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PINAL COUNTY BOARD OF ADJUSTMENTS AND APPEALS
(PO NUMBER 249810)

Regular Meeting
9:30 a.m.
Thursday, June 27, 2024
Pinal County Administrative Complex
Emergency Operations Center
301 E. 11th Street, Florence, Arizona

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TRANSCRIPTION PROVIDED BY

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Quick Response Transcription Services
829 East Windsor Avenue
Phoenix, Arizona 85006
602-561-2283

ORIGINAL PREPARED FOR:
PINAL COUNTY, ARIZONA

1 KENNEDY: Good morning everybody, and welcome to the
2 Pinal County Board of Appeals and Adjustments. Welcome you
3 all. A little housekeeping. Cell phones, please have them on
4 silent. If you must take a phone call, please step outside.
5 You've already been directed as far as when you come up to
6 speak to make sure you have a signature and your address.
7 I'll also ask you to state your name and address as well in
8 the microphone. With that, I'll look over at staff, and I
9 guess we'll start with the roll call first.

10 OLGIN: Yes sir, good morning, Gilbert Olgin,
11 Planning Manager. I'll do the roll call. Chairman Kennedy.

12 KENNEDY: Present.

13 OLGIN: Vice Chair Marsh.

14 MARSH: Here.

15 OLGIN: Member Mauller.

16 MAULLER: Here.

17 OLGIN: Member Sanchez.

18 SANCHEZ: Here.

19 OLGIN: And Member Begeman.

20 BEGEMAN: Here.

21 OLGIN: We have a quorum.

22 KENNEDY: Thank you, sir. What else do you guys
23 have this morning?

24 OLGIN: So in regards to the planning report, I have
25 a few things. First, I'd like to introduce two new planners

1 that are going to be presenting for you today. So be gentle,
2 don't scare them if you don't mind. I have Kendall Riley,
3 stand up please? She just started with us recently as a
4 planner, and we have Monika Smriti, and she's a new planner as
5 well. So they'll be taking these cases forward. You'll be
6 seeing them more often. They're actually more focused on our
7 Board of Adjustment cases and blanket variances, so they're
8 filling the roles of LaRee and Val who used to do that. So
9 thank you again. I also wanted to mention that we have
10 elections coming up next meeting for chair/vice chair. It's
11 required every year, so keep it in mind. We'll put that on
12 the agenda and we'll make that a decision where you'll
13 nominate somebody, and we'll go forward with that process.
14 That concludes my report, thank you.

15 KENNEDY: Fair enough. Welcome to the new staff.
16 And we'll start with case BA-011-24.

17 ROBERTS: Good morning Chair, Vice Chair, Members of
18 the Board. Patrick Roberts, senior planner presenting case
19 BA-011-24. This proposal's a variance request to allow a
20 reduction in the minimum lot size from two acres to 1.06 acres
21 for a single family residence on a - sorry, that should say
22 1.01 acre parcel in the Suburban Homestead zone. Cody, I'm
23 sorry, I believe this is - this might not be my presentation.

24 KENNEDY: Have the right number of the top.

25 ROBERTS: I apologize, some of this information,

1 needs to be updated. So the location of the of the property
2 is actually on West Carefree Place and North Desert Lane and
3 in Section 21, Township 06 South, Range 03 East. It looks
4 like the maps are still correct. The owner of the property's
5 Edgar and Veronica Bombela, and they're also the applicant of
6 the property. But again, this is a reduction from two acres
7 to 1.01 acres for a GR property.

