

**Gilbert Zoning Board of Adjustment
Regular Meeting**

December 19, 2019

Present:

Bob Jaquis, Alan Miller, Steve

Mahoney, Doug Stephens,

Aaron Kester and Sonia

Arellano Dodd

Guests – L. Hanft

I. Discussion/ Action

Kester made a motion to approve the agenda for December 19, 2019 and the minutes of August 8, 2019 regular meeting. Stephens seconded the motion. All ayes; motion passed.

No public comments were made or submitted.

Mahoney made a motion to open the public hearing on a variance request for 205 Jensen Street (7:01 pm). Miller seconded the motion. All ayes; motion passed. L. Hanft spoke to the board about his concerns on the variance of rear yard setback. Miller made a motion to close the public hearing (7:06 pm). Kester seconded the motion. All ayes; motion passed.

Zoning Board made the following determinations on the required Standards for Decision of Variance as laid out by the city code 6-5.0606 #3:

- A) Determined no special circumstance exists which is peculiar to the structure involved and is not applicable to other structures in the same district.
- B) Determined that literal interpretation of the provisions of chapter 6-5.0209 would not deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter.
- C) Determined that the special conditions and circumstances advanced in support of a variance are the result of the actions of the applicant.
- D) Determined that granting the variance requested would confer on the applicant a special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.
- E) Vote required. Discussion held. Board noted rear yard set-back in the R1 district is 25 feet. The site plane that was submitted showed a 15 foot set-back.

Kester made a motion to deny a variance for rear yard setbacks in relation to a proposed garage addition. A variance would create a non-conforming structure at 205 Jensen Street. Miller seconded the motion. Ayes; Jaquis, Miller, Mahoney, Stephens, Kester. Nays; none. Motion passed.

Kester made a motion to adjourn. Stephens seconded the motion. All ayes; motion passed.

Respectfully submitted,
Sonia Arellano Dodd