

7941 north 55th street

ur project20

hillside variance



**the construction zone, ltd**

1729 east osborn road, phoenix, arizona 85016



# 7941 north 55th street

## project team

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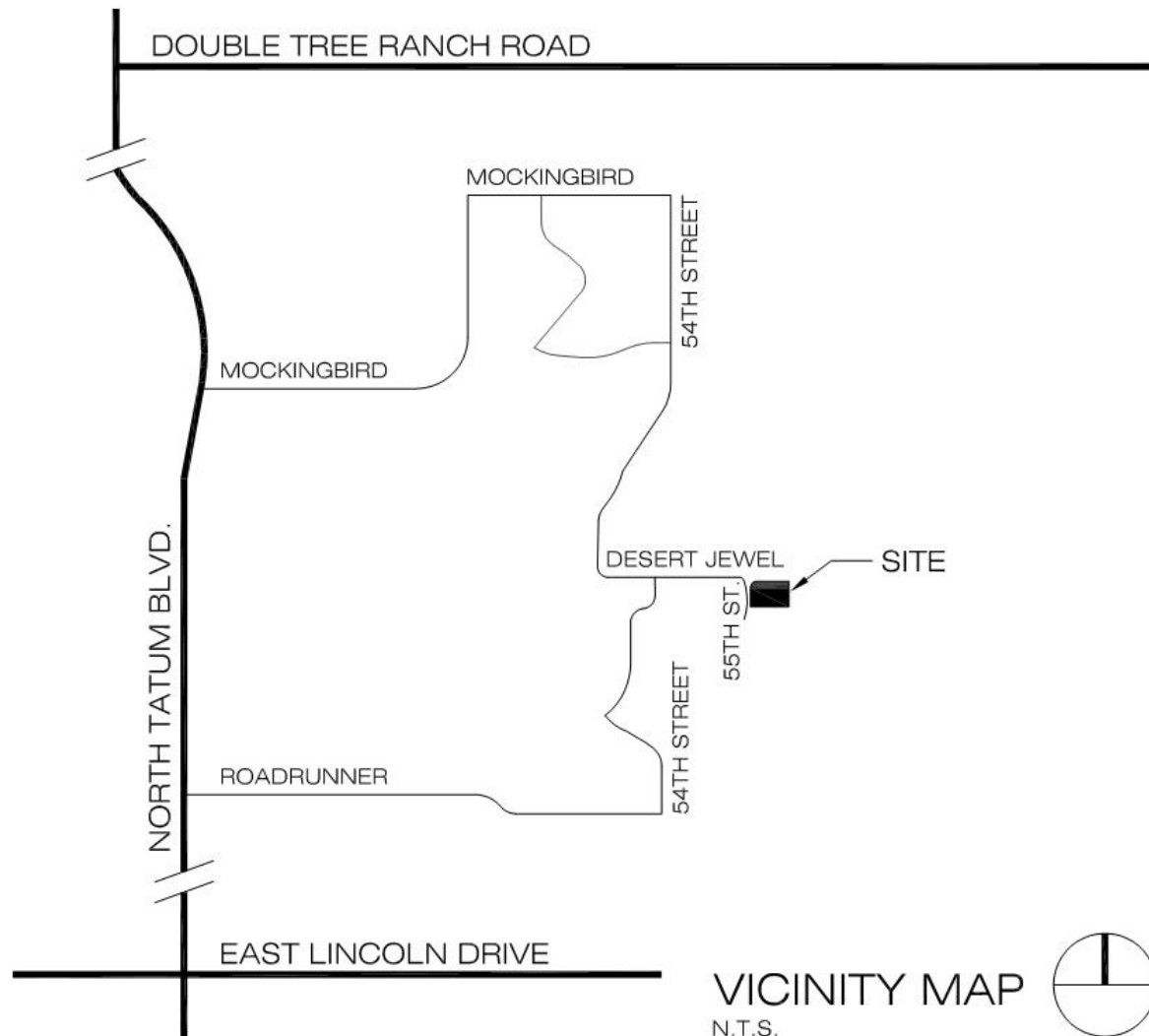
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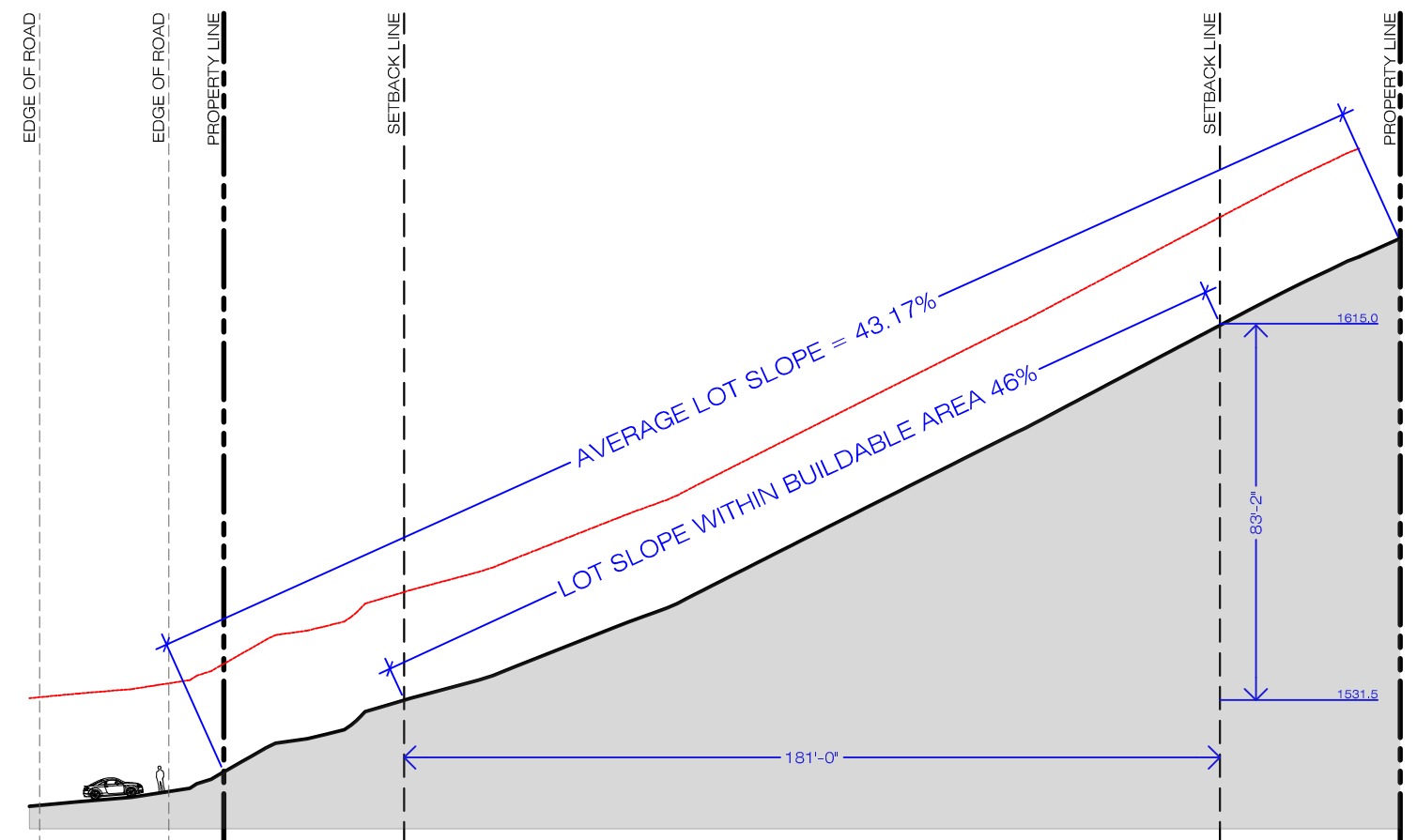




