



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Meeting Notice and Agenda Board of Adjustment

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

Wednesday, January 7, 2026

5:30 PM

Council Chambers

1. CALL TO ORDER

2. ROLL CALL

Notice is hereby given that members of the Board of Adjustment will attend either in person or by telephone conference call, pursuant to A.R.S. §38-431(4).

3. EXECUTIVE SESSION

The Board of Adjustment may convene into an executive session at one or more times during the meeting as needed to confer with the Town Attorney for legal advice regarding any of the items listed on the agenda as authorized by A.R.S. §38-431.03.A.3.

4. STUDY SESSION ITEMS

Work/Study is open to the public however the following items are scheduled for discussion only. The Board of Adjustment will be briefed by staff and other Town representatives. There will be no votes and no final action taken on discussion items. The Board of Adjustment may give direction to staff and request that items be scheduled for consideration and final action at a later date. The order of discussion items and the estimated time scheduled to hear each item is subject to change.

5. PUBLIC HEARINGS

The Board of Adjustment may take action on this item.

25-262

**Discussion and Possible Action on Case No. BA-25-12
Pace Variance - 7062 E Belmont Avenue (APN 174-40-063)
Variance to allow a trellis to encroach into the side yard with
frontage setback**

Staff Contact: Brandon McMahon, 480-348-3531

Attachments: [A. Staff Report](#)

[B. Vicinity Map & Aerial Photo](#)

[C. Application](#)

[D. Narrative & Plans](#)

[E. Letters of Support & Opposition](#)

[F. Notification Materials](#)

[G. Applicant Presentation](#)

[H. Staff Presentation](#)

6. ACTION ITEMS

The Board of Adjustment may take action on this item.

7. CONSENT AGENDA

All items on the Consent Agenda are considered by the Public Body to be routine and will be enacted by a single motion. There will be no separate discussion of these items. If a Commissioner or member of the public desires discussion on any item it will be removed from the Consent Agenda and considered separately.

25-286

Approval of December 3, 2025 Board of Adjustment Minutes.

Staff Contact: Cherise Fullbright, 480-348-3539

Attachments: [2025-12-03 BOA Draft Minutes](#)

8. STAFF REPORTS

9. PUBLIC BODY REPORTS

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT***AGENDA IS SUBJECT TO CHANGE***

**Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the Planning Commission are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the Town Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the Town will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.*

The Town of Paradise Valley endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for disabled persons at public meetings. Please call 480-948-7411 (voice) or 480-483-1811 (TDD) to request accommodation to participate in the Planning Commission meeting.



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Action Report

File #: 25-262

AGENDA TITLE:

Discussion and Possible Action on Case No. BA-25-12

Pace Variance - 7062 E Belmont Avenue (APN 174-40-063)

Variance to allow a trellis to encroach into the side yard with frontage setback

STAFF CONTACT:

**TOWN
Of
PARADISE VALLEY**



STAFF REPORT

TO: Chair and Board of Adjustment

FROM: Chad Weaver, Community Development Director
Paul Michaud, Planning Manager
George Burton, Senior Planner
Brandon McMahon, Planner II

DATE: January 7, 2026

DEPARTMENT: Community Development Department/Planning Division
Brandon McMahon, 480-348-3531

AGENDA TITLE:

Pace Variance – 7062 E Belmont Avenue (APN 174-40-063)
Variance to allow a trellis to encroach into the side yard with frontage setback
Case No. BA-25-12

This application is a variance request to allow an unpermitted trellis to remain and to encroach into the east/side yard with frontage setback. Staff recommends denial of this variance request.

RECOMMENDATION

Motion For Denial

It is recommended that the Board of Adjustment **[deny]** Case No. BA-25-12, a request by Benjamin Tate of Withey Morris Baugh, PLC, on behalf of the Pace Family Trust property owner of 7062 E Belmont Avenue; for a variance from the Zoning Ordinance, Article X, Height and Area Regulations, to allow a trellis to encroach into the side yard with frontage setback.

Reasons For Denial:

Staff finds that there are no property hardships that warrant the request for setback encroachment and staff believes that the request does not meet all three variance criteria.

BACKGROUND/DISCUSSION

Scope of Request

The applicant is requesting a variance for setback encroachment. Table 1001B of Article X of the Zoning Ordinance requires a minimum detached structure setback of 40 feet from the side with frontage property line. The applicant is requesting a variance to allow an unpermitted trellis structure to remain at a setback of 15-foot from the east/side with frontage property line (25-feet of encroachment).

The trellis structure is 163 square feet (15-feet 11-inches long by 10-feet 3-inches wide), all of which will be encroaching into the side with frontage setback. The trellis is 8-feet tall

measured from the lowest adjacent grade. Below is a comparison of the Zoning Ordinance requirements for detached structures and the existing trellis.

Zoning Ordinance (R-35CP)	Trellis
60' Front Yard Setback	94' (+/-)
10' Side Yard Setback (West)	50' 6" (+/-)
40' Side with Frontage Setback (East)	15'
10' Rear Yard Setback	15' 9" (+/-)
15' Maximum Height	8' (+/-) Tall

Lot History

The subject property is Lot 62 of the Cheney Estates subdivision. This lot was platted into the Town in 1992. According to permit records, the original home was built in 1993 and went through an interior remodel in 2020. The current homeowners also permitted a detached structure in the northwest corner of the rear yard in early 2025. The following is a chronological history of the property:

October 6, 1993	Building permit for new residence
May 13, 1994	Building permit for new pool
June 29, 1994	Building permit for new fence walls
July 21, 2020	Building permit for main residence interior remodel
February 10, 2025	Building permit for detached structure in rear yard
May 5, 2025	Code violation for unpermitted trellis structure (open)

Lot Conditions

The property is zoned R-35 CP and is 23,393 square feet in size (0.53 acres) and is rectilinear in shape. The property is 150 feet wide along the southern frontage, as well as 150 feet wide along the rear. The lot is 164.28 feet deep. The R-35 zoning district requires a minimum width of 150 feet which results in an approximate minimum depth of 190 feet (if platting a new R-35 property). The lot also currently maintains a 24.9% floor area ratio, per the approved plan set for the detached structure in 2025 (5,929 square feet). The addition of this trellis structure (16.5 square feet) would put the lot at 24.99% (5,846 square feet).

DISCUSSION ITEMS

Variance Criteria:

Town Code and Arizona Revised Statutes set criteria an applicant must meet before a Board of Adjustment may grant a variance request. If the Board finds an applicant meets all of these criteria, the Board may grant the variance. However, if the Board finds the applicant does not meet all of the criteria, the Board may not grant the variance. The following are staff's analysis with regard to the variance criteria:

1. *"That there are special circumstances applicable to the property, which may include circumstances related to the property's size, shape, topography, location, or surroundings; and"* (Town Code Section 2-5-3(C)4).

Staff Analysis:

The request is for a setback variance; however, the width of the lot is not substandard/narrow and meets the minimum R-35 requirements. The applicant's stated hardship is the shallow depth of the lot since that limits the amount and the area of improvement (with the property being 21% or 40 feet shorter in depth for its zoning category). Although the shallow depth reduces the amount of buildable area, the request does not appear to be the minimum amount needed to cure the property hardship. It

appears that the property can accommodate a code compliant trellis and the Town Code also does not guarantee the most optimal use of the property. Further, this subdivision was platted as a cluster with that shape and depth and this lot is not unusual within this district.

2. *"That the special circumstances applicable to the property were not self-imposed or created by the property owner; and"* (Town Code Section 2-5-3(C)4).

Staff Analysis:

The request for setback encroachment is self-imposed since there are no property hardships that prevent setback compliance. The property lacks standard depth and is slightly undersized for its zoning classification but is of similar size to the neighboring properties, and was purposefully platted in a cluster plan. If the applicant obtained a building permit from the Town prior to constructing the trellis, any setback encroachment would have been identified during the plan review process.

3. *"That the strict application of the Zoning Ordinance will deprive the property of privileges enjoyed by other property of the same classification in the same zoning district"* (Town Code Section 2-5-3(C)4).

Staff Analysis:

There are no property hardships that warrant the setback encroachment. Although some of the neighboring properties may have existing non-conforming structures and/or setback encroachment, all new additions in this neighborhood must meet or exceed the setback requirements. The property can accommodate a code compliant trellis.

REQUIRED ACTION

The Board of Adjustment must consider the facts and determine if the variance request meets all three variance criteria. The Board of Adjustment may take the following action:

1. Deny the variance request.
2. Approve the variance request, subject to the following stipulations:
 - a. The improvement shall be in compliance with the submitted plans and documents:
 - i. Narrative, prepared by Benjamin Tate of Withey Morris Baugh, PLC, provided November 25, 2025.
 - ii. Site Plan, prepared by CJS Lifestyle & Design, dated November 11, 2025.
 - iii. Elevation Detail, prepared by CJS Lifestyle & Design, dated November 11, 2025.
 - b. The applicant must obtain the required building permits and inspections from the Building Division.
 - c. Floor Area Ratio (FAR) certification will be required with any building permit approval to ensure compliance with FAR requirement.
3. Continue the application for further review.

COMMENTS/NOTIFICATION

The applicant posted the site on December 8th and mailed notice (to lot owners within a 1500-foot radius of the subject site) on December 12th. The newspaper legal advertisement for this case was placed in the Scottsdale Republic on December 18th. All required affidavits are included in the case packet material (Attachment F). The applicant has provided twenty-three letters of support from property owners within the subdivision (Attachment E). The Cheney

Estates Board of Directors have also provided a letter of opposition (also within Attachment E).

COMMUNITY IMPACT: None.

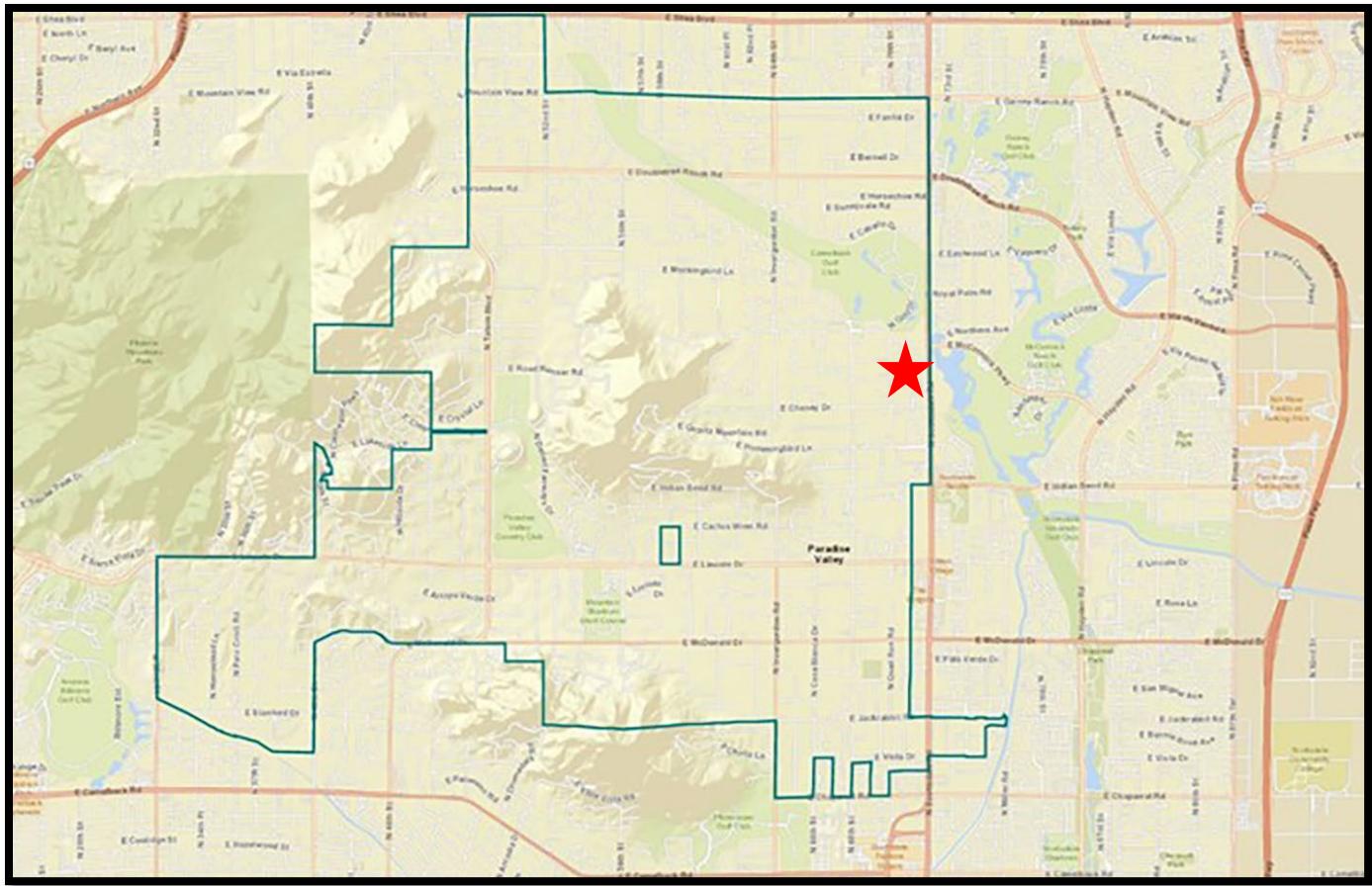
CODE VIOLATION: CV25-06635 is an open code violation for the un-permitted trellis structure. Should the Board approve the requested variance, then the violation will be removed. Should the Board deny the request, then the violation will remain until the structure is removed.

ATTACHMENTS

- A. Staff Report
- B. Vicinity Map & Aerial Photo
- C. Application
- D. Narrative & Plans
- E. Letters of Support & Opposition
- F. Notification Materials
- G. Applicant Presentation
- H. Staff Presentation



VICINITY MAP

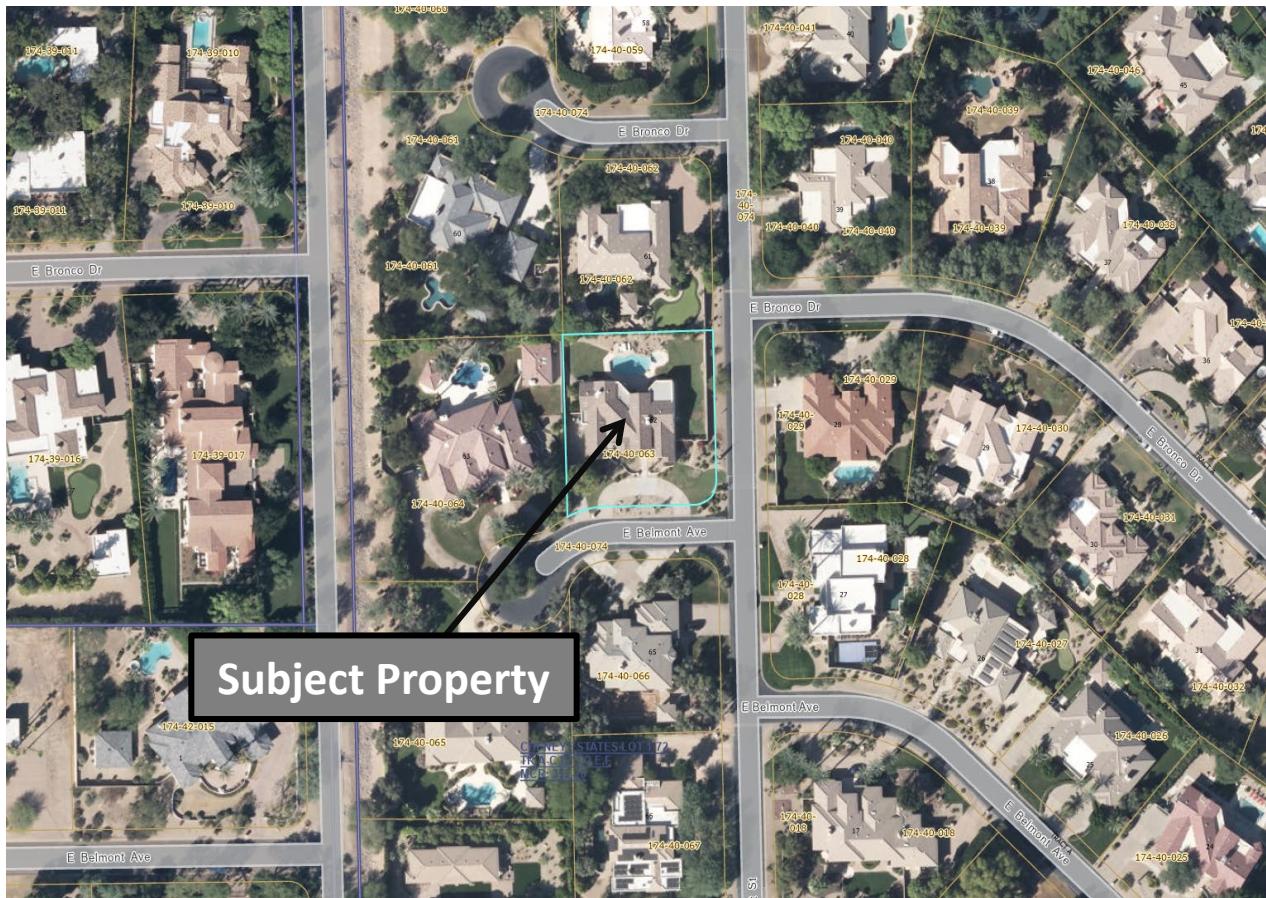


Cheney Estates Lot 62

7062 E Belmont Ave



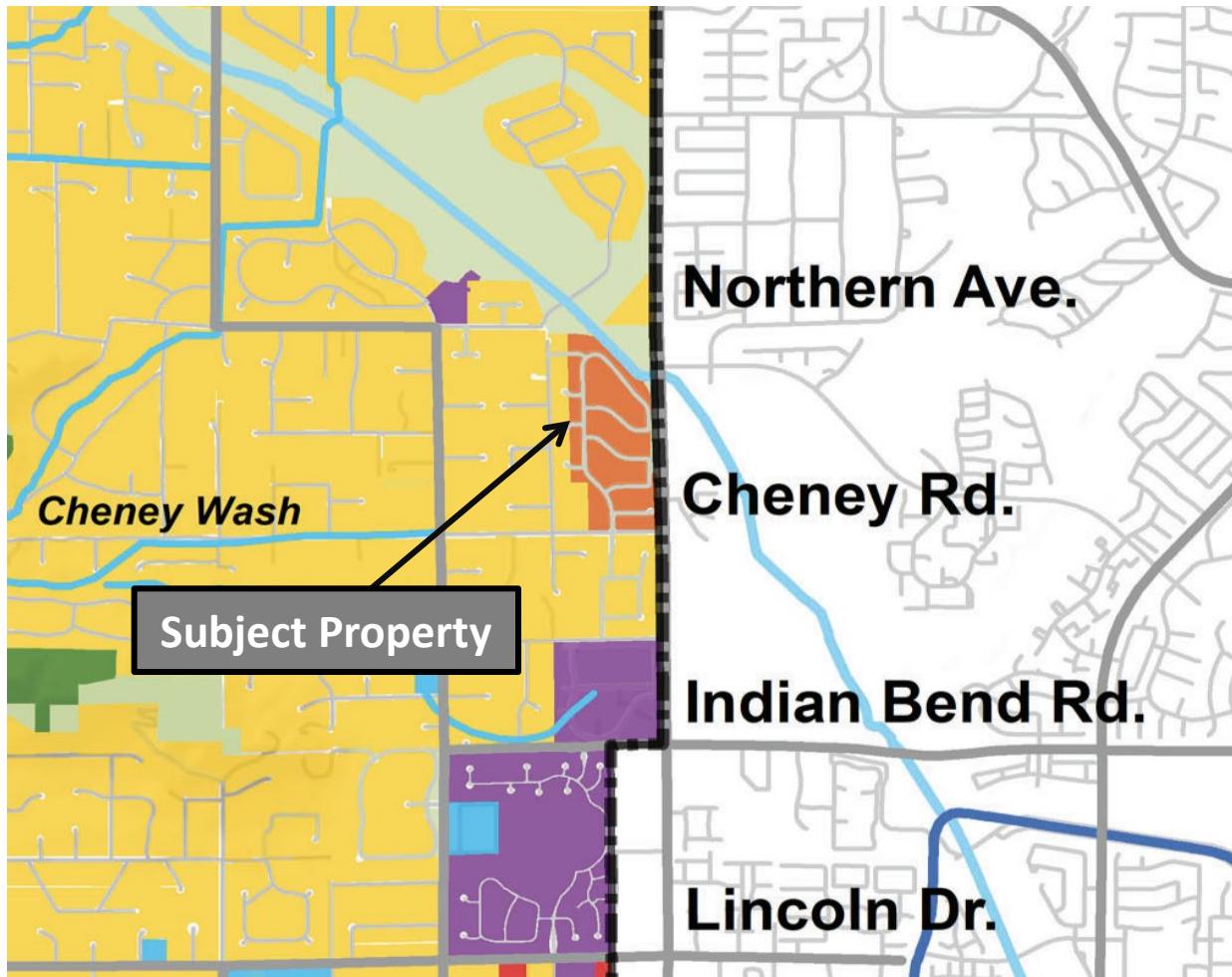
AERIAL



Cheney Estates Lot 62
7062 E Belmont Ave



GENERAL PLAN



Legend

- Planning Area
- Municipal Limits
- Roads
- Indian Bend Wash
- Arizona Canal
- Major Washes

