

**Application
Narrative
Cash Transmittal
Pre-Application
Pre-App Narrative
Pre-App Cash Transmittal
Development Standards**

Development Application



Development Application Type:

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

Zoning	Development Review	Land Divisions
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Subdivision (PP)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Subdivision (Minor) (MD)
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Wash Modification (WM)	<input type="checkbox"/> Land Assemblage
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Historic Property (HP)	Other
<input type="checkbox"/> Development Agreement (DA)	Wireless Communication Facilities	<input type="checkbox"/> Annexation/De-annexation (AN)
Exceptions to the Zoning Ordinance	<input type="checkbox"/> Small Wireless Facilities (SW)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Minor Amendment (MN)	<input type="checkbox"/> Type 2 WCF DR Review Minor (SA)	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Hardship Exemption (HE)	Signs	<input checked="" type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance/Accommodation/Appeal (BA)	<input type="checkbox"/> Master Sign Program (MS)	Other Application Type Not Listed
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Community Sign District (MS)	<input type="checkbox"/> Other: _____

Project Name: Phoenix Herpetological Sanctuary

Property's Address: 28011 N. 78th Street, Scottsdale, AZ

Property's Current Zoning District Designation:

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the City regarding this Development Application. The agent/applicant shall be responsible for communicating all City information to the owner and the owner application team.

Owner: Debbie Gibson

Agent/Applicant: Kurt Jones

Company: Phoenix Herpetological Sanctuary

Company: Tiffany & Bosco, P.A.

Address: 28011 N. 78th Street, Scottsdale, AZ

Address: 2525 E. Camelback Road, 7th Floor, Phoenix, AZ 85016

Phone: (480) 223-3813

Fax:

Phone: (602) 452-2729

Fax:

E-mail: debbie@phoenixherp.com

E-mail: kajones@tblaw.com

Designer:

Engineer: Nathan Wyllie

Company:

Company: Graham Surveying & Engineering

Address:

Address:

Phone:

Fax:

Phone: (480) 488-4393

Fax:

E-mail:

E-mail: nwyllie@grahamsande.com

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2).

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications¹ will be reviewed in a format similar to the Enhanced Application Review methodology.



Enhanced Application Review:

I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.



Standard Application Review:

I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

Owner Signature

Agent/Applicant Signature

Official Use Only

Submittal Date:

Development Application No.:

Planning and Development Services

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 • www.ScottsdaleAZ.gov

Development Application

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6-AB-2019
6/4/19



City of Scottsdale Cash Transmittal

119813

119813
6/3/2019 11:27 AM
\$1,690.00

Received From :

PHOENIX HERPETOLOGICAL SOCIETY
20701 N SCOTTSDALE RD STE 107
SCOTTSDALE, AZ 85255
602-550-1090

Bill To :

Reference # 600-PA-2016
Address 28011 N 78TH ST
Subdivision

Issued Date 6/3/2019
Paid Date 6/3/2019
Payment Type CHECK

Marketing Name

Lot Number

Cost Center

MCR
APN 212-21-020A

Metes/Bounds No

Jurisdiction SCOTTSDALE

Owner Information

Tiffany & Bosco, PA
2525 E CAMELBACK RD
PHOENIX, AZ 85016
602-452-2729

Gross Lot Area 0
NAOS Lot Area 0
Net Lot Area 0
Number of Units 1
Density

Water Zone
Water Type
Sewer Type
Meter Size
QS 50-46

Code	Description	Additional	Qty	Amount	Account Number
3136	ABANDONMENT		1	\$1,690.00	100-21200-44209

City of Scottsdale

7447 E. Indian School Rd.
Scottsdale, AZ 85251
(480) 312-2500
One Stop Shop

Date: 6/3/2019 Cashier: RMALDONADO
Office: PLN-1STOP Mach ID: HP600G20200
Tran #: 3 Batch #: 72301

Receipt: 01219241 Date: 6/3/2019 11:27 AM

119813

3136 ABANDON R/W FEES \$1,690.00

TENDERED AMOUNTS:

Check Tendered: \$1,690.00
Chk #: 19088 Phoenix Herpetological

Transaction Total: \$1,690.00

Thank you for your payment.
Have a nice day!

6-AB-2019
6/4/19

SIGNED BY KURT JONES ON 6/3/2019

Total Amount

\$1,690.00

(When a credit card is used as payment I agree to pay the above total amount according to the Card Issuer Agreement.)

3" and larger water meter fees are based on cost recovery. The city will contact the owner of the construction permit if additional funds are due. Payment will be due within 30 days notification.

TO HAVE WATER METER SET - CALL 480-312-5650 AND REFER TO TRANSMITTAL # 119813



**TIFFANY
& BOSCO**
P.A.

**Phoenix Herpetological Society
Community Buildings and Recreational Facility, Not Publically Owned
Conditional Use Permit Project Narrative
June 25, 2018
Revised October 31, 2018
Revised January 28, 2018**

REQUEST OVERVIEW

The request is to validate the long standing land use at the 2.1 acre property located at 28011 N. 78th Street ("Property"). Debbie Gibson and Daniel Marchand ("Property Owners") live at the residence and are the caretakers of the Phoenix Herpetological Society. The Property is zoned R1-70 Environmentally Sensitive Lands Foothills Overlay ("ESL FO"). The request is to allow the existing privately run herpetological operation ("Request") on the Property function at its current capacity. The Request is not seeking any expansion to the current facility and intends to validate the land use under the allowed Community buildings and recreational facilities not publicly owned within the R1-70 ESL FO zoning.

BACKGROUND/HISTORY

The Marchand family has owned the Property since the mid-1960's when there were no other homes in the area and within unincorporated Maricopa County. The Marchand's started rescuing animals in 1978 with a small reptile rescue. The Phoenix Herpetological Society applied for non-profit status in 1999/2000. After starting the non-profit process, Arizona Fish & Game Department ("AZFGD") approved of the plans for the Property. The Phoenix Herpetological Society had its beginnings in 1983 when the Marchand family began taking in rescue reptiles. The facility started out small as primarily a holding area for these animals. Many of the reptiles were brought to Arizona illegally and confiscated by the authorities. In an effort to not inhumely kill the animals, the Marchand's took the initiative to save the animals and figure out how to move the animals back to their natural environment.

Over the course of the thirty-five years the Property has become the pre-eminant facility for the conservation and preservation of reptiles through education, rehabilitation, rescue and relocation. The Property has accomodated its growth with some additional buildings and outdoor pens. In 2007, the Property Owners built the wall along 78th Street and dedicated the right-of-way. Since 2001, the State of Arizona, Maricopa County and the City officials have used the Property as a training ground for State Game officials, County officials and City police, fire and others? Officials on the safety of handling all types of reptiles. In 2016, the City of Scottsdale contacted the Property Owners with regards to legitimizing the the existing land use. The following is a request for a conditional use permit to allow the existing use as is, no expansion proposed.

**6-AB-2019
6/4/19**



SURROUNDING USES

The Property is surrounded by very low density single family residential homes and vacant properties. Although 78th Street appears on maps as a through street south of Dynamite Boulevard, there are only five single family homes that have access along 78th Street, south of Dynamite Boulevard. The dirt road ends approximately fifty (50) feet south of the Property into the two (2) residential driveways of the homes just to the south. To access properties further to the south on 78th Street, their access comes from the south off of Oberlin Way. Most of the roads, north and south of Dynamite Boulevard, are unpaved with the natural washes traversing the roads. There are some other business-type land uses operating out of the large lot single family homes including a jeep-tour company, swim school, accountants, designers, and contractors.

REQUEST

As stated above, the Request is for the conditional use permit to continue to operate the herpetological use. The Property is an existing single family residential home with several accessory buildings and outdoor storage pens for various uses to maintain the herpetological function. The Request is to validate the existing site plan with no expansion proposed as part of this application. The last significant improvements on the Property were a covered walkway in the south center of the site to access some additional outdoor pens. This minor expansion occurred in 2012-2013. These minor improvements are not visible from off-site and are mainly open pens and a covered, non-conditioned walkway.

The Property is secured by a perimeter wall with a combination of solid and view fences. The perimeter fences are called field fences and they are heavy reinforced wiring that is entirely different from a chain link fence. The fence is woven smaller openings so as to not allow feet to fit in the fence and restrict climbing. It is a much stronger fence material and does not allow reptiles to penetrate. The Property is well landscaped and maintains a rural character from the roadway and is not unlike a horse property or heavily used private property. The Property Owners have saved countless animals, reptiles and sometimes birds that would have otherwise been killed because of their circumstances. The herpetological society has evolved over time. What started as no-kill holding area for reptiles and other unique animals, the society began educating everyone about all the animals that live in the desert and the one's brought to the facility by government officials.

