

RESOLUTION NO. (R)15-22

A RESOLUTION OF THE TOWN OF ORO VALLEY, ARIZONA, APPROVING AN AMENDMENT TO LOT 167 OF THE STONE CANYON II FINAL PLAT, AT 1063 W. TORTOLITA MOUNTAIN CIRCLE, WITHIN RANCHO VISTOSO NEIGHBORHOOD 11, BY ABANDONING A PORTION OF THE DESIGNATED “NO BUILD AREA” AND ALLOWING ENCROACHMENT INTO 25% OR GREATER SLOPES

WHEREAS, in 1987 the Town of Oro Valley approved the Rancho Vistoso Planned Area Development District (the “PAD”). The PAD contains a policy for the Very Low Density Residential (“VLDR”) land use classification requiring that building envelopes for individual lots shall identify and avoid significant natural features; and

WHEREAS, in 2000 the Town approved the Final Plat of Stone Canyon II, Rancho Vistoso Neighborhood 11, Lots 135 through 234, recorded in the Office of the Pima County Recorder, Book 53 of Maps and Plats, Page 48-1, and 48-6 (the “Plat”). A “no-build” area is depicted on Lot 167 of the Plat, which is subject to the PAD’s VLDR densities and development standards; and

WHEREAS, in 2002 the Town amended the PAD, Section 1.3.J, affirming that development in areas of naturally occurring slopes of 25% and greater is generally prohibited, but allowing limited encroachment into such areas upon satisfaction of certain stated criteria; and

WHEREAS, in July 2013, the Town received a request to remove the platted “no-build area” for Lot 167 at 1063 W. Tortolita Mountain Circle within Rancho Vistoso Neighborhood 11 a request that was incorrectly approved by Town staff and subsequently rescinded; and

WHEREAS, on February 16, 2015, Town staff facilitated a meeting with the property owner, adjacent neighbors and the Stone Canyon homeowners association to discuss a proposed home on Lot 167 that would require Town Council approval of a 25% slope encroachment and a plat amendment to remove a portion of the “no-build area.” The parties agreed to the proposed actions subject to conditions laid out in Exhibit “A” attached hereto and incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Oro Valley that:

SECTION 1. The Mayor and Council hereby approve encroachment into a 25% or greater sloped area on Lot 167 of the Plat, subject to the conditions as stated in Exhibit “A.”

SECTION 2. The Mayor and Council hereby approve an amendment to the Plat to abandon a portion of the “no-build area” for Lot 167, subject to the conditions stated in Exhibit “A.”

PASSED AND ADOPTED by the Mayor and Council of the Town of Oro Valley, Arizona this 18th day of March, 2015.

TOWN OF ORO VALLEY

Dr. Satish I. Hiremath, Mayor

APPROVED AS TO FORM:

Tobin Sidles, Legal Services Director

ATTEST:

Julie K. Bower, Town Clerk

Date: _____

Date: _____

Exhibit "A"
Conditions of Approval

General:

1. The Town Council resolution and exhibits associated with this request shall be recorded with the Pima County Recorder's Office.

