



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 12/13/2016

Title: P16SA00013 Badilla – W. Saenz Drive Hillside Development Overlay Zone Special Use Permit

Introduction/Background:

The applicant requests a HDZ Special Use Permit to construct a residence, driveway and future pool within a Level One protected peak and ridge area on Lot 14 of the Lomas Saenz No. 2 subdivision.

Discussion:

The subdivision plat was approved in 1974 prior to the 1976 HDZ Ordinance which contained the first Protected Peak and Ridges Map. Most of Lot 14 is located within the protected area and is unbuildable without approval of the Special Use Permit. The applicant proposes development on the ridge line that is the flattest portion of the lot most adjacent to the street to limit the area of disturbance.

Conclusion:

Staff supports the proposed residential development given the history of the lot and the proposed design sensitivity to the natural surroundings.

Recommendation:

Staff recommends approval subject to conditions to mitigate and reduce visual impacts.

Fiscal Impact:

0

Board of Supervisor District:

1 2 3 4 5 All

Department: Pima County Development Services - Planning Telephone: 724-9000

Department Director Signature/Date:

[Signature] 11-29-16

Deputy County Administrator Signature/Date:

[Signature] 11/28/16

County Administrator Signature/Date:

[Signature] 11/29/16

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PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Richard Elias, Supervisor, District 5

FROM: Chris Poirier, Planning Official
Public Works-Development Services Department-Planning Division

DATE: November 21, 2016

SUBJECT: P16SA00013 BADILLA – W. SAENZ DRIVE HILLSIDE DEVELOPMENT
OVERLAY ZONE SPECIAL USE PERMIT

The above referenced Hillside Development Overlay Zone Special Use Permit is within your district and is scheduled for the Board of Supervisors' **TUESDAY, DECEMBER 13, 2016** hearing.

REQUEST: A Hillside Development Zone (HDZ) **special use permit** to construct a single residence, driveway and future pool within a Level One designated protected ridge area encompassing the majority of Lot 14 of Lomas Saenz No. 2 subdivision.

OWNER: Ely Badilla
106 W. Sahuaro St., Apt. 2
Tucson, AZ 85705

AGENT: Settlers West Home Builder, LLC
Attn: Gabriel Carranza
33 S. 5th Avenue
Tucson, AZ 85701

DISTRICT: 5

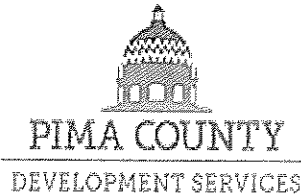
STAFF CONTACT: Terrill Tillman

PUBLIC COMMENT TO DATE: As of November 21, 2016, staff has received no written comment.

STAFF RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located outside of the Maeveen Marie Behan Conservation Land System (MMBCLS).

TD/TT/ar
Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: P16SA00013

Page 1 of 5

FOR DECEMBER 13, 2016 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Planning Official
Public Works-Development Services Department-Planning Division

DATE: November 21, 2016

ADVERTISED ITEM FOR PUBLIC HEARING

HILLSIDE DEVELOPMENT OVERLAY ZONE (HDZ) SPECIAL USE PERMIT

P16SA00013 BADILLA – W. SAENZ DRIVE HILLSIDE DEVELOPMENT OVERLAY ZONE SPECIAL USE PERMIT

Ely Badilla, represented by Settlers West Home Builder, LLC, requests a **Special Use Permit in the Hillside Development Overlay Zone (HDZ)** to construct a single residence, pool, and driveway within a designated HDZ Level One protected ridge area on Lot 14 of the Lomas Saenz No. 2 subdivision. Most of Lot 14 lies within the protected ridge area. The Pima County Zoning Code Section 18.61.041(A)(1) prohibits development within the protected area of a level one peak or ridge except with a special use permit which may be granted by the Pima County Board of Supervisors as set forth in Section 18.61.042(A). The subject lot is approximately .95 acres zoned SH(BZ)(PR-1) (Suburban Homestead-Buffer Overlay Zone-Protected Peaks and Ridges, Level 1) and is located on the south side of the terminus of W. Saenz Drive, approximately 1,600 feet northwest of the intersection of W. Irvington Place and S. San Joaquin Avenue. Staff recommends **APPROVAL SUBJECT TO CONDITIONS.**
(District 5)

STAFF RECOMMENDATION

Staff recommends **APPROVAL WITH CONDITIONS**, as follows:

1. The maximum grading allowance is 12,740 square feet as generally depicted within the grading/site plan presented at public hearing. Areas outside of the grading limits shall be designated as set-aside natural area.

2. To promote blending with natural surroundings, gabion rocks and any other retaining rocks shall be of color(s) consistent with natural rocks within Lot 14. The exposed exterior walls and roof of the residence, retaining walls, and utility structures shall be earthtone in color and meet the light reflectivity standards in Section 18.61.056 of the Pima County Zoning Code.
3. The development of the subject property shall be in accordance with Section 18.61.041B and C of the Pima County Zoning Code.
4. No outdoor storage is allowed to include the storage of recreational vehicles, trailers, or boats.

REQUEST OF APPLICANT

The applicant requests an HDZ Special Use Permit in order to construct a single-story residence, driveway and future pool within a designated HDZ Level One protected ridge area on Lot 14 of the Lomas Saenz No. 2 subdivision. The applicant states that about 85% of the property is within the protected area and is generally unbuildable without the Special Use Permit. The site plan demonstrates the location of the structure on the flattest portion of the lot adjacent to the street to limit the area of disturbance.

The single family residence is proposed to be approximately 3,771 square feet and located along the ridge line to minimize cutting into steep slopes. The proposed southwestern style residence will meet the color and light reflectivity standards of HDZ utilizing earthtone and natural colors to blend in with the surrounding area. The maximum height of the structure is planned for 15 feet 3 inches with a chimney extending approximately 2 feet higher than the remainder of the roofline meeting the maximum HDZ height of 18 feet.

The applicant has current plans for the residence under review pending the outcome of the requested Special Use Permit.

STAFF REPORT

In 1976, the HDZ (Hillside Development Zone) Ordinance that contained the maps of the protected peaks and ridges was approved by the Board of Supervisors restricting the development of properties within a protected area of a peak or ridge. The Lomas Saenz No. 2 subdivision was platted in 1974 prior to the ordinance approval of this protected peak and ridge. In 2003, the protected peaks and ridges mapping was expanded and classified the peaks and ridges as Level One or Level Two. All existing, previously mapped peaks and ridges were classified as Level One protected peaks and ridges, hence, the Level One designation of the protected peak and ridge overlay of the subject property.

The Board of Supervisors may approve a Special Use Permit within a Level One protected area of a peak or ridge if the applicant demonstrates that the development serves a need that outweighs the need for the development restriction. The protected area is the circular area defined by a 150-radius from the peak point. The protected area of a ridge line is the oval area defined by lines running parallel to and on either side of the ridge line at a map distance of 150 feet, combined with and terminating at a 150 foot radius from end points as demonstrated by the attached map.

The subdivision plat was approved in 1974 and the property was never developed. This historical peak and ridge lies within 600 feet of the Tucson Mountain Park public preserve on the north, west, and east sides of the property and is approximately three-fourths of a mile northeast of the Robles Pass trailhead and is subject to the buffer overlay zone which regulates development near a preserve. The subject property does not contain any wildlife linkages or movement areas.

The protected peak and ridge contains two existing developed parcels to the east and west of the subject property, thereby degrading the aesthetic value, viewshed significance and the dominant features of the surrounding landscape of the protected peak and ridge. Without the Special Use Permit, the lot is unbuildable and the owner has demonstrated his willingness to build sensitive to the location of the site by utilizing pleasing aesthetic design. The limits of grading are minimized by building on the flattest, nearest location to

the street. The cut and fill slopes will be at a 2:1 ratio which requires rip-rap rock slope stabilization. The rock color that is natural to the lot is proposed for the slope stabilization. Re-vegetation is proposed for the disturbed areas of the property utilizing plants that are native to the site. Natural earhtone colors that will blend in with the area are planned and the one-story home with a height of 15'3" to the top of the parapet wall will minimize the viewshed impact of the home. The mitigation standards from the zoning code for Level One and Level Two protected peaks and ridges will be applied to the subject property as indicated by condition #3.

