



MARICOPA COUNTY, ARIZONA

Board of Adjustment

Minutes

April 19, 2018

CALL TO ORDER: Chairman Harris called meeting to order at 10:00 a.m.

ROLL CALL/

MEMBERS PRESENT:

Mr. Abe Harris, Chairman
Mr. Craig Cardon
Mr. Greg Loper (telephonically, left 10:25 a.m.)
Ms. Wendy Riddell

MEMBERS ABSENT:

Mr. Jason Morris, Vice Chairman

STAFF PRESENT:

Ms. Carol Johnson, Planning Director
Mr. Darren Gerard, Planning Deputy Director
Ms. Rachel Applegate, Senior Planner
Mr. Glenn Bak, Planner
Mr. Eric Smith, Planner
Mr. Derek Scheerer, Planner
Mr. Farhad Tavassoli, Planner
Ms. Jaclyn Sarnowski, Planner
Ms. Rosalie Pinney, Recording Secretary

COUNTY AGENCIES:

Mr. Wayne Peck, Deputy County Attorney
Mr. Robert Swan, County Attorney
Ms. Della Davis, Code Compliance Officer
Mr. Samuel Jorgensen, Interpreter
Ms. Gema Piatkowski, Interpreter

ANNOUNCEMENTS:

Chairman Harris made all standard announcements.

APPROVAL OF MINUTES:

January 18, 2018

AGENDA ITEMS:

BA2017029, BA2017056, BA2018002, BA2018003, BA2018004,
BA2018006, BA2018007, BA2018008, BA2018009, TU2018004,
BA2018005, BA2018017, BA2018019, BA2018020, BA2018021,
BA2018022

Chairman Harris requested a motion for approval of the January 18 minutes.

BOARD ACTION: Member Riddell motioned to approve the January 18, 2018 minutes. Member Cardon second. Approved 4-0.

Chairman Harris said there are a number of cases moving to the consent agenda - BA2018004, BA2018007, TU2018004, BA2018005, BA2018021, and BA2018022.

CONSENT AGENDA

- | | | |
|---|--|-----------------------|
| BA2018004
Applicant:
Location:

Zoning:
Requests: | Liberty Utilities (Cont. from 3/15/18)
John Malone, Carollo Engineers
APN 510-08-553C @ 5120 N. El Mirage Rd. – El Mirage Rd. & Camelback Rd. in the Litchfield Park area
C-2
Variances to permit: <ol style="list-style-type: none">1) A proposed front setback of 15.6' where 25' is the minimum required and;2) The proposed exclusion of parking where parking is required in the C-2 zoning district and;3) A proposed side setback of 0' where 10' is the minimum required and;4) An existing lot are of 5,625 sq. ft. where 6,000 sq. ft. is the minimum required and;5) The proposed exclusion of screen wall separating residential zoning as required | District 4 |
|
BA2018007
Applicant:
Location:

Zoning:
Request: |
Samardzija Property (Cont. from 3/15/18)
Marcus Rasmussen
APN 169-16-039A @ 7347 N. Red Ledge Dr. – Tatum Blvd. & Lincoln Dr. in the Paradise Valley area
Rural-43
Variance to permit: <ol style="list-style-type: none">1) Proposed front setback of 27'-11" where 40' is the minimum required |
District 3 |
|
TU2018004
Applicant:
Location:

Zoning:
Request: |
Vasquez Property (Cont. from 3/15/18)
Roberto Hernandez
APN 300-14-055A @ 3301 W. Baseline Rd. - 35 th Ave. & Baseline Rd. in the Peoria area
Rural-43
Temporary Use Permit (TUP) to operate a food truck parked stationary for one year on a residential lot in order to satisfy a plan for compliance and remedy a zoning violation. |
District 5 |
|
BA2018005
Applicant:
Location:

Zoning:
Requests: |
Zimny Property
Patrick Zimny
14613 W. Pinnacle Vista Dr. – 146 th Ave. & Pinnacle Vista Rd. in the Peoria area
Rural-43
Variances to permit: <ol style="list-style-type: none">1) Proposed rear (south) setback of 28.91 feet where 40 feet is the minimum required and;2) Proposed front (north) setback of 30 feet where 40 feet is the minimum required |
District 4 |

BA2018021

Trilogy at Verde River Unit 8A

District 2

Applicant:

William Lally, Tiffany & Bosco

Location:

17640 E. Windthrow Ct. in the Rio Verde area

Zoning:

R1-6 RUPD

Request:

Variance to permit:

- 1) A proposed side yard setback of 0' along the common property line with APN 219-38-865 where 5' is the minimum required

BA2018022

Trilogy at Verde River Unit 8A

District 2

Applicant:

William Lally, Tiffany & Bosco

Location:

17648 E. Windthrow Ct. in the Rio Verde area

Zoning:

R1-6 RUPD

Request:

Variance to permit:

- 1) A proposed side yard setback of 0' along the common property line with APN 219-38-864 where 5' is the minimum required

BOARD ACTION: Member Riddell motioned to approve the consent agenda, BA2018004 with conditions 'a'-'c', BA2018007 with conditions 'a'-'d', TU2018004 with conditions 'a'-'o', BA2018005 with conditions 'a'-'d', BA2018021 with conditions 'a'-'c', and BA2018022 with conditions 'a'-'c'. Member Cardon second. Approved 4-0.

BA2018004 conditions;

- a) General compliance with the site plan stamped received January 23, 2018.
- b) All required building permits for proposed and existing development shall be applied for within 120 days of the hearing date unless otherwise directed by the Board. Failure to apply for any required building permits within the specified time, or to complete necessary construction within one year from the date of approval, shall negate the Board's approval.
- c) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements, Drainage Regulations, and Building Safety codes.

BA2018007 conditions;

- a) General compliance with the site plan stamped received February 6, 2018.
- b) All required building permit for proposed and existing development shall be applied for within 120 days of the hearing date unless otherwise directed by the Board. Failure to apply for any required building permit within the specified time, or to complete necessary construction within one year from the date of approval, shall negate the Board's approval.
- c) Failure to complete necessary construction within one year from the date of approval, shall negate the Board's approval.
- d) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements, Drainage Regulations, and Building Safety codes.

