

# PLANNING COMMISSION REPORT



Meeting Date: November 13, 2024  
General Plan Element: *Land Use*  
General Plan Goal: *Coordinate Planning to Balance Infrastructure*

## ACTION

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### Losavio Residence Abandonment 2-AB-2024

#### Request to consider the following:

1. A recommendation to City Council regarding a request by owner to abandon the 33-foot-wide GLO roadway easement located along the eastern boundary (N. 132nd Place alignment) of parcel 217-31-047B, for a +/-1.8-acre site located at 13214 E. Mountain View Road, with the Single-family Residential, Environmentally Sensitive Lands (R1-43/ESL) zoning designation, totaling approximately 13,200 square-feet of right-of-way. Owner to dedicate property interests to the City.

#### Goal/Purpose of Request

The proposed abandonment will accommodate a single-family parcel with a large desert wash located on a majority of the subject site and a protected peak on the opposite side of the desert wash.

#### Key Items for Consideration

- Access not impacted by this proposed abandonment
- The Local Area Master Planned Streets (LAIPS) plan does not require N. 132<sup>nd</sup> Place as a north/south connection between E. Mountain View Road and E. Turquoise Avenue.
- All utility companies were notified of the abandonment request. Owner modified the application to not include GLOs located along E. Mountain View Road.
- Staff received communications (calls and emails) regarding the proposed abandonment.

## OWNER

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Mark Losavio  
(212) 308-1094

## APPLICANT CONTACT

Tim Boyle  
Atmosphere Architects  
(917) 526-0323

## LOCATION

13214 E. Mountain View Road

## BACKGROUND

### General Plan

The General Plan Land Use Element designates the property as Rural Neighborhoods. This category designation includes areas of relatively large lot single-family neighborhoods. Densities in Rural Neighborhoods are usually one house per acre (or more) of land. The designation and use will remain unchanged by this request.

### Character Area Plan

The Shea Area Plan designates the property as rural neighborhood. The Shea Area is generally between Hayden Road and the eastern city boundary, and Thunderbird/Doubletree Ranch Road alignment. The specific Shea Corridor policies apply to the area generally 1/4 mile north and 1/4 mile south of Shea Boulevard. The Mayo Support District policies apply to the general area around the Mayo Clinic.

Environmental protection and site planning that is sensitive to environmental features is encouraged through open space links and preservation, a Scenic Corridor, single story buildings adjacent to the Shea Scenic Corridor, retention of washes in a natural condition, and conformance with the ESLO.

### Zoning

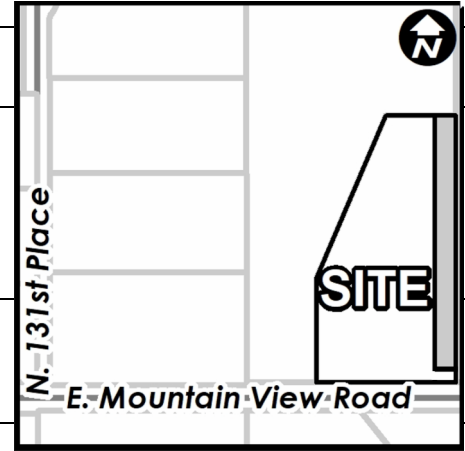
The site is zoned R1-43 ESL, Single-family Residential Environmentally Sensitive Lands. The subject property is not located in a subdivision and was annexed into the City of Scottsdale in 1975 through Ordinance No. 891.

In 1991, the Environmentally Sensitive Lands (ESL) ordinance was adopted as an amendment to the Hillside District overlay. The current ESL overlay took effect in 2004. The ESL ordinance categorized this site within its most current zoning: Residential Single-Family, Environmentally Sensitive Lands, Foothills Overlay (R1-43/ESL).

### Context

The subject property is located at 13214 E. Mountain View Road. The site is generally located 100 feet east of the N. 132<sup>nd</sup> Street alignment, on the north side of E. Mountain View Road. Please refer to context graphics attached.

The subject 33-foot General Land Office Patent Easement (GLO) located along the eastern boundary of 13214 E. Mountain View Road was dedicated in April of 1954, through patent serial number 1144190. The subject GLO roadway easement was reserved on the original patent deed to assure legal access. Currently the 33 feet GLO easements are unimproved.





### **Adjacent Uses and Zoning**

- North: R1-43 ESL, no subdivision, single family home
- South: R1-35 ESL, Carino Canyon Subdivision, single-family homes
- East: R1-43 ESL, no subdivision, single family home
- West: R1-43 ESL, no subdivision, vacant lot between single family homes

### **General Land Office Patent Easements (general information)**

- Within the City of Scottsdale there are General Land Office (GLO) lots or parcels of various sizes created by the Federal Small Tract Act. This act was passed in 1938 and repealed in 1976.
- Most GLO lots were patented with 33-foot (or sometimes 50-foot) roadway and public utility easements typically “as near as practicable to the exterior boundaries” of the GLO lot.
- The City has viewed these patent roadway and utility easements as assured access for these lots, at least until a local circulation plan is established.
- As GLO lots come in for development (i.e., lot splits, subdivisions or requesting building permits) staff requires city right-of-way dedications per city circulation plans. The City’s transportation plan establishes a street system to replace the grid pattern created by the GLO easements.
- Any patent easements may be requested to be abandoned if it is in excess of the current requirements of the City’s circulation plans (including trails) or City roadway standards, and not required to ensure access to any other lot.
- On 1981, City Ordinance 1386 was adopted delegating the authority for the release of GLO easements to the Engineering Services Director.
- On March 2, 1999, the City Council repealed Ordinance 1386 and adopted Ordinance 3219 which requires the abandonment of the GLO patent roadway easements to go through the same public hearing process currently used for all rights-of-way, alleys, and roadway easements. The City Attorney’s office has concluded that this process for consideration of GLO roadway abandonment satisfies legal requirements.
- On August 12, 2005, Arizona Revised Statute section 9-500.24 became effective. This provision gives the local municipality the right to abandon GLO patent easements and concurs with the City’s position on abandonment of GLO patent easements.

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

Scottsdale General Plan 2035

2008 Scottsdale Transportation Master Plan

East Shea Area Local Area Infrastructure Plan (LAIP)

## **APPLICANTS PROPOSAL**

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### **Development Information**

The development proposal includes the request to abandon the existing thirty-three-foot (33-foot) GLO half-street located along the N. 132<sup>nd</sup> Place alignment. The property has a significant wash located on the southwestern half of the site and a significant peak located at the northeastern portion of the site. The abandonment will allow the site’s development envelope to open up and relieve the site from the two natural features located on the property. The proposed abandonment will also help protect these natural features.

The applicant is proposing to dedicate a twenty-five-foot half-street along the parcel's southern boundary, along E. Mountain View Road to replace the existing roadway easement.

## **IMPACT ANALYSIS**

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### **Land Use**

The existing land use for this subject site is in conformance with the General Plan designated land use for this site. The request will not modify the existing land use.

### **Traffic/Trails**

Access to the development is provided by E. Mountain View Road, and the access to the surrounding area will remain unchanged.

The East Shea Area Local Area Infrastructure Plan (LAIP) identifies a region connection proposed within the large wash located at the southwestern portion of the site. The owner has agreed to dedicate a Public Non-Motorized Access Easement to allow a trail over the Drainage Easement (DE) as identified with the associated single-family plan submittal's grading and drainage plan (Plan Check No. 5095-24, Attachment #8).

### **Emergency/Municipal Services and Utilities**

All existing emergency and municipal access will be provided to the properties surrounding the abandonment area and maintained through existing dedicated public right-of-way along E. Mountain View Road. No impacts are anticipated.

### **Public Utilities**

The public utilities have been notified of the applicant's request. The utility companies have indicated that there are no conflicts with the proposed abandonment and support the abandonment. The owner modified the proposed application to not include the GLOs located along the E. Mountain View Road. The modification did not require the dedication of any additional easements.

### **Open space, Scenic Corridor**

The subject site has not dedicated Natural Area Open Space (NAOS) as per the Environmentally Sensitive Lands Overlay (ESL) requirements. The Owner understands that future applications to improve the property will require the dedication of NAOS. Dedicated NAOS will protect the significant natural features located on the site.

### **Community Involvement**

The applicant conducted a mailing to property owners located within 750 feet of the proposed roadway easement abandonment (see the Applicant's Narrative). The City staff has also conducted a mailing to property owners within 750 feet of the proposed roadway easement abandonment. The mailings were in addition to site postings conducted with the abandonment process. Communications were received regarding the proposed abandonment application.

Staff held a virtual meeting for concerned residents/neighbors on Monday, October 21, 2024. Five residents, and two staff members, attended the meeting. Staff's intent for the meeting was to provide an overview of the request and to respond to resident questions and concerns. Resident questions/concerns varied in interests but did have a central theme. The residents expressed concerns about the location of the proposed single-family dwelling unit, and how the structure might affect the drainage in the area.

Staff responded to concerns associated with the abandonment request and shared with the residents that drainage concerns would be addressed with the single-family plan review. Please see attachment #10 for submitted comments by residents.

Staff also spoke with a resident that was not able to make the meeting, and the resident stated they did not have any additional questions or comments.

### **Policy Implications**

The compensation amount has been compiled by City of Scottsdale staff in accordance with abandonment valuation procedure. The valuation methodology is prepared as if the land is available for development at its highest and best use under the current zoning designation. The owner has agreed to the proposed compensation amount.

The owner of the parcel has agreed to pay to City the total amount of \$6,581.00 for the Abandonment Right-of-way, in addition to any application fees or other amounts related to this resolution and in addition to any other amounts payable to City. Additionally, the owner shall dedicate a 25-foot fee-simple right-of-way along the southern boundary of the property (along E. Mountain View Road).

## **STAFF RECOMMENDATION**

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### **Recommended Approach:**

Staff recommends that the Planning Commission make a recommendation to City Council for approval to abandon the 33-foot-wide GLO roadway easement located along the eastern boundary (N. 132nd Place alignment) of parcel 217-31-047B, finding that the proposal is consistent with and conforms to the adopted General Plan, subject to the following:

1. The property owner will dedicate a twenty-five-foot (25-ft) fee-simple half-street right-of-way along the subject property's E. Mountain View frontage.
2. The property owner dedicate Drainage Easement (DE) as identified with the associated single-family plan submittal (Plan Check No. 5095-24).
3. The property owner pay to the city the combined total amount of \$6,581.00 as compensation to the city for the abandonment of right-of-way.

## **RESPONSIBLE DEPARTMENT**

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### **Planning and Development Services**

Current Planning Services

## **STAFF CONTACT**

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Jesus Murillo  
Senior Planner  
480-312-7849  
E-mail: [jmurillo@scottsdaleAZ.gov](mailto:jmurillo@scottsdaleAZ.gov)

**APPROVED BY**

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Jesus Murillo, Report Author

October 18, 2024

Date



Tim Curtis, AICP, Current Planning Director

Planning Commission Liaison

Phone: 480-312-7713      Email: [tcurtis@scottsdaleaz.gov](mailto:tcurtis@scottsdaleaz.gov)

10/30/2024

Date



Erin Perreault, Executive Director

Planning and Development Services

Phone: 480-312-7093      Email: [eperreault@scottsdaleaz.gov](mailto:eperreault@scottsdaleaz.gov)

10/31/2024

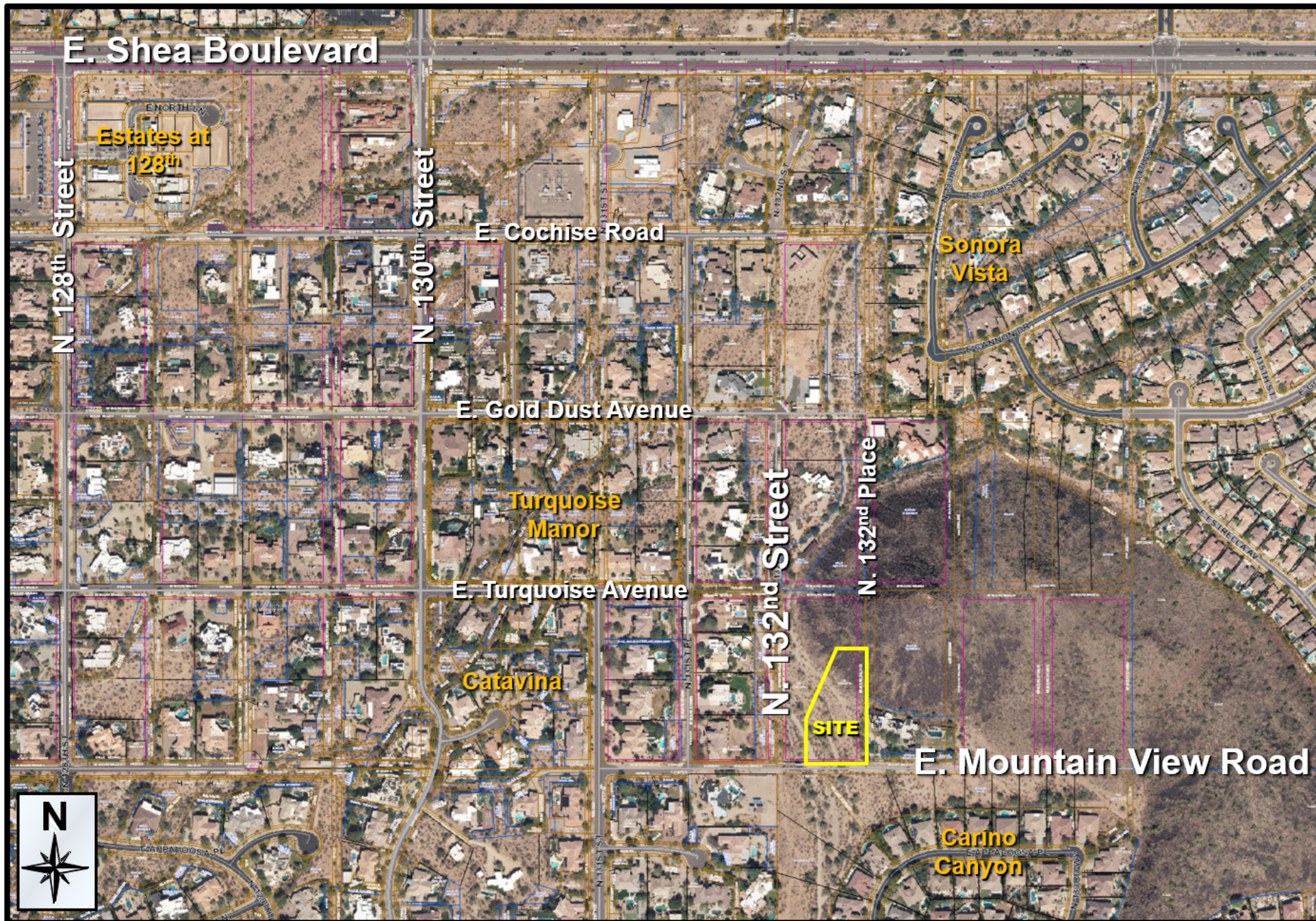
Date

**ATTACHMENTS**

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1. Context Aerial
- 1A. Aerial Close-Up
2. Applicant's Narrative
3. Resolution No. 13276
  - Exhibit A: Legal Graphic
  - Exhibit B: Legal Description
  - Exhibit C: Depiction of subject parcel
4. Zoning Aerial
5. Local Area Infrastructure Plan (East Shea Area 6)
6. Proposed Abandonment Areas Map
7. Required Dedications Map
8. Associated Grading and Drainage Plan (Plan Check No. 5095-24)
9. Associated Site Plan
10. Neighborhood Outreach
11. Public Correspondence
12. City Notification Map





Context Aerial

2-AB-2024





Aerial Close-up

2-AB-2024





**atmosphere**

architects

Mesa AZ 85201

602.888.4671 [www.atmosarch.com](http://www.atmosarch.com) tim@atmosarch.com

## **13214 & 13210 E Mountain View Rd, Scottsdale, AZ 85260**

The owner of the above mentioned lot would like to remove the outdated GLO easement from his property. He wishes to build a house on the lot, and the GLO easement, combined with the mountain and wash running through his property, makes building a house on the lot a hardship.

We acknowledge that there will be a platt required for the ROW to be dedicated, along with any additional easements.

We acknowledge that the owner might have to release and rededicate any easement that conflicts with the abandonment.

We understand that a sewer tap plan is required, and must be approved and permitted prior to the building permit approval.

We acknowledge that a complete Title Commitment will be provided with the final plat submittal.

Please consider this request.

Sincerely,

Tim Boyle, Registered Architect

## RESOLUTION NO. 13276

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA ABANDONING, SUBJECT TO CONDITIONS AND RESERVATIONS, CERTAIN INTERESTS IN A PORTION OF THE PUBLIC RIGHTS-OF-WAY FOR PROPERTY LOCATED AT 13214 E MOUNTAIN VIEW ROAD.

(2-AB-2024)

(Losavio Property GLO Abandonment)

### WHEREAS:

A. A.R.S. Sec. 28-7201, et seq. and A.R.S. §9-500.24 provide that a city may dispose of a public roadway or portion thereof that is no longer necessary for public use.

B. Scottsdale Revised Code §2-221 and other applicable laws provide that the City may dispose of other real property interests.

C. After notice to the public, the City of Scottsdale Planning Commission and City Council have held hearings on the proposed abandonment of a certain portion of the street right-of-way and other interests (collectively the "Abandonment Rights-of-way").

D. The Abandonment Rights-of-way are legally described on **Exhibit "A"** and depicted on **Exhibit "B"** attached hereto, and comprise an area of approximately 13,200 square-feet.

E. The Abandonment Rights-of-way fall within, serve, affect or are near a parcel comprising approximately 1.8 acres ("Owner's Parcel"), as depicted on **Exhibit "C"** attached hereto.

F. The Council finds that, subject to the conditions, requirements, reservations and limitations of this resolution, the Abandonment Rights-of-way are no longer necessary for public use.

