



TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA (928) 634-7943

AGENDA

Special Meeting of the Board of Adjustment Thursday, February 17, 2022 at 5:00 p.m. CONDUCTED VIA ZOOM

Members of the public are welcome to participate in the meeting via Zoom Conference:

- a. Computer: <https://us02web.zoom.us/j/9286347943>
- b. Telephone: 1 669 900 6833 Meeting ID: 928 634 7943

NOTE: FOR THOSE WITHOUT HOME INTERNET: A drive-up internet hotspot is now available in the parking lot in front of the Jerome Public Library. Bring your device and access the internet while sitting in your car. The network is **Sparklight Yavapai Free Wi-Fi**, and no password is required.

The Board of Adjustment may recess the public meeting and convene in Executive Session for the purpose of discussion or consultation for legal advice with the attorney, who may participate telephonically regarding any item listed on this agenda pursuant to A.R.S. § 38-431.03 (A)(3).

Item 1: Call to order/roll call

Item 2: Petitions from the public — Pursuant to A.R.S. § 38-431.01(H), public comment is permitted on matters not listed on the agenda, but the subject matter must be within the jurisdiction of the board. All comments are subject to reasonable time, place, and manner restrictions. All petitioners must fill out a request form with their name and subject matter. When recognized by the chair, please state your name, and please observe the three (3)-minute time limit. No petitioners will be recognized without a request. The board's response to public comments is limited to asking staff to review a matter commented upon, asking that a matter be put on a future agenda, or responding to criticism.

Possible Direction to Staff

Item 3: Approval of Minutes: Minutes of the Board of Adjustment meeting of September 21, 2021 Discussion/Possible Action

New Business:

Item 4: Variance request to construct a 1664 square-foot, single-family home

Address: 776 East Avenue

Zone: R1-5

Applicants/Owners: Cynthia Barber and Eric Lerette

APN: 401-07-099B

Applicants are seeking a variance to the twenty- (20-) foot rear (street) setback requirement to allow a deck on their home to be constructed that would partially be approximately fifteen to sixteen (15 to 16) feet from the rear property line along Douglas Road. Most of the deck would comply with the 20-foot setback, but because of the angle of the lot and the historic stone wall the applicants hope to preserve, the west end of the deck would need to extend 4 to 5 feet into the 20-foot setback.

Discussion/Possible action

Informational Items (Current Event Summaries):

Item 5: Future Items – election of new chairs at the next meeting

Item 6: Adjourn

The undersigned hereby certifies that this notice and agenda was posted at the following locations on or before 6 p.m. on _____
970 Gulch Road, side of Gulch fire station, exterior posting case
600 Clark Street, Jerome Town Hall, exterior posting case
120 Main Street, Jerome Post Office, interior posting case

Rosa Cays, Deputy Clerk, Attest

Persons with a disability may request reasonable accommodations such as a sign language interpreter by contacting Town Hall at (928) 634-7943. Requests should be made as early as possible to allow sufficient time to make arrangements. Anyone needing clarification on an agenda item may call John Knight at (928) 634-7943.



TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA (928) 634-7943

MINUTES

Special Meeting of the Board of Adjustment
Tuesday, September 21, 2021, at 5:00 pm
CONDUCTED VIA ZOOM

5:04 (0:14) Item 1: Call to order/roll call

Chair Gary Shapiro called the meeting to order at 5:04 p.m.

Deputy Town Clerk Rosa Cays called the roll. Present were Chair Shapiro, Vice Chair Suzy Mound, and board members Chris Babbage, Natalie Barlow, and new member Margie Hardie. Also present was Zoning Administrator John Knight.

[Chair Shapiro experienced a slight technical delay.]

5:06 (1:57) Item 2: Petitions from the public – There were no petitions from the public.

5:06 (2:12) Item 3: Election of Officers

Mr. Knight reminded Chair Shapiro that new officers are elected once a year, but that the board also had the option to postpone an election.

Motion to table the election of new officers

BOARD MEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BABBAGE	X		X			
BARLOW		X	X			
HARDIE			X			
MOUND			X			
SHAPIRO			X			

5:07 (3:16) Item 4: Approval of Minutes: Minutes of the Board of Adjustment meeting of June 24, 2020 Discussion/Possible action

Motion to approve the minutes of the Board of Adjustment meeting of June 24, 2020

BOARD MEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BABBAGE	X		X			
BARLOW			X			
HARDIE						X
MOUND		X	X			
SHAPIRO			X			

Continued Items from Previous Meetings:

5:08 (3:51) Item 5: Adoption of Board of Adjustment bylaws

Applicant: Town of Jerome

Discussion/Possible action

Mr. Knight stated that the Board of Adjustment bylaws had been presented, discussed, and changes approved with one exception at the last Board of Adjustment meeting in June 2020. He said a clean copy of the revised bylaws (free of tracked changes) was being presented as a “refresher.”

Ms. Hardie pointed out that in Section 105.A.3.c, the number of unexcused absences per year (three), did not comply with the zoning ordinance (four unexcused absences). Mr. Babbage asked, “When will we ever have four meetings in a year?” Ms. Hardie said the bylaws should follow the ordinance and moved that they make the change to the bylaws.

Motion to adopt the Board of Adjustment bylaws with changes discussed

BOARD MEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BABBAGE				X		
BARLOW			X			
HARDIE	X		X			
MOUND		X	X			
SHAPIRO			X			

New Business:

5:14 (9:47) Item 6: Variance request to construct a 280-square-foot garage.

Address: 875 Gulch Road

Zone: AR

Applicant/Owner: Cynthia Barber/Christina and Cynthia Barber

APN: 401-09-013

Applicant is seeking a variance to the twenty- (20-) foot front (street) setback requirement to allow a garage to be constructed approximately five (5) feet from the front property line on Allen Springs Road.

Discussion/Possible action

Ms. Hardie said the applicants are required to request two separate variances: one for the setback and one for the accessory building. She explained the yards and said the property had dual frontages, or two front yards. She said no accessory buildings are allowed in a front yard, per the ordinance (Sections 503.E.a.2 and 502.H.7). She suggested tabling the item.

(5:17) Jerome resident Cynthia Barber presented photos of other accessory buildings along Gulch Road and stated that the physical address of the home was 875 Gulch Road. She said the yard along Allen Springs Road, which was no longer a "through" road, was a side yard and that there was already an existing slab and stem wall from the old garage. Ms. Barber said the newly constructed garage would be 17 feet from Gulch Road and 5 feet from Allen Springs Road. She remarked that the zoning ordinance is written without the Gulch in mind and that part of the Board of Adjustment's role—and why it exists—is to consider what the situations are at neighboring properties.

Chair Shapiro said the applicants had demonstrated exceptional due diligence in their application.

