



**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**  
**January 13<sup>th</sup>, 2011 – 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 9<sup>th</sup>, 2010 meeting.**

**3. Docket No. V2011-001 – Scott & Kristen Bowers - APN: 311-41-103**

Requesting a total of one Variance from the La Paz County Zoning Regulations; Section V-1-3-C (Table V-3):

**1)** Requesting a ten foot (10') Variance from the required twenty foot (20') front yard setback, resulting in a ten foot (10') front yard setback, for an interior remodel, garage addition and new entry way attached to an existing dwelling. This property is located in an R-1-6 (Low Density, Single Family, Residential Zoning District.) The physical street address is 8874 Papago Loop, Lake Moovalya Keys I Subdivision, Parker, Arizona 85344.

**4. Call to the Public.**

**5. Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
January 13<sup>th</sup>, 2011, 4:00 pm Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Chairman Todd Cramer, Board Member Joyce Plog and Danny Clark. Board Member absent: Nina Chumley. Other Staff present were: Director, Scott Bernhart, and Administrative Specialist Christine DeMoss.

Others present were

**Chairman Cramer** called for the second item on the Agenda today; the approval of the December 9<sup>th</sup>, 2010 minutes.

**Board Member Clark** moved to approve the minutes of the December 9<sup>th</sup>, 2010 meeting. **Board Member Chumley** seconded the motion.

**Chairman Cramer** called for the vote. The motion to approve the December 9<sup>th</sup>, 2010 minutes passed unanimously.

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

**Director Bernhart explained regarding Agenda Item #3. Docket No. V2011-001 – Scott & Kristen Bowers - APN: 311-41-103** Applicants are requesting a total of one Variance from the La Paz County Zoning Regulations; Section V-1-3-C (Table V-3): **1)** Requesting a ten foot (10') Variance from the required twenty foot (20') front yard setback, resulting in a ten foot (10') front yard setback, for an interior remodel, garage addition and new entry way attached to an existing dwelling. This property is located in an R-1-6 (Low Density, Single Family, Residential Zoning District.) The physical street address is 8874 Papago Loop, Lake Moovalya Keys I Subdivision, Parker, Arizona 85344.

**Director Bernhart gave the staff report.** He stated the parcel was not located in a flood zone, however, the canal was, as was typical in this Subdivision. He said the proposed construction would amount to 47% in lot coverage noting that 55% was allowed in the R-1-6 Zoning District. He said the Review Committee had no real issues and stated Buckskin Fire Department approved the variance saying their rigs would be able to turn around in the cul-de-sac. He said initially there were questions regarding the actual front boundary line, but the applicant's had recorded a new record of survey showing accurate boundary lines for this parcel. Director Bernhart said Staff recommended approval. Director Bernhart said he was available for questions.

**Chairman Cramer** called for questions from the Board.

**Chairman Cramer** referred to the submitted site plan and asked if any dimensions of construction had changed since the new survey was recorded?

**Director Bernhart** said the foot print of construction did not change and there was no dispute now of the actual location of the front property line boundary on the new survey.

*Director Bernhart showed a large copy of the recorded record of survey to all the Board Members.*

**Chairman Cramer** asked what the front setback was for the existing carport.

**Building Inspector, Ken Olkowski**, advised the Board that the carport had already been demolished.

**Director Cramer** said that the old carport (as shown in pictures) looked to be closer than 10 feet to the front boundary line.

**Building Inspector, Ken Olkowski** agreed that the original carport was a non-conforming structure located less than 10 feet to the front property boundary. He also stated that the building permit for this remodel project had been applied for and that the Lake Moovalya Keys I Homeowner's Association had stamped and approved the building plans. Inspector Olkowski stated the 10 foot front setback, for all new construction, would be verified at plan review.

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

There being no further comments or questions from the Public, **Chairman Cramer** called for a motion.

