

TOWN OF JEROME

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

AGENDA

Regular Meeting of the Planning and Zoning Commission
Tuesday, July 19, 2022, 6:00 pm
CONDUCTED VIA ZOOM

Members of the public are welcome to participate in the meeting via the following options: By computer at https://us02web.zoom.us///9286347943 or by telephone at 1 669 900 683. The Meeting ID is 928 634 7943. A drive-up internet hotspot is now available in the parking lot in front of the Jerome Public Library. The network is Sparklight Yavapai Free Wi-Fi, and no password is required. Please submit comments/questions at least one hour prior to the meeting to Zoning Administrator William Blodgett at w.blodgett@jerome.az.gov.

Item 1: Call to order

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 commission. 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 commission'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 – Regular meeting of April 19, 2022

Old (continued) Business: none

New Business:

Item 4: Conditional Use Permit (CUP) for continued Residential use in the C-1 District

Applicant/Owner: Heide Kaldor

Zone: C-1

Address: 511 School Street APN: 401-06-028 Applicant is seeking a conditional use permit to continue Residential use within the C-1 zone.

Discussion/Possible Action

Item 5: Seeking reapproval for Garage Remodel

Applicant/Owner: Kelly Foy

Zone: R1-5

Address: 121 Third Street APN: 401-08-040

Applicant is seeking reapproval to remodel their Garage on 121 Third Street.

Discussion/Possible Action

Item 6: Seeking Approval for exterior remodel (Door, Windows and Siding)

Applicant/Owner: Rebekah Kennedy

Zone: R1-5

Address: 225 Third Street APN: 401-07-027 Applicant is seeking approval to change the door, windows and siding to their home at 225 Third Street.

Discussion/Possible Action

Meeting Updates:

Item 7: Updates of recent and upcoming meetings

- July 18 BOA meeting Update pending meeting at time of this writing.
- **June 28 DRB meeting** Approved aesthetic changes (paint and awning) for the Sullivan Apartment building, and approved a request to change the exterior paint color for 141 North Drive.
- June 14 Council meeting First reading of Ordinance 483 (Amending traffic code), approved two intergovernmental
 agreements (1 for drainage improvements, 1 for Center Ave. improvements) and approved an agreement with Verde
 Exploration regarding use of town water.

Item 8: Potential items for August's Planning & Zoning meeting, Tuesday Aug, 16 - Nothing Planned

Item 9: Adjourn

The undersigned hereby certifies that this notice and agenda was posted at the following location	as on or before 6 n.m. on
The undersigned hereby certilies that this houce and agenda was posted at the following location	is on or before o p.m. on
970 Gulch Road, side of Gulch fire station, exterior posting case 🏶 600 Clark Street, Jerom	ne Town Hall, exterior posting case 🏶 120 Main Street, Jerome Post Office, interior posting case



TOWN OF JEROME

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

DRAFT MINUTES

Regular Meeting of the Planning and Zoning Commission Tuesday, April 19, 2022, 6:00 pm

Jerome Civic Center, 600 Clark Street, Jerome Arizona, 86331

6:13 (0:10) Item 1: Call to order

Chair Ready called the meeting to order at 6:13 p.m.

Deputy Town Clerk Kristen Muenz called the roll. Present were Chair Jeanie Ready, Vice Chair Lance Schall, and Commissioner Jera Peterson. Commissioners Lori Riley and Chuck Romberger were absent. Also present were Zoning Administrator Will Blodgett and Town Manager/Clerk Candace Gallagher.

6:14 (1:16) Item 2: Petitions from the public – There were no petitions from the public. Possible Direction to Staff

6:14 (1:27) Item 3: Approval of Minutes – Regular meeting of February 16, 2022, Joint Special meeting of February 22, 2022, and Regular meeting of March 16, 2022

Motion to approve the minutes of the February 16, 2022 regular P&Z meeting

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Peterson	Х		X			
Ready			Х			
Riley					Х	
Romberger					X	
Schall		Х	X			

(2:42) Chair Jeanie Ready made a point of clarification on the February 22, 2022, special joint meeting minutes. In the call of order, the P&Z officers Were listed as Chair Schall and Vice Chair Romberger when the new chair and vice chair had been voted in on the meeting of February 16, 2022. Because Chair Ready was not in attendance at the February 22nd meeting, she suggested the commission table the minutes until their next meeting.

Motion to table the minutes of the February 22, 2022 special joint meeting

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Peterson			X			
Ready	Х		Х			
Riley					Х	
Romberger					Х	
Schall		X	X			

Motion to approve the minutes of the March 16, 2022 regular P&Z meeting

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Peterson			Х			
Ready	X		Х			
Riley					Х	
Romberger					Х	
Schall		Х	X			

Old (continued) Business: none

New Business:

6:19 (6:32) Item 4: Conditional Use Permit (CUP) for Apartments in C-1

Applicant/Owner: Dewayne Woodworth

Zone: C-1

Address: 123 Hill Street APN: 401-07-169A Applicant is seeking a conditional use permit for three residential apartments within the C-1 zone.

Discussion/Possible Action

Zoning Administrator Will Blodgett read his report that explained the scope of project. Commissioner Peterson asked how many parking spaces there would be.

Member of the public Bob Woods spoke on behalf of Mr. Woodworth, the project manager. Mr. Woods described the number and location of parking spaces on the property.

Ms. Peterson commented that 15 spaces sounded adequate.

Vice Chair Schall explained that, originally, there were more apartments planned. He commented that the tandem parking on south side of building had previously been board approved. He also believes the change to fewer apartments would be less parking intensive.

Mr. Blodgett stated that he had overestimated the amount of required parking for the retail space because the actual number will be based on the final useable space.

Mr. Schall explained that, based on the current floor plan, the whole first floor will not be retail space. Therefore, there should be enough parking to fit requirements.

Ms. Peterson commented that she had walked around the building and it looked like plenty of parking.

(14:42) Chair Ready asked when they anticipate the finish-out to be done and people or businesses start moving in.

Mr. Woods explained that they have been working on repairs, fixing walls and ceilings. If they receive the CUP, they will present plans for a building permit, hopefully within the next few months. They are planning on starting at the bottom floor and working up, but some work is being done currently.

Vice Chair Schall asked about the fire escape for the building.

Mr. Woods explained his plans for the fire escape.

Member of the public Nancy Robinson suggested that they paint the red curb yellow if allowed to increase the parking inventory.

Motion to approve the conditional use permit for apartments in the C-1 zone at 123 Hill St.

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Peterson	Х		Х			
Ready			Х			
Riley					Х	
Romberger					Х	
Schall	Х		X			

6:33 (20:30) Item 5: Renewed approval for accessory feature (Generator)

Applicant/Owner: Mike Gray / James Keenan

Zone: R1-5

Address: 103 Dundee Avenue

APN: 401-11-015M

Applicant is seeking to install a back-up Generator at 103 Dundee. Project was previously approved, but the permit was allowed to expire, and the applicant is renewing the process to begin construction.

Discussion/Possible Action

Zoning Administrator Will Blodgett introduced the project and explained that the prior approval for the generator project had expired. He notified the commission that the applicant, Mike Gray, was present.

Commissioner Peterson commented that she had gone to the property and talked to Michael Gray. She explained that she had concerns due to the fact the generator would be in a residential area and could create a nuisance. Ms. Peterson felt that the residents should be allowed to comment. Mr. Blodgett pointed out some of the safety features of the generator that would mitigate some noise and other concerns.

Mike Gray, representing the applicant, is introduced.

Chair Ready asked about sound attenuation measures.

Mr. Gray responded that they had gone to lengths to add features to mitigate noise and other issues.

Chair Ready asked if the neighbors had been asked about their feelings on the project.

Mr. Grav responded that he did not know.

Vice Chair Schall stated that the fire chief had reviewed the plans for fuel storage, and it met requirements. Also, the generator was meant as a back-up, and would not be run every day, only when needed for power outages.

Chair Ready agreed that it was a good point that it would be used only temporarily.

Mr. Schall commented that it was not unusual for a generator to be used for that purpose.

Chair Ready thanked Mr. Schall for his comments.

Ms. Peterson said that she didn't think the project had gone through Planning & Zoning the first time. She also felt they should give the neighborhood a chance to weigh in on the project.

(33:00) Vice Chair Schall recalled that it had gone through Planning & Zoning the first time, but as part of a larger building project.

Mr. Gray confirmed that was correct.

There was some discussion as how best to proceed.

Mr. Schall suggested that the correct procedure would be to table the issue and direct staff to set up a neighborhood meeting.

