

**ZA-89-23 Variance Application Narrative for:
4601 East Arcadia Lane, Phoenix, AZ 85018**

Fred R. and Debra V. Beaty
4601 East Arcadia Lane
Phoenix, AZ 85018
Contact: Fred Beaty – 602-793-2793 – Cell
asufred@gmail.com – Email

Description of Proposal:

Our Variance Request is related to our proposed Residential Remodel/Additions. We would like to add a two-car garage on the West Side of our home along North 46th Street. Other modifications to the existing residence will include the addition of a Porch and Patio at the North Entry, an addition of a Primary Bedroom-Sitting Room, an addition of a Rear Bedroom (which will enclose part of the existing Rear Porch-Patio to become livable square footage), extending the existing Rear Porch-Patio and Cover on the southwest side of our home to provide additional south facing sun protection and modifying the south most bay of the existing enclosed garage to become livable square footage. A detached accessory structure is proposed to be added in the side setback.

Our lot is unusual in that the **LEGAL FRONT** setback is identified as facing **WEST** towards North 46th Street and the **SIDE** setbacks are identified as being along East Arcadia Lane (on the **NORTH** boundary of the lot) and the service alley (on the **SOUTH** boundary of the lot). Variance Case #97-68 was submitted by Allied Construction in 1968 and approved by the City of Phoenix Zoning Commission to allow for the original construction of our home to have a layout with a **FRONT ELEVATION FACING NORTH** onto East Arcadia Lane instead of facing **WEST** onto North 46th Street.

We will be maintaining the existing 8'-0" public utility easement, along North 46th Street. The closest point of the proposed two-car garage within the setback will be 9'-0".

The Lot Coverage requirements related to Phoenix City Ordinance No. G-5983 and 606B.5 will NOT exceed the 30% lot coverage requirement for a single-story home and is calculated to be **28.95%**.

For the purposes of this Variance, we are requesting the following:

Variance to reduce the **FRONT YARD (WEST)** setback, to **9'-0" at the closest point**. Minimum **30 feet required**. Zoning Ordinance **Section 606.B.2**.

We submit the following (4) Condition justifications for a variance approval:

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**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 MET:** The lot has had numerous variances, from the onset of construction. In 1968, Allied Construction was granted a variance to build the home with a NORTH FRONT ELEVATION facing East Arcadia Lane. All of the other homes in the area (on corner lots) of the streets running east from North 46th Street (from Camelback Road as a North reference point to Lafayette Boulevard as a South reference point) have either a North or South facing front elevation on their homes. None of those homes have a front elevation facing West towards North 46th Street as our home was initially required to have. With the placement of our existing home, it is infeasible to build the extension anywhere else on the lot.

The front setback along 46th Street, has and still presents a significant challenge that limits reasonable use as well as infringes on the owner's ability to deliver a desirable, high-quality renovation that improves the surrounding neighborhood and allows the owners to meet the current neighboring property values.

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Condition 2: The special circumstances or conditions described above were not created by the applicant or owner.

Condition 2 is MET: The circumstances of an angular, rhombus-shaped lot, the placement of existing the house on the lot and the location of the pool on the lot were not created by the owner.

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

**Condition 3 is MET:** Our lot size is 20,378 sq. ft. which is approximately 15% smaller than the typically specified RE-24 lot size (not less than 24,000 sq. ft.). Code 606B.1. With our smaller sized lot, it is infeasible to add additional square footage anywhere else on the lot.

In addition, we are not seeking to build an unusually large home, but only one with **28.95%** lot coverage which is less than the maximum 30% lot coverage. Code 606B.5.

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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 MET: This variance request has direct precedent throughout the Arcadia area and will not materially harm those residing in the immediate vicinity. The addition of a garage and reduced front setback along 46th Street falls well within accepted neighborhood norms and has been accommodated by previous variance requests for other residents by the City.

During our preliminary discussions with our neighbors, we have presented prints and other documents detailing the scope of improvements planned for our home remodel. Currently, all of our neighbors support our project and had no objection to the variance.

The reduction of the West Side setback does not create any sight obstructions or hazards in the area. The rhombus shape of the lot is positioned in such a manner that North 46th Street slants slightly to the Southeast so that a vehicle positioned in the intersection of East Arcadia Lane and North 46th Street facing West to make a turn, has excellent, unrestricted visibility as it relates to making a safe turn in either the North or South direction on North 46th Street. (See attached pictures of a vehicle sitting in the intersection).

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This Variance Request was previously submitted and approved in 2021 under ZA-86-21 but was not completed in a timely manner due to the passing of our previous architect from complications associated with COVID-19. His passing prevented us from submitting our architectural drawings and obtaining a building permit within the required timeframe specified at the original variance approval.

This current Variance Request is slightly different than the original request therefore we are submitting another Variance Request with all of the new updated information.

Thank you,  
*Fred R. Besty 3-6-23*