

TOWN OF PARADISE VALLEY

Case BA-25-09

5712 E Glen Drive

**Setback, Height, and Slope Restoration Variance
for New Home**

Board of Adjustment

December 3, 2025



TODAY'S GOAL

- Review and take action on 4 variance requests:
 1. SFR height encroachment
 2. SFR setback encroachments
 3. Retaining walls-setback and height encroachments
 4. Maintain and modify existing/nonconforming spill slope



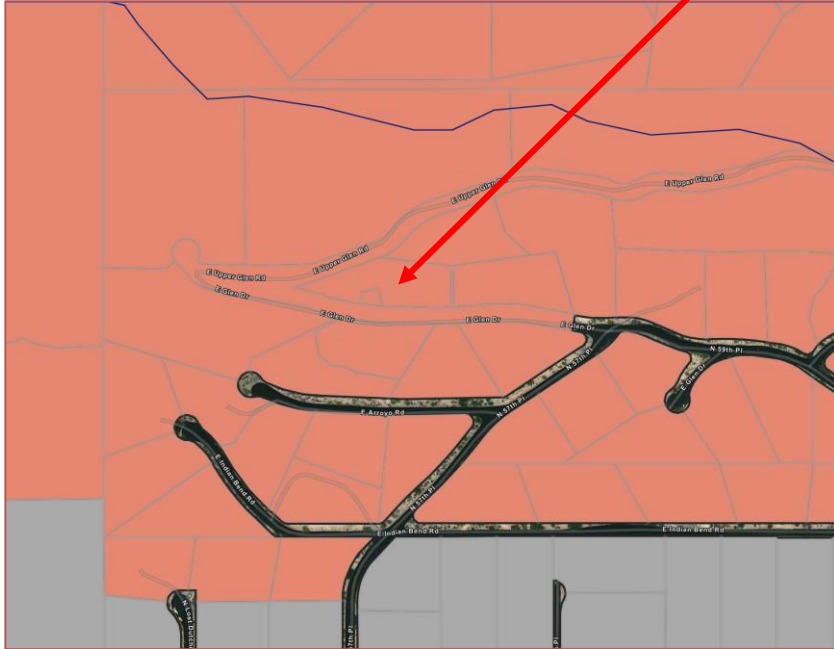
AGENDA

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



VICINITY MAP

Subject Property



SITE CONDITIONS

- Zoned R-43 Hillside
- 44,786 sq ft (1.03 acres)
- Triangular shaped lot
- Shallow Lot – 100' Average Depth
- Dual frontage
- 36.1% Building Pad Slope
- City of Phoenix Water Tank Near Center of Lot

LOT HISTORY

- Club Estates 2 Subdivision
- Platted in Maricopa County 1960
- Annexed 1961
- Permits issued to develop property in 1970s:
 - No structures built – pad cut in late 1970s/early 1980s

LOT HISTORY (CONT.)

- Third variance request for this property
- May 3, 2017 (BA-16-6):
 - Approved variance for SFR rear setback encroachment for house
- November 3, 2021 (BA-21-11):
 - Approved variance for retaining wall encroachment, house height & setback encroachment, and modify existing nonconforming spill slope
- This request similar to previous requests due to property hardships associated with this lot

VARIANCES

- 4 variance requests to develop lot:
 1. Allow part of house covered patio to exceed 24' height limit
 2. Allow portions of house to encroach into 20' east/side setback and 40' north/rear setback
 3. Allow retaining walls over 3' tall to encroach into 40' front yard setback and allow portions of retaining walls to extend more than 6" above material they retain
 4. Maintain and modify existing/nonconforming spill slope



