



MEMORANDUM

PUBLIC WORKS - DEVELOPMENT SERVICES

DATE: June 10, 2016
TO: BOARD OF ADJUSTMENT District #3
FROM: Elva Pedregal, Assistant Executive Secretary
SUBJECT: **P16VA00013 HOMES LIKE NEW LLC – NORTH ORACLE ROAD**
Scheduled for public hearing on June 20, 2016

LOCATION:

The subject parcel is located approximately two-thirds of a mile north of River Road, on a private easement 800 feet west of Oracle Road.

SURROUNDING ZONING / LAND USES:

North	CR-1	Vacant
West	CR-1	Developed
South	CR-1	Developed
East	CR-1	Developed

PUBLIC COMMENT:

1 Letter of Protest to Modification of Setback Request (MSR)

PREVIOUS CASES ON PROPERTY:

MSR P16ZE00030 (same request)

REQUEST:

The applicant requests a **variance to reduce the minimum side yard setback to twelve feet for an existing garage being converted to a guest house.** Section 18.09.020G4b of the Pima County Zoning Code requires a minimum twenty foot setback.

TRANSPORTATION AND FLOOD CONTROL REPORT:

No comment

BACKGROUND:

This site is located in a CR-1 zoned urban area of Pima County. The properties in this area are adjacent (behind) to commercial properties that front Oracle Road and are accessed through a private easement from Oracle Road.

This variance request is a result of a protested Modification of Setback Requirement (MSR) processed in April of this year. The owner applied for a Modification of Setback

Requirement (P16ZE00030) on March 31st, notice to affected property owners were sent out April 4th allowing until April 18th for anyone to protest the request. A letter of protest was received on April 12th from the property owner directly to the west of the site and the MSR was denied.

The residence and garage were existing on the site when the current property owner purchased the property in early 2015. In December of 2015 a building permit was applied for and issued to build a carport addition between the existing residence and garage (P15BP08358). An additional permit for the conversion of the garage to a guest house was also submitted (P15BP08306) but was returned for corrections because the minimum side yard setback was not being met. An accessory structure in CR-1 requires a 4 foot setback; as a detached garage, the structure meets the minimum 4 foot side yard setback. A guest house has its own requirements; a 20 foot minimum side yard setback.

The owner tried to obtain approval of the setback encroachment thru the MSR process and was not successful; the request was appealed to the Board of Adjustment.

RECOMMENDATION:

The protest letter received does not address how the setback encroachment negatively affects his property. He makes mention of vegetation removal, of the construction of the permitted carport and the creation of an additional driveway off the easement that is partially located on the subject property. Staff would like to note that even with the additional grading for the driveway, total graded area is well below the 14,000 square feet that would trigger a grading permit and in turn, a Native Plant Preservation Plan. Additionally, the protestor's property sits down grade from the subject property so that the residence is barely visible and since the carport and guest house are obstructed by the residence, they don't appear to be visible at all from the protestor's residence.

The conversion of the existing garage does not add any square footage therefore, no further encroach into the setback is being proposed. The property owners to the east which are the most affected, have no objection to the request and have signed a letter stating as much. The property owners to the south who have the other half of the ingress/egress easement on their property, have also signed the letter stating they have no objection to the request.

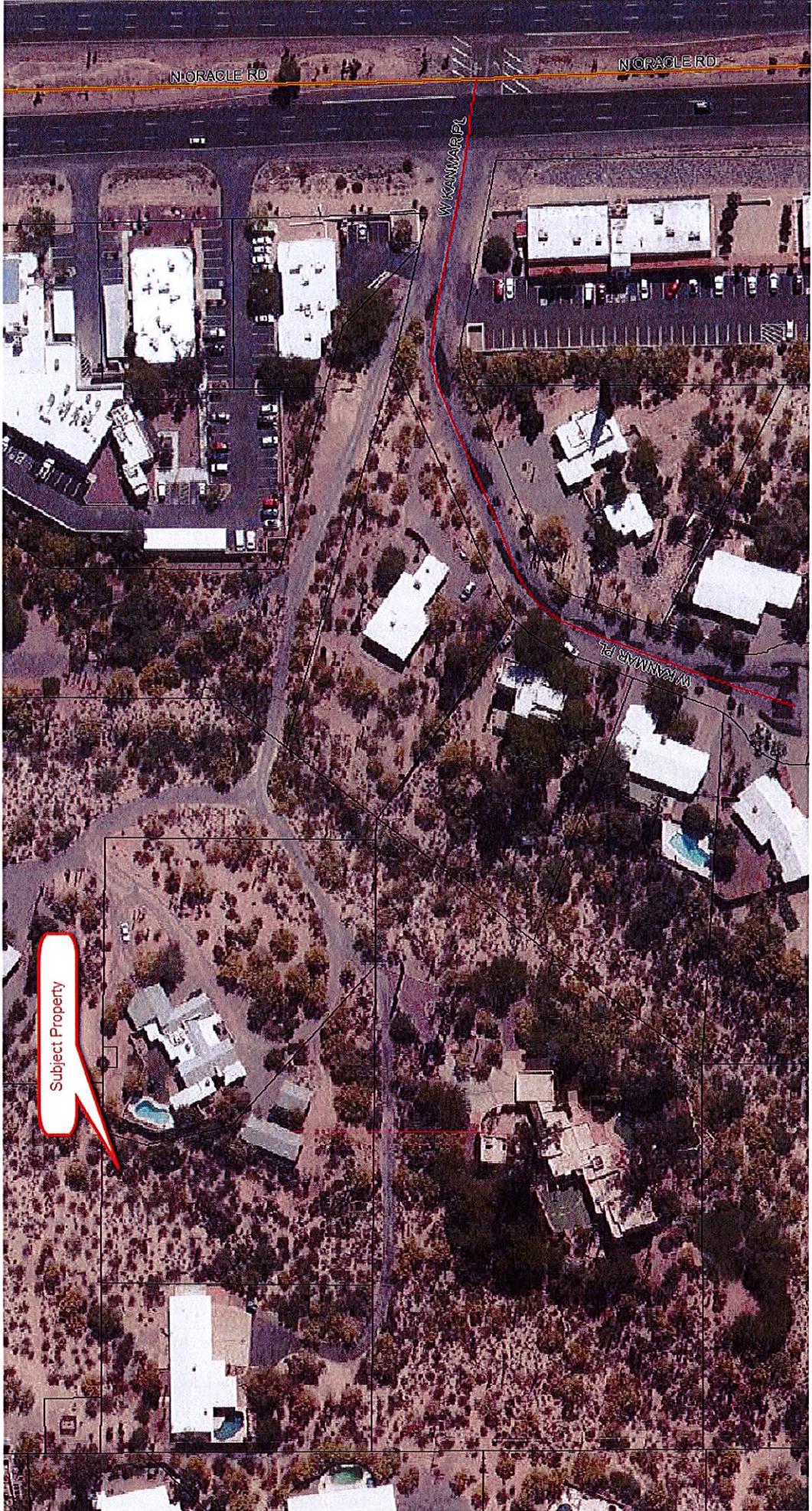
Staff recommends **APPROVAL** of the variance request. Staff finds the hardship arises from a physical condition to the property; it has a limited building area since there is a 5 to 7 foot slope just east of the home, building a guest house elsewhere would be almost impossible. A guest house is a use permitted by the code and the variance is the minimum to afford relief.

