

CITY OF GLENDALE
BOARD OF ADJUSTMENT
WORKSHOP AGENDA

COUNCIL CHAMBERS BUILDING
CONFERENCE ROOM B-3
5850 WEST GLENDALE AVENUE
GLENDALE, ARIZONA 85301

THURSDAY, MARCH 8, 2012
5:30PM

- I. CALL TO ORDER
- II. ROLL CALL
- III. EXECUTIVE SESSION

The Board of Adjustment will hold an executive session for the purpose of obtaining legal advice from the Assistant City Attorney regarding Medical Marijuana.

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

- i. discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03.A.2);
- ii. receiving legal advice from the City's attorneys (A.R.S. §38-431.03.A.3);
or
- iii. discussion of consultation with the City's attorneys regarding the City's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03.A.4).

- IV. RETURN TO OPEN SESSION
- V. ADJOURNMENT



Board of Adjustment Regular Agenda

COUNCIL CHAMBERS BUILDING
CONFERENCE ROOM B-3
5850 WEST GLENDALE AVENUE
GLENDALE, ARIZONA 85301

THURSDAY, MARCH 8, 2012
6:00 P.M.

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES: February 9, 2012 Regular Meeting

IV. WITHDRAWALS AND CONTINUANCES

V. PUBLIC HEARING ITEMS

1. **VAR11-02:** A request by Withey Morris PLC, representing PV Union Hills LLC, to reduce the separation requirement from a medical marijuana dispensary to a residentially zoned property to 350 feet where a minimum of 500 feet is required in the C-2 (General Commercial) zoning district. The site is located west of the northwest corner of the Loop 101 Freeway and Union Hills Drive (8160 West Union Hills Drive, Ste. 108). Staff Contact: Karen Stovall, Senior Planner (Cholla District).
2. **VAR11-03:** A request by Santos Ugalde, representing the property owner Jesus Martinez, for a variance to reduce the accessory structure setback to 3 feet on the north where 13 feet is required in the R1-6 (Single Residence) zoning district. The site is located north of the northwest corner of 47th Drive and Bethany Home Road (6212 North 47th Drive). Staff Contact: Remigio Cordero, Planner (Cactus District).
3. **VAR11-06:** A request by Habitat for Humanity to reduce the side yard setbacks to 5 feet where 20 feet is required in the R-4 (Multiple Residence) zoning district. The site is located west of the northwest corner of 61st and Palmaire avenues (6112 West Palmaire Avenue). Staff Contact: Remigio Cordero, Planner (Ocotillo District).

4. **VAR11-07:** A request by Habitat for Humanity to reduce the side yard setbacks to 10 feet where 15 feet is required in the R-2 (Mixed Residence) zoning district. The site is located north of the northeast corner of 54th and State avenues (7315 North 54th Avenue). Staff Contact: Remigio Cordero, Planner (Ocotillo District).

VI. OTHER BUSINESS FROM THE FLOOR

VII. PLANNING STAFF COMMENTS AND SUGGESTIONS

VIII. BOARD COMMENTS AND SUGGESTIONS

IX. ADJOURNMENT

The next Board of Adjustment meeting is scheduled for April 12, 2012.

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)).

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
5850 WEST GLENDALE AVENUE
GLENDALE, ARIZONA 85301

THURSDAY, FEBRUARY 9, 2012
6:00 P.M.

I. CALL TO ORDER

The meeting was called to order at approximately 6:04 p.m.

II. ROLL CALL

Board Members Present: Chairperson Chair Jeff Blake (Mayoral), Cathy Cheshier (Cholla), Ryan Mander (Cactus), Jack Bethel (Barrel)

Board Members Absent: Sandra Mendez (Ocotillo)

City Staff: Tabitha Perry, Assistant Planning Director, Remigio Cordero, Planner, Paul Li, Assistant City Attorney, Diana Figueroa, Recording Secretary

III. APPROVAL OF MINUTES:

Chairperson Blake called for a **MOTION** regarding the Minutes from the Regular Meeting of December 8, 2011.

Board member Mander referred to page 3 of the minutes. He would like to add that although he was in favor of the four findings he had some concern regarding the safety of the structure.

Board member Cheshier stated her concerns were met with Mr. Cordero stated the city has a structural engineer.

Board member Mander made a **MOTION** to **AMEND** the minutes. Board member Cheshier **SECONDED** the motion, **which was approved unanimously.**

Board member Mander made a **MOTION** to **APPROVE** the minutes as amended. Board member Bethel **SECONDED** the **MOTION, which was approved unanimously.**

Chairperson Blake stated the agenda items would be taken out of order due to the applicants not being present.

IV. PLANNING STAFF COMMENTS AND SUGGESTIONS

The staff liaison began a discussion with the Board regarding the start time of future Board of Adjustment meetings.

Board member Mander stated he would be unable to arrive prior to 6pm. He was concerned with asking business owners and residents to attend meetings which were held earlier than 6pm.

Board member Cheshier suggested this only as a discussion item. She was unsure of others' schedule. She said she researched the start times of other jurisdictions. She stated the City of Phoenix holds their meetings at noon. She said people will do what they need to do if they are interested in a particular case. She noted people make medical and dental appointments during daytime hours if they need medical or dental attention. She wasn't sure if 6pm is a good time as it puts board members and citizens driving during the rush hour. She is not opposed to changing the time and she would prefer noon.

Board member Bethel stated he would be fine with beginning these meetings earlier in the day.

Chair Blake asked if there has been any communication with citizens regarding the start time.

Ms. Perry said the citizens of Glendale have not been notified of a proposed time change. She said from this point, staff would make a recommendation to the Government Services Board to their decision.

Board member Bethel asked if the city incurs additional costs with staff having to remain after the business day.

Ms. Perry stated the majority of staff is salaried employees. Any non salary employees received compensation time. Staff appreciates your consideration of their time.

After more discussion, Chair Blake stated this item would come before the Board for discussion when the entire Board is present.

V. WITHDRAWALS AND CONTINUANCES

VI. PUBLIC HEARING ITEMS

1. **VAR11-03:** A request by Santos Ugalde, representing the property owner Jesus Martinez, for a variance to reduce the accessory structure setback to 3 feet on the north where 13 feet is required in the R1-6 (Single Residence) zoning district. The site is located north of the northwest corner of 47th Drive and Bethany Home Road (6212 North 47th Drive). Staff Contact: Remigio Cordero, Planner (Cactus District).

2. **VAR11-06:** A request by Habitat for Humanity to reduce the side yard setbacks to 5 feet where 20 feet is required in the R-4 (Multiple Residence) zoning district. The site is located west of the northwest corner of 61st and Palmaire avenues (6112 West Palmaire Avenue). Staff Contact: Remigio Cordero, Planner (Ocotillo District).
3. **VAR11-07:** A request by Habitat for Humanity to reduce the side yard setbacks to 10 feet where 15 feet is required in the R-2 (Mixed Residence) zoning district. The site is located north of the northeast corner of 54th and State avenues (7315 North 54th Avenue). Staff Contact: Remigio Cordero, Planner (Ocotillo District).

Chair Blake stated no applicants are present for the public hearing items.

Ms. Perry stated staff suggests these items be continued to a date specific to allow the applicants another opportunity to present their cases.

Chair Blake asked if any Board members were in favor of moving forward with items #2 and 3. Board member Mander said he would like to make a **MOTION** to hear Items #2 and #3 and postpone #4. Board member Cheshier **SECONDED** the **MOTION**.

After further discussion, Board member Mander revised his motion.

Board member Mander **WITHDREW** his **MOTION**. He **MADE** a **MOTION** that VAR11-03 be continued to the March 8, 2012, Board of Adjustment meeting. The **MOTION** failed for lack of a **SECOND**.

Board member Cheshier **MADE** a **MOTION** to **VAR11-03, VAR11-06, and VAR11-07** be **POSTPONED** until March 8, 2012. Board member Mander **SECONDED** the **MOTION**. The **MOTION PASSED UNANIMOUSLY**.

Board member Bethel noted that the applicants should be respectful of the staff and Board's time.

The Chair recessed the meeting at 6:28pm. The Board reconvened at 6:30pm.

VII. OTHER BUSINESS FROM THE FLOOR

None.

VIII. PLANNING STAFF COMMENTS AND SUGGESTIONS

None.

IX. BOARD COMMENTS AND SUGGESTIONS

None.

X. ADJOURNMENT

The meeting was adjourned at 6:31pm.

The next Board of Adjustment meeting is scheduled for March 8, 2012.

Respectfully Submitted,

Diana Figueroa, Recording Secretary



Planning Department Staff Report

DATE: March 8, 2012 **AGENDA ITEM:** 1

TO: Board of Adjustment

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Karen Stovall, Senior Planner

SUBJECT: **VARIANCE APPLICATION VAR11-02: PP WELLNESS CENTER – 8160 WEST UNION HILLS DRIVE, SUITE 108**

REQUEST: To reduce the separation requirement from a medical marijuana dispensary to a residentially zoned property to 350 feet where a minimum of 500 feet is required in the C-2 (General Commercial) zoning district.

APPLICANT/OWNER: Withey Morris PLC / PV Union Hills LLC.

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 denial.

PROPOSED MOTION: Move to deny VAR11-02.

SUMMARY: The applicant is requesting a variance to reduce the separation requirement between a proposed medical marijuana dispensary and the residentially zoned properties to the west and east. Though zoned residential, these properties are part of the Loop 101 Freeway and the New River floodplain. If the variance is approved, the applicant will need to obtain a license to operate from the State of Arizona as well as permits and a business license from Glendale.

BOARD ACTION: Board member _____ made a MOTION to _____ Case No. VAR11-02, subject to staff report stipulations, which was _____ with a _____ to vote.

DETAILS OF REQUEST:

General Plan Designation:

Planned Commercial.

Property Location and Size:

The property is located west of the northwest corner of the Loop 101 Freeway and Union Hills Drive. The property is approximately 2.33 acres, and the tenant suite occupies approximately 1,930 square feet on the east end of Building A.

Zoning Ordinance Requirements:

Section 7.802.G – Medical Marijuana Dispensary:

Shall not be located within 500 feet of a residentially zoned property. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the zoning boundary line of the residentially zoned property.

Surrounding Land Use and Zoning:

North: Commercial shopping center, zoned C-2.

East: Commercial shopping center, zoned C-2.

South: Commercial shopping center, across Union Hills Drive, zoned PAD (Planned Area Development).

West: Commercial shopping center, zoned C-2.

History:

The property was zoned C-2 in 1998 through Rezoning Application Z-98-34. A Design Review application for this site was approved in 2006, and construction was completed in 2008.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Plan:

On May 3, 2011 the applicant mailed 62 notification letters to adjacent property owners and interested parties. The applicant did not receive any response regarding the request.

The Planning Department received an e-mail from a citizen who had questions and concerns including: whether or not the applicant could act on the property owner's behalf; if a variance would apply to the entire property or just the tenant space in question; and if the State of Arizona requires separation distances between the proposed use and residential areas.

Staff responded to the questions in this e-mail with the following:

- Any person may apply for a variance if he/she receives the property owner's authorization.
- Variances may or may not apply to an entire property, depending on how the request and approval are worded. In this case, the Zoning Ordinance requires a separation of 500 feet

from the exterior walls of the building in which the business is conducted to the zoning boundary line of the residentially zoned property. So in this case, it does not apply to the entire property.

- The State of Arizona has not set guidelines concerning distances from residential areas to medical marijuana dispensaries. State law permits cities to enact such regulations.

Once the notification postcards of the public hearing were mailed, the Planning Department received a second e-mail from the same citizen in opposition of the request. The applicant's Citizen Participation Final Report is attached.

Board of Adjustment Public Hearing Notification:

A Notice of Public Hearing was published in *The Arizona Republic* on February 22, 2012 and in *The Glendale Star* on February 23, 2012. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on February 17, 2012. The property was posted on February 17, 2012.

STAFF FINDINGS AND ANALYSIS:

The Board of Adjustment must make 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 applicant seeks to locate the dispensary too close to residentially zoned properties, a circumstance that is self imposed. Residentially zoned properties exist within 500 feet of the proposed use, including the New River floodplain which is approximately 350 feet to the west and the Loop 101 Freeway located approximately 450 feet to the east. These properties are unlikely to be developed with residential uses in the future.

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 prohibit the proposed medical marijuana dispensary from operating on this site; however, the same separation requirement imposed by the Zoning Ordinance on this property prohibits this use on other C-2 zoned properties throughout the city. The Ordinance does not deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district.

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

No property hardship has been established; however, the requested reduction of the separation requirement is the minimum necessary to permit the proposed medical marijuana dispensary in the planned location.

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

It is debatable whether or not approval of this variance request will have a detrimental effect on the surrounding neighborhood. The individual's concerns expressed during the Citizen Participation Process dealt with whether or not the applicant could legally file for a variance, not with the specific findings needed to grant the variance. The operation of the business should be inconspicuous from the perimeter of the shopping center and the surrounding streets can accommodate the amount of traffic generated by the business.

RECOMMENDATION:

The variance request does not appear to meet all four findings and should be denied. If the Board decides to grant the variance, it should be subject to the following stipulation:

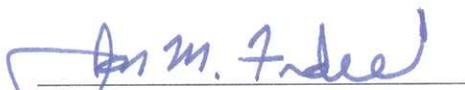
1. Development shall be in conformance with the project narrative, site plan, and floor plan, date-stamped May 12, 2011.

ATTACHMENTS:

1. Applicant's Narrative, date stamped May 12, 2011.
2. Site Plan, date stamped May 12, 2011.
3. Floor Plan, date stamped May 12, 2011.
4. Citizen Participation Final Report (without mailing labels), approved May 19, 2011.
5. E-mails, dated May 4, 2011 and February 20, 2012.
6. Vicinity Zoning Map.
7. Aerial Photograph, dated November, 2008.

PROJECT MANAGER: Karen Stovall, Senior Planner (623) 930-2553
kstovall@glendaleaz.com

REVIEWED BY:



Planning Director



Deputy City Manager

PP Wellness Center

8160 W. Union Hills Dr. Suite 108

VAR11-02

Prepared by:

Withey Morris, PLC
2525 East Arizona Biltmore Circle
Suite A-212
Phoenix, Arizona 85016

Submitted to:

City of Glendale
Planning Department
5850 West Glendale Avenue
Suite 212
Glendale, AZ 85301

Original Submittal: April 28, 2011
Resubmittal: May 12, 2011

VAR11-02
May 12, 2011

8160 W. Union Hills Dr, Suite 108

Project Narrative
VAR11-02

I. Introduction

This application requests the following variance:

1. Variance to allow a Medical Marijuana Dispensary in the C-2 (General Commercial) district within 350' of a residentially zoned property (Loop 101 Freeway and the New River Floodplain) where a separation of 500' feet is required. **Section 7.802(G)**.

II. Project Information

The subject property is located at 8160 W. Union Hills Dr, Suite 108, generally located at the northwest corner of Union Hills Drive and the 101 freeway (the "Property"), and identified on the aerial map attached at **EXHIBIT 1**. The Property is zoned C-2 (General Commercial) and is part of a larger commercial shopping center. See zoning map attached at **EXHIBIT 2**. PP Wellness Center (the "Applicant") proposes to operate a medical marijuana dispensary at this location.

Per section 7.802(G) of the Glendale Zoning Ordinance, a Medical Marijuana Dispensary is permitted in the C-2 district, subject to three spacing requirements: 5,280 feet from other approved medical marijuana uses; 1,320 feet from schools; and 500 feet from residentially zoned property. This site conforms to the separation requirements except for a very unique portion of undevelopable residentially zoned property (R1-6, Single Residence) located on the Loop 101 Freeway to the east and the New River Floodplain to the west.

III. Surrounding Land Uses

The property is zoned C-2 and is located within an existing commercial shopping center. The dispensary use is proposed in the central buildings of the commercial center and is adequately buffered from all residential uses.

The Property meets the City separation requirements from schools and other medical marijuana dispensary uses and is the ideal location for a dispensary use. The site is approximately 1,010' from the nearest residential use. Although there are no residential uses within 500' of the site, there is some land zoned for residential uses within the 500' separation area. To the west (approximately 350') is a floodway that is zoned R1-6. To the east (approximately 450') is the 101 freeway, a portion of which is also zoned R1-6. See Residential Use Map at **EXHIBIT 3**. Future residential development of these parcels is impossible.

IV. Purpose and Intent

The intent of the separation of this use from a residentially zoned property is to provide an appropriate buffer from dispensary uses. The nearest residential use is more than 1000' feet

from the proposed dispensary, double the minimum amount required by the zoning ordinance. See Residential Use Map at **EXHIBIT 3**. The Property and proposed use clearly meet the intent of the zoning ordinance and buffer requirements since there are no residential uses within 500' of the site.

While this request satisfies the intent of the zoning ordinance, a portion of the 101 freeway and a nearby floodway are zoned R1-6. It appears the R1-6 zoning pre-dated the 101 freeway and surrounding development. Future residential development of these parcels is impossible. See Floodway Map at **EXHIBIT 4**. Accordingly, variance relief is requested to permit the proposed use since the older R1-6 zoning is impossible to be developed.

V. Justification

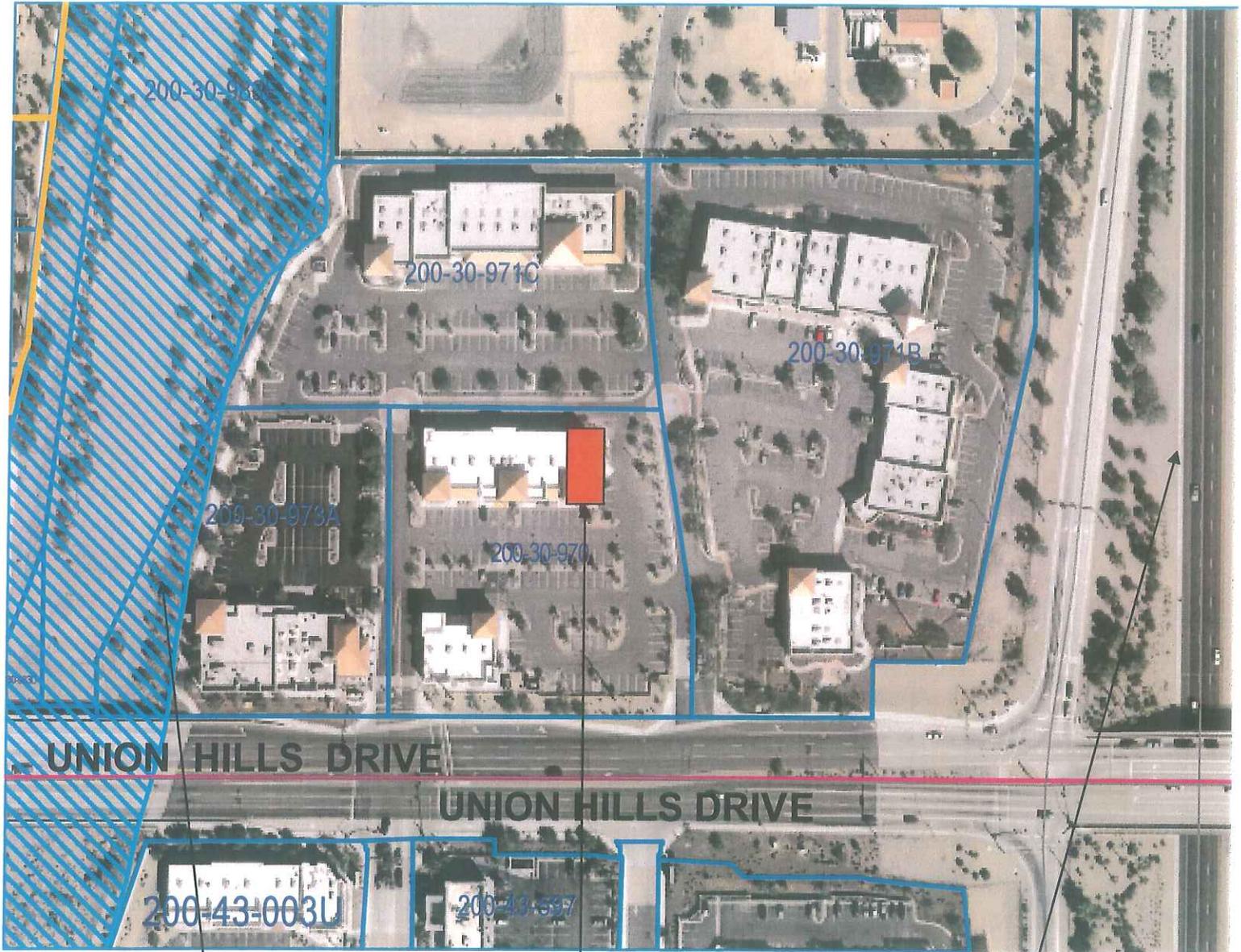
The Property suffers from special circumstances, beyond the Applicant's control, which severely restrict the Property more than other properties in the same zoning district. The residential zoning on the freeway and floodway are unique conditions not normally found elsewhere. It appears the properties were zoned many years ago, prior to the location of the 101 freeway and surrounding development. Obviously, it is impossible to develop any residential uses within the floodway or freeway. These conditions are inherent with this site and are not the result of the Applicant.

The strict application of the zoning ordinance would deprive the Applicant of privileges enjoyed by other properties in the same C-2 zoning district. But for the older, undevelopable, residential zoning, the use would otherwise be in full compliance with the zoning ordinance. The approval of the variance is therefore, necessary to alleviate the hardship caused by the residential zoned property within the freeway and wash area. The approval of the variance will not have any detrimental impact on the adjacent and surrounding properties since the proposed use is more than double the minimum spacing requirement from the nearest actual residential use.

VI. Conclusion

The intent of the residential setback is to provide an appropriate buffer between these uses. Although the wash and freeway are zoned residential, it is impossible for either use to be developed for residential purposes. Given the unique circumstances of the older R1-6 zoning on undevelopable properties, we believe these conditions support the justification and approval of a variance. In fact, the variance application is the correct process to restore equity in special circumstances such as this.

