

From: Wayne Bogdan
To: dfoerster@tucsonrealty.com
Date: 12/12/2005 2:21:50 PM
Subject: Frick Property: 11928151: 36000 sq ft lot minimum

December 12, 2005

Richard Foerster
Associate Broker
Tucson Realty & Trust Co.
335 N. Wilmot, Suite 505
Tucson, AZ 85711-2632

Subject: Frick Property, Parcel No. 119-28-151, MH-1 ®: 36,000 Sq. Ft. Minimum Lot Size
Land Use Code (LUC) Information: Annexation Restrictions Applicable To Property

Dear Mr. Foerster:

Thank you for you letter dated December 9, 2005 concerning the above referenced property. The property is that 117.91 acre lot identified by Parcel No. 119-28-1510). The property is zoned "MH-1®" Mobile Home. The ® refers to the land use restrictions placed on the property in its 1979 annexation to the City (Park/West Hiram Banks Annexation, Case C9-79-79, Ord.5265 dtd December 12, 1979), and the Hiram Banks Rezoning District in Case C9-81-45 (Ord.5653 dtd September 27, 1982 and Ord.8209 dtd February 28, 1994). Of concern to you are the restrictions that limit the sizes of properties within this annexation area to a minimum of 36,000 square feet in lot area.

For your convenience I have attached the following documents (in pdf format):

1. Your Dec. 9th letter
2. The letter attachment.
3. Zoning Map indicating property is within the Hillside Development Zone (HDZ),
4. Zoning Map indicating the property is within the Environmental Resource Zone (ERZ),
5. Zoning Map indicating the property is within the Park West/Hiram Banks annexation area,
6. Zoning Map indicating the property is within the Hiram Banks Rezoning District (C9-81-45),
7. Copy of Zoning Ordinance 5265 referencing Annexation Ordinance 5078,
8. Copy of Zoning Ordinance 8209 amending Ordinance 5653 (referenced minimum lot size restriction),
9. Copy of City Letter to Owner of Property in the Hiram Banks area explaining lot size restriction, and
10. Zoning Map indicating current City zoning of property.

Please review these documents which I believe will answer your questions concerning the minimum lot sizes applicable to the property. Removal of these restrictions would require Mayor and Council action in the rezoning process. Information on the rezoning process (and the annexation case) can be obtained by contacting Daniel Castro or Aline Torres of the Development Services Department at (520) 791-4571. Also for your convenience I have included below the web site addresses for the City's zoning regulations (LUC) applicable to the HDZ and the ERZ overlay zones.

The LUC web site address is: <http://www.tucsonaz.gov/planning/codes/luc/lucweb/index.html#TopOfPage>

The HDZ is: http://www.tucsonaz.gov/planning/codes/luc/lucweb/Art2div8.html#P29_596.

The ERZ is: http://www.tucsonaz.gov/planning/codes/luc/lucweb/Art2div8.html#P1424_85471.

If you have any further zoning related questions for the Zoning Administration Division, please contact either William Balak or myself at (520) 791-4541.

5.3.2 - Response
2.3.7 MH-1
2.3.7 HDZ
2.3.7 ERZ
140A

67

Sincerely,

Wayne F. Bogdan
Zoning Administration Division
Development Services Department
City of Tucson

CC: Walter Tellez

14DB

From: Walter Tellez
 To: Gehlen, Patricia; Rivera, David
 Date: 04/01/2005 10:39:02 AM
 Subject: Fwd: Re: Time frame for travel trailers & RV's

My response has always been that the type of unit is not a zoning issue. If the space in a trailer park is legal, an RV can be used a permanent residence as long as it meets setbacks. Is this how you also approve them?

>>> Hector Lopez 04/01/2005 10:05:32 AM >>>

Good morning Mr. Tellez,

Time sure flies when your busy, I'm still working on this property & in the process of issuing a Notice & Order, just need a little clarification on RV's used as a permanent residence, What are the requirements they (RV's) have to meet & will your Dept. be addressing this at this park ? I was working with Heather on this & last e-mail from her on 1/18/05 stated she did do an on-site inspection & found several travel trailers that had been converted into permanent units, pictures were taken & she would review this with Bill Balak.

>>> Walter Tellez 02/17/2005 4:07:42 PM >>>

Hector,

Very few trailer parks can meet the following code section:

3.5.7.11 Mobile Home Dwelling Secondary Uses. In mobile home parks in MH-2 and mobile home parks existing as of July 1, 1995, in MH-1(MH), a maximum of twenty-five (25) percent of the existing spaces designed for mobile homes may be utilized for recreational vehicles provided each time the space is rented it is for at least one (1) month in duration.

826 W. Prince is zoned MH-1. So 25% of the spaces can be leased month to month to travelers (like a hotel)not using the RV as a permanent residence . However, if it's used as a residence, it has to meet permanent requirements. Let me or Bill Balak know if you need any further information.

>>> Hector Lopez 02/17/2005 3:38:38 PM >>>

How you doing Mr. Tellez

Allow me to introduce myself. My name is Hector Lopez, I currently work for DNR as a Residential Inspector. We are currently working on a trailer park located at 826 W prince Rd. At this site there are several motor homes & travel trailers that have been converted into permanent structures. Some of them have an accordion type connections to main sewer system. I've been with the department four years, since then we have considered any kind of hook pass 30 days as a permanent hook-up & requires installation of ABS. Recently we have contacted DSD to check on time frame before being considered a permanent hook-up & were told they dont have a specified time frame & that this issue would have to be done by Zoning. Rick Saldate tells me your the guy to talk to. Can you give us a better read on a possible time before units can be considered a permanent fixture ? Any feed back would be greatly appreciated. Thanks

Hector A. Lopez
 Residential Inspector
 Department of Neighborhood Resources
 (520) 791-5390 Ext. 2031
hector.lopez@tucsonaz.gov

From: Walter Tellez
To: Gross, Craig
Date: 12/5/01 2:17PM
Subject: Re: multi zoned lots

Looks like we allowed it in phase 1 to the west, with an R-1/R-2 split. OK for this phase.

