

**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
January 17, 2006 – 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.**  
December 20, 2005 minutes for approval and signature.
3. **Docket No. V2005-32 – Dr. Sher & Marium Khan – APN: 310-38-005.** (Continued from the December 20, 2005, meeting of the Board of Adjustment.) The applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for west and east side yard setbacks from 5' to 3' 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, (Lot 5) Rio Lindo Shores, Parker, AZ 85344.
4. **Docket No. V2005-34 – Edwin & Lois Rhinehart, Gary & Debra Ward Jr., Trustees, Christopher & Marlene McClary, & Samuel & Lea R. Nichols – APN: 311-52-074.** The applicants are requesting variances 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 four-feet (4'), and a setback from the required 10' to 5' on the rear yard setback of the property. The property is located at 31891 Fleet Rd Lakeside Five Subdivision, Parker, AZ 85344.
5. **Docket No. V2005-35 – Edwin & Lois Rhinehart, Gary & Debra Ward Jr., Trustees, Christopher & Marlene McClary, & Samuel & Lea R. Nichols – APN: 311-52-075.** 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 setbacks from five-feet (5') to requested three-feet (3'), and a rear yard setback from the required 10' to 5'. The property is located at 31897 Fleet Rd., Lakeside Five Subdivision, Parker, AZ 85344.

6. **Docket No. V2005-36 – Edwin & Lois Rhinehart, & Gary & Debra Ward Jr., Trustees – APN: 311-52-358.** The applicants are requesting variances 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'). The property is located at 31927 Rio Vista Rd., Lakeside Five Subdivision, Parker, AZ 85344.
7. **Docket No. V2005-37 – Edwin & Lois Rhinehart, Gary & Debra Ward Jr., Trustees, Christopher & Marlene McClary, & Samuel & Lea R. Nichols, Trustees – APN: 311-53-015.** The applicants are requesting variances 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'), and a rear yard setback from the required 10' to 5'. The property is located at 31586 Crows Nest Dr., Lakeside Five Subdivision, Unit A, Parker, AZ 85344.
8. **Docket No. V2005-38 – Edwin & Lois Rhinehart, Gary & Debra Ward Jr., Trustees, Christopher & Marlene McClary, & Samuel & Lea R. Nichols, Trustees – APN: 311-53-016.** The applicants are requesting variances from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for reductions in the required side yard setbacks from five-feet (5') to requested zero (0'), and a rear yard setback from the required 10' to 5'. The property is located at 31596 Crows Nest Dr., Lakeside Five Subdivision, Parker, AZ 85344.
9. **Discussion regarding change of Board of Adjustment Meeting day, from the third Tuesday of the month, to the third Thursday of the month and possible change of meeting time.**
10. **Call to the Public.**
11. **Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
January 17, 2006 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Fisher, Board Members: Joyce Plog and Paul DiCarlo, Special Projects Coordinator Robert L. Wall, and Executive Secretary, Bonnie Mayton. Member Cramer was absent. Others present were: Sher & Marium Khan, Glenda Cook, Wilma Holbrook, Warren Reutter, Keith Holbrook, Tammy Sommerville, Jackie Thomason, Gary Ward and Ed Rhinehart,

Acting Chairman Fisher called the Tuesday, January 17, 2006 Regular Meeting/Public Hearing to order at 4:10 p.m.

Acting Chairman Fisher called for the second item on the agenda today; the approval of December 20<sup>th</sup>, 2005 minutes, and asked if there is a motion to approve these minutes.

**Member Plog moved to approve** the December 20<sup>th</sup>, 2005 minutes.

Member DiCarlo 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 number 3 on the agenda, **Docket No. V2005-32 – Dr. Sher & Marium Khan – APN: 310-38-005.**

Coordinator Wall stated this item was continued from the December 20, 2005 meeting because one property owner (Arizona State Land) and their lessee were over looked, and they have since been notified. The applicants are requesting a variance 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. Some testimony was taken at the last meeting, although no decision was made. The property is located at 6230 Rio Lindo Shores Drive, Rio Lindo Shores, Parker, AZ 85344. Staff recommends approval.

Acting Chairman Fisher opened the hearing to the public.

Jackie Thomason, a resident of Rio Lindo Shores appeared and stated the Board should have two letters from her to the Board and to the Homeowner's Association and a fax today also from Mike Burgess, all in opposition to the variance as it would take off 2 feet on each side of the properties on either side.

Ms. Thomason further stated she signed the plan approval in the beginning but has since changed her mind and now opposes this variance.

Acting Chairman Fisher stated that, yes; they have received letters from Ms. Dewey, Mr. Burgess, and Scott & Sue Hinkle.

Warren Reutter, homeowner, appeared. His property is 3 lots away from the Khan's lot and he is in opposition to the variance request.

Sher Khan, homeowner, and applicant cited the written notes and verbal acknowledgements in favor of the variance. Mr. Khan provided an example of a variance approval that was a precedent in Rio Lindo and presented it to the Board to review.

Mr. Khan stated he doesn't feel it will cause any hardship on his neighbors.

Acting Chairman Fisher asked if there were any other persons wishing to speak in favor of, or in opposition to, this variance request.

Acting Chairman Fisher closed the public hearing.

Acting Chairman Fisher stated he did not feel this was a hardship and is unable to support the variance.

Acting Chairman Fisher asked if there was a motion from the Board.

**Member DiCarlo moved to deny** the side setback and allow a rear setback variance on this application, V2005-32.

**Member DiCarlo amended his motion** to delete the rear yard setback as the applicants did not request a rear yard setback in this application.

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

The motion to deny was passed.

**Acting Chairman Fisher** asked Coordinator Wall to give the staff report on item number 4 on the agenda, **Docket No. V2005-34 – Edwin & Lois Rhinehart, Gary & Debra Ward Jr., Trustees, Christopher & Marlene McClary, & Samuel & Lea R. Nichols – APN: 311-52-074.**

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 setbacks from five-feet (5') to requested four-feet (4') on the east and west side yards and a setback from the required 10' to 5'

on the rear yard setback (north) to build a 2 story home with a garage. The property is located at 31891 Fleet Rd., Lakeside Five Subdivision, Parker, AZ 85344.

Gary Ward, owner/builder from California, spoke about his intentions to improve the Lakeside Five Subdivision.

Member DiCarlo asked if the homes would be on top of the garage.

Mr. Ward stated "yes."

Coordinator Wall stated that staff recommends approval with the stipulations that the lot be surveyed, provide an accurate plan, and show all eaves, air conditioner, chimney, electric panels; and septic system approval from the Health Department and from APS for overhead clearance.

Acting Chairman Fisher asked Coordinator Wall if any letters in favor of, or in opposition to, this request had been received.

Coordinator Wall stated "no".

Acting Chairman Fisher stated that Supervisor Edey has written a letter to the Board of Adjustment voicing his approval of all 5 variances, (this one and the next 4 dockets).

Acting Chairman Fisher asked if there were any other persons wishing to speak in favor of, or in opposition to, this variance request.

There were no other comments from the public.

Acting Chairman Fisher closed the public hearing.

Acting Chairman Fisher asked for a motion from the Board.

**Member Plog moved to approved** docket V2005-34 for a reduction in the required side yard setbacks from five-feet (5') to requested four-feet (4') on the east and west side yards and a setback from the required 10' to 5' on the rear yard setback (north), with the stipulations: a. that the lot be surveyed; b. provide an accurate plot plan; c. show all eaves, air conditioner, chimney, electric panels; d. septic system approval from the Health Department, and e. APS overhead clearance.

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

The motion for approval passed.

**Acting Chairman Fisher** asked Coordinator Wall to give the staff report on item number 5 on the agenda, **Docket No. V2005-35 – Edwin & Lois Rhinehart, Gary & Debra Ward Jr., Trustees, Christopher & Marlene McClary, & Samuel & Lea R. Nichols – APN: 311-52-075**

Coordinator Wall stated the applicants are requesting a variance 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 setback from the required 10' to 5' on the rear yard setback (north), to build a 2 story home with a garage. The property is located at 31897 Fleet Rd., Lakeside Five Subdivision, Parker, AZ 85344. Staff recommends approval with stipulations; a. that the lot be surveyed; b. provide an accurate plot plan; c. show all eaves, air conditioner, chimney, electric panels; d. septic system approval from the Health Department, and e. APS overhead clearance.

Acting Chairman Fisher asked if there were any other persons wishing to speak in favor of, or in opposition to, this variance request.

There were no other comments from the public.

Acting Chairman Fisher closed the public hearing.

Acting Chairman Fisher asked if there was a motion from the Board.

**Member Plog moved to approve** V2005-35 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 setback from the required 10' to 5' on the rear yard setback (north), with stipulations; a. that the lot be surveyed; b. provide an accurate plot plan; c. show all eaves, air conditioner, chimney, electric panels; d. septic system approval from the Health Department, and e. APS overhead clearance.

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

The motion for approval passed.

**Acting Chairman Fisher** asked Coordinator Wall to give the staff report on item number 6 on the agenda, **Docket No. V2005-36 – Edwin & Lois Rhinehart, & Gary & Debra Ward Jr., Trustees – APN: 311-52-358**

Coordinator Wall stated that the applicants are requesting a variance 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, to build a 2 story home with garage. The property is located at 31927 Rio Vista Rd., Lakeside Five Subdivision, Parker, AZ 85344 and staff does recommend approval with the stipulations; a. that the lot be surveyed; b. provide an accurate plot plan; c. show

all eaves, air conditioner, chimney, electric panels; d. septic system approval from the Health Department, and e. APS overhead clearance.

Acting Chairman Fisher asked if there were any other persons wishing to speak in favor of, or in opposition to, this variance request.

There were no other comments from the public.

Acting Chairman Fisher closed the public hearing.

**Member Plog moved to approve** V2005-36 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 with the stipulations; a. that the lot be surveyed; b. provide an accurate plot plan; c. show all eaves, air conditioner, chimney, electric panels; d. septic system approval from the Health Department, and e. APS overhead clearance.

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

The motion to approve passed.

**Acting Chairman Fisher** asked Coordinator Wall to give the staff report on item number 7 on the agenda, **Docket No. V2005-37 – Edwin & Lois Rhinehart, Gary & Debra Ward, Trustees, Christopher & Marlene McClary, & Samuel & Lea R. Nichols, Trustees – APN: 311-53-015**

Coordinator Wall stated that the applicants are requesting a variance 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 setback from the required 10' to 5' on the rear yard setback (north) to build a 2 story home with garage. The property is located at 31586 Crows Nest Dr., Lakeside Five Subdivision, Unit A, Parker, AZ 85344. A letter was received from Tammy Sommerville who is in favor of the variance request however, expressing concern that the hill behind her home will be stabilized.

Staff recommends approval with the same stipulations; a. that the lot be surveyed; b. provide an accurate plot plan; c. show all eaves, air conditioner, chimney, electric panels; d. septic system approval from the Health Department, and e. APS overhead clearance.

Acting Chairman Fisher asked Mr. Wall, for the record, would you state your reasons for the recommendation for approval.

