

**MINUTES  
Of The  
La Paz County Board of Adjustment  
February 15, 2005 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

**AMENDED/CORRECTED MINUTES**

Those present were: Acting Chairman Fisher, Board Members: Paul DiCarlo, and Todd Cramer, Director Miles Johnson, and Administrative Secretary, Kim Oliveros. Others present were: R. E. Millspaugh, Bruce Bowers, Dottie Tonkovich, Gary Hatch, Hawley Smith, Mr. Russ Derby, Dustin Nelson, Marsha Crawford, Roy Hokenson, and Gary Seter.

Acting Chairman Fisher called the Tuesday, February 15, 2005, Regular Meeting/Public Hearing to order at 4:06 p.m.

Acting Chairman Fisher called to the public, asking if Mr. or Mrs. Miller is here today, or Gary hatch, representing the Millers? Mr. Hatch acknowledged his presence.

Acting Chairman Fisher stated, "on behalf of the County and the Community Development Department, we owe you an apology, your item did not make it onto the agenda and therefore, we cannot talk about it today. It was published, it was noticed in the newspaper and that it was going to appear, but when we did the agenda it was not on there and so we're not going to be able to take that item up today."

**Docket No. V2005-01 – Hawley E. and Claudia J. Smith – APN: 311-66-121**

Applicants are requesting a variance for a fifteen foot (15') front corner setback instead of the required twenty foot (20') setback, and an increase in lot coverage to 66% instead of the 50% maximum. The Zoning District is C-2 (General Commercial). The reason for the variance stated by the applicants is due to the irregular shape of the property. The property is located at 9211 Paradise Dr., Moovalya Estates, Parker, AZ 85344.

Director Johnson stated that the staff recommends denial due to the encroachment into the WAPA (Western Area Power Association) Easement Lines. He further explained the developer needs to apply to WAPA for an encroachment permit.

The Board discussed WAPA lines, easements, and the character of the neighborhood.

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Acting Chairman Fisher asked if there was anyone that would like to speak in favor of or in opposition to this request today? If you will come to the podium please, and state your name for the record.

My name is Holly Smith, I'm the one requesting the variance. There should be no problem with that as there are other buildings that are out further than what I am asking for. It's only one corner of the building that's less than a foot out onto the 20' street parking. The power lines are so high that they could never get to them, only by helicopter.

Acting Chairman Fisher asked for questions or comments.

Director Johnson stated, "in your package we have some shots of some others on that street and they all meet that 50' criteria required by WAPA."

Acting Chairman Fisher ASKED Mr. Derby if he was saying that this Board has granted variances in the past where they could be closer than the 50' on the lines there or, that buildings exist there?

Mr. Derby stated that those buildings exist. I wouldn't know if it had got a variance or not.

Acting Chairman Fisher explained to Mr. Smith that if the County gives the variance, then we've bought into your project whether we wanted to or not, and if there's not a catastrophe of any kind there's no harm, but if the glow goes off the project and something goes wrong, then you start looking to see who can fit into the pile in the lawsuit. And this Board taking an action like that, there would be at least discussion for the attorneys, about what percentage we played in this event as to what took place.

The Board continued the item to give the applicant time to contact WAPA and the County time to contact the County Attorney concerning liability.

Acting Chairman Fisher asked for a motion to continue.

**Member Cramer moved to continue** this request until sufficient information from WAPA is received.

The motion was 2<sup>nd</sup> by Member DiCarlo.

The vote passed unanimously.

Acting Chairman Fisher called to the public for Richard or Kathy Hoyt. The call was acknowledged of the presence by one or both parties.

**Docket No. V2005-02 – Richard M. Hoyt, Mark A. and Kathy A. Hoyt –  
APN: 310-32-104A**

The applicants are requesting a variance for a five foot (5') setback for the front instead of the required ten foot (10') setback and a three foot (3') side setback instead of the required five foot (5'). The Zoning District is TR (Transitional Residential). The reason for the variance stated by the applicants is due to the angles. The property is located at 939 Crystal View Drive, Hillcrest Bay.

Director Johnson recommended approval with the stipulation that the developer submit engineering plans and variance request detailing how the septic system meets APP standards and insure no damage to the structure.

Acting Chairman Fisher asked if there were any questions by the Board at this time, and if there was anyone here that would like to speak on behalf of the applicants? If you will come to the podium please, and state your name for the record.

My name is Dustin Nelson, I am the contractor. We started planning on this back in March, actually is when Mr. Hoyt purchased the lot and the setbacks required by the association are 3' off the sides and 5' off the street and so we went with those setbacks and they were accepted by the building department at that time.

Discussion ensued regarding whether or not the association has been making changes with only the association approval.

Acting Chairman Fisher asked Director Johnson to restate your recommendation is at this point.

Director Johnson stated that the staff recommends approval with the stipulation that the developer submit engineering plans and a variance request detailing how the septic system goes above APP standards to ensure no damage to the structure.

Acting Chairman Fisher asked for a motion from the Board.

**Member DiCarlo moved to approve** the request for a five foot (5') front setback instead of the required ten foot(10') setback and a three foot (3') side setback instead of the required five foot (5') setback due to the angles. Reference: Docket No. V2005-02 – Richard M. Hoyt, Mark A. and Kathy A. Hoyt – APN: 310-32-104A. The Zoning District is TR (Transitional Residential). The property is located at 939 Crystal View Drive, Hillcrest Bay. He included the stipulation that the variance would only become effective with the Health Dept. approval.

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The motion was 2<sup>nd</sup> by Member Cramer.

The vote was 3 ayes.

The vote passed unanimously.

**Docket No. V2005-04 – Edward W. and Nancy L. Deuel, Trustees –  
APN: 310-32-027**

The applicants are requesting a variance for a five foot (5') front setback instead of the required ten foot (10') setback, a five foot (5') rear setback instead of the required ten foot (10') setback, and three foot (3') side setbacks instead of the required five foot (5') setback. The reason for the variance stated by the applicants is due to the odd shape of the parcel. The Zoning District is TR (Transitional Residential). The property is located at 2868 Manor View Dr., Hillcrest Bay.

Director Johnson stated that the staff recommends approval with the stipulation that the building or septic system not part of the utility easement and the applicant needs to comply with the requirements of the agencies holding easements for all overhead utility lines.

Acting Chairman Fisher asked if the Board had any questions or comments at this time.

Acting Chairman Fisher asked Mr. Hatch, who is representing the applicants, if he had any comments on their behalf.

My name is Gary Hatch, and I am representing Ed and Nancy Deuel and the only thing I have to add is the La Paz County Health Department has received and has no objection to the alternative wastewater systems to be installed on the project.

Acting Chairman Fisher asked if there was anyone else that would like to speak in favor of or in opposition to this request today? Please come up and state your name for the record.

There was an objection by the neighbor directly south of Mr. Deuel, Russ Millspaugh, he expressed concern over the boundaries. He objects to a couple of these variances. He stated that Mr. Deuel has had someone come out and create new boundary lines between our property liens.

Lengthy discussion ensued with Board members with regard to property lines and encroachment.

Acting Chairman Fisher commented there is a three year track history by the Homeowner's Association of owners required to have a survey.

**Member DiCarlo moved to approve** Docket No. V2005-04 with the stipulations recommended by staff and the Community Development Department that the system is not placed in the 5' utility easement and that they need to comply with the APS overhead clearance, and the applicant needs to comply with all overhead utility line easement requirements.

The motion was 2<sup>nd</sup> by Member Cramer.

The vote was 3 ayes.

The vote passed unanimously.

**Docket No. V2005-06 – Dorothy Tonkovich – APN: 311-61-001**

The applicant is requesting a variance for a three foot (3') front setback instead of the required ten foot (10'0) setback, three foot (3') setback for the side yards instead of the required five foot (5') setback, and an increase in lot coverage to 99% instead of the required 65%. The reasons for the variance stated by the applicant are restricted street parking and limited garage width. The Zoning District is TR (Transitional Residential). The Property is located at 9100 Lakeview Dr., Moovalya Keys II.

Director Johnson recommended denial due to the garage encroaching into a utility easement. The County does not want to set a precedent for residential lots having 99% lot coverage.

The Board discussed the utility easement, the character of the neighborhood, and parking.

Acting Chairman Fisher asked if there was anyone that would like to speak in favor of or in opposition to this request today? If you will come to the podium please, and state your name for the record.

My name is Dorothy Tonkovich and I don't see why it was denied. The lot is small and next to the ramp on one side are all alike.

Member DiCarlo commented on the history showing mostly 5', but one at 0' and one at 3'.

Gary Seter, President Moovalya Keys II, discussed the requirements of the Homeowner's Association and the association has approved others in the past.

**Member Cramer moved to approve** the request with the stipulation; there is a minimum of a three foot clearance on the side as the homeowner is asking and from the electrical box and also that lot coverage does not exceed 77%.

The motion was 2<sup>nd</sup> by Member DiCarlo.

The vote was 3 ayes.

The vote passed unanimously.

**Docket No. V2005-07– Dean and Linda Parsons, Trustees – APN:  
311-64-029**

The applicants are requesting a variance for a three foot (3') setback for the South East side and a four foot (4') setback for the North West side for the side setbacks instead of the required five foot (5') setback, and a five foot (5') setback for the rear setback instead of the required ten foot (10') setback and an increase in lot coverage to 80% instead of the maximum 65%. The reason for the variance stated by the applicants is due to the size of the lot. The Zoning District is TR (Transitional Residential). The property is located at 10130 Marina Loop, Marina View Estates.