Exhibit 1a - Aerial Map

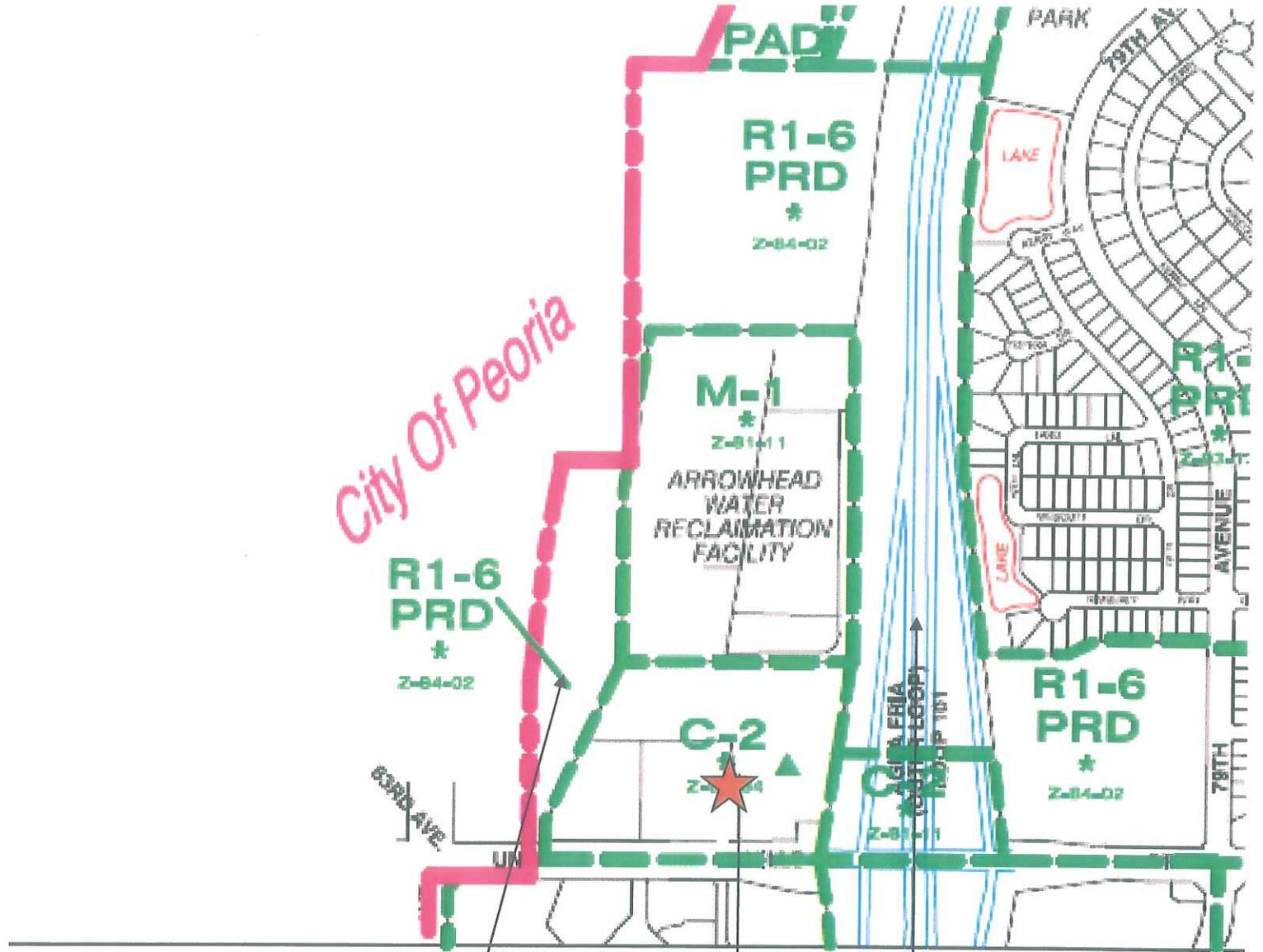


Floodway

Property

**101
Freeway**

Exhibit 2 - Zoning Map

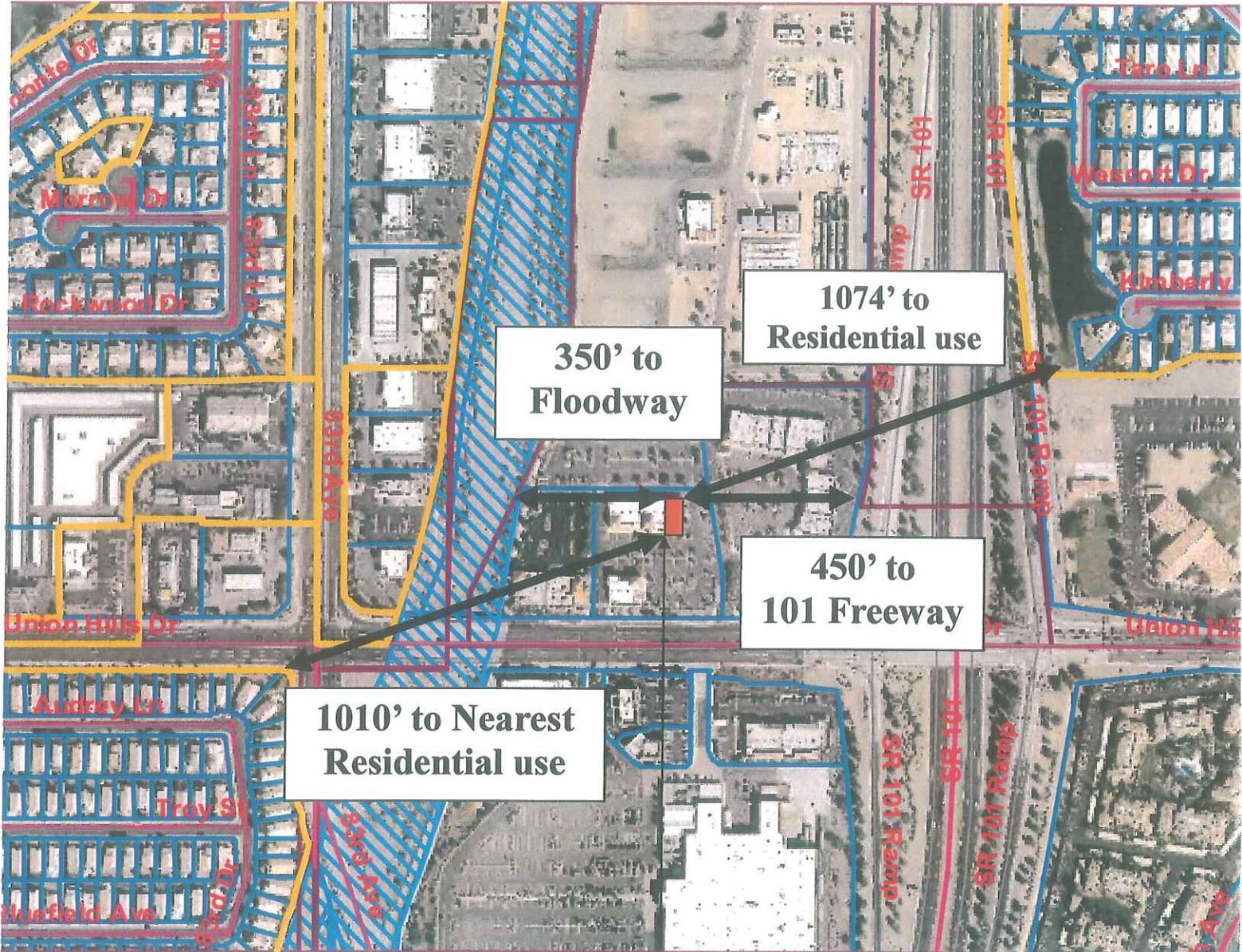


Floodway

101 Freeway

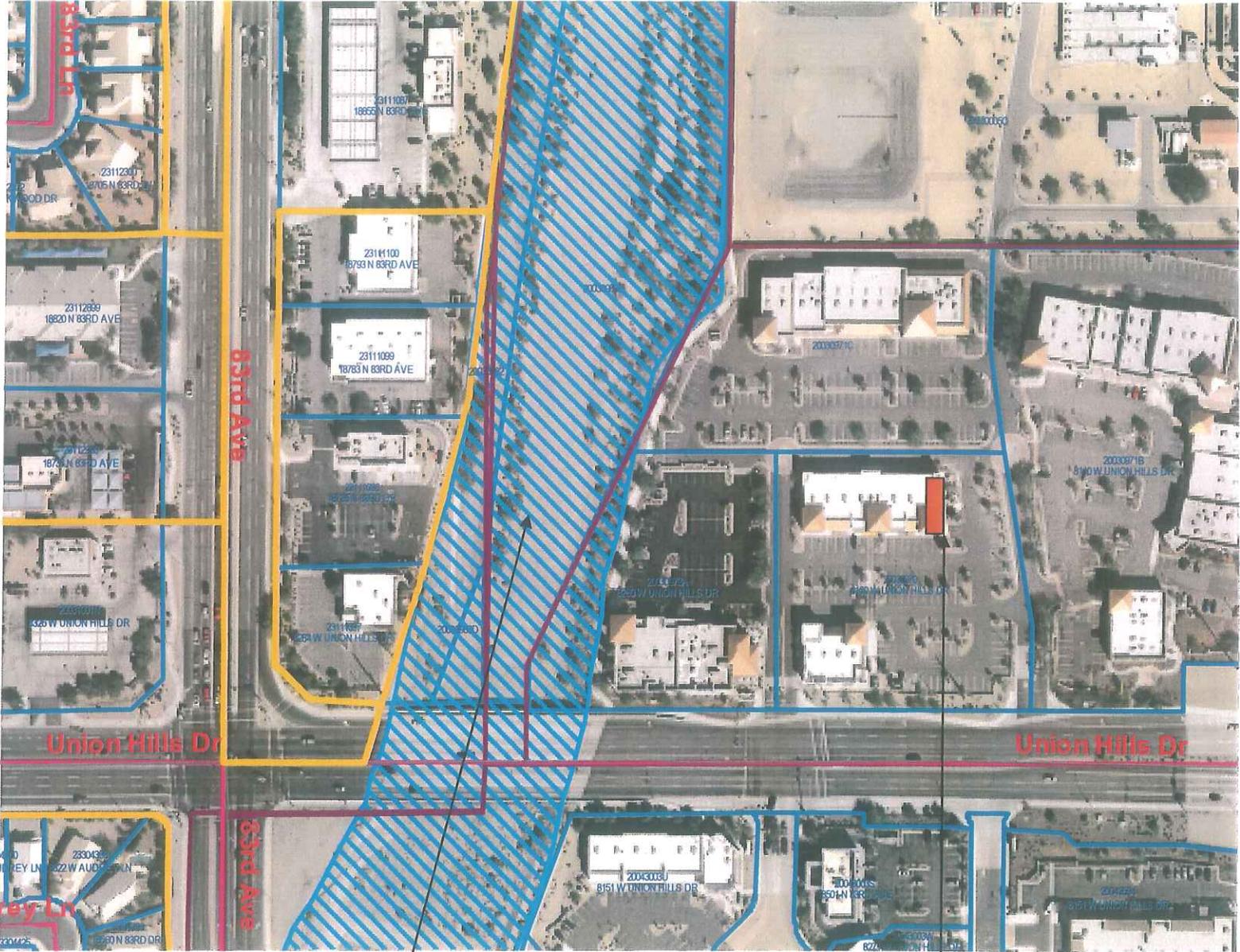
Property

Exhibit 3 - Residential Use Map



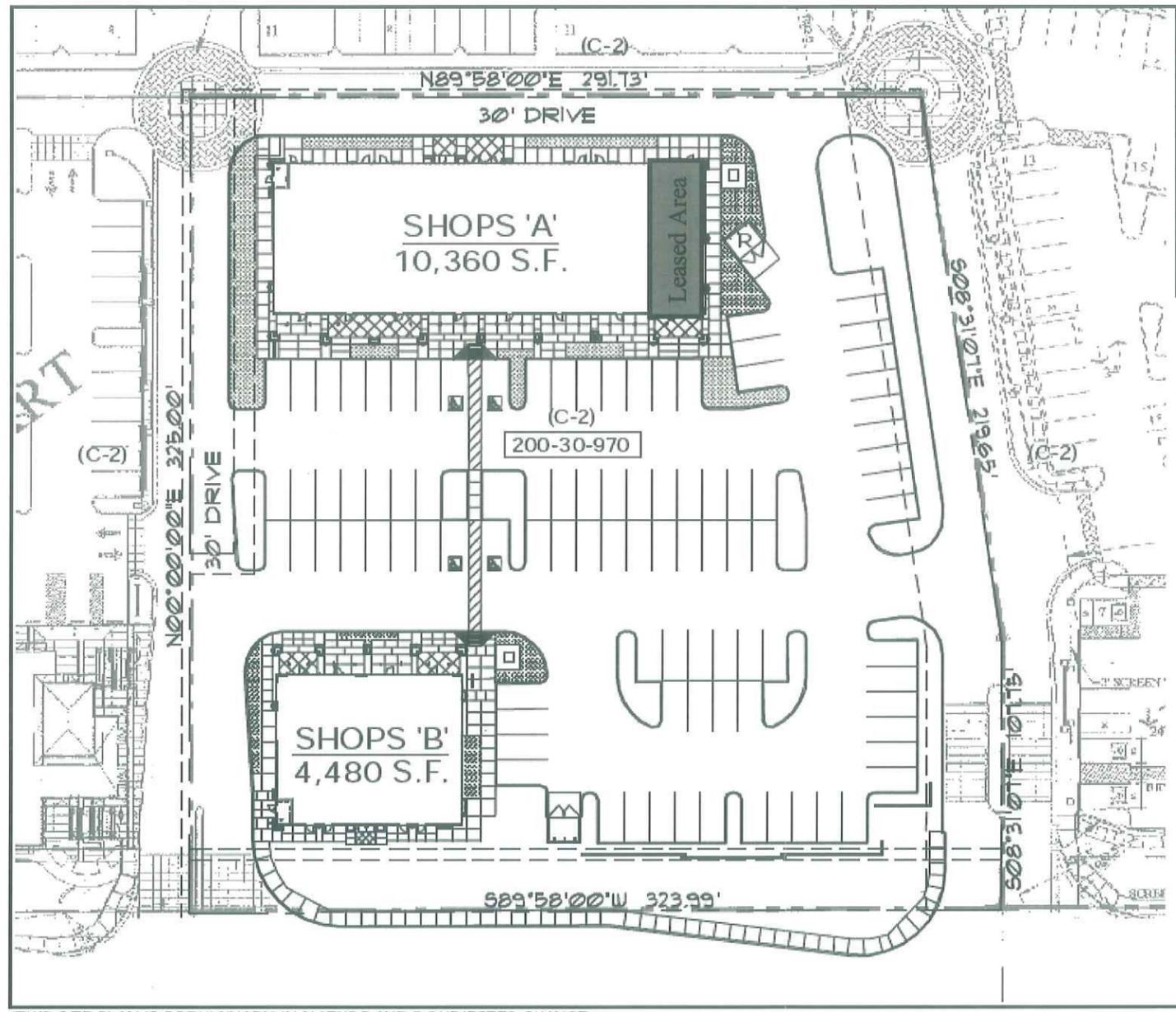
Property

Exhibit 4 - Floodway Map

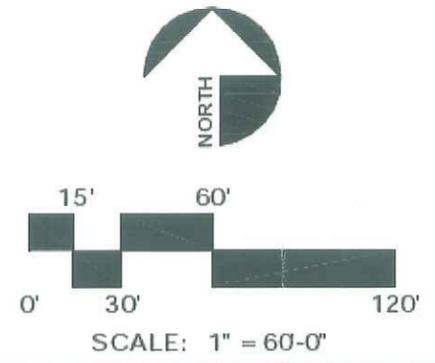


Floodway

Property



SITE DATA	
ZONING	C-2
NET SITE AREA	101,291 S.F. (2.33 AC.)
TOTAL BLDGS.	14,840 S.F.
PKG. REQ'D.	60 SPACES
PKG. PROV.	95 SPACES
USE	RETAIL/REST.
*MAX. ALLOWABLE RESTAURANT AREA: 5,900 S.F.	



M:\DWG\JOB5\LEXON\04646\DD\04646-LS-SP-05.dwg
 Aug 12, 2005 - 3:58pm

(THIS SITE PLAN IS PRELIMINARY IN NATURE AND IS SUBJECT TO CHANGE)



K&I
 ARCHITECTS &
 INTERIORS, L.L.C.
 1850 N. CENTRAL AVE.
 SUITE 200
 PHOENIX, AZ 85004
 PH: 602.252.5202
 FAX: 602.252.5203

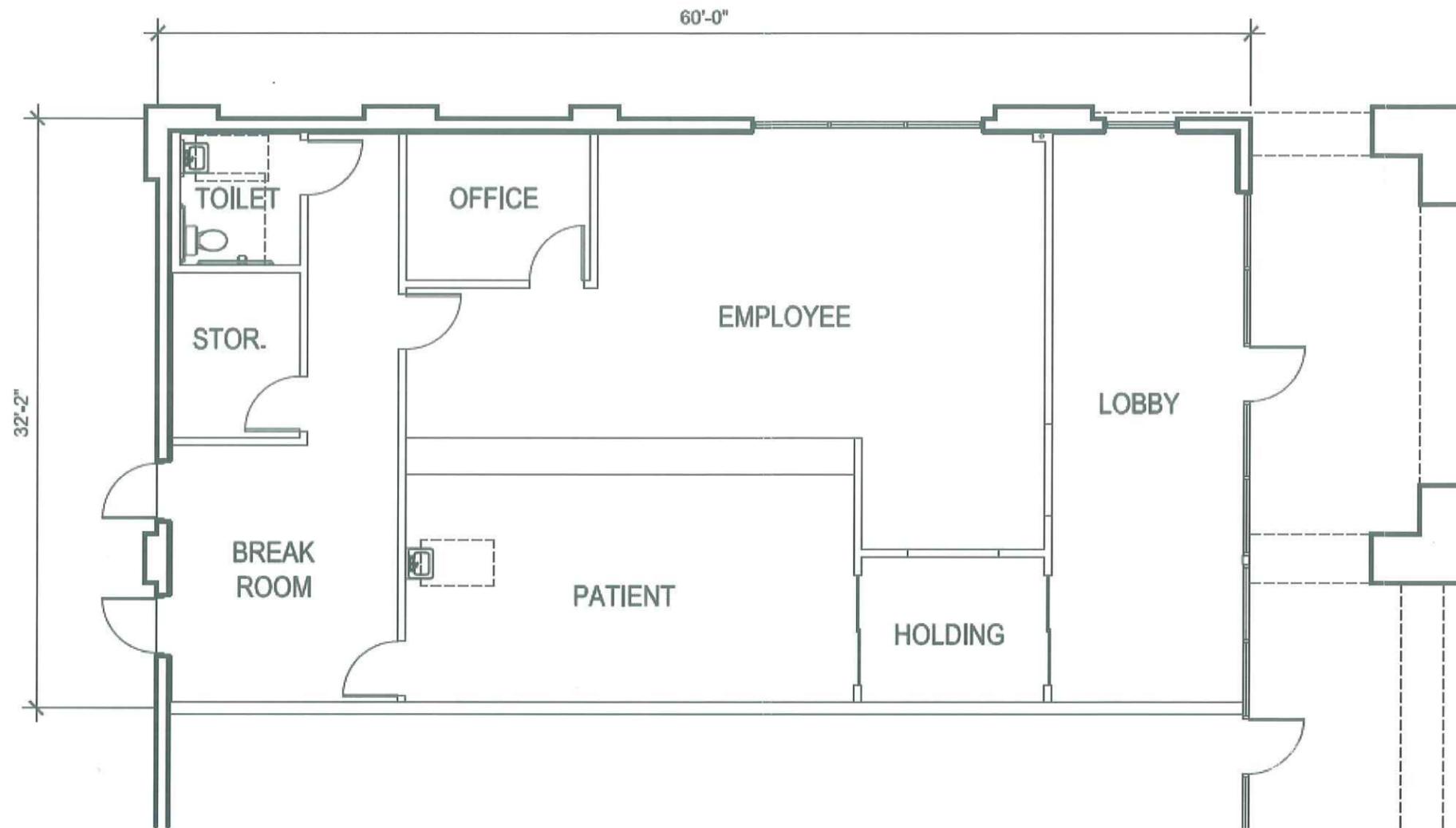
83rd Avenue & Union Hills
SHOPS 'A' AND 'B'
 EAST OF THE N.E.C. OF
 83RD AVENUE AND UNION HILLS DRIVE
 GLENDALE, ARIZONA

04646 08.11.05

GLOBAL
 RETAIL DEVELOPMENT GROUP
 8115 E. INDIAN BEND RD.
 SUITE 119
 SCOTTSDALE, AZ 85250
 PH: 480.946.0028 FAX: 480.922.7784

VAR11-02

VAR11-02
 May 12, 2011



CONCEPTUAL PLAN

WELLNESS CENTER

8160 WEST UNION HILLS DRIVE - Suite 108

Glendale, Arizona



VAR11-02
May 12, 2011

VAR11-02

**Citizen
Participation
Final Report**

PP Wellness Center

8160 W. Union Hills Dr. Suite 108

VAR11-02

Prepared by:

Withey Morris, PLC
2525 East Arizona Biltmore Circle
Suite A-212
Phoenix, Arizona 85016

Submitted to:

City of Glendale
Planning Department
5850 West Glendale Avenue
Suite 212
Glendale, AZ 85301

Date:
May 19, 2011

APPROVED
5/19/11
K. Storrall

1. Project Description

The subject property is located at 8160 W. Union Hills Dr., Suite 108, generally located at the northwest corner of Union Hills Drive and the 101 freeway (the "Property"). The Property is zoned C-2 General Commercial and is part of a larger commercial shopping center. PP Wellness Center (the "Applicant") proposes to operate a medical marijuana dispensary at this location.

The proposed dispensary will lease an approximate 1,984 square foot suite within the existing building. The proposed use is compatible with the existing commercial center and will create minimal traffic since only state-qualified patients and designated caregivers will visit the dispensary. Hours of operation will be from 10 a.m. to 6 p.m. In addition to dispensing medical marijuana, the dispensary may also sale limited medical products associated with medicine consumption and treatment. Any retail products sold will be consistent with a medical office setting and will be available only to the patient and caregiver. Nothing will be sold to any other members of the public. No other prescription medicine will be sold.

Per section 7.802(G) of the Glendale Zoning Ordinance, a Medical Marijuana Dispensary is permitted in the C-2 district, subject to three spacing requirements: 5,280 feet from other approved medical marijuana uses; 1,320 feet from schools; and 500 feet from residentially zoned property.

This site conforms to the separation requirements except for a very unique portion of undevelopable residentially zoned (R1-6, Single Residence) property located on the 101 freeway to the east and in the New River floodplain to the west. It appears the residential zoning pre-dated the 101 freeway and surrounding development. Future residential development of these parcels is impossible. Accordingly, variance relief is requested to permit the proposed use since the older R1-6 zoning is impossible to be developed.

In this application, the Applicant requests a variance to allow a Medical Marijuana Dispensary in the C-2 district within 350' of a residentially zoned property (101 freeway and floodway). **Section 7.802(G)**. By providing this notification, area residents will be given the opportunity to provide comments on the proposed variance.

2. Citizen Participation Plan Overview

A notification letter was sent to the "Cholla District and City Wide Interested Parties", "Additional Notification List", and property owners located within 300' of the Property. A copy of the Notification Letter sent to the neighbors is attached at **EXHIBIT 1**. The Notification letter was mailed May 3, 2011.

An outlined map of the 300' notification area is attached as **Exhibit 2**. All property owners on this map were notified. In addition, other "Interested Parties" and "Additional Notification List" received notice of this request. In total, 62 individual letters

were mailed. See Mailing List attached as **Exhibit 3**. There are no Homeowners Associations or Registered Neighborhood Groups or Associations in the notification area.

All persons listed on the Ownership List, Interested Parties List and Additional Notification List received a letter prepared by the applicant describing the project and the proposed land use plan sent by first class mail. The letter included a general explanation of the desired use of the property and the name and contact information for the applicant if the public had any questions or comments.

The applicant worked closely with Karen Stovall, the City of Glendale Planner assigned to this project, to keep staff apprised on the status of our Citizen Participation efforts. The Planner was notified of all contact with neighbors.

3. Public Response

Among the 62 letters mailed, our office did not receive any calls, letters, or email correspondence. One individual emailed the city directly with a question about the variance request which the City forwarded to our attention. We immediately responded to the City and contacted the homeowner to answer the questions. The homeowner lives in another part of the City, away from the project area, and had received our letter as part of the additional notification list. There were no other inquiries about the project. There is no known opposition to the variance request or proposed dispensary.

An outlined map of the areas of notification is attached as **EXHIBIT 2**. All property owners on this map will be notified. This map meets City of Glendale Ordinance requirements because it includes all property owners within 300' of the Property. In addition, other "Interested Parties" and "Additional Notification List" will receive notice of this request. See Mailing List attached as **EXHIBIT 3**

4. Applicant Response to Public Inquiry

We immediately followed up with the individual's inquiry the same day of receipt. We tried to answer her questions and invited her to contact our office if she had any other questions. There were no additional inquiries about our request.

5. Summary

Based on the lack of response to the notification letters, we believe the project is supported by the area and will have no detrimental impact on the area. The facility will operate like a medical office and will blend in seamlessly with the other commercial uses.

The site is appropriately located in a general commercial area, surrounded by commercial zoning, is located on an arterial street, and is in close proximity to the 101 freeway. Moreover, a large wash and commercial uses separate the site from the

nearest residential use. The site fully conforms to all the spacing requirements from schools and other approved dispensary uses. The proposed dispensary is fully compatible with the state laws and rules and will have no impact on traffic, noise, odor, or the surrounding area.

Exhibit 1

May 3, 2011

Re: 8160 W. Union Hills Dr, Suite 108

Dear Neighbor or Interested Party:

The purpose of this letter is to inform you that we recently filed a variance application (VAR11-02) for the property located at 8160 W. Union Hills Dr, Suite 108 in Glendale. The subject property is located at the northwest corner of Union Hills Drive and the 101 freeway (the "Property"), and identified on the aerial map attached enclosed herein. The Property is zoned C-2 (General Commercial) and is part of a larger commercial shopping center. PP Wellness Center (the "Applicant") proposes to operate a medical marijuana dispensary at this location.

PP Wellness Center is a full service alternative health and wellness facility that provides medical cannabis in a safe and supportive environment. It will operate like a medical office with a designated medical director in compliance with state law and zoning regulations. The medical director will also provide education to patients as required by state rules. Only state-qualified patients or their designated caregivers will access the store. The proposed dispensary is fully compatible with the surrounding commercial area and will have no impact on traffic, noise, odor, or the surrounding area. Per state rules, the building will be fully secured by state-of-the-art technology and a professional security company.

