



PIMA COUNTY
DEVELOPMENT SERVICES

DATE: July 21, 2016
TO: BOARD OF ADJUSTMENT District 1
FROM: Terrill L. Tillman, Assistant Executive Secretary 
SUBJECT: **P16VA000021 BLACK – NORTH JENSEN DRIVE**
Scheduled for public hearing on August 1, 2016

LOCATION:

The subject parcel is located approximately one-half of a mile southwest of West Magee Road and North Jensen Drive on the north side of North Jensen Drive. The property is zoned CR-3 (Single Residence).

SURROUNDING ZONING / LAND USES:

North	CR-3	Developed Residential
East	CR-3	Developed Residential
South	CR-3	Developed Residential
West	CR-3	Developed Residential

PREVIOUS CASES ON PROPERTY:

There have been no previous Board of Adjustment cases.

PUBLIC COMMENT:

Staff has received 21 letters of support to the request submitted by the applicant.

REQUEST:

The applicant requests the following **variances**:

1. **To reduce the front yard setback to 2 feet.** Section 18.25.030 of the Pima County Zoning Code requires a minimum front yard setback of 20 feet.
2. **To reduce the side yard setback to 0 feet.** Section 18.25.030 of the Pima County Zoning Code requires a minimum side yard setback of 8 feet.

TRANSPORTATION AND FLOOD CONTROL REPORT:

Transportation and Regional Flood Control District will review this request during the permitting process if needed.

BACKGROUND:

This subject property (Lot 139) lies within the Heritage Hills II Subdivision, Lots 1-221 and is approximately 8,000 square feet or .19 acres. The subdivision was approved in 1977 and developed subsequent to that approval in the late 70's. The subdivision contains single-story block houses.



The subject property was originally developed by permit 65-01-98 with a residence in 1978. A patio wall was permitted in 1979. All of the houses in the subdivision share the same characteristics in building style and lot size. The houses contain approximately 1,416 square feet of living area with a 342 square feet two-car garage. Many of the garages in the neighborhood have been converted to living space or storage area because of the smaller house size and limited lot area for expansion. Each lot has a concrete driveway the full width of the garage to the street. There is no other accessible location for the addition of a carport on-site.

The applicant has requested to reduce the front yard setback to 2 feet and the side yard setback to 0 feet for the addition of a 572 square feet carport to store vehicles in the shade and limit the exposure they receive from being parked in the Arizona sun. The applicant has worked with the neighborhood by going door to door and discussing the proposed carport with the reduced setbacks and has received overwhelming support for the request from not only adjacent neighbors, but neighbors that live behind, across, and the street from the applicant. The request is not unreasonable given that the reduced setback will not create any visibility issues when accessing the site, nor does it appear to impact any views from adjacent properties.

RECOMMENDATION:

Staff recommends **APPROVAL** of this variance request to reduce the front yard setback to 2 feet and side yard setback to 0 feet. This request appear to be the minimum to afford relief and the unnecessary hardship does not arise from a condition created by an action of the owner of the property. The variance does not appear to adversely affect the rights of surrounding property owners based upon the letters of support.

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;



