

## Heather Dukes

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Board of Adjustment  
CITY OF SCOTTSDALE  
3939 N. Drinkwater Boulevard  
Scottsdale, AZ 85251

August 18, 2021

RE: Supplemental Narrative in Support of Appeal of Zoning Interpretation to the  
City of Scottsdale Board of Adjustment – 7910 and 7920 E. Wilshire Drive,  
Scottsdale, Arizona 85257 (the “Property”)

Dear Board of Adjustment Members,

On behalf of my clients, Scottsdale Recovery II, LLC, a Delaware limited liability company and Centered Living, LLC, an Arizona limited liability company (collectively “**Scottsdale Recovery**”), I submit this supplemental narrative to the Board of Adjustment in support of Scottsdale Recovery’s appeal of the Zoning Administrator’s Interpretation dated June 23, 2021 with regard to the above-referenced Property (the “**Zoning Administrator’s Interpretation**”). This narrative and the enclosed exhibits are intended to supplement the May 13, 2021 Interpretation Application filed with the Zoning Administrator and are being submitted at least 14 calendar days prior to the Board’s hearing in accordance with Section 403 of the Board of Adjustment Rules of Procedure.

The Zoning Administrator’s Interpretation determined that the proposed sober living use of the Property would constitute a “Care Home” and would not be permitted in the Medium Density Residential (R-3) zoning district. For the reasons set forth in the attached Interpretation Application dated May 13, 2021 and this supplemental narrative, the Zoning Administrator’s Interpretation is erroneous, and therefore is being appealed to the Board of Adjustment as arbitrary, capricious or an abuse of discretion.

I. **ADDITIONAL EXHIBITS REGARDING SCOTTSDALE RECOVERY AND PROPOSED SOBER LIVING HOME USE.**

A detailed overview of Scottsdale Recovery, its manager, Michelle Siwek, and the proposed sober living home use at the Trullies condominiums was previously provided in the May 13, 2021 narrative filed with the City. The following additional exhibits submitted with this supplement provide further information that explains why the zoning administrator's interpretation is wrong:

A. **Additional description of sober living home use.** As mentioned in the May 13, 2021 narrative, each condominium unit will house a family of two to four adults — in accord with the definition of “family” in Scottsdale’s Zoning Ordinance — who have completed several stages of recovery from substance use disorders. In each unit, the residents will have access to a kitchen to cook their own meals and a washer and dryer to perform their own laundry. No care services or supervisory care services will be provided to the residents onsite. Each dwelling unit will serve as a home to a family under the city’s own definition of “family.”

Scottsdale Recovery will operate the proposed sober living homes in compliance with Title 9 Chapter 12 of the Arizona Administrative Code, which outlines policies and procedures that have been established and implemented to protect the health and safety of sober living home residents. Those policies and procedures address recordkeeping, resident acceptance, resident rights and the orientation of new residents. Orientation for new residents includes an overview of the premises, the resident’s rights and responsibilities, the prohibition of the possession of alcohol or illicit drugs at the sober living home, services offered by or coordinated through the sober living home, drug and alcohol testing practices, and expectations about food preparation and chores. The sober living home may also provide or coordinate certain services, including facilitating peer support activities to support sobriety or improve independent living, and referring a resident to other persons for the provision of services to support sobriety. Notably, none of the sober living home policies and procedures set forth in Title 9, Chapter 12 of the Arizona Administrative Code allow a sober living home to provide supervisory care services or other care services to the residents, nor is it licensed as a health care institution.

B. **Additional Information Regarding Scottsdale Recovery.** In addition to the information provided in the May 13, 2021 narrative regarding Scottsdale Recovery’s various services and programs offered to individuals recovering from substance use, the following exhibits are submitted to demonstrate the professionalism, expertise and experience of Scottsdale Recovery and its manager, Michelle Siwek.

1. PowerPoint Slides providing Scottsdale Recovery’s mission statement, good neighbor policy, statistics demonstrating that approximately 80 percent of

Scottsdale Recovery's clients are local residents of Arizona, and statistics providing a glimpse of the achievements and improvements experienced by Scottsdale Recovery alumni. *See* **Exhibit 13** attached hereto.

2. Letters of support from Scottsdale Recovery alumni describing their experiences with Scottsdale Recovery housing and programs. *See* **Exhibit 14** attached hereto.

3. Google reviews of Scottsdale Recovery and the following links to news and media reports covering their programs and services offered to the community. *See* **Exhibit 15** attached hereto; *see also* the information and videos provided at the following link: <https://scottsdalerecovery.com/press-src-in-the-news/> and <https://scottsdalerecovery.com/blog/>.

4. Women to Watch 2021 article on Michelle Siwek and Scottsdale Recovery, attached here as **Exhibit 16**.

5. Neighborhood notification letter sent to all property owners within 750 feet of the Property, inviting neighbors to a meeting at the sober living home to learn about the use and programs offered by Scottsdale Recovery. Only one neighbor attended the neighborhood meeting (who offered her support at the end of the meeting), and another neighbor called Scottsdale Recovery staff to learn more information. *See* **Exhibit 17** attached hereto.

## **II. SUPPLEMENTAL INFORMATION AND EVIDENCE IN RESPONSE TO THE ZONING ADMINISTRATOR'S INTERPRETATION DATED JUNE 23, 2021.**

The remainder of this supplemental narrative addresses various statements and conclusions in the Zoning Administrator's interpretation that are erroneous, arbitrary, capricious or an abuse of discretion.

### **A. The Zoning Administrator's Interpretation erroneously concluded that the proposed use of each condominium unit is not permitted as a "family."**

The Zoning Administrator's Interpretation erroneously concludes that two to four disabled residents living in a condominium unit does not constitute a "family" allowed to occupy a residential unit as permitted as of right in the R-3 zoning district. This misinterpretation is directly contrary to the plain language of the City's definitions of "family" and "single housekeeping unit" in its Zoning Ordinance, the City's prior acknowledgments that distinctions between disabled and non-disabled families of 6 adults or fewer are discriminatory and prohibited by law, and controlling caselaw applying the Fair Housing Act.

The Zoning Administrator's Interpretation states:

"2. The proposed use is not permitted as of right.

"A dwelling unit, by city definition, is intended for occupancy by a family and the city's family definition is very inclusive. When there is a state license involved for the purpose of regulating care services in a dwelling, that dwelling uniquely qualifies under the city's Care Home definition. A family is a component of a dwelling, and a licensed dwelling is a care home."

Interestingly, the Zoning Administrator's Interpretation acknowledges that the City's "family" definition is very inclusive but fails to apply the definition in an inclusive manner. For ease of reference, the "dwelling unit", "family" and "single housekeeping unit" definitions from Section 3.100 of the Zoning Ordinance are set forth below. Together their plain language demonstrates that two to four disabled adults living in a dwelling unit constitute a "family" for zoning purposes regardless of whether care services are being provided or a state license has been issued for the location.

**Dwelling unit** shall mean one (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having its own cooking and sanitary facilities.

**Family** shall mean one (1) to six (6) adults and, if any, their related dependent children occupying a premise[s] and living as a single housekeeping unit. For purposes of the Zoning Ordinance, "*Family*" includes a residential facility as that term is defined in Title 36, Chapter 5.1, Article 2 of the Arizona Revised Statutes, in which persons with developmental disabilities live and that is licensed, operated, supported or supervised by the State of Arizona.

**Single housekeeping unit** shall mean a group of one (1) or more persons residing together in a dwelling who share use of and responsibility for common areas, household activities, and responsibilities such as meals, chores, household maintenance, and expenses. This term excludes living situations where an entity or individual other than a resident provides job training or life skill development services on-site, or provides supervisory, medical, personal, or custodial care services to more than six (6) adults residing in the dwelling. (Emphasis added).



When read together, the definitions of “family” and “single housekeeping unit” allow up to 6 adults, regardless of disability, to live together as a family in a dwelling unit located in any residential zoning district in the City. The definitions specifically allow up to 6 adults to live as a family, even when care services are provided that would require a health care institution license from the state (i.e. supervisory, medical, personal, or custodial care services). This is consistent with Fair Housing caselaw and the City’s several statements in its Council Report dated December 5, 2017 and Ordinance 4326, such as:

- “Because it is settled law that persons recovering from substance abuse are ‘disabled’ for purposes of the FHA and the ADA, *the City may not impose more restrictions on homes where persons recovering from substance abuse live than it does on families.*” See City Council Report, **Exhibit 9**, page 4. *[Emphasis added]*
- “The State of Arizona Revised Statutes (ARS) includes regulations for ‘residential facilities’ in single-family neighborhoods. Per Section 36-582 of the ARS, *a residential facility which serves six (6) or fewer persons shall be considered a residential use of property for the purposes of all local zoning ordinances if such facility provides care on a twenty-four-hour basis. The residents and operator of such a facility shall be considered a family for the purposes of any law or zoning ordinance which relates to residential use of property.* While this regulation applies only to ‘residential facilities’ that treat persons with ‘developmental disabilities’ (cognitive disability, cerebral palsy, epilepsy, or autism), and not to all types of care homes, it does provide a benchmark for what should be considered a ‘family’ with regard to establishing zoning regulations.” Emphasis provided. See City Council Report, **Exhibit 9**, page 5.
- “Whereas, the Fair Housing Act makes it unlawful to utilize land use policies or actions that treat groups of persons with disabilities less favorably than groups of nondisabled persons.” See Ordinance 4326, **Exhibit 7**, page 2.
- “Whereas, the Fair Housing Act does not allow local land use policies or actions that treat groups of persons with some disabilities less favorably than groups of people with other disabilities.” See Ordinance 4326, **Exhibit 7**, page 2.
- “Whereas, the City of Scottsdale is hereby amending its zoning ordinance to make the reasonable accommodations required by the Fair Housing Act by removing any terms and conditions that have the effect of limiting or making housing unavailable to people with disabilities while preserving the ability of care homes and group living situations to emulate a family and

achieve normalization and community integration of their residents.” See Ordinance 4326, **Exhibit 7**, page 2.

- “Whereas, while no aggregation of more than six adults will constitute a “family,” the new zoning provisions establish a reasonable accommodation process for disabled persons who need relief from the limitations of the ordinance.” See Ordinance 4326, **Exhibit 7**, page 2.

The above quotations from documents the City of Scottsdale has adopted demonstrate how far from legal standards the Zoning Administrator’s Interpretation has strayed. Under the plain language of the City’s own definitions, two to four adults would be permitted to live in a dwelling unit in the R-3 zoning district as a “family”, even if those adults were receiving various types of care services. But, in the event those same two to four adults are disabled and choosing to live in a sober environment, those adults are no longer allowed to live in the R-3 zoning district as a “family.” But for their disabilities, the adults wanting to live in the Trullies dwelling units would be permitted to do so without restriction. The Zoning Administrator’s Interpretation not only violates the Fair Housing Act by using land use policies and zoning decisions to treat groups of persons with disabilities less favorably than groups of the same number of nondisabled persons, but also treats groups of persons with some disabilities less favorably than groups of people with other disabilities (i.e. four adults with a substance abuse disability are not permitted to live in the R-3 zoning district as a “family,” but four adults with a developmental disability are permitted to live in the R-3 zoning district as a “family” pursuant to A.R.S. § 36-582 and the Zoning Ordinance definition of “family”). The plain language — and therefore the correct interpretation — of the City’s Zoning Ordinance requires the City to treat each of the Scottsdale Recovery condominium units as a dwelling unit, each occupied by a family.

- B. The Zoning Administrator’s Interpretation fails to acknowledge sober living homes have never been licensed as a health care institution and that the City has issued a prior interpretation finding a sober living home to be a “family.”**

The Zoning Administrator’s Interpretation states that “the city uses the State’s licensing requirements to determine ‘care home’ applicability” and that “this application of zoning has been the City’s practice for years.” Unfortunately, the Zoning Administrator’s Interpretation fails to provide key information regarding the State’s licensing requirements at the time the City adopted its “care home” definition or the important State licensing distinctions that are currently in effect — both of which lead to a conclusion and finding that the proposed sober living home is not a “care home.” Furthermore, the Zoning Administrator’s Interpretation fails to acknowledge that the City has issued a prior interpretation finding a sober living home with no more than 6 unrelated adults to constitute a “family.”

The following timeline of events supports a finding that the proposed sober living home is a “family” based upon: (1) the City’s longstanding policy to characterize sober living homes with no more than six unrelated adults as a “family” and (2) its decision to implement a “care home” definition which requires licensing as a health care institution.

1. On December 5, 2017, the Scottsdale City Council adopted a text amendment creating a definition for “care home” which required state licensure as a health care institution, amending the definitions of “family” and “group home”, providing certain separation requirements between care homes, and adding new sections to the ordinance pertaining to disability accommodations (the “2017 Text Amendment”). See Ordinance 4326 and Resolution 10963 attached hereto as Exhibits 7 and 8, respectively.

2. As of December 5, 2017 and through the first half of 2018, sober living homes were not licensed by the State of Arizona and were considered by the City of Scottsdale to be a “family” or a “group home,” depending on the number of adults living in the dwelling. On the other hand, residential facilities that provided various levels and types of care to residents were required to be licensed by the State of Arizona as “health care institutions”, such as behavioral health residential facilities and assisted living homes. Therefore, behavioral health residential facilities, assisted living homes and all other residential facilities providing care to residents and licensed by ADHS as a health care institution were deemed to be “care homes” after the 2017 Text Amendment. In fact, the City of Scottsdale staff prepared an Attachment 5 to the City Council Report dated December 5, 2017 which listed all of the subcategories of licensed health care institutions that would be included in the care home definition. Notably, sober living homes were NOT listed in Attachment 5 as a health care institution subcategory. Once again, sober living homes were not licensed by the state as a health care institution at the time of the 2017 Text Amendment, and therefore were not included in the “care home” definition. See City of Scottsdale City Council Report dated December 5, 2017 and Attachment 5 listing Arizona Department of Health Services health care institution licensure types (for Care Homes), attached as **Exhibit 9**.

3. On January 11, 2018, the Zoning Administrator issued a decision on a request to convert an existing “sober living home” at 12012 N. 68<sup>th</sup> Place to a “behavioral health residential facility,” which is a state-licensed subcategory of a health care institution. As part of the decision, the Zoning Administrator determined that a sober living home which provides no care to residents is a “family” under the Zoning Ordinance (the “2018 Interpretation”).

By way of background, the owner of the sober living home wanted to transition to providing onsite care services to its 10 to 14 residents, which then required the owner to: (1) obtain a state-issued health care institution license as a “behavioral health residential facility” and (2) obtain permission from the City to operate a care home within 750 feet of

another care home. As part of the application to the City, the owner described the sober living home use that had occurred at 12012 N. 68<sup>th</sup> Place since 2011, as follows:

*“It is important to note, Centered Living has been operating as a sober living residence since 2011 and is integrated in the community and neighborhood.... Centered Living has not had any complaints and has operated for the benefit of those recovering from substance abuse.... The Centered Living household functions as the equivalent of a family and allows recovering persons to provide one another with continual mutual support as well as mutual monitoring to prevent relapse. The potential recovery of people who are handicapped or disabled by reasons of alcoholism or drug abuse and are in recovery are greatly enhanced by the mutual support and mutual monitoring provided by living with other recovering persons. The quality and nature of the relationship among the residents are akin to that of a family. The need of groups of unrelated recovering alcoholics and substance abusers to live in a structured, safe and therapeutic environment is necessary to the recovery process.... “*

After considering this description of the sober living home use that had been operating since 2011, the Zoning Administrator issued the following decision as part of the 2018 Interpretation:

*“I also determine that the living situation you describe is a “family” under the ordinance existing at the time you began operating so long as no care is provided. As such, your family is “grandfathered” under the City’s amended Ordinance under the following conditions:*

- 1. No increase in the number of disabled residents, and*
- 2. No care is being provided at the residence.*

*...The home can continue to be used as it has been, with no increase in the number of residents or level of activity.”(Emphasis added).*

The 2018 Interpretation is applicable to the case at hand — particularly the finding that the sober living home use would be considered a “family.” The sober living home use described in Case No. 1-BA-2018 by the owner of 12012 N. 68<sup>th</sup> Place is identical to the sober living home use proposed at the Trullies Property — no care is being provided in the dwelling

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<sup>1</sup> The sober living home use at 12012 N. 68<sup>th</sup> Place was grandfathered as a “family” due to the number of residents historically living in the home and the change in the definition of “family” in the Zoning Ordinance. Historically, there were 10 to 14 residents living in the home at a time when the definition of “family” allowed “one or more persons” to live “as a single housekeeping unit” (thus any number of unrelated adults to constitute a “family”). After the 2017 Text Amendment took effect on January 5, 2018, the City amended the definition of “family” to limit the definition to “one (1) to six (6) adults and, if any, their related dependent children....”

units. In fact, both of these applications were filed by the same owner and operator — Michelle Siwek. Ultimately, the 2018 Interpretation establishes the City’s policy of treating sober living homes as a “family” when: (1) no care is provided in the dwelling (thus having no requirement to be licensed as a health care institution), and (2) the number of residents living in the dwelling unit meet the definition of a family (6 or fewer adults). *See* 2018 Interpretation and Application, attached hereto as **Exhibit 10**.

4. On August 3, 2018, new sober living home legislation became effective in Arizona requiring sober living homes to be licensed by the state, but NOT as a health care institution. The new legislation was added as Article 4 titled “Sober Living Homes” in Chapter 18 “Alcohol and Drug Abuse” of Title 36 “Public Health and Safety.” Sober living homes were not added as a new subcategory in Chapter 4 “Health Care Institutions” of Title 36. Due to the fact that no care, treatment, or behavioral health services are provided in a sober living home, the state legislature and Arizona Department of Health Services justifiably distinguished the sober living home license as being separate and apart from a health care institution license. A sober living home is merely a residence with no care or supervision provided by a doctor, nurse, or other medical personnel. Thus, depending on the number of individuals living in a dwelling unit, sober living homes continue to be defined as a “family” or “group home” under the Zoning Ordinance and would not be deemed a “care home” licensed as a health care institution. *See* Table of Contents for Arizona Revised Statutes Title 36 attached hereto as **Exhibit 11**; *see also* email from Megan Whitby, Bureau Chief of Arizona Department of Health Services Special Licensing Division dated August 18, 2021, attached hereto as **Exhibit 18**.

Based upon this legislative and zoning interpretation history, the Zoning Administrator’s Interpretation is erroneous, arbitrary, capricious or an abuse of discretion. As the evidence shows, the proposed Scottsdale Recovery sober living home will not provide care to its residents, will not be licensed as a health care institution, and will allow up to four adults in each dwelling unit. Therefore, the proposed sober living home constitutes a “family” under Scottsdale’s Zoning Ordinance and would be permitted in the R-3 zoning district.

**C. The Zoning Administrator overgeneralizes and misconstrues the “care home” definition to apply to sober living homes.**

The Zoning Administrator’s Interpretation concludes that, because “sober living homes are state licensed and include supervised activities toward recovery ... both the license and supervision qualify under the City’s ‘Care Home’ definition.” The Zoning Administrator’s Interpretation also cites the State’s definition of a “sober living home” and its “supervised setting” as support for this conclusion. Unfortunately, this conclusion is grossly oversimplifies the “care home” definition and the defined terms adopted by the City of Scottsdale in an attempt to pigeonhole sober living homes into the “care home” category.

The City of Scottsdale adopted a “care home” definition with several defined terms of art, which are underlined below:

“Care home shall mean a dwelling shared as a primary residence by no more than ten (10) adults with a disability that is licensed as a health care institution under Arizona law, and in which on-site supervisory or other care services are provided to the disabled residents. For purposes of this definition, a person must live in the dwelling a minimum of thirty (30) consecutive days for this dwelling to be considered a primary residence. A care home is a principal, not an accessory, use.

First, in order to qualify as a care home, the home shall be licensed as a “health care institution under Arizona law.” As confirmed by the City’s Attachment No. 5 to its City Council Report dated December 5, 2017 (**Exhibit 9**), the current Table of Contents for A.R.S Title 36 (**Exhibit 11**), the Arizona Department of Health Services Regulations listing the types of health care institution licenses (**Exhibit 3**), and the email from Megan Whitby, Bureau Chief of the Arizona Department of Health Services Special Licensing Division (**Exhibit 18**), sober living homes are NOT licensed as health care institutions under Arizona law.

Second, the definition of care home requires that “on-site supervisory or other care services” be provided to the residents, thus triggering the requirement for a health care institution license from the State. The Zoning Administrator’s Interpretation uses the general description of a supervised setting in a sober living home as a basis for finding that “on-site supervisory care services” are being provided, thus constituting a care home. The term “supervisory care services” is defined by state statute and the Zoning Ordinance as “general supervision, including daily awareness of resident functioning and continuing needs, the ability to intervene in a crisis and assistance in the self-administration of prescribed medications.” Emphasis added. *See* Ariz. Rev. Stat. § 36-401.A(47); *see also* Section 3.100 of the Zoning Ordinance. No supervisory care services are being provided at the Scottsdale Recovery sober living home. There will be no assistance in the self-administration of prescribed medications. There will be no staff members living in each dwelling unit with residents to ensure a daily awareness of resident functioning and continuing needs or to provide crisis intervention. Residents will live at the Scottsdale Recovery sober living home and function as a family. During the day, they will take classes, receive treatment and care, and partake in activities off-site at various facilities, similar to families leaving for work or school during the day. At the end of the day, the residents will return to their dwellings, cook, eat and interact as a family, and fall asleep to prepare for the next day. Thus, the Scottsdale Recovery sober living home does not meet the definition of a care home merely by being licensed as a sober living home through the State and arranging for its residents to partake in supervised activities and care off-site.

- D. The Zoning Administrator's Interpretation provides the definition of "Health Care Institution" as support for the decision that a sober living home is a "care home," but fails to recognize that none of the care services listed in the "Health Care Institution" definition will be provided at the Property.

The Zoning Administrator's Interpretation erroneously provides emphasis on the care services listed in the "health care institution" definition as support for the decision that the Scottsdale Recovery sober living home is a "care home." Yet, the Zoning Administrator's Interpretation fails to recognize a key element of Scottsdale Recovery's sober living home model — no care services or supervisory care services will be provided to residents in the dwelling units. The Zoning Administrator provides the following quote in its decision:

"Further, the State defines a "Health care institution" as every place, institution, building or agency, whether organized for profit or not, that provides facilities with medical services, nursing services, behavioral health services, health screening services, other health-related services, *supervisory care services*, personal *care services* or directed *care services* ..." (Emphasis provided).

By providing emphasis on the terms "supervisory care services, personal care services and directed care services," the Zoning Administrator appears to be drawing some connection between the Scottsdale Recovery sober living home and the care services provided by a health care institution. As set forth in greater detail in Section III.B.1 of Scottsdale Recovery's narrative dated May 13, 2021, state statute (A.R.S. § 36-401.A(16), A(38) and A(47)) defines all three of those terms. Those care services will not be provided in Scottsdale Recovery's sober living home. Because Scottsdale Recovery is merely offering a sober living home environment to its residents with no care services being provided, a health care institution license is not required by the state.

In fact, the proposed sober living home would not qualify for licensure as a health care institution, as noted by the Arizona Department of Health Services substantive policy statement and interpretation of a "Health Care Institution" effective November 1, 2014 which states: "[I]n order to be a health care institution, a place, institution, building or agency must be providing medical services, nursing services, behavioral health services, health screening services, other health-related services, supervisory care services, personal care services or directed care services.... [If those services are not being provided], the Department shall revoke the health care institution license on the grounds that the place, institution, building or agency is not a health care institution and thus is ineligible for licensure." See ADHS Interpretation of Health Care Institution attached hereto as **Exhibit 12**.

In addition, the Bureau Chief of the Special Licensing Division of the Arizona Department of Health Services, Megan Whitby, recently confirmed that "a sober living home license is not a healthcare institution license." In an email dated August 18, 2021, the

Bureau Chief also confirmed that a “sober living home cannot administer medication or provide any medical or clinical services onsite” and cited the definition of a sober living home (A.R.S. § 36-2061(3)) in support of her statements. See **Exhibit 18**. Therefore, any conclusion that the sober living home is a care home based upon the care services listed in the health care institution definition is clearly erroneous according to the plain language of the state statutes.

### III. PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW.

Based on the evidence presented in writing and at the upcoming public hearing, Scottsdale Recovery respectfully requests that the Board of Adjustment exercise its authority pursuant to Section 1.805 of the Zoning Ordinance and enter the following findings of fact and conclusions of law as a basis for reversing the Zoning Administrator’s Interpretation.

- A. Based upon the evidence submitted by Scottsdale Recovery, the proposed sober living home would not constitute a “care home” as defined in the Zoning Ordinance.
- B. The Scottsdale Recovery sober living home requests approval to allow disabled individuals to live as a “family” and reside in separate condominium units in the R-3 zoning district.
- C. The definition of “family” in the Scottsdale Zoning Ordinance allows as many as six adults, related or unrelated, to live together as a single housekeeping unit.
- D. With two to four disabled adults living in each dwelling unit as a single housekeeping unit, the Scottsdale Recovery sober living proposal does constitute a “family” living in each dwelling unit and, therefore, is a permitted use in the Medium Density Residential (R-3) zoning district.
- E. The Scottsdale Recovery sober living home is not licensed as a health care institution under Arizona law.
- F. The Scottsdale Recovery sober living home will not provide supervisory care or other care services to the disabled residents. Supervisory care services means general supervision, including daily awareness of resident functioning and continuing needs, and the ability to intervene in a crisis and to assist in the self-administration of prescribed medication. Scottsdale Recovery has confirmed there will be no supervisory care or assistance with the self-administration of prescribed medication.



- G. The Zoning Administrator's Interpretation is erroneous and is hereby reversed as arbitrary, capricious or an abuse of discretion. The correct interpretation of the City's Zoning Ordinance requires the City to treat each of the Scottsdale Recovery condominium units as a dwelling unit occupied by a family.

#### IV. CONCLUSION

We respectfully request that the Board of Adjustment reverse the Zoning Administrator's Interpretation dated June 23, 2021 after reviewing and considering this supplemental information, together with Scottsdale Recovery's initial narrative dated May 13, 2021. Specifically, we request the Board enter the findings of fact and conclusions of law set forth in this narrative and enter a decision allowing up to six disabled individuals to live as a family in a condominium unit within the Medium Density Residential (R-3) zoning district. Thank you.

Very truly yours,

**Heather N. Dukes**

**TABLE OF EXHIBITS**

<b>Exhibit No.</b>	<b>Exhibit Date</b>	<b>Exhibit Description</b>
<b>1</b>	-	Aerial Photographs
<b>2</b>	05/13/2021	Declaration of Michelle Siwek
<b>3</b>	Current as of 08/17/2021	Excerpt from Arizona Administrative Code Title 9, Chapter 10 – Health Care Institutions
<b>4</b>	Current as of 08/17/2021	Excerpt from Arizona Administrative Code Title 9, Chapter 12 – Sober Living Homes; Arizona Revised Statutes Section 36-2061
<b>5</b>	05/13/2021	Declaration of Daniel Lauber
<b>6</b>	11/10/2016	Joint Statement of the Department of Housing and Urban Development (HUD) and the Department of Justice titled “State and Local Land Use Laws and Practices and the Application of the Fair Housing Act”
<b>7</b>	12/05/2017	City of Scottsdale Ordinance 4326
<b>8</b>	12/05/2017	City of Scottsdale Resolution 10963
<b>9</b>	12/05/2017	City Council Report and Attachment 5 listing ADHS Health Care Institution Uses (for Care Homes)
<b>10</b>	01/11/2018	Zoning Administrator Interpretation that Sober Living Home located at 12012 N. 68 <sup>th</sup> Place is a “Family”
<b>11</b>	Current as of 08/17/2021	Table of Contents for Arizona Revised Statutes Title 36
<b>12</b>	11/01/2014	Arizona Department of Health Services (ADHS) Substantive Policy Statement titled “Interpretation of Health Care Institution”
<b>13</b>	08/17/2021	Scottsdale Recovery PowerPoint Slides
<b>14</b>	-	Letters of Support from Scottsdale Recovery alumni
<b>15</b>	-	Google Reviews of Scottsdale Recovery
<b>16</b>	2021	Women to Watch 2021 Article on Michelle Siwek and Scottsdale Recovery
<b>17</b>	07/19/2021	Neighborhood Notification Information and Mailing Receipt
<b>18</b>	08/18/2021	Email from Megan Whitby, Bureau Chief of Arizona Department of Health Services Special Licensing Division

# **EXHIBIT 7**

City of Scottsdale Ordinance 4326

ORDINANCE NO. 4326

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, TO APPROVE A TEXT AMENDMENT (2-TA-2017) TO THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE (ORDINANCE NO. 455), SPECIFICALLY, SEC. 1.202 (INTERPRETATIONS AND DECISIONS), SEC. 1.801 (POWERS OF THE BOARD OF ADJUSTMENT), SEC. 1.1304 (ENLARGEMENT, EXTENSION, RECONSTRUCTION OR STRUCTURAL ALTERATION OF NONCONFORMING STRUCTURE; ENLARGEMENT OF NONCONFORMING USE), SEC. 3.100 (DEFINITIONS), SEC. 5.010 (SINGLE-FAMILY RESIDENTIAL (R1-190)), SEC. 5.012 (USE REGULATIONS), SEC. 5.100 (SINGLE-FAMILY RESIDENTIAL (R1-43)), SEC. 5.102 (USE REGULATIONS), WHICH AFFECTS ALL OTHER SINGLE-FAMILY RESIDENTIAL AND TWO-FAMILY RESIDENTIAL DISTRICTS (R1-130, R1-70, R1-35, R1-18, R1-10, R1-7, R1-5 AND R-2), SEC. 5.700 (MEDIUM-DENSITY RESIDENTIAL (R-3)), SEC. 5.703 (USE REGULATIONS), SEC. 5.800 (TOWNHOUSE RESIDENTIAL (R-4)), SEC. 5.803 (USE REGULATIONS), SEC. 5.900 (RESORT/TOWNHOUSE RESIDENTIAL (R-4R)), SEC. 5.903 (USE REGULATIONS), SEC. 5.1001 (MULTIPLE-FAMILY RESIDENTIAL (R-5)), AND SEC. 5.1003 (USE REGULATIONS), ADD NEW SEC. 1.806 (DISABILITY ACCOMMODATION), AND ADD NEW SEC. 1.920 (REQUEST FOR DISABILITY ACCOMMODATION) TO ADDRESS VARIOUS TYPES OF CARE HOMES AND GROUP HOMES IN RESIDENTIAL ZONING DISTRICTS.