**Board Member Plog** made a motion to approve **Docket No. V2011-001 – Scott & Kristen Bowers - APN: 311-41-103** as requested. **Board Member Chumley** seconded the motion and the motion passed unanimously.

**Agenda Item #4 Call to the Public:** There were no comments from the public.

**Director Bernhart** presented to Board Members a copy of the Community Development Activity Report which he described as a "snap shot" of what's going on in the County.

**Agenda Item #5 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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Scott Bernhart, Director

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Christine DeMoss,  
Administrative Specialist



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**B. Scott Bernhart, Director**  
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**LA PAZ COUNTY**  
**BOARD OF ADJUSTMENT**  
**Regular Meeting / Public Hearing**  
**April 14th, 2011 – 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 10<sup>th</sup>, 2011 meeting.**

**3. Docket No. V2011-003 – Docket No. V2011-003 – Richard Borden – APN: 304-89-041**

Requesting a total of one Variance from the La Paz County Zoning Regulations; Section V-1-2.-B Airports (1.a.): **1)** Requesting a thirty two foot, four inch (32'4") Variance from the required two hundred foot (200') runway centerline setback, resulting in a one hundred sixty-seven foot and six inch (167'.6") setback for construction of an awning abutting an existing dwelling. The property is located in an MHS (Manufactured Home Subdivision) Zoning District. The property is located at 66671 Indian Hills Way, Indian Hills Airpark Subdivision, Salome, AZ 85348.

**4. Docket No. V2011-004 – Tambin Reay – APN: 311-52-187**

Requesting a total of two Variances from the La Paz County Zoning Regulations, Section V-1-3-C (Table V-3): **1)** Requesting a two foot (2') Variance from the required five foot (5') side setback, resulting in a three foot (3') Southeast side setback. **2)** Requesting a five foot (5') Variance from the required ten foot (10') rear setback, resulting in a five foot (5') rear yard setback for placement of a new Manufactured Home. The property is located in a TR (Transitional Residential) Zoning District. The property is located at 31699 Treasure Road, Lakeside Subdivision, Parker, AZ 85344.

**4. Docket No. AA2009-001 – Continued on Dec. 10, 2009– Jolly Knight RV Park – Sandy Murray/ Agent, Fred Bowden/Owner – APN: 311-38-006A.**

Continued so applicant could contact ADEQ and get approval to add two (2) additional spaces from the La Paz County Health Department. The Health Dept. gave approval for two (2) additional Mobile Home Placements on May 3, 2010. The applicant applied for one (1) Park Model Placement on March 15<sup>th</sup>, 2011.

**5. Call to the Public.**

**6. Adjournment.**



**MINUTES  
Of The  
La Paz County Board of Adjustment  
February 10<sup>th</sup>, 2011, 4:00 pm Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Chairman Todd Cramer, Board Members Joyce Plog, Danny Clark, and Nina Chumley. Other Staff present were: Director, Scott Bernhart and Administrative Specialist Christine DeMoss.

**Chairman Cramer** called for the second item on the Agenda today; the approval of the January 13<sup>th</sup>, 2011 minutes.

**Board Member Plog** moved to approve the minutes of the January 13<sup>th</sup>, 2011 meeting. **Board Member Chumley** seconded the motion.

**Chairman Cramer** called for the vote. The motion to approve the January 13<sup>th</sup>, 2011 minutes passed unanimously.

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

**Director Bernhart explained regarding Agenda Item #3. Docket No. V2011-002 – Daren Clement - APN: 311-65-018 .** Applicant is requesting a total of two Variances from the La Paz County Zoning Regulations; Section V-1-3-C (Table V-3): **1)** Requesting a two foot (2') Variance from the required five (5') side setback, resulting in a three foot (3') North side setback, **and 2)** Requesting a five foot (5') Variance from the required ten foot (10') rear setback, resulting in a five foot (5') rear setback for construction of a wood balcony attached to an existing dwelling. The property is located in a TR (Transitional Residential Zoning District.) The property is located at 10581 Lakeside Blvd., Parker, Arizona 85344.

