



MARICOPA COUNTY, ARIZONA
Board of Adjustment
Minutes
September 13, 2018

CALL TO ORDER:

Member Riddell, Acting Chairman called meeting to order at 10:03 a.m.

**ROLL CALL/
MEMBERS PRESENT:**

Mr. Abe Harris
Mr. Craig Cardon
Mr. Greg Loper
Ms. Wendy Riddell (left at 11:32 a.m.)

MEMBERS ABSENT:

Mr. Jason Morris

STAFF PRESENT:

Ms. Jennifer Pokorski, Planning Director
Mr. Darren Gerard, Planning Deputy Director
Ms. Rachel Applegate, Senior Planner
Mr. Glenn Bak, Planner
Mr. Raymond Banker, Planner
Ms. Jaclyn Sarnowski, Planner
Mr. Derek Scheerer, Planner
Mr. Eric Smith, Planner
Ms. Rosalie Pinney, Recording Secretary

COUNTY AGENCIES:

Mr. Robert Swan, County Attorney
Mr. Wayne Peck, County Attorney
Ms. Kathy Semder, County Ombudsman

ANNOUNCEMENTS:

Acting Chair Riddell made all standard announcements.

APPROVAL OF MINUTES:

July 19, 2018

AGENDA ITEMS:

BA2018047, BA2018053, BA2018055, BA2018058, BA2018036,
BA2018048, BA2018054, BA2018056, BA2018057, TU2018018,
TU2018025, BA2018045

Chairperson Riddell requested a motion for approval of the July 19 minutes.

BOARD ACTION: Member Harris motioned to approve the July 19, 2018 minutes. Member Loper second. Approved 4-0.

CONSENT AGENDA

**BA2018047
Applicant:**

**Gambrill Property
Taylor Earl, Earl, Curley & Lagarde**

District 3

Location: 1047 E. Irvine Rd. – northeast of the corner of 10th St. and Joy Ranch Rd. in the Phoenix (New River) area

Zoning: Rural-43

Requests: Variance to permit:

- 1) Proposed (eastern) street side yard setback of 23' where 40' is the minimum required and;
- 2) Proposed (south) front yard setback of 10' where a minimum of 40' is required and allowance of accessory structures in the front yard and;
- 3) Waiver of required 25' x 25' Site Visibility Triangle (southeast corner) on corner lot

Member Loper recused himself from BA2018047 on the consent agenda.

BOARD ACTION: Member Cardon motioned to approve BA2018047 on the consent agenda with conditions 'a'-'c'. Chairman Harris second. Approved 3-0-1 (Loper).

- a) General compliance with the site plan stamped received August 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.

Member Loper returned to the hearing.

BA2018053	Rodgers Property	District 5
Applicant:	Douglas Rodgers	
Location:	4933 W. Piedmont Rd. – 51 st Ave. & Piedmont Rd., in the Laveen area	
Zoning:	Rural-43	
Request:	Variance to permit:	
	1) A proposed garage addition to setback 29.5' where 40' front setback is the minimum required	

BA2018055	Aschenbrand & O'Brien Property	District 3
Applicant:	Jerry Little, Sead Architecture & Construction	
Location:	7501 N. Lakeside Ln. – Tatum Blvd. and Clearwater Parkway in the Clearwater Hills	
Zoning:	Rural-43	
Requests:	Variance to permit:	
	1) A waiver from Article 501.2.15.b.2 in order to allow pool within the required front yard, where pools are prohibited and;	
	2) Proposed lot coverage of 30% where 26.5% is the maximum permitted per approved variance case BA2018009 and;	
	3) Proposed roof overhang of 8' into the required setback where 2' is the maximum for the primary residence and 1' for an accessory building and;	

- 4) A waiver from Article 1110.6.7 in order to allow use of retaining walls and elevated patios, terraces and the elevated spa to be higher than 3' above grade.

BA2018058

Emerson Investments

District 3

Applicant:

The Construction Zone, LTD

Location:

4237 E. Upper Ridge Way – Red Ledge Drive and Upper Ridge Way
in Clearwater Hills

Zoning:

Rural-43

Request:

Variance to permit:

- 1) A proposed utility enclosure and entry gate within the required front yard and 0 feet from the front property line where 40 feet is the minimum permitted

BOARD ACTION: Member Cardon motioned to approve the consent agenda BA2018053 with conditions 'a'-'d', BA2018055 with conditions 'a'-'c', and BA2018058 with conditions 'a'-'c'. Member Harris second. Approved 4-0.

BA2018053 conditions;

- a) General compliance with the site plan stamped received July 24, 2018.
- b) All required building permit 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 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) All new connections into Maricopa County Department of Transportation (MCDOT) open and declared right of way will require the submission of a MCDOT Application for work in the right-of-way.

BA2018055 conditions;

- a) General compliance with the site plan stamped received August 1, 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.

BA2018058 conditions;

- a) General compliance with the site plan stamped received August 20, 2018.
- b) All required building permit 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 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

BA2018036

Hart Property (Cont. from 7/19/18)

District 3

Applicant:

Jenifer Corey, Zoning Strategies, LLC

Location:

47812 N. 27th Ave. – Sunset Rd. and 27th Ave. in the New River area

Zoning:

Rural-43

Requests:

Variance to permit:

- 1) Hillside disturbance of 700 sq. ft. outside the lot's principal building envelope where hillside disturbance is prohibited; and
- 2) Existing fencing outside the lots principal building envelope along the east, south, west and north property lines where hillside disturbance is prohibited; and
- 3) Existing fencing located within the 25' x 25' sight visibility triangle (SVT) at the 20' wide ingress/egress and 30' width ingress/egress at the southwest corner of the property where structures greater than 2' high are prohibited

Ms. Applegate presented BA2018036 and noted this case was continued from the July 19 hearing to allow the owner additional time to address issues with the request and to deal with neighbor concerns. The property has an existing code violation on the subject site. Staff received a revised request, a hillside exhibit, and an updated site plan this morning modifying the variance request to eliminate request #1. They would like to withdraw the request for hillside disturbance of 700 square feet due to the area being revegetated. Request #2 has been modified to reduce the linear square footage of the existing fencing outside the building envelope along the east, west and north property lines, and request #3 has been withdrawn. The applicant has indicated that the owner will move the fencing out of the 25' x 25' sight visibility triangle. There was a petition of support received at the last hearing and it's included as part of the report in conjunction with the staff report with the original letters of opposition from the adjacent property owner. Staff did not have time to review the modified plans received this morning. Based on the analysis, staff does not believe the applicant has met the statutory test.

