



**NOTICE  
OF A  
JOINT MEETING  
TOWN OF CAREFREE  
PLANNING AND ZONING COMMISSION, BOARD OF ADJUSTMENT AND THE  
DEVELOPMENT REVIEW BOARD**

**WHEN:** MONDAY, FEBRUARY 08, 2021

**WHERE:** ZOOM WEB\*

**TIME:** 5:00 P.M.

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Planning and Zoning Commission of the Town of Carefree, Arizona and to the general public that the members of the Planning and Zoning Commission, Board of Adjustment and the Development Review Board will hold a joint meeting open to the public.

*Members of the Planning and Zoning Commission are participating by technological means or methods pursuant to A.R.S. §38-431(4).*

**THE AGENDA FOR THE MEETING IS AS FOLLOWS:**

**CALL TO ORDER, SILENT ROLL CALL and PLEDGE OF ALLEGIANCE.**

**ITEM #1** APPROVAL of PLANNING AND ZONING MEETING MINUTES dated OCTOBER 12, 2020, BOARD OF ADJUSTMENT MINUTES dated DECEMBER 14, 2020 and the DEVELOPMENT REVIEW BOARD MINUTES dated NOVEMBER 16, 2020.

**ITEM #2** INTRODUCTIONS of new PLANNING AND ZONING COMMISSIONERS, Peter Burns, Phil Corso and Ralph Ferro. APPOINTMENTS of PLANNING AND ZONING COMMISSION, CHAIRPERSON and VICE CHAIRPERSON.

**ITEM #3** ANNOUNCEMENTS

**ITEM #4** ADJOURNMENT

## PLANNING AND ZONING COMMISSION

*Samantha Gesell*

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SAMANTHA GESELL, PLANNING CLERK  
POSTED FEBRUARY 03, 2021

***NOTE:*** *\*Due to the risks to public health caused by the possible spread of the COVID-19 virus at public gatherings, the Town of Carefree has determined that public meetings will be indefinitely held through technological means. Meetings will be also open to the public through technological means. In reliance on, and compliance with, the March 13, 2020 Opinion issued by Attorney General Mark Brnovich, the Town of Carefree Planning and Zoning Commission provides this special advance notice of the technological means through which public meetings may be accessed. While this special notice is in effect, public comment at meetings will only be accepted through written submissions, which may or may not be read aloud during meetings.*

On your computer:

**Join Zoom Meeting: <https://zoom.us/j/95030945238>**

**Meeting ID: 950 3094 5238**

**On your phone: 1-253-215-8782**



### **FOR SPECIAL ACCOMMODATIONS**

Please contact the Planning Clerk, 8 Sundial Circle (PO Box 740), Carefree, AZ 85377; (480) 488-3686, at least three working days prior to the meeting if you require special accommodations due to a disability.



**DRAFT MINUTES  
PUBLIC MEETING  
TOWN OF CAREFREE  
PLANNING AND ZONING COMMISSION**

**WHEN:** MONDAY, OCTOBER 12, 2020

**WHERE:** ZOOM WEB\* <https://us02web.zoom.us/j/3229729660>

**TIME:** 5:01 P.M.

*Members of the Planning and Zoning Commission participated by technological means or methods pursuant to A.R.S. §38-431(4).*

**Present VIA ZOOM:**

Chairman Al Mascha  
Vice Chairman Tom Cross  
Dick Tatlow  
Heather Burgett  
Dan Davee  
Lyn Hitchon  
Scott Sperl

**Absent:**  
None

**Also Attending Via Zoom:**

Stacey Bridge-Denzak, Planning Director  
Samantha Gesell, Planning Clerk  
Greg Crossman, Town Engineer  
Uri Schumm, Applicant  
Gale Totten, T's Construction & Development

**ITEM #1 APPROVAL of PLANNING AND ZONING MEETING MINUTES** for the meeting of **MAY 13, 2019**.

Commissioner Hitchon **MOVED** to **APPROVE** and Vice Chairman Cross **SECONDED** the motion, **PASSED** Unanimously.

**ITEM #2 PUBLIC HEARING**, discussion and possible action on the following request for a Preliminary Plat. Public comments will be taken.

