

TOWN OF PARADISE VALLEY

Case BA-25-02

6521 N 40th Place

New Single-Family Residence
Height Variance

Board of Adjustment
June 4, 2025



TODAY'S GOAL

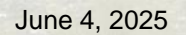
- Review and take action on variance request:
 - New single-family home to encroach beyond height limits
- Background:
 - Previously reviewed at the May 7th meeting
 - Continued to June 4th
 - Applicant reduced amount of height encroachment



AGENDA

- Background
- Scope of Request
- Analysis & Recommendation
- Action





SITE CONDITIONS

- Zoned R-43
- 37,987 sq ft (0.87 acres)
- Square shaped lot
- 219' wide & 194' deep
- 7.25% site slope
- Terrain slopes upwards from street with approx. 17' of grade difference



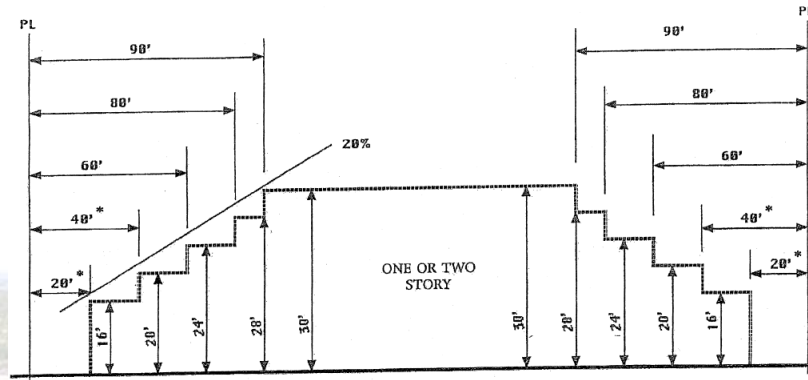
June 4, 2025

HISTORY

- Lot 35 Lincoln Heights
- Platted in Maricopa County in 1959
- Original house built in 1969
- Annexed into Town in 1982
- Proposed height encroachments for new single-story house

TOWN HEIGHT REQUIREMENTS

- 2 Height Limits for Main House:
 - Max 24' height limit from Lowest Natural Grade (LNG) under house
 - Must meet Open Space Criteria
 - OSC is imaginary tent over house
 - Centers mass of house at middle of the lot



June 4, 2025



SCOPE OF REQUEST

- Height Encroachments for new SFR:
 - Encroaches beyond 24' height limit:
 - 27.5" max proposed height
 - 13.6% (1,275 sq ft) of house beyond 24' height limit
 - Encroaches beyond Open Space Criteria height limit:
 - Varies from 18.6' to 26.7'
 - 8.0% (753 sq ft) of house beyond OSC height limit



SCOPE OF REQUEST (CONT.)

	Zoning Ordinance	New SFR
Front Yard Setback	40'	58'4"
North Side Yard Setback	20'	22' (+/-)
South Side Yard Setback	20'	20'
Rear Yard Setback	40'	40'
Maximum Overall Height	24'	27.5' (13.6% of roof)
Open Space Criteria	16' to 24'	18.6' to 26.7' (8.0% of roof)
Floor Area Ratio Limit	25.0%	24.6%
Hillside Designation	10% slope or greater	2.5% Building Pad Slope 7.25% Property Slope

