

**Correspondence Between
Staff and Applicant
Approval Letter**



REQUEST TO SPEAK

2

Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.

Public testimony is limited to three (3) minutes per speaker.

Additional time **MAY** be granted to speakers representing two or more persons.

Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print) JOSEPH CANNARA MEETING DATE 10/4/2017

NAME OF GROUP/ORGANIZATION (if applicable) None

ADDRESS 12322 E. DOUBLETREE RANCH Rd ZIP 85259

HOME PHONE 480-391-2783 WORK PHONE None

E-MAIL ADDRESS (optional) _____

☒ I WISH TO SPEAK ON AGENDA ITEM # 3 ☐ I WISH TO DONATE MY TIME TO _____

☐ I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING _____

*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

This card constitutes a public record under Arizona law.

Request to Speak cards must be submitted to City Staff before public testimony begins on that item.

HOW TO ADDRESS THE BOARD AND COMMISSION:

- The Chair will call your name when it is your turn to speak.
- Approach the podium and state your name and address for the record.
- Groups wishing to speak are encouraged to select a spokesperson to represent the views of the group.
- Public testimony is limited to three minutes per speaker. *(At the Chair's discretion, speakers representing two or more persons may be granted additional time.)*
- A timer light, located at the podium, will help you to time your comments.
 - o A green light indicates the timer has been activated.
 - o A yellow light indicates there is one minute remaining.
 - o A red light indicates the comment period has ended.

WRITTEN COMMENTS: Citizens who do not wish to address the Board and Commission in person may submit written comments by completing a white Written Comment card. Written Comment cards are available throughout the Kiva Forum and at the Staff table.



REQUEST TO SPEAK

2

Request to Speak cards must be submitted to City Staff **BEFORE** public testimony begins.

Public testimony is limited to three (3) minutes per speaker.

Additional time **MAY** be granted to speakers representing two or more persons.

Cards for designated speakers and the person(s) they represent must be submitted together.

NAME (print)

Craig Hanson

MEETING DATE

10/4/2017

NAME OF GROUP/ORGANIZATION (if applicable)

ADDRESS

9201 N 124TH ST

ZIP

85259

HOME PHONE

480-661-0605

WORK PHONE

480-312-5665

E-MAIL ADDRESS (optional)

chanson@cox.net



I WISH TO SPEAK ON AGENDA ITEM #

2



I WISH TO DONATE MY TIME TO

☐ I WISH TO SPEAK DURING "PUBLIC COMMENT"* CONCERNING

*Citizens may complete one Request to Speak "Public Comment" card per meeting and submit it to City Staff. "Public Comment" time is reserved for citizen comments regarding non-agendized items. The Board and Commission may hear "Public Comment" testimony, but is prohibited by state law from discussing items which are not listed on the agenda.

This card constitutes a public record under Arizona law.

Request to Speak cards must be submitted to City Staff before public testimony begins on that item.

HOW TO ADDRESS THE BOARD AND COMMISSION:

- The Chair will call your name when it is your turn to speak.
- Approach the podium and state your name and address for the record.
- Groups wishing to speak are encouraged to select a spokesperson to represent the views of the group.
- Public testimony is limited to three minutes per speaker. *(At the Chair's discretion, speakers representing two or more persons may be granted additional time.)*
- A timer light, located at the podium, will help you to time your comments.
 - A green light indicates the timer has been activated.
 - A yellow light indicates there is one minute remaining.
 - A red light indicates the comment period has ended.

WRITTEN COMMENTS: Citizens who do not wish to address the Board and Commission in person may submit written comments by completing a white Written Comment card. Written Comment cards are available throughout the Kiva Forum and at the Staff table.



Community & Economic Development Division
Planning and Development Services

7447 East Indian School Road, Suite 105
Scottsdale, Arizona 85251

October 5, 2017

Naser Ahmad
Naser Ahmad
9032 N 124Th St
Scottsdale, AZ 85255

Re: 458-PA-2017
4-BA-2017
Ahmad Guest House Variance

Dear Naser Ahmad,

This letter is to advise you that the variance referenced above was denied at the Board of Adjustment meeting. Enclosed is a copy of the signed Zoning Ordinance Variance Decision Form for your records.

You have the option to appeal this decision with the Maricopa County Superior Court; any appeal must be made to the Court within 30 days of the Board's decision. The special action is filed as a civil matter at the Court Clerk's office counters at the following locations:

Downtown Phoenix: 201 W Jefferson

Southeast Campus (Mesa): 222 E Javalina

For more information on fees and where to file a special action, visit www.maricopa.gov/clkcourt/ or contact the Clerk of the Superior Court, Michael Jeanes at 602-506-3676

This information is intended only for your informational use, and does not constitute legal advice. Those who wish to file a special action may wish to retain counsel.

