



Board of Adjustment Regular Agenda

COUNCIL CHAMBERS BUILDING
CONFERENCE ROOM B-3
DECEMBER 10, 2015
4:00 P.M.

One or more members of the Board of Adjustment may be unable to attend the Board Meeting in person and may participate telephonically, pursuant to A.R.S. § 38-431(4).

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AT THE BOARD'S DISCRETION

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES: October 8, 2015 Regular Meeting

IV. WITHDRAWALS AND CONTINUANCES

V. PUBLIC HEARING ITEMS

1. **VAR15-05:** A Variance request by Tana Nichols for Habitat for Humanity to reduce the side yard setbacks to 6 feet and 8 feet where 20 feet is required in the R-3 (Multiple Residence) District. The site is on the west side of 54th Drive, three parcels south of West McClellan Road (6634 North 54th Drive) and is in the Ocotillo District. Staff Contact: Thomas Ritz, AICP, Senior Planner.
2. **VAR15-06:** A Variance request by Tana Nichols for Habitat for Humanity to reduce the side yard setbacks to 5 feet and 10 feet where 20 feet is required in the R-3 (Multiple Residence) District. The site is on the east side of 59th Drive, one parcel south of Lamar Road at (6727 North 59th Drive) and is in the Ocotillo District. Staff Contact: Thomas Ritz, AICP, Senior Planner.
3. **VAR15-07:** A Variance request by Tana Nichols for Habitat for Humanity to reduce the side yard setbacks to 5 feet and 10 feet where 20 feet is required in the R-3 (Multiple Residence) District. The site is on the east side of 59th Drive, two parcels south of Lamar Road (6725 North 59th Drive) and is in the Ocotillo District. Staff Contact: Thomas Ritz, AICP, Senior Planner.
4. **VAR15-08:** A Variance request by Tana Nichols for Habitat for Humanity to reduce the side yard setbacks to 7 feet and 7 feet where 20 feet is required in the R-3 (Multiple Residence) District. The site is on the west side of 54th Avenue,

three parcels south of West Ocotillo Road (6618 North 54th Avenue) and is in the Ocotillo District. Staff Contact: Thomas Ritz, AICP, Senior Planner.

5. **VAR15-09:** A Variance request by Tana Nichols for Habitat for Humanity to reduce the rear yard setback to 15 feet where 20 feet is required in the R-4 (Multiple Residence) District. The site is on the northeast corner of Glenn Drive and 62nd Avenue (6200 West Glenn Drive) and is in the Ocotillo District. Staff Contact: Thomas Ritz, AICP, Senior Planner.
6. **VAR15-10:** A Variance request by Tana Nichols for Habitat for Humanity to reduce the side yard setbacks to 5 feet and 10 feet where 20 feet is required in the R-3 (Multiple Residence) District. The site is on the east side of 53rd Avenue, six parcels north of West Maryland Avenue (6525 North 53rd Avenue) and is in the Ocotillo District. Staff Contact: Thomas Ritz, AICP, Senior Planner.

VI. OTHER BUSINESS FROM THE FLOOR

VII. PLANNING STAFF REPORT

VIII. BOARD COMMENTS AND SUGGESTIONS

IX. NEXT MEETING: January 14, 2016

X. ADJOURNMENT

FOR SPECIAL ACCOMMODATIONS



Please contact Diana Figueroa at (623) 930-2808 or dfigueroa@glendaleaz.com at least three working days prior to the meeting if you require special accommodations due to a disability. Hearing impaired persons should call (623) 930-2197.

After 5:00 p.m. on Monday, prior to the meeting, staff reports for the above referenced cases will be available online at <http://www.glendaleaz.com/planning/boardsandcommissions.cfm>. If after reviewing the material you require further assistance, please call the staff contact listed for each application at (623) 930-2800.

Upon a public majority vote of a quorum of the Board of Adjustment, the Board may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purpose:

- (i) discussion or consultation for legal advice with the city's attorneys (A.R.S. § 38-431.03(A)(3)); or

Confidentiality Requirements Pursuant to A.R.S. § 38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. § 38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the Board of Adjustment, or as otherwise ordered by a court of competent jurisdiction.

**MINUTES
CITY OF GLENDALE
BOARD OF ADJUSTMENT
COUNCIL CHAMBERS BUILDING
CONFERENCE ROOM B-3
THURSDAY, OCTOBER 8, 2015
4:00 P.M.**

CALL TO ORDER

The meeting was called to order at approximately 4:07 p.m.

ROLL CALL

Board members Blakely, Crowley, Dietzman, Feiner and Chairperson Toops were in attendance. Board member Zarra and Vice Chairperson Vescio were absent.

CITY STAFF

Tabitha Perry, Assistant Planning Director, James Gruber, Assistant City Attorney, Thomas Ritz, AICP, Senior Planner and Diana Figueroa, Recording Secretary were present.

APPROVAL OF THE MINUTES

Chairperson Toops called for approval of the September 10, 2015 minutes.

BOARD MEMBER BLAKELY MADE A MOTION TO APPROVE THE MINUTES OF THE SEPTEMBER 10, 2015 MEETING. BOARD MEMBER DIETZMAN SECONDED THE MOTION.

WITHDRAWALS AND CONTINUANCES

Chairperson Toops asked staff if there were any requests for withdrawals or continuances. There were none.

PUBLIC HEARING ITEMS

Chairperson Toops called for staff's presentation on the public hearing items.

1. **VAR15-13:** A variance request by Norman Hurne to allow the construction of a sunroom addition to the rear of the residence that will be placed along the zero lot line like the rest of the existing home. The property is in the R-3 (Multiple Residence) zoning district, which has perimeter setbacks of twenty (20) feet; however, when the subdivision was developed in 1982, the side setbacks were at zero (0) feet and ten (10) feet. The site is located northeast of the northeast corner of 67th and Peoria Avenues (6411 West Christy Drive) and is in the Barrel District. Staff Contact: Martin Martell, Planner.

Thomas Ritz, AICP, Senior Planner, stated this was a variance request by Norman Hurne to allow the construction of a sunroom addition to the rear of the residence that will be placed along the zero lot line like the rest of the existing home. He said the property was in the R-3 zoning district, which has perimeter setbacks of twenty feet; however, when the subdivision was developed in 1982, the side setbacks were at zero feet and ten feet. The site was located northeast of the northeast corner of 67th and Peoria Avenues and is in the Barrel District.

Mr. Ritz stated that on August 1, 2015, notification letters were mailed to adjacent property owners and interested parties. During the three week notification period the applicant received no responses. He noted that to date Planning Staff received three inquires regarding this request. He explained that the respondents wanted to know why they were being contacted and two respondents needed more details about the proposal. He said staff did receive an additional notice to receive a copy of the staff report and it was provided electronically to them. He provided aerial photos of the property and explained where the addition was planned.

Mr. Ritz reviewed staff's findings.

- 1. There are special circumstances/conditions applicable to the property including size, shape, topography, location or surroundings, which were not self-imposed by the owner;**

He stated that although this property is in the R-3 Zoning District with current perimeter setbacks of twenty feet, this property was developed during a time when the side yard setbacks were zero feet and ten feet for the entire subdivision.

- 2. Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties in the same classification in the same zoning district;**

He said the current twenty foot perimeter setback is unrealistic for properties that are only forty-five feet wide. Therefore, if the strict application of the Zoning Ordinance is abided by, this property would only allow for a structure that is five feet wide.

- 3. The variance requested is the minimum necessary to alleviate the property hardships.**

He said the requested side yard setback reduction is the minimum necessary to construct the addition to the home. The reduced side yard setback will not impact the residential property to the west because the majority of the applicant's home is presently on the zero lot line. Furthermore, the neighboring property, to the west, is buffered by a ten foot side yard setback on their lot.

- 4. Granting the variance will not have a detrimental effect on the property, adjoining property, surrounding neighborhoods or the city in general.**

He explained that the requested building setback decrease will be practically indiscernible from the street and the neighboring properties since the addition will be located in the rear of the home. Moreover, the new addition's west wall will be flush with the existing west wall of the home which is currently placed on the zero lot line.

Mr. Ritz stated the variance request appears to meet all four findings and should be approved. If the Board decides to grant the variance, it should be subject to the following stipulations listed in the staff report. He concluded his presentation and stated he was available for questions.

Chairperson Toops asked if the Board had any questions. There were none.

Chairperson Toops called for the applicant to make a presentation.

Norman Hurne, applicant, stated he would like to modify stipulation number 3. He said he would like the additional proposed materials to exceed the quality that was already in place. He noted the structure was constructed with low quality materials. Tabitha Perry, Assistant Planning Director, recommended that stipulation number 3 be omitted and let Staff and the applicant work on the issue of the quality of the materials and come to an agreement. The Board agreed.

Chairperson Toops opened the public hearing. With no one wishing to speak, he closed the public hearing.

Chairperson Toops asked the Board for any further questions or comments. There were none.

Based on the facts and evidence presented, Mr. Gruber requested a vote from the Board. He read each finding and waited as the Board responded.

Finding One. Chairperson Toops called for a voice vote on Finding One. The Board responded with a 5-0 vote.

Finding Two. Chairperson Toops called for a voice vote on Finding Two. The Board responded with a 5-0 vote.

Finding Three. Chairperson Toops called for a voice vote on Finding Three. The Board responded with a 5-0 vote.

Finding Four. Chairperson Toops called for a voice vote on Finding Four. The Board responded with a 5-0 vote.

Mr. Gruber asked that if based on the findings, does the Board wish to grant variance VAR15-13 subject to the stipulations set forth by the Planning Division.

Chairperson Toops called for a motion.

BOARD MEMBER BLAKELY MADE A MOTION TO APPROVE VAR15-13 SUBJECT TO TWO STIPULATIONS DELETING STIPULATION THREE LISTED IN THE STAFF REPORT. BOARD MEMBER FEINER SECONDED THE MOTION, WHICH WAS APPROVED UNANIMOUSLY.

The **MOTION** was **APPROVED** with a vote of 5 to 0.

- VAR15-14:** A variance request by Lydia Reyes, on behalf of the property owner Farzana Bafaiz, to allow the reduction of the street side yard setback from the required fifteen (15) feet to eight (8) feet for a property in the R-2 (Mixed Residence) zoning

district. This will allow for a refurbishment of a vacant apartment unit that is encroaching into the required street side yard setback. The site is located northwest of the northwest corner of 51st and Glendale Avenues (5301 West Northview Avenue) and is in the Ocotillo District. Staff Contact: Martin Martell, Planner.

Thomas Ritz, AICP, Senior Planner, stated this was a variance request by Lydia Reyes, on behalf of the property owner Farzana Bafaiz, to allow the reduction of the street side yard setback from the required fifteen feet to eight feet for a property in the R-2 zoning district. He said this will allow for a refurbishment of a vacant apartment unit that was encroaching into the required street side yard setback. He noted the site was located northwest of the northwest corner of 51st and Glendale Avenues and was in the Ocotillo District.

Mr. Ritz stated that on July 24, 2015, notification letters were mailed to adjacent property owners and interested parties. During the three week notification period the applicant received no responses. He said that to date, Planning Staff has received no inquiries regarding this request. He provided photos of the site plan and property. He added that since the apartment unit has been unoccupied for over a year, the applicant was requesting a variance to reduce the street side yard setback. He noted the apartment was 484 square feet.

Mr. Ritz reviewed staff's findings.

- 1. There are special circumstances/conditions applicable to the property including size, shape, topography, location or surroundings, which were not self-imposed by the owner;**

He said that, although this property is in the R-2 Zoning District with current perimeter setbacks of fifteen feet, this property was developed during a time when it was permissible to place a structure eight feet from a property line.

- 2. Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties in the same classification in the same zoning district;**

He stated the current fifteen foot perimeter setback would deprive the property owner the opportunity to revitalize and use an otherwise derelict and abandoned structure.

- 3. The variance requested is the minimum necessary to alleviate the property hardships.**

He said the request street side yard setback's reduction is the minimum necessary to revitalize and use the unoccupied structure that is within the side yard setback as an apartment unit.

- 4. Granting the variance will not have a detrimental effect on the property, adjoining property, surrounding neighborhoods or the city in general.**

He explained the reduced street side yard setback will not impact the surrounding properties, since the structure has been on the property for many years. Moreover, renovation of this blighted unit and property will help improve the quality of life for the tenants living on the site and enhance the neighborhood.

Mr. Ritz stated the variance request appears to meet all four findings and should be approved. If the Board decides to grant the variance, it should be subject to the following stipulations listed in the staff report. He concluded his presentation and stated he was available for questions.

Chairperson Toops asked if the Board had any questions.

Board member Dietzman asked if this was previously a garage or what other sort of structure was it. He wondered because he did not see any windows. Mr. Ritz stated that it was currently being used as storage and it was previously an apartment unit along with other apartment structures in the immediate area. Board member Dietzman stated his concern was that this was an apartment that had no windows. Mr. Ritz stated that it would be one of the requirements to have windows present. He explained that the structure does look like it used to have windows but they have been seen boarded up and painted over.

Chairperson Toops called for the applicant to make a presentation.

Lydia Reyes, applicant, introduced herself and stated that the unit has windows and they were waiting for the variance approval to take advantage of the property and finish the remodel including landscaping and fencing. She said the unit has a kitchenette and two bedrooms.

Chairperson Toops opened the public hearing. With no one wishing to speak, he closed the public hearing.

He asked the Board for any further questions or comments.

Board member Feiner stated it was good to see revitalization of properties such as these occurring in the area.

Based on the facts and evidence presented, Mr. Gruber requested a vote from the Board. He read each finding and waited as the Board responded.

Finding One. Chairperson Toops called for a voice vote on Finding One. The Board responded with a 5-0 vote.

Finding Two. Chairperson Toops called for a voice vote on Finding Two. The Board responded with a 5-0 vote.

Finding Three. Chairperson Toops called for a voice vote on Finding Three. The Board responded with a 5-0 vote.

Finding Four. Chairperson Toops called for a voice vote on Finding Four. The Board responded with a 5-0 vote.

Mr. Gruber asked that if based on the findings, does the Board wish to grant variance VAR15-14 subject to the stipulations set forth by the Planning Division.

The **MOTION** was **APPROVED** with a vote of 5 to 0.

BOARD MEMBER CROWLEY MADE A MOTION TO APPROVE VAR15-14 SUBJECT TO THE FOUR STIPULATIONS LISTED IN THE STAFF REPORT. BOARD MEMBER DIETZMAN SECONDED THE MOTION, WHICH WAS APPROVED UNANIMOUSLY.

3. **VAR15-15:** A variance request by Lydia Reyes, on behalf of the property owner Gregory Cantor, to allow for a reduction of the rear yard setback from the permitted twenty (20) feet to ten (10) feet on property located in the R1-8 PRD (Single Residences, Planned Residential Development) zoning district. This will allow for an existing unauthorized addition that is located in the rear south west portion of the existing residence, which was done by a previous homeowner. The site is located northwest of the northwest corner of 83rd Avenue and Camelback Road (5124 North 85th Avenue) and is in the Yucca District. Staff Contact: Martin Martell, Planner.

Thomas Ritz, AICP, Senior Planner, stated this was a variance request by Lydia Reyes, on behalf of the property owner Gregory Cantor, to allow for a reduction of the rear yard setback from the permitted twenty feet to ten feet on property located in the R1-8 PRD zoning district. He said this will allow for an existing unauthorized addition that is located in the rear south west portion of the existing residence, which was done by a previous homeowner. He noted the site was located northwest of the northwest corner of 83rd Avenue and Camelback Road and is in the Yucca District.

He stated that on July 24, 2015, notification letters were mailed to adjacent property owners and interested parties. He explained that during the three week notification period the applicant received no responses. He said that to date, Planning Staff has received no inquiries regarding this request. He provided an aerial map of the area.

Mr. Ritz reviewed staff's findings.

1. **There are special circumstances/conditions applicable to the property including size, shape, topography, location or surroundings, which were not self-imposed by the owner;**

He stated the previous homeowner constructed an addition to the rear of the home without obtaining the necessary building permits. He noted the current owner has purchased the property without knowledge of the encroachment into the rear yard setback and now is interested in renovating the addition and the property.

- 2. Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties in the same classification in the same zoning district;**

He said that although the strict application of the Zoning Ordinance would not deprive the property of privileges enjoyed by the properties of the same classification in the same zoning district, the required twenty foot rear yard setback would deprive the property owner from maintaining the current floor plan which attracted the homebuyer to this particular property.

- 3. The variance requested is the minimum necessary to alleviate the property hardships.**

He stated the requested rear yard setback reduction is the minimum necessary to ensure the structure is in compliance with all current building and fire codes.

- 4. Granting the variance will not have a detrimental effect on the property, adjoining property, surrounding neighborhoods or the city in general.**

He noted the reduced rear yard setback will be practically indiscernible from the street and the majority of neighboring properties since this addition is entirely in the rear of the property. Furthermore, this setback reduction will not detrimentally affect immediate neighboring properties since this rear addition to the home has been on this property for many years without any complaints from other property owners.

Mr. Ritz stated the variance request appears to meet all four findings and should be approved. If the Board decides to grant the variance, it should be subject to the following stipulations listed in the staff report. He concluded his presentation and stated he was available for questions.

Chairperson Toops asked if the Board had any questions. There were none.

Chairperson Toops called for the applicant to make a presentation.

Lydia Reyes, applicant, introduced herself and stated she would like the variance approved so they can renovate the property and occupy the house.

Chairperson Toops opened the public hearing. There were no speakers.

Chairperson Toops closed the public hearing. He asked the Board for any further questions or comments.

Board member Dietzman asked if they should decide to pass the variance as stated in stipulation 3, would the addition be up to code. Mr. Ritz stated the applicant would have to bring the property up to code and obtain a building permit in order to occupy this addition that was built without permits.

Based on the facts and evidence presented, Mr. Gruber requested a vote from the Board. He read each finding and waited as the Board responded.

Finding One. Chairperson Toops called for a voice vote on Finding One. The Board responded with a 4-1 vote. (Board member Feiner voted nay.)

Finding Two. Chairperson Toops called for a voice vote on Finding Two. The Board responded with a 5-0 vote.

Finding Three. Chairperson Toops called for a voice vote on Finding Three. The Board responded with a 5-0 vote.

Finding Four. Chairperson Toops called for a voice vote on Finding Four. The Board responded with a 5-0 vote.

Mr. Gruber asked that if based on the findings, does the Board wish to grant variance VAR15-15 subject to the stipulations set forth by the Planning Division.

Chairperson Toops called for a motion.

BOARD MEMBER BLAKELY MADE A MOTION TO APPROVE VAR15-15 SUBJECT TO THE TWO STIPULATIONS LISTED IN THE STAFF REPORT. BOARD MEMBER DIETZMAN SECONDED THE MOTION, WHICH WAS APPROVED WITH A VOTE OF 4 TO 1 (BOARD MEMBER FEINER).

The MOTION was APPROVED with a vote of 4 to 1.

OTHER BUSINESS FROM THE FLOOR

Chairperson Toops asked staff if there was other business from the floor. There was none.

PLANNING STAFF COMMENTS AND SUGGESTIONS

Chairperson Toops called for Planning Staff Comments and Suggestions. There were none.

BOARD COMMENTS AND SUGGESTIONS

Chairperson Toops called for Board Comments and Suggestions. There were none.

ADJOURNMENT

Chairperson Toops called for a motion to adjourn.

BOARD MEMBER BLAKELY MADE A MOTION TO ADJOURN THE MEETING. BOARD MEMBER DIETZMAN SECONDED THE MOTION, WHICH WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 4:45 p.m. The next meeting is scheduled for November 12, 2015.



Planning Division Staff Report

DATE: December 10, 2015 **AGENDA ITEM:** 1

TO: Board of Adjustment

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Thomas Ritz, AICP, Senior Planner

SUBJECT: **VARIANCE (VAR) APPLICATION VAR15-05: HABITAT FOR HUMANITY – 6634 NORTH 54TH DRIVE**

REQUEST: To reduce the required side yard setbacks to 6 feet and 8 feet where 20 feet is required in the R-3 (Multiple Residence) zoning district.

APPLICANT/OWNER: Tana Nichols / Habitat for Humanity.

REQUIRED ACTION: The Board must consider the facts and determine that the findings required to grant a variance have been met. The Board may condition a variance to ensure that it will not grant special privileges inconsistent with the limitation of other similarly zoned properties. The Board must deny the request if the required findings have not been met.

RECOMMENDATION: Staff recommends approval subject to stipulation.

PROPOSED MOTION: Move to approve VAR15-05 subject to stipulation.

SUMMARY: The applicant is requesting a variance to reduce the side yard setbacks from 20 feet to 6 feet on one side and 8 feet on the other side. If approved, the applicant intends to construct a new single family home on the property.

BOARD ACTION: _____ **MADE** a **MOTION** to _____ **Case No. VAR15-05, subject to stipulations listed in the staff report. Board member** _____ **SECONDED** the **MOTION. The MOTION was** _____ **with a vote of** _____.

DETAILS OF REQUEST:

General Plan Designation:

Medium Density Residential, 3.5 to 5 dwelling units per acre.

Property Location and Size:

The property is located within the Sugar Addition Subdivision, southeast of the southeast corner of Glendale Avenue and 55th Avenue. The parcel dimensions are approximately 50 feet wide and 140 feet long.

Zoning Ordinance Requirements:

Section 5.420 – R- 3 (Multiple Residence) Table 2:

Minimum side yard setback 20 feet

Minimum lot width 60 feet

Surrounding Land Use and Zoning:

North: Single-family home zoned R-3.

East: Vacant lot, zoned R-3.

South: Single-family home, zoned R-3.

West: Single-family home, zoned R-3.

History:

- This property was part of the original incorporation of the City of Glendale in 1910.
- The property is part of the Sugar Addition, which was platted on August 22, 1917.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Process:

On September 23, 2015, notification letters were mailed to adjacent property owners and interested parties. Staff received one phone call concerning the request. The property owner questioned which properties would be impacted by this request. Staff explained that the variance only applied to the property at 6634 North 54th Drive. The applicant received no input as a result of the Citizen Participation notification. The applicant's Citizen Participation Final Report is attached.

Board of Adjustment Public Hearing Notification:

A Notice of Public Hearing was published in *The Glendale Star* on November 19, 2015. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on November 20, 2015. The property was posted on November 23, 2015.

STAFF FINDINGS AND ANALYSIS:

The Board of Adjustment must analyze four findings based on the evidence in the record prior to granting a variance. Each finding is presented below along with staff's analysis.

1. **There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

The existing R-3 zoning district setbacks and size of the lot creates a special circumstance not self-imposed by the property owner. The construction of the desired home requires some level of relief.

2. **Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would limit the property to twenty (20) foot side yard setbacks and prohibit the construction of the desired home.

3. **The variance is the minimum necessary to alleviate the property hardship; and**

The requested side yard setback is the minimum necessary to construct the requested home on the lot. No other relief from the zoning requirements is proposed as a part of this variance request.

4. **Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the city in general.**

The requested building setback will permit the construction of the desired home and will not detrimentally affect any neighboring properties.

RECOMMENDATION:

The variance request appears to meet all four findings and should be approved. If the Board decides to grant the variance, it should be subject to the following stipulation:

1. Development shall be in conformance with the applicant's narrative, date-stamped November 2, 2015.

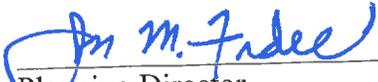
ATTACHMENTS:

1. Applicant's Narrative, date stamped November 2, 2015.
2. Citizen Participation Final Report (without mailing labels), approved October 16, 2015.
3. Vicinity Zoning Map.
4. Aerial Photograph, dated October 2014.