SCOPE OF REQUEST - NO. 1

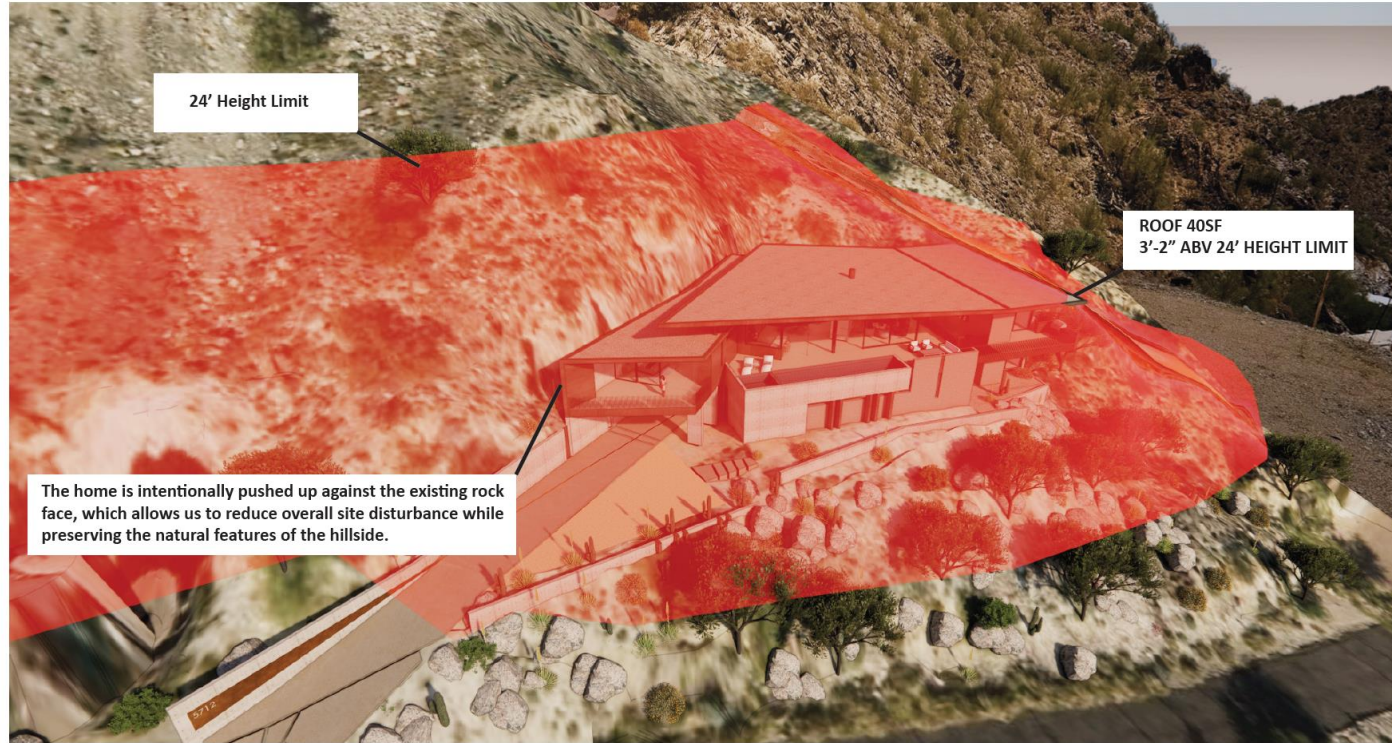
- SFR Height Encroachment:
 - House limited to 24' tall from natural/predevelopment grade
 - 40 sq ft of upper/main level covered patio roof encroaches beyond 24' height limit

| Single Family Residence Height | |
|--|--|
| Zoning Ordinance | New SFR |
| 24' Height Limit (Above/parallel to natural grade) | 27'2" – Covered Patio (3'2" above limit with 40 sq ft of encroachment) |



SFR HEIGHT ENCROACHMENT

Proposed Design – Portion of Roof Over 24'



SCOPE OF REQUEST - NO. 2

- SFR Setback Encroachments:
 - House limited to 40' rear setback and 20' side setback
 - 2' East/Side Yard Setback Encroachment:
 - 37 sq ft for bedroom
 - 22 sq ft for overhang
 - 59 sq ft Total Encroachment
 - 20' North/Rear Yard Setback Encroachment:
 - 643 sq ft for lower level
 - 1,516 sq ft for upper/main level
 - 2,159 sq ft Total Encroachment



