

## Zoning Adjustment Application

### Request for a Variance

#### 2.17.22

I, Daniel Plapp, owner of 5420 E Calle Tuberia, parcel #128-12-007, located in Phoenix AZ 85018, am requesting a variance for the subject property outlined in this application. Currently, the zoning ordinance requires that there must be a 40' set back from the street. Due to the lot shape and orientation to the street, it has become a hardship to design my family residence on what is a very narrow portion of the street (E Calle Tuberia). I am requesting that the setback be revised to 30' from the street so that it aligns with the numerous other houses along the street that currently sit at 30'.

*Chapter 607 in R1-14*

*setbacks are the same and established by the RE-24 zoning. <https://phoenix.municipal.codes/ZO/606>*

*This is the section describing the front yard setback.*

*B. Yard, height and area requirements. Except as required by Section 710, the following yard, height, and area provisions shall be required for this district:*

*1. There shall be a lot area of not less than twenty-four thousand square feet. No lot shall hereafter be subdivided to provide less than twenty-four thousand square feet of lot area nor to have a width of less than one hundred thirty feet nor a lot depth of less than one hundred twenty feet. The provisions of Section 701.A.1 and 701.A.2 shall not be applicable. The provisions of Section 701.A.3, as it refers to carports, porches, and balconies in the side yard, shall not be applicable.*

*2. There shall be a front yard having a depth not less than that established by an existing main building on the nearest lot within one hundred feet, provided, however, that on a lot between two lots each within one hundred feet, which lots have established front yards, then the minimum front yard shall be that established by a line joining the nearest front corner of the main building on one lot and the nearest front corner of the main building on the other lot. Nothing in this section shall require that a front yard be more than forty feet in depth nor to permit a front yard of less than feet thirty in depth. On a lot that is not within one hundred feet of a lot with an established front yard, the front yard shall be not less than thirty feet.*

*In a tract development, construction of which is substantially contemporaneous, the above rules shall not apply at the discretion of the builder providing he follows an approved lot plan of the tract development and providing the front yards of all lots be not less than thirty feet.*

Variance Tests:

1. The parcel is a challenging triangle shaped lot with the narrowest portion located along the street. Due to the setback, it creates many obstacles to the house design if our architect is unable to get a deeper north/south orientation for our desired 4,000 sq ft single story residence.
2. The lot and current house, which is planned to be demolished, was built and setback with the neighboring property from decades ago. There is an existing SRP irrigation easement running NW to SE through the northern part of the parcel (as illustrated in the site plan) that cannot be built upon. The location of the easement would stop our buildable area on the north of our lot and would be approximately 25' from the northern edge of the lot. This is the main hardship of why we would need the variance to allow us to build to the south.
3. We are not requesting additional coverage and buildable area, but simply asking to allow for more depth of the main common area of the house. This is necessary to enjoy a reasonable area of space for my family.
4. All of the neighboring properties are all 30' setbacks and we would like to visually align with their homes. There is one neighbor directly to the east of the lot, which was built decades ago, that sits 40' back. If we were to build to 30', it would not be materially detrimental to persons residing or working in the vicinity.

