

**LA PAZ COUNTY
BOARD OF ADJUSTMENT
Regular Meeting / Public Hearing
January 11, 2007 – 4:00 p.m.
Board of Supervisor's Meeting Room
1108 Joshua Avenue, Parker, AZ 85344**

AGENDA

- 1. Call to Order**
- 2. Approval of Minutes for the December 14th, 2006 meeting.**
- 3. Docket No. V2006-027 – Glenda L. Paulsen & Paul W. Eckert - APN: 311-63-036.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a six and one-half foot variance from the required ten foot front yard setback, resulting in a three and one-half front yard setback; to construct a garage. The property is located at 31627 94th Street North, Parker.
- 4. Call to the Public.**
- 5. Adjournment.**

**MINUTES
Of The
La Paz County Board of Adjustment
January 11, 2006 Regular Meeting/Public Hearing
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Todd Cramer, Paul DiCarlo and Joyce Plog, Director Scott Bernhart, and Secretary, Bonnie Mayton. Others present were:

Acting Chairman Fisher called the Thursday, January 11, 2006 Regular Meeting/Public Hearing to order at 4:0 p.m.

Acting Chairman Fisher called for the 2nd item on the agenda today; the approval of the December 14, 2006 minutes.

Member Plog moved to approve the minutes of the December 14, 2006 meeting.

Member DiCarlo 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve the December 14, 2006 minutes passed unanimously.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 3 on the agenda.

Director Bernhart stated regarding **Docket No. V2006-027 – Glenda L. Paulsen & Paul W. Eckert - APN: 311-63-036**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a six and one-half foot variance from the required ten foot front yard setback, resulting in a three and one-half front yard setback; to construct a garage. The property is located at 31627 94th Street North, Parker.

Director Bernhart stated he was open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no further questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

There were no further questions from the public.

Acting Chairman Fisher closed the public hearing and asked the Board for a motion.

Member Cramer moved to Docket V2006-027.

Member DiCarlo 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to _____ passed unanimously.

Call to the Public

Chairman Fisher asked if there were any comments from the public.

There were no comments from the public.

Adjournment

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 5:03 p.m.

Gene Fisher, Acting Chairman

Scott Bernhart, Director

Bonnie L. Mayton,
Administrative Specialist

**LA PAZ COUNTY
BOARD OF ADJUSTMENT
Regular Meeting / Public Hearing
February 8, 2007 – 4:00 p.m.**
Board of Supervisor's Meeting Room
1108 Joshua Avenue, Parker, AZ 85344

AGENDA

1. **Call to Order**
2. **Approval of Minutes for the December 14th, 2006 meeting.**
3. **Docket No. V2006-027 – Glenda L. Paulsen & Paul W. Eckert - APN: 311-63-036.** (Carried over from the January 11, 2007 cancelled meeting of the Board of Adjustment.) The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a six and one-half foot variance from the required ten foot front yard setback, resulting in a three and one-half front yard setback; to construct a garage. The property is located at 31627 94th Street North, Parker.
4. **Docket No. V2007-001 – Michael Schaper - APN: 310-32-049.** The applicant is requesting two variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a two foot side yard setback variance on the west side yard, from the required five foot side yard setback, resulting in a three side yard setback and requesting a five foot front yard set back from the required ten foot front yard setback, resulting in a five foot front yard setback to accommodate a single wide mobile home. The property is located at 866 Bay View Drive, Parker.
5. **Docket No. V2007-002 – James L. Brouillette - APN: 311-52-003.** The applicant is requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a five foot side yard setback variance on the north side yard, from the required five foot side yard setback, resulting in a zero side yard setback to build a covered walk way. The property is located at 31806 Treasure Rd., Parker.
6. **Call to the Public.**
7. **Adjournment.**

**MINUTES
Of The
La Paz County Board of Adjustment
February 8, 2007 Regular Meeting/Public Hearing
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Todd Cramer, Paul DiCarlo and Joyce Plog, Director Scott Bernhart, and Secretary, Bonnie Mayton. Others present were: Glenda Paulsen, Don Bevans, Margaret Hokenson, and James Brouillette.

Acting Chairman Fisher called the Thursday, February 8, 2007 Regular Meeting/Public Hearing to order at 4:04 p.m.

Acting Chairman Fisher called for the 2nd item on the agenda today; the approval of the December 14, 2006 minutes.

Member Plog moved to approve the minutes of the December 14, 2006 meeting.

Member DiCarlo 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve the December 14, 2006 minutes passed unanimously.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 3 on the agenda.

Director Bernhart stated regarding **Docket No. V2006-027 – Glenda L. Paulsen & Paul W. Eckert - APN: 311-63-036**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a six and one-half foot variance from the required ten foot front yard setback, resulting in a three and one-half front yard setback; to construct a garage. The property is located at 31627 94th Street North, Parker.

Director Bernhart stated that staff recommends denial, based on the fact that the garage appears to be able to meet the front yard setback while still allowing a reasonable covered area for use and one end could be covered area for use and one end could be covered as a car port and apparently and it appears it could meet setback requirements.

Director Bernhart stated he was open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Ms. Glenda Paulsen, applicant, stated her support for the request.

Acting Chairman Fisher asked Director Bernhart to restate his reasons for recommending denial.

Director Bernhart stated there would be a way to build the garage without a variance and there are questions from the Health Department regarding the location of the septic tank and whether or not it would be allowed.

Member DiCarlo had a question with regard to the dimensions of the carport.

Acting Chairman Fisher asked the applicant's husband, Don Bevans, how long the mobile home has been there.

Mr. Bevans answered "since 1984".

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no further questions or comments from the public and Acting Chairman Fisher closed the public hearing and asked the Board for a motion.

Member DiCarlo moved to approve Docket V2006-027 with the stipulation that only one half is to be enclosed.

Member Cramer 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve Docket V2006-027 passed unanimously.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 4 on the agenda.

Director Bernhart stated regarding **Docket No. V2007-001 – Michael Schaper - APN: 310-32-049**. The applicant is requesting two variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a two foot

side yard setback variance on the west side yard, from the required five foot side yard setback, resulting in a three side yard setback and requesting a five foot front yard set back from the required ten foot front yard setback, resulting in a five foot front yard setback to accommodate a single wide mobile home. The property is located at 866 Bay View Drive, Parker.

Director Bernhart stated that staff recommends approval on the side yard setback and denial on the front yard setback, as it appears to have space to meet the front yard setback requirements. Further, there is a letter from the homeowners association that there is a 3 foot setback on the side and a 5 foot setback in the front and back.

Director Bernhart stated he was open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no further questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Margaret Hokenson, member of the Hillcrest Bay Homeowners Association, spoke in favor of the applicant's request and explained the reason for the variance request.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no further questions or comments from the public and Acting Chairman Fisher closed the public hearing and asked the Board for a motion.

Acting Chairman Fisher closed the public hearing and asked the Board for a motion.

Member Cramer moved to approve Docket V2007-001 with the stipulation that the new mobile home not be placed within 10 feet of the septic tank and no less than 5 feet from the front lot line and also approve 3 foot unobstructed side yard setback, also that there are no obstructions within that 3 feet, such as air conditioners or stairs.

Member Plog 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve Docket V2007-001 passed unanimously.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 5 on the agenda.

Director Bernhart stated regarding **Docket No. V2007-002 – James L. Brouillette - APN: 311-52-300**. The applicant is requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a five foot side yard setback variance on the north side yard, from the required five foot side yard setback, resulting in a zero side yard setback to build a covered walk way. The property is located at 31806 Treasure Rd., Parker.

Director Bernhart stated that staff recommends denial. A zero foot lot line is not consistent with the neighborhood and it could be detrimental to safety to surrounding lots and property and could potentially interfere with fire apparatus access.

Director Bernhart stated he was open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

James Brouillette, applicant, explained what he's asking for and explained the reasons.

Member Cramer commented on the zero lot line, the overhang and possible ramifications or hampering a neighbor building a home next door.

Member Plog mentioned the letter from a neighbor indicating support and asked about the water run off from rain and the excess water running into the neighbor's yard.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no further questions or comments from the public and Acting Chairman Fisher closed the public hearing and asked the Board for a motion.

