

Simulations  
Photos  
All Graphics (no plans)

Project No.: 989-PA-2015

# **Narrative for Rancho Pacifico**

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**Fall 2016**

## **Proposal**

The request is to place a Conditional Use Permit for a Ranch on the property located at 9838/9840 N 110<sup>th</sup> Street. The intent is to modify the site plan in order to continue to use the property for the boarding and breeding of horses and the training of individuals and/or small groups in conjunction with facilities such as fenced paddocks, sheds, barns, hot-walkers, and arenas.

There is no intent for any shows or events open to the public or large groups other than 'graduation' and demonstration events commemorating significant milestones for those in training at the site that would have a limited invite list.

The usual management for manure on the site is to break it down and spread it across the larger arena and paddock spaces. Given the relative hardness of the soil this is the preferred method and it helps provide dust control and a better working surface for the horses. The sheds and paddocks are cleaned at least twice daily in order to minimize any concentration of organic material and attraction of flies. In addition, wood chips or shavings are applied to the pens periodically and Diatomaceous Earth is applied to the pens. As needed individual horse are also sprayed for fly control.

There is a private well on the property and this is hooked up to a sprinkler system for the main arena. In addition, there is a 650-gallon water trailer with sprayer that is used to moisten the training area surface as needed. This is used to treat the soil before training and riding in the arena. Combined with the organic additives to the arena, this minimizes the 'lift' of dust in the arena when it is being used.

Driveway areas will be minimized in area in order to minimize the extent of vehicular access on the site as well as minimize any dust generated by travel across the site.

*As described below, there has been extensive shuffling of facilities, particularly open sheds, on the site over the past 25 or more years. The proposed site plan will assure a greater consistency in the placement of facilities on the property. The site plan proposes a future covered/open arena to be placed in the south central portion of the site. There is some precedent of use in this area but this would be a new installation. Also, the round pen may be covered in the future and some additional covered pens may be added to the north and west of this facility. And finally, a new covered shed/barn and a tack/wash/storage shed could be installed generally south of the main residence and near the southeast corner of the site. New trees would be installed along the 110<sup>th</sup> Street frontage in order to achieve a continuous landscaping character from the street view.*

Traffic generation from this use likely will vary considerably depending on when deliveries, visits from veterinarians and training activities take place. The delivery of feed and supplies generally occurs once a month and is done by a truck. Typically a veterinary doctor will visit the site once every two weeks. Training activities typically will occur in the afternoon and on weekends. This may include a visit by both the trainer and one by their student(s) at a time. On a typical week day the expected number of trips is 6 to 12 and on a weekend day 10 to 20 trips may occur each day. Since there are two residences on the

property, these would typically generate an additional 15 to 20 trips a day. Most of these trips occur at times other than peak hours. This compares with the 40 to 50 trips that 4 or 5 homes on the site would generate. Since 110<sup>th</sup> Street functions as a local collector road, the current traffic experienced on it is primarily weekday peak hour traffic and at other times and days is relatively quiet.

## **Zoning**

The property is zoned R1-43. This zoning was applied to the property shortly after annexation in case 31-ZN-1975. Under Section 5.102.B.10 of the R1-43 district, ranches are allowed subject to a conditional use permit under the heading of recreational uses.

## **Use Permit Criteria**

In reviewing the Use Permit criteria it should be noted that in terms of facilities and numbers of horses, it is possible to have virtually all the same if this property operated as a solely private facility. The inclusion of the "Ranch" use in the Conditional Use list for single family districts would then appear to be focused on what the impact of additional visitors would be. Inclusion in the use permit section would also tend to lead to more consistent and responsible management of the facility. Therefore, the consideration of the following criteria should focus on the impacts of visitors, whether those who own horses being boarded, those who come for equestrian training and/or those who are guests of the facility. In review of the issuance of a use permit criteria, this application complies as follows:

- There is no damage or nuisance arising from –
  - *Noise*: For most of the time there is very little noise generated from this use on this site. The occasional neighing of the horses is the most common noise. At times those taking care of the horses or training may turn on a radio, which would be comparable to the amount of sound generated at a pool party or by someone enjoying their patio. The proposed arena, if covered may have a sound system that would be contained within the building and would not generate louder amounts of sound off the property. There currently is no hard wired speaker system nor any plan to install one.
  - *Smoke*: There is no generation of smoke by the existing or proposed ranch functions.
  - *Odor*: The stalled are cleaned daily if not more often. Most of this material is spread to dry and worked into the training area soil. Any other such material will be contained within a closed container. This site is kept clean, which greatly reduces any possibility of odors. It should be noted that horses sweat and give off certain odors, but this dissipates quickly with distance and should not normally be detected off the property.
  - *Dust*: The main training area receives the greatest amount of activity by the horses. There is a sprinkler system tied into an on-site well as well as a watering trailer that are used to pre-treat and follow-up treat this area to reduce dust generation. In addition the soil is mixed with dried organic material generated on the site and this organic mix reduces the dust generation from the ground. This same treatment will be applied to

the future arena area. The new pasture to be located near the south side of the site will be irrigated. It is important to remember that any open ground surface will generate some level of dust when traversed. The key for equestrian facilities is that the potential for dust generation be managed in an appropriate manner by either the application of soil additives that reduce dust generation (sand and/or organic material) or the application of water before (and sometimes after) there is to be use of the area (but not so much water as to make the soil a dangerous surface). There will be dust at such facilities as that is the nature of such uses, but the manner in dealing with equestrian uses is to apply good management techniques. Although there has been a history of complaints made regarding this property, various inspectors from both the city and county have not found this site to be out of line.

- *Vibration*: There are no functions generating vibrations within this proposal.
- *Illumination*: There are two grandfathered lights on the north side of the training area. These are directed south away from adjacent properties. These are used only when there is training or maintenance occurring in this area. The future arena will have lighting. The new lights will comply with the city's stringent lighting standards and will be a substantial distance from any adjacent property.
- There is no damage or nuisance resulting from an unusual volume or character of traffic: This use will generate less overall traffic than if the property were to be developed with homes. The number of trucks is minimal each month, and the greatest amount of traffic associated with this use will occur in off-peak hours. There is very little traffic on 110<sup>th</sup> Street during most of the day and since it is a collector roadway there are no homes directly accessing it and there is a signal at Shea Blvd. which is less than a half-mile to the north.

With regard to the specific criteria for ranches included in Section 1.403.O this application complies as well. The gross area of the property is 5 acres and all new facilities will meet the setbacks as specified. Other criteria have been discussed previously.