PROJECT MANAGER:

Thomas Ritz, AICP, Senior Planner (623) 930-2588
tritz@glendaleaz.com

REVIEWED BY:



Planning Director



Development Services Director

TR/df

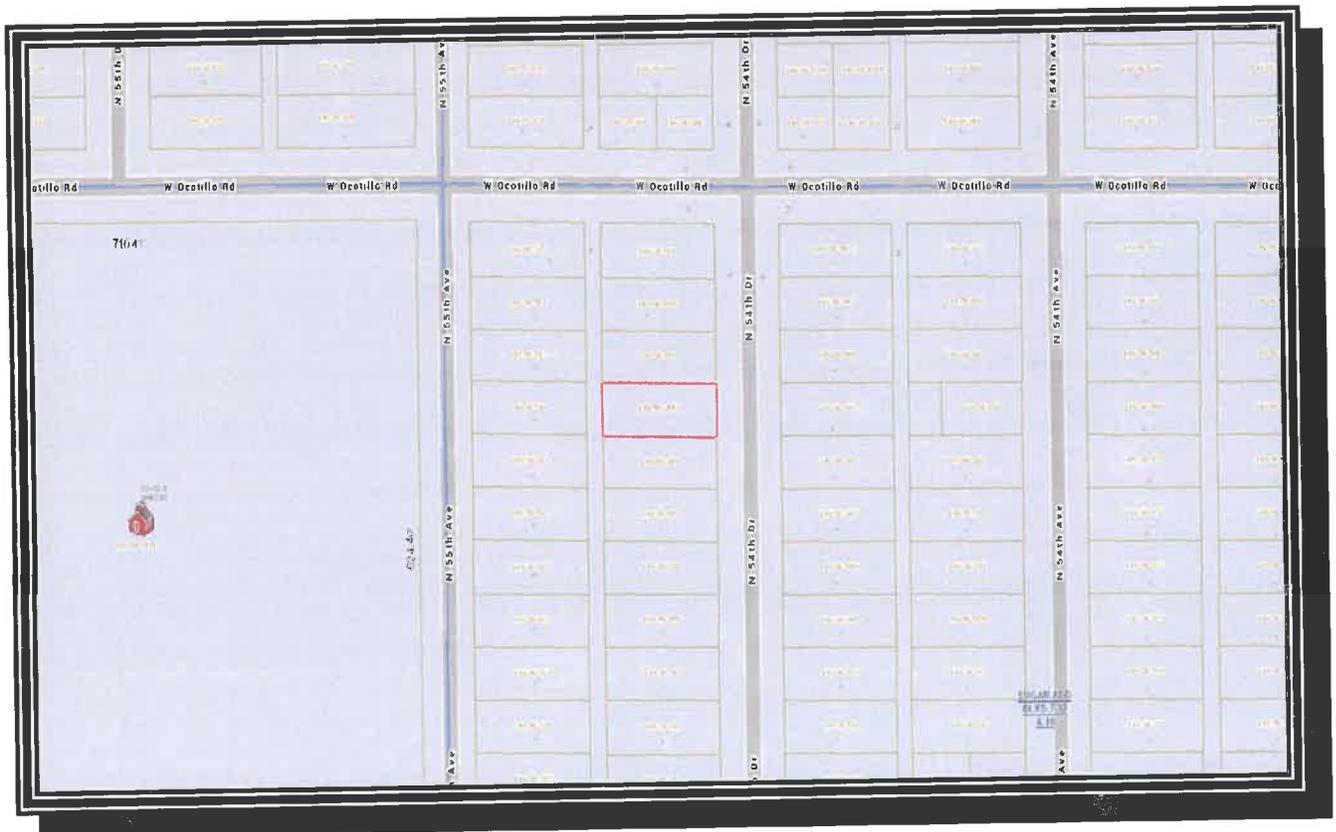
PROJECT NARRATIVE
VAR15-05

NOV - 2 2015

PROJECT DESCRIPTION

Glendale Planning Dept.

Habitat for Humanity Central Arizona owns a 7,006 square foot lot situated at 6634 North 54th Drive, Glendale, Arizona 85301. The property is situated in Sugar Addition Amended, Block 7, Lot #4. The property is a flat, basically rectangular shaped lot. The lot is approximately 50 feet wide by 139.30 feet deep. The property fronts 54th Drive on the east. The Assessor's Parcel Number is 146-08-005A. A plat map is included following.



Habitat for Humanity Central Arizona is an affiliate of Habitat for Humanity International, a worldwide organization with one main goal of eliminating substandard housing. Habitat, with the help of donated money and volunteer labor, builds affordable homes and sells them to qualified low-income buyers with the help of a no interest loan. The buyers not only put in work hours on their own homes, but on the Habitat homes of their neighbors as well.

Habitat has already built, renovated and repaired in excess of 1,725 homes in the metro Phoenix area as well as Pinal County. We have served families in Avondale, Apache Junction, Chandler,

**PROJECT NARRATIVE
6634 NORTH 54TH DRIVE**

Gilbert, Guadalupe, Glendale, Mesa, Peoria, Phoenix, Surprise, Tempe, Coolidge, and Casa Grande. These new and renovated homes and the associated 1,725 families who live in them have had a positive impact on communities all over the valley. Many people do not realize that we build and renovate energy efficient stucco homes for stable working people who are legal residents and have good credit. These families pay for their homes. It is not a give away program. If you would like to see the quality of our homes you may visit our website at www.habitatcaz.org.

The property is located on the west side of 54th Drive, three parcels south of West McClellan Road. The majority of parcels in the area to the south are zoned R-3, Multiple Residence Zoning District. Several parcels to the south are zoned C-3, Commercial. The majority of the lots are improved with single-family residential development similar to the development proposed by Habitat for Humanity. Development standards within this district require that minimum net lot areas are at least 6,000 square feet, with a minimum width of sixty (60) feet and a minimum depth of ninety-four (94) feet. Front, side, and rear setbacks requirements are twenty (20) feet, with a maximum lot coverage of 50.00%.

Habitat for Humanity Central Arizona is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single-family residence. We are requesting a variance to allow a 6' 6" side yard setback on the north side where a twenty (20) foot side yard setback is required; an 8 foot 9 15/32" side yard setback on the north side yard where a twenty (20) foot side yard setback is required; and a reduction in the minimum required lot width from sixty (60) feet to fifty (50) feet which is required in the R-3, Multiple Residence District. This is necessary because Habitat for Humanity would like to construct a 1,448 square foot, single story, single-family residence. The home planned is Habitat Model MM1448. The home will be single story and include four (4) bedrooms, two (2) bathrooms, contain a two (2) car garage and will be constructed of frame and stucco.

Square footages of Model MM1448 are as follows:

House	1,448	Square Feet
Two Car Garage	457	Square Feet
Front Patio	112	Square Feet
Rear Patio	<u>125</u>	<u>Square Feet</u>
Total Square Footage	2,142	Square Feet

The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-3, Multi Family Residential Zoning District.

EXTERIOR PHOTO



FINDINGS OF A VARIANCE

Pursuant to the requirements of the City of Glendale Planning Department, Habitat for Humanity Central Arizona must provide evidence that the following findings are met:

- 1. There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

The side setbacks required in the R-3, Multiple Residence Zoning District are not typical of single-family residential development, and further, not typical of existing development in the area. The majority of the surrounding area development contains a variety of setbacks that do not meet the current zoning requirements. The existing homes in the neighborhood are enjoying setbacks less than the twenty (20) feet required.

- 2. Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would limit the property to twenty (20) foot side setbacks and limit the type of housing product to a total width of ten (10) feet. The majority of the properties in the neighborhood have setbacks that are similar to those proposed by Habitat for Humanity Central Arizona.

- 3. The variance is the minimum necessary to alleviate the property hardship; and**

The requested side setbacks and minimum lot width reduction are the minimum necessary to construct a typically sized single-family residential home on the lot. The front and rear setbacks, as well as the minimum lot depth, and size are in conformance with current R-3 zoning requirements.

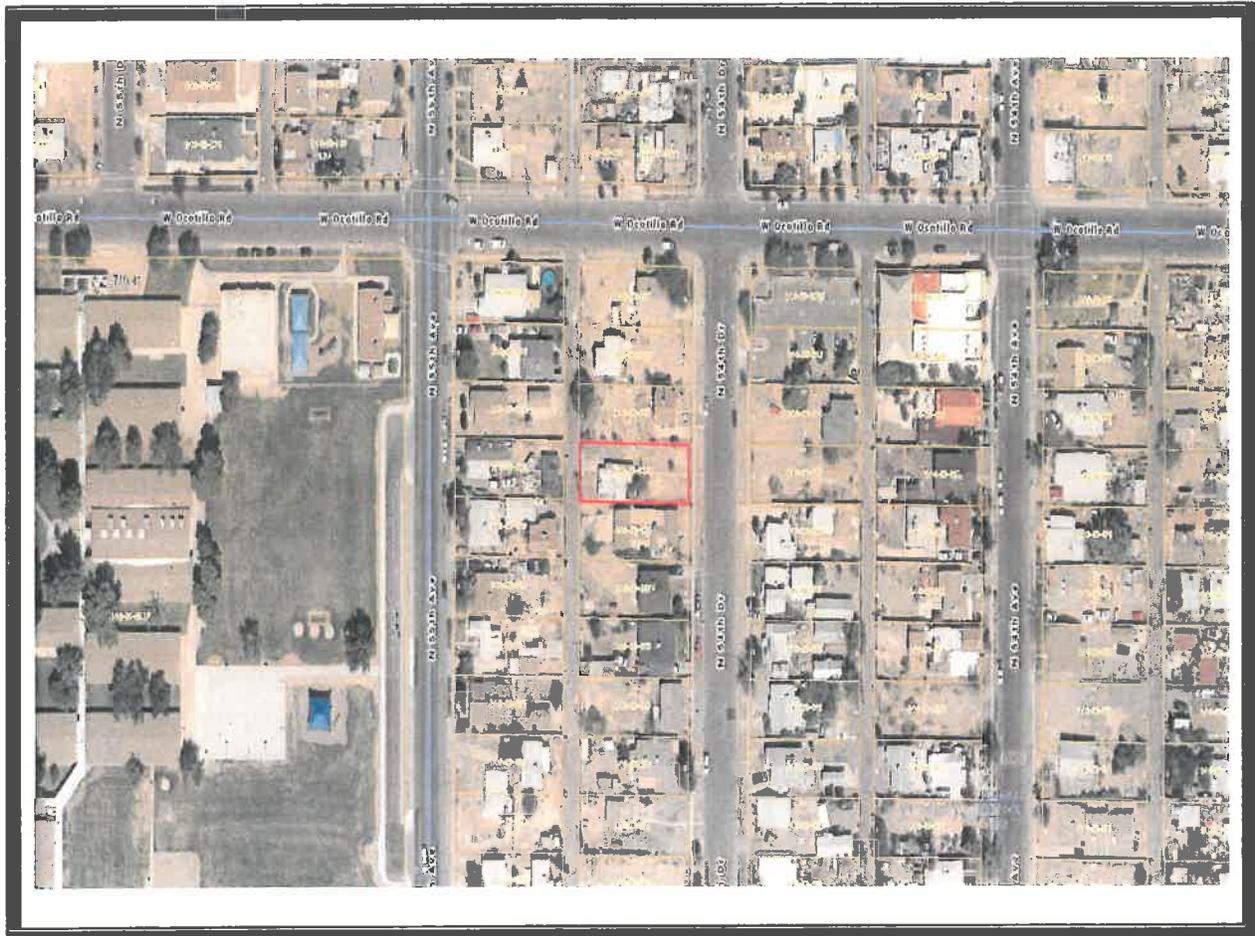
- 4. Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the City in general.**

The requested building setbacks are consistent with other properties in the surrounding area and will not detrimentally affect any neighboring properties.

**CITIZEN PARTICIPATION FINAL REPORT
VAR15-05**

HABITAT FOR HUMANITY CENTRAL ARIZONA

**6634 NORTH 54TH DRIVE
GLENDALE, ARIZONA 85301**



PREPARED BY:

**TANA NICHOLS
DIRECTOR OF LAND ACQUISITION AND DEVELOPMENT**

October 8, 2015

APPROVED

[OCT 16 2015]

**City of Glendale
Planning Department**

**6634 NORTH 54TH DRIVE
CITIZENS PARTICIPATION FINAL REPORT**

Gilbert, Guadalupe, Glendale, Mesa, Peoria, Phoenix, Surprise, Tempe, Coolidge, and Casa Grande. These new and renovated homes and the associated 1,725 families who live in them have had a positive impact on communities all over the valley. Many people do not realize that we build and renovate energy efficient stucco homes for stable working people who are legal residents and have good credit. These families pay for their homes. It is not a give away program. If you would like to see the quality of our homes you may visit our website at www.habitatcaz.org.

The property is located on the west side of 54th Drive, three parcels south of West McClellan Road. The majority of parcels in the area to the south are zoned R-3, Multiple Residence Zoning District. Several parcels to the south are zoned C-3, Commercial. The majority of the lots are improved with single-family residential development similar to the development proposed by Habitat for Humanity. Development standards within this district require that minimum net lot areas are at least 6,000 square feet, with a minimum width of sixty (60) feet and a minimum depth of ninety-four (94) feet. Front, side, and rear setbacks requirements are twenty (20) feet, with a maximum lot coverage of 50.00%.

Habitat for Humanity Central Arizona is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single-family residence. We are requesting a variance to allow a 6' 6" side yard setback on the north side where a twenty (20) foot side yard setback is required; an 8 foot 9 15/32" side yard setback on the north side yard where a twenty (20) foot side yard setback is required; and a reduction in the minimum required lot width from sixty (60) feet to fifty (50) feet which is required in the R-3, Multiple Residence District. This is necessary because Habitat for Humanity would like to construct a 1,448 square foot, single story, single-family residence. The home planned is Habitat Model MM1448. The home will be single story and include four (4) bedrooms, two (2) bathrooms, contain a two (2) car garage and will be constructed of frame and stucco.

6634 NORTH 54TH DRIVE
CITIZENS PARTICIPATION FINAL REPORT

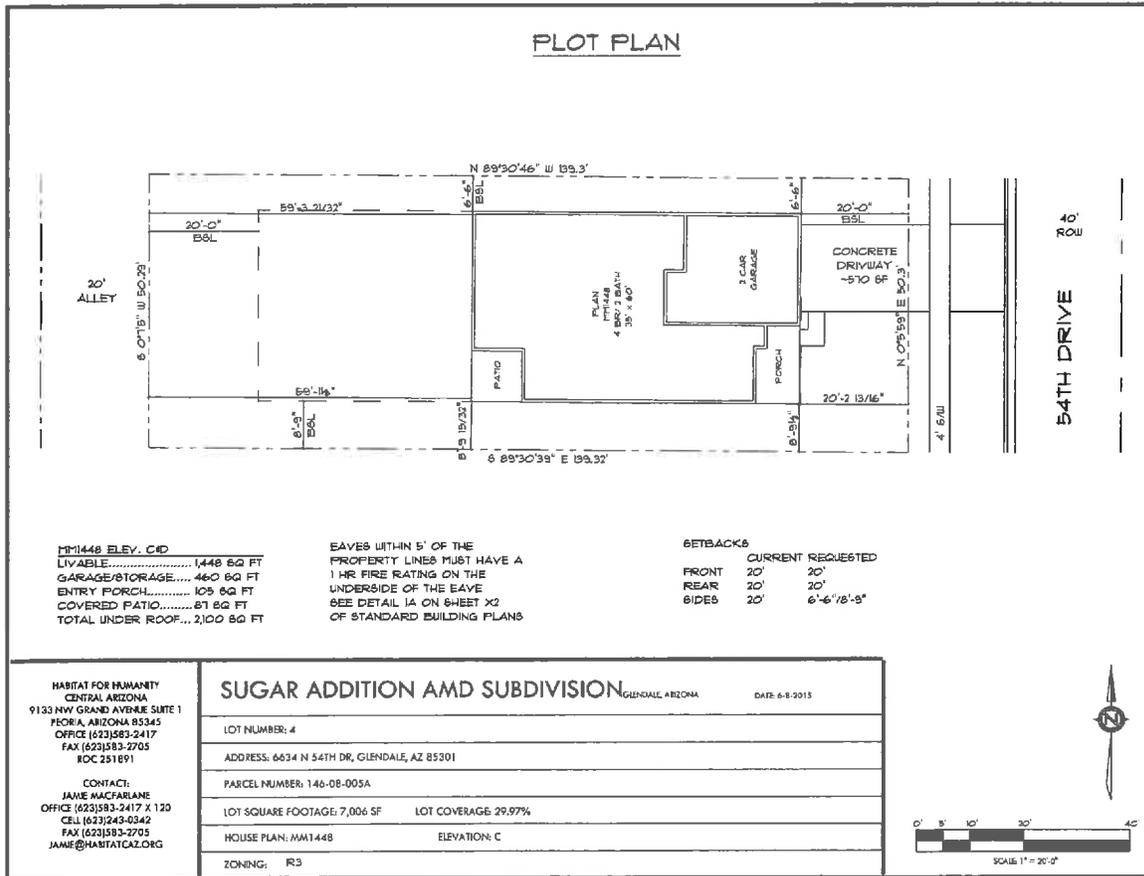
Square footages of Model MM1448 are as follows:

House	1,448	Square Feet
Two Car Garage	457	Square Feet
Front Patio	112	Square Feet
Rear Patio	<u>125</u>	<u>Square Feet</u>

Total Square Footage 2,142 Square Feet

The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-3, Multi Family Residential Zoning District.

A plot plan is included below.



ELEMENTS OF CITIZEN PARTICIPATION PLAN

The City of Glendale Planning Department specified the notification area. It was determined that a notification letter was the most appropriate public notification technique for this project. A plat map outlining the notification area was included. Also provided in the plan was a listing of property owners, other homeowners associations, interested parties, and additional notification individuals. Items addressed in the plan include individuals affected directly or indirectly, possible project concerns, project contact information, amendment notification techniques, citizen participation status, and scheduling.

NOTIFICATION DATES

The Citizen Participation Plan was submitted to the City of Glendale on June 11, 2015. The plan was reviewed and revisions were requested on July 16, 2015. The revisions and requested copies were made and resubmitted to the City of Glendale on July 20, 2015. The plan was approved by the City of Glendale's Development Review Team on September 23, 2015. Public notification letters were forwarded to all pertinent parties on September 23, 2015. With the fifteen (15) day notification period required, October 8, 2015 was the deadline to receive citizen input. No revisions to the plan were required and the Citizen Participation Final Report was forwarded to the City of Glendale's Development Review Team on October 8, 2015.

NOTIFICATION AREA

A plat map with an outline of the notification area as determined appropriate by the Planning Department is included following. All property owners and other interested parties within this notification area were notified by First Class Mail.



MEETING DATES/LOCATION

It was determined that it was not necessary to schedule a meeting to discuss the proposal.

INDIVIDUALS NOTICED

A total of forty-eight (48) property owners, sixty-three (63) individuals included in the Ocotillo District, sixty-three (63) individuals included in the Ocotillo District, three (3) Glendale Homeowners Associations and Registered Neighborhood Groups, more precisely the Heart of Glendale, and four (4) Additional Notification individuals were forwarded a public notification letter. None of the individuals noticed participated in the process.

PROJECT CONCERNS

During the fifteen (15) day citizen input period, I did not receive any telephone calls or written correspondence expressing any concern regarding the project. A neighbor telephoned Thomas Ritz at the City of Glendale on September 25, 2015. The neighbor was concerned the variance request would affect all of the property in the neighborhood. Mr. Ritz assured him that is only affected the property situated at 6634 North 54th Drive. No additional project concerns were raised.

PUBLIC NOTIFICATION LETTER

A copy of the public notification letter is included following. No additional notification techniques were deemed appropriate. A complete mailing list is attached as Appendix A to this report.



September 23, 2014

Re: VAR15 05 6634 North 54th Drive, Glendale, Arizona 85301, Parcel No. 146-08-005A

Dear Neighbor:

This letter is to inform you that Habitat for Humanity Central Arizona affiliate is applying for a variance with the City of Glendale. The property is located at 6634 North 54th Drive, Glendale, Arizona 85301. The purpose of a variance is to create equity by allowing deviations from the Zoning Ordinance Development Standards.

Habitat for Humanity is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single family residence. We are requesting a variance to allow a 6' 6" side yard setback on the north side where a twenty (20) foot side yard setback is required; an 8 foot 9 15/32" side yard setback on the north side yard where a twenty (20) foot side yard setback is required; and a reduction in the minimum required lot width from sixty (60) feet to fifty (50) feet which is required in the R-3, Multiple Residence District. This is necessary because Habitat for Humanity would like to construct a 1,448 square foot, single story, single-family residence. The home planned is Habitat Model MM1448.

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I have included a site plan with this letter for your review. Please provide any comments to this variance request by October 8, 2014. You may contact me at the address or phone number shown below. You may also contact Thomas Ritz with the City of Glendale Planning Department at 623.930.2588.

Sincerely,

A handwritten signature in blue ink, appearing to read "Yana Nichols".

Yana Nichols

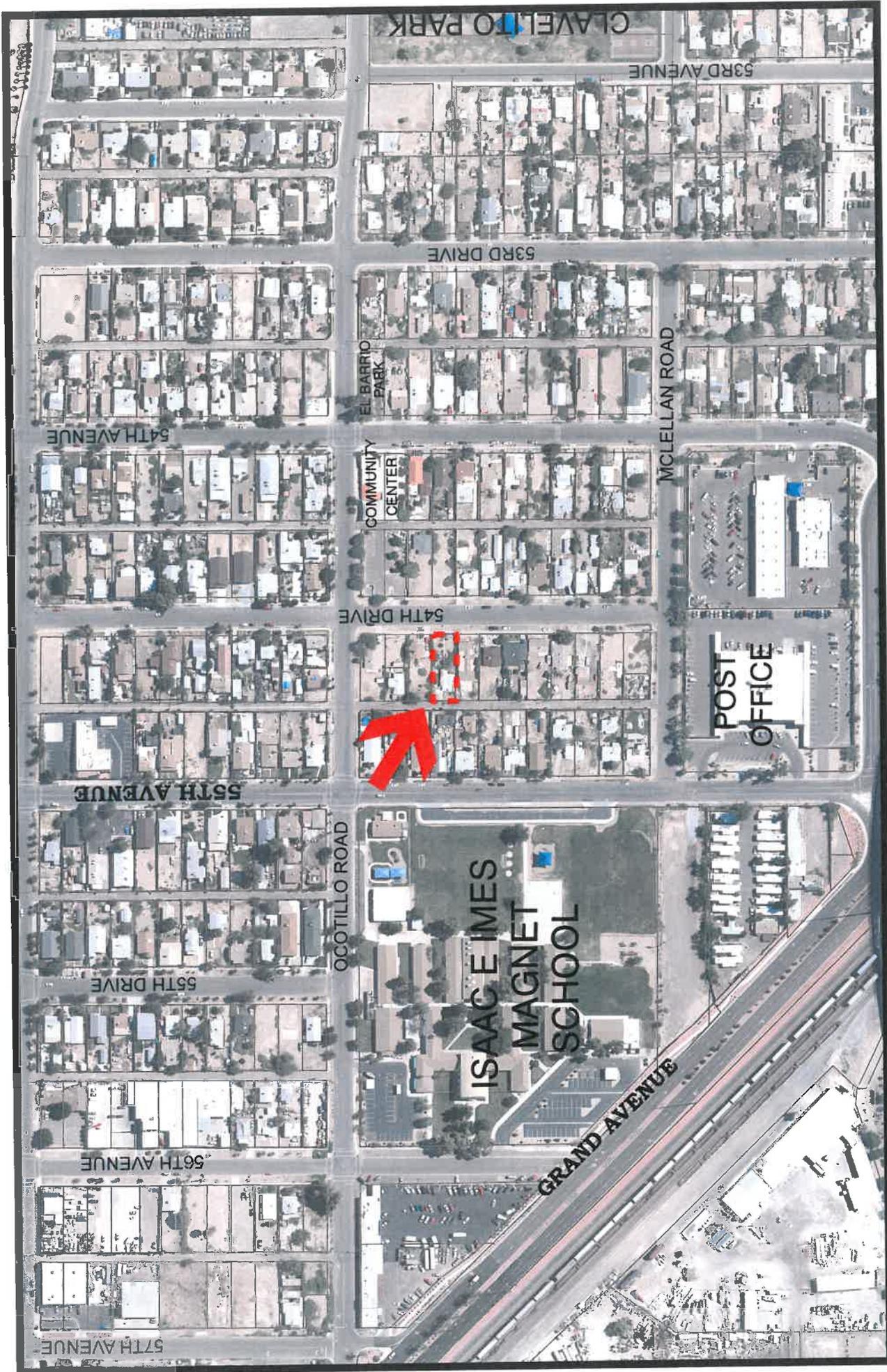
Director of Land Acquisition and Development

Enclosure: Site Plan



<p>REQUEST A VARIANCE TO REDUCE THE SIDE YARD SETBACKS TO 6' AND 8' WHERE 20' IS REQUIRED IN THE R-3 (MULTIPLE RESIDENCE) ZONING DISTRICT.</p>	
<p>CASE NUMBER VAR15-05</p>	<p>LOCATION 6634 N. 54TH DRIVE</p>





Aerial Date: October 2014



CASE NUMBER

VAR15-05





Planning Division Staff Report

DATE: December 10, 2015 **AGENDA ITEM:** 2

TO: Board of Adjustment

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Thomas Ritz, AICP, Senior Planner

SUBJECT: **VARIANCE (VAR) APPLICATION VAR15-06: HABITAT FOR HUMANITY – 6727 NORTH 59TH DRIVE**

REQUEST: To reduce the required side yard setbacks to 5 feet and 10 feet where 20 feet is required in the R-3 (Multiple Residence) zoning district.

