



# Board of Adjustment Regular Agenda

COUNCIL CHAMBERS BUILDING  
CONFERENCE ROOM B-3  
MARCH 10, 2016  
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: December 10, 2015 Regular Meeting
- IV. WITHDRAWALS AND CONTINUANCES
- V. PUBLIC HEARING ITEMS
  1. **VAR16-01:** A request by Greg Packham, representing Chicanos Por La Causa, for a variance to reduce the side yard building setbacks on the property from the required twenty (20) feet to five (5) and ten (10) feet on a fifty (50) foot wide vacant parcel in the R-3 (Multiple Residence) Zoning District, which will allow the property owner to construct a new livable home. The site is located at 6715 North 60th Avenue and is located in the Ocotillo Council District. Staff Contact: Martin Martell, Planner.
  2. **VAR16-02:** A request by Greg Packham, representing Chicanos Por La Causa, for a variance to reduce the side yard building setbacks on the property from the required twenty (20) feet to five (5) and ten (10) feet on a fifty (50) foot wide vacant parcel in the R-3 (Multiple Residence) Zoning District, which will allow the property owner to construct a new livable home. The site is located at 6717 North 59th Drive and is located in the Ocotillo Council District. Staff Contact: Martin Martell, Planner.
- VI. OTHER BUSINESS FROM THE FLOOR
- VII. PLANNING STAFF REPORT
- VIII. BOARD COMMENTS AND SUGGESTIONS
- IX. ADJOURNMENT

NEXT MEETING: April 14, 2016

**FOR SPECIAL ACCOMMODATIONS**



Please contact Diana Figueroa at (623) 930-2808 or [dfigueroa@glendaleaz.com](mailto: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, DECEMBER 10, 2015  
4:00 PM**

CALL TO ORDER

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

ROLL CALL

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

CITY STAFF

Tabitha Perry, Assistant Planning Director, Russell Romney, Deputy 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 October 8, 2015 minutes.

**Board member Dietzman made a MOTION to APPROVE the Minutes of the October 8, 2015 Meeting, as written. Board member Crowley 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. **VAR15-05:** 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 54<sup>th</sup> Drive, three parcels south of West McClellan Road (6634 North 54<sup>th</sup> Drive) and is in the Ocotillo District. Staff Contact: Thomas Ritz, AICP, Senior Planner.

Thomas Ritz, AICP, Senior Planner, stated this was 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 was required in the R-3 District. He said the site was on the west side of 54<sup>th</sup> Drive, three parcels south of West McClellan Road and was in the Ocotillo District. He noted the property was located within the Sugar Addition Subdivision southeast of the southeast corner of Glendale Avenue and 55th Avenue. He explained that if approved, the applicant intends to construct a new single family home on the property. The parcel dimensions are approximately 50 feet wide and 140 feet long.

Mr. Ritz stated that on September 23, 2015, notification letters were mailed to adjacent property owners and interested parties. He noted that to date Planning Staff received one phone call concerning the request. He said 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 notification.

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 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 in the same classification in the same zoning district;**

He said the strict application of the Zoning Ordinance would limit the property to twenty foot side yard setbacks and prohibit the construction of the desired home.

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

He said the requested side yard 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 the variance request.

- 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 will permit the construction of the desired home and will not detrimentally affect any neighboring properties.

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 stipulation listed in the staff report. He concluded his presentation and stated he was available for questions. The stipulation is listed below.

1. Development shall be in conformance with the applicant's narrative, site plan, and floor plan, dated November 2, 2015.

Chairperson Toops asked if the Board had any questions.

Board member Zarra inquired as to a building which showed on the aerial map. Mr. Ritz stated that the building has since been demolished. He added that all sites are cleared and were ready to be built upon. Board member Zarra asked if the photos in their packets were the proposed view of the projects. Mr. Ritz replied yes, and added that the photographs were of the buildings that were being proposed.

Chairperson Toops called for the applicant to make a presentation.

Habitat for Humanity, Administrative Representative, stated that she would like to thank the City of Glendale and the Board of Adjustment for allowing them to move forward with this project. She said this was a wonderful thing to do and that it had been a great partnership.

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. Romney 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. Romney asked that if based on the findings, does the Board wish to grant variance **VAR15-05** subject to the stipulation set forth by the Planning Division.

Chairperson Toops called for a motion.

**VICE CHAIRPERSON VESCIO MADE A MOTION TO APPROVE VAR15-05 SUBJECT TO ONE STIPULATION NOTED IN THE STAFF REPORT. BOARD MEMBER ZARRA SECONDED THE MOTION WHICH WAS APPROVED UNANIMOUSLY WITH A VOTE OF 5 TO 0.**

- 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 59<sup>th</sup> Drive, one parcel south of Lamar

Road at (6727 North 59<sup>th</sup> Drive) and is in the Ocotillo District. Staff Contact: Thomas Ritz, AICP, Senior Planner.

Thomas Ritz, AICP, Senior Planner, stated this was 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 was required in the R-3 District. He noted the site was on the east side of 59<sup>th</sup> Drive, one parcel south of Lamar Road and was in the Ocotillo District. He explained that if approved the applicant intends to construct a new single family home on the property. He said the property was 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 by 180 feet long.

Mr. Ritz stated that on October 16, 2015, notification letters were mailed to adjacent property owners and interested parties. Staff received one phone call concerning the request. He noted the property owner who called supports the variance request. He stated that the applicant received two phone calls concerning the request as a result of the notification. One phone call was from the same property owner who contacted staff, supporting the request. The other was from a second property owner. He noted the applicant explained the variance request and stated it would not impact the property of the caller.

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 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 in the same classification in the same zoning district;**

He stated the strict application of the Zoning Ordinance would limit the property to twenty foot side yard setbacks and prohibit the construction of the desired home.

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

He said the requested street 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, surrounding neighborhoods or the city in general.**

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

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 stipulation listed in the staff report. He concluded his presentation and stated he was available for questions. The stipulation is listed below.

1. Development shall be in conformance with the narrative and site plan, date stamped November 16, 2015.

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

Chairperson Toops called for the applicant to make a presentation. There was no presentation.

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.

Based on the facts and evidence presented, Mr. Romney 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. Romney asked that if based on the findings, does the Board wish to grant variance **VAR15-06** subject to the stipulation set forth by the Planning Division.

