



NAVAJO COUNTY
PUBLIC WORKS DEPARTMENT
PLANNING & ZONING

STAFF REPORT

BOARD OF ADJUSTMENT

HEARING DATE: July 8, 2015
CASE NO: 15-10
ACTION: Use Permit
APPLICANT/OWNER: Mary F. Wilson

PARCEL INFORMATION:

Address: 5220 Four Wheel Drive
APN: **212-04-166D**
Legal Desc: A portion of Section 5, Township 9 North, Range 22 East, of the Gila and Salt River Meridian, in the Show Low area.
District: IV
Parcel Size: 4.9 Acres

STATED REASON FOR REQUEST: 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.

BACKGROUND & DISCUSSION: The A-General District allows for guest quarters subject to the approval of a Use Permit through the Board of Adjustment.

As the proposed Use Permit is allowed, subject to meeting the requirements of the Zoning Ordinance and other applicable regulations (as stipulated below), staff is not aware of any public or other objections. Staff supports granting the Use Permit.

NAVAJO COUNTY ORDINANCES, PLANS, & REGULATIONS:

ZONING DISTRICTS:

A-General: The main purpose of this A-General Zone is to provide for all the unincorporated area of the County, except land within the boundary of a reservation and outside the authority of Navajo County not otherwise designated for some other specific zone, to be included in the "A-General Zone", by this Ordinance. No subdividing shall be conducted or approved in the "A-General Zone", without prior re-zoning of the land so intended. Uses permitted in the "A-General Zone", include farm and non-farm residential uses, farms, recreational, institutional, commercial and industrial uses as specifically listed in this Article. Other uses may be permitted as Special Uses under Article 20. Guest houses and quarters for servants and caretakers employed on the premises, providing that the lot be a minimum of ten thousand square feet, (10,000 sq.ft.) in area, that all buildings meet all building setbacks, that the guest house or servants and caretakers quarters be no greater than seventy-percent (70%) of the square footage of the principal dwelling and subject to securing a Use Permit from the Board of Adjustment.

ZONING ORDINANCE:

- Article 28 / Section 2802.3: Board of Adjustment / Powers and Duties
 3. *Use Permits. The board may grant use permits as permitted by the regulations applicable to the zoning district in which the property is located. No use permit shall be granted unless the board finds that the use and the manner of conducting it (including any associated buildings or structures) will be consistent with the intent and purposes of the Zoning Ordinance and will not be detrimental to persons residing or working in the vicinity, to adjacent property or the neighborhood in general, or to the public welfare. In granting a use permit, appropriate conditions to preserve the intent and purposes of the Zoning Ordinance may be prescribed (including, without limitation, the acquisition of right-of-way for street widening purposes in accordance with the recommendations of the Public Works Department if it appears that the use would increase traffic congestion). Unless otherwise stated on the permit, a use permit shall be permanent and shall run with the land.*

GENERAL CHARACTER OF AREA: This parcel is located in a residential area of summer cabins, Rim Crest RV Park and populated single-family residential homes.

REVIEWING AGENCY COMMENTS:

ENGINEERING:

Engineering Staff has no objection to the proposed Use Permit given that the recommendations made by the Staff are met.

Initial: W.R.B.

FLOOD CONTROL:

The Flood Control staff has reviewed the application for a Use Permit on the subject parcel. A review of the FEMA floodplain map shows that this property is not in a floodplain. The Flood Control Staff has no objection to the proposed Use Permit.

Initial: R.P.

COUNTY ATTORNEY:

The County Attorney has no issues as long as the property is not used to generate income or used as a rental unit. The applicant must obey all local, State and Federal laws and regulations.

Initial: BSC

IN SUMMARY:

The Planning & Zoning staff has reviewed the Use Permit request and determined it is ready for Board action.

Initial: P.S.

PUBLIC WORKS DEPARTMENT RECOMMENDATION: Should the Board grant this request for a Use Permit, staff recommends the following conditions be applied:

1. The use of the guest quarters shall comply with all Navajo County, State, Federal regulations and all applicable provisions of the Navajo County Zoning Ordinance.
2. The applicant shall obtain all required Navajo County permits, including but not limited to, building, septic system, grading, and drainage permits, prior to occupancy of the guest quarters.
3. 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.

