

hayden residence | 18044.r04

project location

4202 E Desert Crest Dr
Paradise Valley, AZ 95253
parcel 169-19-005B

March 18th, 2019

To whom it may concern,

Project summary:

The project being considered by and presented to the board consist of the expansion of the current 1962 single family, single story home to accommodate the growing needs of the family. The existing home contains approximately 4,389sf of livable area to which the new program will add 1,960sf of livable space as well as an additional 450sf of new garage space.

Existing conditions:

A majority of the existing, original residence and detached garage is currently located within the rear yard setback as represented in the attached plan documents. The existing home and existing garage were constructed within the rear yard setback prior to the current ordinance requirements being applied to this site, as such creating this legal non-conformity.

While this site does not exist within the hillside district of Paradise Valley, the site does have significant slope (9% average) to consider along the west, north and east boundaries which does impact available and logical design solutions as it relates to access and drainage. Additionally, access to the existing garage occurs on the uphill side of the site adding some complexities to expansion. The home, as typical in the mid-century era, was designed and constructed in a very linear fashion. The primary entry is placed on the uphill side of the site within the existing setback, again additional challenges to expansion. The placement of the home (within the setback) coupled with the natural slope of the site, entry location and patio amenities and new zoning ordinances being placed on this existing condition limit expansion potential and create a hardship not imposed by the homeowner.

Proposed renovation:

Considering the above existing conditions, the project is limited in the potential expansion due to a combination of the zoning district requirements, time the house was constructed and site conditions. An effort has been made to keep the new bedrooms for the growing family relatively close and connected as well as limit needs for variances to the current zoning ordinance. Additionally, the new expansion makes an effort to limit disturbance to the existing natural desert on the south portion of the site. These efforts are represented in the proposed expansion plans attached to this request. Specifically, we will be expanding the existing residence to the west as stated above. The amount of new square footage encroaching into the rear yard setback has been limited to 145sf of the total 2410sf gross being added.

Existing residence:

Please note that the interior renovation work to the existing residence is limited to 40% of the existing square footage therefore is allowed to remain non-conforming per the Zoning Ordinance Section 2307. There is no increase in building footprint and height to the existing residence. The nature of work is interior alterations, refurbishing, and remodeling.

The request:

The Owner, through this proposal and attached documents, request a variance to the following:

Encroachment #1 - Setback of existing non-conforming garage:

Maintain encroachment of the existing garage into the required 40' rear yard setback by 10' for 257sf gross plus 82sf gross roof overhang. The scope of renovation of the existing garage is as follows:

1. Existing garage scope:
 - a. Interior renovation to 64% of the existing garage.
 - b. Interior finishes of the existing garage.

- c. Exterior modifications to the roof and exterior wall of the existing garage to attach the new garage addition. The roof height will remain as is with the new addition roof height matching the existing.
- 2. Minimal impact to encroachment
 - a. The existing garage is encroaching 10' into the 40' setback line therefore is still within the 20' setback line.
 - b. The total of 339 sf of encroachment is only 3.2 % of the overall square footage of the project (10,676sf).

Encroachment #2 – Setback requirements for new garage:

Allow for encroachment of the new garage addition (not including existing garage as defined in Setback Encroachment #1) into the required 40ft rear yard setback by 9ft for 145sf gross plus 82sf gross overhang.

- 1. New garage scope
 - a. Match existing garage height and architecture
- 2. Property hardship not allowing compliance
 - a. The site is sloped so that the addition of the garage could not be constructed in a location allowing for direct access to the home on the same level if constructed in an alternate distant location.
 - b. To comply with the setback, the entire new addition will have to shift more than 9' to the south. In which case the new lowest natural grade becomes 1437.8'. The current top of high roof elevation at existing residence is 1462.25'. This puts the maximum building height at 24.45'. This will result in a non-conformance of the existing residence.
- 3. Minimal impact to encroachment
 - a. The new garage is encroaching 9' into the 40' setback line therefore is still within the 20' setback line.
 - b. All new construction other than the proposed 227sf is being constructed within the setbacks. The amount of garage being added is minimal for a garage door and the height will match the existing construction allowing for minimal impact to the encroachment.
 - c. By maintaining the existing encroachment, the distance between the existing high roof and the lowest natural grade is minimized, which makes less imposing volume from the street.
 - d. The proposed new addition runs parallel to the existing house and the topo lines therefore maintains the lower building height. The building height will only increase if constructed in an alternate location.

Encroachment #3 - Side Yard Height:

Encroachment of the new bedroom addition roof height into the side yard height restrictions by 22sf horizontal roof surface for approximately 1.2ft of vertical encroachment. The new bedroom addition is constructed within the 20' side and 40' rear yard setbacks.

- 1. Property hardship not allowing compliance
 - a. The site is sloped so that the addition of the new bedroom limits placement of the new addition.
 - b. The location of the existing residence, built as a non-conforming use, would not allow for the new bedroom to be placed in a reasonable and accessible location.
- 2. Minimal impact to encroachment
 - a. The request indicates only 1.2 vertical feet of height and only 22 horizontal square feet of encroachment.
 - b. This represents only 1.1% of the new addition within the height limits. The balance of the addition has been designed to comply with the zoning ordinance.

