



BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: September 10, 2013

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

Under Pima County Code Section 19.03.070, the Board of Supervisors may waive the Roadway Development Impact Fee for certain developments. The code section reads:

19.03.070 Waiver of fee.

A. The board of supervisors may waive development fees for all development that constitutes affordable housing to moderate, low or very low income households as defined by the United States Department of Housing and Urban Development, provided that the waiver does not result in an increase in the development fee for other properties in the benefit area plan.

B. The board of supervisors may waive from development fee programs particular types and locations of development that are determined to serve an overriding public interest, provided that the waiver does not result in an increase in the development fee for other properties in the benefit area plan.

Pursuant to Pima County Code Section 19.03.070, Janise K. Ingram (property owner) requests that the Board of Supervisors waive the Roadway Development Impact Fee for the placement of a residential dwelling unit on her property. This development does not constitute an overriding public interest and the applicant does not qualify for an Affordable Housing Waiver because annual household income exceeds 80 percent of the median income within Pima County as determined by the United States Department of Housing and Urban Development (HUD).

The property owner has applied for a building permit to place a residential dwelling unit on the property located at 25120 East Low Lane in the Rincon Valley Impact Fee Benefit Area. Ms. Ingram believes that her residence and subsequent travel to and from the property will have no impact on the arterial roads that are approved for impact fee funding within this benefit area. Ms. Ingram cites in the attached letter that the remoteness of the property (see attached map) and the use of state highways, rather than Pima County roads, for travel as the reason for her request for a waiver.

Granting the property owners an impact fee waiver would not increase the development fee for other properties within the Rincon Valley Benefit Area Plan.

CONTRACT NUMBER (If applicable): NA

STAFF RECOMMENDATION(S):

Staff recommends denial. While the applicant may intend to travel solely by state highways and private roads, there is no way to assure that others accessing the home or future conditions will not induce travel on Marsh Station Road, Colossal Cave Road or other roads within the Rincon Valley Benefit Area.

CORPORATE HEADQUARTERS: NA

CLERK OF BOARD USE ONLY: BOS MTG. _____

ITEM NO. _____

PIMA COUNTY COST: ____ and/or REVENUE TO PIMA COUNTY:\$

FUNDING SOURCE(S): N/A
(i.e. General Fund, State Grant Fund, Federal Fund, Stadium D. Fund, etc.)

Advertised Public Hearing:

| | | | | |
|--|--------------------------|-----|-------------------------------------|----|
| | <input type="checkbox"/> | YES | <input checked="" type="checkbox"/> | NO |
|--|--------------------------|-----|-------------------------------------|----|

Board of Supervisors District:

| | | | | | | | | | | | |
|---|--------------------------|---|--------------------------|---|--------------------------|---|-------------------------------------|---|--------------------------|-----|--------------------------|
| 1 | <input type="checkbox"/> | 2 | <input type="checkbox"/> | 3 | <input type="checkbox"/> | 4 | <input checked="" type="checkbox"/> | 5 | <input type="checkbox"/> | All | <input type="checkbox"/> |
|---|--------------------------|---|--------------------------|---|--------------------------|---|-------------------------------------|---|--------------------------|-----|--------------------------|

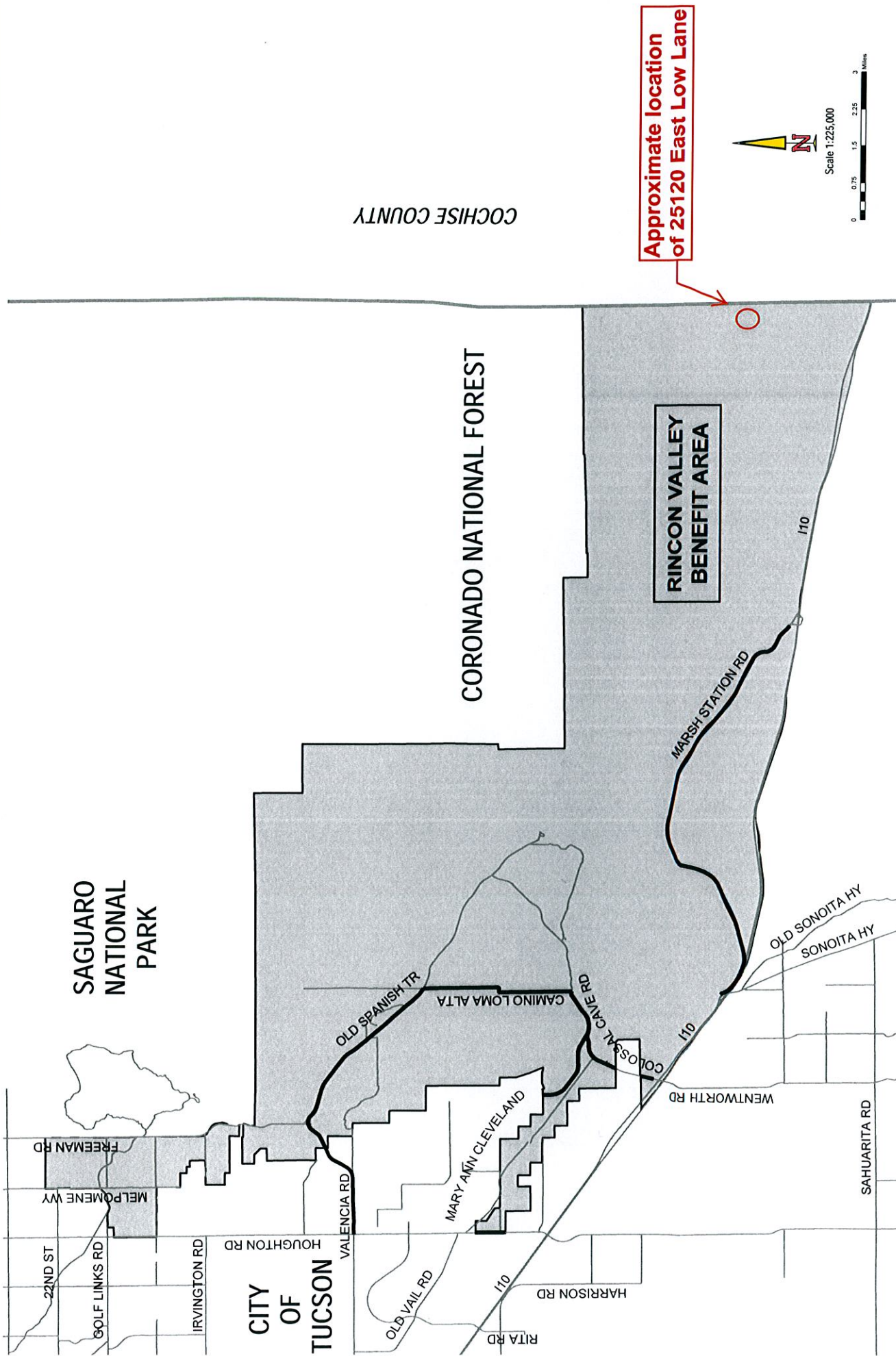
IMPACT:

IF APPROVED: Roadway Development Impact Fees would not be assessed for this residential dwelling unit.

IF DENIED: Roadway Development Impact Fees would be assessed.

DEPARTMENT NAME: Transportation

CONTACT PERSON: Robert Young, P.E., Public Works Division Manager  TELEPHONE NO.: 724-6777



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RINCON VALLEY ROADWAY DEVELOPMENT IMPACT FEE BENEFIT AREA

**REQUEST FOR
DEVELOPMENT IMPACT FEE WAIVER**

TO BE FILLED OUT BY APPLICANT (PLEASE PRINT CLEARLY)

| | | |
|---|-------------------------------|--------------------------------------|
| Date 8/20/13 | Benefit Area Rincon Valley | Tax Code 306-10-079A |
| Property Address: 25120 East Low Lane | | |
| Last Name of Applicant Ingram | First Name Janise | Phone No. (520) 870-1588 |
| Mailing Address: 555 N. Pantano Road, Unit 309 | | City, State, Zip Tucson, AZ 85710 |
| Development Plan Name: | | |
| Permit No.: P13CP04817 | | |
| Land Use Category(s): RH | | |
| <p>19.03.070 Waiver of fee.</p> <p>A. The board of supervisors may waive development fees for all development that constitutes affordable housing to moderate, low or very low income households as defined by the United States Department of Housing and Urban Development, provided that the waiver does not result in an increase in the development fee for other properties in the benefit area plan.</p> <p>B. The board of supervisors may waive from development fee programs particular types and locations of development that are determined to serve an overriding public interest, provided that the waiver does not result in an increase in the development fee for other properties in the benefit area plan.</p> <p>Please provide the reason for your request. You may also provide documentation supporting your request (you may attach additional sheets if necessary)</p> <p>Please see attached letter</p> | | |
| THIS REQUEST MUST BE FILED WITH THE PIMA COUNTY DEPARTMENT OF TRANSPORTATION, TRANSPORTATION SYSTEMS DIVISION, 201 N STONE AVE, 5TH FLOOR, TUCSON, AZ 85701 -TELEPHONE NO. 740-6403 | | |
| OFFICE USE ONLY | | |
| Hearing Date _____ Appeal Granted _____ Denied _____ | | |

INGRAM

555 N. PANTANO ROAD, UNIT 309
TUCSON, ARIZONA 85710
(520) 870-1588

August 20, 2013

Pima County Board of Supervisors
c/o Nicole Burdette
201 N. Stone Avenue, 4th Floor
Tucson, AZ 85701

Re: Waiver of Roadway Development Fee
Property Address: 25120 E. Low Lane
Permit Activity No. P13CP04817

Dear Chairman and Members of the Board:

I would like to request a waiver of the Roadway Development Fee for our property at 25120 E. Low Lane.

This property is one-half (1/2) mile from the eastern boundary of Pima County. Our only access is by private dirt roads which begin in Cochise County, and which are owned and maintained by Rancho Del Cielo Homeowners Association. We pay an annual fee for this maintenance. Access from Tucson is by driving east on I-10, north on Mescal Road (in Cochise County), west on Double X Ranch Road (in Cochise County), north on High Rise Road (which is the Pima County Boundary), then west on Low Lane to the property. See enclosed map.

Therefore, development of our lot will impose no burden on Pima County to provide additional road development, and no Pima County road projects are reasonably foreseen or needed at or near our property.

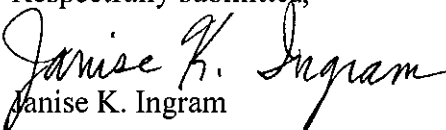
Fire protection services are provided by Mescal/J-Six Volunteer Fire Department in Cochise County. Ambulance service is from Benson in Cochise County. Utilities are supplied by an onsite well, onsite septic and Sulphur Springs Valley Electric Cooperative in Cochise County.

My husband and I purchased the 12.45 acres in 2005, hoping to build a home. The housing crash in 2008 halted our plan to sell two 4-acre parcels for money to build the house. We have been living in an RV in Tucson for 8 years to enable us to pay for this property.

My parents, who are in their 80's, want to set up a small manufactured home on the property. They currently rent a lot in Benson in a small trailer park. They have money for a 400 square foot park model and a septic system, but very little else. We want to help them save their very limited income, and eventually help care for them.

Thank you for your consideration.

Respectfully submitted,


Janise K. Ingram