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.

P16VA00013 HOMES LIKE NEW LLC – NORTH ORACLE RD





HOMES LIK NEW, LLC

PO Box 69307

Oro Valley, AZ 85737

Email: YYKMHK@126.COM

808.228.3098

PI6VA00013
appeal of PI6ZE00030

Elva Pedregò
Senior Planner
Pima County Development Services
RE: Case PI6ZE00030

May 01, 2016

I am writing to explain our position with regards to a requested Variance/Modification of Setback Requirement of Garage/Guest House for property at 5531 N Oracle Rd, Tucson, AZ 85704. I am also writing to discuss the specific points and allegations made by our neighbor, Jack Croy Sr., 5533 N Oracle Rd., Tucson, AZ 85704

The garage in question had already been finished as a guesthouse when the property was acquired. The rear of the guesthouse, formerly the front of the garage, still had the old functioning garage door, and about 7 feet of the space had been left for storage. The driveway to 5531 was shared with a neighboring property containing a large home that is being used as a foster home for a large number of children ranging from toddlers to teenagers. The geometry of the driveway required that cars had to be backed in and out of our property, across the front of the foster home making it extremely dangerous for the children. Our plan is to eliminate the garage door so that the area cannot be used for storage, creating a little room to be office space. Along the west side of our property is a small road that is on an easement across our mutual neighbor's (5525) property leading to the gate/edge of 5533 N Oracle Rd., owned by Jack Croy. Using this road to access our property would be safer for the children as well as allow for a circular drive, eliminating the need to back at all. The set back of the garage is 11 feet from the East end of the South side property line, separating our property from the foster home. Minimum setback for a garage is 10 feet, but a guesthouse is 20 feet, requiring this application. This is the total extent of the request and the only issues requiring notification of the neighbors. None of Mr. Croy's comments had any bearing on the request of the variance of the setback.

During the process of seeking approval from the neighbors for this MSR, I spoke to the 2 neighbors most directly affected (closest to the guesthouse) to the East (5535) and to the South (5525). I showed them the plans and walked them through the home and property. They were enthusiastic in their approval as 5531 has long been the neighborhood eyesore, and was pulling the neighborhood standards and values down. The neighbor to the North could not be reached as it is a vacant lot. Mr Croy, who's property is to the West of our property was also given a tour of the property. He started by immediately saying he was unhappy because he had missed the opportunity to buy this property which was partially adjacent to his (and who he had to cross via easement to access his landlocked property). He then complained that "his driveway" was being eroded away and he felt it was due to additional traffic on this roadway. To be clear, this "driveway" is actually a paved portion of an easement over various portions of his neighbor's properties. His driveway starts at his home and ends at his gate on his property line. He was also angry because he was the "First one here" and everyone moved in later and no one helped him build the "driveway" to his house. Obviously he is not aware that this improvement was allowed him as a courtesy by his neighbors to improve his access over an easement for his Corvette sports car, but the land remains the property of the landowner.

To address the issues and allegations of Mr. Croy's letter, they are as follows:

1. The carport is completed as of the date of this writing. It was built under Pima County Permit # P15BP08358, was inspected at required intervals, and upon completion. It is built free standing, between the main house and the guest house. This is a non-issue for this MSR, and Mr. Croy's referral is irrelevant to the issue of this application. [On his last visit, the Pima County inspector did a courtesy inspection of the garage

and said he did not see any problems.]

2. I was the person he spoke to representing Homes Like New, LLC., I am a Real Estate Broker assisting the Managing Member, Joanna Ying Yin, in the renovation of the property. I am the Statutory Agent of the LLC, and have been given Power of Attorney to represent this property. Mr. Croy's allegation that I said that the county would approve it regardless is a fabrication and is untrue. I did tell him that the other neighbors had enthusiastically supported the project as this will no longer be the ugly and neglected home of the neighborhood. I did tell him that Homes Like New was going to renovate and improve the home (and had the right to do so) regardless of any objections from the neighbors since he seemed to object of any improvements or landscaping on the property. I also pointed out that it was already a guest house. I was seeking to get permits for all of the improvements that were already existing on the property, correcting any omissions by previous owners.

3. I am not sure what letter Mr. Croy is referring to as I did not see it, but I am assuming it said that no vegetation would be disturbed in obtaining the MSR. This is true since we are not relocating the garage/guesthouse, but only seeking a variance for an existing structure. As far as other vegetation on the property is concerned, it is not part of this application. What a homeowner does with his landscaping is his business as long as it does not violate code. This is especially true in the consideration of the front yard and curb appeal. It is, of course, subject to the taste of the owner, but in this case also provided improved access (there was already an overgrown drive/access) and to eliminate numerous packrat nests and otherwise create a buffer between the home and pests, wildlife, cholla cactus, and other undesirable and potentially harmful pest species. Mr. Croy's mention and discussion of the vegetation is also irrelevant to this application.

4. The foundation stubs (three 18 inch footers topped with post brackets) were pre-existing and apparently intended for use as a footing to a carport. They were considered for the carport and it was decided that they were illogical as they were too far from the main home to be of use. These are on the South side of the guesthouse (furthest from Mr. Croy's property) and will be used as footings for Fence posts for a short, 20 foot section of wooden privacy fence. Again, as no permits are required for a fence of this sort, the footings are irrelevant to this application.

5. The "driveway" Mr. Croy complains about is a paved easement over 5525 and our property, 5531, which already had an existing turnoff (overgrown) access to our property. We have cleared the turnoff, extended it in to a circular drive (Eastward, away from Mr. Croy's property) and tastefully landscaped the front yard, utilizing existing trees and desert vegetation and rock from the property, adding only crushed rock gravel for the landscaped areas, pea gravel for the driveway, and solar powered low voltage lighting (rated variously at 3 – 8 lumens) for security and visual enhancement. I did offer to do repairs to the paved roadway on the roadway that he was using for access as part of the improvements, but instead he said he would have to discuss all of this with his brother, who was some sort of expert. He then refused to meet with me again and said he would sign nothing. Though this discussion is necessary to address his letter, it is again far afield from this application and is again irrelevant to this application.

