



**AGENDA AND NOTICE OF BOARD OF ADJUSTMENT
SPECIAL MEETING AND PUBLIC HEARING
TUESDAY, JULY 16, 2024 AT 6:30 P.M.
DOORS OPEN AT 6:00 P.M.**

**City Hall Conference Room
21 Williamson Avenue
Winslow, Arizona 86047**

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Board of Adjustment of the City of Winslow, Arizona, and to the general public that the Board of Adjustment will hold a special meeting on Tuesday, July 16, 2024 at 6:30 p.m. at Winslow City Hall Conference Room, 21 Williamson Avenue, Winslow, Arizona 86047. **MEMBERS OF THE BOARD OF ADJUSTMENT AND THE PUBLIC MAY JOIN THE MEETING IN PERSON OR TELEPHONICALLY BY DIALING 928-289-8412 AND ENTERING PIN# 123321.**

- 1. CALL TO ORDER – *Please Remember to Silence all Cell Phones***
- 2. PLEDGE OF ALLEGIANCE AND INVOCATION**
- 3. ROLL CALL – EXCUSE ABSENT MEMBERS**
- 4. CALL TO THE PUBLIC**
- 5. DISCUSSION AND/OR ACTION TO APPROVE MINUTES OF THE JANUARY 17TH, 2024 SPECIAL MEETING & PUBLIC HEARING**
- 6. COMMISSION CONSIDERATION AND ACTION**
 - A. Public Hearing and Discussion and/or action regarding a request for a variance from the minimum lot width as required by Chapter 17.16 AR Agricultural Residential District (Two-Acre Lot Area), Section 17.16.030 Property Development Standard for Permitted Principal Uses, for real property identified as Parcel 103-56-038 Township 19 North, Range 15 East located at 1901 Mountain Drive in Winslow, Arizona.
- 7. ADJOURNEMENT**

The Board of Adjustment reserves the right to move into executive session for legal advice under authority of A.R.S. 38-431.03(A)(3) on any of the above agenda items. A copy of the agenda background materials already made available to Board Members is available at City Hall, 21 Williamson Avenue, Winslow, Arizona between the hours of 7:30 a.m. and 4:30 p.m., Monday through Friday.

Pursuant to the Americans with Disabilities Act (ADA) the Board of Adjustment endeavors to ensure the accessibility of its meetings to all persons with disabilities. Assistive listening devices are available for the public's use for meetings. Reasonable accommodations will be made upon request for persons with disabilities or for those who speak English other than very well. If you need an accommodation for a meeting, please call the City Clerk's Office at 928-289-1416 at least 48 hours prior to the meeting so that an accommodation can be arranged.

Notice is hereby given that pursuant to A.R.S. 1-602. A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the Board are audio and/or video recorded, and as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. 1-602. A.9 have been waived.

Minutes of the special meeting and public hearing of the Winslow Board of Adjustment held on Wednesday, January 17, 2023 at 6:30 P.M. in the City Hall Conference Room, 21 Williamson Avenue, Winslow, Arizona.

MEMBERS PRESENT

Chairperson Pennington (Telephonically)
Board Member Evans (Telephonically)
Board Member Harrison
Board Member Pruett

MEMBERS ABSENT

STAFF

David Coolidge, City Manager
Michelle Stinson, City Attorney (Telephonically)
Marshall Larsen, City Inspector
Larrilynn Oso, Recording Secretary

Chairperson Pennington called the meeting to order at 6:30 p.m. The Pledge of Allegiance was recited and the invocation was given by Marshall Larsen. Roll was called all members were present.

CALL TO THE PUBLIC

None.

DISCUSSION AND/OR ACTION TO APPROVE MINUTES OF THE DECEMBER 8, 2022 SPECIAL MEETING & PUBLIC HEARING

Motion: Moved by Board Member Evans, seconded by Board Member Pruett, to approve the meeting minutes of July 26, 2023 as presented. Motion passed unanimously with Chairperson Pennington and Board Members Evans, Harrison, and Pruett voting yes.