The proposed use will have no detrimental impact on the adjacent property or properties in the area. The site is appropriately located in a general commercial area. The site is surrounded by commercial zoning and is located on an arterial street and in close proximity to the 101 freeway. Moreover, a large wash and commercial uses separate the site from the nearest residential use. The site fully conforms to all the spacing requirements from schools and other approved dispensary uses. However, there is a floodway to the west and a portion of the 101 freeway to the east which are zoned R1-6 (Single Residence), and therefore necessitate a variance. The variance request will allow the dispensary to locate with 350' of a residentially zoned property (the 101 freeway and floodway), even though in actuality, it is impossible to develop any residential use within these areas.

I have included a site plan with this letter for your review. Please feel free to contact me directly at (602) 230-0600 or adam@withey.com if you have comments by May 17, 2011. You may also contact Karen Stovall at the City of Glendale Planning Department directly at (623) 930-2553. Thank you for your time and consideration.

Very truly yours,

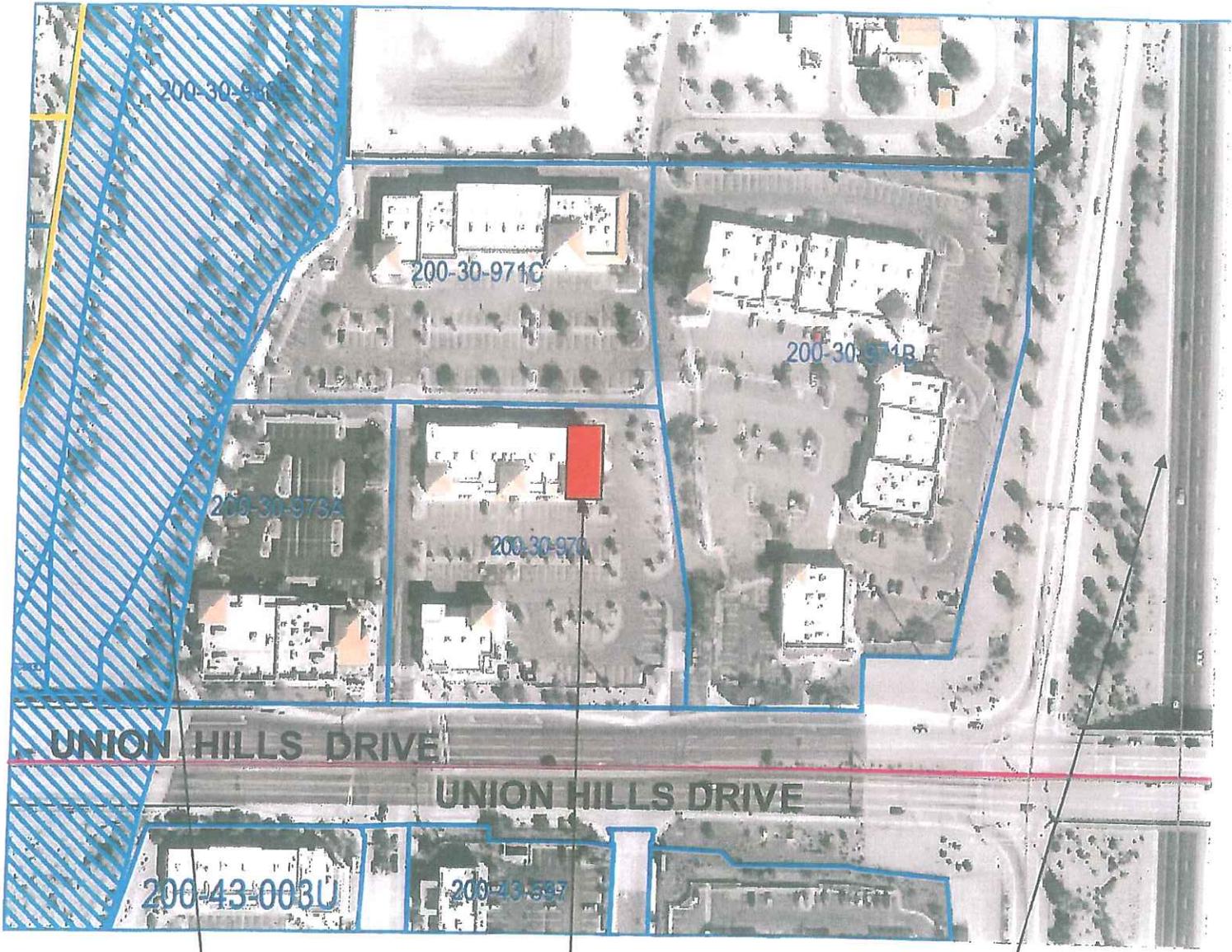
WITHEY MORRIS P.L.C.



By

G. Adam Baugh

Aerial Map

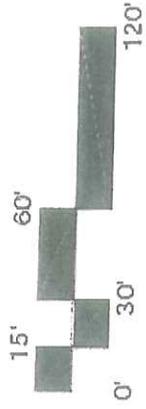


Floodway

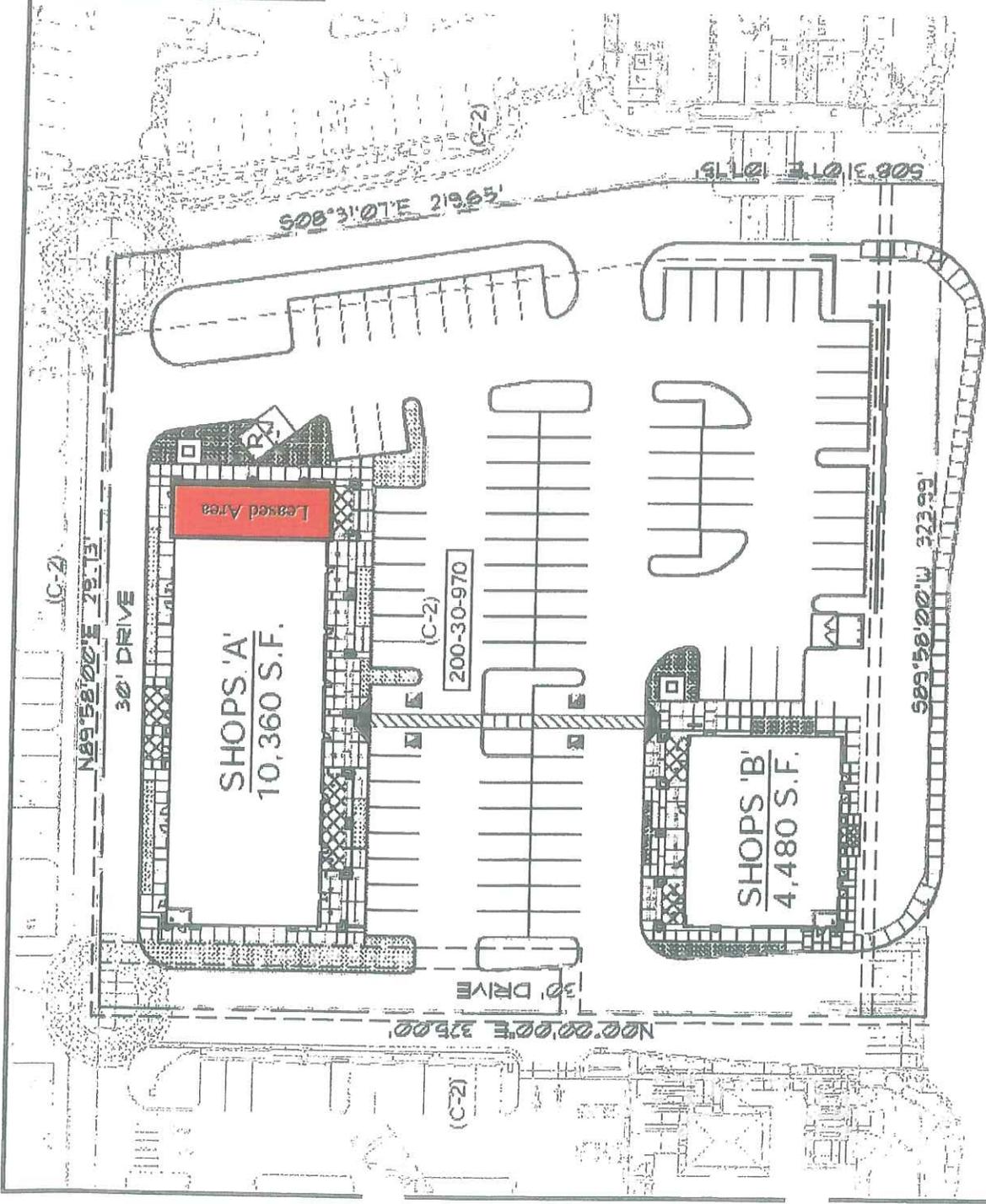
Property

101
Freeway

SITE DATA	
ZONING	C-2
NET SITE AREA	101,291 S.F. (2.33 AC)
TOTAL BLDGS.	14,840 S.F.
PKG. REQ'D.	60 SPACES
PKG. PROV.	95 SPACES
USE	RETAIL/REST.
*MAX. ALLOWABLE RESTAURANT AREA: 5,900 S.F.	



SCALE: 1" = 60'-0"



THIS SITE PLAN IS PRELIMINARY IN NATURE AND IS SUBJECT TO CHANGE

K&I
 ARCHITECTS &
 INTERIORS, L.L.C.
 1850 N. CENTRAL AVE.
 SUITE 200
 PHOENIX, AZ 85004
 PH: 602.252.5202
 FAX: 602.252.6203

83rd Avenue & Union Hills
 SHOPS 'A' AND 'B'
 EAST OF THE N.E.C. OF
 83RD AVENUE AND UNION HILLS DRIVE
 GLENDALE, ARIZONA

04646

08.11.05

04646-15-SP-05

GLOBAL

RETAIL DEVELOPMENT GROUP
 8116 E. INDIAN BEND RD.
 SUITE 118
 SCOTTSDALE, AZ 85250
 PH: 480.948.0028 FAX: 480.922.7724

Exhibit 2

Exhibit 3

Stovall, Karen

From: bjwg@cox.net
Sent: Wednesday, May 04, 2011 8:52 PM
To: Stovall, Karen
Subject: VAR11-02

Withey Morris has informed me that they are applying for a variance at 8160 West Union Hills Drive in order to operate a medical marijuana dispensary.

Before even considering if the five reasons for granting variances are present, there are two questions which need to be answered:

Question #1 According to Withey Morris, the applicant, PP Wellness Center, is leasing this property. If this is the case, the applicant has no ownership interest in applying for a variance on property which is not owned by the applicant. Therefore, the application should not be accepted or considered. Further, do not variances apply to the whole property and not just to a portion of the site?

Question #2 It is my understanding that the department of health of the state of Arizona has set the guidelines concerning distances from residential areas; if this is true, the city of Glendale has no authority to change these guidelines, and the application would not be acceptable.

These questions must be addressed even before any consideration of the merits of a particular variance on this specific property could be discussed.

Barbara Garland
bjwg@cox.net

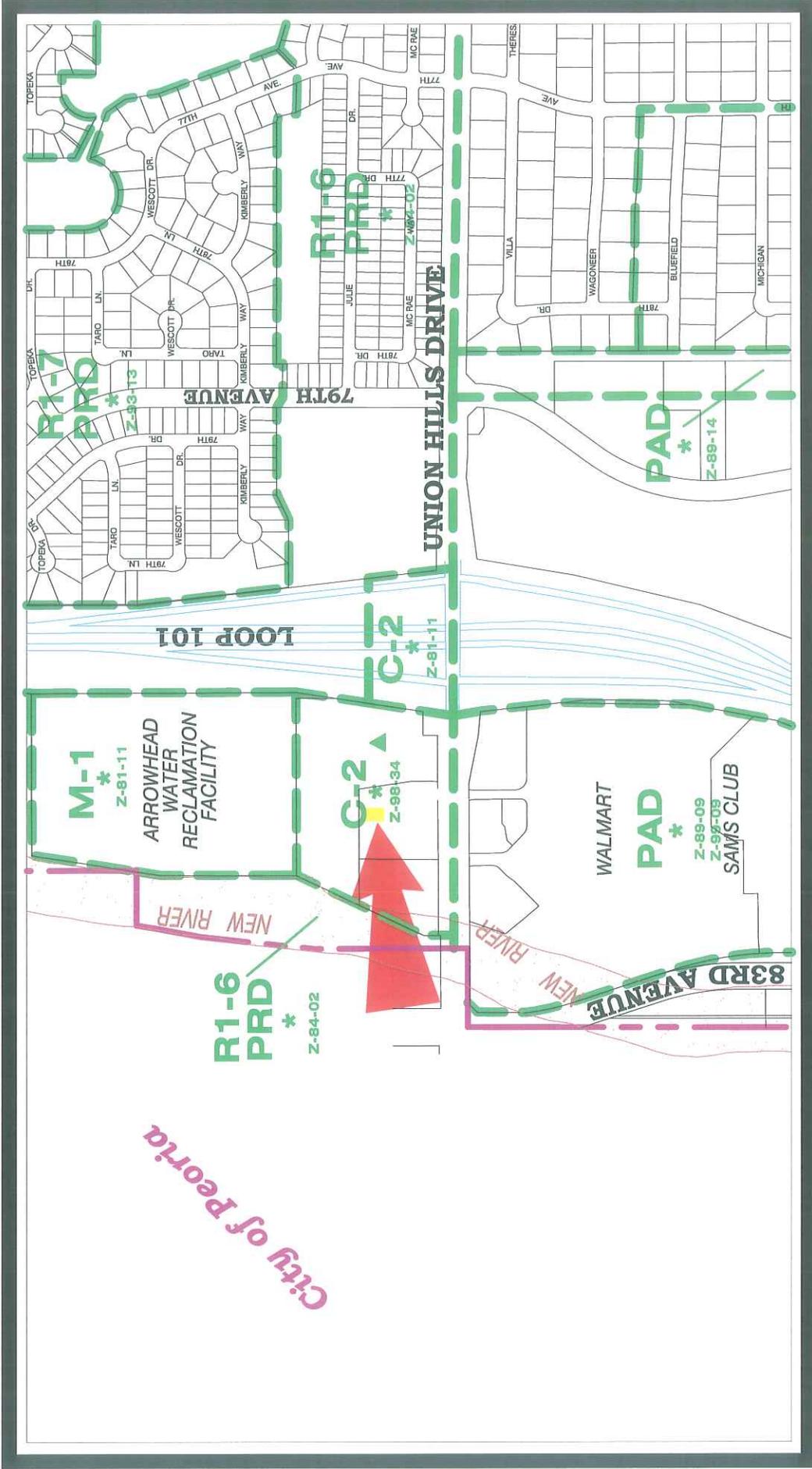
Stovall, Karen

From: Bobbie [bjwg@cox.net]
Sent: Monday, February 20, 2012 10:33 AM
To: Stovall, Karen
Subject: VAR 11-02

I do not believe the request for a variance, VAR 11-02, by Withey Morris meets the requirements for granting such a variance. The property is in a commercial area, therefore, the configuration of the property is equal to the neighboring properties; the requestor has not stated any privileges which the neighboring owners enjoy which are denied to him because of the location or configuration of his property; the requestor is asking for special privileges which other properties in similar circumstances do not enjoy; this variance may be detrimental to the character of the surrounding businesses; any inconvenience with complying with the zoning ordinance is completely self-imposed. I would urge a denial of this variance request.

Thank you,

Barbara Garland

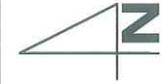


CASE NUMBER

VAR11-02

REQUEST

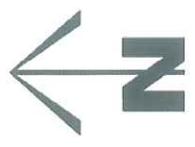
VARIANCE TO REDUCE THE REQUIRED SEPARATION FROM A MEDICAL MARIJUANA DISPENSARY TO A RESIDENTIALLY ZONED PROPERTY.



LOCATION
8160 W. UNION HILLS DRIVE



Case Number
VAR11-02



Aerial Date: November, 2008



Planning Department Staff Report

DATE: March 8, 2012 **AGENDA ITEM:** 2

TO: Board of Adjustment

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Remigio Cordero, Planner

SUBJECT: **VARIANCE APPLICATION VAR11-03: 6212 NORTH 47TH DRIVE**

REQUEST: Variance request to reduce the north side yard accessory structure setback to three feet where 13 feet is required in the R1-6 (Single Residence) zoning district.

APPLICANT/OWNER: Santos Ugalde / Jesus Martinez

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 denial of the variance request.

PROPOSED MOTION: Move to deny VAR11-03.

SUMMARY: The applicant is requesting a variance to have the north side yard setback reduce to three feet where 13 feet is required. The 13 foot setback is based on the wall on the north side of the existing accessory structure being 12 feet in height. This is for an existing 770 square foot accessory structure that was built without approvals or permits. The applicant has submitted for plan review with the Community Development Group. The plan review is on hold pending the outcome of this variance.

PREVIOUS ACTION: At the Board of Adjustment meeting on February 9, 2012, this item was continued to March 8, 2012.

BOARD ACTION: Case No. VAR11-03 was _____ by _____, subject to staff report stipulations, and was seconded by Board member _____, with a _ to _ vote.

DETAILS OF REQUEST:

General Plan Designation:

MDR (Medium Density Residential 3.5 – 5 du / ac)

Property Location and Size:

The property is located north of the northwest corner of 47th Drive and Bethany Home Road and the lot size is approximately 9,849 square feet.

Zoning Ordinance Requirements:

Section 7.301(A) (2), Accessory Buildings:

R-1 Districts – For each foot over seven (7) feet in height, the setback for that portion of the building height over seven (7) feet in height shall be increased by two (2) feet.

Surrounding Land Use and Zoning:

North: Single family home, zoned R1-6.

East: Single family home, across 47th Drive, zoned R1-6.

South: Single family home, zoned R1-6.

West: Single family home, across public alley, zoned R-3 (Multiple Residence).

History:

- This subdivision was platted in 1948 in the County. The home was constructed in 1953 and is part of the Nancy Kay Annex subdivision. This subdivision was annexed into the City of Glendale in 1959.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Plan:

On October 17, 2011, the applicant mailed 62 notification letters to adjacent property owners and interested parties. The applicant received no response in regards to the request. The Planning Department received no response regarding the request. 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 January 19, 2012. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on January 20, 2012. The property was posted on January 20, 2012.

On February 9, 2012 the Board of Adjustment regular meeting was held. The applicant and the property owner were not present to hear or discuss the item at this regular meeting. The Board Members motioned and approved to continue VAR11-03 to the March 8, 2012 Board of Adjustment Public Hearing.

STAFF FINDINGS AND ANALYSIS:

The Board of Adjustment must make 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;**

There are no special circumstances or conditions applicable to this property. The physical characteristics of the property are consistent with the surrounding area. The applicant's lot is of adequate size and shape to locate an accessory building in such a manner where it could have met the ordinance accessory structure side yard setback to the north.

- 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;**

There are no special circumstances that would prohibit the full use of the property as enjoyed by others in the neighborhood. The accessory structure could have been designed and constructed to meet the required setback.

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

The variance is not the minimum necessary to alleviate a property hardship that does not exist. The applicant could have consulted with the Community Development Group to obtain the proper setback requirements for an accessory structure.

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

Granting this variance would not have a detrimental effect on the surrounding property owners or surrounding neighborhood. There is an adequate side yard setback that would allow storm water to runoff on the applicant's property. There are similar properties in the area that have structures similar to the applicant's.

RECOMMENDATION:

The variance request does not appear to meet findings one, two, and three, with finding four being debatable.

If the Board decides to grant the variance, it should be subject to the following stipulations:

1. Development shall be in conformance with applicable site plan, date-stamped December 22, 2011.

2. Within thirty days from the date of this hearing, the applicant shall submit construction plans to the City of Glendale and obtain approval of a building permit to relocate or remove the structure.
3. All mechanical equipment shall be ground mounted.
4. All utilities less than 69kv shall be placed underground.

- ATTACHMENTS:**
1. Applicant's Narrative, date stamped December 22, 2011.
 2. Applicant's Site Plan, Elevations, Date Stamped December 22, 2011.
 3. Citizen Participation Final Report (without mailing labels), approved December 22, 2011.
 4. Vicinity Zoning Map.
 5. Aerial Photograph, dated November, 2008.

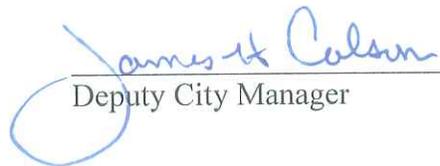
PROJECT MANAGER: Remigio Cordero, Planner (623) 930-2597
rcordero@glendaleaz.com

REVIEWED BY:



Planning Director

RC/df



Deputy City Manager

**Martinez Family
Game Room Addition
Application No. SR11-0018
6212 N. 47th Dr.
Glendale, AZ 85301**

Mr. Jesus A. Martinez, is proposing to add a Game Room and Porch addition in area totaling 770.7 Square Feet. The property is situated within the Nancy Kay Annex Subdivision, Lot 1, with APN 146-24-010. The property is a flat rectangular shaped lot. It is approximately 82 Feet wide and 120 Feet deep and the lot fronts 47th Drive.

Mr. Martinez is requesting a variance from Zoning Section 7.301 to allow a decrease in side yard setbacks that would permit the construction of the Game Room addition. We are requesting a variance to allow a (3) feet side yard setback on the north side of the property due to wall height of 12 feet, 13 feet is the required setback for this property.

This request is made with the following justifications:

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

The width of Mr. Martinez property is 82 feet in width, and a (3) feet setback is required to allow the Game Room be constructed. This width created a special circumstance not self imposed by the property owner.

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

The Zoning Ordinance strict standards will not allow Mr. Martinez to build Game room addition to his home. Due to side yard setback requirement due to wall height limitations.

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

The variance is the minimum necessary to alleviate the hardship of the (3)feet plus a (2)feet to (1) foot ratio setback separation. The method of construction is a 1 Hour fire separation construction. Exterior walls are masonry construction.

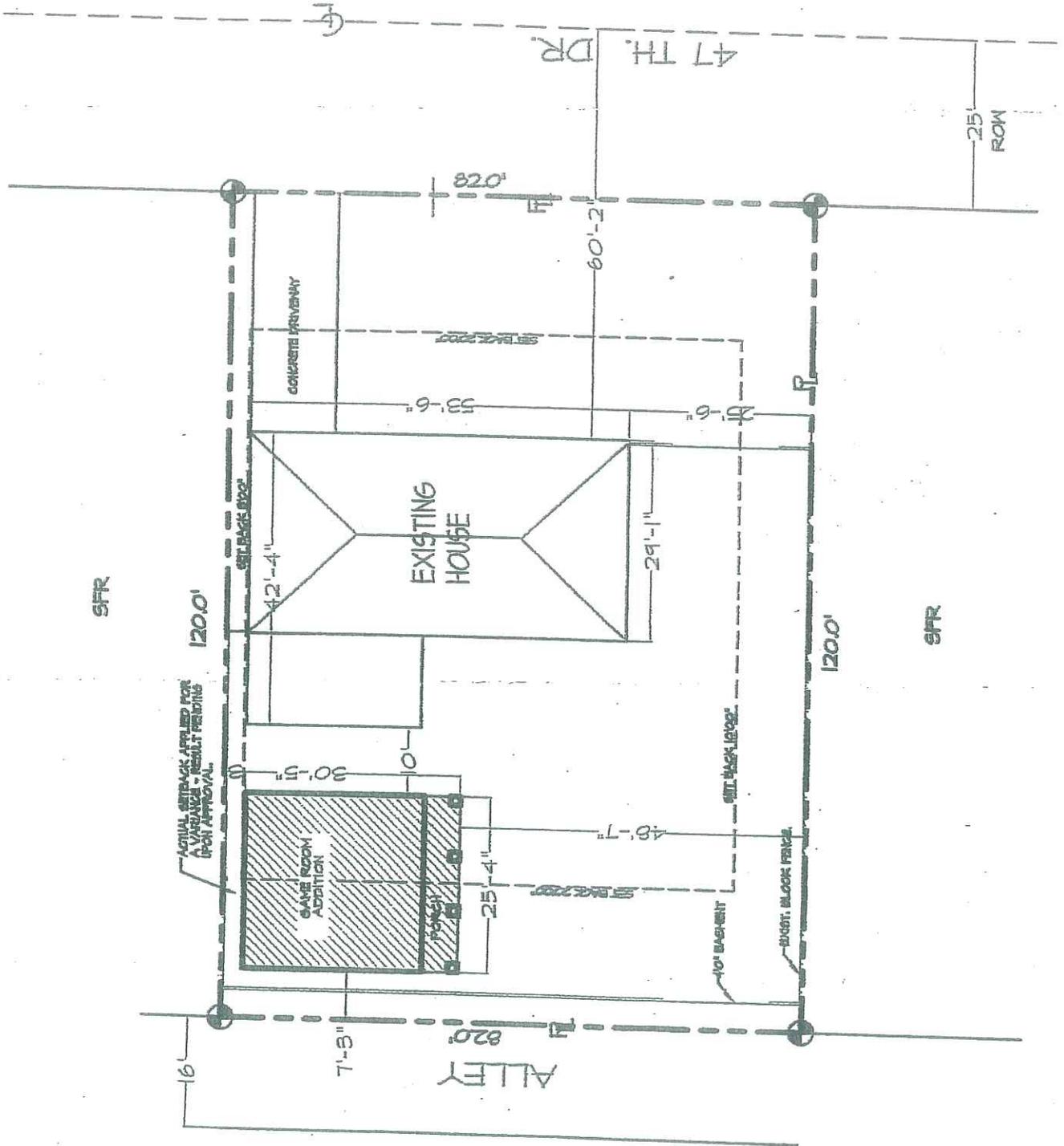
- 4. Granting the variance will not have a detrimental effect on the property, adjoining property. The surrounding neighborhood, or the city in general.**

The Game room addition will not be detrimental to neighborhood. There are many homes within this subdivision the have similar to or less than the applicants proposal.