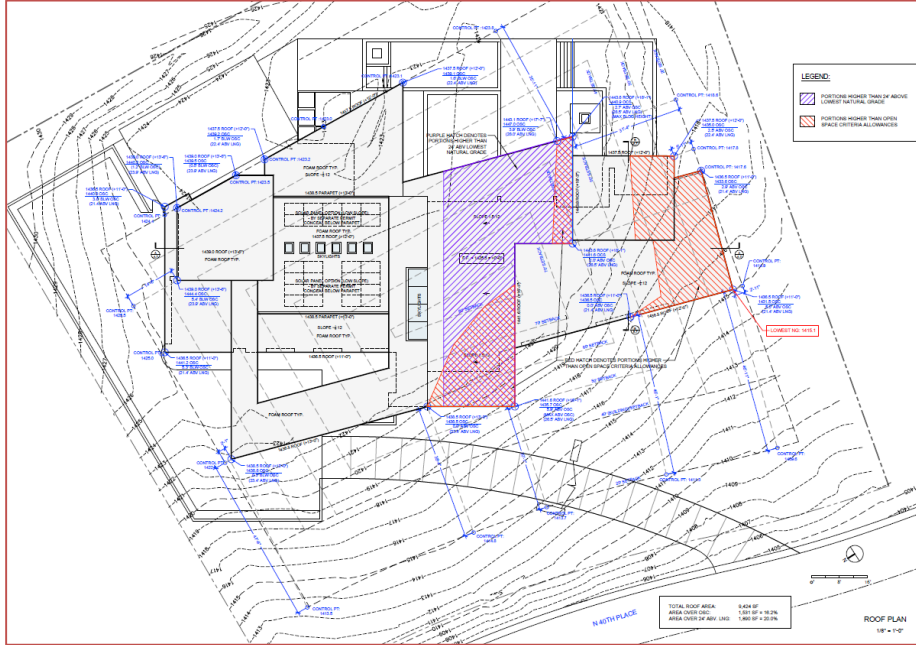


COMPARISON OF REQUESTS

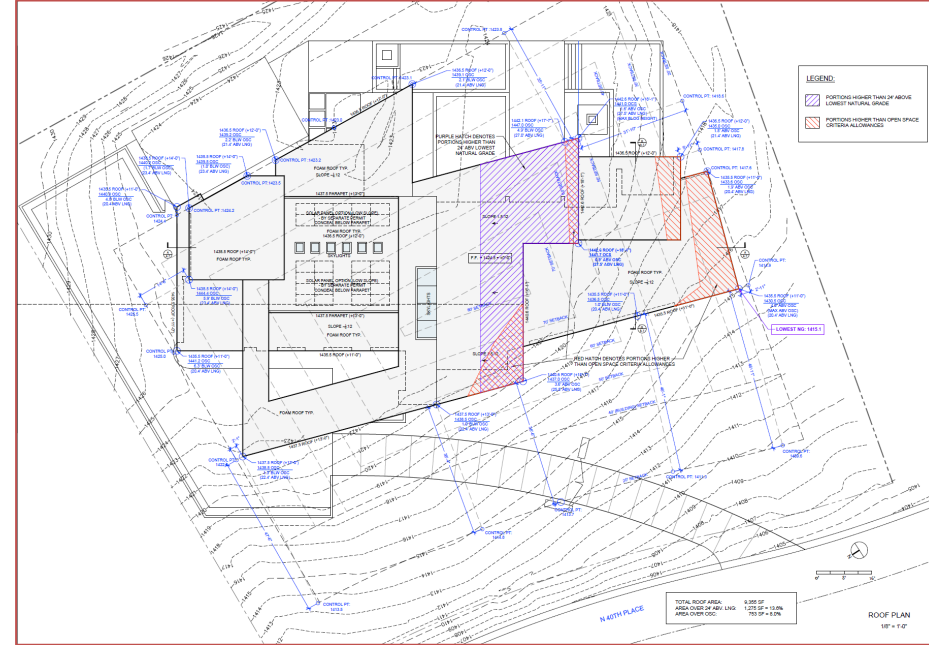
	Original Request	Proposed Request
Front Yard Setback	58'4"	58'4"
North Side Yard Setback	22' (+/-)	22' (+/-)
South Side Yard Setback	20'	20'
Rear Yard Setback	40'	40'
Maximum Overall Height	28.5' (20.0% of roof)	27.5' (13.6% of roof)
Open Space Criteria	19.3' to 27.9' (16.2% of roof)	18.6' to 26.7' (8.0% of roof)
Floor Area Ratio Limit	24.8%	24.6%
Hillside Designation	2.5% Building Pad Slope 7.25% Property Slope	2.5% Building Pad Slope 7.25% Property Slope



COMPARISON OF REQUESTS (CONT.)



