

Project No.: 989-PA-2015

Narrative for Rancho Pacifico

Fall 2016

Proposal

The request is to place a Conditional Use Permit for a Ranch on the property located at 9838/9840 N 110th 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 110th 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 110th 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 110th 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%) Or 52,500 sf (24.1%)	11 structures: 16,150 sf (7.4%) Or 13 structures: 27,700 sf (12.7%)	80,200 sf (36.8%) Or 80,200 sf (36.8%)	5.0 ac	1-4 ft	65 ft
12051 N 96 th Street	14-UP-1979 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 rd 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 rd 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 rd 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 th 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 th 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:

<u>Year</u>	<u>Action or Event</u>	<u>Pertinent Case/Ordinance Number</u>
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 And UP criteria	Ord. 1876
1989	Ranch & commercial stable UP sections revised	Ord. 2266
1992	Ranch & commercial stable UP sections restructured	Ord. 2470
1996	Grandfathering letter issued By city	

Exhibit # 1

Original Warranty Deed

MCR 4991-162

When recorded mail to:
Flester 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 2 $\frac{1}{2}$ 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 Marioppa

On this the 18th day of February, 1957

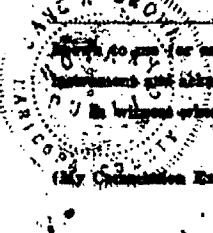
before me, _____, the undersigned
personally appeared FRANK A. TITEL and HELEN DYE TITEL, his wife

known to me (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 hereunto set my hand and official seal.

(My Commission Expires Feb. 20, 1959)

James H. Brown
Notary Public



01-DEED
64509

STATE OF ARIZONA }
County of Maricopa }

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

APR 3 10 54-8 00 AM
1957

in Dechet
cal page 162-163
Witness my hand and official
seal this day and year aforesaid.

Clifford J. Wood
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.

Title & Trust Bldg.

Phoenix, Arizona

Filed and recorded at request of

M.

at _____

Book _____ Deeds, Pages _____

County Recorder.

Deputy.

Fee \$ _____

WHEN RECORDED MAIL TO

Rev. Sandra Grace Bonnar

Deputy.

By _____

County Recorder.

Witness my hand and official seal the day and year first above written.

in Book No. _____ of Deeds, Records of said County, at page _____

_____ M. on this _____ day of _____ 19____ and duly recorded.

and State aforesaid, do hereby certify that the within instrument was filed for record at _____ of Deeds,

County Recorder in and for the County _____

State of _____
County of _____

Exhibit #2

Right-of-way Dedication for 110th 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.

WITNESS my hand and official seal the day and year first above written.

06-MISC 36132 CLIFFORD H. WARD
By: [Signature]

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.

[Signature] Helen Dye Title
Helen Dye Title, aka Helen Welker
[Signature] Victor Menard
Victor Menard
[Signature] Mary Menard
Mary Menard

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

[Signature] J.A. Hartzog
Notary Public
[Notary Seal]

Exhibit # 3

Access Easement for 9838

Across 9840 N 110th St

MCR 4991-173

When recorded mail to:

Recorder #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 25th day of March, 1964.

Victor Menard
Victor Menard

Mary Menard
Mary Menard

STATE OF ARIZONA)
County of Maricopa) ss

On this the 25th 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 1964 8:00 AM

In Book 1-4391 Page 173

Witness my hand and official seal the day and year aforesaid.

By Clifford J. [Signature]
County Recorder
Deputy Recorder

DKT 4991 173

Exhibit #4

Electric Line Easement

On 9838 N 110th St.

MCR 5172-209

19640812_DKT_5172_209_1 Unofficial Document

Sec. 25b5
NE28 3N 5E
GWN

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 successors and assigns, 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
STATE OF ARIZONA
County of Maricopa
I hereby certify that the within instrument was filed and recorded in the office of the County Recorder of Maricopa County, Arizona on this 12th day of August, 1964.
Arizona Public Service Company
1964 AUG 12 2 13
5172-209
175

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.

Jessie C. Kushell

Dated July 21st, 1964

WITNESS:

Exhibit # 5

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

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.



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Exhibit #7

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. 110th Street had been paved, possibly in conjunction with the development on Scottsdale Ranch.