TU2018004 conditions;

- a) General compliance with the site plan stamped received January 16, 2016.
- b) Use of the site shall be in conformance with the Supplemental Questionnaire and Narrative Report, both consisting of one (1) page, stamped TU2018004 received January 16, 2016 except as modified by the following conditions.
- c) The TUP shall be valid March 15, 2018 and March 15, 2019. The temporary use shall not be established unless permit B201706613 for the as-built 880 sq. ft. Ramada has been approved.
- d) The following Engineering condition shall apply:
 - 1. Baseline Road falls within the jurisdiction of the City of Phoenix. Contact the City regarding any additional permitting requirements for driveway access onto Baseline Rd.
- e) The following Environmental Department condition shall apply:
 - 1. All food vendors offering food sales at this establishment must be properly permitted by the MCESD.
- f) Prior to operation parking areas must be surfaced, with ABC or other acceptable surface.
- g) All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- h) The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with these conditions.
- i) The Temporary Use Permit letter must be visibly displayed on the property at all times. Failure to meet this display requirement shall result in revocation of the Temporary Use Permit if a Zoning Citation is issued.
- j) The hours and days of operations shall be limited to those as listed within the narrative and prior to the expiration date.
- k) Prior to any event, food concessions shall be permitted by Maricopa County Environmental Services Department (MCESD).
- l) Structures erected pursuant to an approved Temporary Use Permit shall not require a building permit if standing for a period not to exceed 96 contiguous hours. The responsible party shall provide documentation, as specified in the Temporary Use Permit that said structures were erected and maintained subject to all applicable building safety codes and manufacturer's specifications. The documentation shall be provided to the Department within two working days following end of the special event to be filed with the Temporary Use Permit. Failure to provide the

required documents will render the Temporary Use Permit null and void and constitute a zoning violation in accordance with Chapter 15 of the Maricopa County Zoning Ordinance.

- m) The Temporary Use noted above must be removed at the end of the approved time period. All temporary structures must be removed, and the site returned to its original condition or better, upon completion of each event.
- n) Alcohol is not permitted on site.
- o) The applicant or property owner/s will be responsible for contacting their applicable emergency and fire protection agency.

BA2018005 conditions;

- a) General compliance with the site plan stamped received March 20, 2018.
- b) Required building permit for proposed and existing development shall be applied for within 120 days of the hearing date unless otherwise directed by the Board. Failure to apply for any required building permit within the specified time, or to complete necessary construction within one year from the date of approval, shall negate the Board's approval.
- c) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements, Drainage Regulations, and Building Safety codes.
- d) Building and Floodplain Use Permits will be required for any new improvements on the site. As part of the permit/design review process, the applicant must comply with the Floodplain Regulations for Maricopa County relative to the building's finished floor elevation; and Arizona Department of Water Resources (ADWR) State Standards 5-96 and 7-98 relative to erosion setback requirements and scour protection.

BA2018021 conditions;

- a) General compliance with the site plan stamped received March 19, 2018.
- b) All required building permits for proposed development shall be applied for within 120 days of the hearing date unless otherwise directed by the Board. Failure to apply for any required building permits within the specified time, or to complete necessary construction within one year from the date of approval, shall negate the Board's approval.
- c) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements, Drainage Regulations, and Building Safety codes.

BA2018022 conditions;

- a) General compliance with the site plan stamped received March 19, 2018.
- b) All required building permits for proposed development shall be applied for within 120 days of the hearing date unless otherwise directed by the Board. Failure to

apply for any required building permits within the specified time, or to complete necessary construction within one year from the date of approval, shall negate the Board's approval.

- c) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements, Drainage Regulations, and Building Safety codes.

REGULAR AGENDA

Chairman Harris noted they will be moving BA2017056 to be heard first on the regular agenda. Member Riddell recused herself from this case.

BA2017056	Request for Re-Hearing (Cont. from 3/15/18) (Shea Appeal of Wilms Property)	District 2
Applicant:	Carol Johnson, AICP, Planning Director (Original appellant Bart M. Shea)	
Location:	APN 21916-112B @ 22607 E. Pleasant View Rd.	
Zoning:	Rural-70 RUPD (Agricultural Exemption from Zoning)	
Request:	Staff requests the Board to revisit this case for reconsideration of the Board action taken February 15, 2018 to grant the appeal on grounds the Board does not have jurisdiction to hear this appeal per ARS §11-816. The appellant's request is for an Appeal with regard to the enforcing officer's determination that a branding and cutting event that occurred on property known as Assessor Parcel Number 219-16-112B on October 7, 2017 was part of the equine and cattle agricultural operation and such activity is not a zoning violation on a property that has been determined to be exempt from the county's zoning authority due to the statutory exemption.	

Mr. Swan explained the request for reconsideration on BA2017056, and said staff is questioning whether the Board had jurisdiction to take any action on that matter at the February meeting. Staff is requesting that the Board consider passing a motion to reconsider that action and if the Board had jurisdiction to hear the matter in the beginning. The reconsideration will need to be made by one of the two Board members that voted in the affirmative when the case was heard in February. Those two members are Mr. Cardon who is here today, and Mr. Morris who is not. Member Cardon is the only Board member that can make the motion for reconsideration. If he elects to do so, we need three affirmative votes from the Board members.

BOARD ACTION: Member Cardon motioned to reconsider BA2017056. Member Loper second. Member Riddell recused. Reconsider 3-0-1.

Mr. Peck said the Board of Adjustment is created by statute and then implemented by the Board of Supervisors. ARS §11-816 is the statute pursuant to which a Board of Adjustment is created sets forth of what powers the Board of Adjustment has by the authority to act. If the hearing officer acts on a violation case and appeal of that comes to this Board. The majority of the cases the Board hears is for variances. The appeal that was presented in February was based upon ARS §11-816 Section(B)(1) "the Board of Adjustment may interpret the zoning ordinance if the meaning of any word, phrase or section is in doubt, if there's a dispute between the appellant,

an enforcing officer or if the location of the district boundary is in doubt." The appeal that you heard was a situation where there had been a complaint issued that a property owner was violating the zoning ordinance. Code Compliance investigated that allegation and made a factual determination that what had occurred was not in fact a violation of the ordinance, and that was the basis of the appeal. There was no argument before the Board and nothing in the papers that brought this to the Board that said they were questioning how staff had interpreted the ordinance, they were questioning how staff applied the facts to the ordinance but that is not within the jurisdiction of the Board of Adjustment to hear. We can contrast that with the powers that are granted to a municipal Board of Adjustment under ARS § 9-6206 "a Board of Adjustment may hear and decide appeals from the decisions of the zoning administrator." Because code compliance is really under the zoning administrator, if you had the same power a municipal board had by statute, arguably you would've had jurisdiction to hear that. Any decision by the zoning administrator can be appealed to the Board of Adjustment, but when the legislature granted powers to County Board of Adjustment they really narrowed down that jurisdiction. Because there was no question before you involving the interpretation of the ordinance this Board lacked jurisdiction to hear it and the Board still lacks jurisdiction. It's the position of staff through the Director who is the applicant. Staff believes the matter should be dismissed by the Board for lack of jurisdiction.