Vice Chair Mound said because of the address, she had not considered the dual frontage and saw the garage as being built in the back yard. She said other accessory buildings in the area are close to the frontage. "Let them reconstruct their garage," said the vice chair.

Ms. Hardie mentioned again to table the item to include two variances unless the board does not think it is needed.

Mr. Knight said a precedence was set regarding unusually shaped lots, i.e., the Nord property on First Street and that it was within the board's purview to consider the Allen Springs Road frontage a side yard and not require a separate variance.

Mr. Babbage moved to approve the variance based on the neighborhood. Ms. Barlow remarked that it was an historic rebuild, which is also worth noting.

Motion to approve the variance request to construct a garage at 875 Gulch Road

BOARD MEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BABBAGE	X		X			
BARLOW			X			
HARDIE			X			
MOUND		X	X			
SHAPIRO			X			

5:27 (22:54) Item 7: Variance request for construction of a new single-family home.

Address: 148 Juarez Street

Zone: AR

Applicant/Owner: Mary (Liz) Gale

APN: 401-06-140C

Applicant is seeking a variance to the twenty- (20-) foot front (street) setback requirement to allow a new home to be constructed approximately five (5) feet from the front property line.

Discussion/Possible action

Chair Shapiro introduced the item.

(23:31) Property owner and applicant Liz Gale was hoping to build with an approved setback variance so that the dimensions of the single-family home would be "normal." She said other houses on Juarez have even less of a setback than what she was requesting.

Chair Shapiro said he spoke with Fire Chief Blair because he was concerned about access for the fire department; that the lot used to be a place for them to turn around on the single-laned street. He said Chief Blair told him that access should not be affected too much.

Mr. Knight said he also talked to the fire chief and that the fire code calls for a turnaround; he said Chief Blair does not approve of variances because they tend to impede his ability to fight fire. Mr. Knight said the board could make it a condition to include a turnaround on the property, although the requirement was more common for a subdivision.

Mr. Babbage asked if the closest hydrant was on Diaz Street and remarked that there was plenty of room for an ambulance on Juarez.

Ms. Hardie informed everyone that the applicant's property is for sale and that Jerome resident Carol Anne Teague is the realtor. She pointed out that a couple of the board members have shared information that was told to them and was not in writing, and felt she, too, should share information from a conversation she had that afternoon with Mr. Knight. She said he told her that "other people would be buying the property." Ms. Hardie said she did not understand why Ms. Gale would be requesting a variance if her property was for sale.

Ms. Hardie said Mr. Knight also told her that the applicant had "petitioned" the neighborhood about rezoning the area, which would negate the need for a variance, but that no one on Juarez was interested in rezoning. Ms. Hardie said Mr. Knight also informed her that there were two interested buyers. Ms. Hardie said if the board wants to grant the variance, she would like to see it approved based on the zoning ordinance. She quoted from the ordinance, which states that every variance granted must be "personal to the appellant" ... and "shall be transferrable and shall run with the land only after the completion of any authorized structure or structures."

Chair Shapiro said this would mean Ms. Gale would have to start construction within 30 days of the variance approval.

(34:51) Ms. Teague stated the fact that the lot is for sale should have nothing to do with granting a setback variance. She said the setbacks have discouraged any interest in the property and that no one was interested in buying the lot at this moment.

(35:47) Ms. Gale said she has owned the lot for several years and that she was asking for a variance to show that it is a buildable lot and can conform to other buildings on Juarez; otherwise, it is not salable. Chair Shapiro said that her application was then "out of order" and that she would need to intend to build for herself, not to sell the lot, if she expected a variance. Ms. Gale said she was under the impression she could request a variance for this reason.

Mr. Babbage said he thought the applicant had included plans for the house and was confused as to why the board could not grant a variance.

Ms. Gale asked Mr. Knight for his opinion. He said he was under the impression the variance "ran with the land." He suggested legal guidance may be needed.

Mr. Babbage said the variance does go with the land and that Ms. Gale is wanting a variance to build a house.

Chair Shapiro clarified that Ms. Gale testified that she had no intention of building a house and wants to sell the lot. He compared this request to the one submitted by Wendy Jackson for parking at the Cuban Queen. He said the variance would be expunged after 30 days if no action is taken. A brief discussion ensued. Chair Shapiro suggested tabling the item.

Mr. Knight stated that Ms. Gale would have to "exercise" the variance and pull a building permit within six months.

Ms. Gale asked if she would have to build the house or could she just pull the permit within six months to get the variance. Chair Shapiro said he believed construction would have to commence within the six months. Ms. Gale said she may need to discuss this with a land use attorney before the board makes a decision. Ms. Hardie said the board would also need a lawyer and that she agreed with Chair Shapiro. She said Ms. Gale wanted to sell the land with the variance to make it more valuable, which does not justify approving a variance.

Mr. Knight said if the board were to table the item, it would be best to table it to a specific date so the public hearing can be continued without having to post a new notice.

Ms. Barlow said she did not agree with Mr. Babbage and his earlier comment about the setbacks along Juarez Street. She said a new house should meet the setbacks and the parking requirements and that the use of the building should be clarified.

(48:15) Ms. Gale said what Ms. Hardie stated was not true regarding a variance for the backyard setback.

Mr. Babbage said all the houses on Juarez had 5- and 10-foot setbacks except for Joan Evans's house. Ms. Barlow disagreed and said 13 feet or even 10 feet is better than 5 feet.

Ms. Mound asked if they were to table the item, what date would work for Ms. Gale. Chair Shapiro suggested November 2.

Ms. Hardie questioned the reason for tabling the item. Discussion ensued about the need to table and whether the variance goes with the owner or with the land. Ms. Hardie said they should simply vote unless Ms. Gale planned to change her application. After further discussion, Chair Shapiro asked Ms. Gale if she intended to build or not. She replied she did not.

Vice Chair Mound said she did not see a reason to table the item.

Motion to deny the variance request for construction of a new single-family home at 148 Juarez Street

BOARD MEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BABBAGE			X			
BARLOW			X			
HARDIE	X		X			
MOUND		X	X			
SHAPIRO			X			

6:01 (56:54) Item 8: Variance request for a rear deck extension.

Address: 630 Main Street

Zone: R1-5

Applicant/Owner: Adam Downey/Thomas Bauers

APN: 401-07-151

Applicant is seeking a variance to the five- (5-) foot rear setback requirement to allow a deck to be constructed approximately one (1) foot from the rear property line.

Chair Shapiro introduced the item and asked about the dimensions of the land owned by UVX and if it was buildable or landlocked.

(58:06) Homeowner and applicant Thomas Bauers said he believed it was not buildable but did not know the dimensions of the lot and that he has leased and taken care of it for more than 20 years, with first option to buy. He referred to a letter included in his application from property manager Roberta Westcott, giving permission to build close to the property line.