Exhibit #8

1995 Aerial (COS)

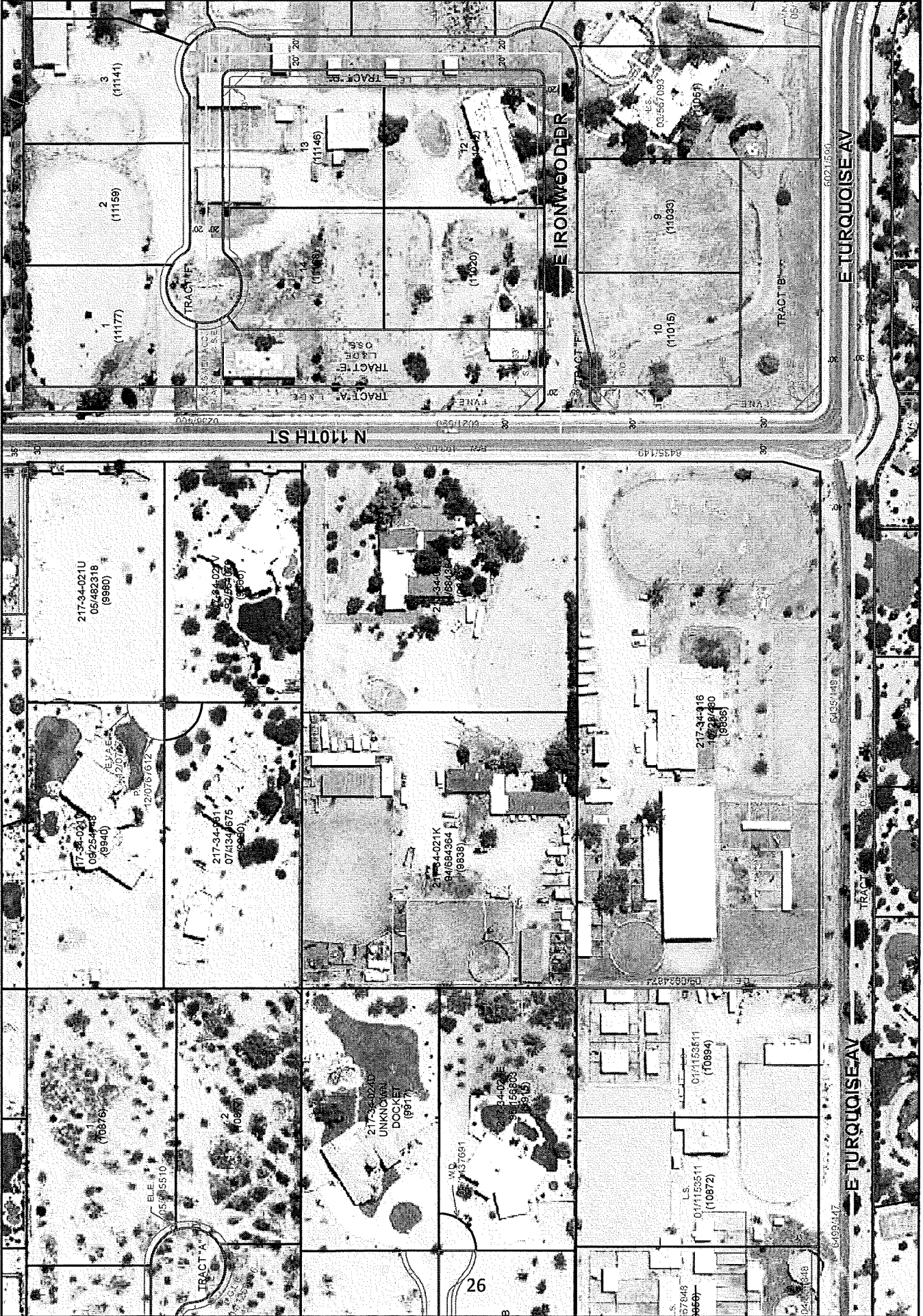
By 1995 the southern paddock had been removed and a hunter-jumper style riding course had been installed between the two houses. Also, the house on the western parcel had been extended southward. The two houses north of the subject property had been completed but there is no improved access drive to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



Exhibit #9

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 110th St to the east had ceased operation.



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Exhibit #10

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

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.

