



207 Waiver

Title

Legal Description / Ads

Policy or Appeals

Correspondence Between Legal & Staff

Letter of Authorization

## **Gary Kimnach**

---

**From:** James.turpen@centumhealth.com  
**Sent:** Monday, March 9, 2020 9:18 AM  
**To:** Gary Kimnach  
**Subject:** 7331 East Osborn Road

To the City of Scottsdale:

Gary Kimnach is authorized to work and represent the property owner - CHP Scottsdale Medical Pavillion LLC  
- in all issues regarding planning and permitting.

Thank you!  
James

Sent from my Verizon, Samsung Galaxy smartphone

***ALTA / NSPS LAND TITLE SURVEY***  
**CENTUM HEALTH**

*A PORTION OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 4 EAST  
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.*

This legal description was taken from item 10 - Result of Alta Survey

**LEGAL DESCRIPTION**

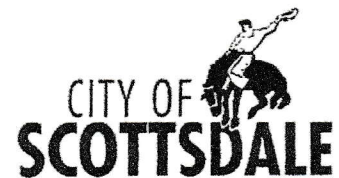
THE LAND REFERRED TO HEREIN BELOW IS SITUATED SCOTTSDALE, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

UNITS 100, 110, 130, 135, 140, 150, 160, 170, 180, 190, 200, 205, 208, 220, 225, 230, 240, 245, 250, 260, 300, 305, 310, 320, 330, 335, 340, 350 400, 410, 420, 430 AND 440, SCOTTSDALE MEDICAL PAVILION CONDOMINIUM, A CONDOMINIUM AS CREATED BY THE DECLARATION OF CONDOMINIUM RECORDED IN RECORDING NO. 2009-1132198 AND SHOWN ON THE PLAT RECORDED IN BOOK 1038 OF MAPS, PAGE 10 AND AFFIDAVIT OF CORRECTION RECORDED DECEMBER 16, 2009 RECORDED IN RECORDING NO. 20091150739, RECORDS OF MARICOPA COUNTY, ARIZONA;

TOGETHER WITH ALL COMMON ELEMENTS AS SET FORTH IN SAID DECLARATION AND AS DESIGNATED ON SAID PLAT.

9-BA-2020  
6/16/2020

# Appeals of Dedication, Exactions or Zoning Regulations



## Rights of Property Owner

In addition to the other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

- 1) Any dedication of exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) when an administrative agency or official has no discretion to determine the dedication or exaction.
- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violations of Arizona and federal court decision.

## Appeal Procedure

The appeal must be in writing and specify the City action appealed and the date final action was taken, and must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken

- No fee will be charged for filing
- The city Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply
- Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- The City will submit a takings impact report to the hearing officer.
- In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication of exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- The hearing officer must render his decision within five working days after the appeal is heard.
- The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial *nevo* with the Superior Court within 30 days of the hearing officer's decision.

For questions, you may contact:

City's Attorney's Office  
3939 Drinkwater Blvd.  
Scottsdale, AZ 85251  
480-312-2405

Address your appeal to:

Hearing Officer, C/O City Clerk  
3939 Drinkwater Blvd  
Scottsdale, AZ 85251

Please be aware that City Staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

## Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)

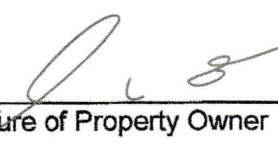
Owner Certification  
Acknowledging Receipt  
Of  
Notice Of Right To Appeal  
Exactions And Dedications

I hereby certify that I am the owner of property located at:

7331 E. Osborn Dr Scottsdale, AZ 85251

(address where development approval, building permits, or city required improvements and dedications are being required)

and hereby certify that I have received a notice that explains my right to appeal all exactions and/or dedications required by the City of Scottsdale as part of my property development on the parcel listed in the above address.

