COCONINO COUNTY
BOARD OF ADJUSTMENT

Minutes - Meeting of August 20, 2019 at 3:00pm

Thomas Auditorium
2500 N. Fort Valley Road, Building 1
Flagstaff, Arizona

MEMBERS PRESENT
Dianne Patterson, Chairperson
John McCartney
Craig Bearchell

COUNTY STAFF PRESENT
Jess McNeely, Assistant Director
Zach Schwartz, Senior Planner
Rachel Davis, Planner
Marty Hernandez, Recording Secretary

Chairperson Patterson called the meeting to order at 2:58PM.

I. APPROVAL OF MINUTES

The first item on the Agenda was approval of the Minutes of February 19, 2019.

MOTION: Mr. Bearchell moved to approve the Minutes of February 19, 2019 once the typographical error of “there” to “their” was corrected.
SECOND: Mr. McCartney was seconded the motion.
VOTE: The Minutes were approved unanimously.

II. UPDATE ON PROPOSED ZONING ORDINANCE CHANGES

Discussion of modification of Variance Findings.
Chairperson Patterson asked if the Zoning discussion could be moved to the end.
MOTION: Mr. Bearchell made the Motion to move this item to the end.
SECOND: Mr. McCartney seconded.
VOTE: The vote was unanimous.

III. PUBLIC HEARINGS

The next item on the Agenda was Case No. VAR-19-003 Aumack Variance

STAFF: Mrs. Davis gave a PowerPoint presentation and stated staff could make the findings.
Mrs. Davis stated there were no concerns stated by the neighbors. Mr. Bearchell asked if the 8.55 acres lot goes to the centerline of the FS road. Mrs. Davis thought it did. Mr. Bearchell asked about easement on the FS road. Mrs. Davis stated she researched and was not able to find documentation of any easements on the FS road.

**APPLICANT:** Applicant, Ethan Aumack of 1140 Pine Cliff Drive Flagstaff, AZ, agreed with the staff report. He had no other comments.

**PUBLIC:** No one from the public was present to speak.

**BOARD:** The Board began their discussion. Mr. McCartney stated there would be no increase in density, so it does not hurt anybody. Mr. Bearchell wondered if the BOA was setting a precedence with these variances. Chairperson Patterson said since it is not increasing density and there is a bisecting road, it makes it much more useable. She also noted that it is not that much smaller than an administrative adjustment would have allowed (a 10% reduction in lot size).

**MOTION:** Mr. McCartney moved to approve as recommended by staff.

**SECOND:** Mr. Bearchell seconded.

**DISCUSSION:** N/A

**VOTE:** The Motion was unanimously approved.

The next item on the agenda was Case No. VAR-19-004

**STAFF:** Mr. Schwartz gave a PowerPoint presentation and stated staff could make the findings. Discussion was around the surveying error. Mr. Bearchell asked where the nearest road was. Mr. Schwartz pointed on the western side of the property, River Valley Road. Mr. Schwartz pointed out there are properties in the area of a similar size.

**APPLICANT:** Applicant Madeline Chapin of Sedona, AZ was present but referred to her surveyor to speak. Mr. Stark, Northland Exploration Surveys, 528 W. Aspen Street, Flagstaff, AZ explained the error in surveying that happened many years ago in parcel splits and the error was perpetuated.

**PUBLIC:** No one from the public spoke.

**BOARD:** Mr. McCartney stated that since the density was not increasing, he could make the findings.

**MOTION:** Mr. Bearchell made the motion to approve with the staff recommended findings.

**SECOND:** Mr. McCartney seconded.

**DISCUSSION:** N/A

**VOTE:** The Motion was unanimously approved.

**UPDATE ON PROPOSED ZONING ORDINANCE CHANGES:**

Chairperson Patterson moved on to the Zoning Ordinance changes.
Mr. Schwartz presented the minor changes that staff was proposing with numbering, lettering and some wording.
Mr. Bearchell asked about page 2 where language was added about the ‘minimum lot size and

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setbacks for animal keeping'. He noted that it was his understanding that Variances should not be related to uses, but rather for specific standards. Mr. Schwartz explained that the Variance was not for the animal keeping use itself, but rather that there were performance standards related to the location of structures where animal keeping was happening that staff felt needed to be added to the list of items that the Board of Adjustments could approve Variances for. He added that the animal keeping subsection of the Zoning Ordinance states that a Variance can be approved for such standards, but it did not also get added to the Variance subsection of the Zoning Ordinance.

Mr. Bearchell asked for clarification on the top of page 3 where the word ‘preexisting’ was inserted. He asked what the implication would be for legal nonconforming and grandfathered uses. Mr. Schwartz stated that the intent of the language change of Finding b was to clarify that self-imposed hardships should not justify a Variance, not to have any impact on legal nonconforming and grandfathered uses. He thought it would be a good idea to have legal staff look at the language again to make sure there was not a conflict and that it met the original intent. He noted that any further questions and comments could be provided to him prior to November when the entire Zoning Ordinance with changes throughout would be set for final hearing with the Board of Supervisors.

IV. Other Business
Mr. Schwartz introduced the new Board of Adjustment member, Chris Wannie.

V. ADJOURNMENT
Chairperson Patterson stated that a motion was needed to adjourn the hearing.
MOTION: Mr. McCartney made a motion to adjourn.
SECOND: Mr. Bearchell seconded.

The meeting adjourned at 3:35PM.

Chairperson, Board of Adjustment

ATTEST:

Secretary, Board of Adjustment

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