

**TOWN OF DEWEY-HUMBOLDT  
BOARD OF ADJUSTMENT  
MEETING AND HEARING NOTICE  
March 14, 2017, 9:00 A.M.**

**BOA MEETING AND HEARING  
2735 S. HIGHWAY 69, STE. 10**

**COUNCIL CHAMBERS, TOWN HALL  
DEWEY-HUMBOLDT, ARIZONA**

## **AGENDA**

The issues that come before the Board of Adjustment are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Board believes that the meeting be a safe place for people to speak. With this in mind, the Board asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Please turn off all cell phones. The Board meeting may be broadcast via live streaming video on the internet in both audio and visual formats. A majority/quorum of the Dewey-Humboldt Town Council may attend this meeting, but no Council deliberation will occur. During recess of a BOA Hearing, a BOA Member shall not communicate with any BOA Member or applicant, witness or the Planning Administrator. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1- 602.A.9. Dewey-Humboldt Council, Commission, Board and Committee Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

The Board may vote to recess the public meeting and hold an executive session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding any matter on the Agenda. Executive sessions are not open to the public and no action may be taken in executive session.

- 1. Call To Order.**
- 2. Pledge of Allegiance.**
- 3. Roll Call.** Board Members: Theodore Brooks, Ulys Brooks, Gary Ford, Linda Horvath, Cheryl Taylor
- 4. Consent Agenda.**
- 5. New Business.**
  - 5.1. Information, discussion and possible action to** adopt the Board of Adjustment By-Laws to govern the Board of Adjustment responsibilities and procedures.
  - 5.2. Information, discussion and possible action to** elect a Chair and Vice Chair, as set forth in the Board of Adjustment Bylaws.
- 6. Public Hearing and possible action to make the required findings and approve, approve with modifications or conditions, or determine that the findings have not been met and to deny** the request for a variance from the strict application of the Zoning Ordinance to modify rear and side setbacks on property located at 1925 S. Sierra (Yavapai County Assessor's Parcel Number 402-24-101).
  - 6.1. Hold a public hearing.**
  - 6.2. Discussion, deliberation and possible action regarding the variance request.**
- 7. Adjournment**

**For Your Information:**

Next Town Council Meeting: Tuesday, March 21, 2017 at 6:30 p.m.

Next Town Council Work Session: Tuesday, April 11, 2017 at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, April 6, 2017 at 6:00 p.m.

This agenda may be subject to change up to 24 hours prior to meeting. Please see local crier boards for current agenda. If you would like to receive Town meeting agendas via email, please sign up at [AgendaList@dhaz.gov](mailto:AgendaList@dhaz.gov) and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

**Certification of Posting**

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the \_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: \_\_\_\_\_, Town Clerk's Office.

**TOWN OF DEWEY-HUMBOLDT BOARD OF ADJUSTMENT  
BYLAWS**

**ARTICLE I**

**Name**

The name of the Board shall be the Town of Dewey-Humboldt, Arizona Board of Adjustment (the "Board").

**ARTICLE II**

**Purpose**

The Board is established pursuant to Arizona Revised Statutes § 9-462.06 to hear and decide certain matters as set forth in the Town of Dewey-Humboldt Town Code § 153.021 and herein.

**ARTICLE III**

**Organization and Responsibilities**

- A. The Board of Adjustment shall:
1. Hear and decide appeals from a decision, determination or interpretation made by the Zoning Administrator, in which it is alleged there is an error in an order, requirement or decision made by the Zoning Administrator in the enforcement of a zoning ordinance;
  2. Hear and decide appeals for variances from the terms of the zoning ordinance only if, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning classification in the same zoning district. Any variance granted shall be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.
  3. Hear and decide appeals from decisions of the Hearing Officer pursuant to Section 153.019 (D) and (E).
  4. Reverse or affirm, wholly or partly, or modify the order or decision appealed from and make such order or decision as ought to be made; and

5. Interpret Chapter 153: Zoning Regulations when the meaning of any word, phrase, or section is in doubt, or where doubt exists as to the proper district of a specific use.
  6. See A.R.S. § 9-462.06 and Dewey-Humboldt Town Code § 153.021 for a further description of responsibilities.
- B. The Board of Adjustment shall not:
1. Make any changes in uses permitted in any zoning classification or zoning district;
  2. Make any changes in the zoning ordinance; or
  3. Grant a variance if the special circumstances applicable to the property are self-imposed by the property owner.
- C. Ex Parte Communications. Board members shall not participate, directly or indirectly, in ex parte communications relevant to an application or appeal pending before the Board. Ex parte communications are oral or written communications related to the matter to be heard by the Board and which is made to or by a member of the Board, including in person, telephonic or electronic communications that occur outside of a public meeting of the Board.
- D. Code of Ethics. Board members shall comply with the Town Council's Code of Ethics and the State of Arizona Open Meeting and Conflict of Interest laws.
- E. Membership.
1. The Board shall consist of five (5) members who are appointed by the Dewey-Humboldt Town Council in accordance with the Town Code and Council Policy.
  2. With the exception of the initial board, the term of office for each member shall be four (4) years, unless a vacancy occurs.
  3. Board members shall be qualified electors of the Town of Dewey-Humboldt.
  4. Board members serve at the pleasure of the Town Council.
- F. Vacancies. Vacancies shall be created and filled pursuant to § 31.18 of the Dewey-Humboldt Town Code.
- G. Officers.
1. At the next Board meeting after appointments to the Board are made, the Board shall elect a chair and a vice chair from among its members.
  2. The Chair and Vice Chair shall each serve a two year term.

3. The Chair shall:
  - a. Preside over meetings and hearings of the Board, decide all points of order and procedure, and perform any duties required by law, ordinance, or these bylaws.
  - b. Have the right to vote on all matters before the Board and to make or second motions in the absence of motion or a second made by a member.
4. The Vice Chair shall act as Chair in the Chair's absence.
5. In the absence of both Chair and Vice Chair, the senior member based upon years of membership on the Board shall act as Chair.
6. The Community Planner or his designated representative shall serve as the Secretary of the Board and shall provide professional and technical advice to the Board.

#### **ARTICLE IV**

##### **Hearings and Meetings**

- A. Scheduling of Hearings and Meetings.
  1. Meetings shall be scheduled as needed for the fourth Tuesday of the month at 9:00 a.m. unless circumstances require otherwise.
  2. Hearings of the Board shall be held at the call of the Chair when necessary for the Board to fulfill its legal requirements.
  3. Meetings may be held as necessary to address administrative issues of the Board. Meetings generally shall be held at the same time as a hearing, if possible.
  4. Except for executive sessions authorized by law, all meetings of the Board shall be open to the public. Minutes of the proceedings, recording its examinations and showing the vote of each member, shall be kept as required by A.R.S. § 38-431.01 and filed as public records in the office of the Town Clerk.
- A. Quorum. A majority of the members of the Board, excluding vacant seats, shall constitute a quorum for transacting business at any regular meeting. No action shall be taken at any regular meeting in the absence of a quorum, except to adjourn the meeting to a subsequent date.
- B. Agenda. An agenda shall be prepared by the Secretary after consultation with the Chair for each meeting and hearing and shall be published and posted as required by Arizona law. The agenda shall include the various matters of business as scheduled for consideration by the Board.

## ARTICLE V

### **Conducting Business**

#### A. Parliamentary Procedure

1. The Chair shall call the Board to order and the Secretary shall record the members present or absent. The Chair may call each matter of business in the order of the approved agenda and shall announce the name of the applicant, the location of the property involved, and the nature of their request. The Board, by majority vote, may change the order of the posted agenda to accommodate the Board, staff and members of the public. Supporting evidence for and against each matter shall be presented to the Board.
2. The Chair shall conduct meetings under Robert's Rules of Order unless such rules are suspended by majority vote of the Board. The Chair shall direct questions to the applicant or any person speaking, in order to bring out all the relevant facts, circumstances, and conditions affecting the matter being considered, and then call for questions from other members of the Board and from staff.

#### B. Conduct of Hearings

1. Rights of All Persons. Any person may appear at a public hearing and submit oral or written evidence related to the application, either individually or as a representative of a person or an organization. Each person who appears at a public hearing shall state his name, address, and, if appearing on behalf of a person or organization, state the name and mailing address of the person or organization being represented.
2. Time Limits. The chair may establish time limits for individual testimony and may require that individuals with shared concerns select one or more spokespersons to present testimony on behalf of those individuals.
3. Testimony and Evidence.
  - a. Hearings are quasi-judicial in nature as defined in Arizona Revised Statutes § 38-431(67). Relevant evidence may be considered if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs.
  - b. All exhibits shall be submitted not later than one week prior to the hearing date, be clearly labeled and made a part of the record of the Board of Adjustment hearing. Evidentiary objections shall be waived unless made at least three days before the hearing.
  - c. The Chair may exclude testimony or evidence that is irrelevant, immaterial, or repetitious. The person offering such testimony or evidence shall have an opportunity to offer a written statement in regard to such testimony or evidence

for the record. Such written statement shall be presented to the town clerk within 3 working days of the hearing.

4. Burden of Proof. The burden of proof of all legal prerequisites to the granting of the relief or action sought shall be upon the party requesting such relief or action.
5. Order of Proceedings at Public Hearings.
  - a. *Introduction of Item*. The Chair shall introduce the item.
  - b. *Public Hearing*. The Chair shall open the public hearing.
  - c. *Staff Report*. Staff shall provide a written report and recommendation to the Board prior to the public hearing. At the hearing, Staff shall present a report and respond to questions from the Board.
  - d. *Applicant Presentation*. The applicant shall present its case and respond to questions from the Board. In its presentation, the applicant shall indicate its agreement or disagreement with staff's recommendations.
  - e. *Public Testimony*. Testimony will be accepted from those requesting to be heard, subject to the limitations regarding time limits and exclusion of testimony.
  - f. *Applicant Response*. The Chair may request the applicant to respond to testimony or evidence presented by the public or staff.
  - g. *Staff Response*. Staff and the Town Attorney may provide information or clarification regarding matters raised during the public hearing.
  - h. *Continuance of Public Hearing*. The Board may, by motion, continue the public hearing to a fixed date, time, and place.
  - i. *Close of Public Hearing*. The Chair shall close the public hearing.
  - j. *Tabling*. The Board may, by motion, table the public hearing. If tabled, the public hearing on the matter shall not be conducted until notice is given in the same manner as for the initial hearing.
  - k. *Deliberation and Action*. The Board shall discuss the request and take action as set forth below in Subsection (B)(6)
  - l. *Revision to Conditions*. If the Board makes a change to the recommended conditions, the public hearing shall be re-opened prior to the vote for the limited purpose of affording the applicant an opportunity to comment on any modified conditions. The public hearing shall be closed before action is taken by the Board.

- m. *Failure of Applicant to Appear.* If an applicant fails to appear at the hearing, the Board may continue the hearing as provided in subsection (h). If, before the meeting, the applicant submits a written request for the Board to act without his presence, the Board may hear those persons requesting to speak in response to the notice of hearing and make a decision without the applicant attending the meeting.
- n. *Absence of a Board Member.* A member who is absent from any portion of a public hearing conducted by the Board may not vote on the matter being considered during the absence.
6. Voting.
- a. After hearing all testimony and considering all the evidence, the Board shall discuss the request and approve, approve with modifications and/or conditions, or deny the request, unless it has been continued or tabled.
- b. In taking action on any appeal, the Board may reverse, affirm, wholly or in part, or modify the order, requirement, or decision of the Hearing Officer appealed from, and may make such order, requirement, decision or determination as necessary. Decisions of the Board shall meet the statutory requirements set forth in the Arizona Revised Statutes Section 9-462.06 and Town of Dewey-Humboldt Town Code Section 153.021.
- c. When making a decision to approve, approve with modifications and/or conditions, revoke, or deny any variance, or when acting on an appeal, the Board shall make findings of fact required by the Town Code, as set forth in Section 153.021.
- d. Unless otherwise provided by law, and as long as a quorum of three members of the Board is present, a majority vote of those Board members present and voting shall be required to take official action.
- e. Each member attending shall be entitled to one vote. The minutes of the proceedings shall indicate the vote of each member on every matter acted upon, and shall indicate any absence or failure to vote. No member shall be excused from voting except on matters where the member declares a conflict of interest, as described in Subsection (8), below.
- e. The Zoning Hearing Officer whose decision is being appealed from shall not participate in any discussion or vote of the Board, but shall be available during the public hearing for questions from the Board members.
7. Prohibition against Ex Parte Communications. To ensure a fair and impartial decision-making process, a member of the Board shall not, directly or indirectly,

participate in any ex parte communication relevant to an application pending before the Board. Ex parte communications are oral or written communications related to the matter to be heard by the Board and which are made to or by any member of the Board, whether in person, telephonic or electronic that occur outside of a public meeting of the Board.

8. Conflict of Interest. A member who has a conflict of interest with a matter being considered, as described in Arizona Revised Statutes §§ 38-501 through 38-511 and § 35.04 of the Dewey-Humboldt Town Code, shall recuse himself, abstain from participating in the discussion and voting on the matter, and leave the dais during discussion and action.

## **ARTICLE VI**

### **Official Records**

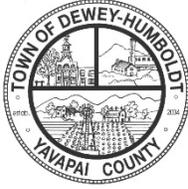
- A. Retention of Files. The official records of the Board shall include these Bylaws, minutes of meetings and its adopted reports, all of which shall be deposited with the Town Clerk and available for public inspection as public records. All applications and other matters coming before the Board shall be filed in the Community Development Department in accordance with that Department's general file system. Original papers of all applications and other matters shall be retained in compliance with the Town's Document Retention Schedule.
- B. Recording of Meetings. All public meetings of the Board will be recorded in written form. Any person desiring to have a meeting recorded by an electronic device or by a stenographic reporter, may do so at his own expense, provided he has given advance notice to the to arrange facilities for such recording prior to commencement of the meeting. Such recording shall not disrupt the proceedings and may, at the discretion of the chair, be stopped if it is disruptive.

## **ARTICLE VII**

### **Amendments**

- A. These bylaws may be amended by majority vote of the Board, provided that notice of said proposed amendment is given to each member in writing at least five (5) days prior to the meeting. Such amendment shall be subject to ratification by the Town Council and, if so approved, shall become effective at the next meeting or hearing of the Board.

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**TOWN OF DEWEY-HUMBOLDT**  
**P.O. BOX 69**  
**HUMBOLDT, AZ 86329**  
**Phone 928-632-8643 ▪ Fax 928-632-7365**

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## MEMO

Date: February 10, 2017

To: Yvonne Kimball

From: Steven Brown

Re: Staff Report on Variance Request V-17-01

### **Public Hearing.**

#### **ITEM #17-001: Variance Request**

**Request:** Consider a request for a variance of the rear and side setbacks on property located at 1925 S. Sierra (Assessor's Parcel Number 402-24-101).

The Town Code of the Town of Dewey-Humboldt provides for the powers and duties of the Board of Adjustment in Section 153.021.