If you have any questions, or would like to request a copy of the audio of the hearing, please feel free to call me at 480-312-2347

Sincerely,

Wayland Barton
Planning Assistant
Board of Adjustment

White, Cody

From: David Thull <thullster007@gmail.com>
Sent: Wednesday, September 20, 2017 12:04 PM
To: White, Cody
Subject: variance case #4-BA-2017

I am a neighbor of this property and strongly oppose the building of a second floor on the guest house. This has been a pleasant, low density neighborhood for decades, and not meant for multi family dwellings on one lot. It would set a very poor precedent and decrease the value of near by properties, such as my own. Please deny this variance request

Sincerely

David Thull MD

president. Orthopedics of North Scottsdale

White, Cody

From: Patricia Sorrelman <gpygmy@cox.net>
Sent: Wednesday, September 20, 2017 12:27 PM
To: White, Cody
Subject: variance

**DO NOT APPROVE VARIANCE CASE # 4-BA-2017 TO ADD A 2ND STORY TO
EXISTING GUEST HOUSE THANKYOU**

White, Cody

From: Susan Marvin <smarviniws@cox.net>
Sent: Wednesday, September 20, 2017 7:12 PM
To: White, Cody
Subject: re: Case #4-BA-2017

As a concerned neighbor, I would like to request you NOT approve the variance in the above case requesting to add a second story to an existing guest house.

Thanking you in advance for your time and consideration.

Sue Marvin
smarviniws@cox.net
Scottsdale, AZ
(It's a dry heat, AZ!)

White, Cody

From: Mohammad Madjidi <MOHAMMAD.MADJIDI@asu.edu>
Sent: Thursday, September 21, 2017 6:28 AM
To: White, Cody
Cc: Mohammad Madjidi
Subject: Re: comments regarding case # 4-BA-2017 "Naser Ahmad " request to variance to curnet zone

Hi Cody,
Please confirm you received my response and that my concern will be reflected at the October 4th meeting.
Best regards
Mohammad Madjidi
480-206-4458.

Sent from my iPhone

On Sep 19, 2017, at 12:16 PM, Mohammad Madjidi <MOHAMMAD.MADJIDI@asu.edu> wrote:

Dear Cody, Thank you for your time yesterday afternoon.
Below please find my concerns regarding rezoning request case # 4-BA-2017.

I hope my concerns will be addressed at the hearing on Oct 4th.

Mohammad Madjidi
Senior project manager
Arizona State University.

Dear City of Scottsdale Zoning committee members,

I am responding to the request of a neighbor for a variance to the zoning ordinance per Case Number 4-BA-2017 requester Naser Ahmad at 124st and Double tree.

As a 20 year resident of Paradise Heights, I am objecting to allowing a change to the restriction on vertical construction in the subdivision. As understand it, this neighbor has already built a structure that encroaches on the side lot set-back and is wishing to build a second story on that structure. The community has a very unique low density residential desert environment that would be greatly impacted if this change is approved. It would introduce a non-conforming structure that is located on the main entry street into the area and is readily visible from the street. I would recommend that the variance for the set-back be given since the structure already exists, however the permit to build a second story should be rejected.

We want to keep the subdivision strictly rated as single family residential (R1-43), and the request by this resident appears to be a move toward making the house more of a multi-family residence, as well as changing the character of the subdivision.

Sincerely
Mohammad & Pattie Madjidi.
12529 East Silver Spur

White, Cody

From: Dieter & Heidi Schaefer <schaeferfamily@cox.net>
Sent: Thursday, September 21, 2017 7:23 AM
To: White, Cody
Subject: REJECT VARIANC CASE #4-BA-2017

Hello,

We live in Paradise Heights and were just made aware of the above case requesting to add a 2nd story to an existing guest house for the purpose of having 2 single-family residences on one lot.

We strongly disagree with this request. Our area is intentionally low-density and should NOT be changed one home owner at a time. If residences want higher density, there are ample areas that can accommodate that desire.

We believe this occurred in another property which erected a full new house on part of an existing lot. We wish we would have been aware of that as it totally begins to destroy the uniqueness of this area.

Please refrain from allowing this variance. The current zoning needs to remain and be respected by all – residences and city alike.

Thank you,

Dieter & Heidi Schaefer
9053 N. 123rd St.

