



DEPARTMENT OF COMMUNITY DEVELOPMENT
Current Planning Division

104 Road Runner Drive
Sedona, Arizona 86336

Tel: 928-203-5100
Fax: 928-204-7125
TDD: 928-282-3113
ngioello@sedonaaz.gov

STAFF REPORT

To: Board of Adjustment
Through: John O'Brien, Director of Community Development
From: Nicholas R. Gioello, Senior Planner *NRS*
Meeting Date: December 2, 2011
Subject: Request for variance on Assessor's Parcel Number 401-05-008D,
995 East Park Ridge Drive, Case # V2011-2
Attachments: Aerial View, Vicinity Map, Letter of Intent, Site Plan and
photographs

REQUEST

The applicants, Al and Jodie Filardo, are requesting a variance from the City of Sedona Land Development Code to encroach within the front yard setback with the construction of an additional garage bay on the existing guest house/single car garage.

LOCATION

The property is zoned RS-36 (Single-family) and located at 995 East Park Ridge Drive. Although the property is accessed from the Jordan Park subdivision, the property is metes and bounds and not a part of the subdivision. The property is further identified as Assessor's Parcel Number 401-05-008D.

SUBJECT PROPERTY AND SURROUNDING LAND USES

The subject property is located south of East Park Ridge Drive and east of Jordan Road.

ZONING

North: PRD (Planned Residential Development)
South: OS (Open Space)
East: OS (Open Space)
West: RM-2 (Multi-family Residential)

LAND USE

Residential
Open Space
Open Space
Residential

APPLICANT'S PROPOSAL

The applicant is proposing to construct a garage bay addition to their existing guest house/single car garage structure. The guesthouse/garage exists within the front yard setback and is considered a legal nonconforming development. The proposed garage bay expansion would also be located within the front yard setback.

BACKGROUND

Staff discussed the possibility of expanding the existing structure with the applicant's agent. Based on the location of the existing guesthouse within the front yard setback, staff determined, based on the Land Development Code, that a variance would need to be approved in order to expand the legal nonconforming development.

COMMENTS

The Land Development Code, section 1202-A states, "Any expanded portion of a building or structure shall be in full conformance with the development standards of this code". Section 1202-B states, "In no case shall any modification, alteration or repair result in an increase in nonconformity with current development standards". Therefore it is staff's opinion that the expansion of the existing legal nonconforming structure, by adding an additional garage bay located within the front yard setback, is considered an expansion of the of the nonconforming development.

In order for the applicant to construct the proposed garage addition, a variance must be granted by the Board of Adjustment to allow the expansion of the current nonconforming development within the front yard setback.

The access to the applicant's property is through a perpetual easement on the neighboring property. Since the existing structure is located along the property line adjacent to this access easement, there is no anticipated negative affect to the neighboring property since no building can occur within this easement.

ANALYSIS

Section 404 of the City of Sedona Land Development Code establishes specific findings that must be made in order for a variance request to be approved. This staff report will list the specific circumstances prescribed by ordinance and then discuss the pertinent facts that apply to each issue.

Required Findings

- A. *Due to special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of this code will deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district.*

In staff's opinion, the situation is a special circumstance since the property was developed with the guest house/garage located within the front yard setback

prior to the City of Sedona's incorporation. The inability under current code to expand the single car garage to accommodate two cars would deprive the property of privileges enjoyed by many other properties throughout this zoning district and other single-family zoning districts throughout the city.

- B. That any variance is subject to the conditions that 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 zoning district in which the subject property is located.*

It is staff's opinion that allowing the expansion of the existing garage, by adding an additional garage bay located within the front yard setback, is not a granting of special privileges. As previously noted above, many single-family homes throughout the city have two car garages. The applicant's request is consistent with the desires of many families, to protect their vehicles from exposure to the elements.

- C. That special circumstances applicable to the property are not imposed by the property owner/applicant.*

Although an additional single car garage could be located outside of the front yard setback (25-feet), mature trees, lush landscaping, walls and other improvements would need to be eliminated. In staff's opinion, lessening the impact to existing landscaping and improvements is not a granting of special circumstances. Staff notes that it is also typical that property owners within the zoning district have a two-car garage as opposed to two detached single-car garages.

Also, the property was developed prior to the applicant's ownership and therefore the applicant did not create the existing legal nonconforming encroachment.

RECOMMENDATION

It is staff's opinion that the applicant has satisfied the necessary required findings of the Land Development Code, section 404.06A, B and C as outlined in this report. Therefore, staff recommends approval of variance request case number V2011-2 subject to applicable ordinance requirements and the conditions of approval listed at the end of this staff report.

RECOMMENDED MOTION FOR APPROVAL

I move for approval of case number V2011-2 based on compliance with required ordinance findings as set forth in this staff report.

ALTERNATIVE MOTION FOR DENIAL

I move for denial of case number V2011-2 based on non-compliance with the following findings relative to the testimony presented at this hearing (specify findings).

Please note that the above motions are offered as samples only and that the Board may make other such motions as appropriate.

**CONDITIONS OF APPROVAL
V2011-2**

1. The front yard setback shall be reduced to accommodate the addition of a single-car garage bay to the existing guest house/garage as submitted per the applicant's site plan and supporting documents.
2. The garage addition shall be constructed consistent with the proposed plans and the approved building permit plans, and shall match both the materials and color of the existing structure.

Aerial View

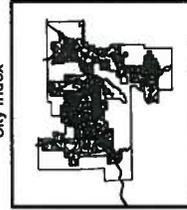
Parcel
#401-05-008D
Filardo - Variance

- Parcel #401-05-008D
- Parcel Boundary
- Street Centerline



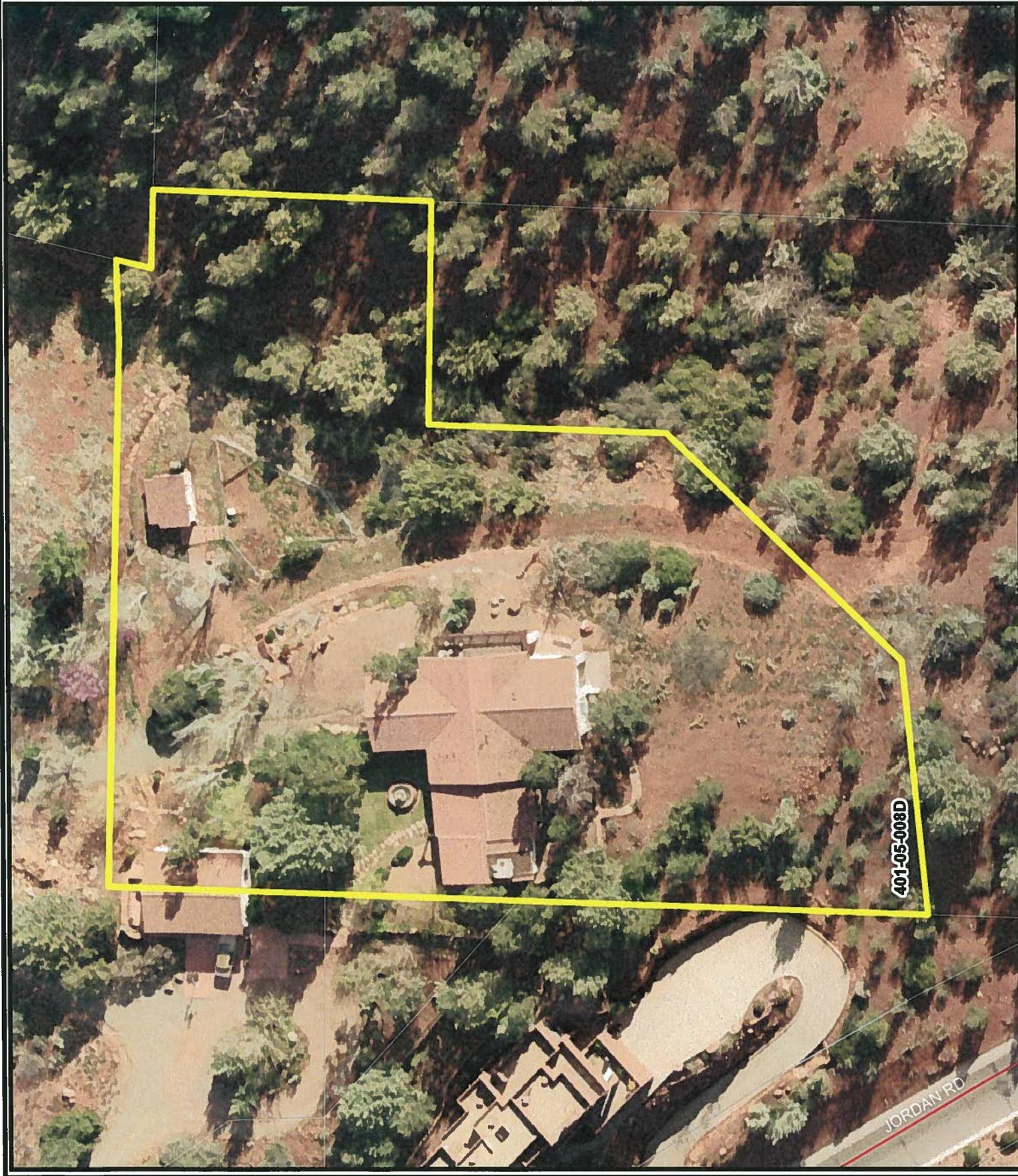
0 15 30 Feet

City Index



City of Sedona
10/25/2011
p:\projects\filardo_variance\401-05-008D_2.aerial.mxd

This map is designed to provide information related to the parcel and is not intended to be used for any other purpose. It is not a warranty, representation, or agreement of any kind. The City of Sedona is not responsible for any errors or omissions in this map. The City of Sedona and the author(s) shall not be liable for any damages or losses resulting from the use of this map. The information contained on this map was obtained from the information contained on the map.



Vicinity Map

Parcel #
401-05-008D
Filardo - Variance

- Parcel #401-05-008D
- Zoning Boundary
- Building Footprint
- Parcel Boundary
- Trail
- Street Centerline



0 55 110 Feet

City Index



City of Eugene
20200511
Eugene, Oregon
The information provided on this map is for informational purposes only. It is not intended to be used as a legal document. The City of Eugene is not responsible for any errors or omissions on this map. The information is provided as-is and is subject to change without notice.



**Mike Reynolds
50 Oak Creek Blvd
Sedona AZ 86336**

Department of Community Development
City of Sedona
104 Road Runner Drive
Sedona, AZ 86336

September 30, 2011

RE: Variance Request for 995 E. Park Ridge Drive, Sedona, AZ 86336

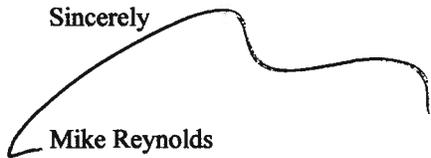
Dear Community Development,

This letter is to Request a variance from the set back requirements as required by City Code to allow for the construction of a single story (24'x24' 576 sf) two car garage to match existing building type and exterior building materials with in the setback requirement for the above mentioned property. The unusual conditions that were grand fathered into this property purchase and the structures location to the property line is creating a hardship for the current owners to add a two car garage which all other properties owners in the area enjoy.