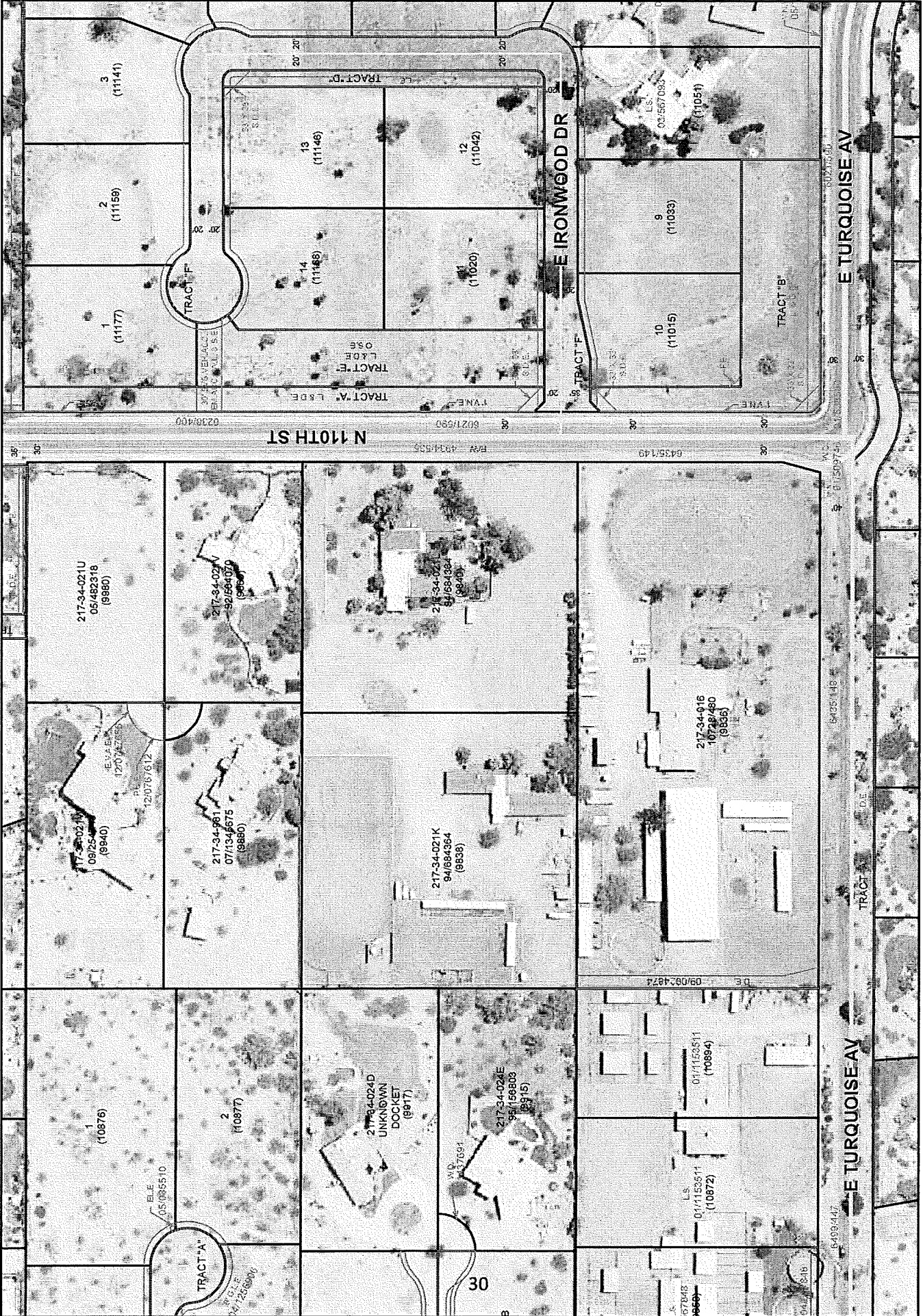
