, so I posted it to the front door of the property.

On 01/12/2024 I inspected the property and found that the violations remain. I mailed a notice of intent to abate and attached a copy to the front door of the property.

The first citation was ultimately satisfied with the courts. The second citation was not satisfied with the courts and was subsequently sent to collections.

**RECOMMENDATIONS:**

I recommend an abatement of the nuisance violations at the property at 4812 S Mill Ave, Tempe due to property owner's failure to bring property into compliance with Tempe City Code 22-105 – Graffiti violation and 21-3.b.8 – Landscape violation. The owner was given ample time to come into compliance and maintain the property. There is no indication that the property will be brought into compliance in the near future. The property represents an eyesore to the community. .

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

Respectfully submitted,

Michelle Van Etten  
Code Inspector

ACTION TAKEN: Submit  
NAME [Signature]  
DATE: 1/12/24



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 01/12/2024  
CASE # CM231559

**ZAHA PROPERTIES LLC**  
**4812 S MILL AVE**  
**TEMPE, AZ 85282**

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

**LOCATION:** 4812 S MILL AVE, TEMPE AZ 85282  
**PARCEL:** 133-41-630B

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This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers on 02/20/2024. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of:

- |             |  |
|-------------|--|
| Sec 22-105  | All sidewalks, walls, buildings, fences, signs, and other structures of surfaces shall be kept free from graffiti when the graffiti is visible from the street or other public or private property |
| CC 21-3.b.8 | Landscaping, visible from public property that is substantially dead, damaged, or characterized as uncontrolled growth or presents a deteriorated appearance                                       |

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

- 1. REMOVE GRAFFITI FROM TRASH RECEPTICLE SURROUND**
- 2. REMOVE GRASS AND WEEDS FROM GRAVEL AREAS. CUT GRASS AREAS TO LESS THAN 12" AND MAINTAIN FREE OF WEEDS. CUT DOWN DEAD TREE AT THE S/E CORNER OF THE PROPERTY**

Upon receipt of the Hearing Officer approval to abate this public nuisance, the necessary work will be performed at the expense of the property owner. The cost of this work will be **\$752.00**. In addition to the actual cost of abatement, an administrative charge of fifteen (15) percent of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the city for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate for judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property, whether or not the public nuisance is abated by the City.

**If you have questions regarding this matter, please contact our office at (480) 350-4311.**

**Code Inspector: Michelle Van Etten**

**Phone Number: 480-350-2895**

**E-mail: michelle\_vanetten@tempe.gov**



ESTIMATE	#556
SERVICE DATE	Jan 9, 2024
TOTAL	\$752.00

### Skunkys Junk Removal

4812 South Mill Avenue  
Tempe, AZ 85282

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

✉ michelle\_vanetten@tempe.gov

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

### ESTIMATE

Services	amount
10. Security (Off-Duty Tempe PD) 3 hr. minimum	\$240.00
4. Graffiti Abatement Per Man-Hour	\$120.00
Paint	\$50.00
1. Lot Cleaning Per Man-Hour	\$342.00