### **Comparative Review of This and Similar Equestrian Facilities**

In order to provide additional comparative analysis of this facility with other similar equestrian facilities, an aerial photo review of several properties with one acre zoning that have equestrian facilities and functions was conducted. The following table provides a summary of the findings from this review:

**Table 1. Comparative Facility Analysis**

| Location   | Use Permit Number(s)     | Area Within Open Pens and Arenas             | Area Covered by Roofed Structures   | Total Area of Equestrian Facilities          | Size of Site | Side & Rear Setbacks | Front Setbacks |
|--|--------------------------|--|---|--|--------------|----------------------|----------------|
| Rancho Pacifico (cumulative past coverage over time) | NA                       | 71,150 sf (32.7%)                            | 4-10 structures: 22,450 sf (10.3%)  | 93,600 sf (43.0%)                            | 5.0 ac       | 1-4 ft               | 150+ ft        |
| Rancho Pacifico (existing conditions)                | NA                       | 46,200 sf (21.2%)                            | 5 structures: 5,900 sf (2.7%)   | 49,950 sf (22.9%)                            | 5.0 ac       | 1-4 ft               | 350+ ft        |
| Rancho Pacifico (future conditions)                  | TBD                      | 64,050 sf (29.4%)<br>Or<br>52,500 sf (24.1%) | 11 structures: 16,150 sf (7.4%)<br>Or<br>13 structures: 27,700 sf (12.7%) | 80,200 sf (36.8%)<br>Or<br>80,200 sf (36.8%) | 5.0 ac       | 1-4 ft               | 65 ft          |
| 12051 N 96 <sup>th</sup> Street                      | 14-UP-1979<br>41-UP-1992 | 143,200 sf (31.1%)                           | 11 structures: 29,300 sf (6.4%)   | 172,500 sf (37.5%)                           | 10.6 ac      | 5-20 ft              | 0-10 ft        |
| 9707 E Cactus  | NA                       | 73,500 sf (25.3%)                            | 6 structures: 27,050 sf (9.3%)  | 100,550 sf (34.6%)                           | 6.67 ac      | 5-25 ft              | 0 ft           |
| 12435 N 93 <sup>rd</sup> Street                      | 21-UP-1981               | 94,800 sf (21.8%)                            | 6 structures: 43,900 sf (10.1%)   | 138,700 sf (31.1%)                           | 10.0 ac      | 0-5 ft               | 0-10 ft        |
| 12440-12470 N 93 <sup>rd</sup> Street                | 38-UP-1987               | 280,750 sf (32.2%)                           | 15 structures: 94,200 sf (10.8%)  | 374,950 sf (43.0%)                           | 20.0 ac      | 0-25 ft              | 10 ft          |
| 12475 N 93 <sup>rd</sup> St                          | 2-UP-1996                | 113,700 sf (52.2%)                           | 6 structures: 15,850 sf (8.7%)  | 129,550 sf (43.0%)                           | 5.0 ac       | 0-5 ft               | 15-20 ft       |
| 6055 E Dynamite                                      | 34-UP-1989               | 280,750 sf (32.2%)                           | 9 structures: 18,900 sf   | 299,650 sf (43.0%)                           | 5.0 ac       | 0-5 ft               | 15-20 ft       |

|                                  |            |   |  |   |                                  |                |                 |
|----------------------------------|------------|---|--|---|----------------------------------|----------------|-----------------|
|                                  |            |   | (8.7%)   |   |                                  |                |                 |
| 6406 E Cactus / 6407 E Sunnyside | 31-UP-1979 | 18,950 sf (17.4%)                                       | 17 structures: 6,250 sf (5.7%)   | 25,200 sf (23.1%)                                       | 2.5 ac                           | 0-5 ft         | 0-10 ft         |
| 9644 N 120 <sup>th</sup> St      | NA         | 36,550 sf (16.8%)                                       | 9 structures: 15,200 sf (7.0%)   | 51,750 sf (23.8%)                                       | 5.0 ac                           | 0 ft           | 20 ft           |
| 9720 E Cactus                    | 14-UP-1994 | 69,150 sf (27.9%)                                       | 7 structures: 28,700 sf (11.6%)  | 97,850 sf (39.5%)                                       | 5.68 ac                          | 0-25 ft        | 0 ft            |
| 9836 N 110 <sup>th</sup> St      | NA         | 57,750 sf (26.5%)                                       | 9 structures: 20,475 sf (9.4%)   | 78,225 sf (35.9%)                                       | 5.0 ac                           | 0-15 ft        | 0-15 ft         |
| 9845 E Cactus / 9830 E Jenan     | 10-UP-1985 | 64,600 sf (14.8%)                                       | 5 structures: 35,400 sf (8.1%)   | 100,000 sf (22.9%)                                      | 10.0 ac                          | 25 ft          | 25 ft           |
|                                  |            |   |  |   |                                  |                |                 |
| Totals / Averages                | 11 sites   | 1,233,700 sf total / 112,155 sf average (27.1% average) | 100 structures total / 9 average: 335,225 sf total / 30,475 average (8.7% average) | 1,568,925 sf total / 142,630 sf average (35.8% average) | 85.45 ac total / 7.77 ac average | 7.5 ft average | 18.4 ft average |
| Ranges                           |            | 18,950 sf – 280,750 sf (14.8% – 52.2%)                  | 5 – 17 structures: 6,250 sf – 94,200 sf (5.7% - 11.6%)                             | 25,200 sf – 374,950 sf (22.9% - 43.0%)                  | 2.5 ac – 20.0 ac                 | 0-25 ft        | 0-25 ft         |

In general the proposed site plan for Rancho Pacifico falls near the averages of the 11 sites reviewed and as such would be fairly typical for such facilities with similar zoning.

## **Background of the Property**

The earliest recording discovered for the Ranch Pacifico property is a Warranty Deed dated April 3, 1964 (but signed January 29, 1957) (see Exhibit #1). This transferred 5 acres of land along with a reservation for road purposes on the eastern 30 feet of the property. Prior to the recording date of the deed, the owners dedicated to Maricopa County the eastern 30 feet of the eastern property as Right of Way for Roadway (see Exhibit #2). This and the next two recordings verify that by 1964 there were two parcels on the 5 acres. The next recorded document (Exhibit #3) dated April 3, 1964 is an ingress and egress easement across the northern 20 feet of the eastern property in favor of the western parcel. And finally, there was an easement for electrical purposes recorded along the west and south property lines of the 5 acre area dated August 12, 1964 (see Exhibit #4). Subsequently there were no additional easements or dedications recorded on the property.

The property has had a long history of use for ranch purposes. The following is a description of the review off of aerial photographs beginning in 1986 (see Exhibit #5), which is the oldest available aerial. This review will demonstrate the extent and duration of the ranch use on the property over an extended time.