COMMISSION CONSIDERATION AND ACTION

- A. **Public Hearing and Discussion and/or Action regarding an appeal of a decision by the Zoning Administrator denying a permit to enclose a legal non-conforming structure, pursuant to Chapter 17.88, Section 17.88020(A) and (D), as well as possible request for a variance to the front yard setback requirement for structures located in the multi-family residence district required by Chapter 17.36 MFR Multiple-Family Residence District, Section 17.36.030, for Real Property Identified as Parcel 103-17-298, Township 19 North, Range 16 E, Section 19, located at 606 N. Williamson Ave in Winslow, Arizona.**

Chairperson Pennington referred to the agenda packet item listed for Consideration and Action including the Board of Adjustment Application submitted by the applicant. Prior to discussion, the Recording Secretary informed the Board that prior to the meeting, the applicant submitted letters of support from the community. Those letters are available for present Board members to review upon request.

Applicant Daniel Meritt addressed the board with a prepared statement outlining the original permit request for an enclosed porch, subsequent denial, and current application for an appeal of the decision by the Zoning Administrator as well as a variance to the front yard setback requirement. In his statement, Mr. Meritt also addressed the Board's criteria for granting a variance and relayed his gathered information and research as to how the request for variance applies specifically to those criteria.

Discussion occurred with the City Inspector's response to inquiries by Board Member Pruett and Chairperson Pennington regarding code implementation, the interpretation of legal, non-conforming structures, including proposed structural changes and repairs. The

City Inspector also noted that framing and other alterations will be completed within the scope of the proposed project. In response to inquiry from Chairperson Pennington, the applicant noted that the porch enclosure would not be utilized as an additional living space.

Motion: Moved by Board Member Pruett, seconded by Board Member Harrison, to approve the variance requested by the applicant. Motion passed by roll call vote with Board Members Evans, Harrison, Leary and Pruett voting yes and Chairperson Pennington voting no.

Prior to voting on the motion, the City Attorney recommended that a defined reasoning of the motion be made by the Board based upon staff recommendation in the report provided in the agenda packet. Board Member Pruett requested clarification of the recommendation which would include determination of the enclosure being a structural or physical alteration in addition to granting or denying the requested variance based upon noted criteria. Discussion occurred regarding the reasoning factors.

The Motion was amended as follows: Moved by Board Member Pruett, seconded by Board Member Harrison, to determine that the enclosure is not a structural or physical alteration to a nonconforming building and should be granted as requested. Motion passed unanimously by roll call vote with Chairperson Pennington Board Members Evans, Harrison, and Pruett voting yes.

ADJOURNMENT

Motion: Moved by Board Member Pruett, seconded by Board Member Harrison, to adjourn at 6:51 p.m. Motion passed unanimously with Chairperson Pennington and Board Members Evans, Harrison, and Pruett voting yes.

Chairperson Pennington

ATTEST:

Larrilynn Oso
Recording Secretary

Mayor
Roberta W. Cano

(928) 289-2422



Council Members
Peter Cake
Samantha Crisp
Jim MacLean
Darcey McKee
Melissa Nelson
Daniel T. Tafoya

AGENDA DATE: July 16, 2024

TO: Board of Adjustment

FROM: Marshall Larsen, City Inspector

SUBJECT: Public Hearing and Discussion and/or Action regarding a request for a variance from the minimum lot width as required by Chapter 17.16 AR Agricultural Residential District (Two-Acre lot Area), Section 17.16.030 Property Development Standard for Permitted Principal Uses.

DISCUSSION:

A General-Purpose Application requesting approval for the splitting of County Assessor's Parcel Number 103-65-028, currently addressed as 1901 Mountain Drive, into two (2) separate lots, was submitted by Mr. Daniel Mazon on May 3, 2024. During the review of the application by the Community Development Department it was found that the proposed parcels would meet the required minimum lot size of two (2) acres, but the parcels would not meet the minimum lot width of 295 feet as required by Section 17.16.030 of the Winslow Municipal Zoning Code.

The review found that the parcel facing Sagebrush Drive, west parcel, would only have a front width of 183 feet with the back of the lot having a width of 238 feet. The lot facing Mountain Drive, east lot, would have a front width of 346 feet with the back of the lot having a width of 238 feet. Because the lots did not meet the zoning code minimum width requirements the application could not be approved by the Community Development Department and a request for variance was submitted by the owner to the Board of Adjustments for consideration.