Member Harris asked if request #2 can be repeated. Ms. Applegate said request #2 is modified to reduce the linear square footage of the existing fencing to 215 linear feet. The original request was for 1,197 feet.

Ms. Jenifer Corey said she is here representing the property owner Ms. Campbell Hart. This property is in the New River area on 27th Avenue about a quarter mile south of New River Road. It is a unique property and it's a very unusual wedding cake shape. We have gone through and analyzed the original request and we determined what's needed and not needed. There is a portion of the property that was previously disturbed, and we have since gone back and taken out the corral, so we requested to take the request out. It's up to staff to determine if we still need to have the variance request or it can be removed. Either way we have addressed the disturbance and have revegetated it. The property was originally bought in 2001, and that was prior to the hillside ordinance. Ms. Hart bought the property in 2016 and she applied for a building permit and put a fence around the immediate house and then added a fence along the south, west, and east of the property. She applied but did not get the building permit for the fence

and she didn't realize she needed to do that, so there is a code enforcement action that has been going on for about a year. She has applied for the variance as stipulated in the civil hearing, and there is a couple of variances she needs before she can proceed with getting the building permits and closing out the citation. At the hearing in July, Ms. Hart made the presentation on this very overwhelming case and she is not experienced in making public presentations. Ms. Hart took the Board's recommendation for a continuance and she has helped her through the process and went back to the surveyor to make some additional changes. The house sits up on a hill, and there's a slope and the flat part of the property with an easement along the south portion of the property that's been disturbed in order to gain access to the property on the east. It was determined they do not need a variance for the part previously disturbed and not within the hillside area since this happened prior to the hillside ordinance. We were able to take out a lot of the fence from the application since it can be there by right, and she still needs a building permit but she doesn't need to get a variance in those areas. There is community opposition by one neighbor to the west. They did not attend the last couple of hearings but they wrote a couple letters and are not happy this is horse property. This is Rural-43 property and it is being used for horses. They are also upset because of the fence and they don't like the location of it. We worked really hard to address their concerns, and there is tremendous neighborhood support with a petition of 30 people listed, and six letters of support. Ms. Hart attempted to speak with the neighbor, but it is a situation where she is unable to make them happy. The first issue they had was the disturbed part of the property, and she had a horse corral on it and it's been removed. It's been placed back within the building envelope and it's been restored back to its original condition. There is a problem with the way the ordinance defines a hillside area. Under the technical terms of the ordinance it is hillside, but when you look at the fence it is flat. It is exactly on the same plane as the adjacent retaining wall. For the sake of simplicity and because of their issues they moved outside of the entire hillside area, and they are proposing to move the existing fence into the non-hillside area and do not need a variance for that area. If they comply with the ordinance the fence would be more obnoxious to the neighbors than if they keep it where it's at. If they can have the variance to allow the wall in the existing place it will be a better solution for Ms. Hart and the neighbor. The other area they need a variance for is on the southeast corner adjacent to 27th Avenue because of the hillside. The whole area is depressed, and it is lower than the street line, and 95 linear feet is where they need it. This is again a situation where can we place the fence where it has the minimal amount of visual impact and has the best impact on the neighborhood. Ms. Hart chose to build a nice expensive fence and the neighbors were really happy to see it. This is exactly what you want to see happen, we have minimized the impact. It is an odd shaped parcel with multiple levels and we have addressed the neighbors' concerns and they have support from the larger community.

Member Cardon said he read the letter from the opposition dated July 4 and part of their concern is the fence is 40 feet from their front door and he contracted MRSA. Ms. Corey said Ms. Hart is out there at 5 a.m. cleaning up the horse droppings and it is well maintained. We have addressed the horse corral right by their property and it has been moved away from them.

Member Cardon said the main reason for the variance is because the fence is already there and the horses would have plenty of room to roam. The peculiar condition seems to be mainly that the fence is already there. Is there really a reason we need the fence where it is rather than where it could go. Ms. Corey said they could technically have that portion by right, but she wants the fence moved back, and the part that is hillside is north of the building footprint.

Chairperson Riddell asked if the horses are allowed to roam free throughout the entire property. Ms. Corey said the corrals are up on top and when she opens the pens they are allowed to walk

through the full property, and she's not using the whole property as a corral but the horses are occasionally allowed to roam down there.

Chairperson Riddell asked what the green line on the map is denoting and across the blue area it doesn't appear to be a fence and is wondering how the horses roam. Ms. Corey said the blue area at the very bottom is an access easement. The fence actually runs on the north side access easement between the brown and the blue on the map. It is technically within the non-hillside area on the south portion so a fence isn't needed there or it's within the disturbed easement area. On the northeast corner, there is an existing fence that was permitted a couple of years ago and that is not within the scope of this variance.

Member Harris asked if the Board approves this with the changes does it change the wording of the stipulations? Ms. Applegate said she would recommend a change to condition 'a' to reference the updated site plan dated September 5. There is an existing building permit for that linear fencing, so if there's discrepancies with the hillside calculations that will be reviewed and analyzed by the building plan review division which may be subject to another variance request if the calculations weren't done correctly.

Mr. Charley Hart said he is Campbell Hart's son and he lives in Flagstaff where he took off work to be here. This has been going on for a year and a half, and it's been frustrating to hear how this has been handled. Recently he helped out with the elections and talked to some people who were in real estate, and he asked them questions about how things get enforced and how they do not. They said it depends on the neighborhood and it fluctuates, and there is a standard for the neighborhood. If you live somewhere like the Anthem Country Club it is reasonable to say that everything there will be highly enforced and everyone that lives there has the expectation from purchasing a home in that area. When you go to an area like New River with dirt roads and you have horse owners and the expectation there where it's your property and there's no HOA and that everyone lives there with that expectation, it's the norm for New River and if you drive through there you'll see that. He said his mom asked when things are enforced and when they're not in an area like that and she was told if somebody complains we need to act on it. That was interesting since it doesn't follow a standard and it delegates that authority to the complainant. It's not really how the community votes with their actions and how they live with their property, it is who complains.

