

DRAFT



MINUTES

**BOARD OF ADJUSTMENT
GLENDALE CIVIC CENTER
BOARD ROOM
5750 N. GLENN DR.
GLENDALE, ARIZONA 85301**

**SEPTEMBER 14, 2023
4:00 P.M.**

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

Absent: Victoria Okula, Commissioner

Also Present: Tabitha Perry, Deputy Director - Development Services
Russ Romney, Deputy City Attorney
Christina LaVelle, Senior Planner
K. John Kazmerski, Recording Secretary

1. CALL TO ORDER

Ms. Cheshier called the meeting to order at 4:00 PM.

2. APPROVAL OF THE MINUTES

- b. Board of Adjustment minutes of August 10, 2023.
Ms. Cheshier asked for a motion to approve the August 10, 2023 Minutes.
Mr. Feiner motioned to approve.
Mr. Carson seconded.
Ms. Cheshier called for a vote, all voted "Aye". August 10, 2023, minutes approved.

3. WITHDRAWALS AND CONTINUANCES

There were no withdrawals or continuances.

4. PUBLIC HEARING ITEMS

- a. **VAR22-11 - TORRES RESIDENCE** - A request by Miguel Torres, representing Ouros Investments Inc., for a variance to reduce the required twenty (20) foot perimeter setback for the side yards to ten (10) feet on the north and five (5) feet on the south in the R-3 (Multiple Residence) zoning district. The site is located at 6711 north 60th Avenue, north of the northeast corner of 60th Avenue and Ocotillo Road and is in the Ocotillo District.

Ms Chesier asked the Board if they had any questions.

Mr. Naber asked how long the lot had been vacant.

Ms. LaVelle replied staff did not know.

Ms Chesier asked what the set back to the south side of the property to the north was. Ms. LaVelle replied that the property in question has a 5-foot set back to give a total of 15 feet between dwellings.

Ms. Chesier asked about the property to the south, it has backyards butting against a 5-foot setback side yard. Is this normal?

Ms. LaVelle replied that it's not abnormal. Rear yards are only allowed accessory structures. If any of the homeowners wanted to build one in their backyards they would still have to keep the 15-foot setback.

Ms. Chesier asked if staff looked at reversing the setbacks, putting 10-feet on the south side and 5-feet on the north?

Ms. LaVelle replied no because of the proximity of the house to the north.

Ms. Chesier asked if the applicant would like to present.

Ms. LaVelle stated the applicant was not in attendance.

Ms. Chesier opened the public hearing and asked if there were any questions. There were none.

Ms. Chesier closed the public hearing.

Ms. Chesier asked the board for any further discussion

Mr. Feiner stated that the board has seen many requests similar to this.

Ms. Chesier asked Mr. Romney to poll the board of the findings.

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 VAR22-11?

Mr. Feiner motioned to approve VAR22-11 in accordance with the stipulations.

Mr. Carson seconded the motion.

Ms. Chesier asked if there was any further discussion needed. There was none.

Ms. Chesier polled the Board for a vote. All vote "Aye", VAR22-11 approved.

- b. **VAR23-05 CARRASCO RESIDENCE** - A variance request by Chris Savage, representing Abigail Carrasco, to reduce the required building setback from the western property line in the A-1 (Agricultural) zoning district for property located at 5339 West Wescott Drive, Glendale, AZ and is in the Cholla District.

Ms. Chesier asked the Board if they have any questions.

Mr. Naber asked if the existing structures would be removed.
Ms. LaVelle replied, yes they would be removed.

Ms. Gee inquired about the septic system. During the presentation it was stated that the proposed dwelling is situated on the lot because of the septic system. Then it states a new septic system is being installed.

Ms. LaVelle replied that the applicant will speak to that point, but it was her understanding that they wanted to utilize the existing area for a new septic system.

Ms. Cheshier asked if an applicant came in for a permit and sewer was available would they not be required to use it?

Ms. LaVelle stated yes, but this property does not have access to a City sewer line.

Ms. Cheshier asked if the applicant would like to present.

Mr. Savage stated that existing structures will be demolished and the land will be cleared. The septic system is too small for the new structure. It will be replaced with one of appropriate size. Tying into the sewer system would be optimal, but it does not run down Wescott.

Ms. Cheshier asked if there were any questions for the applicant.

Mr. Feiner asked how far they were to a sewer connection.

Mr. Savage stated the nearest connection would be on 51st Ave.

Mr. Feiner asked if the applicant had just acquired the property?

Mr. Savage stated they purchased the property in January 2023.

Ms. Cheshier opened the public hearing and asked for questions. There were none.

Ms. Cheshier closed the public hearing.

Ms. Cheshier asked Mr. Romney to poll the Board on the findings.

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 the Board if they would like to entertain a motion to approve or deny VAR23-05?

Mr. Naber motioned to approve VAR23-05 with existing stipulations outlined in the staff report.

Ms. Gee seconded the motion.

Ms. Cheshier polled the Board, all vote AYE, VAR23-05 approved.

5. CITIZEN COMMENTS

There were no Citizen comments.

6. STAFF REPORTS

Ms. Cheshier asked if there were any staff reports.

Ms. Perry stated there were none.

7. BOARD COMMENTS AND SUGGESTIONS

There were no Board comments or suggestions.

8. NEXT MEETING

The next regular meeting of the Board of Adjustment is scheduled for October 12, 2023, at 4:00 p.m., in conference room 1A of the Bead Museum, located at 5754 W Glenn Dr., Glendale, Arizona, 85301.

9. ADJOURNMENT

Ms. Cheshier requested a motion to adjourn

Mr. Naber motioned to adjourn.

Mr. Feiner seconded.

Ms. Cheshier called for a vote, all voted "Aye" meeting adjourned at 4:56pm.

The Board of Adjustment meeting minutes of August 11, 2023, were submitted and approved this 14th day of September 2023.

K. John Kazmerski
Recording Secretary