



City of Apache Junction, Arizona

Meeting Minutes Board of Adjustment

Meeting Location:

City Council Chambers
at City Hall
300 E Superstition Blvd
Apache Junction, AZ

www.ajcity.net
Ph:(480) 982-8002

Monday, May 13, 2019

7:00 PM

City Council Chambers

1. Call to Order

Chair Schoenbeck called the meeting to order at 7:00 pm.

2. Pledge of Allegiance

Chair Schoenbeck led the Pledge of Allegiance.

3. Roll Call

Present 6 - Vice Chair Gage
 Board Member Borey
 Chairperson Schoenbeck
 Board Member Buzzin
 Board Member Biggs
 Board Member Waldie

Excused 1 - Board Member Weller

Staff present:

Joel Stern, City Attorney

Larry Kirch, Department Director

Rudy Esquivias, Senior Planner

4. Consent Agenda

Chair Schoenbeck called for a motion.

Vice Chair Gage moved, seconded by Board Member Biggs, to approve the consent agenda.

Approved in a vote of 6 in favor and 0 opposed. (Yes: Gage, Biggs, Schoenbeck, Buzzin, Waldie, Borey. No: none.)

[19-210](#) Consideration of approval of agenda.

[19-211](#) Consideration of approval of meeting minutes of April 8, 2019.

5. Motion for Executive Session in the Development Services Conference Room

Chair Schoenbeck called for a motion.

Board Member Biggs moved, seconded by Vice Chair Gage, that the Board of Adjustments convene to Executive Session in the Development Services Conference Room for the purpose of discussion and consultation with the Board of Adjustments' attorney for purposes of legal advice regarding BA-1-18 in accordance to ARS 38-438.03 and as further outlined on this

agenda. Passed in a vote of 6 in favor and 0 opposed. (Yes: Gage, Borey, Schoenbeck, Biggs, Waldie, Buzzin. No: none.)

Chair Schoenbeck reconvened the meeting.

6. Public Hearings

19-222

Presentation, discussion, public hearing and consideration of case BA-1-18, an appeal of the Zoning Administrator's decision by Mehmood Mohiuddin (property owner), represented by Aaron Ludwig of Ludwig Law Offices Ltd., appealing notices of violation dated October 31, 2018 (Code Case #COD2018-00723) and November 7, 2018 (Code Case #COD2018-00751).

Chair Schoenbeck invited Mr. Mehmood Mohiuddin to address the board regarding his request for a continuance.

Board members and Mr. Mohiuddin discussed his request for continuance and his meetings with city officials regarding a case between Mr. Mohiuddin and the city and Mr. Mohiuddin's wish to get the case resolved in a timely manner;

Brian Hauser, representing the city of Apache Junction, addressed the commission and said the city does not oppose the request.

Chair Schoenbeck called for a motion.

Vice Chair Gage moved, seconded by Board Member Buzzin, for the continuance.

Chair Schoenbeck opened the public hearing.

Bambi Johnson, 2319 N. Cortez Road, Apache Junction, handed a document to the city to have it on record.

Tom Berkel, 3710 S. Goldfield Rd., Apache Junction spoke in favor of the Hitching Post.

Jim Duncan, 2745 E. Smoketree St., Apache Junction spoke against the continuation.

Chair Schoenbeck closed the public hearing.

Chair Shoenbeck called for discussion.

Board Member Biggs addressed the document that was handed to the city and expressed his desire to have the case heard; Chair Shoenbeck expressed his opinion on how matters should be resolved in the publics' best interest.

Having no further discussion, Chair Schoenbeck called for the roll call vote.

Passed in a vote of 5 in favor and 1 opposed. (Yes: Waldie, Buzzin, Borey, Schoenbeck, Gage. No: Biggs.)

7. Old Business

8. New Business**9. Selection of Meeting Dates, Times, Location and Purpose**

Chair Schoenbeck called for a motion.

Vice Chair Gage moved, seconded by Board Member Waldie, that we schedule our next meeting of the Board of Adjustments for June 10, 2019 and then the following month, July 8, 2019. Approved 6 in favor and 0 opposed. (Yes: Gage, Borey, Schoenbeck, Waldie, Buzzin, Biggs. No: none.)

10. Adjournment

Meeting adjourned at 7:47 p.m.

Frank Schoenbeck
Chairperson