

**MEETING MINUTES
OF THE
CITY OF ELOY
BOARD OF ADJUSTMENT
REGULAR MEETING
THURSDAY, JANUARY 17, 2008
6:00 P.M.**

I. CALL TO ORDER

Chairperson Cazarez called the meeting to order at 6:08 p.m.

II. ROLL CALL

Members Present: Chairperson Ezequiel Cazarez
Board Member Rudy Escalante
Board Member Manuel Salas
Board Member Stephanie Blanco

Members Absent: Board Member Richard Horton

Staff Present: Joseph Blanton, Interim City Manager/Community
Development Director
Belinda Cota, Planner
Luis F. Barahona, Planner
Mary Montijo, Clerical Assistant

III. INVOCATION

The Invocation was given by Board Member Salas.

IV. PLEDGE OF ALLEGIANCE

Board Member Escalante led the Pledge of Allegiance.

V. MOTION TO APPROVE THE NOVEMBER 15, 2007 MEETING MINUTES OF THE CITY OF ELOY BOARD OF ADJUSTMENT

Board Member Escalante made a motion to approve the November 15, 2007 meeting minutes. Board Member Blanco seconded the motion to approve. Motion was approved unanimously. The vote was 4-0.

VI. COMMUNICATIONS

Luis Barahona noted there were many festivities going on this up-coming week-end. The Economic Development Group of Eloy, (EDGE) will be holding their first annual membership meeting on Friday, January 18, 2008, at 10:00 A.M. at the Robson Ranch Clubhouse. The Chamber of Commerce will hold their annual awards banquet this Friday beginning at 6:00 P.M. There will be three major awards presented. The Good Neighbor of the Year Award will be presented to Coy Amerson, the H.B. Christy Award will be presented to Linda Gibson, and last but not least, the S.P.O.K.E Award will be

presented to our own Interim City Manager Mr. Joseph Blanton. The annual Martin Luther King Celebration will begin with festivities on Friday evening and will run throughout the week-end. CCA will be hosting Groundbreaking this Saturday which includes festivities for everyone from face painting for the kids to a job fair for the adults. The new facility is located on La Palma Road and the event will run from 9 A.M. through 12:00 p.m.

VII NEW BUSINESS: POSSIBLE DISCUSSION AND/OR ACTION ON THE FOLLOWING:

A. MOTION TO ELECT A CHAIRPERSON FROM AMONG THE MEMBERS OF THE BOARD.

Board Member Escalante made a motion to nominate Board Member Salas to the position of Chairperson. The motion was seconded by Board Member Blanco. The motion was passed unanimously 4-0.

B. MOTION TO ELECT A VICE-CHAIRPERSON FROM AMONG THE MEMBERS OF THE BOARD.

Board Member Escalante made a motion to nominate Board Member Blanco to the position of Vice-Chairperson. The motion was seconded by Board Member Salas. The motion was passed unanimously 4-0.

C. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO.: VA07-87: VARIANCE REQUESTS BY HORIZON DEVELOPMENT TO ALLOW HORSES AND ANCILLARY USES ON ONE-ACRE OR LARGER LOTS WITHIN A PROPOSED 65-LOT SUBDIVISION AND A 34-LOT SUBDIVISION KNOWN AS ENCANTO PARAISO I AND ENCANTO PARAISO II WITH NO MORE THAN TWO (2) HORSES ON ANY GIVEN LOT WITHIN THE TWO SUBDIVISIONS AT ANY GIVEN TIME; CORRALS FOR THE KEEPING OF AGRICULTURAL ANIMALS, PROVIDED SUCH CORRALS ARE LOCATED IN THE REAR YARD AND SET BACK FROM ALL LOT LINES A DISTANCE NO LESS THAN TEN FEET (10') (CORRAL FENCES OR SIMILAR ENCLOSURES MUST BE OF SUFFICIENT HEIGHTS AND STRENGTH TO RETAIN THE AGRICULTURAL ANIMALS); AND ONE GUESTHOUSE MAY BE PERMITTED ON THE SAME LOT AS THE PRINCIPAL RESIDENCE, PROVIDED THE GUESTHOUSE COMPLIES WITH THE STANDARDS OUTLINED IN SUBSECTION A4 OF SECTION 21-56D. SUBJECT PROPERTIES ARE ZONED R1-6 (MEDIUM DENSITY RESIDENTIAL). SUBJECT PROPERTIES ARE GENERALLY LOCATED EAST OF THE NORTHEAST CORNER OF HANNA ROAD AND SUNSHINE BOULEVARD, ELOY, ARIZONA ON ASSESSOR'S PARCEL NUMBER: 401-48-012R AND 093. (PROJECT NAME: ENCANTO PARAISO I AND ENCANTO PARAISO II.

Chairperson Cazarez opened the public hearing.

K.C. O'Haver, representing Horizon Development gave a brief overview on why a variance was being requested. Mr. O'Haver stated this is a 120 acre project on two separate parcels, and with the current zoning, horses are not allowed. Board Member Blanco asked if the previous zoning allowed for horses, then why was there a request change. Mr. O'Haver replied the reason for changing zoning was to allow for higher density.

Mr. O'Haver commented their intention was to begin construction by the end of the year. Mr. Blanton commented that roads within the subdivision will be built to city's standards.