The variance criteria:

- 1. **Criterion 1:** *“such variance... will serve not merely as a convenience to the applicant, but [is] necessary to alleviate some demonstrable hardship or difficulty so great as warrant a variance under the circumstances.” (Town Code Section 2-5-3(C)2)*
 - The demonstrable hardship was placed on the existing residence when the R-43 zoning district was applied to the site after the existing residence was constructed. This event not borne by the homeowner or their

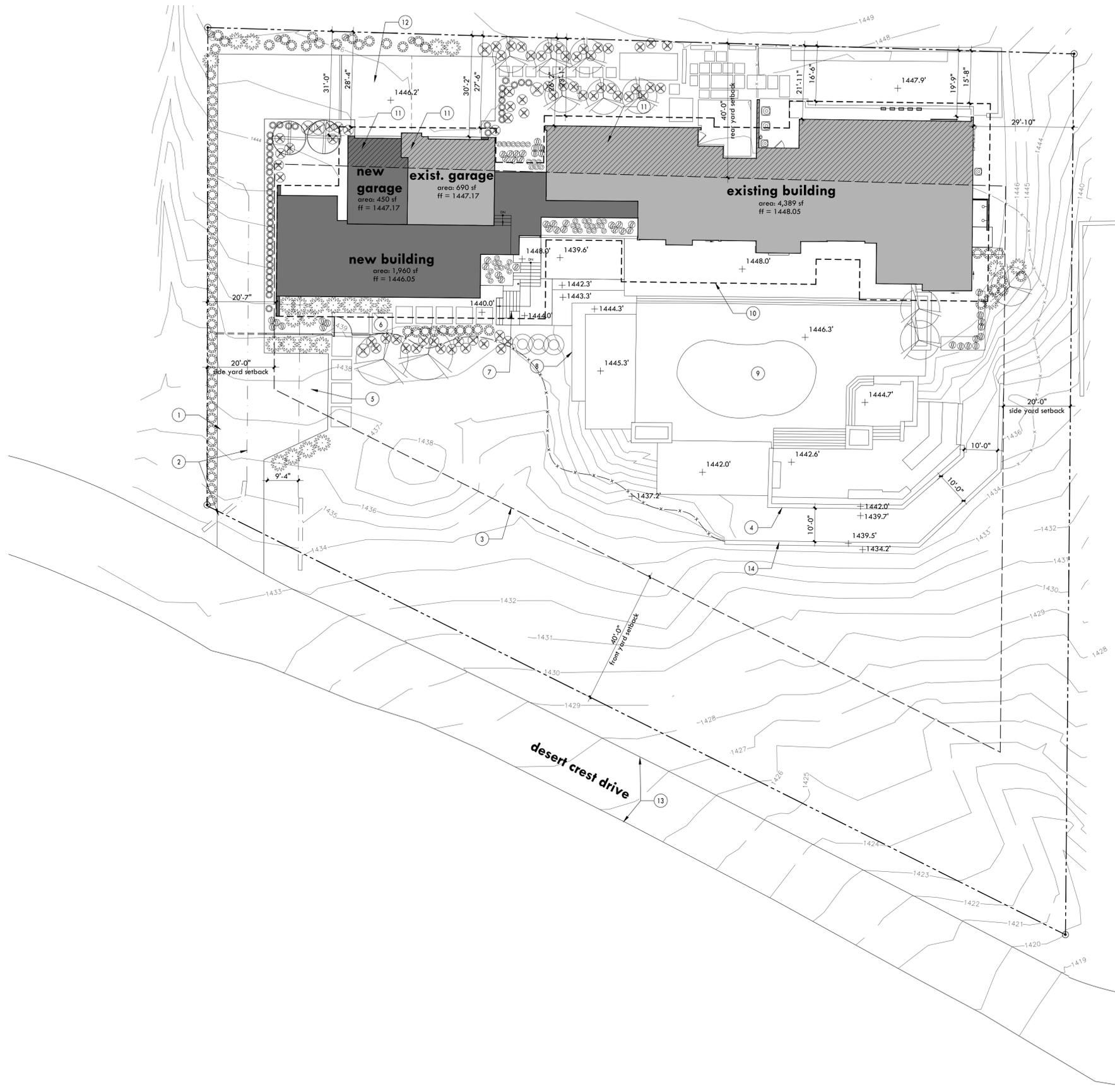
predecessor, coupled with the existing conditions of the home and existing conditions of the site do not allow the owner reasonable ability to comply with the current zoning ordinance.

- As such the variance is not being used merely for convenience but will allow reasonable ability to alleviate the some of the hardship with minimal impact to the zoning requirements.
2. **Criterion 2:** *the “special circumstances, hardship, or difficulty [do not] arise out of misunderstanding or mistake. (Town Code Section 2-5-3(C)4(b))*
 - The placement of the R-43 zoning district and associated setbacks did not arise out of misunderstanding or mistake.
 - As such the variance will allow reasonable ability to alleviate the some of the hardship with minimal impact to the zoning requirements.
 3. **Criterion 3:** *“such variance from... the strict application of the terms of [the zoning ordinance] ... are in harmony with its general purposes and intents. (Town Code Section 2-5-3(C)2)*
 - The intent of the ordinance is to provide visual openness, limit visual impact to the natural landscape and maintain view corridors. This request meets the intent of the zoning ordinance with the following bullet points:
 - as the northern side of the existing residence and addition will have limited visual impact from the street
 - the neighboring site to the north will still maintain clear views to the south since they are located uphill and all new work will not exceed the maximum building height of the existing residence.
 - The new garage addition will not exceed the current encroachment into the existing setback. Additionally, the encroachment will be limited to approximately 145sf.
 4. **Criterion 4:** *“the special circumstances, hardship or difficulty applicable to the property are [not] self-imposed by the property owner, or predecessor...” (Town Code Section 2-5-3(C)4)*
 - The hardship is not self-imposed. The original structure was built in 1962 before Paradise Valley annexation and application of the zoning limitations on this site.
 5. **Criterion 5:** *“Because of special circumstances applicable to the property, including site, shape, topography, location or surrounding, 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. (Arizona Revised Statutes 9-462.06(G)(2)).*
 - The special circumstance of the pre-existing setback encroachment, existing orientation of the existing residence, access and limited buildable area due to existing site improvements require minimal encroachment into the setback and related height restrictions.
 - This will allow the property owner to make reasonable modifications to the existing residence to enjoy similar privileges to those properties of the same classification and developed after the annexation of Paradise Valley and the overlay of the current zoning ordinance.
 6. **Criterion 6:** *The variance would not “constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is located.” (Arizona Revised Statutes 9-462.06(G)(2))*
 - The request is in character with the Zoning Ordinance and the surrounding neighborhood and will not grant special privileges inconsistent with other properties in which this site is located.
 - Refer to attached document demonstrating other properties in compliance with the setback requirement in vicinity.