The following is a timeline outline of the property and related ordinance actions regarding equestrian facilities:

| <b><u>Year</u></b> | <b><u>Action or Event</u></b> | <b><u>Pertinent Case/Ordinance Number</u></b> |
|--------------------|-------------------------------|---|
| 1964               | Property was created          | MCR 4991-162                                  |
|                    | Dedications recorded          | MCR 4934-535 / MCR 4991-173 /MCR 5172-209     |
| 1970               | 9838 residence built          | (permitted by Maricopa County)                |
| 1971               | 9840 residence built          | (permitted by Maricopa County)                |
|                    | Commercial stable Use         | Ord. 570                                      |
|                    | Permit criteria created       |   |
| 1975               | Annexation                    | Ord. 891                                      |
|                    | City zoning applied           | 31-ZN-1975                                    |
|                    | Revision to commercial        | Ord. 922                                      |
|                    | Stable UP criteria            |   |
| 1981               | Revision to commercial        | Ord. 1390                                     |
|                    | Stable UP criteria            |   |

|      |   |           |
|------|---|-----------|
| 1986 | Ranch added to zoning<br>And UP criteria              | Ord. 1876 |
| 1989 | Ranch & commercial stable<br>UP sections revised      | Ord. 2266 |
| 1992 | Ranch & commercial stable<br>UP sections restructured | Ord. 2470 |
| 1996 | Grandfathering letter issued<br>By city               |           |

**Exhibit # 1**

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**Original Warranty Deed**

**MCR 4991-162**

When recorded mail to:  
Vlster Menard  
4033 North 55th Drive  
Glendale, Arizona

DKT. 4991 PAGE 162

WARRANTY DEED

For the consideration of TEN DOLLARS, AND OTHER VALUABLE CONSIDERATIONS, we, FRANK A. TITEL and HELEN DYE TITEL, his wife, do hereby convey to SANDRA GRACE BONNAR, wife of Kenneth H. Bonnar, as her sole and separate property the following real property situated in Maricopa County, Arizona:

The North half of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section Twenty-eight (28), Township Three (3) North, Range Five (5) East of the Gila and Salt River Base and Meridian.

Reservation unto the grantors, their heirs and assigns, a right-of-way for road purposes over the East 30 feet of the within property;

- No dwelling house of less than 1200 square feet ground floor area including the walls proper of the house, to be of new construction with sanitary conveniences;
- No out door toilets to be allowed unless flush type connected to septic tank or cesspool;
- No temporary buildings or trailer houses to be allowed at any time;
- No building to be erected within fifty feet of front property line or within twenty-five feet of side property line;
- No commercial poultry raising and no roosters at any time;
- No more than two horses and one cow to be kept any time on one 2½ acre tract; and no hogs or goats;
- No kennel for the raising of dogs or cats to be allowed at any time;
- All live stock to be kept confined under proper fence at all times;

SUBJECT TO: 1957 and all subsequent taxes, which the Grantee herein assumes and agrees to pay; The liabilities and obligations existing or that may arise against said land by reason of the inclusion within Verde River Irrigation and Power District; and Rights of way for canals, laterals and ditches.

And we do warrant the title against all persons whomsoever, subject to the matters above set forth.

DATED this 29th day of January, 1957.

Frank A. Titel  
Frank A. Titel

Helen Dye Titel  
Helen Dye Titel

State of Arizona

County of Maricopa

On this the 18th day of February, 1957

before me, \_\_\_\_\_, the undersigned  
personally appeared FRANK A. TITEL and HELEN DYE TITEL, his wife

and acknowledged (or satisfactorily proven) to be the persons whose names are subscribed to the within  
instrument and acknowledged that they executed the same for the purpose therein contained.

In witness whereof I have set my hand and official seal.

(My Commission Expires Feb. 20, 1959)

James H. Bonnar  
Notary Public



01-DEED  
64509

STATE OF ARIZONA }  
County of Maricopa }

I hereby certify that the within instrument was filed and recorded at request of Phoenix Title and Trust Co.

APR 3 8 00 AM  
in District 4991  
at page 162-163  
Witness my hand and official seal this day and year aforesaid.

Clifford D. ...  
County Recorder  
Deputy Recorder

61  
7

Unofficial Document

Escrow #352389 JPH:dc

|                                  |
|----------------------------------|
| WARRANTY DEED                    |
| From                             |
| FRANK A. TITEL, et ux            |
| To                               |
| SANDRA GRACE BONNAR              |
| LAND TITLES GUARANTEED           |
| "The Safe Way"                   |
| PHOENIX TITLE AND TRUST CO.      |
| This & Trust Bldg.               |
| Phoenix, Arizona                 |
| Filed and recorded at request of |
| at _____ M.                      |
| Book _____ Deeds, Pages _____    |
| By _____ County Recorder.        |
| Deputy.                          |
| Fee \$ _____                     |
| WHEN RECORDED MAIL TO            |
| Rev. Sandra Grace Bonnar         |

By \_\_\_\_\_  
County Recorder.

Witness my hand and official seal this day and year first above written.  
in Book No. \_\_\_\_\_ of Deeds, Records of said County, at page \_\_\_\_\_  
on this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ and duly recorded  
and State aforesaid, do hereby certify that the within instrument was filed for record at \_\_\_\_\_  
County Recorder in and for the County \_\_\_\_\_

**Exhibit #2**

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**Right-of-way Dedication for 110<sup>th</sup> St**

**MCR 4934-535**

STATE OF ARIZONA, County of Maricopa; ss. I do hereby certify that the within instrument was filed and recorded at request of

1964 FEB 21 3 29 Docket 4934

Records of Maricopa County, Arizona. first above written. WITNESS my hand and official seal the day and year CLIFFORD H. WARD By J.M. Denton

06-MISC 51-12

36132

NO CHARGE Recorded at Request of Board of Supervisors.

DEDICATION OF RIGHT OF WAY FOR ROADWAY

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, HELEN DYE TITLE, also known as HELEN WELKER, VICTOR MENARD and MARY MENARD, his wife, do hereby give, grant, convey and dedicate to the County of Maricopa and to the public for use as a public street or highway that certain parcel of land situate in Maricopa County, State of Arizona, and described as follows:

The East 30 feet of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of the Northeast Quarter of Section 28, Township 3 North, Range 5 East, of the G&SRB&M.

DATED this 12th day of February, 1964.

Handwritten signatures of Helen Dye Title, Victor Menard, and Mary Menard with printed names below.

STATE OF ARIZONA ) : ss County of Maricopa )

On this the 12th day of February, 1964, before me, the undersigned officer, personally appeared HELEN DYE TITLE, ALSO KNOWN AS HELEN WELKER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purpose therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal

12 Notary Public signature and seal

My commission expires: My Commission Expires Nov. 27, 1964

**Exhibit # 3**

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**Access Easement for 9838**

**Across 9840 N 110<sup>th</sup> St**

**MCR 4991-173**

When recorded mail to:

Esrow #60

JESSIE C. KUSHELL  
c/o Paul Levie, Attorney  
First National Bank Bldg.  
Phoenix, Arizona

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, VICTOR MENARD and MARY MENARD, his wife, hereby give, grant and convey unto JESSIE C. KUSHELL, wife of Charles J. Kushell, III, an easement for ingress and egress over the North 20 feet of

The Northeast Quarter of the Southeast Quarter of the Southwest Quarter of the Northeast Quarter of Section 28, Township 3 North, Range 5 East of the Gila and Salt River Base and Meridian.

DATED this 25<sup>th</sup> day of March, 1964.