8 KENNEDY: Just so you know, in our staff report,
9 it's - or yeah, in our report it's 1.01.

10 ROBERTS: Perfect. Okay.

11 KENNEDY: So it's correct here.

12 ROBERTS: Just wanted to make sure that that's
13 correct. This is a map of the County showing the approximate
14 location of the property, west of Casa Grande. An aerial map
15 showing the location of the property off of Desert Park Lane
16 and Carefree Place. A zoning map showing the location of the
17 property in relation to other zoning. In a subdivision also
18 GR with SR to the north. This is a map of all the notified
19 property owners. And this is four directional images showing
20 the location of the property within the subdivision. This is
21 a copy of the original plat that this case was approved under.
22 These were all GR lots permitted under - to be the 43,918
23 square foot, 1.101 acre lot sizes. And this was approved as
24 of 1960, so it's a very old subdivision. So some items for
25 consideration, the property was platted in 1960 under the

1 Hidden Valley Estates Unit 7 plat. The properties at the time
2 had no minimum lot size under the 1954 ordinance. Under the
3 1962 ordinance that was put in place, the property - the
4 minimum lot size was increased to - or sorry, was decreased
5 down to 12,000 square foot minimums. And then as of the 1972
6 ordinance, that's when our 1.25 acre minimum was introduced,
7 causing the conflict today. The request for this use is for a
8 single family home is permitted under the GR district, and
9 other parcels in the same subdivision have also undergone
10 variances and had favorable determinations. The property has
11 been determined not to have been self-imposed. The variance
12 is necessary so as not to impede significant property rights,
13 and the variance would not result in any adverse impact to the
14 immediate subdivision. Staff recommends approval of this case
15 with four stipulations. And if the Board has any questions of
16 staff, I'd be happy to provide.

17 KENNEDY: Any questions for staff?

18 SANCHEZ: Mr. Chairman, I just have one question.
19 Patrick, on this property here, it seems that we're having a
20 lot of repetition on, you know, 1960, 1950-something
21 ordinances that were made by the County, and I'm glad to see
22 the County is coming into the modern times and on something
23 like this it makes it good. And there's no negativity on
24 this. It makes it look good for the County, makes it look
25 good for the Board of Adjustments. And with that, I want to

1 thank you for doing what you do. I want to thank the staff
2 for giving us the information that we need to make a
3 knowledgeable decision. Thank you.

4 ROBERTS: I appreciate it, Member Sanchez.

5 KENNEDY: All right, any further questions? All
6 right, seeing none, would the applicant like to address the
7 Board?

8 ROBERTS: I got a message from the applicant this
9 morning that they would be unavailable for this meeting
10 (inaudible). They had a conflict.

11 KENNEDY: This isn't the one on the call then?

12 ROBERTS: No.

13 KENNEDY: Gotcha. All right. So with that, then
14 I'm going to open up the public hearing portion for case BA-
15 011-24 here at 9:36, if anybody from the public would like to
16 address. Seeing nobody, I'll also close it here at 9:36 and
17 I'll entertain a motion.

18 SANCHEZ: Mr. Chairman, I'd like to make a motion
19 that we approve BA-011-24, Section 2.40.02(B) and (D) of the
20 PCDSC, to allow a reduction in the minimum required lot area
21 from 54,450 square feet (1.25 acres) to 43,918 square feet
22 (1.01 acres), and applicable development standards in parcel
23 402-27-0020, to allow a manufactured home on the 1.01 acre
24 parcel in the GR zoning district, with A through F, with 4
25 stipulations.

1 MAULLER: I'll second.

2 SANCHEZ: All right, so it's been moved and seconded
3 to approve case BA-011-24 with the findings of A through F,
4 and along with the 4 stipulations that are found in the staff
5 report. Is there any further discussion? Seeing none, all
6 those in favor signify by saying aye.

7 COLLECTIVE: Aye.

8 KENNEDY: Any opposed? Motion carries. I'll also
9 add pursuant to ARS 11-816, any person aggrieved in any manner
10 by an action of a board of adjustments may appeal within 30
11 days to the superior court and the matter shall be heard de
12 novo. All right.

