



**AGENDA AND NOTICE OF BOARD OF ADJUSTMENT
SPECIAL MEETING AND PUBLIC HEARING
MONDAY, MAY 19, 2025 AT 5:30 P.M.
DOORS OPEN AT 5:00 P.M.**

**City Hall Conference Room
102 East Third Street
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 Monday, May 19, 2025 at 5:30 p.m. at Winslow City Hall Conference Room, 102 East Third Street, 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 22nd SPECIAL MEETING & PUBLIC HEARING**
- 6. COMMISSION CONSIDERATION AND ACTION**
 - A.** Public Hearing and Discussion and/or Action regarding a request for variances for placement of a 12’X16’ (192 SF) shed in the south side yard of the residence located in the City of Winslow’s Multi-Family Residence District at 521 North Pope Avenue, Winslow, Arizona, more particularly identified as Navajo County Assessor’s Parcel No. 103-32-084B, situated in Sections 19 & 30, Township 19 N, Range 16 E, Gila and Salt River Meridian, City of Winslow, Navajo County. These variances are requested as construction of a utility shed in the side yard is not permitted by Winslow Municipal Code Chapter 17.36 Multi-Family Residence District, Section 17.36.050 Property Development Standards for Permitted Accessory Uses, and further, the proposed shed placement may encroach into the required 20-foot front yard setback.
- 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, 102 East Third Street, 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.

These minutes are subject to approval and/or correction at their next special meeting.

Minutes of the special meeting and public hearing of the Winslow Board of Adjustment held on Monday, January 22, 2025 at 6:00 P.M. in the City Hall Conference Room, 102 E. Third Street, Winslow, Arizona.

MEMBERS PRESENT

Chairperson Pennington
Board Member Evans
Board Member Harrison
Board Member Pruett
Board Member Thompson

MEMBERS ABSENT

STAFF

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

Chairperson Pennington called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited and the invocation was given by Board Member Evans. Roll was called, all members were present. Let the record reflect that applicant for Item A, Mr. Nick Woods was present.

CALL TO THE PUBLIC

None.

DISCUSSION AND/OR ACTION TO APPROVE MINUTES OF THE NOVEMBER 18, 2024 SPECIAL MEETING & PUBLIC HEARING

Motion: Moved by Board Member Evans seconded by Board Member Pruett, to approve the meeting minutes of November 18, 2024 as presented. Motion passed unanimously with Chairperson Pennington and Board Members Evans, Harrison, Pruett and Thompson voting yes.

COMMISSION CONSIDERATION AND ACTION

- A. Public Hearing and Discussion and/or Action regarding a request for a variance to construct a 12' X 16' (192 SF) accessory utility shed in the front yard of the residence located at 411 East Maple Street, Winslow, AZ. identified as Parcel 13-17-320, Township 19, Range 16 E, Section 19. This variance is requested as construction of a utility shed in the front yard is not permitted by Winslow Municipal Code Chapter 17.36 Multi-Family Residence District, Section 17.36.050 Property Development Standards for Permitted Accessory Uses.**

Applicant Mr. Nick woods provided a summarization of his variance request to the Board, noting that the front yard of the residence is the only feasible space available for a storage shed. Mr. Woods also provided his reasons for the intended use of the storage shed.

The City Inspector read the Zoning Administrator recommendations for approval of this variance as follows:

1. Special conditions and circumstances exist on this property that are not applicable to other properties in this zoning district due to this property's small square footage and lack of a rear yard. This means that the literal interpretation of the zoning code would deprive appellant of rights commonly enjoyed by other properties in the zoning district. These conditions existed prior to the appellant purchasing the property, were not a result of the appellant's own actions, and the hardship caused by the literal

interpretation of the zoning code would be more than a personal inconvenience or financial hardship.

2. This is the minimum variance that will make possible the reasonable use of the appellant's land.
3. Granting of the variance will not confer a special privilege to the appellant.
4. Granting of the variance will not interfere with or substantially or permanently injure the appropriate use of adjacent conforming properties in the same zoning district.
5. Granting the variance will be in harmony with the general purpose and intent of the zoning code and will be injurious to the neighborhood, or otherwise detrimental to the public welfare.