#### **§ 153.021 BOARD OF ADJUSTMENT; ZONING ADMINISTRATOR**

- “(1) The Board has the following powers and duties:
- (a) Hear and decide appeals from a decision, determination or interpretation made by the Zoning Administrator, in which it is alleged there is an error in an order, requirement or decision made by the Zoning Administrator in the enforcement of a zoning ordinance;
  - (b) Hear and decide appeals for variances from the terms of the zoning ordinance only if, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district. Any variance granted shall be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located;

## FOUR KEY CRITERIA STANDARDS TO APPLY:

- (1) A variance may be warranted if the property in question is associated with “special circumstances” that are inherent in the property – such as its size, shape, topography or location, (surroundings) – that deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district.
- 2) A variance may be granted if its authorization is necessary to ensure the preservation of privileges and rights enjoyed by other property of the same classification in the same zoning district, without constituting a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located.
- 3) The special circumstances applicable to the property may not be self-imposed or created by the owner or applicant in order to receive a variance. **It is important to note that circumstances created by the previous property owner are applicable to the current owner.**
- 4) The granting of a variance should not be materially detrimental to persons residing or working in the vicinity, to adjacent property to the neighborhood, or to the public welfare in general.

The variances being sought are spelled out in the application as:

### **“The variance requested is as follows:**

- a. *For the barn: A variance from the required rear setback of 50 feet from the property line to instead be 30 feet from the rear property line; and*
- b. *For the house:*
  - (1) *A variance from the required side setback of 25 feet from the property line to instead be 18 feet from the side property line; and*
  - (2) *A variance from the required rear setback of 50 feet from the property line to 47 feet from the rear property line; and*
- c. *For a 10x10 shed: A variance from the required side setback of 25 feet from the property line to instead be 23 feet from the side property line. Please note that although the shed is within the rear setback of 50 feet, because it is an accessory structure not housing animals, pursuant to Town Code Section 153.068(D), we believe that it may be located a minimum of 5 feet from the rear of the property line.”*

### **Staff Comment:**

- The variance application and amendment are enclosed
- As of March 1, 2017, the Community Development office received two written comments on this application.
  - 1 Opposed to the granting of the variance
  - 1 Supporting the granting of the variance.

VAR-17-01



JEFFREY R. ADAMS, ESQ.

125 GROVE AVE. P.O. BOX 2522 PRESCOTT, AZ 86302 928-445-0003 FAX: 928-443-9230 law.office@jradamslaw.com

January 17, 2017

File No. 840.01

**TRANSMITTED VIA HAND-DELIVERY**

Dewey-Humbolt Board of Adjustment  
P.O. Box 69  
2735 South Highway 69, Suite 12  
Humboldt, AZ 86329

Re: Expedited Variance Request for Assessor's Parcel 402-24-101

To whom it may concern:

As you are aware, this firm represents James and Melinda Keenan, the owners of the above-referenced parcel. This letter is being submitted in connection with the above-referenced variance request being made by the Keenans and which is enclosed herewith as Exhibit "1".

The Keenans took title to the subject parcel pursuant to that certain Warranty Deed dated October 21, 2012, that was recorded in the Official Records of Yavapai County, Arizona at Book 4929, Page 636. Prior to taking ownership of the subject parcel, some of it's existing improvements included a home and a barn. See pictures enclosed as Exhibit "2". The barn was quite old and delapidated. Our clients applied for a building permit to replace the old barn and horse stalls with a fully enclosed barn without any horse stalls that are uncovered. See application enclosed as Exhibit "3" and photographs enclosed as Exhibit "4". From a practical perspective, while the actual barn structure proposed by our clients is larger than the original barn, because the horse stalls will be located within the new barn, the footprint of the barn will occupy virtually the same square footage as the old barn and outdoor horse stalls.

As detailed in the August 12, 2016, letter from Yvonne Kimball enclosed as Exhibit "5", our client's application was denied due to the Community Planner's/Code Officer's determination that the front of the subject parcel runs along Sierra Drive and that the proposed set-back for the barn was therefore insufficient. We believed that that determination was in error and appealed that determination to the Board of Adjustment. In November, a hearing on that appeal was conducted during which the Board denied the appeal. Accordingly, in December, we appealed that determination to the Yavapai County Superior Court.

One of the issues discussed at length during the November hearing was the practical reasons why placement of the barn at the proposed location, the set-back issue notwithstanding, is necessary as the proposed location is the only place on the Keenan's property that it can be placed. That is the case because of the property's topography and surroundings that include steep downward slopes from the boundaries of the property and the location of where water drains over, upon and across the

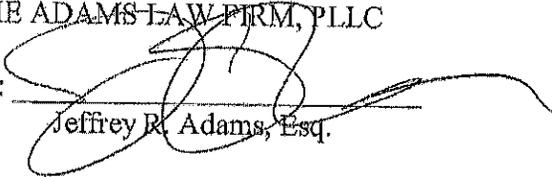
property, and which were not the result of alterations or modifications of the land by the Keenans or their predecessors. In considering the foregoing, the Board indicated that if the Keenans were to request a setback variance, it would be received favorably. This sentiment was echoed by the Board's counsel in correspondence late last month. The Keenans also request a variance as it applies to their residence to bring it into compliance with the zoning ordinance as opposed to being a legal non-conforming use.

Should you have any questions, comments or concerns regarding this matter following your review of this letter, please call at your convenience.

Regards,

THE ADAMS LAW FIRM, PLLC

By:

  
Jeffrey R. Adams, Esq.

JRA/ac  
cc: clients  
enclosures

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**EXHIBIT "1"**



# TOWN OF DEWEY-HUMBOLDT

## "Arizona's Country Town"

Development Permit  
Application  
Community Development  
P.O. Box 69  
Humboldt, AZ 86329

www.dhaz.gov

Phone: 928-632-7362, Fax: 928-632-7365

DATE: 1-17-17 PARCEL # 402-24-101 PERMIT # \_\_\_\_\_

PROJECT DESCRIPTION: BARN Permit Zoning Variance

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> General Plan Amendment - Major   | <input type="checkbox"/> General Plan Amendment - Minor | <input type="checkbox"/> Pre-Application     |
| <input type="checkbox"/> Community Master Plan  | <input type="checkbox"/> Major Use / Site Plan          | <input type="checkbox"/> Preliminary plat    |
| <input type="checkbox"/> Commercial Design Review   | <input type="checkbox"/> Annexation                     | <input type="checkbox"/> Zoning Clearance    |
| <input type="checkbox"/> Conditional Use Permit   | <input type="checkbox"/> Abandonment                    | <input type="checkbox"/> Rezone              |
| <input type="checkbox"/> Land split   | <input type="checkbox"/> Lot Combine                    | <input checked="" type="checkbox"/> Variance |
| <input type="checkbox"/> Area Plan / Amendment  | <input type="checkbox"/> Final Plat / Amendment         | <input type="checkbox"/> Land Use District   |
| <input type="checkbox"/> Reasonable Accommodation: (Complete and attach Reasonable Accommodation Request Form.) |   |  |

**LEGAL DESCRIPTION:**

Property Address: 1925 S. Sierra, Dewey, AZ 86327 Number of Lots / Units Proposed: \_\_\_\_\_

Assessor's Parcel Number: 402-24-101 Parcel Size (Acres): \_\_\_\_\_

Existing Land Use District: \_\_\_\_\_ Proposed Land Use District: \_\_\_\_\_

Plat Name: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Tract: \_\_\_\_\_

**DESCRIBE UTILITIES AVAILABLE TO PROPERTY:**

- |   |  |                                      |
|---|--|--------------------------------------|
| <input checked="" type="checkbox"/> Water _____ | <input checked="" type="checkbox"/> Gas _____      | <input type="checkbox"/> Sewer _____ |
| <input type="checkbox"/> Phone _____            | <input checked="" type="checkbox"/> Electric _____ | <input type="checkbox"/> Cable _____ |

**GRADING:**

- Yes Approx. CU \_\_\_\_\_  
 N/A

Describe Public Access to Property: \_\_\_\_\_

**APPLICANT INFORMATION:**

Name: JAMES + MELINDA KEENAN  
Address: 1925 S. Sierra, Dewey, AZ 86327  
Phone: 602-810-6619  
Email: Jscjck@earthlink.net

**OWNER INFORMATION:**

Name: JAMES + MELINDA KEENAN  
Address: 1925 S. Sierra, Dewey, AZ 86327  
Phone: 602-810-6619  
Email: Jscjck@earthlink.net

**\*NOTE:** If application is being submitted by someone other than the owner of the property under consideration, a letter of authorization or other corresponding information must be provided.

Signature of owner or representative \_\_\_\_\_

Date 1-16-17

**OFFICE USE ONLY**

APPROVALS	INITIALS	DATE
PLANNING & ZONING		
PUBLIC WORKS		
YC FLOOD		
OTHER		

PERMIT FEE	\$	ISSUE DATE:
OTHER FEE	\$	
DEPOSIT	\$	
SUBTOTAL	\$	RECEIPT #
TOTAL	\$	



DEWEY-HUMBOLDT BOARD OF ADJUSTMENT  
HEARING APPLICATION

Date of Application 1-17-17 Case # \_\_\_\_\_ Parcel Number(s) 402-24-101

Name of Applicant (appellant) JANE + MELINDA GREENAW

Applicant owner  Other (explain) \_\_\_\_\_

Current Zoning District \_\_\_\_\_ Year of Purchase 10-21-12 Year of Construction \_\_\_\_\_

Is the applicant requesting a:

Variance  Interpretation of a zoning ordinance  Appeal from an administrative decision

(See pages three and four of this application for specific information)

Describe relief required if a variance is being sought. Give current setbacks or requested setbacks if applicable.

Requesting a variance from the side setback where the house is located and a variance from the rear setback for the placement of the barn.

Did the reason for this application exist before the current purchase of this property? Explain: No.

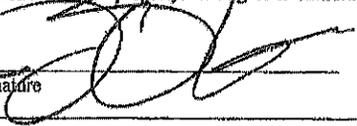
Describe existing uses of the parcel: size and location of existing structures and buildings on it. Submit relevant reference maps, diagrams, drawings, photos, graphs.

see plot plan enclosed herewith.



**TOWN OF DEWEY-HUMBOLDT**  
**Plot Plan Sketch and Affidavit**

I certify that I am authorized by the property owner to make this application, that all information provided for this application is correct and that this plot plan, as part of the permit, indicates all structures (including fences, walls, and pads), correct property and building dimensions; setback distances; legal access and easements; road cuts; walls and/or any water course (including washes, drainage ditches etc.) on or within 50', 100' and 200' respectively of the property. We agree to conform to all applicable laws of this jurisdiction.

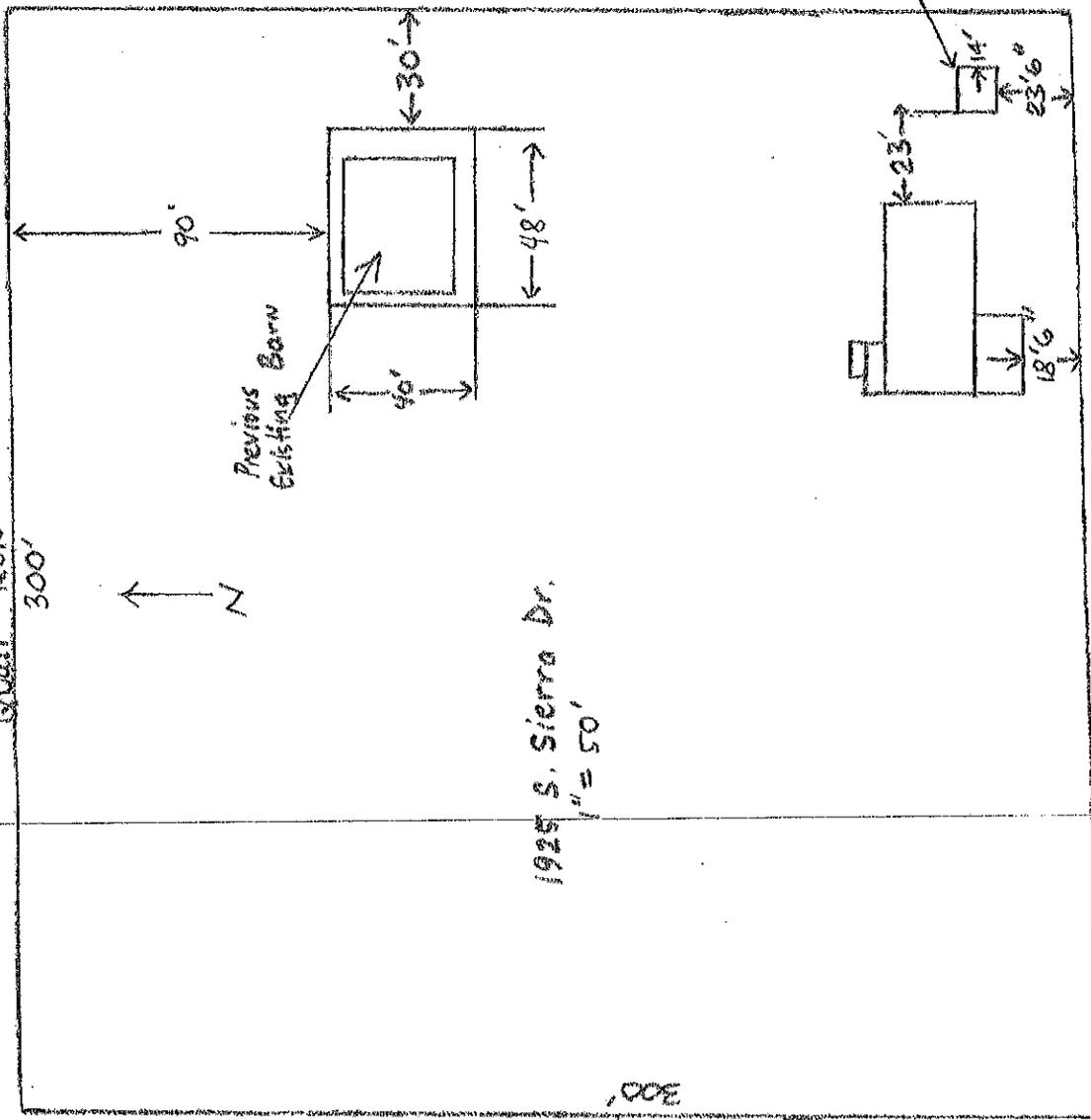
Signature 

Date 1.16.17

**Orientation of Plot Plan**

Dimension & Lettering				
Dimension & Lettering				

Document #	Sec	Twn	Rng	A P N	
Zoning:	Stories:	Height:	Slope:	%	
FY:	RY:	BY:	IY:	LC:	
Lot Area	Lot %	Density Used:	Scale:		
North Arrow					



**MUST BE DRAWN TO SCALE PER CHECKLIST.** An additional 8 1/2" x 11" sheet may be used to provide an area map for a parcel which exceeds 2 acres or dimensions of 300 feet.

Town of Dewey-Humboldt  
Directions to Site

Name: James & Melinda Heenan Phone Number: \_\_\_\_\_

Assessor's Parcel Number 402-24-101

Site Address: 1925 S. Sierra, Dewey-Humboldt Az 86327

Instructions: Provide a detailed line map for directions to the site address. Include land marks, significant buildings, main highway, street names and North direction arrow.