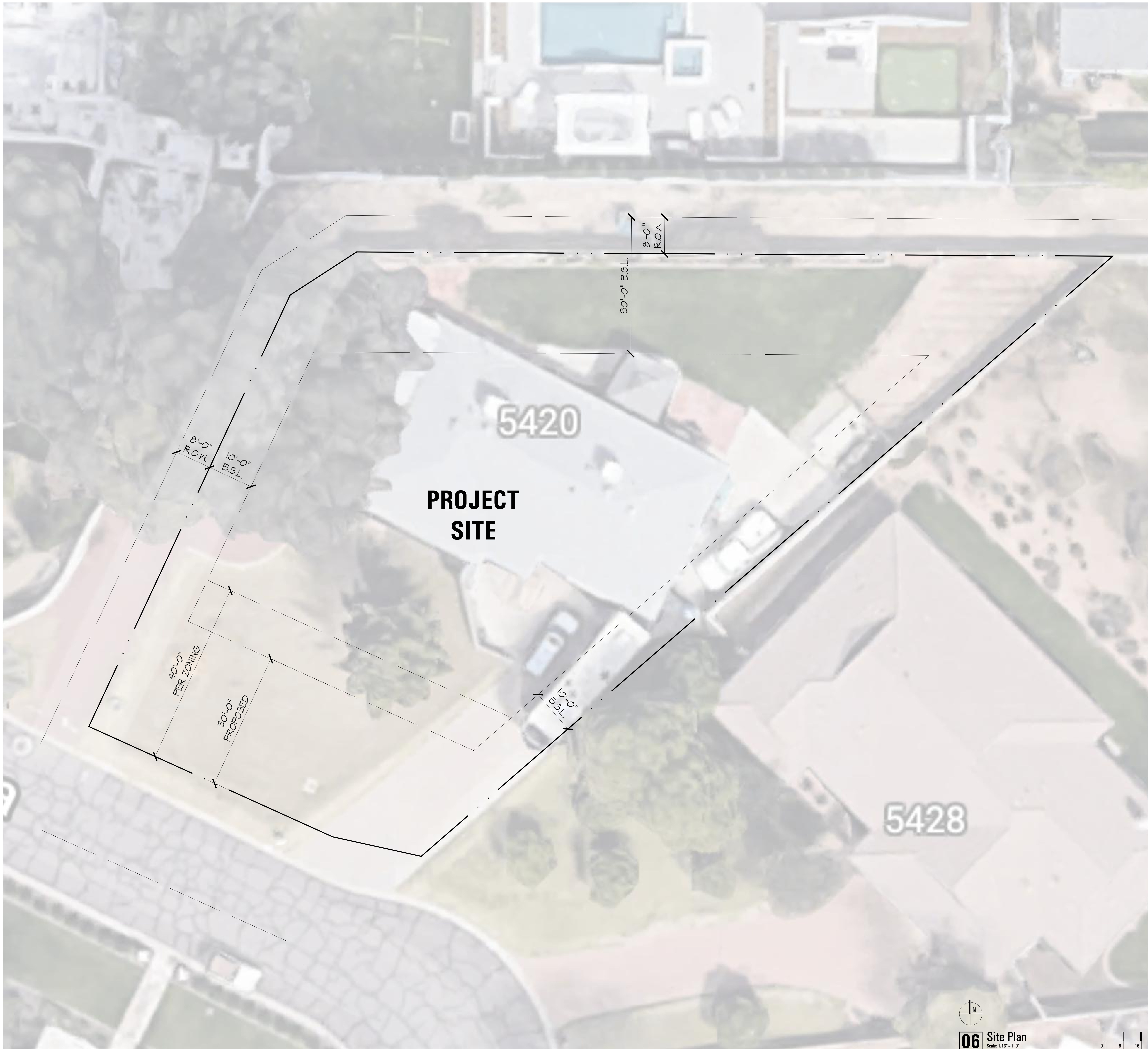
Due to the triangle shape, it would not interfere with the adjacent property or any other neighbors. I can provide a support letter from the neighbor agreeing that our setback variance would not interfere with his livability.

The 30' setback will align with the entire neighborhood to the south and west. It would not interfere with the public welfare nor create any adverse impacts to other properties.

I have spoken with Tristan Schaub and Scott Zielinski on the board of ACMNA and they are in support of the variance. They can provide a letter at any time to share with the city.

Thank you for your time and consideration in advance.

