



**La Paz County Department of Community Development**  
**B. Scott Bernhart, Director**  
1112 Joshua • Suite 202 • Parker, Arizona 85344  
(928) 669-6138 • Fax (928) 669-5503 • TDD (928) 669-8400

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**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
January 8, 2009 – 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 November 13, 2008 meeting.
3. Docket No. V2008-008 – John and Julie Goneau - APN: 311-37-092 – The applicants are requesting three variances from the County Zoning Regulations, Section V-1-3-C(1) (Table V-3): a two (2) foot variance from the required five (5) foot East Side Yard setback, resulting in a three (3) foot East Side Yard setback: a two (2) foot variance for the required five (5) foot West side yard setback, resulting in a three (3) foot West side yard setback: a five (5) foot variance from the required ten (10) foot Rear Yard setback, resulting in a five (5) foot Rear Yard setback. Property is located at 33936 Smoketree Lane, Parker, AZ 85344. Township 10 North, Range 19 West, Section 1 of the Gila and Salt River Meridian, La Paz County, Arizona. District Two.
4. Call to the Public.
5. Adjournment.

**MINUTES  
Of The  
La Paz County Board of Adjustment  
January 8, 2009 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Todd Cramer. Board Members: Joyce Plog, and Barbara Cowell. Planning Director Scott Bernhart and Acting Administrative Assistant Christine DeMoss. Others present were: Joan-Marie King/Planner, Julie and John Goneau, Steve Blanchard, Mike Dyer, Barbara Snapp and Supervisor Sandy Pierce.

**Acting Chairman Cramer** called the Thursday January 8, 2009, Regular Meeting/Public Hearing to order at 4:04 p.m.

**Acting Chairman Cramer** called for the 2nd item on the agenda today; the approval of the November 13, 2008 minutes.

**Board Member Plog** made a motion to approve the minutes of the November 13, 2008 meeting. Acting Chairman Cramer seconded.

**Acting Chairman Cramer** called for the vote. The motion to approve the November 13, 2008 minutes was approved.

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

**Director Bernhart** stated regarding **Docket No. V2008-008 – John and Julie Goneau – APN: 311-37-092**. The applicants are requesting three variances from the County Zoning Regulations, Section V-1-3-C(1) (Table V-3): requesting a (2) two foot variance from the required (5) five foot East side yard setback, resulting in a (3) three foot East side yard setback: a two (2) foot variance from the required (5) five foot West side yard setback, resulting in a (3) three foot West side yard setback: a five (5) foot variance from the required ten (10) foot rear yard setback, resulting in a five (5) foot rear yard setback. The property is located at 33936 Smoketree Lane, Parker, AZ 85344. Township 10 North, Range 19 West, Section 1 of the Gila and Salt River Meridian, La Paz County, Arizona. District Two

**Director Bernhart** stated that the applicants proposed a new site plan flip flopping the position of the driveway from one side of the yard to the other. He stated the applicants intended to place a two (2) bedroom, two (2) bath Manufactured Home. He advised there was no record of the septic tank and leach field on file in the Health Department. Director Bernhart stated the applicants intended to place a new wastewater system pending approval of the proposed layout for manufactured home placement. Director Bernhart stated

the applicants must clarify the exact location of the driveway and septic system on their Manufactured Home Placement application. He advised that in this area (i.e. lots #69, #87 and #89), other parcels have received variances due to similar construction constraints. Director Bernhart recommended approval with a stipulation that the applicants address the exact location of the wastewater system and driveway.

**Acting Chairman Cramer** opened the hearing to the public and asked if there was anyone wishing to speak in favor of, or in opposition to, this request.

**Board Member Cowell** asked for clarification on where the septic system was located now. She commented that if the leach field and tank were located in the front of the parcel, the wastewater system would be under the driveway no matter which side of the property the driveway was located on.

**Director Bernhart** stated that currently the driveway location was on the left side. He said presumably it may be over the leach line now. He said if the applicants switched the location of the driveway to the right side of the property, it would definitely impact the septic system.

**The Applicants, John & Julie Goneau** approached the podium. They informed the board that they had hired Contractor Mike Dyer who would install a new septic tank and leach field on the subject property. They told the Board they would appreciate the variances as requested. They then presented a new site plan for the Boards' review. The new drawing was given to each board member present.

**Board Members** reviewed the new site plan as presented by the Goneau's.

**Contractor Mike Dyer** stated he would work with the Health Department regarding the new septic system. He said gravel, instead of concrete, would be placed in the driveway area. Dyer advised that the Health Dept. would approve driving over the leach field which would be covered w/gravel.

**Acting Chairman Cramer** asked if there were any further questions. There being no further questions he called for a motion.

**Board Member Cowell moved to approved Docket No. V2008-008** For variances as described by the Director with the stipulation that the Health Department approved the new location of the septic tank and leach field area prior to Manufactured Home Placement Application.

**Board Member Plog** seconded the motion.

**Acting Chairman Cramer** called for the vote. The motion to approve Docket V2008-008 passed unanimously.

**Acting Chairman Cramer** asked if there were any comments from the public.

**Supervisor Sandy Pierce** announced to the Board of Adjustment that Nina Chumley had been appointed to the Board of Adjustment for District 1.

**Director Bernhart** advised that at this time, there were no cases pending for a February 12th, 2009 hearing.

There being no further questions or comments, **Acting Chairman Cramer** adjourned the meeting at 4:15 p.m.

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Todd Cramer, Acting Chairman

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Director, Scott Bernhart

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Christine DeMoss,  
Acting Administrative Assistant



**La Paz County Department of Community Development**

**B. Scott Bernhart, Director**

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**LA PAZ COUNTY  
BOARD OF ADJUSTMENT**

**Regular Meeting / Public Hearing**

**June 11, 2009 – 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 January 8, 2009 meeting.**
- 3. Docket No. V2009-001-Steve and Robyn Berklite - APN: 310-30-012.** The applicants are requesting three variances from the County Zoning Regulations, Section V-1-3-C(1) (Table V-3): 1) requesting a five (5) foot East and West side yard setback variance from the required five (5) foot side yard setback, resulting in a zero (0) foot East and West side yard setback, 2) requesting a nine (9) foot rear yard setback variance from the required 10 foot rear yard setback variance resulting in a one (1) foot rear yard setback. The property is located at 36840 Trout Lane, Parker, Arizona. Township 11 North, Range 18 West, Section 2.
- 4. Call to the Public.**
- 5. Adjournment.**

**POSTPONED UNTIL JUNE 11, 2009**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
June 11, 2009, 4:00 pm Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Chairman Todd Cramer, Board Members: Barbara Cowell, Joyce Plog, Jim Slawson, and Nina Chumley, Director Scott Bernhart, Planner Joan-Marie King, and Acting Administrative Assistant Christine DeMoss

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

**Chairman Cramer** called for the 2nd item on the agenda today; the approval of the January 8, 2009 minutes.

**Member** moved to approve the minutes of the January 8, 2009 meeting.

**Member** seconded the motion.

**Chairman Cramer** called for the vote.

The motion to approve the January 8, 2009 minutes passed with one abstention from Jim Slawson.

**Chairman Cramer** asked Director Bernhart to give the staff report on item number 3 on the agenda.

**Chairman Cramer** stated the following agenda item had been postponed from the May 14<sup>th</sup>, 2009 Board of Adjustment Meeting date due to no quorum.

Director Bernhart stated regarding **Docket No. V2009-001 – Steve and Robyn Berklite – APN: 310-30-012**. The applicants are requesting three (3) variances from the County Zoning Regulations, Section V-1-3C(1) (TableV-3): 1) Requesting a five (5) foot East and West side yard setback variance from the required five (5) foot side yard set-back, resulting in a zero (0) foot East and West side yard setback, 2) Requesting a nine (9) foot rear yard setback variance from the required ten (10) foot rear yard setback variance resulting in a one (1) foot rear setback. The property is located at 36840 Trout Lane, Parker, Arizona. Township 11 North, Range 18 West, Section 2.