Director Johnson stated that staff recommends denial as the Board of Adjustment has denied request for similar variances.

Acting Chairman Fisher asked if there was anyone that would like to speak in favor of or in opposition to this request today? If you will come to the podium please, and state your name for the record.

Marsha Crawford, Triple DJ Homes, commented on several homes in the area with similar situations and the small lots not being conducive to the homes of today.

Acting Chairman Fisher explained that the County is in a transition. Lakeside will redevelop, but it will be with 2 or more lots for people to build.

**Member Cramer moved to approve** the docket as requested with the exception that the lot coverage not exceed 75% and with the stipulation that the lot coverage be only 75%, not the 80% as requested and the carport not be concreted and remains open for parking.

The motion was 2<sup>nd</sup> by Member DiCarlo.

The vote was 3 ayes.

The vote passed unanimously.

**Call to the Public**

No comments.

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 5:59 p.m.

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Gene Fisher, Acting Chairman

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Patricia L. Wall, Office Manager

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Kim Oliveros,  
Administrative Secretary

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Robert L. Wall,  
Special Projects Coordinator

**MINUTES  
Of The  
La Paz County Board of Adjustment  
March 15, 2005 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Fisher, Board Members: DiCarlo, Cramer, and Plog, Special Projects Coordinator Bud Wall, Office Manager Pat Wall and Executive Secretary, Kim Oliveros. Others present were: Gary Hatch, Hawley Smith, and Tony Guardalabene.

Acting Chairman Fisher called the Tuesday, March 15, 2005, Regular Meeting/Public Hearing to order at 4:02 p.m.

**Minutes of Meeting February 15, 2005:** Board Member Joyce Plog pointed out an error in the February 2005 minutes.

Coordinator Wall requested continuance for approval of the minutes of the February 2005 meeting.

**MEMBER CRAMER MOVED** to continue approval of the February minutes for 30 days.

The motion was seconded by Member DiCarlo.

The motion carried.

**Docket No. V2005-05 – Ernest H. and Denise L. Miller – APN: 310-34-067**  
(Continued from the February 15, 2005 meeting)

Applicants are requesting a three foot setback for the side setbacks instead of the required five foot (5') setback. The reason for the variance stated by the applicants is due to the size and shape of the parcel. The Zoning District is TR (Transitional Residential). The property is located at 36909 Canyon View Drive, Moonridge Marina.

Special Projects Coordinator Bud Wall recommended approval for the requested 3' side setbacks and notes a strong concern for the 3' in the utility easement.

The Board discussed the septic system and the setbacks.

**MEMBER CRAMER MOVED TO APPROVE** the three foot (3') side setbacks instead of the required five foot (5') setback due to the size and shape of the parcel. Reference: Docket No. V2005-05 – Ernest H. and Denise L. Miller – APN: 310-34-067. The Zoning District is TR. The property is located at 36909



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Canyon View Drive, Moonridge Marina. He included the stipulation that there be no permanent obstruction in the utility easement.

The motion was seconded by Member DiCarlo.

The vote was 4 ayes.

The vote passed unanimously.

**Docket No. V2005-01 – Hawley E. and Claudia J. Smith – APN: 311-66-121**

Applicants are requesting a variance for a seventeen foot (17') setback for the front corner setback instead of the required twenty foot (20') setback and an increase in lot coverage to 66% instead of the maximum 50%. The reason for the variance stated by the applicants is due to the irregular shape of the property. The Zoning District is C-2 (General Commercial). The property is located at 9211 Paradise Dr., Moovalya Estates.

Coordinator Bud Wall explained this item was continued for a WAPA (Western Area Power Administration) letter. We have obtained a letter; a waiver license has been issued by WAPA. We have verified with the applicant that there will be 17' on the one corner only. Coordinator Wall recommended approval.

**MEMBER CRAMER MOVED** to approve a seventeen foot (17') front corner setback instead of the required twenty foot (20') setback. Also, the Board noted a minimum of a 3' side setback on the north, a 4-1/2' setback at the south, and an increase in lot coverage to 66% instead of the maximum 50% due to the irregular shape of the property. Reverence: Docket No. V2005-01 Hawley E. and Claudia J. Smith – APN: 311-66-121. The Zoning District is C-2 (General Commercial). The property is located at 9211 Paradise Drive, Moovalya Estates. He included the stipulation that the applicant comply with license agreement from WAPA #DSW-LI-2005-012.

The motion was seconded by Member Plog.

The vote was 4 ayes.

The vote passed unanimously.

**Docket No. V2005-08 – Victor J. and Linda L. DeMaio – APN: 311-50-011 AND 311-50-012**

Applicants are requesting a variance for a seven (7') foot setback for the front setback instead of the required ten foot (10') setback and three (3') foot setbacks for the side setbacks instead of the required five (5') foot setback. The reasons for the variance stated by the applicants are due to the size, angles and

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frontage of these parcels. The Zoning District is TR (Transitional Residential). The property is located at 31414 and 31420 Lower Lakeside Blvd.

Coordinator Wall recommended approval of 3" side setbacks with the stipulation that the electric/meter box be placed facing the street, and recommended denial of the 7' front setback due to Public Works concern, which recommended to keep the setback 10'.

Coordinator Wall explained APS has advised us the law requires 3' clearance so they are asking that the meter box be at the front of the building.

Acting Chairman Fisher commented the 3' clearance is not new with this Board.

The Board discussed APS' concerns, a 10' front setback for safety reasons, possibility of cutting the size of the building, and a possible site visit.

**MEMBER CRAMER MOVED TO APPROVE** the request for three foot (3') side yards instead of the required five foot (5') setback and a ten foot (10') setback for the front yard setback instead of the required 20' setback. Reference: V2005-08 – Victor J. and Linda L. DeMaio – APN: 311-50-011 AND 311-50-012. The reasons for the variance stated by the applicant are due to the small size and the angles of the lot lines. The Zoning District is TR (Transitional Residential). The property is located at 31414 and 31420 Lower Lakeside Blvd. He included the stipulation that there be 3' clearances in front of the electric meters.

The motion was seconded by Member Plog.

The vote was 4 ayes.

The vote passed unanimously.

**Docket No. V2005-09 – Tony Guardalabene – APN: 311-66-099**

Applicant is requesting a variance for a three foot (3') setback for the front corner only instead of the required twenty foot (20') setback. The Zoning District is C-2 (General Commercial). The reason for the variance stated by the applicant is for the purpose of placing a steel building. The property is located at 9326 Lower Moovalya Estates.

Coordinator Wall recommended approval for a 4-1/2' setback on the front left. He explained the guy wire can be moved a little but can't be removed completely. The right and left lot line is 0, and this is allowed in commercial zoning where there is not an adjoining residential use or zone. He noted five vehicles could park on the front and one on the other side. He noted

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Public Works concern, requesting that the building be moved back, but they didn't specify how far.

The Board discussed the APS guy wire, parking, and angles.

**MEMBER CRAMER MOVED TO APPROVE** a variance for a four and a half foot (4-1/2') setback for the front left corner instead of the required twenty foot (20') setback for the purpose of placing a steel building. Reference: Docket No. V2005-09 – Tony Guardalabene – APN: 311-66-099. The Zoning District is C-2 (General Commercial).

The motion was 2<sup>nd</sup> by Member Plog.

The vote was 4 ayes.

The vote passed unanimously.

### **Call to the Public**

Coordinator Wall encouraged the Board Members to give him a note expressing how they would like to see this job done; current staff is compiling notes for the incoming Director.

Member Plog suggested that, on the maps, there be a mark on the parcel itself in order to find it quicker.

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

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Gene Fisher, Acting Chairman

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Patricia L. Wall, Office Manager

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Kim Oliveros,  
Administrative Secretary

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Robert L. Wall,  
Special Projects Coordinator

**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting/Public Hearing  
April 19, 2005 at 4:00 p.m.**  
Board of Supervisor's Meeting Room  
1108 Joshua Avenue, Parker, Arizona 85344

**AGENDA**

1. **Call to Order**
2. **Approval of December 21, 2004, February 15, 2005, and March 15, 2005 Minutes**
3. **Docket No. V2005-03 – Keith Senn – APN: 311-66-120**  
(Continued from the February 15, 2005 meeting) \*  
Applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow a five foot (5') variance for the front setback from a twenty foot (20') setback and a seven foot (7') side yard setback from the twenty feet (20') requirement for the side setback and an increase in maximum lot coverage from 50% to 64% in a C-2 (General Commercial) Zoning District for the purpose of constructing a steel building. The property is located at 9219 Paradise Dr., Parker, AZ 85344. It is further described as being in Section 22, Township 10 North and Range 19 West of the Gila and Salt River Meridian, La Paz County, Arizona. \*Applicant has received a waiver letter from W.A.P.A.
4. **Docket No. V2005-10 – Eron Martin – APN: 310-36-031**  
Applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow a variance for the rear setback from a ten (10') setback to a zero (0') setback due to the size and shape of the lot in a TR (Transitional Residential) Zoning District. The property is located at 37398 Bighorn Drive, Buckskin Valley, Parker, AZ 85344. It is further described as being in Section 27, Township 11 North, Range 18 West of the Gila and Salt River Meridian, La Paz County, Arizona.