**Director Bernhart gave the staff report.** He said 35 surrounding property owners were notified with no comments received. He noted 2 letters were returned as undeliverable. He stated the parcel was not located in a flood zone. He said the Review Committee had no real issues with this request. He stated the property was located in a TR (Transitional Residential) Zoning District with CRIT Reservation Land to the West. He said the parcel was located in the Lakeside Subdivision which had no active HOA. Director Bernhart said Staff recommended approval. Director Bernhart said he was available for questions.

**Chairman Cramer** called for questions from the Board.

**Chairman Cramer** referred to the site plan and asked exactly where the new structures were going. He also commented that the black and white photos in the Boards packets weren't quite as clear as color.

**Director Bernhart** stated the upper balcony would be three (3') feet from one side and the rear of the balcony would be off the upper bedroom tapering to the rear of the property which then severely sloped down. He said the location of the upper balcony, five feet (5') off the rear, would have no impact on adjacent properties.

**Chairman Cramer** realized now that the balconies were going to be constructed off of the second story structure and were going to be built up off the ground.

**Discussion ensued among the board describing this large double lot up on "Bean Pot Hill" undergoing an extensive remodel project, including the demo of an old dilapidated room addition, new concrete walk-ways, hand crafted wood awnings, home re-stucco, etc. They were also informed by Staff that the applicant proposed to build the upper balcony in order to smoke outside. They commented this type of remodel was good for this particular subdivision.**

**Chairman Cramer** called for comments from the public. There being no further comments or questions from the Public, **Chairman Cramer** called for a motion.

**Board Member Plog** made a motion to approve **Docket No. V2011-002 – Daren Clement - APN: 311-65-018** as requested noting the 2<sup>nd</sup> level balcony/walkway with the three foot (3') side setback remain free and clear of all structure(s) including AC units, etc. **Board Member Clark** seconded the motion and the motion passed unanimously.

**Agenda Item #4 Call to the Public:** There were no comments from the public.

**Director Bernhart** responded to Chairman Cramer's comment regarding black and white photos in their BOA packets. He said it was much cheaper to print black and white pictures, but if directed, staff could bring in the overhead projector.

He said next month the Board may be seeing a Variance request from the Salome area, specifically the Indian Hills Airpark Subdivision.

Director Bernhart also advised the Board to keep an eye on our website (co.la-paz.az.us) as another activity report was coming up.

**Agenda Item #5 Adjournment:** There being no further questions or comments, **Chairman Cramer** adjourned the meeting at 4:15 p.m.

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Todd Cramer, Chairman

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Scott Bernhart, Director

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Christine DeMoss,  
Administrative Specialist

Board of Adjustment  
February 10, 2011





**La Paz County Department of Community Development**  
**Mike Baker, Acting Director**  
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**LA PAZ COUNTY**  
**BOARD OF ADJUSTMENT**  
**Regular Meeting / Public Hearing**  
**April 14th, 2011 – 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 10<sup>th</sup>, 2011 meeting.**

**3. Docket No. V2011-003 – Richard Borden – APN: 304-89-041**

Requesting a total of Two Variances from the La Paz County Zoning Regulations; Section V-1-2.-B Airports (1.a.): **1)** Requesting a thirty two foot, four inch (32'4") Variance from the required two hundred foot (200') runway centerline setback, resulting in a one hundred sixty-seven foot and six inch (167'.6") setback for construction of an awning abutting an existing dwelling. **2)** Requesting a seventy five foot (75') Variance from the required two hundred foot (200') runway centerline setback, resulting in a one hundred twenty-five foot (125') setback for an existing 4 foot high chain link fence. The property is located in an MHS (Manufactured Home Subdivision) Zoning District. The property is located at 66671 Indian Hills Way, Indian Hills Airpark Subdivision, Salome, AZ 85348.

