

**Burch & Cracchiolo, P.A.**  
1850 N. Central Avenue, Suite 1700  
Phoenix, AZ 85004  
Office: 602-234-9913  
Email: [ebull@bcattorneys.com](mailto:ebull@bcattorneys.com)

**TO:** Area Neighbors and Association Representatives  
**FROM:** Ed Bull  
**DATE:** April 4, 2022  
**RE:** Case No. ZA-89-22 Variance  
5275 E. Arcadia Lane  
**Zoning Adjustment Hearing: December 16, 2021 at 9:00 A.M.**

---

Dear Property Owner, Resident, or Neighborhood Association:

On behalf of Brett and Lara Polachek (the "Polacheks"), we have requested a Variance to reduce the rear yard setback (west side) to 20' on the Polacheks' proposed future home located in the vicinity of Arcadia Lane and Exeter Blvd (the "Site"). The Application Page and Aerial Map are attached.

While reviewing the Aerial you can see that the logical rear yard would be along the southern lot line. However, because of the curvature and width of the front lot line, it *caused the* rear yard to "officially" be along the western lot line. As a result, the western lot line is subject to the minimum rear yard setback of 40'. Hence, a Variance is being requested to reduce the western lot line to 20'. (The southern side yard has a setback of 40' and 20' is required.) The Plot Plan is attached with the rear yard highlighted.

The Variance Hearing is currently scheduled as follows:

**Zoning Adjustment Hearing**  
Hearing will be held virtually

**Thursday, April 21, 2022 at 9:00 a.m.**

To participate, see the instructions on the agenda available on the Public Meeting Notices website: <https://www.phoenix.gov/cityclerk/publicmeetings/notices>

Polacheks – 5275 E. Arcadia Ln

Page 2

April 4, 2022

You may attend the Hearing to learn about the Variance case and make your opinions known. Hearing information may also be found on signs posted on the Site. You may also express your opinions on this case by writing to the Planning and Development Department at 200 W. Washington Street, 2<sup>nd</sup> Floor, Phoenix, AZ 85003 or emailing to [zoning.adjustment@phoenix.gov](mailto:zoning.adjustment@phoenix.gov) and referencing the case number (ZA-89-22) and hearing date (4/21/2022). Your letter or email will be made part of the case file and shared with the Hearing Officer.

In the meantime, if you have questions or concerns regarding this proposal, you can contact Ali Bull at Burch & Cracchiolo at 602-234-8747 / [abull@bcattorneys.com](mailto:abull@bcattorneys.com) or me. You may reach the City of Phoenix Planning and Development Department at 602-262-7131, Option 6. Please reference the above case number and hearing date in your email to expedite a response.

Thank you.

A handwritten signature in black ink, appearing to be a stylized combination of the letters 'E' and 'A', with a small mark to the right.

Ed Bull and Ali Bull

/rlh

Attachments



# City of Phoenix

## PLANNING AND DEVELOPMENT DEPARTMENT APPLICATION FOR ZONING ADJUSTMENT APPLICATION NO: ZA-89-22

CASE TYPE: Variance  
DATE FILED: 2/24/2022

COUNCIL DISTRICT: 6  
CASE STATUS: Pending

EXISTING ZONING: RE-35 ACSPD  
FILING STAFF: tgommes

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$490.00	\$0.00	02/24/2022		Original Filing Fee

### HEARING DATES

ZA: 04/21/2022 9:00 AM LOCATION: Meeting will be held virtually.

### BOA:

PROPERTY LOCATION: 5275 East Arcadia Lane  
LEGAL DESCRIPTION: See attached

### CONTACT INFORMATION

NAME	ADDRESS	PHONE	FAX	EMAIL
Ed Bull Burch & Cracchiolo <small>(Applicant, Representative)</small>	1850 N Central Avenue, #1700	(602) 234-9913		ebull@bcattorneys.com
Brett & Larissa Polachek Brett & Larissa Polachek Family Trust <small>(Owner)</small>	6231 E Calle Camelia Scottsdale AZ 85251	(602) 952-3833		brett.polachek@nrmk.com brett.polachek@nrmk.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

