



Board of Adjustment Regular Agenda

COUNCIL CHAMBERS BUILDING
CONFERENCE ROOM B-3
MAY 14, 2015
4:00 P.M.

One or more members of the Board of Adjustment may be unable to attend the Board Meeting in person and may participate telephonically, pursuant to A.R.S. § 38-431(4).

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES: March 12, 2015 Regular Meeting

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AT THE BOARD'S DISCRETION

- IV. WITHDRAWALS AND CONTINUANCES
- V. PUBLIC HEARING ITEM

VAR15-02: A request by Lucas Stroberg to reduce the side yard setback to 14 feet where 50 feet is required in the A-1 (Agricultural District), to reduce the front yard setback to 19 feet where 75 feet is required in the A-1 (Agricultural District), and to increase the maximum percentage lot coverage to 30 percent where 10 percent is the maximum percentage lot coverage in the A-1 (Agricultural District). The site is at 6133 West Monte Cristo Avenue and is located in the Sahuaro District. Staff Contact: Thomas Ritz, AICP, Senior Planner.

- VI. OTHER BUSINESS FROM THE FLOOR
- VII. PLANNING STAFF REPORT
- VIII. BOARD COMMENTS AND SUGGESTIONS
- IX. NEXT MEETING: June 11, 2015
- X. ADJOURNMENT

FOR SPECIAL ACCOMMODATIONS



Please contact Diana Figueroa at (623) 930-2808 or dfigueroa@glendaleaz.com at least three working days prior to the meeting if you require special accommodations due to a disability. Hearing impaired persons should call (623) 930-2197.

After 5:00 p.m. on Monday, prior to the meeting, staff reports for the above referenced cases will be available online at <http://www.glendaleaz.com/planning/boardsandcommissions.cfm>. If after reviewing the material you require further assistance, please call the staff contact listed for each application at (623) 930-2800.

Upon a public majority vote of a quorum of the Board of Adjustment, the Board may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purpose:

- (i) discussion or consultation for legal advice with the city's attorneys (A.R.S. § 38-431.03(A)(3)); or

Confidentiality Requirements Pursuant to A.R.S. § 38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. § 38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the Board of Adjustment, or as otherwise ordered by a court of competent jurisdiction.



Board of Adjustment Meeting Minutes

COUNCIL CHAMBERS BUILDING
CONFERENCE ROOM B-3
MARCH 12, 2015
4:00 P.M.

CALL TO ORDER

Chairperson Toops called the meeting to order at approximately 4:00pm.

ROLL CALL

Board members Blakely, Feiner, Zarra, and Chairperson Toops were present. Board member Dietzman and Vice Chairperson Vescio were absent.

CITY STAFF

Tabitha Perry, Assistant Planning Director, Tom Dixon, CPM, Senior Planner, James Gruber, Assistant City Attorney, and Diana Figueroa, Recording Secretary.

APPROVAL OF MINUTES:

Chairperson Toops called for approval of the January 8, 2015 Regular Meeting Minutes. He referred to page one and noted the minutes should read Vice Chairperson Vescio rather than Chairperson Vescio.

Board member Blakely made a motion to approve the minutes as revised. Board member Feiner seconded the motion. The motion passed unanimously.

Chairperson Toops called for approval of the February 12, 2015 Regular Meeting Minutes.

Board member Feiner made a motion to approve the minutes. Board member Zarra seconded the motion. The motion passed unanimously.

WITHDRAWALS AND CONTINUANCES

Chairperson Toops asked if there were any Withdrawals and Continuances. Ms. Perry said there were none.

PUBLIC HEARING ITEM

Chairperson Toops called for the Public Hearing Item.

VAR15-01: A request by David and Robyn Fonk for a variance in the SR-12 zoning district to reduce the rear yard setback from a required 25 feet to 15 feet in order to allow an addition to an existing residence. The site is located at 7547 West Libby Street and is in the Sahuaro District. Staff Contact: Tom Dixon, CPM, Senior Planner.

Mr. Tom Dixon, CPM, Senior Planner, presented this item. He stated this is a request for variance approval to allow a reduction in the rear yard setback from the required 25 feet to 15 feet in order to allow an addition to the existing residence in the SR-12 zoning district. He said the property is located at 7547 West Libby Street and is in the Sahuaro District.

Mr. Dixon explained the subject site is located on the south side of West Libby Street, immediately west of North 75th Drive. He said a city of Glendale park abuts the property on its south side and on all other directions are single family residential development. The lot dimensions of the subject property are 120 feet wide by about 140 feet deep and the property contains approximately 16,363 square feet.

He reviewed each of the findings. Regarding finding one, Mr. Dixon said the property presently satisfies all existing setback requirements for the SR-12 zoning district. The desire to add onto an existing residence is difficult if some exception to these standards is not granted.