These standards are more restrictive than the buffer overlay zone and will regulate the types (native) and spacing of vegetation to screen building walls, the required re-vegetation for roadway edges, maximum building height of 18 feet, visibility of roof mounted antennas, lighting, building colors, maximum 10 feet driveway width, and requirement for underground utilities and re-vegetation in areas of disturbance for the utility installation.

The grading limits of the subject property pertain to clearing, brushing, grubbing, excavating, or filling of a site or any ground disturbance including buildings, utilities, driveways or streets. A typical hillside parcel of land has established grading limitations from the zoning code based upon the size of a property. The subject property would have an HDZ maximum grading allowance of 16,552 square feet. Staff and the applicant agree that a more restrictive grading allowance for the sensitive building on the lot is appropriate, therefore condition #1 has been applied to the subject property to further mitigate the visual impacts of the proposed development limiting the maximum grading to 12,740 square feet.

Staff recommends approval of the request given that the lot is platted with existing direct paved road access and views the Special Use Permit as an opportunity to ensure sensitive development and occupation of the lot.

Evaluation Criteria for an HDZ Special Use Permit Request

Section 18.61.042(A)(2)&(3) of the HDZ regulations provides additional criteria by which to evaluate a request for an HDZ Special Use Permit, as follows:

- **No permit shall be issued which is contrary to the purpose and intent of the HDZ ordinance**

The approval of this residence would not create a significant negative impact to the ridge which already has two existing residences.

Section 18.61.010 states, "The purpose of the Hillside Development Zone is to establish standards for hillside areas which conserve and maintain the character, identity, and image of Pima County, and which promote the public health, safety, convenience, and welfare by:

1. Conserving the unique natural resources of hillside areas;

Lot 14 cannot be developed without a Special Use Permit because the protected ridge area encumbers nearly all of the lot and all of the delineated building envelope. While the entire protected area within the lot cannot be fully conserved, the majority of the lot will be set-aside as recommended per condition #1 as a hillside conservation measure.

2. Permitting intensity of development (density) compatible with the natural characteristics of hillside terrain, such as steepness of slope and significant land forms;

HDZ slope density requirements were reviewed for the subdivision, including Lot 14.

3. Reducing the physical impact of hillside development by encouraging innovative site and architectural design, minimizing grading, and requiring more intense restoration of graded areas;

The proposed residence will be located along the flattest portion of the site to reduce cut and fill impacts. The grading limits shown are not much greater than the footprint of the proposed residence, driveway and future pool. The driveway is limited to 10 feet wide. Earthtone colors are proposed to harmonize with the natural colors of the site. Revegetation of disturbed areas are proposed.

- 4. Minimizing disturbance of existing drainage patterns and soil erosion problems incurred in development alteration of hillside terrain;

The subdivision has been reviewed and approved by the Flood Control District. The HDZ standards for slope stabilization will be applied.

- 5. Providing safe and convenient access to hillside development; and

A subdivision road is built to the site.

- 6. Ensuring the efficient expenditure of public funds.

Non-applicable.

- **No permit shall be issued which allows a use which is not allowed on the property by other code provisions**

The proposed single-family residence is a permitted use in the SH (Suburban Homestead) zone. The applicant states: "The residence would meet all other requirements of this code, including HDZ restrictions."

- **No permit shall be issued which allows a use which substantially injures the use of adjacent property conforming to the restrictions of this chapter**

The Hillside Development Zone's site restoration standards provide stabilization measures for cuts and fills in order to prevent erosion and rock slides onto adjacent properties. The cut and fill will be minimal for this proposal. Two adjacent lots to the east and west within the protected peak and ridge are developed. With the applicant's proposed sensitive treatment of the site and HDZ code requirements and additional conditions recommended to provide further mitigation, the view of the residence and land disturbance may not be substantially injurious.

Flood Control District regulations prohibit new development from having negative drainage impacts on adjacent or downstream properties.

- **Grounds for issuing a Special Use Permit shall not include that the issuance of a permit would allow for a more profitable use**

The subject property is a subdivision lot which was platted in 1974. The zoning code has limited commercial uses allowed and this residential use is not more profitable than a possible commercial use in SH zoning. The applicant is not proposing to profit from the use of the single family residence.

- **Grounds for issuing a Special Use Permit shall not include any condition resulting from a division of land parcels made after July 1, 1976**

The subdivision plat was approved in 1974.

COMPREHENSIVE PLAN DESIGNATION

The 1974 subdivision plat pre-dated the first Comprehensive Plan that was approved in 1992 and the SH-zoned subdivision is in compliance with the Comprehensive Plan.

The Comprehensive Plan designates the subject site as Low Intensity Urban (LIU 3.0)(.12 acres) and Resource Sensitive (RS)(.83 acres). The purpose of LIU 3.0 is to designate areas for low-density residential and other compatible uses and to provide incentives for residential conservation subdivisions to provide more natural open space. Natural open space must be set aside, where applicable, to preserve land with the highest resource value and to be contiguous with other dedicated natural open space and public preserves. The SH zoning of the subdivision site complies with the typical maximum density allowance of 3.0 residences per acre.

Most of the property is designated RS due to the subject property's location near the Robles Pass Trailhead and the Tucson Mountain Park. The development of such land shall emphasize design that blends with the surrounding natural desert and provides connectivity to environmentally sensitive linkages in developing areas.

The property is within the area covered by Comprehensive Plan Special Area Policy S-29, Southwest Infrastructure Plan and S-35, Retail Enhancement Contribution Area, both of which are not applicable to the existing, platted residential development.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM

The subject property lies outside of the Maeveen Marie Behan Conservation Lands System.

PUBLIC COMMENT

No written public comment on this request has been received as of the date of this report.

TD/TT/ar
Attachments

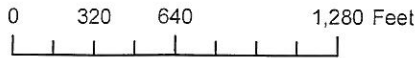
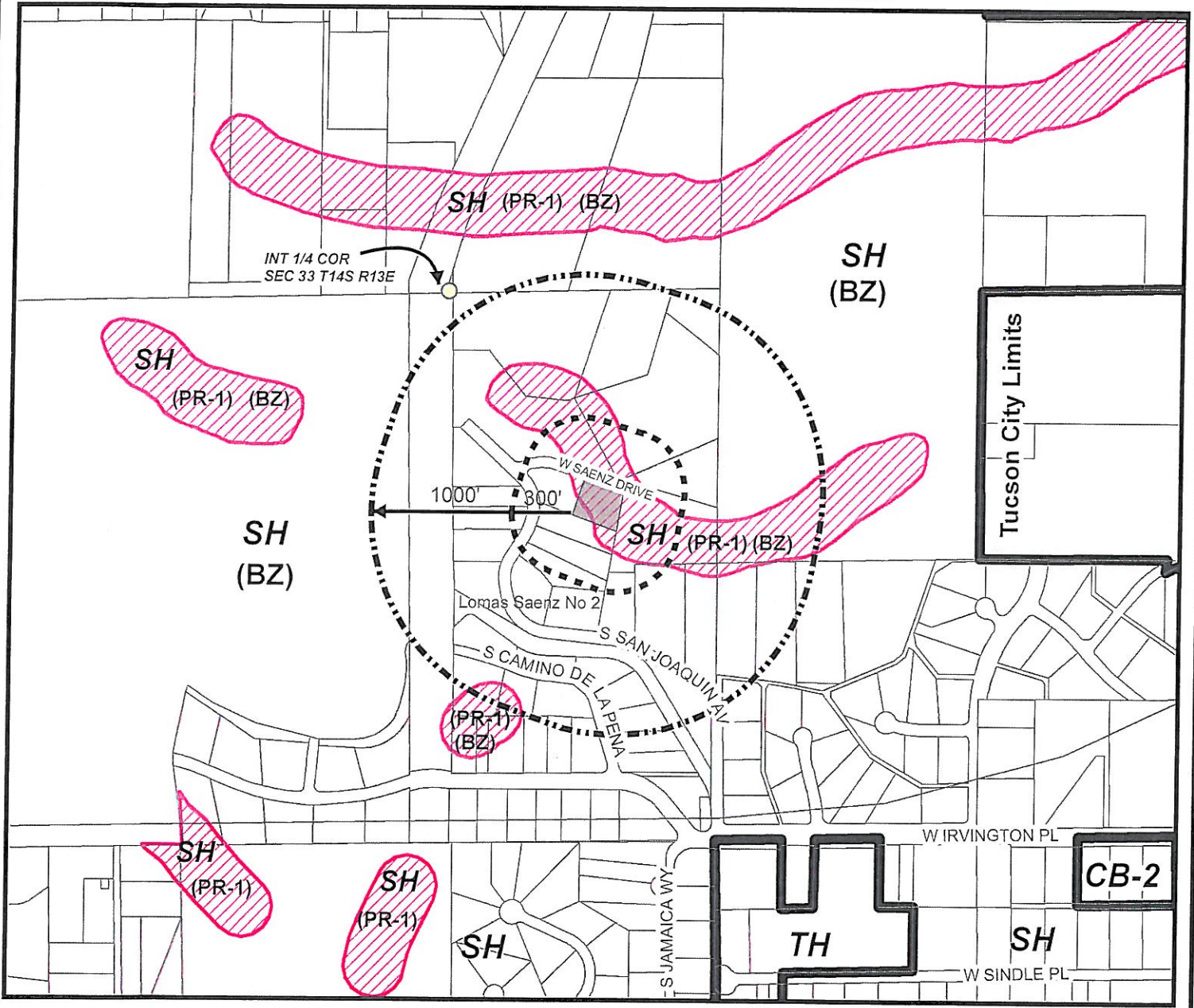
cc: Ely Badilla, 106 W. Sahuaro St., Apt. 2, Tucson, AZ 85705
Settlers West Home Builder, LLC, Attn: Gabriel Carranza, 33 S. 5th Avenue
Tucson, AZ 85701
Tom Drzazgowski, Principal Planner
P16SA00013 File

