



MEMORANDUM

PUBLIC WORKS - DEVELOPMENT SERVICES

DATE: May 7, 2014

TO: BOARD OF ADJUSTMENT District #4

FROM: Tom Drzazgowski – Deputy Chief Zoning Inspector

SUBJECT: **Co10(4)14-04 VASQUEZ – NORTH EL CAMINO RINCONADO**
Scheduled for public hearing on May 13, 2014.

LOCATION:

The subject site is located in far northeastern Pima County. The property is located on the west side of El Camino Rinconado. The property is approximately 4.23 acres and the zoning on the property is SR (Suburban Ranch).

SURROUNDING ZONING / LAND USES:

North -	SR	Rural
West -	SR	Rural
South -	SR	Rural
East -	SR	Rural

PUBLIC COMMENT:

To date no public comment has been received.

PREVIOUS CASES ON PROPERTY:

There are no previous cases on the property.

REQUEST:

The applicant requests the following variance:

1. **To decrease the side yard setback for a horse corral from 40 feet to 10 feet.**

TRANSPORTATION AND FLOOD CONTROL REPORT:

The Department of Transportation will not review this project. The Flood Control District will review this project as needed during the permit process.

BACKGROUND:

This property is located in an area that can be considered rural. Properties in the area are zoned SR and are located on property that is a minimum of 3.3 acres. In the immediate area surrounding the subject property, lots are far greater in size. In addition the area immediately surrounding the property is undeveloped with most lots vacant. There is one residence that abuts this property. The residence on the subject property was permitted in 1980. No other permits exist on the site. There is a large wash that appears to be regulated by the Flood

Control Department. There is riparian habitat surrounding the wash. This wash is located on the western side of the property to the west of the residence. The wash flows from north to south on the property.

RECOMMENDATION:

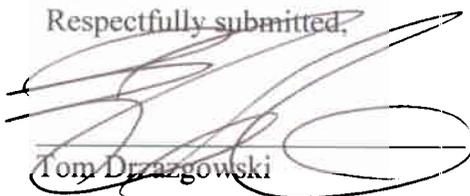
Staff recommends **APPROVAL** of variance request. Staff believes that some of the standards listed below are being met. This property is in a rural area and it appears that there are limited numbers of locations to put the corrals. The wash and associated riparian area located on the western side of the property prevent most of this area of the property from being used for corrals. It appears there is a small area in the northwest corner of the property that may be used for corrals. It appears that this location would have a more negative affect on the adjacent property owner than the current location proposed. Should concerns be raised the Board may want to consider adding a condition for screening along the southern property line that will further assist in mitigating any impact.

Lastly, it should be noted for the record that should the Board of Adjustments approve the request, a permit will be required and all Flood Control requirements will need to be met.