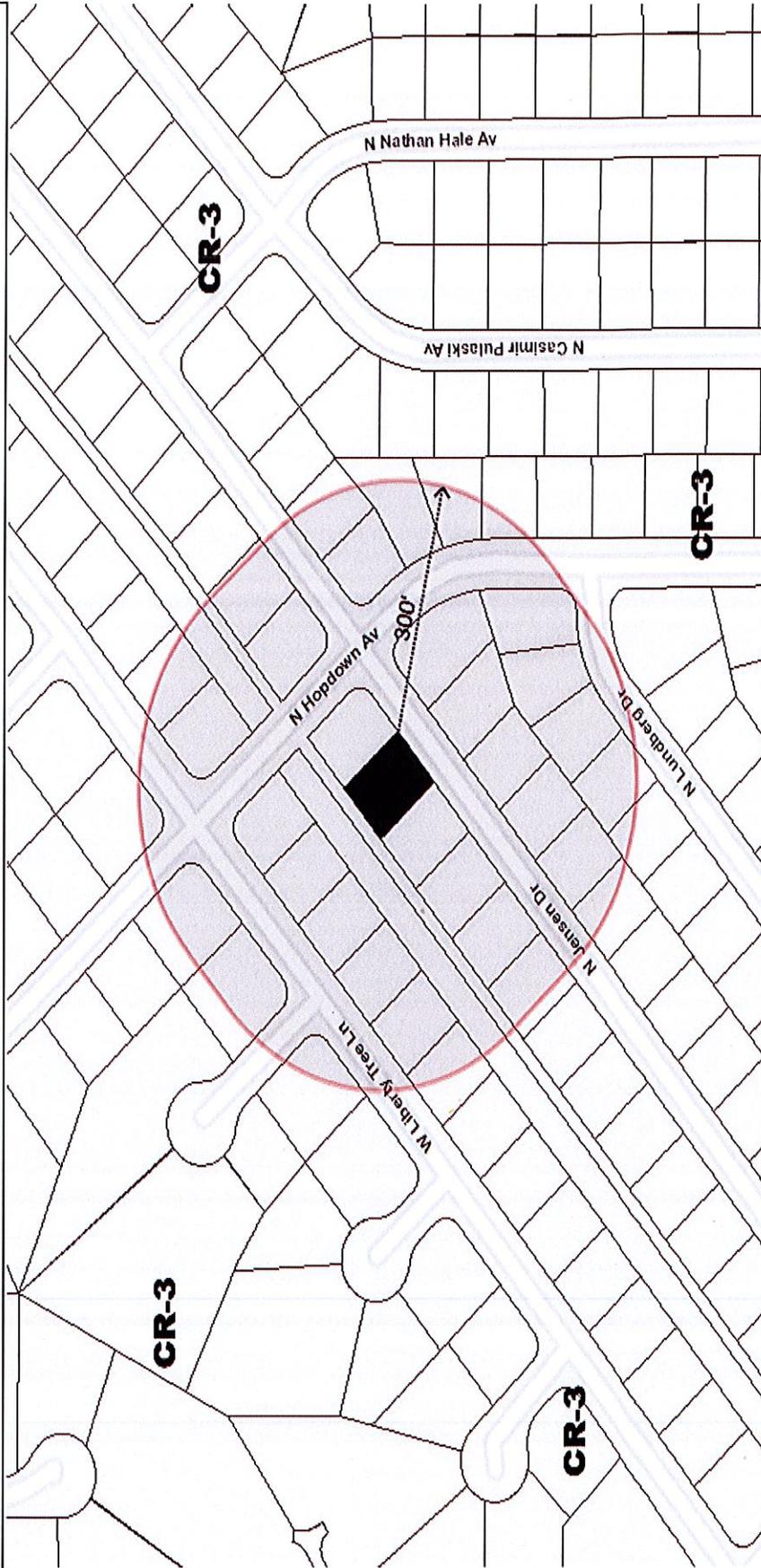
PIMA COUNTY

DEVELOPMENT SERVICES

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

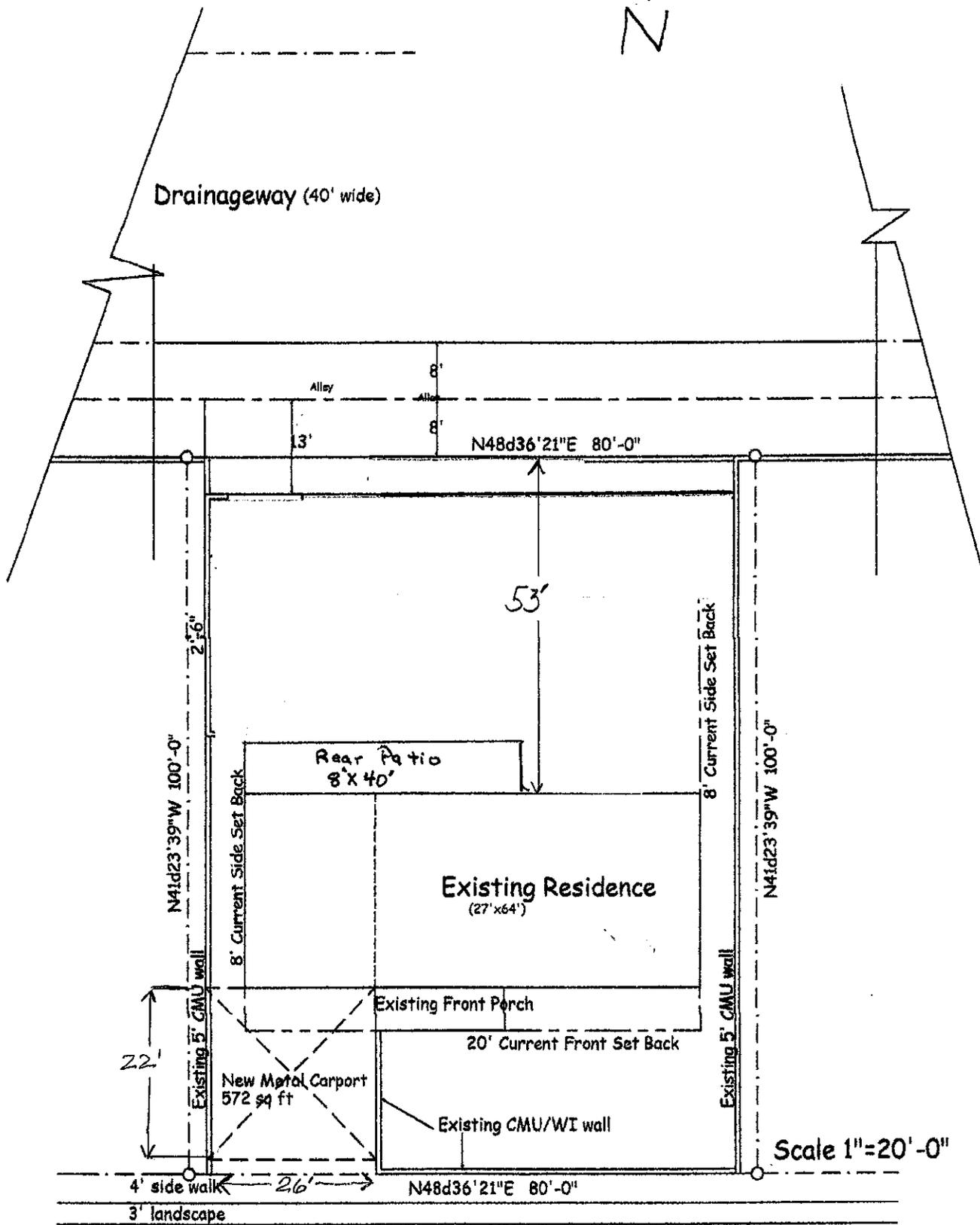
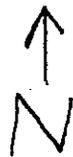
BLACK—N. JENSEN DRIVE



6/29/2016

NOTES			
File no.:	P16VA00021	Tax Code(s):	225-40-5420
Application:	VARIANCE	Base Map:	114
 0 150'		Drafter:	A.H.