WHEREAS, in response to a citizen petition City staff has conducted research on state and federal law as well as looked at numerous ordinances of other jurisdictions; and

WHEREAS, the City of Scottsdale desires to permit disabled persons to reside in single family residential neighborhoods in compliance with the Fair Housing Act and the Americans with Disabilities Act; and

WHEREAS the City of Scottsdale desires to promote the social and treatment benefits to disabled persons provided in a residential setting by preventing a concentration of facilities for the disabled in any particular area so as to institutionalize that area; and

WHEREAS the City desires to maintain the residential character of its neighborhoods as a quiet place for families of all kinds to thrive; and

WHEREAS, federal and state fair housing laws protect the rights of persons with disabilities to obtain housing and pursuant to federal and state fair housing laws; and

WHEREAS, persons recovering from alcohol and drug addiction are considered persons with disabilities and thus are protected by fair housing laws so long as such persons are not currently using alcohol and drugs; and

WHEREAS, due to the care needs and transient residencies of disabled residents in some residential care facilities, such facilities reportedly result in increased parking demand, increased traffic, and the potential for impacts to the residential character of neighborhoods, which the City Council desires to address by providing limits on the size of both licensed and unlicensed facilities while providing persons with a disability opportunities for housing; and

WHEREAS, the Fair Housing Act does not preempt local zoning laws or preclude the adoption, amendment or enforcement of zoning regulations by the City of Scottsdale pursuant to its local police powers so long as such zoning regulations are consistent with state and federal laws, including the Fair Housing Act as amended; and

WHEREAS, the adoption of zoning ordinances and land use planning is a fundamental function and police power of local government; and

WHEREAS, zoning regulations are adopted and enforced in the City of Scottsdale for the protection of the health, safety and welfare of the public; and

WHEREAS, the State of Arizona licenses certain care homes for people with disabilities, which licensing necessitates the involvement of local jurisdictions in determining life safety code compliance of said care homes; and

WHEREAS, the Fair Housing Act makes it unlawful to utilize land use policies or actions that treat groups of persons with disabilities less favorably than groups of nondisabled persons; and

WHEREAS, the Fair Housing Act does not allow local land use policies or actions that treat groups of persons with some disabilities less favorably than groups of people with other disabilities; and

WHEREAS, clustering of care homes undermines the ability of care homes to achieve normalization and community integration for their residents which is one of the essential purposes of a care home; and

WHEREAS, the City of Scottsdale is hereby amending its zoning ordinance to make the reasonable accommodations required by the Fair Housing Act by removing any terms and conditions that have the effect of limiting or making housing unavailable to people with disabilities while preserving the ability of care homes and group living situations to emulate a family and achieve normalization and community integration of their residents; and

WHEREAS, while no aggregation of more than six adults will constitute a "family," the new zoning provisions establish a reasonable accommodation process for disabled persons who need relief from the limitations of the ordinance; and

WHEREAS, a care home for people with disabilities that has been denied required state licensing or certification would not be allowed due to the state's own licensing or certification laws; and

WHEREAS, current users of illegal controlled substances, persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders, are not considered disabled under the Fair Housing Act, by virtue of that status, and

WHEREAS, the City Council has determined that the proposed amendments will not unreasonably restrict the rights of persons with a disability to fair housing while providing protections and mitigation of impacts to the residential character of neighborhoods, and it is in the best interest of the public health, safety and general welfare of the Town to adopt the proposed amendments; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws.

WHEREAS, the Planning Commission held a public hearing on October 25, 2017 to consider a text amendment to the City of Scottsdale Zoning Ordinance, Case No. 2-TA-2017; and

WHEREAS, that certain document entitled "2-TA-2017 – Care Homes/Group Homes Text Amendment," one paper and one digital copies of which are on file in the office of the City Clerk, was declared to be a public record by Resolution No. 10963; and

WHEREAS, the City Council has determined that the subject Zoning Ordinance amendment is in conformance with the General Plan;

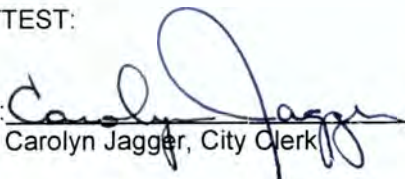
NOW THEREFORE BE IT ORDAINED by the Council of the City of Scottsdale that a text amendment to the City of Scottsdale Zoning Ordinance is hereby approved as follows.

Section 1. That the Zoning Ordinance of the City of Scottsdale is hereby amended as specified in that certain document entitled "2-TA-2017 – Care Homes/Group Homes Text Amendment," declared to be a public record by Resolution No. 10963 of the City of Scottsdale, is hereby referred to, adopted, and made a part hereof as if fully set out in this Ordinance.

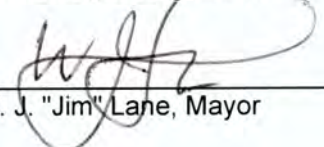
Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the document adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this 5<sup>th</sup> day of December, 2017.

ATTEST:

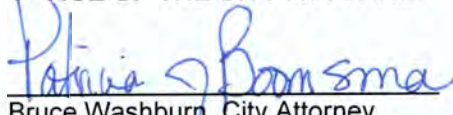
By:   
Carolyn Jagger, City Clerk

CITY OF SCOTTSDALE, an  
Arizona municipal corporation

By:   
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

  
Bruce Washburn, City Attorney

By: Patricia J. Boomsma, Assistant City Attorney

# **EXHIBIT 8**

City of Scottsdale Resolution 10963



RESOLUTION NO. 10963

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "2-TA-2017--CARE HOMES/GROUP HOMES TEXT AMENDMENT."

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

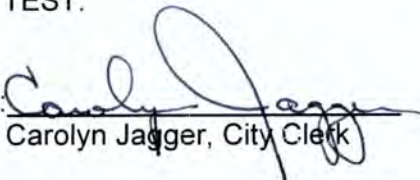
WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

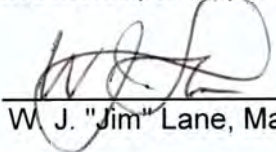
Section 1. That certain document entitled "2-TA-2017--Care Homes/Group Homes Text Amendment," attached as Exhibit 'A', a paper and an electronic copy of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 5th day of December, 2017.

ATTEST:


By:   
Carolyn Jagger, City Clerk

CITY OF SCOTTSDALE, an  
Arizona municipal corporation

By:   
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

  
Bruce Washburn, City Attorney

By: Patricia J. Boomsma, Assistant City Attorney



**AMENDMENTS TO ZONING ORDINANCE RELATING TO  
GROUP LIVING AND CARE HOMES**

The City Council of the City of Scottsdale hereby amends the Zoning Ordinance (Ord. No. 455), specifically, Sec. 1.202 (Interpretations and Decisions), Sec. 1.801 (Powers of the Board of Adjustment), Sec. 1.1304 (Enlargement, extension, reconstruction or structural alteration of nonconforming structure; enlargement of nonconforming use), Sec. 3.100 (Definitions), Sec. 5.010 (Single-family Residential (R1-190)), Sec. 5.012 (Use Regulations), Sec. 5.100 (Single-family Residential (R1-43)), Sec. 5.102 (Use Regulations), which affects all other Single-family Residential and Two-Family Residential districts (R1-130, R1-70, R1-35, R1-18, R1-10, R1-7, R1-5 and R-2), Sec. 5.700 (Medium-Density Residential (R-3)), Sec. 5.703 (Use Regulations), Sec. 5.800 (Townhouse Residential (R-4)), Sec. 5.803 (Use Regulations), Sec. 5.900 (Resort/Townhouse Residential (R-4R)), Sec. 5.903 (Use Regulations), Sec. 5.1001 (Multiple-family Residential (R-5)), and Sec. 5.1003 (Use Regulations), and adds new Sec. 1.806 (Disability Accommodation), and new Sec. 1.920 (Request for Disability Accommodation) as specified below, with strikethroughs indicating deleted language and shading indicating new language:

**Sec. 1.202. - Interpretations and decisions.**

A. The provisions of this Zoning Ordinance shall be interpreted and applied by the Zoning Administrator. Any request for a Zoning Ordinance interpretation or decision must be made in writing to the Zoning Administrator. The Zoning Administrator shall respond in writing to such requests for Zoning Ordinance interpretations or other decisions within forty-five (45) days from the date of the written request, provided no building permits have been issued on the subject development. A record of the Zoning Administrator's responses shall be available for public review.

B. The appeal of Zoning Ordinance interpretations or other decisions by the Zoning Administrator may be initiated by any aggrieved person or by any officer, department, board or commission of the city affected by the interpretation or decision of the Zoning Administrator. For purposes of this subsection an aggrieved person is one who receives a particular and direct adverse impact from the interpretation or decision which is distinguishable from the effects or impacts upon the general public. Appeals must be filed with the City Clerk no later than thirty (30) days after the Zoning Administrator issues any written interpretation or decision. Any timely appeal shall be processed pursuant to Section 1.805.

C. When the provisions of this Zoning Ordinance are interpreted or applied they shall be held to be the minimum requirements for the promotion of the public safety, health and general welfare.

D. The presumption established in this Zoning Ordinance is that all general uses of land are permissible within at least one (1) zoning district in the city's planning jurisdiction. The use regulations set forth in each district cannot be all inclusive, and may include general use descriptions that encompass several specific uses. Uses listed specified in each district shall be interpreted liberally to include other uses which have similar impacts to the listed uses. However, the use regulations shall not be interpreted to allow more than one principal use

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in a dwelling in a residential district shown on Table 4.100.A. or the residential portion of a Planned Community P-C-, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown in Table 4.100.A., or to allow an unspecified use in one (1) zoning district which more closely relates to a use that is permissible in another zoning district. The Zoning Administrator shall interpret uses within each district.

E. Accessory uses are allowed in all districts. Accessory uses shall not alter the principal/primary use of building or lot, or adversely affect other properties in the district. All accessory uses shall be reasonably compatible with the types of uses permitted in the surrounding areas.

### **Sec. 1.801. – Powers of the Board of Adjustment.**

The Board of Adjustment shall hear all applications for:

A. ~~Variances from the provisions of this Zoning Ordinance; The Board shall also hear appeals from the:~~

A. B. Appeals from the Zoning Administrator's interpretation of the Zoning Ordinance or other decisions; and

B. C. Requests for Disability Accommodation made pursuant to section 1.920; and

D. Under the Land Divisions ordinance, the General Manager's interpretations and decisions made on appeals.

[Renumber current 1.806 to 1.807, and insert the following new 1.806:]

### **Sec. 1.806. - Disability Accommodation**

A. A disability accommodation from a development standard or separation requirement shall not be authorized unless the Board shall find upon sufficient evidence all of the following:

1. The requested accommodation is requested by or on the behalf of one (1) or more individuals with a disability protected under federal and Arizona fair housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.);
2. The requested accommodation is necessary to afford an individual with a disability equal opportunity to use and enjoy a dwelling;
3. The standard or requirement unduly restricts the opportunity for a person with a disability from finding adequate housing within the City of Scottsdale;
4. The requested accommodation does not fundamentally alter the nature and purpose of the Zoning Ordinance of the City of Scottsdale;
5. The requested accommodation will not impose an undue financial or administrative burden on the City, as "undue financial or administrative burden" is defined in federal and Arizona fair housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.) and interpretive case law;

B. The profitability or financial hardship of the owner/service provider of a facility shall not be considered in determining whether to grant a disability accommodation.

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- C. The requested accommodation must comply with all applicable building and fire codes.
- D. The requested accommodation must not, under the specific facts of the application, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others;

### **Sec. 1.920. Request for Disability Accommodation.**

An applicant may request a disability accommodation from a development standard or separation requirement if the standard or requirement unduly restricts the opportunity for a person with a disability from finding adequate housing within the city of Scottsdale. The zoning administrator may administratively approve up to a ten percent (10%) modification of a development standard or separation requirement upon finding that such a modification will further the policies contained in the Arizona and federal fair housing laws and the Americans with Disabilities Act. All other requests for disability accommodation shall be submitted to the Board of Adjustment as a request for disability accommodation.

### **Sec. 1.1304. - Enlargement, extension, reconstruction or structural alteration of nonconforming structure; enlargement of nonconforming use.**

- A. Except as set forth in paragraph (b) of this subsection, no existing structure designed or arranged in a manner not permitted under the regulations of this Zoning Ordinance for the district in which such structure is located shall be enlarged, extended, reconstructed or structurally altered unless such structure together with such enlargement, extension, reconstruction or structural alterations conform in every respect with the regulations specified by this Zoning Ordinance for such district in which said structure is located. Provided nothing herein shall prohibit any reasonable repairs or alterations to such structure. Similarly, except as set forth in paragraph (c) of this subsection, no existing use not permitted under the regulations of this Zoning Ordinance shall be enlarged or extended unless such use conforms in every respect with the regulations specified by this ordinance for the district in which such use is located.
- B. For all dwellings located in residential zoning districts that are not located within an environmentally sensitive lands overlay zone:
  - 1. Structural enlargements, extensions, reconstruction or modifications to dwellings are permitted if:
    - a. The enlargement, extension, reconstruction or modification is made to the ground level story;
    - b. The height of any portion of the dwelling is not increased;
    - c. The total of the initial and any subsequent enlargement, extension, reconstruction or modification constitutes less than fifty (50) percent of the gross floor area of the existing dwelling; and
    - d. The dwelling enlargement, extension, reconstruction, or structural modification conforms to all of the regulations specified by this Zoning Ordinance for such district in which the dwelling is located.
  - 2. Nothing contained in this subsection shall prohibit any reasonable repairs or alterations to such dwelling.



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3. An existing use not permitted under the regulations of this Zoning Ordinance shall not be enlarged or extended unless such use conforms to the regulations specified by this Zoning Ordinance for the district in which the use is located.
- C. Any authorized care home that is lawfully located and operating in a residential zoning district on December 5, 2017, may continue to operate in their existing location. Nothing in this section will grandfather a care home operating unlawfully or that is located in violation of the provisions of the Zoning Ordinance of the City of Scottsdale existing on December 5, 2017.

### Section 3.100. Definitions

*Adult eCare home* shall mean a residential care institution which provides supervisory care, personal care, or custodial care services to adults who require the assistance of no more than one (1) person to walk or to transfer from a bed, chair, or toilet, but who are able to self-propel a wheelchair, as subject to licensing by the State of Arizona dwelling shared as a primary residence by no more than ten adults with a disability that is licensed as a health care institution under Arizona law, and in which on-site supervisory or other care services are provided to the disabled residents. For purposes of this definition, a person must live in the dwelling a minimum of thirty consecutive days for this dwelling to be considered a primary residence. A care home is a principal, not an accessory, use.

*Convalescent home or nursing home* shall mean any place or institution which makes provisions for bed care, or for chronic or convalescent care for one (1) or more persons exclusive of relatives, who by reason of illness or physical infirmity are unable to properly care for themselves. Alcoholics, drug addicts, persons with mental diseases and persons with communicable diseases, including contagious tuberculosis, shall not be admitted or cared for in these homes licensed under the State of Arizona, as a convalescent and nursing home.

*Disability* means a physical or mental impairment that substantially limits one or more major life activities where the person with a disability either has a record of having such impairment or is regarded as having such impairment. A person with a disability shall not include any person currently engaging in the illegal use of controlled substances under Arizona law. The term disability will be interpreted consistent with the Americans with Disabilities Act and the Federal Fair Housing Act.

*Dwelling* shall mean any building, or portion thereof, which that is designed exclusively principally for residential purposes, and that includes sleeping, cooking and sanitary facilities.

*Family* shall mean one (1) to six (6) adults and, if any, their related dependent children or more persons occupying a premise[s] and living as a single housekeeping unit, as distinguished from a group occupying a boardinghouse, lodginghouse or hotel as herein defined. For purposes of the Zoning Ordinance, "Family" includes a residential facility as that term is defined in Title 36, Chapter 5.1, Article 2 of the Arizona Revised Statutes, in which persons with developmental disabilities live and that is licensed, operated, supported or supervised by the State of Arizona.

*Group home* means a dwelling shared by more than six adults as their primary residence in which no supervisory or other care is provided. For purposes of this definition, a person must

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live in the dwelling a minimum of thirty consecutive days for this dwelling to be considered a primary residence.

*Minimal residential health care facility* shall mean a residential health care facility which provides resident rooms or residential units, and may include independent living units and such services such as central dining, transportation and limited medical assistance.

*Related dependent children* shall mean all persons under the age of 18, or who have been declared dependent by a court of competent jurisdiction, who are related to one of the adults by blood, guardianship, or adoption, or who is the foster child of one of the adults.

*Residential health care facility* shall mean a health care institution with, at a minimum, 24-hour supervisory care services.

*Single housekeeping unit* shall mean a group of one (1) or more persons residing together in a dwelling who share use of and responsibility for common areas, household activities, and responsibilities such as meals, chores, household maintenance, and expenses. This term excludes living situations where an entity or individual other than a resident provides job training or life skill development services on-site, or provides supervisory, medical, personal, or custodial care services to more than six adults residing in the dwelling.

*Specialized residential health care facility* shall mean a health care institution that provides inpatient beds or resident beds and nursing services to persons who need continuous nursing services but who do not require hospital care or direct daily care from a physician. ~~convalescent or nursing home which normally provides medical care and supervision.~~

*Supervisory care services* means general supervision, including daily awareness of resident functioning and continuing needs, and the ability to intervene in a crisis and to assist in the self-administration of prescribed medications.

### **Sec. 5.012. - Use regulations. [R1-190]**

A. *Permitted uses.* Buildings, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered, or enlarged only for the following uses:

1. Accessory buildings, swimming pools, home occupations and other accessory uses. The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.
2. Adult care homes; subject to the following criteria:
  - a. *Floor area ratio:* Is limited to thirty-five hundredths (0.35) of the net lot area.
  - b. *Capacity:* The maximum number of residents, other than including up to ten disabled persons, the manager/supervisor, or property owner, and residential staff at the home is twelve (12) per residential lot.
  - c. *Location:* An adult care home shall not be located within seven hundred fifty-two hundred (7501200) feet, measured from lot line to lot line, of another adult care home on the same street frontage or within five hundred (500) feet in any other direction of another adult care home.

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- d. *Compatibility*: The home and its premises shall be maintained in a clean, well-kept condition, that is consistent in materials and design style with homes in the surrounding or adjacent neighborhood.
  - e. *Criteria*: Care homes must be licensed by the State of Arizona and must provide proof of such licensing by the State of Arizona as a health care institution to the Director of Planning prior to the commencement of operations. All care homes must pass an initial and annual fire inspection administered by the Scottsdale Fire Department. Proof of such inspection and of correction of any noted deficiencies must be available at the care home at all times.
  - f. *Accommodation*: A disabled person may request a disability accommodation from the above criteria or a development standard pursuant to Section 1.806 of this Zoning Ordinance.
- 3. Charter school located on property with a net lot size of one (1) acre or more.
  - 4. Day care home.
  - 5. Day care group home.
  - 6. Dwelling units, single-family, including Vacation rental or Short-term rental; limited to one main dwelling unit per lot.
  - 7. Guest house, as an accessory use subject to the following criteria:
    - a. The cumulative square footage of the guest house(s) shall be no greater than one-half (1/2) the livable square footage of the main dwelling.
    - b. Any guest house shall be connected to the existing water meter for the main dwelling. It shall not be separately metered.
    - c. The guest house shall not be rented or offered for rent independent of the main dwelling.
  - 8. Model homes.
  - 9. Municipal uses.
  - 10. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.
  - 11. Private tennis courts.
  - 12. Public, elementary and high schools
  - 13. Temporary sales office buildings and buildings for uses incidental to construction work, to be removed upon completion or abandonment of construction work.
  - 14. Churches and places of worship; subject to Development Review Board approval and compliance with the following standards, as well as those otherwise required in the R1-190 District:
    - a. Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than twenty thousand (20,000) square feet (net).
    - 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.



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- c. Building height: Development Review Board may allow building heights, including, towers, spires, and mechanical equipment (such equipment must be screened) limited to thirty (30) feet in height, and may allow a maximum of ten (10) percent of the roof area to exceed the height limit by fifteen (15) feet. Height and location are subject to the Development Review Board review and approval for compatibility with the established neighborhood character. Maximum permissible heights may not be achievable in all neighborhoods. (This provision supersedes Section 7.100, through 7.102, exceptions to height restrictions, which shall not apply to churches within this district.)
- d. Required open space:
  - i. Minimum: 0.24 multiplied by the net lot area.
  - ii. For building heights over twenty (20) feet: the minimum open space requirement plus 0.004 multiplied by the net lot area for each foot of building height over twenty (20) feet.
  - iii. NAOS may be included in the required open space.
- e. Parking: Parking shall observe the minimum front yard setbacks of the district for all frontages. On streets classified in the Transportation Master Plan as major arterial or greater, parking may be located between the established front building line and the front yard setback. On all other street classifications, parking shall be located behind the established front building line(s).

A minimum of fifteen (15) percent of all parking areas shall be landscaped.

A ten-foot minimum landscaped setback shall be provided where parking is adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.

- f. Lighting: All pole mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height.

All lighting adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A. shall be set back a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be shut off by 10:00 p.m.

- g. Screening: There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines that are adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.

There shall be a three-foot high landscaped berm along all street frontage where parking occurs.

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- h. Access: All churches must have primary access to a street classified in the Transportation Master Plan as a minor collector or greater.

Access to a local or local collector residential street is prohibited when the primary worship center, auditorium or other major gathering place exceeds three thousand (3,000) square feet.

- i. Operations: No outdoor activities shall be permitted after 10:00 p.m.
- j. Noise: Outdoor speakers or paging systems are not allowed.

B. *Uses subject to conditional use permit.*

1. Cemetery (see Section 1.403 for criteria).
2. Ham transmitting or receiving radio antennas in excess of seventy (70) feet.
3. Community buildings and recreational facilities not publicly owned, such as: athletic fields, boys' clubs, etc.
4. Farms and ranches.
5. Golf course (except miniature golf course or commercial driving range).
6. Wireless communications facilities; Type 4, subject to requirements of Sections 1.400, 3.100 and 7.200.
7. Private colleges and universities having a regular curriculum, with their related services and activities.
8. Private school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with the following standards, including, but not limited to, the following as well as those otherwise required in the R1-190 District.
  - a. Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than eighty-six thousand (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.
  - c. Noise: Outdoor speaker systems or bells are not allowed.
  - d. Required open space:
    - i. Minimum: 0.24 multiplied by the net lot area.
    - ii. For building heights over twenty (20) feet: the minimum open space requirement plus 0.004 multiplied by the net lot area for each foot of building height over twenty (20) feet.
    - iii. NAOS may be included in the required open space.
  - e. Parking: Parking shall be allowed in the front yard setbacks of the district for schools on streets classified in the Transportation Master Plan as minor collector or greater. There shall be a three-foot high landscaped berm or wall along the street frontage where parking occurs. On all other street classifications, parking shall be located behind the established front building line(s). A minimum of fifteen (15) percent of all parking areas shall be landscaped in addition to open space in



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- d. above. A twenty-foot minimum landscaped setback shall be provided where parking is adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.
- f. Lighting: All pole mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height. All lighting adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., shall be setback a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit.
- g. Screening: There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.
- h. Access: All private schools shall have frontage on a street classified in the Transportation Master Plan as a minor collector or greater. Side street access to a local collector residential street is prohibited when the number of students allowed to attend the school is greater than two hundred fifty (250). A drop off area shall be provided that accommodates a minimum of five (5) cars at one (1) time.
- i. Operations: No outdoor activities shall be permitted after 8:00 p.m. unless otherwise approved through a special event permit. Any additions to, expansions of or proposed playgrounds or outdoor activity areas shall be setback fifty (50) feet from any single-family residential district shown on Table 4.100.A., or the single-family residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A. property line (including right-of-way width) or setback twenty-five (25) feet from any Two-family Residential R-2, Medium Density Residential R-3, Townhouse Residential R-4, Resort/Townhouse Residential R-4R, Multiple-family Residential R-5 or Manufactured Home M-H district property line (including right-of-way width). All playgrounds and outdoor activity areas shall be screened from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A. by a minimum six-foot high screen wall and/or landscape screen, as approved by the Development Review Board.
- j. Building design: All buildings shall be designed to be compatible with the surrounding residential neighborhood. All building elevations shall be approved by the Development Review Board.
- k. Circulation plan: The applicant shall submit a circulation plan to ensure minimal conflicts between the student drop-off area, potential van and bus drop-off area, parking, access driveways, pedestrian and bicycle paths on site.

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9. Public utility buildings, structures or appurtenances thereto for public service uses.
10. Recreational uses (see section 1.403 for specific uses and development criteria for each).

### **Sec. 5.102. - Use regulations. [R1-43]**

A. *Permitted uses.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Accessory buildings, swimming pools, home occupations and other accessory uses. The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.
2. Adult-care homes; subject to the following criteria:
  - a. Floor area ratio: Is limited to thirty-five hundredths (0.35) of the net lot area.
  - b. Capacity: The maximum number of residents, including up to ten disabled persons, ~~other than the manager/supervisor, or property owner, and residential staff at the home is ten-twelve (1240)~~ per residential lot.
  - c. Location: ~~An adult-care home shall not be located within seven-hundred-fifty (750) twelve hundred (1200) feet, measured from lot line to lot line, of another adult-care home on the same street frontage or within five-hundred (500) feet in any other direction of another adult-care home.~~
  - d. Compatibility: The home and its premises shall be maintained in a clean, well-kept condition that is consistent in materials and design style with homes in the surrounding or adjacent neighborhood.
  - e. Parking: All parking for the ~~property owner~~ residents and any employees shall be provided in off-street locations but in no case shall parking occupy more than three-tenths (0.3) of the required front yard.
  - f. Criteria: Care homes must provide proof of licensing as a health care institution by the State of Arizona to the Director of Planning prior to the commencement of operations. All care homes must pass an initial and annual fire inspection administered by the Scottsdale Fire Department. Proof of such inspection and of correction of any noted deficiencies must be available at the care home at all times.
  - g. Accommodation: A disabled person may request a disability accommodation from the above criteria or a development standard pursuant to Section 1.806 of this Zoning Ordinance.
3. Charter school located on property with a net lot size of one (1) acre or more.
4. Day care home.
5. Day care group home.
6. Dwelling units, single-family, including Vacation rental or Short-term rental, limited to one main dwelling per lot.
7. Guest houses, as an accessory use subject to the following criteria:
  - a. The cumulative square footage of the guest house(s) shall be no greater than one-half (1/2) the livable square footage of the main dwelling.

