# **TOWN OF PARADISE VALLEY**

Case BA-25-08
7000 Vermont Avenue
Pool Setback Variance

**Board of Adjustment November 5, 2025** 



## **TODAY'S GOAL**

- Review and take action on variance request:
  - Allow a new pool to encroach into the rear yard setback requirement found within Article VII.

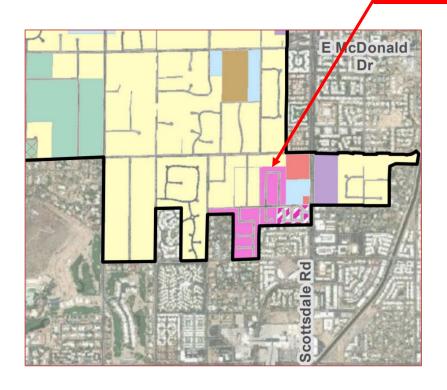
## **AGENDA**

- Background
- Scope of Request
- Analysis & Recommendation
- Action



## **VICINITY MAP**

#### **Subject Property**





### **SITE CONDITIONS**

- Zoned R-18A
- Lot 3 of the Quail Vista subdivision
- 22,209 SF (±0.51 acres)
- Lot rectangularly shaped
- 120' deep (155' minimum depth for R-18A lot)
- Home built in 1980
- Original pool was constructed in 1981
  - 15'8" setback from rear property line



#### **HISTORY**

**September 27, 1979** Building permit for new single-family residence

April 29, 1980 Building permit for new fence walls

**February 20, 1980** Building permit for new pool

March 25, 1981 Building permit for new fence walls

**February 25, 1992** Plumbing permit for gas line to spa heater

May 21, 1998 Building permit to enclose courtyard and add garage

**September 19, 2024** Building permit for remodel and addition

**June 25, 2025** Building permit for new fence walls (ready to issue)

July 23, 2025 Building permit for outdoor fireplace and firepit

## **SCOPE OF REQUEST**

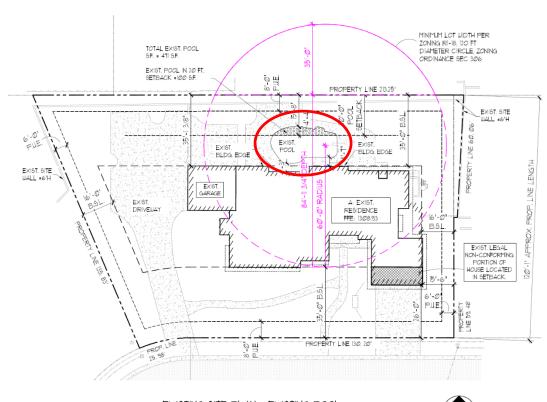
- Pool to Encroach in 20' rear yard setback
- Setbacks:
  - o Pool:
    - 14' from North/Rear Property Line
    - 438 Sq Ft
    - 219 Sq Ft Encroachment

## SCOPE OF REQUEST (CONT'D)

Zoning Ordinance	Proposed Pool
40' Front Yard Setback	94' (+/-)
20' Side Yard Setback (West)	50' 6" (+/-)
20' Side Yard Setback (East)	126' 3" (+/-)
20' Rear Yard Setback	14'

Subdivision was platted in the Town in 1977. Article 7 (under Ordinance 180) was incorporated into the Town Zoning Ordinance in April 1981.

