

**BOARD OF ADJUSTMENT MINUTES  
CITY OF PEORIA, ARIZONA  
COUNCIL CHAMBERS  
MAY 12, 2009**

A **Regular Meeting** of the Board of Adjustment of the City of Peoria, Arizona, convened at 8401 W. Monroe St., Peoria, AZ in open and public session at 5:30 p.m.

**Members Present:** Chairman Russ Conway, Vice Chairman Brandon Squire, Board Members Randy Panzer, Leonard Spraker, and Alternate Karen McDaniel (who arrived after the Consent Agenda was voted on).

**Members Absent:** Board Member Paul Bocconcelli.

**Others Present:** Ellen Van Riper, Assistant City Attorney, Chris Jacques, Planning Manager, Monique Spivey, Associate Planner, and Bev Parcels, Planning Assistant.

**Opening Statement:** Read by Chris Jacques

Final call for speaker request forms.

**Audience:** Nine.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

**CONSENT AGENDA**

All items listed with a "C" are considered to be routine by the Board of Adjustment, and were enacted by one motion:

- 1C DISPOSITION OF ABSENCE:** Discussion and possible action to approve/excuse the absences of Vice Chairman Brandon Squire, Board Member Paul Bocconcelli and Alternate Karen McDaniel from the February 10, 2009 meeting.
- 2C MINUTES:** Discussion and possible action to approve the minutes of the Regular Meeting held February 10, 2009.

**Board Action:** Board Member Panzer moved to approve the Consent Agenda. The motion was seconded by Vice Chair Squire. Upon vote, the motion carried unanimously.

## REGULAR AGENDA

### NEW BUSINESS, PUBLIC HEARINGS and/or ACTION

**3R PUBLIC HEARING – V09-01:** Studio 15 Architecture, Inc. on behalf of Rock of Ages Church requested a building setback variance on the north and south side yards for a proposed addition. The building addition would preserve the existing building line. The site is located north of the northwest corner of 79<sup>th</sup> Avenue and Cholla Street. The building setbacks for this property are established in Section 14-6-6.B of the City of Peoria Zoning Ordinance.

**STAFF REPORT:** Presented by Monique Spivey, Associate Planner.

**PUBLIC COMMENT:** The following items were discussed.

- Delton Baker, neighbor to the church property, voiced concerns regarding the church being too large for the neighborhood and that congestion and the noise level is an issue.
- Pastor Santos Diaz commented that the church is not trying to grow in size and that they are willing to provide a sound barrier to the neighboring properties.
- A clarification was requested from Vice Chair Squire regarding the addition and staying within the existing building line.
- Chair Conway asked if a stipulation could be added by the Board to require a sound barrier as part of the conditions of approval. Assistant City Attorney Ellen Van Riper stated that the Board could include a stipulation.
- Board Member Spraker inquired whether the hours of the church have changed in the past ten years since the current neighbors have moved in. Pastor Diaz replied that the church hours are still the same and that the church will be adding an additional layer of stucco to the existing building to reduce the noise level.

**Board Action:** Board Member Panzer moved to recommend approval of V09-01 to grant a Variance to the setbacks on the north and south side yards of the property for a proposed addition. The Variance would be subject to the applicant providing a landscape buffer and sight screening wall as prescribed under the Peoria Zoning Ordinance. Vice Chair Squire seconded the motion and upon vote, carried unanimously.

**CALL TO THE PUBLIC FOR NON-AGENDA ITEMS:** NONE

**REPORT FROM STAFF:** NONE

**REPORT FROM THE BOARD OF ADJUSTMENT:** NONE

**ADJOURNMENT:** There being no further business to come before the Board of Adjustment, the meeting adjourned at 5:58 p.m.

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Russ Conway, Chair

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Date Signed