



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Draft

Board of Adjustment

Wednesday, June 5, 2019

5:30 PM

Council Chambers

1. CALL TO ORDER

Chairman Eric Leibsohn called the meeting to order.

2. ROLL CALL

In Attendance:

Chairman Eric Leibsohn
Member Richard Chambliss
Member Hope Ozer
Member Quinn Williams

Absent:

Member Emily Kile
Member Jon Newman
Member Rohan Sahani

Staff in Attendance:

Jeremy Knapp, Community Development Director
George Burton, Planner

3. EXECUTIVE SESSION

4. STUDY SESSION ITEMS

5. PUBLIC HEARINGS

- A. [19-254](#) Case No. BA-19-06 (Norquist Variance). Request by owner of 8200 N.Charles Drive (APN: 168-70-014) for a variance from the Zoning Ordinance, Article X, Height and Area Regulations, to allow additions to an existing residence to encroach into the setbacks and Article XXIII, Nonconformance, to allow existing nonconforming portions of the house to remain.

George Burton, Planner, introduced the agenda item and gave a history and scope of the request. He then reviewed the findings opposed and findings in favor of the variance. It was noted that they received one comment in opposition of the request.

Board Member Ozer asked about the percentage of affected area regarding the nonconforming code. Mr. Burton explained what was included in that percentage.

Board Member Ozer asked if the additional driveway and landscape changes are part of the 50% affected area.

Mr. Burton clarified that the 50% affected area only applies to the existing footprint of the house. He added that the driveway may count toward as disturbed area in regards to the hillside requirements.

It was also noted that two of the plan dates noted in the recommended stipulations should be switched to May 22, 2019.

Susan Biegner explained that they are trying to be as sensitive as possible to the existing structure while meeting the owner's needs.

Board Member Ozer asked Ms. Biegner what in the remodel would push the affected area over 50%.

Ms. Biegner responded that due to the era the home, it incorporated things like soffits and finishes which she is concerned may cause them to exceed the affected area limit.

Public Comment - Scott Jarson indicated he lives directly south of the subject property and is in support of the variance. He feels there is significant hardship due to the triangular shape of the lot. He also appreciates the applicant's sensitive approach to design and how the variance will positively impact the hillside condition.

Board Member Ozer asked if there was a plan to redo the pool and Ms. Biegner responded there are.

Chairman Leibsohn agreed with Mr. Jarson's comments and is in favor of

granting variance.

Board Member Chambliss shared he also felt it is a challenging site and that the garage variance will be visually obscured from the road. He noted he is also inclined to vote in favor of the variance.

Board Member Chambliss made a motion, seconded by Member Ozer, to approve Case No. BA-19-06 requested by the owners of 8200 N. Charles Drive for a variance from the Zoning Ordinance, Article X, Article X, Height and Area Regulations, to allow additions to an existing residence to encroach into the setbacks and Article XXIII, Nonconformance, to allow existing nonconforming portions of the house to remain. The variance should be in compliance with submitted plans and documents included in the Action Report, with items three and four being corrected to have a date of May 22, 2019 instead of March 15, 2019. The motion was carried by the following vote:

Aye: 4 - Chairman Leibsohn, Member Chambliss, Member Ozer, and Member Williams.

Absent: 3 - Member Kile, Member Newman, and Member Sahani

The variance was approved with the stipulation that it shall be in compliance with the submitted plans and documents:

1. The Zoning Adjustment Case Narrative, prepared by Biegner-Murff Architects;
2. Boundary & Topographic Survey Map, Sheet 1 of 1, prepared by Land Development Group, and dated December 12, 2018;
3. Proposed Site Plan, Sheet 01, prepared by Biegner-Murff Architects, with revised date May 22, 2019;
4. Proposed Design, Sheet 02, prepared by Biegner-Murff Architects, with revised date May 22, 2019;
5. Elevations Plan, Sheet 03, prepared by Biegner-Murff Architects, and dated March 15, 2019;
6. Elevations Plan, Sheet 04, prepared by Biegner-Murff Architects, and dated March 15, 2019;
7. Grading & Drainage Plan, Sheet C-1, prepared by Land Development Group, and dated April 23, 2019; and
8. Grading & Drainage Plan, Sheet C-2, prepared by Land Development Group, and dated April 23, 2019.

6. ACTION ITEMS

7. CONSENT AGENDA

A. [19-250](#) Approval of May 1, 2019 Board of Adjustment Minutes

Board Member Chambliss recused himself from the vote since he was not present at the May 1, 2019 meeting.

Board Member Williams made a motion, seconded by Chairman Leibsohn, to approve the May 1, 2019 Board of Adjustment Minutes. The motion was carried by the following vote:

Aye: 3 - Chairman Leibsohn, Member Ozer, and Member Williams.

Abstaining: 1 - Member Chambliss

Absent: 3 - Member Kile, Member Newman, and Member Sahani

8. STAFF REPORTS

9. PUBLIC BODY REPORTS

10. FUTURE AGENDA ITEMS

Mr. Burton commented that per Council's direction the Board will not take any action during July and August, so they will not reconvene until September.

Discussion was made on moving the first meeting in September.

11. ADJOURNMENT

Board Member Chambliss made a motion, seconded by Chairman Leibsohn, to adjourn the meeting. The motion was carried by the following vote:

Aye: 3 - Chairman Leibsohn, Member Ozer, Member Chambliss and Member Williams.

Absent: 3 - Member Kile, Member Newman, and Member Sahani