Respectfully submitted,

Troy M Vincent, AIA
Principal
180 degrees, inc





1 site plan
scale | 1/16"=1'-0"



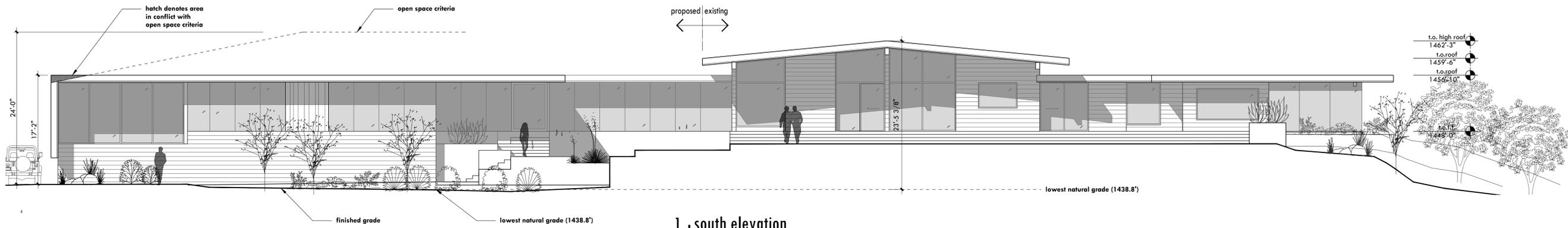
project information

legal description	parcel number: 169-19-005-B
address	4202 E desert crest drive paradise valley, az 85253
owner	bill and amanda hayden contact amanda hayden phone 646.334.1021
zoning	R-43
square footage	existing livable 4,389 square feet new livable 1,960 square feet exist garage 690 square feet new garage 450 square feet total liv.+garage 7,489 square feet
	exist roof overhang 2,224 square feet new roof overhang 963 square feet total roof overhang 3,187 square feet total under roof 10,676 square feet
remodel square footage/tributary area	exist livable 1,784 square feet exist garage 442 square feet
encroachment square footage	exist livable 1,866 square feet exist livable overhang 945 square feet exist garage 257 square feet exist garage overhang 82 square feet new garage 145 square feet new garage overhang 82 square feet total encroach. building 2,268 square feet total encroach. overhang 1,109 square feet
lot area	gross - 59,448 square feet (1.36 acres) net - 52,282 square feet (1.20 acres)
lot coverage	20% or 10,676 square feet
maximum allowable lot coverage	25% or 13,070 square feet
actual lot coverage	10,676 square feet < 13,070 square feet =ok
height of structure	23'-5" < 24'-0" allowable = ok
setbacks	front 40'-0" min. back 40'-0" min. side 20'-0" min.

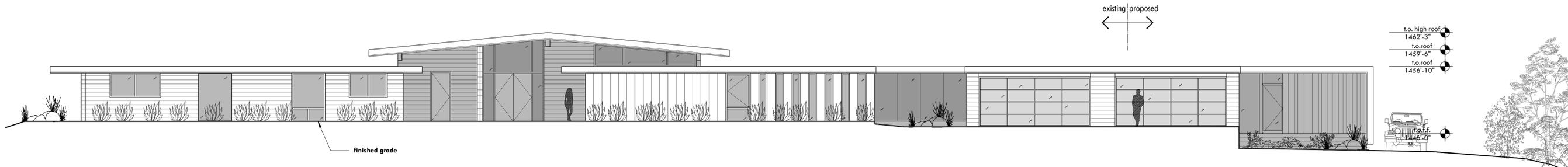
keyed notes

1. new driveway shifted 9'-4" to west.
2. existing driveway and entry wall to be demolished.
3. building setback line.
4. existing site wall/retaining wall (t.o.w@1442.0', n.g.@1439.7') to remain.
5. new guest parking.
6. new walkway.
7. new entry stairs.
8. new landscape.
9. existing pool/pool deck to remain.
10. roof overhang.
11. hatch denotes encroachment area into setback. refer to encroachment area calculation on this sheet.
12. existing driveway to remain.
13. edge of asphalt.
14. existing site wall/retaining wall (t.o.w@1439.5', n.g.@1434.2') to remain.

