



*It's in your hands ~
 "Build a stronger community- shop locally"*

**AGENDA
 COUNCIL HEARS PLANNING & ZONING MATTERS
 MAYOR AND COUNCIL
 COUNCIL CHAMBERS - 473 S. Main Street, Room #106
 WEDNESDAY, October 28, 2009 - at 6:30 P.M.**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) Work Session – October 21, 2009
 - 2) Special Session – October 20, 2009
 - 3) Executive Session – October 20, 2009 (recorded)
 - b) **Set Next Meeting, Date and Time:**
 - 1) November 4, 2009 at 6:30 p.m. – Regular Session
 - 2) November 18, 2009 at 6:30 p.m. – **COMBINED** Regular Session & Council Hears Planning & Zoning Matters
 - 3) November 25, 2009 at 6:30 p.m. – Council Hears Planning & Zoning Matters – **CANCELLED**
 - 4) December 2, 2009 at 6:30 p.m. – Regular Session
 - 5) December 16, 2009 at 6:30 p.m. – **COMBINED** Regular Session & Council Hears Planning & Zoning Matters
 - 6) December 23, 2009 at 6:30 p.m. – Council Hears Planning & Zoning Matters – **CANCELLED**
5. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, and Yavapai County Water Advisory Committee. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.
6. **Call to the Public for Items not on the Agenda**
7. **Discussion, consideration, and possible approval of Resolution 2009-793, a Resolution of the Common Council of the Town of Camp Verde, Arizona, Yavapai County, approving Use Permit 2009-03 to allow an off-premise sign advertising Otto Bond & Bail, LLC displayed on parcel 403-25-023 owned by Leslie Friedlander. The property is located in Verde Valley Business Park, 2931 Commonwealth Drive. Off-premise sign Use Permits expire in three years. Staff Resource: Mike Jenkins**
 - **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - **Call for APPLICANT'S REBUTTAL (if appropriate)**
 - **Declare PUBLIC HEARING CLOSED**

Call for COUNCIL DISCUSSION

8. **Call to the Public for Items not on the Agenda.**

There will be no public input on the following items:

9. **Advanced Approvals of Town Expenditures**
 - a. **There are no advanced approvals.**
10. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
11. **Adjournment**

Posted by: *D Jones*

Date/Time: *10-23-09 8:45 a.m.*

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

**MINUTES
WORK SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
Wednesday October 21, 2009
4 p.m. to 6 p.m.**

Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Council motions to facilitate future research.
Public input, where appropriate, is heard prior to the motion

1. Call to Order

The meeting was called to order at 4:00 p.m.

2. Roll Call

Mayor Burnside, Vice Mayor Kovacovich, Councilors Whatley, Baker, Roulette and German were present; Councilor Garrison was absent.

Also Present:

ZORC Committee Members, including Dave Freeman, Bob Kovacovich, Shirley Brinkman, Carol German, Gregory Blue, Al Roddan and Allen Buchanan;

ZTAC Members, including Mike Jenkins, Valerie House, Ron Long, Mike Scannell, Greg Freeman, Stan Bullard and Matt Morris;

And Recording Secretary Margaret Harper.

3. Pledge of Allegiance

The Pledge was led by Councilor Baker.

4. Joint Work Session of the Town Council, Zoning Ordinance Rewrite Committee and Zoning Technical Advisory Committee to review and discuss the Draft Development Guidance System Diagnostic Report with consulting firm Dava and Associates. Staff Resource: Matt Morris

Matt Morris explained that this Work Session amounts to the first main phase of the project in terms of reviewing the report, adding that he feels the consultants have done a great job incorporating the comments they received from staff, advisory and technical committees as well as the three neighborhood meetings that have been previously conducted prior to this first public meeting.

Dava Hoffman and Rick Counts outlined addressing major issues in preparing the draft of the diagnostic report, and described their plans to streamline an effective end process. During their review of the report they pointed out that the focus of this meeting and finalizing the diagnostic report was to get input on the main sections including zoning issues, subdivision regulations, engineering design, and recommendations that have been suggested. Following the discussion, with further input and suggestions, the members were advised that the aim is to submit the final diagnostic report to the Town Council at the meeting scheduled for November 18, 2009; copies of that report will be provided to all the participants prior to that public hearing.

5. Adjournment

On a motion by Baker, seconded by Whatley, the meeting was adjourned at 5:20 p.m.

Bob Burnside, Mayor

Margaret Harper, Recording Secretary

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Work Session of the Town Council of Camp Verde, Arizona, held on the 21st day of October 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2009.

Debbie Barber, Town Clerk

**MINUTES
SPECIAL SESSION
MAYOR and COMMON COUNCIL
Of the
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street #106
Tuesday, October 20, 2009
5:30 p.m.**

**Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Council motions to facilitate future research.
Public input, where appropriate, is heard prior to the motion**

1. **Call to Order**
The meeting was called to order at 5:30 p.m.

2. **Roll Call**
Mayor Burnside, Vice Mayor Kovacovich, Councilors Baker, Whatley, Garrison, German and Roulette were present.

Also Present: Town Manager Michael Scannell, Attorney William Sims (telephonically), Acting Community Development Director Michael Jenkins, and Deputy Town Clerk Virginia Jones.

3. **Pledge of Allegiance**
The Pledge of Allegiance was led by Councilor Whatley.

4. **Discussion, consideration, and possible direction to staff relative to litigation and/or possible development of Settlement Agreement among the Town of Camp Verde, California Hotwood, Inc., and business entities and affiliates related to the Zellner family.** (Staff Resource: Town Attorney)

On a motion by Kovacovich seconded by German Council voted unanimously to go into Executive Session to discuss items 4 and 5.

Council took no action on this item.

A recess was called at 5:33 p.m. to go into Executive Session.

5. **Discussion and consideration of the annual performance review of the Town Manager.**
Council took no action on this item.

6. **Adjournment**
The meeting adjourned at 8:15 p.m.

Bob Burnside, Mayor

Virginia Jones, Deputy Town Clerk

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Special Session of the Town Council of Camp Verde, Arizona, held on the 20th day of October 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2009.

Debbie Barber, Town Clerk



**TOWN OF CAMP VERDE
Joint Session, Town Council &
Council Hears Planning & Zoning
Agenda Action Form**

Meeting Date: October 28, 2009

Meeting Type: Joint Session Council &
Council Hears Planning & Zoning

Consent Agenda **Regular Business**

Reference Document: Use Permit 2009-03

Agenda Title (be exact):

Public hearing, Discussion and Possible approval or denial of Resolution 2009-793, a Use Permit for an Off-Premise Sign that is located on parcel 403-25-023 owned by Leslie Friedlander and is being requested by Jeff Wilhelm owner of Otto Bond & Bail, LLC. The property is located at 2931 Commonwealth Drive in the Verde Valley Business Park next to the Yavapai Co. Justice Facility. This Use Permit will allow for the advertising of the Otto Bond & Bail, LLC.

Purpose and Background Information:

Mr. Jeff Wilhelm, owner of Otto Bond & Bail, LLC is requesting a use permit to place an off-premise sign in the Verde Valley Business Park on parcel 403-25-023 owned by Ms. Leslie Friedlander. The owner of the parcel has given a signed, notarized letter of permission for the placement of the sign. The sign indicates their local phone number and lists their two office locations, one located at 923 E. Gurley Street in Prescott, Arizona and other business location of 602 E. Butler Ave. Flagstaff Arizona. Currently there are no other off-premise signs in the area.

