



Board of Adjustment Meeting Agenda

Pursuant to A.R.S. § 38-431.02 notice is hereby given to the public that the Sahuarita Planning & Zoning Commission will hold a meeting at the date and time specified below at the Council Chambers, 375 W Sahuarita Center Way, Sahuarita, AZ.

To better serve our community, the Council Chambers is wheelchair accessible. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Town Clerk's Office at 520-822-8801. Requests should be made no later than three (3) working days prior to the meeting to arrange the accommodation.

BOARD OF ADJUSTMENT REGULAR MEETING AGENDA

MONDAY, APRIL 1, 2019 at or after 3:00 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

Chair	Brice Elliott
Vice Chair	Charles Oldham
Board Member	Jeffrey Allen
Board Member	Fermin Samorano
Board Member	Larry Thomson
Board Member	Charity Zincke
Board Member	Vacant

4. APPROVAL OF MINUTES FOR BOARD OF ADJUSTMENT MEETING OF DECEMBER 13, 2016
5. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Board on any issue **not already on tonight's agenda**. Pursuant to the Arizona Meeting Law, the speaker's comments may not be considered, discussed or even answered by the Board at this meeting, but may, at the discretion of the Board, be placed on a future agenda for discussion/action.

Board of Adjustment Meeting Agenda

6. **PUBLIC HEARING:** A request for a variance to the maximum height limits for an accessory structure in the R-3 zoning (Single Residence Zone) located at 1615 W. Placita Rio Pecos.
Case no. SA10-19-00001
7. **PLANNING & BUILDING DIRECTOR'S REPORT**
8. **FUTURE AGENDA ITEMS**
9. **ADJOURNMENT**

**BOARD OF ADJUSTMENT MEETING
MINUTES
Tuesday, December 13th, 2016**

1. CALL TO ORDER 10:03 A.M.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

PRESENT	VACANT
PRESENT	Benjamin Lyles
PRESENT	Nubia Bertsch
PRESENT	Brice Elliott
PRESENT	Charity Zincke
PRESENT	Fermin Samorano
PRESENT	Charles Oldham

4. APPROVAL OF THE MINUTES FOR THE BOARD OF ADJUSTMENT MEETING OF JANUARY 27, 2015. Board Member Oldham made motion to accept the minutes as presented; Board Member Samorano 2nd the motion. **MOTION CARRIED 6:0**

5. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Board on any issue ***not already on tonight's agenda***. Pursuant to the Arizona Meeting Law, the speaker's comments may not be considered, discussed or even answered by the Board at this meeting, but may, at the discretion of the Board, be placed on a future agenda for discussion/action.

No one came forth.

6. ELECTION OF CHAIR AND VICE CHAIR

Board member Oldham nominated Brice Elliott as Chairman, Board Member Lyles 2nd the motion. **MOTION CARRIED 6:0**

Board Member Bertsch nominated Charles Oldham as Vice Chair; Board Member Lyles 2nd the motion. **MOTION CARRIED 6:0**

7. PUBLIC HEARING: Grace Church Variance request to Town of Sahuarita- STC 18.73 Landscaping, Buffering and Screening standards at Grace Church, 2301 E. Sahuarita Road. The request is to remove the front bufferyard requirement due to the location of utility easements. SA10-16-00001.

Planning and Zoning Senior Planner, Orlanitha Henderson, presented the staff report on the variance request. After the staff report was presented, Chairman Elliott opened the public hearing. Rick Vogeler was present to answer any questions from the Board or public. With no questions from the Board or public, Chairman Elliott asked for a motion.

Board Member Lyles made the motion to approve the request for variance; Vice Chair Oldham 2nd the motion. **MOTION CARRIED 6:0**

8. REMARKS FROM THE DIRECTOR

None.