Member DiCarlo moved to deny Docket V2007-002.

Member Cramer 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to deny Docket V2007-2002 passed unanimously.

Call to the Public

Chairman Fisher asked if there were any comments from the public.

Member DiCarlo asked about

There were no comments from the public.

Adjournment

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 4:58 p.m.

Gene Fisher, Acting Chairman

Scott Bernhart, Director

Bonnie L. Mayton,
Administrative Specialist

**LA PAZ COUNTY
BOARD OF ADJUSTMENT
Regular Meeting / Public Hearing
March 8, 2007 – 4:00 p.m.**
Board of Supervisor's Meeting Room
1108 Joshua Avenue, Parker, AZ 85344

AGENDA

1. **Call to Order**
2. **Approval of Minutes for the February 8, 2007 meeting.**
3. **Docket No. V2007-003 – Ted & Carla Bultsma - APN: 310-32-141.** The applicant is requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a four foot front yard setback variance from the required ten foot front yard setback, resulting in a six foot front yard setback to accommodate a staircase on the front porch. The property is located at 938 Crystal View Dr., Parker.
4. **Docket No. V2007-004 – Lonnie Nicholson - APN: 311-52-146.** The applicant is requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a three foot side yard setback variance on the south side yard, from the required five foot side yard setback, resulting in a two foot side yard setback to build onto an existing mobile home. The property is located at 10559 Dreamy Lane, Parker.
5. **Docket No. V2007-005 – Lil Dyer and Marsha Crawford - APN: 311-63-144.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a five foot rear yard setback variance from the required ten foot rear yard setback, resulting in a five foot rear yard setback to utilize the lot to place a home. The property is located at 10698 Crystal Canyon, Parker.
6. **Docket No. V2007-006 – Rock Ridge Properties/DDDJ Homes LLC/ Tom Brinkman - APN: 311-63-116A.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1-4.A (Table V-6): Requesting a 1.01 foot front yard width variance from the required fifty foot front yard width, resulting in a 48.99 foot front yard width to utilize the lot to place a home. The property is located at 10751 Crystal Canyon, Parker.

7. **Docket No. V2007-007 – Rock Ridge Properties/DDDJ Homes LLC/ Tom Brinkman - APN: 311-63-118B.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1-4.A (Table V-6): Requesting a 1.69 foot front yard width variance on the front yard width, from the required fifty foot front yard width, resulting in a 48.31 foot front yard width to utilize the lot to place a home. The property is located at 10735 Crystal Canyon, Parker.
8. **Docket No. V2007-008 – Rock Ridge Properties/DDDJ Homes LLC/ Tom Brinkman - APN: 311-63-118C.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1-4.A (Table V-6): Requesting a .94 foot front yard width variance from the required fifty foot front yard width, resulting in a 49.06 foot front yard width to utilize the lot to place a home. The property is located at 10727 Crystal Canyon, Parker.
9. **Call to the Public.**
10. **Adjournment.**

**MINUTES
Of The
La Paz County Board of Adjustment
March 8, 2007 Regular Meeting/Public Hearing
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Todd Cramer, Paul DiCarlo and Joyce Plog, Director Scott Bernhart, Code Enforcement Officer Teri Crawford and Secretary, Bonnie Mayton. Others present were: Ted and Carla Bultsma, Lonnie Nicholson, Lil Dyer and Margaret Hokenson.

Acting Chairman Fisher called the Thursday, March 8, 2007 Regular Meeting/Public Hearing to order at 4:03 p.m.

Acting Chairman Fisher called for the 2nd item on the agenda today; the approval of the February 8, 2007 minutes.

Member DiCarlo moved to approve the minutes of the February 8, 2007 meeting.

Member Cramer 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve the February 8, 2007 minutes passed unanimously.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 3 on the agenda.

Director Bernhart stated that he would be leaving the meeting at 4:30 p.m. and Code Enforcement Officer, Teri Crawford would present the remaining dockets.

Director Bernhart stated regarding **Docket No. V2007-003 – Ted & Carla Bultsma - APN: 310-32-141**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a four foot front yard setback variance from the required ten foot front yard setback, resulting in a six foot front yard setback to accommodate a staircase on the front porch. The property is located at 938 Crystal View Dr., Parker.

Director Bernhart stated that the applicant has provided a new site plan and they have met the lot coverage requirements however, the new site plan exhibits a five foot front yard setback, and that would actually exceed our

authority under what was published to grant that today. Staff is recommending approval on a six foot setback instead of a five foot.

Director Bernhart stated he was open for questions at this time.

Member DiCarlo asked shouldn't we be approving a one foot setback.

Director Bernhart stated yes, that's the actual number they need in order to build, according to the old site plan, the new site plan shows a 5 foot and we should clarify that with the owner.

Member Cramer stated his new drawing is showing a total of only 10 feet for the property line, 5 and 5 and to clarify what you were talking about, it would require no variance to be 3 feet.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no further questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Ted Bultsma, applicant, clarified that he is 5' from the corner on the left side of the house and 8' from the other side, so I'm looking for a one foot variance.

Acting Chairman Fisher and Member Cramer stated "a two foot variance."

Member DiCarlo asked how far is the corner of the house.

Mr. Bultsma stated the corner of the house is 10 feet from the property line and the deck on one side is 5 feet and on the other side is 8 feet and commented on the reason the variance came up after the house had started to be built.

There was discussion among the members with regard to re-advertising because of the difference in the original drawing to the new drawing presented at this meeting.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no further questions or comments from the public and Acting Chairman Fisher closed the public hearing and asked the Board for a motion.

Member DiCarlo moved to continue Docket V2007-003 to the April 12, 2007 meeting of the Board of Adjustment in order to re-advertise according to the new site plan presented by the applicant today.

Member Plog 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to continue Docket V2007-003 to the April 12, 2007 meeting passed unanimously.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 4 on the agenda.

Director Bernhart stated regarding **Docket No. V2007-004 – Lonnie Nicholson - APN: 311-52-146**. The applicant is requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a three foot side yard setback variance on the south side yard, from the required five foot side yard setback, resulting in a two foot side yard setback to build onto an existing mobile home. The property is located at 10559 Dreamy Lane, Parker.

Director Bernhart stated that staff has received a memo from the Health Department that there is no septic permit on file, also we have received five letters in support of this variance request and staff recommends denial because it appears that two feet is not enough setback area for ingress and egress also staff would like more information on the adjacent property and how far away the structure is on the adjacent property because if we don't have a minimum of six feet between structures that presents a problem as far as Fire Department access.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Lonnie Nicholson, applicant, stated he's requesting two feet on the side property line and stated all he wants to do is add on the existing mobile home and provided pictures of the adjacent mobile home for the Board Members showing the distance between the properties.

Discussion among the Members reviewing the photos presented by the applicant ensued.

Member DiCarlo spoke to the applicant stating Mr. Bernhart suggested a minimum of three feet so if we set three feet and you move the trailer over one foot, right now you're showing 9'6" to the septic from the building, the move would put you at 8' 6" to the septic and I don't think the Health Department would

excuse that amount from the required 10 feet and do you know where the septic tank is located on the property.

Mr. Nicholson responded that he does know where the septic is located.

Member Cramer stated "the clean out is at 9' 6".

Mr. Nicholson responded "yes."

Member DiCarlo stated that's the center of the tank.

Mr. Nicholson stated "yes, the clean out is about one foot from the edge of the tank, a foot closer to the mobile and further stated there is a new power pole located in the front of the property, the old one was in the back of the property.

Acting Chairman Fisher asked Director Bernhart about the house next door.

Code Enforcement Officer, Teri Crawford, answered that an abatement order was posted on that adjoining property last week, for repairs to be made.

There was discussion from the members to Mr. Nicholson regarding the ramifications to the adjacent property if they approved this request as is.

Mr. Nicholson provided an updated site plan with regard to the addition and could I get a three foot variance rather than the two foot variance.

Acting Chairman Fisher stated you are asking to do less than what was advertised and the answer is yes and that would be acceptable to you.

Director Bernhart left the meeting at 4:30 p.m.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no further questions or comments from the public and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Mr. Nicholson asked if he could request a 2 foot variance rather than a 3 foot variance.

