

Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

W. Ralph Pew
Certified Real Estate Specialist
Sean B. Lake
Reese L. Anderson

June 29, 2022

NOTICE OF ZONING ADJUSTMENT HEARING
(Case No. ZA-266-22)

Dear Property Owner or Neighborhood Association President:

On behalf of Mr. Perry Rea and Mrs. Brenda Rea, we are pleased to provide notice of a public hearing for a Variance application that we have recently filed with the City of Phoenix. This request is for the vacant property located at 5302 East Palomino Road, which is the northeast corner of Palomino Road and 53rd Street. The purpose is to allow for the construction of a 1-story single family home that faces Palomino Road. The specific variance requests are as follows:

1. Variance to reduce the front yard (west and south) to 35 feet. Minimum 40 feet required.
2. Variance to reduce the rear yard (east) setback to 20 feet. Minimum 40 feet required.
3. Variance to increase the height of a wall (6 feet) located in the front yard setback. Maximum 40 inches permitted.

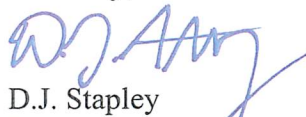
This application is requested because currently, both 53rd and Palomino are treated as a required front yard when typical properties like this have one front yard. This request will have the effect of having one front yard face Palomino Road on the south with no perimeter wall there. Proposed side yards are on the east and west. The property's back yard will be located on the northern portion of the property and will be enclosed by a standard 6-foot boundary wall, similar to other properties in the area. Included with this letter are a copy of the application form, site plan, and elevations.

A Zoning Adjustment Hearing has been scheduled on July 14, 2022 at 1:30 pm. The Hearing will be held virtually. To participate, see the instructions on the agenda available on the Public Meeting Notices website: <https://www.phoenix.gov/cityclerk/publicmeetings/notices>.

You may attend the hearing to learn about the case and make your opinions known. Hearing information may also be found on signs posted on the site. You may also make your opinions known on this case by writing to the Planning and Development Department at 200 West Washington, 2nd Floor, Phoenix, Arizona, 85003 or by sending an email to zoning.adjustment@phoenix.gov. Please reference the above case number and hearing date in your letter or email. Your letter/email will be made part of the case file and shared with the Hearing Officer.

I would be happy to answer any questions or hear any concerns that you may have regarding this proposal. You may reach me by phone at 480-461-4670 or via email at djstapley@pewandlake.com. Also, you may reach the City of Phoenix's Planning and Development Department at 602-262-7131, Option 6 or zoning.adjustment@phoenix.gov. Please reference the above case number and hearing date in your email to expedite a response.

Sincerely,


D.J. Stapley
PEW & LAKE, PLC

Enclosures



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING ADJUSTMENT

APPLICATION NO: ZA-266-22

CASE TYPE: Variance
DATE FILED: 6/10/2022

COUNCIL DISTRICT: 6
CASE STATUS: Pending

EXISTING ZONING: RE-35 ACSPD
FILING STAFF: jbraswell

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$490.00	\$0.00	06/10/2022		Original Filing Fee

HEARING DATES

ZA: 07/14/2022 1:30 PM LOCATION: Meeting will be held virtually.

BOA:

PROPERTY LOCATION: 5302 East Palomino Road

LEGAL DESCRIPTION: See attached

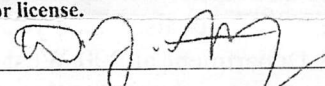
CONTACT INFORMATION

NAME	ADDRESS	PHONE	FAX	EMAIL
The Perry and Brenda Rea Trust (Owner)	5101 E Weldon Avenue Phoenix AZ 85018			
Sean B. Lake Pew & Lake PLC (Applicant, Representative)	1744 S Val Vista Drive, 217 Mesa AZ 85204	(480) 461-4670		sean.lake@pewandlake.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: _____

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 rear yard (east) setback to 20 feet. Minimum 20 feet required.
- Variance to increase the height of a wall (6 feet) located in the front yard setback. Maximum 40 inches permitted.
- Variance to reduce the front yard (west and south) to 35 feet. Minimum 40 feet required.

