



COMMUNITY DEVELOPMENT DEPARTMENT PLAT/LAND MODIFICATION APPLICATION GUIDE

Town of Paradise Valley • 6401 East Lincoln Drive • Paradise Valley, Arizona 85253 • Phone: (480) 348-3693

APPLICANT & CONTACT INFORMATION

Please check the appropriate box for the Type(s) of Application(s) you are requesting

Administrative Land Modification	Non-Administrative Land Modification	Plat/Replat
☐ Lot Line Adjustment/Combination (Non-SUP & No Deviations(s))	☐ Lot Line Adjustment/Combination (SUP)	☐ Preliminary Plat
	☐ Lot Split (Any acreage & SUP)	☐ Final Plat
☐ Lot Split (> 2.5 net acres, Non-SUP, No Deviations(s) & No New Street(s))	☐ Lot Split (≤ 2.5 net acres & Non-SUP)	☐ Replat
☐ Easement Modification (Non-SUP & No Deviations(s))	☐ Release of Easement (Any zoning)	☐ Plat/ Replat/ Lot Line Adjustment/Combination/ Lot Split (Any zoning & w/ Deviation(s))
	☐ Easement Modification (Any zoning & w/ Deviation(s))	

Project Name: 5338 EAST SAN MIGUEL AVENUE

Date: 04.29.25 Existing Zoning: R-43 HILLSIDE Proposed Zoning: SAME Net Acres: 2.342

Property Address: 5338 EAST SAN MIGUEL AVENUE, PARADISE VALLEY, AZ 85253

Assessor's Parcel Number: 172-47-086

Owner: KATE & JOSEPH HOGAN

Address: 5339 EAST SAN MIGUEL AVENUE, PARADISE VALLEY, AZ 85253

Phone number: _____

E-mail address: _____

Signature: _____

(Or provide a separate letter of authorization)

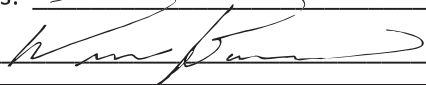
Applicant/Representative: DREW BAUSOM

Company Name (if Applicable): THE CONSTRUCTION ZONE

Address: 1729 EAST OSBORN ROAD, PHOENIX, AZ 85016

Phone number: 602-230-0383

E-mail address: DREW@CZPHX.COM

Signature: 

THE ABOVE APPLICANT HEREBY APPLIES FOR AN APPLICATION AS INDICATED IN THE SUBMITTED NARRATIVE, PLANS, AND DOCUMENTS IN ACCORDANCE WITH THE TOWN CODE AND TOWN POLICIES.

FOR DEPARTMENTAL USE ONLY

App.#: _____ Submittal Date: _____ Expiration Date: _____

DOC

DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

That Phoenix Title and Trust Company, an Arizona corporation, as Trustee,
being the owner of the following described property situated in Maricopa County,
Arizona:

Lots One (1) to Forty-three (43), inclusive,
STONE CANYON, according to the plat of record
in the office of the County Recorder of
Maricopa County, Arizona, in Book 62
of Maps, page 41 thereof;

and desiring to establish the nature of the use and enjoyment of said real property,
does hereby declare that the following restrictions and stipulations shall apply
to said real property and that all conveyances of said real property, or any part
thereof, shall be made subject to the following restrictions and stipulations:

1. All of said lots shall be used for single family dwelling purposes only,
and no buildings other than a single family dwelling house, and a private garage
shall be built, erected, placed, maintained or permitted on any of said lots.
2. No dwelling house shall be erected on any of the above described lots which
shall have a ground floor area of less than 1600 square feet, exclusive of open
porches and attached garages or carports; nor shall more than one single family
residence be built on any one lot.
3. No building shall hereafter be erected on any lot any wall of which is closer
to any street line of said lot than fifty (50) feet, or closer to any side line
thereof than twenty-five (25) feet; except as to those lots where it is not feasible
to erect a dwelling fifty feet back from the street line, then as to those lots
the plan showing the location of the dwelling to be erected must first be approved
by the Committee referred to in paragraph 5 hereof; and provided, however, that
the Committee described in paragraph 5 may, by affirmative action, permit a
further variation from the requirements of this restriction in the case of any lot
the topography of which prohibits reasonable construction of permitted buildings
within the specified area.
4. No house trailer and no building or structure of any nature detached from the
main building, whether temporary or permanent, shall be built, erected, placed,
maintained or permitted on any lot, except a garage; any such garage to be limited to
a three-car garage, with or without attached living quarters; provided, however, that