Services subtotal: \$752.00

Subtotal \$752.00

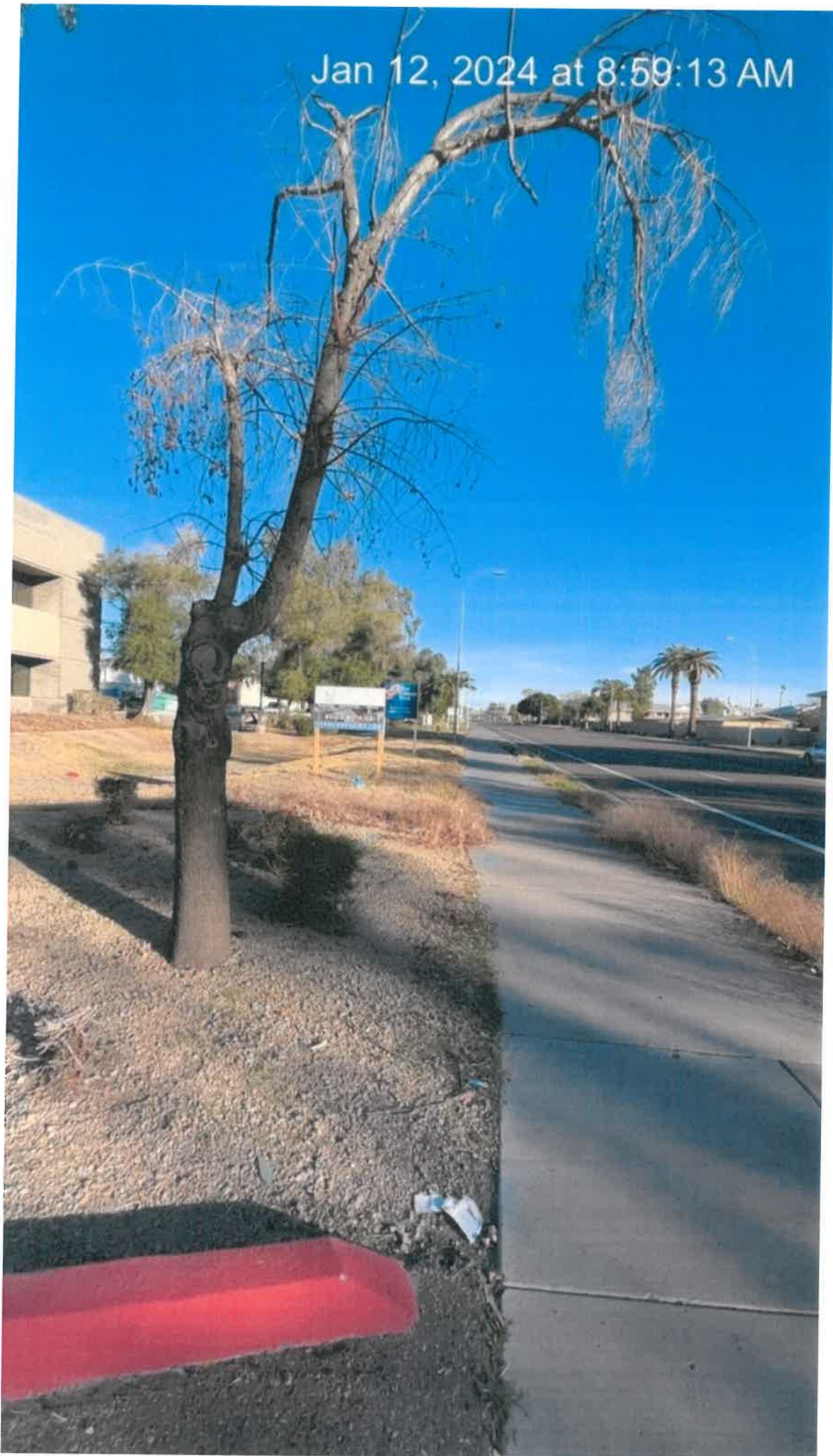
**Total \$752.00**

Skunkys Junk Removal is a full service Junk removal company located in Tempe Arizona. Skunkys is dedicated to

diverting waste from landfills and donates salvageable items to local charity's.



Jan 12, 2024 at 8:59:13 AM



Jan 12, 2024 at 8:59:10 AM





Jan 12, 2024 at 8:59:06 AM



Jan 12, 2024 at 9:00:24 AM







COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE

07/21/2023

ZAHA PROPERTIES LLC - C/O KENT PHELPS  
4812 SOUTH MILL AVE  
TEMPE, AZ 85282

Case #: CM231559  
Site Address: 4812 S MILL AVE, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 07/21/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance

**SITE REINSP  
ON OR  
AFTER**

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION**

CC 21-3.b.8	PLEASE REMOVE GRASS AND WEEDS FROM THE GRAVEL LANDSCAPE AREAS (PRIMARILY ALONG S MILL AVE FRONTAGE, BETWEEN THE STREET AND THE SIDEWALK). THANK YOU	8/4/2023
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Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Michelle Van Etten**  
Code Inspector

**Direct: 480-350-2895**  
**Code Compliance: 480-350-4311**  
**Email:michelle\_vanetten@tempe.gov**

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

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.



COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE

07/21/2023

ZAHA PROPERTIES LLC C/O KENT PHELPS  
7702 E DOUBLETREE RANCH RD UNIT 100  
SCOTTSDALE, AZ 85258

Case #: CM231559  
Site Address: 4812 S MILL AVE, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 07/21/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	PLEASE REMOVE GRASS AND WEEDS FROM THE GRAVEL LANDSCAPE AREAS (PRIMARILY ALONG S MILL AVE FRONTAGE, BETWEEN THE STREET AND THE SIDEWALK). THANK YOU	8/4/2023

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Michelle Van Etten  
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Direct: 480-350-2895  
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COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
**FINAL CORRECTION NOTICE**

08/04/2023

ZAHA PROPERTIES LLC - C/O KENT PHELPS  
4812 SOUTH MILL AVE  
TEMPE, AZ 85282

Case #: CM231559  
Site Address: 4812 S MILL AVE, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 08/04/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance

**SITE REINSP  
ON OR  
AFTER**

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION**

CC 21-3.b.8	PLEASE REMOVE GRASS AND WEEDS FROM THE GRAVEL LANDSCAPE AREAS (PRIMARILY ALONG S MILL AVE FRONTAGE, BETWEEN THE STREET AND THE SIDEWALK). THANK YOU	8/21/2023
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**CORRECTIVE ACTION MUST BE COMPLETED OR CITATIONS WILL BE ISSUED**

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

**Michelle Van Etten**  
Code Inspector

**Direct: 480-350-2895**  
**Code Compliance: 480-350-4311**  
**Email:michelle\_vanetten@tempe.gov**

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**Civil and Criminal Penalties**

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COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
**FINAL CORRECTION NOTICE**

08/04/2023

ZAHA PROPERTIES LLC C/O KENT PHELPS  
7702 E DOUBLETREE RANCH RD UNIT 100  
SCOTTSDALE, AZ 85258

Case #: CM231559  
Site Address: 4812 S MILL AVE, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 08/04/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation	
CC 21-3.b.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance	
<b>PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION</b>		<b>SITE REINSP ON OR AFTER</b>
CC 21-3.b.8	PLEASE REMOVE GRASS AND WEEDS FROM THE GRAVEL LANDSCAPE AREAS (PRIMARILY ALONG S MILL AVE FRONTAGE, BETWEEN THE STREET AND THE SIDEWALK). THANK YOU	8/21/2023

**CORRECTIVE ACTION MUST BE COMPLETED OR CITATIONS WILL BE ISSUED**

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

**Michelle Van Etten**  
Code Inspector

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COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
**FINAL CORRECTION NOTICE**

10/16/2023

ZAHA PROPERTIES LLC - C/O KENT PHELPS  
4812 SOUTH MILL AVE  
TEMPE, AZ 85282

Case #: CM231559  
Site Address: 4812 S MILL AVE, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 10/16/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth, or presents a deteriorated appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps
Sec.22-105.	All sidewalks, walls, buildings, fences, signs, and other structures of surfaces shall be kept free from graffiti when the graffiti is visible from the street or other public or private property
ZDC 1-201.A.	Site &/or building changes made without City approval

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	PLEASE REMOVE GRASS AND WEEDS FROM THE GRAVEL LANDSCAPE AREAS (PRIMARILY ALONG S MILL AVE FRONTAGE, BETWEEN THE STREET AND THE SIDEWALK). THANK YOU	10/30/2023
CC 21-3.b.8	REMOVE THE DEAD TREE AT THE S/E CORNER OF THE PROPERTY.	10/30/2023
Sec.22-105.	REMOVE ANY GRAFFITI ON THE PROPERTY (INCLUDING THE DUMPSTER ENCLOSURE AREA TO THE REAR)	10/30/2023
ZDC 1-201.A.	AS INDICATED ABOVE, COVER OR REMOVE ALL GRAFFITI ON THE PROPERTY.	10/30/2023

**CORRECTIVE ACTION MUST BE COMPLETED OR SECONDARY CITATIONS WILL BE ISSUED AND ABATEMENT PROCEEDINGS WILL BEGIN**

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

Michelle Van Etten  
Code Inspector

Direct: 480-350-2895  
Code Compliance: 480-350-4311  
Email:michelle\_vanetten@tempe.gov