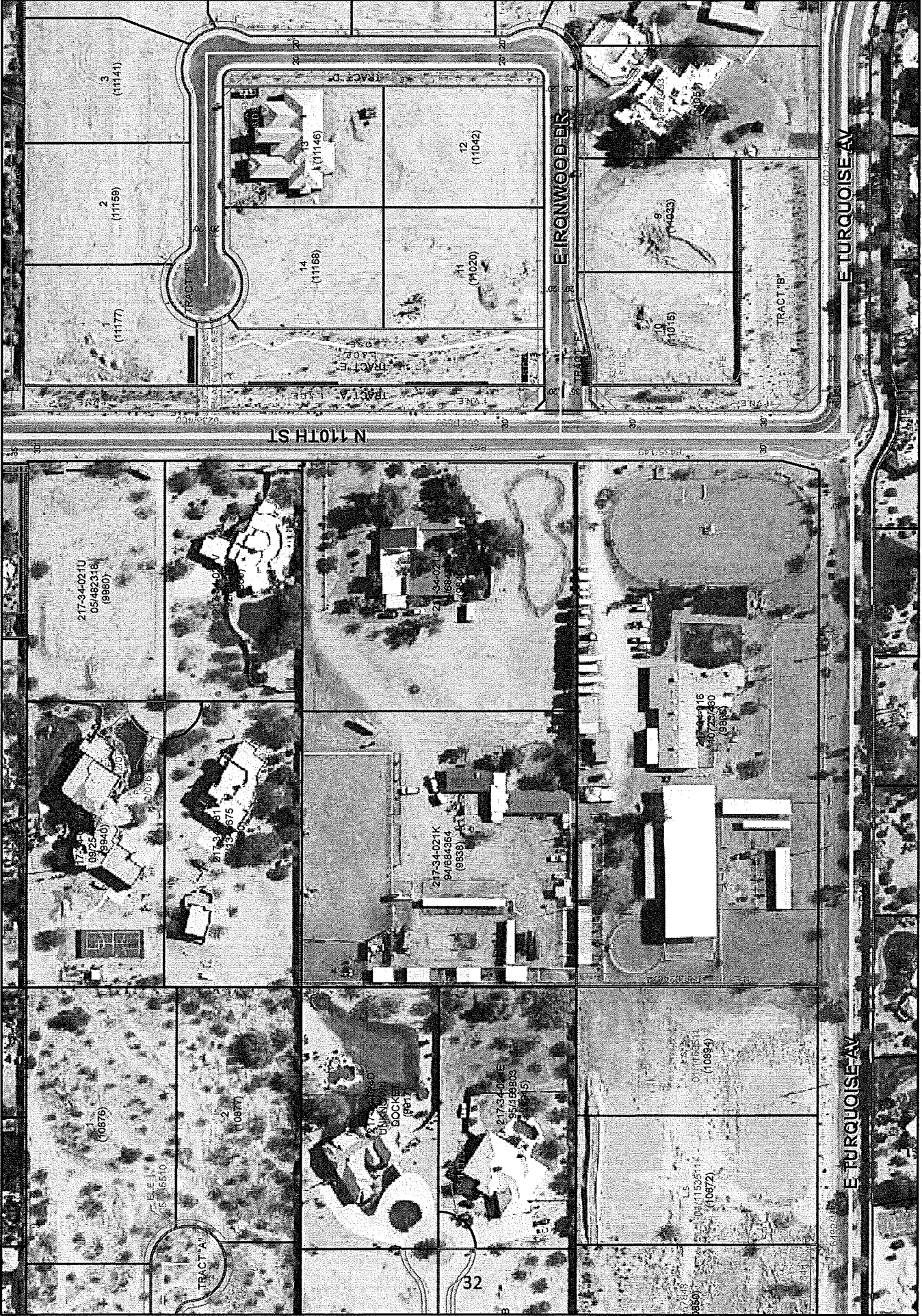


