



BOARD OF ADJUSTMENT VARIANCE APPLICATION

Case Number: C10-18-02 Activity Number: ~~518-002~~ TT85A00079 Date Accepted: 2/12/17

PROPERTY LOCATION INFORMATION

Property Address: 1217 E. Kentucky St. & 1215 E. Kentucky St.

Project Description: Lot split

Zoning: R-2

Property Size (sqft):

Number of Existing Buildings: 1

Number of Stories: 1

Height:

Legal Description: SEE EXHIBIT "A"

Pima County Tax Parcel Number/s: 132-18-089A

APPLICANT INFORMATION (The person processing the application and designated to receive notices):

APPLICANT: Maria R. Peralta & Sergio H. Peralta

ADDRESS: 4343 N. Camino Vinorama Tucson AZ 85750

PHONE: (520) 303-8128 FAX: ( )

EMAIL: m.rperalta@yahoo.com

PROPERTY OWNER (If ownership in escrow, please note): Maria R Peralta & Sergio H Peralta

ADDRESS: 4343 N. Camino Vinorama Tucson AZ 85750

PHONE: (520) 303-8128 FAX: ( )

EMAIL: m.rperalta@yahoo.com

PROJECT TYPE (check all that apply):

- Project type checkboxes: New building on vacant land, New addition to existing building, Existing building needs permits, Landscaping / Screening substitution.

- Project type checkboxes: Change of use to existing building, New building on developed land, Modification to wall/fence height, Other insufficient sq ft.

Related Permitted Activity Number(s): 518-002

I hereby certify that all information contained in this application is complete and true to the best of my knowledge.

Signature of Maria R. Peralta

SIGNATURE OF OWNER/APPLICANT

Date: 1/16/18

Date



BOARD OF ADJUSTMENT - PROJECT DESCRIPTION

Provide a description of the project including, but not limited to its lot area, square footage of proposed or existing structures, proposed use/s, is a multiphase project, etc. If this project is the subject of a rezoning or special exception request, HPZ review, or a zoning violation, please provide current status of that case.

The proposed is a lot split of a lot with (2) townhomes sharing a common wall. This lot is in R-2 Zone. The subdivision of proposed lot, are individual lots with townhomes, single family residence. This proposed lot split is a ~~zoning violation~~ due to (M.P.) insufficient in lot sq.ft. It is not possible to obtain extra sq. footage from vicinity. I'm applying for a variance for this ~~violation~~ <sup>lot size</sup> if granted, lot would (M.P.) become like the rest of the subdivision. This is the only lot with (2) family in one lot. The proposed lot split would be: Parcel 1 1215 E. Kentucky St. being 3,288 sq.ft. & Parcel 2 1217 E. Kentucky St. being 3,968 sq.ft. No new buildings or adjustments would be made to neither existing properties. They are seperately except in lot.

Case Number: C10- 18-02

Activity Number: ~~SA1002~~

TT8SA00079



APPLICANT'S REQUEST TO THE BOARD OF ADJUSTMENT

Provide applicable UDC Section reference, what is required and what is proposed/provided for each variance requested.

Proposed variance for lot split for the following address:

Parcel 1	Parcel 2
1215 E Kentucky St	1217 E Kentucky St
3,288 sqft	3,968 sqft

Minimum lot size of 5,000 sqft required, we are requesting a lot size of 3,288 sqft for parcel 1 and 3,968 sqft for parcel 2.

Minimum setback is 6'-0" facing each interior property line, we are requesting 0' to the south lot line of parcel 1, and 0' to the north lot line of parcel 2.

*Justin R. Podesta*

Case Number: C10- 18-02 Activity Number: TJ85A00079



BOARD OF ADJUSTMENT – REQUIRED FINDINGS

Arizona State Statutes and UDC Section 3.10.3.K. state that the Board may grant a variance only if the variance request complies with each and every one of these "Findings" in full. It is up to the applicant to explain to the Board how the request complies with each Finding. **Important Note:** Do not leave any "Finding" unanswered or marked "Not Applicable" or "N/A".