The Phoenix Herpetological Society ("PHS") is licensed by the United States ("US") Fish and Wildlife Department with a permit that allows for specific species, exportation/importation and other permits. The US Department of Agriculture ("USDA") permits the holding of the reptiles with annual unannounced inspections of the facility to ensure cleanliness of the Property, food handling adheres to regulations and that the facility is escape proof. PHS has never failed an inspection by the USDA. The federal agencies view PHS as a rescue, holding and rehabilitation facility. The permit of record allows PHS to hold and transport reptiles and is one of two (2) organizations with the authority to rescue Gila Monsters in the state. The Phoenix Herpetological Society is currently licensed with both a zoo and



Wildlife Holding license which authorize the housing and display of wildlife species in the state of Arizona. In accordance with state law, PHS holding facilities must comply with Department captivity standards as outlined in Commission Rule R12-4-428 and this facility has been inspected by Department staff and meets the state's standards for wildlife captivity. PHS trains the AZF&GD officers and the Arizona Humane Society employees. Locally, PHS has trained Maricopa County Animal Control, Scottsdale Fire, Scottsdale Police, Phoenix Fire, Chandler Fire and Sun City West Fire departments. Locally, they have assisted in rescues and training with Scottsdale Police, Fire and Utilities. PHS assists US Fish and Wildlife with federal cases as well as state cases with AZF&GD.

This coordination among federal, state, county and city officials is unprecedented. The sheer responsibility and efforts of PHS demonstrates their need for the community and valley. Their efforts have helped save and relocate numerous reptiles back to their native environments. Instead of just rescuing, holding, transferring and managing the reptiles, the PHS mission has grown to include education and training for children to government officials. The numerous licenses and regulatory backing of PHS since the 1990's have demonstrated the Property Owners commitment to protecting the wildlife they save and providing a necessary public service to the community and state.

Safety

Since PHS was established, PHS has operated without any on-property or off-property safety issues. Other than the immediate surrounding residential neighbors, PHS does not advertise their location at the Property. Their contact information is post office box in a commercial center in the City. Individual and school related visits are done by appointment only.

As mentioned previously, the entire property is secure with a perimeter wall. Within the Property, there are further levels of fencing and security for the reptiles. Any reptiles that present a danger to humans are either behind three (3) layers of fencing or within the back building on the property. The layered fencing for larger reptiles has proven to be a secure method for containing the animals and is one set of extra fencing than what is required by the US Fish & Wildlife Department, AZFGD and USDA. As stated above, AZG&FD approves of the fencing, for security and safety purposes. The Property Owners live on the Property and manage the reptiles and their security. The layered fencing, series of locks and location of the outdoor pens do not allow the public to enter the site. PHS does not allow visitors to show up to the Property without an appointment and vetting of the visitor.

The small building, on the east side of the Property, houses the small reptiles. This building has a lock on the doors to the outside. Inside the building, which has a main meeting area where city, county and state officials are trained, has locks on the entrance to the caged area where the reptiles are in separate enclosed containers. The individual containers act as the third layer of security within the building itself. No container has ever been broken within the facility. The remainder of the site is outdoor pens for turtles and other animals that don't require several layers of security, but never less than two (2) layers. These areas can be identified on the site plan as the areas with the small dog house sized sheds. These areas are the least impactful of the entire herpetological operation.



Any visitor, whether a government official training or a school child on a field trip learning of the wildlife, are supervised at all times by PHS employees. PHS employees are Cardio Pulmonary Resuscitation (CPR), animal and reptile handling with many carrying biology degrees. In addition, they are trained in venomous snake handling and native animal identification.

Education/Training

The education component of the operation educates many children (and adults) both in school and at PHS facility each year. Most of the teaching occurs on school trips to the site or PHS visiting schools. The Property Owners are doing their part to help create new generations of desert residents committed to environmental protection of animals. The education side of the operation allows for additional opportunities to teach children who want to become environmental conservationists, veterinarians or biologists. The PHS mission is to find forever homes for all of these animals that come to the facility. Those that are native and can be released back into the wild are done so once cleared as healthy. Again, this application is not to grow the facility, but to grow the minds of the youth and train officials in the handling of these animals.

PHS provides programs that are designed to protect our unique desert environment and the creatures that coexist with us. PHS answers hundreds of emergency calls for assistance and teaches thousands of Valley residents of all ages. We believe education is the key to conservation, so in addition to our rescue and relocation/habitation efforts, they offer:

- Academic and hands-on training for K-12 students on the importance of conservation and coexistence with wildlife;
- Internships covering advanced herpetological studies for college students;
- 24/7 hotline information for local fire and law enforcement agencies;
- Rattlesnake and animal identification hotline for the community;
- Rescue and relocation assistance with native and non-native reptiles for organizations and government agencies including AZF&GD, the Arizona Humane Society, Maricopa County Animal Control, fire departments and law enforcement agencies.

Site Plan

The site plan being proposed for approval with this conditional use permit request has been in place for over six (6) years. The pens (fenced in areas) and the observation platform above the pens on the south central portion of the site were added in approximately 2011. Since then, the PHS facility has maintained a consistent site plan of operation. The site is accessed off of 78th Street south of Dynamite Boulevard. There is no access from the south or west along this short stretch of 78th Street. There is a back access gate off of Antioch Way, which was the old access to the original home. This back access is not utilized for vehicles, other than it is the location of the dumpster for the facility. Again, the main



access is off of 78th Street from Dynamite Boulevard. The 78th Street frontage is utilized for parking along the front perimeter wall which is setback 60 feet from 78th Street and approximately 90 feet from the actual dirt road. This setback provides for adequate parking and facility setbacks from the roadway. A drainage corridor traverses the north side of the site and is maintained outside the perimeter wall of the facility.

There are two (2) gates to the facility from 78th Street. They allow the property owners, caretakers and some employees to park within the walls of the facility. The gates are electric and shall be kept closed at all times. The exterior parking is only for summer camp drop off and volunteers. The parking is setback off of the actual dirt road so as to allow for safe pulling in and turning around without having to back into the street. No changes are proposed to the exterior parking and 78th Street frontage with this application.

The interior of the site is comprised of the main home in the center of the site with a pool to the north of the residence. The Property Owners live full-time on the site and are trained in handling of all the reptiles at the facility. The employee parking and a small building along the western perimeter fence take up a majority of the west operations of the facility. Other than the small building this area is open and used only for parking of PHS vehicles. The area along the north side of the property consists of outdoor pens for various small reptiles. The northeast corner of the site is an open pen for turtles and small shed buildings for heat in the winter months and shade in the summer months. In the center of the site, just northeast of the home, is a small U-shaped building for small reptiles and another pen for turtles.

The east side of the home is some smaller sheds and outdoor pens and a larger building. This building was built with permits in the County in the 1980's. This building has been improved and maintained over the years as the main teaching and training building on the Property. Within the building is air controlled environment housing several reptile species in cages/aquariums/etc. behind glass walls. The area where the reptiles are located is locked interior to the building. The building has two (2) entrances to the building on the west and south ends. These doors are locked when not in use. This building has a main seating area to teach/train approximately 20-25 people. This building is where everyone from elementary school aged children to city, county and state officials are trained in handling of the animals. A couple of sheds are located on the east property line back out of the way of the facility behind this building.

The southern end of the Property is the larger reptile outdoor holding pens, a garage building and walk-in refrigerator unit. The west end of the south side of the Property is a low wall holding pen for turtles. It is the first area a visitor sees when entering the Property from the main gate. There are some small sheds in this location for the turtles to use while battling the summer and winter elements. The center portion of the south side is the larger reptile outdoor pens and a ten foot high walkway used for observation purposes. The observational deck is not used by students or any member of the public. Within this enclosed area are filtered small pools for the reptiles and no standing untreated water. The observation deck is rarely used and is primarily for staff to observe the health of the reptiles. This area



is secured by two (2) layers of fencing and all pens are locked at all times. The southeast corner of the Property is a rear gate exit primarily to place trash in the dumpster which is located at the end of Antioch Way. Antioch Way is a dirt road and does not continue along the Property's south side to connect with 78th Street. The City's Solid Waste Department has worked closely with the Property owners on the placement of the dumpster. The dumpster is the only operations outside of the perimeter fence of the facility at the southeast side of the Property. A storage container is also located just inside the perimeter fence line in the southeast corner of the property. The southern perimeter fence is setback off the south Property line.

ZONING ORDINANCE REQUIREMENTS

The City's zoning ordinance outlines the criteria for granting conditional use permits ("CUP's"). The ordinance states that CUP's, may be revocable, conditional or valid for a specified time period, may be granted only when expressly permitted by this ordinance and only after the Planning Commission has made a recommendation and the City Council has found that the below conditions have been met.

That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:

1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.