4. All drainage and grading issues shall be addressed to the satisfaction of Navajo County Public Works prior to obtaining building permits.
5. While two dwellings exist on the property, neither one of them shall ever be rented.

RESOLUTION NO. 15-01B

A RESOLUTION OF THE NAVAJO COUNTY BOARD OF ADJUSTMENT, APPROVING A USE PERMIT

WHEREAS, the Navajo County Board of Adjustment is authorized by Section 2802(3) of the Navajo County Zoning Ordinance to grant Use Permits upon the terms and conditions set forth therein; and

WHEREAS, at a duly noticed public hearing held this date the Board of Adjustment determined that the following Use Permit should be approved subject to the conditions set forth herein:

OWNER: MARY F. WILSON

PARCEL: NAVAJO COUNTY ASSESSOR'S PARCEL NO. 212-04-166D in Section 5, Township 9 North, Range 22 East, G&SRM, Navajo County, in the Show Low area.

LEGAL DESCRIPTION: See Special Warranty Deed recorded in the Office of the Navajo County Recorder at Fee No. 2012-00216 recorded 01-06-2012.

APPROVED USE: BUILDING A PRIMARY DWELLING IN ADDITION TO PERMANENT GUEST QUARTERS.

NOW, THEREFORE, BE IT RESOLVED by the Navajo County Board of Adjustment that a Use Permit for the above-described use on the subject parcel is hereby APPROVED subject to the following conditions:

1. The use of the guest quarters shall comply with all Navajo County, State, Federal regulations and all applicable provisions of the Navajo County Zoning Ordinance.
2. The applicant shall obtain all required Navajo County permits, including but not limited to, building, septic system, grading, and drainage permits, prior to occupancy of the guest quarters.
3. 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.
4. All drainage and grading issues shall be addressed to the satisfaction of Navajo County Public Works prior to obtaining building permits.
5. While two dwellings exist on the property, neither one of them shall ever be rented, or generate income.

The Secretary shall transmit this Resolution to the Navajo County Recorder's Office for recordation.

PASSED AND ADOPTED by the Navajo County Board of Adjustment on _____,
with a vote of ____ yeas, ____ nays.

Bill Arendell, Chairman
Navajo County Board of Adjustment

ATTEST:

Kristyn Saunders, Secretary

RESOLUTION NO. 15-01B

**A RESOLUTION OF THE NAVAJO COUNTY BOARD
OF ADJUSTMENT, DENYING A USE PERMIT**

WHEREAS, the Navajo County Board of Adjustment is authorized by Section 2802(3) of the Navajo County Zoning Ordinance to grant Use Permits upon the terms and conditions set forth therein; and

WHEREAS, at a duly noticed public hearing held this date the Board of Adjustment determined that the following request for Use Permit should be denied:

- OWNER:** MARY F. WILSON
- PARCEL:** NAVAJO COUNTY ASSESSOR'S PARCEL NO. 212-04-166D in Section 5, Township 9 North, Range 22 East, G&SRM, Navajo County, in the Show Low area.
- LEGAL DESCRIPTION:** See Warranty Deed recorded in the Office of the Navajo County Recorder at Fee No.
- DENIED USE:** BUILDING A PRIMARY DWELLING IN ADDITION TO PERMANENT GUEST QUARTERS.

NOW, THEREFORE, BE IT RESOLVED by the Navajo County Board of Adjustment that a Use Permit for the above-described use on the subject parcel is hereby DENIED.

The Secretary shall transmit this Resolution to the Navajo County Recorder's Office for recordation.

PASSED AND ADOPTED by the Navajo County Board of Adjustment on _____.

Bill Arendell Chairman
Navajo County Board of Adjustment

ATTEST:

Kristyn Saunders, Secretary



NAVAJO COUNTY PUBLIC WORKS DEPARTMENT

PLANNING & ZONING

Post Office Box 668 - 100 East Code Talkers Drive
Holbrook, Arizona 86025
(928) 524-4100 FAX (928) 524-4122
www.navajocountyaz.gov



SPECIAL USE PERMIT APPLICATION

(also to be used for an Amendment to an approved/existing Special Use Permit)

SITE & PROPOSAL INFORMATION:

PROJECT NAME: Wilson Guest House

PROPOSED USE OF PROPERTY: Primary residence with small guest house.