Member Cardon asked what is the recourse of those that brought the appeal initially might be. Mr. Peck said they could institute a special action in the superior court seeking an order that the County prosecute the code violation as they see it, so there is recourse available.

Mr. Peck said once a determination is made on jurisdiction and if it's decided that the Board has jurisdiction then members of the public are free to address the merits of the case. We are raising this as a preliminary matter if the Board has jurisdiction or not.

Mr. Cardon said if anyone is here to speak on the issue of jurisdiction are they allowed to speak? Mr. Peck said yes anyone can speak and they are free to address that same issue.

Chairman Harris said a lot of people came out here today and he would like clarification on the scope before they speak. Mr. Peck said there is a question that has been raised whether the Board has jurisdiction to hear this appeal. Jurisdiction is a preliminary matter, it's the same for the Board as it is with the court. If you do not have jurisdiction you cannot do anything further. If someone wants to address the question of whether under the statute this Board has jurisdiction to hear this appeal they are perfectly free to address the Board on that. As to the merits of the appeal that would be inappropriate until you make a preliminary determination whether or not we have jurisdiction.

Mr. Randy Haines said on February 15, this Board made two serious errors in this case. It encouraged the appellant to act as the county's police, they do not have the authority to charge anyone with a violation and they are not professionally trained to what is a violation. Encouraging citizens to act as police does nothing to promote compliance with the zoning code, it only encourages vigilantism, neighborhood bullying, harassment, and jealousy that's what's happening here. Even if you were to incorrectly equate the citizen complainant to the police that would still not give this Board authority to hear an appeal. This Board's error on February 15 was to hear and much less approve this. The statute does not give the Board of Adjustment authority, and it is long past time to rectify the error and dismiss this meritless appeal not on the merits but lack of jurisdiction.

Mr. Cameron Artigue, a lawyer from Gammage and Burnham said he is here on behalf of Jeffrey and Amy Wilms. He is the lawyer that goes to court when somebody wants to appeal a decision of this Board of Adjustment or a municipal Board of Adjustment. He has done that many times in the last 20 years and also teaches land use law at the ASU law school. and has done that for over 10 years. He is regularly adverse in court with Mr. Peck and Mr. Swan, and it is a little unusual for him to be here in complete agreement with them today. The power and jurisdiction of this Board is to interpret law, and that's what it means to be a quasi-judicial Board. When a code compliance officer goes out and says factually he doesn't see a violation here and he chooses to close that case. This Board doesn't have jurisdiction to say factually we disagree with you, and urges the Board to listen to Mr. Peck and Ms. Johnson.

Chairman Harris asked if anyone else present wishes to speak. None.

BOARD ACTION: Member Cardon motioned to dismiss BA2017056 appeal due to lack of jurisdiction. Member Loper second. Dismissed 3-0-1.

Member Loper dismissed himself from the hearing and Member Riddell rejoined the hearing.

BA2017029	Elkik Property	District 1
	(Revisited from 11/16/17, cont. from 3/15/18)	
Applicant:	Antoine Elkik	
Location:	302-83-119D – 14437 S. 131 st St. – 131 st St. & Galveston St. in the Gilbert area	
Zoning:	Rural-43	
Requests:	Variances to permit: <ol style="list-style-type: none">1) Determination of the west lot line as the front where the south lot line is considered the front per MCZO, Sec. 201 (Definitions); or2) Existing accessory buildings within the required front yard where buildings are not permitted per MCZO, Art. 1106.2	

Mr. Gerard presented BA2017029 and noted the applicant proposed to allow accessory buildings to remain in the required front yard which is along the south lot line, the area 40 feet deep from the edge of the easement. There were no detached accessory structures along this south lot line until 2012. Had the property owner properly sought the required permits he would have been advised in advance the construction of the buildings do not meet setback requirements. The variance request whether trying to view the west lot line as the front, or seeking a lesser setback for the front/south lot line essentially are for detached accessory building in close proximity to the south lot line. The south lot line is the front of the lot by ordinance definition, there's no other street frontage bounding the subject parcel and there's no other option for consideration of the front lot line given in the ordinance. Staff believes the Board has no jurisdiction to hear variance request #1, determination of the west lot line as the front where the south lot line is considered the front per MCZO, Section 201. Staff believes there is no justification for variance request #2 to permit accessory buildings within the required front yard or the south where buildings are not permitted. The entire north half of the property is open and clear of obstruction and encumbrance to development and that includes any mature trees which are all on the perimeter. The accessory building can be relocated into the north half of the property without need for variance. As per the findings in paragraph 35, the applicant has the burden of proving that in accordance with the ARS and the MCZO that the property is entitled to receive

a variance. The applicant has failed to demonstrate that there is a peculiar condition facing the property because the standard does not restrict the use of the entire property. By ordinance definition the south is without question the front of the lot and it is the only boundary the lot subject to a street which Loma Vista Court. The applicant has failed to demonstrate that a strict application of the zoning ordinance to the applicant's property has caused undue physical hardship that prevents the development of the property. There are alternatives available to the property. There's sufficient area in the rear or the north yard of the subject site to accommodate the accessory buildings without issue. The variances are not warranted. The applicant has failed to demonstrate the peculiar condition or physical hardship that is not self-created in the line of title in that the structures were constructed without permits, and required clearances by the applicant. The applicant has failed to demonstrate that the general intent and purpose of the zoning ordinance will be preserved with the variance, in that the grant of the variance would convey an unwarranted privilege to the property owner not enjoyed by other property owner's along Loma Vista Court.