13 ROBERTS: Thank you.

14 KENNEDY: Thank you. So now moving on to case BA-
15 013-24.

16 RILEY: Good morning. Good morning Chair, Vice
17 Chair, Members of the Board. My name is Kendall Riley, my
18 title is planner, and I'm here to present to you case BA-013-
19 24. This is a request to allow a variance for the reduction
20 in a minimum lot size from two acres to 1.06, in the Suburban
21 Homestead zone. The owners are Warren and Cynthia Schuler,
22 and we do have representatives of them in the audience if they
23 do wish to speak. The location is south of Breathless Drive
24 and east of South Lazy Road. Here's a County map showing the
25 location of the site. It is marked by the red star, and it is

1 located in the northern portion of the County, in the Gold
2 Canyon vicinity. Here's an aerial map showing the existing
3 development patterns surrounding the parcel. Here's a close
4 up of the subject site to the right, with the surrounding
5 adjacent development touching the parcel on the left. Here's
6 some directionals to give you an idea of the front of the
7 property, what it looks like. Here's some more directional
8 images, and the bottom portion is south looking onto the site.
9 Here's an area map giving you a perspective of the surrounding
10 zonings. It is completely surrounded by Suburban Homestead on
11 all sides, and there is Suburban Ranch to the north and CR-3
12 to the south. Here's the notice area for the 600 foot mailers
13 that were sent to property owners. Items to consider for the
14 Board, the subject property was platted in 1981 under the Mesa
15 del Oro Estates Number 3, and it did follow the 1980 zoning
16 ordinance at the time. And it did allow one acre lots minimum
17 in the area. It did change, the minimum lot size for that
18 zoning category was changed in 1982. The requested use is
19 permitted in the Suburban Homestead zoning. And there have
20 been similar parcels in that subdivision that have been
21 approved through the variance process. Some other items to
22 consider is a special circumstance for consideration, is the
23 variance is not self-imposed. Variance is necessary not to
24 impede on property rights, and the variance request would not
25 result in an adverse impact to the immediate surroundings or

1 broader public. So there has been a revision since the staff
2 report was created. Since they are above one acre, I did
3 remove the stipulation regarding livestock as they are allowed
4 two livestock animals per acre. And so staff recommends
5 approval with 4 stipulations for BA-013-24. Any questions for
6 staff?

7 KENNEDY: Does anybody have any questions? Nope,
8 think we're good. Good job, thank you. Would the applicant
9 like to address the Board? It's totally up to you.

10 BURKE: Oh yeah, no problem.

11 KENNEDY; And like I said, I'll just have you state
12 your name and your address. And I think you already signed
13 in, correct?

14 BURKE: Yes.

15 KENNEDY: Perfect.

16 BURKE: Yeah, my name's Matthew Burke, I'm a
17 neighbor. I'm the Schulers' representative while they're
18 away. As already mentioned, the neighborhood called the Mesa
19 del Oro had the one acre minimum back when it was first
20 developed, so since then, of course, it's been moved to a two
21 acre minimum. And so that brings us to the request for this
22 variance. It's going to be for an addition, for a detached
23 garage. It meets all setback requirements. It's going to
24 match the current design of the house, which is a Santa Fe
25 style, so it's going to blend in really well with the

1 neighborhood. And that's pretty much it. I don't have
2 anything further to say on it. If anybody had any questions.

3 KENNEDY: Any questions? No, I think we're good.

4 BURKE: Okay, thanks.

5 KENNEDY: Thank you sir. All right, so then I will
6 open up the public hearing portion for case BA-013-24 here at
7 9:43. Seeing nobody jumping up, I'll close it also here at
8 9:43 and entertain a motion. Vice Chair Marsh.

9 MARSH: Yes, I move to approve case BA-013-24, for a
10 variance to Section 2.30.020 (B) and (D) of the Pinal County
11 Development Services Code, to decrease the overall minimum lot
12 area requirement for a single family dwelling and accessory
13 structures from 87,120 square feet - that's two acres - to
14 46,173 square feet, that's 1.06 acres, as well as associated
15 development standards in the Suburban Homestead (SH) zone, to
16 allow the future construction of detached accessory
17 structures, based on the findings A through F, and with the
18 stipulations listed in the staff report.

19 BEGEMAN: Second.

20 KENNEDY: All right.

21 MAULLER: Second.

22 KENNEDY: It's been moved and seconded to approve
23 case BA-013-24, with the findings of A through F, with the 4
24 stipulations that are found in the staff report. Is there any
25 further discussion? Seeing none, all those in favor signify

1 by saying aye.

