

**MINUTES OF THE PUBLIC HEARING
FOR THE BOARD OF ADJUSTMENT AND APPEALS
OF THE TOWN OF STAR VALLEY**

**Wednesday, August 26, 2020 @ 4:00 p.m.
3675 East Highway 260, Star Valley, AZ
Star Valley Town Hall**

The Agenda for the meeting is as follows:

- **CALL TO ORDER**
- **ROLL CALL:**

Member Vern Leis X, Member Matt Highstreet X, Member Pat Woolsey X, Member Christine Johnson X, and Member Tony McNeeley X. Members appeared telephonically.

- **DISCUSSION AND POSSIBLE ACTION ITEMS:**

1. Discussion and possible action to select a Chairman of the Board of Adjustment.

Assistant Town Manager Nutt reported it is necessary to select a chairman for the board due to past turnover. The chairman, explained Ms. Nutt, would facilitate the meeting. A fellow board member can be nominated, or a board member can put their own name forward. Ms. Nutt then turned the meeting over to the board members for discussion.

Member Highstreet announced he would like to nominate himself to the position of Chairman. Member Highstreet stated he feels he would fill the position very well given his experience with the Board of Directors for the Hellsgate Fire District for the past four years. He also has extensive knowledge with open meeting laws and facilitating meetings, concluded Member Highstreet.

A motion to appoint Member Highstreet as Chairman of the Board of Adjustment was made by Member Leis and was seconded by Member McNeeley.

A roll call vote was taken:

Member Vern Leis Yes, Member Matt Highstreet Yes, Member Pat Woolsey Yes, Member Christine Johnson Yes, and Member Tony McNeeley Yes.

The motion was voted on and passed 5 – 0.

- 2. Discussion, public hearing and possible action regarding CASE NO: Z20-01; Vincent & Jacqueline Wells, the applicants. The location of the property is 63 W. Claxton Road, Star Valley, AZ 85541. The Assessor's Parcel No. is 302-51-002A, Star Valley, Arizona. The property is currently zoned Suburban Ranch (SR). PURSUANT TO SECTIONS 106.2 and 106.5, the Board of Adjustment and Appeals will hear an appeal involving a hardship claim by the appellant over a setback requirement of the Zoning Ordinance, Town of Star Valley.**

Chairman Highstreet asked the members if they had a chance to review the packet and if they understand what is being asked of the board at this time. "Yes," acknowledged the board members. Chairman Highstreet asked if there are any concerns regarding the setback or the ordinances on the variance request.

Member Leis stated the information provided already shows that portions of the corner of the house are already infringing upon the fifty feet. Member Leis voiced his concerns about a utility line across the front and other encroachments. If an additional set of stairs or a ramp is added, stated Member Leis, you then infringe even more so into that 50 foot area. Member Leis stated his concern as to whether or not this will have an impact and asked if any of the neighbors were notified and if any of them have taken umbrage with the request.

Chairman Highstreet requested clarification from Assistant Town Manager Nutt. Ms. Nutt responded she would like to address several points that Member Leis brought up. The Town was originally contacted, reported Ms. Nutt, because the applicant was seeking to modify the home as described in the provided information. Mrs. Wells has medical needs that have risen to the point of hardship without this home remodel. As the building permit process proceeded through the mandatory requirements, explained Ms. Nutt, the architectural drawing was created which indicated setback issues.

As Member Leis has pointed out, stated Assistant Town Manager Nutt, there is more than just the one remodel setback issue. The home was built before the Town incorporated, informed Ms. Nutt. The building department is asking the Town to allow the remodel. They are not asking that the Town address any of the pre-existing issues or to try to solve all the problems of the property right now. It successfully sold and closed escrow and the homeowners made a good faith purchase to allow them the necessary room.

Based on the information provided and interviews with Mr. and Mrs. Wells, stated Assistant Town Manager Nutt, staff feels the applicants are trying to work with the Town to make a remodel to allow for medical equipment. There is no rental on the property that the Town has been made aware of, reported Ms. Nutt. Mr. Wells does works from the home and that may be the additional space use that Mr. Leis observed. The Town does not see this as a burden to the neighboring properties and as such have not received any complaints from the neighbors. As far as the slight issues from the original construction of the home and the utility placement, that is outside of the Town's purview, and the building department is not asking for any of those issues to be addressed. We are simply here to try to address the encroachment into the fifty foot setback as Mr. & Mrs. Wells have outlined for their medical needs, concluded Ms. Nutt.

Chairman Highstreet asked the members if they had any other concerns or would like to weigh in on this. Member Leis asked for confirmation that what they are asking for is the ten foot building plus the additional ramp coming up into the building to encroach into that fifty feet. It is an issue of a 12.89 foot encroachment into the fifty foot setback, answered Ms. Nutt. Added Ms. Nutt, this has been reviewed and approved for recommendation of approval by the Town's legal counsel.

A motion to accept the variance request for Case No. Z20-01 was made by Member Woolsey and was seconded by Member Leis.

A roll call vote was taken:

**Member Vern Leis X, Chairman Matt Highstreet X, Member Pat Woolsey X, Member Christine Johnson X, and Member Tony McNeeley X.
The motion was voted on and passed 5 – 0.**

- **COMMENTS FROM THE PUBLIC**

During this portion of the meeting, members of the public may address the Board of Adjustment on items that are not on the printed agenda. Any remarks shall be addressed to the Board as a whole and not to any individual member. Speakers are limited to three (3) minutes per person unless additional time is granted by the Chairperson. The Board may not discuss or act upon matters raised during public comments.

The Chairman opened up this portion of the meeting for public comment. There were no public comments and the Chairman closed this portion of the meeting.

- **ADJOURNMENT:**

**A motion to adjourn the meeting was made by Member Leis and was seconded by Member Woolsey.
The motion was voted on and passed 5 – 0.**

APPROVED:

_____ **DATED:** _____
Chairman Matt Highstreet

ATTEST:

Eddie Chapin, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Board of Adjustment and Appeals Meeting for the Town of Star Valley held on the 26th day of August 2020. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 28th day of August 2020.

Eddie Chapin, Town Clerk