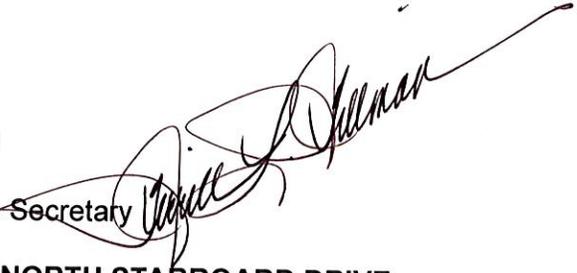




**PIMA COUNTY**  
DEVELOPMENT SERVICES

DATE: December 28, 2015  
TO: BOARD OF ADJUSTMENT District 1  
FROM: Terrill L. Tillman, Assistant Executive Secretary   
SUBJECT: **P15VA00033 JAHEN/SODABEH - NORTH STARBOARD DRIVE**  
Scheduled for public hearing on January 4, 2016

---

**LOCATION:**

The subject parcel is located approximately nine hundred feet north of Hawser Street and seven hundred feet east of Twin Lakes Drive. The property is zoned CR-3 (Single Residence Zone).

**SURROUNDING ZONING / LAND USES:**

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

**PREVIOUS CASES/PERMITS ON PROPERTY:**

**P14CP01587** for a single family residence (issued status, valid permit)

**P14CP05090** for a one-year temporary mobile home while constructing a residence with a valid permit (expired August 15, 2015)

The property is the subject of a current violation case **P15CV00497** for structures (RV and detached accessory building) without permits. The property owner applied for a temporary 180-day mobile home extension permit **P14CP05090** to bring the property into compliance with the Pima County Zoning Code. The legal notification was sent on October 20, 2015. A letter of protest was received within the 15 day protest period to the granting of the temporary 180-day extension, hence, this case is heard by the Board of Adjustment. Permitting or removing the temporary RV is necessary to finalize/close the current violation.

The property has had two previous violation cases reported on the property. The first violation case (P14CV00330) opened on 6-15-2014 found no violation for accessory lot coverage and building without a permit.

The second violation case (P15CV00006) was opened 1-6-2015 for an addition to an RV. The property owners removed the addition and left the addition as a detached accessory building on site to resolve the violation case.

**PUBLIC COMMENT:**

One letter of opposition to the temporary 180-day mobile home extension has been received by the adjacent property owner to the west citing concerns for ongoing violations, property values and neighborhood aesthetics.



**REQUEST:**

The property owners have made an appeal to allow a temporary 180-day mobile home extension. Sections 18.25.010A2 and 18.17.020A2 of the Pima County Zoning Code state that in the CR-3 zone, a property owner may apply to the zoning inspector for a permit to allow a one-year temporary mobile home to be placed on the property during the construction of a residence on the same property. The property owner may request a 180-day time extension to the one-year temporary mobile home permit from the zoning inspector. Property owners within 100 feet of the subject property shall be notified by mail and given 15 days from the date of the mailing to file a written protest. If a written protest is received, the board of adjustment shall hear the case in accordance with Section 18.93.040 of the Pima County Zoning Code.

**TRANSPORTATION AND FLOOD CONTROL REPORT:**

No comment but will review at the time of permitting.

**BACKGROUND:**

The .24 acre subject property is located approximately three quarters of a mile east of Oracle Road and 700 feet north of Hawser Street. The site is flat and at the same elevation as the surrounding properties. The property owners have a valid permit for development of a single family residence on site. The first inspection for temporary power and the footing were approved on December 22. The single family residence permit will remain valid as long as the property owners continue construction and have approved inspections. The permit will expire if the property owner does not complete the next phase of construction and inspections within twelve months of the previous inspection. The owners have worked with Development Services to remedy the current violation on the property and are moving ahead with construction of the 1200 square feet single family residence.

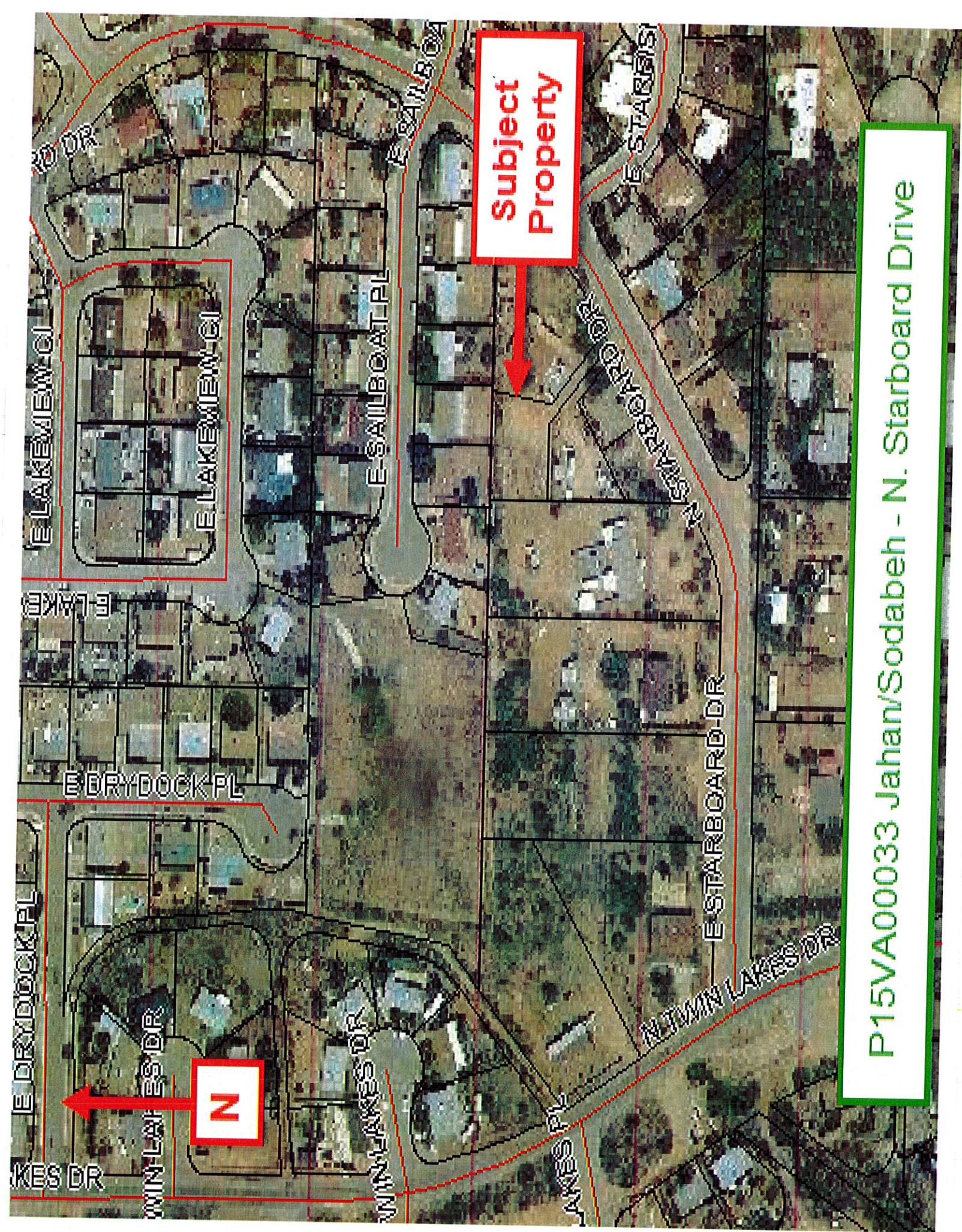
**RECOMMENDATION:**

Staff has **NO OBJECTION** to the request. The zoning code allows for the application of a 180-day time extension to the temporary mobile home permit. Section 18.93.040 of the Pima County Zoning Code gives the Board of Adjustment the authority to approve a temporary use permit when it is of a true temporary nature and is in harmony with the general intent and purposes of the code.

\*\*\*\*\*

**Standards that must be considered by a board of adjustment when considering a temporary use permit include:**

1. Is of a true temporary nature;
2. Does not involve the erection of a substantial building;
3. Will not cause injury to or adversely affect the rights of adjacent property owners or residents;
4. Is in harmony with the general intent and purposes of this code; and
5. Does not violate state law or other provisions of Pima County ordinances.



