



February 21, 2022

Zoning Hearing Officer  
City of Phoenix, Planning and Development Department  
200 West Washington Street, Second Floor  
Phoenix, Arizona 85003

Re: ZA-690-21 – 6140 East Calle Tuberia Variance Request

Dear Sir or Madam:

With respect to the above-referenced variance request, the Arcadia Camelback Mountain Neighborhood Association (“ACMNA”) does not oppose the variance request to allow an eight-foot encroachment into the South (front yard) setback. The garage was previously built on the property many years ago. A new owner is seeking to remodel the property and seeks to repurpose the garage in a manner consistent with the neighborhood.

With respect to the four conditions, ACMNA finds as follows:

*Condition One: There are special circumstances or conditions applying to the land, building or use which do not apply to other similar properties in the same zoning district.*

This condition is met. The garage’s orientation on the property is very different than the other original and remodeled homes in the subdivision. Moreover, if the variance was not approved to allow the pre-existing use to be grandfathered in the applicant would need to construct a new garage that would likely pose more and more severe concerns to the neighborhood than the current structure.

*Condition Two: The special circumstances or conditions described above were not created by the applicant or owner. The property hardship cannot be self-imposed.*

This condition is met. The applicant notes that, while the City issued a permit for the construction of the garage in 1994, no other information regarding the garage can be found. Accordingly, the new owner inherited a structure that was built as a matter of right but without the appropriate variance. The applicant seeks to fix that inconsistency created 28 years ago.

*Condition Three: The authorization of a variance is necessary for the owner or applicant to enjoy reasonable and substantial property rights.*

This condition is met. The applicant seeks to remodel the property to include new front yard landscaping and hardscapes that are more consistent with the neighborhood than the current improvements. With regard to the re-orientation of the driveway to 62<sup>nd</sup> Street; the properties to

the North and the South of the property have similarly oriented (though longer) driveways.

*Condition Four: The authorization of a variance will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood or to the public welfare in general.*

This condition is met. The encroachment to the South setback has existed for 28 years in the neighborhood. In remodeling the property the applicant will make the front yard consistent with the homes in the immediate neighborhood. To the extent the encroachment was previously detrimental to the neighborhood the new landscapes and hardscapes will make the property more aesthetically pleasing and consistent with the neighborhood.

For these reasons ACMNA does not oppose the variance requested by the applicant.

Respectfully,

Ian Quinn  
ACMNA Board Member  
[www.acmna.org](http://www.acmna.org)