17.16.030 Property Development Standards for Permitted Principal Uses

- A. Minimum lot or site area: 2 acres
- B. Front yard setback: 40'
- C. Side setback: 25' interior
40' side
street

D. Rear setback: 25' interior
 40' rear
 street

E. Minimum lot width: 295'

F. Maximum building 35'
 height:

RECOMMENDATION:

Staff recommends the Board approve the request for a variance for the following reasons.

1. The separate parcels would meet the required minimum lot area of 2 acres.
2. The unusual shape of the existing lot compared to the other lots in the area does not allow the owner the same ability to comply with the code requirements for splitting the lot as allowed by other lot owners in the area.



BOARD OF ADJUSTMENT APPLICATION

Address of Site: 1901 Mountain Drive

Name of Applicant: Daniel Mazon Phone: 928-258-0110

Applicant Address: 1901 Mountain Drive

City: Winslow State: AZ Zip Code: 86047

Owner of Property: Same Phone: _____
(If Different from Applicant)

Owner Address: Same

City: _____ State: _____ Zip Code: _____

County Assessor's Parcel Number: 103-56-038 Zoning District: AR

☒ **TYPE OF VARIENCE REQUESTED**

Ordinance Requirement: 17.16.030 minimum lot width of 295' for AR.

Your Request: Allow lot width of 183' for frontage of split lot.

☐ **APPEAL TO A DECISION**

Code Section: _____

The applicant expressly acknowledges that all development must occur in compliance with the site plan, as approved, and all pertinent City of Winslow Municipal Codes.

SIGNATURE _____ DATE _____

Property Owner or Authorized Representative

FOR OFFICE USE ONLY

CITY FILE NO: _____ DATE: _____ RECEIPT NO. _____

AMOUNT PAID: _____ CASH: _____ CHECK NO. _____

WRITTEN JUSTIFICATION:

AGENDA DATE: _____



GENERAL PURPOSE APPLICATION

ADDRESS OF SITE: 1901 Mountain Drive, Winslow, AZ 86047

Proposed use: Residential

Applicant: DANIEL J. MAZON Phone: 928-258-0110

Address: 1901 Mountain Dr.

City: Winslow State: AZ Zip Code: 86047

Owner of Property: Same Phone: _____

Address: _____

City: _____ State: _____ Zip Code: _____

County Assessor's Parcel Number: 103-56-038 Zoning District: Winslow

TYPE OF REVIEW REQUESTED:

☐ Site Plan Review ☐ Property Combination ☐ Subdivision
☒ Property Split ☐ General Plan ☐ General Plan
Minor Amendment Major Amendment
☐ Home Occupation Permit

SIGNATURE

D. Mazon
Property Owner or Authorized Representative

DATE

4/25/24

The applicant expressly acknowledges that all development must occur in compliance with the site plan, as approved, and all pertinent City of Winslow Municipal Codes.

FOR OFFICE USE ONLY:

CITY FILE NO: _____ DATE: 5-3-24 RECEIPT NO: 73169
AMOUNT PAID: 250.00 CASH: _____ CHECK NO: 1476 NINE (9) SETS OF PLANS: _____
AGENDA DATE: _____ APPROVAL DATE: _____ BY: _____

PAYED
MAY 03 2024

Revised: 02/19

BY: Ashley Salyers

Return Address:

DANIEL J. MAZON
91 Hipkoe Dr.
Winslow, AZ 86047



Processed for Tax Year 2024

Navajo County Land Division Split Request Form

This form must be recorded at the Navajo County Recorder Office. If part of a County Minor Land Division Application, the form will be recorded with application. This request will NOT be processed if you fail to provide legal descriptions to account for entire parent parcels, fail to obtain all approvals or if properties are not the exact identical ownership per Assessor tax records. (All properties involved must be of identical ownership, per the tax records. This form does not convey title.)