>>> Craig Gross 12/05/01 09:02AM >>>

Walter, I have a proposed subdivision that is zoned MH-1 and RX-1. The majority of the RX-1 area is being dedicated to Pima County for bank protection and river park improvements, however a small portion will remain as part of the subdivision. They are not able to combine the RX-1 into lots because it is a small strip of land approximately 20 - 25 foot wide. Is there any way that they could combine a small amount of the RX-1 property with the MH-1 property to create larger lots? The lots would all be large enough to stand along as MH-1 (except maybe for one) and all the RCP calcs would work. I'll fax you over a copy of the plan so it might make a little more sense.

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***** FACSIMILE COVER SHEET *****

DEC-05-2001 09:25

Message To:

|
| 4130 |
|

Message From:

|
| DEVELOPMENT SERVICES CDRC |
| 520 791 5559 |
|

02
Page(s)
Following This Cover Page

Dec



FAX

Date: 12-05-01

Number of pages including cover sheet: 2

To:

Walter Kelley

Phone:

Fax phone: 791-4130

CC:

From:

Craig

Phone:

Fax phone:

REMARKS:

Urgent

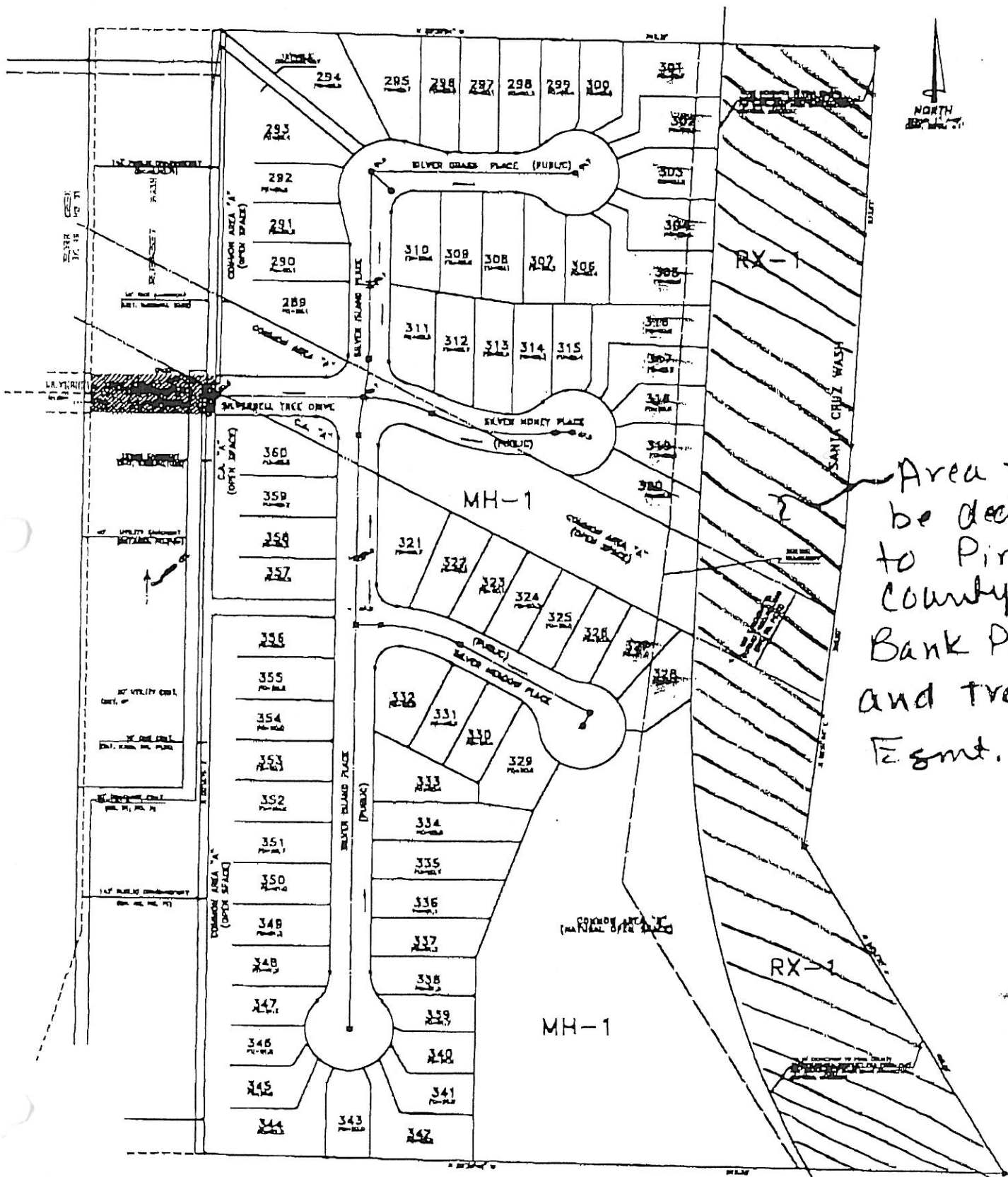
For your review

Reply ASAP

Please comment

20

Silvercreek II Lots 289-360 PCP



Area to be dedicated to Pima County for Bank Prot. and trail Egmt.

2006