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COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
**FINAL CORRECTION NOTICE**

10/16/2023

ZAHA PROPERTIES LLC C/O KENT PHELPS  
7702 E DOUBLETREE RANCH RD UNIT 100  
SCOTTSDALE, AZ 85258

Case #: CM231559  
Site Address: 4812 S MILL AVE, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 10/16/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth, or presents a deteriorated appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps
Sec.22-105.	All sidewalks, walls, buildings, fences, signs, and other structures of surfaces shall be kept free from graffiti when the graffiti is visible from the street or other public or private property
ZDC 1-201.A.	Site &/or building changes made without City approval

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	PLEASE REMOVE GRASS AND WEEDS FROM THE GRAVEL LANDSCAPE AREAS (PRIMARILY ALONG S MILL AVE FRONTAGE, BETWEEN THE STREET AND THE SIDEWALK). THANK YOU	10/30/2023
CC 21-3.b.8	REMOVE THE DEAD TREE AT THE S/E CORNER OF THE PROPERTY.	10/30/2023
Sec.22-105.	REMOVE ANY GRAFFITI ON THE PROPERTY (INCLUDING THE DUMPSTER ENCLOSURE AREA TO THE REAR)	10/30/2023
ZDC 1-201.A.	AS INDICATED ABOVE, COVER OR REMOVE ALL GRAFFITI ON THE PROPERTY.	10/30/2023

**CORRECTIVE ACTION MUST BE COMPLETED OR SECONDARY CITATIONS WILL BE ISSUED AND ABATEMENT PROCEEDINGS WILL BEGIN**

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

**Michelle Van Etten**  
Code Inspector

Direct: 480-350-2895  
Code Compliance: 480-350-4311  
Email:michelle\_vanetten@tempe.gov

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

**Civil and Criminal Penalties**

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.

# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1790028</b>		Case Number		Social Security Number		Military		<input type="checkbox"/> Serious Physical Injury		<input type="checkbox"/> Accident <input type="checkbox"/> Fatality		<input type="checkbox"/> Commercial		
Driver's License No.		DLP <input type="checkbox"/> State		Class		Endorsements M H N P T X D				Incident Report Number <b>CM231559</b>				
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language		Defendant Name (First, Middle, Last) <b>ZAHA PROPERTIES LLC - C/O KENT PHELPS</b>												
Residence Address, City, State, Zip Code												Telephone: (cell phone) <input type="checkbox"/>		
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions	Email Address						
Business Address, City, State, Zip Code <b>4812 S MILL AVE TEMPE AZ. 85282</b>												Business Phone No.		
Vehicle		Color	Year	Make	Model	Style	License Plate	State	Expiration Date					
Registered owner & address, City, State, Zip Code								Vehicle Identification Number						
The Undersigned Certifies That:														
On	Month <b>08</b>	Day <b>28</b>	Year <b>2023</b>	Time <b>0838</b>	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Speed	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace			Direction of Travel	
At	Location <b>4812 S MILL AVE</b>								<input checked="" type="checkbox"/> Tempe	<b>85282</b> State of Arizona			Area	Dist.
The Defendant Committed the Following:														
<b>A</b>	Section: <b>TC 21-3 A</b>		ARS Violation: <b>21-3.B.8 DEGRADED LANDSCAPE</b>		Domestic Violence Case <input type="checkbox"/>		Criminal <input type="checkbox"/> Criminal Traffic <input type="checkbox"/>		Municipal Code <input checked="" type="checkbox"/>		Civil Traffic <input type="checkbox"/> Petty Offense <input type="checkbox"/>			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		MVD					
<b>B</b>	Section:		ARS Violation:		Domestic Violence Case <input type="checkbox"/>		Criminal <input type="checkbox"/> Criminal Traffic <input type="checkbox"/>		Municipal Code <input type="checkbox"/>		Civil Traffic <input type="checkbox"/> Petty Offense <input type="checkbox"/>			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		MVD					
<b>C</b>	Section:		ARS Violation:		Domestic Violence Case <input type="checkbox"/>		Criminal <input type="checkbox"/> Criminal Traffic <input type="checkbox"/>		Municipal Code <input type="checkbox"/>		Civil Traffic <input type="checkbox"/> Petty Offense <input type="checkbox"/>			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		MVD					
<b>D</b>	Section:		ARS Violation:		Domestic Violence Case <input type="checkbox"/>		Criminal <input type="checkbox"/> Criminal Traffic <input type="checkbox"/>		Municipal Code <input type="checkbox"/>		Civil Traffic <input type="checkbox"/> Petty Offense <input type="checkbox"/>			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		MVD					
<b>E</b>	Section:		ARS Violation:		Domestic Violence Case <input type="checkbox"/>		Criminal <input type="checkbox"/> Criminal Traffic <input type="checkbox"/>		Municipal Code <input type="checkbox"/>		Civil Traffic <input type="checkbox"/> Petty Offense <input type="checkbox"/>			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		MVD					
You must appear on the date and time indicated at:		Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753		<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor		Date: <b>09/11/2023</b>		Time: Between 9AM & 4PM						
		<input type="checkbox"/> Court:		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor		Date: _____		Time: _____		<input type="checkbox"/> AM <input type="checkbox"/> PM		Court No.		
		Court Address, City, State, Zip Code												
Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.		Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.		<input checked="" type="checkbox"/> MAILED		Victim? <input type="checkbox"/>		Victim Notified? <input type="checkbox"/>						
X						I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.		<b>M. VAN ETREK</b>		<b>8060</b>				
						Complainant		ID #						
Comments:		<b>VIOLATION A - FIRST CITATION \$ 200.00</b>												
Juvenile Notification: Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday.		Initials _____		Date issued if not violation date _____										