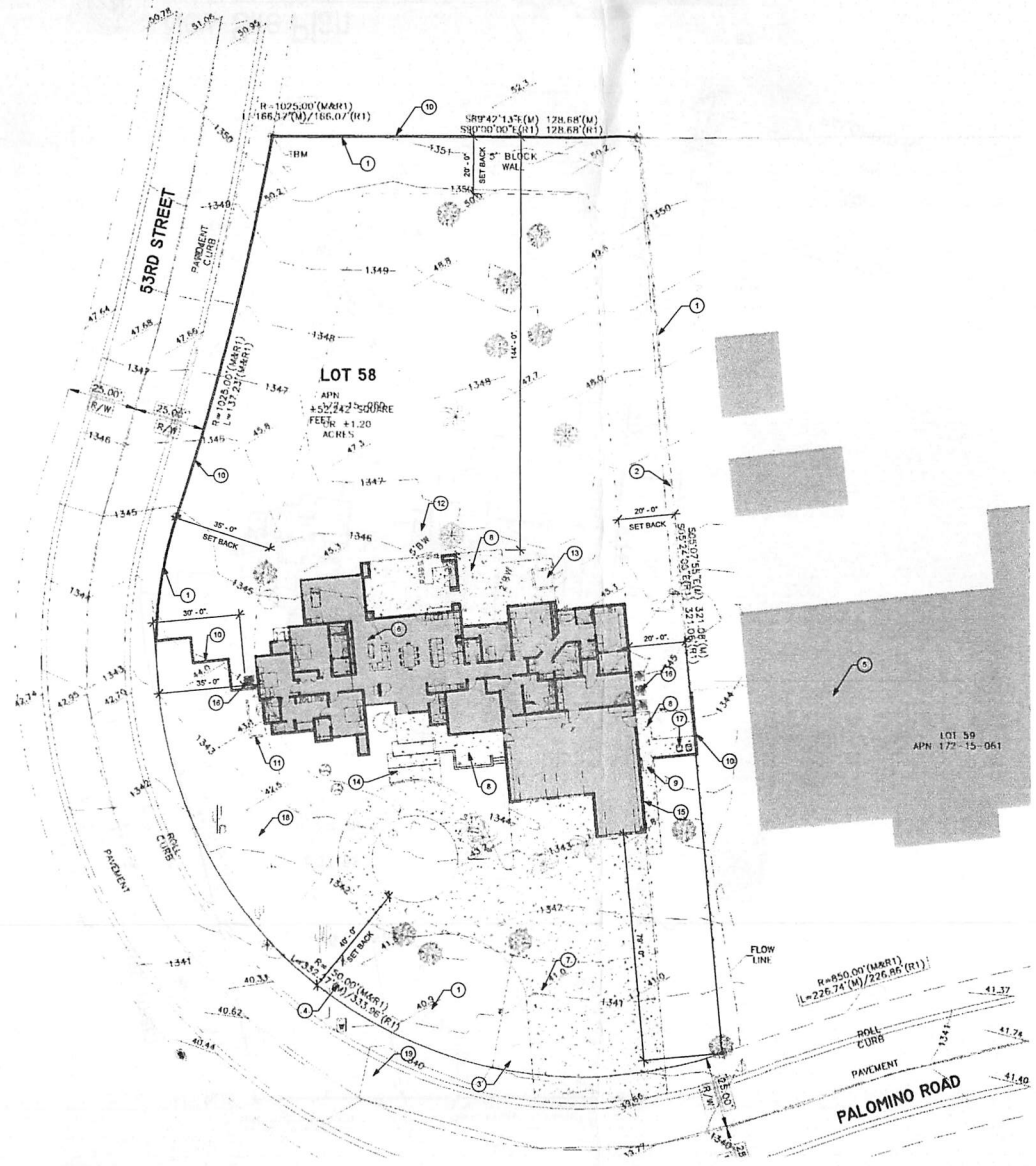
ZONING ORD. SECTIONS

609.B.Table
703.A.2.a
609.B.Table

GEOGRAPHIC INFORMATION

APN: 172-15-060
Qtr Section(Map Index): 18-40(H11)