Coordinator Wall stated this is an area that would be improved by this development as there is a hardship in terms of the shape of the lot and the fact that the back of the lot is backed into a hillside which reduces the building area somewhat and this produces some hardship for construction.

Acting Chairman Fisher asked if there were any other persons wishing to speak in favor of, or in opposition to, this variance request.

There were no other comments from the public.

Acting Chairman Fisher closed the public hearing.

Member Plog asked about retaining walls, as there had not been any mention of them.

Coordinator Wall stated that point was not amplified because it is a routine requirement of the building inspector, he would require standard engineering of the wall.

**Acting Chairman Fisher moved to approve** 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 setback from the required 10' to 5' on the rear yard setback (north), with the following stipulations; a. that the lot be surveyed; b. provide an accurate plot plan; c. show all eaves, air conditioner, chimney, electric panels; d. septic system approval from the Health Department, and e. APS overhead clearance.

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

The motion for approval passed.

**Acting Chairman Fisher** asked Coordinator Wall to give the staff report on item number 8 on the agenda, **Docket No. V2005-38 – Edwin & Lois Rhinehart, Gary & Debra Ward Jr., Trustees, Christopher & Marlene McClary, & Samuel & Lea R. Nichols, Trustees – APN: 311-53-016**

Coordinator Wall stated the applicants are requesting a variance to allow for a reduction in the required side yard setback from five-feet (5') to the south side yard (corner of the property) and a setback from the required 10' to 5' on the rear yard set-back (west). This lot has some specific difficulties to it, including the fact the Crows Nest cul de sac cuts into the front of the lot. The lot is shaped in an odd trapezoid with opposite angles at each end and there is a large hill in the back. The property is located at 31596 Crows Nest Dr., Lakeside Five Subdivision, Parker, AZ 85344. Staff does recommend approval with the same stipulations as the other requests, and you may want to add a stipulation for engineering of any retaining wall that's required at the back of the lot, if it's required.

Member DiCarlo asked Coordinator Wall about the 0' setback as indicated on the staff report.

Acting Chairman Fisher stated that Mr. Wall and Mr. Rhinehart have had a discussion about the zero set back and asked Mr. Ward to come to the podium to speak.

Mr. Ward stated that he didn't want a zero set back on this particular lot, we asked for a 5' at the rear of the lot and 5' on the south side and explained exactly what he was asking.

Coordinator Wall mentioned the letter of concern from Tammy Sommerville regarding the hill at the back of her property, otherwise being in favor and that one person did appear at the office and verbally expressed that they were concerned about the house being too close to Crows Nest because it is a cul de sac and they live next door.

Acting Chairman Fisher asked if there were any other questions and opened the hearing to the public.

Wilma Holbrook, homeowner, presented a map of her area and said she lives in the middle of the cul de sac and opposes this variance because the lots are very small to begin with and we oppose this because, where we live, there is between a 30 and 50' hill in back of us so if there was a fire or any type of emergency we're in the middle, we're stuck. It's a very small cul de sac.

Acting Chairman Fisher stated the applicants are not asking for a side variance, it's in the corner of the lot. He then conferred with both Ms. Holbrook and Mr. Rhinehart on the map, drawn by Mr. Ward, to determine exactly which side of Ms. Holbrook's property the requested variance was.

Acting Chairman Fisher stated the requirements of the septic system and size will be set by the Health Department.

Acting Chairman Fisher asked if there were any other persons wishing to speak in favor of, or in opposition to, this variance request.

There were no other comments from the public.

Acting Chairman Fisher closed the public hearing.

**Member DiCarlo moved to approve** V2005-38 side yard setback from five-feet (5') to the south side yard (corner of the property) and a setback from the required 10' to 5' on the rear yard set-back (west), with the following stipulations; a. that the lot be surveyed; b. provide an accurate plot plan; c. show all eaves, air conditioner, chimney, electric panels; d. septic system approval from the Health Department and e. APS overhead clearance.

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

The motion for approval passed.

**Call to the Public**

Coordinator Wall read from the new Surrounding Property Owner letter referencing a preferred date for submitting letters in favor of, or in opposition to, the various dockets brought to public hearings.

Acting Chairman Fisher stated he was in favor of the revised wording in the notices to neighbors.

**Discussion regarding change of Board of Adjustment Meeting day, from the third Tuesday of the month, to the third Thursday of the month.**

Third Thursday is not workable for Supervisor Fisher and an earlier time is not workable for Member DiCarlo.

Member Plog stated she would like to keep it on a Thursday, but at an earlier time.

Acting Chairman Fisher asked Coordinator Wall to take this back to Mrs. Wall and offer something other than the third Thursday (the Supervisors Association meets on that date).

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 5:23 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  
February 21, 2006 – 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.**  
January 17, 2006 minutes for approval and signature.
- 3. Docket No. V2006-001 – Kirk & Kendra Daniels – APN: 310-35-145 & ½ of -146.** The applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-3) to allow for a reduction of the required 20' rear yard setback to 10' for front parking and the prevention of blocking neighbors view and highway safety for exit and entry to the property. The property is located at 4807 Hwy 95, Parker, AZ 85344.
- 9. Discussion regarding change of Board of Adjustment Meeting day, from the third Tuesday of the month, to another Thursday (except the third Thursday) of the month and possible change of meeting time to 3 p.m..**
- 10. Call to the Public.**
- 11. Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
February 21, 2006 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Fisher, Board Members: Todd Cramer, Paul DiCarlo and Joyce Plog, Special Projects Coordinator Robert L. Wall, and Executive Secretary, Bonnie Mayton. Others present were: Kirk Daniels, Kendra Daniels and Elmo Holt.

Acting Chairman Fisher called the Tuesday, February 21, 2006 Regular Meeting/Public Hearing to order at 4:05 p.m.

Acting Chairman Fisher called for the second item on the agenda today; the approval of January 17, 2006 minutes.

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

**Member Plog** moved to approve January 17, 2006 minutes.

Member DiCarlo 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 number 3 on the agenda, **Docket No. V2006-001 – Kirk & Kendra Daniels – APN: 310-35-145 & ½ of -146. (New APNs will be assigned soon by the Assessor’s office.)**

Coordinator Wall stated the applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-4) to allow for a reduction of the required 20' rear yard setback to 10' for front parking and the prevention of blocking neighbors view and highway safety for exit and entry to the property. The property is located at 4807 Hwy 95, Parker, AZ 85344. Staff recommends approval with the stipulation that the septic system be properly placed and approved by the Health Department and the property owner display survey pins. There were 2 letters stating they had no objections to the request.

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

Member DiCarlo stated to Coordinator Wall that he noticed that the request is for 1-1/2 lots, not two.

Coordinator Wall stated that the lots have been redesigned. They have taken the three lots and made two, so it's actually 1-1/2 of the old original lots. It is now a new legal parcel and will soon be issued a new APN.

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

Elmo Holt, neighbor of the applicant, stated he owns the lot next to the applicant and voiced his recommendation for approval of this variance.

There were no other comments from the public and Acting Chairman Fisher closed the public hearing.

**Member Cramer moved to approve** Docket V2006-001, as requested, and the staff recommended stipulations as follows: the septic system be properly placed and approved by the Health Department and the property owner display the survey pins.

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

The motion passed unanimously.

**Acting Chairman Fisher** called on Coordinator Wall regarding the change of Board of Adjustment meeting day.

The members discussed the pros and cons on the day and time.

Acting Chairman Fisher recommended the second Thursday of the month, at 4:00 p.m. The members verbally agreed to the change in the meeting day.

### **Call to the Public**

Coordinator Wall announced that our new Director will start on February 27, 2006.

Acting Chairman Fisher extended a heartfelt thank you to Bud and Pat Wall for coming out of retirement and filling positions with the Community Development Department in a great time of need.

Coordinator Wall acknowledged and said "thank you."

Board of Adjustment  
February 21, 2006

## **ADJOURNMENT**

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 4:27 p.m.

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Gene Fisher, Acting Chairman

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Robert L. Wall,  
Special Projects Coordinator

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Bonnie L. Mayton,  
Executive Secretary

**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
May 11, 2006 – 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.**  
February 21, 2006 minutes for approval and signature.
3. **Docket No. V2006-002 – Betty Hunter – APN: 311-38-007P.** The applicant is requesting three variances from County Zoning Regulations, Section V-1-3-C (Table V-3): Request for a variance of five (5) feet from the seven (7) foot required south side yard setback, resulting in a two (2) foot south side setback. Request for a variance of five (5) feet from the ten (10) foot required front and rear yard setbacks (east and west). The variances would allow for the setup of a new mobile home on the lot. The property is located at 7998 Riverside Drive, Parker, AZ 85344.
4. **Docket No. V2006-003 – Michael & Linda Sands – APN: 311-37-015.** CORRECTED 4/18/06. The applicant is requesting three variances from Section V-1-3-C (Table V-3): Request for a two (2) foot variance from the required five (5) foot side yard setback, resulting in a three (3) foot side yard setback. Request for a variance of three (3) feet from the ten (10) foot required front yard setback, resulting in a seven (7) foot front yard setback. Request for a variance of seven (7) feet from the ten (10) foot required rear yard setback, resulting in a three (3) foot rear yard setback to build a new home. The property is located at 33793 Rio Way, Parker, AZ 85344.
5. **Docket No. V2006-004 – Robert R. & S. Jean Johnson, Trustees – APN: 310-35-196.** The applicants are requesting two variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): Request for a five (5) foot variance from the required ten (10) foot front yard setback, resulting in a five (5) foot front yard setback. Request for a variance of two (2) feet from the required five (5) foot side setback, resulting in a three (3) foot side setback to install an awning. The property is located at 37309 E. Marina View Court, Parker, AZ 85344.

6. **Docket No. V2006-005 – Jeanne M. Salcedo – APN: 311-40-020B.** The applicant is requesting a variance from the County Zoning Regulations, Section V-1-4-B (Table V-5): Request for a sixteen (16) foot variance from the required sixty (60) foot lot width, resulting in a forty-four (44) foot lot width because of the irregular shape of the lot to accommodate the building of a new home. The property is located at 8744 Moovalya Drive, Vista Del Monumento Subdivision, Parker, AZ 85344.
7. **Docket No. V2006-006 – David Oddo – APN: 311-40-020C.** The applicant is requesting a variance from the County Zoning Regulations, Section V-1-4-B (Table V-5): Request for a twenty-three (23) foot variance from the required sixty (60) foot lot width, resulting in a thirty-seven (37) foot lot width because of the irregular shape of the lot to accommodate the building of a new home. The property is located at 8750 Moovalya Drive, Vista Del Monumento Subdivision, Parker, AZ 85344.
8. **Call to the Public.**
9. **Adjournment.**

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

Those present were: Acting Chairman Gene Fisher, Board Members: Todd Cramer, Paul DiCarlo and Joyce Plog, Director Scott Bernhart, and Executive Secretary, Bonnie Mayton. Others present were: Michael and Linda Sands, Clinton Welk, Sally Jensen, Robert Corsnitz, Phyllis Gormley, Blair Loch, Joe and Edna Price, Dustin Nelson, Betty Hunter, Gary Svider, James Ulwelling, Eugene Cowell, David Plunkett, Patrick Jones and David Oddo.