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- b. The guest house shall be connected to the water meter for the main dwelling. It shall not be separately metered.
- c. The guest house shall not be rented or offered for rent independent of the main dwelling.
- 8. Model homes.
- 9. Municipal uses.
- 10. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.
- 11. Private tennis courts.
- 12. Public, elementary and high schools.
- 13. Temporary sales office buildings and buildings for uses incidental to construction work, to be removed upon completion or abandonment of construction work.
- 14. Churches and places of worship; subject to Development Review Board approval and compliance with the following standards, as well as those otherwise required in the R1-43 District:
  - a. Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than twenty thousand (20,000) square feet (net).
  - 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.
  - c. Building height: Development Review Board may allow building heights, including towers, spires, and mechanical equipment (such equipment must be screened) limited to thirty (30) feet in height, and may allow a maximum of ten (10) percent of the roof area to exceed the height limit by fifteen (15) feet. Height and location are subject to the Development Review Board review and approval for compatibility with the established neighborhood character. Maximum permissible heights may not be achievable in all neighborhoods. (This provision supersedes Sections 7.100 through 7.102, exceptions to height restrictions, which shall not apply to churches within this district.)
  - d. Required open space.
    - i. Minimum: 0.24 multiplied by the net lot area.
    - ii. For building heights over twenty (20) feet: the minimum open space requirement plus 0.004 multiplied by the net lot area for each foot of building height over twenty (20) feet.
    - iii. NAOS may be included in the required open space.
  - e. Parking: Parking shall observe the minimum front yard setbacks of the district for all frontages. On streets classified in the Transportation Master Plan as major arterial or greater, parking may be located between the established front building line and the front yard setback. On all other street classifications, parking shall be located behind the established front building line(s). A minimum of fifteen (15) percent of all parking areas shall be landscaped. A ten-foot minimum landscape setback shall be provided where parking is adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential



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Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.

f. Lighting: All pole mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height. All lighting adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., shall be set back a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be shut off by 10:00 p.m.

- g. Screening: There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines that are adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.

There shall be a three-foot high landscaped berm along all street frontages where parking occurs.

- h. Access: All churches must have primary access to a street classified in the Transportation Master Plan as a minor collector or greater.

Access to a local or local collector residential street is prohibited when the primary worship center, auditorium or other major gathering place exceeds three thousand (3,000) square feet.

- i. Operations: No outdoor activities shall be permitted after 10:00 p.m.  
j. Noise: Outdoor speakers or paging systems are not allowed.

B. *Uses subject to conditional use permit.*

1. Cemetery (see section 1.403 for criteria).
2. Community buildings and recreational facilities not publicly owned, such as: Athletic fields, boys' clubs, etc.
3. Farms.
4. Golf course (except miniature golf course or commercial driving range).
5. Ham transmitting or receiving radio antennas in excess of seventy (70) feet.
6. Wireless communications facilities; Type 4, subject to requirements of Sections 1.400, 3.100 and 7.200.
7. Private colleges and universities having a regular curriculum, with their related services and activities.
8. Private school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with standards, including, but not limited to, the following as well as those otherwise required in the R1-43 District.

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- a. Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than eighty-six thousand (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.
- c. Noise: Outdoor speaker systems or bells are not allowed.
- d. Required open space:
  - i. Minimum: 0.24 multiplied by the net lot area.
  - ii. For building heights over twenty (20) feet: the minimum open space requirement plus 0.004 multiplied by net lot area for each foot of building height over twenty (20) feet.
  - iii. NAOS may be included in the required open space.
- e. Parking: Parking shall be allowed in the front yard setbacks of the district for schools on streets classified in the Transportation Master Plan as minor collector or greater. There shall be a three-foot high landscaped berm or wall along the street frontage where parking occurs. On all other street classifications, parking shall be located behind the established front building line(s). A minimum of fifteen (15) percent of all parking areas in addition to open space in d. above shall be landscaped. A twenty-foot minimum landscaped setback shall be provided where parking is adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.
- f. Lighting: All pole mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height. All lighting adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., shall be setback a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit.
- g. Screening: There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.
- h. Access: All private schools shall have frontage on a street classified in the Transportation Master Plan as a minor collector or greater. Side street access to a local collector residential street is prohibited when the number of students allowed to attend the school is greater than two hundred fifty (250). A drop off area shall be provided that accommodates a minimum of five (5) cars at one (1) time.
- i. Operations: No outdoor activities shall be permitted after 8:00 p.m. unless otherwise approved through a special event permit. Any additions to, expansions

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of or proposed playgrounds or outdoor activity areas shall be setback fifty (50) feet from the property line (including right-of-way width) of any single-family residential district shown on Table 4.100.A., or the single-family residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A. or setback twenty-five (25) feet from any Two-family Residential R-2, Medium Density Residential R-3, Townhouse Residential R-4, Resort/Townhouse Residential R-4R, Multi-family Residential R-5 or Manufactured Home M-H district property line (including right-of-way width). All playgrounds and outdoor activity areas shall be screened from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A. by a minimum six-foot high screen wall and/or landscape screen, as approved by the Development Review Board.

- j. Building design: All buildings shall be designed to be compatible with the surrounding residential neighborhood. All building elevations shall be approved by the Development Review Board.
  - k. Circulation plan: The applicant shall submit a circulation plan to ensure minimal conflicts between the student drop-off area, potential van and bus drop-off area, parking, access driveways, pedestrian and bicycle paths on site.
9. Public utility buildings, structures or appurtenances thereto for public service uses.
10. Recreational uses including commercial stables, ranches and tennis clubs (see section 1.403 for specific uses and development criteria for each).

### **Sec. 5.703. - Use regulations. [R-3]**

A. *Permitted uses.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

- 1. Group homes.
- 42. Day care home.
- 23. Dwelling unit(s), including Vacation rental or Short-term rental.
- 34. Accessory buildings; swimming pool, private home occupations and other accessory uses. The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.
- 45. Temporary buildings for uses incidental to construction work to be removed upon completion or abandonment of construction work.
- 56. Model dwelling units.
- 67. Municipal uses.
- 6-48. Wireless communications facilities; types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.

B. *Uses permitted by conditional use permit.*

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1. Wireless communications facilities; type 4, subject to requirements of sections 1.400, 3.100 and 7.200.

2. Residential health care facility (see section 1.403 for criteria except as modified in section 5.704.C.)

### **Sec. 5.803. - Use regulations. [R-4]**

A. *Permitted uses.* Building, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Single-family dwelling having either party walls or walled courtyards, including Vacation rental or Short-term rental.

2. Accessory buildings and uses customarily incident to the permitted uses, including private garage, home occupations, swimming pools and recreation buildings. The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.

3. Group homes.

4. Municipal uses.

3.15. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.

46. Temporary sales office buildings and model homes.

57. Churches and places of worship.

68. Day care home.

B. *Permitted uses by conditional use permit.*

1. Wireless communications facilities; Type 4, subject to requirements of sections 1.400, 3.100 and 7.200.

2. Residential health care facility (see section 1.403 for criteria except as modified in section 5.804.D.)

### **Sec. 5.903. - Use regulations. [R-4R]**

A. *Permitted Uses*

1. Travel Accommodation.

2. Dwelling units having either party walls or walled courtyards, including Vacation rental or Short-term rental.

3. Accessory buildings and uses customarily incidental to the permitted uses, including private garages, home occupations, swimming pool, recreation buildings and walled driveway entrance.

4. Group homes.

5. Municipal uses.

56. Wireless communications facilities, Types 1, 2 and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.

67. Churches and places of worship.



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- 78. Day care home.
- B. *Permitted uses by conditional use permit.*
  - 1. Golf courses.
  - 2. Wireless communications facilities; Type 4, subject to requirements of sections 1.400, 3.100 and 7.200.
  - 3. Recreational uses (see section 1.403 for specific uses and development criteria for each).

### **Sec. 5.1003. - Use regulations. [R-5]**

A. *Permitted uses.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Accessory buildings; swimming pool; home occupations; and other accessory uses. The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.

2. Group home.

23. Day-care home.

34. Dwelling, single-family detached or attached, including Vacation rental or Short-term rental.

45. Dwelling, multiple family.

56. Municipal uses.

67. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.

78. School: Public and charter, elementary and high.

89. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of construction work.

910. Temporary sales office buildings and model homes.

1011. Churches and places of worship.

B. *Uses permitted by conditional use permit.*

1. Commercial and/or ham transmitting or receiving radio and television antennas in excess of seventy (70) feet.

2. Community buildings or recreational fields not publicly owned.

3. Convent.

43. Day-care center.

54. Golf course, regulation or par-three, that is incidental to and located within the development.

6. Orphanage.

75. Plant nursery; provided, however, that all materials (other than plant materials) shall be screened from view by a solid fence or wall at least six (6) feet in height, and further that a



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completely enclosed building having a minimum floor area of five hundred (500) square feet shall be provided.

86. Private club, ~~fraternity, sorority and lodges.~~

97. Private lake, semi-public lake, tennis courts.

408. Private school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with the following standards, as well as those otherwise required in the R-5 District.

a. Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than forty-three thousand (43,000) square feet (net).

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.

c. Noise: Outdoor speaker system or bells are not allowed if the school building is within one hundred (100) feet of a single-family dwelling or multifamily dwelling unit.

d. Required open space.

i. Minimum: 0.24 multiplied by the net lot area.

ii. For building heights over twenty (20) feet: the minimum open space requirement plus 0.004 multiplied by the net lot area for each foot of building height over twenty (20) feet.

iii. NAOS may be included in the required open space.

e. Parking: Parking shall be allowed in the front yard setbacks of the district for schools on streets classified in the Transportation Master Plan as minor collector or greater. There shall be a three-foot high landscaped berm or wall along the street frontage where parking occurs. On all other street classifications, parking shall be located behind the established front building line(s). A minimum of fifteen (15) percent of all parking areas shall be landscaped. A twenty-foot minimum landscaped setback shall be provided where parking is adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.

f. Lighting: All pole mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height. All lighting adjacent to residential districts shall be setback a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit.

g. Screening: There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.

h. Access: All private schools shall have frontage on a street classified in the Transportation Master Plan as a minor collector or greater. Side street access to a

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local collector residential street is prohibited when the number of students allowed to attend the school is greater than two hundred fifty (250). A drop off area shall be provided that accommodates a minimum of five (5) cars at one (1) time.

i. Operations: No outdoor activities shall be permitted after 8:00 p.m. unless otherwise approved through a special event permit. No playground or outdoor activity area shall be located within fifty (50) feet of any single-family residential district shown on Table 4.100.A., or the single-family residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or within twenty-five (25) feet of any Two-family Residential R-2, Medium Density Residential R-3, Townhouse Residential R-4, Resort/Townhouse Residential R-4R, Multiple-family Residential R-5 or Manufactured Home M-H district. All playgrounds and outdoor activity areas shall be screened from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., by a minimum six-foot high screen wall.

j. Building design: All buildings shall be designed to be compatible with the surrounding residential neighborhood. All building elevations shall be approved by the Development Review Board.

- 449. Public buildings other than hospitals.
- 102. Public utility buildings, structures or appurtenances thereto for public service uses.
- 113. Recreational uses.
- 124. Residential health care facility.
- 135. Travel accommodation.
- 16. Wireless communications facilities; Type 4, subject to requirements of sections 1.400., 3.100., and 7.200.

# **EXHIBIT 9**

Excerpts from City Council Report  
dated December 5, 2017  
and

Attachment 5 listing ADHS Health Care Institution Uses  
(for Care Homes)

# CITY COUNCIL REPORT



Meeting Date: December 5, 2017  
 General Plan Element: *Land Use*  
 General Plan Goal: *Create a sense of community through land uses*

## ACTION

### Care Homes/Group Homes Text Amendment 2-TA-2017

#### Request to consider the following:

1. Adopt Ordinance No. 4326 amending the Zoning Ordinance (Ord. No. 455); specifically, Sec. 1.202 (Interpretations and Decisions), Sec. 1.801 (Powers of the Board of Adjustment), Sec. 1.1304 (Enlargement, extension, reconstruction or structural alteration of nonconforming structure; enlargement of nonconforming use), Sec. 3.100 (Definitions), Sec. 5.010 (Single-family Residential (R1-190)), Sec. 5.012 (Use Regulations), Sec. 5.100 (Single-family Residential (R1-43)), Sec. 5.102 (Use Regulations), which affects all other Single-family Residential and Two-Family Residential districts (R1-130, R1-70, R1-35, R1-18, R1-10, R1-7, R1-5 and R-2), Sec. 5.700 (Medium-Density Residential (R-3)), Sec. 5.703 (Use Regulations), Sec. 5.800 (Townhouse Residential (R-4)), Sec. 5.803 (Use Regulations), Sec. 5.900 (Resort/Townhouse Residential (R-4R)), Sec. 5.903 (Use Regulations), Sec. 5.1001 (Multiple-family Residential (R-5)), and Sec. 5.1003 (Use Regulations), add new Sec. 1.806 (Disability Accommodation), and add new Sec. 1.920 (Request for Disability Accommodation) to address various types of care homes and group homes in residential zoning districts.
2. Adopt Resolution No. 10963 declaring "2-TA-2017 – Care Homes/Group Homes Text Amendment," as a public record.

#### Goal/Purpose of Request

The primary objective of the proposed text amendment is to respond to citizen concerns about single-family residences that are being used as "care homes" to provide services to residents with disabilities, including elder care homes and "sober homes". This effort has been focused on amending the City's current ordinance to provide neighborhood protections and to be consistent with Federal and State Law. To that end, the proposed amendment seeks to increase oversight and clarify separation requirements between care homes. The proposal is to amend and add land uses related to home care for disabilities, amend and add definitions, strengthen the use criteria associated with care homes, and add new sections to the ordinance intended to address disability accommodations.

**Key Items for Consideration**

- Citizen petition submitted to City Clerk requesting additional regulations/restrictions be placed on “sober homes”
- Compliance with Federal and State Laws that provide protections for persons with disabilities
- The term “disability”, as defined by the Federal Fair Housing Act (FHA), includes persons recovering from substance abuse
- Persons with disabilities must have “equal opportunity” to housing in residential neighborhoods (FHA and Americans with Disabilities Act)
- Recently passed State of Arizona legislation (HB 2107) grants municipalities limited ability to regulate “structured sober living” homes
- Limits “family” to six adults and their related dependent children
- Integration of care homes into residential areas; maintaining single-family residential setting
- Amendment does not supersede or limit Homeowner’s Associations (HOA) from enforcing private contract rules and regulations
- Significant public outreach and interest (120 citizens and providers on Interested Parties list and close to 300 attendees at Open Houses)
- Planning Commission heard this case as a Non-Action item on 10/11/17
- Additional public comment received after 10/11/17 Planning Commission hearing (refer to Attachment #14)
- Planning Commission heard this case on October 25, 2017 and recommended approval with a 5-1 vote.

**APPLICANT CONTACT**

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Greg Bloemberg  
Senior Planner  
City of Scottsdale  
480-312-4306

**LOCATION**

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City-wide

## BACKGROUND

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In 1993, Ord. No. 2636 was adopted to add “Adult Care Home” (ACH) as a permitted use in all single-family residential zoning districts. Along with the land use, operational criteria were established in an effort to integrate ACH’s into residential areas while also maintaining as much as possible the single-family neighborhood setting. At the time the ordinance was adopted, home care was primarily considered elderly care and the current definition in the Zoning Ordinance reflects that. Since that time, home care has evolved to include treatment of persons suffering from a variety of disabilities, including those recovering from substance abuse. Homes that treat persons recovering from substance abuse are commonly referred to as “sober homes”.

The Zoning Ordinance is not clear when it comes to treatment of substance abuse in residential districts. Section 1.202.D of the Zoning Ordinance (Interpretations and Decisions) states that *“The presumption established .....is that all general uses of land are permissible within one (1) zoning district”*; and that *“Uses listed in each district shall be interpreted liberally to include other uses which have similar impacts to the listed uses”*. When the City was first approached by a party interested in devoting a single-family residence to treatment of persons recovering from substance abuse, the most analogous use at the time was determined to be the “Adult Care Home” use; which is permitted by right in single-family residential districts subject to certain criteria.

Treatment for various afflictions both physical and mental in a residential setting is becoming an increasingly popular alternative to the larger treatment facilities typically administered by medical providers, such as clinics or hospital settings, primarily because it is believed a single-family living environment may be more conducive to successful recovery. Many cities and towns across Arizona are experiencing a spike in the number of “sober homes” and group homes, and are exploring methods to regulate them; or have already amended their ordinances to address them. In May of 2015, the City of Prescott adopted an ordinance placing regulations and restrictions on “community residences” and transitional housing. Subsequently, the ordinance was challenged by the United States Department of Housing and Urban Development (HUD), citing “burdensome restrictions” on group homes for the disabled. The City of Prescott has since amended their ordinance. In response to the demand for “sober homes” in residential neighborhoods, the State of Arizona passed House Bill 2107 in May of 2016; which gives cities and towns limited ability to place regulations on “structured sober living homes”.

Many residents with “sober homes” or group homes (commonly referred to as “halfway homes”) in their neighborhoods, express concern that the residents of these homes pose a threat to their quality of life. The FHA is fairly clear in stating that a home for the disabled cannot be denied the opportunity to locate in a residential neighborhood based solely on neighbor perceptions, although public safety and saturation of care homes in a single neighborhood can be considerations when adopting zoning regulations.

It has been suggested that Scottsdale should use the Prescott ordinance as a model, that Scottsdale should do what other cities are doing. Even a cursory review of other city’s ordinances shows that

there is no unanimity in the approach being taken. In part, this is because different cities have different circumstances, and what the circumstances are can affect legally what a city can do. In the case of Prescott, a study was conducted to demonstrate the effects of sober homes in its community; with the intent being to justify their extensive regulations.

### **Federal Fair Housing Act**

In 1968, Congress adopted Title VIII of the Civil Rights Act; more commonly known as the Fair Housing Act (FHA). The original FHA made it illegal to deny or discourage housing options for persons based on race, color, religion, sex or national origin. In 1988, the FHA was amended to add familial status (the presence or anticipated presence of children under age 18 in a household) and disability as protected characteristics. Per the FHA, a “disability” is defined as *“a mental or physical impairment which substantially limits one or more major life activities”*. Mental or physical impairment may include alcoholism, drug addiction and other mental illnesses.

Because it is settled law that persons recovering from substance abuse are “disabled” for purposes of the FHA and the Americans with Disabilities Act (ADA), the City may not impose more restrictions on homes where persons recovering from substance abuse live than it does on families. Refer to Attachment #3 of this report for a Joint Statement from the Federal Department of Justice and Department of Housing and Urban Development for information regarding the FHA.

### **Arizona Revised Statutes**

In addition to Federal law, the Arizona Revised Statutes (ARS) also provide protections for persons with disabilities. A specific provision protects persons with “developmental disabilities”, i.e. cognitive disabilities, cerebral palsy, epilepsy or autism, by preventing a city from prohibiting in residential zoning districts residential care for up to six persons with a developmental disability. Per ARS 36-582, developmental disability and many other home care facilities require State licensing. Refer to Attachment #5 for a comprehensive list of care home types that require licensing.

### **State of Arizona House Bill 2107**

In May of 2016, the Arizona House of Representatives adopted House Bill (HB) 2107, an amendment to Article IX of the ARS relating to local health and safety ordinances. HB 2107 provides local governments the ability to adopt ordinance standards for “structured sober living” homes. Most of the available options for regulation are operational in nature and include the following:

- a) A written notification from the structured sober living home; to include contact information,
- b) Supervision requirements for the residents during all hours of operation, and
- c) Establishment of a maintenance and operation plan that facilitates the rehabilitative process, including discharge planning

By definition, the statute applies only to a home that provides *“structured activities that are primarily directed toward recovery from substance abuse disorders, in a supervised setting, to a group of unrelated individuals who are recovering from drug or alcohol addiction, and who are*



*receiving outpatient behavioral health services for substance abuse or addiction treatment while living in the home” (ARS 9-500.40.C.1) The Bill also allows municipalities to exclude from regulation “any structured sober living home that is subject to adequate oversight by another governmental agency or contractor.” Refer to Attachment #4 for more information.*

### **Definition of Family**

The State of Arizona Revised Statutes (ARS) includes regulations for “residential facilities” in single-family neighborhoods. Per Section 36-582 of the ARS, *a residential facility which serves six (6) or fewer persons shall be considered a residential use of property for the purposes of all local zoning ordinances if such facility provides care on a twenty-four hour basis. The residents and operators of such a facility shall be considered a family for the purposes of any law or zoning ordinance which relates to residential use of property.* While this regulation applies only to “residential facilities” that treat persons with “developmental disabilities” (cognitive disability, cerebral palsy, epilepsy or autism), and not to all types of care homes, it does provide a benchmark for what should be considered a “family” with regard to establishing zoning regulations.

### **Other Related Policies, References:**

- Federal Fair Housing Act of 1968 (and as amended in 1988)
- Americans with Disabilities Act of 1990
- Arizona Revised Statutes
- State of Arizona House Bill No. 2107

## **STAFF PROPOSAL**

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Currently, the Zoning Ordinance includes definitions, land use categories and Use Regulations that are either obsolete or outdated; and do not sufficiently take into account the variety of options available for home care in the community. The term “Adult Care Home” is antiquated and is geared (by definition) primarily toward homes that provide care for the elderly. With this amendment other types of care homes, including those that offer care to persons recovering from substance abuse and developmental disabilities, will be recognized and consolidated into a single “Care Home” category.

The current definition of “Family” in the Zoning Ordinance is as follows: *“one (1) or more persons occupying a premise[s] and living as a single housekeeping unit as distinguished from a group occupying a boardinghouse, lodginghouse or hotel herein”.* This definition is proposed to be amended to be consistent with the aforementioned State statute, and to set a limit on the number of persons that can live in a single-family residence and still be considered a family, the objectives being to establish consistency with the intent of single-family zoning and preserve the character of single-family neighborhoods.

While some definitions and land uses are being amended or eliminated outright, others are proposed to be consolidated or in some cases added in support of new or amended land uses. The definitions affected are as follows:



Definition	Add	Amend	Eliminate	Reasoning/Objective
<i>Adult Care Home</i>		X		Change to “Care Home”; clarification
<i>Convalescent Home or Nursing Home</i>			X	Redundant; covered under “Specialized Residential Health Care Facility” use
<i>Disability</i>	X			Identify and define; clarify what constitutes a disability as it relates to “Care Home” (consistent with FHA)
<i>Dwelling</i>		X		Clarification
<i>Family</i>		X		Clarification; limited to 6 adults and their related dependent children
<i>Group Home</i>	X			Identify and define; provide distinction from “Care Home” use; provide for homes with more than 6 adult residents
<i>Health Care Institution</i>	X			Identify and define; provide reference to State law
<i>Minimal Residential Health Care Facility</i>		X		Clarification
<i>Related Dependent Children</i>	X			Identify and define; clarification as it relates to “Family” definition
<i>Residential Health Care Facility</i>	X			Identify and define
<i>Single Housekeeping Unit</i>	X			Identify and define; clarification as it relates to “Care Home” and “Group Home” uses
<i>Specialized Residential Health Care Facility</i>		X		Clarification
<i>Supervisory Care Services</i>	X			Identify and define; clarification as it relates to “Care Home” use

In addition to updating ordinance definitions, Use Regulations in the residential zoning districts must also be updated or added. They are as follows:

Use Regulation	Add	Amend	Eliminate	Reasoning/Objective
<i>Adult Care Home (R1- districts)</i>		X		Change to “Care Home”; amend criteria; consistency with FHA and HB 2107 (all other single-family zoning districts refer to the R1-190 and R1-43 districts for permitted uses)
<i>Day Care Group Home (R1- districts)</i>			X	Redundant; covered under “Day Care Home” use (all other single-family zoning districts refer to the R1-190 and R1-43 districts for permitted uses)
<i>Group Home (in R-3 district)</i>	X			Add to Permitted Uses
<i>Group Home (in R-4 district)</i>	X			Add to Permitted Uses
<i>Group Home (in R-4R district)</i>	X			Add to Permitted Uses
<i>Children’s Group Home or Group Home (in R-5 district)</i>		X		Change to “Group Home”

Additionally, in accordance with the FHA, the proposed ordinance will include provisions that provide those with disabilities the option of requesting a “disability accommodation” from development standards or requirements if the standard or requirement unduly restricts the opportunity for a person with a disability to find adequate housing within the City of Scottsdale. The Zoning Administrator will have the authority to approve a maximum modification of 10% to a development standard or requirement. Any request for accommodation greater than 10% will be subject to approval by the City’s Board of Adjustment (BOA). Refer to Attachment #2 for the proposed BOA criteria.

To provide opportunities for the disabled to live in a single-family residential setting; while preserving as much as possible the integrity of single-family neighborhoods, amendments to the existing use criteria for Adult Care Homes (Care Homes) are proposed. On the following pages are the current criteria, along with proposed changes, and the criterion proposed to be added as part of this amendment.

<u>Existing Adult Care Home Criteria</u>		
Land Use Criterion	Current	Proposed
<i>Floor Area Ratio</i>	35% of the net lot area (0.35)	No change
<i>Capacity</i>	Maximum of 10 residents	Maximum 10 disabled residents + up to 2 resident staff for a total of 12
<i>Location</i>	Minimum 500-foot separation between care homes in any direction, or 750-foot separation on the same street	1,200-foot separation between care homes
<i>Compatibility</i>	The home and its premises shall be maintained in a clean, well-kept condition that is consistent in materials and design style with homes in the surrounding adjacent neighborhoods	No change

<i>Licensing</i>	Not addressed	<p>Care homes must be licensed by the State of Arizona and must provide proof of licensing by the State of Arizona as a health care facility to the Director of Planning prior to commencement of operations.</p> <ul style="list-style-type: none"> <li>• Location to be conditionally mapped and a permit issued for a Certificate of Occupancy.</li> <li>• After 6 months, if a license has not been secured, location to be removed from map and the accompanying Adult Care (AC) application voided.</li> <li>• Unlicensed homes may fall into a Group Home use category and be restricted to a multi-family residential zoning district (R-3, R-4, R-4R and R-5)</li> </ul>
<i>Safety Inspection</i>	Not addressed	<p>All care homes must pass an initial and annual fire inspection administered by the Scottsdale Fire Department. Proof of such inspection and of correction of any noted deficiencies must be available at the care home at all times</p>
<i>Accommodation</i>	Not addressed	<p>A disabled person may request a disability accommodation from the above criteria or a development standard, pursuant to Section 1.806 of the Zoning Ordinance</p>

## IMPACT ANALYSIS

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### Land Use

Though “Adult Care Homes” have been part of the community for decades, only recently have they been the subject of greater scrutiny; primarily because of the influx of “sober homes”. The proposed text amendment provides opportunities for housing for disabled persons in single-family neighborhoods; while also providing additional oversight and separation to assure homes are properly licensed and helping to prevent conglomeration and saturation that may negatively impact single-family neighborhoods.

### Public Safety

The Police Department, Fire Department and Code Enforcement were all represented at the Open Houses held during the Community Outreach phase of this process. At the Open Houses, several residents expressed concerns about “sober homes” and group homes causing an increase in crime and a disruption to the quality of life in their neighborhoods. When queried, the Police Department indicated that no significant increase in calls for service was or has been received from neighborhoods where a “sober home” or group home is located. In recent months, as the number of care homes and group homes has increased, Code Enforcement has seen an increase in calls from neighbors either expressing concern about the residents of the home, condition of the property, or inquiring as to whether or not the home is operating legally. In some cases, evidence has been found that a home is not operating legally and appropriate action has been taken; however the majority of homes have been found to be operating within current ordinance requirements.

It should also be noted that the City’s Fire Ordinance (Chapter 36-18, Ordinance #4283) establishes occupancy classifications for single-family facilities that provide care and/or accommodations for other than immediate family occupants. Per the ordinance, a “Congregate Living Facility” or “Convalescent Facility” with five (5) or fewer persons residing in the residence is classified as an “R-3” occupancy, and is required to have an approved safety evacuation plan and smoke alarms. A facility with at least six (6) but not more than ten (10) persons residing in the residence is classified as an “R-4” occupancy and is required to have fire sprinklers and fire extinguishers, in addition to an approved safety evacuation plan and smoke alarms. Refer to Attachment #7 for additional information.

### Community Involvement

Extensive community involvement was undertaken during the initial phases of this process. Steps taken include the following:

- Notification of persons on the text amendment Interested Parties list,
- Creation of a web page on the City website to allow the public to track the progress of the amendment, access documentation relevant to the subject, and provide written feedback,
- 1/8-page advertisement in the Arizona Republic,
- Notification via the City’s Facebook, Twitter pages, Scottsdale Planning and Zoning Link and the NextDoor website, and

- Email notification to over 500 Homeowners Associations (through Neighborhood Services)

Additionally, a total of four Community Open Houses were conducted and staff attended two City-sponsored meetings to inform the public and obtain feedback on the proposed amendment. Upwards of 300 people, both residents and industry providers attended the Open Houses and staff received several written and verbal comments. Below is a timeline outlining the Open Houses, community meetings and hearings to date.

