

Mark and Debbie Schmuker  
1440 N. Crismon Rd,  
Mesa AZ 85207

November 2016

#### Background and History

We purchased the 14 acre parcel 5-1-96 when this area was still in the County. We started building 1502 N. Crismon right away under Maricopa County Permit #1996003019-00. The home was completed 2/1997 and is situated on 3 acres of the total 14 acres.

As soon as the house was finished, we built the barn and stables on the adjoining 4.66 acre piece to the south. This was the perfect location to place the livestock because it was close to the home. **See the attached map for reference of 1502 N. Crismon Home and Stables location.** They were completed August 1997.

Later that same year in 1997, Lisa Johnson approached us to sign the annexation petition. We told her that we wanted to remain on septic and well water. She gave us the City of Mesa Annexation Facts and Benefits document that states on page 2 under Sewer: "Currently the homes in your neighborhood are served by individual septic tanks. If annexed, the residents can continue to utilize their septic system. In the future as sewer lines are extended to this area, the City would like to encourage the residents to consider connecting to the City sewer system by means of a special improvement district. The decision to pay for such neighborhood improvements is determined by a majority of the property owners. Current State Law does not grant municipalities the power to require existing homes to convert from septic to a municipal sewer system. **See Attached City of Mesa Annexation Facts and Benefits Document.**

It was also represented in the City of Mesa Annexation Facts and Benefits document under **Special Improvement Districts**: The City of Mesa offers its citizens the opportunity to form special improvement districts if a majority of the property owners sign a special improvement district petition requesting such. A special improvement district would allow property owners a way to obtain such improvements as paved streets, street lights, water lines, fire hydrants, or sewer lines **if they so desire**. If an improvement district is formed, the City will provide the accounting, clerical, and engineering services, besides inspecting the work in progress.

Based on the foregoing representation, we signed the petition to Annex into the City of Mesa. **The Annexation was complete 6-3-98.** We do not feel we should be required to pay for and hook up to city sewer and install street improvements. **At this time Water is not available at our street.**

We were told by ADOT that Crismon would most likely never become a 4 lane main artery because of:

- The mountain on the east side and
- The wash on the west side would restrict the width of the road
- A new bridge would have to be built over the Signal Butte Floodway
- Crismon makes a 90 degree west at McKellips and is single lane along VIP and Matamy Homes
- Ellsworth Rd. one mile west is the main artery street

Permits that have been issued AFTER the Annexation to the City of 6-3-98 and NO Street Improvements or in lieu of payments have been required:

- 1440 N. Crismon Rd., Mark and Debbie Schmuker, home completed in 2006
- 1446 N. Crismon Rd., Bryan and Rita Black, home completed 2013
- 1450 N. Crismon Rd., Mitchell Middagh, home completed 2002
- 1458 N. Crismon Rd., Thomas and Leslie Cloud, home completed 1999
- 1460 N. Crismon Rd., Henry and Deanna Garcia, home completed 1999
- 1466 N. Crismon Rd., David Ross, home completed 2001
- 1500 N. Crismon Rd., Bryan and Penny Pace, home completed 2000
- 1502 N. Crismon Rd., Francis and Sian Murtagh, new barn completed 2007

We believe these permits have set a precedence for our neighborhood. All of these homes are on Septic and Well Water Systems and been built after the annexation.

8 years later, we decided to build a home on the 4.66 acres. **The horse structures and ramada were Pre-Existing and documented on our Site Plan for our Permit which was approved 10/28/05.**

**1. We are requesting a Variance for the placement of the Outbuildings** being in front of the main residence because the Horse Structures were there 8 years prior to the Home Construction.

The Out Buildings were **Pre-Existing** and acknowledged by Diana Ross at the time of our Permit #BLD2005-08455. She said that they would not be a problem because we are on a large parcel.

Another major consideration to the Placement of the Outbuildings and specifically the Hay Shed is the **Wash that runs North to South** through the front of the property. 2 or 3 times a year the Wash really runs. So we had to locate the Hay and Feed Storage in a dry area that doesn't get flooded during the rainy season.

All the properties in our Community are Acreage Homesites with Horse Privileges. The Outbuildings are necessary for the care of the livestock. **We are not asking for Special Privilege** but rather for the same consideration that our neighbors have with their outbuildings.

Our neighbor to the North has 2 outbuildings in front of their home which are situated between the home and Crismon Rd.

**The Maricopa Flood District Historical Aerial Maps are attached** for reference to the above timeline of events that have occurred since the time we purchased this property to the most concurrent map in 2013.

No need for a **Special Use Permit**: We have decided to remove and take down the Horse Shade in the the horse turnout that runs along Crismon Rd.

#### **Roof Ratio**

##### **Main Residence**

Livable Area 4500 s.f.  
Garage 1019  
Back Patio 546  
Front Patio 1281  
Total Sq.Ft. 7,346

##### **Outbuildings**

Casita 41X55 = 2255  
Ramada 20X2 = 400  
Garage 48X60 = 2880  
Cabana 14X46 = 644  
Tack 12X14 = 168  
Hay Shed 24X40 = 960  
Total Sq.Ft. 7,307

Now that the horse shade has been taken out of the equation, the Main Residence is 7,346 Total sq.ft. And the Total Outbuildings sq.ft. are 7,307 there is no need for a Special Use Permit because the Main Residence Roof Coverage is greater than the Outbuildings Roof Coverage.

The Outbuildings Consist Of:

The Casita is 1750 s.f. and has a total roof coverage of 2,255 s.f. The exterior is similar in architecture and stuccoed & painted to match the main residence. It consists of 2 bdrms, 2 bath, great room, kitchen, laundry room, and office.



The Detached Garage interior is 48' X 60', and a total roof coverage of 2880 s.f. It is located next to the Casita. The garage is designed with the same pop out trim detail, stucco and colors, as well as the metal roof as the Casita. It provides parking, security, and weather protection for the items stored within.

The metal Hay/Tool Barn is 24' X 40', roof coverage of 960 s.f., and located next to the livestock turnout and is convenient when feeding the animals. The hay and grain are stored under roof to protect the food from the sun, wind and rain. Other supplies and tools are kept there as well for a clutter free appearance from neighbors.



The Ramada is 20' X 20' with a roof coverage of 400 s.f. It has a tile roof, columns, and stone accents and is located next to the Casita.

The Cabana is 14X46 with a roof coverage of 644 s.f. It has a hot tub, fireplace, and wet bar and is located parallel to the home with the pool in between. It has the same columns that the main residence has and a matching tile roof. The cool decking continues from the pool perimeter to the entire floor of the cabana.





Cabana view with Hot Tub



Cabana view with Wet Bar

We would like to go with Steve Hethers Option #2 as follows: **The recorded deed is attached.**

*"Request through a title company to combine the two parcels and record it as being one. Revise the variance and special use permit requests to fit the circumstances as one parcel. Assuming the Board of Adjustment approves the necessary variances and special use permit, submit construction documents for all the structures built without benefit of a permit. As a reminder, off-site improvements or an in-lieu payment may still be required if the square footage of the outbuildings totals more than 100% of the square footage of the home that was constructed under the 2005 building permit."*

Mary Ann Valdez with Security Title said, "Because you never did a deed to split the ownership, you still own the entire 4.66 acres under your names and under 1 parcel number." See Attached Letter.

**2.. We would like to request a Variance for the Wall Height to exceed 3.5 feet.**

**The wall is Pre-Existing.** It was constructed in the summer of 2000. The home was permitted in 10/28/2005.

The front our property runs north and south along Crismon Road. The Residence is set back apx 330 feet or more from the East property line that is on Crismon Rd. to **optimize privacy and minimize street noise.**

**We are not asking for special privilege.** Our neighbor to the north at 1502 N. Crismon Rd. also borders Crismon Rd. and their fence is at least 5 ft. in height.

Our wall was constructed to keep our livestock and animals safe and contained on our property. **If the wall was 3.5 ft. there would be a greater danger of the livestock getting out onto Crismon and into traffic.** Crismon gets a fair amount of traffic. The wall also helps with noise control and privacy.

The wall is attractive and was constructed in 2000 out of block and is finished with a smooth stucco and is painted to match the residence. The average height of the wall is 4.5 ft.



Outside of Wall  
on Crismon Rd.

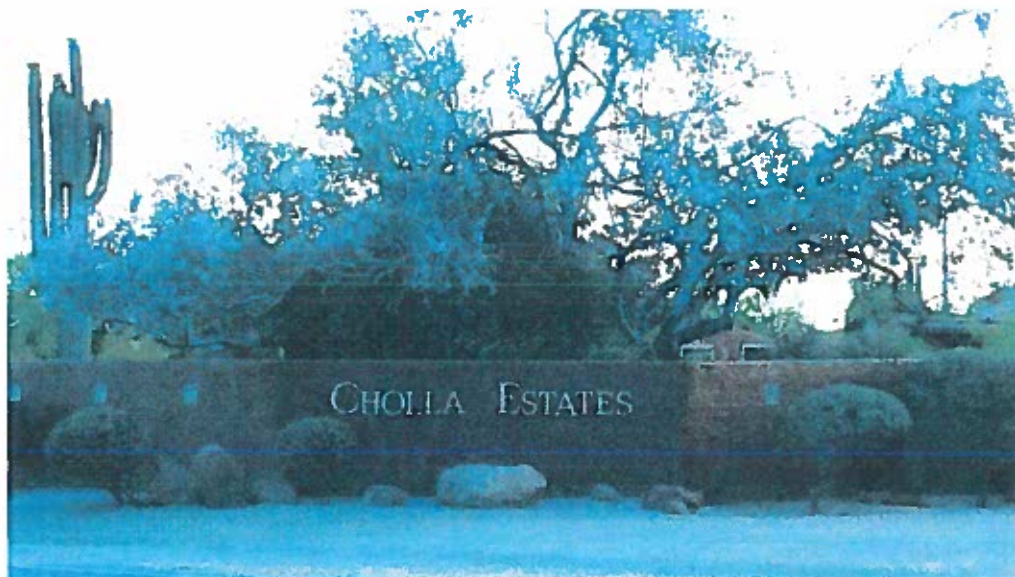


Inside of Wall & Shade Cover

We do not want Special Privilege but rather the same consideration. Our neighbors Frank and Sian Murtagh had a similar variance request that was granted in May 2007 when they added another barn/workshop to their property. They have two barns between their dwelling and Crismon Rd.

Thank you in advance for your consideration of our unusual circumstances. This property was first a home to our horses in 1997. And later in 2006 the residence was added. This place has evolved through the last 20+ years. We have tried to create a beautiful setting in everything we've done thru the years.