Land Use Classifications

Very Low Density Residential	Public Open Space
Low Density Residential	Medical Office
Medium Density Residential	Public/Quasi Public
Private Open Space	Resort/Country Club

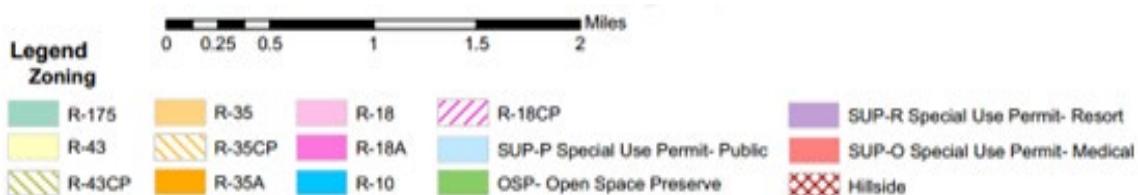
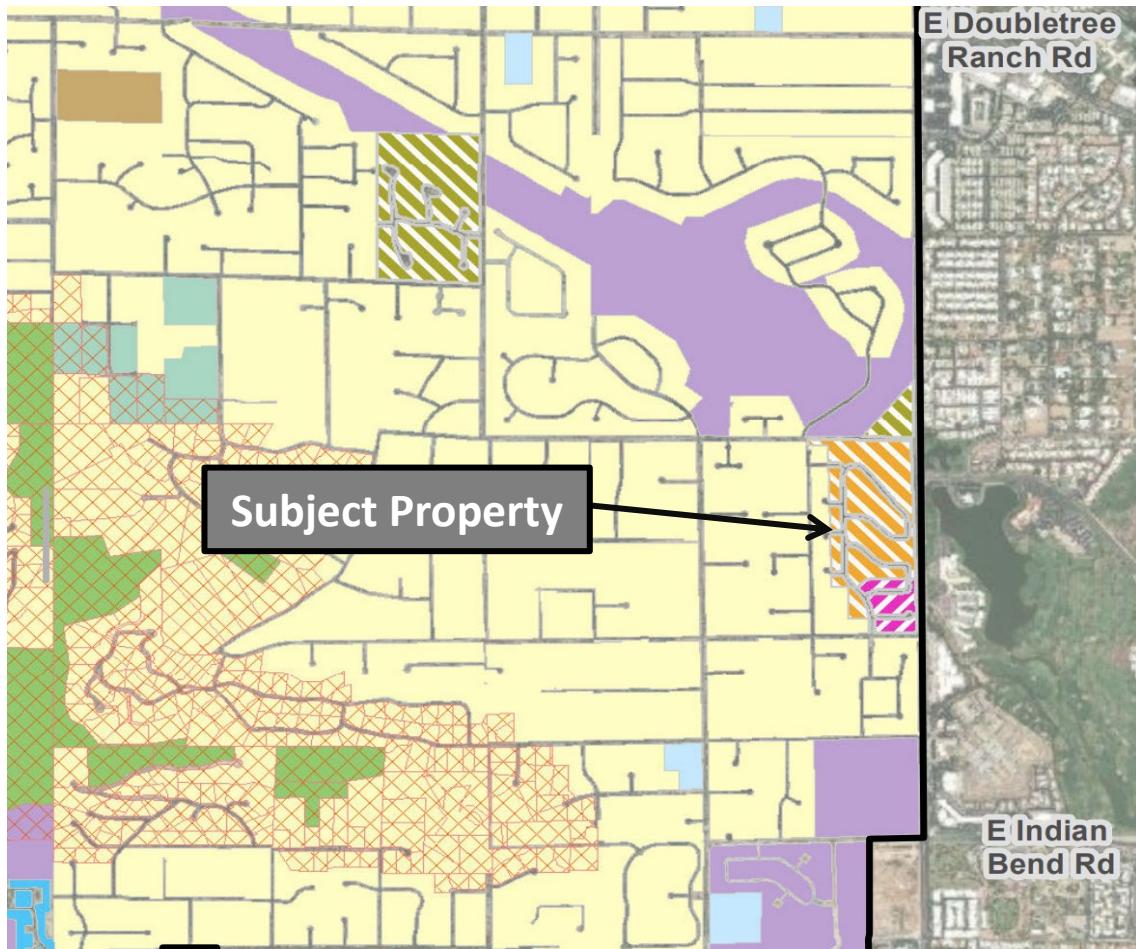
NOTE: All public right-of-ways shall be considered Public Open Space.

Cheney Estates Lot 62

7062 E Belmont Ave



ZONING



Cheney Estates Lot 62

7062 E Belmont Ave



COMMUNITY DEVELOPMENT DEPARTMENT VARIANCE APPLICATION GUIDE

Town of Paradise Valley • 6401 East Lincoln Drive • Paradise Valley, Arizona 85253 • Phone: (480) 348-3692

APPLICANT & CONTACT INFORMATION

Project Name: Pace Residence Backyard Trellis

Date: 10/28/25 Zoning: R-35 CP Acreage (Net Acres): 0.54

Property Address: 7062 E. Belmont Avenue, Paradise Valley, AZ 85253

Assessor's Parcel Number: 174-40-063

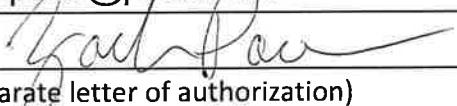
Name of Subdivision & Lot Number: Cheney Estates Lot 62

Owner: Pace Family Trust

Address: 7062 E. Belmont Avenue, Paradise Valley, AZ 85253

Phone number: 602-920-9212

E-mail address: zpace@pcaemail.com

Signature: 
(Or provide a separate letter of authorization)

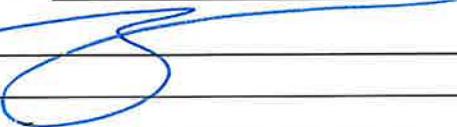
Applicant/Representative: Benjamin Tate

Company Name (if Applicable): Withey Morris Baugh, PLC

Address: 2525 E. Arizona Biltmore Cir. Ste. A-212, Phoenix, AZ 85016

Phone number: 602-346-4610

E-mail address: ben@wmbattorneys.com

Signature: 

THE ABOVE APPLICANT HEREBY APPLIES FOR A VARIANCE AS INDICATED IN THE SUBMITTED NARRATIVE, PLANS, AND DOCUMENTS IN ACCORDANCE WITH SECTION 2-5-3 OF THE TOWN CODE AND IN ACCORDANCE WITH THE TOWN ZONING ORDINANCE.

FOR DEPARTMENTAL USE ONLY

Variance-App.#: _____ Submittal Date: _____ Expiration Date: _____

Unofficial Document

RECORDING REQUESTED BY

Premier Title Agency

Escrow Number: A-149570

17
so

WHEN RECORDED MAIL TO

Zachary D. Pace and Rebecca M. Pace, Trustees of
The Pace Family Trust, dated March 27, 2008
7062 East Belmont Avenue
Paradise Valley, AZ 85253

A.P.N.: 174-40-063

SPACE ABOVE THIS LINE FOR RECORDER'S USE

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations, I or we,

David Megdal and Jessica Megdal, Trustees of The Mind Ya Own Bees Wax Trust, dated 2/16/2018

Do/does hereby convey to

Zachary D. Pace and Rebecca M. Pace, Trustees of The Pace Family Trust, dated March 27, 2008

The following real property situated in Maricopa County, Arizona

Lot 62, of CHENEY ESTATES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 352 of Maps, page 20.

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

Dated: March 11, 2024

Please continue to page 2 for Signature and Notary

Warranty Deed
Page 2

The Mind Ya Own Bees Wax Trust dated 2/16/2018

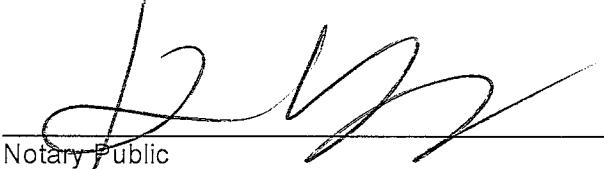
By: 
David Megdal, Trustee

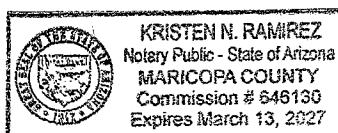
By: 
Jessica Megdal, Trustee

State of Arizona)
County of Maricopa)
)

On this 12 day of MARCH, 2024, before me personally appeared David Megdal and Jessica Megdal, Trustees of The Mind Ya Own Bees Wax Trust, dated 2/16/2018, whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be, and acknowledged that he or she signed the above/attached document.

Unofficial Document


Notary Public



Beneficiaries Disclosure (Pursuant to A.R.S. 33-404)

Name:

Address

Zachary D. Pace

8549 N. 84th Place, Scottsdale, AZ
85258

Rebecca M. Pace

8545 N. 84th Place, Scottsdale, AZ
85258

Unofficial Document

The above is a full list of the Beneficiaries under the Trust named Zachary D. Pace and Rebecca M. Pace,
Trustees of The Pace Family Trust, dated March 27, 2008
and Dated 3/27/2008

Zachary D. Pace, Trustee
Zachary D. Pace

Rebecca M. Pace, Trustee
Rebecca M. Pace

Beneficiaries Disclosure (Pursuant to A.R.S. 33-404)

Name:

Address

David Megdal

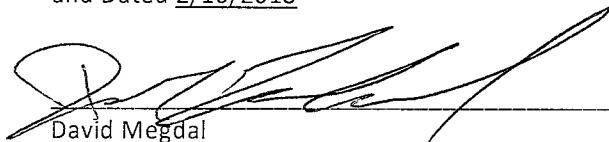
7062 E Belmont AVE
Paradise Valley AZ 85253

Jessica Megdal

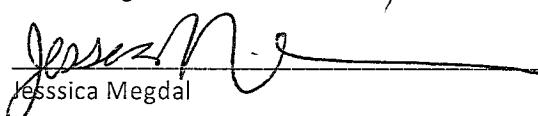
SAME ↑

Unofficial Document

The above is a full list of the Beneficiaries under the Trust named David Megdal and Jessica Megdal, Trustees of The Mind Ya Own Bees Wax Trust, dated 2/16/2018
and Dated 2/16/2018



_____, Trustee
David Megdal



_____, Trustee
Jessica Megdal



COMMUNITY DEVELOPMENT DEPARTMENT

VARIANCE APPLICATION GUIDE

Town of Paradise Valley • 6401 East Lincoln Drive • Paradise Valley, Arizona 85253 • Phone: (480) 348-3692

SUBMITTAL REQUIREMENTS

- Application form with proof of ownership (warranty deed or current title report)
- Filing Fee:
 - Application for Variance \$1,765.00
 - Application for Variance for non-livable detached structures \$1,615.00
Having less than 10% impact on setback or disturbed area
- Narrative describing the request and addressing all three variance criteria. Narrative Format – Identify the request at the beginning of the narrative and identify each variance criteria with the response below it explaining how that criteria has been met or addressed (1 paper copy upon staff request).
- Site plan and all other applicable plans/documents for staff to review for completeness (1 paper copy upon staff request).
- Electronic copy of the narrative, site plan, and all other applicable plans/documents (in PDF format) on a USB flash drive/memory stick for staff to review for completeness.

After the application is reviewed and deemed complete by staff:

- Electronic copy of the narrative, site plan, and all other applicable plans/documents (in PDF format) on a USB flash drive/memory stick for the hearing.
- Noticing Materials (An electronic copy in PDF format on a USB flash drive/memory stick):
 - a. List of all property owners with respective Maricopa County Tax Parcel Number for all properties within the notice area. Notice area is 1,500 feet from perimeter of subject property, or as specified by the Town.
 - b. Completed Neighborhood Notice Form (identifying scope of the request and the Sections of the Town Zoning Ordinance that you are requesting a variance from – see page 7 of this application).
 - c. The completed set of envelopes for each property owner within the notice area must include the following:
 - i. Town return address:
Town of Paradise Valley
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Pace Residence Backyard Trellis

7062 E. Belmont Avenue
Paradise Valley, AZ
Variance Application

Introduction

This pre-application is being submitted on behalf of Zach and Rebecca Pace, trustees of the Pace Family Trust, which owns the property located at 7062 E. Belmont Avenue in Paradise Valley, Arizona (the "Property") as illustrated in the Aerial Map at **Tab 1**. The Property is currently zoned R-35 Cluster Plan. See Zoning Map at **Tab 2**. Earlier this year, the applicants installed a minimalist steel trellis structure in northeast corner of the property and later discovered that it required a permit and was encroaching into the east 40-foot building setback. The applicants now seek a variance to bring the existing structure into conformance.

Request

Earlier this year, the applicants completed a significant renovation of the hardscape in their backyard, including new pool decking, pavers, a fire pit area, and an outdoor dining area. To contribute to the green, lush atmosphere the applicants sought to cultivate in their backyard, they installed a steel lattice skeleton structure over the dining area consisting of four minimalist steel columns connected by steel joists and rafters. See Lattice Structure Photos at **Tab 3**. The structure is 7' tall at the top of the columns and 8' at the peak of the rafters. At the base of each column, flowering vines have been planted with the goal of ultimately covering the entire lattice and creating a "living" structure. It is open to the sky and has no roof or walls of any kind.

The Property is a corner lot with frontage on both Belmont Avenue (south) and 71st Street (east) and is required to maintain 40-foot building setbacks on both frontages. The setbacks, combined with a lot depth 24 to 50 feet shallower than required by the Town of Paradise Valley's subdivision code, collectively compress the building envelope into a small area relative to appropriately sized R-35 lots.

To allow the trellis to remain in its current location, the applicant is simply seeking a variance to reduce the east building setback to 15 feet to allow a minimalist garden structure to encroach into the setback.

Variance Test

- 1. That there are special circumstances applicable to the property, which may include circumstances related to the property's size, shape, topography, location, or surroundings.**

The Property is a legal non-conforming lot that does not meet the Town of Paradise Valley's minimum lot standards related to lot depth. The final plat for Cheney Estates was approved by the Town on July 27, 1992 and recorded the following day. The plat was approved subject to the Cluster Plan development standards in the Town's Zoning Ordinance and subdivision standards in the Town Code as they existed in 1992. In December 1996, the subdivision standards in the Town Code were amended to their current form, which require that the minimum depth of a single-family lot must be equal to its minimum width plus the minimum front yard setback.

Section 6-3-5-G.1 of the Town Code requires a minimum lot depth equal to the minimum lot width plus the minimum front yard setback. Per Table 1001-A1, the minimum lot width for R-35 is 150 feet and the minimum front yard setback adjacent to a street is 40 feet. Consequently, the minimum lot depth for an R-35 lot under the current subdivision standards is 190 feet.

The Cluster Plan district allows developments to vary below the minimum lot size requirements for the R-35 and R-43 districts, but does not explicitly allow departure from the minimum lot width - nor does it specify a minimum lot width below the 150-foot minimum otherwise required for R-35 lots. Additionally, the Property is still subject to the standard setback requirements- there is not a separate set of development standards for Cluster Plan lots. The R-35 setbacks in Table 1001-A1 contemplate a standard size lot with a minimum 35,000 square feet and a minimum depth of 190 feet. When applied to the Property, the standard 40-foot setbacks on the double-frontage lot significantly limit the buildable area. The Property's lot depth is 140 feet at the shallowest point and 166 feet at the deepest point, with an overall area of 23,393 SF.

When combined with the legally non-conforming shallow lot depth - between 24 and 50 feet shallower than the subdivision standards currently require - the Property is subject to an unduly restrictive building envelope. The lot shape and depth, coupled with the application of setbacks intended for much larger standard R-35 lots, creates a hardship not appropriately contemplated by the Zoning Ordinance.

2. The special circumstances, hardship or difficulty applicable to the property are [not] self-imposed by the property owner, or predecessor.

The applicant played no role in creation of the Cheney Estates subdivision nor the demising of lots that created the Property's legally non-conforming dimensions and shallow lot depth. The hardship is an unanticipated consequence of applying setbacks intended for a standard lot to a non-standard, undersized corner lot.

3. The strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.

Standard R-35 lots enjoy legally conforming lot depth and adequate yard area to locate a minimalist structure of this nature that is still capable of meeting the setback requirements. The Property suffers from inadequate dimensions relative to the requirements of the Paradise Valley Zoning Ordinance and Town Code, which deprives the applicant of property rights that owners of other R-35 zoned properties in the Town of Paradise Valley enjoy.

It is clear that the confluence of the Cluster Plan district's allowance of reduced lot area, combined with setback requirements intended for standard R-35 lots and applied to a double-frontage corner lot, is a scenario that both a) creates a hardship and b) is not contemplated by the Paradise Valley Zoning Ordinance. The changes to the subdivision ordinance that occurred after the establishment of Cheney Estates further reflect the Town's intent to provide property owners with adequate building envelopes - a minimum depth requirement that takes into account the minimum front yard setback and minimum lot width. The variance process exists to provide relief in these scenarios.

Other Considerations

1. Minimalist Structure

As the photos at **Tab 3** illustrate, the structure consists only of welded steel posts, joists, and rafters with no solid walls or roof. The purpose of the building setback requirements is to limit the visual impact of structures within a prescribed distance of a property line. Here, the nature of the structure itself practically eliminates its visual impact. It will not block views, cast imposing shadows, or create an unsightly condition from the adjacent roadway.

1. Green Cover and Green Screening

As noted above, creeping vines have been planted at the base of each column, which over time will cover the entirety of the structure and allow it to blend into the surrounding landscaping. Combined with the ficus hedge planted along both the interior and exterior of the perimeter wall, the structure will completely disappear from view around the exterior of the Property within a year.

2. Effective Setback

71st Street is an unmarked two-lane neighborhood street with a 50-foot right-of-way. The actual pavement section is only 30 feet, with a 10-foot landscape strip beyond the curbs. This creates an effective setback from the roadway of 25 feet that is 10 feet wider than the setback as measured from the property line, further reducing the visual impact of the structure.

3. Support

The applicant has received letters of support from twenty (20) property owners within Cheney Estates, including the applicant's immediate neighbors to the north, south, and west, along with several other homeowners in the immediate vicinity. This support for the variance request further illustrates both the merit of the request and the absence of any negative impact the trellis will have on the surrounding property owners and the Cheney Estates community as a whole. See Support Letters at **Tab 4**.