SPECIAL USE CATEGORY: Guest House per A General zoning Article 3 sec. 302-18-B

LOCATION (include nearest town/community): South west side of Show Low, Az., 1 mile west of Walmart

GENERAL DIRECTIONS TO PARCEL: At Walgreens in Show low turn West onto Cub Lake Rd. then Left On Flores then Left on S. Flores then Right on Four Wheel Drive. Stay left and follow to end.

ADDRESS (if known): 5220 Four Wheel Dr., Show Low Az. 85901

PROPERTY SIZE: 4.9 acres; _____ square feet

LEGAL DESCRIPTION: Township 9 North, Range 22 East, Section(s) 5

ASSESSOR PARCEL NO.: 212-04-166D

SUBDIVISION NAME: N/A LOT #: N/A

PRESENT USE OF PROPERTY: Vacant Lot

CURRENT ZONING: A General

PROPOSED ZONING: A General

OWNER & CONTACT INFORMATION:

OWNER'S NAME: Mary F. Wilson

OWNER PHONE NO.: (602) 826-4320 FAX#: N/A

OWNER EMAIL ADDRESS: Mfw_1109@yahoo.com

OWNER MAILING ADDRESS: P.O. Box 77

CITY: Pinetop STATE: AZ ZIP CODE: 85935

DATE OF OWNERSHIP: January 4, 2012

CONTACT NAME: Robert Wilson

COMPANY NAME: N/A FAX#: N/A

CONTACT PHONE NO.: (602) 803-2205

CONTACT EMAIL ADDRESS: rjw2109@msn.com

CONTACT MAILING ADDRESS: P.O. Box 1832

CITY: Pinetop STATE: AZ ZIP CODE: 85935

OWNER'S AFFIDAVIT:

I, (print name) MARY F. WILSON, being duly sworn, depose and say that I am the owner of the property involved in this application and that the information herewith submitted is true and correct to the best of my knowledge.

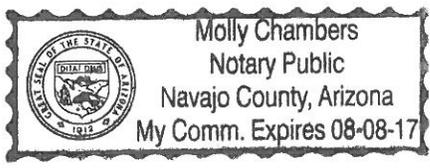
Mary F. Wilson
Owner's Signature

STATE OF Arizona)
COUNTY OF Navajo) SS

Sworn and subscribed before me on this 7th Day of April, 20 15

Molly Chambers
Notary Public

08/08/17
My Commission Expires



For Staff use only:

Accepted by: _____ Date: _____
Submittal Approved: _____ Date: _____
Fee: _____
Case #: _____
Planning Commission: _____ Action: _____
Board of Supervisors: _____ Action: _____
Notes / Stipulations: _____

Wilson Guest House Project Narrative

We are requesting a variance to allow a guest house on our property as well as the primary residence. We propose to build a guest house on the property first. It would be a 1 bedroom home of approximately 535 square feet. We would complete the quest house this summer (2015) and then live in it (2 person occupancy) until we complete the primary residence (approximately fall 2016). After the primary residence is complete the guest house would be used exclusively for vacation and weekend visits by our grown children and friends. This would fit nicely into the surrounding neighborhood which is composed of summer cabins and single family homes to the north and east. To the south is the Rim Crest RV Park consisting of park model homes used almost exclusively during the summer and the western boundary is the Sitgreaves National Forrest. The property currently has full city of Show Low services (excluding sewer) and Navapache Electric power on the property. Last year we installed a septic system on the property (permit # 1011041). This system was designed and installed with proper capacity and location for use by both the guest home and the primary residence (32 fixture units allowed and only 26 are proposed). Thank you so much for considering this request.

Project Details

Project Name: Wilson Guest House.

Outcome of project: Single family home with small guest house.

Owner: Mary F. Wilson, PO Box 77, Pinetop Az. 85935

Project address: 5220 Four Wheel Dr., Show Low Az. 85901

Parcel #: 212-04-166D Approximately 4.9 acres

Current Zoning: A General vacant lot.

Final zoning: A General with primary residence and guest house variance as per Article 3 Sec. 302-18-B

Existing septic: 5 Bedroom, 1500 gal. 32 fixture count. Total proposed use is 4 bedroom, 26 fixture unit count.

Primary Residence: 3 Bedroom of approximately 1,900 square feet.

Guest house: 1 Bedroom approximately 535 square feet.

