

## MINUTES

### BOARD OF ADJUSTMENT HEARING

November 12, 2014

#### ATTENDANCE Board Members

##### ATTENDED

1. Bill Arendell
2. Glen Johnson
3. James Maloney (Via Telephone)

##### ABSENT

##### Staff Attendance

1. Bill Bess
2. Peggy Saunders
3. Kristyn Saunders

**Meeting** held at the Board of Supervisors' Chambers, 100 E. Code Talker's Drive, Holbrook, Arizona – Time: 10:00 A.M.

**Chairman Bill Arendell** called the meeting of the Navajo County Board of Adjustment to order at 10:19 a.m., and asked all present to stand for the Pledge of Allegiance.

**ITEM #1 CASE # 15-10 USE PERMIT V:** Discussion and possible Board action on a request by Mary F. Wilson for a Use Permit to place a primary dwelling and permanent guest quarters on a portion of APN: 212-04-166D, in Section 5, Township 9 North, Range 22 East, G&SRM, Navajo County, in the Show Low area.

**Mr. Bill Bess** presented the staff report to Members of the Board. The applicant would like to build a one bedroom 535 sq. ft. guest house before building the primary residence. This would allow them to live on the property while building the larger home. The septic system existing on the property was designed and installed with the proper capacity and location for both homes. Engineering, flood control and attorney's offices did not have issues or objections with the plans as submitted, as long as neither of the homes is used to generate income nor used as a rental unit. There were no comments received by Planning and Zoning in favor or against the project.

**Mr. Johnson** asked about how the access would be affected by the property, as it was unusual. **Mr. Bess** explained that the access to the property was a dead end, and that the entirety of the property was owned by the applicant, so the easement was not an issue. The commissioners had no further questions, so **Mr. Johnson** made a motion to approve the Use Permit with the

conditions stated by staff. The motion was seconded by **Mr. Maloney**. The item was approved with a vote of 3 to 0.

**ITEM #2 CASE # 15-16 USE PERMIT DISTRICT IV:** Discussion and possible Board action on a request by Vicki L. Hanan & Keith E. Ward for a Use Permit to allow a shop with a living area built in 1985, as permanent guest quarters on a portion of APN: 208-14-021, in Section 15, Township 11 North, Range 19 East, G&SRM, Navajo County, in the Show Low area.

**Mrs. Saunders** presented the staff report to Members of the Board. The applicants are in the process of selling the parcel, and discovered that the living area in the shop was issued a building permit in 1985, without going through the Board of Adjustment. Since the County issued the building permit with the living area clearly shown on the permit, the Use Permit today will correct the oversight in 1985, and grant the use of a guest house that existed before the primary residence was built. The two septic systems existing on the property were designed and installed with the proper capacity and location for each dwelling. Engineering, Flood Control and the County Attorney's offices did not have issues or objections with the plans as submitted, as long as neither of the homes is used to generate income nor used as a rental unit. There was one (1) comment received by Planning and Zoning in favor of the project. **Mr. Johnson** made a motion to approve the Use Permit with the conditions stated by staff. The motion was seconded by **Mr. Maloney**. The item was approved with a vote of 3 to 0.

**ITEM #3 CASE # 15-18 USE PERMIT DISTRICT III:** Discussion and possible Board action on a request by Ali Jaffar for a Use Permit to place a second guest dwelling on a portion of APN: 303-92-060B, in Section 14, Township 14 North, Range 22 East, G&SRM, Navajo County, in the Snowflake area.

**Mr. Bess** presented the staff report to Members of the Board. The applicant suffers from environmental illnesses that make him and his wife extremely sensitive to chemicals, pesticides, perfumes and environmental pollutants. He would like to build a small room with a bathroom approximately 200 sq. ft. (as caretakers quarters), to use as a backup, in addition to the existing primary residence. This would allow them to live on the property when environmental mishaps occur and do not allow them to stay in the main home. Engineering, Flood Control and the County Attorney's offices did not have issues or objections with the plans as submitted, as long as neither of the homes is used to generate income nor used as a rental unit. There was one comment received by Planning and Zoning in favor of the project. The Applicant's representative explained the reasons that they were applying for this Use Permit. **Mr. Johnson** asked if they were hooking into the main septic, representative said yes, they were. **Mr. Arendell** asked if the septic would be approved by the County, staff confirmed that yes, it would be inspected by the Building Department. With no further questions from the Board Members, **Mr. Maloney** made a motion to approve the Use Permit with the stipulations/ conditions stated by staff. The motion was seconded by **Mr. Johnson**. The item was approved with a vote of 3 to 0.