Regarding finding two, he said several other homes within a 500 foot radius of the subject site have three vehicle garage developments. The addition of the third garage with additional living space is in keeping with other existing residences in the immediate neighborhood.

Mr. Dixon said with regard to finding three, the requested rear setback reduction is the minimum necessary to construct the addition of a garage and living area on the lot. He said the reduced rear yard setback would not impact the residence to the south because the adjoining area is a public park and use and enjoyment of the park will not be impacted by the variance request.

Regarding finding four, he said the requested building setback exception will be practically indiscernible from the street. The property is surrounded by a solid wall and the rear property line adjoins a public park that has no play equipment or public trails within a 125 foot distance from the subject property's rear wall.

Mr. Dixon added the variance request appears to meet all four findings and should be approved. If the Board decides to grant the variance, it should be subject to two stipulations as noted in the staff report.

Chairperson Toops called the applicant.

Mr. David and Robyn Fonk introduced themselves and stated they had nothing to add.

Chairperson Toops opened the public hearing.

With no questions or comments, Chairperson Toops closed the public hearing.

Based on the facts and evidence presented, Mr. James Gruber, City Attorney, requested a vote from the Board. He read each finding and waited as the Board responded.

Finding One. Chairperson Toops called for a voice vote on Finding One. The Board responded with a vote of 4 to 0.

Finding Two. Chairperson Toops called for a voice vote on Finding One. The Board responded with a vote of 4 to 0.

Finding Three. Chairperson Toops called for a voice vote on Finding One. The Board responded with a vote of 4 to 0.

Finding Four. Chairperson Toops called for a voice vote on Finding One. The Board responded with a vote of 4 to 0.

Mr. Gruber asked, based on the findings, if the Board wishes to grant variance VAR15-01, subject to the stipulations set forth by the Planning Division.

Board member Blakely made a motion to approve Variance VAR15-01 subject to two staff stipulations. Board member Zarra seconded the motion, which was approved unanimously.

OTHER BUSINESS FROM THE FLOOR

Chairperson Toops called for Other Business From The Floor. Ms. Perry said there was none.

PLANNING STAFF REPORT

Chairperson Toops called for the Planning Staff Report. Ms. Perry said there was none.

BOARD COMMENTS AND SUGGESTIONS

Chairperson Toops called for Board Comments and Suggestions. There were none.

NEXT MEETING: April 9, 2015

ADJOURNMENT **Board member Zarra made a motion to adjourn the meeting. Board member Feiner seconded the motion, which passed unanimously. The meeting adjourned at 4:16pm.**



Planning Staff Report

DATE: May 14, 2015 **AGENDA ITEM:** 1

TO: Board of Adjustment

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Thomas Ritz, AICP, Senior Planner

SUBJECT: **VARIANCE (VAR) APPLICATION VAR15-02: STROBERG RANCH VARIANCE – 6133 WEST MONTE CRISTO AVENUE**

REQUEST: To reduce the side yard setback to 14 feet where 50 feet is required, reduce the front yard setback to 19 feet where 75 feet is required, and increase the maximum percentage of lot coverage to 30 percent where 10 percent is the maximum percentage in the A-1 (Agricultural District).

APPLICANT/OWNER: Lucas Stroberg.

REQUIRED ACTION: The Board must consider the facts and determine that the findings required to grant a variance have been met. The Board may condition a variance to ensure that it will not grant special privileges inconsistent with the limitation of other similarly zoned properties. The Board must deny the request if the required findings have not been met.

RECOMMENDATION: Staff recommends approval subject to stipulations.

PROPOSED MOTION: Move to approve VAR15-02 subject to stipulations.

SUMMARY: The applicant is requesting a variance to add a garage addition, add a spare bedroom to the rear of the house, construct an addition to the master bathroom, and construct a new detached barn with storage above.

BOARD ACTION: Board member _____ **MADE a MOTION** to _____
Case No. VAR15-02, subject to staff report stipulations. Board member _____
SECONDED the MOTION. The MOTION was _____ **with a vote of** _____ **to**
_____.

DETAILS OF REQUEST:

General Plan Designation:

Low Density Residential 1-2.5 dwelling units per acre.

Property Location and Size:

The property is located within the Sunburst Farms 25 subdivision, south of the southwest corner of Paradise Lane and 59th Avenue. The lot dimensions are approximately 96 feet wide and 180 feet deep, and the property is approximately 17,000 square feet in size.

Zoning Ordinance Requirements:

Section 5.100 – A-1 (Agricultural) Table 1:

Minimum front yard setback: 75 feet

Minimum side yard setback: 50 feet

Maximum percentage lot coverage: 10 percent

Surrounding Land Use and Zoning:

North: Single-family residence, across Monte Cristo Avenue, zoned A-1.

East: Single-family residence zoned A-1.

South: Single-family residence zoned A-1.

West: Single-family residence zoned A-1.

