



Arizona Sunshine Assisted Living VAR24-14

Board of Adjustment Hearing – December 12, 2024

Sydney Tirella
Planner





Request

Disability Accommodation Variance request to permit the operation of an assisted living Group Home within 1,200 feet of another existing Group Home in the R1-6 (Single Residence) zoning district.

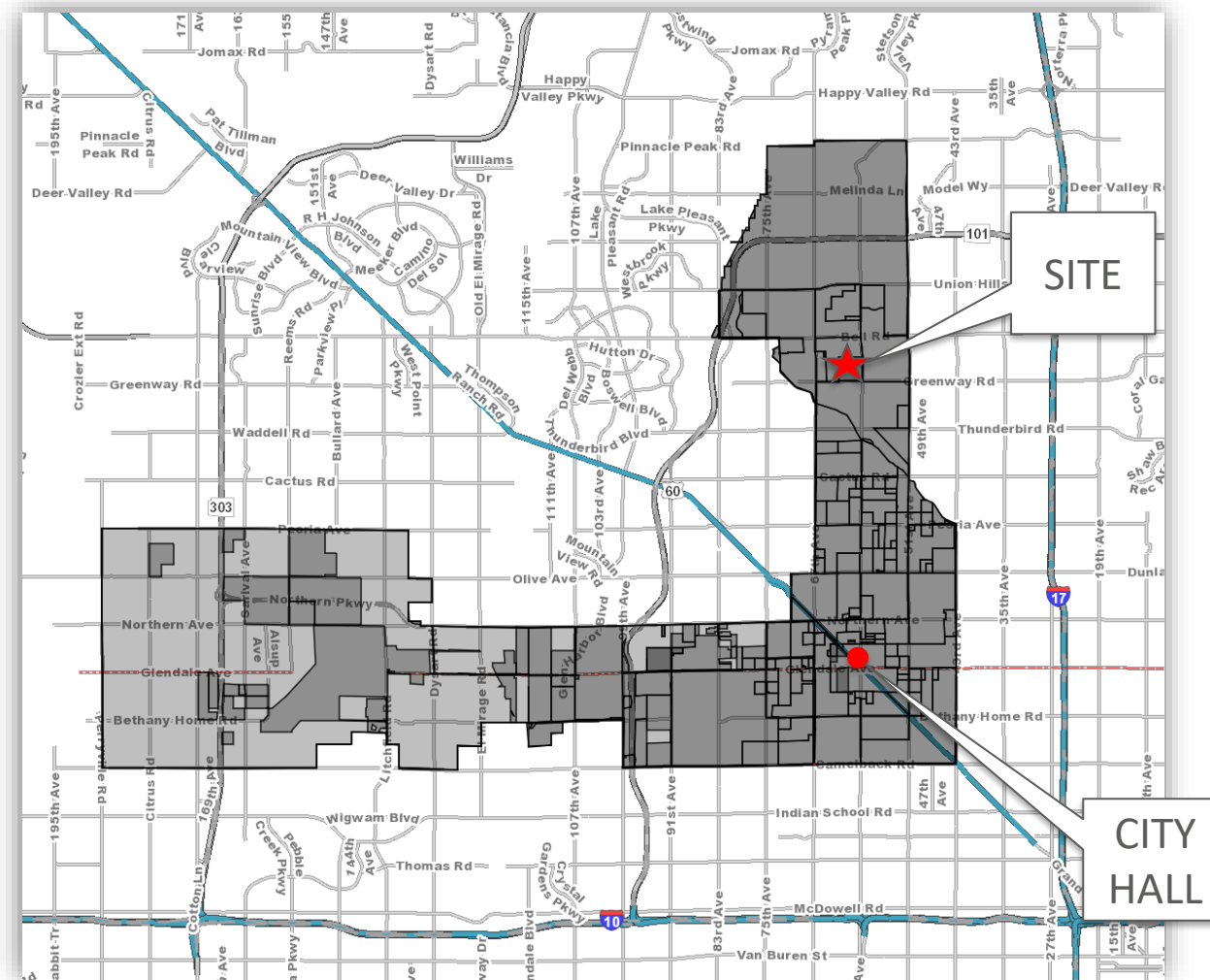
Applicant / Owner:

Jennifer Kelley, Arizona Sunshine AI / Prickly Pear Home Buying LLC



Vicinity Map

Southwest
corner of
59th Avenue
and Bell
Road





Zoning Map



Aerial Map





Project Details

- Proposed to be a 6-10 resident assisted living home
- Zoned R1-6 and within a single-family subdivision
- Previously licensed with the State
- Unified Development Code required separation