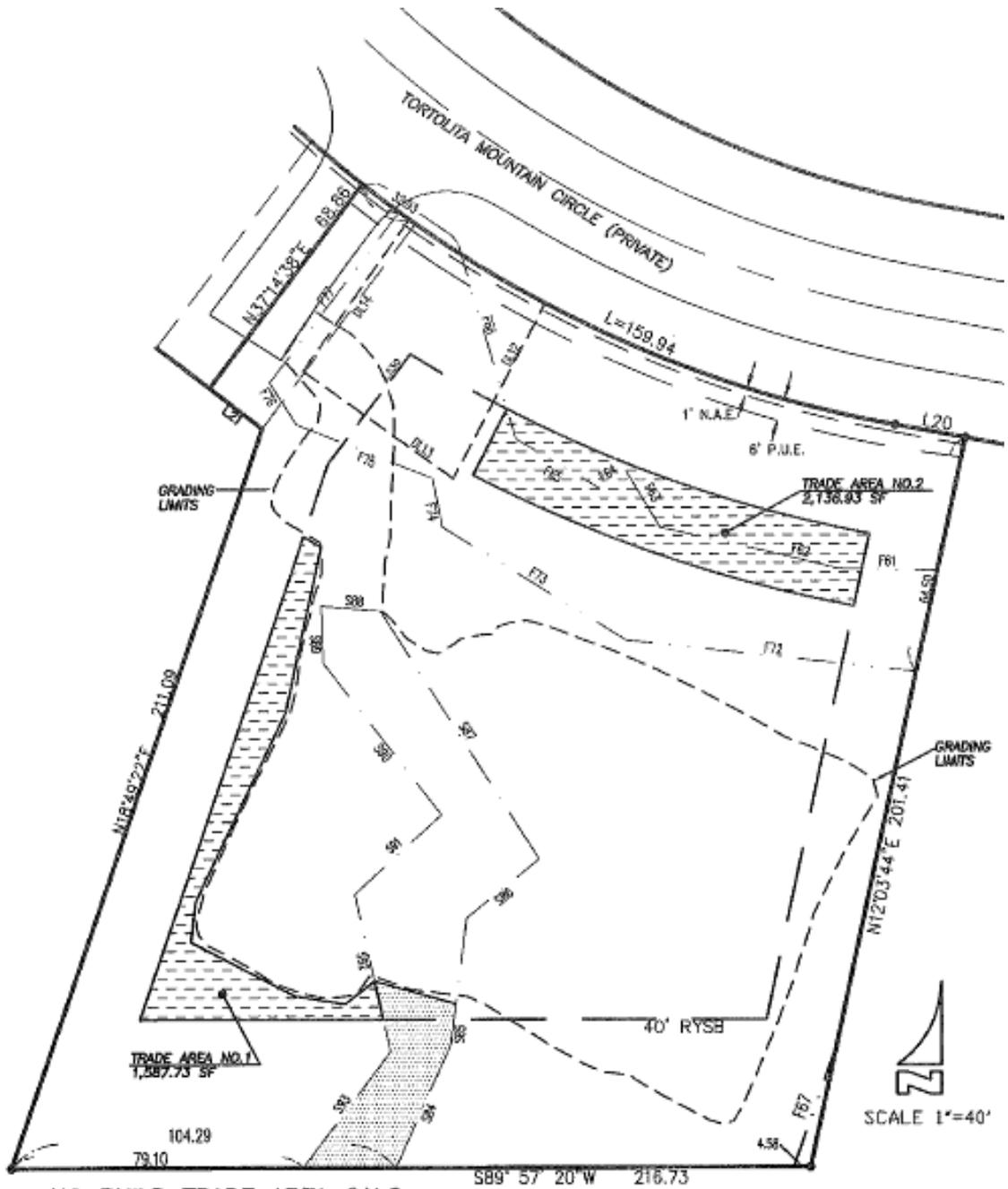
Slope Encroachment:

2. The maximum building heights from the finished floor elevation for two-thirds of the building shall not exceed 14'-4" and the remaining third of the building shall not exceed 17'-6".
3. The finished floor elevation of the house shall be lowered 1' foot to an elevation of 3043.87 as depicted on Exhibit "A-1."
4. The property owner shall install a 1:1 cut slope using a natural rock design on the west side of the proposed home as depicted on Exhibit "A-1." The Town Engineer shall review and approve the proposed grading plans for soil stability.
5. To help screen the proposed garage and driveway and preserve the existing views from the west, the following shall be achieved within the disturbed area bounded by the most northern and southern points of the 1:1 cut slope running along the west property line:
 - a. The property owner shall provide sufficient landscaping to obscure the view of the proposed garage and driveway as determined by the Planning and Zoning Administrator.
 - b. All plant materials at maturity shall not exceed the height of the proposed home.
6. The 1:1 trade area for the proposed slope encroachment shall be set aside as permanent natural open space as shown in the areas depicted in Exhibit "A-2."

"No-build Area":

7. The property owner shall retain that portion of the platted "no-build area" located along the south property line and outside the grading limits as depicted in Exhibit "A-3."

Exhibit "A-2"
Trade Areas for
Slope Encroachment



NO BUILD TRADE AREA CALC

- TRADE AREA NO. 1 = 1,587.73 SF
- TRADE AREA NO. 2 = 2,136.93 SF
- TOTAL TRADE AREA = 3,724.66 SF

TOTAL TRADE AREA OF 3,724.66 SF
MINUS AREA OF ENCROACHMENT 2,629.82 SF
EQUALS 1,094 SF ADD'L NO BUILD AREA

**NO BUILD AREA - TRADE CALCU
LOT 167 STONE CANYON I
BOOK 53, PAGE 48 SEQ# 200006
1063 W. TORTOLITA MOUNTAIN D**



5 March 2015
A.F. Sterling Homebuilders
AS No. 14060

LEGAL DESCRIPTION FOR THE
ABANDONMENT OF A NO BUILD AREA ON
LOT 167

All that portion of Lot 167 of Stone Canyon II, Rancho Vistoso Neighborhood 11 Lots 135 through 234, Common Area "A" and Common Area "B" recorded in Book 53 of Maps and Plats at Page 48, Records of Pima County, Arizona, more particularly described as follows:

COMMENCING at the southwest corner of said Lot 167;

THENCE N 89°57'20" E along the south line of said Lot 167, a distance of 79.10 feet;

THENCE leaving said south line N 37°10'58" E, 39.31 feet;

THENCE N 12°53'34" W, 19.56 feet to the POINT OF BEGINNING;

THENCE continuing N 12°53'34" W, 24.13 feet;

THENCE N 47°40'01" E, 31.95 feet;

THENCE N 38°01'07" W, 51.98 feet;

THENCE N 02°20'13" W, 15.51 feet;

THENCE S 85°04'28" E, 16.25 feet;

THENCE S 32°32'57" E, 79.58 feet;

THENCE S 50°52'43" W, 25.31 feet;

THENCE S 07°11'38" W, 23.31 feet;

THENCE N 74°32'55" W, 22.85 feet to the POINT OF BEGINNING.

Containing 2,629.82 square feet of land, more or less.

The basis of bearing for this Legal Description is based on Docket 8178, Page 1966, centerline of Rancho Vistoso Boulevard, said bearing being S 32°09'07" E, as shown on said Stone Canyon Plat.

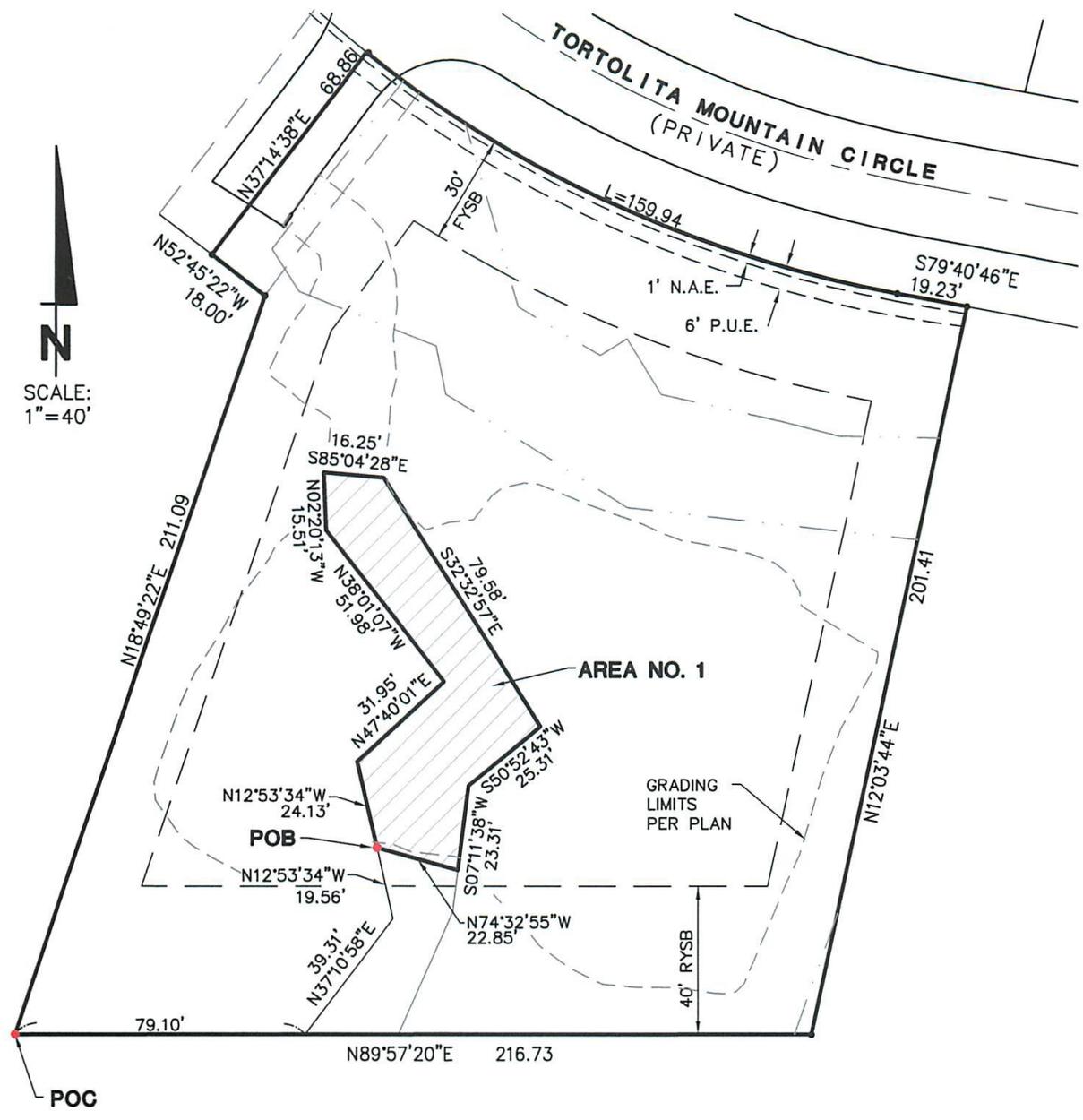
Prepared by:
AMERSON SURVEYING, INC.