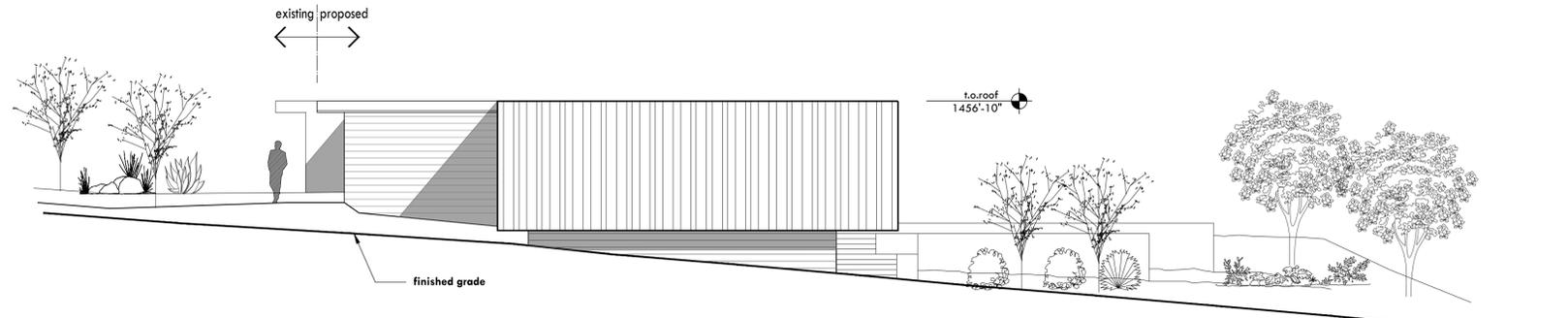
revisions	R01	
	R02	
	R03	
	R04	



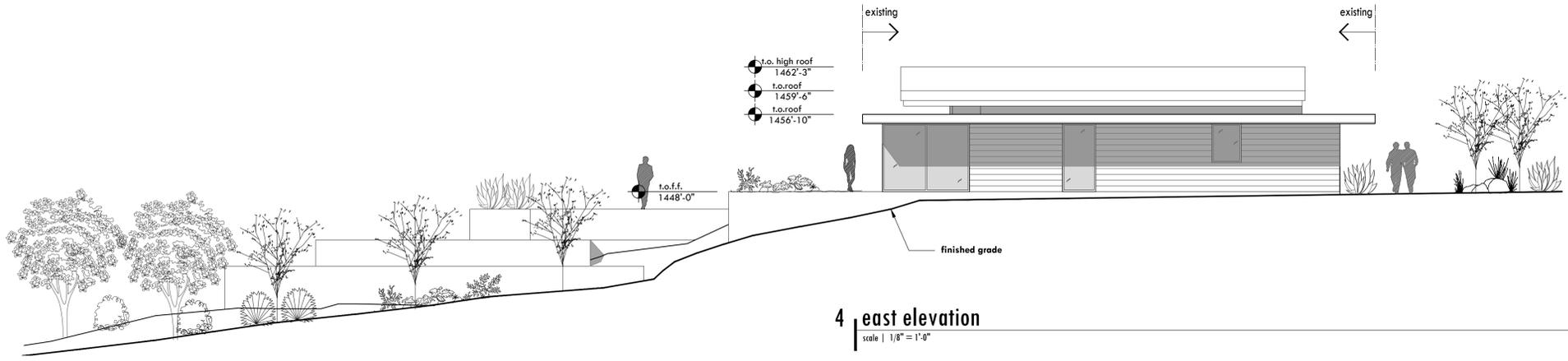
1 south elevation
scale | 1/8" = 1'-0"



2 north elevation
scale | 1/8" = 1'-0"



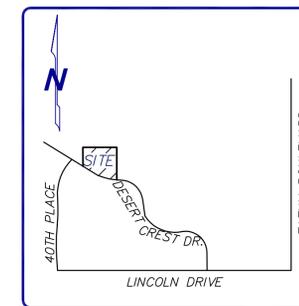
3 west elevation
scale | 1/8" = 1'-0"



4 east elevation
scale | 1/8" = 1'-0"

TOPOGRAPHIC SURVEY

A PORTION OF THE NORTHWEST QUARTER OF SECTION 7,
TOWNSHIP 2 NORTH, RANGE 4 EAST OF THE GILA AND SALT
RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



VICINITY MAP
NOT TO SCALE

PARCEL DESCRIPTION

Commencing at the Northwest corner of Lot 6, Section 7, Township 2 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, designated as the Point of Beginning;
Thence South 88 degrees 15 minutes 52 seconds East a distance of 259.25 feet;
Thence South 00 degrees 40 minutes 42 seconds West a distance of 262.64 feet;
Thence North 63 degrees 24 minutes 20 seconds West a distance of 286.63 feet;
Thence North 00 degrees 07 minutes 16 seconds East a distance of 142.20 feet to the Point of Beginning.

SITE INFORMATION

ADDRESS: 4202 E. DESERT CREST DRIVE, PARADISE VALLEY, ARIZONA
A.P.N.: 169-19-005-B
LAND AREA: 1.200 ACRES - 52,282 SQ. FT.

SURVEY NOTES

- This survey has been prepared without the benefit of a title report, and is subject to all easements of record.
- BASIS OF BEARING: The South line of PARADISE HIGHLAND, a subdivision recorded in Book 84 of Maps, page 36, records of Maricopa County, Arizona, using a bearing of South 88 degrees 15 minutes 52 seconds East.
- The bearings and distances depicted indicate actual field or computed measurements performed during the course of this survey. This information may vary from documents of record used for this survey.
- The building square footage shown is based on exterior measurements of the building footprint at ground level and is not intended to reflect the interior or leaseable area of any building. The building footprint and dimensions depict the general configuration of the building(s).
- The utility information shown is limited to visible above ground evidence and/or records provided by the respective utility companies. This survey may not depict all of the underground utilities either in service or abandoned that may exist adjacent to or within the boundaries of the subject property. No representation is made to the accuracy or completeness of any third party maps, records or information used to depict the underground utilities. An underground utility locator was not contacted and should be retained prior to excavation or construction to determine the precise location of all utilities that may exist adjacent to or within the boundaries of the subject property. The certification on this survey does not guarantee or provide any warranty to the exact location or presence of any underground utilities that may actually exist adjacent to or within the boundaries of the subject property. Prior to any excavation please call an underground utility locator or "BLUE STAKE" at (602)263-1100 for the precise location and extent of all utilities in the area.
- The Benchmark used for this survey is the GDACS Point # 24035-1 having an elevation of 1403.453, NAVD88 datum per R.O.S. Bk. 708, Pg. 10, M.C.R.