Motion to table a decision on the approval for accessory feature until a future meeting date and direct staff to set up a meeting for information gathering

Commissioner Moved	Second	Aye	Nay	Absent	Abstain	1
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Peterson	Х	Х		
Ready	X	Х		
Riley			X	
Romberger			Х	
Schall		X		

Meeting Updates:

6:53 (40:12) Item 6: Updates of recent and upcoming meetings

- March 30 BOA meeting Meeting cancelled until further notice.
- **April 4 DRB special meeting –** Approved the minutes of the regular meeting of February 7, 2022. Approved amendment to the DRB bylaws regarding meeting dates, changing to the fourth Tuesday of each month.
- April 12 Council meeting Approved the minutes from both the February 22nd special meeting and the March 8th regular meeting. Approved Resolution 637 awarding the Dundee waterline contract. Approved Resolution 638 awarding contract for drainage improvements. No action was taken on resolution 639 and Ordinance 482 regarding the 2018 edition of the International Residential Code.

6:55 (42:30) Item 7: Potential items for May's Planning & Zoning meeting, Tuesday May 17 – Discussion of definitions within the Zoning Ordinance relating to land use.

Item 8: Adjourn

Motion to adjourn at 6:56 p.m.

Commissioner	Moved	Second	Aye	Nay	Absent	Abstain
Peterson			Х			
Ready		Х	Х			
Riley						
Romberger						
Schall	Х		Х			

Approved	d:	Date:	
	Jeanie Ready, Planning & Zoning Commission Chair		
Attest:		Date:	
111001.	Kristen Muenz, Deputy Town Clerk		



TOWN OF JEROME

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

Zoning Administrator Analysis Planning & Zoning Commission Tuesday, July , 2022

Item: 4

Location: 511 School Street **Applicant/Owner:** Heide Kaldor

Zone: C-1

APN: 401-06-028

Prepared by: Will Blodgett, Zoning Administrator

Recommendation: Discussion/possible action

Background and Summary: The applicant is seeking approval for a Conditional Use Permit (CUP) to continue residential use of 511 School Street. The house was constructed in 2006 within the Commercial C-1 District. The Planning & Zoning Commission at the time discussed the property at length, regarding land use consideration, setbacks and parking. In the end, the Commission voted in favor of approval with the minutes from that meeting provided at the end of this document. The structure was approved for construction as a Residence and has been a Residential use since its completion.

Purpose: It is the express purpose of this Ordinance that any use for which a Conditional Use Permit is required shall be permitted as a Principal Use in the particular zoning district, provided that all special conditions and requirements of this Ordinance are met. Therefore the action of the Commission shall be one of approval or denial based upon its judgement as to whether the specified conditions have been or will be met. In order to grant any use permit, the findings of the Commission must be that the establishment, maintenance, or operation of the use of building applied for will not be detrimental to the public health, safety, peace, convenience, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the town.

Property Standards: The Town of Jerome Zoning Ordinance in section 507.C.1 says that within the Commercial C-1 zone a Conditional use can be; "Any "Permitted" or "Conditional" uses in the "R1-10", "R1-5" or "R-2" Zones." This means that any of the Residential uses from those Zones is conditionally permitted within the C-1 zone.

ZA Response: Upon examination of the minutes of the regular meeting of the Town of Jerome Planning & Zoning Commission from May 3, 2006 you can see some of the reasoning behind the initial approval for Construction of the Residence, and it's initial delays. These issues were resolved to the satisfaction of the commission at that time, and has been in use as a Residence since. I recommend approval for the Conditional Use Permit to allow continuation of the Residential land use.

A	рį	plication	&	Related	Informati	tion
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File #:

Town Use



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: Other: Note: Refer to the corresponding Project Application Checklist/s for additional submittal requirements. Applicant: Herde K Owner: Herde R Applicant mailing address: Property owner mailing address: 475 JACKS CANYON RO, SUITE 231 475 JACKS (ANYON RD. STE Applicant role/title: Applicant phone: Owner phone: Applicant email: Project address: Parcel number: Describe project: 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: Hold For Town Use Only Received from: Heidl / Derome Copper Mrn Date: 6/15/2022 Received the sum of \$ 500.00 as: Check No. 140 Cash Tentative Meeting Date/s - DRB: _

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Updated: 12/20/2021



TOWN OF JEROME, ARIZONA

POST OFFICE BOX 335, JEROME, ARIZONA 86331 (928) 634-7943 FAX (928) 634-0715 planner@jeromearizona.us

Incorporated 1899

MEETING OF THE JEROME PLANNING & ZONING COMMISSION

DATE: May 3, 2006 TIME: 7:00 P.M.

MINUTES

ITEM 1: CALL TO ORDER/ROLL CALL

7:03 p.m.

Roll Call: Louis Galuzzi (came in at 7:06), Steve Hopkins, Tony Longhurst, Gil Robinson,

ITEM 2: APPROVAL OF MINUTES - April 5, 2006 and March 5, 2006

March 5th minutes

Tony - suggestion the first three lines to be eliminated

Steve - I make a motion to approve with the first three lines to be eliminated.

Gil - second the motion

Vote 4 - 0; passes unanimously

April 5th minutes

Tony – Appeal from School Street should be put into the minutes, please note specifics. I want to correct typos.

Louis - I make a motion to approve with corrections.

Steve - Second the motion

Vote 4 - 0; passes unanimously

ITEM 3: PETITIONS FROM THE PUBLIC - Please complete a request form with your name and subject and submit to the Chair. When recognized by the Chair, please come to the microphone, please state your name and observe the three-minute time limit per speaker.

School street petition in the packet.

ITEM 4: ZONING ADMINISTRATOR'S REPORT

My condolences to Jennifer McDonald, Myles wife. I left his name plate up for today's meeting.

I put in my resignation letter.

Tony - Myles was a very effective leader on this board.

ITEM 5: ROBERT DEBELLA AND LYNNIE RAICHERT - SCHOOL STREET - 401-06-028

7:12 p.m.

The Lawyer will be in attendance at this meeting to help with this issue.

Bob – I am the owner of the school street application for the approval of the conditional use permit.

Asking for a residential on this C-1 site. I did not understand some things and invited back and wanted to make progress on this.

There is resistance on this project, but they won't ever like me doing anything here and want to use my land jut like everyone else here has been entitled here.

Tony - I believe we had asked for engineering's report.

David - Are their general questions, or is it specifically to the engineering

Tony - There are questions on porch cantilever and the parking issue.

David - concern on parking space?

Tony - vehicles turning around in the parking lot

David – and the cantilever?

Tony - cantilever over the sidewalk.

David – You are the commission, what I don't want to do is not to tell you what to do, the issues that were brought to my attention break it down into categories, generally what the legal authority? Legal authority weather or not that use is compatible and permissible to the neighborhood. General welfare of the people, the use is the scope of the purview.

Recommend caution, if you begin to require engineering studies and building permit, it becomes a problem and you are placing conditions. You can put reasonable conditions on this use, if you are concerned of the building structure sound of the building, this is beyond their scope. This is the purview of the Building Inspector. IF the commission wants to condition on an engineering approval outside the scope of the use, and I think that is a problem.

An appeal happens along with an exposure of legal suit.

I believe this use is compatible, the site plans don't violate the code, o move beyond that, we are interested in the engineering and building code issues it becomes dangerous to the commission.

There is nothing wrong, your use is compliant, your use is compatible, and you can put a general condition, like you have to possibly Parking issue, clearly we have a parking requirement and that is for parking space, what happens if they back out or make a turn around, if our code is silent how the car gets out, then we can't do anything.

Tony - actually we do,

Rence - no you don't - the code says residential building use v commercial building.use.

Gil – Page 87, residential uses allows for backing out on the you can tandem etc, but if commercial you have to be very specific. Parking is very adequate at this point.

Bob - I abide by the setback,

Tony - What about the code?

Renee – I got nailed by a lawyer and cannot enforce that part of the code, specifically how certain areas of our parking and definitions are put together.

Louis - We are picking and choosing a lot. We need to decide commercial or residential.

Tony – we have made rulings based on the zone dictates all, sympathetic to the parking issue that it is too stringent. I just want rationale.

Louis – if something were there, it would be easier, but this is a new project. They want 500 square feet along with other issues and picking and choosing and taking advantage of square foot and minimum square footage, we cannot have a. Let's be careful, one or the other.

David – you hit the nail on the head on what the issue is here, we are talking about a issue, we are looking at zone, what happens when conditional use is permitted.

Louis – We need to rectify the ordinance, we can put reasonable conditions. Reasonable is for building the residence. Not mix kinda commercial, we give it a conditional permit for the parking. At that point, myself as a member of this board, the kit and kabbodle.

David - You can't go to the commercial, it is a conditional use on a commercial lot and the inclination, and you stick with commercial versus residential. That the impact is greater and the lot is effected greater.