6. Mr. Croy states that it is his belief that "the property is being prepared to be two rental units". This allegation is baseless as the property has only one set of utility meters and the guest house has only a single bathroom with no provision or utility rough-ins for a kitchen. Zoning allows for guest houses and the main house is only 900 square feet with a single bath. Homes Like New, LLC has not decided how they will use the property. They may decide to sell it, turn it into a single rental unit, or may have a member move into it since it will be equipped with a nice home office. As it improves, they are falling in love with this little property.

Reviewing Mr. Croy's letter, it is clear that he has not voiced a single legitimate objection to the subject at hand, a Variance/MSR for a Garage turned Guesthouse that is not visible from his property, is approximately 100 yards or more from his home, and cannot possibly affect his property in any way other than enhance the property values of his home and all of his neighbors. He has instead brought up a variety of things that he chose to complain about out of spite because he did not have the foresight to acquire the home when it was first available through foreclosure several years ago. He is a bitter and angry man looking to get even for some imagined wrong. His objections, as he presented them, are without merit and irrelevant. His letter has no more relevance to this application than if he had torn a page from his diary and sent it in as an objection. We fully expect that our other immediate neighbors will attend the hearing in support of our project since it will both dramatically improve the safety to the neighborhood children and raise the quality of the neighborhood and the value of their properties.

It is also our position that Mr. Croy has the opportunity to be a nuisance, delaying the permitting and completion of our project, costing us an additional \$790 in unbudgeted fees as well as costs in preparing a defense without risking anything. It is our feeling that should this case continue forward, go to hearing, and be found in our favor, Mr. Croy should be forced to at least pay this fee for the unfounded accusations and attempting to block this project in spite. Should Mr. Croy be notified that he may actually bare some of the cost, we are sure he would withdraw the letter.

Attachments:

Photos of the home and structures

Arial maps showing property lines, locations of easement access, neighboring structures.

Included by reference: Earlier submitted applications, permits, architectural plans

Referenced Letter of Power of Attorney

We formally request that this case be reconsidered and that our application be approved on the basis that no actual objection with foundation to the MSR has been made by any of our neighbors.

Respectfully Submitted



Douglas Seemann

Statutory Agent

For: Homes Like New, LLC

PO Box 69307

Oro Valley, AZ 85737



WHITE LINES OUTLINE
ROADWAYS & DRIVEWAYS

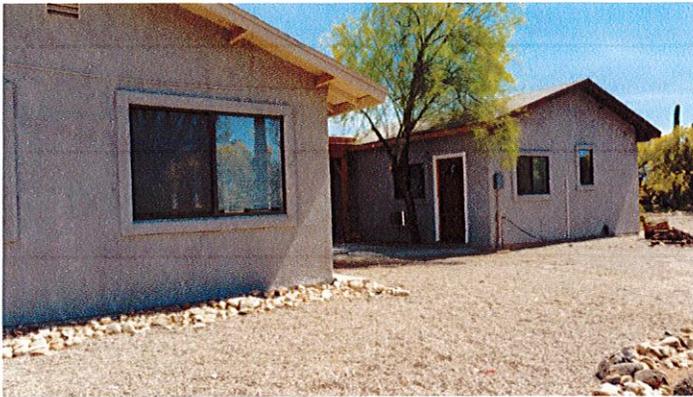
YELLOW IS PROPERTY LINES

- ↑ CROY HOUSE 5533
 - ↑ CROY GATE NEW 5531
 - ↑ KING PATRICK KING CARINE 5525
 - ↑ NEW OWNERS 5525
 - ↑ FOSTER HOME 5535
 - ↑ PREVIOUS ACCESS TO 5531
- GRAY INDICATES
FOOTPRINT HOUSE,
GARAGE + GUESTHOUSE
+ CIRCULAR DRIVE

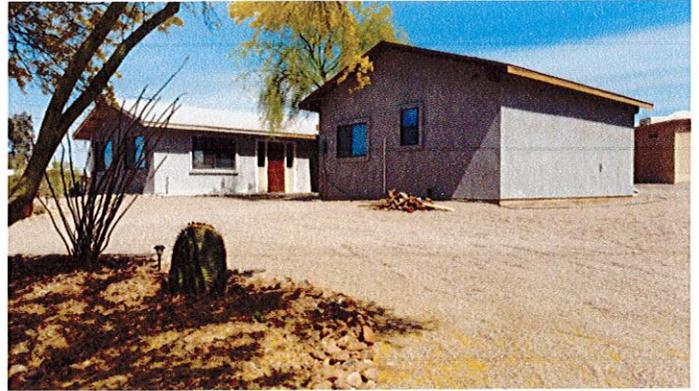


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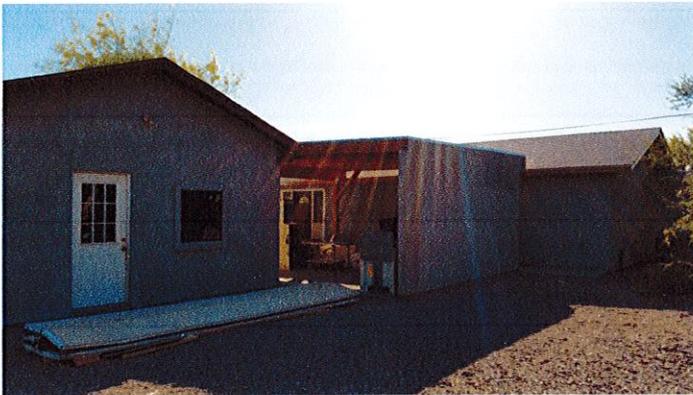
5531 N Oracle Rd, Tucson, AZ 85704