Case #: P16SA00013

Case Name: BADILLA - W. SAENZ DRIVE HILLSIDE DEVELOPMENT OVERLAY ZONE
SPECIAL USE PERMIT



Tax Code(s): 119-35-1090

 300' Notification Area  Buffer Overlay Zone
 1000' Notification Area  Protected Peaks and Ridges - Level 1



Subject Site 

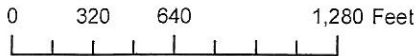
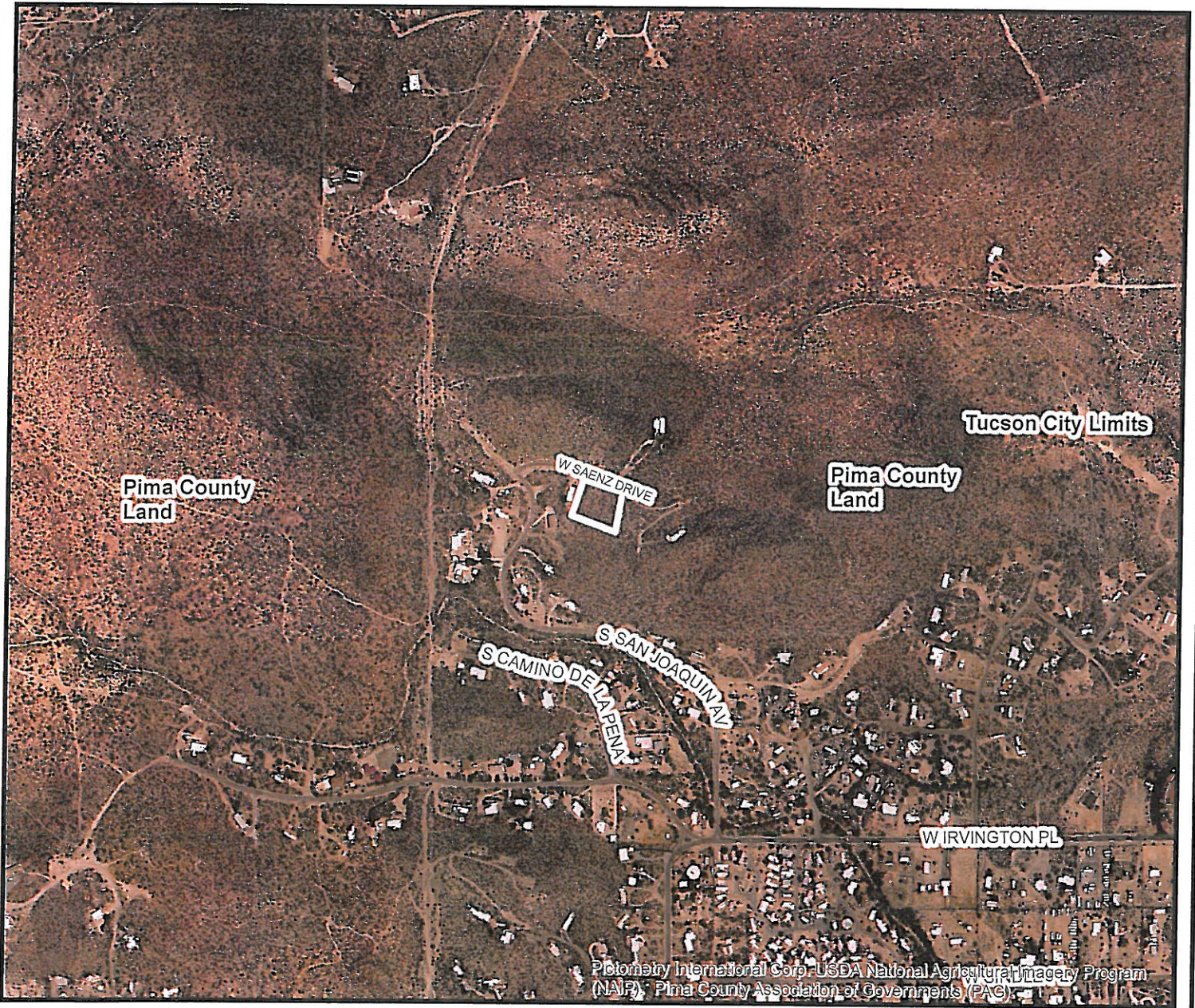
PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

	Notes: HDZ Special Use Permit			
	Board of Supervisors Hearing: 12/13/16 (scheduled)			
	Base Map(s): 16	Map Scale: 1:9,000	Map Date: 11/17/2016 ds	

Case #: P16SA00013

Case Name: BADILLA - W. SAENZ DRIVE HILLSIDE DEVELOPMENT OVERLAY ZONE
SPECIAL USE PERMIT

Tax Code(s): 119-35-1090



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION



	Notes: HDZ Special Use Permit		
	Board of Supervisors Hearing: 12/13/16 (scheduled)		
	Base Map(s): 16	Map Scale: 1:9,000	

EXHIBIT A

LOMAS SAENZ NO. 2

MP 26001

RECORDED: JANUARY 30, 1974

*** THE FOLLOWING PLAT IS AN ANNOTATED
VERSION OF THE ORIGINAL DOCUMENT. IT HAS
BEEN ALTERED BY PIMA COUNTY DEVELOPMENT
SERVICES TO SHOW ADDITIONAL INFORMATION.
ORIGINAL COPIES MAY BE OBTAINED FROM THE
PIMA COUNTY RECORDER ***