- Subdivision created in 1974 in Maricopa County
- Annexed into Paradise Valley in 1982
- Hillside regulation began in 1984, with restrictions increasing through 2018
- Restrictions have resulted in this lot being unbuildable without variances
- Homeowner working with an architect experienced in hillside design
- Goal is to build an appropriate home for the area, while minimizing hillside impact

# site hardships: lot slope

- Paradise Valley Hillside development regulations apply to lots with a slope of 10% or more
- **The average slope of the lot in the buildable envelope is approximately 46%, creating a severe natural hardship.** hardship is not self-imposed



SITE SECTION  
1" = 40'

# site hardships: undersized lot

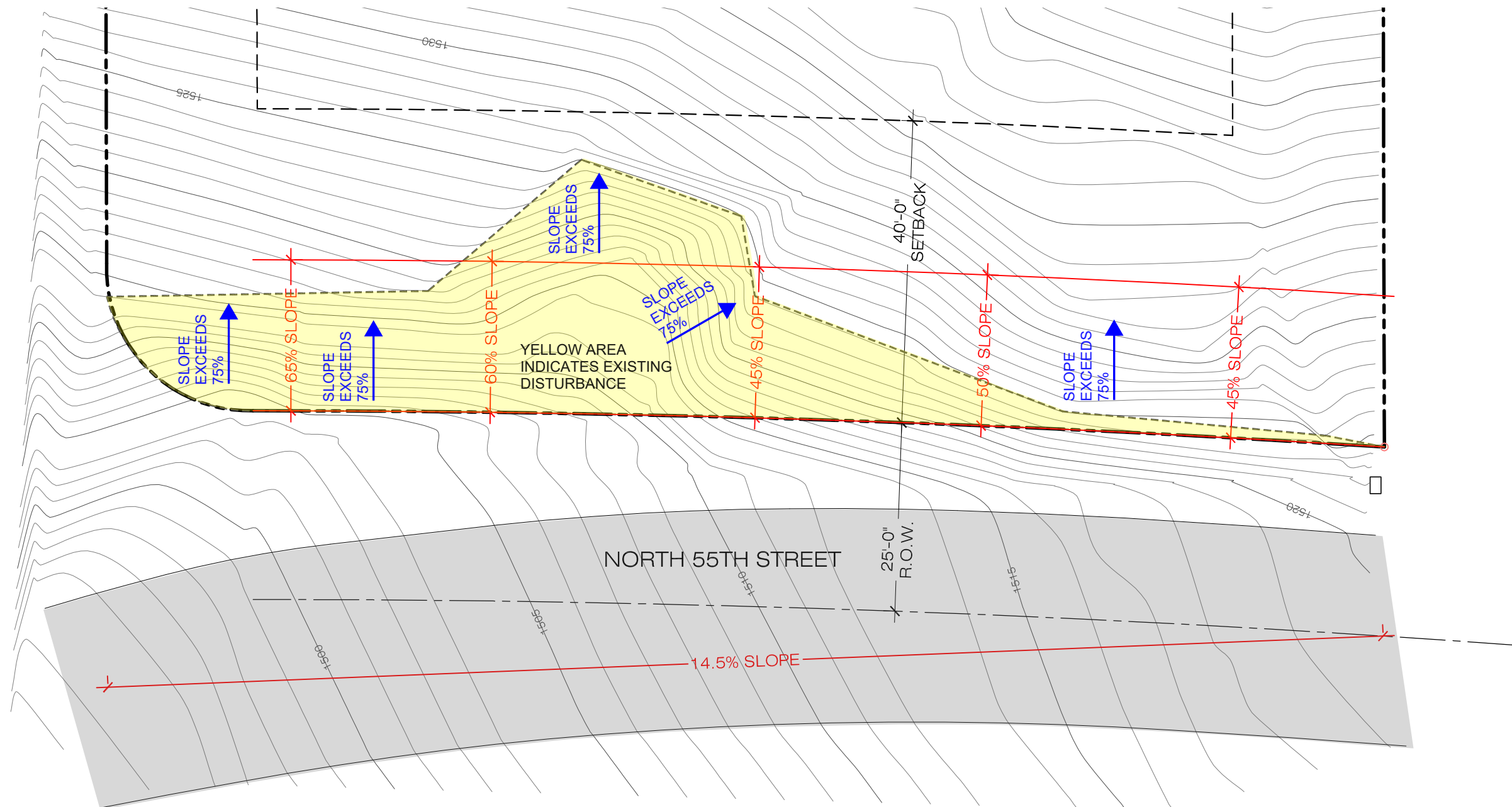
- Paradise Valley Hillside development regulations require a lot with an average slope of 43% to have a minimum lot size of 365,904 sf [8.4 acres]
- **This lot is only 44,180 sf, resulting in a site that is unbuildable without variances due to its original platting.** hardship is not self-imposed