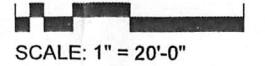
APN: 172-15-059



New Site Plan

SCALE: 1" = 20'-0"

0 20' 40' 80'



SCALE: 1" = 20'-0"



KEYNOTES:

- 1 EXISTING PROPERTY LINE
- 2 EXISTING SITE WALL TO REMAIN PAINT AND STUCCO INTERIOR SIDE OF WALL TO MATCH NEW SITE WALLS
- 3 EXISTING CONCRETE CURB TO REMAIN
- 4 EXISTING WATER METER
- 5 EXISTING ADJACENT RESIDENCE
- 6 NEW RESIDENCE - SEE SHEET A2.0
- 7 NEW 6" CONCRETE DRIVEWAY W/ 4" ABC, TOOLED JOINTS AT 12'-0" O.C. MAX. - SEE DETAILS 5.0A.1
- 8 NEW 4" CONCRETE HARDSCAPE W/ 4" ABC, TOOLED JOINTS TO MATCH WIDTH OF SIDEWALK - SEE DETAILS 5.0A.1
- 9 NEW 4" METAL GATE - SEE DETAIL 4A.1
- 10 NEW 4" CMU STUCCO WALL - SEE DETAIL 1A.1
- 11 NEW 3'-4" LANDSCAPE WALL - SEE DETAIL 2A.1
- 12 FUTURE POOL UNDER SEPARATE PERMIT
- 13 FUTURE JACUZZI UNDER SEPARATE PERMIT
- 14 NEW CONCRETE SITE STAIRS SEE DETAIL - SEPARATE PERMIT
- 15 NEW ELECTRIC METER AND CONDUIT TO EXISTING TRANSFORMER - SEE ELECTRICAL
- 16 NEW A/C CONDENSERS AND PAD - SEE MECHANICAL PLANS
- 17 NEW TRASH CANS
- 18 NEW NATIVE PLANTS TO REMAIN - SEE CIVIL PLANS FOR NATIVE PLANT SURVEY
- 19 EXISTING STREET TO REMAIN

ADDRESS:

5302 E PALOMINO RD
THE HIGHLANDS 3 LOT #58
PHOENIX, ARIZONA 85018

BUILDING DATA:

OCCUPANCY: RESIDENCE

SITE DATA:

ZONING: R-35
RETRADCK: FRONT: 49', REAR 20', SIDE 20'
PARCEL NUMBER: 172-15-059
MCR: 6429
HEIGHT: ALLOWED (2) STORES 37' - 20'-0"

LOT COVERAGE:

TOTAL LOT SQUARE FOOTAGE:	52,533 S.F.
MAIN HOUSE UNLAVABLE:	5,206 S.F.
GARAGE:	1,629 S.F.
FRONT PATIO:	237 S.F.
REAR PATIO:	1,120 S.F.

TOTAL COMBINED AREA:	8,192 S.F.
LOT COVERAGE:	25% ALLOWABLE LOT COVERAGE
NEW SITE WALLS:	487 L.F.

NOTE:

1. PRIOR TO CONSTRUCTION FIELD VERIFY ALL SETBACK EASEMENTS, PROPERTY LINES, LOT NUMBER AND SUB-DIVISION.

PROJECT DESCRIPTION:

NEW RESIDENCE CONSTRUCTED ON EXISTING LOT. PROJECT INCLUDES NEW MECHANICAL, ELECTRICAL SERVICE, PLUMBING, CIVIL, AND STRUCTURAL PLANS. SEPTIC PLANS WILL BE SUBMITTED UNDER A SEPARATE PERMIT.