Exhibit #12

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 110th Street to the east had been developed as a subdivision and a house was under construction within this project.

2002



Jogaz
 11/19/2015 10:53:01 AM

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Exhibit #13

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.

2003



jogaz
 11/19/2015 10:53:43 AM
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Exhibit #14

2005 Aerial (COS)

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

2005



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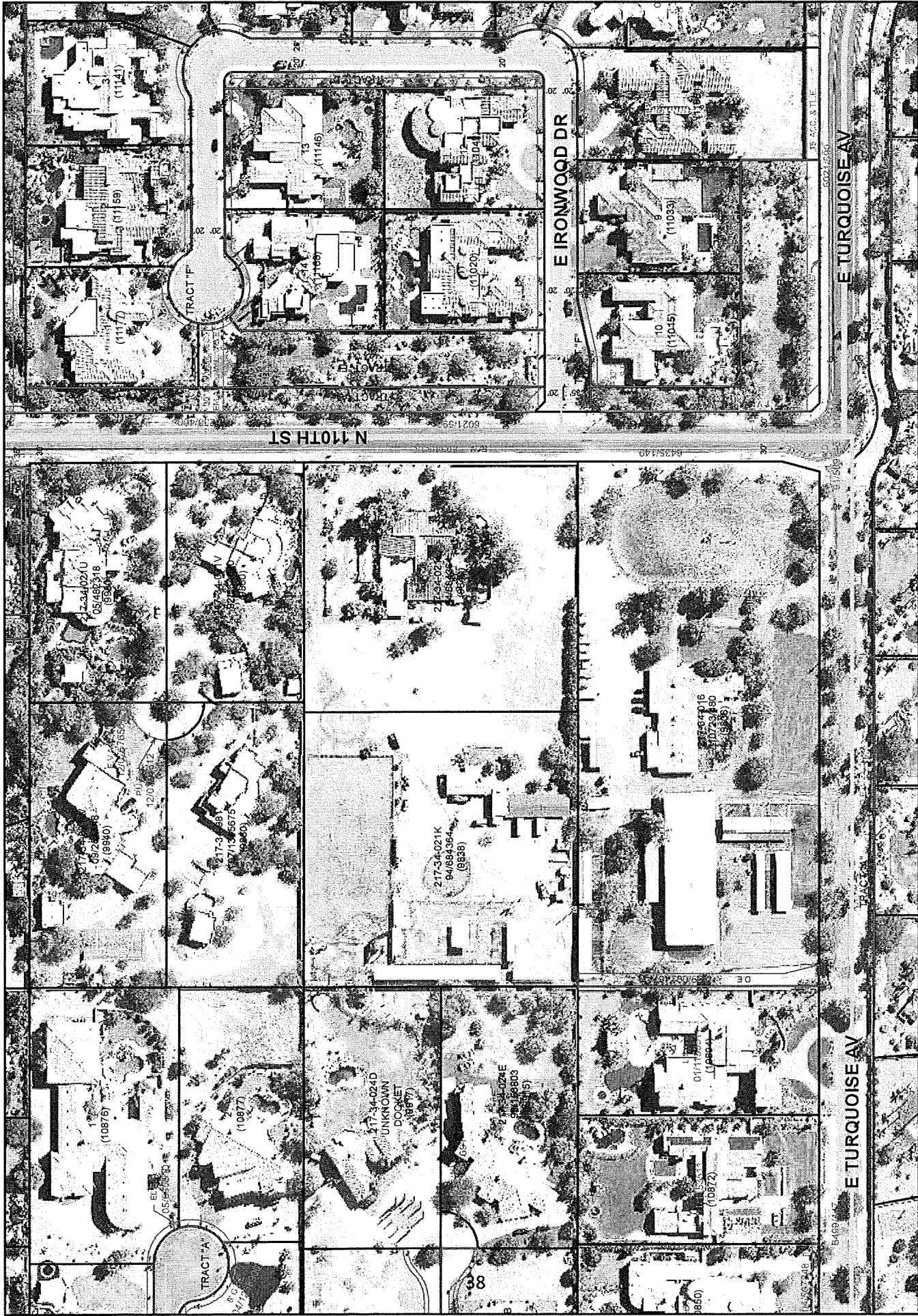


Exhibit #15

2010 Aerial (COS)

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

2010



jogaz
 11/19/2015 10:56:00 AM
 Notice: This document is provided for general information purposes only. The City of Scottsdale does not warrant its accuracy, completeness, or suitability for any particular purpose. It should not be relied upon without field verification.