**CASE #:** 20-02-PP

**APPLICANT:** Mr. Uri Schumm  
8650 East Stagecoach Pass  
PO Box 2480  
Carefree, AZ 85377

**CASE LOCATION:** West of the NWC of Stagecoach Pass and Pima Rd  
APN 216-26-887.

**ZONING:** R1-35 Single-Family Residential

**REQUEST:** **PRELIMINARY PLAT** to subdivide approximately 7.93 gross acres into 6 detached, single-family residential lots for a new subdivision named Estates at Carefree located west of the northwest corner of Stagecoach Pass and Pima Road. The plat consists of residential lots, a private tract for a gated street, landscaping, and utilities, and easements for drainage and conservation.

Ms. Bridge-Denzak introduced the proposed Preliminary Plat, via PowerPoint.

Director Bridge-Denzak explained the request is to subdivide approximately 7.5 net acres, zoned R1-35 into 6 residential lots for a new subdivision named Estates at Carefree. The property was rezoned in 2019 to create the subdivision into 1 acre custom home lots, a low density type of development. Ms. Bridge-Denzak added, the location is on the east side of Carefree. To the north is the Eastwood development, to the west is Stage creek Estates (platted but not built) and Scottsdale is to the South. Stagecoach Pass is all Scottsdale Right of Way.

Director Bridge-Denzak pointed out that one significant feature is a 404 wash, (waters of the US). In addition, there is an existing home site within the development that meets all of the Town of Carefree's development criteria.

Ms. Bridge-Denzak explained that all lots will have access off a single street cul-de-sac, 86<sup>th</sup> Place and that no traffic will exit onto Stagecoach Pass. There will be a Vehicular Non Access Easement (VNAE) around the property. Director Bridge-Denzak explained the 6 lots range from 35,000 square feet to just over 80,000 square feet, with the largest lots located on the north end of the development, benefitting the neighboring subdivision of Eastwood.

Ms. Bridge-Denzak added that Carefree Water Company will service the sites. Based on the number of lots and their sizes, each parcel will have its own septic system permitted through Maricopa County. Liberty utilities would be the sewer provider, but it is not within a reasonable proximity to develop 6 lots. The Town of Carefree agreed that septic systems would be allowed in this situation.

Director Bridge-Denzak noted that Stagecoach Pass is Scottsdale right-of-way. A 40' section of Stagecoach Pass still has not been dedicated to the City. This will be a requirement, as part of the approval at the final plat, so there is a consistent length of right-of-way down Stagecoach Pass. Scottsdale will be responsible for determining

what the improvements will be. At a minimum they have requested an additional 5.5' of pavement width for the roadway. It is the applicant's responsibility to coordinate with the City of Scottsdale directly.

Ms. Bridge-Denzak explained that each lot will be responsible for its own drainage to meet the 2-hour, 100 year storm event requirement. There are proposed basins to deal with the runoff from the proposed street. The outlying retention basins are in easements. They may need to be adjusted to accommodate for a single family home.

Ms. Bridge-Denzak explained, as any development in Carefree, when the lots develop they will have to comply with the plant salvage requirements which require salvageable native material to be used on the site again. Ms. Bridge-Denzak presented via PowerPoint images and details of the proposed landscape, entry wall and gates.

Ms. Bridge-Denzak stated that the applicant had his Citizen Participation meeting and all Citizen Participation requirements have been met. The Citizen Participation report questions addressed were regarding the length of the cul-de-sac, where some of the future home sites would be and building heights. Ms. Bridge-Denzak explained the building heights will be the standard 24' at maximum, future home sites will be based on the Towns setbacks and the cul-de-sac is allowed by Rural Metro and meets their fire safety requirements.

Director Bridge-Denzak received two calls concerning the proposed development. One call was confirming that there were no changes from when the property was rezoned. Ms. Bridge-Denzak added that nothing has changed and that Preliminary Plat formalizes those lots and helps to better understand the infrastructure. The second call was in regard to ensuring that when the lots develop, that they will meet erosion setback requirements. Ms. Bridge-Denzak explained that the building process is something that herself as Planning Director and Greg Crossman, Town of Carefree Engineer will review to show that those conditions and requirements are being met.

Ms. Bridge-Denzak presented an overview of a few of the conditions of approval included in the Staff report and responded to questions and comments from the Commission.

