



BOARD OF ADJUSTMENT VARIANCE APPLICATION

Case Number: C10-_____ Activity Number: _____ Date Accepted: _____

PROPERTY LOCATION INFORMATION

Property Address: _____

Project Description: _____

Zoning: _____ Property Size (sqft): _____

Number of Existing Buildings: _____ Number of Stories: _____ Height: _____

Legal Description: _____

Pima County Tax Parcel Number/s: _____

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

APPLICANT: _____

ADDRESS: _____

PHONE: () FAX: () EMAIL: _____

PROPERTY OWNER (If ownership in escrow, please note): _____

ADDRESS: _____

PHONE: () FAX: () EMAIL: _____

PROJECT TYPE (check all that apply):	() Change of use to existing building
() New building on vacant land	() New building on developed land
() New addition to existing building	() Modification to wall/fence height
() Existing building needs permits	() Other _____
() Landscaping / Screening substitution	

Related Permitted Activity Number(s): _____

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

SIGNATURE OF OWNER/APPLICANT

3-1-2022

Date



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;

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

- 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;

- 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;

Case Number: C10- Activity Number: _____



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;

- 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,

- 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.

Case Number: C10- Activity Number: _____



Planning & Development Services Department
 201 N. Stone Avenue
 PO Box 27210
 Tucson, AZ 85726
 (520) 791-5550

Letter of Agency/Authorization

If the applicant is not the owner of record of the subject site, a Letter of Agency from the owner or the owner's authorized representative must be submitted which grants the applicant permission to submit an application for the requested entitlement(s).

Date: _____

To:
 City of Tucson
 Planning & Development Services Department
 Zoning Administration Division
 PO Box 27210
 Tucson, AZ 85726

Planning & Development Services Department:

I, the undersigned legal owner of record, hereby grant permission to:

Applicant:

Phone: _____

Applicant's Address:

To submit a Board of Adjustment variance application on my behalf.

The subject property located at:	
Assessor's Parcel Number:	
Printed Name of Owner of Record:	
Address of Owner of Record:	
Phone Number of Owner of Record:	
Signature of Owner of Record: (must be original signature)	

Case Number: C10- _____ Activity Number: _____

Arrow Land Survey, Inc.

3121 E. Kleindale Road
Tucson, Arizona 85716

Phone (520) 881-2155

Fax: (520) 881-2466

LEGAL DESCRIPTION

JOB NO. 21113

July 28, 2021

Parcel 1

A portion of Lot 4 of Block 237 of City of Tucson recorded in Book 3 of Maps and Plats at Page 70 in the Office of the Recorder, Pima County, Arizona according to the field notes made and executed by S.W. Forman ("Forman Notes") in the City of Tucson Department of Transportation Field Book 1 at Page 149, located in the Southeast Quarter of the Northwest Quarter of Section 13, Township 14 South, Range 13 East, Gila, and Salt River Meridian, Pima County, Arizona, described as follows:

BEGINNING at the northwest corner of Lot 4 of Block 237 of City of Tucson recorded in Book 3 of Maps and Plats at Page 70 in the Office of the Recorder, Pima County, Arizona according to the field notes made and executed by S.W. Forman ("Forman Notes") in the City of Tucson Department of Transportation Field Book 1 at Page 149 on the south right-of-way line of Simpson Street recorded in said Book 3 of Maps and Plats at Page 70 monumented by a 60d nail tagged "RLS 23942" from which the northeast corner of said Lot 4 monumented by a set one-half inch rebar tagged "RLS 35111" bears North 86°08'59" East, 163.68 distant (Basis of bearings for this Exhibit);

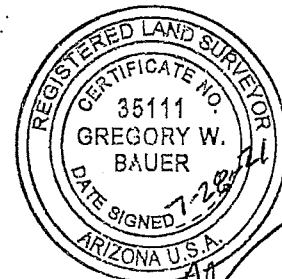
Thence North 86°10'58" East upon said south right-of-way line, a distance of 108.12 feet to a set one-half inch rebar tagged "RLS 35111";

