

October 5, 2022

Re: Zoning Adjustment Application – ZA-420-22 – 4959 East Red Rock Drive

Dear Property Owner or Neighborhood Association President:

This firm represents YOLO on Camelback, LLC/Nick Bock, (the "Owner") regarding its proposal to construct a new home on the RE-35 zoned hillside lot at 4959 East Red Rock Drive, Phoenix, which is also known as Maricopa County APN 172-48-012 (the "Property"). The Property is highlighted on the enclosed aerial parcel map. The purpose of this letter is to inform you that we recently filed a zoning adjustment application requesting two (2) variances for development of the home that require approval through the zoning adjustment public hearing process, as detailed below.

The Property, which has an extreme slope falling away from Red Rock Drive, has received zoning adjustment approvals to allow construction on it since a 1963 case for its initial development. The 1.25 acre site drops 160 feet from the right-of-way to the rear property line; the building pad on the Property sits as much as 30 feet below the street. The excess right-of-way between the paved road and the front property line is a steep rock face. These conditions led to the following zoning adjustment approvals on the Property:

4959 East Red Rock Drive		
Case No.	Date	Request/Action
ZA-380-63	7/10/63	Front setback reduced from 40' to 8' for carport posts. Approved.
ZA-76-64	2/13/64	Front setback reduced from 40' to 25'. Approved.
ZA-510-64	8/26/64	Elimination of swimming pool fence except on west side. Approved.
ZA-527-79	5/29/79	Front setback for open carport reduced from 40'; side yard setback for guest house reduced from 20'. Approved.
ZA-362-99	8/19/99	Use permit to expand a nonconforming single family home not more than 50%. Approved.

Similar zoning adjustment history exists for the parcels on either side of the Property; those lots also have significant slopes falling away from Red Rock Drive.

The Owner proposes to remove the existing structure from the Property and build a new home. The new home will occupy the building pad used by the existing structure, which is an expanded version of the original house on the lot. The garage will be placed where a carport/garage has existed for many years; the living area will be south and west of the attached garage. Given the limits the slope of the Property cause for creating a building pad, the new home,

like its predecessor, will be long and narrow east-west; it will hug and, in places, extend into the front setback. An open staircase on the west end of the house will extend approximately five feet into the west side setback. A full site plan for the house and a marked site plan excerpt illustrating the proposed variances are enclosed.

The Zoning Ordinance requires a 40-foot front setback and 20-foot side setbacks in the RE-35 District. Due to the hillside constraints on the Property, placing a reasonably sized house on the lot while meeting these standards is challenging, at best. These factors resulted in the zoning adjustment history discussed above and the current request.

The zoning adjustment application, a copy of which is enclosed, specifically requests the following:

1. Variance to reduce the front yard setback to 10 feet. Minimum 40 feet required. Zoning Ordinance §609.B, Subdivision Option.
2. Variance to reduce the side (west) setback to 15 feet. Minimum 20 feet required. Zoning Ordinance §609.B, Subdivision Option.

A public hearing on the application is scheduled for October 27, 2022 at 1:30 p.m. The hearing will be held virtually. To participate in the hearing, please see the instructions on the agenda available on Phoenix' Public Meeting Notices website: <https://www.phoenix.gov/cityclerk/publicmeetings/notices> Information will also be posted on signs on the Property. You may attend the hearing to learn about the case and to share your thoughts about it. You may also share your thoughts about the case by writing the Phoenix Planning & Development Department, 200 West Washington, 2nd Floor, Phoenix, Arizona 85003 or emailing zoning.adjustment@phoenix.gov. Please include the application number to ensure your input is included in the case file and shown to the hearing officer. You may also call the Planning & Development Department at 602.262.7131, Option 6.

Hannah Bleam of this office and I would also be happy to answer any questions you have about the application.

Very truly yours,

WITHEY MORRIS P.L.C.

By 
William F. Allison

Enclosures



Aerial Parcel Map
 4959 East Red Rock Dr.
 APN 172-48-012

PROJECT DATA

Parcel # 172-48-012
 Zoning District RE-35
 Setbacks: Front 25 feet
 Rear 25 feet
 Side 20 feet
 Building Height Maximum Allowed 2 stories and 30 feet
 Proposed 2 stories and VARIES under 30 feet from natural grade

AREA CALCULATIONS

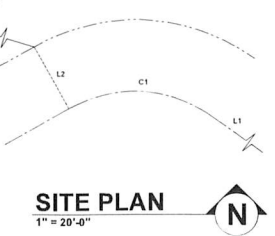
EXISTING HOUSE TO BE DEMOLISHED 3112 SF
 EXISTING STRUCTURE TO BE DEMOLISHED 786 SF
 EXISTING LIVABLE - TOTAL 3910 SF
 EXISTING POOL TO BE DEMOLISHED 1154 SF
 EXISTING PATIO TO BE DEMOLISHED 1136 SF
 EXISTING DRIVEWAY TO REMAIN 3117 SF
 NEW ENTRY FLOOR LIVABLE 2481 SF
 NEW LOWER FLOOR LIVABLE 2979 SF
 NEW POOL HOUSE LIVABLE 456 SF
 NEW LIVABLE - TOTAL 6316 SF
 NEW ATTACHED GARAGE 1998 SF
 NEW DRIVEWAY EXTENSION 628 SF
 NEW COVERED UPPER PATIO 1760 SF
 NEW COVERED LOWER PATIO 478 SF