Commissioner Sperl had questions regarding the 40' dedication to the City of Scottsdale? Ms. Bridge-Denzak explained that the dedication never happened but should have because legally it is Scottsdale's right-of-way. Town Engineer, Crossman confirmed that Ms. Bridge-Denzak is correct, that the 40' of property is in the corporate limits of the City of Scottsdale and has to be dedicated as Scottsdale right-of-way.

Vice Chair Cross inquired about the erosion setback requirements and the location of the homes, and how limited the buildable area may become. Mr. Crossman explained that there is a FEMA floodplain that goes through the property and typically cannot be encroached within and added that it is required that the development stays outside the FEMA floodplain. Additionally, there is an erosion setback and explained that the washes tend to laterally migrate back and forth and there are engineering measures that estimate how much a wash can laterally migrate. Although encouraged to stay outside those setbacks, if a lot is constrained, engineering measures to protect the

property and home can be implemented to control the lateral movement of a wash such as bank protection, rip rap, scour walls etc.

Engineer Crossman addressed a question from Chairman Mascha regarding the location of retention basins within the proposed development. Mr. Crossman explained that finding locations for more of a large, single type basin was challenging. Working with the developer, they found areas where they could work within the topography and lot layout to provide basins. The basins will be provided upfront as part of the infrastructure. These basins are located in drainage easements that the HOA is responsible for not individual lot owners. Mr. Crossman and applicant Uri Schumm addressed questions regarding retention basins and how they will be vegetated. Mr. Crossman confirmed that the basins will be vegetated to blend with the natural desert. Mr. Schumm explained that they want the lots to be beautiful, desirable and inviting.

Public comment was heard from an adjacent property owner, Kathleen Garcia. Ms. Garcia had concerns regarding the wash and the amount the wash runs during a heavy rain event. Applicant Uri Schumm explained that the Town of Carefree has set high standards for engineering improvements to assure that there isn't any issue of overflow. Town Engineer Greg Crossman informed the group that Mr. Schumm will be dedicating a large amount of conservation area adjacent to the wash. Additionally, any improvements within the wash, because it is in a dedicated FEMA flood zone, will have to go through the Flood Control District of Maricopa County along with Town Staff for review and approval.

Commissioner Sperl asked how close the homes in Eastwood were to the wash. Town Engineer, Greg Crossman explained that when Eastwood was developed, homes in certain areas, required scour walls that go beneath the scour depth to be constructed. This and the engineering measures discussed with Commissioner Cross above are what protects those particular properties from the 100 year flood.

Vice Chairman Cross made a **MOTION** to **APPROVE** a **PRELIMINARY PLAT** to subdivide approximately 7.93 gross acres into 6 detached, single-family residential lots for a new subdivision named Estates at Carefree located west of the northwest corner of Stagecoach Pass and Pima Road. The plat consists of residential lots, a private tract for a gated street, landscaping, and utilities, and easements for drainage and conservation.

With the following conditions:

1. As per Section 2.20 of the Subdivision Ordinance, the Final Plat shall be in substantial conformance with the approved Preliminary Plat and meet the requirements of Sections 2.35 through 2.40.
2. All improvements including, but not limited to, streets, storm drainage and water lines shall be constructed as per Town of Carefree and MAG specifications. Pursuant to the Subdivision Ordinance waiver allowance, the private streets terminating in a cul-de-sac shall be allowed to exceed the length of 400 feet and no sidewalks or alleys shall be required.
3. All utilities shall be placed underground.