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such quarters shall not be used except by servants who are employed on the premises where such quarters are located or any nonpaying guests. No garage shall be commenced or erected on any lot until construction of the main building on said lot complying with these restrictions shall have been started or contracted for with a responsible contractor, and all garages on each and every lot shall be of the same or similar style as that of the main building on the lot on which said garage is located.

5. No structure shall be commenced or erected on any lot until the design and location and types of building material to be used have been approved in writing by any two members of a committee of four persons, the first members of which shall be C. Tim Rodgers, Archie B. Campbell, Russ Lyon, and Thomas A. Jackson, which persons, or their successors, shall constitute the committee until 75% of said lots in said platted subdivision shall have been conveyed by the Trustee; and the members of which shall, after 75% of said lots have been conveyed by the Trustee, be elected by the then owners of the record title to a majority of said lots, each lot having one vote. Prior to the conveyance of 75% of said lots by the Trustee, in the event of the death, resignation, or incapacity or inability of any member or members of the committee to act, the remaining member or members of such committee shall have full power to appoint a new member or new members of the committee to fill such vacancy. In the event there is no committee in existence under either manner of appointment or election, or in the event said committee fails or refuses to approve or disapprove such design and location within thirty (30) days after written request so to do, such request to be filed with any member of the committee, then such approval of the committee will not be required; provided, however, that such design and location for the buildings to be built on said lot shall be governed by all of the restrictions herein set forth, and said buildings shall be in harmony with existing buildings and structures in the immediate vicinity in said subdivision.

6. Said lots shall be used only for the purposes provided in Paragraph 1 hereof; and specifically, without limiting the generality of the foregoing, no store, office, hospital, sanitarium, rest home, saloon, cafe, guest ranch, inn, hotel, auto court, trailer court, theater, lunch room, roadside stand, or other commercial enterprise shall be permitted on any of said lots.

7. No billboards or advertising signs of any character shall be erected, placed, permitted or maintained on any lot or on any building erected thereon, other than one sign indicating that the property is for sale or for rent, or a name plate of the occupant of any residence, upon which his professional title, if he is a physician or surgeon, may be also added, and provided no such sign or name plate shall exceed a size of two square feet; provided, however, that the subdividers and their agents may erect and maintain signs advertising for sale the lots in said subdivision.

8. All service yards and unsightly objects shall be enclosed by a wall, hedge or screen in a manner approved by the committee described in Paragraph 5 hereof for the approval of design and location of proposed buildings.

9. None of said lots shall be used for residential purposes prior to installation thereon of water flush toilets and all bathrooms, toilets or sanitary conveniences shall be inside the buildings permitted hereunder. Until such time as sewers may be available, all bathrooms, toilets or sanitary conveniences shall be connected to septic tanks, cesspools or leach lines constructed according to standard Federal Housing Administration specifications. The cesspool shall be deep enough to prevent water from coming to the surface. When and after sewers are available, then all such toilets, bathrooms and sanitary conveniences thereafter installed shall be connected to such sewer system.

Unofficial Document

10. No lot shall be used in whole or in part for the storage of rubbish of any character whatsoever, nor the storage of any property or thing that will cause such a lot to appear in an unclean or untidy condition or that will be obnoxious to the eye; nor shall any substance, thing or material be kept upon any lot that will emit foul or noxious odors or that will cause any noise that will or might disturb the peace, quiet, comfort or serenity of the occupants of surrounding property.