**BOARD MEMBER CROWLEY MADE A MOTION TO APPROVE VAR15-06 SUBJECT TO ONE STIPULATION NOTED IN THE STAFF REPORT. BOARD MEMBER DIETZMAN SECONDED THE MOTION WHICH WAS APPROVED UNANIMOUSLY WITH A VOTE OF 5 TO 0.**

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 59<sup>th</sup> Drive, two parcels south of Lamar Road (6725 North 59<sup>th</sup> Drive) and is in the Ocotillo District. Staff Contact: Thomas Ritz, AICP, Senior Planner.

Thomas Ritz, AICP, Senior Planner, stated this was 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 was required in the R-3 District. He said the site was on the east side of 59<sup>th</sup> Drive, two parcels south of Lamar Road and was in the Ocotillo District. He noted that if approved, the applicant intends to construct a new single family home on the property. He said the property was 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 by 180 feet long.

Mr. Ritz stated that on October 16, 2015, notification letters were mailed to adjacent property owners and interested parties. Staff received one phone call concerning the request. He stated the property owner who called supports the variance request. He explained that the applicant received two phone calls concerning the request as a result of the notification. He noted that one phone call was from the same property owner who contacted staff, supporting the request. The other was from a second property owner. He said the applicant explained the variance request and stated it would not impact the property for the caller.

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 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 in the same classification in the same zoning district;**

He stated the strict application of the Zoning Ordinance would limit the property to twenty foot side yard setbacks and prohibit the construction of the desired home.

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

He said the requested street 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, surrounding neighborhoods or the city in general.**

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

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 stipulation listed in the staff report. He concluded his presentation and stated he was available for questions. The stipulation is listed below.

1. Development shall be in conformance with the narrative and site plan, date stamped November 16, 2015.

Chairperson Toops asked if the Board had any questions.

In response to a question from Board member Dietzman, Mr. Ritz explained this home was slightly closer to the street than the other requests on this agenda.

Chairperson Toops called for the applicant to make a presentation. There was no presentation.

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.

Based on the facts and evidence presented, Mr. Romney 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. Romney asked that if based on the findings, does the Board wish to grant variance **VAR15-07** subject to the stipulation set forth by the Planning Division.

Chairperson Toops called for a motion.

**BOARD MEMBER DIETZMAN MADE A MOTION TO APPROVE VAR15-07 SUBJECT TO ONE STIPULATION NOTED IN THE STAFF REPORT. BOARD MEMBER CROWLEY SECONDED THE MOTION WHICH WAS APPROVED UNANIMOUSLY WITH A VOTE OF 5 TO 0.**

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

Thomas Ritz, AICP, Senior Planner, stated this was 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 was required in the R-3 District. He said the site was on the west side of 54<sup>th</sup> Avenue, three parcels south of West Ocotillo Road and is in the Ocotillo District. He noted that if approved the applicant intends to construct a new single family home on the property. He stated the property was 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.

Mr. Ritz stated that on September 23, 2015 letters were mailed to adjacent property owners and interested parties. He stated that neither staff nor the applicant received any input as a result of the notification.

Mr. Ritz reviewed staff's findings.

- 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 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.

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

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

He said the requested street 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, surrounding neighborhoods or the city in general.**

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

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 stipulation listed in the staff report. He concluded his presentation and stated he was available for questions. The stipulation is listed below.

1. Development shall be in conformance with the narrative, site plan, and floor plan, dated November 16, 2015.

Chairperson Toops asked if the Board had any questions.

Board member Zarra noted that the corner lot picture is incorrect on the Citizen Participation page. Mr. Ritz stated that it showed incorrectly on the Citizen Participation Report submitted by the applicant and does not match the address, however, on the next page it was highlighted correctly. He noted that staff's photo was correct.

Chairperson Toops called for the applicant to make a presentation. There was no presentation.

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. Romney 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. Romney asked that if based on the findings, does the Board wish to grant variance **VAR15-08** subject to the stipulation set forth by the Planning Division.

Chairperson Toops called for a motion.

**VICE CHAIRPERSON VESCIO MADE A MOTION TO APPROVE VAR15-08 SUBJECT TO ONE STIPULATION NOTED IN THE STAFF REPORT. BOARD MEMBER ZARRA SECONDED THE MOTION WHICH WAS APPROVED UNANIMOUSLY WITH A VOTE OF 5 TO 0.**

- 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 62<sup>nd</sup> Avenue (6200 West Glenn Drive) and is in the Ocotillo District. Staff Contact: Thomas Ritz, AICP, Senior Planner.

Thomas Ritz, AICP, Senior Planner, stated this was a variance request by Tana Nichols for Habitat for Humanity to reduce the rear yard setback to 15 feet where 20 feet was required in the R-4 District. He said the site was on the northeast corner of Glenn Drive and 62<sup>nd</sup> Avenue and was in the Ocotillo District. He noted the property was located within the subdivision of Lot 25 of Hadsell's Addition to Glendale, northeast of the northeast corner of Glendale Avenue and 63rd Avenue. He explained the dimensions are approximately 100 feet wide and 74 feet long. The lot was created out of the south half of lot 14 and the western part of lot 15 as originally platted.

Mr. Ritz stated that on September 23, 2015, notification letters were mailed to adjacent property owners and interested parties. He noted the property was not located within any registered neighborhood and he received no input from the notification.

Mr. Ritz reviewed staff's findings.

- 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 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 in the same classification in the same zoning district;**

He stated the strict application of the Zoning Ordinance would limit the property to twenty foot side yard setbacks and prohibit the construction of the desired home.

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

He said the requested street 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, surrounding neighborhoods or the city in general.**

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

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 stipulation listed in the staff report. He concluded his presentation and stated he was available for questions. The stipulation is listed below.

1. Development shall be in conformance with the narrative, site plan, and floor plan, dated November 2, 2015.

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

Chairperson Toops called for the applicant to make a presentation. There was no presentation.

Chairperson Toops opened the public hearing. With no 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. Romney 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. Romney asked that if based on the findings, does the Board wish to grant variance **VAR15-09** subject to the stipulation set forth by the Planning Division.

Chairperson Toops called for a motion.

**BOARD MEMBER ZARRA MADE A MOTION TO APPROVE VAR15-09 SUBJECT TO ONE STIPULATION NOTED IN THE STAFF REPORT. BOARD MEMBER CROWLEY SECONDED THE MOTION WHICH WAS APPROVED UNANIMOUSLY WITH A VOTE OF 5 TO 0.**

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 53<sup>rd</sup> Avenue, six parcels north of West Maryland Avenue (6525 North 53<sup>rd</sup> Avenue) and is in the Ocotillo District. Staff Contact: Thomas Ritz, AICP, Senior Planner

Thomas Ritz, AICP, Senior Planner, stated this was 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 was required in the R-3 District. He said the site was on the east side of 53<sup>rd</sup> Avenue, six parcels north of West Maryland Avenue and was in the Ocotillo District. He stated that the property was 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.