9. ADJOURNMENT

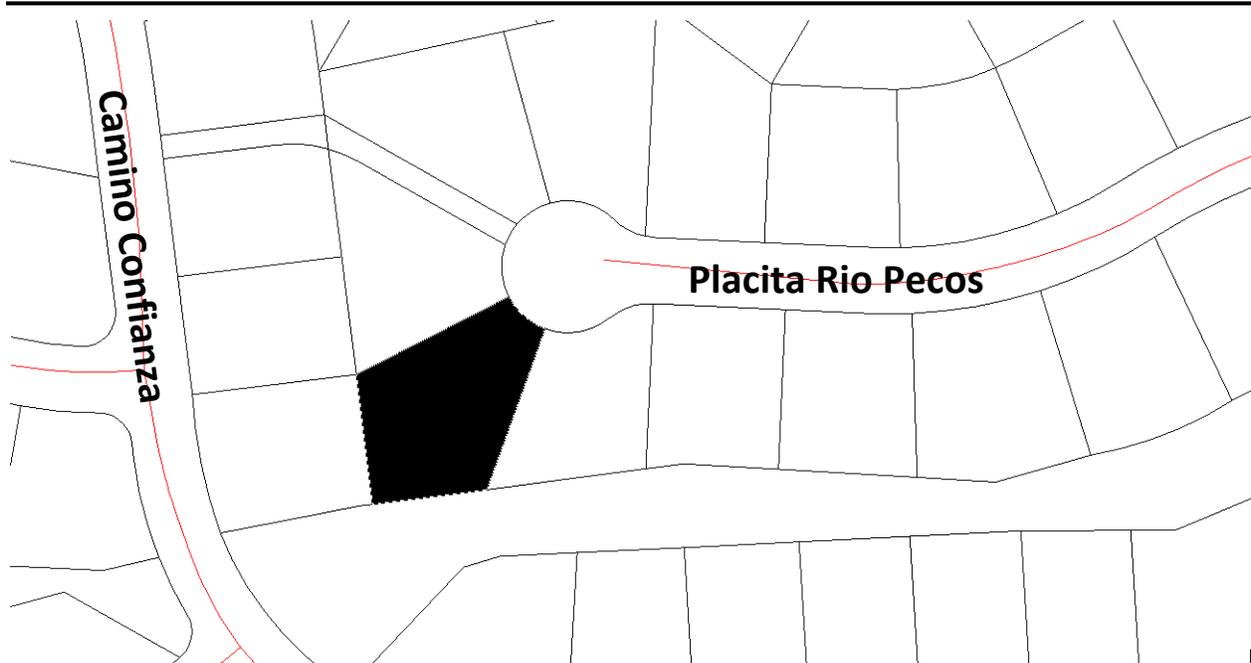
Meeting adjourned 10:10 A.M.

DRAFT

Board of Adjustment
Staff Report

Case No.: SA10-19-00001

Hearing Date:	April 1, 2019	Agenda Item No.	6
PREPARED BY:	Dylan Parry, Planner		
REVIEWED BY:	Sarah S. More, FAICP – Planning & Building Director		
RECOMMENDATION:	Staff recommends approval of this variance request.		
<u>SUBJECT:</u>	Public Hearing: A request for a variance to the maximum height limits for an accessory structure		
<u>PARCEL SIZE:</u>	.33 Acres		
<u>LOCATION:</u>	1615 W Placita Rio Pecos		
<u>APPLICANT:</u>	Donald Hardee		



SURROUNDING ZONING, AND LAND USES:

	Current Zoning	Current Land Use
Site	R-3	Residential
North	R-3	Residential
South	R-3	Wash
East	R-3	Residential
West	R-3	Residential

PROPOSAL:

The applicant submitted a request for a variance from the maximum building height for an accessory structure in the R-3 zone. The Request is to increase the maximum building height for an accessory structure from 12 feet to 14.5 feet to allow the applicant to build a detached R.V. garage. The R.V. garage will include a 6 inch parapet for a total height of 15 feet. The applicant is requesting the 14.5 foot height in order to accommodate a 12 foot overhead door which is large enough to fit the R.V.

DISCUSSION:

Pursuant to Town Code STC 18.93.030, the Board of Adjustment may grant a variance from provisions of the zoning code. The Board of Adjustment may grant a variance only if it finds the following:

- 1. That is because of special circumstances applicable to the property, including its size, shape, topography, location or surroundings, the strict application of the zoning ordinance will deprive such property privileges enjoyed by other property of the same classification in the same zoning district such that the property cannot be reasonably developed in conformity with the zoning provision; and**

The zoning code allows for parapet walls to exceed the maximum building height by 4 feet, which would allow for an accessory structure with a parapet on this property to be 16 feet tall. However accessory buildings without a parapet are required to be no taller than 12 feet. In this case the applicants request to have a 15 foot tall detached RV garage would have no more impact on the adjacent property owners than a 16 foot tall detached garage with a parapet. The placement of the home on the lot along with the narrow front yard does not allow for an attached R.V. garage creating the need for the detached garage and this variance request.

