

ZONING VARIANCE NARRATIVE Rev. B (11/10/2021)

Town of Oro Valley
Board of Adjustment
Zoning Variance Project Narrative

Parcel #225-09-2360, McCabe Property, 1241 W. Linda Vista Blvd., Oro Valley, AZ 85704

This variance request is for a portion of a new garage and bedroom addition to be placed in the back yard 40-foot setback. Our request is to have the rear yard setback reduced from 40.0' to 14.5' (at the minimum) as shown in the Site Plan submitted with this narrative (see southeast corner of proposed addition).

A small portion of the existing dwelling structure was originally built inside of the rear yard setback line. The new garage and bedroom addition to be built along the east side of the property is approximately 947 square feet. The area of the addition projecting into the 40-foot setback is approximately 315 square feet.

The following information addresses the 5 criteria outlined in the Town of Oro Valley Variance Process Guide.

- 1. That there are special circumstances or conditions applying to the property strictly related to its size, shape, topography, location or surroundings which do not apply to other properties in the district. Existing building configuration shall be included only when constrained by the special circumstances or conditions of the property; and**

The house was built within the setback 43 years ago. Our assumption is that the house was built within the setback due to the topography of the lot, which creates a number of challenges from a structure placement perspective. The lot slopes downhill from the rear lot line to the front lot line by approximately 50 feet overall, and the rear portion of the lot (where the house was originally placed) may have been chosen due to its relative size and flatness being compatible with the required footprint for placement of the house (again, this occurred 43 years ago and is an assumption on our part). In reviewing other properties in our neighborhood, ours is unique from the perspective of the amount of slope and the placement of the original structure. Our desire to add an attached garage to add functionality and utility to the property necessitates further encroachment into the rear yard setback (as shown in the submitted Site Plan) as there is no other available, usable space upon which to build **except** the east side of the existing structure; to the west is a swimming pool, to the south is the aforementioned lot line, and to the north is a fairly severe (i.e. approximately 29%) slope from the existing home location to the street.

To ensure we had looked at all possible solutions (and avoid encroaching on the setback), we had an architect draw up several different preliminary site plans to look at other placement options. The bottom line is that placing the proposed garage and room addition anywhere on the lot other than the submitted site plan resulted in layouts that either were not functional or would be a challenge for resale (if we decided to sell the house in the future). We will be presenting a PowerPoint to the Planning/Zoning team when we meet on December 14th which

will show the progression of design options we've gone through to get to the point of this variance request.

2. **That the special circumstances or conditions as defined in subsection C.1 of this section were not created by a previous or current owner; and**

The house was in its present location when it was purchased by the owner. We are seeking to provide basic utility and protection for our cars and stay in conformance with our immediate neighbors while also maintaining the surrounding neighborhood character.

3. **That the authorizing of the variance is necessary for the preservation of privileges and rights enjoyed by other properties of the same classification in the same zoning district; and**

As the property owners, it is our desire to improve the property utility by adding an attached garage for additional storage space (for cars, tools, etc.) as well as a bedroom/closet addition and a remodeled bathroom and kitchen. This will bring jobs (for design/permitting/construction) as well as revenue for local suppliers.

All of the homes within our neighborhood have either garages, carports, or in some cases both. Our design will add to the existing footprint and encroach slightly on the rear yard setback, but will do so in a way that is consistent with the existing home architecture and only add to the visual appeal of the home.

4. **That any variance granted is subject to such conditions as will assure that the authorizing of the adjustment shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located; and**

Granting this variance request will not constitute a grant of special privileges; garages are a common feature in most homes, and the setback encroachment already exists with the home in its current location. As explained in #1 above, there is no other practical location to place the garage/bedroom addition. Other properties in the area do not have the same topographical challenges that impact safe placement of structures; this variance is not in any way granting any "special privilege".

5. **That the authorizing of the variance will not be materially detrimental to persons residing in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.**

Authorizing this variance will improve the existing home's value and utility and **will be essentially invisible to our neighbors** due to the proposed addition location and lot topography. Authorizing this variance will not be detrimental in any conceivable way to neighbors, properties and the public in general. In fact, the proposed addition will improve the home esthetic and raise the property value (which benefits all neighbors).