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

**Chairman Cramer** asked the members if there were any questions or comments.

**Member** moved to **Docket No. V2009-001 – Steve and Robyn Berklite – APN: 310-30-012.**

**Member** **seconded** the motion.

**Chairman Cramer** called for the vote.

### **Call to the Public**

**Chairman Cramer** asked if there were any comments from the public.

There were no comments from the public.

### **Adjournment**

There being no further questions or comments, Chairman Cramer adjourned the meeting at p.m.

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Todd Cramer, Chairman

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Director, Scott Bernhart

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Christine DeMoss,  
Acting Administrative Assistant



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**LA PAZ COUNTY  
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June 11, 2009 – 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 January 8, 2009 meeting.**
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- 4. Call to the Public.**
- 5. Adjournment.**

**POSTPONED UNTIL JUNE 11, 2009**



**MINUTES  
Of The  
La Paz County Board of Adjustment  
June 11, 2009, 4:00 pm Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Chairman Todd Cramer, Board Members: Barbara Cowell, and Nina Chumley, Director Scott Bernhart, and Acting Administrative Assistant Christine DeMoss. Others present were: Steve & Robyn Berklite.

**Chairman Cramer** called the Thursday, Regular Meeting/Public Hearing to order at 4:02 p.m.

**Chairman Cramer** called for the 2nd item on the agenda today; the approval of the January 8, 2009 minutes.

**Member Cowell** moved to approve the minutes of the January 8, 2009 meeting. **Member Cramer** seconded the motion.

**Chairman Cramer** called for the vote.

The motion to approve the January 8, 2009 minutes passed unanimously.

**Chairman Cramer** asked Director Bernhart to give the staff report on **Agenda Item #3:**

**Chairman Cramer** stated the following agenda item had been postponed from the May 14<sup>th</sup>, 2009 Board of Adjustment Meeting due to no quorum.

**Director Bernhart** stated regarding **Docket No. V2009-001 – Steve and Robyn Berklite – APN: 310-30-012**. The applicants are requesting three (3) variances from the County Zoning Regulations, Section V-1-3C(1) (TableV-3): 1) Requesting a 5' (five foot) East and West side yard setback variance from the required 5' (five foot) side yard set-back, resulting in a 0' (zero foot) East and West side yard setback, 2) Requesting a 9' (nine foot) rear yard setback variance from the required 10' (ten foot) rear yard setback variance resulting in a 1' (one foot) rear setback. The property is located at 36840 Trout Lane, Parker, Arizona. Township 11 North, Range 18 West, Section 2.

**Director Bernhart** gave the staff report. He said the site plan was recently reviewed with the applicant via telephone. There was an issue on the percentage of lot coverage ranging from 65% to 69%. Director Bernhart stated if the lot coverage exceeded 65% (the maximum allowed in the TR Zoning District), an additional variance would be required per La Paz County Zoning Regulations. He stated the applicants were looking for whatever they could get by means of variance relief, hence the request for 0' (zero foot) East and West side yard

setbacks. He stated technically staff had to recommend denial based on staff reports received. Director Bernhart stated that in the past 10-15 years, a minimum 3' (three foot) setback had been the standard. This is typically desired by Fire Departments (for access and egress from windows, etc.) and Utility Company's (for the placement of electrical meter boxes, etc.). Also, a 0' (zero foot) setback could cause roof drainage issues on adjacent properties, etc. Director Bernhart stated that is typically why 0' (zero foot) setbacks have not been approved in the past. He said the Board could consider recommending a 3' (three foot) minimum setback on all sides. He said the applicant had not produced a final site plan showing exactly where bedrooms, windows, and doors, etc. would be located. He said this property had a previous Variance, Docket V1999-009, which was approved with a description of future construction at that time, however, the applicant reapplied for this variance asking for 0' (zero foot) setbacks as speculation "trying to see how much of a variance would be approved". Director Bernhart suggested discussing with the applicant, his future construction plans for clarification noting Mr. Berklite was in attendance. Director Bernhart also stated that the aquifer protection rules were in place for the septic system (per the Health Department) regarding the placement of the tank and leach lines. Director Bernhart advised the Board and Applicant to be heads up on those issues. He stated that the new site plan must show that the septic system adheres to all setbacks between the system and structures. Director Bernhart said he was available for questions.

**Chairman Cramer** asked the members if there were any questions or comments.

**Chairman Cramer** asked if the septic system setback (distance between the system and any structure) was the same for site built homes & manufactured homes?

**Director Bernhart** confirmed that the 10' (ten foot) setback distance between the septic system and structure(s) was the same for any type of dwelling or construction.

**Chairman Cramer** said it appeared properties in this area would have trouble maintaining those setback requirements if they tried to re-do their development. He noted that it appeared the applicant would have to remove all concrete currently on his property, in order to place a new septic system.

**Chairman Cramer** noted the existing variance allowed a 2' (two foot) rear setback and 3' (three foot) setback on one side, and commented that it appeared there was also a 1' (one foot) variance approved for construction of an open structure like a carport or canopy. He wanted clarification of what the property looked like today.

**Director Bernhart** stated the applicant planned to remove all existing structures and replace with new construction. He stated they could rebuild using the existing setbacks approved per Docket V1999-009.

**Board Member Cowell** asked if the septic system setback could actually be met?

**Chairman Cramer** said this issue with the Health Department was a major concern. He said that the property had an existing retaining wall that was deteriorating. He said designing a septic system or foundation for future construction near this wall didn't seem feasible.

**Chairman** opened it to the audience for comments...

**The Applicant**, Mr. Berklite, approached the board. He said he appreciated the opportunity to address some of the issues brought forth today. He gave some property history stating he first developed this property almost 19 years ago. He said it was always his goal to build a home within 20 years. He said years ago when Bud Wall was the Interim Community Development Director, he had verbally supported a plan to allow him, and two adjacent property owners to develop a common garage with zero lot lines. He said at that time there were no fire or access issues. Mr. Berklite said when he later went back to Community Development to start the project, Bud Wall was no longer employed there. Mr. Berklite said six months ago, he started thinking about refurbishing the current property or removing everything on it and starting fresh. He said the requested variances would allow him to build a garage with a 0' (zero foot) side setback that would allow easier access for backing in boat trailers, etc. He said the driveway would be 2' (two feet) narrower than it is currently. He said he was cooperating with surrounding property owners regarding all of their future development plans as well. He felt his proposed footprint would be within County standards. He said he was not aware of the maximum 65% lot coverage ruling but said his new site plan should meet this requirement. He commented that only the garage would have an actual 0' (zero foot) setback, not the dwelling. He said neighbors fully supported his plans.

*Discussion ensued regarding the applicants revised site plan and pictures of his existing property. Mr. Berklite went up to the Board Members and pointed out information using the pictures provided in their packet.*

**Mr. Berklite** explained that he had no choice but to relocate the dwelling and garage to the opposite sides due to the location of a utility easement.

**Member Chumley** said APS should not have an issue as the applicant intended to relocate his meter box to the front of the property.

**Mr. Berklite** said he intended to install a new air intrusion septic system to be relocated down the driveway. He stated again that his neighbors were not concerned with his proposed construction and that APS had no issues about service being relocated to the front. He stated the garage would have three access points for fire evacuation. He said all roof water run-off would be routed to the street, stating no roof run-off would affect the adjacent properties. He described an all electric home with no propane tank on-site. Mr. Berklite said he saw challenges in developing this site, but would work with his Association, as well as the Health and Building Departments.

**Member Chumley** asked Mr. Berklite if the garage had any windows and if anyone would ever be living in the garage?

**Mr. Berklite** said the garage had no windows and no one would be living in the garage.

*Discussion ensued among the Board Members regarding approximately 8 (eight) developments within this same Moonridge Subdivision with setback variances, noting few actually had 0' (zero foot) setbacks.*

**Chairman Cramer** said it appeared some of these setback variances did not come before the Board.

**Director Bernhart** said it could be property line assumption with no survey, or that some of the developments likely occurred prior to becoming La Paz County (pre 1983 construction).

