



MINUTES
Of the
LA PAZ COUNTY
BOARD OF ADJUSTMENT
Regular Meeting / Public Hearing
June 13, 2018 4:00 p.m.
Board of Supervisor's Meeting Room
1108 Joshua Avenue, Parker, AZ 85344

Those present were: Chairperson Todd Cramer, Board Member Luis Corral, Board Member Nina Chumley and Board Member Gory. Staff present were: County Attorney Dooley, Building Official Sorensen & GIS/911 Coordinator Renee Nelson.

Call to Order by: Chairperson Cramer at 4:02 pm

Board Member Chumley made the motion to approve the minutes of the Regular Meeting of April 11, 2019

Board Member Corral seconded the motion. APPROVED, motion passed unanimously

Ryan Dooley, did not see stack of cards for call to public. any appeal goes straight to the Superior Court. Under AZ law there are 4

1-special circumstances

2-any hardship to land/personal hardship is not considered justifiable reason to grant

3need for an adequate financial return

4hardship which has been created by the land owner

I would be the ones representing to the superior court. It will be heard de novo which means that they do not take your opinion into consideration. thank you for your time.

TC had a question

RD stated that this is not the time for that as doing call to public

Anna Camacho-la paz county assessor introduced herself and explained that when she gets her packet for review what she looks for among many things is to make sure that ownership is correct. What I am finding is that they are not putting the reason as for the hardship. I am not sure who I need to take this to, be it Mr. McCormick, they need to put some reason as to why they are asking for the variance. It seems that they are just asking for these and not giving any reason as to why or explaining what the hardship is

Docket No. V2019-007 – Michael & Jill Foster @ APN: 311-64-005. Applicant is requesting a Variance from the La Paz County Zoning Regulations, Section 603.06/B. Minimum Yard Setback Requirements:

- 1.) Requesting a five foot (5') Variance from the required ten foot (10') Front Yard setback resulting in a five foot (5') Front Yard Setback**
- 2.) Requesting a three foot (3') Variance from the required five foot (5') Side Yard setback resulting in a two foot (2') Side Yard setback,**
- 3.) Requesting a three foot (3') Variance from the required five foot (5') Side Yard setback resulting in a two foot (2') Side Yard setback,**

The property is located in a Transitional Residential Zoning District (TR). Section 27, Township 10N, Range 19W of the Gila & Salt River Meridian (Supervisor Minor Dist. 2.)

Building Official Sorensen: read staff report and at this time staff would like to make a stipulation that if you do choose to approve **Docket No. V2019-007** that you do so with the stipulation that the setback remain a clear 3' unobstructed

Chairperson Cramer asked if the Board had any questions for the county at this point

No questions for staff at this time

Chairperson Cramer opened this up to the public

Gene Ohlendorf introduced himself and explained that he resides in the neighborhood and is the acting agent for the applicant. Our area is very tight and we also have a wash that runs in with the lots. the real issue is the side setbacks. there is already 4' to the neighboring sides so I do believe that we will appease the code enforcement and the fire department with that 6'. You will find that there are properties in the neighborhood that are currently at 0 lot line or

Chairperson Cramer explained that we generally have granted 3', but 2' is not usually something that we approve

Gene Ohlendorf asked if we can amend it and explained that the project will work with 2 feet and the association states that 3' is for a good

DG-can you take a look at the picture and where does the wall actually sit

GO-no that wall is on the adjacent property and that is a little over 4'

DG so you would be 4' from the wall

GO-Yes

DG_is the house that is in the picture is currently at 4', and you will be an additional 3'

GO-yes

DG_so this also meets with the CCR's of the subdivision

GO_yes when they are 3 and 3, that will make it a minimum of 6' to appease both the fire and the code enforcement

Board Member Corral made the motion to approve **Docket No. V2019-007, with the stipulation that it remain 3' on each side and that all should remain free/clear and unobstructed and the 5' in the front**

Board Member Gory seconded

Chairperson Cramer: called for the vote **Motion Approved**, unanimously

Docket No. V2019-008 – Kevin & Emily Miller @ APN: 311-64-002. Applicant is requesting a Variance from the La Paz County Zoning Regulations, Section 603.06/B. Minimum Yard Setback Requirements:

- 1.) Requesting a five foot (5') Variance from the required ten foot (10') Front Yard setback resulting in a five foot (5') Front Yard Setback
- 2.) Requesting a three foot (3') Variance from the required five foot (5') Side Yard setback resulting in a two foot (2') Side Yard setback,
- 3.) Requesting a three foot (3') Variance from the required five foot (5') Side Yard setback resulting in a two foot (2') Side Yard setback,

The property is located in a Transitional Residential Zoning District (TR). Section 27, Township 10N, Range 19W of the Gila & Salt River Meridian (Supervisor Minor Dist. 2.)

