

**MINUTES
CITY OF GLENDALE
BOARD OF ADJUSTMENT
COUNCIL CHAMBERS BUILDING
CONFERENCE ROOM B-3
THURSDAY, JULY 14, 2016
4:00 PM**

CALL TO ORDER

The meeting was called to order at approximately 4:00 p.m.

ROLL CALL

Board Members Martinez, Zarra, Dietzman, Vice Chairperson Feiner, and Chairperson Vescio were all in attendance.

BOARD MEMBERS ABSENT:

Board Members Crowley and Blakely were absent and excused.

CITY STAFF

Tabitha Perry, Assistant Planning Director, Russ Romney, Deputy City Attorney, Martin Martell, Planner, and Julia Dominguez, Recording Secretary were present.

APPROVAL OF THE MINUTES

Chairperson Vescio called for approval of the May 12, 2016, Regular Meeting Minutes.

VICE CHAIRPERSON FEINER MADE A MOTION TO APPROVE THE MINUTES. BOARD MEMBER ZARRA SECONDED THE MOTION, WHICH WAS APPROVED 4-1 (Martinez).

Board Member Martinez voted nay on approval of the minutes due to the fact he was not appointed prior to the May 12, 2016 meeting.

WITHDRAWALS AND CONTINUANCES

Chairperson Vescio asked staff if there were any requests for withdrawals or continuances. There were none.

PUBLIC HEARING ITEMS

Chairperson Vescio called for staff's presentation on the public hearing items.

1. **VAR16-06:** A variance request by Caute Partners, LLC, on behalf of Ainel Cuevas, to reduce the side yard building setbacks from the required twenty (20) feet to five (5) and ten (10) feet in the R-3 (Multiple Residence) Zoning District, which will allow for the construction of a livable home on a vacant fifty (50) foot wide lot. The site is located south of the southeast corner of 55th and Glendale Avenues (6721 North 55th Avenue) in the Ocotillo District.

Mr. Martin Martell, Planner, stated this was a variance request by Caute Partners, LLC, on behalf of Ainel Cuevas, to reduce the side yard building setbacks from the required twenty feet to five and ten feet in the R-3 Zoning District, which will allow for the construction of a livable home on a vacant fifty foot wide lot. He said the site is located south of the southeast corner of 55th and Glendale Avenues in the Ocotillo District. He noted the property is located in the Sugar Addition Subdivision and is located south of the southeast corner of 55th and Glendale Avenues. He indicated the dimensions are 50 feet in width by 140 feet in length. Mr. Martell displayed an aerial map while discussing the site.

Mr. Martell stated that on February 24, 2016, the applicant mailed notification letters to adjacent property owners and interested parties. He stated the applicant did not receive any response regarding the request. He noted that to date, Planning has not received any questions or comments concerning this application.

Mr. Martell reviewed staff's findings.

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

He said the width of the lot creates a special circumstance not self-imposed by the property owner. He noted the construction of a new home requires some level of relief. The surrounding neighborhood is developed with a variety of side-yard building setbacks many of which are less than the required 20 foot perimeter building setbacks found in this zoning district.

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

He stated the strict application of the current Zoning Ordinance would only permit a home that is ten feet wide, which would be unrealistic for a habitable home.

3. The variance requested is the minimum necessary to alleviate the property hardships.

He said that the requested reduction of the side yard building setbacks is the minimum necessary to alleviate the property's hardship and will allow for the construction of a home. He explained that the future home will meet the required 20 foot front and rear building setbacks established for this zoning district.

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

He noted the requested reduction of all the building setbacks is consistent with other properties along this street. He said this request will not detrimentally affect any neighboring properties, since the requested side yard building setbacks will match many of the side yard setbacks found in the neighborhood.

Mr. Martell stated 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 stipulation listed in the staff report. He concluded his presentation and stated he was available for questions. The stipulation is listed below.

1. Development shall be in conformance with the applicant's narrative, site plan, and floor plan, dated May 19, 2016.

Chairperson Vescio asked if the Board had any questions. There were none.

Chairperson Vescio called for the applicant to make a presentation. The applicant did not wish to speak.

Chairperson Vescio opened the public hearing, hearing no one wishing to speak, she closed the public hearing.

Chairperson Vescio asked the Board for any further questions or comments. There were none.

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

Finding One. Chairperson Vescio called for a voice vote on Finding One. The Board responded with a 5-0 vote.

Finding Two. Chairperson Vescio called for a voice vote on Finding Two. The Board responded with a 5-0 vote.

Finding Three. Chairperson Vescio called for a voice vote on Finding Three. The Board responded with a 5-0 vote.

Finding Four. Chairperson Vescio called for a voice vote on Finding Four. The Board responded with a 5-0 vote.

Mr. Romney asked that if based on the findings, does the Board wish to grant variance **VAR16-06**: subject to the stipulations set forth by the Planning Division.

Chairperson Vescio called for a motion.

BOARD MEMBER ZARRA MADE A MOTION TO APPROVE THIS REQUEST SUBJECT TO ONE STIPULATION. BOARD MEMBER DIETZMAN SECONDED THE MOTION WHICH WAS APPROVED WITH A VOTE OF 5 TO 0.

OTHER BUSINESS FROM THE FLOOR

Chairperson Vescio called from Other Business From The Floor. There was none.

PLANNING STAFF COMMENTS AND SUGGESTIONS

Chairperson Vescio called for Planning Staff Comments and Suggestions. Ms. Perry stated there were no items scheduled for next month's Board of Adjustment meeting. The Board agreed to vacate the meeting of August 11, 2016.

BOARD COMMENTS AND SUGGESTIONS

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

NEXT MEETING: September 8, 2016

ADJOURNMENT

Chairperson Vescio called for a motion to adjourn.

BOARD MEMBER ZARRA MADE A MOTION TO ADJOURN. VICE CHAIRPERSON FEINER SECONDED THE MOTION, WHICH WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 4:13 p.m.