

**MINUTES
SPECIAL SESSION
BOARD OF ADJUSTMENTS AND APPEALS
TOWN OF CAMP VERDE
TUESDAY, JUNE 23, 2009
3:00 PM
COUNCIL CHAMBERS**

**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 Sr., Stevens, Reddell and Bullard Jr. were present; McDonald was on medical leave. Chairperson Roddan welcomed Jim Bullard, Jr., as a new member to the Board.

Also Present: Sr. Planner Mike Jenkins, Asst. Planner 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**
May 19, 2009 – Special session
 - b. Set Next Meeting, Date and Time**
As neededOn a motion by Hoover, seconded by Reddell, 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 or denial of BOA 2009-02: An Application submitted by Gary Palmer agent for, Dorothy Carter, owner of parcel 404-18-158S, for a variance from the required front setback of 50 ft. as required in zoning district R1L-70, to the existing front setback of 42.9 ft. The total approximate acreage is 1.66 acres and is located at 1962 Montezuma Heights.**
On a motion by Hoover, seconded by Reddell, the Board unanimously approved BOA 2009-02, an application for a variance from the required front yard setback for Parcel 404-18-158S from 50 ft. to 42.9 ft., based on special circumstances that apply to this particular piece of property, the topography and the way the house is laid out.

STAFF PRESENTATION

Asst. Planner Paulsen reviewed the original permitting of the home in December of 1995 by a prior owner. The site plan indicates that the building was restricted in its location because of the topography; it is unclear why the original permit was issued by the Town with the residence not meeting the required front setback. In May 2009, Gary Palmer, contractor for the current owner, submitted a building permit application for a bedroom addition to the existing residence. A discrepancy to the front yard setback was identified, and after further review, Palmer was advised to have a survey performed to have the actual front setback determined. That survey showed the 42.9 feet actual front yard setback, which made the house structure a non-conforming structure, and a variance would be required to proceed with the bedroom addition. The five agencies contacted have all indicated no objections or comments.

Staff is recommending approval of this variance based on the topographic hardship as evidenced by the original site plan submitted in 1995, a site visit by staff and photographs provided by the applicant.

PUBLIC HEARING OPEN

Applicant's Statement

Gary Palmer, agent for Dorothy Carter, said that the setback to the garage is 42.9 feet; the rest of the house is back. Palmer explained that the owner does want to add a small bedroom, and is concerned that if she would ever sell the house, the articles of disclosure regarding being a non-conforming structure would cause a problem, and she decided to have the survey regardless.

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

The Board briefly discussed the issue, commenting that perhaps the road right-of-way was unclear at the time of the original permitting in 1995, which might help explain the discrepancy. Staff confirmed that the bedroom addition would be in the back of the structure and would meet the setback requirements. Jenkins explained that by approval of the variance the property would become legal non-conforming, and there would be no problem with any future sale. Because the topographic hardship of the property fits the criteria for granting a variance, it should have been granted back in 1995. Jenkins also pointed out photographs showing the slope of the property in that area and the reason for situating the house where it is.

STAFF COMMENTS

There were no further staff comments.

7. Staff Report

Jenkins reported that as of last Wednesday Director Buckel submitted her letter of resignation to the Town Manager. She has been a dedicated individual to the Town of Camp Verde, has done an outstanding job, and will be sorely missed. The Town Manager is moving forward and looking to proceed with recruiting a replacement.

8. Board Informational Reports:

There were no informational reports.

9. Adjournment

On a motion by Bullard St., seconded by Stevenson the meeting was adjourned at 3:15 p.m.

Al Roddan, Chairperson

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 23rd day of June 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2010.

Margaret Harper, Recording Secretary