- 2. That such special circumstances were not self-imposed or created by the owner or person in possession of the property; and**

The applicant states that the special circumstances were created by the original owners of the property's placement of the residence on the lot. The placement of the home on the lot does not allow for an attached R.V. garage, creating the need for a detached R.V. garage.

- 3. The unnecessary hardship arises from a physical condition that is unusual or peculiar to the property and is not generally caused to other properties in the zone; and**

The applicant indicates that the placement of the house and the shape of the lot appear to be unique to this residence. Staff finds that the lot is narrower than the majority of the R-3 lots in the Colonia Las Canada subdivision. The house being in a cul-de-sac has a much narrower frontage than the houses located outside of the cul-de-sac.

- 4. The variance is the minimum necessary to afford relief; and**

The applicant is requesting a 2.5 foot increase to the maximum building height of 12 feet in order to be able to build a detached garage for an R.V. Staff finds the request to be the minimum necessary in order to fit a 12 foot overhead door for the R.V.

- 5. The variance granted is subject to such conditions as will assure that the adjustment authorized will not be detrimental to the general welfare or injurious to other properties in the vicinity and shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located; and**

The variance request is limited to the 14.5 foot roof height that is being requested by the applicant. The overall height of 15 feet is 1 foot less than would be allowed for an accessory structure with a 4 foot parapet. This request does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone.

- 6. The variance does not allow a use which is not permitted in the zone by the code; and**

Detached accessory buildings are a permitted use in all zones.

- 7. The variance may not be from a condition of approval by the town council.**

The requested variance is not from a condition of approval by the Town Council.

REQUIRED ACTION:

Conduct a public hearing to determine whether this variance request meets the standards for a variance as established in zoning code section 18.93.030.

PUBLIC INVOLVEMENT:

The Planning and Zoning Department provided public notice as required by the Town of Sahuarita Zoning by mailing notice to all property owners within 300 feet of the property, posted the site with a public notice sign and published the notice in the local newspaper. Staff has not received any comments from the public to date.

RECOMMENDATION:

Staff recommends approval of the requested variance.

REASON FOR RECOMMENDATION:

The requested Variance meet the standards set forth by the Zoning Code for approval of a Variance.

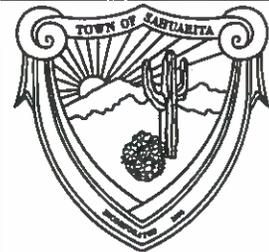
PROPOSED MOTION:

I move to approve the requested variance allowing for a 2.5 foot increase to the maximum building height of an accessory structure at 1615 W Placita Rio Pecos.

SUPPORTING DOCUMENTS ATTACHED:

1. Application and applicant's supporting documents

Town of Sahuarita
Planning & Building Department
 375 W. Sahuarita Center Way
 Sahuarita, Arizona 85629
 Phone: 520 822-8855 Fax: 520 822-8876
 www.sahuaritaaz.gov



VARIANCE APPLICATION

Address of request for variance:

1615 W. Placita Rio Pecos, Sahuarita

Parcel #: 303-49-2960-8

Zoning: CR-3

Applicant: Donald Hardee

Address: 1615 W. Placita Rio Pecos

City, State, Zip Code: Sahuarita Az 85629

Phone #: 503 702 8519

Fax #:

Email address: dhardee.wyo@gmail.com

Property Owner: Donald and Patricia Hardee

Owner's Mailing Address: 1615 W. Placita Rio Pecos

City, State, Zip Code: Sahuarita Az 85629

Phone #: 503 702 8519

Fax #:

Type of Variance Requested (Check One):

- Area Requirement:
- Sign Requirement:
- Landscaping Requirement:
- Setback Requirement:
- Parking Requirement:
- Other: Height

Check Attached Documents:

- Legal Description
- List of ownership
- Letter of Authorization from owner
- Site Plan
- Floor Plan, if required
- Written Statements
- Fees

I, the undersigned, represent that all the facts in this application are true to the best of my knowledge. I am aware that application for building permits must be made within nine months of approval of the request for variance and that failure to apply for building permits within that time renders the variance null and void. I have read and understood the variance guidelines and standards.