Building Official Sorensen: read staff report and at this time staff asks that if you do choose to approve **Docket No. V2019-008** that you do so with the stipulation that the setback remain a clear 3' unobstructed

Chairperson Cramer asked if the Board had any questions for the county at this point

None at this time

Chairperson Cramer opened this up to the public

Gene Ohlendorf explained that not only is this the same neighborhood, it is the same street. This project will also work with just the 2' variance, so again can we amend this, as it is exactly like the previous request.

Chairperson Cramer commented that it looks like on this one that both properties on both sides are already at 0' lot line

Gene Ohlendorf explained that yes, the one on one side is at 0' lot line, not sure how that got approved, but that building has no doors, no windows

Chairperson Cramer asked about the other side, is that a wood structure?

Gene Ohlendorf explained that no there will be 6' between structures, he then went to dais and explained that there will be at least 6', there will again be 6' that remains between all structures

Chairperson Cramer asked if this will be a trailer with a deck in the front

Gene Ohlendorf commented that we are calling it a condo, it is a single wide trailer that looks like a double wide and it has a full garage on the other side

Chairperson Cramer commented that because of the angle of the lot you are looking at the 5' in the front

Gene Ohlendorf explained that is why, because all of those lots are pie shaped

Board Member Cramer made the motion to approve **Docket No. V2019-008 with the variance to be 2' versus the requested 3' with the stipulation that all should remain free/clear and unobstructed**

Board Member Corral seconded

Chairperson Cramer: called for the vote **Motion Approved**, unanimously

Docket No. V2019-009 – Jeff & Traci Jones @ APN: 311-53-027A. Applicant is requesting a Variance from the La Paz County Zoning Regulations, Section 603.06/B. Minimum Yard Setback Requirements:

1.) Requesting a six foot (6') Variance from the required ten foot (10') Front Yard setback resulting in a four foot (4') Front Yard Setback

The property is located in a Transitional Residential Zoning District (TR). Section 27, Township 10N, Range 19W of the Gila & Salt River Meridian (Supervisor Minor Dist. 2.)

Building Official Sorensen: read staff report and at this time staff asks that if you do choose to approve **Docket No. V2019-009**

Chairperson Cramer commented that we are seeing pictures of a near finished deck, so what happened?

Building Official Sorensen explained that they did not apply for a permit

Chairperson Cramer also commented that APS has some problems with this, so the setback is 4' from the street at this point

Chairperson Cramer asked if the Board had any additional questions for the staff

Chairperson Cramer opened this up to the public

Jeff Jones, property owner, did not know that he needed a permit for a deck, so sorry about that. I can cut it back 3' so that there will be access to the electrical panel. I have just been slowly working on this. We love it out here, I made a mistake and I will do whatever it takes to have a place to put my bbq on

Chairperson Cramer asked the applicant if he meets the overhead requirements that APS is looking for

Jeff Jones explained that at this point it does not, but that is something that can be cut back as well

Chairperson Cramer explained that this will have to follow the APS guidelines

Board Member Corral also commented that he will need the variance on the front and also on the side

Chairperson Cramer explained that the only thing that we can look at is the front one, because that is the only one that was posted and advertised. Maybe it would be best to have you come back with both requests

Chairperson Cramer so we can table this for this month and then you can make sure that everything does get notified

JS-I feel guilty for missing the assessor comments and I am sorry that I skipped over that

Chairperson Cramer commented that another problem is the fact that you are adding the deck for your own convenience and there is no real hardship. That will be something that you will want to talk to staff about. the problem with the variance is that it runs with the land, not just the deck. so if you were to move, sell, and the next one comes in and decides to build a home, he would be able to with this variance.

Building Official Sorensen explained that if you have a structure that is 120 square feet you are required to have a permit, this was done originally without a permit, so at this time I do not know the exact dimensions. I will tell you that our department is more than happy to work with this gentleman

County Attorney Dooley explained that at this point you can table this, or the homeowner can reapply

Jeff Jones introduced himself as the property owner and explained that he is here and is willing to do anything at this point to correct this

Board Member Corral made the motion to table, so that the applicant can figure out exact needs and can be published as needed

Board Member Gory seconded

Chairperson Cramer: called for the vote **Motion Approved**, unanimously

Chairperson Cramer made the call for Adjournment at 4:43 p.m.

Todd Cramer, Chairman

Tonya Hoogerwerf, Building Inspector

DRAFT