

Staff Summary Report



Hearing Officer Hearing Date: October 16, 2007

Agenda Item Number: 2

SUBJECT: This is a public hearing for a request by **FOX RESIDENCE (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

DOCUMENT NAME: 20071016dssd01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **FOX RESIDENCE (PL070306)** (Darwin Fox, applicant/property owner) located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for:

VAR07021 Variance to raise the height of the fence/wall in the front yard setback from four-foot (4') to five-foot eight inches (5' 8").

PREPARED BY: Shawn Daffara, Planner II (480-858-2284)

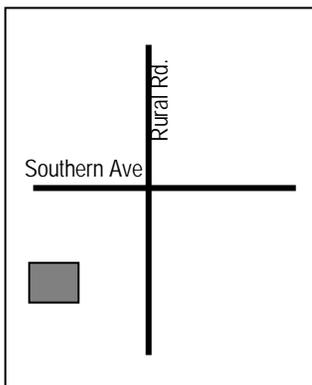
REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Denial

ADDITIONAL INFO: The Fox Residence is before the Hearing Officer to request a variance to increase the wall height in the front yard setback from the maximum allowed four feet (4') to five feet eight inches (5'-8"). The applicant had constructed an over-height, five feet eight inches (5'-8") fence in the front yard, unaware that the Zoning and Development Code limits wall heights to four feet (4) in the front yard setback. To date, the applicant has submitted 23 signatures of support, 2 signatures of opposition, and 5 signatures who don't support or oppose the wall. Staff recommends denial of the variance owing to lack of hardship, special circumstances or evidence indicating potential loss of substantial property rights.



PAGES:

1. List of Attachments
2. Comments;
3. Reason for Denial; Conditions of Approval; History & Facts/Description;
4. Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
- 3-4. Letter of Intent
5. Neighborhood Meeting Announcement
6. Neighborhood Meeting Minutes
7. Neighborhood Meeting Attendance Roster
8. Letter of Support
9. Site plan
10. Revised Site Plan
11. Elevation of front yard wall showing 5'-8" and 4'-4" (Plan B)
- 12-15. Applicant Photograph(s)
16. Staff Photograph(s)
- 17-39. New Letters of Support
- 40-41. New Letters of Opposition
- 42-46. New Letters of Indifference

COMMENTS:

The Fox Residence is before the Hearing Officer to request a variance to increase the wall height in the front yard setback from the maximum allowed four feet (4) to five feet eight inches (5'-8"). The applicant had constructed an over-height, five-feet, eight inches (5'-8") fence in the front yard unaware that the Zoning and Development Code limits wall heights to four feet (4') in the front yard setback.

The applicant assumed his front property line was at the back edge of the sidewalk, similar to other streets in his neighborhood. He later found that his street is narrower than the remainder of neighborhood. All the residential streets in the neighborhood have a twenty-five (25) foot half right-of-way. Mr. Fox's front property line is five (5) behind the city sidewalk. If the front property line was at back edge of sidewalk, he would not need a Variance, but only a Use permit to reduce the front yard setback by twenty (20) percent. The applicant was issued a code compliance notice to obtain a variance or reduce the wall height to no taller than four-feet (4).

To date, the applicant has submitted 23 signatures of support, 2 signatures of opposition, and 5 signatures who don't support or oppose the wall. Staff recommends denial of the variance owing to lack of hardship, special circumstances or evidence indicating potential loss of substantial property rights.

At the August 7 Hearing Officer Meeting, the applicant requested a continuance to give him adequate time to review the staff report and possibly redesign a shorter fence that would meet the intent of the Zoning and Development Code. The applicant has proposed a "Plan B" to reduce portions of the wall to a height of four foot four inches 4'-4"but still is asking for a wall height of 5'-8"

Variance

The Zoning and Development Code requires a variance for a wall/fence greater than four feet (4') in height that is located in the front yard setback, in the R1-6, Single Family Residential District.

Evaluating the variance, the proposal appears to meet the criteria for approving the variance:

- a. There are special circumstances or conditions applying to the land, building, or use referred to in the application;
 - There doesn't appear to be a special circumstance keeping with the land, building or use. Applicant indicates the special circumstance is due to location of his front property line. On his street the property line is five (5) behind the city sidewalk. Other streets in his neighborhood enjoy a front property line at the edge of sidewalk. His street is narrower compared to other neighboring streets. All the streets in this neighborhood have a twenty-five (25) foot half right-of-way.
 - That authorizing the variance is necessary for the preservation and enjoyment of substantial property rights;
 - A five feet eight inch (5'-8") wall is not necessary for enjoyment of substantial property rights.
- b. That authorizing the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to public welfare in general.
 - The property owner received a notice from Neighborhood Enhancement, indicating there was a complaint filed on the height of the fence. As it appears, the fence doesn't match the existing residence.