**Chairman Cramer** proposed to stipulate a block wall structure with no openings for construction of the garage with a zero foot side setback.

**Mr. Berklite** stated he could also provide roof access for fire control if necessary. He said he was here regarding his variance application. He said his neighbors will come in on their own accord with their own variance applications.

**Chairman Cramer** called for additional questions or comments. None being received, he asked the Board for a motion.

**Board Member Cramer made a motion to approve Docket No. V2009-001 – Steve and Robyn Berklite – APN: 310-30-012, with notes that: 1) A 0' (zero foot) setback on the rear and West side for construction of a block type garage only with no windows and parapet drainage to the front on 0' (zero foot) setback sides: 2) Leave existing variance on East side @ 3' (three feet): 3) The new septic system must be installed in the driveway area and must meet all construction setback requirements. Board Member Cowell seconded the motion.**

**Chairman Cramer** called for the vote. **The motion passed with 2 ayes and 1 nay from Board Member Chumley.**

**Chairman Cramer** asked if there were any comments from the public.

There were no comments from the public.

### **Adjournment**

There being no further questions or comments, Chairman Cramer adjourned the meeting at 5:12 p.m.

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Todd Cramer, Chairman

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Director, Scott Bernhart

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Christine DeMoss,  
Acting Administrative Assistant



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**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
September 10, 2009 – 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 11, 2009 meeting.**
- 3. Docket No. V2009-002 – Jon and Cora Schuler – APN: 311-37-039.** The applicants are requesting a total of five variances from the County Zoning Regulations; Four variances from section V-1-3-C (Table V-3): **1)** requesting a two (2) foot East side yard setback variance from the required five (5) foot side yard setback, resulting in a three (3) foot East side yard setback, **2)** requesting a two (2) foot West side yard setback variance from the required five (5) foot side yard setback, resulting in a three (3) foot West side yard setback, **3)** requesting a five (5) foot front yard setback variance from the required 10 foot front yard setback variance resulting in a five (5) foot front yard setback, **4)** requesting a five (5) foot rear yard setback variance from the required ten (10) foot rear yard setback resulting in a five (5) foot rear yard setback, and one variance from section V-1-4 (B) (2) (Table V-6) **5)** requesting an eight percent (8%) increase above the allowed lot coverage of sixty five percent (65%) allowing a seventy three percent (73%) lot coverage (Existing lot coverage is 54%) on the TR (Transitional Residential) zoned lot. The property is located at 6840 Bonnie Drive, Parker, Arizona.
- 4. Call to the Public.**
- 5. Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
September 10, 2009, 4:00 pm Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Chairman Todd Cramer, Board Members: Barbara Cowell, Joyce Plog and Danny Clark, Chief Building Inspector Mike Baker to make Docket presentation, and Administrative Specialist Christine DeMoss. Others present were: Ken Olkowski, Becky Gross, Rob Cosby and Jon & Cora Schuler.

**Chairman Cramer** called the Thursday, Regular Meeting/Public Hearing to order at 4:00 p.m.

**Chairman Cramer** called for the 2nd item on the agenda today; the approval of the June 11, 2009 minutes.

**Member Cowell** moved to approve the minutes of the June 11, 2009 meeting. **Member Cramer** seconded the motion.

**Chairman Cramer** called for the vote. The motion to approve the June 11, 2009 minutes passed with one abstention from Joyce Plog who was not present.

**Chairman Cramer** asked Chief Building Inspector Mike Baker to give the staff report on **Agenda Item #3**:

**Acting Director Baker** stated regarding **Docket No. V2009-002 – Jon and Cora Schuler – APN: 311-37-039**. The applicants are requesting a total of five variances from the County Zoning Regulations; Four variances from section V-1-3-C (Table V-3): **1)** requesting a two (2) foot East side yard setback variance from the required five (5) foot side yard setback, resulting in a three (3) foot East side yard setback, **2)** requesting a two (2) foot West side yard setback variance from the required five (5) foot side yard setback, resulting in a three (3) foot West side yard setback, **3)** requesting a five (5) foot front yard setback variance from the required 10 foot front yard setback variance resulting in a five (5) foot front yard setback, **4)** requesting a five (5) foot rear yard setback variance from the required ten (10) foot rear yard setback resulting in a five (5) foot rear yard setback, and one variance from section V-1-4 (B) (2) (Table V-6) **5)** requesting an eight percent (8%) increase above the allowed lot coverage of sixty five percent (65%) allowing a seventy three percent (73%) lot coverage (Existing lot coverage is 54%) on the TR (Transitional Residential) zoned lot. The property is located at 6840 Bonnie Drive, Parker, Arizona.

**Acting Director Baker** gave the staff report. He said 3 (three) letters of approval were received and no letters of opposition. He described the subdivision as having at least 12 approved variances in this area. Mike Baker stated that adjacent parcels also had approved set-back variances. Mr. Baker advised this development would be consistent with surrounding property uses, therefore, staff recommended approval. Mr. Baker said he was available for questions.

**Chairman Cramer** referred to the pictures in their review packet and asked if the current structure was in compliance?

**Acting Director Baker** stated the existing structure was not in compliance with Code Enforcement Officer Juan Hernandez. He described the applicant's as intending to remove and demo all existing buildings and construct new structures. Mr. Baker said at this time the parcel had a 1,500 sq. ft. dwelling. He said the applicants intended to replace that dwelling with a 2,618 sq. ft., two story, site built home with attached garage, covered patio and carport.

**Chairman Cramer** asked the members if there were any questions or comments. None were received.

**Chairman Cramer** opened it to the audience for comments...

**Rob Cosby**, who identified himself as the President of the Marina Village Homeowner's Association, said he was in favor of this variance request and stated the proposed development by the Schular's would conform to both Marina Village Homeowner's Association standards as well as La Paz County standards.

**Chairman Cramer** noted that the verbage on the application stated the applicants were requesting a (5) five rear setback, however, the drawing submitted along with the application showed a (3) three foot rear setback. Mr. Cramer asked for clarification.

**Acting Director Baker** confirmed the drawing showed a "3" (three) foot rear setback, but clarified the applicants were requesting a 5 (five) foot rear yard setback.

**Board Member Cowell** asked if there were any fire restrictions.

**Acting Director Baker** said the Buckskin Fire Department requested a clear, minimum 3 (three) foot side yard setback(s). He also stated APS needed access to the panel on one side.



**Chairman Cramer** said it was important to monitor the 3 (three) foot side setbacks (during development) as they must remain “clear” after construction. For instance, he saw a block wall built after an approved variance, which made the actual set-back “space” appear to be only 2 (two) feet in width (due to the 8” wide block). He said these applicants also needed to keep the side setback areas clear of AC/heating equipment.

**Board Member Plog** commented that a perfect example of what Chairman Cramer was referring to was pictured in the applicant’s packet (showing a next door neighbor with what appears to be utility equipment in their side yard setback boundary).

**Acting Director Baker** said these issues would be addressed at the time of construction and told the Board that when building plans came in, an accurate site plan was a must. He said that the 3 (three) foot side clearances would be continually looked at during all field inspections. He agreed that all utility equipment must be located in the rear yard.

**Chairman Cramer** asked if this was the section of Marina Village that was on a sewer system.

**Acting Director Baker** confirmed this was true noting that an injection pump system carried effluent across (under) Riverside Road to the subdivisions sewer system.

**Board Member Cowell** said it appeared there was a bridge or something that connected this parcel up to a neighbor’s property and asked if that was being removed?

**The Applicant, Mr. Schuler** said currently there was a block wall with walkway up to the neighbors. He said they intended to remove all and rebuild bringing it up to property level.

**Chairman Cramer** called for additional questions or comments. None being received, he asked the Board for a motion.

**Board Member Plog** made a motion to approve **Docket No. V2009-002 – Jon and Cora Schuler – APN: 311-37-039. The motion was seconded by Board Member Cowell.**

**Chairman Cramer** called for the vote and it passed unanimously.

**Chairman Cramer** asked if there were any comments from the public.

There were no comments from the public.

