



MINUTES
Of the
LA PAZ COUNTY
BOARD OF ADJUSTMENT
Regular Meeting / Public Hearing
April 11, 2018 4:00 p.m.
Board of Supervisor's Meeting Room
1108 Joshua Avenue, Parker, AZ 85344

Those present were: Chairperson Todd Cramer, Vice Chairperson Mark Peretik, Board Member Luis Corral and Board Member Nina Chumley. Staff present were: County Attorney Dooley, Community Development Director McCormick, Building Inspector Hoogerwerf & GIS/911 Coordinator Renee Nelson.

Call to Order by: Chairperson Cramer at 4:04 pm

Board Member Chumley made the motion to approve the minutes of the Regular Meeting of January 10, 2019

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

- 1.) Docket No. V2019-002 – Donald & Diane Petrotta @ APN: 310-30-023C.** 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
 - 2.)** Requesting a two foot (2') Variance from the required five foot (5') Side Yard setback resulting in a three foot (3') Side Yard setback,
 - 3.)** Requesting a seven foot (7') Variance from the required ten foot (10') Rear Yard setback resulting in a three foot (3') Rear Yard setback,

The property is located in a Transitional Residential Zoning District (TR). Section 21, Township 11N, Range 18W of the Gila & Salt River Meridian (Supervisor Minor Dist. 2.)

Building Inspector Hoogerwerf: read staff report and at this time staff would like to make a stipulation that if you do choose to approve **Docket No. V2019-002** 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

Board Member Peretik asked where will the a/c be going

Shane Kemper introduced himself and explained that he was here with the owner and will answer any questions that you do have. What is being proposed for the a/c is that it will be on the south side

Board Member Peretik explained that it can't be anywhere within the 3' setback

Chairperson Cramer explained that if we do make the motion for approval we will make it with the stipulation that it remain free/clear and unobstructed

Board Member Corral made the motion to approve **Docket No. V2019-002, with the stipulation that all should remain free/clear and unobstructed**

Board Member Chumley seconded

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

2.) Docket No. V2019-003 – Christine & Carlos Sanchez @ APN: 311-42-009A. Applicant is requesting a Variance from the La Paz County Zoning Regulations, Section 603.06/B. Minimum Yard Setback Requirements:

- 1.) Requesting a twenty foot (20') Variance from the required 20 foot (20') Front Yard setback resulting in a zero foot (0') Front Yard Setback

The property is located in a Low Density Residential Zoning District (R-1-6). Section 22, Township 10N, Range 19W of the Gila & Salt River Meridian (Supervisor Minor Dist. 2.)

Building Inspector Hoogerwerf: read staff report and at this time staff do choose to approve **Docket No. V2019-002** 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

Building Inspector Hoogerwerf read owner letter into record

TC the owner is here?

Chairperson Cramer opened this up to the public

Mike Mitchell introduced himself and explained that he is here representing the owners

Mike Mitchell said he turned plans in, I am not sure why it is not in you packet, he then approached the BOA members with site plan and proceeded to explain what he is proposing

TC my only concern is that you will be dependent on getting in and out of driveway by using the right of way, they have 66' the map shows

NC so he is going to take that wall out and build there

MP will this attach to the house or be free standing

MM explained that it will be free standing and we will be remodeling the home so that it also matches the new garage

TC ok so we have looked at the plans and we understand what he plans to do

Board Member Peretik made the motion to approve **Docket No. V2019-003, with the stipulation that all should remain free/clear and unobstructed**

Board Member Corral seconded

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

3.) Docket No. V2019-004 – Braddick Harbuck @ APN: 311-49-113. Applicant is requesting a Variance from the La Paz County Zoning Regulations, Section 603.06/B. Minimum Yard Setback Requirements:

- 1.) Requesting a four foot (4') Variance from the required ten foot (10') Front Yard setback resulting in a six foot (6') Front Yard Setback
- 2.) Requesting a two foot (2') Variance from the required five foot (5') Side Yard setback resulting in a three foot (3') 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 Inspector Hoogerwerf: read staff report and at this time staff would like to **Docket No. V2019-004** to discussion, stipulation to remain free and clear and un

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

CC the drawing shows an existing garage and a new trailer, but the request shows a detached garage. So are building a garage or a trailer

TH I believe that we are just placing the manufactured home, we included the additional information for you to see

NC so will it be 3' from the house?

