

Case Research



Pre-Application Request

Purpose:

The purpose of the Pre-Application submittal, and meeting, is for the applicant and City Staff to discuss a proposed Development Application, and the information and process that is necessary for City Staff to process the proposal.

In accordance with the Zoning Ordinance, no development application shall be accepted before a Pre-Application has been submitted, and a Pre-Application meeting has been conducted with City Staff, unless the Pre-Application meeting has been waived by the Zoning Administrator.

Submittal:

The completed Pre-Application request form, all required materials and fees should be submitted in person to the One-Stop-Shop located at 7447 East Indian School Road; or, may they be submitted digitally at following website: <https://eservices.scottsdaleaz.gov/eServices/PreApps/Default.aspx>

All checks shall be payable to "City of Scottsdale."

Scheduling

After the Pre-Application packet has been accepted at the One-Stop-Shop, a staff member will contact the Applicant within five (5) Staff Working Days to schedule a Pre-Application meeting with the assigned staff member(s). Generally, a Pre-Application meeting is scheduled within five (5) to fifteen (15) Staff Working Days from the date of the submittal.

Project Name: McIntosh Residence	
Property's Address: 10300 N. 124th Street, Scottsdale, AZ 85259	APN: 217-32-447
Property's Zoning District Designation: R1-43	
Property Details:	
<input checked="" type="checkbox"/> Single-Family Residential <input type="checkbox"/> Multi-Family Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Other	
Has a 'Notice of Compliance' been issued? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, provide a copy with this submittal	
Owner: Robert & Nancy McIntosh	Applicant: Ed Bull
Company:	Company: Burch & Cracchiolo, P.A.
Address: 10300 N. 124th Street	Address: 702 E. Osborn Road, Suite 200
Phone: 480-614-1252 Fax:	Phone: 602-234-9913 Fax: 602-343-7913
E-mail: nancy.mcintosh@cox.net	E-mail: rhorowitz@bcattorneys.com
E-mail: robertmcintosh@cox.net	E-mail: ebull@bcattorneys.com
Robert McIntosh <small>Digitally signed by Robert McIntosh DN: cn=Robert McIntosh, o.ou, email=robertmcintosh@cox.net, c=US Date: 2016.01.11 15:10:28 -0700</small>	
Owner Signature	Applicant Signature
Official Use Only Submittal Date: _____	Application No.: 40 -PA- 2014
Project Coordinator: _____	



BURCH & CRACCHIOLO

*Call or email Ricki w/
pre-APP mtg
date &
time*

rhowitz@bcattorneys.com
Direct: 602.234.8728

Burch & Cracchiolo, P.A.
702 E. Osborn Rd., Suite 200 • Phoenix, AZ 85014
Main Office: 602.274.7611 • Fax: 602.344.3728

RICKI L. HOROWITZ
Paralegal

BCATTORNEYS.COM



Pre-Application Request

Development Application Type:
Please check the appropriate box of the Type(s) of Application(s) you are requesting

Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions (PP)	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Subdivision (Minor) (MD)	<input checked="" type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions (PE)	<input checked="" type="checkbox"/> Single-Family Residential
<input type="checkbox"/> Minor Amendment (MA)		<input checked="" type="checkbox"/> Other - NAOS Release/Relocation

Submittal Requirements: (fees subject to change every July)

Pre-Application Fee: \$ 87.00
(No fees are changed for Historic Preservation (HP) properties.)

Records Packet Fee: \$ 21.00
Processed by staff. The applicant need not visit the Records desk to obtain the packet.
(Only required for ZN, II, UP, DR, PP, AB applications, or otherwise required by Staff)

Application Narrative:
The narrative shall describe the purpose of the request, and all pertinent information related to the request, such as, but not limited to, site circulation, parking and design, drainage, architecture, proposed land use, and lot design.