Section 118, Section XIV.A thru C of the Planning & Zoning Ordinance require a use permit to be issued for all off-premise signs. The following conditions have been met by the applicant:

- Written permission of property owner
- Design shall be aesthetically pleasing
- The sign copy shall be limited to identifying the business or facility benefiting from the sign and directions to locate that business or facility.
- Maximum permitted area for the sign shall be 64 square feet.
- Sign shall be set back a minimum of five (5) feet from the property line.
- Use permit shall be good for three (3) years.

300' letters to adjacent property owners mailed on September 10, 2009

Letters were sent to property owners within 300' of parcel 403-25-023 upon which the proposed off-premise sign is to be located. As of the writing of this letter, three letters have been received. The letters in their entirety are in the packet. The letter below is from the Verde Valley Companies stating their objections to the proposed sign. A Summary of their objections are as follows:

- Sign will not have directions to a different location.
- A precedence set that other lot owners will begin to collect space rent and any business could advertise.
- Otto Bond & Bail has no plans to erect a building or business
- Concerns about Otto Bond & Bail having a sign and website listing a phone number only for

- Camp Verde and Prescott when their physical address is located in Flagstaff.
- By Otto Bond & Bail placing an off-premise sign on the lot in the Verde Valley Business Park would give unfair advantage to businesses from outside Camp Verde.
- The Verde Valley Business Park does not want a "Billboard Junction"

The letter from Sound Investments is summarized as follows:

- Off-Premise signs are typically located in high visibility locations as to notify people that there is a nearby business.
- The business itself would generally be in the vicinity of the off-premise sign and would employ people and generate revenue for the Town of Camp Verde.
- This sign advertising Otto Bond & Bail does not have a location in the Verde Valley Business Park or even in Camp Verde.
- The sign violated the spirit of what an off-premise sign is intended to do.
- If this sign is placed, and someone comes along that actually wants to put a bail bond agency in the Business Park, the new party may be discouraged from doing so.

The letter from Mr. Bruce Tobias is summarized as follows:

- He and his wife own two lots adjacent to the parcel owned by Ms. Friedlander were the proposed off-premise sign would be placed.
- They support the applicants request.
- They feel it is an ideal location for the Otto Bond & Bail purposes.

Agency responses were received with the following comments:

- Town Engineer: Had no comment.
- Town Building Department: Had no comment.

Planning & Zoning Commission recommendation:

On a motion by Buchanan, seconded by Norton, the Commission voted unanimously to recommend that Council deny the application for a Use Permit 2009-03 for an Off Premise Sign that would be located on parcel 403-25-023 owned by Leslie Friedlander, as requested by Jeff Wilhelm owner, of Otto Bond & Bail, LLC; the property is located at 2931 Commonwealth Drive in the Verde Valley Business Park next to the Yavapai Co. Justice Facility. This motion was based on the possibility of more billboard-type signs, the effect on property values, and on future development. The Use permit language from the code mentions considering contributions to the deterioration of a neighborhood or downgrading of property values which is in conflict with the General Plan goals, objectives and policy.

Recommendation (Suggested Motion):

A Motion to recommend approval or denial of Resolution 2009-793, a Use Permit 2009-03 for a period of 3 years from the date of the Town Council approval, as required by Section 118 of the Planning & Zoning Ordinances, for an Off-Premise sign located on parcel 403-25-023, owned by Leslie Friedlander, as requested by Jeff Wilhelm, owner of Otto Bond & Bail, LLC with the following stipulations:

1. That all conditions of Section 118.XIV (Sign Ordinance) of the Town of Camp Verde Planning & Zoning Ordinances be met and continue to be met throughout the allowed 3 year term of the Use Permit.
2. That under the conditions of the Use Permit process as described in Section 108.I of the Town of Camp Verde Planning & Zoning Ordinances, if any requirements of the Use Permit approval and requirements are violated, the said Use Permit will be voided and the Off-Premise sign shall be removed.
3. No Use may be modified, changed, altered or increased in intensity, in any manner that conflicts with the Use Permit and/or required conditions of approval, without approval of a new Use Permit. (Section 108.K)
4. A Town of Camp Verde Business License must be in place and current.

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Attorney Review: Yes No N/A

Attorney Comments:

Submitting Department: Community Development

Contact Person: Mike Jenkins

Action Report prepared by: Mike Jenkins



RESOLUTION 2009-793

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, YAVAPAI COUNTY, APPROVING USE PERMIT 2009-03 TO ALLOW AN OFF-PREMISE SIGN ADVERTISING OTTO BOND & BAIL LLC DISPLAYED ON PARCEL 403-25-023 OWNED BY LESLIE FRIEDLANDER. THE PROPERTY IS LOCATED IN VERDE VALLEY BUSINESS PARK, 2931 COMMONWEALTH DRIVE. OFF-PREMISE SIGN USE PERMITS EXPIRE IN THREE YEARS.

The Common Council of the Town of Camp Verde hereby resolves as follows:

- I. The Common Council hereby finds as follows:
 - A. A request for approval of Use Permit 2009-03 was filed by Jeff Wilhelm, owner of Otto Bond & Bail, LLC, to allow an off-premise sign, to advertise Otto Bond & Bail LLC with written permission from Leslie Friedlander, owner of parcel 403-25-023.
 - B. The request was reviewed by the Planning and Zoning Commission on October 10, 2009 and by the Common Council on October 28, 2009 in public hearings that were advertised and posted according to state law.
 - C. A neighborhood meeting was held on September 8, 2009 by the applicant as required by ARS and Town of Camp Verde Ordinance Section 113.
 - D. The purpose of the Use Permit is to allow the use of an off-premise advertising sign for Otto Bond & Bail LLC.
 - E. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

The Common Council of the Town of Camp Verde hereby approves UP 2009-03 for the purpose of allowing an advertising sign for Otto Bond & Bail LLC.

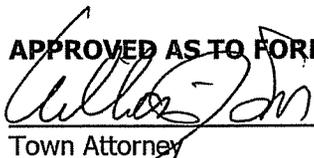
PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON OCTOBER 28, 2009.

Bob Burnside – Mayor

Date: _____

Attest: _____
Deborah Barber – Town Clerk

APPROVED AS TO FORM:



Town Attorney

Use Permit Check List

- Pre-Application Conference with Community Development Director
- *Directions to Property**
- Legal Description
- *Letter of Intent (Narrative)**
- Public Participation, Neighborhood meeting, completed. Date: 9-8-09
 - Copy of letter sent to neighbor's within 300'
 - Posting of Property by applicant (photo)
 - Affidavit attesting to notification of neighbors
 - Sign in sheet
 - ***Affidavit of summary of meeting**
 - ***Statement of how the applicant addressed neighborhood concerns.**
- ADOT outdoor advertising permit (if applicable) for commercial signage
- Traffic Impact Analysis or ADOT approval of site access (if applicable)
- *Site Plan**
- *Vicinity Map with adjacent land use**
- *Resolution**
- *Staff Report**
Will include summary of agency & citizen's comments, Traffic Impact Analysis or ADOT approval of site access (if applicable), Town requirements, applicant's narrative as it addresses requirements for application and recommended stipulations if approved (if any).
- Advertising & Posting has been completed & meet State Law Requirements.
- Reviewed and approved by Town Attorney (For Council Hears P & Z)

NOTE: *Indicates included in packet

Date Recv'd 8/21/09
Recv'd By J Paulsen
Fees Paid \$330.00
pt 013752

CASE NO. 2009-52
PROJECT NO. 2009-03
use permit

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
473 S. MAIN STREET, SUITE 108
CAMP VERDE, ARIZONA 86322
(928) 567-8513 • FAX (928) 567-7401
USE PERMIT APPLICATION

RECEIVED
AUG 21 2009
BY: [Signature]

Neighborhood meeting held on Sept 8, 2009

APPLICATION DATE 8-21-09 TAKEN BY J PAULSEN
ASSESSOR'S PARCEL NO. 403-25-023 CLASSIFICATION OF UP _____
PRESENT ZONING C-3 FEES 330.00
SUBDIVISION Verde Valley Business Park HEARING DATE _____
ADDRESS OF PROPERTY 2931 Commonwealth Drive, Camp Verde, AZ 86322

REQUEST:
To erect a 4' x 8' one-sided off premise sign mounted on two 4" x 4" wood posts. The height of the sign will be 12' above grade. The sign location will be the South East corner of lot 23. The sign will advertise a bail bond agency.

