



Zoning Hearing Officer  
City of Phoenix, Planning and Development Department  
200 W. Washington Street, 2nd Floor  
Phoenix, Arizona 85003  
[zoning.adjustment@phoenix.gov](mailto:zoning.adjustment@phoenix.gov)

July 12, 2022

Re: **ZA-266-22**, RE35, 5302 E Palomino Road – 1. Variance request to reduce front yard setback (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 required).

Dear Sir or Madam:

With respect to ZA-266-22, the Arcadia Camelback Mountain Neighborhood Association **does not** oppose this variance. After careful deliberation, visits at the site, and discussions with a key stakeholder neighbor directly across the property (to the southwest corner) we have found the following relative to the Four Tests:

***Condition 1: There are special circumstances or conditions applying to the land, building or use which do not apply to other similar properties in the same zoning district.***

Condition 1 is Partially MET – Being located on a corner lot, this home has a larger setback on three sides of the lot which can be challenging, but this can also be found on many corner lots throughout the neighborhood and is not all that uncommon. This lot is also relatively level compared to others located on the mountainside giving enough area to build.

***Condition 2: The special circumstances or conditions described above were not created by the applicant or owner. The property hardship cannot be self-imposed.***

Condition 2 is Partially MET – The conditions of the lot and curvature of the road are naturally occurring, again however, we do believe a home of this size can be built on the lot without requiring additional variances and it is the homeowner's preference to have this specific placement and orientation.

***Condition 3: The authorization of a variance is necessary in order for the owner or applicant to enjoy reasonable and substantial property rights.***

Condition 3 is MET – Previously, there was a usable home that could be enjoyed on this lot, however to orient the home with a southern front with four sides versus three, this variance would be necessary. The home proposed is similar in size with other homes in the area and having a north/south exposure would be common for the neighborhood.

***Condition 4: The authorization of a variance will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood or to the public welfare in general.***

Condition 4 is MET – One of the homeowners that reached out to the ACMNA had multiple concerns. The first in regards to variance #3 (increasing the height of the block wall to 6ft) due to the curvature of the road and whether the height of the block wall would create more of a blind curve without vegetation that would create an unsafe driving condition for vehicles, bicyclist and pedestrians who frequently walk the neighborhood. However, an ACMNA member who visited the site did not believe this site plan would create this hazard to motorists. Second, the neighbors have observed multiple piles of dirt being unloaded to the site in what seems to be an effort to raise the

elevation. The neighbors have concerns regarding the overall height of the new build or future plans that could push the height even higher, however, it appears this applicant plans to build a home 20ft in height which is still well within the allotted height restrictions even if the ground is raised somewhat above the natural grade.

In conclusion, the ACMNA does not oppose this request and believes the home proposed to be built will blend well with the surrounding neighborhood and will not impact surrounding neighbor views which are highly valued in the area. Thank you for the opportunity to provide our input.

Sincerely,

A handwritten signature in black ink that reads "Heather Giannangelo". The signature is written in a cursive, flowing style.

Heather Giannangelo  
ACMNA Board Member  
Preservation Committee Member  
[www.acmna.org](http://www.acmna.org)

**Arcadia Camelback Mountain Neighborhood Association**  
**4340 E. Indian School Road, Suite 21-293, Phoenix, AZ 85018**