Exhibit #16

2012 Aerial (COS)

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

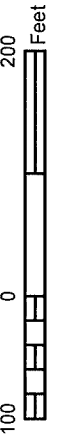
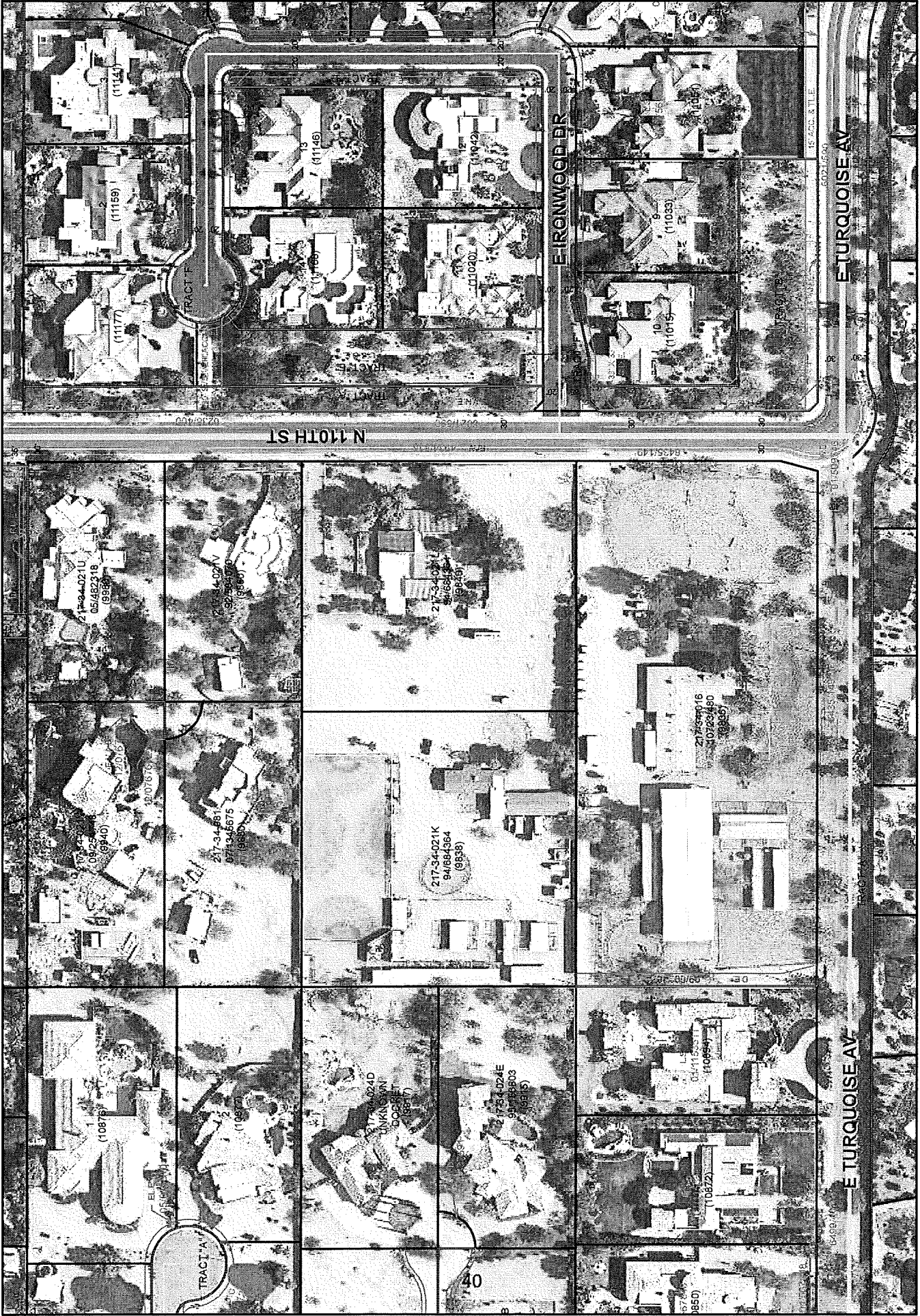


Exhibit #17

2014 Aerial (COS)

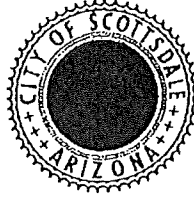
Sheds in the western/southwestern area of the subject property had been removed.

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

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,

A handwritten signature in black ink, appearing to read "B. Berndt", with a long horizontal line extending to the right.

