

Pace Residence Backyard Trellis

7062 E. Belmont Avenue
Paradise Valley, AZ
Variance Application



WITHEY
MORRIS
BAUGH

Introduction

This pre-application is being submitted on behalf of Zach and Rebecca Pace, trustees of the Pace Family Trust, which owns the property located at 7062 E. Belmont Avenue in Paradise Valley, Arizona (the "Property") as illustrated in the Aerial Map at **Tab 1**. The Property is currently zoned R-35 Cluster Plan. See Zoning Map at **Tab 2**. Earlier this year, the applicants installed a minimalist steel trellis structure in northeast corner of the property and later discovered that it required a permit and was encroaching into the east 40-foot building setback. The applicants now seek a variance to bring the existing structure into conformance.

Request

Earlier this year, the applicants completed a significant renovation of the hardscape in their backyard, including new pool decking, pavers, a fire pit area, and an outdoor dining area. To contribute to the green, lush atmosphere the applicants sought to cultivate in their backyard, they installed a steel lattice skeleton structure over the dining area consisting of four minimalist steel columns connected by steel joists and rafters. See Lattice Structure Photos at **Tab 3**. The structure is 7' tall at the top of the columns and 8' at the peak of the rafters. At the base of each column, flowering vines have been planted with the goal of ultimately covering the entire lattice and creating a "living" structure. It is open to the sky and has no roof or walls of any kind.

The Property is a corner lot with frontage on both Belmont Avenue (south) and 71st Street (east) and is required to maintain 40-foot building setbacks on both frontages. The setbacks, combined with a lot depth 24 to 50 feet shallower than required by the Town of Paradise Valley's subdivision code, collectively compress the building envelope into a small area relative to appropriately sized R-35 lots.

To allow the trellis to remain in its current location, the applicant is simply seeking a variance to reduce the east building setback to 15 feet to allow a minimalist garden structure to encroach into the setback.

Variance Test

- 1. That there are special circumstances applicable to the property, which may include circumstances related to the property's size, shape, topography, location, or surroundings.**

The Property is a legal non-conforming lot that does not meet the Town of Paradise Valley's minimum lot standards related to lot depth. The final plat for Cheney Estates was approved by the Town on July 27, 1992 and recorded the following day. The plat was approved subject to the Cluster Plan development standards in the Town's Zoning Ordinance and subdivision standards in the Town Code as they existed in 1992. In December 1996, the subdivision standards in the Town Code were amended to their current form, which require that the minimum depth of a single-family lot must be equal to its minimum width plus the minimum front yard setback.

Section 6-3-5-G.1 of the Town Code requires a minimum lot depth equal to the minimum lot width plus the minimum front yard setback. Per Table 1001-A1, the minimum lot width for R-35 is 150 feet and the minimum front yard setback adjacent to a street is 40 feet. Consequently, the minimum lot depth for an R-35 lot under the current subdivision standards is 190 feet.

The Cluster Plan district allows developments to vary below the minimum lot size requirements for the R-35 and R-43 districts, but does not explicitly allow departure from the minimum lot width - nor does it specify a minimum lot width below the 150-foot minimum otherwise required for R-35 lots. Additionally, the Property is still subject to the standard setback requirements- there is not a separate set of development standards for Cluster Plan lots. The R-35 setbacks in Table 1001-A1 contemplate a standard size lot with a minimum 35,000 square feet and a minimum depth of 190 feet. When applied to the Property, the standard 40-foot setbacks on the double-frontage lot significantly limit the buildable area. The Property's lot depth is 140 feet at the shallowest point and 166 feet at the deepest point, with an overall area of 23,393 SF.

When combined with the legally non-conforming shallow lot depth - between 24 and 50 feet shallower than the subdivision standards currently require - the Property is subject to an unduly restrictive building envelope. The lot shape and depth, coupled with the application of setbacks intended for much larger standard R-35 lots, creates a hardship not appropriately contemplated by the Zoning Ordinance.

2. The special circumstances, hardship or difficulty applicable to the property are [not] self-imposed by the property owner, or predecessor.

