

SCOTTSDALE

BOARD OF ADJUSTMENT MEETING

*** AMENDED ** MEETING NOTICE AND MARKED AGENDA

[ADDED INFORMATION RELATED TO POSSIBLE REMOTE PARTICIPATION]



BOARD OF ADJUSTMENT

Gary Donahoe, Chair
Jason Chocron, Vice Chair
Michael Gonzalez, Board Member
Azam Qayum, Board Member

Ryan Wagner, Board Member
Alexander Hayes, Board Member
David Pierce, Board Member

Wednesday, May 1, 2024

6:00 P.M.

BOARD OF ADJUSTMENT REGULAR MEETING

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

Call to Order - 6:02 PM

Roll Call – ALL PRESENT

One or more members of the Board of Adjustment may be attending the Meeting by telephone, video, or Internet conferencing, pursuant to A.R.S. § 38-431(4).

Public Comment

Persons interested in speaking on any agenda item may **submit a blue “Request to Speak” card in person prior to the beginning of public testimony**. Those wishing to speak are customarily given three minutes to speak on each item. At the discretion of the Chair, additional time may be granted to a designated speaker representing two or more persons (please submit cards together).

Persons interested in submitting a written comment must submit electronically at least 24 hours before the meeting. They will be emailed to the Board or Commission. A written public comment may be submitted electronically by clicking [here](#)

Administrative Report – Bryan Cluff, LEED AP

1. Identify supplemental information, if any, related to the May 1, 2024 Board of Adjustment agenda items, and other correspondence.

Minutes



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING STAFF AT (480-312-7767). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT STAFF AT (480-312-7767).

2. Approval of the March 6, 2024 Board of Adjustment Regular Meeting Minutes.

MOTION TO CONTINUE MINUTES TO THE JUNE 5, 2024 BOARD OF ADJUSTMENT MEETING PASSED 7-0. MOTION BY BOARD MEMBER HAYES, 2ND BY VICE CHAIR CHOCRON.

REGULAR AGENDA

3. [2-BA-2024 \(Smith Front Fence Variance\)](#)

Request by owner for a variance to the City of Scottsdale Zoning Ordinance, Section 5.104.G pertaining to permitted maximum wall height for walls located within the required front yard setback for the property located at 10651 E Cactus Road with Single-Family Residential, (R1-43) zoning. Staff contact person is Sandra Childers, 480-312-4214.

Applicant contact person is Martha Smith, (602) 725-9942. This case was previously heard and continued from the March 6, 2024 Board of Adjustment hearing.

MOTION TO DENY CASE 2-BA-2024 CARRIED 5-2. MOTION BY BOARD MEMBER PIERCE, 2ND BY BOARD MEMBER HAYES.

4. [3-BA-2024 \(HonorHealth - Definition Appeal\)](#)

Request for an appeal of the Zoning Administrator's written decision dated January 30, 2024 regarding a requested interpretation involving the terms Office and Hospital. Staff contact person is Jeff Barnes, 480-312-2376.

Applicant contact person is Brett W. Johnson, 602-382-6312.

BOARDMEMBER PIERCE DECLARED A CONFLICT AND ABSTAINED FROM ITEM #4. MOTION TO DENY JURISDICTION AND STANDING CARRIED 5-1. MOTION BY CHAIR DONAHOE, 2ND BY VICE CHAIR CHOCRON.

[4-BA-2024 \(HonorHealth Appeal - Application to Construct Hospital by Banner Health\)](#)

Request for an appeal of the Zoning Administrator's written decision dated January 30, 2024 regarding a requested interpretation involving the utilization of the definition of Office to circumvent the definition of the term Hospital. Staff contact person is Jeff Barnes, 480-312-2376.

Applicant contact person is Brett W. Johnson, 602-382-6312.

MOTION TO DENY JURISDICTION AND STANDING CARRIED 5-1. MOTION BY CHAIR DONAHOE, 2ND BY VICE CHAIR CHOCRON.

Adjournment - 9:09 PM



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING STAFF AT (480-312-7767). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT STAFF AT (480-312-7767).