**5. Docket No. V2005-11 – Ty Wallace and Istimah Glasgow – APN: 311-36-016**

Applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow a variance for the front setback from a ten foot (10') setback to a six foot (6') setback and a variance for the side setback from a five foot (5') setback to a three foot (3') setback and a variance for the rear setback from a ten foot (10') setback to a three foot (3') setback in a TR (Transitional Residential) Zoning District due to the size of the lot. The property is located at 6705 Riverfront #9, Marina Village North, Parker, AZ 85344. It is further described as being in Section 1, Township 10 North and Range 19 West of the Gila and Salt River Meridian.

**6. Call to the Public.**

**7. Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
April 19, 2005 Regular Meeting/Public Hearing  
Board of Supervisor's Meeting Room  
1108 Joshua Avenue, Parker, AZ**

Acting Chairman Fisher called the Tuesday, April 19, 2005 Regular Meeting/Public Hearing to order at 4:03 p.m. Those present were: Acting Chairman Fisher, Board Members: DiCarlo, Plog and Cramer, Special Projects Coordinator Bud Wall, and Administrative Secretary Kim Oliveros. Other present were B.W. Smith, Ty Wallace, Istimah Glasgow, Jackie Yarbrough, and Marsha Crawford.

Minutes: Chairman Fisher called for a motion to approve the minutes,

**MEMBER PLOG MOVED** to approve the minutes for Dec. 21, 2004 as presented and to continue for approval of the minutes for February and March 2005, motion was seconded by Member DiCarlo. Vote passed unanimously.

**Docket No. V2005-03 – Keith Senn – APN: 311-66-120**

Applicants are requesting a variance for a five foot (5') front setback instead of the required twenty foot (20') setback requirement and a seven foot (7') side setback instead of the required ten foot (10') setback and an increase in lot coverage to 64% instead of the required 50%. The Zoning District is C-2 (General Commercial). The reason for the variance stated by the applicant is for the purpose of placing a steel building. The property is located at 9219 Paradise Dr., Moovalya Estates.

Coordinator Wall recommended approval. He explained this is a corner lot at Moovalya Estates Drive and Paradise. There are 2 setbacks because of the corner lot and the applicant is looking for a setback on the side. Normally in a commercial zone it is 0'. They are looking for a 15' front setback instead of the 20' normally required. The radius curve is about 30'. This item was continued because a waiver from WAPA was needed. The WAPA letter has arrived.

The Board discussed sight line, WAPA lines, APS concerns, Side yard setbacks, and the Health Dept. recommendation this be for a steel building only, not a residence.

**MEMBER CRAMER MOVED TO APPROVE** a variance for a fifteen foot (15') front setback instead of the required twenty foot (20') setback, a seven foot (7') side setback instead of the twenty foot (20') required setback, and an increase in lot coverage to 64% instead of the required 50% for the purpose of placing a steel building. Docket No. V2005-03 – Keith Senn – APN: 311-66-120.

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The Zoning District is C-2 (General Commercial). The property is located at 9219 Paradise Drive, Moovalya Estates.

The motion was seconded by Member Plog.

The vote was 4 Ayes.

The vote passed unanimously.

**Docket No. V2005-10 – Eron Martin – APN: 310-36-031**

Applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow a variance for the rear setback from a ten (10') setback to a zero (0') setback due to the size and shape of the lot in a TR (Transitional Residential) Zoning District. The property is located at 37398 Bighorn Drive, Buckskin Valley, Parker, AZ 85344. It is further described as being in Section 27, Township 11 North, Range 18 West of the Gila and Salt River Meridian, La Paz County, Arizona.

Coordinator Wall explained the applicant is asking for a 0' setback. This is near the end of Buckskin Drive. The back of the lot backs up to State property. Staff would recommend denial if State land sold this property. However, the Homeowners Association objects, saying they don't allow this. We did find a few other buildings at a 0' lot configuration. Variances for those were not found in our records. There are five variances in the record for 2' side yards, 5' back yards, and the like. The applicant needs to fit a mobile home on the property.

Acting Chairman Fisher questioned if the garage is there.

Coordinator Wall explained the garage is there. The purpose is to put a new mobile home on the premises and this would have to come up to 0' lot line in back because the garage is already there. There are definitely constraints on these lots. The applicant has been asked by the Homeowner's Association to place a home because the only use there for a while was the garage. He says he doesn't have enough space to meet the septic requirements if a narrower, longer mobile home is used. Staff recommended approval with the condition that the wall of the garage or house have a firewall where they are less than 3' apart.

Acting Chairman Fisher opened the Public Hearing.

Jackie Yarborough, President of Holiday Harbour Association, explained Mr. Wall stated our objections. Mr. Martin placed the garage instead of a mobile, first or he would have had room. If it hadn't been for our complaints, there would still only be a garage, which is against the County rules and the Homeowner's Association rules.

Much discussion ensued regarding the previous timelines given to this applicant.

Marsha Crawford, Triple DJ Homes, representing Dr. Martin commented that she was aware of the County and the Homeowner's conflict. She said he did receive an extension until July 2005, and we have chosen the smallest home, trying to remedy this situation, and the length is now a problem because of the septic. She explained 12' wide homes are considered a park model, which is illegal there as well.

Acting Chairman Fisher commented there was a lot of discussion previously as to why the garage was first.

Discussion ensued regarding the original plans, sizes, and various alternatives to fit a mobile home on the property.

Ms. Crawford explained they are working around a garage and septic that are already installed.

Discussion ensued regarding the possibility of the septic being moved.

There being no further questions or comments, Acting Chairman Fisher closed the Public Hearing.

**MEMBER CRAMER MOVED** to continue this item and said the Board was expecting answers on availability of space and where the septic tank could be moved at the May meeting with regard to Docket No. V2005-10 – Eron Martin – APN: 310-36-031, for a variance for the rear setback from a required ten (10') setback to a zero (0') setback due to the size and shape of the lot in a TR (Transitional Residential) Zoning District.

The motion was seconded by Member Plog.

Ms. Crawford commented if we extended this Mr. Martin would not be able to meet the deadline for the home.

Member DiCarlo explained that once the permit is pulled the timeline deadline would be fulfilled.

Vote passed unanimously.

**Docket No. V2005-11 – Ty Wallace and Istimah Glasgow – APN: 311-36-016**

Applicants are requesting a variance from County Zoning Regulations, Section V-1-3-C (Table V-3) to allow a variance for the front setback from a required ten foot (10') setback to a six foot (6') setback and a variance for the side setbacks from a required five foot (5') setback to three foot (3') setbacks,



and a variance for the rear setback from a ten foot (10') setback to a three foot (3') setback in a TR (Transitional Residential) Zoning District, due to the size of the lot. The property is located at 6705 Riverfront #9, Marina Village North, Parker, AZ 85344. It is further described as being in Section 1, Township 10 North and Range 19 West of the Gila and Salt River Meridian.

Coordinator Wall explained the surrounding zoning is TR. He said there are many similar buildings in the area and some even closer. The floodplain designation is B, as most are on the river. APS asked for no permanent obstruction in their rear yard easement, including the footing. They asked that no part of the footing be inside the rear easement. They want the meter located 3' from any structure on the front corner of the home.

He further explained the lot coverage is 71% instead of 65%. The drawing showed a lesser percentage. He said he believed they used the bottom floor plan but there are some open space locations there. There is a difference between the "footprint" of the ground floor of the building and the "shadow" of the whole building including the second story. In this case the "shadow" of the building; the plan view, is bigger. The Fire Chief's comments called for adjustments on window locations if necessary, so they are not opposite windows next door, and commented that if a window breaks it could go to the next structure. Staff recommended approval, with the stipulation that nothing be placed in the APS easement at the rear; primary distribution will be placed in front and there should be a 3' clear working space in front of the meter.

The Board discussed the height of the home, the windows, the septic, and the lot coverage.

Acting Chairman Fisher opened the Public Hearing.

Ty Wallace explained he wanted to do things right considering the windows, the septic and other issues that might be of concern.

There being no further questions or comments, Acting Chairman Fisher closed the Public Hearing.

**MEMBER CRAMER MOVED to APPROVE** with the stipulation that APS requirements are met for easement clearances and a maximum of 71% lot coverage is approved for Docket No. V2005-11 – Ty Wallace and Istimah Glasgow – APN: 311-36-016; a variance for the front setback from a ten foot (10') setback to a six foot (6') setback and a variance for the side setbacks from five foot (5') setbacks to three foot (3') setback, and a variance for the rear setback from a ten foot (10') setback to a three foot (3') setback in a TR (Transitional Residential) Zoning District due to the size of the lot. The motion was seconded by Member DiCarlo.

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Acting Chairman Fisher asked for clarification that "Mr." Glasgow in the record should be "Mrs."?

Ty Wallace explained it is "Mrs". Glasgow.

Vote passed unanimously.

**Call to the Public**

Coordinator Wall pointed out the department now has a copy of the WAPA materials and plan to distribute those to applicants.

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 5:09 p.m.