Mr. Ritz stated that 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 notification. He said 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.

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 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 in the same classification in the same zoning district;**

He stated the strict application of the Zoning Ordinance would limit the property to twenty foot side yard setbacks and prohibit the construction of the desired home.

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

He said the requested street 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, surrounding neighborhoods or the city in general.**

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

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 stipulation listed in the staff report. He concluded his presentation and stated he was available for questions. The stipulation is listed below.

1. Development shall be in conformance with the narrative, site plan, and floor plan, dated November 16, 2015.

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

Chairperson Toops called for the applicant to make a presentation. There was no presentation.

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. Romney 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. Romney asked that if based on the findings, does the Board wish to grant variance **VAR15-10** subject to the stipulation set forth by the Planning Division.

Chairperson Toops called for a motion.

**BOARD MEMBER ZARRA MADE A MOTION TO APPROVE VAR15-10 SUBJECT TO ONE STIPULATION NOTED IN THE STAFF REPORT. VICE CHAIRPERSON VESCIO SECONDED THE MOTION WHICH WAS APPROVED UNANIMOUSLY WITH A VOTE OF 5 TO 0.**

#### 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.

NEXT MEETING: January 14, 2016

#### BOARD COMMENTS AND SUGGESTIONS

Chairperson Toops called for Board comments and suggestions. There were none.

#### ADJOURNMENT

Chairperson Toops called for a motion to adjourn.

**VICE CHAIRPERSON VESCIO MADE A MOTION TO ADJOURN THE MEETING. BOARD MEMBER DIETZMAN SECONDED THE MOTION, WHICH WAS APPROVED UNANIMOUSLY.**

The meeting adjourned at 4:59 p.m.



# Planning Division Staff Report

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**DATE:** March 10, 2016 **AGENDA ITEM: 1**

**TO:** Board of Adjustment

**FROM:** Tabitha Perry, Assistant Planning Director  
**PRESENTED BY:** Martin Martell, Planner

**SUBJECT:** **VARIANCE (VAR) APPLICATION VAR16-01: 60TH AVENUE VARIANCE – 6715 NORTH 60<sup>TH</sup> AVENUE**

**REQUEST:** Variance to allow a reduction of the required side yard building setbacks from twenty (20) feet to five (5) feet and ten (10) feet on a vacant property in the R-3 (Multiple Residence) Zoning District.

**APPLICANT/OWNER:** Greg Packham on behalf of Chicanos Por La Causa, Incorporated.

**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 one stipulation.

**PROPOSED MOTION:** Move to approve VAR16-01 subject to one stipulation.

**SUMMARY:** The applicant is requesting a reduction of the north side yard building setback from twenty (20) feet to five (5) feet and the south side yard building setback from twenty (20) feet to ten (10) feet. If approved, the applicant intends to construct a new single family home on a vacant property that is fifty (50) feet in width.

<p><b>BOARD ACTION:</b> Board member _____ MADE a MOTION to _____ Case No. VAR16-01, subject to the staff report stipulation. Board member _____ SECONDED the MOTION. The MOTION was _____ with a vote of _____.</p>
--

**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 Orchard Addition Subdivision, southwest of the southwest corner of 59<sup>th</sup> and Glendale Avenues. The parcel dimensions are approximately 50 feet wide and 180 feet long.

**Zoning Ordinance Requirements:**

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

Minimum side yard setbacks 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: Vacant lot, zoned R-3.

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

**History:**

- The property is part of the Orchard Addition, which was platted on October 31, 1908.
- The property is identified as Lot No. 16 South Pear Street on the plat.

**CITIZEN PARTICIPATION TO DATE:**

**Applicant's Citizen Participation Process:**

On November 24, 2015 notification letters were mailed to adjacent property owners and interested parties. The applicant received two (2) responses regarding this proposal and these responders wanted a better understanding of what will occur on the property. To date, Planning staff has not received any questions or comments concerning the subject site. 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 February 18, 2016. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on February 18, 2016. The property was posted on February 18, 2016.

**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 lot size creates a special circumstance that is not self-imposed by the property owner. Presently the size of the lot is just fifty (50) feet wide with a twenty (20) foot perimeter setback. Thus, with these required development setbacks and the current size, development will only allow for a ten (10) feet wide home, which would be unrealistic for this property. The desire to construct a new single family home on this vacant lot is difficult if some exceptions to these standards are not granted.

- 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 majority of homes in this neighborhood are not in conformance with the current development standards of the R-3 Zoning District. These homes typically have residential side yard building setbacks of five (5) and ten (10) feet. In addition, the majority of the lots in this neighborhood are on parcels that are only fifty (50) feet in width when the minimum lot width for properties in the R-3 Zoning District is sixty (60) feet.

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

The requested reduction of the north and south side yard building setbacks will permit the construction of a livable home which will match the majority of the homes on this street.

- 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 reduction of the side yard building setbacks will be indiscernible from the street and 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 approved narrative and site plan, both stamped November 24, 2015.

#### **ATTACHMENTS:**

1. Applicant's Narrative, dated October 30, 2015.
2. Applicant's Site Plan, dated November 3, 2015.
3. Citizen Participation Final Report (without mailing labels) approved February 3, 2016.

4. Vicinity Zoning Map.
5. Aerial Photograph October 2014.

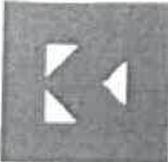
**PROJECT MANAGER:** Martin Martell, Planner (623) 930-2597.  
[mmartell@glendaleaz.com](mailto:mmartell@glendaleaz.com)

**REVIEWED BY:**

  
\_\_\_\_\_  
Planning Director

  
\_\_\_\_\_  
Development Services Director

MM/df



October 30, 2015

Board of Adjustment  
City of Glendale, Arizona

RE: SR-15-0151

This narrative is intended to address the Four Findings that have to be met to obtain a variance for the above referenced parcel. We seek a variance to reduce the side yard building setbacks, because the current 20 foot requirement results in a buildable area 10 feet wide. A 10 foot wide house is not practical and moreover, does not fit the pattern of lot development on this street or in this neighborhood. We wish to build a 27 foot wide house which will be similar to the neighboring houses in its width, footprint and location on the lot. This will result in a house that fits in with the neighborhood and will be practical and livable for the occupants.

