



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

apachejunctionaz.gov
Ph:(480) 982-8002

Monday, November 9, 2020

7:00 PM

City Council Chambers

1. Call to Order

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

Chair Schoenbeck called for a moment of silence to honor the passing of Mike Weller, past board member of the Board of Adjustment and other boards and commissions of the city.

2. Pledge of Allegiance

Chair Scheonbeck led the Pledge of Allegiance.

3. Roll Call

Present 7 - Boardmember Buzzin
 Boardmember Waldie
 Boardmember Osaki
 Boardmember Knox
 Boardmember O'Hara
 Chairperson Schoenbeck
 Boardmember Durbala

Staff present:

Joel Stern, City Attorney

Larry Kirch, DSD Director

Rudy Esquivias, Planning Manager

Morgan Henn, Planning Intern

4. Consent Agenda

[20-586](#) Consideration of approval of agenda.

Boardmember Durbala moved to approve the agenda. Boardmember Buzzin seconded the motion.

Chair Schoenbeck called for a motion to approve the minutes.

[20-587](#) Consideration of approval of meeting minutes of October 7, 2019.

Boardmember Durbala moved to approve the minutes from October 7, 2019. Boardmember Buzzin seconded the motion.

Yes: 7 - Boardmember Buzzin, Boardmember Waldie, Boardmember Osaki,
 Boardmember Knox, Boardmember O'Hara, Chairperson Schoenbeck and
 Durbala

No: 0

Chair Schoenbeck called for a motion.

5. New Business

[20-588](#) Election of Chair and Vice Chair.

Chair Schoenbeck called for a motion to open nominations.

Boardmember Durbala moved to open the nominations. Boardmember Buzzin seconded the motion.

Yes: 7- Boardmember Buzzin, Boardmember Waldie, Boardmember Osaki, Boardmember Knox, Boardmember O'Hara, Boardmember Schoenbeck and Durbala

No: 0

Chair Schoenbeck called for nominations for the chair position.

Boardmember Durbala nominated Boardmember Waldie for the chair position.

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Chair Schoenbeck called for a motion to close nominations for the chair position.

Boardmember Durbala moved to close nominations for chairperson. Board Member Buzzin seconded the motion.

Yes: 7- Boardmember Knox, Boardmember O'Hara, Boardmember Osaki, Chair Schoenbeck, Boardmember Waldie, Boardmember Buzzin and Boardmember Durbala

No: 0

Chair Schoenbeck called for a motion to accept the first person nomination for the chair position.

Boardmember Durbala moved that Waldie be approved for chairperson. Boardmember Buzzin seconded the motion.

Yes: 7- Boardmember Buzzin, Boardmember Durbala, Boardmember Knox, Boardmember O'Hara, Boardmember Osaki, Chair Schoenbeck, and Boardmember Waldie

No: 0

Chair Waldie called for a motion to open the election of the vice chair.

Boardmember Schoenbeck moved to open the election of the vice chair. Boardmember Buzzin seconded the motion.

Yes: 7- Chair Waldie, Boardmember Buzzin, Boardmember Durbala, Boardmember Knox, Boardmember O'Hara, Boardmember Osaki, and Boardmember Schoenbeck

No: 0

Chair Waldie called for nominations for the vice chair.

Boardmember Schoenbeck nominated Boardmember Durbala.

Chair Waldie called for nominations for the vice chair.

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Boardmember Schoenbeck moved to close the nominations for vice chair. Boardmember Buzzin seconded the motion.

Yes: 7- Boardmember Osaki, Boardmember Schoenbeck, Chair Waldie, Boardmember Buzzin, Boardmember Durbala, Boardmember Knox, and Boardmember O'Hara

No: 0

Chair Waldie called for a motion.

Boardmember Schoenbeck moved that Boardmember Durbala be the vice chair. Boardmember Buzzin seconded the motion.

Yes: 7- Boardmember O'Hara, Boardmember Osaki, Boardmember Schoenbeck, Chair Waldie, Boardmember Buzzin, Boardmember Durbala, Boardmember Knox, and Boardmember O'Hara

No: 0

[20-589](#) Presentation and discussion on conflicts of interest, open meeting law, public record law, parliamentary procedures and code of conduct by the city attorney.

City Attorney Stern gave a presentation on conflicts of interest, open meeting law, public record law, parliamentary procedures and code of conduct by the city attorney.

The board, Mr. Stern and staff discussed scenarios related to conflicts of interest, open meeting law, public record law, parliamentary procedures and code of conduct.

6. Old Business

7. Public Hearings

[20-593](#) Presentation, discussion, public hearing and consideration of case BA-1-20, a request by Joe and Sue Ruthardt, for a variance pursuant to the City of Apache Junction Zoning Ordinance Section 1-16-4, requesting to build a guest house in the front yard area for the property located at 2179 E Superstition Boulevard.

Boardmember Schoenbeck moved that case BA-1-20, a request by Joe and Sue Ruthardt for the Board of Adjustment and Appeals to grant a variance pursuant to the City of Apache Junction

Zoning Ordinance Section 1-16-4, requesting to build a guest house in the front yard area for the property addressed 2179 E Superstition Boulevard (Parcel #103- 03-004D), be approved subject to the following conditions: that all future construction on the property continue to be properly permitted and be in compliance with normal setback regulations and flood zone requirements; 2 property owners shall pay all applicable building permit and development fees as part of permit issuance. Vice Chair Durbala seconded the motion.

Yes: 7 - Boardmember Buzzin, Boardmember Waldie, Boardmember Osaki,
Boardmember Knox, Boardmember O'Hara, Chairperson Schoenbeck and
Durbala

No: 0

Planning Intern Morgan Henn gave a presentation on case BA-1-20.

The board and staff discussed the length of the property and that city code requires guest houses to be conventionally built.

Chair Waldie called the applicant to address the commission.

Sue Ruthardt, 2179 E. Superstition Blvd., addressed the board. Boardmembers complimented the applicant on their improvements on the property. Mrs. Ruthardt said her neighbors don't have any issues with the work they are doing on the property.

Chair Waldie opened the public hearing portion of the item.

Having none, Chair Waldie closed the public hearing and called for a motion.

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

[20-584](#) Regular meeting at 7:00 pm on Monday, December 14, 2020 in the city council chambers located at 300 E. Superstition Boulevard, Apache Junction.

Vice Chair Durbala moved that we have a meeting on December 14 at 7 p.m. on Monday in the city council chambers located at 300 East Superstition Boulevard here in Apache Junction. Boardmember Buzzin seconded the motion.

Yes: 7 - Boardmember Buzzin, Boardmember Waldie, Boardmember Osaki,
Boardmember Knox, Boardmember O'Hara, Chairperson Schoenbeck and
Durbala

No: 0

Chair Waldie called for a motion.

9. Adjournment

Chair Waldie adjourned the meeting at 8:13 pm.

Chair Walker Waldie