Brian Berndt
Planner
City of Scottsdale

BB\krh

General Context

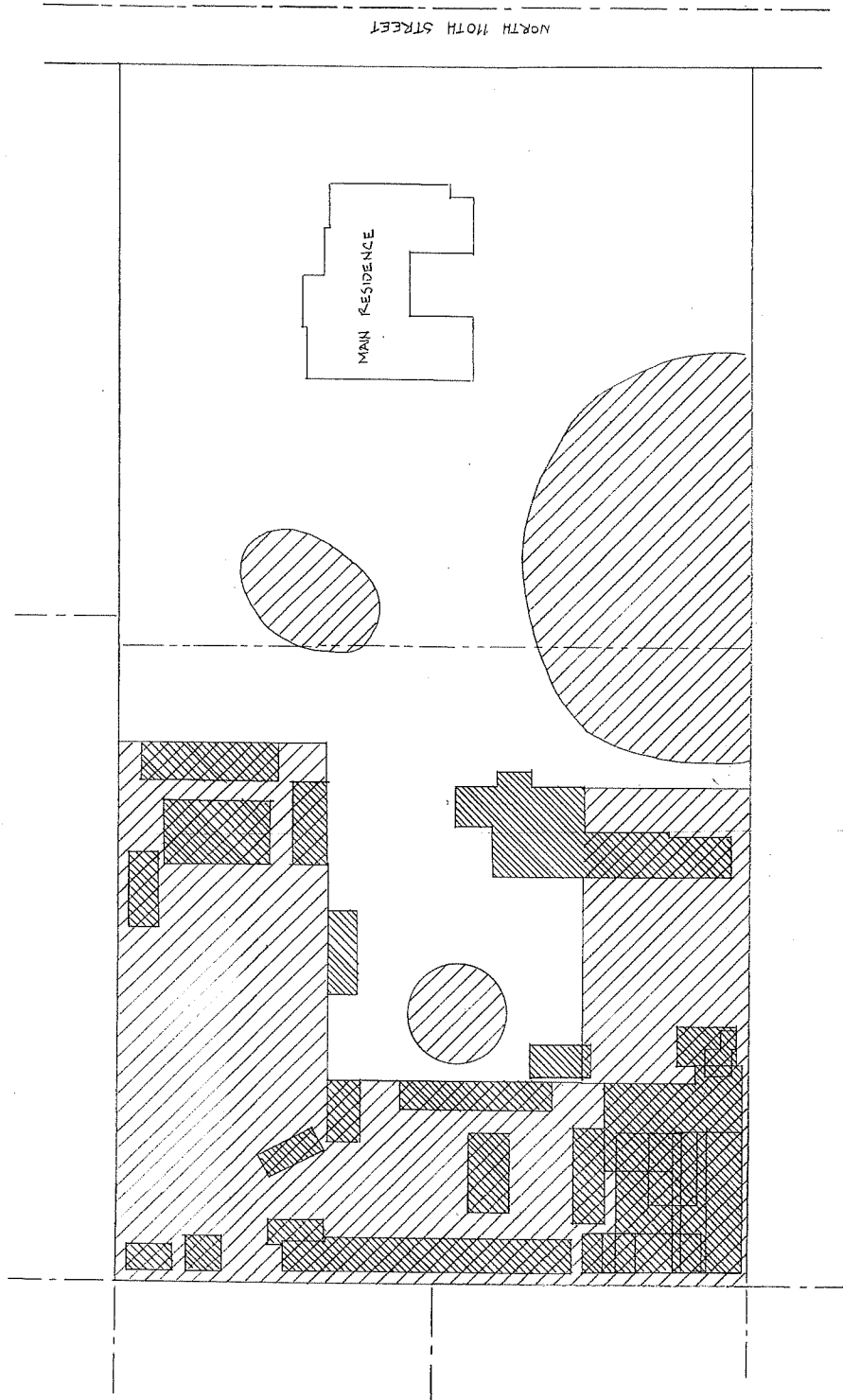
The subject property is bounded on two sides (north and west) by residential houses. These are enclosed by concrete block walls. These houses are not located within improved subdivisions and do not follow the lot layout that would have been typical for a recorded subdivision. As a result the homes to 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 110th 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 110th 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.