**Finding 1.**

The lot is 50 feet wide. The lot is zoned R-3, which applies a 20 foot side yard setback to both sides of the parcel. Therefore, a strict application of the setback results in a buildable width of only 10 feet. This prevents a typical width house, like those built in this neighborhood, from being constructed.

**Finding 2.**

The majority of houses on this street are not in conformance with current development standards of the R-3 zoning district. They are located in a more usual arrangement with side yard setbacks that are 5 feet and/or 10 feet in width. We wish to apply for a variance to the 20 ft. side yard setback so that this lot can be developed in a similar way to the homes in the neighborhood.

**Finding 3.**

We seek a variance to change the side yard building setbacks to 5 feet on the north property line and 10 feet on the south property line. This is the minimum necessary to alleviate the property hardship and to permit a typical width house to be located on the lot in a way similar to the neighboring houses.

**Finding 4.**

Granting this variance will not have a detrimental effect on the property, adjoining properties, the surrounding neighborhood or the City in general. Indeed, granting of this variance request will bring this property into conformance with the established pattern of residential development on this street.

Thank you very much for your consideration.

Sincerely,

Jay Jolley, Architect

APPROVED

*Murphy Marshall*  
SIGNATURE

24 NOV 15  
DATE



# Citizen Participation Final Report

60<sup>th</sup> Avenue Variance

6715 N. 60<sup>th</sup> Avenue

Glendale, Arizona 85301

Prepared by:

K&I Architects & Interiors, LLC

1850 North Central Ave

Suite 200

Phoenix, AZ 85004

APPROVED

*Martin Martell* 3 Feb 16  
Signature Date

### **Brief Description of Proposed Project**

We are requesting a variance to reduce the north side yard setback from the required 20 feet to 5 feet and reduce the south side yard setback from 20 feet to 10 feet on a vacant lot. This will allow for the construction of a new single family home.

The house will be single story, 1,600 square feet. It will have a front porch and a rear porch. The front porch will be connected to the street sidewalk with a concrete or other paved path. The rear porch will face onto a landscaped area.

The carport will be behind the house and will be connected to the house by a shade trellis structure and concrete path.

The shape, materials and details of the house and carport will fit nicely into the neighborhood.

The project will have the required 30% landscape coverage and will be a great addition to the street.

## **Overview of elements of the Citizen Participation Plan**

The elements of our Citizen Participation Plan were

- Cover page with Project Information
- A brief description of the proposed project
- A statement regarding those affected by the project and our response
- A statement of how we considered our project from the perspective of others
- A statement of how we notified our neighbors of the variance request and how we plan to respond to any issues that arose
- A statement of the method by which additional neighbor notification would be accomplished, if required.
- A statement of the Method by which we notified City of Glendale, Planning of the status of the CP effort
- A schedule of the Citizen Participation Plan
- A statement of the Public Notification Method
- A site plan
- A list of Property Owners with addresses that were notified
- A map of the 300 foot radius notification area
- A list of Homeowners Associations (none) that required notification
- A list of Interested Parties with addresses that were notified
- A list of Additional Parties with addresses that were notified

## **Dates of Notification**

Notification letters with attached site plan were mailed on November 25<sup>th</sup>, 2015.  
No other types of notifications were sent.

### **Number of those notified**

The number of Property Owners notified was 58

The number of Neighborhood Associations notified was 0

The number of Interested Parties notified was 62

The number of additional Parties notified was 4

The total number of parties notified was 124

We received two (2) phone calls regarding the project, one from Mr. Charles Halder, and one from Mr. B. Paul Price.

### **Discussions with the two participants we heard from**

Both had no negative comments. Both gentlemen were simply seeking a verbal “walk-thru” of the project, so that they could better understand it. We spoke to both of them and answered their questions. They expressed no concerns about the project.

### **Revisions to the project**

Because neither of the two respondents expressed any concerns about the project, we have not altered the design.

### **Information received from Citizens**

We have received no letters, affidavits, meeting invitations, newsletters, publications, petitions in support or against our project.

### Notification Lists

- A. Property Owners / Map:  
See attachment
- B. Homeowners Associations:  
None
- C. Interested Parties:  
See attachment
- D. Additional Notification List  
See attachment

Note: The mailing lists are attached as an **appendix**

### Meetings

No citizen meetings were required by the City of Glendale, and none were held



# Planning

## NEIGHBORHOOD NOTIFICATION LETTER

### AFFIDAVIT OF MAILING

Case No. (if available) \_\_\_\_\_

Project Name: 40<sup>th</sup> Ave. Residence

I, GREG PACKHAM certify that I am the authorized applicant /

representative to the City of Glendale for the above application, and do hereby affirm that notice as required for the case noted above has been completed in accordance with the Citizen Participation Process in the City of Glendale's Zoning Ordinance, and a copy of the letter and mailing labels has also been submitted.

Applicant/Representative Signature: \_\_\_\_\_

STATE OF ARIZONA

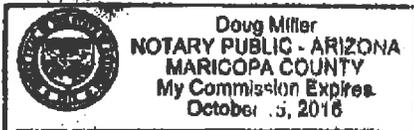
SS.

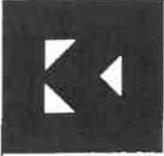
COUNTY OF MARICOPA

The foregoing instrument was acknowledged before me this 25 day of November, 2015.

[Signature]  
Notary Public

My Commission Expires:





## K & I ARCHITECTS & INTERIORS

November 24, 2015

Jay Jolley  
K & I Architects  
1850 North Central Ave, Suite 200  
Phoenix, AZ 85004  
[gregg@kiarchitects.com](mailto:gregg@kiarchitects.com) 602-262-3830

Subject: Residence at 6715 North 60<sup>th</sup> Ave - side yard setback variance request

Dear Neighbor;

This letter is to inform you that I am applying for a variance application with the City of Glendale. The property is located at 6715 North 60 Ave in the Ocotillo District.

The primary reason we are applying for this variance is because the lot we are planning to build on is in the R-3 (Multiple Residence) Zoning District that has setbacks of 20 feet on all four (4) sides of the property. If the side yard setbacks of 20 feet remain on the property the home can only be 10 feet wide making it very difficult to live in. Therefore, we are requesting to reduce the side yard setbacks from 20 feet to 5 feet on the north side yard and 10 feet on the south side yard of the property. This will also create a home that will be very different from the other homes in this neighborhood.