Chairperson Riddell said this is getting beyond the scope of the variance, and she appreciates he came down from Flagstaff. She certainly wants him to give his input, but if you can focus on the variance and keep it brief. Mr. Hart said when his mom went to talk to the neighbor she was called some hurtful words when she never spoke to her before that day. How do you get this low of animus towards someone you've never spoken to? He doesn't think it was about the gate, it's about control. There's been numerous statements, and one by staff saying you're not that innocent and that implies you're guilty. It makes you the judge and jury. This implies a lot of bias.

Mr. Eddy Corder said he has lived in New River for twenty years and he was going to buy a home in Tatum Ranch area but when he saw the CC&R's and all the regulations he kept moving north. Most people that move to New River want the kind of community that works together helping your neighbors. When Campbell moved in the area it was a good thing, and most people would build a fence with the black pipe because they do not want to build block walls as in other communities. Her fence doesn't have any obstruction of view and it doesn't impede on anyone. If they are so concerned about the horses and getting MRSA, they should read about MRSA it is

a contact thing it's not airborne in any way. The property right next to Ms. Hart there's another six or seven horses that live on a hillside, why is that not a problem? He thinks it's a personal issue, and not so much the horses since there's other horses next to them.

Member Harris said we often see many of the applicants take the time and try to work with the neighbors and she has gone the extra mile to talk with the neighbors.

Member Loper said he appreciates the outreach to the neighbors and it saddens him when neighbors can't get along. He has known Mr. Gerard and staff for a long time and he has never found them to prejudge any application. He's not sure the context of the words that were said, but he would doubt there was ill will meant by Mr. Gerard or any staff member as they are outstanding people. He apologizes that Mr. Hart came away with that thought, but he said maybe the context was wrong.

Member Harris said we rely very heavily on staff and they do everything they can to help the applicant.

Member Loper said it is an interesting site and they have done their best to minimize any impacts.

BOARD ACTION: Member Loper motioned to approve BA2018036 with conditions 'a'-'c' with modified variance request to withdraw request #1, modify request #2 to 215 linear feet of existing fencing within hillside slopes outside the building envelope on the east, west and north property lines and withdraw request #3 for fencing in the sight visibility triangle. Modification to update condition 'a' with the revised site plan date. Member Harris second. Approved 4-0.

- a) General compliance with the site plan stamped received ~~April 20, 2018~~ **September 5, 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.

Chairperson Riddell moved item #12 - BA2018045 out of order, since they will be losing a few Board members soon.

BA2018045
Appellant:
Requests:

Appeal and Interpretation

District 3

Rodney Jarvis, Earl, Curley and Lagarde
Appeal/Interpretation with regard to:

- 1) Dismiss the use violation and enforcement action against Spirits LP(ref.: V201701514);
- 2) Rescind the Department Directive interpreting "long term" to require a resident in a group home for substance addiction recovery to reside in the Group Home not less than one year;
- 3) Direct the Department to initiate a text amendment to the Maricopa County Zoning Ordinance (MCZO) with regard to Group Homes; and
- 4) Interpret the MCZO definitions of:
 - i. "Handicapped" to include addiction recovery,

- ii. The term "Long Term" within the definition of "Group Home" to mean 30 days, and
- iii. The term "Care, training or support" within the definition of "Group Home" to include individual and group counseling/therapy, at least with relation to addiction recovery.

Member Loper said he is recusing himself from case BA2018045 as he works with the applicant.

Mr. Gerard presented BA2018045 and noted there are four requests and he would like to start with request number four. Interpretation of the Maricopa County Zoning Ordinance definitions of "Handicapped" to include addiction recovery, the term "Long Term" within the definition of "Group Home" to mean 30 days, and the term "care, training or support" within the definition of "Group Home" to include individual and group counseling/therapy, at least with relation to addiction recovery. The current staff interpretation is that a group home serves 10 or fewer minors, disabled or handicapped persons or elderly persons of at least 55 years of age living together as a single housekeeping unit in a long term of at least one year family-like environment which staff persons provide on-site care, training, or support. This does not include treatment for the residence. The proposed interpretation from the appellant is that a group home serves 10 or fewer minors, disabled or handicapped persons or elderly persons of at least 55 years of age living together as a single housekeeping unit in a long term of at least 30 days or more family-like environment which staff persons provide on-site care, training, or support which includes individual and group counseling and or therapy for the residents at least with relation to addiction recovery. There are three parts of this request to #4, the first is the definition of "handicapped." The department has been including addiction recovery interpretation of the definition for over a year because it is included in the definition of the Fair Housing Act and we want to be in compliance of the Fair Housing Act. Prior interpretation was with regard to the Social Security Administration which specifically excludes addiction and recovery from its definition and still does to this date. The department has been interpreting the term to be consistent with the Fair Housing Act. Staff has always interpreted that substance abuse may not be a disability in and of itself, but may result in a physical or mental disability. At least for the past year and in regards to what's current, staff includes substance abuse recovery within the definition of handicapped. The second point is the interpretation of "long term." The department has determined that "long term" as used in the MCZO means one year or longer. The Board is being asked to determine that "long term" as used in the ordinance means "30 days or longer." The Board has not been asked to define what is "long term," only to determine if the applicant's interpretation of "long term" as "30 days or longer" is correct. The determination what constitutes "long term" with regard to residency of a group home must take into account not just substance abuse recovery but the universe of handicapped/disabled persons within the context of living together as a single housekeeping unit in a long term, family-like environment. A family-like environment cannot be transitory or short duration. Transient residential is not harmonious to a single-family residential neighborhood and is counter to a chief purpose of the Maricopa County Zoning Ordinance to protect the character and the stability of residential areas and to promote the public health, peace, safety, comfort, convenience and general welfare of the same. The second item of request #4 is for the interpretation of "care, training or support" to include "treatment". Staff opposes this interpretation. Maricopa County recently filed suit with regard to Group Home operations and the court specifically rejected the argument that the treatment is included in care, training or support. In the findings of fact, the court found the home's residents receive treatment at the property and off-site. They receive group and individual therapy from licensed professional counselors in the home. Turning to the ordinance, the court finds that the home as currently operated, does not qualify as a Group Home. It based that determination on one legal conclusion