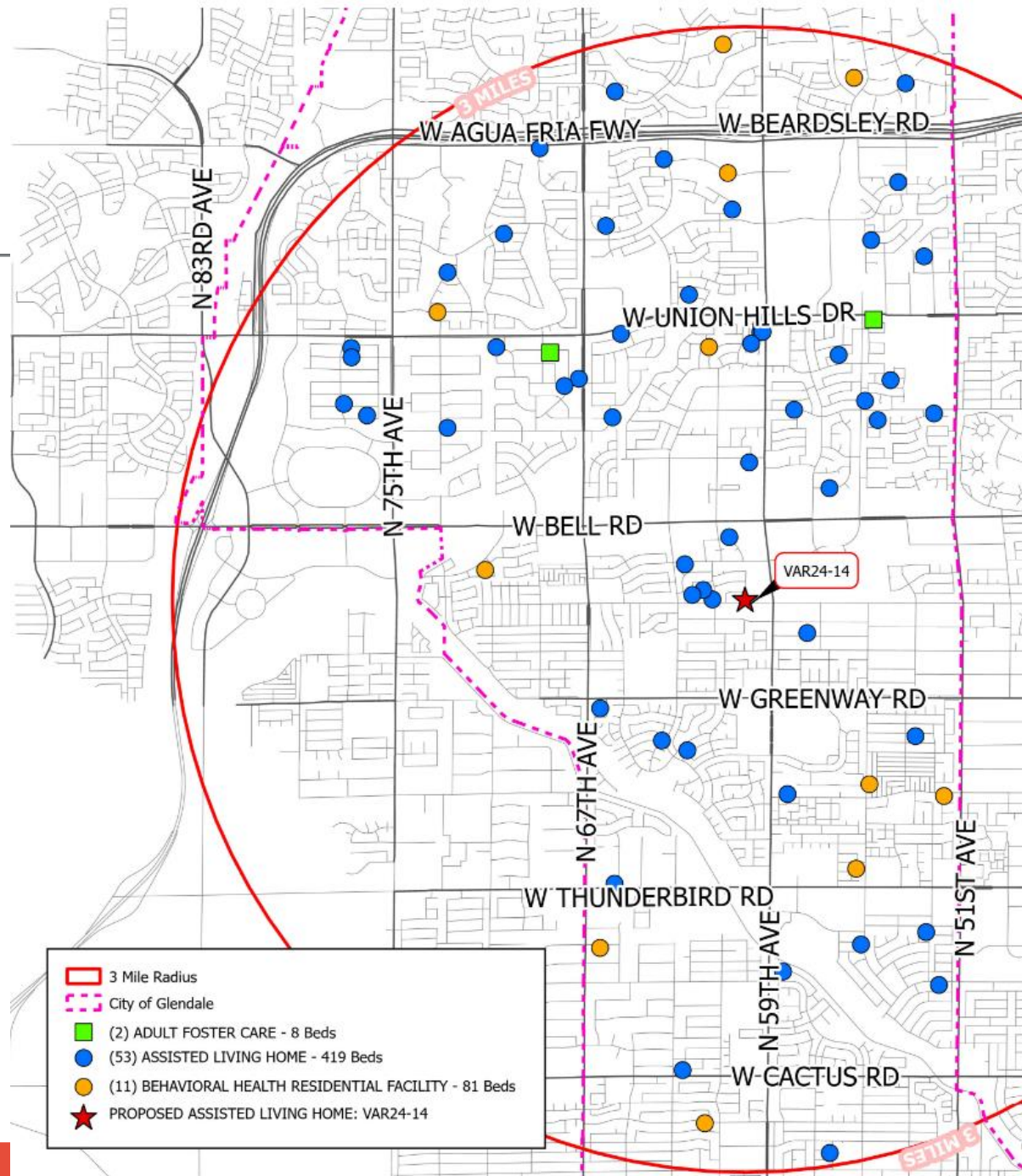
Public Involvement

- Notification Letters: September 9, 2024
- Neighborhood Meeting: September 24, 2024
- Mailing: November 18, 2024
- Published: November 20, 2024
- Site Posting: November 22, 2024

2 calls in opposition, 3 attendees in opposition, and 2 responses in support.



Group Homes in Vicinity





Findings & Analysis

- The requested accommodation is requested by or on the behalf of one (1) or more individuals with a disability protected under Federal and Arizona Fair Housing Laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.);
- The requested accommodation is necessary to afford an individual with a disability equal opportunity to use and enjoy a dwelling;



Findings & Analysis

- The standard or requirement unduly restricts the opportunity for a person with a disability from finding adequate housing within the City of Glendale;
- The requested accommodation does not fundamentally alter the nature and purpose of the UDC of the City of Glendale;



Findings & Analysis

- The requested accommodation will not impose an undue financial or administrative burden on the city, as "undue financial or administrative burden" is defined in Federal or Arizona fair housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.) and interpretive case law;



Recommendation

If the Board moves to make a motion to grant the Disability Accommodation, it should be subject to the following stipulations:

1. Approval of this Disability Accommodation shall not alter the separation requirement for other Group Home applications as outlined in Unified Development Code Section 35.3.102.F.



Recommendation Continued

2. Off-street parking requirements for the R1-6 (Single Residence) zoning district shall be met.

3. The Group Home Reservation shall be obtained under the Group Home name “Arizona Sunshine Assisted Living” for an assisted living home for six (6) to ten (10) residents. Approval of this Disability Accommodation is limited to the owner operator of Arizona Sunshine Assisted Living and shall not convey with a change of property ownership.



Recommendation Continued

4. Change in Group Home property ownership or Group Home type will render the Disability Accommodation approval void and require application with the City for a Group Home including Research to determine separation of State-licensed Group Homes and Group Homes in process with the City.



Recommendation Continued

5. All City regulations shall be met and adhered to including but not limited to: (1) maintaining a State license, (2) maintaining a City of Glendale business license, and (3) maintaining a valid Certificate of Occupancy. Non-compliance will render the Disability Accommodation approval void.



Arizona Sunshine Assisted Living VAR24-14

Board of Adjustment Hearing – December 12, 2024

Sydney Tirella
Planner

