

5712 E. GLEN DRIVE PARADISE VALLEY, AZ ZONING ADJUSTMENT PROPOSAL



Project Team:
Owner: Ron Burks
Attorney: Doug Jorden
Architect: PHX Architecture
Civil Engineer: Coe & Van Loo

VARIANCE REQUEST OVERVIEW

The variance is for an approximately 1-acre parcel located at 5712 East Glen. The property is impacted by its topography, irregular configuration, and a 4,595 square foot water tank site owned by a private water company.



A single variance is being requested to reduce a portion of the rear yard setback requirement from 40 feet to 20 feet. Due to the irregular configuration of the property and to utilize the existing disturbed area (a pad was graded years ago) on the lot, a setback variance is requested to allow some elements of the home to go into the 40-foot setback. The requested variance will only relate to 655 square feet of the proposed home. Other than this single variance, the house will comply with Town Codes.



EXHIBIT A - EXISTING SITE CONDITIONS

LOT AREA = 42,839 SQ. FT
 25% MAX. FLOOR AREA = 10,710 SQ.FT
 ACTUAL BUILDABLE AREA = 8173+173+119=8,465 SQ. FT
 (WITHIN THE BLUE SETBACKS SHOWN BELOW)

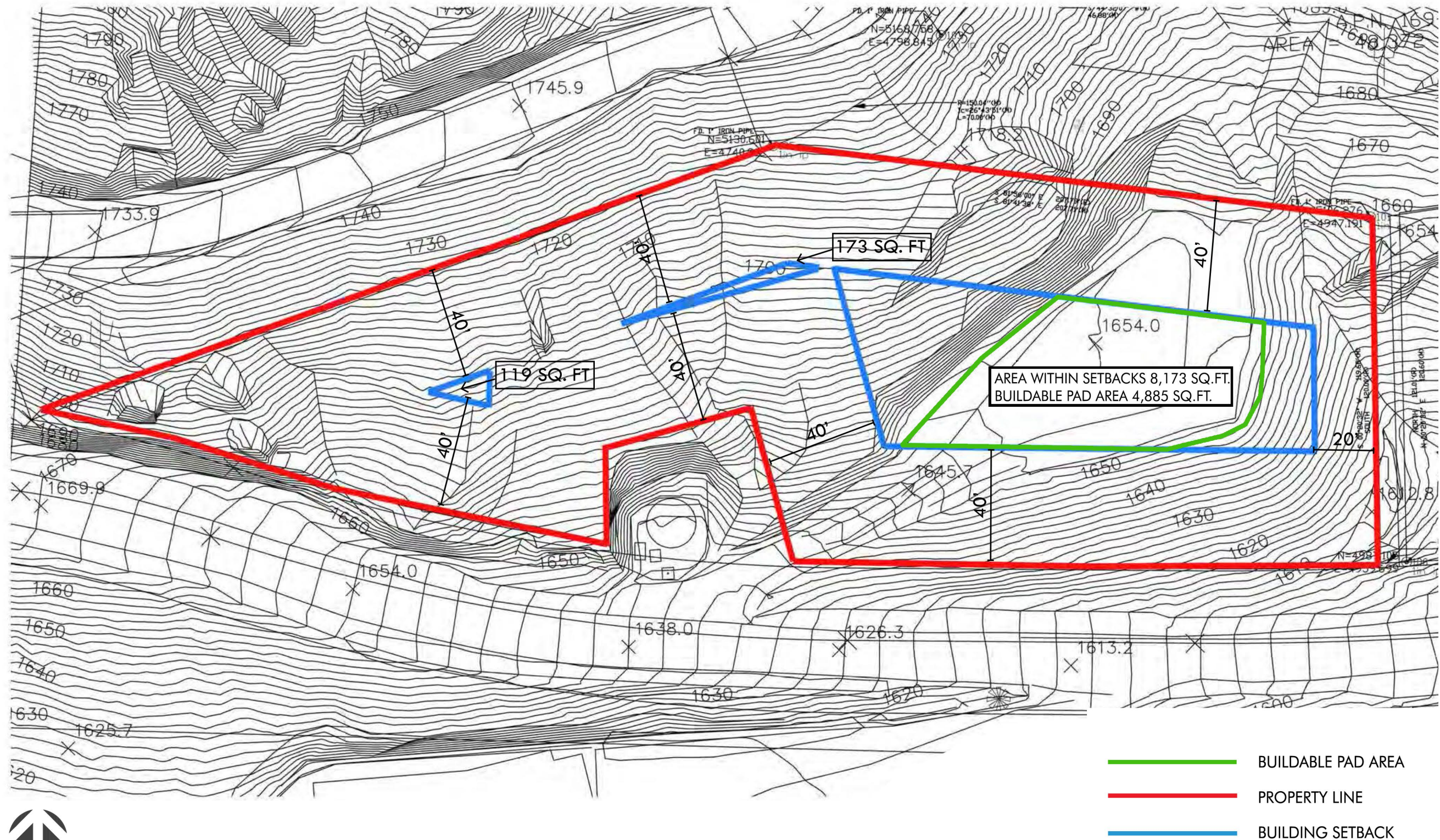