and two finding of fact. First, as a matter of interpretation, the term "Group Home" does not include a facility whose main purpose is to provide treatment to residents. It clearly permits homes in which minors, elderly persons, or handicapped persons includes those of substance abuse recovery receive on-site care, training and support. The ordinance omits the word "treatment," and the omission is not accidental. The second findings of fact, in terms of impact on and compatibility with a residential neighborhood, the County clearly made a distinction between homes where people live, and a residential healthcare facility where people receive treatment. Staff opposed any interpretation that would distinguish between those persons in addiction recovery and any other handicap. It is important to note, if a residential facility for group care does not qualify under the zoning ordinance for a Group Home, it is permitted in the C-2 and C-3 zoning districts as well it will be permitted in any zoning district with legislative approval with a Special Use Permit. The Social Security Administration defines a disability as a condition that prevents you from engaging in any substantial gainful activity, work of nature generally performed for pay or profit whether or not profit is realized, because of a medically-determinable physical or mental impairment that is expected to result in death, or that has lasted or is expected to last or will last for a period of at least 12 months. Interpretation of long term to mean 12 months is reasonable. The staff recommendation is to dismiss requests #1 through #3 due to lack of jurisdiction, and to deny request #4 the appellant's interpretation and uphold the staff's interpretation.

Chairperson Riddell asked if staff's interpretation is published. Mr. Gerard said we do have a published interpretation in the form of a department directive in regard to long term being one year. It is not an explanation it just states the one year duration, and it also states elderly is 55 and over. That is substantive policy statement that is available online.

Mr. Rod Jarvis, the appellant said we are not asking the Board to act on items #1 through #3, item #4 is the basic issue. Substance addiction whether to an illegal drugs or to alcohol is the scourge of this generation. There are already ten percent of Arizona households with alcohol abuse or substance abuse in the home, and it is estimated another 20 percent do not self-report. Nearly one-third of all Arizona households have alcohol abuse or illegal drug abuse in the home. That means every neighborhood has this already. Often the laws are on a basis of fear, and resulting prejudice that somehow or another a drug addiction recovery home will bring in an element into a neighborhood and it makes the neighborhood at risk, and that is patently untrue. Every neighborhood has addiction in it already. What we are doing is providing the cure in a neighborhood. An addiction recovery center would be the safest home in any neighborhood because in that home there is drug testing and if there is any drug use at all that person is escorted out of the neighborhood.

Chairperson Riddell said she thought staff already interpreted addiction is permitted as a handicap. Mr. Jarvis said the Maricopa County Zoning Ordinance carves out people seeking addiction. The ordinance says handicap shall not include the current illegal use of or addiction to a controlled substance. Staff has told you on the record that they are not enforcing that law anymore.

Mr. Jarvis said the discussion of group home and long term is the issue they have with staff. If we didn't have the issue with the interpretation of long term, we wouldn't be in front of you today even if the law is wrong. It is ironic that the law has been wrong for a long time and staff has not been enforcing it for a year, yet there's been no amendment to that.

Chairperson Riddell said the Board cannot amend the ordinance. Mr. Jarvis said they are not asking the Board to amend the ordinance, but as a prior member of the Board of Adjustment it wasn't

common at all for the Board to say it would be nice if it were changed. We couldn't mandate it but it would be nice.

Mr. Jarvis said staff interprets long term as a minimum of one year, and what does that do to drug addiction recovery care. It makes it impossible. An addiction recovery program does not last a year. To require it to last a year would worsen the disability that is protected by the federal law. Disability is an impairment that substantially limits one or more major life activities and addicts seeking recovery are expressly included in that. Currently participating in a rehabilitation program under the law or engaging the illegal use of drugs, the federal law also says there is no right of any government to subject any such disabled person to discrimination. Staff's interpretation that long term means a minimum of one year as applied to this particular disability is illegal decimation. It makes the care, treatment, and support mandated by the zoning ordinance impossible to give. We have randomly surveyed drug addiction recovery care facilities and none of them requires a year's stay. The typical stay is 30 to 90 days because if you keep the addicts seeking recovery in that care home fear of the outside world grows, and vulnerability to relapse also grows. During the 30 to 90 days they receive individual and group therapy, journaling, reading, physical activities, and they support one another. They learn new tools to apply in their job situations and their family situations and relationships, and they can't apply those tools very well inside that facility. There is a critical time after which staying there begins to erode away the very care they've been receiving. That is why we are talking about an illegal discriminatory practice to require these protected disabled individuals to stay there a year.

Member Harris asked what law is wrong. Mr. Jarvis said there's two parts of the law that are wrong, staff doesn't enforce anymore and that is the definition of handicapped. In that section of the zoning ordinance, they carve out addiction recovery and say that's not a disability, they don't enforce it anymore because the federal law trumps that. The law is correct as to Group Home it says long term, and staff's interpretation of long term is illegally discriminatory because it prevents those disabled individuals from getting the care and the support that is promised them in the zoning ordinance. The addict needing recovery needs a specific kind of care and support.

Chairperson Riddell asked is the description long term anywhere in the ordinance or is it solely a staff interpretation. Mr. Jarvis said it is solely an interpretation and they are afraid that if you say 30 days works for addicts seeking recovery, then that is going to apply to every type of residency and every type of disability, and that's not the case. You can interpret it to be 30 days as to this particular type of disability and that's not discriminatory because you are trying to give those persons what they need.

Mr. Jarvis said he had family members in recovery centers and if they were required to stay a year the result may have been different. It is vital that this care be available in a Group Home setting because they are in neighborhoods, and that is exactly why the American Disability Act, and the Fair Housing Act, and the Rehabilitation Act protect this kind of disability. These folks need to be in neighborhoods just like all the other different kinds of disabled people and they are not a danger to the neighborhood.