The applicant played no role in creation of the Cheney Estates subdivision nor the demising of lots that created the Property's legally non-conforming dimensions and shallow lot depth. The hardship is an unanticipated consequence of applying setbacks intended for a standard lot to a non-standard, undersized corner lot.

3. The strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.

Standard R-35 lots enjoy legally conforming lot depth and adequate yard area to locate a minimalist structure of this nature that is still capable of meeting the setback requirements. The Property suffers from inadequate dimensions relative to the requirements of the Paradise Valley Zoning Ordinance and Town Code, which deprives the applicant of property rights that owners of other R-35 zoned properties in the Town of Paradise Valley enjoy.

It is clear that the confluence of the Cluster Plan district's allowance of reduced lot area, combined with setback requirements intended for standard R-35 lots and applied to a double-frontage corner lot, is a scenario that both a) creates a hardship and b) is not contemplated by the Paradise Valley Zoning Ordinance. The changes to the subdivision ordinance that occurred after the establishment of Cheney Estates further reflect the Town's intent to provide property owners with adequate building envelopes - a minimum depth requirement that takes into account the minimum front yard setback and minimum lot width. The variance process exists to provide relief in these scenarios.

Other Considerations

1. Minimalist Structure

As the photos at **Tab 3** illustrate, the structure consists only of welded steel posts, joists, and rafters with no solid walls or roof. The purpose of the building setback requirements is to limit the visual impact of structures within a prescribed distance of a property line. Here, the nature of the structure itself practically eliminates its visual impact. It will not block views, cast imposing shadows, or create an unsightly condition from the adjacent roadway.

1. Green Cover and Green Screening

As noted above, creeping vines have been planted at the base of each column, which over time will cover the entirety of the structure and allow it to blend into the surrounding landscaping. Combined with the ficus hedge planted along both the interior and exterior of the perimeter wall, the structure will completely disappear from view around the exterior of the Property within a year.

2. Effective Setback

71st Street is an unmarked two-lane neighborhood street with a 50-foot right-of-way. The actual pavement section is only 30 feet, with a 10-foot landscape strip beyond the curbs. This creates an effective setback from the roadway of 25 feet that is 10 feet wider than the setback as measured from the property line, further reducing the visual impact of the structure.

3. Support

The applicant has received letters of support from twenty (20) property owners within Cheney Estates, including the applicant's immediate neighbors to the north, south, and west, along with several other homeowners in the immediate vicinity. This support for the variance request further illustrates both the merit of the request and the absence of any negative impact the trellis will have on the surrounding property owners and the Cheney Estates community as a whole. See Support Letters at **Tab 4**.

Summary

The requested variance is the minimal relief necessary to contend with a non-conforming shallow lot subjected to the same double-frontage setbacks as a standard R-35 lot, leading to a significantly compressed building envelope for accessory structures in the backyard. These special circumstances create a hardship that was not of the applicant's creation, and place the applicant at a disadvantage relative to appropriately sized R-35 lots that conform with the current subdivision standards.

The intent of the setback requirements is met through several mitigation measures, including the minimalist nature of the structure, the green screening and green covering of the structure to hide it from view, and an increased effective setback due to the configuration of 71st Street. The request has

earned the support of many of the applicant's neighbors in the Cheney Estates neighborhood due to the minimal nature of both the structure itself and the relief requested. In light of the foregoing, the applicant respectfully request's the Board's approval of the proposed variance.

earned the support of many of the applicant's neighbors in the Cheney Estates neighborhood due to the minimal nature of both the structure itself and the relief requested. In light of the foregoing, the applicant respectfully request's the Board's approval of the proposed variance.

