



Magnolia Place VAR24-12

Board of Adjustment Hearing – March 13, 2025

Sydney Tirella
Senior 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 R1-7 PRD (Single Residence Planned Residential Development) zoning district.

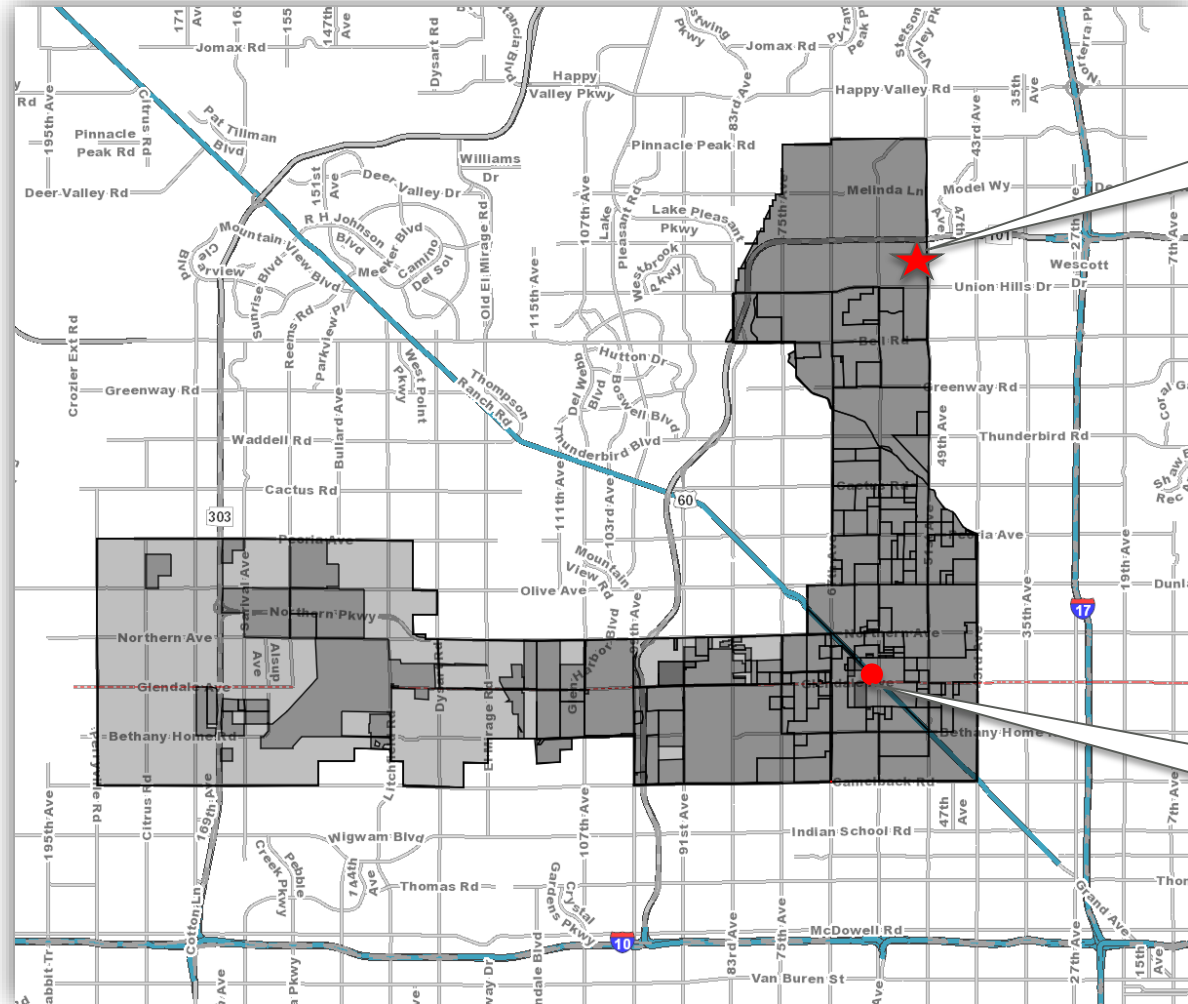
Applicant / Owner:

Ligia Ilea, INtouch Care Management / Gabriela and Radostin Kaneva



Vicinity Map

Northwest corner of 51st Avenue and Union Hills Road

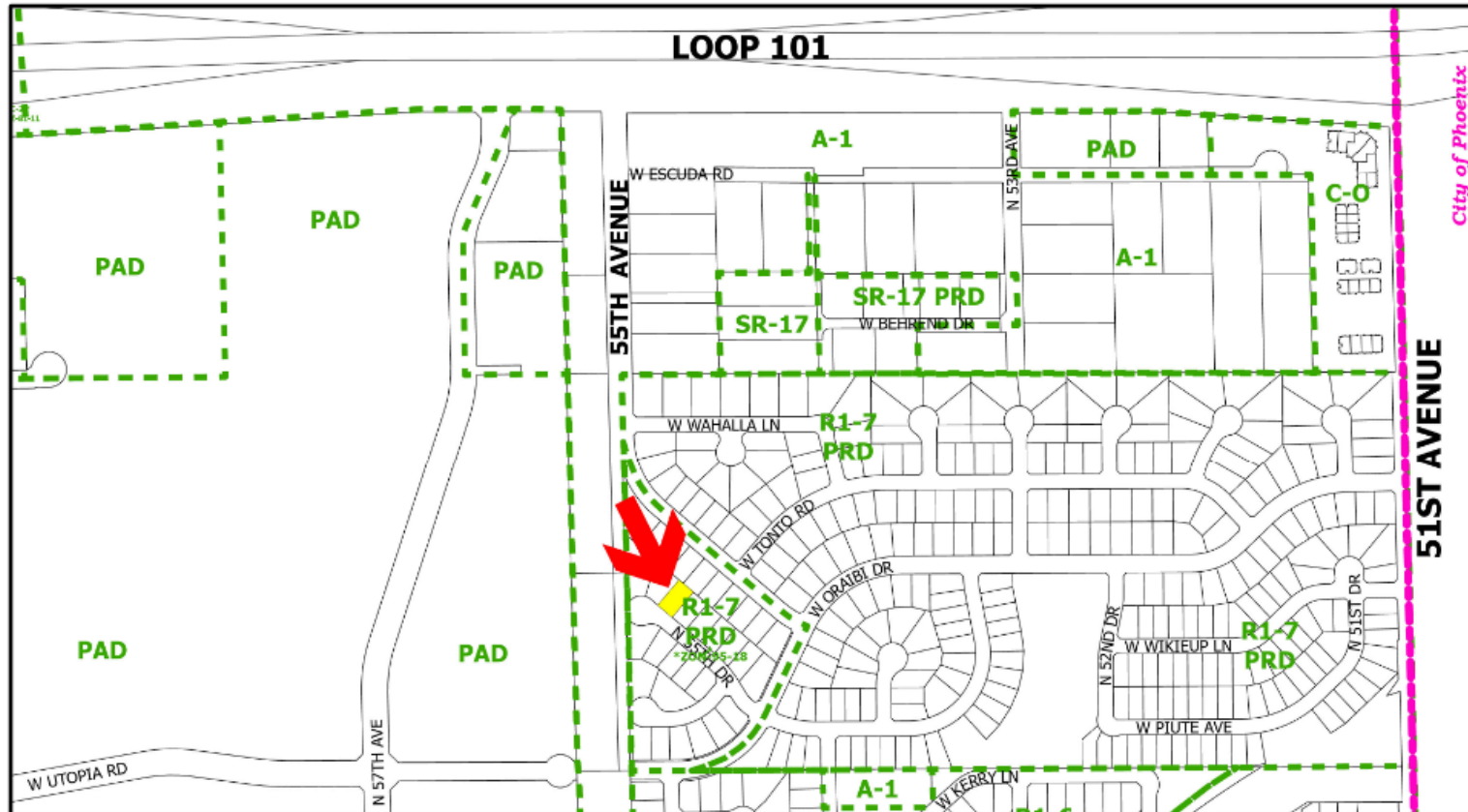


SITE

CITY HALL



Zoning Map



REQUEST

**VARIANCE TO ALLOW A RESIDENTIAL CARE HOME
(5 OR LESS RESIDENTS) CLOSER THAN 1,200
FEET TO AN EXISTING LICENSED GROUP HOME.**