**4. Docket No. V2011-004 – Tambin Reay – APN: 311-52-187**

Requesting a total of two Variances from the La Paz County Zoning Regulations, Section V-1-3-C (Table V-3): **1)** Requesting a two foot (2') Variance from the required five foot (5') side setback, resulting in a three foot (3') Southeast side setback. **2)** Requesting a five foot (5') Variance from the required ten foot (10') rear setback, resulting in a five foot (5') rear yard setback for placement of a new Manufactured Home. The property is located in a TR (Transitional Residential) Zoning District. The property is located at 31699 Treasure Road, Lakeside Subdivision, Parker, AZ 85344.

**5. Docket No. AA2009-001 – Continued on Dec. 10, 2009– Jolly Knight RV Park – Sandy Murray/ Agent, Fred Bowden/Owner – APN: 311-38-006A.**

Continued so applicant could contact ADEQ and get approval to add two (2) additional spaces from the La Paz County Health Department. The Health Dept. gave approval for two (2) additional Mobile Home Placements on May 3, 2010. The applicant applied for one (1) Park Model Placement on March 15<sup>th</sup>, 2011.

**6. Call to the Public.**

**7. Adjournment.**



**MINUTES  
Of The  
La Paz County Board of Adjustment  
April 14<sup>th</sup>, 2011, 4:00 pm Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Chairman Todd Cramer, Board Members Joyce Plog, Danny Clark, and Nina Chumley. Other Staff present were: Director, Scott Bernhart and Administrative Specialist Christine DeMoss, Mr. & Mrs. Borden, Dawn Freeman and Sandy Murray.

**Chairman Cramer** called for the second item on the Agenda today; the approval of the February 10<sup>th</sup>, 2011 minutes.

**Board Member Plog** moved to approve the minutes of the February 10<sup>th</sup>, 2011 meeting. **Board Member Clark** seconded the motion.

**Chairman Cramer** called for the vote. The motion to approve the February 10<sup>th</sup>, 2011 minutes passed unanimously.

**Chairman Cramer** asked **Director Bernhart** to give the staff report on **Docket No. V2011-003 – Richard Borden – APN: 304-89-041**. Applicant is requesting a total of Two Variances from the La Paz County Zoning Regulations; Section V-1-2.-B Airports (1.a): **1)** Requesting a thirty two foot, four inch (32'4") Variance from the required two hundred foot (200') runway centerline setback, resulting in a one hundred sixty-seven foot and six inch (167'.6") setback for construction of an awning abutting an existing dwelling. **2)** Requesting a seventy five foot (75') Variance from the required two hundred foot (200') runway centerline setback, resulting in a one hundred twenty-five foot (125') setback for an existing 4 foot high chain link fence. The property is located in an MHS (Manufactured Home Subdivision) Zoning District. The property is located at 66671 Indian Hills Way, Indian Hills Airpark Subdivision, Salome, AZ 85348.

**Director Bernhart gave the staff report.** He stated the La Paz County Zoning Regulations focused on a 200 foot setback dimension from runway centerline per FAA guidelines. He said the applicant had built a fence and was preparing to add an awning on his property. The applicant received approval to construct from the Indian Hills Airpark Homeowner's Association. Because the fence was under 6 feet in height, it did not require a building permit. The building code states although a structure does not require a permit, it must still meet setback requirements. Director Bernhart said there were three or four other chain link fences (also less than 6 ft in height) which have been built at the same 125 foot setback from the centerline of runway. He said the focus on the Variance request today was the fact that the property was located in an established Airpark Community with an active Architectural Committee. Director Bernhart said encroachment(s) on any runway could be a safety issue. Director Bernhart said he was available for questions.

**Chairman Cramer** called for question from the Board.

**Chairman Cramer** said it appeared the fence issue would be between the homeowner and the HoA only.

**Board Member Clark** agreed saying because it didn't require a permit how could we enforce?

**Chairman Cramer** asked Director Bernhart if he had researched other airparks in the County regarding their setbacks?

**Director Bernhart** said the Dept. has had setback issues in most of the private airparks in La Paz County.

**Board Member Clark** asked why only 29 surrounding property notification letters were given out in this subdivision that has 93 existing lots?