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

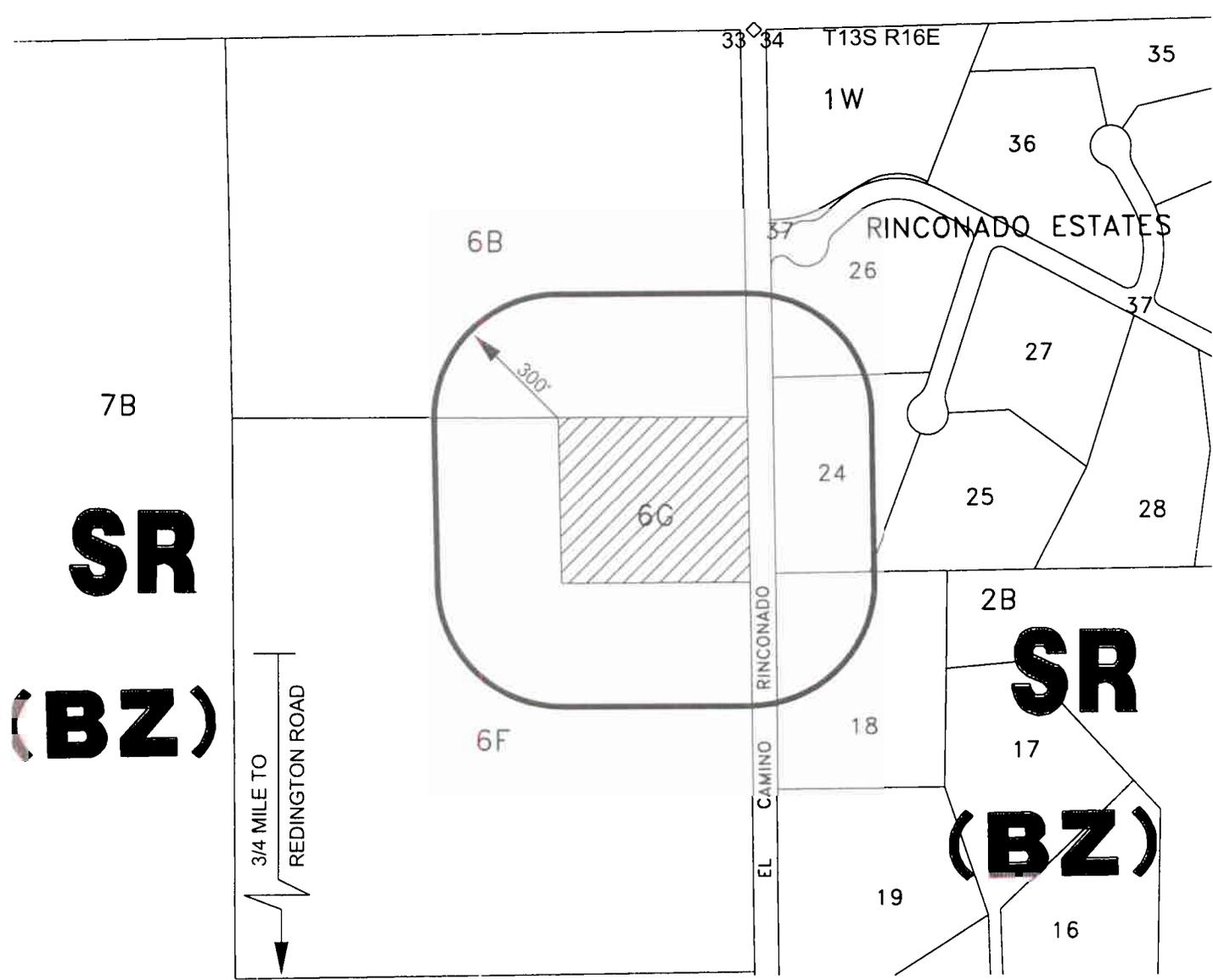
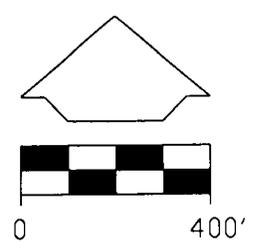
1. The strict application of the provision would work an unnecessary hardship;
2. The unnecessary hardship arises from a physical condition that is unusual or peculiar to the property and is not generally caused to other properties in the zone;
3. The unnecessary hardship does not arise from a condition 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.

Respectfully submitted,



Tom Drzazgowski

Co10(4)14-04 VASQUEZ – NORTH EL CAMINO RINCONADO Michael Vasquez,
on the property located at 3033 N. El Camino Rinconado., in the SR zone,
requests a variance to decrease the side yard setback for a horse corral from 40
feet to 10 feet. Section 18.17.050C of the Pima County Zoning Code requires all
horse corrals be setback a minimum of 40 feet from a side property line.