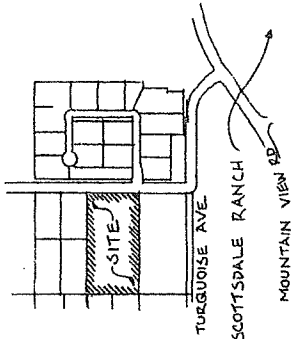
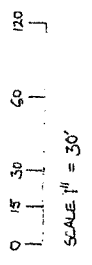
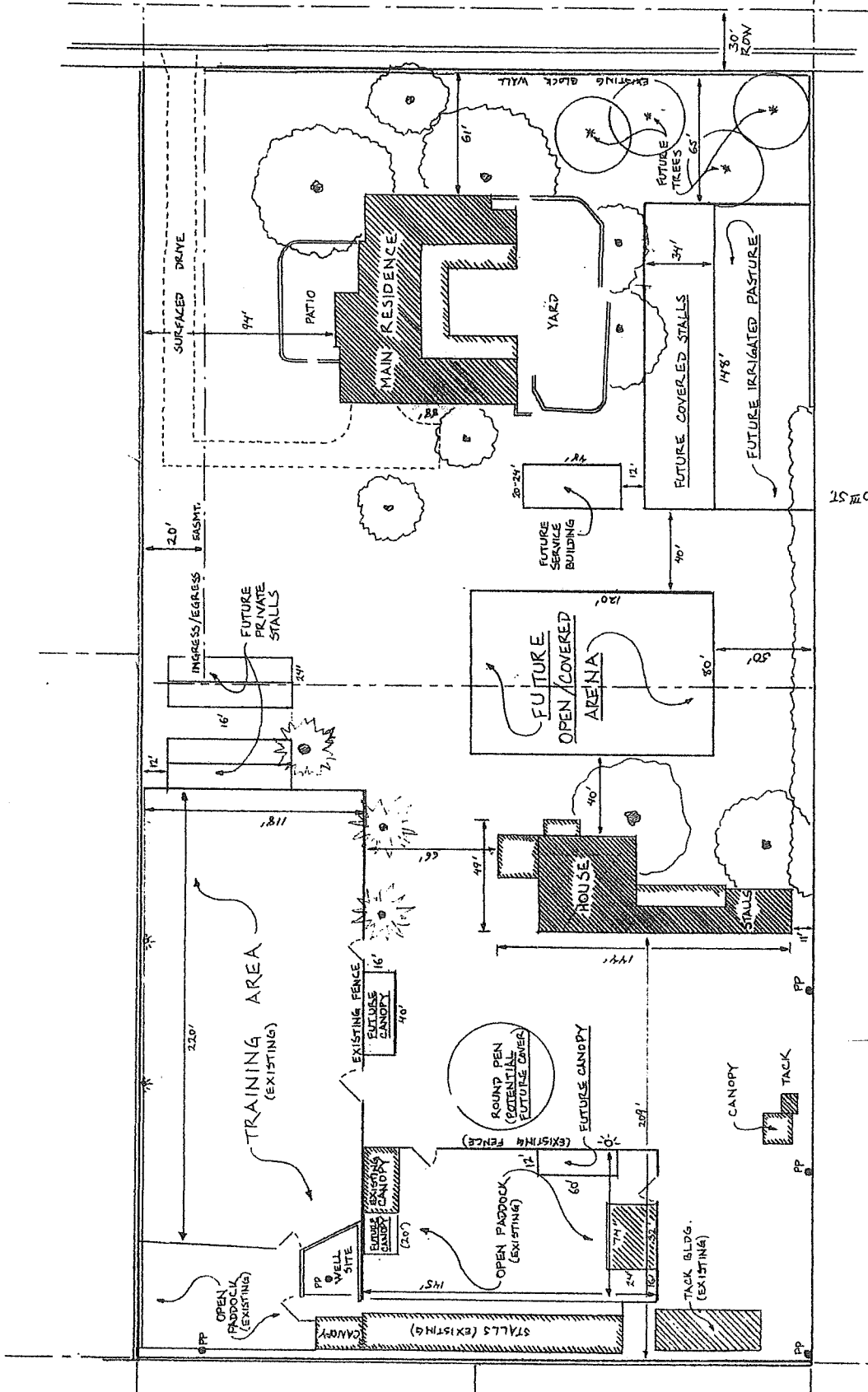
HISTORIC FOOTPRINT OF RANCH USES



ADDRESSES:
9840 f 9838 N 110TH STREET

DRAWN BY:

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 HAPPER
 1-27-2016 / 4-23-21

26.