Respectfully,  
Mark and Debbie Schmuker



Casita Interior



Great Room and Kitchen Area



Kitchen



Master Bedroom and Bathroom

Laundry  
Room



Hall  
Bathroom



# County Parcels



1502 N. Crismon  
← Home

Barn & Stables  
←

**CITY OF MESA**  
**ANNEXATION FACTS AND BENEFITS**

The City staff has prepared this summary of typical facts and benefits which would occur should your County neighborhood be annexed by the City of Mesa. We hope this information will assist you in determining if it is in your best interest to be annexed by the City of Mesa.

**Property Tax:** The City of Mesa is one of the few cities in the West which levies no City property tax. The monies to operate our local government (which most cities tax for) are provided through the sale of utilities and our share of state and federal revenues. Upon annexation, you will still pay your county and school district property taxes as you always have, but no additional property tax to the City of Mesa.

**Police Protection:** The City of Mesa provides much more in the way of quality police services to our citizens. We have modern equipment and highly trained personnel in all areas of service, which includes administration, neighborhood and traffic patrol, community relations, criminal investigations, communications, technical services and animal control. The Mesa Police Department with approximately 990 personnel, can offer quality protection and community programs in the following manner:

- \* High level of visibility and quick response - more officers and more patrolling of your neighborhood.
- \* We are community oriented and personable in our service and public contact.
- \* We provide Home Security Check and Neighborhood Block Watch Programs.
- \* We offer Operation Identification and Traffic Safety Programs.
- \* Specific neighborhood problems can be discussed and dealt with personally with your Sector Captain.
- \* The Falcon Field Substation at 4530 East McKellips Road allows for convenient personal contact.

**Fire Protection:** Upon annexation, the City of Mesa would provide fire protection and paramedic services to all new residents at no cost, which differs from the current fees charged by Rural Metro. Currently, you either pay Rural Metro an annual service protection policy, or actual manpower and equipment charges for any service call (if you do not have their protection policy). Mesa's improved water system, modern fire equipment, and structural training program have helped the City to attain a Class 2 fire insurance rating, one of the best in the State. Because of our higher fire rating you may be eligible for a rate reduction on your homeowners' insurance policy, depending on your insurance company. The Mesa Fire Department currently has approximately 330 personnel, along with 15 fire stations to serve the citizens of Mesa. Upon annexation your neighborhood would receive primary protection from Station #13 at 7816 East University Drive. Backup protection would be available from Station #15 at 5950 East Virginia Street. We are in the process of acquiring a future fire station site along McDowell Road, west of Ellsworth.

*In the future as water lines are extended to this area, the City would like to encourage the residents to consider connecting to the City water system.*

**Water Service:** ~~Water for your neighborhood is already provided by the City of Mesa. As a result, annexation will not change your current water rate.~~

**Sewer:** Currently the homes in your neighborhood are served by individual septic tanks. If annexed, the residents can continue to utilize their septic system. In the future as sewer lines are extended to this area, the City would like to encourage the residents to consider connecting to the City sewer system by means of a special improvement district. The decision to pay for such neighborhood improvements is determined by a majority of the property owners. Current State Law does not grant municipalities the power to require existing homes to convert from septic to a municipal sewer system.

**Refuse Collection:** After annexation, the City will provide automated curbside refuse collection to you, at a cost of \$14.25 monthly. This service consists of once weekly pickup for regular household refuse (90 gallon black barrel) and once weekly pickup of recyclables (60 gallon blue barrel). Residents may also personally haul refuse (up to 500 lbs.) to the Salt River Pima-Maricopa Indian Community Landfill, located on Beeline Highway, at no additional charge if you present your current Mesa utility bill.

**Street Maintenance:** Upon annexation, the City of Mesa will assume responsibility for repair, sweeping, and maintenance for all paved public streets which are improved to City or County standards. All dirt streets located within dedicated public right-of-way will be periodically graded. Street name and traffic regulation signs will also be maintained and/or installed where appropriate.

**Special Improvement Districts:** The City of Mesa offers its citizens the opportunity to form special improvement districts if a majority of the property owner sign a special improvement district petition requesting such. A special improvement district would allow property owners a way to obtain such improvements as paved streets, street lights, water lines, fire hydrants, or sewer lines if they so desire. If an improvement district is formed, the City will provide the accounting, clerical, and engineering services, besides inspecting the work in progress.

**Parks and Recreation:** Residents of Mesa can take advantage of the many recreational and cultural facilities provided by the City. Some of the public facilities include: 50 parks, 11 swimming pools, 120 tennis and 56 racquetball courts, 71 baseball and 11 soccer fields, 70 miles of bike routes, 2 golf courses, the Civic Center Plaza and its Senior Citizen Centers. In addition the new Red Mountain regional park is located just west of your neighborhood.

**Dial-A-Ride:** The City of Mesa provides its senior citizens (age 65 and older) and persons with disabilities an innovative form of taxi cab service, in which the rates are subsidized by the City of Mesa.

**Library Services:** The City of Mesa offers its citizens a wealth of information and resources throughout our modern downtown library and its facilities. The City also has a new East Mesa Branch Library at 635 N. Power Road.

**Zoning:** After annexation, the City of Mesa (as required by State Law) will establish City zoning districts comparable to those now existing under the County's jurisdiction. If in the future, properties are proposed for rezoning, the City's development tools allow us to:

- \* Require site plans and elevations of the proposed use which can be reviewed and incorporated as part of a zoning change.
- \* Impose special conditions and time limits on a rezoning request.
- \* Utilize "Development Master Plan Overlay Zoning" and other Development Guidelines to regulate new development projects. This is helpful in encouraging well-planned, integrated and compatible land uses, as opposed to piecemeal or typical standard urban development.
- \* Require or impose additional building setbacks, height restrictions, limited vehicular access, desert landscape retention or revegetation, and architectural compatibility (design review), as part of the rezoning and building permit process.

**Local City Government Convenience:** The Mesa City Council and City departments are easily accessible due to our location, compared to the current County situation which necessitates a trip to downtown Phoenix. The City also operates branch offices in our East Mesa facility at 6935 E. Decatur Street (west of Power and north of University).