Chairperson Riddell asked why not do a text amendment yourself to bring this into compliance. Mr. Jarvis said they have an active group home and they are being forced to shut it down. It is disastrous for the patients there and it is also economically disastrous. We need to be able to continue to operate and the Board's interpretation of long term will allow them to do that.

Chairperson Riddell said she gets a little nervous when they are doing something County wide for one specific situation and there may be another remedy available. Mr. Jarvis said they will not allow them to continue while they do a text amendment.

Mr. Anthony Misseldine with Jackson White Attorneys said the directive itself says it is an informal subject to change, and it's not a regulation. What they are really asking aside from the text amendment angle is under the FHA and the disability laws accommodation needs to be considered when you have these circumstances. That is what we are asking an accommodation fits with these circumstances, and these disabled individuals who are not using are still recovering. If we don't do that we're going to have disparate treatment and that gets you into the weeds of the case law that say you cannot do this as Mr. Jarvis suggested. What needs to happen is time to work together and find the accommodation, and to craft the language of the words, and to work with these groups of folks that need this help in a group home.

Ms. Sherry Hatch said she lives immediate south and adjacent to this property. She understands the need for treatment facilities, however this facility has violated code by improving a not for occupancy area in the home. She knows the home well as it was owned by her family, and she knows the layout of the home. They've done this to increase the occupancy in the home. The occupants are generally under 30 years old and they have violated property boundaries and roam around the neighborhood at times. She had to put up surveillance around their property in order to determine if they are a threat to them. The neighbor to the south has woken up at 3 a.m. and found people on their property crossing over. The disabilities don't impede them from violating the neighborhood. We have new families moving in and one family with four children under the age of 15 that are on the north side adjacent to this property, and neighbors with two teenage daughters that live two houses south of them. None of us have been contacted by the owners of this property, and they haven't filed for a variance, and haven't worked with the neighborhood. The neighbors approached them to seek redress and to cease them running down the road at high speeds on their private road. This is private property that has been diced up for egress, and they had to put ditches in the road to slow them down. These people have not been mild mannered addicts just going about getting their treatment.

Mr. Scott Arnold said he owns his own plumbing company and he is in construction. When the house was being renovated all the permitting wasn't correct. He is the one that put the ditches in the road, and he has a car collection and he tries to keep them clean, but when they are flying by they get dirty with all the dust. He has a backhoe and he dug the ditches. The people that are speeding called the Sheriff on him and he pays the taxes and that is his easement. The Sheriff said he can do that as long as they have access to their property. When it rained the ditches got filled in and then he dug them out again. The Sheriff came out again and said they couldn't go fast following an ambulance when there was an overdose at the home. He told the Sheriff that's why he dug the ditches to slow people down. That is his biggest complaint they are speeding up and down the roads, and he believes everyone should get help but he doesn't want it in his backyard.

Mr. Daniel Nicholas said he is one of the owners of the property. They have took the speeding complaints very seriously and they have two to three staff on the property at all times. There are behavioral health technicians and paraprofessionals that are working at all times. There's never been an overdose at the house, they had one person have a seizure. People can assume things when they see ambulances, and Mr. Jarvis said everything else he needed to say.

Mr. Wayne Peck, Maricopa County Attorney said this case is not about this house. With all due respect to Mr. Misseldine and Mr. Jarvis they are asking the Board to throw a blanket over the entire County. We consider Rod Jarvis a friend and his passion for these causes are only cause for admiration, but the for the Board to interpret the ordinance to say that "long term" means 30 days for addiction recovery would create a violation for the County of the Fair Housing Act. It would be saying that it is not 30 days for all other handicaps which would be discriminatory. On the question of accommodation when you read the cases, accommodations are things like the only way to access my home are the way of a ramp, and the only place to put the ramp is the front door but if I do that I will encroach upon the setback and that would be a reason to provide an accommodation. It does not require the overhaul of an ordinance. You have to decide if the term 30 days is long term. A Group Home that meets the requirements which are the right classification of persons minor, elderly or handicap who are living as a single housekeeping unit in a family-like environment where staff provides care, training and support in a long term situation has the absolute right to locate in a rural or residential zoning district. That's the only question, it doesn't mean if you don't meet those you cannot locate in a residential district, and it just means you can't do it as of right. You can go and get a Special Use Permit. In the case he referred to is now before the court of appeals, that home did come in and sought an SUP and it was inappropriate in a single-family residential zone. There are other cases where facilities that were similar came in for an SUP and received it because it was appropriate in a single-family residential district. What the Board is being asked to do sounds like they dropped the argument about treatment. If you want to run what otherwise would be a Group Home if the residents only stay for 30 days, is that something that the ordinance contemplated could be done as of right in a single-family zoning district. In the staff report, the staff gave you planning reasons why that would be inconsistent with the precepts of good planning. With all due respect, you don't get to interpret how the law applies to the ordinance, you get to determine what do the words that the Board of Supervisors put in the ordinance mean.

Chairperson Riddell asked if they wanted to seek a Special Use Permit to provide for this use that is available to them. Mr. Peck said one of the agreements that they reached in lieu of having an administrative hearing was they could operate for 90 days and in that period they could come both for the interpretation and begin the process for a text amendment. Staff is welcoming a text amendment but it's never been forthcoming.

Chairperson Riddell asked what staffs position is if they were to turn around and file a text amendment or an SUP and is the use permitted to continue or does it have to cease. Mr. Peck said under the order that was entered from hearing officer it had to cease after 90 days because it took some time to get scheduled here. Staff agreed to extend that until the Board rendered their decision. Staff is never supportive of continuing the violation of a zoning ordinance because we don't know what the text amendment might look like and have never seen it. We have been working on this for quite some time and staff is supportive of coming up with a proposed text amendment to allow a sober living facility. When you do the research what they should look like it is all over the map. That's why we were hoping with their expertise they would give the framework and we would go from there.