Acting Chairman Fisher asked the applicant if he would consider a continuance to the April meeting in order to allow the Board members to visit the site to review the request.

Mr. Nicholson agreed to a continuance of his request.

Member Cramer moved to continue Docket V2007-004 to the April 12, 2007 meeting of the Board of the Adjustment.

Member Plog 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to continue Docket V2007-004 passed unanimously.

Acting Chairman Fisher asked Acting Director Crawford to give the staff report on item number 5 on the agenda.

Acting Director Crawford stated regarding **Docket No. V2007-005 – Lil Dyer and Marsha Crawford - APN: 311-63-144**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a five foot rear yard setback variance from the required ten foot rear yard setback, resulting in a five foot rear yard setback to utilize the lot to place a home. The property is located at 10698 Crystal Canyon, Parker.

Acting Director Crawford stated that staff recommends approval.

Acting Chairman Fisher asked the members if there were any questions or comments.

Acting Director Crawford clarified that there was no need for the width request on this property.

Acting Chairman Fisher asked the members if there were any questions or comments.

Lil Dyer, applicant, stated the Acting Director is correct in what she is saying, we need a variance because there is not enough room in the back for the septic to be 10 feet from the home.

Member Cramer asked Ms. Dyer is there was a need for a lot width change in the front.

Ms. Dyer stated “no.”

The members were confused about the applicants’ request with regard to the width request on the application.

Acting Director Crawford clarified the confusion that there is no lot width request to be with this docket.

Acting Chairman Fisher asked if the request is for the five foot from the ten foot.

Member Cramer qualified the request and stated that would be the side that is against the retaining wall.

Ms. Dyer stated "yes."

The members discussed the pictures of the property and suggested the applicants move the garage forward two feet.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no further questions or comments from the public and Acting Chairman Fisher closed the public hearing and asked the Board for a motion.

Member Cramer moved to approve Docket V2007-005 for a five foot rear set back from the required 10 foot rear setback.

Member Plog 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve Docket V2007-005 passed unanimously.

Acting Chairman Fisher asked for a 5 minute recess at 4:59 p.m.

Acting Chairman Fisher reconvened the meeting at 5:04 p.m.

Acting Chairman Fisher stated that the Board would be taking the next three dockets V2007-006, V2007-007 and V2007-008 at the same time and asked Acting Director, Teri Crawford, to give the staff report on items number 6, 7 and 8 on the agenda.

Acting Director, Teri Crawford stated regarding **Docket No. V2007-006 – Rock Ridge Properties/DDDJ Homes LLC/Tom Brinkman - APN: 311-63-116A**, the applicants are requesting one variance from the County Zoning Regulations, Section V-1-4.A (Table V-6): Requesting a 1.01 foot front yard width variance from the required fifty foot front yard width, resulting in a 48.99 foot front yard width to utilize the lot to place a home located at 10751 Crystal Canyon, Parker. Staff is recommending approval with the stipulation that the applicants must complete a lot line adjustment prior to obtaining a building permit being issued and to meet all other setbacks required by the TR regulations.

Acting Director Crawford stated regarding **Docket No. V2007-007 – Rock Ridge Properties/DDDJ Homes LLC/ Tom Brinkman - APN: 311-63-118B**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1-4.A (Table V-6): Requesting a 1.69 foot front yard width variance on the front yard width, from the required fifty foot front yard width, resulting in a 48.31 foot front yard width to utilize the lot to place a home, located at 10735 Crystal Canyon, Parker. Staff is recommending approval with the stipulation that the applicants must complete a lot line adjustment prior to obtaining a building permit being issued and to meet all other setbacks required by the TR regulations.

Acting Director Crawford stated regarding **Docket No. V2007-008 – Rock Ridge Properties/DDDJ Homes LLC/ Tom Brinkman - APN: 311-63-118C**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1-4.A (Table V-6): Requesting a .94 foot front yard width variance from the required fifty foot front yard width, resulting in a 49.06 foot front yard width to utilize the lot to place a home located at 10727 Crystal Canyon, Parker. Staff is recommending approval with the stipulation that the applicants must complete a lot line adjustment prior to obtaining a building permit being issued and to meet all other setbacks required by the TR regulations.

Acting Chairman Fisher asked the members if there were any questions or comments from the members.

There were no questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

There were no questions or comments from the public and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Member Cramer moved to approve Dockets V2007-006, V2007-007 and V2007-008.

Member Plog 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve Dockets V2007-006, V2007-007 and V2008-008 passed unanimously.

Call to the Public

Chairman Fisher asked if there were any comments from the public.

There were no comments from the public.

Adjournment

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 5:10 p.m.

Gene Fisher, Acting Chairman

Scott Bernhart, Director

Bonnie L. Mayton,
Administrative Specialist

Teri Crawford,
Code Enforcement Officer

**LA PAZ COUNTY
BOARD OF ADJUSTMENT
Regular Meeting / Public Hearing
April 12, 2007 – 4:00 p.m.
Board of Supervisor's Meeting Room
1108 Joshua Avenue, Parker, AZ 85344**

AGENDA

1. **Call to Order**
2. **Approval of Minutes for the March 8th, 2007 meeting.**
3. **Docket No. V2007-003 – Ted & Carla Bultsma & Leslie Gossenberger - APN: 310-32-141.** (Continued from the March 8, 2007 meeting of the Board of Adjustment.) The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-A(5) (Table V-3): Requesting a two foot front yard setback variance to build a cantilevered balcony/deck five feet from the front property line when a seven foot setback is required. The property is located at 938 Crystal View Dr., Parker
4. **Docket No. V2007-004 – Lonnie Nicholson - APN: 311-52-146.** (Continued from the March 8, 2007 meeting of the Board of Adjustment.) The applicant is requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a three foot side yard setback variance on the south side yard, from the required five foot side yard setback, resulting in a two foot side yard setback to build onto an existing mobile home. The property is located at 10559 Dreamy Lane, Parker.
5. **Docket No. V2007-009 – Sheila, Jerry and Charlotte Harrington - APN: 311-37-016.** The applicants are requesting three variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a one foot east side yard setback variance from the required five foot side yard setback, resulting in a four foot side yard setback; requesting a two foot west side yard setback variance from the required five foot side yard setback, resulting in a three foot side yard setback; and requesting a three foot rear yard setback variance from the required ten foot rear yard setback, resulting in a seven foot rear yard setback to build a new home. The property is located at 33795 Rio Way, Parker.

6. **Docket No. V2007-010 – Malliett Inv.,LLC/Randall Malliett - APN: 310-32-229.** The applicant is requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a two foot east side yard setback variance, from the required five foot side yard setback, resulting in a three foot side yard setback to build a new home. The property is located at 910 Noble View Drive, Parker.
7. **Docket No. V2007-011 – Thomas and Cynthia McGregor - APN: 310-32-096.** The applicants are requesting two variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a three foot east side yard setback variance from the required five foot side yard setback resulting in a two foot side yard setback; and requesting a two foot rear yard setback variance from the required ten foot rear yard setback, resulting in a eight foot rear yard setback to build a garage and an addition to the home. The property is located at 914 Swan Drive, Parker.
8. **APN: 305-13-015C – Parley P. and Lupe Peay – Appeal of \$90. 00 charge for a Mobile Home Placement Permit.**
9. **Call to the Public.**
10. **Adjournment.**

**MINUTES
Of The
La Paz County Board of Adjustment
April 12, 2007 Regular Meeting/Public Hearing
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Todd Cramer, and Paul DiCarlo, Director Scott Bernhart, Permits Specialist Jackie Johnson and Secretary, Bonnie Mayton. Others present were: Ted Bultsma, Lonnie Nicholson, Jerry and Charlotte Harrington, Tom McGregor, Georgette DiCarlo and Parley Peay.

Member Joyce Plog was absent.

Acting Chairman Fisher called the Thursday, April 12, 2007 Regular Meeting/Public Hearing to order at 4:04 p.m.

Acting Chairman Fisher called for the 2nd item on the agenda today; the approval of the March 8, 2007 minutes.

Member DiCarlo moved to approve the minutes of the March 8, 2007 meeting.

Member Cramer 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve the March 8, 2007 minutes passed unanimously.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 3 on the agenda.