Permanent year round residents: 2

Contact:

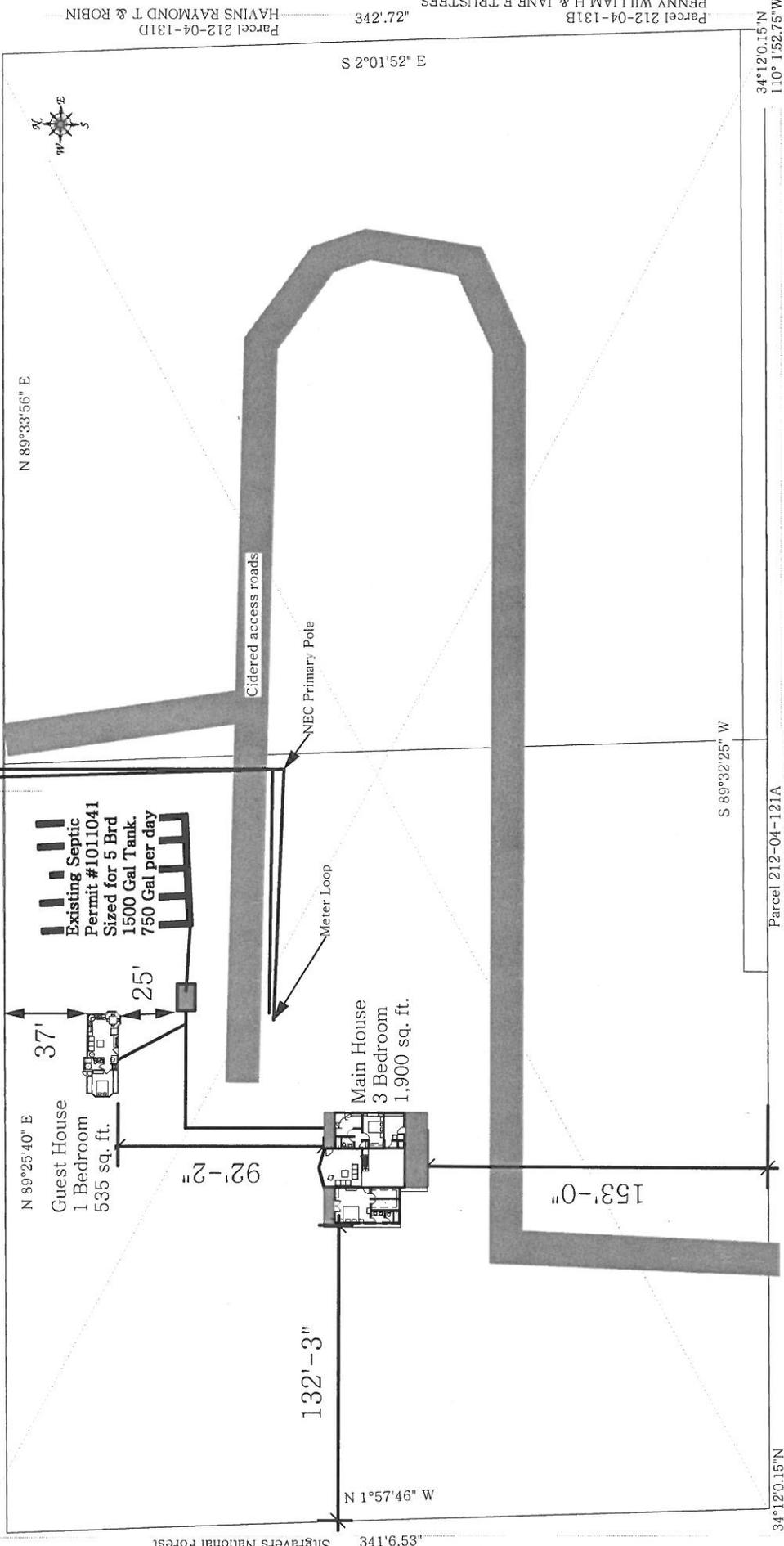
Robert Wilson

602-803-2205

P.O. Box 77, Pinetop Az. 85935

3/30/2015

Parcel 212-04-166F 34°12'3.52"N 110°20'7.2"W SHEPLEY PAUL E JR & LAURA 331'4.8" Parcel 212-04-166G 34°12'3.52"N 110°15'2.86"W NOLAN FRANK J & JOANN TRUSTEES 331'5.76" Show Low City Water and NEC Power Enter Property