2 COLLECTIVE: Aye.

3 KENNEDY: Opposed, like sign. All right, the motion
4 carries. Thank you. Also need to add, pursuant to ARS 11-
5 816, any person aggrieved in any manner by an action of a
6 board of adjustments may appeal within 30 days to the superior
7 court and the matter shall be heard de novo. Bless you. All
8 right, moving on. We should be on BA-063-23, is that correct?
9 Perfect.

10 SMRITI: Good morning Board, County staff, and
11 members of the audience.

12 KENNEDY: Your mic's not on. You gotta push the
13 button. There you go.

14 SMRITI: All right, one more time. Good morning
15 all, County staff, members of the audience. I am Monica
16 Smriti, planner. I'm going to present the case BA-063-23. So
17 this is a variance request by the applicant, Jason Patterson
18 and Lisa Patterson, for an undersized lot located in CR-3
19 zoning district. The parcel was platted in 1970, and it is
20 located within the vicinity of City of Casa Grande, as you can
21 see here on this map marked by the red star. Zooming in, you
22 can see the surrounding development patterns and the zoning.
23 How does this work? Okay. Apologies. Further zooming in,
24 you can see the aerial map here that shows the vacant lot and
25 other vacant lots in the surrounding neighborhood, because of

1 the undersized lot condition, and here on this slide, you can
2 see the physical characteristics of the parcel and the
3 surrounding neighborhoods. The first picture is looking
4 south, the second one is looking north, the third one is
5 looking east, and the fourth one is looking west. And this
6 map shows the notification area of 600 feet boundary. These
7 were the neighbors notified for this public hearing. Some of
8 the items to be considered by the Board, first and foremost,
9 the parcel was approved and platted legally in 1970 reflecting
10 1968 amendments. The parcel will follow permitted uses of CR-
11 3 zoning district. The lot size is consistent with the area.
12 Staff has received one letter of opposition, citing concerns
13 regarding lowering the property value of the nearby lots. The
14 circumstances of this variance is not self-imposed, neither it
15 will create any adverse impact on the surrounding
16 neighborhood. And at the same time, this variance is
17 necessary for the applicant to exercise their significant
18 property rights. Staff recommends approval with 3
19 stipulations that is mentioned in the staff report. If you
20 have any questions for the staff, happy to answer.

21 KENNEDY: Is it 3 or 4?

22 SMRITI: 3 stipulations. We removed the livestock
23 and agricultural uses because it's anyway not allowed in the
24 CR-3 zoning district.

25 KENNEDY: Just wanted to double check, thank you.

1 SMRITI: Thank you.

2 KENNEDY: Yep, go ahead Member Mauller.

3 MAULLER: Excuse me. Is this lot size any different
4 than the surrounding lots?

5 KENNEDY: Can you turn your mic on, please Member
6 Mauller?

7 MAULLER: Okay, sorry. Usually I speak pretty loud,
8 so. Is this lot any larger or smaller than any of the
9 surrounding lots?

10 SMRITI: No sir, it's part of a platted development.

11 MAULLER: Thank you.

12 KENNEDY: Any further questions for staff?

13 SANCHEZ: I have just one question, Monica. On this
14 letter of opposition, you know, they state that it will lower
15 the taxes, or the value of the property. I have a question.
16 I don't believe that, but I think that if anytime you have new
17 properties coming in, taxes are going to be rising and
18 revenues are going to come into the County. So to me, I don't
19 think that's a legitimate thing. Just that's my personal
20 thing. But do you feel that, in your doing your study on
21 this, do you feel that it would be detriment to the County?

22 SMRITI: I would refer this question to Gilbert,
23 Planning Manager.

24 OLGIN: That's a great answer, thank you. Chairman,
25 Vice Chair, we actually practiced this yesterday not to have

1 them answer to that question. Well done. We're not real
2 estate appraisers, so we're not going to get into whether or
3 not it's going to devalue the property or not. That's - we
4 don't really function in that sense. But what I would say is
5 the variance is going to allow a home to exist there, as it
6 has with other properties in the area, so that's a benefit to
7 the people who own the property in bringing more taxes to the
8 area and revenue in the County. So sorry, I know I didn't
9 answer your question exactly, but I don't think we should.