SITE: LOT SIZE COMPARISON  
1" = 80' 

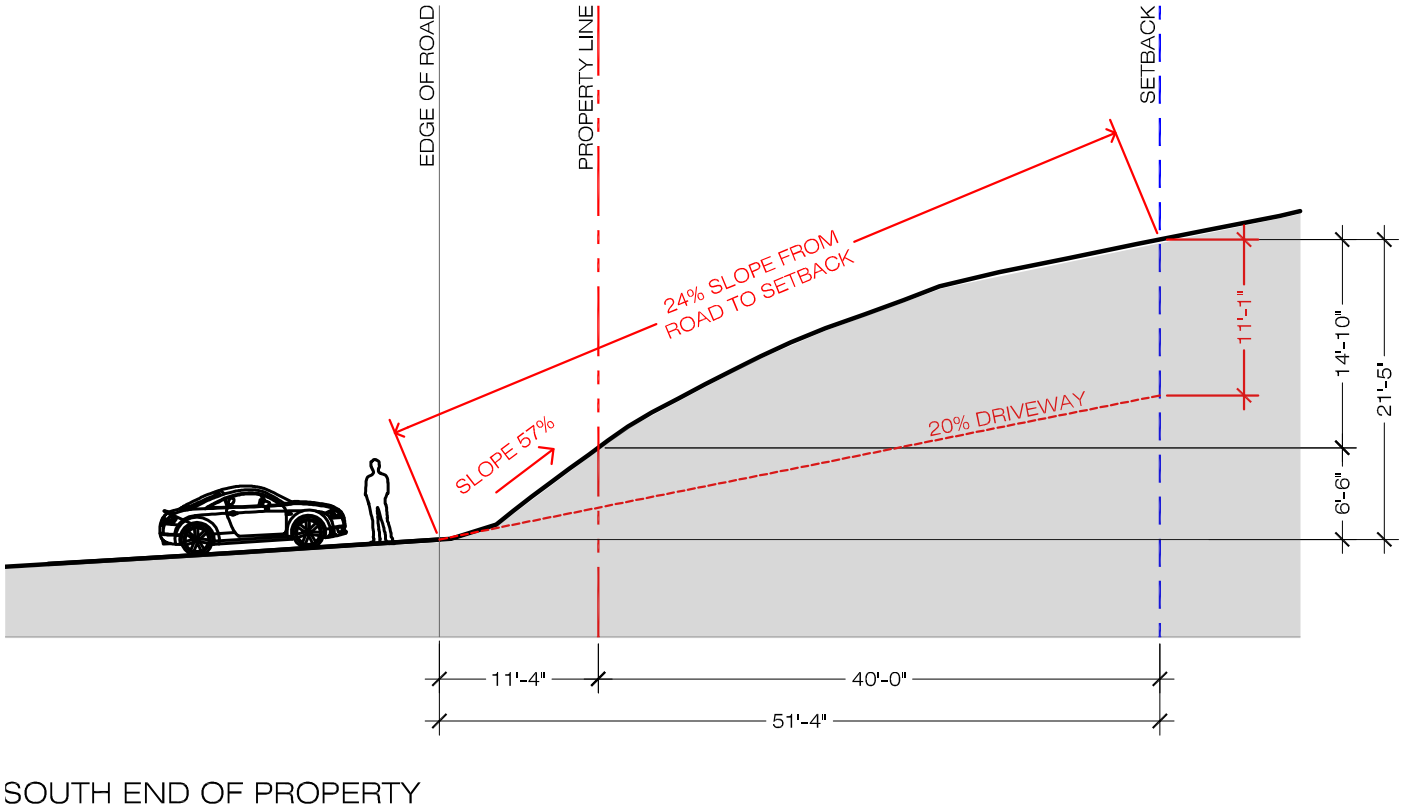
