

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