10 SANCHEZ: No, you answered it in a roundabout way.
11 That's what I - I figured that, but thank you. Thank you, Mr.
12 Chairman.

13 KENNEDY: Yep. Any further questions? All right,
14 thank you. All right, is the applicant here?

15 SMRITI: She's present here virtually.

16 KENNEDY: Okay. Would the applicant like to address
17 the Board? You don't have to, it's totally your choice.

18 SMRITI: Lisa, we can hear you.

19 OLGIN: If you want to just say your name and your
20 address, that's plenty.

21 BILLINGSLEY: Seems she might have froze up.

22 ??: Her or the computer.

23 OLGIN: We can see her, she is on the monitor.

24 Chair, Vice Chair, Board Members, if you'd like to continue
25 without her responding -

1 KENNEDY: I'm going to continue without, yeah. I
2 mean I will open up to the public hearing portion.

3 OLGIN: She is there.

4 KENNEDY: BA-063-23 here at 9:50 if anybody would
5 like to address this case from the public. Seeing nobody,
6 I'll also close it here at 9:50, and I'll entertain a motion.

7 MAULLER: Do we want to hear her? Did she come back
8 on?

9 KENNEDY: No, we're good, I'm going to keep going.
10 I'll entertain a motion. Vice Chair Marsh?

11 MARSH: Yes. I move to approve case BA-063-23,
12 Section 2.70.020 of the PCDC, to allow a reduction in the
13 minimum required lot area from 7,000 square feet (.16 acres)
14 to 6,534 square feet, that's .15 acres, and applicable
15 development standards on parcel 503-74-5010, Casa Grande West
16 Unit 5, Subdivision, to allow the permitted uses of the CR-3
17 zoning district on a .15 acre of parcel. The move to approval
18 is based on findings A through F, and is subject to the 3
19 stipulations listed in the staff report.

20 MAULLER: Second.

21 KENNEDY: All right, it's been moved and seconded to
22 approve case BA-063-23 with the findings of A through F, along
23 with the 3 stipulations that are found in the staff report.

24 OLGIN: Chair, Vice Chair, Board Members, thank you
25 for the decision. She did pop back on, so if you choose to

1 allow her just to say her name and where she's from, just
2 because she's trying to make the effort to be respectful to
3 you guys.

4 KENNEDY: Just have her give me one second. I'm
5 gonna finish the vote real quick. Is there any further
6 discussion? No. All right, all those in favor signify by
7 saying aye.

8 COLLECTIVE: Aye.

9 KENNEDY: Any opposed, like sign. All right, motion
10 carries. So if the applicant would like to address, go ahead.
11 Your motion did pass, or your variance did pass.

12 PATTERSON: Thank you. And also thank you for
13 granting me this virtual hearing. My computer literally went
14 to sleep as soon as I started talking. What I wanted to add
15 to this was that I do believe that building there would
16 greatly increase the value of those properties. Right now,
17 basically it looks derelict. There's nothing growing there,
18 there's - we've been to the property three different occasions
19 in the last two years since we've owned it, and there has been
20 little or no change. We'd like to make it look like families
21 can live there and that it's a place where people want to
22 build their homes and to let that community grow. And that
23 was our intention with wanting to build, so thank you for
24 hearing me.

25 KENNEDY: Oh, thank you, and thank you for

1 participating, even if it was virtually, and good luck to you.

