



PIMA COUNTY DEVELOPMENT SERVICES

Board of Adjustment District 5
130 W. Congress St.
Tucson, AZ 85701

Re: P21VA00011 Tena
3958 W. Aragon St.
Variances Request

To The Board,

I am a homeowner of property at *3970 W. Aragon St. Next to Tena* and within view of the property which is the subject of the above referenced request for variances.

When my husband and I bought our property several years ago to live on Gila Avenue, we did so because it was, and is a residential neighborhood. Of course, we would not have moved into a home in an area that was zoned for commercial use, or storage and use of heavy construction equipment, such as Mr. Tena wants to now have approved by the County. I would guess that all of you on the Board of Adjustment may have felt the same when you were purchasing your residences, and would not have purchased your residence if it was in an area zoned for a heavy equipment operation. It would be different if at the time we purchased our residence Mr. Tena's property had already been approved for a contractor's yard, with minimal building setbacks and large construction equipment such as backhoes and graders were already being stored and using the streets we travel upon. If that had been the case, and we went ahead and purchased our home, then we would have done so with knowledge that such use of Mr. Tena's property was approved, and we would have no right to object. But that was not the case. Likewise, when Mr. Tena purchased his property on Aragon Street, he knew that it was not approved to run a heavy equipment business operation out of, and that it was a residential neighborhood. So, it would only seem fair that Mr. Tena should not now expect the rest of the neighborhood to change in character from a residential area to a heavy equipment operation area to suit his convenience. Any difficulty arising out of a denial of these requested variances was a situation that already existed when Mr. Tena purchased his property, with his full knowledge of the use restrictions which did not allow his current requests, and therefore it cannot be construed as a hardship to Mr. Tena if these variances are denied.

In that regard, there are many properties in Pima County that are zoned for and can accommodate the type of use that Mr. Tena wants, without changing the nature of the areas where those heavy equipment contractor yard zonings exist.

Additionally, I use the same streets (Aragon, St., Gila Ave., and Caballo Rd.) that serve both my property and Mr. Tena's property. These streets are very rural, some are dirt roads, and they are not built to handle both large vehicles and passenger vehicles travelling in opposite directions. I have attached a photograph that was taken just a few days ago on Aragon Street between Caballo Road and Beehive Avenue, showing the inadequacy of width for both the heavy equipment vehicle and the passenger vehicle in order to pass each other, unless one or the other (in this instance, the passenger vehicle) pulls off to the side of the road to allow passage of the heavy equipment vehicle. Mr. Tena's application includes his offer to pave Aragon from Beehive Avenue to Caballo Road, but paving would not change the inadequacy of width for two-way vehicular passage when one of those vehicles is heavy equipment.

Further, even in a property that is conditionally allowed to be used as a contractor's yard, the setback is 100' from the property lines. Mr. Tena's requested variance of reducing the setback from 100' to 15' or even 20' feet is not a minor change in the 100' setback requirement. Essentially, that reduction in the 100' setback requirement would result in the ability to use the entire lot for heavy equipment storage, and no 6' or even 8' fence would mitigate that expansive usage.

As Mr. Tena's neighbor, I wish him no ill will in my objection to his requested variances, and I am confident that he would be able to find many properties in Pima County that would be suitable for his heavy equipment storage and operation needs, unlike our neighborhood, whose character is suited and zoned for homes.

For the above stated reasons, I respectfully object to the requested variances in matter # P21VA00011.

Sam J. Cannon,
3970 W. Aragon St.
Tucson Az. 85746