In response to inquiry by Board Member Thompson, Mr. Woods clarified that if granted the variance, he plans to purchase a pre-manufactured storage shed that will closely match the basic color scheme and design of the home located on the property. There were no further questions or comments from the Board.

Motion: Moved by Board Member Pruett, seconded by Chairperson Pennington, to approve the variance requested by the applicant based upon that special conditions and circumstances existing on the property that are not applicable to other properties in the zoning district due to this property's small square footage and lack of rear yard.

After the Motion, but prior to the vote, the City attorney noted an addition to the original motion, citing that the Board adopts the findings of the City Inspector's Staff Report. The addition was acknowledged and the motion was amended to contain the statement.

Motion passed unanimously with Chairperson Pennington and Board Members Evans, Harrison, Pruett and Thompson voting yes.

ADJOURNMENT

Motion: Moved by Board Member Pruett, seconded by Board Member Evans, to adjourn at 6:09 p.m. Motion passed unanimously with Chairperson Pennington and Board Members Evans, Harrison, Pruett and Thompson voting yes.

Chairperson Pennington

ATTEST:

Larrilynn Oso
Recording Secretary

Mayor
Roberta W. Cano

(928) 289-2422



Discover Winslow-A City in Motion

Council Members
Peter Cake
Samantha Crisp
Jim MacLean
Darcey McKee
Melcor Salazar
Daniel T. Tafoya

AGENDA DATE: May 19, 2025

TO: Board of Adjustment

FROM: Marshall Larsen, City Inspector

SUBJECT:

- A. Public Hearing and discussion and/or action regarding a request for a variance from Winslow Municipal Code Chapter 17.36 Multi-Family Residence District Code Section 17.36.050 Property Development Standards for Permitted Accessory Uses to allow the placement of a 12-footX16-foot storage shed in the south side yard of the residence at 521 North Pope Avenue.

DISCUSSION:

Item A:

Mrs. Jordan came to the office to ask about the placement of a 12-foot X 16-foot storage shed on the property. In reviewing the request, it was found that unlike the other houses on the block the Jordan's house faced east and west instead of north and south. This meant that the front yard setback requirement would be on the east side (Pope Avenue) of the house and the rear yard setback would be on the west side of the house. The location of the house on the lot would make the house legal nonconforming for the Multi-Family Residence Zoning with an existing front setback of 16 feet (a 20-foot front set back is required) from the property line to the front porch eave edge and less than an existing 5-foot setback at the rear property line (a 15-foot setback is required).

Because there is no space in the rear yard to place the shed, the Jordan's have made application for a variance from Winslow Municipal Code Chapter 17.36 Section 17.36.050 Property Development Standards for Permitted Accessory Uses which does not allow accessory uses in the side yard. Please see the code section below. It should also be mentioned there is an existing small 6 or 8-foot X 10-foot shed in the side yard. Please see the attached site plan for the location of the proposed shed on the lot and pictures of the house and yards.

Chapter 17.36
MFR MULTIPLE-FAMILY RESIDENCE DISTRICT

17.36.050 Property Development Standards for Permitted Accessory Uses

A. No accessory uses are permitted in the required front or side yard.

RECOMMENDATION:

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

1. Special conditions and circumstances do exist due to the lack of a rear yard to place the shed.
2. That literal interpretation of the provisions of this title would deprive the appellant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title.
3. Granting the variance will not interfere with or substantially or permanently injure the appropriate use of adjacent conforming properties in the same zoning district,
4. This is the minimum variance that will make possible the reasonable use of the appellant's land.
5. Granting the variance will be in harmony with the general purpose and intent of this title, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.



Picture shows lack of the rear yard at 521 North Pope Avenue.



Picture shows the side yard, and the existing shed on the property at 521 North Pope Avenue

Site Plan Drawing:

Shed will be 10 feet from the block fence that runs along the back side of the property.

Current:
small shed

Placement of
Proposed New Shed:
12 ft x 16 ft

29 feet

9 1/2 ft

driveway

house

Road: Pope St.

Jordan Residence
521 N. Pope Ave.
Winslow, AZ 86047

**Jordan Residence
521 N. Pope Ave.
Winslow, AZ 86047**