EXHIBIT B - BUILDING SETBACKS

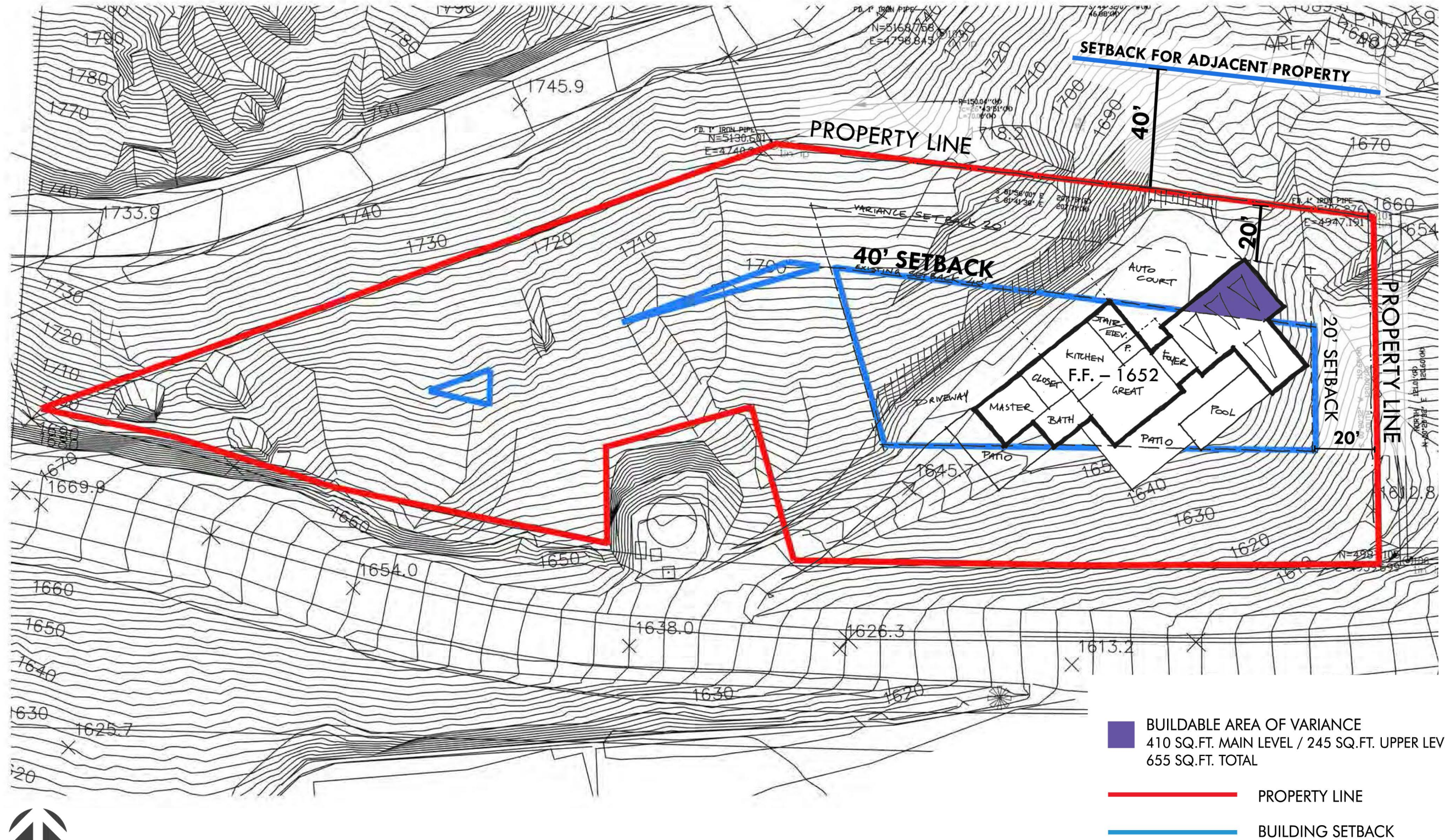


EXHIBIT C - MAIN LEVEL FLOOR PLAN

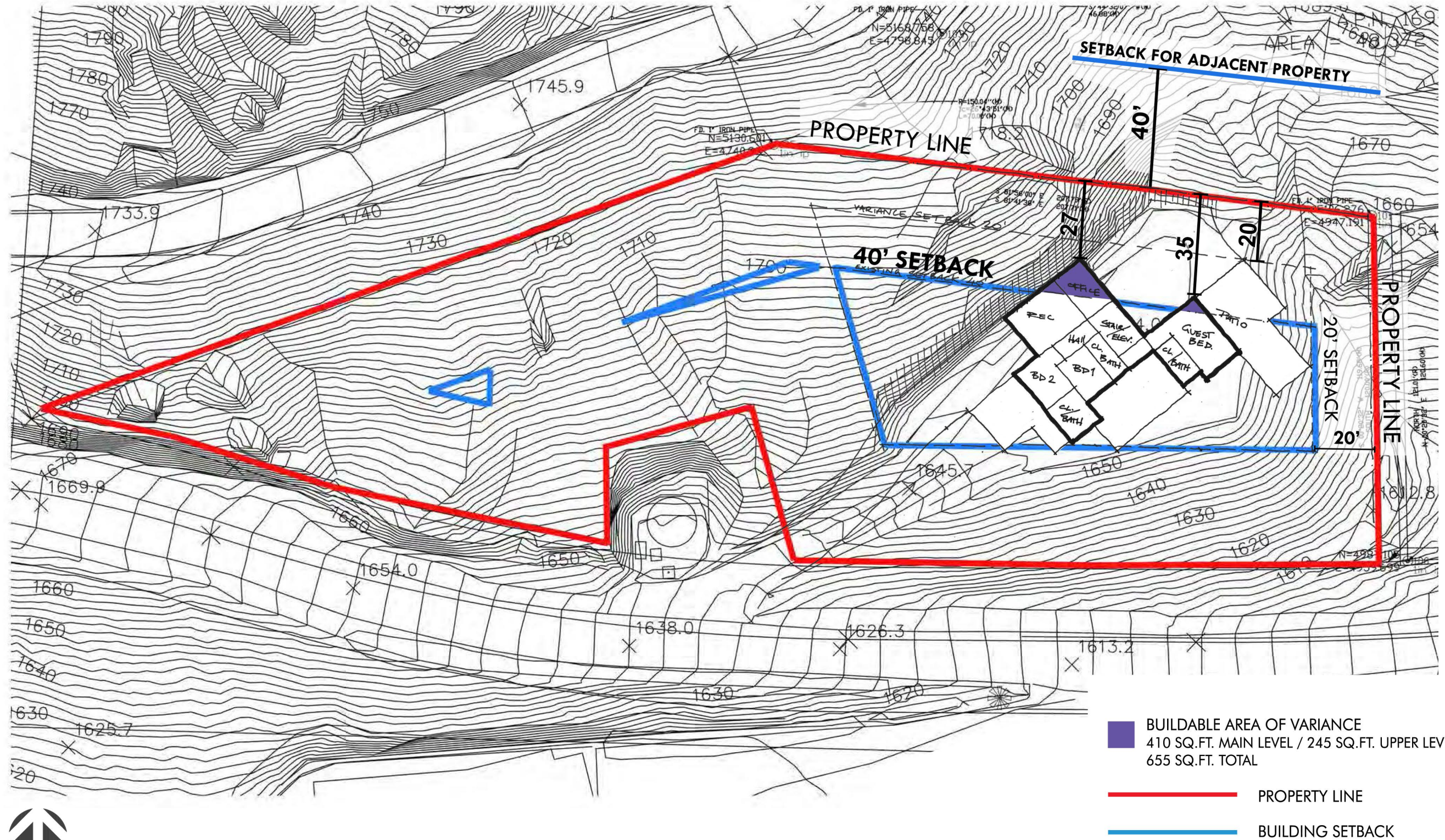


EXHIBIT D - UPPER LEVEL FLOOR PLAN

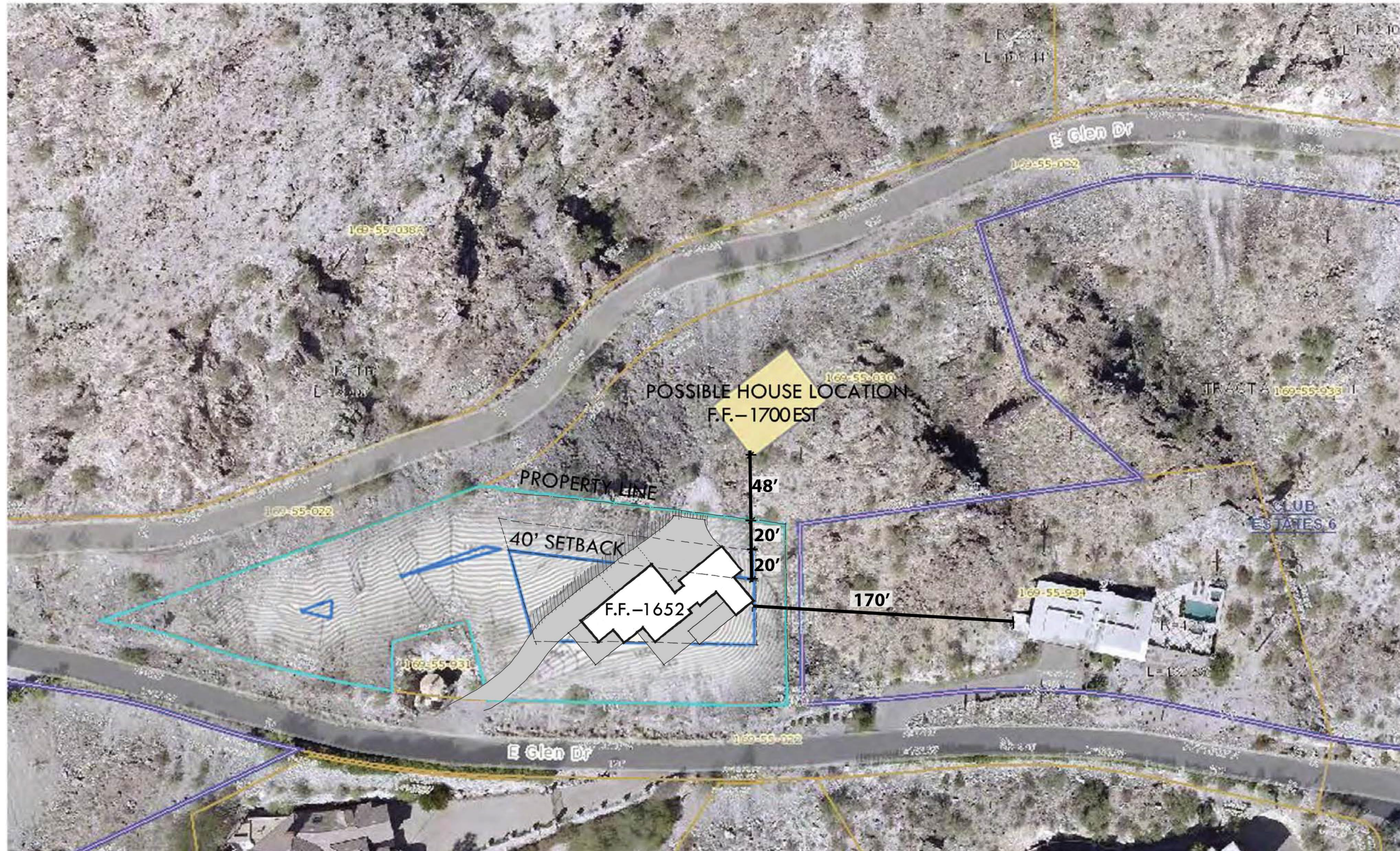
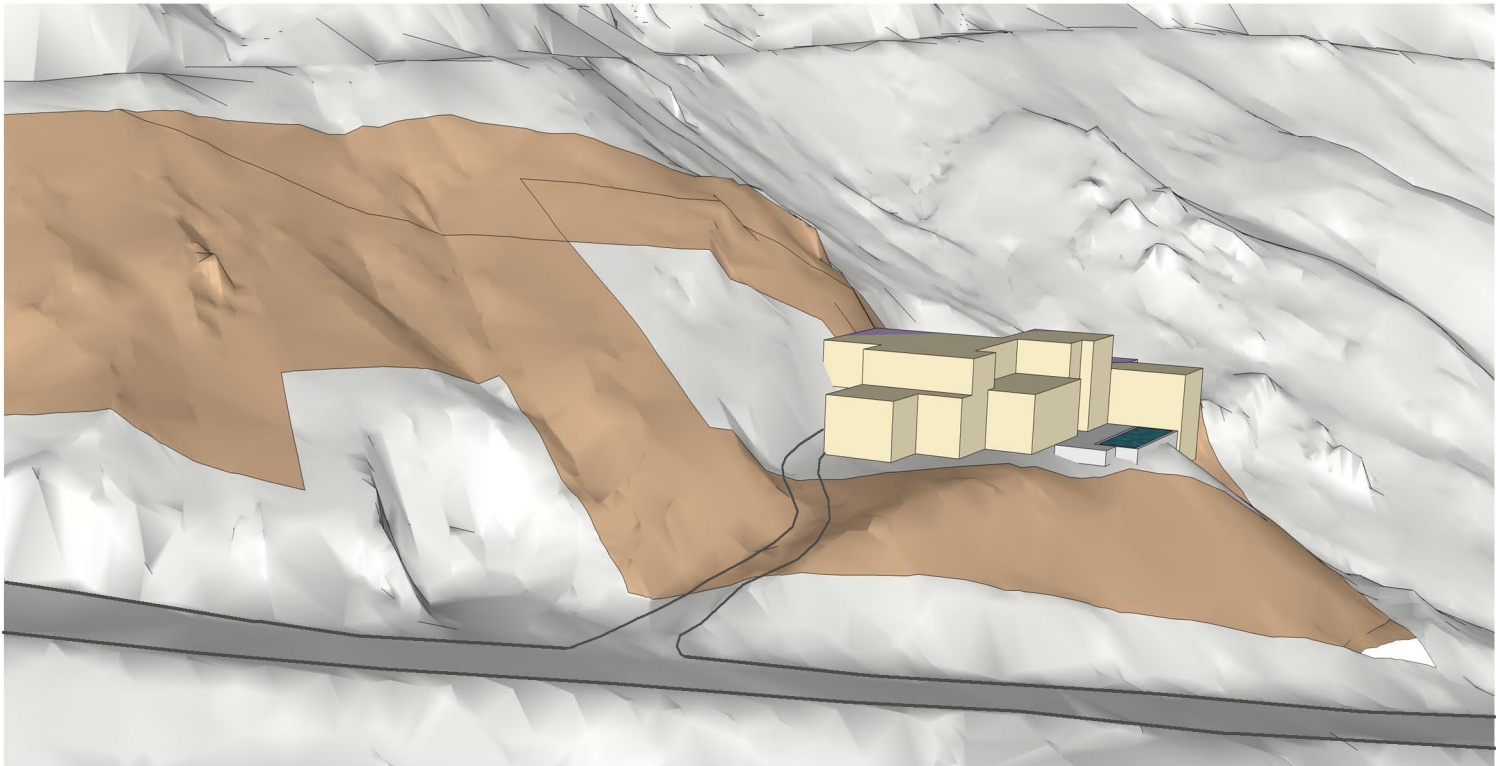
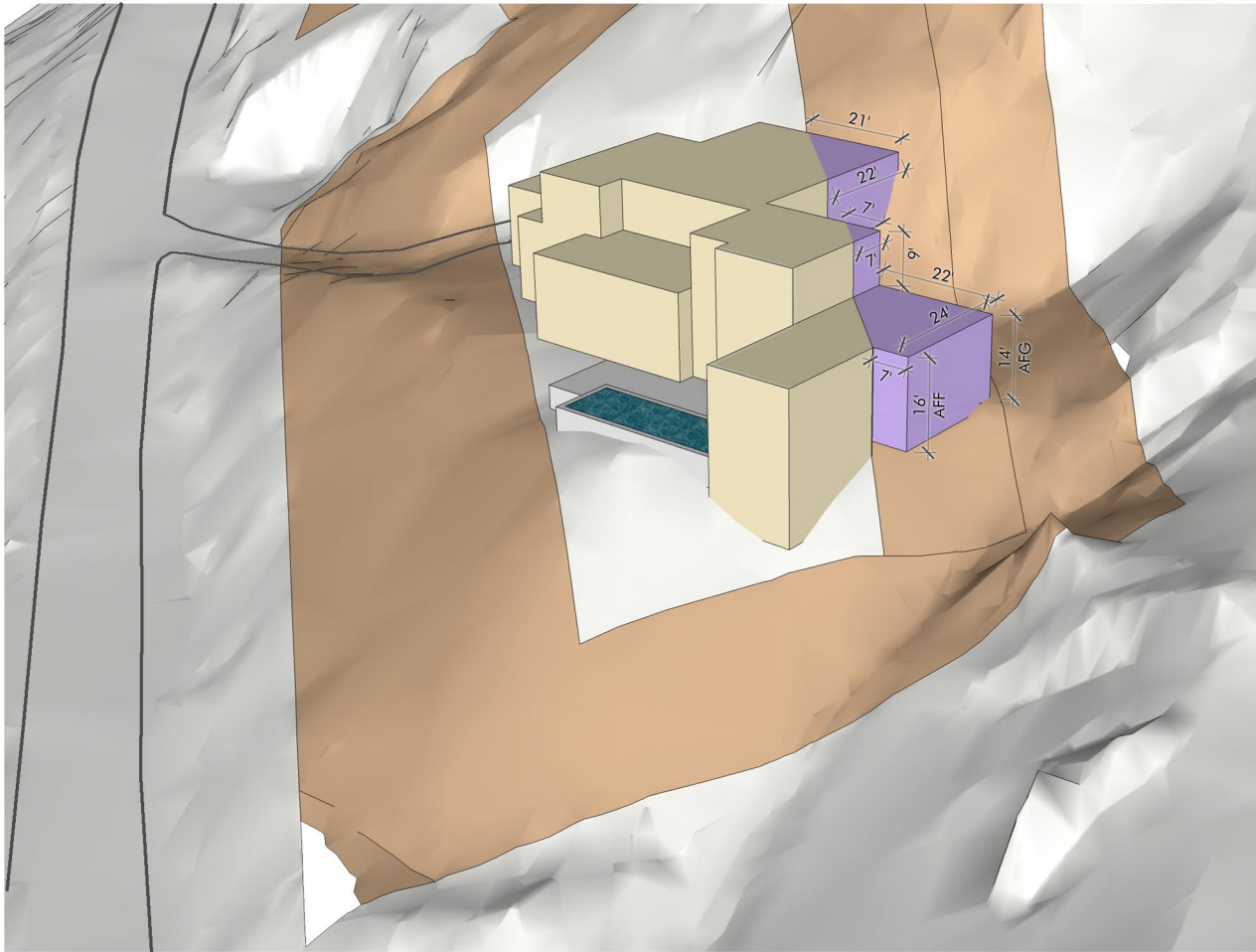