DEC 22 2011



DEC 22 2011



ACTUAL SETBACK APPLIED FOR A VARIANCE - RESULT PERMITTED (POST APPROVAL)

120.0'

82.0'

ALLEY

71'-3"

47 TH. DR.

25' ROW

SFR

SFR

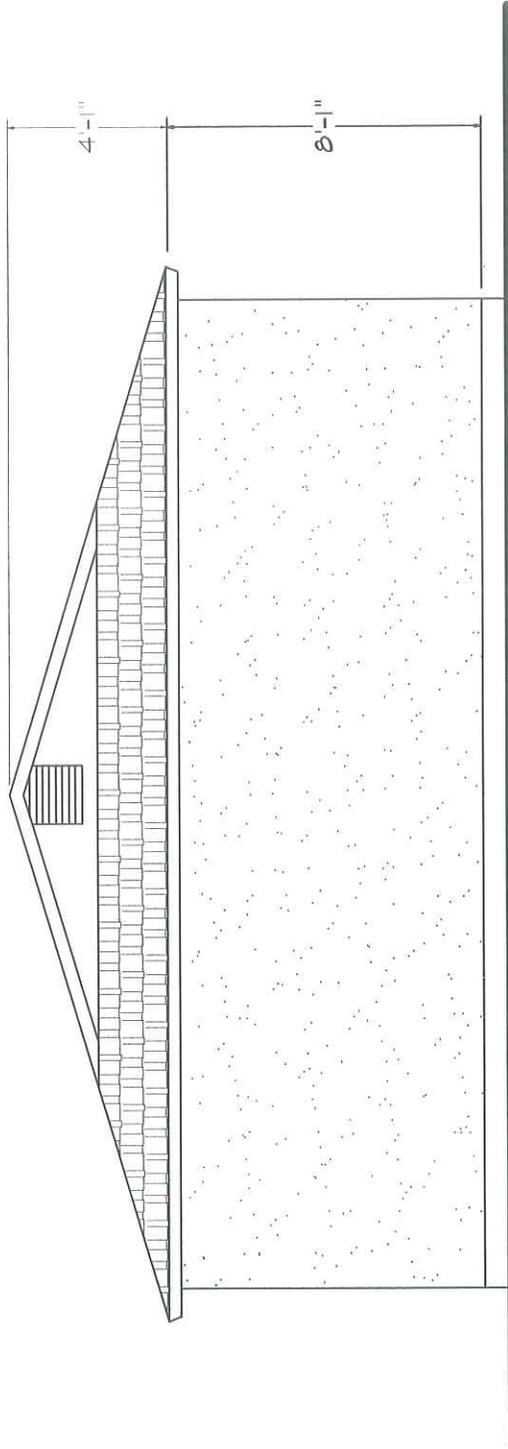
EXISTING HOUSE

GARAGE ROOM ADDITION

CONCRETE DRIVEWAY

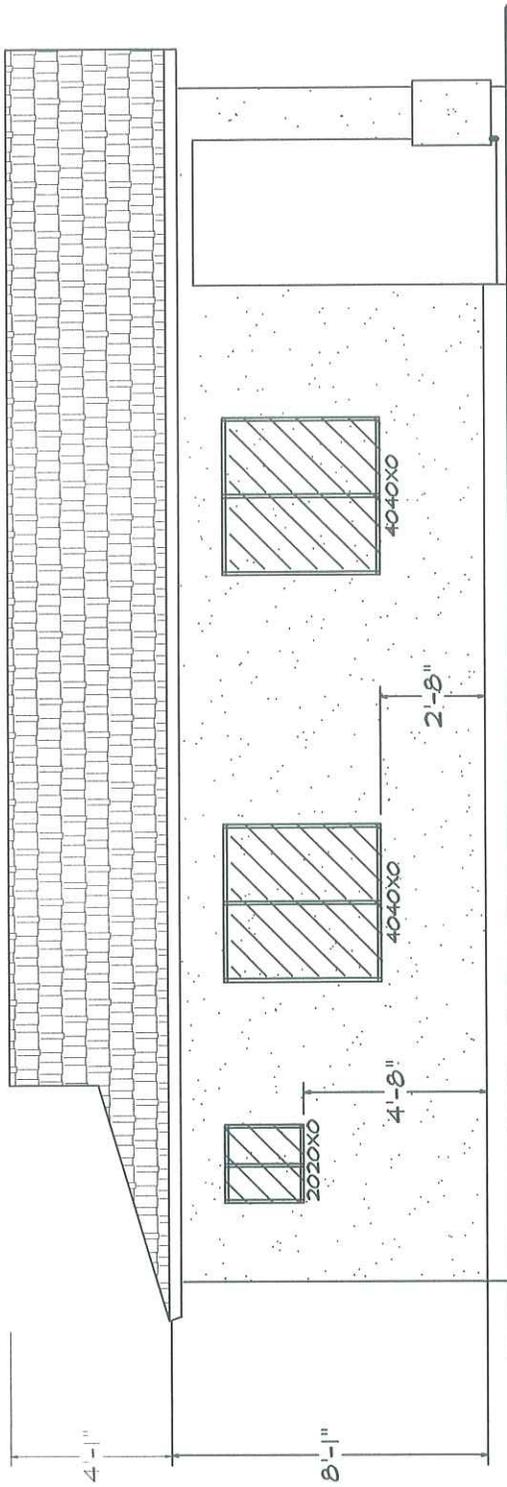
10' EASEMENT

8' BLOCK FENCE



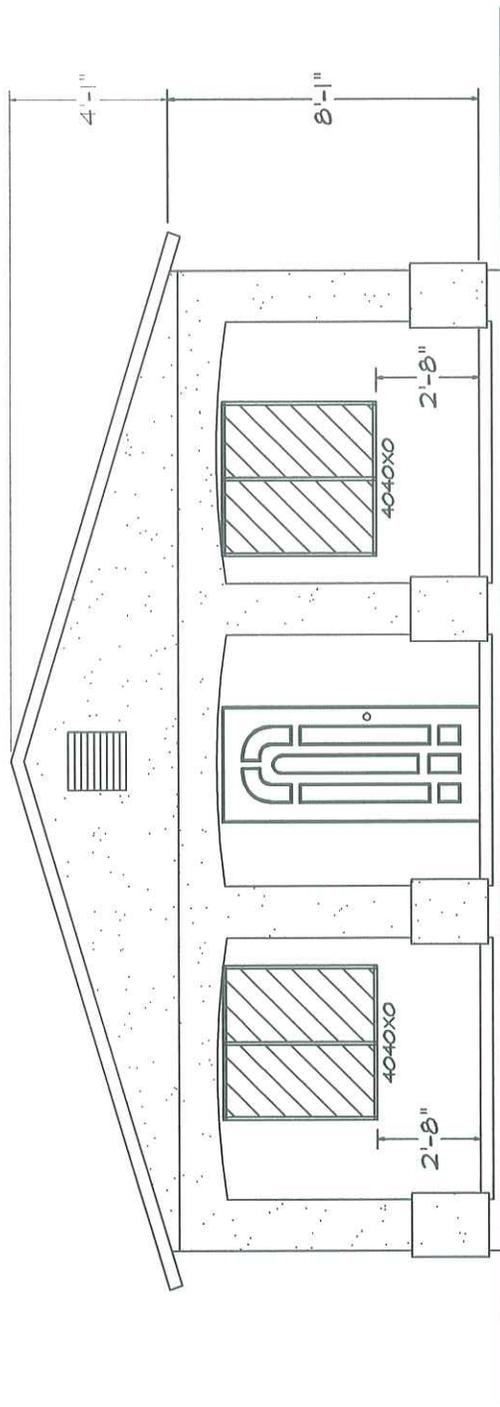
REAR ELEVATION (NORTH).

DEC 22 2011



LEFT ELEVATION.(WEST)

DEC 22 2011



FRONT ELEVATION (SOUTH).

DEC 22 2011

**CITIZEN
PARTICIPATION
PLAN
FINAL REPORT
VAR11-03**

MARTINEZ VARIANCE

**6212 N. 47th Dr.
Glendale, AZ 85301**

APPROVED

DEC 22 2011

**City of Glendale
Planning Department**

Arizqi Corbino

PROYECT DESCRIPTION.

Mr. Jesus A. Martinez, is proposing to add a Game Room and Porch addition in area totaling 770.7 Square Feet. The property is situated within the Nancy Kay Annex Subdivision, Lot 1, with APN 146-24-010. The property is a flat rectangular shaped lot. It is approximately 82 Feet wide and 120 Feet deep and the lot fronts 47th Drive.

Mr. Martinez is requesting a variance from Zoning Section 7.301 to allow a decrease in side yard setbacks that would permit the construction of the Game Room addition. We are requesting a variance to allow a (3) feet side yard setback on the north side of the property due to wall height of 12.feet, 13 feet is the required setback for this property.

ELEMENTS OF CITIZEN PARTICIPATION PLAN

The City of Glendale Planning Department determined according to the notification area (Appendix # 1). was the same department who determined that a notification letter was the technique most appropriate public notice for this project. A map outlining the platform notification area is included.

Also provided in the plan was a list of the owners, other owners associations, stakeholders, and those additional notification according to list (Appendix # 2).

REPORTING DATES.

The notification letter was sent on October 17, 2011. (As shown by the receipt of the post office office annex # 3, and the notary public Annex # 4, since the sending of the letters, there has been no public comment on this application. the notice contained:

- 1 .- notification letter (Appendix # 5).
- 2.-petition site plan proposed by VAR11-03. (Annex # 6).
- 3 .- vecinity map (Annex # 7).

NOTIFICATION AREA.

A map of platforms with a description of the notification area as determined by the Planning Department is included in Annex # 1,. All owners and other stakeholders within the notification area was first reported
Class Mail

INDIVIDUALS NOTIFIED.

The following persons composed of residents, property owners, interested parties and notifications received notification letters to the public list (Appendix # 2).

MEETING DATES / LOCATION

It was determined that there was no need to schedule a neighborhood meeting to discuss the proposal. because there have been no comments on this proposal VAR11-03.

INDIVIDUALS NOTICED.

A total of sixty (61) persons included in the district of Cactus. None of the people took into account the list in the proceso.se attached (Appendix # 2).

PROJECT CONCERNS

During the fifteen (15) days of this notice estubo open to this day there has been no comment by the public.

PUBLIC NOTIFICATION LETTER

Attached please find a copy of the public notificacion letter. (Appendix # 5) at no additional cost communication techniques deemed appropriate.

MAILING LIST

A mailing list for each person notified in accordance with the Citizen Participation Plan is appended (Appendix # 2).

b) **Glendale Homeowners Associations and Registered Neighborhood Groups:**

Bethany Square Neighborhood

Robert Donaldson
6251 North 48th Avenue #1
Glendale, AZ 85301

Robin Curtis
6251 North 48th Avenue #4
Glendale, AZ 85301

c) **Interested Parties List:**

d) **Additional Notification List:**

City of Glendale Mayor's Office
Mayor Scruggs
5850 W. Glendale Avenue
Glendale, AZ 85301

Glendale City Council Office
Council member Lieberman
5850 W. Glendale Avenue
Glendale, AZ 85301

Remigio Cordero, Planner
Planning Department
5850 W. Glendale Ave., Suite 212
Glendale, AZ 85301

Diana Figueroa, Senior Secretary
Planning Department
5850 W. Glendale Ave, Suite 212
Glendale, AZ 85301

			NEIGHBORHOOD NOTIFICATION LETTER	
	ADREESS			

✓ 13	6219 N	48 AVE.	DONALSON LES/ PAT TR.	
✓ 14	6218 N	47 DR	PIERCE LAURA	
✓ 15	6217 N	47 DR	NEGRETE CARMEN	
16	6218 N	47 AVE	MAGNESS WILLIAM R	
✓ 17	6211 N	48 AVE.	DONALSON LES/ PAT TR.	
✓ 18	6211 N	47 DR.	RAVEN NIKIKI	
19	6212 N	47 AVE	ECHERIVEL JOSE L / MARIA T.	
✓ 20	6203 N	48 AVE.	DONALSON LES/ PAT TR.	
✓ 21	6206 N	47 DR.	BANUELOS RUBEN	
✓ 22	6205 N	47 DR.	ROLAND LOUIS	

#2
2/4

GEORGIA KNOX
17214 N 66TH TER
GLENDALE AZ 85308

RONALD AND KAY LONGCOR
8022 W MONTEBELLO AVE
GLENDALE AZ 85303

TERRY LANE
6103 N 87TH LN
GLENDALE AZ 85305-2452

KATHLEEN LEWIS
7456 W AURORA DR
GLENDALE AZ 85308

MICKEY LUND
5708 W ROYAL PALM RD
GLENDALE AZ 85302

CHERI MCCLOSKEY
5336 W BECK LN
GLENDALE AZ 85306

CARRIE AND MITCH MEEK
6563 W PIUTE AVE
GLENDALE AZ 85308

DAVE TRISH
6773 W VIA MONTOYA DR
GLENDALE AZ 85310

BILL NORGREN
8608 W CAVALIER
GLENDALE AZ 85305

LAURA RAKOCZYNSKI
9403 N 50TH DR
GLENDALE AZ 85302

PATTY WYRICK
9626 N 58TH DR
GLENDALE AZ 85302

VALLEY PARTNERSHIP
5110 N 44th ST STE 200
PHOENIX AZ 85019

CHRIS REAKA
7536 W CAROLE LN
GLENDALE AZ 85303

CARLOS SANTA CRUZ
4631 WEST MONTEBELLO
GLENDALE, AZ 85301

CARLOS SANTA CRUZ
4631 WEST MONTEBELLO
GLENDALE, AZ 85301

RICHARD SCHWARTZ
8232 W MONTEBELLO AVE
GLENDALE AZ 85303

DIANA M SEGER
6132 W TOWNLEY AVE
GLENDALE AZ 85302

#2

3/4

**INTERESTED PARTIES
NOTIFICATION LIST FOR
PROPOSED DEVELOPMENT -
CITY WIDE & CACTUS**

MEL SMITH
PO BOX 12572
GLENDALE AZ 85318

SUSAN FERRELL
4646 W KRALL ST
GLENDALE AZ 85301

KAREN ABORNE
7318 W GRIFFIN AVE
GLENDALE AZ 85303

HARRIET AGIUS
7132 W GROVERS AVE
GLENDALE AZ 85308

MARY SMITH
8968 W CITRUS WAY
GLENDALE AZ 89305

DOUG ATTIG
6066 N 84TH DR
GLENDALE AZ 85305

A.I. BABINEAU
4815 W COCHISE DR
GLENDALE AZ 85302

ROD BEAL
18869 N 71ST LN
GLENDALE AZ 85308

BOB BOHART
5603 W BELMONT
GLENDALE AZ 85301

CITY OF GLENDALE
NEIGHBORHOOD PARTNERSHIPS
5850 W GLENDALE AVE #270
GLENDALE AZ 85301

JOYCE CLARK
8628 W CAVALIER DR
GLENDALE AZ 85305

ALMON DAVIS
6005 W MONTE CRISTO AVE
GLENDALE AZ 85306

MIKE DEPINTO
6507 W SHAW BUTTE DR
GLENDALE AZ 85304-2414

DANIEL DREW
4502 W MORTEN AVE
GLENDALE AZ 85301

SAMANTHA JOHNSON
CBD DIVERSIFIED
3131 E CAMELBACK RD
STE 210
PHOENIX AZ 85016

TRISH EDWARDS
8626 N 53RD AVE
GLENDALE AZ 85302

JUDY FARR
6527 W HILL LN
GLENDALE AZ 85310

BARBARA FENNEMA
18033 N 83RD DR
PEORIA AZ 85382

THE ARIZONA REPUBLIC
17235 N 75TH AVE
STE A 100
GLENDALE AZ 85308

WILLIAM RAY
7305 W ANGELA DR
GLENDALE AZ 85308

MAGI SHRECK
10673 W RANCHO DR
GLENDALE AZ 85307

MARK GARRATT
7605 N 72ND AVE
GLENDALE AZ 85303

DENNIS GERHARD
10613 N 48TH AVE
GLENDALE AZ 85304

DIANE HAND
5349 W ACAPULCO
GLENDALE AZ 85306

MICHAEL SOCACIU
8574 W BERRIDGE LN
GLENDALE AZ 85305

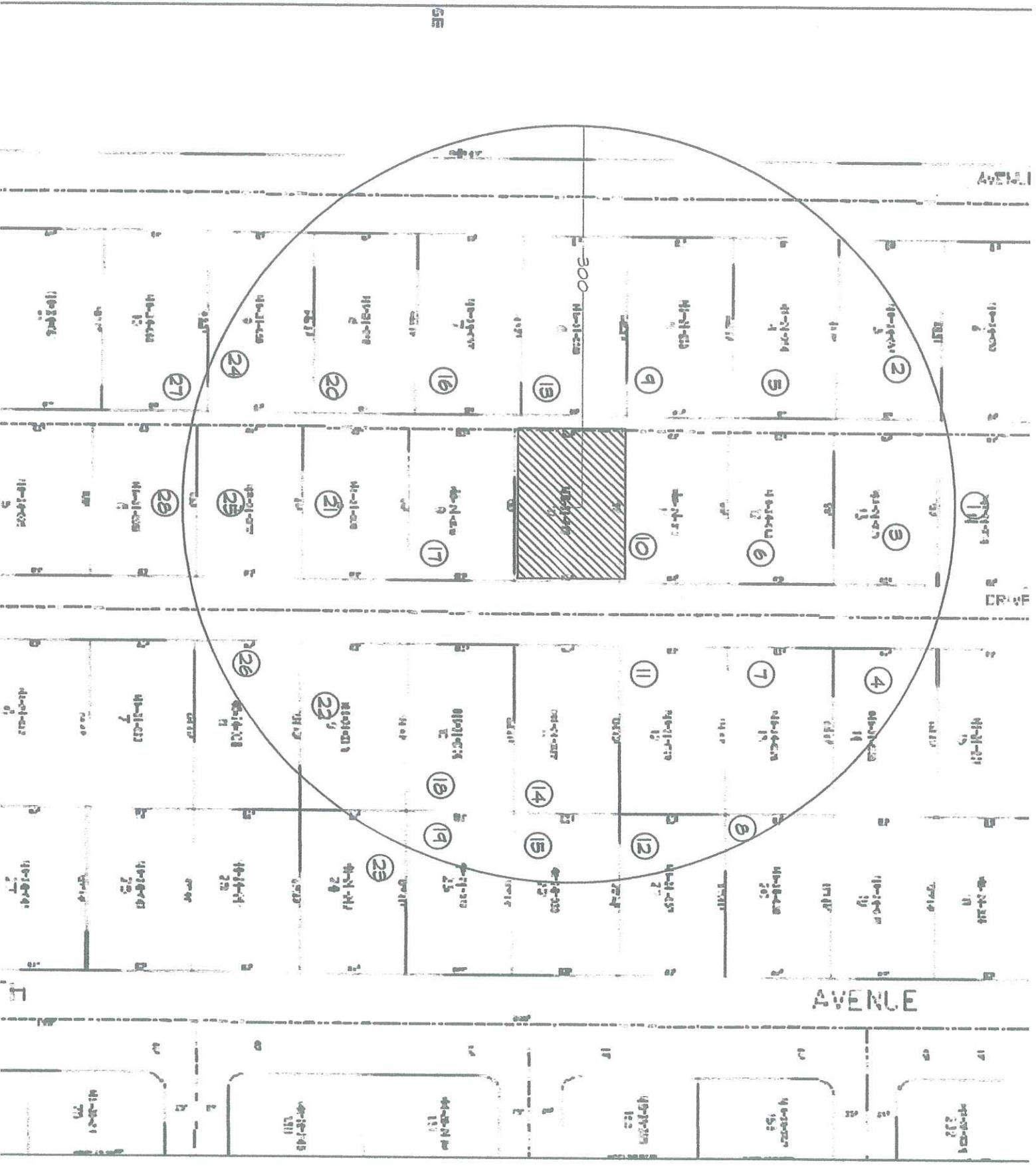
JOHN AND SUE JONES
18658 N 78TH DR
GLENDALE AZ 85308

ARLINE YZQUIERDO
8525 N 52ND DR
GLENDALE AZ 85302

DEBRA KIST
5643 W MOUNTAIN VIEW RD
GLENDALE AZ 85302

JOHN KOLODZIEJ
6258 N 88TH LN
GLENDALE AZ 85308

#2
5/4



December 1, 2011

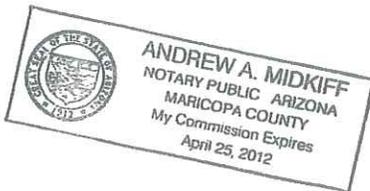
To Whom It May Concern:

I, Jesús Alejandro Nieto Martinez. the owner of the property at 6212 N. 47th Dr. Glendale, Arizona. I am the person that sent the correspondence by mail to process the paperwork, to get a permit to allow me to keep constructing and remodeling. In the next page I will be providing you with the address were I sent the letters.

Sincerely,

Jesús A Nieto Mtz
Jesus Alejandro Nieto Martinez

State of Arizona County of Maricopa
Acknowledged before me on this 1st day of DECEMBER 2011



Notary Public

Andrew A. Midkiff

October 17, 2011

NOTIFICATION LETTER

Jesus Alejandro Nieto Martinez
6212 N. 47th Dr.
Glendale, Az. 85301
Phone # 369-3567

Subject:

Dear Neighbor

This letter is to inform you that I am applying for (variance) application with the city of Glendale.

The property is located at 6212 N. 47th Dr. in the Cactus.

Is proposing to add a Game rom and porch addition in area totaling 770-7 square feet the property is situated within the Nancy Kay Annex subdivision Lot 1 with apn 146-24-010. the property is a flat rectangular shaped lot. It is approximately 82 feet wide and 120 feet deep and the lot fronts 47th Drive.

I am requesting a variance from zoning section 7,301 to allow a decrease in the accessory in side yard setbacks that would permit the construction of the game room addition. We are requesting a variance to allow a (3) feet side yard setback on the North and West side of the property due to wall heingt of (8) feet. Where (3) feet is required.