MICHAEL K. AMERSON, P.L.S.



EXPIRES 03/31/17

SI:\1014600\REV\REV\LEGAL\14060 REV. AMANO NO BUILD AREA.DWG - FEB.2015.PM



AREA NO. 1: ABANDONED NO BUILD AREA = 2629.82 SF



Camp Lowell Corporate Center
4552 East Camp Lowell Drive
Tucson, Arizona, 85712
Fax: 325-8703
520-325-5883



SKETCH TO DEPICT A LEGAL DESCRIPTION
FOR THE
ABANDONMENT OF A
NO BUILD AREA
ON
LOT 167
STONE CANYON II
BOOK 53, PAGE 48 SEQ# 20000630042
RECORDS OF PIMA COUNTY, ARIZONA



5 March 2015
A.F. Sterling Homebuilders
AS No. 14060

LEGAL DESCRIPTION FOR A
NEW NO BUILD AREA ON
LOT 167

All that portion of Lot 167 of Stone Canyon II, Rancho Vistoso Neighborhood 11 Lots 135 through 234, Common Area "A" and Common Area "B" recorded in Book 53 of Maps and Plats at Page 48, Pima County, Records of Pima County, Arizona, more particularly described as follows:

COMMENCING at the northeast corner of said Lot 167;

THENCE S 12°03'44" W along the easterly line of said Lot 167, a distance of 50.62 feet;

THENCE leaving said easterly line N 77°56'16" W, 20.00 feet to a point on a curve through which a radial line bears S 10°40'02" W and the POINT OF BEGINNING;

THENCE northwesterly along a curve concave to the northeast having a radius of 380.00 feet and a central angle of 16°30'28" and a length of 109.48 feet to hereinafter Point A;

THENCE N 27°10'30" E along a radial line 20.00 feet;

THENCE southeasterly along a curve concave to the northeast having a radius of 360.00 feet and a central angle of 16°35'07" and a length of 104.21 feet to a point of nontangency;

THENCE S 12°03'44" W, 20.00 feet to the POINT OF BEGINNING.

Containing 2,136.93 square feet of land, more or less.

Together with that portion of Lot 167, more particularly described as follows:

COMMENCING at aforementioned Point A;

THENCE S 64°58'27" W, 45.70 feet to the POINT OF BEGINNING;

THENCE S 12°13'34" W, 45.74 feet;

THENCE S 25°35'50" W, 56.81 feet;

THENCE S 06°31'24" W, 10.94 feet;

THENCE S 62°41'51" E, 31.82 feet;

THENCE S 80°57'56" E, 13.84 feet;

THENCE N 52°14'18" E, 10.06 feet to the west line of the no build area per said recorded plat;



THENCE S 12°53'34" E, 10.63 feet;

THENCE S 89°57'20" W, 66.09 feet;

THENCE N 18°49'22" E, 138.00 feet;

THENCE S 59°37'03" E, 5.52 feet to the POINT OF BEGINNING.

Containing 1,587.73 square feet of land, more or less.