Mr. Babbage said he had a comparable situation behind his property, and Chair Shapiro said he leases his driveway from UVX. Chair Shapiro then clarified for Ms. Hardie that he had asked about the dimensions of the UVX lot east of Mr. Bauer's property, not the deck dimensions.

Ms. Hardie asked Mr. Bauers why he was extending his deck. He replied that it was for his pleasure, but that he was also ready to rebuild and wanted to improve the deck and have a place for entertaining guests near the kitchen. He mentioned that neighbors have sheds and hot tubs near lot lines. He also mentioned that he takes care of the neighboring vacant property.

Ms. Hardie said the purpose of the variance request was the question she had and wasn't sure Mr. Bauers's reason was valid.

Mr. Babbage said leases don't count and that the next physical neighbor adjacent to the UVX property is more than 20 feet away.

Vice Chair Mound reminded the other members that Mr. Bauers holds the lease and has for more than 20 years, with first option to buy, and that he is not encroaching on other property. She said she understood his desire to improve his outdoor living space.

Ms. Barlow asked Mr. Bauers to explain how this was in compliance with the fire department. Mr. Bauers said he was using fire-resistant materials. Ms. Barlow then asked him to share what Fire Chief Rusty Blair had told him, and how the JFD would fight a fire at his home. Mr. Bauers said they would fight a fire from Highway 89 or from Holly Street below, but that in his conversation with Chief Blair about the deck, he only mentioned flammability, not access to the house. Mr. Bauers said the fire department has shown up before and had no problem getting to his house.

Mr. Knight said any variance can potentially impede the JFD's ability to fight fire, but that the use of noncombustible materials and access under the deck to get the back of the property were two key factors regarding Mr. Bauers's property.

Ms. Hardie said the purpose of granting a variance is because of topography or a common condition in a neighborhood that doesn't necessarily comply with the zoning ordinance. She said for Mr. Bauers, this was personal and self-imposed. She used as an example Ms. Gale asking for a variance so she could sell her land for more money. Ms. Hardie and resident Carol Anne Teague briefly exchanged words.

Vice Chair Mound said given the fact there are no close neighbors, this is not the same situation as in the Gulch. For this and other reasons iterated earlier, she felt Mr. Bauers should be able to enjoy the property and that the current deck is narrow.

Mr. Babbage agreed with the vice chair's conclusion but not her argument. He repeated that leasing property does not count; that the closest neighbor was more than 20 feet away; and that the deck extension would not impinge on anyone.

Ms. Barlow asked for clarification regarding the deck. Mr. Bauers said it was 10 feet off the ground.

Ms. Hardie brought up the noncombustible materials and said perhaps that they could be a condition of variance approval.

Discussion/Possible action

Motion to approve the variance request for a rear deck extension at 630 Main Street on condition that low-combustible materials are used per the fire chief's recommendation

BOARD MEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BABBAGE	X		X			
BARLOW			X			
HARDIE			X			
MOUND			X			
SHAPIRO		X	X			

Informational Items (Current Event Summaries):

6:29 (1:25:24) Item 9: Future Items – none scheduled.

Item 10: Adjourn

Motion to adjourn at 6:29 p.m.

BOARD MEMBER	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BABBAGE	X		X			
BARLOW			X			
HARDIE			X			
MOUND		X	X			
SHAPIRO			X			

Approved: _____

Gary Shapiro, Chair

Date: _____

Attest: _____

Rosa Cays, Deputy Clerk

Date: _____



TOWN OF JEROME

Post Office Box 335, Jerome, Arizona 86331
(928) 634-7943

Zoning Administrator Analysis Board of Adjustment Thursday, February 17, 2022

Item 6: Variance request to construct a Deck
Location: 776 East Avenue
Applicant/Owner: Cynthia Barber and Eric Lerette
Zone: R1-5
APN: 401-07-099B
Prepared by: Will Blodgett, Zoning Administrator
Recommendation: Discussion/possible action

Background and Summary: The applicant is seeking a variance to the twenty-foot front (street) setback requirement to allow a deck to be constructed approximately 15 (15) feet from the rear property line on Douglas Road. Note that the property is located on a lot on the hogback and has frontage on both East Avenue and Douglas Road.

The proposal is for a Deck addition to the home. The applicant has requested a variance request to allow a five (5)-foot rear setback adjacent to Douglas Road to avoid impacting a historic dry-fit stone wall by anchoring the deck just beyond the rock wall.

Property Standards: Section 505.D of the Jerome zoning ordinance establishes the yard setback standards for the R1-5 zoning district. Section 505.D.5.c.1. states; *"There shall be a rear yard of not less than twenty (20) feet in depth..."* A "Deck" is defined in the zoning Ordinance as; *"An open, unroofed porch or platform structure built at least twelve (12) inches above the ground that is located in the front, rear or sideyard or court of a property. When a structure has a roof or wall enclosure that keeps out the elements, it is not a deck and shall be deemed part of the primary structure for purposes of this Ordinance."*

Response: Section 505.D.5.c.1. requires a minimum twenty- (20-) foot setback from Douglas Road. The variance is primarily for the purposes of historic preservation, which fall in line with the town of Jerome's stated goals and can be constructed without adversely impacting the neighborhood or the historic nature of the property and the community as a whole if the board of adjustment approves the variance.

Variance Criteria: To approve a variance, the board is required to consider criteria contained in Section 305 of the Jerome Zoning Ordinance covers Appeals and Variances. Key sections that apply to the proposed variance are noted below:

Section 305.A.6.: *"Any aggrieved person may appeal to the Board of Adjustment for a variance from the terms of the Zoning Ordinance only, if because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of same classification in the same zoning district. Any variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a*

grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.”

Response: The Board can grant a variance if the applicant can demonstrate that there are “special circumstances” that apply to the property. These could include the size of the property, the shape, the topography, location, or surroundings.

Section 305.A.7.: *“A variance shall not be granted by the Board unless the alleged hardship caused by literal interpretation of the provisions of this Ordinance results in more than personal inconvenience and/or financial hardship and is not the result of actions by the appellant.”*

Response: The Board is not able to grant a variance if the alleged hardship is a self-imposed hardship caused by personal inconvenience and/or financial hardship.

Section 305.A.8.: *“In granting Variance, the Board may impose such conditions and safeguards as are appropriate to insure that the purpose and intent of this Ordinance will be fulfilled. Failure to comply with such conditions and safeguards, when made a part of the terms under which a Variance is granted, shall be deemed a violation of this Ordinance.”*

Response: The Board can add conditions to ensure compliance with the ordinance requirements. If desired, any new conditions should be included in the Board’s motion.

Recommendation: Discussion/possible action.



Variance Application Checklist

Each application will be filed with the zoning administrator and forwarded to the Jerome Board of Adjustment once the application has been reviewed by staff and determined to be complete. All application materials must be submitted electronically in PDF format (8.5-by-11 inches or 11-by-17 inches). Contact the zoning administrator at 928-634-7943 if assistance is needed regarding submitting materials.