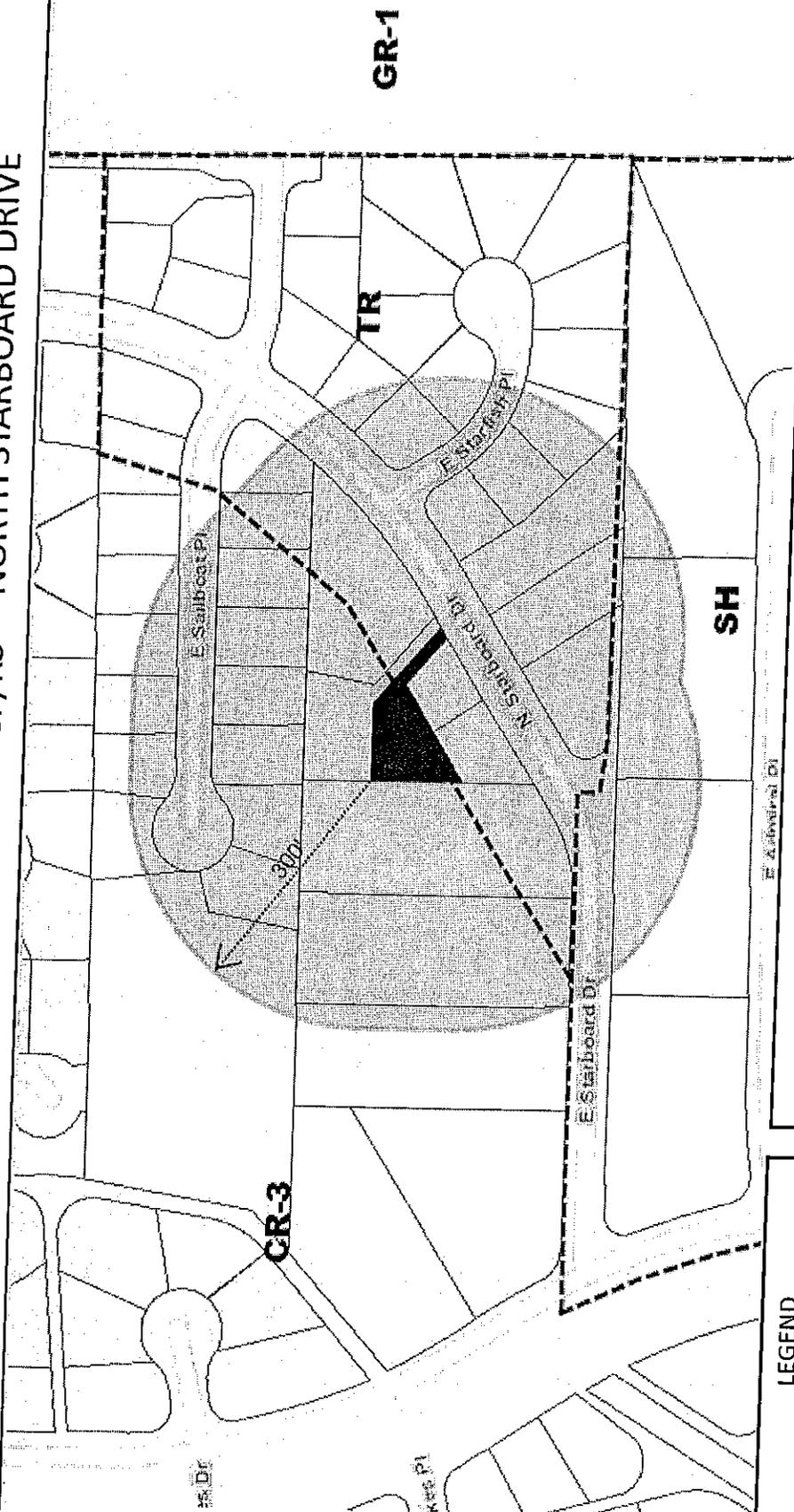
**Subject  
Property**

**P15VA00033 Jahan/Sodابه - N. Starboard Drive**



# NOTIFICATION MAP

JAHAN SAM H & SODABEH NAFISI CP/RS — NORTH STARBOARD DRIVE



## LEGEND

-  Petition Area
-  Notification Area

## NOTES

File no.:	P15VA00033	Tax Code(s):	222-23-151F
Application:	VARIANCE	Base Map:	432
		Drafter:	A.H.

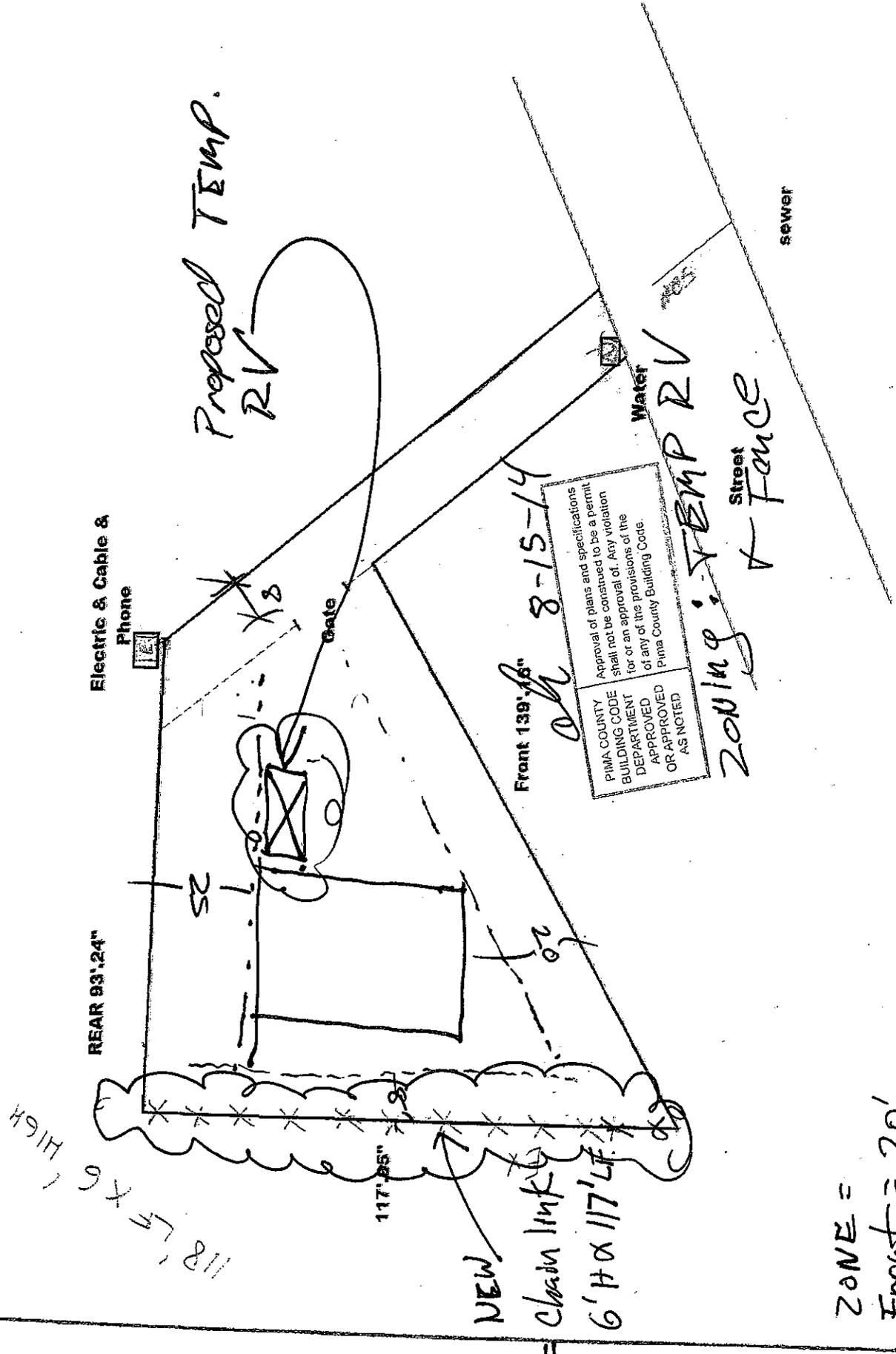


12/16/2015

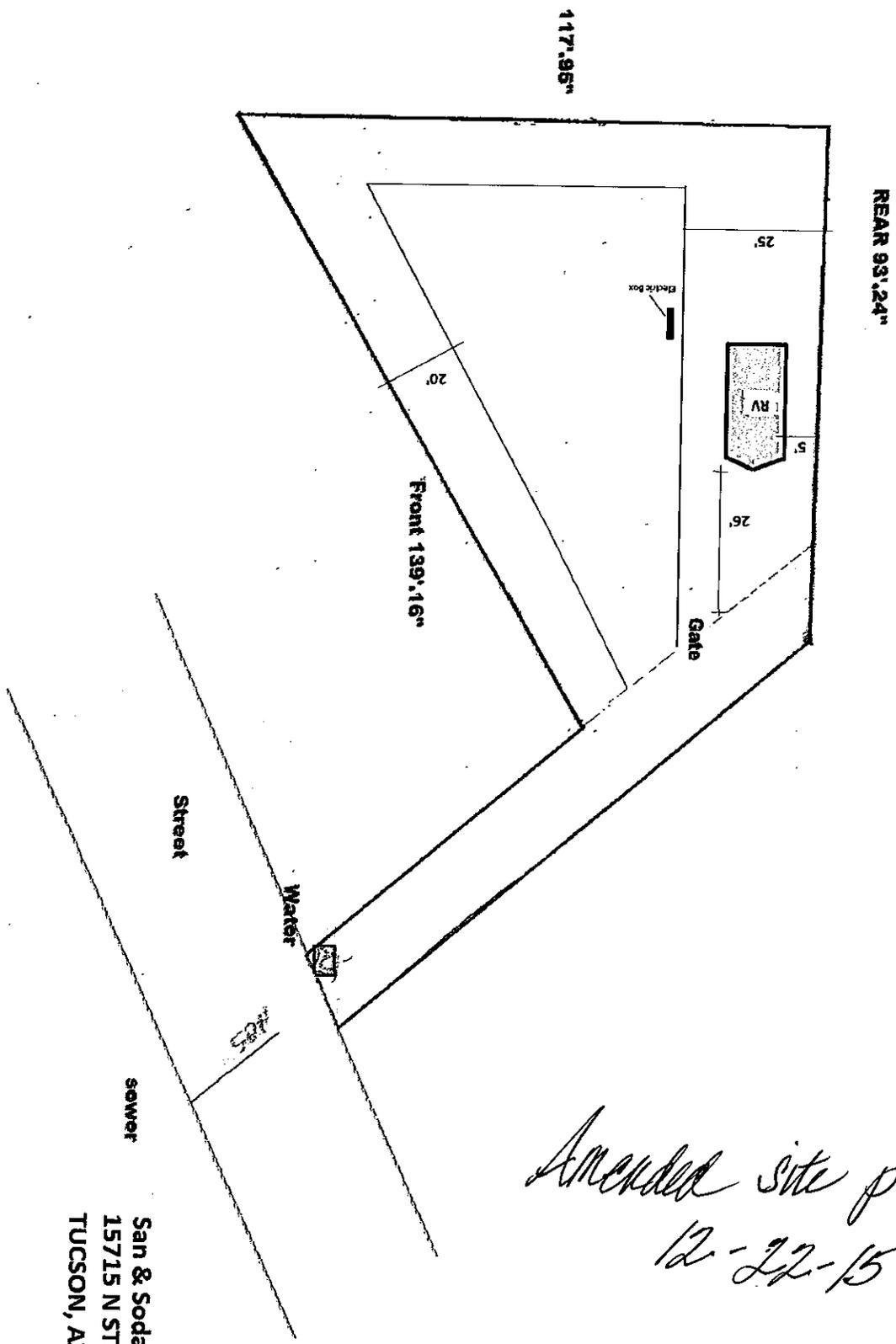
15715 N. Starboard Dr.  
 Tucson, AZ 85739

P11 (PO 5090)

DRIVEWAY  
 ACS



ZONE =  
 Front = 20'  
 Side = 8'  
 Rear = 70'