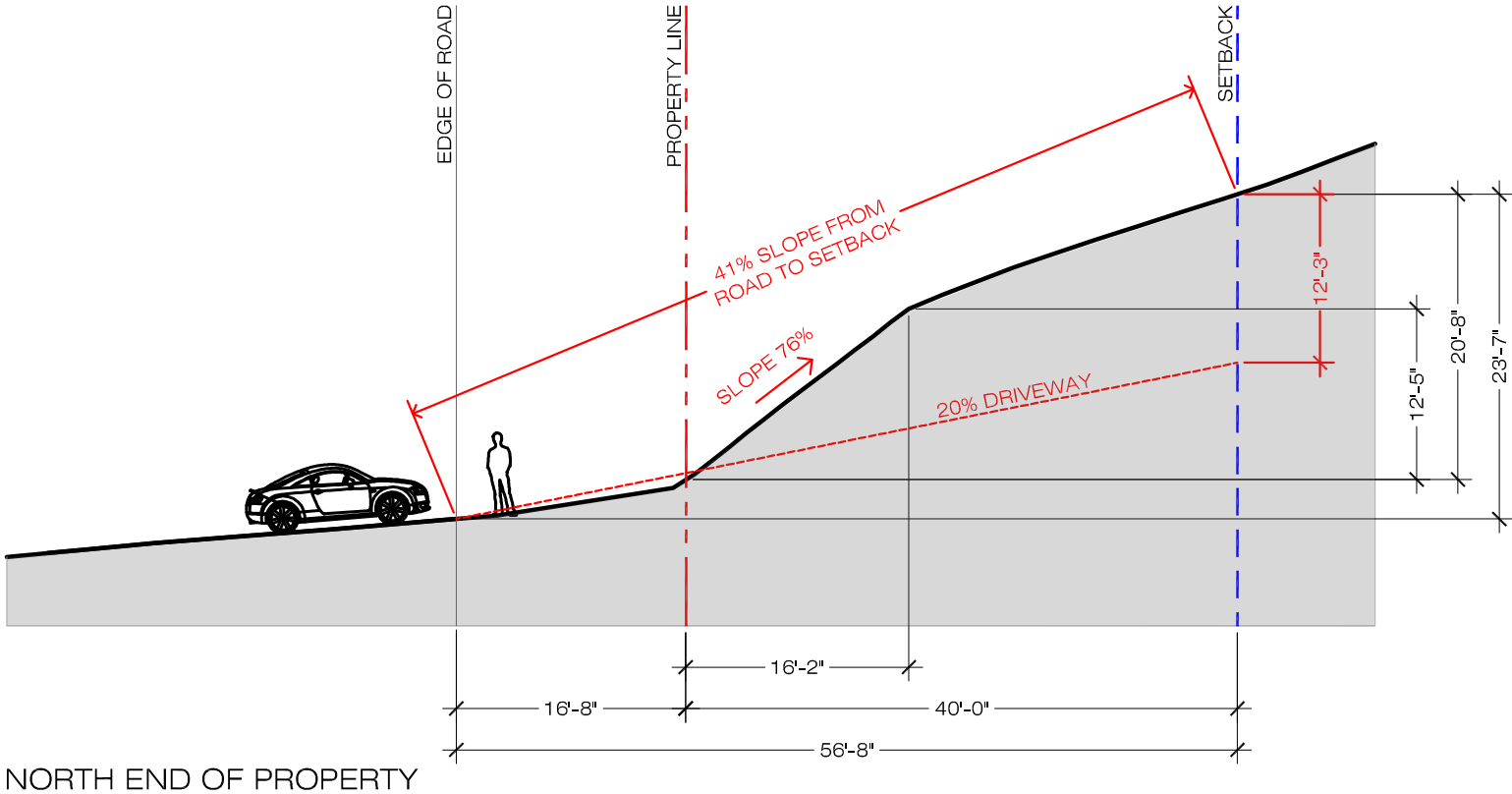
# site hardships: existing road cut