4. A drainage easement shall be dedicated along the Windmill Wash corridor through the northern portion of the property that encompasses the entire Special Flood Hazard Area (SFHA) Zone AE.
5. Areas adjacent to or within the FEMA Flood Zone AE shall address lateral migration and scour potential. Erosion setbacks shall be defined that establish areas requiring engineered scour control measures for all development improvements.
6. Disturbance within the FEMA Flood Zone AE shall require a Floodplain Use Permit from the Flood Control District of Maricopa County.
7. The development shall provide 100-year 2-hour onsite stormwater storage within dedicated drainage easements. The following areas shall be excluded from providing storm water storage; drainage easements for the SFHA, drainage easements for retention/detention basins, dedicated conservation areas, any lot containing a pre-existing single family residential structure, and other areas as approved by the Town Engineer.
8. The development shall dedicate a 40 ft. right-of-way for the entire fronting footage along Stagecoach Pass Road to the City of Scottsdale prior to final plat approval.
9. Improvement plans within City of Scottsdale right-of-way shall be permitted through the City of Scottsdale and shall meet all City of Scottsdale standards and requirements.
10. The development shall provide roadway/vehicular access improvements including the following:
  - Full-width roadway improvements for internal subdivision streets meeting either; 1) public residential street standards, or 2) private residential street standards. Private residential streets shall be maintained by the Homeowner's Associations.
  - Adjacent half-street roadway improvements wherever the subdivision abuts public right-of-way. For the Stagecoach Pass Road right-of-way, this shall consist of a minimum additional 5.5 feet of pavement width unless other improvements are required by the City of Scottsdale.
11. Subsequent submittal documents shall be consistent with all applicable Carefree zoning standards except as expressly stated herein, and shall substantially conform to the Preliminary Plat, Design Guidelines and Color Schemes, Grading and Drainage Plan and Report, and Landscape and Entry Gate Plans.
12. All existing fences/walls shall be reconfigured and/or removed to meet the Zoning Ordinance and Building Code prior to the Final Plat being brought forward to Town Council.
13. To restrict access, a one (1) foot vehicular non-access easement (VNAE) shall be dedicated along the perimeter of the parcel at the time of the recording of the Final Plat. The subdivision access point as illustrated on the plat shall be excluded from this dedication.

14. The Final Plat shall provide for all public utility easements including, but not limited to, water, electrical, sewer, telephone, natural gas, and cable television service. Such easements shall be dedicated and recorded with the Final Plat.

15. The following note shall appear on the Final Plat, "Residential fire sprinklers shall be installed in all residences."

16. Rural/Metro Fire Department or current fire protection service provider shall approve any fire hydrant locations and such hydrants shall be part of the Subdivision Infrastructure Improvement Plans.

17. Declarations of Covenants, Conditions, and Restrictions (CC&Rs) shall be submitted and reviewed by the Town Council and recorded with the Final Plat.

18. The Final Plat may be considered at a regular meeting of the Town Council per the Subdivision Ordinance. The Town shall be in receipt of the Arizona Department of Water Resources 100-year assured water supply certificate prior to the meeting.

19. Prior to the issuance of building permits, the developer shall obtain the required permits to comply with Maricopa County dust control standards and Arizona Department of Environmental Quality storm water management standards and policies.

20. Pursuant to the Subdivision Ordinance and Subdivision Improvement Agreement, the developer shall give the Town assurance in the form of 110% money or bond in the amount of the engineer's estimate of the construction cost for the on-site and off-site improvements.

21. The Town's Subdivision Improvement Agreement shall be executed by the applicant, approved by the Town Council, and recorded with the Final Plat.

22. After approval and prior to recording of the Final Plat, three (3) sets of the following documents shall be given to the Town:

- a. The approved and signed Final Plat map.
- b. The approved and signed Subdivision Improvement Agreement.
- c. The approved and signed CC&R's with Design Guidelines.
- d. One electronic copy of all documents.

23. After recording, the applicant shall file one copy of the above information with the County, one with the Town of Carefree and retain one copy for their records.

Board Member Hitchon **SECONDED** the motion, **PASSED** unanimously.

### **ITEM #3      ANNOUNCEMENTS**

Director Bridge-Denzak and the Commission recognized Commissioner Sperl and Commissioner Tatlow and thanked them for their years of dedication to the Town of Carefree and the Planning and Zoning Commission.

### **ITEM #4      ADJOURNMENT**



Commissioner Hitchon **MOVED** to **ADJOURN** and Vice Chairman Cross **SECONDED** the motion. The meeting was **ADJOURNED** by unanimous vote at 5:35 p.m.

**PLANNING AND ZONING COMMISSION**

*Samantha Gesell*

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**Planning Clerk  
Samantha Gesell**

**10/12/2020**

***NOTE:*** \*Due to the risks to public health caused by the possible spread of the COVID-19 virus at public gatherings, the Town of Carefree has determined that public meetings will be indefinitely held through technological means. Meetings will be also open to the public through technological means. In reliance on, and compliance with, the March 13, 2020 Opinion issued by Attorney General Mark Brnovich, the Town of Carefree Planning and Zoning Commission provides this special advance notice of the technological means through which public meetings may be accessed. While this special notice is in effect, public comment at meetings will only be accepted through written submissions, which may or may not be read aloud during meetings.