Victor Menard  
Victor Menard

Mary Menard  
Mary Menard

STATE OF ARIZONA )  
County of Maricopa ) ss

On this the 25<sup>th</sup> day of March, 1964, before me, the undersigned officer, personally appeared VICTOR MENARD and MARY MENARD, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public  
Notary Seal

My commission expires:

4-25-67

01-DEED  
64516

STATE OF ARIZONA )  
County of Maricopa )  
I hereby certify that the within instrument was filed and recorded at request of Phoenix Title and Trust Co.

APR 3 54-8-80 AM

in Doc # 4991 PAGE 173  
Witness my hand and official seal the day and year aforesaid.

By Clifford H. Wood  
County Recorder  
Deputy Recorder



1751

DKT 4991 PAGE 173

**Exhibit #4**

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**Electric Line Easement**

**On 9838 N 110<sup>th</sup> St.**

**MCR 5172-209**

19640812\_DKT\_5172\_209\_1 Unofficial Document

Sec. 25b5  
NE28 3N 5E  
GWN

5172-209  
EASEMENT FOR ELECTRIC LI

In consideration of One Dollar (\$1.00), the receipt of which is hereby granted Arizona Public Service Company, (hereinafter called "Company"), its to construct, operate and maintain electric lines and poles upon, across, over and under the surface of the following described premises situate in Maricopa County, Arizona

The North one-half of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section Twenty-eight (28), Township Three (3) North, Range Five (5) East of the Gila and Salt River Base and Meridian.

06-MISC-156913

Arizona Public Service Company  
I hereby certify that the  
above Easement was filed and  
is a part of the record of  
this office.  
1964 AUG 12 2 13  
5172-209  
by [Signature]  
1964

along the following described line on the above described premises:

Beginning at a point on the South property line approximately two (2) feet East of the West property line; thence Northerly on a line parallel to and approximately two (2) feet East of the said West property line to a point on the North property line; Also, beginning at a point on the West property line approximately two (2) feet North of the South property line; thence Easterly on a line parallel to and approximately two (2) feet North of the said South property line to a point on the East property line.

together with the rights to repair, replace, maintain and remove said lines and poles from said premises, to trim or remove any trees or shrubs that in the judgment of the Company, may interfere with the construction or endanger the operation of said lines and to permit the attachment of wires of any other Company to such poles. By accepting this easement the Company agrees to exercise reasonable care to avoid damage to said premises and all property that may at any time be thereon.

[Signature]

Dated July 21<sup>st</sup>, 1964

WITNESS:

## **Exhibit # 5**

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### **1986 Aerial (MCFCD)**

In 1986 the improvements on the property included the main house on the eastern parcel, the secondary house on the western parcel, a large paddock/arena along the north side, another very large paddock on the west with a shed cover at the south end, and a smaller fenced paddock between the western paddock and the secondary house. There was a looped drive coming in from the northeast corner that provided access to the equestrian facilities. To the north and west of the property the land was vacant desert. To the southwest, south and east were other large equestrian facilities. Further away were the early stages of development on Scottsdale Ranch.



## **Exhibit #6**

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### **1990 Aerial (COS)**

There was little change from the 1986 aerial as described above. The only discernible change was the doubling of the size of the shed in the western paddock. In addition, there were homes built within Scottsdale Ranch by this time.



## **Exhibit #7**

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### **1993 Aerial (COS)**

Overall there was little change on the property with the exception of 3 small sheds placed in the north paddock and a couple fences dividing it into 3 spaces and the sheds at the southwest corner of the property were doubled again in size. There is preliminary grading on the properties north of the subject property. 110<sup>th</sup> Street had been paved, possibly in conjunction with the development on Scottsdale Ranch.



## **Exhibit #8**

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### **1995 Aerial (COS)**

By 1995 the southern paddock had been removed and a hunter-jumper style riding course had been installed between the two houses. Also, the house on the western parcel had been extended southward. The two houses north of the subject property had been completed but there is no improved access drive to them. In addition, one new house had been completed, but not yet occupied, west of the subject property.

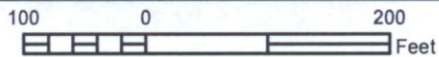


## **Exhibit #9**

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### **1997 Aerial (COS)**

*In this photo there is substantial activity on the subject property, with a large number of trailers parked on the site. The sheds/barn at the southwest corner of the site had been replaced within a large barn and another large barn, along with sheds, had been placed in the northern paddock, which had been converted into an arena use. The riding course is still evident. A large covered arena had been erected on the ranch south of the subject property. The second house west of the subject property had been completed and the ranch across 110<sup>th</sup> St to the east had ceased operation.*



## **Exhibit #10**

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### **1999 Aerial (Owner)**

*In this photo the improvements shown in the 1997 aerial remain. There is a small practice/warm-up arena inside the driveway loop and there is evidence that the riding course on the south side of the subject property had lighting.*



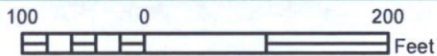
28

## **Exhibit #11**

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### **2000 Aerial (COS)**

The site was simpler and less intense than what was going on 3 years earlier. The northern arena had no dividing fences and no sheds in it. The large barn at the southwest corner had been removed and two long sheds placed along the edges of the western paddock. Most of the facilities of the ranch east of the subject property had been removed.



## **Exhibit #12**

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### **2002 Aerial (COS)**

*In this aerial there are 4 new sheds along the western property line, otherwise there was relatively little change. The property across 110<sup>th</sup> Street to the east had been developed as a subdivision and a house was under construction within this project.*

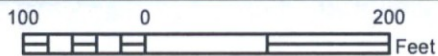


## **Exhibit #13**

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### **2003 Aerial (COS)**

*Three of the four sheds placed along the western edge had been removed and a modest sized shed installed near the southwest corner of the subject property. A small shed had been placed in a corner of the northern arena. Development was proceeding to the east and the ranch to the southwest had been removed.*

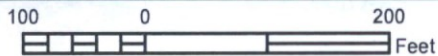


**Exhibit #14**

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**2005 Aerial (COS)**

*Three narrow sheds had been placed in the western paddock. In the surrounding area additional house had been completed.*



**Exhibit #15**

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**2010 Aerial (COS)**

*Sheds had been rearranged in the western paddock. Houses had been completed on virtually every lot in the general vicinity.*



**Exhibit #16**

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**2012 Aerial (COS)**

An additional shed had been placed near the southwest corner of the subject property.



**Exhibit #17**

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**2014 Aerial (COS)**

Sheds in the western/southwestern area of the subject property had been removed.



In summary, there clearly has been a continuous use of the property for equestrian purposes. The facilities and arrangement of facilities has undergone almost continuous change over the past 30 years but there is strong evidence of a significant investment in equestrian facilities and operations on the property. Development of nearby residential areas has occurred after these facilities and uses had been present and in operation on the property.

Finally, in reviewing the background for this property and its equestrian/ranch heritage, there is a document that further serves to verify the equestrian/ranch heritage of the property. On January 16, 1996 the City of Scottsdale planning staff issued a letter (see Exhibit #18) verifying that ranch uses had occurred on the property historically.