*Amended site plan  
12-22-15 HLL*

San & Sodabeh Jahan  
15715 N STARBOARD DR  
TUCSON, AZ 85739

# Fax Transmittal

RECEIVED  
DEC 21 2015

**Date:** 12/21/15

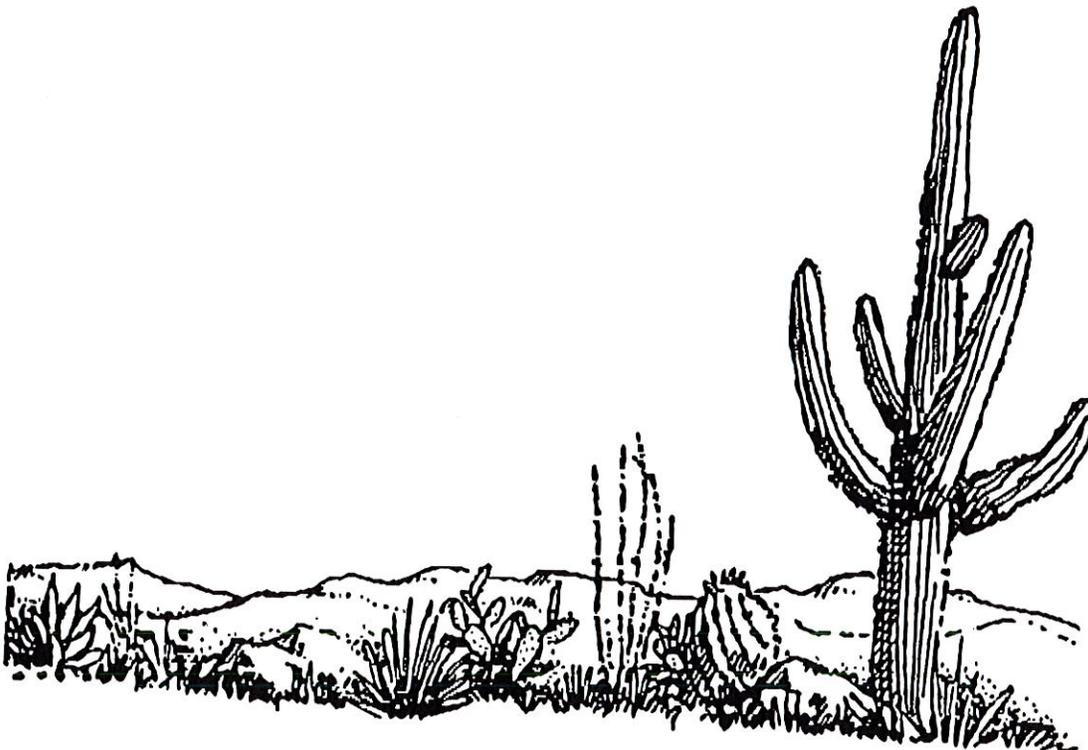
**To:** Terri Tillman @ Pima.Gov  
**Fax Number:** 520-623-5411  
**Phone Number:** \_\_\_\_\_

**From:** \_\_\_\_\_  
**Fax Number:** (520)-883-0362  
**Phone Number:** (520)-883-0362

**Pages to Follow:** 11

**Special Instructions:** \_\_\_\_\_

Pima County Board of adjustment District 1 Notice of Hearing  
File # P15VA00033



Wayne J. & Virginia F. Curry  
15694 N. Twin Lakes Dr.  
Tucson, AZ 85739  
(520)-883-0362  
(520)-991-4012  
WJCURRY1@PEOPLEPC.COM

December 21, 2015

To Whom It May Concern or Terri Tillman

Re: File # P15VA00033

Please find attached correspondence & pictures sent to Bob Drzazgoweski on 10/26/15 regarding File # P15VA00033.

In addition per Mr. Poirier, Assistant Planning Officer, we are repeating our decent on this matter, and in response to the published letter from Friday 12/18/15 from Pima County Board Of Adjustment.

Twenty (20) months dealing with a many time line code enforcement violation & aesthetically revolting objects on said property at 15715 N. Starboard Dr is enough. We respectfully request that the said objects. If the RV needs to remain 40 more days this is agreeable to us, that will be 141 (code violation days) plus the 40 days will encompass 180 day extension.(From August 17, 2015 – February 14, 2016 They will have their 180 day extension plus 1 day, from their original permit expiration date. Even though the original permit was 4 – 5 months late being obtained,as Code Enforcement had to step in.

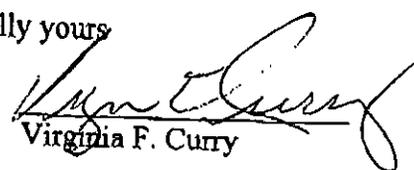
Their repeated disrespect of their neighbor's property values & Code Enforcement rules & regulations as previously addressed, (SEE ATTACHED) does not warrant their being "rewarded" with any additional extension time beyond the 40 days.

We are grievously concerned that the house to be built will become an oversized "aesthetically revolting object." As the current ones are! The inhibitors building skills appear to be shoddy at best & we hope the building inspectors will see that building codes be followed and in reasonable time periods.

Just in the past 2 weeks they have started digging for foundation footings. This however does not negate their 20 months of violations, everything not required for construction should be removed immediately, including the RV.

Respectfully yours

  
Wayne J. Curry

  
Virginia F. Curry

Wayne J. & Virginia F. Curry  
 15694 N. Twin Lakes Dr.  
 Tucson, AZ 85739  
 (520)-883-0362  
 (520)-991-4012  
 WJCURRY1@PEOPLEPC.COM

Picture exhibit 4 please note the collection of infringements , else where, could be seen , old tires, broken chairs etc, lead us to extending our fence height to 6' and adding screen cloth for 150' at the cost of \$1000.

These inhabitants have been requested nicely, warned & cited regarding their malevolence & code violations & their RV permit expired as of August 16, 2015!

It is 2 months since the proper steps should have been taken for the inhabitants to vacate the property and we are getting a letter now that they want to extend!  
 The inhabitants arrogance & disrespect regarding building code and lack of respect of the neighbors and the property values has gone on long enough. They do not deserve an extension & I reiterate "extension to do" what & wear", with what is currently being harbored on the property, not in 180 days or 1800 days!

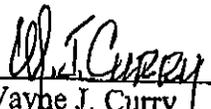
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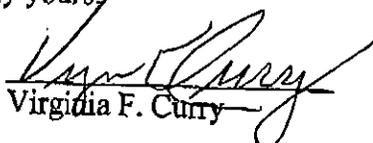
If there is any question about the property at 15715 N. Starboard please come and take a look. Please notice the white table cloth tacked to the front fence that we have to look at every time we or anyone else enter our property.

If there is going to be a house on said property within 6 months they need to vacate the property to accomplish this, which probably is not going to happen in the next 6 months as it hadn't in the past 17 months.

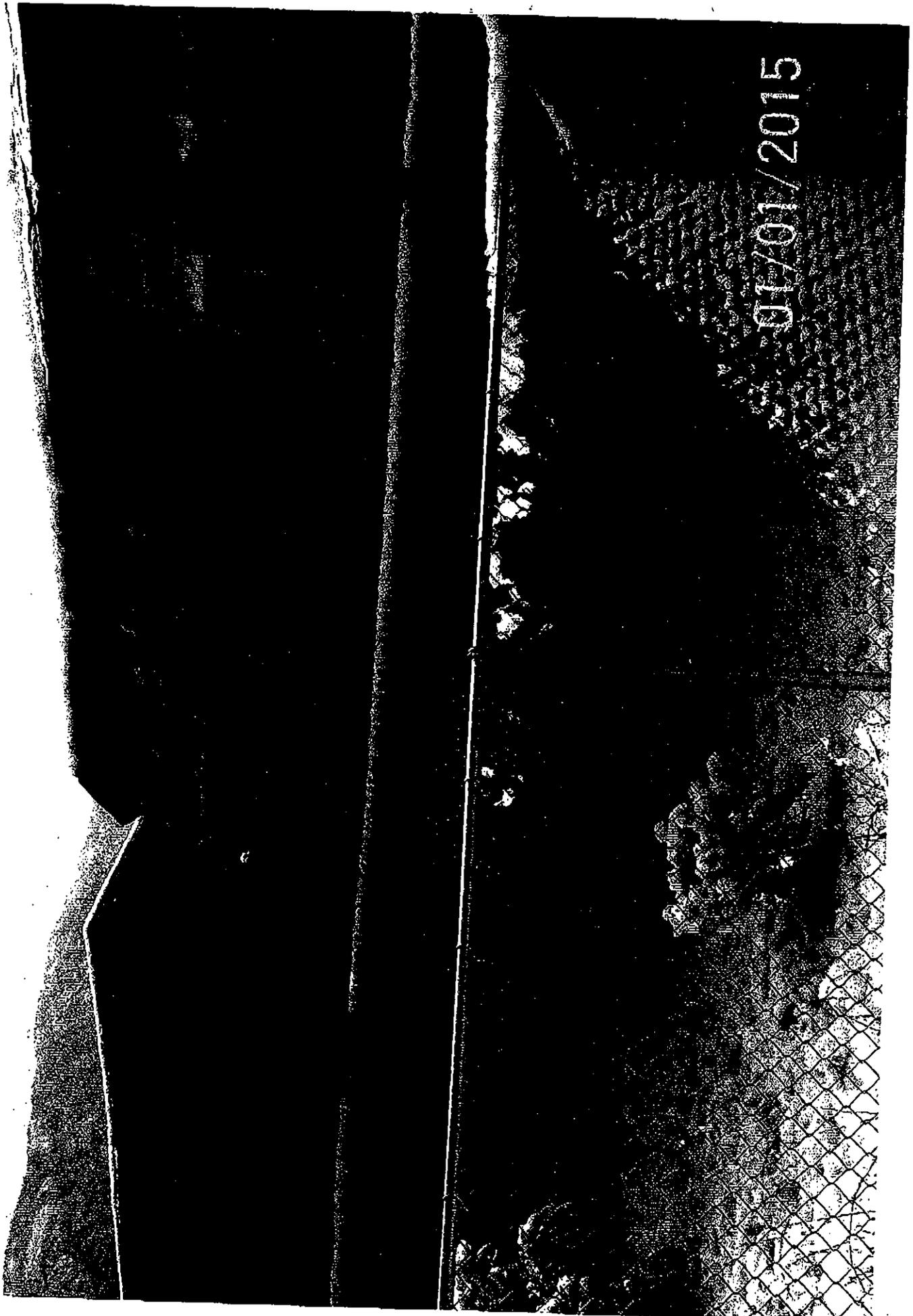
To reiterate **NO** extension should be granted !

