

# SCOTTSDALE BOARD OF ADJUSTMENT MEETING

## \*\*\*MEETING NOTICE AND **MARKED** AGENDA

### \*ADDED CONTINUANCES SECTION



#### BOARD OF ADJUSTMENT

Brian Kaufman, Chair  
Matt Metz, Vice Chair  
Michael Gonzalez, Board Member  
Jason Chocron, Board Member

Ryan Wagner, Board Member  
Vacant, Board Member  
Conan Deady, Board Member

Wednesday,  
November 3, 2021

*Board of Adjustment meetings are also televised on Scottsdale's YouTube channel and streamed online at [ScottsdaleAZ.gov](https://www.scottsdaleaz.gov) (search "live stream") to allow the public to virtually attend, participate telephonically, and listen/view the meeting in progress.*

**6:00 P.M.**

#### BOARD OF ADJUSTMENT MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order– 6:01 PM**

**Roll Call – ALL MEMBERS PRESENT**

#### Administrative Report – Bryan Cluff, LEED AP

1. Identify supplemental information, if any, related to the November 3, 2021 Board of Adjustment agenda items, and other correspondence.

#### Minutes

2. Approval of the September 1, 2021 Board of Adjustment Regular [Meeting Minutes](#).

**APPROVED REGULAR MEETING MINUTES 6-0; MOTION MADE BY CHAIR KAUFMAN,  
2<sup>ND</sup> BY VICE CHAIR METZ.**

#### Public Comment

Spoken comment is being accepted on agenda action items. Persons interested in speaking on any agenda item may **submit a blue "Request to Speak" card in person prior to the beginning of public testimony or may sign up to speak telephonically [here](#) no later than 90 minutes prior to the meeting.**

Persons interested in submitting a written comment on any item may **submit a yellow "Written Comment" card in person prior to the beginning of public testimony or may submit digitally [here](#) no later than 90 minutes prior to the meeting.**



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING STAFF AT (480-312-7767). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT STAFF AT (480-312-7767).

- AGENDA CONTINUED ON THE NEXT PAGE -

## \*CONTINUANCES

\*5

[7-BA-2021 \(Boyd Casita Extension Accommodation\)](#)

**Applicant has requested a continuance to the January 5<sup>th</sup> Board of Adjustment meeting.**

Request by owner for a disability accommodation to the City of Scottsdale Zoning Ordinance, Section 5.404.E.1.a, as amended by case 59-ZN-1992, seeking a relief from the required front yard setback for a proposed building addition, for a property with Single-family Residential (R1-10) zoning located at 33833 N 67th St.

Staff contact person is Omar Smalbegovic, 480-312-3087.

**Applicant contact person is Gregory Boyd, (408) 406-1470.**

**CONTINUED TO JANUARY 5, 2021 MEETING 6-0; MOTION BY CHAIR KAUFMAN, 2<sup>ND</sup> BY BOARD MEMBER CHOCRON.**

## REGULAR AGENDA

3.

[6-BA-2021 \(Scottsdale Recovery Center - Appeal\)](#)

Request for an appeal of the Zoning Administrator's written decision dated June 23, 2021, that the proposed sober living use of the property would constitute a Care Home, which is not permitted under the Medium Density Residential (R-3) zoning at the property located at 7910 and 7920 E. Wilshire Drive.

Staff contact person is Jeff Barnes, 480-312-2376.

**Applicant contact person is Heather Dukes, 602-320-8866.**

**MOTION FOR JURISDICTION AND STANDING CARRIED 6-0; MOTION BY VICE CHAIR METZ, 2<sup>ND</sup> BY CHAIR KAUFMAN.**

**OVERTURNED ZONING ADMINISTRATOR'S DECISION 5-1; MOTION BY CHAIR KAUFMAN, 2<sup>ND</sup> BY BOARD MEMBER DEADY**

4.

[8-BA-2021 \(Scottsdale Recovery Center - Accommodation\)](#)

Request by owner for a reasonable accommodation based on a disability, to the City of Scottsdale Zoning Ordinance, to allow a proposed sober living (Care Home) use at a property with Medium Density Residential (R-3) zoning, located at 7910 and 7920 E. Wilshire Drive.

Staff contact person is Jeff Barnes, 480-312-2376.

**Applicant contact person is Heather Dukes, 602-320-8866.**

**APPROVED WITH STIPULATION 6-0; MOTION BY CHAIR KAUFMAN, 2<sup>ND</sup> BY VICE CHAIR METZ.**



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6. [9-BA-2021 \(Sharon Drive Addition - Variance\)](#)

Request by owner for a variance to the City of Scottsdale Zoning Ordinance, Section 5.204.E.3. to reduce the required rear yard (west) setback on the parcel from thirty-five (35) feet to fifteen (15) feet, and a variance to reduce the amended front yard setback as granted under case 23-BA-85 from eight (8) feet to seven-feet 2-inches (7'-2") on the east frontage, for a property with Single-family Residential (R1-35) zoning located at 8014 E Sharon Drive.

Staff contact person is Wayland Barton, 480-312-2347.

**Applicant contact person is Peter Valenzuela, (602) 316-4010**

**ITEM #6 WAS MOVED TO THE BEGINNING OF THE REGULAR AGENDA BY THE CHAIR AND HEARD BEFORE ITEM #3, PER APPLICANT'S REQUEST.**

**VARIANCE #1 DENIED 4-2; MOTION MADE BY VICE CHAIR METZ, 2<sup>ND</sup> BY BOARD MEMBER DEADY.**

**VARIANCE #2 APPROVED 5-1; MOTION MADE BY BOARD MEMBER WAGNER, 2<sup>ND</sup> BY BOARD MEMBER CHOCRON.**

**Adjournment – 9:17 PM**



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