



BOARD OF ADJUSTMENT MARICOPA COUNTY

Attend in Person: Board of Supervisors' Auditorium 205 W. Jefferson St.
Or attend virtual hearing: GoToWebinar

AGENDA

Thursday, May 19, 2022

This hearing has been noticed in accordance with the Open Meeting Law (ARS §38-431).

Board of Adjustment hearing will be held at the Board of Supervisors' Auditorium and also available as an on-line virtual public hearing. To register virtual attendance - please register at the following web address:

<https://attendee.gotowebinar.com/register/103099428794954509>

After registering, you will receive a confirmation e-mail containing information about joining the webinar.

To listen by telephone, dial 1 (562) 247-8422, when prompted enter Audio Access code 699-033-336. If you are not registered as a webinar participant, you may be able to listen to the hearing but will be unable to participate in the hearing. Registered participants may participate in real time when the Chairman instructs participants on how to be recognized or to provide comment.

If you would like to send a comment, or register support or opposition regarding one of the items on the agenda, please send an e-mail to Rachel.Applegate@Maricopa.Gov identifying the following:

- **Board of Adjustment hearing date**
- **Agenda item and case number**
- **Your name, e-mail and phone number**
- **Identify yourself as applicant / applicant representative / in support / in opposition / other**
- **Indicate support or opposition**
- **Indicate if you wish to speak or do not wish to speak**
- **You may attach items to the email that you wish to be presented to the Board.**
- **Any such email must be received prior to the public hearing beginning for that item. It is preferred for the e-mail to be received at least one day prior to the public hearing.**

All items on this agenda are for Board action unless otherwise noted. The Board may break for lunch at its discretion during this agenda. These items will be heard at the next available Board hearing if this hearing is cancelled or a quorum is lost.

Agendas are available within 24 hours of each meeting in the Maricopa County Planning & Development Office, 301 W. Jefferson St., Suite 170., Phoenix Arizona, Monday through Friday

to present the merits of their case. The applicant's justification should demonstrate that owing to peculiar conditions relating to the subject property, a strict interpretation of the ordinance would work an unnecessary hardship, and that granting of the variance would not damage the intent and purpose of the zoning ordinance.

Call To Order: 10:00 a.m.

Roll Call: Board of Adjustment Members

Approval of Minutes: April 14, 2022

Announcements: The Chair shall make the normal meeting announcements.

Withdrawn Agenda:

1. **BA2022012** **DiGiovanni Property** **District 4**
Applicant: Tom Stitt
Location: APN 502-03-092 @ 14041 N 184th Ave. in the Surprise area
Findings: Applicant will adhere to the 20' street-side building setback with new building permit application. The variance application is no longer needed and has been withdrawn. No action required by the Board.

Request: Variance to permit:
1) A reduced street-side setback from 20' to 16'.
Findings: Applicant will adhere to the 20' street-side building setback with new building permit application. The variance application is no longer needed and has been withdrawn. No action required by the Board.

Presented by: Daniel Johnson

Consent Agenda:

2. **BA2022006** **Whitwam Property** **District 2**
Applicant: Scott Whitwam
Location: APN 220-17-031 @ 548 N. 104th Pl. – University Dr. and Signal Butte Rd., in the Mesa area
Requests: Variance to permit:
1) Proposed front setback of 4.3' where 20' is the minimum permitted per MCZO Article 604.4.1.a and;
2) Proposed side (north) setback of 1.9' where 7' is the minimum permitted per MCZO Article 604.4.2
Findings: **The request meets the statutory test for variance approval**
Presented by: Joseph Mueller
3. **BA2022011** **4420 Clearwater LLC** **District 3**
Applicant: Don Schatz, Creative Renovations
Location: APN 169-16-092 @ 4420 E Clearwater Pkwy., in the Paradise Valley area

Request: Variance to permit:
1) Proposed hillside disturbance of 10,403 sq. ft. outside the lot's principal buildable envelope where hillside disturbance is prohibited per MCZO Article 1201.6.1.1
Findings: **The request meets the statutory test for variance approval**
Presented by: Jose Castaneda

4. **BA2022013** **Lafer – Hayes – Dustin – Layne Property** **District 2**
Applicant: Steven Hayes
Location: APN 219-37-016D @16417 E. Duane Ln., in the Scottsdale area
Requests: Variance to permit:
1) Proposed west side yard setback of 18' where 30' is the minimum permitted per MCZO Article 503.4.2. and;
2) Proposed lot area of 40,420 sq. ft. where 43,560 sq. ft. is the minimum permitted per MCZO Article 503.5.1. and;
3) Proposed lot width of 133' where 145' is the minimum permitted per MCZO Article 503.5.2.
Findings: **The requests meet the statutory test for variance approval**
Presented by: Jose Castaneda

5. **BA2022016** **Thomas & Nanci Olson Trust Property** **District 4**
Applicant: Thomas Olson
Location: APN 200-33-989 @ 18618 N. Conestoga Dr. – 99th Ave. and Union Hills Dr., in the Sun City area
Request: Variance to permit:
1) Proposed lot coverage of 70.8% where 68% is the maximum lot coverage required per MCZO, Article 702.5.4 of the R-3 RUPD SC (Z74-003) zoning district
Findings: **The request meets the statutory test for variance approval**
Presented by: Martin Martell

Code Compliance Review: **None**

Regular Agenda:

6. **BA2021048** **Olson Property** **District 3**
Applicant: Tom Mooney, Mooney Design Group
Location: APN 210-14-010E @ 233 E. Briles Rd., in the Phoenix area
Requests: Variance to permit:
1) Proposed front setback of 15' where 40' is the minimum permitted per MCZO Article 503.4.1.a. and;
2) Proposed hillside disturbance of 1,855 sq. ft outside the lot's buildable area where hillside disturbance is prohibited per MCZO Article 1201.6.1.1
Findings: **The requests fail to meet the statutory test for variance approval**
Presented by: Jose Castaneda

7. **BA2022014**

Applicant:

Location:

Request:

Brown Property

Roderick Brown

APN 211-23-227 @ 118 E. Jordon Ln, Phoenix, AZ

Variance to permit:

- 1) Existing mare motel accessory structure with a required rear yard coverage of 41.4% when 30% is the maximum permitted per MCZO Article 1106.2.

Findings:

The request fails to meet the statutory test for variance approval

Presented by:

Rachel Applegate

District 3

Other Matters:

Adjournment:

The Chair shall adjourn the hearing.