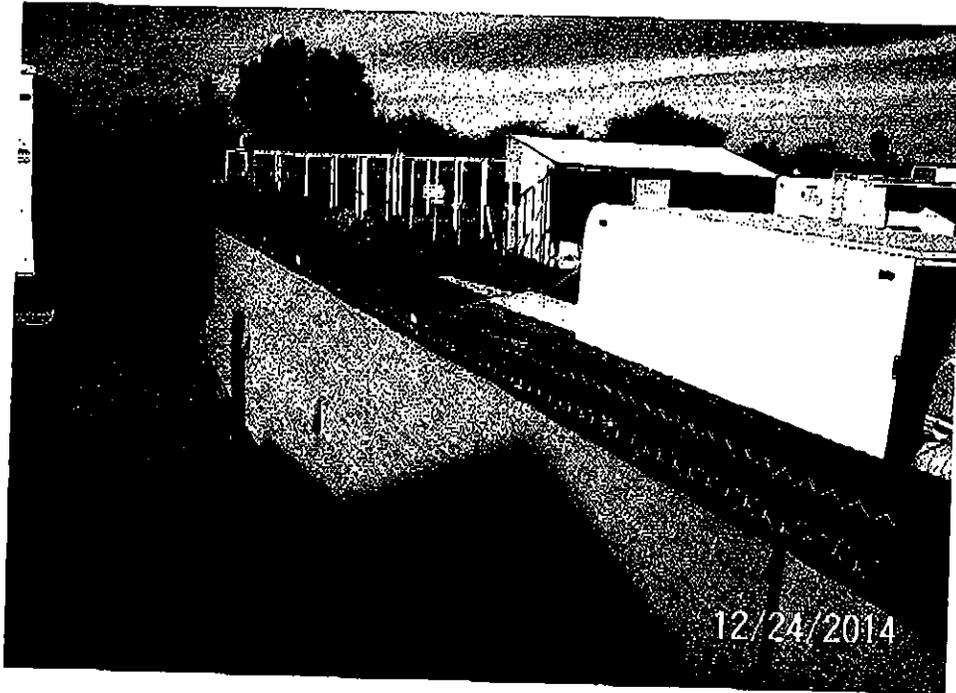
Respectfully yours,

  
 \_\_\_\_\_  
 Wayne J. Curry

  
 \_\_\_\_\_  
 Virginia F. Curry

ATTACHMENTS:  
 Copy of Original Notice  
 5 Pages of pictures  
 2 copies of initial complaints







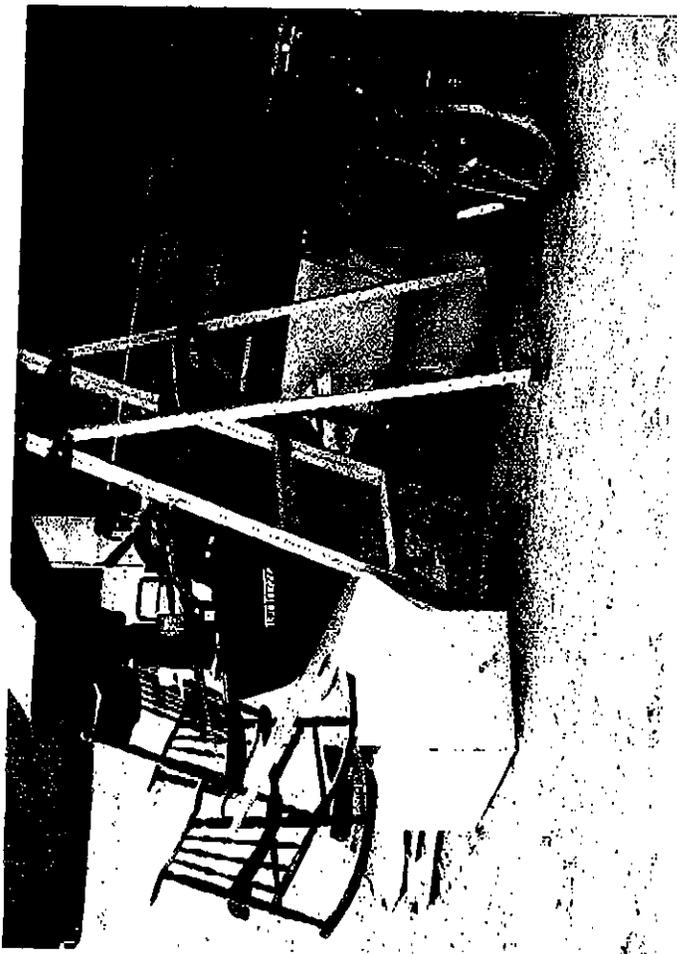
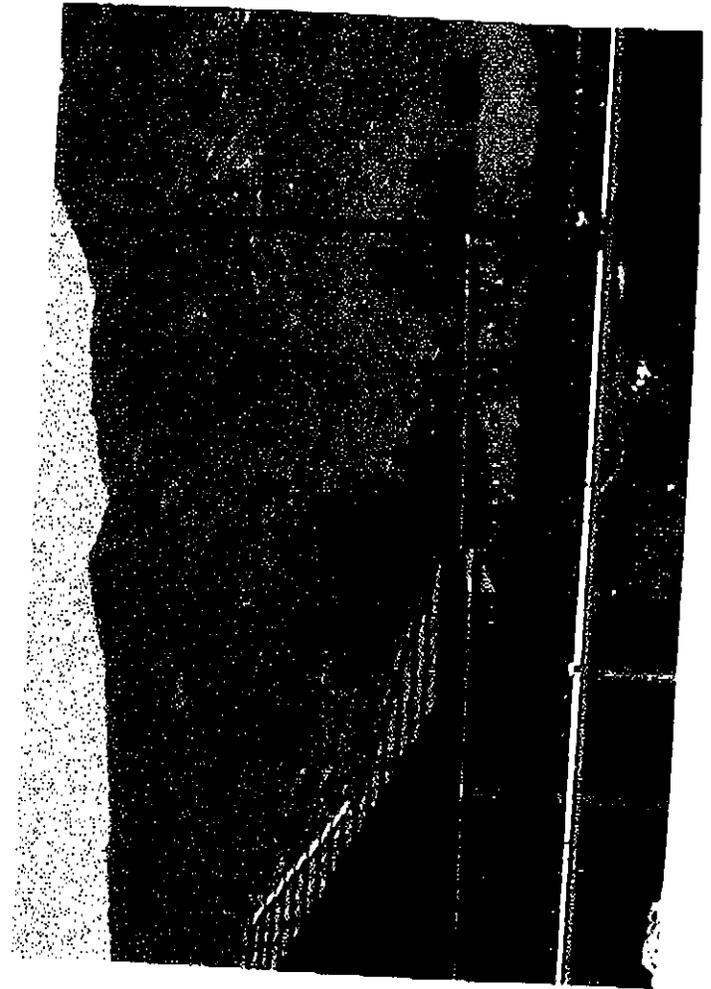
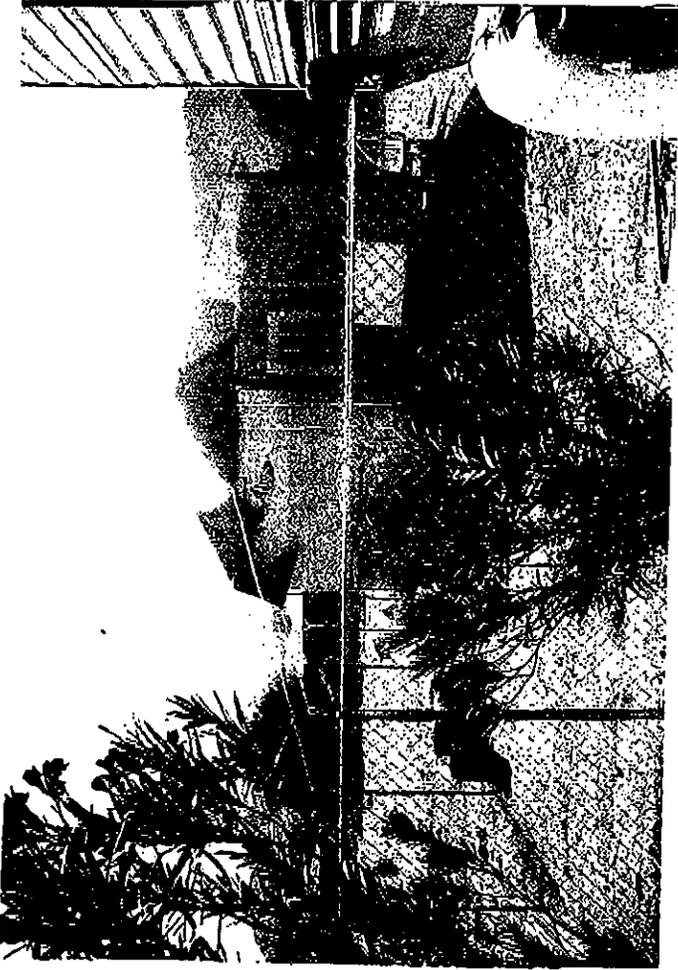
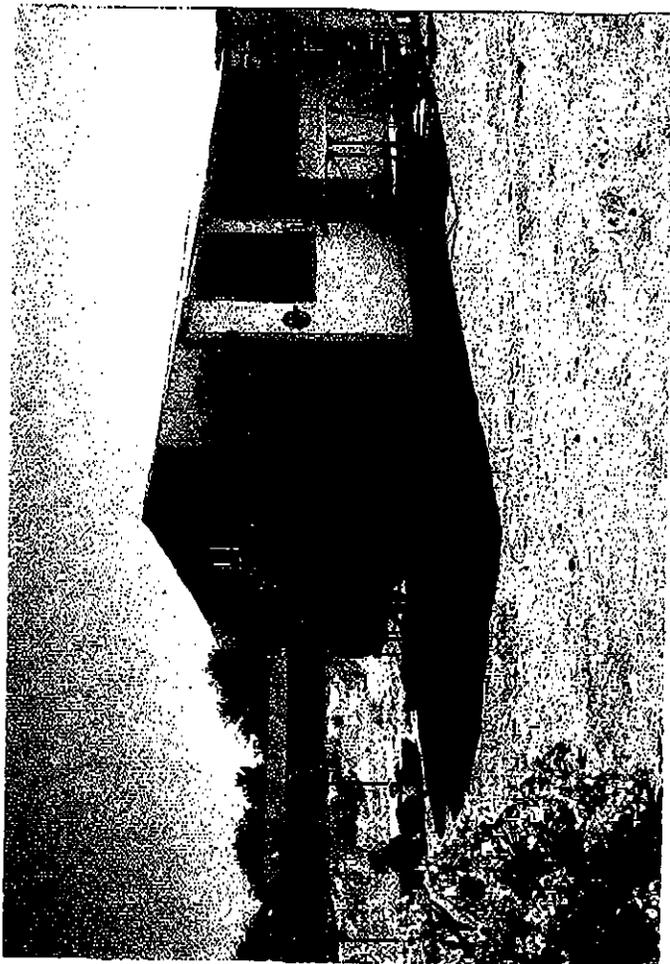
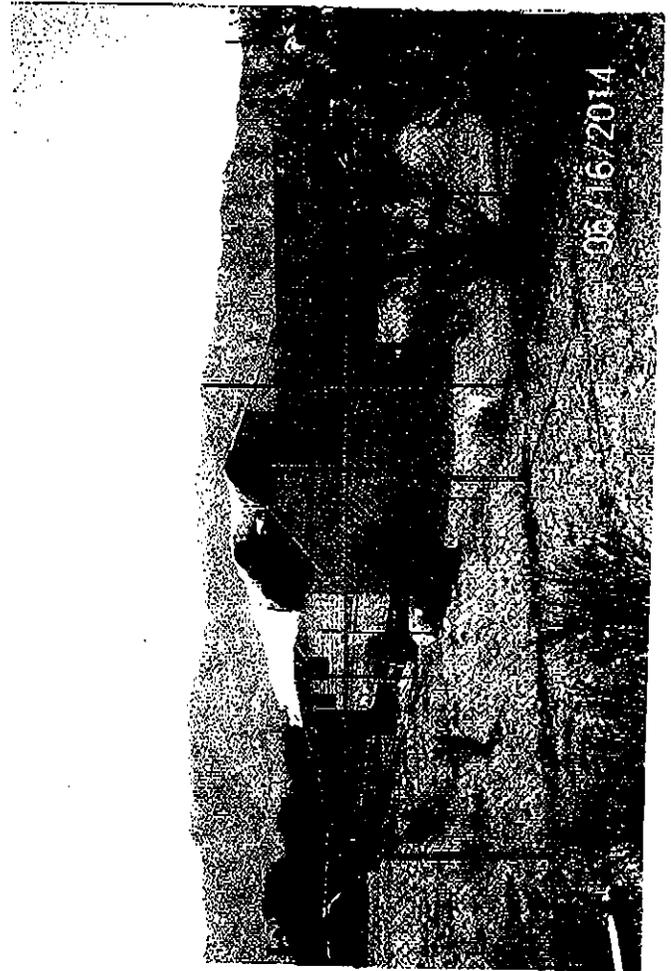
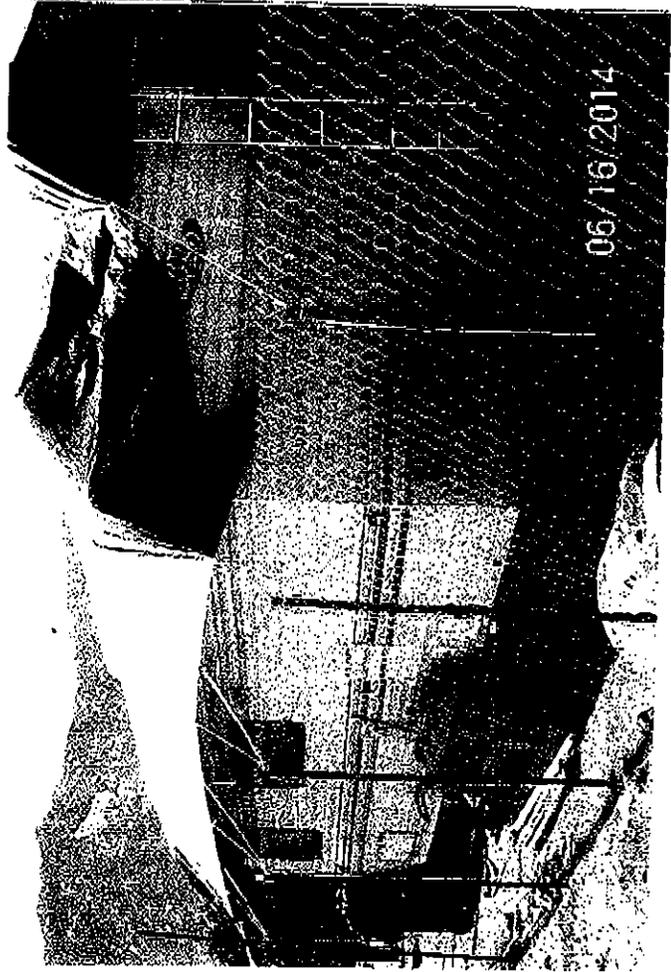


