

Exhibit 7:

JUSTIFICATION OF VARIANCE REQUEST QUESTIONNAIRE

DIRECTIONS: The following variance questionnaire must be answered prior to the acceptance of the application. Please type or print your responses in black ink and attach additional sheets as necessary. A variance cannot be granted by the Board of Adjustment unless evidence is presented that satisfies the conditions below.

1. Describe the unique conditions and circumstances (including size, shape, topography, locations or surroundings) which are peculiar to the land, structure or building which are not applicable to other lands, structures, or buildings in the same zoning district in other locations.

The lots at 8082 W PEORIA AVE & 10609 N 81st Ave are both zoned as R1-8, initially lot was split and proposed to face Peoria Ave. The plans have been changed to show both lots facing 81st ave in order to meet the ordinance requirements for PUE's, side, rear, and front setbacks, utility and traffic construction both existing and proposed. Currently, both lots don't meet the R1-8 ordinance requiring a lot width of 70', at their widest points they fall at 47.48' for the interior lot and 47.49' for the corner lot. They also fall under the lot area requirement of 8000sq ft at 6,645 sq ft and 6,334 sq ft.

2. Describe how the provisions of the zoning ordinance deprive you of development rights commonly enjoyed by other properties in the same zoning district.

The individual lots aren't wide enough to adequately provide livable and non-livable space while still meeting as many zoning requirements as possible with their respective lot size.

3. Describe how the alleged hardships caused by the literal interpretation of the provisions of the zoning ordinance include more than personal inconvenience and financial hardship and that the alleged hardships were not created or self-imposed by the property owner.

The proposed single family dwellings on both lots would not be able to meet requirements for setbacks, PUE's, or ROW's, if the lots remained split facing Peoria Ave as they were initially. The current property owner was not involved in the decision of the initial lot split, and is working to meet all possible ordinance requirements with the changes reflected on the site plans for both lots.

4. Describe why granting the requested variance will not result in any special privileges that are denied by the zoning ordinance to others owning lands, structures or buildings in the same zoning district.

The lot was initially split in such a way that with current traffic and utility improvements along Peoria, there was not adequate space to build a single family residence and still meet all of the requirements respectively. With the current proposed plans, both lots will meet all Sec. 21-420. Property Development Standards for Permitted Principal Uses, section A requirements with the exception of: Minimum Lot Area and Minimum Lot Width.

5. Indicate why granting the variance will not interfere with or injure the rights of other properties in the same zoning district.

Granting the variance wouldn't interfere with the rights of surrounding properties in that the variance is only required as the lots are less than the minimum (8000sq ft) lot area at 6,645 sq. ft. and 6,334 sq. ft., and fall short of the lot width for both the interior lot as well as the corner lot.



PLANNING DIVISION
Community Development Department

VARIANCE

Application# _____ Submittal Date 11/01/2023 Fees _____

Applicant: Kendra Chavez
Address: 1820 W. Northern Ave ste 130 Phoenix, AZ, 85021
Telephone Number: 6233948536
E-Mail Address: leeannchavez12@gmail.com
General Location or Address of Subject Property: 8082 W PEORIA AVE & 10609 N 81st Ave
Assessor Parcel Number:
Zoning District: R1-8
Type of Variance(s) (include sections(s) of Zoning Ordinance) or Temporary Use Permit: Type of variance: Sec. 21-420. Property Development Standards for Permitted Principal Uses, section A : Minimum Lot Area and Minimum Lot Width.
Reason for Request: Current lot size and width don't meet ordinance.
Owner's Signature:
Code Enforcement Case Information (Office Use)