Member Riddell said according to the aerial it looks like one of those structures is actually in the right-of-way easement. Mr. Gerard said we were provided with a revised site plan in late March, but it doesn't delineate the actual easement.

Mr. Jared Scarbrough said he is appearing on behalf of the applicant. Building #1 is the building that runs along the south line at the end of the private drive. Building #2 is the perpendicular building located along the east property line down in the southeast corner. As identified in the report by staff building #2 was constructed around 2012, the allegation is it was constructed without a permit and the current property owner did not purchase the property until 2014. Accessory building #2 was actually constructed by a prior owner and it was the prior owner that who may or may not violated any zoning ordinances by constructing that building. In December 2015 the report states the current applicant was placed on notice for building #1, and was proceeding with the project without a permit. The applicant went to the County on multiple occasions trying to resolve the notice that he had not complied with getting a permit and was unable to communicate clearly with the County Planning Department. He paid several series of payments to the County in an effort to move the permit forth. There is an open permit now that is pending approval pending the application for a variance. The property in general, as in the report, it is accessed by a private drive not by a public roadway. When our surveyor went to the property to have an accurate understanding of where the property lines are in relationship to all of the buildings, he was unable to identify an easement that continued from the end of the visual portion of Loma Vista Court through to the eastern edge of the property. That is why it doesn't appear on the survey or site plan that was submitted in March 2018. He could only assume it was some sort of private deed or grant that requires a title report to uncover that, and at this point it has been very difficult to determine exactly where the edge of that easement is. Staff has gone to some length to identify other properties are clearly within the setback requirements. If you are looking at the edge of the easement it is not necessarily clear that the property located directly south to the applicant's property is definitely meeting all of the setback requirements. Its primary structure appears to be closer than 40 feet to the easement. The debris you see in the photographs, the trailers and other equipment that are parked just south of the accessory building #1 do not belong to the applicant. They belong to the neighbor who violates the requirements. The only reason he brings this up is he doesn't want it to be used as a point in favor of staff to support their position. We have the two issues whether the west is the front or the south is the front. Jurisdiction has been questioned on the decision of west verses south. We have to address whether jurisdiction is appropriate before this Board before we move to argument.

Mr. Swan asked Mr. Scarbrough if he is challenging the jurisdiction of the Board to hear this matter. Mr. Scarbrough said he is not challenging, staff challenged jurisdiction in their opening arguments and in their report indicating the dispute appears to be that it's not an interpretation of the statute but an interpretation of facts to the statute. He is not sure exactly how the Board wants to address that particular issue, but he thinks it should be addressed before we go into any argument about that.

Member Riddell said her suggestion is to go ahead and consider the merits and make a determination here without segregating jurisdiction.

Mr. Scarbrough said there is an issue of which boundary line is the front of the property, and if that is determined the south is definitely the front. The second issue is if we meet the requirements for a zoning variance with the building being in the south sector of the property. As for west versus south, the argument is that the statute defines a private street as a street front and the front of the property is the border of the property that borders the street. This property has a private drive, and he does not believe it has been determined that the drive is not a private common area ingress/egress road versus a private street subject to public easement. No easements or grants or deeds have been sited to or presented. It's just been stated that it's a private street available to the public and because of that, it definitely is a street for purposes of the definition under the zoning ordinance.

Member Riddell said it is actually your burden to demonstrate that there's no easement, and it is your burden to demonstrate why you believe staff is in error and why a variance is appropriate. Mr. Scarbrough said they couldn't find anything that stated it was a public roadway versus a private ingress/egress. There's no determination that it is definitely the case, but it is the only access point. We do have to agree most likely the south is probably the front, but want to identify that it doesn't border the entire southern lot line just part of it.

Member Riddell asked Mr. Gerard to help them understand the County's provision. She doesn't think they make a distinction between a public roadway and a private roadway. Mr. Gerard said that is correct, whether or not the easement continues the whole length of the south lot line would affect the calculated setback over the length of that south lot line.

Member Riddell said it wouldn't necessarily affect what was deemed the front by virtue of it being public or private. Mr. Gerard said correct.

Mr. Scarbrough said moving on to their next argument whether or not they meet the three criteria for a zoning variance, if the south is determined to be the front of the property. The three requirements determining if there is a peculiar condition about the property, and whether there is an unnecessary hardship and enforcing the zoning ordinance, and whether or not in granting the variance request would keep the general intent and purpose of the zoning ordinance. The peculiar nature of this property that was in the report by staff for the November 15 hearing said "the Board may consider the fact there is not street frontage along the length of the southern lot line to be a unique condition not experienced in the universe of the Rural 43 zoning district." Not only is the site peculiar but it's unique because it is at the end of this private drive and the street only borders a portion of the boundary. The road is never going through because of the canal and the development to the east of the property. What we are left with are two properties on either side of the private drive. If staff's interpretation of front is to be believed, they face each other and half of the boundary between them is not a street front or roadway and it's just open

to one another. The Board agreed last time it was a peculiar condition and it met the requirements of the zoning application. He further argues that today. The unnecessary hardship is the relationship between these two properties where they are facing each other all the time. After the relationship broke down years ago is what led to the reporting of what was happening at the property, and it has become violent to the point where firearms were pulled by the opposing neighbor. An injunction of harassment has been obtained by his client against the neighboring property. The buildings act as a buffer between this hostile relationship and removing them takes away that buffer. Also building #2 was there when the applicant purchased the property and he had no idea that it wasn't permitted and didn't meet any zoning requirements.

Chairman Harris asked when was the applicant made aware there was no permit for that second building. Mr. Scarbrough said he doesn't know, but does know he was notified on December 2015 that accessory building #1 was not in compliance. He does not know if a formal notice was provided for accessory building #2 but was eventually brought into these proceedings and is part of this process.

Chairman Harris said on July 19, 2017 it states in the report the hearing officer found the property owner responsible for violations and issued an order of judgment, and asked if there has been any forward motion in regards to that. Mr. Scarbrough said in August the applicant filed for a zoning variance and the variances for both of the buildings. They are trying to clear that hurdle so they can obtain the permit that is pending right now, and they are trying to get the variance request resolved so they can move forward to getting permits for both buildings.

