

**Correspondence Between
Staff and Applicant**

McClay, Doris

From: paulzebo@cox.net
Sent: Monday, April 21, 2014 4:17 PM
To: McClay, Doris
Subject: Found the request -against



I reviewed the applicants request and differ in opinion with them regarding the norther easement. I followed the south side of cactus to Hayden and found no house with a wall greater than 3 foot. By allowing this applicant to construct a fence or wall greater than 3 foot would create an eyesore and not blend into the area. Should the applicant wish to build a wall it should retain the 40 foot easement rule. The logic that the circumstances is and was in no way self imposed is pure BS. They did they due diligence and made a decision to purchase the land with these restrictions, so it in fact is, self imposed. Ya don't buy a piece of land like that and not know the restrictions. I would ask the City turn down the request and require this commercial builder to abide by all current regulations for the property.

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McClay, Doris

From: jdds11@cox.net
Sent: Wednesday, April 23, 2014 11:52 AM
To: McClay, Doris
Subject: New Wall

SCOTTSDALEAZ.GOV



I live in Desert Hills North and I am in favor of the project. A new wall that has stucco (sp?) and is painted will be much better than the chain fence that is up now. This will make the for a better entrance way into Desert Hills North.

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McClay, Doris

From: pmlatino@aol.com
Sent: Monday, May 05, 2014 3:34 PM
To: McClay, Doris
Subject: Cactus & 101 Freeway

Dear Mrs. McClay,

My name is Mary Latino and I live in the immediate area of Cactus Road and the 101 freeway in Scottsdale, AZ. I have lived at this address for over 20 years and I am a proud Scottsdale resident. I am fully aware of the 8 foot wall variance that the property owner is applying for. I would like to go on record and have my comments provided to the City of Scottsdale Board of Adjustments hearing. They are as follows:

I, Mary Latino am in full support of this 8' wall variance. I believe it is a win-win for both the residents in the area and the property owner. This is a unique piece of land that sits on a hard corner of a residential neighborhood and a major interstate freeway. This piece of land is one that needs special consideration.

Furthermore, this wall will allow the residents in the area not to have the ability to be distracted from their driving while passing this property or getting on to the 101 freeway. This wall will limit residents looking into someone's home activities from a back yard perspective and allow our neighbors the driving safety from this distraction. The property owner can enjoy his property without having a slew of nosy neighbors and passer-by's looking into his home and allowing for the privacy that our homes are intended for.

Thank you for taking my comments into account.

Mary Latino

McClay, Doris

From: Ruenger, Jeffrey
Sent: Monday, May 05, 2014 8:26 AM
To: McClay, Doris; Carr, Brad
Cc: Fitzpatrick, Karen
Subject: FW: Cactus & 101 Variance - Case Number: 2-BA-2014

From: Ken Kichler [<mailto:kkichler@cox.net>]
Sent: Sunday, May 04, 2014 9:21 AM
To: Projectinput
Cc: Pat Erickson; Dan Sommer-Work; Tim Leggett; Mark and Mary Sitto; Harry and Sheryl Martin; Ray LeFre(Frankie); Dan Sommer-Home; Judy and Joe Flanigan
Subject: Cactus & 101 Variance - Case Number: 2-BA-2014

Hello Doris:

I know these questions are late, but wasn't sure if any of my comments pertained to this case. I wanted to send them to you in case they have some meaning.

At the May 7 hearing, are comments taken from the floor? If so, may be I could asked them formally then?

First, There are CC & R's in place for Desert Hills North properties. Are they superceded by Zoning variances? This lot is under those CC & R's. If they sway the variance for the 8 foot wall, the CC & R's limit walls to 6 feet.

Second, there is a Force Water Main along the east side of the subject property (we call it the "panhandle") that our neighborhood owners were told by the City that nothing would be allow to be constructed over it. Does that still hold true? How does the "front yard" setback play with that?

Third, there is an easement at the rear of the property which is 8 feet. The adjacent property to the south, 8702 E. Sunnyside, also has the easement restriction of 8 feet or a total easement width of 16 feet. That should still be in place, correct? Especially since the 12186 N. 86th Place property (adjacent to subject lot to the west) and the property adjacent to it, 8616 E. Sunnyside to the south also have that easement. The properties west of 86th Place ALL have that easement restriction and have abided by it.

Thanks for your time, if nothing else for reading this email. Please let me know what needs to be done further.

I have cc'd a number of concerned Desert Hills North property owners although there are many more interested.