APPLICANT/OWNER: Tana Nichols / Habitat for Humanity.

REQUIRED ACTION: The Board must consider the facts and determine that the findings required to grant a variance have been met. The Board may condition a variance to ensure that it will not grant special privileges inconsistent with the limitation of other similarly zoned properties. The Board must deny the request if the required findings have not been met.

RECOMMENDATION: Staff recommends approval subject to stipulation.

PROPOSED MOTION: Move to approve VAR15-06 subject to stipulation.

SUMMARY: The applicant is requesting a variance to reduce the side yard setbacks from 20 feet to 5 feet on one side and 10 feet on the other side. If approved, the applicant intends to construct a new single family home on the property.

BOARD ACTION: Board member _____ MADE a MOTION to _____ Case No. VAR15-06, subject to stipulations listed in the staff report. Board member _____ SECONDED the MOTION. The MOTION was _____ with a vote of _____.

DETAILS OF REQUEST:

General Plan Designation:

Medium Density Residential, 3.5 to 5 dwelling units per acre.

Property Location and Size:

The property is located within the Amended Plat of Blocks 1, 2, 3, 4 Orchard Addition to Glendale Subdivision, southwest of the southwest corner of Glendale Avenue and 59th Avenue. The parcel dimensions are approximately 50 feet wide and 180 feet long.

Zoning Ordinance Requirements:

Section 5.420 – R-3 (Multiple Residence) Table 2:

Minimum side yard setback 20 feet

Minimum lot width 60 feet

Surrounding Land Use and Zoning:

North: Church and church parking area zoned R-3

East: Vacant lot, zoned C-2 (General Commercial)

South: Vacant lot, zoned R-3

West: Single-family home, zoned R-3

History:

- This property was part of the original incorporation of the City of Glendale in 1910.
- The property is part of the Amended Plat of Blocks 1, 2, 3, 4 Orchard Addition to Glendale Subdivision, which was platted on November 7, 1908.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Process:

On October 16, 2015, notification letters were mailed to adjacent property owners and interested parties. Staff received one phone call concerning the request. The property owner who called supports the variance request. The applicant received two phone calls concerning the request as a result of the Citizen Participation notification. One phone call was from the same property owner who contacted staff, supporting the request. The other was from a second property owner. The applicant explained the variance request and stated it would not impact the property of the caller. The applicant's Citizen Participation Final Report is attached.

Board of Adjustment Public Hearing Notification:

A Notice of Public Hearing was published in *The Glendale Star* on November 19, 2015. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on November 20, 2015. The property was posted on November 23, 2015.

STAFF FINDINGS AND ANALYSIS:

The Board of Adjustment must analyze four findings based on the evidence in the record prior to granting a variance. Each finding is presented below along with staff's analysis.

1. **There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

The existing R-3 zoning district setbacks and size of the lot creates a special circumstance not self-imposed by the property owner. The construction of the desired home requires some level of relief.

2. **Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would limit the property to twenty (20) foot side yard setbacks and prohibit the construction of the desired home.

3. **The variance is the minimum necessary to alleviate the property hardship; and**

The requested side yard setback is the minimum necessary to construct the requested home on the lot. No other relief from the zoning requirements is proposed as a part of this variance request.

4. **Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the city in general.**

The requested building setback will permit the construction of the desired home and will not detrimentally affect any neighboring properties.

RECOMMENDATION:

The variance request appears to meet all four findings and should be approved. If the Board decides to grant the variance, it should be subject to the following stipulation:

1. Development shall be in conformance with the applicant's narrative, date-stamped November 16, 2015.

ATTACHMENTS:

1. Applicant's Narrative, date stamped November 16, 2015.
2. Citizen Participation Final Report (without mailing labels), approved November 16, 2015.
3. Vicinity Zoning Map.
4. Aerial Photograph, dated November 2014.

PROJECT MANAGER:

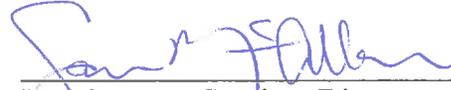
Thomas Ritz, AICP, Senior Planner (623) 930-2588
tritz@glendaleaz.com

REVIEWED BY:



Planning Director

TR/df



Development Services Director

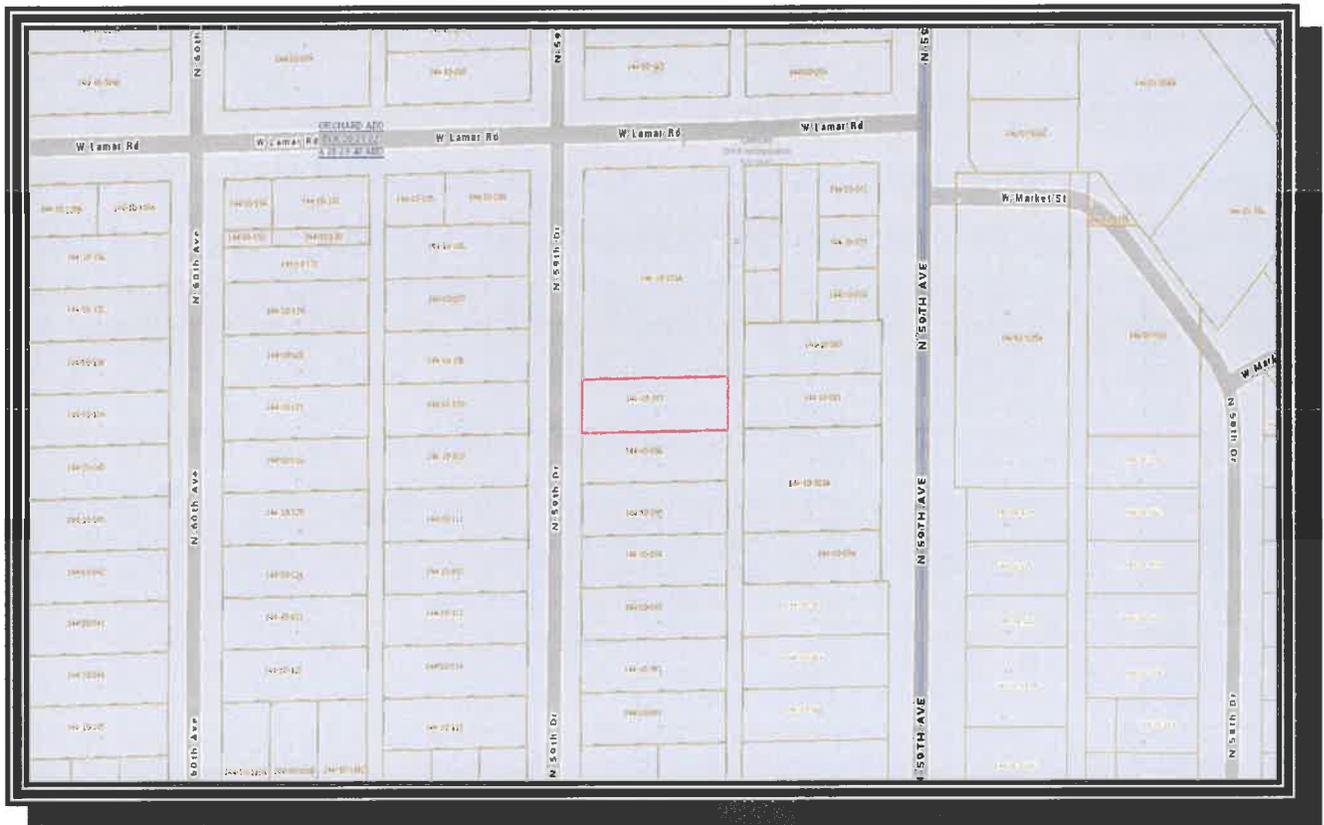
NOV 16 2015

PROJECT NARRATIVE
6727 NORTH 59TH DRIVE

PROJECT NARRATIVE
Glendale Planning Dept. VAR15-06

PROJECT DESCRIPTION

Habitat for Humanity Central Arizona owns a 8,996 square foot lot situated at 6727 North 59th Drive, Glendale, Arizona 85301. The property is situated in Orchard Addition Amended Plat of Blocks 1, 2, 3 & 4, Lot #20. The property is a flat, basically rectangular shaped lot. The lot is approximately 50 feet wide by 179.9 feet deep. The property fronts 59th Drive on the west and is one parcel south of Lamar Road. The Assessor's Parcel Number is 144-10-097. A plat map is included following.



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**PROJECT NARRATIVE
6727 NORTH 59TH DRIVE**

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The property is located on the east side of 59th Drive, one (1) parcel south of Lamar Road. The majority of parcels in the area to the south are zoned R-3, Multiple Residence Zoning District. Several parcels to the east are zoned C-2, Commercial. The majority of the lots are improved with single-family residential development similar to the development proposed by Habitat for Humanity. Development standards within this district require that minimum net lot areas are at least 6,000 square feet, with a minimum width of sixty (60) feet and a minimum depth of ninety-four (94) feet. Front, side, and rear setbacks requirements are twenty (20) feet, with a maximum lot coverage of 50.00%.

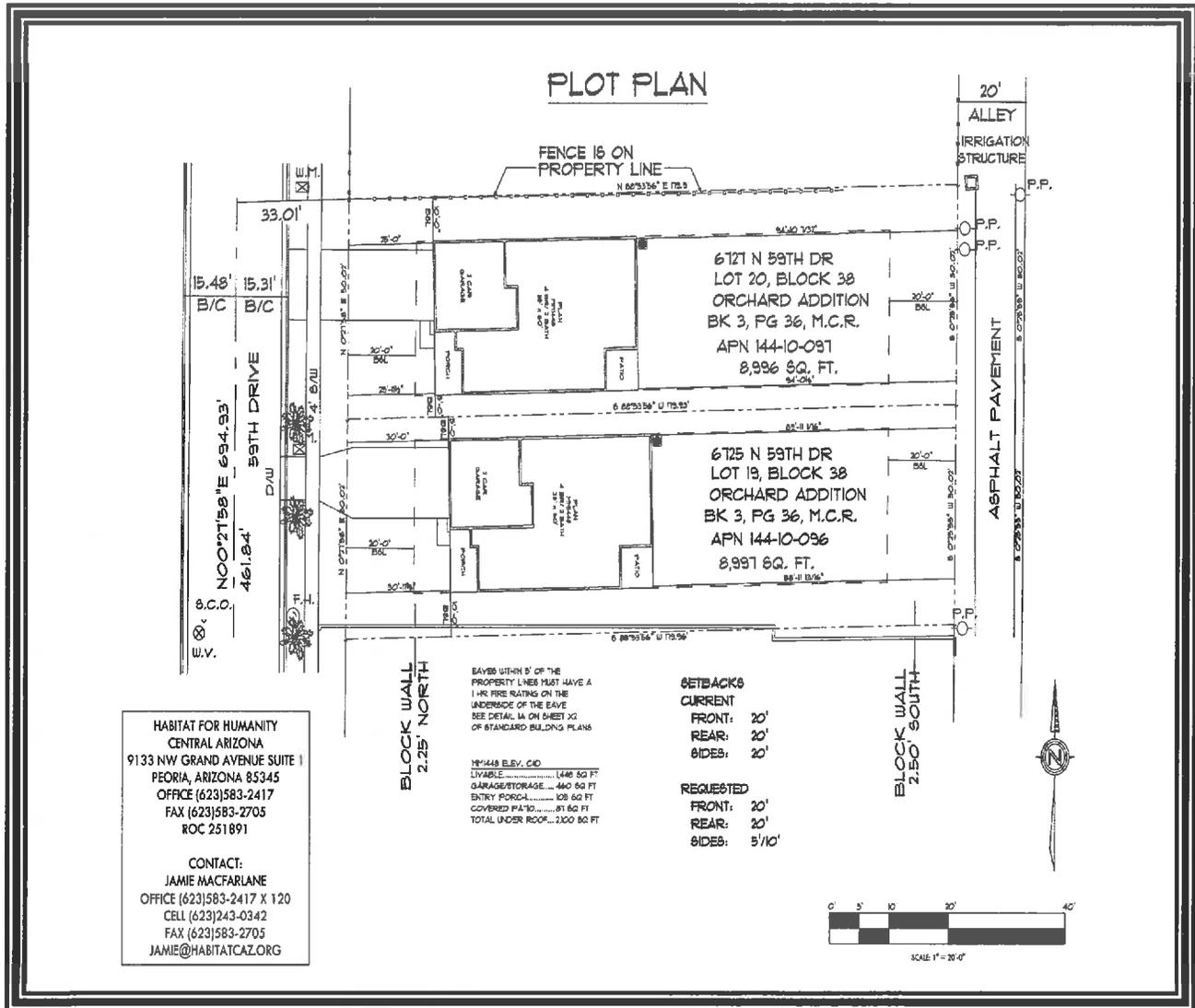
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Square footages of Model MM1448 are as follows:

House	1,448	Square Feet
Two Car Garage	457	Square Feet
Front Patio	112	Square Feet
Rear Patio	<u>125</u>	<u>Square Feet</u>
Total Square Footage	2,142	Square Feet

The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-3, Multi Family Residential Zoning District.

PLOT PLAN



EXTERIOR PHOTO



FINDINGS OF A VARIANCE

Pursuant to the requirements of the City of Glendale Planning Department, Habitat for Humanity Central Arizona must provide evidence that the following findings are met:

- 1. There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

The side setbacks required in the R-3, Multiple Residence Zoning District are not typical of single-family residential development, and further, not typical of existing development in the area. The majority of the surrounding area development contains a variety of setbacks that do not meet the current zoning requirements. The existing homes in the neighborhood are enjoying setbacks less than the twenty (20) feet required.

- 2. Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would limit the property to twenty (20) foot side setbacks and limit the type of housing product to a total width of ten (10) feet. The majority of the properties in the neighborhood have setbacks that are similar to those proposed by Habitat for Humanity Central Arizona.

- 3. The variance is the minimum necessary to alleviate the property hardship; and**

The requested side setbacks and minimum lot width reduction are the minimum necessary to construct a typically sized single-family residential home on the lot. The front and rear setbacks, as well as the minimum lot depth, and size are in conformance with current R-3 zoning requirements.

- 4. Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the City in general.**

The requested building setbacks are consistent with other properties in the surrounding area and will not detrimentally affect any neighboring properties.

**CITIZEN PARTICIPATION FINAL REPORT
VAR15-06**

HABITAT FOR HUMANITY CENTRAL ARIZONA

**6727 NORTH 59TH DRIVE
GLENDALE, ARIZONA 85301**



PREPARED BY:

**TANA NICHOLS
DIRECTOR OF LAND ACQUISITION AND DEVELOPMENT**

OCTOBER 31, 2015

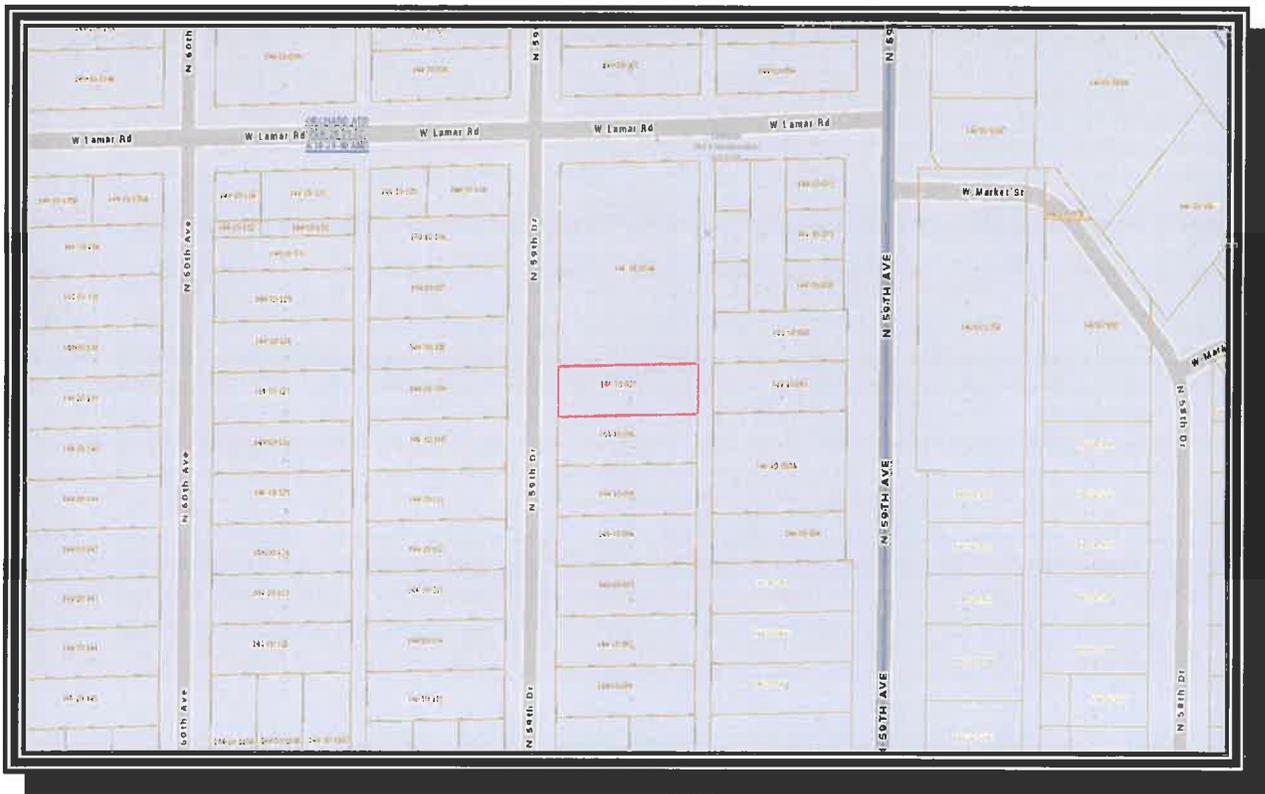
APPROVED

NOV 16 2015

**City of Glendale
Planning Department**

PROJECT DESCRIPTION

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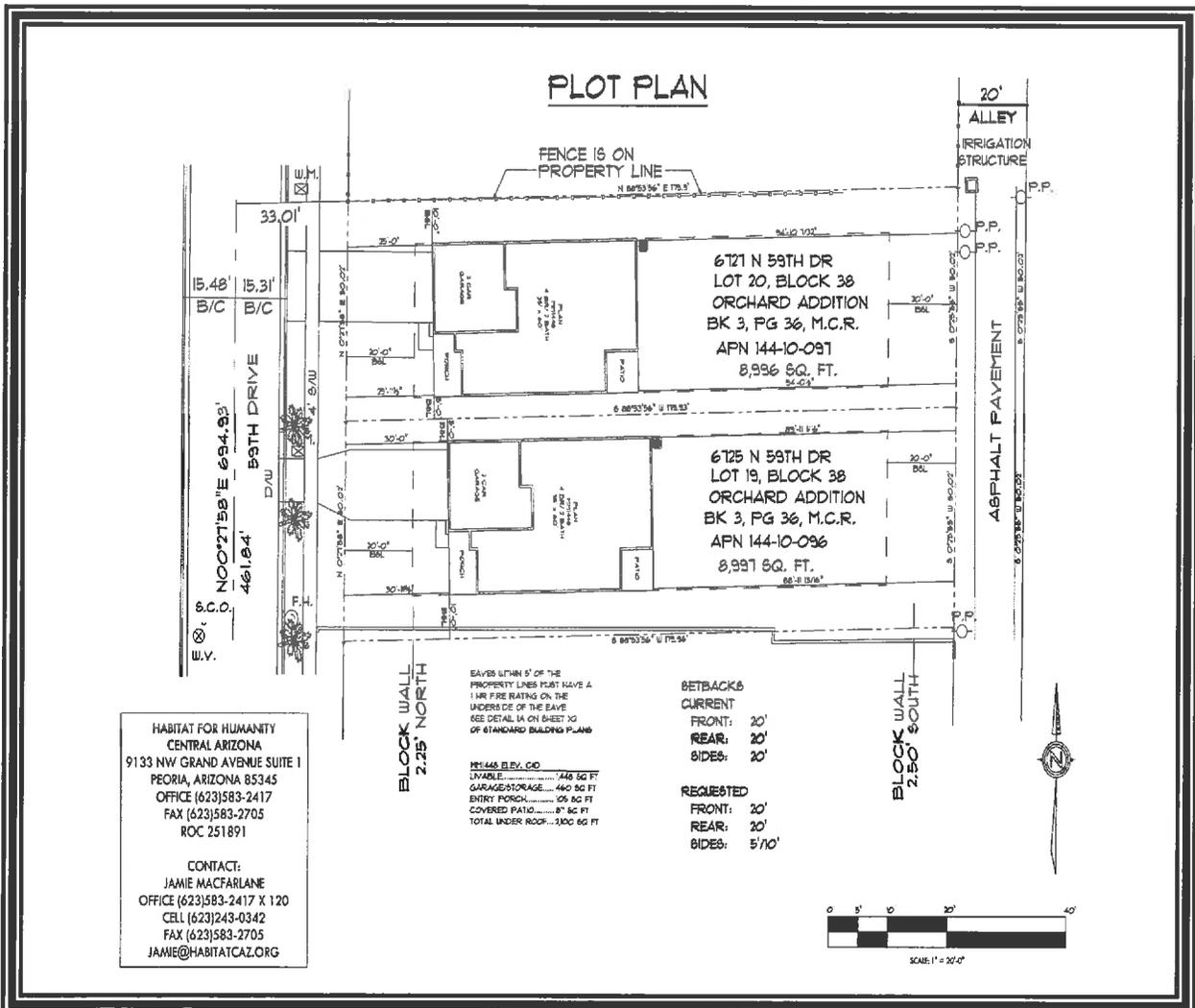
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The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-3, Multi Family Residential Zoning District.

