



NAVAJO COUNTY
PUBLIC WORKS DEPARTMENT
PLANNING & ZONING

STAFF REPORT

BOARD OF ADJUSTMENT

HEARING DATE: April 13, 2016
CASE NO: 16-04
ACTION: Use Permit
APPLICANT/OWNER: Thomas & Karen Blaine

PARCEL INFORMATION:

Address: 1236 Fox Lane

APN: **205-23-028A**

Legal Desc: A portion of Section 31, Township 11 North, Range 20 East, of the Gila and Salt River Meridian, in the Pinedale area.

District: IV

Parcel Size: 4.43 Acres

STATED REASON FOR REQUEST: The applicant would like to build a primary residence in addition to an existing small cabin (550 sq. ft.) on the parcel. This would allow them to live on the property while building the larger primary home. The larger home will have a new septic system installed with the proper capacity and location for the new home. They would like to leave the cabin as guest quarters for family visits. They will not be renting either dwelling.

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, 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. Staff has received no comments from the public either in favor or opposed to the Use Permit. Post cards were sent to 8 parcel owners

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, 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.

NAVAJO COUNTY PUBLIC WORKS DEPARTMENT
PLANNING & ZONING

Post Office Box 668 - 100 East Code Talkers Drive
Holbrook, Arizona 86025
(928) 524-4100 FAX (928) 524-4399

APPLICATION
USE PERMIT

OWNER INFORMATION:

OWNER'S NAME: THOMAS + KAREN BLAINE

AGENT/POINT OF CONTACT: _____

CONTACT PHONE NO.: 928 739-4287 FAX NO.: _____

MAILING ADDRESS: P.O. BOX 939

CITY: PINEDALE STATE: AZ ZIP CODE: 85934

SUBJECT PARCEL INFORMATION:

LEGAL DESCRIPTION: T SEE ATTACHED PAGE N-R _____ E, SECTION _____, ASSESSOR PARCEL NO.: 205-23-028A

SUBDIVISION NAME: PINEDALE LOT: _____

RURAL ADDRESS: 1236 FOX LANE AREA: PINEDALE

PARCEL SIZE: 4.43 ACRES DATE OF OWNERSHIP: 1992

PRESENT USE OF PROPERTY: RESIDENTIAL/SMALL CABIN 670 SQ FT

PROPOSED USE: RESIDENTIAL/GUEST HOUSE

GENERAL DIRECTION TO PARCEL: WEST ON PINEDALE WASH ROAD TO FOX LANE / SEE MAP

CURRENT ZONING: (Please check appropriate Zoning Classification)

A-Gen RU-20 RU-10 RU-5 RU-1 R1-43 R1-10
 R-2 R-3 C-R I-1 I-2 Special Development

OWNER'S AFFIDAVIT:

KAREN E. BLAINE

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

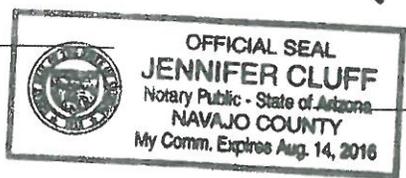
Karen E. Blaine
Thomas A. Blaine
Owner's Signature

STATE OF ARIZONA)

COUNTY OF Navajo) ss

Sworn and subscribed before me on this 21 Day of January, 2016

Jennifer Cluff
Notary Public



8-14-16
My Commission Expires

FEB 02 2016

Ronnie H

DEVELOPMENT SERVICES
PLANNING AND
BUILDING DIVISION

NAVAJO COUNTY PLANNING & ZONING
PARCEL # 205-23-028A
PINEDALE, AZ.

We are Karen and Tom Blaine. We have owned the above parcel with a 600 square foot log cabin on it for about 25 years.

