

**MINUTES OF THE GILA COUNTY BOARD OF ADJUSTMENTS**

**Meeting Date: March 15, 2012 @ 9:10 am**

**Gila County Board of Supervisors Hearing Room, 1400 East Ash St., Globe, AZ**

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**1. Call to Order/Pledge of Allegiance**

The Gila County Board of Adjustment meeting was called to order by Chairman Don Ascoli at 9:10 a.m. The Pledge of Allegiance was lead by Don Ascoli.

Board members present: Don Ascoli, Travis Williams, Jack Larimore, Lori Brown (absent).

Staff present: Robert A. Gould, Community Development Director, Angela Parker, Planner in training and Beverly Valenzuela, Executive Administrative Assistant.

**2. Review and Approval of Agenda - Unanimously approved as printed.**

**3. Review and Approval of Minutes for June 16, 2011:** Motion to approve the minutes made by Jack Larimore with Travis Williams seconding the motion; motion passed unanimously.

**4. Director/Board Communications**

Director, Bob Gould didn't have anything to report to the board.

**INFORMATION/DISCUSSION/ACTION ITEMS**

**5. V-12-01 Jonella Rolinger:** Application for a variance requesting a 5' front setback where a 20' front setback is required for a carport. Property is currently zoned R1; Gila County Tax Assessor's Parcel 301-54-026 located at 9246 W. Tonto Rim Drive, Strawberry, AZ.

Director Bob Gould introduced this item and stated that this variance has drawn interest and he gave them a copy of a letter he received from Dale Longbons. Director Bob Gould stated that in Mr. Longbons letter he stated that he had requested a variance of a foot for a project years ago and was told no. Mr. Gould told the board that it seemed like they were being pulled in different directions but that we must stride for consistency. He continued and stated that he was not sure if this person had dealt with staff or had actually gone before the board.

Mr. Gould turned the meeting over to Angela Parker, Planner in training. She stated that the carport was built without permits and was five feet from the front property and that 1/3 of the neighbors have a carport. She stated that there are steep slopes on the west side and the alternative system on the west side. She continued by stating that staff supports the approval of the variance but applicant would have to get building permits and other approval.

Mr. Gould stated that since this was built without permits there would be double fees.

Chairman Ascoli stated that if this application is approve it should have double fees.

Applicant, Jonella Rolinger stated that she's lived there for 17 years and had obtained permits for everything else except this. Ms. Rolinger stated that her husband passed away in May and she had hired someone to build the carport for her. She stated that she would be willing to pay the double fees.

Chairman Ascoli opened the meeting for public comments.

Sally Longbons resides at 9216 Tonto Rim Drive and is a neighbor and stated that some time back they'd contacted

the Community Development Office for a variance to install a bay window and was denied. Mrs. Longbonds asked who was responsible for permits, the owner or the contractor; Mr. Gould responded that the owner is ultimately responsible.

Raymond Longbons resides at 3476 Meadow Drive in Pine and was speaking on behalf of his brother Dale Longbons who wrote the email to Mr. Gould. Dale Longbons is ill and could not attend. Dale Longbons and Raymond Longbons are against approval of this application. He stated that they received a letter from the county for an Administrative Variance and that there was not a legal notice in the Payson Roundup notifying them of the hearing.

Mr. Gould stated that at the beginning of the year the Board of Supervisors determine the newspaper in which to publish.

Ray Longbons continued and stated that the property next to the applicant will have the view of the carport; she has two violations and did not play by the rules and is not legal and this matter will have to be determined by the courts. He stated that poor planning on Mrs. Rolinger's part was not his problem or the boards.

Mr. Gould, Community Development Director stated that today they must determine if this will be allowed or if it will be removed; whether they applied before or now it doesn't matter, approval of this carport will make it legal. We were processing this application as an Administrative Variance but when measured found it is a Variance as it sits closer to the property line. He also stated that we do not have anything in the codes regarding the neighbors view and said he still supported staffs position recommending approval of this variance and that the codes give this board the authority to approve this variance due to the topography.

Chairman Don Ascoli stated that from the pictures the carport looked like it sat further back on the property and the board must adhere to the codes and the safety of the community. With no further comments from the public, public comment portion of the meeting was closed.

Member Travis Williams moved to approve this variance and Jack Larimore seconded the motion. The motion was unanimously approved.

5. **V-12-02 Henry & Marilyn Salas:** Application for a variance requesting a 5' front setback where a 20' front setback is required for a garage and covered porch. Property is zoned R1L and is located at 4559 N. Juniper Lane, Pine, AZ; Gila County Tax Assessor's Parcel 301-62-054.

Planner Angela Parker stated that this property is in the Portals II area and applicant requests permission to construct a 20 x 20 garage with a front setback of 5', property has a small parking area and some of the trees will have to be removed; because of the topography there isn't any where else to place the garage.

Chairman Don Ascoli asked what the side setback will be and Angela Parker replied that it will be 5'.

Director of Community Development, Bob Gould, stated that the side setback is 7' and asked the board to table this item so that it can be reviewed further.

Chairman Don Ascoli opened the meeting for public comments.

Applicant Marilyn Salas stated that they would like to propose a change to the plans. Director of Community Development, Bob Gould, stated that if they were going to change the plans staff definitely needed more time to review. Chairman Don Ascoli requested that the applicant submit the changes to the Payson Office

Marilyn Salas asked when the next meeting for her application would be and how long it would take to obtain permits to construct; Mr. Gould stated that there would not be a time delay and that if approved Mrs. Salas could submit her plans for construction the same day of approval.

Travis Williams suggested that the applicant look at the size of the garage and scale back; to which Mrs. Salas stated that that size of garage was needed due to her husband being handicapped and needing to get the power chair in and out of the building.

Member, Travis Williams motioned to table and Jack Larimore seconded the motion. Motion was unanimously tabled.

6. Meeting was adjourned at 10:00 a.m.

DRAFT