- Creation of 55th Street in the 1970s created a slope that ranges from 45%-75% grade from the street level resulting in a steep and difficult access on the frontage of the lot.
- **A driveway cannot be constructed to a home without variances due to existing hardships including access past this steep frontage.** hardship is not self-imposed



# site hardships: existing road cut

- Vehicle access to site creates the first hardship, on which everything else is dependent
- Access limited by the exceedingly steep slope from road to setback





## 1. Disturbance Area

Allow a gross disturbed area of 20,950 sf with a final net disturbance of 18,388 sf [41.6%].

*Section 2207.III.F: allows a total disturbed area of 4,241 sf.*

## 2. Overall Cut

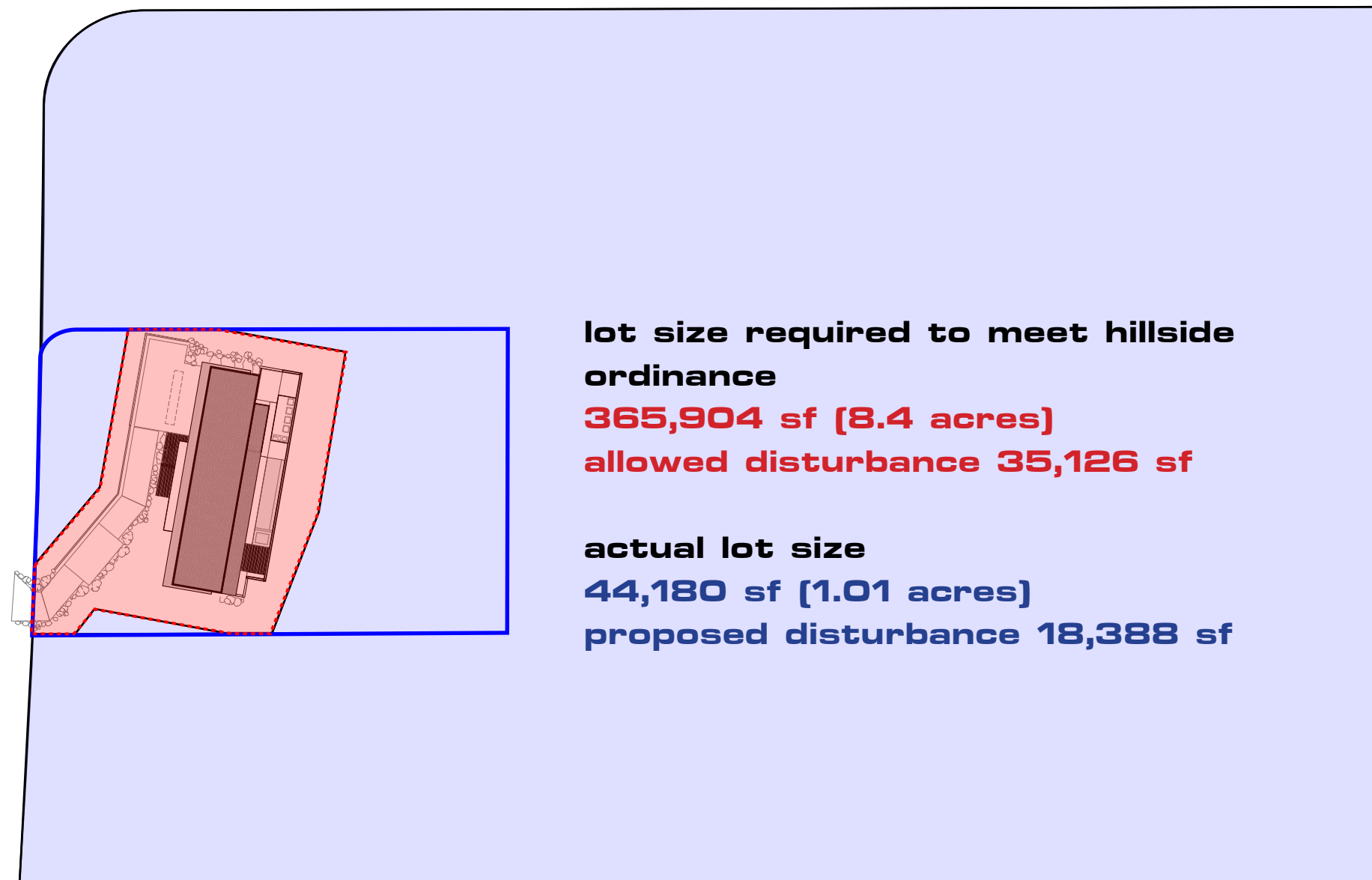
Allow a max cut of 38'-0"