All surrounding properties are single-family residences within the Sunburst Farms 25 subdivision on lots of approximately the same size as this property.

History:

- Annexation into the City of Glendale occurred on February 9, 1971.
- The property is part of the Sunburst Farms 25 subdivision, which was platted on September 11, 1973.
- The home was constructed in 1978-1979.
- Many of the homes in the Sunburst Farms 25 subdivision were constructed prior to the adoption of the present lot size, lot coverage, and setback requirements for the A-1 zoning district in 1993.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Process:

On January 21, 2015 staff, on behalf of the applicant, mailed 147 notification letters to adjacent property owners and interested parties. The applicant indicated they had spoken to three of their neighbors who supported the project.

Planning received a response from a neighbor who was concerned about the 8 foot block wall proposed by the applicant in the neighborhood letter. She felt the block wall would upset her horses, leaving them feeling confined, and requested that the fence be an open wire fence. Staff noted that an 8 foot block wall fence would not be permitted, as the maximum height for a block fence is 6 feet in the rear or side yard. Staff conveyed her concerns to the applicant, who agreed

that the fence would not consist of block construction and would be a maximum of six feet in height.

The property is not within a homeowners association or registered neighborhood. The applicant's Citizen Participation Final Report is attached.

Board of Adjustment Public Hearing Notification:

A Notice of Public Hearing was published in The Glendale Star on April 23, 2015. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on April 24, 2015. The property was posted on April 22, 2015. Staff received one telephone call in opposition to the request. The caller felt that the homeowner's requests were excessive and that the proposed improvements would be out of character for the neighborhood.

STAFF FINDINGS AND ANALYSIS:

The Board of Adjustment must analyze four findings based on the evidence in the record prior to granting a variance. Each finding is presented below along with staff's analysis.

- 1. There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;**

A lot width of 96 feet, a lot depth of 180 feet, and a lot size of 17,000 feet with an A-1 (Agricultural) zoning district classification creates a special circumstance not self-imposed by the property owner. The construction of a garage addition, spare bedroom, master bedroom addition, and construction of a new detached barn with storage above requires some level of relief based on the setback and lot coverage requirements. A 50 foot side yard and 75 foot front yard setback requirement would prohibit the construction of the desired room additions. The surrounding neighborhood was developed with a variety of side-yard and front yard setbacks; few of which meet the current A-1 front and side yard requirements.

- 2. Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;**

The strict application of the Zoning Ordinance would prohibit an addition to the garage in line with the existing garage. It would also prohibit the additions proposed at the rear of the home in line with the existing side of the house. The lot coverage requirements in the A-1 district would prohibit the construction of these additions and the freestanding accessory building. The surrounding properties have setbacks that are similar to those proposed by the applicant. In this situation, the strict application of the Zoning Ordinance would not allow the property the same privileges as its neighbors.

3. The variance is the minimum necessary to alleviate the property hardship; and

The requested side yard and front yard setbacks are the minimum necessary to construct the proposed additions on the lot. The requested lot coverage is also required to construct the room additions and new accessory building on the lot. No other relief from the zoning requirements is proposed as a part of this variance request.

4. Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the city in general.

The requested building setbacks and lot coverage are consistent with other properties in the surrounding area and will not detrimentally affect any neighboring properties. The surrounding neighbors have side-yard and front yard setbacks that are similar to what are being requested.

RECOMMENDATION:

The variance request appears to meet all four findings and should be approved. If the Board decides to grant the variance, it should be subject to the following stipulations:

1. Development shall be in conformance with narrative and site plan dated April 8, 2015.
2. All utilities shall be placed underground.
3. All existing accessory buildings in the rear of the property shall be demolished at the time the new accessory building is constructed. Final approval of the new accessory building shall not be granted until these accessory buildings are removed.

ATTACHMENTS:

1. Applicant's Narrative, dated April 8, 2015.
2. Site Plan, dated April 8, 2015.
4. Citizen Participation Final Report (without mailing labels), approved February 27, 2015.
5. Vicinity Zoning Map.
6. Aerial Photograph, dated November 2012.

PROJECT MANAGER:

Thomas Ritz, AICP, Senior Planner (623) 930-2588
tritz@glendaleaz.com

REVIEWED BY:



Planning Director



Development Services Department Director

STROBERG TECHNICAL, LLC

PROJECT NARRATIVE

To: Planning & Zoning Department
City of Glendale

From: Lucas Stroberg

Date: April 8, 2015

Re: Narrative for Variance of Setbacks and Lot Coverage

APN# 231-02-514

The Stroberg Family proposed to do an addition to their main residence and add a detached barn with storage above. The site located at 6133 W. Monte Cristo Ave., Glendale, AZ 85306



PARCEL INFORMATION:

APN#: 231-02-514

Zoning District: A-1

Surrounding Zoning: North: A-1, South: A-1, East: A-1 & West: A-1

Adjacent land uses: N: Agricultural/ Residential; South: Agricultural/ Residential; W: Agricultural/ Residential; E: Agricultural/ Residential

STROBERG TECHNICAL, LLC

PROJECT:

- Increasing Side yard Setbacks to 14'
- Increasing Lot coverage to 30%
- Addition of Spare Bedroom to South of House.
- Addition to Master Bedroom and Master Bathroom
- New Detached Barn with storage above
- Addition of a swimming pool

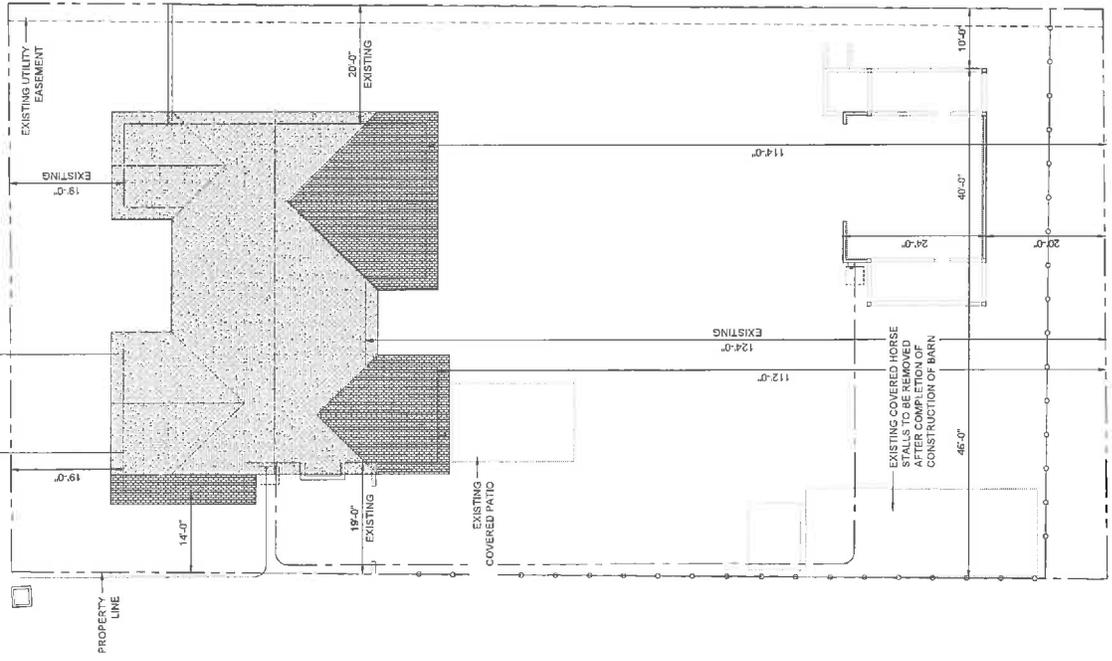
On behalf of The Stroberg Family, I respectfully submit this Variance package for Approval for the Addition at the Stroberg Residence.

Please contact me at 619-892-1051, or via email at lucas@stroberg-technical.com if you have any questions and/or need additional information.