Below I will bullet point the reasons why we feel this variance satisfies the intent as stated in section 404 of the Sedona Land Development code.

- A special circumstance was created by the location of an existing structure at the time of the creation of the existing lot line boundaries.
- The existing structure and lot line abut open space as dedeed in the Jordan Park subdivision and cannot be built upon.
- There is only one property that may be remotely affected by this use and he is located out of the way and down the hill with no patios or significant sight lines that would be affected.
- There is a special easement already recorded to access this are which the current owners have been using for over 10 years.
- This is the only viable location to access a new garage on the property.
- To move the proposed garage location back to 25 ft off the property line would require the removal of several trees including a 50 ft tall Juniper and will create a costly foundation design as the property drops off sharply aprox. 10 to 12 feet.

Sincerely

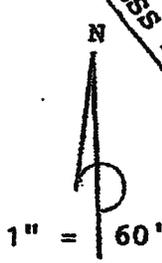
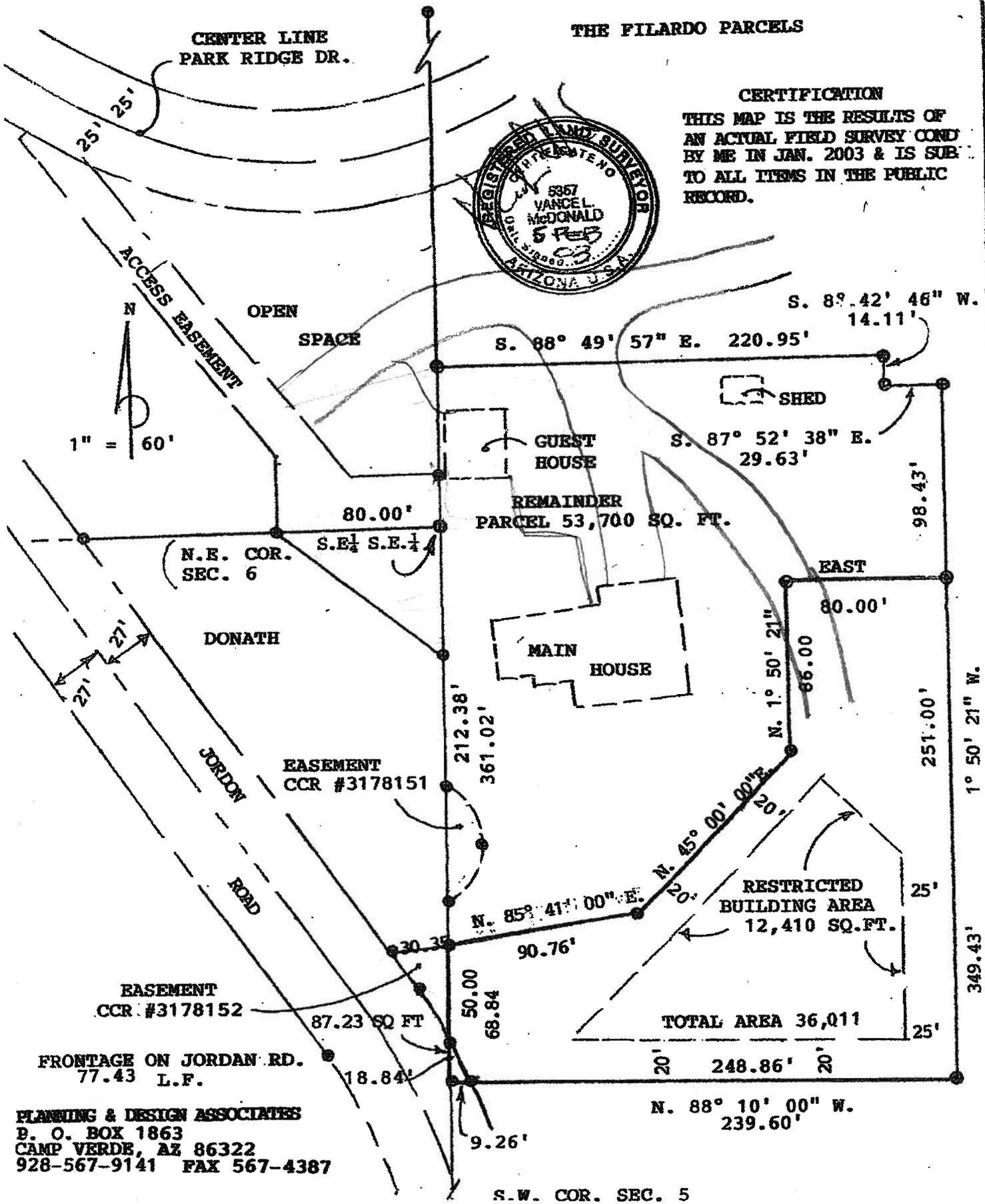


Mike Reynolds

Attached; Legal description, Property photos. Site maps

THE FILARDO PARCELS

CERTIFICATION
 THIS MAP IS THE RESULTS OF
 AN ACTUAL FIELD SURVEY COND.
 BY ME IN JAN. 2003 & IS SUB.
 TO ALL ITEMS IN THE PUBLIC
 RECORD.



PLANNING & DESIGN ASSOCIATES
 P. O. BOX 1863
 CAMP VERDE, AZ 86322
 928-567-9141 FAX 567-4387

S.W. COR. SEC. 5

N. 88° 10' 00" W.
 239.60'

TOTAL AREA 36,011

RESTRICTED
 BUILDING AREA
 12,410 SQ.FT.

REMAINDER
 PARCEL 53,700 SQ. FT.

MAIN
 HOUSE

GUEST
 HOUSE

SHED

N.E. COR.
 SEC. 6

DONATH

EASEMENT
 CCR #3178151

EASEMENT
 CCR #3178152

FRONTAGE ON JORDAN RD.
 77.43 L.F.

CENTER LINE
 PARK RIDGE DR.

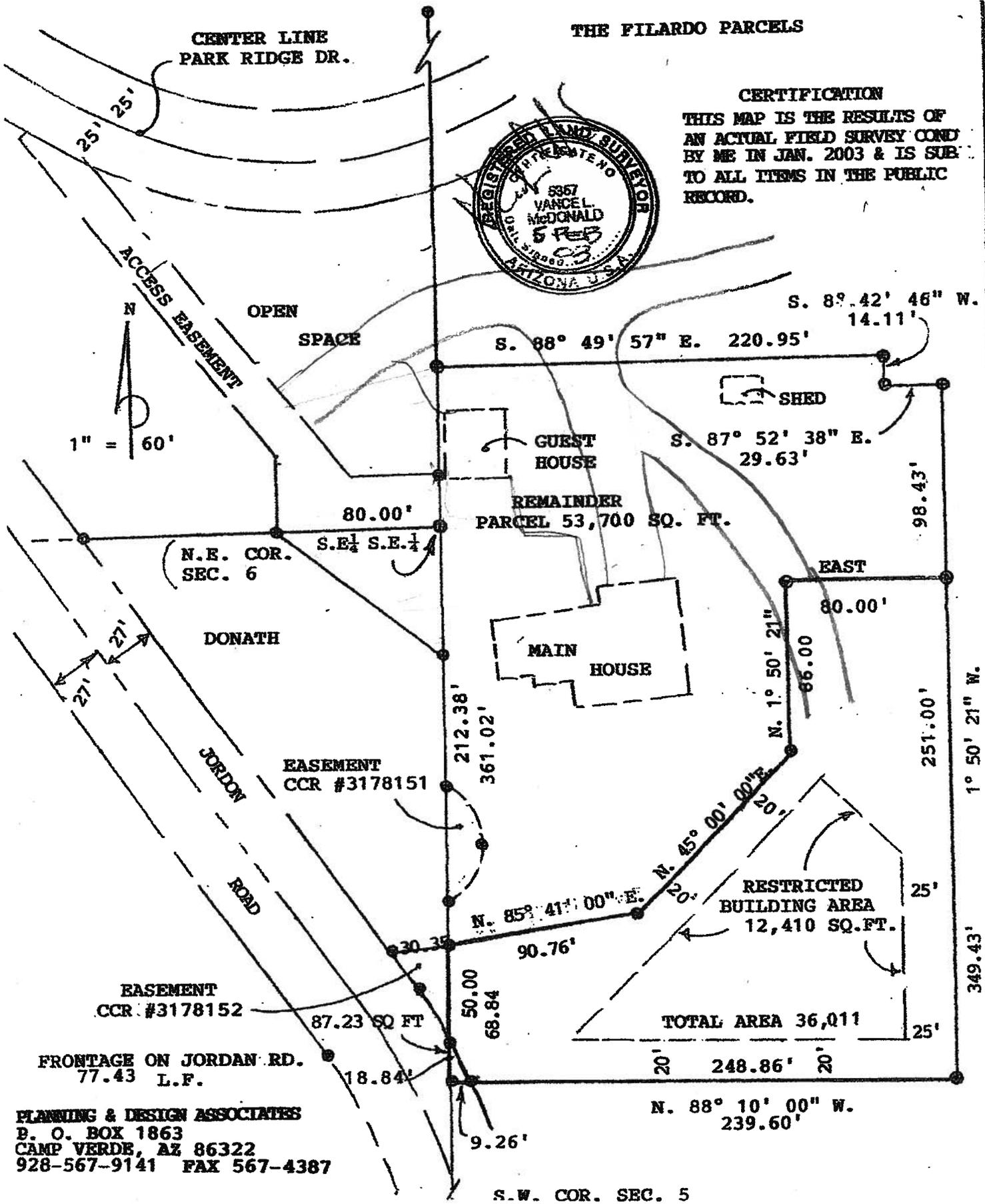
ACCESS EASEMENT

OPEN
 SPACE

THE FILARDO PARCELS

CERTIFICATION

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 CCR #3178152

FRONTAGE ON JORDAN RD.
 77.43 L.F.

CENTER LINE
 PARK RIDGE DR.

ACCESS EASEMENT

OPEN
 SPACE

THE FILARDO PARCELS



VIEW FRONT LOOKING S.E.



PROPOSED SITE VIEW FROM FRONT ACCESS EASEMENT
LOOKING EAST



DEPARTMENT OF COMMUNITY DEVELOPMENT
Current Planning Division

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STAFF REPORT

To: Board of Adjustment
Through: John O'Brien, Director of Community Development
From: Nicholas R. Gioello, Senior Planner *NRG*
Meeting Date: December 2, 2011
Subject: Request for variance on Assessor's Parcel Number 408-28-182A,
45 Pierce Drive, Case # V2011-3
Attachments: Aerial View, Vicinity Map, Letter of Intent, Site Plan and
photographs

REQUEST

The applicant, Rinzai Zerwin, is requesting a variance from the City of Sedona Land Development Code to fully encroach into the 20-foot front yard setback with the construction of a single-car carport.

LOCATION

The property is zoned RS-10a (Single-family) and located at 45 Pierce Drive. The property is further identified as Assessor's Parcel Number 408-28-182A.

SUBJECT PROPERTY AND SURROUNDING LAND USES

The subject property is located on Pierce Drive and east of Essex Avenue.