**ITEM #4 CASE # 15-19 USE PERMIT DISTRICT IV:** Discussion and possible Board action on a request by Hopefaith Assisted Living Corp. for a Use Permit to establish an Assisted Living

Center on a portion of APN: 409-25-003B, in Section 9, Township 10 North, Range 21 East, G&SRM, Navajo County, in the Linden area.

**Bill Bess** presented the staff report. The applicant would like to operate an Assisted Living Facility in the existing building most recently used by TLC Supported Living Services of Arizona as a day care center. The property is located just off Highway 260 on Full House Lane, and is across the street from Sequoia School. The existing building, existing parking lot and grounds occupy approximately 20% of the westerly portion of the 5 acre parcel. The existing building is 8,300+ square feet, and will be renovated to accommodate 20 assisted living clients in individual bedrooms. The applicant believes that the proposed use is not only compatible with the surrounding area which includes a Charter School but in all likelihood will be a quieter use than the previously approved use as a Day Care Facility. There were no comments received by Planning and Zoning in favor or against the project. **Glen Johnson** asked if this use would change the zoning, **Peggy Saunders** explained that it would not. Mr. Chuck Teetsel was present to speak on behalf of the applicant. The property is bank owned and the sale of the property is contingent on the approval of this use permit. **Glen Johnson** asked when the building was built; Chuck replied that it was built in 2003, as a daycare center. There were no sprinklers in the building, local fire department would determine if they are needed. **Glen Johnson** made motion to approve, **James Maloney** Seconded, approved with conditions stated in the Staff Report. Motion passed, 3 to 0.

**ITEM #5 – POSSIBLE APPROVAL OF MINUTES FROM THE BOARD OF ADJUSTMENT HEARING OF NOVEMBER 12, 2014:**

**Mr. Johnson** made a motion to approve the minutes as written. The motion was seconded by **Mr. Maloney**. The minutes were approved with a vote of 3 to 0.

**ITEM #6 – POSSIBLE APPROVAL OF THE 2015 MEETING SCHEDULE FOR THE BOARD OF ADJUSTMENT:**

**Mr. Johnson** made a motion to approve the schedule as written. The motion was seconded by **Mr. Maloney**. The schedule was approved with a vote of 3 to 0.

**ITEM #7 – ELECTION OF CHAIRMAN AND VICE CHAIRMAN OF THE 2015 BOARD OF ADJUSTMENT:**

**Glen Johnson** made a motion to keep the Chair Bill Arendell and Vice Chair James Malone for the Board of Adjustment the same; it was seconded by **James Maloney**, approved 3 - 0

**ITEM #7 – BOARD MEMBER’S comments and/or directions to staff.**

Board Members may use this time to offer additional comments regarding any item on this agenda, or any other topic; and the Board may direct staff to study or provide additional information on topics of the Boards’ choosing.

The Board reserves the right to change the order of any Agenda item. The Board reserves the right to adjourn into executive session when needed pursuant to ARS §38-431.03(A) (3) for legal consultation on the above-described agenda items.

**Bill Bess** announced the arrival of a new staff member, David Whittaker, who will be the new Director of Planning and Zoning; and he also announced the return of Ryan Taylor to Navajo County as our GIS/NCIS Manager.

There were no questions from the Board, so **Mr. Johnson** made a motion to adjourn the meeting. The motion was seconded by **Mr. Maloney**. The motion was approved with a vote of 3 to 0.

Meeting adjourned at 10:41 a.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Bill Arendell, Chairman  
Navajo County Board of Adjustment

ATTEST:

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Secretary, Navajo County Board of Adjustment