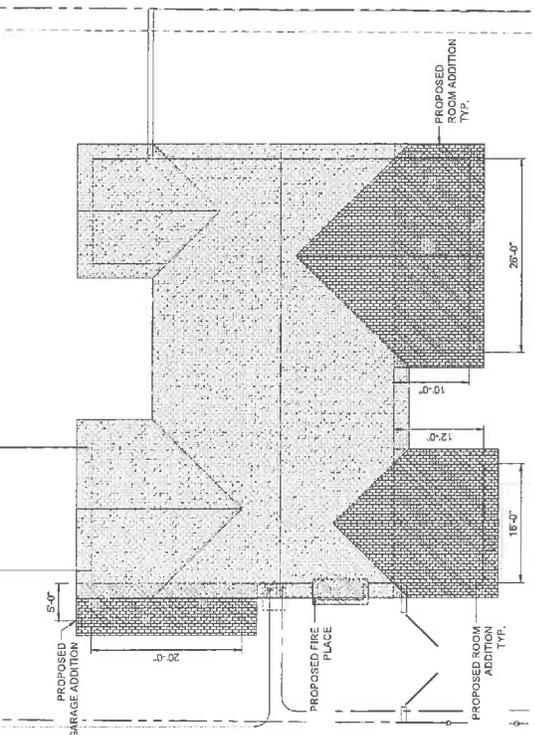
Sincerely,



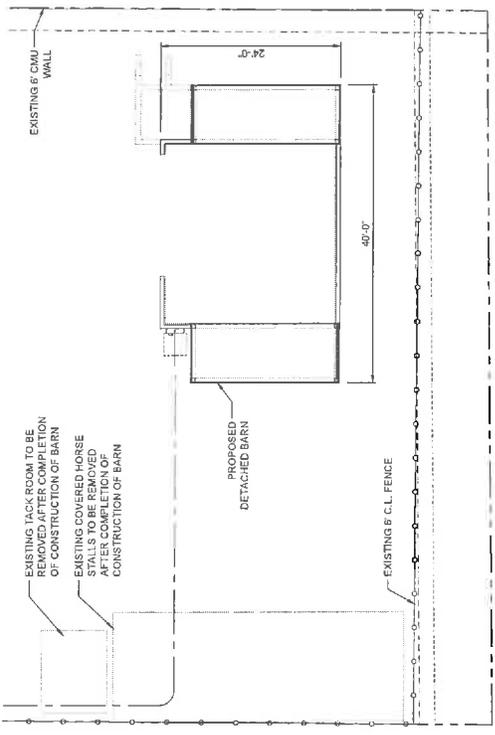
Lucas J Stroberg
Stroberg Technical, LLC



3 Overall Site Plan
 2'-0" SCALE 1" = 2'-0"
 1/16" SCALE 1" = 2'-0"
 NORTH



2 Future Floor Plan - Addition
 2'-0" SCALE 1" = 2'-0"
 1/16" SCALE 1" = 2'-0"
 NORTH



1 Future Barn/Storage
 2'-0" SCALE 1" = 2'-0"
 1/16" SCALE 1" = 2'-0"
 NORTH

General Notes

No.	Revisions	Date

STROBERG RESIDENCE
 6133 W. MONTE CRISTO AVE
 GLENDALE, AZ 85306
 MARICOPA COUNTY

Z-1
 04/06/2015
 As Noted

2015

CITIZEN PARTICIPATION PLAN Final Report

STROBERG RANCH
6133 W. MONTE CRISTO AVE.

LUCAS STROBERG
STROBERG TECHNICAL, LLC.
5350 W. BELL ROAD. SUITE C-122-197, GLENDALE, AZ 85308
FEBRUARY 15, 2015

APPROVED

FEB 27 2015

City of Glendale
Planning Department

STROBERG TECHNICAL, LLC

1. PROJECT INFORMATION:

(See Above)

2. PROJECT DESCRIPTION:

The proposed project will include the addition of square footage in the residence. A new detached barn in the south portion of the property. A swimming pool in the distant future and a 8' CMU wall surrounding the property.

3. OVERVIEW OF THE ELEMENTS:

The elements of the Citizen Participation Plan were, Pre-AP with the City Planner, Neighbor Notification letters and input form the Planning Department.

4. NOTIFICATION LETTER DATES:

1. Letters were submitted to the City of Glendale on 01/20/2015
2. Letters were mailed and postmarked on 01/21/2015

5. OUTLINED MAP:

See attached

6. LIST OF NOTIFIED INDIVIDUALS:

See attached

7. DATES AND LOCATIONS OF MEETINGS:

N/A – Notification letter required by City of Glendale

8. NUMBER OF INDIVIDUALS:

I mailed close to 140 envelopes out to 77 neighbors, the list of Interested Individuals, and the Staff at the City of Glendale. Three neighbors stopped by to wish me luck, and complain about the process with the City of Glendale. Zero neighbors apposed the Variance that I am aware of at this time.

9. CONCERNS, ISSUES, AND PROBLEMS:

No opposition of the project. Only the process required by the City of Glendale.

10. ADDRESSING PROBLEMS:

N/A

11. UNADDRESSABLE CONCERNS:

N/A

12. REVISED PROPOSAL:

N/A – No opposition to the proposed design.

13. COPY OF LETTERS:

See attached

14. MAILING LIST:

See attached

STROBERG TECHNICAL, LLC

January 7, 2015

Chris and Linda Stroberg
6133 W. Monte Cristo Ave.
Glendale, AZ 85306
lucas@stroberg-technical.com

Subject: To seek the approval of a Variance to reduce the required setbacks and increase the maximum allowed lot coverage on our property that impacts a remodel to accommodate our family.

Dear Neighbor:

This letter is to inform you that I am applying for a Variance application with the City of Glendale. The property is located at 6133 W. Monte Cristo Ave., Glendale, AZ 85306 in the SAHUARO District.

PROJECT NARRATIVE

To: Planning & Zoning Department
City of Glendale

From: Lucas Stroberg

Date: December 5, 2014

Re: Narrative for Variance of Setbacks and Lot Coverage

APN# 231-02-514

The Stroberg Family proposes to do an addition to their residence and add a detached barn with storage above. The site located at 6133 W. Monte Cristo Ave., Glendale, AZ 85306.