	<u>ZONING</u>	<u>LAND USE</u>
North:	RS-10a (Single-family)	Residential
South:	RS-10a (Single-family)	Residential
East:	RS-10a (Single-family)	Residential
West:	RS-10a (Single-family)	Residential

APPLICANT'S PROPOSAL

The applicant is proposing to construct a new single-car carport that fully encroaches within the front yard setback.

BACKGROUND

Staff discussed the possibility of the proposed carport located in the front setback with the applicant. Staff determined, based on the Land Development Code, that a variance would need to be approved to reduce the yard setback to accommodate the request.

COMMENTS

The applicants' property is located within the RS-10a (Single-family) zoning district. The Land Development Code (LDC), section 608.04-E, lists the front yard setback as 20-feet. The applicant's proposed carport location penetrates the front yard setback due to the lot configuration and the placement of the existing house, other improvements and trees. In order for the applicant to construct the proposed carport, a variance must be granted by the Board of Adjustment to allow the proposed encroachment within the front yard setback.

Previously, the applicant constructed a single-car carport outside of the front yard setback as depicted on the applicant's site plan, in the only space available. A large mature juniper tree between the existing carport and front of the house does not allow for an expansion of the existing carport or the addition of a second carport outside of the front yard setback. Staff supports the applicant's expressed desire to retain the mature juniper tree as the reason for this variance request.

The property is located at the end of a short cul-de-sac, which provides access to three other properties with very little vehicular traffic. Staff does not anticipate any adverse impacts from the location of the proposed carport since the vehicle turn around area of the cul-de-sac is approximately 52 feet in diameter and provides adequate area for vehicular turn around movements.

ANALYSIS

Section 404 of the City of Sedona Land Development Code establishes specific findings that must be made in order for a variance request to be approved. This staff report will list the specific circumstances prescribed by ordinance and then discuss the pertinent facts that apply to each issue.

Required Findings

- A. *Due to special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of this code will deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district.*

In staff's opinion, the situation is a special circumstance since the property was developed without a garage or carport and the house was angled approximately 45 degrees to the street with a corner of the house located at the edge of the front yard setback. The large mature juniper tree has limited the applicant's ability to utilize the area in front of the house. The applicant constructed the existing single-car carport in the only available area next to the tree. The only other option for the applicant would be to remove the juniper tree, however the applicant has chosen to save the tree and therefore requests a variance.

The inability to construct a two-car carport, due to the constraints of the property would deprive the property of privileges enjoyed by many other properties throughout this zoning district and other single-family zoning districts throughout the city.

- B. That any variance is subject to the conditions that 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 zoning district in which the subject property is located.*

It is staff's opinion that allowing the encroachment into the front yard setback is not a granting of special privileges. Many single-family homes throughout the city have two-car carports or garages located with easy access to the street in the front portion of their properties. The applicant's request is consistent with the desires of many families, to protect their vehicles from exposure to the elements.

- C. That special circumstances applicable to the property are not imposed by the property owner/applicant.*

The existing placement of the single-family home and the location of the large mature juniper tree are considered constraining circumstances not imposed by the current property owner. The desire to construct carports for the protection of two vehicles is not considered a granting of special privileges. Carports and garages commonly exist in this zoning district and throughout other single-family zoning districts in the City.

RECOMMENDATION

It is staff's opinion that the applicant has satisfied the necessary required findings of the Land Development Code, section 404.06A, B and C as outlined in this report. Therefore, staff recommends approval of variance request case number V2011-3 subject to applicable ordinance requirements and the conditions of approval listed at the end of this staff report.

RECOMMENDED MOTION FOR APPROVAL

I move for approval of case number V2011-3 based on compliance with required ordinance findings as set forth in this staff report.

ALTERNATIVE MOTION FOR DENIAL

I move for denial of case number V2011-3 based on non-compliance with the following findings relative to the testimony presented at this hearing (specify findings).

Please note that the above motions are offered as samples only and that the Board may make other such motions as appropriate.

CONDITIONS OF APPROVAL
V2011-3

1. The proposed single-car carport shall be allowed to fully encroach the front yard setback as submitted per the applicant's site plan and supporting documents.
2. The carport shall be constructed consistent with the proposed plans and an approved building permit.

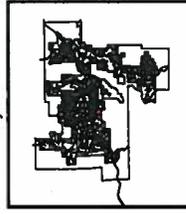
Aerial View

Parcel
#408-28-182A
Zwerin - Variance

- Parcel #408-28-182A
- Parcel Boundary
- Street Centerline



City Index



City of Spokane
11/04/2010
g:\arcview\cityindex\index.html#408-11-008/
mxd/408-11-008_wv1.mxd

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Vicinity Map

Parcel #
408-28-182A
Zwerin-Variance

- Parcel #408-28-182A
- Zoning Boundary
- Building Footprint
- Parcel Boundary
- Trail
- Street Centerline



City Index



City of Boone
S0042011
Planning & Zoning
408-28-182A, 408-28-182A
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Statement of reasons for my request:

We would like to construct an open sided four post carport, with no walls or storage, that will match the one we already have. As it is not unusual to want a carport for two cars we would like to construct another one.

Our property is located on the end of a cul de sac. Given that our front property line is a short curve (approx. 50') at the end of the street, there is no place to put another carport within the building envelope without significant alterations to existing trees and structures.

The major obstructions to placing the carport within the setback are a large old juniper tree and the steps leading upstairs to the front door of the house. To put the carport within the setback we would either have to take out and redo the front steps and deck, or cut down the juniper. We would rather not do either. Therefore we would like to build the carport within the property's front setback.

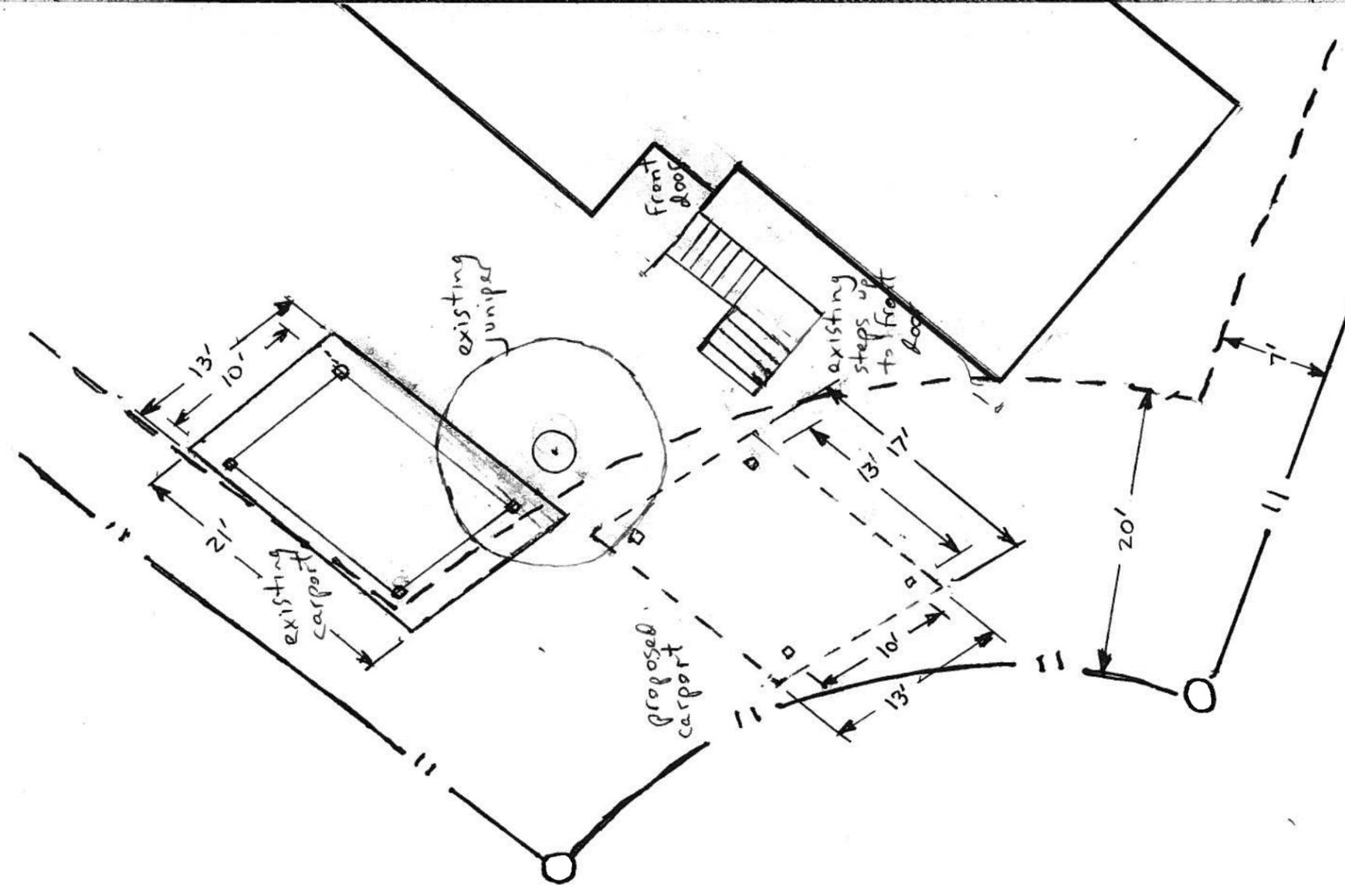
There are only three houses on our cul de sac. I talked with our neighbors about building a carport in the setback area and they are all supportive of the idea. In fact both neighbors, Mr. Cole and Ms. Kostis partner Richard (an architect), came over to help determine it's best location. On a day to day basis there are only two vehicles that pass in front of our house: the postal & newspaper delivery people.

Thank you,


A Rinzai Zwerin

1' CONTOUR LINES

BUILDING SETBACK LINES



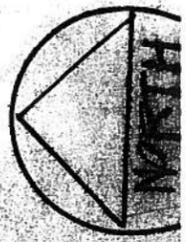
PIERCE DR

tree has 16" diameter

13' from center of tree trunk to front steps

WATER SERVICE EN
TV, TELEPHONE AN
SERVICE ENTRANCE

57' 6"
52' 6" (R)





DEPARTMENT OF COMMUNITY DEVELOPMENT
Current Planning Division

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ngioello@sedonaaz.gov

STAFF REPORT

To: Board of Adjustment
Through: John O'Brien, Director of Community Development
From: Nicholas R. Gioello, Senior Planner *NRG*
Meeting Date: December 2, 2011
Subject: Request for variance on Assessor's Parcel Number 401-20-005, 49 Prochnow Road, Case # V2011-4
Attachments: Aerial View, Vicinity Map, Letter of Intent, Site Plan and photographs

REQUEST

The applicants, Mitch Head and Nancy Clark, are requesting a variance from the City of Sedona Land Development Code to encroach 12.69-feet into the 20-foot front yard setback and 3-feet into the 10-foot side yard setback with the construction of a two-car garage.

LOCATION

The property is zoned RS-10b (Single-family) and located at 49 Prochnow Road. The property is further identified as Assessor's Parcel Number 401-20-005.

