



**SCOTTSDALE BOARD OF ADJUSTMENT
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA
WEDNESDAY, MAY 1, 2024**

AMENDED SUMMARIZED REGULAR MEETING MINUTES

PRESENT:

Gary Donahoe, Chair
Jason Chocron, Vice Chair
Michael Gonzalez, Board Member
Ryan Wagner, Board Member
Azam Qayum, Board Member
Alexander Hayes, Board Member
David Pierce, Board Member

ABSENT:

None

STAFF:

Bryan Cluff
Eric Anderson
Jeff Barnes
Sandra Childers
Erin Perreault
Tim Curtis
Jack Kelly
Karissa Rodorigo
Jason McWilliams
Caitlin Clark

CALL TO ORDER

The regular meeting of the Scottsdale Board of Adjustment was called to order by Chair Donahoe at 6:02 pm.

ROLL CALL

A formal roll call confirmed all members present as stated above.

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Board of Adjustment page on ScottsdaleAZ.gov, search "Board of Adjustment".

ADMINISTRATIVE REPORT

1. Identify supplemental information, if any, related to the May 1, 2024 Board of Adjustment agenda items, and other correspondence.

APPROVAL OF MINUTES

2. Review and possible approval of March 6, 2024 Board of Adjustment Regular Meeting Minutes.

BOARD MEMBER HAYES MOVED TO CONTINUE THE MARCH 6, 2024 BOARD OF ADJUSTMENT REGULAR MEETING MINUTES TO THE JUNE 5, 2024 HEARING, 2ND BY VICE CHAIR CHOCRON. THE MOTION PASSED IN FAVOR BY CHAIR DONAHOE, VICE CHAIR CHOCRON, BOARD MEMBER GONZALEZ, BOARD MEMBER WAGNER, BOARD MEMBER QAYUM, BOARD MEMBER HAYES, AND BOARD MEMBER PIERCE WITH A VOTE OF SEVEN (7) TO ZERO (0).

REGULAR AGENDA

3. 2-BA-2024 (Smith Front Fence Variance)
Request by owner for a variance to the City of Scottsdale Zoning Ordinance, Section 5.104.G pertaining to permitted maximum wall height for walls located within the required front yard setback for the property located at 10651 E Cactus Road with Single-Family Residential, (R1-43) zoning. Staff contact person is Sandra Childers, 480-312-4214. Applicant contact person is Martha Smith, (602) 725-9942. This case was previously heard and continued from the March 6, 2024 Board of Adjustment hearing

SANDRA CHILDERS PRESENTED IN FRONT OF THE BOARD AND ANSWERED QUESTIONS.

APPLICANT MARTHA SMITH PRESENTED IN FRONT OF THE BOARD AND ANSWERED QUESTIONS.

BOARD MEMBER PIERCE MADE A MOTION TO DENY CASE 2-BA-2024, 2ND BY BOARD MEMBER HAYES. THE MOTION PASSED WITH A VOTE OF FIVE (5) TO TWO (2) IN FAVOR BY CHAIR DONAHOE, BOARD MEMBER WAGNER, BOARD MEMBER QAYUM, BOARD MEMBER HAYES, AND BOARD MEMBER PIERCE, WITH VICE CHAIR CHOCRON AND BOARD MEMBER GONZALEZ DISSENTING.

4. 3-BA-2024 (HonorHealth – Definition Appeal)
Request for an appeal of the Zoning Administrator's written decision dated January 30, 2024 regarding a requested interpretation involving the terms Office and Hospital. Staff contact person is Jeff Barnes, 480-312-2376. Applicant contact person is Brett W. Johnson, 602-382-6312.

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4-BA-2024 (HonorHealth Appeal - Application to Construct Hospital by Banner Health)

Request for an appeal of the Zoning Administrator's written decision dated January 30, 2024 regarding a requested interpretation involving the utilization of the definition of Office to circumvent the definition of the term Hospital. Staff contact person is Jeff Barnes, 480-312-2376. Applicant contact person is Brett W. Johnson, 602-382-6312.

BOARD MEMBER PIERCE RECUSED HIMSELF FROM THE MEETING DUE TO A CONFLICT OF INTEREST.

JEFF BARNES PRESENTED IN FRONT OF THE BOARD AND ANSWERED QUESTIONS.

ERIN PERREAULT PRESENTED IN FRONT OF THE BOARD AND ANSWERED QUESTIONS.

REPRESENTATIVE OF HONORHEALTH PRESENTED IN FRONT OF THE BOARD AND ANSWERED QUESTIONS.

REPRESENTATIVE OF BANNER HEALTH PRESENTED IN FRONT OF THE BOARD AND ANSWERED QUESTIONS.

REPRESENTATIVE OF HONORHEALTH PRESENTED A REBUTTAL TO THE BOARD.

CHAIR DONAHOE RULED TO VOTE ON THE CASES SEPERATELY.

CHAIR DONAHOE MADE A MOTION TO DENY JURISDICTION AND STANDING FOR CASE 3-BA-2024, 2ND BY VICE CHAIR CHOCRON. THE MOTION PASSED WITH A VOTE OF FIVE (5) TO ONE (1) IN FAVOR BY CHAIR DONAHOE, VICE CHAIR CHOCRON, BOARD MEMBER GONZALEZ, BOARD MEMBER QAYUM, AND BOARD MEMBER HAYES, WITH BOARD MEMBER WAGNER DISSENTING.

CHAIR DONAHOE MADE A MOTION TO DENY JURISDICTION AND STANDING FOR CASE 4-BA-2024, 2ND BY VICE CHAIR CHOCRON. THE MOTION PASSED WITH A VOTE OF FIVE (5) TO ONE (1) IN FAVOR BY CHAIR DONAHOE, VICE CHAIR CHOCRON, BOARD MEMBER GONZALEZ, BOARD MEMBER QAYUM, AND BOARD MEMBER HAYES, WITH BOARD MEMBER WAGNER DISSENTING.

ADJOURNMENT

With no further business to discuss, the regular session of the Board of Adjustment adjourned at 9:09 PM.

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