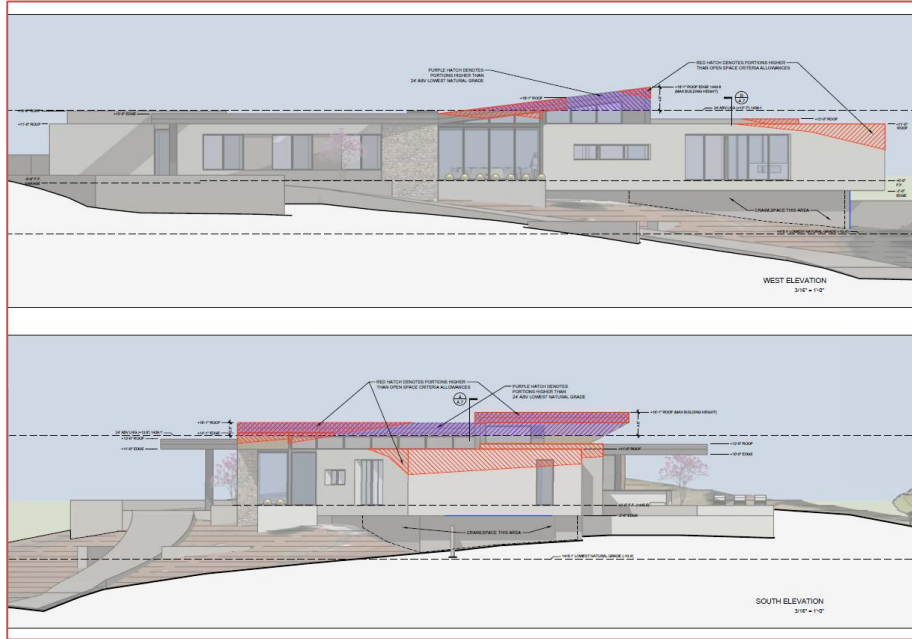
Original Request



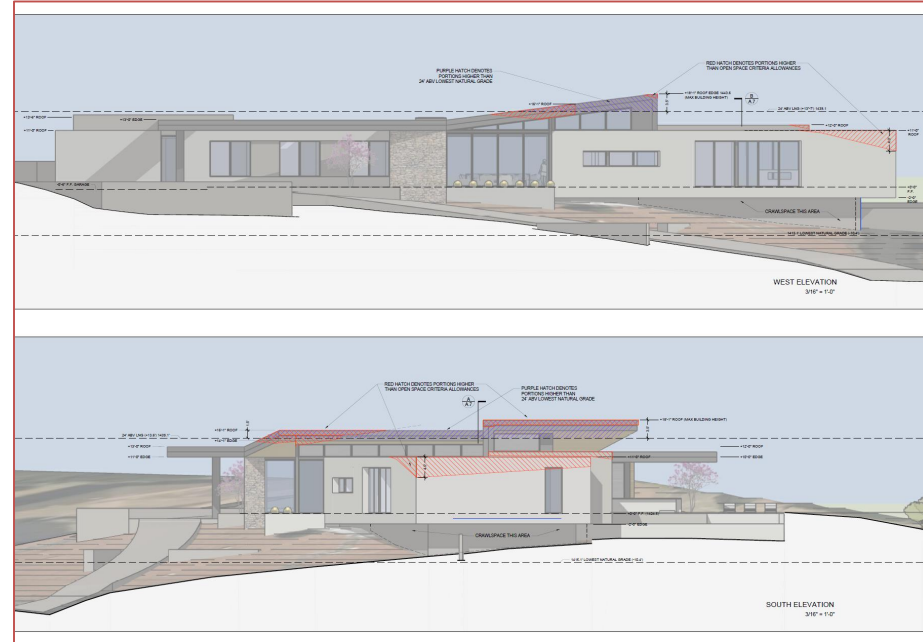
Updated Request



COMPARISON OF REQUESTS (CONT.)



