

PLANNING COMMISSION REPORT



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

ACTION

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. 132nd 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

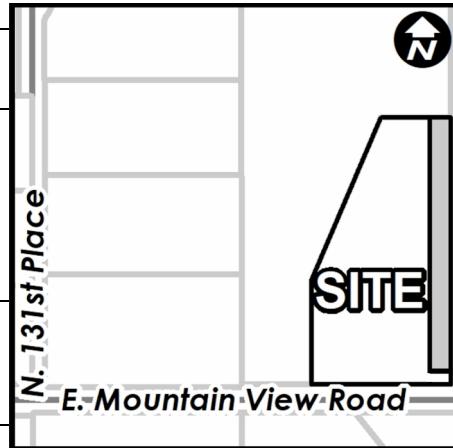
Mark Losavio
(212) 308-1094

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. 132nd 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

Development Information

The development proposal includes the request to abandon the existing thirty-three-foot (33-foot) GLO half-street located along the N. 132nd 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

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.

Planning Commission Report | Losavio Residence Abandonment

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

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

Planning and Development Services

Current Planning Services

STAFF CONTACT

Jesus Murillo
Senior Planner
480-312-7849
E-mail: jmurillo@scottsdaleAZ.gov

APPROVED BY



Jesus Murillo, Report Author

October 18, 2024

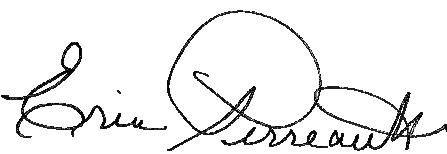
Date



Tim Curtis, AICP, Current Planning Director
Planning Commission Liaison
Phone: 480-312-7713 Email: tcurtis@scottsdaleaz.gov

10/30/2024

Date



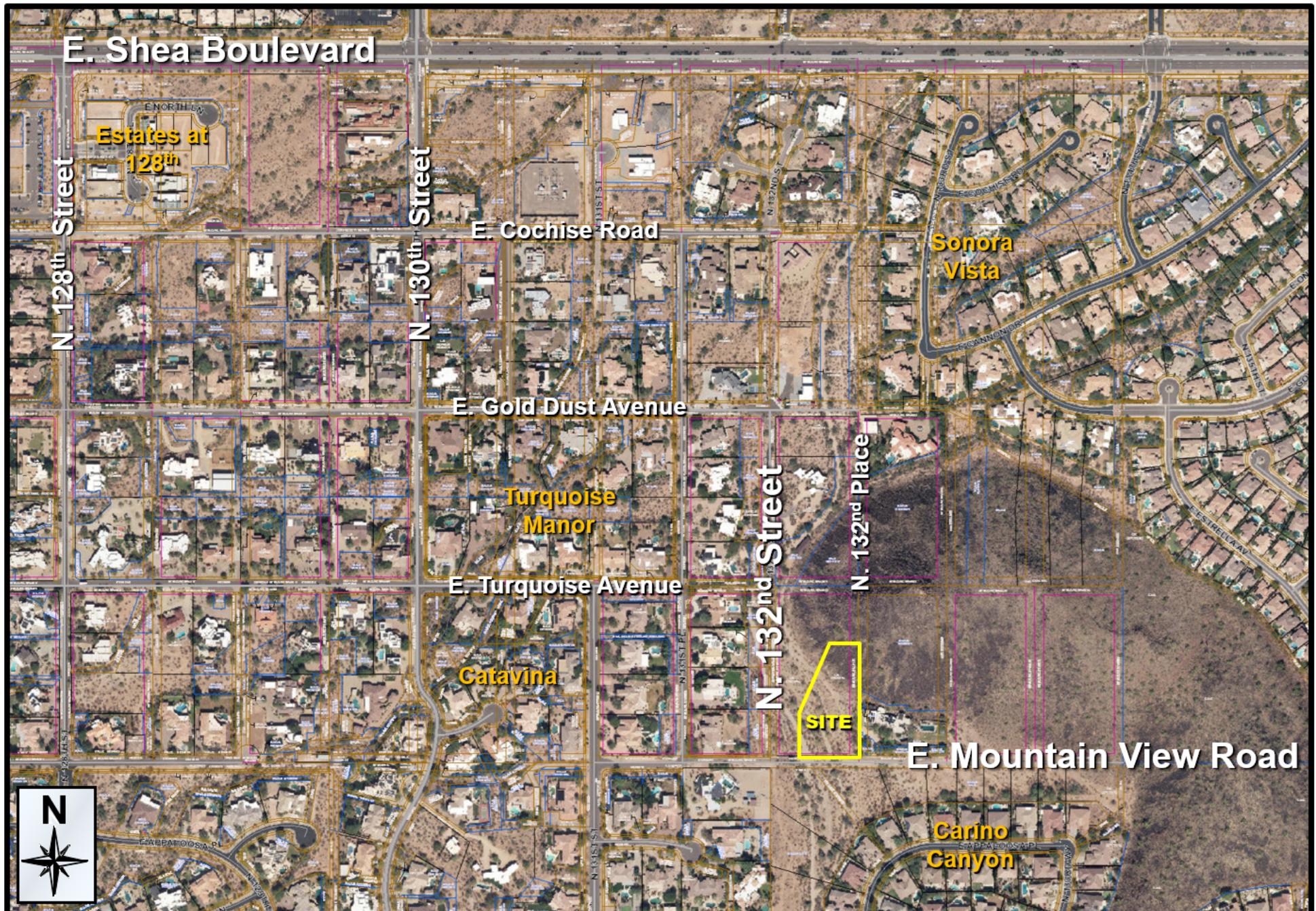
Erin Perreault, Executive Director
Planning and Development Services
Phone: 480-312-7093 Email: eperreault@scottsdaleaz.gov

10/31/2024

Date

ATTACHMENTS

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

ATTACHMENT #1A

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.

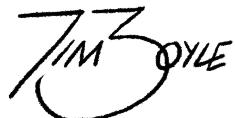
We acknowledge that the owner might have to release and rededicate any easement that conflicts with the abandonment.

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.

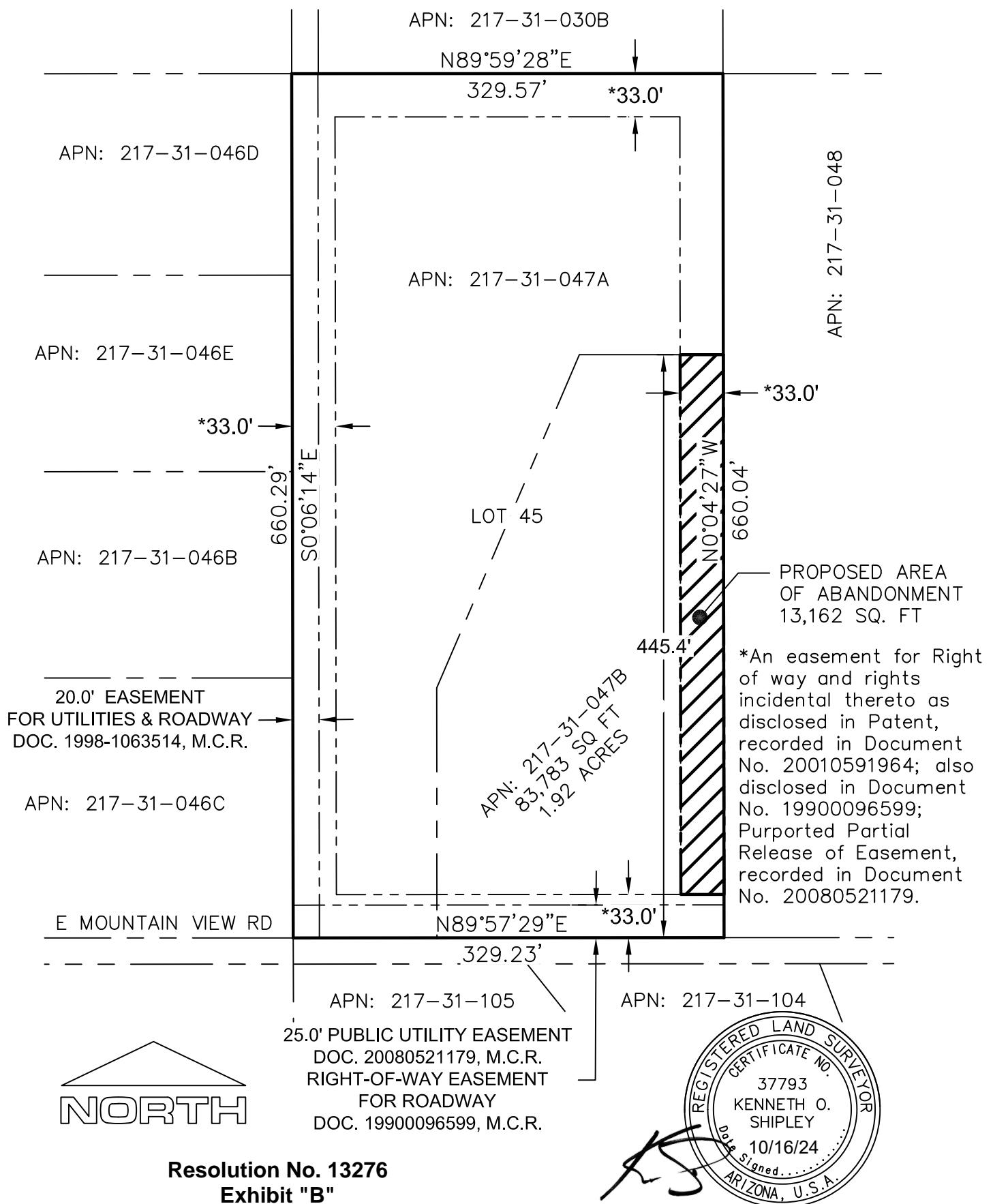
SEE ATTACHED EXHIBIT DRAWING BY REFERENCE MADE A PART HERETO.

