



Memorandum

March 4, 2011

George Burton
Planner
Town of Paradise Valley
6401 E. Lincoln Drive
Paradise Valley, AZ 85253
(480) 348-3525

Neal Pascoe
Beus Gilbert PLLC
4800 N Scottsdale Road, Ste. 6000
Scottsdale, AZ 85251

**Re: Variance Case No. BA-11-1
7002 N. 40th Street**

Dear Mr. Pascoe:

The Board of Adjustment heard the above case on March 2, 2011. The Board of Adjustment, by a vote of 4 to 3, **APPROVED** your request to allow a garage and patio addition to encroach into the front yard setback, subject to the following stipulations:

1. The non-conforming portion of the house shall not be raised in height,
2. The garage addition shall not exceed a height of 10 foot 4 inches tall, and
3. A landscape plan adjoining the garage addition area shall be submitted to the Hillside Committee for review.

The patio and garage addition, in accordance with the approved variance, must be reviewed and approved by the Hillside Committee and the Town of Paradise Valley's Building and Planning Department. Any person aggrieved by a decision of the Board of Adjustment may bring a special action, within 30 days of the Board's decision (the 30th day being April 1, 2011), in Superior Court of Maricopa County for the purpose of reviewing the Board's decision, pursuant to the "Rules of Procedure for Special Actions." Although a special action is rare, the Town cannot issue a building permit until after the 30-day appeal period for the variance.

I appreciate all your time and assistance in processing your case. The Board and staff valued your professional and pleasant attitude throughout the process. If you have any other questions, please contact me at 480-348-3525.

Sincerely,

George Burton
Planner
C: Case File, BA-11-1