**Adjournment**

There being no further questions or comments, Chairman Cramer adjourned the meeting at 4:12 p.m.

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Todd Cramer, Chairman

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Director, Scott Bernhart

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Christine DeMoss,  
Administrative Assistant



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**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
October 8, 2009 – 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 10, 2009 meeting.**
- 3. Docket No. UA2009-001 – Clifford and Mikel Edey – APN: 311-47-003F.** The applicants are requesting a second dwelling unit by use on appeal to the Board of Adjustment on a 6.04-acre property zoned SR-1 (Suburban Ranch). The second dwelling unit will be located within the existing garage structure and be approximately 1,700 square feet in area, including a kitchen and all other standard accessories of a dwelling unit. The property is located at 31805 Rio Vista Road, Parker, Arizona.
- 4. Call to the Public.**
- 5. Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
October 8, 2009, 4:00 pm Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Joyce Plog and Board Members: Barbara Cowell and Nina Chumley. Others present were: Chief Building Official Mike Baker, Administrative Specialist Christine DeMoss, Ken Olkowski, Juan Hernandez, Cliff & Mikel Edey, Barry Gerson, Gary Svider, Patrick Jones, Melissa Wright, Tyler Wright, George Nault and Supervisor's Sandy Pierce and John Drum.

**Acting Chairman Plog** called the Thursday, Regular Meeting/Public Hearing to order at 4:15 p.m.

**Acting Chairman Plog** called for the 2nd item on the agenda today; the approval of the September 10, 2009 minutes.

**Member Cowell** moved to approve the minutes of the September 10, 2009 meeting. **Acting Chairman Plog** seconded the motion.

**Acting Chairman Plog** called for the vote. The motion to approve the September 10, 2009 minutes passed with one abstention from Nina Chumley who was not present at the September 10<sup>th</sup> Meeting.

**Acting Chairman Plog** asked Chief Building Official Mike Baker to give the staff report on **Agenda Item #3**:

**Chief Building Official Baker** stated regarding **Docket No. UA2009-001 – Clifford and Mikel Edey – APN: 311-47-003F**. The applicants were requesting a second dwelling unit by Use on Appeal to the Board of Adjustment on a 6.04-acre property zoned SR-1 (Suburban Ranch). The second dwelling unit will be located within the existing garage structure and be approximately 1,700 square feet in area, including a kitchen and all other standard accessories of a dwelling unit. The property is located at 31805 Rio Vista Road, Parker, Arizona 85344.

**Chief Building Official Baker** gave the staff report. He stated under the Zoning District SR (Suburban Ranch), it allows for one single family residence to be built (detached or module), one per lot, provided all applicable development standards can be met, including those relating to wastewater and wastewater disposal. He stated the applicant is requesting a Use on Appeal per the La Paz County Zoning regulations to allow a second dwelling unit in an SR (Suburban Ranch) Zoning District. He said the residential density requirement per equivalent lot size should not be exceeded and subject to site plan approval. Regarding density, Mr. Baker said currently in the SR Zoning District you are

required to have one acre of land per household. He said if the applicant's second dwelling unit was approved, he would still be in compliance regarding density as he would have used only 1/3<sup>rd</sup> of the property. He noted that the applicant could divide the parcel into five minimum one acre parcels and build one dwelling per parcel. He described the definition of a dwelling unit in the building code as a single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation. He advised that currently the applicant had a living, sleeping, eating and sanitation situation above the garage. The applicants were now asking to include a cooking unit in the area above the garage. Chief Building Official Baker conferred with the applicant and noted that the remodel project over the garage began in 2005. At that time, Mr. Baker said there were no kitchen facilities shown on the plans, therefore it was not categorized as a second dwelling. Staff recommendations and comments include: 1) The applicant owns six acres zoned SR-1 and as such is eligible to land divide to create up to five, minimum one acre parcels. 2) Use of the detached structure as an accessory dwelling unit, complete with a kitchen, would not significantly impact the neighborhood. 3) The applicant has improved the access road and additional residential traffic would not be detrimental to the surrounding area. Staff recommends approval with the following stipulations: 1) If the owner land divides in the future, the accessory unit shall either have its' own lot or the parent parcel shall contain enough area to satisfy Health Department requirements for septic use. 2) If the applicant exceeded a total of five (5) bedrooms, the existing septic system would need to be expanded. Mr. Baker stated an on-site visit by both the Building and Health Departments (to determine the total quantity of bedrooms) should be listed in the stipulation. 3) A building permit would be required for the remodel of the kitchen. Chief Building Official Baker said he was available for questions

**Acting Chairman Plog** asked the Board Members if they had any questions or comments.

**Acting Chairman Plog** asked for clarification on how many people could live in the second dwelling unit over the garage?

**Chief Building Official Baker** said the applicants could have one or more persons living in the second dwelling unit.

**Board Member Cowell** asked for clarification that the second dwelling unit had a bathroom and now they're requesting to add a kitchen?

**Chief Building Official Baker** said correct and confirmed the unit over the garage had two bedrooms, a bathroom and a large living area or great room.

**Board Member Cowell** asked how many bathrooms were in the main house?

**Chief Building Official Baker** advised septic tanks were sized based on the number of bedrooms, not bathrooms. He noted the applicant's septic system could handle a maximum of five (5) bedrooms total which is the equivalent of ten persons. The total number of bedrooms on this property would include the total number of bedrooms in the main house as well as the total number of bedrooms in the apartment unit over the garage.

**Acting Director Plog** asked for questions from the Public.

**The Applicant, Mr. Cliff Edey**, approached the Board. He distributed pictures showing the lay-out of both dwelling units on his property. The pictures confirmed that there were a total of five (5) bedrooms between the two (2) structures. He gave a history of building on his parcel. He said back in 2005 he added onto the existing garage that he originally built in 2001. He said at that time, he followed Pat Walls guidance as she was the interim Community Development Director. He said under the 1996 La Paz County Zoning Regulations, Section V-2 Accessory Structures and Uses it states: "Except in the RA and SR zones, accessory structures and uses are permitted as follows: b. They may not be used for dwelling purposes, except as allowed by Special Use Permit. Mr. Edey said RA and SR zones were exempt, therefore, under the definition of dwelling he could not have a kitchen but could have bedrooms and a bathroom in the unit over the garage. Based on that, Mr. Edey said his remodel permit was approved and issued. Mr. Edey advised his remodel project was built and was signed off by a building inspector. Mr. Edey said he had a total of nine building permits on this subject property, for work he has done. That includes grading, the swimming pool, and all structures including the main house, garage, and apartment. He advised he was here today due to a notice of violation by Code Enforcement for multiple dwellings on one parcel. He said a problem with a disgruntled neighbor has led to all of this including a violation on multiple horses on his property which has already been addressed. Mr. Edey said he would just like to clear all this up so he and his family (which includes his wife, children, daughter, son-in-law and grandson) can live together on his property.

**Board Member Chumley** asked Mr. Edey where the multiple dwelling violation stood now?

**Mr. Edey** said it was "floating" until this hearing today was completed. It went on to say that Mike Baker was a major improvement to the Building Department but that he was dealing with old history. He said that he forwarded pictures to Pat Wall on September 26<sup>th</sup>, 2009. Her comment via e-mail was: "Cliff I recall when you were building the room addition, the agreement was that it was basically a detached bedroom and living room and that there would be no kitchen, which would make it a second dwelling or guest house." Her response regarding the picture was that it "didn't look like a kitchen" to her. She also asked specifically what codes were in violation? Her last comment was "what's going

on down there?" Mr. Edey went on to say that because he was a County Supervisor at the time, it was important for him to follow the regulations and make sure what the boundaries might be.

