

**DRAFT MINUTES
BOARD OF ADJUSTMENT
COUNCIL CHAMBERS BUILDING
CONFERENCE ROOM B3
5850 W. GLENDALE AVENUE
GLENDALE, ARIZONA 85301**

**THURSDAY, NOVEMBER 12, 2020
4:00 PM**

CALL TO ORDER

The meeting was called to order at 4:00 PM.

ROLL CALL

Committee members present: Vice Chairperson Cathy Cheshier, Kyle Holschlag, Benjamin Naber, Tammy Gee, Larry Feiner, and Brian Britton were present.

Committee members absent: None.

City staff present: Lisa Collins (Interim Development Services Director), Samantha Cope (Administrative Support Staff), Christina Lavelle (Planner), and Russ Romney (Deputy City Attorney).

CITIZEN COMMENTS

Vice Chairperson Cheshier asked for citizen comments, and no citizen comments were made.

APPROVAL OF THE MINUTES

A motion to approve the May meeting minutes was made by Mr. Feiner and seconded by Mr. Britton. All were in favor.

WITHDRAWALS AND CONTINUANCES

There were no withdrawals or continuances at this meeting.

PUBLIC HEARING ITEMS

A. VAR20-06 MORENO RESIDENCE VARIANCE: A request by Brisa Moreno for a variance to allow a five (5) foot and ten (10) foot side yard setback where a twenty (20) foot perimeter setback is required in the R-3 (Multiple Residence) zoning district. The site is located at 6745 N. 53rd Avenue, in the Ocotillo District. Staff Contact: Christina Lavelle, Planner, 623-930-2553.

Staff Findings

The Board of Adjustment must analyze four findings based on the evidence in the record prior to granting a variance. Each finding is presented below along with staff's analysis.

1. There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;

The twenty (20) foot R-3 perimeter setback of the lot creates a special circumstance not self-imposed by the property owner. The minimum required width of a lot in the R-3 zoning district is sixty (60) feet. The property has a width of fifty (50) feet.

A variance to the required R-3 perimeter setbacks will alleviate the hardship of a lot that does not meet the minimum lot width.

2. Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;

The strict application of the Zoning Ordinance would limit the property to twenty (20) foot side setbacks and limit the size of the proposed single-family residential addition. R-3 perimeter setbacks of twenty (20) feet limit the dimension and size of the single-family residence to ten (10) by eighty (80) feet with a total square footage of eight hundred (800) square feet.

Lots of similar size and shape within the Rancho Chino Subdivision enjoy reduced side yard setbacks. The typical setbacks within this subdivision are five (5) and ten (10) foot side yard setbacks, fifteen (15) feet front yard setbacks, and twenty (20) feet rear setbacks. Also, the typical house dimension in the same subdivision on a lot of similar size is approximately feet by forty (40) by eighty (80) feet with the living space square footage ranging approximately from twelve hundred (1200) square feet to two thousand five hundred (2500) square feet.

A variance is the minimum necessary for the property to enjoy the same privileges as the surrounding properties within the same zoning district.

3. The variance is the minimum necessary to alleviate the property hardship; and

The requested side setbacks are the minimum necessary to construct a single-family residential addition of adequate size. The front setback, rear setback, maximum lot coverage, and minimum lot length are in conformance with current R-3, zoning requirements.

The variance is the minimum necessary to build a single-family home addition on a lot under the minimum lot dimensions.

4. Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the city in general.

The requested building setbacks are consistent with other properties in the same subdivision and surrounding area and will not detrimentally affect any neighboring properties.

Recommendation: The variance request appears to meet all four findings and should be approved. If the Board decides to grant the variance, it should be subject to the following stipulation:

1. Development shall be in substantial conformance with the applicant’s site plan, building elevations and floor plan dated September 15, 2020.

Proposed Motion: Move to approve VAR20-06 per the findings and subject to the stipulation contained in the staff report.

Vice Chairperson Cheshier opened the public hearing.

Maria Lopez stated she was opposed to this application.

With no one further wishing to speak, Vice Chairperson Cheshier closed the public hearing.

After the public hearing closed, the board voted per each finding with the help of Mr. Romney.

1. Mr. Holschlag, Mr. Britton, Mr. Naber, Mr. Feiner, Ms. Gee, and Vice Chairperson Cheshier all vote “aye.”
2. Mr. Holschlag, Mr. Britton, Mr. Naber, Mr. Feiner, Ms. Gee, and Vice Chairperson Cheshier all vote “aye.”
3. Mr. Holschlag, Mr. Britton, Mr. Naber, Mr. Feiner, Ms. Gee, and Vice Chairperson Cheshier all vote “aye.”
4. Mr. Holschlag, Mr. Britton, Mr. Naber, Mr. Feiner, Ms. Gee, and Vice Chairperson Cheshier all vote “aye.”

Mr. Naber made a motion to approve the variance subject to stipulation, and it was seconded by Mr. Britton. All voted “aye” in favor, and none opposed. Variance granted.

STAFF REPORT

Ms. Collins did not have a staff report.

BOARD COMMENTS AND SUGGESTIONS

Mr. Feiner made a motion to recommend Vice Chairperson Cheshier as 2021 Chairperson. Seconded by Mr. Naber. All voted “aye” in favor, and none opposed.

Vice Chair Cheshier made a motion to recommend Mr. Naber as Vice Chairperson. Seconded by Mr. Feiner. All voted “aye” in favor, and none opposed.

NEXT MEETING

The next meeting will take place on Thursday, December 10, 2020, at 4 PM.

ADJOURNMENT

Mr. Britton made a motion to adjourn the meeting, and it was seconded by Ms. Gee. All voted “aye” in favor, and none opposed.

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