Thence South 03°30'04" East, a distance of 61.49 feet to the south line of said Lot 4 monumented by a set one-half inch rebar tagged "RLS 35111";

Thence South 86°05'09" West upon said south line, a distance of 106.01 feet to the southwest corner of said Lot 4 on the east right-of-way line of Convent Avenue recorded in said Book 3 of Maps and Plats at Page 70 monumented by a mag nail tagged "RLS 26932";

Thence North 05°28'17" West upon said east right-of-way line, a distance of 61.69 feet to the **POINT OF BEGINNING**.

Said parcel contains 6592.6 square feet or 0.15 acres as described.



Arrow Land Survey, Inc.

3121 E. Kleindale Road
Tucson, Arizona 85716

Phone (520) 881-2155

Fax: (520) 881-2466

LEGAL DESCRIPTION

JOB NO. 21113

July 28, 2021

Parcel 2

A portion of Lot 4 of Block 237 of City of Tucson recorded in Book 3 of Maps and Plats at Page 70 in the Office of the Recorder, Pima County, Arizona according to the field notes made and executed by S.W. Forman ("Forman Notes") in the City of Tucson Department of Transportation Field Book 1 at Page 149, located in the Southeast Quarter of the Northwest Quarter of Section 13, Township 14 South, Range 13 East, Gila, and Salt River Meridian, Pima County, Arizona, described as follows:

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Thence North 86°10'58" East upon said south right-of-way line, a distance of 108.12 feet to the **POINT OF BEGINNING** monumented by a set one-half inch rebar tagged "RLS 35111";

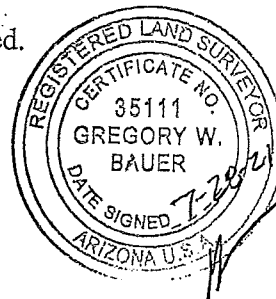
Thence North 86°05'09" East upon said south-right-of-way line, a distance of 55.56 feet to the northeast corner of said Lot 4 monumented by a set one-half inch rebar tagged "RLS 35111";