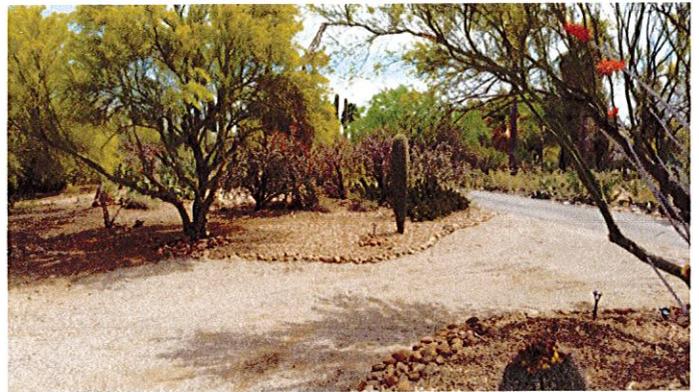
House, carport, Guest House



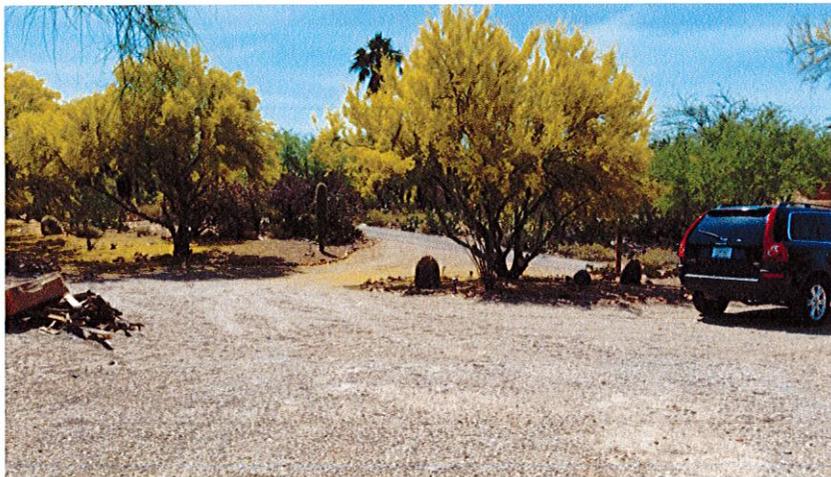
House & Guest House (carport not visible)



Guest House (office side), carport & House

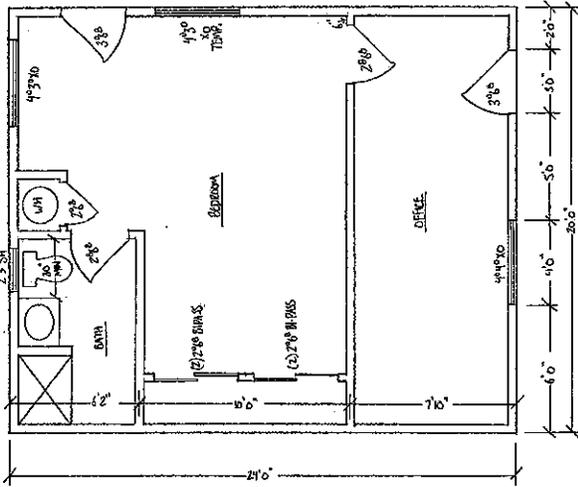


Driveway extension to a circular drive



Front Yard with Circular Drive

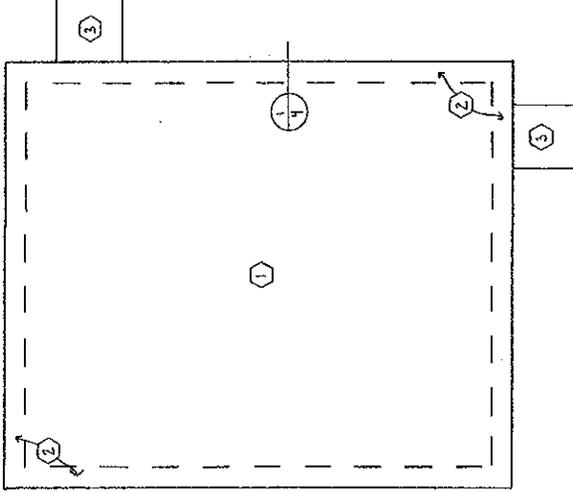
FLOOR PLAN
SCALE: 1/4" = 1'



Floor Plan Notes

1. ALL WORK TO COMPLY WITH 2012 I.R.C.
2. ROOFING: EXISTING ROOFING MATERIAL TO REMAIN. ROOFING IS 20 YEAR ASPHALT SHINGLES.
3. GLAZING: ALL WINDOWS & GLASS DOORS TO BE DUAL PANELED, LOW-E GLASS WITH A U-VALUE OF .40 OR LOWER.
4. INTERIOR FINISH: ALL CEILINGS AND WALLS TO BE COVERED IN 1/2" GYPSUM BOARD. AT CEILINGS, A SAG RESISTANT BOARD MUST BE USED. AT SHOWER/TUB ENCLOSURES, IF A TILE FINISH IS TO BE INSTALLED, A CEMENT BASED BOARD MUST BE USED AT HEIGHTS BELOW 60" FROM STANDING SURFACE.
5. INSULATION: FIBERGLASS BATT INSULATION TO BE INSTALLED AT WALLS AND CEILING. USE 2 LAYERS OF HIGH DENSITY R-10 AT WALLS AND MIN R-38 AT CEILING. INSTALLATION METHOD SHALL COMPLY WITH 2012 ENERGY CODE.
6. EXTERIOR DOORS SHALL HAVE A MIN. 38" DEEP LANDING PER 2012 I.R.C. SEC 307. WIDTH OF LANDING SHALL BE AT LEAST THE WIDTH OF THE OPENING.
7. EXTERIOR FINISH: EXISTING FINISH IS A SHEAR RATED SIDING MATERIAL.

FOUNDATION PLAN
SCALE: 1/4" = 1'



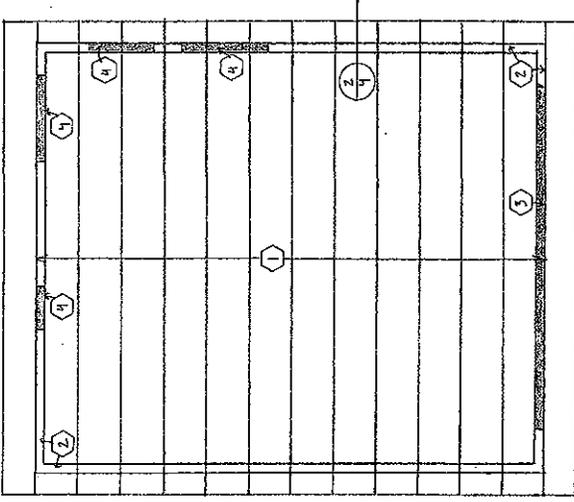
Foundation Keynotes

1. EXISTING SLAB (0.0' OF FFE)
2. 12" x 12" FOOTINGS WITH 2-#4 REBAR, CONT.
3. 36" x 36" LANDINGS (0.4' FFE)

Foundation Notes

1. ALL WORK TO COMPLY WITH 2012 I.R.C.
2. SLAB ALREADY EXISTS. THIS PROJECT IS A CONVERSION OF AN EXISTING BUILDING.
3. CONCRETE SLAB TO BE MIN. 4" THICK @ 2500 p.s.i. OVER MIN. 4" A.B. COMPACTED TO MIN. 95% FINISHED GRADE SHALL SLOPE AWAY FROM STRUCTURE AT A MINIMUM OF 6" PER 10 FEET.
4. ALL NEW FOOTINGS TO BEAR MIN 12" INTO NATIVE, UNDISTURBED SOIL (FIELD VERIFY)
5. SLAB SHALL BE PRE-TREATED WITH 5 YEAR TERMITE PROTECTION PRIOR TO POUR.
6. 1/2" x 10" ANCHOR BOLTS SHALL BE USED AT 48" O.C. & WITHIN 7-12" OF PLATE SPLICES AND ENDS. BOLTS SHALL HAVE A MIN. OF 7" EMBEDDMENT INTO CONCRETE.