OWNER Leslie Friedlander PHONE 512-796-6141 FAX _____
ADDRESS 8615 Silver Ridge Drive CITY Austin STATE TX ZIP 78759
CONTACT PERSON Leslie Friedlander

If the applicant is not the property owner, the owner shall complete and sign the following statement. I hereby authorize Jeff Wilhelm to act as my agent in the application.
Name of Agent _____
Leslie Friedlander _____
Signature of Owner _____ Date _____

AGENT Jeff Wilhelm PHONE 928-445-6466 FAX 928-778-1679
ADDRESS 923 E. Gurley St., Ste. 204 CITY Prescott STATE AZ ZIP 86301
CONTACT PERSON Jeff Wilhelm

I hereby file the above request and declare that all information submitted is true and correct to the best of my knowledge and belief. I further acknowledge that any omission of information or any error in my application may be cause for delay in it's normal scheduling.
Jeff Wilhelm _____
Signature of Applicant _____ Date _____

Otto Bond & Bail, LLC

SPEEDY RELEASE BAIL BONDS • JOHN OTTO BAIL BONDS

Jeff R. Wilhelm
928-445-6466
Jeff@SpeedyReleaseBail.com

August 21, 2009

Town of Camp Verde
Community Development Department
473 S. Main Street, Suite 108
Camp Verde, AZ 86322

Re: Lot 23 of Verde Valley Business Park
2931 Commonwealth Drive, Camp Verde, AZ

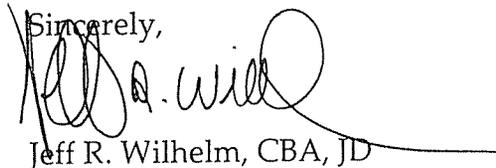
Dear Sir or Madam:

Pursuant to the requirements for obtaining a use permit and design review approval, I am writing the following as a descriptive narrative for an off-premise sign that I would like to place at the above-referenced property. The requested sign is a 4'X8' one-sided off-premise pole sign mounted on two 4"X4" wood posts. The sign location will be the Southeast corner of the property and will advertise a bail bond agency.

The sign will most certainly be compatible with the local neighborhood which is a business park located next to the Yavapai County Jail and the new courthouse facility. The only people that visit the area where the sign will be located are people either visiting the jail, going to court or working at one of these two government facilities. The only businesses that I anticipate developing in this area would be law offices, bail bond agencies and perhaps a food establishment.

The design of the sign, including color and lettering, has been kept very basic so as to not conflict in any way with a Western Rural atmosphere. A graphic color design of the proposed sign is attached hereto.

Sincerely,



Jeff R. Wilhelm, CBA, JD

DIRECTIONS TO PROPERTY

Assessor's Parcel Number 403-25-023

Applicants Name Otto Bond & Bail LLC

Property Address 2931 Commonwealth Drive, Camp Verde, AZ 86322

Directions To

Property From Interstate 17 proceed west on S.R. 260
approximately 3 miles. Turn left at Verde
Valley Justice Center and Out of Africa. Follow
Road past Out of Africa and TURN Right at
Verde Valley Justice Center parking lot and
Commonwealth drive. Proceed Northwest about 1/4
mile to property / Lot 23

See following Property location Map

Leslie J. Friedlander
8615 Silver Ridge Road
Austin, Texas 78759
512-349-2216

June 15, 2009

Town of Camp Verde
Planning and Zoning Department
473 S. Main Street, Suite 109
Camp Verde, Arizona 86322

Re: 2931 Commonwealth Drive
APN 403-25-023

Dear Sir or Madam:

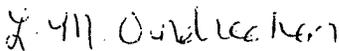
I am the owner of the above-referenced property located in the Verde Valley Business Park. I am writing to inform you that I have consented to permit an off-premise sign on my property by Otto Bond & Bail LLC, dba John Otto Bail Bond Agency, Camp Verde Bail Bonds and Speedy Release Bail Bonds. I further designate Jeff Wilhelm to serve as my agent for the limited purpose of obtaining any and all approvals from you for the sign.

Sincerely,

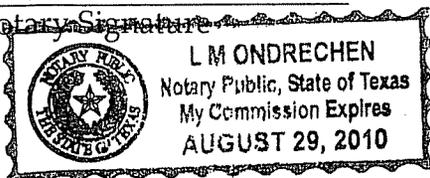

Leslie J. Friedlander

State of Texas
County of Travis

Subscribed and sworn to before me this 16th day of June, 2009.



Notary Signature



Notary without Bond

AGREEMENT TO LEASE REAL PROPERTY FOR LIMITED PURPOSE OF SIGNAGE

This Agreement to Lease Real Property for Limited Purpose of Signage (this "Sign Lease") is made this 15th day of June, 2009, by and between Otto Bond & Bail LLC, dba John Otto Bail Bond Agency, Camp Verde Bail Bonds and Speedy Release Bail Bonds having an address at 923 E. Gurley Street, Suite 204 in Prescott, Arizona ("Lessee") and Leslie J. Friedlander having an address at 8615 Silver Ridge Drive in Austin, Texas ("Lessor").

RECITALS:

WHEREAS, the Lessor is the owner of a parcel of property located in the County of Yavapai, Town of Camp Verde, Arizona identified by County Assessor Parcel Number 403-25-023 ("the Property"); and

WHEREAS, the Lessee is a bail bond agency that conducts business in the State of Arizona under the names of Otto Bond & Bail LLC, John Otto Bail Bond Agency, Camp Verde Bail Bonds and Speedy Release Bail Bonds; and

WHEREAS, the Lessor desires by this Sign Lease to grant to Lessee the right to erect and maintain a sign on the Property advertising Lessee's business ("the Sign") limited to the terms and conditions contained in this Sign Lease.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the following, and for other good and valuable consideration, the receipt and adequacy of which are acknowledged by each party, the parties agree as follows:

AGREEMENT:

1. LEASE OF PROPERTY

- 1.1 Effective upon approval of the Sign by the Town of Camp Verde ("the Effective Date"), Lessor agrees to lease to Lessee the Property for the limited purpose of erecting and maintaining the Sign thereon. Subject to the parties' rights to terminate this Sign Lease, the term of this Sign Lease shall be one year from the Effective Date.
- 1.2 Beginning on the Effective Date, Lessee shall pay to Lessor the sum of \$100.00 per month during the term of this Sign Lease. Payments shall be due on the first day of each month. Should Lessee fail to make payment within sixty days of the due date, Lessor reserves the right to remove the sign.