Original Request



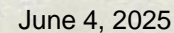
Updated Request

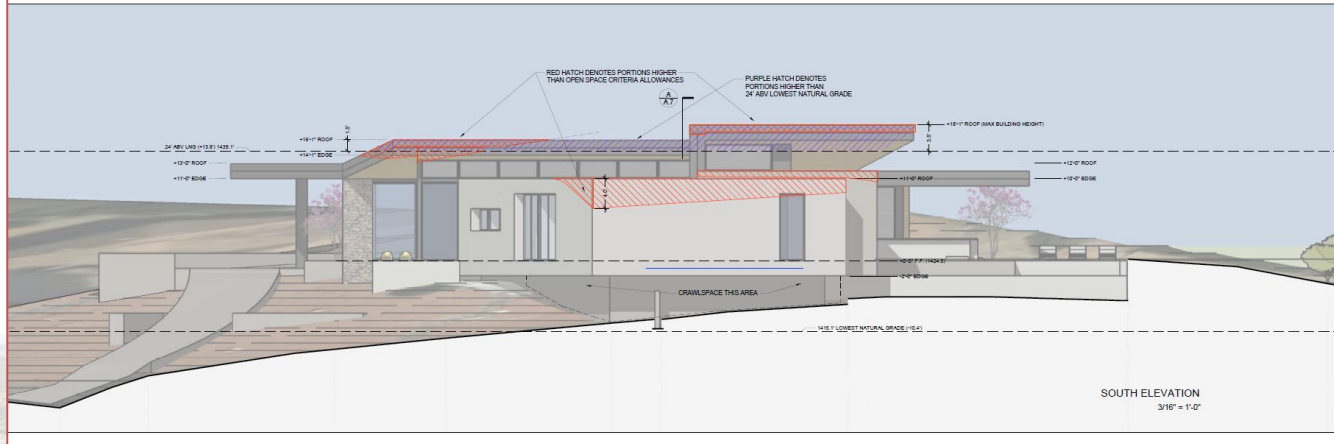


SITE PLAN



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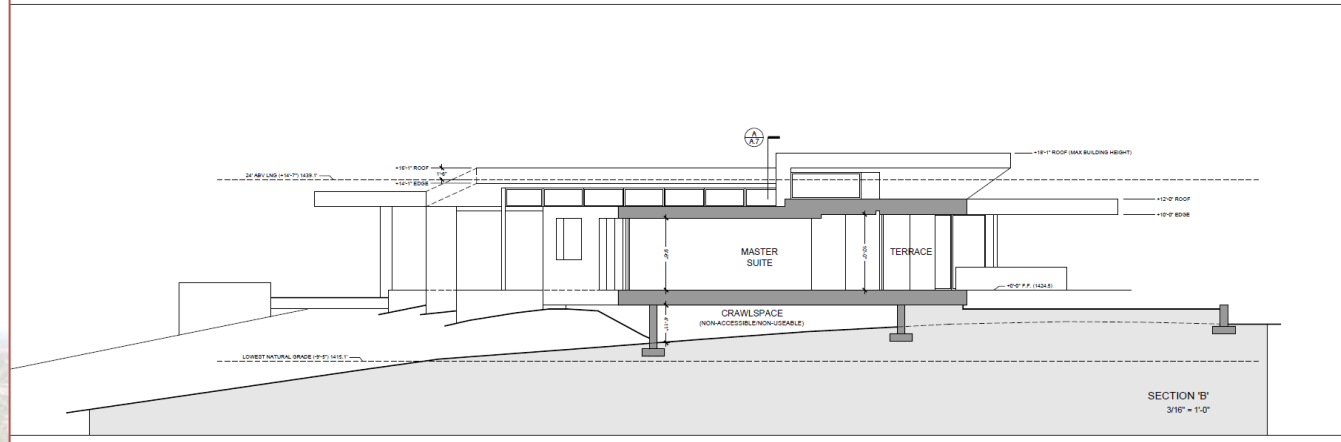


EXTERIOR BUILDING ELEVATIONS (CONT.)

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June 4, 2025



RENDERINGS



VIEW FROM SOUTHEAST



VIEW FROM NORTHWEST



VIEW FROM ABOVE



VIEW FROM SOUTHWEST

AERIAL PHOTO

- 13.6% (1,275 sq ft) of house beyond 24' height limit
- 8.0% (753 sq ft) of house beyond OSC height limit
- New home eliminates existing rear setback encroachment



SITE PHOTOS



SITE PHOTOS (CONT.)



ANALYSIS

- Property hardships exist but request not minimum needed to cure hardships:
 - Site slope 7.25%
 - Building pad slope 2.5%
 - Some height encroachment is warranted
 - Proposed house is design hardship since other alternatives exist to reduce height encroachment:
 - Remove or modify “butterfly roof”
 - Lower building pad
 - Reposition/reorient house



ANALYSIS (CONT.)