The Property has existed since the 1980's as a facility for storing and assisting the valley with reptile rescues and placement. The existing Property has grown over the years with the last expansion being approximately in 2011. For the past six (6) years, there have been no significant changes to the Property. The Property has minimal room to store any additional animals and is therefore not requesting any expansion as part of this CUP request. The request is to legitimize with a City conditional use permit a 'community buildings and recreational facility, not publically owned,' use. The use does not emit any noise, smoke, odor, vibration or illumination that would be materially detrimental to the public health, safety and welfare. The pools for the outdoor pens are all filtered and chlorinated so that there is no standing water on the site. Reptiles do not create the same waste as say a horse ranch, boarding or breeding facilities that are also allowed within this zoning district. In fact, the waste is minimal to not requiring any additional trash pick-up other than the regular City scheduled trash pick-up days. The education and training portion of the facility operates during the weekdays during the day. The lighting is on motion sensors which detect human movement. There are no lights positioned to impact surrounding property owners within the facility. Other than the traffic coming to and from the Property (addressed later in this narrative), there is no damage or nuisance arising from noise, smoke, odor, vibration or illumination. Dust impacts are analyzed with the traffic portion of this justification below.

2. Impact on surrounding areas resulting from an unusual volume or character of traffic.



As it relates to dust, there is dust that occurs from traffic on 78th Street and Antioch Way. Both roads are un-paved public roadways. With any traffic on dirt roads, dust is thereby kicked up. The request for the conditional use permit is not to increase traffic to the Property. The existing operations of the facility require a minor increase in traffic than your typical residential home or typical residential home with horse facilities. The traffic to the facility consists of the following characteristics:

- Property owners and caretakers
- Education: 1-2 busses a week to the Property. Like any other public street, school buses are allowed and pick up school children five days a week. The school buses that come to the facility typically pull down 78th Street, drop off children and their chaperones and the busses leave the area for a couple of hours. The buses return a couple of hours later, pick up the children and chaperones and leave the neighborhood. The request is to permit a couple of busses a week for the project. This is significantly less than a typical public street that allows school busses on the streets in the mornings and afternoons sometimes a minimum six (6) times a day if elementary, middle and high school students are served. A couple of busses during the day during a weekday will have minimal effects on dust and traffic for the area. The speed limit on 78th Street is 25 miles per hour. Most vehicles don't reach 20 mile per hour because of the wash crossings and narrow nature of the roadway.
- Summer camps. Nine (9) weeks of the summer, the PHS facility works with children of all ages with daily summer camps during the week. There are two (2) daily sessions of a maximum of twenty-five (25) students per session. The first session parents would drop their children off at 9am and pick up their children from 3pm in the afternoon with the second session dropping off at 10am and returning at 4pm to pick up. These staggered times are consistent with other conditional use permit
- Private scheduled appointments. All private appointments are set over the phone and visitors are instructed to come in as few of vehicles as possible. Most individual tours are only 1-2 vehicles. Individual private tours occur approximately 3-5 times per week.
- The remainder of the trips to the site is daily volunteers which range from 0-5 depending on the days. The remainder of the traffic is just the Property Owners and a caretaker when the Property Owners are not on Property.
- Special events. The Property Owners are allowed a maximum of six (6) special events per year. These events require City of Scottsdale special events permits and meet all of the City's special event requirements.

The traffic to the facility never blocks usage of 78th Street nor do any cars park along the sides of 78th Street, which is allowed as it is a public roadway. The Property Owners continually remind the volunteers, bus drivers, school coordinators and summer campers of the importance of not speeding and not parking along the street. There are four (4) other homes on the street, one at the corner of Dynamite and 78th Street, one directly west of the Property and two (2) homes directly south of the Property. 78th Street ends approximately fifty (50) feet south of the Property. There is no distance for any speeders to gain speed through the neighborhood between the Property and the stopped condition



at Dynamite Boulevard approximately 350 feet north of the Property. Other vehicles, such as the general public, city trash removal or the U.S. post office vehicles, are not within the control of the Property Owners.

The summer camps are limited to 25 attendees to insure parking is available for pick-up and drop off. There is adequate parking area for drop-off and pick-up along the front of the site, off of the roadway, with little to no impacts to 78th Street. There have been no corporate events at the facility in several years. The facility rarely uses Antioch Way, but may park volunteers back along the southeast corner of the Property for camps in order to allow ample parking for drop off and pick up times. Antioch Way dead ends at the southeast corner of the Property and these parked cars do not impact and adjacent driveways or functionality of the roadway.

The dust impact can be minimized with some type of dust palliative applied to 78th Street. The Property Owners have approached the City in the past on this issue to no avail. In order to ensure there are no detrimental impacts to the adjacent property owners, the Property Owners are willing to work with the City staff and neighbors regarding adding a dust palliative to the roadway to break down the dust caused by facility traffic. These types of surface improvements significantly improve air quality and minimizes dust from roadway use. If approved, the Property Owners would also apply the dust palliative to the parking area along 78th Street in order for the transition from roadway to Property parking area is treated with the same dust-proofing. This type of solution would significantly reduce the dust impacts of the Property.

As for the above mentioned traffic, this type of traffic has been utilizing 78th Street to the facility for years. The above described allowances will not be materially detrimental to the public health, safety or welfare of the nearby property owners. The conditional use permit process allows the City to enforce the types of visits to the facilities to those described in this narrative. This provides neighbors with assurances on when and what type of traffic to expect from the facility. This type of certainty on both sides allows for a better understanding of what is and what is not allowed, with regards to traffic, to future operations of PHS on the Property.

Finally, no member of the public is allowed to show up to the facility without an appointment. The address to the facility is not posted on the website. Once contact has been made to the PHS staff and the potential visitor has been vetted, the address is disclosed. The private tours will never be scheduled in the summer when camps are in session and when a school or government official training is occurring at the facility. The facility will remain a private 501 c 3 non-profit and not open to the public with any public hours.

B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

The property is zoned R1-70 ESL FO. Many of the surrounding properties also have the same zoning. Some smaller lots (R1-43 PRD ESL FO) are located further to west that were part of a rezoning and subdivision plat. The allowed uses in these zoning categories are as follows:



- Accessory buildings, swimming pools, home occupations and other accessory uses.
- Care home; subject to the certain criteria
- Charter schools
- Day care home
- Day care group home
- Dwelling units, single-family, including Vacation rental or Short-term rental; limited to one main dwelling unit per lot
- Guest house, as an accessory use subject to certain criteria
- Model homes
- Municipal uses (which could parks, City buildings, City water facilities, fire stations, etc.)
- Wireless communications facilities
- Private tennis courts (see DC Ranch near Copper Ridge school with lighted tennis courts)
- Public, elementary and high schools
- Temporary sales office buildings and buildings for uses incidental to construction work
- Churches and places of worship; subject to Development Review Board approval and compliance with the certain standards

In addition to the allowed uses listed above, the following conditional uses are permitted within the R1-70 zoning district, if their respective conditions are met:

- Cemetery (see Section 1.403 for criteria)
- Ham transmitting or receiving radio antennas in excess of seventy (70) feet
- Community buildings and recreational facilities not publicly owned, such as: athletic fields, boys' clubs, etc.
- Farms and ranches
- Golf course (except miniature golf course or commercial driving range)
- Wireless communications facilities; Type 4, subject to requirements of Sections 1.400, 3.100 and 7.200
- Private colleges and universities having a regular curriculum, with their related services and activities
- Private school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with the certain standards. Some of the criteria being requested of the PHS property is similar to the private school use including, but not limited to:
 - Minimum lot area (86,000) square feet minimum lot size. b. Floor area ratio: In no case shall the gross floor area of the structure(s) exceed an amount equal to 0.20 multiplied by the net lot area
 - Outdoor speaker systems or bells are not allowed
 - All lighting, other than security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit



- Screening: There shall be a minimum six-foot high wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines adjacent to residential districts
- Potential van and bus drop-off area, parking, access driveways

As listed above, there are several allowed and conditional uses that are permitted on the Property and surrounding properties. As mentioned previously in this narrative, there are other businesses operating in the general area out of approximately two (2) acre lots including a jeep tour company, swim school and horse ranches, some with valid permits, some without. Each of the above uses has their own characteristics but overall they are all lumped into the uses within the R1-70 zoning district.

The use permit criteria states the characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas. The common elements to the site relate to the following uses include:

- The single family home use
- Accessory buildings, swimming pools, home occupations and other accessory uses
- Public school uses
- Private school use and the similar land use criteria
- The ranch use

The herpetological use draws on many parallels with the five (5) uses listed above. The land use has the characteristics of the horse ranches in the area with outdoor animal pens, accessory buildings and fencing to secure the animals on the property. The education and training component has similar characteristics of the criteria for schools, both public and private. But unlike the horse ranches in the area, there is no nuisance for odors, flies and lighted outdoor training facilities. Also, unlike the private school facilities, the Property has a camp for approximately nine weeks and not throughout the school year. The school busses that come to the Property will be limited to per week and most likely never reach that goal. But like any other public street with homes, school buses are allowed on public streets. Therefore, the existing PHS facility does have characteristics that are reasonably compatible with the types of uses permitted in the surrounding areas.

C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.

There are no additional conditions for community buildings and recreational uses, not publically owned within the City zoning ordinance.

Additional Zoning Ordinance Requirements.

