

KGUN9 Story Pitch — South Tucson Cell-Tower Variance

To: KGUN9 Newsroom — news@kgun9.com · 520-290-7726 (You Ask. We Investigate.®)

Cc: Leeza Glazier, General Manager / News Director — leeza.glazier@kgun9.com

From: Bryan Sanders · 344 W. 35th Street, Tucson, AZ 85713 · (520) 891-0610 · bransan@gmail.com

Date: May 5, 2026

The story in one sentence

A small Hispanic-majority municipality 4 miles south of downtown Tucson approved a 70-foot Verizon cell tower in a residential block 4–0 in 35 minutes — without making any of the seven findings the law requires, without obtaining the floodplain permit a county determination signed today says is required, and on a 300-foot mailing list where a neighbor attorney’s door-to-door investigation found roughly 60 percent of the listed property owners she reached said they never received notice.

Why this is a KGUN9 story

This is the kind of regulatory failure “On Your Side” exists for: it affects safety, it affects property, it affects how government works, and it affects a Tucson-area neighborhood whose residents largely don’t know it happened to them. The visual evidence is strong, the documentary record is primary-source, and there is a tight news peg.

The hooks

1. Visual

- A 70-foot fake palm tree, slated for an alley line in a residential block where the houses are one and two stories
- Photos taken **this morning at 7:02 AM** showing standing water in the regulatory wash directly against the project parcel’s north fence — the same fence Verizon’s siting representative described to the Board as bordering “open space greenbelt”
- Photos from August 21, 2024 of a 20-foot by 60-foot A-frame metal roof from this same parcel that was projected onto a neighboring residence at 2320 S. 9th Avenue during a thunderstorm — including one frame that captures both the original anchor location and the final resting position
- Photo and video from October 12, 2025 of the same wash flooded out
- Three documented flood events at the same parcel boundary, 21 months apart. Not anecdote; pattern.

2. Investigative

- **The notice contradiction.** The City Planner told the Board in open session at 16:05–16:42 of the audio that “every property owner” within 300 feet had been mailed. Attorney Karen Karl went door-to-door with the City’s own list. Of approximately ten listed property owners she reached, approximately six said they got nothing.
- **The county-vs-city contradiction.** At hearing 30:08–30:31, Verizon’s representative described the abutting parcel as “open space greenbelt.” Today (May 5, 2026), the Pima County Regional Flood Control District signed a written determination identifying that exact corridor as a regulatory wash with a 25-foot Erosion Hazard Area setback under § 16.28.030, and the project parcel itself as partially within Local Floodplain Special Study #107.
- **The quiet code amendment.** Between August 2025 and April 2026 — a window that includes the BOA hearing date — seven wireless-related defined terms (Antenna, Collocation, Communication-commercial-wireless, Communications, Communications-facility-wireless, Conceal, Disguise) were removed from the South Tucson Zoning Code’s § 24-1 definitions, verifiable by side-by-side comparison of the Munipodes August 2025 archive against the city’s April 2026 PDF. The procedural provenance under § 24-43 is currently the subject of records inquiry.
- **The findings vacuum.** Across the entire 33:46 hearing audio, none of the seven findings the South Tucson Code mandates before granting a variance were addressed by anyone — not the Board, not staff, not the applicant. One Board member volunteered on the record that the agenda packet hadn’t reached him until just before the meeting.

3. Human

- I’m one homeowner; my back fence is the alley; the tower will be visible from every window on the south side of my house
- Karen Karl is a practicing attorney who lives in the neighborhood, walks the block, and went door-to-door
- The affected residents are mostly Spanish-speaking households (South Tucson is approximately 83 percent Hispanic per the 2020 Census)
- Neither of us is an activist. We are residents who read the code, listened to the audio, and walked the block.

4. News peg

- The variance was approved February 25, 2026. Today (May 5, 2026) the County Chief Engineer’s office signed the determination that contradicts the basis of approval. Today the Mayor and Council and Pima County Supervisor Matt Heinz received the procedural-review packages.
- **Tonight at 6:00 PM, 1601 S. 6th Avenue,** is the South Tucson Council’s regular meeting and the first opportunity for any council member to agendize the matter.
- The 30-day appeal clock under A.R.S. § 9-462.06(K) is running. Court is the next stop if the matter is not addressed administratively.