**Acting Chairman Plog** asked Mr. Baker, based on the presentation made today, was this property out of violation now?

**Chief Building Official Baker** said the issue today was to present the case for the Applicant's Use on Appeal. Depending on what happens here, it would go before the hearing officer for violation if it was shown that there were two dwelling units and he did not get this Use on Appeal approval. Mr. Baker said he used the definition "dwelling unit" because it specifically states you must have a cooking facility within the unit. At this time, he stated the unit over the garage just had a microwave. He went on to say that per our definition, there would need to be a stove or oven to be an actual cooking facility or kitchen.

**Acting Chairman Plog** asked if there were any further questions or comments from the public?

**Chief Building Official Baker** advised the board that there was a proposed amendment to the Zoning Regulations which would allow a second dwelling unit within the SR (Suburban Ranch) Zoning District. He said the amendment was still in the early stages and, if passed, would not be in effect until the first of the year (2010).

**Acting Chairman Plog** said the applicant intended to house only relatives which met the requirements.

**Cliff Edey** approached the Board and advised the definition of family in the Zoning Regulations as being: "an individual, or two (2) or more individuals related by blood, marriage, or adoption, or a group not exceeding six (6) unrelated individuals, living together as a single housekeeping unit." Mr. Edey said he had no problem with the definition of "family use" being used in this case.

**Board Member Cowell** asked Mr. Edey, if he eventually did do a lot split, could the second dwelling be split off as its' own dwelling?

**Mr. Edey** said if twenty years down the road he wished to liquidate the property because it was worth more split up, he would consider it. But he noted if a lot split occurred he'd have to install new APS lines, cable, phone lines, etc. to each new parcel. Mr. Edey said if he ever did do a lot split, there would be enough room to meet all set-back requirements.

**Board Member Cowell** said she was concerned in the event of a lot split, these two dwelling units could end up on the same parcel?

**Mr. Edey** said no, the main house was located at least 100 feet away from the garage and apartment. He said both dwelling units could easily stand alone on its' own acre of parcel if ever split.

**Acting Chairman Plog** opened it to the audience for comments. No comments were received

**Board Member Cowell** made a motion to approve **Docket No. UA2009-001 – Clifford and Mikel Edey – APN: 311-47-003F**, with the following stipulations: **1)** If the owner land divides in the future, this accessory second dwelling unit shall either have its' own lot or the parent parcel shall maintain enough area to satisfy Health Department requirements for the septic use. **2)** On-site visit by a Health Dept. Representative and Chief Building Official Mike Baker, to verify the total number of bedrooms on this property. **3)** Building permit required for remodel to add kitchen. **Board Member Chumley** seconded the motion.

**Acting Chairman Plog** called for the vote and the motion passed unanimously.

**Acting Chairman Plog** made a Call to the Public.

There were no comments from the public.

## **Adjournment**

There being no further questions or comments, **Acting Chairman Plog** adjourned the meeting at 4:40 p.m.

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Joyce Plog, Acting Chairman

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Acting Director, Mike Baker, CBO

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Christine DeMoss,  
Administrative Assistant





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**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
November 12, 2009 – 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 8, 2009 meeting.**
- 3. Docket No. V2009-003 – Charles Bledsoe and Mary Francisco-Bledsoe - APN: 311-49-092**  
The applicants are requesting a total of four variances from the County Zoning Regulations; Four variances from section V-1-3-C (Table V-3): **1)** requesting a five (5) foot East side yard setback variance from the required five (5) foot side yard setback, resulting in a zero (0) foot East side yard setback, **2)** requesting a five (5) foot West side yard setback variance from the required five (5) foot side yard setback, resulting in a zero (0) foot West side yard setback, **3)** requesting a five (5) foot front yard setback variance from the required 10 foot front yard setback variance resulting in a five (5) foot front yard setback, and one variance from section V-1-4 (B) (2) (Table V-6) **4)** requesting a twenty-one percent (21%) increase above the allowed lot coverage of sixty five percent (65%) allowing an eighty five percent (86%) lot coverage (Existing lot coverage is 60%) on the TR (Transitional Residential) zoned lot. The property is located at 10094 Harbor View Road West, Parker, Arizona.
- 4. Docket No. AA2009-001 – Jolly Knight RV Park – Sandy Murray - APN: 311-38-006A**  
The applicant is requesting an appeal of the administrative decision that a manufactured home/park model placement permit application was denied because the placement would exceed the amount of platted lots allowed at the existing Jolly Knight RV Park. The property is located at 7968 Riverside Dr., Parker, Arizona.
- 5. Call to the Public.**
- 6. Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
November 12<sup>th</sup>, 2009, 4:00 pm Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Chairman Todd Cramer, Joyce Plog and Barbara Cowell. Others present were: Director Bernhart and Administrative Specialist Christine DeMoss.

**Chairman Cramer** called the Thursday, Regular Meeting/Public Hearing to order at 4:08 p.m.

**Chairman Cramer** called for the 2nd item on the agenda today; the approval of the October 8, 2009 minutes.

**Chairman Cramer** moved to approve the minutes of the October 8, 2009 meeting. **Board Member Plog** seconded the motion.

**Chairman Cramer** called for the vote. The motion to approve the October 8, 2009 minutes passed with one abstention from Chairman Cramer who was not present at the October 8<sup>th</sup>, 2009 meeting.

**Chairman Cramer** asked Director Bernhart to give the staff report on **Agenda Item #3:**

**Docket No. V2009-003 – Charles Bledsoe and Mary Francisco-Bledsoe - APN: 311-49-092** The applicants are requesting a total of four variances from the County Zoning Regulations; Four variances from section V-1-3-C (Table V-3): **1)** requesting a five (5) foot East side yard setback variance from the required five (5) foot side yard setback, resulting in a zero (0) foot East side yard setback, **2)** requesting a five (5) foot West side yard setback variance from the required five (5) foot side yard setback, resulting in a zero (0) foot West side yard setback, **3)** requesting a five (5) foot front yard setback variance from the required 10 foot front yard setback variance resulting in a five (5) foot front yard setback, and one variance from section V-1-4 (B) (2) (Table V-6) **4)** requesting a twenty-one percent (21%) increase above the allowed lot coverage of sixty five percent (65%) allowing an eighty six percent (86%) lot coverage (Existing lot coverage is 60%) on the TR (Transitional Residential) zoned lot. The property is located at 10094 Harbor View Road West, Parker, Arizona.

**Director Bernhart** gave the staff report. He said one letter of approval was received from a surrounding property owner. He referred to Joyce McCluskey's letter from the Health Department describing the existing septic system as being issued back in 1977 (Yuma County days). Currently, the system is 32 years old. Director Bernhart said McCluskey stated most systems tend to last 10-25 years.

The Health Dept. described this system as being towards the end of its life. He described that current structures did not meet the setback requirements from the septic system. He said this upper portion of the Marina Manor Homeowner's Association voted **not to be** a part of the Buckskin Sanitary District. He advised the applicants might have to apply for a variance from the Health Department for installation of a new waste water system. Director Bernhart said the location of the deck and awnings might cause a drainage issue to adjacent properties, noting that on one side there was a vacant lot. He said the new site plan and proposed new home potentially shows a self imposed hardship. He said the property could be reasonably developed with a much smaller dwelling unit and possibly the replacement of the old septic tank and leach field. Director Bernhart said it looked like neither the applicants, nor their designated agent, was present at the hearing. He advised that Staff recommendation would be denial.

**Chairman Cramer** asked if the applicants could obtain a building permit with the existing septic system?

**Director Bernhart** said in his opinion, the applicants could repair the existing system. He said that since the system was issued prior to La Paz County, it is considered a legal non-conforming use. He said that the Health Department issues cannot be ignored now that they have requested a variance.

**Chairman Cramer** said it appeared the leach lines could be relocated down the driveway.

**Director Bernhart** said possibly if they can meet the drive over requirement.

**Board Member Cowell** said she had heard at one time these lots were initially zoned for RVS development hence the small sized lots.

**Director Bernhart** suggested the Board continue the hearing in order to hear details of construction from either the applicants or their designated agent.