SURVEYOR'S STATEMENT

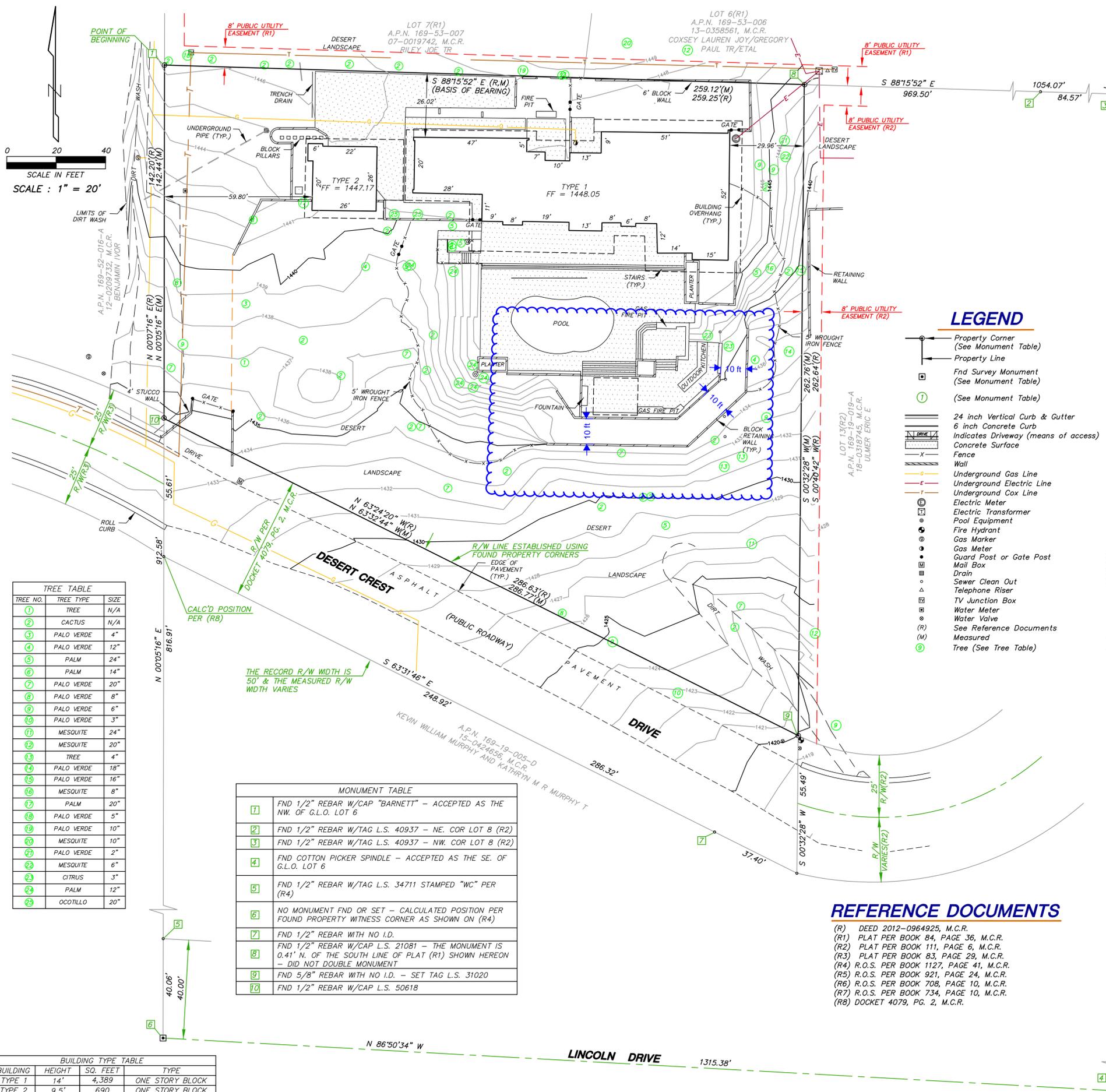
I, G. Bryan Goetzenberger, hereby state that I am a registered land surveyor in the State of Arizona and that the survey shown hereon was completed under my direct supervision during the month of August, 2018, and is correct to the best of my knowledge and the monuments shown actually exist.

G. Bryan Goetzenberger
R.L.S. #31020



REFERENCE DOCUMENTS

- (R) DEED 2012-0964925, M.C.R.
- (R1) PLAT PER BOOK 84, PAGE 36, M.C.R.
- (R2) PLAT PER BOOK 111, PAGE 6, M.C.R.
- (R3) PLAT PER BOOK 83, PAGE 29, M.C.R.
- (R4) R.O.S. PER BOOK 1127, PAGE 41, M.C.R.
- (R5) R.O.S. PER BOOK 921, PAGE 24, M.C.R.
- (R6) R.O.S. PER BOOK 708, PAGE 10, M.C.R.
- (R7) R.O.S. PER BOOK 734, PAGE 10, M.C.R.
- (R8) DOCKET 4079, PG. 2, M.C.R.