- 4/19/17: Open House at Granite Reef Senior Center (+/- 35 attendees)
- 4/26/17: Neighborhood Advisory Commission (informational)
- 4/27/17: Open House at Via Linda Senior Center (+/- 50 attendees)
- 5/16/17: Open House at Appaloosa Library (+/- 120 attendees)
- 6/29/17: Open House at Mountain View Park (+/- 50 attendees)
- 8/30/17: Community Engagement Group Meeting (informational; sponsored by the Police Department)
- 9/27/17: Planning Commission (informational; Study Session)
- 10/11/17: Planning Commission (informational; Non-Action)
- 10/25/17: Planning Commission (Action)

A variety of comments, suggestions and concerns were received during the Open Houses; both from residents and industry providers. An abbreviated summary of feedback is provided below. The first four items in bold print were identified by citizens as the most significant issues, based on the number of comments received. Refer to Attachments 11 and 12 for all written comments.

#### **Comments/Concerns from residents**

- **Public safety**

The Police Department, Fire Department and Code Enforcement were all represented at the Open Houses held during the Community Outreach phase of this process. At the Open Houses, several residents expressed concerns about “sober homes” and group homes causing an increase in crime and a disruption to the quality of life in their neighborhoods. When queried, the Police Department indicated that no significant increase in calls for service was or has been received from neighborhoods where a “sober home” or group home is located.

- **Licensing** - In addition to requiring a State license, comments received suggested that the City should license care homes, including sober homes.

The State has a robust licensing program and the expertise to administer it. The City has no expertise in licensing homes for the disabled, and so it seems advisable to only allow care homes where supervision and care is being provided to be those licensed by the State. This advances



two policies: avoidance of taking on extra licensing and regulatory responsibilities that would require the City to add personnel, and avoidance of imposing City regulations in areas where another jurisdiction, in this case the State, has already extensively regulated the subject activity. Care homes the State does license will be tracked by the State through their license and they must provide proof of their license to the City so that the City may determine whether they meet the other care home criteria; including the 1,200-foot separation requirement.

- **Distinction of uses** - Comments received suggested that elderly care homes should be classified separately from “sober homes”.

The State has authorized cities to impose some requirements on structured sober living homes, subject to the limitations of the FHA and ADA. This “subject to” is significant as it not only prevents the City from discriminating between abled and disabled persons, but also prevents the City from discriminating between types of disabilities without proof of a specific need or threat. This is why staff is not recommending a separate category for “sober living homes” and “assisted living homes”.

- **Enforcement of HOA regulations** - Comments received suggested that the City should enforce HOA regulations prohibiting care homes in residential subdivisions

A resident living in a subdivision with an HOA agrees to live within the parameters of the rules and regulations established by the HOA. It is in essence a “private contract” between the HOA and the resident that, in many cases, may not be consistent with City Zoning Ordinances or Policies. The City has no standing to enforce private contracts. HOA’s are responsible for enforcing their regulations. The City has consistently referred the resident back to the HOA when a conflict arises.

- Model ordinance after Prescott’s ordinance
- Require operators to live at the home; many operators or owners live out-of-state and are not easily accessible when a problem arises
- Identification of existing sober homes under the new regulations (Currently complaint-based)
- Add separation requirements from schools for sober homes and encourage “gender specific” housing
- Require neighborhood notification of proposed sober homes or group homes
- Require greater separation between care homes in larger-lot neighborhoods
- Requiring a City license would help to hold operators accountable
- Residential neighborhoods cannot accommodate care homes with 10 residents; maximum # of residents should be reduced to 6
- 10 residents ok for elderly care homes; not ok for sober homes

### **Comments from industry providers**

- Elderly care homes provide a much-needed community service and contribute to the local economy
- Elderly care homes provide residents an opportunity to “age in place” and be close to family
- Reducing number of residents from 10 to 6 is not feasible for elderly care homes; it will force operators to raise prices, thus pricing some elderly residents out of available housing
- “Grandfathering” of existing care homes operating legally at the time of ordinance adoption
- Distinction of uses - elderly care homes should be classified separately from “sober homes”

### **Policy Implications**

- Increasing separation requirement will help prevent residential communities from becoming “saturated” by care homes; while still providing opportunities for the disabled to find housing in single-family neighborhoods.
- Requiring proof of licensure from the State should result in greater accountability from care home operators and ensure operators are acting in the best interest of their residents.
- Providing a “disability accommodation” offers some flexibility in criteria and development standards for persons with disabilities to request an exception in cases where a need is demonstrated.

## **OTHER BOARDS & COMMISSIONS**

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### **Neighborhood Advisory Commission**

Planning staff attended the 4/26/17 hearing to provide information to the Commission about the proposed text amendment and answer questions from Commission members. Refer to Attachment #13.

### **Planning Commission**

The Planning Commission heard this case as a Non-Action item at the 10/11/17 hearing. This was the first public hearing regarding this subject and the purpose was to inform the Commission about the intricacies of the subject matter and provide an opportunity for the public to ask questions or provide comments. During the presentation, staff detailed the community outreach efforts, concerns and suggestions raised by the public and providers, challenges in creating the draft ordinance and a summary of the proposed amendment. There were three requests to speak during public comment. Two of the speakers recommended there be a distinction between uses; specifically “sober homes” and elderly care homes. One speaker suggested the proposed ordinance treats “sober homes” differently by requiring group homes with six or more residents to locate in multi-family zoning districts. Another speaker indicated that a limitation on staff in care homes (maximum two staff proposed in draft ordinance) is too restrictive. The speaker indicated that, depending on the care provided, additional staff is often needed to provide adequate care and supervision. It was also suggested Scottsdale should follow both the Prescott and Gilbert

ordinances with regard to licensing of care homes and sober homes. Staff was queried by the Commission as to whether or not the State requires operators to live at the care home, and if there are any penalties for operating an unlicensed care home. Staff responded that they would look into those matters and follow up with the Commission at the next hearing.

Planning Commission heard this case as an Action item at the 10/25/17 hearing. There was one request to speak. The speaker contended that the State has no jurisdiction to regulate sober homes; as such, the City should license them. Additionally, the speaker informed the Commission that a vote taken at the Open Houses resulted in a majority of attendees supporting a distinction in the ordinance between elderly care homes and sober homes. After some discussion and questions directed at staff, the Commission recommended approval with a vote of 5-1.

## **STAFF RECOMMENDATION**

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### **Recommended Approach:**

1. Adopt Ordinance No. 4326 amending the Zoning Ordinance (Ord. No. 455); specifically, Sec. 1.202 (Interpretations and Decisions), Sec. 1.801 (Powers of the Board of Adjustment), Sec. 1.1304 (Enlargement, extension, reconstruction or structural alteration of nonconforming structure; enlargement of nonconforming use), Sec. 3.100 (Definitions), Sec. 5.010 (Single-family Residential (R1-190)), Sec. 5.012 (Use Regulations), Sec. 5.100 (Single-family Residential (R1-43)), Sec. 5.102 (Use Regulations), which affects all other Single-family Residential and Two-Family Residential districts (R1-130, R1-70, R1-35, R1-18, R1-10, R1-7, R1-5 and R-2), Sec. 5.700 (Medium-Density Residential (R-3)), Sec. 5.703 (Use Regulations), Sec. 5.800 (Townhouse Residential (R-4)), Sec. 5.803 (Use Regulations), Sec. 5.900 (Resort/Townhouse Residential (R-4R)), Sec. 5.903 (Use Regulations), Sec. 5.1001 (Multiple-family Residential (R-5)), and Sec. 5.1003 (Use Regulations), add new Sec. 1.806 (Disability Accommodation), and add new Sec. 1.920 (Request for Disability Accommodation) to address various types of care homes and group homes in residential zoning districts.
2. Adopt Resolution No. 10963 declaring “2-TA-2017 – Care Homes/Group Homes Text Amendment,” as a public record.

## **RESPONSIBLE DEPARTMENT**

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### **Planning and Development Services**

Current Planning Services

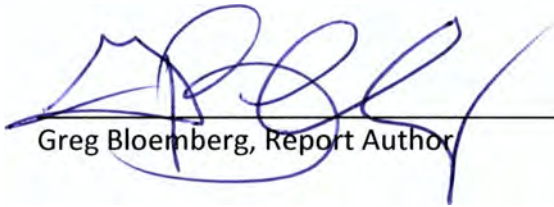
## **STAFF CONTACT**

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**APPROVED BY**

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Greg Bloernberg, Report Author

11-1-17  
Date



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Tim Curtis, AICP, Current Planning Director  
480-312-4210, tcurtis@scottsdaleaz.gov

11/15/2017  
Date



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Randy Grant, Director  
Planning and Development Services  
480-312-2664, rgrant@scottsdaleaz.gov

11/15/17  
Date

## ATTACHMENTS

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1. Ordinance No. 4326
2. Resolution No. 10963  
Exhibit A: 2-TA-2017 – Care Homes/Group Homes Text Amendment
3. Joint Statement from Department of Justice and Department of Housing and Urban Development (FHA)
4. State of Arizona House Bill 2107
5. Arizona Department of Health Services License Types (for Care Homes)
6. Frequently Asked Questions
7. Municipal Comparison Chart
8. Fire Ordinance Requirements
9. Licensed Care Home Location Map
10. Citizen Petition
11. Community Outreach/Public Comment
12. Additional Public Comment (received after 10/11/17 Planning Commission hearing)
13. 4/26/17 Neighborhood Advisory Commission Meeting Minutes
14. 10/11/17 Planning Commission Meeting Minutes
15. 10/25/17 Planning Commission Meeting Minutes
16. 10/25/17 Planning Commission Meeting public comment

### 36-407. Prohibited acts

A. A person shall not establish, conduct or maintain in this state a health care institution or any class or subclass of health care institution unless that person holds a current and valid license issued by the department specifying the class or subclass of health care institution the person is establishing, conducting or maintaining. The license is valid only for the establishment, operation and maintenance of the class or subclass of health care institution, the type of services and, except for emergency admissions as prescribed by the director by rule, the licensed capacity specified by the license.

### 36-403. Licensure by counties and municipalities

Nothing in this chapter shall prevent counties or municipalities from adopting and enforcing building and zoning regulations for health care institutions which are equal to or more restrictive than regulations of the department.

DHS License for residential care	Type of care	Distinguishing features
Assisted Living home	supervisory care services, personal care services or directed care services	10 or fewer residents
Behavioral Health	services that pertain to mental health and substance use disorders and performed by or under the supervision of a licensed professional or staff	General category for behavioral health services not separately licensed
Behavioral Health respite	same	Temporary (<30 days) services to persons otherwise cared for in foster homes and in private homes to provide an interval of rest or relief to operators of foster homes or to family members.
Behavioral Health specialized transitional	same	Specifically for persons determined to be sexually violent
Behavioral Health therapeutic	same	assists in acquiring daily living skills, coordinates transportation to scheduled appointments, monitors behaviors, assists in the self-administration of medication, and provides feedback to a case manager related to behavior for an individual 18 years of age or older
Hospice inpatient		Includes medical social services plus palliative care, i.e. medical services or nursing services provided to a patient that is not curative and is designed for pain control or symptom management
Nursing Care		services that pertain to the curative, restorative and preventive aspects of nursing care and that are performed at the direction of a physician by or under the supervision of a registered nurse licensed in this state
Substance abuse transitional	behavioral health services	Persons over 18 with substance abuse problems
Unclassified	medical services, nursing services, behavioral health services, health screening services, other health-related services, supervisory care services, personal care services or directed care services	Catch-all category for health care institutions not separately licensed

### Statutory definitions



### **36-401**

7. "Assisted living center" means an assisted living facility that provides resident rooms or residential units to eleven or more residents.
8. "Assisted living facility" means a residential care institution, including an adult foster care home, that provides or contracts to provide supervisory care services, personal care services or directed care services on a continuous basis.
9. "Assisted living home" means an assisted living facility that provides resident rooms to ten or fewer residents.
10. "Behavioral health services" means services that pertain to mental health and substance use disorders and that are either:
- (a) Performed by or under the supervision of a professional who is licensed pursuant to title 32 and whose scope of practice allows for the provision of these services.
  - (b) Performed on behalf of patients by behavioral health staff as prescribed by rule.
21. "Health care institution" means every place, institution, building or agency, whether organized for profit or not, that provides facilities with medical services, nursing services, behavioral health services, health screening services, other health-related services, supervisory care services, personal care services or directed care services and includes home health agencies as defined in section 36-151, outdoor behavioral health care programs and hospice service agencies. Health care institution does not include a community residential setting as defined in section 36-551.
27. "Inpatient beds" or "resident beds" means accommodations with supporting services, such as food, laundry and housekeeping, for patients or residents who generally stay in excess of twenty-four hours.
29. "Medical services" means the services that pertain to medical care and that are performed at the direction of a physician on behalf of patients by physicians, dentists, nurses and other professional and technical personnel.
33. "Nursing services" means those services that pertain to the curative, restorative and preventive aspects of nursing care and that are performed at the direction of a physician by or under the supervision of a registered nurse licensed in this state.
36. "Personal care services" means assistance with activities of daily living that can be performed by persons without professional skills or professional training and includes the coordination or provision of intermittent nursing services and the administration of medications and treatments by a nurse who is licensed pursuant to title 32, chapter 15 or as otherwise provided by law.
38. "Residential care institution" means a health care institution other than a hospital or a nursing care institution that provides resident beds or residential units, supervisory care services, personal care services, behavioral health services, directed care services or health-related services for persons who do not need continuous nursing services.
39. "Residential unit" means a private apartment, unless otherwise requested by a resident, that includes a living and sleeping space, kitchen area, private bathroom and storage area.
40. "Respite care services" means services that are provided by a licensed health care institution to persons otherwise cared for in foster homes and in private homes to provide an interval of rest or relief of not more than thirty days to operators of foster homes or to family members.
43. "Supervisory care services" means general supervision, including daily awareness of resident functioning and continuing needs, the ability to intervene in a crisis and assistance in the self-administration of prescribed medications.

### **36-151**

5. "Home health agency" means an agency or organization, or a subdivision of such an agency or organization, which meets all of the following requirements:
- (a) Is primarily engaged in providing skilled nursing services and other therapeutic services.
  - (b) Has policies, established by a group of professional personnel, associated with the agency or organization, including one or more physicians and one or more registered professional nurses, to govern the services referred to in subdivision (a), which it provides, and provides for supervision of such services by a physician or registered professional nurse.

### **36-551**

15. "Community residential setting" means a residential setting in which persons with developmental disabilities live and are provided with appropriate supervision by the service provider responsible for the operation of the residential setting. Community residential setting includes a child developmental home or an adult developmental home operated or contracted by the department or the department's contracted vendor or a group home operated or contracted by the department.

## **Regulations**

### **R 9-10-101**

10. "Adult behavioral health therapeutic home" means a residence that provides room and board, assists in acquiring daily living skills, coordinates transportation to scheduled appointments, monitors behaviors, assists in the self-administration of medication, and provides feedback to a case manager related to behavior for an individual 18 years of age or older based on the individual's behavioral health issue and need for behavioral health services and may provide behavioral health services under the clinical oversight of a behavioral health professional.

17. "Assistance in the self-administration of medication" means restricting a patient's access to the patient's medication and providing support to the patient while the patient takes the medication to ensure that the medication is taken as ordered.

22. "Behavioral care":

a. Means limited behavioral health services, provided to a patient whose primary admitting diagnosis is related to the patient's need for physical health services, that include:

i. Assistance with the patient's psychosocial interactions to manage the patient's behavior that can be performed by an individual without a professional license or certificate including:

(1) Direction provided by a behavioral health professional, and

(2) Medication ordered by a medical practitioner or behavioral health professional; or

ii. Behavioral health services provided by a behavioral health professional on an intermittent basis to address the patient's significant psychological or behavioral response to an identifiable stressor or stressors; and

b. Does not include court-ordered behavioral health services.

23. "Behavioral health facility" means a behavioral health inpatient facility, a behavioral health residential facility, a substance abuse transitional facility, a behavioral health specialized transitional facility, an outpatient treatment center that only provides behavioral health services, an adult behavioral health therapeutic home, a behavioral health respite home, or a counseling facility.

24. "Behavioral health inpatient facility" means a health care institution that provides continuous treatment to an individual experiencing a behavioral health issue that causes the individual to:

a. Have a limited or reduced ability to meet the individual's basic physical needs;

b. Suffer harm that significantly impairs the individual's judgment, reason, behavior, or capacity to recognize reality;

c. Be a danger to self;

d. Be a danger to others;

e. Be persistently or acutely disabled as defined in A.R.S. § 36-501; or

f. Be gravely disabled.

29. "Behavioral health residential facility" means a health care institution that provides treatment to an individual experiencing a behavioral health issue that:

a. Limits the individual's ability to be independent, or

b. Causes the individual to require treatment to maintain or enhance independence.

30. "Behavioral health respite home" means a residence where respite care services, which may include assistance in the self-administration of medication, are provided to an individual based on the individual's behavioral health issue and need for behavioral health services.

31. "Behavioral health specialized transitional facility" means a health care institution that provides inpatient behavioral health services and physical health services to an individual determined to be a sexually violent person according to A.R.S. Title 36, Chapter 37.

52. "Counseling facility" means a health care institution that only provides counseling, which may include:

- a. DUI screening, education, or treatment according to the requirements in 9 A.A.C. 20, Article 1; or
- b. Misdemeanor domestic violence offender treatment according to the requirements in 9 A.A.C. 20, Article 2.

58. "Daily living skills" means activities necessary for an individual to live independently and include meal preparation, laundry, housecleaning, home maintenance, money management, and appropriate social interactions.

61. "Detoxification services" means behavioral health services and medical services provided to an individual to:

- a. Reduce or eliminate the individual's dependence on alcohol or other drugs, or
- b. Provide treatment for the individual's signs or symptoms of withdrawal from alcohol or other drugs.

97. "Hospice inpatient facility" means a subclass of hospice that provides hospice services to a patient on a continuous basis with the expectation that the patient will remain on the hospice's premises for 24 hours or more.

195. "Substance abuse" means an individual's misuse of alcohol or other drug or chemical that:

- a. Alters the individual's behavior or mental functioning;
- b. Has the potential to cause the individual to be psychologically or physiologically dependent on alcohol or other drug or chemical; and
- c. Impairs, reduces, or destroys the individual's social or economic functioning.

196. "Substance abuse transitional facility" means a class of health care institution that provides behavioral health services to an individual over 18 years of age who is intoxicated or may have a substance abuse problem.

211. "Unclassified health care institution" means a health care institution not classified or subclassified in statute or in rule.

# EXHIBIT 10

Zoning Administrator Interpretation  
dated January 11, 2018

Sober Living Home located at 12012 N. 68<sup>th</sup> Place is a  
“Family”



Planning & Development Services

7447 E. Indian School Rd.  
Scottsdale, AZ 85251

PHONE 480-312-7000  
WEB [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)

~~December 7, 2017~~

JANUARY 11, 2018

Michelle Siwek  
Centered Living, CL Holdings 68<sup>th</sup> Pl, LLC  
12012 N. 68<sup>th</sup> Place  
Scottsdale, Arizona 85254

Re: Adult Care Home Separation Requirement

Ms. Siwek,

On November 27, 2017 you requested a disability accommodation from the Adult Care Home separation requirement of 750 feet per Section 5.102.2.c of the Zoning Ordinance. Included in your request is to change from a family to a care home. I have determined that an accommodation is not warranted in this case. I also determine that the living situation you describe is a "family" under the ordinance existing at the time you began operating so long as no care is provided. As such, your family is "grandfathered" under the City's amended Ordinance under the following conditions:

1. No increase in the number of disabled residents and
2. No care is being provided at the residence

Centered Living at 12012 N. 68<sup>th</sup> Place is approximately 410 feet from a licensed adult care home to the north, 12202 N. 68<sup>th</sup> Place. The properties are separated by one single family home property and E. Cactus Road. Because the property is on the same N. 68<sup>th</sup> Place street frontage as the adult care home to the north, under the ordinance existing at the time you began the standard calls for adult care homes to be separated by 750 feet. Because it is not currently authorized as an adult care home, we assume there are fewer than 6 residents.

City Council approved the text amendment, Care Homes/Group Homes Text Amendment (2-TA-2017), on December 4, 2017 and it went into effect January 5, 2018. Because this request was received prior to the adoption of the new text, the authority to analyze this request belongs to the Zoning Administrator, per Section 1.202 of the Zoning Ordinance.

Although you can continue as a family with no care provided, a care home is not allowed at this location because:

1. The property is within 750' of another care home.
2. There is no justification for waiving this standard because there are alternative locations nearby. Within the City of Scottsdale there are currently 113 adult care homes. If the disabled residents at 12012 N. 68<sup>th</sup> Place need additional care that can only be achieved in a care home within a residential environment, those disabled residents have other dwellings within Scottsdale to choose from. Alternatively, Centered Living could choose to apply for an adult care home at a different property that is properly separated from

1-BA-2018  
2/12/2018



other adult care homes, per City of Scottsdale requirements. There are many locations that could meet the criteria for a new care home. (See Attachment 1, Care home availability map)

3. I find that allowing a care home to operate at this location would fundamentally alter the nature and purpose of the Zoning Ordinance of the City of Scottsdale. The purpose of this ordinance is to promote and protect the public health, safety, and welfare of the citizens of the City of Scottsdale and to provide for the social, physical and economic advantages resulting from comprehensive and orderly planned use of land resources, as reflected in the General Plan. In addition the purpose of the Single-family residential (R1-35) zoning district is to promote and preserve residential development. The minimum lot size, although less than one (1) acre, still results in a low density of population. The principal land use is single-family dwellings and uses incidental or accessory thereto, together with required recreational, religious and educational facilities. (Zoning Ordinance, Section 5.201)

The buffers between Adult Care Homes are in place to protect the character of neighborhoods, and to insure, as in this case, that the low density of the zoning district is maintained and to protect neighboring citizens welfare.

Because there is only one real property between the existing Adult Care Home on the north side of E Cactus Rd. and this subject property, the impact for the neighboring property would be considerable and the Zoning Ordinance established separation requirement should be upheld.

At this time I do not see good cause to grant a disability accommodation. The home can continue to be used as it has been, with no increase in the number of residents or level of activity.

Sincerely,



Randy Grant

Director, Planning and Development Services

**ATTACHMENTS:**

1. Care home availability location map
2. Requested letter of determination

You can appeal the Zoning Administrator's decision to the Board of Adjustment pursuant to Zoning Ordinance Section 1.202.B and any timely appeal shall be processed pursuant to Section 1.805



RECEIVED  
11/27/17 Bu

November 27, 2017

To: Randy Grant, Zoning Administrator  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

Subject: Letter of Determination  
Request Disability Accommodation Request of 750' Setback for Group Home for the Disabled

Dear Sir,

The purpose of this letter is to respectfully request the Zoning Administrator make a determination to allow CL Holdings 68<sup>th</sup> Place, LLC (Centered Living) located at 12012 N. 68<sup>th</sup> Place, permission to operate an adult care home within 750' of another adult care home for the disabled as outlined in the Draft Care Home Ordinance (Draft Ordinance) dated September 5, 2017.

Per the Draft Ordinance, the City has outlined a disability/reasonable accommodation pathway for those protected classes with a disability. For purposes of this letter, the disabled class are those individuals in recovery from drug and alcohol abuse pursuant to the Federal Fair Housing Act (FFHA), 42 U.S.C. §3604(f)(3)(B). In addition, Disability shall be defined and construed as the term by the Americans with Disabilities Act (ADA) of 1990 (P.L. 101-336) and the ADA amendments act of 2008 (P.L. 110-325; 122 Stat. 3553).

As part of the Draft Ordinance, the City outlines the process for a disability/reasonable accommodation pathway set for vote on December 5, 2017; a critical step in allowing those in recovery from drug and alcohol abuse certain accommodations as outlined by the FFHA. This further includes the application of municipalities land use ordinances understanding that one of the purposes of a disability accommodation provision is to address individual needs and respond to individual conditions. In this regard, courts have held that municipalities are encouraged to change, waive, or make exception to their zoning rules to afford people with disabilities the same access to housing as those who are without disabilities.

I appreciate, at the direction from staff at the initial planning and zoning meeting, the opportunity to write this request for a reasonable accommodation determination. For your reference the following conditions are extracted for the Draft Ordinance (in grey) outlining the conditions for a disability/reasonable accommodation.

**SECTION 1.806 – Disability Accommodation:**

**A. A disability accommodation from a development standard or separation requirement shall not be authorized unless the Board shall find upon sufficient evidence all of the following:**

1. The requested accommodation is requested by or on the behalf of one (1) or more individuals with a disability protected under federal and Arizona fair housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.);
2. The requested accommodation is necessary to afford an individual with a disability equal opportunity to use and enjoy a dwelling;
3. The standard or requirement unduly restricts the opportunity for a person with a disability from finding adequate housing within the City of Scottsdale;



4. The requested accommodation does not fundamentally alter the nature and purpose of the Zoning Ordinance of the City of Scottsdale;
5. The requested accommodation will not impose an undue financial or administrative burden on the City, as "undue financial or administrative burden" is defined in federal and Arizona fair housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.) and interpretive case law;
- B. The profitability or financial hardship of the owner/service provider of a facility shall not be considered in determining whether to grant a disability accommodation.
- C. The requested accommodation must comply with all applicable building and fire codes.
- D. The requested accommodation must not, under the specific facts of the application, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others;

The above conditions are set forth below outlining sufficient evidence to authorize a disability accommodation for Centered Living.

***1. The requested accommodation is requested by or on the behalf of one (1) or more individuals with a disability protected under federal and Arizona fair housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.);***

Centered Living is requesting a disability accommodation to the separation requirement of 750' of another adult care home pursuant to the Federal Fair Housing Act (FFHA), 42 U.S.C. §3604(f)(3)(B) on behalf of the residents and owner of Centered Living located at 12012 N. 68th Place, Scottsdale, Arizona 85254.

The residents of Centered Living are considered "handicapped" under the 1988 amendments to the FFHA, unlike other groups of unrelated, non-disabled persons. See 42 U.S.C. 3600 et seq. Recovering addicts and alcoholics are specifically included within the definition of "handicapped individual." See, 42 U.S.C. 3602(h) and 24 C.F.R. 100.201(a)(2).

"Handicap" means, with respect to a person, (1) a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) a record of having such an impairment, or (3) being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)). This request for a disability accommodation are for those disabled individuals who are indeed recovering addicts and alcoholics.

Pursuant to A.R.S. § 41-1491 et seq.), the residents of Centered Living are considered "disabled". A "Disability" means a mental or physical impairment that substantially limits at least one major life activity, a record of such an impairment or being regarded as having such an impairment. Disability shall be defined and construed as the term is defined and construed by the Americans with disabilities act of 1990 (P.L. 101-336) and the ADA amendments act of 2008 (P.L. 110-325; 122 Stat. 3553).

***2. The requested accommodation is necessary to afford an individual with a disability equal opportunity to use and enjoy a dwelling;***

Centered Living can demonstrate that the proposed disability accommodation is reasonable, for the FFHA requires a showing that the accommodation "may be necessary to afford [handicapped] person[s] equal opportunity to use and enjoy a dwelling." 42 U.S.C. 3604(f)(3)(B).

In addition, for purposes of this request, 42 U.S.C. 3604(f)(3)(B) defines discrimination to include a "refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such (handicapped) person equal opportunity to use and enjoy a dwelling." Centered Living asserts that the request is necessary for disabled individuals recovering from substance abuse and to use 12012 N. 68<sup>th</sup> Place for this equal opportunity.

