

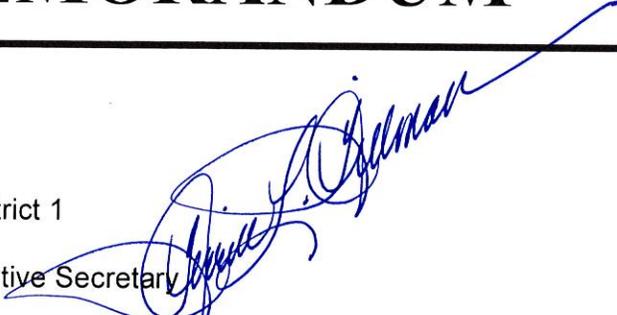
PIMA COUNTY

DEVELOPMENT SERVICES

MEMORANDUM

DATE: November 18, 2014

TO: BOARD OF ADJUSTMENT, District 1

FROM: Terrill L. Tillman, Assistant Executive Secretary 

SUBJECT: **Co10(1)14-07 LANDMARK TITLE TR 18378-T – NORTH SHANNON ROAD**
Scheduled for public hearing on December 1, 2014

LOCATION:

The subject property is located at the southwest corner of Shannon Road and Club Drive. The property is zoned TR (Transitional) and CB-1 (General Business).

SURROUNDING ZONING / LAND USES:

North	CR-5	Developed Residential
South	TR/CB-1	Developed Townhouses/Undeveloped Commercial
East	TR	Developed Residential/Omni Tucson National Golf Course
West	TR	Developed Residential

PUBLIC COMMENT:

To date, no public comments have been received.

PREVIOUS CASES ON PROPERTY:

There have been no previous Board of Adjustment cases on this property.

REQUEST:

The applicant requests the following variances:

1. **To increase the number of freestanding identification signs to three and to allow two on the street frontage.** Section 18.79.110 of the Pima County Zoning Code allows for two, and no more than one on each street frontage.
2. **To increase the allowable square footage of a monument style freestanding identification sign to 44 square feet.** Section 18.79.110 of the Pima County Zoning Code allows a maximum of 40 square feet in the TR zone.
3. **To reduce the setback to 0 feet for each monument style freestanding identification sign.** Section 18.79.110 of the Pima County Zoning Code requires a minimum front yard setback of 24 feet in the CB-1 zone, a minimum 30 foot side yard setback in the CB-1 zone, and a minimum front and side yard setback of 10 feet in the TR zone.
4. **To allow a sign to be located within a bufferyard.** Section 18.79.030E4 of the Pima County Zoning Code states approval is required for signs placed within a bufferyard.

TRANSPORTATION AND FLOOD CONTROL REPORT:

Transportation and Flood Control will review this proposed sign at the time of permitting. In a cursory review by Transportation, there is no site visibility issue.

BACKGROUND:

The subject property is approximately 35.51 acres and zoned TR and CB-1. A Subdivision Block Plat for Shannon Ridge, Blocks 1 and 2 was approved in July of this year. The subject property is Block 2 of Shannon Ridge. The development as proposed includes apartments with a clubhouse and associated uses. A paving and grading plan (P14SI00038) has been submitted for the site.

This variance request addresses the three proposed *monument style freestanding identification signs* to be located at the southwest corner of Shannon Road and Club Drive and at the entry drives proposed on Shannon Road and Cortaro Farms Road. Shannon Road and Cortaro Farms Road are both designated as major streets and scenic routes and as such require monument style signs. Because the site has a street frontage greater than 500 feet, the property is eligible to utilize the *development complex option*. The *development complex option* provides additional allowances for freestanding identification signs. The zoning code allows for two *freestanding identification development complex signs* located at each entry way with a square footage of 50 feet and a 10 foot side and front yard setback. The request is to increase the number of freestanding identification signs to three, increase the square footage to 44 square feet, reduced the setback to 0 feet, and to allow a sign to be located within a bufferyard. Based upon the *development complex option*, the Board of Adjustment will not need to act on item #2 to increase the square footage for a freestanding identification sign as the applicant is well within the limitations of the zoning code.

Staff supports these requests due to the size of the development. A large apartment complex needs signage to clearly identify the location of the site and a third sign is not unreasonable.

RECOMMENDATION:

Staff recommends **APPROVAL** of the variance requests. The increased number of signs to 3 is not unreasonable. The reduced setback and the location of a sign in a bufferyard are typical. The increased proposed signs do not appear to cause injury or adversely impact the surrounding neighborhood as evidenced by the lack of public comment. The variance is in harmony with the general intent and purposes of the zoning code.

