



DATE: June 23, 2015  
TO: BOARD OF ADJUSTMENT District 1  
FROM: Terrill L. Tillman, Assistant Executive Secretary  
SUBJECT: **Co10(1)15-06 SABINO CANYON INVESTMENTS LLC - NORTH SABINO CANYON ROAD**  
Scheduled for public hearing on July 6, 2015

**LOCATION:**

The subject parcel is located on the east side of North Sabino Canyon Road approximately 600 feet north of East Snyder Road. The property is zoned CB-1 (Local Business Zone).

**SURROUNDING ZONING / LAND USES:**

North	CB-1	Developed Commercial Offices
East	CB-1	Developed Residential Townhomes/Clubhouse and Pool
South	CB-1	Developed Car Wash
West	CB-2	Developed Self Storage

**PREVIOUS CASES ON PROPERTY:**

There have been no previous Board of Adjustment cases.

**PUBLIC COMMENT:**

No public comment has been received.

**REQUEST:**

The applicant requests a variance to **reduce the Major Street and Routes setback to 20 feet** for a porch addition. **Section 18.77.030B requires a 30 feet setback in addition to half of the required right-of-way width on all Major Streets and Routes.**

**TRANSPORTATION AND FLOOD CONTROL REPORT:**

The Department of Transportation (DOT) has no objection. The planned future right-of-way for this segment of Sabino Canyon Road is 150' and the existing right-of-way is 150' although the right-of-way has not been improved. DOT has no plan for future expansion of this segment of Sabino Canyon Road.

**BACKGROUND:**

The .53 acre subject property was developed with an approved development plan for The Sheldon Center (P1204-071) which encompasses the subject parcel (.53 acres) and the two parcels (.65 acres and .32 acres) to the north which were planned for offices, fast food restaurant, and limited retail. The project was developed by permit P05CP02615 in conformance with the approved development plan in 2005.



Sabino Canyon Road is designated as a Major Street and Scenic Route (MSSR) per the Major Streets and Routes (MSR) Plan with a planned right-of-way of 150 feet. The Department of Transportation has reported that the full right-of-way width exists and there are no plans for expansion.

The applicant is requesting a variance to reduce the MSSR from 30 feet plus half the future right-of-way to 20 feet for the addition of an entry canopy on the north side of the building and sun shading (porch) area on the west side. The proposed entry canopy to the north will meet the CB-1 side yard setback and the proposed porch on the west side of the building is adjacent to the MSSR and the subject of this request. The applicant states, "The existing building is being purchased by Sabino Veterinary Care for the relocation of their veterinary practice. The building will need to be renovated to accommodate animal care services."

The planned renovation will include the relocation of the existing loading zone and trash enclosure from the west side of the building to the east side of the building. The loading zone will be replaced with a 5' high walled-in, landscaped, pet walking and relief area that is accessed from the main lobby at the northwest corner of the building. The addition of the entry canopy and sun shading porch will be along the north and west side of the building extending 10 feet from the existing building wall.

The setback encroachment into the MSSR is 10 feet. It is staff's opinion that since the planned right-of-way exists and no expansion is planned, the more restrictive MSSR setback works an unnecessary hardship. The required front yard setback in a CB-1 zone is 20 feet which the project is compliant with. In addition, there is an existing bufferyard along the Sabino Canyon Road frontage that lessens the impact of the adjacent development to the MSSR.

**RECOMMENDATION:**

Staff recommends **APPROVAL** of the variance request. The strict application of the code would work an unnecessary hardship since the Sabino Canyon Road right-of-way exists and the request 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:**