11. The native growth on said property, including cacti, shall not be destroyed or removed from any of the lots in said subdivision except such native growth as it may be necessary to remove for the construction and maintenance of roads, driveways, dwelling houses, garages, or gardens relating to said residences and walled-in service yards and patios; provided, that such destruction or removal which has been approved by the committee specified in Paragraph 5 shall be permissible.

12. No elevated structures of any kind shall be erected, placed or permitted upon any of said lots; and any tanks for use in connection with any residence on any of said lots, including tanks for the storage of gas, fuel oil, gasoline, or oil, must

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be buried, or screened by a wall or hedge to sufficiently conceal them from view from neighboring lots and roads and streets.

13. None of said lots in said subdivision shall be resubdivided into smaller lots nor conveyed in less than the full original dimension of such lot as shown by the plat of said subdivision except for the installation of public utilities, in which event the remaining portion of said lot shall, for the purpose of this provision, be treated as a whole lot; provided that this restriction shall not prevent the conveyance of a part of a lot to an adjacent owner in such manner that thereafter the lots or parts of lots in common ownership shall not be less in area than 40,000 square feet; and thereafter such lots or parts of lots in common ownership shall, for the purposes of these restrictions, be considered as one lot.

14. No livestock or poultry shall ever be kept, maintained or permitted on any of the lots in STONE CANYON.

15. No solid wall or no fence over $2\frac{1}{2}$ feet high shall be constructed or maintained nearer to the front street line of any of said lots than the front walls of the building erected on such lot, and in the case of a lot on which no residence has been constructed, no solid wall or no fence over $2\frac{1}{2}$ feet high shall be constructed or maintained closer than fifty (50) feet to the front lot line of any lot. No side or rear fence and no side or rear wall, not the wall of the building constructed on any of said lots, shall be more than six (6) feet in height. No hedge more than three (3) feet in height shall be permitted closer than thirty (30) feet to the front lot line of any lot.

Unofficial Document

16. No dwelling house or other building shall be erected on or permitted on lots 1 to 16 inclusive, and lots 21, 22, 23, and 28 of STONE CANYON more than one story in height.

The foregoing restrictions run with the land and shall be binding on all persons owning any of said lots until April 1, 1980, at which time said restrictions shall be automatically extended for successive periods of ten (10) years each; provided, however, that any of these restrictions may be repealed at the end of the original or any successive period by the written concurrence of the then record owners of legal title to 75% of the said lots.

If there shall be a violation or threatened or attempted violation of any of said restrictions, anyone owning any portion of the above described real property may

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bring an appropriate action in the proper court to restrain or enjoin said violation or to recover damages for such violation.

Should any of the restrictions herein contained, or any provisions hereof, be invalid or void, such invalidity or voidance of any such restrictions shall in no way affect the validity of the rest of the restrictions or any other provision hereof.

IN WITNESS WHEREOF, the PHOENIX TITLE AND TRUST COMPANY, as Trustee, has hereunto caused its corporate name to be signed and its corporate seal to be affixed and the same to be attested by the signatures of its duly authorized officers, this 25th day of March, 1955.

PHOENIX TITLE AND TRUST COMPANY, AS TRUSTEE

By

Vice President

Attest

Assistant Secretary

STATE OF ARIZONA

County of Maricopa

ss.

On this, the 25th day of March, 1955, before me, the undersigned officer, personally appeared Charles S. Voigt and Willard B. Fleming, who acknowledged themselves to be the Vice President and Assistant Secretary, respectively, of PHOENIX TITLE AND TRUST COMPANY, a corporation, and that they as such officers, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation, as Trustee, by themselves as such officers.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My commission expires:

April 2, 1956

337009

STATE OF ARIZONA
County of MaricopaI hereby certify that the within
instrument was filed and recorded

at request of

PHOENIX TITLE AND TRUST CO.

MAR 26 1955 9:00 A.M.

In Docket

1581

on page 207 to all due
Witness my hand and official seal
the day and year aforesaid.

ROGER G. LAVEEN

County Recorder

Deputy Recorder