G. The Council has considered the City expenditure, if any, authorized by this resolution and the direct consideration that City will receive and finds that there is a clearly identified public purpose for City's expenditure, if any, and that City will receive direct consideration substantially equal to its expenditure.

H. The Council finds that consideration and other public benefit commensurate with the value of the interests in the Abandonment Right-of-way being abandoned, giving due consideration to its degree of fragmentation and marketability, will be provided to City by the owners of the abutting property.



NOW, THEREFORE, BE IT RESOLVED by the city council of the City of Scottsdale, Arizona, as follows:

1. Abandonment. Subject to the reservations and conditions below, City's interests comprising the Abandonment Rights-of-way are hereby abandoned.

2. Reservations. City reserves to itself and excludes from this abandonment all of the following cumulative, perpetual interests:

2.1 Any and all interests in the Abandonment Rights-of-way that any related application, zoning case, plat, lot split, use permit, or other land use regulatory process or requirements may require to be dedicated to City.

2.2 Any of the following in favor of City that may already have been imposed on the Abandonment Rights-of-way prior to this resolution, if any:

2.2.1 Any V.N.A.E. or other vehicular non-access easement or covenant.

2.2.2 Any N.A.O.S. or other open space or similar easement or covenant.

2.2.3 Any drainage or flood control easement or similar easement or covenant.

2.2.4 Any public non-motorized access easement or trail easement or similar easement or covenant.

2.2.5 Any scenic corridor, setback or similar easement or covenant.

2.3 An easement for all existing utilities, if any.

2.4 Such rights and interests, if any, as are required to be reserved by A.R.S. Sec. 28-7210 and A.R.S. Sec. 28-7215.

3. Effective Date. This resolution shall not be recorded or become effective until the Zoning Administrator determines that all of the following conditions (the "Conditions") are satisfied in accordance with all applicable laws, regulations and policies and at no expense to City:

3.1 The owner of the parcel shall pay to City the total amount of Six Thousand Five Hundred Eighty-one Dollars and 00/100 (\$6,581.00) as compensation to the City for the Abandonment Right-of-way, in addition to any application fees or other amounts related to this resolution and in addition to any other amounts payable to City.

3.2 The owner has delivered to City a plat that dedicates to City, in accordance with City specifications, a twenty-five-foot (25-ft) fee-simple half-street right-of-way along the subject property's E. Mountain View frontage. Final plat shall identify the new boundary after the dedication of the described right-of-way

3.3 The owner has delivered to City a plat or other instrument that dedicates to City, in accordance with City specifications, a Public Non-Motorized Access Easement over the required

drainage easement to be provided in the southwestern portion of the subject site as per the final plan review (5059-24).

3.4 As proof of satisfaction of the conditions set forth in Section 3, The Zoning Administrator shall execute the certificate at the bottom of this resolution indicating that the Conditions have been satisfied.

4. Administration of Conditions. If the foregoing Conditions are not all satisfied prior to the second annual anniversary of this resolution, the Zoning Administrator shall report the same to the City Clerk and then the City Clerk shall mark this resolution to indicate that this resolution is void.

5. Exhibit Labeling. The text of this resolution controls any conflict with the exhibits as to the nature of the interests created, reserved or otherwise affected by this resolution. For example, if the text of this resolution indicates that City is reserving a particular type of easement, but the exhibit text or labels indicate a different type of real estate interest, then the text controls.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF SCOTTSDALE, an Arizona municipal corporation

\_\_\_\_\_  
David D. Ortega, Mayor

ATTEST:

By: \_\_\_\_\_  
Ben Lane, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

\_\_\_\_\_  
Sherry R. Scott, City Attorney  
By: Eric C. Anderson, Senior Asst. City Attorney

**CERTIFICATE**

I am the zoning administrator of the City of Scottsdale. I certify that I have confirmed that the conditions stated in paragraph 3 of the abandonment resolution above have been fulfilled and the resolution is ready to be recorded and become effective.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
name printed

EXISTING RIGHT-OF-WAY DESCRIPTION TO BE ABANDON:

RIGHT-OF-WAY NOT EXCEEDING 33 FEET IN WIDTH FOR ROADWAY AND PUBLIC UTILITIES PURPOSES, TO BE LOCATED ACROSS OR AS NEAR AS PRACTICABLE TO THE EXTERIOR BOUNDARIES OF LOT 45, SECTION 25, TOWNSHIP 3 NORTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, AS DESCRIBED IN DOCUMENT 20010591964, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

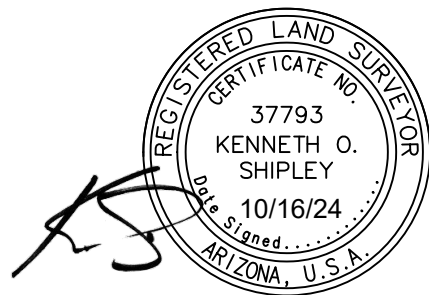
FURTHER DESCRIBED AS THE EAST 33.0 FEET OF THE SOUTH 445.4 FEET OF SAID LOT 45;

EXCEPT THE SOUTH 33.0 FEET THEREOF.

CONTAINING 13,162 SQUARE FEET.

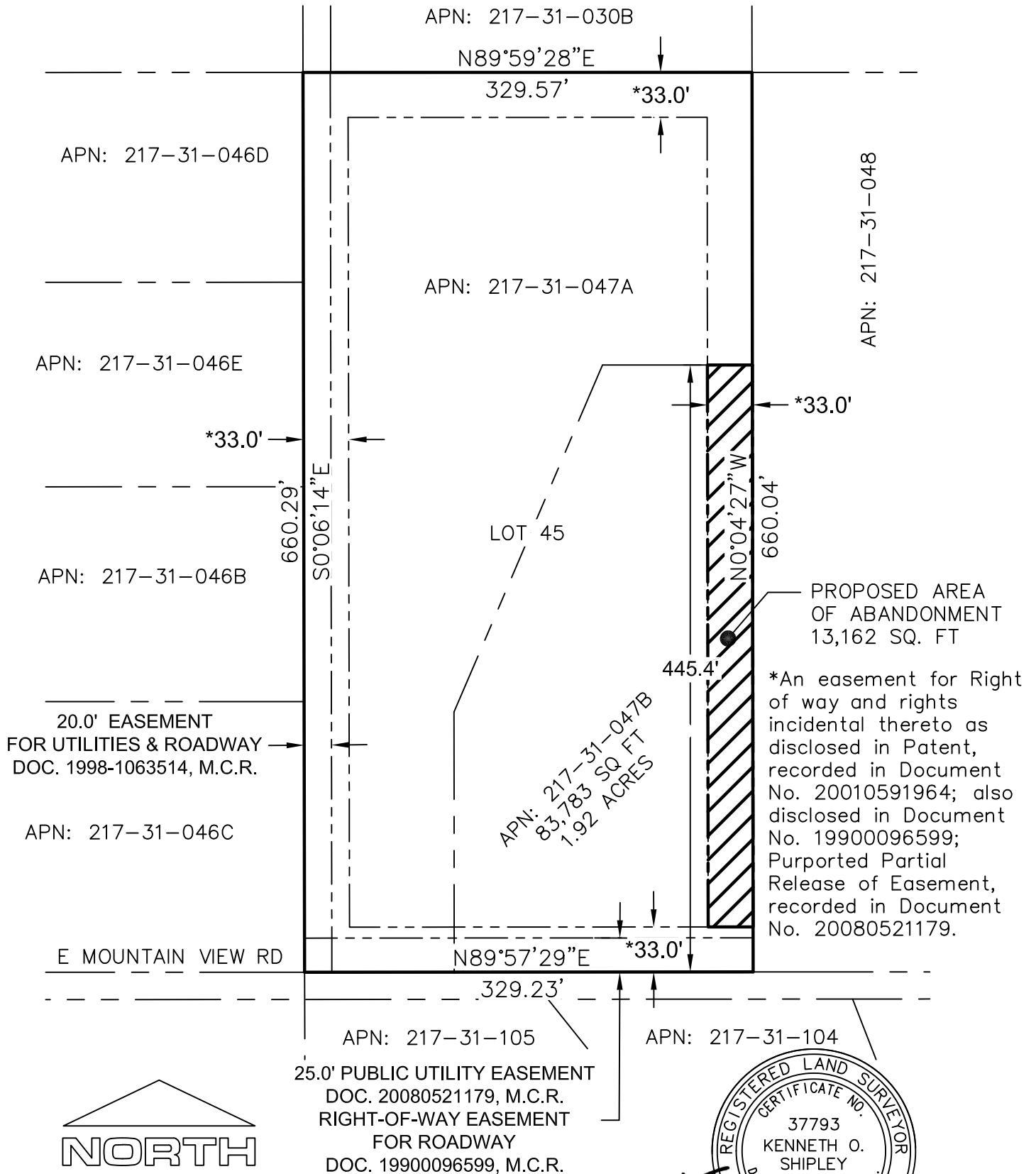
SEE ATTACHED EXHIBIT DRAWING BY REFERENCE MADE A PART HERETO.

**Resolution No. 13276**  
**Exhibit "A"**  
**Page 1 of 1**



Prepared By:  
82 BRAVO, LLC  
579 W Wickenburg Way, Suite #2  
Wickenburg, Arizona 85390  
928-684-5046 Info@82Bravo.com  
www.82Bravo.com

DRAWN:	KOS	JOB NO:	22251
CHECKED:	JVS	DATE:	10/16/2024
SCALE:	NTS	SHEET	1 OF 2




**Resolution No. 13276**  
**Exhibit "B"**  
**Page 1 of 1**




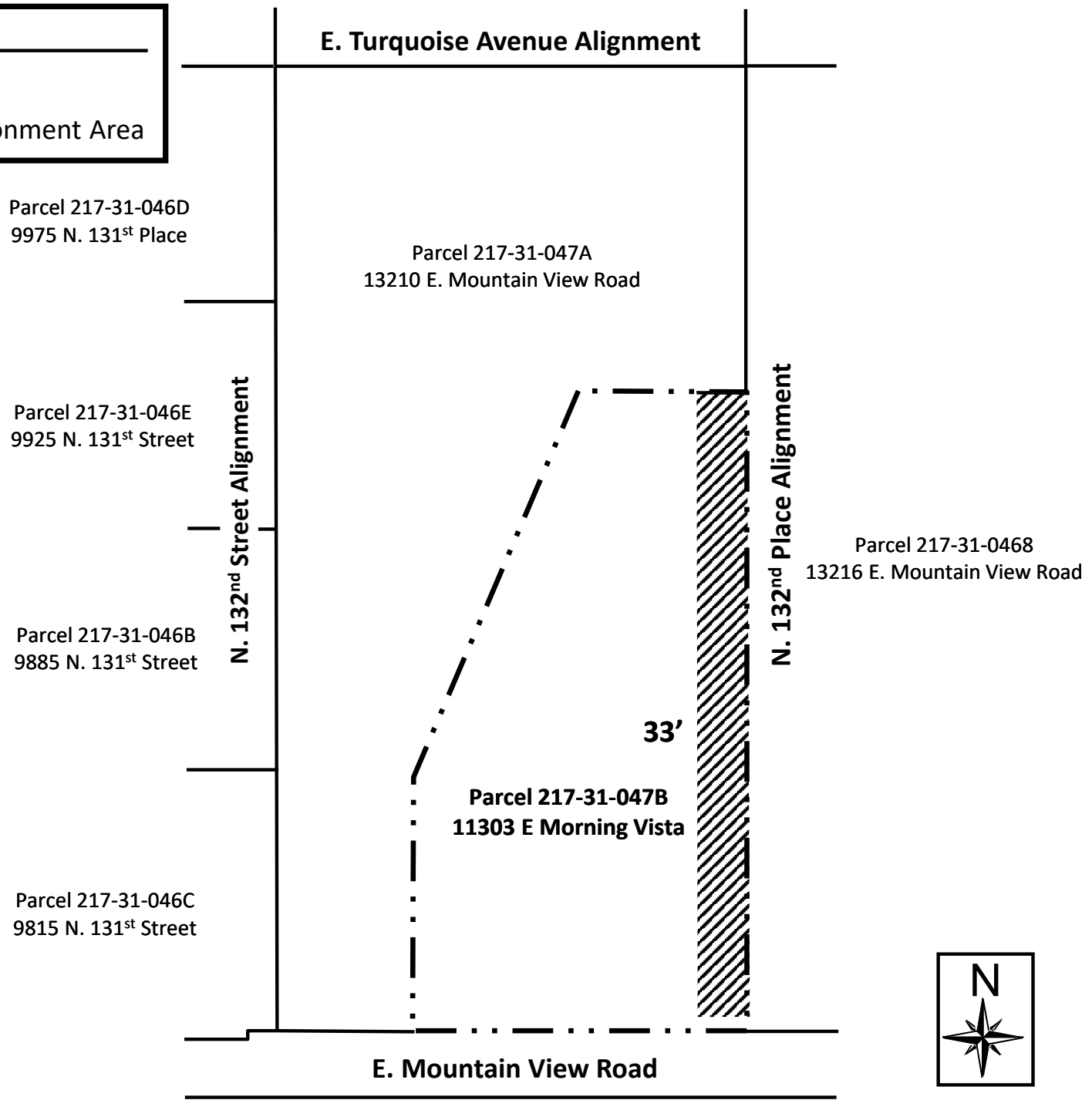
Prepared By:  
 82 BRAVO, LLC  
 579 W Wickenburg Way, Suite #2  
 Wickenburg, Arizona 85390  
 928-684-5046 Info@82Bravo.com  
 www.82Bravo.com

DRAWN:	KOS	JOB NO:	22251
CHECKED:	JVS	DATE:	10/16/2024
SCALE:	NTS	SHEET	2 OF 2

LEGEND

 Subject Site

 Proposed Abandonment Area



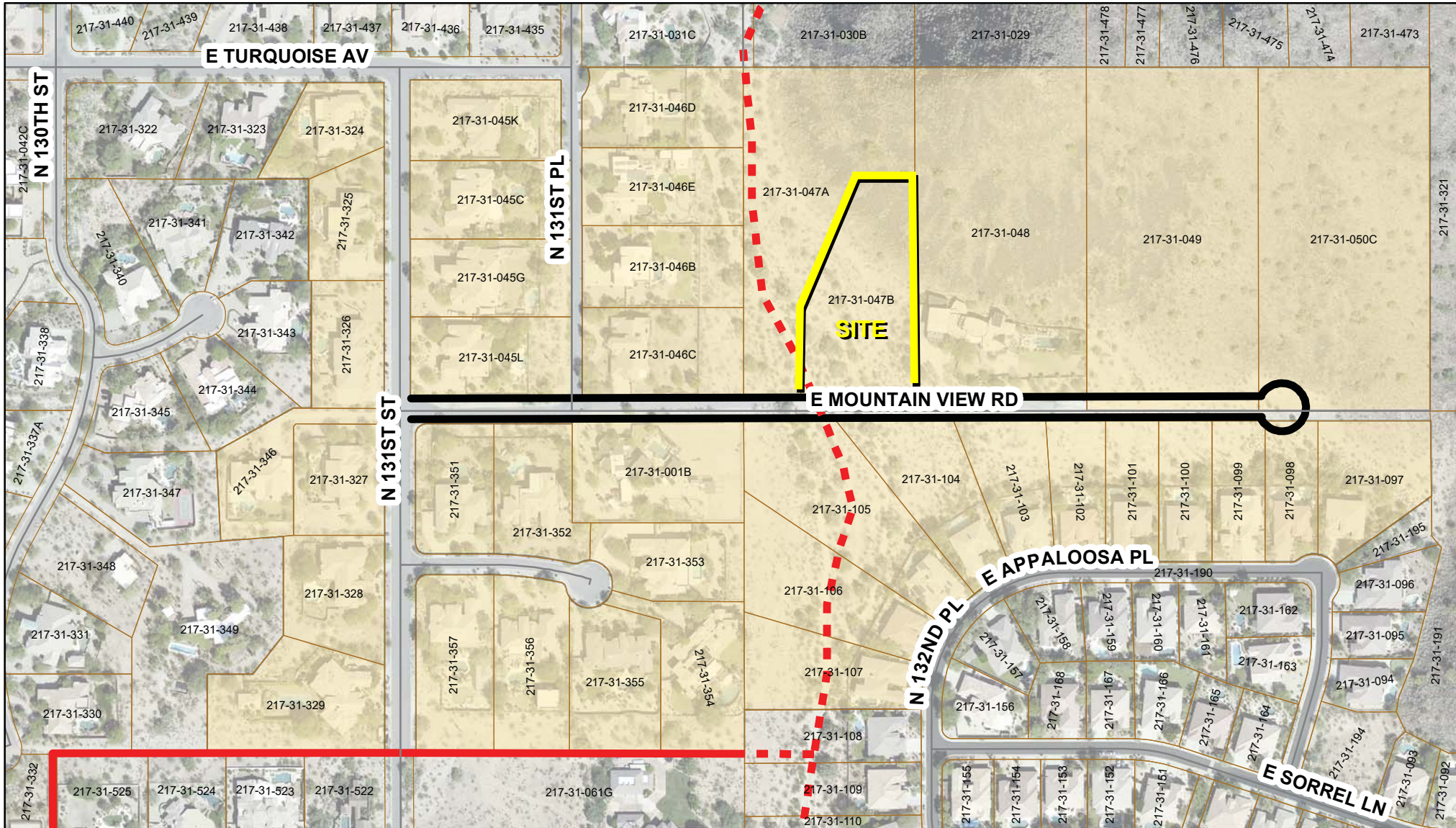


Zoning Aerial Map

2-AB-2024



# East Shea Area 6 Local Area Infrastructure Plan



- Parcels
- Preserve
- Proposed Street
- City Boundary
- Existing Trail
- Planned Trail
- Water/Sewer ROW

