

**TOWN OF PARADISE VALLEY
BOARD OF ADJUSTMENT
DECEMBER 5, 2012
MINUTES**

PRESENT: Emily Kile, Chair
Rick Chambliss, Board Member
Catherine Kauffman, Board Member
Robert Nagle, Board Member
Hope Ozer, Board Member
Jonathan Wainwright, Board Member

ABSENT: Eric Leibsohn, Board Member

STAFF: Eva Cutro, Community Development Director
George Burton, Planner
Andrew Miller, Town Attorney

CALL TO ORDER

The work study session meeting of the Town of Paradise Valley Board of Adjustment was called to order by Chair Kile at 5:30 p.m.

WORK/STUDY DISCUSSION ITEMS

Discussion of a variance from the Zoning Ordinance, Article X, Height and Area Regulations, to allow a single family residence to encroach into the setback and exceed the maximum allowable floor area ratio requirement. The property is located at 6635 N. Mountain View Road (Assessors Parcel Number 169-46-040A)

Chair Kile reviewed the meeting procedures.

Mr. Burton presented this case as per the project coordination packet. The applicant requests a variance to allow a new single family residence to: 1) encroach into the side yard setback and exceed the maximum allowable floor area ratio requirement.

Mr. Burton responded to questions from the Board members regarding the variance request.

Mr. Burton advised staff received two inquiries regarding this application. One of the neighboring property owners wanted to ensure that if the variance was granted, the house

would be built as submitted and one resident called regarding the meeting time as he wanted to speak on the topic.

Chair Kile welcomed new Board Member Rick Chambliss.

PUBLIC HEARING

Consideration of a variance from the Zoning Ordinance, Article X, Height and Area Regulations, to allow a single family residence to encroach into the setback and exceed the maximum allowable floor area ratio requirement. The property is located at 6635 N. Mountain View Road (Assessors Parcel Number 169-46-040A)

Mr. Burton presented this case as per the project coordination packet. The applicant requests a variance to allow a new single family residence to: 1) encroach into the side yard setback and exceed the maximum allowable floor area ratio requirement.

Mr. Burton reviewed the findings in favor and the findings opposed for this request.

Mr. Burton advised staff recommends a motion to approve the variance request to allow a new single family residence to encroach into the setback and exceed the maximum allowable floor area ratio limit.

Tyler Green, Architect, representing the applicant, provided information on the hardships on this unusual property. He reported that his clients proposed home is consistent with the character of the neighborhood.

Mr. Green responded to questions and comments from the Board members regarding this variance request. He reported that the height of the house will not change and will not adversely affect the views.

Chair Kile opened public comment.

Lawrence Deutsch stated that they have lived in this house for eight years but it was always their intention to do something nice with the property. He provided information on the hardships associated with this lot. He further stated that they have met with the neighbors and they have their support because they feel this will improve the neighborhood.

A Town resident who lives directly across the cul-de-sac from the applicant spoke in support of this variance. He stated that this will be a great improvement to the neighborhood.

Chair Kile closed public comment.

Board Member Ozer moved approval of Case No. BA-12-3, a request by Lawrence Deutsch, property owner of 6635 N. Mountain View Road; for a variance from Article X, Height and Area Regulations, to allow a new single family residence to encroach into the side yard setback and to exceed the 25% floor area ratio limit.

Board Member Ozer stated that she finds that there are special circumstances, applicable to only the subject lot, meeting the variance criteria.

Seconded by Board Member Wainwright.

Chair Kile stated that she would agree that there are special circumstances, applicable to only the subject lot, meeting the variance criteria.

The motion passed unanimously by a vote of six (6) to zero (0).

ACTION ITEMS

Election of Chairperson

Board Member Ozer moved to re-elect Chair Kile. Seconded by Board Member Wainwright and passed unanimously.

CONSENT AGENDA

Minutes of the May 2, 2012 Board of Adjustment Meeting

Board Member Ozer requested a correction to the typo on Page 2, last full paragraph, first sentence strike Board Members' and replace with Board Members.

Board Member Wainwright moved to approve the consent agenda as amended. Second by Board Member Ozer.

The motion passed unanimously by a vote of six (6) to zero (0).

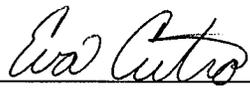
BOARD REPORTS/STAFF COMMENTS

Mr. Burton reported that the next meeting is tentatively scheduled for January 2, 2013 and he will verify that there will be a quorum because of the holiday.

Ms. Cutro provided an update on the new technology in Town Hall as it relates to recording of the meetings.

ADJOURNMENT

Board Member Ozer moved to adjourn at 6:20 p.m. Seconded by Board Member Wainwright and passed unanimously.



Eva Cutro, Secretary