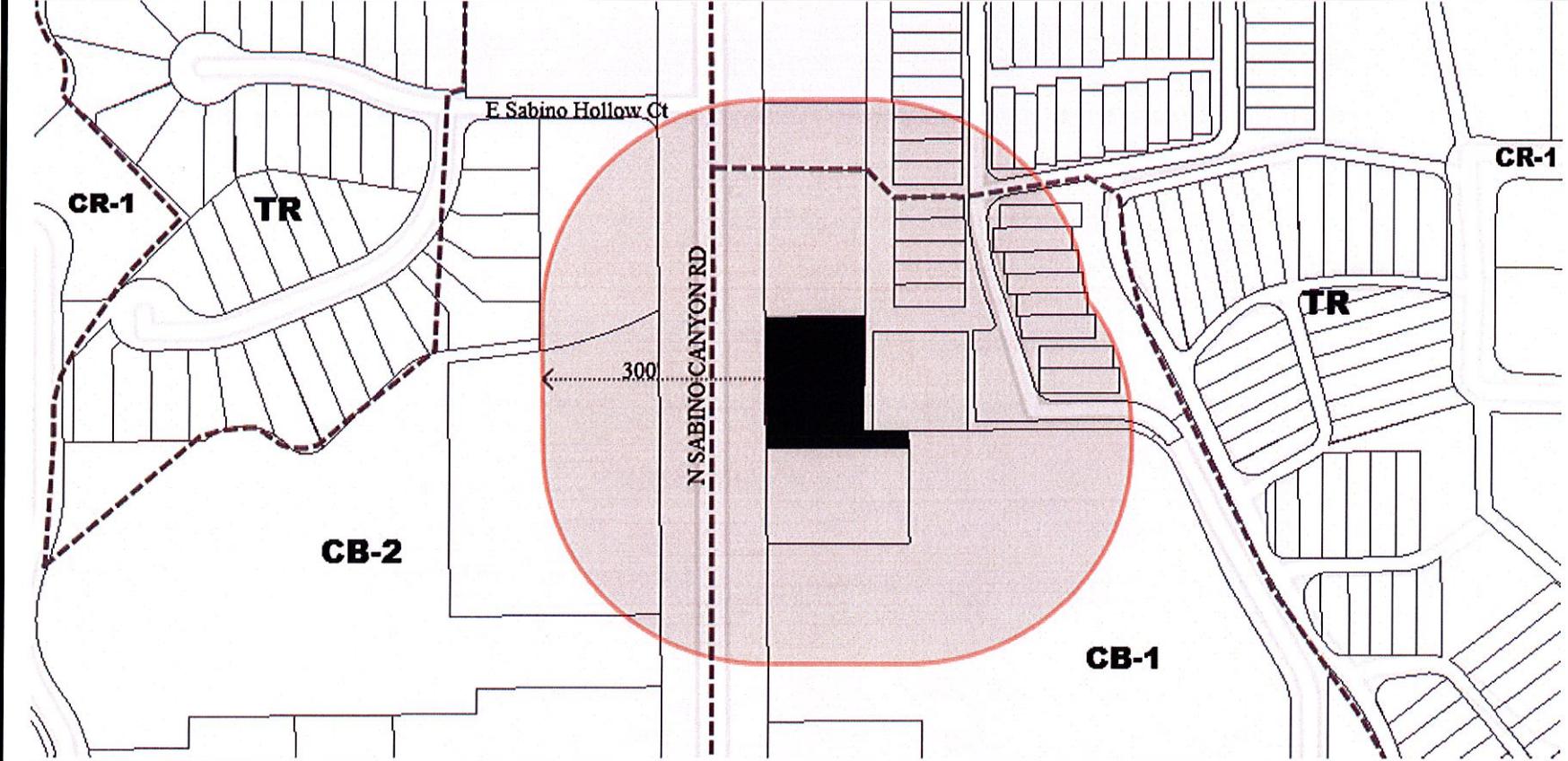
1. The strict application of the provision would work an unnecessary hardship;
2. The unnecessary hardship arises from a physical condition that is unusual or peculiar to the property and is not generally caused to other properties in the zone;
3. The unnecessary hardship does not arise from a condition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