Dec 1996 - Feb. 1997



Before Dec. 1998 - Oct. 1999



Dec. 2001 - Feb. 2002



Dec 2003 - Jan 2004



Nov. 2004 to Dec 2004



100ft

Jan 2006 to Feb 2006

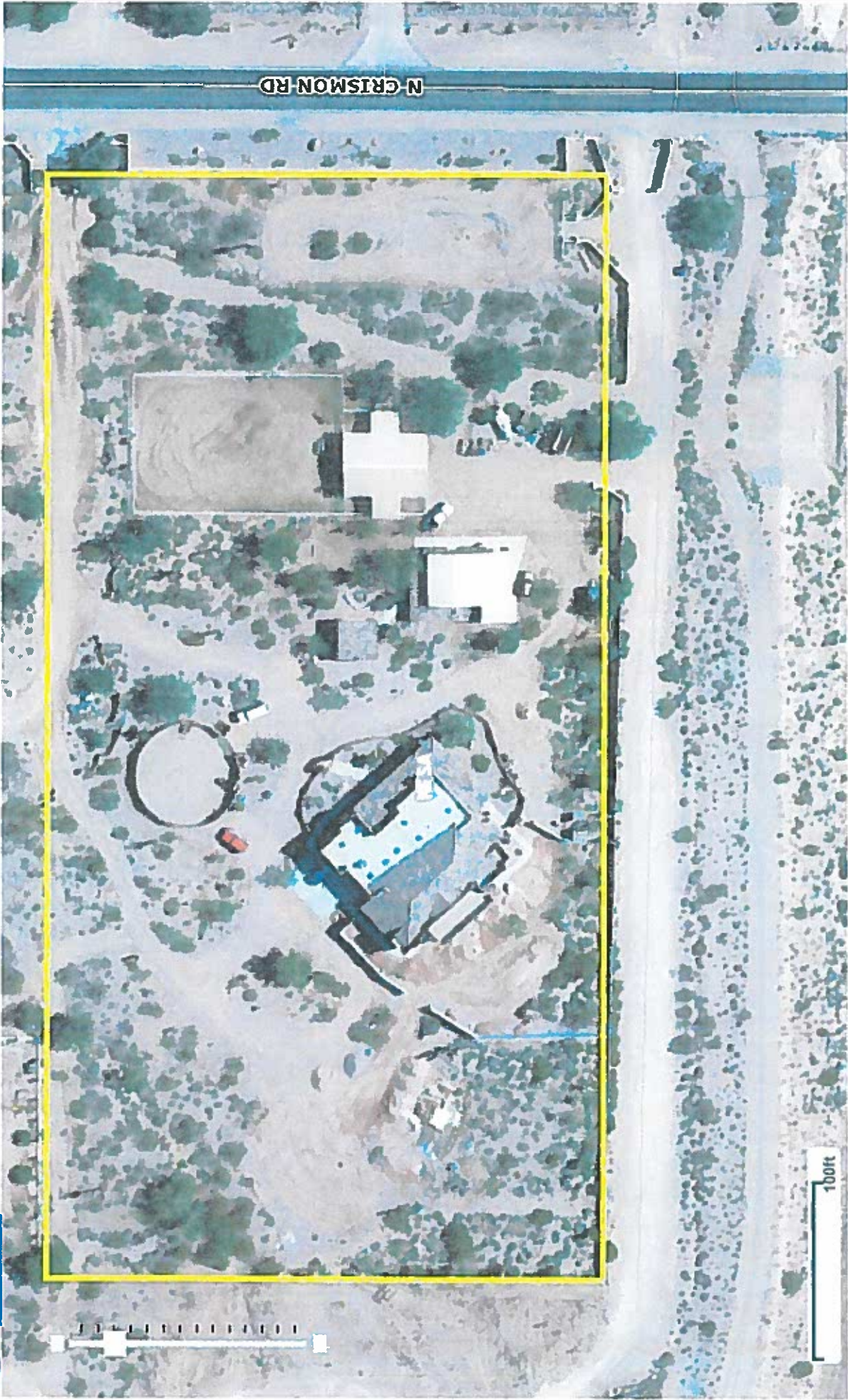


N CRISMON RD

100ft

October 2006 to Nov 2006

Historical  
Aerial  
Photography

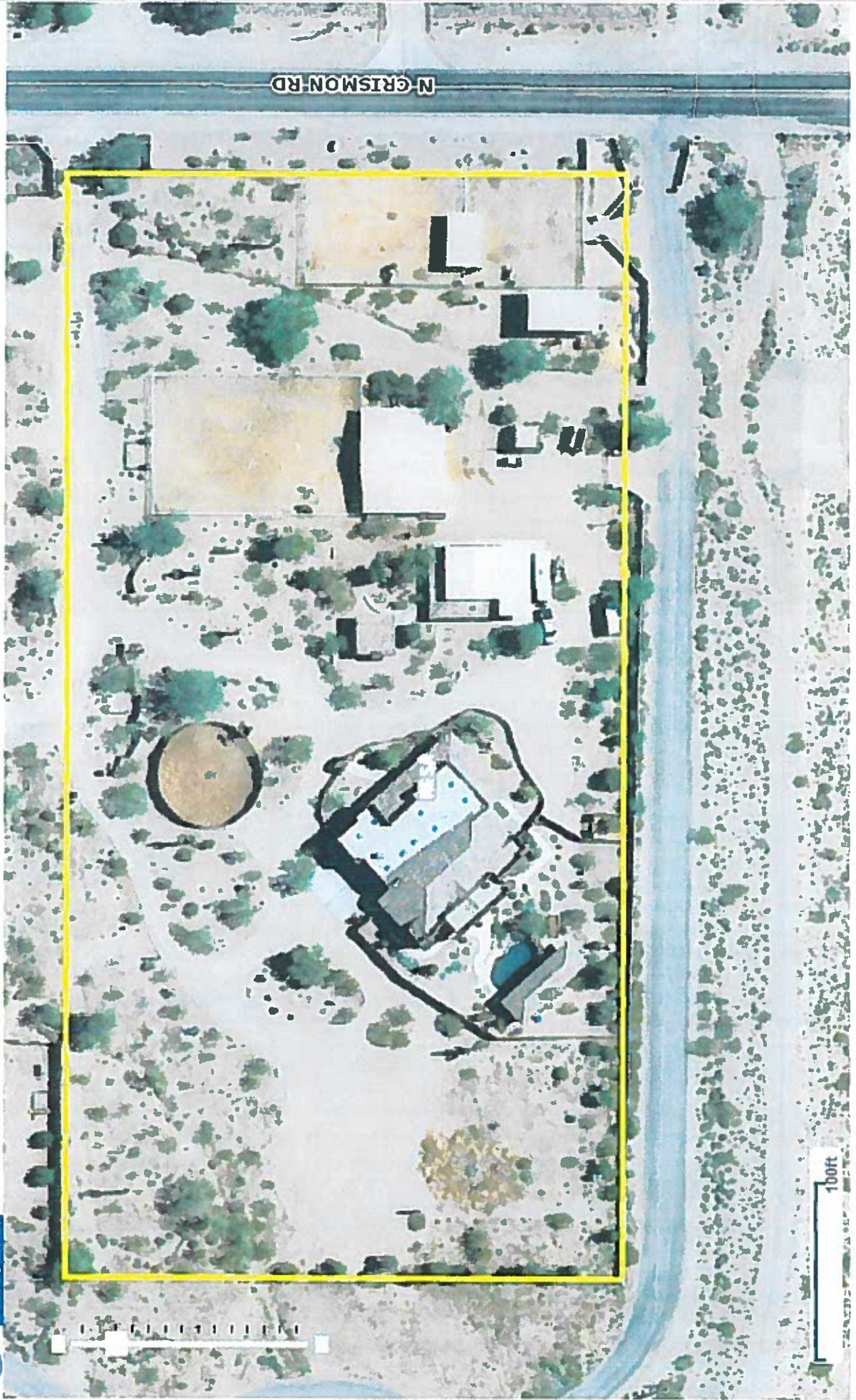


Oct 2007 to Jan 2008

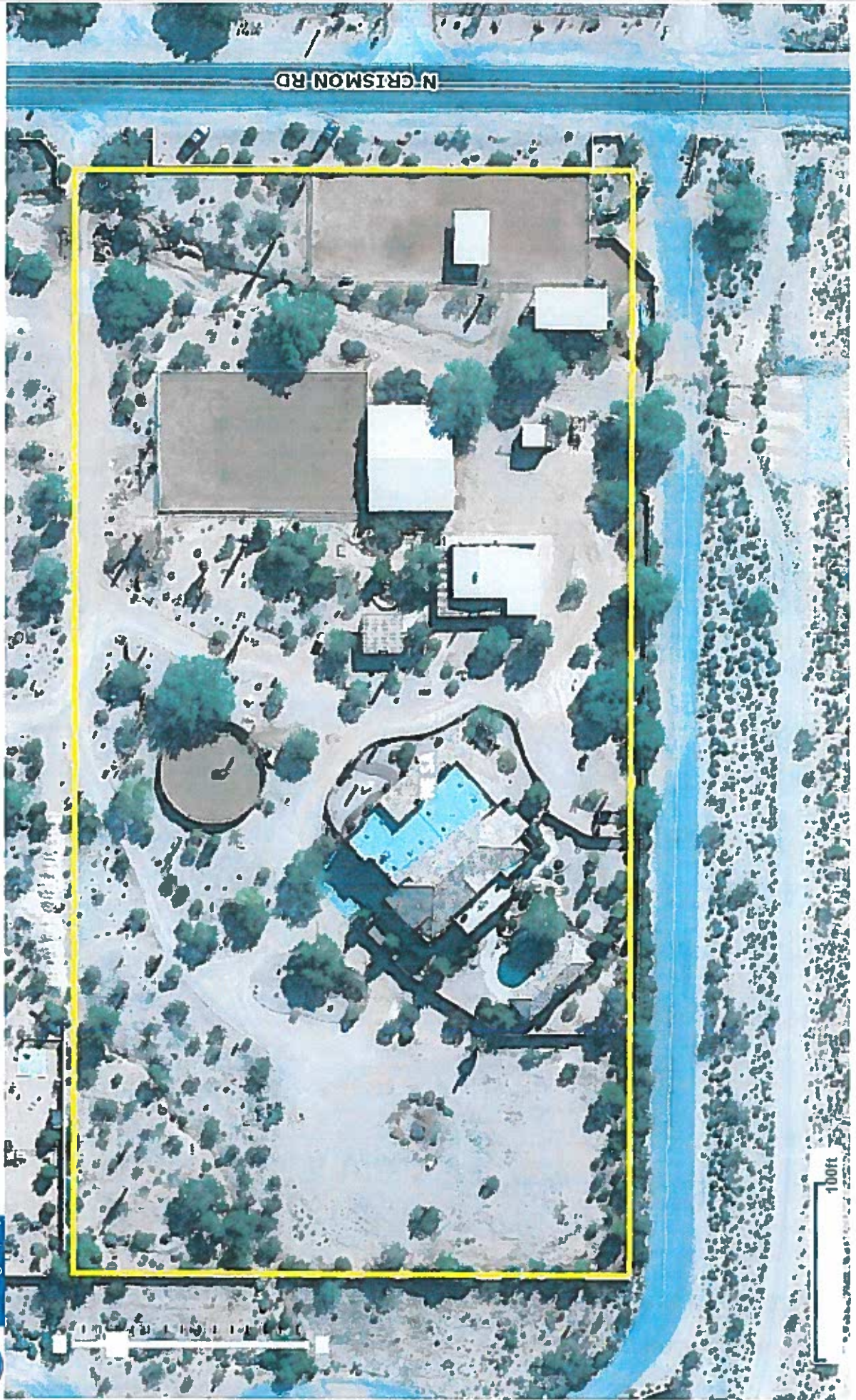
Historical  
Aerial  
Photography



Oct 2008 - Dec 2008



Sept. 2013 to Nov 2013 - Still the same today





**Mary Ann Valdez**  
Branch Manager/Escrow Officer

Entrepreneur  
500

Direct: 480-448-7119  
Office: 480-892-1523  
Office Fax: 480-892-1653  
mvaldez@securitytitle.com



**SECURITY**  
TITLE AGENCY  
A Fidelity National Financial Company

1528 E. Williams Field Rd • Ste 102 • Gilbert, AZ 85295 • [www.securitytitle.com](http://www.securitytitle.com)

November 8, 2016

Hello Debbie:

Sorry this has taken me all day, but I wanted to confirm what has transpired on this property.

Attached you will find the History of your property that reflects that last deed recorded for this parcel 220-01-018Y was recorded in 7/5/2006.

The next attachment reflects the survey that you recorded to do the split, but because you never did a deed to split the ownership you still owe the entire 4.66 acres under your names and under 1 parcel number.

Until you record a deed from you & Mark to YOURSELVES or someone with the legal descriptions provided by the surveyor they county doesn't know to assign it a new parcel with a new legal.

Therefore you still own the full 4.66 acres under 1 parcel and 1 deed.

**Mary Ann Valdez**

**Branch Manager/Escrow Officer**

JUL 05 2006

OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER  
HELEN PURCELL  
20060900140 07/05/2006 03:43  
ELECTRONIC RECORDING

Recording Requested by:  
First American Title Insurance Company

When recorded mail to:  
Mark E. Schmuker and Debbie A. Schmuker  
1440 North Crismon Road  
Mesa, AZ 85207

P4709569-3-2-1--  
morenoa

192  
88

### WARRANTY DEED

This Transfer is exempt  
from the Affidavit and  
Transfer Tax under  
ARS 11-1134 B-3

Escrow No. 214-4709569 (set)

For the consideration of TEN AND NO/100 DOLLARS, and other valuable considerations, I or we,

Mark E. Schmuker, a married man, the GRANTOR does hereby convey to

Mark E. Schmuker and Debbie A. Schmuker, husband and wife, the GRANTEE

The following described real property situate in Maricopa County, Arizona with the title being conveyed to the grantee as set forth in the attached acceptance by the grantee:

That part of Section 10, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING 198 feet West of the Southeast corner of Section 10;

THENCE West 660 feet;

THENCE North 2640 feet;

THENCE East 660 feet;

THENCE South 2640 feet to the POINT OF BEGINNING.

EXCEPT the North 330 feet of the East 330 feet; and

EXCEPT that part within the Southeast quarter of the Southeast quarter and

EXCEPT that part within the South 235 feet of the Northeast quarter of the Southeast quarter.

EXCEPT the North 475 feet of the West 165 feet of the East 858 feet of the Northeast quarter of the Southeast quarter.

EXCEPT the South 290 feet of the North 765 feet of the West 330 feet of the East 858 feet of the Northeast quarter of the Southeast quarter.

EXCEPT the East 165.00 feet of the North 475.00 feet of the following described property:

That part of the Southeast quarter of Section 10, Township 1 North, Range 7 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING 198 feet West of the Southeast corner of Section 10;

File No.: 214-4709569 (set)  
A.P.N.: 220-01-018Y 7

Warranty Deed - continued

THENCE West 660 feet;

THENCE North 2640 feet;

THENCE East 660 feet;

THENCE South 2640 feet to the POINT OF BEGINNING;

EXCEPT the North 765 feet of the East 330 feet; and

EXCEPT that part of the above described property lying within the Southeast quarter of the Southeast quarter; and

EXCEPT that part of the above described property lying within the South 235 feet of the Northeast quarter of the Southeast quarter.

EXCEPT the South 435 feet of the North 765 feet of the West 330 feet of the East 528 feet of the Northeast quarter of the Southeast quarter.

Subject To: Existing taxes, assessments, liens, encumbrances, covenants, conditions, restrictions, rights of way and easements of record.

