

TO: City of Chandler Board of Adjustment

RE: Case PLH26-0036 – Zoning Interpretation Appeal: “Landscape Screens”

PROPERTY: 1232 W. Kesler Ln., Chandler, AZ 85224

DATE: 08/27/26

Dear Members of the Board of Adjustment:

I am unable to attend the September 9, 2026, hearing regarding Case PLH26-0036. I respectfully request that this letter be included in the official record and considered in connection with the appeal filed by the neighboring property owner concerning the Zoning Administrator’s interpretation of “landscape screens” as applied to single-family properties.

My property has multiple Ficus trees planted along the perimeter of my backyard, approximately two feet inside the existing block wall and approximately two feet apart. They were planted as residential landscaping for privacy, aesthetics, and enhancement of my property.

HOA COMPLIANCE

The Blakeman Ranch Owners Association Landscaping Standards and Procedures do not list Ficus trees as prohibited plant material. The document specifically identifies the plants that are prohibited, and Ficus is not among them.

The HOA standards define the front yard as the area of the lot excluding the area enclosed by the perimeter wall. The specific plant-height requirements are included within the front-yard provisions. My Ficus trees are located inside the perimeter wall in my backyard.

The HOA does require trees and vegetation to be regularly maintained and trimmed, which I understand and comply with.

RELEVANT BACKGROUND

I believe the history surrounding the two properties is relevant to the circumstances of this appeal.

According to PCI Home Inspections LLC home inspection report dated 04/12/25, “The west side neighbors tree limbs are threatening the walls, roof and eaves, and need to be trimmed or removed before it damages the walls, roof or eaves and pool heater. Pool heater flue pipe is contaminated with leaf litter. The tree is too close to the flue pipe exhaust and could cause combustion. Seller to arrange with neighbor or HOA to have the tree issue resolved. (page 33, Section 17.15 of CC&R’s) The seller contacted the HOA about the violation.

Upon taking possession of the home in May 2025, the pool company informed me that the neighbor’s tree was further causing a problem and ongoing damage to the pool and its equipment.

I attempted to resolve the matter directly with my neighbor, but he declined to discuss the issue. I subsequently filed an HOA complaint, and the HOA addressed the matter and required the tree to be properly maintained.

Although the tree was trimmed, the problem was not completely resolved. I ultimately had to replace the pool filter and pool pump and constructed a protective enclosure over the pool equipment, including the area containing my open-flame pool heater.

The neighboring property owner then complained to the HOA about my protective enclosure. I fully cooperated with the HOA's request and submitted drawings and photographs. The HOA approved the enclosure. No further action was required.

I do not claim to know the neighboring property owner's motivation for subsequently filing the present City appeal. However, I believe this chronology is relevant and should be included in the record.

REQUEST TO THE BOARD

I respectfully ask the Board to decide this matter based upon the actual language and applicability of the Chandler Zoning Code, rather than upon a private disagreement between neighboring homeowners.

Specifically, I ask the Board to identify the precise Code provision that classifies my existing backyard Ficus trees as a regulated "landscape screen" and explain how that provision applies to ordinary residential landscaping on a single-family property.

The fact that trees provide privacy or create a visual barrier between neighboring residences does not, by itself, establish that they constitute a regulated "landscape screen." I respectfully ask the Board to distinguish between the ordinary function of residential landscaping and the specific legal meaning and requirements of "landscape screens" under Chapter 35.

I am not asking for special treatment or an exemption. I am asking that my property be regulated according to the existing applicable Code provisions and objective standards.

If the City believes that its regulations should be changed or clarified, I respectfully ask that such changes be addressed through the appropriate process rather than applied retroactively to existing residential landscaping that was not prohibited by the HOA's applicable landscaping standards.

Thank you for considering my statement. I respectfully request that it be included in the official record for Case PLH26-0036.

Respectfully,

Joan S Harbarth
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