EXHIBIT 4





**CODE ENFORCEMENT DIVISION  
COMPLAINT****15715 N STARBOARD DR. Tucson, AZ 85739 JAHAN SAM H & SODABEH NAFISI CP/RS  
RE: 22223151F**

To the best of our knowledge a 1200 Sq.Ft house was to be built 10 feet from our property line on this less than ¼ acre lot.(approx. 10,000 sq ft)

Please see exhibits attached/enclosed to visualize possible code violations, in a residential neighborhood.

Exhibits 1 thru 6 denote a unfinished addition to a 25' - 28' travel trailer, ( most likely built without a permit) that is approximately 250 SQ. FT.. We have no problem with RV's but question how many are allowed on a lot this size, along with semi-permanent addition the lot now holds, besides the one they are living in and the addition, a 20' flat bed trailer, a 12 or 14' cargo trailer, 2 cars, and a 22 'goose neck RV, which they don't have a vehicle to move it, with junk piled underneath it (Exhibit 7) and a large shed. We question how they could fit a 1200sq ft house.

Sheds are acceptable however, we believe it needs to be 10' from our property line, if it were moved to 10' it would be very difficult to fit a 1200Sq Ft home. Currently the shed is about 6' from the line. (Exhibit 8)

There are bold red pipes, of questionable size, holding up their chain link fence (Exhibit 9 & 10) and a clothes dryer hooked up outside on the east side of the addition.

Looking at this site from a safety standpoint you would have to question the roof material and how it is attached. With the wind storms we have here it could become a flying hazard. The RV they live in has a large blue tarp over it to cool the unit this is attached to the roof of the addition and the questionable size fence post.. This will also add to the safety factor.

Wayne J & Virginia F Curry  
15694 N Twin Lakes Dr  
Tucson, AZ 85739  
520-8830362  
wjcurry1@peoplepc.com

CODE ENFORCEMENT DIVISION  
COMPLAINT  
15715 N. STARBOARD DR, TUCSON, AZ, 85739, JAHAN SAM H & SODABEH NAFISI CP/RS  
RE: 22223151F3

This property has previously been sited (refer to case # P14CV00330). Presently they have constructed an additional shed, approximately 20 x 12, double decker, we are advised with no permit.

There is, possibly well hidden, water & power in the "OLD SHED" that they have used all summer to power their swamp cooler & what ever else they have in there.

In addition to those 2 structures there is an additional 10 x 12 shed. This give them approximately 600 square feet of storage on a 10000 sq/ft lot with a permitted, temporary living RV permit and a house building permit.

Please see attached pictures for clarification and if additional information is required contact Virginia F Curry on 520-883-0362

10/25/2015



**PIMA COUNTY  
DEVELOPMENT SERVICES DEPARTMENT**

201 N. Stone Avenue, 1<sup>st</sup> Floor  
Tucson, AZ 85701-1207

**ZONING ENFORCEMENT  
DIVISION**

Phone: (520) 724-6675

October 20, 2015

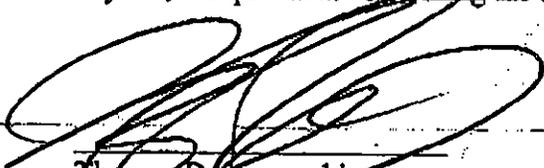
**NOTICE**

This is to notify you that JAHAN SAM H & SODABEH NAFISI has submitted a request for a **180-day extension on a temporary mobile home permit** for the property located at **15715 N. Starboard Dr.**

Section 18.17.020(A)(02)(a) of the Pima County Zoning Code allows a 180-day extension of a temporary use permit for a mobile home while a residence is being constructed.

If you have an objection to the granting of the extension for a temporary use permit, your written protest must be received by Code Enforcement Division, 201 N. Stone Ave, 2nd floor, Tucson, AZ, 85701, on or before **November 5, 2015**. A written protest must include the name and address of the person submitting the protest and the reason why the request should not be granted.

If you have questions concerning the application, please contact me directly at 724-6675.

  
Thomas D. Mazgowski  
Deputy Chief Zoning Inspector



201 N. Stone Avenue, 1<sup>st</sup> Floor  
Tucson, AZ 85701-1207  
Phone: (520) 724-6490

**Temporary Mobile Home Application**  
Section 18.17.020A.2

Address of Property: 15715 N. Starboard Dr.  
SFR Permit Number: ~~P14CP00964~~ P14CP01587 CR3 Zone: CR3 Map: \_\_\_\_\_  
Temporary MH Permit Number: P14CP05090 -222-23-151F

**To Whom It May Concern:**

I, the Undersigned, request a <sup>180 day extension</sup> ~~one year~~ temporary use of a mobile home during the construction of my residence.