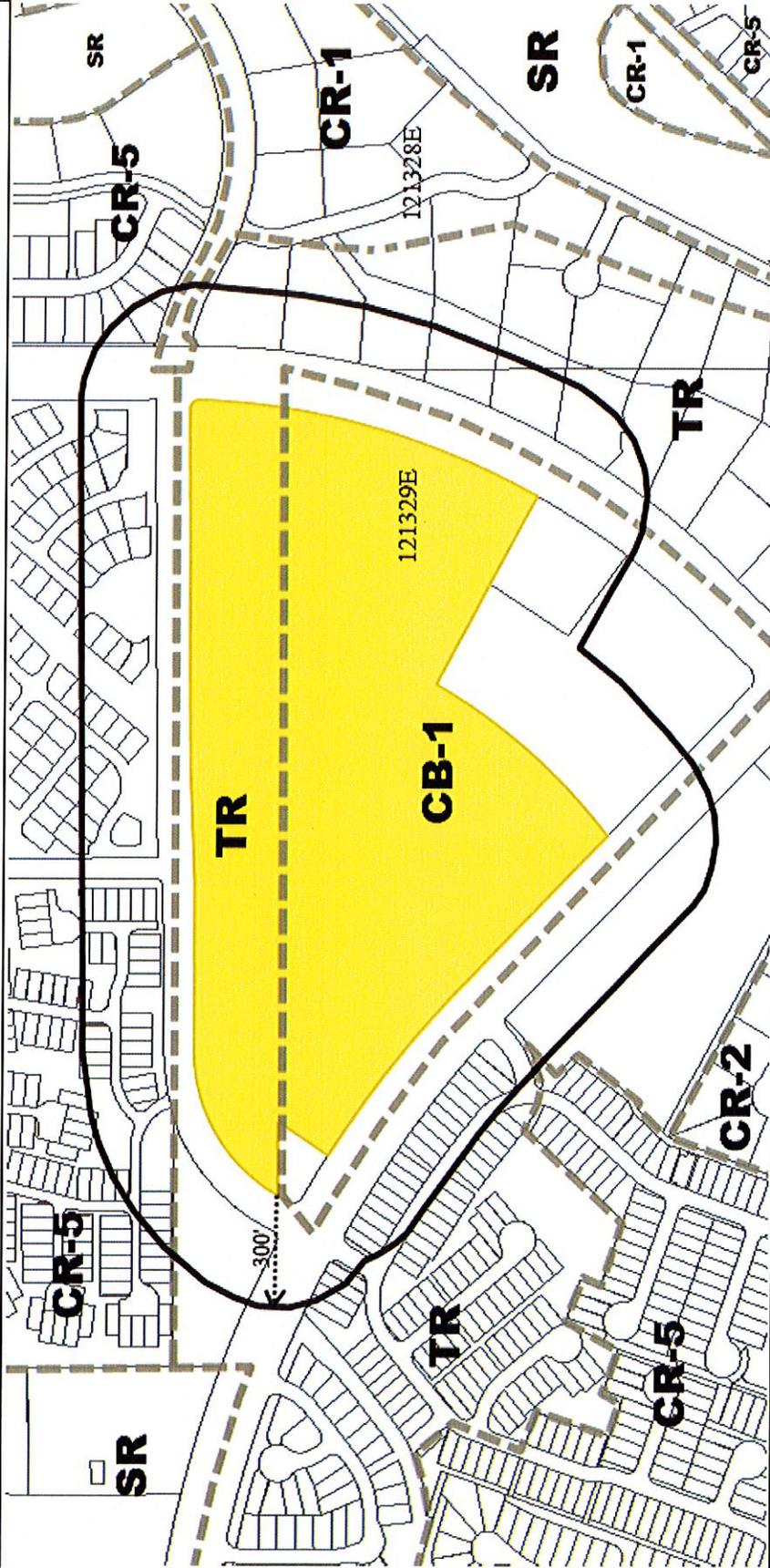
Standards that must be considered by a board of adjustment when considering a variance request include:

1. The strict application of the provision would work an unnecessary hardship;
2. 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;
3. The unnecessary hardship does not arise from a condition created by an action of the owner of the property;
4. The variance is the minimum necessary to afford relief;
5. The variance does not allow a use which is not permitted in the zone by the Code;
6. The variance is not granted solely to increase economic return from the property;
7. The variance will not cause injury to or adversely affect the rights of surrounding property owners and residents;
8. The variance is in harmony with the general intent and purposes of the Code and the provision from which the variance is requested;
9. The variance does not violate State law or other provisions of Pima County ordinances;

10. The hardship must relate to some characteristic of the land for which the variance is requested, and must not be solely based on the needs of the owner;
11. If the variance is from a sign or advertising structure area limitation, no reasonable use of the property can be made unless the variance is granted;
12. If the variance is from a height limitation, no reasonable use of the property can be made unless the variance is granted.