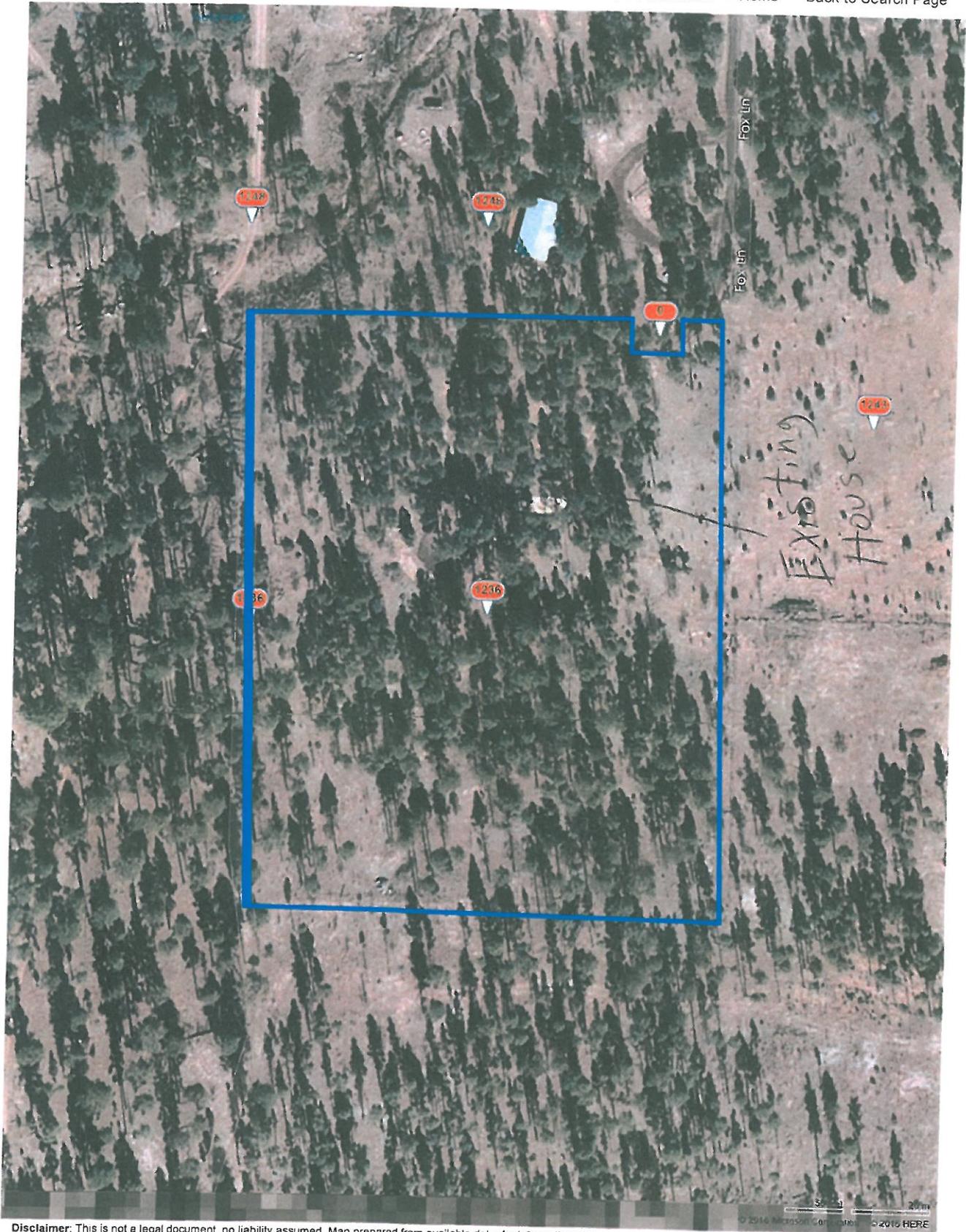
We lived in Gilbert, Az. for 44 years and used the cabin for a summer weekend retreat for us and our children.

We have sold our Gilbert home on January 12, 2016 and have moved to Pinedale. We are requesting to build a residence and a garage on our 4½ acre parcel and use our little cabin for when our children and grandchildren come to visit us.

Thank you
Tom Blaine

Property Information Search

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Disclaimer: This is not a legal document, no liability assumed. Map prepared from available data, for information only.