LEGEND	
	Petition Area
	Notification Area



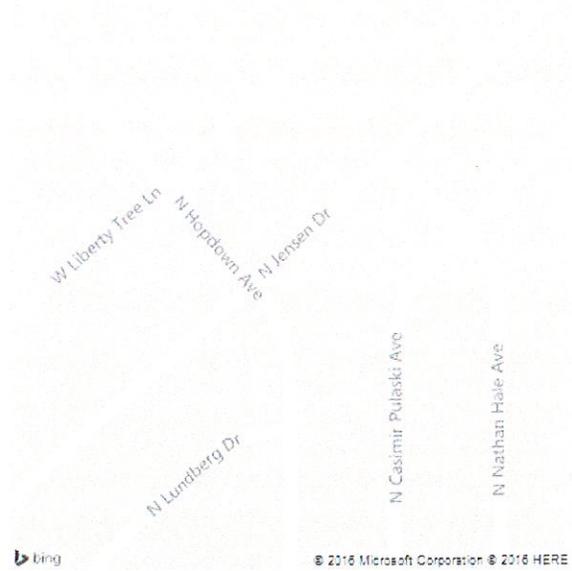
Requested New Set Backs

7773 N. Jensen Drive

Reduce side set back to 0'-0" and front set back to 2'-0" for carport

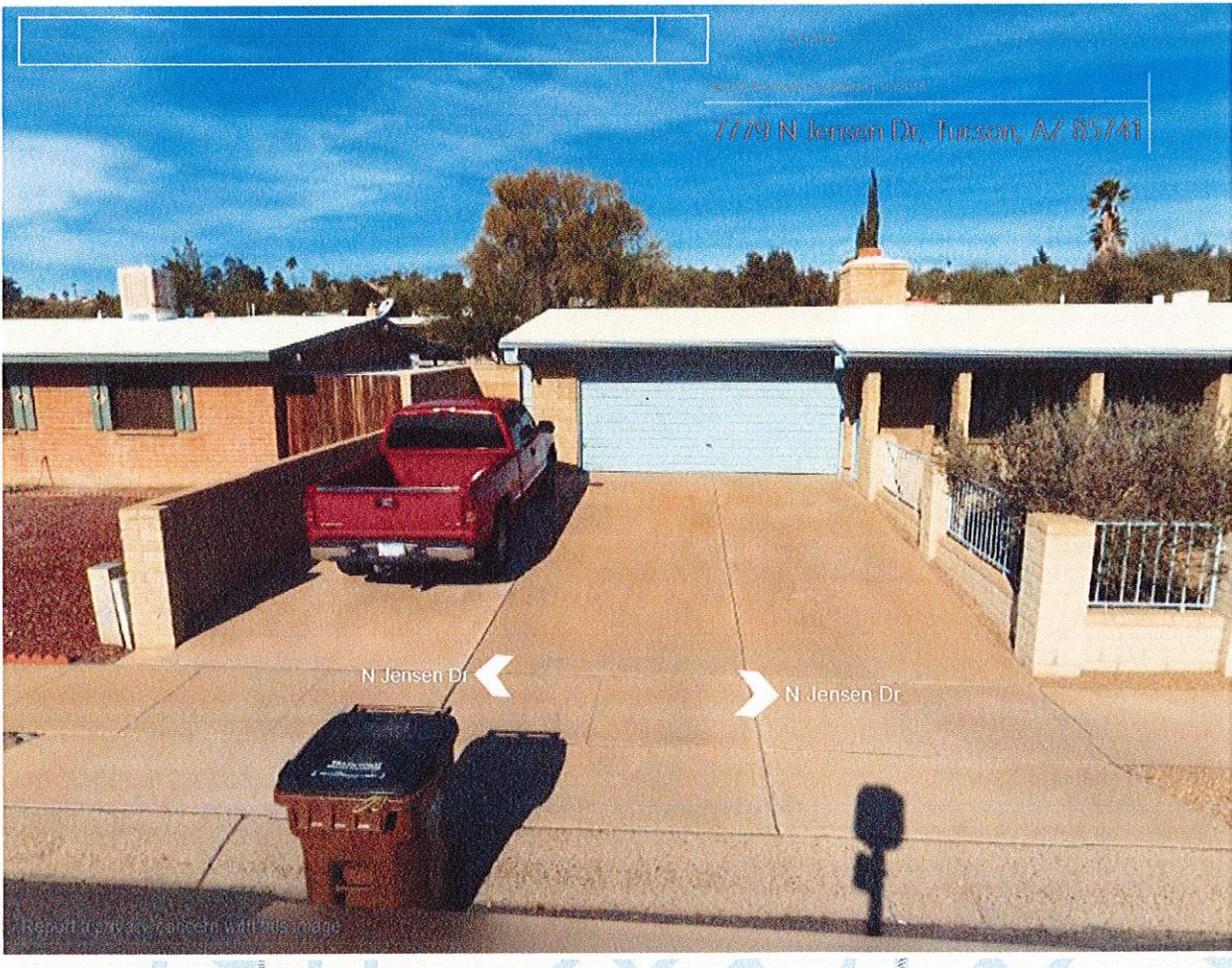
bing maps

Notes



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June 6/26/16 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink, appearing to read "James Seeds & Janice Bushell-Seeds". The signature is fluid and cursive, with a large initial "J" and "S".

James Seeds & Janice Bushell-Seeds
Property Owner

3172 W Liberty Tree Lane, Tucson, AZ 85741
Tax Code: 225-42-2450 Lot: 448

June 24 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Flores & Lori Ruanova-Flores". The signature is written in a cursive, flowing style.

Frank Flores & Lori Ruanova-Flores
Property Owner

3171 W. Liberty Tree Lane, Tucson, AZ 85741
Tax Code: 225-42-2730 Lot: 476

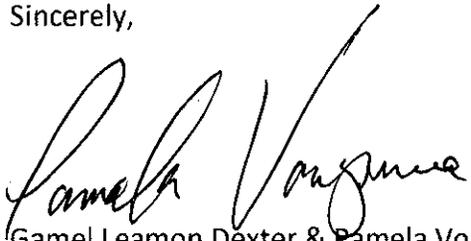
June 26 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

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I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink, appearing to read "Pamela Vongsena". The signature is fluid and cursive, with a large initial "P" and "V".

Gamel Leamon Dexter & Pamela Vongsena
Property Owner

3151 W. Liberty Tree Lane, Tucson, AZ 85741
Tax Code: 225-42-2750 Lot: 478

June 26th 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

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I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in cursive script that reads "Joy L. Smith".