As the OWNER of RECORD, you are hereby authorized to Split the Parcel below

Parcel Number	Residential	Vacant	Agricultural	Commercial	Rental
103-56-038	☒	☐	☐	☐	☐
	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐

Approval and Signatures

Department	Signature	Date
City Planning and Zoning or County Community Development		
Treasurer's Office		

Owners of Parent Parcel (per Assessors Records)

DANIEL J. MAZON NANCY L. MAZON Print Name	 Additional Details
--	---

Provide the legal descriptions for the newly created parcels. Individual copies of the legal descriptions may be attached to this document if additional space is needed. Also provide a description of the currently existing improvements and their location in the new parcel configuration. Please provide this information in the designated boxes below or in your attached documents.*

New Parcel "1"

Legal Description	SEE Attached
Description of Improvements	

New Parcel "2"

Legal Description	See Attached
Description of Improvements	

New Parcel "3"

Legal Description	
Description of Improvements	

*To expedite the Split process, you have the option to attach a survey or rough sketch illustrating the resulting parcel lines and the placement of existing improvements on your property but this is **not** required

Every Owner must sign (per Assessors records)

Owner Signature	Date	Owner Signature	Date
Daniel J. Mazon	4/25/24	Nancy L. Mazon	4/25/24

Owner Mailing Address 1901 Mountain Dr. Winslow, AZ 86047

Owners Email djmnlnm2013@gmail.com Phone 928-258-0110

Assessor Rep Signature _____ Date 1

Payment Received _____

LEGAL DESCRIPTION

PARCEL 1

A PORTION OF LOT 11, BLOCK 4, AMENDED PLAT TOLTEC DIVIDE ESTATES, NAVAJO COUNTY RECORDER BOOK 14 OF MAPS, PAGE 35, PART OF THE SOUTH HALF OF SECTION 15, TOWNSHIP 19 NORTH, RANGE 15 EAST OF THE GILA AND SALT RIVER MERIDIAN, NAVAJO COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF AMENDED PLAT TOLTEC DIVIDE ESTATES, AS RECORDED IN BOOK 14 OF MAPS, PAGE 35, NAVAJO COUNTY RECORDER, MONUMENTED WITH A 1/2" BAR AND CAP STAMPED "GAUD LS 45721", FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 15, SAID POINT BEING ALSO THE NORTHEAST CORNER OF SAID AMENDED PLAT TOLTEC DIVIDE ESTATES, BEARS SOUTH 89° 33' 23" EAST A DISTANCE OF 3294.56 FEET;

THENCE ALONG THE WEST LINE OF SAID AMENDED PLAT TOLTEC DIVIDE ESTATES SOUTH 0° 36' 34" EAST FOR A DISTANCE OF 1714.17 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF INTERSTATE 40, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST;

THENCE ALONG SAID CURVE, HAVING A RADIUS OF 34167.47 FEET, A CENTRAL ANGLE OF 1° 07' 21", THE CHORD WHICH BEARS SOUTH 74° 03' 12" EAST, A DISTANCE OF 669.42 FEET, FOR AN ARC LENGTH OF 669.43 FEET;

THENCE CONTINUING ALONG SAID RIGHT OF WAY, NORTH 15° 40' 55" EAST FOR A DISTANCE OF 40.00 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST;

THENCE CONTINUING ALONG SAID RIGHT OF WAY, ALONG SAID CURVE, HAVING A RADIUS OF 34127.47 FEET, A CENTRAL ANGLE OF 0° 14' 13", THE CHORD WHICH BEARS SOUTH 74° 26' 17" EAST, A DISTANCE OF 141.18 FEET, FOR AN ARC LENGTH OF 141.18 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST;

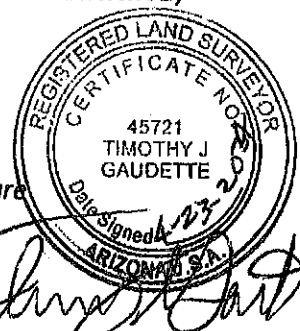
THENCE CONTINUING ALONG SAID RIGHT OF WAY, ALONG SAID CURVE, HAVING A RADIUS OF 34127.47 FEET, A CENTRAL ANGLE OF 0° 39' 48", THE CHORD WHICH BEARS SOUTH 74° 53' 13" EAST, A DISTANCE OF 395.11 FEET, FOR AN ARC LENGTH OF 395.12 FEET, TO THE **POINT OF BEGINNING**;

THENCE NORTH 0° 25' 31" EAST FOR A DISTANCE OF 238.78 FEET;