## SABINO CANYON INVESTMENTS LLC—N. SABINO CANYON ROAD

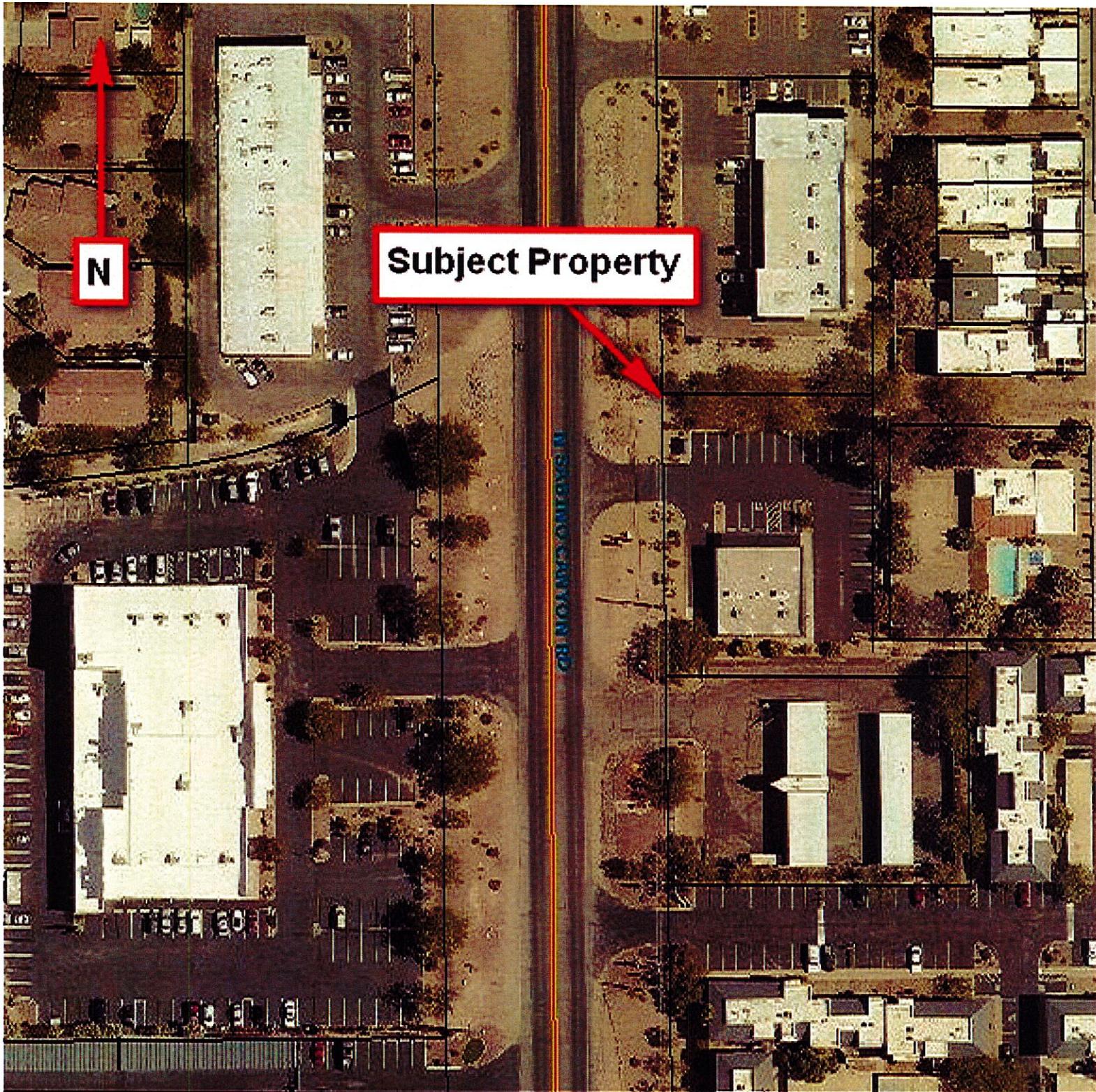


LEGEND	
	Petition Area
	Notification Area

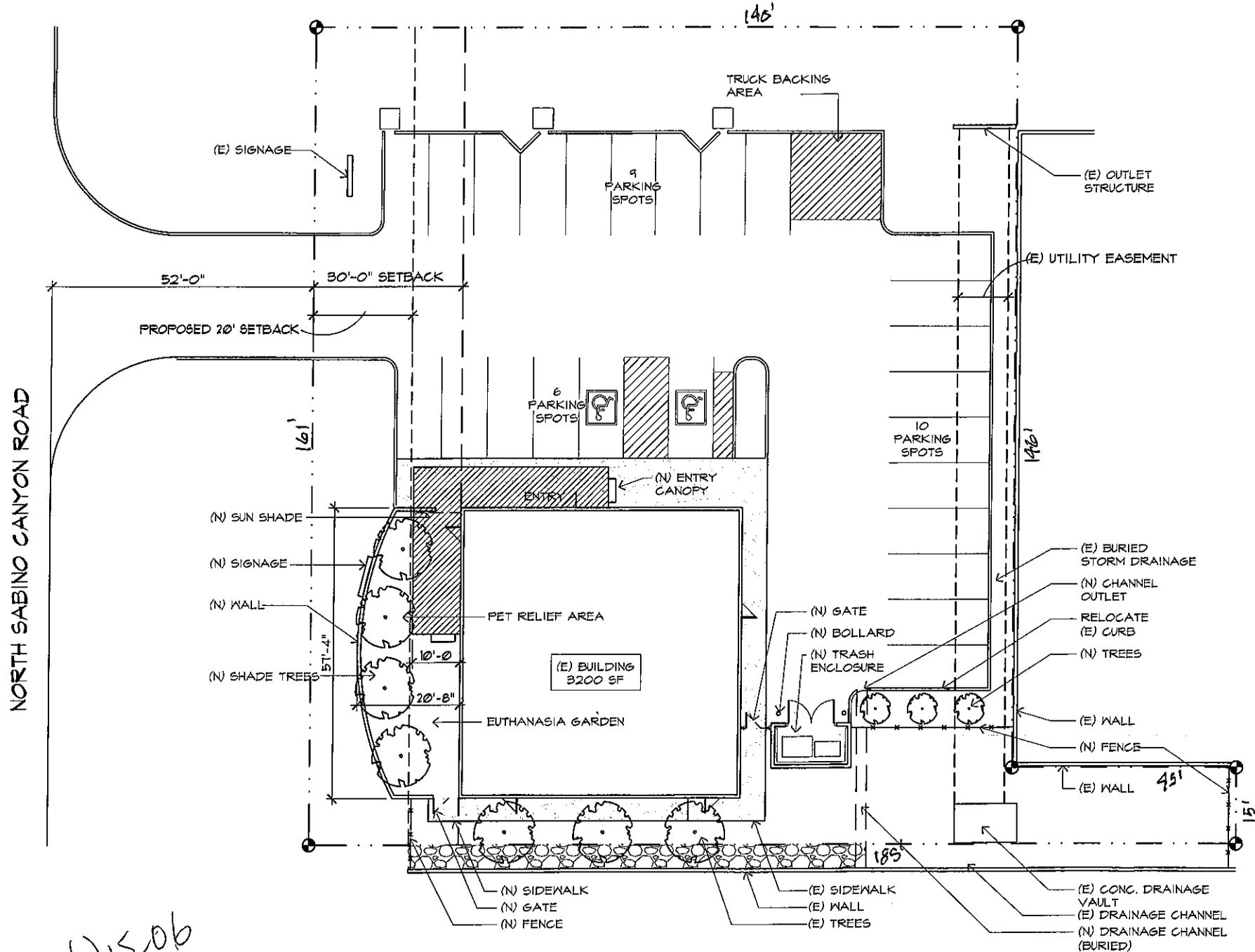
NOTES			
<b>File no.:</b>	Co10(1)15-06	<b>Tax Code(s):</b>	114-11-003K
<b>Application:</b>	Variance	<b>Base Map:</b>	49
		<b>Drafter:</b>	A.H.



5/14/2015



***Co10(1)15-06 Sabino Canyon Investments, LLC  
4910 N. Sabino Canyon Rd. Variance Request***



NORTH SABINO CANYON ROAD

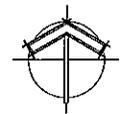
06/06/15-06

9105 west 11th ave.  
lakewood, co 80215  
303.263.4491  
3|darch.com

Project: Sabino Vet Care  
Project No: 1405  
Address:  
4910 Sabino Canyon  
Tucson, AZ