SUBJECT PROPERTY AND SURROUNDING LAND USES

The subject property is located on Prochnow Road and east of Cypress Lane.

ZONING

LAND USE

North:	RC (Resort Commercial)	Resort development (Los Abridados)
South:	RS-10b (Single-family)	Residential
East:	RS-10b (Single-family)	Residential
West:	RS-10b (Single-family)	Residential

APPLICANT'S PROPOSAL

The applicant is proposing to construct a new two-car garage that encroaches within the front yard and side yard setbacks.

BACKGROUND

Staff discussed the possibility of the proposed garage located in the front and side yard setback with both applicants. Staff determined, based on the Land Development Code, that a variance would need to be approved to reduce the yard setbacks to accommodate the request. Staff also discussed with the applicant other locations for the garage on the property.

COMMENTS

The applicants' property is located within the RS-10b (Single-family) zoning district. The Land Development Code (LDC), section 608.04-E, lists the front yard setback as 20-feet and the side yard setback as 10-feet. The applicant's proposed garage location penetrates both the front and side yard setbacks due to the lot configuration and the placement of the existing house. The LDC, section 608.04-G, lists the minimum building separation as 10-feet. In order for the applicant to construct the proposed garage addition, a variance must be granted by the Board of Adjustment to allow the proposed encroachment within both setbacks.

Staff discussed with the applicant the option of placing the garage to the rear of the house where no variance would be needed. The applicant expressed concern with this option and felt it was impractical for several reasons as described in their letter of intent:

- Would require a 100-foot driveway within 3-feet of their dining room window;
- Loss of an existing patio;
- Create a potential nuisance for the neighbors to the east with homes located 15-feet from the applicant's property line and in close proximity to the proposed driveway;
- Would significantly reduce the size of the back yard and impact the future plans for vegetable and serenity gardens.

Staff agrees that there could be potential negative impacts for neighboring homes in such close proximity to a driveway along the east property line. Also, a significant portion of the rear yard would be utilized for the garage, driveway and maneuvering area since a large backup area would also need to be created.

A 6-foot high block wall currently exists along the front property line and the applicant proposes to remove the entire wall. In staff's opinion, the removal of the block wall along the front property line will improve the safety of entering and exiting the property and will enhance the esthetic appearance along the street.

ANALYSIS

Section 404 of the City of Sedona Land Development Code establishes specific findings that must be made in order for a variance request to be approved. This staff report will list the specific circumstances prescribed by ordinance and then discuss the pertinent facts that apply to each issue.

Required Findings

- A. *Due to special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of this code will deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district.*

In staff's opinion, the situation is a special circumstance since the property was developed without a garage or carport and the house was sited within 7-feet of the front setback at the northwest corner of the house. The configuration of the lot width tapers from 93.37-feet along the front lot line to 56.05-feet along the rear lot line. The median width of the lot is approximately 70-feet, and per the LDC, the minimum lot width in the RS-10b zoning district is 80-feet, therefore the lot is considered to have a substandard width and is a legal non-conforming lot.

The inability under current code to locate a garage in the front portion of the lot would deprive the property of privileges enjoyed by many other properties throughout this zoning district and other single-family zoning districts throughout the city.

- B. *That any variance is subject to the conditions that 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 zoning district in which the subject property is located.*

It is staff's opinion that allowing the encroachment into the front and side yard setbacks is not a granting of special privileges. As previously noted above, many single-family homes throughout the city have two car garages located near the street in the front portion of the property. The applicant's request is consistent with the desires of many families, to protect their vehicles from exposure to the elements. Also, within this unique neighborhood are numerous examples of building encroachments within yard setbacks and multiple undersized legal nonconforming lots.

Placement of the garage in the rear yard would eliminate a significant portion of the rear yard and create potential negative impacts to neighboring homes adjacent to the applicant's east property line.

C. That special circumstances applicable to the property are not imposed by the property owner/applicant.

The existing placement of the single-family home and the substandard lot width are considered constraining circumstances not imposed by the current property owner. The desire to construct a garage is not considered a granting of special privileges. Garages commonly exist in this zoning district and throughout other single-family zoning districts in the City.

RECOMMENDATION

It is staff's opinion that the applicant has satisfied the necessary required findings of the Land Development Code, section 404.06A, B and C as outlined in this report. Therefore, staff recommends approval of variance request case number V2011-4 subject to applicable ordinance requirements and the conditions of approval listed at the end of this staff report.

RECOMMENDED MOTION FOR APPROVAL

I move for approval of case number V2011-4 based on compliance with required ordinance findings as set forth in this staff report.

ALTERNATIVE MOTION FOR DENIAL

I move for denial of case number V2011-4 based on non-compliance with the following findings relative to the testimony presented at this hearing (specify findings).

Please note that the above motions are offered as samples only and that the Board may make other such motions as appropriate.

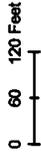
**CONDITIONS OF APPROVAL
V2011-4**

1. The front yard setback shall be reduced to 7.31-feet and the east side yard setback shall be reduced to 7-feet for the construction of a detached garage as submitted per the applicant's site plan and supporting documents.
2. The garage addition shall be constructed consistent with the proposed plans and an approved building permit.

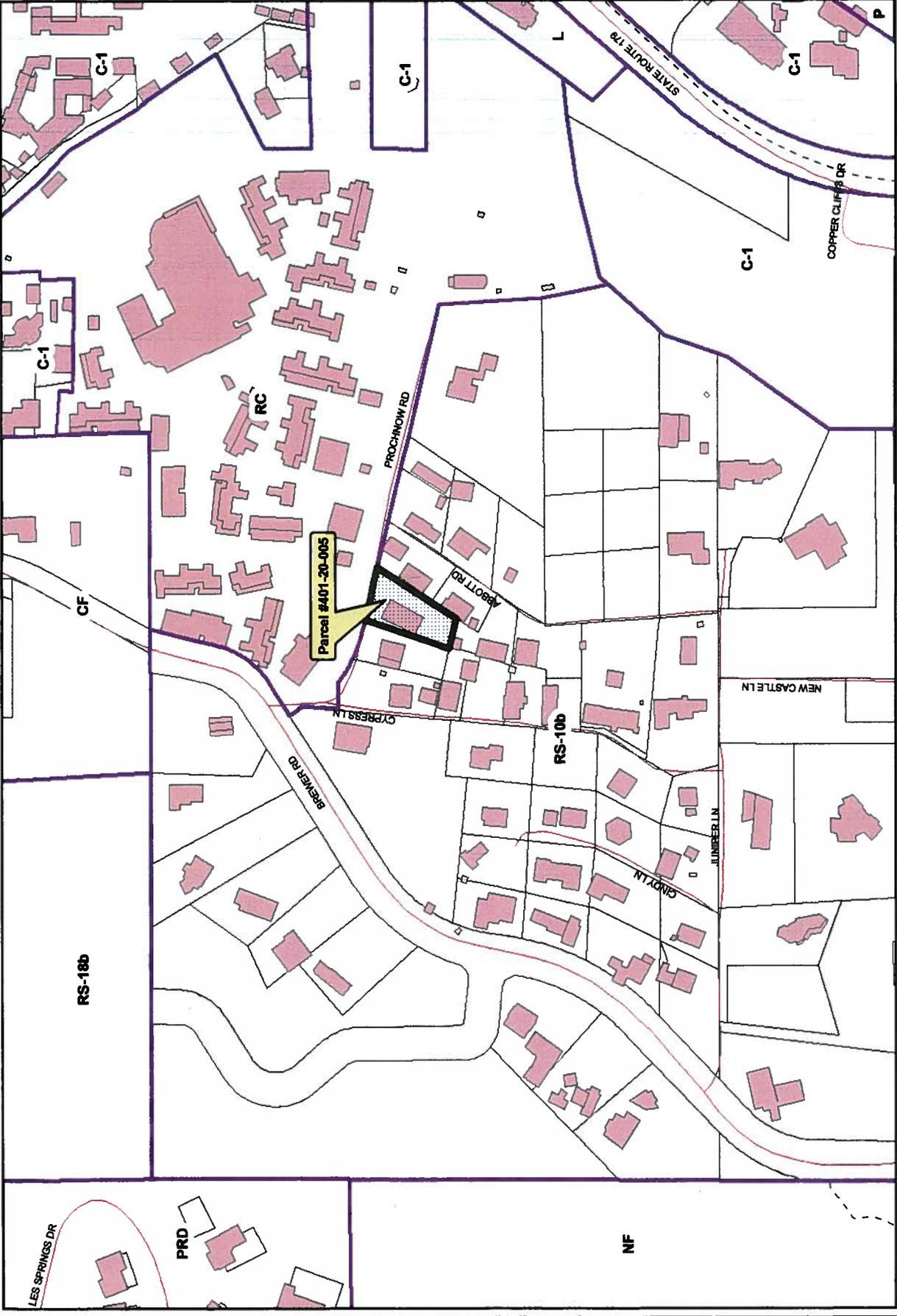
Vicinity Map

Parcel #
401-20-005
Head/Clark Variance

- Parcel #401-20-005
- Zoning Boundary
- Building Footprint
- Parcel Boundary
- Trail
- Street Centerline



City of Houston
11002071
Map Information
This map is for informational purposes only. It is not intended to be used for legal or financial purposes. The City of Houston is not responsible for any errors or omissions on this map. The City of Houston reserves the right to change the map at any time without notice.



Aerial View

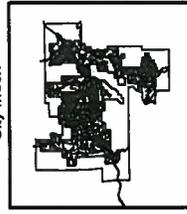
Parcel
#401-20-005
Head/Clark Variance

- Parcel #401-20-005
- Parcel Boundary
- Street Centerline



0 10 20 Feet

City Index



City of Sedona
11/01/2011
g:\projects\401-20-005\401-20-005_Parcel.mxd

This document is prepared as a "best effort" by the City of Sedona. The City of Sedona does not warrant the accuracy or completeness of the information contained herein. The City of Sedona is not responsible for any errors or omissions in this document. The City of Sedona is not liable for any damages, including consequential damages, arising from the use of this document. The City of Sedona is not a professional engineering or architectural firm. The City of Sedona is not a public utility. The City of Sedona is not a financial institution. The City of Sedona is not a government agency. The City of Sedona is not a law firm. The City of Sedona is not a medical professional. The City of Sedona is not a religious organization. The City of Sedona is not a trade association. The City of Sedona is not a labor union. The City of Sedona is not a political party. The City of Sedona is not a social club. The City of Sedona is not a fraternal organization. The City of Sedona is not a service organization. The City of Sedona is not a professional association. The City of Sedona is not a trade organization. The City of Sedona is not a business organization. The City of Sedona is not a government agency. The City of Sedona is not a public utility. The City of Sedona is not a financial institution. The City of Sedona is not a law firm. The City of Sedona is not a medical professional. The City of Sedona is not a religious organization. The City of Sedona is not a trade association. The City of Sedona is not a labor union. The City of Sedona is not a political party. The City of Sedona is not a social club. The City of Sedona is not a fraternal organization. The City of Sedona is not a service organization. The City of Sedona is not a professional association. The City of Sedona is not a trade organization. The City of Sedona is not a business organization.



