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**Hearing Officer**  
**JANUARY 19, 2010**

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

1. **CONSIDERATION OF MEETING MINUTES: January 5, 2010**

**APPROVED**

2. Hold a public hearing for a request by the **RESIDENCE AT 16 EAST 15<sup>TH</sup> STREET (PL090003)** (Charles Huellmantel, applicant) located at 16 East 15<sup>th</sup> Street in the R1-6, Single Family Residential District for:

**ZUP09182** Use permit to allow an accessory building above fifteen (15) feet in height, not-to-exceed thirty (30) feet in height (new two story accessory building).

**VAR09016** Variance to reduce the north rear yard setback from ~~nine (9) fifteen (15)~~ feet to five (5) feet.

**CORRECTED BY DEVELOPMENT SERVICES IN ACCORDANCE WITH THE OCTOBER 2009 ZONING DEVELOPMENT CODE CHANGES**

~~**VAR09017** Variance to allow a separate utility metering service for an accessory building/guest quarters.~~

**WITHDRAWN BY APPLICANT**

**STAFF REPORT:** [HOr\\_16E15St\\_011910.pdf](#)

**APPROVED WITH MODIFIED AND ADDED CONDITIONS**

3. Hold a public hearing for a request by **WAGGONER ELEMENTARY – CLEARWIRE – AZ-PHX0704 (PL090396)** (Rulon Anderson/Clearwire, applicant; Kyrene School District #28, property owner) located at 1062 East Carver Road in the AG, Agricultural District for:

**ZUP09155** Use permit to allow a sixty-five foot (65') monopole (light pole).

**CONTINUED FROM DECEMBER 15, 2009 HEARING OFFICER HEARING**

**STAFF REPORT:** [HOr\\_Clearwire Waggoner\\_011910.pdf](#)

**APPROVED**

4. Hold a public hearing for a request by **AGAVE CENTER – CARL'S JR RESTAURANT (PL090412)** (Nick Wood/Snell & Wilmer LLP, applicant; Property Reserve Arizona LLC, property owner) located at 8825 South Jewel Street in the PCC-1, Planned Commercial Center Neighborhood District **and SWOD, Southwest Tempe Overlay District** for:

**VAR09018** Variance to allow a drive-through lane on the street side of the building deviating from Zoning & Development Code Section 3-408, drive-through orientation requirements.

**VAR09019** Variance to waive trees in the landscape islands for a portion of the parking area within the El Paso Natural Gas line easement.

**STAFF REPORT:** [HOr\\_CarlsJr\\_011910.pdf](#)

**APPROVED WITH MODIFIED CONDITION**

5. Hold a public hearing for a request by **VALLEY WEST SHOPPING PLAZA – CLEARWIRE – AZ-PHX0501C (PL090432)** (Rulon Anderson/Clearwire, applicant; Pollack Investments, property owner) located at 1811 North Scottsdale Road in the CSS, Commercial Shopping and Services District for:

**ZUP09165** Use permit to allow a ~~sixty-three foot (63')~~ **sixty foot (60')** monopole (~~monopine~~) (**monopalm**).  
**CORRECTED BY DEVELOPMENT SERVICES DEPARTMENT**  
**CONTINUED FROM DECEMBER 15, 2009 HEARING OFFICER HEARING**

**STAFF REPORT:** [HOr\\_Clearwire\\_ValleyWest\\_011910.pdf](#)

**APPROVED WITH ADDED CONDITION**

6. Hold a public hearing for a request by the **KUITUNEN RESIDENCE (PL090482)** (Jeff Pawlowski/PK Architects, applicant; Scott Kuitunen, property owner) located at 1217 East Knight Lane in the AG, Agricultural District for:

**ZUP09183** Use permit standard to reduce the north front yard setback by twenty percent (20%) from forty (40) feet to thirty-two (32) feet for two (2) additions to the residence. (*Note: Side yard use permit not required per Sunburst Farm PAD.*)

**STAFF REPORT:** [HOr\\_KuitunenRes\\_011910.pdf](#)

**CONTINUED TO FEBRUARY 16, 2010 HEARING OFFICER MEETING**

#### ABATEMENT CASES

7. Hold a public hearing for a request by the City of Tempe – Code Compliance Department to abate public nuisance items in violation of the Tempe City Code for the **ORRAS RESIDENCE (PL090428/ABT09038/CE087014)** (Jamie Orras, property owner) located at 26 West Erie Drive in the R1-6, Single Family Residential District.

**CONTINUED FROM DECEMBER 15, 2009 HEARING OFFICER**

**WITHDRAWN BY CITY OF TEMPE – CODE COMPLIANCE DEPARTMENT**

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.
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E-Mailed Wednesday, 30 December 2009, 9:30 AM

Advertised Monday, 04 January 2010

Modified Tuesday, 05 January 2010, Code Compliance withdrew request for abatement on Orras Residence, Agenda Item #7

Modified Wednesday, 06 January 2010, Correction to Agenda Item #2, Variance setback terminology.

Modified Thursday, 14 January 2010, Applicant withdrew request for VAR09017 – Agenda Item #2/PL090003