**Acting Chairman Fisher** called the Thursday, May 11, 2006 Regular Meeting/Public Hearing to order at 4:00 p.m.

**Acting Chairman Fisher** called for the second item on the agenda today; the approval of February 15<sup>th</sup>, 2006 minutes.

**Acting Chairman Fisher** asked for a motion to approve the February 15<sup>th</sup>, 2006 minutes.

**Member Plog moved to approve** February 15th, 2006 minutes.

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

The vote was unanimous for approval.

Chairman Fisher announced that items 7 and 8 will not be heard as there was a misprint in the public notice and must republished for the June 8<sup>th</sup> 2006 meeting.

Acting Chairman Fisher introduced and welcomed the new Community Development Director, Scott Bernhart.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 3 on the agenda, **Docket No. V2006-002 – Betty Hunter – APN: 311-38-007P**. The applicant is requesting three variances from County Zoning Regulations, Section V-1-3-C (Table V-3): Request for a variance of five (5) feet from the seven (7) foot required south side yard setback, resulting in a two (2) foot south side setback. Request for a variance of five (5) feet from the ten (10) foot required front and rear yard setbacks (east and west). The variances would allow for the setup of a new mobile home on the lot. The property is located at 7998 Riverside Drive, Parker, AZ 85344.

Director Bernhart stated the applicants are requesting a variance from the County Zoning Regulations, Section V-1-3-C (Table V-4) to allow for three variances and staff recommends a continuance to the June 8, 2006 meeting of the Board of Adjustment to allow the applicant to obtain a location certificate from a surveyor showing the septic system and lines in relationship to the proposed home. Also, show at least two off street parking spaces and revise the setback requests in accordance with the RVP zone, not the RVS zoning district.

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

There were no questions or comments.

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

Patrick Jones, introduced himself and stated he has been assisting Mrs. Hunter with the variance request and stated that the previous owner was evicted and the old mobile home has been removed and a new septic has been installed.

Dustin Nelson, commented that the septic tank can be driven on.

Chairman Fisher asked if the septic tank has been approved by the Health Department.

Mr. Nelson answered "yes".

Betty Hunter stated were just replacing a mobile home.

There were no other comments from the public and Acting Chairman Fisher closed the public hearing.

**Member Cramer moved to approve Docket V2006-002**, for a side yard reduced setback from 7' to 2', no setback changes in the front or rear yards and with the stipulation that otherwise the trailer location will have to meet with all the requirements of the Health Department in regards to the septic system.

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

The motion passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 4 on the agenda, **Docket No. V2006-003 – Michael & Linda Sands – APN: 311-37-015**. The applicants are requesting two variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): Request for a two

(2) foot variance from the required five (5) foot side yard setback, resulting in a three (3) foot side yard setback. Request for a variance of three (3) feet from the ten (10) foot required front yard setback, resulting in a seven (7) foot front yard setback to build a new home. The property is located at 33793 Rio Way, Parker, AZ 85344.

Director Bernhart stated the applicants are requesting two variances and a letter of approval the Assoc. and rec. one letter of opposition, and the staff recommends denial for three reasons: 1. The proposed lot coverage will further exceed the 65% allowed in the TR zoning district; 2. While the applicant did obtain a variance in 2002 for a decrease in side and rear setback for a storage shed, this application would allow a large residential structure and increase the footprint of the building to be detrimental to the surrounding area; and 3. The approval of this variance would confer a significant advantage to this property not enjoyed by others.

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

Acting Chairman Fisher stated that in the past we have not allowed that to happen, we've made the advertisement be specific to what the lot coverage was.

Board member DiCarlo stated that would include another variance request, for a change in lot coverage.

Chairman Fisher stated to the applicant that it would be his recommendation that we continue this until next month and we advertise it with the lot coverage.

Linda Sands stated the lot size is 3160 and the sq. footage of the home will be 2333.

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

There were no other comments from the public and Acting Chairman Fisher closed the public hearing.

**Member DiCarlo moved to continue** Docket V2006-003, to the June 8<sup>th</sup> 2006 meeting of the Board of Adjustment and republish the legal in the newspaper.

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

The motion passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 5 on the agenda, **Docket No. V2006-004 – Robert R. & S. Jean Johnson, Trustees – APN: 310-35-196**. The applicants are requesting two variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): Request for a five (5) foot variance from the required ten (10) foot front yard setback, resulting in a five (5) foot front yard setback. Request for a variance of two (2) feet from the required five (5) foot side setback, resulting in a three (3) foot side setback to install an awning. The property is located at 37309 E. Marina View Court, Parker, AZ 85344.

Director Bernhart stated the applicants are requesting a continuance to the June 8, 2006 meeting of the Board of Adjustment.

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

**Member Cramer moved to continue** Docket V2006-004 to the June 8<sup>th</sup> 2006 meeting of the Board of Adjustment as requested.

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

The motion passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 6 on the agenda, **Docket No. V2006-008 – Reidt, Sullivan, & Brinkman – APN: 311-52-084**. The applicants are requesting three variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): Request for a four (4) foot variance from the required ten (10) foot rear setback, resulting in a six (6) foot rear setback. Request for a two (2) foot variance from the required five (5) foot side setback, resulting in a three (3) foot side setback. Request for a five (5) foot variance from the required ten (10) foot front setback, resulting in a five (5) foot front setback. The proposed variances will accommodate a larger building footprint and allow for adequate distance separation between an existing septic system and water main. The property is located at 31949 Fleet Road, Lakeside 5 Subdivision, Parker, AZ 85344.

Director Bernhart regarding V2006-008 stated the applicants are requesting three variances and staff recommends denial because: 1. The applicants' access plan may not allow for the location of a septic system. The site plans shows the driveway area over the septic system; 2. The setback variances would provide the applicant with a benefit not enjoyed by area residents; and 3. There is no hardship associated with the proposed variance. Any hardship is self imposed.

Director Bernhart stated he was open for any questions or comments.

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

There were no comments.

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

Dustin Nelson, representative for the applicants, stated the measurements of the house.

Chairman Fisher stated there were no other comments from the public and closed the public hearing.

**Member DiCarlo moved to approve** Docket V2006-08, as requested with recommendations and approval by the Health Department.

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

The motion passed unanimously.

Acting Chairman Fisher announced that on **Dockets V2006-005**, Jeanne M. Salcedo and **V2006-006**, David Oddo, we did not publish the legals correctly, that we swapped your lot for your sister's lot and it was published that way and now it must be readvertised and I have moved these two dockets to the June 8<sup>th</sup>, 2006 meeting of the Board of Adjustment.

### **Call to the Public**

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

There were no comments from the public.

Board of Adjustment  
May 11, 2006

### **Adjournment**

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 5:02p.m.

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Gene Fisher, Acting Chairman

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Scott Bernhart, Director

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Bonnie L. Mayton,  
Executive Secretary

**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
June 8, 2006 – 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.**
3. **Docket No. V2006-003 – Michael & Linda Sands – APN: 311-37-015.** (Continued from the May 11, 2006 meeting of the Board of Adjustment.) The applicants are requesting four variances from the County Zoning Regulations, Section V-1-3-C (Table V-3), Section V-1-4.B2 Table V-6: Request for a two (2) foot variance from the required five (5) foot side yard setback, resulting in a three (3) foot side yard setback. Request for a variance of three (3) feet from the ten (10) foot required front yard setback, resulting in a seven (7) foot front yard setback. Request for a variance of seven feet (7) from the required ten foot (10) rear yard setback resulting in a three foot (3) rear yard setback. Request a variance to increase lot coverage from the allowed 65% to 76% lot coverage resulting in an increase of 11% in lot coverage to build a new home. The property is located at 33793 Rio Way, Parker, AZ 85344.
4. **Docket No. V2006-005 – Jeanne M. Salcedo – APN: 311-40-020B.** (Continued from the May 11, 2006 meeting of the Board of Adjustment.) The applicant is requesting a variance from the County Zoning Regulations, Section V-1-4-B (Table V-5): Request for a twenty-three (23') foot variance from the required sixty (60) foot lot width, resulting in a thirty-seven (37') foot lot width because of the irregular shape of the lot to accommodate the building of a new home. The property is located at 8744 Moovalya Drive, Vista Del Monumento Subdivision, Parker, AZ 85344.
5. **Docket No. V2006-006 – David Oddo – APN: 311-40-020C.** (Continued from the May 11, 2006 meeting of the Board of Adjustment.) The applicant is requesting a variance from the County Zoning Regulations, Section V-1-4-B (Table V-5): Request for a sixteen (16) foot variance from the required sixty (60) foot lot width, resulting in a forty-four (44) foot lot width because of the irregular shape of the lot to accommodate the building of a new home. The property is located at 8750 Moovalya Drive, Vista Del Monumento Subdivision, Parker, AZ 85344.

6. **Docket No. V2006-007 – Parker Properties/Scott Goodman – APN: 311-38-009A.** The applicant is requesting two variances from the County Zoning Regulations, Section V-3-C (Table V-3) and Section V-2-A (Table V-6): Request for multiple two (2) foot variances from the required five (5) foot side setbacks, resulting in three (3) foot side setbacks as shown on exhibit A. Request for eleven (11) foot variances from the required fifty (50) foot lot widths, resulting in thirty nine (39) foot lot widths. The property is located at 7834 Riverside Drive, Parker, AZ 85344.
7. **Docket No. V2006-009 – Sandy Murray & Terry McCoy – APN: 311-38-006A.** The applicant are requesting a variance from the County Zoning Regulations, Section V-3-C (Table V-9) and Section V-7-A.1 (Table V-9): for a rear setback from the required 10 feet to 3' so that the mobile unit will not be out of alignment with other units and will not interfere with the driveway. The property is located at 7986 Riverside Drive, Space 16, Parker.
8. **Docket No. V2006-010 – Timothy & Danita Crombach, Trustees, and Michael H. & Robin M. Matlock – APN: 311-37-129.** The applicants are requesting a variances from the County Zoning Regulations, Section V-3-C (Table V-3) and Section V-2-C: for a front yard setback variance of 10' where a 10' setback is required resulting in a zero lot line for the construction of a raised wooden deck on the front of a double wide mobile home which will extend to the front property line at the street. The property is located at 33906 Sagebrush Lane, Parker.
9. **Docket No. V2006-011 – Sonia Hernandez – APN: 311-62-149A.** The applicant is requesting two variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): a side setback from the required 5' to 3' on the east side, and a front setback from the required 10' to the requested 6' allowing the construction of an attached garage and covered parking. The property is located at 10947 Captains Lane, Parker.
10. **Call to the Public.**
11. **Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
June 8, 2006 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Paul DiCarlo and Joyce Plog, Director Scott Bernhart, and Executive Secretary, Bonnie Mayton. Others present were: Patrick Jones, Clint Wells, Michael and Linda Sands, Michelle Bunch, Mike Mallo, Gary Phillips, Karen Gallio, Sally Jensen, Robert Corsnitz, Jeanne P. Branson, David Oddo, Floyd Tennison, Mr. Saven, Edna and Joe Price, Jackie Yarborough, Phyllis Gormley, Dustin Nelson, Sandy Murray, Gene Cowell, Mark Durham, Linda McConno, Alice Wilson, Russ Derby, Bob Hanson, Jack Sweeney, Mike Matlock, Joe Price, Gary Phillips and Robert and Jean Johnson.