Director Bernhart stated regarding **Docket No. V2007-003 – Ted & Carla Bultsma - APN: 310-32-141**. This docket was continued from the March 1st meeting of the Board of Adjustment. The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-A(5) (Table V-3): Requesting a two foot front yard setback variance to build a cantilevered balcony/deck five feet from the front property line when a seven foot setback is required. The property is located at 938 Crystal View Dr., Parker.

Director Bernhart stated regarding V2007-003, staff recommends approval and the applicant has provided a new site plan.

Director Bernhart stated he was open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no further questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Ted Bultsma, applicant, asked for Board to recommend approval of this request.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no further questions or comments from the public and Acting Chairman Fisher closed the public hearing and asked the Board for a motion.

Member Cramer moved to approve Docket V2007-003 as requested.

Member DiCarlo 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve Docket V2007-003 passed unanimously.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 4 on the agenda.

Director Bernhart stated regarding **Docket No. V2007-004 – Lonnie Nicholson - APN: 311-52-146**. This docket was continued from the March 1st meeting of the Board of Adjustment. The applicant is requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a three foot side yard setback variance on the south side yard, from the required five foot side yard setback, resulting in a two foot side yard setback to build onto an existing mobile home. The property is located at 10559 Dreamy Lane, Parker.

Director Bernhart stated that staff continues to recommend approval of a 3 foot side setback and meet septic setbacks.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Lonnie Nicholson, applicant, stated his request and asked if the Board had visited his property as was suggested at the last meeting and also commented on the hardship.

Acting Chairman Fisher stated that as it remains now it is conducive to the surrounding neighborhood.

Member Cramer stated if they allow this variance, it would inhibit a neighbor from building adequately on their property.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no further questions or comments from the public and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Member DiCarlo moved to approve Docket V2007-004 with a 2 foot setback on south side, unobstructed clearance.

Member Cramer 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve Docket V2007-004 passed unanimously.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 5 on the agenda.

Director Bernhart stated regarding **Docket No. V2007-009 – Sheila, Jerry and Charlotte Harrington - APN: 311-37-016**. The applicants are requesting three variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a one foot east side yard setback variance from the required five foot side yard setback, resulting in a four foot side yard setback; requesting a two foot west side yard setback variance from the required five foot side yard setback, resulting in a three foot side yard setback; and requesting a three foot rear yard setback variance from the required ten foot rear yard setback, resulting in a seven foot rear yard setback to build a new home. The property is located at 33795 Rio Way, Parker.

Director Bernhart stated that staff recommends approval with two stipulations: 1) Verify minimum 6 foot separation from adjacent structures on neighboring lots; and 2) applicants bring a new site plan that shows adjacent structures, utility and driveways.

Director Bernhart stated he was open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Jerry Harrington, applicant, explained his intentions for the new home.

Discussion ensued by the Board members with the applicant deciphering the pictures.

Director Bernhart suggested the applicant provide plans for review prior to the Board making a final decision.

Dane Durst, on the HOA, stated that the HOA has no problem with the variance request.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no further questions or comments from the public and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Member DiCarlo moved to continue Docket V2007-009 to the May 10, 2007 meeting of the Board of Adjustment.

Member Cramer 2nd the motion.

There was discussion among the Members with regard to the rear yard setback.

Acting Chairman Fisher called the applicant to the podium and asked the applicant regarding the drawing showing a 33' width, if we said there must be a minimum 6 foot separation.

Mr. Harrington stated yes.

Member DiCarlo withdrew his motion to continue Docket V2007-009 to the May 10, 2007 meeting of the Board of Adjustment.

Member Cramer withdrew his 2nd to the motion.

Member Cramer moved to approve Docket V2007-009 for: 1) a 2 foot variance on the west side; 2) with a 3 foot clear non-obstructed 3 foot rear setback variance for 7 feet net left; 3) and on the east side where the 4 foot setback is requested, with a stipulation that within 2 feet of the neighboring house structure that there is 6 foot clearance or no variance in that area, if there was a 6 foot clearance all the way you could maintain the 1 foot variance otherwise you'll have to go to no variance in that area.

Member DiCarlo 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve Docket V2007-009 passed unanimously.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 6 on the agenda.

Director Bernhart stated regarding **Docket No. V2007-010 – Malliett Inv.,LLC/Randall Malliett - APN: 310-32-229**. The applicant is requesting one variance from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a two foot east side yard setback variance, from the required five foot side yard setback, resulting in a three foot side yard setback to build a new home. The property is located at 910 Noble View Drive, Parker.

Director Bernhart stated that staff recommends approval with a minimum six foot separation between this lots' structures and adjacent structures and the applicant has claimed a need for additional access for handicap use/ingress and egress.

Director Bernhart stated he was open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no questions from the Board members.

The Board members discussed the request.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Roy Hokenson, resident of Hillcrest Bay, stated that the house is over 3'6" from the property line and they have no problem with a 3 foot setback on the side or the rear.

Acting Chairman Fisher asked if there was any one else wishing to speak in favor of, or in opposition to, this request.

There were no further questions or comments from the public and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Member DiCarlo moved to approved Docket V2007-010 as requested with the stipulation that there be a six foot minimum clearance between the building on the south side, and the three foot setback is unobstructed.

Member Cramer 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve Docket V2007-010 passed unanimously.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 7 on the agenda.

Director Bernhart stated regarding **Docket No. V2007-011 – Thomas and Cynthia McGregor - APN: 310-32-096**. The applicants are requesting two variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): Requesting a three foot east side yard setback variance from the required five foot side yard setback resulting in a two foot side yard setback; and requesting a two foot rear yard setback variance from the required ten foot rear yard setback, resulting in a eight foot rear yard setback to build a garage and an addition to the home. The property is located at 914 Swan Drive, Parker.

Director Bernhart stated staff recommends denial as property is apparently not able to meet setbacks for a septic system; a two foot setback is not compatible with the neighborhood and a two foot setback would create an unsafe separation of less than six feet between structures.

Director Bernhart stated he was open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments from the members.

There were no questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Tom McGregor, applicant, stated the septic issue has been resolved by moving the garage and therefore, there is no need for the rear setback.

Member Cramer clarified the request that there is not a need for a rear yard setback because the septic system has been corrected.

Member DiCarlo asked the applicant that he doesn't need the three feet but if they were to approve the three feet that would be acceptable.

Mr. McGregor stated yes.

Mr. Hokenson, Hillcrest Bay Homeowners Association, stated there was not a problem with the three feet on the side or rear.

Acting Chairman Fisher asked Mr. McGregor to step to the podium and restate his request.

Mr. McGregor complied.

Acting Chairman Fisher asked if there was any one wishing to speak in favor of, or in opposition to, this request.

There were no further questions or comments from the public and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Member Cramer moved to approve Docket V2007-011 for an east side two foot side yard variance resulting in a three foot side yard clearance, unobstructed.

Member DiCarlo 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve Docket V2007-011 passed unanimously.

Acting Chairman Fisher stated the next item on the docket is **APN: 305-13-015C – Parley P. and Lupe Peay – Appeal of \$90. 00 charge for a Mobile Home Placement Permit.**

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 8 on the agenda.

Director Bernhart stated regarding **APN: 305-13-015C – Parley P. and Lupe Peay – Appeal of the \$90. 00 fee for a Mobile Home Placement Permit**, staff is recommending denial of this request.

Director Bernhart stated he and the Permit Specialist, Jackie Johnson were open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments from the members.

Member DiCarlo asked about the \$90.00 that Ms. Perez paid.

Jackie Johnson, Permit Specialist, clarified that the fee was charged because a mobile home was placed on the property prior to obtaining a permit.

There were no further questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Mr. Peay, app

Acting Chairman Fisher called on Director Bernhart for clarification.

Acting Chairman Fisher called Ms. Johnson.

Mr. Peay, parcel owner, stated the history of mobile home placement.

Acting Chairman Fisher added the Section 108.4 to this agenda item as this is the section authorizing the double fee ability for "work without a permit".

Director Bernhart stated that section was adopted by the Board of Supervisors gives the Chief Building Official the ability to charge such fees.

There were no further questions or comments from the applicant and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Acting Chairman Fisher moved to uphold staff's recommendation for denial and suggested that Mr. Peay collect the additional \$90.00 from Ms. Perez.