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Gene Fisher, Acting Chairman

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Patricia L. Wall, Office Manager

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Kim Oliveros, Admin. Secretary

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Robert L. Wall,  
Special Projects Coordinator

**MINUTES  
Of The  
La Paz County Board of Adjustment  
June 21, 2005 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Fisher, Board Members: Paul DiCarlo, and Todd Cramer, Special Projects Coordinator Bud Wall, Office Manager Pat Wall, and Administrative Secretary, Kim Oliveros. Others present were: Marsha Crawford, Margaret Hokenson, Mike Stephens, Pat Jones, Larry Gardner, Kay Gillmore, Don Reed, Mr. Charles Vining, Richard and Linda Daniel, and Russ Derby.

Absent was Board Member Plog.

Acting Chairman Fisher called the Tuesday, June 21, 2005, Regular Meeting/Public Hearing to order at 4:03 p.m.

Acting Chairman Fisher called for the second item on the agenda today: the approval of the February 15<sup>th</sup>, March 15<sup>th</sup>, April 19<sup>th</sup>, and May 17<sup>th</sup> 2005 minutes. Is there a motion?

Acting Chairman Fisher asked the Board members if we could approve them with the exception of some small corrections and if we have any of those small corrections, we'll bring them back to the Board and show you what those corrections are?

Member Cramer moved to approve the minutes as stated by Acting Chairman Fisher.

The motion was 2<sup>nd</sup> by Member DiCarlo.

The motion carried.

Acting Chairman Fisher stated the next item on the agenda is **Docket No. V2005-17 – Charles Richard Vining and Debra Lynn Airey – APN: 311-49-058A**

Applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow a variance for a five foot (5') front setback instead of the required ten (10') setback and a five foot (5') street side setback instead of the required ten foot (10') setback and a five foot (5') rear setback instead of the required ten foot (10') setback and a three foot (3') side setback for the North side of the garage instead of the required five foot (5') setback in a TR (Transitional Residential) Zoning District. The property is located at 10185 Harbor View Rd., Marina Manor, Parker, AZ 85344. It is further described as being in Section 27, Township 10 North, Range 19 West of the Gila and Sale River Meridian, La Paz County, Arizona.

Acting Chairman Fisher asked Coordinator Wall to tell us why we have a Board member absent today before you give us a staff report.

Coordinator Wall stated that Board member Plog, fell off a short stool and broke some bones.

Acting Chairman Fisher asked that Coordinator Wall continue with the staff report.

Coordinator Wall stated that this is a request from Charles Vining and Debra Airey, for a 5' setback for the front yard and instead of the 10' and a 5' street side setback instead of the maximum 10', as this is a corner lot, and in fact it's 2 lots assembled on a corner. They're also looking for a 5' setback for the rear instead of the maximum 10' setback and a 3' side setback on the north side of the garage instead of the maximum 5' setback. Their proposal is to place a brand new living unit on two lots that have been assembled into one and put up a garage. Coordinator Wall explained some of the details in three pictures of the site. He said there are no letters of opposition, however, the Health Department Officer did say that the garage does appear to be built over the septic system, and in her memo, the Health Officer says that where the proposed garage is, nothing must be built over the septic system and the septic system must be 10' from any structure. The Public Works Department was concerned about sight lines around the corner. In reviewing the zoning ordinance; within a triangle, for a distance of 25' from the intersection of the two streets, nothing should be built which rises more than 20 1/2 feet above the ground.

Coordinator Wall stated that staff recommends approval with the following stipulations; that no front yard fence or planting be higher than 2-1/2 feet, within 25 feet of the center of the intersection and no structures be built over the APS utility easements and no structure be placed over the septic system.

Acting Chairman Fisher asked for any questions from the Board members.

No comments.

Acting Chairman Fisher asked if anyone wanted to speak in favor of or in opposition to this request today, please come to the podium and state your name for the record?

Mr. Rodney Hayes introduced himself and stated I live right where the garage is going to be and in Marina Manor it seems everybody is upgrading. I think it's a good idea, and that's my recommendation.

Mr. Charles Vining stated that he understood one leach line is going under where the garage is, so he could move that leach line to another direction

Chairman Fisher asked Coordinator Wall about the letter from Marina Manor Association, Sherry Martin. He said he wanted to make sure about the letter and questioned the old and new date stamps.

Coordinator Wall stated that she is questioning the parking for all the vehicles and boats. We saw enough space to back a truck and trailer, and probably another vehicle, into the driveway and garage.

Mr. Vining stated that Ms. Martin's concern is probably the catamaran and camper in the picture, but that will no longer be there.

Acting Chairman Fisher stated "for the record, I see it as a concern and not an opposition, but as a suggestion.

Mr. Vining stated he has to present his package to the Association and they have told him that whatever this Board decides, they will support the decision.

Acting Chairman Fisher stated that if there is no further discussion, he will close the public hearing.

Coordinator Wall commented that the property presently has a number on it, lot 58, and our homeland security folks in the County would sure appreciate it if the owner would put the 911 number on the building.

Acting Chairman Fisher asked for a motion.

**Member Cramer moved to approve** Docket No. V2005-17 as requested with the stipulation that there won't be any fences higher than 2-1/2 ' within 25' of the center line of the street, and no structures will encroach on any utilities or septic system.

Member DiCarlo 2<sup>nd</sup> the motion.

Motion carried.

Acting Chairman Fisher called the next agenda item: **Docket No. V2005-18 – Elmer Larsen Trustee/Larsen Family Trust – APN: 311-49-083A**

The applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow a five foot (5') front setback instead of the maximum ten foot (10') setback, and a four foot (4') side setback instead of the maximum five foot (5') setback, in a TR (Transitional Residential) Zoning District due to the pie shaped lot having less than 50' frontage per new codes pertaining to uncombining lots. The property is located at 10042 Harbor View Road, Marina Manor, Parker, AZ 85344.

Acting Chairman Fisher asked Coordinator Wall for a staff report.

Coordinator Wall stated that Elmer Larsen, who is trustee for the Larsen Family trust is applying for a variance that will support the uncombining of two lots down at the other end of the street we've just been on. We have received one letter of opposition from Mr. Howard stating he believes it is too tight and overdeveloped as is. Staff recommends approval for the application.

Member Cramer noted the map shows a 4' setback for the stairs on the right side.

Coordinator Wall stated that was incorrect; it was mistyped at 4' and should have been 4 inches.

Rick Larsen, Covina, CA, stated that the association has already approved it and had taken note of the 4' to the 4" error in that material and the he is OK with it also.

Acting Chairman Fisher stated that legally the public notice must be rerun in the newspaper to correct the error.

Mr. Larsen asked when the Docket would be reheard?

Acting Chairman Fisher stated it would be July 19, 2005.

Acting Chairman Fisher called for the next item on the agenda, **Docket No. V2005-19 – Gary A. and Etta Mae Svider – APN: 311-66-133**

The applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow a variance for a ten foot (10') street setback on Riverside Drive instead of the maximum twenty foot (20') setback and a six inch (6") setback in a C-2 (General Commercial) Zoning District and an increase in maximum lot coverage from 50% to 83% due to the shape and angle of the lot. The property is located at 9210 Paradise Drive, Moovalya Estates, Parker, AZ 85344. It is further described as being in Section 22, Township 10 North, Range 19 West of the Gils and Salt River Meridian, La Paz County, Arizona.

Coordinator Wall stated the applicants want the 10' setback on Riverside Drive to add on a unit A and the back side being unit B. The Public Works Department was very emphatic about not wanting to see structure A built at this time because of the current drainage planning that is going on for Hwy. 95 and feels the structure would be too close to the highway. They did not comment about structure B. The Health Department on the other hand did not have any objection to structure A if it is built after the sewer hood up is done.

Coordinator Wall said that as an alternative recommendation, the staff would suggest to the Board that you might want to approve a 5' setback on Moovalya Estates Drive, which would be similar to other folks up Moovalya Estates Drive in the past.

Acting Chairman Fisher asked if anyone wanted to speak in favor of or in opposition to this request today, please come to the podium and state your name for the record?

Gary Svider stated all the easement is on the south side of the street (Riverside Drive) and runs all the way up. In reference to the APS power pole, he said, Doug was out and looked at it and said as long as I keep 8' below the drip loop line I would be fine. Further, Mr. Svider showed pictures of existing buildings in the area and commented on Coordinator Wall's recommendations and further commented that the request would not impede the line of sight. He said the restaurant across the street and buildings next to me are already hooked to the sewer so I could be hooked up immediately.

Acting Chairman Fisher agreed with the staff recommendation for denial. He said he didn't see there is a hardship here, there is a desire to add more building. I do see that.

Mr. Svider stated he did not understand how the figure of 83% was determined. He said he only came up with about 43% and, with the addition of both buildings, A and B, he only came up with 68%.

Member Cramer stated he went to see the property yesterday and commented that the south side of Moovalya Estates Drive is on the right of way line.

Further discussion ensued between Member Cramer and Coordinator Wall with reference to the total lot coverage and property lines up and down Moovalya Estates Drive. Coordinator Wall explained that we use the ADOR (Arizona Department of Revenue) screen and by using that, perhaps have miscalculated the coverage.

Acting Chairman Fisher stated that we need to take an action, but that the change in variance won't be what Mr. Svider asked for, it'll be a brand new one with something else. Is that correct?

Coordinator Wall stated, yes, it will have a new docket number and what ever the action is today, will be assigned to the existing docket.

Acting Chairman Fisher asked for a motion on today's request.

Member Cramer asked if we couldn't carry this over because of the discrepancy in the square footage and coverage.

Acting Chairman Fisher stated we could carry it over.