WORK PERFORMED OUTSIDE THE BUILDING WILL BE LIMITED NEW SITE WALLS AND HARDSCAPE ADJACENT TO THE ADDITION.

GOVERNING BUILDING CODES:

- ALL CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING AND AMENDMENTS FOR THEIR ADOPTING JURISDICTION:
- 2018 INTERNATIONAL BUILDING CODE (IBC)
 - 2017 NATIONAL ELECTRIC CODE
 - 2017 INTERNATIONAL FUEL GAS CODE
 - 2018 INTERNATIONAL MECHANICAL CODE
 - 2018 INTERNATIONAL ENERGY CONSERVATION CODE
 - 2018 INTERNATIONAL FIRE CODE
 - 2018 INTERNATIONAL EXISTING BUILDING CODE
 - CITY OF PHOENIX ZONING ORDINANCE AND AMENDMENTS

GENERAL NOTES:

1. CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS IN THE FIELD BEFORE SUBMISSION OF BID AND START OF WORK. ANY DISCREPANCIES ARE TO BE INDICATED TO THE OWNER IN WRITING. CONTRACTOR BEGINNING WORK WITHOUT VERIFICATION WILL BE DEEMED ACCEPTANCE OF EXISTING CONDITIONS AS FOUND ON SITE.
2. CONTRACTOR TO VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS BEFORE INSTALLATION AND/OR FABRICATION.
3. CONTRACTOR TO SUBMIT THREE SHOP DRAWINGS TO LOCAL AUTHORITY FOR APPROVAL.
4. CONTRACTOR SHALL PROVIDE POSITIVE SLOPE AWAY FROM BUILDINGS. CONTRACTOR IS TO PROVIDE WRITTEN NOTIFICATION IF GRADES ARE NOT ACCEPTABLE.
5. APPLY TERMITTE CONTROL UNDER NEW CONCRETE PAD.

LEGEND

- NEW BUILDING AREA
- NEW SITE CONCRETE
- NEW TURF AREA
- NEW DO AREA
- SYNTHETIC TURF
- PROPERTY LINE

KEYNOTES - SEE THIS SHEET



REVISION

Contractor must verify all dimensions of project before proceeding with this work.