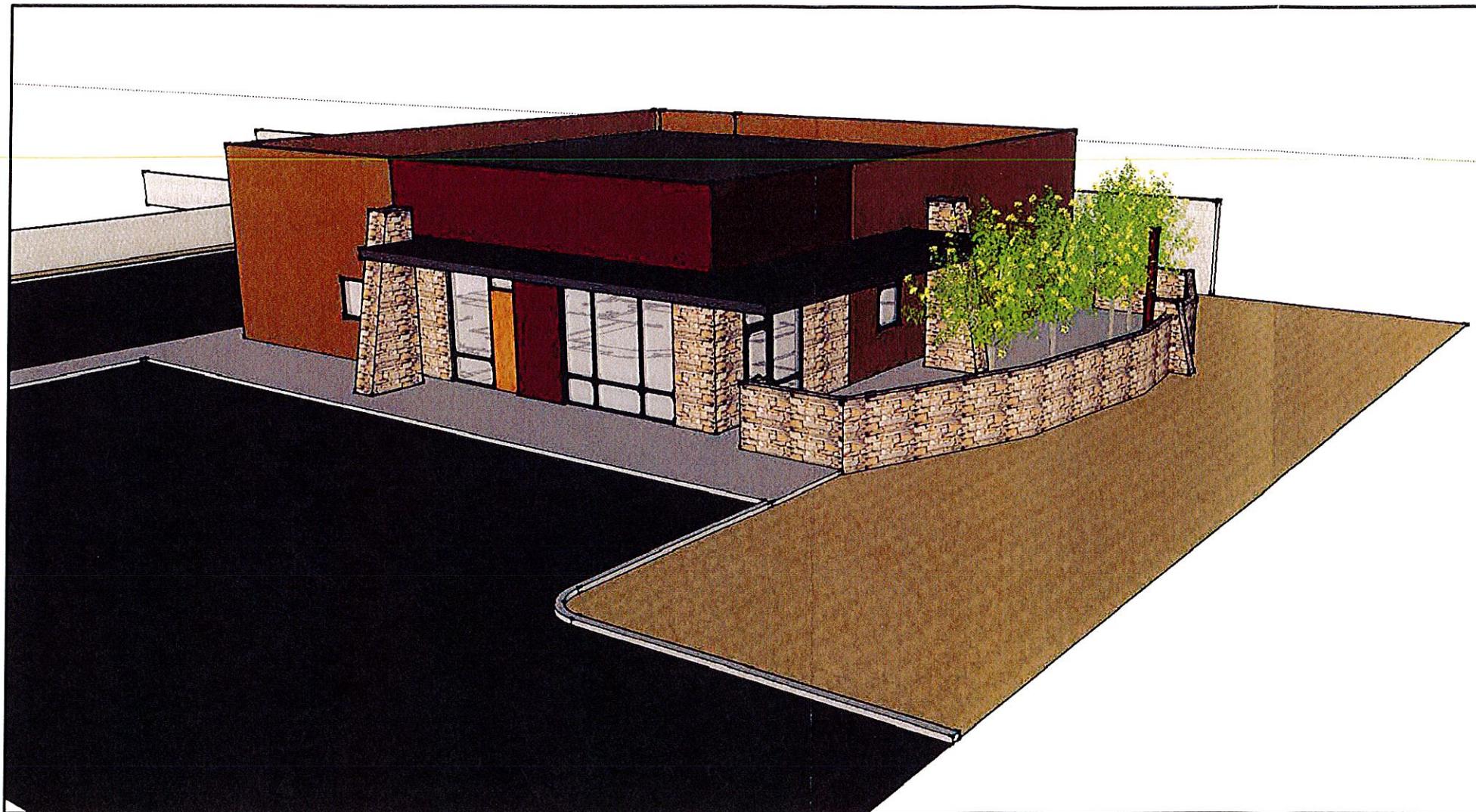
Date: 4/6/2015  
Drawn By:  
Checked By:  
Revision:  
Revision:  
Revision:  
Revision:  
Revision:

ALL DRAWING AND WRITTEN INFORMATION  
APPEARING HEREIN SHALL NOT BE  
DUPLICATED, DISCLOSED OR OTHERWISE  
USED WITHOUT THE WRITTEN CONSENT OF  
3|d+ architecture, COPYRIGHT 2012



**PROPOSED SITE PLAN**

SCALE: 1" = 20'-0"



9105 west 11th ave.  
 lakewood, co 80215  
 303.263.4491  
 3ldarch.com

Project: Sabino Vet Care  
 Project No: 14025  
 Address: 4910 Sabino Canyon  
Tucson, AZ

Date: 05.11.2015  
 Drawn By: \_\_\_\_\_  
 Checked By: \_\_\_\_\_  
 Revision: \_\_\_\_\_  
 Revision: \_\_\_\_\_  
 Revision: \_\_\_\_\_  
 Revision: \_\_\_\_\_  
 Revision: \_\_\_\_\_

