

**BOARD OF ADJUSTMENT MINUTES
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBERS
JUNE 9, 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 5:36 p.m.

Members Present: Chairman Russ Conway, Vice Chairman Brandon Squire, and Board Member Randy Panzer

Members Absent: Board Members Paul Bocconcelli, Leonard Spraker, and Alternate Karen McDaniel

Others Present: Ellen Van Riper, Assistant City Attorney, Chris Jacques, Planning Manager, Cody Gleason, Planning Technician and Cathy Griffin, Executive Assistant.

Opening Statement: Read by Chris Jacques

Final call for speaker request forms.

Audience: six.

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 absence of Board Member Paul Bocconcelli from the May 12, 2009 meeting.

2C **MINUTES:** Discussion and possible action to approve the minutes of the Regular Meeting held May 12, 2009.

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

REGULAR AGENDA

NEW BUSINESS, PUBLIC HEARINGS and/or ACTION

3R **PUBLIC HEARING – V09-02:** Norman Haas is requesting a Variance to deviate from the more restrictive Citrus Garden Estates Subdivision Standards to the underlying R1-18 (Single-Family Residential) district standards in regards to the rear and side setbacks for a proposed accessory structure. The site is located at 8511 W. Via Montoya Dr. Peoria, AZ 85383.

Staff Report: Presented by Cody Gleason, Planning Technician

Public Comment:

Mr. Haas (applicant) explained that his proposed accessory structure will match the house with stucco and tile roof.

Charles Wood, stated that he was representing the Citrus Garden Estates Home Owners Association and they are opposed to the variance request. He also stated that the proposed structure would be a detriment to the neighborhood. Mr. Wood stated that it presents a problem to the other homeowners.

Robert Akert: brought 5 letters stating opposition to the variance. Mr. Akert also explained that there are at least 5 different neighbors opposed to the variance, but did not have letters from them. Mr. Akert stated that the Citrus Garden Estates Subdivision has a park-like setting and feels granting this variance would be a detriment to that setting.

Mr. Haas presented pictures of other accessory structures within Citrus Garden Estates.

Discussion ensued regarding accessory building height limits, setback limits of R1-18 and R1-35 zoning districts, "step-backs" which limits the height of the building based on the setback; and that there have been 29 variances previously approved within Citrus Garden Estates.

Board Action: Board Member Panzer moved to recommend approval of V09-02 to grant a Variance to reduce the current building setbacks from the more restrictive Citrus Garden Estates Subdivision Standards to the underlying R1-18 (Single-Family Residential) district standards in regards to the rear and side setbacks for a proposed accessory structure. Vice Chair Squire seconded the motion and upon vote, carried by a 2 to 1 vote.

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 6:23 p.m.

Russ Conway, Chair

Date Signed