Member Cramer interjected, "but he couldn't change it?"

Acting Chairman Fisher stated, "no" he couldn't change it, because we are really talking about a re-advertisement.

Coordinator Wall stated he wanted to point out, the limitation is 50% in a C-2 zone and whether it's 64% or 83%, it is a request to go over it, so that's valid in terms of the request and getting the calculation right in spite of ADOR's report of size of lot and my miscalculation. In staff's point of view we can do it either way.

Member DiCarlo moved to deny Docket V2005-19.

Acting Chairman Fisher 2<sup>nd</sup> the motion.

Acting Chairman Fisher asked if there was any discussion.

Mr. Svider asked on what basis the Board was denying the request.

Acting Chairman Fisher stated, "we are denying it based on the facts of your request and lack of finding a hardship.

Acting Chairman Fisher called for the vote.

Motion passed 2 in favor, one opposed, Member Cramer opposed.

Acting Chairman Fisher called for the next item on the agenda, the call to the public.

### **Call to the Public**

Gary Svider said he was president of the Moovalya Keys Homeowner's Association. He stated he was bringing frustration and concern and proceeded to discuss a situation in Moovalya Keys II and what he feels are discrepancies in the issuances in variances and why should be bother, just pull a permit and you're going to do what you want to.

Acting Chairman Fisher stated that the Homeowner's Association decisions are separate from this Board's actions and you have ways to get satisfaction through the Courts. That's not a good process, but it is a process.



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He also stated we do, absolutely, work with homeowner's associations and they're suppose to be contacted before permits are pulled.

Member Cramer asked what was protruding into the 3 foot.

Discussion ensued with Board members, Coordinator Wall and Mr. Svider.

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 5:48 p.m.

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Gene Fisher, Acting Chairman

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Patricia L. Wall, Office Manager

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Bonnie L. Mayton,  
Executive Secretary

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Robert L. Wall,  
Special Projects Coordinator

Board of Adjustment  
July 19, 2005

**MINUTES  
Of The  
La Paz County Board of Adjustment  
July 19, 2005 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Fisher, Board Members: Paul DiCarlo, and Joyce Plog, Special Projects Coordinator Bud Wall, Office Manager Pat Wall Grant Administrator, Diane Philpot and Executive Secretary, Bonnie Mayton. Others present were: Lori Nielson, Robert Nielson, Rick Larsen, and Rodney Hayes.

Acting Chairman Fisher called the Tuesday, July 19, 2005, Regular Meeting/Public Hearing to order at 4:05 p.m.

Acting Chairman Fisher called for the second item on the agenda today is the approval of minutes. I would request a motion to continue those minutes until the next meeting

Member Plog moved to continue the approval of the minutes to the August 16th meeting.

The motion was seconded by Member DiCarlo.

The motion carried.

Acting Chairman Fisher stated item 3. on the agenda is **Docket No. V2005-17 – Charles Richard Vining and Debra Lynn Airey – APN: 311-49-058A**

Applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow a variance for a five foot (5') front setback instead of the required ten (10') setback and a five foot (5') street side setback instead of the required ten foot (10') setback and a five foot (5') rear setback instead of the required ten foot (10') setback and a three foot (3') side setback for the North side of the garage instead of the required five foot (5') setback in a TR (Transitional Residential) Zoning District. The property is located at 10185 Harbor View Rd., Marina Manor, Parker, AZ 85344. It is further described as being in Section 27, Township 10 North, Range 19 West of the Gila and Sale River Meridian, La Paz County, Arizona.

Acting Chairman Fisher asked Coordinator Wall to present the staff report.

Coordinator Wall stated that this was carried over from the June meeting as there was an incorrect date of the advertising so we continued these items to this meeting. The are looking for a variance for a 5' front setback instead of the

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required 10' and a 5' street side setback instead of the required 10', and a 5' setback for the rear instead of the required 10' setback and a 3' side setback on the north side of the garage instead of the required 5' setback.

Coordinator Wall stated that staff recommends approval with the following stipulations; that no front yard fence be higher than 2-1/2 feet, within 25 feet of the center of the intersection and no structures be placed over the septic system. I am leaving out the one about APS because it is a moot point.

Acting Chairman Fisher asked for any questions from the Board members.

Member Plog state she had a question about the fence and why the stipulation on the height of the fence as you can see through a chain link fence so it wouldn't block the view.

Coordinator Wall stated in the ordinance, anything that blocks the view in that triangle, 25' back from the corner should be not higher than 2-1/2 feet so you can see through it. When you look at a chain link fence from a side view, you can't see through it, so we are recommending a 2-1/2 foot fence, especially if later they come back and put slats through the fence.

Acting Chairman Fisher asked if anyone wanted to speak in favor of or in opposition to this request today, and please state your name for the record?

Rodney Hayes stated, I'm on the north side of the property and the whole neighborhood is getting new trailers and it's a big improvement to the whole community.

Acting Chairman Fisher asked if any else wanted to speak in favor of, or in opposition to this request.

I'm Rick Vining and obviously in favor of this request and did get the Marina Manor approval.

Acting Chairman Fisher closed the floor to the public hearing.

Acting Chairman Fisher asked for a motion.

Member DiCarlo moved to approve V2005-17 as to the recommendations by staff in Community Development with the stipulation of a 2-1/2 foot fence on a 25' center.

Acting Chairman Fisher asked for a 2<sup>nd</sup>.

Member Plog 2<sup>nd</sup> the motion.

Motion carried.

Acting Chairman Fisher asked for Coordinator Wall's staff recommendation on **Docket No. V2005-18 – Elmer Larsen Trustee/Larsen Family Trust – APN: 311-49-083a**

Coordinator Wall stated that Mr. Larsen is requesting a variance for a five foot (5') front street setback instead of the required ten foot (10') setback and a four foot (4') side setback instead of the required five foot (5') setback in a TR (Transitional Residential) Zoning District. We have not received any opposition from residents and all departments were notified without any significant comments or objections and staff recommends approval.

Acting Chairman Fisher asked if any else wanted to speak in favor of, or in opposition to this request.

Rick Larsen, representing the Larsen Family Trust, and I am in favor of the request. I have four signatures from the officers of the association and I received a letter written by Zoning Commission asking to clarify the south lot line because evidently there is only 3-1/2 feet between the existing house and the wall, but the wall is only 1-1/2 feet from the property line to allow drainage to the street, so it's actually a 5' setback on the side, rather than 3-1/2 feet.

Acting Chairman Fisher stated he had a concern over the steps being within 4' of that line, what would be the new lot line.

Coordinator Wall asked if the Board members would consider possibility of stipulating moving the stairway? The actual deck is at least 3' from the property line and when you get to the bottom of the steps they're at an angle.

Acting Chairman Fisher and Board members discussed various options as it was felt a dangerous situation for fire personnel.

Acting Chairman Fisher asked for a motion.

Member DiCarlo moved to approve V2005-18 with the following conditions, that there be a 5' unobstructed setback, this does not include the fence on the south side and a 3' setback on the north side and a 5' instead of a 10' in the rear and a 5' instead of a 10' in the front too.

Acting Chairman Fisher asked , “and that’s on lot 83?”

Rick Larsen state, yes, that’s correct, lot 82 is vacant.

Member DiCarlo stated he’s amending his motion to include both sides being unobstructed.

Member Plog 2<sup>nd</sup> the motion.

Motion carried.

Acting Chairman Fisher called for the next item on the agenda, **Docket No. V2005-19 – Gary A. and Etta Mae Svider – APN: 311-66-133** and asked Coordinator Wall for the staff report.

Coordinator Wall stated Mr. Svider has sent us a letter just a few days ago respectfully requesting a continuance of the July Board of Adjustment meeting on this item do to the fact he’ll be out of town on Tuesday, July 19<sup>th</sup> for doctors appointments and please advise him of the August 2005 date.

Acting Chairman Fisher asked for a motion, on today’s request until the August meeting?

Member Plog moved to continue Docket V2005-19 to the August meeting.

Member DiCarlo 2<sup>nd</sup> the motion.

Motion carried.

Acting Chairman Fisher called for the next item on the agenda, the call to the public.

### **Call to the Public**

Acting Chairman Fisher asked for the new Executive Secretary to be introduced. Grant Administrator, Diane Philpot introduced Bonnie Mayton as the new Executive Secretary for Community Development.

Coordinator Wall asked Acting Chairman Fisher if he could make a short statement.

Acting Chairman Fisher stated “yes.”

Coordinator Wall stated “we discovered that part of the problem in our Department for scheduling meetings, public hearings, and getting them in the

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paper, has to do a little bit with the day with which the meetings are held. As you know, our paper only prints once a week and when you start counting the days on the calendar it turns out it would really be handy if this Board could meet on a Thursday instead of Tuesday.

Unofficial discussion among all members and staff ensued with reference to the change of a meeting date.

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

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Gene Fisher, Acting Chairman

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Patricia L. Wall, Office Manager

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Bonnie L. Mayton,  
Administrative Secretary

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Robert L. Wall,  
Special Projects Coordinator

Board of Adjustment  
August 16, 2005

**MINUTES  
Of The  
La Paz County Board of Adjustment  
August 16, 2005 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Fisher, Board Members, Todd Cramer, and Joyce Plog, Special Projects Coordinator Bud Wall, and Executive Secretary, Bonnie Mayton. Others present were: Lori Nielson, Robert Nielson, Rick Larsen, and Rodney Hayes.