The Single-family Residential (R1-70) zoning district restricts accessory structures from being located within the required front yard setback. The front yard setback along 78th Street was finalized with the wall permit issued in 2007. There are no structures within the front yard along 78th Street. The front yard along Antioch Way has been removed along a majority of the Property frontage by the placement



of a NAOS tract that will be dedicated to comply with the ESL ordinance requirements. By creating this tract, the southern are of the Property becomes a side yard. The zoning ordinance also states that accessory buildings cannot exceed 30% of the rear yard. The rear yard on the Property has approximately 23% of accessory building square footage. The creation of the NAOS tract along Antioch Way removes the corral fence from a front yard condition. The wall/fence along 78th Street is setback the required 60 feet.

Environmentally Sensitive Lands (ESL)

The intent of the ESL is to protect renewable and non-renewable resources. Although the Property has expanded the areas for storage of reptiles, the Property Owners have preserved all of the mature vegetation on the property over the years. Other than the palm trees that date back to when the Property was in the County, there are mature native trees and cacti throughout the property. The use permit request will re-designate the natural area open space ("NAOS") that currently have improvements. The reptile enclosures do not affect the natural vegetation nor do they affect soils, air and or water quality. The large wash that traverses the Property is outside (northwest corner) the improvements within the perimeter fences. The smaller washes are allowed to enter the Property with no obstruction. The small water pools on the Property created for the larger reptiles are all on filters and chlorinated to minimize and flying pests. Unlike a horse ranch, the waste created by all reptiles is minimal and can be handled in the one waste dumpster on the Property. The septic system on the Property is fully functional.

Section 6.1071.2 allows for the City Council to approve NAOS areas within the Property, inside the perimeter fence/wall. With this CUP and the hardship exemption provisions within the ESL ordinance, the request is to allow the continued use of NAOS within the perimeter wall/fence. These areas were approved by the City staff when the wall permit in 2007 was approved. The re-designated NAOS areas will place more NAOS along the perimeter of the Property outside the walls/fences that what was originally approved in 2007, thereby providing more NAOS in conformance to the requirements of the ESL guidelines. The CUP intends to provide the required NAOS. Section 6.1071.4 requires perimeter fence setbacks. Again, via the hardship exemption provisions of the ESL ordinance, we respectfully request to keep the fences approved in the 2007 wall permit to remain in their respective locations. The side and rear property walls are appropriately placed along adjacent lot NAOS or the unimproved Antioch Way on the south side of the Property. Finally, the non-native trees on the Property will remain, but will be slowly removed as they age or become unsustainable within the Property.

Foothills Overlay

The F-O District provides a means to recognize and further preserve the rural desert character in the low density lands that are generally not within subdivisions to which the F-O District has been applied by defining additional standards that help to define the area's unique character. These standards are intended to result in minimum visual impact for buildings and other improvements and to further the related purposes of the Environmentally Sensitive Lands ESL District that relate to preservation of the



desert and blending the form of buildings into the desert environment. The Herpetological Society has existed at this location for several decades. Since the installation of the wall along 78th Street, the majority of the operations of the facility are screened by the single family home, a detached garage building and mature landscaping. Other than the sporadic parked cars outside the wall along 78th Street and cars parked within the wall, the property has no clear indications it is operating as the Phoenix Herpetological Society. Although the aerial shows many enclosures and structures on the Property, the views from a majority of the adjacent properties are screened by the fences/walls or mature native vegetation buffers. The Herpetological Society intends to continue its operations with no new buildings or structures on the Property. The natural buffers on the south, east and north sides allow for the internal site operations to be screened from view. This results in minimal visual impact for the buildings and other improvements per the purpose of the FO. Additionally, the native vegetation on the Property promotes the ESL District by preserving the desert and blending the form of buildings into the desert environment.

NEIGHBORHOOD OUTREACH

The Property sits off of Dynamite Boulevard within a large lot neighborhood. The home on the Property one was of the original homes in the area. The herpetological society has its origins since the mid-1980. The current Property Owners have lived on the Property since 1972 and have reached out to surrounding neighbors about the use. In fact, several neighbors have volunteered at the herpetological society over the years.

The pre-application for the conditional use permit originated in 2016. The Property Owners have been out knocking on doors since 2017 discussing their land use and the upcoming City process. Many of the letters from surrounding neighbors and signed petitions were the result of the Property Owners walking the neighborhood to discuss their land use.

Prior to submitting the conditional use permit application, an open house was held on June 18, 2018. There were approximately thirty five to forty (40) attendees. Our estimate per individual discussions and open comment, questions and answer period, there were approximately half of the attendees in favor of the use. The other half of the attendees were split into two (2) general groups, half with questions and concerns about the use and the other half expressing their opinions against the proposal. The folks who spoke against the proposal believe what the herpetological society is a positive effort, they just believe it belongs somewhere else. Our intention is to keep all who attended the open house and have reached out to the Property Owners and their representatives informed of the status of our application and the process. We will continue to meet with residents, provide private tours of the facility and educate anyone who seeks information on the facility throughout the course of the conditional use permit process.



SUMMARY

The request for the conditional use permit for a community building and recreational facility not publically owned is to maintain the current herpetological use. There is no request for expansion of the outdoor or indoor operations at the facility. The request identifies the type of operations at the facility and limits the traffic to the Property as described within. The site plan becomes a part of the City records to identify the where and what is located on the Property. The conditional use permit will allow the neighbors and the Property Owners to clearly understand the use on the Property and its allowances and limitations.

As described within, this use has been operating on the Property since the mid-1980. The last expansion (outdoor pens and walkway) was done in 2011. All of the immediate adjacent property owners have been aware of the use throughout the years. Only recently have the City and certain neighbors taken notice to the land use conducted on the Property. Our goal is to continue to operate the Phoenix Herpetological Society on the Property. The safety of the facility is outlined with this permit. The operations are outlined within this permit. The uses within the property do not create any noise, odor, vibration and lighting impacts to the surrounding properties. The walls, lush landscaping and setbacks provide adequate buffers to adjacent neighboring properties. The traffic to the Property is identified in this report so as to ensure surrounding property owners understand the operations of the facility and the limitations of the traffic to and from the facility on a daily and annual basis. We look forward to working with the City and the neighbors on a dust palliative for 78th Street to ensure traffic dust does not detrimentally impact the neighborhood. Having the operations controlled by the City's conditional use permit process enables all interested parties to know the requirements of operating this specific community buildings and recreational use not publically owned use on the Property. We look forward to working with the City on specific conditions for the proposed conditional use and respectfully request its approval.



**TIFFANY
& BOSCO**
P.A.

May 29, 2019

**To: Property Owner within 750';
Interested Parties and
Registered Homeowners Associations**

**RE: Proposed Abandonment of City of Scottsdale Right of Way and General Land Office
(GLO) Easements**

We represent Daniel Marchand and Debbie Gibson, owners of the property located at 28011 N. 78th Street (see attached map of site location). The 2.1 acres property is zoned R1-70 ESL FO (Single Family Residential with Environmentally Sensitive Lands and Foothills Overlay). We are requesting to abandon some right-of-way (ROW) and GLO easements along their west and southern property boundary. Specifically, the request is to abandon:

- 78th Street – The easterly five (5) feet of the City of Scottsdale (City) ROW along the western boundary of 28011 N. 78th Street. The current half street dedication by the property owner is thirty (30) feet wide. The City has indicated to us that a 25' half street is all that is needed for 78th Street. In addition to the 5' strip of ROW abandonment, we are requesting the underlying GLO easement (8' wide) to be abandoned. The result of this request will not alter in anyway the existing alignment and function of 78th Street.
- Antioch Way – The northerly twenty-five (25) feet of Antioch Way along the property's southern boundary. This section of roadway is not currently developed or accessible. This section of roadway is not planned to be improved in the near future. We are also asking to abandon the entire northerly GLO easement (33') along the Antioch alignment.

We are required by the City to provide you with a letter notice of our request. We believe the abandonment request is in keeping with the current local residential access into and out of the neighborhood. If approved, there would be no changes to any of the existing streets or connections. Please feel free to contact me with any questions or concerns at (602) 452-2729 or by email at kajones@tblaw.com. You may also contact Jesús Murillo, Senior Planner at City of Scottsdale at (480) 312-7849 or by email at JMurillo@ScottsdaleAz.Gov. Please reference case # 600-PA-2016 when contacting City of Scottsdale.