SCALE IN FEET
SCALE: 1" = 20'

TREE NO.	TREE TYPE	SIZE
1	TREE	N/A
2	CACTUS	N/A
3	PALO VERDE	4"
4	PALO VERDE	12"
5	PALM	24"
6	PALM	14"
7	PALO VERDE	20"
8	PALO VERDE	8"
9	PALO VERDE	6"
10	PALO VERDE	3"
11	MESQUITE	24"
12	MESQUITE	20"
13	TREE	4"
14	PALO VERDE	18"
15	PALO VERDE	16"
16	MESQUITE	8"
17	PALM	20"
18	PALO VERDE	5"
19	PALO VERDE	10"
20	MESQUITE	10"
21	PALO VERDE	2"
22	MESQUITE	6"
23	CITRUS	3"
24	PALM	12"
25	OCOTILLO	20"

MONUMENT TABLE	
1	FND 1/2" REBAR W/CAP "BARNETT" - ACCEPTED AS THE NW. OF G.L.O. LOT 6
2	FND 1/2" REBAR W/TAG L.S. 40937 - NE. COR LOT B (R2)
3	FND 1/2" REBAR W/TAG L.S. 40937 - NW. COR LOT B (R2)
4	FND COTTON PICKER SPINDLE - ACCEPTED AS THE SE. OF G.L.O. LOT 6
5	FND 1/2" REBAR W/TAG L.S. 34711 STAMPED "WC" PER (R4)
6	NO MONUMENT FND OR SET - CALCULATED POSITION PER FOUND PROPERTY WITNESS CORNER AS SHOWN ON (R4)
7	FND 1/2" REBAR WITH NO I.D.
8	FND 1/2" REBAR W/CAP L.S. 21081 - THE MONUMENT IS 0.41' N. OF THE SOUTH LINE OF PLAT (R1) SHOWN HEREON - DID NOT DOUBLE MONUMENT
9	FND 5/8" REBAR WITH NO I.D. - SET TAG L.S. 31020
10	FND 1/2" REBAR W/CAP L.S. 50618

BUILDING TYPE TABLE			
BUILDING	HEIGHT	SQ. FEET	TYPE
TYPE 1	14'	4,389	ONE STORY BLOCK
TYPE 2	9.5'	690	ONE STORY BLOCK

REV.	DATE	DESCRIPTION
3-28-19		Rev. drafted walls to 0.67" width
REV.		
REV.		

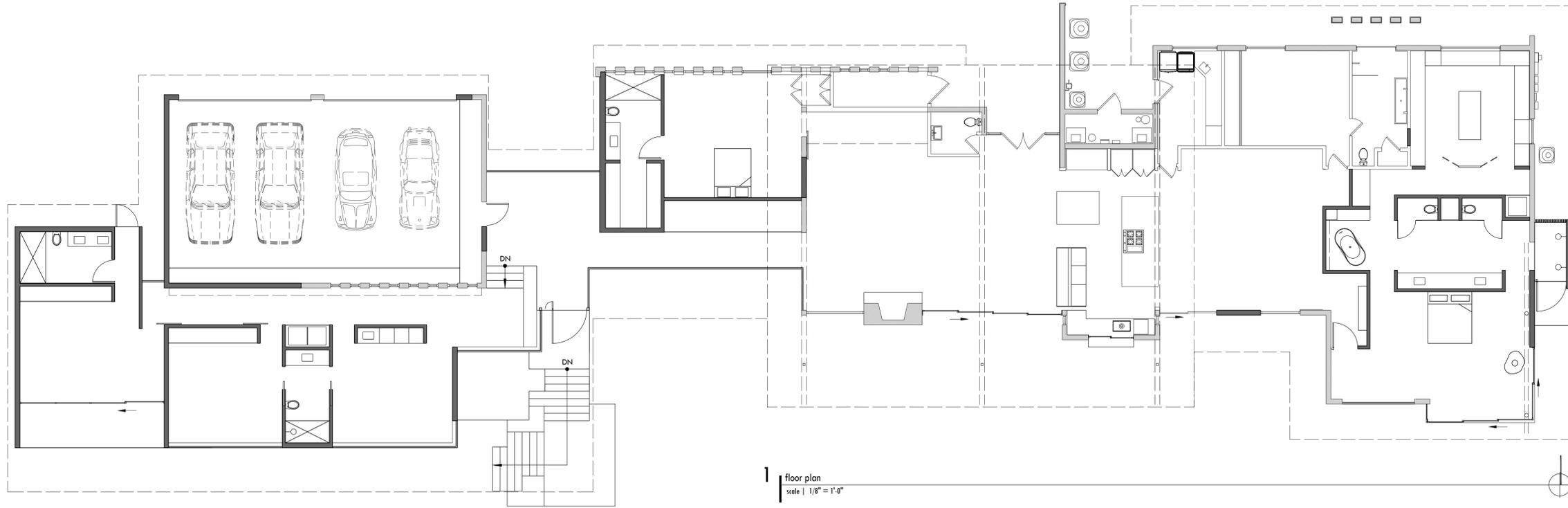
TOPOGRAPHIC SURVEY
4202 E. DESERT CREST DRIVE, PARADISE VALLEY, AZ

ALLIANCE
LAND SURVEYING LLC

7900 N. 70th AVENUE, SUITE 104
GLENDALE, AZ 85303
Phone: (623) 972-2200
contactus@azalls.com
www.alliancelandsurveying.com