2 PATTERSON: Thank you.

3 KENNEDY: All right, moving on to case BA-005-24.

4 SMRITI: Hello again, I am Monica Smriti. I am
5 presenting the case BA-005-24. This is a variance request by
6 the applicant, Alice Vickers. She's present here in the
7 audience. Well okay, seems like she's not here yet. So this
8 is another undersized lot condition case located in General
9 Rural zoning district. This lot was split in 1973 before the
10 lot size increased in further zoning amendments. Currently
11 this parcel has a manufactured home installed in 2013 when the
12 property was acquired by Alice Vickers, and she also got a
13 permit for a detached accessory building in 2013 itself. The
14 subject parcel located here is within the City of Apache
15 Junction vicinity, as you can see here on this County map.
16 Further zooming in, you can see the surrounding development
17 patterns and the zoning. And this aerial map here shows the
18 other manufactured homes and the lot pattern surrounding this
19 parcel. And the site photos on this slide shows the
20 directional images. The first one is looking south, second
21 one is looking north, third one is looking east, and the
22 fourth one is looking west. And this one is the notification
23 area. These were the neighbors notified for this public
24 hearing. The item for consideration is that the subject
25 parcel was split and recorded in 1973, reflecting 1972 zoning

1 amendments. The use is consistent with the area, most of the
2 neighbors have manufactured home installed on their property.
3 Lot size is slightly lower than the adjacent parcels, however,
4 it was split in 1973. We have not received any communication
5 of opposition. The circumstances for this variance is not
6 self-imposed. Neither it will result in any adverse impact to
7 the immediate surroundings or the broader public. And this
8 variance is necessary for the applicant to exercise their
9 significant property rights and bring the manufactured home to
10 legal conformance condition. Staff recommends approval with 4
11 stipulations that's mentioned in the staff report, if you have
12 any question for the staff.

13 KENNEDY: Does anybody have any questions for staff?
14 I think we're good, thank you. So is the applicant here or
15 not? Is the applicant here for this, for case BA-005-24? I
16 don't see anybody jumping up, so that's okay. I'll let it
17 slide. I'll open up the public hearing portion for this case,
18 BA-005-24 here at 9:56. Seeing nobody, I'll also close to
19 here at 9:56, and I'll entertain a motion.

20 MAULLER: Mr. Chairman.

21 KENNEDY: Vice Chair - or - I don't know why I
22 always screw you two up. Member Mueller, go ahead.

23 MAULLER: I move to approve case BA-005-24, Section
24 2.40.020 of the PCDSC, to allow a reduction in the minimum
25 required lot area from 54,450 square feet (1.25 acres) to

1 32,670 square feet (.75 of an acre), and applicable
2 development standards on parcel one dash - I mean 100-14-014C,
3 to allow the permitted uses of GR zoning district on a three
4 quarter acre parcel. The move for approval is based on the
5 findings A through F as presented above, and the following
6 stipulations, 1 through 4.

7 BEGEMAN: Second.

8 KENNEDY: All right, so it's been moved and seconded
9 to approve case BA-005-24 with the findings of A through F,
10 along with the 4 stipulations that are found in the staff
11 report. Is there any further discussion? Seeing none, all
12 those in favor signify by saying aye.

13 COLLECTIVE: Aye.

14 KENNEDY: Any opposed, like sign. All right, motion
15 carries. And then I forgot on the last case, so this would be
16 for BA-063-23 and BA-005-24, that - to add that pursuant to
17 ARS 11-816, any person aggrieved in any manner by an action of
18 a board of adjustments may appeal within 30 days to the
19 superior court and the matter shall be heard de novo.

20 SMRITI: Thank you Board.

21 KENNEDY: Thank you.

22 SMRITI: And next one -

23 KENNEDY: Are you next too?

24 SMRITI: Yes.

25 KENNEDY: You got them all.

1 SMRITI: This one is the last case. I am Monica
2 Smriti, planner. I am presenting the case BA-006-24. This is
3 the last variance request for the day by the applicant, Alba
4 and Jesus Zamorano. They are present here in the audience.
5 This is a undersized lot reduction request for the parcel
6 platted in 1973 located in Suburban Homestead zoning district.
7 The subject parcel is currently vacant, and it is within the
8 vicinity of the City of Eloy, as you can see here on this
9 County map marked by the red star. Zooming in, you can see
10 the plat map and the surrounding zoning district and the
11 development patterns. Further zooming in, you can see that
12 the Suburban Home zoning is mostly vacant, the parcels nearby.
13 However, the CR-4 is getting built gradually because they meet
14 the minimum lot size requirement. This slide shows the
15 directional photographs. The first one is looking south, the
16 second one is looking north, third one looking east, and the
17 fourth one looking west. And this one is the notification
18 area of 600 feet radius, notifying the property owners within
19 the vicinity of this radii. And items to consider for the
20 Board is that this parcel was platted in 1973, replatted in
21 1976 reflecting 1972 zoning amendments. The parcel will
22 follow the permitted uses of SH zoning district. The lot size
23 is consistent with the area. No communication of opposition
24 have been received so far by the staff. And again, the
25 circumstances for this zoning variance is not self-imposed,