Member Todd Cramer was absent.

**Acting Chairman Fisher** called the Thursday, June 8, 2006 Regular Meeting/Public Hearing to order at 4:02 p.m.

**Acting Chairman Fisher** called for the second item on the agenda today; the approval of May 11<sup>th</sup>, 2006 minutes.

**Acting Chairman Fisher** asked for a motion to approve the May 11<sup>th</sup>, 2006 minutes.

**Member Plog** moved to approve May 11<sup>th</sup>, 2006 minutes.

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

The vote was unanimous for approval.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 3 on the agenda, **Docket No. V2006-003 – Michael & Linda Sands – APN: 311-37-015**. (Continued from the May 11, 2006 meeting of the Board of Adjustment.)

Director Bernhart stated the applicants are requesting four variances from the County Zoning Regulations, Section V-1-3-C (Table V-3), Section V-1-4.B2 Table V-6: Request for a two (2) foot variance from the required five (5) foot side yard setback, resulting in a three (3) foot side yard setback. Request for a variance of three (3) feet from the ten (10) foot required front yard setback, resulting in a seven (7) foot front yard setback. Request for a variance of seven feet (7) from the required ten foot (10) rear yard setback resulting in a three foot (3) rear yard setback. Request a variance to increase lot coverage from the

allowed 65% to 76% lot coverage resulting in an increase of 11% in lot coverage to build a new home. The property is located at 33793 Rio Way Marina Village, Parker. There is a notation from APS that they do not want any permanent obstruction of their meter location.

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

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

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

Linda Sands spoke in favor of the variance.

Acting Chairman Fisher asked if there were any other comments from the public and Acting Chairman Fisher closed the public hearing.

Member Plog had a question on the back door that it looks as if there is a patio encroaching into the 3' easement.

Mrs. Sands stated that there will not be any stairs.

**Member DiCarlo moved to approve** Docket V2006-003, as requested with the stipulation that the 3' easements will remain unobstructed.

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

The vote was unanimous for approval.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 4 on the agenda, **Docket No. V2006-004 – Robert R. & S. Jean Johnson, Trustees – APN: 310-35-196.**

Director Bernhart stated the applicants are requesting two variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): Request for a five (5) foot variance from the required ten (10) foot front yard setback, resulting in a five (5) foot front yard setback. Request for a variance of two (2) feet from the required five (5) foot side setback, resulting in a three (3) foot side setback to install an awning. The property is located at 37309 E. Marina View Court, Holiday Harbor, Parker, AZ 85344. Staff is recommending denial with three findings on this application. Mrs. Johnson has recently provided some materials from Chief Philpot of the Buckskin Fire Department

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

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

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

Mr. Roy Tennison, voiced his objection to this request for a variance and provided pictures of the property in question.

Jean and Robert Johnson spoke in favor of their request and explained they built the wall 3" inside their property line.

Acting Chairman Fisher asked if there were any other comments from the public in favor of or in opposition to this request.

Alice Wilson, a resident, has no concern with the variance request, however, does question the width of Rio Way.

Patrick Jones, resident on Rio Way, commented on the pin locations on the roadway.

Jackie Yarborough, Bay View Lane, on behalf of the Homeowner's Association, stated they have approved the plans for the awning after consulting with an attorney.

Patrick Jones, Homeowner Association board member, stated that he requested picture to assure there was no encroachment into the roadway.

Mr. Tennison further stated his objections.

Robert and Jean Johnson further explained their boundaries.

Linda McConno, resident, stated the Johnson's are on the Board of Directors for Holiday Harbor Homeowner's Association.

There were no further comments from the public and Acting Chairman Fisher closed the public hearing.

Member DiCarlo asked Director Bernhart about the wall and that our only concern is the awning.

Director Bernhart stated yes, the wall is not an issue.

While the Board members reviewed the request, Acting Chairman Fisher took a 35 second recess.

Acting Chairman returned and reconvened.

**Acting Chairman Fisher** asked for a motion from the Board.

**Member DiCarlo moved to approved** Docket V2006-004 as requested with the stipulation that the patio will not be enclosed.

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

The vote was unanimous for approval.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 5 on the agenda **Docket No. V2006-005 – Jeanne M. Salcedo – APN: 311-40-020B.**

Director Bernhart stated that regarding Jeanne Salcedo's request, variance V2006-005, APN: 311-40-020B, 8477 Moovalya Drive, currently zoned R-1-1, parcel size 8489 square feet. Staff is recommending approval, we do have six findings of fact that are attached for your consideration and use and the applicant is requesting a variance from the County Zoning Regulations, Section V-1-4-B (Table V-5): Request for a twenty-three (23') foot variance from the required sixty (60) foot lot width, resulting in a thirty-seven (37') foot lot width because of the irregular shape of the lot to accommodate the building of a new home. We do have numerous letters of opposition and a couple of letters for this case.

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

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

Member Plog asked if there was a footprint of the house.

Director Bernhart stated there is a site plan, this is not a setback variance and the applicant would have to provide a site plan if this variance is granted.

DiCarlo asked Director Bernhart that based on all the letters of opposition, there is a lot of talk about an illegal split and my question is, would the actions of this Board either for or against, have any legal bearing on whether those splits are legal or not?

Director Bernhart stated, "No, that is a separate issue".

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

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

David Oddo, introduced himself as the brother of the applicant and representing Jeanne Salcedo and stated he is open for any questions the Board may have.

Member Plog commented on the opposition letters and they are all talking about a parking situation and I can't see that you building a house will make a difference in the parking.

Phyllis Gormley spoke in opposition to this request.

Gene Cowel, Mrs. Gormley's neighbor, stated his opposition.

Joe Price, resident of Moovalya Keys, expressed his opposition.

Clint Wells, resident of Moovalya Keys, expressed his opposition.

Karen Gallio, resident of Moovalya Keys, expressed her opposition.

Russ Derby, resident of Moovalya Keys, expressed his opposition, lot split.

Bob Hanson, resident of Moovalya Keys, expressed his opposition to the lot split.

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

Jack Sweeney, resident of Moovalya Key, expressed his opposition to the lot split and this variance.

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

There were no further comments from the public and Acting Chairman Fisher closed the public hearing.

Acting Chairman Fisher expressed his views on this request.

Member Plog stated that one thing that she is hearing is that everyone thinks the Board is voting on the split. The split has been done and we had nothing to do with it and neither did the Planning and Zoning.

Acting Chairman Fisher asked for a motion on Docket V2006-005.

**Member Plog moved to approve** the Docket V2006-005 as requested.

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

Acting Chairman Fisher asked if there was any discussion.

There was no further discussion.

Acting Chairman Fisher called for the vote.

The vote was unanimous for approval.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 6 on the agenda **Docket No. V2006-006 – David Oddo – APN: 311-40-020C.**

Director Bernhart stated regarding David Oddo's request, V2006-006, APN: 311-40-020C, 8750 Moovalya Drive. The applicant is requesting a variance from the County Zoning Regulations, Section V-1-4-B (Table V-5): Request for a sixteen (16) foot variance from the required sixty (60) foot lot width, resulting in a forty-four (44) foot lot width because of the irregular shape of the lot to accommodate the building of a new home and the property is zoned R-1-6. Staff does recommend approval with six findings of fact and suggest you consider in the event you approve this docket. The applicant in this situation is similar to the last situation, the property is divided and is part of a land division.

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

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

There were no questions from the Board members.

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

Clint Wells, resident of Vista Del Monumento, stated that this is illegal and this will go to Court. (Did not introduce himself, but was recognized from his previous comments on the last docket.)

Gene Cowel, resident of Vista Del Monumento, expressed his opposition.

Acting Chairman Fisher stated that for the record, he felt it was extremely important to be said here today. The Board members serve with no pay.

Mr. Cowel interjected commenting that he is a voter.

Bob Hanson, lot number seven, 8612 Moovalya Drive, reiterated his opposition to this request.

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

David Oddo expressed his feelings as being the same on this docket as he was on the last docket.

Bob Corsnitz, lot 10, expressed his opposition.

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

There were no further questions or comments from the public.

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

**Member Plog moved to approve** docket V2006-006 as requested.

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

Acting Chairman Fisher asked if there was any discussion.

Acting Chairman Fisher called for the vote.

The vote was unanimous for approval.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 7 on the agenda **Docket No. V2006-007 – Parker Properties/ Scott Goodman – APN: 311-38-009A.**

Director Bernhart stated this is the Parker Properties, Scott Goodman, APN: 311-38-009A, 7834 Riverside Drive, surrounding zoning is RVP and the size of the parcel is 1.4 acres and recently rezoned to R-2 and the applicant is requesting two variances from the County Zoning Regulations, Section V-3-C (Table V-3) and Section V-2-A (Table V-6): Request for multiple two (2) foot variances from the required five (5) foot side setbacks, resulting in three (3) foot side setbacks as shown on exhibit A. Request for eleven (11) foot variances from the required fifty (50) foot lot widths, resulting in thirty nine (39) foot lot widths. Property is located at 7834 Riverside Drive and it does happen to be adjacent to the Colorado River and the applicant is looking to place single family

homes. One note is that the County currently does not have a planned unit development district that would be beneficial in these cases. Staff recommends approval with one finding that the County currently does not have a planned unit development district.

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

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

There were no questions from the Board members.

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

Michelle Bunch, next door neighbor, stated her opposition to this variance request.

Mark Durham, representing Parker Properties, explained in detail the lot lines and the reasons that this variance would improve the surrounding area.

Member DiCarlo reiterated the strict compliance required by the Board of Adjustment that there will be nothing within the 3 foot easement.

Jeanne Branson, 7804 Riverside Dr., Parker, expressed her opposition to this variance request and the traffic that would ensue.

Mark Durham stated that the area had already been rezoned.

Michelle Bunch again spoke against this request due to the heavy traffic pattern with only one entrance and exit.

Acting Chairman Fisher asked Director Bernhart about a 20' easement for another drive to the north.

Director Bernhart responded that it is a possibility.

Acting Chairman Fisher recommended a continuance to the July 13<sup>th</sup>, 2006 meeting of the Board of Adjustment, in order to allow the applicant and representative to discuss alternatives with Community Development.

Acting Chairman Fisher asked the Board what their feelings were on continuing this item to the next meeting and seeing that the applicant and Community Development get together over what type of access they can do.

The members agreed.

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

There were no further comments or questions from the public.

Acting Chairman Fisher closed hearing to public.

Acting Chairman Fisher asked for a motion from the Board.

**Member DiCarlo moved to continue** docket V2006-007 to the July 13<sup>th</sup>, 2006 meeting of the Board of Adjustment

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

Acting Chairman Fisher asked if there was any discussion.

There was no further discussion.