COMPLAINT

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



# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1790045</b>		Case Number		Social Security Number		Military		<input type="checkbox"/> Serious Physical Injury		<input type="checkbox"/> Accident <input type="checkbox"/> Fatality		<input type="checkbox"/> Commercial								
Driver's License No.		DLP <input type="checkbox"/>		State		Class		Endorsements M H N P T X D				Incident Report Number <b>CM231559</b>								
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language													Juvenile							
<b>Defendant</b>		Name (First, Middle, Last) <b>ZAHA PROPERTIES LLC C/O KENT PHELPS</b>																		
Residence Address, City, State, Zip Code <b>TRAJEN ESTATE LLC</b>											Telephone: (cell phone) <input type="checkbox"/>									
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions	Email Address												
Business Address, City, State, Zip Code <b>4812 S MILL AVE TEMPE AZ. 85282</b>											Business Phone No. ( )									
<b>Vehicle</b>		Color	Year	Make	Model	Style	License Plate	State	Expiration Date											
Registered owner & address, City, State, Zip Code							Vehicle Identification Number													
The Undersigned Certifies That:																				
On	Month <b>10</b>	Day <b>31</b>	Year <b>2023</b>	Time <b>0801</b>	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	<b>Speed</b>	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace			Direction of Travel							
At	Location <b>4812 S MILL AVE</b>							<input checked="" type="checkbox"/> Tempe <input type="checkbox"/> State of Arizona		<b>85282</b>		Area	Dist.							
The Defendant Committed the Following:																				
<b>A</b>	Section: <b>TU 21-3A</b>		ARS Violation: <b>CC 21-3.B.8 DETERIORATED LANDSCAPE</b>		Domestic Violence Case <input type="checkbox"/>		Criminal <input type="checkbox"/>		Criminal Traffic <input type="checkbox"/>		Municipal Code <input checked="" type="checkbox"/>		Civil Traffic <input type="checkbox"/>							
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		Civil Traffic <input type="checkbox"/>		Petty Offense <input type="checkbox"/>		MVD							
<b>B</b>	Section:		ARS Violation:		Domestic Violence Case <input type="checkbox"/>		Criminal <input type="checkbox"/>		Criminal Traffic <input type="checkbox"/>		Municipal Code <input type="checkbox"/>		Civil Traffic <input type="checkbox"/>							
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	Docket Number		Disp. Code:		Date of Disposition:		Sanction:		Civil Traffic <input type="checkbox"/>		Petty Offense <input type="checkbox"/>		MVD							
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<b>X</b> <b>MAILED</b>							<b>M. VAN ETEN</b>							<b>8060</b>						
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