Ken Kichler
8616 E. Sunnyside Drive
480-991-2634
kkichler@cox.net

McClay, Doris

From: paulzebo@cox.net
Sent: Monday, May 05, 2014 2:22 PM
To: McClay, Doris
Subject: Domino Effect



Received this email from one of the homeowners and note this would open the door for every homeowner on the south side of Cactus. Does the City of Scottsdale really want that? The applicant knew the restrictions and should be required to abide by them just like every other property owner. "But you know what, this could actually help people who would want this size wall on their own properties. If this goes through, other people could apply and get the same thing. If that helps you block the traffic noise, go for it. " From: Dan Sommer Sent: Monday, May 05, 2014 1:12 PM To: 'Jan Buggeln'; Ken Kichler; Harry and Sheryl Martin; Mark and Mary Sitto; Tim Leggett; Ray LeFre(Frankie); Gaye Richardson; Richard and Ruth Kemler; Judy and Joe Flanigan; DanSOMMER; Brian McKay; Brian Mueller; John and Denise Brisch; John and Tammy Dobradenla; Ralph and Lu Love; Brian Mueller; Frank DiCicco; Bob Noble; Pat Erickson; 'paulzebo@cox.net' Cc: 'Tony Ardizzone' Subject: 101 and Cactus Property Issue I have read all the e-mails this weekend. All of you know that I was one of the team leaders in pushing for Tony not to build a commercial building on that site. Tony saw how determined we were several years ago and to our relief, he decided not to try and push for a commercial property. In fact, Ken and I met with him and tried to convince him to put a single family home on the site (that is what it is zoned for). At that time, he was not interested in that idea. Well now he wants to put an upscale (single level as per our CCNRs) on the property. We should be happy about that Tony is now going along with what we asked him to do several years ago. A beautiful, upscale home will enhance the value of all our homes. Let's be realistic, Tony needs the 8 foot wall (which will be stucco and painted) to enhance the property. That portion of the lot will be someone's backyard, not front yard. If he is to sell the high end home, the person will need the higher wall for privacy. In addition, nice high stucco painted wall is a lot better looking than a dented fence with weeds behind it. It is true, no one from the 101 to Hayden has an 8 foot wall. But you know what, this could actually help people who would want this size wall on their own properties. If this goes through, other people could apply and get the same thing. If that helps you block the traffic noise, go for it. I am sorry if I have upset anyone with this e-mail. That is not my attention. We all should want a high-end home on that site. It will only help Desert Hill North. Tony is cced on this e-mail. He is willing to meet with all of us at 6:00pm on Tuesday, May 6th and answer any questions you may have. I suggest we take him up on the offer and have a calm discussion. We could meet at the site.

McClay, Doris

From: tim.leggett@forensicdynamics.com
Sent: Tuesday, May 06, 2014 4:49 PM
To: Tony Ardizzone; McClay, Doris
Subject: RE: Cactus 101 approval.

Doris, I am Tony's neighbor directly to the south (8702 E Sunnyside Dr), and have been at this property for 10 years now. The noise abatement wall on the 101 does an adequate job of minimizing noise from the freeway, but unfortunately, the "gap" required for freeway exit and entrance permits highway sound to travel parallel with loop 101...essentially the noise abatement wall is effectively defeated. The existing houses in the neighborhood were constructed in the mid- 70's, when proper insulation was an ill-considered expenditure of funds. Even with today's noise insulation standards, I consider a home built at the subject site to be largely non-livable without some type of noise limiting structure. Indeed, my property, just 200 ft south, is intolerable at times...for example Arizona Bike week.

I am completely in favor of the property owner at the corner of Cactus and 101 building a suitable single story, single family residence, in accordance with the local CC & R's. Indeed, I feel it would enhance the neighborhood. Unfortunately, I can envision no one doing so without the protection of an appropriately sized wall. A 3 ft high wall is for cosmetic purposes only...it would do absolutely nothing to reduce road noise entering the lot. This is a special property. It is located at the confluence of the Cactus interchange and the Cactus/101 off/on ramp. It therefore needs special consideration. City of Scottsdale will not be "opening a can of worms" by offering a special variance here. If you elect not to permit a suitable height wall, this property will languish behind a broken chain-link fence and will be inhabited exclusively by overgrown weeds. I don't think that's in anyone's best interest.

Unfortunately, I cannot make the meeting, but you may call me anytime to discuss.

Tim Leggett, P.Eng, P.E.

President and C.E.O.,

Crashteam/Forensic Dynamics Inc.

250-371-4577

----- Original Message -----

Subject: Cactus 101 approval.

From: "Tony Ardizzone" <tony@monolithgroup.com>

Date: Tue, May 06, 2014 2:44 pm

To: <DMcClay@scottsdaleaz.gov>, <tim.leggett@forensicdynamics.com>

Hey neighbor- I have copied The City of Scottsdale spokesperson for our case on this e-mail. Would you please be kind enough to hit "Reply All" and voice your objection or approval for our 8' wall.

Thank you.