FRAMING PLAN
SCALE: 1/4" = 1'



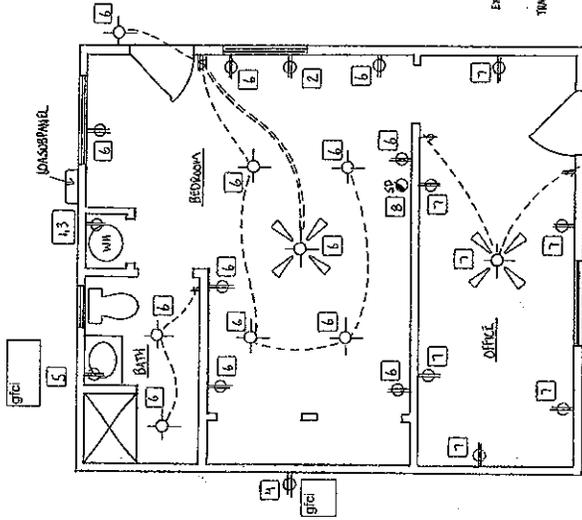
Framing Keynotes

1. EXISTING PRE-MANUFACTURED TRUSSES
2. 2x4 WALLS @ 16" O.C.
3. 4x10 BEAM
4. 2x6 BOX HEADERS

Framing Notes

1. ALL WORK TO COMPLY WITH 2012 I.R.C.
2. BUILDING ALREADY EXISTS. THIS PROJECT IS A CONVERSION OF AN EXISTING BUILDING.
3. ALL LUMBER TO BE DOUGLAS FIR #2 OR BETTER.
4. USE TREATED LUMBER AT SILL PLATES.
5. ROOF DECKING TO BE 1/2" O.S.B. NAILED AT 6" O.C. AT EDGES & 12" O.C. IN FIELD.
6. ENTIRE STRUCTURE TO BE SHEATHED IN 1/2" SHEAR RATED SIDING NAILED AT 6" O.C. AT EDGES AND 12" O.C. IN FIELD (NO SPECIFIED SHEAR PANELS)
7. ALL EXTERIOR WALLS ARE 2x4 @ 16" O.C. INTERIOR WALLS TO BE 2x4 @ 24" O.C. EXCEPT IF NECESSARY, 2x6 FOR PLUMBING WALLS.
8. ROOF CONSTRUCTION IS PRE-MANUFACTURED TRUSSES. CALCS ARE ASSUMED TO HAVE BEEN SUBMITTED WITH ORIGINAL CONSTRUCTION.

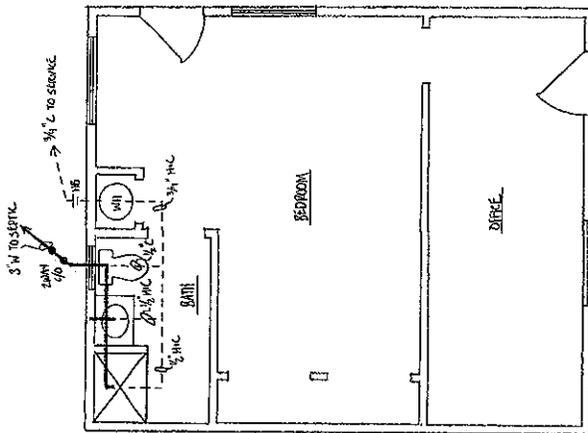
GARAGE CONVERSION & NEW CARPORT AT:
5531 N ORACLE RD
TUCSON, AZ 85704



ELECTRIC PLAN
 SCALE: 1/4" = 1'

Electric Notes

1. ALL WORK TO COMPLY WITH 2012 I.R.C.
2. ALL NEW CIRCUITS TO COME FROM 60 AMP SUB-PANEL AT REAR OF GARAGE.
3. EXTERIOR LIGHTS TO BE SHIELDED PER PIMA COUNTY OUTDOOR CODE. THE ONLY NEW EXTERIOR LIGHTS ARE AT EXTERIOR DOORS AND SHALL BE FULL CUT OFF.
4. ALL NEW 15 & 20 AMP CIRCUITS NOT DEDICATED SHALL BE ARC FAULT PROTECTED.
5. ALL WIRING TO BE ROMEX AND APPROPRIATELY SIZED BASED ON CIRCUIT AMPERAGE. (12/2 FOR 20 AMP & 14/2 FOR 15 AMP CIRCUITS)
6. NO GAS SERVICE ON PROPERTY. NO CARBON MONOXIDE DETECTOR IS REQUIRED TO BE INSTALLED.
7. ALL NEW RECEPES SHALL BE TAMPER RESISTANT.
8. A MINIMUM OF 75% OF NEW LIGHT FIXTURES SHALL BE LOW EFFICIACY TYPE FIXTURES.
9. HEATING AND A/C TO BE PROVIDED BY A WALL MOUNT UNIT ON A DEDICATED 20 AMP CIRCUIT. UNIT SHALL BE ABLE TO MAINTAIN A HEATING TEMPERATURE OF 72 DEGREES F AT 36" FROM THE FLOOR.



PLUMBING PLAN
 SCALE: 1/4" = 1'

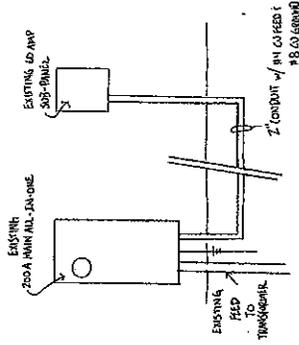
Plumbing Notes

1. ALL WORK TO COMPLY WITH 2012 I.R.C.
2. ALL NEW SUPPLY PIPING TO BE ALUAPEX PIPING.
3. NEW SUPPLY PIPING COMES FROM EXISTING SERVICE ENTRANCE AT MAIN HOUSE. A 3/4" SUPPLY RUNS UNDERGROUND AND TO EXISTING WATER HEATER. AN 18 GA BLUE TRACER WIRE IS TO BE SECURED TO UNDERGROUND RUN.
4. ALL NEW WASTE TO BE ABS PIPING. WASTE SHALL MAINTAIN A SLOPE OF 1/4" PER FOOT. FROM CLEANOUT TO CONNECTION TO EXISTING AN 18 GAUGE GREEN TRACER WIRE SHALL BE SECURED TO THE WASTE LINE.
5. A NEW 2 WAY CLEANOUT SHALL BE INSTALLED WITHIN 5' OF STRUCTURE.
6. NEW SHOWER VALVE TO BE ANTI-SCALD TYPE
7. NEW WATER CLOSET TO BE MAX 1.6 GAL FLUSH