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NEW HOME
REA RESIDENCE
5302 E PALOMINO RD
PHOENIX, ARIZONA 85018

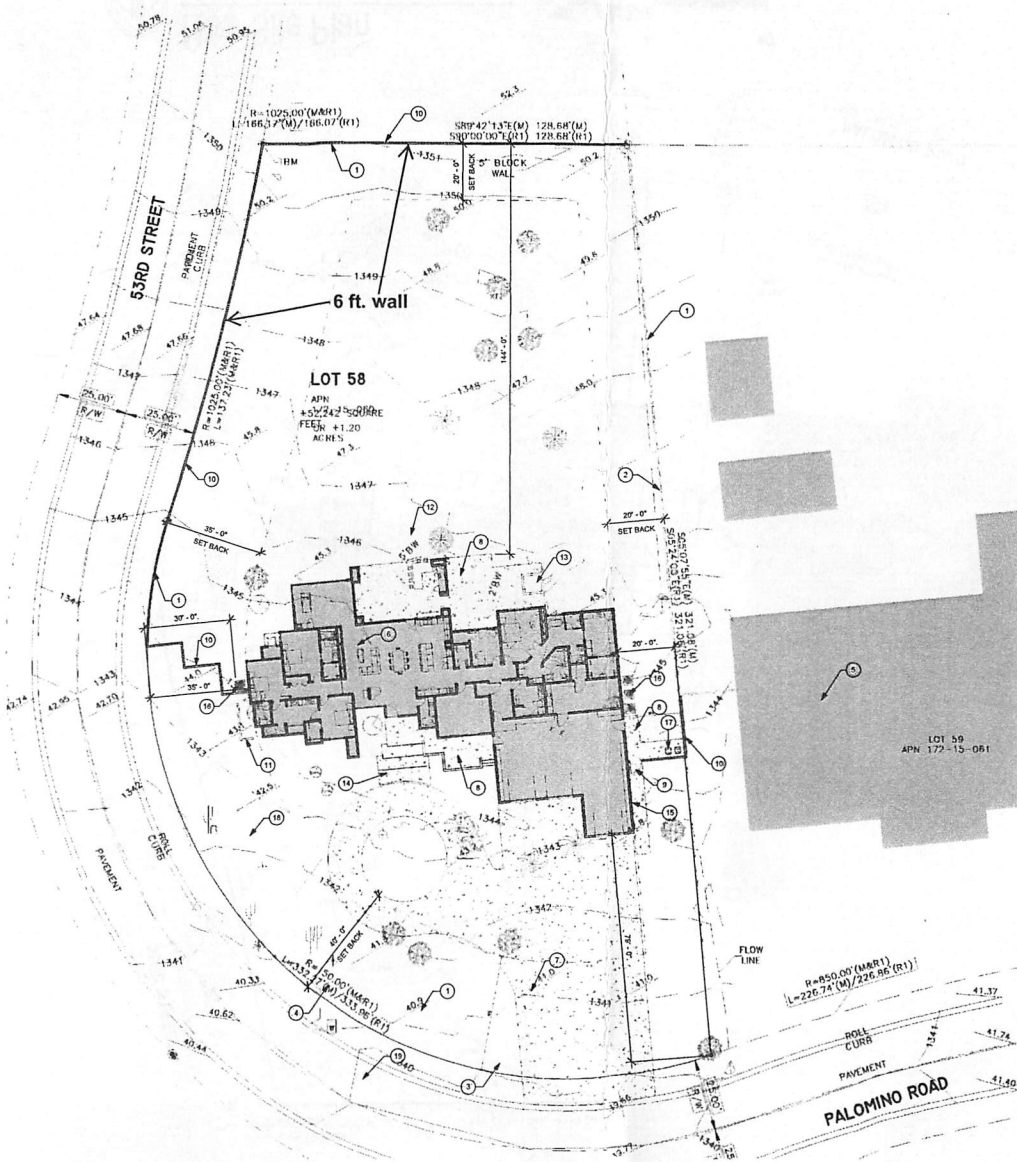
Site Plan



Drawn by: KM
Checked by: MH
Date: 6/22
Project Number: 19-007

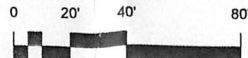
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171 37
APN 172-15-059



New Site Plan

SCALE: 1" = 20'-0"



SCALE: 1" = 20'-0"

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PARCEL NUMBER: 172-15-060
MCR: 6428
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LOT COVERAGE:
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MAIN HOUSE LNABLE: 5,206 S.F.
GARAGE: 1,428 S.F.
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- 2018 INTERNATIONAL MECHANICAL CODE
- 2018 INTERNATIONAL ENERGY CONSERVATION CODE
- 2018 INTERNATIONAL FIRE CODE
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- CITY OF PHOENIX ZONING ORDINANCES AND AMENDMENTS

GENERAL NOTES:

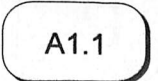
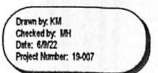
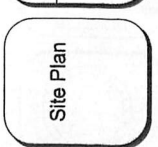
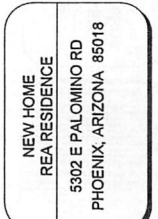
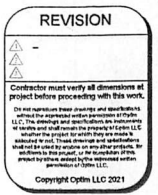
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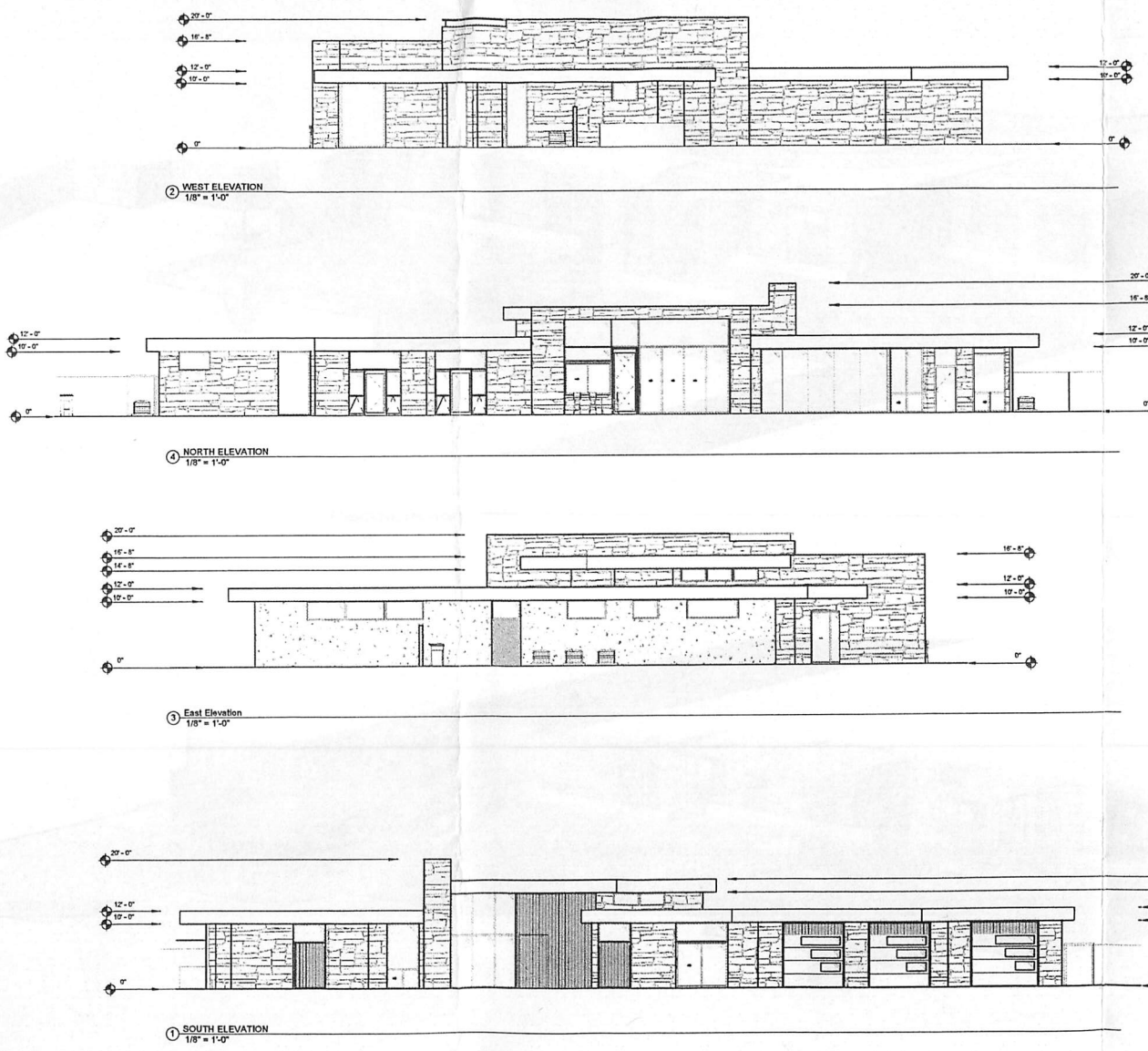
LEGEND

- NEW BUILDING AREA
- NEW SITE CONCRETE
- NEW TURF AREA
- NEW DG AREA
- SYNTHETIC TURF
- PROPERTY LINE

1

KEYNOTES - SEE THIS SHEET





GENERAL NOTES:

- 1. CONTRACTOR TO VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE INSTALLATION AND/OR FABRICATION.
- 2. SEE THE SPEC T.A. ALL A.I.A. M.A. M.I.A. M.P.A. M.S.A. M.S.S. & S.S. FOR ALL REFERENCE DETAILS NOT CALLED OUT.