Summary

The requested variance is the minimal relief necessary to contend with a non-conforming shallow lot subjected to the same double-frontage setbacks as a standard R-35 lot, leading to a significantly compressed building envelope for accessory structures in the backyard. These special circumstances create a hardship that was not of the applicant's creation, and place the applicant at a disadvantage relative to appropriately sized R-35 lots that conform with the current subdivision standards.

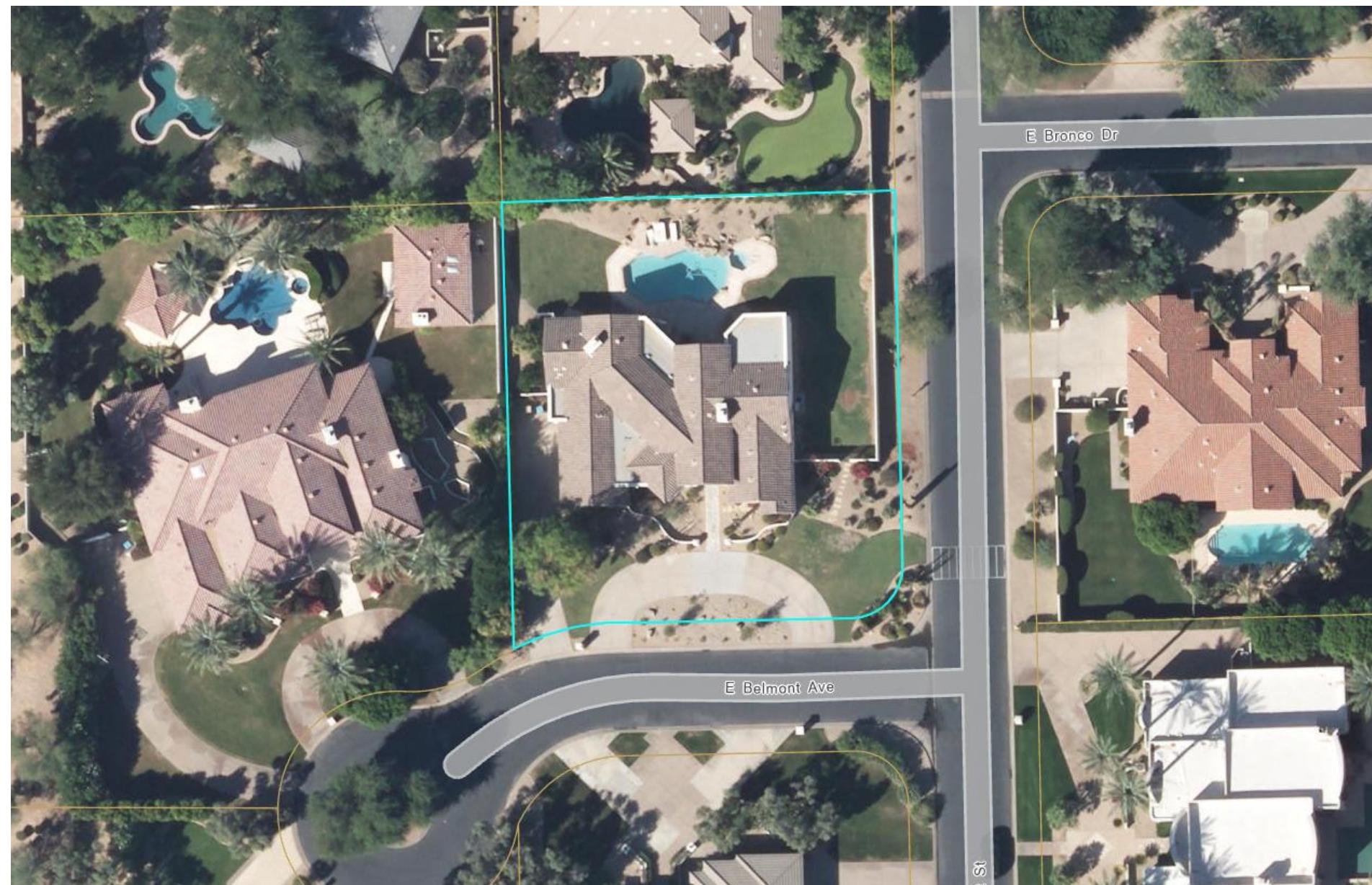
The intent of the setback requirements is met through several mitigation measures, including the minimalist nature of the structure, the green screening and green covering of the structure to hide it from view, and an increased effective setback due to the configuration of 71st Street. The request has

earned the support of many of the applicant's neighbors in the Cheney Estates neighborhood due to the minimal nature of both the structure itself and the relief requested. In light of the foregoing, the applicant respectfully request's the Board's approval of the proposed variance.

earned the support of many of the applicant's neighbors in the Cheney Estates neighborhood due to the minimal nature of both the structure itself and the relief requested. In light of the foregoing, the applicant respectfully request's the Board's approval of the proposed variance.

TAB 1

Aerial Map



TAB 2

Zoning Map

7067 E BRONCO DR PARADISE VALLEY 85253

GISNEW.DBO.XAPO: PACE FAMILY TRUST

APN Number 17440063
Assessor Area 23,393.00
Property Description CHENEY ESTATES
Owner Name PACE FAMILY TRUST
Address 7062 E BELMONT AVE
PARADISE VALLEY 85253
Subdivision Name CHENEY ESTATES LOT 1-
72 TR A-C D1 D2 E,F
Land Size 23393.00
Lot Number 62
Section 3 2N 4E
Township Range
Hillside
PV Zonina R-35CP
[Zoom to](#) ...

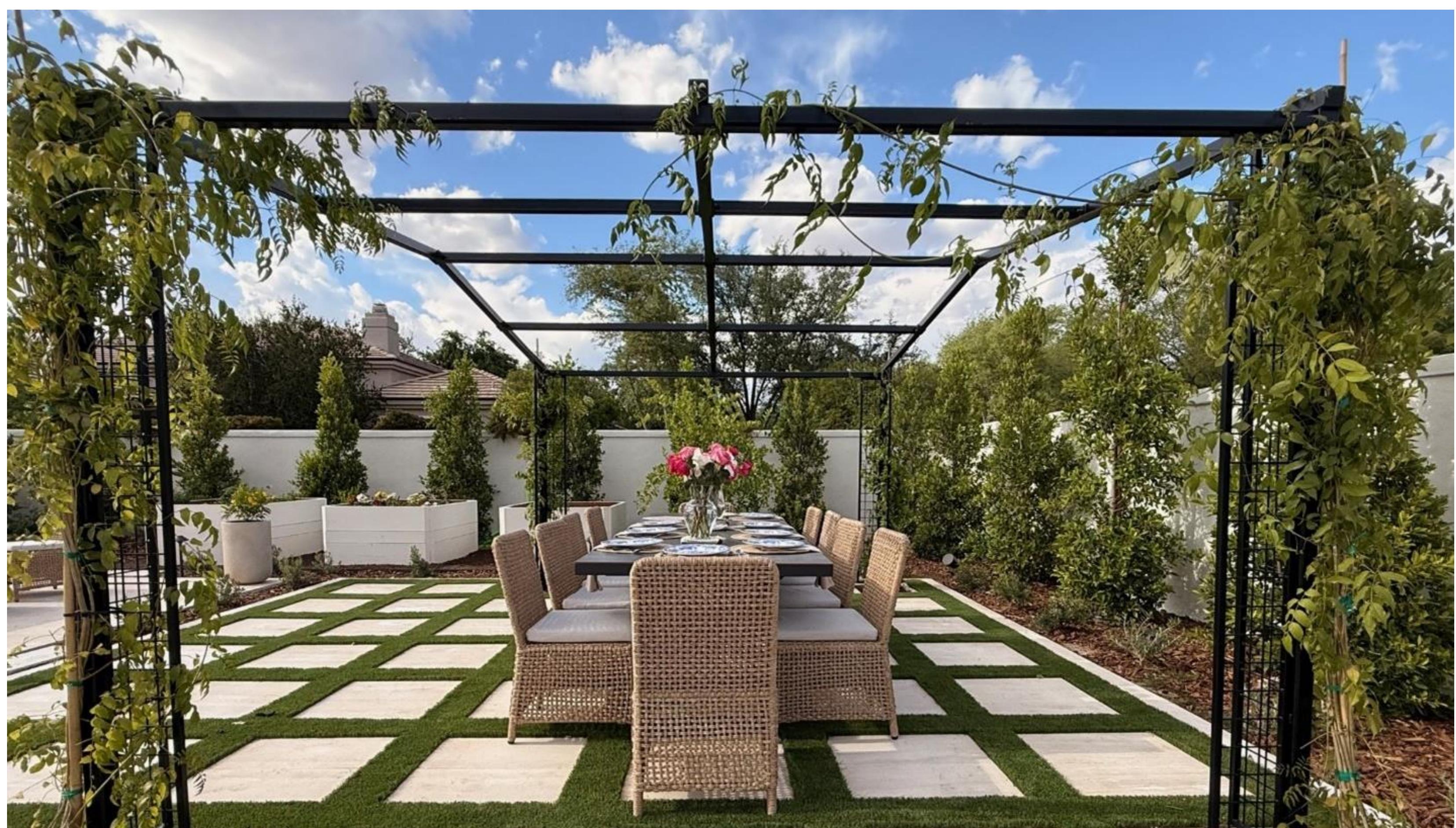
7062 E BELMONT AVE PARADISE VALLEY 85253

7034 E BELMONT AVE PARADISE VALLEY 85253

7101 E BRONCO DR PARADISE VALLEY 85253

TAB 3

Interior (Backyard) View



Exterior (71st Street) View



TAB 4

October 20, 2025

Subject: Trellis – 7062 E. Belmont Ave

Dear Neighbor,

We hope this note finds you well!

We're in the process of applying for a variance with the Town of Paradise Valley for an unobtrusive outdoor trellis/dining area.

As part of the application, we're reaching out to kindly ask for your support.

Enclosed, you'll find a few pictures of the proposed trellis. If you're comfortable with it, we would truly appreciate it if you could sign the letter and include your Lot Number. You can simply drop it off in our mailbox at your convenience.

If you'd like to see the trellis in person or have any questions, we'd be happy to show it to you—just let us know a time that works for you!

Thank you so much for considering this. We truly appreciate your support and are always grateful to have such wonderful neighbors.

Thank you,

Zach and Becca Pace
7062 E. Belmont Avenue
*Zach 602-920-9212

Best of Luck with
your beautiful new backyard!
Best Wishes,
The Mahoneys

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

I've spoken with Mr. Pace and viewed the trellis in the backyard. The shallow depth of the lot provides the special circumstance for the variance, and the minimalist nature of the structure combined with the thoughtful "green screening" of the trellis ensures that it will not have any visual impact on the surrounding property owners.

Sincerely,

*Jane Z McCarty
Lot #12*

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

I've spoken with Mr. Pace and viewed the trellis in the backyard. The shallow depth of the lot provides the special circumstance for the variance, and the minimalist nature of the structure combined with the thoughtful "green screening" of the trellis ensures that it will not have any visual impact on the surrounding property owners.

Sincerely,

Margaret Cochran
Lot 5

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

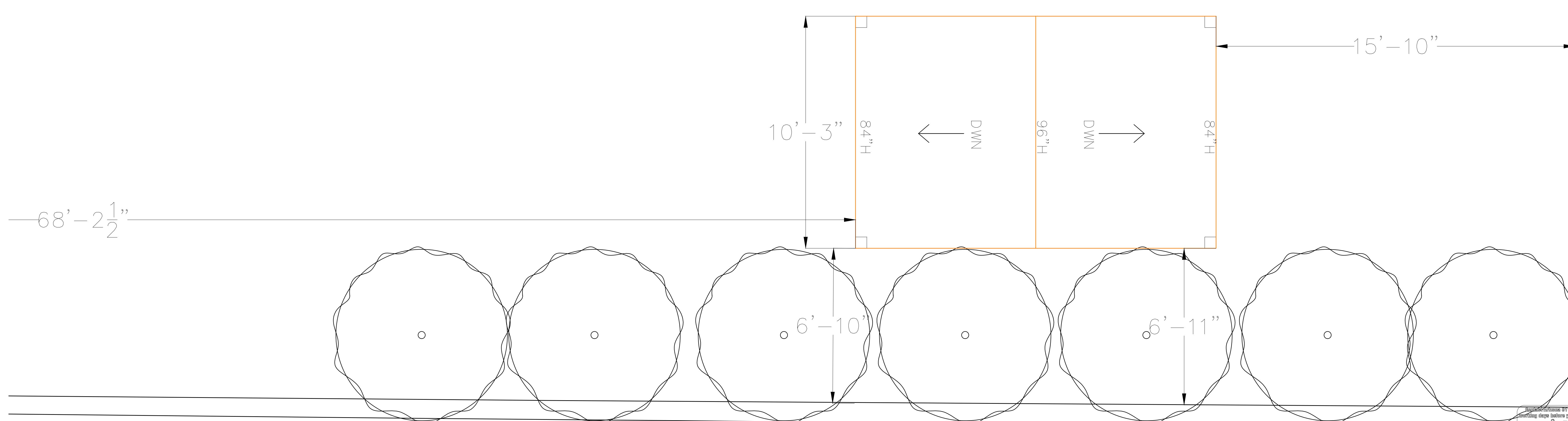
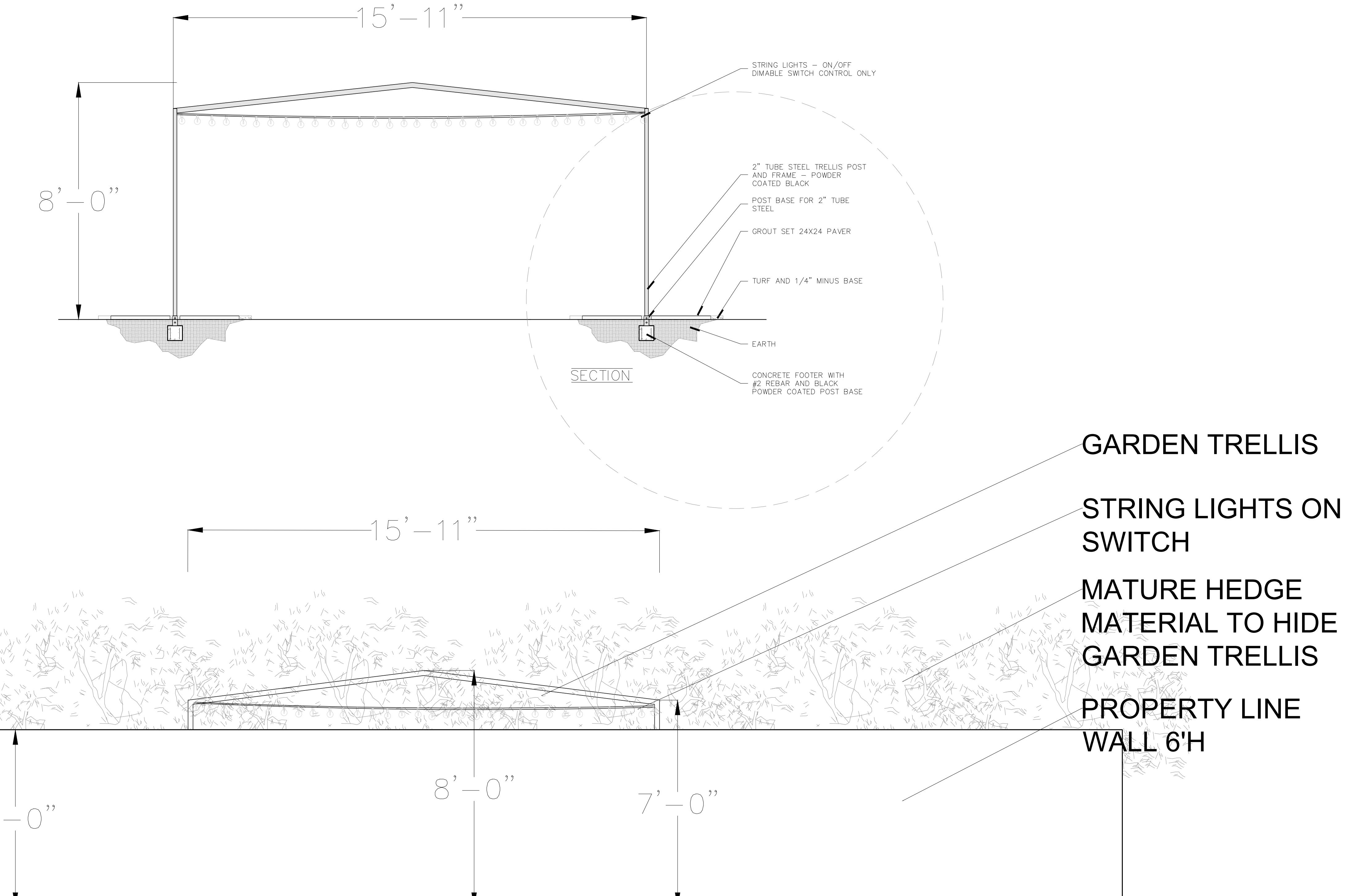
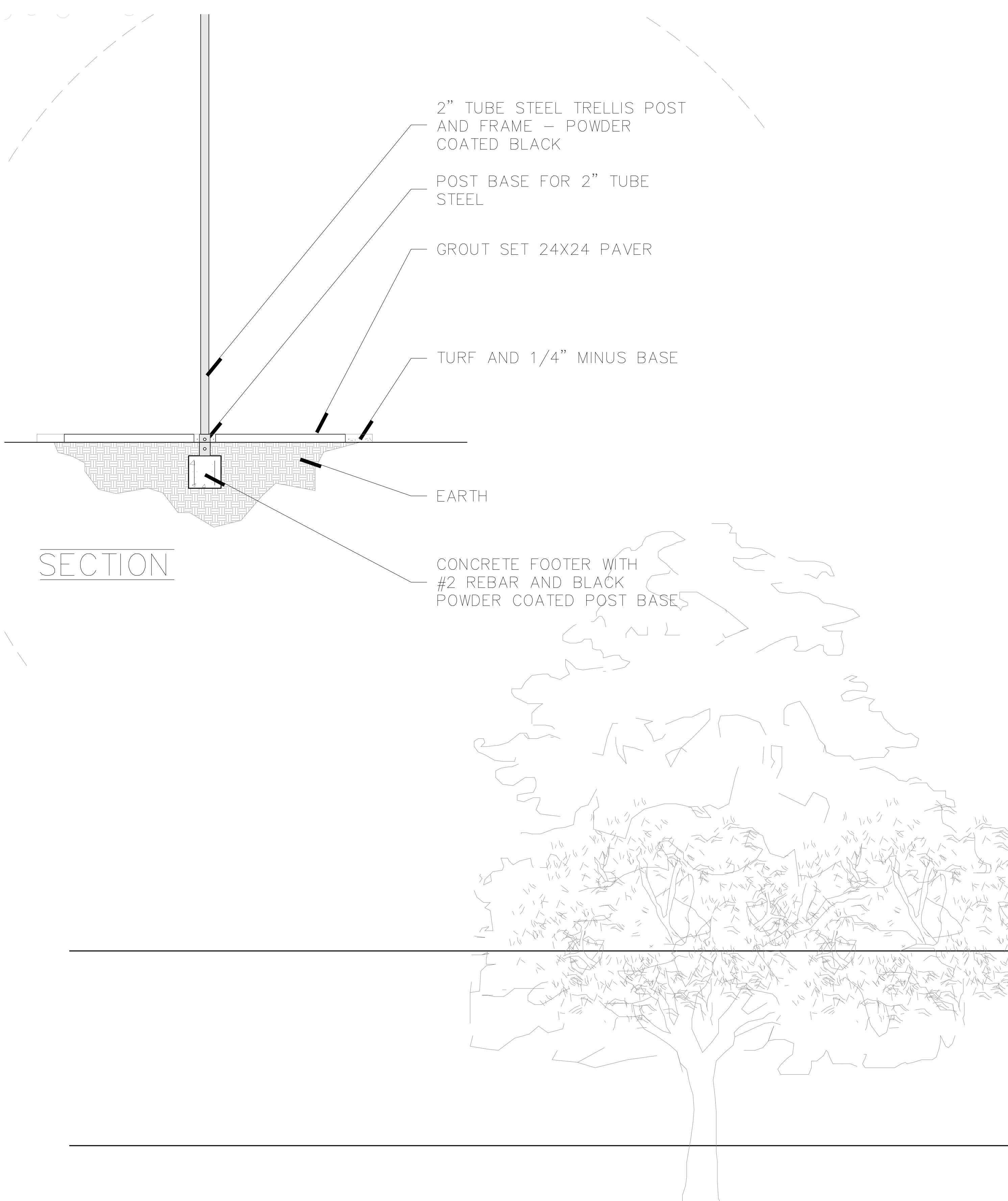
To Whom it May Concern:

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I've spoken with Mr. Pace and viewed the trellis in the backyard. The shallow depth of the lot provides the special circumstance for the variance, and the minimalist nature of the structure combined with the thoughtful "green screening" of the trellis ensures that it will not have any visual impact on the surrounding property owners.