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

E. Turquoise Avenue Alignment

Parcel 217-31-046D
9975 N. 131st Place

Parcel 217-31-046E
9925 N. 131st Street

Parcel 217-31-046B
9885 N. 131st Street

Parcel 217-31-046C
9815 N. 131st Street

Parcel 217-31-047A
13210 E. Mountain View Road

Parcel 217-31-0468
13216 E. Mountain View Road

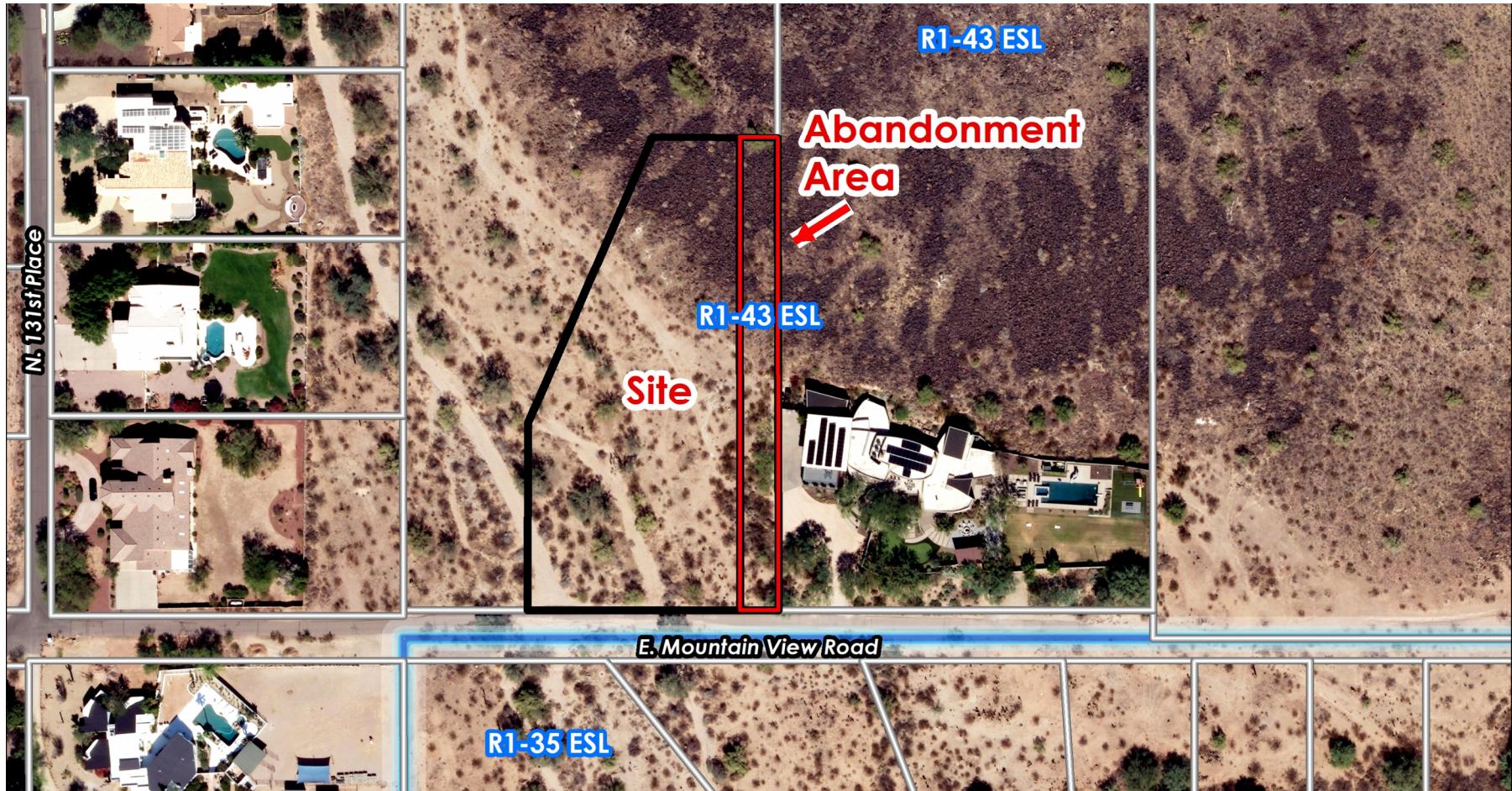
N. 132nd Street Alignment

N. 132nd Place Alignment

33'