- 1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district;

This lot is in a R-2 zoning as well as the rest of the subdivision; where lots are individually with a single family. The minimum lot size is 5,000 sq.ft. Lot proposal sizes to be: 1215 E. Kentucky 3,288 sq.ft & 1217 E. Kentucky 3,968 sq.ft.

- 2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property;

This was the original lot size. We bought property now it is no modifications were made.

- 3. That the variance granted is subject to such conditions as will assure that the adjustment authorized 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;

The vicinity or subdivision, are individual lots with single families. This lot splitting would not interfere with vicinity's properties or neither create any encumbrance, not out of the ordinary of already there, some other lots don't meet lot size requirements as well.

- 4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC;

Due to lot size not being large enough and not being able to obtain extra sq. footage. Lot split doesn't meet sq.ft. requirements. Parcel 1 proposed at 3,288 sq.ft. Parcel 2 3,968 sq.ft. They wouldn't be interfering w/ any other property.

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BOARD OF ADJUSTMENT – REQUIRED FINDINGS (CONTINUED)

5. That the granting of the variance shall not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;

Proposed lot split would not impact in any way vicinity,  
due to lot being in its original condition and still remaining.

6. That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood; and,

Proposed variance does not interfere with both sides of property.  
Will not be modified remains in original condition.

7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions that are in question.

This proposed lot split would be the option to make this  
lot like vicinity or original subdivision. A lot with a  
single family residence and with own space. This lot  
split is consist with neighborhood all through the subdivision.

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Activity Number: T18SA00079



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CDRC TRANSMITTAL

**FROM:** María Gayosso, Lead Planner  
January 2, 2018

**PROJECT:** S18-002 – Lot Split

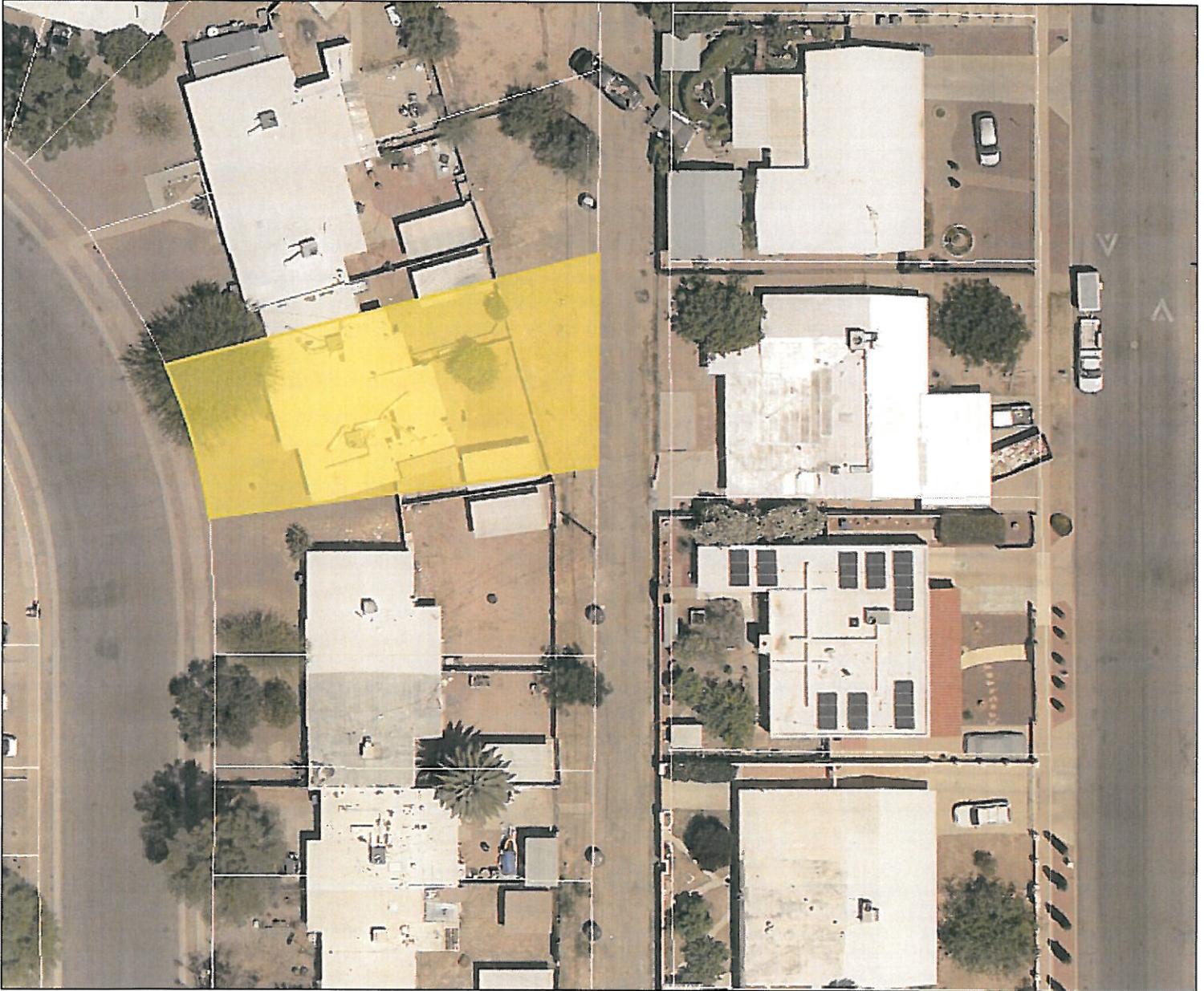
**COMMENTS:** The following comments are for the purpose of applying for a variance before the Board of Adjustment (UDC Section 3.10.1).