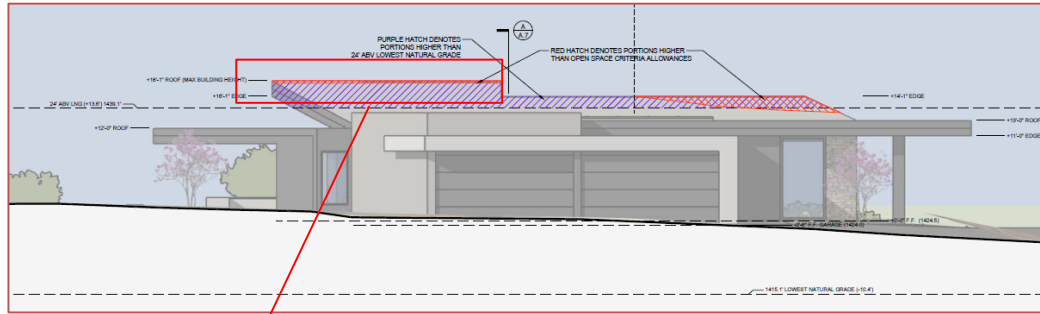
- Not minimum to cure property hardships:
 - Trying to utilize existing pad, but can redesign to reduce height encroachments
 - Other properties in area must meet height requirements



CAN REDUCE HEIGHT ENCROACHMENT

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- Steep slope for non-hillside lot
- Design hardship since height encroachment can be reduced



Remove or modify butterfly roof to reduce encroachment

Lower pad and/or redesign house for lesser height encroachment



PUBLIC COMMENT

Comment from Original Submittal:

- 1 Letter of Support
- 2 Letters of Opposition
- 1 Inquiry
- 1 Phone Call in Opposition
- 2 Spoke in Support at meeting

No comment received on
modified design with reduced
heights

Dear Town of Paradise Valley Board of Adjustment,

The new owners of 6521 N 40th Place, Paradise Valley have shared with us with their plans for a new home on the property immediately north of our home on 40th Place. We understand that they would like to build a modern home on that lot and will need a variance for roof heights that exceed what is allowed.

Based on our review of the plans (dated February 2025), we are in support of their request, as we believe that the new home will improve our neighborhood. We do not have concerns about the height of the roofs, as they will have no real impact on our house or property, especially considering the tall plantings between our two lots. We are especially happy that they would eliminate the driveway that is directly next to our home.

My wife & I are looking forward to having the lovely Amin family as our neighbors.

STAFF RECOMMENDATION

MOTION

Denial of Case No. BA-25-02, request by Yogesh Amin, property owner of 6521 N 40th Place; for a variance from Article X, Height and Area Regulations, to allow a new home to encroach beyond the height limits

REASONS FOR DENIAL

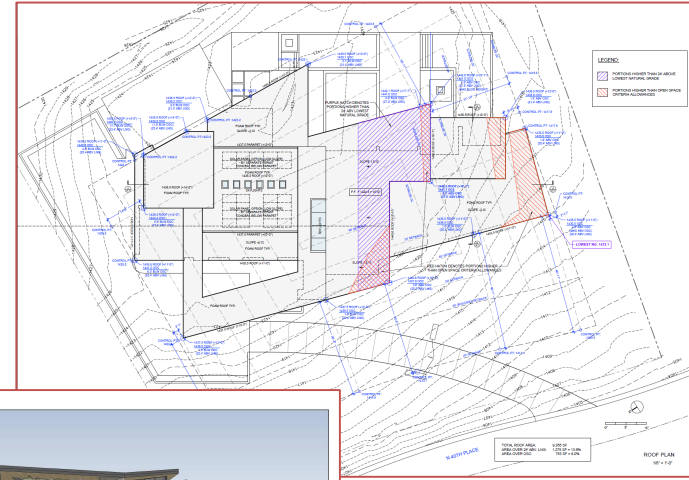
- Other alternative exist – can reduce height encroachments
- Design hardship since proposed home is not minimum amount needed to cure property hardships

POSSIBLE ACTIONS

1. Approve variance request with following stipulations:
 - a. Improvements in compliance with submitted plans and documents
 - b. Must obtain required building permits and inspections from Building Division

(Note: Board must state findings of approval)

2. Deny the variance request
3. Continue for further review



VIEW FROM NORTHWEST



VIEW FROM SOUTHWEST