Joy L Smith
Property Owner

3141 W. Liberty Tree Lane, Tucson, AZ 85741
Tax Code: 225-42-2760 Lot: 479

June 26 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

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I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink that reads "Daniel Wertz". The signature is written in a cursive style with a large, stylized 'D' and 'W'.

Daniel Wertz & Karen Wertz
Property Owner

3131 W. Liberty Tree Lane, Tucson, AZ 85741
Tax Code: 225-42-2770 Lot: 480

June 26 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

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I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink that reads "Alice A. Malone-Wilson". The signature is written in a cursive style with a small mark above the "A" in "Alice".

Alice Malone-Wilson
Property Owner
7749 N. Jensen Drive, Tucson, AZ 85741
Tax Code: 225-40-5390 Lot: 136

June 26 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,



George Gillespie & Karen Gillespie
Property Owner
7757 N. Jensen Drive, Tucson, Arizona 85741
Tax Code: 225-40-5400 Lot: 137

June 26 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink, appearing to read "James Figueroa". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

James Figueroa
Property Owner
7765 N. Jensen Drive, Tucson, Arizona 85741
Tax Code: 225-40-5410 Lot: 138

June 26 JUDC 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Putnam". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

Robert Putnam

Property Owner

7781 N. Jensen Drive, Tucson, Arizona 85741

Tax Code: 225-40-5430 Lot: 140

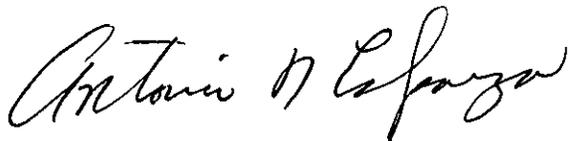
June 26 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink that reads "Antonio D. Esparza". The signature is written in a cursive style with a large initial "A".

Antonio Esparza
Property Owner

7811 N. Jensen Drive, Tucson, Arizona 85741
Tax Code: 225-40-5450 Lot: 142

June 26 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink, appearing to be 'JB' with a long horizontal flourish extending to the right.

Jonah Bense & Christel Bense
Property Owner

7810 N. Jensen Drive, Tucson, AZ 85741
Tax Code: 225-40-5480 Lot: 145

June 26 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Gibson". The signature is fluid and cursive, with a large initial "M" and a stylized "G".

Mark Gibson
Property Owner

7800 N. Jensen Drive, Tucson, AZ 85741
Tax Code: 225-40-5490 Lot: 146

June 24, 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink that reads "Louis Valencia". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Louis Valencia & Catherine Valencia
Property Owner

7780 N. Jensen Drive, Tucson, AZ 85741
Tax Code: 225-40-5500 Lot: 147

June 24 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

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I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa Pruitt', written in a cursive style.

Melissa Pruitt

Timothy Pruitt & Melissa Pruitt
Property Owner

7772 N. Jensen Drive, Tucson, AZ 85741
Tax Code: 225-40-5510 Lot: 148

June 26 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Lara" with a flourish at the end.

Larry Lara & Frances Lara
Property Owner

7756 N. Jensen Drive, Tucson, AZ 85741
Tax Code: 225-40-5530 Lot: 150

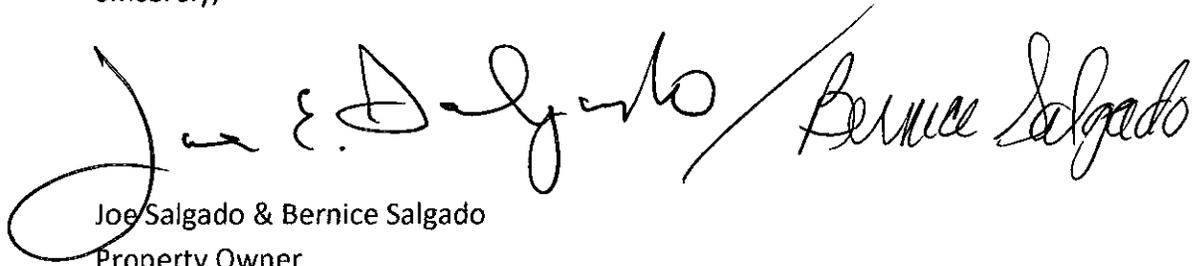
June 26th 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

Handwritten signatures of Joe Salgado and Bernice Salgado. The signature of Joe Salgado is on the left, and the signature of Bernice Salgado is on the right, separated by a diagonal line.

