

Application Narrative

The property located at 6540 E. 1st Street was purchased by Shelly and John Dougherty on April 14, 2015, and has since served as a long-term rental, providing affordable housing to multiple families. Originally platted in 1955—prior to the adoption of the City of Scottsdale’s building code in 1956—the lot presents longstanding dimensional constraints. Notably, additions such as the laundry room and a detached shed were believed to be constructed between 2001 and 2011, prior to the Dougherty’s ownership.

In November 2022, a pinhole leak in a wall pipe resulted in significant mold contamination throughout the home. Although the mold was professionally remediated, it caused extensive damage. The remediation process required the removal of drywall, flooring, and cabinetry. During reconstruction, the decision was made to include the few remaining unaffected areas in order to ensure a consistent and seamless aesthetic throughout the home.

While a general contractor was engaged to complete the work, no formal contract was in place. This arrangement provided flexibility to make upgrades as needed. However, as the scope of the project expanded, a building permit was not obtained in a timely manner. This was due to the mistaken belief that a permit might not be required, as all work was being performed within the existing structure’s footprint.

When the City later requested a permit, it was discovered that a portion of the home, including the laundry and mechanical room, encroaches into the required setback. Although permits and drawings have been filed over the years, there have been discrepancies in recorded lot dimensions, and it appears that a formal survey may never have been conducted. A recent survey by Arizona Surveys Inc. confirms that part of the structure is indeed within the City of Scottsdale’s required setback.

We are therefore respectfully requesting a variance to bring the property into compliance with current City of Scottsdale zoning requirements. This request is made in good faith and is intended to preserve the home’s functionality while maintaining consistency with the character and standards of the surrounding neighborhood.

Justification for Variance

1. That because of special circumstances applicable to the property including its, size, shape, topography, location or surroundings, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district:

A unique circumstance related to the shape of the property at 6540 E 1st Street significantly affects its value, functionality, and the feasibility of maintaining a single-family residence consistent with the character of the surrounding neighborhood. The lot is triangular, with a non-uniform depth—94 feet on the east side and only 6 feet on the west side. This property was platted on January 13, 1955, prior to the adoption of the City of Scottsdale Building Code on January 31, 1956. The strict application of current zoning ordinances would deny the property the same privileges afforded to other properties of the same classification within this zoning district, as the triangular shape significantly limits the allowed footprint of the property.

2. That the authorization of the variance is necessary for the preservation of privileges and rights enjoyed by other property of the same classification in the same zoning district, and does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located:

The authorization of the variance is essential to preserve the privileges and rights, to this property which are afforded to other properties of the same classification within the same zoning district. It does not constitute the granting of special privileges inconsistent with the restrictions imposed on other properties in the vicinity and within the same zoning designation. Granting this variance is necessary to enable the home to achieve comparable features and size consistent with the character of the neighborhood. The usable square footage is significantly constrained due to the unique shape of the subject property.

3. That the special circumstances applicable to the property were not self-imposed or created by the owner or applicant:

The special circumstances affecting the property were not self-imposed or created by the current owner. The property was originally platted on January 13, 1955, with the home constructed the same year. According to available records, the back covered patio was added in 2001, and a bedroom with an attached carport was constructed in 2004. Aerial photographs indicate that by 2011, an attached laundry room and a detached storage shed had also been added. The property was sold to the current owner on April 14, 2015.

