

RESULTS OF PUBLIC MEETING BOARD OF ADJUSTMENT

Pursuant to A.R.S. Section 38-431.02, notice was hereby given to the members of the **BOARD OF ADJUSTMENT** and to the general public, that the **BOARD OF ADJUSTMENT** held a meeting open to public on **Thursday, January 8, 2026 at 12:00 p.m.**

The Board of Adjustment was held in-person and virtually.

The results of the meeting were as follows:

RESULTS

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| Approved | A. Approval of Minutes – December 4, 2025

<i>(Dodds/Ammon - Vote of 5-0) (Beuerlein, Graham absent).</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Approved | B. Approval of Agenda – January 8, 2026

<i>(Dodds/James - Vote of 5-0) (Beuerlein, Graham absent).</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| No Action | C. Requests for Continuance and/or Withdrawal

D. Items for Consideration | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Overtaken
ZAHO with
stipulations | <table border="0"><tr><td style="vertical-align: top; padding-right: 20px;">1.</td><td>Application #:</td><td>ZA-681-25-1</td></tr><tr><td></td><td>Existing Zoning:</td><td>RE-35</td></tr><tr><td></td><td>Location:</td><td>4522 West Country Gables Drive</td></tr><tr><td></td><td>Quarter Section:</td><td>Q34-18 (L6)</td></tr><tr><td></td><td>Proposal:</td><td>1) Variance to allow an over height fence (9 feet) within the required front yard setback (south). Maximum 40 inches permitted. 2) Variance to allow an over height fence (8 feet) within the required rear yard setback (north). Maximum 6 feet permitted. 3) Variance to allow an over height fence (8 feet) within the required side yard setback (west). Maximum 6 feet permitted.</td></tr><tr><td></td><td>Ordinance Sections:</td><td>703.A.3.a; 703.A.2.c; 703.A.2.c</td></tr><tr><td></td><td>Applicant:</td><td>Brian Kohlenberg</td></tr><tr><td></td><td>Representative:</td><td>Brian Kohlenberg</td></tr><tr><td></td><td>Owner:</td><td>Brian Kohlenberg</td></tr><tr><td></td><td>Appellant:</td><td>Brian Kohlenberg</td></tr></table> | 1. | Application #: | ZA-681-25-1 | | Existing Zoning: | RE-35 | | Location: | 4522 West Country Gables Drive | | Quarter Section: | Q34-18 (L6) | | Proposal: | 1) Variance to allow an over height fence (9 feet) within the required front yard setback (south). Maximum 40 inches permitted. 2) Variance to allow an over height fence (8 feet) within the required rear yard setback (north). Maximum 6 feet permitted. 3) Variance to allow an over height fence (8 feet) within the required side yard setback (west). Maximum 6 feet permitted. | | Ordinance Sections: | 703.A.3.a; 703.A.2.c; 703.A.2.c | | Applicant: | Brian Kohlenberg | | Representative: | Brian Kohlenberg | | Owner: | Brian Kohlenberg | | Appellant: | Brian Kohlenberg |
| 1. | Application #: | ZA-681-25-1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| | Applicant: | Brian Kohlenberg | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Representative: | Brian Kohlenberg | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Owner: | Brian Kohlenberg | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Appellant: | Brian Kohlenberg | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Overturned the Zoning Adjustment Hearing Officer's decision and approved the variances with stipulations:

- 1) Maximum fence height shall be 7 feet in the front yard (south) and 8 feet in the rear (north) and side (west) yards.***
- 2) The front fence (south) shall consist of a minimum 50% open view material.***
- 3) The rear fence (north) and side fence (west) shall consist of a minimum 33% open view material.***
- 4) 12 months to apply and pay for building permits.***

(Dodds/Eigo - Vote of 5-0) (Beuerlein, Graham absent).

E. Other Business

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| Updated | 2. Update on the Next Board of Adjustment Agenda. |
| Updated | 3. Update on Pending Appeals of the Board of Adjustment. |
| No Action | 4. Q & A: Procedure and Process - Board of Adjustment Case Law. |

Adjourned F. Adjournment

For further information, please call Julie Garcia in the Planning and Development Department at 602-495-7029 or contact us via electronic mail at pdd.boardofadjust@phoenix.gov. This electronic mail address will not accommodate zoning enforcement/violation complaints.

This publication can be made available in alternate format upon request. To request a reasonable accommodation, please contact Saneeya Mir at saneeya.mir@phoenix.gov or 602-686-6461, TTY: Use 7-1-1.

January 8, 2026