Chairperson Riddell asked why not go get a Special Use Permit. Mr. Jarvis said it is clear from the neighborhood opposition that it will be very difficult politically. One thing Mr. Peck did not say as to appropriateness, decisions are made at the Board of Supervisors and not just based upon what is from a planning approach but also political issues bare sway in that setting. We have tried to initiate a text amendment and have not submitted anything. We were told to hold off on that and that wasn't by staff but higher up. We are very interested in proceeding with a text

amendment but we cannot afford the interruption and neither can the patients, and we are quite sure federal law mandates this. The Fair Housing Act will not be violated at all by accommodating a particular time period for this particular kind of disability. We do not have to have a 30 day period apply to every kind of disability or every kind of residential situation for long term. It can be on the basis of the particular needs of the disability under the Fair Housing Act.

Member Harris said he would like to know what this means County wide. Mr. Gerard said the interpretation of the ordinance is County wide and it is not site specific that's why we didn't go into great detail about the violation of the case. We disagree that we can carve out specific disabilities and treat them differently. We believe that the Group Home as a land use is subject to certain standards and conditions, and those are that the residents are in the universe of handicapped/disabled or elderly or minors, and they are limited to 10. They live together in a single family-like setting and we have a separate interpretation of what a single family-like setting means which have been upheld by the courts to date, and that it be long term. We are saying long term is a year, and we are treating it across the board. A reasonable accommodation means a physical accommodation to a property that would vary from the development standards applicable to that property zoning district. It is not a change in use as a reasonable accommodation, it is a development standard so the permitted use can be accommodated because of an individual's condition.

Chairperson Riddell said Mr. Jarvis makes a very good point that you are not going to have a treatment program for a year, and it is also clear that the language in the zoning ordinance hasn't been updated since the Fair Housing Act has been in place. It is certainly due to be updated, whether it is staff generated or if they provide the information they can. She is troubled since this has a clear impact on neighbors, and on a particular use as an end-around the Board of Supervisors. There is a legislative process to get a Special Use Permit, and she is not comfortable approving that.

Mr. Jarvis said his suggestion is to continue this case and not to decide it today, and continue it for eight months. That gives us time to go through a text amendment, and part of that continuance you need to instruct staff and the hearing officer that we can continue to operate. Then at the end of eight months if we haven't been able to get the text amendment done, we're done. Chairperson Riddell said we do not have the jurisdiction to do the later. She always likes to find a compromise that works but does not feel eight months is fair to the neighbors so you'll have to find something else.

Chairperson Riddell asked how long it is for a Special Use Permit, three or four months. Mr. Gerard said staff has concerns with any continuance to allow a text amendment. There is a use without entitlement, but importantly this is site specific, and the violation also includes unpermitted construction where people are residing. The only code enforcement review that the Board has authority is for procedural errors. This case has not actually gone to hearing, there was a memorialized stipulation and the hearing officer needs to revisit that and give direction and make an order.

Member Harris said eight months is way too long. Chairperson Riddell said this only works if they work something out with the neighbors, if not they will be here fighting the text amendment and fighting the SUP. Any solution has to help address the concerns with the neighbors. There are federal rules that govern this and you have to find the balance in between and that's what we're trying to help do.

Mr. Peck said this case is not about this piece of property, this case is if the word "long term" means 30 days, and eight months from now that still will be the only question in this case.

Member Cardon said he appreciates the cause Mr. Jarvis is fighting for but he shares the exact same concerns expressed by Chairperson Riddell.

Chairperson Riddell said if they turned around and filed a Special Use Permit would the use still be able to continue during that time. Mr. Peck said he would insist to go back to the hearing officer and let the hearing officer decide. This would have to be a short window and the neighbors have been living with this for over a year. The reason he agreed to allow to continue for the 90 days was to allow all those people who were living in the house receiving treatment to complete their program. Originally we suggested 60 days and we were told some of them may need 90 days, and we agreed to that. He was surprised that staff let it go beyond that. The idea was to let the people in the home not be injured in any way thereafter, and not start any new programs.

Member Harris said he likes what they are trying to do and believes there needs to be some type of compromise, and we take great value with the applicants speaking with the residents.

Chairperson Riddell said Mr. Peck is right we have a fairly narrow task in front of us and it still is an end-around the Board of Supervisors with a process that is available to them that would force them to work with the neighbors.

BOARD ACTION: Member Cardon motioned to dismiss BA2018045 Request #1 - #3 for lack of jurisdiction, and Request #4 denied the appellant's interpretation and to uphold staff interpretation. Chairman Harris second. 3-0-1 (Loper).

Member Loper returned to the hearing, and Chairperson Riddell left the hearing at 11:32 a.m. and Member Harris is Chairman.

BA2018048	Whyte Property (Cont. from 8/16)	District 3
Applicant:	John & Elaine Whyte	
Location:	9 E. Tanya Rd. – Tanya Rd. & Central Ave., in the Phoenix area	
Zoning:	Rural-43	
Request:	Variance to permit:	
	1) Proposed street-side setback of 45'-11" where 60' is the minimum permitted	

Mr. Smith presented BA2018048 and noted there was a single opposition letter from the Desert Hills Association. The property is encumbered on three boundaries, the east, west and south. Staff believes the request meets the statutory test for the variance approval.

John Whyte said we are trying to add a room to the house and we have violated the setback from the easement on the property. It is the only place on the property to actually add this room. The room will be six feet away from the easement so it isn't like its encroaching on the easement of Central Avenue. The fact that we have a 20 foot setback from the easement is the issue we have here.

Member Loper said he doesn't have any issues with this variance. The peculiar condition is the virtue of the way the lot is laid out, it's a very shallow and wide lot and has three road frontages. With the letter from the Desert Hills Association, he doesn't see how this little addition affects life, safety or future growth for that area in general, and he is in support of it.

BOARD ACTION: Member Cardon motioned to approve BA2018048 with conditions 'a'-'c'. Member Loper second. Approved 3-0.

- a) General compliance with the site plan stamped received August 8, 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.