The motion for continuance passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 8 on the agenda **Docket No. V2006-009 – Sandy Murray & Terry McCoy – APN: 311-38-006A.**

Director Bernhart stated regarding Docket V2006-009, Sandy Murray and Terry McCoy, APN: 311-38-006A, 7968 Riverside Drive, surrounded by RVS and commercial properties. The space size is 6250 square feet and the entire property is apparently just under 2 acres and is currently zoned MHP. The applicant are requesting a variance from the County Zoning Regulations, Section V-3-C (Table V-9) and Section V-7-A.1 (Table V-9): for a rear setback from the required 10 feet to 3' so that the mobile unit will not be out of alignment with other units and will not interfere with the driveway. Staff is recommending denial as the applicant is creating a hardship with the depth of the home which backs up to commercial property. There also appears to be adequate parking on the sides.

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

Member DiCarlo asked Director Bernhart if they asked for a front variance?

Director Bernhart stated "no".

Member Plog stated they had come to us once before and what they had done was eliminated a couple of spaces and I believe we voted in favor.

Member DiCarlo commented on the last variance request.

Sandy Murray, owner of Jolly Knight Mobile Home Park, and explained the situation with the two spaces.

**DiCarlo moved to continue** docket V2006-009 to the July 13<sup>th</sup>, 2006 meeting of the Board of Adjustment and re-advertise with a front variance included if needed.

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

Acting Chairman Fisher called for the vote.

The motion for continuance passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 9 on the agenda **Docket No. V2006-010 – Timothy & Danita Crombach, Trustees, and Michael H. & Robin M. Matlock – APN: 311-37-129.**

Director Bernhart state regarding V2006-010, APN: 311-07-129, 33906 Sagebrush Lane. Currently the parcel is 2800 square feet, zoned TR. The applicants are requesting a variances from the County Zoning Regulations, Section V-3-C (Table V-3) and Section V-2-C, for a front yard setback variance of 10' where a 10' setback is required resulting in a zero lot line for the construction of a raised wooden deck on the front of a double wide mobile home which will extend to the front property line at the street. Staff recommends denial as the applicant has an existing landing with stairs for access to the home, the applicants can enjoy the benefits of a paver patio without the need for a raised deck or variance.

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

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

Member DiCarlo asked Director Bernhart if there was a variance already on the steps?

Director Bernhart stated "No", there is not a variance on the steps.

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

Michael Matlock, applicant, speaking on behalf of all others on the application, spoke in favor of this request and stated the HOA has approved.

Gary Phillips, President, Marina Village Home Owners Association, stated the Home Owners Association Board has approved plans submitted by applicant and stated he is in favor of this request.

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

There were no further questions or comments.

Acting Chairman Fisher closed the public hearing.

**Plog moved to approve** docket V2006-010 as requested with the stipulation the deck not be enclosed.

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

Acting Chairman Fisher asked if there was any further discussion.

There being no further discussion, Acting Chairman Fisher called for the vote.

The motion for approval passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 10 on the agenda **Docket No. V2006-011 – Sonia Hernandez – APN: 311-62-149A.**

Director Bernhart stated regarding V2006-011, APN: 311-62-149A, 10947 Captain Lane, surrounding zoning is TR, and size of the parcel is approximately 6061 square feet approximately. The applicant is requesting two variances from the County Zoning Regulations, Section V-1-3-C (Table V-3): a side setback from the required 5' to 3' on the east side, and a front setback from the required 10' to the requested 6' allowing the construction of an attached garage and covered parking. The property is located at 10947 Captains Lane, Parker. Staff recommends denial because of outstanding APS and Health Department concerns on the property and a self imposed hardship is imposed and there is adequate area for a potential 20' X 20' carport or garage.

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

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

Dustin Nelson, representing the applicant, stated he uncovered the septic system and it is not under the house.

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

There were no further comments or questions from the public.

Acting Chairman Fisher closed the public hearing.

Acting Chairman Fisher asked for a motion.

**Member DiCarlo moved to approve** docket V2006-011 as requested.

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

There being no further discussion, Acting Chairman Fisher called for the vote.

The motion for approval passed unanimously.

### **Call to the Public**

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

There were no comments from the public.

### **Adjournment**

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 6:22p.m.

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Gene Fisher, Acting Chairman

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Scott Bernhart, Director

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Bonnie L. Mayton,  
Executive Secretary

**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
July 13, 2006 – 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 of the June 8<sup>th</sup>, 2006 meeting.**
3. **Docket No. V2006-007 – Parker Properties/Scott Goodman – APN: 311-38-009A.**  
(Continued from the June 8<sup>th</sup>, 2006 meeting of the Board of Adjustment.) The applicant is requesting two variances from the County Zoning Regulations, Section V-3-C (Table V-3) and Section V-2-A (Table V-6): Request for multiple two (2) foot variances from the required five (5) foot side setbacks, resulting in three (3) foot side setbacks as shown on exhibit A. Request for eleven (11) foot variances from the required fifty (50) foot lot widths, resulting in thirty nine (39) foot lot widths. The property is located at 7834 Riverside Drive, Parker, AZ 85344.
4. **Docket No. V2006-009 – Sandy Murray & Terry McCoy – APN: 311-38-006A.** (Continued from the June 8<sup>th</sup>, 2006 meeting of the Board of Adjustment.) The applicants are requesting a variance from the County Zoning Regulations, Section V-3-C (Table V-9) and Section V-7-A.1 (Table V-9): for a rear setback from the required 10 feet to 3' so that the mobile unit will not be out of alignment with other units and will not interfere with the driveway. The property is located at 7986 Riverside Drive, Space 16, Parker.
5. **Call to the Public.**
6. **Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
July 13, 2006 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Todd Cramer, Paul DiCarlo and Joyce Plog, Director Scott Bernhart, and Secretary, Bonnie Mayton. Others present were: Mark Durham, Sandy Murray, Steve Bunch, Scott Goodman, William Goodman, Jeannie Branson, and Norman Hardwick.

**Acting Chairman Fisher** called the Thursday, July 13, 2006 Regular Meeting/Public Hearing to order at 4:05 p.m.

**Acting Chairman Fisher** called for the second item on the agenda today; the approval of June 8<sup>th</sup>, 2006 minutes.

**Acting Chairman Fisher** asked for a motion to approve the June 8<sup>th</sup>, 2006 minutes.

**Member DiCarlo** pointed out that on page 3, 3<sup>rd</sup> paragraph from the bottom, Member Cramer was absent, and it was Member DiCarlo that asked the question.

**Member Plog** moved to approve June 8th, 2006 minutes as corrected.

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

The motion passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 3 on the agenda **Docket No. V2006-007 – Parker Properties/ Scott Goodman – APN: 311-38-009A**. (Continued from the June 8, 2006 meeting of the Board of Adjustment.)

Director Bernhart stated this is the Parker Properties, Scott Goodman, APN: 311-38-009A, 7834 Riverside Drive, staff recommends approval as the County currently does not have a Planned Development District that would allow for customized zoning and development standards that are required for this type of development.

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

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

There were no questions from the Board members.

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

Jeanne Branson, owner of Branson's Resort, expressed her opposition to this variance request.

Mark Durham, developer for this project, provided the preliminary plat for the members and the public to review. Mark and property owner, Scott Goodman, explained the entire plat plan.

Steve Bunch, commented on the setbacks and eaves overhang and the clearance between the homes.

Member Cramer asked Mark Durham about the overhang.

Member Cramer reiterated the board's insistence that nothing will intrude into the space between the eaves of the home and the property line, as an example, air conditioners and fire places.

Acting Chairman Fisher asked Director Bernhart about lot coverage.

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

Mark Durham asked the Board Members to repeat the concerns of the members, so that he could be clear on the requests.

Member Plog stated she felt the owners are attempting to place too many homes on approximately an acre.

There were no further comments or questions from the public.

Acting Chairman Fisher closed hearing to public.

Acting Chairman Fisher asked for a motion from the Board.

**Member Cramer moved to deny** Docket V2006-007.

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

Acting Chairman Fisher asked if there was any discussion.

There was no further discussion.

The motion passed unanimously.

Acting Chairman, Gene Fisher, called for a ten minute recess.

BREAK

BACK AT 5:10 P.M.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 4 on the agenda **Docket No. V2006-009 – Sandy Murray & Terry McCoy – APN: 311-38-006A.** (Continued from the June 8, 2006 meeting of the Board of Adjustment.)

Director Bernhart stated regarding Docket V2006-009, Sandy Murray and Terry McCoy, APN: 311-38-006A, 7968 Riverside Drive, staff recommends denial because the applicant is creating a hardship with the depth of the home and there appears to be adequate parking on the sides of the lot/space.

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

Sandy Murray, owner of Jolly Knight and applicant, commented on how he could relocated the trailer on the space.

Acting Chairman Fisher asked if there was anyone else that would like to speak in favor of, or in opposition to this request.

There were no further comments.

Acting Chairman Fisher closed the public hearing.

**Member DiCarlo moved to deny** Docket V2006-009.

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

Acting Chairman Fisher called for the vote.

The motion passed unanimously.

### **Call to the Public**

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

Mark Durham addressed the board regarding the decision on the Parker Properties.

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Mr. Goodman, Scott Goodman's father, expressed his disappointment in the decision of the Board.

Scott Goodman expressed his opinions on the decision.

There were no further comments from the public.

**Adjournment**

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 5:46 p.m.

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Gene Fisher, Acting Chairman

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Scott Bernhart, Director

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Bonnie L. Mayton,  
Administrative Specialist

**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
August 10, 2006 – 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 of the July 13<sup>th</sup>, 2006 meeting.**
3. **Docket No. V2006-012 – Marsha R. Crawford, Dane C. Crawford & Justine L. Ricci – APN: 311-63-155C.** The applicants are requesting a variance from the County Zoning Regulations, Section V-1.3-C (Table V-3): Request for a five (5') foot variance from the required five foot (5') side setback, resulting in a (0') zero south side lot line to accommodate a house and garage on a narrow lot. The property is located at 10760 Crystal Canyon, Lakeside Subdivision, Parker.
4. **Docket No. V2006-013 – Marsha R. Crawford & Justine L. Ricci – APN: 311-63-155D.** The applicants are requesting a variance from the County Zoning Regulations, Section V-1.3-C (Table V-3): Request for a five (5') foot variance from the required five foot (5') side setback, resulting in a (0') zero north side lot line to accommodate a house and garage on a narrow lot. The property is located at 10774 Crystal Canyon, Lakeside Subdivision, Parker.
5. **Docket No. V2006-014 – Roy & Margaret Hokenson – APN: 310-32-052A.** The applicants are requesting two variances from the County Zoning Regulations, Section V-1.3-C (Table V-3): The applicants are requesting a variance from the County Zoning Regulations, Section V-1.3-C (Table V-3): Request for a five (5') foot variance from the required five foot (5') side setback, resulting in a (0') zero east side lot line and a request for a five (5') foot variance from the required ten feet (10') rear setback, resulting in a (5') five foot rear lot line. The property is located at 880 Bayview Drive, Hillcrest Bay Subdivision, Parker.