**Director Bernhart** explained that the boundary notification was for those parcels within 300 feet of the subject parcel. Only 29 parcels were within that boundary.

*Discussion ensued among the Board Members and Director Bernhart regarding the Homeowner's Association and if they should have been required to notify everyone within the subdivision or just let the County follow the process of the 300 ft boundary notification only.*

**Board Member Chumley** asked the applicant how many other fences existed on his row.

**The Applicant, Richard Borden** approached the Board and said about 4 of his neighbors have fences located exactly where his fence is and referred to pictures in the packet. He said they were all 125 feet from the centerline of the runway. He also commented that a neighbor had an awning at 167 feet from the centerline as well. He described himself as being past President of the Airparks Homeowner's Association. He said back in 2002, the 125 foot setback issue was in a law suit (case no." CV20090062) from 2002 through 2007 that went from Judge Burkes court room all the way to mediation at the Supreme Court level in which a Judge Langford mediated where we could safely build and how much open space was need on the sides of the runway. He described a plot map sheet 2 of 2 where text in the bottom corner states an airspace easement must be 167 feet from the centerline thus creating a total 250 foot wide strip of runway. He said only septic stub outs or runway lights could be within this runway strip. He also noted that at 167 feet from the centerline you could not build structures over 16 feet in height. He said most Hangars were built way back with accessory structures mainly along the runway. He said the CC & R's of the Subdivision clearly states no building within 167 feet of the centerline of runway with the exception of fences. This was because a precedence had been set by the HOA's Architectural Committee stating fences didn't need to follow the 167 foot setback rule and that they could be 125 feet from the centerline. He went on to say that both his fence and the proposed awning had

been approved by the HOA's Architectural Committee. Mr. Borden referred to an FAA document regarding public uses at private airports. He stated The Indian Hills Airport is private, another distinction brought up in the previous litigation in Judge Burkes Court. Mr. Borden stated the FAA regulations argued that the FAA didn't apply to the airport itself, but once the pilots were up in the air, it was another story. He said currently there were 43 lots along the runway. Four lots are vacant and 37 out of the 39 had accessory structures inside the 200 foot boundary (noting about half had been developed *after* 1996 the year our Zoning Regulations were last updated.) He said he developed his parcel in 2008 by replacing a smaller mobile home with a new manufactured home. He said this Variance came into play when he came in to apply for the awning permit. He told the Board he thought they should approve his Variance.

**Board Member Chumley** referred to pictures and asked if his house was in line with the house next door?

**Mr. Borden** said yes, and that most development around him were already there when he purchased his parcel back in 2006.

**Board Member Clark** asked Mr. Borden when he built his fence.

**Mr. Borden** said it was constructed shortly after the HoA signed off the "approval to construct" in May 2009. He went on to say that the building permit application in the Boards packet referred only to the proposed awning.

**Board Member Clark** said he didn't get why the fence was an issue as no permit was required.

**Director Bernhart** said it was because, in the Zoning Regulations, the language referred to no "structures" within 200 feet of runway centerline. He said the inclusion of the fence in this Variance was so both could come into compliance under this docket item.

*The Board mentioned a picture submitted by a Mr. Ron Kilber that showed a plane that had gone off the runway and appeared to have some kind of landing gear failure as it had come to rest with one wing on the ground. Mr. Kilber stated he lived in this Subdivision but did not receive a surrounding property owner notification letter? It was his opinion that the entire Homeowner's Association (all property owners within the Subdivision) should have been notified of this Variance request as they have active CC & R's, etc.*

**Director Bernhart** said Staff followed the Zoning Regulations properly as far as notifying only those owners within 300 feet of the parcel in question, but asked the applicant if he felt the design review process was handled correctly with his HoA?