**TOWN OF CAREFREE**

***DRAFT***

**MINUTES of a PUBLIC MEETING of the BOARD OF ADJUSTMENT  
MONDAY, DECEMBER 14, 2020**

Chairman Mascha called the meeting to order and led the Pledge of Allegiance at 5:04 p.m.

**BOARD MEMBERS PRESENT:**

Chairman – Al Mascha  
Vice Chair – Tom Cross  
Board Member – Dan Davee  
Board Member – Lyn Hitchon  
Board Member – Scott Sperl  
Board Member – Dick Tatlow

**BOARD MEMBERS ABSENT:**

Board Member – Heather Burgett

**STAFF PRESENT:**

Planning Director – Stacey Bridge-Denzak  
Planning Clerk – Samantha Gesell

*Members of the Planning and Zoning Commission participated by technological means or methods pursuant to A.R.S. §38-431(4).*

**ITEM 1. APPROVAL of the **BOARD OF ADJUSTMENT** meeting minutes dated **JULY 15, 2019.****

Board Member Tatlow **MOVED** to **APPROVE** the minutes as submitted. **SECONDED** by Board Member Hitchon, **PASSED** unanimously.

**ITEM 2. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION on a request for a **VARIANCE.****

**CASE #:** 20-10-V

**APPLICANT:** Mr. Tyler Green  
11480 North 85<sup>th</sup> Street

Scottsdale, AZ 85260

- CASE LOCATION:** 2021 Smoketree Drive  
APN: 216-33-361
- ZONING:** R1-18, Single-Family Residential Zoning District  
18,000 square feet minimum lot size
- REQUEST:** **APPROVAL** of a **VARIANCE** to the Zoning Ordinance standards to allow for a pool and pool barrier within a portion of the rear yard building setback where such structures are not allowed or restricted. The proposed encroachment would be 15 feet into the required 30-foot rear yard setback for the pool and 2 feet into the required 30-foot rear yard setback for the fence.
- NOTE:** The lot is smaller than the minimum size for its zoning district. This request is for relief from the **rear yard** setback requirements.

Planning Director Bridge-Denzak introduced the proposed application, via PowerPoint.

Director Bridge-Denzak presented details of the subject property, noting that the lot is a legal non-conforming lot, (less than the 18,000 square foot minimum requirement.) Additionally, the lot has a large boulder outcropping that complicates developing in that rear yard space. Ms. Bridge-Denzak pointed out, when the Boulders was developed, thoughtfully, most of the lots rarely have a neighbor directly behind. In this case, the rear of the property abuts Boulders Open Space.

Director Bridge-Denzak explained that the setbacks impose upon the amenities available to the rear yard, as the home fills most of the developable area. Additionally challenging is the rock outcropping in the rear yard. Due to the constraints of other amenities on the site, as well as the house itself, the request is not for all of the pool to be in the setback, just a portion of it. In order to meet State and Local pool barrier requirements, while minimizing impacts to the site and the boulder outcropping, the applicant is proposing the fence location to be behind the outcropping which is 2 feet from the property line.

Board Member Davee had questions regarding the height of the pool barrier fence and location of the pool equipment. Director Bridge-Denzak explained that the barrier fence will be 5 feet tall. Applicant Tyler Green responded to Board Member Davee's question regarding the pool equipment location, explaining, the equipment will be near the gate. Adding, to meet requirements of the Town of Carefree's Zoning Ordinance and Boulders Homeowner's Association requirements, the pool equipment will be screened and not located in any setbacks. Mr. Green noted, the Boulders Homeowner's association has approved the proposed project.

Chairman Mascha opened up the public comment, hearing none; Chairman Mascha

closed the public hearing and called for a motion.

Board Member Tatlow moved to **APPROVE** a **VARIANCE** to the Zoning Ordinance standards to allow for a pool and pool barrier within a portion of the rear yard building setback where such structures are not allowed or restricted. The proposed encroachment would be 15 feet into the required 30-foot rear yard setback for the pool and 2 feet into the required 30-foot rear yard setback for the fence.