EXHIBIT E - SITE CONTEXT FOOTPRINT



SOUTHWESTERN 3D AXONOMETRIC VIEW



EASTERN 3D AXONOMETRIC VIEW - VARIANCE ENCROACHMENT MASSING

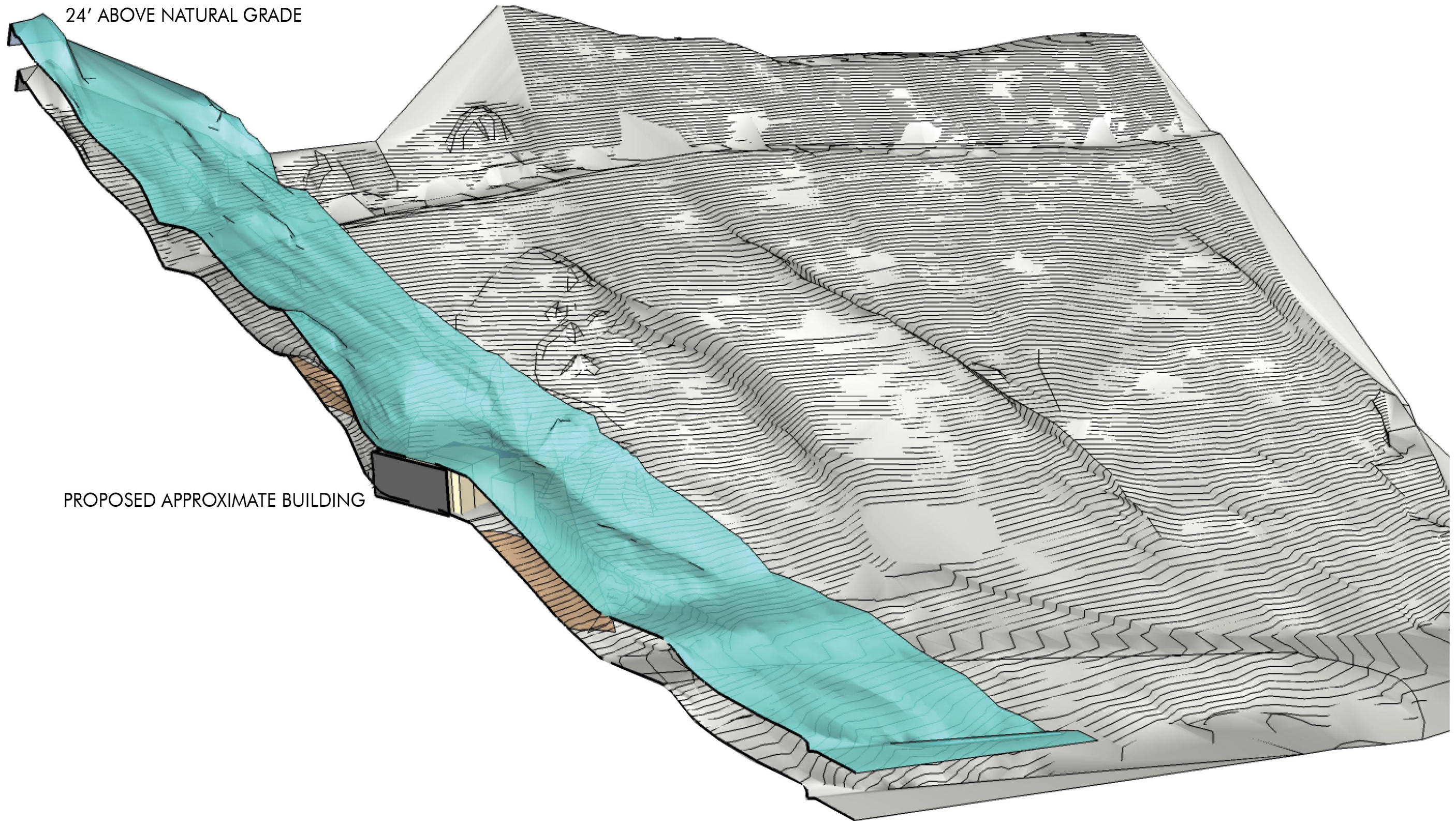


EXHIBIT G - PROPOSED 3D SECTION WITH 24' HEIGHT LIMIT

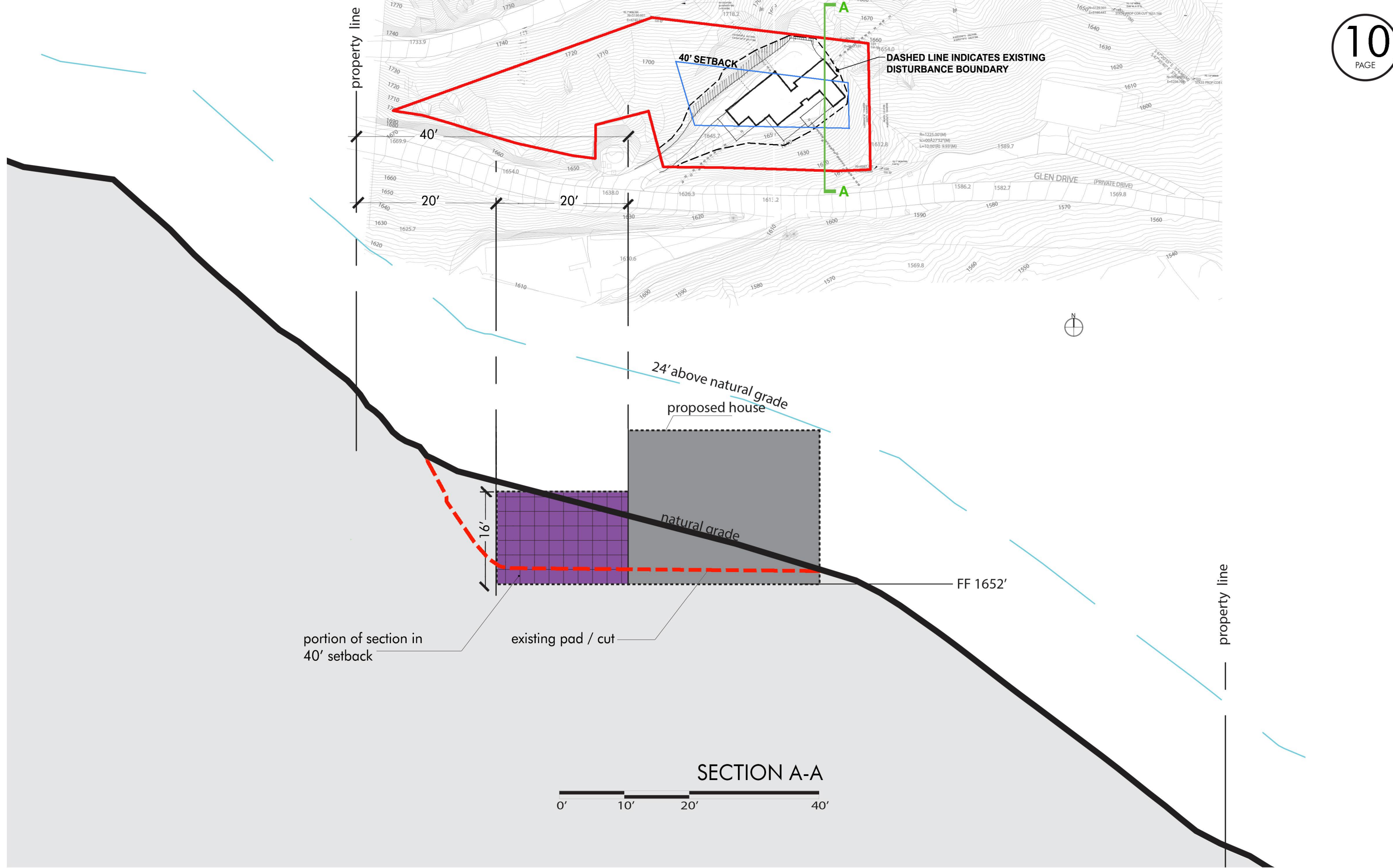


EXHIBIT H - PROPOSED SECTION WITH 24' HEIGHT LIMIT



EXHIBIT I - PHOTOMONTAGE WITH MASSING



EXHIBIT J - PHOTOMONTAGE WITH MASSING



EXHIBIT K - PHOTOMONTAGE WITH MASSING



LOOKING SOUTH FROM UPPER GLEN DRIVE



LOOKING EAST DOWN GLEN DRIVE



LOOKING WEST UP GLEN DRIVE

BACKGROUND

The Rose Garland Revocable Trust owns property located at 5712 East Glen Drive within the Town of Paradise Valley. The property is impacted by its topography, irregular configuration, and a 4,595 square foot water tank site owned by a private water company. A building pad was graded on the eastern half of the property many years ago (prior to the Town's adoption of the Hillside Development Regulations in 1984), but a home was never built on the property.

GENERAL OVERVIEW OF THE REQUESTED VARIANCE

Given the irregular configuration of the property, and to utilize the disturbed area of the existing building pad, a setback variance is requested to allow some elements of the home to go into the 40-foot rear yard setback. The requested variance would allow the proposed home to be built on the property and would only apply to the portion of the lot where the home will be located (as shown on the plans) and not to other portions of the rear yard. The proposed home is approximately 5,500 livable square feet, which is comparable to the houses located across Glen Drive to the south and is not large when compared to other houses within the Town. The reduction of the rear yard setback will not have an impact on the upslope property (APN 169-55-030) because of the difference in elevation between the properties and the upslope property's location to the east of the subject property.

VARIANCE CRITERIA