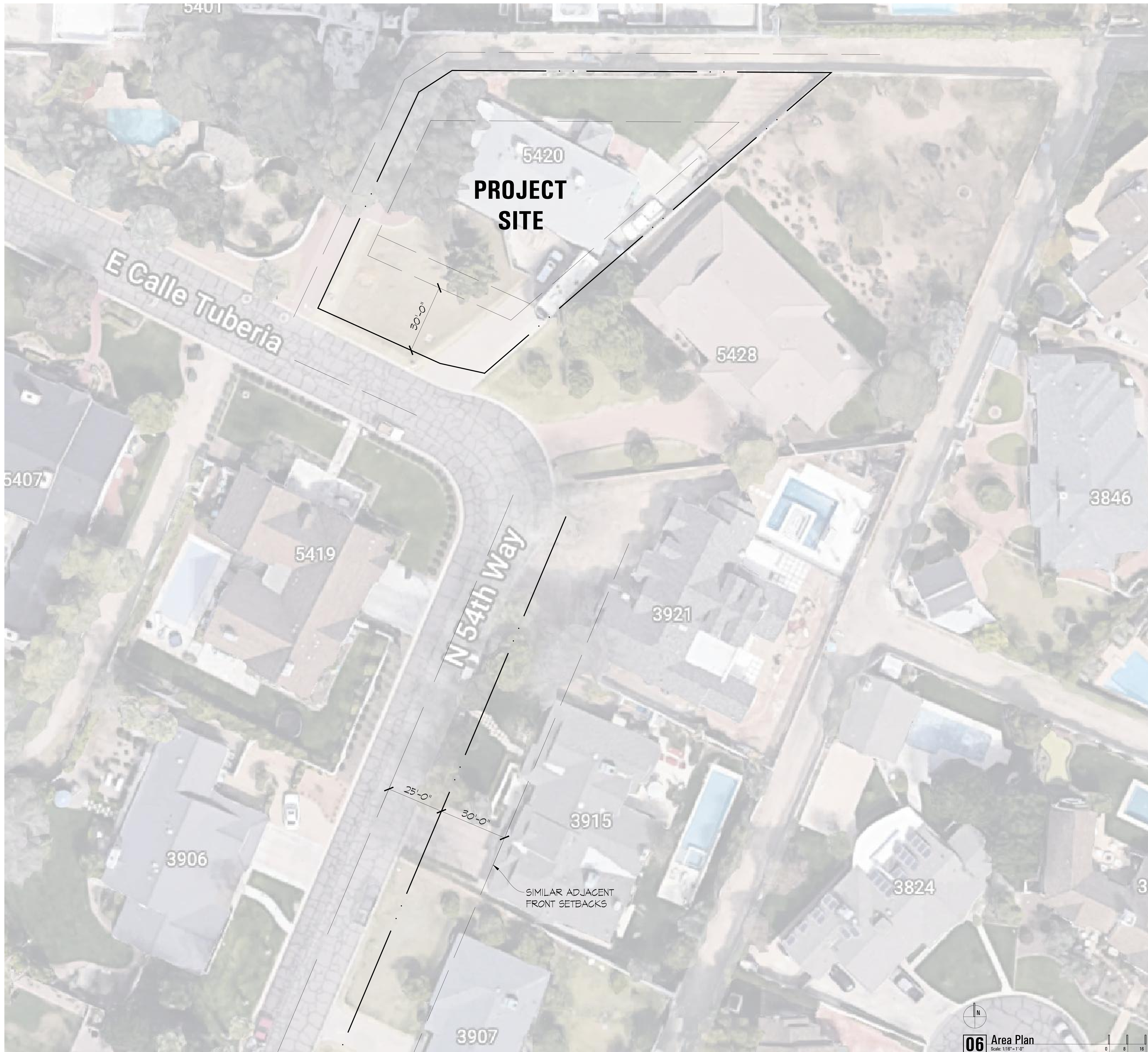
*Danny Plapp*



PROJECT INFORMATION	
ARCHITECT:	CONTRACTOR:
STRUCTURAL:	CIVIL:
ELECTRICAL:	INTERIORS:
PROJECT LOCATION:	5420 E CALLE TUBERIA PHOENIX, AZ 85018
PARCEL NUMBER:	128-12-007
SUBDIVISION:	HIDDEN VILLAGE 6
LOT NUMBER:	265
MGR #:	64-47
LOT SIZE:	16,488 SF. (PER COUNTY)
ZONING:	R-14
SETBACKS:	FRONT: 40' (30' MIN)    SIDE: 10' / 15' STREET REAR: 30'    HEIGHT: 20'
LOT COVERAGE ALLOWED:	50% (4,446 SF) SINGLE STORY
ORIG. YEAR BUILT:	1991







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