Signature of Applicant/Authorized Representative

Date:

1-25-19

2/2/19

Town of Sahuarita

Planning & Building Department

375 W. Sahuarita Center Way

Sahuarita, Arizona 85629

Sir or Madam;

The intent is to construct a detached garage with a 15 foot parapet wall and a 14 foot roof height, a foot lower than the maximum height allowance including parapet wall. Please refer to the submitted drawings for the dimensions of structure.

Please find attached preliminary documents required to file an application of variance in the height requirements for the construction of a detached garage at:

1615 W. Placita Rio Pecos, Sahuarita AZ, 85629.

Said property is wholly owned by Donald L. and Patricia L. Hardee, Husband and Wife. We plan on pulling all permits and start construction within days of issuance of requested variance with completion as soon as best construction practices allow.

The variance request is made to allow for the construction of a garage to house a vehicle, a small recreational vehicle to be parked inside and out of site of the surrounding neighbors. The garage will also contain a shop/work area. The size, shape of the lot and the placement of the residence does not allow ingress and egress for the fore mentioned vehicles.

The conditions were created from the original construction of the home and driveway and were not self-imposed by current owners and this condition appears to be unique to this property.

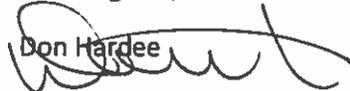
The relief for the garage height requirements is kept to the very minimum to accommodate the height of the motorhome, which requires a 12 foot overhead door. The parapet will be a foot less then code to minimize visual impact. All set backs are to be met not to encroach upon any of the adjoining properties.

The garage as stated will be used for personal use per code only and will be maintained in good working order.

There are no known conditions that may create an issue to the adjoining properties.

The variance request is due to no other reason than what has been stated and not created by no other persons or agencies.

Best Regards,

A handwritten signature in black ink, appearing to read 'Don Hardee', written over a printed name.

Don Hardee
503.702.8519

1/25/19

Town of Sahuarita
Planning & Building Department
375 W. Sahuarita Center Way
Sahuarita, Arizona 85629

Sir or Madam;

Please find attached documents to file for a variance in the height requirements for the construction of a garage at:

1615 W. Placita Rio Pecos, Sahuarita AZ, 85629.

Said property is wholly owned by Donald L. and Patricia L. Hardee, Husband and Wife.

We also elect to have Ken Woodward, 520.625.8289 (contractor) and Marco Hernandez, 520.322.9205 (architect) act as our agents concerning the building of the garage: design, submittals, permits and construction. Scaled preliminary drawings will be submitted for review prior to notice and hearing. If you have any concerns or questions feel free to contact any of the team best to serve your needs.

Best Regards,

Don Hardee

A handwritten signature in black ink, appearing to read 'Don Hardee', written over a circular stamp or mark.

503.702.8519



Pima County Geographic Information Systems

Parcel 303-49-2960

Read the [Disclaimer](#). Information on this page is **unofficial**.

Mail name and address

303-49-2960
 HARDEE DONALD L & PATRICIA L CP/RS
 1615 W PLACITA RIO PECOS
 SAHUARITA AZ 85629-8934

Legal description

COLONIAS LA CANADA LOT 0203

Situs (property) address

[\(About situs addresses\)](#)

Street Address	Jurisdiction	Postal City	Zip Code	
1615 W PLACITA RIO PECOS	SAHUARITA	SAHUARITA	85629	ZIP+4 Lookup