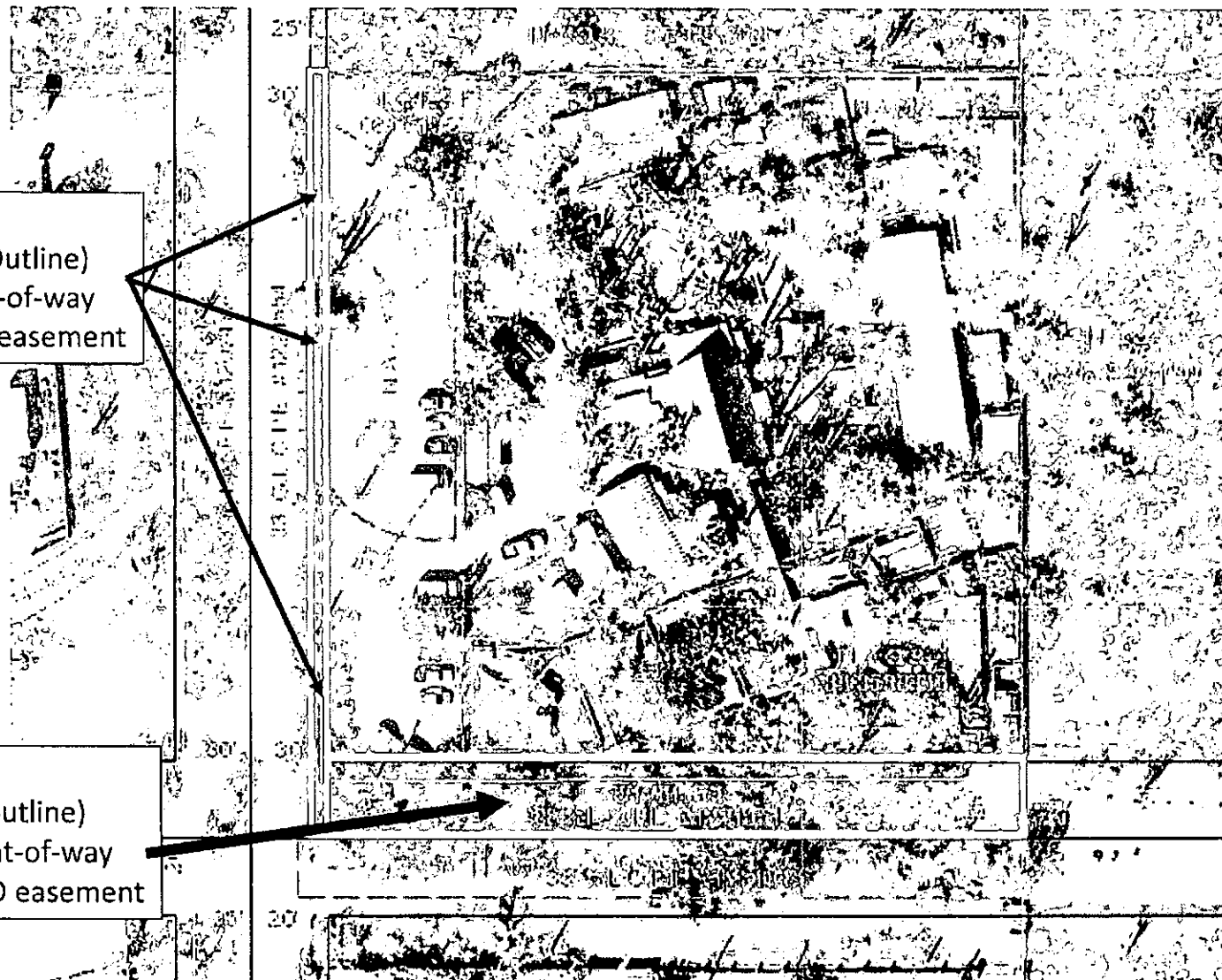
Sincerely,

Kurt A. Jones, AICP

**6-AB-2019
6/4/19**

78th Street
Abandonment (Outline)
• 5 feet of right-of-way
• 8 feet of GLO easement

Antioch Way
Abandonment (outline)
• 25 feet of right-of-way
• 33 feet of GLO easement





**TIFFANY
& BOSCO**
P.A.

May 29, 2019

**To: Property Owner within 750';
Interested Parties and
Registered Homeowners Associations**

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Sincerely,

Kurt A. Jones, AICP

6-AB-2019
6/4/19



**TIFFANY
& BOSCO**
P.A.

June 8, 2018

**To: Property Owner within 750';
Interested Parties and
Registered Homeowners Associations**

**RE: Correction Letter for Open House for Proposed Conditional Use Permit at 28011 N.
78th Street**

We sent you a letter that indicated a 7:00 pm starting time for an open house. The start time is 7:00 am in the morning.

We represent Daniel Marchand and Debbie Gibson, owners of the property located at 28011 N. 78th Street (see attached map of site location). The 2.1 acres property is zoned R1-70 ESL FO (Single Family Residential with Environmentally Sensitive Lands and Foothills Overlay). We are holding an open house meeting to share with property owners and other stakeholders in the area their request for a conditional use permit from the City of Scottsdale for a community buildings and recreational facilities not publicly owned land use. This conditional use is allowed on single family residential properties with the issuance of a conditional use permit. The City requires an open house meeting prior to formal application submittal. The meeting will be held on:

Monday, June 18, 2018 – 7:00 am - 8:30 am

(THIS IS A MORNING MEETING)

Coolwater Christian Church

28181 N. 56th Street

Scottsdale, AZ 85266

(Southeast corner of Dynamite and 56th Street)

The proposal is validate the existing Phoenix Herpetological Society use on the property. The conditional use permit request will be for the existing improvements on the property. There is no expansion proposed with this conditional use permit request.

We look forward to seeing you at the open house and explaining in more detail our plans and the conditional use permit process. If you cannot make the open house, please feel free to contact me at 602-452-2729 or at kajones@tblav.com. If you contact the City of Scottsdale seeking information, please refer to case # 600-PA-2016. Thank you for your time regarding this matter.