Louis - This concerns me on legal issues and we can deny this application.

David – I am not here to try brow beat and arm twist, every board commission works within a scope of work. What I am going to tell you, going back to the basis of this, originally commercial, conditional use permit in use only. How does that fit in with our kid and neighborhood.

Tony – I think if anything, lack of engineering we already seen on paper he is in compliance. It's conditional on compliance of the UBC and town code.

David – I know there are concerned citizens, the understanding is, there will always be issues, this is the first hurdle they need to get past, that is a big problem, if the commission looks at, if he meets it, we still has 4 to 5 more steps to get past. I think from where we started this application, this is where we should be moving, the commission is supposed to get the applicant to the next levels.

Tony - this issue was laid, I think we need approval of the UBC.

Gil – I have given it a lot of thought, it's redundant, he is going to have to comply with the building code, I am concerned about the overhang, I want to get back to this issue about our ordinance, this is a commercial zone lot, you have to abide by parking lots. It's pretty much a slam dunk to go to a lesser use, and it is an option. Ordinance is clear, I would hate to end up in court to go against our own zoning ordinance, if it is a residential use you can back out.

David – This discussion is clearly within the discretion of the commission. Final comments if there is a decision to deny it tonight? Ask to put a denial and reasoning, accepted... not detrimental and meets with local surroundings. Put general language of contingency. Just want a clear motion and contingency if you want.

Doree Christensen – wasn't it conditional on both UBC 1991 and engineer's report and also design review.

Tony - This is unfortunately a separate use.

Doree- this is very confusing

Tony - there are many hurdles, this is a different board than the DRB.

Doree - If a building is accepted, doesn't that make the design also.

David – The only thing here being discussed is the use, safety, engineering, design is not a purview of this board. Think of it like a car, factory, different parts of the assembly and we are at the beginning.

Doree - Does the use go with the lot?

David – use goes with the lot as long as the building goes through the hoops.

Tony - DRB and wall is a different issue.

Doree - If you have a conditional use for this building, it's for the lot. Beside the building code, what about the setbacks.

Tony - We already past the building part of the issue.

Louis – It is a gray area, I have made this all we were approving was a commercial building and that is, we can put conditions on this. Doree you have been very vocal, I wonder if you and Bob can work it out and be neighbors can come up with this and we will pass this?

Tony - We are beyond this?

Louis -- I want a final wording from that camp on conditions.

Lee- basically the letter and was not read into the minutes and refers to section 302.b., ... etc. Public health. (Reading letter)

Tony – I need to interrupt you, you consider it on the zoning that it is in, and the commercial zone has come into play.

Lee - the commissioners have the power to make conditions, no matter what the conditions are.

Bob - I am allowed to put 0 lot line if I want.

Lee - This is very damaging.

Tony - Our ruling was already done, the adequacy

Gil - motion to approve residential use according to page 73 and parking is in compliance.

Louis - request a condition driveway be on the north side.

Tony - I don't agree. It hurts the neighborhood as a whole.

Gil - Topo map says that it just would not work.

Steve - second the motion

Vote 3-1; Louis Galuzzi descented.

Louis - I am not comfortable on approving this conditional use permit.

Doree - I need clarification on this issue, I need to understand the overhang.

Tony - That is a UBC 1991 issue.



TOWN OF JEROME

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

Zoning Administrator Analysis Planning & Zoning Commission Tuesday, July 19, 2022

Item: 5

Location: 121 Third Street

Applicant/Owner: Kelley Foy **Zone:** R1-5 **APN:** 401-08-040

Prepared by: Will Blodgett, Zoning Administrator

Recommendation: Discussion/possible action

Background and Summary: The applicant is seeking approval to remodel and restore the existing garage at 121 Third Street. The project was approved originally in 2018 but has undergone changes in design and material since the original was approved. Specifics as to the project are contained within a letter submitted by the applicant and presented on the following page. There were a number of questions regarding setbacks, is this a new construction, or a Remodel? In short it was decided that the project is legally a Remodel as it was utilizing an existing historic rock-wall in situ. In addition it was previously determined that the project met the setback requirements and did not expand the footprint and increase the discrepancy for nonconforming status. The relevant minutes of these discussions is provided.

Purpose: The purpose of the site plan review is to provide for the public health, safety and general welfare, and to protect the environment and the historical character of the Town of Jerome. The plan review will include an examination of all proposed site work, and excavation and grading regulations, with special regulation of work sites with extreme slope or unstable soils. Essential to this purpose is the review of possible impacts on surrounding properties.

Property Standards: The Town of Jerome Zoning Ordinance in section 303.1.B.a says that; "Projects requiring preliminary site plan review shall include but not be limited to: Lot splits, lot line adjustments, new construction, alterations, accessory buildings, grading and excavation and clearing and grubbing."

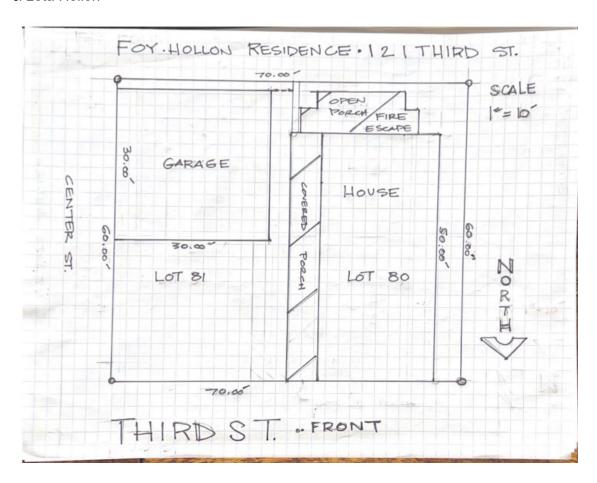
Response: The Planning & Zoning Commission shall approve, conditionally approve, or deny said plan. Once denied the original plan shall not be resubmitted. The Planning & Zoning Commission may, if the preliminary drawings and data are sufficiently clear and explicit waive the requirements of section 303.2 and/or Grant final approval at the preliminary review session, provided all other requirements of this section are conformed with.

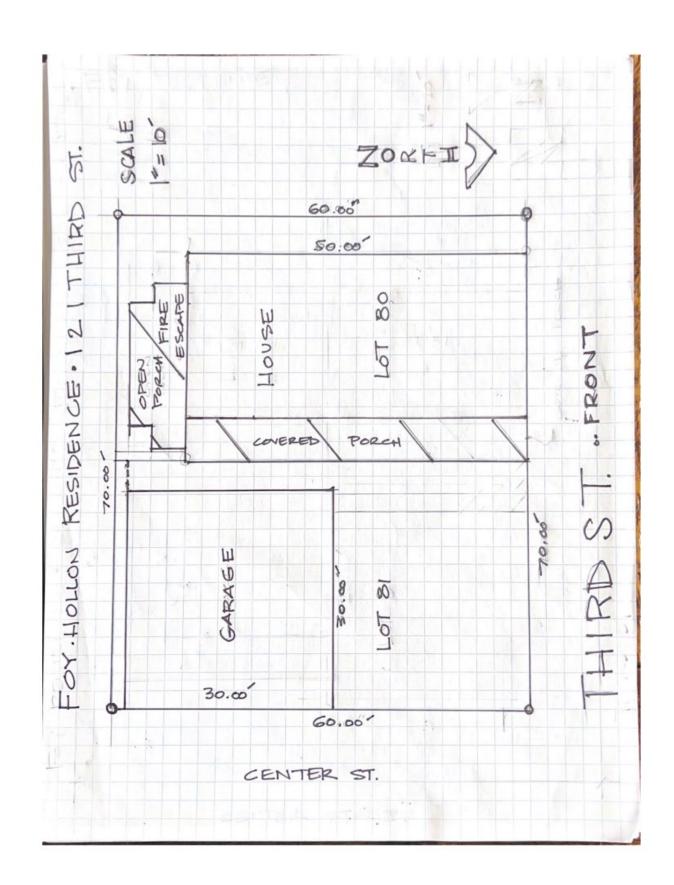
Applicants Letter:

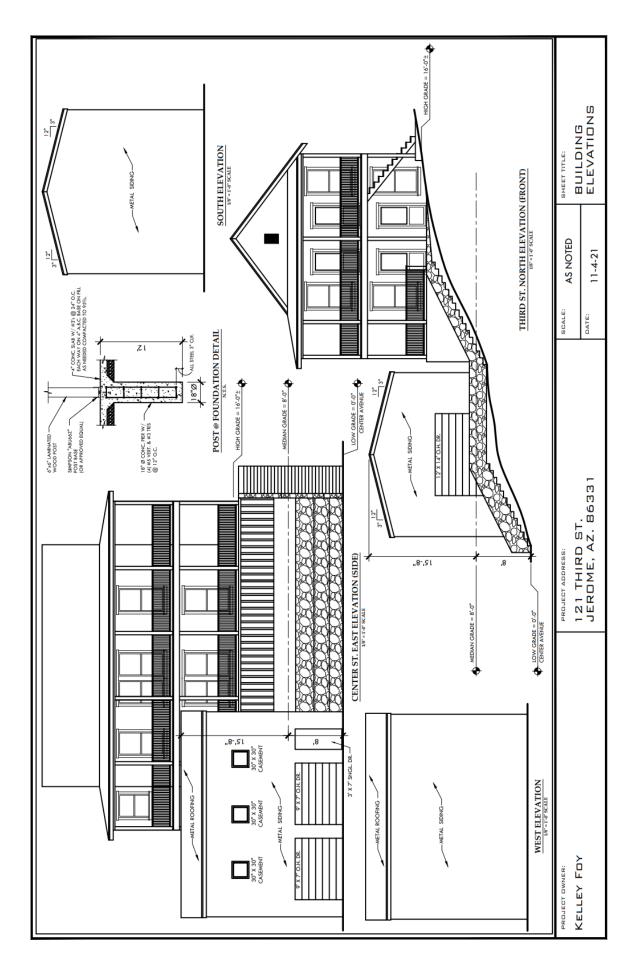
"We are submitting our application to remodel our existing garage at 121 Third Street. We were approved for a similar garage remodel in 2018, albeit the changes in material. In light of the current material shortages and height changes to the Jerome ordinance after our first approval, we are returning with a revised design that meets all updates in the current Jerome Ordinances. We would like to create a historically compatible corrugated metal structure built as a pole barn, with garage doors, an access door, and 3 East facing windows to vent the structure. The new garage will be two story similar to the building that historically sat in its place. (See photo of an old Jerome market and apartment building where our existing garage and open flagstone is now). This proposed building is similar to multiple existing structures in our neighborhood and another across the highway off of Rich street (See photos provided). It will require a demolition permit and a building permit. We are keeping the existing West concrete wall and all utilities. This structure, will be built with a time tested pole barn construction with concrete footings and a new concrete pad. The garage currently has all necessary utilities but will require some coordination with the Town to preserve the existing sewer in the garage that connects with three other properties before reaching our home or existing garage and terminating in the town sewer.

Thank you for your consideration for this beloved project, we have waited 18 years to build. Sincerely,

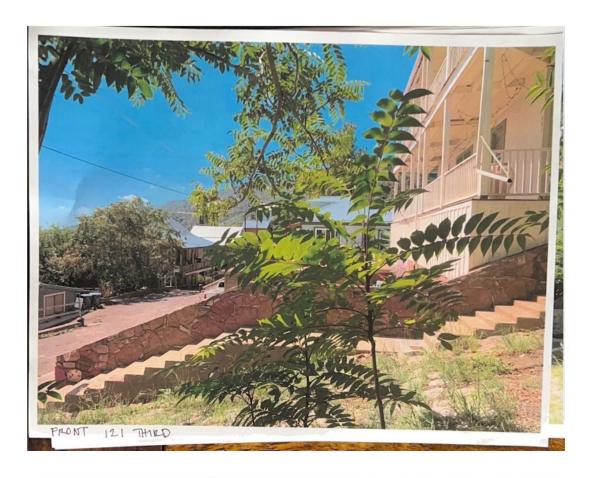
Kelley Foy & Leta Hollon"





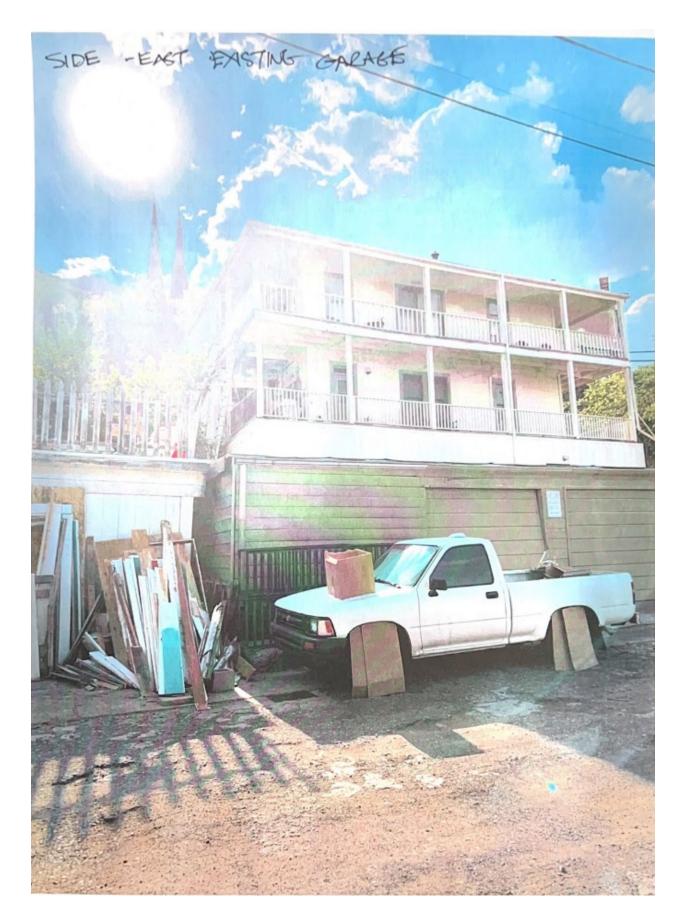


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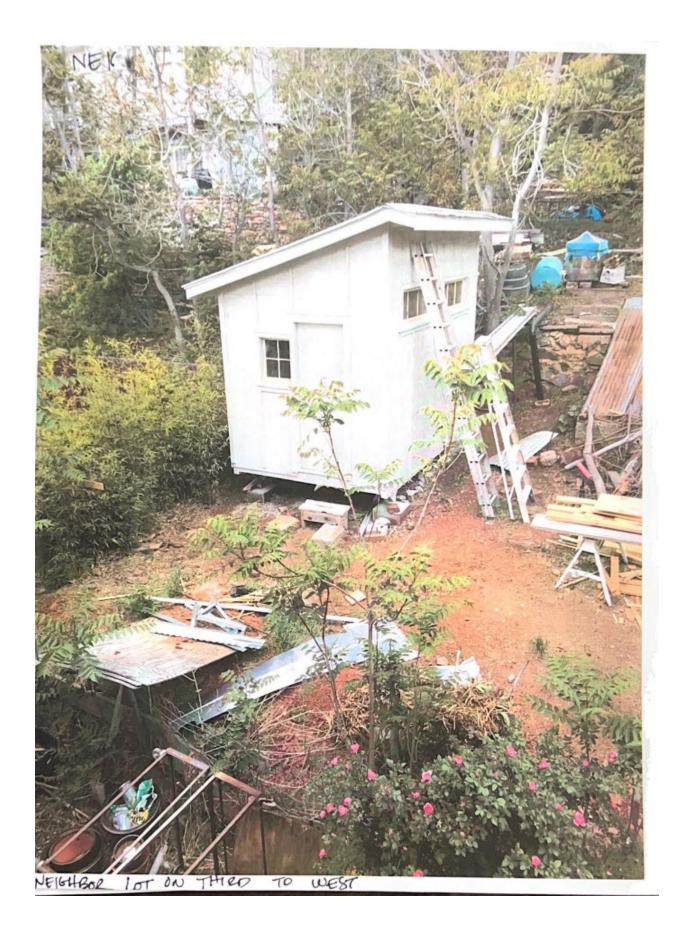