And the GRANTOR binds itself and its successors to warrant the title as against its acts and none other, subject to the matters set forth.

DATED: June 29, 2006

SEE ACCEPTANCE ATTACHED HERETO

AND BY REFERENCE MADE A PART HEREOF.

  
Mark E. Schmuker

STATE OF AZ )  
County of Maricopa ) ss.

On James L. Flynn 6-29-06, before me, the undersigned Notary Public, personally appeared Mark E. Schmuker, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires: 6-28-07

  
Notary Public



File No.: 214-4709569 (set)  
A.P.N.: 220-01-018Y 7

Warranty Deed - continued


### ACCEPTANCE OF COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP

This Acceptance is to be attached to: Warranty Deed dated 06/29/2006 by and between and Mark E. Schmuker and Debbie A. Schmuker.

That each of the undersigned individually and jointly as such Grantees hereby declare that it is their intention to accept this conveyance as community property with right of survivorship and not as joint tenants with right of survivorship and not as tenants in common, and to acquire any interest in said real property under said deed as community property with right of survivorship, and not as joint tenants with right of survivorship and not as tenants in common.

That by the execution and delivery to the Escrow Agent of this "Acceptance of Community Property with Right of Survivorship" the undersigned intend to evidence their acceptance of said deed as community property with right of survivorship, and hereby direct and authorize the Escrow Agent to attach this "Acceptance of Community Property with Right of Survivorship" to such deed upon its execution and delivery and to record this "Acceptance of Community Property with Right of Survivorship" together with such deed.

Date: 06/29/2006

  
Mark E. Schmuker

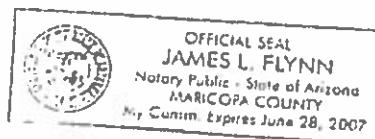
  
Debbie A. Schmuker

STATE OF AZ )  
County of Maricopa ) ss.

On 6-29-06, before me, the undersigned Notary Public, personally appeared Mark E. Schmuker and Debbie A. Schmuker, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires: 6-28-07  Notary Public



TOWNSHIP 1 NORTH, RANGE 7 EAST  
GILA & SALT RIVER BASE & MERIDIAN, MARICOPA COUNTY, ARIZONA  
APN 220-01-018Y OWNER- MARK & DEBBIE SCHMUKER

OFFICIAL RECORDS OF  
MARICOPA COUNTY RECORDER  
HELEN PURCELL  
20140769700 11/20/2014 02:20  
BOOK 1208 PAGE 35  
PAPER RECORDING

20140899430-1  
ramirep

[illegible]

PLANNING DIVISION  
ACQUISITIVE APPROVAL  
DATE: 11/18/11  
APPROVED YES ☒ NO ☐  
PLANNING DIVISION *J. D. Wadley*

## SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE SURVEY OF THIS  
PLAT WAS MADE UNDER MY DIRECTION AND  
SUPERVISION AND IS CORRECTLY REPRESENTED ON  
THIS PLAT.



Minor Land Division

DRAWN LC	DATE 09/25/14	Lee Det Georgia 928-525-1147
APPROVED	DATE	
SCALE 1" = 100'	SHEET 1 of 1	PROJECT NO. Schmucker

DOCUMENT USED 20080900140  
MARICOPA COUNTY RECORDS

PLSS SECTION CORNER  
SET 1/2" REBAR AND CAP  
PARENT PARCEL  
SPLIT LINE  
SECTION LINE  
PARCEL LINE

**PARENT PARCEL**

That part of Section 10, Township 1 North, Range 7 East of the Gila and Salt River Basins and Meridian, Maricopa County, Arizona, described as follows:

BEGUNNING at the Southwest corner of Section 10;  
THENCE North 650 feet;  
THENCE North 250 feet;  
THENCE East 649 feet;  
THENCE South 240 feet to the POINT of BEGINNING.

EXCEPT that portion of the East 330 feet and  
EXCEPT that part within the Southeast quarter of the Southeast  
quarter of the East within the South 235 feet of the Northeast  
quarter of the East within the South 235 feet of the Northeast  
quarter of the Northeast quarter of the East 659  
feet of the Northeast quarter of the Southeast quarter.  
EXCEPT the South 250 feet of the North 765 feet of the West 330  
feet of the East 659 feet of the Northeast quarter of the  
Southeast quarter.

EXCEPT the East 320 feet of the North 415.00 feet of the  
Southeast quarter of the Northeast quarter of Section 10, Township 1  
North, Range 7 East of the Gila and Salt River Basins and Meridian,  
Maricopa County, Arizona, described as follows:

BEGINNING 198 feet West of the Southeast corner of Section 10;  
THENCE West 660 feet;  
THENCE North 240 feet;  
THENCE East 660 feet;  
THENCE South 240 feet to the POINT of BEGINNING;

EXCEPT that part of the East 330 feet and  
EXCEPT that part of the above described property lying within the  
Southeast quarter of the Southeast quarter; and  
EXCEPT that part of the above described property lying within the  
South 235 feet of the Northeast quarter of the Southeast quarter.

EXCEPT the South 435 feet of the North 765 feet of the West 330  
feet of the East 659 feet of the Northeast quarter of the  
Southeast quarter.

Containing 4.6 Acres more or less.

**Parcel A**

That part of Section 10, Township 1 North, Range 7 East of the  
Gila and Salt River Basins and Meridian, Maricopa County, Arizona,  
described as follows:

Commencing at the Southeast corner of Section 10;  
Section 10;  
THENCE N 100°04'10" W 1554.28 feet along the east line of said  
Section 8;  
THENCE S 87°53'30" W 448.00 feet to the Point of Beginning;  
THENCE S 87°53'30" W 370.00 feet;  
THENCE S 87°53'30" W 194.00 feet;  
THENCE S 87°53'30" W 194.00 feet to the Point of Beginning.

THENCE S 87°53'17" W 180.00 feet;  
THENCE S 87°53'17" W 180.00 feet;  
THENCE S 87°53'17" W 180.00 feet;  
THENCE S 87°53'17" W 180.00 feet;  
THENCE S 87°53'17" W 180.00 feet to the Point of Beginning.

Containing 3.58 Acres more or less.

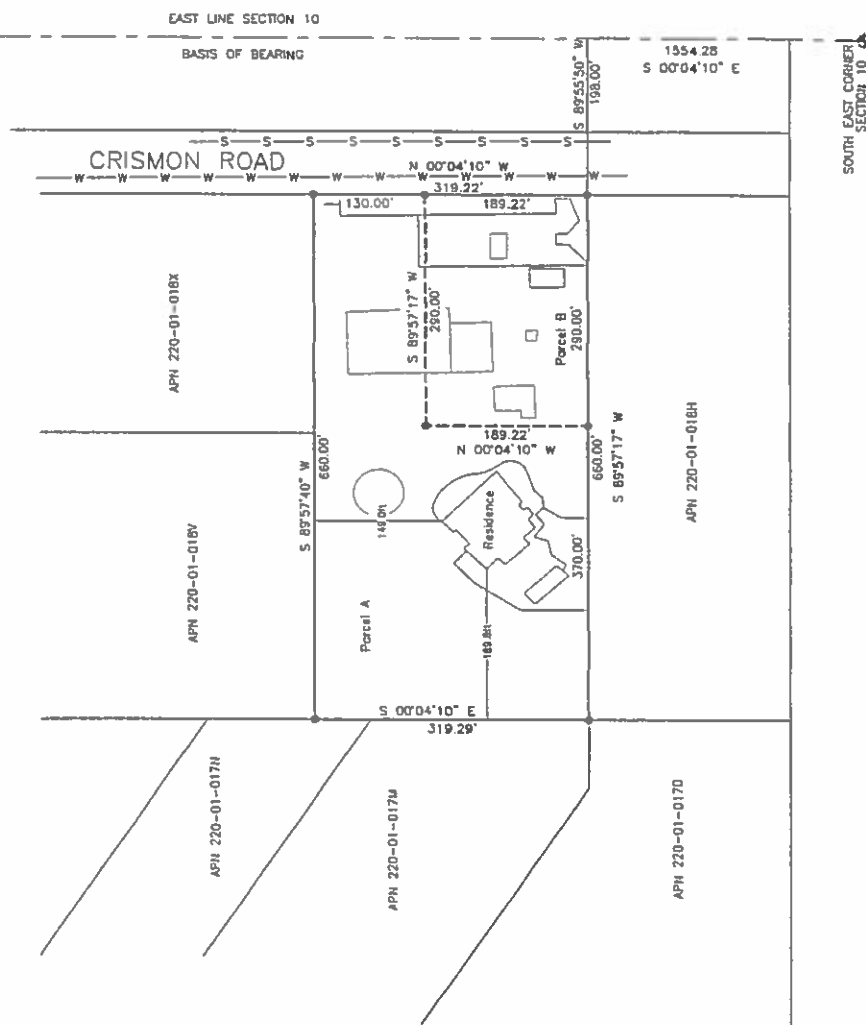
**Parcel B**

That part of Section 10, Township 1 North, Range 7 East of the  
Gila and Salt River Basins and Meridian, Maricopa County, Arizona,  
described as follows:

Commencing at the Southeast corner of Section 10;  
Section 10;  
THENCE N 100°04'10" W 1554.28 feet along the east line of said  
Section 10;  
THENCE S 87°53'30" W 194.00 feet to the Point of Beginning.

THENCE S 87°53'17" W 180.00 feet;  
THENCE S 87°53'17" W 180.00 feet;  
THENCE S 87°53'17" W 180.00 feet;  
THENCE S 87°53'17" W 180.00 feet to the Point of Beginning.

Containing 1.26 Acres more or less.



This map/plot is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

**= METROSCAN PROPERTY PROFILE =**  
**Maricopa (AZ)**

**OWNERSHIP INFORMATION**

<i>Parcel Number</i>	:220 01 018Y	<i>Bldg# 1 of 1</i>
<i>Owner</i>	:Schmuker Mark E & Debbie A	
<i>CoOwner</i>	:	
<i>Site Address</i>	:1440 N Crismon Rd Mesa 85207	
<i>Mail Address</i>	:1440 N Crismon Rd Mesa Az 85207	

**SALES AND LOAN INFORMATION**

<i>Transferred</i>	:07/05/2006	<i>Loan Amount</i>	:\$250,000
<i>Document #</i>	:0060900140	<i>Lender</i>	:Shelter Mtg
<i>Sale Price</i>	:	<i>Loan Type</i>	:Conventional
<i>Deed Type</i>	:Warranty	<i>Interest Rate</i>	:Adjustable
<i>% Owned</i>	:100	<i>Vesting Type</i>	:Married Persons

**ASSESSMENT AND TAX INFORMATION**

	<u>2015</u> <i>Final</i>		<u>2017</u> <i>Preliminary</i>
<i>FCV Total</i>	:\$735,700	<i>FCV Total</i>	:\$701,200
<i>FCV Land</i>	:\$147,100	<i>FCV Land</i>	:\$140,200
<i>FCV Structure</i>	:\$588,600	<i>FCV Structure</i>	:\$561,000
<i>% Improved</i>	:80	<i>LPV</i>	:\$609,950
<i>LPV</i>	:\$553,250	<i>Assmnt Ratio</i>	:10.0%
<i>Assmnt Ratio</i>	:10.0%		
<i>Tax Rate Area</i>	:041000		
<i>2015 Tax</i>	:\$6,401.90		

**PROPERTY DESCRIPTION**

<i>Zoning</i>	:R-43 Residential With 43,000Sf Min	<i>MCR #</i>	:
<i>Land Use</i>	:0142 Res,Sfr,Gr010-4,Urban,Non-Sbdvd	<i>Census Tract</i>	:4201.10
<i>Sub/Plat</i>	:	<i>Census Block</i>	:2
<i>Legal</i>	:W 660F OF E 858F NE4 SE4 SEC 10 EX	<i>S/T/R</i>	: 10 / 01N / 07E
	:S 235F & EX N 765F & EX PT LY E OF	<i>Lot :</i>	<i>Block :</i>
	:W L N 10F STRIP AS DESC IN MESA A...		