- ☒ General Land Use Application Form
- ☒ Written narrative of the proposed project (include uses, hours of operation, number of employees, etc.)
- ☒ Written response to variance criteria contained in Section 305 of the Town of Jerome Zoning Ordinance
- ☒ Plot plan or site layout, including all improvements drawn to scale
- ☒ Location, dimension, and calculation of required parking spaces
- ☒ Dimensions of all setbacks (front, rear, sides)
- ☒ Diagram and calculation of median grade and maximum building height
- ☒ Topographic survey (note: may be waived for some projects)
- ☒ Existing and proposed grades *NO real change*
- Survey* ☒ Location and dimensions of property lines, street right-of-way boundaries, and easements
- ☒ Location and dimensions of all existing buildings, structures, and nearby features
- ☒ Square footage and coverage of existing and proposed buildings
- ☒ Elevations and dimensions of all sides of proposed building walls
- ☒ Location and dimensions of existing and proposed pedestrian walkways and stairways
- ☐ Photographs showing all sides of existing structures
- ☐ Location of trees and other natural features *none*
- ☐ Utility locations and connections
- ☐ Method of disposal for storm drainage (including energy dissipaters and retention/detention)
- ☐ Fire sprinkler and fire safety components
- ☐ Landscape plan
- ☐ Lighting plan and lighting fixtures
- ☐ Signage (if applicable)
- ☐ Photographs showing adjoining properties, buildings, and structures
- ☐ Explanation and location of any building or structure to be demolished or removed
- ☐ Depth and volume of any cut and fill or other proposed excavation
- ☐ Additional information requested by zoning administrator

☐ _____



TOWN OF JEROME, ARIZONA

600 Clark Street, P.O. Box 335, Jerome, AZ 86331
(928) 634-7943

General Land Use Application – Check all that apply

- ☐ Site Plan Review \$300 ☐ Design Review \$25 to \$500 ☐ Conditional Use Permit (CUP) \$500
☐ Demolition \$50/\$200 ☐ Signage/Awning \$50 ☐ Paint/Roofing \$25
☐ Time Extension \$25 to \$200 ☒ Other: Variance \$300 ☐ Other: _____

Note: Refer to the corresponding Project Application Checklist/s for additional submittal requirements.

Applicant: <u>Cynthia Barber</u>	Owner: <u>SAME</u>
Applicant mailing address: <u>PO Box 333</u>	Property owner mailing address:
Applicant role/title: <u>Owner</u>	
Applicant phone: <u>928-274-3508</u>	Owner phone: <u>928-274-3508</u>
Applicant email: <u>cdrbarber@gmail</u>	Owner email: <u>cdrbarber@gmail</u>
Project address: <u>776 East Ave.</u>	Parcel number: <u>401-07-09AB</u>
Describe project: <u>Variance on rear setback of 1664 sqft</u> <u>single family residence</u>	

- I understand that review by the Jerome Design Review Board, Planning and Zoning Commission, and Town Council is discretionary.
- I understand that the application fee is due at submission and review will not be scheduled until fee is paid to the Town.
- I understand review criteria are used in evaluation by the Jerome Design Review Board and/or Planning and Zoning Commission. These criteria are included in the Jerome Zoning Ordinance.
- I understand that this application will not be scheduled for consideration until all required materials have been submitted and the application is determined to be complete.

Applicant Signature: Cynthia R. Barber Date: 2/7/22

Property Owner Signature: Cynthia R. Barber Date: 2/7/22

For Town Use Only	
Received from: <u>Cynthia Barber</u>	Date: <u>2/10/2022</u>
Received the sum of \$ <u>300.00</u> as: <input type="checkbox"/> Check No. _____ <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Credit Card	
By: <u>K.M.</u>	For: <u>Variance</u>
Tentative Meeting Date/s - DRB: _____	P&Z: <u>2/16/22</u>

776 East Avenue : Barber/Lerette Residence

Cynthia R. Barber
PO Box 333
Jerome, Az 86331
(928)274 3508

February 8, 2022

Dear Board of Adjustment Members,

I would like to request a variance to the rear setback at 776 East Avenue. The twenty foot setback is right at the historic concrete footing and an approximately five foot tall rock wall. In order to preserve the wall and as much of the historic structure as possible, we would like to extend our porch onto the terrace below. We have talked with a structural engineer who also thinks that this is the way to build so as to not disturb the wall. The Alexander house 778 (now the Davis house) north of the property is built right on the property line (no rear setback) and the Koerner house 774 has a shed less than 10 feet off the property line. Therefore I believe that a 10 foot setback would not only be appropriate, but also be more visually compatible with the buildings on either side of it.

Sincerely,

Cynthia R. Barber

DOUGLAS ROAD 25 FEET BELOW

PLOT PLAN
PARCEL # 401-07-0993

BARBER/LERETTE
RESIDENCE

X X X X X X X X
X X X X X X X X

LOT 45
- 10 FEET

DRAINAGE HOLE

5 1/2' WALL

LOT 44

10' TERRACE

LOT 43

20' x 20' PORCH

PORCH
EAVE
← 5' SET BACK

EXISTING WALLS

XXX WIRE FENCING
XXXXX ROCK WALL

YARD

STAIRCASE
4' x 4' WIDE

4' WALL

4 1/2' WALL
6' TERRACE

← 25' →

DRINKING

25'

20' x 20' FT

POLE

4' CONCRETE WALKWAY

— WATER —
— GAS —
IN ROAD

776 EAST AVE

20' ROAD

LOT 44 & A PORTION OF LOT 45 BLOCK 5
MOUNTAIN VIEW SUBDIVISION
LOCATED IN SECTION 23,
TOWNSHIP 16 NORTH, RANGE 2 EAST,
GILA & SALT RIVER BASE & MERIDIAN,
YAVAPAI COUNTY, ARIZONA

● INDICATES FOUND MONUMENT AS NOTED
 ▲ INDICATES RECORD LOCATION, NOTHING SET OR FOUND
 ○ INDICATES 581 1/2" REBAR WITH PLASTIC CAP STAMPED 7.5.26325

(CB) INDICATES CHORD BEARING
 (CD) INDICATES CHORD DISTANCE
 (C) INDICATES CALCULATED DIMENSION
 (M) INDICATES MEASURED FIELD DIMENSION

1. THIS SURVEY WAS PERFORMED BY MY ASSIGNS IN AUGUST OF THE YEAR 2015.
2. THE CREW WAS COMPRISED OF JESSE SHARP & RITCHIE WATSON.
3. THESE RESULTS OF SURVEY WAS PREPARED BY ME OR MY ASSIGNS BASED UPON THE INFORMATION OBTAINED IN THAT SURVEY.
4. THE PARCEL WAS NOT OCCUPIED AT THE TIME OF SURVEY.
5. ALL EASEMENTS MAY NOT BE SHOWN ON THIS DRAWING.
6. THE WORD CLUTTERY AS SHOWN OR USED HEREON MEANS AN EXPRESSION OR PROFESSIONAL OPINION REGARDING THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE EXPRESSED OR IMPLIED.
7. DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THIS SURVEY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
8. THE INTENT OF THIS SURVEY IS TO VERIFY THE BOUNDARIES OF THE REFERENCED PARCEL.
9. THE PROPERTY AS DEPICTED HEREON REPORT THE CONDITION IN WHICH IT EXIST IN THE FIELD. VARIOUS MONUMENTS WERE FOUND AS SHOWN.
10. THE FOLLOWING DOCUMENTS WERE USED IN THE PERFORMANCE OF THIS SURVEY. REFERENCE CAN BE MADE TO THESE DOCUMENTS FOR SECOND INFORMATION.