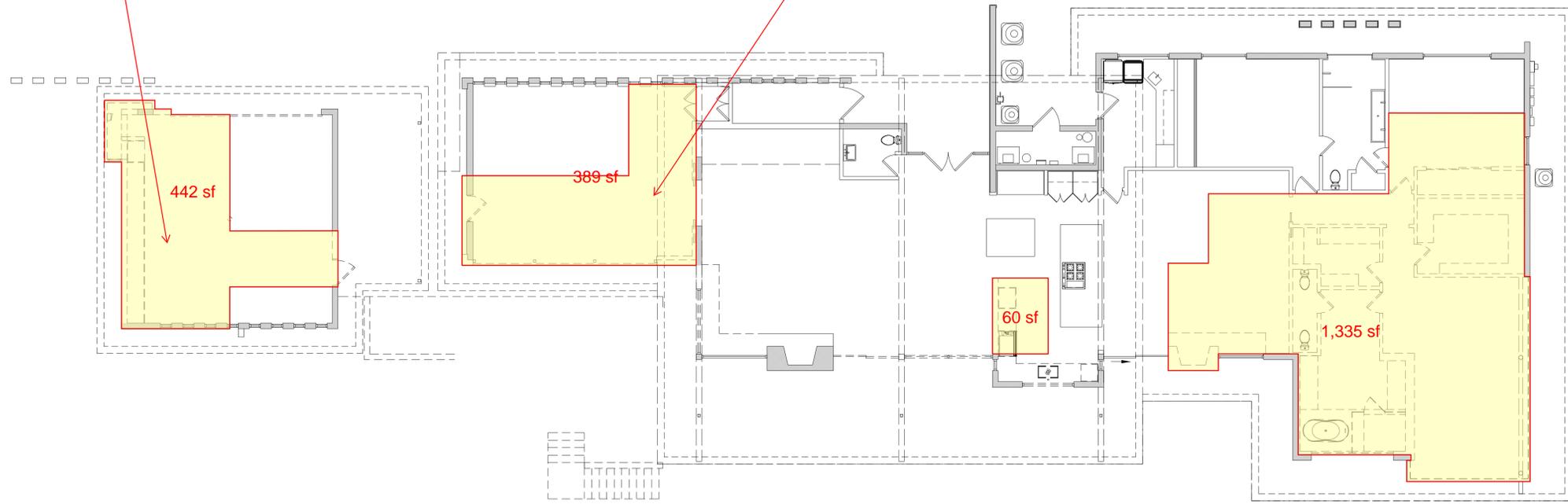
REV. 3-28-19 Rev. drafted walls to 0.67" width

SHEET: 1 of 1 DATE: 8-7-18 JOB NO: 180735



overall tributary area at existing garage: 442 sf

overall tributary area at existing house: 1,784 sf



revisions	project number	design
R01	18044	ip
R02		ip
R03		2019.02.15
R04		

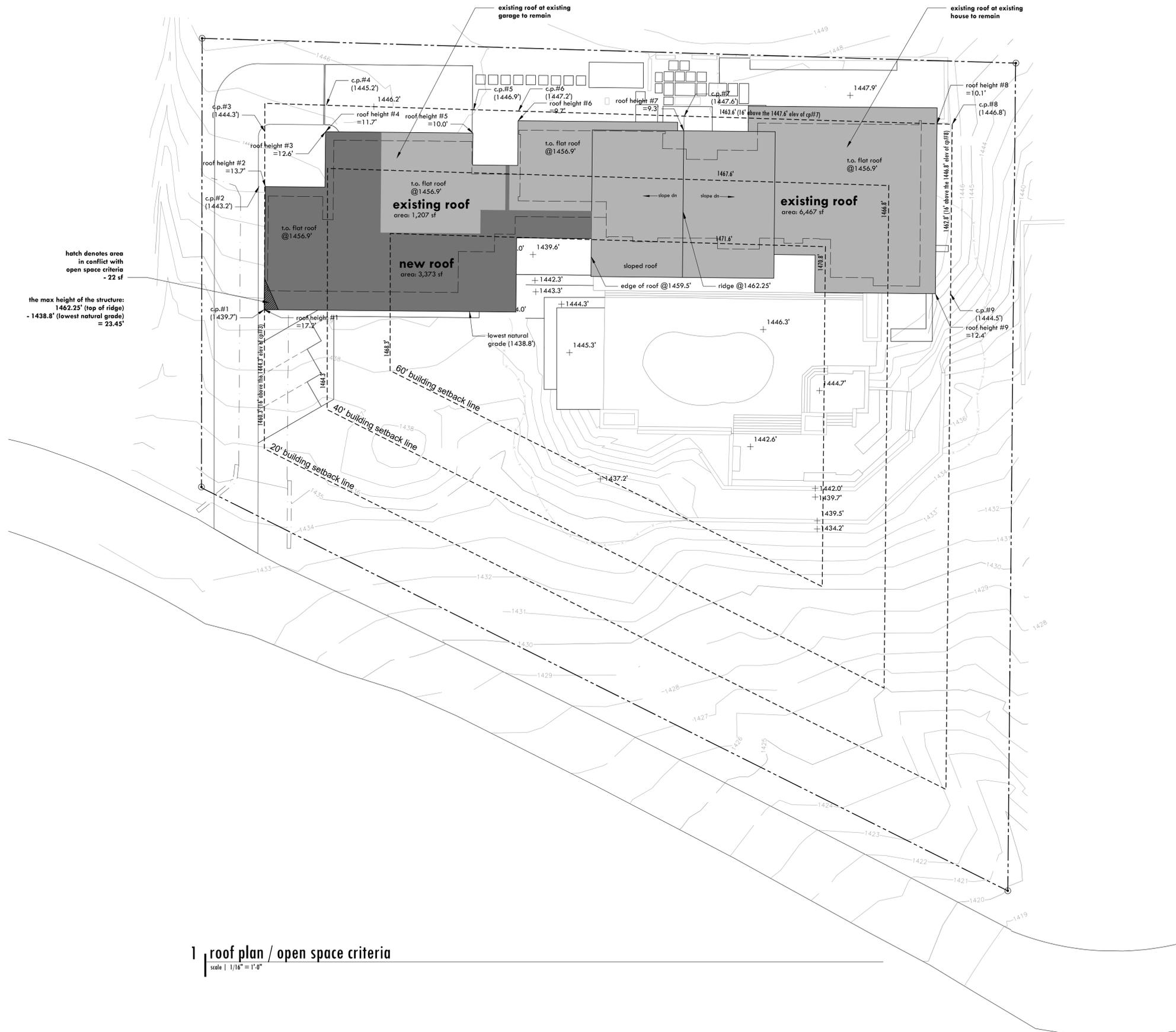
project phase	design	variance
drawn by	ip	2019.02.15
issue date		