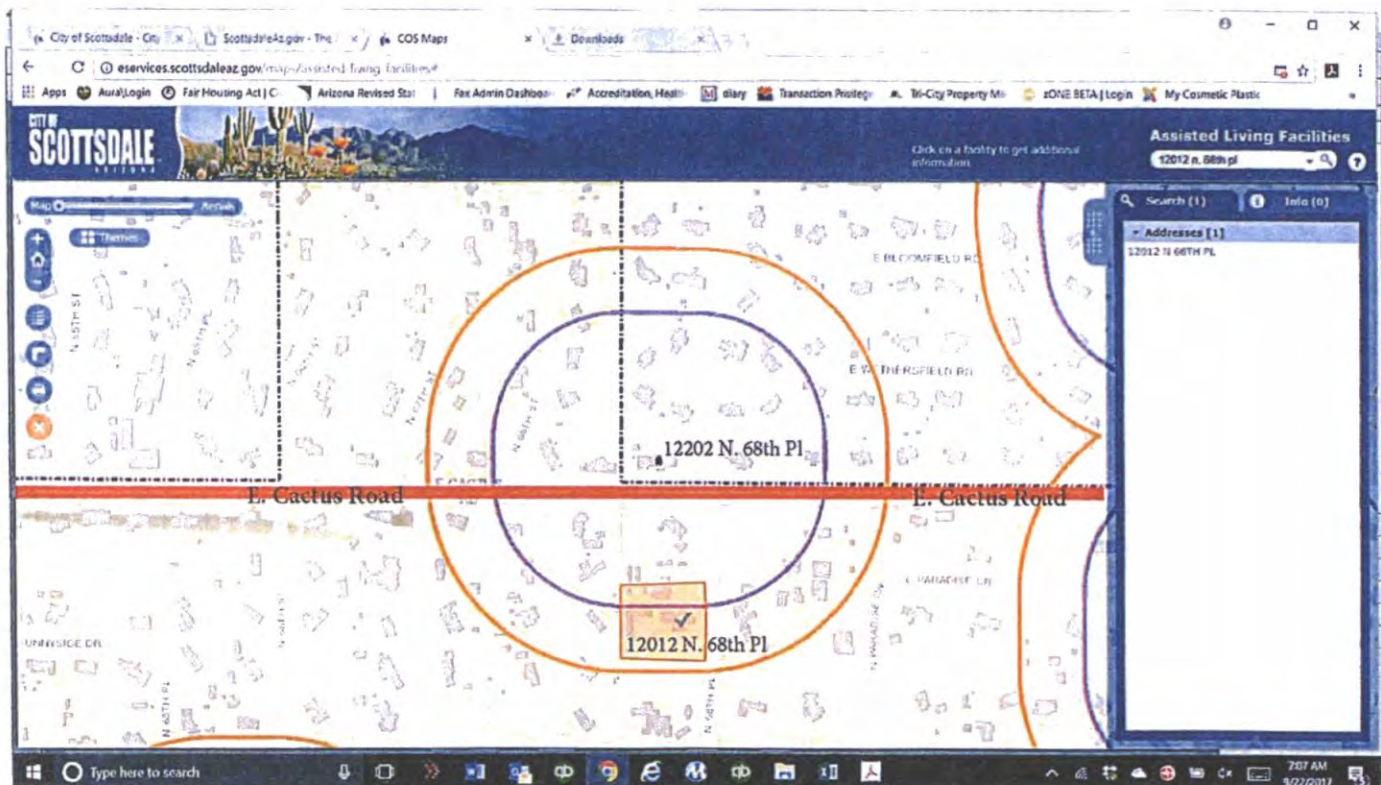
***3. The standard or requirement unduly restricts the opportunity for a person with a disability from finding adequate housing within the City of Scottsdale;***



The 750' setback unduly restricts this disabled class from finding adequate housing. On June 5, 2017, Governor Ducey declared a statewide health emergency in the opioid epidemic. As part of this public health emergency, the Arizona Department of Health Services has been commissioned to identify ways to expand access to treatment. Denying this reasonable accommodation will restrict a disabled class from finding adequate housing in a therapeutic environment necessary for recovery from substance abuse disorders. The national state of emergency was declared in August of 2017 again demanding more access to treatment for this disabled class. There are not currently enough available resources for those seeking treatment for substance abuse as denoted in the declaration signed by Governor Ducey and is attached for your reference.

**4. The requested accommodation does not fundamentally alter the nature and purpose of the Zoning Ordinance of the City of Scottsdale;**

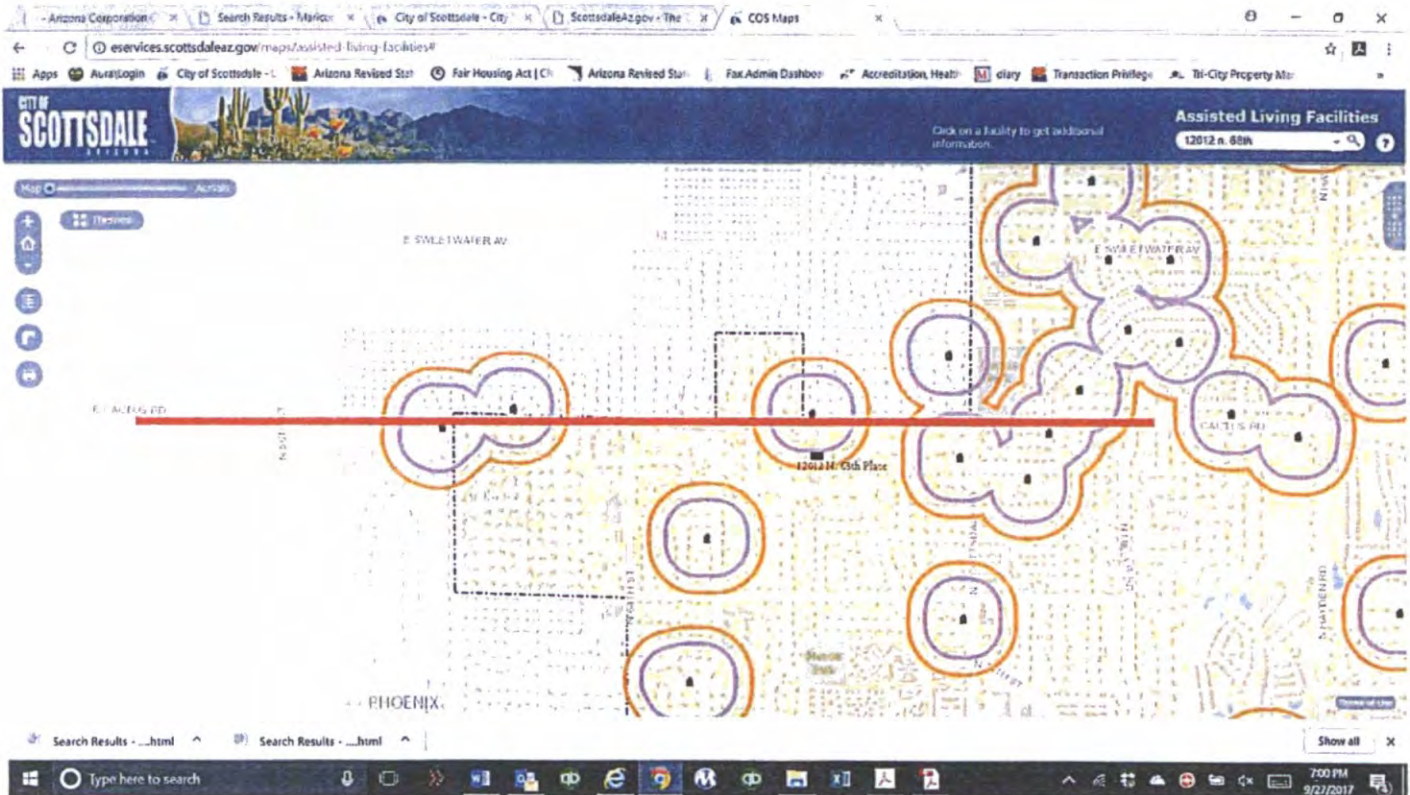
The map below depicts the two properties in question. <http://www.scottsdaleaz.gov/maps>



- This request does not fundamentally alter the nature and purpose of the zoning ordinance. The assisted living home located at 12202 N. 68<sup>th</sup> Pl in Scottsdale (Royal Palm) is located on the north side of Cactus Road, an arterial road or arterial thoroughfare defined as a high-capacity urban road. Cactus road is a man-made barrier providing the necessary separation and this main arterial road clearly provides the necessary separation between the two properties allowing the character of the two distinct neighborhoods to remain unchanged.
- Secondly, the two properties are in two different developments, Sunrise Shadows located in a Phoenix neighborhood vs. Desert Estates located in a Scottsdale neighborhood.
- In addition, permitting Centered Living to exist would not significantly compromise the policies reflected in any of its land use ordinances that the City would apply or enforce nor is there any significant evidence that such an accommodation would significantly compromise the City's legitimate interests in protecting the residential character of the surrounding neighborhood. In addition, there are no other care homes within 750' or 1200' (Draft Ordinance increased the separation to 1200') for recovering addicts and alcoholics in the area, therefore, Centered Living is integrated into the community and does not change the character of the neighborhood.



Access to housing for this disabled class is imperative. The map below shows a snapshot view of care homes for the disabled but the homes in the immediate area are for the elderly, very few, if any are for those recovering from substance abuse.



- d) It is important to note; Centered Living has been operating as a sober living residence since 2011 and is integrated in the community and the neighborhood (Royal Palm began operation in 2015). Centered Living has not had any complaints and has operated for the benefit of those recovering from substance abuse. Per the City's zoning code permits "any number of persons living as a single housekeeping unit" are to be considered a family and operate as single housekeeping unit. The Centered Living household functions as the equivalent of a family and allows recovering persons to provide one another with continual mutual support as well as mutual monitoring to prevent relapse. The potential recovery of people who are handicapped or disabled by reason of alcoholism or drug abuse and are in recovery are greatly enhanced by the mutual support and mutual monitoring provided by living with other recovering persons. The quality and nature of the relationship among the residents are akin to that of a family. The need of groups of unrelated recovering alcoholics and substance abusers to live in a structured, safe and therapeutic environment is necessary to the recovery process. Therefore, this request for disability accommodation is an extension of what Centered Living provides to the disabled and will be under the licensing of ADHS.

**5. The requested accommodation will not impose an undue financial or administrative burden on the City, as "undue financial or administrative burden" is defined in federal and Arizona fair housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.) and interpretive case law.**

In addition to the criteria outlined in the Draft Ordinance, per the federal guidelines, a reasonable accommodation must meet two tests: (1) Does the request proposed create a fundamental alteration in the zoning scheme and (2) Does the request impose an undue burden or expense to the local government? Allowing Centered Living to operate does not alter the zoning scheme nor or does not pose an undue burden or expense on the City.



Here, accommodating Centered Living would not cause the City any undue financial or administrative burdens nor would it undermine the purpose which the requirement seeks to achieve. Centered Living is not requesting that the City build housing, rather, it is requesting that the City remove an obstacle to housing for the disabled. The FFHA places an affirmative duty on the municipality to accommodate the needs of persons with disabilities. The FHA stresses that municipalities such as the City to make exceptions to the way its zoning ordinances are applied to afford the disabled the same opportunity to housing as those who are not disabled.

***B. The profitability or financial hardship of the owner/service provider of a facility shall not be considered in determining whether to grant a disability accommodation.***

The owner of Centered Living acknowledges and understands that the profitability or financial hardship is not considered when determining a disability accommodation. None is cited here.

***C. The requested accommodation must comply with all applicable building and fire codes.***

Centered Living will comply with all applicable building and fire codes including fire suppression requirements, permits, drawings and fees mandated by ADHS for licensure. Centered Living is aware of such requirements and asserts compliance.

***D. The requested accommodation must not, under the specific facts of the application, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others;***

The requested disability accommodation does not result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others. Failure to approve a reasonable accommodation can result in a threat to health and safety of disabled individuals; recovering addicts and alcoholics seeking treatment for substance abuse and undermines the state emergency directive. The state emergency seeks to expand access to treatment not hinder it. The state emergency seeks to expand access to treatment not hinder it. Currently, statistics from the Governor's Office of Youth, Faith and Family denote 99% of AHCCCS centers for substance abuse are 99% occupied with all available beds operating at the max and approximately 400 individuals on average are on the waitlist for treatment as of 2017.

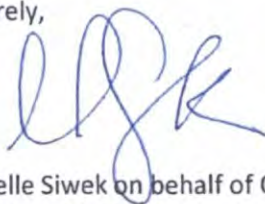
**Additional Request.**

If a public hearing is part of the zoning process, Centered Living kindly requests an accommodation be made to allow this process to occur administratively and/or not open to a public hearing. The current climate in Scottsdale, as evidenced in the town hall meetings, have aggressive neighbors not only targeting those individuals in recovery from substance abuse but the homes in which they live. Therefore, we request for the safety of those individuals and the homes in which they reside that this hearing is not open to the public.

In summary, we feel that the information outlined above is sufficient evidence to grant a reasonable accommodation for Centered Living to operate an adult care home within 750' of another care home for the disabled.

If you need further information, please do not hesitate to call me at 480.414.2596.

Sincerely,



Michelle Siwek on behalf of Centered Living  
12012 N. 68<sup>th</sup> Place  
Scottsdale, AZ 85254

# **EXHIBIT 11**

Table of Contents for Arizona Revised Statutes Title 36



# Title 36. Public Health and Safety

☆ Add to Favorites

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Includes current version of Arizona statutes, constitution & court rules. Browse Table of Contents below or search above.

Effective Date: 08/16/2021

Go

☐ Specify Content to Search



Effective date versioning not available for certain content such as court rules and Federal Sentencing Guidelines

Collapse All

## 36 AZ ST Refs & Annos

### + Chapter 1. State and Local Boards and Departments of Health

### + Chapter 2. State Health Institutions and Agencies

### + Chapter 3. Vital Records and Public Health Statistics

### + Chapter 4. Health Care Institutions

36 AZ ST Ch. 4, Refs & Annos

36 AZ ST Ch. 4, Disp Table

#### + Article 1. General Provisions

#### + Article 2. License Provisions

#### + Article 2.1. Hospital Staff Privileges

#### + Article 3. Review of Rates, Rules and Regulations

#### + Article 3.1. Colocation at Outpatient Treatment Centers

#### + Article 4. Health Care Utilization Review

#### + Article 5. Review of Certain Health Care Practices

#### + Article 6. Licensing of Nursing Care Institution Administrators and Certification of Assisted Living Facility Managers

#### + Article 7. Nursing Care Institutions

#### + Article 8. Pain Management Clinics

#### + Article 9. Recovery Care Centers

#### + Article 10. Abortion Clinics

#### + Article 11. Patient Safety Reporting and Nonretaliatory Policies

Note: Sober Living Homes are not licensed as “Health Care Institutions”, as demonstrated by A.R.S. Title 36, Chapter 4.

### + Chapter 4.1. Clinical Laboratories

### + Chapter 4.2. Arizona Health Facilities Authority [Repealed]

### + Chapter 4.3. Environmental Laboratories

### + Chapter 5. Mental Health Services

### + Chapter 5.1 . Developmental Disabilities

### + Chapter 6. Public Health Control

### + Chapter 7. Disposition of Human Bodies

### + Chapter 7.1. Child Care Programs

### + Chapter 7.2. Child Hearing Evaluation and Vision Screening Programs

### + Chapter 8. Pure Food Control

### + Chapter 9. Regulation of Alkalies, Acids, Human Blood and Its Derivatives and Poisons

### + Chapter 10. Group Homes for Juveniles

### + Chapter 11. Health Care Services Freedom of Choice

- + Chapter 12. Public Housing
- + Chapter 13. Safety
- + Chapter 14. Human Eggs
- + Chapter 15. Mobile Food Vendors and Mobile Food Units
- + Chapter 16. Public Water Supplies [Repealed]
- + Chapter 17. Hearing Aid Dispensers, Audiologists and Speech-Language Pathologists
- + Chapter 17.1. Commission for the Deaf and the Hard of Hearing

## - Chapter 18. Alcohol and Drug Abuse

36 AZ ST Ch. 18, Refs & Annos 

- + Article 1. General Provisions
- + Article 2. Evaluation and Treatment of Persons Impaired by Alcoholism
- + Article 3. Drug Detoxification and Maintenance Standards
- + Article 4. Sober Living Homes

- + Chapter 19. Kidney Treatment Centers
- + Chapter 20. Abortion
- + Chapter 21. Medically Underserved Areas
- + Chapter 21.1. Emergency Medical Services
- + Chapter 22. Protection of Minors
- + Chapter 23. Protection of Fetus or Embryo
- + Chapter 24. Medically-Underserved Area Health Services
- + Chapter 25. Health Care Quality
- + Chapter 26. Nutritional Supplements
- + Chapter 27. Uniform Controlled Substances Act
- + Chapter 27.1. Controlled Substances Therapeutic Research [Expired]
- + Chapter 28. Controlled Substances Prescription Monitoring Program
- + Chapter 28.1 . Arizona Medical Marijuana Act
- + Chapter 28.2. Responsible Adult Use of Marijuana
- + Chapter 29. Arizona Health Care Cost Containment System Administration
- + Chapter 30. Domestic Violence Services
- + Chapter 31. Solid Waste Management [Renumbered]
- + Chapter 32. Living Wills and Health Care Directives
- + Chapter 33. Underground Storage Tank Regulation [Renumbered]
- + Chapter 34. Behavioral Health Services
- + Chapter 35. Child Fatalities
- + Chapter 36. Telehealth
- + Chapter 36.1. Teledentistry
- + Chapter 37. Sexually Violent Persons
- + Chapter 38. Health Information Organizations
- + Chapter 39. Children's Camps

Note: Sober Living Homes are regulated separate and apart from "Health Care Institutions." They are two entirely different uses with different statutory requirements and regulations.

## **EXHIBIT 12**

Arizona Department of Health Services (ADHS)  
Substantive Policy Statement titled  
“Interpretation of Health Care Institution”  
dated November 1, 2014

**ARIZONA DEPARTMENT OF HEALTH SERVICES  
PUBLIC HEALTH LICENSING SERVICES  
OFFICE OF ASSISTANT DIRECTOR  
SP-019-PHL-OAD**

**INTERPRETATION OF “HEALTH CARE INSTITUTION”**

*This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes Section 41-1033 for a review of the statement.*

---

The purpose of this substantive policy statement is to notify the public of the Department’s interpretation of the definition of “health care institution,” contained in A.R.S. § 36-401(21), as it relates to a health care institution license under A.R.S. §§ 36-424 and 36-425.

A.R.S. § 36-401(21) states: "Health care institution" means every place, institution, building or agency, whether organized for profit or not, that provides facilities with medical services, nursing services, behavioral health services, health screening services, other health-related services, supervisory care services, personal care services or directed care services and includes home health agencies as defined in section 36-151, outdoor behavioral health care programs and hospice service agencies.

The Department interprets this definition to mean that in order to be a health care institution, a place, institution, building, or agency must be providing medical services, nursing services, behavioral health services, health screening services, other health-related services, supervisory care services, personal care services, or directed care services. A place, institution, building, or agency that does not provide any of these services for an extended period of time ceases to be a health care institution, because it no longer fits within the statutory definition of “health care institution.”

If the Department determines upon performing a compliance inspection for a health care institution that a licensed “health care institution” has not provided medical services, nursing services, behavioral health services, health screening services, other health-related services, supervisory care services, personal care services, or directed care services for 12 consecutive months, the Department shall revoke the health care institution license on the grounds that the place, institution, building, or agency is not a health care institution and thus is ineligible for licensure.

# **EXHIBIT 13**

Scottsdale Recovery PowerPoint Slides

Scottsdale Recovery Center



# SCOTTSDALE RECOVERY

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RECONNECT • REBUILD • RECOVER



## SRC Mission Statement

SRC is a beacon of healing and hope for those who struggle with addiction; offering support and education to their families and a lifeline of services to the community in which they live.



SCOTTSDALE RECOVERY

SRC Tag Line



# SCOTTSDALE RECOVERY

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RECONNECT • REBUILD • RECOVER

# Good Neighbor Policy

**Our Company is committed to maintaining a healthy, vibrant, clean and safe neighborhood. Our Company understands that our actions and our neighbors directly impact the stability of the neighborhood.**

## **Noise**

We are considerate of our neighbors by keeping the noise level down between the hours of 10:00 pm and 7:00 am. Our residents are off site Monday through Fridays from 8am- 430pm and during the evening hours are monitored by house managers to ensure we are following all appropriate noise levels during the hours prior to 10pm.

## **Parking**

We are mindful of where we park. We park in our garage, driveway, or assigned space. City Code makes it unlawful to park our vehicles in any private driveway or block driveways without the property owner's consent.

## **Loitering**

We will be respectful of our neighbors by avoiding lingering, congregating, or trespassing in un- authorized areas.

## **Smoking**

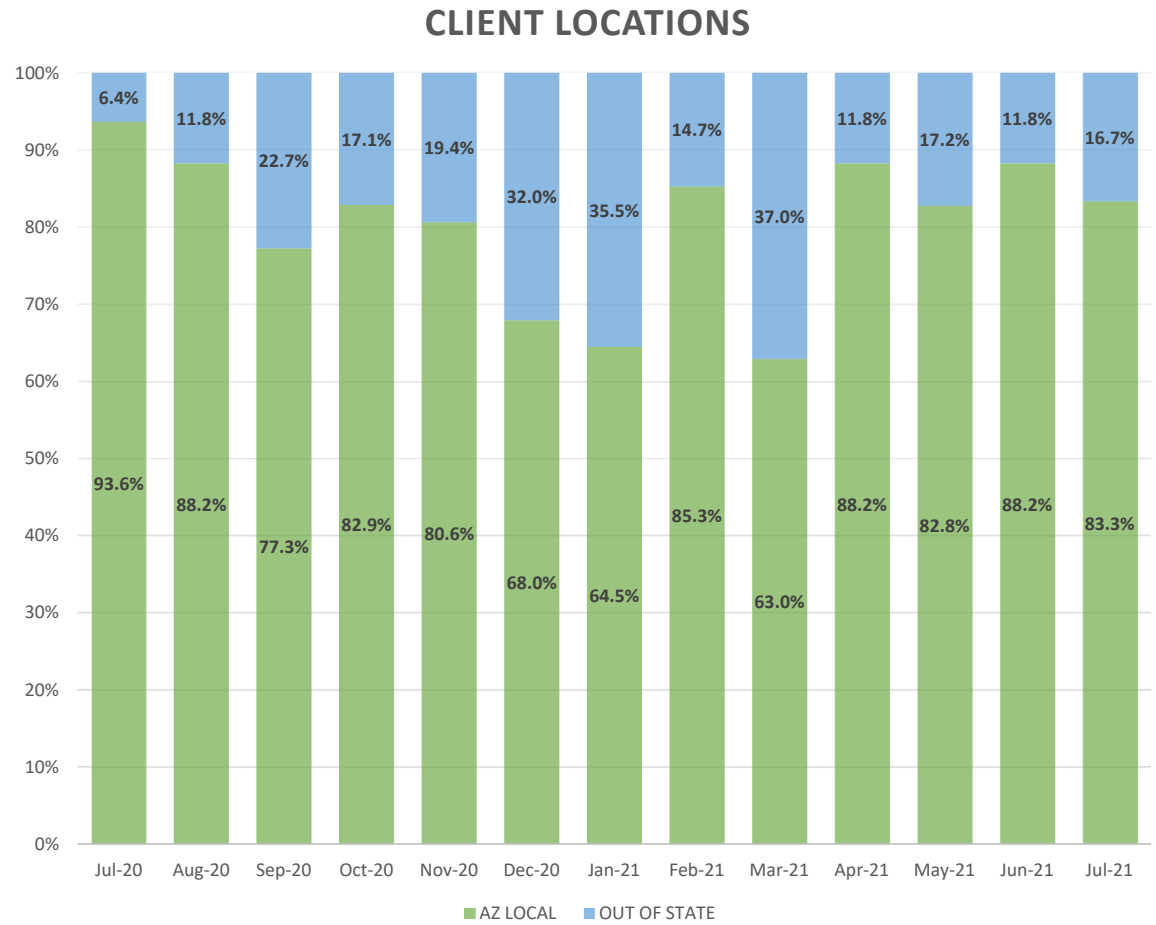
Smoking is only allow in designated smoking areas on the property.

## **Property Maintenance**

We protect our neighborhoods against hazardous, blighting, and deteriorating influences or conditions that contribute to the downgrading of property values. The maintenance of building exteriors and vacant land are an integral part of creating safe and healthy neighborhoods. We also ensure the maintenance of all pools and/or hot tubs on a weekly basis.

*If you ever have concerns or questions regarding our Good Neighbor Policy, please contact us directly at (602)793-2529.*

## Client Local VS. National



*Percentage of client served by SRC that are AZ Local VS Out of State.*

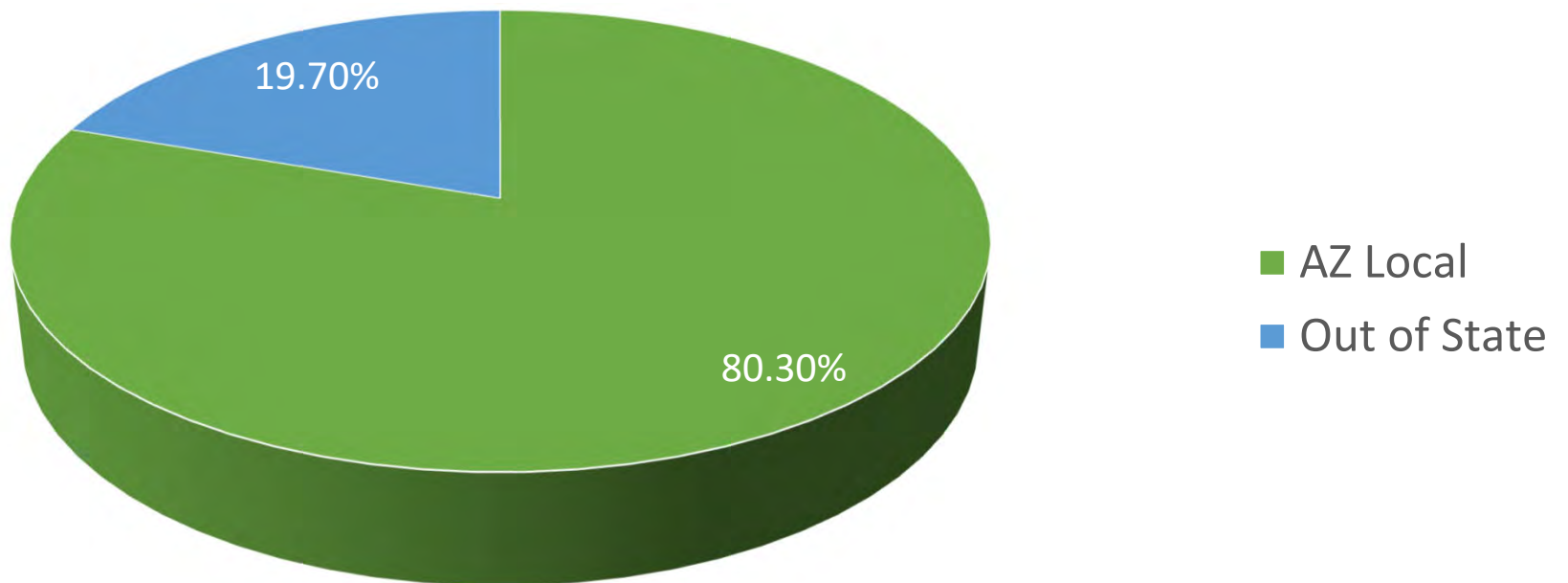
# Scottsdale Recovery Continued (Alumni)