White, Cody

From: Marcia <rocky28000@aol.com>
Sent: Thursday, September 21, 2017 9:24 AM
To: White, Cody
Subject: Variance

DO NOT APPROVE variance case #4-BA-2017 to add a 2nd story To existing guest house!

Thank you

White, Cody

From: Craig Hanson <clhan@cox.net>
Sent: Thursday, September 21, 2017 12:56 PM
To: White, Cody
Subject: Case Number 4-BA-2017

Mr. White-

I'm writing you in regards to case number 4-BA-2017.

I don't think Mr. Ahmad was being truthful in his application Narrative. He did go through a remodel and a few months after completion he in-closed the two car garage of the main house and made bedrooms. Once that was completed he started renting out the rooms.

I live behind him, North West at 9201 N 123RD St. I moved here in 1996 and as far as I know second floor homes where not allowed. I have issues of him building a second floor such as privacy being lost and also having more renters living in one house. I already have a rental house to the east me and have run into issues with them already. Our property values still haven't fully recovered and I don't think having a house behind me with a second floor plus renters is going to help that situation.

He lives with his wife I'm guessing in the main house and his son, wife and two kids live in the remodeled detached garage. That's all I've seen of his so called multi generation family. Then there are the renters which are obviously not part of the family.

I don't want this cased approved and my father-in-law who lives at 9223 N 124TH St (Across the street) doesn't want it approved either, mainly because of the renters.

Thank you,
Craig Hanson
9201 N 123RD ST
Scottsdale

White, Cody

From: Dennis Mauer <dennismauer@gmail.com>
Sent: Thursday, September 21, 2017 3:18 PM
To: White, Cody
Subject: Variance Case #4-BA-2017

Cody,

Please "Do Not Approve" variance Case # 4-BA-2017 to add a 2ed story to existing guest house in my neighborhood.

Thanks for your consideration.

Dennis Mauer
9601 N. 125th Place
Scottsdale, AZ. 85259
ph. 480-451-6789

White, Cody

From: Dave Hawkins. <hawkeye502@yahoo.com>
Sent: Thursday, September 21, 2017 3:43 PM
To: White, Cody
Subject: Variance to side yard setback

I am writing to express my concern over the setback requested at 9032 N. 124th st. to allow a second story addition on existing guest house. I have been a resident of Paradise Heights since 1972, and urge that this request be denied. These are 1 acre lots, and while guest houses are permitted, the additional height requiring a setback variance is not appropriate.

Please do not approve variance Case #4-BA-2017 to add second story to existing guest house.....

Thankyou

Dave Hawkins
9419 N. 125th Pl.
Scottsdale, AZ 85259

White, Cody

From: Linda Alvarez-Thull <lalvarezth@gmail.com>
Sent: Thursday, September 21, 2017 5:41 PM
To: White, Cody
Subject: Case #4-BA-2017

DO NOT approve variance Case Case #4-BA-2017 to add a 2nd story to existing guest house. Thank you.

--

Linda Alvarez-Thull, M.D.
12401 E. Doubletree Ranch Road
Scottsdale, AZ 85259
480-560-4656

White, Cody

From: jcgentile7@aol.com
Sent: Friday, September 22, 2017 7:15 AM
To: White, Cody
Subject: Do not approve variance case# 4-ba-2017 to add a 2nd story to existing guest house

From
John Gentile
12525 E.Doubletree Ranch Rd
Scottsdale, Az. 85259

White, Cody

From: Carol Underberg <carol.underberg@yahoo.com>
Sent: Friday, September 22, 2017 10:30 AM
To: White, Cody
Subject: RE: 9032 N. 124th St / Case #4-BA-2017

"DO NOT approve variance Case # 4-BA-2017 to add a 2nd story to existing guest house. Thank You!"

Carol B. & Kent L. Underberg
9239 N. 124th St.
Scottsdale, AZ 85259

White, Cody

From: wgreeraz@yahoo.com
Sent: Monday, September 25, 2017 4:42 PM
To: White, Cody
Subject: Case # 4-BA-2017

I respectfully request you deny the variance for the second story on the guest house located on N124th St in Scottsdale. Guest houses should be for short term guests and not permanent residents which appears to be the case at this location.

Regards,
Walter Greer
9210 N. 127th St.
Scottsdale, Az

Sent from my Verizon 4G LTE Smartphone

White, Cody

From: Randy Yount <rnyount@yahoo.com>
Sent: Wednesday, September 27, 2017 11:25 AM
To: White, Cody
Subject: Request for Variance Denial - 9032 N 124th St

Reference: 4-BA-2017

Request for Denial

Dear Cody,

I would respectfully submit that the variance request for setback **not be approved**.