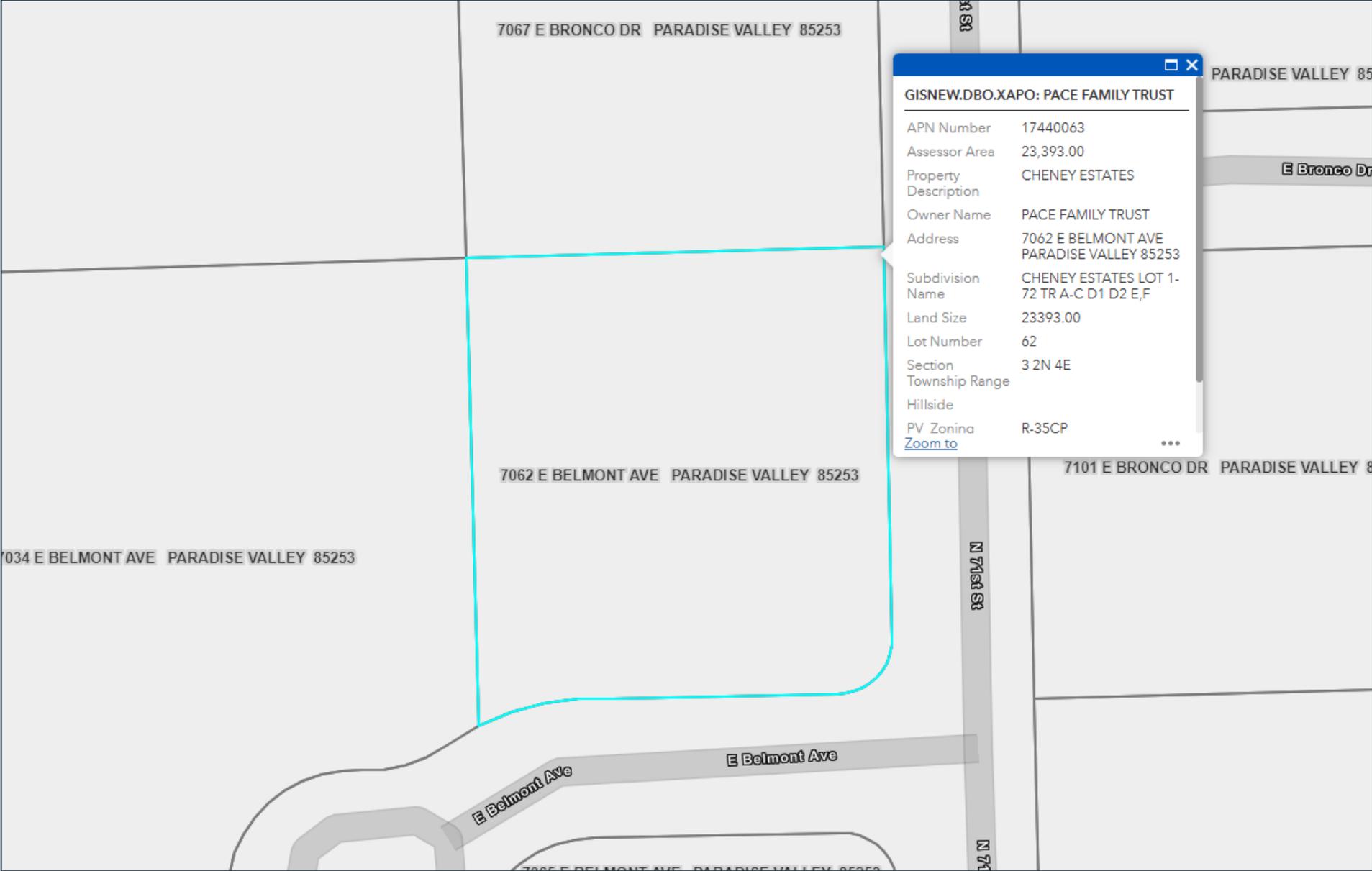
TAB 1

Aerial Map



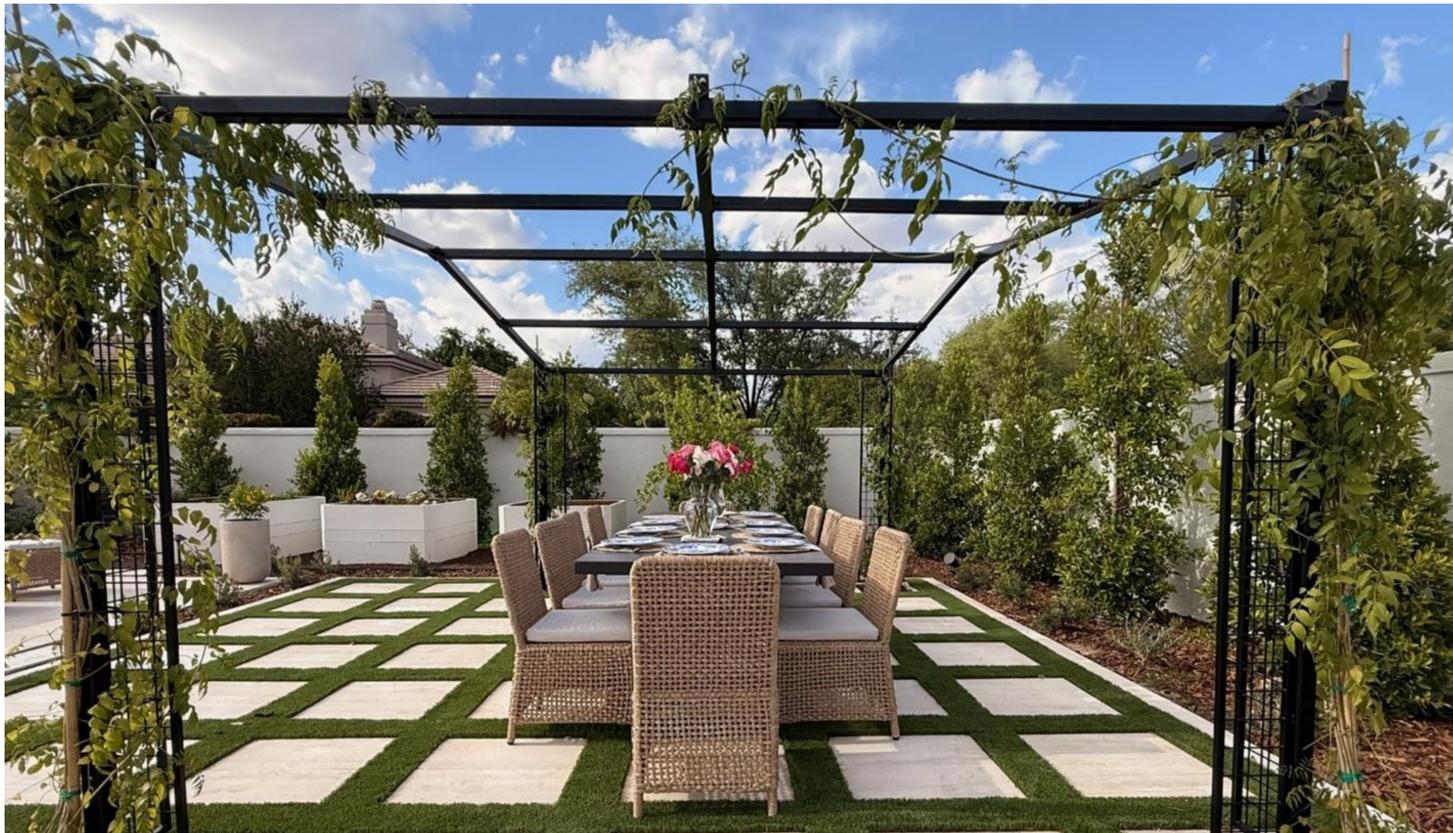
TAB 2

Zoning Map



TAB 3

Interior (Backyard) View



Exterior (71st Street) View



TAB 4

October 20, 2025

Subject: Trellis – 7062 E. Belmont Ave

Dear Neighbor,

We hope this note finds you well!

We're in the process of applying for a variance with the Town of Paradise Valley for an unobtrusive outdoor trellis/dining area.

As part of the application, we're reaching out to kindly ask for your support.

Enclosed, you'll find a few pictures of the proposed trellis. If you're comfortable with it, we would truly appreciate it if you could sign the letter and include your Lot Number. You can simply drop it off in our mailbox at your convenience.

