

September 22, 2019

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

Re: **ZA-422-19**, 5425 E Valle Vista Road

Dear Sir or Madam:

With respect to (ZA-422-19) 5425 E Valle Vista Rd, The Arcadia Camelback Mountain Neighborhood Association does not oppose the variance request for a rear yard (north) setback of 0 feet or the request for an increase in the building height to 43 feet. We would like to present our findings as it relates to the variances sought for the property.

In speaking with the applicant's representative, Adam Baugh it appears that this home is part of an HOA comprised of the surrounding homes on the mountain. Requests such as these are not abnormal for mountainside builds due to the steep grade, mountain run-off considerations and limited footing to build upon. This home has an additional unique circumstance in that it is accessed by a rear easement to the north. This easement adds additional spacing to the north where they are requesting a 0-foot setback. In cases such as these, we place a heavy weight on the considerations of the surrounding neighbors as the potential effects these variances might pose to views or appearances. In this case, all surrounding neighbors are part of the HOA's Architectural Review Board and therefore no build will proceed without the approval of these neighbors and thus negating our concern.

**ACMNA finds the following as it relates 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 – This is a mountainside build with a steep grade, mountain runoff, and a unique access easement from the rear. These special circumstances are uniquely applied to this property.

***Condition 2: The special circumstances or conditions described above were not created by the applicant or owner. The property hardship cannot be self-imposed.***

Condition 2 is MET – They are working within the restrictions placed on them by the land and mountainous terrain.

***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 – They are part of an HOA comprised of similarly built and sized properties. The request is in keeping with the surrounding homes.

***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 – Due to its uniqueness, ACMNA is not worried about a precedent to the neighborhood being set. The neighbors must approve of the plans before construction can begin, alleviating adjacent property owner concerns. Finally, it's tucked amongst a cluster of mountainside homes, not making it stand alone visually on the mountain.

In conclusion, we do not oppose these two requests for height or setback.

Thank you for allowing us the opportunity to provide our input.

Sincerely,

Tristahn Schaub  
President, ACMNA  
Chairman, Preservation Committee  
[www.acmna.org](http://www.acmna.org)