This type of project is not in harmony with the nature of Paradise Heights. I believe people purchase homes here because they want large lots and separation from "close in" next door neighbors. Allowing this variance will certainly have a detrimental effect on the nearby property values. (I do not own one of those properties but I certainly would not want this type of project near me.)

I drove down and looked at the property yesterday before I came to this decision. It is just not right for this neighborhood.

If you would like further details please feel free to contact me.

Thank you,
Randy Yount
9623 N 124th St
602-703-1875

White, Cody

From: Cher Reetz <chez_cherie@yahoo.com>
Sent: Wednesday, September 27, 2017 12:06 PM
To: White, Cody
Subject: Do NOT approve variance Case# 4-BA-2017.

We do not want this neighbor to add a 2nd story to their guesthouse on 124th street.

Thank you

Tom and Cher Reetz
9044 N. 127th Street
Scottsdale, AZ 85259
480-661-7513

Sent from my iPhone

White, Cody

From: Becky Kann <bkann@me.com>
Sent: Tuesday, October 03, 2017 11:46 AM
To: White, Cody
Subject: Case #4-BA-2017

Pleas DO NOT approve variance Case #4-BA-2017 to add a 2nd story to existing guesthouse. Thank you

Becky Kann

Sent from my iPhone

White, Cody

From: Jerry Milligan <jerrymilligan@cox.net>
Sent: Tuesday, October 03, 2017 2:04 PM
To: White, Cody
Subject: variance

DO NOT approve variance Case # 4-BA-2017 to add a 2nd story to existing guest house.
Thank you Mary and Jerry Milligan

Homeowner,

You probably received the below notice from the City of Scottsdale... IT'S IMPORTANT!

POSTCARD DATE: SEPTEMBER 5, 2017

KEEPING YOU INFORMED



Site Location:
9032 N. 124th St

Case Name:
Ahmad Guest House
Variance

Case Number:
4-BA-2017

Dear Property Owner: Case Objective*

- **Variance to side yard setback**

This is to inform you of a request by owner for a variance to the City of Scottsdale Zoning Ordinance, Sections 5.104.E.2. pertaining to a side yard setback for a property with Single-family Residential (R1-43) zoning located at 9032 N. 124th Street.

Applicant contact: Naser Ahmad, 602-625-9357
City contact: Cody White, 480-312-4213

*For more information enter case number at:
<https://eservices.scottsdaleaz.gov/bldgresources/Cases>
or to comment, e-mail projectinput@scottsdaleaz.gov. The entire case file may be viewed at Current Planning, 7447 E Indian School Road, Suite 105

*Scottsdale P & Z Link - An email bulletin to keep residents and merchants informed about upcoming projects.
Subscribe at <https://eservices.scottsdaleaz.gov/listserve/default.asp>*

This WAS in my mail box

The homeowner is requesting a variance to add a SECOND story to a pre-existing guest house. The purpose for the variance is convert the existing guest house into small **separate** single family home on the **same** lot. I hope that you feel, as I do, that is unacceptable. Our properties are not zoned for two family dwellings on one lot, and any exception would open the door for additional two homes on single lot properties. Ultimately, this would devalue the neighborhood. Presently, this home has no garage and already has several cars/trucks parked in the driveway and sometimes on the street. Our neighborhood is a single family home neighborhood. Just say NO!

Please send an email ASAP to cwhite@scottsdaleaz.gov. Simply say:
"DO NOT approve variance Case # 4-BA-2017 to add a 2nd story to existing guest house. Thank you"