SCOPE OF REQUEST - NO. 2

| Single Family Residence Setbacks | |
|----------------------------------|---|
| Zoning Ordinance | New SFR |
| 40' Front | 40' Front |
| 40' Rear | 20' Rear (2,159 sq ft total encroachment) |
| 20' East Side | 18' Side (59 sq ft of total encroachment) |
| 20' West Side | 300' (+/-) |

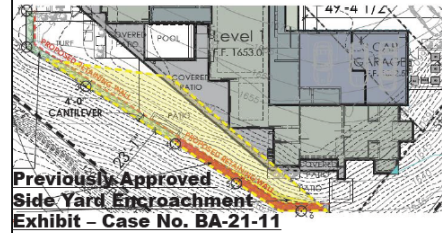


SFR SIDE SETBACK ENCROACHMENT

Side Setback Encroachment

diagram

VARIANCE BA-21-11



PART OF TRACT A - CLUB ESTATES 2
BOOK 91, PAGE 7, MCR
5712 E GLEN DR
PARADISE VALLEY, AZ 85253
APN 169-55-026A
ZONING R-43 (HILLSIDE)

VARIANCE BA-21-11

We are requesting the use of Variance BA-21-11 (Item 4) to allow a portion of the new single-family residence to encroach into the side yard setback.

A portion of our design extends into the required 20-foot side yard setback. In the northeast corner, the setback is reduced to 18 feet, resulting in a 2-foot encroachment. We are requesting approval for the same variance request as previously granted – "Side setback encroachment, with portions of the bath wall extending 2 feet beyond the required 20-foot side setback."

Per R-43 zoning, this lot is undersized at only 42,839 SF, substantially smaller than the standard 205-foot depth requirement and it does not meet the 165-foot diameter test. Due to these constraints, we are requesting approval for a portion of the building footprint and overhang to extend into the side yard setback.

XO
PARADISE
A
ZONING

- Requested side yard encroachment Building footprint 37 sf
- BA-21-11 Previously approved Side yard setback encroachment. 8sf
- - - Requested side yard encroachment Roof overhang 22sf.

Side Yard setback Encroachment Comparison

Previously approved side yard encroachment:
8 SF – representing 0.01% of the total lot area (44,786 SF).

Requested side yard encroachment:
Building footprint: 37 SF – 0.08% of the total lot area.

Roof overhang: 22 SF – 0.04% of the total lot area.

Total requested side yard encroachment: 59 SF
– 0.13% of the total lot area.

SCOPE OF REQUEST - NO. 3

- Retaining Wall Setback & Height Encroachments:
 - 3' tall retaining wall limited to 10' to 40' front yard setback
 - Retaining walls cannot extend more than 6" above material they retain
 - Three areas of front retaining walls exceed height requirements due to drainage and site stability requirements:
 - 5'6" tall
 - Each portion extends 2' to 5' above the materials it retains



SCOPE OF REQUEST - NO. 3

Retaining Walls

| Zoning Ordinance Setback | Retaining Walls |
|---|--|
| 3' Height at 10' Setback from Front Property Line | 5'6" tall at 32' Setback from Front Property Line (8 Lineal Feet) |
| 8' Height at 40' Setback from Front Property Line | 8' tall beyond 40' Setback |
| 6" Max Extension Above Material it Retains | 38 Lineal Feet above 6" Limit 2'-5' above 6" limit |

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e

C



kendle design
collaborative

Glen Residence
5712 East Glen Drive
Paradise Valley, AZ

December 3, 2025

SCOPE OF REQUEST - NO. 4

- Maintain & Modify Existing/Nonconforming Spill Slope:
 - Veneered rock slopes limited to 45-degree max slope
 - Majority of existing spill exceed 45-degree slope
 - Applicant maintaining and improving existing slope:
 - Removing 2,200 sq ft of spill
 - Enhanced with natural vegetation to help blend slope into hillside
 - After improvements, average slope is approximately 30 to 34 degrees