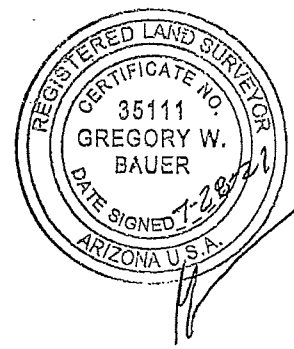
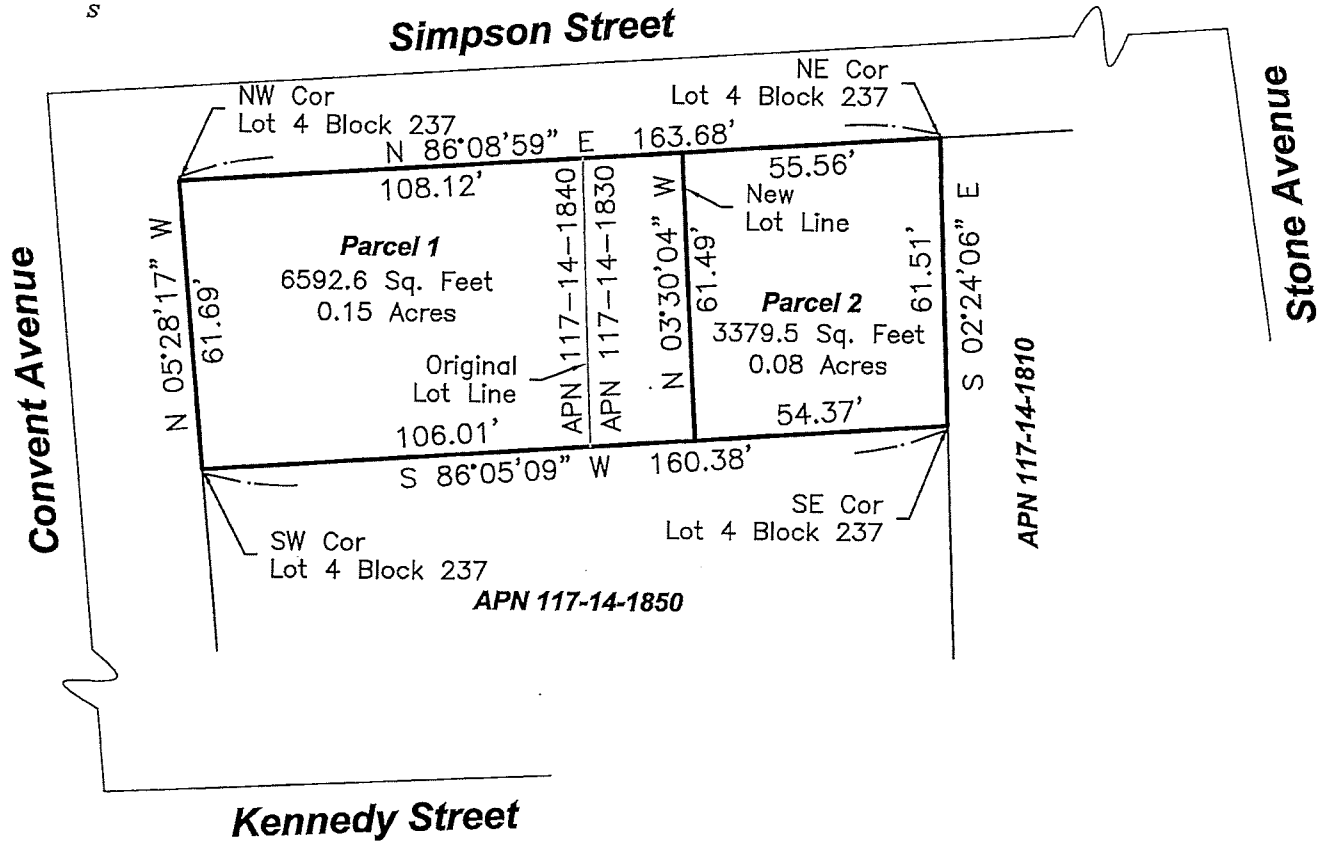
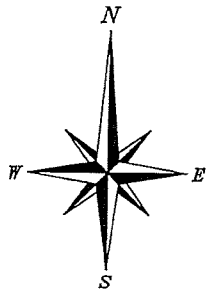
Thence South 02°24'06" East upon the east line of said Lot 4 a distance of 61.51 feet to the southwest corner of said Lot 4 monumented by a set one-half inch rebar tagged "RLS 35111";

Thence South 86°05'09" West upon the south line of said Lot 4, a distance of 54.37 feet to a set one-half inch rebar tagged "RLS 35111";

Thence North 03°30'04" West, a distance of 61.49 feet to the **POINT OF BEGINNING**.

Said parcel contains 3379.5 square feet or 0.08 acres as described.





Legal Description Exhibit

Lot 4 of Block 237 of City of Tucson recorded in Book 3 of Maps and Plats at Page 70, located in the Southeast Quarter of the Northwest Quarter of Section 13, Township 14 South, Range 13 East, Gila and Salt River Meridian, Pima County, Arizona

Arrow Land Survey, Inc.
3121 E. KLEINDALE RD. TUCSON, AZ. 85716
PHONE (520) 881-2155 FAX (520) 881-2466
LAND SURVEYING
CONSTRUCTION STAKING


Record of Survey
 A boundary survey and lot line adjustment of the parcels located in Lot 4 of Block 227 recorded in Book 3 of Maps and Plats at Page 70, located in the Southeast Quarter of the Northwest Quarter of Section 13, Township 14 South, Range 13 East, Gila and Salt River Meridian, Pima County, Arizona.