Board Member Paul DiCarlo was absent.

Acting Chairman Fisher called the Tuesday, August 16, 2005 Regular Meeting/Public Hearing to order at 4:06 p.m.

Acting Chairman Fisher called for the second item on the agenda today; the approval of the February, March, April, May, June and July minutes.

Acting Chairman Fisher asked Member Cramer about the corrections he had noted on the July 19<sup>th</sup> meeting and the June 21<sup>st</sup> meeting.

Member Cramer stated, "Yes" on July 19<sup>th</sup> it shows me as being present and I was not."

Acting Chairman Fisher stated that on page 6 of the June 21<sup>st</sup> meeting, it shows Member Cramer making a motion to deny V2005-19, and that was Member DiCarlo, and in the February minutes on page 6, the 5' overhead, we want to make sure and verify that's what the intent was. (This item was corrected in the February minutes. The reference was to a 5' utility easement and compliance with A.P.S. overhead requirements).

**Acting Chairman Fisher** asked if there is a motion to approve these minutes.

Member Cramer moved to approved the February 15, March 15, May 17, June 21 and July 19 minutes, as corrected.

Member Plog 2<sup>nd</sup> the motion.

The vote was unanimous for approval.

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Acting Chairman Fisher asked Coordinator Wall to give the staff report on item 3. on the agenda, **Docket No. V2005-19 – Gary A. and Etta Mae Svider – APN: 311-66-133**

Coordinator Wall stated that Mr. Svider has brought a new application and request to you with some modifications of the original request. He said, as you know, he had a very short side yard request or actually it becomes a front yard, on Riverside Drive. At this time he is asking for a change in that setback. The applicants are requesting a variance on the property located at 9210 Paradise Drive, Parker. That's a parcel of property that extends from Paradise through to Riverside Dr. and has Moovalya Estates Drive on the south side of the property. So it has front frontage on 3 streets. There is no drainage problem.

Coordinator Wall further stated that there were 27 homeowners notified and no objections from them. Existing zone is C-2. The request at this time is a 10' front yard setback on Riverside Dr. from the 20' that is normally required there and a change to a 3' front yard setback on Moovalya Estates Drive and a lot coverage increase which will be more than the ordinance requires at this time in a C-2 zone. The hardship is essentially that the lot is bounded on 3 sides by streets, all sides are frontages. The variances are sought to allow greater intensity of use than standard setbacks allow. The shape and angle of the lot is part of the problem.

All the zoning in this area is C-2, and in the staff review the only department that had a concern was the Public Works Department. Their concern was for the sight lines in the front on the corner between Moovalya Estates Drive and Riverside Dr.

Staff recommends approval of a 10' reduction in the front Riverside Drive setback and to a 3' front yard setback on Moovalya Estates Drive.

Member Cramer asked about the change of the docket number as the original request was denied.

Coordinator Wall stated we plan to work with same Docket number. We are consolidating this request with the original request to minimize record files.

Acting Chairman Fisher asked if there was anyone who wanted to speak in favor of or in opposition to this request.

Gary Svider appeared in favor, and made comments on several items, re: speed limit on Riverside Dr., also, the line of sight and the engineer's drawing.

Discussion ensued between Board Members and Mr. Svider over the engineer's drawing and accurate square footage of buildings A and B and the original building. Board member Cramer calculated the coverage percentage.



Acting Chairman Fisher closed the Public Hearing and asked for a motion.

**Member Cramer moved to approve** Docket V2005-19 as requested with the 10' setback on Riverside Drive and 3' set back on Moovalya Estates Drive, with maximum lot coverage of 66%.

Member Plog 2<sup>nd</sup> the motion.

Acting Chairman Fisher asked if there was any further discussion then called for the vote.

The vote was unanimous for approval.

Acting Chairman Fisher stated item is **Docket No. V2005-20 – Rodney Hayes – APN: 311-49-060C** and asked Coordinator Wall for the staff report.

Coordinator Wall stated that Mr. Hayes property is 2 lots north of one we saw last meeting. The property is located at 10181 S. Harbour View Road, Parker, AZ. He said there is no flood information to report. Mr. Hayes is replacing an older mobile home with a new one. He is asking for a 3' side yard on the north, and on the rear yard setback he's asking for 5'. This is a TR (Transitional Residential) Zoning District. Thirty-two property owners were notified and no objections were returned. No comments were recorded from the other Departments.

Coordinator Wall stated staff recommends for approval of the application as requested, with the electric meter placed in front and no additions or projections be allowed into the reduced side yard or rear yard areas.

Acting Chairman Fisher ask for questions from Board members.

Acting Chairman Fisher opened discussion to public.

Rodney Hayes referred to the map and said the that yard is pie shaped and he wants to use that narrow area in back for the air conditioner.

Acting Chairman Fisher stated he must maintain 5' setback, noting that the resulting backyard was wedge shaped, so the a.c. should go in the wider part.

Acting Chairman Fisher asked if anyone else was in favor of, or in opposition to, the request.

Rick Vining stated, I have property due south from Rodney and I'm in favor of this proposal.

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

Member Plog moved to approve V2005-20 as requested with recommendations by Coordinator Wall for the electric meter to be placed in front and there be no projections into the reduced side or rear yard areas.

Member Cramer 2<sup>nd</sup> motion.

The vote was unanimous for approval

Acting Chairman Fisher called on Coordinator Wall for a report on the next item on the agenda, **Docket No. V2005-21 – Robert & Lori Nielson – APN: 310-32-143**

Coordinator Wall stated that this is on Crystal View Dr., in Hillcrest Bay and represents a difficult parcel of property because it backs into the hillside. It also fronts on two streets and that causes some difficulty for them.

We received two letters of opposition from neighboring property owners, One stated it would create a definite driveway access/parking problem for them and the other letter stated they did not have a problem with the 3' side yard, but they are concerned about availability of parking as the lot is on the corner and there is a drainage culvert there. There were no concerns from Public Works Dept. regarding any drainage problems but they did mention a concern about sight line problems at the intersection.

At this time they are asking for a side yard setback to be reduced from 5' to 3' and to allow a front yard setback from the maximum 10' to 5'. They want to allow a reduction in the side yard setback from 5' to 3' on the west side and allow a front yard setback from required 10' to 5'.

This is a TR (Transitional Residential) zoning district and they are planning to construct a new home and a garage. 954 Crystal View Drive is the address on the lot. Staff recommends approval as the applicants have requested.

Acting Chairman Fisher asked Board members if they had any questions.

Acting Chairman Fisher asked if there was anyone who wanted to speak in favor of or in opposition to this request.

Mr. Nielson stated he is in favor of his request and stated they are attempting to make the garage large enough to accommodate all family vehicles.

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

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August 16, 2005

Member Cramer moved to approve V2005-21 as requested.

Member Plog 2<sup>nd</sup> the motion.

The vote was unanimous for approval

Acting Chairman Fisher asked for call to public.

**Call to the Public**

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

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Gene Fisher, Acting Chairman

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Patricia L. Wall, Office Manager

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Bonnie L. Mayton,  
Executive Secretary

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Robert L. Wall,  
Special Projects Coordinator

**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
October 18, 2005 – 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.**

August 16, 2005 minutes for approval and signature. There were no minutes for September 20, 2005 as the meeting was cancelled, no requests for Variances had been received.
- 3. Docket No. V2005-22 – Tim R. & Linda M. Batten – APN: 311-47-036**

The applicants are requesting a variance from the County Zoning Regulations, Section V-1-2-C (Table V-3) to allow for a reduction in the required side yard setback from five-feet (5') to requested three-feet (3') on the west side of the property. The property is located at 31948 Rio Vista Road, Parker, AZ 85344.
- 4. Docket No. V2005-23 – Eberhard Family Trust/Boyle Family Trust – APN: 311-38-007C**

The applicants are requesting a variance from the County Zoning Regulations, Section V-1-2-C (Table V-3) to allow for the south side yard setback to a zero lot line for construction of an addition to their existing dwelling. They propose to construct a four (4) hour "firewall" on that side of the new structure. Existing zoning is RVS (Recreational Vehicle Subdivision. The property is located at 7976 riverside Drive, Parker, AZ 85344.
- 5. Docket No. V2005-24 – John & Lisa Thornton – APN: 311-52-063**

Applicants are requesting a variance from the County Zoning Regulations, Section V-1-2-C (Table V-3) to allow a reduction in the required side yard setback from five-feet (5') to a requested three-feet (3') on the east and west sides of the property. The property is located at 31825 Fleet Road, Parker, AZ 85344.
- 6. Call to the Public.**
- 7. Adjournment.**

Board of Adjustment  
October 18, 2005

**MINUTES**  
**of the**  
**La Paz County Board of Adjustment**  
**October 18, 2005 Regular Meeting/Public Hearing**  
**1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Todd Cramer, Joyce Plog, and Paul DiCarlo, Special Projects Coordinator Robert L. Wall, Community Development Office Manager Patricia L. Wall and Executive Secretary Bonnie Mayton. Others present were: Ron Fleming, Karen Anderson Clay Jacobson III and Neil Eberhard.