Date Mobile Home is to be Located on Lot: 180 days from approval

Date Mobile Home is Due Off Lot: 180 days from approval

Printed Name of Applicant: Jahan Sam + Sedabeh Nafasi

Signature of Applicant: \_\_\_\_\_

Approved by Zoning Inspector: Subject to Notice  
Name \_\_\_\_\_ Date \_\_\_\_\_

P15ZE00032

\*\*\*\*\*For Office Use Only\*\*\*\*\*

Case No: P15VA 00033 Enforcement Zoning inspector \_\_\_\_\_



**PIMA COUNTY  
DEVELOPMENT SERVICES DEPARTMENT**  
201 N. Stone Avenue, 1<sup>st</sup> Floor  
Tucson, AZ 85701-1207

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Phone: (520) 724-6675

October 20, 2015

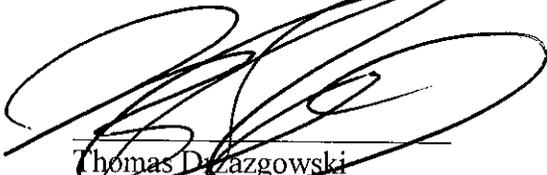
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Thomas D. Zazgowski  
Deputy Chief Zoning Inspector



**PIMA COUNTY  
DEVELOPMENT SERVICES DEPARTMENT**

201 N. Stone Avenue, 1<sup>st</sup> Floor  
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Phone: (520) 724-6675

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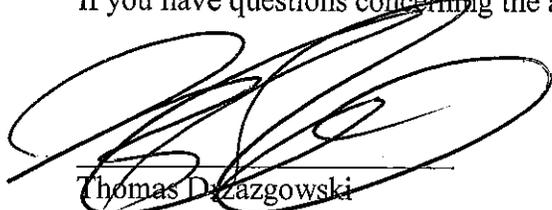
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Wayne J. & Virginia F. Curry  
15694 N. Twin Lakes Dr.  
Tucson, AZ 85739  
(520)-883-0362  
(520)-991-4012  
WJCURRY1@PEOPLEPC.COM

NOV 03 2015

October 26, 2015

RE: Temporary Mobile home permit

Dear Mr. Drzazgowski

Pursuant to the matter at 15715 N. Starboard Dr. Tucson, AZ 85739 and it's inhabitants (to be referred to as such in this correspondence) and said correspondence to be considered an absolute "written protest" regarding the 180 day extension for a temporary use permit for an RV Trailer /mobile home on the above stated property. Seventeen months is quite long enough, seven months which there was no permit, thus out of compliance with code enforcement.

Since March 2014 the inhabitants of this property have continually made a mockery of Code Enforcement rules & regulations, not to mention "in your face" to surrounding neighbors.

Little has come from the endless phone calls & two formal complaints to Code Enforcement. We are told in many ways their "hands are tied" thus the inhabitants can take advantage. Seventeen months worth!

We had no objection to one RV and a modest shed needed while the construction of a 1200 ft. home was being built. Temporary permits are called temporary for a reason!

The inhabitants have had two RV's on this property for a good part of eight months out of seventeen. In addition there is a 10 x 12 shed, a 12 x 12 x 14 shed and a Shanty /shack constructed of plywood and Blue Tarps 10 x 25 x 12 which was originally attached to one of the RV's & has subsequently been moved to the fence, in tack.

Further more, for several months along with the 12x 12 x 14 high shed & the Shanty/shack has been being used as extended living quarters evidenced by visible lighting & cooling.

In addition to the RV, the Shanty & the 12 x 16 x 12 shed, the 10 x 12 Metal shed there is also a flatbed trailer, a cargo trailer, two autos and extensive garden all around the perimeter of this property of approximately 6000 ft. build able ground.

Where is the 1200 sq. ft. house going? Currently their garbage cans are kept on an adjoining lot as there is no room for them.

In addition a Gray Tarp was strung from the brown shed to a metal frame 4' above our 6' Professionally installed fence & approximately 15' from the shed. Ultimately the wind almost tore the shed it was attached to apart so the tarp was partially removed an the shed repaired by white caulking all seams, corners & windows making another "eye sore" Picture exhibits 1, 2, 3 please note the 10' red corner poles.

Wayne J. & Virginia F. Curry  
15694 N. Twin Lakes Dr.  
Tucson, AZ 85739  
(520)-883-0362  
(520)-991-4012  
WJCURRY1@PEOPLEPC.COM

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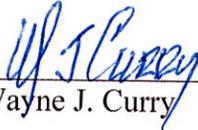
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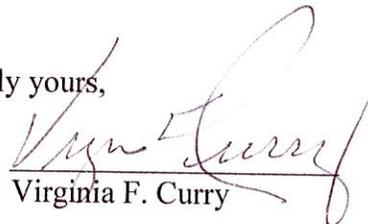
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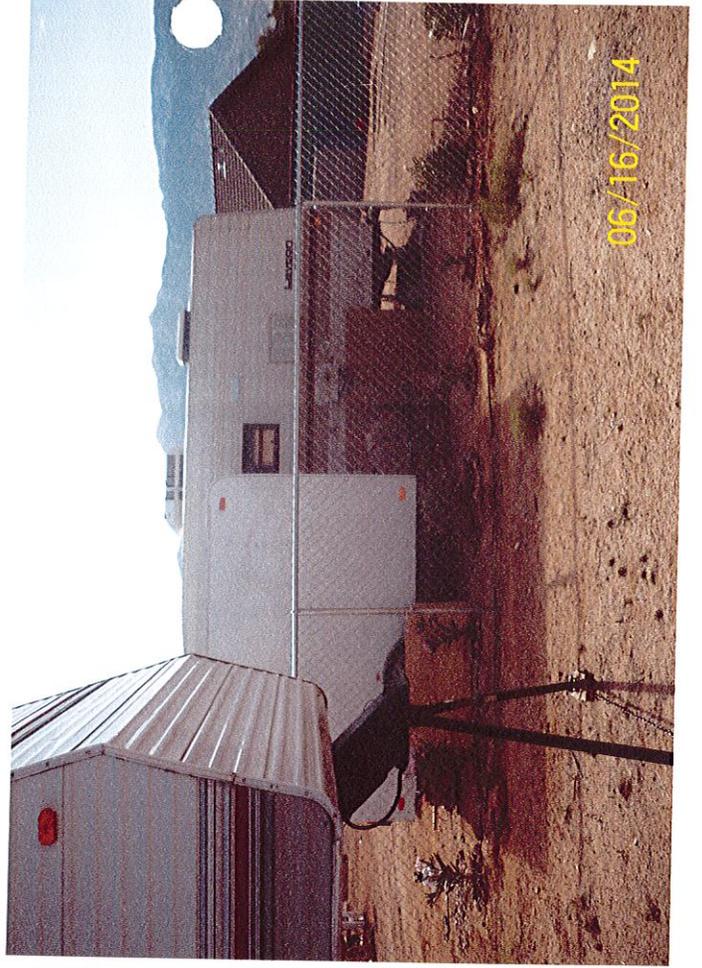
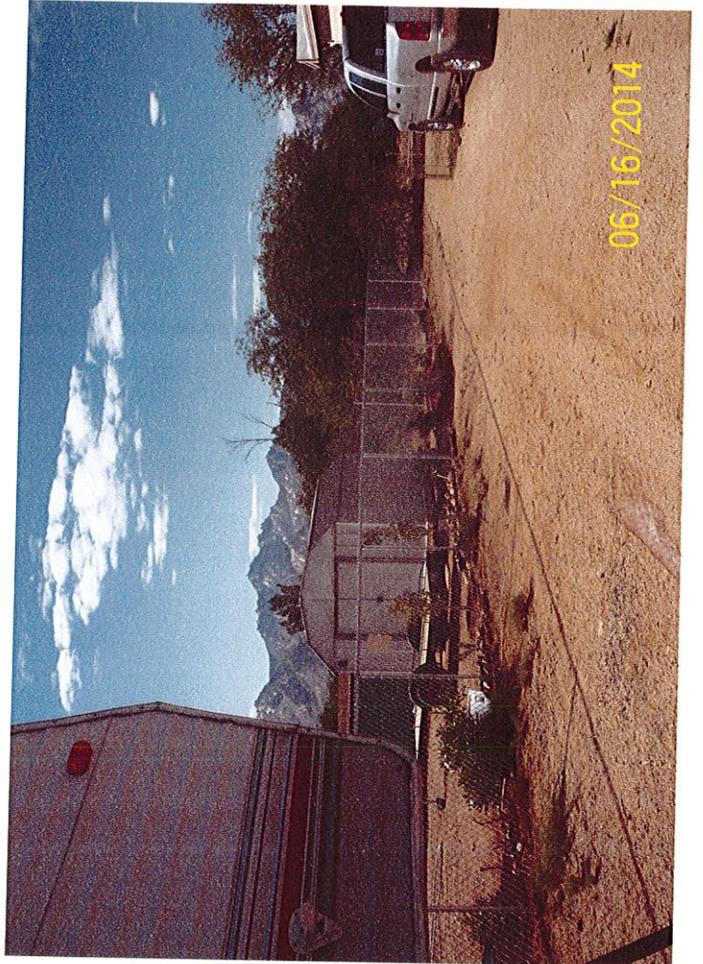
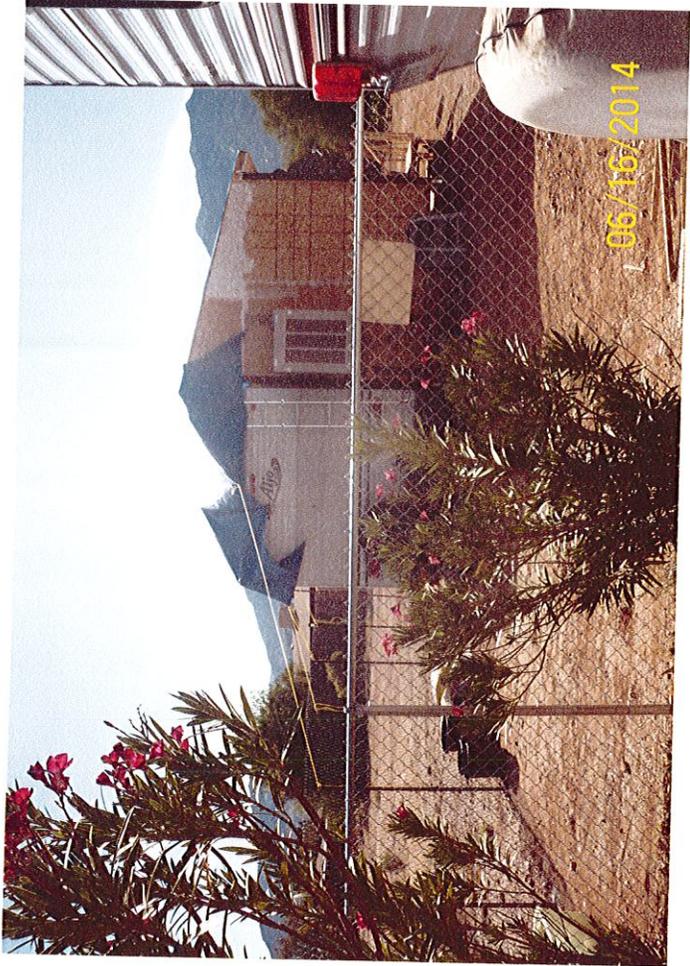
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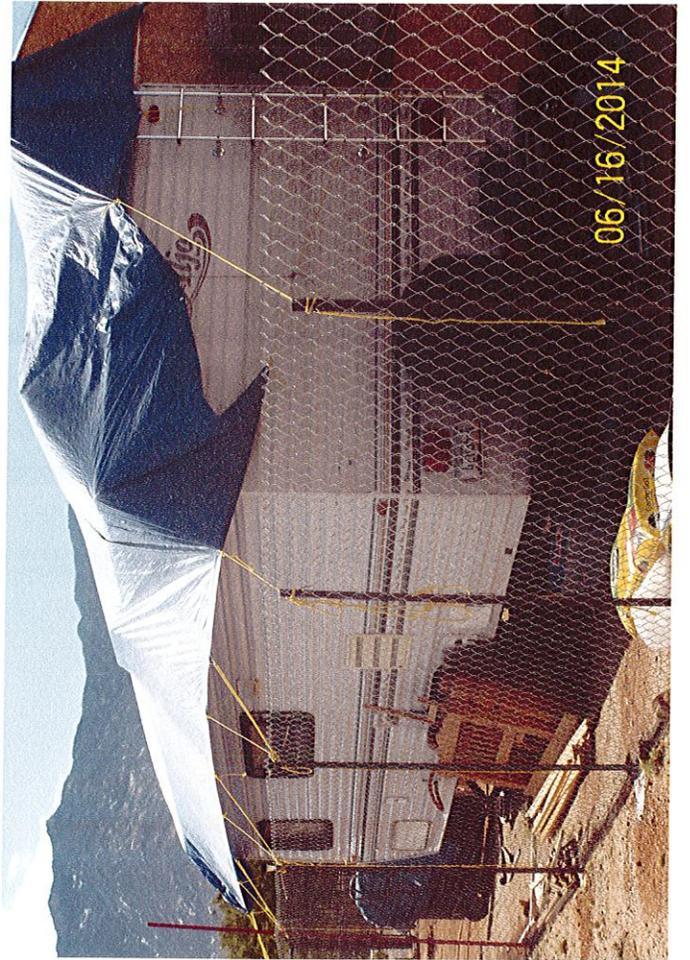
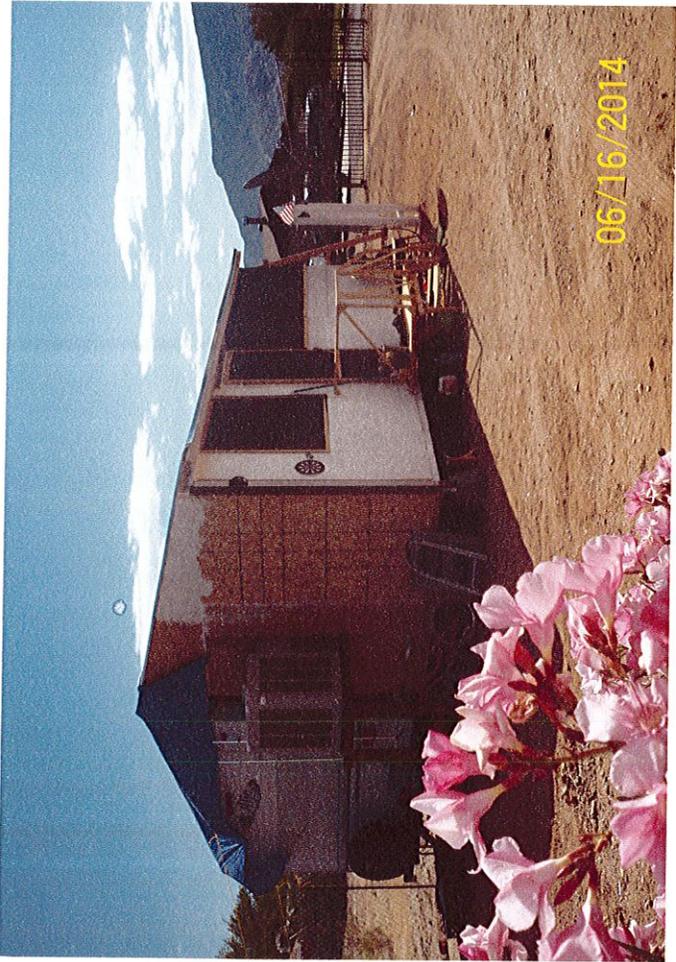
  