ELEVATION KEYNOTES:

- 1 NEW PAINTED STUCCO SYSTEM EPS-1471 OR SIM 3/8" OSB SHEATHING
- 2 NEW COR-TEN STEEL BRIMS OVER CO LAYERS OF BUILDING PAPER ON 3/8" OSB SHEATHING
- 3 NEW DOOR
- 4 NEW WINDOW
- 5 NEW WINDOW
- 6 NEW PAINTED METAL TRELLIS - SEE STRUCTURAL
- 7 NEW STONE VENEER - ESR 1215 OR SIM
- 8 PAINTED METAL PATIO POST - SEE STRUCTURAL
- 9 EXISTING CMU WALL TO REPAIR AND REPAINT
- 10 NEW 6" CMU SITE WALL - SEE DETAIL
- 11 NEW 4" CMU SITE WALL - SEE DETAIL
- 12 NEW AC UNITS AND CONCRETE PAD - SEE MECHANICAL SHEETS
- 13 NEW ELECTRIC PANEL - SEE ELECTRICAL SHEETS
- 14 NEW SITE GATE - SEE SITE DETAILS
- 15 NEW CMU ENTRY WALL AND FIREPLACE - SEE DETAIL
- 16 NEW TRASH CANS AND CONCRETE PAD - SEE SITE
- 17 NEW OUTDOOR RIDG AND COUNTER - SEE SITE
- 18 FUTURE POOL SCREEN WALL AND WATER FEATURE
- 19 NEW COR-TEN FLASHING ON WINDOW SCREEN - SEE STRUCTURAL
- 20 NEW ROOF OVERFLOW DRAIN - SEE PLUMBING
- 21 NEW PAINTED ACCENT COLOR STUCCO SYSTEM EPS-1471 OR SIM 3/8" OSB SHEATHING
- 22 NEW PAINTED METAL RAKING - SEE DETAIL

5534 N 19th St.
Phoenix, AZ 85016
Phone: (602) 550-7848
kmcclain@gmail.com
www.optimummanagement.com



REVISION

Contractor must verify all dimensions at project before proceeding with this work. Do not duplicate these drawings and specifications without the expressed written permission of Optimum Management. This drawing is the property of Optimum Management LLC. All rights reserved. This drawing is for informational purposes only. It is not to be used for construction without the express written permission of Optimum Management LLC. Copyright © Optimum LLC 2021