BA2018054	Teater Property	District 1
Applicant/Owner:	Richard Teater	
Location:	10158 E. Diamond Dr. – northwest of Alma School Rd. & Riggs Rd. in the Sun Lakes area	
Zoning:	R1-6 RUPD	
Requests:	Variance to permit: <ul style="list-style-type: none">1) Proposed rear yard setback of 7'-6" where a 10' rear yard setback is the minimum permitted with a proposed 3'-6" overhang where a 2' overhang is allowed within any required yard	

Ms. Sarnowski presented BA2018054 and noted there's no known opposition or no violations. The applicant submitted letters of support from the adjacent neighbors. The rear yard abuts the golf course and all the properties abutting this golf course are open and there's no fences separating the adjacent houses or back yards. The site has landscaping and a pony wall for a rear fence separating the property from the open space of the golf course. The rear of the property faces west causing an excess amount of heat, and it is further intensified by the secondary reflection of sunlight off of the golf course lake directly behind the property. There is also no shade trees on this property. Staff discussed other options with the applicant to detach the structure from the residence, and the applicant is concerned that detaching the structure would require four additional columns in the current patio and introduce potential rainwater intrusion. Paragraphs 18 and 19 in the staff report details the requirements for the Board to determine a motion. Member Loper asked if Sun Lakes has a master board and if they have offered any comment. Ms. Sarnowski said yes, they are in support of this as long as the County is okay with it.

Mr. Dick Teater said he is the property owner and applicant. They have looked at several alternatives but none of them are going to do the job without impacting the patio or the quality of the property when it's finally completed. This is the best solution for the problem. The other solutions are an impact verses complimenting the property as well as solving the problem of the sunlight and the reflection. He shared the plan with the architectural committee and they have no problem if the County approves the setback variance. He explained this to the neighbors and they have no opposition.

BOARD ACTION: Member Cardon motioned to approve BA2018054 with conditions 'a'-'c'. Member Loper second. Approved 3-0.

- a) General compliance with the site plan stamped received August 1, 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.

BA2018056	Heath Property	District 2
Applicant/Owner:	Daniel Heath	
Location:	34105 N. 139 th Way – 140 th St. & Olsen Rd. in the Rio Verde area	
Zoning:	Rural-43	
Requests:	Variance to permit: <ul style="list-style-type: none">1) Proposed front setback of 21'-4" where 40' is the minimum permitted and;2) Proposed street side setback of 10' where 40' is the minimum permitted	

Ms. Sarnowski presented BA2018056 and noted there is a 20 foot easement on the western portion of the property for the public utility and private roadway. The zoning ordinance views this roadway as a street side setback making the site a corner lot and requiring a 20 foot setback for all structures including the accessory buildings. The applicant proposes a 21 foot, four inch front yard setback where 40 is the minimum for an as-built detached barn that was constructed by a previous owner, and a 10 feet setback for an as-built detached guest house where a minimum of 20 feet is required. The guest house appears to have been permitted as a detached garage by a previous owner. As shown in the historical aerials in the staff report, the existing shade structure was not part of the original permit, however the garage was approved at a zero foot setback. The covered entry encroaches into the 20 foot street side setback by 10 feet. The barn was also constructed by a previous owner around 2007 and it encroaches into the front yard setback by 18 feet, 8 inches. The applicant is looking to abandon the roadway easement, however four other property owners would be affected and would take additional time to coordinate with the property owners. The current owner is trying to bring the property into compliance from the previous owner's construction without permits. Paragraphs 21 and 22 in the staff report details the requirements for the Board to determine a motion for this case.

Member Cardon said he is not seeing where the 10 foot setback is needed on the west side, and asked what building that relates to. Ms. Sarnowski said the casita, the building in the middle. The request is as-is at 10 feet and its 40 feet because of the street because it's a 20 foot easement and it's an additional 20 feet from the easement.

Member Cardon said so they're within the easement. Ms. Sarnowski said no not within the easement, within the setback of the easement.

Mr. Gerard said for clarification, the 20 foot setback is measured 20 foot into the property because of the easement. This is a request for a setback 10 feet from that street line or easement line. They are not in the easement, they are 30 feet from the property line.

Member Loper asked there's not a zoning violation, so the current property owner submitted for as-builts and that's how this came about. Ms. Sarnowski said that's correct, he is trying to bring the property into compliance. He purchased the property as a foreclosure and it was never mentioned when he purchased the property.

Mr. Dan Heath the property owner said he wants to sell the property and found out there were some issues with the building permits for the guest house and the horse barn, and he was told to do an as-built plan. He wants to work his way through this to clear it all up because he cannot sell it and represent it to anyone. This will cover everything on the entire property and it goes forward with the new owners. When he bought the property he called the Planning Department and asked if there were any outstanding permits on the property, and they answered him correctly and said no it didn't look like it because there wasn't. What he didn't do was ask them to pull this property up on the satellite and make sure everything on the property was permitted. The reason for the variances is he doesn't want to cut half of the horse barn off and the front of the guest house. He has letters from the two closest neighbors saying they support the variances. The guest house has been there for 20 years and the horse barn for 15 years and no one has ever complained. He has fixed the property up and the neighbors love him. He hopes the Board will grant him the variances.

Member Loper said this is a prime example of no good deed goes unpunished, and he supports the variance request.

BOARD ACTION: Member Loper motioned to approve BA2018056 with conditions 'a'-'c'. Member Cardon second. Approved 3-0.

- a) General compliance with the site plan stamped received August 21, 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.

BA2018057	Cisneros Property	District 3
Applicant/Owner:	Patricia Cisneros	
Location:	34319 N. 7 th Street – 7 th Street & Carefree Highway, in the Desert Hills area	
Zoning:	Rural-43	
Request:	Variance to permit: <ul style="list-style-type: none">1) Proposed lot width of 140 feet where 145 feet is the minimum permitted	

Mr. Bak presented BA2018057 and noted the request fails to meet the statutory tests for a variance.

Ms. Melissa Nathey said she is speaking in behalf of her mom. When her mom bought the property it was split back in 1999, and there was a mistake and it was split wrong. When it was signed into her mom's name last year she had plans to sell it. They are now under contract, but she is not able to sell it because they can't build a home on it. If she has no way to build a home on it, it is a financial hardship because she wouldn't be able to do anything to the land and she would

continue to pay taxes on it. She needs the money for retirement and if she can't sell this land it will be a huge hardship for her.

Member Loper said clearly the current owner did not create this situation and he supports the variance.

