

PAUL H. McALLISTER
201 W. Circle Mountain Road
New River, AZ 85087

Date: 16 July 2008

To: NR-DHCA, INC.

Case#: Z2008073.

Related Case #: S2008015.

Planner: Rachel Applegate.

Property Location: Gavilan peak area, New River 85087. 130.694 acres in Section 35 T7N R2E, APN no.(s) 202-14-013X, 202-14-019B, 202-14-023B, 202-14-025A, 202-14-033. Gavilan Peak Estates LLC.

Current Zoning: Rural-43

TAC BOA Other: _____ Meeting Date: Tuesday, August 05, 2008 from 10:30 am till Noon, at MCP&Z, 501 N. 44th Street, Phoenix AZ.

Review By Date: 1 August 2008.

Name: Zone change request from Rural-43 to Residential R1-35.

Owner: Gavilan Peak Estates LLC, 9393 E. Palo Brea Bend Suite 1055, Scottsdale, AZ 85255.

Developer: & Subdivider, Gavilan Estates 9393 E. Palo Brea Bend Suite #1055, Scottsdale, AZ 85255.

Applicant: Coe & Van Loo Consultant, Inc., 4550 N. 12th Street, Phoenix, AZ 85014-4291.

Request for: Zone change request from Rural-43 to Residential R1-35.

Current Use: Vacant.

Opinion: There are differences between Rural-43 and R1-35. R1-35 zoning is residential with all of the amenities such as water, sewer electrical, telephone, cable trash and so on services. This does not fit in with the rural lifestyle. The developers may have an agenda I am unaware of.

Rural-43 Chapter 5 Section 503 of the book of Ordinances for the Unincorporated Areas of Maricopa County clearly states that zone change to residential would depend on governmental facilities and services being available or reasonable made to be available. At the moment water, sewer and cable are unavailable and not scheduled in the near future. Access is limited.

Rural-43 allows: farms, public/private forest, public/private wildlife reservations, roadside stands, plant nurseries and greenhouses, corrals without the mandatory sized buildings and yard restrictions. Rural-43 allows 6 foot high fences/freestanding walls, outside of the building area, R1-35 only allows 3 feet 6 inches height in front yard 6 foot high else where. Rural-43 allows accessory dwelling units (ADU) of 1,000 square feet R1-35 allows 800 square feet. Temporary model home sales complex with cession of use if no building permits issued for a period of more than one year, in R1-35 a temporary use for model home sales complexes disallowed.

Height restrictions: 30 feet, no change,

Lot width 145 feet, no change.

Yard regulations: front 40 feet, side 30 feet, rear 40 feet, R1-35 front 40 feet, side 20 feet and rear 40 feet.

Intensity of use: lot area 1 acre (43,560 square feet), coverage 15%, R1-35 lot area 35,000 square feet coverage 20%.

Parking regulations,: no change.

Sign regulations, See Chapter 14, Section 1401 of the Ordinances for the Unincorporated Areas of Maricopa County. 1401.3.7 added in allowing one sign at entrance to public/private forest and public/private wildlife reservations. 1401.7.1. temporary signs shall not exceed 150 square feet and aggregate area shall not exceed 150 square feet, R1-35 one sign 400 square feet aggregate area 1,000 square feet. 1401.7.4. temporary signs shall not exceed 12 feet in height, R1-35, 24 feet in height. 1401.7.7. allows 4 temporary signs on property, R1-35 10 temporary signs allowed.

Survey: Recorded survey not on file therefore legal, dimensions and square footage (acres) may be wrong.

Recommendation: Denial.

Sincerely,

Paul H. McAllister