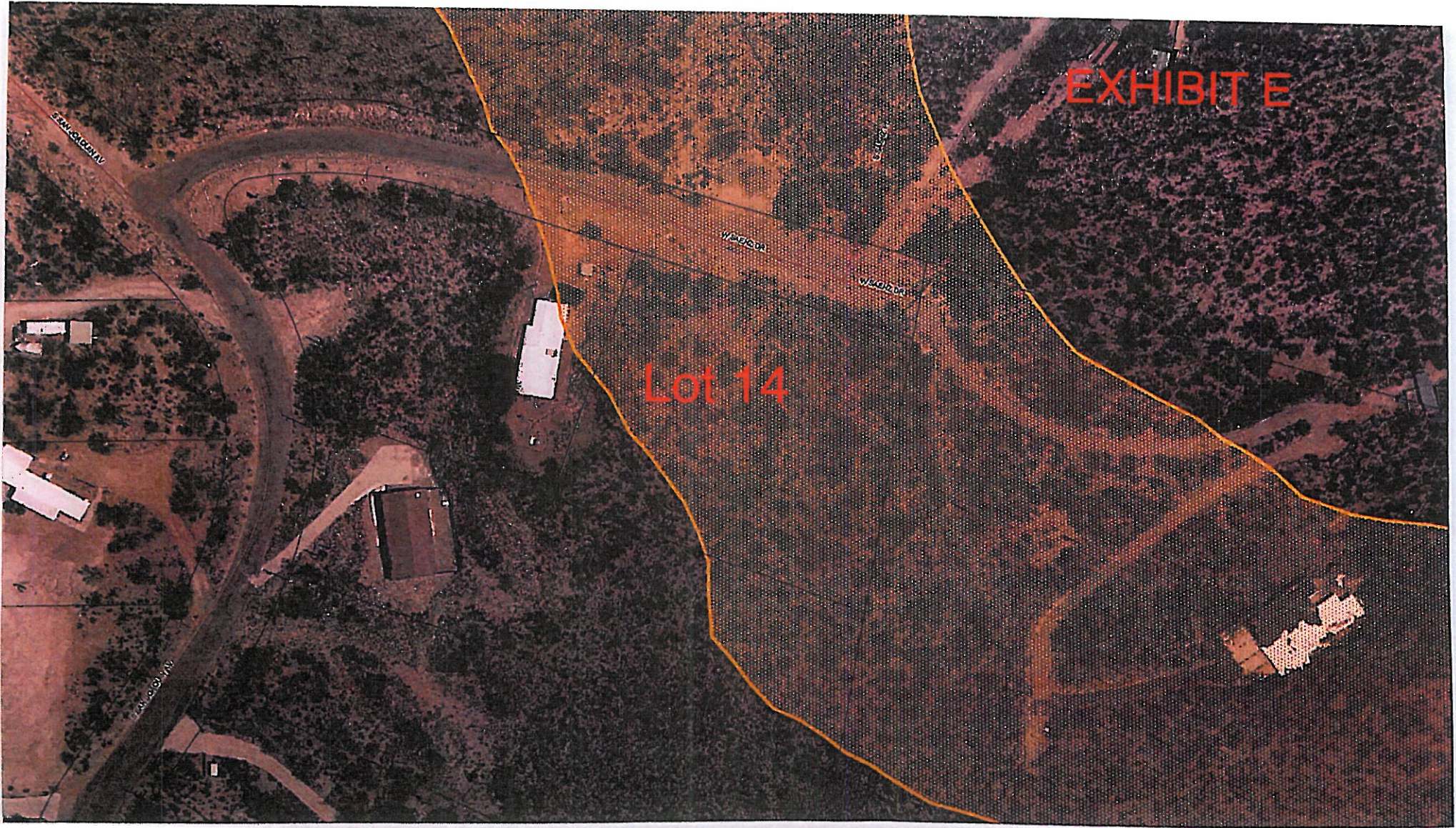


EXHIBIT E

Lot 14

SUNRISE DR

SUNRISE DR

WABOR

WABOR

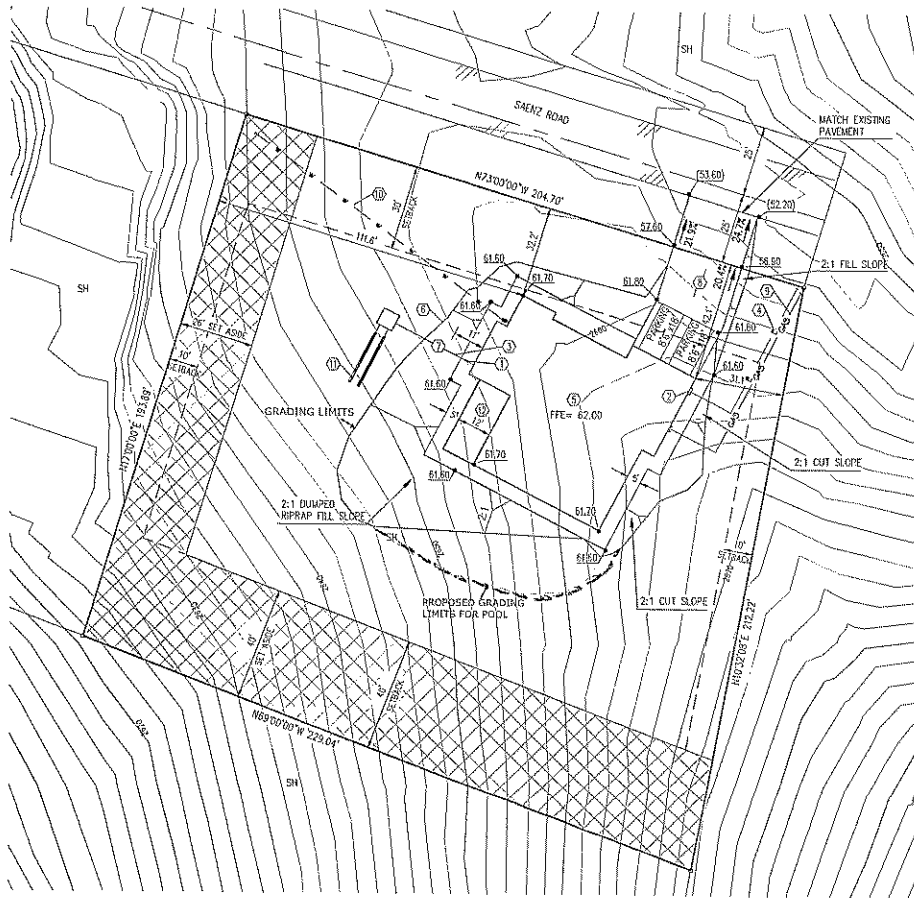
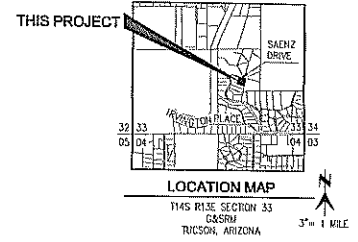


EXHIBIT D & F



KEYNOTES

- ① 2-WAY CLEAN-OUT @ GRAD
- ② ELECTRICAL SERVICE ENTRANCE
- ③ 4" WASTE LINE TO SEPTIC
- ④ OVER HEAD ELECTRICAL FROM PEDESTAL TO SERVICE ENTRANCE
- ⑤ NEW RESIDENCE
- ⑥ LIMITS OF GRADE
- ⑦ SEPTIC TANK UNDER SEPERATE PERMIT
- ⑧ DIRT DRIVE WAY
- ⑨ GAS LINE TO HOUSE. CONTRACTOR TO FIELD VERIFY DISTANCE FROM HOUSE TO ADEQUATELY SIZE LINE PER 2000 I.L.C. STANDARDS
- ⑩ 1" PVC TO WATER METER PER P2003.7
- ⑪ LEECH FIELD LOCATION PER SEPTIC DRAWINGS
- ⑫ PORCH

LEGEND

- PROPERTY LINE
- (52.20) EXISTING GRADE
- (61.80) PROPOSED GRADE
- ▨ 30% SET ASIDE AREA

SET ASIDE AREA

LOT AREA= 43,620 SF
 30% SET ASIDE= 13,086 SF
 SET ASIDE PROVIDED= 13,080 SF

NOTE: THERE ARE NOT ANY SAGUARIOS OVER 5' IN HEIGHT OUTSIDE OF THE SET ASIDE AREA. THERE ARE NOT ANY IRONWOOD TREES OR PIMA PINAPPLE CACTUS