**Exhibit #18**

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**Grandfathering Letter Issued by City in 1996**



• "Most Livable City" U.S. Conference of Mayors •

January 16, 1996

Endeavours Ranch  
Attn: Claudia Starr  
9840 North 110 Street  
Scottsdale, Arizona 85259

**RE: USE VERIFICATION FOR 9840 NORTH 110TH STREET**

Dear Ms. Starr:

The purpose of this letter is to provide some clarification to the allowed uses at the subject property. Using the property as a legal non-conforming equestrian breeding, boarding and training facility is allowed under the City of Scottsdale's zoning ordinance section 1.600 (see attached). Please be advised that if the present use or uses change or cease for a period of more than 90 days, the equestrian (legal non-conforming) use would become null and void. In order to restore the use to the property a City of Scottsdale use permit would be required.

If you have any further questions, you may contact my office at 994-7634.

Sincerely,

Brian Berndt  
Planner  
City of Scottsdale

BB\krh

## **General Context**

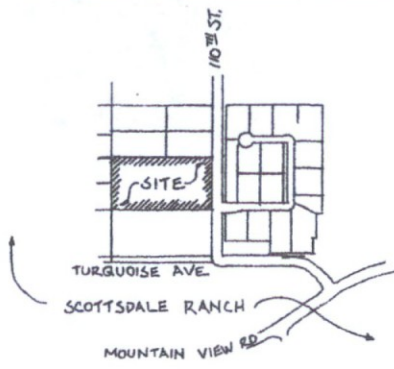
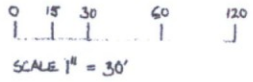
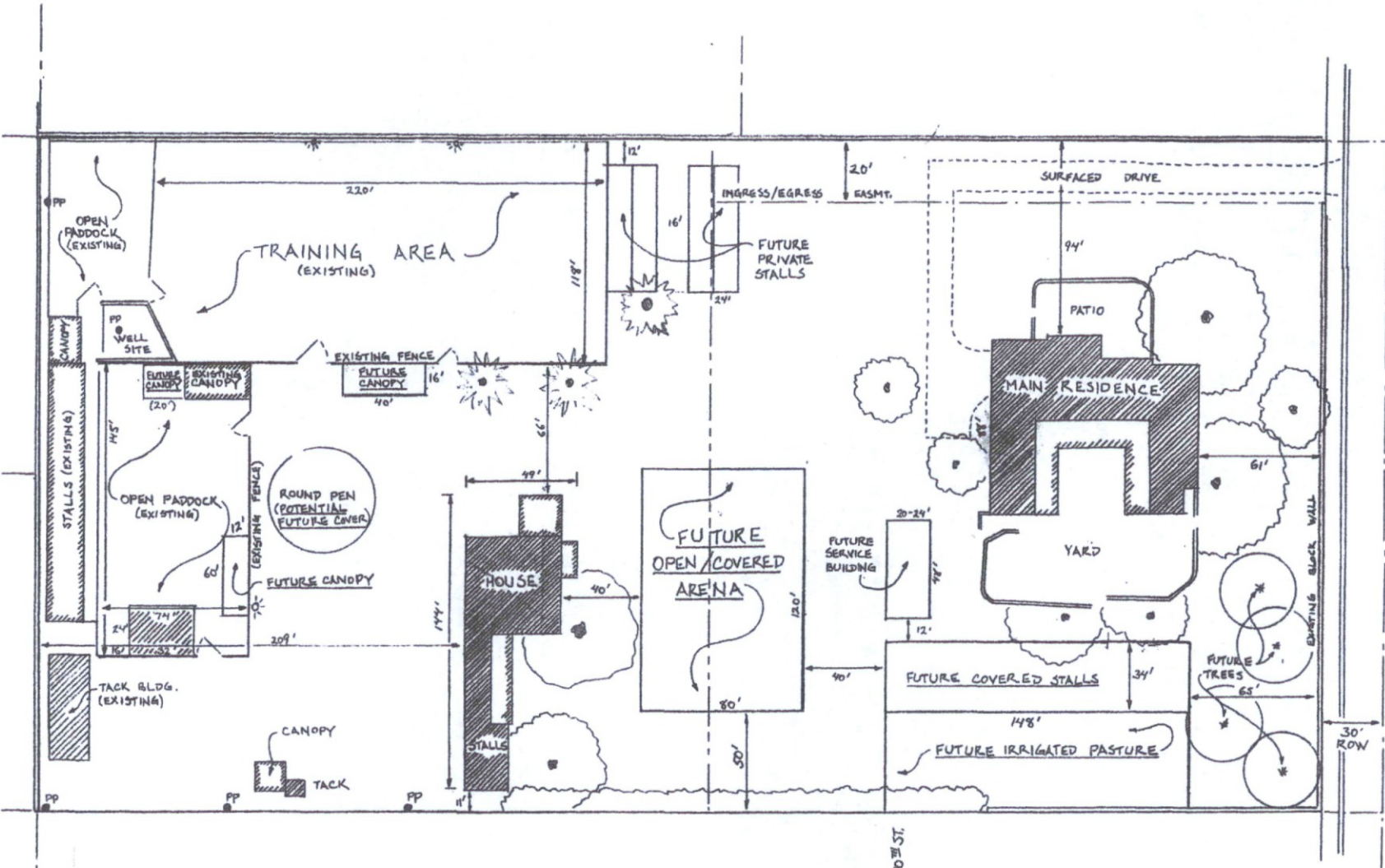
The subject property is bounded on two sides (north and west) by residential houses. These are enclosed by concrete block walls. These houses are not located within improved subdivisions and do not follow the lot layout that would have been typical for a recorded subdivision. As a result the homes to the north are 40 feet and 20 feet from the subject property and oriented to have their rear patios and pool areas facing the site. The rear lot does not face a street, therefore becoming a non-standard lot. The homes on the properties to the west are setback from the subject property by 115 and 135 feet.

To the south is another ranch facility that is separated by a corral fence and in part by a large hedge. On the east side the subject property is enclosed by a low concrete block wall and faces 110<sup>th</sup> Street. On the other side of the street is a residential subdivision with landscaping and a perimeter wall facing the street. The entrance to this subdivision is roughly across from the southeast corner of the subject property.

There is a public trail on the north side of Turquoise Ave. and south of the subject property that leads eastward into the trail systems that pass through the Stonegate development. Along the west side of 110<sup>th</sup> Street is a trail as well that is designated on the master plan as a neighborhood trail.

There are no major water courses or channels on the subject property. In general surface water drains to the south-southwest in the area. There is a major channel system in the nearby Scottsdale Ranch development that manages floodwaters in the vicinity.