0 110 220 440 Feet

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



Last updated 10/2/2018

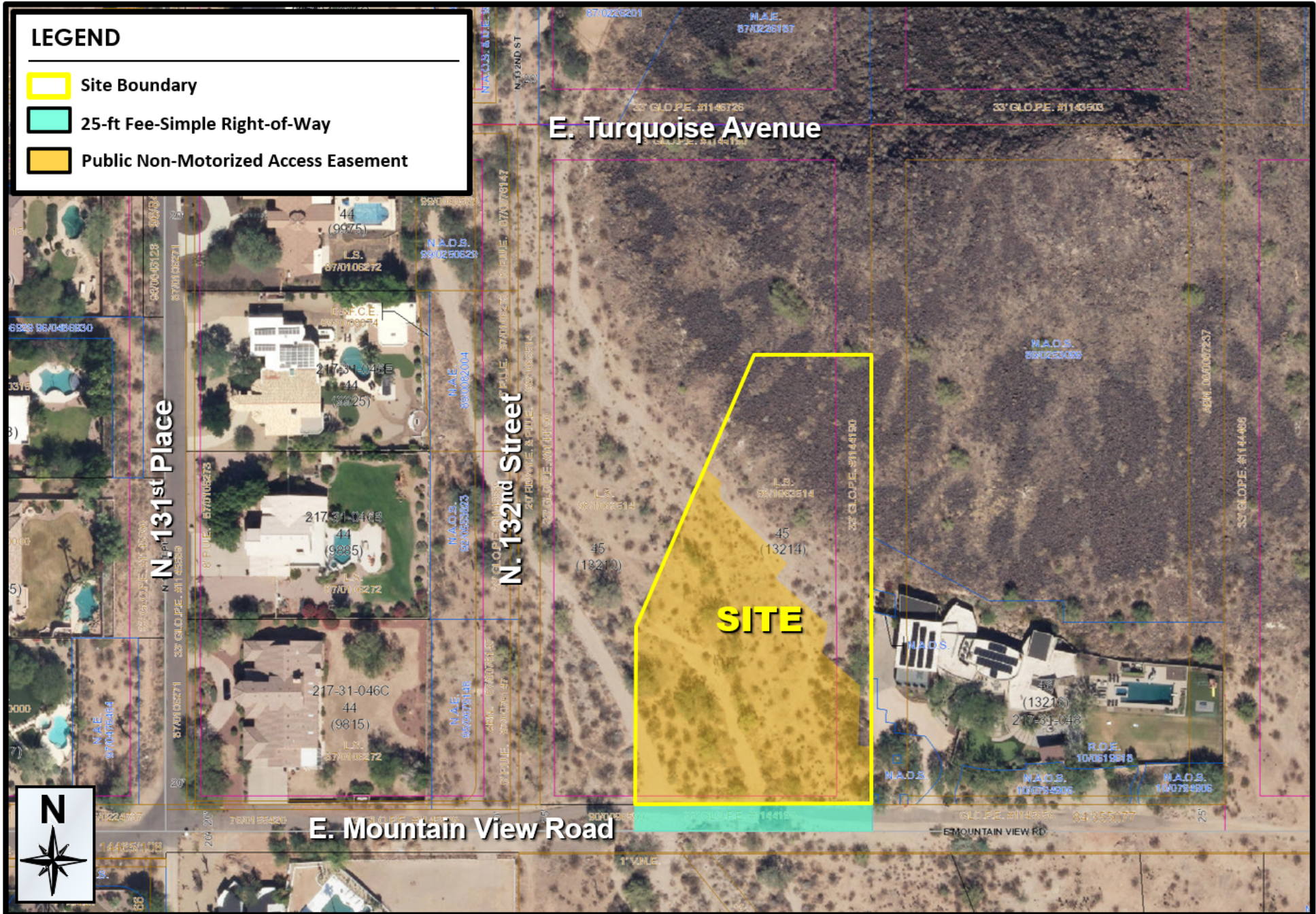
ATTACHMENT #5

ATTACHMENT #1 ransportationWorkgroups\TransportationGIS\LAIPS\East Shea\LAIPS\_EastShea6\_10-









Required Dedications Areas

11-AB-2023



[illegible]

G.L.O. LOT 45 LOCATED IN THE NE 1/4 OF  
SECTION 25 TOWNSHIP 3 NORTH, RANGE 5  
EAST GILA & SALT RIVER MERIDIAN MARICOPA  
COUNTY, ARIZONA

GRID NORTH, NAD83(92), ARIZONA CENTRAL  
ZONE

PROJECT BENCHMARK  
NAME: 8252

AGENCY: CITY OF SCOTTSDALE  
DESCRIPTION: MARICOPA COUNTY ENGINEERING  
REF: DRAG CAD IN HAND UCLE @ GUEA

ON-SITE BENCHMARK  
SURVEY POINT ID: 1000

DESCRIPTION: SET 1/2" REBAR 0.3' ABOVE  
NATURAL GRADE

COMMUNITY NUMBER	PANEL #	PANEL DATE	SUFFIX	DATE OF FIRM (INDEX DATE)	FIRM ZONE	BASE FLOOD ELEVATION (FT) (ENTER DEPTH IN ZONE A0)
04013	1785	10/16/2013	L	9/9/2022	X	N/A

THE LOWEST FLOOR ELEVATION(S) AND/OR FLOODPROOFING ELEVATION(S) ON THIS PLAN ARE SUFFICIENTLY HIGH TO PROVIDE PROTECTION FROM FLOODING CAUSED BY A ONE-HUNDRED YEAR STORM, AND ARE IN ACCORDANCE WITH CITY OF SCOTTSDALE REVISED CODE, CHAPTER 37-FLOODPLAIN AND STORMWATER REGULATION

I, \_\_\_\_\_, THE SURVEYOR OF RECORD FOR THE PROJECT CERTIFY THAT "RECORD DRAWING" MEASUREMENTS AS SHOWN WERE MADE UNDER MY SUPERVISION OR AS NOTED, AND ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

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APN:	217-31-047A
ADDRESS:	13210 E MOUNTAIN VIEW RD SCOTTSDALE 85259
APN:	217-31-047B
ADDRESS:	13214 E MOUNTAIN VIEW RD SCOTTSDALE 85259
GS #:	28-60
JURISDICTION:	SCOTTSDALE
ZONING:	R1-43 ESL
LAND CLASSIFICATION	ESL LANDFORM HILLSIDE
FEMA FLOOD ZONE:	X
LOT AREA:	133,755 SF OR 3.07 ACRES (A) 83,629 SF OR 1.92 ACRES (B)

LIVABLE AREA	1,679 SF
GARAGE AREA	971 SF
DECK	2,176 SF
TOTAL BUILDING FOOTPRINT	4,826 SF

BUILDING HEIGHT ELEV.	1593.80'	1594' MAX
BUILDING HEIGHT	23'	.... MAX
	REQUIRED	PROVIDED

**SETBACKS**

FRONT YARD	20'
SIDE YARDS (BOTH)	10'

RETAINING WALL: 556 LF  
SITE WALL: 371 LF

SLIP/EXOD. INFORMATION

579 W WICKENBURG WAY, SUITE #2  
WICKENBURG, ARIZONA 85390

SURVEYED 2023-11-08

ATMOSPHERE ARCHITECTS  
450 N EMERSON  
MESA, AZ  
INFO@ATMOSPHEREARCH.COM

**ENGINEER INFORMATION**  
NPS MARICOPA INC.  
TOM.HAUS@GMAIL.COM

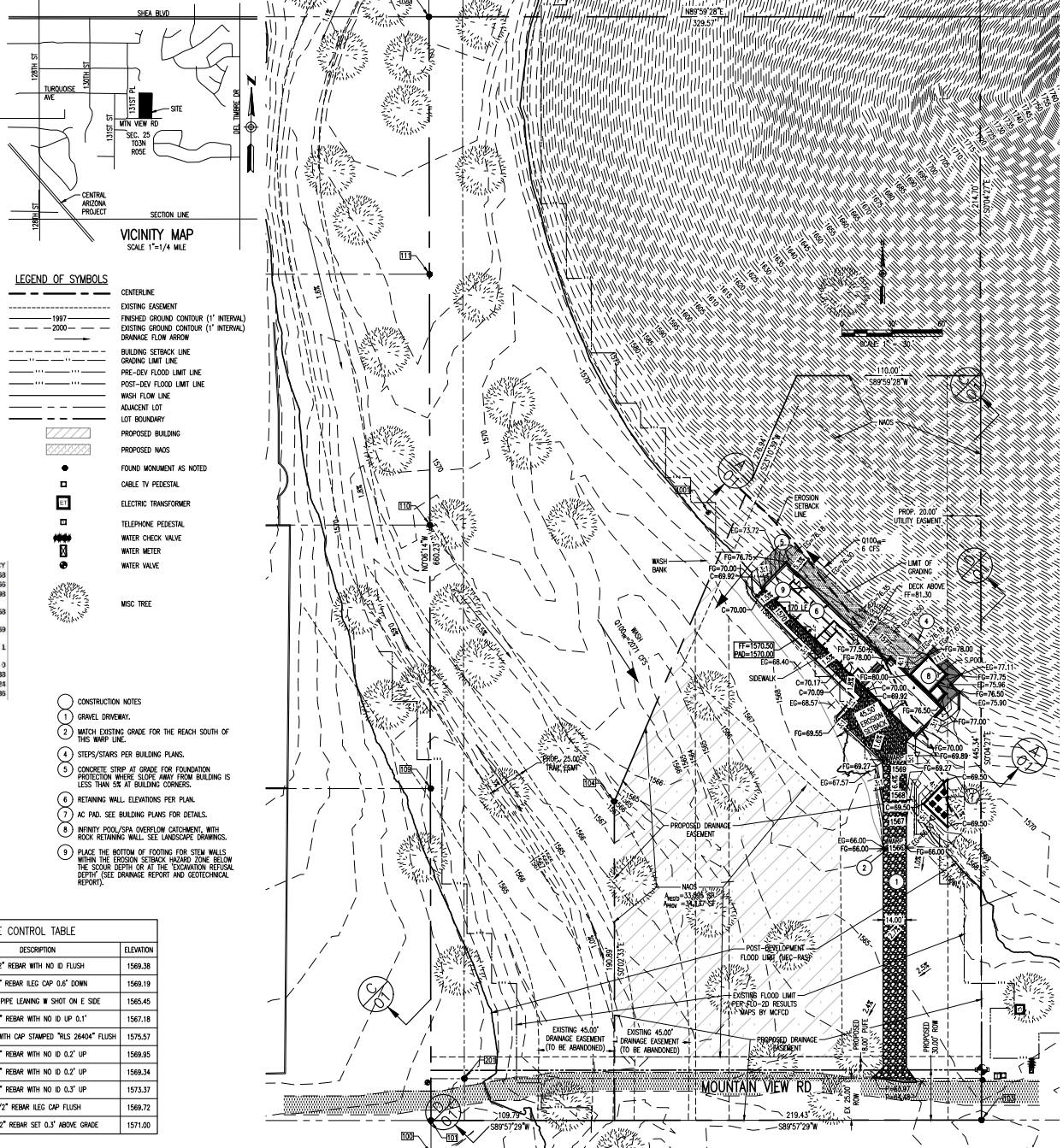
**OWNER INFORMATION**  
LOSARIO MARK/LUZ  
PO BOX 834  
CORNELIUS NC 28031

ESTIMATED DIRT QUANTITIES  
RAW FG CUT  
RAW FG FILL  
NET RAW FILL

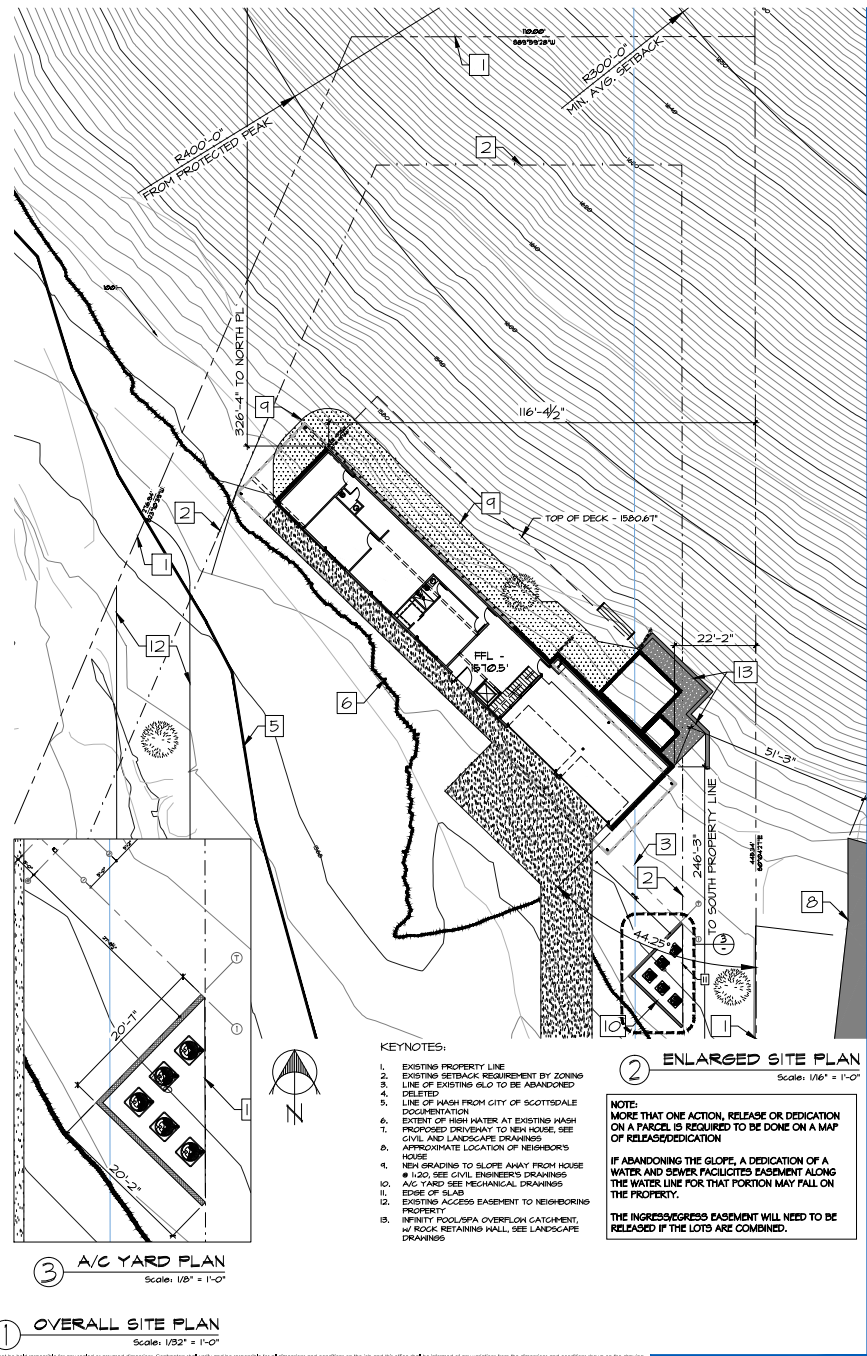
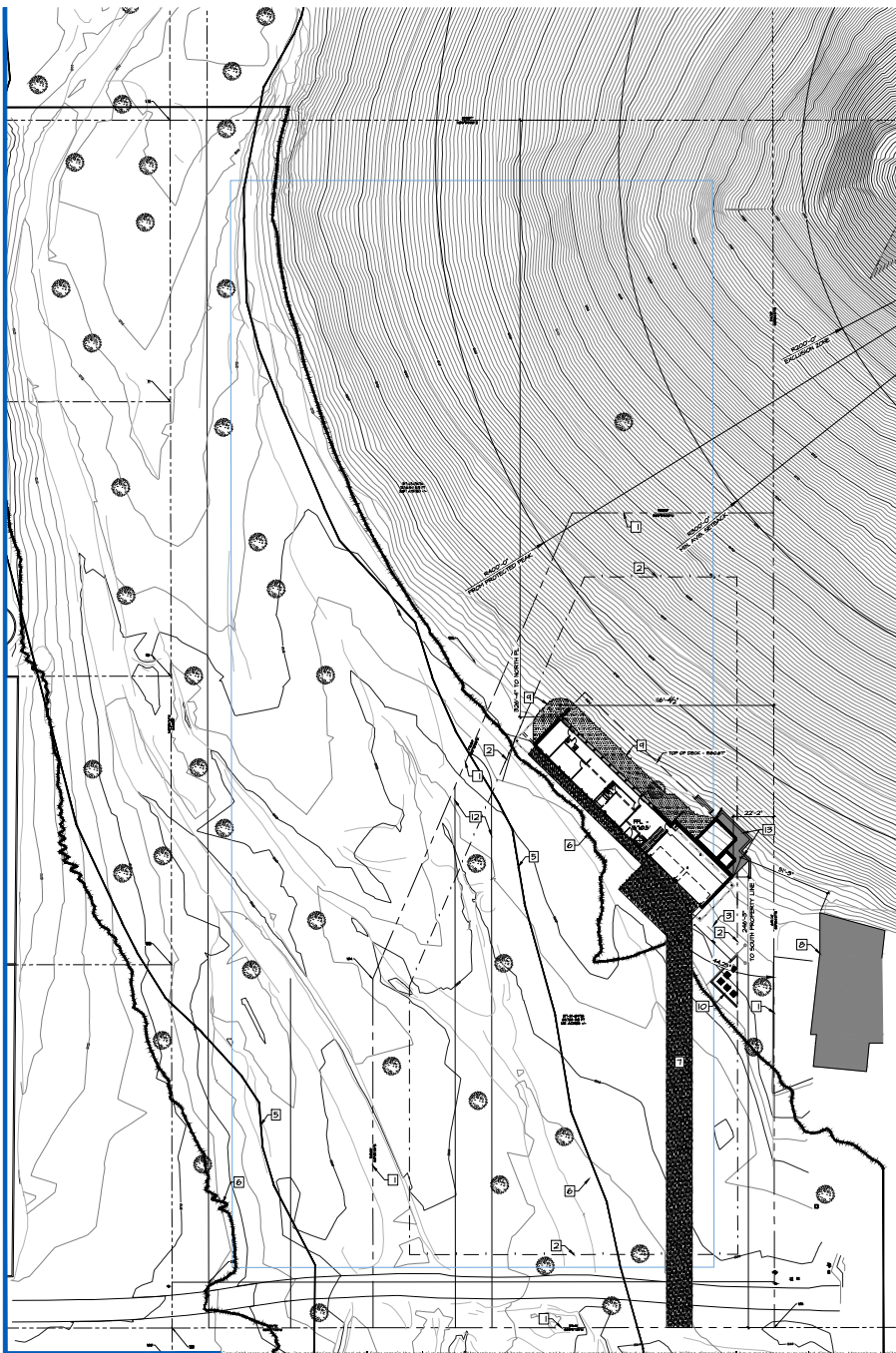
APN	ASSESSOR PARCEL NUMBER
BSL	BUILDING SETBACK LINE
BRW	BOTTOM OF RETAINING WALL
C	CONCRETE
CFS	CUBIC FEET PER SECOND
EG	EXISTING GRADE
FG	FINISHED GRADE
FI	FIRE HYDRANT
FL	FLOW LINE
HFG	HIGH FINISHED GROUND
LFG	LOW FINISHED GROUND
PL	PROPERTY LINE
PL	OVERHEAD EQUIPMENT
P.U.E	PUBLIC UTILITY EASEMENT
RF	RIGHT OF WAY
ROW	SQUARE FEET
TF	TOP OF FOOTING
TRW	TOP OF RETAINING WALL
TW	TOP OF WALL
WE	WATER SURFACE ELEVATION
YS	YEAR.

