

**MINUTES
ORO VALLEY BOARD OF ADJUSTMENT
REGULAR SESSION
February 28, 2012
ORO VALLEY COUNCIL CHAMBERS
11000 N. LA CAÑADA DRIVE**

CALL TO ORDER AT OR AFTER 3:00 PM

Chair Adler called the meeting to order at 3:01 p.m.

ROLL CALL

PRESENT: William Adler, Chair
Jeremy Christopher, Vice Chair
Helen Dankwerth, Member
Mike Zinkin, Member

EXCUSED: John Bohl, Member

ORDER OF BUSINESS

REGULAR AGENDA:

1. **Approval of the December 20, 2011 and January 24, 2012 minutes**

MOTION: A motion was made by Member Zinkin and seconded by Vice Chair Christopher to approve the December 20, 2011 minutes.

MOTION carried, 4-0.

MOTION: A motion was made by Member Dankwerth and seconded by Chair Adler to approve the January 24, 2012 minutes, as amended.

MOTION carried, 4-0.

2. **Election of Board of Adjustment Officers**

MOTION: A motion was made by Member Dankwerth and seconded by Member Zinkin to nominate William Adler as Chair of the Board of Adjustment.

MOTION carried, 4-0.

MOTION: A motion was made by Member Zinkin and seconded by Member Dankwerth to nominate Jeremy Christopher as Vice Chair of the Board of Adjustment.

MOTION carried, 4-0.

3. [Public Hearing: Request for a variance for property located at 420 E. Natasha Court in Catalina Ridge development](#)

Rob Longaker, applicant, representing the WLB Group reviewed the following:

- Site, Aerial and Topography Maps
- Architectural Character
- Specifics on Lot 25
- Five findings and photographs

Larry Appel, Long Realty realtor, commented on the characteristics and history in regard to the Catalina Ridge development.

Sanjay Madhvani, builder for Sombra Homes, responded to the Board's concerns in regard to the safety railing, home size, footprint relocation, and wall placement.

Karen Berchtold, Senior Planner, presented the following:

- Variance Request
- Location, Aerial and Zoning Map
- Topography
- Drainage
- Site Photos
- Applicant Justification and Staff Assessment

Chair Adler opened and closed the public hearing, there being no speakers.

MOTION: A motion was made by Vice Chair Christopher and seconded by Chair Adler to approve OV1012-01 variance request to allow the home on Lot 25 in the Rivers Edge/Canada del Oro Estates to encroach ten feet into the forty foot rear setback.

MOTION failed, 2-2 with Member Dankwerth and Member Zinkin opposed.

Joe Andrews, Chief Civil Deputy Attorney, addressed the Board's questions in regard to conflicts of interest.

MOTION: A motion was made by Chair Adler and seconded by Member Zinkin to continue OV1012-01 variance request to the March 27, 2012, BOA meeting to allow Member Bohl to vote.

MOTION carried, 4-0.

4. [Public Hearing: Request for a variance for property located at 422 E. Natalia Place in Catalina Ridge development](#)

Mr. Longaker reviewed the following:

- Site, Aerial and Topography Maps
- Architectural Character
- Specifics on Lot 30
- Five findings and photographs

Ms. Berchtold presented the following:

- Variance Request
- Location and Aerial Map
- Topography
- Drainage
- Site Photos
- Applicant Justification and Staff Assessment

There being no speakers, Chair Adler opened and closed the public hearing.

MOTION: A motion was made by Member Zinkin and seconded by Chair Adler to deny OV1012-02 variance request to allow the home on Lot 30 in the Rivers Edge/Canada del Oro Estates to encroach ten feet into the forty foot rear setback finding that special circumstances have not been met.

MOTION failed, 2-2 with Vice Chair Christopher and Member Dankwerth opposed.

MOTION: A motion was made by Member Zinkin and seconded by Vice Chair Christopher to continue OV1012-02 variance request to the March 27, 2012, BOA meeting to allow Member Bohl to vote.

MOTION carried, 4-0.

Mr. Andrews said he would go through an in-depth analysis with Member Bohl in regards to his recusal.

5. [Planning Division Manager Update](#)

David Williams, Planning Division Manager, gave an update on the following:

- Code changes to A-frame signs

- Resurrection Lutheran Church
- Tier 2 minor wireless communication facility requests
- Fry's gas station
- Community Outreach Forum

Mr. Williams said "Future Agenda Items" would be added to future BOA agendas and the BOA March agenda would include the following:

- Rules & procedures
- Format & content of BOA minutes

ADJOURNMENT

MOTION: A motion was made by Member Dankwerth and seconded by Member Zinkin to adjourn the meeting at 4:40 p.m.

MOTION carried, 4-0.

Prepared by:

Suzanne Molinar
Recording Secretary

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular session of the Town of Oro Valley Board of Adjustment of Oro Valley, Arizona held on the 28th day of February, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 28th day of March, 2012.