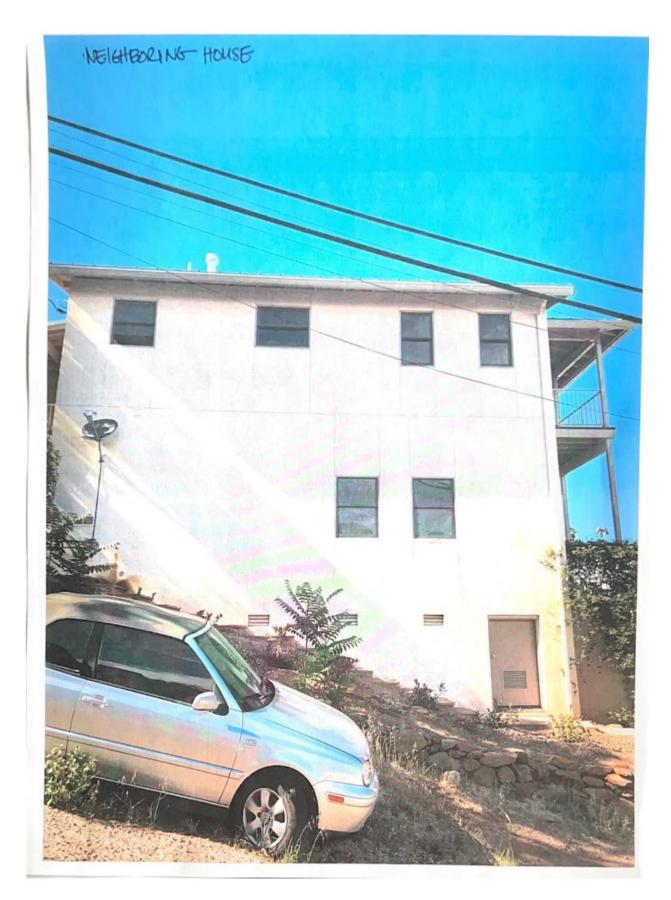
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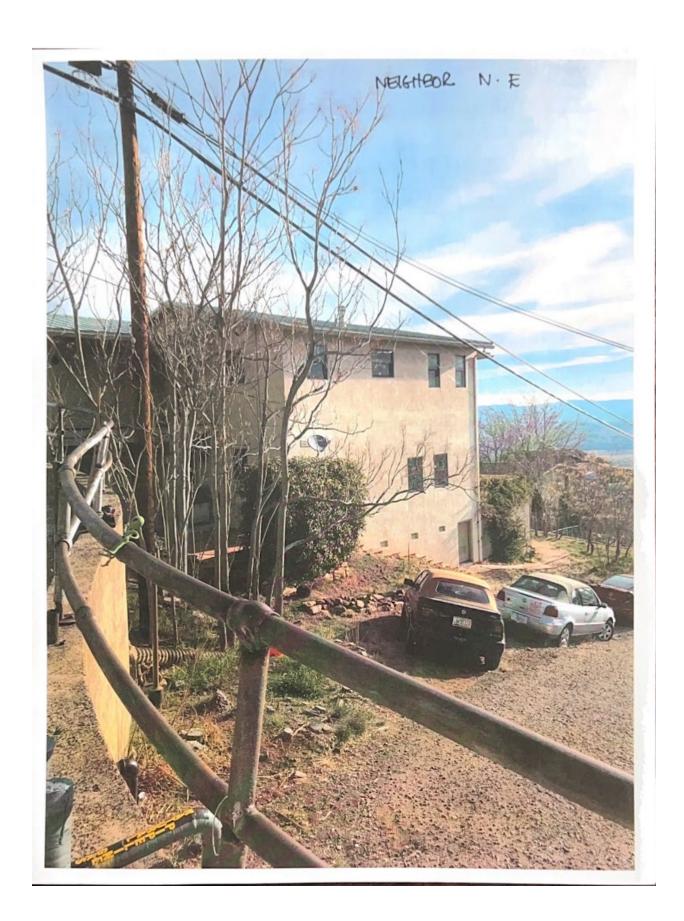
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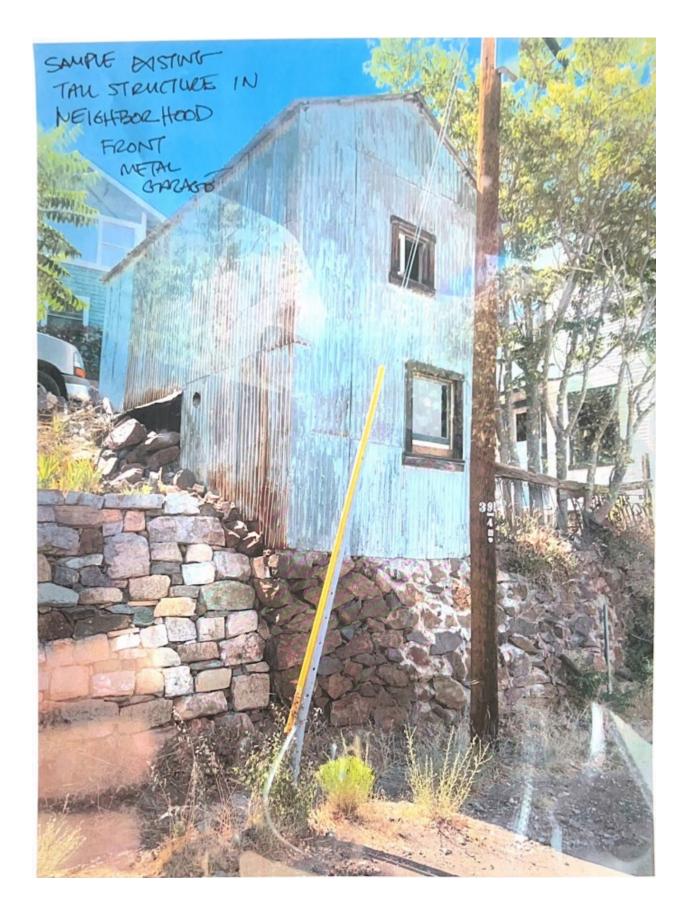
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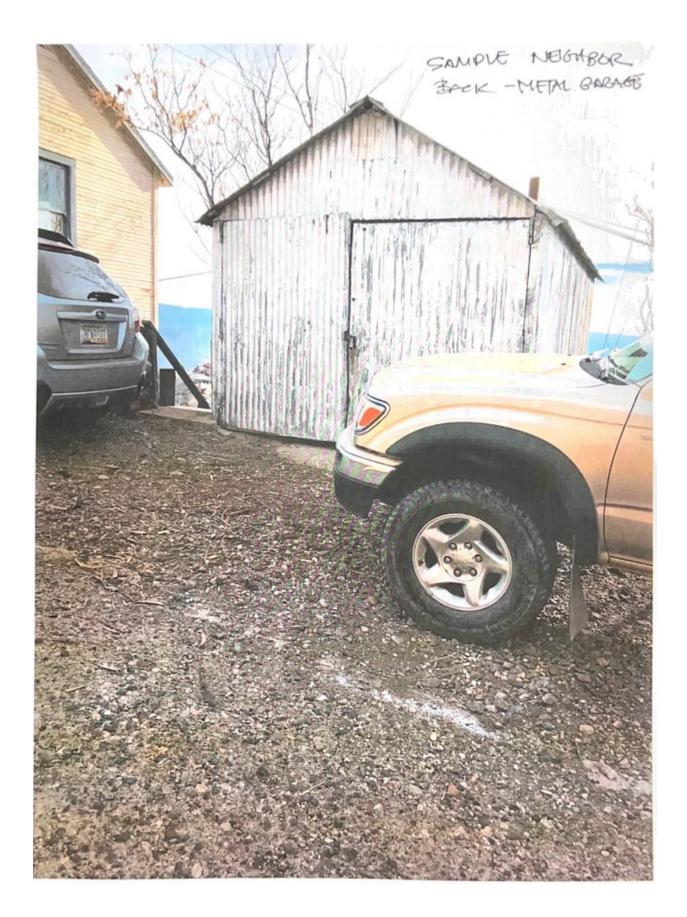
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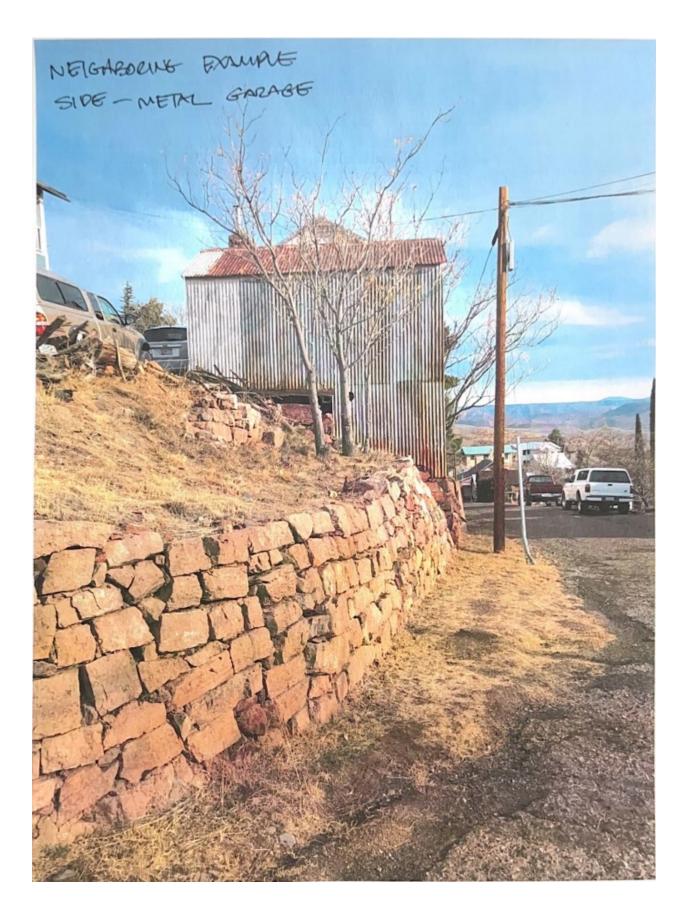
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File #:

Town Use



TOWN OF JEROME, ARIZONA

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

Demolition \$50/\$200 Signage/Awning Time Extension \$25 to \$200 Other:	Other:
	Checklist/s for additional submittal requirements.
Applicant: KELLEY FOY	Owner: KEWEY FOY Property owner mailing address: SME
Applicant mailing address: Po 80X 1234	Property owner maining dodress:
CRESTED CONSTRUCTION	The second second second second
Applicant role/title: OWNER	Owner phone: 602-410-4444
Applicant phone:	Owner email: ZELLEYE FOY OGNAIL
Applicant email:	Parcel number: 401 - 08 - 040
Project address: 121 THIRD ST Describe project: BULD NEW GARA	
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Page 1 of 1

Tentative Meeting Date/s - DRB: _

Updated: 12/20/2021

Documents	from	Earlier	Ap	proval
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Town of Jerome, Arizona



P.O. Box 335, Jerome, Arizona 86331 Charlotte Page, Zoning Administrator **Historic Preservation Officer**

Office: (928) 634-7943 Fax: (928) 634-0715 c.page@jerome.az.gov Celebrating Our 120th Anniversary 1899-2019

Kelley Foy P.O. Box 1234 Jerome, AZ 86331

Re: 121 Thrid St.

APN: 401-08-040

The appeals granting preliminary approvals by Town Council in May of 2018 for an addition to your garage on Third Street have expired.

The project to expand your garage would have to be resubmitted to both Planning & Zoning Commission and Design Review Board to be considered in the future.

Marhta Page Date: 3-28-19

Charlotte Page

Zoning Administrator

Any approval is subject to limitations, including termination provisions set forth in the Jerome Zoning Ordinance. Approval becomes void if building permits are not issued within 6 months from the date of final approval. If you have any questions regarding this please contact Charlotte Page, Zoning Administrator.

Minutes of the Regular Meeting of the Jerome Town Council, May 08, 2018

ITEM #9D: APPEAL OF PLANNING & ZONING COMMISSION DECISION

Council will hear, and may act on, an appeal by Kelley Foy regarding denial on May 2, 2018, of her application to the Planning & Zoning Commission for approval of a second story garage addition.

Mayor Vander Horst said that he would allow the public to speak after Mr. Dabney and the Council have discussed this.

Mr. Dabney said that when Ms. Foy came to him originally, he requested that this structure be considered new construction and asked for setbacks, according to the Zoning Ordinance. She did provide the plans and he approved them, and then it went to Planning and Zoning. The setbacks were all fine, he said, and everything looked good. There was a discrepancy in the definition of a deck and how close the garage was. The Zoning Ordinance reads that, if there is a roof or enclosure that keeps out the elements, then the deck is considered part of the main structure. His argument was that, "If you sit on the deck in a rainsform, you're going to get wet. A roof does not keep out the elements." He said that he did not, therefore, consider the desk as part of the main structure, and as such, she met all setback requirements.

At P&Z, the plan was denied with a vote of two "yea" to one "nay."

Mr. Dabney said that he had contacted the Town Attorney and was told that what she wanted would be okay. If she demolishes the building but keeps one wall up, it would legally constitute a remodel, and she will not lose the legal nonconforming status of the building. By building up, and not out, she is not increasing the discrepancy of that nonconforming status. He asked the attorney to provide a letter stating what they had discussed, and he asked Ms. Foy "to do a new plan so that it stays in its same spot and the footprint would not change."

Councilmember Currier asked, in regard to discrepancy, "Changing the height of a building does not affect the discrepancy? Where does that definition come from?"

Mr. Dabney said that there is no definition of "discrepancy" in the Zoning Ordinance.

Councilmember Currier then asked for an example or a precedent.

Mr. Dabney said that, in one instance, a gentlemen wanted to build out and enlarge the footprint of his building. He had a legal nonconforming structure. Mr. Dabney denied that because it was taking up more of the lot and increasing the discrepancy.

Mayor Vander Horst noted that the letter from the Attorney states that Ms. Foy's plan doesn't increase the discrepancy.

The Mayor then opened the floor to the public and noted that he had a petition from Rebekah Kennedy.

Ms. Kennedy, a Jerome resident said that her petition was regarding a "big hole at the bottom of 3rd Street" that is getting bigger and bigger.

Mayor Vander Horst noted that her petition was not related to this topic.

"No," Ms. Kennedy said, "not unless her project might have something to do with extra traffic on 3rd Street," She then asked if we might put a "No Turn Around" sign at that location.

Kelley Foy read aloud a letter to the Town:

Dear Council Members and the Town of Jerome.

I am seeking an appeal regarding a remodel application that was presented to the Planning and Zoning Commission. In case you don't already know me, my name is Kelley Foy. I am a long-term resident of Jerome for close to 14 years now. I am a self-employed artist and master craftsman as well as a chef and past family restaurant owner. I have owned businesses in Jerome, I am a property owner, and I have served on the Planning and Zoning Commission as well. I am a passionate creator and fell in love with Jerome's aesthetic, history. I am committed to preserving the uniqueness of this special town.

Nearly 14 years ago when I first bought my home on Third Street, I dreamed of creating my own studio space in the existing garage so that I could someday work on my craft from my home in Jerome. I immediately went to the Planning and Zoning office in the Town Hall to clarify with the P&Z administrator at that time that my garage/studio remodel was possible and legal. It was my understanding that my neighborhood had been zoned I-I (light industrial) for many years. The town sawmill was at one time located across the street from my home. The town's administrator at the time, Ellen, informed me that the zoning had changed but looked over my plans and assured me that remodeling and adding a second floor to my current garage was well within the town code, as long as it did not increase the existing footprint. With a lot of hard work and 14 years later, fast forward to 2018. I came to the Town

With a lot of hard work and 14 years later, fast forward to 2018. I came to the Town Hall once again to review my application with the current P&Z administrator with the goal of remodeling my current garage/studio, and to add a second-floor studio for my ceramic art studio, above my newly remodeled garage to continue using as my woodworking studio.

The current P&Z administrator, Kyle, was respectful, thorough, and direct. He offered to help as much as possible to see if the Town Code would permit a remodel. He suggested that I should present my application as a "new construction" and see if the Commission will accept it.

I presented the required eight [8] copies of plans and additionally included my own certified survey of the property. Although a remadel of the existing property would not require additional setbacks, I agreed to provide all setbacks under this application, including the five-foot setback of the garage from my house structure. From my existing garage/studio to the structure of my home is measured ten feet, ten inches with a six-foot, three-inch porch.

The discussion began whether the porch is included in the five-foot setback and there was some debate whether a porch or deck is an enclosure, protects you from the elements, or is included in the setback requirement.

With a majority vote, all but one member of the Planning and Zoning Commission agreed that it was reasonable to allow and voted yes. However, because there is currently only a three-commissioner board, instead of a usual majority vote, a unanimous vote was required.

Commissioner Hardie stated that, for this reason, she voted NO. The five-foot setback of my garage from my own house, required only for a 'new construction' application, was not met with this application by five inches. When this was suggested to her, she emphatically stated that it was too late because the applicant had already been denied.

I returned home to once again redraw the plans with my original intended plan to remodel my existing garage/studio and add a clay studio above within the height requirements and without increasing my current, legal non-conforming structure's footprint. At this time, the Town Attorney presented a letter for presentation at the next meeting to support that the legal way to approach my garage/studio was in fact, as a remodel.

At this point, Ms. Foy began to read from the Attorney's letter.

"I'm going to read the final conclusion he came to," she said. "'Section 501.B.2 of the Zoning Code establishes the predicate that no structure that continues a nonconforming use may be altered or enlarged in a manner that would increase the discrepancy that existed at the time that the Zoning Ordinance was adopted, between the conditions existing at the time of Zoning Ordinance adoption and the requirements of the Zoning Ordinance. Section 501.C.6 elaborates on this point - A nonconforming building may not be aftered to an extent to which it would increase the discrepancy between conditions existing at the time of the adoption of this Ordinance and the standards prescribed in this Ordinance. Given the proposed modifications to the garage will not increase the discrepancy between the conditions existing at the time of the adoption of the Ordinance and the standards prescribed in this Ordinance, neither Section 501.B.2 nor Section 501.C.6 would prohibit the proposed alteration. Section 501.C.7 prohibits the alteration of a nonconforming building if the building is "demolished." This may explain why the applicant is leaving one wall in place. The applicant can argue that the term 'demolish' means to destroy totally. As a result, the applicant can argue that Section 501.C does not apply." Ms. Foy then continued reading her letter:

On May 3, I returned to present a new application, this time for a 'remodel' of my existing garage. In this application packet, the attorney's letter was included. The new application for remodel, under the Town Code, no longer required any setbacks. After a short discussion between the Commission, they put the new packet to a vote.