**Mr. Borden** said he obtained the necessary signatures from the Architectural Committee as described in the Subdivisions' CC & R's regarding building projects. He went on to describe Mr. Kilber as a disgruntled man that liked to "fight the system" in this case, the

HoA. He agreed that the accident pictured involved a man in his 80's who had fought with his wife and tried to take off in his plane while still angry. He aborted his attempt and came to rest on 1 wing just off the runway. He said he never flew again after that. If safety was a concern, Mr. Borden felt that fences could actually act as buffers keeping planes from hitting homes should they leave the runway in an incident. He said once the lawsuit was settled in 2008, wind socks, cacti and other shrubs were removed from within 125 from each side of the centerline. He said the main issue today was keeping the total 250 foot strip of runway clear of vegetation and structures.

**Chairman Cramer** asked Mr. Borden if the judgement was signed and agreed to by the Board of Directors of the HoA?

**Mr. Borden** said yes, after paying \$2,500.00 to John Churchill's Law Office, every parcel owner had to sign the judgement as each was an active board member of the HoA.

**Mr. Maynard Smith, a property owner and representative** of the Architectural Committee approached the Board. He briefly went over the process of building permit approval or denial. He described Mr. Borden's fence as being within the regulations having met the conditions of the CC & R's as well as Judge Burkes ruling. He said the awning also met with approval as it was within the 167 foot setback for any "structure." He said it got a little tricky when projects were controlled (as far as height) as they needed to adhere to the 7 to 1 slope requirement. He asked Director Bernhart if the Airpark qualified for a blanket Variance to allow future development similar to what was being presented today?

**Director Bernhart** stated there was a blanket Variance done years ago within the County and that there continued to be legal issues.

**Chairman Cramer** called for additional questions from the Board or the Public. There being none he called for a motion.

**Board Member Plog** made a motion to approve **Docket No. V2011-003 – Richard Borden – APN: 304-89-041** for a total of Two Variances: **1)** Requesting a thirty two foot, four inch (32'4") Variance from the required two hundred foot (200') runway centerline setback, resulting in a one hundred sixty-seven foot and six inch (167'.6") setback for construction of an awning abutting an existing dwelling. **2)** Requesting a seventy five foot (75') Variance from the required two hundred foot (200') runway centerline setback, resulting in a one hundred twenty-five foot (125') setback for an existing 4 foot high chain link fence. **Board Member Chumley** seconded the motion and the motion passed unanimously.

**Chairman Cramer** asked **Director Bernhart** to give the staff report on **Agenda Item #4. Docket No. V2011-004 – Tambin Reay – APN: 311-52-187.** The Applicant is requesting a total of two Variances from the La Paz County Zoning Regulations, Section V-1-3-C (Table V-3): **1)** Requesting a two foot (2') Variance from the required five foot (5') side setback, resulting in a three foot (3') Southeast side setback. **2)** Requesting a

five foot (5') Variance from the required ten foot (10') rear setback, resulting in a five foot (5') rear yard setback for placement of a Manufactured Home. The property is located in a TR (Transitional Residential) Zoning District. The property is located at 31699 Treasure Road, Lakeside Subdivision, Parker, AZ 85344.

**Director Bernhart gave the staff report.** He said there were no objections from Staff or the Review Committee. He advised 80 surrounding property owners were notified with no opposition received either in writing or by phone. He said Staff recommended approval with a couple of notes: 1) No parking over the septic drain field. 2) Typically a 3 foot side setback is to remain free & clear of any structure(s) including A/C units, etc., but due to building code safety requirements, egress is necessary from the Southeast side door. Therefore, it was recommended to have double sided steps with a landing (i.e. steps facing front, landing, steps facing back) for emergency service access. Director Bernhart said he was available for questions.