Plumbing Supply Calculation

- THE EXISTING 1" SERVICE FROM THE EXISTING 3/4" WATER METER IS SIZED ADEQUATELY BASED ON THE FOLLOWING:
- UNDERGROUND RUN OF 60' FROM WATER METER TO SERVICE ENTRANCE AT REAR OF HOUSE
 - A STATIC WATER PRESSURE OF 60 PSI AT SERVICE ENTRANCE
 - THE NUMBER OF SUPPLY FIXTURE UNITS (18.6 TOTAL)

RISER DIAGRAM



PLUMBING WASTE UNIT CHART

TYPE	VALUE	QTY	TOTAL
EXISTING UNITS			
FULL BATH GROUP	5	1	5
KITCHEN GROUP	2	1	2
CLOTHES WASHER	2	1	2
NEW UNITS			
FULL BATH GROUP	5	1	5
TOTAL			14

PLUMBING SUPPLY UNIT CHART

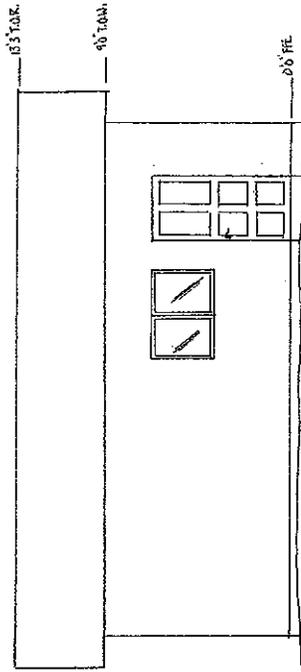
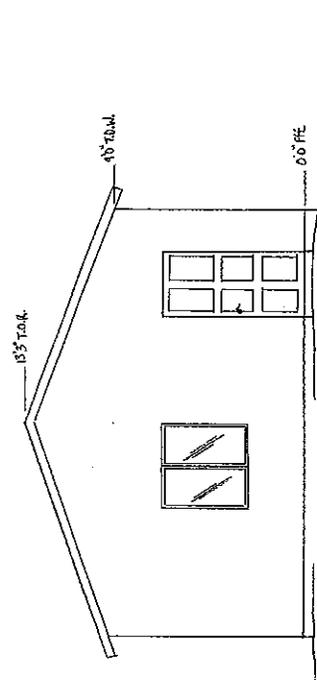
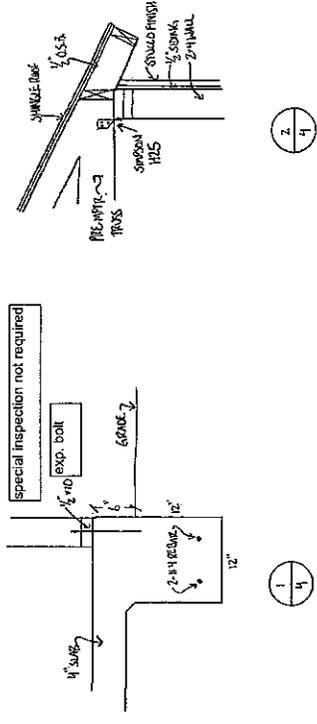
EXISTING UNITS	HOT	COLD	COMB	QTY	TOTAL
FULL BATH GROUP	1.5	2.7	3.6	1	3.6
KITCHEN GROUP	1.9	1	2.5	1	2.5
CLOTHES WASHER	1	1	1.4	1	1.4
HOSE BIBBS		2.5	2.5	2	5
TOTAL					12.5
NEW UNITS	HOT	COLD	COMB	QTY	TOTAL
FULL BATH GROUP	1.5	2.7	3.6	1	3.6
HOSE BIBBS		2.5	2.5	1	2.5
TOTAL					6.1
					18.6

SUB PANEL DIAGRAM

1	30	WATER HEATER	A/C	20	2
3	30	BATH GFI	EXT GFI	20	4
5	20	OFFICE	BEDROOM	20	6
7	20	SMOKE DETECTOR		15	8

**LOAD CALCULATION
(MAIN AND SLEEPING
QUARTERS COMBINED)**

1,440 SQ FT @ 3 W/EA	4,320 W
13 - 20 AMP CIRCUITS @ 1500 WEA	19,500
OVEN/RANGE	11,000
WATER HEATER	6,600
WATER HEATER 2	6,600
CLOTHES DRYER	6,600
TOTAL WATTS	54,620 W
1ST 10,000 @ 100%	10,000
44,620 @ 40%	17,848
	27,848 W
27,848/240V	116.0 AMPS
A/C 1	40 AMPS
A/C 2	20 AMPS
TOTAL LOAD	176.0 AMPS