If you'd like to see the trellis in person or have any questions, we'd be happy to show it to you—just let us know a time that works for you!

Thank you so much for considering this. We truly appreciate your support and are always grateful to have such wonderful neighbors.

Thank you,

Zach and Becca Pace
7062 E. Belmont Avenue
*Zach 602-920-9212

*Best of Luck with
your beautiful new backyard!
Best Wishes,
The Mahoneys*

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

**Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley,
AZ**

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

I've spoken with Mr. Pace and viewed the trellis in the backyard. The shallow depth of the lot provides the special circumstance for the variance, and the minimalist nature of the structure combined with the thoughtful "green screening" of the trellis ensures that it will not have any visual impact on the surrounding property owners.

Sincerely,

Jane L McCarty
Lot #12

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

**Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley,
AZ**

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

I've spoken with Mr. Pace and viewed the trellis in the backyard. The shallow depth of the lot provides the special circumstance for the variance, and the minimalist nature of the structure combined with the thoughtful "green screening" of the trellis ensures that it will not have any visual impact on the surrounding property owners.

Sincerely,

Margaret Cochran
Lot 5

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

**Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley,
AZ**

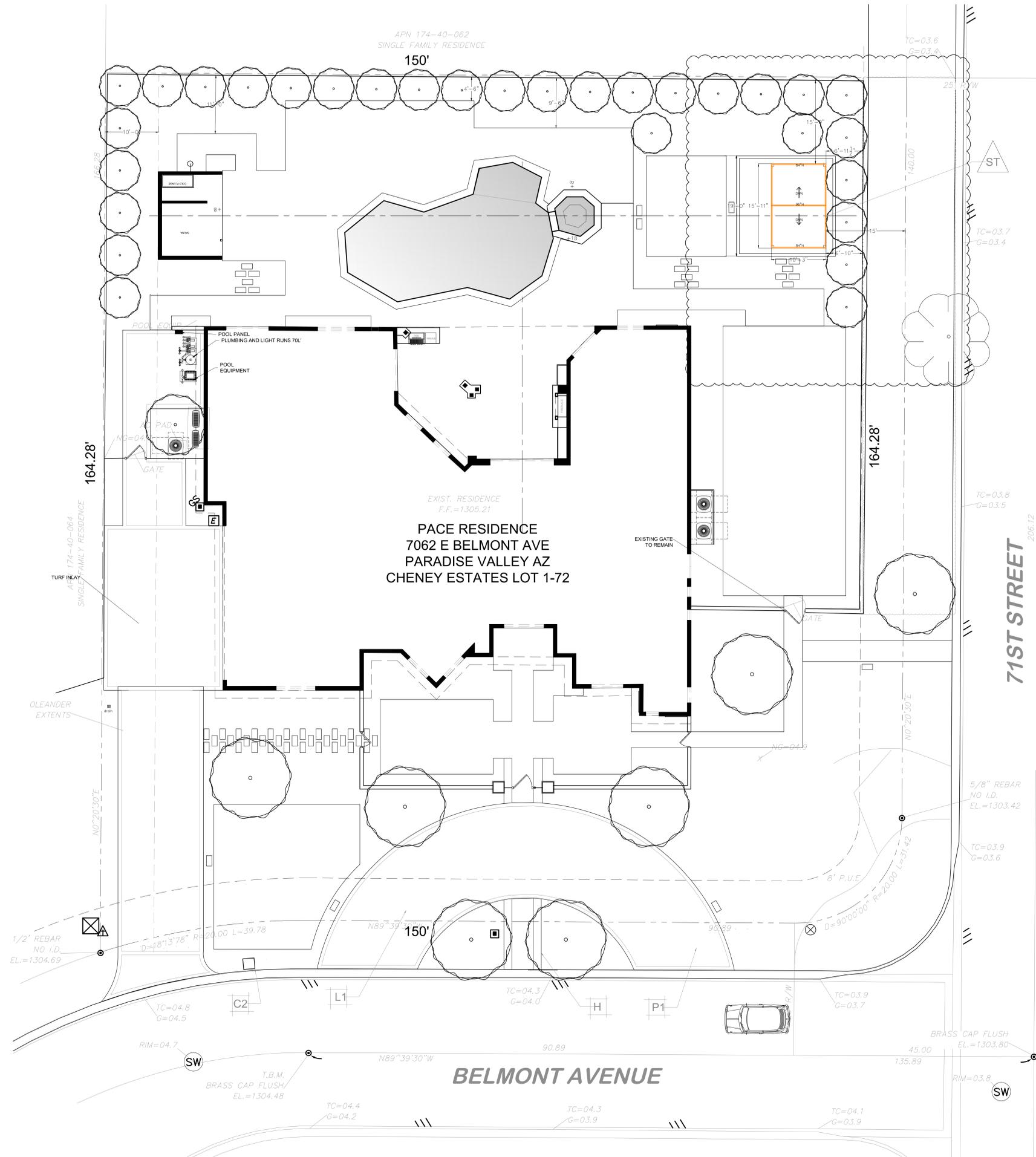
To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