## SITE PLAN (EXISTING)

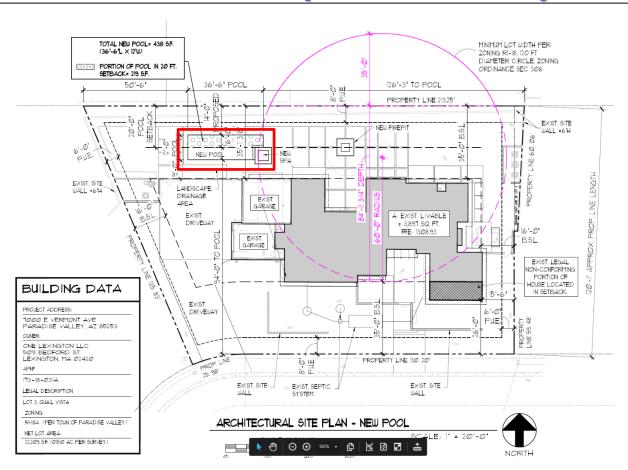


#### EXISTING SITE PLAN - EXISTING POOL

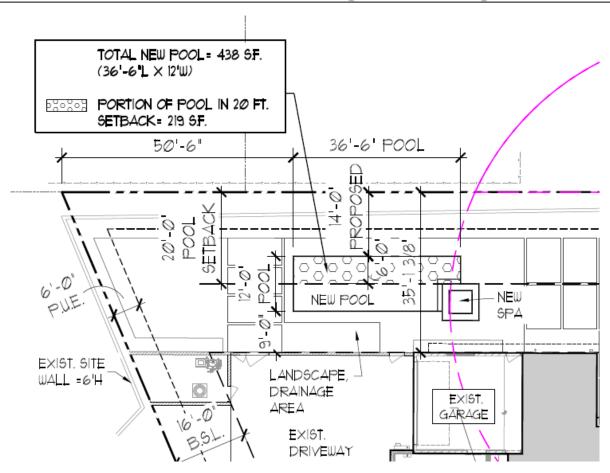




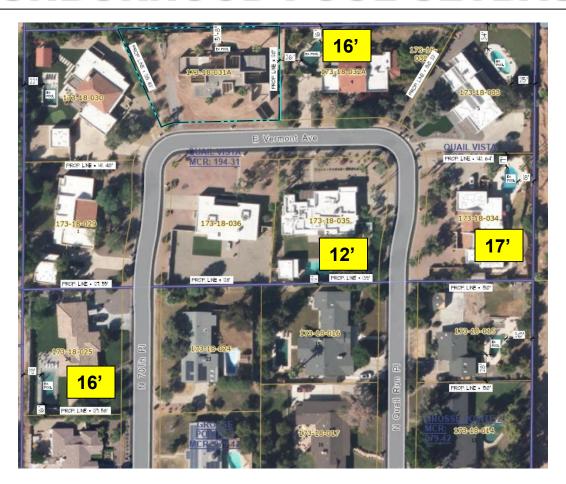
## **SITE PLAN (PROPOSED)**



## SITE PLAN (ZOOM)



### **NEIGHBORHOOD POOL SETBACKS**



## **ANALYSIS**

- Property hardships that warrant variance:
  - Shallow Depth:
    - o Lot 120' deep
    - Code requires 155' (if platted today)
    - Additional depth would enable code compliant pool/spa
    - o Platted in 1977
  - Setback encroachment not atypical since several neighboring properties have existing non-conforming pools

## **PUBLIC COMMENT/NOTIFICATION**

- Notification mailed on October 9<sup>th</sup>
- Site posted on October 2<sup>nd</sup>
- Newspaper legal advertisement October 18<sup>th</sup>
- Affidavits provided
- 3 letters of support provided



## STAFF RECOMMENDATION

#### **MOTION**

It is recommended that the Board of Adjustment [approve] Case No. BA-25-08, a request by David Dick, on behalf of Paul Rossi property owner of 7000 E Vermont Avenue; for a variance from the Zoning Ordinance, Article VII, (R-18 and R-18A) Single Family Residential Districts, to allow a pool to encroach into the north/rear yard setback.

#### **REASONS FOR APPROVAL**

Staff finds that there are special circumstances, applicable to only the subject lot, meeting all three variance criteria.

## **POSSIBLE ACTIONS**

- 1. Approve with stipulations:
  - a. Improvements in compliance with submitted plans and documents
  - b. Must obtain required building permits and inspections from Building Division
- 2. Deny
- 3. Continue for further review

## **QUESTIONS?**

