

**APPLICATION TO BOARD OF ADJUSTMENT FOR VARIANCE**

**DATE:** August 4, 2017

**LOCATION OF PROPERTY:** 5137 North Tamarar Way, Paradise Valley, AZ 85253  
ADDRESS

**LEGAL DESCRIPTION:** See attached warranty deed.

**OWNER:** Bruce & Nadine Hart c/o John Hayden **X** See Authorization Letter  
PRINTED NAME SIGNATURE  
johnhayden1@msn.com  
ADDRESS PHONE #

**ENGINEER/OTHER:** J. Adam Rainwater **X** \_\_\_\_\_  
PRINTED NAME SIGNATURE  
adam@jarainwaterstudio.com / P.O. Box 2317, Phoenix, AZ, 85002 (480) 518-3949  
ADDRESS PHONE #

**APPLICANT/  
REPRESENTATIVE:** Doug Jorden **X**   
PRINTED NAME SIGNATURE  
5080 North 40th Street, Suite 245, Phoenix, AZ 85018  
ADDRESS  
(480) 505-3909 (480) 505-3901  
PHONE # FAX #

THE ABOVE APPLICANT HEREBY APPLIES FOR A VARIANCE AS INDICATED BELOW IN ACCORDANCE WITH THE ZONING ORDINANCE AND SECTION 2-5-3 OF THE CODE OF ORDINANCES OF THE TOWN OF PARADISE VALLEY.

STATE HARDSHIP INVOLVED OR GROUNDS FOR APPEAL TO THE BOARD OF ADJUSTMENT. (Please attach additional sheets as necessary).

See attached narrative.

# FOR OFFICE USE ONLY

## BOARD OF ADJUSTMENT VARIANCE APPLICATION INFORMATION

NOTE: AN APPLICATION IS NOT COMPLETE UNTIL ALL REQUIRED INFORMATION IS SUBMITTED IN AN APPROVED FORM. NO APPLICATION WILL BE REVIEWED UNTIL COMPLETE. NO AGENDA DATE WILL BE SET UNTIL THE COMPLETED APPLICATION HAS BEEN REVIEWED AND APPROVED BY STAFF.

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**APPLICATION FEE, NON-REFUNDABLE:**

**SEE FEE SCHEDULE**

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### INITIAL BELOW

\_\_\_\_\_ PRE APPLICATION CONFERENCE WITH STAFF DATE: June 15, 2017

\_\_\_\_\_ APPLICATION SUBMITTED ON: August 4, 2017

\_\_\_\_\_ APPLICATION FEE IN THE AMOUNT OF \$ 1,765.00 DATE: 8/4/17

\_\_\_\_\_ RECEIPT NUMBER \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_

\_\_\_\_\_ POSTED: \_\_\_\_\_ DATE: \_\_\_\_\_

\_\_\_\_\_ PUBLISHED: \_\_\_\_\_ DATE: \_\_\_\_\_

\_\_\_\_\_ BOARD OF ADJUSTMENT HEARING: \_\_\_\_\_ DATE: \_\_\_\_\_

\_\_\_\_\_ VICINTY MAP \_\_\_\_\_ DATE: \_\_\_\_\_

**ZONE** \_\_\_\_\_

## SUBMITTAL REQUIREMENTS

- X   Application form with proof of ownership (current title report) <sup>1</sup>
  
- X   Filing Fee<sup>1</sup>
  - Application for Variance                    ~~\$2,305~~ \$1,765.00
  - Application for Variance for Non-livable detached structures having less than 10% impact on setback or disturbed area                    \$1,730
  
- X   (1) Narrative describing request and addressing all six variance criteria<sup>1</sup>
  
- X   (6) **Folded\*** copies of site plan and all other applicable plans/documents for staff to review for completeness<sup>1</sup>
  
- \_\_\_\_\_ (20) **Folded\*** copies of site plan and all other applicable plans/documents for hearing<sup>2</sup>
  
- \_\_\_\_\_ (20) Current color or black/white aerial photographs of the site for hearing<sup>2</sup>
  
- \_\_\_\_\_ (1) 8 ½" x 11" copy of site plan and all other applicable plans<sup>2</sup>
  
- X   (1) Set of noticing material
  - a. List of all property owners with respective Maricopa County Tax Parcel Number for all properties within the notice area. Notice area is 600 feet from perimeter of subject property, or as specified by the Town<sup>1</sup>
  - b. Signed Affidavit that the above list is the most current and accurate list from the Maricopa County Tax Assessor's office<sup>1</sup>.
  - c. Completed set of envelopes for each property owner within the notice area<sup>2</sup>. Envelopes to include:
    - i. Town return address:

Town of Paradise Valley  
Planning Department  
6401 E. Lincoln Drive  
Paradise Valley, AZ 85253-4399
    - ii. Property address shall include 'or current resident'

*Example:*        *Mr. & Mrs. Doe or*  
**Current Resident**  
*4500 N Main Street*  
*Paradise Valley, AZ 85253*
    - iii. Appropriate postage paid on each envelope
    - iv. Notice material inserted in each envelope. The Town will provide the Applicant this notice prior to the due date for the noticing material.
    - v. All envelopes sealed

<sup>1</sup> Must be submitted with application.

