



Development and Infrastructure Services Department

April 3, 2015

Joseph Brown
Kevin B. Howard Architects
8339 N. Oracle Road
Oro Valley, AZ 85704

**RE: Encroachment into “no-build” areas: Zoning Interpretation (OV415-003)
Stone Canyon Lot #210**

Dear Mr. Brown,

Thank you for submitting your Zoning Interpretation request. The purpose of the interpretation is to provide guidance relative to development encroachment into “no-build” areas.

Throughout the Stone Canyon subdivision within Rancho Vistoso, “no-build” areas are used to protect valuable environmental resources that have unique characteristics including topography, rock outcrops, washes, dense vegetation or are integral to the movement of wildlife.

The subject property contains a significant “no-build” area that was established as part of the Stone Canyon II Final Plat in 2000. The Final Plat includes the following as part of General Note 29:

“Areas outside the building envelope shall be recorded as permanent open space.”

The Rancho Vistoso PAD provides the following definition for “Building Envelope”:

“The sum of the areas to be graded enclosing the main and accessory building foundation perimeters, and the related areas of parking, driveways, swimming pools, walls and other accessory structures”

The Rancho Vistoso PAD refers to the Town of Oro Valley Zoning Code definition of open space which is as follows:

“Any natural, completely undisturbed, desert area”

To protect the integrity of the “no-build” area and ensure they remain “...natural, completely undisturbed, desert area(s)” no physical disturbance or aerial intrusion of any kind may encroach into the established “no-build” area.

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Though encroachments into “no-build” areas are not permitted, a request to amend the Final Plat by revising the “no-build” area line may be submitted to Town Council for consideration.

A person(s) aggrieved by a Zoning Interpretation may file an appeal to the Board of Adjustment within twenty (20) days from the publishing date on the Town’s website, in accordance with Section 21.6.G of the Town of Oro Valley Zoning Code.

If you have any questions, please contact Michael Spaeth, Senior Planner, at mspaeth@orovalleyaz.gov or (520) 229-4812.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bayer Vella". The signature is fluid and cursive, with the first name "Bayer" being more prominent than the last name "Vella".

Bayer Vella, AICP
Planning and Zoning Administrator