

MINUTES OF A REGULAR MEETING OF THE BOARD OF ADJUSTMENT OF THE TOWN OF CLARKDALE HELD NOVEMBER 26TH, 2003 AT 6:00 P.M. IN THE CONFERENCE ROOM OF THE PLANNING DEPARTMENT, 890 MAIN STREET, CLARKDALE, AZ.

A regular meeting of the Board of Adjustment of the Town of Clarkdale was held on November 26th, 2003, at 6:00 p.m. in the Conference Room of the Planning Department.

Chairperson	Robert Noland	Present
Vice Chairperson	Jerry Wiley	Present
Boards Members	Charles Bennett	Late/Confusion on meeting location
	Duane Norton	Present
	Frank Sa	Present

Staff:

Planning Director	Steven Brown
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Others In Attendance: None

CALL TO ORDER: Chairperson Noland Called the meeting to order at 6:00 p.m.

ROLL CALL: Roll was called.. A quorum was present.

APPROVAL OF MINUTES: Chairperson Noland asked for a motion to approve the minutes of the regular meetings October 8th, 2003. Vice Chairperson Wiley: made a motion to accept the minutes as submitted. Board Member Sa: seconded the motion. The motion passed unanimously.

PUBLIC COMMENT: None

CHAIRPERSON'S REPORT: None

PLANNING DIRECTOR'S REPORT: None

NEW BUSINESS:

1. PUBLIC HEARING ON A VARIANCE REQUEST BY ROBERT AND KAREN CAMPBELL FOR PROPERTY LOCATED AT 97 N. SEVENTH STREET IN THE TOWN OF CLARKDALE. THE VARIANCE SEEKS RELIEF FROM SECTION 7.9.I OF THE ZONING CODE OF THE TOWN OF CLARKDALE TO ALLOW AN EIGHT (8) FOOT REAR YARD SETBACK R1A ZONING DISTRICT, WHERE A FIFTEEN (15) FOOT SETBACK IS REQUIRED.

The meeting was opened to public hearing. The applicant read a prepared statement into the

record. The statement was submitted along with their application.

There was some confusion initially regarding why the variance was needed. The applicant had met with the Building Inspector some time ago, who told them that they needed only a 5-foot setback for the enclosure of the porch. This was based on their address at that time being 617 First North Street, placing the porch in their side yard. As the discussion continued, it came out that the applicant had changed their address to 97 North Seventh Street. This placed the porch in their back yard requiring a 15-foot setback.

The Board directed staff to take a picture of the property, including the posting sign, to be included in the packet and file of every Board case.

2. CONSIDERATION AND POSSIBLE ACTION ON A VARIANCE REQUEST BY ROBERT AND KAREN CAMPBELL FOR PROPERTY LOCATED AT 97 N. SEVENTH STREET IN THE TOWN OF CLARKDALE. THE VARIANCE SEEKS RELIEF FROM SECTION 7.9.I OF THE ZONING CODE OF THE TOWN OF CLARKDALE TO ALLOW AN EIGHT (8) FOOT REAR YARD SETBACK IN THE R1A ZONING DISTRICT, WHERE A FIFTEEN (15) FOOT SETBACK IS REQUIRED.

Vice Chairperson Wiley moved to approve the variance request, citing the following findings:

1. SPECIAL CIRCUMSTANCES: There are special circumstances attributable to the property which are not applicable to other properties in the area or within the same zone district. The special circumstances are related to the physical characteristics of the property including it's shape, size, topography, location or surroundings and are not related to the personal circumstances of the property owner or applicant.
2. UNDUE HARDSHIP: Special circumstances attributable to the property exist, they are of such a nature that the strict application of the development standards will result in an undue hardship.
3. PUBLIC HEALTH, SAFETY AND WELFARE: The granting of this variance can be done without substantial detriment to public health, safety or welfare and without substantial departure from the intent of the standard from which relief is requested.
4. ADEQUATE FINANCIAL RETURN: The applicant's need for an adequate financial return on investment was not considered justification for the granting of this variance.
5. SELF-IMPOSED SPECIAL CIRCUMSTANCES: No self-imposed circumstances are imposed by a current or former property owner or applicant.

Board Member Sa: seconded the motion. The Board voted unanimously in favor of the motion,.

ADJOURNMENT

With no further business, the meeting adjourned at 6:25 p.m.

APPROVED BY:

SUBMITTED BY:

Robert Noland
Chairperson

Steven Brown
Planning Director