*see map Request directions Attached*

-  1. Start out going northeast on S State Route 69/AZ-69 toward Kloss Ave.  
Then 1.93 miles 1.93 total miles
  
-  2. Turn right onto E State Route 169/AZ-169.  
*E State Route 169 is 0.1 miles past E Century Ln.*  
*If you reach Dewey Rd you've gone about 0.5 miles too far.*  
Then 0.32 miles 2.26 total miles
  
-  3. Take the 2nd right onto S River Dr.  
*S River Dr is 0.2 miles past S Old Black Canyon Hwy.*  
*If you reach S Cold Water Ln you've gone a little too far.*  
Then 0.66 miles 2.91 total miles
  
-  4. Take the 1st left onto E Paint Pony.  
*E Paint Pony is just past E Dewey Ct.*  
Then 0.05 miles 2.96 total miles
  
-  5. Take the 1st right onto S River Dr.  
*If you reach the end of Paint Pony Rd you've gone a little too far.*  
Then 0.50 miles 3.46 total miles
  
-  6. Take the 3rd left onto E Deer Pass.  
*E Deer Pass is 0.1 miles past Antelope Way.*  
Then 0.25 miles 3.71 total miles
  
-  7. Turn right onto S Sierra Dr.  
Then 0.16 miles 3.87 total miles
  
-  8. 1925 S Sierra Dr, Dewey, AZ 86327-6533, 1925 S SIERRA DR is on the left.  
*Your destination is just past E Quail Ct.*  
*If you reach E Ridge Way you've gone a little too far.*

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.



**TOWN OF DEWEY-HUMBOLDT**  
 P.O. Box 69, Humboldt, AZ 86329  
 Phone 928-632-8643 • Fax 928-632-7365

If other than a setback, briefly describe what is being appealed: (Interpretation of an Ordinance, an Administrative error, decision, order, or enforcement). Give dates.

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If this is an appeal from the decision of the Zoning Administrator, please attach a copy of the Zoning Administrator's Final Determination, and supporting records and documentation.

Phone #'s: Home 928 445 0003 Cell 928. 713. 4398 Fax 928. 443- 9230  
 Email law\_office@stadam.com Other \_\_\_\_\_

Convenient time(s) property may be visited any time during working hours

Directions to the property: Draw or write in or provide a map.

*See directions enclosed here with*



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## HEARING APPLICATION

### Purpose of the Board of Adjustment

The purpose of the Board of Adjustment is to provide a quasi-Judicial body so residents can ask for relief from the sometimes harsh effects of a zoning law. In cases where the strict and literal application would impose an unfair burden on a particular individual/group, the Board of Adjustment may be able to alleviate this.

The Board of Adjustment must hold a public hearing on all appeals, and usually it is thirty days after the appeal is filed. The Board may decide to grant, modify or deny any appeal, and may also defer any action on any appeal when it decides that additional evidence is needed or that alternative solutions need further study.

The legal authority of the Board is granted through A.R.S. 9-462.06:

### Section A

**\*To Hear and decide appeals in which it is alleged there is an error in an order, requirement or decision made by the zoning administrator in the enforcement of an adopted zoning ordinance. The following are reasons for seeking an appeal (if this is an appeal under this section, please describe and submit supporting documents and final status):**

-An abuse of the official's discretion if it violates the intent and the policy of the statute that granted the decision-making authority. If an appellant can demonstrate that the decision was unreasonable, arbitrary, unfair, capricious, or discriminatory, then the decision should be reversed.

-Exceeding the official's power or authority outside the limits imposed on it by the statute or the ordinance that granted the authority.

-An error of law if it was based on an erroneous interpretation of statutes, ordinances, or regulations, or if any of these were wrong statutes, wrong ordinances, or wrong regulations.

-Fraud or bad faith or malice can invalidate an official decision, if they have influenced a decision or the manner in which it was made.

-Lack of evidence or any reasonable basis in fact invalidates a decision. Arbitrary judgment can reverse a decision.

### Section B

**\*To Hear and decide appeals for variances from the terms of the zoning ordinance. (Provide evidence that there are special circumstances or conditions applicable to the property of application that justify a variance from the requirements so that strict application of the zoning would work an unnecessary hardship; that the granting of the request is necessary for the preservation and enjoyment of substantial property rights, and that the granting will not materially affect the health and safety of the area/residents.)**



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**FOUR KEY CRITERIA STANDARDS TO APPLY:**

- (1) A variance may be warranted if the property in question is associated with "special circumstances" that are inherent in the property – such as its size, shape, topography or location, (surroundings) – that deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district.

*As was discussed during the BRA hearing, the proposed location of the house and barn are the only practical locations for these buildings.*

- 2) A variance may be granted if its authorization is necessary to ensure the preservation of privileges and rights enjoyed by other property of the same classification in the same zoning district, without constituting a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located.

*N/A*

- 3) The special circumstances applicable to the property may not be self-imposed or created by the owner or applicant in order to receive a variance. It is important to note that circumstances created by the previous property owner are applicable to the current owner.

*N/A*

- 4) The granting of a variance should not be materially detrimental to persons residing or working in the vicinity, to adjacent property to the neighborhood, or to the public welfare in general.

*The community is in favor of the request*

**Hearings and Rulings:** Public Notice to parties of interest and to the public will be given within a minimum of seven (7) to fifteen (15) days after application by posting at the property of application, (if property is involved) and by publishing once in a newspaper of general circulation in the Town. The Board of Adjustment shall hold an initial public hearing within thirty (30) days after receiving the application, and shall render a decision either at the initial public hearing, or a subsequent hearing/s on a date agreed upon by the Applicant and the Board. A vote of three (3) members of the Board shall be necessary to render a ruling.



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In approving an application (all or part) the Adjustment Board may designate such conditions that will maintain the integrity of the Ordinance and will ensure compliance of conditions. Once approved, variances stay with the land and do not expire unless stipulated otherwise. Conditions applied to the Variance at the Hearing Date of the Board of Adjustment such as an inability to fulfill these conditions at a prescribed time, warrant approval by Planner for an extension or other.

Appeal to the Courts Within 30 days after the board has made a decision and has filed this decision, a person aggrieved by the decision of the Board of Adjustment may file a complaint for special action in the Superior Court for review of the Board's decision. Filing the complaint does not stay proceedings on the decision appealed. The Court may, however, grant a stay upon application and on final hearing; may affirm or reverse, in whole or in part, or modify the decision reviewed.

#### CHECKLIST

##### Application for Variance/Appeal

- Application form: (page 1 through 5)
- Appeal: Written Narrative and documentation
- Permission to enter
- Direction to property
- Aerial of site plan
- Recorded deed and legal descriptions
- Letter of support (optional)
- Evidence: (photos, maps, drawings, diagrams)

**Please Note:** All variance application requests are reviewed prior to any scheduled Public Hearings. All related concerns and/or questions need to be addressed between the applicant and staff and/or the reviewing agency.



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**COMMUNITY DEVELOPMENT DEPARTMENT  
 PERMISSION TO ENTER PROPERTY**

Application #: \_\_\_\_\_ Parcel #: 402-24-101 Unit/Lot #: \_\_\_\_\_

Legal Description (see attached): \_\_\_\_\_

Applicant(s): James & Melinda Keenan

Address: 1925 S. Sierra, Dewey, AZ 86327 Phone No.: 602-810-6669

I, the undersigned, hereby give permission to the Town of Dewey-Humboldt Zoning Inspector (or any Deputy Inspector) in the discharge of his/her duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the enumerated application made under the terms of the Dewey-Humboldt Town Code, or for any investigation as to whether or not any portion of such property, building or other structure is being placed, erected, maintained, constructed or used in violation of the Dewey-Humboldt Town Code; or for any investigations for conditions, compliance and stipulations under the terms of the Dewey-Humboldt Town Code and public hearings concerning this parcel. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer or renewal of the application. Such entry shall be limited between the hours of 7 a.m. and 6 p.m. MST. I understand that this permission to enter property is OPTIONAL and VOLUNTARILY GIVEN and may be withdrawn or revoked (either in writing or verbally) at any time!

Applicant's Signature: [Signature] Date: 1.16.17

(check one)  Owner  
 Agent for James & Melinda Keenan

at the request of Pioneer Title Agency, Inc.  
When recorded mail to:  
**JAMES KEENAN  
MELINDA KEENAN  
3631 W. EL CAMINITO DRIVE  
PHOENIX, AZ 85051  
00455269-AAJ**

Tax Code: 402-24-101 3

SPACE ABOVE THIS LINE FOR RECORDER'S USE

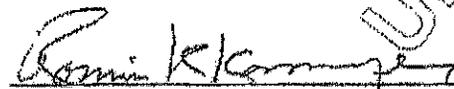
**WARRANTY DEED**

For the consideration of Ten Dollars, and other valuable consideration, I or we,  
RONNIE K. KAMMEYER, A Married Man, as his Sole and Separate Property  
do/does hereby convey to  
JAMES KEENAN and MELINDA KEENAN, Husband and Wife, as Community Property with Right of  
Survivorship  
the following real property situated in Yavapai County, Arizona  
See Exhibit A attached hereto and made a part hereof.

**SUBJECT TO:** Current taxes and other assessments, reservations in patents and all easements, rights of  
way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear  
of record.

The Grantor warrants the title against all persons whomsoever.

DATED: October 21, 2012

  
\_\_\_\_\_  
**RONNIE K. KAMMEYER**

State of Arizona }  
                          } ss.  
County of Yavapai }

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of December, 2012, by  
RONNIE K. KAMMEYER.

My commission expires: 8-17-13

  
\_\_\_\_\_  
NOTARY PUBLIC



Warranty Deed - Escrow No. 00455269

Exhibit A

Lot 101, SIERRA DELLS, according to the plat of record in Book 17 of Maps, page 1, records of Yavapai County, Arizona.

EXCEPTING THEREFROM all coal, oil, gas and other minerals as reserved in Book 121 of Deeds, page 426.

EXCEPTING any portion lying within roadway as described in Book 22 of Maps and Plats, page 35.

UnOfficial Copy

Warranty Deed - Escrow No. 00455269

00455269-AAJ

ACCEPTANCE OF COMMUNITY PROPERTY  
WITH RIGHT OF SURVIVORSHIP  
(Deed)

JAMES KEENAN and MELINDA KEENAN, Husband and Wife, as Community Property with Right of Survivorship, each being first duly sworn upon, both each for himself or herself and jointly but not one for the other deposes and says:

THAT I am one of the Grantees named in that certain Deed attached hereto and which is dated October 21, 2012 and executed by RONNIE K. KAMMEYER, A Married Man, as his Sole and Separate Property, as Grantors, to JAMES KEENAN and MELINDA KEENAN, Husband and Wife, as Community Property with Right of Survivorship, as Grantees, and which conveys certain premises described as:

See Exhibit A attached hereto and made a part hereof.

to the Grantees named therein, not as Tenants In Common nor as a Community Property Estate nor as Joint Tenants with Right of Survivorship, but as Community Property with Right of Survivorship.

THAT each of us individually and jointly as Grantees hereby assert and affirm that it is our intention to accept said conveyance as Community Property with Right of Survivorship and to acquire any interest we may have in said premises under the terms of said Deed as Community Property with Right of Survivorship.

DATED: October 21, 2012

JAMES KEENAN  
JAMES KEENAN

MELINDA KEENAN  
MELINDA KEENAN

State of Arizona }

County of Yavapai } ss.

The foregoing instrument was acknowledged before me this 4 day of Jan, 2012, by JAMES KEENAN and MELINDA KEENAN.

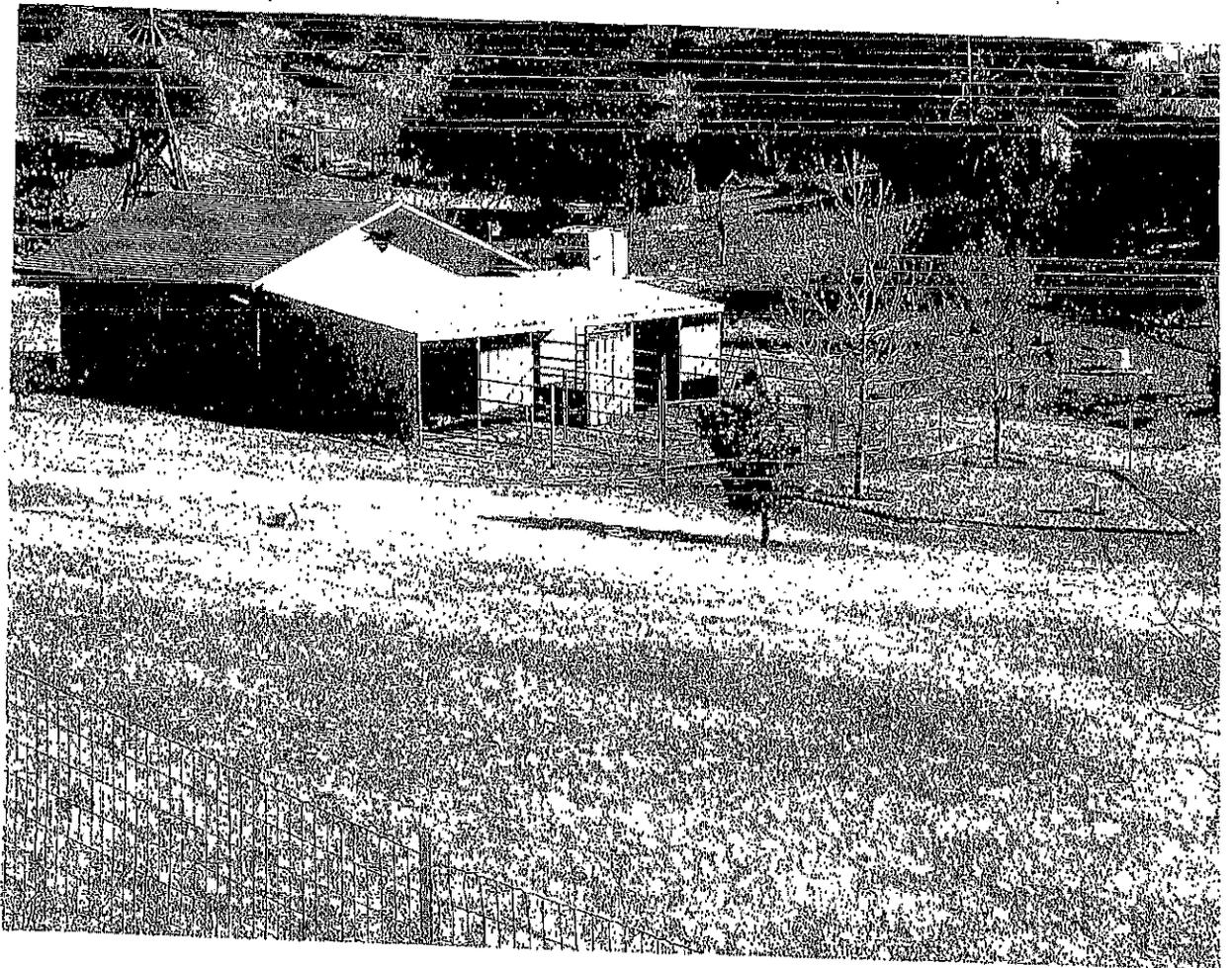
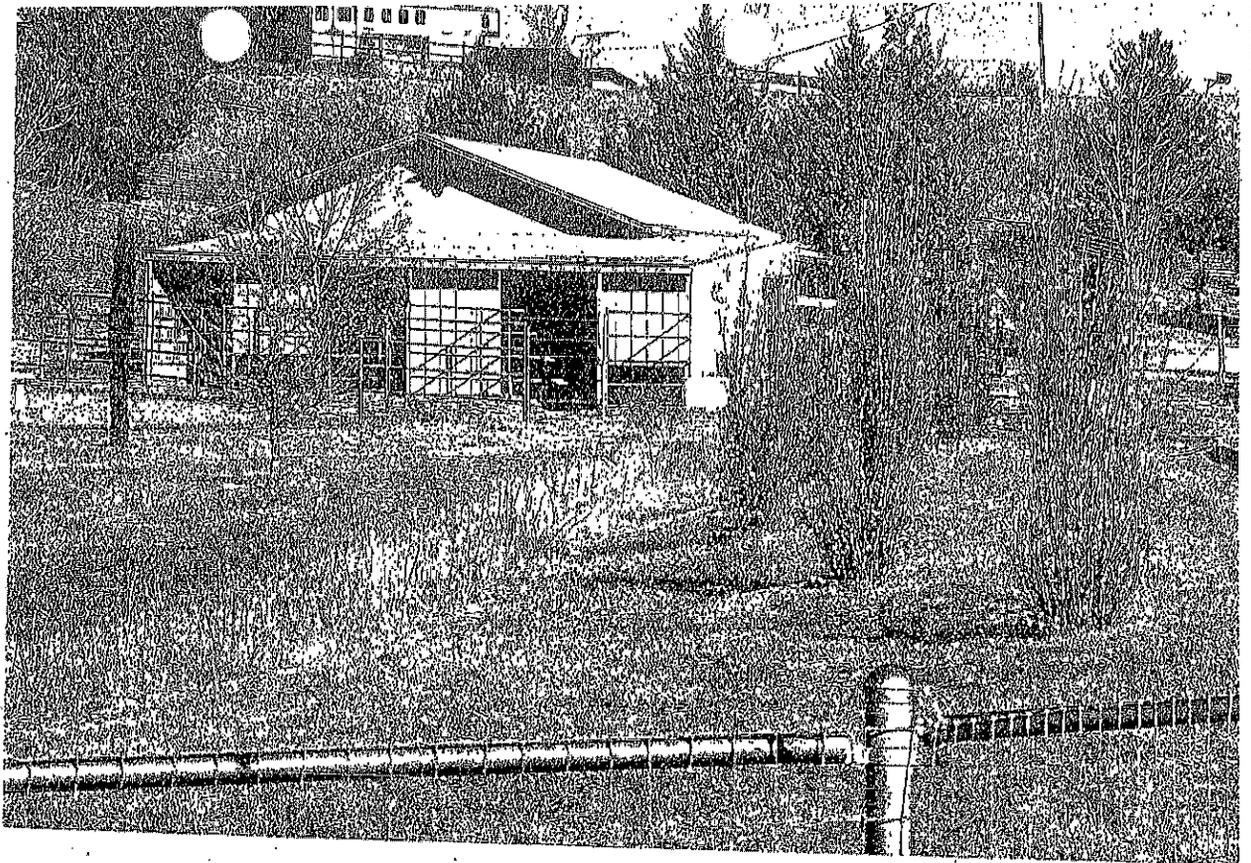
My commission expires: 8-18-2016