- 1.3 Beginning on the Effective Date, Lessee further agrees to keep the Property reasonably free from weeds and trash.

2. REPRESENTATIONS.

- 2.1 By Lessee. The Lessee covenants, warrants and represents to the Lessor that Lessee will obtain all necessary approvals and permits for the Sign and will ensure that the Sign complies with all laws and ordinances, including the Town of Camp Verde Sign Code and the Town of Camp Verde Lighting Regulations.
- 2.2 By Each Party. The parties contemplate that the sign will advertise the business of the Lessee and will be approximately 4 feet by 8 feet in size but, in no event, larger than 8 feet by 8 feet in size.

3. ADDITIONAL AGREEMENTS

- 3.1 Further Assurances. Each party shall execute and deliver such additional instruments and other documents and shall take such further actions as may be necessary or appropriate to effectuate, carry out and comply with all of the terms of this Agreement and the transactions contemplated hereby. Said documents include, but are not limited to, the owner consent letter attached hereto as exhibit 1.
- 3.2 Indemnification. The Lessee agrees to indemnify the Lessor from and against any costs, claims or damages arising out of the Sign being placed and/or maintained on the Property.
- 3.3 Termination. Each of the parties agree that this Sign Lease may be terminated at any time upon giving 60 days written notice to the other party.

4. GENERAL PROVISIONS

- 4.1 Notices. All notices, requests, demands, claims, and other communications hereunder shall be in writing and shall be deemed given if delivered by U.S. mail (first class postage pre-paid to the following addresses (or to such other addresses which such party shall designate in writing to the other party):

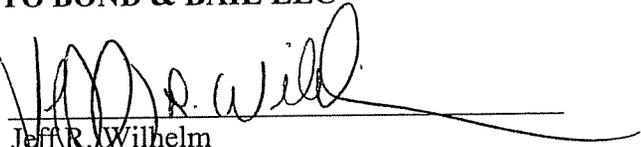
If to the Lessor to:
Leslie J. Friedlander
8615 Silver Ridge Road
Austin, Texas, 78759

If to the Lessee:
Otto Bond & Bail LLC
923 E. Gurley Street, Suite 204
Prescott, Arizona 86301

- 4.2 Expenses. Except as otherwise provided herein and with the exception of attorneys fees, the Lessee agrees to pay for all fees and expenses incurred in connection with this Agreement or any transaction contemplated hereby.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed and delivered as of the day and year first above written.

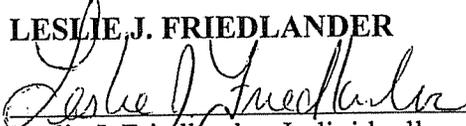
OTTO BOND & BAIL LLC

By: 

Jeff R. Wilhelm

Its: Member

LESLIE J. FRIEDLANDER


Leslie J. Friedlander, Individually

Affidavit

I Jeff Wilhelm owner of parcel 403-25-023 have notified my neighbors within 300' of my residence, by sending letters on 08/21/2009 to notify them of the neighborhood meeting that I conducted on the 8th day of September 2009.

I posted my property with meeting date and time on the 25th day of August 2009.

I Jeff Wilhelm owner of parcel 403-25-023 have provided a summary of Neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde within 15 days attesting to the issues and concerns discussed at the Neighborhood Meeting held on the 8th day of September 2009.

Summary

Statement: NO-ONE other than me showed up for the meeting

If Summary statement is too long, attach a copy.

State of Arizona }

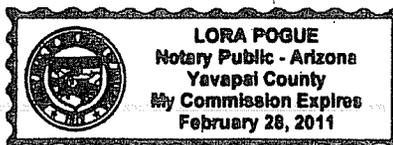
County of Yavapai }

Jeff Wilhelm
Signature of Document Signer No. 1

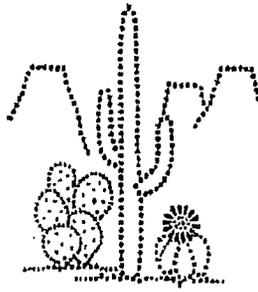
Jeff Wilhelm
Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 10th day of September 2009.

Lora Pogue
Signature of Notary



OPPOSED



Verde Valley Companies
9393 North 90th Street
PMB #259
Scottsdale, AZ 85258

09-10-00000001-0000

September 3, 2009

Town of Camp Verde
ATTENTION: JENNA PAULSEN
Planning and Zoning
473 S. Main Street, Suite 102
Camp Verde, AZ 86322

Jenna,

As Owners of several pieces of property located within the 260 Corridor, we would like to bring your attention to the attached letter we received August 21st from Otto Bond & Bail, LLC. We are opposed to the idea of allowing a use permit from the Town to allow this proposed off-premise sign on Lot 23 of the Verde Valley Business Park for one or more of the following reasons:

- According to the P&Z Sign Ordinance revised 1-16-09, Section 118 page 4, "Off-premise sign" means a sign advertising a business, place, activity, goods, services, products, **which direct persons to a different location** from where the sign is located. We understand this sign will only have John Otto Bail Bond Agency's name and phone number. He states his sign will advertise a bail bond agency, not direct anyone to the business location.
- Sign Ordinance, Section 118, page 24 under XIV. OFF PREMISE SIGNS, states "The sign copy for the off-premise sign shall be limited to identifying the business benefiting from the off-premise sign and directions to locate that business or facility."
- Verde Valley Business Park includes 23 lots. If this one Bail Bond agency is allowed to erect such a sign on one lot, this will set precedence, and lot owners will begin to collect space rent and any business could advertise here.
- John Otto Bail Bond Agency is not a land owner and has no plan to erect a building or business.
- Allowing a business to just advertise and never plan to open business within the Business Park affects the Town of Camp Verde's revenue.
- John Otto Bail Bond Agency's current website and advertising list a phone number only for Camp Verde and Prescott. The physical address is located in Flagstaff. They currently seek business through a phone number only and commute from Flagstaff.

Please consider all the factors involved with allowing a business that is physically located outside of the area to advertise within the Verde Valley Business Park.

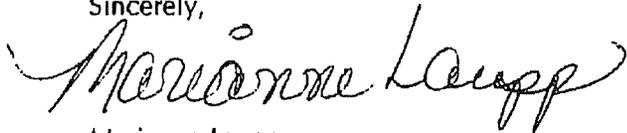
We have had several other Bond Agencies approach us and other lot owners regarding purchasing and building an office on lots within the Business Park and also within our 27+ acres at the SR260 & Cherry Road intersection. Allowing John Otto Bail Bond Agency's sign request would give unfair advantage to businesses from outside Camp Verde.

As property owners, we have also been approached by business owners that want to post a sign on our corner parcel at SR260 and Cherry Road without purchasing property to advertise their business. We have declined these requests to protect the business owners that relocate their business to the area.

Let's work together to ensure the 260 Corridor does not become a "billboard junction". It seems like this John Otto Bail Bond Agency's sign is more like a billboard advertisement, than an off-premise sign directing someone to a business location.

If you have any questions or need additional information, please contact me at (480) 505-2980.

Sincerely,

A handwritten signature in cursive script that reads "Marianne Laupp". The signature is written in black ink and is positioned to the left of the typed name.