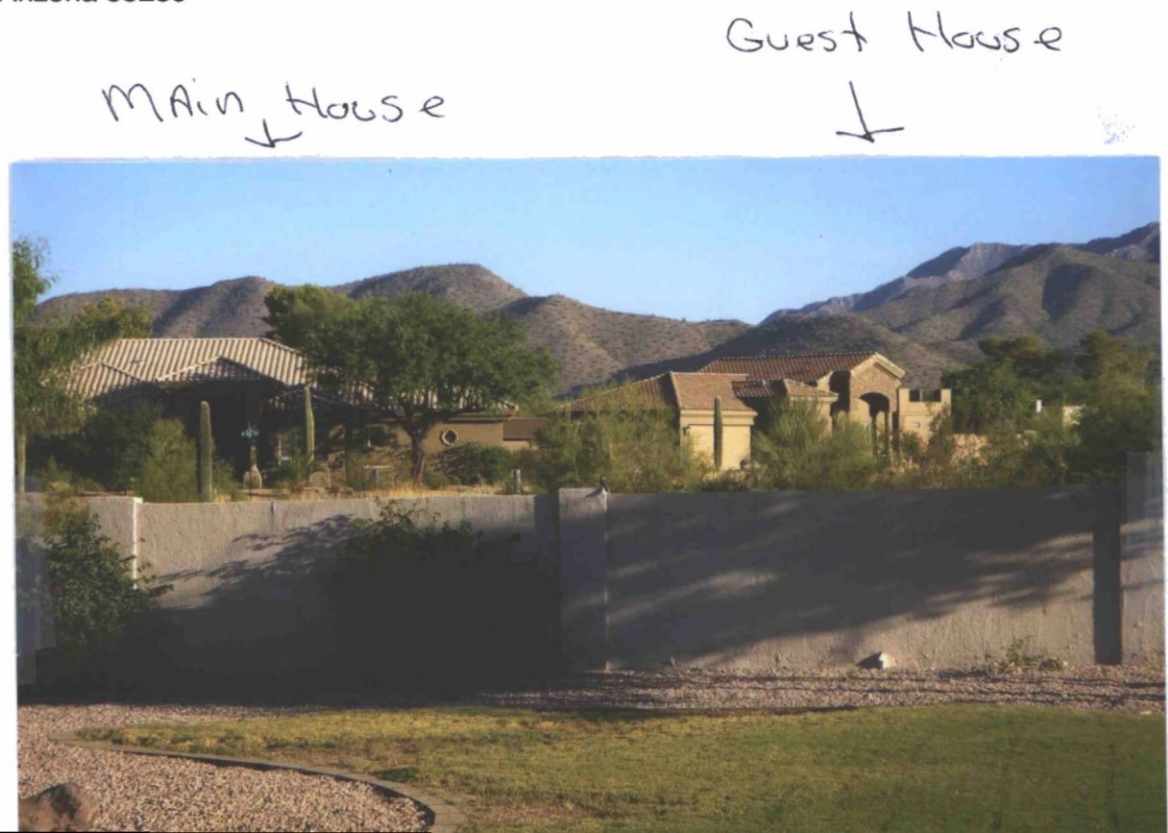
The previous page was in our mailbox. The sender is correct. The property at 9032 N 124th street is already too congested. The guest house is almost on the neighbor's property and they have also converted the garage to another room. Now there is no garage and never less than six cars parked in the small drive over night. There are three family's living on the property plus a very large canvas tent erected in the back yard. A second story on the guest house would invite more people to reside on the property not to mention the invasion of privacy for the next door neighbor. This neighborhood is single family residential on acre plus lots.