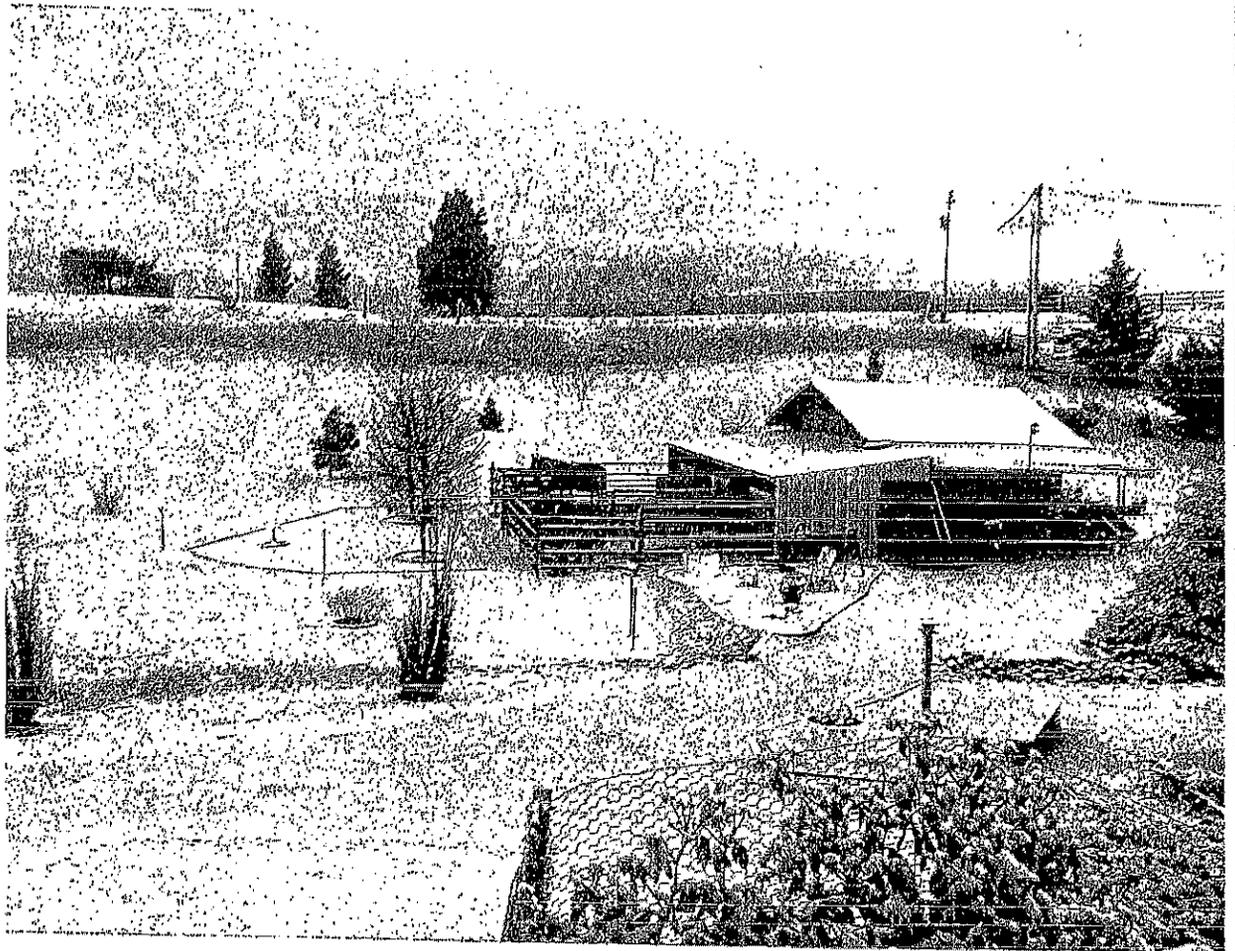
A Skinner  
NOTARY PUBLIC





**EXHIBIT "2"**





# EXHIBIT "3"



# "Arizona's Country Town"

Community Development  
P.O. Box 69  
Humboldt, AZ 86329

www.idha.gov

Phone: 928-682-3621 Fax: 928-682-3665

DATE: 7-16-16 PERMIT #: \_\_\_\_\_ RECEIPT #: \_\_\_\_\_  
RECEIPT #: \_\_\_\_\_

Please Circle Permit Type: Residential  Commercial \_\_\_\_\_ Other \_\_\_\_\_

Property Owner: James Keenan Assessor's Parcel # 402-24-101  
Mailing Address: 1925 S. Sierra City/State: Dewey, AZ  
Site Address: 1925 S. Sierra Phone: (602) 810-6619  
Email Address: \_\_\_\_\_ Job Value/Cost: \_\_\_\_\_  
(Excludes Land) \_\_\_\_\_  
Project Description: Barn

Architect/Engineer: Quiper Builder Phone: ( ) \_\_\_\_\_  
1 General Contractor: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_  
Business Address: \_\_\_\_\_ State Lic. \_\_\_\_\_ Exp. \_\_\_\_\_ Type: \_\_\_\_\_  
2 Electrical Contractor: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_  
Business Address: \_\_\_\_\_ State Lic. \_\_\_\_\_ Exp. \_\_\_\_\_ Type: \_\_\_\_\_  
3 Plumbing Contractor: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_  
Business Address: \_\_\_\_\_ State Lic. \_\_\_\_\_ Exp. \_\_\_\_\_ Type: \_\_\_\_\_  
4 Mechanical Contractor: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_  
Business Address: \_\_\_\_\_ State Lic. \_\_\_\_\_ Exp. \_\_\_\_\_ Type: \_\_\_\_\_

SITE BUILT SQUARE FOOTAGE: 1920  
Residential: \_\_\_\_\_ Commercial/Type: \_\_\_\_\_  
Addition: \_\_\_\_\_ Carport/ \_\_\_\_\_ Porch/ \_\_\_\_\_  
Garage: \_\_\_\_\_ Patio: \_\_\_\_\_  
Barn:  Shed: \_\_\_\_\_ Other: \_\_\_\_\_

NOTE: ATTACH A COPY OF THE YCES SEPTIC APPROVAL

The Town of Dewey-Humboldt does NOT regulate deed restrictions. It is recommended that all applicants check to verify that CC & R's will not be violated by the applicant if this permit is issued.

PERMIT FEES		
Permit Fee:		\$ _____
Plan Check Fee:		\$ _____
<input type="checkbox"/> MECH Admin Fee:		\$ _____
<input type="checkbox"/> ELEC Zoning Review Fee:		\$ _____
<input type="checkbox"/> PLUMB Public Works Fee:		\$ _____
<input type="checkbox"/> GRADING Other:		\$ _____
<input type="checkbox"/> CU SUBTOTAL:		\$ _____
DEPOSIT:		\$ _____
BALANCE DUE:		\$ _____

Every permit issued shall become invalid two (2) years from the issue date. The building official is authorized to grant a one (1) time extension of time period of up to 180 days. This permit becomes null and void if work or construction authorized is not commenced within 180 days or if construction or work suspended or abandoned for a period of 180 days at any time after work is commenced. I hereby certify that I have read and examined this application know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified here not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction performance of construction. I acknowledge that I make this statement under penalty of perjury.

James E Keenan 7-16-16  
Signature of Applicant Date Signature of Contractor or Authorized Agent Date

PLAN CHECK APPROVAL				DATE:	YCES SEPTIC PERMIT #
					FLOOD CONTROL: DP:
					PW APPROVAL: CUL.VERT SIZE:
Front	L-Side	R-Side	Rear	ZONING APPROVAL:	DATE:
Zoning	Road Ded.	Date	Approved by	FD SUBMITTAL:	DATE:
				COMMENTS:	
				DATE PERMIT FINALED:	



# TOWN OF DEWEY-HUMBOLDT BUILDING PERMIT APPLICATION

## CHECK LIST

This checklist is provided to ensure all application packets are accurate and complete. Only complete packets will be accepted. Applicant Information (blue copies) are to be retained by the customer. These documents will assist you in completing your application packet and provide valuable information pertaining to your permit once it has been issued. Please review these documents carefully.

### SUBMIT THESE DOCUMENTS

- 1 APPLICATION (COMPLETE & SIGNED)
- 2 CONTRACTOR INFORMATION / OWNER BUILDER WAIVER
- 3 PLOT PLAN SKETCH and AFFIDAVIT
- 4 DIRECTIONS TO SITE
- 5 LIGHTING FACT SHEET
- 6 AFFIDAVIT OF SITE SPECIFIC SOIL
- 7 BOND EXEMPTION CERTIFICATE (OVER 50K)
- 8 SETS OF FLOOR PLANS
- 9 TWO (2) SETS OF CONSTRUCTION DRAWINGS/PLANS
- 10 TWO (2) SETS OF ENGINEERED STAMPED TRUSS CALCULATIONS
- 11 DEPOSIT COLLECTED AND RECEIPT ISSUED

✓

✓
✓
✓
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✓

### RETAIN THESE DOCUMENTS

- 1 SUBMITTAL REQUIREMENTS (3 PAGE)
- 2 INSTRUCTIONS FOR DRAWING PLOT PLAN/SITE PLAN
- 3 NIGHT SKY PROVISIONS (2 PAGE)
- 4 INSPECTION PROCESS
- 5 REQUIRED INSPECTIONS (2 PAGE)
- 6 ENERGY SAVING CONSTRUCTION GUIDE
- 7 PROJECT DEVELOPMENT TIME-LINE




I am currently a licensed contractor: Name \_\_\_\_\_

License No. ROC: \_\_\_\_\_ License Class: \_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

**EXEMPTION FROM LICENSING**

I am exempt for Arizona Contractor's License laws on the basis of the license exemptions contained in A.R.S. §32-1121A, namely:

- A.R.S. §32-1121A.5 - I am the owner/builder of the property and will complete the work myself. The property will not be sold or rented for at least one year after completion of this project.
- A.R.S. §32-1121A.6 - I am the owner/developer of this property and I will contract with a licensed General Contractor to provide all construction services. All contractor's names and license numbers shall be included in all sales documents and will be listed with the Town of Dewey-Humboldt.
- Other: \_\_\_\_\_  
(Please Specify)

I understand that the exemption provided by A.R.S. §32-1121A.14 (the homeowner exemption) does not apply to any contractor project which requires a building permit and/or the total cost of materials and labor are \$1,000.00 or more.

I will be using the following licensed contractors on this project:

\_\_\_\_\_  
(General Contractor) License No. ROC \_\_\_\_\_ Class: \_\_\_\_\_

\_\_\_\_\_  
(Mechanical Contractor) License No. ROC \_\_\_\_\_ Class: \_\_\_\_\_

\_\_\_\_\_  
(Electrical Contractor) License No. ROC \_\_\_\_\_ Class: \_\_\_\_\_

\_\_\_\_\_  
(Plumbing Contractor) License No. ROC \_\_\_\_\_ Class: \_\_\_\_\_

Signature \_\_\_\_\_ Date: \_\_\_\_\_

I understand that the exemption provided by A.R.S. §32-1121A.14 (the homeowner exemption) does not apply to any contractor project which requires a building permit and/or the total cost of materials and labor are \$1,000.00 or more.

**APPLICANT INFORMATION  
RETAIN THESE COPIES**



## Submittal Requirements

### ALL RESIDENTIAL Project Applications must contain the following:

1. One (1) Completed Building Permit Application
2. One (1) 8 ½" X 11" Scaled Plot Plan per the Plot Plan Instruction List .
3. Two (2) 8 ½" X 11" Floor Plans (All rooms shall be labeled according to use)
4. One (1) Directions to Site Form
5. One (1) Residential Outdoor Lighting Permit Fact Sheet
6. One (1) Completed Access Permit Form (If needed)
7. One (1) Valid Septic Permit or proof of existing waste water system
8. Two (2) Complete Sets Construction Drawings/Plans including stamped truss calculations.
9. Plan check deposit.

*Note: All submittals shall be site specific and designed to the provisions of the 2012 International Residential Code and the 2006 International Energy Conservation Code as adopted by the Town of Dewey-Humboldt. Information on this list may be used in conjunction with submittals for additions to and remodels of single family dwellings.*

*Any dwellings designed to be constructed in a non-conventional manner or beyond the scope of the International Residential Code, shall be prepared by a Registrant (Architect or Engineer) licensed in the State of Arizona. Any portion of the design which is beyond the scope of the International Residential Code shall have that portion designed in accordance with accepted engineering practices. Plans, details and calculations shall be signed, sealed and dated by a Registrant (Architect or Engineer) licensed in the State of Arizona.*

### Requirements for Plan Submittals Are as Follows:

#### General:

- Two (2) sets of plans correctly orientated (no reversed plans) and site-specific in a non-erasable media.
- Minimum sheet size – 18" x 24" (Maximum 36" x 48").
- Standard architectural scale used for all details/plan views and standard engineering scale used for site plan.
- Plans shall be legible and drawn to scale no less than ¼"=1' and no details scaled at less than ½"=1', using standard architectural scale.