PLOT PLAN



ELEMENTS OF CITIZEN PARTICIPATION PLAN

The City of Glendale Planning Department specified the notification area. It was determined that a notification letter was the most appropriate public notification technique for this project. A plat map outlining the notification area was included. Also provided in the plan was a listing of property owners, other homeowners associations, interested parties, and additional notification individuals. Items addressed in the plan include individuals affected directly or indirectly, possible project concerns, project contact information, amendment notification techniques, citizen participation status, and scheduling.

NOTIFICATION DATES

The Citizen Participation Plan was submitted to the City of Glendale on June 11, 2015. The plan was reviewed and revisions were requested on July 16, 2015. The revisions and requested copies were made and resubmitted to the City of Glendale on July 20, 2015. The plan was reviewed and additional revisions were required. The plan was approved by the City of Glendale's Development Review Team on October 16, 2015. Public notification letters were forwarded to all pertinent parties October 16, 2015. October 31, 2015 was the deadline to receive citizen input. No revisions to the plan were required and the Citizen Participation Final Report was forwarded to the City of Glendale Planning Department on November 2, 2015.

MEETING DATES/LOCATION

It was determined that it was unnecessary to schedule a meeting to discuss the proposal.

INDIVIDUALS NOTICED

A total of fifty (50) property owners, sixty-three (63) individuals included in the Ocotillo District, seven (7) Glendale Homeowners Associations and Registered Neighborhood Groups including Orchard Glen, Desert Hope and Sonorita Neighborhood Association, and four (4) Additional Notification individuals were forwarded a public notification letter. None of the individuals noticed participated in the process.

PROJECT CONCERNS

During the fifteen (15) day citizen input period, I received a call from Marcella Johns who owns the vacant lot situated at 6718 North 59th Drive. Ms. Johns was concerned that we were doing something to alter her lot and I explained that we were not going to affect her property. I also described what we were asking for through the variance process. Ms. Johns was satisfied with the explanation and has no issues with our request. In addition, I received a telephone call from Mr. Ashraf Saline who resides at 6723 North 59th Drive. Mr. Saline just wanted to let me know that he supported our request. I did not receive any additional telephone calls or written correspondence expressing any concern regarding the project. No additional project concerns, issues, or problems were raised.

PUBLIC NOTIFICATION LETTER

A copy of the public notification letter is included following. No additional notification techniques were deemed appropriate. A complete mailing list is attached as Appendix A to this report.



October 16, 2015

Re: VAR15-06 - 6727 North 59th Drive, Glendale, Arizona 85301, Parcel No. 144-10-097

Dear Neighbor:

This letter is to inform you that Habitat for Humanity Central Arizona affiliate is applying for a variance with the City of Glendale. The property is located at 6727 North 59th Drive, Glendale, Arizona 85301. The purpose of a variance is to create equity by allowing deviations from the Zoning Ordinance Development Standards.

Habitat for Humanity is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single-family residence. We are requesting a variance to allow a five (5) foot side yard setback on the south side where a twenty (20) foot side yard setback is required; a ten (10) foot side yard setback on the north side yard where a twenty (20) foot side yard setback is required; and a reduction in the minimum required lot width from sixty (60) feet to fifty (50) feet which is required in the R-3, Multiple Residence District. This is necessary because Habitat for Humanity would like to construct a 1,448 square foot, single story, single family residence. The home planned is Habitat Model MM1448.

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I have included a site plan with this letter for your review. Please provide any comments to this variance request by October 31, 2015. You may contact me at the address or phone number shown below. You may also contact Thomas Ritz with the City of Glendale Planning Department at 623.930.2588.

Sincerely,

A handwritten signature in blue ink that reads "Tana Nichols".

Tana Nichols

Director of Land Acquisition and Development

Enclosure: Site Plan

Corporate Office
8122 NW Grand Ave., Suite 1, Peoria, AZ 85345
623.683.3417 habitatcaz.org

The logo consists of the text "Building a Better World" in a bold, sans-serif font, flanked by horizontal lines on both sides.

The Equal Housing Opportunity logo, featuring a house icon with an equals sign inside.

The logo for the Americans with Disabilities Act (ADA), featuring a stylized figure in a wheelchair.

Responsibility, accountability, and
integrity will be made your options!

We proudly work with
Arizona Relay Service (711)
(711) to provide access to the
hearing impaired.

NOV 2015



CASE NUMBER
 VAR15-06



REQUEST

A VARIANCE TO REDUCE THE SIDE YARD SETBACKS TO 5' AND 10' WHERE 20' IS REQUIRED IN THE R-3 (MULTIPLE RESIDENCE) ZONING DISTRICT.

LOCATION

6727 N. 59TH DRIVE



Aerial Date: November 2014



CASE NUMBER
VAR15-06





Planning Division Staff Report

DATE: December 10, 2015 **AGENDA ITEM:** 3

TO: Board of Adjustment

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Thomas Ritz, AICP, Senior Planner

SUBJECT: **VARIANCE (VAR) APPLICATION VAR15-07: HABITAT FOR HUMANITY – 6725 NORTH 59TH DRIVE**

REQUEST: To reduce the required side yard setbacks to 5 feet and 10 feet where 20 feet is required in the R-3 (Multiple Residence) zoning district.

APPLICANT/OWNER: Tana Nichols / Habitat for Humanity.

REQUIRED ACTION: The Board must consider the facts and determine that the findings required to grant a variance have been met. The Board may condition a variance to ensure that it will not grant special privileges inconsistent with the limitation of other similarly zoned properties. The Board must deny the request if the required findings have not been met.

RECOMMENDATION: Staff recommends approval subject to stipulation.

PROPOSED MOTION: Move to approve VAR15-07 subject to stipulation.

SUMMARY: The applicant is requesting a variance to reduce the side yard setbacks from 20 feet to 5 feet on one side and 10 feet on the other side. If approved, the applicant intends to construct a new single family home on the property.

BOARD ACTION: Board member _____ MADE a MOTION to _____ Case No. VAR15-07, subject to stipulations listed in the staff report. Board member _____ SECONDED the MOTION. The MOTION was _____ with a vote of _____.

DETAILS OF REQUEST:

General Plan Designation:

Medium Density Residential, 3.5 to 5 dwelling units per acre.

Property Location and Size:

The property is located within the Amended Plat of Blocks 1, 2, 3, 4 Orchard Addition to Glendale Subdivision, southwest of the southwest corner of Glendale Avenue and 59th Avenue. The parcel dimensions are approximately 50 feet wide and 180 feet long.

Zoning Ordinance Requirements:

Section 5.420 – R-3 (Multiple Residence) Table 2:
Minimum side yard setback 20 feet
Minimum lot width 60 feet

Surrounding Land Use and Zoning:

North: Vacant lot, zoned R-3.
East: Parking lot, zoned C-2 (General Commercial).
South: Single-family home, zoned R-3.
West: Apartment building, zoned R-3.

History:

- This property was part of the original incorporation of the City of Glendale in 1910.
- The property is part of the Amended Plat of Blocks 1, 2, 3, 4 Orchard Addition to Glendale Subdivision, which was platted on November 7, 1908.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Process:

On October 16, 2015, notification letters were mailed to adjacent property owners and interested parties. Staff received one phone call concerning the request. The property owner who called supports the variance request. The applicant received two phone calls concerning the request as a result of the Citizen Participation notification. One phone call was from the same property owner who contacted staff, supporting the request. The other was from a second property owner. The applicant explained the variance request and stated it would not impact the property of the caller. The applicant's Citizen Participation Final Report is attached.

Board of Adjustment Public Hearing Notification:

A Notice of Public Hearing was published in *The Glendale Star* on November 19, 2015. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on November 20, 2015. The property was posted on November 23, 2015.

STAFF FINDINGS AND ANALYSIS:

The Board of Adjustment must analyze four findings based on the evidence in the record prior to granting a variance. Each finding is presented below along with staff's analysis.

1. **There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

The existing R-3 zoning district setbacks and size of the lot creates a special circumstance not self-imposed by the property owner. The construction of the desired home requires some level of relief.

2. **Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would limit the property to twenty (20) foot side yard setbacks and prohibit the construction of the desired home.

3. **The variance is the minimum necessary to alleviate the property hardship; and**

The requested side yard setback is the minimum necessary to construct the requested home on the lot. No other relief from the zoning requirements is proposed as a part of this variance request.

4. **Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the city in general.**

The requested building setback will permit the construction of the desired home and will not detrimentally affect any neighboring properties.

RECOMMENDATION:

The variance request appears to meet all four findings and should be approved. If the Board decides to grant the variance, it should be subject to the following stipulation:

1. Development shall be in conformance with the applicant's narrative, date-stamped November 16, 2015.

ATTACHMENTS:

1. Applicant's Narrative, date stamped November 16, 2015.
2. Citizen Participation Final Report (without mailing labels), approved November 16, 2015.
3. Vicinity Zoning Map.
4. Aerial Photograph, dated November 2014.

PROJECT MANAGER:

Thomas Ritz, AICP, Senior Planner (623) 930-2588
tritz@glendaleaz.com

REVIEWED BY:



Planning Director

TR/df



Development Services Director

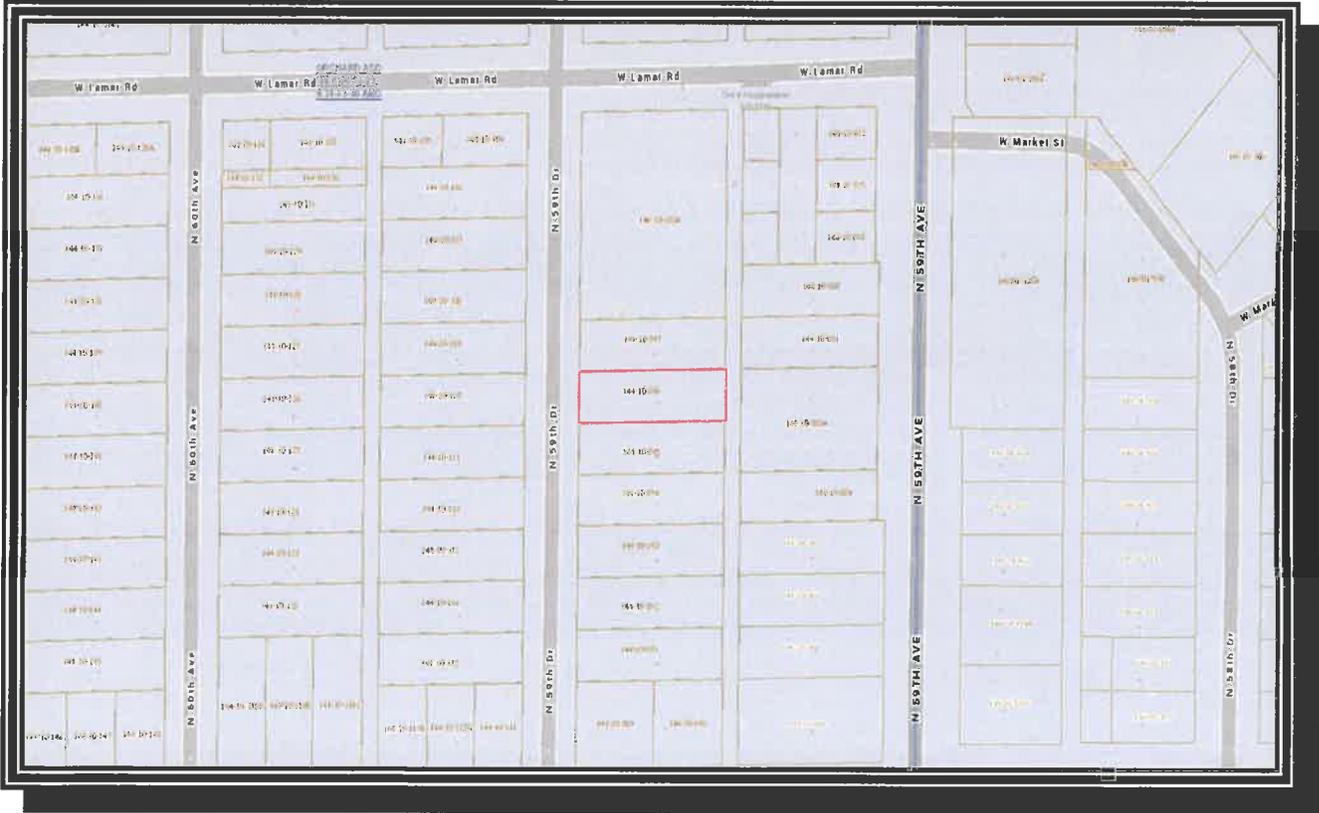
NOV 16 2015

PROJECT NARRATIVE
VAR15-07

Glendale Planning Dept.

PROJECT DESCRIPTION

Habitat for Humanity Central Arizona owns a 8,997 square foot lot situated at 6725 North 59th Drive, Glendale, Arizona 85301. The property is situated in Orchard Addition Amended Plat of Blocks 1, 2, 3 & 4, Lot #19. The property is a flat, basically rectangular shaped lot. The lot is approximately 50 feet wide by 179.9 feet deep. The property fronts 59th Drive on the west. The Assessor's Parcel Number is 144-10-096. A plat map is included following.



Habitat for Humanity Central Arizona is an affiliate of Habitat for Humanity International, a worldwide organization with one main goal of eliminating substandard housing. Habitat, with the help of donated money and volunteer labor, builds affordable homes and sells them to qualified low-income buyers with the help of a no interest loan. The buyers not only put in work hours on their own homes, but on the Habitat homes of their neighbors as well.

Habitat has already built, renovated and repaired in excess of 1,725 homes in the metro Phoenix area as well as Pinal County. We have served families in Avondale, Apache Junction, Chandler,

PROJECT NARRATIVE
6725 NORTH 59TH DRIVE

Gilbert, Guadalupe, Glendale, Mesa, Peoria, Phoenix, Surprise, Tempe, Coolidge, and Casa Grande. These new and renovated homes and the associated 1,725 families who live in them have had a positive impact on communities all over the valley. Many people do not realize that we build and renovate energy efficient stucco homes for stable working people who are legal residents and have good credit. These families pay for their homes. It is not a give away program. If you would like to see the quality of our homes you may visit our website at www.habitatcaz.org.

The property is located on the east side of 59th Drive, two parcels south of Lamar Road. The majority of parcels in the area to the south are zoned R-3, Multiple Residence Zoning District. Several parcels to the east are zoned C-2, Commercial. The majority of the lots are improved with single-family residential development similar to the development proposed by Habitat for Humanity. Development standards within this district require that minimum net lot areas are at least 6,000 square feet, with a minimum width of sixty (60) feet and a minimum depth of ninety-four (94) feet. Front, side, and rear setbacks requirements are twenty (20) feet, with a maximum lot coverage of 50.00%.

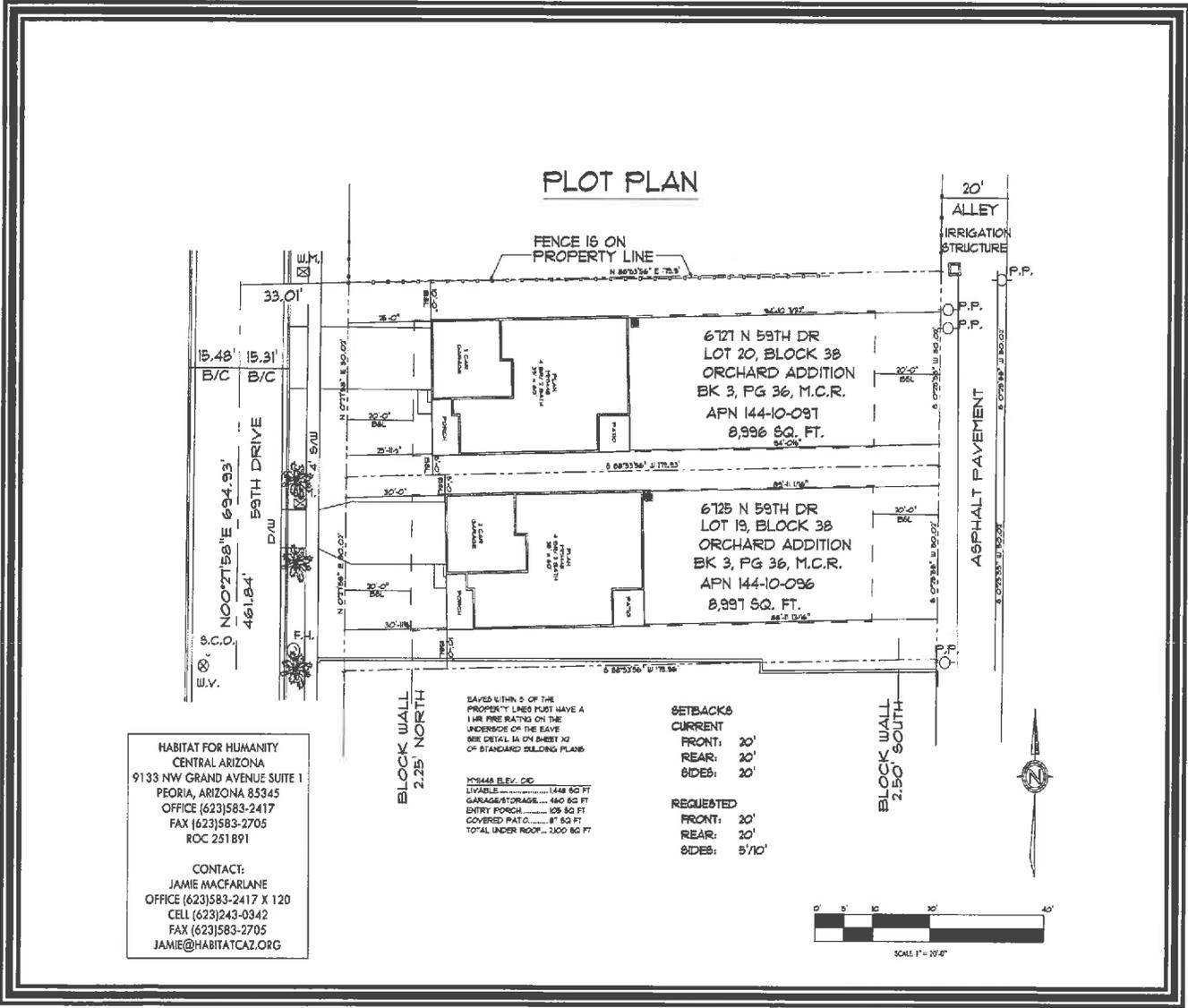
Habitat for Humanity Central Arizona is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single-family residence. We are requesting a variance to allow a five (5) foot side yard setback on the north side where a twenty (20) foot side yard setback is required; a ten (10) foot side yard setback on the south side yard where a twenty (20) foot side yard setback is required; and a reduction in the minimum required lot width from sixty (60) feet to fifty (50) feet. The home planned is Habitat Model MM1448. The home will be single story and include four (4) bedrooms, two (2) bathrooms, contain a two (2) car garage and will be constructed of frame and stucco.

Square footages of Model MM1448 are as follows:

House	1,448	Square Feet
Two Car Garage	457	Square Feet
Front Patio	112	Square Feet
Rear Patio	<u>125</u>	<u>Square Feet</u>
Total Square Footage	2,142	Square Feet

The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-3, Multi Family Residential Zoning District.

PLOT PLAN



HABITAT FOR HUMANITY
 CENTRAL ARIZONA
 9133 NW GRAND AVENUE SUITE 1
 PEORIA, ARIZONA 85345
 OFFICE (623)583-2417
 FAX (623)583-2705
 ROC 251891

CONTACT:
 JAMIE MACFARLANE
 OFFICE (623)583-2417 X 120
 CELL (623)243-0342
 FAX (623)583-2705
 JAMIE@HABITATCAZ.ORG

EAVES WITHIN 5' OF THE
 PROPERTY LINES MUST HAVE A
 1 HR FIRE RATING ON THE
 UNDERSIDE OF THE EAVE
 SEE DETAIL IN SHEET NO
 OF STANDARD BUILDING PLANS

FINISH ELEV. CG
 LIVABLE 1448 80 FT
 GARAGE/STORAGE 460 80 FT
 ENTRY PORCH 25 80 FT
 COVERED PATIO 8' 50 FT
 TOTAL UNDER ROOF... 2100 80 FT

SETBACKS

CURRENT
 FRONT: 20'
 REAR: 20'
 SIDES: 20'

REQUESTED
 FRONT: 20'
 REAR: 20'
 SIDES: 5'/0'

EXTERIOR PHOTO



FINDINGS OF A VARIANCE

Pursuant to the requirements of the City of Glendale Planning Department, Habitat for Humanity Central Arizona must provide evidence that the following findings are met:

- 1. There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

The side setbacks required in the R-3, Multiple Residence Zoning District are not typical of single-family residential development, and further, not typical of existing development in the area. The majority of the surrounding area development contains a variety of setbacks that do not meet the current zoning requirements. The existing homes in the neighborhood are enjoying setbacks less than the twenty (20) feet required.

- 2. Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would limit the property to twenty (20) foot side setbacks and limit the type of housing product to a total width of ten (10) feet. The majority of the properties in the neighborhood have setbacks that are similar to those proposed by Habitat for Humanity Central Arizona.

- 3. The variance is the minimum necessary to alleviate the property hardship; and**

The requested side setbacks and minimum lot width reduction are the minimum necessary to construct a typically sized single-family residential home on the lot. The front and rear setbacks, as well as the minimum lot depth, and size are in conformance with current R-3 zoning requirements.

- 4. Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the City in general.**

The requested building setbacks are consistent with other properties in the surrounding area and will not detrimentally affect any neighboring properties.

CITIZEN PARTICIPATION FINAL REPORT

VAR15-07

HABITAT FOR HUMANITY CENTRAL ARIZONA

6725 NORTH 59TH DRIVE
GLENDALE, ARIZONA 85301



PREPARED BY:

TANA NICHOLS
DIRECTOR OF LAND ACQUISITION AND DEVELOPMENT

OCTOBER 31, 2015

APPROVED

NOV 16 2015

City of Glendale
Planning Department

residents and have good credit. These families pay for their homes. It is not a give away program. If you would like to see the quality of our homes you may visit our website at www.habitatcaz.org.

The property is located on the east side of 59th Drive, two parcels south of Lamar Road. The majority of parcels in the area to the south are zoned R-3, Multiple Residence Zoning District. Several parcels to the east are zoned C-2, Commercial. The majority of the lots are improved with single-family residential development similar to the development proposed by Habitat for Humanity. Development standards within this district require that minimum net lot areas are at least 6,000 square feet, with a minimum width of sixty (60) feet and a minimum depth of ninety-four (94) feet. Front, side, and rear setbacks requirements are twenty (20) feet, with a maximum lot coverage of 50.00%.

Habitat for Humanity Central Arizona is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single-family residence. We are requesting a variance to allow a five (5) foot side yard setback on the north side where a twenty (20) foot side yard setback is required; a ten (10) foot side yard setback on the south side yard where a twenty (20) foot side yard setback is required; and a reduction in the minimum required lot width from sixty (60) feet to fifty (50) feet. The home planned is Habitat Model MM1448. The home will be single story and include four (4) bedrooms, two (2) bathrooms, contain a two (2) car garage and will be constructed of frame and stucco.

