



LAW OFFICES OF

**Lazarus, Silvyn & Bangs, P.C.**

A PROFESSIONAL CORPORATION

October 9, 2019

Dear *Property Owner* or *Neighborhood Association President*:

The purpose of this letter is to inform you that our firm, Lazarus, Silvyn & Bangs, P.C., has recently filed on behalf of our client, Gordon and Marilyn Kay LeBlanc, Jr., a Zoning Adjustment application (Case No. ZA-511-19-6) for a residential site located at 5527 East Camelback Road (the "Property"). This application requests approval of a variance to reduce the required side yard setback along the Property's east boundary from 20 feet to 3 feet.

The LeBlanc's residence was constructed in 1955 with a zero-foot setback along the east property line, prior to the Property's annexation into the City of Phoenix. Recently, the LeBlanc's hired an architect to prepare plans for renovations and improvements to their residence. City of Phoenix staff initially informed the LeBlancs and their architect that the 0-foot setback along the east property line would continue to apply to any future renovations and improvements to the Property. Significant money and time were expended to prepare and submit plans based upon this decision by the City. In addition, a demolition permit was issued by the City, and the LeBlancs removed their grandfathered carport structure which had historically been located along the east property line. The removal of the carport structure was performed in reasonable reliance upon the City's decision that a 0-foot setback would apply to future development on the Property.

After meeting with City site plan review staff twice and receiving their staff review comments (none of which resulted in any discussions or comments that the Property could not be developed with a setback of 3 feet or less), the LeBlancs and their architect were then informed by staff that a side yard setback of 20 feet would apply to the east property line, the Property no longer enjoyed grandfathered rights to utilize a 0-foot setback once the carport structure was demolished, and that a variance application would need to be submitted in order to reduce the side-yard setback to 3 feet. For these reasons, the LeBlancs submit this variance application in order to construct improvements to their home which: (i) are compatible with the surrounding neighborhood, (ii) utilize the existing concrete pad that remains after the carport's demolition, and (iii) maintain the same roof height as the existing home.

The hearing in this matter has been scheduled as follows:

**Thursday, October 24, 2019 at 1:30 pm**

**Zoning Adjustment Hearing**

**Phoenix City Hall**

**200 West Washington Street**

**1<sup>st</sup> Floor, Assembly Room C**

**Phoenix, Arizona 85003**

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 feelings known on this case by writing to the Planning and Development Department at 200 W. Washington Street, 2<sup>nd</sup> Floor, Phoenix, Arizona 85003 and referencing Case No. ZA-511-19-6. You can also send an email to [zoning.adjustment@phoenix.gov](mailto:zoning.adjustment@phoenix.gov). Please

reference the above case number and hearing date in your email. Your letter/email will be made part of the case file and shared with the Zoning Adjustment Hearing Officer.

If you have any questions or need additional information regarding this application, please contact me at 602-340-0900 or by email at [hdukes@LSBLandLaw.com](mailto:hdukes@LSBLandLaw.com). You may also contact the City of Phoenix Planning and Development Department at 602-262-7131, Option 6, or [zoning.adjustment@phoenix.gov](mailto:zoning.adjustment@phoenix.gov). Please reference the above case number and hearing date in your email to expedite a response. Thank you.

Sincerely,

Heather Dukes, Esq.  
LAZARUS, SILVYN & BANGS, P.C.

Attachments

1. ZA-511-19-6 Application Cover Page
2. Site Plan and Elevations prepared by Studio Roeder



# City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING ADJUSTMENT

APPLICATION NO: ZA-511-19

CASE TYPE: Variance  
DATE FILED: 10/3/2019

COUNCIL DISTRICT: 6  
CASE STATUS: Pending

EXISTING ZONING: RE-35 ACSPD  
FILING STAFF: KS

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$490.00	\$0.00	10/03/2019		Original Filing Fee

### HEARING DATES

ZA: 10/24/2019 1:30 PM LOCATION: 200 West Washington Street, 1st Floor, Assembly Room C

BOA:

PROPERTY LOCATION: 5527 East Camelback Road

LEGAL DESCRIPTION: See attached

### CONTACT INFORMATION

NAME	ADDRESS	PHONE	FAX	EMAIL
Gordon LeBlanc, Jr. and Marilyn Kay LeBlanc (Owner, Applicant)	5527 E Camelback Road Phoenix AZ 85018	(480) 425-4290		gordon.leblanc.jr@gmail.com
Heather Dukes, Esq. Lazarus, Silvyn & Bangs, P.C. (Representative)	206 E Virginia Avenue Phoenix AZ 85004	(602) 340-0900		hdukes@lsblandlaw.com hdukes@lsblandlaw.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: Heather N. Dukes DATE: 10/4/2019

**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 required side yard setback (east) to 3 feet. Minimum 20 feet required.

ZONING ORD. SECTIONS  
609.B.Table

### GEOGRAPHIC INFORMATION

APN: 172-32-007

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