#### Site Plan:

- Must be same size as Building Plans – 18" x 24" minimum, 36" x 48" maximum.
- Include locations of all new structures and any existing structures on the site.
- Setbacks to all structures and lot lines are marked and labeled.
- All utility lines are marked and labeled.
- Contour lines at two (2') foot increments for existing and proposed grade are indicated.
- Cut and fill amounts indicated on the plans (grading permit required if over 50 cubic yards).
- Indicate finished pad elevations, finished floor elevations and drainage flow directions.

Foundation Plan: - *Note: Upon Inspection of the site, a Soils Report and/or Compaction Report may be required prior to footing approval.*

- Foundation and required expanded footings shall include dimensions and reinforcement type, size and locations.
- Cross-section of the foundation and details.

- Hold-down types or other embedded hardware for framing attachments including locations.
- Include heights and limits for stem walls of varying heights.
- Detail insulation material types with notes as to R-value, location and weather protection of thermal envelope for slabs, foundation stems, mono footings, crawlspaces and/or basement walls.

#### Floor Plan:

- Braced wall lines (exterior and interior) shall be clearly indicated and a schedule included which specifies the method of bracing to be used and foundation attachments.
- Provide a square footage summary of each of the following: livable, garage, carport, covered patios, porches, and basement (finished or unfinished) and any other areas.
- Provide a window/door/skylight schedule. Schedule shall include sizes, operation (fixed, slider, awning, etc.) safety glazing, egress, fenestration U-factors and glazing solar heat gain coefficient (SHGC).
- Location and type of thermostatically controlled heat source.
- Label intended use for all rooms and ceiling heights of each room.
- Indicate location and types of fire separations including construction methods to be used.

#### Electrical Plan:

- Complete layout showing locations of receptacles including GFCI's and AFCI's, switches, smoke detectors, fixed equipment, sub-panels and service entrance.
- Indicate a minimum of two (2) 20 amp GFCI protected circuits are provided for small appliances in the kitchen/dining room.
- Electrical service exceeding 400 amps shall include load calculations and a one-line diagram.

#### Floor Framing Plan:

- Headers, beams and/or lintel sizes for all load bearing locations including grade and species.
- Detail sizes and location of all load bearing posts and connections/fasteners to beams and foundation.
- All floor joists are noted with dimensions and connections/fasteners indicated.
- Include under-floor access location and under-floor ventilation types, sizes and locations.
- Detail insulation material types with notes as to R-value at the intersection of floor systems with exterior walls, crawlspaces, basement walls, mass walls, and at conditioned space separation barriers.

#### Roof Framing Plan:

- Headers, beams and/or lintel sizes and the number of required trimmers/jacks for load bearing walls including grade and species.
- Rafters and ceiling joists are noted with dimensions and construction/fasteners indicated.
- Types and sizes of attic ventilation to be used and their locations.
- Over-framing details for conventionally framed portions on truss roof systems.
- Show locations of any roof-mounted equipment such as solar panels, HVAC, etc.
- Detail insulation material types with notes as to R-value at the intersection of the roof system with exterior walls, knee walls, attic ceilings, mass walls and at conditioned space separation barriers.

#### Elevation Views:

- Materials used for roof covering and exterior finishes are noted.
- Existing and proposed grade lines, plate heights and building height are specified.
- Stepped foundation, if applicable, shown.

#### Building Sections and Connections:

- A minimum of two (2) fully dimensioned building cross-sections perpendicular to one another from foundation to roof with all materials specified.

- All materials used (steel, wood, concrete, etc.) with specified grade and species.
- Provide details for framing connections.
- Clearly indicate the building thermal envelope elements that enclose the conditioned space. Indicate the material types with notes as to R-value for each element (basement walls, exterior walls, floors, roofs, conditioned space separation barriers and the like). Indicate the specific types of building wrap material to be installed. *Note: Must be approved as a moisture and air barrier.*

**Mechanical Plans:**

- Provide note to indicate duct material type and R-Value.
- Show return and supply air grill locations and sizes.
- Identify manufacturers' model numbers and equipment capacities of A/C and heating units. Show locations for equipment.
- Specify condensation line locations and terminations.
- Provide specifications for bathroom exhaust fans (CFM rating).
- Provide combustion air details for all gas appliances including calculations for amount required (show compliance with 2012 IRC, Chapter 17).

**Plumbing Plan:**

- Provide fixture unit calculations.
- Specify type of water supply (well, public system, shared well or haul) and size of main water service line (size based on fixture unit count and 2012 IRC P2903.7).
- Provide a detail of the water heater temperature/pressure relief piping to drain termination location.
- Provide a one-line gas isometric drawing to include: (See Chapter 24 & Appendix A 2012 IRC)
  1. Type of fuel – natural or LPG.
  2. Total developed length of piping from meter/tank to furthest appliance outlet.
  3. Total BTU/CFH demand.
  4. Total BTU/CFH rating of each appliance.
  5. The size, type and length of each pipe section in the system.
  6. The size, type (above or below grade) and location of the LPG tank.
- For new site-built homes, indicate the type of automatic hot water circulation pump, manual shut off switch and piping insulation R-value (R2 min.) per 2012 IECC Sec. 403.4.

**Additional Drawings/Information Required if Site Built:**

- Truss Design Drawings sealed by an Arizona Registrant, including a layout sheet, with considerations for permanent roof-mounted or attic-mounted equipment.
- I-Joists Systems (roof or floor) from the manufacturer with the manufacturer's layout sheet and engineering sheets.
- Engineering calculations, plans and details relevant to any engineering obtained – to be sealed by an Arizona Registrant
- ICC Evaluation Reports for all alternative building materials being used.
- Prepared reports for any soils testing or drainage reports.
- Specification sheets for special equipment such as solar systems, elevators, saunas, alternative heating/cooling systems, etc.

**CERTIFICATE OF OCCUPANCY OR FINAL INSPECTION IS REQUIRED  
PRIOR TO USE OR OCCUPANCY**

TOWN OF MEWEY-HUMBOLDT  
Plot Plan Sketch and Affidavit

I certify that I am authorized by the property owner to make this application, that all information provided for this application is correct and that this plot plan, as part of the permit, indicates all structures (including fences, walls, and pads), correct property and building dimensions; setback distances; legal access and easements; road cuts; walls and/or any water course (including washes, drainage ditches etc.) on or within 50', 100' and 200' respectively of the property. We agree to conform to all applicable laws of this jurisdiction.

James E. Newman  
Signature

7-16-16  
Date

Dimension & Lettering				
Dimension & Lettering				

Document # 16-02098

Sec 11

Town 13th

Range 01E

APN 1402-24-101

Zone: R17

Stories: \_\_\_\_\_

Height: \_\_\_\_\_

Slope: \_\_\_\_\_ %

FY: 50

RY: 50

BY: 30

IY: 25

LC: \_\_\_\_\_

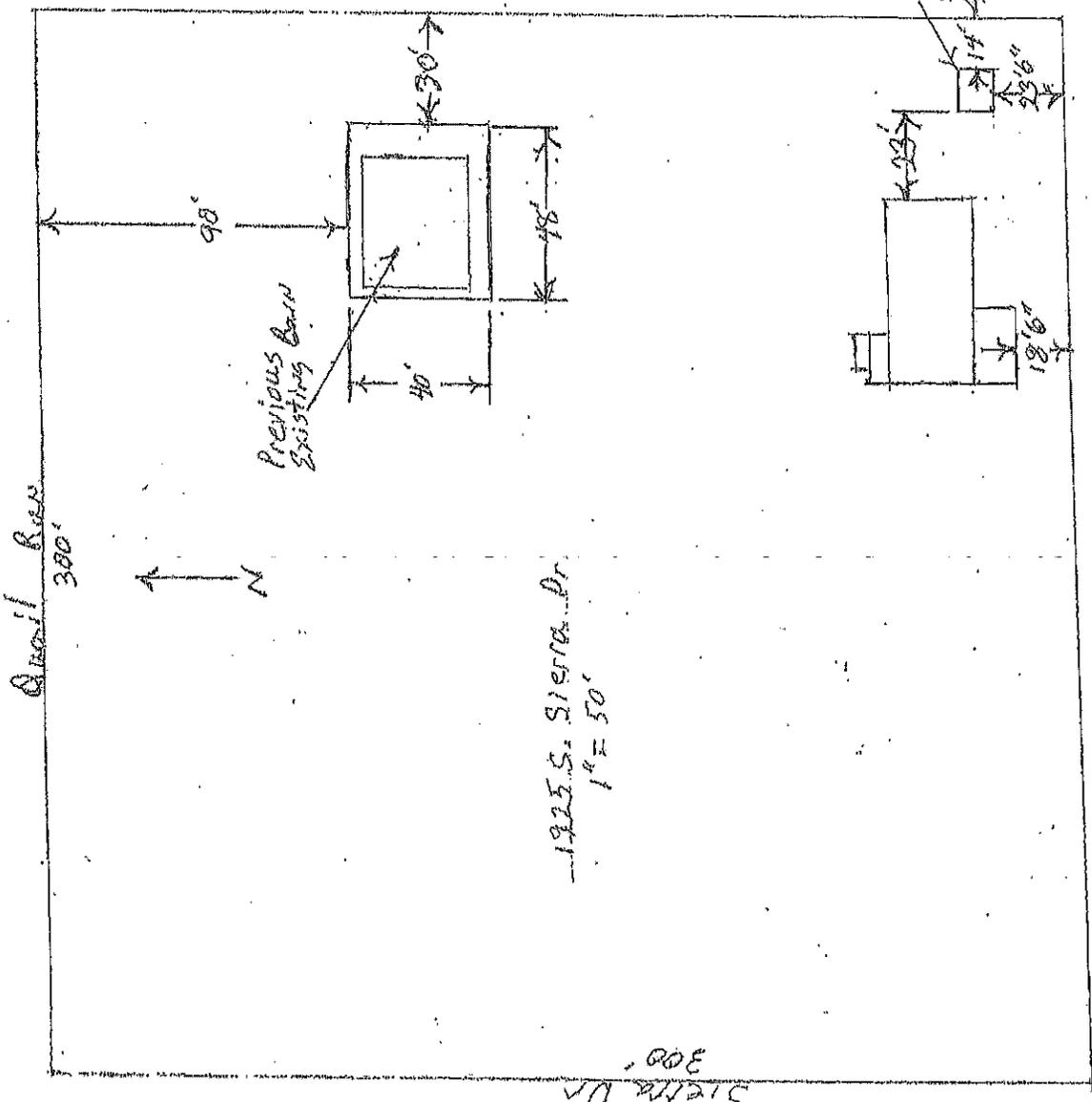
Lot Area: \_\_\_\_\_

Lot %: \_\_\_\_\_

Density Used: \_\_\_\_\_

Scale: \_\_\_\_\_

North Arrow



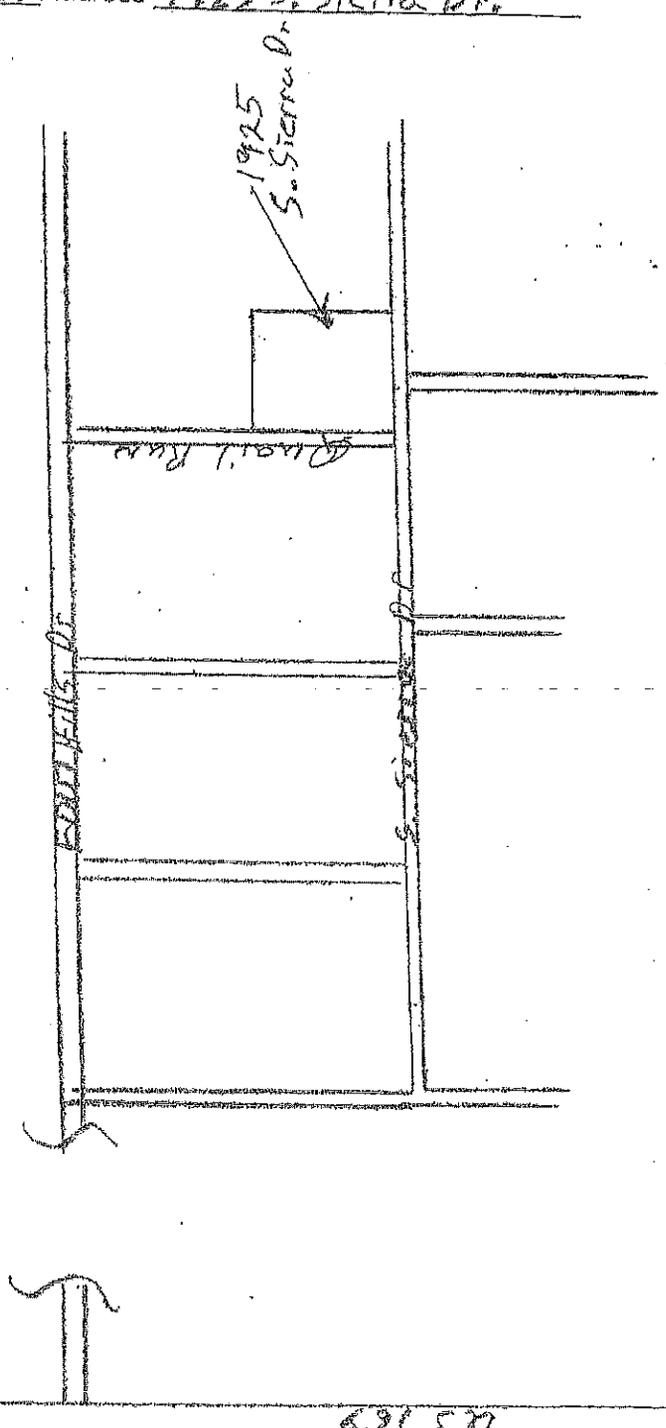
MUST BE DRAWN TO SCALE PER CHECKLIST. An additional 8 1/2" x 11" sheet may be used to provide an area map for a parcel which exceeds 2 acres or dimensions of 300 feet.

# Town of Dewey-Humboldt

## Directions to Site

Instructions: An actual detailed line map is needed, not written instructions, adding any significant buildings, land marks, main highway, street names, and north arrows. If the map is not adequate it could cause a delay in issuing your permit.

Assessor's Parcel Number 402-24-101 Address 1925 S. Sierra Dr.



**Town of Dewey-Humboldt**  
 Development Services  
 Residential Outdoor Lighting Permit Fact Sheet

(Please complete the appropriate blanks as they apply to the project referenced below).

Allowable lumen parameters:

Parcels larger than 1 acre are allowed 20,000 shielded lumens.

Parcels between 1/2 acre and 1 acre are allowed 10,000 shielded lumens.

Parcels less than 1/2 acre are allowed 7,000 lumens of shielded lumens.

Examples of lumen output of typical generic incandescent bulbs (W=watt, Lm=lumen):  
 60W=840Lm, 75W=1125Lm, 100W=1600Lm, 150W=2780Lm, 300W=4620Lm.

NOTE: Fully automatic and properly adjusted motion sensing lights (as defined in Section 603) are not restricted as to number by The Town of Dewey-Humboldt Zoning Ordinance. Decorative landscape lights utilizing 4 Watt bulbs or less are also exempt.

The project at \_\_\_\_\_ on APN \_\_\_\_\_ of a parcel size of \_\_\_\_\_ acres or square feet will utilize the following outdoor lighting package:

Quantity	Location	Wattage	Type & Fixture	Lumens Each	Shielded
					Lumens Total
Example 1	Front Porch	100	Incan / S	1600	1600S
Total lumens for project					

(Incandescent=incan, Halogen-hal, Compact Fluorescent=com, MS=motion sensing)

Shielded

Remaining allowable lumens for this parcel: \_\_\_\_\_

I, the undersigned, acknowledge that The Town of Dewey-Humboldt has a Light Pollution Control Ordinance and believe to the best of my understanding that the foregoing installations will be in full compliance with the Ordinance. I understand that if the foregoing installations are determined not to be in full compliance with the Ordinance it shall be my responsibility to bring the installations into compliance.

