



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes

Board of Adjustment

Wednesday, September 6, 2017

5:30 PM

Council Chambers

1. CALL TO ORDER

The meeting was called to order at 5:30 p.m.

Staff Members Present

Town Attorney Andrew Miller

Community Development Director Eva Cutro

Planner George Burton

2. ROLL CALL

Present 5 - Chairperson Emily Kile
Board Member Rick Chambliss
Board Member Eric Leibsohn
Board Member Catherine Kauffman
Board Member Quinn Williams

Absent 2 - Board Member Hope Ozer
Board Member Jon Newman

3. EXECUTIVE SESSION

None

4. STUDY SESSION ITEMS

**A. 17-280 Hart Variance – 5137 N. Tamanar Way (APN: 173-65-001A)
Case No. BA-17-01**

The Board discussed the application during the work session.

Board Member Williams joined the meeting at 5:36 pm.

5. PUBLIC HEARINGS

**A. 17-279 Moak Variance – 5211 E. Cheney Drive (APN: 169-06-099)
Case No. BA-16-8**

The applicant requested a continuance to a non-specific date.

A motion was made by Board Member Chambliss to continue the application. Seconded by Board Member Kauffman. The motion carried by the following vote:

Aye: 5 - Chair Kile, Board Member Leibsohn, Board Member Chambliss, Board Member Williams, and Board Member Kauffman.

Absent: 2 – Board Member Ozer and Board Member Newman

B. 17-278

**Hart Variance – 5137 N. Tamanar Way (APN: 173-65-001A)
Case No. BA-17-01**

A request by Bruce and Nadine Hart, property owners of 5137 N. Tamanar Way; for a variance from the Zoning Ordinance, Article XXIII, Nonconformance, to allow nonconforming portions of the house to remain and to be modified.

The application request is to allow two non-conforming sections of the home to remain even though the remodel exceeds 50%. Mr. Burton presented per the Board of Adjustment packet. Mr. Burton noted corrections to the height and setbacks in his report.

There was discussion of how the Town determines the 50% remodel.

Staff recommended approval of the variance. The property is undersized and unusually shaped. The encroachment already exists and is minor in scope.

Ten letters of support were submitted. None in opposition. The neighbors immediately adjacent to the home are in favor.

Mr. Jorden presented for the applicant. John Hayden is the proposed purchaser of the home and he is present. Mr. Jorden explained the extent of the remodel. He agrees with staff's recommendation.

There was discussion that the sale of the house is pending on this variance.

Public comment opened at 5:46 p.m. There were no comments. Public comment was closed at 5:47.

Commissioner Chambliss recommended approval of the variance per the staff report. Commissioner Leibsohn seconded the motion.

There was discussion that the variance runs with the land even if the sale does not take place.

The motion was modified to be specific to the site plan included in the packet. Commissioner Leibsohn agreed to the modification.

The motion carried by the following vote:

Aye: 5 - Chair Kile, Board Member Leibsohn, Board Member Chambliss, Board Member Kauffman, and Board Member Williams.

Absent: 2 – Board Member Ozer and Board Member Newman

6. ACTION ITEMS

None

7. CONSENT AGENDA

A. 17-126 Approval of the May 3, 2017 Board of Adjustment Minutes

B. 17-124 Approval of the June 7, 2017 Board of Adjustment Minutes

A motion was made by Board Member Leibsohn to approve the May 3, 2017 minutes and June 7, 2017 minutes as amended. Seconded by Board Member Chambliss. The motion carried by the following vote:

Aye 5 - Chair Kile, Board Member Rick Chambliss, Board Member Leibsohn, Board Member Kauffman, and Board Member Williams.

Absent 2 – Board Member Ozer and Board Member Newman

8. STAFF REPORT

None.

9. PUBLIC BODY REPORTS

Chair Kile asked Town Attorney Andrew Miller how residents can get into guard gated communities to review the property. Mr. Miller explained that the public may not have the right to enter the subdivision.

Commissioner Williams asked for clarification on continuances of cases. There was also a comment made regarding the discussion of rules of procedure for hillside properties and if they go to the Board or Hillside Committee first.

10. FUTURE AGENDA ITEMS

Mr. Burton reported that there are no applications for October and that meeting will be cancelled.

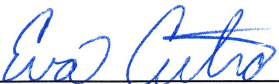
11.ADJOURNMENT

A motion was made at 6:03 p.m. by Board Member Leibsohn to adjourn the meeting. Seconded by Board Member Chambliss. The motion carried by the following vote:

Aye 5 - Chair Kile, Board Member Rick Chambliss, Board Member Leibsohn, Board Member Kauffman, and Board Member Williams.

Absent 2 – Board Member Ozer and Board Member Newman

Paradise Valley Board of Adjustment

By: 
Eva Cutro, Secretary