Member Cramer 2nd the motion.

Acting Chairman Fisher asked for any discussion.

Members DiCarlo and Cramer had a brief discussion.

Acting Chairman Fisher called for the vote.

The motion to deny Mr. Peay's request passed unanimously.

Call to the Public

Chairman Fisher asked if there were any comments from the public.

Director Bernhart read an update from the County Attorney with regard to the fee charged for Land Divisions, that being \$100.00 per new parcel created.

There were no further comments from the public.

Board of Adjustment
April 12, 2007

Adjournment

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 6:05 p.m.

Gene Fisher, Acting Chairman

Scott Bernhart, Director

Bonnie L. Mayton,
Administrative Specialist

**LA PAZ COUNTY
BOARD OF ADJUSTMENT
Regular Meeting / Public Hearing
June 14, 2007 – 4:00 p.m.
Board of Supervisor's Meeting Room
1108 Joshua Avenue, Parker, AZ 85344**

AGENDA

- 1. Call to Order**
- 2. Approval of Minutes for the April 12th, 2007 meeting.**
- 3. Docket No. V2000-018 – Keith and Catherine Guenther - APN: 311-61-068A.** The applicants are appealing an Administrative Decision regarding the property located at 9065 Lakeview Drive, Parker
- 4. Call to the Public.**
- 5. Adjournment.**

**MINUTES
Of The
La Paz County Board of Adjustment
June 14, 2007 Regular Meeting/Public Hearing
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Todd Cramer, and Joyce Plog, Director Scott Bernhart, and Secretary, Bonnie Mayton. Others present were: William Kossner, Lauri Burke, Keith and Catherine Guenther and Gary Svider.

Member DiCarlo was absent.

Acting Chairman Fisher called the Thursday, June 14, 2007 Regular Meeting/Public Hearing to order at 4:00 p.m.

Acting Chairman Fisher called for the 2nd item on the agenda today; the approval of the April 12, 2007 minutes.

It was agreed by the members to move item number 2 on the agenda, the approval of the April 12, 2007 meeting, to the end of the meeting.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 3 on the agenda.

Director Bernhart stated regarding **Docket No. V2000-018 – Keith and Catherine Guenther - APN: 311-61-068A**. The applicants are appealing an Administrative Decision regarding the property located at 9065 Lakeview Drive, Parker and explained the circumstances surrounding this docket insofar as the original front yard setback was 20', the applicant's request was for 5', however, the letter to the applicants for approval, was for 10'. It is noted that the minutes and tape recording of the 2000 meeting of the Board of Adjustment are missing.

Director Bernhart stated he was open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no further questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

William Kossnar, representative for the applicant, explained their hardship and presented a picture of the property and the applicant provided plans for the members to review.

Gary Svider, referenced another docket in which a 5' front yard variance was approved and further stated that the Homeowner's Association has no problem with a 5' variance.

Lauri Burke questioned the standard verbiage used in Variance letters.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

Mr. Kossnar restated the original Variance Request in 2000 and desires that Director Bernhart's decision be reversed.

There were no further questions or comments from the public and Acting Chairman Fisher closed the public hearing and asked the Board for a motion.

Acting Chairman Fisher stated his opinion, the original approval letter with the 10' front yard setback and the increase in lot coverage should be upheld.

Member Plog expressed her concerns.

Member Plog moved to rescind the Director Bernhart's decision and uphold the 2000 application and the log reflecting the 5' front yard setback and the increase of lot coverage to 75%.

Acting Chairman Fisher asked if there was any further discussion.

There was no further discussion.

Acting Chairman Fisher called for the vote.

The motion to uphold the 2000 application and letter of approval on Docket V2000-018 passed with one abstention.

Acting Chairman Fisher called for the 2nd item on the agenda today; the approval of the April 12, 2007 minutes.

Member Cramer moved to approve the minutes of the April 12, 2007 meeting.

Acting Chairman Fisher called for the vote.

The motion to approve the April 12, 2007 minutes passed with one abstention.

Call to the Public

Chairman Fisher asked if there were any comments from the public.

There were no comments from the public.

Adjournment

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 4:47p.m.

Gene Fisher, Acting Chairman

Scott Bernhart, Director

Bonnie L. Mayton,
Administrative Specialist

**LA PAZ COUNTY
BOARD OF ADJUSTMENT
Regular Meeting / Public Hearing
July 12, 2007 – 4:00 p.m.
Board of Supervisor's Meeting Room
1108 Joshua Avenue, Parker, AZ 85344**

AGENDA

- 1. Call to Order**
- 2. Approval of Minutes for the June 14th, 2007 meeting.**
- 3. Docket No. V2007-012 – Julio's Rockin' Baja Grill LLC/Julian and Dianne Muniz - APN: 311-66-134A.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-C(1) (Table V-4): Requesting a twelve foot front yard setback variance from the required 20 foot front yard setback, resulting in an 8 foot front yard setback for an outdoor patio to be in compliance with the Arizona Department of Liquor, Health Department and the new No Smoking Law. The property is located at 9218 Lower Moovalya Estates Dr., Parker
- 4. Call to the Public.**
- 5. Adjournment.**

**MINUTES
Of The
La Paz County Board of Adjustment
July 12, 2007 Regular Meeting/Public Hearing
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Todd Cramer, and Joyce Plog, Director Scott Bernhart, and Secretary, Bonnie Mayton. Others present were: Gary Svider, Dianne and Julian Muniz.

Member Paul DiCarlo was present via telephone.

Acting Chairman Fisher called the Thursday, July 12, 2007 Regular Meeting/Public Hearing to order at 4:00 p.m.

Acting Chairman Fisher called for the 2nd item on the agenda today; the approval of the June 14, 2007 minutes.

Acting Chairman Fisher called for the 2nd item on the agenda today; the approval of the June 14, 2007 minutes.

Member Cramer moved to approve the minutes of the June 14, 2007 meeting.

Acting Chairman Fisher called for the vote.

The motion to approve the June 14, 2007 minutes passed with one abstention.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 3 on the agenda.

Director Bernhart stated regarding **Docket No. V2007-012 – Julio's Rockin' Baja Grill LLC/Julian and Dianne Muniz - APN: 311-66-134A**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-C (1) (Table V-4): Requesting a 12 foot front yard setback (Hwy. 95) variance from the required 20 foot front yard setback, resulting in an 8 foot front yard setback for an outdoor patio to be in compliance with the Alcohol Beverage Control (ABC), La Paz County Health Department and the new State Smoking Law. The property is located at 9218 Lower Moovalya Estates Dr., Parker. Staff recommends

Director Bernhart stated he was open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no further questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Diane Muniz, applicant and owner of Julio's Rockin' Baja Grill asked that this request be continued to determine what and how the road work will affect this variance request.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no further questions or comments from the public and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Member Cramer moved to continue Docket V2007-012 to the October 11, 2007 meeting of the Board of Adjustment.

Member Plog 2nd the motion.

Acting Chairman Fisher asked if there was any further discussion.

There was no further discussion.

Acting Chairman Fisher called for the vote.

The motion to continue Docket V2007-012 to the October 11, 2007 meeting of the Board of Adjustment passed unanimously.

Call to the Public

Chairman Fisher asked if there were any comments from the public.

There were no comments from the public.

Board of Adjustment
July 12, 2007

Adjournment

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 4:13p.m.

Gene Fisher, Acting Chairman

Scott Bernhart, Director

Bonnie L. Mayton,
Administrative Specialist

**LA PAZ COUNTY
BOARD OF ADJUSTMENT
Regular Meeting / Public Hearing
September 13, 2007 – 4:00 p.m.
Board of Supervisor's Meeting Room
1108 Joshua Avenue, Parker, AZ 85344**

AGENDA

- 1. Call to Order**
- 2. Approval of Minutes for the July 12th, 2007 meeting.**
- 3. Docket No. V2007-013 – Glen N. Whitley and John B. Whitley - APN: 302-63-031.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-C (1) (Table V-3): Requesting a 16 inch rear yard setback variance from the required three foot (an accessory structure) rear yard setback, resulting in an 20 inch rear yard setback to come into compliance with the La Paz County Zoning Regulations for the two existing storage containers. The property is located at 49240 Sourdough Rd., Ehrenberg.
- 4. Call to the Public.**
- 5. Adjournment.**

**MINUTES
Of The
La Paz County Board of Adjustment
September 13, 2007 Regular Meeting/Public Hearing
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Todd Cramer, Paul DiCarlo and Joyce Plog, Director Scott Bernhart, County Planner Joan-Marie King and Secretary, Bonnie Mayton. Others present were: Betty Westfall, Glen Whitley, Wanda Blackburn and Kim Blackburn.