The Town has established six criteria to be used in evaluating variance requests. Following is a discussion of these criteria with respect to the requested variance.

1. “[S]uch variance....will serve not merely as a convenience to the applicant, but [is] necessary to alleviate some demonstrable hardship or difficulty so great as to warrant a variance under the circumstances.” Town Code § 2-5-3(C)(2)(a).

The reduction in the rear yard setback for a portion of the property is necessary to alleviate the hardship and difficulties presented by the property's irregular shape, its topography, and the location of the building pad. Absent the grant of a variance from the 40-foot setback requirement, a reasonably sized home could not be built on the property. Alternatively, because of the location of the water tank site, moving the residence to another location on the property would require additional variances and would require grading a new building site.

2. The “special circumstances, hardship or difficulty [do not] arise out of misunderstanding or mistake....” Town Code § 2-5-3(C)(4)(b).

The existing topography of the property is the historical topography of the property and the property's irregular shape and existing building pad predate the Town's Hillside Development Regulations. The private water company obtained the water tank site in 1964. These special circumstances do not arise out of misunderstanding or mistake.

3. “[S]uch variance from...the strict application of the terms of [the Zoning Ordinance]...are in harmony with its general purposes and intents....” Town Code § 2-5-3(C)(2)(a).

The proposed home, except for the requested variance for the rear setback, will comply with the Town's requirements. The variance, which is necessary due to the property's irregular shape and its topography, the existing building pad, and the location of the water tank site, will allow development of the property in harmony with the general purposes and intents of the Zoning Ordinance.

