

MINUTES
ORO VALLEY BOARD OF ADJUSTMENT
REGULAR SESSION
April 26, 2011
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE

CALL TO ORDER AT OR AFTER 3:00 PM

Chairman Zinkin called the meeting to order at 3:00 p.m.

ROLL CALL

PRESENT: Mike Zinkin, Chairman
Jeremy Christopher, Vice Chair
Jimmy Fields, Member
Paul Parisi, Member

EXCUSED: Sandra Hoy-Johnson, Member

AT THE CALL OF THE CHAIR, THE AGENDA ITEMS MAY BE TAKEN IN ANY ORDER, AS DEEMED APPROPRIATE.

1. **Approval of the December 21, 2010 minutes.**

MOTION: A motion was made by Member Fields and seconded by Member Parisi to approve the December 21, 2010, BOA minutes.

MOTION carried, 3-0.

Vice Chair Christopher abstained due to not being present at the December 21, 2010, meeting.

2. **PUBLIC HEARING:**

Hudman Homes: Rear Setback Variance in order to provide for the construction of two porches and bay window for property located at 123 E. Cholla Shadow Drive, Oro Valley, AZ 85704. Variance requested from the required fifty foot rear yard setback, Oro Valley Zoning Code Revised, Section 23.4, R1-144 Single-Family District. Property Owner: Hector Family Trust. Parcel # 225-16-0760. OV1011-01. For questions and additional information, please contact Karen Berchtold, Senior Planner, at (520) 229-4814 or kberchtold@orovalleyaz.gov

Chairman Zinkin swore in the applicant, non resident, Roger Hudman, representing Hudman Homes. Mr. Hudman voiced the following concerns:

- Zoning for R1-144 in place since Pima County zoning.
- Zoning allows for the porches to protrude but does not allow the 3 ft. extension of the bay window.
- Resident does not abut any R-1 district.
- Request is for living convenience to accommodate the family growth.

Karen Berchtold, OV Senior Planner, presented the following:

- Location Map
- Zoning Map
- History
- Aerial Map
- Property Detail
- Variance Request
- Site Photos
- Staff Analysis
- BOA Findings

Discussion noted the following:

- Parcel was inherited from Pima County as part of the annexation
- Parcel is a legal non-conforming property development
- Town staff is investigating and researching to determine if a rezoning needs to be initiated
- Townhomes in subdivision have additions
- No visual impact due to the higher wall.

Public Hearing opened and closed with no comments.

MOTION: A motion was made by Vice Chair Christopher and seconded by Member Parisi to approve the variance for Hudman Homes rear setback variance.

Vice Chair Christopher elaborated as to why the request should be approved as follows:

- Special circumstances were created by Pima County and are not the fault of the applicant.
- Authorizing of the variance is necessary for the preservation of substantial property rights.
- There are no special privileges; it appears that other properties within the development have added on to their structures and are not materially detrimental to neighbors in the area.

Member Parisi concurred.

MOTION carried, 4-0.

Vice Chair Christopher thanked the applicant for his patience due to the cancellation of last month's BOA meeting.

3. [Staff Update.](#)

Chad Daines, OV Principal Planner, introduced himself to the Board and gave the following update:

- Design Standards
- Updated Sign Code was effective April 15, 2011
- Interviews being held for the Conceptual Design Review Board
- Community Academy Classes

[ADJOURNMENT](#)

MOTION: A motion was made by Member Fields and seconded by Vice Chair Christopher to adjourn the BOA meeting at 3:30 p.m.

MOTION carried, 4-0.

Prepared by,

Suzanne Molinar
Recording Secretary