Neighborhood Meeting

Applicant held a neighborhood meeting on Monday, July 11, 2007 at 6:30 p.m..

Six (6) neighbors attended the meeting and asked a few questions. The applicant explained the purpose of the wall was to create a private courtyard at his property. Neighbors requested the new fence be painted to match the existing residence.

Conclusion

Staff recommends denial of the variance.

REASON(S) FOR DENIAL:

1. No special circumstances or conditions applying to the land, building or use exist.
2. The authorizing of the variance is not necessary for the preservation and enjoyment of substantial property rights.
3. Authorization of the variance(s) may be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

CONDITION(S) OF APPROVAL:

1. The variance is granted at five feet eight inches (5'-8") and based on the plans submitted and approved by the Hearing Officer.
2. Obtain all necessary clearances from the Building Safety Division.
3. The wall shall be painted to match the existing residence.

HISTORY & FACTS:

April 26, 1962 Building Permit issued for single family home.

August 7, 2007 At the Hearing Officer Meeting, the applicant (Darwin Fox) requested a continuance in order to review the staff report and possibly a re-design of the fence.

DESCRIPTION:

Owner – Darwin Fox
Applicant – Darwin Fox
Existing Zoning – R1-6, Single Family Residential District
Lot Size- 7,291 s.f. / .16 acres
Required Fence Height – 4'
Existing Fence Height – 5'-8"
Front yard Setback– 20'

ZONING AND
DEVELOPMENT

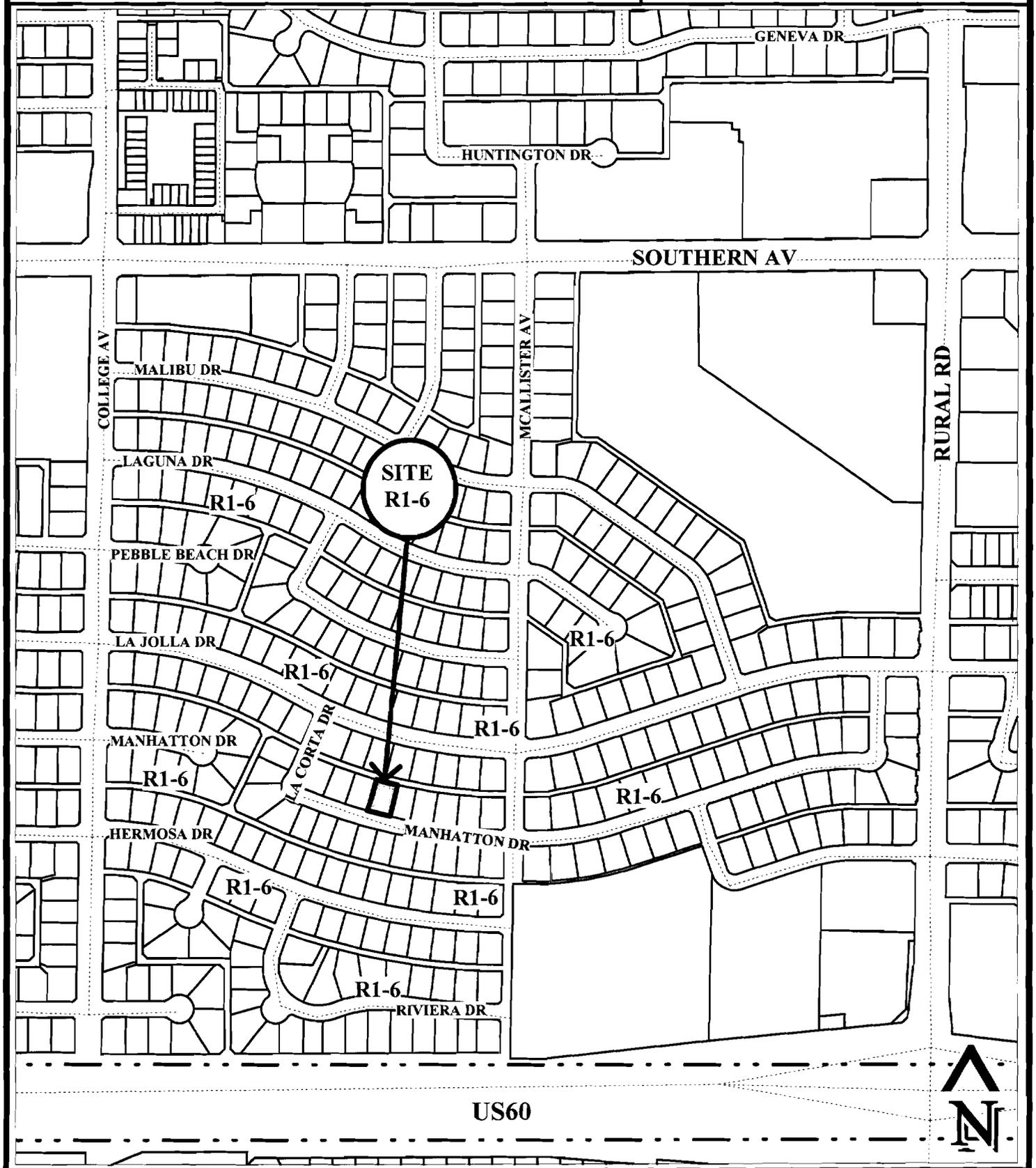
CODE REFERENCE:

Part 4, Chapter 7, Section 4-706: General Fence and Wall Height Standards

Part 6, Chapter 3, Section 6-309: Variances

FOX RESIDENCE

PL070306





FOX RESIDENCE (PL070306)

Darwin V. Fox
520 E. Manhattan Drive
Tempe, AZ 85282

July 11, 2007

Please accept this letter as my request for a variance related to a courtyard wall recently built at my home at **520 E. Manhattan Drive**. I have been informed that the wall does not meet the Tempe code.

Please know that I did not intentionally seek to violate the building code. I am an idea person and admit to my lack of knowledge in the construction part. However, to learn of code requirements, I called the Tempe Office of Development Services in November, 2006 and also consulted with a neighbor who is a licensed contractor working in Tempe. In both cases I was informed that measurements for the wall began from my property line, which, I was told, is the inside edge of the sidewalk and that a permit was not required.

My wall is 17'4" from the inside edge of the sidewalk, which is within allowable limits. However, as a result of the complaint against my wall I have come to know that the property line is positioned 25 feet from the center of the street. On my street, which has a width of slightly less than 40 feet, that makes the property line a full 5 feet past the inside of the sidewalk. My wall is now effectively 12' 4" from the property line, well outside the limits. There are streets in my neighborhood that are slightly less than 50 feet, which puts the inside edge of the sidewalk as the property line. Apparently this is the kind of street that the Office of Development Services thought I lived on.

The construction of the wall started on December 24, 2006 and ended in late April. I designed the wall to incorporate the materials of today with the Spanish Hacienda style of yesterday in it's shape, size, color, texture, and use of accent colors. These accent colors are drawn from the Arizona State flag in the form of bottles. The blue skies are reflected in thirty-five German Cobalt Blue bottles, white clouds are represented in the four antique Heinz bottles from the 1800's and five green Spanish bottles that represent our high country. In keeping with the Spanish style there are no sharp corners or right angels, only gentle curves and rounds. Except for installing the iron gate, the wall is complete. The outer area will be "Xeroscape" with two desert trees, while the courtyard will express a feeling of serenity and welcome. To achieve this affect I have purchased a large green marble boulder fountain with a small catch pond, in direct and lamp lighting, pockets of indigenous desert trees and shrubs, with stone paths leading to different spots. The lower half of the house will

match the wall for a continuous color flow. The final touch to my creation will be provided by nature in the form of weathering.

Facts and figures about the wall, the foundation is 12"x12" concrete reinforced with double lengths of rebar. The wall is made of 8x8x16 and 8x8x8 cement blocks and is reinforced with rebar every four feet then grouted the full height of the wall. The wall cap is a half round of cement that was hand applied. The wall is 5'8" at its highest point. There are two finishing coats of stucco that were applied 30 days apart. The finish coat is tinted an earth tan. The 44 bottles can be seen from both sides and reflect colored light. The gate opening is 4 feet wide.

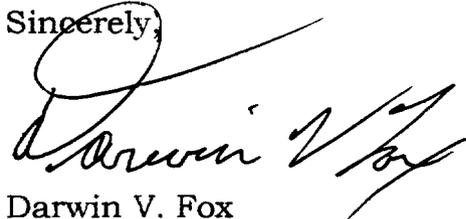
This wall, coupled with the improvements that I have enumerated will beautify my home, certainly. It will also raise the value of my home and thereby the surrounding homes. It is not just a concrete wall, but also a fully integrated structure that is in keeping with the Sonora Desert that we live in.

A complaint was filed regarding the wall's position and I received a letter from the City of Tempe informing me of the problem. Since receipt of that letter I have met with Development Services staff who have informed me of codes and ordinances, street and sidewalk size differences, formula to determine property boundaries, permits and variance. I have posted the public notice on my property and I have sent a notice to each property owner, within 300 feet of my property, giving them the time, date, location for a neighborhood public meeting (July 11) regarding my variance request. Within my variance package I have included all other documents, pictures and drawings that were requested.

I am requesting a variance to allow my wall to remain at its current height of 5'8".

Thank you for your consideration. I am requesting that you approve my variance permit

Sincerely,

A handwritten signature in black ink, appearing to read "Darwin V. Fox". The signature is written in a cursive style with a large, looping initial "D".