Mr. Scarbrough said the applicant inherited this issue and is being forced to bear the burden and expense of moving that building. Whether or not granting the variance keeps in line with the purpose and general intent of the ordinance. He argues that it does. These are unique properties that face each other. The historical purposes of setback requirements is to keep open air space and to leave room for future streets and for keeping site lines. We have two properties at the end of a street that are never going to be developed beyond what they are now. There's no need to maintain the 40 foot site lines, and there's no need to keep these areas for the traditional purposes to why these setback requirements were established in the first place. If these buildings are allowed to remain there, they are not inhibiting the purpose and intent of the zoning ordinance because of their unique and peculiar location tucked back at the end of this private drive.

Chairman Harris said he is looking at an e-mail that was sent to Mr. Smith in opposition, and asked if he was aware of that. Mr. Scarbrough said he was not.

Chairman Harris asked if it is okay to read this opposition letter for the record. Mr. Swan said yes. The letter reads, "To Whom It May Concern I am writing this letter to let you know I am opposed of the building at 14437 S. 131st Street in Gilbert. This building is built on the property line with no 40 foot setback, and built on top of the irrigation ditch, and 8 inches from SRP transformer box, and over eight feet in height. The building was built without a permit and was allowed not to meet codes in place for safety and the people that enter it. It is the duty of Maricopa County to enforce the codes that has been in place, and collect all the fees that have been set forth. If this building is allowed without a permit and clearly breaking the codes within the County then all people should have the same rules and that would be no rules. Thank you, Bob."

Member Cardon said we have heard this before and nothing has changed. He does appreciate the arguments, and is sad to see the hostile relationship with the neighbors. He continues to feel the same as he did previously.

Member Riddell said she echoes Member Cardon's comments.

BOARD ACTION: Member Cardon motioned to deny BA2017029 based on the findings in paragraph 35 of the staff report. Member Riddell second. Denied 3-0.

BA2018002	Soto Property (Cont. from 3/15/18)	District 4
Applicant:	Kevin Soto	
Location:	APN 503-32-449 @ 25549 W. Peak View Rd. – 255 th Ave. & Peak View Rd. in the Wittmann area	
Zoning:	Rural-43	
Request:	Variance to permit: Addition to an existing single-family residence with proposed side (west) setback of 20' where 30' is the minimum required	

Mr. Smith presented BA2018002 and noted the applicant failed to demonstrate there is a peculiar condition facing the property because there is enough room on the property for the detached structure to be as close as three feet to the west property boundary or anywhere in the rear of property or behind the residence. The applicant failed to demonstrate that the strict application of the MCZO to the applicant's property has caused undue physical hardship that prevents the development of the property. The variance is not warranted.

Mr. Jeff Suer with Gorilla Builders representing the applicant said they really aren't asking for a lot other than to reduce the side yard setback by only 10 feet from 30 feet to 20 feet. We have a letter from the neighbor which lives 90 feet away from this setback. They have no hardship with him building this garage and encroaching the side yard setback by only 10 feet. They are requesting the Board allow them to build the garage in the place where the applicant really feels he needs it.

Member Riddell asked if he has a copy of the letter from the neighbor. Mr. Suer said yes.

Member Riddell asked is it the neighbor immediately to the west. Mr. Suer said yes, that's correct.

Member Cardon asked if there are any letters in opposition. Mr. Suer said none he is aware of, and Mr. Soto spoke to all of his neighbors he shares property lines with.

Mr. Gerard said if this is an attached addition, and if it were structurally detached and not in the front yard, it could be as close and three feet to the property line. This is an option if they want to consider a project modification where they would not need a variance. Mr. Suer said Mr. Soto is aware he can put it up to three feet to the property line, which would put it closer to the neighbor. He has concerns why it's such an issue to attach it to the house with 20 feet from the property line instead of putting it three feet from the property line even though it would be detached. Mr. Soto needs it attached to his house so he can share one garage with the other and open up the wall between the existing garage to combine it as one space.

Member Cardon said it would be preferable to have the garage attached, and farther from the neighbor instead of detached and potentially 17 feet closer to the neighbor, it just seems logical.

Member Riddell said she appreciates the applicant getting a letter of support from the neighbor. It is a better situation to have it attached to maintain the 20 foot setback.

BOARD ACTION: Member Cardon motioned to approve BA2018002 with conditions 'a'-'c'. Member Riddell second. Approved 3-0.

- a) General compliance with the site plan stamped received January 26, 2018.
- b) Failure to complete necessary construction within one year from the date of approval, shall negate the Board's approval.
- c) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements, Drainage Regulations, and Building Safety codes.

BA2018003

Generalli Property (Cont. from 3/15/18)

District 3

Applicant:

Bill Berry

Location:

APN 203-39-010A @ 36430 N. 34th Ave. – Interstate 17 & Cloud Rd. in the Desert Hills area

Zoning:

Rural-43

Request:

Variance to permit:

- 1) Hillside disturbance of 1,768 sq. ft. outside the lot's principal building envelope where hillside disturbance is prohibited outside the lot's buildable area.

Mr. Bak presented BA2018003 and noted there is one letter of opposition. The property has a complicated history and staff noted the applicant is essentially offering to perform restoration of previously disturbed areas. Given the history of the parcel, the applicant seems amenable to restoration and the request is reasonable. The hillside regulations were amended in 2010 and the subject disturbance was permitted under the previous permit subject to the old regulations. The permit was never completed and since expired and there is a new property owner.

Mr. Tom Haas the civil engineer said he did read the letter of opposition and they noted two items. They are opposed to the two-story house but does not think it is a subject for the Board, and concerns about disturbance to the ravine, and believes that is factually incorrect.

Member Cardon said he agrees the two-story is not an issue with this Board, and the drainage is part of the peculiar condition that brings rise to approving the variance.

BOARD ACTION: Member Cardon motioned to approve BA2018003 with conditions 'a'-'c'. Member Riddell second. Approved 3-0.

- a) General compliance with the site plan stamped received February 2, 2018.
- b) Failure to complete necessary construction within one year from the date of approval, shall negate the Board's approval.

- c) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements, Drainage Regulations, and Building Safety codes.

BA2018006

Haas Property (Cont. from 3/15/18)

District 4

Applicant:

Thomas & Catherine Haas

Location:

APN 200-96-043 @ 19215 N. Concho Cir. In the Sun City area

Zoning:

R-3 RUPD SC

Request:

Variance to permit:

- 1) A proposed lot coverage of 70% (2,621 sq. ft.) where 65% is the maximum permitted

Mr. Scheerer presented BA2018006.