Commissioner Hardie was reminded that this was a new packet, when she mentioned that she did not bring hers to the meeting. She did not ask me any questions about the new application.

A call was made for a vote. Commissioner and Chair Lance Schall once again voted yes, additionally Commissioner Mike Parry voted yes. Commissioner Hardie once again voted no and after, read a letter she wrote prior to the meeting as to why she voted no.

Despite a majority vote on both of my applications, meeting all requirements on my second application and getting a supporting letter from the Town of Jerome's own legal counsel, I have been denied my application twice to remodel my existing garage/studio. I request that you please take careful consideration of this appeal request and grant my application to improve my property and remodel my agrage/studio.

Ms. Foy went on to say, "I wanted to mention something. As someone who has served on Planning and Zoning, I'm aware there is a 24-hour requirement that anything brought to the attention in a meeting or read or included in a packet be presented 24 hours in advance. I did not know that Margie, once again, had stepped outside of protocol and written another letter requiring more things to be considered in your vote today to further postpone your vote. She wrote this six hours in advance and rather than drag this out again, because I've worked very closely with the Town and followed all of the requirements, please disregard Ms. Hardie's letter. Please make the vote today and not drag it out any longer."

Councilmember Currier said, "I should know this, but are we the Board of Appeals?" Mayor Vander Horst confirmed that they were. He asked if there were any other public comments.

Suzy Mound, a neighbor, commented that she is "late to the game," but is just hearing about it. She said that she thought that neighbors would be informed if there was a big change. She referred to a drawing and asked if it was along Center Street.

Ms. Foy responded, "That is where the existing garage is."

Ms. Mound asked, "Is there a door there now?"

Ms. Foy replied that there used to be. It was rotting, and she replaced it with a board. Ms. Mound said, "I'm just trying to understand. You want it as a studio. Will it have a bathroom?"

"Yes," Ms. Foy said.

Ms. Mound said, "Because it is so close to the street, to me it seems kind of towering, because it's like right there. Thank you for answering my questions."

Ms. Foy said, "It is my understanding the public meeting is not required unless it is new construction, or I would have done that."

Mr. Dabney interjected, "That's correct."

Councilmember Bachrach said that he believes our discussion here is whether it is legal or not. He said, "I thought it wouldn't contain plumbing, is that correct?"

Ms. Foy replied that it does have some plumbing already, it just doesn't have a bathroom. She said that it was in her plans.

Councilmember Bachrach said that he didn't see that in her plans.

Ms. Foy said, "This is just a preliminary plan."

Councilmember Bachrach said, "That is an important detail."

Mayor Vander Horst said, "Not for Design Review. It's exterior isn't it?"

Vice Mayor Kinsella said, "This is for P&Z. Planning and Zoning is where the placement of the building is on the property and has nothing to do with the interior."

Councilmember Bachrach asked if utilities weren't a part P&Z.

Vice Mayor Kinsella replied, "No, placement on property."

Mr. Dabney said that he had told Ms. Foy that a stove is not to be installed. He had talked with the attorney about this and that would constitute a problem.

Councilmember Bachrach asked, "There is no functioning plumbing in the building now. Is that correct?"

Mr. Dabney said that there is water.

Ms. Foy said, "There is water and an old sewer line. There is not a functioning toilet in it now."

Councilmember Bachrach commented that he thought that garage should have been torn down 14 years ago, and added that he doesn't think the height will interfere with her house.

Councilmember Currier said that he has no problem with the structure.

Councilmember Barber said, "If we're leaving one wall, it's new construction. So, I hate to be a stickler, but I believe there should be a neighborhood meeting." She said that she would like to see a picture of how tall it will be, and asked how Diane Freer felt about this.

Mayor Vander Horst stated that, legally, this is not new construction.

Councilmember Bachrach asked for clarification on the wall being moved. "Is that the existing wall?" he asked.

Ms. Foy said that no wall will be moved.

Mr. Dabney said that that was the original argument. It was determined that the footprint would stay the same.

Councilmember Currier said, "This idea of talking to the neighbors is great, but if it's not on the books, then it's not on the books."

Ms. Foy said, "It's been on the agenda for three meetings now as well. It has been public. I wasn't required, and I didn't bring it to my neighbors. The neighbors that I talked to said they supported it."

Motion: Vice Mayor Kinsella made a motion to vote in favor of the Kelly Foy appeal going against the denial on May 2, 2018 and it was seconded by Councilmember Currier. The motion passed with 4 ayes and 1 nay (by Councilmember Barber).

Jane Moore said that she had had her hand up for a question.

Mayor Vander Horst replied that they had closed the public comments.

Ms. Moore said that she had her hand up prior to that, and would like to ask a question about the vote.

"No," Mayor Vander Horst responded. "The vote is over."



TOWN OF JEROME

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

Zoning Administrator Analysis Planning & Zoning Commission Tuesday, July , 2022

Item: 6

Location: 225 Third Street **Applicant/Owner:** Grair Glassman

Zone: R1-5 **APN:** 401-07-027

Prepared by: Will Blodgett, Zoning Administrator

Recommendation: Discussion/possible action

Background and Summary: The applicant is seeking approval to replace the existing front single-pane windows with double-hung windows and to replace the existing non-standard sized front door with a standard sized steel door. Lastly the applicant also seeks approval to replace rotten wooden siding with a more efficient concrete siding.

Purpose: The purpose of the site plan review is to provide for the public health, safety and general welfare, and to protect the environment and the historical character of the Town of Jerome. The plan review will include an examination of all proposed site work, and excavation and grading regulations, with special regulation of work sites with extreme slope or unstable soils. Essential to this purpose is the review of possible impacts on surrounding properties.

Property Standards: The Town of Jerome Zoning Ordinance in section 303.1.B.a says that "Additions and alterations to Residential, Commercial or Industrial structures..." will require review by the planning and zoning commission.

Response: The proposed work will not impact setbacks, or add to the square footage of the structure. The Windows and door phase of the project is intended to correct and modernize aging and substandard features. The windows are numerous, and single-pane creating heating and cooling issues, while the door that exists currently is 32" x 78" and is not large enough to allow for installation of modern appliances inside, as they simply don't fit. The project intends to reduce the number of windows along the front to four, modern double-hung glass windows, and a standard size steel door measuring 36" x 80". The final phase of the work will be the removal of rotting siding and replacement with "Hardie Plank" Cedar-mill fiber cement lapping. All of these will be described in detail below.

Applicants Letter:

To the Town of Jerome P&Z, Design Review,

225 Third Street window, door, and siding replacement proposal -

Windows on the front of the house are single pane, not historic and not energy efficient. There are a total of 14 windows (including the door) and we want to frame in all but 4 for these and replace the windows with double hung windows (these would match the historic windows on the back of the house). We want the interior to be white as well.

https://www.homedepot.com/p/JELD-WEN-29-375-in-x-48-in-W-2500-Series-White-Painted-Clad-Wood-Double-Hung-Window-w-Natural-Interior-and-Screen-JW1446-00157/206396104?ITC=AUC-148577-23-12140

A larger door is needed to allow for new appliances as the current door is rotten and the doorway is too small to accommodate modern appliances. We would like to replace the wooden door with a steel door 36 x 80 without a window. (https://www.lowes.com/pd/ReliaBilt-Right-Hand-Outswing-Primed-Steel-Prehung-Entry-Door-with-Insulating-Core-Common-36-in-x-80-in-Actual-37-4375-in-x-80-875-in/1000054007)

As most of the wooden siding is rotten due to termite damage, weather and age, we propose to replace it with cement siding that is similar in appearance and would be painted the current color of the house, beige/peach with white trim. (https://www.lowes.com/pd/James-Hardie-Actual-0-312-in-x-8-25-in-x-144-in-HardiePlank-Primed-Woodgrain-Lap-Fiber-Cement-Siding-Panel/1002997778)

We do not anticipate unusual working hours (8am-5pm) and would have a single person doing the work with help from us.

We appreciate you taking the time to look at our proposal.