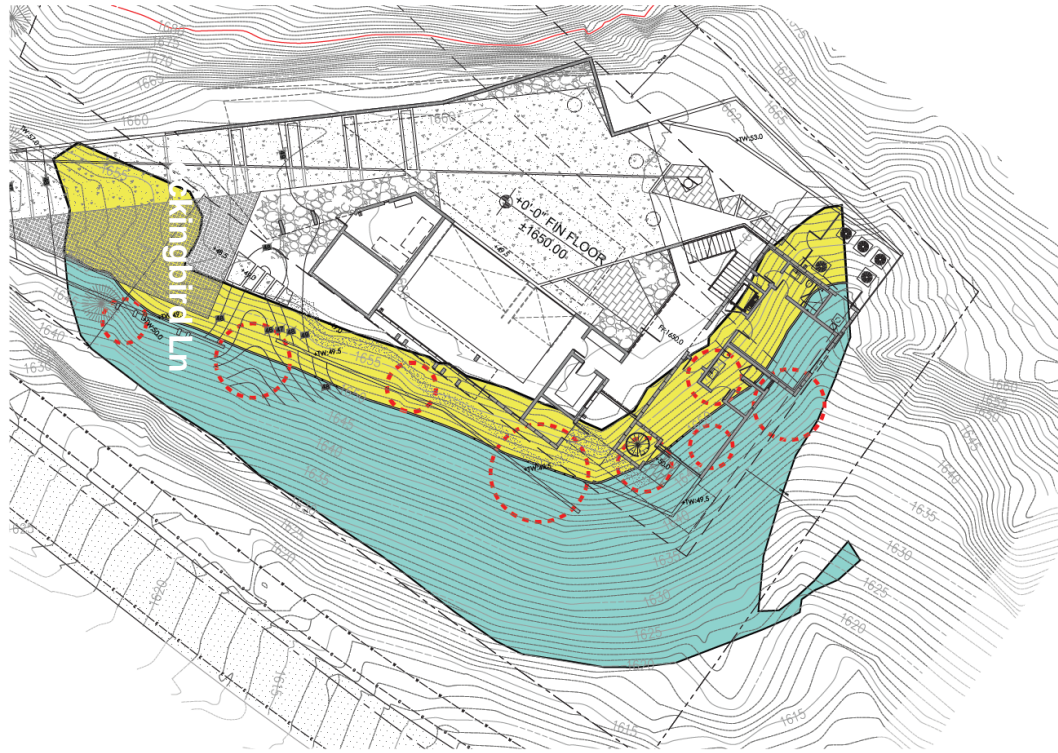


SCOPE OF REQUEST - NO. 4

| Spill Slope | |
|---------------------------------------|--|
| Zoning Ordinance | Modified Slope |
| Veneered Slope | Veneered & Vegetated Slope |
| 1 to 1 (or 45 degree) Max Slope | Majority of existing areas exceed 45-degree slope. 24% of area removed. Remaining slope modified & revegetated Average slope between 30 – 34 degrees. |

SPILL SLOPE MODIFICATIONS

Proposed Spill Slope Removal and Restoration – Diagram



TOTAL SPILL SLOPE ≈ 10,600

(±) 2,508 SF OF EXISTING PORTION OF SPILL SLOPE TO BE REMOVED FOR NEW BUILDING PAD ENLARGEMENT.



(±) 8,092 OF EXISTING SPILL SLOPE TO BE RESTORED. REFER TO LANDSCAPE EXHIBIT FOR RESTORATION PLAN.
AVG SLOPE- 1:1.5 OR 34 DEG.



AVG. SLOPE OF NATURAL GRADE
(Estimated) = 1:1.7 (30 DEG.) TO 1:1.5 (34 DEG.)

PORTION OF SPILL SLOPE WITH A SLOPE GREATER THAN 1:1 OR 45 DEG.