SHEET NO	DESCRIPTION
C1	GRADING AND DRAINAGE PLAN
C2	GRADING AND DRAINAGE SECTIONS
C3	SLOPE ANALYSIS PLAN

SITE CONTROL TABLE		
POINT NUMBER	DESCRIPTION	ELEVATION
100	1/2" REBAR WITH NO ID FLUSH	1569.38
101	1/2" REBAR ILEG CAP 0.6" DOWN	1569.19
103	1/2" ID PIPE LEAVING W SHOT ON E SIDE	1565.45
104	1/2" REBAR WITH NO ID UP 0.1"	1567.18
108	1/2" REBAR WITH CAP STAMPED "RLS 26404" FLUSH	1575.57
109	1/2" REBAR WITH NO ID 0.2" UP	1569.95
110	1/2" REBAR WITH NO ID 0.2" UP	1569.34
111	1/2" REBAR WITH NO ID 0.3" UP	1573.37
201	1/2" REBAR ILEG CAP FLUSH	1569.72
1001	ITEM 1/2" REBAR SET 0.7" ABOVE GRADE	1571.00







③ A/C YARD PLAN  
Scale: 1/8" = 1'-0"

① OVERALL SITE PLAN  
Scale: 1/32" = 1'-0"

KEYNOTES:

1. EXISTING PROPERTY LINE
2. EXISTING SETBACK REQUIREMENT BY ZONING
3. LINE OF EXISTING GLO TO BE ABANDONED
4. DELETED
5. LINE OF WASH FROM CITY OF SCOTTSDALE DOCUMENTATION
6. EXTENT OF HIGH WATER AT EXISTING WASH PROPOSED DRIVEWAY TO NEW HOUSE. SEE CIVIL AND LANDSCAPE DRAWINGS
7. APPROXIMATE LOCATION OF NEIGHBORS HOUSE
8. NEW GRADING TO SLOPE AWAY FROM HOUSE # 1/20. SEE CIVIL ENGINEER'S DRAWINGS
9. A/C YARD SEE MECHANICAL DRAWINGS
10. EDGE OF SLAB
11. EXISTING ACCESS EASEMENT TO NEIGHBORING PROPERTY
12. INFINITY POOL/SPA OVERFLOW CATCHMENT, w/ ROCK RETAINING WALL. SEE LANDSCAPE DRAWINGS
13. IF ABANDONING THE GLOPE, A DEDICATION OF A WATER AND SEWER FACILITIES EASEMENT ALONG THE WATER LINE FOR THAT PORTION MAY FALL ON THE PROPERTY.

② ENLARGED SITE PLAN  
Scale: 1/16" = 1'-0"

NOTE:  
MORE THAN ONE ACTION, RELEASE OR DEDICATION ON A PARCEL IS REQUIRED TO BE DONE ON A MAP OF RELEASE/DEDICATION

IF ABANDONING THE GLOPE, A DEDICATION OF A WATER AND SEWER FACILITIES EASEMENT ALONG THE WATER LINE FOR THAT PORTION MAY FALL ON THE PROPERTY.

THE INGRESS/EGRESS EASEMENT WILL NEED TO BE RELEASED IF THE LOTS ARE COMBINED.



4550 NORTH EMERSON, MESA, AZ  
917-626-0323  
info@atmosarch.com  
www.atmosarch.com

- REVISIONS:
- A - 2/13/24 - GRADINGS
  - B - 3/14/24 - CLIENT REVISIONS
  - C - 3/21/24 - CLIENT REVISIONS
  - D - 4/5/24 - GLAZING ADJUSTMENTS
  - E - 4/10/24 - COLUMNS ADDED GRID 3.2
  - F - 4/16/24 - REVISED FOR CURTAIN WALL PER OWNER
  - G - 4/25/24 - KITCHEN LAYOUT, APPLIANCES, ENTRY DOOR
  - H - 4/26/24 - A/C YARD

ISSUE RECORD  
3 - ISSUED FOR BUILDING PERMIT APPLICATION - 1/3/24  
ARCHIVE OR DESTROY ALL PREVIOUS ISSUES, NOT FOR CONSTRUCTION UNLESS LABELLED SO  
CONSULTANT

PROJECT NO. 2224  
PROJECT  
LOS AVIO RESIDENCE  
ADDRESS  
13214 E MOUNTAIN VIEW ROAD  
SCOTTSDALE AZ 85259  
CLIENT  
MARK & LUZ LOS AVIO

DRAWING TITLE

SITE PLAN

SCALE AS NOTED  
DRAWN DBH  
DATE JUNE 2023  
PLOTTED 1/3/24

DRAWING NO.  
A000  
ISSUE 3 REV H

PLOTTED - 1/16/2024 4:52 AM



**atmosphere**  
architects  
Mesa AZ 85201

602.888.4671 [www.atmosarch.com](http://www.atmosarch.com) tim@atmosarch.com

**THIS LETTER WAS SENT TO  
HOMEOWNERS WITHIN 750' IN  
JULY OF 2024**

## **13210 and 13214 E Mountain View Rd GLO Abandonment**

Dear Homeowner,

Mark and Luz Losavio, who own the lots listed above, have applied to remove the GLO easement on the east side of 13214 E Mountain View Road. General Land Office Easements (also known as "government land office easements," and "GLO easements") were legal mechanisms which created a right of way to ensure future access through, and to the interior of, lots or parcels created by the U.S. Small Tract Act of 1938.

You have received this letter as part of the public participation process because you live within 750' of the property.

The Losavios are removing the easement so they can position their house with the standard city zoning side yard setback in that area, which is 20', instead of the GLO easement, which is 33'.

There is a legal graphic on the back of this letter which shows the portion to be removed from the easement.

The Pre-Application # for this project is 473-PA-2023.

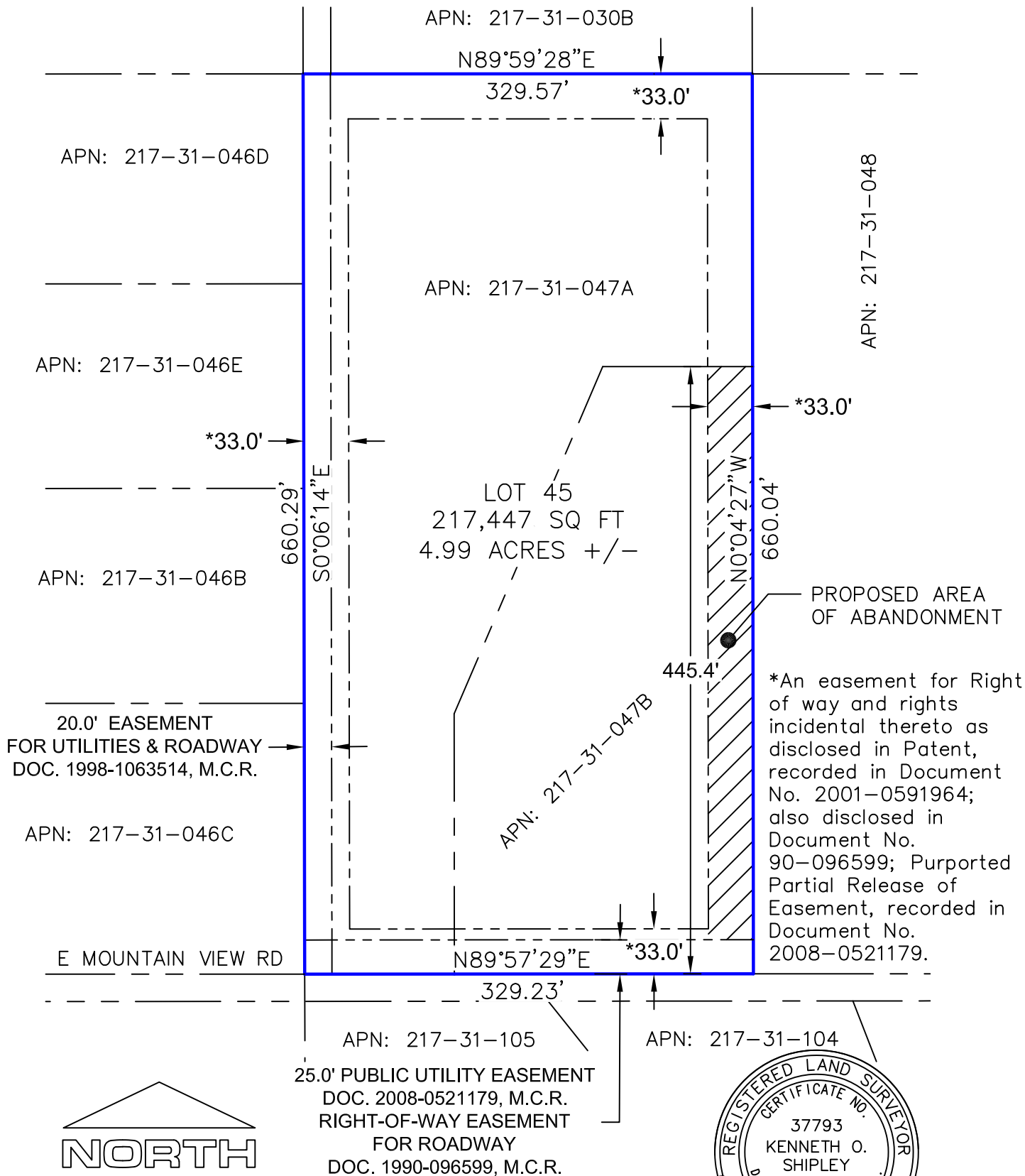
13214 E Mountain View, Lot #217-31-047B is 83,629 sq ft, or 1.92 acres.

The lots zoning is R1-43 ESL.

Please contact me at 602.888.4671 or tim@atmosarch.com above if you have any questions, or you may contact Jesus Murillo, Senior Planner for the City of Scottsdale, at 480-312-7849 or JMurillo@scottsdaleaz.gov

Sincerely,  
Tim Boyle RA  
atmosphere architects

**GLO Easement Removal Notification  
July 2024**



## EXHIBIT "A"

### PROPOSED ABANDONMENT OF PATENT RIGHT-OF-WAY

DRAWN:	KOS	JOB NO:	22251
SURVEYOR:	KOS	DATE:	05/14/2024
SCALE:	NTS	SHEET	2 OF 2



Prepared By:  
82 BRAVO, LLC  
579 W Wickenburg Way, Suite #2  
Wickenburg, Arizona 85390  
928-684-5046 Info@82Bravo.com  
www.82Bravo.com





**atmosphere**  
architects  
Mesa AZ 85201

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**THIS IS A MAP AND LIST OF  
ALL HOMEOWNERS WHO  
WERE SENT A LETTER**

## 13214 & 13210 E Mountain View Rd, Scottsdale, AZ 85260

Neighbors within 750'

**217-31-047B**

**Owner Information**

Owner Name: LOS AVIO MARK/LUZ  
In Care Of:  
Property Address: 13214 E MOUNTAIN VIEW RD SCOTTSDALE 85259  
Mailing Address: PO BOX 834 CORNELIUS NC USA 28031  
Deed Number: 20220715889  
Sale Date: 09/01/2022  
Sale Price: \$275000

**Property Information**

Lat/Long: 33.575703, -111.795275  
S/T/R: 25 3N 1E  
Jurisdiction: SCOTTSDALE  
PUC: 0012  
Lot Size (sq ft): 83,629  
MCR #:   
Subdivision:   
Lot #:   
Tract/Block: /   
Floor: 1  
Construction Year:   
Living Space (sq ft):   
Tax Year: 2025 2024  
FCV: \$ 667,600 \$ 533,000  
LPIV: \$ 211,680 \$ 0  
Legal Class: 2.R M

**Valuation Information**

**Search Results**

217-31-001B  
Owner: FRENCH CONNECTIONS LLC  
Property Address: 9811 N 131ST PL SCOTTSDALE 85259  
Mailing Address: 9811 N 131ST PL SCOTTSDALE AZ USA 85259  
Latitude: 33.57460855357  
Longitude: -111.79657317189

217-31-022C  
Owner: KELLEY PETER H/TREASURE KARIN D TR  
Property Address: 13130 E GOLD DUST AVE SCOTTSDALE 85259  
Mailing Address: 13130 E GOLD DUST AVE SCOTTSDALE AZ USA 85259  
Latitude: 33.5792372290516  
Longitude: -111.797427023938

217-31-023E  
Owner: ROHDE REVOCABLE TRUST  
Property Address: 13144 E GOLD DUST AVE SCOTTSDALE 85259  
Mailing Address: 13144 E GOLD DUST AVE SCOTTSDALE AZ USA 85259  
Latitude: 33.5790561920757  
Longitude: -111.796572148137

217-31-024C  
Owner: IRELAND JERRY/PAM  
Property Address: 13220 E GOLD DUST AVE SCOTTSDALE 85259  
Mailing Address: 1740 RED CLOUD RD LONGMONT CO USA 80504  
Latitude: 33.579244464803  
Longitude: -111.795496667441

217-31-029  
Owner: WENZEL CAL/EDITH/RICKETT SHARLENE G  
Property Address: 10160 N 133RD ST SCOTTSDALE 85259  
Mailing Address: 10160 N 133RD ST SCOTTSDALE AZ USA 85259  
Latitude: 33.5778729409354  
Longitude: -111.794414369025

217-31-030A  
Owner: CIRCLE M TRUST  
Property Address: 10005 N 132ND ST SCOTTSDALE 85259  
Mailing Address: 10001 N 132ND ST SCOTTSDALE AZ USA 85259  
Latitude: 33.57800894088  
Longitude: -111.795464424303

217-31-030B  
Owner: CIRCLE M TRUST

FRENCH CONNECTIONS LLC	9811 N 131ST PL SCOTTSDALE 85259
KELLEY PETER H/TREASURE KARIN D TR	13130 E GOLD DUST AVE SCOTTSDALE 85259
ROHDE REVOCABLE TRUST	13144 E GOLD DUST AVE SCOTTSDALE 85259
IRELAND JERRY/PAM	13220 E GOLD DUST AVE SCOTTSDALE 85259
WENZEL CAL/EDITH/RICKETT SHARLENE G	10160 N 133RD ST SCOTTSDALE 85259
CIRCLE M TRUST	10005 N 132ND ST SCOTTSDALE 85259
CIRCLE M TRUST	10001 N 132ND ST SCOTTSDALE 85259
SANICH REVOCABLE TRUST	13150 E TURQUOISE AVE SCOTTSDALE 85259
GASSMANN FAMILY TRUST	10075 N 131ST PL SCOTTSDALE 85259
BROOKHAVEN ON 131ST PLACE LLC	10125 N 131ST PL SCOTTSDALE 85259
MCCOLLOUGH FAMILY TRUST	13145 E GOLD DUST AVE SCOTTSDALE 85259