Response: We will consider the three parts of the project separately, the Windows, the Door and the Siding. These three sub-categories are still part of a single project, but can be considered independently from one another for comments.

a) Windows: There are currently 14 windows on the front of the house, all of which are single-pane. The following exhibits show the existing windows from the front of the house. The applicant wishes to frame in 10 of the 14 windows and replace the 4 remaining windows with 29.3" x 49" Double-Hung W-2500 Series by Jeld-Wen.





Top: Overview shot of 225 Third Street from the road.

Left: Detail view of the existing windows, with the desired changes rough sketched out.



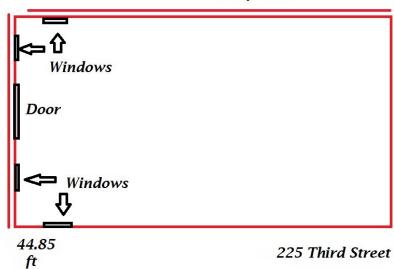


Top: View of the new Jeld-Wen windows as they look installed. From manufacturers website.

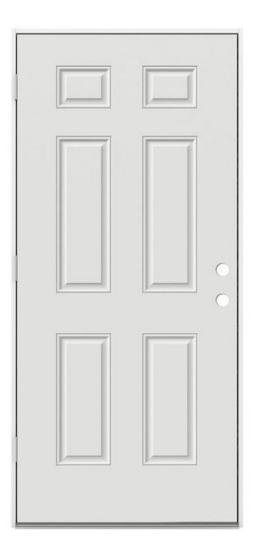
Left: Detail view of the new Jeld-Wen window. From Manufacturers website.

Bottom: Proposed placement of new Windows.

60 ft



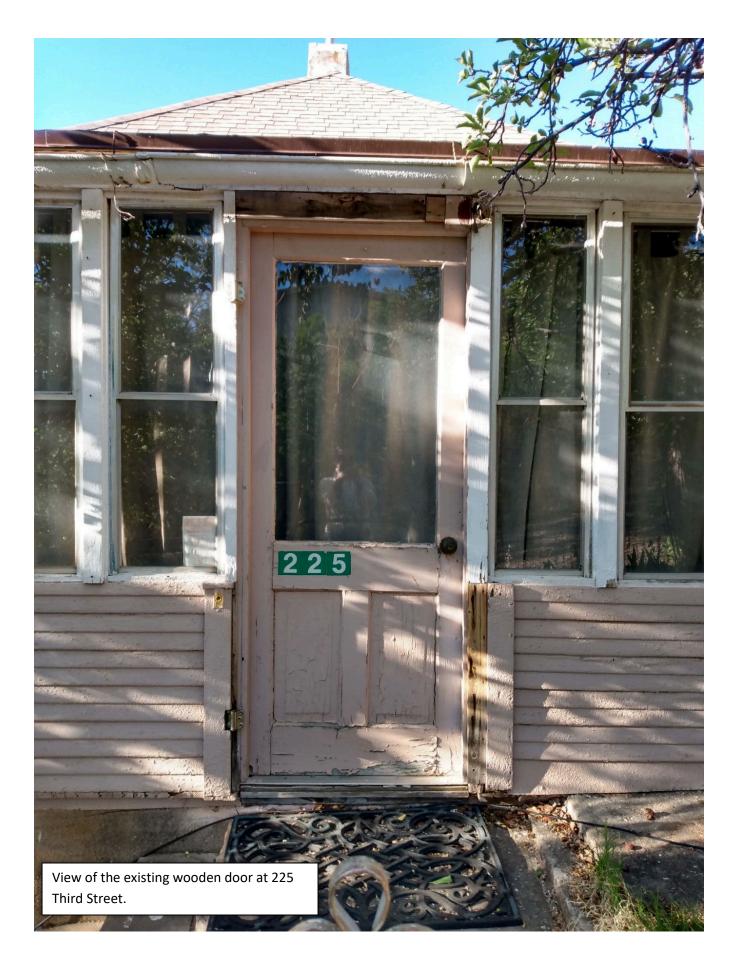
b) Door: There is currently a non-standard sized door that measures ___ x ___ which limits the size of new appliances and furniture which can be brought into the house. The applicant wishes to modernize this Door, and expand the frame to accommodate a modern, standard-sized steel door measuring 36" x 80". The door selected is built by ReliaBilt, no glass, right-hand outswing with an insulated core.



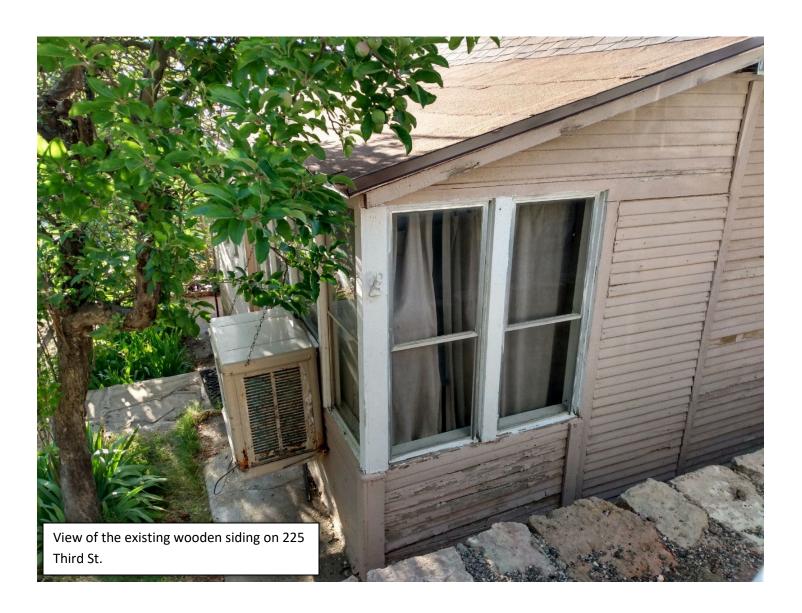


Top: Overview of the door as installed. Example from the manufacturers website.

Left: Detail view of the selected Door. From the Manufacturers website.



c) Siding: The existing wood siding is weather-worn and damaged by termites and is in dire need of replacement. The applicant intends to utilize a modern material that is weather resistant, termite resistant and better insulated in addition to having increased fire-protection as it is a non-combustible material. The modern material is a cement that mimics the woodgrain texture, and comes factory primed. The siding will be painted the same color that currently exists on the house.



Hardie describes their siding material on their website as follows:

Hardie® Plank Cedarmill® Fiber Cement Lap Siding has a woodgrain appearance making it ideal for exteriors where a traditional wood siding look is desired. ASTM E136 noncombustible cladding will not attract pests including termites and woodpeckers. HZ10® engineering means it is made to withstand high heat, humidity, moisture, hail, tropical storms and hurricane winds. Board is factory primed using a primer with a slight yellow hue. To finish, apply an acrylic, water-based exterior house paint to the primed board within 180 days of installation.

- Use Hardie® Fiber Cement Siding to design or remodel a home's exterior
- Hardie® Plank fiber cement siding is Engineered for Climate® allowing boards to hold up to harsh weather conditions where it is installed
- Use a 2-1/2 in. siding gun or siding nailer to attach to wood, steel or masonry substrates
- Cedar look siding board has a woodlike grain finish for a natural wood look
- 5/16 in x 8.25 in x 12 ft Cedarmill® lap board installs horizontally and resists pests that can damage wood siding
- Cut outdoors using a circular saw with a fiber cement saw blade and a vacuum dust collection system
- Fiber cement siding up to 7/16 in. may also be cut outdoors using an electric fiber cement cutting shear
- Board resists damage from sun, heat, humidity and strong hurricane force winds to stay strong and intact
- 30-year limited non-prorated, transferable, warranty



Application & Related Information

File #	#:		
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Town Use



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 □ Demolition \$50/\$200 □ Signage/Awning \$5 □ Time Extension \$25 to \$200 □ Other:	Other:			
Note: Refer to the corresponding Project Application Checklist/s for additional submittal requirements.				
Applicant:Rebekah Kennedy	Owner:Grair Glassman			
Applicant mailing address:	Property owner mailing address:			
PO BO 1312 Jerome, AZ 86331	PO BOX 1312 Jerome, AZ 86331			
Applicant role/title: Godoless				
Applicant phone:9283009126	Owner phone:9283009126			
Applicant email:rebekahwolverine@gmail.com	Owner email:rebekahwolverine@gmail.com			
Project address: 225 Third Street Jerome, AZ 86331	Parcel number:			
Describe project: Front door and 4 window replacement with windows filled in and siding, paint like for like				
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: Date: Da				
For Town Use Only Received from: Date:				
Received the sum of \$ as:				
By: For:				
Fentative Meeting Date/s - DRB:	P&Z:			

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Updated: 12/20/2021