Sincerely,

Kurt A. Jones, AICP

**6-AB-2019
6/4/19**

Owner	MAIL_ADDR1	MAIL_CITY	MAIL_STATE	MAIL_ZIP
WETZEL JEANNIE L	7639 E DYNAMITE BLVD	SCOTTSDALE	AZ	85266
ARTOUJIAN VAZGEN R	PO BOX 35887	PHOENIX	AZ	85069
BIMSON GEORGIA	27990 N 77TH ST	SCOTTSDALE	AZ	85266
HAHN JAMES R/STONE RANDY S	27812 N 77TH ST	SCOTTSDALE	AZ	85266
MARRERO HANS/SONIA	27927 N 78TH ST	SCOTTSDALE	AZ	85255
WOOD ELIZABETH B	4903 BOW MAR DR	BOW MAR	CO	80123
GILES JENESSA	28151 N 77TH ST	SCOTTSDALE	AZ	85266
PENSIERO SUSAN P	28039 N 77TH ST	SCOTTSDALE	AZ	85262
ZANE JAMES III/HEATHER	35431 N 7TH ST	PHOENIX	AZ	85086
THUDE NICOLETTE/THUDE MARGARET	7102 E RANCH RD	SCOTTSDALE	AZ	85262
FARIAS RUBY A	7817 E DYNAMITE BLVD	SCOTTSDALE	AZ	85266
GAYLORD KEVIN/DIANNE	23106 SOUTHEAST 148TH ST	MAPLE VALLEY	WA	98038
VEHLING LALANI LOUISE TR	7850 E ANTIOCH WY	SCOTTSDALE	AZ	85266
MARCHAND DANIEL J/GIBSON DEBBIE C	28011 N 78TH SST	SCOTTSDALE	AZ	85266
TUCCINO GERALD/VELAUNDA M	27847 N 78 ST	SCOTTSDALE	AZ	85255
LATHAM WILLIAM T/KAREN K	1847 7 RD	MACK	CO	81525
SPIRO MARIE THERESE	7814 E OBERLIN WAY	SCOTTSDALE	AZ	85255
K MCCAFFREY LLC PROFIT SHARING PLAN	28182 N HAYDEN RD	SCOTTSDALE	AZ	85266
LONGWORTH GERALD R	7915 E DYNAMITE BLVD	SCOTTSDALE	AZ	85255
MCCAFFREY KEVIN P/KRISTINE L	28182 N HAYDEN RD	SCOTTSDALE	AZ	85266
ZAVALA FRANK G/DORI L	12645 N 80TH PL	SCOTTSDALE	AZ	85260
BIRD PHILIP M/DOTTIE CARTWRIGHT	7928 E ANTIOCH WAY	SCOTTSDALE	AZ	85266
MCDONALD JAMES ROBERT	4910 N 44TH ST #17	PHOENIX	AZ	85018
CHORD JUDY C	8700 E MOUNTAIN VIEW RD UNIT 1019	SCOTTSDALE	AZ	85258
FREDERICK GEORGE C/KATHLEEN J	7807 E OVERLIN WAY	SCOTTSDALE	AZ	85266
DICKSON MARVIN L & SHARON R	27840 N HAYDEN RD	SCOTTSDALE	AZ	85255
STEPHANIE S PICKARD REVOCABLE TRUST	2192 N FREMONT BLVD	FLAGSTAFF	AZ	86001
PRICE FAMILY TRUST	2358 DESERT COVE	PHOENIX	AZ	85028
CAMPBELL STUART K/JANE	3 OAKLEIGH LN	ST LOUIS	MO	63124
TEMPLAR KNIGHT LLC	1801 BAYVIEW AVED PENT 805	TORONTO	ON	M4G 4K2
CAPANO FRANK X JR/BILLIE	5 BENNINGTON LN	EASTAMPTON TOWNSHIP	NJ	8060
CORMANY GARY D/TROVILLION JUDY L	28383 N 79TH ST	SCOTTSDALE	AZ	85262
FLUEGEL THEODORE DAVID	7649 E OBERLIN WY	SCOTTSDALE	AZ	85266
HARBUT DANIEL J/HARMONY A/JOSEPH D	28247 N 78TH ST	SCOTTSDALE	AZ	85266
HOLMASON BRIAN JEFFEREY	7230 E LA JUNTA RD	SCOTTSDALE	AZ	85255
ROSE SCOTT C/TIFFANY R	28250 N 78TH ST	SCOTTSDALE	AZ	85266
Annette Petrillo		1169 E. Clovefield Street	Gilbert	AZ 85298
Audry Villaverde	Withey Morris, PLC	2525 E. Arizona Biltmore Circl	Phoenix	AZ 85016
Chris Schaffner		7346 E. Sunnyside Dr.	Scottsdale	AZ 85260
Dan Sommer		12005 N 84th Street	Scottsdale	AZ 85260
David G. Gulino		7525 E. Camelback Road, Suit	Scottsdale	AZ 85251
Dr. Sonnie Kirtley	COGS	8507 East Highland Avenue	Scottsdale	AZ 85251-1822
Ed Toschik, President		7657 E Mariposa Grande Dr	Scottsdale	AZ 85255
Guy Phillips		7131 E. Cholla St.	Scottsdale	AZ 85254
Jim Funk	Gainey Ranch Community Association	7720 Gainey Ranch Road	Scottsdale	AZ 85258
Jim Haxby		7336 E. Sunnyside Dr.	Scottsdale	AZ 85260
John Berry/Michele Hammond	Berry Riddell, LLC	6750 E Camelback Rd, Ste 10C	Scottsdale	AZ 85251
John Washington		3518 N Cambers Court	Scottsdale	AZ 85251
Leon Spiro		7814 E Oberlin Way	Scottsdale	AZ 85266
Linda Whitehead		9681 E Chuckwagon Lane	Scottsdale	AZ 85262
Lori Haye		P.O. Box 426	Cave Creek	AZ 85327
Maricopa County Superintendent of Schools		4041 N. Central Avenue Suite	Phoenix	AZ 85012
Mike McNeal, Supervisor	AT&T	1231 W. University Drive	Mesa	AZ 85201
Planning & Engineering Section Manager	Arizona State Land Department	1616 W. Adams Street	Phoenix	AZ 85007
Project Management	Arizona Department of Transportation	205 S. 17th Avenue MD 6012f	Phoenix	AZ 85007
Randall P. Brown	Spring Creek Development	7134 E. Stetson Drive; Suite 4f	Scottsdale	AZ 85251
Richard Turner, Planning and Zoning Administrator	Town of Fountain Hills	16705 E. Avenue of the Fount	Fountain Hills	AZ 85268
Sherry Wagner/Right-of-Way Technician, SR.	Mail Station PAB348	P.O. Box 52025	Phoenix	AZ 85072-2025
	Withey Morris, PLC	2525 E. Arizona Biltmore Circl	Phoenix	AZ 85016
	Gammage & Burnham, PLC	2 N. Central Avenue, 15th Flo.	Phoenix	AZ 85004
	Arizona Commerce Authority	333 N. Central Avenue, Suite	Phoenix	AZ 85004
	Paradise Valley Unified School District	15002 N. 32nd Street	Phoenix	AZ 85032
	Granite Reef Neighborhood Resource Center	1700 N Granite Reef Road	Scottsdale	AZ 85257
	Southwest Gas Corporation	2200 N. Central Avenue Ste 1f	Phoenix	AZ 85004
	Earl, Curley & Lagarde, P.C.	3101 N. Central Avenue, Ste.	Phoenix	AZ 85012
Julie A. Eckmann		4020 N. Scottsdale Road, Uni	Scottsdale	AZ 85251
Bob Griffith		7127 E. Rancho Vista Dr. #4C	Scottsdale	AZ 85251
Eric Gold		25499 N. 104th Way	Scottsdale	AZ 85255
Bob Mountz		23005 N. 74th Street #1214	Scottsdale	AZ 85255
Patti Badenoch		5027 N. 71st Pl	Scottsdale	AZ 85253

Vickie Falen
Wade Tinant
Carla
Desert POA

Howard Myers

10520 N 117th Pl	Scottsdale	AZ	85259
4614 E. Running Deer Trail	Cave Creek	AZ	85331
3420 N. 78th Street	Scottsdale	AZ	85251
6631 E Horned Owl Tr	Scottsdale	AZ	85266

6-AB-2019
6/4/19

Property Owners
at the
Open House

6-AB-2019
6/4/19

Early Notification of Project Under Consideration

Neighborhood Open House Meeting:

Date: Monday, June 18, 2018
Time: 7:00 A.M. - 8:30 A.M.
Location: Coolwater Christian Church
28181 N. 56th St., Scottsdale, AZ 85266

Site Address: 28011 N. 78th St., Scottsdale, AZ

Project Overview:

- Request: Conditional Use Permit for a community, buildings and recreational facilities not publicly owned use
- Description of Project and Proposed Use: To allow Herpetological Society to use property as is; no expansion proposed
- Site Acreage: Approximately 2.1 acres
- Site Zoning: R1-70 ES, FO

Applicant Contact:

Kurt Jones
602-452-2729
kjones@tblaw.com

City Contact:

Jesus Murillo
480-312-7849
jmurillo@scottsdaleaz.gov

Pre-Application #: 600-PA-2016 Available at City of Scottsdale: 480-312-7000
Project information may be researched at:
<https://eservices.scottsdaleaz.gov/bid/resources/Preapp/See>

Posting Date: 6/08/2018
Applicant Responsible for Sign Removal



Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.



Project Under Consideration Sign (White)



Public Hearing Notice Sign (Red)

Case Number: 600-PA-2016

Project Name: _____

Location: 28011 N 78th St

Site Posting Date: 6/8/18

Applicant Name: Kurt Jones

Sign Company Name: Dynamite Signs

Phone Number: 480-585-3031

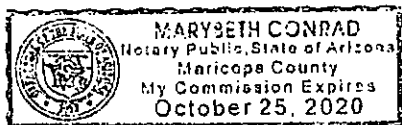
I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Applicant Signature

Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 8th day of June 2018



Notary Public

My commission expires: 10.25.20

City of Scottsdale -- Current Planning Division

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

June 18, 2018

Phoenix Herpetological Society
Neighborhood Meeting
SIGN IN SHEET

NAME	ADDRESS	EMAIL
Handi Smelko	27622 N 78 th St Scottsdale, AZ	huckey-smelko@gmail.com
Justin Georgi	7103 W Behrend Dr Glendale, AZ	justin.georgi@gmail.com
Brian Anthony	7200 E Power Rd Mesa, AZ	brianthony@azherp.soc.
Kevin & Patricia	1121 E Jagger Dr Gilbert, AZ	FTHERSONH@AOL.com
Sonia Marrero	27972 N 78 th St Scottsdale	sonia1m@aol.com
Barbara Hurd	1908 E Dorian Blvd Phoenix, AZ	hurdbarbara@aol.com
Kathryn Lee	6407 N 82nd Way Scottsdale, AZ	KittyJoeCreek@aol.com
AMANDA SPRINGER	20100 N 79 th PL SCOTTSDALE, AZ	springer.amanda@gmail.com
GEORGE FREDERICK	7807 E OBERLIN WAY	VF5266 CLUT@FREDERICK.COM
KAREN ✓	✓	✓
Susan Gaudner	6230 E Sienna Boulevard PL CC 85331	SMLECHOIR@YAHOO.COM
JAMES ZANE	28022 N 78 th ST	JAMESZANE@GMAIL.COM
Susan Fuchs	1421 E Utopia Phoenix 85024	clirley@cox.net
Kim Young	27020 N 71st Pl, Scotts. 85266	Kyoung1221@cox.net
Cheryl Love	24066 N 77th St Scotts 85255	cheryllynnlove@gmail.com
MARY KORN	28627 N 63rd St CC 85331	MLKorn9@gmail.com
RUBY FARIAS	7817 E Dymunite Blvd	
RICK GARCIA	15840 S 17TH AVE PHX 85045	RICKGARCIA@COX.NET
Alice Chan	28110 N 65th St Paradise Valley, AZ 85251	pcarroll3@aol.com
Katelyn Garcia	1502 E Dunlap Ave #12 Phoenix AZ 85020	KatelynG5@gmail.com