The applicant was not available for public comment.

Member Riddell asked if there is any known opposition and did the mailings go out. Mr. Scheerer said no opposition and yes the mailings went out.

Member Cardon said he appreciates staffs report and hoped the applicant would have been there, but in reading the applicants' responses he is convinced they have a peculiar condition and undue hardship.

Member Riddell said they have dealt with many of these types of circumstances when they are on a golf course and desire additional lot coverage and being adjacent to this type of open space is appropriate. She wished the applicant would have shown up.

Chairman Harris said it is imperative that the applicant shows up when you're asking this body to grant you something.

BOARD ACTION: Member Cardon motioned to approve BA2018006 with conditions 'a'-'c'. Member Riddell second. Approved 3-0.

- a) General compliance with the site plan stamped received February 6, 2018.
- b) All required building permits for proposed development shall be applied for within 120 days of the hearing date unless otherwise directed by the Board. Failure to apply for any required building permit(s) within the specified time, or to complete necessary construction within one year from the date of approval, shall negate the Board's approval.
- c) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements, Drainage Regulations, and Building Safety codes.

BA2018008

Pedroza Property (Cont. from 3/15/18)

District 4

Applicant:

Santos Uglade, Unique CAD & Design

Location:

APN 506-41-225 @ 1320 S. 357th Ln. - 355th Ave. and Buckeye Rd. in the Tonopah area

Zoning:

Rural-43

Request:

Variance to permit:

- 1) Proposed front setback of 28' where 40' is the minimum required

Chairman Harris said there is a translator here and to find out if they need everything translated. Ms. Gema Piatkowski, the interpreter said yes they would like translation of what the staff is saying.

Ms. Sarnowski presented BA2018008 and noted there is no known opposition, however the request is a result of a code violation. Staff does not support the variance request because it does not meet the statutory test.

Mr. Santos Uglade, the applicant translated by Ms. Piatkowski, said the purpose of building this porch is the construction doesn't require anywhere else for the porch to be built and that is why it is the 28 feet instead of the 40 feet. The porch actually has 13 feet of setback. Mr. Pedroza is petitioning the building of this porch because of the Arizona climate so it can protect his home.

Member Riddell asked if it was possible to construct the porch on the north or south side of the home outside of the setback. Mr. Uglade, translated by Ms. Piatkowski, said the current house has a wrap-around porch and the only spot to protect where it doesn't have any protection from the sun is the front.

Member Riddell asked if the County allows an overhang in the front yard for front porches and doesn't recall how much. Mr. Gerard said yes, a three foot eave overhang for a primary structure.

Member Riddell asked if they are able to ascertain whether or not there was an eave overhang before the porch was constructed. Mr. Gerard said he does not have that information and the photos show there could have been additions or overhangs but he's not sure.

Member Cardon asked what the code violation is for. Mr. Gerard noted in addition to the variance there is an accessory building and a room addition that was built without permits. In order to obtain those permits, at least for the porch on the east, they need a variance.

Member Riddell said she is not familiar with the subdivision and it looks like it's just beginning its development. Ms. Sarnowski said the subdivision was actually created in 1996, and there are only four or five lots that have been built on. It is very rural out there.

Mr. Gerard said there may have been a wing of the house that sat as the setback if the aerial is depicting exactly the porch today as opposed to what has not yet been built. On page three is the aerial and he is wondering if the original white pitched roof is the original house and all the brown flat roof area are additions. Perhaps the setback was already there.

Mr. Gerard said based on the applicant's testimony and the aerial, it appears the white pitched roof was original construction and the brown flat roofs are the additions and it is all now part of the porch. It may have been permitted in error but the original construction was permitted.

Member Riddell asked if we know when the original construction was permitted. Mr. Gerard said circa 2002. There is a potential that there was a permit error or some other allowance to allow that 20 foot front setback for that original roof section of new construction but along the same plane.

Member Cardon asked if this addition was not completed by the applicant and was it already there when the applicant purchased the property. Mr. Gerard said it appears from the aerial and what he's heard, the white portion was there and the brown portions are the additions done by the applicant. It appears he has knocked everything out so there is a porch on that entire plane. From the aerial it appears there was earlier construction and with his testimony it was the original home construction and assumes there was an error in a footer setback inspection or it was finalized erroneously at 20 feet rather than 30 feet.

Member Cardon asked if because it already encroaches that white portion of the roof already up to 28 feet. Mr. Gerard said yes that's what it appears.

Member Riddell said if the applicant can provide evidence that it was legally permitted with that as the front yard and they have not deviated from that, and it would be an error that's not the applicants. She is wavering between a denial or a continuance if the applicant can provide that evidence. Mr. Uglade, translated by Ms. Piatkowski said they can investigate getting the evidence.

BOARD ACTION: Member Riddell motioned to continue BA2018008 to May 17, 2018. Member Cardon second. Continued 3-0.

BA2018009	Aschenbrand & O'Brien Property (Cont. from 3/15/18) District 3
Applicant:	Jerry Little, Sead Architecture & Construction
Location:	APN 169-16-102 @ 7501 N. Lakeside Ln. – Tatum Blvd. and Clearwater Pkwy. in Clearwater Hills
Zoning:	Rural-43
Requests:	Variances to permit: <ol style="list-style-type: none">1) Proposed rear setback of 21' where 40' is the minimum required and;2) Proposed street-side setback of 14' where 20' is the minimum required and;3) Proposed side setback of 21' where 30' is the minimum required and;4) Proposed lot coverage of 26.5% where 25% is the maximum permitted and;5) A waiver from Article 1106.2 in order to allow an accessory building in the required front yard, where such buildings are prohibited6) A waiver from Article 1201.6.1 in order to allow hillside disturbance outside the building envelope where such disturbance is prohibited

Mr. Tavassoli presented BA2018009 and noted there are three letters of support and two of them are from neighboring residence. The applicant has not demonstrated there is a peculiar condition facing the property because the area in the building setback lines does not present

any topographical constraints. The applicant has failed to demonstrate that the strict application of the zoning ordinance to the applicant's property has caused undue physical hardship that prevents the development of the property. There are viable alternatives available to the property, such as reducing the size of the proposed residence, and the variance is not warranted.

