

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

**THURSDAY, FEBRUARY 11, 2021
4:00 PM**

CALL TO ORDER

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

ROLL CALL

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

Committee members absent: None.

City staff present: David Richert (Planning Administrator), Samantha Cope (Administrative Support Staff), Alexis Vasquez (Administrative Support Staff), Alex Lerma (Planner), and Russ Romney (Deputy City Attorney).

CITIZEN COMMENTS

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

APPROVAL OF THE MINUTES

A motion to approve the November meeting minutes was made by Vice Chairperson Naber and seconded by Mr. Britton. All were in favor.

WITHDRAWALS AND CONTINUANCES

Mr. Richert announced that Habitat for Humanity Variance VAR20-08 will be continued to the March 11, 2021 meeting.

PUBLIC HEARING ITEMS

- A. Leach Variance VAR20-07:** A request by Adam Venetis of Trinity Residential Consulting, LLC to reduce the required side yard setbacks to 20 feet where 50 feet is required in the A-1 (Agricultural) zoning district. The purpose of the variance is to allow the construction of a new single-family custom home. The site is located east of the NEC of 64th Drive and Thunderbird Road with APN: 200-70-009J in the Sahuaro District. Staff Contact: Alex Lerma, Planning Project Manager, 623-930-2810.

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 shape of the lot creates a special condition. The lot is narrow and deep, therefore limiting the options for building. The A-1 development standards were established for lots with a 40 acre minimum lot size. The applicant purchased the lot to the west and combined both lots, however the lot is still narrow given its depth.

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 fifty (50) foot side setbacks and limit the size of the housing product addition. Properties to the west with the same zoning classification have residential buildings with a 20 to 30 foot side yard setback.

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

The requested side setbacks are the minimum necessary to construct the desired residential home on the lot and allow the same privileges received by the property owners to the west. The two-story residence building will comply with the required 75 feet front setback and 50 feet rear building setback.

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 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 conformance with the applicant's project narrative dated January 14, 2021 and site plan dated January 5, 2021.

Proposed Motion: Move to approve VAR20-07 per the findings and subject to the stipulations contained in the staff report.

Chairperson Cheshier opened the public hearing, and with no one wishing to speak she 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, Vice Chairperson Naber, Mr. Feiner, Ms. Gee, and Chairperson Cheshier all vote “aye”.
2. Mr. Holschlag, Mr. Britton, Vice Chairperson Naber, Mr. Feiner, Ms. Gee, and Chairperson Cheshier all vote “aye”.
3. Mr. Holschlag, Mr. Britton, Vice Chairperson Naber, Mr. Feiner, Ms. Gee, and Chairperson Cheshier all vote “aye”.
4. Mr. Holschlag, Vice Chairperson Naber, Mr. Feiner, Ms. Gee, and Chairperson Cheshier all vote “aye”, and Mr. Britton vote “no”.

Vice Chairperson Naber made a motion to approve the variance subject to stipulation, and it was seconded by Ms. Gee. All voted “aye” in favor, except for Mr. Britton who was opposed. Variance granted.

STAFF REPORT

Ms. Richert did not have a staff report.

BOARD COMMENTS AND SUGGESTIONS

Goal Setting and Topics of Discussion for the upcoming year:

Mr. Richert stated that the Board of Adjustment is a quasi-judicial body created to hear request for relief from the terms of the zoning ordinance and to hear and decide appeals from decisions of the Planning Administrator. They will continue to hold public hearings and make determinations on request for variances and appeals to City Planning Administrator’s decisions regarding zoning. As well as continue training focusing on duties, responsibilities, and open meeting law for decision making bodies.

NEXT MEETING

The next meeting will take place on Thursday, March 11, 2021, at 4 PM.

ADJOURNMENT

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