



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Draft

Board of Adjustment

Wednesday, April 3, 2019

5:30 PM

Council Chambers

1. CALL TO ORDER

Chairman Leibsohn called the meeting to order at 5:30 p.m.

STAFF MEMBERS PRESENT

Deputy Town Attorney Deborah Robberson
Community Development Director Jeremy Knapp
Senior Planner Paul Michaud

2. ROLL CALL

Present 6 - Boardmember Eric Leibsohn
Boardmember Emily Kile
Boardmember Rick Chambliss
Boardmember Jon Newman
Boardmember Hope Ozer
Boardmember Quinn Williams

3. EXECUTIVE SESSION

None

4. STUDY SESSION ITEMS

5. PUBLIC HEARINGS

6. ACTION ITEMS

- A. [19-143](#) Hayden Variance - 4202 E Desert Crest Drive (APN: 169-19-005B)
Case No. BA-19-03 a variance to Article X of the Town of Paradise Valley
Zoning Ordinance to allow for an addition to encroach on height and into
the rear setback

Paul Michaud reviewed the variance request and findings against and in
favor.

There was discussion regarding pushing the addition south and the grade
differences. Jerry Parks, architect on the project, noted that pushing the
addition south would lower the natural grade underneath the home that
would result in a variance in the overall height of 24 feet.

Chairman Leibsohn opened the public hearing.

Kevin Murphy, neighbor, stated he finds the proposed design compatible with the other homes in the neighborhood. He does not object to the variance. He noted his concerns relate to storm water runoff, no real native vegetation left on that property and concerns over the wash west of the subject site.

Chairman Leibsohn closed the public hearing.

A motion was made by Boardmember Newman, seconded by Boardmember Chambliss, to approve a request by the Hayden Family Trust, property owner of 4202 E Desert Crest Drive; for a variance from the Zoning Ordinance, Article X, Height and Area Regulations, to allow additions to an existing residence to encroach into the setbacks and to encroach into the height limitation and allow an existing detached garage to be attached to the primary residence and encroach into the setback. The motion carried by the following vote:

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

B. [19-144](#)

Schick Residence - 6318 N 52nd Place (APN 169-27-033)
Case No. BA-19-04 a variance to Article X of the Town of Paradise Valley Zoning Ordinance to allow for an addition that does not meet the rear setback

Chairman Leibsohn stated that he has known the owner for 45 years and does not believe he has a conflict of interest.

Jeremy Knapp provided an overview of the proposed variance including the review of past building permits. The residence is located at 6318 North 52nd Place and owned by Richard and Janelle Schick. The home was built in 1949. The owners purchased the home in 1979. The original home, having a 22-foot rear setback, does not meet the current setbacks which require a minimum of 40 feet. The home complies with all other zoning standards.

He indicated that the proposed 519 square-foot addition in the rear yard will contain 434 square feet of encroachment into the required setback. He continued by reviewing the setbacks of the home.

Mr. Knapp summarized the findings against and in favor. He noted that the property only contains 80% of the minimum one-acre lot size at only 34,731 square feet. There is a wash that cuts the northeast corner of the property eliminating 10,816 square feet. The buildable area on the lot is only 23,913 square feet or 55% of that required by code. The proposed addition would increase the lot coverage to 10.2% which is much less than the 25% lot

coverage by code. He provided an overview of the lot grade and the need to raise the lot two feet to accommodate a pool. The addition is being designed with the minimum amount of reduced setback area possible. He indicated that the reduced area of the lot, the existing wash which bisects the lot, natural topography of the lot and the location of the original residence on the lot as built in 1949 are all limiting factors in the location of any addition that would be constructed. All these obstacles deprive this property of the privileges enjoyed by adjacent residences.

Board Member Kile asked if the home was demolished and rebuilt, would it have to meet the current setbacks.

Mr. Knapp confirmed that it would have to meet setbacks.

Chairman Leibsohn opened the public hearing.

Janelle Schick commented that she bought her home 40 years ago. She showed existing conditions of the property and noted that the storage room was added 40 years ago.

Chairman Leibsohn stated that there is space on other sides of the home to accommodate the addition. She asked that the east side of the home be studied for the addition.

Mrs. Schick pointed out the addition would be difficult to access if placed on the east side.

Board Member Kile stated that the wash limits the site and impact ability to screen the addition.

Mrs. Schick stated that the neighbor to the west stopped by and was okay with the project.

Dr. Isaacs, nearby resident, mentioned his original opposition to the project. He stated that he is concerned the project will encroach onto his land but it appears there is not impact to him.

Ronda Hilton, nearby resident, mentioned that she is not adjacent to the subject lot and holds no objection to the project.

Chairman Leibsohn closed the public hearing.

A motion was made by Boardmember Ozer, seconded by Boardmember Chambliss, to approve a request by the owner of 6318 N 52nd Place for a variance to Article X of the Town of Paradise Valley Zoning Ordinance to allow

for an addition that does not meet the rear setback. The motion carried by the following vote:

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

C. [19-148](#) Selection of Chairperson per Section 2-5-3 of the Town Code

Liebsohn

A motion was made by Boardmember Williams, seconded by Boardmember Kile, to recommend that Town Council select Boardmember Leibsohn as Chairman of the Board of Adjustment. The motion carried by the following vote:

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

7. CONSENT AGENDA

A. [19-146](#) Approval of February 6, 2019 Board of Adjustment Minutes

A motion was made by Boardmember Chambliss, seconded by Boardmember Newman, to approve the February 6, 2019 Board of Adjustment minutes. The motion carried by the following vote:

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

8. STAFF REPORTS

9. PUBLIC BODY REPORTS

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

A motion was made by Boardmember Sahini at 6:45 p.m., seconded by Boardmember Chambliss, to adjourn the meeting. The motion carried by the following vote:

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