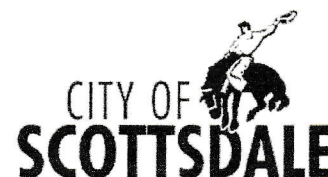
  
\_\_\_\_\_  
Signature of Property Owner

3/6/2020

\_\_\_\_\_  
Date



# Affidavit of Authorization to Act for Property Owner



1. This affidavit concerns the following parcel of land:

- a. Street Address: 7331 East Osborn Drive Scottsdale, AZ 8251
- b. County Tax Assessor's Parcel Number: See additional page with list of parcels
- c. General Location: \_\_\_\_\_
- d. Parcel Size: 104,108 SF
- e. Legal Description: Medical/Dental

(If the land is a platted lot, then write the lot number, subdivision name, and the plat's recording number and date. Otherwise, write "see attached legal description" and attach a legal description.)

- 2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.
- 3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest, and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.
- 4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the Director of the Scottsdale Planning & Development Services Department a written statement revoking my authority.
- 5. I will immediately deliver to the Director of the City of Scottsdale Planning & Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.
- 6. If more than one person signs this affidavit, each of them, acting alone, shall have the authority described in this affidavit, and each of them warrant to the City of Scottsdale the authority of the others.
- 7. Under penalty of perjury, I warrant and represent to the City of Scottsdale that this affidavit is true and complete. I understand that any error or incomplete information in this affidavit or any applications may invalidate approvals or other actions taken by the City of Scottsdale, may otherwise delay or prevent development of the land, and may expose me and the owner to other liability. I understand that people who have not signed this form may be prohibited from speaking for the owner at public meetings or in other city processes.

Name (printed)

James C. Turpen

Gary Kinnach

Date

3/6/, 2020

3/7, 2020

\_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_

Signature

[Handwritten Signature]

\_\_\_\_\_

\_\_\_\_\_

## Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)





## Legal Notices

## Legal Notices

## Legal Notices

## Legal Notices

## Legal Notices



## NOTICE OF BOARD OF ADJUSTMENT HEARING

NOTICE IS HEREBY GIVEN the Board of Adjustment of the City of Scottsdale, Arizona, will hold a public hearing on August 05, 2020, at 6:00 P.M. Until further notice, Board of Adjustment meetings will be held electronically. While physical facilities are not open to the public, Board of Adjustment meetings are televised on Cox Cable Channel 11 and streamed online at [ScottsdaleAZ.gov](http://ScottsdaleAZ.gov) (search "live stream") to allow the public to listen/view the meeting in progress.

## 9-BA-2020

(CHP Scottsdale) Request by owner for a variance to the City of Scottsdale Zoning Ordinance, Sections 5.3006.C pertaining to Setbacks adjacent to public streets and Section 5.3006.F pertaining to Building Location from North Drinkwater Blvd. and North Wells Fargo Ave. for a property with Highway Commercial, Downtown Overlay (C-3 DO) zoning located at 7331 E. Osborn Drive. Staff contact person is Ben Moriarty, 480-312-2836. Applicant contact person is Gary Kinnach, 469-584-3966.

## 10-BA-2020

(Brady Residence) Request by owner for a variance to the City of Scottsdale Zoning Ordinance, Section 5.034.E.1. pertaining to the required front yards on a corner lot for a property with Single-Family Residential, Environmentally Sensitive Lands, Foothills Overlay (R1-70 ESL FO) zoning located on the southeast corner of E. Calle De Las Estrellas and N. 71st Street. Staff contact person is Desirae Mayo, 480-312-4218. Applicant contact person is Mary Leon Brady, 928-300-7101.

For additional information visit our web site at [www.scottsdaleaz.gov](http://www.scottsdaleaz.gov) search "Scottsdale Planning Case Files" or in your URL search bar you can type in <https://eservices.scottsdaleaz.gov/bidgresources/Cases/>.

A COPY OF A FULL AGENDA, INCLUDING ITEMS CONTINUED FROM PREVIOUS MEETINGS AND ANY MEETING LOCATION UPDATES, IS AVAILABLE AT LEAST 24 HOURS PRIOR TO THE MEETING AT THE FOLLOWING

Online at: <https://www.scottsdaleaz.gov/boards/board-of-adjustment>

ALL INTERESTED PARTIES ARE INVITED TO LISTEN/VIEW THIS MEETING.