1 neither it is going to create any adverse impact on the
2 surrounding neighborhood, and it will be necessary for the
3 applicant, for them to exercise their private property rights.
4 Staff is recommending approval with three stipulations
5 mentioned in the staff report. If you have any questions for
6 the staff, happy to answer.

7 KENNEDY: Does anybody have any questions for staff?
8 We're good, thank you. Would the applicant like to address
9 the Board? Nope, all right, fair enough. I will open up the
10 public hearing portion for case BA-006-24 here at 10:01. And
11 seeing we had no opposition and nobody coming up, I'll also
12 close it here at 10:01 and I will open up, or I'll entertain a
13 motion.

14 MAULLER: Mr. Chairman.

15 KENNEDY: Member Mauller.

16 MAULLER: I move to approve case BA-006-24, Section
17 2.30.020 of the PCDSC, to allow a reduction in the minimum
18 required lot size from 87,120 square feet (2.0 acres) to
19 48,352 square feet (1.11 acres), and applicable development
20 standards on the parcel 401-64-0520 Villa Grande Rancheros,
21 Unit 2, Replatted, Subdivision, to allow the permitted use of
22 (SH) Zoning District on a 1.11 acre parcel. The move for
23 approval is based on the findings A through F as presented,
24 and stipulations 1 through 3.

25 SANCHEZ: I'll second it.

1 KENNEDY: All right, it's been moved and seconded to
2 approve case BA-006-24, with the findings of A through F, and
3 along with the 3 stipulations that were found in the staff
4 report. Is there any further discussion? All those in favor
5 signify by saying aye.

6 COLLECTIVE: Aye.

7 KENNEDY: Any opposed, like sign. All right, motion
8 carries. Also add pursuant to ARS 11-816, any person
9 aggrieved in any manner by an action of a board of adjustments
10 may appeal within 30 days to the superior court in the matter
11 shall be heard de novo.

12 SMRITI: Thank you Chairman, thank you Vice
13 Chairman. Thank you Board.

14 KENNEDY: So next we have case BA-017-24.

15 BAK: Good morning, Glenn Bak here, BA 017-24. This
16 consists of a variance request to decrease the overall minimum
17 lot area requirements from 54,450 square feet, or one and a
18 quarter acres, to 46,053 square feet. The location is
19 northwest of Jewel Road and Naviska Drive. Applicant is Floyd
20 Davis. This shows you the general location of the property.
21 This is an aerial photo. We had a, incidentally, a variance
22 in this same subdivision approximately about a year ago and
23 this shows you the more specific area of the case and the case
24 map. Notices posted on the property. Looking generally to
25 the north. To the east. And to the south and to the west

1 from the property. So to give you some idea of the history of
2 the property, this was platted in 1964. In '72 the zoning
3 ordinance was amended to increase the minimum lot area from
4 12,000 to 54,450 square feet. Many of these lots in the area
5 are undersized for today's standards. Staff's recommendation
6 is for approval with the 2 stipulations contained in your
7 report. And staff would be happy to entertain any questions
8 the Board may have.

9 KENNEDY: Does anybody have any questions for staff?
10 No, I think we're good. Would the applicant like to address
11 the Board? I don't see anybody jumping up, and so I will open
12 up the public hearing portion for case BA-017-24 here at
13 10:05. And I'll also close it here at 10:05. So with that, I
14 will entertain a motion. Vice Chair Marsh.