With the following conditions:

1. Two zoning variances are hereby granted for construction of the following:
  - Fifteen feet (15') into the required thirty foot (30') rear yard setback for the pool and spa location.
  - Two feet (2') into the required thirty foot (30') rear yard setback of which a wall/fence may locate within 1/2 the setback to install a view fence in order to meet pool barrier requirements.
2. The building permit development plans shall conform to the site plan date-stamped October 7, 2020 submitted in association with this application.
3. The granting of this variance shall be null and void if the building permit is not issued within one year of approval.

**SECONDED** by Board Member Hitchon. **PASSED** unanimously.

**ITEM 3. ANNOUNCEMENTS.**

There were no announcements.

**ITEM 4. ADJOURNMENT.**

There being no additional business, Board Member Dan Davee **MOVED** to **ADJOURN**. **SECONDED** by Board Member Tatlow, **PASSED** unanimously. The meeting was **ADJOURNED** at 5:20 p.m.

**BOARD OF ADJUSTMENT**

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Al Mascha, Chairman

**ATTEST:**

\_\_\_\_\_  
Samantha Gesell, Planning Clerk



**TOWN OF CAREFREE**

***DRAFT***

**MINUTES of a PUBLIC MEETING of the DEVELOPMENT REVIEW BOARD  
MONDAY, DECEMBER 14, 2020**

Chairman Mascha called the meeting to order and led the Pledge of Allegiance at 5:22 p.m.

**BOARD MEMBERS PRESENT:**

Chairman – Al Mascha  
Vice Chair – Tom Cross  
Board Member – Dan Davee  
Board Member – Lyn Hitchon  
Board Member – Scott Sperl  
Board Member – Dick Tatlow

**BOARD MEMBERS ABSENT:**

Board Member – Heather Burgett

**STAFF PRESENT:**

Planning Director – Stacey Bridge-Denzak  
Planning Clerk – Samantha Gesell

*Members of the Planning and Zoning Commission participated by technological means or methods pursuant to A.R.S. §38-431(4).*

**ITEM 1. APPROVAL** of the **DEVELOPMENT REVIEW BOARD** meeting minutes dated **NOVEMBER 16, 2020**.

Board Member Hitchon **MOVED** to **APPROVE** the minutes as submitted. **SECONDED** by Vice Chairman Cross, **PASSED** unanimously.

**ITEM 2. DISCUSSION AND POSSIBLE ACTION** on a request for approval of a proposed **MOUNTAINSIDE DEVELOPMENT**.

**CASE #:** 20-03-MS, Kunka Residence

**APPLICANT:** David Timmons, David Timmons Architectural Design Studio, LLC

2830 E. Tracy Lane  
Phoenix AZ, 85032

**CASE LOCATION:** 38174 Tranquil Way, Lot 9 – Tranquil Place  
APN: 216-23-063

**ZONING:** R1-35 Single Family Residential  
35,000 square feet minimum lot size

**REQUEST:** **APPROVAL** of a development plan for a single-family residence in the Mountainside Zoning District Overlay

Director Bridge-Denzak described the location of the proposed Mountainside application, Lot #9, Tranquil place. The Crossings at Carefree is to the north and Aribiome subdivision is located to the west.

Ms. Bridge-Denzak provided details of the developable area of the lot, noting that the lot is 38,000 plus square foot lot and slopes from north to south. Director Bridge-Denzak presented via PowerPoint, the approximate location of the structure, associated amenities, as well as the alignment of the driveway. Ms. Denzak explained that this is a Mountainside lot due to the fact that more than half the lot consists of steep slopes. The locations of the lesser slopes are within the setbacks, confining the applicant to developing within the steeper portions of the property.

Director Bridge-Denak explained the application is compliant with the Town's Development Standards for the R1-35 zoning district and structures as well as the walls comply with the Town's setback requirements. Adding, building height, cumulative height and cut to fill requirements have been met. Ms. Bridge-Denzak noted, that due to the sloping site, the applicant is requesting a wall waiver under this permit. Retaining walls are required and preferred over greater disturbance of slopes. Adding, that while the project is on steep slopes, the development is located with minimal impact. Director Bridge-Denzak explained the applicant's request for a height waiver. The retaining walls are used to meet existing grade thereby reducing additional disturbance. Ms. Bridge-Denzak added most walls are below 7 feet tall; however, in certain instances, this height is more. Noting that the tallest wall can be found at the northeast corner of the vehicular courtyard at the trash enclosure with a proposed height of 13'6". It then tapers down along the vehicular courtyard and entry drive to a height of 2'3". She explained that this height is due to a required cut in the site to allow for the proposed finished floor elevation. Adding, that the finished floor grade provides a lower profile of the home from the neighboring property to the northeast.

