



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, July 8, 2019

7:00 PM

City Council Chambers

1. Call to Order

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

2. Pledge of Allegiance

Chair Shoenbeck led the Pledge of Allegiance.

3. Roll Call

Present 5 - Vice Chair Gage
 Board Member Borey
 Chairperson Schoenbeck
 Board Member Buzzin
 Board Member Biggs

Excused 1 - Board Member Weller

Absent 1 - Board Member Waldie

Staff Present:

Joel Stern, City Attorney

Larry Kirch, Department Director

Rudy Esquivias, Senior Planner

4. Consent Agenda

Board Member Biggs motioned, seconded by Board Member Buzzin, to approve the consent agenda. Approved in a vote of 5 in favor and 0 opposed. (Yes: Gage, Biggs, Schoenbeck, Buzzin, Borey. No: none.)

[19-322](#) Consideration of approval of agenda.

[19-323](#) Consideration of approval of meeting minutes of May 13, 2019.

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

Board Member Biggs motioned, seconded by Vice Chair Gage, that the Board of Adjustment convene to an executive session in the Development Services Conference Room for the purpose of discussion/consultation with the Board of Adjustment attorney for purposes of legal advice regarding BA-1-18 in accordance with A.R.S. § 38-431.03 (A)(3) and as further outlined on this agenda. Approved in a vote of 5 in favor and 0 opposed. (Yes: Gage, Borey, Schoenbeck, Biggs, Buzzin. No: none.)

The board did not convene into Executive Session as the board's attorney was not present.

6. Public Hearings

[19-324](#) 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).

The board discussed the request for continuance received from the applicant.

Chair Schoenbeck opened the public hearing portion of the item.

James Johnson, 2319 N. Cortez Road, Apache Junction, addressed the board asking them to vote on the issue during tonight's meeting.

Colleen Shipman, 1615 W. Mockingbird St., Apache Junction, addressed the board on behalf of the applicant asking the city allow the applicant to use the parking lot for parking.

Bambi Johnson, 2319 N. Cortez Road, Apache Junction, addressed the board asking them to uphold the violations issued to the applicant's business.

Tina Lovelady, 601 N. Merrill Road, Apache Junction, addressed the board regarding the complaints of the surrounding neighbors.

Christina Driscoll, 1852 N. Goldfield, Apache Junction, addressed the board regarding the noise she hears in her house from the applicant's business.

Don Grub, 3550 S. Warner Dr., Apache Junction, addressed the board regarding the noise complaints of the surrounding neighbors.

Kit Halloff, 4158 E. Milky Way, Gilbert, addressed the board regarding the noise complaints.

Director Kirch read an email from Bill and Alicia Wallingford which asked the board to vote on the issue during tonight's meeting.

The board discussed the item, the duties of the board and the date the item should be heard.

Chair Schoenbeck called for a motion.

Board Member Biggs motioned, seconded by Board Member Buzzin, that we continue the case BA-1-18 until the October 7th meeting.

Chair Schoenbeck called for additional discussion.

The board and staff discussed when the item should be heard.

Chair Schoenbeck called for the roll call vote.

Approved in a vote of 4 in favor and 1 opposed. (Yes: Buzzin, Borey, Schoenbeck, Biggs. No: Gage.)

7. Old Business

None.

8. New Business

None.

9. Selection of Meeting Dates, Times, Location and Purpose

Board Member Biggs moved, seconded by Board Member Buzzin, to hold the next regular meeting on October the 7th, 2019 at 7:00 pm in the City of Apache Junction City Council Chambers. Approved in a vote of 5 in favor and 0 opposed. (Yes: Gage, Borey, Schoenbeck, Buzzin, Biggs. No: none.).

10. Adjournment

Meeting adjourned at 7:45 p.m.

Frank Schoenbeck
Chairperson