**Chairman Cramer** called for questions from the Board. There being none he called for comments from the Public.

**Ken Wells**, a friend of the Applicant approached the Board. He stated he was representing the Applicant as this was his vacation property and he could not attend as his permanent residence is in California. He described the lot as being very narrow which made development difficult. He said if you saw what this property looked like before, you would be impressed with how Mr. Reay was improving and cleaning up the lot. He said Mr. Reay would comply with any stipulations but commented that street parking in this Subdivision was not allowed. Mr. Wells said he also owned property up in this area and said because the lots are so small most people need a Variance. He thanked the Board for their time and hoped they would approve his friends Variance request.

**Chairman Cramer** called for a motion.

**Board Member Plog** made a motion to approve **Docket No. V2011-004 – Tambin Reay – APN: 311-52-187**. For a total of two Variances from the La Paz County Zoning Regulations, Section V-1-3-C (Table V-3): **1)** Requesting a two foot (2') Variance from the required five foot (5') side setback, resulting in a three foot (3') Southeast side setback. **2)** Requesting a five foot (5') Variance from the required ten foot (10') rear setback, resulting in a five foot (5') rear yard setback for placement of a Manufactured Home with stipulations: 1) No parking over the septic drain field. 2) Typically a 3 foot side setback is to remain free & clear of any structure(s) including A/C units, etc., but due to building code safety requirements, egress is necessary from the Southeast side door. Therefore, it was recommended to have double sided steps with a landing (i.e. steps facing front, landing, steps facing back) for emergency service access. **Board Member Chumley** seconded the motion and the motion passed unanimously

**Chairman Cramer** asked **Director Bernhart** to give the staff report on **Agenda Item #5. Docket No. AA2009-001 – Continued on Dec. 10, 2009– Jolly Knight RV Park – Sandy Murray/Agent, Fred Bowden/Owner – APN: 311-38-006A**. He stated this

Docket item was continued so the Applicant could contact ADEQ and get approval from the La Paz County Health Dept. to add two (2) additional spaces in the Jolly Knight RV Park. Director Bernhart stated the Health Dept. did give approval for the addition of two (2) Mobile Home Placements on May 3, 2010. He said the only Staff requirement was that the park maintains at least a 20 foot wide entrance and a 7 foot separation between structures at the 2 new spaces. Director Bernhart said he was available for questions.

**Chairman Cramer** called for questions from the Board. There being none, he called for comments from the public.

**Sandy Murray, The Agent for Jolly Knight RV Park**, approached the Board. He showed a new site plan with a 40 foot wide entrance to the park. He said he had successfully appealed the Directors decision not to allow the addition of 2 new units within the park. He said the 2 new units would be the 36<sup>th</sup> and 37<sup>th</sup> spaces in a park designed to accommodate 35 spaces. He said in the future he planned to remove to old units thus bringing the total number of spaces back to 35. He said the Health Dept. was ok with this number of spaces and with his proposed plan(s).

**Director Bernhart** said Staff would uphold the appeal as long as the park followed the recommendations from ADEQ and the Health Dept.

**Chairman Cramer** said there being no further comments or questions from the public, he called for a motion.

**Board Member Cramer** made a motion on **Docket No. AA2009-001 – Continued on Dec. 10, 2009– Jolly Knight RV Park – Sandy Murray/Agent, Fred Bowden/Owner – APN: 311-38-006A** for approval to uphold the appeal in favor of the Applicant as long as he complies with the Health Dept. and not exceed a total of 35 units. **Board Member Chumley** seconded the motion and the motion passed unanimously.

**Agenda Item #6 Call to the Public:** There were no comments from the public.

**Director Bernhart** advised the Board to review the updates in their Activity Report regarding projects in the County.

**Agenda Item #7 Adjournment:** There being no further questions or comments, **Chairman Cramer** adjourned the meeting at 5:23 p.m.

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Todd Cramer, Chairman

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Scott Bernhart, Director  
(Signed by Mike Baker-Dev. Serv. Dir.)

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Christine DeMoss,  
Administrative Specialist



Board of Adjustment  
April 14, 2011