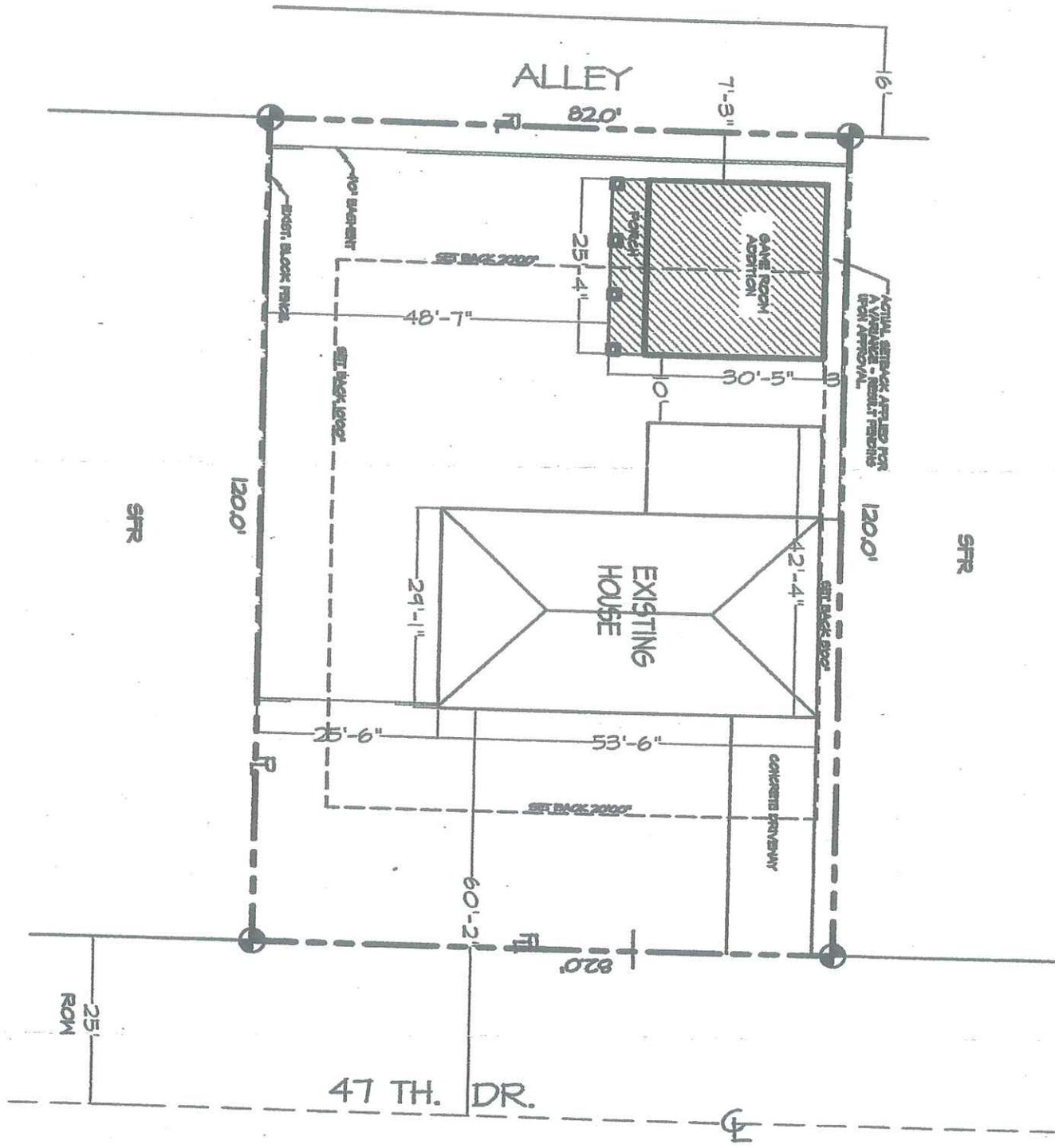
I have included a site plan with this letter for your review.

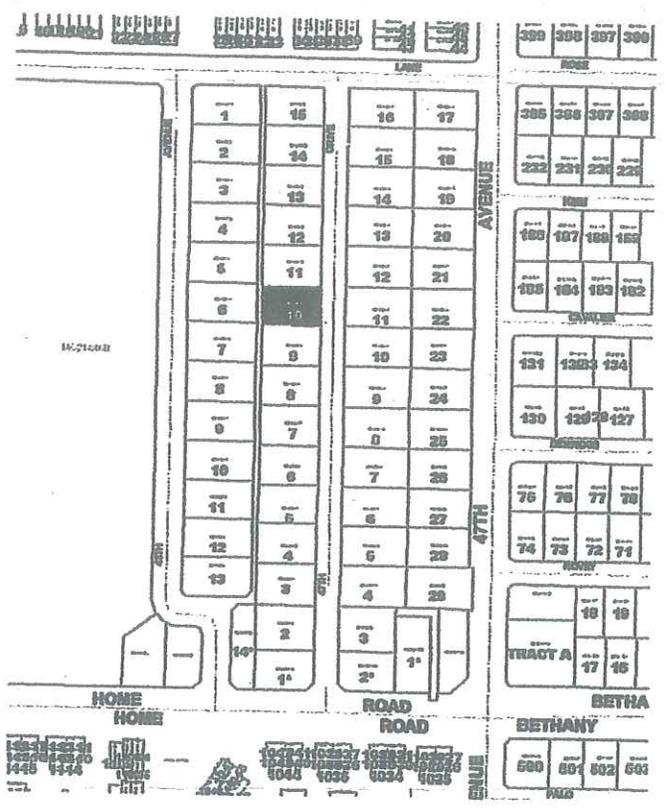
Encouraged to be sent no later than October 27, 2011. Please write, email to alexnietomtz@hotmail.com, or call me at the contact Sr. Remigio Cordero, with the City of Glendale planning Department at (623) 930-2597.

Sincerely,

Jesus Alejandro Nieto Martinez.

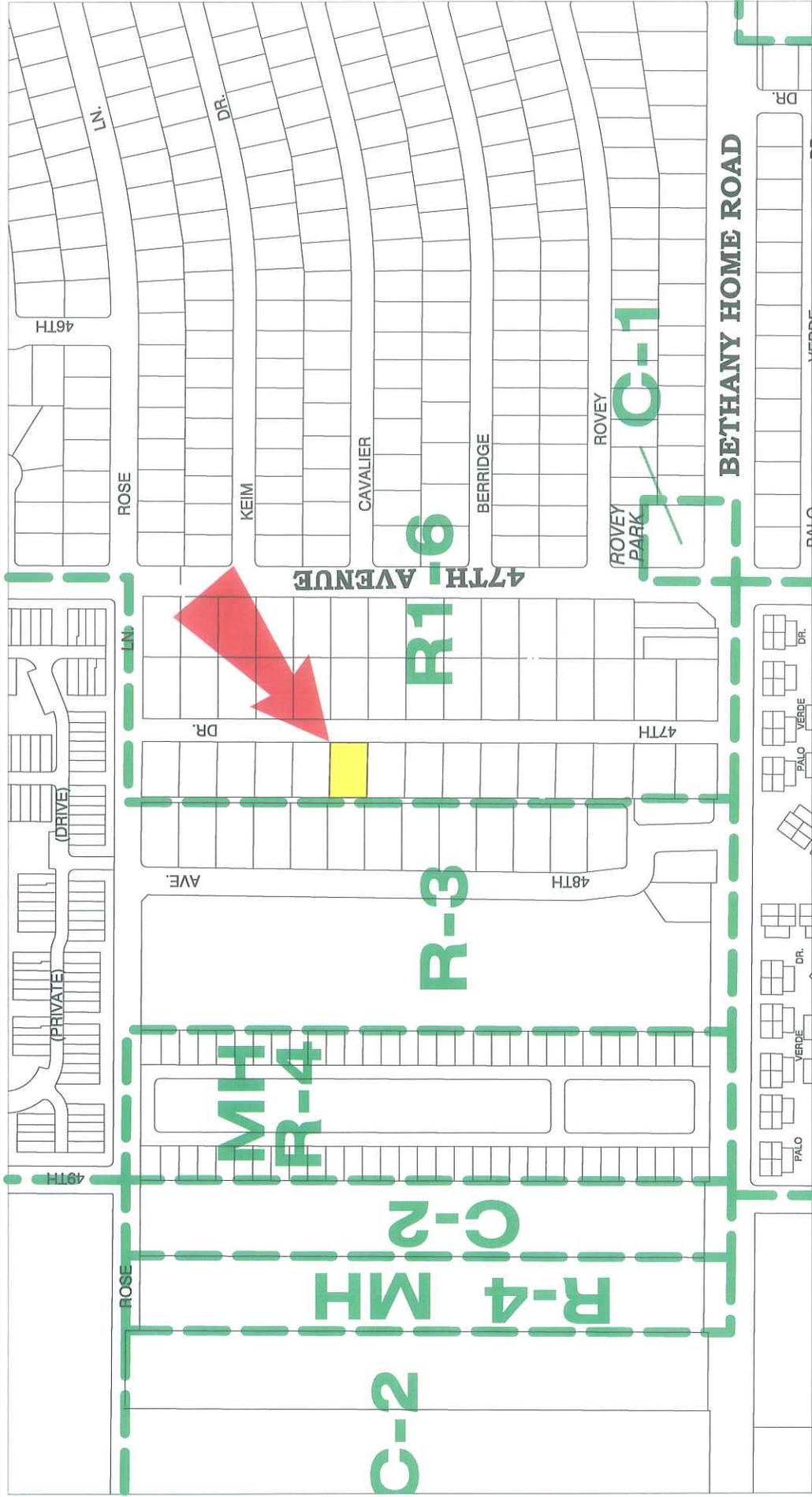
Jesus A Nieto Mtz





VECINITY MAP
NOT TO SCALE

ADDRESS:
JESUS ALEJANDRO MARTINEZ.
6212 TH. 47 DR.

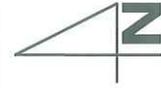


REQUEST

VARIANCE TO REDUCE THE ACCESSORY STRUCTURE SETBACK TO 3' WHERE 13' IS REQUIRED IN THE R1-6 (SINGLE RESIDENCE) ZONING DISTRICT.

CASE NUMBER

VAR11-03



LOCATION
6212 N. 47TH DRIVE



Case Number
VAR11-03

Aerial Date: November, 2008





Planning Department Staff Report

DATE: March 8, 2012 **AGENDA ITEM:** 3

TO: Board of Adjustment

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Remigio Cordero, Planner

SUBJECT: **VARIANCE APPLICATION VAR11-06: HABITAT FOR HUMANITY – 6112 WEST PALMAIRE AVENUE**

REQUEST: Reduce the side yard setbacks to 5 feet where 20 feet is required in the R-4 (Multiple Residence) zoning district.

APPLICANT/OWNER: 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 stipulations.

PROPOSED MOTION: Move to approve VAR011-06 subject to stipulations.

SUMMARY: The applicant is requesting a variance to construct a 2,030 square-foot home on a vacant lot.

PREVIOUS ACTION: At the Board of Adjustment meeting on February 9, 2012, this item was continued to March 8, 2012.

BOARD ACTION: Case No. VAR11-06 was _____ by _____, subject to staff report stipulations, and was seconded by Board member _____, with a _ to _ vote.

DETAILS OF REQUEST:

General Plan Designation:

8-12 (Medium High Density Residential 8 – 12 dwelling units per acre).

Property Location and Size:

The property is located west of the northwest corner of 61st and Palmaire avenues. The lot dimensions are 45 feet wide by 170 feet deep, and the property is approximately 7,650 square feet in size.

Zoning Ordinance Requirements:

Section 5.430 - R-4 (Multiple Residence) - Table 2:

Minimum perimeter yard setback: 20 feet.

Surrounding Land Use and Zoning:

North: Vacant land, zoned R-4.

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

South: Single-family residence, across Palmaire Avenue, zoned R-4.

West: Single-family residence, zoned R-4.

History:

- The property is part of the Hadsell's Addition, which was platted in Maricopa County in 1893.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Plan:

On November 21, 2011, the applicant mailed 62 notification letters to adjacent property owners and interested parties. The applicant did not receive any response regarding the request. The Planning Department did not receive any response regarding the request either. 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 January 19, 2012. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on January 20, 2012. The property was posted on January 20, 2012.

STAFF FINDINGS AND ANALYSIS:

The Board of Adjustment must make 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 45 foot width of the lot creates a special circumstance not self-imposed by the property owner. The construction of a new home requires some level of relief based on the setback requirement. The setback requirement would not allow for a new home to be constructed on this lot. The surrounding neighborhood is developed with a variety of side-yard setbacks, many do not meet the current R-4 perimeter setbacks.

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 20 foot side yard setbacks and would eliminate the possibility of constructing a new home due to the total width. Several of the properties in the neighborhood have setbacks that are similar to those proposed by Habitat for Humanity.

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

The requested side setbacks are the minimum necessary to construct a single-family residential home on the lot. The front and rear setbacks, maximum lot coverage, and minimum lot depth 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.

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 stipulations:

1. Development shall be in conformance with the site plan, floor plan, and elevations date-stamped December 9, 2011.
2. All mechanical equipment shall be ground mounted.
3. All utilities less than 69kv shall be placed underground.

ATTACHMENTS:

1. Applicant's Narrative, date stamped December 9, 2011.
2. Site Plan, Elevations, and Floor Plan, date-stamped December 9, 2011.
3. Citizen Participation Final Report (without mailing labels), approved December 9, 2011.
4. Vicinity Zoning Map.
5. Aerial Photograph, dated November, 2008.

PROJECT MANAGER:

Remigio Cordero, Planner (623) 930-2597
rcordero@glendaleaz.com

REVIEWED BY:



Planning Director

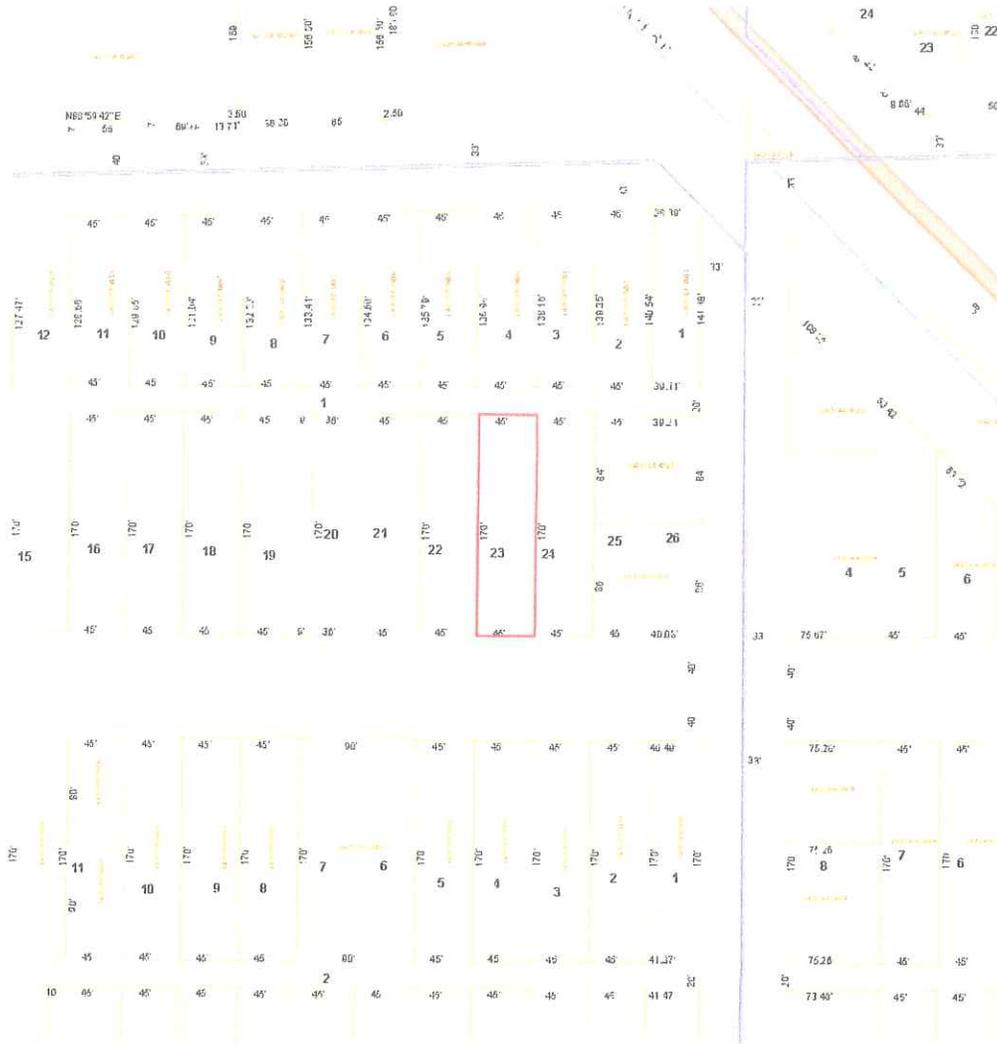
RC/df



Deputy City Manager

PROJECT DESCRIPTION

Habitat for Humanity Central Arizona owns a 7,650 square foot lot situated at 6112 West Palmaire Avenue, Glendale, Arizona 85301. The property is situated in the Hadsells Subdivision. The property is a flat, rectangular shaped lot. It is approximately 45 feet wide by 170.6 feet deep. The property fronts Palmaire Avenue on the south. 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 over 825 homes in the metro Phoenix area. We have served families in Avondale, Apache Junction, Chandler, Gilbert, Guadalupe, Glendale, Mesa, Peoria, Phoenix, Surprise and Tempe. These new and renovated homes and the associated 825 families who live in them have had a positive impact on communities all over the

PROJECT NARRATIVE
6112 WEST PALMAIRE AVENUE

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 north side of Palmar Avenue, three (3) parcels west of 61st Avenue. The majority of parcels in the area are zoned R-4, Multiple Residence Zoning District. Several 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 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 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 both the east and west sides where a twenty (20) foot side yard setback is required for both in the R-4, Multiple Residence Zoning District. We are also requesting a variance to account for the fact that the minimum lot width allowed in this zoning district is sixty (60) feet while our lot width is forty-five (45) feet. Habitat for Humanity is proposing to construct a 1,336 square foot single-family residence. The home planned is Habitat Model MM1336. The home will be single story and include three (3) 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:

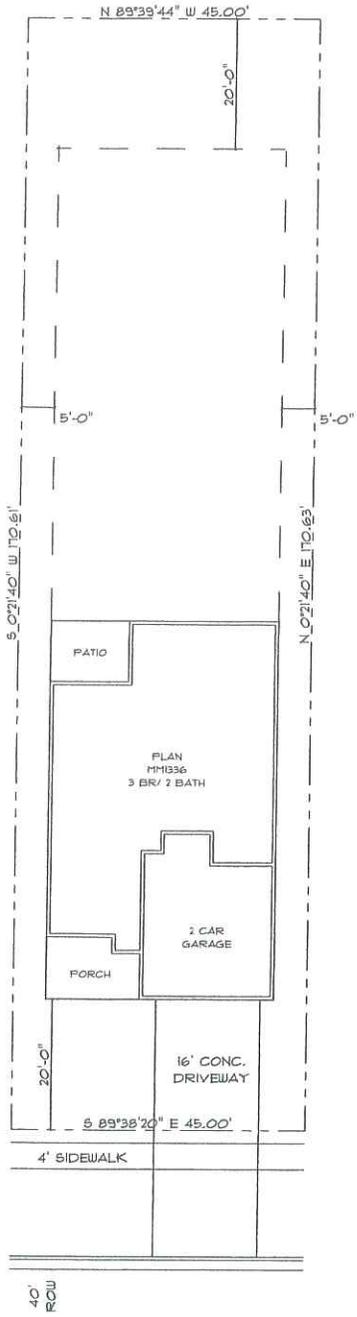
House	1,336	Square Feet
Two Car Garage	457	Square Feet
Front Patio	112	Square Feet
Rear Patio	<u>125</u>	<u>Square Feet</u>
Total Square Footage	2,030	Square Feet

The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-4, Multi Family Residential Zoning District.

A site plan is included on the following page.

DEC 09 2011

PROJECT NARRATIVE
6112 WEST PALMAIRE AVENUE



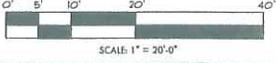
**CURRENT R-4
 SETBACK REQUIREMENTS:**
 FRONT: 20'
 REAR: 20'
 SIDES: 20'

REQUESTED SETBACKS:
 FRONT: 20'
 REAR: 20'
 SIDES: 5'

BUILDING SQ FOOTAGE

LIVABLE	1336 SQ FT
PATIO	112 SQ FT
PORCH	125 SQ FT
GARAGE	457 SQ FT
TOTAL	2,030 SQ FT

DEC 09 2011



W PALMAIRE AVE

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 COLBY OFFICE (623)583-2417 X 120 CELL (623)743-0342 FAX (623)583-2705 JAMIE@HABITATCAZ.ORG	HADSSELLS SUBDIVISION		GLENDALE, ARIZONA	DATE OCTOBER 19, 2011
	LOT NUMBER: 23			
	ADDRESS: 6112 W PALMAIRE AVE, GLENDALE, AZ 85301			
	PARCEL NUMBER: 143-37-023			
	LOT SQUARE FOOTAGE: 7,650 sq ft		LOT COVERAGE: 26.6%	
	HOUSE PLAN: MM1336		ELEVATION: C	
	ZONING: R-4			

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. In addition, the lot width of 45 feet is under the minimum lots width of sixty (60) feet but is typical of surrounding area lots in the area.

- 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 just five (5) feet. The majority of the properties in the neighborhood have setbacks that are similar to those proposed by Habitat for Humanity Central Arizona.

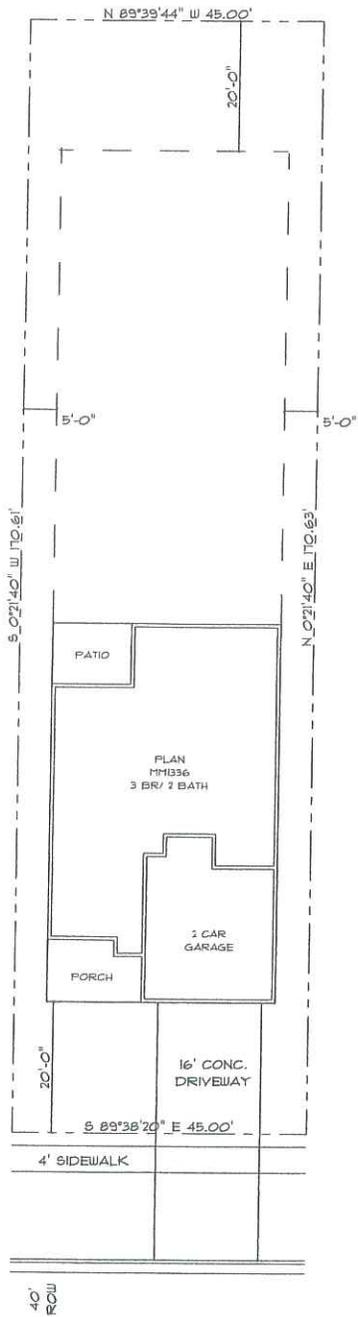
- 3. The variance is the minimum necessary to alleviate the property hardship; and**

The requested side setbacks 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 width, 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.