**PROPERTY CHARACTERISTICS**

<i>Total Rooms</i>	:10	<i>Patio</i>	:Covered	<i>Lot Sq Ft</i>	:201,722
<i>Bathrooms</i>	:5.33	<i>Patio Number</i>	:5	<i>Lot Acres</i>	:4.63
<i>Bath Fixtures</i>	:16	<i>Pool SqFt</i>	:400	<i>Year Built</i>	:2006
<i>Stories</i>	:1	<i>Parking</i>	:Garage	<i>A/C Type</i>	:Refrig
<i>Quality</i>	:Good	<i>Parking Space</i>	:4	<i>Heat Type</i>	:Forced
<i>Roof Material</i>	:Conc Tile	<i>Bldg SqFt</i>	:4,371	<i>Bldg Condition</i>	:Avg
<i>Wall Material</i>	:Avg	<i>All Bldg SqFt</i>	:4,371	<i>Sewer Type</i>	:
<i>Access Street</i>	:	<i>Water Source</i>	:	<i>Paving</i>	:Paved
<i>Electric Service</i>	:Yes	<i>Gas Service</i>	:		
<i>Land Features</i>		<i>Bldg Type</i>	:R4		

1. Adjacent To An Arterial Road
- 2.
- 3.

**CITY OF MESA**  
**ANNEXATION FACTS AND BENEFITS**

The City staff has prepared this summary of typical facts and benefits which would occur should your County neighborhood be annexed by the City of Mesa. We hope this information will assist you in determining if it is in your best interest to be annexed by the City of Mesa.

**Property Tax:** The City of Mesa is one of the few cities in the West which levies no City property tax. The monies to operate our local government (which most cities tax for) are provided through the sale of utilities and our share of state and federal revenues. Upon annexation, you will still pay your county and school district property taxes as you always have, but no additional property tax to the City of Mesa.

**Police Protection:** The City of Mesa provides much more in the way of quality police services to our citizens. We have modern equipment and highly trained personnel in all areas of service, which includes administration, neighborhood and traffic patrol, community relations, criminal investigations, communications, technical services and animal control. The Mesa Police Department with approximately 990 personnel, can offer quality protection and community programs in the following manner:

- \* High level of visibility and quick response - more officers and more patrolling of your neighborhood.
- \* We are community oriented and personable in our service and public contact.
- \* We provide Home Security Check and Neighborhood Block Watch Programs.
- \* We offer Operation Identification and Traffic Safety Programs.
- \* Specific neighborhood problems can be discussed and dealt with personally with your Sector Captain.
- \* The Falcon Field Substation at 4530 East McKellips Road allows for convenient personal contact.

**Fire Protection:** Upon annexation, the City of Mesa would provide fire protection and paramedic services to all new residents at no cost, which differs from the current fees charged by Rural Metro. Currently, you either pay Rural Metro an annual service protection policy, or actual manpower and equipment charges for any service call (if you do not have their protection policy). Mesa's improved water system, modern fire equipment, and structural training program have helped the City to attain a Class 2 fire insurance rating, one of the best in the State. Because of our higher fire rating you may be eligible for a rate reduction on your homeowners' insurance policy, depending on your insurance company. The Mesa Fire Department currently has approximately 330 personnel, along with 15 fire stations to serve the citizens of Mesa. Upon annexation your neighborhood would receive primary protection from Station #13 at 7816 East University Drive. Backup protection would be available from Station #15 at 5950 East Virginia Street. We are in the process of acquiring a future fire station site along McDowell Road, west of Ellsworth.

*In the future as water lines are extended to this area, the City would like to encourage the residents to consider connecting to the City water system.*

**Water Service:** ~~Water for your neighborhood is already provided by the City of Mesa. As a result, annexation will not change your current water rate.~~

**Sewer:** Currently the homes in your neighborhood are served by individual septic tanks. If annexed, the residents can continue to utilize their septic system. In the future as sewer lines are extended to this area, the City would like to encourage the residents to consider connecting to the City sewer system by means of a special improvement district. The decision to pay for such neighborhood improvements is determined by a majority of the property owners. Current State Law does not grant municipalities the power to require existing homes to convert from septic to a municipal sewer system.

**Refuse Collection:** After annexation, the City will provide automated curbside refuse collection to you, at a cost of \$14.25 monthly. This service consists of once weekly pickup for regular household refuse (90 gallon black barrel) and once weekly pickup of recyclables (60 gallon blue barrel). Residents may also personally haul refuse (up to 500 lbs.) to the Salt River Pima-Maricopa Indian Community Landfill, located on Beeline Highway, at no additional charge if you present your current Mesa utility bill.

**Street Maintenance:** Upon annexation, the City of Mesa will assume responsibility for repair, sweeping, and maintenance for all paved public streets which are improved to City or County standards. All dirt streets located within dedicated public right-of-way will be periodically graded. Street name and traffic regulation signs will also be maintained and/or installed where appropriate.

**Special Improvement Districts:** The City of Mesa offers its citizens the opportunity to form special improvement districts if a majority of the property owner sign a special improvement district petition requesting such. A special improvement district would allow property owners a way to obtain such improvements as paved streets, street lights, water lines, fire hydrants, or sewer lines if they so desire. If an improvement district is formed, the City will provide the accounting, clerical, and engineering services, besides inspecting the work in progress.

**Parks and Recreation:** Residents of Mesa can take advantage of the many recreational and cultural facilities provided by the City. Some of the public facilities include: 50 parks, 11 swimming pools, 120 tennis and 56 racquetball courts, 71 baseball and 11 soccer fields, 70 miles of bike routes, 2 golf courses, the Civic Center Plaza and its Senior Citizen Centers. In addition the new Red Mountain regional park is located just west of your neighborhood.

**Dial-A-Ride:** The City of Mesa provides its senior citizens (age 65 and older) and persons with disabilities an innovative form of taxi cab service, in which the rates are subsidized by the City of Mesa.

**Library Services:** The City of Mesa offers its citizens a wealth of information and resources throughout our modern downtown library and its facilities. The City also has a new East Mesa Branch Library at 635 N. Power Road.

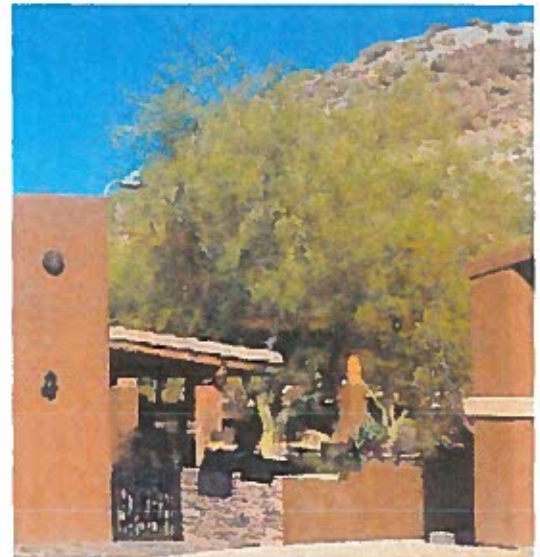
**Zoning:** After annexation, the City of Mesa (as required by State Law) will establish City zoning districts comparable to those now existing under the County's jurisdiction. If in the future, properties are proposed for rezoning, the City's development tools allow us to:

- \* Require site plans and elevations of the proposed use which can be reviewed and incorporated as part of a zoning change.
- \* Impose special conditions and time limits on a rezoning request.
- \* Utilize "Development Master Plan Overlay Zoning" and other Development Guidelines to regulate new development projects. This is helpful in encouraging well-planned, integrated and compatible land uses, as opposed to piecemeal or typical standard urban development.
- \* Require or impose additional building setbacks, height restrictions, limited vehicular access, desert landscape retention or revegetation, and architectural compatibility (design review), as part of the rezoning and building permit process.

**Local City Government Convenience:** The Mesa City Council and City departments are easily accessible due to our location, compared to the current County situation which necessitates a trip to downtown Phoenix. The City also operates branch offices in our East Mesa facility at 6935 E. Decatur Street (west of Power and north of University).