Petition area 

Notification area 

BASE MAP 126

Notes _____

Tax codes 205-28-0060

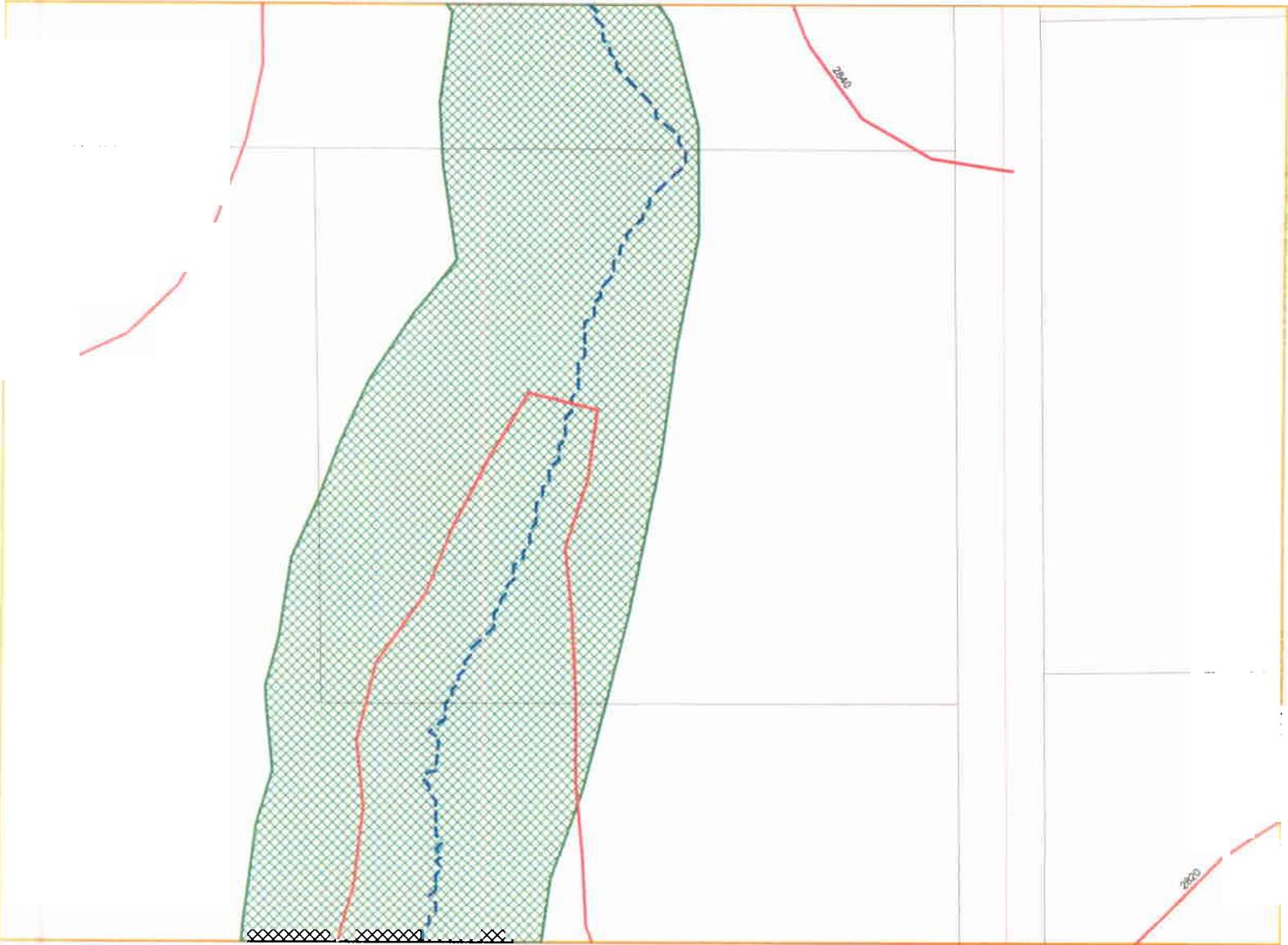
Date 04/14/14
 Drafter DS

File no. CO10X 4)14-04
VASQUEZ
NORTH EL CAMINO RINCONADO

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION

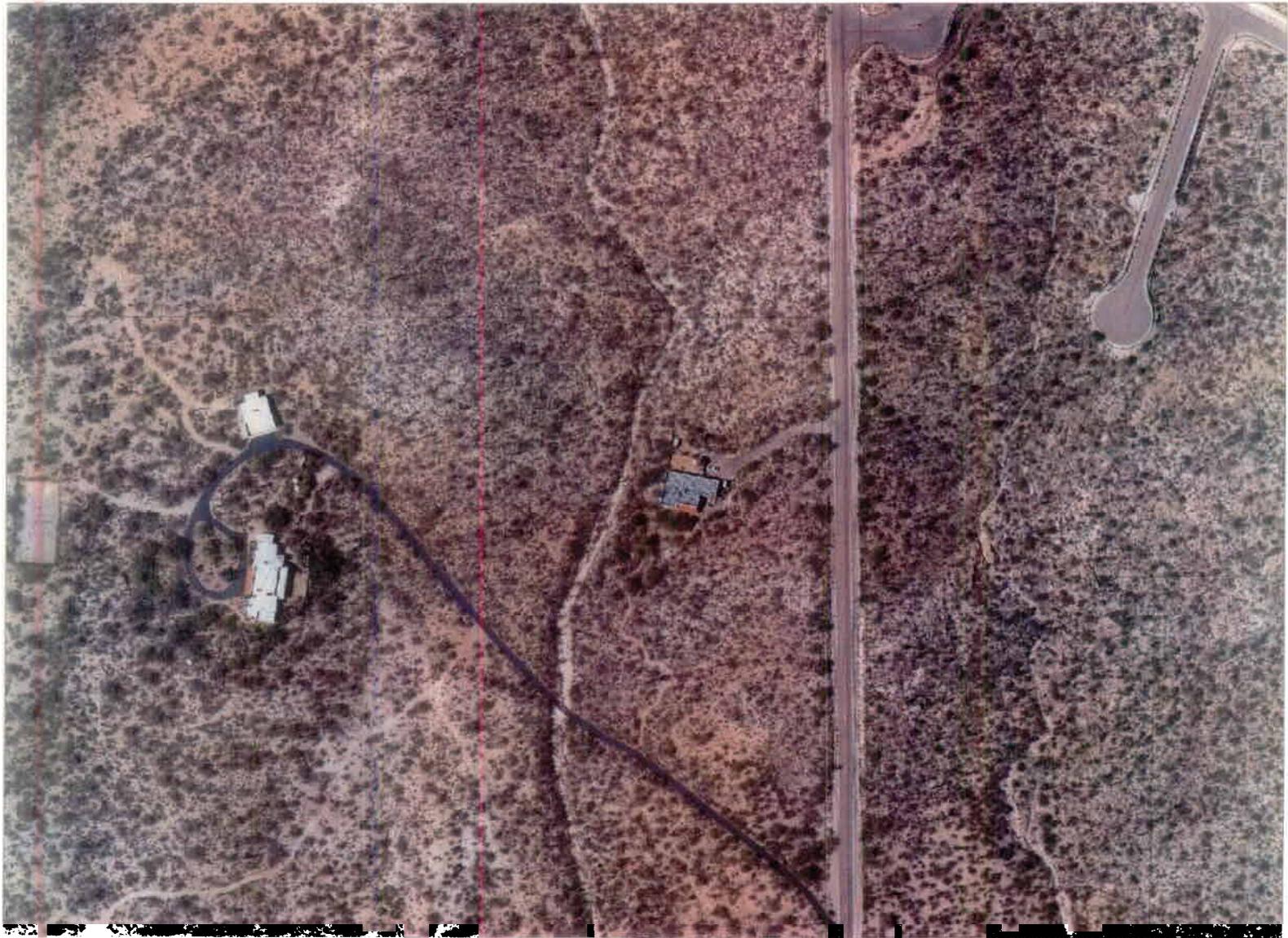
↑
N

Riparian Area
wash bed



92







Variance Application

Revised 12/2013

(Please print or type) **NO PENCIL**

Property Owner: Michael Vasquez Phone: (520) 369-1100

Owner's Mailing Address: 3033 N El Camino Rinconado City: Tucson Zip: AZ

Authorized Representative: Michael Vasquez Phone: (520) 369-1100

Rep's Mailing Address: 3033 N El Camino Rinconado City: Tucson Zip: AZ

Property Address: 3033 N El Camino Rinconado City: Tucson Zip: AZ

Tax Code Number(s): 205 - 28 - 006G Zone: SR4

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

Owner or Applicant's Email Address: mv@ironwoodadv.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: Michael Vasquez Date: 3/24/2014

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

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

Case Title: Vasquez - N. El Camino Rinconado Co10(4) 14 - 04
OWNER'S NAME - STREET NAME (EX. JONES- E. SPEEDWAY BOULEVARD)

requests a variance(s) to Section(s) 18.17.050.A.3.a of the Pima County Zoning Code which requires 40' from a side property line for accessory structure used for poultry or animals

REC'D AT DEVELOPMENT SERVICES - PLANNING DIVISION BY A.H. DATE 4/4/14

MEMO

DATE: April 3, 2014

TO: Board of Adjustment District 4 Board Members

FROM: Michael Vásquez

RE: Variance for Corral Setback (205-28-006G)

Board of Adjustment District 4 Board Members:

I request a variance to reduce the required setback, from 40' to 10', for a 90' X 100' horse turnout to be located on the southerly portion of 3033 N. El Camino Rinconado (the "Property"), my primary residence.

