

MINUTES

BOARD OF ADJUSTMENT HEARING

September 9, 2015

**ATTENDANCE
Board Members**

ATTENDED

1. **Bill Arendell**
2. **Glen Johnson**
3. **James Maloney (Telephonically)**

ABSENT

Staff Attendance

1. **David Whittaker**
2. **Jeanine Carruthers**
3. **Peggy 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 10:00 a.m., and asked all present to stand for the Pledge of Allegiance.

Mrs. Peggy Saunders introduced new staff member, David Whittaker, who is the new Deputy Director of Planning and Zoning;

ITEM #1 CASE # 15-23 USE PERMIT DISTRICT IV: Discussion and possible Board action on a request by Gregory & Karen Haugness for a Use Permit to place a workshop with permanent guest quarters, prior to building a primary dwelling on a portion of APN: 311-02-010B, in Section 2, Township 9 North, Range 23 East, G&SRM, Navajo County, in the Show Low area.

Mr. David Whittaker presented the Staff Report. Mr. Greg Haugness was in attendance telephonically. The applicant would like to build a workshop and small living quarters. At later date would like to build a single family residence. Staff is not aware of any public objections. Staff recommends approving.

Peggy Saunders added if the use permit shall be granted, the guest quarters shall comply with all Navajo County, State, Federal regulations and all applicable provisions of the Navajo County Zoning Ordinance. The applicant shall obtain all required Navajo County permits; including, but not limited to building, septic system, grading and drainage permits prior to the occupancy of the guest quarters. Prior to occupancy of the guest quarters, the applicant is to provide documentation to Navajo County that the septic system complies with all applicable Navajo County requirements. All drainage and grading issues shall be addressed to the satisfaction of Navajo County Public Works prior to obtaining building permits. While two zonings exist on

the property, neither one shall ever be rented. The applicant is in agreement.

Chairman Bill Arendell questioned the applicant to see if he understands and is in agreement with these stipulations. **Mr. Gregory Haugness** agrees to the stipulations pointed out by staff.

Mr. Glen Johnson questioned whether they can just get a building permit now for the guest quarters and get another building permit at a later date for the primary residence? **Mr. David Whittaker** stated that the primary residence is usually built before any secondary accessory structure can be built. This application will allow them to build a guest house with a restroom, bedroom, etc. so that they can build the guest quarters ahead of the primary residence.

Mr. Glen Johnson asked, once they get ready to build the primary residence, they'll need to get another building permit, **Mr. David Whittaker** confirmed, yes. **Mrs. Saunders** added that with this Use Permit, he'll already have the approved use to have the two residences on the parcel.

Chairman Bill Arendell stated that this is really the appropriate way to move forward with this type of construction. **Mr. David Whittaker** replied that it's better than us coming out and saying that you can't build the accessory structure and frustrating the homeowners and/or landowners.

Mr. Gregory Haugness was confused; do they have to build the primary residence before the shop? **Mr. David Whittaker** clarified that this Use Permit gives them permission to build the guest quarters/shop first and occupy them while they are building the primary residence at a later date, but each of them require separate building permits. **Mr. Gregory Haugness** agreed that this was their understanding. It is also his understanding that there is no time constraint from the time they build the guest quarters until they actually build the primary residence. **Mr. David Whittaker** clarified that the guest house building permit is effective for 180 days after it has been approved and issued. There needs to be one inspection within the 180 day period. The same would be for the primary residence.

Mr. Gregory Haugness questioned if there was a time constraint between the time when the guest house is completed and they start construction on the primary residence? **Mr. David Whittaker** replied no, but we would like to see proof of their intentions to build a primary residence when they apply for a building permit for the guest house. **Mr. Gregory Haugness** questioned if we need to see floor plans for the primary residence when they build the guest house. **Mr. David Whittaker** replied yes, before we issue the building permit for the guest house, we need to see the plans for both the guest house and primary residence. **Mr. Gregory Haugness** questioned if they change their mind on the layout of the house in the future, how do they handle it? **Mr. David Whittaker** replied that they'll just need to modify their construction plans. We need to see that there will be a primary residence on the property.

Chairman Bill Arendell called for any additional questions or comments. None were received.

Mr. Glen Johnson made a motion to approve the Use Permit with the conditions stated by staff. The motion was seconded by **Mr. James Maloney**. The item was approved with a vote of 3 to 0.

ITEM #2 – POSSIBLE APPROVAL OF MINUTES FROM THE BOARD OF ADJUSTMENT HEARING OF JULY 8, 2015:

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

ITEM #3 – 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.

Mrs. Peggy Saunders said they may have another use permit for the October meeting.

Mr. David Whittaker may have a reversion back to a standard piece of property for Meadows Edge subdivision (tentative plat) in the Heber/Overgaard area. They want to rescind their request and we are working with the County Attorney’s office for legal guidance.

Mr. Glen Johnson questioned whether or not they could have just said this is my residence and this is my shop, it wouldn’t have to go through the Board of Adjustments. **Mr. Whittaker** explained that the zoning only allows one dwelling. The shop has living quarters so that means there would be two dwellings on the same property. We need to see the separation required between the two buildings, and the percentage of lot coverage that they’d be allotted, so we feel this is the best scenario to oversee the development of this parcel. It also gives us recourse to rescind the use permit if they don’t abide by the rules. **Mr. Johnson** asked staff to explain about the 180 days from when they get the building permit. **Mr. Whittaker** replied that they have 180 days to request an inspection (i.e., foundation, etc.) in order to keep the permit open.

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

Meeting adjourned at 10:17 a.m.

Approved this _____ day of _____, _____.

Navajo County Board of Adjustment

Bill Arendell, Chairman

ATTEST:

Secretary, Navajo County Board of Adjustment