Marianne Laupp
CFO
Verde Valley Companies

Otto Bond & Bail, LLC

SPEEDY RELEASE BAIL BONDS • JOHN OTTO BAIL BONDS

Jeff R. Wilhelm
928-445-6466
Jeff@SpeedyReleaseBail.com

August 21, 2009

Verde Valley Prof. Center Partners LLC
9393 N. 90th Street, PMB 259
Scottsdale, AZ 85258

Re: Lot 23 of Verde Valley Business Park
2931 Commonwealth Drive, Camp Verde, AZ

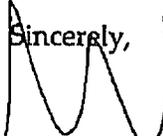
Dear Sir or Madam:

As a requirement to obtaining a use permit from the Town of Camp Verde for a proposed off-premise sign at the above-referenced property, I am writing to give you notice that I will be holding a neighborhood meeting with any and all owners of real property located within 300 feet of the referenced property. The proposed sign will be a 4'X8' one-sided pole sign mounted on two 4"x4" wood posts. The height of the sign will be 12' above grade and will be located on the Southeast corner of the property. ~~The sign will advertise a bail bond agency.~~

The following are the meeting details:

Meeting Location: Lot 23 of the Verde Valley Business Park
2931 Commonwealth Drive, Camp Verde, AZ
Date: September 8, 2009
Time: 9:00 a.m. Arizona Time

Sincerely,


Jeff R. Wilhelm, CBA, JD

cc Town of Camp Verde

Welcome to John Otto



Bail Bond Agency!

Proudly serving Central and Northern Arizona for many years. We can also arrange for bail if the defendant is located anywhere else in Arizona or the United States!

John Otto Bail Bonds

We understand how stressful it is having a family member or loved one in jail. Let one of our experienced agents guide you through this difficult process. Our professional, personal and confidential service will give you peace of mind during this stressful period and will ensure you of having your loved ones released as quickly as possible

Call us today, or stop by one of our conveniently located offices and we will be happy to discuss your situation.

Flagstaff	Prescott	Camp Verde
928-779-6380	928-772-8077	928-567-6961

John Otto Bail Bond Agency

Prescott:

Prescott, AZ. 86301
Phone 928-772-8077

Flagstaff:

602 E. Butler Ave.
Flagstaff AZ. 86004
Phone 928-779-6380

Camp Verde/Cottonwood/Sedona
928-567-6961

"Monument sign" means a sign which is mounted on a base at ground level.

"Mural" means a drawing or painting affixed either directly or indirectly on a building or land which depicts a scene or picture. Such picture or drawing shall not be for the primary purpose of conveying information which identifies or advertises a product, place, activity, person, institution, or business. A mural may contain a sign so long as the primary function or purpose of the mural is not a sign. Any portion of a mural that is a sign is subject to the requirements of this Ordinance for that portion only. A mural is subject to the permitting procedures.

"Nameplate" means a non-electric sign identifying only the name and/or address of the occupants of the residence on which the sign is located.

"Nonconforming sign" means any sign which is not allowed under this Code but which, when first constructed, was lawful.

Sign, Number of Faces on:

One: If a sign has copy on one side only or if the interior angle between the two sign faces or sides is greater than forty-five (45) degrees, it shall be considered one face; the area will be considered to be the sum of the areas of both sides.

Two: If the angle between the two sign faces is forty-five (45) degrees OR LESS, the sign shall be considered double faced, the sign area will be the area of one face only. If two sign faces are attached to a structure with a thickness exceeding thirty-six (36) inches or the two faces are separated by a distance exceeding thirty-six (36) inches, then the sign area will be the area of both faces.

Multi-faced: Any sign containing more than two sides. The area shall be the area of the largest side plus the area of any other side whose interior angle with any other side exceeds forty-five (45) degrees.

"~~Off-premise sign~~" means a sign advertising a business, place, activity, goods, services, products, which directs persons to a different location from where the sign is located.

cannot be considered →

"On-premise sign" means any sign identifying or advertising a business, person, activity, goods, products, or services located on the premises where the sign is installed.

"Parapet" or "parapet wall" means the extension of a false front or wall above a roofline.

"Pennant" means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

H. Temporary Sign: any temporary sign located in the Town right of way or located on a utility pole will be considered an illegal sign and may be removed by the Town without notice.

1. Penalty: Violations may be enforced under Section 102.B.

XIV OFF PREMISES SIGNS

A. It is unlawful for any person to erect, add to, alter, repaint to change the copy, or change the panels of any off-premise sign on property owned or occupied by him to be erected, added to, altered or repainted prior to obtaining a conditional use permit from the Planning and Zoning Department and the Town Council. In addition to all procedural requirements specified in this chapter, a conditional use permit shall not be issued unless all of the following requirements are met:

1. Written permission is obtained by the applicant from the property owner of the desired off-premises sign location, prior to submittal of an application for a conditional use permit.
2. The design of the sign shall be of an aesthetically pleasing quality. Drawings and a site plan shall be submitted during the conditional use permit process which accurately describes the sign proposed in terms of its design, materials, and location.
3. The sign copy for the off-premise sign shall be limited to identifying the business or facility benefiting from the off-premise sign and directions to locate that business or facility.
4. Total allowable signage for any one property shall not be exceeded by the installation of the off-premise sign.

B. All off-premise signs are subject to the following restrictions:

1. The maximum permitted area for an off-premise sign shall be sixty-four square feet per sign face.
2. The maximum height of any portion of a free standing sign structure shall be fifteen feet above grade.
3. The maximum height of any portion of a monument sign structure shall be five feet.
4. The sign shall be setback a minimum of five feet as measured from the property line to the sign structure supporting the sign, provided no portion of the sign projects over any portion of the public right-of-way.
5. A use permit shall be granted for a maximum of three (3) years.

- C.** It is unlawful for any person to erect or place any off-premise sign or for any person to allow any off-premise sign to remain on property owned or occupied by him, which does not conform to the restrictions stated in this section, except those which are deemed non-conforming signs per this ordinance.

XV PERMITS

- A.** New signs exceeding twelve (12) square feet in area or exceeding eight (8) feet in height shall require a permit.
- B.** It is unlawful for any person to erect, add to, alter, repaint so that the copy is changed, or to change the panels on any sign, or for any person to allow any sign on property owned or occupied by him to be erected, added to, altered or repainted so that the copy is changed, prior to obtaining a sign permit, and an electrical permit if necessary, from the Planning & Zoning Director excepted as exempt below. The Planning & Zoning Director may require the submittal of plans or other pertinent information where in his opinion such information is necessary to insure compliance with this code.
- C.** The following signs shall not require a permit:
1. Official notices authorized by a court, or public body, or public safety official.
 2. Directional, warning or informational signs authorized by or consistent with Federal, State, County, or Municipal Authority.
 3. Memorial plaques and building cornerstones when cut or carved into masonry surface or when made of noncombustible material and made an integral part of the building or structure.
 4. Commemorative symbols, plaques and historical tablets.
 5. Temporary signs authorized by this ordinance.
 6. Name plate signs authorized by this ordinance.
 7. Window signs authorized by this ordinance.
- D.** Sign Permit Applications
1. Each application for a sign permit shall be made at the Camp Verde Town Planning and Zoning Office on the appropriate form(s) and shall contain at minimum, the following information:
 - (a) Assessor's parcel number identifying the property.