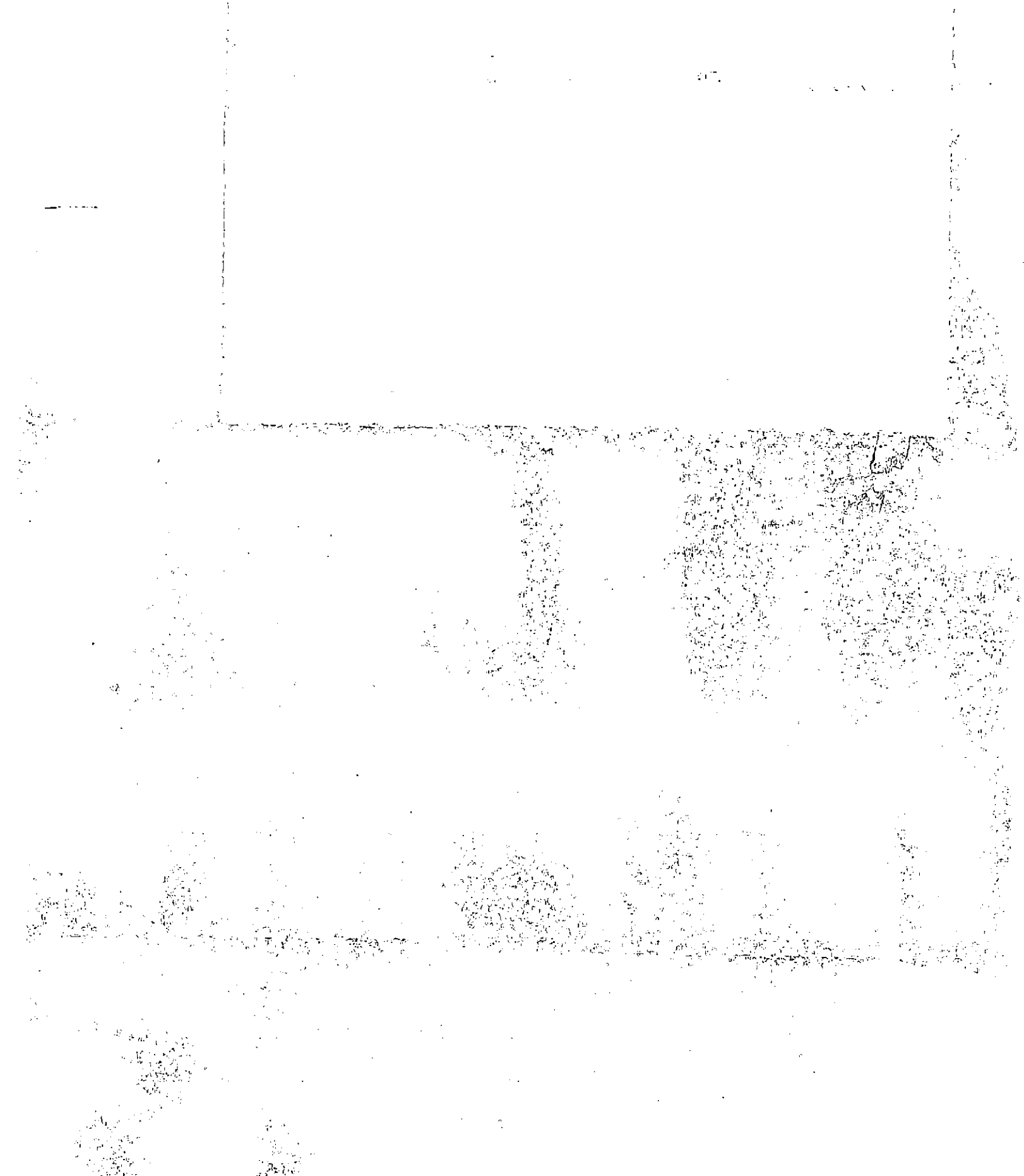
This past spring the neighbor at 9448 N 125th place built a "little" guest house for his elderly in-laws. The house is located on the other side of the wash behind our house. This "little" guest house has blocked our view. As you can see from the below photo, it appears to be another house on the single family lot. There are many guest houses in this neighborhood that are only noticeable when you are out walking. They are tucked behind garages or tucked behind the home. None of the guest houses look like the guest house at 9448 N 125th place. Approving a two story guest house is an invitation for more mega guest houses.

Please do not approve the variance for Case 4-BA-2017. One obnoxious guest house is one too many. Also please visit this neighborhood and view in person these two properties.

Thank you

M Christine Pekter
12590 E Silver Spur Street
Scottsdale, Arizona 85259





White, Cody

From: Dougs Work <Doug@AZValleywideAppraisals.com>
Sent: Tuesday, September 26, 2017 10:08 AM
To: White, Cody
Subject: DO NOT APPROVE variance Case#4-BA-2017 to add a 2nd Story to existing guest house

Importance: High

Please do not approve this variance. We do not need people having multiple residences in our neighborhood. This will turn our area into a rental property area by doing this. Once you open this door then anyone can use this case in the future.

As an appraiser and a realtor I know this is not something that will benefit our area. This home already has an enclosed garage and has 5-6 cars out front at any one time. Adding a second unit is not something we need.

I can almost guarantee if this approved they will live in one and rent out the other unit. You can already see they have their main house listed for rent on the MLS, see attached.

Agent Report (1)

9032 N 124TH ST, Scottsdale, AZ 85259



5544199 Residential Rental Sir

Beds/Baths: 4 / 3.5
 Bedrooms Plus: 4
 Approx SqFt: 3,000 / County Assessor
 Guest House SqFt: 1,200
 Year Built: 1978
 Pool: Private Only
 Encoded Features: 43.5FRDPA6S
 Approx Lot SqFt: 45,028 / County Assessor
 Apx Lot Size Range: 1 - 1.9 Acres
 Exterior Stories: 1
 # of Interior Levels: 1
 Dwelling Styles: Detached

Vacati
 Date A
 Subdiv
 Tax M
 Market
 Planne
 Model:
 Builde
 Hun B
 Map C
 Bldg N

Ele Sch Dist: 048 - Scottsdale Unified District
 Elementary School: Laguna Elementary
 School
 Jr. High School: Mountainside Middle
 School