\_\_\_\_\_  
Wayne J. Curry

Respectfully yours,

  
\_\_\_\_\_  
Virginia F. Curry

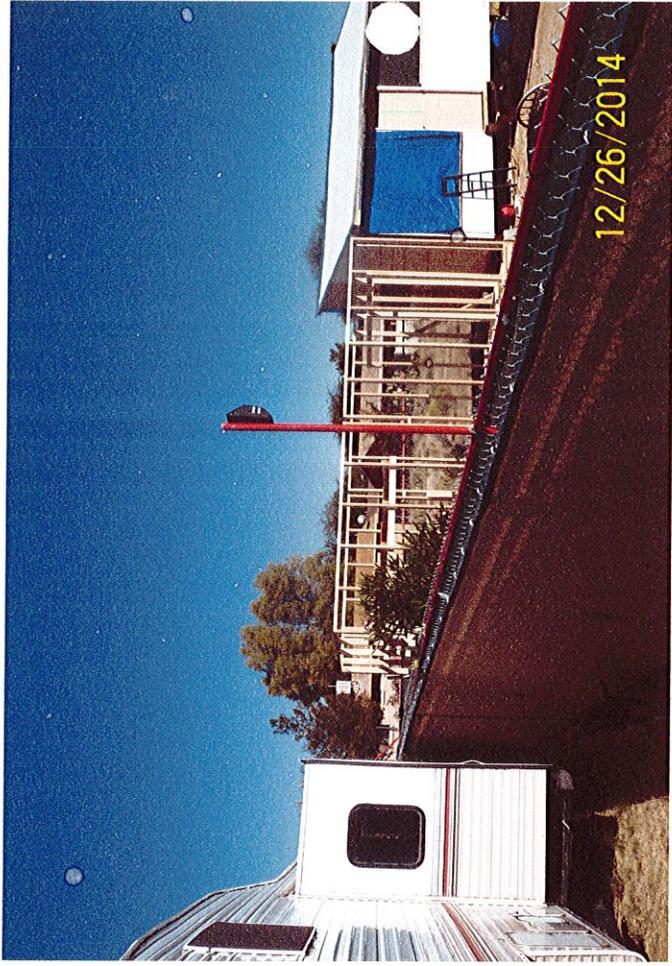
ATTACHMENTS:  
Copy of Original Notice  
5 Pages of pictures  
2 copies of initial complaints





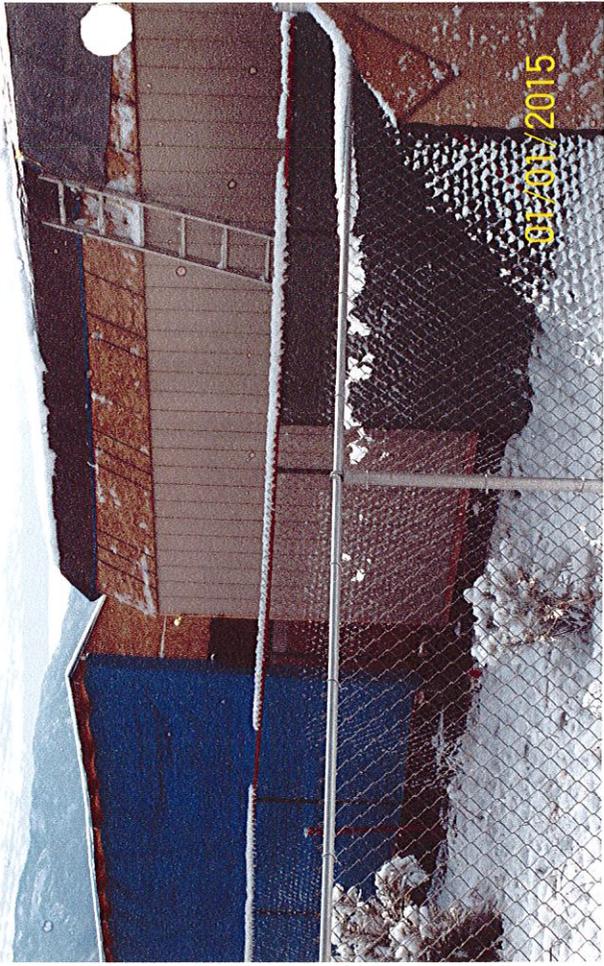
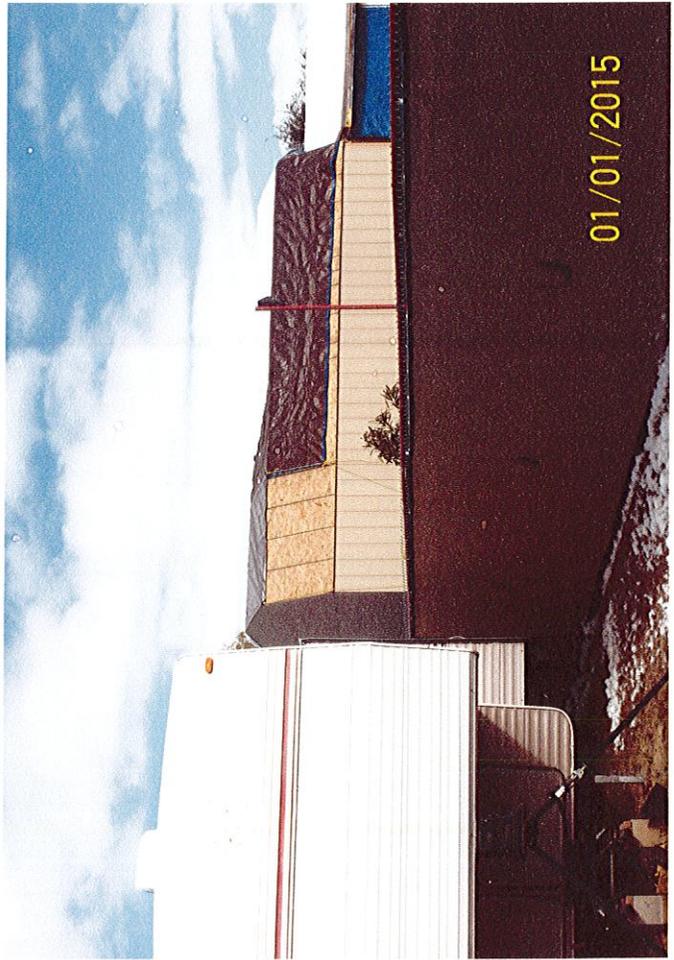
Ex 1