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ABBASIAN MOHAMMAD/RANA	9933 N 131ST ST SCOTTSDALE 85259
PIENKNAGURA JOSE/GLORIA TR	9885 N 131ST ST SCOTTSDALE 85259
BURNS JOHN DONALD/JUDITH P TR	9979 N 131ST ST SCOTTSDALE 85259
STOLL SUSAN ANNE/GRAVELIN PATRICK ALLAN TR	9837 N 131ST ST SCOTTSDALE 85259
BOEMARK LIVING TRUST	9885 N 131ST PL SCOTTSDALE 85259
KOVACH BONNIE J	9815 N 131ST PL SCOTTSDALE 85259
LININGER REVOCABLE TRUST	9975 N 131ST PL SCOTTSDALE 85259
JGPG INVESTMENTS LLC	9925 N 131ST PL SCOTTSDALE 85259
LOSAVIO MARK/LUZ	13214 E MOUNTAIN VIEW RD SCOTTSDALE 85259
HNWK LLC	13216 E MOUNTAIN VIEW RD SCOTTSDALE 85259
PATTERSON TOYS LLC	13300 E MOUNTAIN VIEW RD SCOTTSDALE 85259
GENERALBAU SPA AG	13358 E MOUNTAIN VIEW RD SCOTTSDALE 85259
RICHARD AND CHRISTINE KOVACH TRUST	9525 N 131ST ST SCOTTSDALE 85259
HARTIN OLIN L/BORGARO SUSAN R	13356 E APPALOOSA PL SCOTTSDALE 85259
DUDKA/FRENCH REVOCABLE TRUST	13344 E APPALOOSA PL SCOTTSDALE 85259
PATRICIA HARRISON TRUST	13332 E APPALOOSA PL SCOTTSDALE 85259
CHRISTEL TRUST	13320 E APPALOOSA PL SCOTTSDALE 85259
MOORE DONALD G/RHONNA LEE	13308 E APPALOOSA PL SCOTTSDALE 85259
TURNER FAMILY TRUST	13296 E APPALOOSA PL SCOTTSDALE 85259
STEVE AND CINDY FINDEN TRUST	13284 E APPALOOSA PL SCOTTSDALE 85259
LEVINE BARRY I/ROBIN T	9682 N 132ND PL SCOTTSDALE 85259
YANCOSKIE FAMILY TRUST	9656 N 132ND PL SCOTTSDALE 85259
ARIZMENDI FAMILY TRUST	9630 N 132ND PL SCOTTSDALE 85259
CORRY LIVING TRUST	9604 N 132ND PL SCOTTSDALE 85259
MORONES DAVID/ARTHUR JERILYN	9578 N 132ND PL SCOTTSDALE 85259
RADHAKRISHNA AJITH	13311 E SORREL LN SCOTTSDALE 85259
TRUST AGREEMENT OF TIM AND SUZANNE HOWARD	13299 E SORREL LN SCOTTSDALE 85259
LIN WENDELL W/SUSAN S	13287 E SORREL LN SCOTTSDALE 85259
TCME LIVING TRUST	13275 E SORREL LN SCOTTSDALE 85259
KITA FAMILY TRUST	9625 N 132ND PL SCOTTSDALE 85259
ILIC JOHN C/MELISSA R	13281 E APPALOOSA PL SCOTTSDALE 85259
NEWMAN BRUCE ERIC/CAROL LYNN	13293 E APPALOOSA PL SCOTTSDALE 85259
JONI LYNN WATSON LIVING TRUST	13305 E APPALOOSA PL SCOTTSDALE 85259
MOYER CHRISTOPHER K	13317 E APPALOOSA PL SCOTTSDALE 85259





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602.888.4671 [www.atmosarch.com](http://www.atmosarch.com) tim@atmosarch.com

HARRISON CHANCE WAYNE	13329 E APPALOOSA PL SCOTTSDALE 85259
CURT AND JOSIE JOHNSON LIVING TRUST	9696 N 133RD WAY SCOTTSDALE 85259
GRIFFIN JOHN G/LISA K TR	9670 N 133RD WAY SCOTTSDALE 85259
STREIT JOAN M/COX CARRIE L	13326 E SORREL LN SCOTTSDALE 85259
TOMASELLO DOUGLAS P/SUZANNE	13314 E SORREL LN SCOTTSDALE 85259
KEY SAMANTHA	13302 E SORREL LN SCOTTSDALE 85259
CRAWFORD WILLIAM E/JOY L	13290 E SORREL LN SCOTTSDALE 85259
SMITH FAMILY TRUST	9922 N 131ST ST SCOTTSDALE 85259
ANDRIA GEORGIA L/SUSHOREBA MICHAEL III	9898 N 131ST ST SCOTTSDALE 85259
ALBERT AND MARYANN FIELD TRUST	9826 N 131ST ST SCOTTSDALE 85259
BOLLA LIVING TRUST	9754 N 131ST ST SCOTTSDALE 85259
RAJABIAN AHMED A/ZAKIA J	9682 N 131ST ST SCOTTSDALE 85259
RONALD D SPORK REVOCABLE TRUST	9778 N 131ST ST SCOTTSDALE 85259
GEORGIA L ANDRIA LIVING TRUST	13120 E APPALOOSA PL SCOTTSDALE 85259
JARVIS FAMILY TRUST	13146 E APPALOOSA PL SCOTTSDALE 85259
BAIZ ABBAS/SOUEIDAN ZAHRAA	13172 E APPALOOSA PL SCOTTSDALE 85259
KAIF FAMILY TRUST	13199 E APPALOOSA PL SCOTTSDALE 85259
MARNAR LLC	13173 E APPALOOSA PL SCOTTSDALE 85259
KAHOUN FAMILY TRUST	13147 E APPALOOSA PL SCOTTSDALE 85259
KNISHINSKY RAN/ALMA	13121 E APPALOOSA PL SCOTTSDALE 85259
ALCOCK PHILLIP N/OLIVER WENDY GALE	13101 E GOLD DUST AVE SCOTTSDALE 85259
HAJI REVOCABLE FAMILY LIVING TRUST	13125 E GOLD DUST AVE SCOTTSDALE 85259
PRADARELLI GARY A TR/MARY E TR	13126 E TURQUOISE AVE SCOTTSDALE 85259
venu RAGHAVAN AND ANURADHA VENUGOPAL TRUST	13102 E TURQUOISE AVE SCOTTSDALE 85259
KUIPERS FAMILY TRUST	13074 E TURQUOISE AVE SCOTTSDALE 85259
SEANOOO TRUST	13367 E GOLD DUST AVE SCOTTSDALE 85259
DAVID AND DRUE GLAUBER REVOCABLE TRUST	13349 E GOLD DUST AVE SCOTTSDALE 85259
BUKATA FAMILY TRUST	13331 E GOLD DUST AVE SCOTTSDALE 85259
LARRY W ROGERS 1997 TRUST	13321 E CANNON DR SCOTTSDALE 85259
GREGORY FAMILY TRUST	13305 E CANNON DR SCOTTSDALE 85259
RICHTER DAVID A/TRACY A	10212 N 133RD ST SCOTTSDALE 85259
SONORA VISTA HOMEOWNERS ASSOCIATION INC	



THE FOLLOWING ARE EMAIL RECEIVED FROM 2 NEIGHBORS, AND OUR RESPONSE.  
THE FIRST, FROM THE BOEMARKS, WAS A REQUEST TO ONLY ABANDON THE EAST GLO,  
AND WE CLARIFIED THAT WAS OUR INTENT

---

**Re: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements**

---

**From** Tim Boyle <tim@atmosarch.com>  
**Date** Mon 7/22/2024 4:50 PM  
**To** aboemark@alphafinancialnordic.com <aboemark@alphafinancialnordic.com>  
**Cc** Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>

 1 attachments (174 KB)

22251-PROPOSED ROW ABANDONMMMENT-LOSAVIO-EXHIBIT 051424.pdf;

Hi Malaima and Alex,

We updated the request to just be the piece GLO on the lower portion of the property on the east side, please see the attached document. It might not be fully updated in the city system, since our original request was everything. So looks like we're thinking the same thing!

Best

Tim

---

**From:** Alexander Boemark <aboemark@alphafinancialnordic.com>  
**Sent:** Saturday, July 20, 2024 11:41 AM  
**To:** Tim Boyle <tim@atmosarch.com>  
**Cc:** Murillo, Jesus <JMurillo@scottsdaleaz.gov>  
**Subject:** Re: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

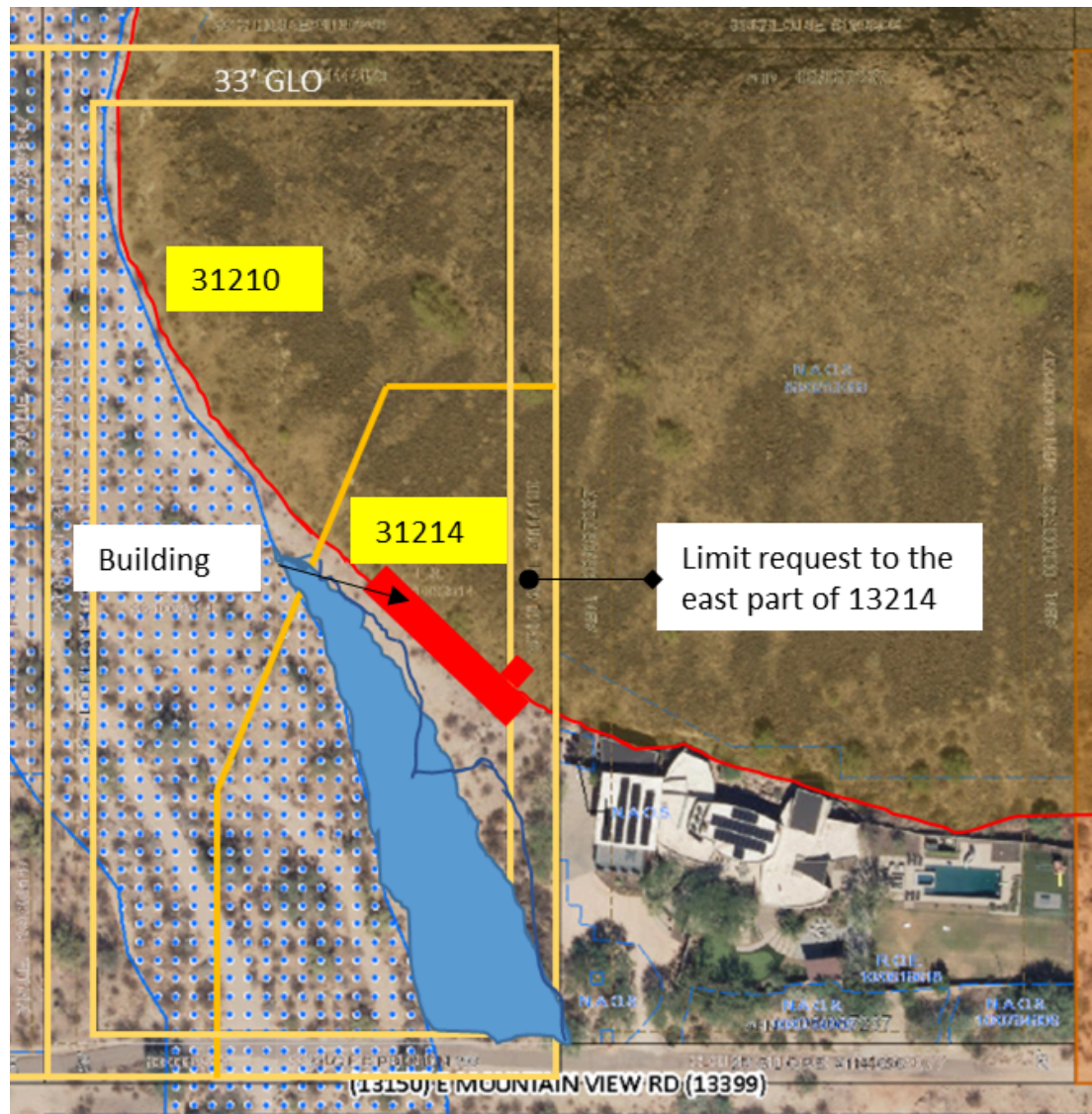
Thank you Mr Boyle, for your response and for sharing the architectural drafts.

You have requested to abandon protection of the entire GLO area for both lot 13210 & 13214. That would mean abandoning protection of over 1/2 acre (23,232 sq ft) of this narrow corridor with a growing wash! That will have an enormous impact and that's why the neighborhood is alarmed.

However, you can achieve the same result with 80-90% less negative impact: Revise your abandonment request of GLO to the east side of Lot 13214. Based on the drawings you provided, the larger lot 13210 is not part of the building project, so a GLO abandonment is

unnecessary for this lot. If I read your drawings right, the only GLO abandonment you need is on the east side of lot 13214, limiting the effect to 5,775 sq ft. Since about 50% of that area is on a non-buildable, protected mountain the net real abandonment will be less than 3,000 sq ft..

In summary; instead of asking to abandon the protection of 23,232 sq ft of this narrow corridor with a growing wash, you could limit your request to the 5,775 sq ft on the east side of lot 13214 with no impact on your plans and 90% less negative impact to neighbors and wildlife.



Regards,  
Mahlaima & alex Boemark

On Fri, Jul 19, 2024 at 3:34 PM Tim Boyle <[tim@atmosarch.com](mailto:tim@atmosarch.com)> wrote:

Dear Mahlaima & Alex,

This is Tim Boyle, the architect of the project.

Thank you for sending your response.

I'd like to clarify that the reason for abandoning the GLO easement on the east of the property is so the house will be able to move eastward to the standard property line on the east side, and therefore not have any effect on the existing wash and be outside the wildlife travel corridor.

I've attached the drawings showing the location of the house, the wash, GLO, setback and property lines.

The Losavios saw photos of the wash full of water, like the ones you sent, so we worked extensively with them and their drainage engineer to ensure there would be no effect on the water runoff. We located the house right at the base of the mountain, close to the existing house to the east, to keep the lot as open as possible to avoid affecting the movement patterns of the javelinas and coyotes. It's a small, 5500 sq ft house designed with the intention of having a minimal impact on the beautiful desert/mountain site that the Losavios fell in love with.

Please let me know if you have any more questions or would like to meet in person or on zoom to further clarify this project.

Warm Regards

Tim

---

**From:** Alexander Boemark <[aboemark@alphafinancialnordic.com](mailto:aboemark@alphafinancialnordic.com)>

**Sent:** Thursday, July 18, 2024 5:15 PM

**To:** Tim Boyle <[tim@atmosarch.com](mailto:tim@atmosarch.com)>

**Subject:** Fwd: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

wrong email initially.

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

From: **Alexander Boemark** <[aboemark@alphafinancialnordic.com](mailto:aboemark@alphafinancialnordic.com)>

Date: Thu, Jul 18, 2024 at 2:05 PM

Subject: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

To: Jesus Murillo <[jmurillo@scottsdaleaz.gov](mailto:jmurillo@scottsdaleaz.gov)>

Cc: <[tim@atmosarc.com](mailto:tim@atmosarc.com)>

Mr. Murillo,

This is a response to the neighborhood notice send by Atmospheric Architect as we are a direct neighbor to the GLO easement abandonment they seek.

Please record this formal objection with reasons from Mahlaima & Alex Boemark (attached pdf with pictures), direct neighbor and severely impacted by a potential GLO abandonment. The owner of this property would never build if they experienced the rapid water covering most of this property during heavy rain (about 2 seasons per year). We have lived next door to this property for 14 years. We will try to snap flood pictures of that exact location during the next storm and forward them to both of you to make your decision easier. 2 previous potential builders reached the same conclusion and abandoned similar construction projects already, and the flood levels have risen since then.

Feel free to contact me at any time, as it in everyones best interest to know all the facts before making the decision for this unique and critical piece of land.

Regards,  
Mahlaima & Alex Boemark  
9885 N 131st Pl  
Scottsdale AZ 85259  
(480) 299 902

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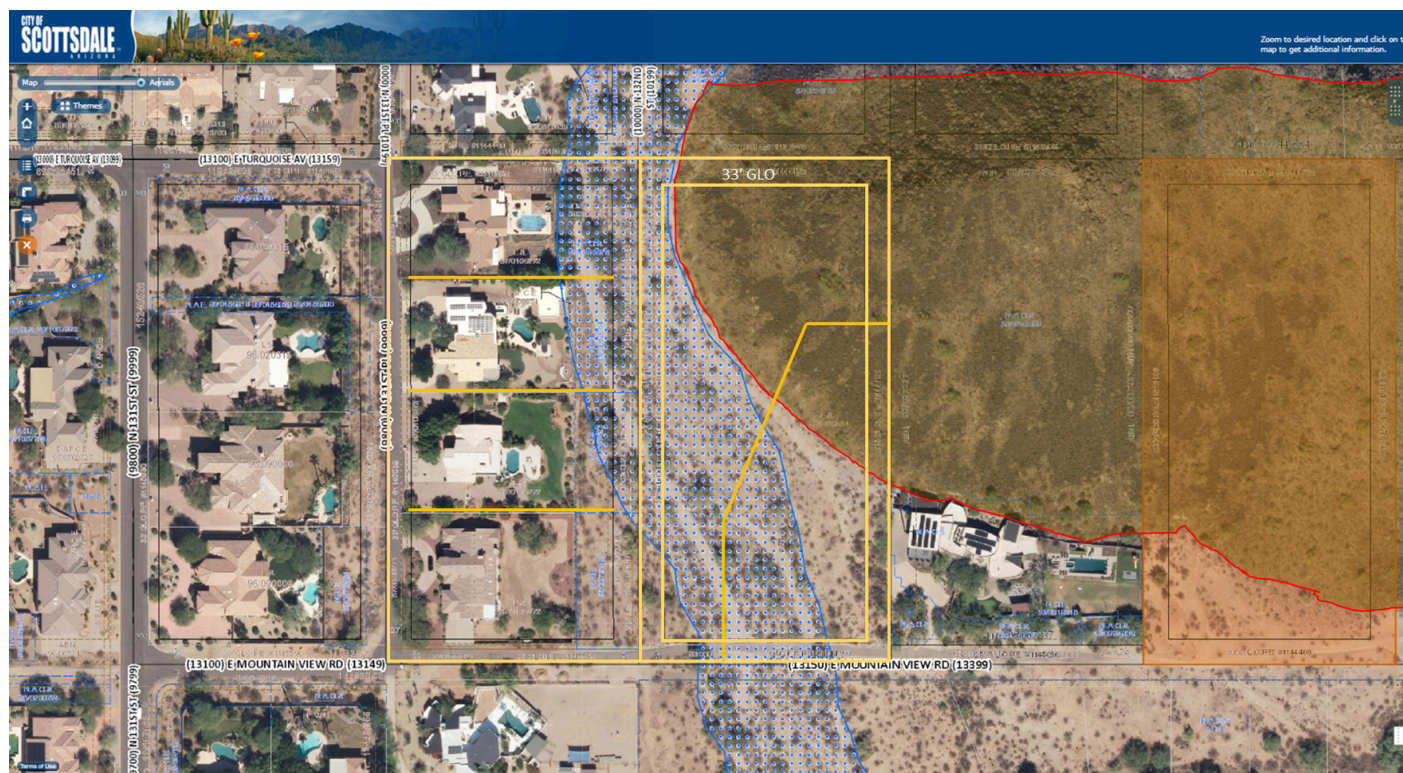
## Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

We object to abandon the 33' GLO easement around these properties for the owner to build a larger home than currently allowed.