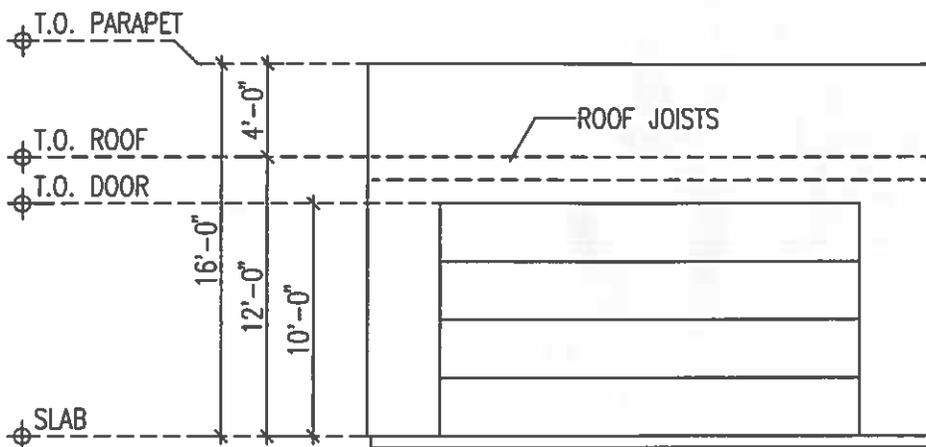
Information for this parcel

- For Assessor parcel details, copy and paste Parcel ID 303492960 into the [Pima County Assessor's Parcel Search](#). We cannot link directly. Also see [Assessor Record Maps](#).
- [Real Estate Property Tax Inquiry](#) and [Property Tax Statement](#) from the [Pima County Treasurers's Office](#).
- **Recorded Information** from the [Pima County Recorder's Office](#)
 - [Recorded Document](#) for Sequence Number 20180740114.
 - [Voter Precinct and Districts](#)
- [Subdivision Plat Map](#) for Book 51, Page 2.
- Pima County [Sanitary Sewer Connection Search](#) from the [Pima County Regional Wastewater Reclamation Department](#)
- **Permits** from [Pima County Development Services](#)
 - [Permit Database Search](#)
 - [Historical Permit Cards](#) - Prior to about 1998
- City of Tucson Development Activity Records are not available because the parcel is not in the City of Tucson.
- [Section Information and Maps](#) for Township 17S, Range 13E, Section 27.
 This parcel's GIS [overlay details Grids group](#) is a **more complete analysis** of sections when parcel boundaries extend outside of the listed section.
- **Floodplain Information** from the [Pima County Regional Flood Control District](#)
 - [Parcel Floodplain Information](#). See [FEMA Digital Flood Insurance Rate Maps \(DFIRMs\)](#) for more.
 - Town of Sahuarita jurisdiction. Call (520) 399-3339.



Google Earth

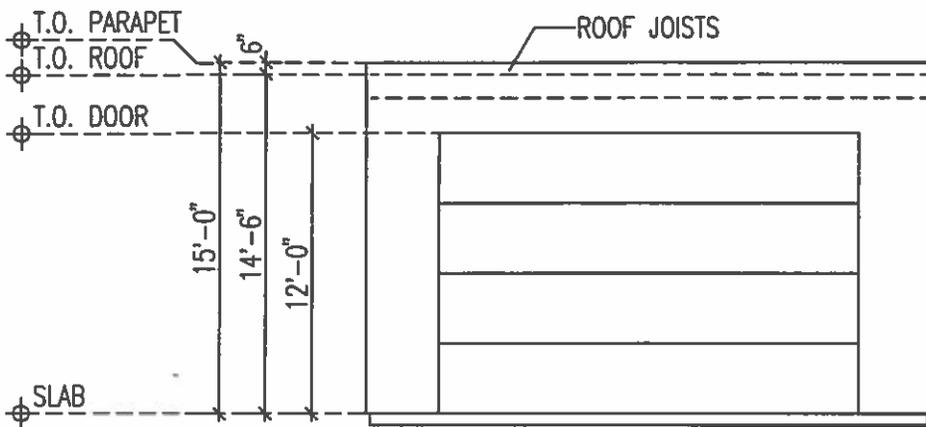




ALLOWED BY CODE:
 12'-0" HIGH ROOF AND
 4'-0" HIGH PARAPET
 TOTAL BUILDING HEIGHT = 16'-0"

PROPOSED GARAGE

SCALE: 1/8"=1'-0"



REQUESTED VARIANCE:
 14'-6" HIGH ROOF AND
 6" HIGH PARAPET
 TOTAL BUILDING HEIGHT = 15'-0"

PROPOSED GARAGE

SCALE: 1/8"=1'-0"