Square footages of Model MM1336 are as follows:

House	1,448 Square Feet
Two Car Garage	457 Square Feet
Front Patio	112 Square Feet
Rear Patio	<u>125 Square Feet</u>
Total Square Footage	2,142 Square Feet

The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-3, Multi Family Residential Zoning District.

ELEMENTS OF CITIZEN PARTICIPATION PLAN

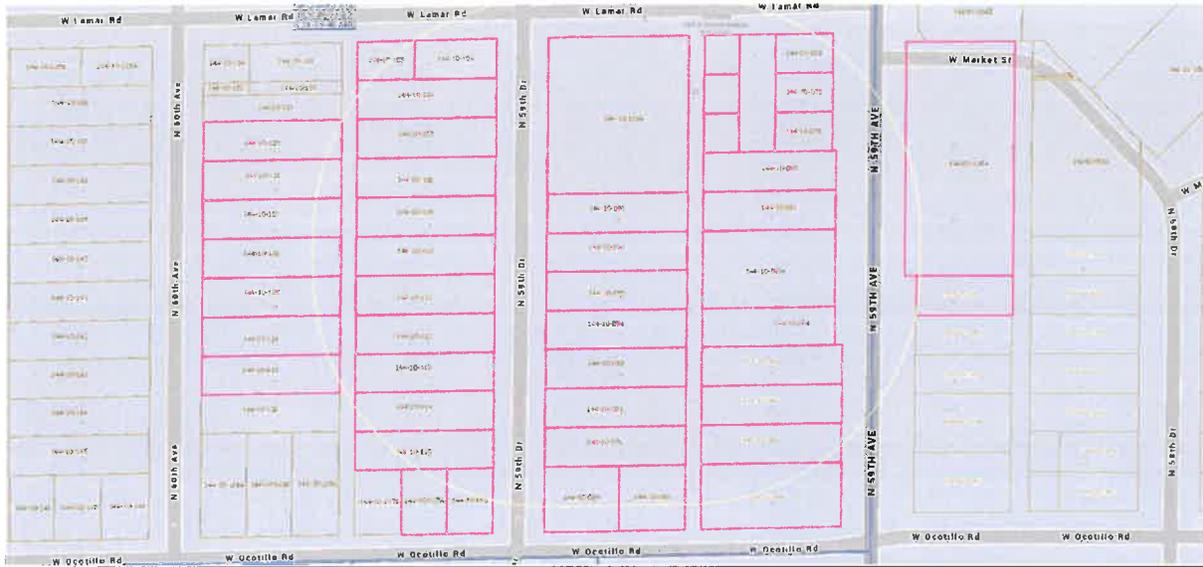
The City of Glendale Planning Department specified the notification area. It was determined that a notification letter was the most appropriate public notification technique for this project. A plat map outlining the notification area was included. Also provided in the plan was a listing of property owners, other homeowners associations, interested parties, and additional notification individuals. Items addressed in the plan include individuals affected directly or indirectly, possible project concerns, project contact information, amendment notification techniques, citizen participation status, and scheduling.

NOTIFICATION DATES

The Citizen Participation Plan was submitted to the City of Glendale on June 11, 2015. The plan was reviewed and revisions were requested on July 16, 2015. The revisions and requested copies were made and resubmitted to the City of Glendale on July 20, 2015. The plan was reviewed and additional revisions were required. The plan was approved by the City of Glendale's Development Review Team on October 16, 2015. Public notification letters were forwarded to all pertinent parties October 16, 2015. October 31, 2015 was the deadline to receive citizen input. No revisions to the plan were required and the Citizen Participation Final Report was forwarded to the City of Glendale Planning Department on November 2, 2015.

NOTIFICATION AREA

A plat map with an outline of the notification area as determined appropriate by the Planning Department is included following. All property owners and other interested parties within this notification area were notified by First Class Mail.



MEETING DATES/LOCATION

It was determined that it was unnecessary to schedule a meeting to discuss the proposal.

INDIVIDUALS NOTICED

A total of forty-eight (48) property owners, sixty-three (63) individuals included in the Ocotillo District, seven (7) Glendale Homeowners Associations and Registered Neighborhood Groups including Orchard Glen, Desert Hope and Sonorita Neighborhood Association, and four (4) Additional Notification individuals were forwarded a public notification letter. None of the individuals noticed participated in the process.

PROJECT CONCERNS

During the fifteen (15) day citizen input period, I received a call from Marcella Johns who owns the vacant lot situated at 6718 North 59th Drive. Ms. Johns was concerned that we were doing something to alter her lot and I explained that we were not going to affect her property. I also described what we were asking for through the variance process. Ms. Johns was satisfied with the explanation and has no issues with our request. In addition, I received a telephone call from Mr. Ashraf Saline who resides at 6723 North 59th Drive. Mr. Saline just wanted to let me know that he supported our request. I did not receive any additional telephone calls or written correspondence expressing any concern regarding the project. No additional project concerns, issues, or problems were raised.

PUBLIC NOTIFICATION LETTER

A copy of the public notification letter is included following. No additional notification techniques were deemed appropriate. A complete mailing list is attached as Appendix A to this report.



October 16, 2015

Re: VAR15-07 - 6725 North 59th Drive, Glendale, Arizona 85301, Parcel No. 144 10-096

Dear Neighbor:

This letter is to inform you that Habitat for Humanity Central Arizona affiliate is applying for a variance with the City of Glendale. The property is located at 6725 North 59th Drive, Glendale, Arizona 85301. The purpose of a variance is to create equity by allowing deviations from the Zoning Ordinance Development Standards.

Habitat for Humanity is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single-family residence. We are requesting a variance to allow a five (5) foot side yard setback on the north side where a twenty (20) foot side yard setback is required; a ten (10) foot side yard setback on the south side yard where a twenty (20) foot side yard setback is required; and a reduction in the minimum required lot width from sixty (60) feet to fifty (50) feet which is required in the R-3, Multiple Residence District. This is necessary because Habitat for Humanity would like to construct a 1,448 square foot, single story, single-family residence. The home planned is Habitat Model MM1448.

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I have included a site plan with this letter for your review. Please provide any comments to this variance request by October 31, 2015. You may contact me at the address or phone number shown below. You may also contact Thomas Ritz with the City of Glendale Planning Department at 623 930 2588.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tana Nichols".

Tana Nichols

Director of Land Acquisition and Development

Enclosure: Site Plan

Corporate Office
9133 NW Grand Ave., Suite 1, Peoria, AZ 85345
(623) 583-2417 Habitatcaz.org



Reasonable accommodations will be made upon request.
We proudly work with
Arizona Relay Service (777)
TDD or voice 800.877.8339 for the
hearing impaired.



CASE NUMBER
VAR15-07



REQUEST

A VARIANCE TO REDUCE THE SIDE YARD SETBACKS TO 5' AND 10' WHERE 20' IS REQUIRED IN THE R-3 (MULTIPLE RESIDENCE) ZONING DISTRICT.

LOCATION

6725 N. 59TH DRIVE



Aerial Date: November 2014



CASE NUMBER
VAR15-07





Planning Division Staff Report

DATE: December 10, 2015 **AGENDA ITEM:** 4

TO: Board of Adjustment

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Thomas Ritz, AICP, Senior Planner

SUBJECT: **VARIANCE (VAR) APPLICATION VAR15-08: HABITAT FOR HUMANITY – 6618 NORTH 54TH AVENUE**

REQUEST: To reduce the required side yard setbacks to 7 feet and 7 feet where 20 feet is required in the R-3 (Multiple Residence) zoning district.

APPLICANT/OWNER: Tana Nichols / Habitat for Humanity.

REQUIRED ACTION: The Board must consider the facts and determine that the findings required to grant a variance have been met. The Board may condition a variance to ensure that it will not grant special privileges inconsistent with the limitation of other similarly zoned properties. The Board must deny the request if the required findings have not been met.

RECOMMENDATION: Staff recommends approval subject to stipulation.

PROPOSED MOTION: Move to approve VAR15-08 subject to stipulation.

SUMMARY: The applicant is requesting a variance to reduce the side yard setbacks from 20 feet to 7 feet. If approved, the applicant intends to construct a new single family home on the property.

BOARD ACTION: Board member _____ MADE a MOTION to _____ Case No. VAR15-08, subject to stipulations listed in the staff report. Board member _____ SECONDED the MOTION. The MOTION was _____ with a vote of _____.

DETAILS OF REQUEST:

General Plan Designation:

Medium Density Residential, 3.5 to 5 dwelling units per acre.

Property Location and Size:

The property is located within the Sugar Addition Subdivision, southeast of the southeast corner of Glendale Avenue and 55th Avenue. The parcel dimensions are approximately 50 feet wide and 140 feet long.

Zoning Ordinance Requirements:

Section 5.420 – R-3 (Multiple Residence) Table 2:
Minimum side yard setback 20 feet
Minimum lot width 60 feet

Surrounding Land Use and Zoning:

North: Multiple residences on a single lot, zoned R-3.
East: Vacant lot, zoned R-3.
South: Multiple residences on a single lot, zoned R-3.
West: Single-family home, zoned R-3.

History:

- This property was part of the original incorporation of the City of Glendale in 1910.
- The property is part of the Sugar Addition, which was platted on August 22, 1917.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Process:

On September 23, 2015, notification letters were mailed to adjacent property owners and interested parties. Neither staff nor the applicant received any input as a result of the Citizen Participation notification. The applicant's Citizen Participation Final Report is attached.

Board of Adjustment Public Hearing Notification:

A Notice of Public Hearing was published in *The Glendale Star* on November 19, 2015. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on November 20, 2015. The property was posted on November 23, 2015.

STAFF FINDINGS AND ANALYSIS:

The Board of Adjustment must analyze four findings based on the evidence in the record prior to granting a variance. Each finding is presented below along with staff's analysis.

1. **There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

The existing R-3 zoning district setbacks and size of the lot creates a special circumstance not self-imposed by the property owner. The construction of the desired home requires some level of relief.

2. **Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would limit the property to a twenty (20) foot side yard setback and prohibit the construction of the desired home.

3. **The variance is the minimum necessary to alleviate the property hardship; and**

The requested side yard setback is the minimum necessary to construct the requested home on the lot. No other relief from the zoning requirements is proposed as a part of this variance request.

4. **Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the city in general.**

The requested building setback will permit the construction of the desired home and will not detrimentally affect any neighboring properties.

RECOMMENDATION:

The variance request appears to meet all four findings and should be approved. If the Board decides to grant the variance, it should be subject to the following stipulation:

1. Development shall be in conformance with the applicant's narrative, date-stamped November 16, 2015.

ATTACHMENTS:

1. Applicant's Narrative, date stamped November 16, 2015.
2. Citizen Participation Final Report (without mailing labels), approved October 16, 2015.
3. Vicinity Zoning Map.
4. Aerial Photograph, dated October 2014.

PROJECT MANAGER:

Thomas Ritz, AICP, Senior Planner (623) 930-2588
tritz@glendaleaz.com

REVIEWED BY:



Planning Director



Development Services Director

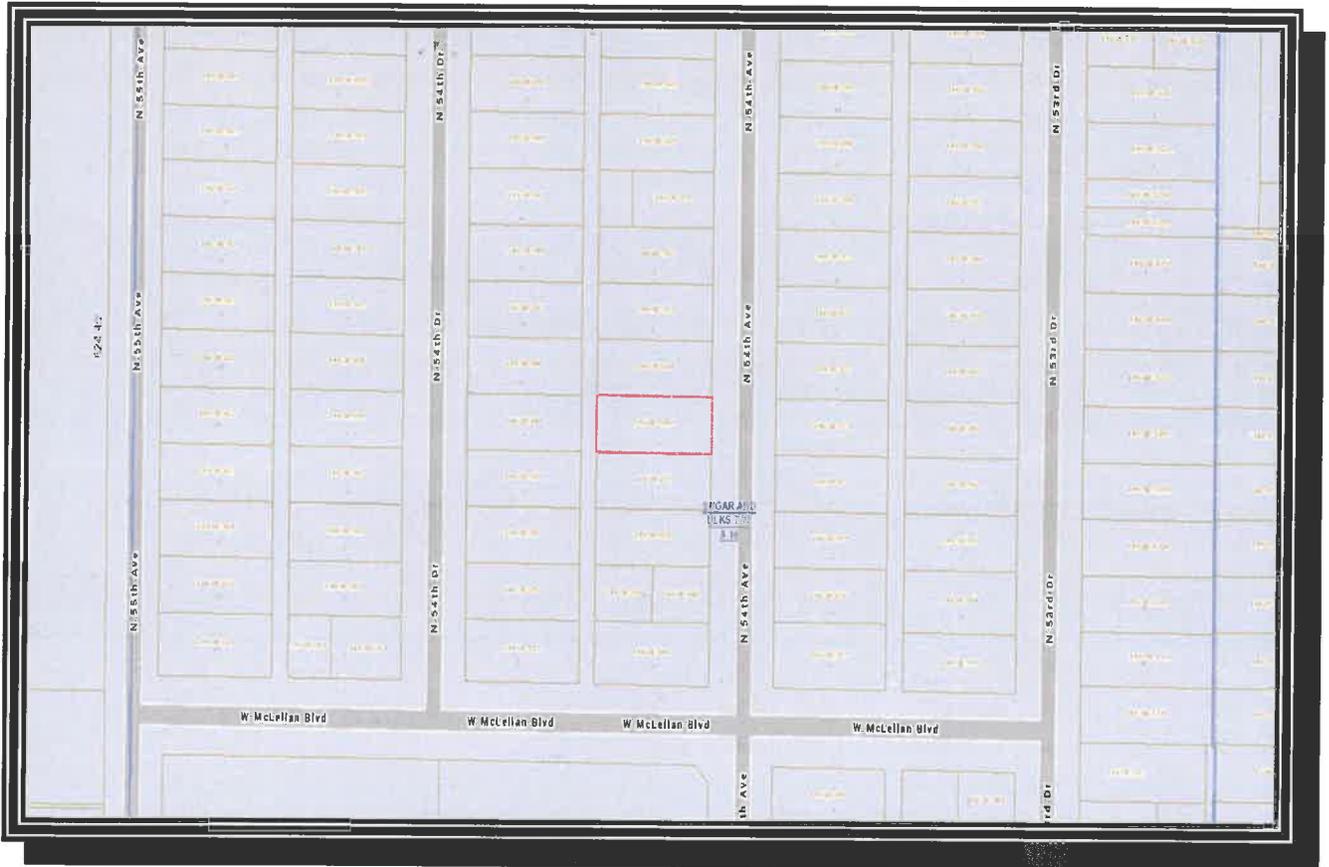
NOV 16 2015

PROJECT NARRATIVE
VAR15-08

Glendale Planning Dept.

PROJECT DESCRIPTION

Habitat for Humanity Central Arizona owns a 7,017 square foot lot situated at 6618 North 54th Avenue, Glendale, Arizona 85301. The property is situated in Sugar Addition Amended, Block 8, Lot #8. The property is a flat, basically rectangular shaped lot. The lot is approximately 50 feet wide by 139.95 feet deep. The property fronts 54th Avenue on the east. The Assessor's Parcel Number is 146-08-035A. A plat map is included following.



Habitat for Humanity Central Arizona is an affiliate of Habitat for Humanity International, a worldwide organization with one main goal of eliminating substandard housing. Habitat, with the help of donated money and volunteer labor, builds affordable homes and sells them to qualified low-income buyers with the help of a no interest loan. The buyers not only put in work hours on their own homes, but on the Habitat homes of their neighbors as well.

PROJECT NARRATIVE
6618 NORTH 54TH AVENUE

Habitat has already built, renovated and repaired in excess of 1,725 homes in the metro Phoenix area as well as Pinal County. We have served families in Avondale, Apache Junction, Chandler, Gilbert, Guadalupe, Glendale, Mesa, Peoria, Phoenix, Surprise, Tempe, Coolidge, and Casa Grande. These new and renovated homes and the associated 1,725 families who live in them have had a positive impact on communities all over the valley. Many people do not realize that we build and renovate energy efficient stucco homes for stable working people who are legal residents and have good credit. These families pay for their homes. It is not a give away program. If you would like to see the quality of our homes you may visit our website at www.habitatcaz.org.

The property is located on the west side of 54th Avenue, three parcels south of West Ocotillo Road. The majority of parcels in the area to the south are zoned R-3, Multiple Residence Zoning District. Several parcels to the south are zoned C-3, Commercial. The majority of the lots are improved with single-family residential development similar to the development proposed by Habitat for Humanity. Development standards within this district require that minimum net lot areas are at least 6,000 square feet, with a minimum width of sixty (60) feet and a minimum depth of ninety-four (94) feet. Front, side, and rear setbacks requirements are twenty (20) feet, with a maximum lot coverage of 50.00%.

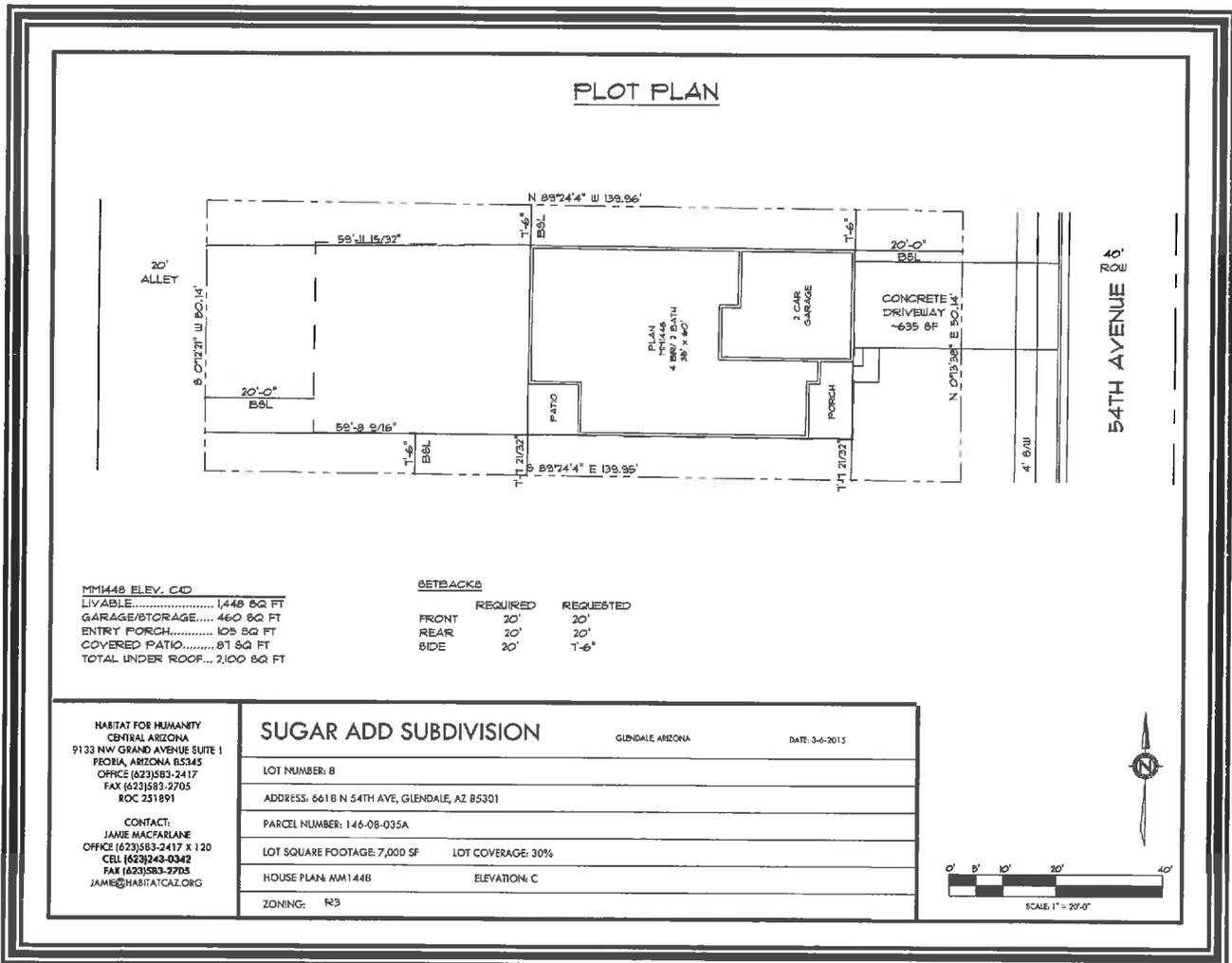
Habitat for Humanity Central Arizona is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single-family residence. We are requesting a variance to allow a 7'6" side yard setback on the north side and a 7'7 21/32" side yard setback on the south side where twenty (20) feet is required for both in the R-3, Multiple Residence District. We are also requesting a reduction in the minimum required lot width from sixty (60) feet to fifty (50) feet. The home planned is Habitat Model MM1448. The home will be single story and include four (4) bedrooms, two (2) bathrooms, contain a two (2) car garage and will be constructed of frame and stucco.

Square footages of Model MM1448 are as follows:

House	1,448	Square Feet
Two Car Garage	457	Square Feet
Front Patio	112	Square Feet
Rear Patio	<u>125</u>	<u>Square Feet</u>
Total Square Footage	2,142	Square Feet

The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-3, Multi Family Residential Zoning District.

PLOT PLAN



EXTERIOR PHOTO



FINDINGS OF A VARIANCE

Pursuant to the requirements of the City of Glendale Planning Department, Habitat for Humanity Central Arizona must provide evidence that the following findings are met:

- 1. There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

The side setbacks required in the R-3, Multiple Residence Zoning District are not typical of single-family residential development, and further, not typical of existing development in the area. The majority of the surrounding area development contains a variety of setbacks that do not meet the current zoning requirements. The existing homes in the neighborhood are enjoying setbacks less than the twenty (20) feet required.

- 2. Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would limit the property to twenty (20) foot side setbacks and limit the type of housing product to a total width of ten (10) feet. The majority of the properties in the neighborhood have setbacks that are similar to those proposed by Habitat for Humanity Central Arizona.

- 3. The variance is the minimum necessary to alleviate the property hardship; and**

The requested side setbacks and minimum lot width reduction are the minimum necessary to construct a typically sized single-family residential home on the lot. The front and rear setbacks, as well as the minimum lot depth, and size are in conformance with current R-3 zoning requirements.

- 4. Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the City in general.**

The requested building setbacks are consistent with other properties in the surrounding area and will not detrimentally affect any neighboring properties.