I have included a site plan with this letter for your review. Please provide any comments to my side yard variance request by December 18<sup>th</sup>. Please write, email, or call me at the contact information above. You may also contact Martin Martell with the City of Glendale at 623-930-2597

Sincerely,



Jay Jolley, Architect

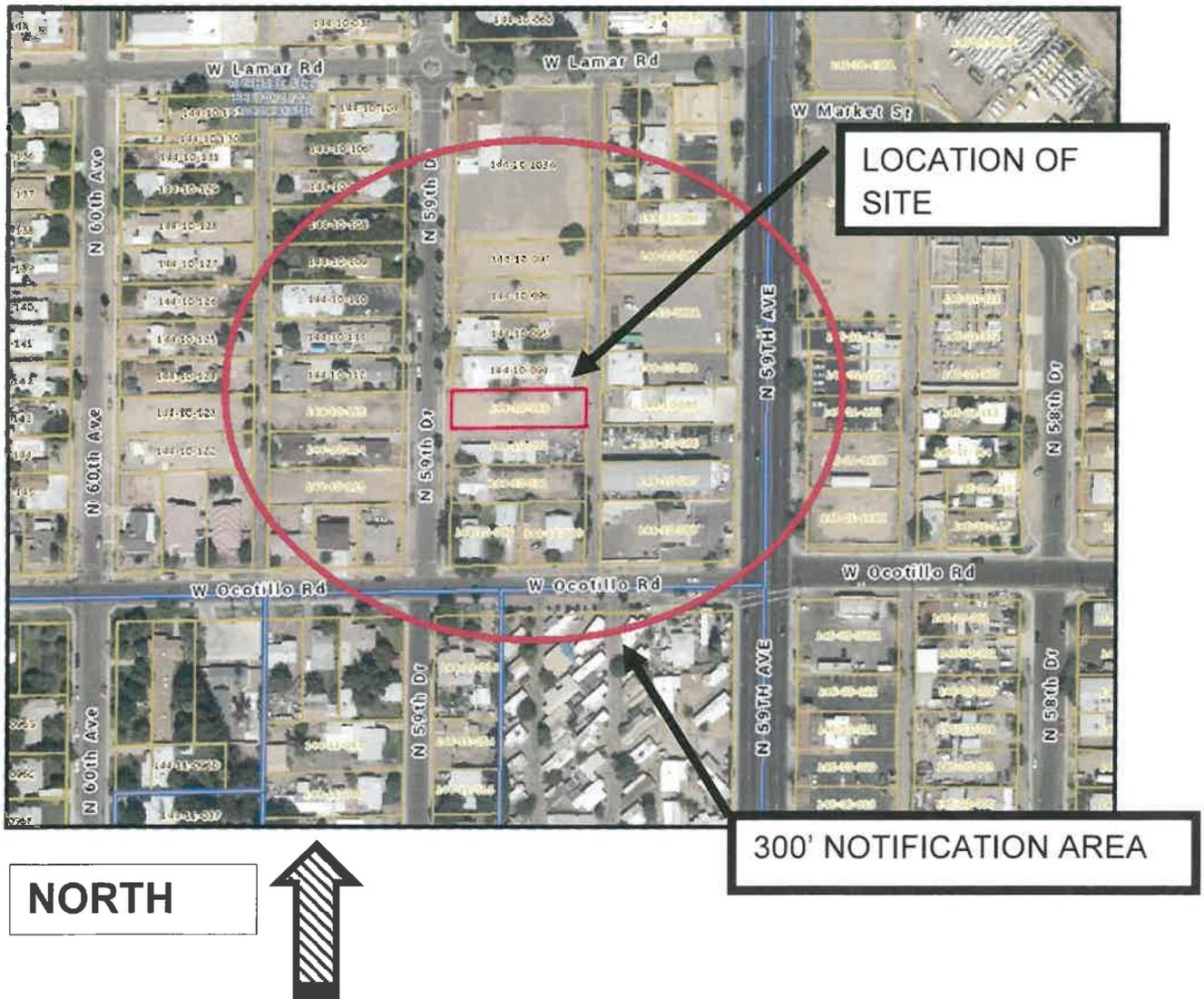
Encl: Site Plan

1850 N. Central Ave.  
Suite 200  
Phoenix, AZ 85004  
Ph. 602-252-5202  
Fax 602-252-5203



**RECOMMENDED NEIGHBORHOOD NOTIFICATION AREA**

<b>NAME OF REQUEST:</b>	<b>6715 N. 60<sup>TH</sup> AVENUE VARIANCE</b>
<b>LOCATION:</b>	<b>6715 N. 60<sup>th</sup> Avenue</b>
<b>The applicant is requesting a reduction of the side yard setbacks from 20 feet to 5 feet and 10 feet in the R-3 (Multiple Residence) Zoning District</b>	
<b>ZONING DISTRICT: R-3</b>	<b>COUNCIL DISTRICT: Ocotillo</b>



**Notification:**

**b: Homeowners Associations**

None



**CASE NUMBER**  
VAR16-01



**REQUEST**

A VARIANCE TO ALLOW FOR A REDUCTION OF THE SIDE YARD SETBACKS FROM THE REQUIRED 20' TO 5' AND 10' ON A PROPERTY LOCATED IN THE R-3 (MULTIPLE RESIDENCE) ZONING DISTRICT.

**LOCATION**  
6715 N. 60TH AVENUE



Aerial Date: October 2014



**CASE NUMBER**  
**VAR16-01**





# Planning Division Staff Report

**DATE:** March 10, 2016 **AGENDA ITEM: 2**

**TO:** Board of Adjustment

**FROM:** Tabitha Perry, Assistant Planning Director  
**PRESENTED BY:** Martin Martell, Planner

**SUBJECT:** **VARIANCE (VAR) APPLICATION VAR16-02: 59TH DRIVE VARIANCE – 6717 NORTH 59<sup>TH</sup> DRIVE**

**REQUEST:** Variance to allow a reduction of the required side yard building setbacks from twenty (20) feet to five (5) feet and ten (10) feet on a vacant property in the R-3 (Multiple Residence) Zoning District.

**APPLICANT/OWNER:** Greg Packham, on behalf of Chicanos Por La Causa, Incorporated.

**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 one stipulation.

**PROPOSED MOTION:** Move to approve VAR16-02 subject to one stipulation.

**SUMMARY:** The applicant is requesting a reduction of the north side yard building setback from twenty (20) feet to five (5) feet and the south side yard building setback from twenty (20) feet to ten (10) feet. If approved, the applicant intends to construct a new single family home on a vacant property that is only fifty (50) feet in width.