(R) INDICATES RECORD DIMENSION FOUND
ON THAT DEED, RECORDED IN BOOK
4260, PAGE 374, IN THE RECORDS OF
YAVAPAI COUNTY, ARIZONA

(R2) INDICATES RECORD DIMENSION FOUND ON THAT PLAT OF "MOUNTAIN VIEW SUBDIVISION", RECORDED IN BOOK 2, PAGE 65, IN THE RECORDS OF YAVAPAI COUNTY, ARIZONA

THIS IS TO CERTIFY THAT THIS RESULTS OF SURVEY MAP AND THE FIELD SURVEY ON WHICH IT IS BASED WERE CONDUCTED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE MINIMUM STANDARDS GOVERNING THE CREATION OF LAND SURVEY BOUNDARIES WITHIN THE STATE OF ARIZONA AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

THIS MAP IS PUBLISHED SUBJECT TO ALL CONDITIONS,
RESERVATIONS, AND OTHER ITEMS OF THE PUBLIC RECORD
ON THIS 15th DAY OF AUGUST, 2015.

D. L. McDonald
DUGAN, McDONALD & S.

401-07-099B

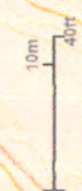
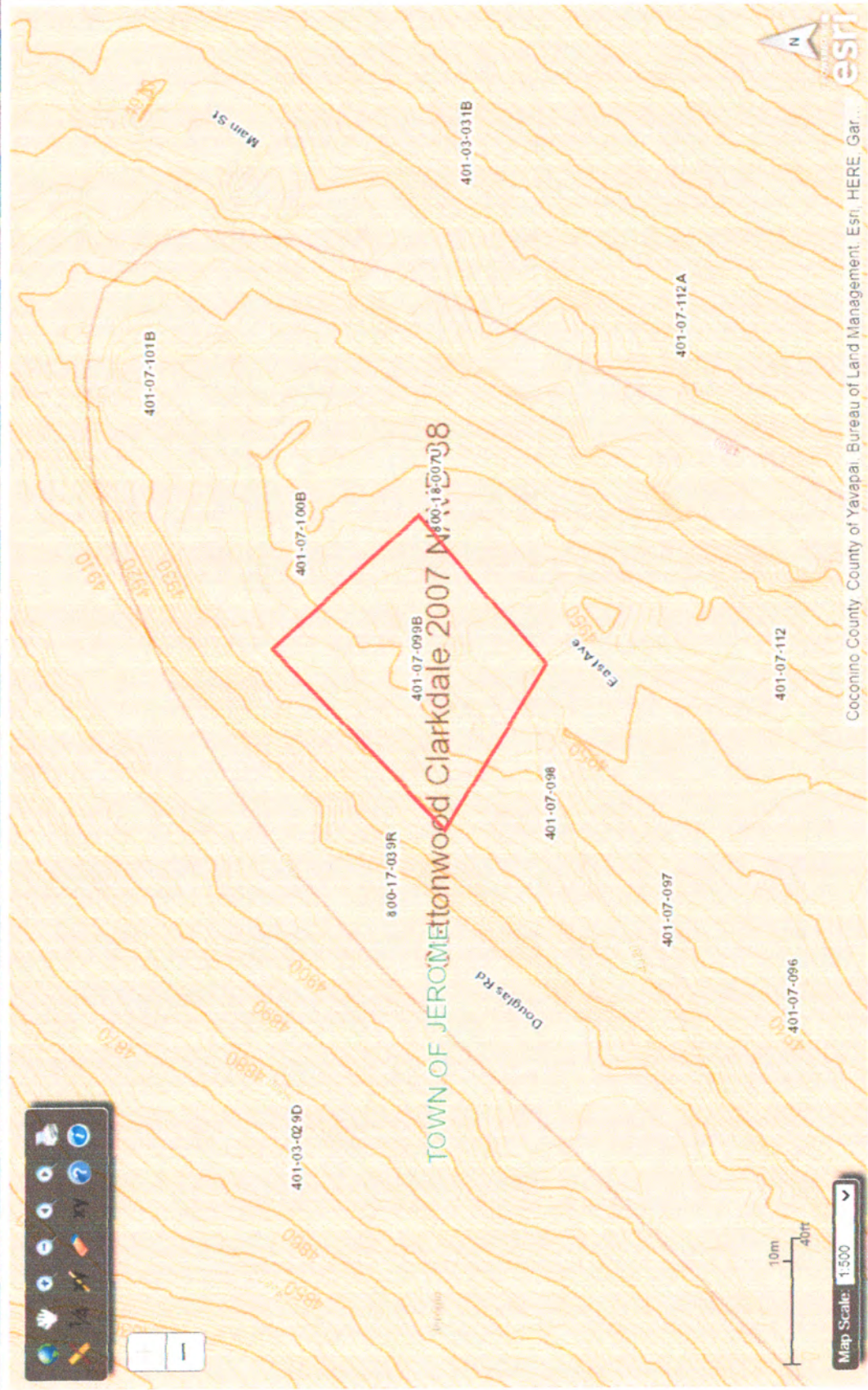
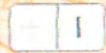
HERITAGE