Property Owner Authorization Letter
(Required for the SA and MS Pre-Applications)

- Site / Context Photographs
- Provide color photographs showing the site and the surrounding properties. Use the guidelines below for photos.
 - Photos shall be taken looking in towards the project site and adjacent to the site.
 - Photos should show adjacent improvements and existing on-site conditions.
 - Each photograph shall include a number and direction.
 - Sites greater than 500 ft. in length, also take the photo locations shown in the dashed lines.
 - Photos shall be provided 8 ½ x 11 paper, max. two per page.



Other

- **The following list of Additional Submittal Information is not required for a Pre-Application meeting, unless indicated below by staff prior to the submittal of this request.**
- **Applicants are advised to provide any additional information listed below. This will assist staff to provide the applicant with direction regarding an application.**

Additional Submittal Information

- Site Plan
- Subdivision plan
- Floor Plans
- Elevations
- Landscape plans
- H.O.A. Approval letter
- Sign Criteria Regulations & Language
- Material Samples – color chips, awning fabric, etc.
- Cross Sections – for all cuts and fills
- Conceptual Grading & Drainage Plan
- Exterior Lighting – provide cut sheets, details and photometrics for any proposed exterior lighting.
- Boundary Survey (required for minor land divisions)
- Areal of property that includes property lines and highlighted area abandonment request.
- One copy of the recorded document for the area that is requested to be abandoned. Such as: subdivision plat, map of dedication, GLO (General Land Office) federal patent roadway easement, or separate dedication document. A copy of most recorded documents to be abandoned may be purchased at the City of Scottsdale Records Dept. (480-312-2356), or the Maricopa County Recorder's Office (602-506-3535). A copy of the General Land Office (GLO) federal patent roadway easement may be purchased from the Bureau of Land Management (602-417-9200).

Planning and Development Services Department

7447 E Indian School Road Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7088

Phoenix 082479

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Phoenix, Arizona, is now deposited in the Bureau of Land Management, whereby it appears that full payment has been made by the claimant

James Erle Kelsey

pursuant to the provisions of the Act of Congress approved June 1, 1938 (52 Stat. 609), entitled "An Act to provide for the purchase of public lands for home and other sites," and the acts supplemental thereto, for the following-described land:

Gila and Salt River Meridian, Arizona.

T. 3 N., R. 5 E.,

Sec. 26, Lot 24.

The area described contains **5** acres, according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Excepting and reserving, also, to the United States, all coal, oil, gas, and other mineral deposits, in the land so patented, together with the right to prospect for, mine, and remove the same according to the provisions of said Act of June 1, 1938. This patent is subject to a right-of-way not exceeding **33** feet in width, for roadway and public utilities purposes, to be located **across said land or as near as practicable to the exterior boundaries.**

Excepting and reserving, also to the United States, pursuant to the provisions of the Act of August 1, 1946 (60 Stat. 755), all uranium, thorium, or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the ~~SEVENTEENTH~~

[SEAL]

day of **JUNE** in the year of our Lord one thousand nine hundred and **FIFTY-FOUR** and of the Independence of the United States the one hundred and **SEVENTY-EIGHTH.**

For the Director, Bureau of Land Management.

Patent No. 1444958

By S. C. Nichols
Chief, Patents ~~Section~~



BOOK 711 PAGE 11
OFFICIAL RECORDS OF MARICOPA COUNTY RECORDER HELEN PURCELL
2004-1261183

ESSIG'S ESTATES
A PROPERTY DIVISION IN THE CITY OF SCOTTSDALE, ARIZONA OF LOT 24, SECTION 26, T1N, R5E OF THE G. & S.R.B. & M. MARICOPA COUNTY, ARIZONA, ACCORDING TO OFFICIAL PLAT OF SURVEY OF SAID LAND ON FILE IN THE BUREAU OF LAND MANAGEMENT, EXCEPT THE SOUTH 315 FEET THEREOF.

