

Hearing Officer JUNE 2, 2009

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 E. 5th Street, Tempe, AZ 85281
1:30 PM

1. **CONSIDERATION OF MEETING MINUTES: May 19, 2009**

2. Hold a public hearing for a request by the **ALLISON RESIDENCE (PL090157)** (James Allison, applicant/property owner) located at 9338 South Dateland Drive in the R1-15, Single Family Residential District for:

ZUP09070 Use permit to allow a detached accessory building (garage).

VAR09004 Variance to reduce the rear yard setback from thirty (30) feet to eight (8) feet.

CONTINUED TO JULY 7, 2009 HEARING OFFICER

3. Hold a public hearing for a request by the **PARKER RESIDENCE (PL090159)** (Lawrence Parker, applicant/property owner) located at 4814 South Calle Los Cerros Drive in the R1-6, Single Family Residential District for:

ZUP09071 Use permit to allow a detached accessory building (storage).

ZUP09072 Use permit standard to reduce the east front yard setback by twenty percent (20%) from twenty (20) feet to sixteen (16) feet.

VAR09005 Variance to reduce the on-site driveway length from twenty (20) feet to sixteen (16) feet.

VAR09006 Variance to reduce the west rear yard setback from fifteen (15) feet to three (3) feet.

STAFF REPORT: [HOr_ParkerRes_060209.pdf](#)

4. Hold a public hearing for a request by the **SAINT DOMINIC SAVIO ACADEMY LLC (PL090160)** (Corinna Siegler/St. Dominic Savio Academy LLC, applicant; Desert Palm United Church of Christ, property owner) located at 1230 East Guadalupe Road in the R1-6, Single Family Residential District for:

ZUP09073 Use permit to allow a elementary school for Grades K-5 ancillary to a church.

STAFF REPORT: [HOr_StDominicSavio_060209.pdf](#)

5. Hold a public hearing for a request by the **GIPSON RESIDENCE (PL090164)** (Kathy Gipson, applicant/property owner) located at 2002 West Garden Drive in the R1-6, Single Family Residential District for:

VAR09007 Variance to reduce the east street side yard setback from ten (10) feet to six (6) feet.

STAFF REPORT: [HOr_GipsonRes_060209.pdf](#)

6. Hold a public hearing for a request by **FLOOR AND DECOR (PL090166)** (David Miller/Floor & Decor, applicant; Jahan Realty Management Corporation, property owner) located at 7500 South Priest Drive in the PCC-1, Planned Commercial Center Neighborhood and Southwest Overlay Districts for:

ZUP09074 Use permit to allow outdoor retail display.

STAFF REPORT: [HOr_Floor&Decor_060209.pdf](#)

7. Hold a public hearing for a request by **ARIZONA FIGHT CLUB (PL090169)** (Randy Robles, applicant; McClintock Center LLC, property owner) located at 617 South McClintock Drive, Suite No. 3 in the GID, General Industrial District for:

ZUP09075 Use permit to allow a fitness facility (boxing gym).

STAFF REPORT: [HOr_AZFightClub_060209.pdf](#)

8. Hold a public hearing for a request by the **WEED RESIDENCE (PL090170)** (Andrew Weed, applicant/property owner) located at 1111 South Ash Avenue in the R-3R, Multi-Family Residential Restricted District for:

ZUP09076 Use permit to increase the allowable fence height in the front yard setback from four (4) feet to eight (8) feet.

STAFF REPORT: [HOr_WeedRes_060209.pdf](#)

9. Hold a public hearing for a request by **RIO SALADO COURTYARD – ATHENA’S TEMPLE LLC (PL090171)** (Heather Allen, applicant; Rio Salado Center LLC, property owner) located at 1290 North Scottsdale Road, Suite No. 101 in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP09077 Use permit to allow a massage therapy establishment.

STAFF REPORT: [HOr_AthenasTemple_060209.pdf](#)

10. Hold a public hearing for a request by the **BARMORE RESIDENCE (PL090177)** (Richard Barmore, applicant/property owner) located at 2941 South Fairway Drive in the R1-6, Single Family Residential District for:

ZUP09079 Use permit to allow a detached accessory building (garage).

~~**VAR09008** Variance to reduce the northeast side yard setback from five (5) feet to three (3) feet.~~

WITHDRAWN BY APPLICANT

STAFF REPORT: [HOr_BarmoreRes_060209.pdf](#)

11. Hold a public hearing for a request by **SOUTHERN AVENUE GARDEN OFFICES – DAVID LEWIS, DDS (PL090178)** (David Lewis, applicant; Sojourner Investment Group, property owner) located at 408 East Southern Avenue in the R/O, Residential/Office District for:

DSM09024 Minor modification of a previously approved PAD for the Southern Avenue Garden Offices to eliminate or modify Condition of Approval No. 11 of Case Z-79.30 which reads:

11. Medical Offices shall be prohibited.

STAFF REPORT: [HOr_DavidLewisDDS_060209.pdf](#)

ABATEMENT CASES

12. Hold a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **FRAWLEY RESIDENCE (PL090155/ABT09009)** (Richard Frawley, property owner) Complaint 086331 located at 1103 East Palmcroft Drive in the R1-6, Single Family Residential District.

STAFF REPORT: [HOr_FrawleyResAbate_060209.pdf](#)

13. Hold a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **ROE RESIDENCE (PL090167/ABT09010)** (Christopher Roe, property owner) Complaint 087577 located at 2906 South Price Road in the R-3R, Multi-Family Residential Limited District.

STAFF REPORT: [HOr_RoeResAbate_060209.pdf](#)

14. Hold a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **CROW RESIDENCE (PL090168/ABT09011)** (Jacquelyn Crow, property owner) Complaint 085550 located at 2149 East Minton Drive in the R1-4, Single Family Residential District.

STAFF REPORT: [HOr_CrowResAbate_060209.pdf](#)

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance is available at public meetings for sight and/or hearing-impaired persons. Please call 350-8331 (voice) or 350-8400 (TDD) to request an accommodation to participate in a public meeting.

E-Mailed Thursday, 14 April 2009, 9:30 AM

Advertised Monday, 18 May 2009

Modified Thursday, 20 May 2009, continued Allison Residence to 7/7 HO

Modified Wednesday, 27 May 2009, deleted variance request from Barmore Residence