

Minutes of the special meeting and public hearing of the Winslow Board of Adjustment held on Monday, July 26, 2021 at 4:30 P.M. in the City Hall Conference Room, 21 Williamson Avenue, Winslow, Arizona.

**MEMBERS PRESENT**

Chairperson Pennington  
Board Member Evans  
Board Member Harrison  
Board Member Leary

**MEMBERS ABSENT**

None

**STAFF**

John Barkley, City Manager  
Trish Stuhan, City Attorney  
Marshall Larsen, City Inspector  
Marie Toliver, Recording Secretary

Chairperson Pennington called the meeting to order at 4:31 p.m. The Pledge was given and the Invocation was offered by Board Member Evans. Roll call was taken and all members were present. Chairperson Pennington and the City Attorney appeared telephonically.

**CALL TO THE PUBLIC**

None.

**COMMISSION CONSIDERATION AND ACTION**

- A. Public Hearing and Discussion and/or Action Regarding Request for a Variance from Setback Requirements Pursuant to Chapter 17.56, Section 17.56.020 (C) (4), Density Schedule, of the Winslow Municipal Code, for Real Property Identified as Lots 1 and 2 of Block 2, Fairmont Park Addition, located at 700 West Oak Street, Winslow, AZ.**

The City Manager provided information regarding the property and construction of a new porch on the east side of the house located on said property. The City Manager discussed the recommendation as noted in the report that was included in the agenda packet. The City Manager stated that the applicant, Bonnie Garrett, was in attendance.

Ms. Garrett addressed the Board and provided background information regarding the construction of the covered porch and the steps she had taken in regards to the project.

Chairperson Pennington opened the public hearing.

There were no comments regarding the request for a variance.

Chairperson Pennington closed the public hearing.

In response to a question from Chairperson Pennington, Ms. Garrett stated that she did not obtain a permit for construction of the porch. Ms. Garrett further stated that the construction company completed the project after the project was red-tagged by the City Inspector. Chairperson Pennington also asked Ms. Garrett if the 10 foot setback was special and/or unique to her property to which Mrs. Garrett replied it was not.

Board Member Evans recalled that there was also a garage modification on the property in which a building permit was obtained. Ms. Garrett acknowledged this and also further detailed the property line information that she received from Navajo County.

The City Inspector followed up with information regarding his past assessment of the initial construction of the porch stating that he determined that it was an extension of a non-conforming use. After further discussion regarding certain repairs that are allowed under the City Code, the City Manager stated that the item before the board is the current issue regarding a variance for the setback requirement.

Chairperson Pennington reminded the Board of their options to either approve the variance, deny the variance or approve an agreed-upon setback. The City Attorney cautioned the Board to use their best judgment as the granting language is specific and could set precedence.

At the request of Board Member Harrison, the City Attorney provided a definition of a variance and how it is applicable to this hearing.

Motion: Moved by Board Member Evans, seconded by Chairperson Pennington, to deny the variance. Motion passed unanimously with Chairperson Pennington and Board Members Evans, Leary and Harrison voting yes.

**DISCUSSION AND/OR ACTION TO APPROVE MINUTES OF THE APRIL 24, 2019  
SPECIAL MEETING & PUBLIC HEARING**

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

**ADJOURNMENT**

Motion: Moved by Board Member Evans, seconded by Board Member Leary, to adjourn at 5:11 p.m. Motion passed unanimously with Chairperson Pennington and Board Members Evans, Leary, and Harrison voting yes.

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Chairman

ATTEST:

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Recording Secretary