Sincerely,

*Kathleen McDowell
Lot 7*



December 1, 2025

To Whom it May Concern:

The position of the Cheney Estates Board of Directors regarding the variance application for a pergola in the backyard of Lot 62, 7062 E. Belmont Ave. in Cheney Estates is, and always has been, that homeowners must abide by the rules set forth by the Town of Paradise Valley.

The Town of Paradise Valley advised the homeowner of Lot 62, 7062 E. Belmont Ave., that the pergola request does not meet any of the Town of Paradise Valley's three variance criteria and that the Town will recommend denial of the pergola's structure in its current location.

The Cheney Estates Board of Directors is vehemently concerned with setting a precedent in this case and the resulting consequences thereof. When one homeowner is allowed to erect a structure without approval from the Town or the Board (as in this case), it sets an irrevocable standard and an expectation for other homeowners to follow suit, especially if this structure is allowed to remain.

The Board of Directors has a fiduciary duty to every Cheney Estates resident to be consistent in all dealings with our homeowners. Deviance from the norm puts the Board in an untenable and precarious position in the future.

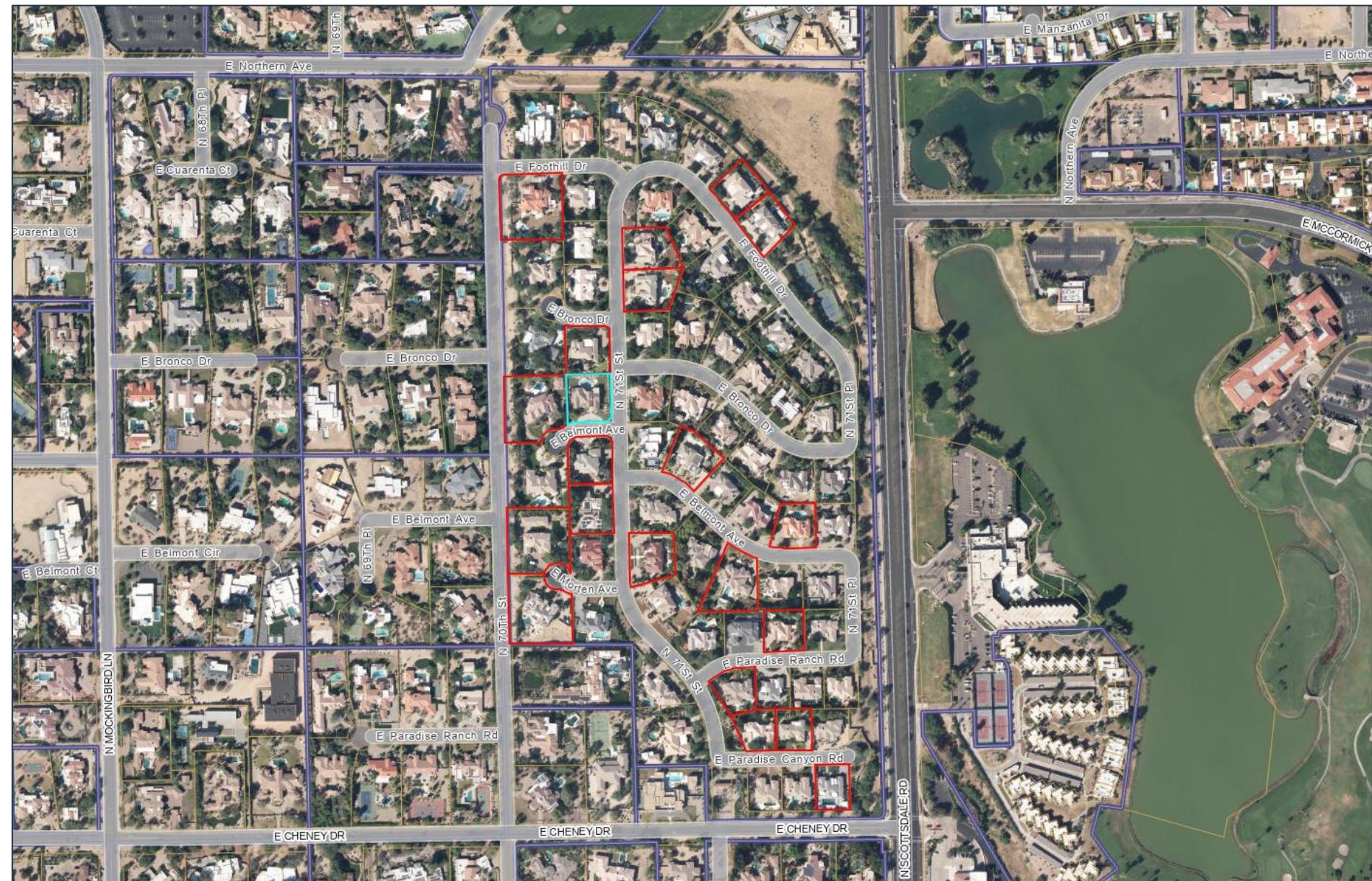
Lot 62 with its 23,995 square feet allows for placement of a pergola in another location that will not be in violation of the Town of Paradise Valley variances. The Board believes that the homeowner should move the pergola to an area in the backyard that complies with the Town of Paradise Valley guidelines.

The Board of Directors has a cordial and trouble-free relationship with the Town of Paradise Valley as we have worked together on a myriad of issues during the last few decades. The Board appreciates the opportunity to express its position in this case.

Respectfully,

The Cheney Estates Board of Directors

Support Letter Map



October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

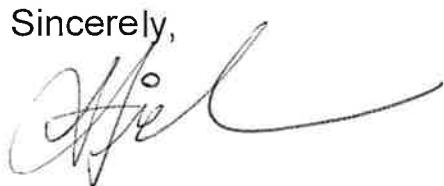
Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

I've spoken with Mr. Pace and viewed the trellis in the backyard. The shallow depth of the lot provides the special circumstance for the variance, and the minimalist nature of the structure combined with the thoughtful "green screening" of the trellis ensures that it will not have any visual impact on the surrounding property owners.

Sincerely,



Lot 48

Looks great.

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

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Sincerely,


Barry Gabel
LOT #6

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

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Sincerely,



Dul Schiller
Lot # 3

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

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Sincerely,

*Paul S. Hazelwood
7032 E. Martin Ave.
Lot 68*

*Note: This structure is amazing! And will be
ever more beautiful when vines are mature!*

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

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Sincerely,

*Whitney Kraft
Lot #19
Looks nice! Enjoy!*

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

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Sincerely,


RL Diers
Lot 23

October 12, 2025

Dear Neighbor,

We hope this note finds you well!

We're in the process of applying for a variance with the Town of Paradise Valley for an unobtrusive outdoor trellis/dining area. As part of the application, we're reaching out to kindly ask for your support.

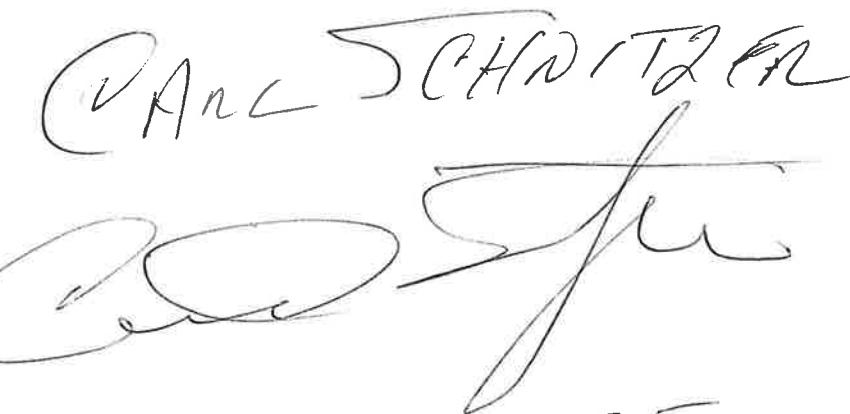
Enclosed, you'll find a few pictures of the proposed trellis. If you're comfortable with it, we would truly appreciate it if you could sign the letter and include your Lot Number. You can simply drop it off in our mailbox at your convenience.

If you'd like to see the trellis in person or have any questions, we'd be happy to show it to you—just let us know a time that works for you!

Thank you so much for considering this. We truly appreciate your support and are always grateful to have such wonderful neighbors.

Thank you,

Zach and Becca Pace
7062 E. Belmont Avenue
*Zach 602-920-9212


LOT 55

OF COURSE IT'S OKAY WITH
45

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

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Sincerely,

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

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Sincerely,



CINDY WOLFGANG
LOT 49

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

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Sincerely,

Skip Newell
LOT 41

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

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Sincerely,

Mark Breenfield, Lot #26

James R. Bartlett

10/14

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85251

**Re: Pace Family Variance
AZ**

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

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Sincerely,

Jim Bartlett *Susan Bartlett*

Jim & Sue Bartlett

Lot 66, Cheney Estates

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

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Sincerely,


Shirley & Pamela Dickerson
Lot 16.

October 11, 2025

Dear Neighbor,

We hope this note finds you well!

We're in the process of applying for a variance with the Town of Paradise Valley for an unobtrusive outdoor trellis/dining area. As part of the application, we're reaching out to kindly ask for your support.

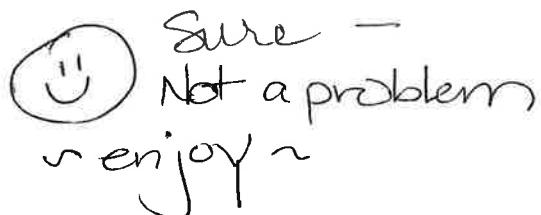
Enclosed, you'll find a few pictures of the proposed trellis. If you're comfortable with it, we would truly appreciate it if you could sign the letter and include your Lot Number. You can simply drop it off in our mailbox at your convenience.

If you'd like to see the trellis in person or have any questions, we'd be happy to show it to you—just let us know a time that works for you!

Thank you so much for considering this. We truly appreciate your support and are always grateful to have such wonderful neighbors.

Thank you,

Zach and Becca Pace
7062 E. Belmont Avenue
*Zach 602-920-9212

 Sure —
Not a problem
~enjoy~

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

I am a resident of Cheney Estates and I am writing to express my support for the proposed variance to allow an existing garden trellis structure to encroach into the east building setback in the backyard of the Pace family residence at the above-referenced address.

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Sincerely,

Leslie & Marla Fish
7067 E. Bronco Dr.
Paradise Valley, AZ
85253

Cheney Estates - Lot #61

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

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Sincerely,

John Brennan
7065 E. Belmont Ave
LOT # 65

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

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Sincerely,

Brett Pazzaglia
lot # 63

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

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Sincerely,

Barbara & Doron Burger 10/25/25
Lot #40
7855 N. 71st St
P.V. AZ 85253
314-477-9588 cell

October 1, 2025

Community Development
Planning Division
6401 E. Lincoln Drive
Paradise Valley, AZ 85253

Re: Pace Family Variance – 7062 E. Belmont Avenue, Paradise Valley, AZ

To Whom it May Concern:

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Sincerely,

*Anne E. John Mahoney
Lot 69*

NOTICE OF PUBLIC HEARING TOWN OF PARADISE VALLEY

Notice is hereby given that the Town of Paradise Valley Board of Adjustment will hold a **public hearing at 5:30 p.m. on Wednesday, January 7, 2026**, at Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253 for:

PUBLIC HEARING: Discussion and Possible Action on a variance from the Zoning Ordinance, Article X, Height and Area Regulations, to allow a trellis to encroach into the side yard with frontage setback. The property is located at 7062 E Belmont Avenue (Assessor's Parcel Number 174-40-063).

If you have questions about this application, please call Planner II Brandon McMahon with the Planning Department at (480) 348-3531.

Notice is hereby given pursuant to A.R.S. §38-431.02. that members of the Board of Adjustment may attend by audio/video conference call.

The Town of Paradise Valley endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can be provided for disabled persons at public meetings. Please call 480-948-7411 (voice) or 483-1811 (TDD) to request accommodation.

For further information about any of these matters, please contact the Community Development Department, 6401 E. Lincoln Drive, Paradise Valley, Arizona, 480-348-3692.

All agendas are subject to change. You can view the agenda, find application material, and provide your input via eComment approximately 4-6 days prior to the meeting date at <https://paradisevalleyaz.legistar.com/Calendar.aspx>. You may also contact the staff liaison, Brandon McMahon on this application at bmcmahon@paradisevalleyaz.gov or 480-348-3531 at any time before the scheduled meeting date.



COMMUNITY DEVELOPMENT DEPARTMENT AFFIDAVIT OF MAILING NOTIFICATION

Town of Paradise Valley • 6401 East Lincoln Drive • Paradise Valley, Arizona 85253 • Phone: (480) 348-3692

STATE OF ARIZONA)
)
) ss:
County of Maricopa)

In accordance with the requirements of the Town of Paradise Valley, the undersigned hereby certifies that all the property owners within 1,500 feet of the property, as obtained from the Maricopa County Assessor's Office on 11/12/25, for the proposed application BA-25-12 has been mailed on the following

date December 12, 2025. (Case Number)

(This property list shall not be older than thirty (30) days at the time of filing of the application).

A blue ink signature of the name "Benjamin Tate" over a horizontal line.

The foregoing instrument was acknowledged by me this 12th day of December,
2025, by Benjamin Tate.
Name

A blue ink signature of the name "Serena Chiaramonte" over a horizontal line.

NOTARY PUBLIC

My commission expires:

A handwritten date in blue ink: "February 22nd, 2026".

**NOTICE OF PUBLIC HEARING
TOWN OF PARADISE VALLEY**

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2003 LOK FAMILY TRUST
7154 E IRONWOOD DR
PARADISE VALLEY, AZ 85253

6900 E BELMONT LLC
11110 N TATUM BLVD STE 100
PHOENIX, AZ 85028

7120 PARADISE RANCH LLC
7120 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

7373 PIEDMONT LLC
1819 E SOUTHERN AVE STE B10
MESA, AZ 85204

AAI TRUST
7010 E AVENIDA EL ALBA
PARADISE VALLEY, AZ 85253

AB RENTAL BELMONT LLC
6929 HAYDEN RD STE C4-165
SCOTTSDALE, AZ 85250

AGATE TRUST
6855 E BRONCO DR
PARADISE VALLEY, AZ 85253

AKUMAL LLC
7543 N MOCKINGBIRD LN
PARADISE VALLEY, AZ 85253

ALI YOLANDA E TR
7127 E FOOTHILL DR
PARADISE VALLEY, AZ 85253

ANUGU-DHANJAL LIVING TRUST
6918 E BRONCO DR
PARADISE VALLEY, AZ 85253

BAGAI LIVING TRUST
6918 E BELMONT AVE
PARADISE VALLEY, AZ 85253

BARBARA F BERGER REVOCABLE TRUST
7855 N 71ST ST
PARADISE VALLEY, AZ 85253

BARBARA L COOPER TRUST
6805 E BRONCO DR
PARADISE VALLEY, AZ 85253

BARBEE FAMILY LIVING TRUST
6821 E BELMONT CIR
PARADISE VALLEY, AZ 85253

BARTLETT JAMES R/SUSAN B TR
7700 N 71ST ST
PARADISE VALLEY, AZ 85253

BELMONT ESTATE LLC
1309 COFFEEN AVE STE 1200
SHERIDAN, WY 82801

BENSON FAMILY IRREVOCABLE TRUST OF
2020/SHAWN BENSON IRREVOCABLE
TRUST OF 2020
7533 N 70TH ST
PARADISE VALLEY, AZ 85253

BORAD MITESH JIVRAJ
7031 E MORTEN AVE
PARADISE VALLEY, AZ 85253

BORDER TRUST
13500 156TH ST
EDMOND, AB T5V 1L3, CANADA

BOSCO MICHAEL F
6901 E BELMONT AVE
PARADISE VALLEY, AZ 85253

BRACHFELD MARK I/ANDREWS
CYNTHIA C TR
7102 E BELMONT AVE
PARADISE VALLEY, AZ 85253

BREWSTER GREGG A/TRACY M
7122 E BRONCO DR
PARADISE VALLEY, AZ 85253

BROOKS EDWARD H/BARBARA
6825 E IRONWOOD DR
PARADISE VALLEY, AZ 85253

CAMINO SERNA TRUST
6840 E CUARENTA CT
PARADISE VALLEY, AZ 85253

CASHMAN SUSAN E/VITO JAMES M
7437 N 71ST ST
PARADISE VALLEY, AZ 85253

CASTRO-MARTINEZ LIVING TRUST
6901 E NORTHERN AVE
PARADISE VALLEY, AZ 85253

CHAL ARTHUR H/KAREN K TR
6900 E BRONCO DR
PARADISE VALLEY, AZ 85253

CHENEY DR LLC
7505 N 70TH ST
PARADISE VALLEY, AZ 85253

CHENEY SKY LLC
7740 E GAINES RANCH RD STE 28
SCOTTSDALE, AZ 85258

CHERNUS JACK H/JENNIFER S
7161 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