**Parcel 217-31-047B
11303 E Morning Vista**



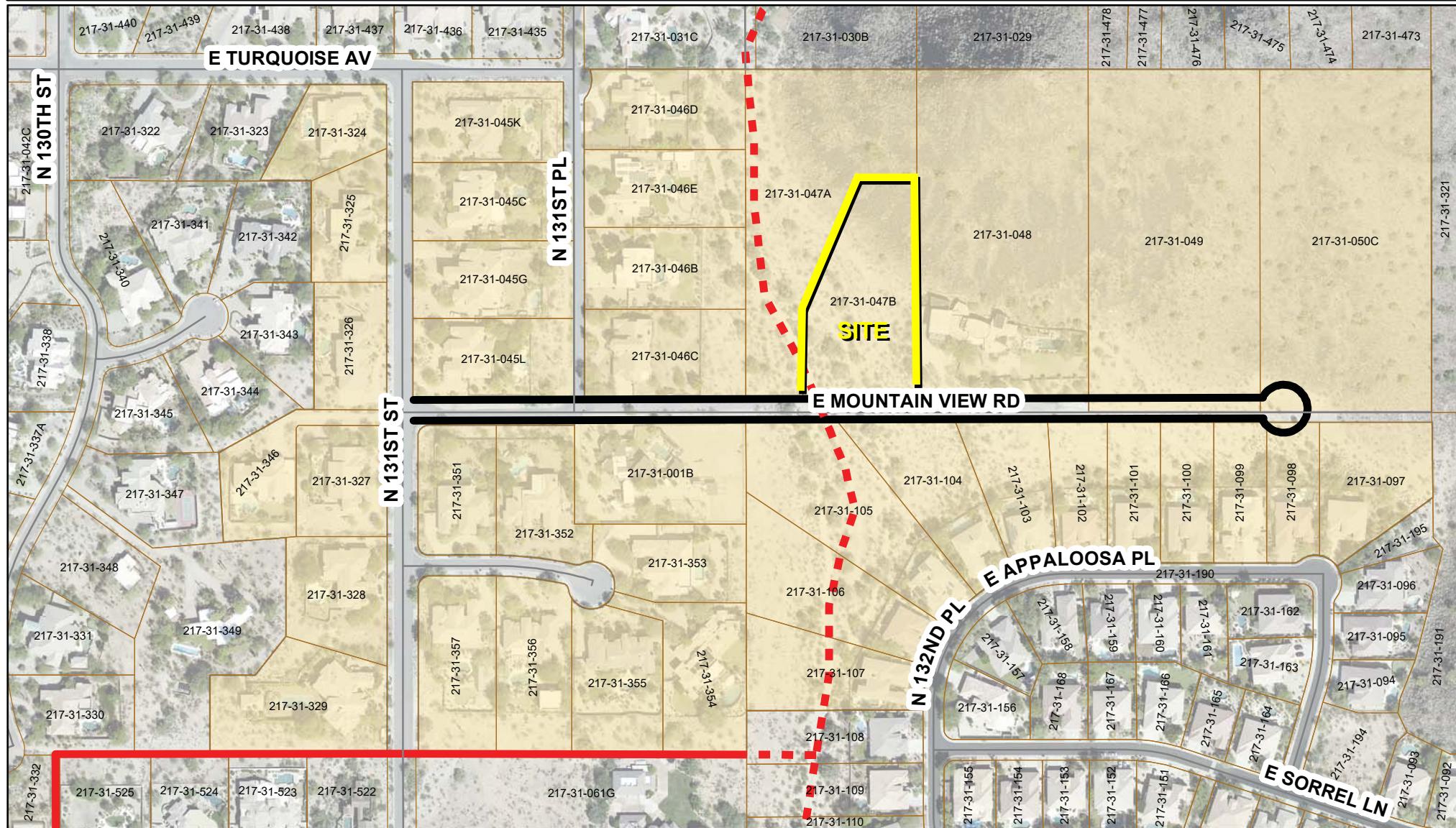


Zoning Aerial Map

2-AB-2024

East Shea Area 6

Local Area Infrastructure Plan



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.

A horizontal bar chart showing the distribution of fees. The x-axis is labeled "Fee" and ranges from 0 to 440. The bar is divided into three segments: a white segment from 0 to 110, a grey segment from 110 to 220, and a white segment from 220 to 440.

A legend located in the top right corner of the map. It consists of four entries, each with a colored line segment followed by text: a yellow line for 'City Boundary', a red line for 'Existing Trail', a dark red dashed line for 'Planned Trail', and a pink line for 'Water/Sewer ROW'.

Parcels

Preserve

Proposed Street

LEGEND

- Site Boundary
- 33-ft GLOPE Right-of-Way



Proposed Abandonment Areas

2-AB-2024

LEGEND

-  Site Boundary
-  25-ft Fee-Simple Right-of-Way
-  Public Non-Motorized Access Easement



E. Turquoise Avenue

87/0226187

33' GLOPE. #1143503

Required Dedications Areas

11-AB-2023



450NORTH EMERSON, MESA AZ
917-626-0323
info@atmosarch.com
www.atmosarch.com

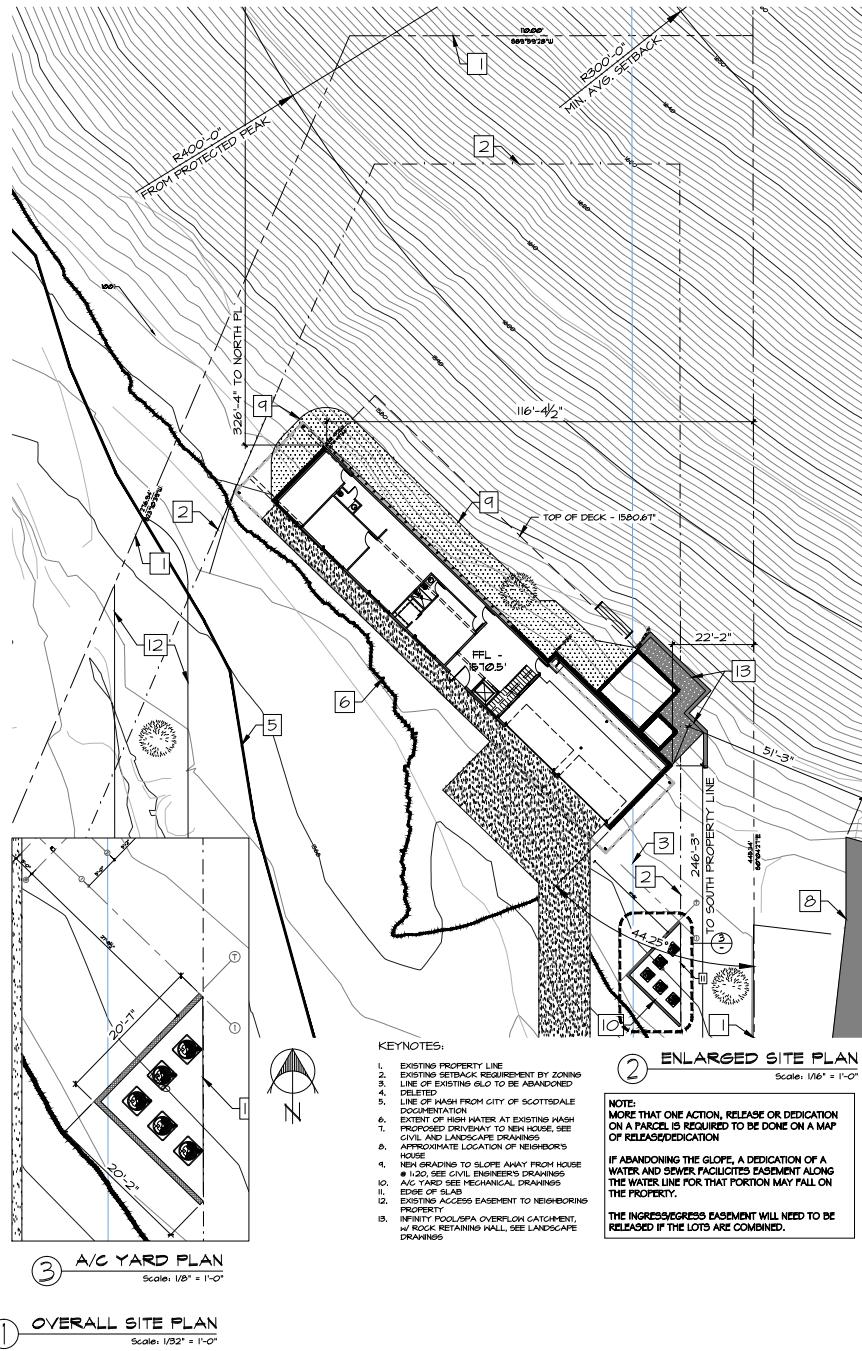
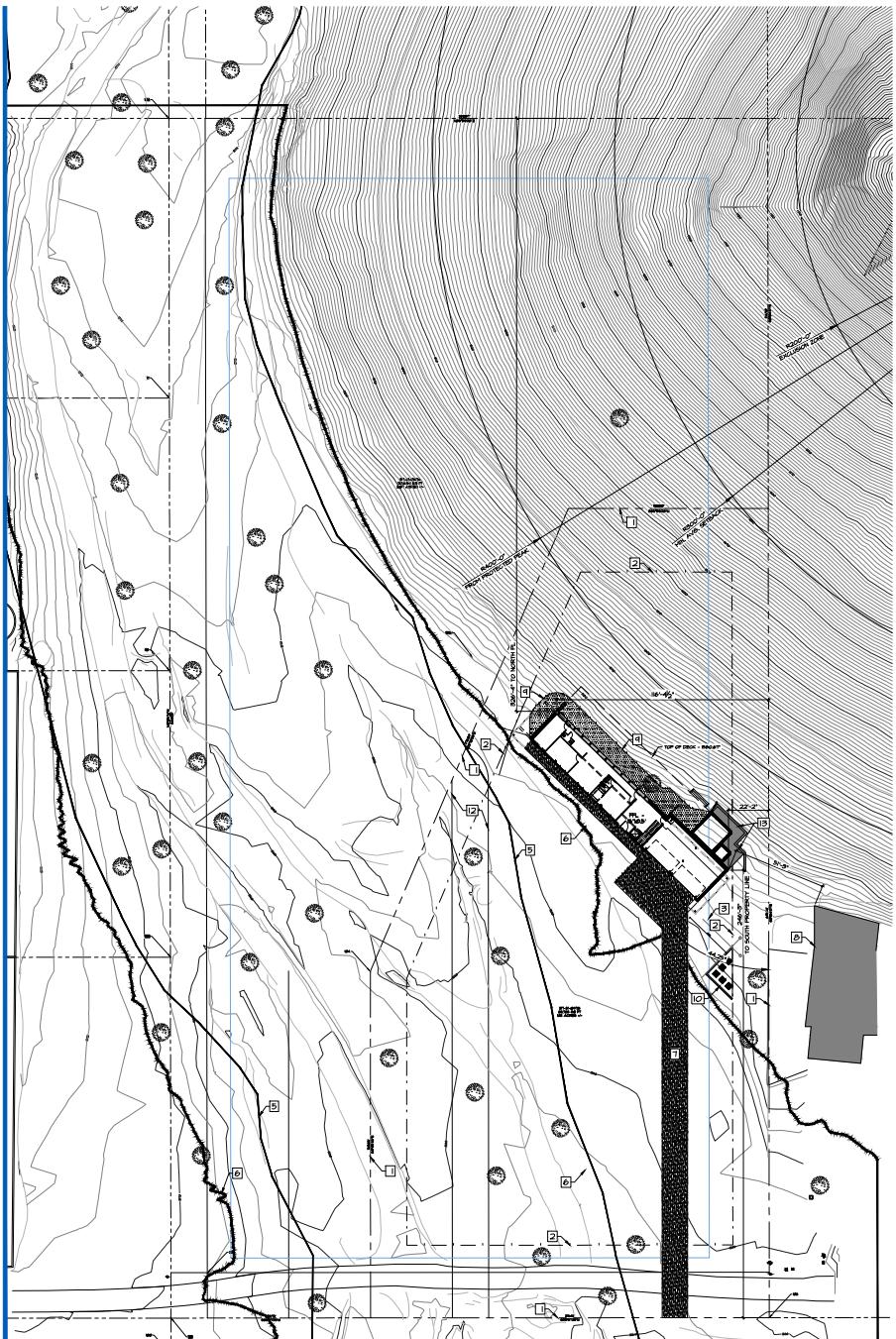
REVISIONS
 A - 2/9/24 - GRADING
 B - 3/14/24 - CLIENT REVISIONS
 C - 3/21/24 - CLIENT REVISIONS
 D - 3/21/24 - GLAZING
 ADJUSTMENTS
 E - 4/1/24 - COLUMNS ADDED
 GRID 3.2
 F - 4/16/24 - REVISED FOR
 CURTAIN WALL PER OWNER
 G - 4/25/24 - KITCHEN LAYOUT,
 APPLIANCES, ENTRY DOOR
 H - 4/26/24 - A/C YARD