VARIANCE APPLICATION LETTER: 49 PROCHNOW, SEDONA, AZ 86336

We, the property owners, wish to construct a 2-car garage on our property but require a reduction in the front and side setbacks.

We happily moved to Sedona one year ago. We bought an older home with character in a quaint neighborhood. The home was in some disrepair, and we have spent the last year beginning to update and upgrade it in many ways.

However, one of the main drawbacks to the home is a lack of a garage, which would have many beneficial aspects: protect our cars from the weather ; provide us a buffer to help negate the unattractive view and noise of Los Abrigados' cooling tower, water tank and trash dumpsters (see **photo B**); and it also would improve the neighborhood visual landscape by eliminating two cars from off-street parking.

We propose to have the garage constructed in our current gravel driveway/parking area that is located near the front (Northeast corner) of our house. The garage would be built in a style and color that conforms to the city's codes for color, design, etc. that match our home (craftsman/bungalow style home...see **photo D**). The existing block wall (**photo E**) that straddles our front (North) property line and the street (Prochnow) would be removed to provide full access to the garage. The driveway leading to the garage entry would be pavers in compliance with city of Sedona code, and there also would be space for guest parking. The area between the garage and our home would be converted into a courtyard, providing additional serenity to both us and our east-side neighbors (as opposed to the current gravel driveway).

We are requesting a variance of the front setback to approx. 6-8 feet; and reducing the side setback by approximately 4 feet.

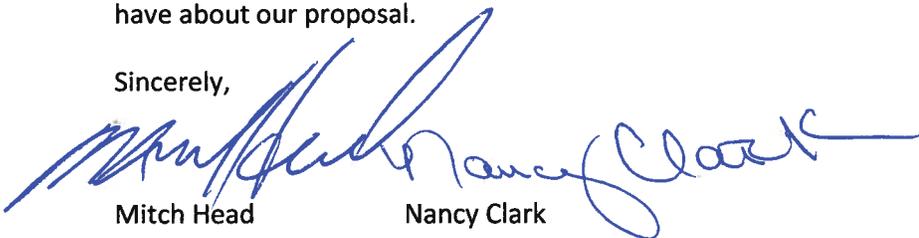
We have reviewed all of the alternatives with various contractors and have concluded it is impractical to locate the garage in any other area of our property. Construction in the north yard would block the entire north views from the home and still require a variance in the front setback; construction in the backyard (south) is impractical for several reasons: 1) It would require a massively-long driveway (approx. 100 feet long) that would traverse within 3 feet of our dining room wall & window, completely abolish our narrow east side patio (see **photo H**), and be a nuisance to our east-side neighbor's home (located just 15 feet from where the extended driveway would have to be ...causing noise, headlights and other quality of life issues for them, and potential safety issues for us). Furthermore, locating the garage in the backyard would abolish the potential plans we have for a serenity garden with plants, raised organic garden, pathways and water features. The backyard is the most serene section of our lot, as it is the furthest distance from the street and Los Abrigados. It would be a travesty to waste the backyard for a garage (as well as abdicating the entire east portion of our lot for the extensive driveway access that would be required for a backyard garage).

We are remodeling the home in keeping with its craftsman/bungalow heritage, and to maintain the architectural design integrity of the home the garage needs be un-attached, requiring 10-foot distance from the home per City of Sedona code. In order to meet that requirement, we need to reduce our front setback from 20 feet to approximately 6-8 feet, and encroach on the side setback by approximately 4 feet. This distance would still allow ample buffer space to the adjoining property, and allow plenty of space for entry and exit of cars from the garage onto Prochnow, which is a private road with limited traffic. In fact, construction of this garage as we propose would actually be a safety improvement over the current driveway/wall design which obstructs the view of drivers exiting our driveway now.

Construction of a high-quality garage in the location we propose would be an improvement for the street/community/neighbors and us as a whole (versus the existing block wall and gravel driveway/parking area). The granting of the variance will not impede traffic on the street in any way, nor create a safety hazard, nor result in the parking or loading of vehicles on public streets.

After extensive review with multiple contractors, we do not believe there is any other practical or better solution than this. We appreciate your consideration, and are happy to answer any questions that you have about our proposal.

Sincerely,



Mitch Head

Nancy Clark

49 Prochnow

Sedona, AZ 86336

REVISIONS

CRAFTWOOD BUILDERS
928-771-0101
928-771-0171
MOCKLETT'S

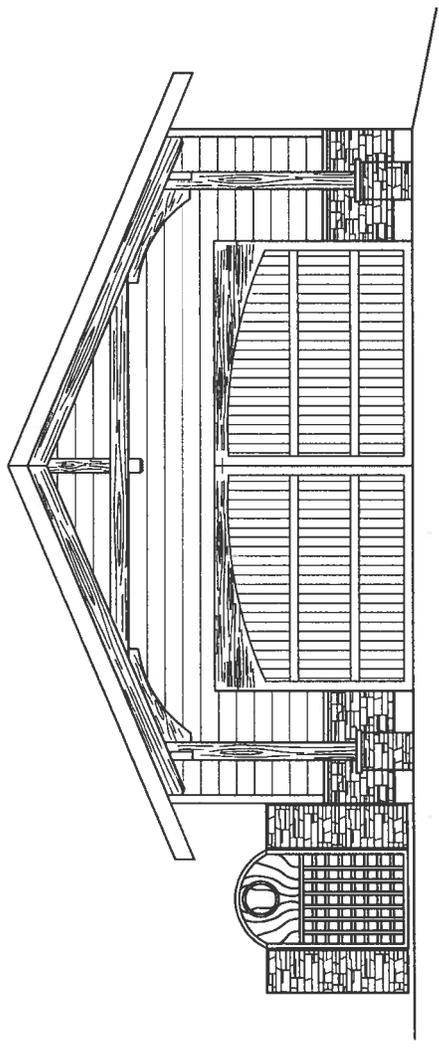


PRELIMINARY DRAWINGS

DRAWN: YOUR NAME
DATE: 06/06/2006
SCALE: 1/2" = 1'-0"
JOB:
SHEET
4
OF 8 SHEETS

EXTERIOR WALL CONSTRUCTION

SEE THE FOUNDATION AND EXTERIOR VENER SUPPORT EXCEPT IN SEISMIC DESIGN CATEGORIES D0, D1 AND D2. EXTERIOR MASONRY VENEERS HAVING AN INSTALLED WEIGHT OF 40 LB/SQ YD (3.2 KN/M²) OR LESS SHALL BE PERMITTED TO BE SUPPORTED ON WOOD OR COLD-FORMED STEEL CONSTRUCTION. WHEN MASONRY VENER SUPPORTED BY WOOD OR COLD-FORMED STEEL CONSTRUCTION IS BEING SUPPORTED BY THE MASONRY VENER SUPPORTED BY THE WOOD OR COLD-FORMED STEEL CONSTRUCTION, THERE SHALL BE A MOVEMENT JOINT BETWEEN THE VENER SUPPORTED BY THE WOOD OR COLD-FORMED STEEL CONSTRUCTION AND THE WOOD OR COLD-FORMED STEEL CONSTRUCTION SUPPORTING THE MASONRY VENER. THE MASONRY VENER SHALL BE DESIGNED TO LIMIT THE DEFLECTION TO 1/400 OF THE SPAN OF THE WOOD OR COLD-FORMED STEEL CONSTRUCTION. THE DESIGN OF THE WOOD OR COLD-FORMED STEEL CONSTRUCTION SHALL CONSIDER THE WEIGHT OF THE VENER AND ANY OTHER LOADS

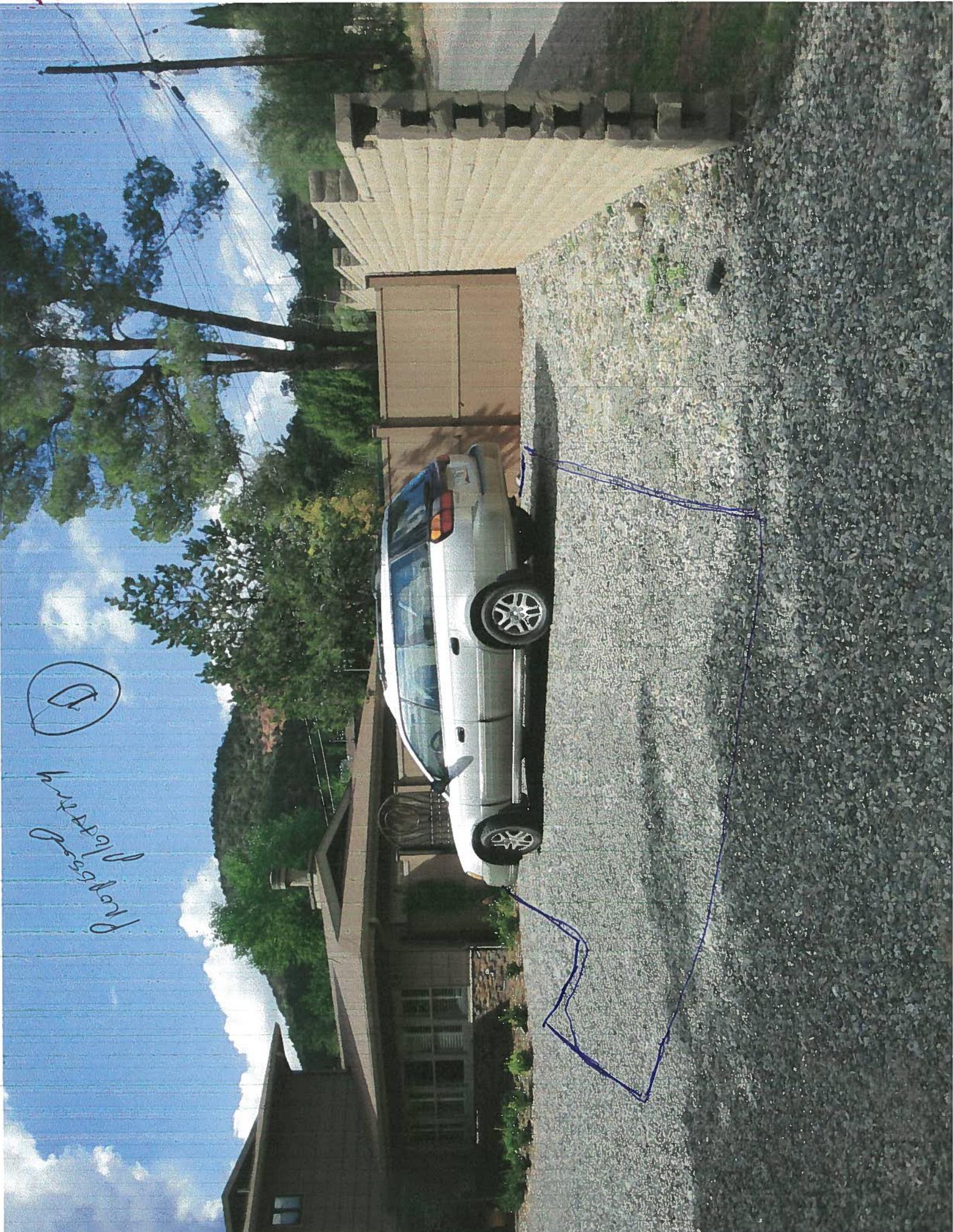


FRONT ELEVATION
SCALE: 1/2" = 1'-0"