CHORNEYKO FAMILY LIVING TRUST
6911 E BELMONT AVE
PARADISE VALLEY, AZ 85253

CHUN WOOKJIN/MOON MINSOO
7004 E AVENIDA EL ALBA
PARADISE VALLEY, AZ 85253

COOPER FAMILY TRUST
6850 E CHENEY DR
PARADISE VALLEY, AZ 85253

CRAFT HAROLD D
76 ISLAND PSGE
GALVESTON, TX 77554

CRAIG G BABCOCK LIVING TRUST/LDB
DOWNTOWN GROVE TRUST
8711 E PINNACLE PEAK RD
SCOTTSDALE, AZ 85255

DEZELON FAMILY TRUST
7601 N 69TH PL
PARADISE VALLEY, AZ 85253

DIERS TRUST
7160 E BELMONT AVE
PARADISE VALLEY, AZ 85253

DOCKTOR DIANE G
7033 E BELMONT AVE
PARADISE VALLEY, AZ 85253

DONALD CRAIG BENNETT
TRUST/CARLOS M CABRERA TRUST
7170 E PARADISE CANYON RD
PARADISE VALLEY, AZ 85253

DONSKY 2023 REVOCABLE TRUST
2025 N THIRD ST
PHOENIX, AZ 85004

E V HANCOCK II REVOCABLE TRUST
7877 N 71ST ST
PARADISE VALLEY, AZ 85253

EGAN FAMILY REVOCABLE LIVING TRUST
6808 E BRONCO DR
PARADISE VALLEY, AZ 85253

FENCHEL FAMILY TRUST
6867 E CUARENTA CT
PARADISE VALLEY, AZ 85253

FISH LESLIE R/MARLA S TR
7067 E BRONCO DR
PARADISE VALLEY, AZ 85253

FISHER GREG/NANCY TR
7124 E FOOTMILL DR
PARADISE VALLEY, AZ 85253

FOLKMAN PROPERTIES LLC
2422 E PALO VERDE DR
PHOENIX, AZ 85016

FRANKLIN MICHAEL E/PAMELA M
18 CADOGAN SQUARE FLAT 3
LONDON, GBR SW1X 0HX, UK

FRANSEN ROBERT L/RENEA CORRINE
5990 LORING DR
MOUND, MN 55364

GABEL BARRY H/BABBI L TR
7130 E PARADISE CANYON RD
PARADISE VALLEY, AZ 85253

GAIL C HAZELWOOD LIVING TRUST
7032 E MORTEN AVE
PARADISE VALLEY, AZ 85253

GEORGE H JOHNSON REVOCABLE
TRUST-SURVIVORS TRUST
7172 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

GIANNINI ROBERT
1036 MONTEREY BLVD
HERMOSA BEACH, CA 90254

GLOBAL PACIFIC FUNDING II LLC
7104 E BRONCO DR
PARADISE VALLEY, AZ 85253

GOLD MD LLC
7107 E BRONCO DR
PARADISE VALLEY, AZ 85253

GORDON COLE T
7153 E IRONWOOD DR
PARADISE VALLEY, AZ 85253

Gregg M CITRON AND
LORI Y CITRON TRUST
7130 E IRONWOOD DR
PARADISE VALLEY, AZ 85253

HAMWAY GEOFFREY H/MARY E TR
7112 E BRONCO DR
PARADISE VALLEY, AZ 85253

HARRIS REVOCABLE TRUST
6822 E BELMONT CIR
PARADISE VALLEY, AZ 85253

HAWKMAN LLC
7180 E BELMONT AVE
PARADISE VALLEY, AZ 85253

HAYUTIN GREGG S/KAREN
6795 E TENNESSE AVE 601
DENVER, CO 80224

HEAVENLY PROPERTIES LLC
9953 E TOMS THUMB
SCOTTSDALE, AZ 85255

HELEN Y CHANG FAMILY TRUST
6945 E CHENEY DR
PARADISE VALLEY, AZ 85253

HENSHAW FAMILY TRUST
6932 E BRONCO DR
PARADISE VALLEY, AZ 85253

HORIUCHI-YVKOFF ANGELA
8061 E VIA SIERRA
SCOTTSDALE, AZ 85258

HOSPODOR PETER J
6950 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

HUNTON STEVEN L/CAROLEE A TR
7820 N 70TH ST
PARADISE VALLEY, AZ 85253

IRONWOOD GOLF VILLAS LLC
14746 N 78TH WAY
SCOTTSDALE, AZ USA 85260

JA IRREVOCABLE TRUST
7155 E PARADISE CANYON RD
PARADISE VALLEY, AZ 85253

JACOBSEN JULIE/RICHARD
6941 E BRONCO DR
PARADISE VALLEY, AZ 85253

JAMES L AND LISA G HELT FAMILY TRUST
7880 N 71ST ST
PARADISE VALLEY, AZ 85253

JAN AND HOWARD HENDLER
FAMILY TRUST
7065 E FOOTHILL DR
PARADISE VALLEY, AZ 85253

JARM LLC
7144 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

JASON C MITCHELL LIVING TRUST
7840 N 70TH ST
PARADISE VALLEY, AZ 85253

JEFFREY GILBRAITH LINK REVOCABLE
TRUST/KATHERINE MELISSA LINK
REVOCABLE TRUST
6835 E BRONCO DR
PARADISE VALLEY, AZ 85253

JOEL L SCHALLER TRUST
7171 E PARADISE CANYON RD
PARADISE VALLEY, AZ 85253

JOEL TORNABENI AND JOLENE
TORNABENI FAMILY TR
7100 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

JOHN H FLITTIE REVOCABLE
TRUST/TAULBEE-FLITTIE JO H (LIFE ESTATE)
2101 VIA MONTECITO
Camarillo, CA 93012

JOHNSON LIVING TRUST
6805 E CUARENTA CT
PARADISE VALLEY, AZ 85253

JTF FAMILY TRUST
6917 E BRONCO DR
PARADISE VALLEY, AZ 85253

JUDY L VAIL TRUST
7141 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

KATHLEEN McDOWELL TRUST
7111 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

KELLY ROBERT/ANNMARIE
6833 E BELMONT CIR
PARADISE VALLEY, AZ 85253

KENNEDY ROBERT JAMES/GAIL MARIE
7155 E FOOTHILL DR
PARADISE VALLEY, AZ 85253

KERN LARRY M/ROBERTA A
2325 E BOWKER ST
PHOENIX, AZ 85040

KESIC MILAN/DANIELLE
7545 N MOCKINGBIRD LN
PARADISE VALLEY, AZ 85253

KEVIN AND TARA MACKENZIE
LIVING TRUST
6840 E BRONCO DR
PARADISE VALLEY, AZ 85253

KIRK FAMILY REVOCABLE TRUST
7030 E FOOTHILL DR
PARADISE VALLEY, AZ 85253

KLIBANOFF LIVING TRUST
6929 E CHENEY DR
PARADISE VALLEY, AZ 85253

LEE-LANNOTTI FAMILY TRUST
6959 E IRONWOOD DR
PARADISE VALLEY, AZ 85253

LINDSEY DAVID CLEVELAND
7131 E FOOTHILLS DR
PARADISE VALLEY, AZ 85253

LOEBER GEORGE
1245 ABERDEEN RD
INVERNESS, IL 60067

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7130 E BELMONT AVE
PARADISE VALLEY, AZ 85253

MAHONEY FAMILY REVOCABLE TRUST
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PARADISE VALLEY, AZ 85253

MAHONEY JOHN/ANNE
7110 E BELMONT AVE
PARADISE VALLEY, AZ 85253

MANKANWAL AND JASGIT SACHDEV
LIVING TRUST
7602 N 69TH PL
PARADISE VALLEY, AZ 85253

MARELLA PUNNAIAH
CHOWDARY/SIRIPURAPU SHANTIPRIYA
7025 E CHENEY DR
PARADISE VALLEY, AZ 85253

MARGARET E COCHRAN TRUST
7150 E PARADISE CANYON RD
PARADISE VALLEY, AZ 85253

MARTHA SHARP CANTERBURY
500 GRANT ST STE 3713
PITTSBURGH, PA 15258

MARTORI STEPHEN A III/ERIKA
6901 E BRONCO DR
PARADISE VALLEY, AZ 85253

MASCI GREGORY J/CAMBRIA C
1701 REDROCK DR
GALLUP, NM 87340

MAUREEN D CASEY TRUST
1440 WISCONSIN AVE
WHITEFISH, MT 59937

MCCORMICK RANCH PROPERTY
OWNERS ASSOCIATION INC
9248 N 94TH ST
SCOTTSDALE, AZ 85258

MCTI LIVING TRUST
6860 E CUARENTA CT
PARADISE VALLEY, AZ 85253

MELKA DAVID P/ROSLYN J
6900 E CHENEY RD
PARADISE VALLEY, AZ 85253

MICHAEL T JENNINGS TRUST
6880 E BRONCO DR
PARADISE VALLEY, AZ 85253

MORRIS GLENN HOWELL JR/SUZANNE
WALKER
7816 N 70TH ST
PARADISE VALLEY, AZ 85253

MUELLER DENNIS L/SUSAN L TR
6974 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

NABONG FAMILY REVOCABLE
LIVING TRUST
7812 N 70TH ST
PARADISE VALLEY, AZ 85253

NILSEN FAMILY TRUST
7140 E BRONCO DR
PARADISE VALLEY, AZ 85253

NOEL NOVARRO AND JILL E NOVARRO
FAMILY TRUST
6853 E CUARENTA CT
PARADISE VALLEY, AZ 85253

NORM AND JAN CORZINE
REVOCABLE TRUST
PO BOX 4040
SCOTTSDALE, AZ 85261

OAEC LLC
1850 N CENTRAL AVE STE 1800
PHOENIX, AZ 85004

OREFFICE PAUL F/JOANN
6850 E CUARENTA CT
PARADISE VALLEY, AZ 85253

ORNSTEIN FAMILY TRUST
6955 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

PACE FAMILY TRUST
7062 E BELMONT AVE
PARADISE VALLEY, AZ 85253

PAYNE DOUGLAS/JACQUELYN
6991 E IRONWOOD DR
PARADISE VALLEY, AZ 85253

PETERS PROPERTIES LLC
5850 THE KNOLLS
LINCOLN, NE 68512

PEZZUTO BRETT J
7034 E BELMONT AVE
PARADISE VALLEY, AZ 85253

PHAM CLIFF/LE PHUC
7560 N 71ST ST
PARADISE VALLEY, AZ 85253

PORTERHOUSE PROPERTIES LLC
7345 E ACOMA DR 101
SCOTTSDALE, AZ 85260

QUALIFIED MARITAL
TRUST/GALLAGHER ELLEN M
3209 GALLERIA UNIT 1605
EDINA, MN 55435

ROBERT F KULL LIVING TRUST
8120 E WELDON AVE
SCOTTSDALE, AZ 85251

ROBINSON ROBERT M
7101 E BRONCO DR
PARADISE VALLEY, AZ 85253

SANDERS JEFFREY BRENT/MELANIE
MORGAN TR
6858 E BRONCO DR
PARADISE VALLEY, AZ 85253

SCHNITZER CARL STEWART/NADINE
LOUISE TR
7033 E FOOTHILLS DR
SCOTTSDALE, AZ 85253

SHERRY L HURLBURT LIVING
TRUST/LANE RONALD T
7181 E BRONCO DR
PARADISE VALLEY, AZ 85253

SILVERSTEIN LIVING TRUST
7102 E FOOTHILL DR
PARADISE VALLEY, AZ 85253

STANLEY V DICKERSON REVOCABLE
TRUST
7681 N 71ST ST
PARADISE VALLEY, AZ 85253

THOMA CARL/MARILYNN J
5810 PARK LN
DALLAS, TX 75225

TOTTON REVOCABLE TRUST
6988 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

RE FAMILY TRUST
369 MOTTSVILLE LN
GARDNERVILLE, NV 89460

ROBERT SPIES AND DIANE HAMILTON
FAMILY TRUST
7095 E FOOTHILL DR
PARADISE VALLEY, AZ 85253

RONALD LEROY HAMMER AND DEVON
DELONG LIVING TRUST
6955 E NORTHERN AVE
PARADISE VALLEY, AZ 85253

SANDLER LIVING TRUST
16055 N DIAL BLVD STE 10
SCOTTSDALE, AZ 85260

SCRIBNER FAMILY TRUST
6969 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

SHG PV 6902 E BELMONT AVENUE LLC
7377 E DOUBLETREE RANCH RD STE
200 SCOTTSDALE, AZ 85258

SILVESTRI STEVEN J/DARA J TR
6983 E NORTHERN AVE
PARADISE VALLEY, AZ 85253

STUART J HELLER 2021 TRUST
400 S STEELE ST UNIT 64
DENVER, CO 80209

THOMAS M RETTLER REVOCABLE
TRUST/COURTNAY A RETTLER REVOCABLE
TRUST
2328 E STIRLING PKWY
APPLETON, WI 54913

TOWE FAMILY REVOCABLE TRUST
7115 E FOOTHILL DR
PARADISE VALLEY, AZ 85253

RHM RANCH LLC
4222 E THOMAS RD 360
PHOENIX, AZ 85018

ROBERTA M REIMAN
SURVIVIORS TRUST
125 W WISCONSIN AVE STE 200
PEWAUKEE, WI 53072

RYAN E ESNER TRUST
7121 E FOOTHILL DR
PARADISE VALLEY, AZ 85253

SANTO TOMAS SCOTTSDALE HOMES
ASSOCIATION INC
42 S HAMILTON PL STE 101
GILBERT, AZ 85233

SHARON B SIEGEL REVOCABLE TRUST
6983 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

SHIRLEY A KRAFT SURVIVORS TRUST
7139 E BELMONT AVE
PARADISE VALLEY, AZ 85253

SK/MK TRUST
19500 MAYALL ST
NORTHRIDGE, CA 91324

TAYLOR RICHARD P/GAIL P
12907 CANSO PL SW
CALGARY, AB T2W 3A8, CANADA

TIELEMANS ILSE
7177 E PARADISE RANCH RD
PARADISE VALLEY, AZ 85253

TRENT FAMILY TRUST
6988 E IRONWOOD DR
PARADISE VALLEY, AZ 85253

TRUST A OF THE CUMMINGS TRUST
1625 CREEKSIDE DR STE 201
FOLSOM, CA 95630

TRUST NUMBER 3
7655 N 71ST ST
PARADISE VALLEY, AZ 85253

VAN AND MARSHA WELCH
REVOCABLE LIVING TRUST
7058 E FOOTHILL DR
PARADISE VALLEY, AZ 85253

VERDOORN DARYL R/CAROL J
6845 E CUARENTA CT
PARADISE VALLEY, AZ 85253

WEATHERLY JAMES/SHARON
7611 N MOCKINGBIRD LN
PARADISE VALLEY, AZ 85253

WILLIAM BRADFORD LITTLE AND
MONICA SEGO LITTLE TRUST
7030 E CHENEY DR
PARADISE VALLEY, AZ 85253

WOLFERT RONNIE C/EVANS RENE N TR
7100 E BRONCO DR
PARADISE VALLEY, AZ 85253

WOLFINGER FAMILY TRUST
7118 E FOOTHILL DR
PARADISE VALLEY, AZ 85253

WUBS JETSKO H/CHRISTINA
9130 163 A ST
SURREY, BC V4N 5S5, CANADA

YDL AND GIL REVOCABLE TRUST
7631 N MOCKINGBIRD LN
PARADISE VALLEY, AZ 85253



COMMUNITY DEVELOPMENT DEPARTMENT AFFIDAVIT OF POSTING

Town of Paradise Valley • 6401 East Lincoln Drive • Paradise Valley, Arizona 85253 • Phone: (480) 348-3692

STATE OF ARIZONA)
) ss:
County of Maricopa)

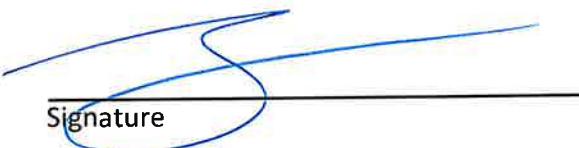
I, Benjamin Tate, depose and state that the attached notice, of proposed application BA-25-12 located at _____ for the Planning Commission/Town Council meeting date of January 7, 20 26 is a true and correct copy of a notice which I cause to be posted by the following day of the week Monday, and on the following date December 8, 20 25 in the following location(s):

Southeast corner of property at intersection of 71st Street and Belmont Avenue.

All in the Town of Paradise Valley, Arizona and County and State aforesaid, the same being public places in said County and in the following locations:

All to the Town of Paradise Valley, Arizona and County and State aforesaid.

DATED this 15th day of December, 20 25.


Signature

This affidavit was Subscribed and sworn to before me on this 15th day of December, 20 25.



NOTARY PUBLIC

My commission expires:

February 22nd, 2026





NOTICE OF HEARING

**TOWN OF PARADISE VALLEY
Board of Adjustment and Appeals
6401 E. Lincoln Drive, Paradise Valley, AZ
5:30 O'CLOCK 7th DAY OF January, 2026**

Notice is hereby given that the Town of Paradise Valley Board of Adjustment will hold a public hearing at 5:30 p.m. on Wednesday, January 7th 2026, at Town Hall, 6401 East Lincoln Drive, Paradise Valley, AZ, 85253 for:

PUBLIC HEARING:

Discussion and Possible Action on a variance from the Zoning Ordinance, Article X, Height and Area Regulations, to allow a trellis to encroach into the side yard with frontage setback. The property is located at 7062 E Belmont Avenue (Assessor's Parcel Number 174-40-063).

If you have questions about this application, please call Town Planner li Brandon McMahon with the Planning Department at (480) 348-3531.
PENALTY FOR DEFACING POSTER PRIOR TO DATE OF HEARING
CASE NO. BA-25-12 POSTING DATE 12/12/2025



PO Box 632099, Cincinnati, OH 45263-2099

AFFIDAVIT OF PUBLICATION

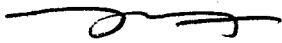
Duncan Miller
Town Of Paradise Valley
6401 E Lincoln DR
Paradise Valley AZ 85253-4328

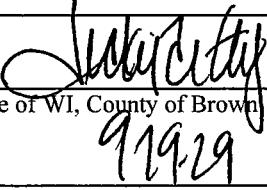
STATE OF WISCONSIN, COUNTY OF BROWN

The Arizona Business Gazette, a newspaper published in the city of Phoenix and general circulation in the counties of Maricopa, Coconino and Pinal, State of Arizona, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

PNI azcentral.com 12/18/2025
PNI Business Gazette 12/18/2025

and that the fees charged are legal.
Sworn to and subscribed before on 12/18/2025


Legal Clerk


Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$20.28
Tax Amount: \$0.00
Payment Cost: \$20.28
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THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

VICKY FELTY
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING
TOWN OF PARADISE VALLEY

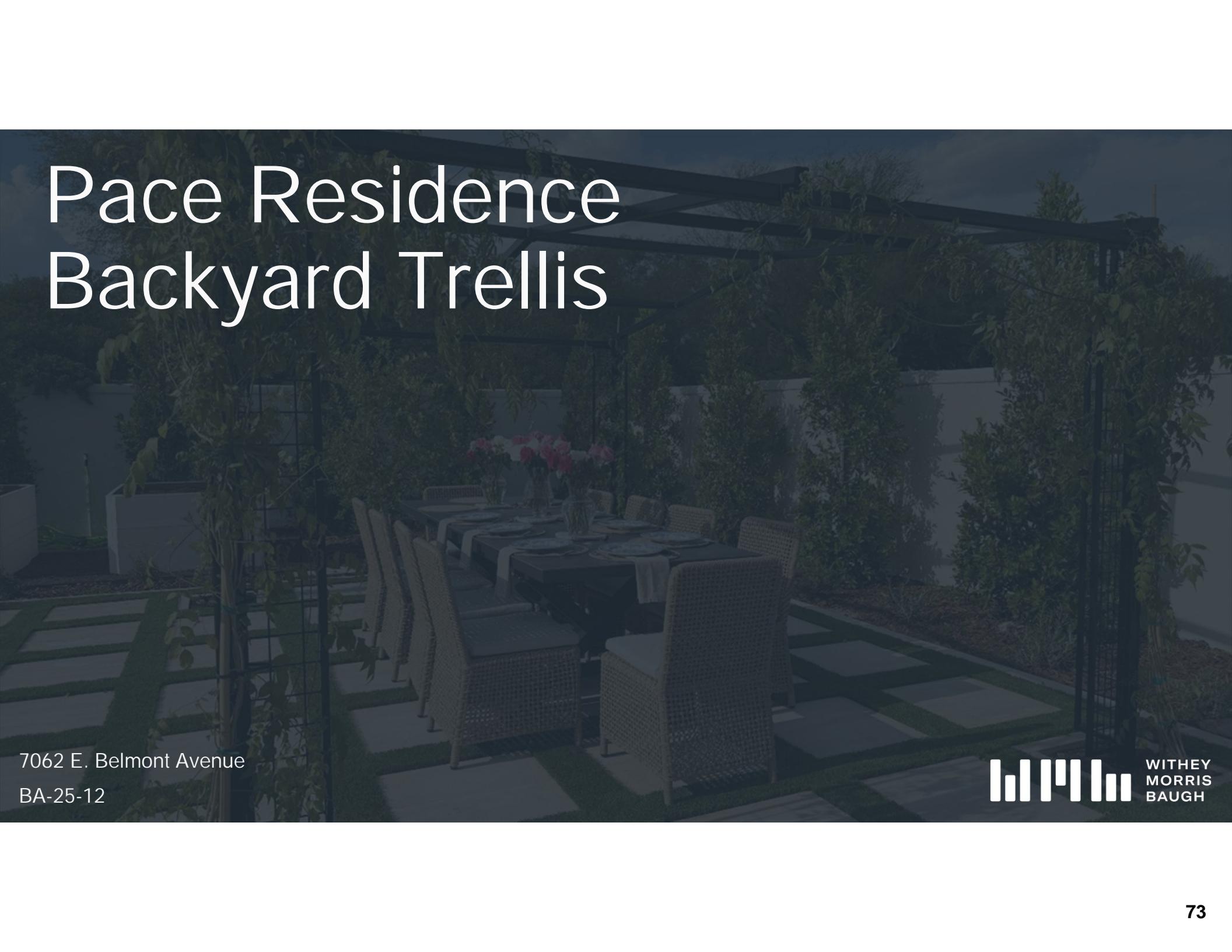
Notice is hereby given that the Town of Paradise Valley Board of Adjustment will hold a public hearing at 5:30 p.m. on Wednesday, January 7, 2026, at Town Hall, 6401 East Lincoln Drive, Paradise Valley, Arizona, 85253 for: Public Hearing: Discussion and Possible Action on a variance from the Zoning Ordinance, Article X, Height and Area Regulations, to allow a trellis to encroach into the side yard with frontage setback. The property is located at 7062 E Belmont Avenue (Assessor's Parcel Number 174-40-063). If you have questions about this application, please call Planner II Brandon McMahon with the Planning Department at (480) 348-3531. Notice is hereby given pursuant to A.R.S. §38-431.02. that members of the Board of Adjustment may attend by audio/video conference call. The Town of Paradise Valley endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can be provided for disabled persons at public meetings. Please call 480-948-7411 (voice) or 483-1811 (TDD) to request accommodation.