Arrow Land Survey, Inc.
 LAND SURVEYING
 CONSTRUCTION STAKING
 2312 E. RENAISSANCE RD.
 TUCSON, AZ 85716
 (520) 881-2155
 (520) 881-9468 FAX

DATE CHN BY
 CUC-EP
 DATE 07/03/2011
 JOB NO. 21113
 SCALE 1"=10'
 SHEET 1 OF 1

Original Parcel Information
 Assessor Parcel No: 117-14-1840
 Address: 517-14-1840
 Sequence Number: 2030050370
 Assessor Parcel No: 117-14-1830
 Address: 517-14-1830
 Sequence Number: 2030050684

Certification:
 I, the undersigned, do hereby certify that the survey was performed under my direction during the month of July, 2011, and that all monuments exist as shown.

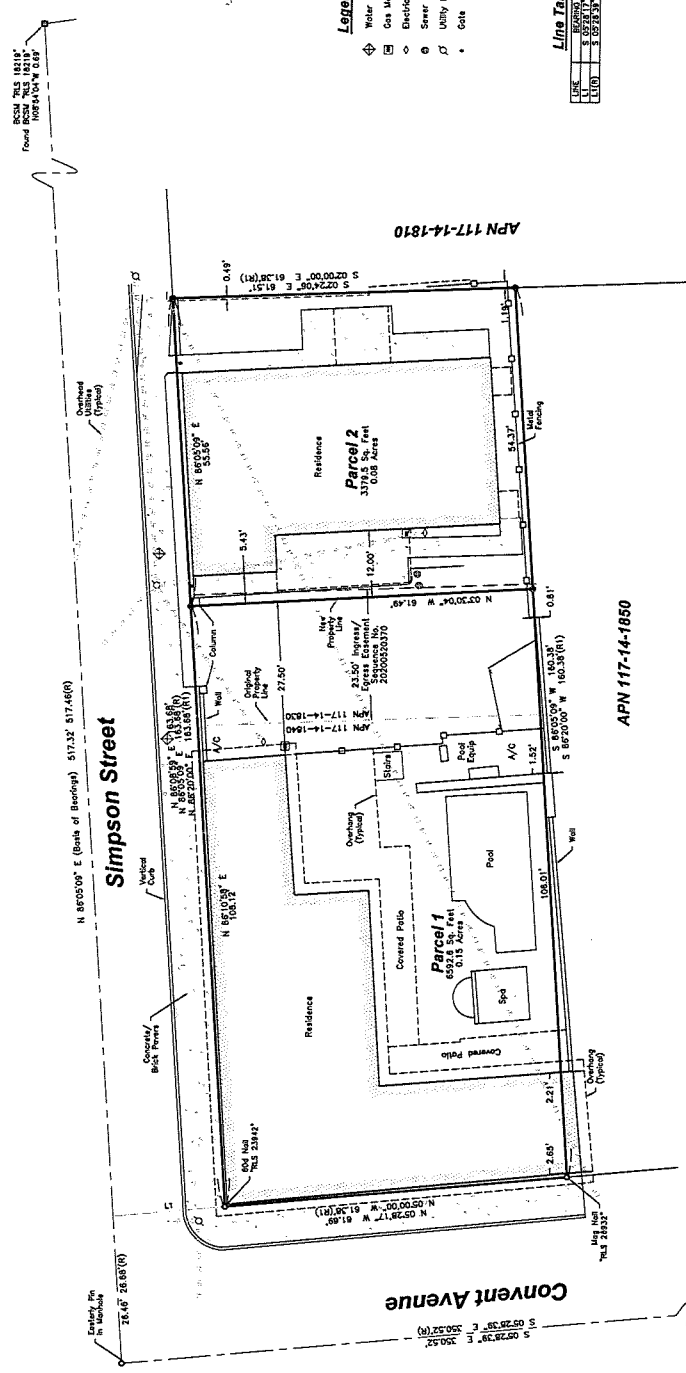


Gabrielita Casarez-Kelly
 Registered Land Surveyor
 Arizona Registration No. 35111