Mr. Jerry Little representing the property owner said the site is a legal non-conforming lot in Clearwater Hills Association. The lot is 20 percent smaller than the minimum size lot requirement which creates most of the problems for the entire site. The homeowners are requesting a single story house that is wheelchair accessible design. The Homeowner's Association (HOA) has requested a view corridor for the neighbor to the northwest to maintain that, which caused them to rotate the house. The existing site drainage and run off water is a primary importance in the neighborhood and has caused the existing house to be flooded many times. The existing pool is located in the front yard setback. The requested disturbed area beyond the zoning ordinance buildable area restriction is less than the missing area that would make it meet the minimum size lot requirement. We are not disturbing any previously undisturbed land area on the site, and we have rotated and pulled the house over to accommodate the HOA request for the view corridor which has impacted the site setbacks. We are keeping the pool in the same general area. Based on all the design criteria from the owners, the HOA, the site conditions primarily the undersized lot found it best to utilize the existing driveway coming off of Lakeside Lane and to keep the pool in the same general area where it was before. Rotating the house has caused the setbacks to address the HOA's request for the view corridor. It improved the solar orientation and helped us address some of the drainage issues. We are also eliminating the garage and driveway off of Moonlight Way and that's providing more area to landscape, screening for the pool and pool house. Plus, tucking the pool house behind the slope and the existing trees in that corner, and there's also an additional 25 foot landscape right-of-way along Moonlight Way which provides additional landscape. It actually makes it a discreet location for the pool and pool house. The elevation difference from Moonlight Way to the pool and the pool house gives it a lot of privacy with 18 feet of elevation difference. We have taken a thorough and thoughtful approach to the project's design, and the peculiar conditions to minimize the impacts to the neighbors, and the community. The variance approvals would provide a fair and equitable opportunity for these owners, and it also would improve the financial and visual impact of the neighborhood getting rid of the abandoned house and lot. Granting the variance will not damage the intent or purpose of the lot. We are asking for the minimum relief necessary by limiting the requested area and disturbance to less than what is missing to make this a conforming lot and meet the specifications of the original zoning standard. We have the preliminary approval with the HOA, subject the approval of the Board.

BOARD ACTION: Member Riddell motioned to approve BA2018009 with conditions 'a'-'c'. Member Cardon second. Approved 3-0.

- a) General compliance with the site plan stamped received April 4, 2018.
- b) All required building permits for proposed development shall be applied for within 120 days of the hearing date unless otherwise directed by the Board. Failure to apply for any required building permits within the specified time, or to complete necessary construction within one year from the date of approval, shall negate the Board's approval.

- c) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements, Drainage Regulations, and Building Safety codes.

BA2018017

Applicant:

Location:

Zoning:

Request:

Fuentes Property

Francisco Badilla, PE

19237 W. Puget Dr. – Olive Ave. & Beardsley Canal service road in the Waddell area

Rural-43 RUPD

Variances to permit:

- 1) Proposed disturbance outside the principal building envelope where no disturbance is permitted (ref.: S99-010 Final Plat Note #7), and
- 2) Proposed disturbance of 49% where 40% is the maximum permitted (ref: Z2000188)

District 4

Mr. Tavassoli presented BA2018017 and noted the owner requested two variances to allow the owner a desired amount in the area of decomposed granite to the landscaping. Based upon what the applicant submitted and the staff analysis the applicant has failed to demonstrate that there is a peculiar condition facing the property because the proposed variance request reflects a desired landscaping for the lot unrelated to any peculiarities. The applicant failed to demonstrate the strict application of the RUPD or the Final Plat to the applicant's property has caused undue physical hardship that prevents the development of the property. There are alternatives available to the property, such as keeping the within regulatory limits of disturbance. The variance is not warranted. The applicant has failed to demonstrate the peculiar condition or physical hardship is not self-created in the line of title in that the proposed site plan simply represents a desired landscape. The applicant has not demonstrated the general intent and purpose of the RUPD and Final Plat will be preserved with the variance in the regulatory language is clear and certain.

Member Riddell said it looks like from the aerial these improvements have already occurred. Mr. Tavassoli said the aerial is showing it has been disturbed but has since been raked away within the building envelope. The applicant is simply proposing to restore what was originally done and to go beyond the disturbance limit.

Mr. Francisco Badilla, the civil engineer said all of the disturbed area was just decomposed granite placed on top of the surface, and there was no hard grading on it. Since the photo was taken everything has been raked over and watered over. He has new photos showing everything has been clear, and where the fence was placed all the decomposed granite has been raked over and everything brought back to its natural state. The reason it was so noticeable it was actually a different color and not an earth color like the surrounding area. The perimeter had delineated by that fence as it encompasses 49 percent. The only decomposed granite that was not removed was in the front yard because it enhances the property a little bit more. If needed to bring into compliance they can rake up that decomposed granite in the front to be in compliance. The surrounding areas have disturbed more than 40 percent and two wrongs doesn't make a right. They are proposing right now where the existing fence is located will get them down to 49 percent disturbance area, and he can possibly get it down to 40 percent but that would be a very awkward setup because where the fence is placed is because of the pool.

Member Riddell said when she looks at the site plan and the picture they look identical. She would like to know where it's been raked back into compliance. Mr. Badilla said the fence line runs right next to the riprap, so two or three feet has been raked back already. The site plan is showing what they are proposing and that's what they have done out in the field. That photo was previously done before raking and cleaning up the area.

Member Riddell asked you want to put this decomposed granite over the entire fenced area. Mr. Badilla said what you see in the photo is what they are proposing, no more addition and no more decomposed granite at all.

Member Riddell said you told us you brought this in compliance. Mr. Badilla said no it is 49 percent there and he is asking for the 49 percent.

Member Riddell asked what you are asking for you have effectively done. Mr. Badilla said yes.

Member Riddell asked if this was desert decomposed granite does it change the analysis. Mr. Gerard said he had a 40 percent disturbance and what he is wanting to do is all disturbance above the 40 percent. It would be at-grade decomposed granite ground cover and would all be within the principle building envelope except for the driveway and the wall on the driveway. Mr. Badilla said yes that is correct.

Member Riddell asked what the line for re-vegetation is. Mr. Gerard said it is decomposed granite at-grade, and it's not a disturbance that affects drainage. That's the concern with this subdivision it was built without any physical drainage infrastructure so they try to keep the perimeters of the lots natural so it arguably restores.