Tony Ardizzone

Chief executive officer

The Monolith Group

9096 E. Bahia Dr.

Building A-102

Scottsdale, AZ 85260

W: 480.367.1901

M: 602.697.0013

Web: www.monolithgroup.com

Curtis, Tim

From: Lee A. Potter <lee_potter@yahoo.com>
Sent: Monday, May 19, 2014 11:14 PM
To: Curtis, Tim
Subject: vote no on case number 2-ba-2014 (case number cactus & 101 variance)

Dear Tim Curtis,

After researching case number 2-ba-2014 (case name cactus & 101 variance) about the proposed changes on property address 8710 East Sunnyside Drive Scottsdale, AZ 85260, **I am completely against this project and I would like you all to vote against it.**

Tony Ardizzone makes it sound like he is planning on building his house and was unaware of all these regulations. Tony failed to mention he is President of ZZone Construction. He is a licensed Arizona general contractor of over 32 years and a real estate broker. Please see his profile on his website <http://www.zzoneconstruction.com/about/>. When he purchased that land, he knew of all the regulations and even proudly boasts of overturning these on his website. All his statements of "greatly hinders the building envelope and usable land", "these substantially reduce the usable and enjoyable amount of land", "greatly deprived of the privileged enjoyable use of the land" is a joke! He knows the regulations and he shouldn't have purchased it. His tall walls will devalue my home and others in the neighborhood by creating an uninviting entrance and atmosphere. So his statement about the "wall location would not be detrimental nor impede any persons residing...in the area" is not correct. The value of my property and my neighbor's homes would depreciate and it would be an eye sore in my neighborhood. Plus according to the scenic corridors design guidelines put together in 2000, prior to him purchasing the property, this area is to "maintain the natural beauty" of our desert landscapes and anyone buying property afterwards has to obey this. Putting a tall fence/wall is not keeping to our natural beauty which makes Scottsdale rank consistently as one of the finest and livable cities in the country. By allowing one bad apple to break the rules you set a precedent to future rulings and therefore eventually souring our beautiful Scottsdale over time. Current tall walls in place were installed prior to the 2000 scenic corridor design guidelines and are thus grandfathered into it but no new structures are allowed.

I would greatly appreciate it if you would turn down his entire project at the next hearing on June 4, 2014. If I am available to attend, I would like to speak in front of the board. The land would be best used as landscaping like the land across the street on cactus which keeps to the beauty of Scottsdale. Tony discusses how he gives back to the community on his ZZone Construction website, here is his chance to prove it and to do what is right by turning it into a park!

Best Regards,

Lee Alayna Potter
8534 East Sunnyside Drive
Scottsdale, AZ 85260

Lee Alayna Potter
602-363-3675

McClay, Doris

From: Kit Kneedler <kitkneedler@aol.com>
Sent: Tuesday, May 27, 2014 1:30 PM
To: McClay, Doris
Subject: Case #2BA-2014 Parcel# 175-13-121A

This note is to comment on the proposed variances pertaining to the property located at the Cactus road and the 101 freeway south bound corner. My wife and I have no objections the the wall height increase or the setback request. We do however ask that the City of Scottsdale and the Desert Hills North CC&Rs be enforced regarding height limits and setbacks other than the requested variances.

Thank you, Kathleen and Donald Kneedler

McClay, Doris

From: Ed Stoffels <estoffels@cox.net>
Sent: Tuesday, May 27, 2014 4:56 PM
To: McClay, Doris
Subject: FW: Cactus & 101 Variance 2-BA-2014

I believe that by granting the variances for the property at 8710 E Sunnyside Drive pertaining to the required front yard setback (Section 5.204.E.1.c) and the wall height (Section 5.204.G) should be granted.

This is a unique piece of property with access only from Sunnyside Drive and the variances would allow a Single-Family Residence to replace what has become an eyesore in our neighborhood.

In the end, I believe that it will add value to our homes in Desert Hills North.

Thank you for considering my comments.

Ed Stoffels

101 and Cactus Property Variance (Case 2-BA-2014)

We the undersigned live in the Desert Hill North Community.
We support the variance for an eight foot wall for the
property at 101 and Cactus.

We believe that this single family residence will enhance our community
and support the applicant.

	Name	Address
1.)	Den Sawyer	12005 N. 81th St.
2.)	TIM LEGGETT	8702 E. SUNNYSIDE DR.
3.)	BRIAN BELANGER	11804 N 85th ST
4.)	Ron Ballard	8603 E. Jensen Dr.
5.)	SUSAN BALLARD	"
6.)	MARK SITTO	8609 E. SUNNYSIDE DR
7.)	MARY SITTO	"
8.)	KENNETH KICHLER	8616 E. SUNNYSIDE DR.
9.)	CAROL KICHLER	8616 E. SUNNYSIDE DR
10.)	Sheryl Martin	8703 E. Sunnyside Dr.
11.)	Aniko Kress	8511 E CACTUS RD
12.)	Harvey Martin	8703 E. SUNNYSIDE DR
13.)		
14.)		
15.)		
16.)		
17.)		
18.)		
19.)		
20.)		
21.)		
22.)		
23.)		
24.)		
25.)		
26.)		