NOTIFICATION MAP

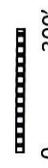
LANDMARK TITLE TR 18378-T—N. SHANNON ROAD



LEGEND

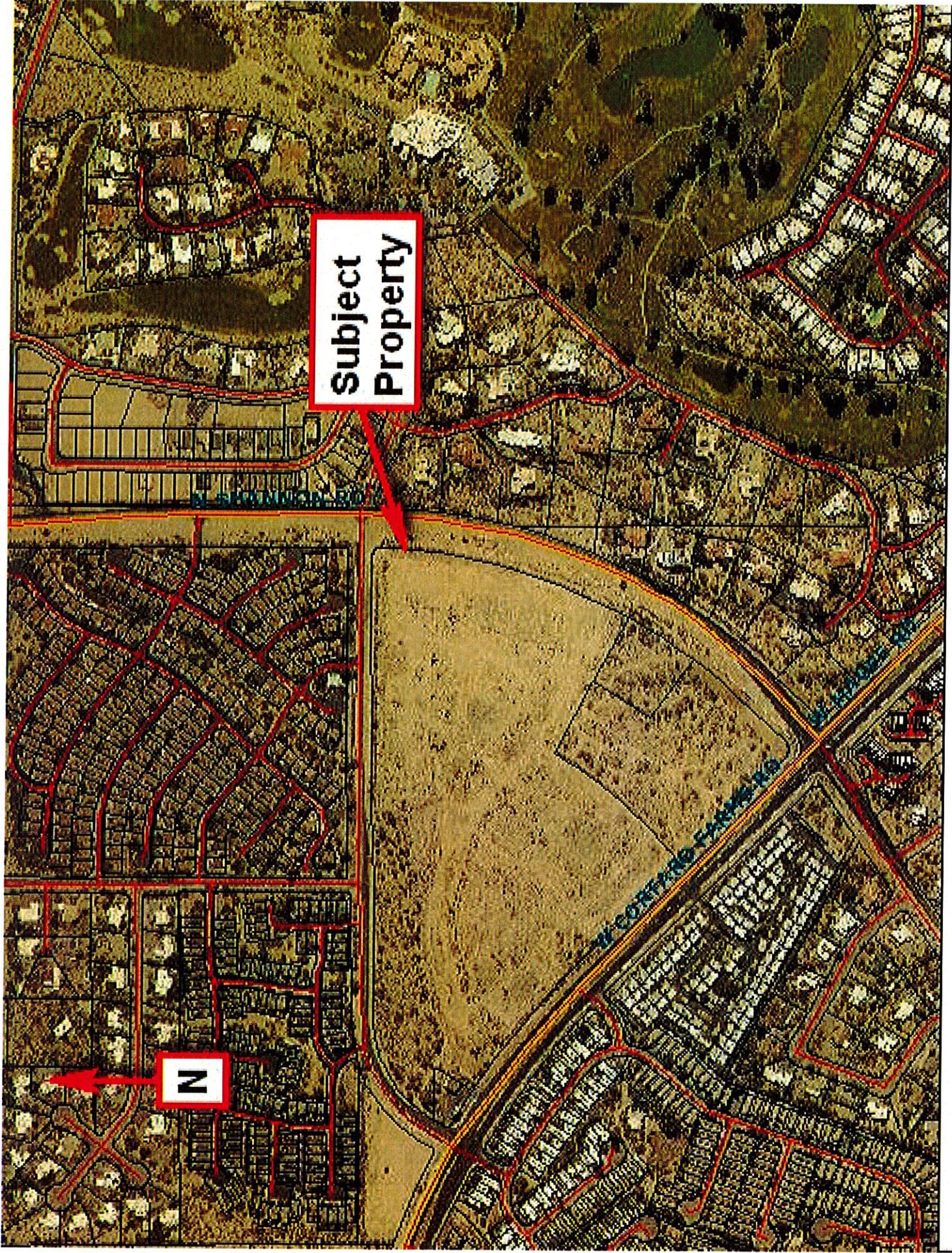
- Petition Area
- Notification Area

NOTES

File no.:	Co10(1)14-07	Tax Code(s):	225-54-5040
Application:	Variance	Base Map:	114, 115
		Drafter:	A.H.
			