STROBERG TECHNICAL, LLC

PARCEL INFORMATION:

APN#: 231-02-514

Zoning District: A-1

Surrounding Zoning: North: A-1, South: A-1, East: A-1 & West: A-1

Adjacent land uses: N: Agricultural/ Residential; South: Agricultural/ Residential; W: Agricultural/ Residential; E: Agricultural/ Residential

PROJECT:

- Addition of Spare Bedroom to South of House.
- Addition to Master Bedroom and Master Bathroom
- New Detached Barn/ Shop with storage above
- 8' CMU block Wall around perimeter
- Addition of a swimming pool/ Spa

On behalf of The Stroberg Family, I respectfully submit this Variance package for Approval for the Addition at the Stroberg Residence. I have included a site plan with this letter for your review. Please provide any comments to my email or address above by March, 01, 2015. You may also contact Thomas Ritz, AICP with the City of Glendale at (623) 930-2588.

Sincerely,



Lucas J Stroberg
Stroberg Technical, LLC
Authorized Agent for the Owner

RECOMMENDED NEIGHBORHOOD NOTIFICATION AREA

NAME OF REQUEST:

STROBERG VARIANCE

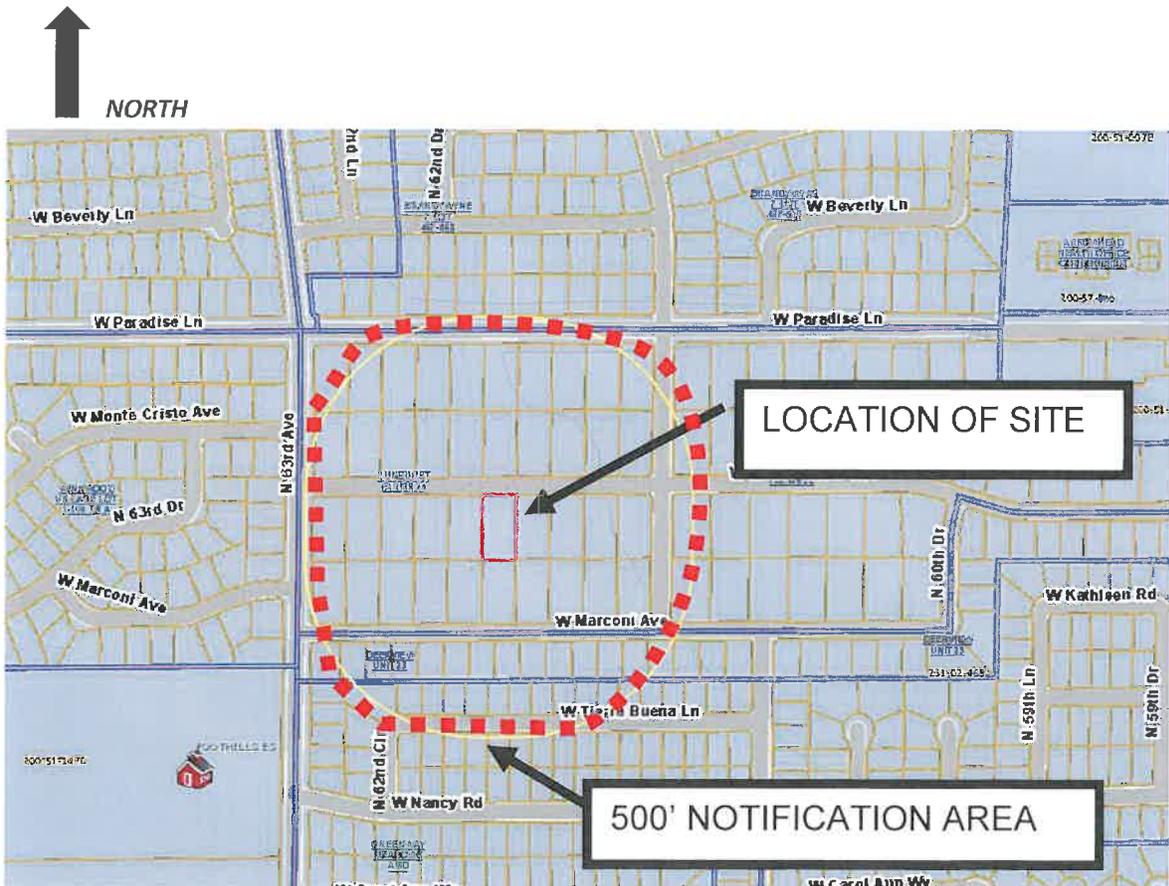
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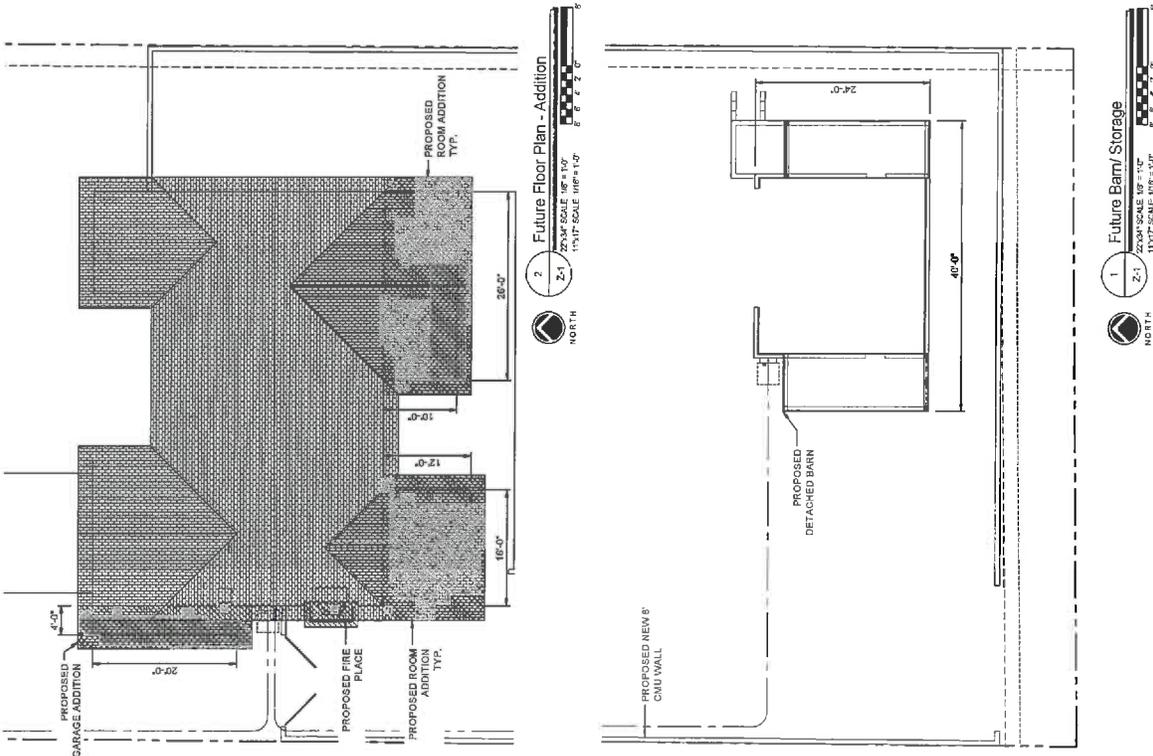
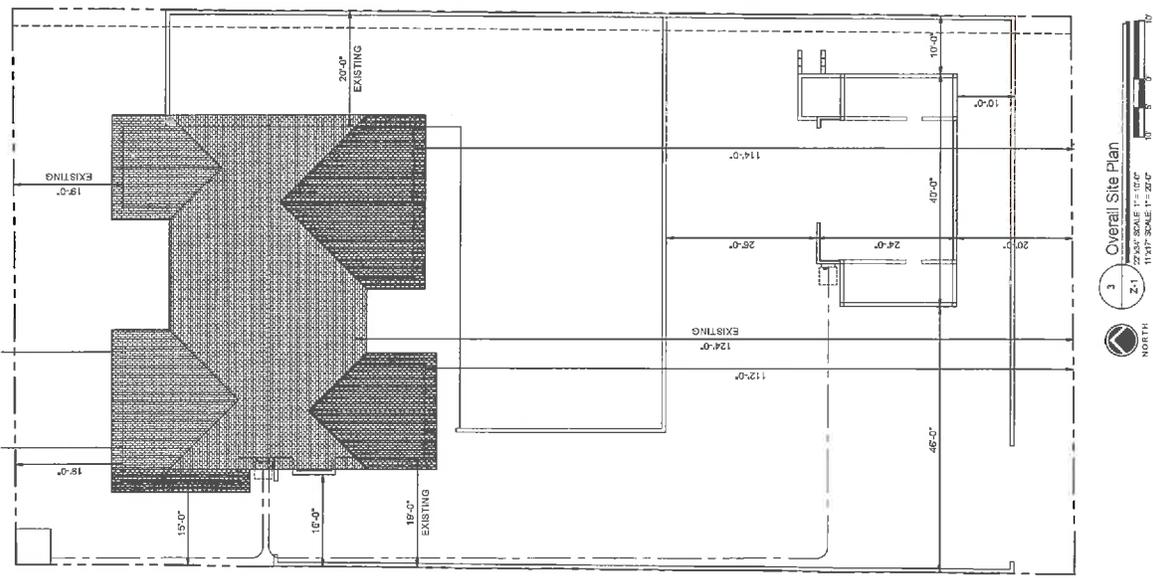
South of Southwest Corner of 59th Avenue and Paradise Lane

The applicant is requesting a variance to reduce the required front yard setback, side yard setback, and increase the minimum required lot coverage