Aerial Map



Aerial Date: October 2023



**MAGNOLIA PLACE
VARIANCE
(VAR24-12)**



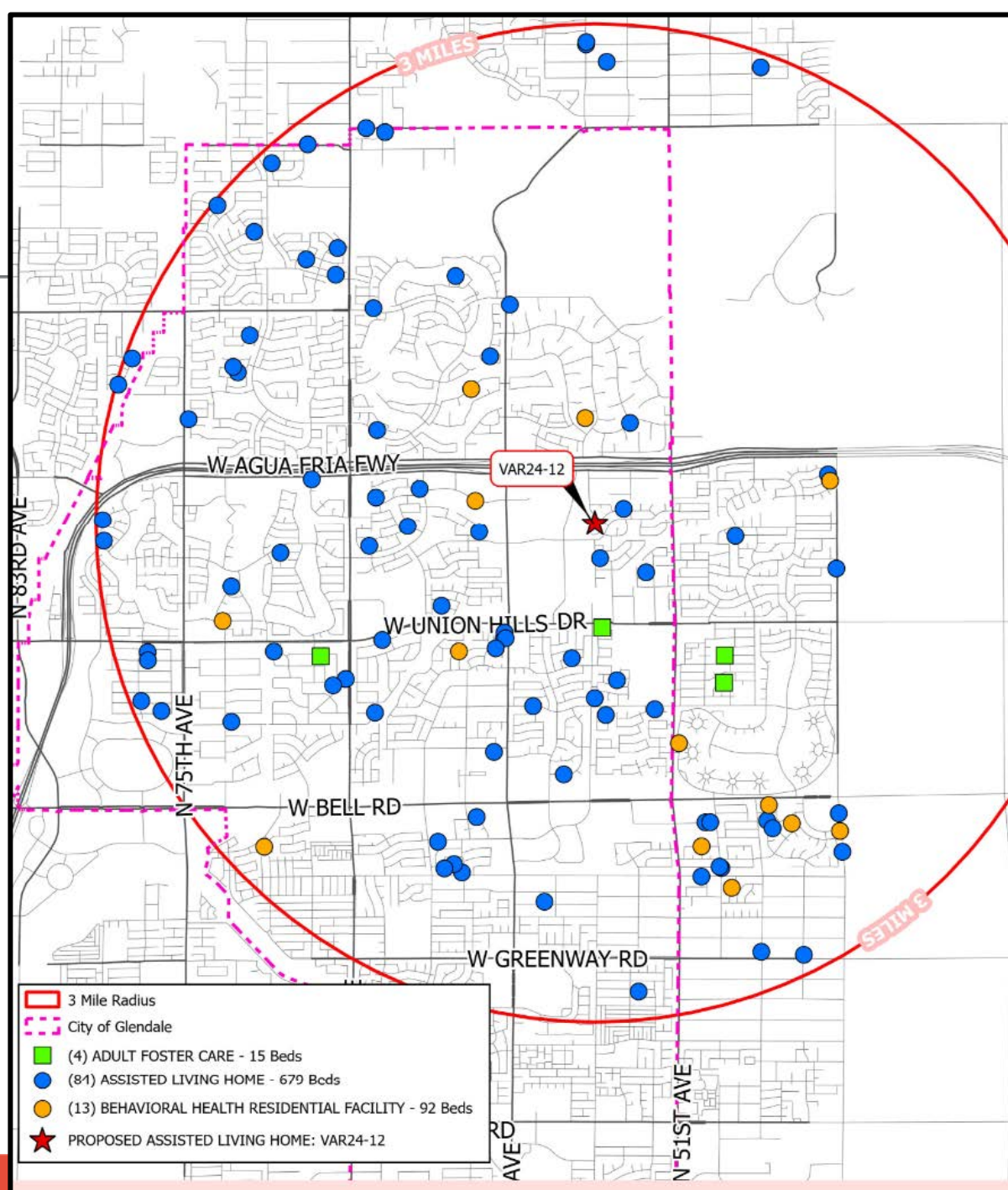


Project Details

- Proposed to be a 1-5 resident assisted living home
- Zoned R1-7 PRD and within a single-family subdivision
- Previously licensed with the State
- Unified Development Code required separation



Group Homes in Vicinity





Public Involvement

- Notification Letters: December 16, 2024
- Neighborhood Meeting: January 6, 2025
- Postcards: February 14, 2025
- Site Posting: February 21, 2025
- Notice of Public Hearing: February 19, 2025

1 response, 2 attendees



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 R1-7 PRD (Single Residence Planned Residential Development) zoning district shall be met.

3. The Group Home Reservation shall be obtained under the Group Home name “Magnolia Place Assisted Living” for an assisted living home for one (1) to five (5) residents. Approval of this Disability Accommodation is limited to the owner operator of Magnolia Place 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.



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