

TOWN
Of
PARADISE VALLEY



STAFF REPORT

TO: Mayor Bien-Willner and Town Council Members

FROM: Andrew Ching, Town Manager
Chad Weaver, Community Development Director
Paul Michaud, Planning Manager
Shar Johnson, Town Engineer
Juan Gonzalez Jr., Hillside Engineer

DATE: November 14, 2024

DEPARTMENT: Community Development Department – Hillside
Juan Gonzalez Jr., 480-348-3528

AGENDA TITLE: Discussion on Hillside Development Area Redesignation:

(HILL-24-36) – Glasser Residence - 8136 N Mohave Circle (APN 168-73-003L)

HILLSIDE BUILDING COMMITTEE RECOMMENDATION

The Hillside Building Committee on October 16th forwarded a unanimous recommendation (vote of 5 to 0) for the removal of 8136 N Mohave Circle from the Hillside Development Area.

SUMMARY STATEMENT

Request

The applicant, Doug Jorden, is requesting on behalf of the owner for the removal of 8136 N Mohave Circle from the Town’s Hillside Development Area. The property in question has an overall site slope of 6.09% and a building pad slope of 4.88%. For more information, please refer to sheets SA-1 (Slope Analysis Plan: Historic Conditions and Slope Analysis Plan: Existing Conditions). By removing the hillside designation, the property would be required to conform with non-hillside building regulations which allow for freestanding site walls and have no restrictions on paint color.

Process

Section 2210 of the Hillside Development Regulations provides the removal process as follows:

“The Hillside Building Committee and Town Council shall review any request to remove a property from the Hillside Development Area. This process for requesting

a removal of a property from the Hillside Development Area applies only to properties that are within a designated Hillside Development Area that have a slope of less than ten percent (10%). If a property owner requests to remove a property from the Hillside Development Area, the following process shall be used:

1. The applicant must provide documentation that the property has a Building Pad Slope and a site slope of less than ten percent (10%) in accordance with Section 2202 and Section 2209B.
2. The request will be reviewed by the Hillside Building Committee, which will make a recommendation of approval, approval with stipulations, or denial to remove the property from the Hillside Development Area.
3. The applicant shall have no other code violations.
4. The Town Council will either approve, deny, or approve the request with stipulations, which may include eliminating any non-conformities.”

In addition to the less than 10% slope prerequisite, other factors may be considered when a request to remove a property from a Hillside Designated Area is made.

BACKGROUND

Hillside Building Committee Review

The property located at 8136 North Mohave Circle is a 1.192-acre lot. The existing house (4,146 square feet) was built in 1958 prior to the Town’s incorporation in 1961. The residence is a single-story ranch home with a pool and fence surrounding the home. The Glasser family bought the house in 1968 and still live in the house. The Town’s Hillside Development Regulations were adopted in 1984. Even though the slope of the property is below 10%, the property is included in the Hillside Development Area.

| Lot Data | |
|------------------------|-----------------------|
| 1. Area of Lot | 1.192 ac or 51,906 SF |
| 2. Existing Site Slope | 6.09% |
| 3. Average Site Slope | 4.88% |

The Hillside Building Committee reviewed this application to remove the hillside designation on October 16, 2024. The Hillside Building Committee (HBC) had questions about the existing non-conformities (i.e. paint color, perimeter fence, disturbance, etc.) and how the removal of Hillside Development Area will bring the existing home into compliance.

The applicant was able to clarify that with the removal from Hillside Development Area, the restrictions on paint color, fencing, and disturbance, would all comply with the Town’s R-43 flatland requirements as well as meeting open space criteria, height requirements and setbacks. After further discussion, the Hillside Building Committee voted in favor of removing the subject property from the Hillside Development Area. Reasons given included that this property is well below the 10% slope limit, will bring the hillside nonconformities (such as existing solid walls and paint colors, etc.) into

compliance, and is of similar development to its adjoining non-hillside properties to the south.

Code Compliance

The current Hillside violations are as follows:

- Perimeter fencing
- Paint color
- Disturbance area

If the property has the hillside designation removed, these non-conformities will be brought into compliance since non-designated hillside lots do not have disturbance requirements, do not have paint color requirements, and are allowed to have opaque perimeter fencing.

COMMENTS & NOTICING

Public notification of the October 16th Hillside Building Committee was mailed out in accordance with the Town policies (notice sent to all neighbors located within a 1,500-foot radius of the subject properties).

Several neighbors expressed support for the removal of this property from the Hillside Development Area (see Attachment F).

NEXT STEPS

This application is tentatively scheduled for action by the Council on December 12th.

ATTACHMENTS:

- A. Staff Report
- B. Vicinity Map & Aerial Photo
- C. Application
- D. Narrative
- E. Slope Analysis Plans
- F. Neighbor Support Letters
- G. Presentation