DUCAN L. McDONALD R.L.S.
PO BOX 3270
CAMP VERDE, AZ 86322
928-567-9170

EXPIRES 3-31-2017



Yavapai County Interactive Map

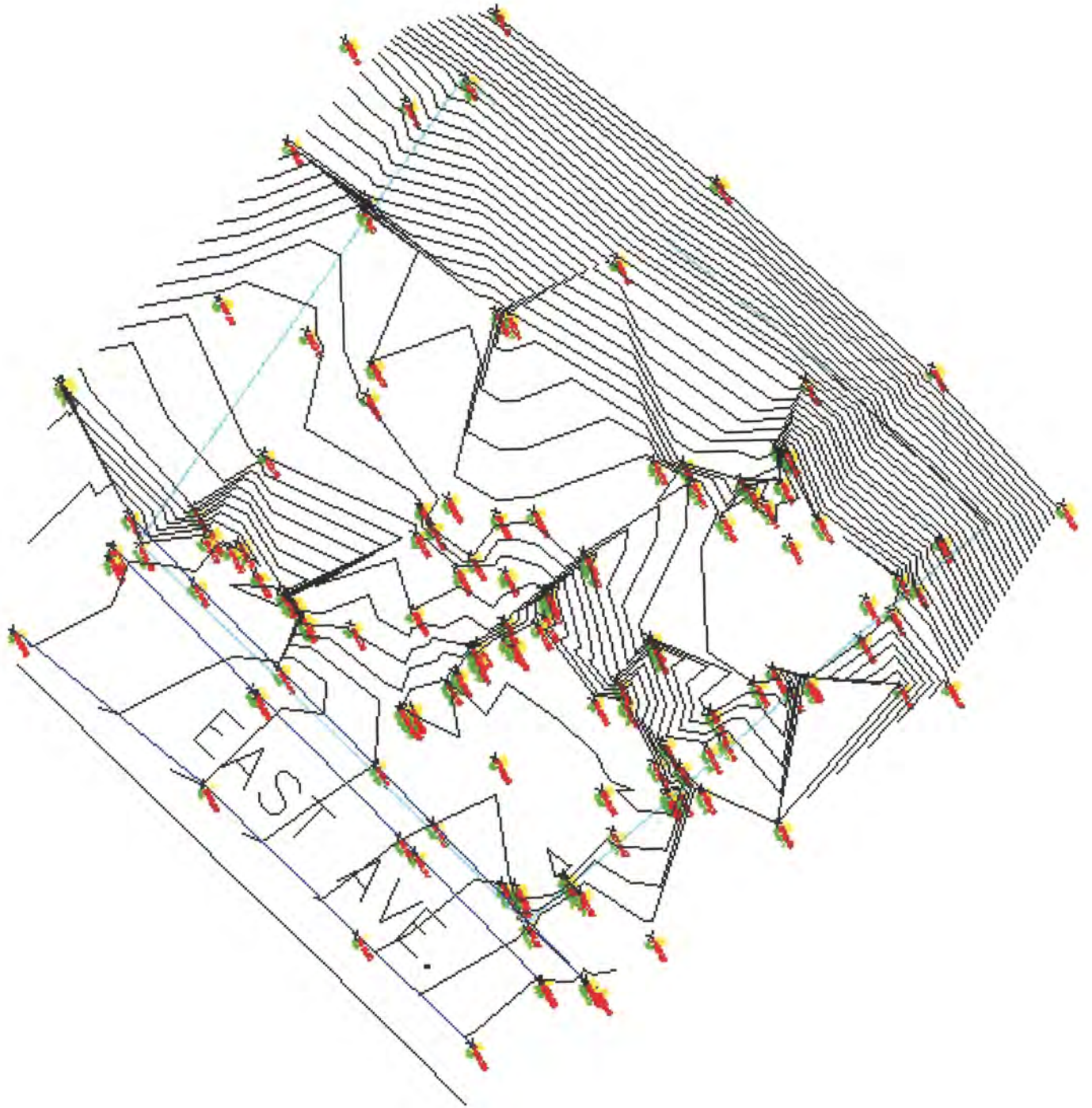


Map Scale: 1:500



Coconino County, County of Yavapai, Bureau of Land Management, Esri, HERE, Gar...

PRELIMINARY





TOWN OF JEROME

Post Office Box 335, Jerome, Arizona 86331 (928) 634-7943

P&Z Resolution No. 2022-02

Approving preliminary and final site plan for a new single-family home at 776 East Avenue

Whereas the Town of Jerome has received an application for Preliminary and Final Site Plan Review from Cynthia Barber and Eric Lerette to construct a new home at 776 East Avenue (APN 401-07-0998); and

Whereas the property is in the R1-5 zoning district;

Whereas the proposed project consists of an approximately 1,664-square-foot single-family home;

Whereas a notice was posted at the site on December 23, 2021, in accordance with Jerome Zoning Ordinance Section 303.1C;

Whereas the Design Review Board reviewed and approved this application at their January 3, 2022 meeting;

Whereas the Jerome Planning & Zoning Commission reviewed this application at their January 19, 2022 meeting and wishes to approve the application subject to review and approval of the variance request by the Board of Adjustment; and

Whereas the Planning and Zoning Commission finds that the site plan does not adversely affect the public health, safety, and general welfare of the Town of Jerome, and so protects the environment and the town's historical character.

Now, therefore, be it resolved by the Planning and Zoning Commission of the Town of Jerome, Arizona, that the Preliminary and Final Site Plan submitted for an approximately 1,664-square-foot single-family home at 776 East Avenue is hereby approved, subject to the following conditions:

1. **Parking** – A minimum of two (2) parking spaces shall be provided for the proposed use. The parking spaces are required to be provided prior to final occupancy.
2. **Height** – The building height shall not exceed 25 feet above existing average grade.
3. **Setbacks** – A front setback of five (5) feet shall be provided on East Avenue, which is comparable to the setbacks of buildings nearby, and permitted per the Zoning Ordinance: *Section 505.D.1) the applicant can reduce the setback to that of any building within one hundred feet of the lot*; a minimum five (5)-foot setback shall be provided on the side lots, and a minimum 20-foot setback shall be provided for the rear yard.
4. **Construction Hours and Noise** – Construction and noise shall be limited between 8:00 pm and 7:00 am in accordance with Section 10-1-13.C. of the Jerome Town Code.
5. **Engineering Reports** – Prior to issuance of a building permit, the applicant shall provide the necessary engineering reports demonstrating the site is suitable for the improvements proposed. This may include geotechnical, structural, and/or soils engineering reports as determined by the Planning & Zoning Commission.
6. **Water Extension** – Prior to occupancy, a water connection shall be provided to 776 East Avenue to serve the proposed improvements.

