

**BOARD OF ADJUSTMENT MINUTES
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBERS
NOVEMBER 12, 2008**

A **Special 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 5:33 p.m.

Members Present: Chairman Russ Conway, Vice Chairman Brandon Squire (via phone), Board Member Randy Panzer, and Alternate Karen McDaniel.

Members Absent: Board Members Sal LaPuma and Paul Bocconcelli.

Others Present: Ellen Van Riper, Assistant City Attorney, Chris Jacques, Acting Planning Manager, Cody Gleason, Planning Technician, Melissa Sigmund, Planning Technician, and Bev Parcels, Planning Assistant.

Opening Statement: Read by Chris Jacques

Final call for speaker request forms.

Audience: Approximately 19

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 Board Members Bocconcelli and LaPuma from the August 12, 2008 meeting.

2C MINUTES: Minutes of the Regular Meeting held August 12, 2008.

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

REGULAR AGENDA

NEW BUSINESS, PUBLIC HEARINGS and/or ACTION

3R TU08-17: Wonder Works Unlimited, Inc. (c/o Tim Crawley), is requesting a Temporary Use Permit at 8295 W. Jefferson St. for the use of product prototyping

(limited manufacturing) within the CCM Zoning District on the basis of Section 14-26-3.D of the City Zoning Ordinance.

Staff Report: Presented by Melissa Sigmund, Planning Technician.

Public Comment: None

Board Action: Board Member Panzer moved to recommend approval of TU08-17 to allow a product prototyping business within the CCM Zoning District. The motion was seconded by Alternate McDaniel. Upon vote, the motion carried unanimously with the following stipulations.

1. The Temporary Use Permit shall be limited to a term of three (3) years from the date of approval. The applicant may then reapply for a Temporary Use Permit to continue operations.
2. The use shall be restricted to the area provided on the floor plan.
3. All outdoor storage shall be fully screened from view.

4R **V08-04:** Valentina Merauta, is requesting a Variance for the property located at 26788 N. 90th Dr. for the use of a group home to be located within the required separation distance (1320 feet) from other group homes. Group homes are regulated by Section 14-3-12.A of the City Zoning Ordinance.

Staff Report: Presented by Cody Gleason, Planning Technician

Valentina Merauta, the applicant, gave a statement that included:

- The background of the request.
- The affects on other group homes opening in the area.
- Disagreement with the request being a hardship request.
- Clarification on the state regulations for the group home license.

Floor was opened to members of the public to speak:

Michael Gilburd – Concerned about traffic, small children in the neighborhood, and the financial hardship that would be caused to the neighbors due to the housing prices.

Jeff Boerbon – Opposes group home.

Jay Kublick – Against request due to the precedence that it will set for allowing future group homes.

Jim Pope – Asked for clarification on the original variance granted at previous address, whether the state license stays with individual or location, and commented on concerns about home values, types of group homes permitted, and crime in the neighborhood.

Claudia Gilburd – Agrees with City to deny request.

Cal Sutton – Stated that new location's drive is much smaller than previous location and concerned about the safety of the neighborhood children.

Dave McGrath – Opposes.

Kelley Kristin – Opposes.

Lucy Liu – Opposes due to security reasons and property values.

Maurena Howe – Stated that children in neighboring group homes are trouble and is concerned about the peacefulness of the neighborhood.

Jodi Kublick – Opposed to group home, wants peace and quiet, concerned about extra cars, people, and traffic on the narrow street.

Steve Hintz – Opposes.

Matthew Prosorry – Opposes due to being a young parent with small children and considers it a safety issue.

Valentina Merauta – Responded to concerns of neighbors by stating that home is only for senior group care and is limited to the number allowed in the home, traffic would be limited and not a daily issue, the group home would not bring home values down, there would not be any safety issues, and that they are only trying to help other people.

A brief recess was called from 6:19 pm – 6:23 pm

Board Action: Alternate McDaniel moved to deny approval of V08-04 to allow a group home to be located within the required separation distance from other group homes. The motion was seconded by Board Member Panzer. Upon vote, the motion carried unanimously.

CALL TO THE PUBLIC FOR NON-AGENDA ITEMS: NONE

REPORT FROM STAFF: Chris Jacques read a letter of resignation from Board Member Sal LaPuma.

REPORT FROM THE BOARD OF ADJUSTMENT: NONE

ADJOURNMENT: There being no further business to come before the Board of Adjustment, the meeting adjourned at 6:28 p.m.

Russ Conway, Chair

Date Signed