<sup>2</sup> Must be submitted at least 21 days prior to the scheduled hearing.

\* All copies must be folded to approximately 8 ½ by 11-inch in size

BRUCE & NADINE HART  
5137 NORTH TAMANAR WAY  
PARADISE VALLEY, AZ 85253

June 27, 2017

Doug Jorden  
Jorden Hiser & Joy, P.L.C.  
5080 North 40<sup>th</sup> Street, Suite 245  
Phoenix, AZ 85018

Re: Maricopa County Assessor's Parcel No. 173-65-001A, located at 5137 North  
Tamanar Way, Paradise Valley, Arizona (the "Property")

Dear Mr. Jorden:

The purpose of this letter is to authorize John B. Hayden, you, and your firm to file and  
process a variance application for setbacks for the Property with the Town of Paradise Valley.

DocuSigned by:

*Bruce H. Hart*

Bruce H. Hart

DocuSigned by:

*Nadine A. Hart*

Nadine A. Hart

RECORDING REQUESTED BY  
Lawyers Title Insurance Corporation  
AND WHEN RECORDED MAIL TO:

Mr. Bruce Hart  
Mrs. Nadine Hart  
5219 North Casa Blanca  
Paradise Valley, Arizona 85253

20

12  
Le

1/3 ESCROW NO.: 01298695 - 003 - H64 1/3

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**Warranty Deed**

For the consideration of Ten Dollars, and other valuable considerations, I or we,  
**Laura G. Haack and Joseph R. Haack, wife and husband**

do/does hereby convey to  
**Bruce H. Hart and Nadine A. Hart, Husband and Wife**

the following real property situated in Maricopa County, ARIZONA:  
**See Exhibit A attached hereto and made a part hereof.**

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances,  
liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

Dated October, 2003

**SELLERS:**

*Laura G. Haack*

Laura G. Haack

*Joseph R. Haack*  
Joseph R. Haack

Escrow No.: 01298695 - 003 - H64

State of Arizona  
County of Maricopa

} SS

This instrument was acknowledged before me this 8th  
day of October, 2003

by **Laura G. Haack and Joseph G. Haack, wife and husband.**

*Lisa Klawonn*

Notary Public

My commission will expire 11-15-06



**Exhibit A**

**That part of Lots 20 and 21, CASA BLANCA ESTATES, a subdivision recorded in Book 81 of Maps, page 48, records of Maricopa County, Arizona, described as follows:**

**Beginning at the Northwest corner of Lot 20;**

**Thence North 77 degrees 30 minutes 40 seconds East 335.41 feet;**

**Thence South 41 degrees 7 minutes 50 seconds West, 275.79 feet;**

**Thence Southwesterly 27.15 feet along a curve having a central angle of 34 degrees 34 minutes 00 seconds and a radius point bearing North 53 degrees 25 minutes 20 seconds West, 45 feet;**

**Thence Northwesterly 117.81 feet along a curve having a central angle of 90 degrees 00 minutes 00 seconds and a radius point bearing North 18 degrees 51 minutes 20 seconds West 75 feet;**

**Thence Northwesterly 108.34 feet along a curve having a central angle of 6 degrees 22 minutes 00 seconds and a radius point bearing North 71 degrees 08 minutes 40 seconds East 975 feet to the Point of Beginning.**

### Acceptance of Community Property with Right of Survivorship (DEED)

**Bruce H. Hart and Nadine A. Hart, Husband and Wife** each being first duly sworn upon oath each for himself or herself and jointly but not one for the other deposes and says,

THAT I am one of the Grantees named in that certain Deed attached hereto and which is dated October 8, 2003 , and executed by **Laura G. Haack and Joseph R. Haack, wife and husband** as Grantors, to **Bruce H. Hart and Nadine A. Hart, Husband and Wife** as Grantees, and which conveys certain premises described as:

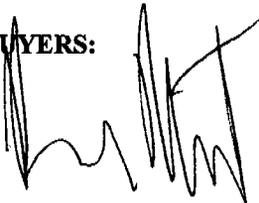
See Exhibit A attached hereto and made a part hereof.

to the Grantees named therein, not as Tenants in Common, not as a Community Property Estate, nor as Joint Tenants with Right of Survivorship, but as Community Property with Right of Survivorship.

THAT each of us individually and jointly as Grantees hereby assert and affirm that it is our intention to accept said conveyance as such Community Property with Right of Survivorship and to acquire any interest we may have in said premises under the terms of said Deed as Community Property with Right of Survivorship.

Dated this 10 day of October, 2003.

**BUYERS:**



Bruce H. Hart



Unofficial Document

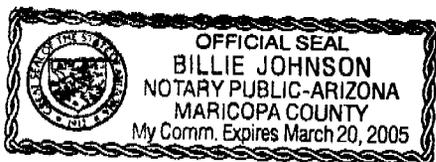
Nadine A. Hart

State of Arizona  
County of Maricopa

} SS

This instrument was acknowledged before me this 10  
day of October, 2003

by. **Bruce H. Hart and Nadine A. Hart**

  
Notary Public

My commission will expire \_\_\_\_\_

**Exhibit A**

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