Darwin V. Fox

City of Tempe
Development Services Department
31 E. 5th Street, Garden Level, Tempe, AZ 85281
Shawn Daffara – Planner II
Phone: 480-858-2284

Darwin V. Fox
Property Owner
520 E. Manahhton Drive
Tempe, AZ 85282
480-840-5457

June 21, 2007

PUBLIC NOTICE FOR NEIGHBORHOOD MEETING

CASE # CE072704

The purpose of this neighborhood meeting is to provide a means for the property owner, Darwin V. Fox, to review with surrounding residential neighbors information about the front yard wall project and it's pending variance hearing.

Meeting Date: July 11, 2007

Time: 6:30 pm

Place: 520 E. Manhatton Drive

19

Minutes – Public Hearing 520 E. Manhattan, July 11, 2007

6:37 p.m.

Darwin Fox begins Public Hearing. Bob Francis takes notes. Total of five residences (six neighbors present.) Mr. Fox explains purpose of meeting related to his receipt of two City of Tempe complaints – one related to length and browning of front yard grass and second related to setback and height of recently completed courtyard wall at front door entryway. Mr. Fox let's neighbors know that meeting notice was posted as required in his front yard and that he did send letter to property owners from labels provided by staff of City of Tempe. Everyone is asked to sign an attendance roster. He indicates that he has not yet been given a date for the City of Tempe variance hearing.

Mr. Fox addresses first complaint explaining that he has been watering front yard and that both trees will be remove on July 12. His plan is to have a xeriscape landscaping in the front yard. Discussion occurs related to plans for additional parking space between driveway and neighbors property line and the need for some type of border to be installed when using gravel. Main complaint is discussed as regarding the setback of the wall from the property line and it's height. The street width, ½ the distance from the center of the street (25 ft. including a five foot easement). He indicates that according to City of Tempe that from that point within 20 feet, a permit will or be issued for a four foot wall.

Mr. Fox explains the purpose of meeting is “public notice.” Discussion occurs regarding the complaints. Support of neighbors attending is given verbally regarding wall and efforts on behalf of front lawn.

An explanation is given related to the neighborhood Codes, Covenants and Restrictions and the original developer and neighborhood plan. Mr. Fox states that current wall is 17'6" from property line and that permissible wall height is 24" although allowance can be made up to four feet. His is five feet, eight inches and thus his request for a variance. He reviews his plans for the interior of the courtyard, front yard and driveway xeriscape landscaping.

Mr. Fox distributes copies of the applicant statement related to the complaints and a statement from the wall's builder. Everyone present indicates that they are comfortable with his plans and the current wall and wish him well with his variance hearing.

7:10 p.m.

Meeting adjourned.

Neighborhood Public Meeting
Case # CE072704
Meeting Date: July 11, 2007
Time: 6:30 pm
Place: 520 E Manhattan Drive

Attendance Rooster

Print Name	Sign Name	Home Address
Bob Francis	Bob Francis	534 E. Pebble Beach Dr. - Tempe
Nancy Morris	Nancy Morris	514 E Manhattan Tempe
Lorrie Miller	Lorrie Miller	510 E. Manhattan Dr. Tempe.
Dusty Morris	Dusty Morris	514 E Manhattan Dr Tempe
Kenta Jennings	Kenta Jennings	541 E. Manhattan Dr Tempe
Tarwin Fox	Tarwin Fox	520 E Manhattan Dr Tempe

To: Variance Process

From: ChristiAnne Stephens, builder of walls

Re: Wall constructed at 520 Manhattan Dr. Tempe, AZ

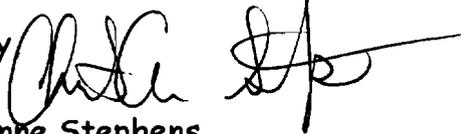
Building codes exist to facilitate "good neighbor" attitudes. They prevent one neighbor from taking advantage of another by providing guidelines for construction and modification of privately owned homes. They provide redress for a neighbor who might believe that someone is violating a particular part of the code to the detriment of himself and possibly other neighbors. They also provide a means by which a homeowner can appeal for relief from a particular part of this code, all in the spirit of "neighborliness".