Acting Chairman Fisher called the meeting to order at 4:00 p.m.

Acting Chairman Fisher called for the 2nd item on the agenda today; the approval of the July 12, 2007 minutes.

Member Plog moved to approve the minutes of the July 12, 2007 meeting.

Member Cramer 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve the July 12, 2007 minutes passed unanimously.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 3 on the agenda.

Director Bernhart stated regarding **Docket No. V2007-013 – Glen N. Whitley and John B. Whitley - APN: 302-63-031**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-C (1) (Table V-3): Requesting a 16 inch rear yard setback variance from the required three foot (an accessory structure) rear yard setback, resulting in a 20 inch rear yard setback to come into compliance with the La Paz County Zoning Regulations for the two existing storage containers. The property is located at 49240 Sourdough Rd., Ehrenberg.

Director Bernhart stated regarding V2007-013, staff recommends denial of unit adjacent to neighbors' mobile home and approval of the southern storage unit.

Mr. Whitley stated he could not hear, therefore, Acting Chairman Fisher asked for a recess while we set up the earphone connection.

Acting Chairman Fisher called the meeting back to order at 4:08 p.m. Director Bernhart stated he was open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments.

Member Cramer commented on one of the pictures.

There were no further questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Betty Westfall, speaking for the applicant, stated she was in favor of this variance.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

Mr. Whitley, applicant and property owner stated he is in favor of this variance request.

Ms. Westfall commented on the pictures of the property and provided pictures they have taken of the property and presented each member and the Director with copies of same.

Mr. Whitley stated he spoke with Chief Philpot on two separate occasions regarding inspecting the property and further stated that Captain Martinez inspected his property at Mr. Whitley's request.

Ms. Westfall commented on her conversation with Captain Martinez and then continued passing out literature to the Members.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There was discussion among the board members with regard to the sprinkler system or other protection.

There were no questions or comments from the public and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Mr. Whitley stated he could cover it with metal.

Member Cramer moved to approve Docket V2007-013 as requested with the stipulations that the wooden accessory structure, presently between the two storage containers is removed in its entirety and that this variance does now and will only in the future apply to these two storage sheds as they now sit and no other accessory structure that could be envisioned in the future.

Member DiCarlo 2nd the motion.

Acting Chairman Fisher asked if there was any further discussion.
There was no discussion.

Acting Chairman Fisher called for the vote.

The motion to approve Docket V2007-013 with the stated stipulations passed unanimously.

Call to the Public

Chairman Fisher asked if there were any comments from the public.

Director Bernhart introduced Joan-Marie King as the new County Planner.

There were no further comments from the public.

Adjournment

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 4:39 p.m.

Gene Fisher, Acting Chairman

Scott Bernhart, Director

Bonnie L. Mayton,
Administrative Specialist

**LA PAZ COUNTY
BOARD OF ADJUSTMENT
Regular Meeting / Public Hearing
October 11, 2007 – 4:00 p.m.
Board of Supervisor's Meeting Room
1108 Joshua Avenue, Parker, AZ 85344**

AGENDA

- 1. Call to Order**
- 2. Approval of Minutes for the September 13th, 2007 meeting.**
- 3. Docket No. V2007-012 – Julio's Rockin' Baja Grill LLC/Julian and Dianne Muniz - APN: 311-66-134A.** (Continued from the July 12, 2007 meeting of the Board of Adjustment.) The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-C(1) (Table V-4): Requesting a 12 foot front yard setback (Hwy. 95) variance from the required 20 foot front yard setback, resulting in an 8 foot front yard setback for an outdoor patio to be in compliance with the Alcohol Beverage Control (ABC), La Paz County Health Department and the new State Smoking Law. The property is located at 9218 Lower Moovalya Estates Dr., Parker.
- 4. Call to the Public.**
- 5. Adjournment.**

**MINUTES
Of The
La Paz County Board of Adjustment
October 11, 2007 Regular Meeting/Public Hearing
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Paul DiCarlo and Joyce Plog, Director Scott Bernhart, Planner Joan-Marie King and Secretary, Bonnie Mayton. Others present were: Dianne and Julian Muniz.

Member Todd Cramer was absent.

Acting Chairman Fisher called the Thursday, Regular Meeting/Public Hearing to order at 4:05 p.m.

Acting Chairman Fisher called for the 2nd item on the agenda today; the approval of the September 13, 2007 minutes.

Member Plog asked to postpone action on the minutes until the end of the meeting to afford her the opportunity to peruse the minutes.

Acting Chairman Fisher postponed the minutes to the end of the meeting.

Acting Chairman Fisher asked Director Bernhart to give the staff report on item number 3 on the agenda.

Director Bernhart stated regarding **Docket No. V2007-012 – Julio's Rockin' Baja Grill LLC/Julian and Dianne Muniz - APN: 311-66-134A**. This docket was continued from the July 12, 2007 meeting of the Board of Adjustment. The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-C(1) (Table V-4): Requesting a 12 foot front yard setback (Hwy. 95) variance from the required 20 foot front yard setback, resulting in an 8 foot front yard setback for an outdoor patio to be in compliance with the Alcohol Beverage Control (ABC), La Paz County Health Department and the new State Smoking Law. The property is located at 9218 Lower Moovalya Estates Dr., Parker. Further the Public Works Director, Tom Simmons, commented to Director Bernhart that he felt the widening of the road would be approximately 8 feet and a survey has come back with a 33' width from the center line of the road which would put the actual right-of-way line into the middle of the patio, however, the final survey will not be complete until the 16th of October. Both the Public Works Director and I would recommend continuance.

Director Bernhart stated he was open for questions at this time.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Diane Muniz, applicant, commented on the distance from Riverside Drive to the edge of the patio.

There was discussion among the Board members and Director Bernhart.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no questions or comments from the public and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Member DiCarlo moved to continue Docket V2007-012 to the December 13, 2007 meeting of the Board of Adjustment.

Member Plog 2nd the motion.

Acting Chairman Fisher asked if there was any further discussion.

There was no further discussion.

Acting Chairman Fisher called for the vote.

The motion to continue Docket V2007-012 passed unanimously.

Acting Chairman Fisher called for the 2nd item on the agenda today; the approval of the September 13, 2007 minutes.

Member Plog moved to approve the minutes of the September 13, 2007 meeting.

Member DiCarlo 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve the September 13, 2007 minutes passed unanimously.

Call to the Public

Chairman Fisher asked if there were any comments from the public.

There were no comments from the public.

Adjournment

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 4:20 p.m.

Gene Fisher, Acting Chairman

Scott Bernhart, Director

Bonnie L. Mayton,
Administrative Specialist

**LA PAZ COUNTY
BOARD OF ADJUSTMENT
Regular Meeting / Public Hearing
December 13, 2007 – 4:00 p.m.
Board of Supervisor's Meeting Room
1108 Joshua Avenue, Parker, AZ 85344**

AGENDA

1. **Call to Order**
2. **Approval of Minutes for the October 11th, 2007 meeting.**
3. **Docket No. V2007-012 - Julio's Rockin' Baja Grill LLC/Julian and Dianne Muniz – APN: 311-66-013A.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-C(1) (Table V-4): Requesting a 12 foot front yard setback (Hwy. 95) variance from the required 20 foot front yard setback, resulting in an 8 foot front yard setback for an outdoor patio to be in compliance with the Alcohol Beverage Control (ABC), La Paz County Health Department and the new State Smoking Law. The property is located at 9218 Lower Moovalya Estates Dr., Parker.
4. **Docket No. V2007-014 – James L. Nix - APN: 311-49-197C.** The applicant is requesting five variances from the County Zoning Regulations, Section V-1-3-C (2) (Table V-3): 1) requesting a 0 foot north side yard setback variance from the required 5 foot (existing subdivision) side yard setback, resulting in a 0 foot north yard setback; 2) requesting a 0 foot south side yard setback variance from the required 5 foot (existing subdivision) side yard setback, resulting in a 0 foot south side yard setback; 3) requesting a 0 foot front yard setback variance from the required 20 foot front yard setback, resulting in a 0 foot front yard setback; 4) Section V-1-2-D (1) (Table V-1), requesting an increase in the building height from the maximum of 35 feet to 39 feet, resulting in a 4 foot increase in the building height; and 5) Section V-1-4-A (1) (Table V-6), requesting an increase in lot coverage from the maximum allowed of 65% to 87%, resulting in a 22% increase in lot coverage. The property is located at 10084 Riverside Drive, Parker.

