

**MINUTES
BOARD OF ADJUSTMENTS AND APPEALS
TOWN OF CAMP VERDE
TUESDAY, APRIL 13, 2010
COUNCIL CHAMBERS
3:00 PM**

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., with Vice Chairperson

2. Roll Call

Vice Chairperson Stevens, Board Members Bullard Sr., Bullard Jr., and Bonham were present; Chairperson Roddan and Board Member Reddell were absent; there is currently one seat vacant.

Also Present: Acting Community Development Director Mike Jenkins, Asst. Planner Jenna Owens, Permit Tech Becky Oium, and Recording Secretary Margaret Harper.

3. Pledge of Allegiance

The Pledge was led by Bonham.

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. Set Next Meeting, Date and Time

As Needed

b. Approval of Minutes

March 09, 2010 Regular Session

On a motion by Bullard, Sr., seconded by Bonham, 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 2010-01: An Application submitted by Michael Thomsen, owner of parcel 404-26-043B, for a variance from the required rear setback of 25 ft. as required in zoning district R1-10, to the existing rear setback of 12 ft. 6 inches and a variance from the side setback of 7 ft, as required in zoning district R1-10, to the existing side setback of 3 feet, to accommodate the proposed attachment of an existing accessory structure to the current residence to become a single residence. The total approximate acreage is .27 acres and is located at 562 S. 3rd St.

On a motion by Bullard, Jr., seconded by Bonham, the Board unanimously approved a Variance to allow for a rear yard setback of 12 feet 6 inches and a side yard setback of 3 feet for the existing accessory enclosed carport and laundry room to accommodate the conversion and attachment of said structure to become part of the main residence as a habitable space once all Building Code requirements for the Town of Camp Verde have been met; this Variance being for Parcel 404-26-043B.

STAFF PRESENTATION

Acting Community Development Director Jenkins reviewed in detail the problems encountered by the property owner in connection with seeking to add on to his existing structure. Staff found several issues that prevented a zoning clearance, including creation of the subject parcel by a splitting off from a parent parcel by previous owners. Jenkins explained that Mr. Thomsen asked staff what he could do to remedy the zoning

and building issues. Subsequent months of research by staff and the owner found that old County records and previous actions by the Town were in conflict, and that staff had no authority to overturn the Town ordinances at this time. The applicant was advised that the Board of Adjustments was the only body that could make a formal determination and provide the necessary Variance from the Ordinance. Based on the conflict between County and Town records, Mr. Thomsen requested that the fee for the hearing be waived; Council approved that request on March 17, 2010.

Mr. Thomsen's plan to connect the accessory structure to the existing residence and make it a single family residence requires variances to both the rear and side yard setbacks. Asst. Planner Owens gave a Power Point presentation to illustrate the existing structures and setbacks as well as the adjoining property on the side yard. Of the five agencies contacted, only the Camp Verde Building Inspector had any comment, noting that if the side yard setback is reduced to 3 feet, the adjoining parcel would need to maintain a 7-foot setback because of the required 10-foot fire separation, and all Building Code requirements will have to be met for the conversion of the accessory building into habitable space. No objections have been received from any area property owners.

APPLICANT'S STATEMENT

Michael Thomsen described his efforts to check out the status of the property and buildings prior to his purchase, and confirmed the subsequent problems encountered in the plan to connect the accessory building to the existing residence as outlined by staff. He added that he was very grateful for the patience and assistance he enjoyed from staff throughout all the research.

BOARD DISCUSSION

Following a brief discussion, with further input from staff, the Board made its determination based on specific findings, and took action accordingly.

FINDINGS

Because of the placement of the original structures on the property and the splitting off of the subject parcel from a parent parcel by previous owners, creating non-conforming structures, the current owner is limited in his ability to expand living spaces in a reasonable manner and enjoy the same rights as those within the same zoning district.

7. Staff Report

Owens urged everyone to invite anyone who might be interested in serving on the Board to contact her for an interest form; there is currently one vacant seat to be filled. Owens will plan to arrange for an update at the next meeting on the progress of the Code Rewrite. She will also notify the members of the next public meeting of the zoning rewrite committee.

8. Board Informational Reports:

There were no informational reports.

9. Adjournment

On a motion by Bullard, Sr., seconded by Bonham, the meeting was adjourned at 3:28 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 Regular Session held on the 13th day of April 2010. 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