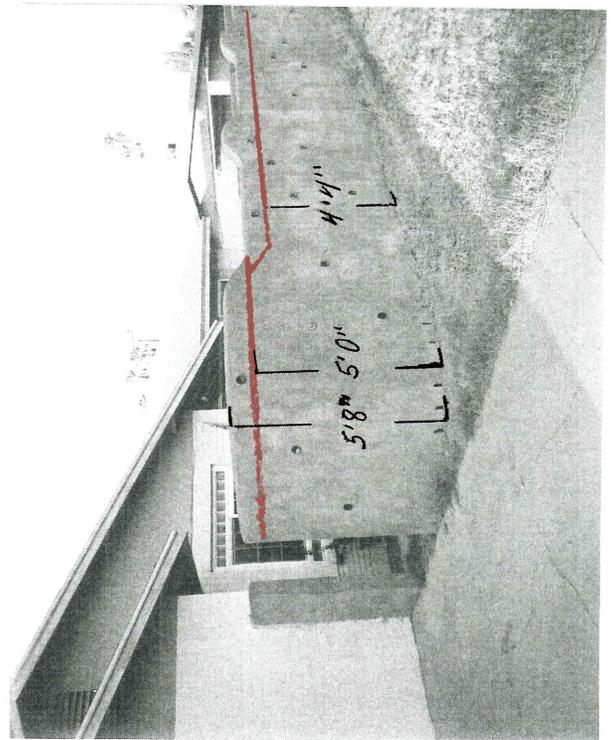
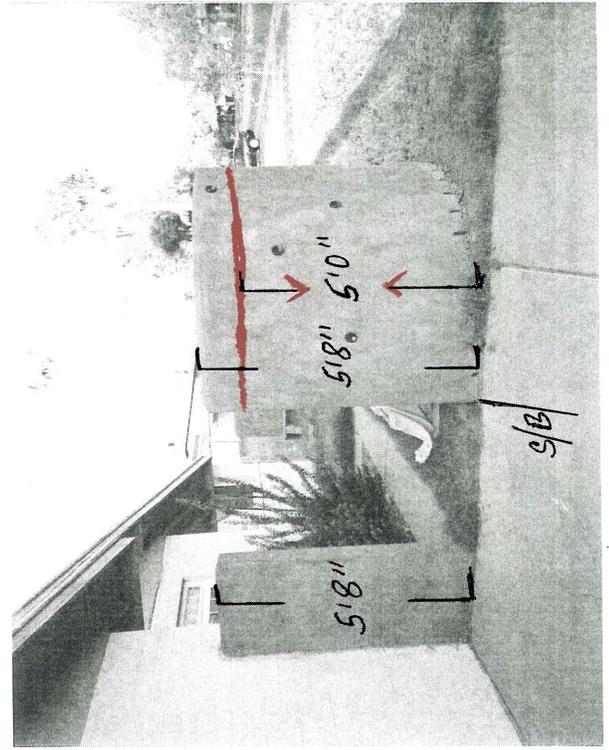
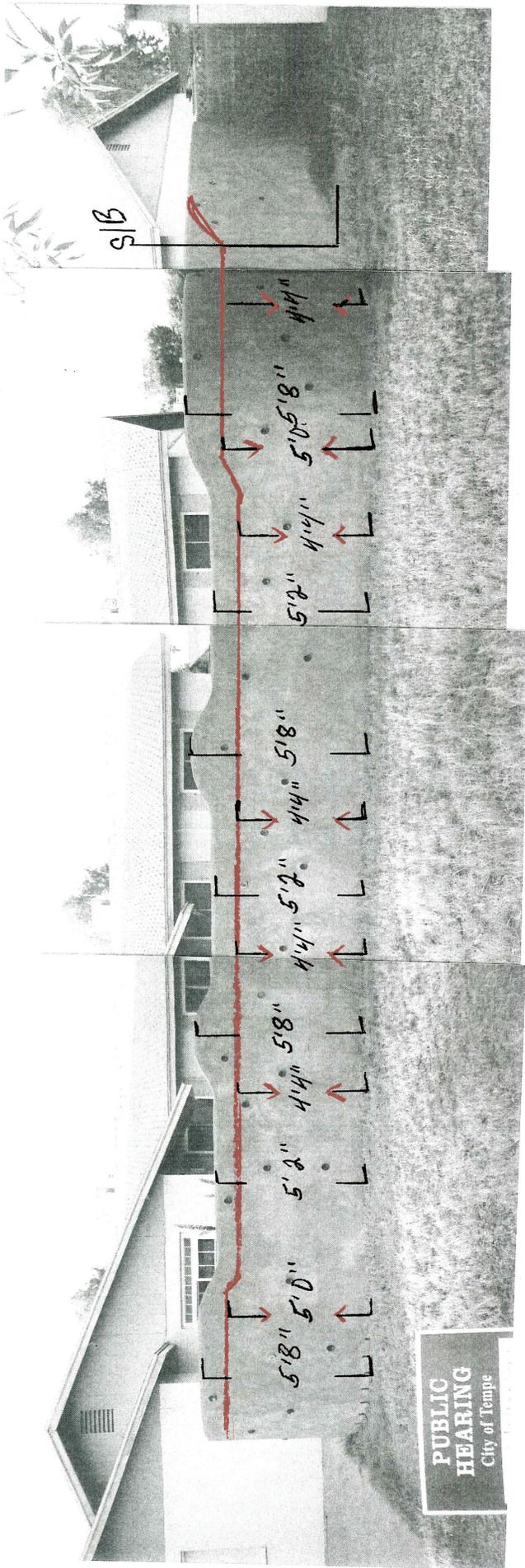
But I wonder about this "neighborliness". I began this wall in late December of 2006. I did all of the work myself as I have done since the late '60s, when I began building concrete walls. Because I work alone and, in this case, because I work full-time as a teacher it took quite awhile to finish it- actually it took four months. Many people happened by as I worked on it and openly admired its design and the simple beauty of its curves (no right angles on this wall!). I had no reason to believe that I had built anything other than a wall that Darwin's neighbors were proud of.