This site is located in the R-2 zone (UDC 4.7.9). A single-family residence (SFR) is a permitted use in this zone (Table 4.8-2). See Use-Specific Standards 4.9.7.B.5 - 9.

The minimum setback is the greater of six (6) feet, or two-thirds (2/3) the height of the structure's wall facing each interior property line (Table 6.3-2.A).

The minimum lot size is 5,000 square feet (UDC 6.3-2.A). The proposed lot sizes are 3,288 sq.ft. for 1215 E Kentucky St., and 3,968 sq.ft for 1217 E. Kentucky St. A variance must be approved by the Board of Adjustment before Zoning can approve lot split.

# 1215 -1217 E. Kentucky Street



### Notes

Proposed Lot Split and Lot Area Variance

### Legend

Parcels

1: 564



0.0 0 0.01 0.0 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City of Tucson

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

DATE: JAN. 25, 2018

City of Tucson  
Planning & Development Services  
Rezoning Section  
201 North Stone Avenue  
PO Box 27210  
Tucson, AZ 85726-7210

SUBJECT: Neighborhood Mailing Certification

ACTIVITY NUMBER: T18PRE0009

PROJECT LOCATION: 1215 + 1217 E. Kentucky St.  
Tucson AZ 85714

This serves to place on record the fact that on Jan. 25, 2018, Maria R. Peralta,  
(date) (name)  
mailed notice of the Feb. 10, 2018 neighborhood meeting such that the notice was  
(date of meeting)  
received at least ten (10) days prior to the date of the meeting.

Signature: Maria R. Peralta Date: 1/25/18

Attachment: copy of mailing labels

January 25, 2018

Neighborhood Meeting for our Board of Adjustment Variance Application

Dear Neighbor,

We are proposing a lot split for Lot 84 which address include 1215 & 1217 E. Kentucky St. Tucson Az. 85714. Parcel 1 with address 1215 E. Kentucky St. would be a lot area of 3,288 S.F. Parcel 2 with address 1217 E. Kentucky St. would be a lot area of 3,968 S.F.

Per the City of Tucson Unified Development Code (UDC 6.3-2.A) (UDC 4.7.9)  
Therefore, this project will require a variance to the code requirements.

The variance(s) we are seeking are:

Parcel 1 with address 1215 E. Kentucky St. would be a lot area of 3,288 S.F.