711-11

FD BC IN NH NW COR
N 89°58' E 2037.36' (R)

ACKNOWLEDGEMENT:
STATE OF ARIZONA }
COUNTY OF MARICOPA } 155
ON THIS 26th DAY OF JULY 2004 BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED MARCIA ESSIG AND CHARLES R. ESSIG WHO ACKNOWLEDGED THEMSELVES TO BE THE LEGAL OWNERS OF PARCELS A AND B OF THE PROPERTY PLATTED HEREON AND ACKNOWLEDGED THAT THEY, AS LEGAL OWNERS EXECUTED THE INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.
OWNERS WARRANT AND REPRESENT TO THE CITY OF SCOTTSDALE TO BE THE SOLE OWNERS OF THE PROPERTY COVERED HEREIN AND THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON OR ENTITY HAVING ANY INTEREST IN THE LAND APPLICABLE TO OR INCONSISTENT WITH THE DEDICATIONS, CONVEYANCES OR OTHER REAL PROPERTY INTERESTS CREATED OR TRANSFERRED BY THIS MAP HAS CONSENTED TO OR JOINED IN THIS MAP, AS EVIDENCE BY INSTRUMENTS WHICH ARE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE OR WHICH OWNERS WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS MAP IS RECORDED.
MARCIA ESSIG
PRINTED NAME
Marcia Essig
SIGNATURE
Charles R Essig
PRINTED NAME
Charles R Essig
SIGNATURE
DATE 7/26/04
DATE 7/26/04
NOTARY PUBLIC
IN WITNESS WHEREOF, I HEREBY SET MY HAND AND OFFICIAL SEAL.
MY COMMISSION EXPIRES ON APRIL 26, 2007

DEDICATION
KNOW ALL MEN BY THESE PRESENTS THAT Marcia and Charles R. Essig, as Owners, and CitiMortgage Services Inc, a Maryland Corporation, as lienholder, have subdivided under the name Essig's Estates, Lot 24 of Section 26, T1N, R5E of the G. & S.R.B. & M. City of Scottsdale, County of Maricopa, Arizona as shown hereon and hereby publish this plat as and for the plat of said Essig's Estates, and hereby declare that said plat sets forth the location and gives the measurements and dimensions of the lots and street constituting same, and that each lot and street shall be known by the number or name that is given to each respectively on said plat, and Marcia and Charles R. Essig, as Owners, and CitiMortgage Services Inc, a Maryland Corporation, as lienholder, hereby dedicate to the City of Scottsdale, the streets shown on said plat and included in the above described premises. Easements are reserved for the uses shown hereon.
IN WITNESS WHEREOF Marcia and Charles R. Essig, as Owners, and CitiMortgage Services Inc, a Maryland Corporation, as lienholder, have hereunto caused their respective corporate seals or signatures to be affixed by the undersigned officer thereunto fully authorized, this 26th day of JULY 2004.
Marcia Essig [Signature]
Charles R. Essig [Signature]
STATE OF ARIZONA }
County of Maricopa } 155
This instrument was acknowledged before me this 26th day of JULY 2004, by Marcia and Charles R. Essig, as Owners, IN WITNESS WHEREOF, I hereunto set my hand and official seal.
My Commission Expires: APRIL 26, 2007
NOTARY PUBLIC [Signature]
STATE OF MARYLAND }
County of } 155
This instrument was acknowledged before me this day of 2004, as an Officer of CitiMortgage Services Inc, a Maryland Corporation, on behalf thereof. IN WITNESS WHEREOF, I hereunto set my hand and official seal.
My Commission Expires: OFFICIAL SEAL
NOTARY PUBLIC [Signature]
Officer of CitiMortgage Services Inc.