Well over a month after the wall's completion Darwin was served with a complaint notice. Five months from the time it was started to file the complaint. Wouldn't it have been "neighborly" to remark to Darwin or me that the wall may well be in violation? The height of the wall was in evidence no later than a month after I began building. At the very least, it would have been "neighborly" to file the complaint as soon as it became apparent to the complainant that the wall violated code.

In the spirit of "neighborliness" I would ask that a variance be granted in this case, not only for the reasons that Darwin has enumerated, but also for the apparent punitive nature of the complaint and after all-it is a beautiful wall!

Sincerely


ChristiAnne Stephens

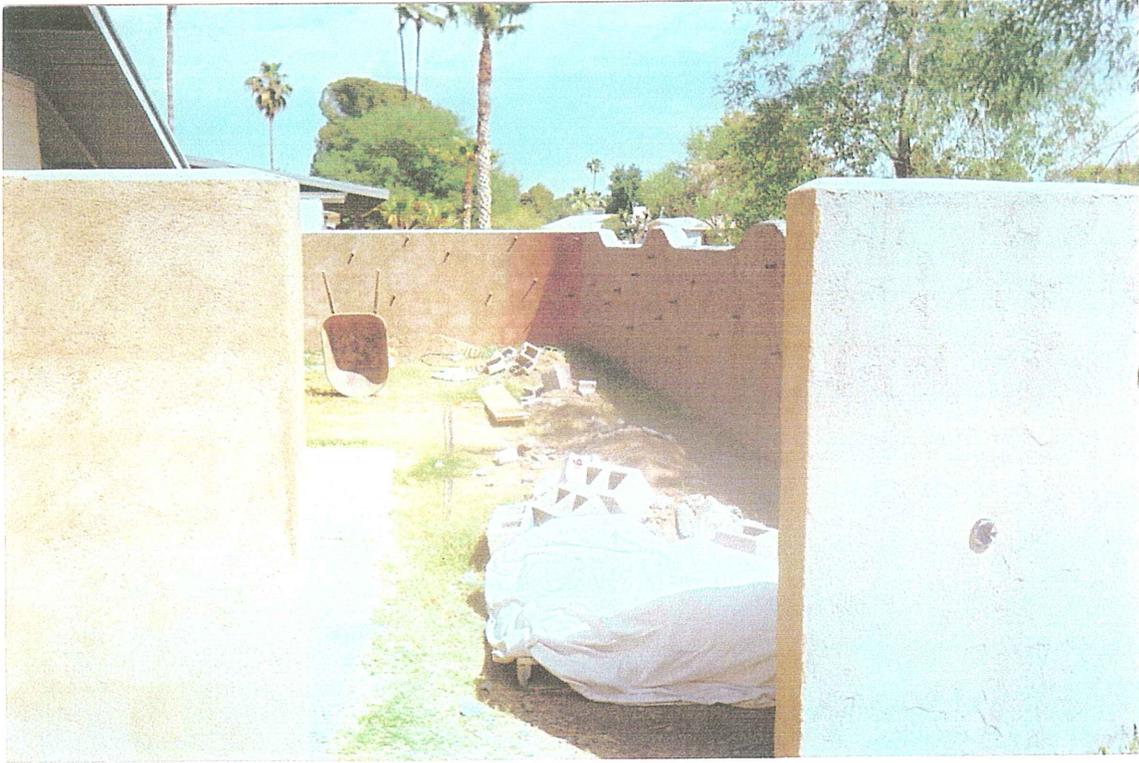




in side looking out South ↗



ATTACHMENT 12 West ↖



East ↑



East ↑
ATTACHMENT 13



East ↑

Gate
Sample





FOX RESIDENCE

520 E. MANHATTAN DR

PL070306

FRONT OF PROPERTY: VIEW TO NORTH

Support

Hearing Officer Hearing Date
October 16, 2007

FOX DARWIN V
520 E MANHATTAN DR
TEMPE, AZ 85282 USA
Parcel: 133-53-030

563

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Love the wall

Signatures:

Darwin V. Fox 9/29/07

Hearing Officer Hearing Date
October 16, 2007

ALBIDREZ TOMMY R & YVONNE T
521 E MANHATTON
TEMPE, AZ 85282 USA
Parcel: 133-53-041

574

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

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Neighborhood Input:

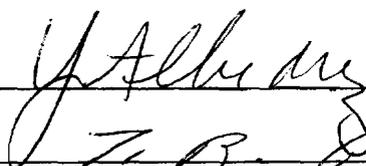
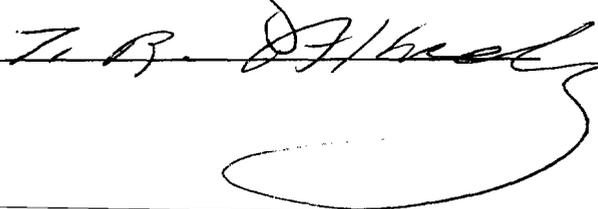
For

Against

Comments:

Not against the wall.