Although the Property's four acre size is large relative to the horse turnout project, the variance is required due to the confluence of the following factors which severely limit useable space:

- 1) Saguaros and other prime desert vegetation
- 2) Hillsides/slopes
- 3) Wash and surrounding riparian area
- 4) 100' setback on the property front and 40' setbacks on the north and south

Prior to the requesting this variance, I requested a corral setback consent from my neighbor (2975 N. El Camino Rinconado) whose property entirely surrounds my property to the west and south. After three months of efforts in communicating the details with her, she has concluded that she will not provide consent to any degree.

Without this variance, my only alternative for placement of the horse turnout and the corresponding facilities would be on the southwest and west portion of my property ("Option 2"). Enclosed in this request is a site plan for Option 2 along with photos. Option 2 would be located west of the wash and approximately 200' from my neighbor's house. As my neighbor has previously commented on the noise disturbance associated with my horses, which are currently located east of the wash, this alternative would only further exacerbate matters. Additionally, Option 2 would require me to disturb prime desert vegetation and portions of the northwest hillside area. To provide an idea of the vegetative disturbance this alternative would require, approximately 16 saguaros alone would be affected. If the variance is approved, there would only be two saguaros affected by the proposed turnout area located south of my house.

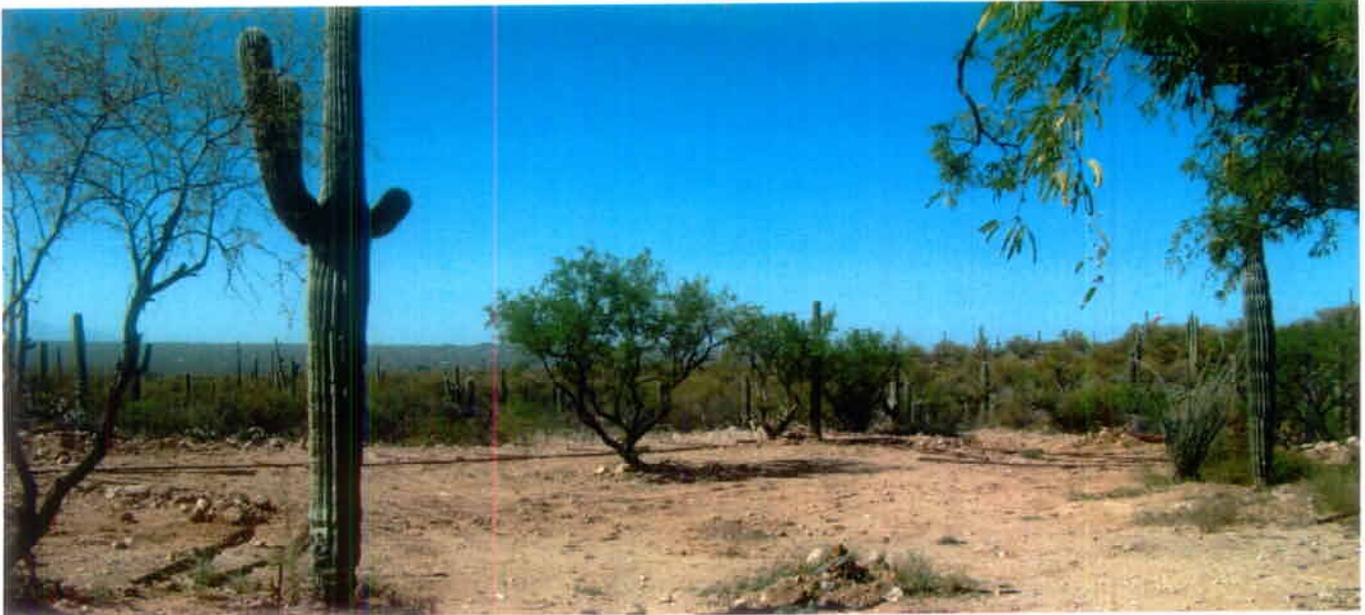
Please let me know if you have any questions. Thank you for your time and consideration of this matter.

