

**TOWN OF PARADISE VALLEY  
BOARD OF ADJUSTMENT  
FEBRUARY 6, 2013  
MINUTES**

**PRESENT:** Emily Kile, Chair  
Rick Chambliss, Board Member  
Catherine Kauffman, Board Member  
Eric Leibsohn, Board Member  
Jonathan Wainwright, Board Member

**ABSENT:** Robert Nagle, Board Member  
Hope Ozer, Board Member

**STAFF:** Eva Cutro, Planning 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 additions to the main residence to encroach into the setback, Article XXII, Hillside Development Regulations, to allow the main residence to encroach into the height limitation, and Article XXIII, Nonconformance to allow nonconforming portions of the house to encroach into the setback and height limitation. The property is located at 7102 N 57<sup>th</sup> Place (Assessors Parcel Number 169-55-033E).**

Chair Kile reviewed the meeting procedures.

Mr. Burton presented this case as per the project coordination packet. The applicant requests a variance to allow: 1) a garage/storage addition and roof overhangs on the primary residence to encroach into the setbacks, 2) nonconforming portions of the house to remain into the setbacks and 3) nonconforming portions of the house to remain beyond the height limitation.

Mr. Burton reviewed the findings in favor and the findings opposed for this request. Mr. Burton advised that staff has not received any inquires regarding this application.

Mr. Burton advised staff recommends a motion to approve the variance request to allow the garage/storage addition and overhangs on the primary residence to encroach into the setbacks, allow nonconforming portions of the house to remain into the setbacks and allow nonconforming portions of the primary residence to remain beyond the height limitation.

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

## **PUBLIC HEARING**

**Consideration of a variance from the Zoning Ordinance, Article X, Height and Area Regulations, to allow additions to the main residence to encroach into the setback, Article XXII, Hillside Development Regulations, to allow the main residence to encroach into the height limitation, and Article XXIII, Nonconformance to allow nonconforming portions of the house to encroach into the setback and height limitation. The property is located at 7102 N 57<sup>th</sup> Place (Assessors Parcel Number 169-55-033E).**

Mark Candelaria, Candelaria Design Associates, stated that he is here representing the applicants Jameson and Inna Van Houten. He discussed the need for the extra garage space. The location they propose for this garage has the least impact and is already in a location where the garage is over the setback.

In response to a question from Chair Kile, Mr. Candelaria advised that there will not be an additional cut or disturbance to the driveway.

Jameson Van Houten, applicant, reiterated that the proposed location for the garage will have the least impact on the existing setbacks.

Chair Kile opened public comment.

Chair Kile reported that she received a comment card from Penny Galarneace that indicates she is in favor of the request but does not wish to speak.

Board Member Wainwright inquired if Penny Galarneace is a neighbor. Chair Kile advised she is the neighbor that lives just below this property.

Chair Kile closed public comment.

Chair Kile stated that the variance will not have an impact on the surrounding neighbors views.

Board Member Chambliss moved approval of Case No. BA-12-3, a request by Jameson and Inna Van Houten, property owners of 7102 N 57<sup>th</sup> Place; for a variance from Article X, Height and Area Regulations, to allow additions to the main residence to encroach into the setback, Article XXII, Hillside Development Regulations, to allow the main residence to encroach into the height limitation, and Article XXIII, Nonconformance to allow nonconforming portions of the house to remain into the setback and height limitation. Seconded by Board Member Kauffman.

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

The motion passed unanimously by a vote of five to zero.

## **CONSENT AGENDA**

### **Minutes of the December 5, 2012 Board of Adjustment Meeting**

Board Member Chambliss moved to approve the consent agenda as presented. Second by Board Member Leibsohn.

The motion passed unanimously by a vote of five (5) to zero (0).

## **BOARD REPORTS/STAFF COMMENTS**

Mr. Burton reported that staff has received two variance pre-applications and one formal application.

## **ADJOURNMENT**

Board Member Chambliss moved to adjourn at 6:00 p.m. Seconded by Board Member Wainwright and passed unanimously.

  
\_\_\_\_\_  
Eva Cutro, Secretary