DEC 09 2011

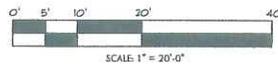


DEC 09 2011

CURRENT R-4
SETBACK REQUIREMENTS:
FRONT: 20'
REAR: 20'
SIDES: 20'

REQUESTED SETBACKS:
FRONT: 20'
REAR: 20'
SIDES: 5'

BUILDING SQ FOOTAGE
LIVABLE 1,336 SQ FT
PATIO 112 SQ FT
PORCH 125 SQ FT
GARAGE 451 SQ FT
TOTAL 2,030 SQ FT



W PALMAIRE AVE

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 COLBY OFFICE (623)583-2417 X 120 CELL (623)243-0342 FAX (623)583-2705 JAMIE@HABITATCAZ.ORG	HADSELLS SUBDIVISION		GLENDALE, ARIZONA	DATE: OCTOBER 19, 2011
	LOT NUMBER: 23			
	ADDRESS: 6112 W PALMAIRE AVE, GLENDALE, AZ 85301			
	PARCEL NUMBER: 143-37-023			
	LOT SQUARE FOOTAGE: 7,650 sq ft		LOT COVERAGE: 26.6%	
	HOUSE PLAN: MM1336		ELEVATION: C	
	ZONING: R-4			

Habitat for Humanity
 THESE CONSTRUCTION DOCUMENTS HAVE BEEN PREPARED FOR USE BY
 183 N. GRAND AVENUE PHOENIX, AZ 85045
 OFFICE: 425-955-2441 FAX: 425-955-2105
 PROJECT LOCATION:
 CITY OF APACHE JUNCTION, ARIZONA

DRAWINGS PREPARED BY:
CD2LOOKS
 PHOENIX, ARIZONA
 (602) 941-4203

REVISION / DATE
 1-2-07 ALL PLAN, WALL, FLOOR FINISHES

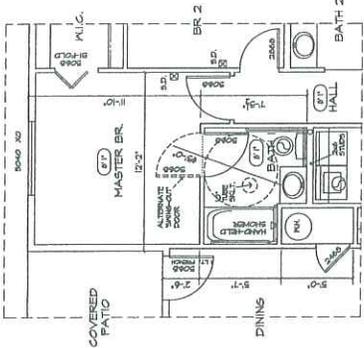
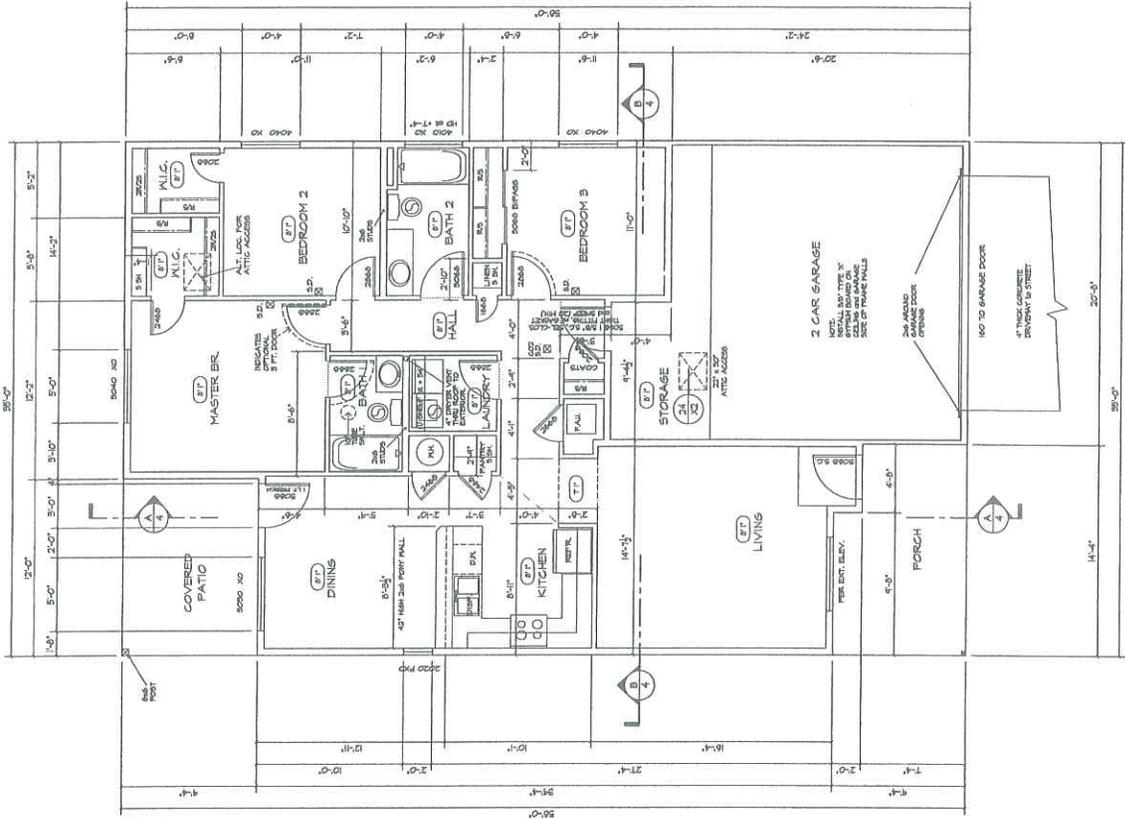
DATE BY
 9-20-10 MURIEL HARRIS

PLAN
 MM-1336

SHEET
 3

FLOOR PLAN

95 FT. WIDE, 3 BR / 2 BA, ONE STORY
 DETACHED SINGLE FAMILY RES.



OPT. ACCESSIBLE BATH

NOTE: THE SHOWER DOOR AT MASTER BR. AND USE SHOWER SHUTTER DOOR AT M.B.C.

GENERAL NOTES:

- READ SPECIFICATIONS AND INSTRUCTIONS, SHEET #1 OF THESE PLANS FOR ADDITIONAL INFORMATION.
- ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
- ALL EXTERIOR WALLS AND WALLS SEPARATING LIVABLE AREAS FROM GARAGE SHALL BE 8\"/>
- INTERIOR PARTITIONS SHALL BE 2x4 STUDS AT 16\"/>
- HEAD OF ALL WINDOWS AS NOTED AND/OR SHOWN ON ELEV.
- REFER TO EXTERIOR ELEV. DIMS FOR # OF LITES/WINDOW.
- DOWNDOOR CRANKS IN EXTERIOR WALLS SHALL BE LOCATED ON THE OUTSIDE FACE OF THE WALL.
- ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2\"/>
- SIZE AND SPACING EACH SIDE OF BEARING SHALL BE MATCHED TO THAT SHOWN ON ELEVATION.
- RECALL ALL CONCRETE 3\"/>
- CENTER VENT. IN HORIZONTAL CORNER HOLES AND VENTS.
- REMOVE AIR CHANGES SHALL BE INDICATED AT ELEV.
- ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2\"/>
- FINISHES SHALL BE INSTALLED AND LEFT EXPOSURE AS SHOWN IN ATTACHMENT OF ORIGINAL "UNFINISHED" DRAWING, FOR REFINISHING BY HOMEOWNER.
- INTERIOR WALLS SHALL BE FINISHED TO MATCH ORIGINAL FINISH.
- GYPSUM SHELVING, SHELVING AND PARTIAL WALLS SHALL BE FINISHED TO MATCH ORIGINAL FINISH.
- ALL EXTERIOR WALLS SHALL HAVE ONE ROW OF WEATHER STRIPS AT ALL EXTERIOR WALLS AND ONE ROW ABOVE EACH WINDOW AND DOOR.
- ALL EXTERIOR WALLS SHALL HAVE ONE ROW ABOVE EACH WINDOW.

(X, Y) INDICATES HEIGHT OF ROOF, NOT FLOOR.

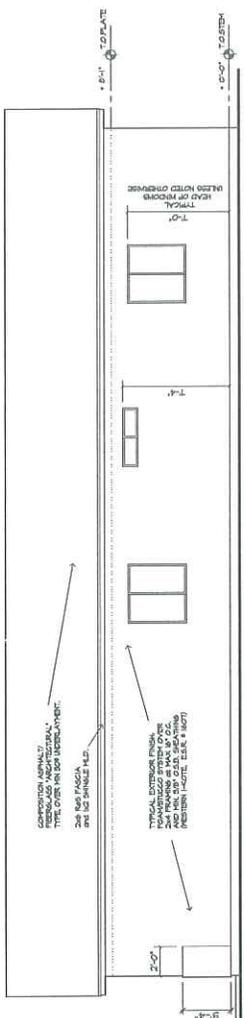
LIVABLE	1956 SQ. FT.
STORAGE	127 SQ. FT.
ENTRY/PORCH	112 SQ. FT.
COVERED PATIO	112 SQ. FT.
maximum TOTAL (under roof)	2307 SQ. FT.

FLOOR PLAN

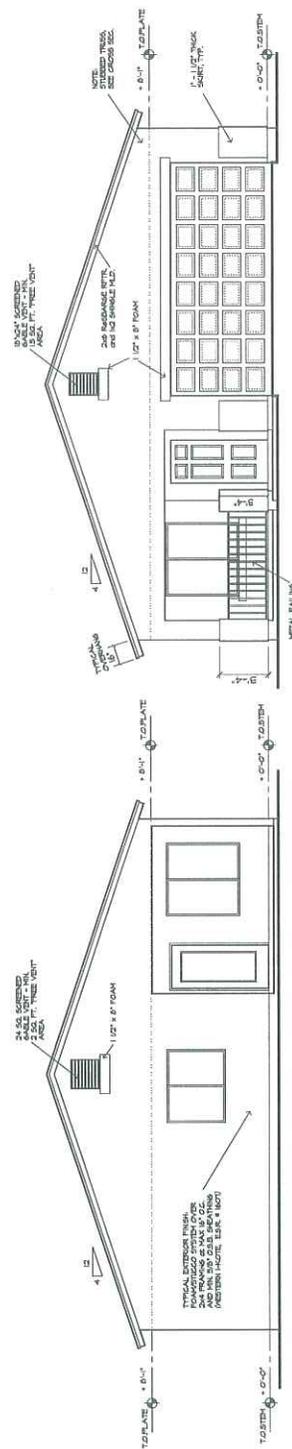
1/4" = 1'-0"
 1/8" = 1'-0"
 (printed on 22"x34" SHEET)
 (printed on 11"x17" SHEET)

NOTE: REFER TO INDIVIDUAL EXTERIOR ELEVATION FOR FINISHES AND MATERIALS. ALSO SEE EXTERIOR FINISHES.

DEC 09 2011

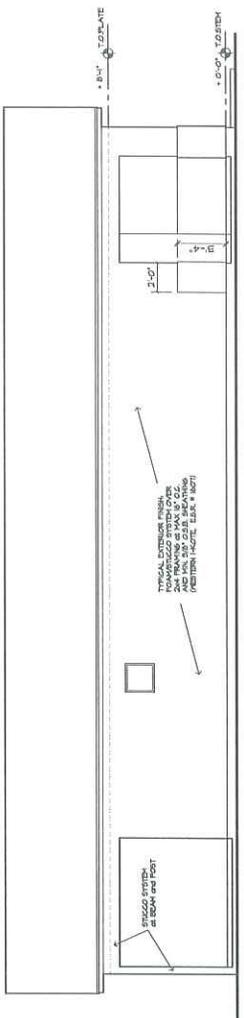


RIGHT SIDE



FRONT

REAR



LEFT SIDE

EXTERIOR ELEVATION 'C'
 1/4" = 1'-0"
 1/8" = 1'-0"

EXTERIOR ELEVATION 'C'
 (printed on 22"x34" SHEET)
 (printed on 11"x17" SHEET)

DRAWINGS PREPARED BY:
CADDOCKS
 PHOENIX, ARIZONA
 (602) 947-0203

REVISION / DATE	BY
10-20-10	HOPE DUNN RD

THESE DRAWINGS ARE PREPARED FOR THE CITY OF APACHE JUNCTION, ARIZONA
 PROJECT LOCATION:
 493 N. GRAND AVENUE, PHOENIX, AZ 85045
 OFFICE: 62-553-2411 FAX: 62-553-2105



39 FT. WIDE, 9 BR / 2 BA, ONE STORY
 DETACHED SINGLE FAMILY RES.
 EXTR. ELEVATIONS 'C'

FILE: 10-10-10-10-10
 DATE: 10-20-10
 BY: MURIEL
 8-30-10
 PLAN: MM-1336
 SHEET: C1

DEC 09 2011

CITIZEN PARTICIPATION FINAL REPORT

HABITAT FOR HUMANITY CENTRAL ARIZONA

6112 WEST PALMAIRE AVENUE

GLENDALE, ARIZONA 85301



PREPARED BY:

TANA NICHOLS

DIRECTOR OF LAND ACQUISITION AND DEVELOPMENT

DECEMBER 7, 2011

APPROVED

DEC 09 2011

City of Glendale
Planning Department

Kenneth Cochran

PROJECT DESCRIPTION

Habitat for Humanity Central Arizona owns a 7,650 square foot lot situated at 6112 West Palmaire Avenue, Glendale, Arizona 85301. The property is situated in the Hadsells Subdivision. The property is a flat, rectangular shaped lot. It is approximately 45 feet wide by 170.6 feet deep. The property fronts Palmaire Avenue on the south. A plat map is included following.



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**6112 WEST PALMAIRE AVENUE
CITIZENS PARTICIPATION FINAL REPORT**

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 north side of Palmaire Avenue, three (3) parcels west of 61st Avenue. The majority of parcels in the area are zoned R-4, Multiple Residence Zoning District. Several 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 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 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 both the east and west sides where a twenty (20) foot side yard setback is required for both in the R-4, Multiple Residence Zoning District. We are also requesting a variance to account for the fact that the minimum lot width allowed in this zoning district is sixty (60) feet while our lot width is forty-five (45) feet. Habitat for Humanity is proposing to construct a 1,336 square foot single-family residence. The home planned is Habitat Model MM1336. The home will be single story and include three (3) 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	1,336 Square Feet
Two Car Garage	457 Square Feet
Front Patio	112 Square Feet
Rear Patio	<u>125 Square Feet</u>
Total Square Footage	2,030 Square Feet

The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-4, Multi Family Residential Zoning District.

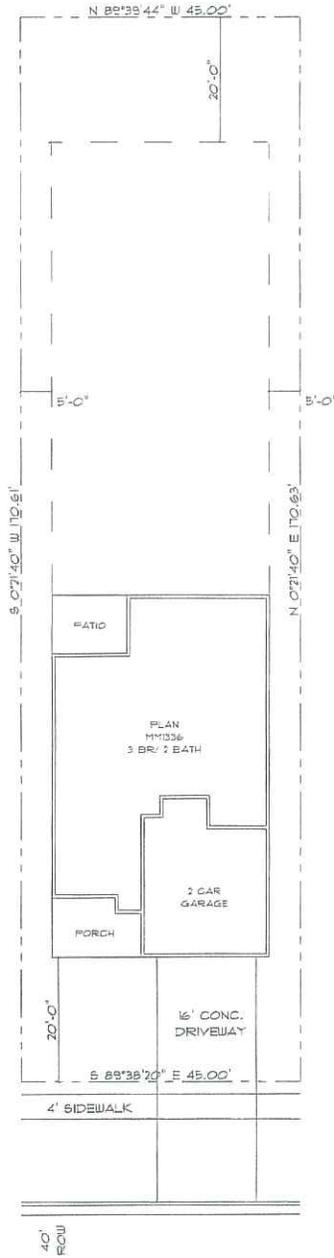
A site plan is included on the following page.

6112 WEST PALMAIRE AVENUE
CITIZENS PARTICIPATION FINAL REPORT

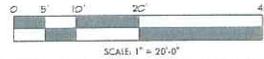
CURRENT R-4
SETBACK REQUIREMENTS:
FRONT: 20'
REAR: 20'
SIDES: 20'

REQUESTED SETBACKS:
FRONT: 20'
REAR: 20'
SIDES: 5'

BUILDING SQ FOOTAGE
LIVABLE 1,336 SQ FT
PATIO 112 SQ FT
PORCH 125 SQ FT
GARAGE 457 SQ FT
TOTAL 2,030 SQ FT



W PALMAIRE AVE



HABITAT FOR HUMANITY CENTRAL ARIZONA 9133 NW GRAND AVENUE SUITE 1 PEORIA, ARIZONA 85345 OFFICE (623)583-2417 FAX (623)583-2705 KOC 251891 CONTACT: JAMIE COLBY OFFICE (623)583-2417 X 120 CELL (623)243-0342 FAX (623)583-2705 JAMIE@HABITATCAZ.ORG	HADSELLS SUBDIVISION		GLENDALE, ARIZONA	DATE OCTOBER 15, 2011
	LOT NUMBER: 23			
	ADDRESS: 6112 W PALMAIRE AVE, GLENDALE, AZ 85301			
	PARCEL NUMBER: 143-37-023			
	LOT SQUARE FOOTAGE: 7,650 sq ft		LOT COVERAGE: 26.6%	
	HOUSE PLAN: MM1336		ELEVATION: C	
	ZONING: R-4			

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.

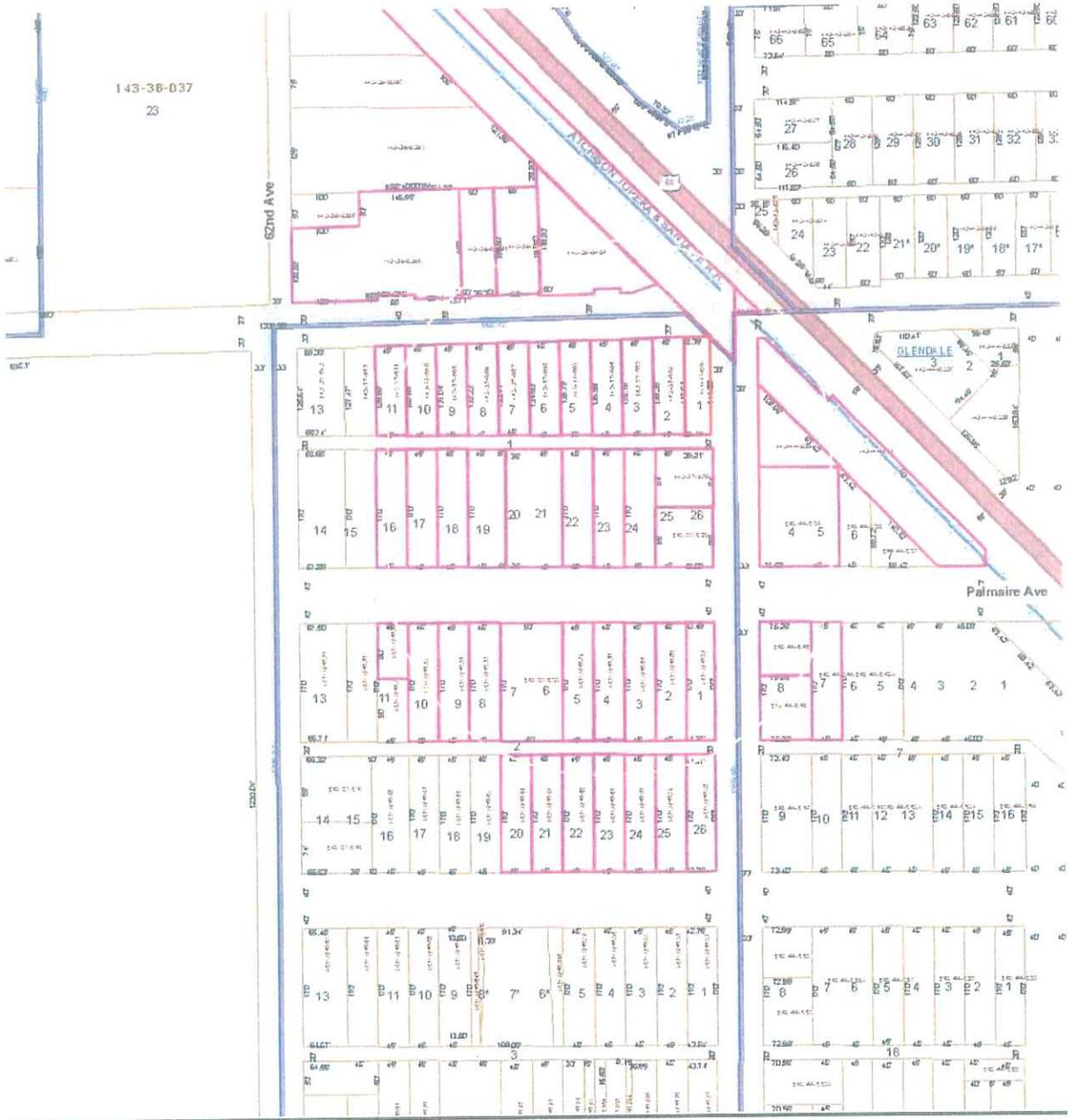
NOTIFICATION DATES

The Citizen Participation Plan was submitted to the City of Glendale on October 28, 2011. The plan was approved by the City of Glendale's Development Review Team on November 21, 2011. Public notification letters were forwarded to all pertinent parties on November 21, 2011. December 6, 2011 was the deadline to receive citizen input. No revisions to the plan were required and the Citizen Participation Final Report was forwarded December 7, 2011.

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.

6112 WEST PALMAIRE AVENUE
 CITIZENS PARTICIPATION FINAL REPORT



INDIVIDUALS NOTIFIED

The following individuals comprised of residents, property owners, interested parties, and additional notifications received public notifications letters.

**6112 WEST PALMAIRE AVENUE
CITIZENS PARTICIPATION FINAL REPORT**

**INTERESTED PARTIES
NOTIFICATION LIST FOR
PROPOSED DEVELOPMENT -
CITY WIDE & OCOTILLO**

CITY OF GLENDALE NEIGHBORHOOD PARTNERSHIPS 5850 W GLENDALE AVE #270 GLENDALE AZ 85301	RON PROTHERO 6316 W KEIM DR GLENDALE AZ 85301	
KAREN ABORNE 7318 W GRIFFIN AVE GLENDALE AZ 85303	HARRIET AGIUS 7132 W GROVERS AVE GLENDALE AZ 85308	LAURA RAKOCZYNSKI 9403 N 50TH DR GLENDALE AZ 85302
DOUG ATTIG 6066 N 84TH DR GLENDALE AZ 85305	A.I. BABINEAU 4815 W COCHISE DR GLENDALE AZ 85302	ROD BEAL 18869 N 71ST LN GLENDALE AZ 85308
BOB BOHART 5603 W BELMONT GLENDALE AZ 85301	JOYCE CLARK 8628 W CAVALIER DR GLENDALE AZ 85305	TOM TRAW 6024 N 83RD AVE GLENDALE AZ 85303
ALMON DAVIS 6005 W MONTE CRISTO AVE GLENDALE AZ 85306	MIKE DEPINTO 6507 W SHAW BUTTE DR GLENDALE AZ 85304-2414	DANIEL DREW 4502 W MORTEN AVE GLENDALE AZ 85301
SAMANTHA JOHNSON CBD DIVERSIFIED 3131 E CAMELBACK RD STE 210 PHOENIX AZ 85016	TRISH EDWARDS 8626 N 53RD AVE GLENDALE AZ 85302	JUDY FARR 6527 W HILL LN GLENDALE AZ 85310
BARBARA FENNEMA 18033 N 83RD DR PEORIA AZ 85382	SUSAN FERRELL 4646 W KRALL ST GLENDALE AZ 85301	DON TATE 6735 W ROBIN LN GLENDALE AZ 85310
B GARLAND 5012 N 64TH DR GLENDALE AZ 85301	MARK GARRATT 7605 N 72ND AVE GLENDALE AZ 85303	DENNIS GERHARD 10613 N 48TH AVE GLENDALE AZ 85304
DIANE HAND 5349 W ACAPULCO GLENDALE AZ 85306	MICHAEL SOCACIU 8574 W BERRIDGE LN GLENDALE AZ 85305	JOHN AND SUE JONES 18658 N 78TH DR GLENDALE AZ 85308

6112 WEST PALMAIRE AVENUE
CITIZENS PARTICIPATION FINAL REPORT

ARLINE YZQUIERDO
8525 N 52ND DR
GLENDALE AZ 85302

DEBRA KIST
5643 W MOUNTAIN VIEW RD
GLENDALE AZ 85302

JOHN KOLODZIEJ
6258 N 88TH LN
GLENDALE AZ 85308

GEORGIA KNOX
17214 N 66TH TER
GLENDALE AZ 85308

RONALD AND KAY
LONGCOR
8022 W MONTEBELLO AVE
GLENDALE AZ 85303

TERRY LANE
6103 N 87TH LN
GLENDALE AZ 85305-2452

KATHLEEN LEWIS
7456 W AURORA DR
GLENDALE AZ 85308

MICKEY LUND
5708 W ROYAL PALM RD
GLENDALE AZ 85302

CHERI MCCLOSKEY
5336 W BECK LN
GLENDALE AZ 85306

CARRIE AND MITCH MEEK
6563 W PIUTE AVE
GLENDALE AZ 85308

DAVE TRISH
6773 W VIA MONTOYA DR
GLENDALE AZ 85310

BILL NORNGREN
8608 W CAVALIER
GLENDALE AZ 85305

LAURA RAKOCZYNSKI
9403 N 50TH DR
GLENDALE AZ 85302

PATTY WYRICK
9626 N 58TH DR
GLENDALE AZ 85302

VALLEY PARTNERSHIP
5110 N 44TH ST
SUITE 200
PHOENIX AZ 85019

CHRIS REAKA
7536 W CAROLE LN
GLENDALE AZ 85303

THE ARIZONA REPUBLIC
17235 N 75TH AVE
STE A 100
GLENDALE AZ 85308

WILLIAM RAY
7305 W ANGELA DR
GLENDALE AZ 85308

RICHARD SCHWARTZ
8232 W MONTEBELLO AVE
GLENDALE AZ 85303

DIANA M SEGER
6132 W TOWNLEY AVE
GLENDALE AZ 85302

DAVE TRISH
6773 W VIA MONTOYA DR
GLENDALE AZ 85310

MARY SMITH
8968 W CITRUS WAY
GLENDALE AZ 89305

MEL SMITH
PO BOX 12572
GLENDALE AZ 85318

MAGI SHRECK
10673 W RANCHO DR
GLENDALE AZ 85307

CITY OF GLENDALE MAYOR'S
OFFICE
MAYOR SCRUGGS
5850 W GLENDALE AVE
GLENDALE AZ 85301

GLENDALE CITY COUNCIL OFFICE
COUNCIL MEMBER ALVAREZ
5850 W GLENDALE AVENUE
GLENDALE AZ 85301

REMIGIO CORDER, PLANNER
PLANNING DEPARTMENT
CITY OF GLENDALE
5850 W GLENDALE AVE, #212
GLENDALE AZ 85301

**6112 WEST PALMAIRE AVENUE
CITIZENS PARTICIPATION FINAL REPORT**

DIANA FIGUEROA, SR SECRETARY
PLANNING DEPARTMENT
CITY OF GLENDALE
5850 W GLENDALE AVE, #212
GLENDALE, AZ 85301

SANDOVAL FAUSTO J
4613 E VERNON AVE
PHOENIX AZ 85008
14337003

SANDOVAL FAUSTO J
6111 W MYRTLE AVE
GLENDALE AZ 85301
14337004

SANDOVAL FAUSTO J
6111 W MYRTLE AVE
GLENDALE AZ 85301
14337005

MARQUEZ EZEQUIEL/SILVIA
15593 N GIL BALCOME ST
SURPRISE AZ 85374
14337022

UTT BONNIE C
6106 W PALMAIRE
GLENDALE AZ 85301
14337024

ROSELL ALBERT/LORI
3386 BELGROVE CIR
SAN JOSE CA 95148
14337029

MORALES JOSE S JR/BLANCA E
7569 W OCOTILLO RD
GLENDALE AZ 85303
14337030

MORALES JOSE S JR/BLANCA E
7569 W OCOTILLO RD
GLENDALE AZ 85303
14337031

MEETING DATES/LOCATION

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

INDIVIDUALS NOTICED

A total of eight (8) property owners, fifty (50) individuals included in the Ocotillo District, 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, no 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.