1. This property is critical to increased water runoff levels during storm seasons (exhibit A)
2. serves as one of only two remaining coyote and javelina migration corridors from the McDowell Mountain Preserve to the north to the Indian reservation to the south (Exhibit B).
3. Unlike the neighbors, these two lots do not have dedicated NOAS areas.

New developments to the North, has significantly increased water levels and animal traffic in the wash on these properties. We believe a GLO abandonment will push flood water further onto our properties and drive coyotes and javelinas into our streets. This will dramatically:

1. increase the health risk to both people and critical wildlife
2. Increase the risk of annual property damage
3. negatively impact neighbors' property values.



(source: <https://eservices.scottsdaleaz.gov/maps/parcel-information-planning?lat=33.57587855&long=-111.7965526&level=10#>)

Per the above city map; most of the GLO easements for these properties are located either in a flood area or on a protected mountain. Abandonment of the GLO to the east could potentially increase the build envelope which the owner is seeking, but the 40' setback requirements for Zoning R1-43, voids that benefit.

If the city still considers abandonments and/or building permits for these properties, especially due to the risks involved, we request that the City

1. Evaluate impact from the specific footprint of the building plans
2. Perform an updated and thorough Flood Hazard Determination
3. Conduct an impact study of the habitat and wildlife corridor
4. Evaluate if these GLO achieves what the architect intends

We believe they will draw the same conclusions and raise the same concerns as us, the neighbors.

Exhibit A. Actual flood pictures from this property

Split runs that come  
together at Mountain view  
Road.





Exhibit B One of only two remaining Wildlife Corridors (property in yellow)







WE RECIEVED THIS REQUEST FOR CLARIFICATION FROM BARRY LEVINE. AFTER SENDING THE CLARIFICATION WE DID NOT HEAR BACK FROM HIM.

---

Re: Case 2-AB-2024 LOSAVIO RESIDENCE ABANDONMENT

---

From Tim Boyle <tim@atmosarch.com>

Date Fri 7/19/2024 3:10 PM

To Barry Levine <barry.levine400@gmail.com>; jmurillo@scottsdaleaz.gov <jmurillo@scottsdaleaz.gov>

Hi Barry and Robin,

This is Tim Boyle, the architect for this project.

Originally when we submitted all the GLOs were going to be removed, but as we worked on the position of the house and with the City of Scottsdale we determined we only needed to remove the GLO on along the east side.

We are not requesting any of the areas in yellow on your map be abandoned, only the areas with your /// marks are requested for abandonment.

Please let me know if you have any additional questions.

Best

Tim

---

From: Barry Levine <barry.levine400@gmail.com>

Sent: Friday, July 19, 2024 8:09 AM

To: Tim Boyle <tim@atmosarch.com>; jmurillo@scottsdaleaz.gov <jmurillo@scottsdaleaz.gov>

Subject: Case 2-AB-2024 LOSAVIO RESIDENCE ABANDONMENT

Sirs,

Please accept this as a response to the letter we received concerning 13210 and 13214 E Mountain View Road request for GLO abandonment. We need clarification of the request as the city online case info sheet for case 2-AB-2024 states differently from the notification letter received as follows:

**Case info sheet:**

***“Request***

*Request by owner to abandon the 33-foot-wide GLO roadway easement located along the **western, eastern, and northern boundaries, and the northern 8-feet of the 33-foot-wide GLO roadway easement located along the southern property boundary**, for a +/-4.81-acre site, which includes parcels 217-31-047A and 217-31-047B, located at 13210 and 13214 E. Mountain View Road, with the Single-family Residential, Environmentally Sensitive Lands (R1-43/ESL) zoning designation. “*

The letter we received indicates the only area being considered for abandonment is the area along the east side of 13214 E Mountain View. This is indicated by the “///” marks provided on the map provided with the letter.

Please clarify that no abandonment as indicated in yellow on the attached map is being considered for property 13210 E Mountain View and 13214 E Mountain View. **If any of the area indicated in yellow on the attached map is included in case 2AB-2024 and or this**

**letter request for abandonment we would like to respond with additional comment before any decision on this case.**

Sincerely

Barry and Robin Levine  
9682 N 132<sup>nd</sup> place  
Scottsdale, Arizona 85259

425-890-2660 (mobile)  
barry.levine400@gmail.com

## Murillo, Jesus

---

**From:** Murillo, Jesus  
**Sent:** Tuesday, October 22, 2024 9:57 AM  
**To:** crkovach25@gmail.com; JPURVIS@thompsonthrift.com; Barry Levine; Alexander Boemark; pauldudka@icloud.com; Bloemberg, Greg  
**Cc:** Tim Boyle  
**Subject:** Meeting Presentation  
**Attachments:** 0\_2-AB-2024\_PRESENTATION\_Meeting - Read-Only.pptx

Hello Everyone,

Thank you for your time yesterday. I have attached the presentation that I provided during our meeting.

Again, feel free to send my any updates at this email.

Sincerely,

Jesús Murillo  
Senior Planner  
City of Scottsdale  
Planning and Development Services  
7447 E. Indian School Road, Ste. 105  
Scottsdale, AZ 85251  
Phone: 480-312-7849  
Fax: 480-312-9037

Get informed!





## Murillo, Jesus

---

**From:** Murillo, Jesus  
**Sent:** Monday, October 21, 2024 2:25 PM  
**To:** aboemark@alphafinancialnordic.com  
**Subject:** RE: FW: 2-AB-2024 (Abandonment Q and A)

Please see the [updated meeting link](#).

---

**From:** Alexander Boemark <aboemark@alphafinancialnordic.com>  
**Sent:** Monday, October 14, 2024 4:22 PM  
**To:** Murillo, Jesus <JMurillo@scottsdaleaz.gov>  
**Subject:** Re: FW: 2-AB-2024 (Abandonment Q and A)

**⚠ External Email: Please use caution if opening links or attachments!**

Sorry to bother you again, but is the owner of the neighboring property directly to the east involved? He is from out of town and he is directly impacted. A mail notification probably never reached him.

Regards,  
-Alex

On Mon, Oct 14, 2024 at 3:17 PM Murillo, Jesus <[JMurillo@scottsdaleaz.gov](mailto:JMurillo@scottsdaleaz.gov)> wrote:

[Thank you - I will.](#)

---

**From:** Alexander Boemark <[aboemark@alphafinancialnordic.com](mailto:aboemark@alphafinancialnordic.com)>  
**Sent:** Monday, October 14, 2024 3:14 PM  
**To:** Murillo, Jesus <[JMurillo@scottsdaleaz.gov](mailto:JMurillo@scottsdaleaz.gov)>  
**Subject:** Re: FW: 2-AB-2024 (Abandonment Q and A)

**⚠ External Email: Please use caution if opening links or attachments!**

Thanks again, Mr. Murillo,

The architect on this case agreed with me that the request ofr abandonment was way excessive and unnecessary and he said he would resubmit. However, the Case Info link on the web site does not show a new submission (still the old from

May): [https://eservices.scottsdaleaz.gov/planning/projectsummary/applicant\\_submittals/ProjInfo\\_2\\_A\\_B\\_2024.pdf](https://eservices.scottsdaleaz.gov/planning/projectsummary/applicant_submittals/ProjInfo_2_A_B_2024.pdf)

It would be very helpful to see updated submissions so we can all come prepared. Is the new submission available somewhere?

Thank you.

-Alex

On Mon, Oct 14, 2024 at 2:59 PM Murillo, Jesus <[JMurillo@scottsdaleaz.gov](mailto:JMurillo@scottsdaleaz.gov)> wrote:

-----Original Appointment-----

**From:** Murillo, Jesus

**Sent:** Monday, October 14, 2024 2:41 PM

**To:** Murillo, Jesus; [pauldudka@icloud.com](mailto:pauldudka@icloud.com)

**Cc:** Barry Levine

**Subject:** 2-AB-2024 (Abandonment Q and A)

**When:** Monday, October 21, 2024 3:00 PM-4:00 PM (UTC-07:00) Arizona.

**Where:** Microsoft Teams Meeting

Please invite whomever you feel would benefit from the discussion.

Jesús

---

**Microsoft Teams** [Need help?](#)

**[Join the meeting now](#)**

Meeting ID: 242 887 786 825

Passcode: 8RXGFv

---

**Dial in by phone**

[+1 480-378-2354,,540034303#](#) United States, Tempe

[Find a local number](#)

Phone conference ID: 540 034 303#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

---

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## Murillo, Jesus

---

**From:** Murillo, Jesus  
**Sent:** Monday, October 21, 2024 2:25 PM  
**To:** Barry Levine  
**Subject:** RE: 2-AB-2024 (Abandonment Q and A)

Please see the [updated meeting link](#).

---

**From:** Barry Levine <barry.levine400@gmail.com>  
**Sent:** Tuesday, October 15, 2024 7:36 AM  
**To:** Murillo, Jesus <JMurillo@ScottsdaleAz.Gov>  
**Subject:** Re: 2-AB-2024 (Abandonment Q and A)

**⚠ External Email: Please use caution if opening links or attachments!**

Mr Murillo

Thank you for reaching out. I have accepted the Monday invite for this Q&A online meeting. I will review the updated request as shown online prior to the meeting.

Thank You.

Barry and Robin Levine  
9682 N 132nd Pl

On Oct 14, 2024, at 2:49 PM, Murillo, Jesus <[JMurillo@ScottsdaleAz.Gov](mailto:JMurillo@ScottsdaleAz.Gov)> wrote:

Please invite whomever you feel would benefit from the discussion.

Jesús

---

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---

<Mail Attachment.ics>

## Murillo, Jesus

---

**From:** Paul Dudka <pauldudka@icloud.com>  
**Sent:** Monday, October 21, 2024 2:13 PM  
**To:** Murillo, Jesus  
**Subject:** Re: 2-AB-2024 (Abandonment Q and A)

 **External Email: Please use caution if opening links or attachments!**

Ok

Sent from my iPhone

On Oct 21, 2024, at 2:09 PM, Murillo, Jesus <JMurillo@scottsdaleaz.gov> wrote:

Hello Everyone,

I was notified that this meeting was shown as cancelled on for some people, so I wanted to resend it. The meeting is still on for today.

Thank you.

Jesús

---

## Microsoft Teams [Need help?](#)

### [Join the meeting now](#)

Meeting ID: 240 986 637 11

Passcode: YwU44z

---

### Dial in by phone

[+1 480-378-2354,,543734441#](#) United States, Tempe

[Find a local number](#)

Phone conference ID: 543 734 441#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

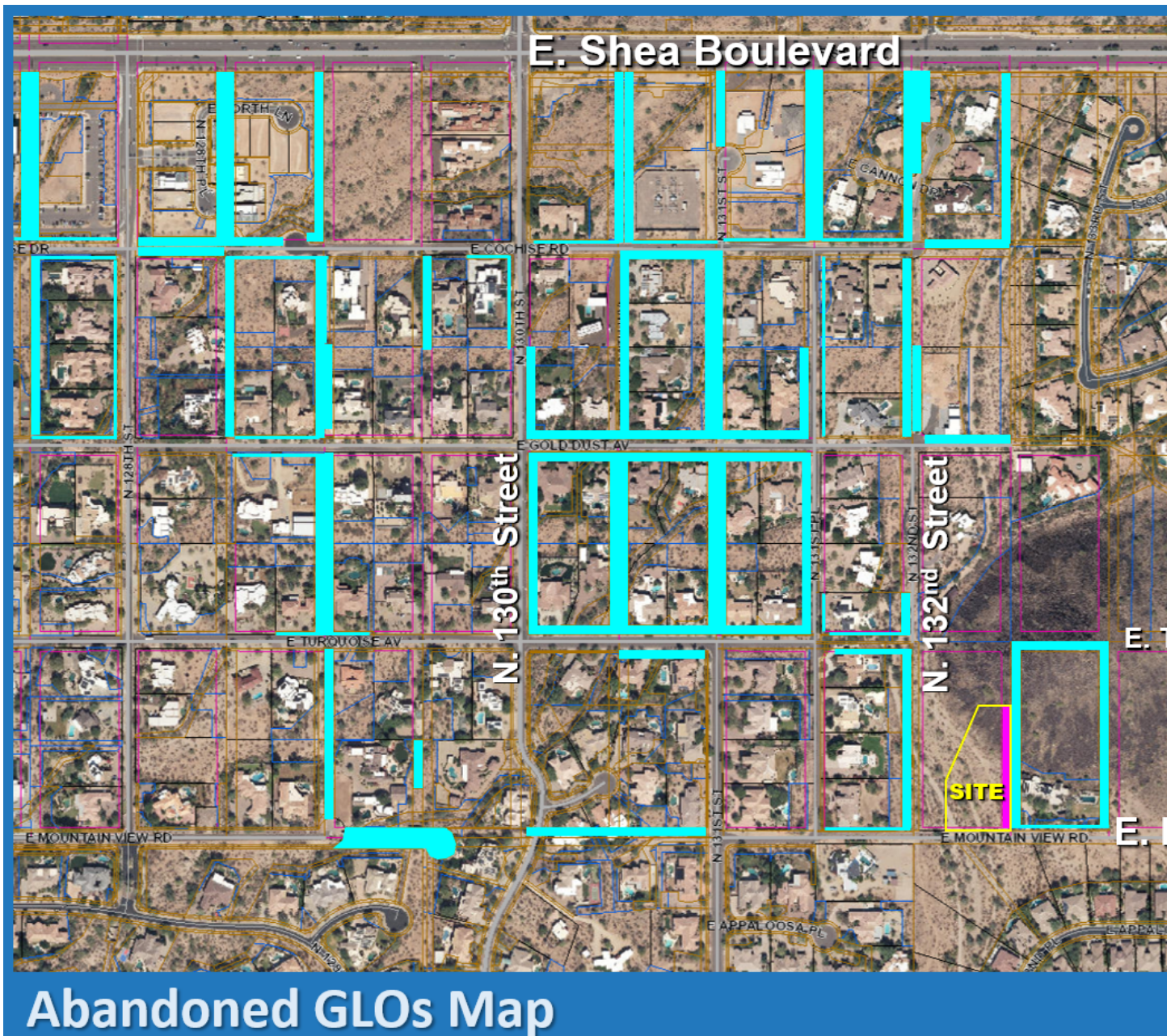
---

<mime-attachment.ics>









Jesús Murillo  
 Senior Planner  
 City of Scottsdale  
 Planning and Development Services  
 7447 E. Indian School Road, Ste. 105  
 Scottsdale, AZ 85251  
 Phone: 480-312-7849  
 Fax: 480-312-9037

Get informed!





## Murillo, Jesus

---

**Subject:** 2-AB-2024 (Abandonment Q and A)  
**Location:** Microsoft Teams Meeting

**Start:** Mon 10/21/2024 3:00 PM  
**End:** Mon 10/21/2024 4:00 PM

**Recurrence:** (none)

**Meeting Status:** Meeting organizer

**Organizer:** Murillo, Jesus  
**Required Attendees:** JPURVIS@thompsonthrift.com

Please invite whomever you feel would benefit from the discussion.

Jesús

---

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For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

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<Mail Attachment.ics>

## Murillo, Jesus

---

**From:** Murillo, Jesus  
**Sent:** Monday, October 14, 2024 5:32 PM  
**To:** aboemark@alphafinancialnordic.com  
**Subject:** RE: FW: 2-AB-2024 (Abandonment Q and A)

No bother at all. Staff sent the notice to the mailing address in Indiana. They received the same abandonment in 2008 for all the GLO surrounding their property.

---

**From:** Alexander Boemark <aboemark@alphafinancialnordic.com>  
**Sent:** Monday, October 14, 2024 4:22 PM  
**To:** Murillo, Jesus <JMurillo@scottsdaleaz.gov>  
**Subject:** Re: FW: 2-AB-2024 (Abandonment Q and A)

**⚠ External Email: Please use caution if opening links or attachments!**

Sorry to bother you again, but is the owner of the neighboring property directly to the east involved? He is from out of town and he is directly impacted. A mail notification probably never reached him.

Regards,  
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**Sent:** Monday, October 14, 2024 2:41 PM

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**Cc:** Barry Levine

**Subject:** 2-AB-2024 (Abandonment Q and A)

**When:** Monday, October 21, 2024 3:00 PM-4:00 PM (UTC-07:00) Arizona.

**Where:** Microsoft Teams Meeting

Please invite whomever you feel would benefit from the discussion.

Jesús

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**Microsoft Teams** [Need help?](#)

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Phone conference ID: 540 034 303#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

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**Cc:** Barry Levine

**Subject:** 2-AB-2024 (Abandonment Q and A)

**When:** Monday, October 21, 2024 3:00 PM-4:00 PM (UTC-07:00) Arizona.

**Where:** Microsoft Teams Meeting

Please invite whomever you feel would benefit from the discussion.

Jesús

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Meeting ID: 242 887 786 825

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[Find a local number](#)

Phone conference ID: 540 034 303#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

---





## Murillo, Jesus

---

**From:** Murillo, Jesus  
**Sent:** Monday, October 14, 2024 4:16 PM  
**To:** aboemark@alphafinancialnordic.com  
**Subject:** RE: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

Forgive me for forgetting. Then I will “unofficially” cancel the Thursday meeting since no one chose this date and time.

---

**From:** Alexander Boemark <aboemark@alphafinancialnordic.com>  
**Sent:** Monday, October 14, 2024 4:13 PM  
**To:** Murillo, Jesus <JMurillo@scottsdaleaz.gov>  
**Subject:** Re: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

**⚠ External Email: Please use caution if opening links or attachments!**

Sorry, I misunderstood. I thought there were 2 different meetings. I am fine with Monday 21st. Will we have an ability to share screenshots with you in this meeting?