ZONING DISTRICT: A-1

COUNCIL DISTRICT: Sahuaro





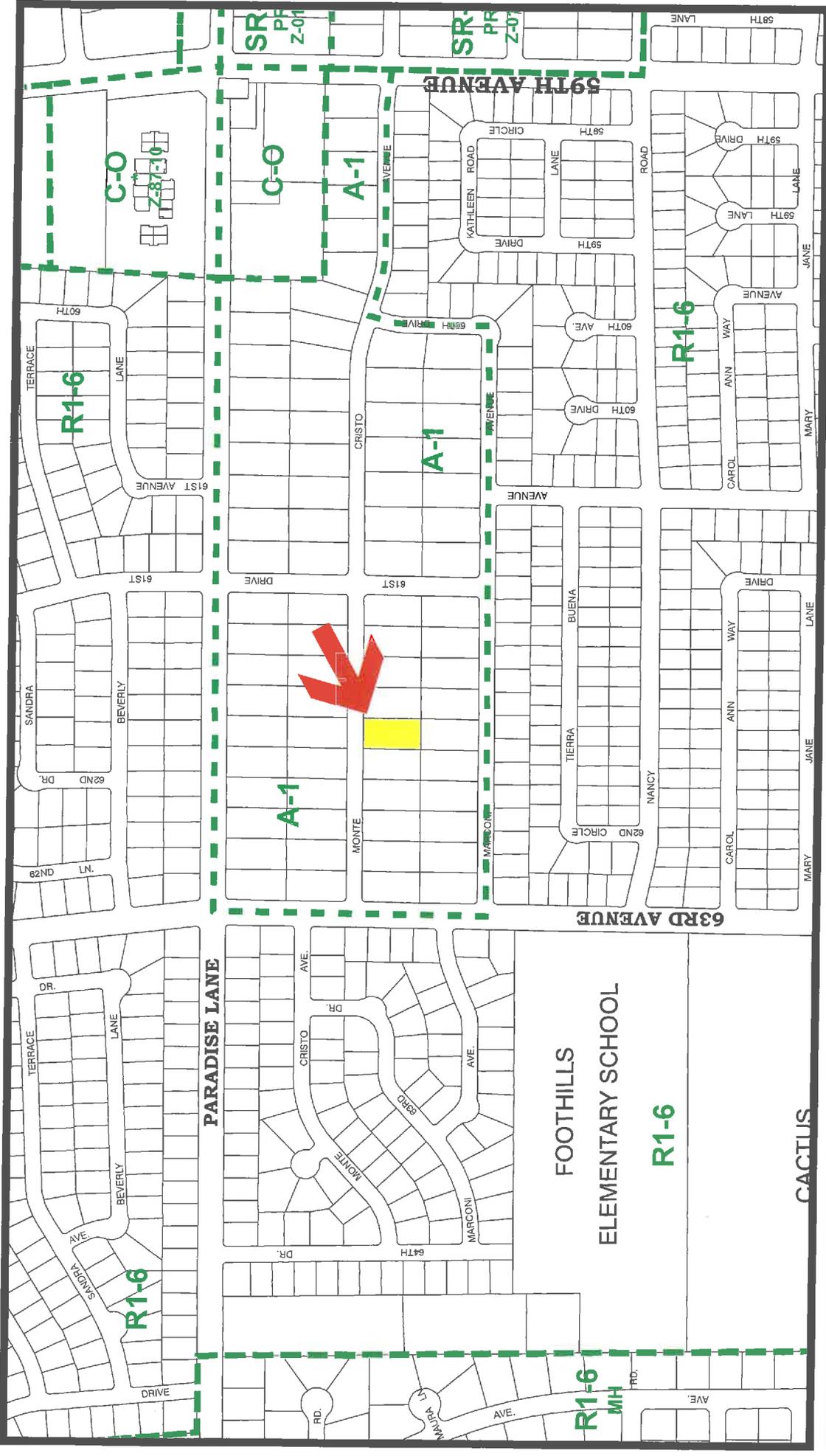
General Notes

No.	Revision/Description	Date

STROBERG RESIDENCE
 6133 W. MONTE CRISTO AVE
 GLENDALE, AZ 85306
 MARICOPA COUNTY

STROBERG BANCH
 11242/14
 As Noted

Z-1



CASE NUMBER
VAR15-02



LOCATION
6133 W. MONTE CRISTO AVENUE

REQUEST

A VARIANCE TO REDUCE THE SIDE YARD SETBACK TO 14' WHERE 50' IS REQUIRED, TO REDUCE THE FRONT YARD SETBACK TO 19' WHERE 75' IS REQUIRED AND TO INCREASE THE MAXIMUM PERCENTAGE LOT COVERAGE TO 30% WHERE 10% IS THE MAXIMUM IN THE A-1 (AGRICULTURAL) ZONING DISTRICT.

Aerial Date: November 2012



CASE NUMBER
VAR15-02