**BOARD ACTION:** Board member \_\_\_\_\_ MADE a MOTION to \_\_\_\_\_ Case No. VAR16-02, subject to the staff report stipulation. 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 Orchard Addition Subdivision, southwest of the southwest corner of 59<sup>th</sup> and Glendale Avenues. The parcel's dimensions are approximately 50 feet wide and 180 feet long.

### **Zoning Ordinance Requirements:**

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

Minimum side yard setbacks 20 feet.

Minimum lot width 60 feet.

### **Surrounding Land Use and Zoning:**

North: Single-family home zoned R-3.

East: Commercial, zoned C-2.

South: Multiple-residential housing, zoned R-3.

West: Vacant lot, zoned R-3.

### **History:**

- The property is part of the Orchard Addition, which was platted on October 31, 1908.
- The property is identified as Lot No. 16 South Olive Street on the plat.

## **CITIZEN PARTICIPATION TO DATE:**

### **Applicant's Citizen Participation Process:**

On November 24, 2015 notification letters were mailed to adjacent property owners and interested parties. The applicant did not receive any response regarding the request. To date, Planning staff has not received any response. 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 February 18, 2016. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on February 18, 2016. The property was posted on February 18, 2016.

## **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 lot size creates a special circumstance that is not self-imposed by the property owner. Presently the size of the lot is just fifty (50) feet wide with a twenty (20) foot perimeter setback. Thus, with these required development setbacks and current lot size, development will only allow for a ten (10) feet wide home, which would be unrealistic for this property. The desire to construct a new single family home on this vacant lot is unrealistic if some exceptions to these standards are not granted.

- 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 majority of homes in this neighborhood are not in conformance with the current development standards of the R-3 Zoning District. These homes typically have residential side yard setbacks of five (5) and ten (10) feet. In addition, the majority of the lots in this neighborhood are on parcels that are only fifty (50) feet wide when the minimum lot width for properties in this zoning district is sixty (60) feet.

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

The requested reduction on the north and south side yard building setbacks will permit the construction of a livable home which will match the size of many existing homes on this street.

- 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 reduction of the side yard building setbacks will be indiscernible from the street and 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 approved narrative and site plan, both stamped November 24, 2015, with the exception that the north side yard setback shall be ten (10) feet and the south side yard setback shall be five (5) feet. This will provide fifteen (15) feet between the building on the adjacent property to the north and the future home on the subject property, which is in keeping with other zoning districts that have side yard setbacks of five (5) and ten (10) feet.

**ATTACHMENTS:**

1. Applicant's Narrative, dated January 12, 2016.
2. Applicant's Site Plan, dated September 15, 2015.

3. Citizen Participation Final Report (without mailing labels) approved February 3, 2016.
4. Vicinity Zoning Map.
5. Aerial Photograph dated October 2014.

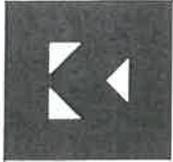
**PROJECT MANAGER:** Martin Martell, Planner (623) 930-2597.  
[mmartell@glendaleaz.com](mailto:mmartell@glendaleaz.com)

**REVIEWED BY:**

  
\_\_\_\_\_  
Planning Director

MM/df

  
\_\_\_\_\_  
Development Services Director



# K & I ARCHITECTS & INTERIORS

January 12, 2016

Board of Adjustment  
City of Glendale, Arizona

**RE: SR-15-0151 6717 North 59<sup>TH</sup> Drive.**

This letter is intended to address the Four Findings that have to be met to obtain a variance for the above referenced parcel. We seek a variance to the side yard building setbacks.

**Finding 1.**

The lot is 50 feet wide. The lot is zoned R-3, which applies a 20 foot side yard setback to both sides of the parcel. Therefore, a strict application of the setback results in a buildable width of 10 feet. This prevents a typical width house, like those built in this neighborhood, from being constructed. The other lots on this street are also this width and zoning and the existing houses do not comply with the 20 foot side yard setback.

**Finding 2.**

Existing houses in the neighborhood are not located on their parcels in conformance with the R-3 / 20 ft. side yard setback. They are located in a more usual arrangement with side yard setbacks that appear to be 5 feet and/or 10 feet in width. We wish to apply for a variance to the 20 ft. side yard setback so that this lot can be developed in a similar way to the neighborhood, not deprived of privileges enjoyed by the other properties on this street.

**Finding 3.**

We seek a variance to change the side yard building setbacks to 5 feet on the north property line and 10 feet on the south property line. This is the minimum necessary to alleviate the property hardship and to permit a typical width house to be located on the lot in a way similar to the neighboring houses.

**Finding 4.**

Granting this variance will not have a detrimental effect on the property, adjoining properties, the surrounding neighborhood or the City in general. Indeed, granting of this variance request will bring this property into conformance with the established pattern of residential development on this street. We do not believe this constitutes a special privilege.

Thank you very much for your consideration.

Sincerely,



Jay Dolley, Architect

1850 N. Central Ave.  
Suite 200  
Phoenix, AZ 85004  
Ph. 602-252-5202  
Fax 602-252-5203

APPROVED



SIGNATURE

24 Nov 15  
DATE



# Citizen Participation Final Report

59<sup>th</sup> Drive Variance

6717 N. 59<sup>th</sup> Drive

Glendale, Arizona 85301

Prepared by:

K&I Architects & Interiors, LLC

1850 North Central Ave

Suite 200

Phoenix, AZ 85004

APPROVED

*Martin Matell*

SIGNATURE

3 Feb 16  
DATE

### **Brief Description of Proposed Project**

We are requesting a variance to reduce the north side yard setback from the required 20 feet to 5 feet and reduce the south side yard setback from 20 feet to 10 feet on a vacant lot. This will allow for the construction of a new single family home.

The house will be single story, 1,600 square feet. It will have a front porch. The front porch will be connected to the street sidewalk with a concrete or other paved path.

The carport will be behind the house and will be connected to the house by a shade trellis structure and concrete path.

The shape, materials and details of the house and carport will fit nicely into the neighborhood.

The project will have the required 30% landscape coverage and will be a great addition to the street.