ISSUE RECORD
 3 - ISSUED FOR
 BUILDING PERMIT
 APPLICATION - 7/3/24
 ARCHIVE OR DESTROY ALL PREVIOUS ISSUES,
 NOT FOR CONSTRUCTION UNLESS LABELLED SO
 CONSULTANT

PROJECT NO. 2224
 PROJECT LOSAVIO RESIDENCE
 ADDRESS 13214 E MOUNTAIN VIEW ROAD
 SCOTTSDALE AZ 85258
 CLIENT MARK & LUZ LOSAVIO
 DRAWING TITLE

SITE PLAN
 SCALE AS NOTED
 DRAWN DBH
 DATE JUNE 2023
 PLOTTED 7/3/24
 DRAWING NO. A003 REV H

ISSUE 3
 PLOTTED - 19/2024 4:32 AM



ATTACHMENT #9



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

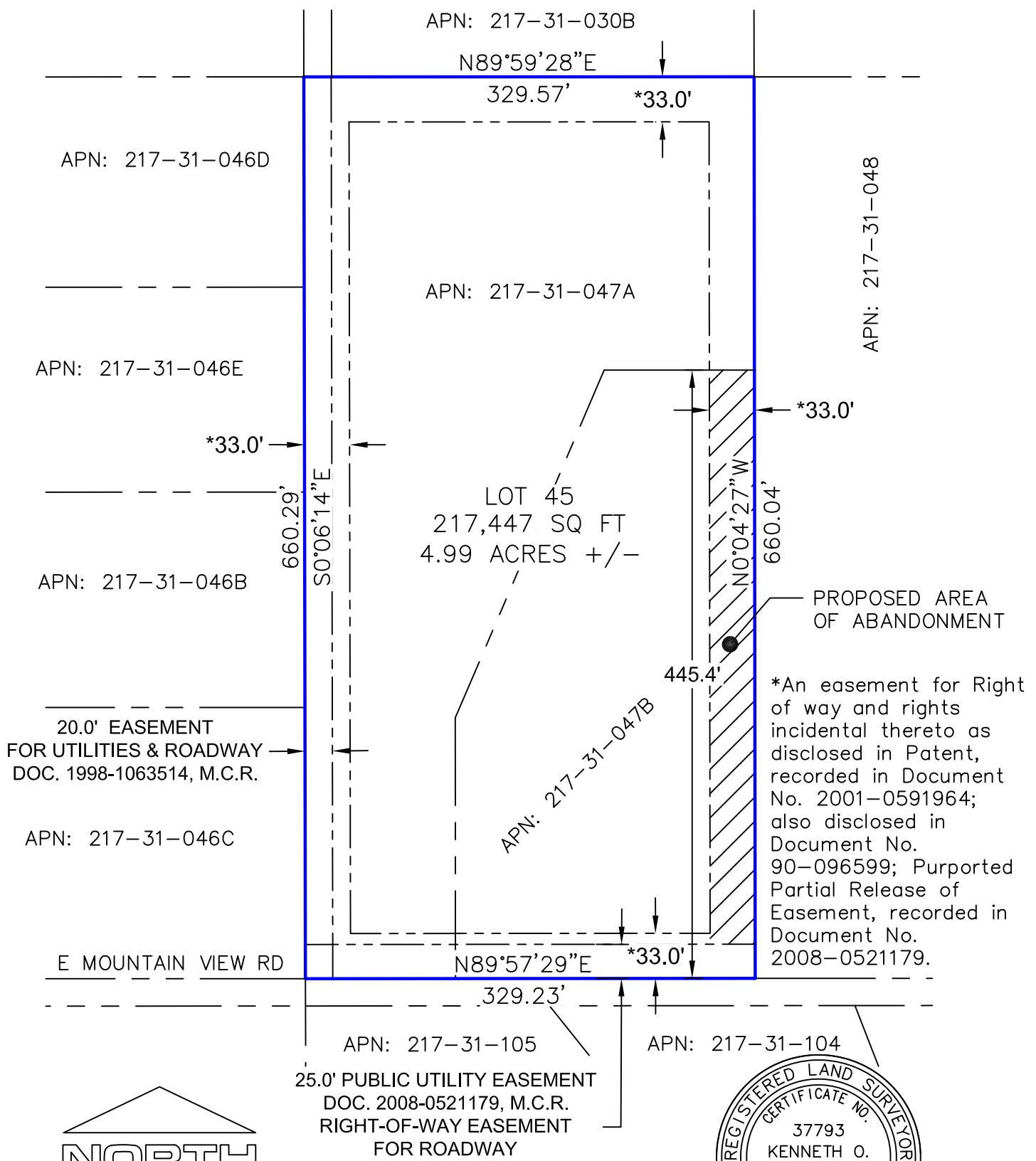


EXHIBIT "A"