**Acting Chairman Fisher** called the Tuesday, October 18, 2005 Regular Meeting/Public Hearing to order at 4:03 p.m.

**Acting Chairman Fisher** called for the second item on the agenda today; the approval of the August 16, 2005 minutes.

**Acting Chairman Fisher** asked for a motion to approve these minutes.

**Member Plog** moved to approve the August 16, 2005 minutes.

Member Cramer 2<sup>nd</sup> the motion.

The vote was unanimous for approval.

**Acting Chairman Fisher** asked Coordinator Wall to give the staff report on item 3 on the agenda **Docket No. V2005-22 – Tim R. & Linda M. Batten – APN: 311-47-036.**

Coordinator Wall stated that the applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a reduction in the required side yard setback from five-feet (5') to requested three-feet (3') on the west side of the property. The property is located at 31948 Rio Vista Road, Parker, AZ 85344. Staff recommends approval with a stipulation that there are no bay windows or air conditioners in that setback.

**Acting Chairman Fisher** asked if there any questions from Board members.

**Acting Chairman Fisher** asked if there was anyone who wanted to speak in favor of or in opposition to this request.

Tim Batten, the applicant, stated he is in favor of the variance.

Member DiCarlo asked if there would be any overhang?

Mr. Batten stated "yes," one foot, over the garage.

Acting Chairman Fisher asked Coordinator Wall if he had any comment.

Coordinator Wall stated he didn't feel that overhang would be a problem. They will need an encroachment permit from the Dept. of Public Works and stated that this Board may want to make some stipulations.

Member Cramer asked about the septic tank.

Coordinator Wall stated that the Health Department would do the approval on the septic.

Clay Jacobson III, builder for the Battens', stated the septic system is in and approved. As far as the eaves, Dale the inspector, told him that the eaves could over hang on that side.

Coordinator Wall stated the inspector was correct and in compliance with the building code on the standard setback, but when you ask for a 3' variance and it's approved, then nothing else can encroach into the 3' unless this Board specifies that.

**Acting Chairman Fisher** closed the Public Hearing and asked for a motion.

**Member DiCarlo moved to approve** Docket V2005-22, with the stipulation that there be no windows along the 3' foot variance side and the 3' be unobstructed, with the allowance of a 1'foot roof overhang.

Member Cramer 2<sup>nd</sup> the motion.

**Acting Chairman Fisher** asked if there was any further discussion then called for the vote.

The vote was unanimous for approval.

**Acting Chairman Fisher read into the record Docket No. V2005-23 – Eberhard Family Trust/Boyle Family Trust – APN: 311-38-007C** and called on Coordinator Wall for the staff report.

Board of Adjustment  
October 18, 2005

Coordinator Wall stated that the applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for the south side yard setback be a zero lot line from the required seven feet (7') for construction of an addition to their existing dwelling. They propose to construct a four (4) hour "firewall" on that side of the new structure. Existing zoning is RVS (Recreational Vehicle Subdivision). The property is located at 7976 Riverside Drive, Parker, AZ 85344. Coverage would be about 55%.

Staff received a letter from Betty Hunter with no objection to this variance request. Coordinator Wall stated staff recommends for approval of the application as requested with the stipulation that the building permit be approved for design and materials for a "4-hour" fire wall on the zero lot line, if this variance is approved.

**Acting Chairman Fisher** asked for questions from Board members.

Member DiCarlo asked about the difference in the dimension of the opposite side yard between the two maps.

Coordinator Wall stated: "I calculated it to be 6' and we were unable to obtain pictures as the gate was locked. I believe the owner is here today to answer any questions."

Discussion ensued between Coordinator Wall and the Board Members.

**Acting Chairman Fisher** opened the discussion to the public.

**Acting Chairman Fisher** asked if anyone else was in favor of, or in opposition to, the request.

Neil Eberhard, owner, stated he could accommodate 7' on that side and the eave did come right to the property line.

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

**Member Cramer moved to approve** V2005-23 as requested with the stipulations that the zero lot line requested has a 4-hour firewall, and the other side of the building be no less than 7' from the property line.

Member Plog 2<sup>nd</sup> the motion.

The vote was unanimous for approval.

**Acting Chairman Fisher** called on Coordinator Wall for a report on the next item on the agenda, **Docket No. V2005-24 – John & Lisa Thornton – APN: 311-52-063.**

Coordinator Wall stated that the applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow a reduction in the required side yard setback from five-feet (5') to a requested three-feet (3') on the east and west sides of the property. The property is located at 31825 Fleet Road, Parker, AZ 85344 and commented on the Health Department comments. Also, reported comments from APS that the electric box should be installed in the front of the mobile home, facing Fleet Road. Staff recommends approval.

**Acting Chairman Fisher** asked if there were any questions from Board?

There were no comments.

**Acting Chairman Fisher** opened the discussion to the public.

**Acting Chairman Fisher** asked Mr. Thornton why the mobile home is set at the angle on the diagram.

John Thornton, approached the podium and introduced himself. The size and shape of the lot has determined how it must be set, according to our engineer and the back of the lot does not perk for a septic system and moving the mobile home closer to the road would then impede the required septic system.

Mr. Ron Flemming asked where the entrance, the front door, was going to be placed.

Mr. Thornton answered Mr. Flemming's questions about front door being placed on the west side of the home and air conditioning placement would be in the back on the east side.

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

**Member DiCarlo moved to approve** V2005-24 as requested, with the stipulation that the east and west easements be unobstructed.

Member Plog 2<sup>nd</sup> the motion.

The vote was unanimous for approval.



**Call to the Public**

**Acting Chairman Fisher** asked if there was anyone here wishing to make a statement or comment today?

Coordinator Wall commented on the meeting that morning on the Emerald Springs development where the developer stated he would not need any variances for any of his homes.

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 4:38 p.m.

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Gene Fisher, Acting Chairman

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Patricia L. Wall, Office Manager

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Bonnie L. Mayton,  
Executive Secretary

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Robert L. Wall,  
Special Projects Coordinator

**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
November 15, 2005 – 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.**  
October 18, 2005 minutes for approval and signature.
- 3. Docket No. V2005-25 – Richard J. Ferber – APN: 311-61-054**  
The applicant is requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a reduction in the required side yard setbacks from five-feet (5') to requested three-feet (3') on the east and west side yards and a set back from the required 10' to 3' on the rear yard setback (north) side of the property, and 28' height limit instead of the required 24' maximum. The property is located at 9080 Mohave, Moovalya Keys II, Parker, AZ 85344.
- 4. Docket No. V2005-26 – Sandy Murray & Terry W. McCoy – APN: 311-38-006A**  
The applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a rear yard setback from 10' to 3' to assure that placing a mobile home unit will not be out of alignment with other units and will not interfere with the driveway. The property is located at 7968 Riverside Drive, Space 13, Parker, AZ 85344.
- 5. Call to the Public.**
- 6. Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
November 15, 2005 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Fisher, Board Members: Todd Cramer, Joyce Plog, and Paul DiCarlo, Special Projects Coordinator Robert L. Wall, and Executive Secretary, Bonnie Mayton. Others present were: Himey Means, Gary Svider, Fred Bowden, and Sandy Murray.

Acting Chairman Fisher called the Tuesday, November 15, 2005 Regular Meeting/Public Hearing to order at 4:04 p.m.

Acting Chairman Fisher called for the second item on the agenda today; the approval of October 18<sup>th</sup>, 2005 minutes.

**Acting Chairman Fisher** asked if there is a motion to approve these minutes.

**Member Plog** moved to approve October 18<sup>th</sup>, 2005 minutes.

Member Cramer 2<sup>nd</sup> the motion.

The motion was unanimously approved.

**Acting Chairman Fisher** asked Coordinator Wall to give the staff report on item 3 on the agenda, **Docket No. V2005-25 – Richard J. Ferber – APN: 311-61-054**

Coordinator Wall stated that Mr. Himey Means is representing the homeowner, Richard Ferber. The application is to build a trapezoid shaped home on a trapezoid shaped lot. Set backs are 10' and 5' and they are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a reduction in the required side yard setback from five-feet (5') to requested three-feet (3') on the east and west side yards and a set back from the required 10' to 3' on the rear yard setback (north) side of the property, and 28' height limit instead of the required 24' maximum. There may be a coverage variance also. We came up with about 3200 sq. ft. of lot and 2200 sq. ft. for the building size. The ordinance calls for 65% coverage and this is right about at 65% coverage. The property is located at 9080 Mohave, Moovalya Keys II, Parker, AZ 85344.

Acting Chairman Fisher asked Coordinator Wall to clarify the application request of the height from 26' to 24' and then the written advertised request from 24' to 28'.

Coordinator Wall explained that Mr. Ferber came in after the original application was filed with us and asked to change the height limit to 28' instead of 26'. We said we'd present that at the hearing and advertise it. He doesn't have a precise plan for the house and doesn't know how high it will be but believes that because the garage will be underneath that it would probably raise the level of the building with the roof to 28' and stated that Mr. Means has a photograph; that possibly Mr. Means is able to shed more light on this and noted that Mr. Means has distributed pictures to the Board members.

Himey Means discussed the pictures with the Board members and stated that he did not feel the height would reach 28'.

Member Cramer stated this is not the 2 story like the one we approved last year.

Mr. Means stated "yes", it's the one on the right (in a photograph).

Acting Chairman Fisher asked Coordinator Wall for clarification on how building height is measured.

Coordinator Wall explained that the inspectors usually measure height from the center line of the street.