Respectfully submitted,



Michael Vásquez

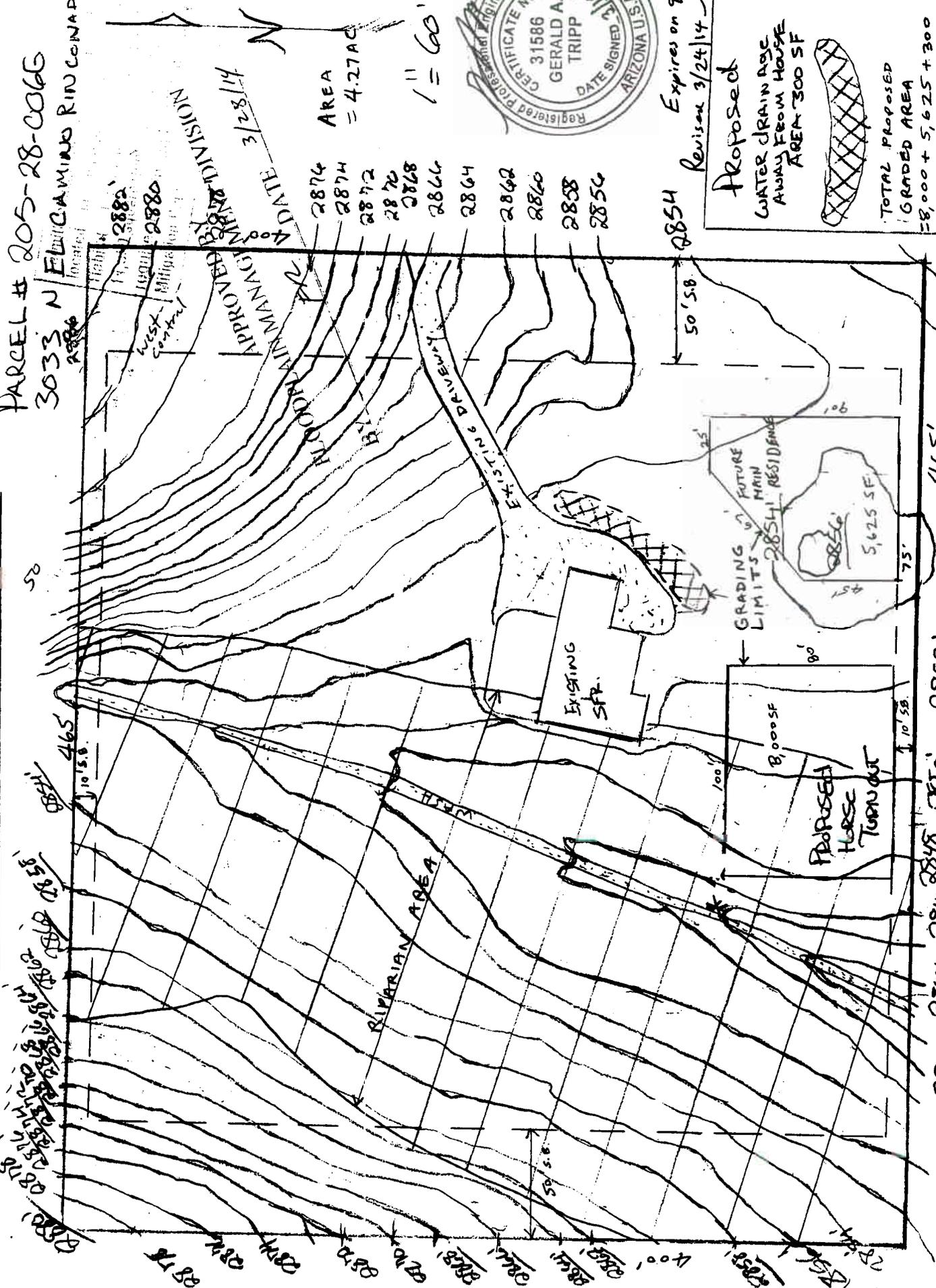
Camera Shot D (facing southwest)



