



# Town of Paradise Valley

6401 E Lincoln Dr  
Paradise Valley, AZ 85253

## Minutes - Final

### Board of Adjustment

*Chair Hope Ozer*  
*Boardmember Robert Brown*  
*Boardmember Priti Kaur*  
*Boardmember Eric Leibsohn*  
*Boardmember Jon Newman*  
*Boardmember Quinn Williams*

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Wednesday, February 1, 2023

5:30 PM

Council Chambers

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#### 1. CALL TO ORDER

#### 2. ROLL CALL

**Present** 5 - Boardmember Robert Brown  
Boardmember Priti Kaur  
Boardmember Eric Leibsohn  
Chairperson Hope Ozer  
Boardmember Quinn Williams

**Absent** 1 - Boardmember Jon Newman

#### 3. EXECUTIVE SESSION

#### 4. STUDY SESSION ITEMS

#### 5. PUBLIC HEARINGS

- A. 23-021** UR Project Variance - 7941 N 55th Street (APN 169-06-076B).  
Request for Continuance.  
Case No. BA-22-06.

Mr. Burton stated that the applicant was requesting a continuance to March 1, 2023. The applicant wanted additional time to update the submittal and try to reduce the number of variance requests.

**A motion was made by Boardmember Williams, seconded by Boardmember Leibsohn, to continue Case No BA-22-06, Variance - 7941 N 55th Street (APN 169-06-076B) to March 1, 2023. The motion carried by the following vote:**

**Aye:** 5 - Boardmember Brown, Boardmember Kaur, Boardmember Leibsohn, Chairperson Ozer and Boardmember Williams

**Absent:** 1 - Boardmember Newman

## 6. ACTION ITEMS

### A. 23-020 Review of Board of Adjustment Handbook

Mr. Burton stated that staff provided a detailed presentation on the handbook during September 7th meeting. Staff now recommends adopting the handbook.

Boardmember Williams asked if the handbook would be available on the website.

Ms. Collins stated that she believes the handbook will be posted on the website under the "Board of Adjustment" heading with only the relevant components, such as the amended ordinance, rules of procedure, and updated criteria, included. The entire handbook will not be posted.

Chair Ozer asked about page #9 of the handbook and mentioned the language about appeals from the Board of Adjustment that doesn't make sense.

Town Attorney John Gaylord explained the process staff went through to update the handbook and how it's a compilation of different materials, including Town Code and rules of procedure. He acknowledged that staff did not review this specific paragraph, but it's been in the Town Code for a long time. He recommended flagging it for future review, but not likely to cause a problem for the Board anytime soon. He was unsure about the legal meaning of the text but believed it was describing a condition.

Ms. Collins discussed the meaning of "person aggrieved."

Chair Ozer interpreted the language in the Town Code as allowing someone to speak to the Town Council within 30 days and then to the Superior Court within another 30 days.

Mr. Gaylord clarified that the Council changed the language in the Town Code from "a person including a member of the town staff aggrieved by the decision of the board" to just "a person aggrieved." The language about the 30-day trigger was already in place and was not changed.

**A motion was made by Boardmember Williams, seconded by Boardmember Leibsohn, to adopt the updated Board of Adjustment Handbook. The motion passed by the following vote:**

**Aye:** 5 - Boardmember Brown, Boardmember Kaur, Boardmember Leibsohn, Chairperson Ozer and Boardmember Williams

**Absent:** 1 - Boardmember Newman

**7. CONSENT AGENDA****A. 23-030** Approval of the January 4, 2023 Board of Adjustment Meeting Minutes

**A motion was made by Boardmember Kaur, seconded by Boardmember Brown, to approve the January 4, 2023 Board of Adjustment Meeting Minutes. The motion carried by the following vote:**

**Aye:** 5 - Boardmember Brown, Boardmember Kaur, Boardmember Leibsohn, Chairperson Ozer and Boardmember Williams

**Absent:** 1 - Boardmember Newman

**8. STAFF REPORTS****9. PUBLIC BODY REPORTS****10. FUTURE AGENDA ITEMS****11. ADJOURNMENT**

## 11. ADJOURNMENT

**A motion was made by Boardmember Kaur, seconded by Boardmember Williams, to adjourn at 5:45 pm. The motion carried by the following vote:**

**Aye:** 5 - Boardmember Brown, Boardmember Kaur, Boardmember Leibsohn, Chairperson Ozer and Boardmember Williams

**Absent:** 1 - Boardmember Newman

**Paradise Valley Board of Adjustment**

By: George Burton  
George Burton, Secretary