Acting Chairman Fisher stated: From my perspective, I need to know, and what the builder needs to know before starting is, what's the point from which the height is measured? Because if it is the middle of the street, then that's what it is.

Coordinator Wall stated that he has spoken to the Building Inspectors specifically about height measurements and they have stated that they use the center line of the street projected onto the lot as the zero line for the height of the building.

Member Cramer asked Coordinator Wall: "If you have two different measurements, one at 69% and one at 70% and so far they have not filed for an increase in lot coverage, are we going to have to put it on hold?"

Coordinator Wall stated I think it's about 2/3s of the lot coverage at 2200 out of 3200 feet, a little more than 2/3s.

Member Cramer stated that if the requirement maximum is 65% we will need a variance.

Coordinator Wall stated “yes”, it would be a coverage variance.

Member Cramer said: “But it hasn’t been advertised?”

Coordinator Wall stated “no” we did not advertise for a coverage variance.

Member Cramer stated “I think we have an issue here.” We’ve gone there before and required it to go back.

Acting Chairman Fisher stated that is the question. What is the desire of the applicant’s representative, Himey at this time? This was not advertised and not requested to have an increase in lot coverage. Because of that, the maximum that could be approved today is in fact, what the ordinance calls for, which is the 65%. We could continue this and re-advertise assuming the applicant wants that 69% or 70% and advertise it that way.

Mr. Means stated that that’s what he wanted. The setbacks that he asked for, and if we need to resubmit it, then we agree to resubmit it. Mr. Means stated he did obtain approval from the fire dept.

Acting Chairman Fisher stated to Mr. Means that this Board, I think, would agree with re-advertising at no additional cost to the applicant to consider going to a higher lot coverage.

**Member Cramer moved to continue** this docket to next month.

Member Plog 2<sup>nd</sup> the motion.

Acting Chairman Fisher opened the hearing to the public.

Gary Svider, representing Keys II Homeowners Association, stated the Board members are a little confused as to some of the dimensions and I thought I’d throw this out here too, when you talk about lot coverage, there’s also another issue there, is in the request there is no variance for the front yard setback, which I understand is 20’? Am I correct here on that?

Coordinator Wall stated, yes.

Member Cramer stated this is a TR lot and may make a difference.

Acting Chairman Fisher stated you want that on the record that that needs to be checked as well.

Mr. Svider state “yes.” We don’t have a problem with it, it’s just it wasn’t in the description and we weren’t sure whether the TR complies with a 20’ or 10’. In addition, we have a little bit of a concern with the 28’ height, we don’t have as

much of a problem with the 28' height as with the sketch that shows a Mansard faced roof which will encroach on the side yard allowance of 3', and, at 28' where's that water going when it rains and to have Mr. Wall look into that also. Mr. Svider further discussed the run off of the water from the roof. They also recommended a 4 point survey of the lot.

Acting Chairman Fisher asked if there was any further discussion, then called for a motion.

**Acting Chairman Fisher** asked Mr. Svider if the homeowners association approved Mr. Ferber's request to the homeowners association

Mr. Svider stated "yes" his request was approved by the homeowner association and to go for a height variance as we don't have a problem with the height request and the homeowners association would like to see the plans before the permits are issued.

Acting Chairman Fisher closed the public hearing.

**Member Cramer moved to continue** Docket No.: V2005-25 to the December 20<sup>th</sup> 2005 meeting of the Board of Adjustment.

Member Plog 2<sup>nd</sup> the motion.

The motion was unanimous for approval to continue Docket No. Z2005-25 to the December 2005 meeting.

**Acting Chairman Fisher** called on Coordinator Wall for the staff recommendation on item number 4, **Docket No. V2005-26 – Sandy Murray & Terry W. McCoy – APN: 311-38-006A**

Coordinator Wall stated the applicants are requesting a variance for Space 13 of the Jolly Knight Mobile Home Park, from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a rear yard setback from 10' to 3' to assure that placing a mobile home unit will not be out of alignment with other units and will not interfere with the driveway. The Health Department states they have no record of the septic system. The property is located at 7968 Riverside Drive, Space 13, Parker, AZ 85344. Staff recommends denial. They are attempting to place a 56' mobile home on a 66' space. The mobile home was set up prior to applying for a permit. There was previously a blanket variance requested last year, and that was denied. Further discussion regarding the septic system ensued, and if approved, the Board may want to make a stipulation regarding the septic system.

Acting Chairman Fisher called on the Board members for any comments or questions.

Acting Chairman Fisher asked if there was anyone who wanted to make comments in favor of or in opposition to this request.

Fred Bowden, representing Sandy Murray, 2579 Riverside Drive, provided the Board members with a brochure with pictures of the spaces in the Jolly Knight RV Park and stated they have upgraded 5 sites and improved the septic systems in the park. He further explained all the upgrades and the letters of approval.

Acting Chairman Fisher asked how they got that far into the project without asking for a variance?

Mr. Bowden stated "we blew it" and I apologize for that, however, that trailer was already in there when you denied the blanket variance last year.

Coordinator Wall stated that possibly the reason there isn't a septic tank permit for this particular thing is that the septic system may be off premise, not on this lot, but somewhere else.

Member DiCarlo asked if there is a hook up for Space 13?

Mr. Bowden stated "yes".

Acting Chairman Fisher asked if the septic system has been approved?

Mr. Bowden stated, it's been approved; we've uncovered them; pumped them all, they were approved originally years ago. We have had no problems with them in the park. We took out 3 trailers to put this one in.

Member DiCarlo asked if they were on 5 tanks and 5 separate leach lines.

Mr. Bowden stated "yes".

Acting Chairman Fisher stated you're now down to 28, and took out six.

Member DiCarlo asked if he'd applied for a permit on this one.

Mr. Bowden stated Yes.

Acting Chairman Fisher asked for a motion from the Board.

**Member Cramer moved to approved** Docket V2005-26 as requested.

Member Plog 2<sup>nd</sup> the motion.

Acting Chairman Fisher asked if there was other discussion.

Member DiCarlo expressed his concern about the actions prior to permits.

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

The vote was unanimous for approval.

Acting Chairman Fisher asked for call to public.

**Call to the Public**

There were no comments from the public.

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 4:45 p.m.

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Gene Fisher, Acting Chairman

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Patricia L. Wall, Office Manager

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Bonnie L. Mayton,  
Executive Secretary

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Robert L. Wall,  
Special Projects Coordinator



**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
December 20, 2005 – 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.**  
November 15, 2005 minutes for approval and signature.
3. **Docket No. V2005-25 – Richard J. Ferber – APN: 311-61-054**  
(Continued from the November 15, 2005 Board of Adjustment meeting to December 20, 2005 meeting). The applicant is requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a reduction in the required side yard setbacks from five-feet (5') to requested three-feet (3') on the east and west side yards and a set back from the required 10' to 3' on the rear yard setback (north) side of the property, and 28' height limit instead of the required 24' maximum and an increase in lot coverage above the 65% requirement. The property is located at 9080 Mohave, Moovalya Keys II, Parker, AZ 85344.
4. **Docket No. V2005-27 – Terry Jay Hopple – APN: 310-26-009**  
The applicant is requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a reduction in the required rear yard setback from twenty feet (20') to requested three feet (3') on the rear yard setback to build a 6' X 12' bathroom on the southwest corner of the existing structure. The property is located at 36880 Polynesian Shores #1, Parker, AZ 85344.
5. **Docket No. V2005-28 – Timothy & Christine Brooks – APN: 310-34-044**  
The applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a west side yard setback from 10' to 0' and a south side yard setback from 5' to 3', to accommodate an Infiltrator septic system. The property is located at 3440 Canyon View Drive, Moonridge Marina II, Parker, AZ 85344.

- 6. Docket No. V2005-29 – Monte L. Hale – APN: 311-49-066F**  
The applicant is requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a reduction in the required front yard setback from ten feet (10') to requested five feet (5') to build a garage. The property is located at 10128 Harbor View Rd, Upper Marina Manor, Parker, AZ 85344.
- 7. Docket No. V2005-30 – Charles L. Baker – APN: 311-41-120A**  
The applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a southeast corner side yard/canal end setback from 20' to 3.5', to accommodate a lot division (lots 116 & 117). The property is located at 8759 Papago Loop, Lake Moovalya Keys, Parker, AZ 85344.
- 8. Docket No. V2005-31 – Walter L. Smith, Jr. – APN: 311-43-002B**  
The applicant is requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a south side yard setback from 5' to 3', to accommodate a new manufactured home placement. The property is located at 9481 Riverside Drive, Riverbend subdivision, Parker, AZ 85344.
- 9. Docket No. V2005-32 – Dr. Sher & Marium Khan – APN: 310-38-005**  
The applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a west side yard setback from 5' to 3' and an east side yard setback from 5' to 3' to allow for a larger garage and driveway which will make more room for off street parking. The property is located at 6230 Rio Lindo Shores Drive, Rio Lindo Shores, Parker, AZ 85344.
- 10. Docket No. V2005-33 – John P. Anderson – APN: 311-41-283**  
The applicant is requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a reduction in the rear yard setback from the required 10' to 3'. The property is located at 31876 Riverview Drive, Cienega Springs, Parker, AZ 85344.
- 11. Discussion regarding change of Board of Adjustment Meeting day, from the third Tuesday of the month, to the third Thursday of the month.**
- 12. Call to the Public.**
- 13. Adjournment.**