PARENT PROPERTY LEGAL DESCRIPTION
APN # 217-32-093-G
Parcel No. 1:
Lot 24, Section 26, Township 3 North, Range 5 East of the Gila and Salt River Basins and Meridian, Maricopa County, Arizona, according to the Official Plat of Survey of said land on file in the Bureau of Land Management, EXCEPT THE SOUTH 315 FEET THEREOF, and also EXCEPT all coal, oil, gas and other mineral deposits in said land, and also; EXCEPT all uranium, thorium, or any other material which is or may be determined to be peculiarly essential to the fashionable materials, as reserved in the Patent of said land.
Parcel No. 2:
An appurtenant easement for driveway and parking purposes, as defined in Document No. 91-130348 over the following described property.
Those portions of the North 150' of the South 315' of Lot 24 of Section 26, Township 3 North, Range 5 East of the Gila and Salt River Basins and Meridian, Maricopa County, Arizona, described as follows:
PART A:
BEGINNING at the Northeast Corner of said North 150' of the South 315'; thence S 0°01'38" W along the East Line of said Lot 24, 14.00'; thence departing said East Line N 89°55'00" W parallel with the North Line of said North 150' of the South 315'; thence N 83°24'58" W 31.30' to said North Line; thence S 88°55'00" E along said North Line 110.00' to the POINT OF BEGINNING.
EXCEPT any part thereof lying within a Public Roadway Easement or Right-of-Way.
PART B:
BEGINNING at a point on the North Line of said North 150' of the South 315' that lies N 88°59'00" W 140.48' from the Northeast Corner of said North 150' of the South 315'; thence departing said North Line S 79°46'40" W 64.41'; thence N 1°12'00" W 11.63' to said North Line; thence S 89°09'00" E along said North Line 65.45' to the POINT OF BEGINNING.

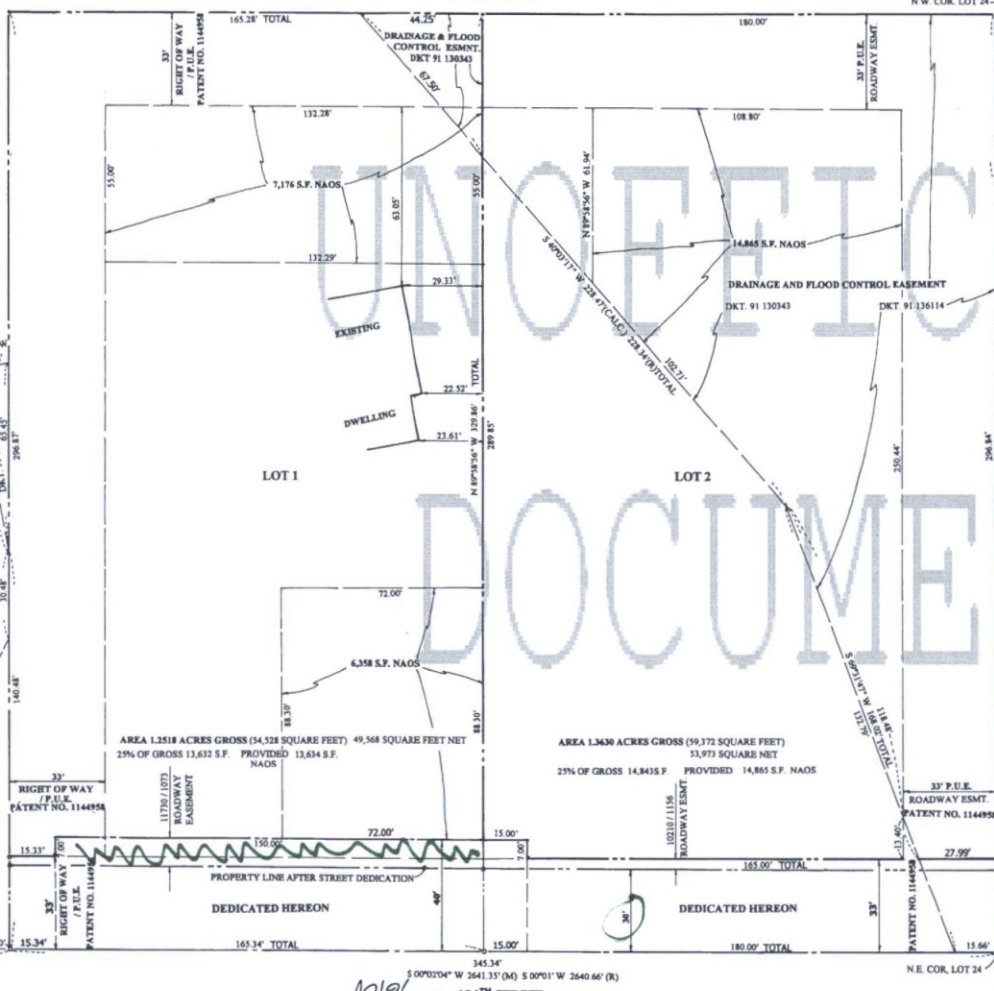
RATIFICATION - See separate ratification page 04-1261182
CitiMortgage Services Inc, as Trustee under that certain Deed of Trust recorded March 28, 1991, as Document 91-01130344 and selling pursuant to the terms thereof and the authority therein granted by the Trustors and beneficiaries hereby certifies, approves and acquiesces in the dedication as stated in this plat.
STATE OF ARIZONA }
COUNTY OF MARICOPA } 155
This instrument was acknowledged before me this day of 2004, by as an officer of the CitiMortgage Services Inc, which corporation is a general partnership on behalf thereof.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.
My commission Expires: _____
NOTARY PUBLIC [Signature]
SEE SEPARATE INSTRUMENT (ATTACHED)