5. **Docket No. V2007-015 – Arthur B. and Judy M. Dodge - APN: 311-37-025.** The applicants are requesting four variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): 1) requesting a 2 foot west side yard setback variance from the required 5 foot side yard setback, resulting in a 3 foot west yard setback; 2) requesting a 2 foot east side yard setback variance from the required 5 foot side yard setback, resulting in a 3 foot east yard setback; 3) requesting a 7 foot rear yard setback variance from the required 10 foot rear yard setback, resulting in a 3 foot rear yard setback; and 4) Section V-1-4-A (1) (Table V-6), requesting an increase in lot coverage from the maximum allowed of 65% to 79%, resulting in a 14% increase in lot coverage. The property is located at 33756 Rio Way, Parker.
6. **Docket No. V2007-016 – Moonlight Farms/Randy Lathrop - APN: 304-58-032.** The applicant is requesting one variance from the County Zoning Regulations, Section V-1-C (Table V-4): requesting a 0 foot front yard setback variance from the required 20 foot front yard setback, resulting in a 0 foot front yard setback. The property is located at 38170 Apache Street, Salome.
7. **Docket No. V2007-017 – Jo Anne Bentley - APN: 311-37-014.** The applicant is requesting six variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): **1)** requesting a 5 foot west side yard setback variance from the required 10 foot side yard setback, resulting in a 5 foot west yard setback; **2)** requesting a 2 foot east side yard setback variance from the required 5 foot side yard setback, resulting in a 3 foot east yard setback; **3)** requesting a 5 foot front yard setback variance from the required 10 foot front yard setback, resulting in a 5 foot front yard setback; **4)** requesting a 0 foot rear yard setback variance from the required 10 foot rear yard setback, resulting in a 0 foot rear yard setback; **5)** requesting a 5' foot east and west side yard setback variance from the required 5 foot side yard setback, resulting in a 0 foot west yard setback for an existing garage; and Section V-1-4-A (1) (Table V-6), **6)** requesting an increase in lot coverage from the maximum allowed of 65% to 85%, resulting in a 20% increase in lot coverage. The property is located at 6895 Bonnie Drive, Parker.
8. **Docket No. V2007-018 – Michael G. Medlock - APN: 308-09-068A-4.** The applicant is requesting two variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): **1)** requesting a 5 foot east side yard setback variance from the required 5 foot side yard setback, resulting in a 0 foot east yard setback; **2)** requesting a 0 foot rear yard setback variance from the required 10 foot rear yard setback, resulting in a 0 foot rear yard setback. The property is located at 70859 Elm Street, Wenden.
9. **Call to the Public.**
10. **Adjournment.**

**MINUTES
Of The
La Paz County Board of Adjustment
December 13, 2007 Regular Meeting/Public Hearing
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Todd Cramer, Joyce Plog and Jim Slawson, Secretary, Bonnie Mayton, and Administrative Assistant Christa Lotts. Others present were: Ken Dillard, Kathy Dillard, Jim Downing, James Nix, Debra Lathrop, Randy Lathrop, Helyn Cozby, Dianne Muniz, Julio Muniz, Thane Durst, David Scott, Don Harrison, Robert Bentley, Jo Anne Bentley, Myrtle Harrison, Michael Medlock, William Kew and Victoria Kew.

Acting Chairman Fisher called the Thursday, Regular Meeting/Public Hearing to order at 4:05 p.m.

Acting Chairman Fisher called for the 2nd item on the agenda today; the approval of the October 11, 2007 minutes.

Member Plog moved to approve the minutes of the October 11, 2007 meeting.

Member Fisher 2nd the motion.

Acting Chairman Fisher called for the vote.

The motion to approve the October 11, 2007 minutes passed with one abstention.

Acting Chairman Fisher asked Planner, Joan-Marie King to give the staff report on item number 3 on the agenda.

Planner, Joan-Marie King stated regarding **Docket No. V2007-012 – Julio’s Rockin’ Baja Grill LLC/Julian and Dianne Muniz - APN: 311-66-134A**. This docket was continued from the October 11, 2007 meeting of the Board of Adjustment. The applicants are requesting one variance from the County Zoning Regulations, Section V-1-3-C(1) (Table V-4): Requesting a 12 foot front yard setback (Hwy. 95) variance from the required 20 foot front yard setback, resulting in an 8 foot front yard setback for an outdoor patio to be in compliance with the Alcohol Beverage Control (ABC), La Paz County Health Department and the new State Smoking Law. The property is located at 9218 Lower Moovalya Estates Dr., Parker, staff recommends denial due to an eight foot setback will not provide adequate separation from Riverside Drive.

Acting Chairman Fisher asked the members if there were any questions or comments.

Planner, Joan-Marie and Members discussed location of the proposed new Hwy 95 and the effect on Julio's Rockin' Baja Grill. The recommendation from Interim Director of Public Works, Tom Simmons was read into record.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Owner, Diane Muniz commented on the location of the cement slab.

Member Slawson and applicant discussed the parking lot location and other locations for the patio.

Members and Planner, Joan-Marie discussed the future road modification markings and their location to the cement slab.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

Member Cramer and Planner, Joan-Marie discussed whether the structure is in compliance with the County Code.

Acting Chairman Fisher suggested a continuance for this Docket and for Director Bernhart, Director Simmons and County Attorney to review the issue and would like to have Chief Inspector, Dale Heberling present at the next Board of Adjustment meeting.

Member Slawson moved to continue to Docket V2007-012 January 10, 2008 meeting of the Board of Adjustment.

Member Cramer 2nd the motion.

Acting Chairman Fisher asked if there was any further discussion.

There was no further discussion.

Acting Chairman Fisher called for the vote.

The motion to continue Docket V2007-012 passed unanimously.

Acting Chairman Fisher asked Planner, Joan-Marie King to give the staff report on item number 4 on the agenda.

Planner, Joan-Marie King stated regarding **Docket No. V2007-014 – James L. Nix - APN: 311-49-197C**, the applicant is requesting five variances from the County Zoning Regulations, Section V-1-3-C (2) (Table V-3): 1) requesting a 0 foot north side yard setback variance from the required 5 foot (existing subdivision) side yard setback, resulting in a 0 foot north yard setback; 2) requesting a 0 foot south side yard setback variance from the required 5 foot (existing subdivision) side yard setback, resulting in a 0 foot south side yard setback; 3) requesting a 0 foot front yard setback variance from the required 20 foot front yard setback, resulting in a 0 foot front yard setback; 4) Section V-1-2-D (1) (Table V-1), requesting an increase in the building height from the maximum of 35 feet to 39 feet, resulting in an 4 foot increase in the building height; and 5) Section V-1-4-A (1) (Table V-6), requesting an increase in lot coverage from the maximum allowed (in an R-1 zone) of 65% to 87%, resulting in a 22% increase in lot coverage. The property is located at 10084 Riverside Drive, Parker, staff recommends approval.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Planner, Joan-Marie stated that there were 4 letters in opposition.

James Nix commented that the building has been there since 1983. Variance is requested for future rezoning to residential.

Members discussed in length whether a variance can be awarded with a stipulation to reverse setbacks to their original state if the existing structure is torn down. Acting Chairman Fisher suggested that the stipulation be presented to the County Attorney for review.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no questions or comments from the public and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Member Cramer moved to continue Docket V2007-014 to January 10, 2008 meeting of the Board of Adjustment pending response from the County Attorney.