Signatures:

9/30/07

Hearing Officer Hearing Date
October 16, 2007

CARLSON ARVID C JR
536 E MANHATTON DR
TEMPE, AZ 85282 USA
Parcel: 133-53-034

567

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Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Looks good to me

Signatures:

Arvid C. Carlson Jr.

Hearing Officer Hearing Date
October 16, 2007

SHAW JOHN W JR
540 E MANHATTAN
TEMPE, AZ 85282 USA
Parcel: 133-53-035

568

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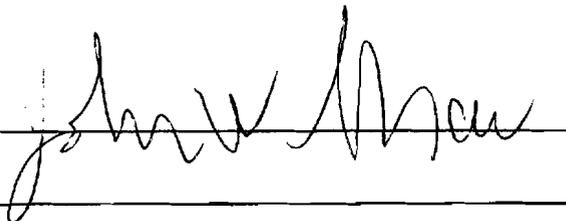
Neighborhood Input:

For

Against

Comments:

Signatures:



Hearing Officer Hearing Date
October 16, 2007

JENNINGS KEITH
541 E MANHATTON DR
TEMPE, AZ 852825338 USA
Parcel: 133-53-036

569

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

NICE LOOKING WALL, BLENDS
IN WALL

Signatures:



29 SEPT 2007

Hearing Officer Hearing Date
October 16, 2007

ALBIDREZ ANTHONY
505 E MANAHATTON DR
TEMPE, AZ 85282 USA
Parcel: 133-53-045

578

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Signatures:



Hearing Officer Hearing Date
October 16, 2007

SHEPARD PATRICIA M
509 E MANHATTON DR
TEMPE, AZ 85282 USA
Parcel: 133-53-044

577

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Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments: The wall in the Fox residence front yard attractively enhances their property and our neighborhood. The structure is consistent with our community spirit in our neighborhood.

Signatures: Patricia Margaret Shepard

Hearing Officer Hearing Date
October 16, 2007

CALABRO CHRISTOPHER C/VICTORIA J
528 E MANHATTAN DR
TEMPE, AZ 85282 USA
Parcel: 133-53-032

565

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Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Signatures:

Victoria Calabro

Hearing Officer Hearing Date
October 16, 2007

BARRASSO PATRICK/ELIZABETH
517 E MANHATTON DR
TEMPE, AZ 85282 USA
Parcel: 133-53-042

575

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Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Moving out of area, wall is
~~across~~ the street, looks great
to me.

Signatures:

Pat Barrasso Sept 29, 07

Hearing Officer Hearing Date
October 16, 2007

CLICKNER STEPHANIE/RYAN
513 E MANHATTON DR
TEMPE, AZ 85282 USA
Parcel: 133-53-043

576

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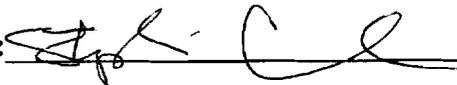
Neighborhood Input:

For

Against

Comments: My husband and I both think the wall looks good and is an asset to the neighborhood. Mr. Fox is setting a good example for everyone in trying to make our street look as good as it can.

Signatures:



Hearing Officer Hearing Date
October 16, 2007

THOMAS KAREN M TR
512 E LA JOLLA DR
TEMPE, AZ 852825330 USA
Parcel: 133-53-013

546

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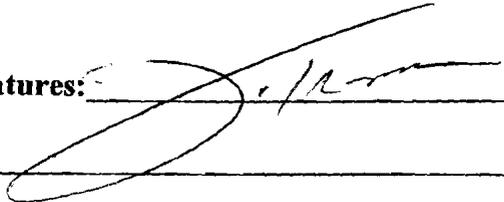
Neighborhood Input:

For

Against

Comments:

Signatures:



Hearing Officer Hearing Date
October 16, 2007

RIANDA DIA
536 E LA JOLLA DR
TEMPE, AZ 85282 USA
Parcel: 133-53-017

650

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Neighborhood Input:

For

Against

Comments:

Signatures: 

Hearing Officer Hearing Date
October 16, 2007

KAFKA RICHARD G/RICHARD G JR
525 E LA JOLLA DR
TEMPE, AZ 85282 USA
Parcel: 133-53-022

555

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Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Signatures: Richard Kafka
Richard Kafka Jr