High S
 District
 High S

☐ Available for rent ☐ Unavailable for rent

| September 2017 | | | | | | |
|----------------|----|----|----|----|----|----|
| Su | Mo | Tu | We | Th | Fr | Sa |
| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

| October 2017 | | | | | | |
|--------------|----|----|----|----|----|----|
| Su | Mo | Tu | We | Th | Fr | Sa |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 | | | | |

| November 2017 | | | | | | |
|---------------|----|----|----|----|----|----|
| Su | Mo | Tu | We | Th | Fr | Sa |
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | | |

Cross Street: 124th Street & Shea BLVD Directions: From Shea Blvd, go North on 124th Street. Home is on the right (

Public Remarks: Beautiful 3,000+ square foot fully furnished home in East Scottsdale on a 1.2 acre lot just minutes aw connecting you all over the Valley of the Sun. This spacious 4 bedroom, 3.5 bathroom home was rebuilt in 2014. The tru backyard. Set 1.5 miles away from the McDowell Mountains, it has a breathtaking view of the mountains while you barb your guests in the full-size beach sand volleyball pit, shoot hoops on the half-court basketball court, take a stroll through take a relaxing swim in the HEATED diving pool. For the kids, there is added entertainment with a playground set as we living,

| Features | Room Details | Construction & Utilities |
|---|--|---|
| Approx SqFt Range: 3,001 - 3,500 Features: Skylight(s); Vaulted Ceiling(s); Fire Sprinklers; Water Softener; Drink Wtr Filter Sys Fireplace: No Fireplace # Kings: 1 # Queens: 2 # Twins: 1 # Sleeper Sofa Beds: 1 Garage Spaces: 0 Carport Spaces: 0 | Kitchen Features: Cook Top Elec; Disposal; Dishwasher; Refrigerator; Multiple Ovens; Pantry; Walk-in Pantry; Granite Countertops Master Bathroom: Full Bth Master Bdrm; Separate Shwr & Tub; Double Sinks; Private Toilet Room; Tub with Jets; Walk-in Shower Master Bedroom: Downstairs Additional Bedroom: Mstr Bdr Walkin Clst | Architecture: Ranch Const - Finish: Painted; Stucco Construction: Frame - Wood Roofing: Partial Tile; Foam Fencing: View/Wrought Iron; Block Cooling: Refrigeration Heating: Electric Heat Plumbing: Electric Hot Wtr Htr Utilities: APS Water: City Water Sewer: Septic; Septic in & Cnctd |

Doug Underwood

VA & FHA Approved/ Certified Residential Appraiser

Direct: 480.247.8024

Fax: 480.248.8061

www.AzValleywideAppraisals.com



White, Cody

From: Joseph Cannava <josephcannava@yahoo.com>
Sent: Wednesday, September 20, 2017 2:45 PM
To: White, Cody
Subject: RE: Re:Case #4-BA-2017

Mr. White,

Thank you so much for keeping the lines of communication. I do notice that many homeowners have voiced (emailed) their objection to the reasons for this variance. In one of your enclosures Sec. 5.104 para C Density. "There shall be not more than one (1) single-family dwelling on any one (1) lot." That's pretty clear. Based on the HO admission, Two (2) family's will be living on this one (1) lot. After reading your agenda, I do not see this stressed?

On Wed, 9/20/17, White, Cody <CWhite@Scottsdaleaz.gov> wrote:

Subject: RE: Re:Case #4-BA-2017
To: "Joseph Cannava" <josephcannava@yahoo.com>
Date: Wednesday, September 20, 2017, 12:42 PM

Hi Joe,

The agenda for the hearing has been posted.

Please view the following link: http://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Boards/Adjustment/agendas-minutes/2017-agendas/10-04-17_Agenda.pdf

In the agenda, if you click on the agenda item for "4-BA-2017" it will take you to the staff report for this request. As the report has been finalized and published, any additional input from citizens will be printed and placed on the dais for the Board of Adjustment members to review prior to the hearing.

Let me know if you have any questions.

Thank You,

Cody White, Associate
Planner
City of Scottsdale | Planning &
Development Services
7447 East Indian School
Road, Suite 105 | Scottsdale, Arizona 85251 [Direct] 480.312.4213 [Email] cwhite@scottsdaleaz.gov

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

From: Joseph Cannava [<mailto:josephcannava@yahoo.com>]

Sent: Tuesday, September 19, 2017 4:02

PM

To: White, Cody

Dear

Mr. White,

The variance, as presented, does

not have FULL disclosure. The immediate neighbors have no way of evaluating the variance since they are not aware that a second story will be added. If the variance is approved AND a second story is added, this makes a BIG difference on the valuable comments that you can receive from the neighbors. They will not be able to evaluate the "materially detrimental impact to persons residing or working in the area, to adjacent property, to the neighborhood or to the public welfare in general."

