

**MINUTES  
ORO VALLEY BOARD OF ADJUSTMENT  
Special Session  
May 21, 2019  
ORO VALLEY COUNCIL CHAMBERS  
11000 N. LA CAÑADA DRIVE**

**SPECIAL SESSION AT OR AFTER 3:00 PM**

**CALL TO ORDER**

Chair Dankwerth called the meeting to order at 3:00 p.m.

**ROLL CALL**

**PRESENT:**  
Helen Dankwerth, Chair  
Stephen Roach, Vice Chair  
David Perkins, Member  
Michael Schoeppach, Member  
Octavio Barcelo, Member

**ALSO PRESENT:**  
Chief Civil Deputy Attorney Joe Andrews  
Principal Planner Michael Spaeth

**PLEDGE OF ALLEGIANCE**

Chair Dankwerth led the audience and Board in the Pledge of Allegiance.

**CALL TO AUDIENCE**

There were no speaker requests.

**COUNCIL LIAISON COMMENTS**

No council liaison was present.

**SPECIAL SESSION AGENDA**

**1. REVIEW AND APPROVAL OF THE FEBRUARY 26, 2019 REGULAR SESSION  
MEETING MINUTES**

**MOTION:** A motion was made by Member Barcelo and seconded by Vice Chair Roach to continue this item as the draft minutes were not included in the meeting packets mailed out to the Board.

**MOTION** carried, 5-0.

**2. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING A VARIANCE REQUEST TO REDUCE THE FRONT YARD SETBACK ON A PROPERTY LOCATED AT 2016 W. GLOWING GRANITE PLACE IN STONE CANYON III (CASE NO. 1900660)**

Senior Planner Milini Simms provided a presentation that included the following:

- Purpose
- Location
- Applicant's Request
- Five Criteria
- Summary

Owners/Applicants Kevin Gibbons and Kelsi Currier provided a presentation that included the following:

- Key points for consideration
- Will match existing design of home
- Map of area

Discussion ensued among the Board, staff and applicants.

**MOTION:** A motion was made by Member Schoeppach and seconded by Chair Dankwerth to deny a reduction to the front yard setback requirement to allow construction of a garage at 2016 W. Glowing Granite Place, based on the finding that all five criteria have not been met.

Member Schoeppach and Chair Dankwerth spoke on their reasons for denying the variance.

Member Scheoppach stated the Board does not have the ability to violate the code established by Town Council because the statute is very clear. The Board has an obligation that all five of the criteria must be met. He is uncomfortable about the design of the cul-de-sac as that is a factor that makes him hesitant, but the cul-de-sac is there and the setback is in the code, and cannot justify that the five criteria have been met.

Chair Dankwerth stated she agrees that it is an uncomfortable decision, but the Board is not there to make the easy decisions. The Board must, by law, adhere to the five requirements; there is no other choice or any leeway.

**MOTION** carried, 3-2 with Member Perkins and Member Barcelo opposed.

**3. PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING A VARIANCE REQUEST TO REDUCE THE SIDE YARD SETBACK FOR A**

**PROPOSED ADDITION ONTO THE EXISTING HOUSE AT 905 W VALLE DEL ORO ROAD (CASE NO.1900882)**

Senior Planning Technician Patty Hayes provides a presentation that included the following:

- Purpose
- Location
- Applicant's Request
- Five Criteria
- Lot Characteristics
- Summary

Owners/Applicants Richard and Randy Druitt, provided a presentation that included the following:

- Long term goal was to build guest home on lot
- History and problems with lot
- Topography and challenges
- Various pictures of the lot
- Variance request reasons

Chair Dankwerth opened the public hearing.

The following individuals spoke in support of Agenda Item 3:

Oro Valley resident Dean Garrett  
Oro Valley resident Evelyn Sevilla

The public hearing was closed.

Discussion ensued among the Board, staff and applicants.

**MOTION:** A motion was made by Vice Chair Roach and seconded by Member Perkins to deny case 1900882, a variance to reduce the rear yard setback from 15 feet to 10 feet based on the finding that the five criteria have not been met.

**MOTION** carried, 4-1 with Member Barcelo opposed.

**ADJOURNMENT**

Chair Dankwerth adjourned the meeting at 4:02 p.m.

Prepared by:

Jeanna Ancona

Senior Office Specialist

I hereby certify that the foregoing minutes are a true and correct copy of the special session Board of Adjustment meeting of Oro Valley, Arizona held on the 21st day of May, 2019. I further certify that the meeting was duly called and held and that a quorum was present.