## **Overview of elements of the Citizen Participation Plan**

The elements of our Citizen Participation Plan were

- Cover page with Project Information
- A brief description of the proposed project
- A statement regarding those affected by the project and our response
- A statement of how we considered our project from the perspective of others
- A statement of how we notified our neighbors of the variance request and how we plan to respond to any issues that arose
- A statement of the method by which additional neighbor notification would be accomplished, if required.
- A statement of the Method by which we notified City of Glendale, Planning of the status of the CP effort
- A schedule of the Citizen Participation Plan
- A statement of the Public Notification Method
- A site plan
- A list of Property Owners with addresses that were notified
- A map of the 300 foot radius notification area
- A list of Homeowners Associations (none) that required notification
- A list of Interested Parties with addresses that were notified
- A list of Additional Parties with addresses that were notified

## **Dates of Notification**

Notification letters with attached site plan were mailed on November 25<sup>th</sup>, 2015.  
No other types of notifications were sent.

### **Number of those notified**

The number of Property Owners notified was 50  
The number of Neighborhood Associations notified was 0  
The number of Interested Parties notified was 62  
The number of additional Parties notified was 4  
The total number of parties notified was 116

### **Discussions with participants we heard from**

We received no phone call, emails, mailing or any other response from our notification mailing

### **Revisions to the project**

Because we have not received any concerns or response about the project, we have not altered the design.

### **Information received from Citizens**

We have received no letters, affidavits, meeting invitations, newsletters, publications, petitions in support or against our project.

### Notification Lists

- A. Property Owners / Map:  
See attachment
- B. Homeowners Associations:  
None
- C. Interested Parties:  
See attachment
- D. Additional Notification List  
See attachment

Note: The mailing lists are attached as an **appendix**

### Meetings

No citizen meetings were required by the City of Glendale, and none were held



# Planning

## NEIGHBORHOOD NOTIFICATION LETTER

### AFFIDAVIT OF MAILING

Case No. (if available) \_\_\_\_\_

Project Name: 59<sup>th</sup> DRIVE RESIDENCE

I, GREG PACHAM certify that I am the authorized applicant /

representative to the City of Glendale for the above application, and do hereby affirm that notice as required for the case noted above has been completed in accordance with the Citizen Participation Process in the City of Glendale's Zoning Ordinance, and a copy of the letter and mailing labels has also been submitted.

Applicant/Representative Signature: \_\_\_\_\_

STATE OF ARIZONA

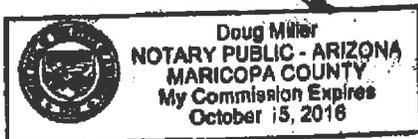
SS.

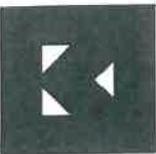
COUNTY OF MARICOPA

The foregoing instrument was acknowledged before me this 25 day of NOVEMBER 2015.

[Signature]  
Notary Public

My Commission Expires:





## K & I ARCHITECTS & INTERIORS

November 24, 2015

Jay Jolley  
K & I Architects  
1850 North Central Ave, Suite 200  
Phoenix, AZ 85004  
[gregp@kiarchitects.com](mailto:gregp@kiarchitects.com) 602-262-3830

Subject: Residence at 6717 North 59<sup>th</sup> Drive - side yard setback variance request

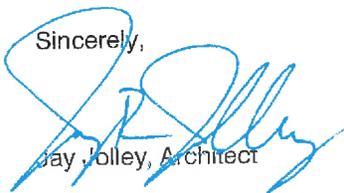
Dear Neighbor;

This letter is to inform you that I am applying for a variance application with the City of Glendale. The property is located at 6717 North 59<sup>th</sup> Drive in the Ocotillo District.

The primary reason we are applying for this variance is because the lot we are planning to build on is in the R-3 (Multiple Residence) Zoning District that has setbacks of 20 feet on all four (4) sides of the property. If the side yard setbacks of 20 feet remain on the property the home can only be 10 feet wide making it very difficult to live in. Therefore, we are requesting to reduce the side yard setbacks from 20 feet to 5 feet on the north side yard and 10 feet on the south side yard of the property. This will also create a home that will be very different from the other homes in this neighborhood.

I have included a site plan with this letter for your review. Please provide any comments to my side yard variance request by December 18<sup>th</sup>. Please write, email, or call me at the contact information above. You may also contact Martin Martell with the City of Glendale at 623-930-2597