On Mon, Oct 14, 2024 at 3:11 PM Murillo, Jesus <[JMurillo@scottsdaleaz.gov](mailto:JMurillo@scottsdaleaz.gov)> wrote:

Of course - just sent that over. Please let me know which you would prefer since right now I have three for Monday, and none for Thursday. Please understand that I am still happy to have it on Thursday at 6:00 if there is only one person interested. I am just hoping to have the tally.

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**From:** Alexander Boemark <[aboemark@alphafinancialnordic.com](mailto:aboemark@alphafinancialnordic.com)>  
**Sent:** Monday, October 14, 2024 3:08 PM  
**To:** Murillo, Jesus <[JMurillo@scottsdaleaz.gov](mailto:JMurillo@scottsdaleaz.gov)>  
**Subject:** Re: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

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Thank you Jesus. Would you also please send me the October 17 meeting invite as well?

Many thanks

Regards,

Alex

**Alexander Boemark/ Chief Executive**

Office: (480) 788 7479 | Mobile: (480) 299 9025



[www.alphafinancialnordic.com](http://www.alphafinancialnordic.com)

16810 E. Ave. of the Fountains, Ste 200. Fountain Hills, AZ 85268

On Mon, Oct 14, 2024 at 2:58 PM Murillo, Jesus <[JMurillo@scottsdaleaz.gov](mailto:JMurillo@scottsdaleaz.gov)> wrote:

Hello Mahlaima and Alex,

I hope this email finds you doing well. I wanted to share with you that the applicant has resubmitted the abandonment application. As such, staff has reviewed the application and wanted to share the applicants request and get your comments. I know you were in discussions with the applicant through email, but I wanted to share staff's analysis and get your final opinion. I am hoping to host two (2) online meetings (this Thursday October 17 at 6:00 pm, and next Monday October 21 at 3:00 pm). I will send you the Monday, October 21<sup>st</sup> meeting first, since it seems the most popular with the surrounding residents. If the Thursday meeting work better, please let me know and I will send that link.

Sincerely,

Jesús

---

**From:** Alexander Boemark <[aboemark@alphafinancialnordic.com](mailto:aboemark@alphafinancialnordic.com)>

**Sent:** Thursday, July 18, 2024 2:05 PM

**To:** Murillo, Jesus <[jmurillo@scottsdaleaz.gov](mailto:jmurillo@scottsdaleaz.gov)>

Cc: [tim@atmosarc.com](mailto:tim@atmosarc.com)

Subject: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

**⚠ External Email: Please use caution if opening links or attachments!**

Mr. Murillo,

This is a response to the neighborhood notice send by Atmospheric Architect as we are a direct neighbor to the GLO easement abandonment they seek.

Please record this formal objection with reasons from Mahlaima & Alex Boemark (attached pdf with pictures), direct neighbor and severely impacted by a potential GLO abandonment. The owner of this property would never build if they experienced the rapid water covering most of this property during heavy rain (about 2 seasons per year). We have lived next door to this property for 14 years. We will try to snap flood pictures of that exact location during the next storm and forward them to both of you to make your decision easier. 2 previous potential builders reached the same conclusion and abandoned similar construction projects already, and the flood levels have risen since then.

Feel free to contact me at any time, as it in everyones best interest to know all the facts before making the decision for this unique and critical piece of land.

Regards,

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9885 N 131st Pl

Scottsdale AZ 85259

(480) 299 902

--





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**To:** aboemark@alphafinancialnordic.com  
**Subject:** RE: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

Yes, at any point in time you can ask to share the screen. There will be a small informal presentation, and then anything needed by the group.

---

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Thanks again, Mr. Murillo,

The architect on this case agreed with me that the request of abandonment was way excessive and unnecessary and he said he would resubmit. However, the Case Info link on the web site does not show a new submission (still the old from

May): [https://eservices.scottsdaleaz.gov/planning/projectsummary/applicant\\_submittals/ProjInfo\\_2\\_A\\_B\\_2024.pdf](https://eservices.scottsdaleaz.gov/planning/projectsummary/applicant_submittals/ProjInfo_2_A_B_2024.pdf)

It would be very helpful to see updated submissions so we can all come prepared. Is the new submission available somewhere?

Thank you.

-Alex

On Mon, Oct 14, 2024 at 2:59 PM Murillo, Jesus <[JMurillo@scottsdaleaz.gov](mailto:JMurillo@scottsdaleaz.gov)> wrote:

-----Original Appointment-----

**From:** Murillo, Jesus  
**Sent:** Monday, October 14, 2024 2:41 PM  
**To:** Murillo, Jesus; [pauldudka@icloud.com](mailto:pauldudka@icloud.com)  
**Cc:** Barry Levine  
**Subject:** 2-AB-2024 (Abandonment Q and A)  
**When:** Monday, October 21, 2024 3:00 PM-4:00 PM (UTC-07:00) Arizona.  
**Where:** Microsoft Teams Meeting

Please invite whomever you feel would benefit from the discussion.



Jesús

---

## Microsoft Teams [Need help?](#)

### [Join the meeting now](#)

Meeting ID: 242 887 786 825

Passcode: 8RXGFv

---

### Dial in by phone

[+1 480-378-2354,,540034303#](#) United States, Tempe

[Find a local number](#)

Phone conference ID: 540 034 303#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

---

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## Murillo, Jesus

---

**From:** Alexander Boemark <aboemark@alphafinancialnordic.com>  
**Sent:** Monday, October 14, 2024 3:14 PM  
**To:** Murillo, Jesus  
**Subject:** Re: FW: 2-AB-2024 (Abandonment Q and A)

**⚠ External Email: Please use caution if opening links or attachments!**

Thanks again, Mr. Murillo,

The architect on this case agreed with me that the request of abandonment was way excessive and unnecessary and he said he would resubmit. However, the Case Info link on the web site does not show a new submission (still the old from

May): [https://eservices.scottsdaleaz.gov/planning/projectssummary/applicant\\_submittals/ProjInfo\\_2\\_A\\_B\\_2024.pdf](https://eservices.scottsdaleaz.gov/planning/projectssummary/applicant_submittals/ProjInfo_2_A_B_2024.pdf)

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**Cc:** Barry Levine  
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**When:** Monday, October 21, 2024 3:00 PM-4:00 PM (UTC-07:00) Arizona.  
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Jesús

---

**Microsoft Teams** [Need help?](#)

## [Join the meeting now](#)

Meeting ID: 242 887 786 825

Passcode: 8RXGFv

---

### **Dial in by phone**

[+1 480-378-2354,,540034303#](#) United States, Tempe

[Find a local number](#)

Phone conference ID: 540 034 303#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

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## Murillo, Jesus

---

**From:** Google Calendar <calendar-notification@google.com> on behalf of Alexander Boemark <aboemark@alphafinancialnordic.com>  
**Sent:** Monday, October 14, 2024 3:15 PM  
**To:** Murillo, Jesus  
**Subject:** Tentatively Accepted: 2-AB-2024 (Abandonment Q and A) @ Thu Oct 17, 2024 6pm - 7pm (MST) (Murillo, Jesus)  
**Attachments:** invite.ics

 **External Email: Please use caution if opening links or attachments!**

**Alexander Boemark has replied "Maybe" to this invitation.**

---

Microsoft Teams Need help?

Join the meeting now

Meeting ID: 226 727 185 446

Passcode: vY3P4P

---

Dial in by phone

+1 480-378-2354,,226504853# United States, Tempe

Find a local number

Phone conference ID: 226 504 853#

For organizers: Meeting options | Reset dial-in PIN

---

### When

Thursday Oct 17, 2024 · 6pm – 7pm (Mountain Standard Time - Phoenix)

### Location

Microsoft Teams Meeting

[View map](#)

### Guests

Murillo, Jesus - organizer

Alexander Boemark - creator

[View all guest info](#)

Invitation from [Google Calendar](#)

You are receiving this email because you are an attendee on the event. To stop receiving future updates for this event, decline this event.

Forwarding this invitation could allow any recipient to send a response to the organizer, be added to the guest list, invite others regardless of their own invitation status, or modify your RSVP. [Learn more](#)



## Murillo, Jesus

---

**From:** Murillo, Jesus  
**Sent:** Monday, October 14, 2024 3:11 PM  
**To:** aboemark@alphafinancialnordic.com  
**Subject:** RE: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

Of course - just sent that over. Please let me know which you would prefer since right now I have three for Monday, and none for Thursday. Please understand that I am still happy to have it on Thursday at 6:00 if there is only one person interested. I am just hoping to have the tally.

---

**From:** Alexander Boemark <aboemark@alphafinancialnordic.com>  
**Sent:** Monday, October 14, 2024 3:08 PM  
**To:** Murillo, Jesus <JMurillo@scottsdaleaz.gov>  
**Subject:** Re: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

**⚠ External Email: Please use caution if opening links or attachments!**

Thank you Jesus. Would you also please send me the October 17 meeting invite as well?  
Many thanks

Regards,



**Alexander Boemark/ Chief Executive**  
Office: (480) 788 7479 | Mobile: (480) 299 9025



[www.alphafinancialnordic.com](http://www.alphafinancialnordic.com)

16810 E. Ave. of the Fountains, Ste 200. Fountain Hills, AZ 85268

On Mon, Oct 14, 2024 at 2:58 PM Murillo, Jesus <[JMurillo@scottsdaleaz.gov](mailto:JMurillo@scottsdaleaz.gov)> wrote:

Hello Mahlaima and Alex,

I hope this email finds you doing well. I wanted to share with you that the applicant has resubmitted the abandonment application. As such, staff has reviewed the application and wanted to share the applicants request and get your comments. I know you were in discussions with the applicant through email, but I wanted to share staff's analysis and get your final opinion. I am hoping to host two (2) online meetings (this Thursday October 17 at 6:00 pm, and next Monday October 21 at 3:00 pm). I will send

you the Monday, October 21<sup>st</sup> meeting first, since it seems the most popular with the surrounding residents. If the Thursday meeting work better, please let me know and I will send that link.

Sincerely,

Jesús

---

**From:** Alexander Boemark <[aboemark@alphafinancialnordic.com](mailto:aboemark@alphafinancialnordic.com)>  
**Sent:** Thursday, July 18, 2024 2:05 PM  
**To:** Murillo, Jesus <[jmurillo@scottsdaleaz.gov](mailto:jmurillo@scottsdaleaz.gov)>  
**Cc:** [tim@atmosarc.com](mailto:tim@atmosarc.com)  
**Subject:** Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

 **External Email: Please use caution if opening links or attachments!**

Mr. Murillo,

This is a response to the neighborhood notice send by Atmospheric Architect as we are a direct neighbor to the GLO easement abandonment they seek.

Please record this formal objection with reasons from Mahlaima & Alex Boemark (attached pdf with pictures), direct neighbor and severely impacted by a potential GLO abandonment. The owner of this property would never build if they experienced the rapid water covering most of this property during heavy rain (about 2 seasons per year). We have lived next door to this property for 14 years. We will try to snap flood pictures of that exact location during the next storm and forward them to both of you to make your decision easier. 2 previous potential builders reached the same conclusion and abandoned similar construction projects already, and the flood levels have risen since then.

Feel free to contact me at any time, as it in everyones best interest to know all the facts before making the decision for this unique and critical piece of land.

Regards,

Mahlaima & Alex Boemark

9885 N 131st Pl

Scottsdale AZ 85259

(480) 299 902



## Murillo, Jesus

---

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**Sent:** Monday, October 14, 2024 3:08 PM  
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**Subject:** Re: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

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Many thanks

Regards,



**Alexander Boemark/ Chief Executive**  
Office: (480) 788 7479 | Mobile: (480) 299 9025



[www.alphafinancialnordic.com](http://www.alphafinancialnordic.com)

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Jesús

---

**From:** Alexander Boemark <[aboemark@alphafinancialnordic.com](mailto:aboemark@alphafinancialnordic.com)>

**Sent:** Thursday, July 18, 2024 2:05 PM

**To:** Murillo, Jesus <[jmurillo@scottsdaleaz.gov](mailto:jmurillo@scottsdaleaz.gov)>

**Cc:** [tim@atmosarc.com](mailto:tim@atmosarc.com)

**Subject:** Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

**⚠ External Email: Please use caution if opening links or attachments!**

Mr. Murillo,

This is a response to the neighborhood notice send by Atmospheric Architect as we are a direct neighbor to the GLO easement abandonment they seek.

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Regards,

Mahlaima & Alex Boemark

9885 N 131st Pl

Scottsdale AZ 85259

(480) 299 902



--



## Murillo, Jesus

---

**From:** barry.levine400@gmail.com  
**Sent:** Monday, October 14, 2024 2:56 PM  
**To:** Murillo, Jesus  
**Subject:** Event accepted: FW: 2-AB-2024 (Abandonment Q and A)  
**Attachments:** iCal-Reply.ics

**⚠ External Email: Please use caution if opening links or attachments!**

Barry Levine has accepted your invitation to the event: FW: 2-AB-2024 (Abandonment Q and A), scheduled for October 21, 2024 at 3:00 PM (America/Phoenix (MST) offset -25200).

## Murillo, Jesus

---

**Subject:** 2-AB-2024 (Abandonment Q and A)  
**Location:** Microsoft Teams Meeting

**Start:** Mon 10/21/2024 3:00 PM  
**End:** Mon 10/21/2024 4:00 PM

**Recurrence:** (none)

**Meeting Status:** Meeting organizer

**Organizer:** Murillo, Jesus  
**Required Attendees:** JPURVIS@thompsonthrift.com

Please invite whomever you feel would benefit from the discussion.

Jesús

---

## Microsoft Teams [Need help?](#)

### [Join the meeting now](#)

Meeting ID: 242 887 786 825

Passcode: 8RXGFv

---

### Dial in by phone

[+1 480-378-2354,,540034303#](#) United States, Tempe

[Find a local number](#)

Phone conference ID: 540 034 303#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

---

## Murillo, Jesus

---

**From:** Tim Boyle <tim@atmosarch.com>  
**Sent:** Monday, July 22, 2024 4:50 PM  
**To:** aboemark@alphafinancialnordic.com  
**Cc:** Murillo, Jesus  
**Subject:** Re: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements  
**Attachments:** 22251-PROPOSED ROW ABANDONMMMENT-LOSAVIO-EXHIBIT 051424.pdf

**⚠ External Email: Please use caution if opening links or attachments!**

Hi Malaima and Alex,

We updated the request to just be the piece GLO on the lower portion of the property on the east side, please see the attached document.

It might not be fully updated in the city system, since our original request was everything.

So looks like we're thinking the same thing!

Best

Tim

---

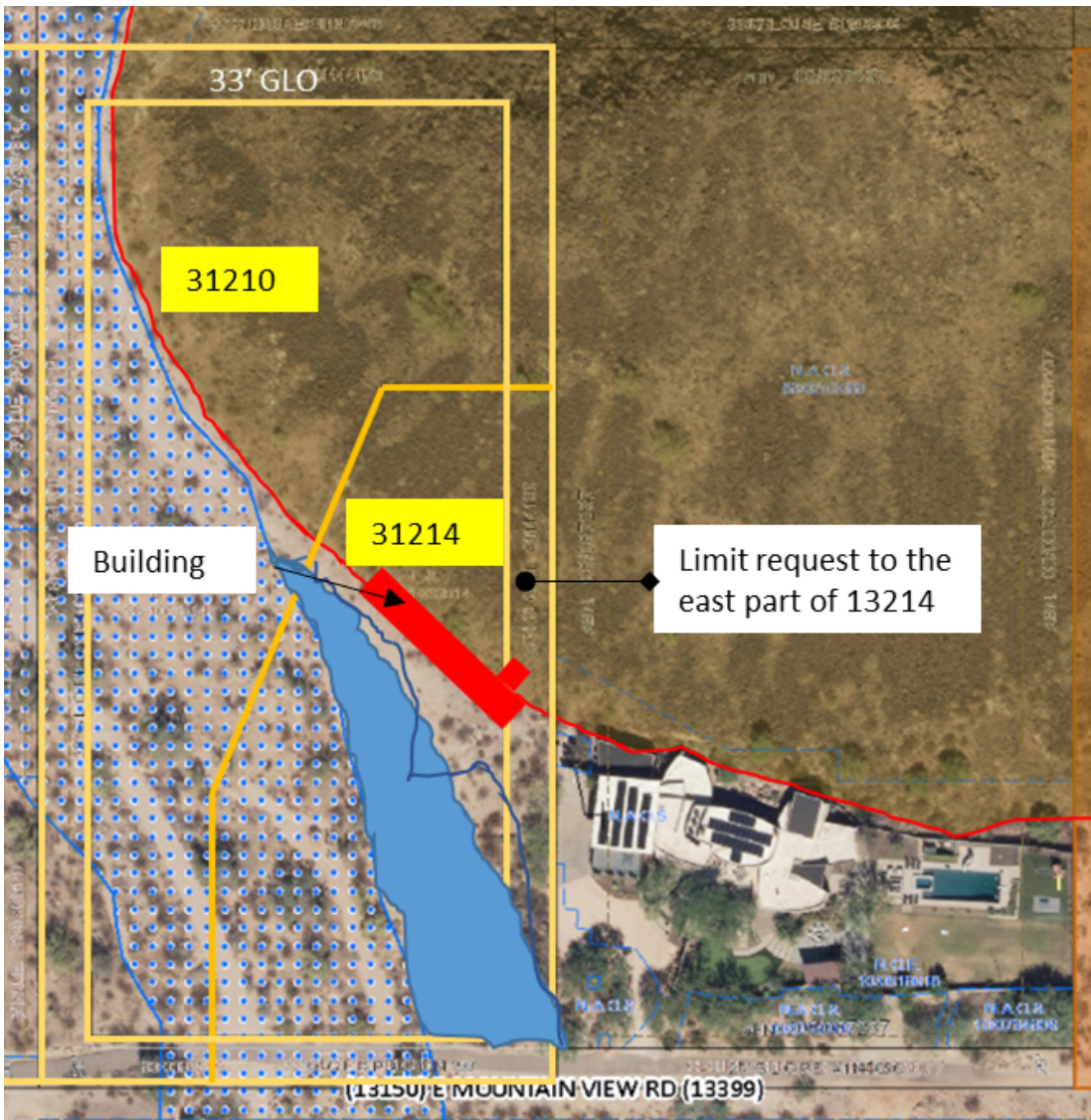
**From:** Alexander Boemark <aboemark@alphafinancialnordic.com>  
**Sent:** Saturday, July 20, 2024 11:41 AM  
**To:** Tim Boyle <tim@atmosarch.com>  
**Cc:** Murillo, Jesus <JMurillo@scottsdaleaz.gov>  
**Subject:** Re: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

Thank you Mr Boyle, for your response and for sharing the architectural drafts.