I've spoken with Mr. Pace and viewed the trellis in the backyard. The shallow depth of the lot provides the special circumstance for the variance, and the minimalist nature of the structure combined with the thoughtful "green screening" of the trellis ensures that it will not have any visual impact on the surrounding property owners.

Sincerely,

Kathleen McDowell
Lot 7



ST STRUCTURE	
GARDEN TRELLIS - 15'11"x10'3"x96"H-84"H	
2 GFCL, ELECTRIC RUN	208 L'
STRING LIGHTS ON DIMMABLE ON/OFF SWITCH	1 EA
SLAT OPEN ROOF ALUMINUM GARDEN TRELLIS	

HOUSE SF	
LOT SIZE:	23,393 SF
MAIN LIVABLE:	18% 4302 SF
EXISTING GARAGE	752 SF
EXISTING SOLID ROOF COVERED PATIO	486 SF
SAUNA: .08%	204 SF
SLAT OPEN ROOF ALUMINUM GARDEN TRELLIS:	16.5 SF
TOTAL ALLOWED	5,848 SF 25% TOTAL 5,846SF 24.9%

71ST STREET

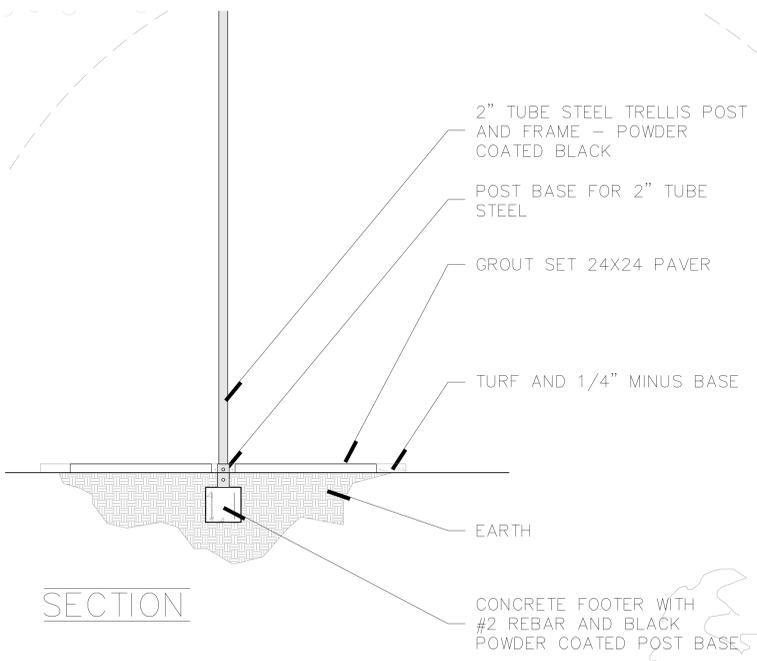
BELMONT AVENUE

PACE RESIDENCE
 7062 E BELMONT AVE
 PARADISE VALLEY ARIZONA

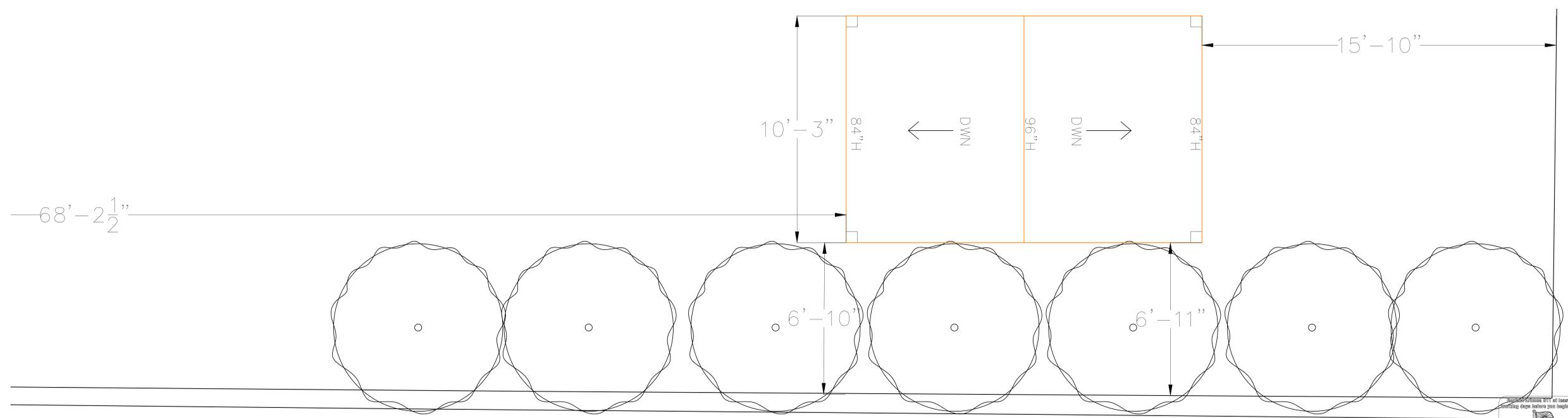
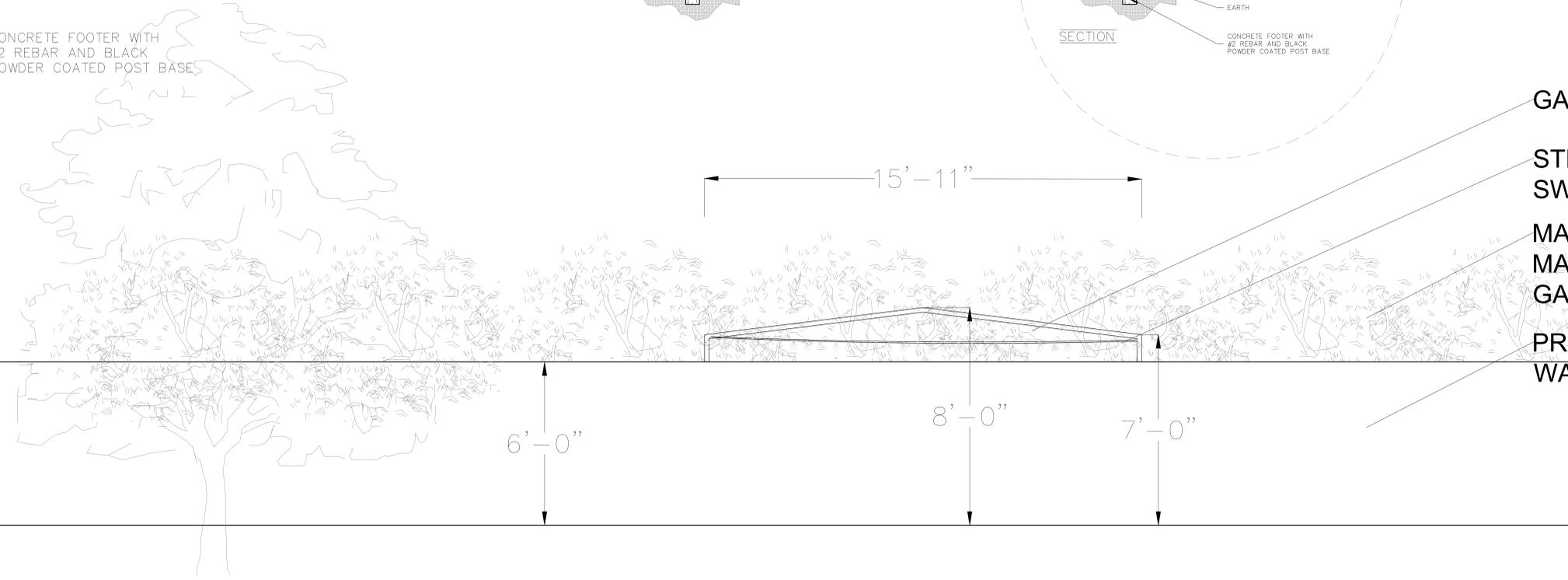
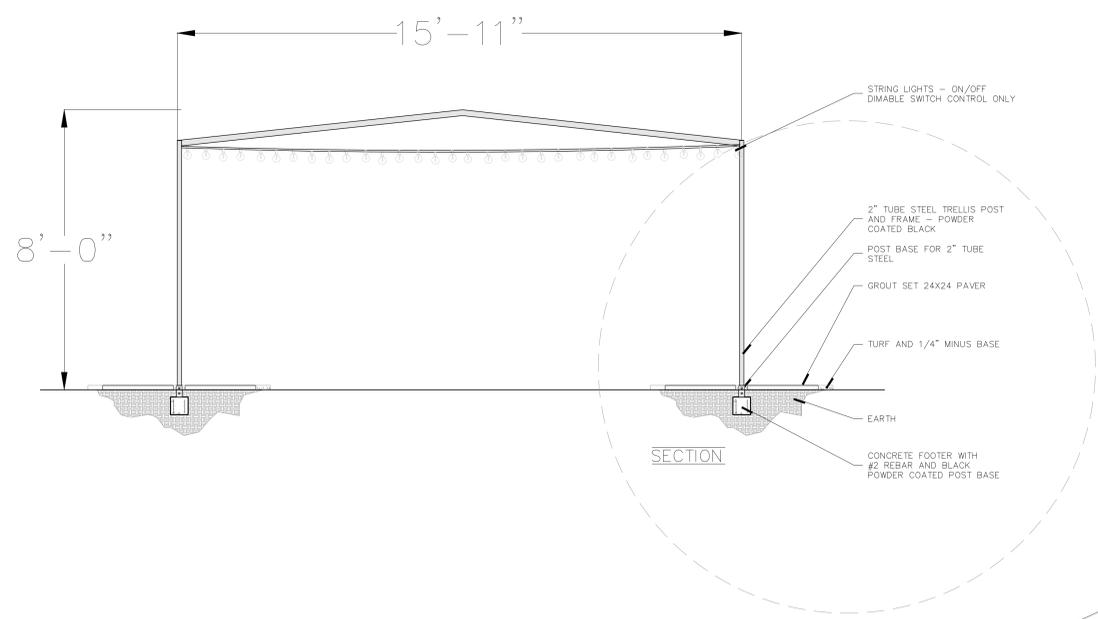
CJS LIFESTYLE & DESIGN

DATE: 11.11.25
 PLAN: BASE 1

Any unauthorized reproduction, reuse or publication of these plans by any method is prohibited without written consent from CJS Lifestyle & Design or the owner. Unauthorized reproduction may be subjected to criminal liability.



SECTION



PACE RESIDENCE
 7062 E BELMONT AVE
 PARADISE VALLEY ARIZONA

CJS LIFESTYLE & DESIGN

DATE: 10.21.25
 PLAN: DETAILS

Any unauthorized reproduction, reuse or publication of these plans by any method is prohibited without written consent from CJS Lifestyle & Design or the owner. Unauthorized reproduction may be subjected to criminal liability.