**Board Member Plog** made a motion to continue **Docket No. V2009-003 – Charles Bledsoe and Mary Francisco-Bledsoe - APN: 311-49-092** to the December 10, 2009 Board of Adjustment Hearing date. **Board Member Cowell** seconded the motion.

**Chairman Cramer** called for the vote and the motion to continue passed unanimously.

**Chairman Cramer** asked Director Bernhart to give the staff report on **Agenda Item #4:**

**Docket No. AA2009-001 – Jolly Knight RV Park – Sandy Murray - APN: 311-38-006A** The applicant is requesting an appeal of the administrative decision that a manufactured home/park model placement permit application was denied because the placement would exceed the amount of platted lots allowed at the existing Jolly Knight RV Park. The property is located at 7968 Riverside Dr., Parker, Arizona.

**Director Bernhart** referred to a letter received from the applicant requesting to continue the hearing to the December 10<sup>th</sup>, 2009 Board of Adjustment Hearing date.

**Board Member Cowell** made a motion to continue **Docket No. AA2009-001 – Jolly Knight RV Park – Sandy Murray - APN: 311-38-006A** to the December 10<sup>th</sup>, 2009 Board of Adjustment meeting date. **Board Member Plog** seconded the motion.

**Chairman Cramer** called for the vote and the motion to continue passed unanimously.

**Chairman Cramer** made a Call to the Public.

There were no comments from the public.

**Director Bernhart** distributed the latest Community Development Activity Report to the Board Members. He noted the 2<sup>nd</sup> half was code enforcement related.

**Director Bernhart** reminded the Board Members to attend the Arizona Department of Commerce Board of Adjustment Workshop scheduled for November 18<sup>th</sup>, 2009 at the Town of Parker Meeting Hall from 1:00 to 4:00 pm.

## Adjournment

There being no further questions or comments, **Chairman Cramer** adjourned the meeting at 4:25 p.m.

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Todd Cramer, Chairman

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Director, Scott Bernhart

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Christine DeMoss,  
Administrative Assistant



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**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
December 10, 2009 – 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 November 12, 2009 meeting.**
- 3. Docket No. V2009-003 – Charles Bledsoe and Mary Francisco-Bledsoe - APN: 311-49-092**

This Docket item was continued from the November 12, 2009 Board of Adjustment meeting. The applicants are requesting a total of four variances from the County Zoning Regulations; Three variances from Section V-1-3-C (Table V-3): **1**) requesting a five (5) foot East side yard setback variance from the required five (5) foot side yard setback, resulting in a zero (0) foot East side yard setback, **2**) requesting a five (5) foot West side yard setback variance from the required five (5) foot side yard setback, resulting in a zero (0) foot West side yard setback, **3**) requesting a five (5) foot front yard setback variance from the required 10 foot front yard setback variance resulting in a five (5) foot front yard setback, and one variance from Section V-1-4 (B) (2) (Table V-6) **4**) requesting a twenty-one percent (21%) increase above the allowed lot coverage of sixty five percent (65%) allowing an eighty five percent (86%) lot coverage (Existing lot coverage is 60%) on the TR (Transitional Residential) zoned lot. The property is located at 10094 Harbor View Road West, Parker, Arizona.
- 4. Docket No. AA2009-001 – Jolly Knight RV Park – Sandy Murray - APN: 311-38-006A**

This Docket item was continued from the November 12, 2009 Board of Adjustment meeting. The applicant is requesting an appeal of the administrative decision that a manufactured home/park model placement permit application was denied because the placement would exceed the amount of platted lots allowed at the existing Jolly Knight RV Park. The property is located at 7968 Riverside Dr., Parker, Arizona.
- 5. Docket No. V2009-004 – James & Robyn Converse – APN: 310-36-031**

The applicants are requesting a total of one variance from the County Zoning Regulations; Section V-1-3-C (Table V-3): **1**) requesting a three (3) foot rear yard set-back variance from the required ten (10) foot rear set-back, resulting in a zero (0) foot rear yard set-back for awning. This property is zoned TR (Transitional Residential). The property is located at 37398 Big Horn Dr., Buckskin Valley Subv., Parker, Arizona.

**6. Docket No. V2009-005 – Thomas & Teddie Jo Lorch – APN: 310-32-238**

The applicants are requesting a total of four variances from the County Zoning Regulations; Four variances from Section V-1-3-C (Table V-3): **1)** requesting a five (5) foot front yard set-back variance from the required ten (10) foot front yard setback, resulting in a five (5) foot front yard setback, **2)** requesting a two (2) foot North side yard setback variance from the required five (5) foot side yard setback, resulting in a three (3) foot North side yard setback, **3)** requesting a two (2) foot South side yard setback variance from the required five (5) foot South side yard setback variance resulting in a three (3) North side yard setback, **and 4)** requesting a five (5) foot rear yard setback variance from the required ten (10) foot rear yard setback, resulting in a five (5) foot rear yard setback. The property is zoned TR (Transitional Residential). The property is located at 2979 Dunlap Dr., Hillcrest Bay Subv., Parker, Arizona.

**7. Call to the Public.**

**8. Adjournment.**

**MINUTES**  
**Of The**  
**La Paz County Board of Adjustment**  
**December 10<sup>th</sup>, 2009, 4:00 pm Regular Meeting/Public Hearing**  
**1108 Joshua Avenue, Parker, AZ**

Those present were: Chairman Todd Cramer, Joyce Plog, Nina Chumley and Danny Clark. Others present were: Director Bernhart, Administrative Specialist Christine DeMoss, Teddie & Thomas Lorch, Charles & Marty Bledsoe, Doyle Thompson, James P. Converse, Fred E. Bowden and Sandy Murray.

**Chairman Cramer** called the Thursday, Regular Meeting/Public Hearing to order at 4:01 p.m.

**Chairman Cramer** called for the 2nd item on the agenda today; the approval of the November 12, 2009 minutes.

**Chairman Plog** moved to approve the minutes of the November 12, 2009 meeting. **Board Member Clark** seconded the motion.

**Chairman Cramer** called for the vote. The motion to approve the November 12, 2009 minutes passed unanimously.

**Chairman Cramer** asked Director Bernhart to give the staff report on **Agenda Item #3:**

**Director Bernhart read Docket No. V2009-003 – Charles Bledsoe and Mary Francisco-Bledsoe – APN: 311-49-092.** This Docket item was continued from the November 12, 2009 Board of Adjustment Hearing. The applicants are requesting a total of four variances from the County Zoning Regulations; Four variances from section V-1-3-C (Table V-3): **1)** requesting a five (5) foot East side yard setback variance from the required five (5) foot side yard setback, resulting in a zero (0) foot East side yard setback, **2)** requesting a five (5) foot West side yard setback variance from the required five (5) foot side yard setback, resulting in a zero (0) foot West side yard setback, **3)** requesting a five (5) foot front yard setback variance from the required 10 foot front yard setback variance resulting in a five (5) foot front yard setback, and one variance from section V-1-4 (B) (2) (Table V-6) **4)** requesting a twenty-one percent (21%) increase above the allowed lot coverage of sixty five percent (65%) allowing an eighty five percent (86%) lot coverage (Existing lot coverage is 60%) on the TR (Transitional Residential) zoned lot. The property is located at 10094 Harbor View Road West, Parker, Arizona.

**Director Bernhart** gave the staff report. He said staff comments were: 1) Existing septic system was substandard for the proposed home. 2) Lot coverage proposed could create drainage problems to neighbors. 3) The new home and

deck was a self imposed hardship. 4) The property could be reasonably redeveloped under current zoning regulations.

**Director Bernhart** said he was available for questions.

**Chairman Cramer** asked if the deck, proposed to be located on both sides, required a building permit?

**Director Bernhart** said yes, if it was covered with an awning and if it was built over 30 inches above grade.

**Chairman Cramer** made a call to the public.

**Doyle Thompson Jr., of D.T. Construction, approached the Board.** He stated he was the agent and contractor for the Bledsoe's. He said the applicant had a physical hardship, he lost a foot, and the deck was needed for access to the home. He confirmed that they requested a zero foot setback on both sides for a deck 30 inches above grade and an awning covering the deck. He also described a deck and awning overhanging the cliff which is depicted as the rear of the property.