6. **Docket No. V2006-015 – Roy & Margaret Hokenson – APN: 310-32-052A.** The applicants are requesting two variances from the County Zoning Regulations, Section V-1.3-C (Table V-3): The applicants are requesting a variance from the County Zoning Regulations, Section V-1.3-C (Table V-3): Request for a five (5') foot variance from the required five foot (5') side setback, resulting in a (0') zero west side lot line and a request for a five (5') foot variance from the required ten foot (10') rear setback, resulting in a (5') five foot rear lot line. The property is located at 880 Bayview Drive, Hillcrest Bay Subdivision, Parker.
7. **Docket No. V2006-016 – Dino Gory – APN: 311-66-107.** The applicant is requesting one variance from the County Zoning Regulations, Section V-1.3-C (Table V-4): Requesting an eight foot (8') variance from the required twenty foot (20') front setback, resulting in a twelve foot (12') front yard setback. The property is located at 9271 Moovalya Estates Drive, Parker.
8. **Call to the Public.**
9. **Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
August 10, 2006 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

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

**Acting Chairman Fisher** called the Thursday, August 10, 2006 Regular Meeting/Public Hearing to order at 4:00 p.m.

**Acting Chairman Fisher** called for the second item on the agenda today; the approval of July 13<sup>th</sup>, 2006 minutes.

**Acting Chairman Fisher** asked for a motion to approve the July 13<sup>th</sup>, 2006 minutes.

**Member Plog** moved to approve July 13th, 2006 minutes.

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

The motion to approve the July 13<sup>th</sup> 2006 minutes passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 3 on the agenda **Docket No. V2006-012 – Marsha R. Crawford, Dane C. Crawford & Justine L. Ricci – APN: 311-63-155C**. The applicants are requesting a variance from the County Zoning Regulations, Section V-1.3-C (Table V-3): Request for a five foot (5') variance from the required five foot (5') side setback, resulting in a zero (0') south side lot line to accommodate a house and garage on a narrow lot. The property is located at 10760 Crystal Canyon, Lakeside Subdivision, Parker.

Director Bernhart stated regarding V2006-012 staff recommends approval with the requirement that garage be at least 3' from retaining wall.

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

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

There were no questions from the Board members.

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

Roy Hokenson, stated the house does not have any eaves and neither does the garage.

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

There were no further comments or questions from the public.

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

Member Plog commented on the letter of opposition stating that the mobile home is not set correctly.

Member Cramer commented on the retaining wall at the rear of the property.

Mr. Hokenson explained the retaining wall.

**Member Cramer moved to approve** Docket V2006-012 as requested with the requirement that garage be at least 3' from retaining wall.

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

Acting Chairman Fisher asked if there was any discussion.

There was no further discussion.

The motion for approval passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 4 on the agenda **Docket No. V2006-013 – Marsha R. Crawford & Justine L. Ricci – APN: 311-63-155D**. The applicants are requesting a variance from the County Zoning Regulations, Section V-1.3-C (Table V-3): Request for a five foot (5') variance from the required five foot (5') side setback, resulting in a zero (0') north side lot line to accommodate a house and garage on a narrow lot. The property is located at 10774 Crystal Canyon, Lakeside Subdivision, Parker.

Director Bernhart stated regarding Docket V2006-013, staff recommends approval with the requirement that garage be at least 3' from retaining wall.

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

There were no questions from the Board members.

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

There were no comments or questions from the public.

Acting Chairman Fisher closed the public hearing.

**Member DiCarlo moved to approve** Docket V2006-013 as requested with the requirement that garage be 3' from retaining wall.

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

Acting Chairman Fisher asked if there was any discussion.

There was no further discussion.

Acting Chairman Fisher called for the vote.

The motion for approval passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 5 on the agenda **Docket No. V2006-014 – Roy & Margaret Hokenson – APN: 310-32-052A**. The applicants are requesting two variances from the County Zoning Regulations, Section V-1.3-C (Table V-3): The applicants are requesting a variance from the County Zoning Regulations, Section V-1.3-C (Table V-3): Request for a five (5') foot variance from the required five foot (5') side setback, resulting in a (0') zero east side lot line and a request for a five foot (5') variance from the required ten feet (10') rear setback, resulting in a five foot (5') rear lot line. The property is located at 880 Bayview Drive, Hillcrest Bay Subdivision, Parker.

Director Bernhart stated regarding Docket V2006-014, staff recommends approval.

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

Member Plog asked about the septic system.

Member Cramer asked about any easements.

Director Bernhart stated he had no knowledge of any easements.

Mr. Hokenson spoke on the utility easements.

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

Mr. Hokenson commented on the utility poles and lines.

Acting Chairman Fisher asked if there was anyone else that would like to speak in favor of, or in opposition to this request.

There were no further comments.

Acting Chairman Fisher closed the public hearing.

**Member Cramer moved to approve** Docket V2006-014 as requested.

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

Acting Chairman Fisher asked if there was any discussion.

There was no further discussion.

Acting Chairman Fisher called for the vote.

The motion for approval passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 6 on the agenda **Docket No. V2006-015 – Roy & Margaret Hokenson – APN: 310-32-052A**. The applicants are requesting two variances from the County Zoning Regulations, Section V-1.3-C (Table V-3): The applicants are requesting a variance from the County Zoning Regulations, Section V-1.3-C (Table V-3): Request for a five (5') foot variance from the required five foot (5') side setback, resulting in a (0') zero west side lot line and a request for a five foot (5') variance from the required ten foot (10') rear setback, resulting in a five foot (5') rear lot line. The property is located at 880 Bayview Drive, Hillcrest Bay Subdivision, Parker.

Director Bernhart stated regarding Docket V2006-015, staff recommends approval.

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

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

There were no comments.

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

There were no comments from the public.

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

**Member DiCarlo moved to approve** Docket V2006-015 as requested.

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

Acting Chairman Fisher called for the vote.

The motion for approval passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 7 on the agenda **Docket No. V2006-016 – Dino Gory – APN: 311-66-107**. The applicant is requesting one variance from the County Zoning Regulations, Section V-1.3-C (Table V-4): Requesting an eight foot (8') variance from the required twenty foot (20') front setback, resulting in a twelve foot (12') front yard setback. The property is located at 9271 Moovalya Estates Drive, Parker.

Director Bernhart stated regarding Docket V2006-016, staff recommends approval with a 10' easement in the front and no parking in front of the building.

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

Acting Chairman Fisher asked for any comments or questions from the Board Members.

There were no comments from the members.

Acting Chairman Fisher opened the meeting to the public and asked if there was anyone else that would like to speak in favor of, or in opposition to this request.

Mr. Dino Gory, applicant, stated his request for the variance.

There were no further comments.

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

**Member Cramer moved to approve** Docket V2006-016 as requested.

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

Acting Chairman Fisher called for the vote.

The motion for approval passed unanimously.

### **Call to the Public**

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

There were no comments from the public.

### **Adjournment**

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 4:35p.m.

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Gene Fisher, Acting Chairman

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Scott Bernhart, Director

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Bonnie L. Mayton,  
Administrative Specialist

**LA PAZ COUNTY**  
**BOARD OF ADJUSTMENT**  
**Regular Meeting / Public Hearing**  
**September 14, 2006 – 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 of the August 10<sup>th</sup>, 2006 meeting.**
3. **Docket No. V2006-017 – Hayden & Susan Harris – APN: 311-43-002G.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-A (Table V-1): Requesting a six foot (6') variance increase from the maximum height of twenty four foot (24') to thirty feet (30') resulting in a six foot (6') variance increase in the height limit. The property is located at 9467 Riverside Drive, Parker.
4. **Docket No. V2006-018 – Terence W. Bitrich & Deanna E. Sebek – APN: 310-35-193.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1.3-C (Table V-4): Requesting a five foot (5') variance from the required ten foot (10') rear setback, resulting in a five foot (5') rear yard setback. The property is located at 37300 Marina View Court, Rancho Estates, Holiday Harbor, Parker.
5. **Docket No. V2006-019 – Cienega Springs Dev./Elanor Stephan – APN: 311-47-001.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-A (Table V-1): Requesting a variance from the maximum height of forty-five feet (45') to an increased height of one hundred eighty feet (180') resulting in a hundred and thirty-five foot (135') variance increase in the height limit. The property is located at 31806 Cienega Springs Rd., Parker.
6. **Docket No. V2006-020 – Burnett Investment Ltd. – APN: 310-23-002.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-A (Table V-1): Requesting a variance from the maximum height of forty-five feet (45') to an increased height of one hundred sixty feet (160') resulting in a hundred and fifteen foot (115') variance increase in the height limit. The property is located at 2580 Hwy. 95, Parker.

7. **APN: 305-13-015C - Parley P. and Lupe R. Peay**, appeal of an administrative decision regarding the calculation of a Land Division fee.
8. **Call to the Public.**
9. **Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
September 14, 2006 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

Those present were: Acting Chairman Gene Fisher, Board Members: Todd Cramer, Paul DiCarlo and Joyce Plog, Director Scott Bernhart, and Secretary, Bonnie Mayton. Others present were: Chris Puricelli, Parley Peay, Terence Bitrich, Keith Davis, Hayden and Susan Harris.

**Acting Chairman Fisher** called the Thursday, September 14, 2006 Regular Meeting/Public Hearing to order at 4:02 p.m.

**Acting Chairman Fisher** called for the 2nd item on the agenda today; the approval of August 10<sup>th</sup>, 2006 minutes with corrections as noted.

**Acting Chairman Fisher** asked for a motion to approve the August 10<sup>th</sup>, 2006 minutes as corrected.

**Member Cramer moved to approve** August 10th, 2006 minutes as corrected.

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

The motion to approve the August 10<sup>th</sup> 2006 minutes as corrected passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 3 on the agenda **Docket No. V2006-017 – Hayden & Susan Harris – APN: 311-43-002G**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-A (Table V-1): Requesting a six foot (6') variance increase from the maximum height of twenty four foot (24') to thirty feet (30') resulting in a six foot (6') variance increase in the height limit. The property is located at 9467 Riverside Drive, Parker.

Director Bernhart stated regarding V2006-017 staff recommends denial with its proximity to the river and anything that exceeds the 24 feet must be looked at closely as far as a variance.

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

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

There were no questions from the Board members.

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

Mr. Hayden Harris, applicant, presented the elevation map for the members and explained the multi level home and mentioned the letter in support and feel this home would be an asset to the community.

Susan Harris, applicant asked Mr. Bernhart for an explanation of a hip roof.

Director Bernhart explained the term "hip roof" and after reviewing the elevation building plan, stated, "the height will not be 30 feet as asked for on the application, it will be much less."

The Board members reviewed the elevation map and discussed various items on the elevation building plan.

Member Cramer asked if this property is two lots.

Mr. Harris stated that the property was in fact was two lots and has now been combined into one lot.

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

There were no further comments or questions from the public.

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

Acting Chairman Fisher called on Director Bernhart for any further comments.

Director Bernhart stated he had no further comments.

**Member Cramer moved to approve** Docket V2006-017 as requested with the requirement that the maximum height of the house will be 30 feet from the defined level lot area.

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

Acting Chairman Fisher asked if there was any discussion.

There was no further discussion.