APPROVAL BLOCK FOR PROPERTY ASSEMBLAGES & LAND DIVISIONS
APPROVALS
I hereby certify that all engineering conditions and requirements of the City Code have been complied with.
By [Signature] Date 10/16/04
Plan Review Director
By [Signature] Date 10/16/04
Project Coordinator

EASEMENT LIST
DOCKET 10210, PG. 1156 ROAD/PEP PLAT
DOCKET 11730, PG. 1073 ROAD/PEP PLAT
DOCKET 91-130348, INDEMNIFICATION AGREEMENT
DOCKET 91-130343 DRAINAGE & FLOOD
DOCKET 91-136114 DRAINAGE & FLOOD
DOCKET 1918, PG. 399 P.U.E. & RIGHT OF WAY PATENT NO. 1144958 P.U.E. & RIGHT OF WAY
OWNER
Charles & Marcia Essig

LIST OF PERTINENT DOCUMENTS
1. TITLE REPORT, FIDELITY NATIONAL TITLE INSURANCE CO ESCROW NO. 7800655, DATE: NOVEMBER 15, 2002
2. DOCKET 1449, PG. 59 - TERMINATION OF REAL PROPERTY AGREEMENT
3. DEPENDENT RESURVEY AND SUBDIVISION OF SECTION 25 AND SECTION 26

PROFESSIONAL LAND SURVEYS OF ARIZONA
10505 N. 69th Street, Suite 100 A, Scottsdale, Arizona 85253 Phone: (480) 905-1126



FD BC IN NH WH COR

N 87°12'24" W 2638.84' (R)

N 87°12'24" W 2638.84' (R)

N.W. COR. LOT 24

S 89°09'00" E 2037.36' (R)

N.E. COR. LOT 24

CERTIFICATION:
I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND SHOWN ON THIS PLAT, THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY, THAT I HAVE FOUND OR SET THE SURVEY MARKS SO INDICATED HEREON AND THAT THIS SURVEY AND MAP COMPLIES WITH THE "RECOMMENDED MINIMUM PROCEDURAL AND PERFORMANCE SERVICES IN THE STATE OF ARIZONA" AS ADOPTED BY THE BOARD OF TECHNICAL REGISTRATION FEB. 27, 2002



124TH STREET

TOTAL AREA 2.6148 ACRES GROSS
BASIS OF BEARING: EAST-WEST MIDSSECTION LINE, SECTION 26, PER DEPENDENT RESURVEY AND SUBDIVISION OF SECTION 25 & 26, 90146, 88°55' W

REVISED FEBRUARY 20, 2004 REVISED JUNE 7, 2004 REV. JULY 2, 2004

CASE # 218-SA-2003 PLAN CHECK 1568-03