

DRAFT



MINUTES

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

**MARCH 9, 2023
4:00 P.M.**

Present: Cathy Cheshier, Chair
Benjamin Naber, Vice Chair
Lawrence Feiner, Commissioner
Tammy Gee, Commissioner

Absent: Brian Britton, Commissioner
Timothy Carson, Commissioner

Also Present: Tabitha Perry, Planning Manager
Russ Romney, Deputy City Attorney
Joseline Castaneda, Planner
Kevin Kazmerski, Recording Secretary

1. CALL TO ORDER

2. APPROVAL OF THE MINUTES

- a. Board of Adjustment Minutes of December 08, 2022.

Ms. Cheshier called for a motion to approve the December 08, 2022 minutes.

Mr. Naber motioned to approve the minutes.

Ms. Gee seconded.

Ms. Cheshier called for a vote, all voted "Aye" December 08, 2022, minutes approved.

3. WITHDRAWALS AND CONTINUANCES

Ms. Cheshier informed the applicants that there were 4 Board Members present for this meeting. Any decision on these cases would require a vote of 3 of the four members present. Would either of the applicants wish to continue their cases to the next meeting? Applicant for case VAR22-10 asked for the case to be heard. Applicant for case VAR22-13 was not present.

4. PUBLIC HEARING ITEMS

- a. VAR22-10 - A request by Luis Cuellar, Blueprints & Design, representing Barbaro Gonzalez for a variance to reduce the north side setback to 5 feet and south side setback to 10 feet from a minimum 20-foot perimeter setback required in the R-3 (Multiple Residence) zoning district for the development of a single-family residence. The site is located at 6638 North 53rd Avenue, south of southwest corner of 53rd Avenue and Ocotillo Road and is in the Ocotillo District.

Ms. Cheshier asked the board if there were any questions.

Ms Gee asked what the current set back of the property to the south of the applicant's? Ms Castaneda replied that she was not sure, but that the distance on the south property line for the applicant is 10, which will give more of a distance between the two structures.

Ms. Cheshier noticed a strip on the map is part of the applicant's property.
Ms. Castaneda stated it was not.

Ms. Cheshier asked the applicant if they would like to present. The applicant declined.

Ms. Cheshier opened the public hearing.
Ms Cheshier asked for speakers on this case, there were none.
Ms. Cheshier asked for questions from the board, there were none.
Ms. Cheshier closed the public hearing.

With the help of Mr. Romney, the board voted on the findings.
Finding one, all vote "AYE".
Finding two, all vote "AYE".
Finding three, all vote "AYE".

Mr. Romney asked if the board would like to entertain a motion to approve or deny VAR 22-10?
Ms. Cheshier asked for a motion to approve VAR22-10.
Ms. Gee Motioned to approve.
Mr. Feiner seconded the motion.

Ms. Cheshier called for a vote to approve VAR22-10, All vote "AYE" Motion approved.

- b. VAR22-13 - A request by Jaydee Woods, 312 Architect and Design, representing Lilian Molina for a variance to reduce the south side setback to 5 feet, north side setback to 10 feet, and rear setback to 16 feet from a minimum 20-foot perimeter setback required in the R-3 (Multiple Residence) zoning district for an addition to the existing residential building. The site is located at 7316 North 70th Drive, north of northeast corner of 71st Avenue and Myrtle Avenue and is in the Ocotillo District.

Ms. Cheshier asked the board if they had any questions.

Mr. Naber asked about the setback on the south side.

Ms. Castaneda replied that it will be 5 feet.

Ms. Gee asked if any houses in the area have additions like this. Namely, the lot ratio?

Ms. Castaneda said no, but all have the same footprint and all were built on the property line. Per the zoning they all could go up to 50% of lot coverage.

Ms. Gee asked when the house was built.

Ms. Castaneda replied 1986.

Ms. Cheshier asked if the zoning was different in 1986, and that would be why the setbacks are on the property line?

Ms. Castaneda stated yes. The current zoning was adopted in 1993.

Ms. Cheshier asked if the board had any more questions. There were none.

Ms. Cheshier asked if the applicant would like to make a presentation.

Ms. Castaneda replied that the applicant was not present.

Ms. Cheshier Opened the public hearing.

No comments were made.

Ms. Cheshier closed the public hearing.

Ms. Cheshier asked if there were any further questions from the board.

Mr. Feiner stated he had seen subdivisions like this in Glendale with this setback, called zero lot lines. If the house were destroyed would the owner have to follow the current zoning setbacks?

Ms. Perry replied, If the home was destroyed by natural disaster, it could be rebuilt with the original setbacks, but if it were to be demolished by the owner, then current zoning would apply.

Ms. Gee asked if anyone was concerned about the lot coverage, and changing the character of the neighborhood by allowing this.

Mr. Romney addressed the board. He asked them to look at each case individually.

With the help of Mr. Romney, the board voted on the findings.

Finding 1 all vote "AYE".

Finding 2 all vote "AYE".

Finding 3 Mr. Feiner, Mr. Naber and Ms. Gee vote "AYE". Ms. Cheshier votes "NAY".

Mr. Romney asked the Board if they wished to entertain a motion to grant or deny VAR22-13?

Mr. Naber Motioned to approve VAR22-13.

Mr. Feiner Seconded.

Ms. Cheshier called for a vote.

Ms. Gee, Mr. Feiner, Mr. Naber all vote "AYE". Ms. Cheshier votes "Nay".
Variance 22-13 Approved.

5. CITIZEN COMMENTS

If citizens wish to speak on a matter concerning the Glendale Board of Adjustment that is not on the printed agenda, please complete a Citizen Comments Card and provide it to the designated staff person prior to the beginning of the meeting. Once your name is called by the Chairperson, please proceed to the podium and state your name and address for the record. Please limit your comments to a period of three minutes or less.

There were no Citizen comments.

6. STAFF REPORTS

Ms. Perry introduced Associate Planner Connor Brown.

Ms. Perry asked the board if they would like specific topics for mandatory training for the board. Please send them to the recording secretary.

7. BOARD COMMENTS AND SUGGESTIONS

Ms. Cheshier commented on the amount of paper used to print the packets for the board.

Mr. Kazmerski apologized to the board. He did not realize that the printer was not set to double-sided when he printed them. He opted to send them out as is rather than reprinting them double-sided.

Ms Cheshier asked about the UDC process, if it was moving forward.
Ms Perry stated it was, and meetings were coming for council workshops.

8. NEXT MEETING

The next regular meeting of the Board of Adjustment is scheduled for April 13, 2023 at 4:00 p.m., in conference room B3 of the Council Chambers Building, located at 5850 W. Glendale Ave, Glendale, Arizona, 85301.

9. ADJOURNMENT

Ms Cheshier asked for a motion to adjourn.

Ms Gee motioned to adjourn.

Mr Naber seconded.

Ms Cheshier called for a vote to adjourn. All voted "AYE".

Meeting adjourned at approximately 4:45.

The Board of Adjustment meeting minutes of _____, 2022 were submitted and approved this ___ day of _____, 2022.

Kevin John Kazmerski
Recording Secretary