1

2nd floor
view



①

Frontal
Impact

H

NARROW
side patio
EAST-SIDE





2

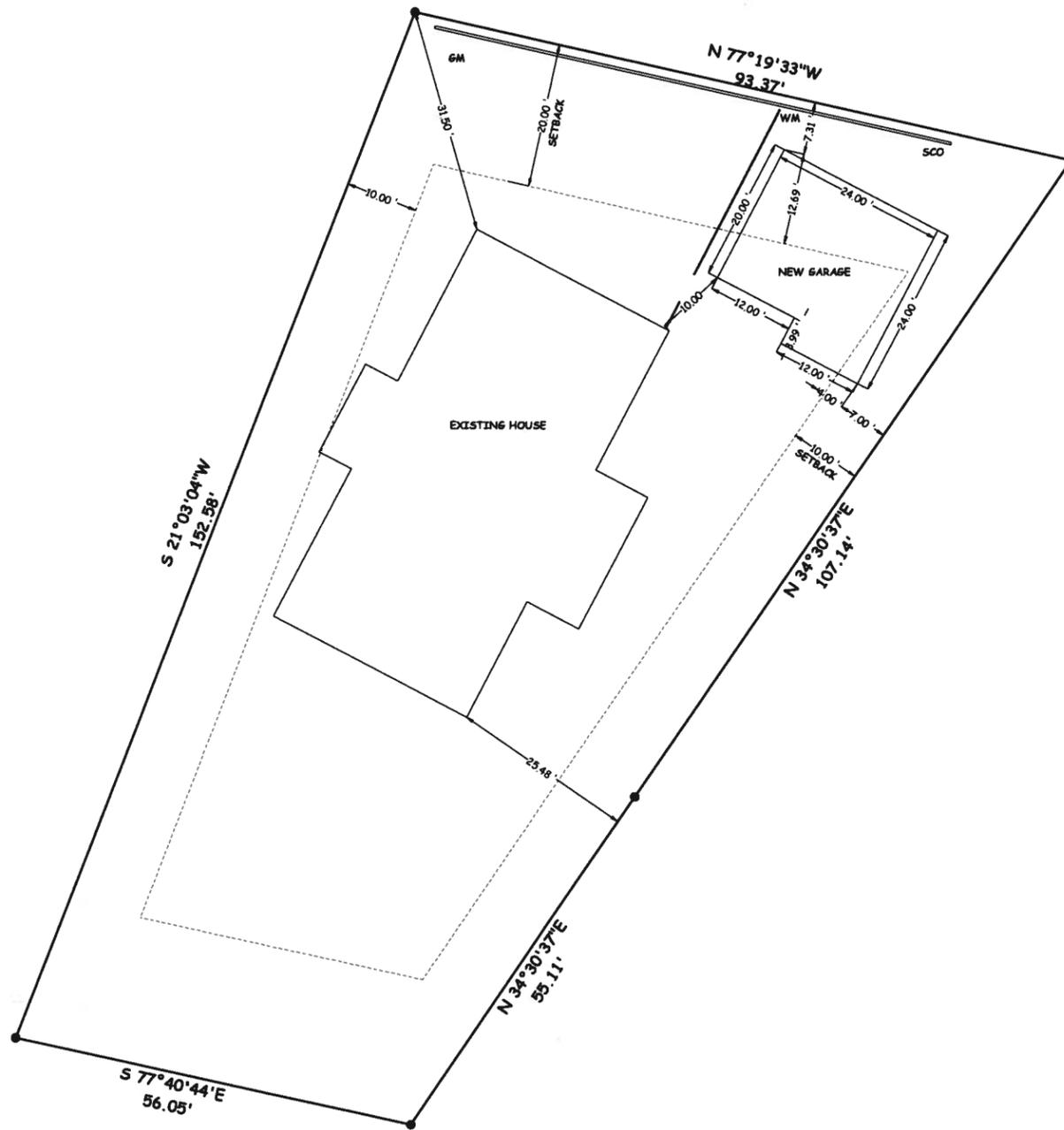
5 ft view

3 feet





Backyard



- SITE NOTES**
- IF FILL IS REQUIRED BELOW BUILDING, INSTALL AS PER SOIL ENGINEERING REPORT AND POST ON JOBSITE FOR FIELD INSPECTOR. SUBMIT REPORT TO BUILDING DEPT.
 - IF THE TOTAL AREA TO BE GRADED EXCEEDS 14,000 SQ. FT. THEN A TYPE 1 GRADING PERMIT SHALL BE OBTAINED.
 - ALL UTILITY TRENCHES AND / OR LEACH FIELDS ARE TO BE RESTORED AND REVEGETATED
 - NO SLOPES STEEPER THAN 1.5 HORIZONTAL TO 1.0 VERTICAL. SLOPES BETWEEN 1.5 AND 3 TO 1 MUST BE RIP-RAPPED. SLOPES 3 TO 1 OR LESS MUST BE REVEGETATED.
 - ALL FOUNDATIONS SHALL BEAR MINIMUM 12" (18" AT 2 STORY) INTO NATURAL EXISTING SOIL WITH A MINIMUM SOIL BEARING PRESSURE OF 1500 P.S.F. OR FURNISH THE FOLLOWING INFORMATION-
 - SOIL INVESTIGATION REPORT
 - REPORT OF SATISFACTORY PLACEMENT OF FILL
 - STATEMENT OF SOIL BEARING VALUE
 A, B, AND C TO BE CERTIFIED BY A REGISTERED SOILS ENGINEER.
 - PROVIDE 3" ABS SEWER PIPE AT 2% MINIMUM SLOPE WITH CLEANOUTS EVERY 100' FROM HOUSE TO H.C.S. IN STREET .

- USE 1" MIN. YARD LINE
- RAIN GUTTERS W/ DISCHARGE MIN. 5' FROM EXT FOUNDATION



SITE PLAN
SCALE: 1"=10'-0"

REVISIONS

CRAFTWOOD BUILDERS
928-771-0707
AZ License # ROC197719
roc@craftwood.info

PRELIMINARY DRAWINGS
49 PROCHINOW RD.
A.P.N. 401-20-005

DRAWN: M.S.
DATE: 0/00/2011
SCALE: 1" = 10'-0"
JOB:

SHEET
1
OF 8 SHEETS



DEPARTMENT OF COMMUNITY DEVELOPMENT
Current Planning Division

104 Road Runner Drive
Sedona, Arizona 86336

Tel: 928-203-5100
Fax: 928-204-7125
TDD: 928-282-3113
ngioello@sedonaaz.gov

STAFF REPORT

To: Board of Adjustment
Through: John O'Brien, Director of Community Development
From: Nicholas R. Gioello, Senior Planner *NRG*
Meeting Date: December 2, 2011
Subject: Request for variance on Assessor's Parcel Numbers 408-11-402A and 408-11-402F, 3700 West S. R. 89a, Case # V2011-5
Attachments: Aerial View, Vicinity Map, Letter of Intent, Site Plan and Sign Drawings.

REQUEST

The applicant, Verde Valley Medical Center, is requesting a variance from the City of Sedona Land Development Code to erect freestanding signs that exceed the height code limit of 8-feet.

LOCATION

The properties are located in the PD (Planned Development) zoning district and located at 3700 West S. R. 89a. The property is further identified as Assessor's Parcel Numbers 408-11-402A and 408-11-402F.

SUBJECT PROPERTY AND SURROUNDING LAND USES

	<u>ZONING</u>	<u>LAND USE</u>
North:	PD (Planned Development)	Undeveloped medical related facilities
South:	RS-18a (Single-family)	Residential
East:	RS-18a (Single-family)	Residential
West:	PD (Planned Development)	Undeveloped medical related facilities

APPLICANT'S PROPOSAL

The applicant is proposing to replace the existing freestanding sign on Foothills South Drive, and add two additional freestanding signs. Each sign is proposed to exceed the sign code height limit of 8-feet.

BACKGROUND

Staff met with the applicant and the applicant's sign contractor on site to discuss sign options for the medical center. Based on the needs of the medical center and the terrain issues for all the proposed sign locations, staff determined that a variance would be required to achieve the proposed sign heights.

COMMENTS

The applicant owns multiple properties located within the PD (Planned Development) zoning district and approved for medical related facilities. A majority of these properties have not been developed. The applicant has expressed concern with the visibility of the existing freestanding sign location. The applicant has indicated that tourists and residents have had difficulty locating the identification and emergency signage for the medical center, due to the sign location below the grade of the highway and the speed limit (40 mph), which makes it difficult for motorists to read the sign in time to negotiate the proper turning movement from the highway.

The Land Development Code (LDC), section 1107-D, limits the height of freestanding signs to 8-feet in height. The LDC, section 1106-K, states that sign height shall be "determined for signs above average elevation of the finish grade...exclusive of any filling, berming, mounding, landscaping, or solely for the purpose of locating the sign". For these reasons the applicant's proposal requires a variance from the sign code.

During the on-site meeting, staff determined that the amount of word copy on the existing freestanding sign was under the allowable copy allowed by the LDC. Also, the location of the existing sign is approximately 4 to 6-feet below the grade of the highway. Staff noted that the two new locations are approximately 3 to 4-feet below the grade of the highway since the highway right-of-way extends approximately 34-feet beyond the curb.

Staff believes that the new sign locations will provide adequate visibility for cars approaching the medical center from either direction on S.R. 89a. The ability to visibly portray the emergency services offered by the medical center to those unfamiliar with the area is vital in a time of crisis and in the evening hours.

ANALYSIS

Section 404 of the City of Sedona Land Development Code establishes specific findings that must be made in order for a variance request to be approved. This staff report will list the specific circumstances prescribed by ordinance and then discuss the pertinent facts that apply to each issue.

Required Findings

- A. *Due to special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of this code will deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district.*

In staff's opinion, the situation is a special circumstance since all of the locations available for free standing signs are several feet below the grade of the highway, thereby effectively reducing the applicant's ability to provide freestanding signage at the normal height of 8-feet above grade. The strict application of sign height measurement deprives the applicant the ability to provide signage that is visible from an adequate distance to allow drivers the ability to safely slow down and negotiate turning movements into the medical center from the highway. Other properties along the highway typically do not share this visibility restriction since most properties are at highway grade or above, and benefit from a slower speed limit throughout most of the city.

- B. *That any variance is subject to the conditions that 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 zoning district in which the subject property is located.*

It is staff's opinion that allowing the increased sign height does not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the subject property is located. The medical center, with emergency medical services provided on a 24-hour basis, is unique in the city and requires adequate and visible signage for those not familiar with area, especially in the evening hours.

The two signs along S.R. 89a are proposed with a stone base 3-feet high to bring the bottom of the sign almost level with the sidewalk. The signs are proposed at a height of 8-feet, for a total of 12-feet above the natural grade. The additional height allows adequate sight lines along the highway to ensure the visibility of the sign.

The main freestanding sign is currently located approximately 80-feet from the edge of pavement and approximately 4 to 6-feet below the highway grade. For this reason the main sign is proposed with a 2-foot base and 10-foot sign, for a total of 12-feet in height.

