

MINUTES

**CITY OF GLENDALE
BOARD OF ADJUSTMENT**

**CITY HALL
CONFERENCE ROOM 2-A
5850 WEST GLENDALE AVENUE
GLENDALE, ARIZONA 85301**

**THURSDAY, OCTOBER 14, 2010
6:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at approximately 6:00 p.m.

II. ROLL CALL

Board Members Present: Chairperson DeLossa, (Barrel), Vice Chair Bert Schwind, (Yucca), Ryan Mander, (Cactus), Jeff Blake (Mayoral)

Board Members Absent: Jim Ligon (Ocotillo), Cathy Cheshire (Cholla), and Douglas Berg (Sahuaro)

City Staff: Bill Luttrell, Senior Planner, Remigio Cordero, Planner, Paul Li, Assistant City Attorney, Diana Figueroa, Recording Secretary

III. APPROVAL OF MINUTES:

Chairperson DeLossa called for a **MOTION** regarding the Minutes from the Regular Meeting of August 12, 2010. Board member Mander made a **MOTION** to **APPROVE** the minutes. Board member Schwind **SECONDED** the **MOTION**, and the minutes were approved as written.

IV. WITHDRAWALS AND CONTINUANCES

Chairperson DeLossa asked staff if there were any requests for Withdrawals or Continuances. There were none.

V. PUBLIC HEARING ITEMS:

Chairperson DeLossa called for the Public Hearing items.

1. VAR10-03

Remigio Cordero, Planner, presented a variance request by Joseph Mundattuchundayil to increase lot coverage to 13% where 10% is permitted in the A-1 (Agricultural) district. The site is located east of the northeast corner of 67th and Pershing avenues (6626 West Pershing Avenue).

Mr. Cordero stated this is a request to increase lot coverage to 13% where 10% is permitted. He said the applicant, Mr. Mundattuchundayil, is requesting a variance to increase the lot coverage to expand the existing playhouse located in the rear of the property. He said this proposed expansion will be 750 square feet in size and

will match the architecture of the existing playhouse. This expansion was started without obtaining city approval and permits by the applicant. Mr. Cordero said the applicant has not continued construction of the structure since being cited by the Code Compliance Department. The playhouse structure meets the other zoning ordinance requirements for accessory structures in the A-1 zoning district.

Mr. Cordero included by stating the request appears to meet all four findings and should be approved with the stipulations in the staff report.

Chair DeLossa called for questions from the Board. As there were none, he called for the applicant to come forward to make a presentation.

Mr. Joseph Mundattuchundayil introduced himself and stated he appreciates the Board's time. He said the playhouse is needed for their children as they are home schooled. He was open for questions.

Board member Blake verified if this addition would be used only for home schooling. The applicant said yes.

Chair DeLossa opened the public hearing.

Mr. Robert and Joyce Diderrich, 6637 West Pershing Avenue, Glendale, questioned why construction had been stopped. Mr. Cordero explained the applicant needed a variance. Mr. Diderrich, stated he was in support of this request.

Ms. Joyce Brown, 6534 West Pershing Avenue, Glendale, stated she was in support of the Mundattuchundayil family and their request.

Ms. Diana Housel, 6545 West Pershing Avenue, stated she is also in support of this request and added it appears to be a nice project.

Chair DeLossa closed the public hearing.

Chair DeLossa called for any other questions or discussions from the Board. The Board had no questions; therefore, he asked Mr. Paul Li, Assistant City Attorney, to proceed with the findings.

Based on the facts and evidence presented, Mr. Li requested a voice vote from the Board. He read each finding and waited as the Board responded.

Finding One. Chair DeLossa called for a voice vote on Finding One. The Board responded with a 4 – 0 vote of "Aye".

Finding Two. Chair DeLossa called for a voice vote on Finding Two. The Board responded with a 3 – 1 vote with Board member Schwind voting "Nay".

Finding Three. Chair DeLossa called for a voice vote on Finding Three. The Board responded with a 3 – 1 vote with Board member Schwind voting “Nay”.

Finding Four. Chair DeLossa called for a voice vote on Finding Four. The Board responded with a 4 – 0 vote of “Aye”.

Mr. Li asked that if based upon these findings, does the Board wish to grant a variance on VAR10-03 subject to the stipulations as set forth by the Planning Department.

Chair DeLossa polled the Board. They responded with a 4 – 0 vote of “Aye”. Case No. VAR10-03 was APPROVED 4 to 0.

2. **VAR10-04:** A variance request by Yesco Sign Company to increase the height of a monument sign to 10 feet where five feet is permitted and to increase the number of panels to eight where three are permitted in the C-O (Commercial Office) district. The site is located east of the northeast corner of 51st Avenue and Sunnyside Drive (11851 North 51st Avenue). Staff Contact: Remigio Cordero, Planner (Barrel District).

Mr. Cordero stated this is a request to increase the monument sign height to 10 feet where 5 feet is permitted and to increase the number of panels to eight where three are permitted in the Brookside Office Park, located at 11851 North 51st Avenue. Mr. Cordero stated the applicant is requesting variances to increase the height of the monument sign by five feet and increase the number of panels within that monument sign from three panels to eight panels to bring greater visibility to the business signage within the office complex.