4. The “special circumstances, hardship or difficulty applicable to the property are [not] self-imposed by the property owner, or predecessor...” Town Code § 2-5-3(C)(4)(b).

The special circumstances, hardships, and difficulties with the property arise from the topography and the water tank site. These factors make building a home in another location on the property impractical, if not impossible, and the proposed location will require only a single variance with minimal impact on the adjacent, upslope property owner. Without at least one variance, a residence of reasonable size (similar to the homes across Glen Drive to the south) would not be possible.

5. “[B]ecause of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning ordinance will deprive the property of privileges enjoyed by other property of the same classification in the same zoning district.” A.R.S. § 9-462.06(G)(2).

The property is within the R-43 zoning district. Because of the special circumstances relating to the property's topography and shape, the existing building pad, and the water tank site, the strict application of the Town's Zoning Ordinance would not allow a home comparable to neighboring houses to be constructed on the property. Granting the single requested variance will allow the construction of a home on the property similar to homes allowed on other properties within the same R-43 residential zoning district.

6. The variance would not “constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is located.” A.R.S. § 9-462.06(G)(2).

Other properties in the vicinity are used for single family residences; except for challenges relating to topography and shape, the existing building pad, and the water tank site, this property is also suited for residential use. The grant of a variance to allow the proposed home does not constitute a grant of special privilege. A variance is necessary due to the special circumstances of the property and would allow a home consistent with homes on other properties in the R-43 zoning district and in the neighborhood.