ENGINEERING
 PO BOX 1888 TUCSON, ARIZONA 85702
 (520) 390-7020
 STANLEY19263@MSN.COM

PRIVATE PAVING AND GRADING PLAN
 FOR
BADILLA RESIDENCE
 T14S, R13E SECTION 33
 G&SRM
 TUCSON, ARIZONA

EXP. 6-30-2019

NO.	REVISION	DATE

DESIGNED BY	DRAWN BY	CHECKED BY	DATE	SCALE	SHEET NO.	TOTAL SHEETS
J.R.G.	J.A.S.	J.A.S.	09/16/2016	1"=20'	1	1



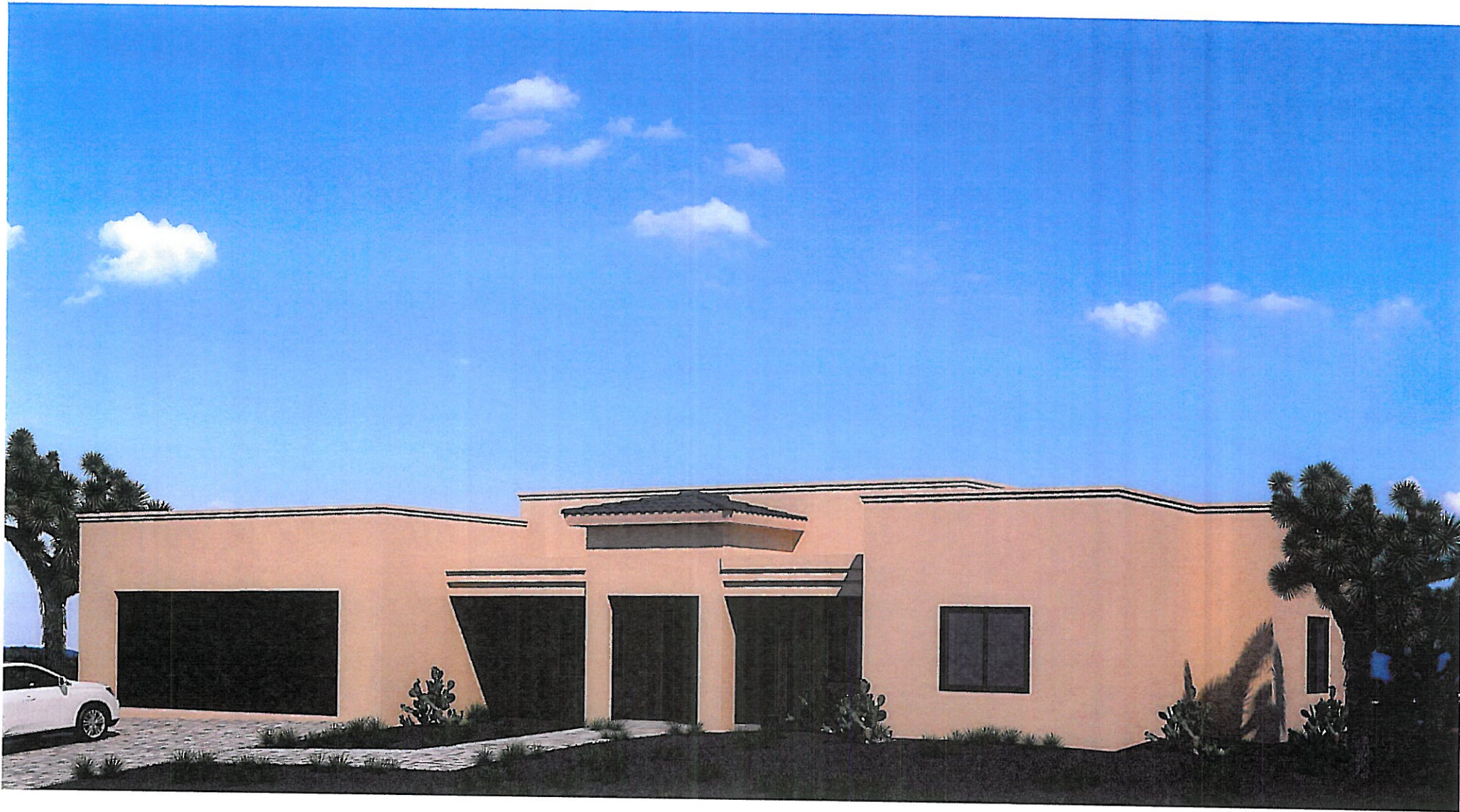
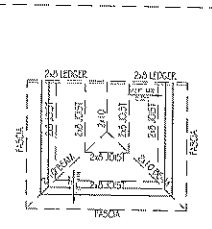
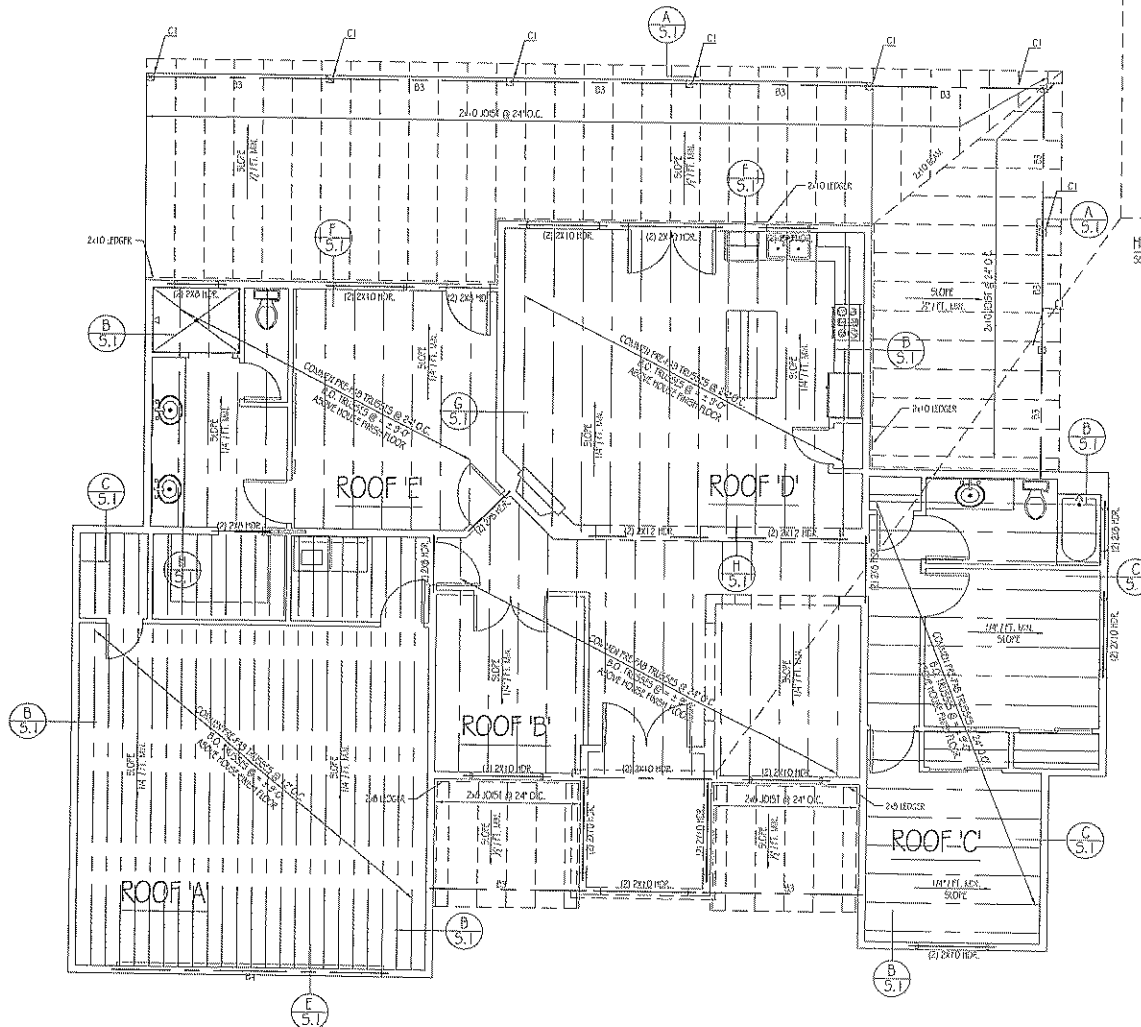