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**249 ALUMNI  
STRONG!**



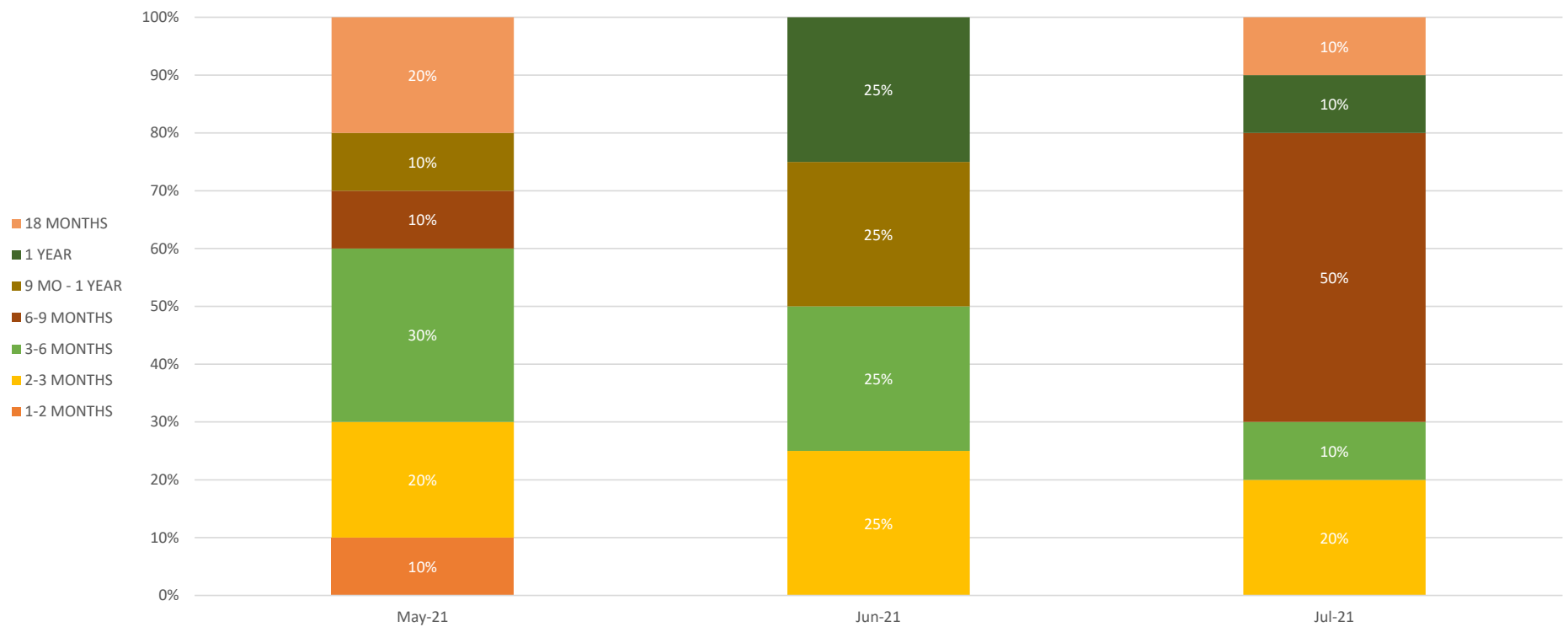
## SRC Alumni Locations



*Percentage of Alumni local to Arizona VS Out of State.*

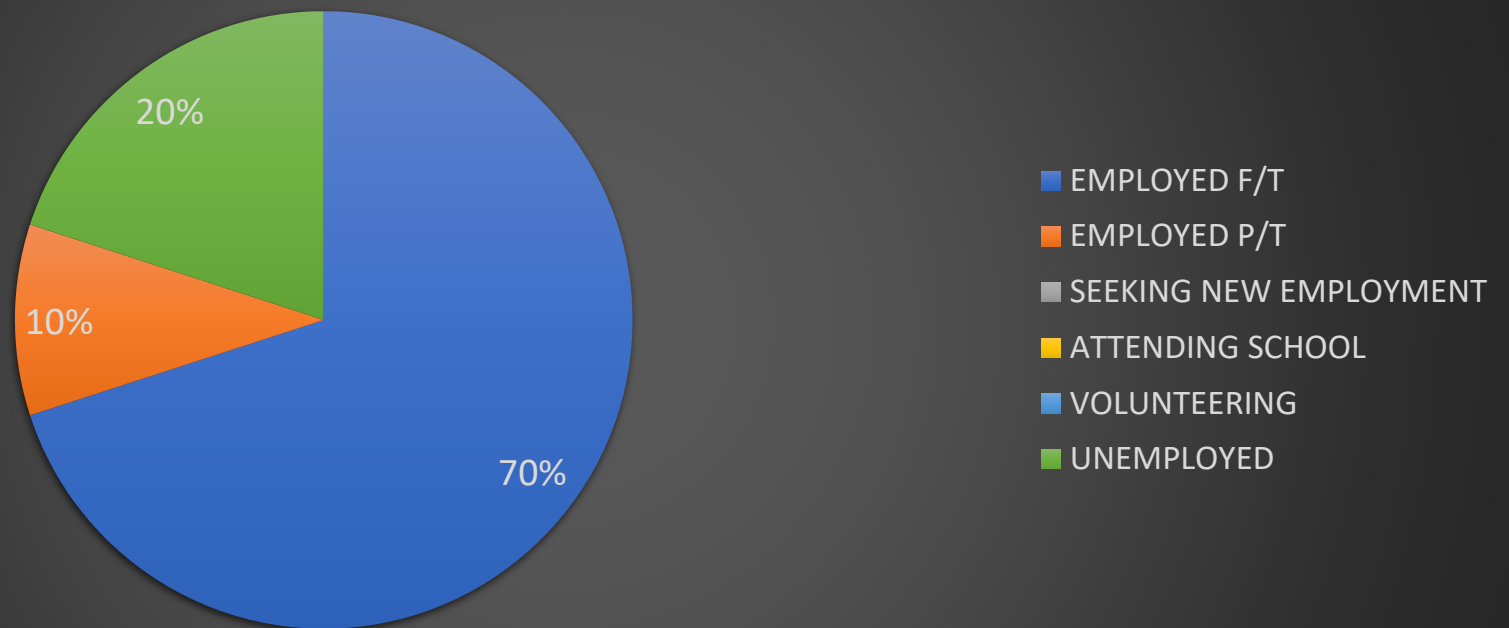


# Alumni Length of Sobriety



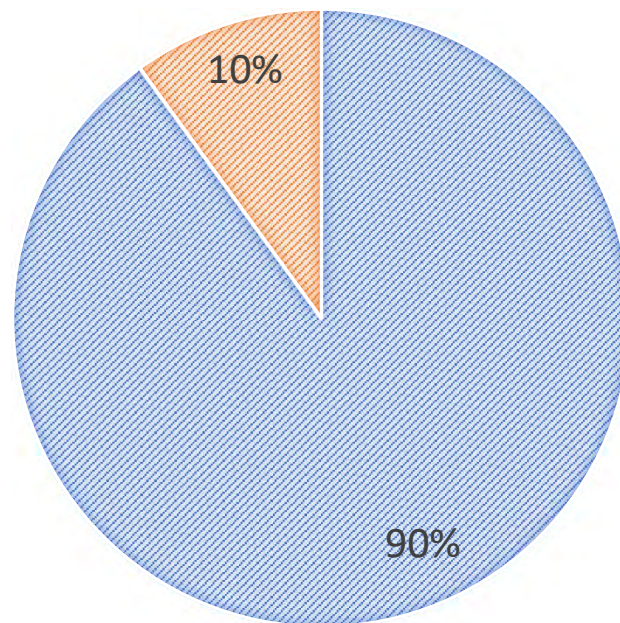
*Percentage of Alumni surveyed length of sobriety over the last 90 days.*

# Alumni Employment Status



*Percentage of Alumni surveyed current employment status.*

# Alumni Recovery Support Community Engagement



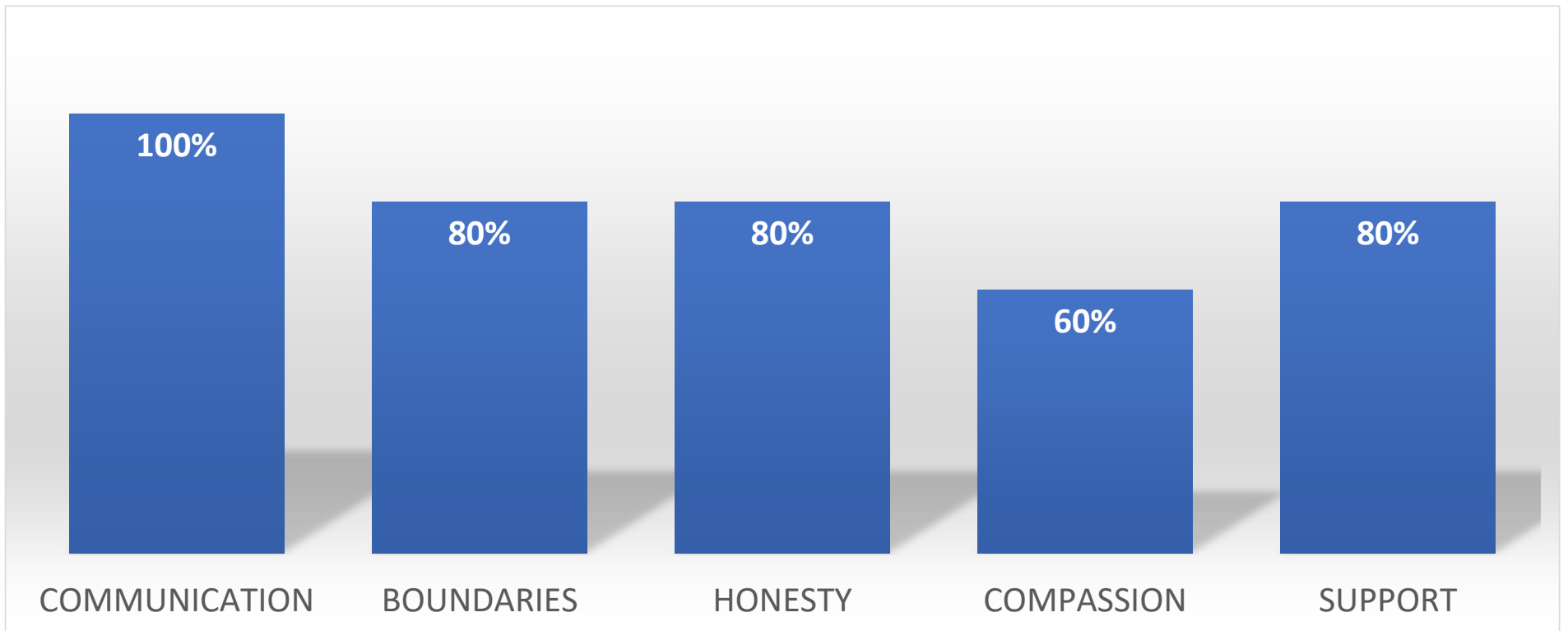
## *Examples:*

- *Al-Anon*
- *SMART Recovery*
- *Celebrate Recovery*
- *Refuge Recovery*
- *CODA*
- *PAL*
- *AA, NA, CA, HA, NA*  
*(among other 12-step groups)*

■ ENGAGED  
■ NOT ENGAGED

*Percentage of Alumni surveyed that note engagement in recovery support communities.*

## Alumni Relationship Improvements



*Percentage of Alumni surveyed that note relationship improvement in identified areas.*

# Recent Alumni Participation



## **EXHIBIT 14**

Letters of Support from Scottsdale Recovery Alumni



[08/12/2021]

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for  
Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Wyatt Madsen and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

Before my stay at SRC sober living, I had been to one prior to SRC. When I first arrived, they were welcoming with open arms. SRC's sober living program taught me how to re-live a normal life. It taught me life skills that I didn't get at prior sober livings. Scottsdale Recovery Center is important to me because they saw something in me that I didn't. They got me to a place where I could believe in myself again and learned how to love myself. This place truly does care about you and will do anything for you if your willing to put in the same effort.

My Sobriety date is 12/15/2020. My experience at SRC during my stay was something i had never experienced before. Being in there sober living, was like living with a second family. I always felt safe, and there was always someone there to help if you needed it. The difference between other sober livings, and SRC's sober living, is they keep you accountable. Many other places let you do pretty much whatever you want. At SRC, you are kept in an environment that is healthy and safe for your recovery.

Sober living is very important in recovery. I think after you get out of inpatient rehab, people need to go to sober living. It gives you more time to be kept accountable and keeps you on the right track to sobriety. I feel as if I didn't go through SRC's program, I would not be where I am today. The staff cares about you so much that even after you're done with the program they still want to keep connected with you. I've started a new job, made new relationships, and gotten my driving privileges back. Without SRC, I wouldn't have been capable to do any of this. My life is so much different today, and I truly thank Scottsdale Recovery Center for all of the help.

Sincerely,

[Wyatt Madsen]

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)

October 12<sup>th</sup>, 2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for  
Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Jared Birnbaum and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

- The sober living house has been critical to my recovery program. The lessons that I learned of accountability, developing a sober network of friends, and life structure has been essential to my success in sobriety. Scottsdale Recovery Center is extremely important to me. The Scottsdale Recovery staff has played a significant role in my life and I have numerous lifelong friends that I developed through the program. I am always participating in the alumni events and always looking to give back. I owe my life to Scottsdale Recovery.
- My sobriety date is September 24<sup>th</sup>, 2018.
- I attended treatment at Scottsdale Recovery Center.
- My experience at Scottsdale Recovery Center was amazing. I was able to rebuild my life and shape a network of sober friends and companions that have established my new sober life. I am always able to reach out to Scottsdale Recovery peers and they are always there for me at a time of need. I have also implemented spirituality into my life through meditation and prayer. Attending Sober Recovery Center was the greatest moment of my life.
- I gratefully attended sober living at SRC.
- Scottsdale Recovery Center was by far the greatest sober living I have been to or lived at. They are supportive, understanding, and comprehend the importance of accountability and life balance.
- Sober living is a huge part of my recovery. There are not enough words to describe the value that Scottsdale Recovery Center sober living has meant to my life. The experience made me a well-rounded individual and rebuilt the foundation to my current success in life.
- Scottsdale Recovery Center provided a solid day to day structure which carried into my life outside of the sober living. The daily life involves forming a well-balanced life including cooking, ensuring rooms are clean, yoga, meditation techniques, peer support, and accountability. The life tools I learned at sober living have been vital to my success living on my own.
- Sober living has been such an important part of my recovery. The sober living experience has engrained in me a well-balanced sober lifestyle and created productive habits and structure.

- Life has changed in so many positive ways for me since my sober living experience. I have created countless sober friends that I can lean on for support or help whenever I need it. I am exercising everyday including doing yoga and going to the gym. I am eating healthy and sleeping well due to my meditation and prayer that I have instilled in my life. Due to the sober living, I was able to make a smooth transition to living independently and still maintain the discipline and standards that I established through my sober living experience.

Sincerely,

Jared Birnbaum

8/12/21

*Board of Adjustment:*

*CITY OF SCOTTSDALE*

7447 E. Indian School Road

Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. **6-BA-2021**--Scottsdale Recovery Center Interpretation for Property located at 7910 and 7920 E. Wilshire Drive.

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Dear Board Members:

My name is Hailey Anne Kurtzer and I am writing and addressing this letter in support of the Scottsdale Recovery Center interpretation which is referenced above.

The availability of sober living housing is significant to me because it offered me the acquisition of knowledge, being: How to not only maintain my sobriety but how to interact in a healthy manner with other newly sober individuals. It also allowed me to learn self-sufficiency, while still attending daily programming and treatment groups. Sober living housing prepared me for one of the most frightening transitions I've ever experienced, that was entering into the world as a sober adult on my own. SRC is crucial, in my perspective, because it had the capacity to redirect and save my life. Almost every skill and/or mechanism I use in the present day was taught to me here. Most importantly, my attendance altered my dismal thinking patterns. Throughout my time in rehabilitation, I became willing to believe that I have the strength to wholeheartedly live again and form healthy relationships with people, as well as myself. I was finally able to see my potential and desire to have a successful, stable future.

My personal date of sobriety is the Eighth of May, year 2020. I attended a sober living house known as The Ranch, owned by SRC. From there, I pursued PHP at the Scottsdale Center itself. The experience I had at SRC was overall vibrant and mesmerizing. Life-changing, so to speak. I have only been to a few other sober livings, these being SAL (Sober Apartment Living) and Spero House. However, my time at the Ranch was positively surreal, for where I was in the context of life at the time. This Center stood out from the rest because it felt like home to me, a structured family environment as a matter of fact. Per the house recognized as a sober living, no medical staff (Doctors or Nurses) were present. All treatment and care services were provided at a nearby off-site treatment center.

I do not think that I would have been able to make it to where I am today without SRC and/or sober living. My life has changed dramatically. I was cumbrously hurting and losing the loved ones that I care about, myself included as an entirety and setting myself up for setbacks and failure. Now, life is beautifully vivid. I have a job in which I am grateful for and passionate about, being of service to SRC and giving back to what they gave me. My relationships are flourishing - with family, friends and a partner. I would not have what I do today without the kindness of Scottsdale Recovery Center. For that, I am more than thankful.

Sincerely,

Hailey Anne Kurtzer

August 11, 2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is James Sanchez, and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

I just want to state how important Scottsdale Recovery Center/ Sober living housing was to my recovery, to me it's like going to school for a career, you do all this stuff to get to the goal you are trying to achieve and then getting hands on training before entering the work force. It allowed me to be put up against everyday life obstacles without being fully submerged. The added support from my housemates at the sober living house, I believe is what made my sobriety so successful!

I have been sober since 5/5/2020. I have received continual treatment beginning 9/7/2019. My whole experience at SRC, has been amazing from in house treatment to sober living and outpatient. Every part of this team shows nothing but love and care. SRC loves helping others and it shows not only through the whole process, but also through the successes of they're clients.

Sober living at SRC was the cherry on top that gave me the confidence to handle any situation put in front of me when it came to my sobriety, and how to cope with everyday situations. I have been to another sober living facility and the way this one was managed was totally different. The support, togetherness and sober living experience is what made SRC better than any previous substance abuse treatment center that I have attended.

Everyday living in the SRC sober living facility is strictly sober living on your own. All the medical services and treatment were handled offsite and kept separate from the sober living facility. While there I felt part of a family. It appears most clients enrolled in SRC were serious about their goal to be sober, so that helped a lot to be around like-minded people who were actually there to also help one another in their journey.

Without my selection of Scottsdale Recovery Center and their whole rounded program and services they offer, I swear I really don't know where I would be in my sobriety. I don't think it would be this pretty. I have never been in such a beautiful mindset, health, and happiness with my complete life. I have so much gratitude for this group of people that have brought what I call a miracle program together. I honestly don't think I would be sober this day. My family has never been so happy! Everything has come together as far as my career I've been promoted at my job and recognized as an important part of our works there. My children I finally see the



August 13<sup>th</sup>, 2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

As a former patient of Scottsdale Recovery Center's inpatient and intensive outpatient program, I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

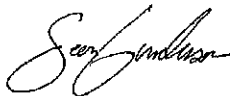
The U.S. record high 93,000 deaths from drug overdoses in 2020 and approximately 95,000 deaths from alcoholism drives home the importance of increasing the availability of treatment centers and sober living facilities. There is a significant shortage of behavioral health services in Arizona, and this is at a time when one-in-five COVID-19 patients are reporting a new mental health issue.

The quality of treatment I received while at Scottsdale Recovery Center (SRC) Inpatient and the amount of time I spent in SRC's Sober Living is the key to my long-term sobriety. It is important to understand that addiction is not "fixed" in 10 days or often even in 30 days. Much like diabetes, living with the disease of addiction requires a long-term treatment plan.

The SRC Sober living house was a home for me while I worked on recovering from my disease of addiction. The staff was like a second family for me, and they helped me build up the confidence and resiliency to maintain my long-term sobriety. I was able to see offsite medical staff for my physical care while residing at my SRC sober living home.

Today, I am back with my wife and children, working at a new job where I am helping people succeed in life after incarceration, and I am actively involved in the SRC Aftercare program. I believe that if I had not spent the time, I did in sober living at SRC, I would still be suffering from the negative effects of my disease. I am very grateful to the team at SRC for their program and their commitment to all of their patient's well-being.

Sincerely,



Sean Gunderson

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)

8/13/2021

Board of Adjustment  
CITY OF SCOTTSDALE  
747 East Indian School Road  
Scottsdale, AZ 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for  
Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Alissa Cruz and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

Having the opportunity to be able to live at a sober living house during my recovery definitely had the biggest impact on my journey to sobriety. The Scottsdale Recovery Center was so important to me and my recovery because the whole team treated me like family the moment I walked into the door. I was never treated like an alcoholic, they treated me as just a person who just needed a little bit help. I have been sober since April 1<sup>st</sup>, 2021 and I have never felt more confident in myself than I do today.

I attended treatment at SRC as well. I had the greatest experience during my time in treatment. I enjoyed the location, amenities, staff, and the program. The group sessions each day were extremely informative, and I learned so much about myself and my disease. I was in sober living for 90 days of my time with SRC. Sober living with SRC was different from anywhere I have ever stayed before. Other sober livings I've stayed in were run down, unorganized, and unsupportive. Sober living has always been important in my recovery because of the support system I receive. I can utilize the tools I've learned when I am with my roommates who are also struggling in their recovery and we can keep each other accountable in our day to day recovery. Another great part of SRC is that all our medical needs are met when we leave housing and go to the center.

My daily life at the SRC sober living home was a beautiful experience. I made a lot of good friends during my time and would even consider them to be family. If I didn't have the foundation of sober living, I don't think that I would still be sober today. Since I've left sober living I have gone back to work, have been working on my relationships with my family, created boundaries, and am starting to develop a healthy daily schedule.

I am grateful for my time with SRC and with the tools they have given me I know I will be successful in my sobriety.

Sincerely,

Alissa Cruz

08/12/2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members,

My name is Courtney Hansche, and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

Living at The Trullies, the Sober Living Facility for SRC, has been an invaluable asset to my recovery journey. With the help of SRC, I have remained sober since 06/05/2021. The Sober Living facility has been particularly important to me, because I was able to learn how to live as a responsible, functional member of society while under the care of the house managers on staff.

Every morning we were pleasantly awoken by the night shift house manager. I never had a negative experience being woken up. I was always greeted with a smile and encouragement to have a wonderful, productive day. I got up, made my bed, made sure my room was ready in case of a tour, and took my coffee to enjoy outside seated within the beautiful gazebo. I admired the lovely fireplace, brilliant chandelier, and singing birds as the house manager took my temperature and ensured I had no COVID symptoms. This process helped me feel especially safe and well looked after.

Afterwards, I prepared my breakfast as well as my lunch for the day. The house manager on morning shift drove us from The Trullies to the recovery center in time for Yoga at 8 a.m. After yoga we took a brief break and prepared for group at 9 a.m. I especially enjoyed the sophisticated coffee machine and the ION water that was always available. Morning, afternoon, and Saturday groups varied each week according to the week's therapeutic theme. Themes we covered include Addiction, Boundaries, Healthy Relationships, and Relapse Prevention.

After our day of learning and processing at the center, the afternoon house manager drove us back to The Trullies. We have fun talking about what we learned and listening to music while enjoying the Scottsdale scenery along the way. When we arrive, we open any packages addressed to us, put away any groceries that were brought, and prepare for dinner. I've enjoyed cooking dinner in the condo with my roommates. We also sometimes take turns cooking together outside on the grills for the entire property.

We are always encouraged to learn how to properly take care of ourselves while also having a wonderful time. After the dishes are washed and put away, we reflect on our day. Every night we meet at 7 pm in the Gazebo and share, as a community, our answers to the following questions together:

- Did I have any struggles today?

August 10, 2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Noreen Ruane and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above. Scottsdale Recovery center is important to me because they played an integral role with turning my life around and giving me a second chance. I had hit rock bottom in April 2019 and had nowhere to turn. The people at Scottsdale Recovery Center welcomed me in and treated me like family. They provided a support network that guided me back to productive and fulfilling life. I spent time in the residential treatment at SRC, transitioned to the PHP program, IOP, outpatient and eventually graduated from the program. The availability of sober living is integral for progression forward in sobriety and success because it provides a safe, supportive environment. It continues the family environment felt in the other programs through SRC. Sober living allows those of us in recovery to be accountable to someone, which is integral for an honest program.

Although there were medical services at the offsite SRC treatment center and SRC residential and PHP programs, there are no medical services provided in the SRC sober living facility. There are no medical doctors or nurses present. This give people an opportunity to establish with medical care in the community instead.

I have been sober since April 5<sup>th</sup>, 2019 and without Scottsdale Recovery I wouldn't be here today to write this letter. I have a wonderful job, supportive husband and 4 amazing children and SRC has helped me to remain sober to attain this.

Sincerely,

Noreen Ruane

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)

August 11, 2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Carole Uhrig and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

I made the decision to enter Scottsdale Recovery Center's sober living recovery program in March of 2019 and am thankful every day. I was caught in an emotional, anxiety-riddled, insomniac, alcoholic quickly-descending downward spiral and knew that unless I removed myself from life, there was a chance I'd no longer have one.

Scottsdale Recovery Center and sober living was important to me because there was no other way to recalibrate/hit the reset button. Being a high functioning alcoholic is a blessing and a curse since no one knows the pain you are in, but the people at SRC do. They understand it's not about the drug of choice we are addicted to but rather the underlying trauma we weren't equipped to work through. SRC sober living provided the haven to safely stop drinking and provide the tools and shift in perspective to navigate challenges in a healthier way.

The sober living home was comfortable, safe and more than well-equipped with anything one would need to make it a home. Camaraderie, sharing life stories, making meals together, sharing in clean up, keeping each other focused and on-task made it feel like a family environment, providing connection some of us may not otherwise have had, especially while wanting to become sober. Keeping all medical related services off-site at the treatment center also made sober living feel like a home and not a "facility".

My sober date is August 14, 2019 and while that is after I was in SRC, it seems to be the path of most alcoholics to try and drink again to be "normal" before coming to the acceptance that we need to trudge the road to happy destiny using the tools we learned in sober living.

SRC has always been supportive throughout my personal journey of recovery and I've recommended SRC sober living to several friends who have come to me in their own path to recovery.

As much as I wanted to stop drinking while I was deep in it, I'm unsure that I would have without having had the opportunity to enter the sober living home environment. It gave me the break needed in automatic, unhealthy, reactionary and numbing patterns in life.

Coming up on 2 years of sobriety on August 14, 2021, I can honestly say that having had the experience at SRC with its amazing staff members, my life has been and continues to be on a better path. It does not at all mean that life is all of a sudden easy, but it does mean that I have more awareness when old triggers arise, that I have more calm when I need to navigate challenges, that I have more authentic

relationships in which I am more present. Since being sober, I've also needed less doctor and dental visits and am also able to treat underlying medical situations with more resilience and clarity.

Sober living can be the catalyst that provides the best opportunity for creating a healthier, more blessed life for oneself.

Sincerely,

Carole Uhrig

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)

August 11, 2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for  
Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Andrea Dermott, and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

I believe having a sober living environment was crucial to my success in recovery and Scottsdale Recovery Center helped me every step of the way. They excelled in every aspect of having a professional and caring sober living that could help me recover from alcoholism. I was embarrassed of my addiction, and they fostered an environment where I felt safe and could learn new healthy habits to get my life back.

I lived in one of their sober living environments for 30 days when I began my recovery journey, and it exceeded my expectations! It was spacious, clean, and comfortable. They do not have any groups or services at the sober living environment because that was provided at a different location. The sober living environment was strictly for me to continue to work on my sobriety. I was able to start updating my resume and start planning for the next stages of my recovery to become a productive member of society.

I attended Scottsdale Recovery Center in 2018 and it was the best decision of my life. My sobriety date is August 14th, 2018 and I am sober, happy and healthy! My experience was outstanding, and my treatment plan was customized to best fit my needs. The staff was compassionate, and they treated me like family. I would recommend Scottsdale Recovery Center to anyone because I am proof that their program works. My career has taken off, my relationships have improved significantly, and I have my life back!

I would not be sober today if it weren't for Scottsdale Recovery Center and I will be forever grateful for them. My success in recovery is a direct result of this facility and I can't thank them enough for saving my life.

Sincerely,

Andrea Dermott

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)



August 12, 2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Shawna Smith and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

Sober living is an essential part of recovery. It gave me the opportunity to focus on my recovery and have a support system where everyone is overcoming an addiction. I was in sober living for 3 months and was able to learn what life is without alcohol. I could laugh, have a good time, and meet friends without judgement.

It provided a nice structure and helped to instill a normalcy to my routine. I got up, took care of my personal hygiene, was responsible for taking my daily medications, on my own without a nurse telling me too. It was like a sense of freedom in a responsible way, I wish I had the exact words to explain it. Re-learning a structured routine is important if you want to succeed in life, it's needed daily, work, school, etc.

Living with what I would call my sober family was a great experience, we worked as a support system/team/family. We were there for each other, honestly, we did everything together. We prepared meals, did chores, played games, had our own house meetings after dinner, watched movies, just like a typical normal functioning family but without the drugs or alcohol.

Another amazing thing is the group sessions held at the treatment center Monday - Friday from 830am - 4pm. I learned so much from those sessions. I went through 3 large journals and took notes in every class for 3 months. I still look back at those, they are priceless. I saw a counselor every week along with a mental health therapist, truly incredible.

I probably would have failed for a second time if I didn't have SRC and the amazing support. Staff is knowledgeable, experienced, understanding, and most importantly, compassionate. If I needed extra counseling, it was given without question. SRC really cared about my sobriety and wanted me to succeed in every way possible, they saw the potential in me and never hesitated to let me know that.

My past experience in sober living was nothing compared to SRC. They were completely lacking in every aspect, which is why I sought out a different place this last time. I didn't feel the "family" vibe or compassion. Everyday was a struggle and when I needed extra support they would just shrug their shoulders and would tell me they will try and find someone available who is available.

I would NOT be sober today without my SRC family and their program. I have rekindled relationships that I have completely destroyed during my addiction, thriving again with my job. I never lost my job, thank goodness, but I am completely grateful to them in every aspect.

Sincerely,

Shawna Smith

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)

08/12/2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for  
Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is David Larson and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

Sober living housing made it possible for me to safely transition from rehabilitation back to the real world by greatly reducing the likelihood of a relapse. SRC provided me with an unmatched level of healing and completely changed my outlook on life. I have been continuously sober since December 8th, 2019. I attended treatment at SRC for a total of 4.5 months, a combination of inpatient, outpatient and sober living. The experience I had at SRC was life changing. I wouldn't be sober today if not for SRC. I was briefly in the sober living at SRC while I searched for something more permanent. I had other options to live in for the transition but they were not good environments to be in for a newly sober person. I likely would have relapsed had I not chosen to utilize the sober living option at SRC. Being in a positive environment where I felt like part of a family was crucial to my success in sobriety. I still went as often as possible to the nearby outpatient center for treatment and follow up care while looking for a job and a safe place to live after I left.

As of today, I'm over 18 months sober. I am a very involved parent of 2 small beautiful children. I exercise regularly and eat right. I attend church weekly. I have a stable job. I'm in a committed relationship. In short, I have my life back, and a better life than I had before. None of this would have been possible without the SRC program and their sober living option.

Sincerely,

David Larson

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)

8/12/21

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Grayson Daniels and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

Over the course of my early adult life I have struggled to maintain the skills required in order to live a healthy, productive life. This being simple things like having structure and picking up after myself while being at home by myself. There was a time when tasks like these overwhelmed me to the point of impossibility, leaving me in a debilitated state. After learning the components that went into maintaining a healthy living environment things changed in my life.