- Legend**
- Water Meter
 - Gas Meter
 - Electric Meter
 - Swear Chronot
 - Utility Pole
 - Gate

Line Table

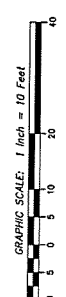
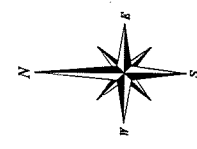
LINE	BEARING	DISTANCE
1	S 05°28'39" E	130.52'
2	S 05°28'39" E	130.52'
3	S 05°28'39" E	130.52'
4	S 05°28'39" E	130.52'
5	S 05°28'39" E	130.52'



- Notes:**
1. Basis of Bearings: North 89°00'00" East, according to Book 72 of Surveys of Page 11, Pima County, Arizona bearings, monuments found on the monument line of Simpson Street, as shown.
 2. This survey was performed without the benefit of a utility blueprint. No guarantee can be made as to the existence, location, depth, or condition of any utility.
 3. The accuracy of this survey is based on the most reliable research for easements of record, encroachments, restrictive covenants, and other facts that may affect the subject property.
 4. All dimensions shown are measured or a calculated derivative thereof unless otherwise noted.
- (R) Indicates a record dimension according to Book 72 of Surveys of Page, Pima County, Arizona.
 (R1) Indicates a record dimension according to the legal description of the Subject Parcel.
 □ Indicates a brass cap survey monument (BCSM) as described.
 ○ Indicates a found monument as described.
 ● Indicates a 1/4" x 1/4" rebar topped "TUG 35111".

RECORDING

SEQUENCE: _____
 FILE: _____
 STATE OF ARIZONA
 COUNTY OF PIMA, ss. I, the undersigned, a duly qualified and licensed Surveyor, do hereby certify that the instrument was filed for record at the request of:
 Of: Arrow Land Survey
 Date: _____
 Title: _____
 Witness my hand and Official Seal day and year above written.
 Gabrielita Casarez-Kelly, County Recorder
 BY: _____ DEPUTY



Sequence Number

PDSD TRANSMITTAL

FROM: PSDS Zoning Review

PROJECT: 92 W Simpson St. – HO-3
S21-068
Land Split (1st Review)

TRANSMITTAL DATE: September 23, 2021

SECTION 2-08.0.0: LAND SPLIT

2-08.5.0 CONTENT REQUIREMENTS

1. COMMENT: 2-08.5.F – Per TABLE 6.3-3.A: DIMENSIONAL STANDARDS FOR THE O-1, O-2, & O-3 ZONES, O-3 Zone, residential use to nonresidential zone the required perimeter yard setback is the greater of 10'-0" or 3/4 the height of the exterior wall. Provide a setback dimension from the post supporting the porch to the west property line of Parcel 2. As the house and porch do not meet the minimum setback to the proposed property line, at a minimum a Design Development Option (DDO) will need to be processed for reduced perimeter yard setbacks. Depending on how comment 2 is addressed the reduced perimeter yard setbacks can be processed in the required Board of Adjustment.

2. COMMENT: 2-08.5.F – Per TABLE 6.3-3.A: DIMENSIONAL STANDARDS FOR THE O-1, O-2, & O-3 ZONES, O-3 Zone, the minimum lot size for a residential use is 5,000 sq. ft. Proposed lot size of Parcel 2 is 3379.5 sq. ft. At a minimum a Board of Adjustment for Variance is required to reduce the lot size below minimum requirements. Board of Adjustment application and requirements can be found at: https://www.tucsonaz.gov/files/pdsd/codes/Zoning_Administration_Application_BA_fillable.pdf. The Board of Adjustment is a separate submitted from the land split and is submitted at: <https://www.tucsonaz.gov/pdsd-filedrop>, using the submission type "Zoning Administration". Contact Mark Castro at Mark.Castro@tucsonaz.gov for questions about the Board of Adjustment.