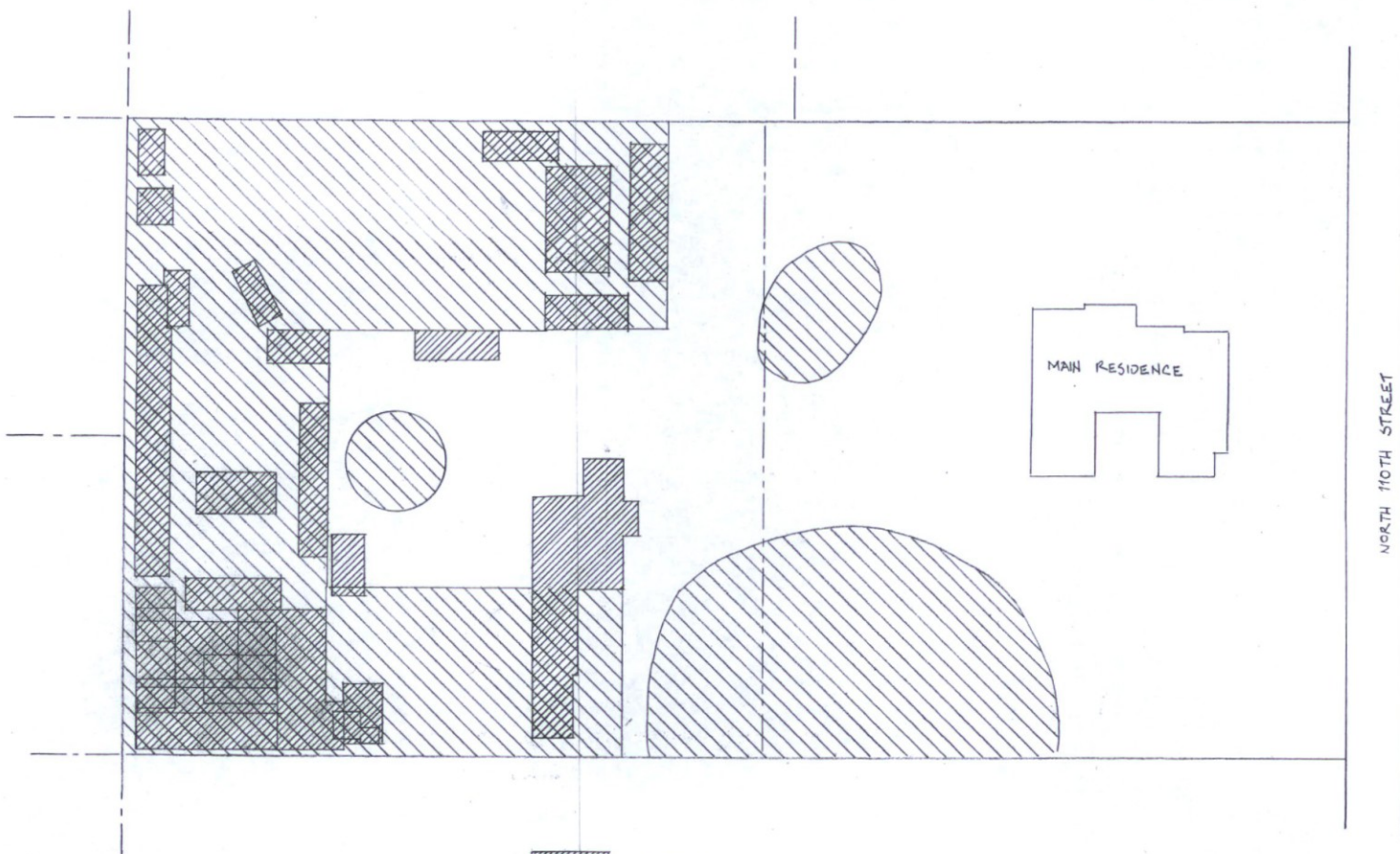
# PROPOSED RANCH PLAN



MCR PARCELS:  
 217-34-021L & 217-34-021K  
 ADDRESSES:  
 9840 & 9838 N 110TH STREET  
 SCOTTSDALE, AZ  
 (N 1/2 SE 1/4 SW 1/4 NE 1/4 SEC 28 T3N R5E)

DRAWN BY:  
 DON HADDER 1-27-2016/4-23-20

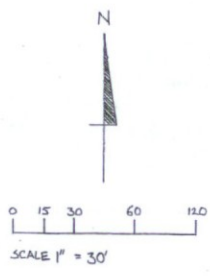
# HISTORIC FOOTPRINT OF RANCH USES



NORTH 110TH STREET

MAIN RESIDENCE

UNDER-ROOF AREAS  
OPEN AREAS



ADDRESSES:  
9840 & 9838 N 110TH STREET

DRAWN BY:



North side looking east



South side looking south



North side looking west



South side looking north



West side looking east



West side looking south



West side looking west



West side looking north



South side looking east



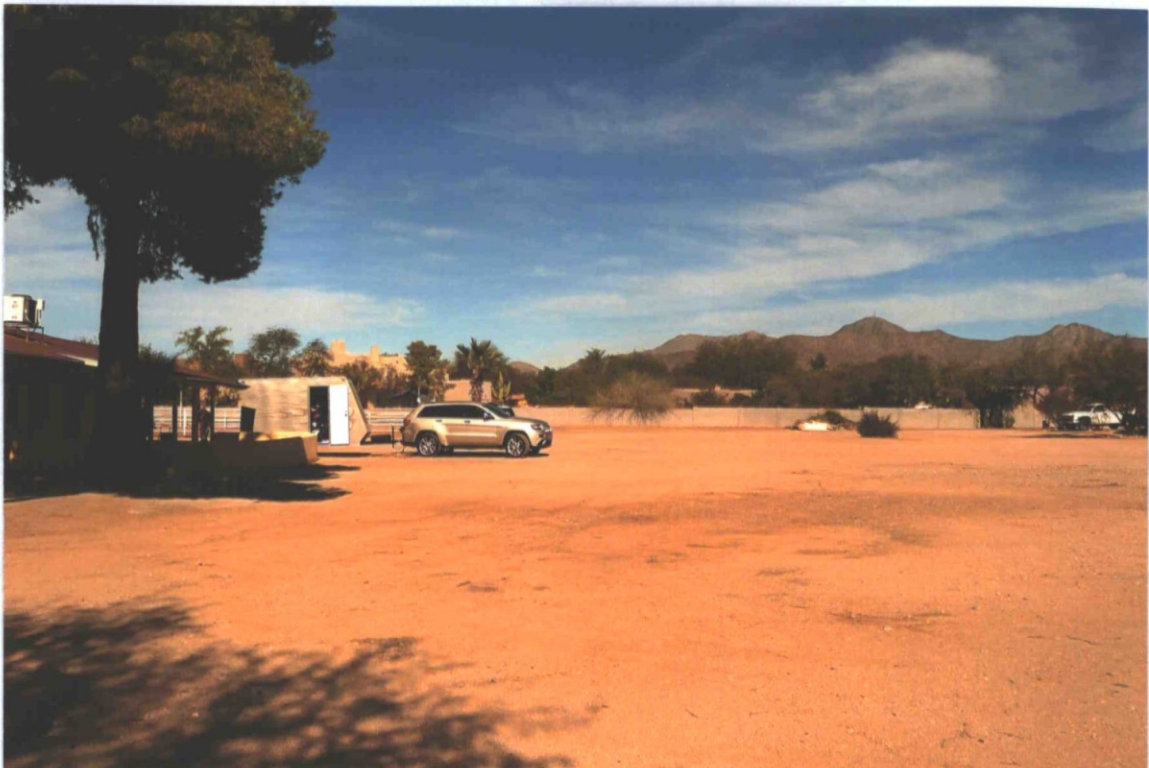
South side looking south



South side looking west



South side looking north



East side looking east



East side looking south



East side looking west



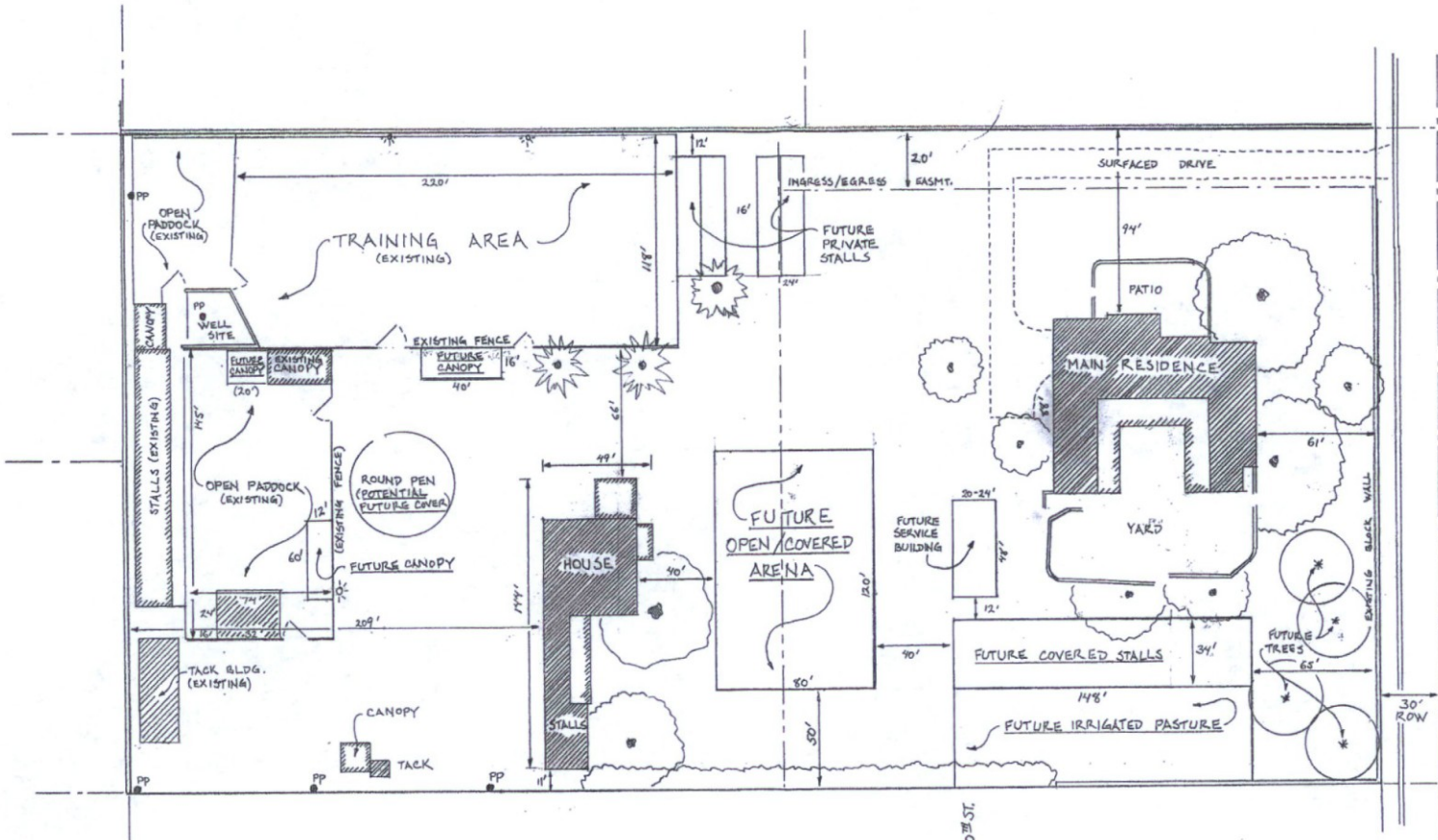
East side looking north



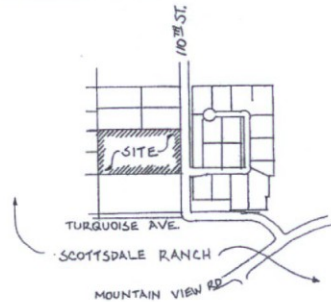




# PROPOSED RANCH PLAN



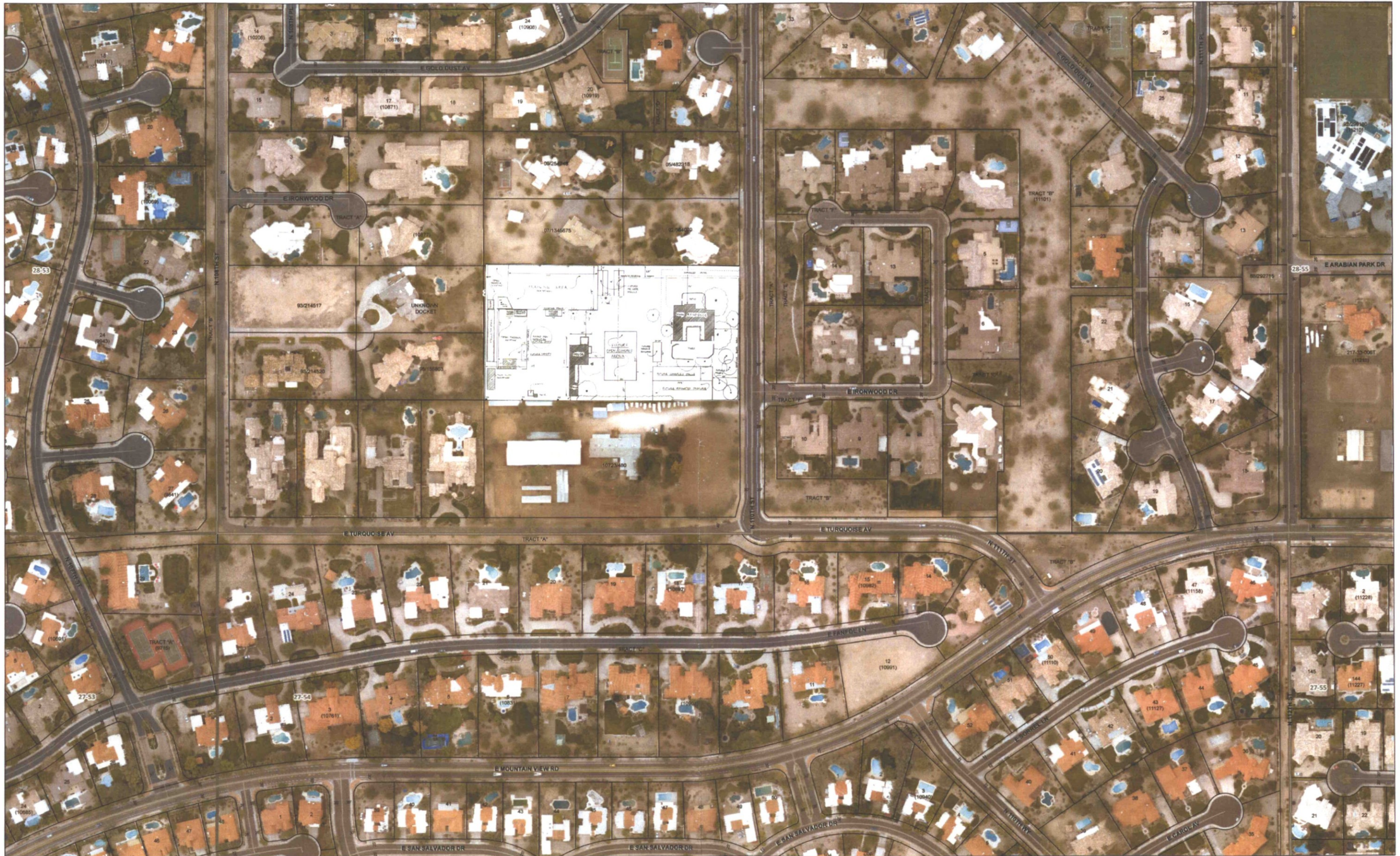
0 15 30 60 120  
SCALE 1" = 30'