P&Z Resolution No. 2021-09

7. **Sewer Extension** – Prior to occupancy, a sewer line shall be extended to 776 East Avenue to serve the proposed improvements.
8. **Other Improvements/Changes** – Any subsequent modifications or changes to the plans, including but not limited to changes in setbacks, square footage, fences, siding, roofing, height, etc., will require additional review by the Planning and Zoning Commission and/or the Design Review Board.
9. **Drainage** – The building permit submittal shall indicate both existing and proposed drainage. This includes, but is not limited to, how drainage will be collected (such as from roof drains) and directed to protect neighboring properties. This may include splash blocks, swales, detention basins, and gravel catchments to help dissipate hydraulic energy. Roof drains shall not be directed over any public sidewalks.
10. **Grading** – Grading shall comply with the requirements of Section 303.3 of the Zoning Ordinance. Grading plans shall include, but not be limited to, adequate dust control measures, erosion control/drainage, and fencing to protect sensitive features (such as trees to be saved).
11. **Home Occupations** – Any proposed use of the property for a Home Occupation shall be incidental to the primary use of the property and in compliance with Section 502.M. of the Zoning Ordinance.
12. **Building Permit Submittal and Code Requirements** – The applicant shall consult with the building inspector and submit detailed drawings for building permits that clearly demonstrate compliance with all code requirements, including, but not limited to, coverage, height, parking, and setbacks (Section 505).
13. **Conditions on Plans** – The building permit plan submittal shall include a sheet with a list of the approved conditions.
14. **Expiration of Approval** – This approval shall become null and void if a building permit is not issued within six (6) months of final Planning and Zoning and Design Review Board Approval of this application. If necessary, the applicants may request an extension by the approval body if the extension is submitted prior to approval expiration.


ADOPTED AND APPROVED by a majority vote of the Planning and Zoning Commission on the 19th day of January 2022.

ATTEST:

APPROVED:



Rosa Cays, Deputy Town Clerk

 1/20/2022

Chairman Lance Schall



Jerome Fire Department

P.O. Box 1025 Jerome, AZ 86331 Tel. (928) 649-3034 Fax (928) 649-3039
e-mail: blair@jeromefire.us

1-18-2022

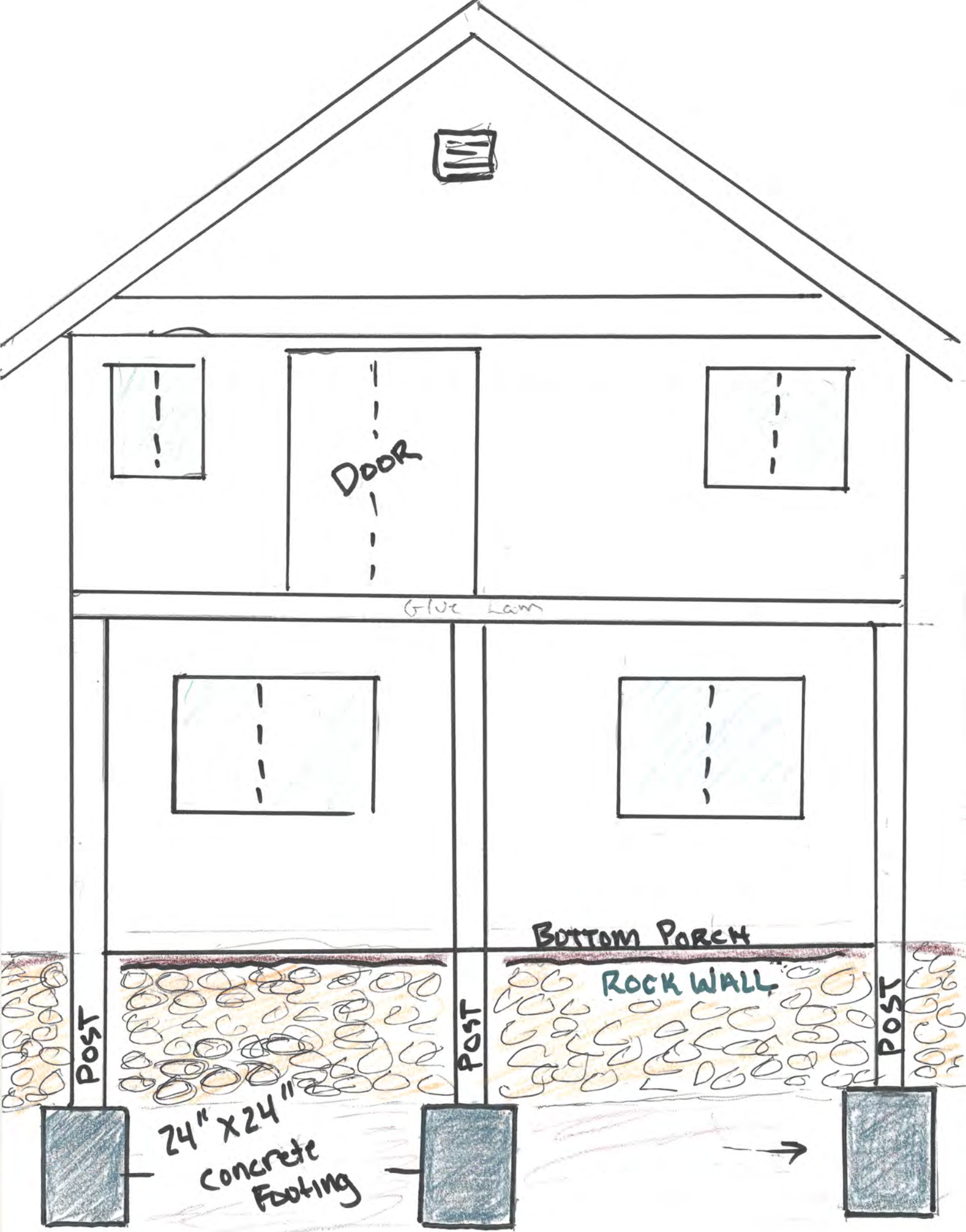
Barber- Lerette Residence
776 East Ave
Parcel 401-07-099B