PROPOSED ABANDONMENT OF PATENT RIGHT-OF-WAY

DRAWN: KOS
SURVEYOR: KOS
SCALE: NTS

JOB NO: 22251
DATE: 05/14/2024
SHEET 2 OF 2

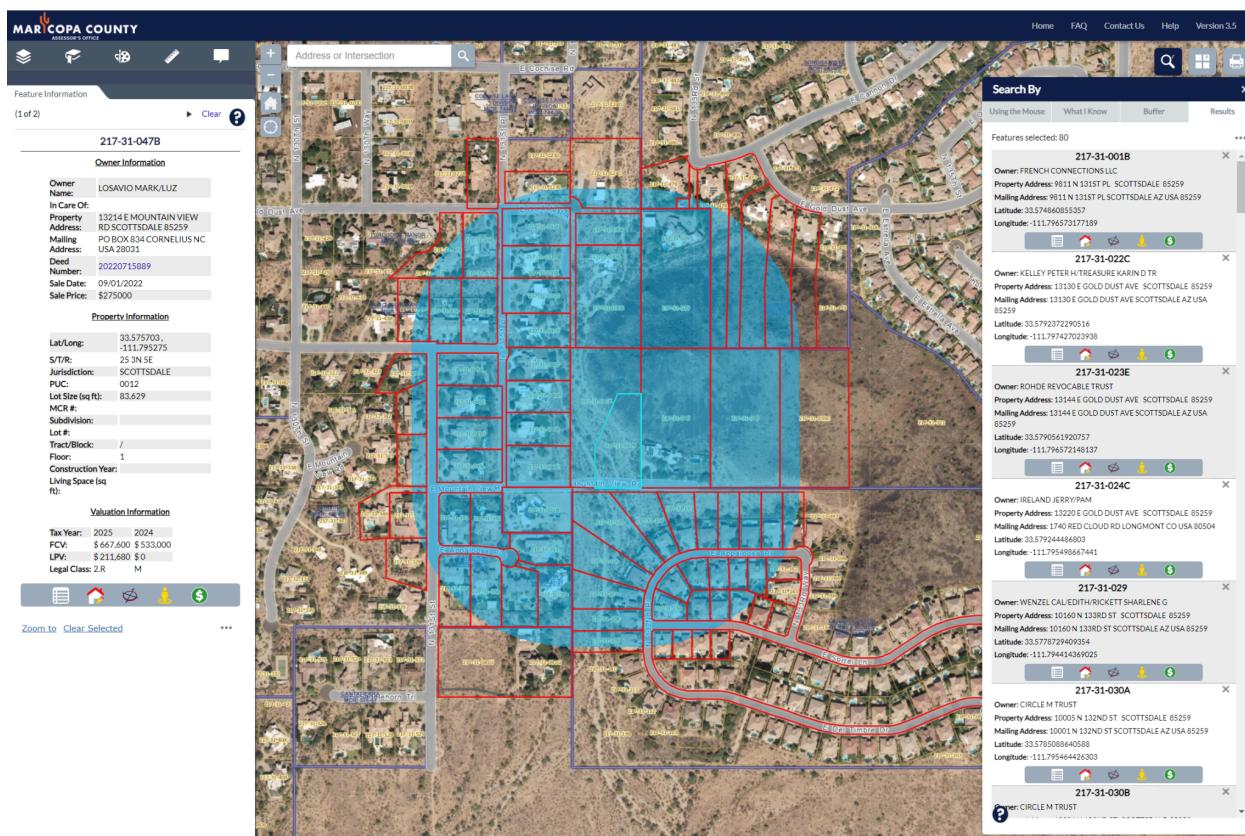


Prepared By:
82 BRAVO, LLC
579 W Wickenburg Way, Suite #2
Wickenburg, Arizona 85390
928-684-5046 Info@82Bravo.com
www.82Bravo.com



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

Neighbors within 750'



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



atmosphere

architects

Mesa AZ 85201

602.888.4671 www.atmosarch.com tim@atmosarch.com

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



atmosphere

architects

Mesa AZ 85201

602.888.4671 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 ABANDONMENT-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

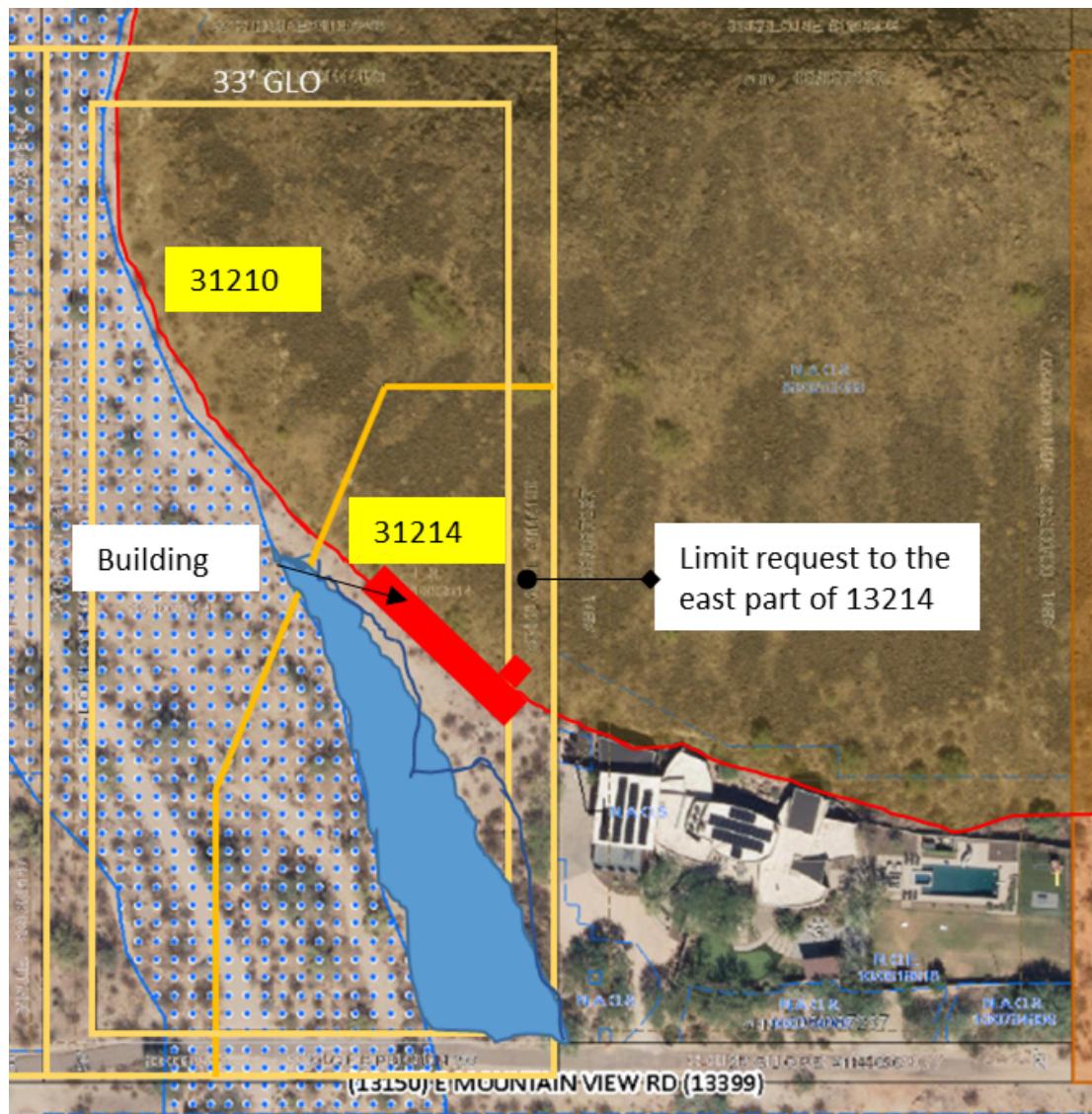
Thank you Mr Boyle, for your response and for sharing the architectural drafts.

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> 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>
Sent: Thursday, July 18, 2024 5:15 PM
To: Tim Boyle <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>
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>