\_\_\_\_\_  
 Owner or Agent

\_\_\_\_\_  
 Date



“Arizona Country Town”

CHARACTERISTICS AND CONDITIONS

Community Development

P.O. Box 69

Humboldt, AZ 86329

www.dhaz.gov

Phone: 928-632-7362, Fax: 928-632-7365

PERMIT#: \_\_\_\_\_ CONSTRUCTION ADDRESS: \_\_\_\_\_

PARCEL#: \_\_\_\_\_ UNIT#: \_\_\_\_\_ LOT#: \_\_\_\_\_

OWNER'S NAME: \_\_\_\_\_  
LAST FIRST MIDDLE INITIAL

MAILING ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

PLEASE ANSWER YES OR NO TO ALL CONDITONS THAT APPLY TO THIS SITE

- Yes  No Expansive soils on site but concrete footings and stem walls will penetrate through the clay soils and bear upon underlying soils or be filled with approved lean concrete slurry within 18 inches or more below finished grade.
- Yes  No Footings will extend through fill and will penetrate through the clay soils and bear upon underlying soils.
- Yes  No Existing fills on site? If yes, Soils Engineering Report Required
- Yes  No Proposed fill to be placed on site? If more than 12 inches a Soils Engineering Report Required

If the field conditions, as described in the above answers, are found to be different upon a field review, the Town may stop the project and require additional information or work tasks be accomplished prior to continuing with construction.

I/We agree to abide by the additional requirements the Town has imposed as a condition of granting this request per design for expansive soils 1805.8 IBC, or alternatively.

I/We will exercise the option to retain an Arizona registered engineer, experienced and currently practicing in the area of Geotechnical Engineering in the private sector in this area of the State of Arizona to submit a soils report and alternative design solutions for review and approval.  
See attached soils report.

I/We being the owner or duly authorized representative of the owner of the property located at the above address, hereby request the requirements of the International Building Code relative to soil reports be waived for the reasons stated above. As the owner or duly authorized representative of the owner for the aforementioned property, I/We authorize this document to become a part of the permanent record for this property.

NAME (printed): \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

FOR OFFICE USE ONLY

- AFFIDAVIT DENIED: Your request for waiver for a soils investigation report cannot be granted for this project. Investigation of the site and Town records indicates problem soil conditions in the immediate area. A soils report and recommendations by an Arizona registered soils engineer will be required.
- AFFIDAVIT GRANTED WITH THE FOLLOWING CONDITIONS:  
\_\_\_\_\_  
\_\_\_\_\_  
 Based on the design submitted as shown on plans.

DEPARTMENT AUTHORIZATION \_\_\_\_\_

DATE \_\_\_\_\_



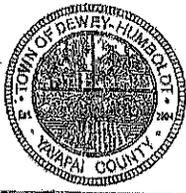
### Instructions for Drawing a Plot/Site Plan

Plot Plans must be drawn in Black Ink to scale on the form provided and must include all of the following information. An additional 8 1/2" x 11" form may be used to provide an area map for a parcel which exceeds 2 acres or dimensions of 300 feet.

Site Plans must contain the following information and be drawn on the same size sheet as your construction drawings (minimum paper size is 18" X 24").

1. Indicate "North" with directional arrow.
2. Property Dimensions. (see Orientation of Dimension and Lettering as indicated on the Plot Plan Form).
3. Indicate scale used (Engineer's Scale ONLY – Not Smaller than 1" = 60').
4. Proposed structure(s) with all dimensions, including POOLS.
5. Existing structure(s) with all dimensions, including POOLS.
6. Distance(s) between structures.
7. Distances all structure(s) to all property lines.
8. Description of each structure's use.
9. Adjacent streets/roads.
10. Location of driveway(s) and material used (i.e., gravel, concrete...).
11. Location, size, dimensions of septic system with leach area (show perc test holes, 100% expansion area [minimum distance from septic & leach], length & slope of outlet lines [5' minimum], distribution box/diversion valve, inspection pipe(s) length, width & number of leach lines [distance between trenches], degree of slope in leaching area, length & slope of building sewer lines, setbacks from property lines, buildings, wells, dry washes, other sewage systems, water lines).  
*Note: If individual wells provide water, maintain minimum septic setbacks of 50' from property lines and 100' from all wells including neighboring wells.*
12. Locations of all utility poles, meters, and lines.
13. All easements regardless of purpose must be displayed.
14. Slope information: slope information may be given in feet or percentage of slope
  - a. Indicate high and low point of lot if lot slopes
  - b. Indicate by arrows the direction of slope
  - c. Indicate how much difference there is in elevation (In feet) between high and low point.
15. Any watercourse(s) on the parcel or within 200 feet of existing or proposed structure(s); wells within 100 feet of the parcel; and road-cuts within 50 feet of the parcel (A watercourse is defined as any topographic feature that carries water periodically. Other appropriate terms might be wash, creek, river arroyo, slew or drainage way.) Indicate elevation difference of proposed building site to the lowest wash elevation adjacent to the building site.
16. Location of existing roadside ditches and road culverts with size.
17. Layout of parking spaces, including handicapped, per use requirements (pertains to all except single family dwelling permits).
18. Signage must be identified but requires a separate permit.
19. Location and type of exterior lighting.
20. Location where orange card will be posted.
21. Full size SITE PLAN must also include existing and proposed grades, building pad elevations, drainage, and, cut and fill amounts.

Drainage Report/Plans (if required) must be in accordance with the Yavapai County Drainage Criteria Manual (See the Flood Control District with any questions).



TOWN OF DEWEY-HUMBOLDT  
P.O. BOX 69  
HUMBOLDT, AZ 86329  
Phone 928-632-7362 • Fax 928-632-7365

### Night Sky Provisions:

The Town of Dewey-Humboldt has taken an active role in the preservation of the night-sky through Zoning Regulations within the Town Code, Sections 153.150-153.153 (Light Pollution Control).

In part: All light fixtures, including security lighting, shall be aimed or shielded so that the direct illumination shall be confined to the property boundaries of the source. Particular care is to be taken to assure that the direct illumination does not fall onto or across any public or private street or road.

Motion sensing lighting fixtures shall be properly adjusted, to turn off when detected motion ceases. Motion sensing lights can be turned to "constant ON" for the purposes of illuminating yard areas for private recreational activities so long as they are turned to their automatic setting at the conclusion of the activity.

Installation of new mercury vapor light fixtures has been prohibited since May of 1985.

Landscaping up-lighting may be acceptable, but must be approved by the Community Development Director.

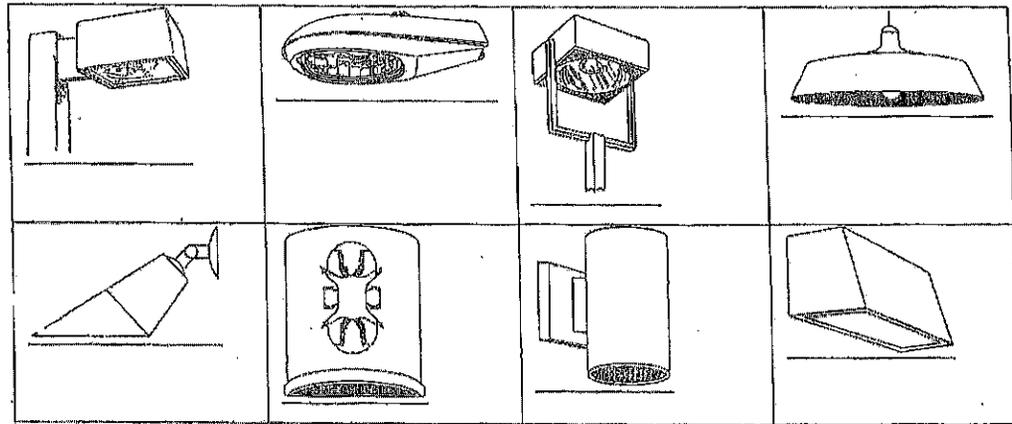
Applicant is to provide manufacturer's cut-sheet/catalog information detailing fixture shielding and lumen output of bulbs to be installed, and where required, a drawing/illustration of the proposed shielded fixture upon application for a building permit requiring exterior lighting.

Lighting amount:	< ½ acre	7,500 Lumens
	½ to 1 acre	10,000 Lumens
	1 and greater	20,000 Lumens

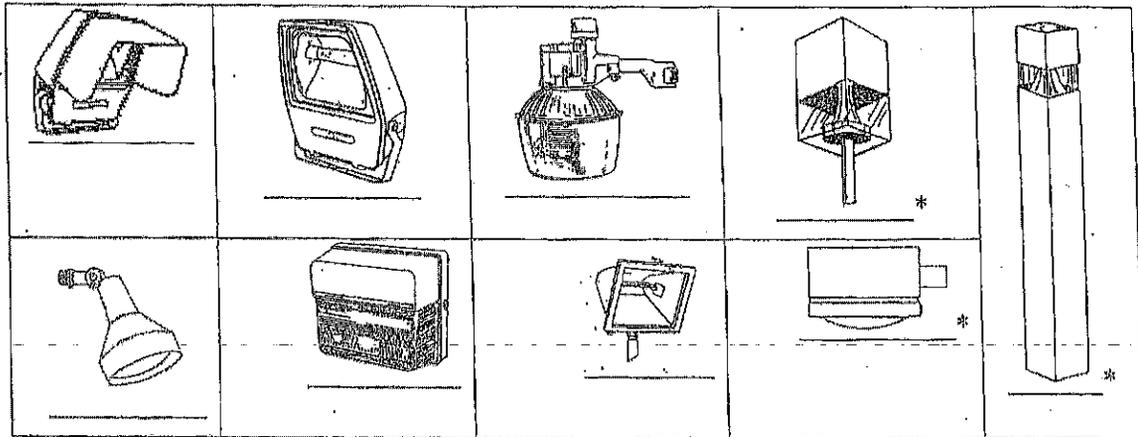
Note: Lumen is the unit used to measure the actual amount of visible light, which is produced by a lamp. Typical generic incandescent bulbs (W=Watt and L=Lumen)

60W = 840L, 75W = 1,125L, 100W = 1600L, 150W = 2,780L, 300W = 4,620L

Below are examples of fixtures that are Fully Shielded (Note: To be fully shielded these fixtures must be closed on top and mounted such that the bottom opening is horizontal).

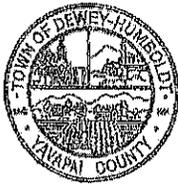


Examples of fixtures that are NOT Fully Shielded:



\*Note: even though the lamp in these fixtures is shielded from direct view when viewed from the side or above, reflective surfaces within the fixture and or lens covers are directly visible from the side.

If you should have questions, please call 632-7362 for clarification. For commercial applications or further details, you may research Town Code, Chapter 153, Zoning Regulations on the Town's website at [www.dhaz.gov](http://www.dhaz.gov).



TOWN OF DEWEY-HUMBOLDT  
P.O. BOX 69  
HUMBOLDT, AZ 86329  
Phone 928-632-5074 • Fax 928-632-7365

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## DESIGN CRITERIA FOR THE CONSTRUCTION OF STRUCTURES IN THE TOWN OF DEWEY-HUMBOLDT

Our Town is generally at 4500+ feet in elevation  
34 degrees North Latitude  
112 degrees West Longitude

Many forms are available at our web-site [www.dhaz.gov](http://www.dhaz.gov)

### Design Criteria

Snow Load	30 PSF
Wind Speed	90 MPH
Seismic Category	C
Weathering	Moderate
Frost Line Depth	12 inches, footing depth 18" into native soil
Termite	Moderate
Decay	Slight
Winter Design Temp.	20 degrees F
Ice Shield Requirement	No
Flood Hazards	See Yavapai County requirements
Mean Annual Temp	70 degrees F

The Town has Adopted the 2012 ICC codes, and the 2011 NEC.



## INSPECTION PROCESS

The following is a list of Code Requirements and other procedures which will assist in the inspection process after a building permit has been issued by the Town of Dewey-Humboldt.

Inspections must be requested a minimum of 24 hours in advance and will be completed by the Building Official/Inspector within 3 working days after request is made.

- A Permit must be issued before work can begin and inspections can be made.
- Permits are required for all construction and remodeling work for both residential and commercial property within the Dewey-Humboldt jurisdiction. For questions regarding a specific project, call the Building Safety Department at (928) 632-7362.
- Permits are required for new or upgrading power. Questions concerning power would be addressed by APS at (928) 776-3681.
- Inspections must be requested a minimum of 24 hours in advance prior to the inspection. The inspection phone number is (928) 632-7362. Inspection requests can be made after working hours by leaving a message on the voice recorder. Please provide the following information when requesting your inspection:
  - Parcel Number or Property address
  - Permit Number
  - Inspection type
  - Name and telephone number
- Inspections are scheduled in the order they are received. Inspectors cannot be committed to meet the owner or builder at a specific time as their work schedules and routes vary from day to day.
- The orange Permit Card along with the address must be posted and in plain view when the Inspector arrives. An approved set of plans and the Inspection Card must be available on the job site and accessible to the Inspector.
- It is in violation of the Town of Dewey-Humboldt Building Code to occupy any building (or residence) prior to final inspection and approval, and receipt of a Certificate of Occupancy (CO) is issued and signed by the Building Official.
- Should you have questions or technical problems during construction that require Building Code advice call (928) 632-7362 and speak to the Building Official.
- **EXPIRATION:** The Dewey-Humboldt Administrative and Building Codes, and Section 105.5 and 303.4 of Ordinance 07-31, provide that all permits issued shall become invalid two (2) years from the issued date. In addition, permits shall expire and become null and void if work is not commenced within 180 days from the date of permit issuance, or if the work is suspended or abandoned at any time for a period of 180 days. The applicant is responsible for demonstrating diligent pursuit and/or non-abandonment of a project to the satisfaction of the Building Official. The Building Official is authorized to grant one (1) extension of time for a period of up to 180 days. Permits shall not be extended more than once and all requests for extensions shall be in writing prior to permit expiration and with justifiable cause demonstrated.



TOWN OF DEWEY-HUMBOLDT  
P.O. BOX 69  
HUMBOLDT, AZ 86329  
Phone 928-632-7362 • Fax 928-632-7365

## REQUIRED INSPECTIONS

### Site-Built Homes, Garages, Sheds, etc.

This purpose of this policy is to clarify the type of inspections required for various residential structures as specified in the Town of Dewey-Humboldt Administrative Code Section 305.

**Footing:** The footing inspection shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete footings, any required forms shall be in place prior to inspection. Porta-Jon on site.

**Stem wall/grout:** Stem wall inspections of masonry or formed concrete walls, shall be made prior to any grout or concrete being placed after the masonry units and required forms are completed and any required reinforcing steel installed, including the installation of any required framing attachments, which shall be secured in the wall.

**Reinforced masonry, insulating concrete form (ICF) and conventionally formed concrete wall inspection:** Reinforced masonry walls, insulating concrete form (ICF) walls and conventionally formed concrete walls shall be inspected after plumbing, mechanical and electrical systems embedded within the walls, and reinforcing steel are in place and prior to placement of grout or concrete. Inspection shall verify the correct size, location, spacing and lapping of reinforcing. For masonry walls, inspection shall also verify that the location of grout cleanouts and size of grout spaces comply with the requirements of this code.