Exhibit B



- ROOF FRAMING NOTES:**
1. 1X2 FINISHED SHEATHING TYPICAL AT ROOFS, 4x8 RAFTS @ 6' O.C. AT SUPPORTED WALLS, CHAINS, AND 12" O.C. AT VERTICAL WALLING MEMBERS.
 2. CONNECT RAFTS TO POSTS WITH SAMPSON FC POST CAP AT INTERIOR POST AND SAMPSON FC POST CAP AT END POSTS - TYPICAL S.I.D.
 3. ALL EXTERIOR WALLS SHALL BE FULLY SHEATHED WITH 1/2" PLYWOOD (OR OSB), AND RAFTS WITH 1X4 @ 6' O.C. AT FRILL EDGES, AND 2x4 @ 12" O.C. AT INTERMEDIATE FRAMING MEMBERS. TYPICAL U.N.G. SEE THE PLAN AND SPECIAL SCHEDULE FOR SHEATHING FINISHING.
 4. DOUBLE UP STUDS BELOW BEAMS. TYPICAL S.I.D.
 5. SPICE LUGGER AS REQUIRED WITH SAMPSON S112 STRAP WITH 5-101 HANGERS EACH SIDE OF SPICE.
 6. ALL EXTERIOR WALLS AND INTERIOR BEARING WALLS SHALL BE 2X6 DVP2 STUDS @ 12" O.C.
 7. REFER TO SHEET S.14.5.2 FOR TYPICAL FRAMING DETAILS NOT KEEN ON ROOF FRAMING PLAN.
 8. CONTRACTOR TO REFER TO AND COORDINATE WITH ALL OTHER SUBCONTRACTORS INCLUDING, BUT NOT LIMITED TO, PLUMBING CHASIS, MECHANICAL CHASIS, DUCTS, PENETRATIONS THROUGH ROOF, ELECTRICAL, ETC.
 9. ALL LUGGERS SHALL BEAR AN APPROVED GRADING STAMP.
 10. ALL FRAMING TO COMPLY WITH CHAPTER 6 OF THE 2012 I.R.C.

- DEFERRED SUBMITTALS:**
1. TRUSS DESIGNS TO BE UNDER A REGISTERED STRUCTURAL ENGINEER'S SEAL AND SIGNED BY AN ANKOKA LICENSED TRUSS MANUFACTURER AND SUBMITTED TO PIMA COUNTY DEVELOPMENT SERVICES FOR REVIEW PRIOR TO APPROVAL OF TRUSS FABRICATION AND OR INSTALLATION.

HEADER SCHEDULE (WOOD STUD FRAMING)

OPENING WIDTHS	HEADER @ 40% SHEAR WALLS	HEADER @ 40% BEG. WALLS	2-STORY BEG. 4 SHEAR WALLS
0'-0" TO 4'-0"	(2) 2x6	(2) 2x4	(2) 2x6
4'-0" TO 6'-0"	(2) 2x10	(2) 2x6	(2) 2x10
6'-0" TO 8'-0"	(2) 2x12	(2) 2x8	(2) 2x12
8'-0" TO 10'-0"	(2) 2x12	(2) 2x10	(2) 2x12

HEADER SCHEDULE APPLIES TO ALL.

COLUMN SCHEDULE

MARK	SIZE	WASH CONNECTION	W/BRK GRATE
C1	6x6		DIFF.
C2			

BEAM SCHEDULE

MARK	BEAM SIZE	CAMBER	END CONN.	MEMBER GRADE
B1	2x8x8	5/8"	SMK' CC OR FCC	D.F. 21
B2	6x8x8 @ 12' O.C. IN	5/8"	SMK' CC OR FCC	D.F. 21
B3	6x8x8 @ 6' O.C.	5/8"	SMK' CC OR FCC	D.F. 21
B4	5-STORY 1.5x3x1.5 @ 8'	5/8"	SMK' CC OR FCC	D.F. 21
B5	2x4x10	5/8"	SMK' CC OR FCC	D.F. 21

FRAMING PLAN
SCALE 1/4" = 1'-0"



ROOF VENT CALCS:

MARK	ROOF AREA (SQ. FT.)	REQD 5.7, 0150H	REQD 5.8, 0144H	PROVIDED S.L.	DESCRIPTION
X	727	4.84 SFT FREE	4.97 SFT FREE	780 SFT FREE	3 VENTS @ 260 S.L. BATH FA = 780 S.L. 2 INCH 1 LOW
Y	446	2.72 SFT FREE	2.82 SFT FREE	530 SFT FREE	2 VENTS @ 260 S.L. BATH FA = 530 S.L. 1 INCH 1 LOW
Z	250	1.54 SFT FREE	1.57 SFT FREE	300 SFT FREE	2 VENTS @ 260 S.L. BATH FA = 300 S.L. 1 INCH 1 LOW
U	210	1.34 SFT FREE	1.38 SFT FREE	250 SFT FREE	2 VENTS @ 260 S.L. BATH FA = 250 S.L. 1 INCH 1 LOW
V	300	2.28 SFT FREE	2.34 SFT FREE	320 SFT FREE	2 VENTS @ 260 S.L. BATH FA = 320 S.L. 1 INCH 1 LOW

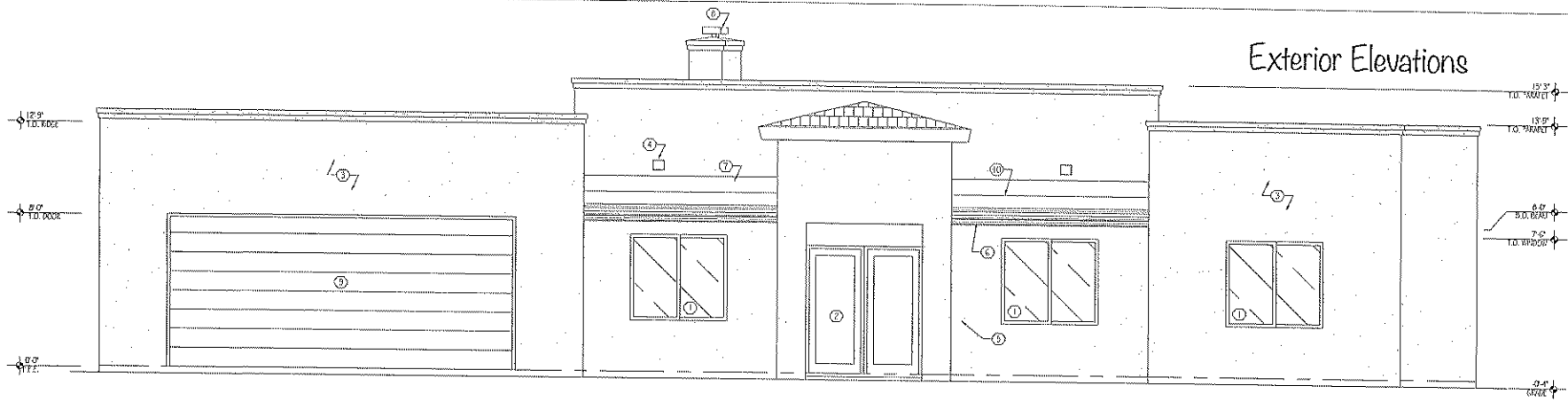
ROOF FRAMING PLAN

BADILLA RESIDENCE
2401 W SAENZ DR.
TUCSON, AZ 85746

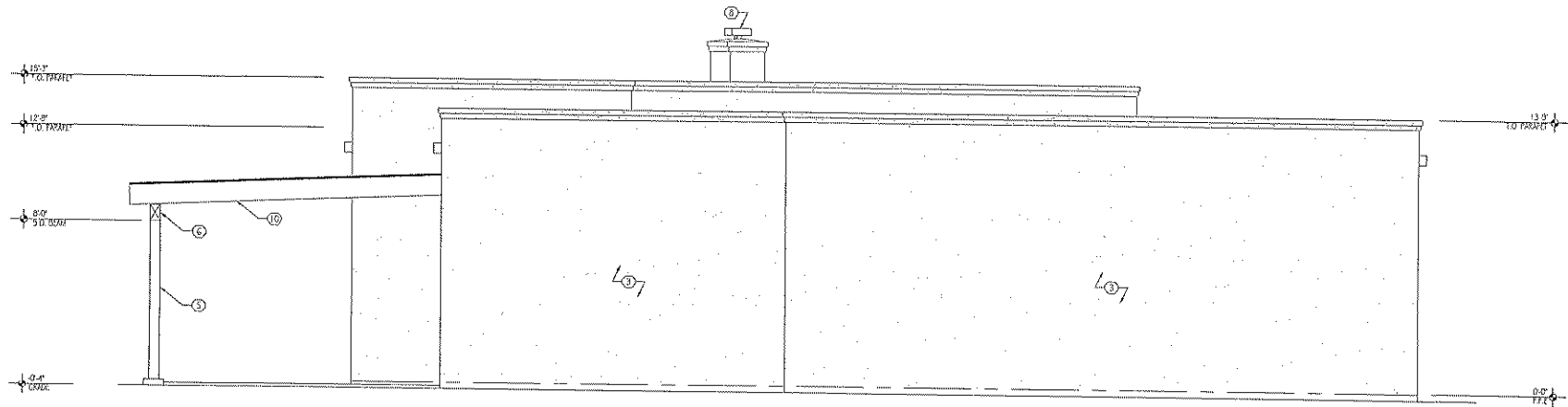
Project
BADILLA RES.
Date
8/25/2016
Drawn By
B. HANSON