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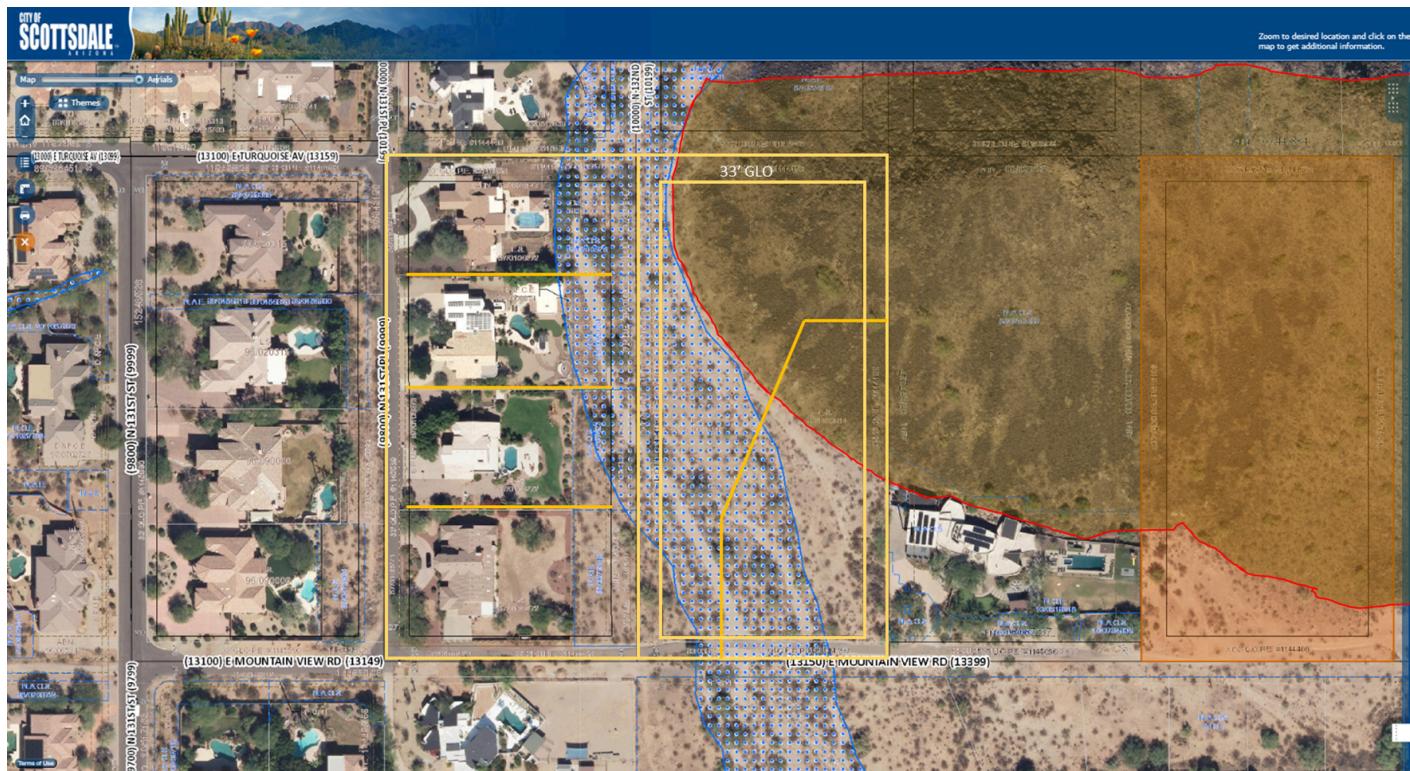
Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

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 and 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.

 Outlook

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 132nd 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; Bloomberg, 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> wrote:

Thank you - I will.

From: Alexander Boemark <aboemark@alphafinancialnordic.com>
Sent: Monday, October 14, 2024 3:14 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!

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_AB_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> wrote:

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

From: Murillo, Jesus

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

To: Murillo, Jesus; 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?](#)

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Meeting ID: 242 887 786 825

Passcode: 8RXGFv

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[+1 480-378-2354,,540034303#](tel:+14803782354,,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: 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> wrote:

Please invite whomever you feel would benefit from the discussion.

Jesús

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

<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

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Passcode: YwU44z

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[+1 480-378-2354,,543734441#](tel:+14803782354,,543734441#) United States, Tempe

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Phone conference ID: 543 734 441#

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

<mime-attachment.ics>

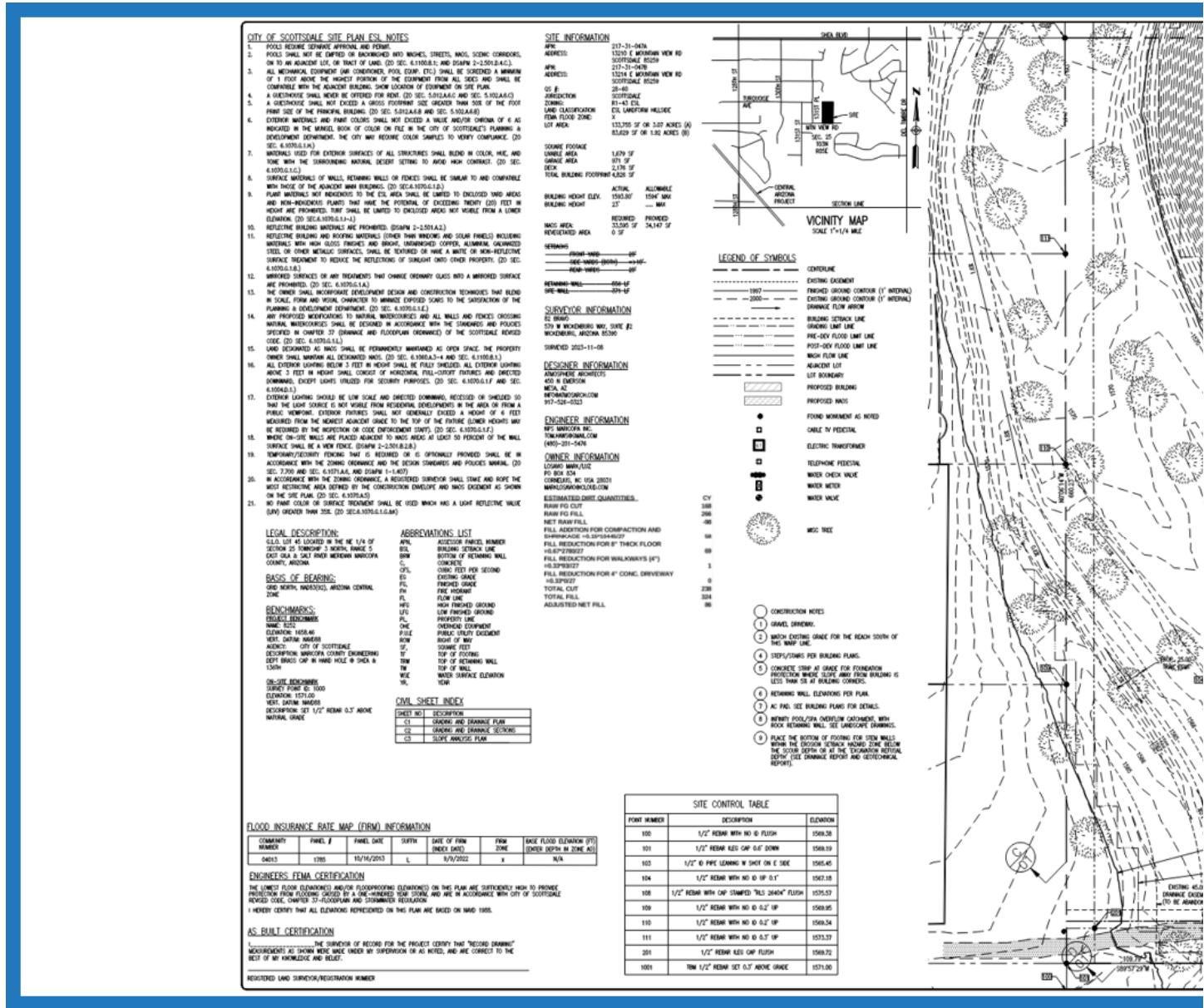
Murillo, Jesus

From: Murillo, Jesus
Sent: Monday, October 21, 2024 11:21 AM
To: JPURVIS@thompsonthrift.com
Subject: 2-AB-2024 Discussed Graphics