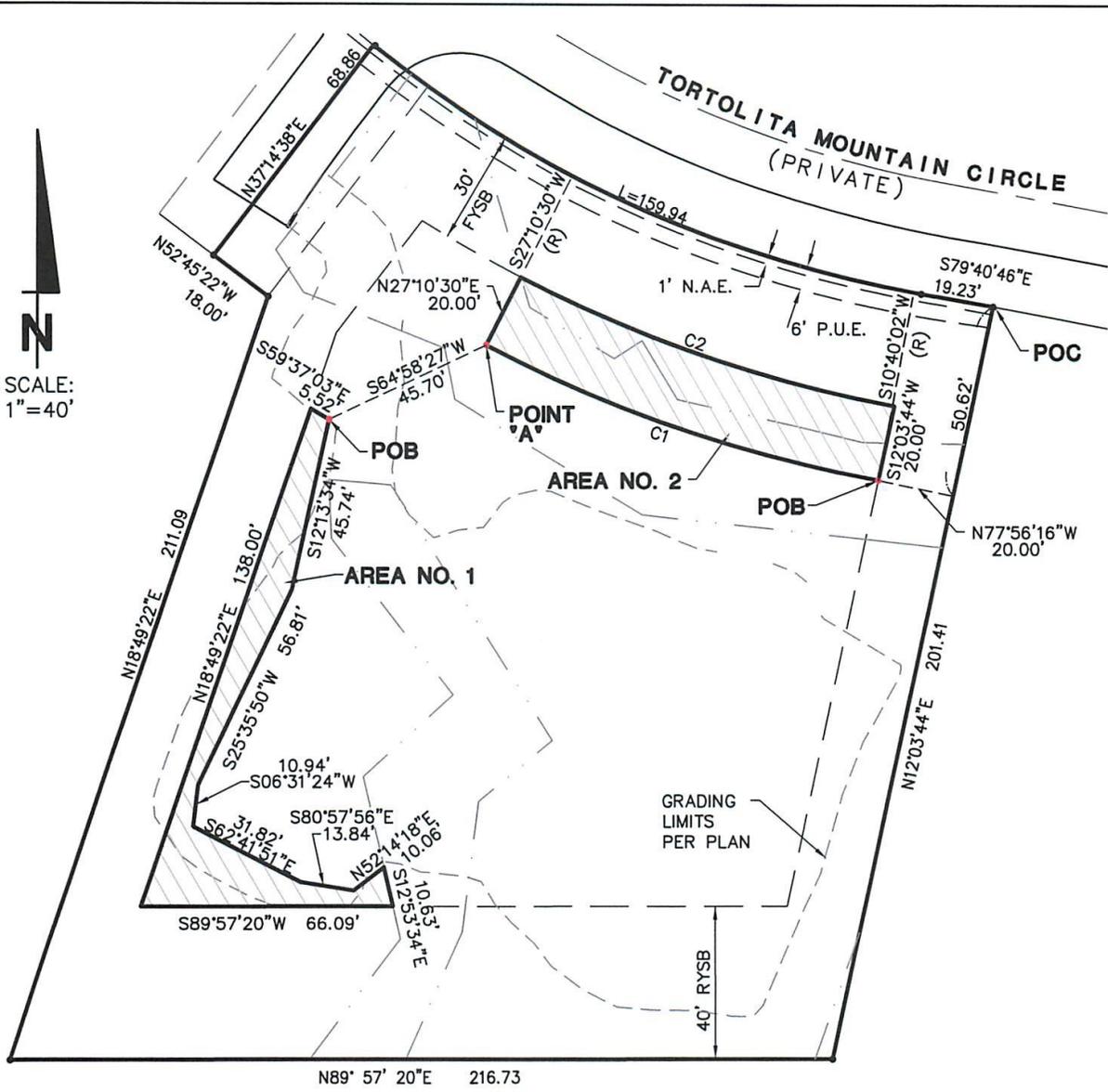
The basis of bearing for this Legal Description is based on Docket 8178, Page 1966, centerline of Rancho Vistoso Boulevard, said bearing being S 32°09'07" E, as shown on said Stone Canyon Plat.

Prepared by:
AMERSON SURVEYING, INC.


MICHAEL K. AMERSON, P.L.S.



EXPIRES 03/31/ 17



CURVE TABLE:

CURVE	RADIUS	ARC	DELTA
C1	380.00'	109.48'	16°30'28"
C2	360.00'	104.21'	16°35'07"

AREAS (SF):

AREA NO. 1: NEW NO BUILD AREA = 1,587.73 SF
 AREA NO. 2: NEW NO BUILD AREA = 2,136.93 SF



Camp Lowell Corporate Center
 4552 East Camp Lowell Drive
 Tucson, Arizona, 85712
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SKETCH TO DEPICT A LEGAL DESCRIPTION
 FOR A
NEW NO BUILD AREA
 ON
LOT 167
STONE CANYON II
 BOOK 53, PAGE 48 SEQ# 20000630042
 RECORDS OF PIMA COUNTY, ARIZONA
 ASI 14060, REV.MAR,2015,PM, SHEET 1 OF 1