*East Side of Home*



**1750 Sq. Ft. House**



*South Side*

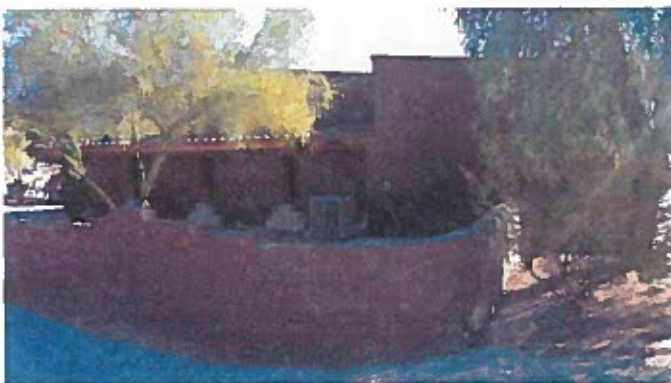
*North Side of Home*



*Barbeque and Stairs to the Garage Patio*



*Door goes into the Office*



*West Side of Home View 1*



*West Side of Home View 2*



*Great Room With Stackledge Stone Fireplace*



*High Ceilings*



*13 Ft. Granite Island*



*Lots of Tile, Dual Pane Windows*



*Kitchen*



*Pantry*



*Laundry Room w/ 5 Ft. Granite Counter and Stack W/D*



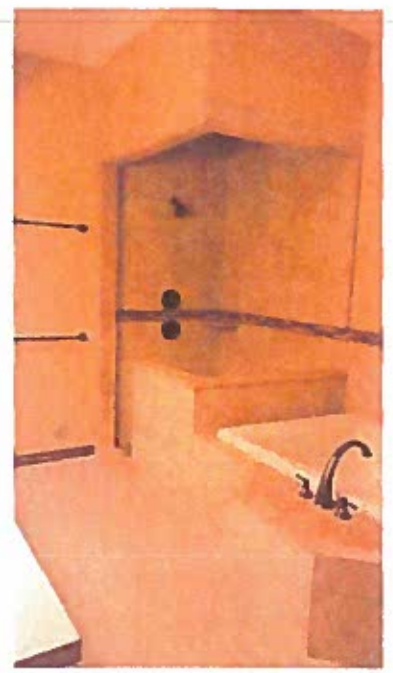
*Office With Door to the Rear Yard*



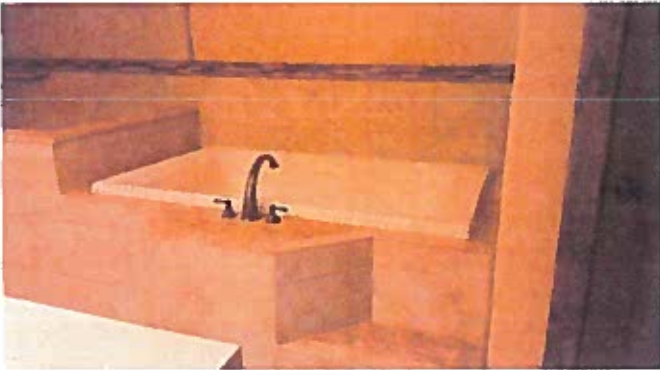
*Master Bedroom*



*Master Bathroom with Dual Sinks*



*Separate Tub and Shower*



*Walk-in Closet*



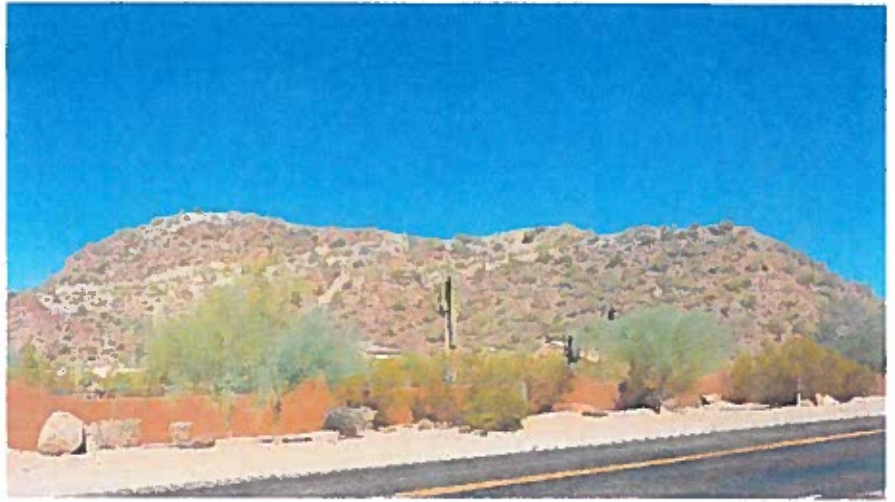
*Separate Toilet Rm*



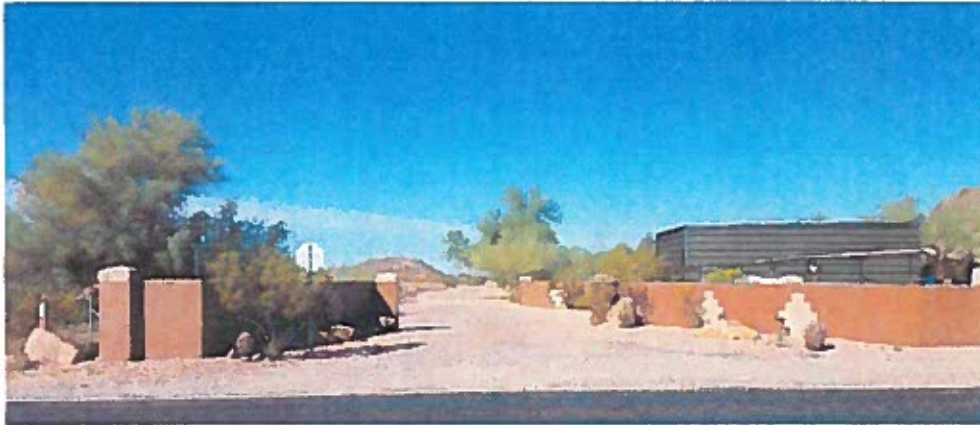
*Guest Bedroom*



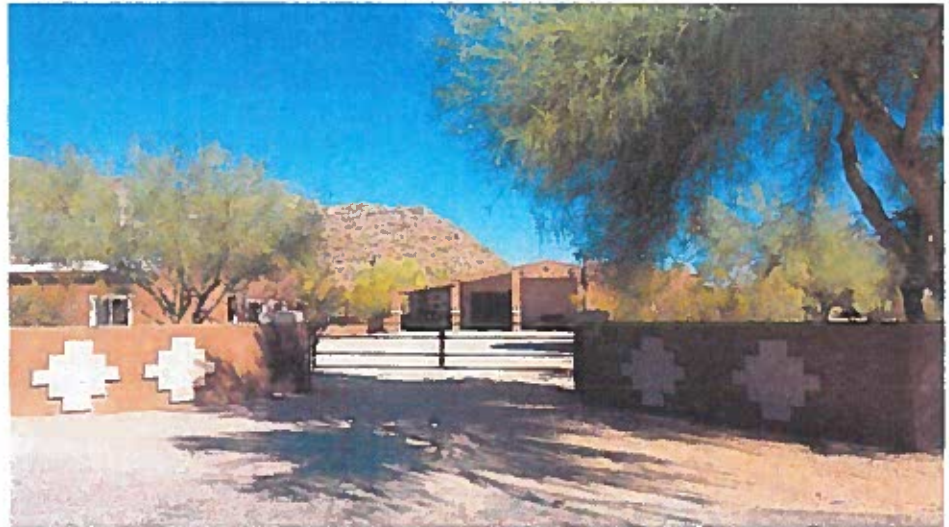
*Guest Bathroom*



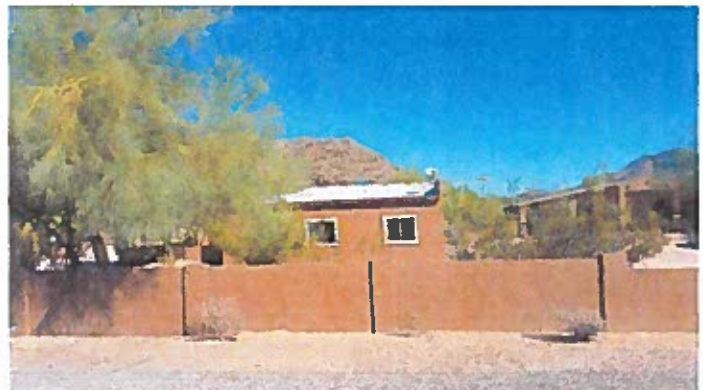
*Property Runs Along Crismon Rd. on East Border*



*Entry Into 1432 N. Crismon Rd., Mesa, AZ 85207*



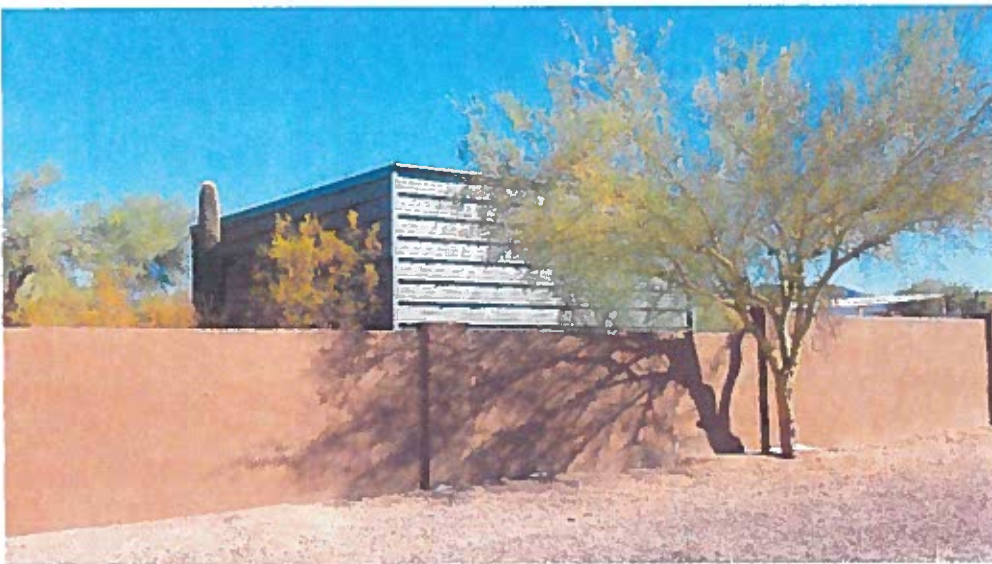
*Another Entry at the Home*



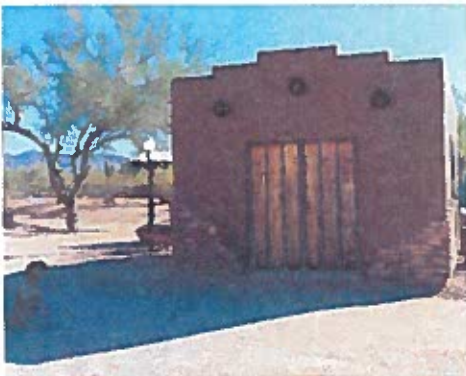
*Attractive Site Walls Around the Property*