Seeking treatment for my unhealthy living practices I found Scottsdale Recovery Center. My addiction to meth and depression that had been thrown under the rug for years finally caught up with me. The love that surrounded me after admitting to Scottsdale Recovery was like something I had never experienced. There were people just like me who struggled with drug addiction in their lives, always around to remind me that I wasn't in this alone.

At Scottsdale Recovery Center I learned about my addiction and was given tools to utilize in my life moving forward. The staff was impeccable and their dedication unmatched. My therapist worked with me to learn basic life skills such as doing laundry and helped me implement positive activities to dive into with my freetime. I had a place in Scottsdale Recovery's sober living facilities to practice these life skills before heading to be back on my own. Every step of the way there was a staff house manager there to help as well as hold me accountable to practice the newly learned life skills that I obtained previously while in treatment.

The first time after treatment at SRC I returned home and did not continue to practice the productive habits I had learned in treatment. Sadly, I returned back to my old ways and was not able to remain sober during this time. Shortly after I ended back in treatment and decided to give sober living a chance this time around. I have been sober since I made that decision on September 19, 2019.

While being in sober living, I learned how to cook and properly take care of myself all while being surrounded by others in similar circumstances. We were like family and held close bonds with one another and it provided much needed structure in my life that I had not had for a long time. Now my life and relationship with my parents have changed drastically. I have since started to provide and take care of myself as an adult and me and my family's lives have improved since then.

August 122, 2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for  
Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Carey Patton and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

The types of services provided by SRC are a crucial tool for people who are either struggling to manage their day-to-day life through addiction or feel like they are alone with this disease. By allowing clients to share life experiences through their open floor platform rather than just read through a clinical book, I feel this allowed not only myself but other clients to get further in our recovery process in a more productive and efficient way. My date of sobriety is November 15<sup>th</sup>, 2020 and I was in the sober living program for SRC from October 2020 to December 2020. This was a life changing experience for me in many ways. Not only because I was able to find and understand the root cause of my addiction and ways to safely manage it, but it was also the relationships and rapport I built with clients and staff. I still speak with several clients whom we all support when we need it and just to see how they are in general as I did make several friendships during my time in the sober living program. There was structure created around the sober living facility to allow me the means to learn daily living skills.

Sincerely,  
Carey Patton

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)

August 11, 2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Jill Bollinger and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above. As addicts and alcoholics our brains do not know how to handle life stressors in a typical rational fashion. Treatment is the initial stepping stone in learning how to manage our lives soberly. However, being thrown out into the world immediately afterwards can be a recipe for disaster. In sober living there is structure and routine, but it is created by someone else, there is not much personal decision making in that regard. Structure and routine are keys to staying sober and living a healthy productive life. Left on our own we are terrible at this; a lack of routine is one of the quickest ways to relapse. Sober living is important to teach addicts and alcoholics how to keep a routine while building the foundation to a good life. The first few months of sobriety is one of the most challenging things a person can go through. Having structure with a strong support community of like-minded people are vital to success.

Scottsdale Recovery Center and their sober living program provided me with all the tools I needed to succeed in my recovery. My date of sobriety is January 5, 2020. I attended SRC and their sober living program from 120 days. Scottsdale Recovery Center saved my life. I truly believe everyone could benefit from this program, even non addicts. I started drinking when I was 17 and got sober at 30. I had no idea how to function as an adult. While there was a focus on sobriety there was also a strong focus on how to communicate, how to break down my emotional walls, mindfulness, setting healthy boundaries, and that there is so much joy to be had in sobriety. The most important thing I learned while I was there was how to identify my goals and achieve them. I moved to Pittsburgh after 9 months of sobriety and am now pursuing an electrical engineering degree. I don't know if I would have found my inner strength to do what I am doing without the guidance I received at SRC.

I was very lucky to have someone supporting me financially, I could not have a full-time job while dedicating that much time to my sobriety. Which is why sober living is so important because people are able to get the support they need while getting back into the workforce. SRC was my first time in treatment, and I am forever grateful for their program. I have talked to many people that went to other treatment centers. I have never heard anyone have the kind of exceptional, caring experience which was provided for me at SRC. I 100% think sober living is important to recovery. Getting sober takes everything, you have in you, the structure and support is necessary. I have known many people from SRC and AA that would not be sober today if it were not for sober living.

Scottsdale Recovery is a family, both clients and staff. It is hard to explain the strong bond that is formed when getting sober with someone else. Even the people that did not always get along had each other's

backs at the end of the day because we all had the same common goal. Stay sober. When a person decides to get sober, they are truly at the bottom, and they are climbing themselves out of huge holes. They must climb and climb every day, sometimes only to make an inch or just get knocked down. Bridges have been burned, guilt and resentments have to be dealt with, all while trying to navigate a new life without using. It is a full physical and mental mountain to climb for an alcoholic not to go drink during this time. One of the things that saves people the most is a community to talk to, to help you make the right decisions. I would not have made it without my family at SRC.

I do not know where I would be without all 120 days at SRC. I am not certain I would still be sober without my time there. I needed that extra 60 days to take baby steps into adjusting to my new sober life. I needed the structure and the community. People I could go talk to about what was going on in my outside life and the best ways to approach all the obstacles I was facing. Please understand it takes every fiber of willpower to make the decision to get sober and stay sober. These people want to better their lives more than anything else in the world. My life today is better than anything I imagined while I was at Scottsdale Recovery Center. Not because of the things I have, due to the behaviors I learned. I do things every day to better my life and I am always hungry for more. There has never been a point in my life before where I haven't given up, been lazy, taken the easy way out. My entire outlook on life has changed, I have learned to love myself, how to grow in positivity, and how to tackle challenges head on. Scottsdale Recovery Center sober living program gave me mental strength and showed me I could create a life I did not know I was capable of. I am eternally grateful to this program.

Sincerely,  
Jill Bollinger

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)



[8/12/2021]

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for  
Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Florence "Nicky" Ayala" and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

Sober living was important for me in order to experience life without the distractions of others that were not on the same path I was seeking. SRC provided me with the necessary tools to live a successful sober lifestyle outside of the sober living environment and this is what I took away most. My sobriety date is 01/28/2020 and I attended treatment at SRC. I found the staff to be like a family. Always there for any need or concern I faced. I was in sober living during my time there and for it being my first time in treatment it exceeded my expectations. Sober living was important to my recovery because I needed this environment and the individuals that were with me in order to share experiences and have the support to remain sober. Living in the sober living environment helped me focus on my sobriety without outside distractions. It was a full day with breakfast, exercise, treatment in form of classes and we ended the day with dinner and reflections about we had learned together as a house and a family. I do not think I would be sober without sober living. I had tried sobriety on my own and I didn't have the structure to remain sober. I needed to be held accountable for my actions and needed to do something big in order to feel like I was taking the necessary steps. Since being in sober living at SRC, I have remained sober now for 18 months and still maintain my job as a flight attendant. I have also started two small businesses and have transformed my spirituality.

Sincerely,

Florence "Nicky" Ayala

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)

[8/12/21]

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for  
Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Debbie Hernandez and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

I struggled with daily tasks and everyday life due to my addiction. After sober living I have been held accountable for my actions and have learned to cope better with the things life throws at me. When I first came to Scottsdale Recovery Center I was not in my right frame of mind but after I started to participate in groups I realized I was getting something great out of it.

I was only supposed to be in sober living for 30 days but after being around others in similar circumstances I had decided to stay for 70 days. This place saved my life and my goal is to do peer support and help others struggling with alcohol/drug addiction.

I am grateful for the second chance on life and intend to take advantage of my sobriety, spending all the time I can with family & loved ones. I came all the way from Lake Havasu because SRC was highly recommended and was worth being so far from home.

[Debbie Hernandez]

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)

August 11, 2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for  
Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Samantha Boone, and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

When I came back into treatment in January of 2020 the availability of sober living housing was important to me because I need to be in an atmosphere dedicated to my focus on recovery and to be surrounded by peers who were battling addiction. Scottsdale Recovery Center was vital in my recovery and providing me with the tools I needed to not only maintain sobriety but to thrive in it. The support I received from the staff while in the sober living atmosphere kept me accountable, helped me with daily living skills and offered a place where I felt safe to be open and honest about my addiction. My date of sobriety is December 30, 2019. I attended treatment at Scottsdale Recovery center from January 2020 until June 2020. Once I had completed their PHP program, the pandemic happened, and they provided support through Zoom meetings which helped during quarantine to keep my recovery at the forefront when outside AA meetings were not available. When I first walked into Scottsdale Recovery Center I was greeted with warm smiles and welcoming statements from the staff as I took my first steps towards getting sober again. It was here I learned how to build myself back up and was surrounded with people who not only cared about me but understood that what I was going through was not easy. Group therapy allowed me to be open and honest with the therapists and my fellow peers and take away tools I am still using today to help me rise above my addiction. The staff was always available to assist, talk and teach when I needed it because all I had to do was ask. It didn't matter what their job title was because they were there for us the client and we were the priority.

The sober living environment where I was, was comfortable, well maintained and made me feel like I was in a home instead of being just a person in a bed. Being able to have access to a kitchen to cook, shopping twice a week for personal items and food I needed or going outside to sit and could exercise were freedoms which helped to mend me. It was our responsibility to maintain the cleanliness of the home because it was meant to feel like our home. There was no medical staff or services in the sober living environment and instead it was a family of recovering addicts and alcoholics looking for a way to change. This was my sanctuary to rebuild, and I will forever be grateful for every single person who worked there and helped me get my life back. The sober living environment molded me into the grateful recovering alcoholic addict I am today, and I don't believe I would have been able to maintain my sobriety without this unique perspective and sober living environment here at SRC. This was a place I was looking for to help my struggles and push me to define my recovery and make it my own.

Since leaving Scottsdale Recovery and sober living I have not only survived with a pandemic on top of it to stay sober, I thrived. I left a career I had been in for over 10 years and went to become an Amazon delivery driver. Within in a month I applied tools and worked hard and become a manager there. I completed a 6-month life coaching certification at Southwest Institute of Healing and Arts from May till December. I re-enrolled in college and will finish my Bachelors in December 2021. I bought a used car and a house because instead of being afraid I made moves to give myself stability in my life. I have a boyfriend who is in recovery, two step-children, three cats and dog. Then on February 22, 2021 I was offered a job at Scottsdale Recovery Center and am finally able to give back what was given to me to clients who are coming into treatment. My life is more then what I could have dreamed it would be and if not for start of my journey being here in sober living at Scottsdale Recovery Center, I do not believe my life would have been this blessed.

Warm Regards,

Samantha L Boone

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)

August 11, 2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Amy Hadley, and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

Sober Living is very important in recovery especially for people who cannot go back to their previous living environments. Scottsdale Recovery is the main reason why I am sober today. It is where I started my life of being sober by attending their programs.

I attended treatment with Scottsdale Recovery and my sobriety date is November 3, 2018. I had a wonderful experience at Scottsdale Recovery Center, and it has changed my life. I feel like my life started over the day I got sober. The relationships with my family were completely broken and because of sobriety I have been able to mend those relationships.

I keep in contact with alumni from the program and we meet on a monthly basis. I made lifelong friends that share the Scottsdale Recovery experience and for that I am grateful. My experience at Scottsdale Recovery Center was excellent and it has changed my life forever.

Sincerely,

A handwritten signature in black ink that reads "Amy Hadley". The signature is written in a cursive, flowing style.

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)

August 12 2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for  
Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Judi Greer and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

I attended treatment at SRC and their sober living program twice. I went back there because of the environment they created for their clients and how they the right structure and it was me who did not take full advantage of all they had to offer the first time around. It is a place that I would send or recommend to anyone who was looking for help in their addiction. Being in sober living was so important to my recovery because I was able to focus on yourself in a safe environment and that is so important in early recovery. I do not think that I would even be alive today to write this letter if it wasn't for SRC and the sober living environment they provided. I was able to learn daily living skills and start small and build myself back up to be an adult and human being which was something I was not able to do while I was in my addiction. My life has changed for the better because I have an amazing new job, more trust each day from my family and living the life I was meant to live, happy, free and sober. Most importantly I get to show up for myself and my kid every day because I know what life is like when I am sober and how wonderful it can be.

Sincerely,  
Judi Greer

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)

08/11/2021

Board of Adjustment  
CITY OF SCOTTSDALE  
7447 E. Indian School Road  
Scottsdale, Arizona 85251

RE: Board of Adjustment Case No. 6-BA-2021 – Scottsdale Recovery Center Interpretation for  
Property located at 7910 and 7920 E. Wilshire Drive

Dear Board Members:

My name is Sanober Tahir and I am writing this letter in support of the Scottsdale Recovery Center interpretation referenced above.

Sober living was imperative in my sobriety. I exited detox on 08/17/2020 at 11A.M. by 11:30A.M. I had already relapsed. I knew there was no way I could stay sober without help. My date of sobriety is 08/19/2020. I attended SRC in December of 2019. My experience there was positive. I had never been in a controlled environment besides jail, and I wasn't using during that time, but I was not sober. SRC provided me with tools and gave me the courage to be able to ask for help from my family after my relapse in 04/2020. I was in the sober living program during my time at SRC. Being that is was my first and only experience when it came to sober living, it really set the bar high and gave me the necessary tools to be able to open up to other addicts. Sober living was important to my sobriety because it kept me accountable and gave me a group of people that I could lean on and that they could lean on me. Also, because of the meeting requirements I was able to find my fellowship. During my time there we woke up together, we went to group together at the center and became very vulnerable around each other. We cooked dinner together in the evening as a family and supported each other. All the treatment and care services were provided offsite at the treatment center and there were no nurses or doctors present, the sober living home was just a home. I would not be where I am today without sober living. From this experience my life has changed to where I have a new career, started school, my family and friends trust in me and I am great at everything I put my mind to and most importantly, I am able to help others.

Sincerely,

Sanober Tahir

CC: Jeff Barnes, Staff Coordinator (via email – JBarnes@Scottsdaleaz.gov)  
Bryan Cluff, Principal Planner (via email – Bcluff@Scottsdaleaz.gov)



# EXHIBIT 15

Google Reviews of Scottsdale Recovery



# REVIEWS



## Scottsdale Recovery

4.9 ★★★★★☆

Based on 49 reviews

powered by Google



## Jamathon Nelson

9 days ago

★★★★★ Taking my wife to SRC was not an easy thing to do. I searched reviews online for about a month and when my wife expressed she was ready, and needed help. I was ready and knew where I was taking her, SRC. The staff reassured me when I dropped her off that they would care for her. I cannot tell you how true to word they were. This was life changing and I can't thank SRC enough! The staff at SRC kept me in the informed and worked with me and my insurance coverage. They found a way to completely cover the cost. I can't tell you how it felt to know that the treatment was covered. I would have paid, and was prepared to pay any amount. Life has no price tag and the results they gave us are priceless. I now have my wife back, and she is the healthiest I've ever seen her. The program at SRC works. I highly recommend SRC and would give it a 10 star rating if possible. Thank you to every single person at SRC for giving me my wife back. Respectfully Jamey Nelson



## Michele Bushell

a month ago

★★★★★ Src gave me my life back. The staff is amazing! My first day was scary but everyone made me feel right at home. I knew I was in the right place. The house was so comfortable and everyone in the house were so helpful. The group facilitators were very knowledgeable. I can't thank them enough for giving me my life back!!



## Kylie O'Brien

2 months ago

★★★★★ Scottsdale Recovery is the place to go! I went to a previous recovery center and did not have the success that I've had at SRC. The staff goes above and beyond to make you feel welcomed. They assist with additional outside resources and I have nothing but positive things to say about SRC. I wouldn't have had the success of 5 months sobriety, without the love and support from SRC. Scottsdale Recovery center also offers family workshop and Alumni groups after you graduate. Andrea and Courtney are my number one supporters and thank you SRC for leading me into the path of recovery! 😊



## Jada Webb

2 months ago

★★★★★ I came from New York and was welcomed with open arms by each and every staff member. My entire stay was very comforting and each day helped my growth immensely. I attended group and individual therapy sessions and was given proper curriculum to help guide me on my journey of recovery. Scottsdale Recovery was a very safe, accepting and fun environment, I could not have asked for a better experience. Truly changed my life!



## tanner murphy

3 months ago

★★★★★ For the many of you searching for a life change you have come to the right place!! SRC is the best thing that has ever happened to me in my life. They literally saved my life! From the moment I called to the moment you walk through the doors you feel nothing but love and support the staff and I mean every member of SRC is there to help you in any way that works for you and will be by your side no matter what! Please if you are searching to have your life saved stop here make a call and they will guide you to the life you want with them with you ever step of the way! They not only saved my life but saved my marriage! I have never been around so many amazing and understanding people in my life! Thank you SRC for changing/saving my life!



## Luke Sheehan

6 months ago

★★★★★ Nice facilities, most all the staff were great!! It really is up to the individual. That being said if you want to get clean I did here. They have the tools if you want to use them. Thank y'all for being a big step in the right direction!! Right at 2 years clean with my first 60 days @ SRC!!



## Jared B

VERIFY INSURANCE

CALL 866.893.8742

networking, and a well developed post action plan. The staff was incredible and truly cared about my well being and were willing to go above and beyond their jobs for sincere support. It was so obvious that they cared about me as a person. Every one of the therapists was understanding and patient in understanding my needs and helped me set obtainable goals and benchmarks. Through hard work and effort, I have restored trust in all my relationships in my life and built a strong sober network with genuine and caring people. My family and friends completely trust me again! I still have so many life-long friends that I went through the program with. I owe my life to all of the staff and therapists at Scottsdale Recovery. I have been to and visited a couple of treatment centers throughout the country and none compare to Scottsdale Recover. I HIGHLY recommend this treatment center to anyone battling this disease!!



**Chris Whirley**

6 months ago

★★★★★ SRC did more for me than save my life, they gave me a life. A life that I didn't know or think I could have. Go in with an open mind and ready to heal and they will open the door for your journey. The entire staff is amazing. They care about each and every person there. They aren't just locked into one type of program, they help you how you need help. It's not just their job it's their life to help us actually live.



**Jenna Gubler**

7 months ago

★★★★★ Scottsdale recovery was the first recovery center i attended and Im so grateful this place was my first experience. The staff and programs are great, they truly provided an environment for me to heal in, the staff are all very involved, passionate and genuine. I could feel how much they cared and how much I was being listened to. I had a hard time leaving because it felt like a home away from home. I would refer these guys to anyone I knew struggling with addiction. They helped me find myself again and come to love and understand the person I am today. I will forever be grateful for them



**Ben Duffy**

7 months ago

★★★★★ Scottsdale Recovery Center changed my life for the better forever. The staff are so incredible because they reminded me that I was loved by their gentle and caring nature. I never would of thought going into rehab that the staff would be so humanizing and I was very scared to go at first but after about 4 days I was home and at peace in my heart. I thank SRC for helping me to love myself again.

[See All Reviews](#)

## ARE YOU READY FOR A LASTING APPROACH TO ADDICTION TREATMENT?

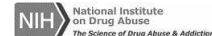
CALL 866.893.8742

(24/7 INFORMATION & INTAKE)

## WE ARE THE GOLD STANDARD IN CARE WITH THE JOINT COMMISSION ACCREDITATION!



The Joint Commission



## SRC'S MISSION STATEMENT

Scottsdale Recovery Center aspires to set a whole new standard for long-term success within a demographic that is all too familiar with the horrors of addiction and relapse. In helping adults to identify their skills, rebuild their hopes, re-create their lives and rejuvenate their perceived values of their life's journey, we WILL make progress...one addict at a time, one alcoholic at a time, one

[VERIFY INSURANCE](#)

[CALL 866.893.8742](#)

LEARN MORE ABOUT SRC

ADDITIONAL RESOURCES



ADDICTION INFO



SPECIALIZED PROGRAMS



TELEHEATH FORMS



SCOTTSDALE RECOVERY CENTER  
RECONNECT • REBUILD • RECOVER

10446 N. 74th St. #150  
Scottsdale, AZ 85258

Phone 866.893.8742

Email [info@scottsdalerecovery.com](mailto:info@scottsdalerecovery.com)



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CALL 866.893.8742

## **EXHIBIT 16**

Women to Watch 2021 Article on  
Michelle Siwek and Scottsdale Recovery



## Reconnect. Rebuild. Recover.

Michelle Siwek focuses on comfort and care.

**M**ichelle Siwek, owner of Scottsdale Recovery Center, brings compassion and understanding to inpatient and outpatient addiction treatment. The organization represents top tier medical, psychiatric, and clinical services in Scottsdale and their unique programs are supported by holistic recovery components including yoga, guided meditation, and cultural music and sound healing.

"The centers provide evidence-based treatment with therapeutic interventions that set a new standard in clinical care," Siwek says. The team at Scottsdale Recovery base their treatment model on a collaborative approach with clinically licensed professionals to treat clients struggling with substance abuse. While addiction impacts people from every socioeconomic class, gender, race, and sexual orientation, Siwek points out, "Every patient is embraced as an individual and their treatment plans reflect this personalized care."

As their treatment programs have grown, they continue to meticulously follow

their mission statement through residential and outpatient programming, partial hospitalization and intensive outpatient programming, medication assisted treatment, evening intensive programming for professionals, and sober living. New in 2021 is Scottsdale Recovery's Detox and Campus Model which will be available in the third quarter of this year.

Siwek points to her own addiction when discussing the path that led her to her work at Scottsdale Recovery. "I struggled with alcohol and drug addiction for years until March 27, 2007 when I started an amazing journey of recovery through long term treatment and therapy," she shares. From reaching the moment of feeling that she had lost everything, to her recovery journey, and now supporting others on their path to recovery, she has used her experiences for growth. Siwek is continually inspired by those closest to her using the lessons they have taught her to live and grow.

"Having been through my own experience with addiction, I understand

that fear and shame that comes with accepting the need for help," she says. "Our organization prides itself on creating an atmosphere of care, compassion, and love and we strive to walk alongside you on this journey to recovery and show you that you are capable of more than you can see in this moment."

Scottsdale Recovery Center not only provides treatment to their patients, but also provides support for the families of those in their programs via workshops. These workshops educate family members on addiction, boundaries, communication skills, and the recovery process.

Currently, Siwek serves as a board member for notMYkid a nonprofit organization that provides children and families struggling with addiction by providing lifesaving programs, support, resources, and education.

**Contact 602.346.9142 or  
www.scottsdalerecovery.com.  
10446 N. 74th Street, Suite #150,  
Scottsdale, AZ 85258.**

# **EXHIBIT 17**

## **Neighborhood Notification Information and Mailing Receipt**





SCOTTSDALE RECOVERY

# Coffee at Trallies



## Meet & Greet!

Date: Saturday, July 24<sup>th</sup>

Time: 9:00-10:00am

Address: 7910 E Wilshire Dr. Scottsdale, AZ 85257

RSVP Contact: Andrea – [andrea@scottsdalerecovery.com](mailto:andrea@scottsdalerecovery.com)

**We are a sober living environment and  
are here to help the community.**

**Please come join us to meet the staff and see what we do!**

Parcel Number	Owner	Property Address	MAIL_ADDR1	MAIL_CITY	MAIL_STA	MAIL_ZIP
131-02-020	SMETANA TIMOTHY J/RACHEL M	2542 N 80TH PL SCOTTSDALE 85257	2542 N 80 PL	SCOTTSDALE	AZ	85257
131-02-021	CUTRUFO FRANK J/DADEY-CUTRUFO MARILYN	2536 N 80TH PL SCOTTSDALE 85257	2536 N 80TH PL	SCOTTSDALE	AZ	85257
131-02-022	COLLIER KIMBERLY	2530 N 80TH PL SCOTTSDALE 85257	2530 N 80TH PL	SCOTTSDALE	AZ	85257
131-02-023	ANDRADE NADINE TR	2524 N 80TH PL SCOTTSDALE 85257	7237 W EMILE ZOLA AVE	PEORIA	AZ	85381
131-02-110P	2501 N HAYDEN ROAD LLC	2501 N HAYDEN RD SCOTTSDALE 85257	3238 E SCOTTSDALE RD	SCOTTSDALE	AZ	85251
131-02-110Q	STEINER REAL ESTATE LLC	2445 N HAYDEN RD SCOTTSDALE 85257	2445 N HAYDEN RD	SCOTTSDALE	AZ	85255
131-02-110R	BREJEA JOHN/FLORICA	2401 N HAYDEN RD SCOTTSDALE 85257	14433 N INTERLACKEN DR	PHOENIX	AZ	85022
131-02-148	HAYDEN VIRGINIA LLC	2529 N HAYDEN RD 1001 SCOTTSDALE 85257	7520 E ANGUS DR	SCOTTSDALE	AZ	85251
131-03-080	LONGMIRE INVESTMENTS LLC	2614 N 80TH PL SCOTTSDALE 85257	340 LOOKOUT POINT DR	SELAH	WA	98942
131-03-081	SMITH PATRICIA B TR	2608 N 80TH PL SCOTTSDALE 85257	2608 N 80TH PL	SCOTTSDALE	AZ	85257
131-03-082	AFFINITY 2021 LLC	2602 N 80TH PL SCOTTSDALE 85257	7349 N VIA PASEO DEL SUR STE 515 PMB 167	SCOTTSDALE	AZ	85258
131-03-083	PARKHURST CHRIS R/APRIL M	2554 N 80TH PL SCOTTSDALE 85257	2708 QUAIL HOLLOW LN	CEDAR FALLS	IA	50613
131-03-096C	HULL BRYAN P/CAREN M	2607 N HAYDEN RD SCOTTSDALE 85257	2601 N HAYDEN RD	SCOTTSDALE	AZ	85257
131-03-098	FRINGE CAPITAL PARTNERS ACQUISITION CO 2 LLC	2635 N HAYDEN RD SCOTTSDALE 85257	1406 W FULTON MARKET SUITE A1	CHICAGO	IL	60607
131-03-278	BECKER LAURA A	2615 N HAYDEN RD 101 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 101	SCOTTSDALE	AZ	85257
131-03-279	JENNINGS CHRISTOPHER	2615 N HAYDEN RD 102 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 102	SCOTTSDALE	AZ	85257
131-03-280	COE BARRY M JR	2615 N HAYDEN RD 103 SCOTTSDALE 85257	8631 E MITCHELL DR	SCOTTSDALE	AZ	85251
131-03-281	ELLIS MYRIAH BRIGGS	2615 N HAYDEN RD 104 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 104	SCOTTSDALE	AZ	85257
131-03-282	WELLS JONATHAN RYAN	2615 N HAYDEN RD 105 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 105	SCOTTSDALE	AZ	85257
131-03-283	HERNANDEZ VALENTIN D II	2615 N HAYDEN RD 106 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 106	SCOTTSDALE	AZ	85257
131-03-284	MALLONEE RONALD	2615 N HAYDEN RD 107 SCOTTSDALE 85257	2615 N HAYDEN RD 107	SCOTTSDALE	AZ	85257
131-03-285	WEST FORK HOLDINGS LLC	2615 N HAYDEN RD 108 SCOTTSDALE 85257	7047 E GREENWAY PKWY UNIT 140	SCOTTSDALE	AZ	85254
131-03-286	SOWMA EMMA/BENJAMIN	2615 N HAYDEN RD 109 SCOTTSDALE 85257	2615 N HAYDEN ROAD APT 109	SCOTTSDALE	AZ	85257-2360
131-03-287	2615 N HAYDEN ROAD 110 LLC	2615 N HAYDEN RD 110 SCOTTSDALE 85257	4253 E 58TH ST	DAVENPORT	IA	52807
131-03-288	SHINSKY LEON BERNARD III/JULIE ANNE TR	2615 N HAYDEN RD 111 SCOTTSDALE 85257	PO BOX 11623	GLENDALE	IL	85318
131-03-289	LAROCO REYNA E/ARIEL	2615 N HAYDEN RD 112 SCOTTSDALE 85257	809 SIENNA DR	SCHAUMBURG	IL	60193
131-03-290	THIESSEN MINDY S	2615 N HAYDEN RD 113 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 113	SCOTTSDALE	AZ	85257
131-03-291	EDRIS AARON/MARGO	2615 N HAYDEN RD 114 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 114	SCOTTSDALE	AZ	85257
131-03-292	OLSON LANCE L	2615 N HAYDEN RD 115 SCOTTSDALE 85257	2141 HARBOR DR	BISMARCK	ND	58504
131-03-293	DEKEYSER EDWARD S/LORI S	2615 N HAYDEN RD 116 SCOTTSDALE 85257	3835 156 AVE SOUTHEAST	MAPLETON	ND	58059
131-03-294	LAROCO CONSTANCE	2615 N HAYDEN RD 117 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 117	SCOTTSDALE	AZ	85257
131-03-295	VISINTINE RICHARD C	2615 N HAYDEN RD 118 SCOTTSDALE 85257	3715 SURREY HILL PL	COLUMBUS	OH	43220
131-03-296	SCOTT MATTHEW ALLYN RUSSELL	2615 N HAYDEN RD 119 SCOTTSDALE 85257	2615 N HAYDEN RD APT 119	SCOTTSDALE	AZ	85257-2361
131-03-297	LIGHTMAN ARYEH	2615 N HAYDEN RD 120 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 120	SCOTTSDALE	AZ	85257
131-03-298	CYNTHIA S HOLDER REVOCABLE TRUST	2615 N HAYDEN RD 121 SCOTTSDALE 85257	3519 INGLENOOK LN	ROCKFORD	IL	61114
131-03-299	PIRELA ALEXANDER ROBERT	2615 N HAYDEN RD 122 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 122	SCOTTSDALE	AZ	85257-2361
131-03-300	PEREZ REBECCA ISABELLE COHEN	2615 N HAYDEN RD 123 SCOTTSDALE 85257	2615 N HAYDEN RD APT 123	SCOTTSDALE	AZ	85257
131-03-301	HURTADO BRODIE C/VANCE BARBARA ANN	2615 N HAYDEN RD 124 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 124	SCOTTSDALE	AZ	85257
131-03-302	LENGUA LILIANA/ROBERTA	2615 N HAYDEN RD 125 SCOTTSDALE 85257	466 N EARLHAM ST	ORANGE	CA	92669-2908
131-03-303	GOEDEKEN TARA ANN	2615 N HAYDEN RD 126 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 126	SCOTTSDALE	AZ	85257
131-03-304	MARTINEZ ANDREW D	2615 N HAYDEN RD 127 SCOTTSDALE 85257	2615 N HAYDEN ROAD APT 127	SCOTTSDALE	AZ	85257
131-03-305	ROBERTS ARIANNA A	2615 N HAYDEN RD 128 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 128	SCOTTSDALE	AZ	85257
131-03-306	THOMAS KATHLEEN R	2615 N HAYDEN RD 129 SCOTTSDALE 85257	2615 N HAYDEN RD UNIT 129	SCOTTSDALE	AZ	85257
131-22-154	HOOD MARVIN J JR	7813 E SHERIDAN ST SCOTTSDALE 85257	7813 E SHERIDAN ST	SCOTTSDALE	AZ	85257
131-22-155	CHRISTINE A JOHNSON REVOCABLE LIVING TRUST	7817 E SHERIDAN ST SCOTTSDALE 85257	4002 N 45TH PL	PHOENIX	AZ	85018
131-22-156	HADDAD TRACY	7821 E SHERIDAN ST SCOTTSDALE 85257	7821 E SHERIDAN ST	SCOTTSDALE	AZ	85257
131-22-157	GOLDSTEIN MICHAEL/WENDY	7825 E SHERIDAN ST SCOTTSDALE 85257	7825 E SHERIDAN ST	SCOTTSDALE	AZ	85257
131-22-158	JONES KEITH A/TOMI K	7826 E SHERIDAN ST SCOTTSDALE 85257	7826 E SHERIDAN ST	SCOTTSDALE	AZ	85257
131-22-159	WEBB BETTY J/PAUL D	7822 E SHERIDAN ST SCOTTSDALE 85257	7822 E SHERIDAN	SCOTTSDALE	AZ	85257
131-22-160	WILLINGER FAMILY TRUST	7818 E SHERIDAN ST SCOTTSDALE 85257	7818 E SHERIDAN	SCOTTSDALE	AZ	85257
131-22-161	GLATZER KEITH/ANDREA	7814 E SHERIDAN ST SCOTTSDALE 85257	233 WILLIAMSBURG CIR	BRENTWOOD	TN	37027
131-22-162	SMITH JERRY C/DIANE P	7810 E SHERIDAN ST SCOTTSDALE 85257	7810 E SHERIDAN	SCOTTSDALE	AZ	85257
131-22-163	ANDREA ESPLIN TRUST	7806 E SHERIDAN ST SCOTTSDALE 85257	8776 E SHEA BLVD STE 106 PMB 612	SCOTTSDALE	AZ	85260-6687
131-22-164	FOGARTY ERIN	7802 E SHERIDAN ST SCOTTSDALE 85257	7802 E SHERIDAN ST	SCOTTSDALE	AZ	85257
131-22-173	R K WALDVOGEL AND LISA WALDVOGEL LIVING TRUST	7723 E LEWIS AVE SCOTTSDALE 85257	PO BOX 5486	CAREFREE	AZ	85377
131-22-174	LOCKWOOD NICHOLAS A	7803 E LEWIS AVE SCOTTSDALE 85257	7803 EAST LEWIS AVE	SCOTTSDALE	AZ	85257