Construction Notes

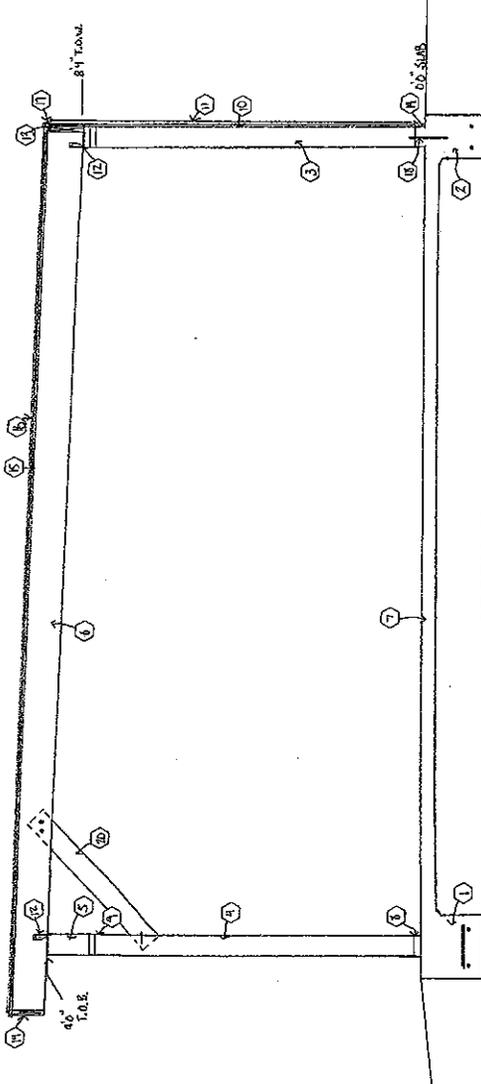
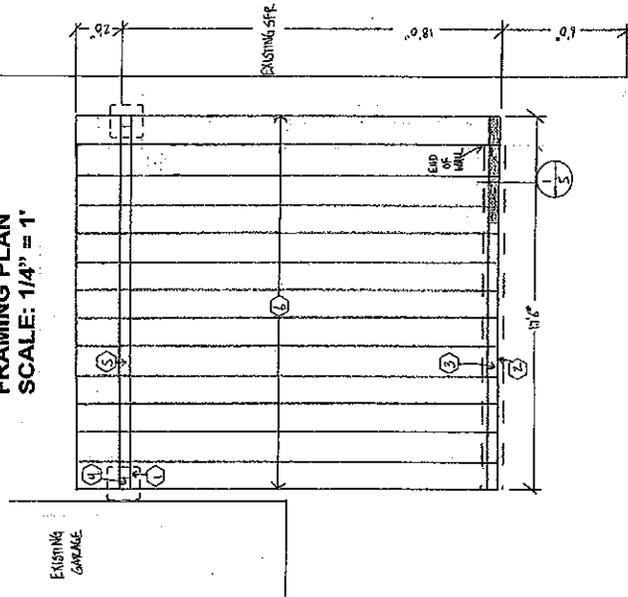
1. ALL WORK TO COMPLY WITH 2012 I.R.C.
2. FOOTINGS TO BEAR MIN 12" DEEP IN NATURAL GRADE.
3. CONCRETE SLAB TO BE POURED TO FILL IN AREAS UNDER CARPORT NOT ALREADY WITH A SLAB.
4. ALL EXISTING FRAMED WALL, POUR A 3" CURB TO ELEVATE WALL ABOVE GRADE LEVEL.
5. ALL LUMBER TO BE #2 DOUGLAS FIR OR BETTER.
6. ROOF DECKING TO BE 1/2" O.S.B. NAILED AT 6" O.C. AT EDGES AND 12" O.C. IN FIELD.
7. DIAGONAL BRACING TO ATTACH 6x6 POST TO BEAM AND TO FIRST RAFTERS FOR LATERAL STABILITY. USE 6x6 DIAGONALS FOR BRACES AND CONNECT WITH 2 1/2" x 4" LAG SCREWS.
8. ROOFING MATERIAL TO BE ROLLED ASPHALT ROOFING.

Detail Keynotes

1. 18" x 18" x 12" FOOTING WITH 2-#4 REBAR, EACH WAY
2. 12" x 12" EXTERIOR FOOTING WITH 2-#4 REBAR, CONT.
3. 2x6 WALL @ 16" O.C.
4. 6x6 POSTS
5. 5-1/8" x 11-7/8" GLU LAM BEAM
6. 2x10 RAFTERS @ 16" O.C.
7. CONCRETE SLAB
8. SIMPSON A886 POST BASE
9. SIMPSON 6"x 3.125" POST CAP
10. 3/8" O.S.B. SHEATHING
11. STUCCO FINISH
12. SIMPSON H25 EACH RAFTER TO TOP PLATE/BEAM
13. SOLID BLOCKING BETWEEN RAFTERS
14. 2x10 RIM JOIST
15. 1/2" O.S.B. ROOF DECKING
16. ROLLED ROOFING MATERIAL
17. DRIP EDGE
18. 1/2"x1/8" ANCHOR BOLTS
19. 3" TALL POURED CURB
20. 6x6 DIAGONAL BRACING WITH 2 1/2"x4 SCREWS

Carport by separate permit.

FRAMING PLAN
 SCALE: 1/4" = 1'



SECTION/DETAIL
 SCALE: 1/2" = 1'



PIMA COUNTY
DEVELOPMENT SERVICES

April 13, 2016

Homes Like New, LLC
PO Box 69307
Tucson, AZ 85737

Re: **P16ZE00030 HOMES LIKE NEW LLC – N. ORACLE ROAD**

Dear Applicant:

We have received a letter of opposition from noticed property owners regarding your request for Modification of Setback Requirements for the property located at **5531 North Oracle Road**. Receiving a letter of protest closes the Modification of Setback Requirement process.

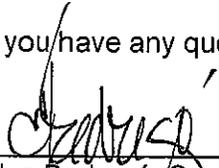
According to the Pima County Zoning Code, if a protest to a setback modification or lot coverage limits is submitted by an owner of an affected property (as defined in Section 18.07.070C), the zoning inspector may refer the application to the Board of Adjustment as a variance request. An additional fee of \$790 is required should you wish to proceed with this request as a variance before the Board of Adjustment.

NOTE: It is to your advantage to submit the required letter of explanation and a variance application form. Your letter should be more detailed, and explain the reasons for requesting your variance. If you wish to proceed to the Board of Adjustment, please submit the completed information to our office by **Friday May 13, 2016** to meet the next deadline. No other materials need be submitted since they were already submitted with your MSR application, unless you wish to submit a new map, or supplemental information.

The variance process includes a public hearing before the Board of Adjustment for your particular district. Your variance request would be scheduled for the next available District 1 hearing to be held on **Monday, June 20, 2016** in the basement of the Public Works building in conference room C at 9:00 a.m.

If you elect not to proceed to the Board of Adjustment with a variance, please provide this office with a letter stating your decision to withdraw the application.

If you have any questions concerning the application, please call me at 724-9000.



Elva Pedregó, Senior Planner

Via email: doug.seemann@gmail.com

2

APPLICATION FOR MODIFICATION OF SETBACK REQUIREMENTS

Property Owner: HOMES LIKE NEW, LLC Phone: 370-8907
Owner's Mailing Address: P.O. Box 69307 City: Tucson Zip: 85737-0014
Authorized Representative: _____ Phone: _____
Rep's Mailing Address: _____ City: _____ Zip: _____
Property Address: 5531 N. ORACLE RD. City: Tucson Zip: 85704
Tax Code: 105-05-008B Zone: _____

Specify the setback modification request (identify structure and the proposed setback in feet):
DETACHED GARAGE CONVERTED TO SLEEPING QUARTERS - SETBACK CHANGED FROM 4' TO 20' DUE TO CHANGE OF USE. BUILDING SITS 12' FROM PROPERTY LINE.

I, the undersigned represent that all the facts in this application are true to the best of my knowledge. I am aware that application for building permits must be made within nine months of approval of the Modification of Setback Requirements and that failure to apply for building permits within that time renders the modification approval null and void. I have read and understood the Modification of Setback Requirements guidelines and standards.

