



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Draft

Board of Adjustment

Wednesday, September 7, 2016

5:30 PM

Council Chambers

1. CALL TO ORDER

Chairman Chambliss called meeting to order at 5:30 pm.

STAFF MEMBERS PRESENT

Kevin Burke, Town Manager
Town Attorney Andrew M. Miller
Community Development Director Eva Cutro
Senior Planner Paul Michaud
Planner George Burton

2. ROLL CALL

Present 6 - Chairperson Rick Chambliss
Boardmember Catherine Kauffman
Boardmember Emily Kile
Boardmember Eric Leibsohn
Boardmember Jon Newman
Boardmember Hope Ozer
Absent 1 - Boardmember Robert Nagle

3. EXECUTIVE SESSION

None

4. STUDY SESSION ITEMS

A. [16-259](#) Presentation on Expenditure Limitation Adjustment

Kevin Burke gave a presentation on expenditure limitation which will be on the November ballot. He explained what it is and the history behind it. He explained there was increases in 2000 and 2006, hoping the Town will not have to do another one for another 10 years. He explained the police pension and sewer fund were driving the current increase.

Mr. Burke gave a disclaimer that he is not advocating for or against the Expenditure Limitation Adjustment.

No Reportable Action

5. PUBLIC HEARINGS

A. [16-260](#)

Patel Variance - 7195 E. Caballo Circle (APN: 174-36-174A)
Case No. BA-16-4

George Burton gave a presentation regarding this variance request. Staff did not support the variance based on size and topography of lot.

Chairman Chambliss asked for verification of the existing casita/guest house on the property.

Hope Ozer requested total square footage of main residence which is 4,500 sq ft.

Emily Kile asked if other options were discussed with the homeowner, applicant replied yes.

Catherine Kauffman requested clarification around the property easement and setback of the wall along the property line.

Chairman Chambliss concluded the study session at 6:04 p.m. and opened the public portion of the meeting.

Mr. Patel explained he has been a resident for 3 years and why he wanted to add on to his house rather than use the existing casita/guest house on the property. No questions were asked of Mr. Patel.

Joseph Harrington, Mr. Patel's architect, explained all the different options they explored and why they decided to request the variance.

Hope Ozer asked about the setback and if it prevented them from building south on the property versus east. Mr. Harrington explained that due to the water tanks located south on the property is a hardship compared to their neighbors.

Jon Newman expressed his concern with the media and study rooms adding unnecessary square footage.

Catherine Kauffman asked about the possibility of building up. Mr. Patel explained they felt building up would not look consistent with the existing residence or the neighbors.

Mr. Harrington explained they also looked at a basement option but because of the existing setbacks it would be too small. He also explained he has a letter of consent from the neighbor to the north.

Ms Ozer stated it would have no effect on the neighbors to the west and Scottsdale Road to the east.

Mr. Chambliss explained that if they limited the addition to 1,000 square feet it would work within the current setback and could be built to the south as well. Mr. Harrington pointed out that the water tank setback was only 12 feet from the house.

Eric Leibsohn explained he would be abstaining from the discussion and vote due to a conflict of interest.

Mr. Chambliss requested the staff basis for not recommending this variance. George Burton explained the options the applicant has to reduce the size of the addition and/or build to the south or north of existing structure.

Ms. Ozer stated there are other options for the redesign that would not require the variance. Mr. Harrington replied they felt the other options would take away from the views and original design of the lot as well as cause egress issues. He also stated the water tanks make it very difficult to build on the property.

Ms. Kaufman requested the setback of the current casita/guest house. Eva Cutro explained the setback at the time it was built was 10 feet.

Jon Newman asked what would happen with current casita/guest house and Mr. Patel explained he was turning it into a home office. Mr. Newman expressed concern that the study could be removed from the remodeling plan to reduce the square footage and that he feels a study and den are not hardships.

Chairman Chambliss referred to the letter from the neighbor to the north in favor of the applicant.

Chairman Chambliss closed discussion at 6:33 p.m. and open it to public hearing. No comments were made.

Chairman Chambliss stated the 40 feet setback from Scottsdale Road does cause property hardship to the applicant and voted in favor of the variance.

A motion was made by Boardmember Kile, seconded by Boardmember Kauffman, to approve the varaince request located at 7195 E Caballo Circle from the Zoning Ordinance, Article X, Height and Area Regulations, to allow an addition to encroach into the street side yard setback along Scottsdale Road. Board Member Leibsohn stated a conflict of interest on this request.

The motion carried by the following vote:

- Aye:** 4 - Chairperson Chambliss, Boardmember Kauffman, Boardmember Kile and Boardmember Newman
- Nay:** 1 - Boardmember Ozer
- Absent:** 1 - Boardmember Nagle
- Abstain:** 1 - Boardmember Leibsohn

6. ACTION ITEMS

7. CONSENT AGENDA

- A. [16-261](#) May 4, 2016 Board of Adjustment Draft Meeting Minutes

A motion was made by Boardmember Kile, seconded by Boardmember Ozer, to approve the May 4, 2016 Minutes. The motion carried by the following vote:

- Aye:** 6 - Chairperson Chambliss, Boardmember Kauffman, Boardmember Kile, Boardmember Leibsohn, Boardmember Newman and Boardmember Ozer
- Absent:** 1 - Boardmember Nagle

8. STAFF REPORTS

Eva Cutro noted the Town Council has directed to make an ordinance change regarding the starting month on appointments, with a change from October to April.

9. PUBLIC BODY REPORTS

10. FUTURE AGENDA ITEMS

Mr. Burton reviewed upcoming items.

11. ADJOURNMENT

A motion was made by Boardmember Kile at 6:40 p.m., seconded by Boardmember Ozer, to adjourn the meeting. The motion carried by the following vote:

Aye: 6 - Chairperson Chambliss, Boardmember Kauffman, Boardmember Kile, Boardmember Leibsohn, Boardmember Newman and Boardmember Ozer

Absent: 1 - Boardmember Nagle

Paradise Valley Planning Commission

By: _____
Eva Cutro, Secretary