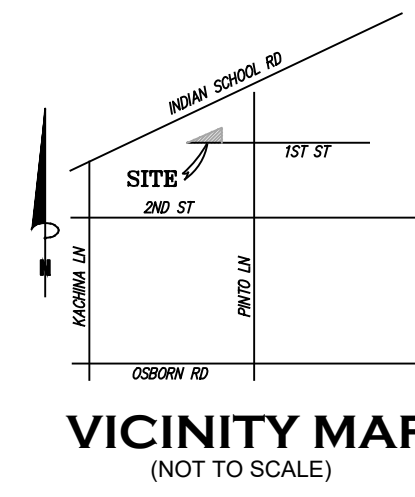
In November 2022, a significant plumbing issue resulted in extensive mold contamination, necessitating professional remediation. The home underwent substantial repairs and replacement of fixtures as part of the remediation process. While the laundry room was not directly impacted by the mold, it had previously suffered damage from a major rainstorm. Given the scope of repairs

throughout the home, the decision was made to include the laundry room in the overall updates. Additionally, exterior improvements were made, including a new roof, updated landscaping, a new sidewalk, decorative rock, and the addition of trees, enhancing the property's overall condition and livability, consistent with the neighboring properties.

4. That authorization of the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general:

The authorization of the variance will not negatively affect persons residing or working in the vicinity, adjacent properties, the neighborhood, or the general public welfare. The property at 6540 E 1st Street is situated on a cul-de-sac and is bordered at the rear by a dirt alley, beyond which lies a large green space, Indian School Road, and the Arizona Canal. The nearest residences north of the canal are located over 365 feet away with no visibility of the subject property, while the nearest residence to the west is more than 700 feet away and similarly has no visibility of the property.

The existing structure does not encroach on the alley, nor does it hinder access for maintenance of the alley, electric utility poles, or green space landscaping. Emergency vehicle access remains fully unobstructed. Additionally, garbage collection is currently serviced from the front street, but if service were to revert to the alley in the future, it would not be impacted. Accordingly, the requested variance will not result in any adverse effects on the surrounding area, public infrastructure, or public safety.



VICINITY MAP
(NOT TO SCALE)

OWNER:

SHELLY AND JOHN DOUGHERTY
8701 E DOUBLETREE RANCH RD
PARADISE VALLEY, AZ 85253

LEGAL DESCRIPTION:

LOT 123, SOUTHWEST VILLAGE UNIT SIX, ACCORDING TO BOOK 62 OF
MAPS, PAGE 6, RECORDS OF MARICOPA COUNTY, ARIZONA.

PROJECT DESCRIPTION:

REAR YARD SETBACK VARIANCE

PROJECT DATA

ADDRESS 6540 E 1ST ST
SCOTTSDALE, AZ 85251
A.P.N. 130-01-077
ZONING R1-7
LOT AREA: 7,374
TYPE OF CONSTRUCTION VB
NUMBER OF STORIES ONE

SQUARE FOOTAGE CALCS.	
LIVABLE - EXISTING:	1,591 S.F.
TOTAL LIVABLE	1,591 S.F.
NON-LIVABLE:	
CARPORT:	501 S.F.
COVERED PATIO REAR:	241 S.F.
COVERED ENTRY FRONT:	115 S.F.
REAR YARD SHED:	124 S.F.
TOTAL	987 S.F.
TOTAL UNDER ROOF	2,578 S.F.

REVISIONS

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THE DRAFTER
RESIDENTIAL DESIGN