ALL GRAPHIC AND WRITTEN INFORMATION  
 APPEARING HEREIN SHALL NOT BE  
 DUPLICATED, DISCLOSED OR OTHERWISE  
 USED WITHOUT THE WRITTEN CONSENT OF  
 3|d|+ architecture, COPYRIGHT 2012

Proposed Rendering

SCALE: \_\_\_\_\_



05.11.2015

**Board of Adjustment District 1 Board Members**  
Pima County Development Services - Land Planning and Regulation  
201 N. Stone Avenue, 2<sup>nd</sup> Floor  
Tucson, Arizona

**Re: Variance Request**  
**Major Street and Route Setback requirements**

Board Members,

We are requesting a variance from Pima County Code of Ordinances Chapter 18.77 Roadway Frontage Standards setback requirements from 30 feet to 20 feet to accommodate the addition of an entry canopy at the west side of the existing building.

The existing building is a 3,192 square foot medical building that is being purchased by Sabino Veterinary Care for the relocation of their nearby veterinary practice. The building will need to be renovated to accommodate animal care services.

The current building includes a loading zone and driveway leading to a trash enclosure at the southwest corner of the property. A storefront window on the north-west corner of the building is located at the existing lobby space and additional windows are present along the west side of the building looking out onto the loading zone and beyond that to North Sabino Canyon Road. At present, there are not any sun-shading devices along the west side of the building, only along the north side at the main entry storefront.

The proposed design for the renovation of the building includes removing the loading zone and trash enclosure and moving it to the east side of the building out of site of incoming patrons and North Sabino Canyon Road. The loading zone area will be replaced with a walled in pet walking and relief area. The surrounding wall will be limited to 5 feet in height. The relief area will be accessed from the main entry lobby at the north-west corner of the building through the modified storefront glazing system. The design is proposing the addition of sun-shading devices at the west side of the building extending 10 feet from the existing wall in order to adequately provide shading of the storefront system and also create shaded areas for pets using the relief area. Additional exterior shade devices are planned for the windows along the west side of the building. The relief area within the walled area will be landscaped and include shade trees to aide in providing an area for pets that provides both structural and natural shading. A portion of the walled area towards the south side of the property will be dedicated as an outdoor grief area for performing euthanasia services.

The variance is being requested to allow the installation of sun-shading devices along the west side of the building. Typically, the west side of buildings experiences the most heat gain during the mid to late afternoon periods and in fact, throughout the day in the summertime. Currently, acceptable areas are not available that provide relief for pets and their owners from the heat during their necessary time outside of the building. In order to provide adequate facilities for the animals and their owners, and the reduction of heat gain through the exterior storefront and windows, shading devices at the exterior of the west side of the building are a necessity. We believe this variance will allow the proposed renovation to provide acceptable exterior relief areas as well as improve the overall appearance of the building from Sabino Canyon Road.

Thank you for your time and consideration.



**Variance Application**

Revised 12/2013

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

Property Owner: SABINO CANYON INVESTMENTS Phone: ~~951~~

Owner's Mailing Address: 1598 LYLE DR. City: SAN JOSE Zip: 95129

Authorized Representative: JIM STOFFT JEFF KEAST Phone: 620-547-9320

Rep's Mailing Address: 4960 N. SABINO CANYON <sup>303 263 4491</sup> City: TULSON Zip: 85750

Property Address: 4910 N. SABINO CANYON City: TULSON Zip: 85750

Tax Code Number(s): 11411003K Zone: 1605CB-1

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

Owner or Applicant's Email Address: STOFFTJVM@GMAIL.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: [Signature] FOR JAMES STOFFT Date: 05/13/15

**INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED**

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

Case Title: Sabino Canyon Investments, LLC - N. Sabino Canyon Road Co10(1) 15-06  
OWNER'S NAME - STREET NAME (EX. JONES- E. SPEEDWAY BOULEVARD)

requests a variance(s) to Section(s) 18.71.040B.1 of the Pima County Zoning Code which requires a setback of 30 feet in addition to half the required right-of-way width for all Major Streets and Routes as designated on the Major Streets and Service Route Plan.

REC'D AT DEVELOPMENT SERVICES - PLANNING DIVISION BY D.P. DATE 5/13/15.