**Plumbing, mechanical, gas and electrical systems inspection:** Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to slab grade inspection, or at the time of rough-in inspection prior to insulation.

Exception: Back-filling of ground-source heat pump loop systems tested in accordance with Section M2105.1 prior to inspection shall be permitted as per the 2012 International Residential Code

**Concrete slab and under-floor inspection:** Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the sub floor. Residential building concrete slab inspections shall include the garage floor.

Exception: Concrete flat work (driveways, walkways, and pads not to be used in connection with a structural component).

**Floodplain Inspections:** For construction in areas prone to flooding, as determined by the Yavapai County Flood Control department, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the building official shall require submission of documentation, prepared and sealed by a registered design professional, of the elevation of the lowest floor, including the basement.

**Roof nailing and exterior braced wall panels:** Roof nailing and exterior braced wall panel inspection shall be made after the roof deck sheathing, exterior wall sheathing, and required wall framing attachments are in place and prior to the installation of the roofing material and exterior wall covering. All required wall framing attachments to the foundation and stem wall systems shall be in place.

**Moisture barrier:** A moisture barrier inspection shall be performed after all flashings, windows, and moisture barrier is installed prior to the installation of any exterior wall covering.

**Framing and exterior lath:** Framing inspection shall be made after all framing, fire-blocking, windows, and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating, wiring, pipes and ducts are installed. All penetrations through the floor and through the top plate into the attic must be sealed and exterior lath is installed and roof completely dried in with either the roofing material or approved roofing paper. The exterior lath inspection, for stucco wall covering, shall be made at this time.

**Energy efficiency inspection:** Insulation inspection shall be made after frame and exterior lath inspection and all rough plumbing, mechanical, gas, and electrical systems are approved and prior to covering or concealment. Blown or sprayed roof/ceiling insulation may be verified before final inspection with markers affixed to the trusses or joists and marked with the insulation thickness by one inch (1") inch high numbers. A minimum of one (1) marker provided for each 300 square feet of area with numbers to face the attic access opening. In lieu of an insulation inspection, a certification from the insulation installer may be submitted.

**Gypsum board:** An inspection shall be made of the gypsum board, interior and exterior, before any joints and fasteners are taped and finished.

**Fire-resistant penetrations and fire resistance-rated construction inspection:** Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved. Where fire-resistance-rated construction is required between dwelling units or due to location on property, the building official shall require an inspection of such construction after all lathing and/or wallboard is in place, but before any plaster is applied, or before wall board joints and fasteners are taped and finished.

**Special inspections:** For special inspections, see Section 1704 of the 2012 International Building Code.

**Final inspection:** Final inspection shall be made after the permitted work is complete and prior to occupancy.



**ENERGY SAVING CONSTRUCTION**

Dewey-Humboldt supports voluntary Energy Saving Construction for residential projects; however, the following criteria are optional. Energy compliance may be attained by utilizing simplified prescriptive building envelope thermal component criteria (see Chapter 11, 2006-IRC minimum insulation R values: ceilings R-38; walls R-13, and floors R-19).

**BUILDING / DESIGN**

- 10 Home orientation, preferable East-West roofline (plus/minus 15 degrees)
- 30 Windows with U-.4, Skylight with U-.6
- 30 Low E windows on South, with insulating blinds, planting deciduous trees
- 15 Windows on the East and West (may be Low-E); with minimum windows on the West.
- 15 Minimum number of windows on North, planting of evergreen trees
- 15 Foam seal interior and exterior walls, sill and plate penetrations.
- 15 Foam covers for receptacle and switch covers, caulk windows and doors
- 15 Proper roof overhang design to prevent summer overheating on South side
- 20 Properly installed minimum of R-38 ceiling, R-19 walls, R-19 floor and R-10 Crawl Space
- 30 Slab Insulation R-10, 2 foot on stem wall and 2 foot under slab

**PLUMBING**

- 30 Half of toilets to be dual-flush
- 10 Provide solar heated water or pre-wire, pre-plumb for solar water heating
- 15 Provide timer for circulation of insulated hot water lines when the home is over 1200 sf.
- 20 Provide On-Demand structural plumbing for circulating hot water.
- 10 Insulated or blanketed Water Heaters, with an Energy-Factor of .8 or greater.
- 15 Pre-plumb for Grey water drainage, can be tied with sewer outside building

**HVAC**

- 20 Conduct blower door test (.35 ACH)
- 20 Conduct Duct Blaster test (3% of home Square Footage)
- 30 Heating AFUE 90% efficient, and cooling SEER of 13, Manual J and D
- 20 Supply and return ducts insulated to R-6, and mastic sealed. N1103.2.1
- 15 Provide box of filters and filter cleaning schedule (once a month, etc.)
- 30 Setback thermostat installed and homeowner educated in use

**ELECTRICAL**

- 30 ENERGY STAR light fixture and appliances
- 15 Exterior lighting with motion detectors
- 20 Minimum of 75% of lighting fluorescent or compact fluorescent

Choose the item you want to include and meet 90% of the total points available to qualify.

If you plan to join the Town Energy Saving building program we will add this amendment to the plans and inspect to the above guidelines ultimately providing a Town of Dewey-Humboldt Energy Savings window decal for those homes that successfully meet all requirements.

# Town of Dewey-Humboldt

## BUILDING PERMIT

### PROJECT DEVELOPMENT TIME-LINE

The following is a project development time-line provided for customers submitting an application for a building permit. The Town of Dewey-Humboldt, Community Development Department is committed to providing customers with a reasonable time-line and expectations for the building permit process. This time-line is structured for business working days.

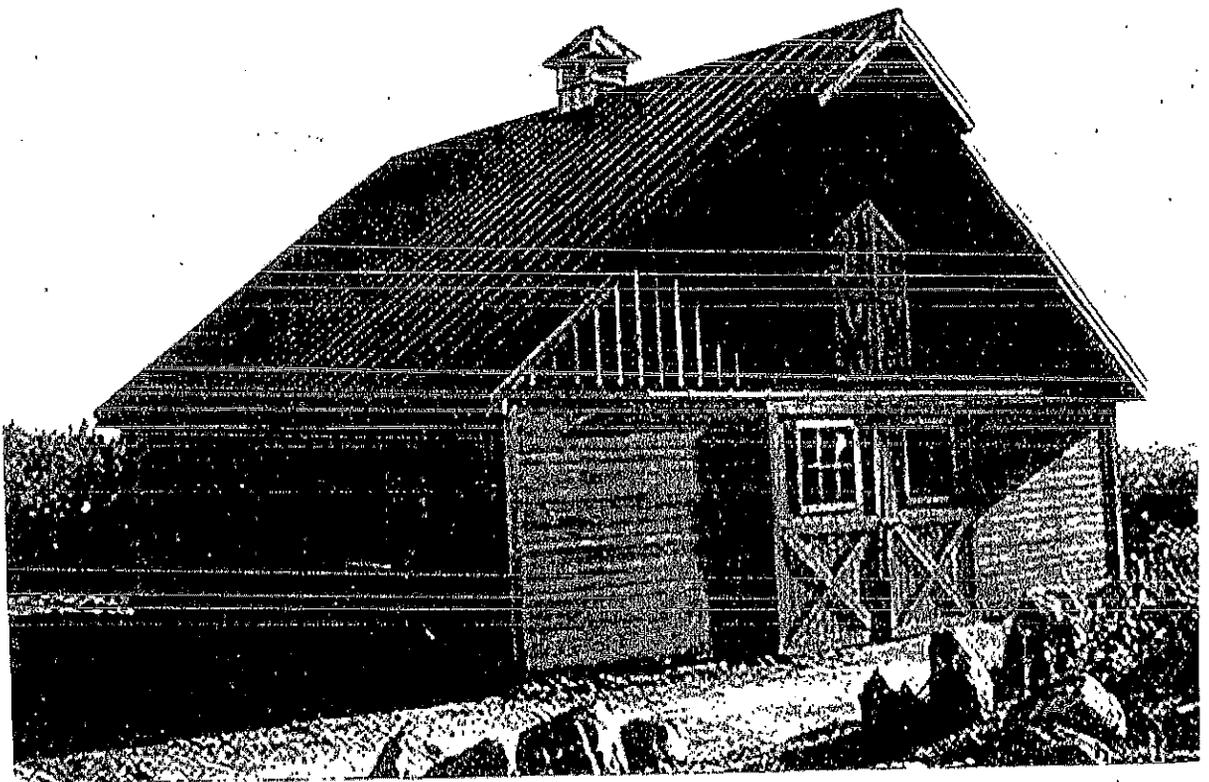
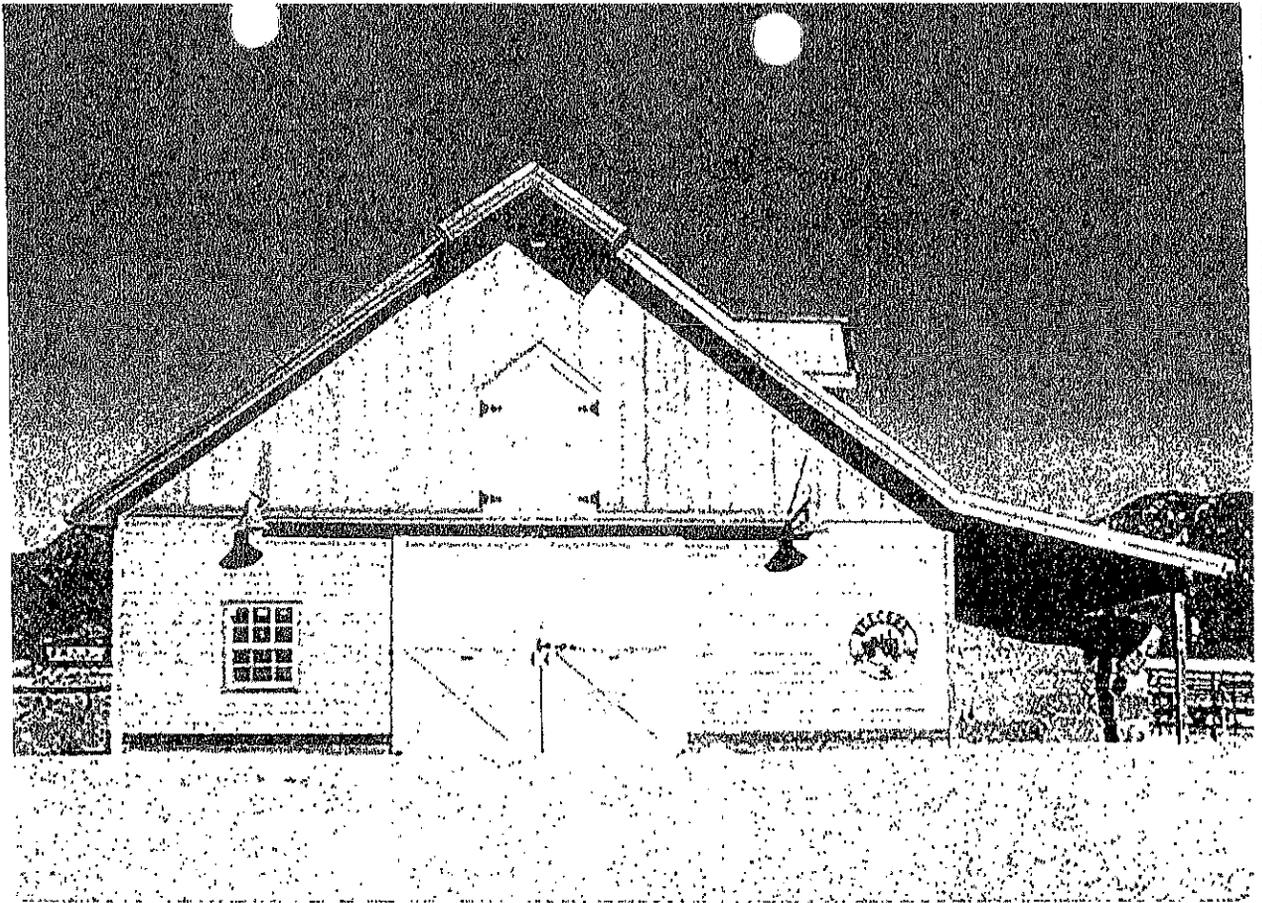
Item #	Development Process	# of working days
1.	Customer submits completed permit application and pays required deposit	Day 1
2.	Administrative Assistant / Front Counter accepts permit application and deposit. Enter permit information into PLV, records permit number on application and makes file folder. Reviews all submitted paperwork to verify application packet is complete. Verifies parcel / property owner and zoning setbacks through the YC GIS Mapping Applications Interactive Map Tool. Sends flood clearance request to YC Flood Control.	3 days
3.	Community Planner Reviews application and verifies zoning district and proposed use conforms with zoning requirements.	4 days
4.	Yavapai County Flood Control reviews property for flood plain, washes, and water flow drainage	4 days
5.	Public Works department reviews application for legal access, drainage, right-of-way set backs and address.	3 days
6.	Building Official / Plan Reviewer reviews building plans for structural, electrical, mechanical, plumbing, light pollution, flood clearance requirements and calculates fees.	10 days
7.	Building Official / Inspector schedules site visit of property and verifies setbacks and proposed building location.	2 days
8.	Building Official approves permit and returns application packet to Administrative Assistant	1 day
9.	Administrative Assistant enters all approvals and fees into PLV, prepares customer orange permit posting card, inspection card and contacts customer to inform them their permit is ready to be issued. Prepares parcel file folder and places application and 1 set of approved plans into parcel file cabinet	2 days
10.	Customer comes in to pick up permit and pay balance of permit fees.	1 day

**Expected time-line for application approval and permit issuance: 30 Days**

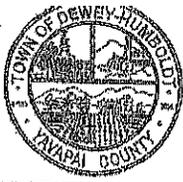
**Inspection Time Line:** Once a permit is issued, work must commence within 180 days and project must have an approved inspection every 180 days during building progress.  
 Inspections must be requested a minimum of 24 hours in advance. Inspections will be completed by the Building Official/Inspector within 3 working days after receiving 24-hour notice of inspection request.

For general questions or additional information contact Town of Dewey-Humboldt at 928-632-7362

**EXHIBIT "4"**



**EXHIBIT "5"**



TOWN OF DEWEY HUMBOLDT  
P.O. BOX 69  
HUMBOLDT, AZ 86329  
Phone 928-632-8643 • Fax 928-632-7365

---

Date: August 12, 2016

To: James Keenan

From: Yvonne Kimball

Re: Building Permit Application for 1925 S. Sierra Dr. (APN 402-21-101)

Dear Mr. Keenan:

I have received your letter dated August 10, 2016, in which you requested an appeal of the decision by the Community Planner/Code Officer to deny the Zoning Clearance for your recent building permit application for a 40'x48' barn to replace a 20'x24' barn. The Zoning Clearance was denied because the rear setback of your property, zoned in the R1-70 zoning district, is 50' in accordance with Town Code section 153.D38 while the plot plan in your application indicated a 30' rear setback.

I have reviewed the materials you submitted and conducted site visits to your property. Your property is located at the corner of Sierra Dr. and Quail Run. Town Community Planner determined Sierra Dr. where the driveway is located and the property is addressed off is the front lot line for the purpose of establishing setbacks for zoning. You object to the determination by the Community Planner. Instead, you appeal that Quail Run is the "historical front" and should be continued as the front property line.