**CITIZEN PARTICIPATION FINAL REPORT
VAR15-08**

**HABITAT FOR HUMANITY CENTRAL ARIZONA
6618 NORTH 54TH AVENUE
GLENDALE, ARIZONA 85301**



**PREPARED BY:
TANA NICHOLS
DIRECTOR OF LAND ACQUISITION AND DEVELOPMENT**

OCTOBER 7, 2015

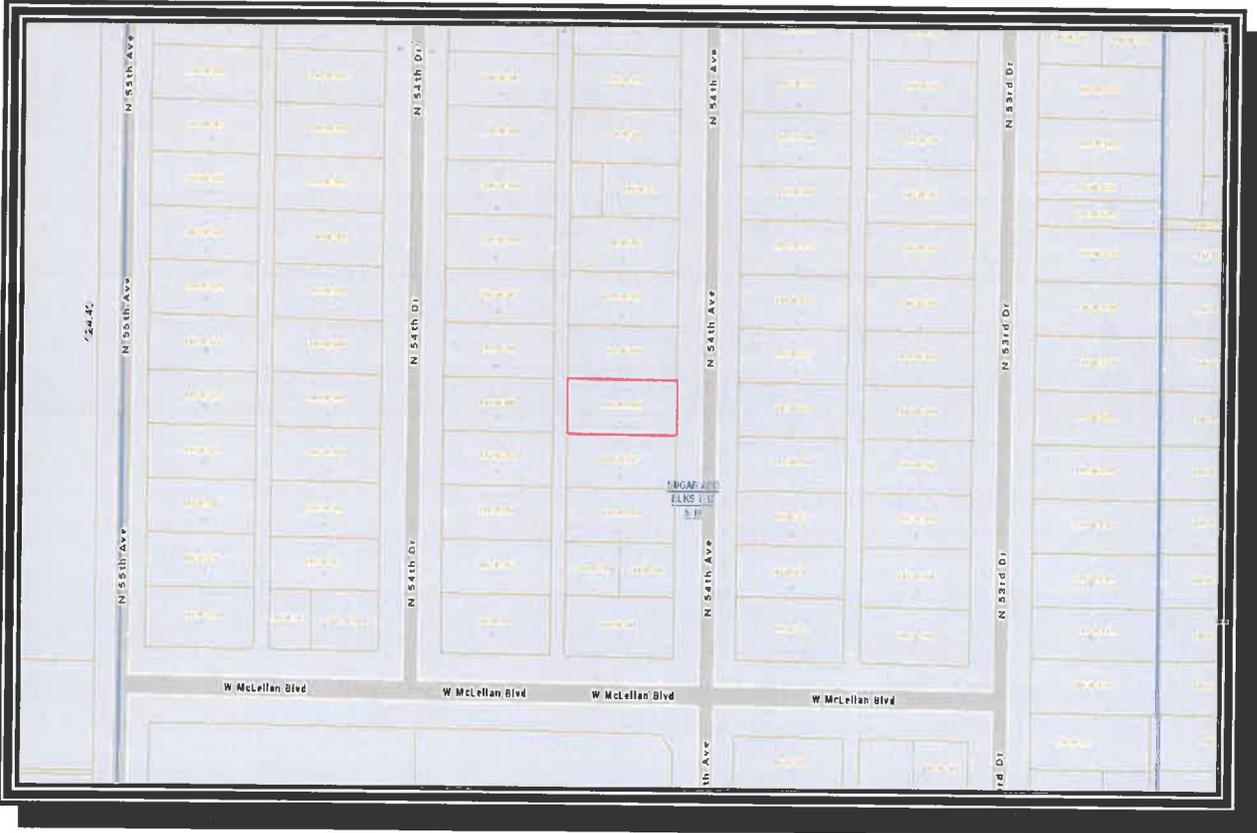
APPROVED

OCT 16 2015

**City of Glendale
Planning Department**

PROJECT DESCRIPTION

Habitat for Humanity Central Arizona owns a 7,017 square foot lot situated at 6618 North 54th Avenue, Glendale, Arizona 85301. The property is situated in Sugar Addition Amended, Block 8, Lot #8. The property is a flat, basically rectangular shaped lot. The lot is approximately 50 feet wide by 139.95 feet deep. The property fronts 54th Avenue on the east. The Assessor's Parcel Number is 146-08-035A. A plat map is included following.



Habitat for Humanity Central Arizona is an affiliate of Habitat for Humanity International, a worldwide organization with one main goal of eliminating substandard housing. Habitat, with the help of donated money and volunteer labor, builds affordable homes and sells them to qualified low-income buyers with the help of a no interest loan. The buyers not only put in work hours on their own homes, but on the Habitat homes of their neighbors as well.

Habitat has already built, renovated and repaired in excess of 1,725 homes in the metro Phoenix area as well as Pinal County. We have served families in Avondale, Apache Junction, Chandler, Gilbert, Guadalupe, Glendale, Mesa, Peoria, Phoenix, Surprise, Tempe, Coolidge, and Casa Grande. These new and renovated homes and the associated 1,725 families who live in them have had a positive impact on communities all over the valley. Many people do not realize that we build and renovate energy efficient stucco homes for stable working people who are legal residents and have good credit. These families pay for their homes. It is not a give away program. If you would like to see the quality of our homes you may visit our website at www.habitatcaz.org.

The property is located on the west side of 54th Avenue, three parcels south of West Ocotillo Road. The majority of parcels in the area to the south are zoned R-3, Multiple Residence Zoning District. Several parcels to the south are zoned C-3, Commercial. The majority of the lots are improved with single-family residential development similar to the development proposed by Habitat for Humanity. Development standards within this district require that minimum net lot areas are at least 6,000 square feet, with a minimum width of sixty (60) feet and a minimum depth of ninety-four (94) feet. Front, side, and rear setbacks requirements are twenty (20) feet, with a maximum lot coverage of 50.00%.

Habitat for Humanity Central Arizona is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single-family residence. We are requesting a variance to allow a 7'6" side yard setback on the north side and a 7'7 21/32" side yard setback on the south side where twenty (20) feet is required for both in the R-3, Multiple Residence District. We are also requesting a reduction in the minimum required lot width from sixty (60) feet to fifty (50) feet. The home planned is Habitat Model MM1448. The home will be single story and include four (4) bedrooms, two (2) bathrooms, contain a two (2) car garage and will be constructed of frame and stucco.

ELEMENTS OF CITIZEN PARTICIPATION PLAN

The City of Glendale Planning Department specified the notification area. It was determined that a notification letter was the most appropriate public notification technique for this project. A plat map outlining the notification area was included. Also provided in the plan was a listing of property owners, other homeowners associations, interested parties, and additional notification individuals. Items addressed in the plan include individuals affected directly or indirectly, possible project concerns, project contact information, amendment notification techniques, citizen participation status, and scheduling.

NOTIFICATION DATES

The Citizen Participation Plan was submitted to the City of Glendale on June 11, 2015. The plan was reviewed and revisions were requested on July 16, 2015. The revisions and requested copies were made and resubmitted to the City of Glendale on July 20, 2015. The plan was approved by the City of Glendale's Development Review Team on September 22, 2015. Public notification letters were forwarded to all pertinent parties on September 22, 2015. With the fifteen (15) day notification period required, October 7, 2015 was the deadline to receive citizen input. No revisions to the plan were required and the Citizen Participation Final Report was forwarded to the City of Glendale's Development Review Team on October 7, 2015.

MEETING DATES/LOCATION

It was determined that it was unnecessary to schedule a meeting to discuss the proposal.

INDIVIDUALS NOTICED

A total of fifty-six (56) property owners, sixty-three (63) individuals included in the Ocotillo District, three (3) Glendale Homeowners Associations and Registered Neighborhood Groups, more precisely the Heart of Glendale, and four (4) Additional Notification individuals were forwarded a public notification letter. None of the individuals noticed participated in the process.

PROJECT CONCERNS

During the fifteen (15) day citizen input period, I did not receive any telephone calls or written correspondence expressing any concern regarding the project. No additional project concerns, issues, or problems were raised.

PUBLIC NOTIFICATION LETTER

A copy of the public notification letter is included following. No additional notification techniques were deemed appropriate. A complete mailing list is attached as Appendix A to this report.



September 22, 2015

Re: VAR15-08 - 6618 North 54th Avenue, Glendale, Arizona 85301, Parcel No. 146-08 035A

Dear Neighbor:

This letter is to inform you that Habitat for Humanity Central Arizona affiliate is applying for a variance with the City of Glendale. The property is located at 6618 North 54th Avenue, Glendale, Arizona 85301. The purpose of a variance is to create equity by allowing deviations from the Zoning Ordinance Development Standards.

Habitat for Humanity is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single-family residence. We are requesting a variance to allow a 7'6" side yard setback on the north side and a 7'7 21/32" side yard setback on the south side where twenty (20) feet is required for both in the R-3, Multiple Residence District. We are also requesting a reduction in the minimum required lot width from sixty (60) feet to fifty (50) feet. This is necessary because Habitat for Humanity would like to construct a 1,448 square foot, single story, single-family residence. The home planned is Habitat Model MM1448.

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I have included a site plan with this letter for your review. Please provide any comments to this variance request by October 7, 2014. You may contact me at the address or phone number shown below. You may also contact Thomas Ritz with the City of Glendale Planning Department at 623.930.2588.

Sincerely,


Tana Nichols
Director of Land Acquisition and Development

Enclosure: Site Plan

Corporate Office
9133 NW Grand Ave., Suite 1, Peoria, AZ 85345
623.583.2417 Habitatcaz.org



Multi-habitat communities are available for those who require it.
We provide work with Arizona Relay Service, 711, 711 to provide access to the hearing impaired.



CASE NUMBER

VAR15-08

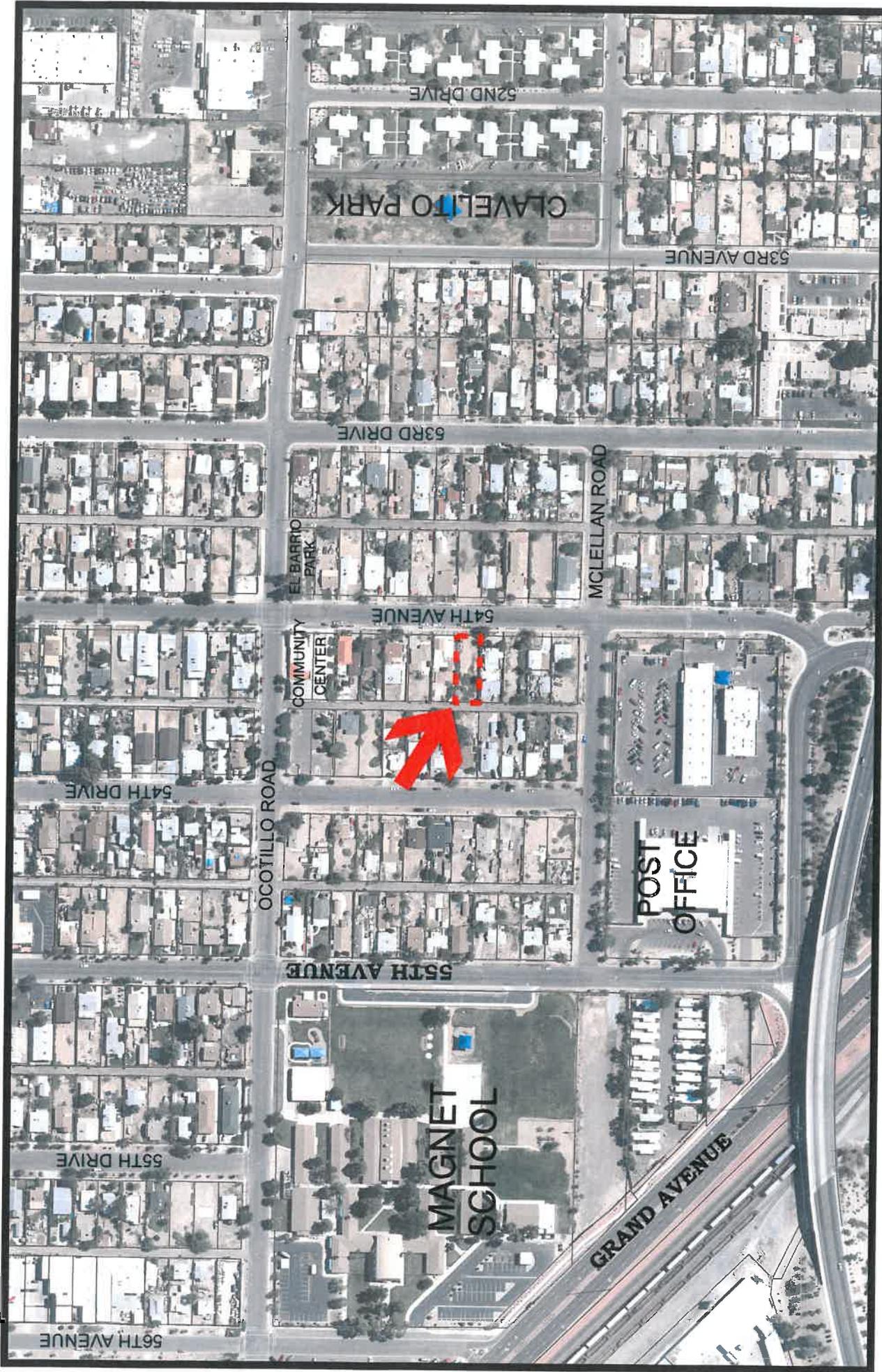


REQUEST

A VARIANCE TO REDUCE THE SIDE YARD SETBACKS TO 7' AND 7' WHERE 20' IS REQUIRED IN THE R-3 (MULTIPLE RESIDENCE) ZONING DISTRICT.

LOCATION

6618 N. 54TH AVENUE



Aerial Date: October 2014



CASE NUMBER

VAR15-08





Planning Division Staff Report

DATE: December 10, 2015 **AGENDA ITEM:** 5

TO: Board of Adjustment

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Thomas Ritz, AICP, Senior Planner

SUBJECT: **VARIANCE (VAR) APPLICATION VAR15-09: HABITAT FOR HUMANITY – 6200 WEST GLENN DRIVE**

REQUEST: To reduce the required rear yard setback to 15 feet where 20 feet is required in the R-4 (Multiple Residence) zoning district.

APPLICANT/OWNER: Tana Nichols / Habitat for Humanity.

REQUIRED ACTION: The Board must consider the facts and determine that the findings required to grant a variance have been met. The Board may condition a variance to ensure that it will not grant special privileges inconsistent with the limitation of other similarly zoned properties. The Board must deny the request if the required findings have not been met.

RECOMMENDATION: Staff recommends approval subject to stipulation.

PROPOSED MOTION: Move to approve VAR15-09 subject to stipulation.

SUMMARY: The applicant is requesting a variance to reduce the rear yard setback from 20 feet to 15 feet. If approved, the applicant intends to construct a new single family home on the property.

BOARD ACTION: _____ **MADE a MOTION to** _____ **Case No. VAR15-09, subject to stipulations listed in the staff report. Board member** _____ **SECONDED the MOTION. The MOTION was** _____ **with a vote of** _____.

DETAILS OF REQUEST:

General Plan Designation:

Medium High Density Residential, 8 to 12 dwelling units per acre.

Property Location and Size:

The property is located within the Subdivision of Lot 25 of Hadsell's Addition to Glendale, north east of the northeast corner of Glendale Avenue and 63rd Avenue. The parcel dimensions are approximately 100 feet wide (along Glenn Drive) and 74 feet long (along 62nd Avenue). The lot was created out of the south half of lot 14 and the western part of lot 15 as originally platted.

Zoning Ordinance Requirements:

Section 5.430 – R- 4 (Multiple Residence) Table 2:
Minimum rear yard setback 20 feet.

Surrounding Land Use and Zoning:

North: Vacant lot zoned R-4.

East: Single-family home, zoned R-4.

South: Church and vacant restaurant, across Glenn Drive, zoned C-2 (General Commercial).

West: Glendale High School, across 62nd Avenue, zoned R1-6 (Single Residence).

History:

- This property was part of the original incorporation of the City of Glendale in 1910.
- The property is part of the Subdivision of Lot 25 of Hadsell's Addition to Glendale, which was platted on May 8, 1893.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Process:

On September 23, 2015, notification letters were mailed to adjacent property owners and interested parties. The property is not located within any registered neighborhood. The applicant received no input as a result of the Citizen Participation notification. The applicant's Citizen Participation Final Report is attached.

Board of Adjustment Public Hearing Notification:

A Notice of Public Hearing was published in *The Glendale Star* on November 19, 2015. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on November 20, 2015. The property was posted on November 23, 2015.

STAFF FINDINGS AND ANALYSIS:

The Board of Adjustment must analyze four findings based on the evidence in the record prior to granting a variance. Each finding is presented below along with staff's analysis.

1. **There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

The existing R-4 zoning district setbacks and size of the lot creates a special circumstance not self-imposed by the property owner. The construction of the desired home requires some level of relief.

2. **Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would limit the property to a twenty (20) foot rear yard setback and prohibit the construction of the desired home.

3. **The variance is the minimum necessary to alleviate the property hardship; and**

The requested rear yard setback is the minimum necessary to construct the requested home on the lot. No other relief from the zoning requirements is proposed as a part of this variance request.

4. **Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the city in general.**

The requested building setback will permit the construction of the desired home and will not detrimentally affect any neighboring properties.

RECOMMENDATION:

The variance request appears to meet all four findings and should be approved. If the Board decides to grant the variance, it should be subject to the following stipulation:

1. Development shall be in conformance with the applicant's narrative, date-stamped November 2, 2015.

ATTACHMENTS:

1. Applicant's Narrative, date stamped November 2, 2015.
2. Citizen Participation Final Report (without mailing labels), approved October 16, 2015.
3. Vicinity Zoning Map.
4. Aerial Photograph, dated October 2014.

PROJECT MANAGER:

Thomas Ritz, AICP, Senior Planner (623) 930-2588
tritz@glendaleaz.com

REVIEWED BY:



Planning Director

TR/df



Development Services Director

**PROJECT NARRATIVE
6200 WEST GLENN DRIVE**

Habitat has already built, renovated and repaired in excess of 1,725 homes in the metro Phoenix area as well as Pinal County. We have served families in Avondale, Apache Junction, Chandler, Gilbert, Guadalupe, Glendale, Mesa, Peoria, Phoenix, Surprise, Tempe, Coolidge, and Casa Grande. These new and renovated homes and the associated 1,725 families who live in them have had a positive impact on communities all over the valley. Many people do not realize that we build and renovate energy efficient stucco homes for stable working people who are legal residents and have good credit. These families pay for their homes. It is not a give away program. If you would like to see the quality of our homes you may visit our website at www.habitatcaz.org.

The property is located on the northwest corner of Glenn Drive and 62nd Avenue. The majority of parcels in the area to the north, south and east are zoned R-4, Multiple Residence Zoning District. The school and parcels situated to the west are zoned R1-6. The majority of the lots are improved with single-family residential development similar to the development proposed by Habitat for Humanity. Development standards within this district require that minimum net lot areas are at least 6,000 square feet, with a minimum width of sixty (60) feet and a minimum depth of ninety-four (94) feet. Front, side, and rear setbacks requirements are twenty (20) feet, with a maximum lot coverage of 50.00%.

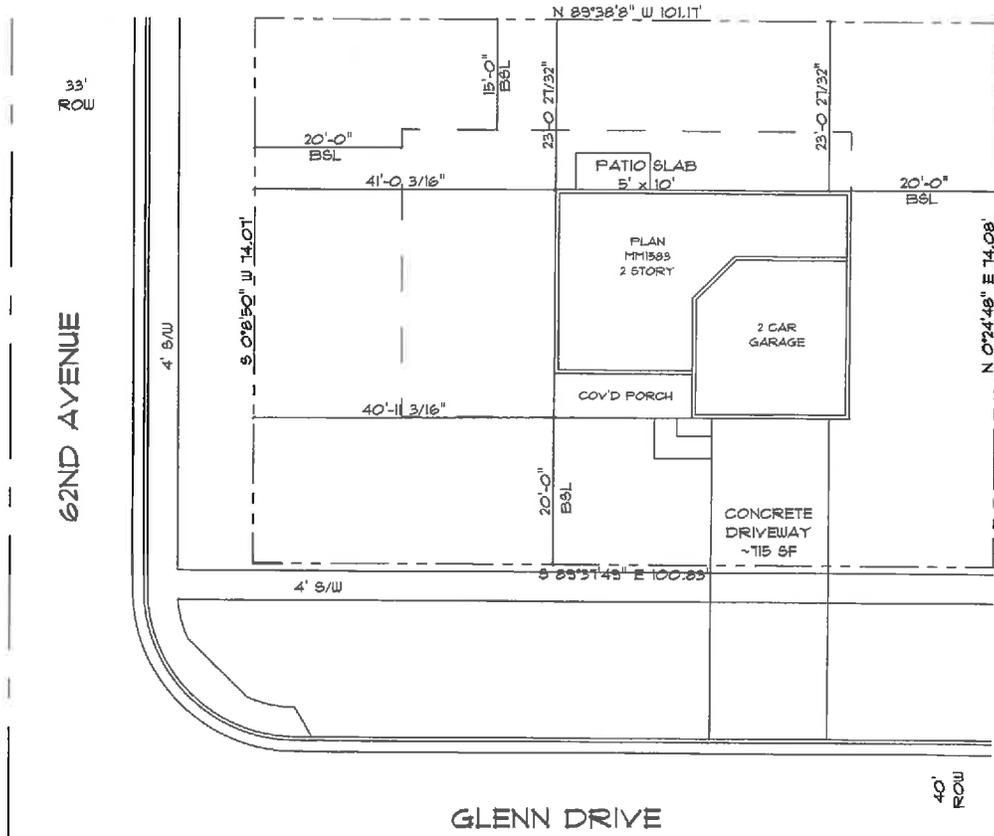
Habitat for Humanity Central Arizona is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single-family residence. We are requesting a variance to allow a fifteen (15) foot rear yard setback on the north side of the property where a twenty (20) foot side yard setback is required. The home planned is Habitat Model MM1583. The home will be two-story and include four (4) bedrooms, two (2) bathrooms, contain a two (2) car garage and will be constructed of frame and stucco.

Square footages of Model MM1583 are as follows:

1 st Floor	629	Square Feet
2 nd Floor	<u>954</u>	<u>Square Feet</u>
Livable	1,583	Square Feet
Two Car Garage	422	Square Feet
Storage	72	Square Feet
Entry Porch	<u>117</u>	<u>Square Feet</u>
Total Under Roof	2,194	Square Feet

The home will be 24 feet in height, well below the maximum allowable height as outlined in the R-4, Multi Family Residential Zoning District.

PLOT PLAN



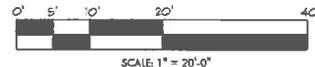
BUILDING AREA

1ST FLOOR: 629 SQ FT
2ND FLOOR: 954 SQ FT
LIVABLE: 1,583 SQ FT

GARAGE: 422 SQ FT
STORAGE: 72 SQ FT
ENTRY PORCH: 111 SQ FT
TOTAL UNDER ROOF: 2,194 SQ FT

SETBACKS

	REQUIRED	REQUESTED
FRONT	20'	20'
REAR	20'	15'
SIDE	20'	20'
STREET SIDE	20'	20'



HABITAT FOR HUMANITY
CENTRAL ARIZONA
9133 NW GRAND AVENUE SUITE 1
PEORIA, ARIZONA 85345
OFFICE (623)583-2417
FAX (623)583-2705
ROC 251891

CONTACT:
JAMIE MACFARLANE
OFFICE (623)583-2417 X 120
CELL (623)243-0342
FAX (623)583-2705
JAMIE@HABITATCAZ.ORG

HADSSELLS SUBDIVISION

GLENDALE, ARIZONA

DATE 3-6-2015

LOT NUMBER: 15

ADDRESS: 6200 W GLENN DRIVE, GLENDALE, AZ 85301

PARCEL NUMBER: 143-37-041

LOT SQUARE FOOTAGE: 7,463 SF LOT COVERAGE: 16.6%

HOUSE PLAN: MM1583

ELEVATION: A

ZONING: R4

EXTERIOR PHOTO



FINDINGS OF A VARIANCE

Pursuant to the requirements of the City of Glendale Planning Department, Habitat for Humanity Central Arizona must provide evidence that the following findings are met:

- 1. There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

The side setbacks required in the R-4, Multiple Residence Zoning District are not typical of single-family residential development, and further, not typical of existing development in the area. The majority of the surrounding area development contains a variety of setbacks that do not meet the current zoning requirements. The existing homes in the neighborhood are enjoying setbacks less than the twenty (20) feet required.

- 2. Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would limit the property to twenty (20) foot side setbacks and limit the type of housing product to a total depth of thirty-one (31) feet. The majority of the properties in the neighborhood have setbacks that are similar to those proposed by Habitat for Humanity Central Arizona.

