



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes – Draft

### Board of Adjustment

*Chair Eric Leibsohn*  
*Boardmember Ken Barnes*  
*Boardmember Joseph Contadino*  
*Boardmember James Kuykendall*  
*Boardmember Hope Ozer*  
*Boardmember Bill Petsas*  
*Boardmember Quinn Williams*

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Wednesday, March 5, 2025

5:30 PM

Council Chambers

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#### 1. CALL TO ORDER

Chair Leibsohn called the meeting to order at 5:30 PM.

#### **STAFF MEMBERS PRESENT**

Town Attorney John Gaylord  
Senior Planner George Burton  
Lead Management Specialist Cherise Fullbright

#### 2. ROLL CALL

**Present –** Chair Eric Leibsohn  
Boardmember Ken Barnes  
Boardmember Joseph Contadino  
Boardmember James Kuykendall  
Boardmember Hope Ozer  
Boardmember Bill Petsas  
Boardmember Quinn Williams

#### 3. EXECUTIVE SESSION

#### 4. STUDY SESSION ITEMS

#### 5. PUBLIC HEARINGS

- A. 25-048 Discussion and Possible Action on Case No. BA-25-01  
Fishman Variance - 6650 E. Meadowlark Lane (APN 174-51-021)  
Variance to allow a detached garage to encroach into the side  
yard setback**

Mr. Burton presented the item. He addressed the conditions and history of the corner lot before sharing the scope of the request and comparing details to what's allowable under code. Mr. Burton also shared site plans, exterior building elevations, aerial photos showing

location of garage, and site photos. He briefly discussed the staff's analysis and recommendation for denial due to lack of property hardship and code compliant alternatives. Mr. Burton noted that one public comment was received in opposition, and two public comments were submitted today in support.

Chair Leibsohn asked about alternative designs.

Boardmember Barnes confirmed that the Town Code required a 60-foot front yard setback for detached structures.

John Labahn, architect on the project, discussed the request. He noted that other options were explored and expressed his belief that the hardship was the shape of the site.

Chair Leibsohn asked what work was currently taking place at the property.

The homeowner, Mr. Fishman, stated that landscape renovations have been taking place for the past few years. He explained that a local contractor had prepped the work for a garage addition and that the contractor assured him he would be able to secure a variance; however, the contractor abandoned the project, and Mr. Fishman has been trying to put the yard back together. He further explained that the piles of dirt on the lot were from excavating the landscape and there is no work taking place on the home.

Setbacks were discussed among the Board and applicant.

Boardmember Barnes pointed out the tall garage door. He questioned if something large would go in the garage.

Mr. Fishman confirmed that a large sprinter van would be housed in the garage.

Boardmember Contadino shared his observation that the project exceeded the standard garage size, making it more than a garage. As a result, he believed the project could become an intrusive or imposing building element on neighbors in the cul-de-sac.

Boardmember Williams offered the option for the applicant to continue the item.

Chair Leibsohn discussed the option to appeal the matter versus taking the continuation route. He shared that he would be voting to deny the proposal.

Continuing the item was discussed among the Board and applicant.

Mr. Fishman requested a continuation.

Chair Leibsohn opened the public hearing at 6:04 PM.

Dolf Strom, a neighbor in the area, addressed his opposition to the request.

Chair Leibsohn closed the public hearing at 6:08 PM.

**A motion was made by Boardmember Ozer, seconded by Boardmember Kuykendall, to continue item 25-048 to the May 7<sup>th</sup> meeting date. The motion carried by the following vote:**

**Aye:** 7 – Chair Leibsohn, Boardmember Barnes, Boardmember Contadino, Boardmember Kuykendall, Boardmember Ozer, Boardmember Petsas, Boardmember William

## **6. ACTION ITEMS**

## **7. CONSENT AGENDA**

### **A. 24-348 Approval of December 4, 2024 Board of Adjustment Minutes.**

**A motion was made by Boardmember Ozer, seconded by Boardmember Barnes/Kuykendall, to approve the December 4, 2024 Board of Adjustment Minutes as presented. The motion carried with the following vote:**

**Aye:** 7 – Chair Leibsohn, Boardmember Barnes, Boardmember Contadino, Boardmember Kuykendall, Boardmember Ozer, Boardmember Petsas, Boardmember Williams

## **8. STAFF REPORTS**

### **A. 25-049 Board of Adjustment Site Visit Discussion**

Mr. Burton reminded the Boardmembers that site visits are strongly encouraged. He explained that they are strongly encouraged since one portion of the rules and procedures states that “Boardmembers *shall* visit the site” while another portion states that “Boardmembers *may* visit the site”. He suggested setting up an established day for Boardmembers to visit.

Boardmember Ozer believed there was a previous agreement to post a possible notice of quorum within a 5-day window of the meeting. She previously encouraged the language that Boardmembers *shall* visit the site but understood that “Boardmembers *may* visit the site” was agreed upon since Boardmembers are encouraged but not required to visit.

Mr. Gaylord confirmed.

Discussion ensued regarding notices of quorum.

**Presentation and Discussion only. No Reportable Action.**

## **9. PUBLIC BODY REPORTS**

## **10. FUTURE AGENDA ITEMS**

Mr. Burton stated that items would be coming forward in April and May, as well as June, depending on how complete applications are.

Boardmember Ozer stated that she would not be present for the June meeting.

## **11. ADJOURNMENT**

**A motion was made by Boardmember Williams, seconded by Boardmember Ozer, to adjourn the meeting at 6:20 PM. The motion carried with the following vote:**

**Aye:** 7 – Chair Leibsohn, Boardmember Barnes, Boardmember Contadino, Boardmember Kuykendall, Boardmember Ozer, Boardmember Petsas, Boardmember Williams

**Paradise Valley Board of Adjustment**

By: \_\_\_\_\_  
Cherise Fullbright, Secretary