**Director Cramer** asked Mr. Thompson how he was going to deal with the septic system issue?

**Doyle Thompson Jr.** said he and the applicants were considering an alternative type septic system to maintain clearance (set-backs) and a drainage field. Mr. Thompson said he was aware of the 10 foot setback requirement between structures and the septic tank and leach field. He said the new proposed manufactured home would be 10 feet shorter than the existing home and would provide more area for the septic system and drainage area. He also advised the home could be placed back more towards Highway 95.

**Board Member Clark** asked if the home was going to be placed 10 feet back or 20 feet back from the rear of the property boundary?

**Doyle Thompson Jr.** stated right now, the site plan showed home placement as 17 feet back from the rear property boundary.

**Board Member Clark** asked if the home was placed with a 17 foot rear setback, could they meet the 10 foot setback from the leach field in front?

**Doyle Thompson Jr.** described the parcel as being on an angle. He said the exact size of the drainage field would be determined after a percolation test, but said there could be well over a 20 foot setback from the home to the leach field.



**Chairman Cramer** asked what the right of way was for the Highway down below?

**Doyle Thompson Jr.** said he believed it was 10 feet from the shoulder of the road. He described adjacent rear property boundary fences that were located 10 feet from the shoulder on the cliff side above the road. He went on to describe that the lot was 118' feet in length, including the cliff area. He said the new home was 52 feet long. He said that left plenty of room to play with if the home needed to be placed more towards the cliff side for the new or alternate septic system. He said the increase in the percentage of lot coverage included this cliff area, but, upon build out, it may not need to be that high (86%).

**Chairman Cramer** asked about the future garage in the front of the property? And what size is it proposed to be?

**Doyle Thompson Jr.**, said construction and size of the garage was now undetermined pending whatever type of area was left over after placement of the new septic and drainage field. He said the applicants wanted some type of covered parking in the future, but said they could live without a garage if they had to.

**Chairman Cramer** said generally the main concern for the Board was seeing at least three feet of clear between structure(s) and the property boundary. He saw a problem with the awning (over the deck) proposed at zero foot side setbacks, and the drainage hardship it could impose on a neighbor.

***Discussion ensued regarding the site plan and the two ft. dimension as shown on the South side for the deck. Doyle Thompson described the deck as being two feet in width, therefore, the manufactured home placement on that South side was requesting to be two feet from the side property boundary.***

**Chairman Cramer** asked staff if the variance request could be altered stating zero foot side yard setbacks for the building of a deck only (not including a covered awning or the placement of the home within two feet on the South side).

**Director Bernhart** said the Board could specify "construction of the deck only at zero foot side setbacks" in their motion.

**Chairman Cramer** advised these variances run with the property so we don't want somebody in the future saying that they have a zero lot line variance so I and can tear this down and build a house right to lot line.

**Doyle Thomson Jr.**, said he could move the home over one foot on the South side in order to have a three foot clear setback and agreed with the Board that if

they stipulated to build the deck only at zero foot side setbacks that would be acceptable to the applicants.

**Board Member Clark moved to approve Docket No. V2009-003 – Charles Bledsoe and Mary Francisco-Bledsoe - APN: 311-49-092** for zero foot North and South side setbacks for the construction of a deck only, a three foot South side variance for placement of a new manufactured home and a three foot North side setback for an attached awning. It was noted that no variance was required in the front or rear and the percentage of lot coverage was to meet the requirements of the previously approved variances (could be less than the 86% not more.) Also, a new septic system with a possible increased drainage field (pending perc. test) or alternative septic system must get approval from the Health Department prior to any construction. It was also noted that all drainage from the awnings must be maintained within the applicants' property boundary. **Board Member Plog** seconded the motion.

**Chairman Cramer** called for the vote and the motion passed unanimously.

**Chairman Cramer** asked Director Bernhart to give the staff report on **Agenda Item #4:**

**Director Bernhart read Docket No. AA2009-001 – Jolly Knight RV Park – Sandy Murray - APN: 311-38-006A.** This Docket item was continued from the November 12, 2009 Board of Adjustment Hearing. The applicant is requesting an appeal of the administrative decision that a manufactured home/park model placement permit application was denied because the placement would exceed the amount of platted lots allowed at the existing Jolly Knight RV Park. The property is located at 7968 Riverside Dr., Parker, Arizona.

**Director Bernhart** gave the staff report. He said the Jolly Knight RV Park has operated in the County for years. He stated staff required a specific site plan that Demonstrated compliance with Health Department requirements (quantity of dwelling units presently tied into the Jolly Knight RV Parks wastewater system) and Zoning regulations (setbacks and separation distances between dwelling units/structures currently placed in the RV Park). It was noted that the applicants stated they wished to place two additional units, located near the storage facility, using a separate septic systems that was previously used for an office. He said the main issue here was if the applicant intends to expand they need to meet the Health Department requirements as well as the set backs issue and other zoning requirements.

**Chairman Cramer** asked if the main concern was the septic system issue?

**Director Bernhart** said Health Department and setback and separation standards between existing units were the main concerns. He stated there was a seven foot separation requirement between structures within RV parks.

**Chairman Cramer** asked if there was clear site plan showing the existing park as it looks today, including the total number of units now within the park?

**Director Bernhart** said a general map (not survey quality) had been included in their packets that generally showed the parks current layout.

**Board Member Plog** said she recalled this park coming before the Board five or six years ago regarding expansion, however, at that time it was denied due to concerns over emergency access and egress and ingress to this park.

**Chief Building Official, Mike Baker, approached the Board.** He said the original site plan showed 29 units with a wastewater system based on 29 lots. At this point, Mr. Baker said the South property line was almost one continuous roof line with several carports and garages having been converted to dwelling units, etc. He said staff has gone through the park, taken pictures, and determined the addition of these two new units would approximately be six units over the 29 unit figure. He said there would not be a septic system issue if they indeed used a separate wastewater system for the 2 new units, however, the applicants still needed to provide staff a new park plan or plat showing exactly where all structures existed including the proposed two new units. He said it was a typical practice that anytime someone wishes to expand a park, a new plat is submitted.

**Chairman Cramer** said it appeared the proposed two new units were away from the existing park and that fire and access didn't appear to be an issue to these two new units. He asked if there were indeed using a separate system should the condition of the existing park impact this decision?

**Director Bernhart** said he didn't think it was good policy to approve any type of expansion within a park that has a clear violation. It said in his opinion the park was currently unsafe.

**Chairman Cramer** said it appeared staff wanted to get the park up to County standards prior to the issuance of any new building permits.

**Chairman Cramer** made a call to the public.

**Fred Bowden, an owner, approached the Board.** He stated he has owned property n the river since 1959. He has built six homes here on CRIT and deeded lands. He also built a commercial storage facility along the river off Riverside Drive. He said knows Jolly Knight is not a high end RV Park, and said he would like to work with Director Bernhart to address his concerns. He said he

is trying to upgrade the park with two nice new units. He said he knows there are some existing problems in the park but that he has been cleaning it up as tenants come and go. He said all of his plot plans show a total of 35 lots not 29. He distributed pictures to the Board showing upgrades he has done to the park, including the beach area. He said there were five (5) separate septic systems to accommodate the whole park. The fifth one is the system that these two new units would use. He said some of the existing trailers have been there for many, many years. He asked how could he evict someone who has been living there for so long? He said right now there were 31 units in the park. Two more would make 33 total. He said he thought he was allowed 35 units based on the site plan provided by Community Development. He noted he has brought in new infrastructure to the park: electrical, water and new fencing. He said that permits were given for the two new electrical pedestals, but then the placement permits were denied? He also commented that he did not recall a variance being denied (several years back for expansion of the park) as was stated by Board Member Plog earlier.