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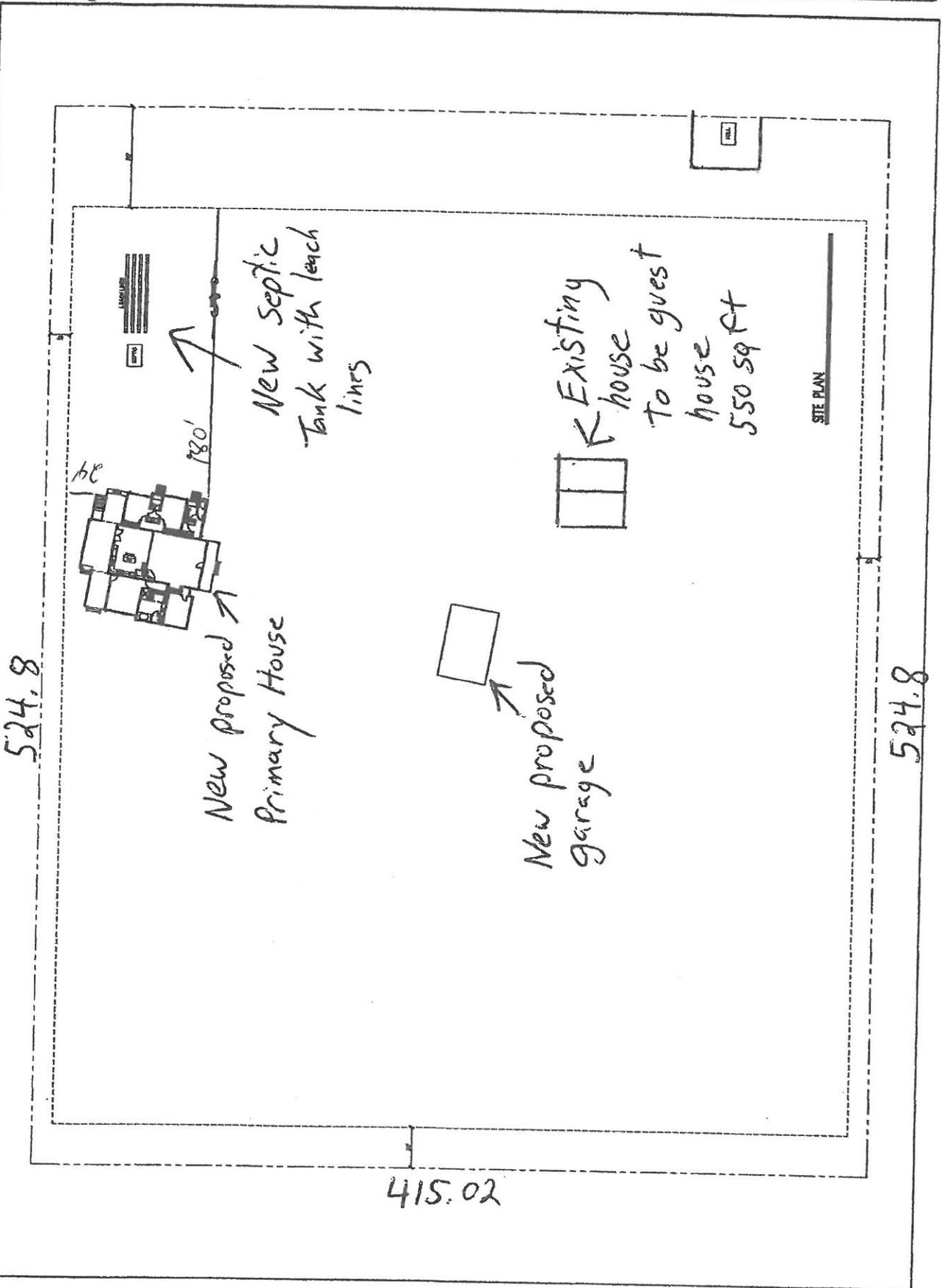


TOM & KAREN BLANE
 PARCEL #A205-01-020A
 PHOENIX, AZ

SITE PLAN
 BUILDER: FORWARD LOOK CONST.
 520-242-4502

ARROWHEAD DRAFTING LLC
 1101 N. 19th Ave, Phoenix, AZ 85016
 602-998-8888

2





Navajo County - Office of the Assessor

100 East Code Talker's Drive
South Highway 77
Holbrook AZ 86025

Parcel Summary Report

For Parcel 205-23-028A

Prepared on 1/21/2016

Owner: BLAINE THOMAS A & KAREN E TRUSTEE, Class Code: Residential

Parcel Size: 4.97

Address: 23227 S 180TH ST GILBERT, AZ 85297

Site Address: 1236 FOX LN,

Legal Description: SECTION 31, T11N, R20E: BEG W4 COR; TH S ALG SEC LINE 1388.9'TPOB; TH S ALG SEC LINE 524.8'; TH S89DG56'40 E 415.02'; TH N0DG4'46 E 524.8'; TH N89DG56'40 W 415.74'TPOB EXCEPT W 45' OF E 80' OF N 30' PER 918/783 XGR-2

Bldg ID	Occupancy	Built As	QUALITY	Sq Ft	Year	Cash Value
1	Single Family Residential	Ranch 1 Story	Average		672 1985	41554.00

Item	Valuation
Land Value:	\$62,260.00
Improvement Value:	\$41,554.00
Full Cash Value:	\$103,814.00
Assessment Ratio:	10.0%
Assessed Full Cash Value:	\$10,381.00
Limited Value:	\$103,814.00
Assessed Limited Value:	\$10,381.00