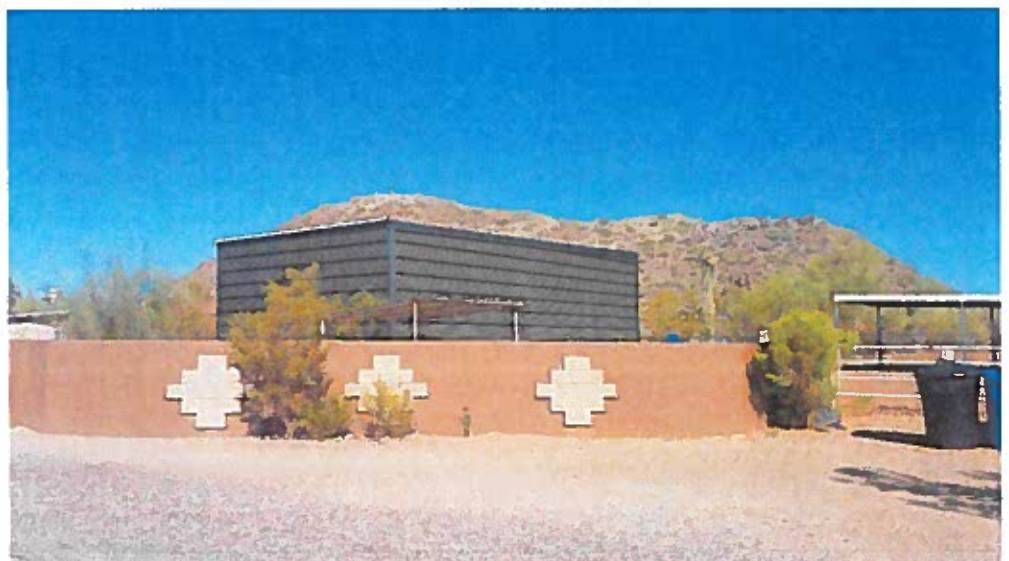
*North Side of Hay/Tool Barn*



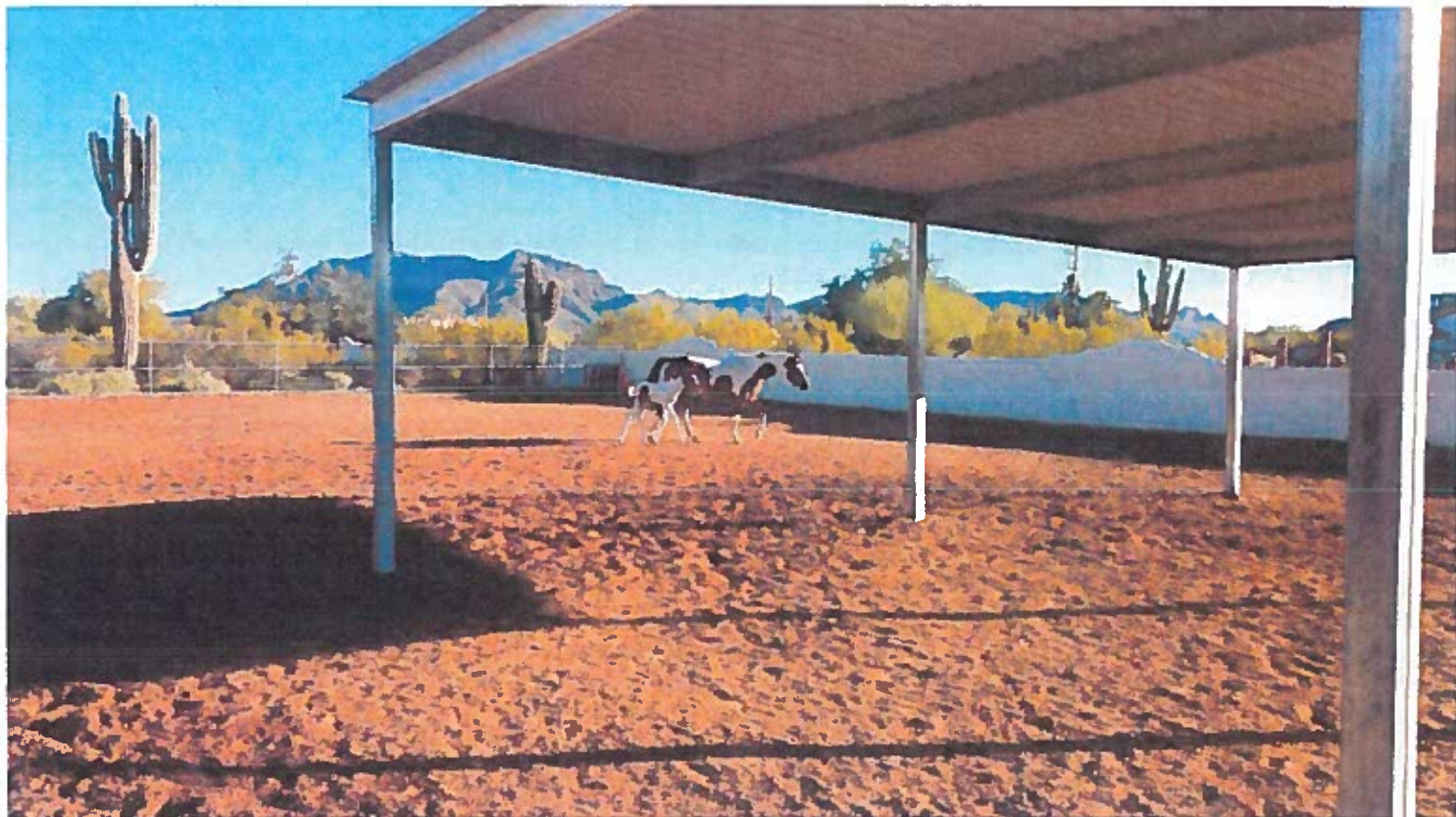
*West and South Sides of Hay/Tool Barn*



*Small Tack Room*



*South and East Sides of Hay/Tool Barn*



*Attractive Turnouts for the Horses With Shade Cover*



*Two Young Fillies*



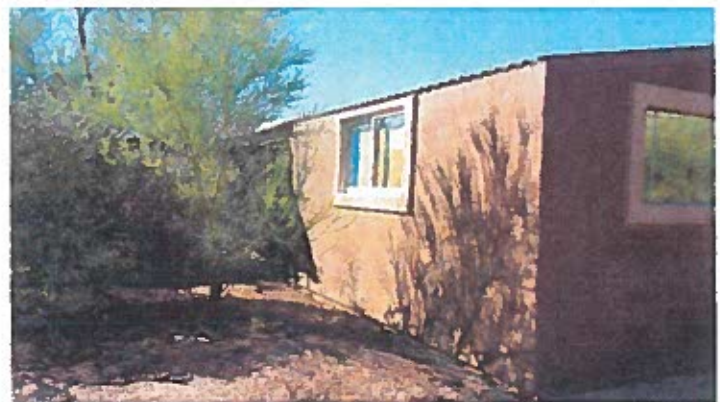
*Arabian Chestnut Stallion*



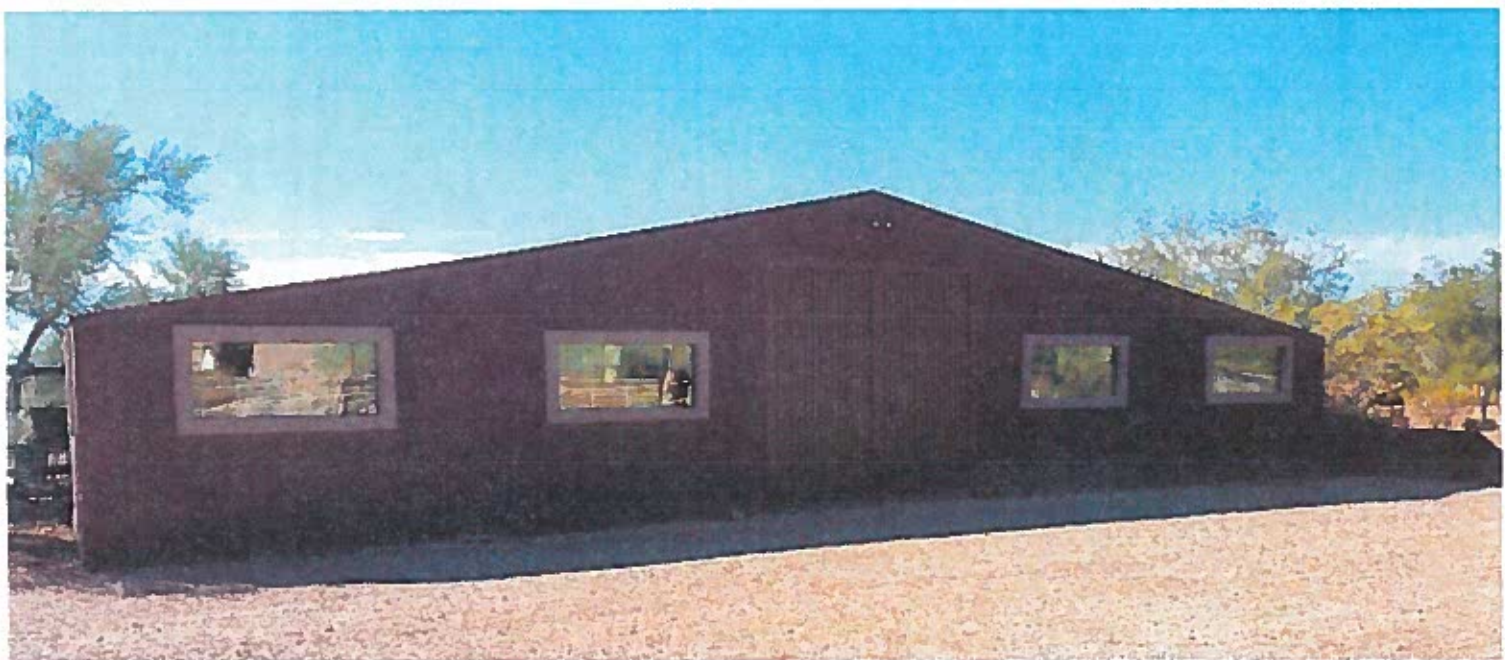
*South Side of Garage with 16' X 60' Covered Patio*