For further information about any of these matters, please contact the Community Development Department, 6401 E. Lincoln Drive, Paradise Valley, Arizona, 480-348-3692. All agendas are subject to change. You can view the agenda, find application material, and provide your input via eComment approximately 4-6 days prior to the meeting date at <https://paradisevalleyaz.legistar.com/Calendar.aspx>. You may also contact the staff liaison, Brandon McMahon on this application at bmcMahon@paradisevalleyaz.gov or 480-348-3531 at any time before the scheduled meeting date.

December 18 2025

LAZS0416804

Pace Residence Backyard Trellis

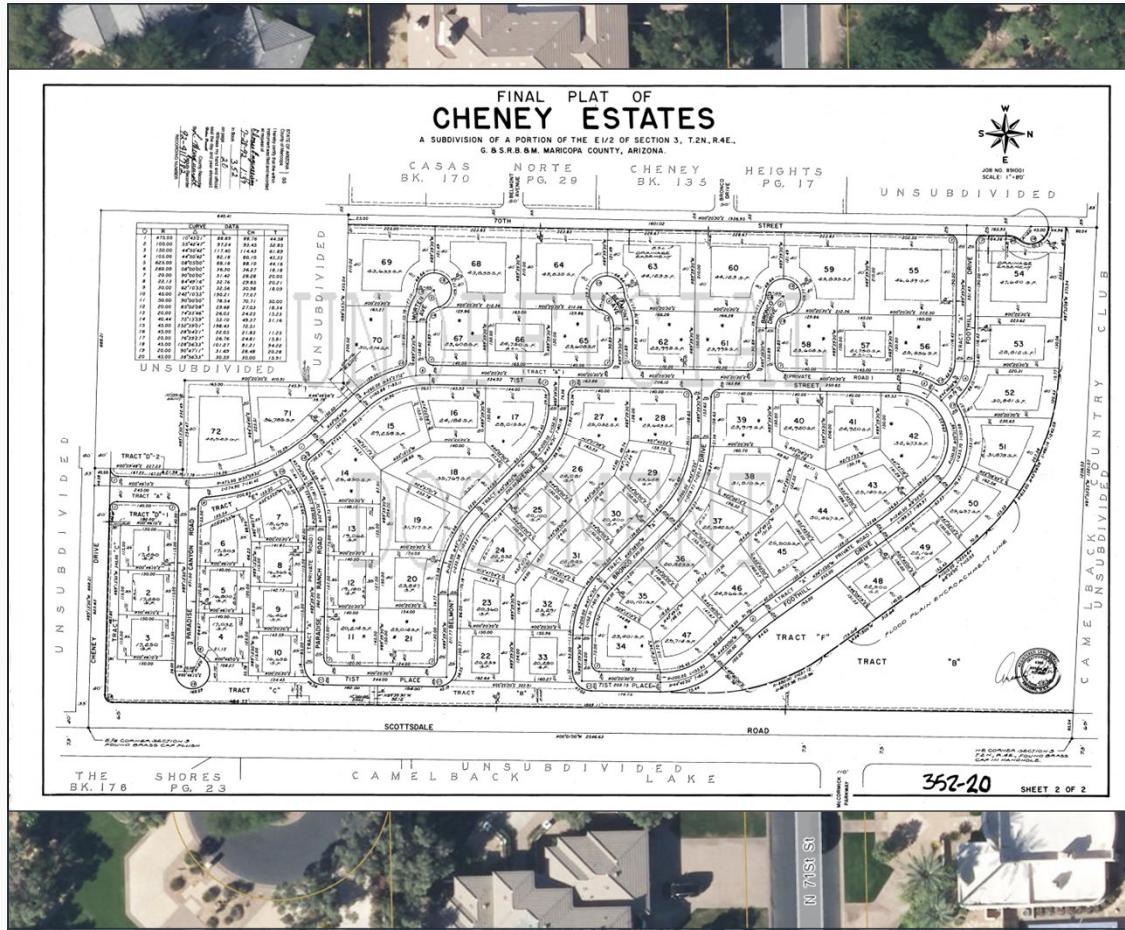


7062 E. Belmont Avenue
BA-25-12



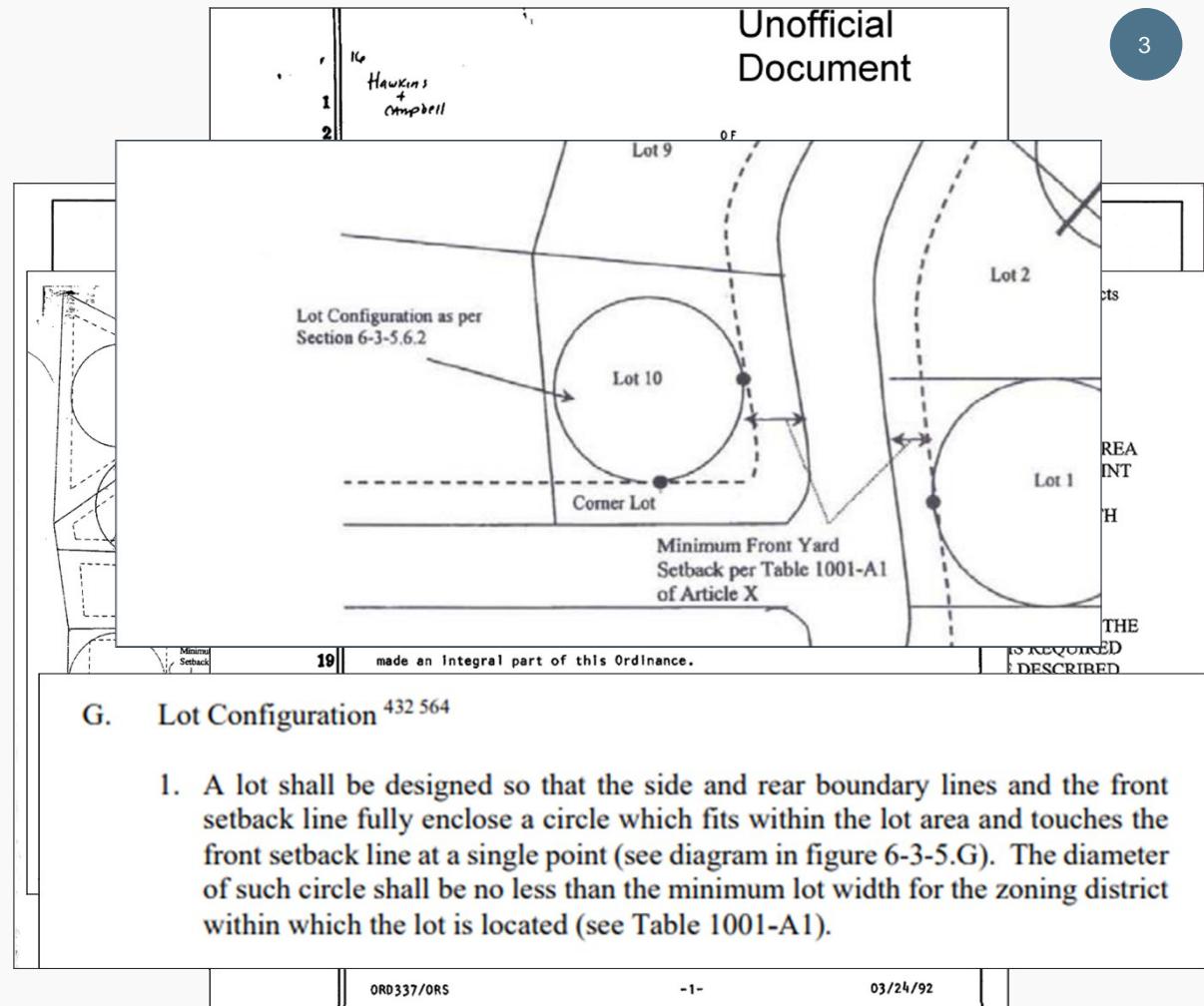
About the Site

- 7062 E. Belmont Avenue
- Cheney Estates neighborhood
- Site Area: 23,393 SF (0.537 ac)
- Zoned R-35 CP (Cluster Plan)
- Surrounding Land Uses:
 - North: Single-Family Residential (R-35 CP)
 - East: Single-Family Residential (R-35 CP)
 - South: Single-Family Residential (R-35 CP)
 - West: Single-Family Residential (R-43)
- Cluster Plan zoning (R-35 and R-18) for Cheney Estates approved in May 1992.
- Final Plat for Cheney Estates approved and recorded July 1992.
- 4,302 SF residence constructed on the subject site in 1994.



Site History/Overview

- Cheney Estates rezoned to R-35 Cluster Plan and R-18 Cluster Plan on May 28, 1992 via Ordinance 347.
- Final Plat for Cheney Estates recorded July 22, 1992.
- Paradise Valley Zoning Ordinance amended on December 19, 1996 via Ordinance No. 432 to adopt "circle rule" for lot configuration.
 - Minimum lot depth must be equal to minimum lot width plus minimum front yard setback.
- Paradise Valley Town Code amended November 3, 2005 via Ordinance No. 564 to relocate lot configuration provisions from Zoning Ordinance to Subdivision Code.
 - Established the subject site as a legal non-conforming shallow lot.



Variance Request

- Paradise Valley Zoning Ordinance requires minimum 40-foot setback in R-35 for any lot line with street frontage
- Request to reduce minimum setback to 15 feet on eastern boundary to accommodate garden trellis.
- Legally non-conforming lot depth and ordinance changes create special circumstances and a hardship meriting relief.
- Minimalist nature of structure and “green screening” allow trellis to disappear into surrounding landscape and eliminate any visual impact.
- 10-foot landscape strip between back of curb and wall on 71st Street enhances buffer to 25 feet.



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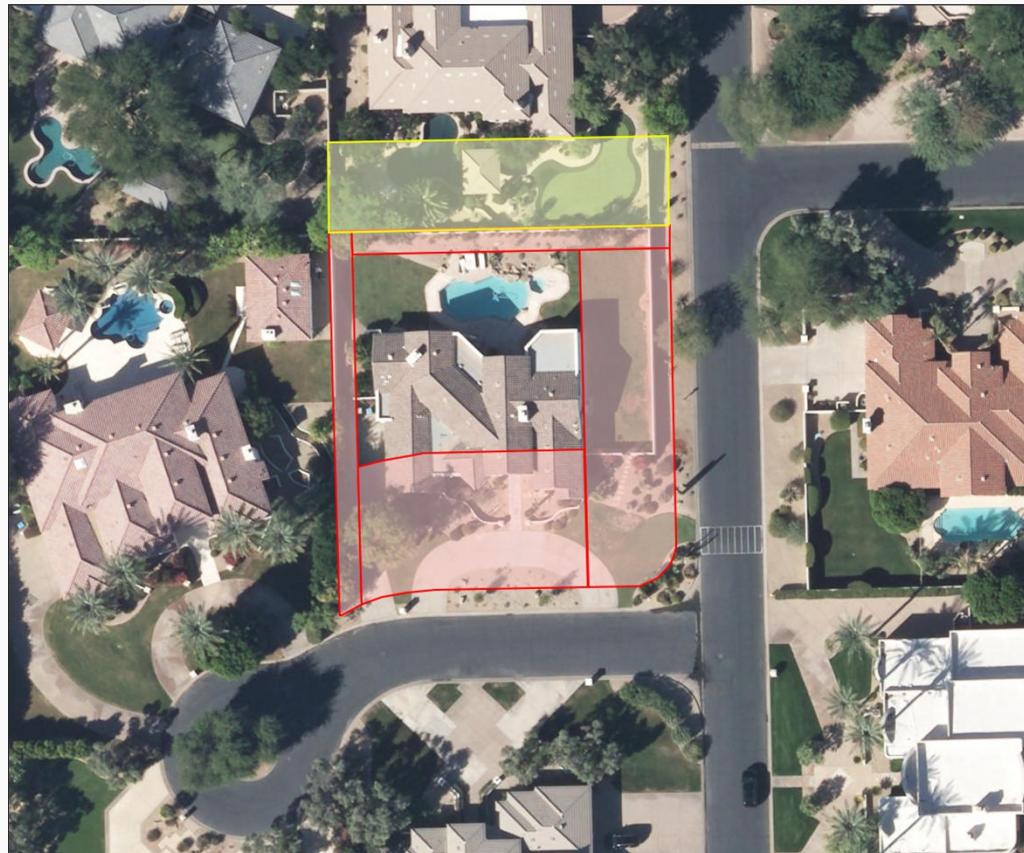
Variance Test: Special Circumstances

- Cluster Plan zoning option allows for reduced individual lot sizes in exchange for robust common open space.
 - Does not explicitly allow for deviation from prescribed minimum lot width in Tables 1001-A1 and 1001-B.
 - R-35 minimum lot width: 150 feet.
- Cluster Plan lots are still subject to standard setbacks, despite undersized lot area.
 - 40-foot side setbacks along street frontage, primary and accessory structures.
 - Building setbacks assume a standard lot size, may not have been contemplated in Cluster Plan district ordinance.
- Cheney Estates Cluster Plan zoning adopted May 1992.
- Zoning Ordinance updated December 1996 to adopt "circle rule".
 - Subsequently relocated to Subdivision Ordinance in Town Code in November 2005.



Variance Test: Special Circumstances

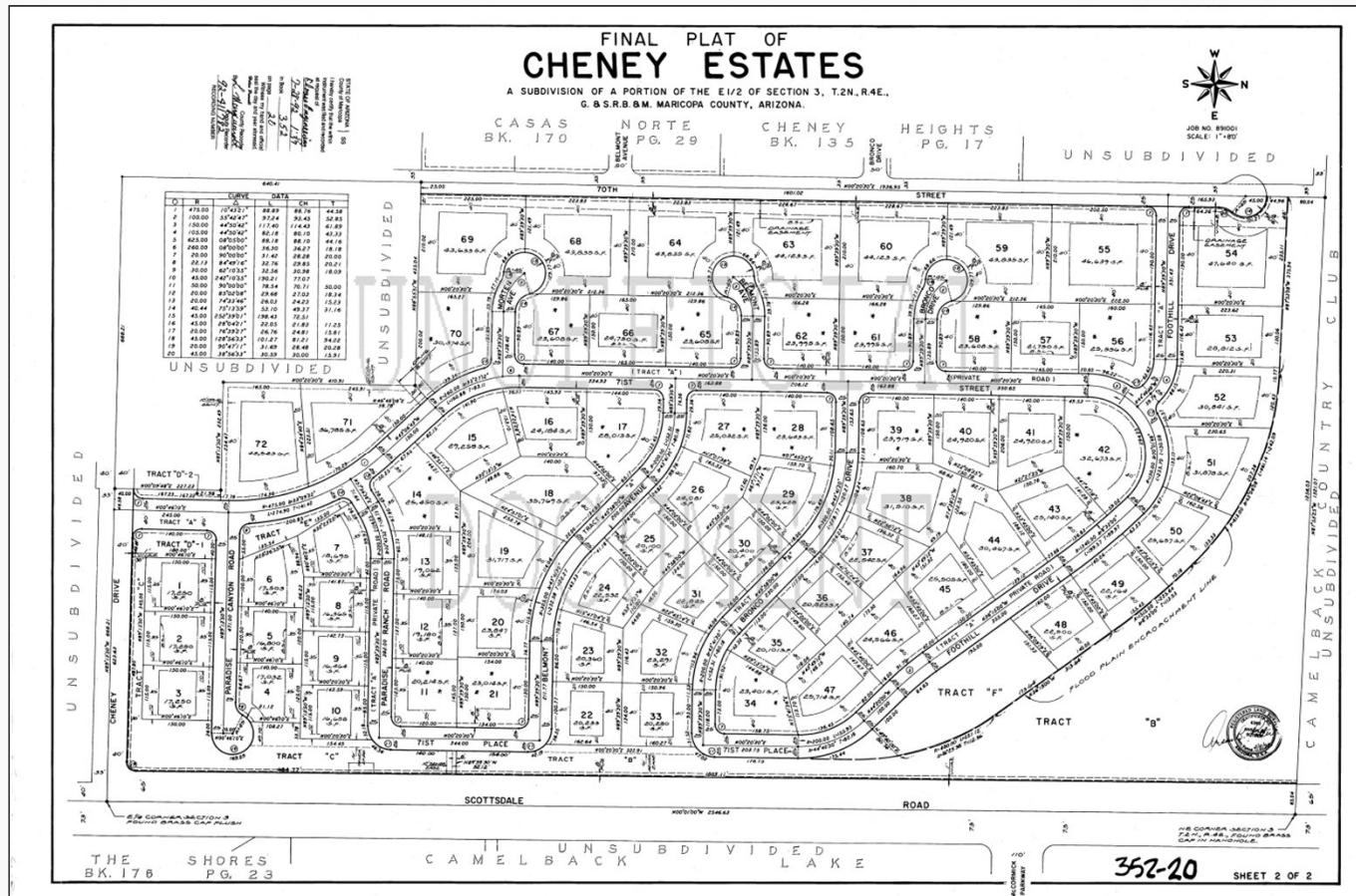
- Subsequent changes created a legally non-conforming shallow lot.
 - Minimum lot depth per current Town Code is 190 feet for an R-35 lot.
 - Property is 140 feet deep at shallowest point and 166 feet deep at deepest point.
 - 24 to 50 feet short of current lot depth requirements.
- Combination of legally non-conforming shallow lot and setbacks for standard R-35 lot creates unduly restrictive building envelope.
 - Minimum lot depths and widths intended to ensure adequate building envelope when taking setbacks into account.
 - Corner lot in historical R-35 Cluster Plan development represents an intersection of unintended consequences, significantly limiting developable area.