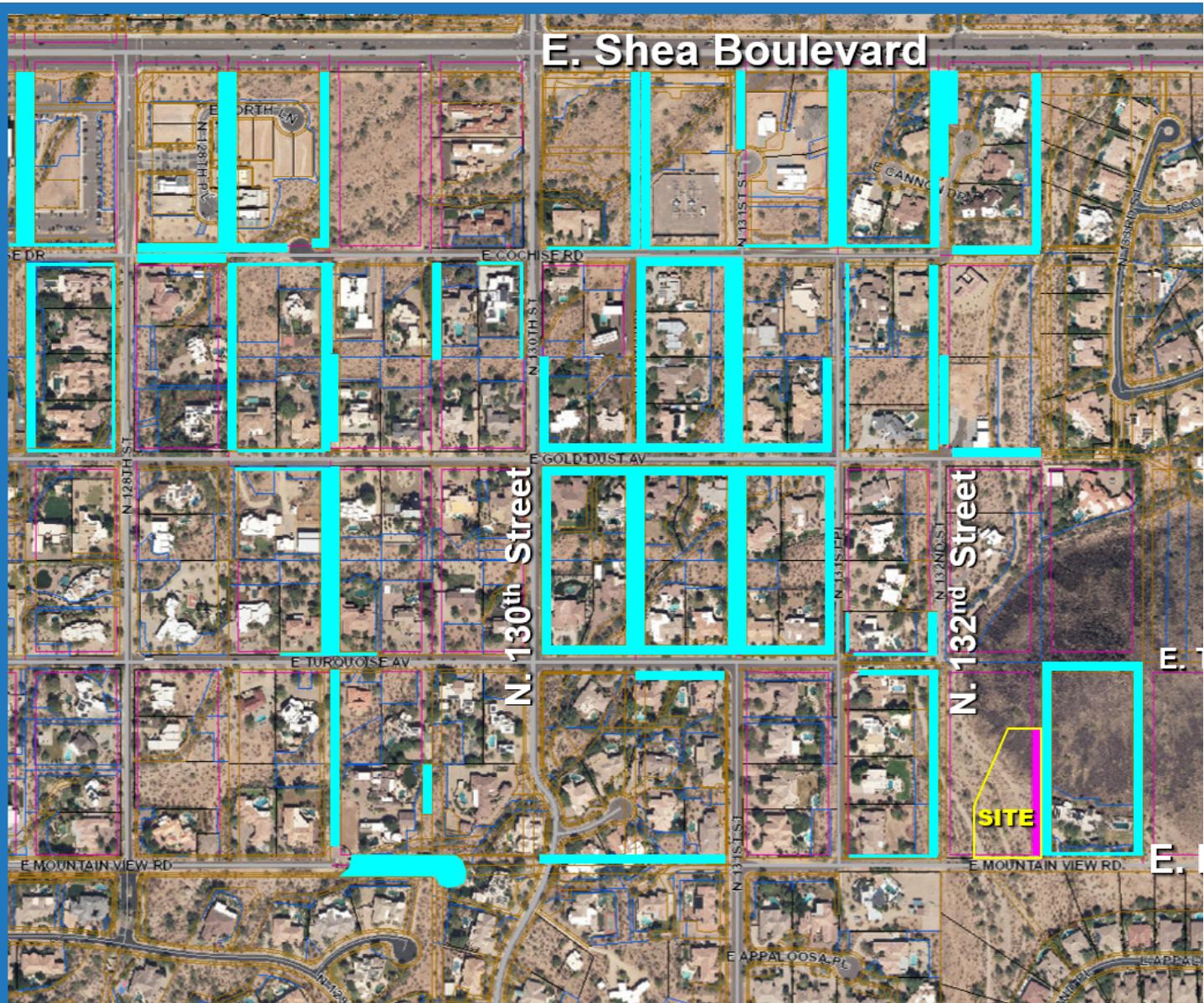
Hello Josh,

Here are those images that we discussed in our phone call. See you at the Teams meeting at 3:00.

Jesús



Losavio Single-family Final Plan (5095-24)



Abandoned GLOs Map

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

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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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<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,
-Alex

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Sent: Monday, October 14, 2024 3:14 PM
To: Murillo, Jesus <JMurillo@scottsdaleaz.gov>
Subject: Re: FW: 2-AB-2024 (Abandonment Q and A)

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Thank you.

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

From: Murillo, Jesus

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

To: Murillo, Jesus; 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#](tel:+14803782354) United States, Tempe

[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

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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?

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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

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> wrote:

Hello Mahlaima and Alex,

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Sent: Thursday, July 18, 2024 2:05 PM
To: Murillo, Jesus <jmurillo@scottsdaleaz.gov>

Cc: tim@atmosarc.com

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Mahlaima & Alex Boemark

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.

From: Alexander Boemark <aboemark@alphafinancialnordic.com>
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When: Monday, October 21, 2024 3:00 PM-4:00 PM (UTC-07:00) Arizona.
Where: Microsoft Teams Meeting

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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

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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

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Sent: Monday, October 14, 2024 3:11 PM
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Subject: RE: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

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



www.alphafinancialnordic.com
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Scottsdale AZ 85259

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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#](tel:+14803782354) 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 ABANDONMENT-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

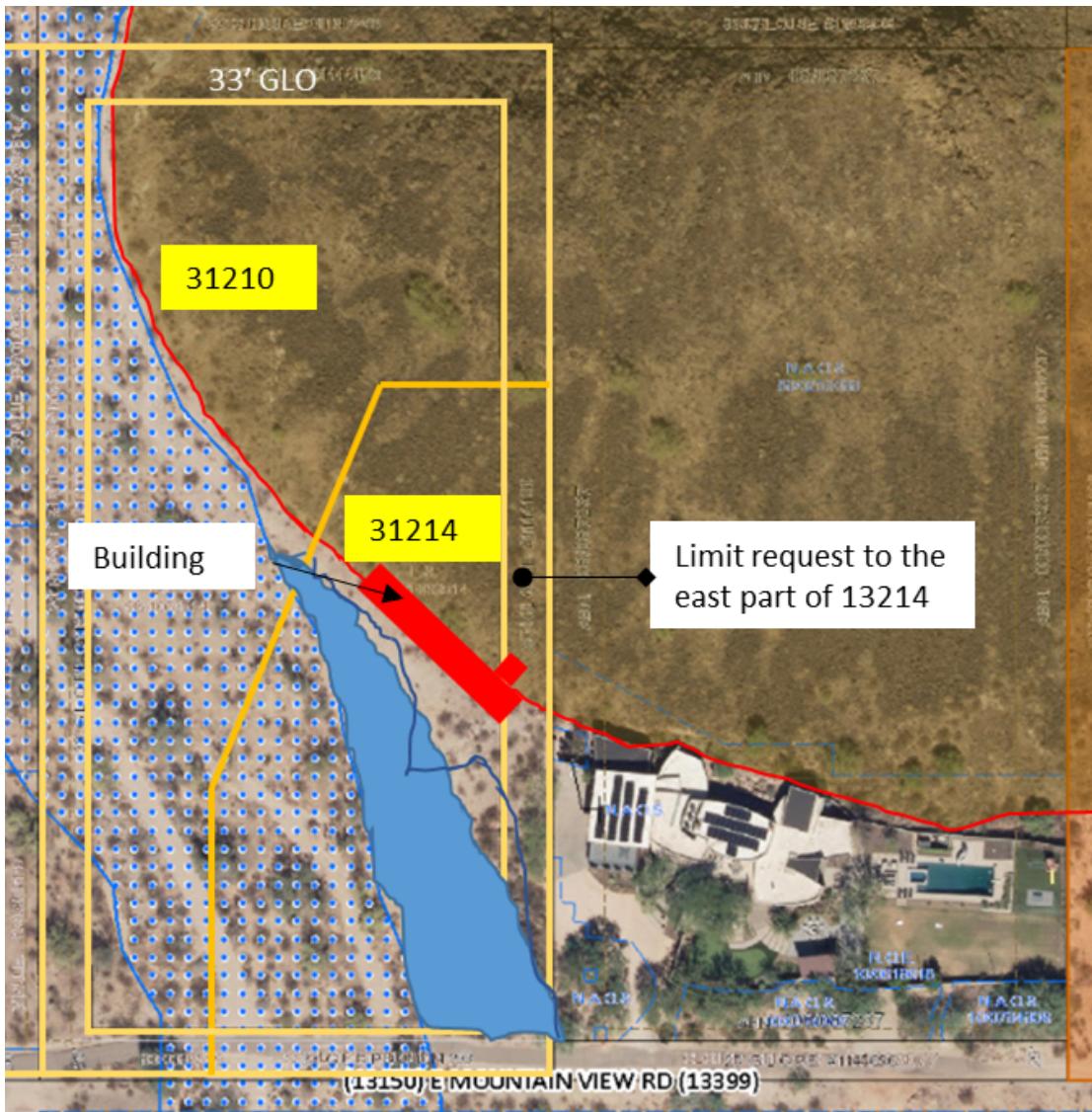
From: Alexander Boemark <aboemark@alphafinancialnordic.com>
Sent: Saturday, July 20, 2024 11:41 AM
To: Tim Boyle <tim@atmosarch.com>
Cc: Murillo, Jesus <JMurillo@scottsdaleaz.gov>
Subject: Re: Neighbor Response to Case 2-AB-2024: Objections to Abandonment of GLO Easements

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 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> 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>

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

To: Tim Boyle <tim@atmosarc.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>

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>

Cc: <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



Murillo, Jesus

From: Alexander Boemark <aboemark@alphafinancialnordic.com>
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