965 NORTH ROOSEVELT CIRCLE SCOTTSDALE, AZ
P: 480-859-9666 E: jparis@thedrafter.com

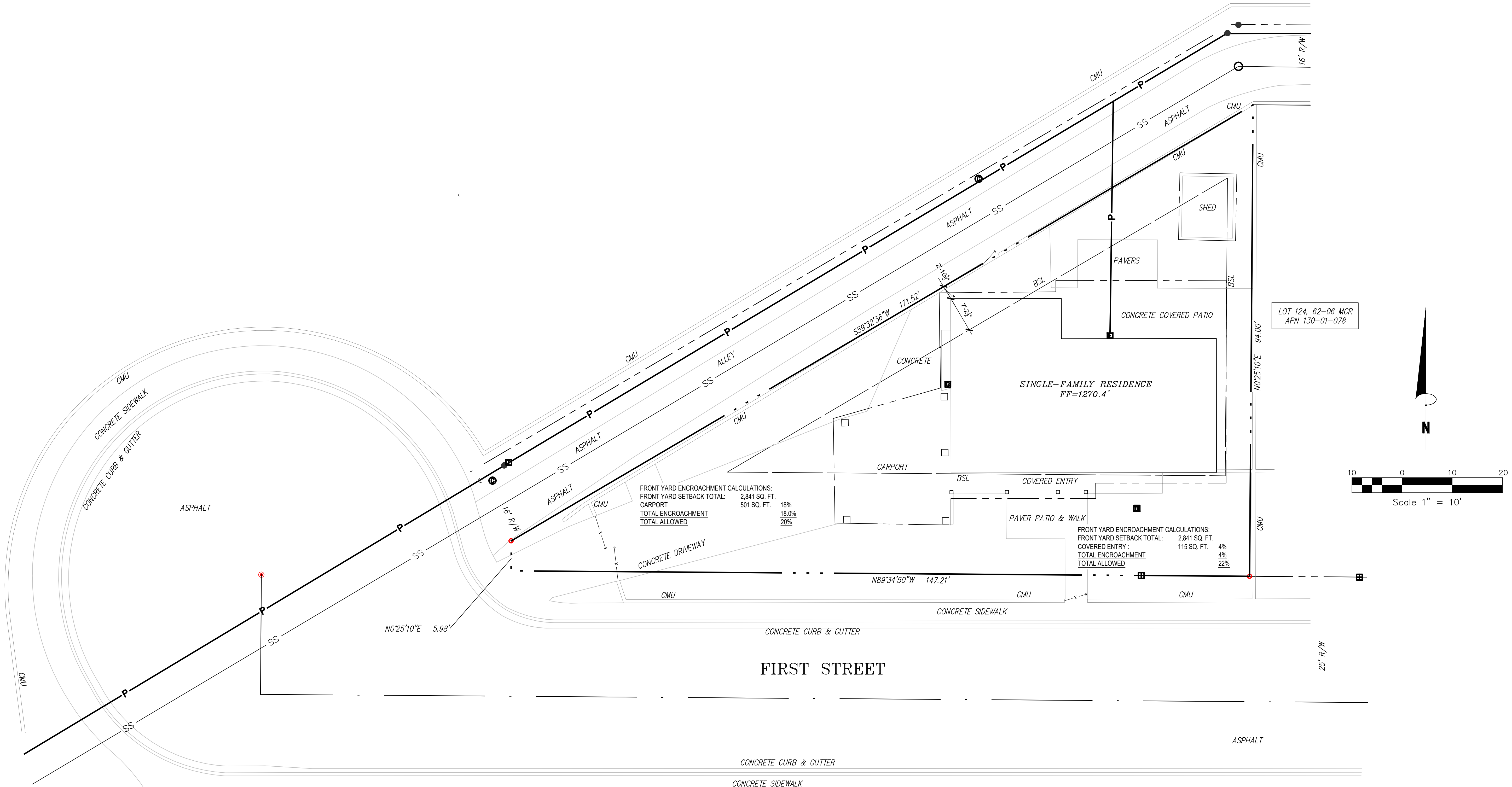
DOUGHERTY RESIDENCE
LOT 123 OF SOUTHWEST VILLAGE UNIT 6

6540 EAST 1ST STREET
SCOTTSDALE, AZ 85251

SHEET TITLE: ARCHITECTURAL SITE PLAN

PRINT DATE: 3-16-2025
JOB NO.: 130-01-077
DRAWN BY: PT
CHECKED BY: TEAM
SCALE: 1"=10'-0"
SHEET NUMBER:

SP1



Photos of Existing Conditions

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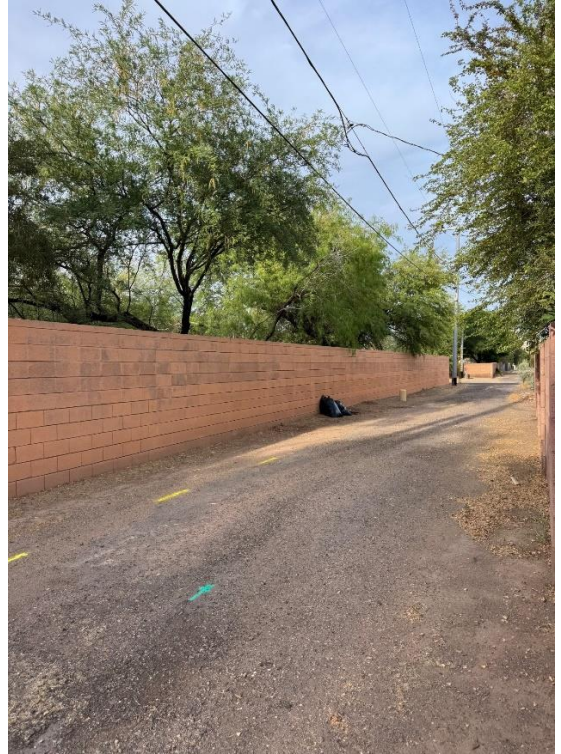
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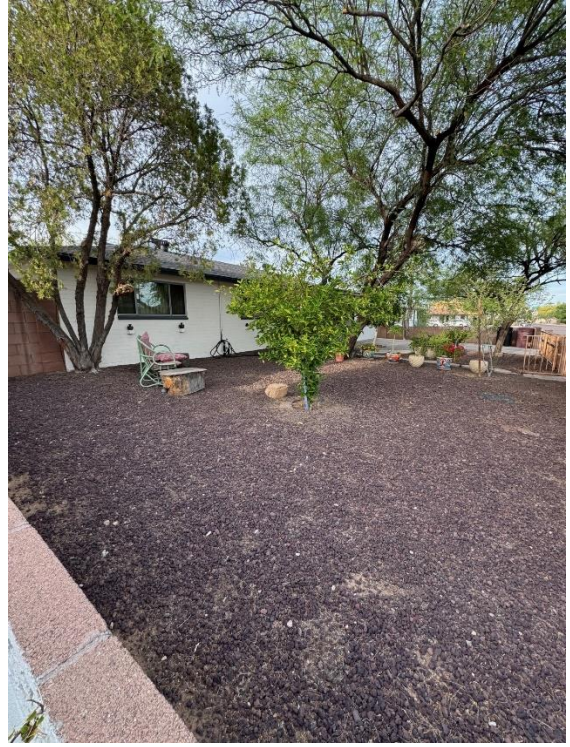
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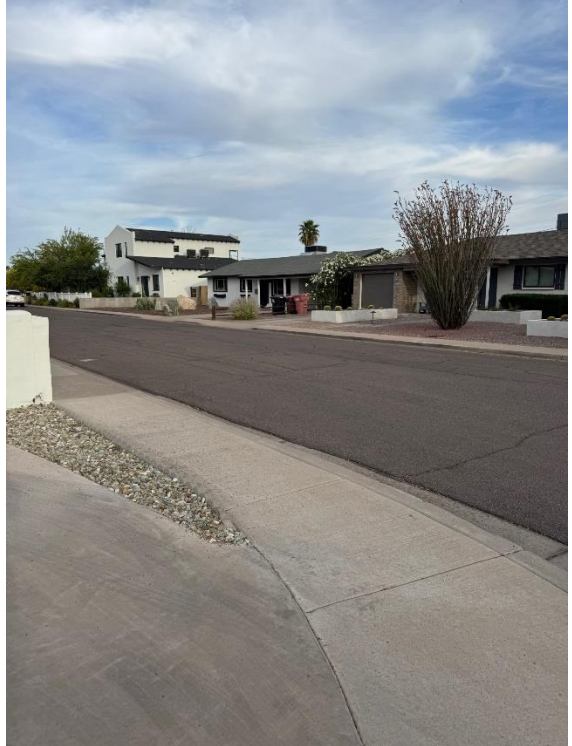
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