Becky Oium

From: "SOUND INVESTMENTS" <soundinvestments1@msn.com>
To: <jpaulsen@cvaz.org>
Cc: "soundinvestments1" <soundinvestments1@msn.com>; <boium@cvaz.org>
Sent: Thursday, October 01, 2009 4:26 PM
Subject: Proposal for Off-Premise Sign on Lot 23, Verde Valley Business Park

October 1, 2009

Dear Jenna,

With regard to the request from Otto Bond & Bail, LLC to obtain a use permit for an off-premise sign on Lot 23 of Verde Valley Business Park, I would like to express my opposition to this request. An off-premise sign is typically placed in a high-visibility location such as this to notify people that there is a nearby business that is not visible from the main street. This helps potential customers learn that the business exists and find out where it is located. The business itself would generally be in the vicinity of the off-premise sign and would employ people and generate revenue for the Town of Camp Verde. In the present case the business does not have a location in Verde Valley Business Park or even in Camp Verde. The proposed sign will function as a billboard rather than an off-premise sign. While the sign may meet Camp Verde's physical sign requirements, it violates the spirit of what an off-premise sign is intended to do. While P&Z may feel it is not within their right to regulate the wording of an off-premise sign, they certainly have the right to make sure the wording conforms to the intent of the Sign Ordinance. If this use permit is approved and someone comes along that actually wants to put a bail bond agency in the Business Park, the new party may be discouraged from doing so if a sign directs people out of town to another agency.

Respectfully submitted,

Rick Rosenzweig
Rel Estate Broker
Sound Investments

IN FAVOR

September 21, 2009

09-24-09

Jenna Paulsen
Assistant Planner
Town of Camp Verde
473 S. Main Street
Camp Verde, AZ 86322

Re: UP 2009-03

Dear Council,

My wife and I own two parcels in the Verde Valley Business Park directly across from the subject parcel owned by Ms. Leslie Friedlander. We are in support of the applicants request for a Use Permit for an off-premise sign at this location. It is an ideal location for the applicants sign and appropriate for his business purposes. We do not see any negative issues with this request.

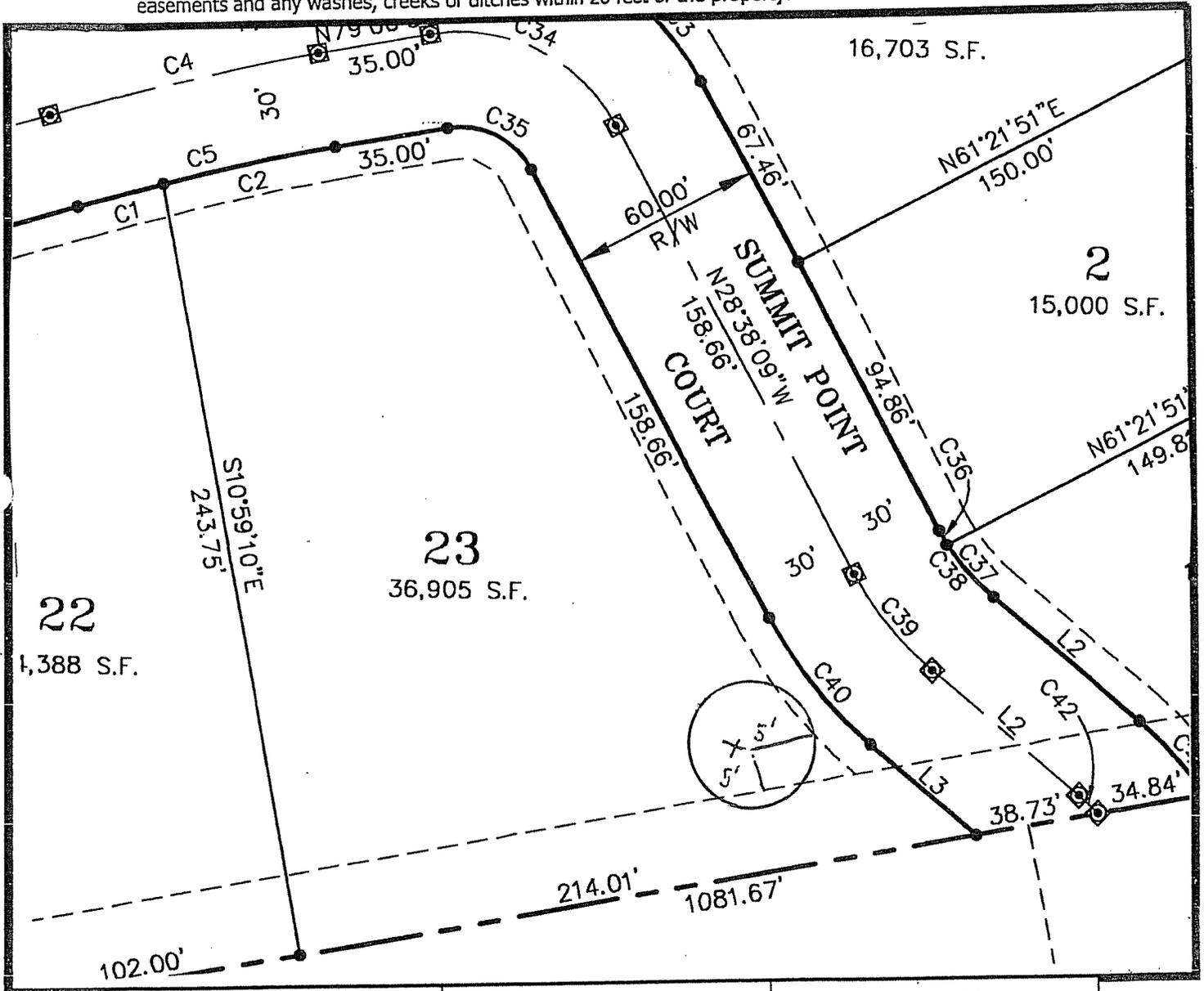
Thank you.



Bruce Tobias
111 Blue Jay Drive
Sedona, AZ 86336

**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
PLOT PLAN SKETCH**

Show lot/parcel lines and dimensions, adjacent streets and alleys, front of property, driveway, location of all proposed and existing buildings including dimensions, all building setbacks and distances between buildings, location of septic tank and leach lines, locations of incoming water yard lines and meter, electric yard line and meter, gas lines and tanks, any terrain features that affect placements, location and dimensions of easements and any washes, creeks or ditches within 20 feet of the property.



PERMIT #	ASSESSOR'S PARCEL #	ADDRESS
	403-25-023	2931 Commonwealth Drive

I/we certify that the proposed construction will conform to the dimensions and uses shown and that no changes will be made without first obtaining approval. All structures (including fences, walls and pads, correct setback distances, legal access and easements, cuts, fills, drainage and any water course on or adjacent to the property within 20 feet of any proposed or existing structure has been indicated.



