



**CITY OF TEMPE
HEARING OFFICER**

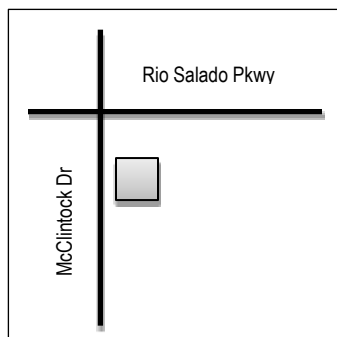
**Meeting Date: 08/05/2025
Agenda Item: 2**

ACTION: Request approval to abate public nuisance items at the 205 MCCLINTOCK LLC Property located at 209 S McClintock Dr. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$3,250.00 for abatement request, including over height grass and weed, trash and debris and paint over the graffiti. Security on site.

RECOMMENDATION: Staff – Approval

BACKGROUND INFORMATION: City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the 205 MCCLINTOCK LLC PROPERTY (CM250498). 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 CM250498: Over height grass and weed, trash and debris and paint over the graffiti. Security on site.



Property Owner: 205 McClintock LLC / Schach Brothers Real Estate LLC
Applicant: City of Tempe – Code Compliance
Zoning District: GID- General Industrial District
Code Compliance Inspector: Marvin White, Code Inspector

ATTACHMENTS: Supporting Attachment

STAFF CONTACT: Shawn Daffara, Crime Prevention Planning Coordinator (480-858-2284)

Department Director: Jeff Tamulevich, Community Development Director
Prepared by: Shawn Daffara, Crime Prevention Planning Coordinator
Reviewed by: Drew Yocom, Deputy Community Development Director – Community Enhancement

COMMENTS:

Code Compliance is requesting approval to abate the 205 MCCLINTOCK LLC PROPERTY located at 209 S. McClintock Drive in the GID, General Industrial District. This case was initiated 03/19/2025 following 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 the 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 5th 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	205 MCCLINTOCK, L.L.C. / SCHACH BROTHERS REAL ESTATE, L.L.C.	EXISTING ZONING	GID <input type="checkbox"/>
PROJECT ADDRESS	209 S. MCCLINTOCK DR. TEMPE, AZ. 85288	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	ABATEMENT OF CASE # CM250498 HEARING DATE 08/05/25 AT 5 P.M.	PARCEL No(s)	132-41-009 <input type="checkbox"/>

PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)			
BUSINESS NAME	205 MCCLINTOCK, L.L.C.	ADDRESS	918 7TH ST.
CONTACT NAME	205 MCCLINTOCK, L.L.C. MICHEL SCHACH	CITY	VENICE, STATE CA. ZIP 90291
EMAIL	m.schach@gmail.com	PHONE 1	347-963-3536 PHONE 2 929-304-3775

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.
CONTACT NAME	MARVIN WHITE / CODE INSPECTOR	CITY	TEMPE, STATE AZ. ZIP 85281
EMAIL	marvin_white@tempe.gov	PHONE 1	480-350-4311 PHONE 2

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

APPLICANT SIGNATURE	X	DATE	7/3/25
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BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs			
BUSINESS NAME	ADDRESS	CITY	STATE ZIP
CONTACT NAME	PHONE	EMAIL	
TYPE OF BUSINESS			

APPLICATION (Check all that apply)	QTY	SPECIFIC REQUEST (See Planning & Zoning Fee Schedule 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 nd or 3 rd submittal, please use Planning Resubmittal Form)			RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA



DATE: July 03, 2025
TO: Anna Churan, Senior Code Inspector
FROM: Marvin White, Code Inspector
SUBJECT: CM250498 205 MCCLINTOCK, L.L.C. / SCHACH BROTHERS REAL ESTATE, L.L.C. / Michel / Raphael Schach

LOCATION: 209 S. McClintock Dr. Tempe, AZ 85288

PARCEL: 132-41-009

OWNER: 205 MCCLINTOCK, L.L.C. / SCHACH BROTHERS REAL ESTATE,
L.L.C. / Michel / Raphael Schach
918 7th Ave.
Venice, CA. 90291

FINDINGS:

03-19-25 Visited site and noticed graffiti, overgrown weeds, trash and debris in front and back photos taken violation letter mailed to the property owners and stat agent.

03-20-25 Contacted the property owners Michel / Raphael Schach about the violations on the property. I was informed that they will be contacting the crime prevention unit of the Tempe Police Department to file a no trespass order on the property.

04-09-25 Visited site and no change noticed photos taken contacted the property owner Michel Schach a message was left to contact me.