Hearing no other comments, Chairperson Cazarez closed the public hearing.

**D. MOTION FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON THE REQUEST FOR A VARIANCE
CASE NO.: VA07-87.**

Board Member Escalante made a motion to approve the request for variance Case No.:VA07-87 with stipulations recommended by Staff and that only two horses be allowed. Board Member Blanco seconded the motion. The motion was passed 4-0 subject to the following stipulations:

- 1) That the rights and privileges established by the granting of this variance shall be exercised within a period of twelve (12) months effective on the date of Final Plat approval by the Eloy City Council or said variance shall become null and void;
- 2) That the rights and privileges established by the granting of this variance shall only be applicable to those one-acre or larger lots within the proposed 65-lot subdivision and the 34-lot subdivision known as Encanto Paraiso I and II subject to Council approval of the Final Plats;
- 3) That no more than two (2) horses per acre on any given lot may be permitted within the two subdivisions at any given time; corrals for the keeping of agricultural animals, provided such corrals are located in the rear yard and set back from all lot lines a distance no less than ten feet (10') (corral fences or similar enclosures must be of sufficient heights and strength to retain the agricultural animals); and one guesthouse may be permitted on the same lot as a principal residence, provided the guesthouse complies with the standards outlined in Subsection A4 of Section 21-56D; and
- 4) That any other/additional permitted uses, other than horses, corrals, and one guesthouse under the R1-43 (Estate Density Residential) Zoning District, which are not permitted in the R1-6 (Medium Density Residential) Zoning District, shall not be permitted.

E. PUBLIC HEARING TO ALLOW COMMENT FROM THE PUBLIC AND INTERESTED PARTIES ON THE PROPOSED CASE NO. VARIANCE REQUESTS BY HORIZON DEVELOPMENT TO ALLOW HORSES AND ANCILLARY USES ON ONE-ACRE OR LARGER LOTS WITHIN A

PROPOSED 126-LOT SUBDIVISION KNOWN AS ENCANTO TRAVERA WITH NO MORE THAN TWO (2) HORSES ON ANY GIVEN LOT WITHIN THE SUBDIVISION AT ANY GIVEN TIME; CORRALS FOR THE KEEPING OF AGRICULTURAL ANIMALS, PROVIDED SUCH CORRALS ARE LOCATED IN THE REAR YARD AND SET BACK FROM ALL LOT LINES A DISTANCE NO LESS THAN TEN (10) FEET (CORRAL FENCES OR SIMILAR ENCLOSURE MUST BE OF SUFFICIENT HEIGHTS AND STRENGTH TO RETAIN THE AGRICULTURAL ANIMALS); AND ONE GUESTHOUSE MAY BE PERMITTED ON THE SAME LOT AS A PRINCIPAL RESIDENCE, PROVIDED THE GUESTHOUSE COMPLIES WITH THE STANDARDS OUTLINED IN SUBSECTION A4 OF SECTION 21-56D. SUBJECT PROPERTY IS ZONED R1-6 (MEDIUM DENSITY RESIDENTIAL). SUBJECT PROPERTY IS LOCATED ON THE SOUTHWEST CORNER OF HANNA ROAD AND LA PALMA ROAD ELOY, ARIZONA ON ASSESSOR'S PARCEL NUMBERS: 401-48-125A. (PROJECT NAME: ENCANTO TRAVERA).

Chairperson Cazarez opened the public hearing.

Mr. Blanton commented that this case needed no discussion because of the similarity to the previous Variance request.

Hearing no other comments, Chairperson Cazarez closed the public hearing.

F. MOTION FOR APPROVAL, DISAPPROVAL OR OTHER ACTION ON THE REQUEST FOR A VARIANCE CASE NO.: VA07-88.

Board Member Escalante moved to approve the request for a variance (Case No. VA07-88) subject to staff's stipulations. The motion was seconded by Board Member Blanco. The motion was passed 4-0 subject to the following stipulations:

- 1) That the rights and privileges established by the granting of this variance shall be exercised within a period of twelve (12) months effective on the date of Final Plat approval by the Eloy City Council or said variance shall become null and void;
- 2) That the rights and privileges established by the granting of this variance shall only be applicable to those one-acre or larger lots within the proposed 126-lot subdivision known as Encanto Travera subject to Council approval of the Final Plat;
- 3) That no more than two (2) horses per acre on any given lot may be permitted within the subdivision at any given time; corrals for the keeping of agricultural animals, provided such corrals are located in the rear yard and set back from all lot lines a distance no less than ten (10) feet (corral fences or similar enclosures must be of sufficient heights and strength to retain the agricultural animals); and one guesthouse may be permitted on the same lot as principal residence, provided the guesthouse complies with the standards outlined in Subsection A4 of Section 21-56D; and

- 4) That any other/additional permitted uses, other than horses, corrals and one guesthouse, under the R1-43 (Estate Density Residential) Zoning District, which is not permitted in the R1-6 (Medium Density Residential) Zoning District, shall not be permitted.

VIII. MOTION TO ADJOURN

The motion to Adjourn was brought forth by Board Member Escalante. The motion was seconded by Board Member Blanco. The motion was carried unanimously; the meeting was adjourned at 6:36 P.M.