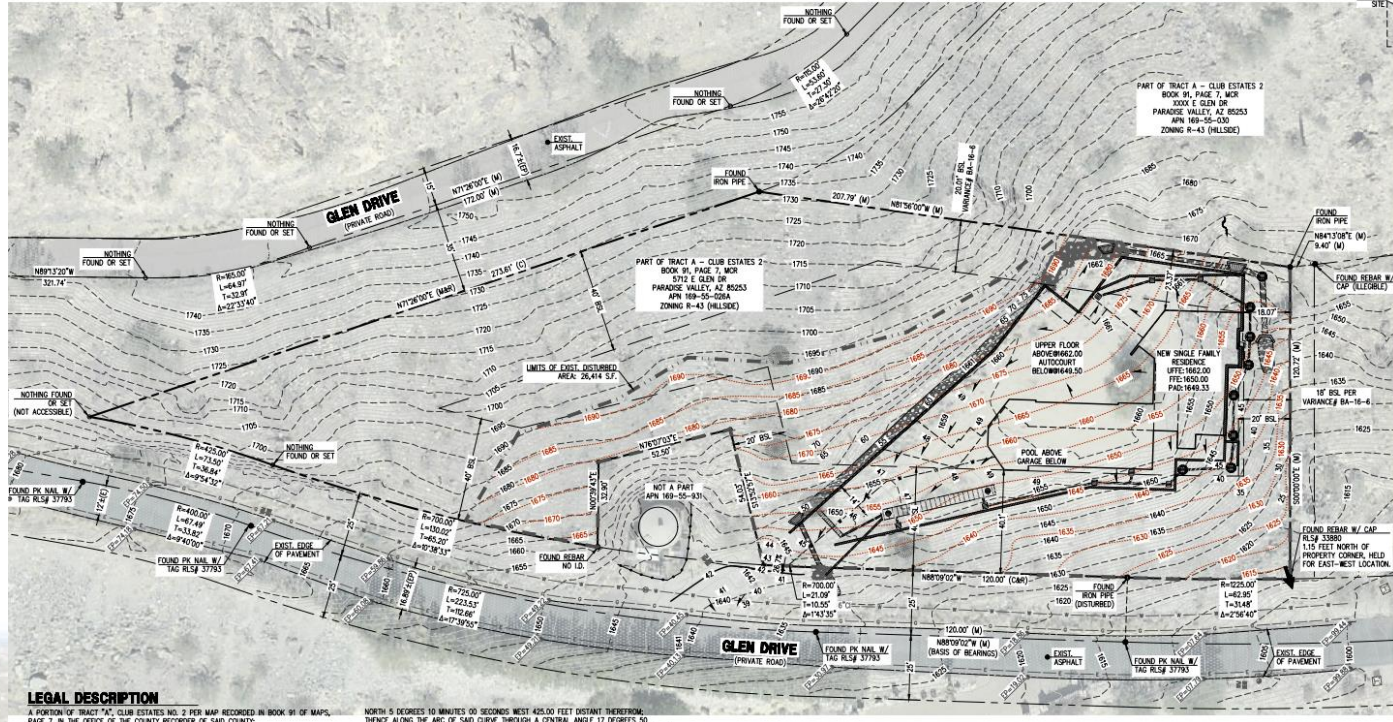


AERIAL PHOTO

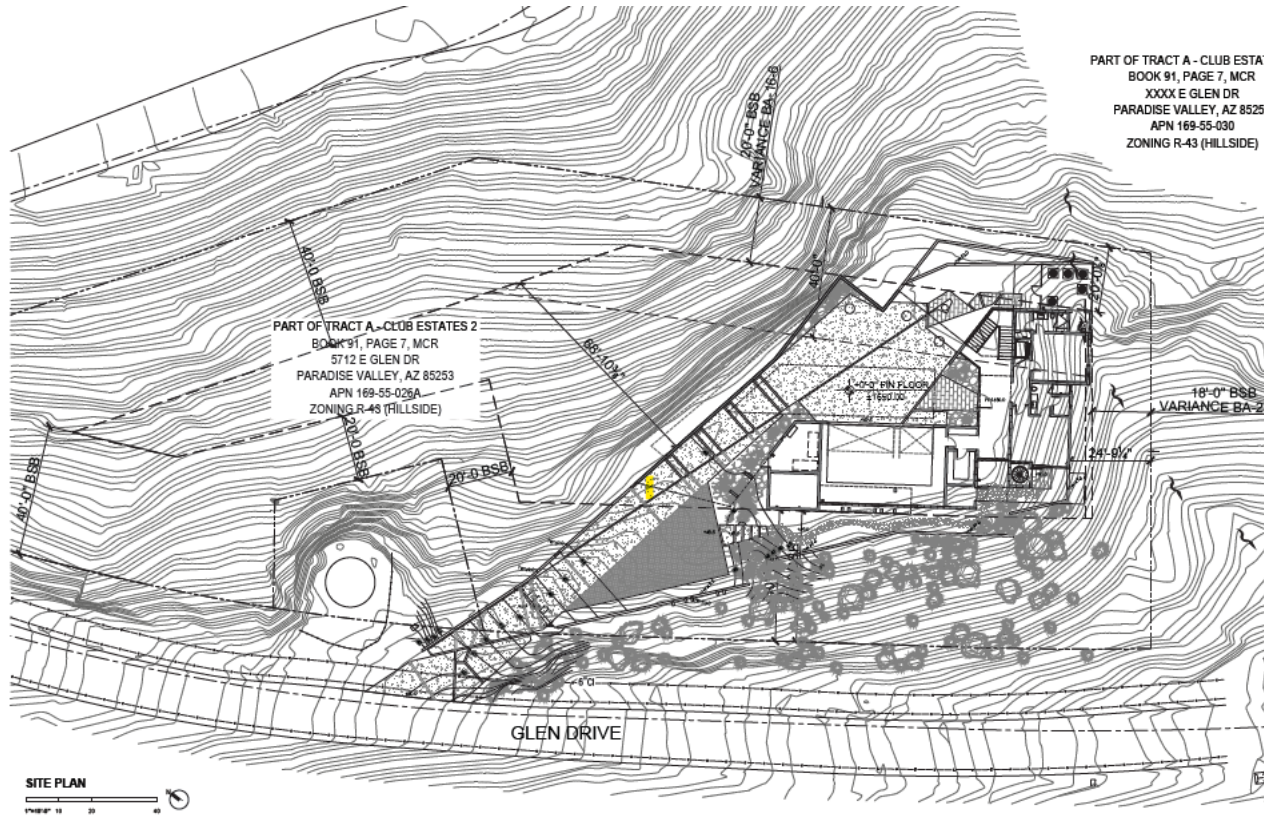
AERIAL MAP EXHIBIT

GLEN RESIDENCE
5712 E GLEN DR., PARADISE VALLEY, AZ 85253
PART OF TRACT 'A' - CLUB ESTATES NO. 2

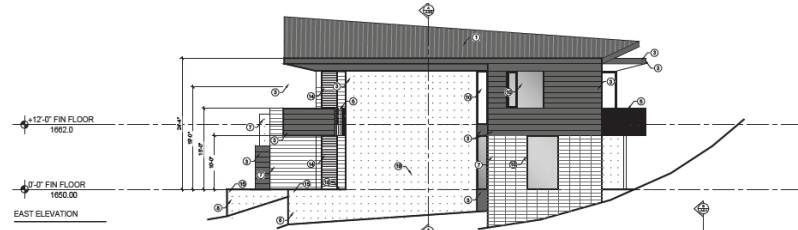