The Town Engineer has done a preliminary review of the documents submitted and has no issues with the proposal.

In regards to utilities, water will be provided by Cave Creek Water Company and a private septic system will be installed for waste water.

Ms. Bridge-Denzak presented the proposed landscape plan via PowerPoint. A

preliminary salvage inventory and a landscape plan were submitted in association with this application. Director Bridge-Denzak further explained that an assessment during the building permit phase will be performed to ensure all salvageable material is accounted for and included on the final landscape plan.

Director Bridge-Denzak presented detailed elevations and a 3-D flyover presentation of the proposed home.

The Homeowners Association has approved the project.

Board Member Sperl had a question regarding non-native trees located on the property. Applicant David Timmons, David Timmons Architectural Desing Studio, LLC, agreed and stated that non-native trees will be replaced with native trees in order to meet conditions of approval. Explaining, landscape buffers will be created to minimize the shine of headlights that come down the proposed driveway.

Chairman Mascha opened up the meeting for public comment, hearing none; Chairman Mascha called for a motion.

Vice Chairman Cross moved to **APPROVE** a development plan for a single-family residence in the Mountainside Zoning District Overlay.

With the following conditions:

1. All plans submitted to the Building Department for a building permit shall be consistent with the plans associated with this application date stamped November 25, 2020, attached to this report, and per conditions approved by the Development Review Board on December 14, 2020.
2. The granting of this Mountainside application shall be null and void if the building permit is not issued within one (1) year of approval.
3. The proposed pool, spa, and associated equipment shall be located outside of the building setbacks for approval of a building permit.
4. The north retaining wall adjacent to the driveway and trash enclosure shall not exceed a height of 13'6" as approved by the Development Review Board. All other retaining walls and/or site walls shall be designed consistent with the plans associated with this application and attached to this report, and according to Section 10.06 *Walls and Fences* of the Carefree Zoning Ordinance.
5. Any additional grading beyond the north retaining wall shall require landscape boulders similar to the driveway entrance to minimize erosion.
6. Disturbed areas for the septic system installation shall be revegetated in a manner that is consistent with the plant type and density of the surrounding natural environment and as noted on the landscape plans. Existing grade shall be restored also. A final landscape plan which includes the associated revegetation plan shall be submitted and approved by the Town of Carefree prior to issuance of a building permit.
7. All exterior lighting shall meet the requirements of Section 9.12 of the Zoning Ordinance. Also, exterior building fixtures shall be cut-offs and shielded.
8. Proposed Mesquite & Palo Verdes shall be native varieties.

**SECONDED** by Board Member Hitchon. **PASSED** unanimously.

**ITEM 3. ANNOUNCEMENTS.**

Director Bridge-Denzak acknowledged Chairman Al Mascha, Commissioner/Board Member Scott Sperl and Commissioner/Board Member Dick Tatlow for their many years of service, dedication and commitment to the Planning and Zoning Commission, Board of Adjustment and Development Review Board. Ms. Bridge-Denzak announced that the aforementioned will be stepping down from their seats on the Planning and Zoning Commission, Board of Adjustment and Development Review Board. She commended them on the great impact they have had on the Town of Carefree as well as her career. Director Bridge-Denzak extended an invitation for them to attend the Town Council meeting, via ZOOM, scheduled for Tuesday, January 05, 2021, as the Town Council of the Town of Carefree would like to recognize them as well.

**ITEM 4. ADJOURNMENT.**

There being no additional business, Vice Chairman Cross **MOVED** to **ADJOURN**. **SECONDED** by Board Member Hitchon, **PASSED** unanimously. The meeting was **ADJOURNED** at 5:49 p.m.

**BOARD OF ADJUSTMENT**

\_\_\_\_\_  
Al Mascha, Chairman

**ATTEST:**

\_\_\_\_\_  
Samantha Gesell, Planning Clerk