What I have, available to KGUN9 immediately

- The full 33:46 audio of the BOA 25-01 hearing (48 MB MP3) with a timestamped transcript
- The PCRFCFD Flood Hazard Information Form determination signed today, submission ID `be7b343e-bbd4-412b-b87c-ed596489a9b7`, with the 090 Flood Hazards Map
- 12 EXIF/GPS-locked photographs from August 21, 2024 morning, plus October 12, 2025 photo+video, plus three photos from May 5, 2026 at 7:02 AM
- The official BOA 25-01 agenda, public hearing notice, and roll-call sheet
- The Karen Karl statement on the door-to-door notice investigation (verbatim)
- The Munipodes vs. April 2026 § 24-1 diff
- The 42-item Public Records Request hand-delivered to the South Tucson City Clerk on May 1, 2026 (stamped clerk's copy retained)
- The full memo packages delivered today to South Tucson Mayor and Council, to Pima County Supervisor Heinz, and to the Arizona federal delegation
- I can do a site walkthrough today or any day this week. Karen Karl is available for interview as well.

What this story is not

For accuracy, KGUN9 should know what I am specifically not saying:

- **This is not a radio-frequency or cell-phone-health story.** That line is preempted by federal law (47 U.S.C. § 332(c)(7)). The South Tucson City Attorney correctly applied the preemption at the hearing. Going there would be both wrong on the law and a distraction from the actual story.
- **This is not a story about anyone's bad faith.** It is a story about procedural failure, jurisdictional confusion between local zoning and county floodplain authority, and what happens when a small municipality with limited regulatory staff handles an application its process isn't built for. The implication of the pattern is for the public record and for the courts.
- **I am not a lawyer.** I am a homeowner with a documentary record. Karen Karl is the attorney; she is willing to speak to the procedural side on the record.

Suggested points of contact at the relevant agencies

- **City of South Tucson:** Veronica Moreno, Interim City Manager / City Clerk — `vmoreno@southtucson.org`; Josue Licea, Planning and Zoning Director — `jlicea@southtucsonaz.gov`
- **Pima County Regional Flood Control District:** Rachel Forney, signed the determination dated May 5, 2026 — (520) 724-4600
- **Pima County District 2:** Vanessa, Constituent Services for Supervisor Matt Heinz — (520) 724-8126

- **The applicant team and tenants:** Verizon Wireless (anchor tenant), Pinnacle / Sun State Towers (tower owner), Magnum Paving / Hawesome Properties LLC (parcel owner; Steven S. Haws, President — Steve@magnumpaving.com , (520) 441-8988)

Thank you

I appreciate the seriousness of your team's time. I'm reachable any time at (520) 891-0610 or bransan@gmail.com. I can deliver the documentary record by encrypted Drive folder, USB, or in person at the station.

— Bryan Sanders

Appendix: Suggested email body (short version, for the cold pitch)

Subject: *Story tip — South Tucson 70-ft cell tower variance: notice failure, contested floodway, no findings on the record*

Hi KGUN9 team,

I'm a Tucson homeowner reaching out with a documented procedural-failure story I think fits On Your Side and You Ask, We Investigate.

On February 25, 2026, the City of South Tucson Board of Adjustment voted 4–0 in 35 minutes to approve a setback variance for a 70-foot Verizon cell tower across the alley from my home. Reviewing the 33:46 hearing audio shows none of the seven findings South Tucson's Code requires were addressed. Today, the Pima County Regional Flood Control District signed a written determination establishing the parcel sits in a regulatory Local Floodplain and Erosion Hazard Area — directly contradicting what Verizon's representative told the Board. A neighbor who is a practicing attorney went door-to-door on the City's own 300-foot mailing list and roughly 60 percent of property owners she reached said they got no notice.

I have the full audio, the County determination signed today, three years of EXIF-locked flood photos at the same parcel line, the City's own records, and a 42-item Public Records Request hand-delivered to City Hall last Friday with stamped receipt.

Tonight at 6:00 PM is the South Tucson Council's regular meeting at 1601 S. 6th Ave — the first chance for the variance to be agendized for procedural review.

Happy to send the full one-pager and documentary record. Available for a site walkthrough any day. Reach me at (520) 891-0610 or bransan@gmail.com.

Thank you for your time. Bryan Sanders

344 W. 35th Street, Tucson, AZ 85713