The motion for approval passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 4 on the agenda **Docket No. V2006-018 – Terence W. Bitrich & Deanna E. Sebek – APN: 310-35-193**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1.3-C (Table V-4): Requesting a five foot (5') variance from the required ten foot (10') rear setback, resulting in a five foot (5') rear yard setback. The property is located at 37300 Marina View Court, Rancho Estates, Holiday Harbor, Parker.

Director Bernhart stated regarding Docket V2006-018, staff recommends approval and read into the record the letter from the Homeowners Association stating they have approved the building plans.

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

There were no questions from the Board members.

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

Mr. Terry Bitrich, applicant, restated his position on remodeling his property.

Member Plog commented on the Homeowners registration form.

Member DiCarlo asked if there was any covered area on the side where the remodeling is to occur.

Mr. Bitrich stated "no, there is not."

Acting Chairman Fisher asked Director Bernhart to re-read the letter from the Homeowners Association.

Director Bernhart re-read the letter.

Acting Chairman Fisher stated that the letter reads "there is no variance needed or required by the homeowners association".

Mr. Mike Aarons, neighbor, stated he is rescinding his opposition to this request for a variance.

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

There were no further comments or questions from the public.

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

**Member DiCarlo moved to approve** Docket V2006-018 as requested.

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

Acting Chairman Fisher asked if there was any discussion.

Member Plog commented on the Health Departments statement regarding the septic system.

Member DiCarlo stated that the septic is already located in the carport and that is not a problem.

There was no further discussion.

Acting Chairman Fisher called for the vote.

The motion for approval passed unanimously.

Acting Chairman Fisher commented that for the record the applicant was advised and is aware of the position of the Health Department regarding the septic.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 5 on the agenda **Docket No. V2006-019 – Cienega Springs Dev./Eleanor Stephan – APN: 311-47-001**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-A (Table V-1): Requesting a variance from the maximum height of forty-five feet (45') to an increased height of one hundred eighty feet (180') resulting in a hundred and thirty-five foot (135') variance increase in the height limit. The property is located at 31806 Cienega Springs Rd., Parker.

Director Bernhart stated regarding Docket V2006-019, staff recommends approval.

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

Member DiCarlo asked about a specification notation on the map.

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

Mr. Chris Puricelli, agent for the applicant and principle in the St. Charles Tower Company answered questions of the Board members.

Member Cramer asked Mr. Puricelli if this property is leased.

Mr. Puricelli answered that it was leased property.

Acting Chairman Fisher asked if there was anyone else that would like to speak in favor of, or in opposition to this request.

There were no further comments from the public.

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

**Member DiCarlo moved to approve** Docket V2006-019 as requested.

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

Acting Chairman Fisher asked if there was any discussion.

There was no further discussion.

Acting Chairman Fisher called for the vote.

The motion for approval passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 6 on the agenda **Docket No. V2006-020 – Burnett Investment Ltd. – APN: 310-23-002**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1-2-A (Table V-1): Requesting a variance from the maximum height of forty-five feet (45') to an increased height of one hundred sixty feet (160') resulting in a hundred and fifteen foot (115') variance increase in the height limit. The property is located at 2580 Hwy. 95, Parker.

Director Bernhart stated regarding Docket V2006-020, staff recommends approval.

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

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

There were no comments.

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

Mr. Chris Puricelli, agent for the applicant and principle in the St. Charles Tower Company answered questions the Board members had with regard to the height and .

Acting Chairman Fisher asked if there was anyone else that would like to speak in favor of, or in opposition to this request.

There were no further questions from the public.

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

**Member Cramer moved to approve** Docket V2006-020 as requested.

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

Acting Chairman Fisher called for the vote.

The motion for approval passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 6 on the agenda, APN: 305-13-015C, Parley Peay and Lupe Peay, Appeal of an Administrative Decision regarding the calculation of a Land Division fee.

Director Bernhart stated: We received an application for a Land Division review and our Land Division Review application form has a number associated with the fee. That fee was established in Resolution 2004-017 and there are two exhibits attached to that form, A and B, exhibit A, page 7 of 12 as recorded. You would look at number 3 and then D, that specific line states the Land Division Review process requires a \$100 per parcel fee, which must be submitted with the application. The applicant, Mr. Peay, is requesting a Land Division and the issue came up about whether or not that should be \$100 fee total, because the applicant presumably is coming in with one parcel of land to ask for a Minor Land Division to create anything from two to five total lots or parcels. Mr. Peay is essentially making it known that he believes that it should be a \$100 fee, total for any request anywhere from two parcels total to five because everyone who comes in with an application for a Land Division, brings with them, one parcel and one parcel times \$100 equals \$100. That is what I am hearing from the applicant. I am making an administrative decision that I think the intent was \$100 per parcel if somebody were to come in and ask for a Land Division for a total of four parcels, the way this is written, I would argue is \$100 times 4 = \$400. However, if you look at my finding of fact summary sheet. I agree to a certain extent with Mr. Peay about how it should be interpreted. I do think if you come to us asking for a Minor Land Division, you already have a parcel in place, so we probably shouldn't charge you for that parcel, but if you create four new parcels

for a total of five, you should pay \$400. And I think we could change our policy to go in that direction. I think if we do make a decision, it shouldn't go any further than saying "if you create a maximum of four new parcels it should be a \$400 fee maximum. If you come in with one parcel and split it in half and create a new parcel it would be \$100. If you come in with one parcel and split it into three pieces, you should pay \$200.

Mr. Peay, complainant, presented his interpretation of a land division and referred to Black's Law Dictionary for the definition of a "parcel" and compared a subdivision to a land division.

Member Cramer asked Director Bernhart what are the Administrative costs involved with each individual parcel as it is divided or is the same Administrative cost for the division whether it is one or five? I would tend to think that if you have five parcels and things you have to do for each single one, then that would weigh more toward it being a \$100 a piece.

Director Bernhart explained the process from receipt of the land division request through signing the request into place.

Member Cramer again commented on the complexity of the land division application requests.

Director Bernhart explained further the breakdown of how the land division is computed.

Member DiCarlo commented on the two exhibits attached to that form, A and B, exhibit A, page 7 of 12 as recorded.

Member Plog commented that the Real Estate Department considers two contiguous parcels as one.

Director Bernhart stated that what's at issue here is whether or not you agree with the intent of what I'm saying or what he wants. I want to point on page 4 of 12 of that Resolution 2004-017 that seeks to clarify this whole issue, No. 3, there will be an application fee of \$100 per parcel.

Member DiCarlo stated he felt the Resolution meant to be \$100 per split.

Mr. Peay stated he knows of people who have divided lots five times and paid \$400.

**Acting Chairman Fisher** asked Director Bernhart how much money was collected from Mr. Peay.

Director Bernhart stated \$400.

Acting Chairman Fisher then asked how many parcels were created.

Director Bernhart stated "none yet", there will be three new ones, four total.

Acting Chairman Fisher stated that Mr. Bernhart is asking that it not be greater than \$100 for each new parcel.

Member Cramer commented on what has been charged in the past.

Acting Chairman Fisher closed the public hearing.

**Acting Chairman Fisher** asked the Board for a motion on this item either to affirm, amend, or uphold, reverse or modify the decision or refer the decision back to its author, in this case, back to the Director.

**Member Cramer moved to amend** the previous findings to define the fee as being \$100 per new parcel created.

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

Acting Chairman Fisher called for the vote.

The motion for approval passed unanimously.

### **Call to the Public**

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

There were no comments from the public.

### **Adjournment**

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 5:30p.m.

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Gene Fisher, Acting Chairman

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Scott Bernhart, Director

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Bonnie L. Mayton,  
Administrative Specialist

**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
October 12, 2006 – 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 of the August 10<sup>th</sup>, 2006 meeting.**
- 3. Docket No. V2006-021 – Arnold & Cathryn Hester – APN: 302-48-064.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-B (Table V-3): Requesting a 5 foot variance from the required 5 foot side yard setback, resulting in a zero foot side yard setback to build a deck on the second story. The property is located at 48769 Rivera Place, Ehrenberg.
- 4. Call to the Public.**
- 5. Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
October 12, 2006 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

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

Member Cramer was absent.

**Acting Chairman Fisher** called the Thursday, October 12, 2006 Regular Meeting/Public Hearing to order at 4:01 p.m.

**Acting Chairman Fisher** called for the 2nd item on the agenda today; the approval of September 14<sup>th</sup>, 2006 minutes.

**Acting Chairman Fisher** recommended continuance of the minutes to the November 9<sup>th</sup>, 2006 meeting of the Board of Adjustment.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 3 on the agenda **Docket No. V2006-021 – Arnold & Cathryn Hester – APN: 302-48-064**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-B (Table V-3): Requesting a 5 foot variance from the required 5 foot side yard setback, resulting in a zero foot side yard setback to build a deck on the second story. The property is located at 48769 Rivera Place, Ehrenberg.

Director Bernhart stated regarding V2006-021 staff recommends denial. Staff may consider with 3' side setback and variance for lot coverage exceeding 65% (67% as indicated on the applicants plans).

Acting Chairman Fisher asked Director Bernhart if the applicants are receiving any directions on the applications indicating they need to supply lot coverage and ask for a variance if the lot coverage exceeds the maximum.

Director Bernhart stated that staff has not been having active pre-app. Meetings for variances, we've just been accepting them and processing them.

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

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

There were no questions from the Board members.

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

Cathryn Hester, applicant, commented on the recommendations made by Director Bernhart.

Member DiCarlo asked if they could cut the deck down to 12 feet, rather than the 14 feet asked for.

Mrs. Hester commented that the width of the drive way is 14 feet, 7 inches and they didn't want to cut the posts into the driveway area.

Acting Chairman Fisher suggested we continue this docket to next month and re-advertise and that would give enough time to decide on changes to the zero lot line.

Acting Chairman Fisher asked if there was anyone else that would like to speak in favor of, or in opposition to this request.

There were no further questions from the public.

Acting Chairman Fisher and members Plog and DiCarlo discussed options with the applicant.

Acting Chairman Fisher asked Director Bernhart if he had any further suggestions.

Director Bernhart addressed the lot coverage problem.

Member Plog reminded the applicant that there cannot be anything within the 3 feet, air conditioners, eaves or fireplaces.

Acting Chairman Fisher stated the docket will be re-advertised for the lot coverage and this would give the applicant time to readjust the specifications of the deck.

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

**Member DiCarlo moved to continue** Docket V2006-021 until the November 9<sup>th</sup>, 2006 meeting of the Board of Adjustment.

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

Acting Chairman Fisher called for the vote.

The motion for continuance passed unanimously.

**Call to the Public**

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

There were no comments from the public.

**Adjournment**

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 4:30 p.m.