BOARD ACTION: Member Cardon motioned to approve BA2018057 with conditions 'a'-'b'. Member Loper second. Approved 3-0.

- a) General compliance with the site plan stamped received August 9, 2018.
- b) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements, Drainage Regulations, and Building Safety codes.

TU2018018	Kauffman Property	District 4
Owner:	Fran Kauffman	
Location:	10743 W. Santa Fe Dr. in the Sun City area	
Zoning:	R-3 Senior Citizen Overlay	
Request:	Temporary Use Permit (TUP) for temporary occupancy by an underage person in a Senior Citizen Overlay Zoning District	

Mr. Scheerer presented TU2018018 and noted the request for the Temporary Use Permit is for one year. The property owner's grandson has severe disabilities and needs to live in a location familiar to him and with family members. Staff is recommending approval.

Member Loper asked if they are only needing one year. Mr. Scheerer said correct, the resident will turn 19 and will be permitted to reside there.

Chairman Harris asked if the applicant was here. The applicant was not present. Ms. Pat Wiesner said she is a homeowner and on the board in Sun City, and asked if staff verified his age since she's been told a couple of different things. Mr. Scheerer said we are going by what the applicant provided that he is 18 and he will turn 19 next July.

Ms. Wiesner said some of their residents are very concerned about this young man and knows he has a disability and believes it is autism. The population is ages 70 and 80's. He can be a little intimidating if he means to or not, but he is scaring some of the residents. She has seven e-mails and letters from residents, and some wanted to come down but they are wheelchair bound. This area is not kid friendly and he is around old people and she is not sure if it is a healthy environment for him either. She likes how the Board tries to find solutions, and maybe to do a home health evaluation to make sure the residents feel safe. They are not trying to be difficult or mean spirited, but it is causing issues with their community. There's noise issues and a lot of traffic with a school van and a caregiver or two. We want to be fair, but a lot of these people moved into Sun City for a specific reason and she wants to make sure they are fair to them. Her job is to protect the homeowners and they are a vulnerable population.

Member Loper asked what age range she heard he may be. Ms. Wiesner said she heard anything from 16 to 18, but she wants to see something validating his age is accurate. Usually they will come to the board to let us know someone is living there and what the issues are. The board can do some things to accommodate that, but they didn't come to the board and he's been living there since January.

Chairman Harris asked what the age restrictions are. Ms. Wiesner said 55 and older.

Chairman Harris asked if they make exceptions for disabled children. Ms. Wiesner said the Board can do that.

Member Loper asked is it one of the owners that has to be 55 and the youngest resident can be 19. Ms. Wiesner said correct.

Mr. Gerard said in regards to the zoning, with the Senior Citizen Overlay you have to have one resident 55, and a permanent resident has to be 18, and you can have a Temporary Use Permit up to two years. There are other options if you're a spouse and widowed and you're given a certain amount of time to become 55. For any zoning district that has a Senior Citizen Overlay, eighty percent of the units have to be compliant in order to maintain the HUD qualifications to maintain the Senior Citizen Overlay.

Chairman Harris said he understands the concerns but the Board cannot speak to the safety issues.

Member Loper said he is appreciative of the concerns and there may other ways to address it. He does have questions about the timeframe and the applicant would need to verify it. If we disapprove this, in a year he could be there anyway. He is inclined to approve this but would look at continuing this to get some additional information from the applicant.

Member Cardon said that is his biggest concern the applicant isn't here, and it would be easier to identify the child's age. In a year he could be there anyway, but he is in favor to continuing this to allow the applicant to be here especially when there are concerns being raised.

Chairman Harris said they moved there for a reason, and agrees something this important to find out why the applicant is not here.

Member Cardon said if the applicant doesn't come to the next hearing his inclination is to vote against, because it is incumbent that they communicate with someone.

BOARD ACTION: Member Loper motioned to continue TU2018018 to October 18, 2018. Member Cardon second. Continued 3-0.

TU2018025	Holbrook Property	District 2
Owner:	H and H Business Development LLC	
Location:	13737 E. Montgomery Rd. – in the Rio Verde area	
Zoning:	Rural-43	
Request:	Temporary Use Permit (TUP) for an RV for living quarters while primary residence is being built	

Mr. Banker presented TU2018025 and noted staff received three opposition documents including the adjacent owners to the east and west of the site. The concerns there was a previous violation case now closed, the generator is causing fumes and noise, and photos from the neighbor's shows debris on the site. Staff was notified by another neighbor the debris has been removed. Staff understands the concerns given the violation history, but staff believes the proposed temporary residence should be allowed since there's an issued permit for the primary residence to be built. The applicant has requested only five months, so they are looking to be diligent with

the construction. Staff recommends approval with conditions 'a'-'i' as presented in the staff report.

Member Loper asked since they pulled the permit do we know if they started construction, and have they called for any inspections. Mr. Banker said he doesn't believe so and the permit was issued in the late June.

Member Loper said this should be allowed because when you are building a house you need a place to stay while it's being constructed.

Member Cardon said he wonders why the applicant isn't here. Mr. Banker said the applicant did mention he might need to continue because of a flight but then confirmed he would be here.

Chairman Harris said he is the longest board member to date, and we always wanted to make sure the applicant was here and we really like to hear from them. Mr. Gerard said the bylaws say if someone is absent and if there is a thought of denying the case, it would be voted for a continuance for the initial hearing.

Member Cardon said he isn't inclined to deny it, but when you have opposition it is worthwhile to have the opposition here and address it.

Member Loper asked what the opposition was about. Mr. Banker said the violation history, and having the RV on site without it being entitled, running a generator, trash and debris. They felt it was lack of care to the neighborhood.

Mr. Gerard said they may not be in such a hurry because according to one of the complainants they are already out there living in the RV.

Member Cardon said as easy as this one is to approve, but to possibly deny it if they're not going to come and address it.

**BOARD ACTION: Member Cardon motioned to continue TU2018025 to October 18, 2018.
Member Loper second. Continued 3-0.**

Adjournment:

Chairman Harris adjourned the meeting of September 13, 2018 at 12:20 p.m.

Prepared by Rosalie Pinney
Recording Secretary
September 13, 2018