MP no it will be 3 from the property line

Robyn Igo introduced himself and explained that there is another trailer on the side and he is currently 3 as well, so it will be 6, the a/c only takes up about 3 and it will not be within the setback

MP any other additions will be required to remain clear

RI commented that if we do put stairs we will make sure that it remains free and clear

Chairperson Cramer opened this up to the public

Board Member Corral made the motion to approve **Docket No. V2019-004, with the stipulation that all should remain free/clear and unobstructed**

Board Member Chumley seconded

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

4.) Docket No. V2019-005 – John & Shantel Fox @ APN: 311-49-076. 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 two foot (2') Variance from the required five foot (5') Side Yard setback resulting in a three foot (3') 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 Inspector Hoogerwerf: read staff report and at this time staff would like to **Docket No. V2019-005** to discussion

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

Chairperson Cramer opened this up to the public

CC sightline, do you know how the other structures are, I am just curious as to what the other structures are up and down in that area

TH I can't remember, but I do know that the homeowner is here to answer any of your questions

Chairperson Cramer opened this up to the public

John Fox introduced himself and the circle around the block, there are some that go straight to the street, some that go 5', I also have a revised site plan

TC you will have to do fire wall on the garage, the existing structure

MP you would think that it will be for both structures

JF explained that it will non combustible

TC so the variance will be in that one corner basically

Board Member Peretik made the motion to approve **Docket No. V2019-005**, with the stipulation that all should remain free/clear and unobstructed and that the materials also be non combustible

Board Member Corral seconded

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

5.) Docket No. V2019-006 – Keith & Debra Kilpatrick @ APN: 310-32-107. 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 two foot (2') Variance from the required five foot (5') Side Yard setback resulting in a three foot (3') Side Yard setback,
- 3.) Requesting a two foot (2') Variance from the required five foot (5') Side Yard setback resulting in a three foot (3') Side Yard setback,
- 4.) Requesting a five foot (5') Variance from the required ten foot (10') Rear Yard setback resulting in a five foot (5') Rear Yard setback,

The property is located in a Transitional Residential Zoning District (TR). Section 14, Township 11N, Range 18W of the Gila & Salt River Meridian (Supervisor Minor Dist. 2.)

Building Inspector Hoogerwerf: read staff report and at this time staff would like to **Docket No. V2019-006** to discussion

NC did they get approval from the homeowners association, also the fire department has an objection to this

TH explained that yes and then read into record what the fire chief said

TC explained that there is a concern that this will not remain clear

TH we do ask

RD whenever i hear hoa and variance, the county's position is that legally the hoa cannot be more lenient, the hoa can be more strict or not. That is a contractual obligation between the hoa and the homeowner, we do like to have there blessing, but that alone is not enough to deny a variance

MP we approved something in a hoa, what happens then

RD it can't be used against you

TC thank you for the clarification

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

Chairperson Cramer opened this up to the public

Jackie johson the other two in marina manor have hoa

TC we are only looking at the county standards, nothing more

MP but if the hoa does not approve, it is between the homeowner and the hoa

TC the county is independent of that

JJ bc most of the old hoa's were only 3'

Board Member Cramer made the motion to approve **Docket No. V2019-006, with the stipulation that all should remain free/clear and unobstructed**

Board Member Chumley seconded

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

Chairperson Cramer made the call for Adjournment at 4:50

Todd Cramer, Chairman

Tonya Hoogerwerf, Building Inspector