



**MINUTES
BOARD OF ADJUSTMENT
COMMUNITY CHAMBERS
20727 E. CIVIC PARKWAY
DECEMBER 3, 2018
5:00 PM**

1. Call to Order

The meeting was called to order at 5:05PM.

2. Roll Call

Board members in attendance: Board Members Brague, Schuett, and Bartes. Board Members Moyer & Rotier arrived late.

3. Public Comment: Members of the public may address the Board on items not on the printed agenda. Please observe the time limit of (3) three minutes.

None.

4. Items for Discussion and Possible Action:

a. Approval of the October 22, 2018 Meeting Minutes

Motion to approve October 22, 2018 Meeting Minutes:

1st: Schuett

2nd: Bartes

Vote: (3-0 Board Members Moyers and Rotier were absent for the vote)

b. Roles and Responsibilities of the Board of Adjustment (Erik Swanson, Principal Planner)

Erik Swanson, Principal Planner, provided a brief overview of the roles and responsibilities of the Board of Adjustment, reviewing roles, responsibilities, powers, and case examples.

c. Case Examples (Kyle Barichello, Planner I)

Kyle Barichello, Planner II, reviewed findings of fact tests required for variances. Mr. Barichello summarized the limitations surrounding the Boards powers. Mr. Barichello summarized example cases.

d. Board of Adjustment Legal Review (Mitesh Patel, Dickinson-Wright, Town Attorney)

Mitesh Patel, Town Attorney with Dickinson-Wright, provided a legal review of the legal basics of the Board of Adjustment. Mr. Patel reviewed, motions, voting, conduct, public input and Robert's Rules of Order. Mr. Patel discussed the legal authority and bounds of the Board of Adjustment. Mr. Patel discussed the powers of the Board of Adjustment provided by the Zoning Ordinance, state statute, and case law. Mr. Patel discussed the types of cases heard by the Board and the legal guiding principles surrounding appeals of decisions and variance requests.

- e. Board of Adjustment Administration (Chair and Vice-Chair Elections)
Board Member Schuett nominated Board Member Brague as Chair.
1st: Schuett
2nd: Rotier
Vote: 5-0 (unanimous)

Board Member Schuett nominated Board Member Rotier as Vice Chair
1st: Schuett
2nd: Bartes
Vote: 5-0 (unanimous)

- f. Setting the 2019 Board of Adjustment Bi-Annual Meeting Dates

The Bi-Annual meetings for the 2019 year were tentatively set for June 4, 2019 and December 2, 2019 at 5:00PM.

5. Announcements

None.

6. Adjournment

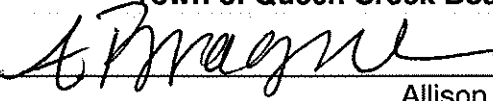
Motion to adjourn at 6:58PM:

1st: Bartes

2nd: Rotier

Vote: 5-0 (unanimous)

Town of Queen Creek Board of Adjustment

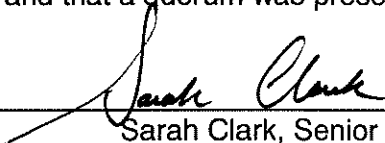


Allison Brague, Chairman

ATTEST: 

Sarah Clark, Senior Planner

I, Sarah Clark, do hereby certify that, to the best of my knowledge and belief, the forgoing Minutes are a true and correct copy of the Minutes of the December 3, 2018 Meeting of the Queen Creek Board of Adjustment. I further certify that the meeting was duly called and that a quorum was present.



Sarah Clark, Senior Planner

Passed and approved on July 2, 2019.