131-22-175	GOLDBERG FAMILY TRUST	7807 E LEWIS AVE SCOTTSDALE 85257	7807 E LEWIS AVE	SCOTTSDALE	AZ	85257
131-22-176	SPRENTALL DAVID/BECKVAR KAREN TR	7811 E LEWIS AVE SCOTTSDALE 85257	4614 E CALLE DEL MEDIO	PHOENIX	AZ	85018
131-22-177	BURBIDGE RICHARD GREIG/KATHLEEN ANNE BIENZ	7815 E LEWIS AVE SCOTTSDALE 85257	2115 MCCOY RD	CARROLLTON	TX	75006
131-22-178	GATEWOOD FAMILY REVOCABLE LIVING TRUST	7819 E LEWIS AVE SCOTTSDALE 85257	7819 E LEWIS AVE	SCOTTSDALE	AZ	85257
131-22-179	JONES KEITH A/TOMI KAY	7823 E LEWIS AVE SCOTTSDALE 85257	7826 E SHERIDAN ST	SCOTTSDALE	AZ	85257
131-22-180	SEBBA JON B/CHILDRESS SEBBA CHRIS TR	7827 E LEWIS AVE SCOTTSDALE 85257	6224 S RAINSBOROUGH CT	SALT LAKE CITY	UT	84121
131-22-181	CAMPBELL JULIANA MURPHY	7824 E LEWIS AVE SCOTTSDALE 85257	7824 E LEWIS AVE	SCOTTSDALE	AZ	85257
131-22-182	JOHNSON KRISTIN E	7820 E LEWIS AVE SCOTTSDALE 85257	8444 E INDIAN SCHOOL RD APT B2063	SCOTTSDALE	AZ	85251
131-22-183	MARTIN SANDRA K/MICHELLE	7816 E LEWIS AVE SCOTTSDALE 85257	7816 E LEWIS AVE	SCOTTSDALE	AZ	85257
131-22-184	DEGENNARO JOHN	7812 E LEWIS AVE SCOTTSDALE 85257	1717 E UNION HILLS 1072	PHOENIX	AZ	85024
131-22-185	BULKOWSKI VICKIE	7808 E LEWIS AVE SCOTTSDALE 85257	7808 E LEWIS AVE	SCOTTSDALE	AZ	85257
131-22-186	ARRIGO WILLIAM P/EDWARDS SARAH	7804 E LEWIS AVE SCOTTSDALE 85257	7804 E LEWIS AVE	SCOTTSDALE	AZ	85257
131-22-187	CARR NICHOLAS H/CLAUDINE A	7728 E LEWIS AVE SCOTTSDALE 85257	7728 E LEWIS ST	SCOTTSDALE	AZ	85257
131-22-188	RIEMER JEFFREY S	7724 E LEWIS AVE SCOTTSDALE 85257	7724 E LEWIS AVE	SCOTTSDALE	AZ	85257
131-22-189	RONDEAU CATHERINE MARIE	7720 E LEWIS AVE SCOTTSDALE 85257	7720 E LEWIS AVE	SCOTTSDALE	AZ	85257
131-22-197	CASEY THOMAS S/LINDA R TR	7713 E WILSHIRE DR SCOTTSDALE 85257	7713 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-198	DEE ANN DARKE TRUST	7717 E WILSHIRE DR SCOTTSDALE 85257	7717 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-199	SHAPIRO GARY	7721 E WILSHIRE DR SCOTTSDALE 85257	P O BOX 4804	SCOTTSDALE	AZ	85258-4410
131-22-200	RIETZ ERIKA A	7725 E WILSHIRE DR SCOTTSDALE 85257	7725 E WILSHIRE AVE	SCOTTSDALE	AZ	85257
131-22-201	BRADSHAW VINCENT R/ANGELA L	7801 E WILSHIRE DR SCOTTSDALE 85257	8206 E PALM LN	SCOTTSDALE	AZ	85257
131-22-202	BAILEY ERIC T	7805 E WILSHIRE DR SCOTTSDALE 85257	7805 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-203	MICHAEL K LIESKE REVOCABLE TRUST	7809 E WILSHIRE DR SCOTTSDALE 85257	7809 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-204	BAUM ELIZABETH SUSAN	7813 E WILSHIRE DR SCOTTSDALE 85257	7813 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-205	CARPENTER NOELLE	7817 E WILSHIRE DR SCOTTSDALE 85257	7817 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-206	CIRIBASSI DAVID J	7821 E WILSHIRE DR SCOTTSDALE 85257	7821 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-207	REICHER SHEILA /DAVID A	7818 E WILSHIRE DR SCOTTSDALE 85257	7818 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-208	CAROL SULIK TRUST	7814 E WILSHIRE DR SCOTTSDALE 85257	7814 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-209	NEWPORT PETER ANTHONY	7810 E WILSHIRE DR SCOTTSDALE 85257	7810 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-210	BROWN SHARON E	7806 E WILSHIRE DR SCOTTSDALE 85257	7806 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-211	CREED JORDAN M/VANDENBERG MATTHEW J	7802 E WILSHIRE DR SCOTTSDALE 85257	7802 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-212	DISHEROON SEAN THOMAS	7730 E WILSHIRE DR SCOTTSDALE 85257	7730 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-213	NEAL DANIEL RICHARD	7726 E WILSHIRE DR SCOTTSDALE 85257	W207N16227 ELLIOT DR	JACKSON	WI	53037
131-22-214	SONNTAG CHRIS/SONNTAG FAMILY TRUST	7722 E WILSHIRE DR SCOTTSDALE 85257	725 AVALON CT	SAN DIEGO	CA	92109
131-22-215	NYDAHL KIRK D	7718 E WILSHIRE DR SCOTTSDALE 85257	7718 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-216	BUSCH JOHN/MICHELLE	7714 E WILSHIRE DR SCOTTSDALE 85257	7714 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-22-217	P M BIRK TRUST	7710 E WILSHIRE DR SCOTTSDALE 85257	7710 E WILSHIRE	SCOTTSDALE	AZ	85257
131-22-272A	CONTINENTAL VILLAS EAST UNIT II ASSOC	7702 E SHERIDAN ST SCOTTSDALE 85257	PO BOX 62073	PHOENIX	AZ	85082
131-22-273	CONTINENTAL VILLAS EAST UNIT II ASSOC		PO BOX 62073	PHOENIX	AZ	85082
131-23-002B	CORTESE PHIL/CATERINA TR	7909 E WILSHIRE DR SCOTTSDALE 85257	7909 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-23-003C	NESCO WISHING WELL LLC	2420 N HAYDEN RD SCOTTSDALE 85257	PO BOX 1620	PAYSON	AZ	85547
131-23-004B	STEVEN W REED LIVING TRUST	7902 E WILSHIRE DR SCOTTSDALE 85257	7902 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-23-004C	REED LYNN M	7906 E WILSHIRE DR SCOTTSDALE 85257	7908 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-23-007C	LOCKER ROBERT A/TARA S	7905 E WILSHIRE DR SCOTTSDALE 85257	7905 E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-23-007D	INTEMANN ROBERT A	7901 E WILSHIRE DR SCOTTSDALE 85257	7901E WILSHIRE DR	SCOTTSDALE	AZ	85257
131-23-008A	26 OAKS LLC		7600 E DOUBLE TREE RANCH RD STE 220	SCOTTSDALE	AZ	85258
131-23-008B	FIRST CHURCH OF THE NAZARENE		2340 N HAYDEN RD	SCOTTSDALE	AZ	85257
131-23-015	ALCORN CASEY C	2500 N HAYDEN RD 1 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 1	SCOTTSDALE	AZ	85257
131-23-016	MEYER KATELYN I	2500 N HAYDEN RD 2 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 2	SCOTTSDALE	AZ	85257
131-23-017	KOBRINSKY EUGENE	2500 N HAYDEN RD 3 SCOTTSDALE 85257	8100 E CAMELBACK RD UNIT 72	SCOTTSDALE	AZ	85251
131-23-018	MCFFERREN EMILY J	2500 N HAYDEN RD 4 SCOTTSDALE 85257	7650 E SHERIDAN ST	SCOTTSDALE	AZ	85257
131-23-019	VOLL TODD/VALERIE FULLER	2500 N HAYDEN RD 5 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 5	SCOTTSDALE	AZ	85257
131-23-020	GERODIMOS GEORGE	2500 N HAYDEN RD 6 SCOTTSDALE 85257	2500 N HAYDEN RD 6	SCOTTSDALE	AZ	85257
131-23-021	MAXEY SEAN M	2500 N HAYDEN RD 7 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 7	SCOTTSDALE	AZ	85257
131-23-022	SPENCE ENTERPRISES LLC	2500 N HAYDEN RD 8 SCOTTSDALE 85257	20241 N 67TH AVE NO A1	GLENDALE	AZ	85308
131-23-023	MILLER KATHLEEN M/MULDER JOHN C	2500 N HAYDEN RD 9 SCOTTSDALE 85257	2500 N HAYDEN RD APT 9	SCOTTSDALE	AZ	85257
131-23-024	BENTON ELIZABETH R	2500 N HAYDEN RD 10 SCOTTSDALE 85257	2500 N HAYDEN RD	SCOTTSDALE	AZ	85257
131-23-025	BALL DARBY SHEA	2500 N HAYDEN RD 11 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 11	SCOTTSDALE	AZ	85257

131-23-026	CONRAD GRANT W/ELFRIEDE J	2500 N HAYDEN RD 12 SCOTTSDALE 85257	2500 N HAYDEN ROAD APT 12	SCOTTSDALE	AZ	85257
131-23-027	MCCALMONT KATHRYN	2500 N HAYDEN RD 13 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 13	SCOTTSDALE	AZ	85257
131-23-028	KOBRINSKY EUGENE	2500 N HAYDEN RD 14 SCOTTSDALE 85257	8100 E CAMELBACK ROAD UNIT 72	SCOTTSDALE	AZ	85251
131-23-029	TEMPLE SOLEL	2500 N HAYDEN RD 15 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 15	SCOTTSDALE	AZ	85257
131-23-030	GUSTAFSON SUSAN L	2500 N HAYDEN RD 16 SCOTTSDALE 85257	2500 N HAYDEN RD	SCOTTSDALE	AZ	85257
131-23-031	FURUMOTO GARY TR	2500 N HAYDEN RD 17 SCOTTSDALE 85257	1108 CHESTERFIELD CT	RENO	NV	89523
131-23-032	GOLDBERG H VANESSA TR	2500 N HAYDEN RD 18 SCOTTSDALE 85257	2500 N HAYDEN RD #18	SCOTTSDALE	AZ	85257
131-23-033	SFL LIVING TRUST	2500 N HAYDEN RD 19 SCOTTSDALE 85257	2500 NORTH HAYDEN ROAD NO 19	SCOTTSDALE	AZ	85257
131-23-034	RPK MANAGEMENT LLC	2500 N HAYDEN RD 20 SCOTTSDALE 85257	7904 E CHAPARRAL RD #A110-182	SCOTTSDALE	AZ	85250
131-23-035	VIDERMAN ALEX/KOBRINSKY EUGENE	2500 N HAYDEN RD 21 SCOTTSDALE 85257	8100 E CAMELBACK RD STE 72	SCOTTSDALE	AZ	85251
131-23-036	STRUGALA MARIE N	2500 N HAYDEN RD 22 SCOTTSDALE 85257	2500 N HAYDEN RD	SCOTTSDALE	AZ	85257
131-23-037	GARCIA PAULA	2500 N HAYDEN RD 23 SCOTTSDALE 85257	2500 N HAYDEN RD	SCOTTSDALE	AZ	85257
131-23-038	JEPSON JAN E	2500 N HAYDEN RD 24 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 24	SCOTTSDALE	AZ	85257
131-23-039	LEON EDWARD ALEXANDER/BAYHAM AMANDA	2500 N HAYDEN RD 25 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 25	SCOTTSDALE	AZ	85257
131-23-040	ROSS KRISTAL	2500 N HAYDEN RD 26 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 26	SCOTTSDALE	AZ	85257
131-23-041	SANDERSON STEFANI/CARISSA LYNN	2500 N HAYDEN RD 27 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 27	SCOTTSDALE	AZ	85257
131-23-042	RAND ALEC J/HOWARD	2500 N HAYDEN RD 28 SCOTTSDALE 85257	2500 N HAYDEN RD APT 28	SCOTTSDALE	AZ	85257-2365
131-23-043	BROWN ISHEA M	2500 N HAYDEN RD 29 SCOTTSDALE 85257	2500 N HAYDEN RD NO 29	SCOTTSDALE	AZ	85260
131-23-044	CALDWELL MICHELLE	2500 N HAYDEN RD 30 SCOTTSDALE 85257	2500 N HAYDEN ROAD APT 30	SCOTTSDALE	AZ	85257
131-23-045	MAHONEY ERIN ANGELA/BRYAN	2500 N HAYDEN RD 31 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 31	SCOTTSDALE	AZ	85257
131-23-046	SMITH COLLEEN A	2500 N HAYDEN RD 32 SCOTTSDALE 85257	2500 N HAYDEN RD UNIT 32	SCOTTSDALE	AZ	85257
131-23-047	ECONOMOPOULOS TASHIA I	2500 N HAYDEN RD 33 SCOTTSDALE 85257	2500 N HAYDEN RD NO 33	SCOTTSDALE	AZ	85257
131-23-048	CENTERED LIVING LLC	7910 E WILSHIRE DR 101 SCOTTSDALE 85257	8321 N CANTA REDONDO	PARADISE VALLEY	AZ	85253
131-23-058	FIORI RACHEL JEAN	7936 E WILSHIRE DR 101 SCOTTSDALE 85257	7936 E WILSHIRE DR UNIT 101	SCOTTSDALE	AZ	85257
131-23-059	GREENBECK HERBERT A/LORI H TR	7936 E WILSHIRE DR 102 SCOTTSDALE 85257	8307 E DAVENPORT DR	SCOTTSDALE	AZ	85260
131-23-060	BREWSTER TAYLOR	7936 E WILSHIRE DR 103 SCOTTSDALE 85257	7936 E WILSHIRE DR UNIT 103	SCOTTSDALE	AZ	85257
131-23-061	HAMMEL AMBRIA	7936 E WILSHIRE DR 104 SCOTTSDALE 85257	7936 E WILSHIRE DR UNIT 104	SCOTTSDALE	AZ	85257
131-23-062	BELL-CHEATHEAM DARLENE	7936 E WILSHIRE DR 105 SCOTTSDALE 85257	7936 E WILSHIRE DR 105	SCOTTSDALE	AZ	85251
131-23-063	VINOD K & USHA K MALHOTRA LIVING TRUST	7936 E WILSHIRE DR 106 SCOTTSDALE 85257	250 N SUNNYSIDE DR	CEDAR CITY	UT	84720
131-23-064	ARTH TERRENCE	7936 E WILSHIRE DR 107 SCOTTSDALE 85257	11011 N 92ND ST UNIT 1043	SCOTTSDALE	AZ	85260
131-23-065	WONG CHRISTINE	7936 E WILSHIRE DR 201 SCOTTSDALE 85257	514 NANTUCKET CT	ENCINITAS	CA	92024-1538
131-23-066	OSGOOD SHANNON M	7936 E WILSHIRE DR 202 SCOTTSDALE 85257	7936 E WILSHIRE DR UNIT 202	SCOTTSDALE	AZ	85257
131-23-067	FEILER DAVID	7936 E WILSHIRE DR 203 SCOTTSDALE 85257	16426 N 59TH ST	SCOTTSDALE	AZ	85254
131-23-068	GRIJALVA MIGUEL ANGEL TAPIA/INFANTE MIREYA GU	7936 E WILSHIRE DR 204 SCOTTSDALE 85257	7936 W WILSHIRE DR UNIT 204	SCOTTSDALE	AZ	85257
131-23-069	ALBERTINI BIANCA	7936 E WILSHIRE DR 205 SCOTTSDALE 85257	7840 FLINTSHIRE CT	PASADENA	MD	21122
131-23-070	RA AND RE LLC	7936 E WILSHIRE DR 206 SCOTTSDALE 85257	6325 E ASTER DR	SCOTTSDALE	AZ	85254
131-23-071	RAMIREZ ALBA L	7936 E WILSHIRE DR 207 SCOTTSDALE 85257	7936 E WILSHIRE DR NO 207	SCOTTSDALE	AZ	85251
131-23-091	GODLSTEIN INVESTMENT COMPANY	7979 E WILSHIRE DR SCOTTSDALE 85257	321 N LARCHMONT BLVD STE 525	LOS ANGELES	CA	90004-6401
131-24-002G	N/A SAN TROPEZ-82 LP	2700 N HAYDEN RD SCOTTSDALE 85257	920 GARDEN ST STE A	SANTA BARBARA	CA	93101
131-24-002S	INDIAN RIVER PLAZA L L C		6621 N SCOTTSDALE RD	SCOTTSDALE	AZ	85250



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Weight: 0 lb 0.30 oz  
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Peoria, AZ 85381  
Weight: 0 lb 0.40 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® Letter	1		\$0.55
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Phoenix, AZ 85022  
Weight: 0 lb 0.40 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® Letter	1		\$0.55
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Scottsdale, AZ 85257  
Weight: 0 lb 0.40 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® Letter	1		\$0.55
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Scottsdale, AZ 85257  
Weight: 0 lb 0.40 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® Letter	1		\$0.55
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Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

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Weight: 0 lb 0.40 oz  
Estimated Delivery Date  
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Scottsdale, AZ 85254  
Weight: 0 lb 0.40 oz  
Estimated Delivery Date  
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First-Class Mail® Letter	1		\$0.55
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Glendale, AZ 85318  
Weight: 0 lb 0.40 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® Letter	1		\$0.55
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Scottsdale, AZ 85257  
Weight: 0 lb 0.40 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® Letter	1		\$0.55
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Scottsdale, AZ 85257  
Weight: 0 lb 0.40 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® Letter	1		\$0.55
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Scottsdale, AZ 85251  
Weight: 0 lb 0.40 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® Letter	1		\$0.55
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Scottsdale, AZ 85251  
Weight: 0 lb 0.40 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® Letter	1		\$0.55
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Scottsdale, AZ 85258  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® Letter	1		\$0.55
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Chicago, IL 60607  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Fri 07/23/2021

First-Class Mail® Letter	1		\$0.55
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Scottsdale, AZ 85251  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® Letter	1		\$0.55
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Schaumburg, IL 60193  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Fri 07/23/2021

First-Class Mail® Letter	1		\$0.55
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Bismarck, ND 58504  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Fri 07/23/2021

First-Class Mail® Letter	1		\$0.55
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Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® Letter	1		\$0.55
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Scottsdale, AZ 85255  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Selah, WA 98942  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Fri 07/23/2021

First-Class Mail® 1 \$0.55  
Letter  
Cedar Falls, IA 50613  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Fri 07/23/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Mapleton, ND 58059  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Fri 07/23/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Davenport, IA 52807  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Fri 07/23/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Pasadena, MD 21122  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Fri 07/23/2021

First-Class Mail® 1 \$0.55  
Letter  
Paradise Valley, AZ 85253  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85254  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85260  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85254  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Reno, NV 89523  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Fri 07/23/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85251  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Glendale, AZ 85308  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date

First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85258 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Phoenix, AZ 85082 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Santa Barbara, CA 93101 Weight: 0 lb 0.30 oz Estimated Delivery Date Fri 07/23/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85250 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Cedar City, UT 84720 Weight: 0 lb 0.30 oz Estimated Delivery Date Fri 07/23/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85251 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Los Angeles, CA 90004 Weight: 0 lb 0.30 oz Estimated Delivery Date Fri 07/23/2021	\$0.55



First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85251 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Payson, AZ 85547 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Phoenix, AZ 85082 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55

First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85260 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85251 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85251 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Encinitas, CA 92024 Weight: 0 lb 0.30 oz Estimated Delivery Date Fri 07/23/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55

First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Carefree, AZ 85377 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter San Diego, CA 92109 Weight: 0 lb 0.30 oz Estimated Delivery Date Fri 07/23/2021	\$0.55
First-Class Mail® 1 Letter Phoenix, AZ 85018 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Phoenix, AZ 85024 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55
First-Class Mail® 1 Letter Scottsdale, AZ 85257 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 07/22/2021	\$0.55	First-Class Mail® 1 Letter Salt Lake City, UT 84121 Weight: 0 lb 0.30 oz Estimated Delivery Date Fri 07/23/2021	\$0.55



First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Brentwood, TN 37027  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Fri 07/23/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Phoenix, AZ 85018  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Carrollton, TX 75006  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Fri 07/23/2021

First-Class Mail® 1 \$0.55  
Letter  
Orange, CA 92869  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Fri 07/23/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85257  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

First-Class Mail® 1 \$0.55  
Letter  
Scottsdale, AZ 85260  
Weight: 0 lb 0.30 oz  
Estimated Delivery Date  
Thu 07/22/2021

Grand Total: \$84.15

Credit Card Remitted \$84.15  
Card Name: AMEX  
Account #: XXXXXXXXXX1148  
Approval #: 886273  
Transaction #: 569  
AID: A000000025010801 Chip  
AL: AMERICAN EXPRESS  
PIN: Not Required

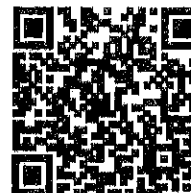
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Clerk: 8

## **EXHIBIT 18**

Email from Megan Whitby, Bureau Chief of  
Arizona Department of Health Services  
Special Licensing Division, dated August 18, 2021

---

**From:** Megan Whitby  
**Sent:** Wednesday, August 18, 2021 9:19 AM  
**To:** hdukesesq@gmail.com  
**Cc:** Harmony Duport  
**Subject:** Re: Licensing For Sober Living Home

Good morning Ms. Dukes,

A sober living home license is not a healthcare institution license. Below is the statutory definition of a sober living home. As you can see from subsection d, a sober living home cannot administer medication or provide any medical or clinical services onsite, other than conducting drug tests.

[A.R.S. §36-2061\(3\)](#) defines a sober living home as:

“...any premises, place or building that provides alcohol-free or drug-free housing and that:

- a) Promotes independent living and life skills development.
- b) May provide activities that are directed primarily toward recovery from substance use disorders.
- c) Provides a supervised setting to a group of unrelated individuals who are recovering from substance use disorders.
- d) Does not provide any medical or clinical services or medication administration on-site, except for verification of abstinence.”

I have copied Harmony Duport on this email, as she is the bureau chief for Residential Facilities Licensing, and can provide more information regarding what services homes licensed by her bureau can provide.

Thank you,

**Megan Whitby**  
Bureau Chief, Special Licensing  
Arizona Department of Health Services  
150 North 18th Avenue, Suite 410, Phoenix, AZ 85007  
Direct 602-364-3052  
Bureau 602-364-2079  
Email [megan.whitby@azdhs.gov](mailto:megan.whitby@azdhs.gov)  
*Health and Wellness for all Arizonans*

On Tue, Aug 17, 2021 at 4:39 PM Amber Norman <[amber.norman@azdhs.gov](mailto:amber.norman@azdhs.gov)> wrote:

Other than Mayne the last question about providing services I'm not sure of the answers. We have been playing phone tag.

----- Forwarded message -----

From: **Heather Dukes** <[hdukesesq@gmail.com](mailto:hdukesesq@gmail.com)>  
Date: Tue, Aug 17, 2021, 4:36 PM

Subject: Licensing For Sober Living Home

To: [amber.norman@azdhs.gov](mailto:amber.norman@azdhs.gov) <[amber.norman@azdhs.gov](mailto:amber.norman@azdhs.gov)>

Amber:

We have traded a few phone calls and have not been able to connect, so I figured an email would most likely be best. I represent existing sober living home operators in the state of Arizona, as well as a few clients who are looking to establish new sober living home uses. I need to confirm a few items on behalf of my clients so that they have some direction moving forward.

1. What type of license is issued to a sober living home by ADHS? Is it considered a health care institution license?
2. Can you provide examples of some of the uses/characteristics of residential facilities that would require a health care institution license as opposed to a sober living home license? My clients are trying to understand the distinction between a sober living home license and some of the health care institution licenses?
3. With a sober living home license, would the sober living home be allowed to provide supervisory care services or other care services?

Is there any chance that you would be able to respond either this afternoon (8/17) or first thing tomorrow morning (8/18)? I have a deadline by which to provide this information to my clients. Thank you!

Sincerely,

Heather Dukes

602.320.8866

Sent from [Mail](#) for Windows



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