- 3. The variance is the minimum necessary to alleviate the property hardship; and**

The requested side setbacks and minimum lot width reduction are the minimum necessary to construct a typically sized single-family residential home on the lot. The front and side setbacks, as well as the minimum lot depth, and size are in conformance with current R-4 zoning requirements.

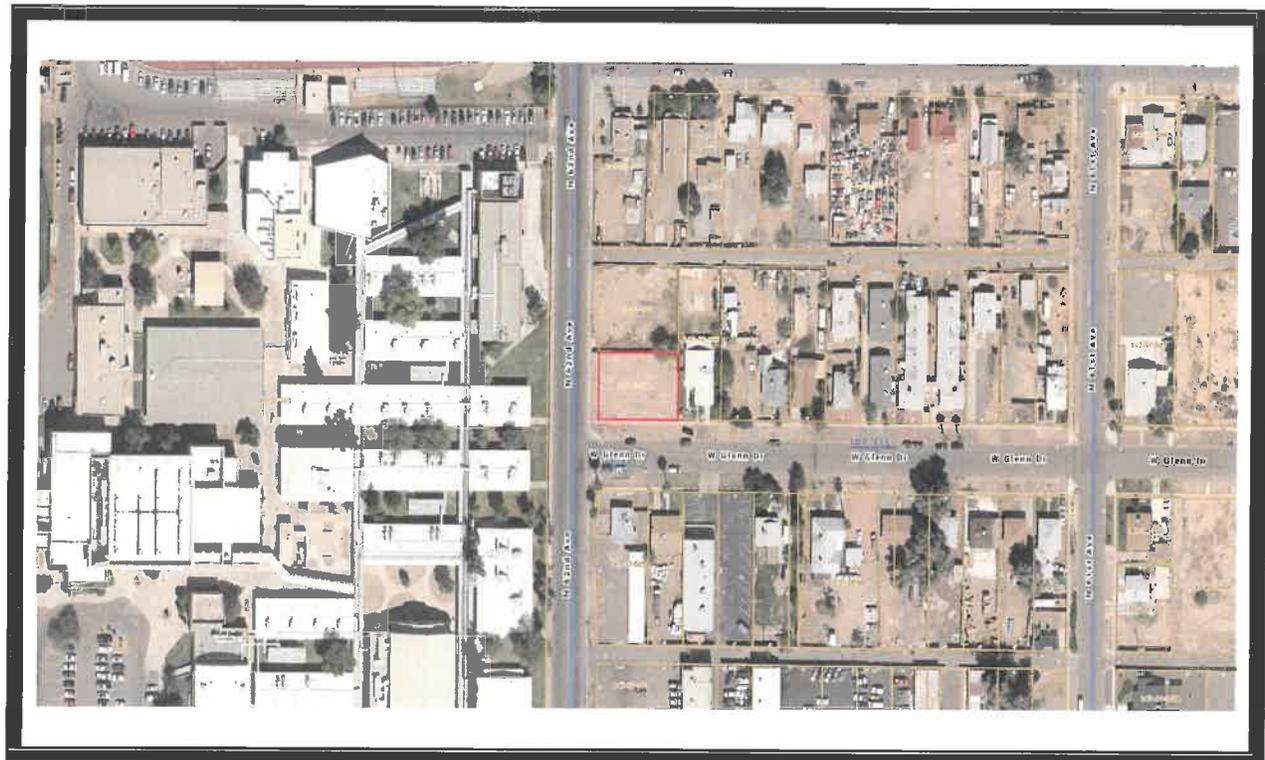
- 4. Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the City in general.**

The requested building setbacks are consistent with other properties in the surrounding area and will not detrimentally affect any neighboring properties.

**CITIZEN PARTICIPATION FINAL REPORT
VAR15-09**

HABITAT FOR HUMANITY CENTRAL ARIZONA

**6200 WEST GLENN DRIVE
GLENDALE, ARIZONA 85301**



APPROVED

OCT. 16 2015

**City of Glendale
Planning Department**

PREPARED BY:

TANA NICHOLS

DIRECTOR OF LAND ACQUISITION AND DEVELOPMENT

OCTOBER 8, 2015

PROJECT DESCRIPTION

Habitat for Humanity Central Arizona owns a 7,482 square foot lot situated at 6200 West Glenn Drive, Glendale, Arizona 85301. The property is situated in the Hadsells Subdivision, Block 2, Lot #15. The property is a flat, basically rectangular shaped lot. The lot is approximately 50 feet wide by 179.9 feet deep. The property fronts 62nd Avenue on the west and Glenn Drive on the south. The Assessor's Parcel Number is 137-37-041. A plat map is included following.



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**6200 WEST GLENN DRIVE
CITIZENS PARTICIPATION FINAL REPORT**

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The property is located on the northwest corner of Glenn Drive and 62nd Avenue. The majority of parcels in the area to the north, south and east are zoned R-4, Multiple Residence Zoning District. The school and parcels situated to the west are zoned R1-6. The majority of the lots are improved with single-family residential development similar to the development proposed by Habitat for Humanity. Development standards within this district require that minimum net lot areas are at least 6,000 square feet, with a minimum width of sixty (60) feet and a minimum depth of ninety-four (94) feet. Front, side, and rear setbacks requirements are twenty (20) feet, with a maximum lot coverage of 50.00%.

Habitat for Humanity Central Arizona is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single-family residence. We are requesting a variance to allow a fifteen (15) foot rear yard setback on the north side of the property where a twenty (20) foot side yard setback is required. The home planned is Habitat Model MM1583. The home will be two-story and include four (4) bedrooms, two (2) bathrooms, contain a two (2) car garage and will be constructed of frame and stucco.

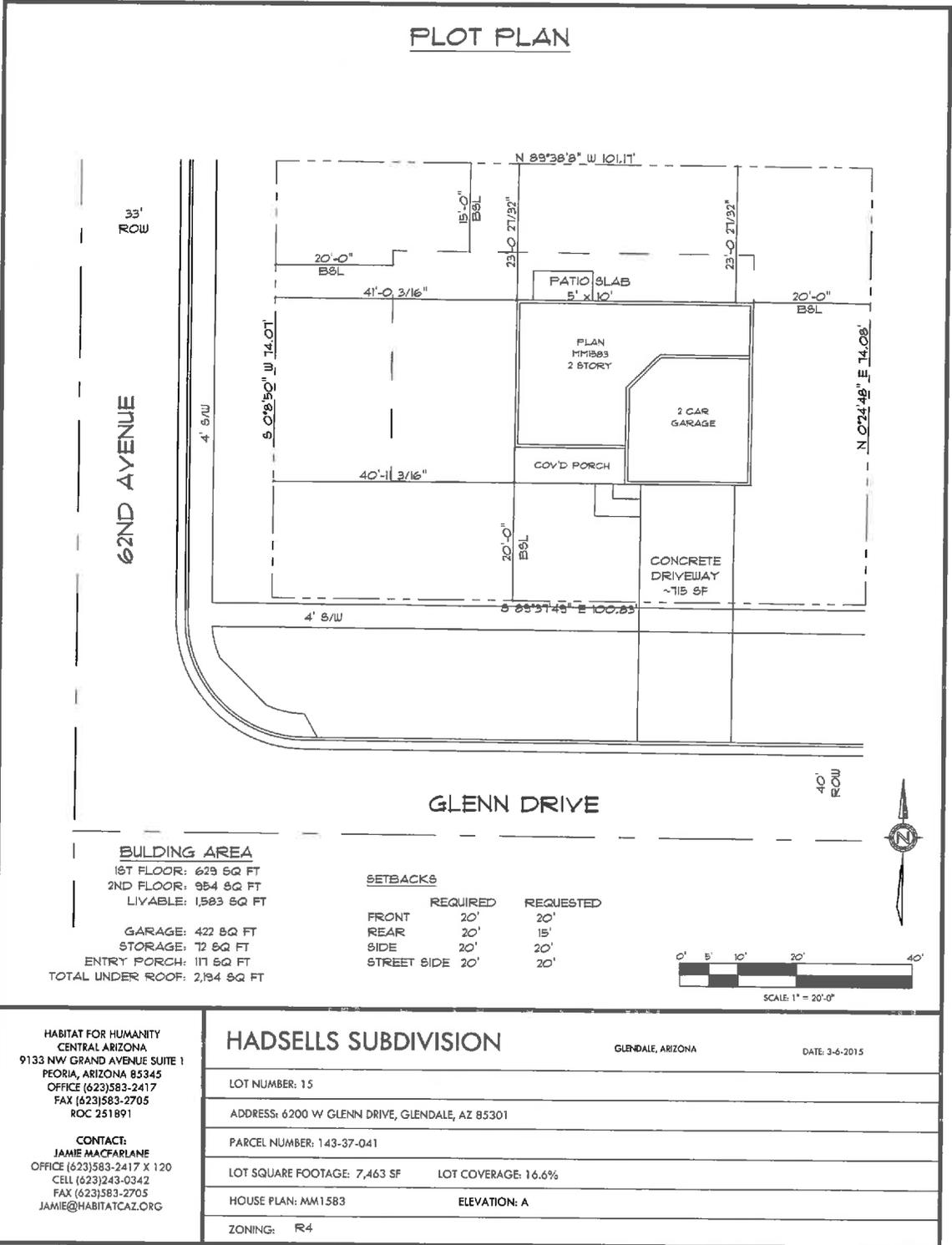
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2 nd Floor	<u>954 Square Feet</u>
Livable	1,583 Square Feet
Two Car Garage	422 Square Feet
Storage	72 Square Feet
Entry Porch	<u>117 Square Feet</u>
Total Under Roof	2,194 Square Feet

The home will be 24 feet in height, well below the maximum allowable height as outlined in the R-4, Multi Family Residential Zoning District.

A plot plan is included following.

**6200 WEST GLENN DRIVE
CITIZENS PARTICIPATION FINAL REPORT**



HABITAT FOR HUMANITY
 CENTRAL ARIZONA
 9133 NW GRAND AVENUE SUITE 1
 PEORIA, ARIZONA 85345
 OFFICE (623)583-2417
 FAX (623)583-2705
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HADSELLS SUBDIVISION

GLENDALE, ARIZONA DATE: 3-6-2015

LOT NUMBER: 15	
ADDRESS: 6200 W GLENN DRIVE, GLENDALE, AZ 85301	
PARCEL NUMBER: 143-37-041	
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ELEMENTS OF CITIZEN PARTICIPATION PLAN

The City of Glendale Planning Department specified the notification area. It was determined that a notification letter was the most appropriate public notification technique for this project. A plat map outlining the notification area was included. Also provided in the plan was a listing of property owners, other homeowners associations, interested parties, and additional notification individuals. Items addressed in the plan include individuals affected directly or indirectly, possible project concerns, project contact information, amendment notification techniques, citizen participation status, and scheduling.

NOTIFICATION DATES

The Citizen Participation Plan was submitted to the City of Glendale on June 11, 2015. The plan was reviewed and revisions were requested on July 16, 2015. The revisions and requested copies were made and resubmitted to the City of Glendale on July 20, 2015. The plan was approved by the City of Glendale's Development Review Team on September 23, 2015. Public notification letters were forwarded to all pertinent parties on September 23, 2015. With the fifteen (15) day notification period required, October 8, 2015 was the deadline to receive citizen input. No revisions to the plan were required and the Citizen Participation Final Report was forwarded to the City of Glendale's Development Review Team on October 8, 2015.

NOTIFICATION AREA

A plat map with an outline of the notification area as determined appropriate by the Planning Department is included following. All property owners and other interested parties within this notification area were notified by First Class Mail.



MEETING DATES/LOCATION

It was determined that it was not necessary to schedule a meeting to discuss the proposal.

INDIVIDUALS NOTICED

A total of thirty-two (32) property owners, sixty-three (63) individuals included in the Ocotillo District, no individuals situated in the Glendale Homeowners Associations and Registered Neighborhood Groups, and four (4) Additional Notification individuals were forwarded a public notification letter. None of the individuals noticed participated in the process.

PROJECT CONCERNS

During the fifteen (15) day citizen input period, I did not receive any telephone calls or written correspondence expressing any concern regarding the project. No additional project concerns, issues, or problems were raised.

PUBLIC NOTIFICATION LETTER

A copy of the public notification letter is included following. No additional notification techniques were deemed appropriate. A complete mailing list is attached as Appendix A to this report.



September 23, 2015

Re: VAR15-09
6200 West Glenn Drive, Glendale, Arizona 85301, Parcel No. 143-37-041

Dear Neighbor:

This letter is to inform you that Habitat for Humanity Central Arizona affiliate is applying for a variance with the City of Glendale. The property is located at 6200 West Glenn Drive, Glendale, Arizona 85301. The purpose of a variance is to create equity by allowing deviations from the Zoning Ordinance Development Standards.

Habitat for Humanity is requesting a variance to allow a decrease in setbacks that would permit the construction of a single-family residence. We are requesting a variance to allow a fifteen (15) foot rear yard setback on the north side of the property where a twenty (20) foot rear yard setback is required. This is necessary because Habitat for Humanity would like to construct a 1,583 square foot, two-story, single-family residence. The home planned is Habitat Model MM1583.

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I have included a site plan with this letter for your review. Please provide any comments to this variance request by October 8, 2014. You may contact me at the address or phone number shown below. You may also contact Thomas Ritz with the City of Glendale Planning Department at 623.930.2588.

Sincerely,

A handwritten signature in blue ink that reads "Tana Nichols".

Tana Nichols
Director of Land Acquisition and Development

End: Site Plan

Corporate Office
5133 NW Grand Ave., Suite 1, Peoria, AZ 85345
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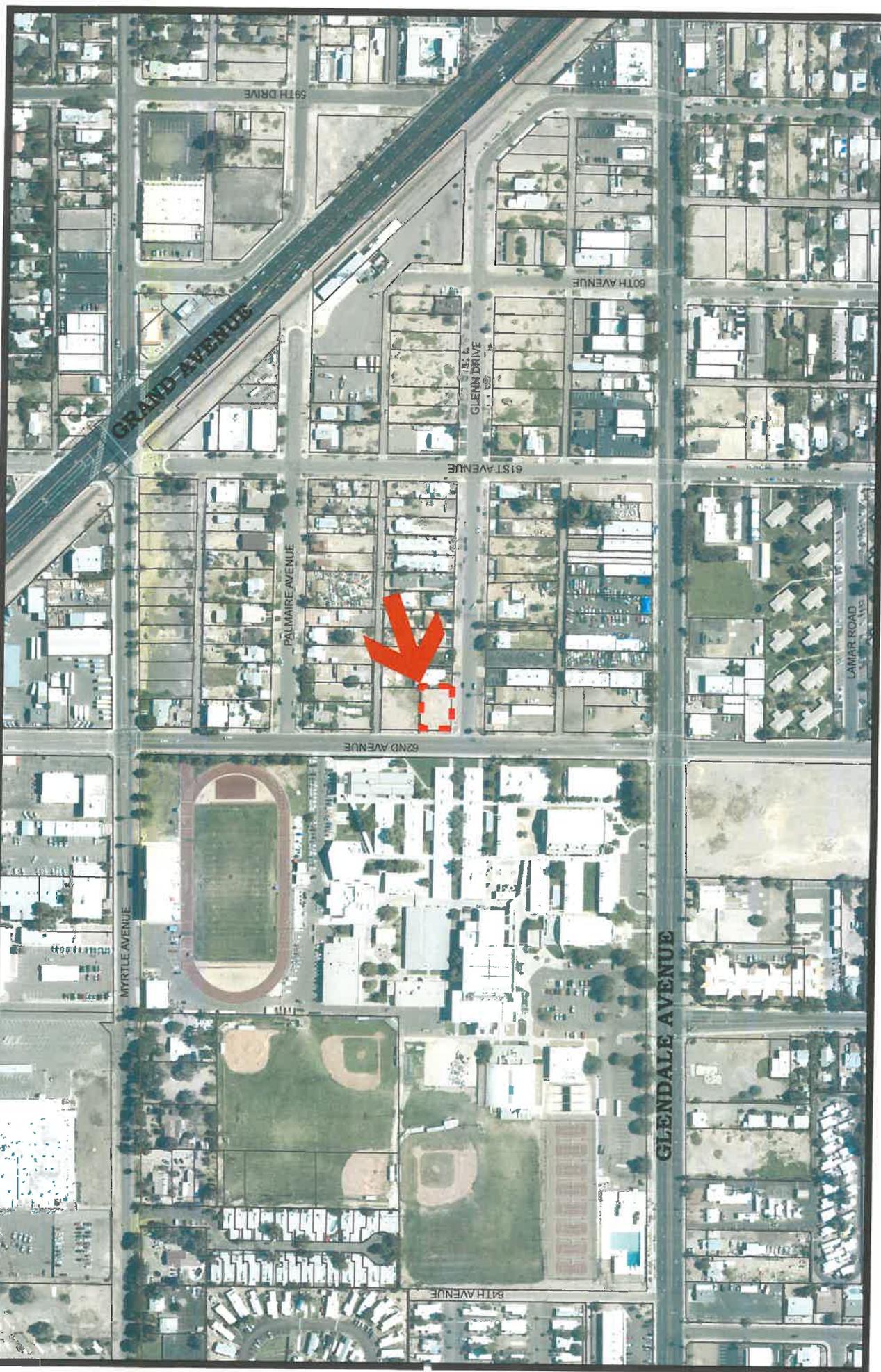
CASE NUMBER
VAR15-09



LOCATION
6200 W. GLENN DRIVE

REQUEST

A VARIANCE TO REDUCE THE REAR YARD SETBACK TO 15' WHERE 20' IS REQUIRED IN THE R-4 (MULTIPLE RESIDENCE) ZONING DISTRICT.



Aerial Date: October 2014



CASE NUMBER
VAR15-09





Planning Division Staff Report

DATE: December 10, 2015 **AGENDA ITEM:** 4

TO: Board of Adjustment

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Thomas Ritz, AICP, Senior Planner

SUBJECT: **VARIANCE (VAR) APPLICATION VAR15-10: HABITAT FOR HUMANITY – 6525 NORTH 53RD AVENUE**

REQUEST: To reduce the required side yard setbacks to 5 feet and 10 feet where 20 feet is required in the R-3 (Multiple Residence) zoning district.

APPLICANT/OWNER: Tana Nichols / Habitat for Humanity.

REQUIRED ACTION: The Board must consider the facts and determine that the findings required to grant a variance have been met. The Board may condition a variance to ensure that it will not grant special privileges inconsistent with the limitation of other similarly zoned properties. The Board must deny the request if the required findings have not been met.

RECOMMENDATION: Staff recommends approval subject to stipulation.

PROPOSED MOTION: Move to approve VAR15-10 subject to stipulation.

SUMMARY: The applicant is requesting a variance to reduce the side yard setbacks from 20 feet to 5 feet on one side and 10 feet on the other side. If approved, the applicant intends to construct a new single family home on the property.

BOARD ACTION: Board member _____ MADE a MOTION to _____ Case No. VAR15-10, subject to stipulations listed in the staff report. Board member _____ SECONDED the MOTION. The MOTION was _____ with a vote of _____.

DETAILS OF REQUEST:

General Plan Designation:

Medium Density Residential, 3.5 to 5 dwelling units per acre.

Property Location and Size:

The property is located within the La Casita Mia Subdivision, northeast of the northeast corner of Maryland Avenue and 55th Avenue. The parcel dimensions are approximately 50 feet wide and 137.50 feet long.

Zoning Ordinance Requirements:

Section 5.420 – R-3 (Multiple Residence) Table 2:

Minimum side yard setback 20 feet

Minimum lot width 60 feet

Surrounding Land Use and Zoning:

North: Single-family home, zoned R-3

East: Single-family home, zoned R-3

South: Single-family home, zoned R-3

West: Duplex, zoned R-3 and apartment building, zoned R-4 (Multiple Residence)

History:

- This property was annexed to the City of Glendale by Ordinance No. 97 NS on January 30, 1951.
- The property is part of the La Casita Mia Subdivision, which was platted on September 30, 1950.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Process:

On October 16, 2015, notification letters were mailed to adjacent property owners and interested parties. Staff received two phone calls concerning the request as a result of the Citizen Participation notification. The property owners questioned which properties would be impacted by this request. Staff explained that the variance only applied to the property at 6525 North 53rd Avenue. The applicant's Citizen Participation Final Report is attached.

Board of Adjustment Public Hearing Notification:

A Notice of Public Hearing was published in *The Glendale Star* on November 19, 2015. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on November 20, 2015. The property was posted on November 23, 2015.

STAFF FINDINGS AND ANALYSIS:

The Board of Adjustment must analyze four findings based on the evidence in the record prior to granting a variance. Each finding is presented below along with staff's analysis.

1. **There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

The existing R-3 zoning district setbacks and size of the lot creates a special circumstance not self-imposed by the property owner. The construction of the desired home requires some level of relief.

2. **Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would limit the property to twenty (20) foot side yard setbacks and prohibit the construction of the desired home.

3. **The variance is the minimum necessary to alleviate the property hardship; and**

The requested side yard setback is the minimum necessary to construct the requested home on the lot. No other relief from the zoning requirements is proposed as a part of this variance request.

4. **Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the city in general.**

The requested building setback will permit the construction of the desired home and will not detrimentally affect any neighboring properties.

RECOMMENDATION:

The variance request appears to meet all four findings and should be approved. If the Board decides to grant the variance, it should be subject to the following stipulation:

1. Development shall be in conformance with the applicant's narrative, date-stamped November 16, 2015.

ATTACHMENTS:

1. Applicant's Narrative, date stamped November 16, 2015.
2. Citizen Participation Final Report (without mailing labels), approved November 16, 2015.
3. Vicinity Zoning Map.
4. Aerial Photograph, dated October 2014.