HILLSIDE CALCULATIONS

TOTAL LOT AREA 54,885 SF
 ALLOWED UNDER ROOF COVERAGE 13,641 SF (25.0%)
 EXISTING UNDER ROOF COVERAGE 3,112 SF (5.7%)
 PROPOSED UNDER ROOF COVERAGE 9,672 SF (17.6%)
 ALLOWED TOTAL AREA OF DISTURBANCE 16,346 SF (30.0%)
 35% OF LOT OF 20,000 SF WHICHEVER IS LESS
 EXISTING TOTAL AREA OF DISTURBANCE 9,317 SF (17.1%)
 PROPOSED TOTAL AREA OF DISTURBANCE 13,417 SF (24.6%)
 ALLOWED TOTAL REVEGETATION AREA 2,724 SF (5%)

LINE	BEARING	LENGTH	DISTANCE
L1	N 54°22'41" W	64.81'	
L2	N 29°11'44" W	25.00'	
L1.1	S 50°19'12" E (DJ)	149.76'	
L1.4	N 50°19'39" W	149.76'	
L1.5	N 47°21'01" E (DJ)	113.08'	
L1.6	S 39°40'51" W	30.00'	

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	84.15'	106.84'	65°01'00" W	101.20'
C2	269.49'	136.01'	28°57'48" W	130.28'
C3	239.49'	117.58'	28°57'48" W	116.40'
C4	229.09'	104.51'	28°57'48" W	103.17'
C5	106.49'	103.17'	55°28'58" S	59.11'
C6	149.49'	86.41'	37°28'18" S	84.70'
C7	117.49'	76.79'	37°28'18" S	76.43'
C8	76.49'	54.26'	35°28'31" S	51.29'
C9	124.09'	62.47'	26°52'51" S	61.64'



SITE PLAN
 1" = 20'-0"