7

Variance Test: Not Self-Imposed

- Applicant played no role in the zoning of Cheney Estates to Cluster Plan, nor the platting of its lots.
- Applicant had no part in the amendments to the Paradise Valley Town Code or Zoning Ordinance that established the “circle rule” and made the Property a legally non-conforming lot.
- The hardship is an unanticipated consequence of apply setbacks intended for a standard lot to a non-standard, undersized lot.



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Variance Test: Strict Application

- Standard R-35 lots enjoy legally conforming lot depth (190+ feet) and adequate yard area to locate a minimalist garden trellis within the allowable building envelope.
- Property suffers from inadequate dimensions relative to the requirements of the Zoning Ordinance, depriving the applicant of property rights enjoyed by owners of other R-35 properties in the Town.
- Confluence of the reduced lot area permitted by CP zoning with double-frontage setbacks intended for standard R-35 corner lots:
 - Creates a hardship
 - Is not contemplated by the PV Zoning Ordinance.
- Standard setbacks assume conformance with minimum lot depth and width requirements.



Other Considerations

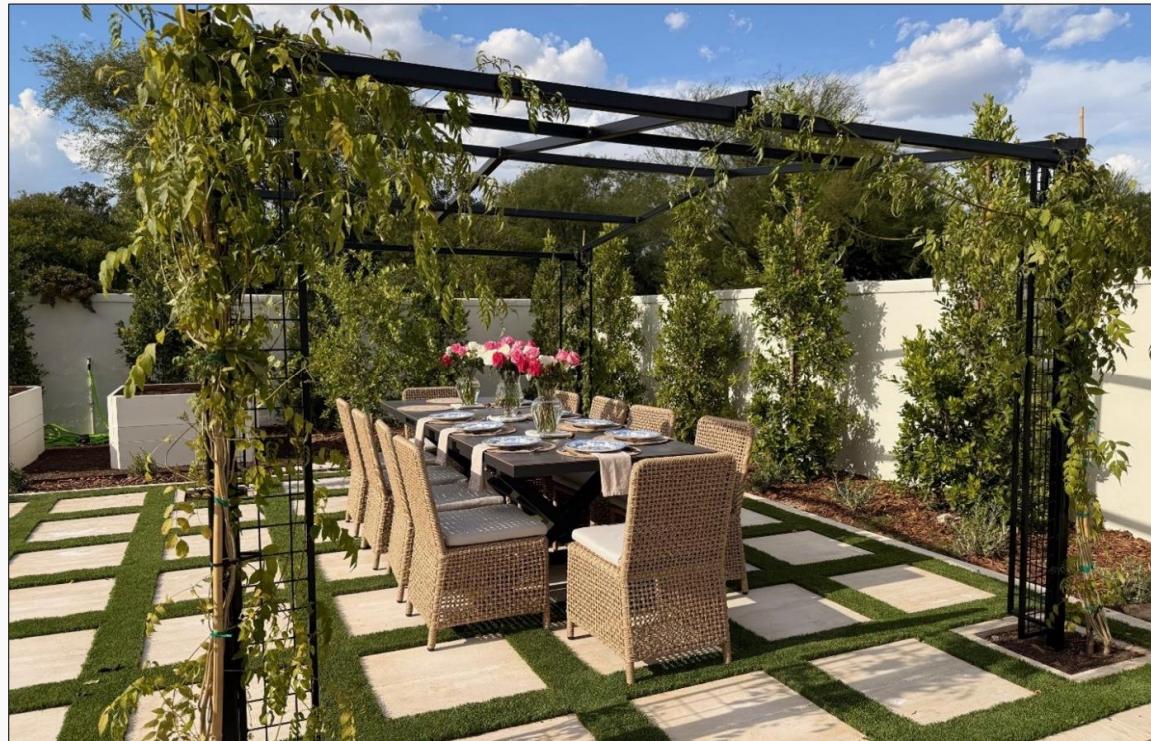
- **Minimalist Structure:** trellis consists only of welded steel tubing with no solid roof or walls.
 - Setbacks intended to limit visual impact of structures.
 - Structure itself has almost no visual impact. Will not block views, cast shadows on adjacent properties, or create any privacy concerns.
- **Green Screening:** flowering vines planted at four corners of trellis will eventually cover the entire structure, and perimeter hedge will shield it from view.
 - Trellis will disappear from view once vines and hedge reach maturity.
- **Effective Setback:** 10-foot landscape strip between back of curb and property line along west side of 71st Street increases the effective setback/buffer for trellis to 25 feet
- **Support:** Applicant has obtained 20 letters of support from neighbors in Cheney Estates.





Summary

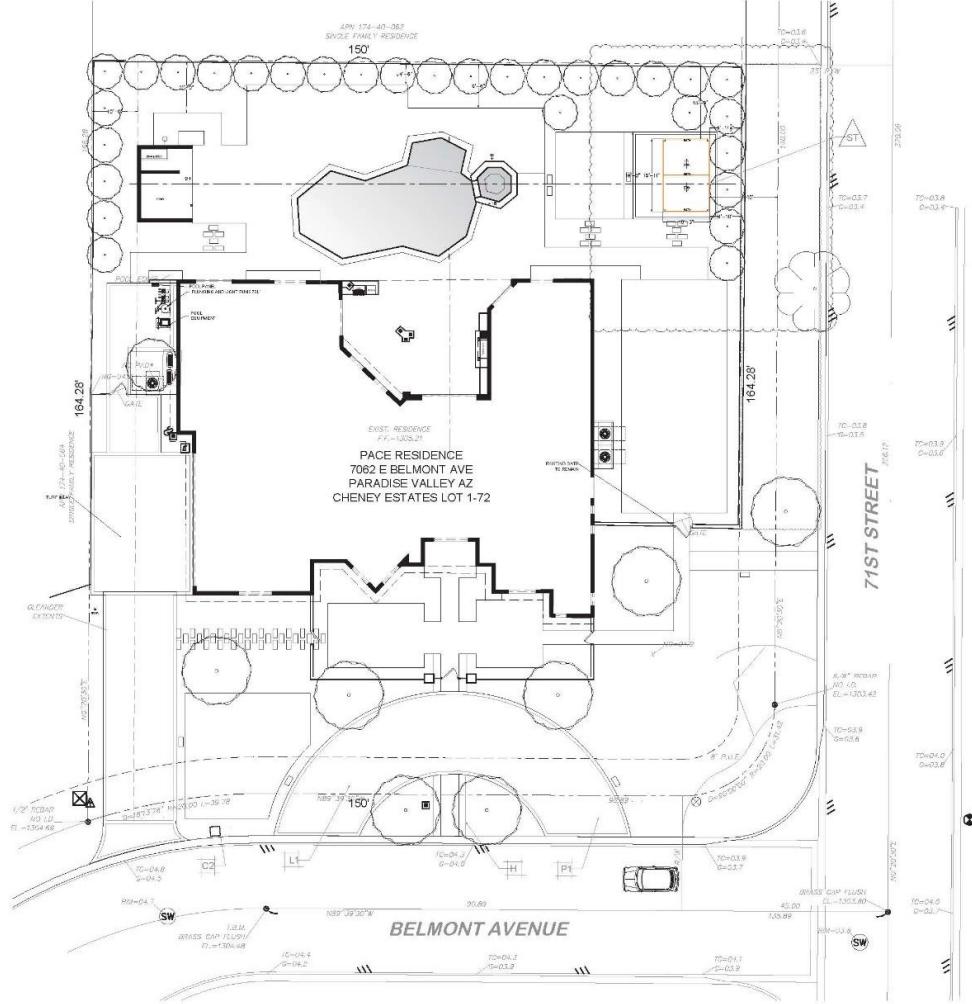
- Variance request meets all three elements of variance test:
 - Special circumstances: Legally non-conforming lot, ordinance changes.
 - Not self-imposed: No role in lot formation or changes to Town Code and Zoning Ordinance.
 - Strict application: Applicant does not enjoy same bundle of rights as other R-35 property owners with legally conforming lots.
- Requesting minimal relief to allow appropriate development of backyard pool.
- Addresses blind spot/deficiency in interaction between Zoning Ordinance and Subdivision Code.
- Significant support (20 letters) from Cheney Estates community.



QUESTIONS



WITHEY MORRIS BAUGH



ST STRUCTURE

GARDEN TRELLIS - 151" x 103" x 96" H-84" H	2 GFCI, ELECTRIC RUN	208 L'
STRING LIGHTS ON DIMMABLE ON/OFF SWITCH	1 EA	
SLAT OPEN ROOF ALUMINUM GARDEN TRELLIS		

H HOUSE SF

LOT SIZE	23,360 SF
MAIN HABITABLE	18% 4332 SF
EXISTING GARAGE	752 SF
EXISTING SOLID ROOF COVERED PATIO	488 SF
SAUNA	204 SF
SLAT OPEN ROOF ALUMINUM GARDEN TRELLIS	16.5 SF
TOTAL ALLOWED 5,848 SF 25% TOTAL 5,848SF 24.9%	

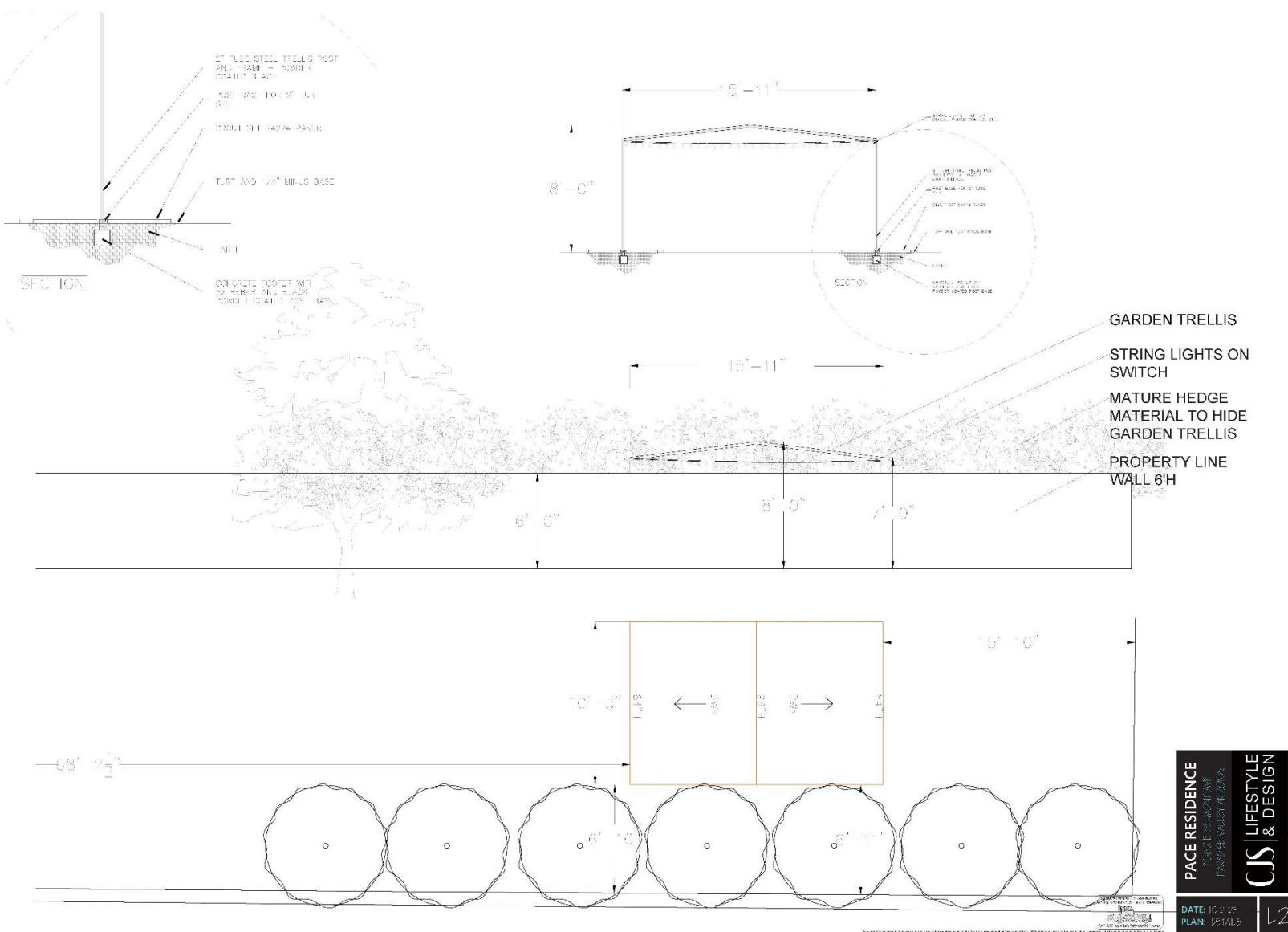
PACE RESIDENCE
7062 E BELMONT AVE
PARADISE VALLEY AZ
CHENY ESTATES LOT 1-72

CJS LIFESTYLE & DESIGN

DATE: 11.11.25
PLAN: PACE



WITHEY
MORRIS
BAUGH



TOWN OF PARADISE VALLEY

Case BA-25-12
7062 E Belmont Avenue
Trellis Setback Variance

**Board of Adjustment
January 7, 2026**



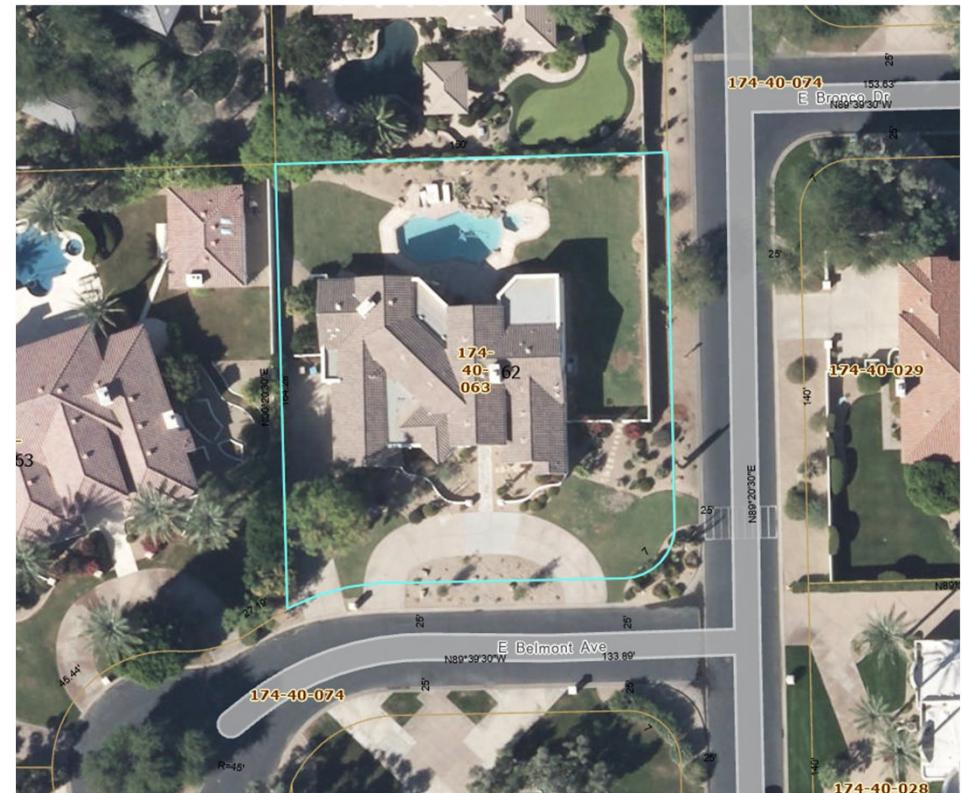
TODAY'S GOAL

- Review and take action on variance request:
 - Allow an unpermitted detached trellis to remain and encroach into the side yard with frontage setback requirement found within Article X.



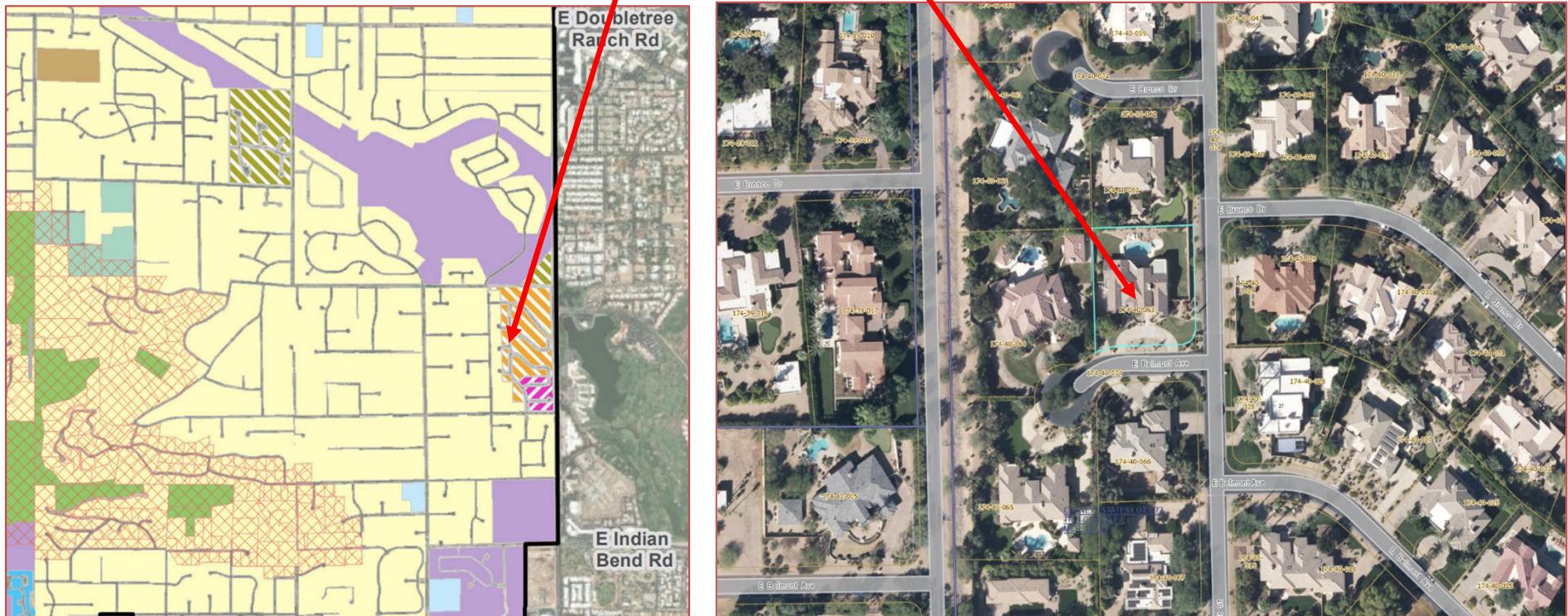
AGENDA

- Background
- Scope of Request
- Analysis & Recommendation
- Action



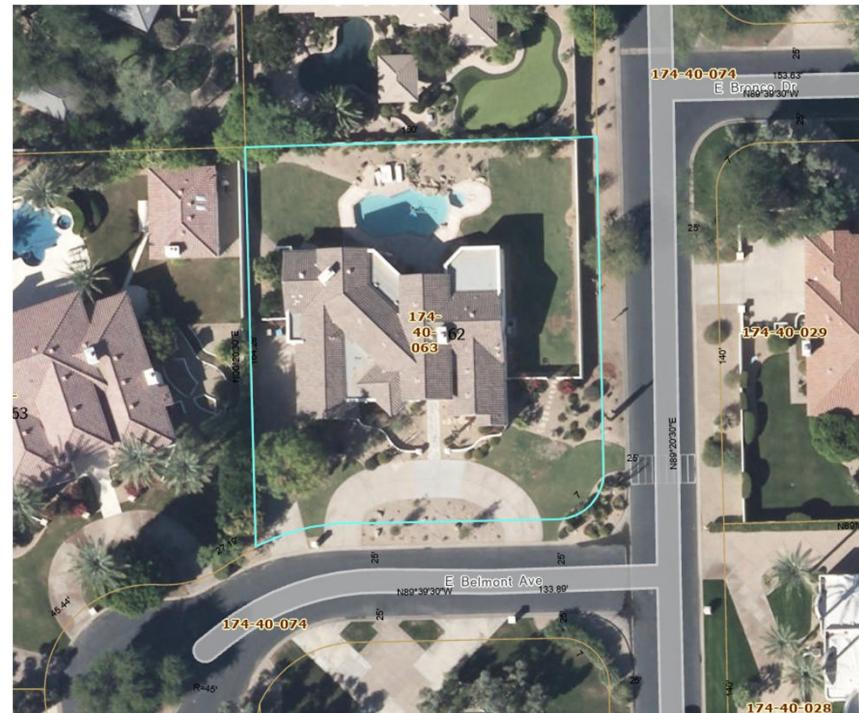
VICINITY MAP

Subject Property



SITE CONDITIONS

- Zoned R-35CP
- Corner Lot
- Lot 62 of the Cheney Estates subdivision
- 23,393 SF (± 0.53 acres)
- Lot rectangularly shaped
- 164' deep (190' min. depth for R-35 lot)
- 150' wide (150' min. width for R-35 lot)
- Home built in 1993
- Lot at 24.9% FAR without trellis