Hearing Officer Hearing Date
October 16, 2007

SNELLING FRANCIS/ANGELA
518 E LA JOLLA DR
TEMPE, AZ 85282 USA
Parcel: 133-53-014

547

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Neighborhood Input:

For

Against

Comments:

Signatures:



Hearing Officer Hearing Date
October 16, 2007

DRISCOL JANET
543 E LA JOLLA DR
TEMPE, AZ 85282 USA
Parcel: 133-53-019

557

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Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Signatures:

Janet Driscol

Hearing Officer Hearing Date
October 16, 2007

TILLSON LINDA
515 E LAJOLLA DR
TEMPE, AZ 85282 USA
Parcel: 133-53-024

557

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Neighborhood Input:

For

Against

Comments:

Rent

Signatures:



Hearing Officer Hearing Date
October 16, 2007

MCCLEVE NORMAN R & IRIS JEANENE
506 E LA JOLLA DR
TEMPE, AZ 85282 USA
Parcel: 133-53-012

545

Not us

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Like it

rent

Signatures:

P. Anderson

Hearing Officer Hearing Date
October 16, 2007

BARTON JOHN L/VICKIE L
537 E LA JOLLA
TEMPE, AZ 852820000 USA
Parcel: 133-53-020

553

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Signatures:

John L. Barton

Hearing Officer Hearing Date
October 16, 2007

ZEIDERS ADAM J/KATHARINE E
524 E LAJOLLA DR
TEMPE, AZ 85282 USA
Parcel: 133-53-015

548

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

*Looks great to me
Rent*

Signatures:

A Zeidas

Hearing Officer Hearing Date
October 16, 2007

SCHMIDT STEVEN J
3824 S LA CORTA DR
TEMPE, AZ 85282 USA
Parcel: 133-53-047

580

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Give the man his wall!

What about all the unkempt yards around here? .. Dead trees etc

Signatures:

Steven Schmidt

Hearing Officer Hearing Date
October 16, 2007

MYERS MARCIA L
3810 S LACORTA DR
TEMPE, AZ 85282 USA
Parcel: 133-53-049

582

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments: Roomate

Signatures:

Budget Cherie Harper

Hearing Officer Hearing Date
October 16, 2007

WASHEK JOHN JACOB
3816 S LA CORTA DR
TEMPE, AZ 85282 USA
Parcel: 133-53-048

581

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Is it there more important things you should be doing for our city?

Let the Fox family have there wall.

Signatures:

W. Jacob

Hearing Officer Hearing Date
October 16, 2007

Robert L. Francis
534 E. Pebble Beach Dr.
Tempe, Az. 85282

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Wall demonstrates improvement to neighborhood and shows basis of landscaping potential...

Signatures:

Robert L. Francis

Hearing Officer Hearing Date
October 16, 2007

~~XXXXXXXXXX~~
Opposition

HARTLEY STEPHEN J/LEE ANNE
537 E MANHATTON DR
TEMPE, AZ 852820000 USA
Parcel: 133-53-037

570

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

I'm NOT FOR OR AGAINST. I JUST
THINK THE WALL IS UGLY AND NOT
WITH THE REST OF THE NEIGHBORHOOD

Signatures: Stephen Hartley

Hearing Officer Hearing Date
October 16, 2007

EMERSON PAUL/NELSON ROBIN
532 E MANHATTAN DR
TEMPE, AZ 85283 USA
Parcel: 133-53-033

566

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments: We are not able to circle for or against for the following reasons: We appreciate that Fox is trying to improve his residence which will improve the neighborhood. We do feel the wall is too high. However, we don't live next door or across from Mr. Fox, so it really doesn't affect us.

Signatures:

Robin Nelson
Paul

Hearing Officer Hearing Date
October 16, 2007

MORRIS DUSTIN & NANCY
514 E MANHATTAN DR
TEMPE, AZ 85282 USA
Parcel: 133-53-029

562

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

Don't want to be involved

Signatures: _____

Hearing Officer Hearing Date
October 16, 2007

KING MYRON/KATHERINE R
425 E LA JOLLA DR
TEMPE, AZ 85282 USA
Parcel: 133-53-050

583

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

We don't care!

Signatures: _____

Katherine R. King

Hearing Officer Hearing Date
October 16, 2007

PERCY RICHARD G
501 E MANHATTAN DR
TEMPE, AZ 85282 USA
Parcel: 133-53-046

579

Subject: There is a public hearing for a request by **Fox Residence (PL070306)** located at 520 East Manhattan Drive in the R1-6, Single Family Residential District for one (1) variance.

Variance: (VAR07021) to raise the height of the wall in the front yard setback from four-feet (4') to five feet eight inches (5'8").

Neighborhood Input:

For

Against

Comments:

No comments in particular. Don't have any particular objections

Signatures:

Richard Percy