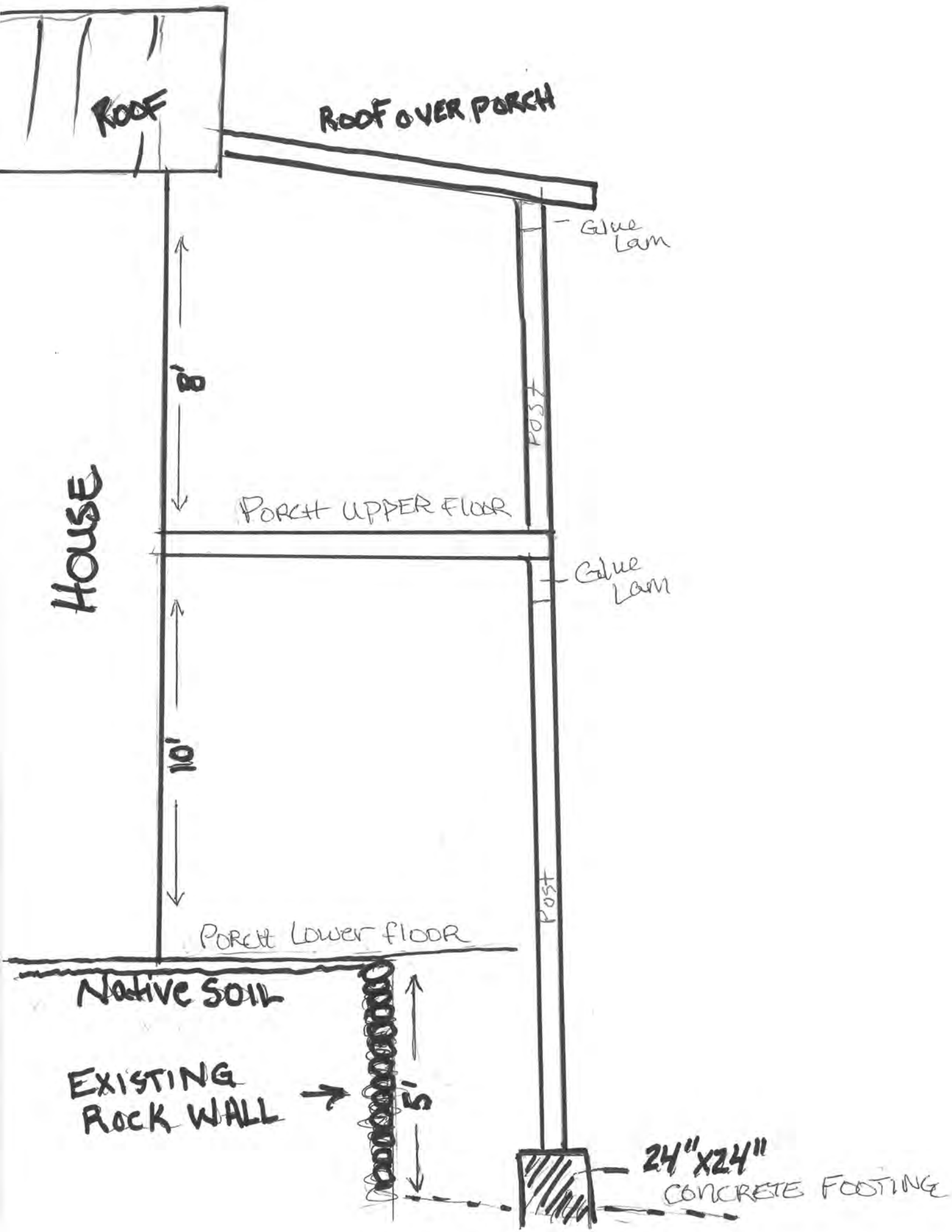
To whom it may concern:

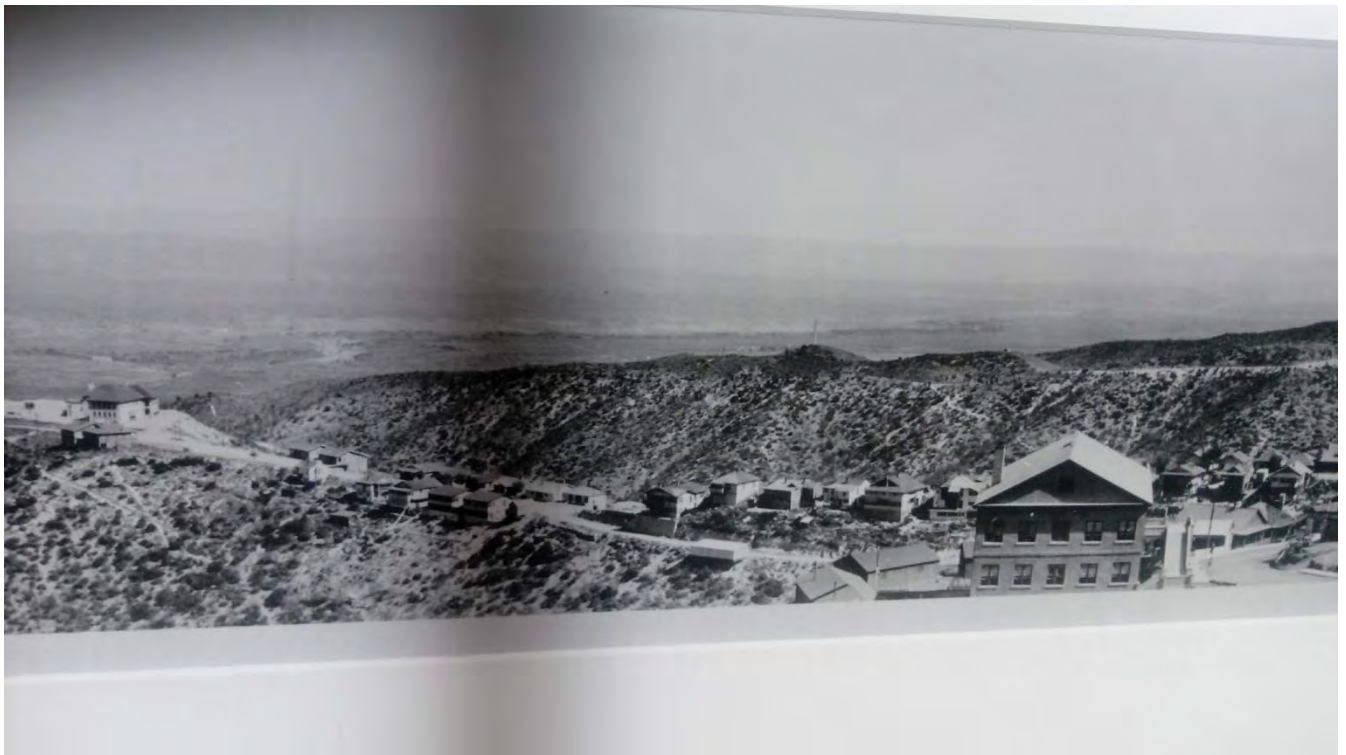
After reviewing the plot plan for this project, I find most of the project to be within current planning and zoning set back requirements. However, the west corner of the project only appears to have a setback of about 15 feet. Having said that, I believe that the property being landlocked by the Douglas Road easement and the structure running at an angle to the property line, gives the back-north corner a setback of over 20 feet with no potential for any other structure to be built behind it. It is my opinion that this project could move forward and would not worsen the Fire Department's ability to fight fire in this area.

Rusty Blair

Rusty Blair
Fire Chief / Fire Marshal
Jerome Fire Department









Interactiv...
s.yavapaiaz.gov



Ownership Information

Lerette Eric E &
Barber Cynthia R JT
PO Box 333
Jerome, AZ 86331-0333

Recorded Documents & S

Date	Book/Page
8/31/2015	2015-0041532
8/31/2015	2015-0041531
5/3/2005	4260-374
5/3/2005	4260-374
11/20/2003	4095-732
2/19/2002	4260-374

Parcel

Physical Address ?

776 East Ave

Check Digit ?

3

Assessor Acres ?

0.11

Subdivision ?

Mountain View

Map Type ?

M

Local Zoning ?

Town Of Jerome
R1-5

Area

Improvements

Assessment

Taxes

Special Districts

Election/Voter

Map Scale: 1:500

Yavapai County | Yavapai County GIS Dep...