*West Side of Garage*



*East Side of Garage*



*North Side of Garage*



*Ramada with Fireplace*



*Sidewalk from House to Ramada*



*Cool Deck Finish on Floor*

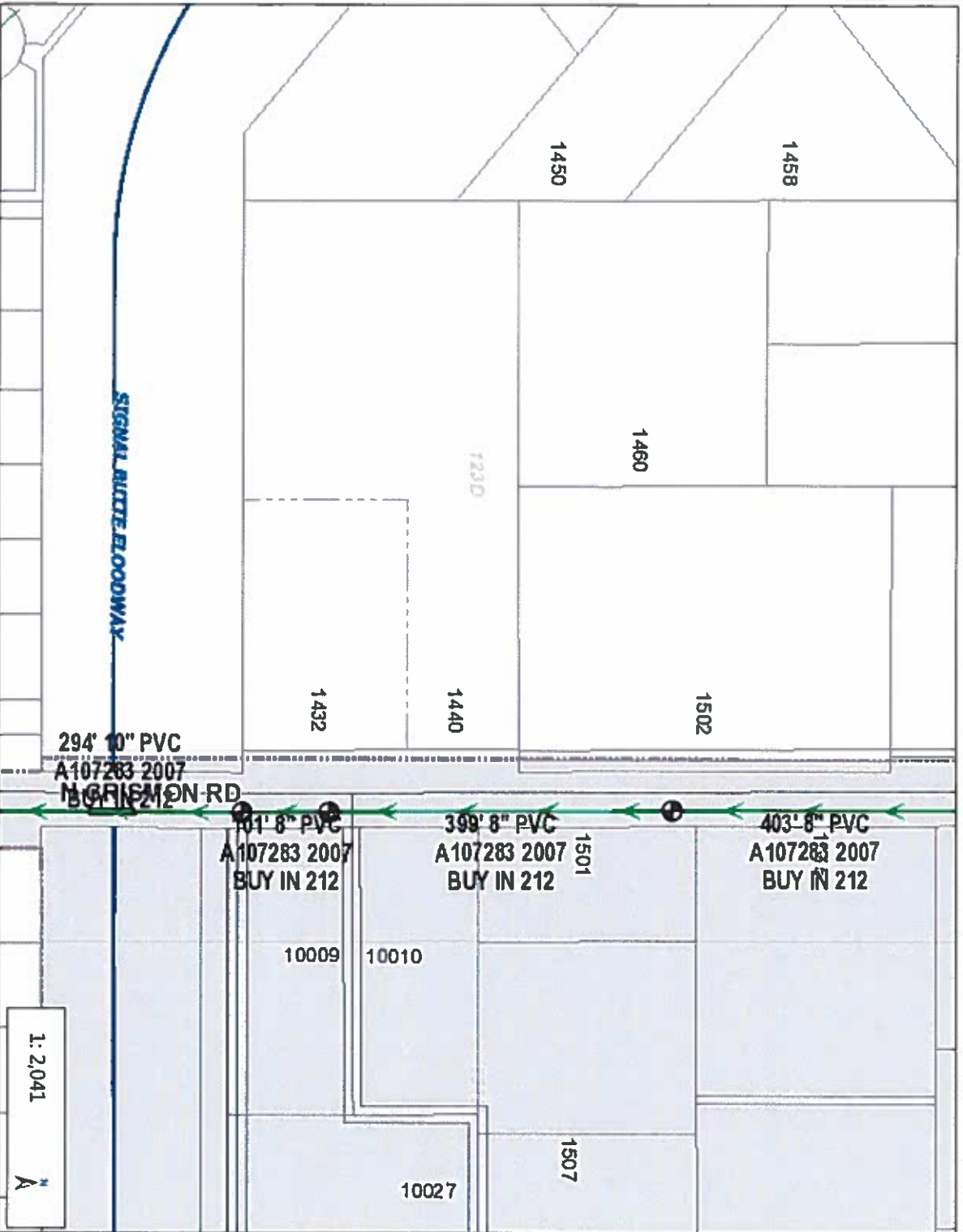


*West Side of Ramada*



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Land & Utilities Viewer



NAD\_1983\_HARN\_StatePlane\_Arizona\_Central\_FIPS\_0202\_Feet\_Int  
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

### Legend

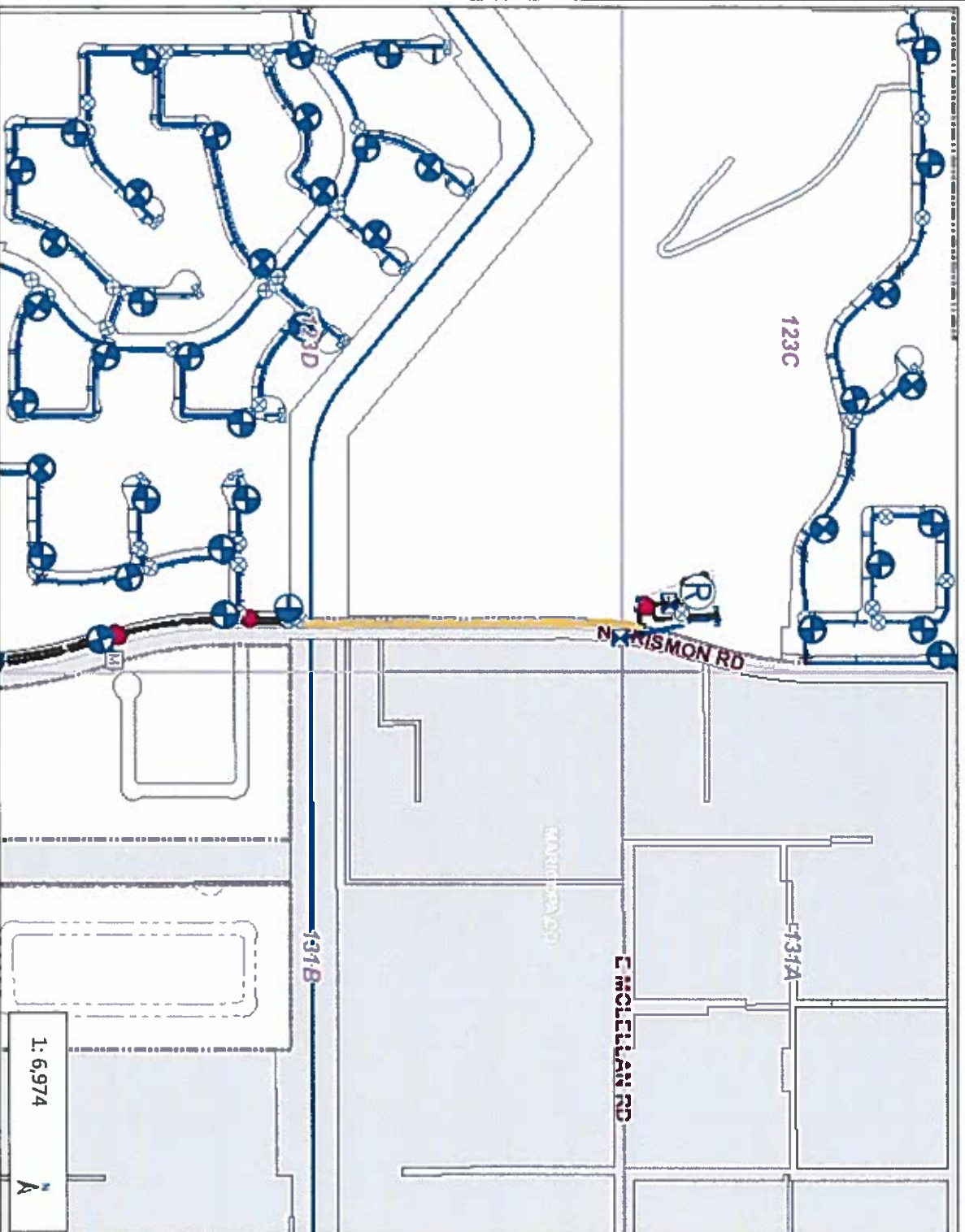
- ssManhole
  - STANDARD, NONE, PROPOSED
  - STANDARD, UNLINED, EXISTING
  - STANDARD, LINED, EXISTING
  - DROP, UNLINED, EXISTING
  - DROP, LINED, EXISTING
  - DIVERSION, UNLINED, EXISTING
  - DIVERSION, LINED, EXISTING
  - JUNCTION STRUCTURE, UNLINED
  - JUNCTION STRUCTURE, LINED
  - ssCleanOut
    - EXISTING - PER ASBUILT AERIAL
    - INACTIVE
    - PROPOSED
    - UNDOCUMENTED - EXISTS BUT
  - ssFitting
    - COUPLING
    - HORIZONTAL BEND
    - MAIN CHANGE
    - VERTICAL BEND
  - ssFitting - Permitted
    - COUPLING
    - HORIZONTAL BEND
    - MAIN CHANGE
    - VERTICAL BEND
  - ssMainEnd
  - ssMainEnd - Permitted
  - ssCOLLECTIONPOINT
  - SERVICE CONNECTION
  - SYSTEM INTERTE
  - ssMeter
  - ssHeadworks
  - ssPump
  - ssTap

### Notes



mesa·az

Land & Utilities Viewer



NAD\_1983\_HAIRN\_StatePlane\_Arizona\_Central\_FIPS\_0202\_Feet\_Intl  
© Latitude Geographics Group Ltd.

0.2 0 0.11 0.2 Miles

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Legend

### Water Hydrant

<all other values>

- Air Relief, Existing, Active
- Air Relief, Existing, InActive
- Air Relief, Proposed, Active
- Air Relief, Proposed, InActive
- Normal, Existing, Active
- Normal, Existing, InActive
- Normal, Proposed, Active
- Normal, Proposed, InActive

### Hydrant/Valve

<all other values>

- Reducing, Existing, Active
- Reducing, Existing, InActive
- Reducing, Proposed, Active
- Reducing, Proposed, InActive
- Normal, Existing, Active
- Normal, Existing, InActive
- Normal, Proposed, Active
- Normal, Proposed, InActive

### LargeMeter

- Above Ground, Existing, Active
- Above Ground, Existing, InActive
- Above Ground, Proposed, Active
- Above Ground, Proposed, InActive
- Flow, Existing, Active
- Flow, Existing, InActive
- Flow, Proposed, Active
- Flow, Proposed, InActive
- Inter-Agency, Existing, InActive
- Water meter in vault, Existing, Active
- Water meter in vault, Existing, InActive

### WSys/Valve

- Butterfly valve, No, Active

## Notes

**CASE NUMBER:** BA17-017  
**STAFF PLANNER:** Kaelee Wilson  
**LOCATION/ADDRESS:** 1440 N. Crismon Rd.  
Mesa, AZ 85207  
**OWNER/APPLICANT:** Mark & Debbie Schmuker

**REQUEST:** Requesting a Special Use Permit (SUP) to allow the Primary Dwelling to be leased or rented and the owner to live in the accessory dwelling unit. Zoned RS-43

The applicants are requesting a Special Use Permit to allow the rental of the primary dwelling unit on a property in a RS-43 area. The owner/applicants live in the accessory dwelling unit known as the Casita of 1748 square feet and is located on 4.66 acres.

The Casita/Guest House has a floor area of 1748 square feet, and is under the allowed 30% of the roof area of the primary unit. The overall roof area of the primary residence is 7,346. 30% is 2,204 square feet. So the casita is well under the allowed size.

The Casita has 2 bedrooms, 2 bathrooms, office, full kitchen with granite counters and stainless steel appliances, and inside laundry.

The Casita has two exterior doors for safety. It is located to the east side of the primary dwelling. The architectural design, exterior materials, colors, roof pitch and style is substantially the same and compatible with the primary dwelling unit.

According to ordinance 11-31-3 one accessory dwelling unit is permitted on a residential lot in all Single Residence (RS) Districts and may be attached or detached.

The main dwelling is leased to Joe and Donna Dawkins who plan to purchase the home as soon as possible.

The Casita was originally a barn/stable house where the ranch hand and his wife have lived for the past 10 years. It was built in the county. The applicants/owners have paid taxes on this dwelling for over 15 years.

The owner/applicants have recently updated the casita and are trying to process their permit with the City of Mesa. We have obtained a Safety Letter that has been stamped and sealed by Ben Barbes and is attached for your review.

The property has been substantially upgraded. The improvements have added value to the surrounding properties. There is adequate parking for both units.

We have also obtained a temporary certificate of occupancy signed by Steve Hether, also attached.