*Section 2207.III.C: The maximum height of any Cut used to establish a Building Site shall not exceed 30 feet.*



# variance request: disturbance

- under sized lot based on current hillside ordinance. if lot was the correct size no variance would be required.



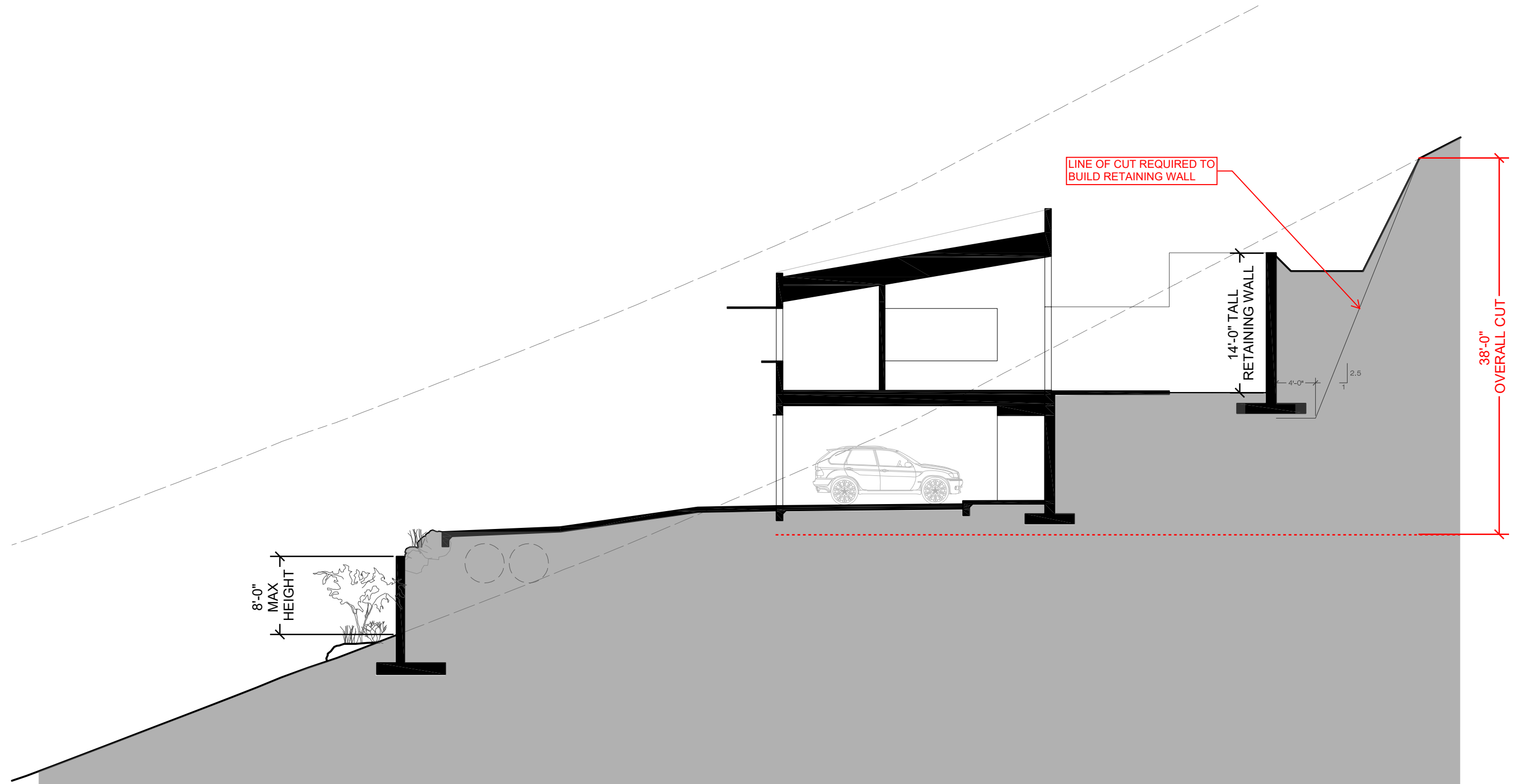
SITE: DISTURBANCE  
1" = 80'





# variance request: cut height

- Lot has an average lot slope of over 43% which limits the overall cut height.



SECTION  
1" = 10'



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

The property was platted in 1974 in Maricopa County and annexed into Paradise Valley before Hillside regulations were adopted as a result the lot is undersized and cannot be created under the current hillside ordinance. If the lot was the correct size of 365,900 sf [8.4 acres] the proposed net disturbance of 18,388 sf would be well under the allowed disturbance of 35,126 sf.

There is an existing 2,200 sf of disturbance from the road cut when 55th street was built in the mid 1970's

Lot has an average lot slope of over 43%:

- Limits the amount of disturbance permitted under the current hillside ordinance.
- Limits overall cut: The proposed residence is designed to balance the height of the driveway retaining wall height and the overall cut height without burring the entire building below natural grade.

**2. That the special circumstances applicable to the property were not self-imposed or created by the property owner; and**

The lot size, lot slope and existing disturbance are not self-imposed nor created by the property owner. They are the result of how the property was originally platted and how 55th street was created.

**3. That the strict application of the Zoning Ordinance will deprive the property of privileges enjoyed by other property of the same classification the same zoning district.**

The property suffers from pre-existing conditions that makes this lot unbuildable without variance under the current zoning ordinance.

The lot slope, size and existing disturbance are hardships that:

- does not allow for an adequate allowable disturbance
- does not allow cars to access the site
- limits overall cut

The variance requests do not constitute a grant of special privilege but allows this property similar privileges enjoyed by other property of the same classification the same zoning district

- The creation of this lot and its annexation into the town pre-dated the implementation of the hillside development regulations, creating a mismatch between the regulations and the realities of this lot
- Site hardships cause variances to be necessary to construct a home on this lot Vehicle access significantly reduces the ways in which a home may be placed on this lot
- Significant efforts have been made to reduce and/or eliminate variance requests for this challenging site, resulting in this thoughtful, staff-supported design