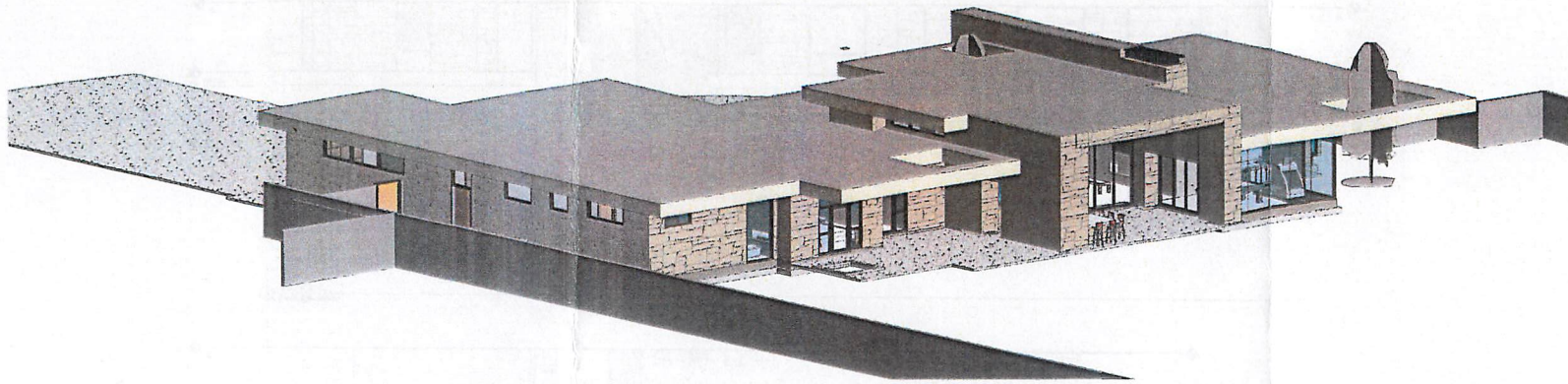
**NEW HOME
REA RESIDENCE**
5302 E PALOMINO RD
PHOENIX, ARIZONA 85018

**Elevation
Plans**

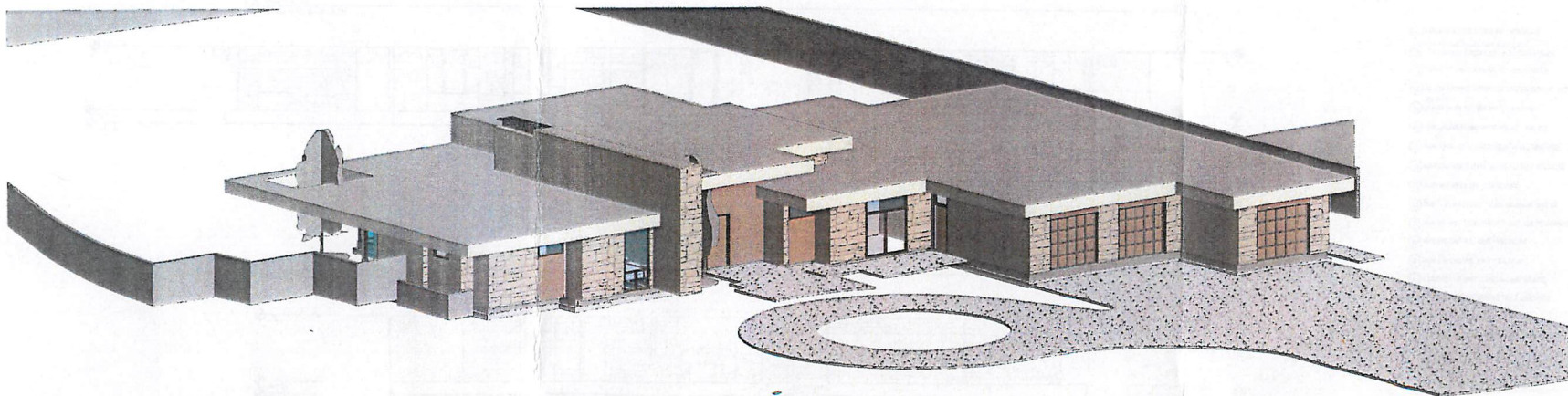


Drawn by: KM
Checked by: MH
Date: 6/22
Project Number: 18-007

A5.0



② NORTH EAST ELEVATION



① SOUTH WEST ELEVATION

5524 N 19th St
 Phoenix, AZ 85018
 Phone: (602) 950-7848
 kmcstain@gmail.com
 www.optimummanagement.com

Optim
 design build

REVISION

Contractor must verify all dimensions at project before proceeding with this work.

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NEW HOME
 REA RESIDENCE
 5302 E PALOMINO RD
 PHOENIX, ARIZONA 85018

3D Views



Drawn by: KM
 Checked by: MH
 Date: 6/9/22
 Project Number: 19-007

A9.0