Sheet
A.7

Exterior Elevations



ELEVATION A
SCALE 3/8"=1'-0"



ELEVATION B
SCALE 3/8"=1'-0"

FLOOR PLAN KEYNOTES:

1. WINDOW
2. EXTERIOR DOOR
3. EXTERIOR WALL - TYP. EXT. WALL ASSEMBLY FOR FRAME CONST. W/STYRENE F-ROTE STUCCO PER I.A.C.O. REF-1407 OVER 20 GA. WIRE LATH OVER 1" TAG FORM INSUL. BOARD OVER 2 LAYERS OF GRADE 5' PAPER OVER 3/8" O.S.B. OVER 2x4 WOOD STUDS @ 24" W/STYRENE F OCCURS @ 16" O.C. w/ R-19 (2x4 @ 22" O.P. BOARD @ INTERIOR OF WALL
4. SCUPPER
5. F.S. WOOD COLUMN
6. R.S. WOOD BEAM
7. WHITE GLESTER ROOF COATING ONLY. A FLY HOI 1/4" R.O. ROOF SYSTEM OVER 2" O.S.B. OR PLYWOOD
8. CHIMNEY 4x4, 2'-0" ABOVE ADJACENT WALL FOR MIN. 10' O.P. SPACING
9. GARAGE DOOR
10. FASCIA

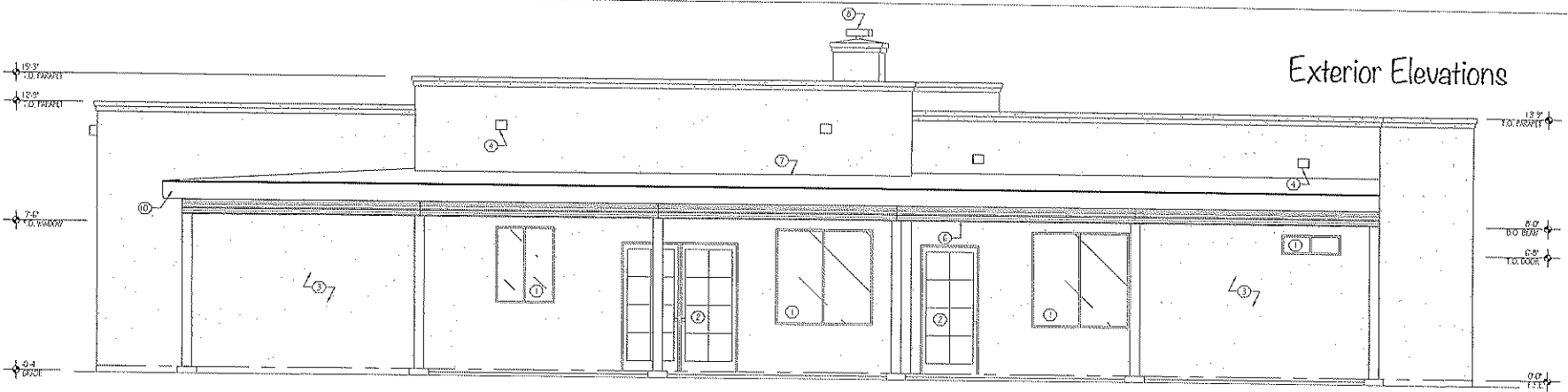
EXTERIOR
ELEVATIONS

BADILLA RESIDENCE
2401 W SARNZ DR.
TUCSON, AZ 85746

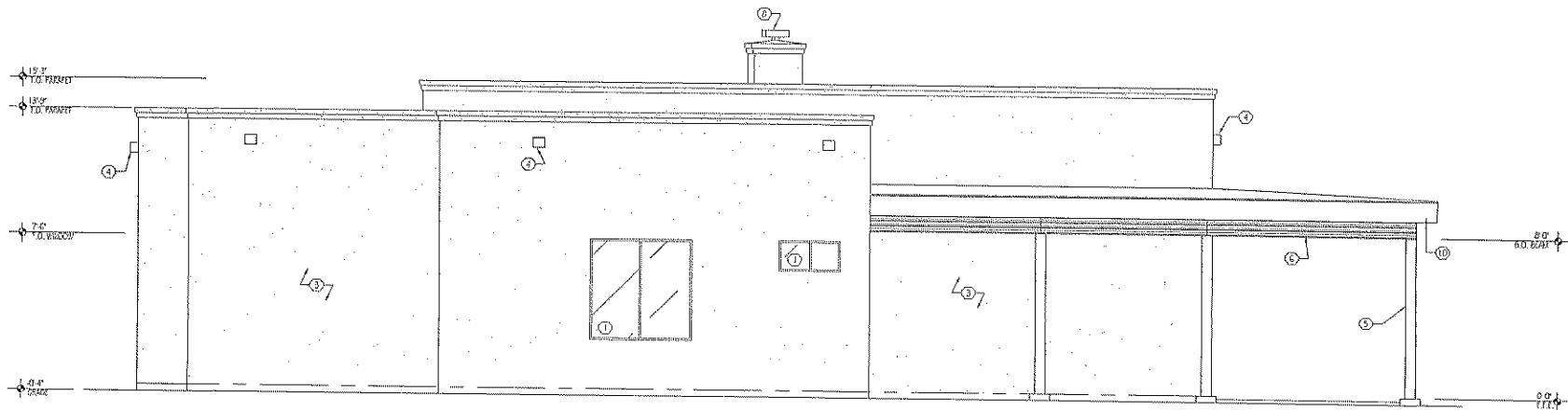
Project
BADILLA RES.
Date
8/25/2016
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Sheet
A.3

Exterior Elevations



ELEVATION C
SCALE 3/8"=1'-0"



ELEVATION D
SCALE 3/8"=1'-0"

FLOOR PLAN KEYNOTES:

- 1. WINDOW
- 2. EXTERIOR DOOR
- 3. EXTERIOR WALL - TYP. EXT. WALL ASSEMBLY FOR TIZANI CONST. WESTON 3-KOIL STUCCO PER I.B.C. 0 PER 100% OVER 20 GA. ROSE LATH OVER 1" TG FOMI INSUL BOND OVER 2 LAYERS OF GRADE 75 PAPER OVER 3/4" O.S.B. OVER 2x6 WOOD STUDS + 2x4 WHERE IT OCCURS @ 16" O.C. w/ R-19 (2-4) 1/2" GY. BOND @ INTERIOR OF WALL.
- 4. SCAFFOLD
- 5. S.S. WOOD COLUMN
- 6. S.S. WOOD BEAM
- 7. WHITE ELASTIC ROOF COM'G OVER 4-PLY HOT TAR B.L. ROOF SYSTEM @ 1/2" O.S.B. OR FLYWOOD
- 8. CHIMNEY LID, 2'-0" ABOVE ADJACENT WALL FOR 1/4" O' RADIUS
- 9. GARAGE DOOR
- 10. FINISH

EXTERIOR
ELEVATIONS

BADILLA RESIDENCE
2401 W SAENZ DR.
TUCSON, AZ 85746

Project
BADILLA RES.
Date
8/25/2016
Issued By
W. BOHNSON

Sheet
A.4

October 14, 2016

Chris Poirier, Planning Official
Pima County Development Services
Planning Division
201 N. Stone Avenue

**RE: Proposed Badilla Residence
HDZ Special Use Permit
2401 W. Saenz Drive, Tucson Arizona 85746**

Dear Mr. Poirier,

This letter is written on behalf of the property owner Ely Badilla, requesting permission to construct a single-story residence within Loma Saenz #2 plat, lot number 14, a subdivision recorded January 30, 1974 within Pima county (see plot plan exhibit "A"). To build on the lot would require an HDZ special use permit to allow construction of a private access drive and a single family residence within the designated protected ridge area. Pima county zoning code chapter 18.61, Hillside development overlay zone section 030B.4 prohibits grading or development within a horizontal radius of 150 feet of a designated protected peak point or ridge line. The owners entire parcel falls within the designation and is unbuildable without the relief offered in section 18.61.080C which permits the Pima county Board of Supervisors to grant a level one special use permit for development on a protected peak or ridge when such development can be proven by the owner to serve a need which outweighs the need for the restrictions of section 18.61.041 (See supplement following this letter).