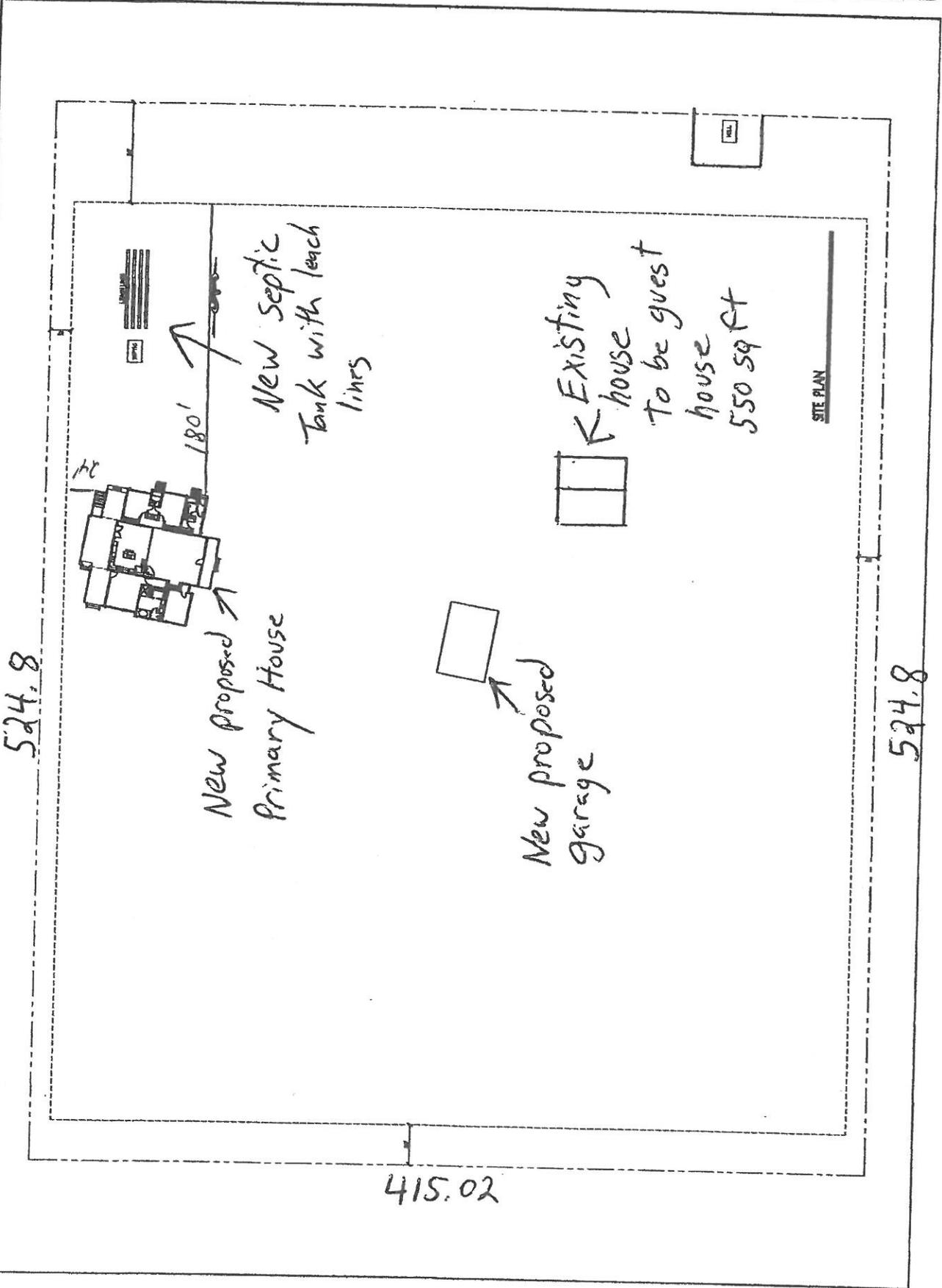


TOM & KAREN BLANE
 PARCEL #209-07-028A
 PHOENIX, AZ

BLDGR: FORWARD LOOK CONST.
 928-242-4512

ARROWHEAD DRAFTING LLC
 1001 N. 10th St. Phoenix, AZ 85016
 (602) 242-4512

DATE: 10/15/11
 SCALE: 1/8" = 1'-0"
 SHEET: 2



524.8

524.8

415.02

RESOLUTION NO. 16-02B

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: THOMAS & KAREN BLAINE

PARCEL: NAVAJO COUNTY ASSESSOR'S PARCEL NO. 205-23-028A in Section 31, Township 11 North, Range 20 East, G&SRM, Navajo County, in the Pinedale area.

LEGAL DESCRIPTION: See Special Warranty Deed recorded in the Office of the Navajo County Recorder at Fee No. 2010-03749 recorded 03-09-10.

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:

Cherie Camp, Secretary

RESOLUTION NO. 16-02B

**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: THOMAS & KAREN BLAINE

PARCEL: NAVAJO COUNTY ASSESSOR'S PARCEL NO. 205-23-028A in Section 31, Township 11 North, Range 20 East, G&SRM, Navajo County, in the Pinedale area.

LEGAL DESCRIPTION: See Special Warranty Deed recorded in the Office of the Navajo County Recorder at Fee No. 2010-03749 recorded 03-09-10.

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 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:

Cherie Camp, Secretary