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 ADDRESSES:  
 9840 & 9838 N. 110TH STREET  
 SCOTTSDALE, AZ  
 (N 1/2 SE 1/4 SW 1/4 NE 1/4 SEC 28 T3N R5E)

2-UP-2017  
 03/02/17

DRAWN BY:  
 DON HADDER 1-27-2016/4-23-2016

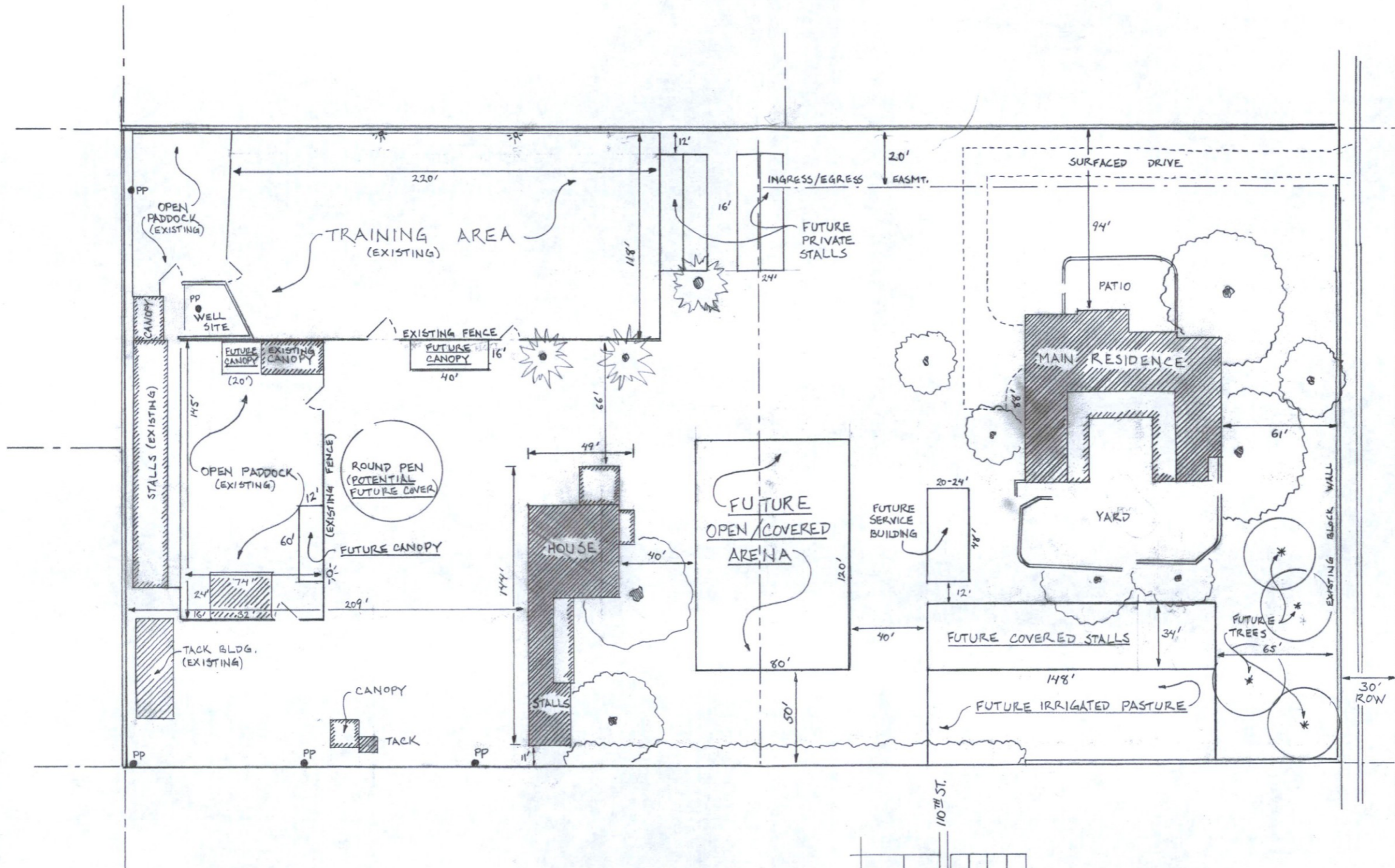


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2/14/2017 9:18:10 AM

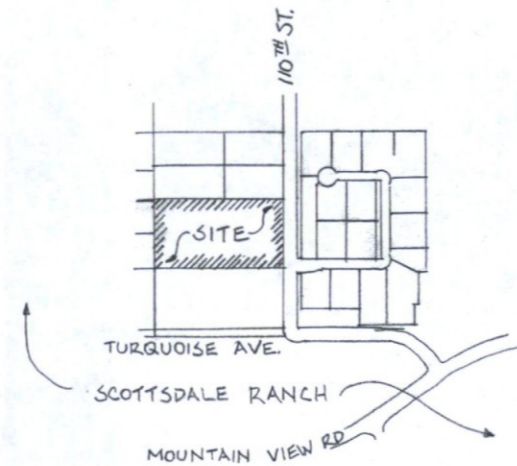


2-UP-2017  
03/02/17

# PROPOSED RANCH PLAN



0 15 30 60 120  
SCALE 1" = 30'



MCR PARCELS:  
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2-UP-2017  
 03/02/17

DRAWN BY:  
 DON HADDER 1-27-2016 / 4-23-2016