HISTORY

October 6, 1993	Building permit for new residence
May 13, 1994	Building permit for new pool
June 29, 1994	Building permit for new fence walls
July 21, 2020	Building permit for main residence interior remodel
February 10, 2025	Building permit for detached structure in rear yard
May 5, 2025	Code violation for unpermitted trellis structure (<i>open</i>)



SCOPE OF REQUEST

- Un-permitted trellis to encroach into 40' side yard with frontage setback
- Setbacks:
 - Trellis:
 - 15' from East/Side with Frontage Property Line
 - 25' of setback Encroachment
 - 16.5 Sq Ft in size (Floor Area, non-open-air)
 - 163 Sq Ft Total Size (163 Sq Ft Encroachment)

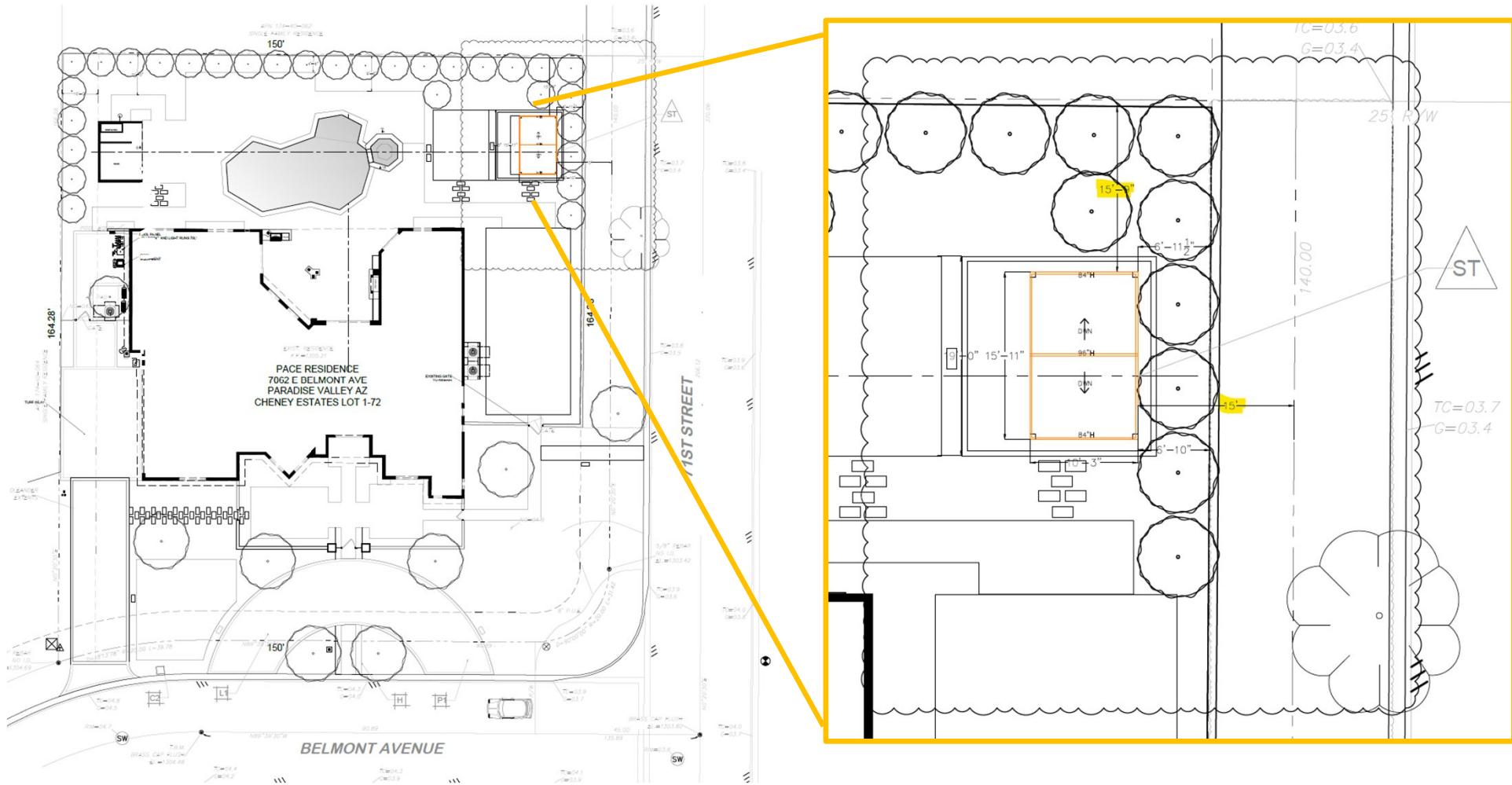


SCOPE OF REQUEST (CONT'D)

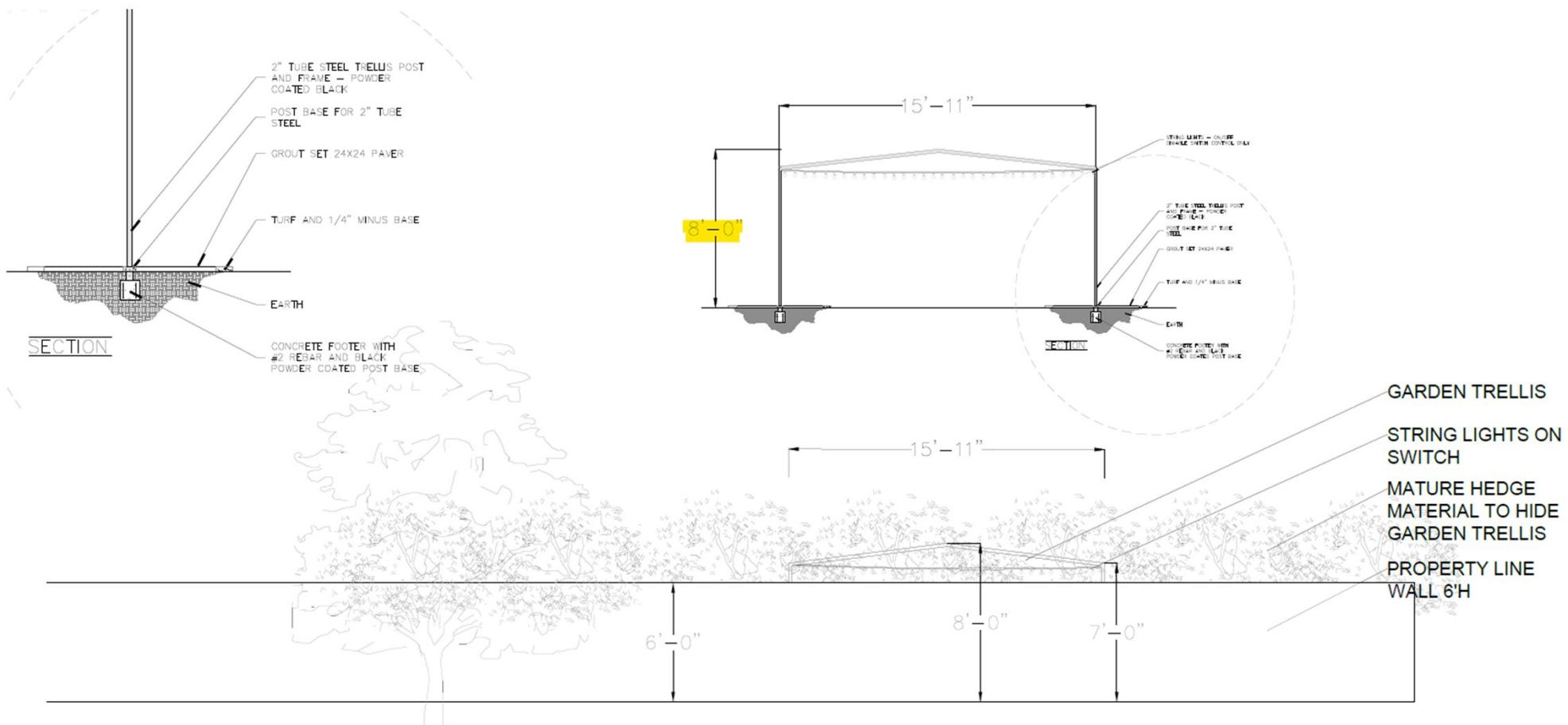
<i>Zoning Ordinance</i>	<i>Trellis</i>
60' Front Yard Setback	94' (+/-)
10' Side Yard Setback (West)	50'6" (+/-)
40' Side Yard with Frontage Setback (East)	15'
10' Rear Yard Setback	15'9" (+/-)



SITE PLAN



ELEVATIONS



ANALYSIS

- Property hardships that warrant variance:
 - Shallow depth reduces amount of buildable area; however, request does not appear to be minimum need to cure property hardship
 - Property depth was specifically planned as Cluster Plat
 - Property meets standard width of 150' it can accommodate a code compliant trellis
 - If applicant obtained building permit prior to construction, any setback encroachment would have been identified during plan review process
 - Code does not guarantee most optimal use of the property

PUBLIC COMMENT/NOTIFICATION

- Notification mailed on December 12th
- Site posted on December 8th
- Newspaper legal advertisement December 18th
- Affidavits provided
- 23 letters of support provided
- Opposition letter from Board of Directors



STAFF RECOMMENDATION

MOTION

It is recommended that Board of Adjustment **[deny]** Case No. BA-25-12, request by Benjamin Tate, on behalf of Pace Family Trust property owner of 7062 E Belmont Avenue; for variance from Zoning Ordinance, Article X, Height and Area Regulations, to allow trellis to encroach into side yard with frontage setback

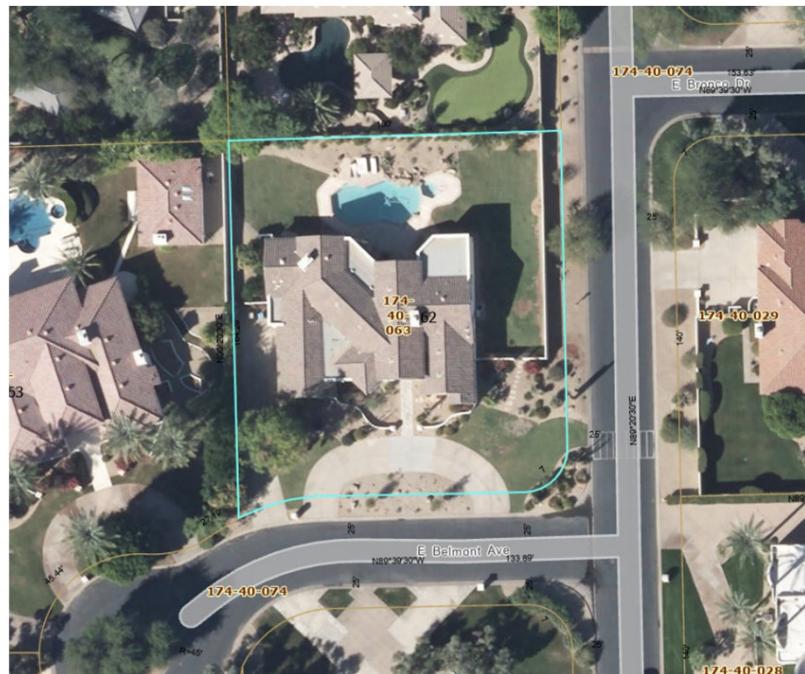
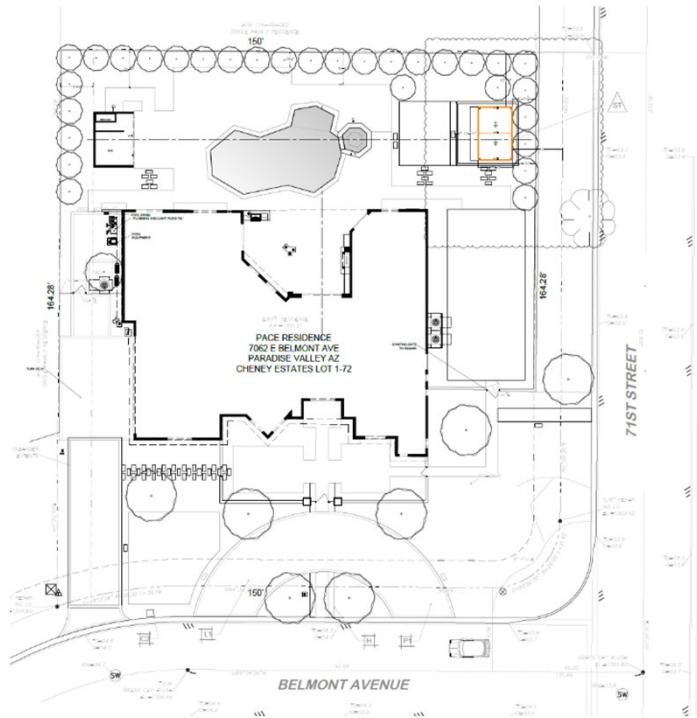
REASONS FOR DENIAL

Staff finds that there are no property hardships that warrant the request for setback encroachment and staff believes that the request does not meet all three variance criteria

POSSIBLE ACTIONS

1. Deny
2. Approve with stipulations:
 - a. Improvements in compliance with submitted plans and documents
 - b. Must obtain required building permits and inspections from Building Division
 - c. Floor Area Ratio certification required with building permit approval.
3. Continue for further review

QUESTIONS?





Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Action Report

File #: 25-286

AGENDA TITLE:
Approval of December 3, 2025 Board of Adjustment Minutes.

STAFF CONTACT:



Town of Paradise Valley

Minutes – Draft

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Board of Adjustment

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

Wednesday, December 3, 2025

5:30 PM

Council Chambers

1. CALL TO ORDER

Chair Leibsohn called the meeting to order at 5:31 PM.

STAFF MEMBERS PRESENT

Town Attorney Deborah Robberson
Community Development Director Chad Weaver
Senior Planner George Burton
Hillside Planner II Jose Mendez
Lead Management Specialist Cherise Fullbright

2. ROLL CALL

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

Absent – Boardmember James Kuykendall

3. EXECUTIVE SESSION

4. STUDY SESSION ITEMS

5. PUBLIC HEARINGS

A. 25-264 5712 E Glen LLC Variance – 5712 E Glen Drive (APN 169-55-026A)
Discussion and Possible Action on Variance to allow setback, height, and hillside encroachments for a new single-family residence. Case No. BA-25-09

Mr. Burton presented the request for four variances. He detailed the background, scope of the request, staff's analysis and recommendation. Mr. Burton shared information on the site

conditions and history, noting that this was the third variance request at the property. He then described each of the four variance requests which included height, setback, and retaining wall encroachments as well as spill slope modifications. He noted staff was recommending approval of the request then welcomed questions.

Boardmember Barnes asked how stormwater management was being handled on site.

Mr. Burton stated that he was not sure since drainage is reviewed by the Hillside Committee and Town Engineer.

Boardmember Ozer mentioned the objection received by email and asked to see the referenced adjacent lot.

Mr. Burton pointed out the property on a vicinity map. He noted that if the two properties were combined, a variance would still be required.

Mr. Brent Kindle briefly spoke about the request and design.

Mr. Richard Van Horne addressed drainage, noting there were plans for underground retention tanks in addition to other things. He welcomed comments and questions from the Board.

Boardmember Ozer asked about ownership.

Mr. Kindle confirmed there was a new owner seeking the current variance request and it would be their primary residence.

Boardmember Barnes wondered if there was space for a turn-a-round area in the driveway.

Mr. Van Horne displayed an image from the presentation and confirmed there was space.

Boardmember Ozer addressed concerns about jackhammering and noise impacting others who live in the area. She wondered what disturbance was expected to be.

Mr. Van Horne showed site data while discussing the disturbance on site. He noted that restoration efforts would reduce the amount of disturbance. He shared details related to the cut for the building pad and noted that a geotechnical report had been completed.

Mr. Tim McCormac with Temac Development spoke about the building pad, which he did not believe would be too difficult to work on, only needing hard digging for running utilities and to complete the footings. He expected 30-60 days depending on equipment. Mr. McCormac explained that a ripper would be used to peel the rock away versus hammering.

Chair Leibsohn opened the public comment at 5:55 PM. No comment was received and the public comment was closed.

Boardmember Ozer commented on concerns with noise and the length of work if the item was granted; otherwise, she was inclined to see the property developed. She questioned if there was a way to build into the variance a limitation on construction time.

Mr. Burton stated that construction times were a building process versus zoning and code, so it would not be possible.

Chair Leibsohn mentioned he would likely be voting in favor of granting the variance.

Boardmember Contadino hoped the applicant would see the project through on this difficult site.

A motion was made by Boardmember Ozer, seconded by Boardmember Contadino, to approve item 25-264 subject to stipulations. The motion passed by the following vote:

Aye: 6 – Chair Leibsohn, Boardmember Barnes, Boardmember Contadino, Boardmember Ozer, Boardmember Petsas, Boardmember Williams

Aye: 1 – Boardmember Kuykendall

6. ACTION ITEMS

7. CONSENT AGENDA

A. 25-259 Approval of November 5, 2025 Board of Adjustment Minutes.

Ms. Fullbright noted an error on page one of the November 5, 2025 meeting minutes.

A motion was made by Boardmember Barnes, seconded by Boardmember Petsas, to approve the November 5, 2025 Board of Adjustment Minutes as amended. The motion carried with the following vote:

Aye: 6 – Chair Leibsohn, Boardmember Barnes, Boardmember Contadino, Boardmember Ozer, Boardmember Petsas, Boardmember Williams

Aye: 1 – Boardmember Kuykendall

8. STAFF REPORTS

9. PUBLIC BODY REPORTS

Chair Leibsohn noted that he had been asked to make a presentation to Town Council and he was asked to extend gratitude to the Board for all their efforts. He noted there was plenty of positive feedback from Council.

10. FUTURE AGENDA ITEMS

Mr. Burton stated that the next meeting scheduled for January 7, 2026 would include one item for a setback variance. He reminded the Board that the Holiday party was taking place Friday, December 5th at El Chorro.

11. ADJOURNMENT

A motion was made by Boardmember Williams, seconded by Boardmember Petsas, to adjourn the meeting at 6:06 PM. The motion carried with the following vote:

Aye: 6 – Chair Leibsohn, Boardmember Barnes, Boardmember Contadino, Boardmember Ozer, Boardmember Petsas, Boardmember Williams

Aye: 1 – Boardmember Kuykendall

Paradise Valley Board of Adjustment

By: _____
Cherise Fullbright, Secretary