

April 9, 2022
Zoning Hearing Officer City of Phoenix,
Planning and Development Department
200 W. Washington Street, 2nd Floor
Phoenix, AZ 85003

Re: Variance **ZA-132-22** 4519 N 61st Place, Scottsdale, AZ 85251

Dear Sir or Madam:

The Arcadia Camelback Mountain Neighborhood Association does not oppose the variance request to reduce the required rear (east) yard setback to 20 feet (40 feet required) for a detached, 900 square foot single-story guest house. After careful deliberation and communication with key stakeholders within the cul-de-sac, we have found the following relative to the Four Tests:

Condition 1: There are special circumstances or conditions applying to the land, building or use which do not apply to other similar properties in the same zoning district.

Condition 1 is MET: 4519 N 61st Place is on the inside curve of the cul-de-sac. It is pie-shaped, and the back corner is severely “pinched”. With the existing 3,966sf home and pool, additional buildable space is significantly limited.

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

Condition 2 is MET: The circumstances (the irregular shape of the lot, the placement of the existing house and pool) were not created by the owner.

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

Condition 3 is MET: There is space on the lot for the owner to add additional square footage to the main house without the need for a variance. However, in order to fit a detached 900sf guest house onto this already developed, pie-shaped parcel, a variance is necessary. Although not required or guaranteed, guest houses are permitted on R35 properties, and therefore, in order to enjoy reasonable and substantial property rights, a variance is necessary.

Condition 4: The authorization of a variance will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood or to the public welfare in general.

Condition 4 is MET: During ACMNA's outreach, all neighbors within the Casas Flores cul-de-sac community were contacted. Because the one-story guest house will be located in the rear corner of the property behind the main house, it should not negatively affect any of the neighboring properties within the cul-de-sac. In addition, along the entire backside of the property to the east is a private driveway. Reducing the setback to the rear should not negatively affect the property owner of this private driveway.

Additional comments: As mentioned, all cul-de-dac residents were contacted last year. There was unanimous opposition to the original request of building a two-story, 1,850sf detached guest house, mostly centered around fear of it becoming a vacation rental house and drastically changing the make-up of their small community. Even as a single-story, 900sf guest house, some neighbors expressed concern about it becoming a short-term rental. However, ACMNA is aware the City of Phoenix Zoning is unable to address short-term rental concerns in regards to variance approval and therefore, because we feel the variance request meets the four conditions for approval, ACMNA does not oppose the variance request.

Thank you for considering our position on this matter.

Sincerely,

Amanda S. McCauley
ACMNA Board Member
Preservation Committee Member