Joe Salgado & Bernice Salgado
Property Owner

7719 N. Lundberg Drive, Tucson, AZ 85741
Tax Code: 225-40-5830 Lot: 180

June 26 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

Robert Bastian
Property Owner



7741 N. Hopdown Avenue, Tucson, AZ 85741
Tax Code: 225-40-5860 Lot: 183

June 6/26/16 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

Kathy Casillas

Kathleen Louise Casillas
Property Owner

7760 N. Hopdown Avenue, Tucson, AZ 85741
Tax Code: 225-40-5880 Lot: 185

June 27 2016

Pima County Development Services - Planning Division
Board of Adjustment District 1 Board Members

Les and Kim Black are applying for a variance on property setbacks, to install covered parking in the existing drive way at 7773 N. Jensen Drive, Tucson, Arizona 85741. The specific variance request is to reduce the front yard setback from 20 feet to 2 feet and west side yard from 8 feet to 0 feet.

I understand and do not have any objections to the proposed adjustment of variance.

Sincerely,

A handwritten signature in black ink, appearing to read "Teresa Brazeal". The signature is fluid and cursive, with a large initial "T" and "B".

Teresa Brazeal

Property Owner

PO Box 66094, Tucson, Arizona 85728

3191 E. Liberty Tree Lane, Tucson, AZ 85741

Tax Code: 225-42-2710 Lot: 474



Variance Application

Revised 12/2013

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

Property Owner: Leslie C. Black Phone: 520 742-4229

Owner's Mailing Address: 7773 N. Jensen Drive City: Tucson Zip: 85741

Authorized Representative: Kim M. Black Phone: 520 742-4229

Rep's Mailing Address: 7773 N. Jensen Drive City: Tucson Zip: 85741

Property Address: 7773 N. Jensen Drive City: Tucson Zip: 85741

Tax Code Number(s): 225 - 40 - 5420 Zone: CP77

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

Owner or Applicant's Email Address: KSMILE123@COMCAST.NET

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: Leslie C Black Date: 6-16

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

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

Case Title: Black - N Jensen Drive Co10() PIVA00021
OWNER'S NAME - STREET NAME (EX. JONES- E. SPEEDWAY BOULEVARD)

requests a variance(s) to Section(s) 10.25.030D1 of the Pima County Zoning Code which requires a 20' setback

REC'D AT DEVELOPMENT SERVICES - PLANNING DIVISION BY 4/24/16 DATE / /

June 27, 2016

Leslie & Kim Black
7773 N. Jensen Drive
Tucson, Arizona 85741
(520)742-4229

RE: Variance Request - 7773 N. Jensen Drive, Tucson, Arizona 85741 - Tax Code: 225-40-5420 Lot: 139

Dear District 1 Board Members:

In 1978 I purchased the property at 7773 N. Jensen Drive, Tucson, Arizona 85741. I am the original property owner. Garages' built in 1978 fit the vehicles at the time. Vehicles now are too tall and too long to fit into the garage. The garage is too shallow for the newer trucks of today.

I am requesting a variance to reduce front yard setback from 20 feet to 2 feet and west side yard setback from 8 feet to 0 feet. To install covered parking on existing driveway. I need the variance for protection for my 2015 GMC and 2001 Toyota from the elements. My last new 1999 GMC's clear coat, paint and interior has ruined from the sun and hail damage. The 2001 Toyota has also received damage from the elements. I would like to be able to protect my investments with covered parking.

The proposed structure would be installed over the existing driveway. The 8 - 5"x 5"- 9 feet posts will be painted to match the house. The roof will be white which will also match the house. The structure will complement the house nicely.

I have tried to think of other ways to protect the vehicles:

- By putting the covered parking in the back yard would not work. The access is too steep due to the wash.
- An option (to park inside the garage) would be to add onto the existing garage with an 8 foot front setback. The existing garage over the years has been turned into a hobby shop. If I would add onto the garage, I would then have to build a new hobby shop in the back yard. I do not have the funds for both projects.

The cover parking in the existing drive way would be the most economical proposal.

I have spoken with several contractors: Valley Iron Works, Performance and Westerner. They have given me design ideas which could be placed on the driveway.

I canvassed my neighborhood in a 300' radius and have enclosed letters of support from 19 of my adjacent neighbors. The Home Owners Association has been discontinued approximately in year 2000.

I hope you will approve the much needed variance. I look forward to a positive result. Thank you.

Sincerely,



Les Black
Property Owner