project status | design variance
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hayden renovation

residential

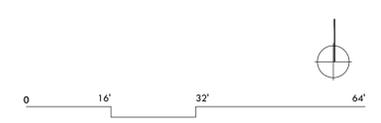
4202 e desert crest drive, paradise valley, az



hatch denotes area in conflict with open space criteria - 22 sf

the max height of the structure:
 1462.25' (top of ridge)
 - 1438.8' (lowest natural grade) = 23.45'

1 roof plan / open space criteria
 scale | 1/16" = 1'-0"



R01	
R02	
R03	
R04	

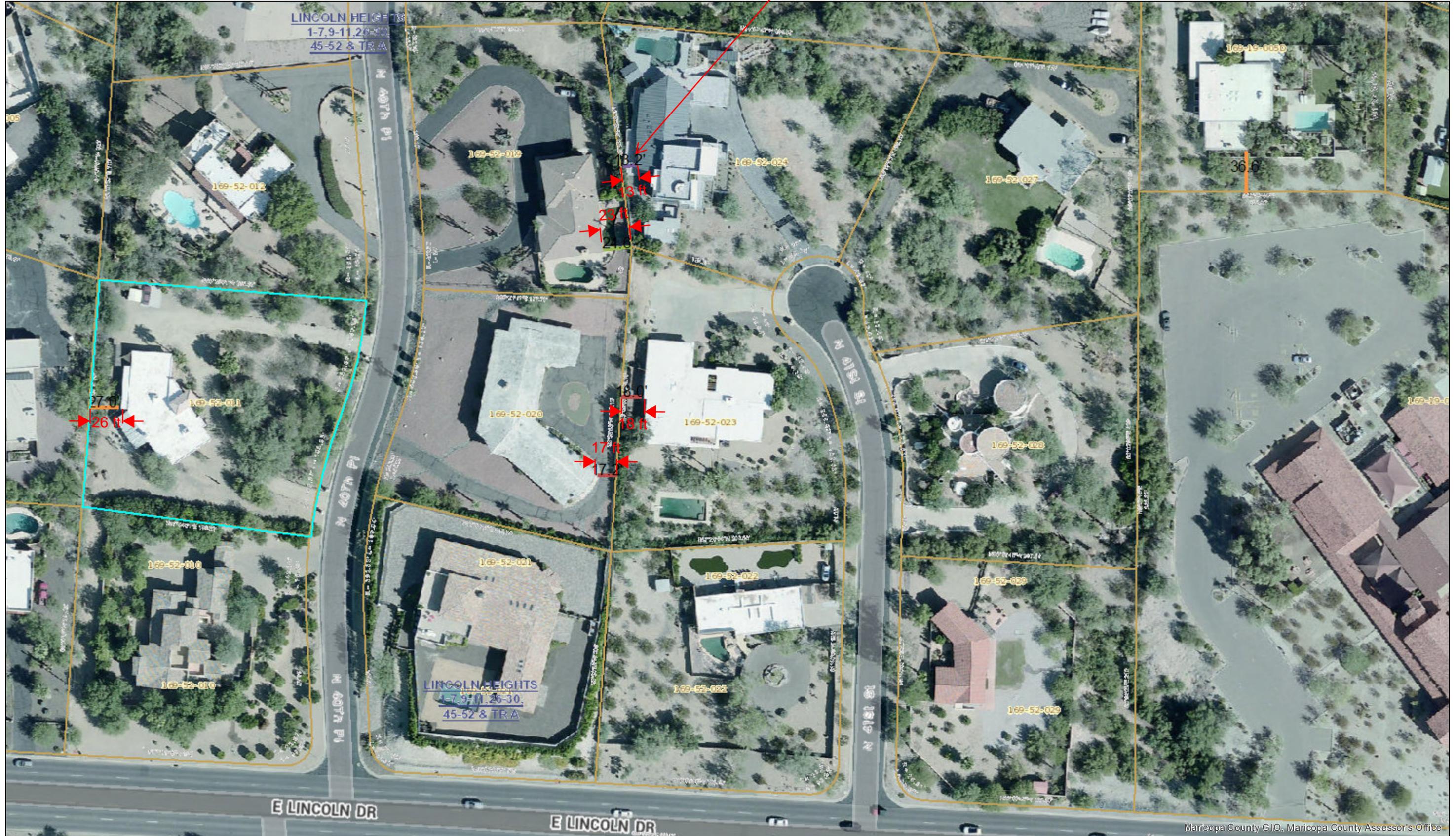
site
4202 e desert crest dr





Map

measurement indicates the parcel with setback encroachment, typ.





1982 Aerial



1969 Aerial