6-AB-2019
6/4/19

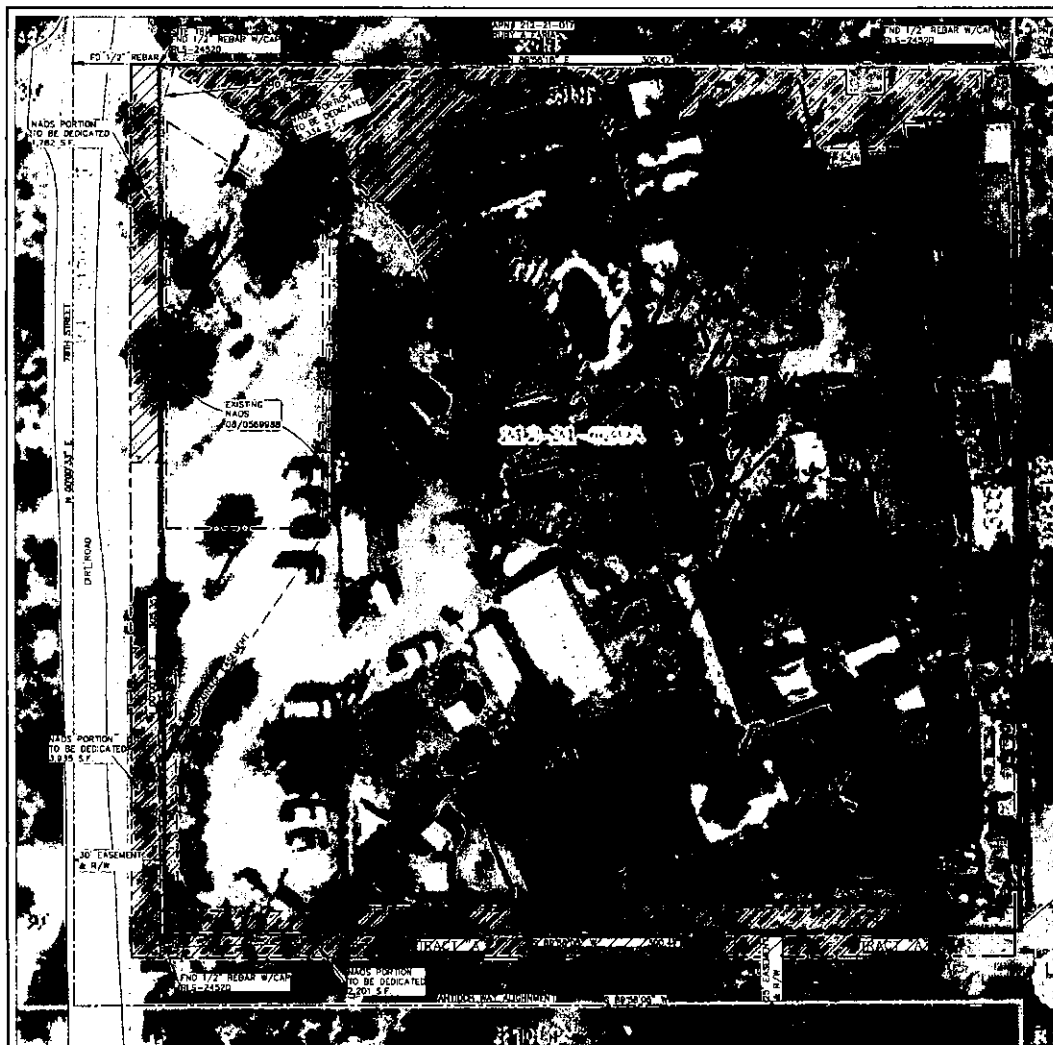
June 18, 2018

Phoenix Herpetological Society
Neighborhood Meeting
SIGN IN SHEET

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14

6-AB-2019
6/4/19



PERTINENT DOCUMENTS:

DCT # 19730510

LEGAL DESCRIPTION:

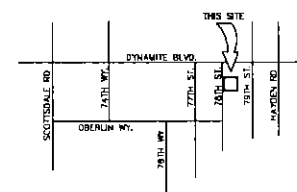
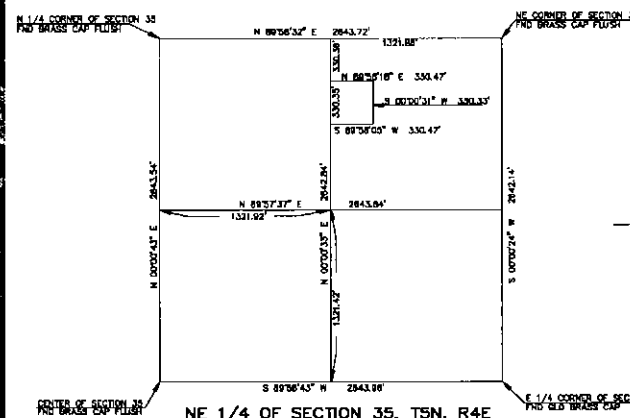
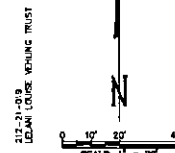
THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTH-EAST QUARTER OF THE NORTH-EAST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, SCOTTSDALE, MARICOPA COUNTY, ARIZONA.

EXCEPTING THEREFROM ALL OIL, GAS, AND OTHER MINERAL DEPOSITS AS RESERVED UNTO THE UNITED STATES OF AMERICA IN THE PATENT OF SAID LAND.

EXCEPT THE WEST 30.00 FEET AND THE SOUTH 25.00 FEET FOR ROADS.

AERIAL / SITE PLAN

THE SW 1/4, NW 1/4, NE 1/4, NE 1/4, OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 4 EAST
EXCEPT THE WEST 30 FT. & THE SOUTH 25 FT. FOR ROADS
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, SCOTTSDALE, MARICOPA COUNTY, ARIZONA.



VICINITY MAP N.T.S.

OWNER:

DANIEL J. MARCHAND AND DEBBIE C. GIBSON
MAILING ADDRESS: 28011 N 78TH ST
SCOTTSDALE, AZ 85268
PHONE: 480-513-4377
E-MAIL: daniel@optonline.net

SITE ADDRESS:

28011 N 78TH ST
SCOTTSDALE, AZ 85268

ASSESSORS PCL. NO.:

212-21-020A

ZONING:

R1-70 ESR TO

C.O.S. QUARTER SECTION NO.:

50-48

DATE:

NAOS	DS-18	PS

GRAHAM SURVEYING & ENGINEERING, INC.
Civil Engineers & Land Surveyors
P.O. BOX 1240, Carefree, Arizona 85377
(480) 488-4393

NAOS

A PART OF SECTION 35 T5N,R4E, SHT. 1 OF 1, JOB #15-163ALTA

NOTES:

1. IF A DISCREPANCY IS FOUND BETWEEN ENGINEER'S PLAN OR SURVEYOR'S STAKING AND THE ARCHITECTURAL PLAN, ENGINEER SHALL BE NOTIFIED IMMEDIATELY. FAILURE TO NOTIFY ENGINEER SHALL NEGATE ENGINEER'S LIABILITY.

LOT DATA:

AREA= 81,581 S.F./2.1049 AC±
SLOPE= 2-5%
NAOS REQUIRED= 22,922 S.F.
NAOS PROVIDED= 23,025 S.F.
LANDFORM= UPPER=25%, LOWER=20%

N.A.O.S. DATA:

EXISTING NAOS 08/05/9988 23,870 S.F.
NAOS RELEASED= -15,187 S.F.
NAOS REDUCED= +12,001 S.F.
TRACT "A"= +2,201 S.F.
TOTAL= 22,925 S.F.

LEGEND:

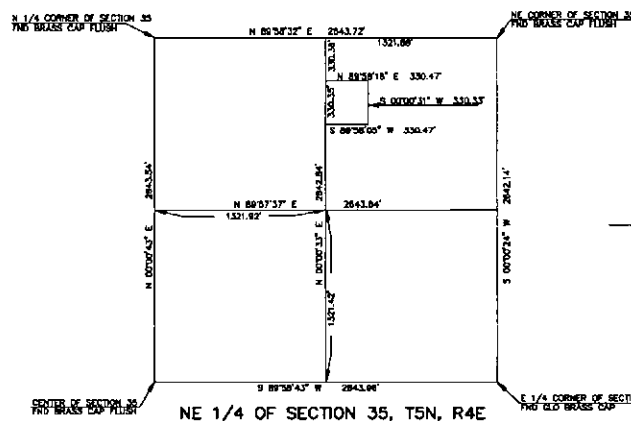
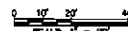
- BSL (C) BUILDING SETBACK LINE
- (O) DENTIES CALCULATED
- (W) DENTIES MEASURED
- (P) DENTIES RECORDED
- (D) DIRECTION OF DRAINAGE
- (E) DRAINAGE EASEMENT
- (S) EDGE OF DISTURBED AREA
- (L) ELECTRIC
- (C) EXISTING CONTOUR
- (O) EXISTING ELEVATION
- (D) EXISTING FIRE HYDRANT
- (P) FOUND
- (M) FOUND MONUMENT
- (L) LOWEST FINISHED FLOOR
- (M) MARICOPA COUNTY RECORDS
- (P) POWER LINES
- (O) PROPOSED CONTOUR
- (O) PROPOSED ELEVATION
- (P) PUBLIC UTILITIES EASEMENT
- (R) RECORD MONUMENT
- (O) RIGHT OF WAY
- (S) SANITARY SEWER CLEAN OUT
- (S) SPLIT RAIL FENCE
- (T) TOP OF WALL

6-AB-2019
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THE SW 1/4, NW 1/4, NE 1/4, NE 1/4, OF SECTION 35, TOWNSHIP 5 NORTH, RANGE
4 EAST
EXCEPT THE WEST 30 FT. & THE SOUTH 25 FT. FOR ROADS
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, SCOTTSDALE, MARICOPA COUNTY, ARIZONA.