Project Name: Wilson Guest House

Owner: Mary F. Wilson
 PO Box 77 Pinetop, Az 85935
Property Address: 5220 Four Wheel Dr.
 Show Low AZ. 85935
Phone: 602-803-2205
 Parcel 212-04-166D
 4.90 Acres
 Scale: 1"=70'

Water, Garbage, Police and Fire City of Show Low.
 Property lines are fenced with 48" high 5 strand barbed wire.
 Zoning is A-General. Currently vacant lot. Proposed single family home with guest house as per Article 3 Sec. 302-18-B
 Note: No structure is closer than 37' to property line or within 25' of any part of the septic system

Owner (Mary F. Wilson): *Mary F. Wilson* **Date:** 3/31/15

Approvals Najavo County:

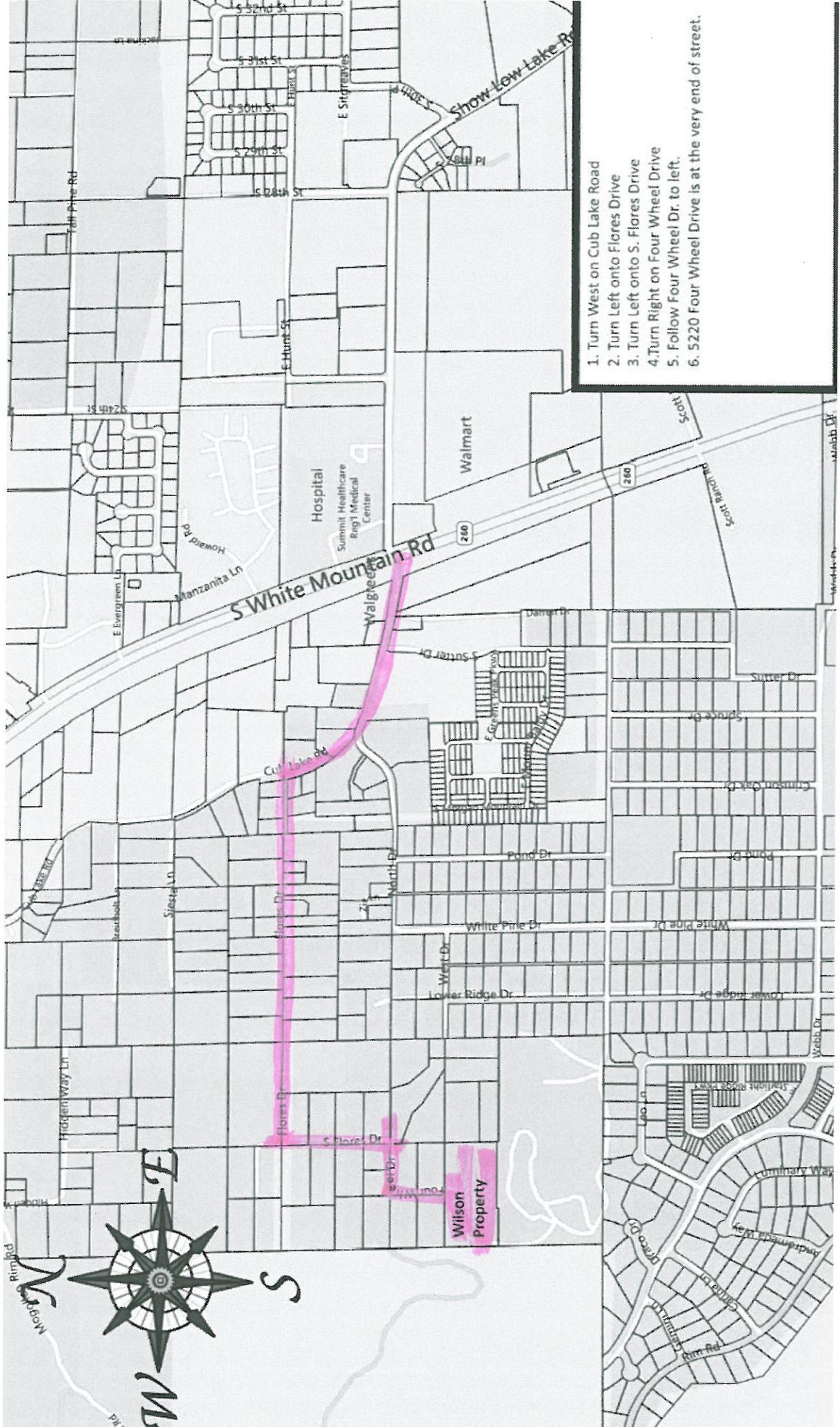
Planning Director: _____ **Date:** _____