CHAIRMAN  
BOARD OF ADJUSTMENT

Attest  
Karen Hemby  
Planning Assistant

For additional information visit our web site at [www.scottsdaleaz.gov/boards/board-of-adjustment](http://www.scottsdaleaz.gov/boards/board-of-adjustment)

Persons with a disability may request a reasonable accommodation such as a sign language interpreter, by contacting Staff at 480-312-7767. Requests should be made as early as possible to allow time to arrange accommodations. For TTY users, the Arizona relay service (1-800-367-8939) may contact Staff at 480-312-7767.

# SELL IT BUY IT FIND IT



cars, tickets,  
antiques, motorcycle,  
computers, boats,  
sports equipment,  
instruments, jewelry,  
furniture, jobs, your  
next pet, collectibles,  
sports tickets, garage  
sales, new homes and  
so much more

Check out the classified ads everyday.

## Legal Notice

### Election Financial Statement (Unaudited) City of Scottsdale, Arizona

July 1, 2019 through May 31, 2020 (11 months) as provided by Title 9, Chapter 2, Article 3, Section 9-246, Arizona Revised Statutes

REVENUE	AMOUNTS
Local	
Property Taxes	\$ 64,008,095
City Sales/Bed Taxes	220,443,324
Other Taxes	17,234,909
Licenses/Permits/Service Charges	30,131,712
Fines & Forfeitures	8,239,130
Utilities and Enterprises	179,792,061
State Shared	
State Shared Sales Tax	24,226,898
State Revenue Sharing	30,264,007
Highway User Revenue	16,027,464
Local Transportation Assistance	641,606
Vehicle License Tax	9,892,377
Grants	
Federal Grants	9,051,214
State Grants	264,527
Intergovernmental	19,426,991
Bond Proceeds	46,435,535
Other	44,115,735
Total Revenue	\$ 720,195,585
EXPENDITURES	
General Fund	\$ 256,163,885
Special Revenue Funds	48,529,277
Debt Service Funds	23,905,378
Capital Projects Funds	68,211,193
Permanent Funds	33,846
Enterprise Funds	143,504,046
Total Expenditures	\$ 540,347,624

Note: Excludes all interfund activity and internal service fund activity.

### Aviso Legal Estado Financiero Electoral (No auditada) Ciudad de Scottsdale, Arizona

Del 1 de julio de 2019 hasta el 31 de mayo de 2020 (11 meses) conforme a lo proporcionado por Título 9, Capítulo 2, Artículo 3, Sección 9-246, Estatutos Revisados de Arizona

INGRESOS	CANTIDADES
Locales	
Impuestos sobre la propiedad	\$ 64,008,095
Impuestos de ventas/de cama de la Ciudad	220,443,324
Otros impuestos	17,234,909
Cargos por licencias/permisos/servicios	30,131,712
Multas y decomisos	8,239,130
Servicios públicos y empresas	179,792,061
Compartido con el Estado	
Impuesto de ventas compartido con el Estado	24,226,898
Ingresos compartidos con el Estado	30,264,007
Ingresos de usuarios de autopistas	16,027,464
Asistencia del transporte local	641,606
Impuesto de licencia de vehículos	9,892,377
Subsidios	
Subsidios federales	9,051,214
Subsidios estatales	264,527
Intergubernamentales	19,426,991
Ganancias de bonos	46,435,535
Otros	44,115,735
Total de ingresos	\$ 720,195,585
GASTOS	
Fondo general	\$ 256,163,885
Fondos de ingresos especiales	48,529,277
Fondos de servicio de deuda	23,905,378
Fondos de proyectos de capital	68,211,193
Fondos permanentes	33,846
Fondos empresariales	143,504,046
Total de gastos	\$ 540,347,624

Nota: Excluye todas las actividades internas de fondos y actividades de fondos de servicios internos.



the job network  
jobs.usatoday.com