THENCE SOUTH 89° 33' 51" EAST FOR A DISTANCE OF 276.94 FEET;

THENCE SOUTH 2° 37' 54" EAST FOR A DISTANCE OF 357.85 FEET;

THENCE NORTH 75° 37' 09" WEST FOR A DISTANCE OF 305.03 FEET, TO THE POINT OF BEGINNING;



LEGAL DESCRIPTION

PARCEL 2

A PORTION OF LOT 11, BLOCK 4, AMENDED PLAT TOLTEC DIVIDE ESTATES, NAVAJO COUNTY RECORDER BOOK 14 OF MAPS, PAGE 35, PART OF THE SOUTH HALF OF SECTION 15, TOWNSHIP 19 NORTH, RANGE 15 EAST OF THE GILA AND SALT RIVER MERIDIAN, NAVAJO COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF AMENDED PLAT TOLTEC DIVIDE ESTATES, AS RECORDED IN BOOK 14 OF MAPS, PAGE 35, NAVAJO COUNTY RECORDER, MONUMENTED WITH A 1/2" BAR AND CAP STAMPED "GAUD LS 45721", FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION 15, SAID POINT BEING ALSO THE NORTHEAST CORNER OF SAID AMENDED PLAT TOLTEC DIVIDE ESTATES, BEARS SOUTH 89° 33' 23" EAST A DISTANCE OF 3294.56 FEET;

THENCE ALONG THE WEST LINE OF SAID AMENDED PLAT TOLTEC DIVIDE ESTATES SOUTH 0° 36' 34" EAST FOR A DISTANCE OF 1714.17 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF INTERSTATE 40, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST;

THENCE ALONG SAID CURVE, HAVING A RADIUS OF 34167.47 FEET, A CENTRAL ANGLE OF 1° 07' 21", THE CHORD WHICH BEARS SOUTH 74° 03' 12" EAST, A DISTANCE OF 669.42 FEET, FOR AN ARC LENGTH OF 669.43 FEET;

THENCE CONTINUING ALONG SAID RIGHT OF WAY, NORTH 15° 40' 55" EAST FOR A DISTANCE OF 40.00 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST;

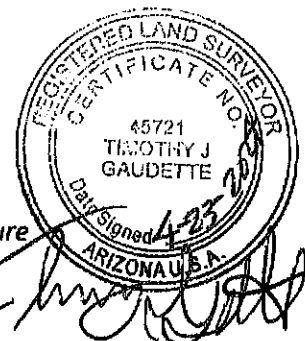
THENCE CONTINUING ALONG SAID RIGHT OF WAY, ALONG SAID CURVE, HAVING A RADIUS OF 34127.47 FEET, A CENTRAL ANGLE OF 0° 14' 13", THE CHORD WHICH BEARS SOUTH 74° 26' 17" EAST, A DISTANCE OF 141.18 FEET, FOR AN ARC LENGTH OF 141.18 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, SAID POINT BEING ALSO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID RIGHT OF WAY, ALONG SAID CURVE, HAVING A RADIUS OF 34127.47 FEET, A CENTRAL ANGLE OF 0° 39' 48", THE CHORD WHICH BEARS SOUTH 74° 53' 13" EAST, A DISTANCE OF 395.11 FEET, FOR AN ARC LENGTH OF 395.12 FEET,

THENCE NORTH 0° 25' 31" EAST FOR A DISTANCE OF 238.78 FEET;

THENCE NORTH 89° 33' 51" WEST FOR A DISTANCE OF 383.13 FEET;

THENCE SOUTH 0° 08' 05" WEST FOR A DISTANCE OF 183.66 FEET, TO THE POINT OF BEGINNING;



Navajo County, AZ Recorder's Office

Home
County Info
Open Document
Reception Number
Book - Page
Search Document
Document
Document Name
Subdivision
Tract
Results
Recording Notification
County Information
County Contacts
Data Availability
Official Documents
WebTools
Help
About

Return To Index

DOCUMENT ID: 1982-16334

Purchase Document

Cost \$8.50

1P

Page Count: 1

First Page

Previous Page

1

Go

Next Page

Last Page

Printable Page

Select State
ARIZONA ☐ Go
Select County
NAVAJO ☐ Go
List of Counties

