

**MINUTES**  
**Special Session**  
**BOARD OF ADJUSTMENTS AND APPEALS**  
**TOWN OF CAMP VERDE**  
**TUESDAY, May 19, 2009**  
**COUNCIL CHAMBERS**  
**3:00 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.  
Public input is placed after Board 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 3:00 p.m.
  
- 2. Roll Call**  
Chairperson Roddan, Vice Chairperson Hoover, Board Members Bullard and Reddell were present; Board Members Stevens and McDonald were absent; there is currently one seat vacant.  
  
**Also Present:** Community Development Director Nancy Buckel, Administrative Assistant Jenna Paulsen, and Recording Secretary Margaret Harper.
  
- 3. Pledge of Allegiance**  
The Pledge was led by Hoover.
  
- 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 the Board so requests.
  - a. Approval of Minutes**  
October 14, 2008 – regular session
  - b. Set Next Meeting, Date and Time**  
As neededOn a motion by Bullard, seconded by Hoover, the Consent Agenda was unanimously approved as presented.
  
- 5. Call to the Public for items not on the Agenda**  
There was no public input.
  
- 6. Public hearing, Discussion and Possible approval of BOA 2009-01: A Blanket Variance request by Mr. Bill Carter, the merchant group representative, for the businesses currently using A-Frame signs to continue for a period of time not to exceed two years.**  
On a motion by Bullard, seconded by Hoover, the Board voted unanimously as follows: To approve the request for a blanket variance from the Merchant Group as listed on the document, including Sweet Grace, listed in the Staff Report, to allow continued use of A-Frame signage placed in the Town's right-of-way; the business owners will be required to provide indemnity agreements, proof of additional insurance, and meet all other criteria spelled out in the Town Code Section 118, and Ordinance 2008-A354; this variance is granted only for a period of no more than two (2) years from this date for the participation of this Merchant

Group in the text amendment process; this variance will expire either at the end of the two (2) years from this date, or when the amendment process is complete, whichever occurs first.

## **STAFF PRESENTATION**

Community Development Director Buckel reviewed the history of the actions of the Council and the Planning and Zoning Commission working on amendments to address special circumstances that are currently in place along Main Street for use of A-Frame signs that had been originally allowed during the recent improvement activities by ADOT. The applicant represents a group of merchants who have come forward to request a blanket variance to allow for the use of A-Frame signs to advertise their businesses as they have been doing until such time as they are able to participate in an amendment process that will more fairly address their needs for advertising. Buckel explained that the merchants had failed to participate in the prior amendment proceedings, but are now requesting the opportunity to participate. Buckel said she has discussed with the Town Attorney the option of granting a blanket variance for the group of merchants indicated in the application for the use of A-Frame signs until the Code is amended. The Council has agreed to allow the merchants to apply and go through this variance process. Buckel indicated that staff has provided copies of the map showing the locations of the merchants and requested signs, and also pointed out that the list of participating merchants should have also included Arizona Central Realty. One letter of opposition has been received. Copies of the current sign ordinance amendment have also been provided; Council has directed that all enforcement dealing with A-Frame signs is to be held in abeyance pending resolution of this application. Once determination has been made, enforcement measures will begin as to all the merchants who are not included in the application.

## **PUBLIC HEARING OPEN**

### **Applicant's Statement**

**Bill Carter** said that the A-Frame project is very important to the merchants during these current difficult economic times; most of the businesses along Main Street and in particular off of Main Street are having a hard time just surviving right now, and the A-Frame signs are necessary to let people know the business locations and special sales events. Mr. Carter explained that only the merchants who have already been using A-Frame signs would meet the criteria to be able to participate in the application for the blanket variance. He also outlined the history of the ownership of another business that had not been included on the list, and after discussion of the circumstances it was suggested that Sweet Grace should also be listed as one of the participants.

## **COMMENT FROM OTHER PERSONS**

There were no comments from other persons.

## **APPLICANT'S REBUTTAL**

No applicant's rebuttal was necessary.

## **PUBLIC HEARING CLOSED**

### **Board Discussion**

Staff advised the Board that if this variance is approved those participating businesses will also have to meet certain criteria; that is, each sign is to be no

more than 2 ft. by 3 ft, with only one sign per business; a \$50 fee for the administrative design review; and provide additional insurance naming the Town of Camp Verde as additional insured. Buckel confirmed that the \$620 blanket variance fee has been paid by the group, and that no flags or attachments to the signs will be allowed.

The members briefly discussed with Buckel the existing code section and the ordinance that also applies in connection with allowing A-Frame signs for the businesses on Main Street and precluding those businesses off of Main Street. Buckel described how none of the business that came forward to apply for the blanket variance, with the exception of the Firefly Boutique and Treasure Box, fit the criteria for allowing A-Frame signs under the existing regulations. There was also concern expressed that granting the variance might be setting a precedent; Buckel said that the Town Attorney has opined that this variance could be granted because of the existing special circumstances, and that the verbiage in the Code could be refined to incorporate more businesses being allowed to use the signage, making the language more fair to all. Buckel added that new businesses would not be eligible to request a variance, and that was made clear by the Council as well. A question arose as to whether the granting of a variance would remain with the property in the event a business changed ownership; Buckel suggested that the Town Attorney could be consulted on that issue. During the discussion it was also confirmed that Sweet Grace should be included on the list of businesses.

#### **FINDINGS OF FACT**

The decision to approve the application is based on fairness to the merchant community, and to provide a window of opportunity for the merchants to participate in the generation of revised Town Codes and give them some breathing room in the interim; furthermore, the decision to approve is based on the following findings: Special limitations for adequate signage exist along Main Street because of the proximity to the Town right-of-way, the limited exposure to customer traffic for businesses located off Main Street and the lack of participation by the merchants during the amendment process to text amendments that directly affected business.

#### **7. Staff Report**

Paulsen said she would let the members know well in advance when a meeting is next scheduled.

#### **8. Board Informational Reports:**

**Reddell** reported that C. A. McDonald is seriously ill in the hospital.

**Roddan** reminded anyone interested that there is a vacant seat on the Board.

#### **9. Adjournment**

On a motion by Hoover, seconded by Bullard, the meeting was adjourned at 3:39 p.m.

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Planning & Zoning Division

**CERTIFICATION**

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Board of Adjustments and Appeals of the Town of Camp Verde during the Special Session held on the 19<sup>th</sup> day of May 2008. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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Margaret Harper, Recording Secretary