

## Daniel Symer

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**From:** Charlie Silver <cws720@gmail.com>  
**Sent:** Tuesday, May 11, 2021 10:37 AM  
**To:** Mayor and Council  
**Cc:** Daniel Symer  
**Subject:** Fwd: Case No. PZ-21-00066

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello,  
I also thought it prudent to send this directly to you as well. Sorry if it's duplicative.  
Thank you.

----- Forwarded message -----

**From:** Charlie Silver <[cws720@gmail.com](mailto:cws720@gmail.com)>  
**Date:** Tue, May 11, 2021 at 12:25 AM  
**Subject:** Case No. PZ-21-00066  
**To:** <[publiccomment@flagstaffaz.gov](mailto:publiccomment@flagstaffaz.gov)>

RE: Proposed amendment to the Zoning Code to modify the existing Accessory Dwelling Unit (ADU) and accessory structure requirements (Case No. PZ-21-00066)

I oppose the request by the City to amend the Zoning Code to incorporate provisions to allow a Detached Accessory Dwelling Unit to encroach into a property's required interior and rear setback, even attempting to ensure that the maximum height of the structure does not exceed 16 feet. First, regarding code enforcement I often hear that the system is complaint driven. In other words the burden is placed on neighbors/individuals to monitor, interpret, and report (complain) to the City that something "appears" to be a code violation. This is not right - it pits neighbor against neighbor. And, if someone were to go above 16 feet, I have very little faith that the City would enforce the height limit, i.e., make someone tear down something that was in the process of being built or was already built. Secondly, encroaching into setbacks reduces light for growing food (sustainability issue); it is also depressing and intrusive to neighbors. And fundamentally setbacks should not be diluted/eliminated by encroachments - then why have them at all? Because people need some elbow room. Especially, most likely, in the areas that would experience an ADU rush, i.e., those with small lots already. I seriously doubt there will be an ADU rush in areas that have large lots with an abundance of elbow room.

Also, I oppose the request by the City to remove barriers to homeowners building Accessory Dwelling Units on their property - particularly to the removal of requirements related to the property owner occupying either the single-family dwelling unit or the Accessory Dwelling Unit as their principal residence.

I understand the purpose of eliminating this requirement is to allow a property owner to construct an Accessory Dwelling Unit on the same lot as a single-family dwelling unit and rent both units. Without the property owner on site, by virtue of them occupying one of the units as their principal residence, is a recipe for unacceptable change to neighborhoods by potentially increasing the proportion of short-term rentals. Neighborhoods and neighborhood character throughout the entire City is very important. Short-term rentals eat away at neighborhoods through increased light and noise pollution because of a party mentality by a lot of these

renters. Yes, there is a party ordinance; but once again, the burden is placed on neighbors to lodge a complaint. I do believe there should be rules in place regarding short-term rentals. Additionally, I do not think it's right to turn neighborhoods into commercial districts exacerbated by short-term rental monetary motivation.

Thank you,  
Charlie Silver  
Flagstaff