INDICATE NORTH

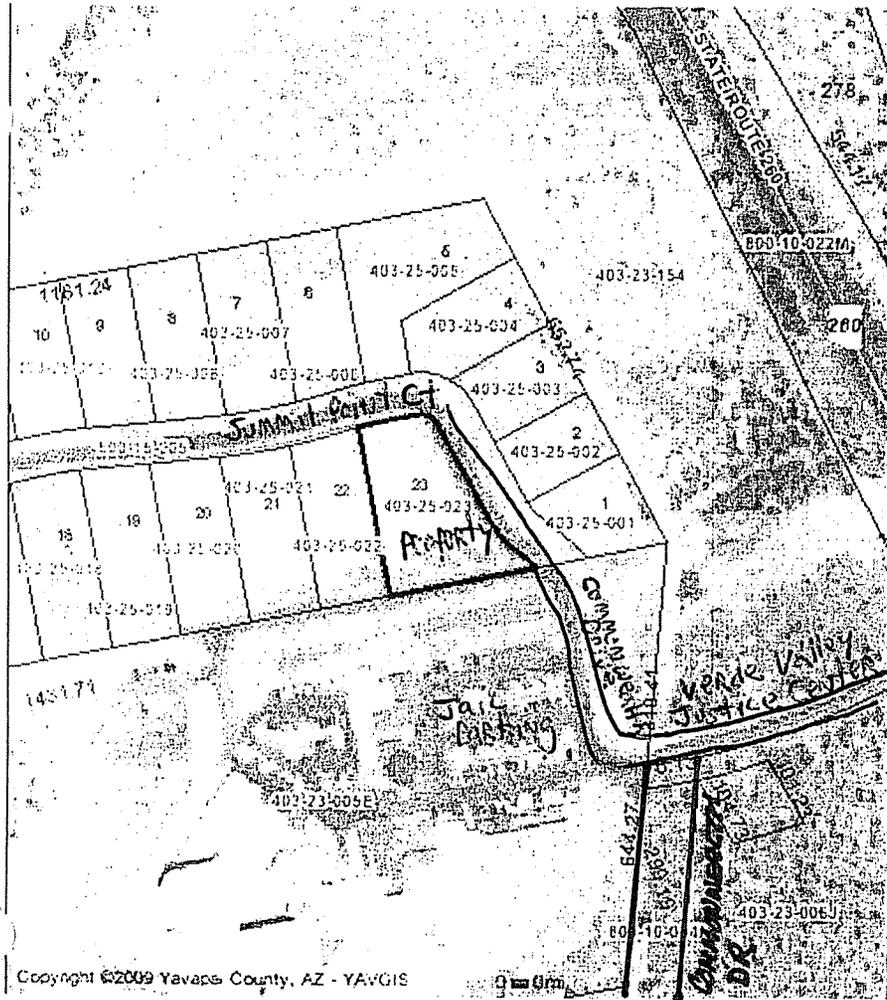
Scale: 1" = 47.5'

Approved By: _____

Signature of Owner or Authorized Representative: *[Handwritten Signature]*

Date: _____

Date: 8/21/09



Property location map

96 in

John Otto BAIL BONDS^{L.L.C.} (928) 567-5657

923 E. Gurley Street
Prescott, Arizona

◆ 602 E. Butler Ave.
Flagstaff, Arizona

I. **USE-PERMITS:**

1. **Purpose:** Use Permits (**UP**) are provided to ensure the orderly use of land in conformance with the General Plan and applicable Town standards where uses are proposed that may require special limitations or conditions to provide compatibility with other uses.
2. **Uses Permitted:** Any use permitted under the specific terms of the UP and noted as (UP) in Section 109.
3. **Special Provisions:**
 - a. The procedure to obtain a use permit shall be that procedure set forth in Section 113 A & B of this ordinance,
 - b. Use Permits will be granted only upon a finding by the council that the use covered by the permit, the manner of its conduct, and any structure which is involved, will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in conformity to any conditions, requirements, or standards prescribed by the Town Code or Council.
 - c. Use Permits may contain specific limitations on the scope, nature and duration of the use, as deemed proper in accordance with the following criteria:
 - (1) Any significant increase in vehicular or pedestrian traffic;
 - (2) Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - (3) Contribution to the deterioration of the neighborhood or to the downgrading of property values which, is in conflict with goals, objectives or policies of the General Plan;
 - (4) Compatibility with existing surrounding structures and uses; and
 - (5) Adequate control of disruptive behavior both inside or outside the premises, which may create a nuisance to the surrounding area or general public.
 - d. The burden of proof for satisfying the above requirements shall rest with the applicant. A refusal of a use permit shall not be interpreted as the denial of right, conditional or otherwise.
 - e. To secure the objectives of this Ordinance, use permits may be for a fixed time period, and a use permit does not grant a vested right beyond the term of the permit. Where an application involves a definite development scheme, the applicant must submit a layout and landscape plan, building elevations and other pertinent data as may be requested, and

the council may condition the Use Permit to fully carry out the provisions and intent of the Ordinance.

- f.** The Permittee must obtain building permits within six month from the date the use permit was issued. Failure to obtain a building permit or begin the use shall void the permit unless a delay to start the construction has been granted or an extension has been applied for with the Community Development Director prior to the expiration of the six-month period. Additional extensions must go to Council.
- g.** Violation of the terms of the Use Permit or this Ordinance voids the Use Permit.
- h.** If the use or uses for which a Use Permit has been granted are discontinued for a continuous period of six months, the Use Permit is voided.
- i.** Decisions by the Community Development Director which result in the voiding of the Use Permit may be appealed to the Town Council, subject to an application for appeal being on file in the Community Development Department within thirty (30) days of notification of the Use Permit being voided.
- j.** Within thirty (30) days of any change, permittees shall notify the Community Development Department of any changes.
- K.** The Use Permit is valid and operable only for the specific use as granted and subject to any specified time limit. No use may be modified, changed, altered or increased in intensity, in any manner that conflicts with the Use Permit and/or required conditions of approval, without approval of a new Use Permit.

assessment, as so modified may be recorded in the office of the county recorder. The recorded assessment shall be a lien on the described property and shall be in effect from the date of its recording until paid. Such liens shall be subject and inferior to the lien for general taxes and to all prior recorded mortgages and encumbrances of record.

2. A sale of the property to satisfy a lien obtained under the provisions of this section shall be made upon judgment of foreclosure or order of sale.
 3. The Town shall have the right to bring an action to enforce the lien in the superior court at any time after the recording of the assessment, but failure to enforce the lien by such action shall not affect its validity.
 4. The recorded assessment shall be prima facie evidence of the truth of all matters recited therein and of the regularity of all proceedings prior to the recording thereof.
 5. A prior assessment for the purposes provided in this section shall not be a bar to a subsequent assessment or assessments for such purposes, and any number of liens on the same lot or tract of land may be enforced in the same action.
- G. Prosecution for Failure to Remove. Nothing in this section shall prevent any person from being cited for an ordinance violation in the Town's magistrate court.
- H. Temporary Sign: any temporary sign located in the Town right of way or located on a utility pole will be considered an illegal sign and may be removed by the Town without notice.
1. Penalty: Violations may be enforced under Section 102.B.

XIV OFF PREMISES SIGNS

- A. It is unlawful for any person to erect, add to, alter, repaint to change the copy, or change the panels of any off-premise sign on property owned or occupied by him to be erected, added to, altered or repainted prior to obtaining a conditional use permit from the Planning and Zoning Department and the Town Council. In addition to all procedural requirements specified in this chapter, a conditional use permit shall not be issued unless all of the following requirements are met:
1. Written permission is obtained by the applicant from the property owner of the desired off-premises sign location, prior to submittal of an application for a conditional use permit.
 2. The design of the sign shall be of an aesthetically pleasing quality. Drawings and a site plan shall be submitted during the conditional

use permit process which accurately describes the sign proposed in terms of its design, materials, and location.

3. The sign copy for the off-premise sign shall be limited to identifying the business or facility benefiting from the off-premise sign and directions to locate that business or facility.
4. Total allowable signage for any one property shall not be exceeded by the installation of the off-premise sign.