C. That special circumstances applicable to the property are not imposed by the property owner/applicant.

The terrain of the applicant's property in relation to the highway grade is a condition not imposed by the applicant and is considered a special circumstance because of the unique emergency services provided to the community by the applicant. The proposed increase in sign height ensures that motorists are able to read the signs in time to negotiate the proper turning movement from the highway and into the medical center.

RECOMMENDATION

It is staff's opinion that the applicant has satisfied the necessary required findings of the Land Development Code, section 404.06A, B and C as outlined in this report. Therefore, staff recommends approval of variance request case number V2011-5 subject to applicable ordinance requirements and the conditions of approval listed at the end of this staff report.

RECOMMENDED MOTION FOR APPROVAL

I move for approval of case number V2011-5 based on compliance with required ordinance findings as set forth in this staff report.

ALTERNATIVE MOTION FOR DENIAL

I move for denial of case number V2011-5 based on non-compliance with the following findings relative to the testimony presented at this hearing (specify findings).

Please note that the above motions are offered as samples only and that the Board may make other such motions as appropriate.

CONDITIONS OF APPROVAL
V2011-5

1. The three proposed freestanding signs shall be allowed to exceed the sign height limitations of the Land Development Code as submitted per the applicant's site plan and supporting documents.
2. The applicant shall obtain a sign permit for all proposed signs and each sign shall be constructed consistent with the proposed plans and an approved sign permit. All other sign codes and restrictions of the Land Development Code shall apply.



Electrical & Architectural Signage • Awnings • Fascia • Canopies
Neon • Outdoor Lighting • Flagpoles • Crane Service

STATEWIDE FROM PRESCOTT VALLEY

October 28, 2011

City of Sedona
Board of Adjustment
102 Roadrunner Drive
Sedona, AZ 86336

On behalf of Verde Valley Medical Center - Sedona Campus, Signs Plus is submitting this variance application to the City of Sedona Board of Adjustment.

STATEMENT OF THE PRECISE NATURE OF THE VARIANCE REQUESTED

SECTION 1106 GENERAL STANDARDS FOR SIGNS; Section K Sign height reads as follows:
Sign height shall be determined for signs above the average elevation of the finish grade within a 6 foot radius of the point of measurement on the sign, exclusive of any filling, berming, mounding, landscaping, or solely for the purpose of locating the sign. No sign shall exceed 8 feet in height.

Applicant requests a variance of 4 feet of additional height to achieve an overall height of 12 feet as determined by the General Standards for Signs.

STATEMENT OF THE PRACTICAL DIFFICULTY OR UNNECESSARY PHYSICAL HARDSHIP THAT WOULD RESULT FROM A STRICT OR LITERAL INTERPRETATION AND ENFORCEMENT OF THE SPECIFIC ZONING REGULATION.

The finish grade for the Verde Valley Medical Center – Sedona Campus is several feet below the finish grade of Highway 89A. Therefore, tourists and local residents have a difficult time locating **IDENTIFICATION** and **EMERGENCY** signage for the Verde Valley Medical Center – Sedona Campus as they travel along Highway 89A. In particular, individuals in need of **EMERGENCY** services have a difficult time finding the **EMERGENCY ROOM**. The highway speed limits, lower finish grade, right-of-way setback, and numerous natural trees and bushes contribute to the difficulty and unnecessary physical hardships that result from strict enforcement of this specific zoning regulation.

The Verde Valley Medical Center is unique, compared to other properties in the vicinity, because it offers **EMERGENCY ROOM** and **AIR EVACUATION** services to the public at large. No other properties in the vicinity and zoning district in which the subject property is located provide these services. Therefore, this variance request does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the subject property is located.

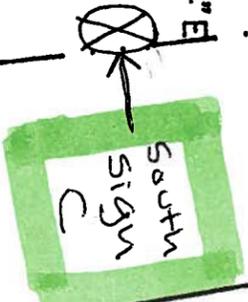
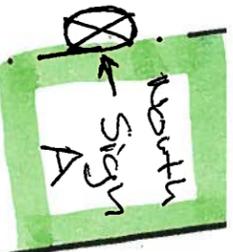
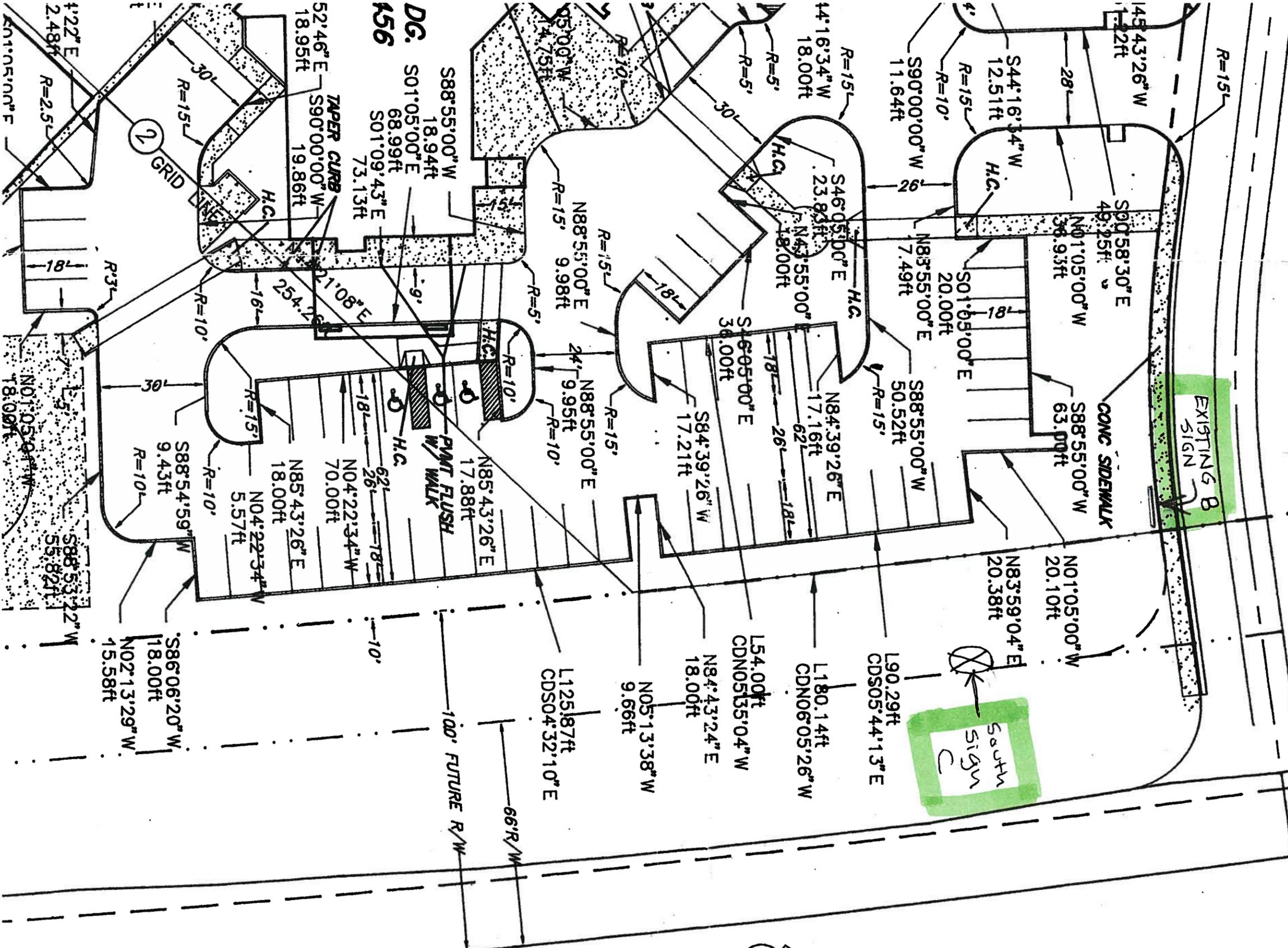
Thank you for considering this request.