15 MARSH: Yes, I move to approve case BA-017-24,
16 Section 2.40.020 and Section 2.40.030 of the PCDSC, to allow a
17 reduction in the minimum required lot area from 54,450 square
18 feet (1.25 acres) to 50,530 square feet (approximately 1.06
19 acres) and applicable development standards to allow the
20 construction of a home on a 1.06 acre parcel in the General
21 Rural zone (GR), also to approve findings A through F as set
22 forth in the staff report, with 2 stipulations listed in the
23 staff report.

24 SANCHEZ: I second it.

25 KENNEDY: All right, so it's been moved and seconded

1 to approve case BA-017-24 with the findings of A through F,
2 along with the 2 stipulations that are found in the staff
3 report. Is there any further discussion? All right, seeing
4 none, all those in favor signify by saying aye.

5 COLLECTIVE: Aye.

6 KENNEDY: Any opposed? All right, motion carries.
7 I'll also add pursuant to ARS 11-816, any person aggrieved in
8 any manner by an action of a board of adjustments may appeal
9 within 30 days to the superior court and the matter shall be
10 heard de novo. All right, that's it for cases. Do we have
11 anything else, other than planning for elections for next
12 meeting?

13 OLGIN: Chair, Vice Chair, Board Members, no we do
14 not. I just want to mention, we're about halfway through the
15 year and we're only up to about 25-26 cases, which is a huge
16 difference than last year. Last year we were probably in the
17 50-60 range, so we're doing less. We're trying to get things
18 fixed before they get to you, so as you can see we're getting
19 there. Hopefully we don't - I think last year we had what,
20 70-80 cases, I think this year we might have 50.

21 BILLINGSLEY: I think part of that might have been
22 the blanket variances that were processed in the last year.
23 We did three huge blanket variances in some of these problem
24 areas.

25 OLGIN: I think that impacted almost 3,000 lots. So

1 not trying to get rid of your job, but we kind of did a little
2 bit, sorry about that.

3 ??: Oh yeah?

4 KENNEDY: I have a lady in the back. If you want to
5 come up to the mic. Do I need to have her state her name and
6 address and all that good stuff? All right, so go ahead.
7 Since we're in a meeting setting still, go and state your name
8 and address.

9 HURLEY: My name's Theresa Hurley, I live at 875
10 West Gateway Street in Oracle. And the neighbors next door, I
11 have a number on here, will that help any to put on -

12 KENNEDY: Not necessarily to me, but if you want to
13 just read it real quick.

14 HURLEY: BA-022-23.

15 KENNEDY: Oh, give me that number again?

16 HURLEY: BA-022-23.

17 KENNEDY: Is there a date on that as to when it's
18 going to be?

19 HURLEY: They said the hearing was today.

20 OLGIN: Chair, Vice Chair, Commission, I hate to -
21 we're not to talk about it since it's not agendized. We can
22 talk to her after the meeting's over.

23 KENNEDY: Okay.

24 HURLEY: Okay.

25 KENNEDY: Fair enough. We have somebody else in the

1 back. Come on up, let's see what you got. Same thing, state
2 your name and your address and if you haven't signed in, there
3 should be a sign in sheet to put your name and address as
4 well.

5 BOMBELA: My name is Alexander Bombela and I came
6 here today with my parents, Veronica and Edgar Bombela. And
7 we got here a little bit late for the case for the variance
8 for BA-011-24 and the address is -

9 KENNEDY: Say that number again? Did you say BA-
10 011?

11 ??: 24.

12 SANCHEZ: It's the first one.

13 ??: Yeah, the first one.

14 KENNEDY: Oh, I had it on a different sheet. Okay,
15 that makes sense. Go ahead.

16 BOMBELA: Well, I was just wondering if the variance
17 was accepted or not.

18 KENNEDY: Yep, that one passed as well.

19 BOMBELA: Okay.

20 KENNEDY: Yep. Everything's good.

21 BOMBELA: Okay, thank you. That's all I had.

22 KENNEDY: Perfect. All right. Any other business?
23 Is there a motion to adjourn?

24 MAULLER: So moved.

25 KENNEDY: Second?

1 SANCHEZ: Second.

2 KENNEDY: All right, thank you guys. We'll close

3 the first meeting here at 10:09.

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Julie A. Fish