B. All off-premise signs are subject to the following restrictions:

1. The maximum permitted area for an off-premise sign shall be sixty-four square feet per sign face.
2. The maximum height of any portion of a free standing sign structure shall be fifteen feet above grade.
3. The maximum height of any portion of a monument sign structure shall be five feet.
4. The sign shall be setback a minimum of five feet as measured from the property line to the sign structure supporting the sign, provided no portion of the sign projects over any portion of the public right-of-way.
5. A use permit shall be granted for a maximum of three (3) years.

C. It is unlawful for any person to erect or place any off-premise sign or for any person to allow any off-premise sign to remain on property owned or occupied by him, which does not conform to the restrictions stated in this section, except those which are deemed non-conforming signs per this ordinance.

XV PERMITS

A. New signs exceeding twelve (12) square feet in area or exceeding eight (8) feet in height shall require a permit.

B. It is unlawful for any person to erect, add to, alter, repaint so that the copy is changed, or to change the panels on any sign, or for any person to allow any sign on property owned or occupied by him to be erected, added to, altered or repainted so that the copy is changed, prior to obtaining a sign permit, and an electrical permit if necessary, from the Planning & Zoning Director excepted as exempt below. The Planning & Zoning Director may require the submittal of plans or other pertinent information where in his opinion such information is necessary to insure compliance with this code.

C. The following signs shall not require a permit:

**MINUTES
SPECIAL SESSION
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE COUNCIL CHAMBERS
THURSDAY OCTOBER 1, 2009
6:30 PM**

Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Commission motions to facilitate future research.
Public input, where appropriate, is heard prior to the motion

1. Call to Order

The meeting was called to order at 6:30 p.m.

2. Roll Call

Chairperson Butner, Commissioners Hough, Buchanan, and Norton were present; Vice Chairperson Hisrich, Commissioners Freeman and Parrish were absent.

Also Present: Acting Community Development Director Mike Jenkins, Asst. Planner Jenna Paulsen, and Recording Secretary Margaret Harper.

3. Pledge of Allegiance

The Pledge was led by Hough.

4. Consent Agenda - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.

a. Approval of Minutes:

August 27, 2009 Special Session

b. Set Next Meeting, Date and Time:

November 5, 2009 – Regular Session

On a motion by Buchanan, seconded by Norton, the Consent Agenda was unanimously approved as presented.

Commissioner Hough questioned whether he and Norton could vote on approval of the Minutes of August 27th since they were not yet seated on the Commission; Asst. Planner Paulsen explained that based on advice from the Town Attorney they could now vote after being briefed by those who had been in attendance.

5. Call to the Public for Items not on the Agenda

There was no public input.

6. Public Hearing, Discussion, Presentation and possible recommendation to Council on a Use Permit 2009-03 for an Off Premise Sign that would be located on parcel 403-25-023 owned by Leslie Friedlander, as requested by Jeff Wilhelm owner, of Otto Bond & Bail, LLC. The property is located at 2931 Commonwealth Drive in the Verde Valley Business Park next to the Yavapai Co. Justice Facility. This Use Permit will allow for the advertising of the Otto Bond & Bail, LLC. offices located in Prescott & Flagstaff Arizona.

On a motion by Buchanan, seconded by Norton, the Commission voted unanimously to recommend that Council **deny the application** for a Use Permit 2009-03 for an Off Premise Sign that would be located on parcel 403-25-023 owned by Leslie Friedlander, as requested by Jeff Wilhelm owner, of Otto Bond & Bail, LLC; the property is located at 2931 Commonwealth Drive in the Verde

Valley Business Park next to the Yavapai Co. Justice Facility.

Staff Presentation

Asst. Planner Paulsen reviewed the request from the applicant for the off-premise sign to be located in the Verde Valley Business Park on a parcel owned by Ms. Leslie Friedlander with her permission. The purpose of the sign is to indicate a local phone number for the applicant's bond & bail business and the location of two offices, one in Prescott and the other in Flagstaff. There are no other off-premise signs in the area. The conditions required by Code for granting of a use permit have been met by the applicant. Two letters in opposition and one letter in favor have been received in response to the notices sent to property owners within 300 feet of the property. One of the letters in opposition is from the Verde Valley Companies who are owners of several of the properties within the Business Park, and their objections stated therein include, in summary, the possibility of a precedent being set that would result in a proliferation of other off-premise signs in the Business Park, the concern that the applicant has no plans to erect an office or business, and that the sign would give unfair advantage to businesses from outside Camp Verde. The Town Engineer and the Town Building Department each had no comment.

PUBLIC HEARING OPEN

Applicant's Statement

Jeff Wilhelm, said this was the first he had heard of any opposition to the proposed sign, and noted that there were no representatives from the Verde Valley Companies in attendance. Mr. Wilhelm said that although he feels their objection is to the fact that he does not plan yet to establish an office because of the current economy, the proposed sign would be the first step in attempting to develop his service in the area. Because of the recent decision to consolidate the Prescott and Camp Verde justice facilities at the one location here in Camp Verde, Mr. Wilhelm said he believes he would be providing a decent and convenient service in this area to help many of the families of those who might require a bond & bail service. The Commission discussed with Mr. Wilhelm the physical job of a bail bondsman including interaction with the courts. During the discussion there was concern expressed regarding the possibility of opening the door to allowing an unsightly amount of billboard signs that could discourage development of the Business Park. Mr. Wilhelm confirmed that he does not own property in Camp Verde on which to build an office. It was noted that the proposed 4'x8' sign displayed a Camp Verde phone number, but only indicated physical addresses in Prescott and Flagstaff.

COMMENT FROM OTHER PERSONS

There were no comments from other persons.

APPLICANT'S REBUTTAL

There was no rebuttal necessary.

PUBLIC HEARING CLOSED

Board Discussion

Commissioner Hough outlined his involvement in the development of what is basically the current sign code allowing off-premises signs; he said that since the applicant has taken the necessary steps to go through the system and has met the criteria, he believes it would be appropriate to allow the requested sign; he is not particularly in favor of it, but is in sympathy with the effort to operate a small business. Discussing the application further, the members generally expressed concerns similar to those listed by the Business Park property owners regarding

the possibility of more billboard-type signs, effect on property values and on future development. Jenkins briefly reviewed the intent of Use Permits that included the provision that a specific duration of time could be determined and made a part of the approval, as well as the need to consider contributions to the deterioration of a neighborhood or downgrading of property values which is in conflict with the General Plan goals, objectives and policy.

STAFF COMMENTS

There were no further staff comments.

FINDINGS

The basis for the motion for denial is that it would be considered injurious to the property values in the area, would tend to deter further development in the area, and would set an undesirable precedent.

7. Commission Informational Reports

There were no Commission Reports.

8. Staff Report - Discussion on Water Conservation meeting with Commissioner Freeman and Commissioner Buchanan will be scheduled.

Paulsen reported that because of the workload staff has not been able to devote time to this project, but hopes to be able to involve people as soon as possible, and she apologized for the delay. Butner said that the situation is understandable and that no apology was necessary. Paulsen also advised that there is nothing scheduled at this time for the November 5th meeting; she will let the members know whether or not it will be held.

9. Adjournment

On a motion by Hough, seconded by Norton, the meeting was adjourned at 7:21 p.m.

Joe Butner, Chairman

Planning & Zoning

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Special Session of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 1st day of October 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, _____.

Margaret Harper, Recording Secretary