3. COMMENT: 2-08.5.G – Provide a lot coverage calculation for both parcels. The lot coverage calculation shall meet the requirements of UDC Article 6.4.3 and the example shown on the Residential Plot Plan requirements found at: https://www.tucsonaz.gov/files/pdsd/forms/Residential_Plot_Plan_Requirements.pdf.

If you have any questions about this transmittal, please contact Elisa Hamblin at Elisa.Hamblin@tucsonaz.gov



DOWNTOWN TUCSON
141 S 6TH AVE
TUCSON, AZ 85701-9998
(800)275-8777

01/28/2022

03:13 PM

Product	Qty	Unit Price	Price
LetsCelebrate	150	\$0.58	\$87.00
Grand Total:			\$87.00
Cash			\$100.00
Change			-\$13.00

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or call 1-800-410-7420.

UFN: 038898-0727
Receipt #: 840-58520260-3-5693336-1
Clerk: 14

January 20, 2022

Subject: Neighborhood Meeting for our Board of Adjustment Variance Application

Dear Neighbor,

We are proposing moving the lot line between 86 and 92 W. Simpson St. Both are properties we own. This would allow us to build some secure storage and create a paved, covered off street parking area that will help to reduce congestion on W. Simpson St. as well as mitigating the problem of dirt and sand runoff into the street and storm drains. The existing property line splits the open parking area and would not allow for this improvement as part of either parcel.

The proposed new property line will reduce the setback distance on the West side of 86 Simpson to below the allowable amount. 86 Simpson already has ample yard space to the East and this change will allow for similar East-side buffer space for 92 Simpson.

Per Zone HO-3, the required perimeter yard setback is the greater of 10'-0" or 3/4 the height of the exterior wall. Additionally, the minimum lot size for a residential use in this zone is 5,000 sq. ft.

Therefore, this project will require a variance these requirements. The variance(s) we are seeking are:

- (1) Reduce the perimeter yard setback for the West side of 86 Simpson to 4'
- (2) Reduce the lot size to 3379.5 sq. ft.

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.

A Zoom meeting will be held at 5:30pm on February 14, 2022. Please email me at dustydelrio1@gmail.com if you wish to attend so that I can send you the meeting link. If you are not able to attend the meeting and have questions and/or concerns, please email them to me.

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.

Glenn White
Mona Treadway

Neighborhood Meeting Summary: Treadway/White Land Split

Present at Meeting: Mona Treadway/Glenn White (Property Owners)

Julienne Goldfine
Darren Clark
Philipp Nehere
Greg Kuykendall
Stephen Paul
Leslie/Tim Kanberg

The meeting occurred at the specified date and time; 02-14-2022. Mona and I explained the scope of project to the group. We explained that our primary residence as it exists has no viable storage or covered parking. Also that finishing the proposed area would help with debris and silt run off into the city drain system as well as helping to reduce parking on Simpson St.

The parking issue was disputed but if the property at 86 W Simpson were to be sold by us we would need to park motorcycles and our primary vehicles on the street. While we do not have plans to sell 86 W. Simpson at this time the parking issue is true.

Another concern raised was the historic nature of the property. We explained that we have done extensive renovations inside the residence to restore it more to its original nature and that the same contractor has designed the storage and parking area with the historical nature of the property being a priority in the design. There is an existing permit application on file with that design.

There were concerns raised that we would try to turn the property into a venue as the previous owners attempted to do. We explained that we have no intention to do so and only wish to live quietly in the neighborhood as residents.

The last concern that was voiced was that in the event that we did sell the property at 86 W Simpson after the proposed land split the new owners would have a smaller footprint than currently exists. While we have no plans to sell that property because Mona's mother will likely need to move in in the future, any future buyer would clearly understand what they were purchasing.

Sincerely,

Glenn White/Mona Treadway