Dale R. Johnson
President

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OCT 31 2011

CITY OF SEDONA
COMMUNITY DEVELOPMENT

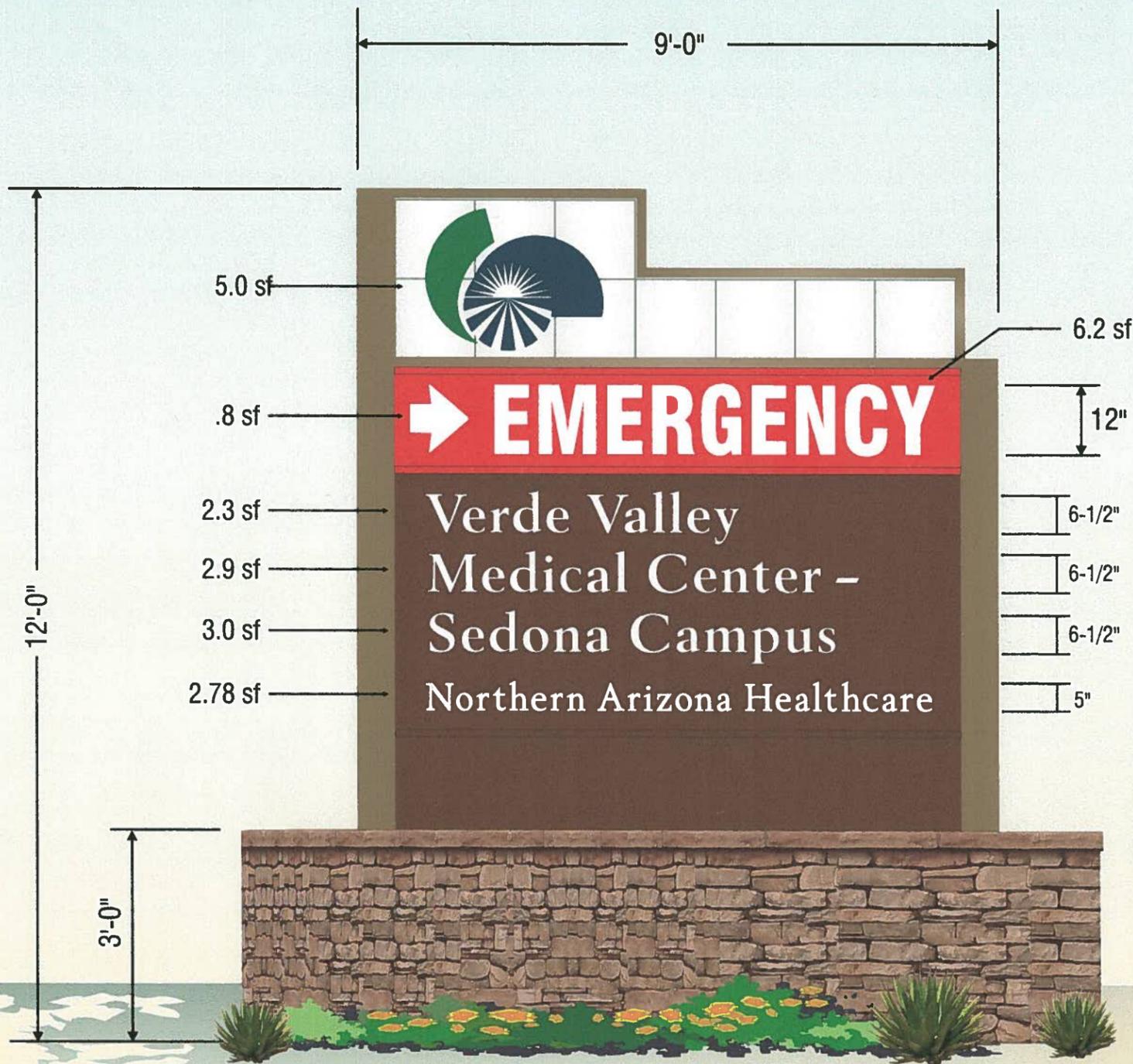
PHASE I
STREET IMPROVEMENTS



J.S. HIGHWAY 89-A

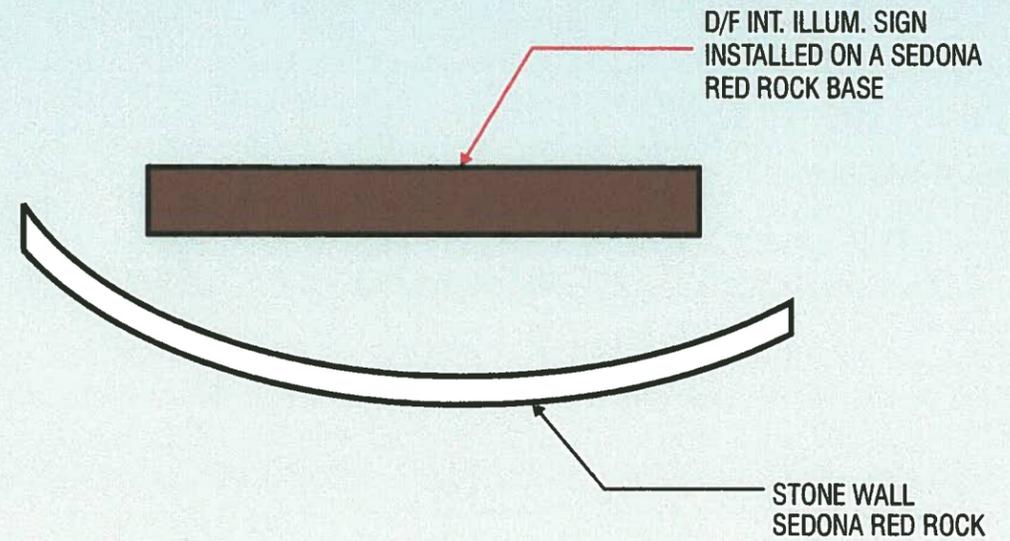
FOOTHILLS
DRIVE
SOUTH

VERDE VALLEY MEDICAL CENTER - Sedona Campus



FACE VIEW

SCALE: 1/2" = 1'-0"



PLAN VIEW

23.0 total square feet

SPECIFICATIONS

- Single-faced sign with routed aluminum faces.
- Copy is push-through acrylic.
- Interior fluorescent illumination.
- MAP Rust Brown cabinets, Copper trim.
- Decorative top constructed of two 3/4" routed acrylic panels, with vinyl logo in PMS Green and PMS 281. Capped with Copper trim.
- Sign to be installed on Sedona Red rock base.
- Replaces smaller existing sign.

PROJECT: **VMC - Entire Care**

9200 Valley Rd.
Prescott Valley,
Arizona
86314
800-257-5095



Account Executive:
DALE JOHNSON

Designer:
RContreras

Design #:
10.10.2011-053

DATE:
10/27/2011

SCALE:
AS NOTED

APPROVED BY:

DATE:

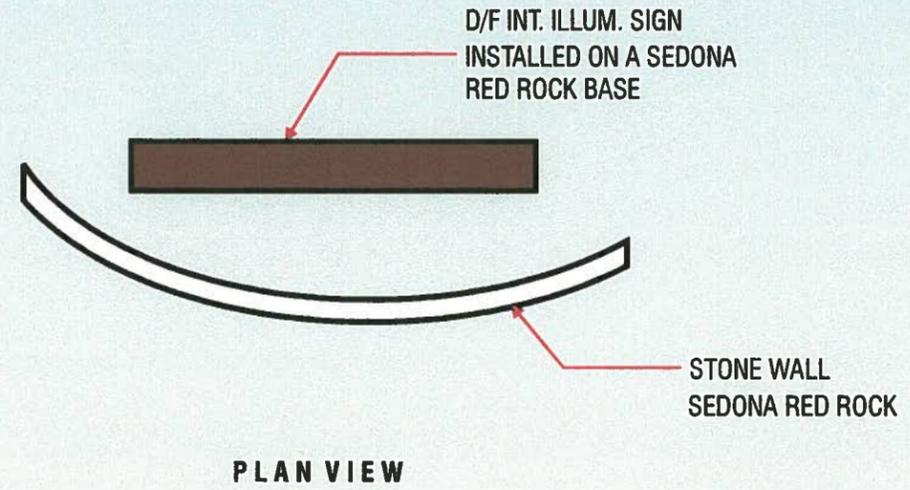
SHEET:

1 OF 3

RECEIVED
OCT 31 2011

CITY OF SEDONA
COMMUNITY DEVELOPMENT

VERDE VALLEY MEDICAL CENTER - Sedona Campus



South Sign C

SITE PHOTO SURVEY

RELATIVE SCALE

EXACT LOCATION TO BE DETERMINED DURING PERMITTING



North Sign A

SITE PHOTO SURVEY

RELATIVE SCALE

EXACT LOCATION TO BE DETERMINED DURING PERMITTING

PROJECT: **WMC - Entire Care**

9200 Valley Rd.
Prescott Valley,
Arizona
86314
800-257-5095

LOCATION: **35 DRY CREEK ROAD., SEDONA, AZ**



Account Executive:
DALE JOHNSON

Designer:
RContreras

Design #:
10.10.2011-053

DATE:
10/27/2011

SCALE:
AS NOTED

APPROVED BY:

DATE:

RECEIVED
OCT 31 2011

CITY OF SEDONA
COMMUNITY DEVELOPMENT

SHEET:

2 OF 3



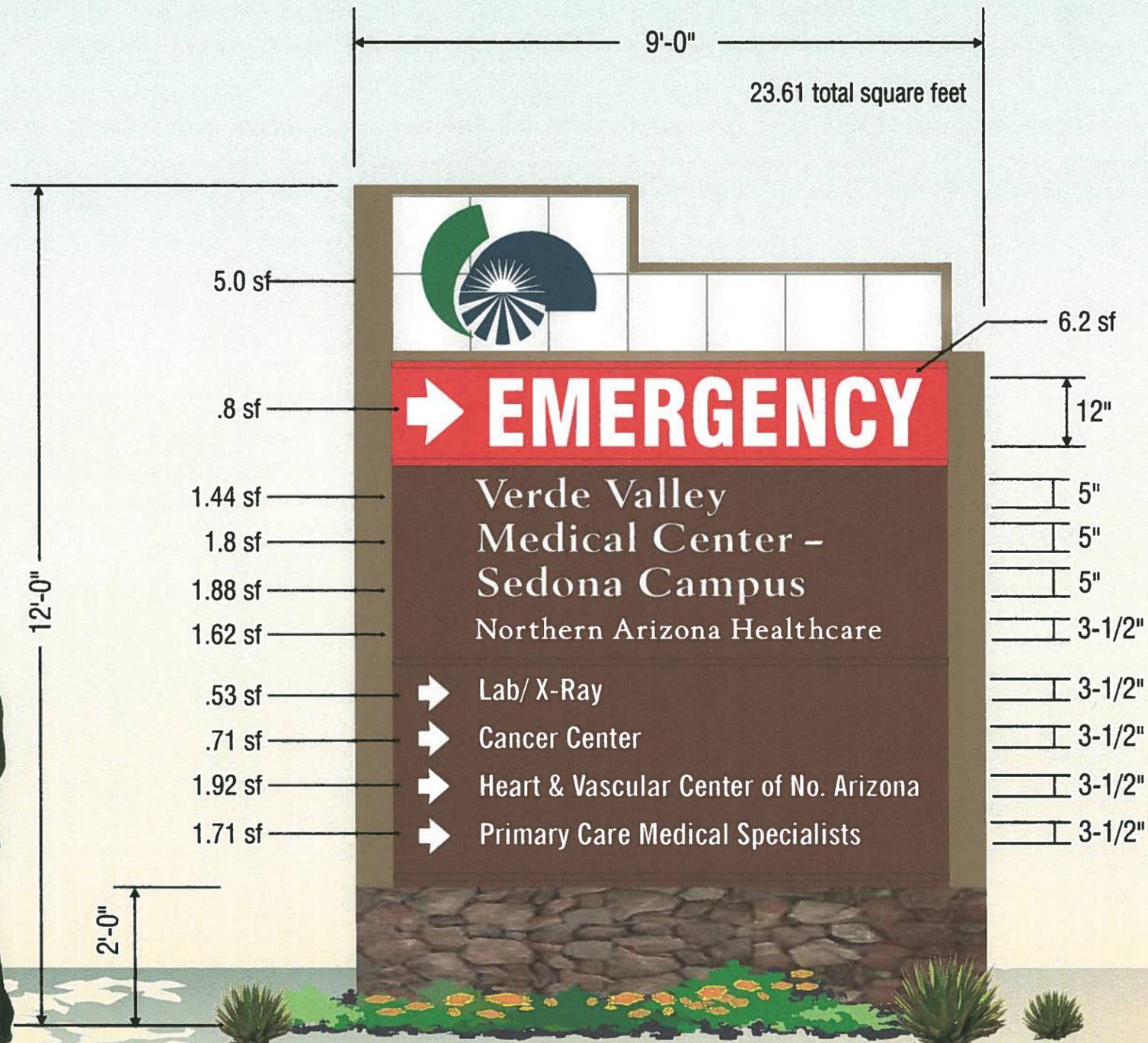
SITE PHOTO SURVEY
EXISTING SIGN



Sign B

SPECIFICATIONS

- Double-faced sign with routed aluminum faces.
- Copy is 1/2" push-thru acrylic.
- Interior fluorescent illumination.
- MAP Rust Brown cabinets, Copper trim.
- Decorative top constructed of two 3/4" routed acrylic panels, with vinyl logo in PMS Green and PMS 281. Capped with Copper trim.
- Sign to be installed on Sedona Red rock base.
- Replaces smaller existing sign.



FACE VIEW SCALE: 1/2" = 1'-0"

NOTE: ACTUAL VERBAGE MAY CHANGE

RECEIVED
OCT 31 2011

CITY OF SEDONA
COMMUNITY DEVELOPMENT

PROJECT: WMC - Entire Care

9200 Valley Rd.
Prescott Valley,
Arizona
86314
800-257-5095



Account Executive:
DALE JOHNSON

Designer:
RContreras

Design #:
10.10.2011-053

DATE:
10/27/2011

SCALE:
AS NOTED

APPROVED BY:

DATE:

SHEET:
3 OF 3