Sincerely,



Jay Jolley, Architect

Encl: Site Plan

1850 N. Central Ave.  
Suite 200  
Phoenix, AZ 85004  
Ph. 602-262-3830  
Fax 602-262-3839



**RECOMMENDED NEIGHBORHOOD NOTIFICATION AREA**

**NAME OF REQUEST:**

**6717 NORTH 59TH DRIVE VARIANCE**

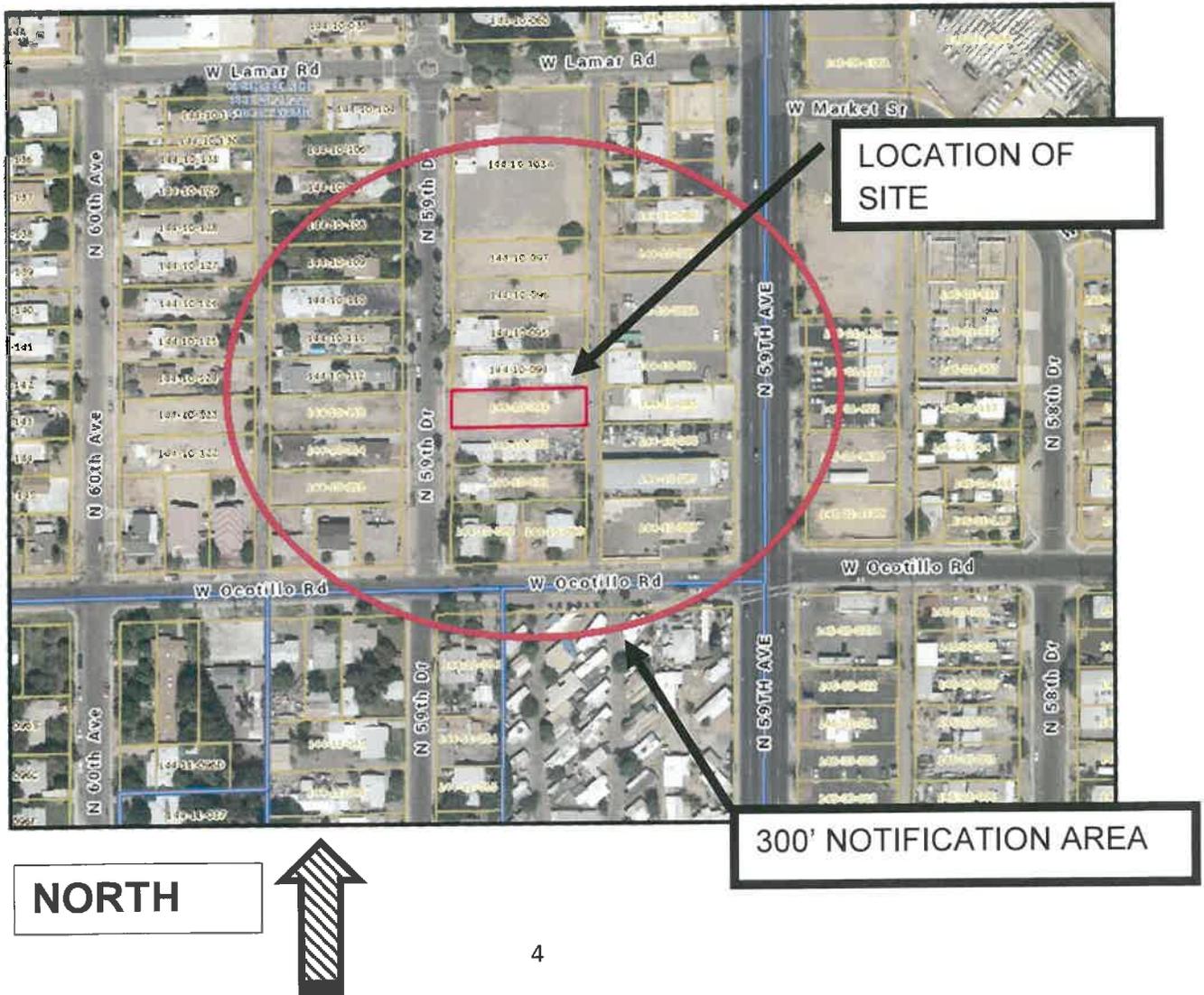
**LOCATION:**

**6717 North 59<sup>th</sup> Drive**

The applicant is requesting a reduction of the side yard setbacks from 20 feet to 5 feet and 10 feet in the R-3 (Multiple Residence) Zoning District

**ZONING DISTRICT: R-3**

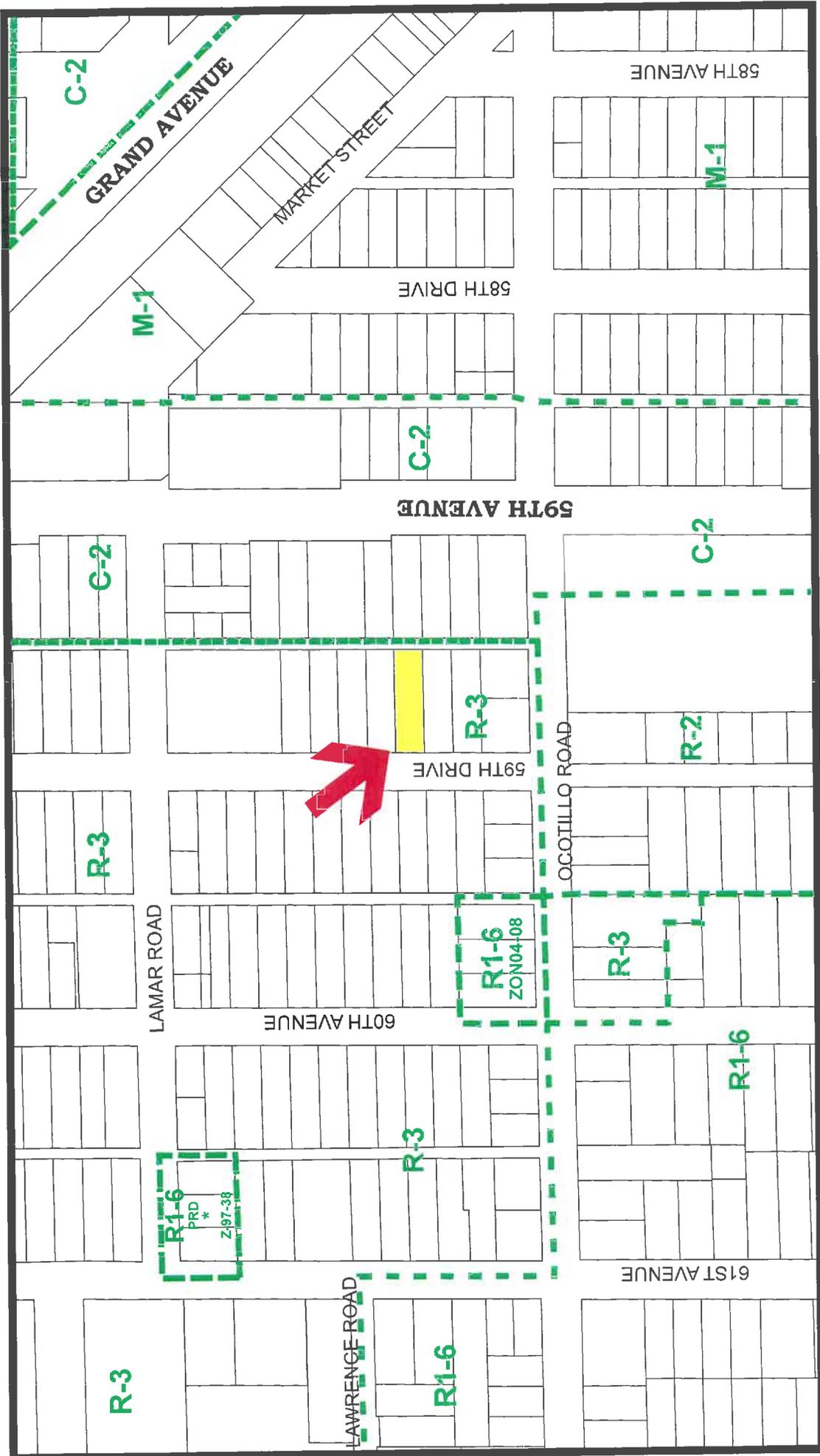
**COUNCIL DISTRICT: Ocotillo**



**Notification:**

**b: Homeowners Associations**

None



**REQUEST**

A VARIANCE TO ALLOW FOR A REDUCTION OF THE SIDE YARD SETBACKS FROM THE REQUIRED 20' TO 5' AND 10' ON A PROPERTY LOCATED IN THE R-3 (MULTIPLE RESIDENCE) ZONING DISTRICT.



**CASE NUMBER**

VAR16-02



**LOCATION**

6717 N. 59TH DRIVE



Aerial Date: October 2014



**CASE NUMBER**  
**VAR16-02**