Fitzpatrick, Karen

From: Fitzpatrick, Karen
Sent: Wednesday, May 28, 2014 9:15 AM
To: 'MaryLaura'
Cc: McClay, Doris; Ruenger, Jeffrey
Subject: RE: 2-BA-2014

MaryLaura,

Yes, there is a small fee for copies. Here is a link that will show you the fees the Records Department charges for copies.
<http://www.scottsdaleaz.gov/Assets/Public+Website/bldgresources/fees/Records+Fees.pdf>

They accept cash or credit card. The Records Department is open from 8:00 am to 5:00pm Monday through Friday. Appointments are not necessary.

As far as Adult Care Homes: We do have maps of licensed locations on our website, but it is a little confusing to explain through an email. The simplest way is to ask to see the map when you are here. Staff will bring up the map and show it to you.

Karen Fitzpatrick
City of Scottsdale
Planning Assistant
7447 E. Indian School Road
Scottsdale, AZ 85251
480-312-7015

From: MaryLaura [<mailto:marylaura@gmail.com>]
Sent: Wednesday, May 28, 2014 8:56 AM
To: Fitzpatrick, Karen
Cc: McClay, Doris; Ruenger, Jeffrey
Subject: Re: 2-BA-2014

Thanks. Are copies free or how will I need to pay for them (change, credit card etc)? What are your hours of operation? Do I need to make an appointment?

Also, I have an unrelated question (that you may or may not have the answer to)... is there a way to get a list of registered Adult Care Homes in our neighborhood?

Thanks
ML

On Wed, May 28, 2014 at 8:36 AM, Fitzpatrick, Karen <KFitzpatrick@scottsdaleaz.gov> wrote:

I cannot email the entire file, however, you are welcome to come to the One Stop Shop at 7447 E. Indian School Road. Sign in at the reception desk to see Records. You may then view the entire file and make copies of the documents you desire.

Thank you.

Karen Fitzpatrick

City of Scottsdale

Planning Assistant

7447 E. Indian School Road

Scottsdale, AZ 85251

480-312-7015

From: marylaura@gmail.com [mailto:marylaura@gmail.com]

Sent: Tuesday, May 27, 2014 9:11 PM

To: Fitzpatrick, Karen

Subject: 2-BA-2014

SCOTTSDALEAZ.GOV



I would like to see the full documentation on case 2-BA-2014 Cactus & 101 variance. Is it possible for you to email this information to me? Thanks Mary Laura Lind (resident 8518 E Sunnyside Dr, Scottsdale, AZ 85260)

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Community & Economic Development Division
Planning, Neighborhood & Transportation

7447 East Indian School Road
Scottsdale, Arizona 85251

Date:

4/4/14

Contact Name:

BRIAN MEALEY

Firm name:

Address:

City, State Zip:

RE: Application Accepted for Review.

Dear

BRIAN MEALEY

It has been determined that your Development Application for

VARIANCE

has been accepted for review.

Upon completion of the Staff's review of the application material, you will be informed in writing or electronically either: 1) the steps necessary to submit additional information or corrections; 2) the date that your Development Application will be scheduled for a public hearing or, 3) City Staff will issue a written or electronic determination pertaining to this application. If you have any questions, or need further assistance please contact me.

Sincerely,

Orin McCann

Name:

DORIS MCCANN

Title:

~~CHIEF PLANNER~~ PLANNER

Phone number:

480-312-4214

Email address:



Planning, Neighborhood, & Transportation

One Civic Center
7447 E Indian School Road
Scottsdale, AZ 85251

Date: March 28, 2014

Address Assignment

Parcel Number: 175-13-121A
Quarter Section: 30-48
Subdivision: Desert Hills North
MCR #: 154-14

This is to advise you that the following address has been assigned for this parcel.

Address Assignment: **8710 E Sunnyside Drive**

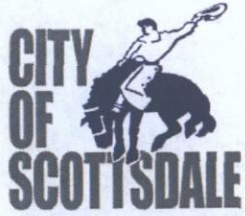
I have attached a copy of a map showing the assigned address. If you need further assistance, please feel free to contact me at (480) 312-7031.

Since municipal boundaries do not always coincide with postal boundaries, it is your responsibility to contact your local post office for **correct city and ZIP Code** mailing information to complete the assigned address.

Sincerely,

Karen Khanas

Development Services Rep. I
City of Scottsdale
Planning & Development Services
480-312-7031
Khanas@ScottsdaleAZ.Gov



Planning, Neighborhood, & Transportation

One Civic Center
7447 E Indian School Road
Scottsdale, AZ 85251