PROPOSED AREA FOR TURNOUT
IF VARIANCE IS GRANTED

SITE PLAN SHOWING GRADED AREAS

PARCEL # 205-28-0066
 3033 N ELICAMINO RINCENADO



APPROVED
 400 MOUNTAIN VIEW
 DATE 3/28/14
 DIVISION

- 2874
- 2874
- 2872
- 2870
- 2868
- 2866
- 2864
- 2862
- 2860
- 2858
- 2856

AREA = 4.27 AC
 1" = 60'



Expires on 9/30/15
 Revision 3/24/14

Proposed
 WATER DRAINAGE AWAY FROM HOUSE
 AREA 300 SF

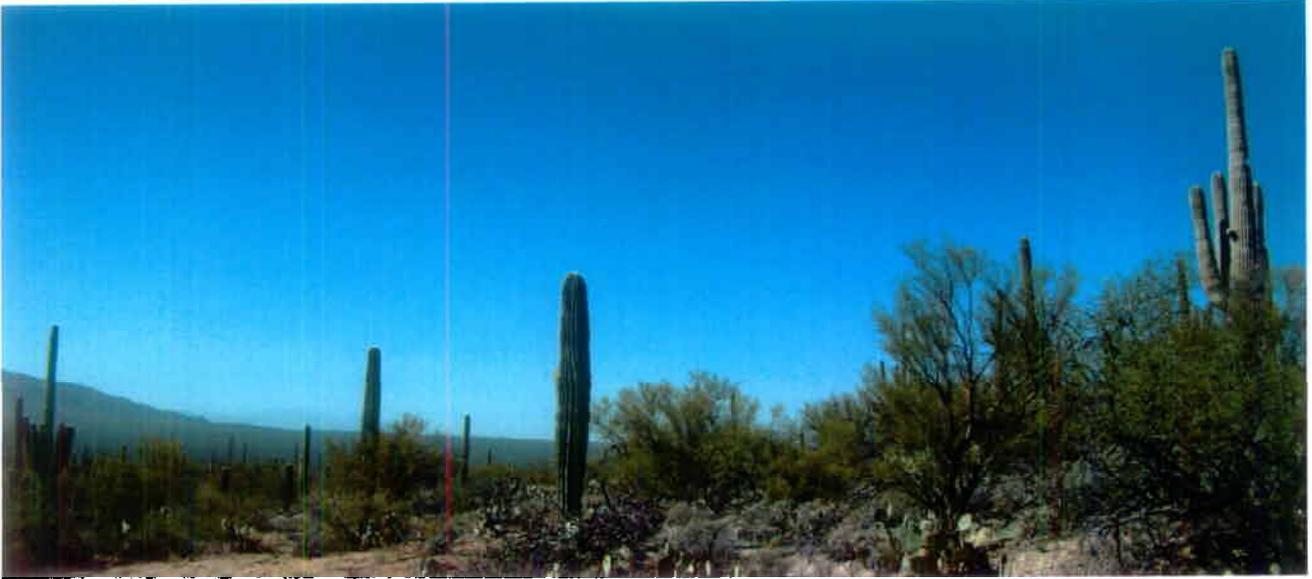
TOTAL PROPOSED GRADED AREA = 8,000 + 5,625 + 300 = 13,925 sq ft



2844 2842 2840 2838 2836 2834 2832 2830 2828 2826 2824 2822 2820 2818 2816 2814 2812 2810 2808 2806 2804 2802 2800 2798 2796 2794 2792 2790 2788 2786 2784 2782 2780 2778 2776 2774 2772 2770 2768 2766 2764 2762 2760 2758 2756 2754 2752

* Per AFCD, corral fencing must be offset from edge of regulatory flooding. 25'

Camera Shot A (facing south)



Camera Shot B (facing west)



Camera Shot C (facing northeast)



AREA TO NOT BE DISTURBED IF VARIANCE IS GRANTED