County Engineer: _____ **Date:** _____

Chairman, Planning Commission: _____ **Date:** _____

Chairman, Board of Supervisors: _____ **Date:** _____

Parcel 212-04-121A RIM CREST RV RESORT LLC 34°12'0.15"N 110°15'2.75"W
 Parcel 212-04-131B PENNY WILLIAM H & JANE E TRUSTEES 34°12'0.15"N 110°15'2.75"W
 Parcel 212-04-131D HAVINS RAYMOND T & ROBIN 34°12'0.15"N 110°15'2.75"W



1. Turn West on Cub Lake Road
2. Turn Left onto Flores Drive
3. Turn Left onto S. Flores Drive
4. Turn Right on Four Wheel Drive
5. Follow Four Wheel Dr. to left.
6. 5220 Four Wheel Drive is at the very end of street.



Wilson Property

S White Mountain Rd

Walmart

Hospital
Summit Healthcare
Reg 1 Medical
Center

Cub Lake Dr

Flores Dr

Four Wheel Dr

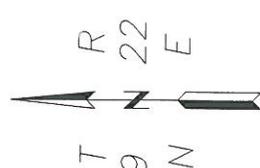
Wilson Property

212-04

SHEET 5 OF 6
AREA CODE 3270
ZONING -----
OUT OF -----

AUTOCAD 05/03
REVISIONS

- PARCEL 127A, C, D & E 06/32 '82"
- PARCEL 161 TO 161A, B & C 01/83 '84"
- PARCEL 120 TO 121 TO 121A 01/83 '84"
- PARCEL 189 TO 192, 200 & 204 09/84 '85"
- PARCEL 189 TO 192, 200 & 204 12/84 '85"
- PARCEL 202 TO 202A & B 06/85 '86"
- PARCEL 166 TO 166A & B 11/85 '86"
- PARCEL 199 TO 205 & 206 05/86 '87"
- PARCEL 166 TO 166A & B 07/87 '88"
- PARCEL 166A TO 166B & C 01/90 '91"
- COMB PARCELS 145B, 193 & 194 TO 193A 10/91 '92"
- SPUT 123A TO 129F & C 02/93 '94"
- SPUT 129G TO 129H & J 04/94 '95"
- SPUT 161C TO 161E & F 02/96 '97"
- SPUT 161A TO 161K & J 02/96 '97"
- SPUT 161A TO 161K & J 09/96 '97"
- SPUT 162A TO 162E & F 11/96 '97"
- SPUT 162C TO 162D & H 02/97 '97"
- SPUT 162E TO 162I & N 06/97 '97"
- SPUT 163 TO 163A, B & C 06/97 '98"
- SPUT 163A TO 163D & E 08/97 '98"
- SPUT 163 TO 163A, B & C 06/98 '99"
- SPUT 163 TO 163A, B & C 02/01 '01"
- SPUT 166B TO 166D, E & F 01/04 '04"
- SPUT 131 TO 131A, B & C 07/04 '05"
- SPUT 131A TO 131D&E 09/04 '05"
- SPUT 131 TO 131K & L 03/10 '11"
- SPUT 193A TO 193B & C 03/14 '15"
- AC ADJ. 166D 0.10 AC TO 121A PER (2014-2170) 03/14 '15"
- COMB 169B & 169D TO 169E 03/14 '15"
- AC CORRECTION 1600 REP LEGAL & SURVEY 07/14 '16"



SECTION 5 SE4
SURVEY XXXX
PLAT XXXX
SCALE: 1"=300'
LAST REVISED 03/14



ASSESSOR STAFF
THIS IS NOT A LEGAL DOCUMENT, NO LIABILITY ASSUMED.
MAP PREPARED FROM AVAILABLE DATA FOR INFORMATION ONLY.



SITGRAVES NATIONAL FOREST