212-21-019
ELAM LOUISE WONG TRUST



VICINITY MAP

N.T.S.

OWNER:
DANIEL J. MARCHAND AND DEBBIE C. GIBSON
MAILING ADDRESS: 28011 N 78TH ST
SCOTTSDALE, AZ 85268
PHONE: 480-513-4577
E-MAIL: debbie@hoenrichs.com

SITE ADDRESS:
28011 N 78TH ST.
SCOTTSDALE, AZ 85268

ASSESSORS PCL. NO.:
212-21-01704

ZONING:
R3-ZD FS, FD

C.O.S. QUARTER SECTION NO.:

DATE:

NAOS	09-18-18	P5
0000 0000 0000	0000 0000 0000	0000 0000 0000
0000 0000 0000	0000 0000 0000	0000 0000 0000
0000 0000 0000	0000 0000 0000	0000 0000 0000

GRAHAM SURVEYING & ENGINEERING, INC.
Civil Engineers & Land Surveyors
P.O. BOX 1240, Coconino, Arizona 85377
(480) 488-4393

A PART OF SECTION 35 T5N,R4E, SHT. 1 OF 1, JOB #16-183ALTA

PERTINENT DOCUMENTS:

DET 4 19730510

LEGAL DESCRIPTION:

THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE
NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION
35 TOWNSHIP 5 NORTH, RANGE 4 EAST OF THE GILA AND SALT
RIVER BASE AND MERIDIAN, SCOTTSDALE, MARICOPA COUNTY,
ARIZONA

EXCEPTING THEREFROM ALL OIL, GAS, AND OTHER MINERAL
DEPOSITS AS RESERVED UNTO THE UNITED STATES OF AMERICA IN
THE PATENT OF SAID LAND.

EXCEPT THE WEST 30.00 FEET AND THE SOUTH 25.00 FEET FOR
ROADS.

LEGEND:

- | | |
|----------|---------------------------|
| BSL | BUILDING SETBACK LINE |
| (C) | DENOTES CALCULATED |
| (M) | DENOTES MEASURED |
| (R) | DENOTES RECORDED |
| DE | DEFECTION DRAINAGE |
| EDA | DRAINAGE EASEMENT |
| EL | EDGE OF DISTURBED AREA |
| (ELECT) | ELECTRIC |
| DO | EXISTING CONTOUR |
| (DO) | EXISTING ELEVATION |
| (ENR) | EXISTING FIRE HYDRANT |
| FND | FOUND |
| FND | FOUND MONUMENT |
| LF | LOWEST FINISHED FLOOR |
| MA | MAHARAJA COUNTY RECORDS |
| POWER | POWER LINES |
| DO | PROPOSED CONTOUR |
| PROPOSED | PROPOSED DRAINAGE |
| PLU | PUBLIC UTILITIES EASEMENT |
| REC | RECORD MONUMENT |
| R/W | RIGHT OF WAY |
| SSCD | SANITARY SEWER CLEAN OUT |
| SP | SPLIT RAIL FENCE |
| T/W | TOP OF WALL |

NOTES:

1. IF A DISCREPANCY IS FOUND BETWEEN ENGINEER'S PLAN OR SURVEYOR'S STAKING AND THE ARCHITECTURAL PLAN, ENGINEER SHALL BE NOTIFIED IMMEDIATELY. FAILURE TO NOTIFY ENGINEER SHALL NEGATE ENGINEER'S LIABILITY.

LOT DATA:

AREA= 01.691 S.F./21049 AC.
SLOPE= 2-5%
NACS REQUIRED= 22,922.75 S.F.
NACS PROVIDED= 21,025 S.F.
LANDFORM= UPPER=25% LOWER=20%

N.A.O.S. DATA:

EXISTING NAOS DB/0500000	21,870 S.F.
NAOS RELEASED=	-15,107 S.F.
NAOS DEDICATED=	+12,051 S.F.
TRACT "A"=	+ 2,201 S.F.
TOTAL =	21,023 S.F.

6-AB-2019
6/4/19

Request To Submit Concurrent Development Applications

Acknowledgment and Agreement



The City of Scottsdale recognizes that a property owner may desire to submit concurrent development applications for separate purposes where one or more of the development applications are related to another development application. City Staff may agree to process concurrently where one or more the development applications related to the approval of another development application upon receipt of a complete form signed by the property owner.

Development Application Types		
Please check the appropriate box of the types of applications that you are requesting to submit concurrently		
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 (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input checked="" type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

Owner: Debbie Gibson

Company: Phoenix Herpetological Society

Address: 28011 N. 78th Street, Scottsdale, AZ

Phone: (480) 223-3813

Fax: _____

E-mail: debbie@phoenixherp.com

As the property owner, by providing my signature below, I acknowledge and agree: 1) that the concurrent development applications are processed at the property owner's risk; 2) to hold the City harmless of all cost, expense, claims, or other liability arising in connection with the concurrent development applications; 3) to the City of Scottsdale's Substantive Policy Statement pertaining to Concurrent Applications; 4) to placing a development application on hold in order to continue processing a concurrent development application that is related to an another development application; and 5) that upon completion of the City review(s) of the development applications, one or more of the development application(s) may not be approved.

Property owner (Print Name): Debbie Gibson Title: V.P.

Debbie Gibson Date: 5.20.19

Signature

Official Use Only:	Submittal Date: _____
Request: <input type="checkbox"/> Approved or <input type="checkbox"/> Denied	
Staff Name (Print): _____	
Staff Signature: _____	Date: _____

6-AB-2019
6/4/19



May 30, 2019

Paul Sigston
Graham Surveying & Engineering
PO Box 1240
Carefree, AZ 85377

RE: Abandonment Request for 28011 N 78th St.

Mr. Sigston,

I have reviewed the abandonment request at 28011 N 78th St., in Scottsdale, AZ. Based upon the supplied drawings/exhibits that you've submitted, it has been determined that COX has no facilities within the PUE and therefore we approve your request to abandon.

Please note that although Cox Communications approves this abandonment we do so with the understanding that we will not assume any construction, relocation and/or repairs costs associated or in result of this abandonment.

If I can be of further assistance, please contact me using the contact information below.

Kenny Hensman

Kenny Hensman

COX Communications
Permitting Group
Right of Way Agent II
AZ.JointUse@cox.com
kenny.hensman@cox.com



Bringing us closer

6-AB-2019
6/4/19



Delivering water and power™

Sherry Wagner

Sr. Technician Right of Way
PAB 10W | P.O. Box 52025
Phoenix, AZ 85072-2025
P: (602) 236-3126 | F: (602) 236-8193
sherry.wagner@srpnet.com

May 22, 2019

Mr. Paul Sigston
Graham Surveying & Engineering
P. O. Box 1240
Carefree, AZ 85377

RE: GLO Abandonment 28011 N. 78 St

Dear Mr. Sigston:

Salt River Project has no objection to abandonment of the GLO Easement at 28011 N. 78th Street. This is in the Arizona Public Service serving area.

If you have any questions please feel free to contact me on 602-236-3126.

Sincerely,

Sherry Wagner

Sherry Wagner



Delivering water and power™

6-AB-2019
6/4/19



James R. Generoso, SR/WA
Land Agent II – Land Services
P.O. Box 53933, MS 3286
Phoenix, AZ 85072
602-371-7847 Office
602-540-5171 Cell
james.generoso@aps.com

May 21, 2019

Paul Sigston
Graham Surveying & Engineering Inc.
PO Box 1240
Cave Creek, AZ 85377

Via Email: psigston@grahamsande.com

Re: GLO Patent Easement Abandonment – Letter of No Objection
Maricopa County, Arizona APN #212-21-020A
28011 N. 78th Street, Scottsdale, AZ 85266

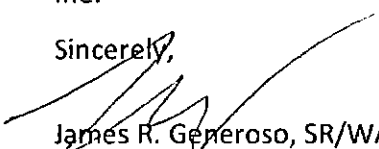
Dear Paul Sigston:

On behalf of Arizona Public Service (APS), I have reviewed your request for APS' consent to the abandonment of the thirty-three foot (33') wide patent easements on the southerly and westerly sides of the above-referenced property.

Based on a review of our records, the only APS facilities within the patent easements proposed for abandonment that are not covered by an existing APS easement are service lines to the existing residence. APS does not typically require easements for such service lines. Therefore APS has ***no objection*** to the abandonment of the patent easements on the southerly and westerly sides of the above-referenced property.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



James R. Generoso, SR/WA
Land Agent II

6-AB-2019
6/4/19