Following is a summary of the sites information:
Project activity number P16BP05887
Property address is 2401 W. Saenz Drive, Tucson, Arizona, 85746
Loma Saenz #2 plat, lot number 14.
Subdivision recorded January 30, 1974
The property is located in Pima County
Zoned SH, manufactured home and single family residence
Property size 43,630 square feet

History

Prior to purchasing the property, Mr. Badilla had a due diligence period within his real estate contract. Within this timeframe, Mr. Badilla visited the Pima County Permit Office and was told there were no special conditions, other than needing an engineered

grading plan, due to the hillside development zoning ordinance. Mr. Badilla purchased the property and invested in engineering to meet the HDZ requirements and building plans, which were submitted to Pima County Permitting Office on or about September 20, 2016. During the permit review process, we were notified the property required a special conditions permit, due to a protected peak and ridge overlay which came into effect in 2004, which was not disclosed to him. I had also visited the county during the planning stages and were given the same Information regarding the best location to situate the proposed home and reminded an engineered grading plan would be needed, due to the HDZ ordinance.

The property is located within a platted subdivision, established and recorded January 30, 1974 in which a single-family residence could be constructed without Board of Supervisor approval or any other special conditions, with the exception of the HDZ ordinance.

Based on the information provided to Mr. Badilla, he he Purchased the property and has obtained a construction loan, which has funded. He is responsible to make payments until new home project completion.

Notifications

The property owner has made every attempt to acquaint all affected parties with a presentation of the proposed request.

Current Proposal

The proposed project will consist of an owner occupied, single-family, single-story residence, 2,000 livable ft.² and 3,771 ft.² under roof, which includes the garage, front and back porch. (See proposed roof plan, exhibit "B"). The proposed style will be Territorial and of earthtone colors to blend with the natural site colors and meeting all Pima county reflectivity requirements (See exterior elevation exhibit "C"). To minimize the impact of excessive cutting of natural grade, Mr. Badilla has proposed building the home on the north east quadrant of the property, as Planning Department and Engineer recommended. The grade differs only approximately 8 feet on the South east corner of the proposed home. (Please see attached grading plan exhibit "D").

The home shall have a flat roof, which will reduce the overall building height. The roof shall be coated with a light color and reflectivity requirements.

The proposed residence will not have any other building or structures that would impact any other areas of the property.

Additional site considerations

The ridge along which this residence is proposed has already had construction within and outside of this subdivision. The proposed new residence on lot 14 would be between two existing manufactured homes that are within the protected peaks and ridges area. Allowing this new structure would not significantly affect the ridge in question since construction already exists within the protected ridge and peak on the East and West of Mr. Badilla's property. (Please see exhibit "E").

Since the property in question is wholly within the protected peaks and ridges, no development anywhere on the lot is possible without the request a special use permit.

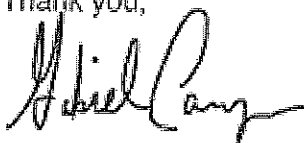
The property has already had approximately 30% of its total designated as a natural set-aside. The owner is willing to dedicate 10% more property as an additional set-aside (See grading plan exhibit "F") which will minimize impact on wildlife passage across the property.

All requirements of the hillside development zone will be met and no other variance will be requested. The property owner will secure a building permit within two years of the granting of the HDZ special use permit.

Conclusion

This applicant, representing the property owner and with his consent, respectfully requests the Board of Supervisors grant an HDZ special use permit for lot 14 within the Loma Saenz #2 subdivision, recognizing that this property cannot be utilized without this permit. The owner is willing to consider conditions to these requests in order to facilitate the ability to build on this property and to minimize any negative impact.

Thank you,



Gabriel Carranza

Settlers West Home Builder LLC

Supplement to the request for special use permit
Badilla residence-lot 14 Loma Saenz #2

Summary of responses to applicable Pima county zoning code requirements. (Responses are given in bold text.)

18.61.042- Special use permit and addition permits for protected areas of level one peaks or ridges.

A. Special use permit within level one protected areas of peaks and ridges.

1. The Board of Supervisors may grant a special use permit for development within the protected area of a level one protected peak or ridge when such development can be proven by the developer to serve a need that outweighs the need for the restrictions of Section 18.61.041(A). **This lot is a recorded parcel in an approved subdivision with all infrastructure in place. The lot is now totally covered by the peaks and ridges overlays making the lot unbuildable. Granting of the HDZ special use permit would allow the owner the ability to construct a residence and become part of the county tax base. The Board of Supervisors, In granting this permit, has control over the size, style, color and location of this construction through the restrictions imposed by the section of the code, by plan plat notes specific the HDZ, and by imposing any reasonable conditions to the granting of this permit.**

2. No permit shall be issued that:

a. Is contrary to the purpose and intent of this chapter; **The approval of this residence would not create a significant negative impact to the ridge which already has two residences constructed.**

b. Allows a use not allowed on the property by other chapters of this code. **This residence would meet all of the requirements of this code, including the HDZ restrictions.**

c. Allows a use that substantially injures the use of adjacent property conforming to the restrictions of this chapter. **There would be no injury to adjacent properties.**

3. Grounds for issuing a special use permit shall not include:

a. That the issuance of the permit would allow a more profitable use; **There is no profit motive in this request, only the ability to use the owners property.**

b. Any condition resulting from a division of land parcels made after July 1, 1976. **This is not an issue created by any land splits or division of properties.**

4. The supervisors may place conditions on the permit to carry out the purpose and intent of this chapter. **The owner will entertain any other reasonable condition such as additional set-aside.**

5. The permit shall be void if not used to obtain building permits within two years of its issuance. The permit shall run with the land, but only after the construction of any authorized structures. **The owner will obtain permits within two years of the issuance of the permit.**

18.61.050- Development mitigation and performance standards.

Unless otherwise expressly excepted by this chapter, the development mitigation and performance standards set forth in section 18.61.051 to and including 18.61.057 apply to any and all development on lands subject to this chapter.

18.61.051 and 18.61.052: **The cross slope calculations for the property have been completed and create no hindrance to development. 18.61.053: 30% of the lot is offered for natural set aside and all provisions of this section will be met. 18.61.054: No grading is proposed on the west and south slopes of this property. Minimal grading is proposed. 18.61.055: The access drive will be 12' wide with a maximum of 6 feet graded area on the west side of the driveway, extending from road to garage and shall consist of earthtone color rock.**

18.61.056: **The residence will be earthtone in color, blend with the natural setting and meet the county's light reflective value of 60%. 18.61.057: No minor modifications are requested**

October 17, 2016

Pima County Development Services and the Board of Supervisors :

As owner of Lot 14 in the Loma Saenz #2 subdivision, I am authorizing Settlers West Home Builder LLC to act in my behalf on all matters concerning this property and the actions necessary to make it.

Signed,

A handwritten signature in black ink, appearing to read "Ely Badilla". The signature is stylized with a large, sweeping initial "E" and a long, horizontal stroke extending to the right.

Ely Badilla