Exhibit 1



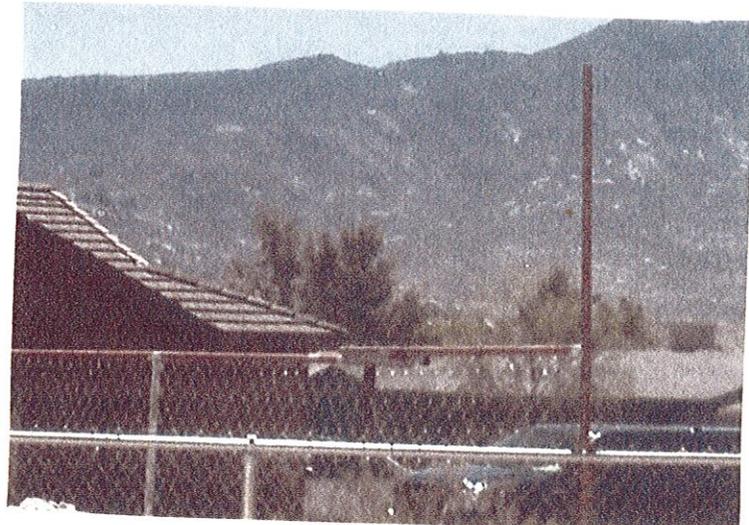
Ex 2

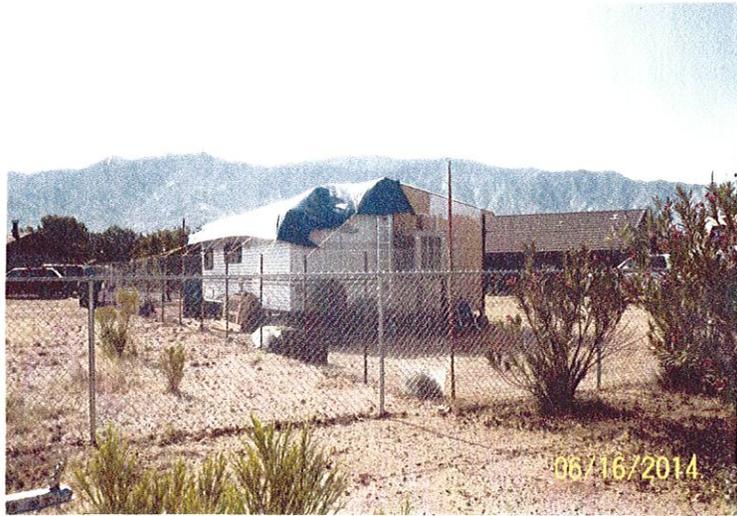
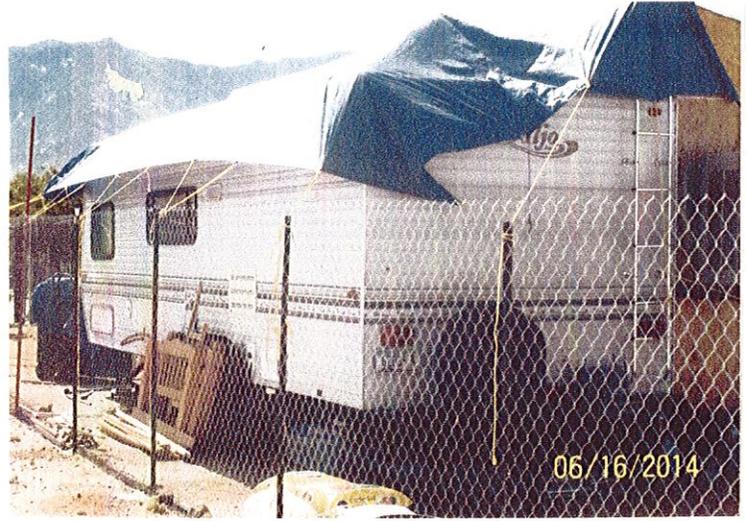
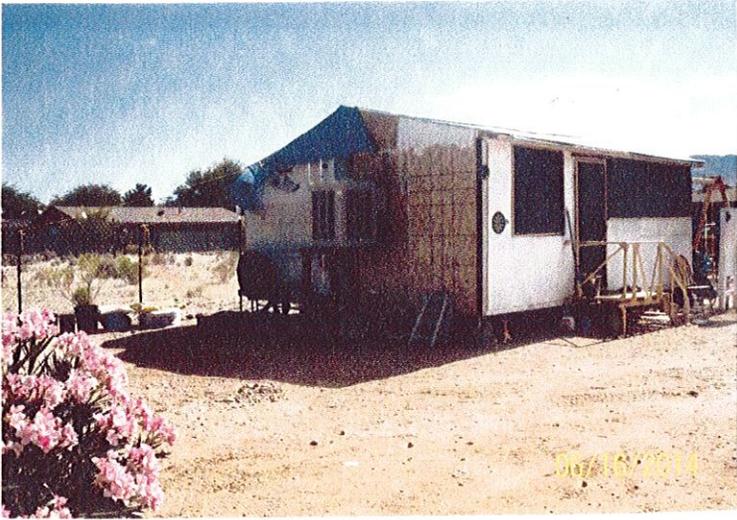
Exhibit 2





**EXHIBIT 4**





CODE ENFORCEMENT DIVISION  
COMPLAINT

15715 N STARBOARD DR. Tucson, AZ 85739 JAHAN SAM H & SODABEH NAFISI CP/RS  
RE: 22223151F

To the best of our knowledge a 1200 Sq.Ft house was to be built 10 feet from our property line on this less than ¼ acre lot.(approx. 10,000 sq ft)

Please see exhibits attached/enclosed to visualize possible code violations, in a residential neighborhood.

Exhibits 1 thru 6 denote a unfinished addition to a 25' - 28' travel trailer,( most likely built without a permit) that is approximately 250 SQ. FT.. We have no problem with RV's but question how many are allowed on a lot this size, along with semi-permanent addition the lot now holds, besides the one they are living in and the addition, a 20' flat bed trailer, a 12 or 14' cargo trailer, 2 cars,and a 22 'goose neck RV, which they don't have a vehicle to move it, with junk piled underneath it (Exhibit 7) and a large shed. We question how they could fit a 1200sq ft house.

Sheds are acceptable however, we believe it needs to be 10' from our property line, if it were moved to 10' it would be very difficult to fit a1200Sq Ft home. Currently the shed is about 6' form the line. (Exhibit 8)

There are bold red pipes, of questionable size, holding up their chain link fence (Exhibit 9 & 10) and a clothes dryer hooked up outside on the east side of the addition.

Looking at this site from a safety standpoint you would have to question the roof material and how it is attached. With the wind storms we have here it could become a flying hazard. The RV they live in has a large blue tarp over it to cool the unit this is attached to the roof of the addition and the questionable size fence post.. This will also add to the safety factor.

Wayne J & Virginia F Curry  
15694 N Twin Lakes Dr  
Tucson, AZ 85739  
520-8830362  
wjcurry1@peoplepc.com

CODE ENFORCEMENT DIVISION  
COMPLAINT

15715 N. STARBOARD DR, TUCSON, AZ, 85739, JAHAN SAM H & SODABEH NAFISI CP/RS  
RE: 22223151F3

This property has previously been sited (refer to case # P14CV00330). Presently they have constructed an additional shed, approximately 20 x 12, double decker, we are advised with no permit.

There is, possibly well hidden,, water & power in the "OLD SHED" that they have used all summer to power their swamp cooler & what ever else they have in there.

In addition to those 2 structures there is an additional 10 x 12 shed. This give them approximately 600 square feet of storage on a 10000 sq/ft lot with a permitted , temporary living RV permit and a house building permit.

Please see attached pictures for clarification and if additional information is required contact Virginia F Curry on 520-883-0362

10/25/2015



**PIMA COUNTY  
DEVELOPMENT SERVICES DEPARTMENT**

201 N. Stone Avenue, 1<sup>st</sup> Floor  
Tucson, AZ 85701-1207

**ZONING ENFORCEMENT  
DIVISION**

Phone: (520) 724-6675

October 20, 2015

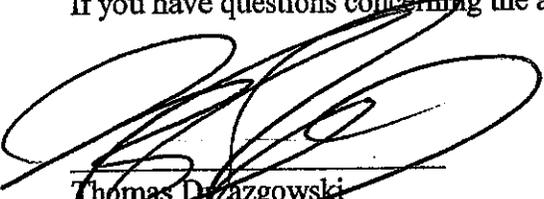
**NOTICE**

This is to notify you that JAHAN SAM H & SODABEH NAFISI has submitted a request for a **180-day extension on a temporary mobile home permit** for the property located at **15715 N. Starboard Dr.**

Section 18.17.020(A)(02)(a) of the Pima County Zoning Code allows a 180-day extension of a temporary use permit for a mobile home while a residence is being constructed.

If you have an objection to the granting of the extension for a temporary use permit, your written protest must be received by Code Enforcement Division, 201 N. Stone Ave, 2nd floor, Tucson, AZ, 85701, on or before **November 5, 2015**. A written protest must include the name and address of the person submitting the protest and the reason why the request should not be granted.

If you have questions concerning the application, please contact me directly at 724-6675.



Thomas D. Zazgowski  
Deputy Chief Zoning Inspector