Mr. Cordero included by stating the request appears to meet all four findings and should be approved with the stipulations in the staff report.

Chair DeLossa called for questions from the Board. As there were none, he called for the applicant to come forward to make a presentation.

Mr. Josh Goins, Yesco LLC, 6725 Chicago Street, Chandler, introduced himself and briefly explained the hardship due to the retention slope. He stated he was available for questions.

In response to a question from Board member Mander, Mr. Goins stated medical and dental offices are proposed. Signage for the building is extremely important as the building is not visible from the street.

Chair DeLossa opened the public hearing.

No one in the audience wished to speak.

Chair DeLossa closed the public hearing.

Chair DeLossa called for any other questions or discussions from the Board. The Board had no questions; therefore, he asked Mr. Paul Li, Assistant City Attorney, to proceed with the findings.

Based on the facts and evidence presented, Mr. Li requested a voice vote from the Board. He read each finding and waited as the Board responded.

Finding One. Chair DeLossa called for a voice vote on Finding One. The Board responded with a 4 – 0 vote of “Aye”.

Finding Two. Chair DeLossa called for a voice vote on Finding Two. The Board responded with a 4 – 0 vote of “Aye”.

Finding Three. Chair DeLossa called for a voice vote on Finding Three. The Board responded with a 4 – 0 vote of “Aye”.

Finding Four. Chair DeLossa called for a voice vote on Finding Four. The Board responded with a 4 – 0 vote of “Aye”.

Mr. Li asked that if based upon these findings, does the Board wish to grant a variance on VAR10-04 subject to the stipulations as set forth by the Planning Department.

Chair DeLossa polled the Board. They responded with a 4 – 0 vote of “Aye”. Case No. VAR10-04 was APPROVED 4 to 0.

3. **VAR10-05:** A variance request by Tony Zucarelli to reduce the side yard setback to eight feet where 19 feet is required for an accessory structure in the R1-6 (Single Residence) district. The site is located at the northeast corner of 63rd Drive and Grovers Avenue (17811 North 63rd Drive). Staff Contact: Remigio Cordero, Planner (Sahuaro District).

Mr. Cordero stated this is a request to reduce the side yard setback to eight feet where 19 feet is required for accessory structures in the R1-6 (Single Residence) zoning district. Mr. Cordero stated the applicant is requesting a variance to reduce the side yard setback to allow an existing RV garage structure to remain on the property. He said the RV garage addition has been submitted to the city for review and is awaiting the outcome of the variance for the side yard setback to complete the permit process. Mr. Cordero said the addition meets all other Zoning Ordinance requirements for accessory structures.

Mr. Cordero included by stating the request appears to meet all four findings and should be approved with the stipulations in the staff report.

Chair DeLossa called for questions from the Board. As there were none, he called for the applicant to come forward to make a presentation.

Mr. Anthony Zucarelli, 17811 North 63rd Avenue, Glendale, introduced himself and stated he is requesting a variance for the accessory structure as he restores vehicles and needs a garage to protect these vehicles from the elements.

Commissioner Schwind asked of what material is the driveway made. Mr. Zucarelli responded it is a gravel surface.

Chair DeLossa opened the public hearing.

No one in the audience wished to speak.

Chair DeLossa closed the public hearing.

Chair DeLossa called for any other questions or discussions from the Board. The Board had no questions; therefore, he asked Mr. Paul Li, Assistant City Attorney, to proceed with the findings.

Based on the facts and evidence presented, Mr. Li requested a voice vote from the Board. He read each finding and waited as the Board responded.

Finding One. Chair DeLossa called for a voice vote on Finding One. The Board responded with a 4 – 0 vote of “Aye”.

Finding Two. Chair DeLossa called for a voice vote on Finding Two. The Board responded with a 4 – 0 vote of “Aye”.

Finding Three. Chair DeLossa called for a voice vote on Finding Three. The Board responded with a 4 – 0 vote of “Aye”.

Finding Four. Chair DeLossa called for a voice vote on Finding Four. The Board responded with a 4 – 0 vote of “Aye”.

Mr. Li asked that if based upon these findings, does the Board wish to grant a variance on VAR10-05 subject to the stipulations as set forth by the Planning Department.

Chair DeLossa polled the Board. They responded with a 4 – 0 vote of “Aye”. Case No. VAR10-05 was APPROVED 4 to 0.

VI. OTHER BUSINESS FROM THE FLOOR:

Chairperson DeLossa called for Other Business. There was none.

VII. PLANNING STAFF REPORT:

Chairperson DeLossa called for Staff Report. There was none.

VIII. BOARD COMMENTS AND SUGGESTIONS:

Chairperson DeLossa called for Board Comments and Suggestions. There were none.

IX. ADJOURNMENT:

The meeting adjourned at approximately 6:56 p.m.

Respectfully Submitted,


Diana Figueroa, Recording Secretary