



June 27, 2022

Zoning Hearing Officer

City of Phoenix, Planning and Development Department

200 W. Washington Street, 2nd Floor

Phoenix, Arizona 85003

RE: ZA-274-22-6, 5610 E. Monterosa St., 85018

Dear Sir or Madam,

With respect to ZA-274-22-6, the Arcadia Camelback Mountain Neighborhood Association **OPPOSES** the request to increase lot coverage to 37%. ACMNA agrees that the home is on a smaller lot which was "blanket-zoned" as an R-24 with a total of approximately 11,352 square feet. A person could argue that the subject property should have been zoned as an R-10 allowing up to 40% lot coverage. Conversely, you could argue that the City's zoning created a lower-density area which allows for a variety of family sizes and a lower price-point homeowner.

Since the 1960 blanket-zoning, homes in Arcadia have increased in size, driving the 2015 increase in lot coverage. Because the 2015 text amendment already generously increased lot coverage for R-24's from 25% to 30% for a single story, ACMNA opposes this request to increase lot coverage beyond the 30% allowed. Members of ACMNA spoke to several key stakeholders who expressed strong opposition to the variance, (unless stipulated it must remain one story):

1. 5620 E Monterosa
2. 5619 E Monterosa
3. 5602 E Monterosa
4. 5702 E Monterosa
5. 5601 E Monterosa (for sale and vacant)

The neighbors voiced the following concerns:

- Increasing to 37% lot coverage would put the new home extremely close to neighbors on each side, encroaching on them/ infringing on their privacy, and reducing an "open-space" feel.
- There was general consensus that regardless of variance approval, a one-story rebuild is preferred over a two-story.



- Although the plan submitted by the builder does not identify a second story, because multiple homes on the street are two-story, there's potential that the current design could change or a second story could be added in the future, unless stipulated to be only one story, now and in the future.
- IF the lot coverage is increased, AND a two-story is built, this would exponentially infringe on the privacy of neighbors in addition to excessively blocking the mountain view of neighbors.
- Some neighbors are worried that this variance would create a precedence for other parcels to be over-built, ultimately negatively changing the character of the entire street.
- In addition, current neighbors purchased their homes with the understanding that the R-24 zoning would remain in place (30% lot coverage).

In the event that the City decides to approve any increase in lot coverage, ACMNA strongly requests the following stipulation:

- **the new build must remain a single-story with a limitation of a height of 20 feet.**
- **And at no point in the future can a second-story be added**

ACMNA considered the neighbors' concerns as well as the following information when arriving at our position to **OPPOSE** this variance:

Condition 1: 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.

Condition 1 is Partially Met – The parcel was zoned as an R-24 with only 11,352 square feet. On the other hand, this property is not unique because there are many smaller, R-10 sized properties sprinkled throughout Arcadia that adhere to the 30% lot coverage maximums.

Condition 2: The special circumstances or conditions described above were not created by the applicant or owner. The property hardship cannot be self-imposed.

Condition 2 is Met – The current conditions were not created by the applicant or owner, they were created by the City of Phoenix during a broad-brush annexing



phase that took place in the 1960's. On the other hand, the applicant was aware of the zoning restrictions when the lot was purchased.

Condition 3: The authorization of a variance is necessary in order for the owner or applicant to enjoy reasonable and substantial property rights.

Condition 3 is Not Met - As stated above, there are many beautifully remodeled, smaller, similarly zoned R-24 properties throughout Arcadia. These lots allow for a sizable home to be built without infringing on neighbors' privacy or property lines. Future marketability of ALL homes in the neighborhood should be taken into consideration when evaluating "reasonable and substantial property rights".

Condition 4: 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.

Condition 4 is Partially Met – During our outreach, it was determined that the neighbors on this street (and throughout all of Arcadia) greatly enjoy the privacy afforded to them by the "space" between their homes. They also value their views of Camelback Mountain. Many remodeled homes in the immediate area have abided by the maximum lot coverage of 30%. Of special concern, there are other homes on the same street and surrounding streets that have not been remodeled, yet. The neighbors' anxiety about this variance setting a precedence for the other properties to be "over-developed" is legitimate, and they fear it might be materially detrimental to their own property values-- especially if a larger two-story building is allowed.

IN CONCLUSION:

ACMNA does not feel that all four of the conditions for a variance set forth by the City of Phoenix have been met. ACMNA must take a larger neighborhood viewpoint. If all homes within Arcadia are allowed to exceed the generous 30% lot coverage, it would produce a dramatic and character-changing effect on our community. Looking specifically at this subdivision of Arcadia, the Argile Circle, you will see that all of the 11,000 square foot lots are zoned R-24 (see supplement A). If this variance is



approved, it will be a waterfall event for developers to follow this path and turn this area into a high-density square in the heart of Arcadia, not in keeping with the rest of the neighborhood.

One of the most valued characteristics of Arcadia is a low-density 'feel' achieved because houses are not built "on top of" one another and two-story homes are not peering over neighbors' backyards. ACMNA believes that a 37% allowance would surely be detrimental to the Arcadia neighborhood as a whole.

At the very least: IF the City decides to approve any increase in lot coverage, ACMNA strongly requests the following stipulation:

- **the new build must remain a single-story with a limitation of a height of 20 feet.**
- **And at no point in the future can a second-story be added**

Thank you for allowing ACMNA to express our findings.

Sincerely,

Kelly Ann O'Connell

ACMNA Board Member, Preservation Committee Member

Arcadia Camelback Mountain Neighborhood Association

www.acmna.org

10:29



AA assessor.maricopa.gov ↻