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Gene Fisher, Acting Chairman

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Scott Bernhart, Director

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Bonnie L. Mayton,  
Administrative Specialist

**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
November 9, 2006 – 4:00 p.m.**  
Board of Supervisor's Meeting Room  
1108 Joshua Avenue, Parker, AZ 85344

**AGENDA**

- 1. Call to Order**
- 2. Approval of Minutes for the September 14<sup>th</sup>, 2006 and October 12<sup>th</sup>, 2006 meetings.**
- 3. Docket No. V2006-021 – Arnold & Cathryn Hester – APN: 302-48-064.** (Continued from the October 12, 2006 meeting of the Board of Adjustment.) The applicants are requesting two variances from the County Zoning Regulations, Section V-1.2-B (Table V-3) and Section V-I-4B(2) (Table V-6): Requesting a      foot variance from the required 5 foot side yard setback, resulting in a      foot side yard setback an increase to the lot coverage from 65% to 67%, to build a deck on the second story. The property is located at 48769 Rivera Place, Ehrenberg.
- 4. Docket No. V2006-022 – Scott & Carole Jones – APN: 310-32-150.** The applicants are requesting two variances from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a two foot variance from the required five foot east side yard setback, resulting in a three foot side yard setback, and requesting a five foot rear yard setback on the north side from the required ten foot rear yard setback, resulting in a five foot rear yard setback to allow room for a septic system. The property is located at 903 Linger Drive, Parker.
- 5. Docket No. V2006-023 – Richard A. Ricciardi – APN: 311-65-005A.** The applicant is requesting one variance from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a two foot variance from the required five foot south side yard setback, resulting in a three foot side yard setback to build a room addition. The property is located at 10424 Lakeside Circle, Parker.
- 6. Docket No. V2006-024 – Jose & Kristy Corona – APN: 310-35-002A.** The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a two foot variance from the required five foot south side yard setback, resulting in a three foot south side yard setback to construct a carport. The property is located at 4864 Highway 95, Parker.
- 7. Call to the Public.**
- 8. Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
November 9, 2006 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

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

Member Todd Cramer was absent.

**Acting Chairman Fisher** called the Thursday, November 9, 2006 Regular Meeting/Public Hearing to order at 4:02 p.m.

**Acting Chairman Fisher** called for the 2nd item on the agenda today; the approval of the September 14<sup>th</sup>, and October 12, 2006 minutes.

**Member Plog moved to approve** the minutes of the September 14<sup>th</sup>, and October 12, 2006 meetings.

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

Acting Chairman Fisher called for the vote.

The motion to approve the minutes of September 14<sup>th</sup>, and October 12, 2006 passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 3 on the agenda **Docket No. V2006-021 – Arnold & Cathryn Hester – APN: 302-48-064**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-B (Table V-3): Requesting a 5 foot variance from the required 5 foot side yard setback, resulting in a zero foot side yard setback to build a deck on the second story. The property is located at 48769 Rivera Place, Ehrenberg.

Director Bernhart stated regarding V2006-021 staff recommends denial.

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

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

There were no questions from the public.

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

**Member DiCarlo moved to deny** Docket V2006-021.

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

Acting Chairman Fisher ask for any further discussion.

There was no discussion.

Acting Chairman Fisher called for the vote.

The motion for denial passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 4, **Docket No. V2006-022 – Scott & Carole Jones – APN: 310-32-150**. The applicants are requesting two variances from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a two foot variance from the required five foot east side yard setback, resulting in a three foot side yard setback, and requesting a five foot rear yard setback on the north side from the required ten foot rear yard setback, resulting in a five foot rear yard setback to allow room for a septic system. The property is located at 903 Linger Drive, Parker.

Director Bernhart stated regarding V2006-022 staff recommends approval and finds a physical hardship on this property.

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

Member Plog asked about the applicant's plot plan.

Director Bernhart discussed the plot plan with members.

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

There were no further questions from the Board members.

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

Carole Jones, applicant, discussed the plot plan and the measurements in the rear of the house.

Scott Jones, applicant, explained the reasons for the request for the rear variance.

Director Bernhart suggested because there has not been a survey we should move ahead with the variance request for the rear of the home.

Carole Jones provided the survey for the Boards' review.

Director Bernhart stated there is 78' at the rear, thus, a variance for the rear setback is not needed.

There were no further comments from the public.

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

**Member Plog moved to approve** Docket V2006-022 as requested without the rear yard setback.

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

Acting Chairman Fisher called for the vote.

The motion for approval on V2006-22 passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 5, **Docket No. V2006-023 – Richard A. Ricciardi – APN: 311-65-005A**. The applicant is requesting one variance from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a two foot variance from the required five foot south side yard setback, resulting in a three foot side yard setback to build a room addition. The property is located at 10424 Lakeside Circle, Parker.

Director Bernhart stated regarding V2006-023 staff recommends approval.

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

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

Member Plog asked about the ADOT request for comments.

Director Bernhart stated they are notified on all applications.

There were no further questions from the Board members.

Richard Ricciardi, applicant, explained the reason for his request.

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

There were no further questions from the public.

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

**Member DiCarlo moved to approve** Docket V2006-023 as requested.

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

Acting Chairman Fisher called for the vote.

The motion for approval passed unanimously.

**Acting Chairman** Fisher asked Director Bernhart to give the staff report on item number 6, **Docket No. V2006-024 – Jose & Kristy Corona – APN: 310-35-002A**. The applicants are requesting one variance from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a two foot variance from the required five foot south side yard setback, resulting in a three foot south side yard setback to construct a carport. The property is located at 4864 Highway 95, Parker.

Director Bernhart stated regarding V2006-021 staff recommends approval and commented on the conversation with the applicant this date.

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

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

There were no questions from the Board members.

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

Kurt Daniels, representing the applicant, spoke in favor of this request.

There were no further questions from the public.

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

**Member Plog moved to approve** Docket V2006-024 as requested.

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

Acting Chairman Fisher called for the vote.

The motion for approval passed unanimously.

### **Call to the Public**

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

There were no comments from the public.

### **Adjournment**

There being no further questions or comments, Acting Chairman Fisher adjourned the meeting at 4:30 p.m.

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Gene Fisher, Acting Chairman

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Scott Bernhart, Director

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Bonnie L. Mayton,  
Administrative Specialist

**LA PAZ COUNTY  
BOARD OF ADJUSTMENT  
Regular Meeting / Public Hearing  
December 14, 2006 – 4:00 p.m.  
Board of Supervisor's Meeting Room  
1108 Joshua Avenue, Parker, AZ 85344**

**AGENDA**

- 1. Call to Order**
- 2. Approval of Minutes for the November 9<sup>th</sup>, 2006 meeting.**
- 3. Docket No. V2006-025 – Randy & Lisa Poole- APN: 310-32-209.** The applicants are requesting three variances from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a five foot variance from the required ten foot front yard setback, resulting in a five foot (north) front yard setback; Requesting a two foot side yard variance from the required five foot side yard setback, resulting in a three foot (west) side yard setback; and Requesting a seven foot rear yard variance from the required ten foot rear yard setback, resulting in a three foot rear yard (south) setback to construct a new home. The property is located at 934 Max View Drive, Parker.
- 4. Docket No. V2006-026 – Carl & Patricia Miller – APN: 311-63-151.** The applicants are requesting two variances from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a two foot side yard variance from the required five foot side yard setback, resulting in a three foot (north) side yard setback; and Requesting a five foot rear yard variance from the required ten foot rear yard setback, resulting in a five foot rear yard (south) setback to construct a new home. The property is located at 10748 Crystal Canyon, Parker.
- 5. Call to the Public.**
- 6. Adjournment.**

**MINUTES  
Of The  
La Paz County Board of Adjustment  
December 14, 2006 Regular Meeting/Public Hearing  
1108 Joshua Avenue, Parker, AZ**

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

**Acting Chairman Fisher** called the Thursday, December 14, 2006 Regular Meeting/Public Hearing to order at 4:08 p.m.

**Acting Chairman Fisher** called for the 2nd item on the agenda today; the approval of the November 9, 2006 minutes.

**Member Plog moved to approve** the minutes of the November 9, 2006 meeting.

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

**Acting Chairman Fisher** called for the vote.

The motion to approve the November 9, 2006 minutes passed with one abstention, as member Cramer was absent.

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

Director Bernhart stated regarding **Docket No. V2006-025 – Randy & Lisa Poole - APN: 310-32-209**. The applicants are requesting three variances from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a five foot variance from the required ten foot front yard setback, resulting in a five foot (north) front yard setback; Requesting a two foot side yard variance from the required five foot side yard setback, resulting in a three foot (west) side yard setback; and Requesting a seven foot rear yard variance from the required ten foot rear yard setback, resulting in a three foot rear yard (south) setback to construct a new home. The property is located at 934 Max View Drive, Parker. Staff is in receipt of three letters in opposition to this request and there is a parking issue in this neighborhood and Staff recommends denial on the front yard setback and approval on the rear and side setbacks.

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

Member Cramer questioned the side setback to Director Bernhart and commented on the telephone poles in the rear of the yard as indicated in the attached photos.

Director Bernhart explained the situation as exemplified in the associated pictures attached to the packets.

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

The Board members discussed the possibilities of the house being redesigned and front and side lot lines.

There were no further questions from the Board members.

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

Randy Poole, applicant, stated that this septic system must be engineered because the lot is so low, and the house may have to be redesigned, and the rear lot line is at the top of the hill.

**Acting Chairman Fisher** asked the applicant what would be his preference, for the Board to act on this item today or to table the item in order for Mr. Poole to pursue the septic engineering system.

There were no further questions from the public.

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

**Member Cramer moved to table** Docket V2006-025 until the applicant has the septic system is engineered.

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

**Acting Chairman Fisher** asked for any discussion.

There was no further discussion.

**Acting Chairman Fisher** called for the vote.

The motion to table item number 3 passed unanimously.

**Acting Chairman Fisher** asked Director Bernhart to give the staff report on item number 4 on the agenda Docket No. V2006-026 – Carl & Patricia Miller – APN: 311-63-151.

Director Bernhart stated the applicants are requesting two variances from the County Zoning Regulations, Section V-1.2-C (Table V-3): Requesting a two foot side yard variance from the required five foot side yard setback, resulting in a three foot (north) side yard setback; and Requesting a five foot rear yard variance from the required ten foot rear yard setback, resulting in a five foot rear yard (south) setback to construct a new home. The property is located at 10748 Crystal Canyon, Parker.

Director Bernhart stated there are several items of concerns regarding ingress or egress on the side and would like the applicant to explain how parking will exist and the Health Department stated if septic is upgraded they may be able to park on the septic tank but not the leach field. Staff recommends approval with explanation of the aforementioned questions by the applicant.

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

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

Dustin Nelson, agent for the applicants, stated the septic system has already been addressed and approved by the Health Department and also address the ingress and egress issue.

There were no further questions or comments from the public.

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

**Member DiCarlo moved to approve** Docket V2006-026 with the stipulation that there be allowable clearance for the door to open and close freely.

Member Cramer stated that he would add to the stipulation that the three foot be without obstruction or a clear 3 foot space, no stairs or air conditioners.

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

**Acting Chairman Fisher** called for the vote.

The motion for approval passed unanimously.

## **Call to the Public**

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

There were no comments from the public.

Member Cramer asked Director Bernhart for clarification on the Proposition 207 that was recently passed.

Director Bernhart gave a brief synopsis on the meeting held in Phoenix on this proposition.

## **Adjournment**

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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Scott Bernhart, Director

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Bonnie L. Mayton,  
Administrative Specialist