The Ranch Mine LLC
 4340 E Indian School Rd.
 Suite 21552
 Phoenix, AZ 85018

480.399.5990
 info@theranchmine.com
 www.theranchmine.com

BOCK-STUTZMAN
 4959 E. Red Rock Drive
 Phoenix, AZ 85018

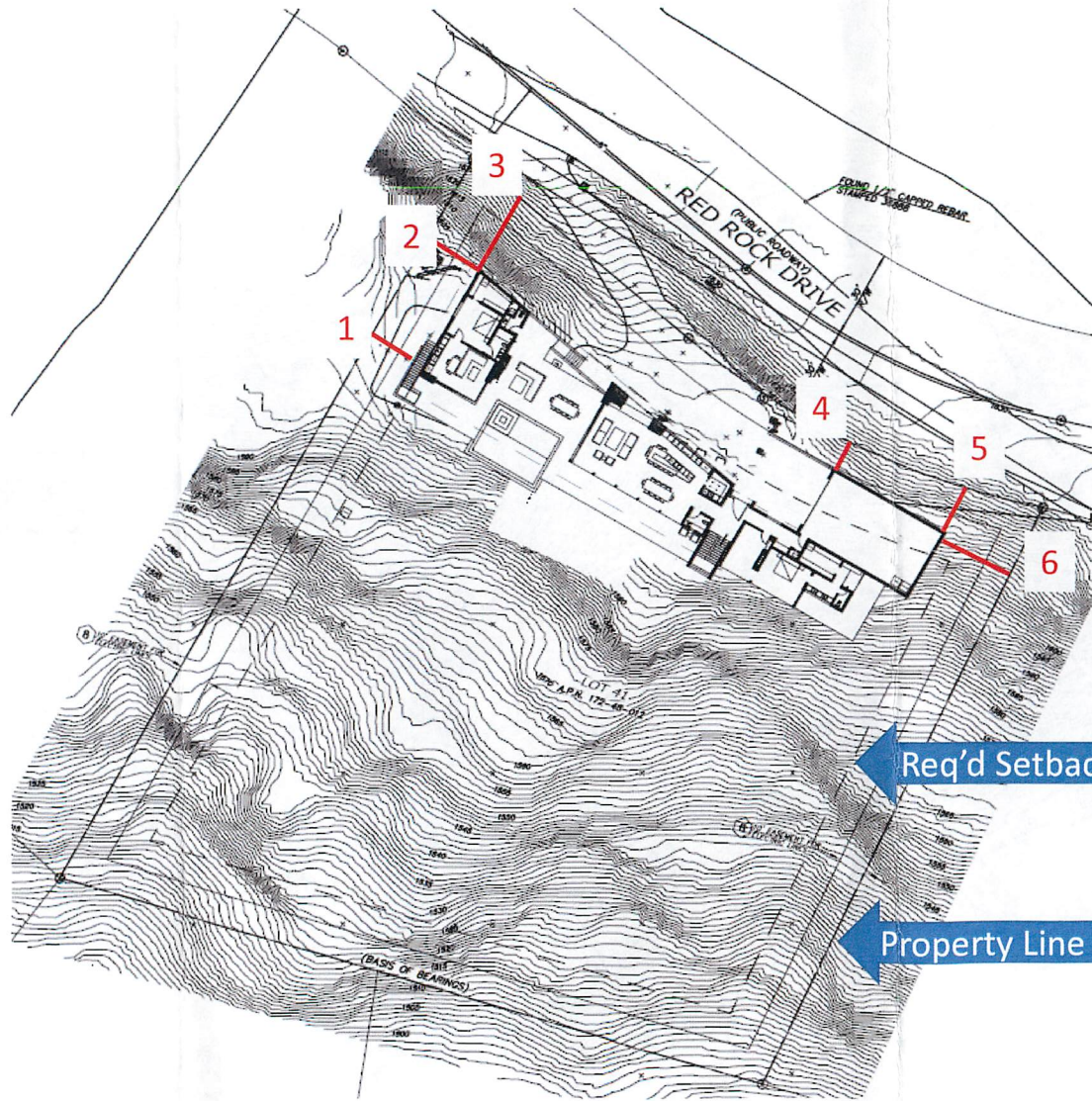
not for construction

phase:
 construction documents
 date of issue:
 08.04.2022

revisions no: revision date:

sheet contents:
 site plan

sheet no:
A-001



- 4959 E Red Rock Dr
 Setbacks
 Front – 40' required
 Sides – 20 feet required
- 1 – 15' +/- (variance)
 - 2 – 20'7" +/-
 - 3 – 27'3" +/- (variance)
 - 4 – 10'5" +/- (variance)
 - 5 – 16'10" +/- (variance)
 - 6 – 25'5" +/-



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING ADJUSTMENT

APPLICATION NO: ZA-420-22

CASE TYPE: Variance
DATE FILED: 9/1/2022

COUNCIL DISTRICT: 6
CASE STATUS: Pending

EXISTING ZONING: RE-35 ACSPD
FILING STAFF: CThompson

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$490.00	\$0.00	09/01/2022		Original Filing Fee

HEARING DATES

ZA: 10/27/2022 1:30pm LOCATION: Meeting will be held virtually.

BOA:

PROPERTY LOCATION: 4959 East Red Rock Drive

LEGAL DESCRIPTION: see attached


CONTACT INFORMATION

NAME	ADDRESS	PHONE	FAX	EMAIL
Nick Bock YOLO on Camelback, LLC <small>(Owner, Applicant)</small>	9421 Larges Court Lincoln NE 68512	(402) 430-5889		nick@31stcapital.com
William F. Allison Withey Morris, PLC <small>(Representative)</small>	2525 E Arizona Biltmore Circle, #A-212 Phoenix AZ 85016	(602) 346-4615		bill@witheymorris.com

If, during the course of review of a pending application, the applicant submits one or more additional applications that are related to the pending application, then and in such event, the substantive review time frame shall be reset on all related applications. In this event there shall be one applicable substantive review time for all of the related applications and the time frame shall be revised to be the longest substantive review time frame that was applicable to any one of the related applications. As a result, the entire substantive review time frame for the related applications shall start over, and a fee may be charged.

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning.mailbox@phoenix.gov or visit our website at <http://phoenix.gov/pdd/licensetimes.html>.

In making this application, I understand that the filing of this application and payment of fees does not entitle me to the relief requested. (See Sec. 307 of City of Phoenix Zoning Ordinance for standards by which the hearing officer will review the application.) I understand the approval of this request does not replace the need for acquiring the appropriate building permits, site plan approval, liquor license or any other licenses required by governmental agencies. I also understand that in the case of liquor request approval of a use permit does not guarantee the CITY OF PHOENIX will recommend approval of the liquor license.

APPLICANT'S SIGNATURE: 

DATE: 10.4.22

NOTE TO APPLICANT: SUCH USE PERMITS AND VARIANCES AS ARE GRANTED BY THE ZONING ADMINISTRATOR SHALL BE VOID IF THE USE IS NOT COMMENCED OR IF A BUILDING PERMIT IS NOT OBTAINED 60 DAYS OF SUCH GRANTING OR WITHIN THE TIME STIPULATED BY THE ADMINISTRATOR.

APPEALS OF DECISIONS OF THE ZONING ADMINISTRATOR MAY BE MADE BY ANY PERSON TO THE BOARD OF ADJUSTMENT WITHIN 15 DAYS AFTER THE DATE OF ACTIONS.

REQUEST

- Variance to reduce the front yard (north) to 10 feet. Minimum 40 feet required.
- Variance to reduce the required side yard setback (west) to 15 feet. Minimum 20 feet required.

ZONING ORD. SECTIONS
609.B.Table
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GEOGRAPHIC INFORMATION

APN: 172-48-012

Qtr Section(Map Index): 19-39(H11)