3/9/2022

**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

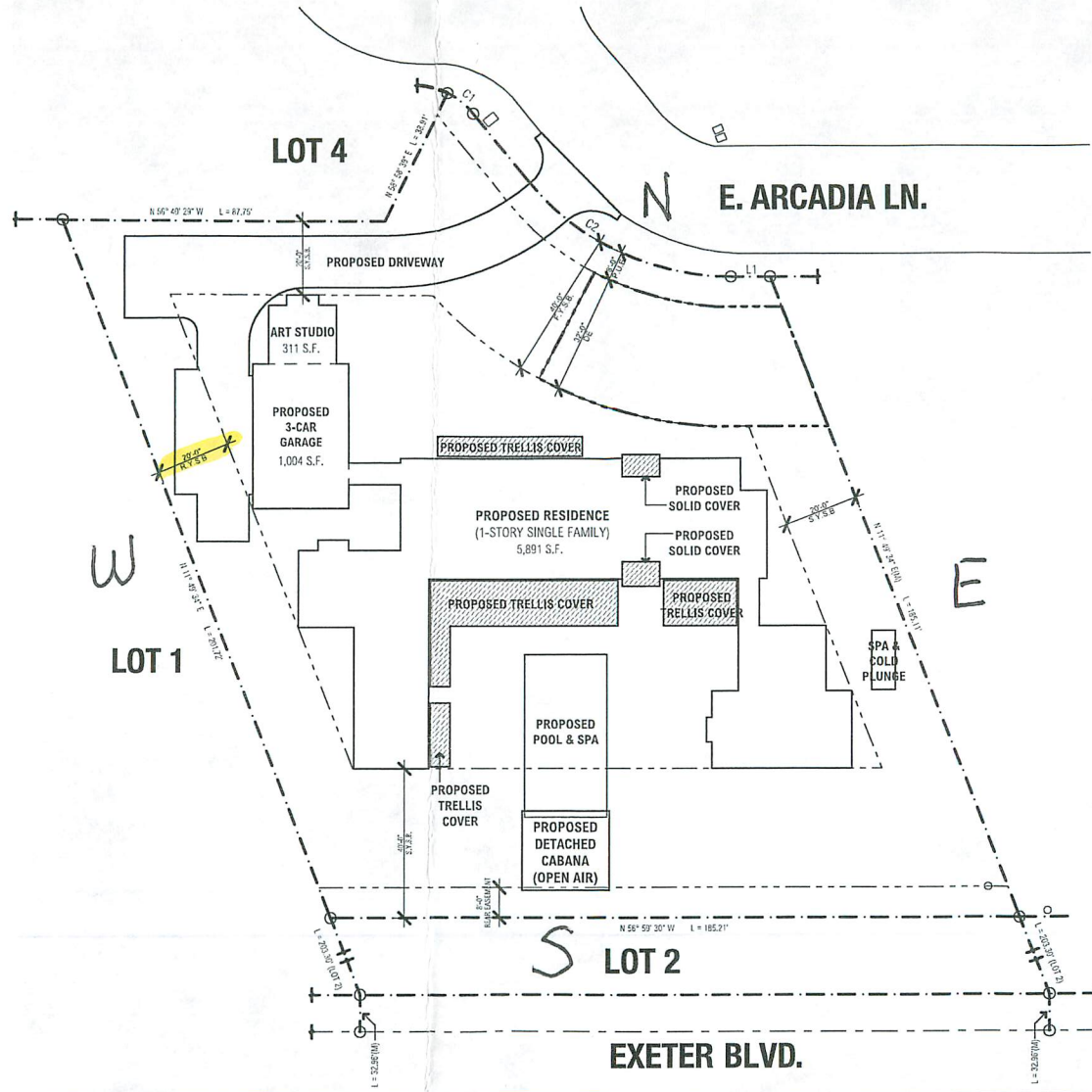
1. Variance to reduce the rear yard (west) setback to 20 feet. Minimum 40 feet required.

ZONING ORD. SECTIONS  
609.B.

### GEOGRAPHIC INFORMATION

APN: 172-33-059

Qtr Section(Map Index): 17-40(H11)



**PROPERTY LINE INFO**

LINE TABLE			
LINE	LENGTH	BEARING	
L1	10.59'	N 56° 52' 31" W	

CURVE TABLE			
LINE	LENGTH	RADIUS	CENTRAL ANGLE
C1	8.91'	70.00'	51° 31' 59"
C2	62.78'	70.00'	51° 22' 15"

**PROJECT DATA**

ADDRESS: 5275 E. ARCADIA LN., PHOENIX, AZ 85016  
 ZONING: R6-15  
 LOT AREA (SQ FT): 35,663 SF

AREA  
 FIRST FLOOR LIVING (SQ FT): 5,897 SF  
 GARAGE (SQ FT): 971 SF  
 PAD (SQ FT): 4,059 SF  
 DETACHED STRUCTURE (SQ FT): N/A - NOT ENCLOSED  
 TOTAL (SQ FT): 6,768 SF (includes driveway)

LOT COVERAGE  
 PROPOSED: 9,397 SF (26%)  
 ALLOWED: 13,519 SF

**PLOT PLAN**  
 SCALE: 1/32" = 1'-0"

**1**

**C** KEYNOTES

**POLACHEK RESIDENCE | PLOT PLAN**

5275 E. ARCADIA LN., PHOENIX AZ, 85018