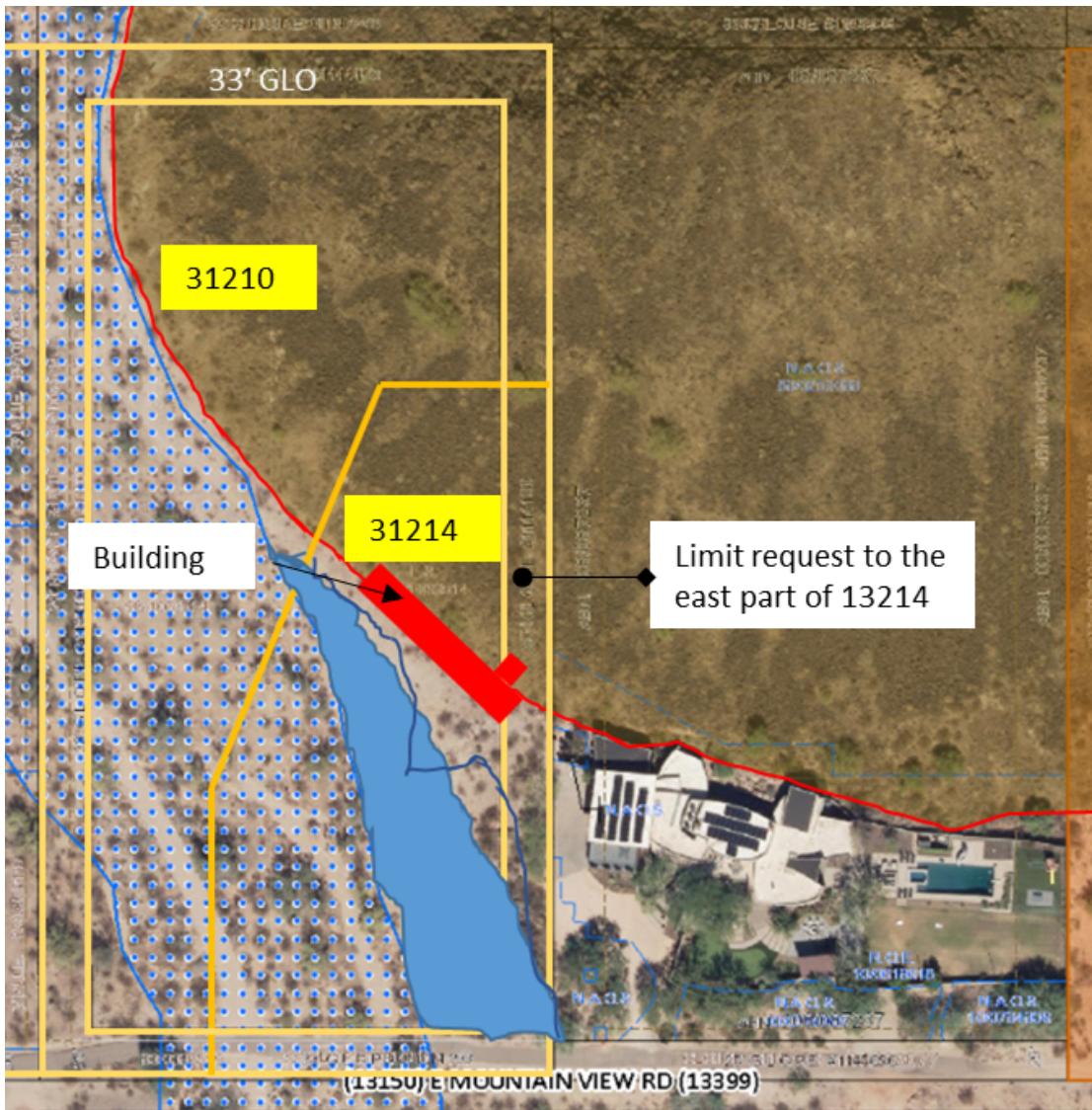
⚠ External Email: Please use caution if opening links or attachments!

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> 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.

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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>

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

To: Tim Boyle <tim@atmosarc.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>

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>

Cc: <tim@atmosarc.com>

Mr. Murillo,

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Regards,

Mahlaima & Alex Boemark

9885 N 131st Pl

Scottsdale AZ 85259

(480) 299 902



Murillo, Jesus

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 132nd 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 132nd place
Scottsdale, Arizona 85259

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

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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

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

Murillo, Jesus

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



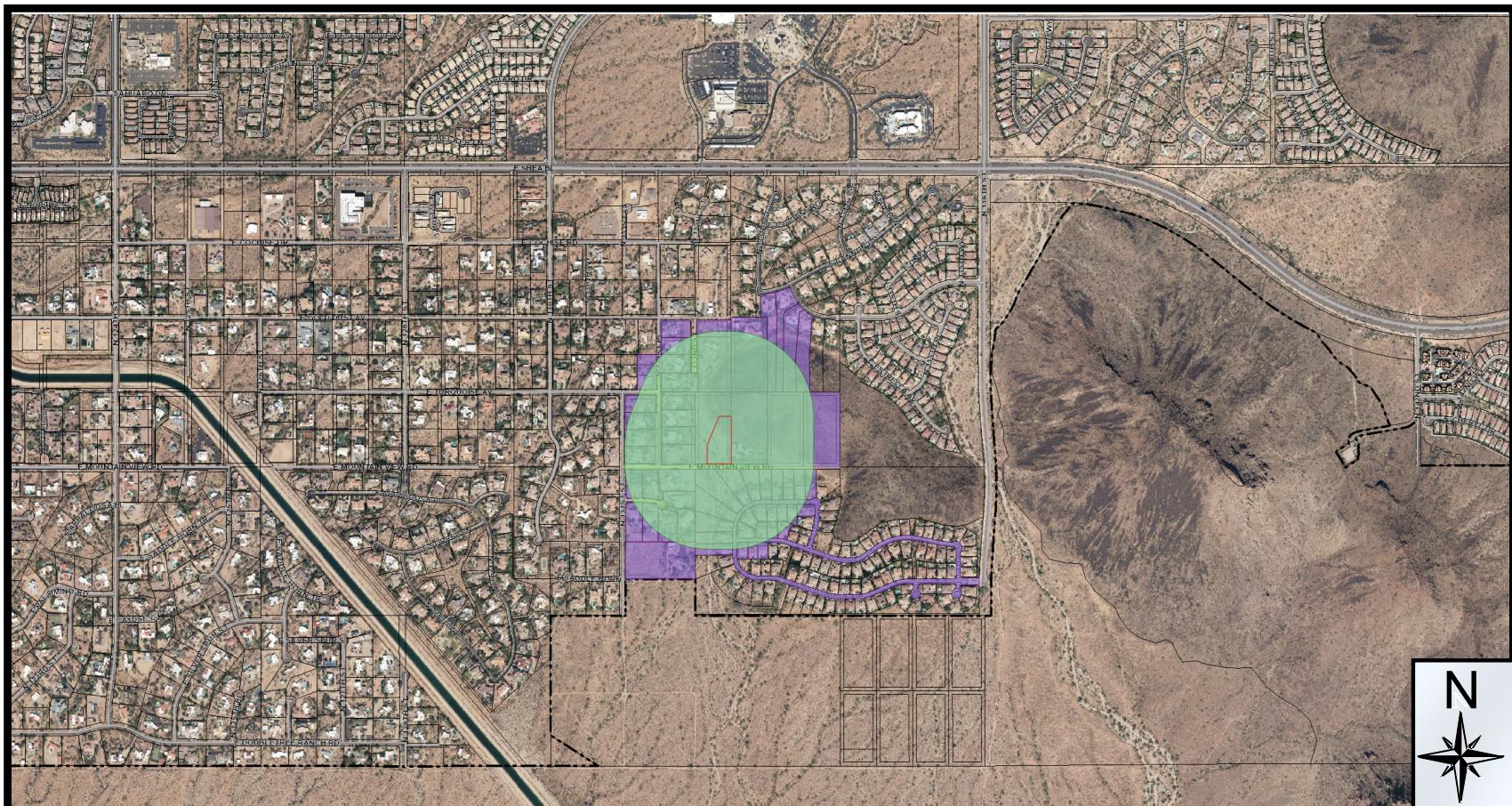
Details submitted to Jmurillo@scottsdaleaz.gov. Please confirm receipt. -- sent by Alexander Boemark (case# 2-AB-2024)



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City Notifications – Mailing List Selection Map

Verizon PHO Pima & McDonald

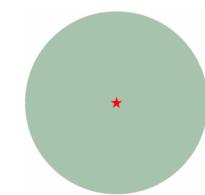


Additional Notifications:

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:



Postcards: 88

N

Site Boundary

Properties within 750-feet

2-AB-2024