November 21, 2011

Re: 6112 West Palmar Avenue, Glendale, Arizona 85301
Parcel No. 143-37-023

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 6112 West Palmar 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 that would permit the construction of a single-family residence. We are requesting a variance to allow a forty-five (45) foot wide lot where a sixty (60) foot width lot minimum is required. We are also requesting a variance to allow a five (5) foot side setback on each side where twenty (20) feet on each side is required in the R-4, Multiple Residence District. This is necessary because Habitat for Humanity would like to construct a 1,336 square foot, single story, single-family residence. The home planned is Habitat Model MM1336.

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 over 825 homes in the metro Phoenix area. We have served families in Avondale, Apache Junction, Chandler, Gilbert, Guadalupe, Glendale, Mesa, Peoria, Phoenix, Surprise and Tempe. These new and renovated homes and the associated 825 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.habitatcaaz.org

I have included a site plan with this letter for your review. Please provide any comments to this variance request by December 5, 2011. You may contact me at the address or phone number shown below. You may also contact Remigio Cordero with the City of Glendale Planning Department at 623.930.2957.

Sincerely,

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

Tana Nichols
Director of Land Acquisition and Development

Encl. Site Plan





CASE NUMBER
VAR11-06



LOCATION
6112 W. PALMAIRE AVENUE

REQUEST

VARIANCES TO REDUCE THE SIDE YARD SETBACKS TO 5' WHERE 20' IS REQUIRED IN THE R-4 (MULTIPLE RESIDENCE) ZONING DISTRICT.



GRAND AVENUE

61ST AVENUE

MYRTLE AVENUE

PALMAIRE AVENUE

Case Number
VAR11-06



Aerial Date: November, 2008



Planning Department Staff Report

DATE: March 8, 2012 **AGENDA ITEM:** 4

TO: Board of Adjustment

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Remigio Cordero, Planner

SUBJECT: VARIANCE APPLICATION VAR11-07: HABITAT FOR HUMANITY – 7315 NORTH 54TH AVENUE

REQUEST: Reduce the side yard setbacks to 10 feet where 15 feet is required in the R-2 (Mixed Residence) zoning district.

APPLICANT/OWNER: 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 stipulations.

PROPOSED MOTION: Move to approve VAR011-07 subject to stipulations.

SUMMARY: The applicant is requesting a variance to construct a 2,030 square-foot home on a vacant lot.

PREVIOUS ACTION: At the Board of Adjustment meeting on February 9, 2012, this item was continued to March 8, 2012.

BOARD ACTION: Case No. VAR11-07 was _____ by _____, subject to staff report stipulations, and was seconded by Board member _____, with a _ to _ vote.

DETAILS OF REQUEST:

General Plan Designation:

3.5 – 5 (Medium Density Residential 3 – 5 dwelling units per acre).

Property Location and Size:

The property is located east of the northeast corner of 54th and State avenues. The lot dimensions are 55 feet wide by 129 feet deep, and the property is approximately 7,640 square feet in size.

Zoning Ordinance Requirements:

Section 5.410 - R-2 (Mixed Residence) Table 2:

Minimum perimeter yard setback: 15 feet.

Surrounding Land Use and Zoning:

North: Single-family residence, zoned R-2.

East: Single-family residence, zoned R-2.

South: Single-family residence, zoned R-2.

West: Single-family residence, across 54th Avenue, zoned R-2.

History:

- The property is part of the Cook and White Addition Amended Subdivision, which was platted in the City in 1945.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Plan:

On November 21, 2011, the applicant mailed 59 notification letters to adjacent property owners and interested parties. The applicant did not receive any response regarding the request. The Planning Department did not receive any response regarding the request either. 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 January 19, 2012. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on January 20, 2012. The property was posted on January 20, 2012.

STAFF FINDINGS AND ANALYSIS:

The Board of Adjustment must make 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 55 foot width of the lot creates a special circumstance not self-imposed by the property owner. The construction of a new home requires some level of relief based on the setback requirement. The setback requirement would only allow for a 25-foot home to be built. A 25-foot wide home would not allow the applicant to provide amenities such as a garage and patios to the new home. The surrounding neighborhood is developed with a variety of side-yard setbacks; many do not meet the current R-2 perimeter setbacks.

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 15 foot side yard setbacks and limit the type of housing product due to total width. Several of the properties in the neighborhood have setbacks that are similar to those proposed by Habitat for Humanity.

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

The requested side yard setbacks are the minimum necessary to construct a single-family residential home on the lot. The front and rear yard setbacks, maximum lot coverage, and minimum lot depth are in conformance with current R-2 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.

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 stipulations:

1. Development shall be in conformance with the site plan, floor plan, and elevations date-stamped December 9, 2012.
2. All mechanical equipment shall be ground mounted.
3. All utilities less than 69kv shall be placed underground.

ATTACHMENTS:

1. Applicant's Narrative, date stamped December 9, 2011.
2. Site Plan, Elevations, and Floor Plan, date-stamped December 9, 2011.
3. Citizen Participation Final Report (without mailing labels), approved December 9, 2011.
4. Vicinity Zoning Map.
5. Aerial Photograph, dated November, 2008.

PROJECT MANAGER:

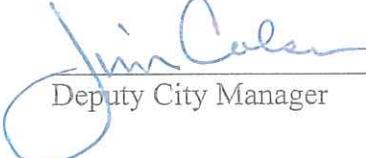
Remigio Cordero, Planner (623) 930-2597
rcordero@glendaleaz.com

REVIEWED BY:



Planning Director

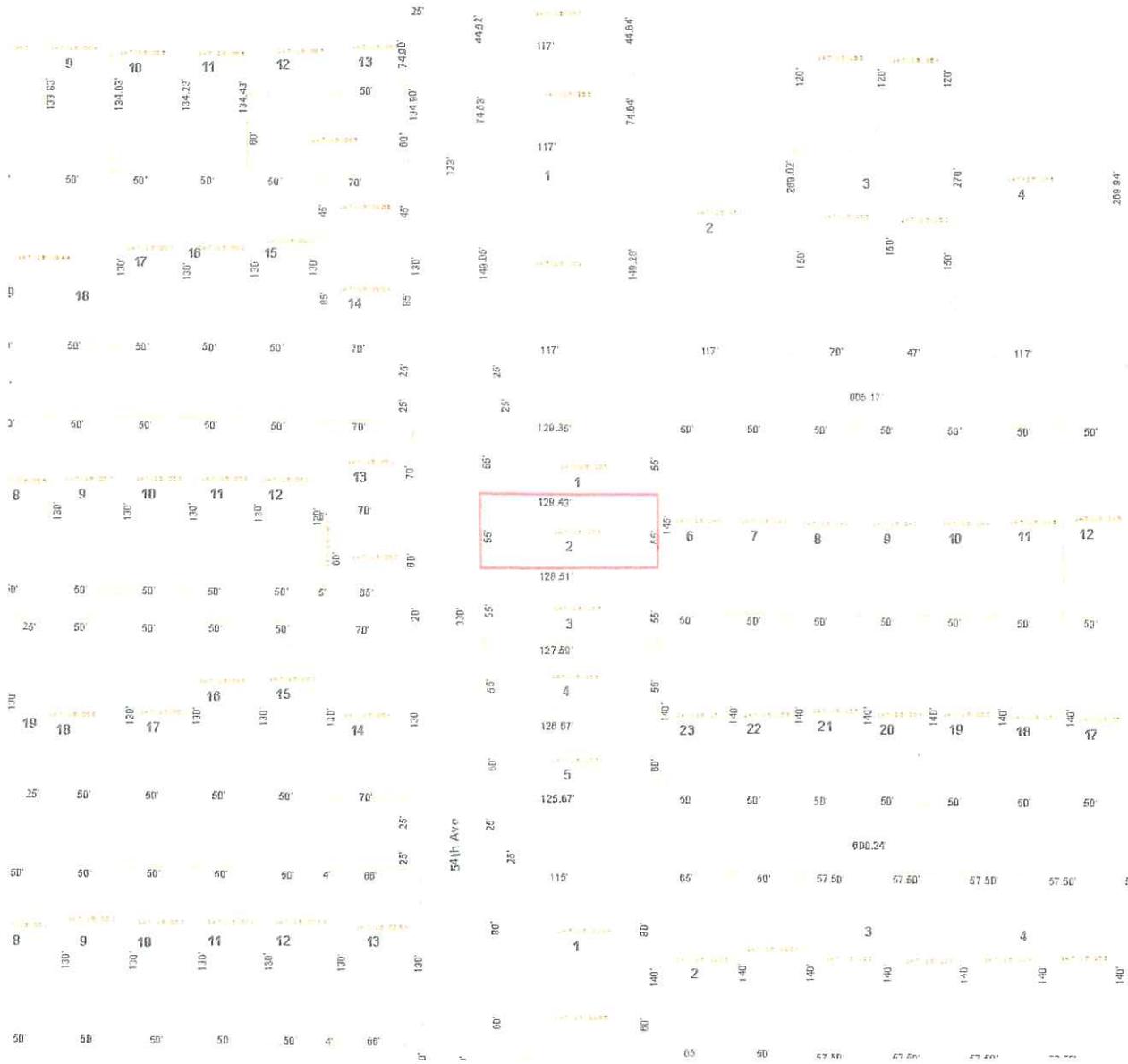
RC/df



Deputy City Manager

PROJECT DESCRIPTION

Habitat for Humanity Central Arizona owns a 7,055 square foot lot situated at 7315 North 54th Avenue, Glendale, Arizona 85301. The property is situated in the Cook and White Addition Amended. The property is a flat, rectangular shaped lot. It is approximately 55 feet wide by 128 feet deep. The property fronts 54th Avenue on the west. 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.

DEC 09 2011

PROJECT NARRATIVE
7315 NORTH 54TH AVENUE

Habitat has already built, renovated and repaired over 825 homes in the metro Phoenix area. We have served families in Avondale, Apache Junction, Chandler, Gilbert, Guadalupe, Glendale, Mesa, Peoria, Phoenix, Surprise and Tempe. These new and renovated homes and the associated 825 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 54th Avenue, two (2) parcels south of Gardenia Avenue. The majority of parcels in the area are zoned R-2, Multiple Residence Zoning District. Several 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 10,000 square feet, with a minimum width of sixty (60) feet and a minimum depth of ninety-four (94) feet. Front, side, and rear setbacks are fifteen (15) feet, with a maximum lot coverage of 50.00%.

Habitat for Humanity Central Arizona 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 ten (10) foot side yard setback on both the north and south sides where a fifteen (15) foot side yard setback is required for both in the R-2, Multiple Residence Zoning District. Habitat for Humanity is proposing to construct a 1,336 square foot single-family residence. The home planned is Habitat Model MM1336. The home will be single story and include three (3) 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	1,336	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	2,030	Square Feet

The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-2, Multi Family Residential Zoning District.

A site plan is included on the following page.

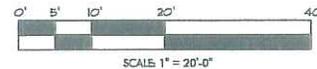
PLOT PLAN



CURRENT R-2
SETBACK REQUIREMENTS:
FRONT: 15'
REAR: 15'
SIDES: 15'

REQUESTED
SETBACK REQUIREMENTS:
FRONT: 15'
REAR: 15'
SIDES: 10'

BUILDING SQ FOOTAGE:
LIVABLE: 1,336 SQ FT
PATIO: 112 SQ FT
PORCH: 125 SQ FT
GARAGE: 457 SQ FT
TOTAL: 2,030 SQ FT



HABITAT FOR HUMANITY CENTRAL ARIZONA 9133 NW GRAND AVENUE SUITE 1 PEORIA, ARIZONA 85345 OFFICE (623)583-2417 FAX (623)583-2705 BOC 251891 CONTACT: JAMIE MACFARLANE OFFICE (623)583-2417 X 120 CELL (623)243-0342 FAX (623)583-2705 JAMIE@HABITATCAZ.ORG	COOK & WHITE ADD AMD		GLENDALE, ARIZONA	DATE 10/28/2011
	LOT NUMBER: 2			
	ADDRESS: 7315 N 54TH AVENUE			
	PARCEL NUMBER: 147-18-136			
	LOT SQUARE FOOTAGE: 7,640 SQ FT			
	HOUSE PLAN: MM1336		ELEVATION: C	
	ZONING: R-2			

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-2, 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 fifteen (15) 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 fifteen (15) foot side setbacks and limit the type of housing product to a total width of just twenty-five (25) 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**

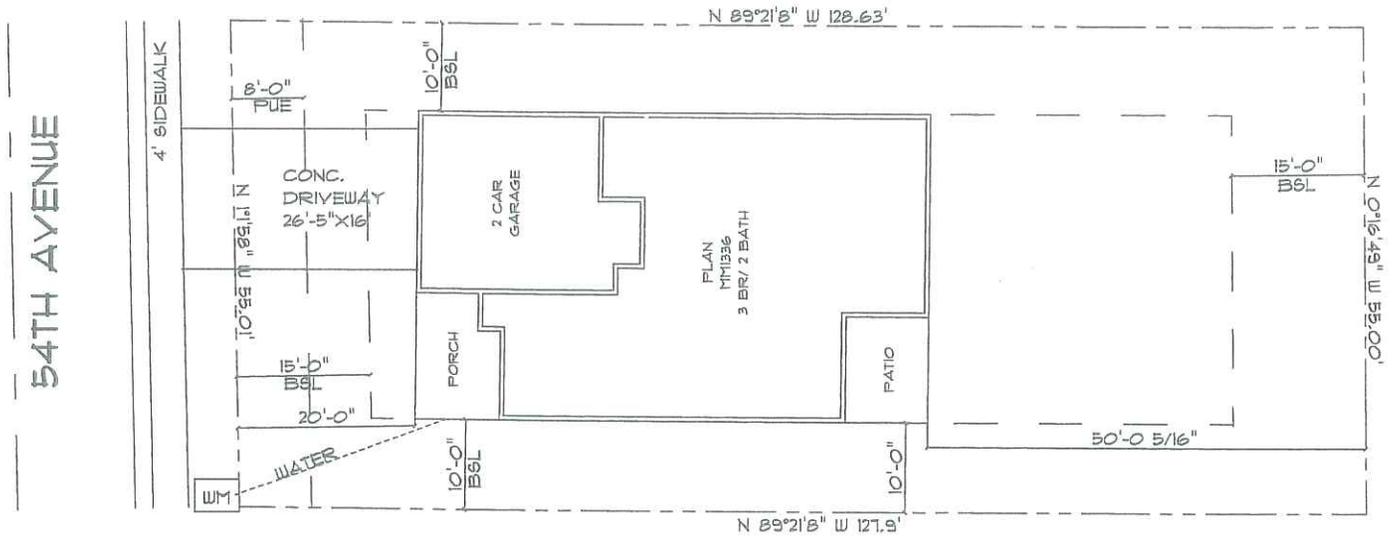
The requested side setbacks are the minimum necessary to construct a typically sized single-family residential home on the lot. The front and rear setbacks, as well as the minimum lot width, depth, and size are in conformance with current R-2 zoning requirements.

- 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.

PLOT PLAN

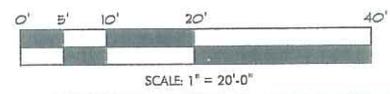
DEC 09 2011



**CURRENT R-2
SETBACK REQUIREMENTS:**
 FRONT: 15'
 REAR: 15'
 SIDES: 15'

**REQUESTED
SETBACK REQUIREMENTS:**
 FRONT: 15'
 REAR: 15'
 SIDES: 10'

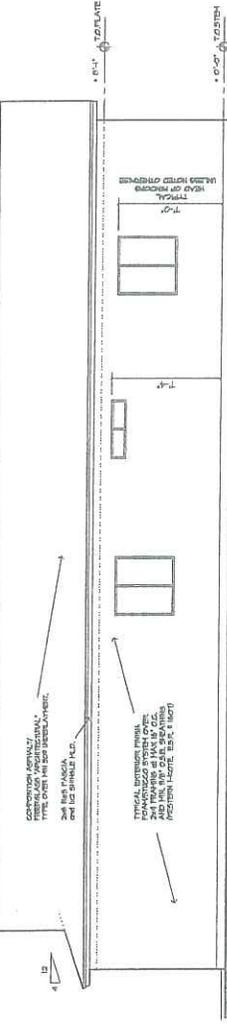
BUILDING SQ FOOTAGE:
 LIVABLE: 1,336 SQ FT
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 PORCH: 125 SQ FT
 GARAGE: 457 SQ FT
 TOTAL: 2,030 SQ FT



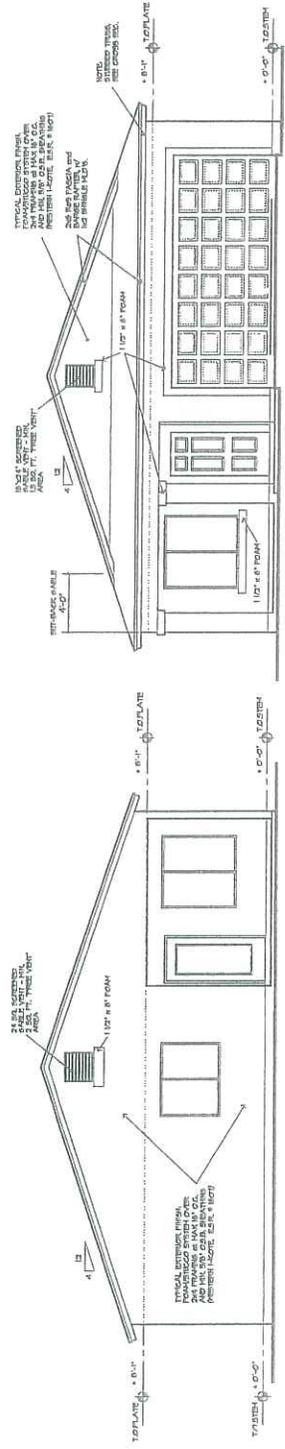
HABITAT FOR HUMANITY
 CENTRAL ARIZONA
 9133 NW GRAND AVENUE SUITE 1
 PEORIA, ARIZONA 85345
 OFFICE (623)583-2417
 FAX (623)583-2705
 ROC 251891

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

COOK & WHITE ADD AMD	GLENDALE, ARIZONA	DATE: 10/28/2011
LOT NUMBER: 2		
ADDRESS: 7315 N 54TH AVENUE		
PARCEL NUMBER: 147-18-136		
LOT SQUARE FOOTAGE: 7,640 SQ FT		
HOUSE PLAN: MM1336	ELEVATION: C	
ZONING: R-2		

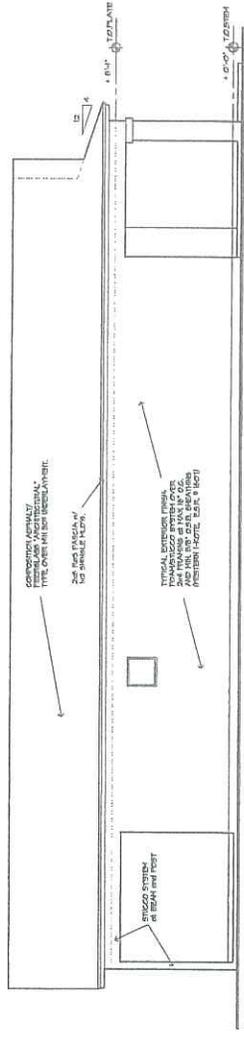


RIGHT SIDE



FRONT

REAR



LEFT SIDE

EXTERIOR ELEVATION 'D'

1/4" = 1'-0" (printed on 22"x34" SHEET)
 1/8" = 1'-0" (printed on 11"x17" SHEET)

DRAWINGS PREPARED BY:
CPDWORKS
 PHOENIX, ARIZONA
 (602) 947-1203

REVISION / DATE

THESE CONTRACTOR DOCUMENTS HAVE BEEN PREPARED FOR THE CITY OF APACHE JUNCTION, ARIZONA
Habitat for Humanity
 OFFICE: 435 W. 3RD AVENUE, PHOENIX, AZ 85018
 PHONE: 602-944-3411 FAX: 602-958-7105

95 FT. WIDE, 3 BR. / 2 BA., ONE STORY
 DETACHED SINGLE FAMILY RES.
 EXTRA ELEVATIONS 'D'

DATE: 1-20-10
 BY: [Signature]
 PLAN: MM-1336
 SHEET: D1

CITIZEN PARTICIPATION FINAL REPORT

HABITAT FOR HUMANITY CENTRAL ARIZONA

7315 NORTH 54TH AVENUE

GLENDALE, ARIZONA 85301



PREPARED BY:

TANA NICHOLS

DIRECTOR OF LAND ACQUISITION AND DEVELOPMENT

DECEMBER 7, 2011

APPROVED

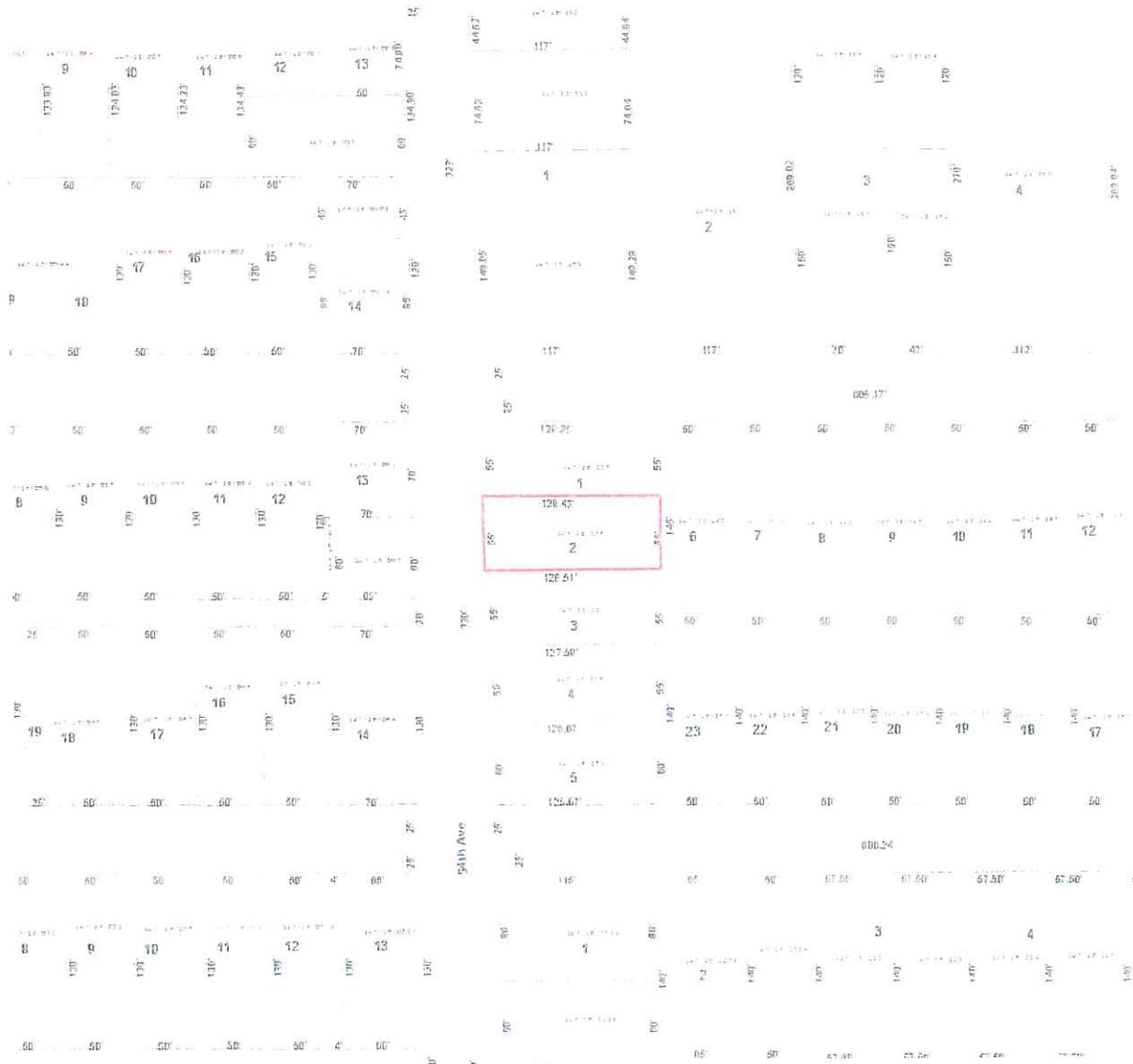
DEC 09 2011

City of Glendale
Planning Department

Rosario Cordova

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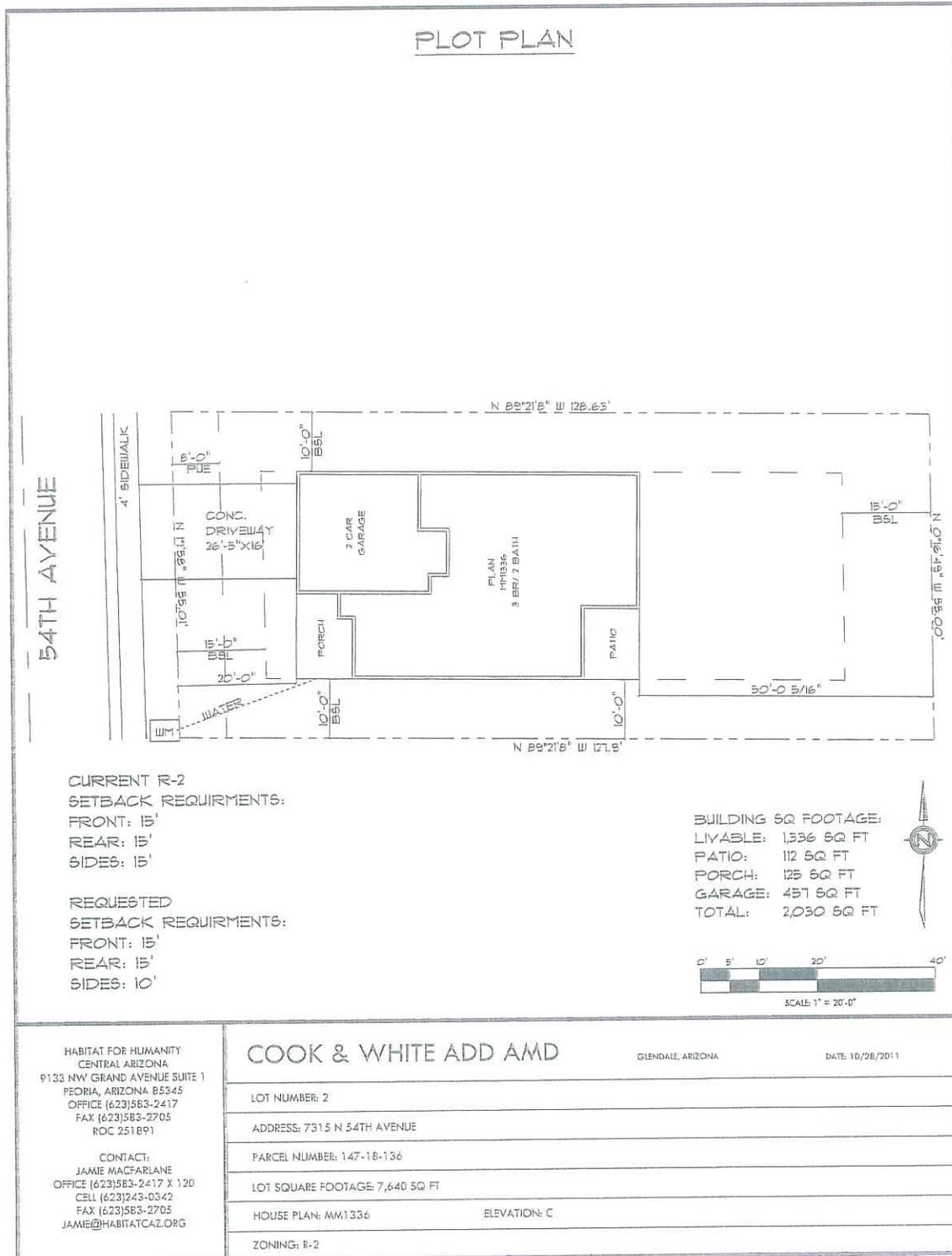
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Total Square Footage	2,030 Square Feet

The home will be 15'9" in height, well below the maximum allowable height as outlined in the R-2, Multi Family Residential Zoning District.

A site plan is included on the following page.



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.

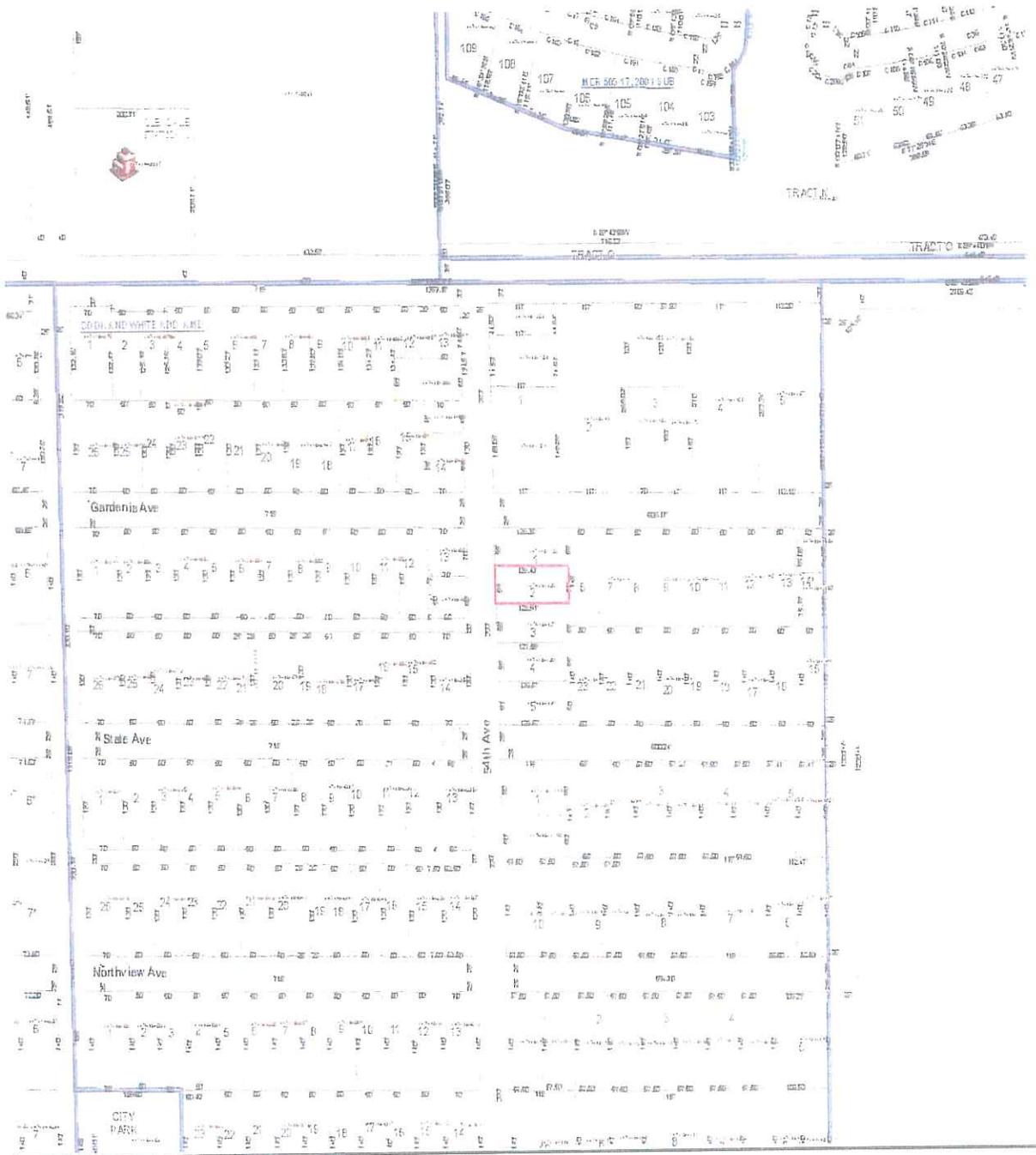
NOTIFICATION DATES

The Citizen Participation Plan was submitted to the City of Glendale on October 28, 2011. The plan was approved by the City of Glendale's Development Review Team on November 21, 2011. Public notification letters were forwarded to all pertinent parties on November 21, 2011. December 6, 2011 was the deadline to receive citizen input. No revisions to the plan were required and the Citizen Participation Final Report was forwarded December 7, 2011.

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.

7315 NORTH 54TH AVENUE
CITIZENS PARTICIPATION FINAL REPORT



INDIVIDUALS NOTIFIED

The following individuals comprised of residents, property owners, interested parties, and additional notifications received public notifications letters.

7315 NORTH 54TH AVENUE
CITIZENS PARTICIPATION FINAL REPORT

INTERESTED PARTIES
NOTIFICATION LIST FOR
PROPOSED DEVELOPMENT -
CITY WIDE & OCOTILLO

CITY OF GLENDALE
NEIGHBORHOOD PARTNERSHIPS
5850 W GLENDALE AVE #270
GLENDALE AZ 85301

RON PROTHERO
6316 W KEIM DR
GLENDALE AZ 85301

KAREN ABORNE
7318 W GRIFFIN AVE
GLENDALE AZ 85303

HARRIET AGIUS
7132 W GROVERS AVE
GLENDALE AZ 85308

LAURA RAKOCZYNSKI
9403 N 50TH DR
GLENDALE AZ 85302

DOUG ATTIG
6066 N 84TH DR
GLENDALE AZ 85305

A.I. BABINEAU
4815 W COCHISE DR
GLENDALE AZ 85302

ROD BEAL
18869 N 71ST LN
GLENDALE AZ 85308

BOB BOHART
5603 W BELMONT
GLENDALE AZ 85301

JOYCE CLARK
8628 W CAVALIER DR
GLENDALE AZ 85305

TOM TRAW
6024 N 83RD AVE
GLENDALE AZ 85303

ALMON DAVIS
6005 W MONTE CRISTO AVE
GLENDALE AZ 85306

MIKE DEPINTO
6507 W SHAW BUTTE DR
GLENDALE AZ 85304-2414

DANIEL DREW
4502 W MORTEN AVE
GLENDALE AZ 85301

SAMANTHA JOHNSON
CBD DIVERSIFIED
3131 E CAMELBACK RD
STE 210
PHOENIX AZ 85016

TRISH EDWARDS
8626 N 53RD AVE
GLENDALE AZ 85302

JUDY FARR
6527 W HILL LN
GLENDALE AZ 85310

BARBARA FENNEMA
18033 N 83RD DR
PEORIA AZ 85382

SUSAN FERRELL
4646 W KRALL ST
GLENDALE AZ 85301

DON TATE
6735 W ROBIN LN
GLENDALE AZ 85310

B GARLAND
5012 N 64TH DR
GLENDALE AZ 85301

MARK GARRATT
7605 N 72ND AVE
GLENDALE AZ 85303

DENNIS GERHARD
10613 N 48TH AVE
GLENDALE AZ 85304

DIANE HAND
5349 W ACAPULCO
GLENDALE AZ 85306

MICHAEL SOCACIU
8574 W BERRIDGE LN
GLENDALE AZ 85305

JOHN AND SUE JONES
18658 N 78TH DR
GLENDALE AZ 85308

7315 NORTH 54TH AVENUE
CITIZENS PARTICIPATION FINAL REPORT

ARLINE YZQUIERDO
8525 N 52ND DR
GLENDALE AZ 85302

DEBRA KIST
5643 W MOUNTAIN VIEW RD
GLENDALE AZ 85302

JOHN KOLODZIEJ
6258 N 88TH LN
GLENDALE AZ 85308

GEORGIA KNOX
17214 N 66TH TER
GLENDALE AZ 85308

RONALD AND KAY LONGCOR
8022 W MONTEBELLO AVE
GLENDALE AZ 85303

TERRY LANE
6103 N 87TH LN
GLENDALE AZ 85305-2452

KATHLEEN LEWIS
7456 W AURORA DR
GLENDALE AZ 85308

MICKEY LUND
5708 W ROYAL PALM RD
GLENDALE AZ 85302

CHERI MCCLOSKEY
5336 W BECK LN
GLENDALE AZ 85306

CARRIE AND MITCH MEEK
6563 W PIUTE AVE
GLENDALE AZ 85308

DAVE TRISH
6773 W VIA MONTOYA DR
GLENDALE AZ 85310

BILL NORNGREN
8608 W CAVALIER
GLENDALE AZ 85305

LAURA RAKOCZYNSKI
9403 N 50TH DR
GLENDALE AZ 85302

PATTY WYRICK
9626 N 58TH DR
GLENDALE AZ 85302

VALLEY PARTNERSHIP
5110 N 44TH ST
SUITE 200
PHOENIX AZ 85019

CHRIS REAKA
7536 W CAROLE LN
GLENDALE AZ 85303

THE ARIZONA REPUBLIC
17235 N 75TH AVE
STE A 100
GLENDALE AZ 85308

WILLIAM RAY
7305 W ANGELA DR
GLENDALE AZ 85308

RICHARD SCHWARTZ
8232 W MONTEBELLO AVE
GLENDALE AZ 85303

DIANA M SEGER
6132 W TOWNLEY AVE
GLENDALE AZ 85302

DAVE TRISH
6773 W VIA MONTOYA DR
GLENDALE AZ 85310

MARY SMITH
8968 W CITRUS WAY
GLENDALE AZ 89305

MEL SMITH
PO BOX 12572
GLENDALE AZ 85318

MAGI SHRECK
10673 W RANCHO DR
GLENDALE AZ 85307

CITY OF GENDALE MAYOR'S
OFFICE
MAYOR SCRUGGS
5850 W GLENDALE AVE
GLENDALE AZ 85301

GLENDALE CITY COUNCIL OFFICE
COUNCIL MEMBER ALVAREZ
5850 W GLENDALE AVENUE
GLENDALE AZ 85301

REMIGIO CORDER, PLANNER
PLANNING DEPARTMENT
CITY OF GLENDALE
5850 W GLENDALE AVE, #212
GLENDALE AZ 85301

**7315 NORTH 54TH AVENUE
CITIZENS PARTICIPATION FINAL REPORT**

DIANA FIGUEROA, SR
SECRETARY
PLANNING DEPARTMENT
CITY OF GLENDALE
5850 W GLENDALE AVE, #212
GLENDALE, AZ 85301
RODRIGUEZ, DAMARIS/BURGESS,
VINCENT
202 SECOND AVENUE EAST
BUCKEYE, ARIZONA 85326
147-18-063

ARREOLA RAUL/RAMONA
12214 W FLANAGAN ST
AVONDALE AZ 85323
147-18-137

VILLALOBOS CIPRIANO P
7319 N 54TH AVENUE
GLENDALE AZ 85301
147-18-135

MARQUEZ NICK L & CANDACE
5401 W GARDENIA
GLENDALE AZ 85301
147-18-061

JLK REAL ESTATE INVESTMENT COF
6730 E MCDOWELL RD STE 136
SCOTTSDALE AZ 85257
147-18-062

MEETING DATES/LOCATION

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

INDIVIDUALS NOTICED

A total of five (5) property owners, fifty (50) individuals included in the Ocotillo District, 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, no 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.



November 21, 2011

Re: 7315 North 54th Avenue, Glendale, Arizona 85301
Parcel No. 147-16-136

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 7315 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 that would permit the construction of a single-family residence. We are requesting a variance to allow a ten (10) foot side setback on each side where fifteen (15) feet on each side is required in the R-2, Multiple Residence District. This is necessary because Habitat for Humanity would like to construct a 1,336 square foot, single story, single-family residence. The home planned is Habitat Model MM1336.

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 over 825 homes in the metro Phoenix area. We have served families in Avondale, Apache Junction, Chandler, Gilbert, Guadalupe, Glendale, Mesa, Peoria, Phoenix, Surprise and Tempe. These new and renovated homes and the associated 825 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.

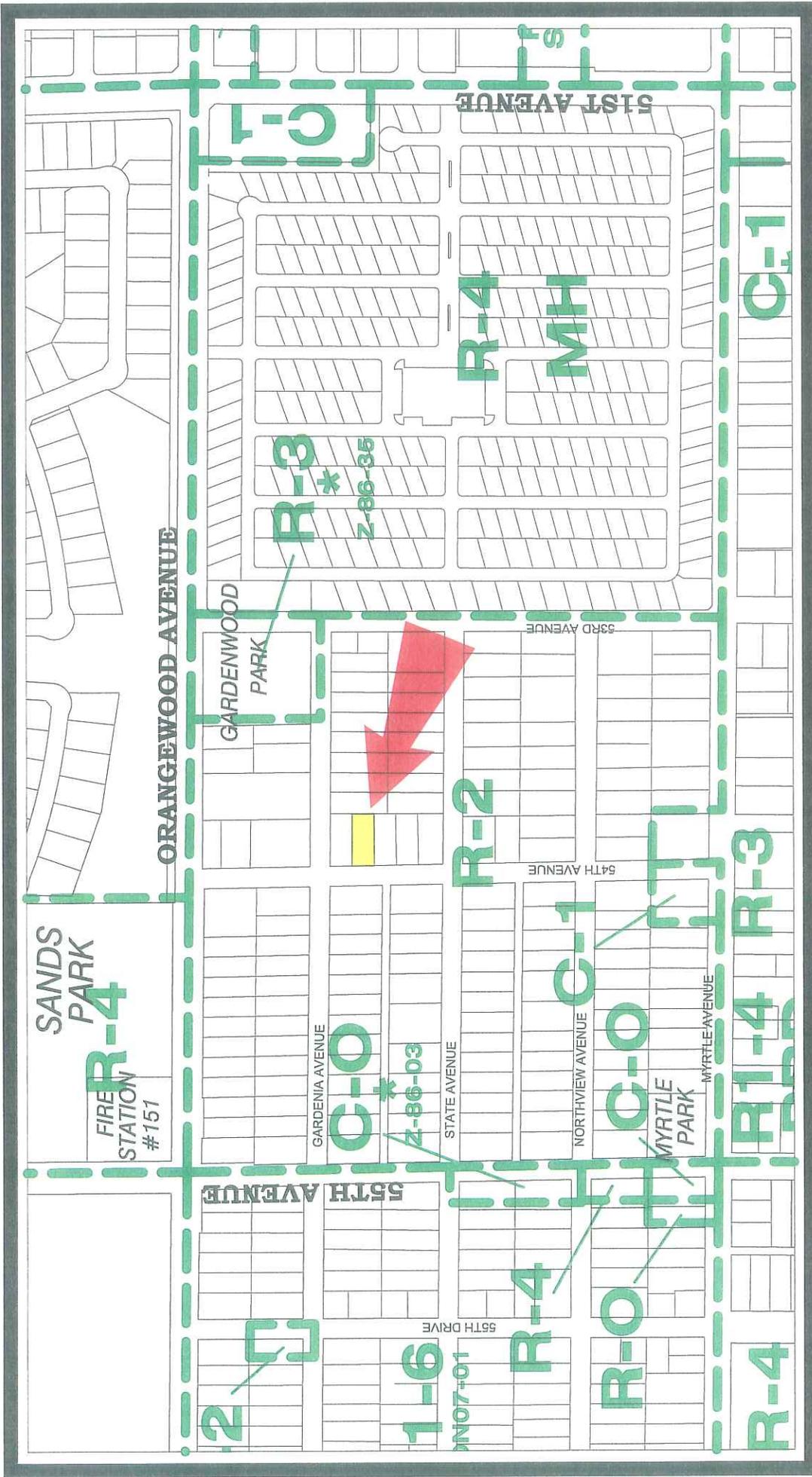
I have included a site plan with this letter for your review. Please provide any comments to this variance request by December 5, 2011. You may contact me at the address or phone number shown below. You may also contact Remigio Cordero with the City of Glendale Planning Department at 623.930.2597.

Sincerely,

Tana Nichols
Director of Land Acquisition and Development

Encl: Site Plan



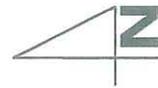


REQUEST

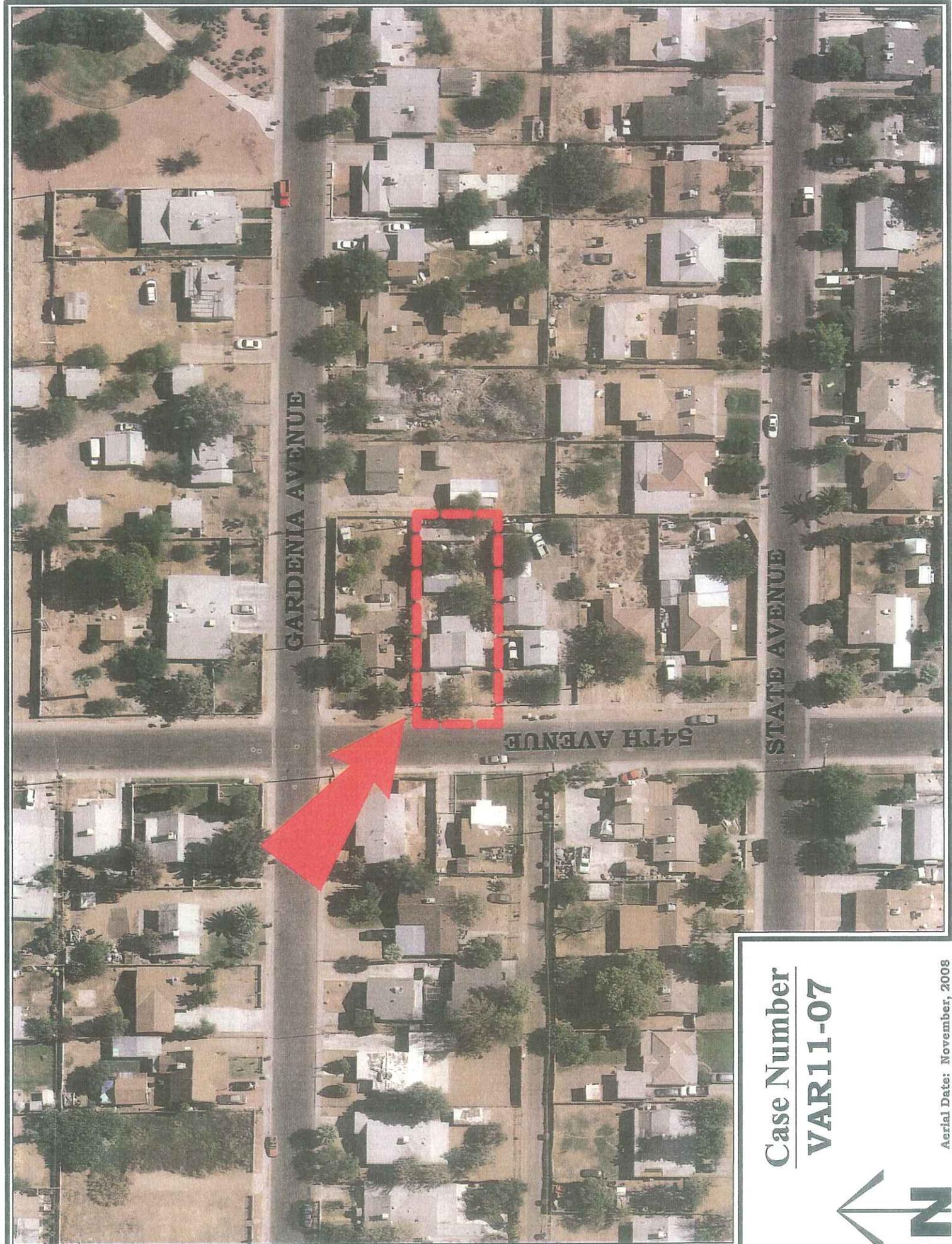
VARIANCES TO REDUCE THE SIDE YARD SETBACKS TO 10' WHERE 15' IS REQUIRED IN THE R-2 (MIXED RESIDENCE) ZONING DISTRICT.

CASE NUMBER

VAR11-07



LOCATION
7315 N. 54TH AVENUE



Case Number
VAR11-07

Aerial Date: November, 2008