Signature of Owner or Representative [Signature] Date 3/31/16
Douglas Seemann

Email Address of Owner or Representative doug.seemann@gmail.com

- The following documents are attached: NO PENCIL
- Sketch plan [size 8 1/2" x 11" preferred, maximum 11" x 17"]; #3
 - County Assessor's map showing the boundaries of the subject property;
 - APIQ print out (County Assessor's print out showing current owner of property);
 - Letter of authorization for Representative to apply (original signature of owner is required);
 - Appropriate fee of \$274.00;
 - Standards Evaluation Form;
 - Original signatures of owner or representative (two signatures).

If the Owner or Applicant is submitting signatures of neighboring property owners, please check the appropriate box that best describes the signatures that are provided;

- Applicant is submitting neighbor's signatures and believes all applicable property owners have signed.
- Applicant is submitting neighbor's signatures for some of the required property owners. The applicant understands that property owners whose signature has not been provided will be noticed by Pima County and provided 15 days to protest the MSR.

Co28()15- <u>P162600010</u>	OFFICE USE ONLY <u>Homes Like New - N Oracle Road</u> <small>(Last name - Direction, Street Name)</small>	<u>[Signature]</u> <small>(planner's initials)</small>
Date Received: <u>3-31-16</u>		Received by: <u>[Signature]</u>
Affected section of code(s): <u>18.09.0204</u>		

MODIFICATION OF SETBACK REQUIREMENTS STANDARDS EVALUATION

In the spaces provided below, please explain how the proposed setback modification meets each of the six standards listed in Chapter 18.07.070D of the Pima County Zoning Code. The application cannot be processed without this information. Answer each question using full sentences. You may attach a separate sheet if necessary. **DO NOT USE PENCIL.**

1. Describe how the proposed reduction of setback affects the amount of privacy that would be enjoyed by nearby residences:

PRIVACY WILL NOT BE AFFECTED. THE BUILDING IS EXISTING. ONLY THE USE FROM GARAGE
TO SLEEPING QUARTERS IS CHANGING.

2. Explain how significant views from nearby properties of prominent landforms, unusual stands of vegetation, or parks would not be affected by this request:

NO ALTERATION TO VIEWS WILL OCCUR.

3. Explain how traffic visibility on adjoining streets will not be affected by this request:

NO ALTERATION TO TRAFFIC VISIBILITY.

4. Describe how drainage from proposed buildings and structures affects adjoining properties and public rights-of-way:

NO ALTERATION OF ADJOINING PROPERTIES RE: DRAINAGE OR R-O-W.

5. Describe in detail the use of structures involved in this request:

STRUCTURE TO BE CONVERTED TO SLEEPING QUARTERS W/ BEDROOM, OFFICE & BATHROOM.

6. Explain how the location of proposed buildings and structures, and the activities to be conducted therein, will not impose objectionable noise levels or odors on adjacent properties:

NEW AREA IS SIMPLY A LIVING/WORK OFFICE AREA, AND NO NOISES OR ODORS OUTSIDE
NORMAL RESIDENTIAL STANDARDS WILL OCCUR.



April 4, 2016

Case No. **P16ZE00030 HOMES LIKE NEW LLC – N. ORACLE ROAD**

NOTICE

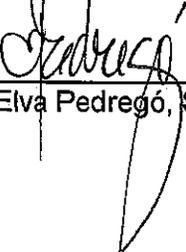
This is to notify you that **Homes Like New** has submitted an application for a Modification of Setback Requirements (MSR) for property located at **5531 North Oracle Road** in the **CR-1** zone. The applicant requests a modification to **reduce the side yard setback to twelve feet (12')** for an existing garage being converted to a guest house as shown on the attached site plan. The Pima County Zoning Code Section 18.09.020G4b requires a minimum twenty foot (20') setback.

The modification of setback requirements must meet the following standards:

1. The lot coverage increase will not substantially reduce the amount of privacy that would be enjoyed by nearby residences.
2. Significant views of prominent land forms, unusual stands of vegetation, or parks from nearby properties will not be obstructed any more than would occur if the setback was not modified.
3. Traffic visibility on adjoining streets will not be adversely affected.
4. Drainage from proposed buildings and structures will not adversely affect adjoining properties and public rights of way.
5. The location of proposed buildings and structures will not interfere with the optimum air temperature/solar radiation orientation of buildings on adjoining properties.
6. The location of proposed buildings and structures, and the activities to be conducted therein, will not impose objectionable noise levels or odors on adjoining properties.

If you have an objection to the granting of the modification of setback requirements, your written protest must be received by Pima County Development Services - Planning Division, Attention: Elva Pedregó, 201 N. Stone Avenue, Second Floor, Tucson, Arizona 85701 on or before **Monday, April 18, 2016**. A written protest must include the name and address of the person submitting the protest, the case number, and the reasons why the application does not meet the above listed standards.

If you have any questions concerning the application, please call Elva Pedregó at 724-9000.



Elva Pedregó, Senior Planner



PIMA COUNTY
DEVELOPMENT SERVICES

April 13, 2016

Homes Like New, LLC
PO Box 69307
Tucson, AZ 85737

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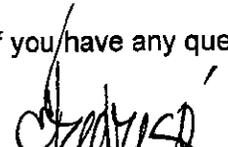
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Elva Pedregó, Senior Planner

Via email: doug.seemann@gmail.com

Elva Pedrego
Senior Planner
Pima County Development Services
Concerning your letter regarding case P16ZE00030

It looks as though carport between house and garage is nearly completed .The garage is 20'x24' with the rear portion partitioned off for storage. This would make living space approx. 400 sq. ft. I am told by person saying he represents "Homes Like New" that garage is 3/4 complete. I was also told by same person when he asked me to sign his waiver that the county would approve regardless as it was nearly completed. I told him I would not sign the waiver as I had some concerns.

Your letter stated no vegetation would be disturbed, as you can see by pictures a substantial amount of vegetation has already been removed.

The owner has also set foundation stubs on the east side of the garage to be used to support an additional carport or structure alongside of existing garage. This is **not** indicated on the drawing you sent me. As I write this letter owner has a work crew working on installing roof on the east side of the garage for a carport.

So far the newest property owner has removed desert growth along the only driveway I have to access my property and added another entrance to his/her house using the driveway for my property. **This has and will continue to erode and wash out my driveway.** I am very concerned about this as this is the only access I have to my property.

It is my belief the property is being prepared to be two rental units.
Pictures to follow.
I look forward to your response.

Regards,

Jack Croy Sr.
5533 N. Oracle Rd.
Tucson, AZ. 85704