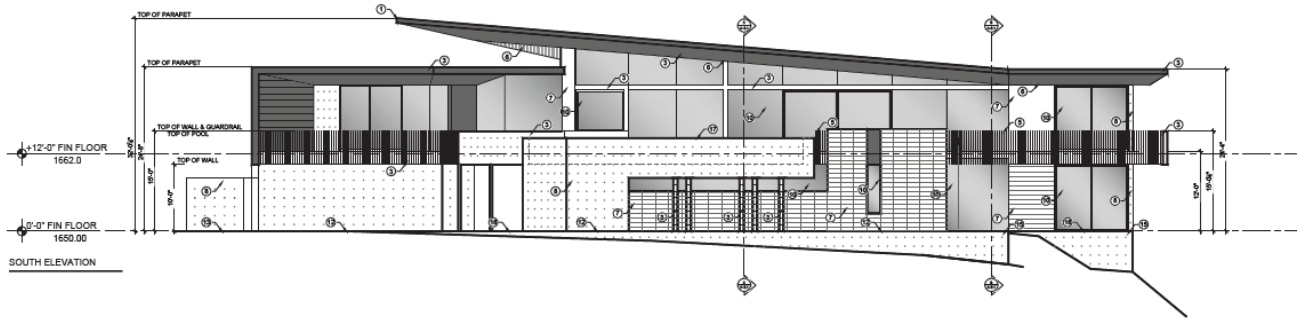
A SUBDIVISION PLAT RECORDED IN BOOK 91 OF MAPS, PAGE 07, MCR,
 LOCATED IN A PORTION OF THE SW 1/4 OF THE SW 1/4 OF THE SW 1/4 OF SECTION 4, T.2N, R.4E
 OF THE GILA & SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