I do not believe that it my responsibility to knock on doors to give this VALUABLE information. The City should make an effort to give FULL disclosure to the issue.

Otherwise, I do not believe that the City will be operating in good faith. This will then place the onus on immediate property owners to protect their rights...not the outcome that the City would desire. Thank you for addressing my concerns, and please correct me if my rationale has no merits.

Joe Cannava

949-981-3630

On Tue, 9/19/17, White, Cody <CWhite@Scottsdaleaz.gov>
wrote:

Subject: RE:

Re:Case #4-BA-2017

To: "Joseph

Cannava" <josephcannava@yahoo.com>

Date: Tuesday, September 19, 2017, 2:21 PM

Hi Joe,

The request to be heard is a setback
variance..

If the variance is approved the
applicant will be able to submit plans and permit a second story addition to the guest house. Properties in the R1-43 zoning district are allowed a guest house by right, and the building height restriction is 30 feet, allowing for two story buildings. The building's legal non-conforming status is what is being remedied through the variance process. Once the structure is legal conforming, the height can be increased as allowed in the zoning district.

No

zoning change is proposed or requested for this property.

Thank You,

Cody White

From:

Joseph Cannava [josephcannava@yahoo.com]

Sent: Tuesday, September 19, 2017 12:54 PM

To: White, Cody

Subject:

Re:Case #4-BA-2017

I

noticed that the notice

placed in the front of the subject property only mentions the set back variance. Can you assure me that, that is all the city will considering? In other words, it will NOT be considering a second story request and a zoning change for an additional single family home on a single lot. Thank you, Joe Cannava

949-981-3630

Sent from my iPad

Gentleman and Lady,

This variance request has little to do with just approving a 4 foot setback, but a lot to do with changing the density and ambiance of a neighborhood that has existed since 1975. Paradise Heights is zoned (R1-43) as a "Single Family" detached residential community. It is my understanding that this means one lot = one single family house. Many have moved here over the past 42 years and raised families. Families, who later moved on to start their own families, likely in similar neighborhoods.

The variance application cover letter (Attachment 1) specifically indicates that the homeowner's intentions are to build an **additional** single family residence on a one lot one home zoned property. This is an attempt to change the entire complexity and density of Paradise Heights. Many families have lived here since 1975, and are still living here. Families live in Paradise Heights because of the low density, spacious lots, and homey feeling. Approval of this variance will change this and therefore violate all four of the tenets used for Variance Criteria Analysis as stated in the Board's Adjustment Report on page 3. As support for this, please note that there are approximately sixteen (16) homeowners that oppose the request. **This probably represents over 90% of the homeowners within 750 feet of the subject site that were sent hearing postcards. I believe that this number of disapprovals is quite high, and may be unrepresented for a hearing such as this. To me, this indicates that homeowners want to maintain the original zoning, appearance and density of Paradise Heights. As stated in Sec. 5.104 – City Property Development Standards, "Density. There shall be not more than one (1) single-family dwelling on any one (1) lot."**

The homeowner states in his letter that he has "spent substantial amounts of monies" in the hope of converting this property into a multi-family home (one lot = two single family homes). Although this "gamble" is unfortunate, it was unnecessary and totally voluntary. It could have been prevented, if only the original zoning standards were verified and taken into consideration prior to purchasing the property. **This voluntary, unnecessary "gamble" should have no influence on the Cities decision process for considering this variance.**

In summary, I support the Summary recommendations in the referenced report on page 5 as it is so accurately stated.

Since 2015 when this home was "rebuilt", it changed the neighborhoods ambiance, and is totally inconsistent with other properties in the neighborhood: (Pictures are available)

- It has no garage
- It has no access for parking on either side of the property. This has necessitated making the front yard into a parking lot that resembles a commercial area rather than single family residence area.
- Not having side access has also caused the property to use the front yard for storage, and the placement of trash that will remain in place for sometimes 30 days at a time.
- With only front (street) access to park vehicles, large panel trucks are left in the front yard for long periods of time.

It seems that no consideration has been given to the privileges and rights enjoyed by other property owners. The homeowner's intentions, based on the letter submitted to the Board, seems to confirm the above and any further additions will only further add to the current unsightly conditions. Thank you.