

DRAFT



MINUTES

**BOARD OF ADJUSTMENT
Glendale Civic Center
Board Room
5750 W Glenn Dr
GLENDALE, ARIZONA 85301**

**MARCH 14, 2024
4:00 P.M.**

1. CALL TO ORDER

Ms. Cheshier called the meeting to order at 4:01 PM.

2. ROLL CALL

Present: Cathy Cheshier, Chair
Timothy Carson, Commissioner
Donna Duggins, Commissioner
Lawrence Feiner, Commissioner
Tammy Gee, Commissioner

Absent: Benjamin Naber, Vice Chair

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

3. APPROVAL OF THE MINUTES

a. Board of Adjustment Workshop & Meeting Minutes of December 14, 2023.

Ms. Cheshier called for a motion to approve the workshop and meeting minutes of December 14, 2023.

Mr. Feiner motioned to approve.

Ms. Gee seconded.

Ms. Cheshier called for a vote. All voted "aye". December 14, 2023, minutes approved.

4. WITHDRAWALS AND CONTINUANCES

There were no withdrawals or continuances.

5. PUBLIC HEARING ITEMS

- a. VAR24-01 - A variance request by Michael Self to reduce the required development standard for accessory structure setbacks in the SR-12 (Suburban Residential) zoning district for property located at 5826 W Monte Cristo Avenue in the Sahuaro District. Presented by Christina LaVelle, Senior Planner.

Ms. Cheshier opened the case for discussion.

Mr. Carson asked for current photographs of the property.

Ms. LaVelle stated not at this time.

Ms. Duggins asked if this structure was a cover or a garage?

Ms. LaVelle replied that the structure was more like a carport.

Ms. Gee asked if the mare motel and sheds were built by the current owner or if they were pre-existing when the current owner purchased the property?

Ms. LaVelle referred the question to the owner.

Ms. Gee asked what the setbacks were for neighboring properties? Are any of them within 2 feet of the wall?

Ms. LaVelle stated that it varies. Some are legally non-conforming as they were built in the 1990's.

Ms. Gee asked what the lot coverage standard was for this neighborhood?

Ms. LaVelle stated she did check the lot coverage and the applicant was under the allotment, but she did not remember the exact percentage for this zoning district.

Ms. Gee asked if the shed and mare motel were factored into the lot coverage check?

Ms. LaVelle replied yes, they were.

Ms. Cheshier stated the citizen participation letter referenced a different zoning district than the staff report.

Ms. Perry stated this is an error, but the context referring to the setback requirements meets the intent of the variance request.

Ms. Cheshier asked if this would be a concern later?

Ms. Perry referred to Russ Romney.

Mr. Romney stated that the board is making its determination on the proposed setback, not the actual zoning setbacks.

Ms. Cheshier asked about the lot coverage. From the ariel it appears the eastern wall encroaches the setback. This is not being considered because it is legally non-conforming?

Ms. LaVelle stated that the project was reviewed for setbacks and lot coverage. The property with all structures does meet the lot coverage requirement. Yes, the mare motel and shed on the east side are not being considered in this variance request because they are legally non-conforming.

Ms. Cheshier asked the applicant to present.

Mr. Self stated that Ms. LaVelle presented the case appropriately and asked the board to accept her presentation.

Ms. Cheshier asked if the board had any questions for the applicant.

Mr. Feiner asked about the letter from the neighbor, where is the gate located?

Mr. Self stated that he worked with the neighbors to build the block wall with the gate.

Ms. Cheshier asked if the structure is already built.

Mr. Self-stated, yes it is.

Ms. Cheshier asked how long ago it was built?

Mr. Self replied on approximately the first of October 2023.

Ms. Cheshier asked if it was built without a permit, then did someone turn it in?

Mr. Self replied yes, within days of the structure being built they were given a code violation for it.

Ms. Cheshier asked if the applicant was aware that he needed a permit to build this structure?

Mr. Self stated no, he was not.

Ms. Gee asked if there was any negative feedback from the case.

Ms. LaVelle stated no, neither staff nor the applicant received any negative feedback.

Ms Cheshier opened the public hearing.

There were no speakers.

Ms. Cheshier closed the public hearing.

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

Finding one, Mr. Carson, Mr. Feiner, Ms. Duggins and Ms. Gee vote "Aye", Ms. Cheshier votes "No".

Finding two, all vote "Aye".

Finding three, all vote "Aye".

Mr. Romney asked if the board would like to grant or deny VAR24-02 based on the findings?

Ms. Cheshier called for a motion.

Ms. Gee motioned to approve.

Mr. Feiner seconded.

Ms. Cheshier called for a vote. All vote "Aye". Motion passed VAR24-02 approved.

6. CITIZEN COMMENTS

There were none.

7. OTHER BUSINESS

a. Discussion and vote for 2024 Board of Adjustment Goals.

Ms. Perry presented a draft memo to the board with goal ideas.

Ms. Cheshier asked for comments.

Ms. Gee stated that it would be helpful for a condensed version of the City's general plan.

Mr. Feiner stated the board's role was basically to apply the findings/criteria.

Ms. Cheshier appreciated the draft and was especially interested in followup on cases, specifically the Fry's fuel variance.

Ms. Perry asked the board to email John Kazmerski with projects that the board would like to be updated on.

Ms. Cheshier asked how these would be implemented; intermittently or all at once.

Ms. Perry stated they would be intermittent.

Ms. Cheshier called for a vote to approve the draft goals.

Mr. Feiner motioned to approve.

Ms. Duggins seconded.

Ms. Cheshier called for a vote. All vote "Aye". Motion passed 2024 goals approved.

8. STAFF REPORTS

There were none.

9. BOARD COMMENTS AND SUGGESTIONS

There were none.

10. NEXT MEETING

The next regular meeting of the Board of Adjustment is scheduled for April 11, 2024, at 4:00 p.m., in the boardroom of the Glendale Civic Center, located at 5750 W. Glenn Drive, Glendale, Arizona, 85301.

11. ADJOURNMENT

Ms. Cheshier called for a motion to adjourn.

Mr. Fiener motioned to adjourn.

Mr. Carson seconded.

Ms. Cheshier called for a vote. All vote "Aye". Meeting adjourned at approximately 4:57pm.

The Board of Adjustment meeting minutes of March 14, 2024 were submitted and approved this ___ day of _____, 2024.

Kevin John Kazmerski
Recording Secretary