Member Plog 2nd the motion.

Acting Chairman Fisher asked if there was any further discussion.

There was no further discussion.

Acting Chairman Fisher called for the vote.

The motion to continue Docket V2007-014 passed unanimously.

Acting Chairman Fisher asked Planner, Joan-Marie King to give the staff report on item number 5 on the agenda.

Planner, Joan-Marie King stated regarding **Docket No. V2007-015 – Arthur B. and Judy M. Dodge - APN: 311-37-025**. The applicants are requesting four variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): 1) requesting a 2 foot west side yard setback variance from the required 5 foot side yard setback, resulting in a 3 foot west yard setback; 2) requesting a 2 foot east side yard setback variance from the required 5 foot side yard setback, resulting in a 3 foot east yard setback; 3) requesting a 7 foot rear yard setback variance from the required 10 foot rear yard setback, resulting in a 3 foot rear yard setback; and 4) Section V-1-4-A (1) (Table V-6), requesting an increase in lot coverage from the maximum allowed of 65% to 79%, resulting in a 14% increase in lot coverage. The property is located at 33756 Rio Way, Parker. Staff recommends denial because it does not allow adequate access to electric service panel and proposed lot coverage exceeds maximum. There is only one letter in opposition.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Thane Durst, President of Homeowners Association in Marina Village commented about the small lots and setbacks in the community. Mr. Durst also commented that there is a vacant lot to the rear of the property that would give access to the electrical service panel.

Members discussed the electrical panel access and lot coverage issues.

Mr. Durst commented that Mr. Dodge would be willing to have a four foot rear yard setback to allow adequate access to the electrical panel.

Acting Chairman Fisher asked Planner, Joan-Marie if there were any comments regarding a four foot rear yard setback. Joan-Marie read into record the comments from APS.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no questions from the Board members.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

Helyn Cozby spoke to say she was in support of variance request.

Acting Chairman Fisher closed the public hearing and asked the Board for a motion.

Member Cramer moved to approve Docket V2007-015 with the stipulation that on the side yard setback will be minimum 3 foot setback from property line, allow 10 ft setback off the street and rear setback will be 4 foot and meet APS requirements for accessing the electrical panel.

Member Plog 2nd the motion.

Acting Chairman Fisher asked if there was any further discussion.

There was no further discussion.

Acting Chairman Fisher called for the vote.

The motion to approve with stipulations Docket V2007-015 passed unanimously.

Acting Chairman Fisher asked Planner, Joan-Marie King to give the staff report on item number 6 on the agenda.

Planner, Joan-Marie King stated regarding **Docket No. V2007-016 – Moonlight Farms/Randy Lathrop - APN: 304-58-032**. The applicant is requesting one variance from the County Zoning Regulations, Section V-1-C (Table V-4): requesting a 0 foot front yard setback variance from the required 20 foot front yard setback, resulting in a 0 foot front yard setback, with references to the following zoning sections: Sections V-3(C) Loading Spaces (Commercial uses), V-4(A) Parking and V-4(D) Space Accessibility, (all in Table V-8). The property is located at 38170 Apache Street, Salome. Staff recommends approval.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Jim Downing commented that the Development Review Team (DRT) was presented with this project. DRT recommended that more than one variance is needed for parking purposes.

Members discussed parking issues in length with Mr. Downing.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no questions or comments from the public and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Member Plog questioned the right of way and where the building lies. Jim Downing stated that the building will be tore completely down.

Member Slawson moved to approve Docket V2007-016.

Member Plog 2nd the motion.

Acting Chairman Fisher asked if there was any further discussion.

Acting Chairman Fisher commented to Mr. Downing that he will speak with the County Administrator and ask that the County looks into giving property back to land owner for adequate parking.

Acting Chairman Fisher called for the vote.

The motion to approve Docket V2007-016 passed unanimously.

Acting Chairman Fisher asked Planner, Joan-Marie King to give the staff report on item number 7 on the agenda.

Planner, Joan-Marie King stated regarding **Docket No. V2007-017 – Jo Anne Bentley - APN: 311-37-014**, the applicants are requesting five variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): **1)** requesting a 2 foot west side yard setback variance from the required 5 foot side yard setback, resulting in a 3 foot west yard setback; **2)** requesting a 2 foot east side yard setback variance from the required 5 foot side yard setback, resulting in a 3 foot east yard setback; **3)** requesting a 5 foot front yard setback variance from the required 10 foot front yard setback, resulting in a 5 foot front yard setback; **4)** requesting a 0 foot rear yard setback variance from the required 10 foot rear yard setback, resulting in a 0 foot rear yard setback; and Section V-1-4-A (1) (Table V-6), **5)** requesting an increase in lot coverage from the maximum allowed of 65% to 85%, resulting in a 20% increase in lot coverage. The property is located at 6895 Bonnie Drive, Parker. Staff recommendation is denial.

Member Plog asked if the garage already existing. Planner, Joan-Marie responded that the garage is existing and another garage is to be added pending variance.

Acting Chairman Fisher asked the members if there were any questions or comments.

Member Cramer questioned the lot coverage percentage. Planner, Joan-Marie stated that there is a typo on staff report as well as agenda item.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Bob Bentley, owner commented regarding footprint and front yard setback.

Member Slawson asked whether the garage is new or existing. Helyn Cozby responded that the garage has been there since 1970 as long as she has been there.

Thane Durst, President of the Homeowners Association commented that the corner lots in subdivision are the smallest lots and require more variances than the normal lots.

Acting Chairman Fisher commented that Chief Inspector, Dale Heberling be present for questions.

Members discussed whether a variance can be allowed with limitations based on the existing structure. Acting Chairman Fisher suggested legal advice from the County Attorney regarding this matter.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

There were no questions or comments from the public and **Acting Chairman Fisher** closed the public hearing and asked the Board for a motion.

Member Cramer moved to continue Docket V2007-017 to January 10, 2008 meeting of the Board of Adjustment for legal advice from the County Attorney.

Member Slawson 2nd the motion.

Acting Chairman Fisher asked if there was any further discussion.

Acting Chairman Fisher called for the vote.

The motion to continue Docket V2007-017 passed unanimously.

Acting Chairman Fisher asked Planner, Joan-Marie King to give the staff report on item number 8 on the agenda.

Planner, Joan-Marie King stated regarding **Docket No. V2007-018 – Michael Medlock - APN: 308-09-068A**. The applicant is requesting two variances from the County Zoning Regulations, Section V-1-C (Table V-3): requesting a 5 foot east side yard setback variance from the required 5 foot side yard setback, resulting in a 0 foot east yard setback; 2) requesting a 0 foot rear yard setback variance from the required 10 foot rear yard setback, resulting in a 0 foot rear yard setback. The property is located at 70859 Elm Street, Wenden. Staff recommends denial based on MHS Zoning District for Table V-7 and V-4.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no questions from the Board members.

Acting Chairman Fisher opened the hearing to the public and asked if there was any one wishing to speak in favor of, or in opposition to, this request.

Michael Medlock, owner commented that all residents in the neighborhood are in support of the variance and handed members of the board the signatures.

Acting Chairman Fisher asked the members if there were any questions or comments.

There were no questions from the Board members.

Acting Chairman Fisher asked if there was any one else that wished to speak in favor of or in opposition to this request.

Donald Harrison spoke in favor of the request.

Planner, Joan-Marie commented that the applicant owns the property (308-09-067C) next to the property on the application.

Member Slawson commented that he drove by the area and most lots have mobile homes. A few lots had 0 foot setbacks, most were 3 foot.

Mr. Medlock supplied copies of pictures he took of other lots with 0 foot setbacks.

Acting Chairman Fisher closed the public hearing and asked the Board for a motion.

Member Slawson moved deny Docket V2007-018.

Member Fisher 2nd the motion.

Acting Chairman Fisher asked if there was any further discussion.

There was no further discussion.

Acting Chairman Fisher called for the vote.

The motion to deny Docket V2007-018 passed unanimously.

Call to the Public

Chairman Fisher asked if there were any comments from the public.

There were no comments from the public.

Adjournment

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 6:38 p.m.

Gene Fisher, Acting Chairman

Joan-Marie King, Planner

Christa Lotts,
Administrative Assistant