SITE PLAN



EXTERIOR BUILDING ELEVATIONS



EXTERIOR ELEVATIONS

0 5 10 15 20 25



RENDERINGS



SITE PHOTOS



SITE PHOTOS (CONT.)



December 3, 2025

ANALYSIS – SFR HEIGHT ENCROACHMENT (#1)

26

- Difficult lot to build upon
- Applicant trying to utilize existing pad
- Steep building pad slop of 36.1%
- Only small portion of front covered patio penetrates 24' height limit:
 - 40 sq ft of roof encroachment should have little to no impact on neighboring properties



ANALYSIS – SFR SETBACK ENCROACHMENTS (#2)

- Property hardships prohibits compliance:
 - Shape and topography create restrictive building envelope
 - Cliff face encompasses approx. half of building envelope
 - One-Third of lot is buildable and limited to eastern part of property (which is location of existing pad)



ANALYSIS – SFR SETBACK ENCROACHMENTS (#2)

- Average house size is approximately 8,000 sq ft:
 - This home is 6,958 sq ft

- If platted today:
 - Square or rectangular lot (not triangular)
 - 4.4-acre minimum lot size based upon slope (not 1.03 acres)
 - 205' deep (instead of 120' deep)



ANALYSIS – RETAINING WALLS (#3)

- Development limited to eastern part of lot due to shape and topography
- Retaining walls needed for drainage and site stability since utilizing existing pad
- Limited amount of encroachment:
 - 8 lineal feet exceeds 3' height limit
 - 38 lineal feet exceeds 6" height limit



ANALYSIS – EXISTING SPILL SLOPE (#4)

- Request meets intent of Code:
 - Reducing nonconformity:
 - 24% reduction in amount of spill
 - Average slope of 30% - 34%
- Reducing and vegetating existing spill slope helps it blend in with surrounding hillside

PUBLIC COMMENT

- Neighborhood notification completed in accordance with Town requirements
- Staff received no inquiry or comments



STAFF RECOMMENDATION

MOTION

Approval of Case No. BA-25-09, for variances from Zoning Ordinance, Article XXII, Hillside Development Regulations and Article X, Height and Area Regulations, to allow: 1) retaining walls and a raised outdoor patio area to encroach into the front yard setback and exceed height limit, 2) allow new SFR to exceed height limit, 3) modify and maintain a nonconforming spill slope, and 4) allow portions of new SFR to encroach into side yard and rear yard setbacks.

REASONS FOR APPROVAL

- Restrictive bldg. envelope due to shape, slope, and depth of lot
- Utilizing existing pad

POSSIBLE ACTIONS

1. Approve with stipulations:
 - a. Improvements in compliance with submitted plans and documents
 - b. Must obtain Hillside Committee approval & required building permits and inspections from Building Division
 - c. Variance Case BA-25-09 will supersede and void previous variance Case Numbers BA-16-6 and BA-21-11
2. Deny
3. Continue for further review



QUESTIONS?