04-23-25 Visited site and noticed remaining graffiti, overgrown weeds, trash and debris in front and back photos taken. Contacted the property owner Michel Schach he informed me he needed more time to comply.

04-30-25 Visited site and no change noticed.

05-06-25 Visited site and no change noticed contacted the property owner Michel Schach a message was left to contact me.

06-06-25 Visted site and no change noticed photos taken second violation letter mailed certified to the property owners Michel / Raphael Schach and stat agent.

06-25-25 Visited site and noticed remaining graffiti, overgrown weeds, trash and debris in front and back photos taken final certified violation letter mailed to the property

owners Michel / Raphael Schach and stat agent.

06-30-25 Visited site and noticed remaining graffiti, overgrown weeds, trash and debris in front and back photos taken.

07-03-25 Notice of intent to abate emailed and mailed certified and non-certified to the property owners Michel / Raphael Schach and stat agent and posted to the property.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violations at the property at 209 S. McClintock Dr. due to property owner's failure to bring property into compliance with Tempe City Code 21-3.b.1, 21-3.b.8, and 22-105. Mr. Schach has been given ample time to come into compliance and maintain the property. There has been no indication that the property owner will bring the property into compliance. The property represents a health hazard and 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,

Marvin White
Code Inspector

ACTION TAKEN: Submit
NAME Ana Chura
DATE: 7/9/25



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 07/03/2025

CASE #: CM250498

**205 MCCLINTOCK, L.L.C. / SCHACH BROTHERS REAL ESTATE, L.L.C.
ATTN: MICHEL / RAPHAEL SCHACH
918 7TH AVE.
VENICE, CA. 90291**

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

LOCATION: 209 S. MCCLINTOCK DR. TEMPE, AZ. 85288

PARCEL: 13241009

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers on **08/05/2025 at 5:00 P.M.** We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of:

- CC 21-3.b.1 Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building
- CC 21-3.b.8 Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches
- 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

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

- CC 21-3.b.1 REMOVE TRASH AND DEBRIS ON PROPERTY.
- CC 21-3.b.8 REMOVE OVERGROWN WEEDS AND DEBRIS ON PROPERTY.
- Sec.22-105. REMOVE GRAFFITI ON PROPERTY AND COLOR MATCH WITHIN TEN DAYS.

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 **\$3,250.00**. In addition to the actual cost of abatement, an administrative charge of fifteen percent (15%) of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the city for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate of judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property whether or not the public nuisance is abated by the City.

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



Skunky's Junk Removal

209 South McClintock Drive
Tempe, AZ 85288

✉ emailprocurementofficerdirectly@none.com

ESTIMATE	#710
SERVICE DATE	Jul 2, 2025
EXPIRATION DATE	Aug 16, 2025
TOTAL	\$3,250.00

CONTACT US

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

☎ (844) 758-6597

✉ info@skunkysjunk.com

ESTIMATE

Services	amount
CM250498, 209 S McClintock Remove all graffiti overgrown weeds trash and debris from the front, side and back of vacant property.	\$3,250.00

Services subtotal: \$3,250.00

Total **\$3,250.00**

Skunky's Junk Removal is a full service Junk removal company located in Tempe Arizona. Skunky's is dedicated to diverting waste from landfills and donates salvageable items to local charity's.





























OHIONA
480.624.0934
FOR SALE

















ORLANDO
480.634.6934
FOR SALE







COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE

CORRECTION NOTICE

03/19/25

205 MCCLINTOCK, L.L.C. / SCHACH BROTHERS REAL
ESTATE, L.L.C.
ATTN: MICHEL / RAPHAEL SCHACH
1814 PENMAR AVE.
VENICE, CA. 90291

Case #: CM250498

Site Address: 209 S. MCCLINTOCK DR. TEMPE, AZ.

SITE REINSPECTION ON OR AFTER: 04/02/25

This is a notice to inform you that this site was inspected on 03/19/25 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.

<u>SECTION</u>	<u>VIOLATION</u>
CC 22-105.A	Site not maintained graffiti present.
CC 21-3.B.1	Site not maintained trash and debris.
CC 21-3.B.8	Site not maintained overgrown weeds and debris.

<u>SECTION</u>	<u>PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION</u>
CC 22-105.A	Maintain site and remove all graffiti and color match.
CC 21-3.B.1	Maintain site and remove all trash and debris.
CC 213.B.8	Maintain site and remove all overgrown weeds and debris.