Member Riddell asked if he needs the variance. Mr. Gerard said he does need the variance to go above 40 percent disturbance. There's a little bit of envelope pushing when the 40 percent wasn't contiguous, we could add a condition that says 'disturbance above 40 percent the outside building envelope except for the driveway and wall shall be limited to decomposed granite cover.'

Member Riddell asked if this was more natural looking than he is proposing and what is the distinction. Mr. Gerard said if it's laid at-grade and no changes in grade even if it's pink, it's not disturbed.

Member Riddell asked so why does he need a variance. Mr. Gerard said if we look at everything within the wall that's well over 40 percent. They must have counted the wall separate from anything else.

Member Riddell said so the wall would necessitate the variance. Mr. Gerard said when the wall was permitted they looked at the wall and looked at the residence and everything next to the residence. It really should be one continuous blob of disturbance.

Mr. Badilla said it is a rod iron fence that encompasses all of the disturbance area.

BOARD ACTION: Member Riddell motioned to approve BA2018017 with conditions 'a'-'d', and addition of condition 'e'. Member Cardon second. Approved 3-0.

- a) General compliance with the site plan stamped received April 10, 2018.
- b) Failure to complete necessary construction within one year from the date of approval, shall negate the Board's approval.
- c) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements, Drainage Regulations, and Building Safety codes.
- d) Applicant must clearly outline the area proposed for the desired disturbance area of 49% on the construction plans.
- e) Any disturbance above 40% to occur within the wall and be of natural desert material and not to exceed 49%.**

BA2018019

Beck Property

District 1

Applicant:

Allen Beck

Location:

20548 E. Navajo Dr. – 206th St. & Navajo Dr., in the Queen Creek area

Zoning:

Rural-43

Request:

Variance to permit

- 1) Existing street-side setback of 3.5–feet where 20-feet is the minimum required

Mr. Smith presented BA2018019 and noted staff is not in support due to the applicant has failed to demonstrate that there is a peculiar condition facing the property, because there is enough room to meet the zoning setback requirements with project modifications. The applicant has failed to demonstrate that the strict application of the zoning ordinance, and there is no undue physical hardship that prevents the development of the property further. There are alternatives available to the property, such as relocating the accessory structure. This variance is not warranted.

Mr. Allen Beck said he is the owner and applicant of the property. The problem for him was understanding what was allowed and not allowed on the property, and the easement on 206th Street. He built the structure himself when he had a couple of horses, and built horse stalls and it was a tack shed. When he communicated with Maricopa County he understood he needed a 20 foot setback. He didn't explain or ask about any easements so he built it 20 feet from the center of 206th Street. The second issue for not needing a permit initially was the size of the structure 10-1/2 feet x 12-1/2 feet and this footprint doesn't require a permit. He found out after it was up and didn't know at the time that installing electrical was a condition for the permit. Before they went into escrow to buy the house they asked if there were any outstanding issues on the property since it was being forced by a bank sale. They were told there were no issues, and the perimeter wall was permitted and proceeded to escrow thinking they had a clean property. Then they found out several months later that the perimeter wall wasn't permitted and the County just said they had a bad employee and had some bad files. When he decided to put the horse stalls in and the tack shed, that's when he made the inquiry about the setbacks with the County. He doesn't put this on Maricopa County, he built it and it was his job to find out. He has since taken down the horse stalls and got rid of the horses, but he would like to keep the tack shed, which is a small work shed. He talked with the neighbors and asked if anyone had a problem with it, but he didn't know he could bring in letters.

Member Riddell said isn't the wall also an issue. Mr. Gerard said you can have a perimeter wall up to eight feet high in Rural-43. Member Riddell asked even in the front yard. Mr. Gerard said yes in the rural zoning districts.

Member Riddell asked how tall the shed is. Mr. Smith said it is in the side yard.

Mr. Gerard said it is within the street side and it is over the height of the six foot wall. A structure must meet the setbacks and does not require permitting if it is less than 200 square feet, less than 12 feet or fewer, is not occupied and does not have electrical or mechanical plumbing. Prior to the applicants ownership in 2016 it appears there was a single family residence permitted, there was a block wall permit in 2007 that was never completed, and a mare motel in 2013 never completed, and two accessory structure in 2013 never completed.

Member Riddell said this is listed as a street side set back of 20 feet, and she is questioning if a corner lot would have both as front yards. Mr. Gerard said a street side is a frontage, it's just limited to half the required front yard. The buildings have to be 20 feet from the edge of the street line. A six foot wall can be right up to the street line as long as it's not in the clear site triangle.

Member Cardon said he is seeing a peculiar condition with the drainage issues and mature trees on the northeast side of the property and is inclined to approve the request. Mr. Gerard said as he understands you are saying it's the drainage and mature trees in the north and west portions of the property force accessory buildings to the extreme northeast corner. Member Cardon said yes, that's what he is saying.

Member Riddell said she agrees, it does need to be limited to just the shed. Member Cardon said yes, he agrees.

BOARD ACTION: Member Cardon motioned to approve BA2018019 with conditions 'a'-'c'. Member Riddell second. Approved 3-0.

- a) General compliance with the site plan stamped received March 26, 2018.
- b) Failure to complete necessary construction within one year from the date of approval, shall negate the Board's approval.
- c) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements, Drainage Regulations, and Building Safety codes.

BA2018020	Cordova Property	District 4
Applicant:	Thomas A. Cordova Sr.	
Location:	23925 W. Gambit Tr. – west of 239 th Ave. on Gambit Tr. in the Wittmann area	
Zoning:	Rural-43 and Rural-43 Military Airport and Ancillary Military Facility Overlay Zoning District and within APZ-2	
Request:	Variance to permit	
	1) Proposed front setback of 0' where a minimum of 40' is required in the Rural-43 zoning district (adjacent to Military Airport and Ancillary Military Facility Overlay Zoning District).	

Chairman Harris said this case has a request to continue BA2018020 to the next hearing date.

BOARD ACTION: Member Riddell motioned to continue BA2018020 to May 17, 2018. Member Cardon second. Continued 3-0.

Adjournment:

Chairman Harris adjourned the meeting of April 19, 2018 at 12:03 p.m.

Prepared by Rosalie Pinney
Recording Secretary / Administrative Assistant
April 19, 2018