You have requested to abandon protection of the entire GLO area for both lot 13210 & 13214. That would mean abandoning protection of over 1/2 acre (23,232 sq ft) of this narrow corridor with a growing wash! That will have an enormous impact and that's why the neighborhood is alarmed.

However, you can achieve the same rresult with 80-90% less negative impact: Revise your abandonment request of GLO to the east side of Lot 13214. Based on the drawings you provided, the larger lot 13210 is not part of the building project, so a GLO abandonment is unnecessary for this lot. If I read your drawings right, the only GLO abandonment you need is on the east side of lot 13214, limiting the effect to 5,775 sq ft. Since about 50% of that area is on a non-buildable, protected mountain the net real abandonment will be less than 3,000 sq ft..

In summary; instead of asking to abandon the protection of 23,232 sq ft of this narrow corridor with a growing wash, you could limit your request to the 5,775 sq ft on the east side of lot 13214 with no impact on your plans and 90% less negative impact to neighbors and wildlife.



Regards,  
Mahlaima& alex Boemark

On Fri, Jul 19, 2024 at 3:34 PM Tim Boyle <[tim@atmosarch.com](mailto:tim@atmosarch.com)> wrote:

Dear Mahlaima & Alex,

This is Tim Boyle, the architect of the project.

Thank you for sending your response.

I'd like to clarify that the reason for abandoning the GLO easement on the east of the property is so the house will be able to move eastward to the standard property line on the east side, and therefore not have any effect on the existing wash and be outside the wildlife travel corridor.

I've attached the drawings showing the location of the house, the wash, GLO, setback and property lines.

The Losavios saw photos of the wash full of water, like the ones you sent, so we worked extensively with them and their drainage engineer to ensure there would be no effect on the water runoff. We



located the house right at the base of the mountain, close to the existing house to the east, to keep the lot as open as possible to avoid affecting the movement patterns of the javelinas and coyotes. Its a small, 5500 sq ft house designed with the intention of having a minimal impact on the beautiful desert/mountain site that the Losavios fell in love with.

Please let me know if you have any more questions or would like to meet in person or on zoom to further clarify this project.

Warm Regards  
Tim

---

**From:** Alexander Boemark <[aboemark@alphafinancialnordic.com](mailto:aboemark@alphafinancialnordic.com)>  
**Sent:** Thursday, July 18, 2024 5:15 PM  
**To:** Tim Boyle <[tim@atmosarch.com](mailto:tim@atmosarch.com)>  
**Subject:** Fwd: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

wrong email iinitially.

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

**From:** **Alexander Boemark** <[aboemark@alphafinancialnordic.com](mailto:aboemark@alphafinancialnordic.com)>  
**Date:** Thu, Jul 18, 2024 at 2:05 PM  
**Subject:** Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements  
**To:** Jesus Murillo <[jmurillo@scottsdaleaz.gov](mailto:jmurillo@scottsdaleaz.gov)>  
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9885 N 131st Pl  
Scottsdale AZ 85259  
(480) 299 902

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## Murillo, Jesus

---

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**Sent:** Saturday, July 20, 2024 11:41 AM  
**To:** Tim Boyle  
**Cc:** Murillo, Jesus  
**Subject:** Re: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

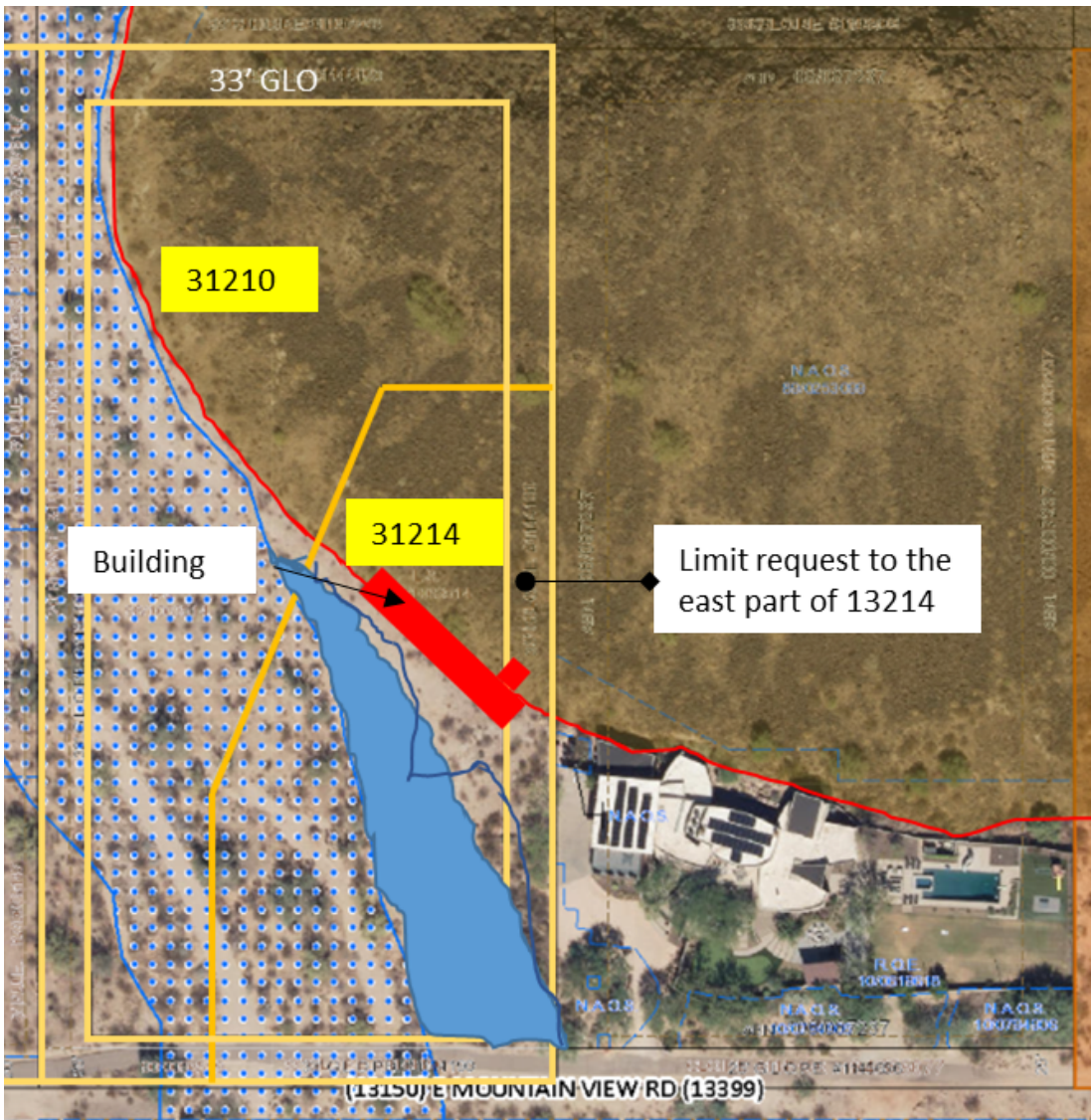
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Warm Regards  
Tim

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**Sent:** Thursday, July 18, 2024 5:15 PM  
**To:** Tim Boyle <[tim@atmosarch.com](mailto:tim@atmosarch.com)>  
**Subject:** Fwd: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

wrong email iinitially.

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

**From:** **Alexander Boemark** <[aboemark@alphafinancialnordic.com](mailto:aboemark@alphafinancialnordic.com)>  
**Date:** Thu, Jul 18, 2024 at 2:05 PM  
**Subject:** Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements  
**To:** Jesus Murillo <[jmurillo@scottsdaleaz.gov](mailto:jmurillo@scottsdaleaz.gov)>  
**Cc:** <[tim@atmosarc.com](mailto:tim@atmosarc.com)>

Mr. Murillo,

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Regards,  
Mahlaima & Alex Boemark  
9885 N 131st Pl  
Scottsdale AZ 85259  
(480) 299 902



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## Murillo, Jesus

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**From:** Tim Boyle <tim@atmosarch.com>  
**Sent:** Friday, July 19, 2024 3:10 PM  
**To:** Barry Levine; Murillo, Jesus  
**Subject:** Re: Case 2-AB-2024 LOSAVIO RESIDENCE ABANDONMENT

**⚠ External Email: Please use caution if opening links or attachments!**

Hi Barry and Robin,

This is Tim Boyle, the architect for this project.

Originally when we submitted all the GLOs were going to be removed, but as we worked on the position of the house and with the City of Scottsdale we determined we only needed to remove the GLO on along the east side.

We are not requesting any of the areas in yellow on your map be abandoned, only the areas with your /// marks are requested for abandonment.

Please let me know if you have any additional questions.

Best

Tim

---

**From:** Barry Levine <barry.levine400@gmail.com>  
**Sent:** Friday, July 19, 2024 8:09 AM  
**To:** Tim Boyle <tim@atmosarch.com>; jmurillo@scottsdaleaz.gov <jmurillo@scottsdaleaz.gov>  
**Subject:** Case 2-AB-2024 LOSAVIO RESIDENCE ABANDONMENT

Sirs,

Please accept this as a response to the letter we received concerning 13210 and 13214 E Mountain View Road request for GLO abandonment. We need clarification of the request as the city online case info sheet for case 2-AB-2024 states differently from the notification letter received as follows:

### Case info sheet:

#### ***“Request***

*Request by owner to abandon the 33-foot-wide GLO roadway easement located along the **western, eastern, and northern boundaries, and the northern 8-feet of the 33-foot-wide GLO roadway easement located along the southern property boundary**, for a +/-4.81-acre site, which includes parcels 217-31-047A and 217-31-047B, located at 13210 and 13214 E. Mountain View Road, with the Single-family Residential, Environmentally Sensitive Lands (R1-43/ESL) zoning designation. “*

The letter we received indicates the only area being considered for abandonment is the area along the east side of 13214 E Mountain View. This is indicated by the “///” marks provided on the map provided with the letter.

Please clarify that no abandonment as indicated in yellow on the attached map is being considered for property 13210 E Mountain View and 13214 E Mountain View. **If any of the area indicated in yellow on the attached map is included in case 2AB-2024 and or this letter request for abandonment we would like to respond with additional comment before any decision on this case.**

Sincerely

Barry and Robin Levine  
9682 N 132<sup>nd</sup> place  
Scottsdale, Arizona 85259

425-890-2660 (mobile)  
barry.levine400@gmail.com

## Murillo, Jesus

---

**From:** Barry Levine <barry.levine400@gmail.com>  
**Sent:** Friday, July 19, 2024 8:09 AM  
**To:** tim@atmosarch.com; Murillo, Jesus  
**Subject:** Case 2-AB-2024 LOSAVIO RESIDENCE ABANDONMENT  
**Attachments:** SAVE WASH NOT INCLUDED.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**⚠ External Email: Please use caution if opening links or attachments!**

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Barry and Robin Levine  
9682 N 132<sup>nd</sup> place  
Scottsdale, Arizona 85259

425-890-2660 (mobile)  
barry.levine400@gmail.com



## Murillo, Jesus

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**From:** Alexander Boemark <aboemark@alphafinancialnordic.com>  
**Sent:** Thursday, July 18, 2024 2:05 PM  
**To:** Murillo, Jesus  
**Cc:** tim@atmosarc.com  
**Subject:** Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements  
**Attachments:** Neighbor Response to Case 2-AB-2024.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

 **External Email: Please use caution if opening links or attachments!**

Mr. Murillo,

This is a response to the neighborhood notice send by Atmospheric Architect as we are a direct neighbor to the GLO easement abandonment they seek.

Please record this formal objection with reasons from Mahlaima & Alex Boemark (attached pdf with pictures), direct neighbor and severely impacted by a potential GLO abandonment. The owner of this property would never build if they experienced the rapid water covering most of this property during heavy rain (about 2 seasons per year). We have lived next door to this property for 14 years. We will try to snap flood pictures of that exact location during the next storm and forward them to both of you to make your decision easier. 2 previous potential builders reached the same conclusion and abandoned similar construction projects already, and the flood levels have risen since then.

Feel free to contact me at any time, as it in everyones best interest to know all the facts before making the decision for this unique and critical piece of land.

Regards,  
Mahlaima & Alex Boemark  
9885 N 131st Pl  
Scottsdale AZ 85259  
(480) 299 902

## Murillo, Jesus

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**From:** NoReply  
**Sent:** Thursday, July 18, 2024 1:47 PM  
**To:** Murillo, Jesus  
**Subject:** Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

**Follow Up Flag:** Follow up  
**Flag Status:** Completed



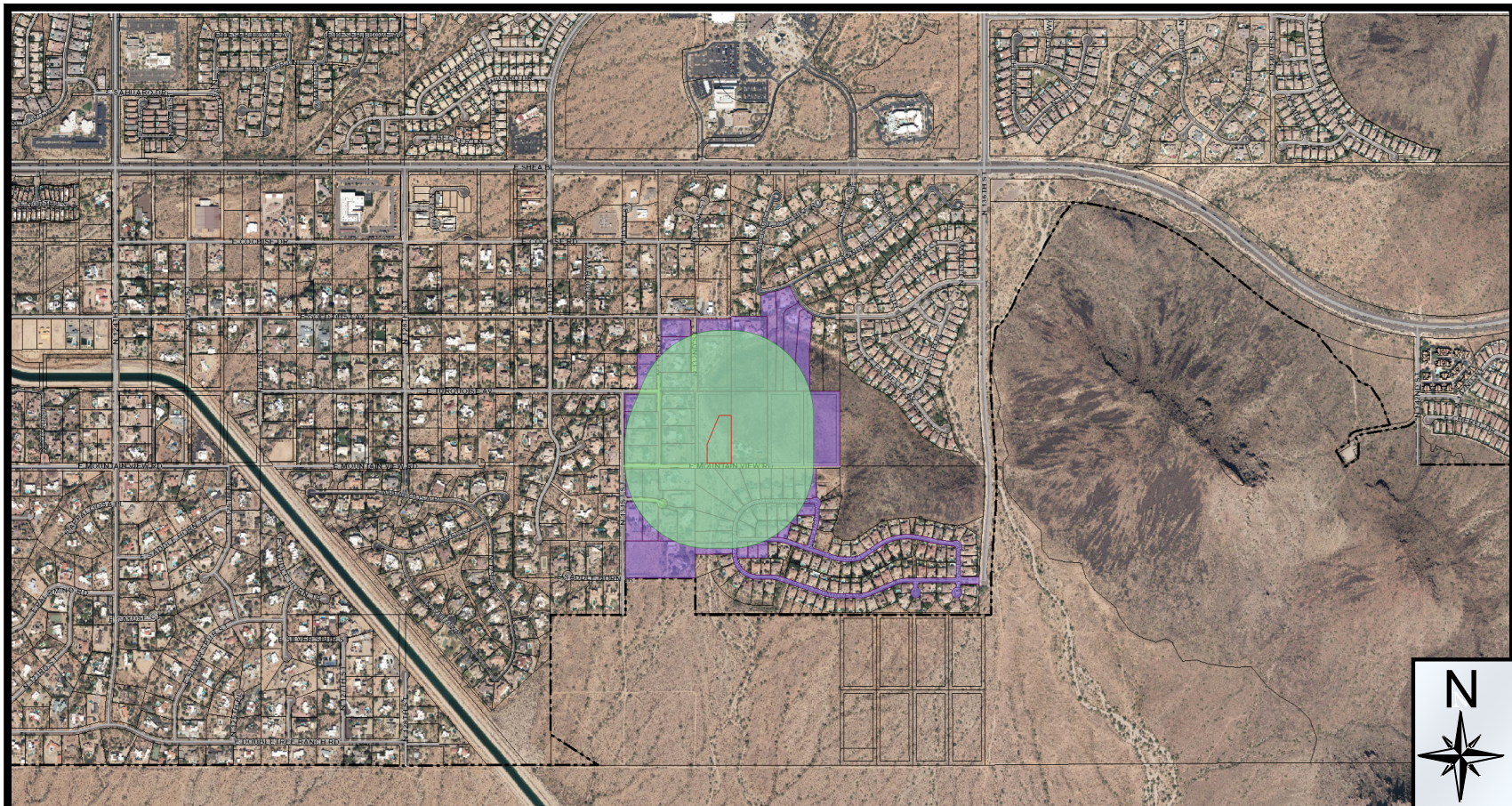
Details submitted to Jmurillo@scottsdaleaz.gov. Please confirm receipt. -- sent by Alexander Boemark (case# 2-AB-2024)



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# City Notifications – Mailing List Selection Map

## Verizon PHO Pima & McDonald



### Additional Notifications:

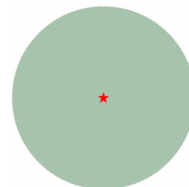
Interested Parties List  
Adjacent HOA's  
P&Z E-Newsletter  
Facebook  
Nextdoor.com  
City Website-Projects in the hearing process

Pulled Labels  
October 16, 2024

### Map Legend:



Site Boundary



Properties within 750-feet

Postcards: 88

**2-AB-2024**