**Board Member Plog** clarified she recalled the park being under different ownership back then.

**Board Member Clark** asked Mr. Bowden how many homes he now owned?

**Mr. Bowden** said he owned three homes along the river now. He said he has boat raced out here since 1975 including the Parker Enduro race which he has won 8 times. He said today, boat racing has been handed over to his son. He said he and his family are here for the long haul and loved the river. He thanked the Board for their time.

**Chairman Cramer** asked for clarification from Director Bernhart about the discrepancy of the total number of units allowed and if it mattered?

**Director Bernhart** said the total number of units in the park didn't mean anything. What mattered was that expansion to this park needed approval through the Health Department and ADEQ. He said research needed to be done to see the maximum number of units approved now with ADEQ, noting that the Health Department cannot add to an existing park without ADEQ approval.

**Chairman Cramer** asked and that starts at what number of units?

**Director Bernhart** said it starts at any more units than are there now. He said looking at the big picture he had a memo from Joyce McCluskey from the Health Department stating any future expansion required ADEQ approval. He said he had no problem with any expansion in this park as long as it meets our zoning codes for safety issues and that they get ADEQ approval as required.

**Chairman Cramer** asked if this appeal decision should be continued?

**Board Member Chumley** asked how long it takes for ADEQ approval?

**Director Bernhart** said the first thing that needed to be done was to determine how many units are actually approved out there now by ADEQ.

**Mr. Bowden** asked when did ADEQ become involved in this?

**Director Bernhart** read from Joyce McCluskey's letter dated October 28<sup>th</sup>, 2009 which stated: "If the applicant intends to install another septic system in this RV/Mobile Home Park, they will need to submit a Notice of Intent to Discharge Wastewater application to ADEQ. This park has over 3,000 gpd wastewater discharge at the current time and falls under ADEQ's delegation to permit and enforce wastewater. If the applicant intends to connect the two spaces to an existing wastewater system, they would need ADEQ approval to do that as well. If the additional spaces are approved by Community Development Department and ADEQ, the Health Department can then approve and permit these additional spaces if the new spaces have wastewater connections and water connections at each space."

***Discussion ensued among the Board suggesting Appeal AA2009-001 be continued \*(indefinitely) in order for the applicant (Jolly Knight RV Park) be given ample time to contact ADEQ.***

***\*Because ADEQ's response time could not be determined, the applicant will be advised to use the 2010 Board of Adjustment deadline schedule in order to come back before the Board at a later time.***

**Board Member Chumley** made a motion to continue Docket AA2009-001 Jolly Knight RV Park – Sandy Murray/Agent & Fred Bowden/Part Owner - APN: 311-38-006A, "indefinitely" until the applicant can provide information and/or approval for expansion from ADEQ and the Health Department. **Board Member Clark** seconded the motion.

**Chairman Cramer** called for the vote and the motion passed unanimously.

***It was at this time the Board Members complimented Mr. Fred Bowden on the improvements he has made to the Jolly Knight RV Park.***

**Chairman Cramer** asked Director Bernhart to give the staff report on **Agenda Item #5:**

**Director Bernhart** said regarding **Docket No. V2009-004 – James & Robyn Converse – APN: 310-36-031**, The applicants are requesting a total of one variance from the County Zoning Regulations; Section V-1-3-C (Table V-3): **1)**

requesting a ten (10) foot rear yard set-back variance from the required ten (10) foot rear set-back, resulting in a zero (0) foot rear yard set-back for awning. This property is zoned TR (Transitional Residential). The property is located at 37398 Big Horn Dr., Buckskin Valley Subv., Parker, Arizona.

**Director Bernhart** gave the staff report. He said the awning was constructed and was given a notice of violation for building without a permit and too close to the rear property boundary per La Paz County Zoning Regulations. He said subsequently, the applicants applied for the building permit and for a zero foot rear yard variance in order to keep it placed where it is. He said staff recommended approval based on the location of State Land in rear and due to Homeowner's Association approval of the project.

**Chairman Cramer** called for comments from the Public.

**Mr. Converse, the applicant, approached the Board.** He said he bought this property this year and started some minor improvement improvements including some curbing for drainage issues. He said an awning was then installed for shade purposes. He distributed a picture showing the shade awning with the zero foot rear setback abutting undeveloped State Land. Mr. Converse stated he only had one adjacent neighbor, on the other side, who had no objection to the location of his awning.

**Board Member Clark made a motion to approve Docket No. V2009-004 – James & Robyn Converse – APN: 310-36-031 for an existing metal awning (no other structures allowed).** Board Member Chumley seconded the motion.

**Chairman Cramer** called for the vote and the motion passed unanimously.

**Chairman Cramer** asked Director Bernhart to give the staff report on **Agenda Item #6:**

**Director Bernhart said regarding Docket No. V2009-005 – Thomas & Teddie Jo Lorch – APN: 310-32-238.** The applicants are requesting a total of four variances from the County Zoning Regulations; Four variances from Section V-1-3-C (Table V-3): **1)** requesting a five (5) foot front yard setback variance from the required ten (10) foot front yard setback, resulting in a five (5) foot front yard setback, **2)** requesting a two (2) foot North side yard setback variance from the required five (5) foot side yard setback, resulting in a three (3) foot North side yard setback, **3)** requesting a two (2) foot South side yard setback variance from the required five (5) foot side yard setback variance resulting in a three (3) foot South side yard setback, **and 4)** requesting a five (5) foot rear yard setback variance from the required ten (10) foot rear yard setback, resulting in a five (5)

foot rear yard setback. The property is zoned TR (Transitional Residential). The property is located at 2979 Dunlap Dr., Hillcrest Bay Subv., Parker, Arizona.

**Director Bernhart** gave the staff report. He said this Variance request had a Health Department issue regarding the ten foot setback required for the dwelling and the leach field. He commented the applicant had a really good site plan which showed a proposed custom site built home. Director Bernhart stated staff made a recommendation for denial only based on Health Department concerns that the location of the septic system did not meet the setback requirements and that the driveway location could cause a safety concern. He said the applicant could possibly consider alternative wastewater systems to make the project work.

**Chairman Cramer** called for comments from the public.

**The applicant, Thomas Lorch, approached the Board.** He provided a new conceptual site plan for the Boards' review. He said he would have an on site investigation by members of the Health Department regarding an adequate wastewater system to accommodate the type of house he would like to build. He said a residence had been placed in the Hillcrest Bay Subdivision for three foot side setbacks and 5 foot front and rear yard setbacks. He said he has the owned the lot for 25 years (old Yuma County days) and looks forward to finally developing. He said a soils analysis test would be performed which could adjust the final site plan. He said, after that, specific building plans would be submitted to the Health & Building Departments. He distributed pictures of developments on long and irregular sized parcels in Hillcrest Bay. He said he has received Homeowner Association approval for his proposed structures. He said he appreciated the Boards time.

**Chairman Cramer** asked Mr. Lorch if there would be a height issue?

**Mr. Lorch** said no, his maximum height would be 24 feet which is the maximum height allowed in the TR Zoning District.

**Chairman Cramer** advised Mr. Lorch that the 3 foot side setbacks must remain clear of AC units, utilities, etc.

**Board Member Plog made a motion to approve Docket No. V2009-005 – Thomas & Teddie Jo Lorch – APN: 310-32-238,** with the stipulations that the future septic system meets building set-back requirements, the three foot side yard setbacks remain clear of AC units, utilities, etc., and that the total height of the dwelling does exceed 24 feet (per La Paz County Zoning Regulations.)

**Board Member Clark** seconded the motion.

**Chairman Cramer** called for the vote and the motion passed unanimously.

**Chairman Cramer stated regarding Agenda Item #7:** Call to the Public.

There were no comments from the public.

**Adjournment**

There being no further questions or comments, **Chairman Cramer** adjourned the meeting at 5:44 p.m.

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Todd Cramer, Chairman

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Director, Scott Bernhart

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Christine DeMoss,  
Administrative Assistant