PROJECT MANAGER:

Thomas Ritz, AICP, Senior Planner (623) 930-2588
tritz@glendaleaz.com

REVIEWED BY:



Planning Director

TR/df



Development Services Director

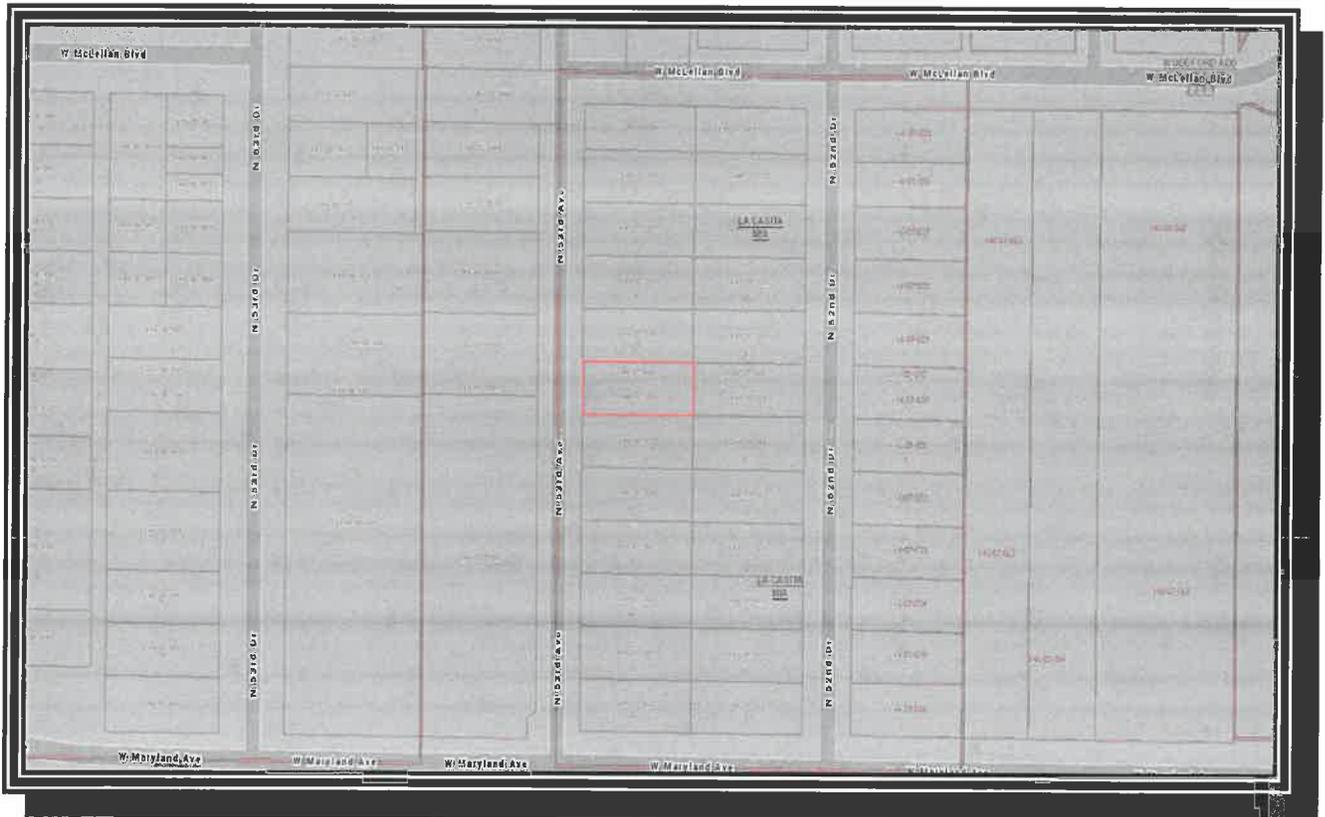
NOV 16 2015

PROJECT NARRATIVE
VAR15-10

Glendale Planning Dept.

PROJECT DESCRIPTION

Habitat for Humanity Central Arizona owns a 6,875 square foot lot situated at 6525 North 53rd Avenue, Glendale, Arizona 85301. The property is situated in the La Casita MIA subdivision, Lot #6. The property is a flat, basically rectangular shaped lot. The lot is approximately 50 feet wide by 137.50 feet deep. The property fronts 53rd Avenue on the west. The Assessor's Parcel Number is 146-07-006. A plat map is included following.



Habitat for Humanity Central Arizona is an affiliate of Habitat for Humanity International, a worldwide organization with one main goal of eliminating substandard housing. Habitat, with the help of donated money and volunteer labor, builds affordable homes and sells them to qualified low-income buyers with the help of a no interest loan. The buyers not only put in work hours on their own homes, but on the Habitat homes of their neighbors as well.

Habitat has already built, renovated and repaired in excess of 1,725 homes in the metro Phoenix area as well as Pinal County. We have served families in Avondale, Apache Junction, Chandler,

PROJECT NARRATIVE
6525 NORTH 53RD AVENUE

Gilbert, Guadalupe, Glendale, Mesa, Peoria, Phoenix, Surprise, Tempe, Coolidge, and Casa Grande. These new and renovated homes and the associated 1,725 families who live in them have had a positive impact on communities all over the valley. Many people do not realize that we build and renovate energy efficient stucco homes for stable working people who are legal residents and have good credit. These families pay for their homes. It is not a give away program. If you would like to see the quality of our homes you may visit our website at www.habitatcaz.org.

The property is located on the east side of 53rd Avenue, six parcels north of West Maryland Avenue. The majority of parcels in the area are zoned R-3, Multiple Residence Zoning District. There is an automobile dealership and some retail development to the south zoned C-3, Commercial. The majority of the lots are improved with single-family residential development similar to the development proposed by Habitat for Humanity. Development standards within this district require that minimum net lot areas are at least 6,000 square feet, with a minimum width of sixty (60) feet and a minimum depth of ninety-four (94) feet. Front, side, and rear setbacks requirements are twenty (20) feet, with a maximum lot coverage of 50.00%.

Habitat for Humanity Central Arizona is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single-family residence. We are requesting a variance to allow a five (5) foot side yard setback on the south side where a twenty (20) foot side yard setback is required; a ten (10) foot side yard setback on the north side yard where a twenty (20) foot side yard setback is required; and a reduction in the minimum required lot width from sixty (60) feet to fifty (50) feet. The home planned is Habitat Model MM1448. The home will be single story and include four (4) bedrooms, two (2) bathrooms, contain a two (2) car garage and will be constructed of frame and stucco.

Square footages of Model MM1448 are as follows:

House	1,448	Square Feet
Two Car Garage	457	Square Feet
Front Patio	112	Square Feet
Rear Patio	<u>125</u>	<u>Square Feet</u>
Total Square Footage	2,142	Square Feet

The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-3, Multi Family Residential Zoning District.

EXTERIOR PHOTO



FINDINGS OF A VARIANCE

Pursuant to the requirements of the City of Glendale Planning Department, Habitat for Humanity Central Arizona must provide evidence that the following findings are met:

- 1. There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

The side setbacks required in the R-3, Multiple Residence Zoning District are not typical of single-family residential development, and further, not typical of existing development in the area. The majority of the surrounding area development contains a variety of setbacks that do not meet the current zoning requirements. The existing homes in the neighborhood are enjoying setbacks less than the twenty (20) feet required.

- 2. Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would limit the property to twenty (20) foot side setbacks and limit the type of housing product to a total width of ten (10) feet. The majority of the properties in the neighborhood have setbacks that are similar to those proposed by Habitat for Humanity Central Arizona.

- 3. The variance is the minimum necessary to alleviate the property hardship; and**

The requested side setbacks and minimum lot width reduction are the minimum necessary to construct a typically sized single-family residential home on the lot. The front and rear setbacks, as well as the minimum lot depth, and size are in conformance with current R-3 zoning requirements.

- 4. Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the City in general.**

The requested building setbacks are consistent with other properties in the surrounding area and will not detrimentally affect any neighboring properties.

**CITIZEN PARTICIPATION FINAL REPORT
VAR 15-10**

HABITAT FOR HUMANITY CENTRAL ARIZONA

**6525 NORTH 53RD AVENUE
GLENDALE, ARIZONA 85301**



PREPARED BY:

**TANA NICHOLS
DIRECTOR OF LAND ACQUISITION AND DEVELOPMENT**

OCTOBER 29, 2015

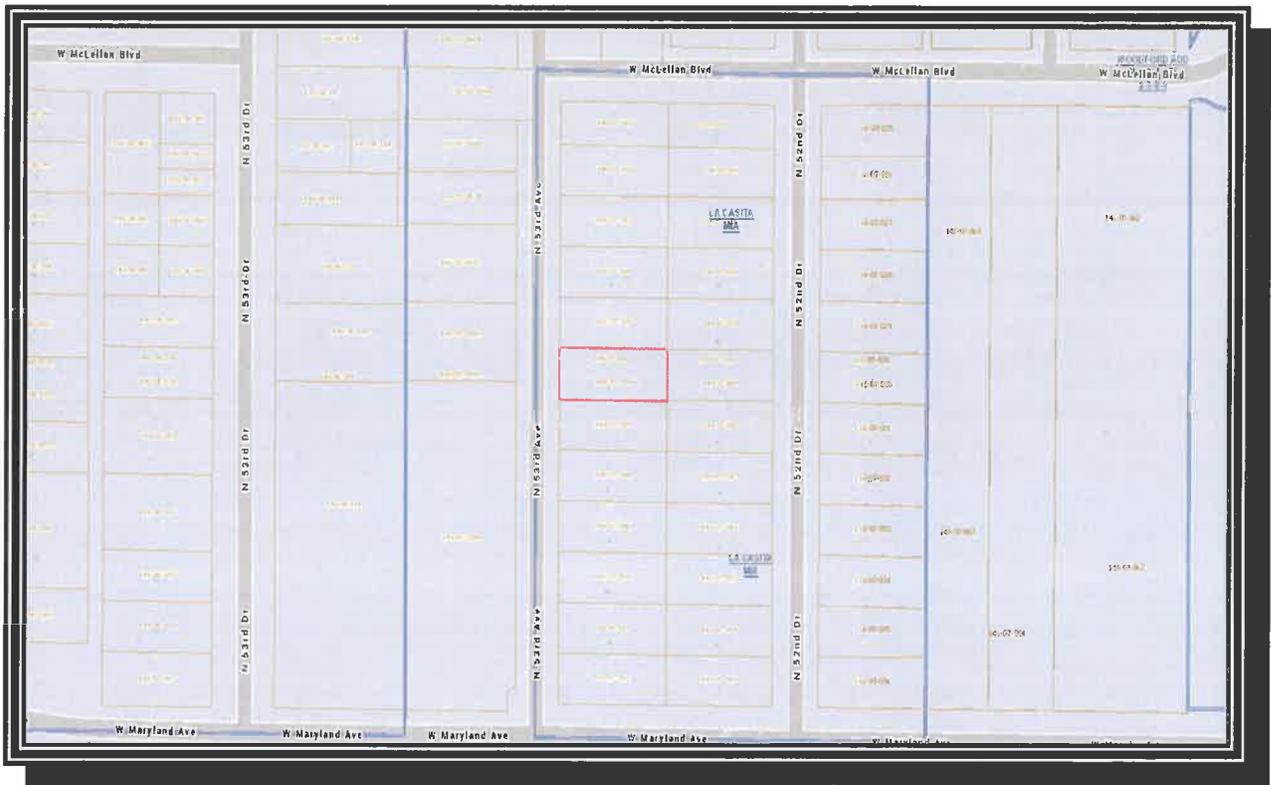
APPROVED

NOV 16 2015

**City of Glendale
Planning Department**

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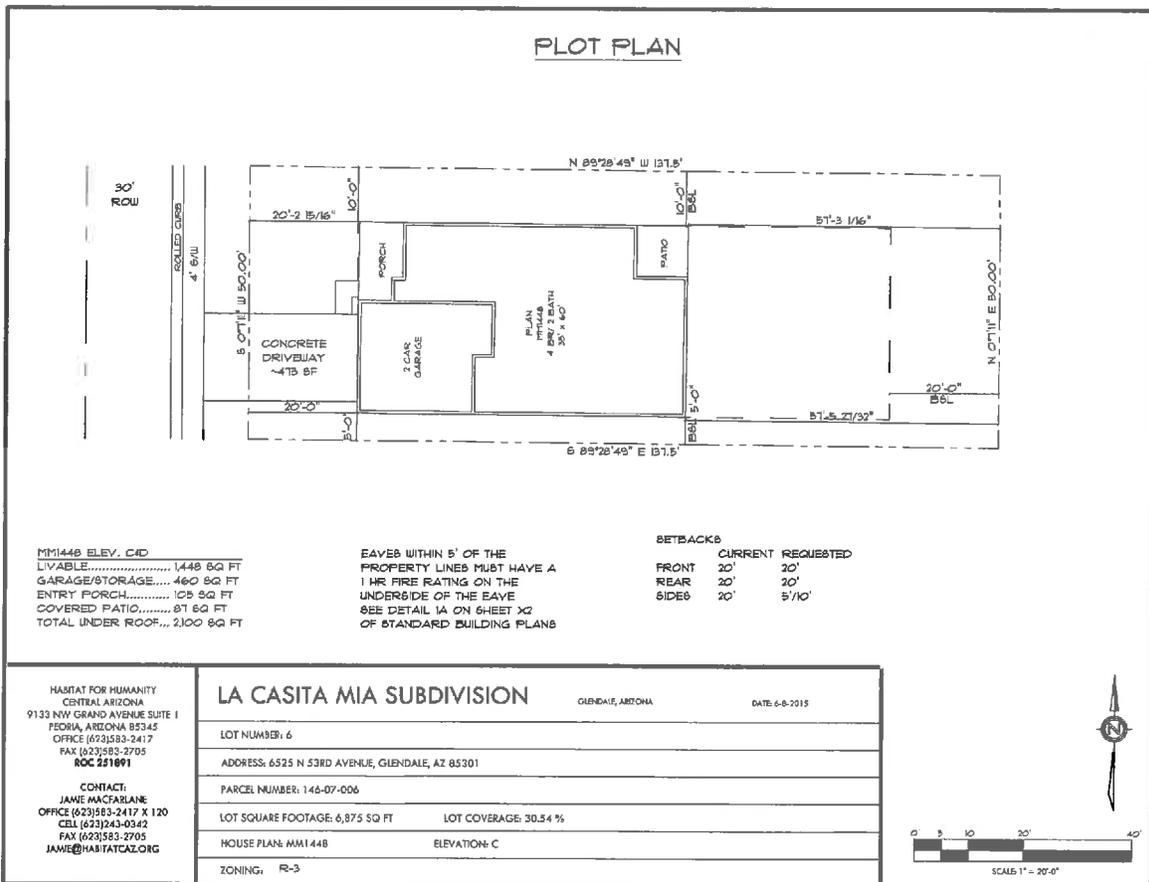
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Rear Patio	125	Square Feet
Total Square Footage	2,142	Square Feet

The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-3, Multi Family Residential Zoning District.

A plot plan is included below.



ELEMENTS OF CITIZEN PARTICIPATION PLAN

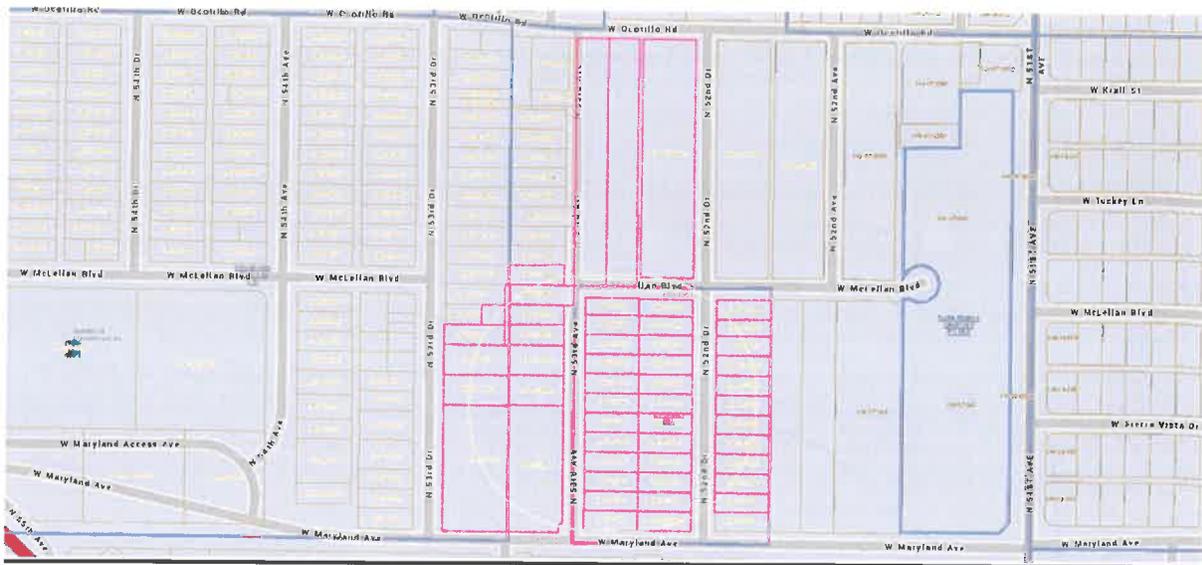
The City of Glendale Planning Department specified the notification area. It was determined that a notification letter was the most appropriate public notification technique for this project. A plat map outlining the notification area was included. Also provided in the plan was a listing of property owners, other homeowners associations, interested parties, and additional notification individuals. Items addressed in the plan include individuals affected directly or indirectly, possible project concerns, project contact information, amendment notification techniques, citizen participation status, and scheduling.

NOTIFICATION DATES

The Citizen Participation Plan was submitted to the City of Glendale on June 11, 2015. The plan was reviewed and revisions were requested on July 16, 2015. The revisions and requested copies were made and resubmitted to the City of Glendale on July 20, 2015. The plan was approved by the City of Glendale's Development Review Team on September 29, 2015. Public notification letters were forwarded to all pertinent parties on October 15, 2015. With the fifteen (15) day notification period required, October 29, 2015 was the deadline to receive citizen input. No revisions to the plan were required and the Citizen Participation Final Report was forwarded to the City of Glendale's Development Review Team on November 2, 2015.

NOTIFICATION AREA

A plat map with an outline of the notification area as determined appropriate by the Planning Department is included following. All property owners and other interested parties within this notification area were notified by First Class Mail.



MEETING DATES/LOCATION

It was determined that it was unnecessary to schedule a meeting to discuss the proposal.

INDIVIDUALS NOTICED

A total of fifty-one (51) property owners, sixty-three (63) individuals included in the Ocotillo District, three (3) Glendale Homeowners Associations and Registered Neighborhood Groups, more precisely the Heart of Glendale, and four (4) Additional Notification individuals were forwarded a public notification letter. None of the individuals noticed participated in the process.

PROJECT CONCERNS

During the fifteen (15) day citizen input period, I did not receive any telephone calls or written correspondence expressing any concern regarding the project. Mr. Thomas Ritz did receive a telephone call from Grace Garcia, the homeowner who resides at 6517 North 53rd Avenue. She had questions regarding the variance request and Mr. Ritz was able to answer all of her questions. Mr. Ritz was also contact by Armando Nunez who owns the property at 6505 North 53rd Avenue. Mr. Nunez had questions regarding the variance process. Mr. Ritz was able to answer all of Mr. Nunez questions. No additional project concerns, issues, or problems were raised.

PUBLIC NOTIFICATION LETTER

A copy of the public notification letter is included following. No additional notification techniques were deemed appropriate. A complete mailing list is attached as Appendix A to this report.



October 14, 2015

Re: VAR15-10 - 6525 North 53rd Avenue, Glendale, Arizona 85301, Parcel No. 146 07 006

Dear Neighbor:

This letter is to inform you that Habitat for Humanity Central Arizona affiliate is applying for a variance with the City of Glendale. The property is located at 6525 North 53rd Avenue, Glendale, Arizona 85301. The purpose of a variance is to create equity by allowing deviations from the Zoning Ordinance Development Standards.

Habitat for Humanity is requesting a variance to allow a decrease in setbacks and minimum lot width that would permit the construction of a single family residence. We are requesting a variance to allow a five (5) foot side yard setback on the south side where a twenty (20) foot side yard setback is required; a ten (10) foot side yard setback on the north side yard where a twenty (20) foot side yard setback is required; and a reduction in the minimum required lot width from sixty (60) feet to fifty (50) feet which is required in the R-3, Multiple Residence District. This is necessary because Habitat for Humanity would like to construct a 1,448 square foot, single story, single-family residence. The home planned is Habitat Model MM1448.

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I have included a site plan with this letter for your review. Please provide any comments to this variance request by October 29, 2015. You may contact me at the address or phone number shown below. You may also contact Thomas Ritz with the City of Glendale Planning Department at 623.930.2588.

Sincerely,

A handwritten signature in blue ink that reads "Tana Nichols".

Tana Nichols

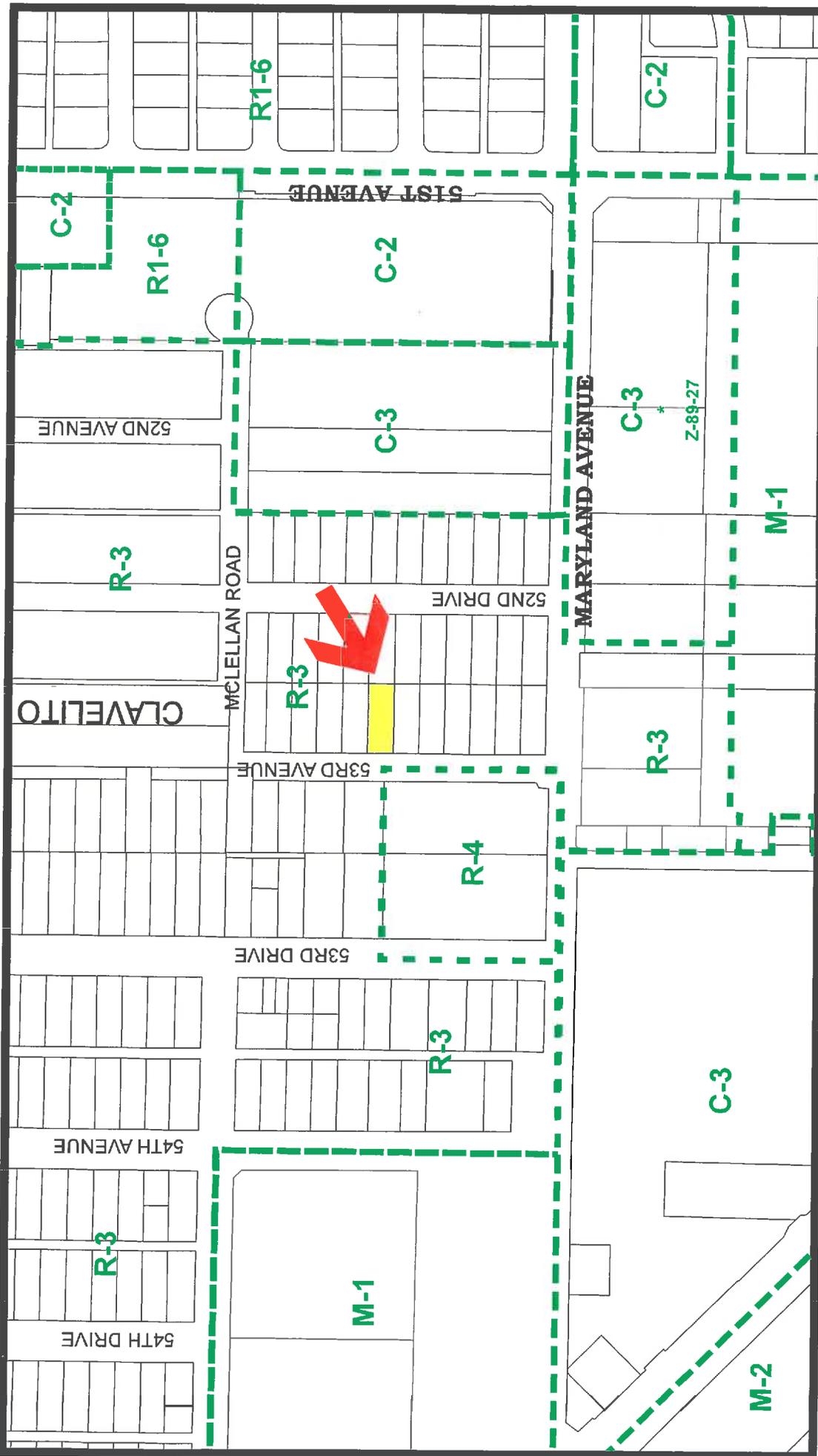
Director of Land Acquisition and Development

Enclosure: Site Plan

Corporate Office
9133 NW Grand Ave., Suite 1, Phoenix, AZ 85345
623-583-2417 Habitataz.org



Accommodations for individuals with disabilities will be made upon request.
We proudly work with Arizona Family Services (AFS) to provide services to the hearing impaired.



CASE NUMBER
VAR15-10



LOCATION
6525 N. 53RD AVENUE

REQUEST

A VARIANCE TO REDUCE THE SIDE YARD SETBACKS TO 5' AND 10' WHERE 20' IS REQUIRED IN THE R-3 (MULTIPLE RESIDENCE) ZONING DISTRICT.



Aerial Date: October 2014



CASE NUMBER
VAR15-10