10/30/2014



Co10(1)14-07 LANDMARK TITLE TR 18378 - NORTH SHANNON ROAD VARIANCE REQUEST



PIMA COUNTY
DEVELOPMENT SERVICES

Variance Application

Revised 12/2013

Landmark Title TR 18378-T

Property Owner: Attn: HSL Shannon Road LLC Phone: 520-322-6994 x112

Owner's Mailing Address: 3901 E. Broadway Bl. City: Tucson Zip: 85711

Authorized Representative: Rick Engineering Co. c/o Mark Fellingner Phone: 520-795-1000

Rep's Mailing Address: 3945 E. Fort Lowell Rd. Suite 111 City: Tucson Zip: 85712

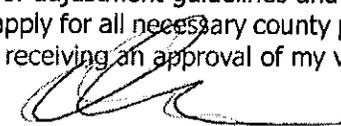
Property Address: 8323 N. Shannon Rd. City: Tucson Zip: 85742

Tax Code Number(s): 225 54 5040 Zone: TR & CB-1

Does the subject parcel have an active building or zoning code violation? No

Owner or Applicant's Email Address: mfellinger@rickengineering.com

I, the undersigned, swear that all the facts in this application are true to the best of my knowledge, that I will appear in person at public hearing to present the request, that I have read and understood the board of adjustment guidelines and procedure for granting a variance, and that I am able and intend to apply for all necessary county permits for construction and use of the property within nine months of receiving an approval of my variance request.

Signature:  Date: _____

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

*****FOR OFFICE USE ONLY*****

Case Title: _____ Co10() _____
OWNER'S NAME -- STREET NAME (EX. JONES- E. SPEEDWAY BOULEVARD)

requests a variance(s) to Section(s) _____ of the Pima County Zoning Code which requires _____

REC'D AT DEVELOPMENT SERVICES - PLANNING DIVISION BY _____ DATE ____/____/____.



October 20, 2014

Board of Adjustment District 1 Board Members
c/o Ms. Terri Holland Tillman
PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
Planning Division
201 North Stone Avenue, 2nd Floor
Tucson, Arizona 85701

SUBJECT: ENCANTADA AT TUCSON NATIONAL SIGN VARIANCE REQUEST
JN 4020-A

Dear Board of Adjustment District 1 Board Members:

On behalf of our client, HSL Shannon Road, LLC, we respectfully request a variance to:

1. Reduce the setback from ten feet to zero for proposed freestanding identification signs
2. Increase the maximum allowable number of freestanding identification signs from two to three
3. Allow more than one freestanding identification sign on the Shannon Road frontage
4. Increase the maximum allowable sign area for a freestanding identification sign within the TR zone from forty square feet to forty-four square feet
5. Allow freestanding identification signs in the landscape bufferyards

We seek to reduce the front sign setback to zero feet (0') to allow the placement of freestanding identification signs at the right-of-way line for optimal viewing from adjacent roads. For this project, Sections 18.79.110.E.8.b and 18.79.110.E.8.c of the Pima County Zoning Code call for a ten foot (10') front setback for signs of this nature at the size being proposed within the TR zone and the CB-1 zone respectively. Placement of proposed freestanding identification signs at the right-of-way line would not interfere with sight visibility triangles at the project entry drives, nor would it restrict visibility for passing motorists on adjacent roads.

A total of three freestanding identification signs are proposed for this project, one at the project entry drive on Cortaro Road, one at the project entry drive on Shannon Road, and one at the

northeast corner of the property at Shannon Road and Club Drive. Section 18.79.110.D.4 of the Pima County Zoning Code limits the number of freestanding identification signs to two with no more than one on each street frontage. Allowing one additional sign on the Shannon Road frontage at Club Drive will offer a better opportunity to identify the site for motorists travelling south on Shannon Road.

The sign area for each of the proposed freestanding identification signs is approximately forty-four (44) square feet (3'-4" high by 13'-0" wide). Section 18.79.110.E.8.b of the Pima County Zoning Code limits the maximum sign area for freestanding identification signs in the TR zone to forty (40) square feet. We are requesting that the maximum sign area for the proposed sign at the northeast corner of Shannon Road and Club Drive be increased to forty-four (44) square feet so that all three of the proposed signs may be of a consistent size.

Sign placement at the right-of-way line as we propose would locate the signs within the 20' Type 'D' landscape bufferyard along Cortaro Road, and within the 25' Type 'D' landscape bufferyard along Shannon Road, and so we also seek approval for this condition. Required quantities of bufferyard trees, shrubs, and accent plant materials would not be reduced.

The site is separated from adjacent properties by Cortaro Road on the south, Shannon Road on the east, and Club Drive on the north. Therefore, granting this variance will not adversely affect adjacent property owners.

If you have any questions, concerns or need anything further please feel free to contact me.

Sincerely,

Rick Engineering Company



Mark Fellingner
Landscape Architect

MEF:cj

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