Parcel 2 with address 1217 E. Kentucky St. would be a lot area of 3,968 S.F.

Prior to submitting our variance application to the City of Tucson Planning & Development Services Department, we are required to offer to meet with our neighbors to discuss our project and answer any questions and address any concerns you might have.

The meeting will be held on February 10, 2018 at 10:00 A.M. at 1110 E. Kentucky St. Tucson Az. 85714. There will be an attendance sheet at the meeting, please be sure to sign in. If you are not able to attend the meeting and have questions and/or concerns, feel free to contact me at: (520)303-8728 or by email at [m.rperalta@yahoo.com](mailto:m.rperalta@yahoo.com)

A formal application for the variances will be submitted to the City of Tucson Planning & Development Services Department. Once our application is processed, we will be scheduled for a Board of Adjustment public hearing in which you may attend and speak at if so desired. You will receive an official notice from the City as to the date, time and place of the Board of Adjustment public hearing as well as a comment form that you may fill out regarding our project.'

Thank you and we look forward to meeting with you.



Maria R. Peralta



Date 2/26/18

Subject: Follow-up to January 25, 2018 letter for neighborhood meeting

Dear Neighbor,

Last month you received a letter in regards to our project for 1215 and 1217 E Kentucky Street. In the letter we described our project which was to do a lot split but need a variance for the minimum lot size. The proposed lot sizes are as follows: 3,288 sqft for 1215 E Kentucky St (Parcel 1) and a lot size of 3,968 sqft for 1217 E Kentucky St (Parcel 2). The minimum lot size per the City of Tucson Unified Development Code is 5,000 sqft. We are requesting variances to allow a reduced lot size for parcels 1 and 2.

Upon further review of the application by city staff, it was noted that additional variances would be needed for the setbacks between the two new parcels. This letter is to notify you of the additional variances needed and that you may contact us if you have any further questions or concerns.

Per the City of Tucson Unified Development Code, the minimum setback is 6'-0" facing each interior property line. We are requesting 0' to the south lot line of parcel 1 and 0' to the north lot line of parcel 2.

If you have any questions and/or concerns, feel free to contact me at: (520) 303-8728 or by email at [m.rperalta@yahoo.com](mailto:m.rperalta@yahoo.com)

A formal application for the variances has been submitted to the City of Tucson Planning & Development Services Department. You will receive an official notice from the City as to the date, time and place of the Board of Adjustment public hearing in which you may attend and speak at if so desired as well as a comment form that you may fill out regarding our project.

Thank you,



EXHIBIT "A"  
LEGAL DESCRIPTION

PARCEL 1:

All of that portion of Lot 84 of VERDE PARK, a subdivision of Pima County, Arizona, according to the map or plat thereof of record in the office of the County Recorder of Pima County, Arizona, in Book 14 of Maps and Plats, page 38, described as follows:

BEGINNING at the Southeast corner of said Lot 84;

THENCE North 0 degrees 26 minutes 57 seconds West, along the East line of said Lot, 45.29 feet to the TRUE POINT OF BEGINNING;

THENCE South 73 degrees 33 minutes 29 seconds West, 117.30 feet to a point in a curve concave to the West having a radius of 175.00 feet;

THENCE Northerly along said curve, 26.83 feet;

THENCE North 73 degrees 33 minutes 29 seconds East, 127.55 feet;

THENCE South 0 degrees 26 minutes 57 seconds East 27.74 feet to the TRUE POINT OF BEGINNING.

(jv arb: 843)

PARCEL 2:

All of that portion of Lot 84 of VERDE PARK, a subdivision of Pima County, Arizona, according to the map or plat thereof of record in the office of the County Recorder of Pima County, Arizona, in Book 14 of Maps and Plats, page 38, described as follows:

BEGINNING at the Southeast corner of said Lot 84;

THENCE North 0 degrees 26 minutes 57 seconds West, 45.29 feet along the East line of said Lot;

THENCE South 73 degrees 33 minutes 29 seconds West, 117.30 feet to a point in a curve concave to the West having a radius of 175.00 feet;

THENCE Southerly along said curve, 28.44 feet;