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

Marvin White
Code Inspector II

Direct: 480-350-8966
Code Compliance: 480-350-8372
Email: marvin_white@tempe.gov

Civil and Criminal Penalties

City Code Section 21-3, Subsec (b) 1-8, 17-19 and 21; Sections 21-4; Sections 21-13; Section 21-24; section 21-38, Subsec (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 | Sections 21-3, Subsections (b) 9-16 and 20; Sections 2-34, 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 the 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.

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



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE

SECOND CORRECTION NOTICE

06/06/25

205 MCCLINTOCK, L.L.C. / SCHACH BROTHERS REAL
ESTATE, L.L.C.
ATTN: MICHEL / RAPHAEL SCHACH
1814 PENMAR AVE.
VENICE, CA. 90291

Case #: CM250498

Site Address: 209 S. MCCLINTOCK DR. TEMPE, AZ.

SITE REINSPECTION ON OR AFTER: 06/13/25

This is a notice to inform you that this site was inspected on 06/06/25 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.

<u>SECTION</u>	<u>VIOLATION</u>
CC 22-105.A	Site not maintained graffiti present.
CC 21-3.B.1	Site not maintained trash and debris.
CC 21-3.B.8	Site not maintained overgrown weeds and debris.

<u>SECTION</u>	<u>PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION</u>
CC 22-105.A	Maintain site and remove all remaining graffiti and color match immediately to avoid further enforcement action.
CC 21-3.B.1	Maintain site and remove all remaining trash and debris immediately to avoid further enforcement action.
CC 213.B.8	Maintain site and remove all remaining overgrown weeds and debris immediately to avoid further enforcement action.

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

Marvin White
Code Inspector II

Direct: 480-350-8966
Code Compliance: 480-350-8372
Email: marvin_white@tempe.gov

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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE

SECOND CORRECTION NOTICE

06/06/25

205 MCCLINTOCK, L.L.C. / SCHACH BROTHERS REAL ESTATE, L.L.C.
ATTN: MICHEL / RAPHAEL SCHACH
918 7TH AVE.
VENICE, CA. 90291

Case #: CM250498

Site Address: 209 S. MCCLINTOCK DR. TEMPE, AZ.

SITE REINSPECTION ON OR AFTER: 06/13/25

This is a notice to inform you that this site was inspected on 06/06/25 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

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CC 21-3.B.1	Site not maintained trash and debris.
CC 21-3.B.8	Site not maintained overgrown weeds and debris.

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CC 22-105.A	Maintain site and remove all remaining graffiti and color match immediately to avoid further enforcement action.
CC 21-3.B.1	Maintain site and remove all remaining trash and debris immediately to avoid further enforcement action.
CC 213.B.8	Maintain site and remove all remaining overgrown weeds and debris immediately to avoid further enforcement action.

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

Marvin White
Code Inspector II

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Email: marvin_white@tempe.gov

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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).



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE

FINAL CORRECTION NOTICE

06/25/25

205 MCCLINTOCK, L.L.C.
ATTN: MICHEL SCHACH
918 7TH AVE.
VENICE, CA. 90291

Case #: CM250498

Site Address: 209 S. MCCLINTOCK DR. TEMPE, AZ.

SITE REINSPECTION ON OR AFTER: 07/02/25

This is a notice to inform you that this site was inspected on 06/25/25 and found to be in violation of the City of Tempe’s Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

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CC 22-105.A	Maintain site and remove all remaining graffiti and color match immediately or site will be abated and a lien placed.
CC 21-3.B.1	Maintain site and remove all remaining trash and debris immediately or the first citation will be issued and the site abated and a lien placed.
CC 213.B.8	Maintain site and remove all remaining overgrown weeds and debris immediately or the first citation will be issued and the site abated and a lien placed

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Marvin White
Code Inspector II

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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE

FINAL CORRECTION NOTICE

06/25/25

205 MCCLINTOCK, L.L.C. / SCHACH BROTHERS REAL
ESTATE, L.L.C.
ATTN: RAPHAEL SCHACH
1814 PENMAR AVE.
VENICE, CA. 90291

Case #: CM250498

Site Address: 209 S. MCCLINTOCK DR. TEMPE, AZ.

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CC 22-105.A	Maintain site and remove all remaining graffiti and color match immediately or site will be abated and a lien placed.
CC 21-3.B.1	Maintain site and remove all remaining trash and debris immediately or the first citation will be issued and the site abated and a lien placed.
CC 213.B.8	Maintain site and remove all remaining overgrown weeds and debris immediately or the first citation will be issued and the site abated and a lien placed

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

Marvin White
Code Inspector II

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Code Compliance: 480-350-8372
Email: marvin_white@tempe.gov

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