THENCE North 81 degrees 40 minutes 19 seconds East along a radial line 107.66 feet to the TRUE POINT OF BEGINNING

(jv arb: 842)

**Parcel Number:** 132-18-089A

**Property Address**

Street Number	Street Direction	Street Name	Location
1215	E	KENTUCKY ST	Tucson
1217	E	KENTUCKY ST	Tucson

**Contact Information**

**Taxpayer Information:**

PERALTA SERGIO H & MARIA R CP/RS  
 8341 E WILDCAT DR  
 TUCSON AZ  
  
 85730-0000

**Property Description:**

VERDE PARK LOT 84

**Valuation Data**

Valuation Year	Legal Class	Assessment Ratio	Total FCV	Limited Value	Limited Assessed
2017	RES OWNER OCC (3)	10.0	\$52,325	\$34,956	\$3,496
2018	RES OWNER OCC (3)	10.0	\$56,395	\$36,704	\$3,670

**Property Information**

<b>Township:</b>	14.0	<b>Section:</b>	31	<b>Range:</b>	14.0E
<b>Map &amp; Plat:</b>	14/38	<b>Block:</b>	0	<b>Tract:</b>	
<b>Rule B District:</b>	2	<b>Land Measure:</b>	1.50S	<b>Lot:</b>	00084
<b>Census Tract:</b>	2200	<b>File Id:</b>	1	<b>Group Code:</b>	
<b>Use Code:</b>	0730 (CONDO/TWNHM/ROW/PATIO GRADE 3)			<b>Date of Last Change:</b>	12/30/2015

**Sales Information (2)**

Affidavit of Fee No.	Sale Date	Property Type	Sale	Validation
20152940153	9/2015	Condo/Townhouse	\$70,000	X Aut
19981130725	7/1998	Condo/Townhouse	\$75,000	X JAC DEED: Joint Tenancy Deed

**Valuation Area**

**District Supervisor:** RAMON VALADEZ **District No:** 2

Condo Market	DOR Market	MFR Neighborhood	SFR Neighborhood	SFR District
100	7	ST_SOUTHPARK	04408701	4

### Recording Information (4)

Sequence No.	Docket	Page	Date Recorded	Type
20152940153	0	0	10/21/2015	WTDEED
20141990532	0	0	7/18/2014	BTDEED
20081770135	13389	301	9/11/2008	QCDEED
19981130725	10836	2047	7/13/1998	

### Residential Characteristics

Property Appraiser: Gwenn Stewart Phone:

#### Main Structure:

Appraisal Date:	1/27/2015	Property Type:	Condominium	Area ID:	Ed 4-044087-01-3
Processed:	12/31/1969	Building Class:	3	Physical Condition:	Fair
Total Living Area:	1,555	Garage Type:	None	Effective Construction Year:	1962
Garage Capacity:	0	Stories:	4.5	Patio Type:	None
Rooms:	99	Patio Number:	0	Quality:	Fair
Pool Area:	0	Exterior Walls:	8in Painted	Valuation Type:	00
Roof Type:	Built Up	Total Main:	\$58,139	Heating:	Wall Furnace
Total Control:	\$58,139	Cooling:	Refrigeration	Total Actual:	\$56,395
Bath Fixtures:	6	FCV Adjustment Factor:	1.000	Enhancement:	\$0
Last Calc:	0830				

### Notes (4)

**Created:** 12/30/2015 2017 VIA SECONDARY VALUATION TO CLASS 3 PRIMARY SQ20152940153 PER SALES AFFIDAVIT RULE A  
**Modified:** 12/30/2015

**Created:** 7/29/2014 SQ20141990532 BENEFICIARY DEED FROM SANTIAGO C ACEDO  
**Modified:** 7/29/2014

**Created:** 12/2/2011 Remove slab,terrace,deck from listing and update porch count.  
**Modified:** 12/2/2011

**Created:** 2/2/2010 2010 TIC: RENTAL PER ADDRESS CORRECTION FORM >RULE B//2011 UPDATED  
**Modified:** 2/2/2010