Town Code states that "with regard to corner lots, that where the street lines are equal, the front is that street line that is the most obvious by reason of usage by adjacent lots". You appeared to say in your letter that since the adjacent lot uses "Quail Run" as the front, your property's front is Quail Run also. However, in reality, Quail Run could not be practically used as the front because of the steep slope along the street line abutting your property. For that reason, Sierra Dr. was determined as the front 34 years ago when it was first developed in 1982. The property access was developed by the then owner, in conformance with the Construction Permit, with a front and only access off of Sierra and the property has since that time been addressed as 1925 S. Sierra Dr.

Moreover, the same Town Code clause anticipates a vacant lot where there is no current established use on the subject property for which access and frontage has previously been established, and the goal is to maintain consistency between zoning regulation, land usage and addressing. In our research, we have found that the properties in your neighborhood observe the same principal of "the usage dictates the addressing, and the address confirms the front".

...building permit which you believe had indicated Quail Run as the "historical front". It is true that the word "front" usually appeared in the 1982 sketch; however, the description word appears to refer to the direction the house faces instead of the front line which would be based on usage. In fact, the property was developed more than 34 years ago using Sierra Dr. as its "historical front" line by reason of usage. Relying on the actual historical use of this property, the Town has not changed the front lot line of Sierra Dr.

To conclude, as the Zoning Administrator, I concur with the Community Planner in this instance.

If you wish to have your building permit application considered with this in mind, it will be necessary for you to resubmit the plans, including a new plot plan indicating a 50-foot setback along the east property line, as well as the required deposit.

If you believe there is a land-caused hardship for you indicated that the location of the septic and leach lines may preclude you from meeting the setback requirement, you may seek a variance of the setback requirement. To apply for a variance to the setback requirement, you can obtain a copy of the application form and instructions from Town Hall. There is a \$250 fee for the application, and a hearing before the Board of Adjustment will be required.

If you wish to appeal my interpretation on the front line and our decision on the setback requirement, you may do so by filing an Appeal Hearing application within 30 days of receiving this letter. The Zoning Administrator Decision Appeal Application form can be obtained from Town Hall, and paying a fee of \$250. A hearing before the Board of Adjustment will be arranged accordingly.

Please feel free to contact me at 928-632-7362 if you have any questions. If you wish receive the above mentioned application packets, please email your request to [deweyhumboldt@dhaz.gov](mailto:deweyhumboldt@dhaz.gov).

Sincerely,



Yvonne Kimball

Town Manager/Zoning Administrator

*Attachment: 1982 building permit application as provided by Yavapai County*

**CONSTRUCTION PERMIT** No. 14598 11 13R 1E 402-24-101  
**ZONING INSPECTOR, YAVAPAI COUNTY, ARIZONA** SPC IWP RANGE ASSESSOR PARCEL NO

CONSTRUCTION ADDRESS  
 (Street Name & Number or General Loc.) **Sierra** **MARKS Humboldt** **R1-70**  
**OWNER** **John D. Bennett** **TOWNS** **RES.**  
**NAME** **Friendly Pines Rd.** **OWNER** **TYPE Bldg Wall etc.**  
**AND** **Prescott, Az. 86301** **CONTRACTOR** **Bldg**  
**ADDRESS** **PHONE** **FLOOR AREA (Gross)**  
**CONTRACTOR (if other than Owner)** **2482 sq. ft.**  
**NAME** **COST (Material & Labor)**  
**AND** **\$25,000.00**  
**ADDRESS** **PHONE**

DISCUSSION OF CONSTRUCTION AND HOW WILL STRUCTURE BE USED **PERMIT FEE**  
 (If Mobile - Include size and Date of Manufacture) **\$80.00**  
**Mobile (26'x49'), Barn (20'x24'), carport (22'x26'),**  
**2 porches (10'x10') = \$200.00**

NEW	<input checked="" type="checkbox"/>	FRAME	FRONT YARD	100 FT.	HEIGHT	10.
USED OR MOVE	<input type="checkbox"/>	MASONRY	SIDE YARD	30 FT.	STORIES	1
ADDITION	<input type="checkbox"/>	METAL	SIDE YARD	100 FT.	NUMBER OF	
REMODEL	<input type="checkbox"/>		REAR YARD	60 FT.	DWELLING UNITS	1
WATER	<input checked="" type="checkbox"/>	Well	It is agreed to construct in conformity with drawings attached and with laws of County of Yavapai and State of Arizona. The structure is not within the Designated Flood Plains or a will comply with Flood Control Regulations for Unincorporated Areas of Yavapai County. <i>[Signature]</i> <b>7-26-82</b> (Contractor - Owner, Applicant - Assessor) Date			
ELECTRIC	<input checked="" type="checkbox"/>	APS				
GAS-NAI.	<input type="checkbox"/>					
GAS-PIPE	<input type="checkbox"/>					
SEWER	<input type="checkbox"/>	Septic				
SEPTIC NO.		20005	PLANS CHECKED BY			
CLVERT NO.			PERMIT ISSUED BY			
LEGAL DESCRIPTION (lot, block subdivision; or if metes and bounds attach a copy of recorded deed)			DATE ISSUED			

Lot 101 Sterkra Dells

REMARKS

Permit issuance is not considered as an adoption by the inspector of the manifested technical construction contained in the plans and specifications, and thereafter it is divulged that any portion of the construction is in conflict with any portion of the Yavapai County regulations. The Zoning Inspector, in accordance with Arizona legislation, does not make inspections for materials or workmanship. Ordinance requirements are entirely separate from deed covenants, but do prevail when more restrictive than such covenants. Consult with County Health Officer concerning sanitation installations. Consult with County Engineer concerning curb breaks and other street matters. Copies of the Planning & Zoning Ordinances are available at Planning Department Office. PLACE CARD MUST BE OPENLY DISPLAYED AT CONSTRUCTION SITE. CONSTRUCTION MUST COMMENCE WITHIN SIX MONTHS AND BE DILIGENTLY PURSUED THEREAFTER.

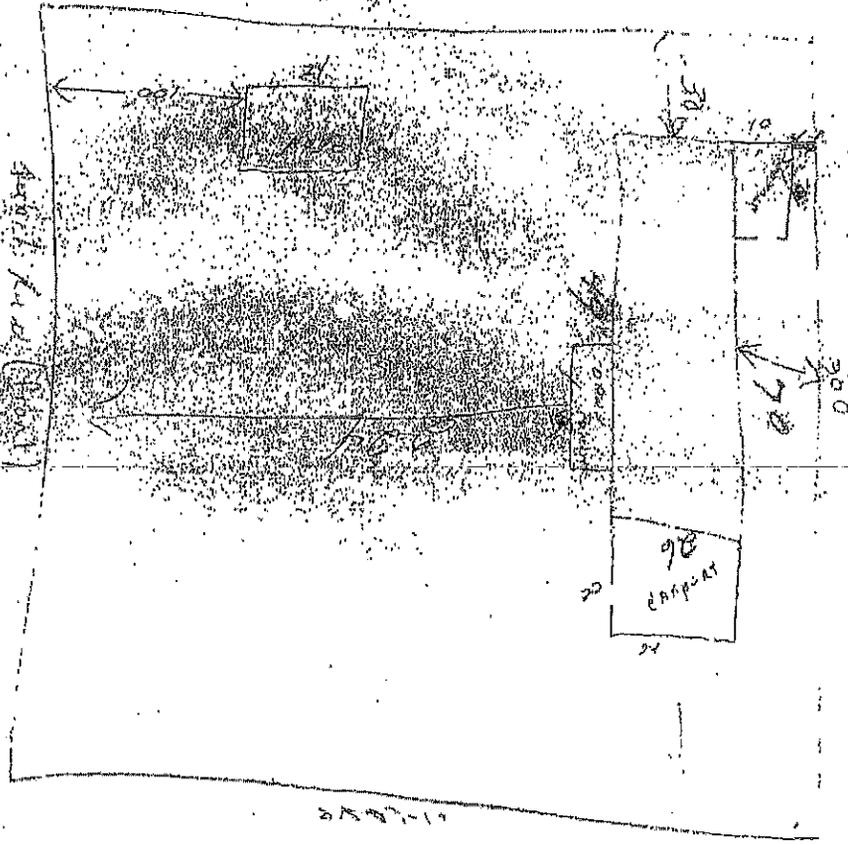
PAID (FEE) (OWNER) APPLICANT (OWNER) ASSESSOR (COUNTY) HEALTH (CODENED) OTHER (DATE)

YAVAPAI COUNTY PLANNING & ZONING DEPARTMENT - PRESCOTT, ARIZONA

FORM PZI-REV 1/81

CONSTRUCTION PERMIT No. 14598 11 13R 1E 402-24-101 ASSESSOR PARCEL NO

YAVAPAI COUNTY ZONING DEPT. - PRESCOTT, ARIZONA  
PLOT PLAN SKETCH



CONSTRUCTION PERMIT NO.	
SEC.	
TWP.	
RANGE	
ASSessor PARCEL NO.	
FILE	

**CONSTRUCTION PERMIT** No. 14598  
**ZONING INSPECTOR, YAVAPAI COUNTY, ARIZONA**

11 13N 1E 402-24-101  
 SEC TWP RANGE ASSESSOR PARCEL NO

**CONSTRUCTION ADDRESS**  
 Street Name & Number or General Loc: Sierra NEARBY Humboldt R1-70  
 OWNER: John D. Bennett TOWN Res.  
 NAME: Friendly Pines Rd. DWMR TYPE (Bldg Wall etc.) X  
 AND: Prescott, Az. 86301 CONTRACTOR Bldg  
 ADDRESS PHONE FLOOR AREA (SQ FT) 2482 sq. ft.  
 COST (Material & Labor) \$25,000.00

**DESCRIPTION OF CONSTRUCTION AND HOW WILL STRUCTURE BE USED**  
 (If Mobile - Include size and Date of Manufacture)  
 Mobile (26'x49'), Barn (20'x24'), carport (22'x26'),  
 2 porches (10'x10') = \$200.00

NEW	<input checked="" type="checkbox"/>	FRAME	FRONT YARD	100 FT.	HEIGHT	10
USED OR MOVE	<input type="checkbox"/>	MASONRY	SIDE YARD	30 FT.	STORIES	1
ADDITION	<input type="checkbox"/>	METAL	SIDE YARD	100 FT.	NUMBER OF	1
REMODEL	<input type="checkbox"/>		REAR YARD	60 FT.	DWELLING UNITS	1
WATER	<input checked="" type="checkbox"/>	Well				
ELECTRIC	<input checked="" type="checkbox"/>	APS				
GAS-NAT	<input type="checkbox"/>					
GAS-LPG	<input type="checkbox"/>					
SEWER	<input checked="" type="checkbox"/>	Septic				
SEPTIC NO.		20096				
CULVERT NO.						

It is agreed to construct in conformity with drawings attached and with laws of County of Yavapai and State of Arizona. The structure is not within the Delimited Flood Plain or it will comply with Flood Control Regulations for Unincorporated Areas of Yavapai County.  
 (Contractor, Owner, Applicant, Agent) Date 7-26-82

RECEIPT NO. & DATE  
 7236-7-26-82  
 FLOOD AREA MAPS CHECKED BY:  
 Not A  
 45A  
 PLANS CHECKED BY  
 PERMIT ISSUED BY  
 DATE ISSUED

**LEGAL DESCRIPTION** (for utility subdivision; or if metes and bounds attach a copy of recorded deed)  
 Lot 10] Sierra Dells

REMARKS:

Permit assistance is not considered as an adoption by the inspector of the mandated technical construction contained in the plans and specifications. It is alleged that any portion of the construction is in conflict with any portion of the Yavapai County regulations. The Zoning Inspector in accordance with Arizona Legislation, does not make inspection for materials or workmanship. Ordinance requirements are entirely separate from deed covenants, but do prevail when more restrictive than such covenants. Consult with County Health Officer concerning sanitation installations. Consult with County Engineers concerning curb breaks and other street matters. Copies of the Planning & Zoning Ordinance are available at Planning Department Office. PLACE CARD MUST BE OPENLY DISPLAYED AT CONSTRUCTION SITE. CONSTRUCTION MUST COMMENCE WITHIN SIX MONTHS AND BE DILIGENTLY PURSUED THEREAFTER.

PLANNING & ZONING DEPARTMENT  
 YAVAPAI COUNTY PLANNING & ZONING DEPARTMENT - PRESCOTT, ARIZONA  
 FORM PZI-REV 2/81

CONSTRUCTION PERMIT No. 14598

YAVAPAI COUNTY ZONING DEPT. - PRESCOTT, ARIZONA  
PLOT PLAN SKETCH



CONSTRUCTION PERMIT NO.	
SIC. - TYPE	
EXEMPT	
ASSESSOR PARCEL NO.	
FILE	

THE  
**ADAMS**  
LAW FIRM, PLLC  
125 GROVE AVE.  
P.O. BOX 2522  
PRESCOTT, AZ 86302

Humboldt Humboldt  
Dewey-Humboldt Board of Adjustment  
2735 S. Highway 69, Suite 12  
Humboldt, Arizona 86329

RECORDED  
JAN 17 2017  
ENTERED  
Recorded on 1

January 27, 2017

File No. 840.01

***TRANSMITTED VIA HAND-DELIVERY***

Dewey-Humbolt Zoning Administrator  
P.O. Box 69  
2735 South Highway 69, Suite 12  
Humboldt, AZ 86329

Re: Amended Expedited Variance Request for Assessor's Parcel 402-24-101

Dear Zoning Administrator:

As you are aware, this firm represents James and Melinda Keenan, the owners of the above-referenced parcel. This letter is being submitted to amend the Keenan's currently pending variance application so as to address several issues raised by the Town's attorney in her letter dated January 26, 2017. The following information shall be incorporated, and shall amend, the application:

- (i) The variance requested is as follows:
  - a. For the barn: A variance from the required rear setback of 50 feet from the property line to instead be 30 feet from the rear property line; and
  - b. For the house:
    - (1) A variance from the required side setback of 25 feet from the property line to instead be 18 feet from the side property line; and
    - (2) A variance from the required rear setback of 50 feet from the property line to 47 feet from the rear property line; and
  - c. For a 10x10 shed: A variance from the required side setback of 25 feet from the property line to instead be 23 feet from the side property line. Please note that although the shed is within the rear setback of 50 feet, because it is an accessory structure not housing animals, pursuant to Town Code § 153.068(D), we believe that it may be located a minimum of 5 feet from the rear of the property line.
- (ii) Variance Criteria. On page 4 of 6 of the Application, there are "Four Key Criteria Standards" ("**Criteria**") to apply. Only two of the four Criteria were completed; the other two had

erroneously been noted as "N/A." We would like to amend the Criteria portions of the application as follows:

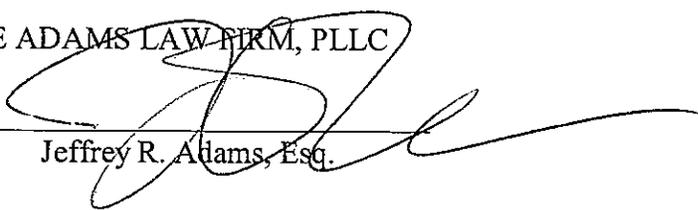
(a) Criteria 2: The variance is necessary to ensure the preservation of privileges and rights enjoyed by other properties of the same classification in the same zoning district and will not constitute a grant of special privileges to the Keenans. Testimony and evidence was presented at the prior hearing on the Appeal of the Zoning Administrator's Determination that the physical limitations and topography of the subject property prevent the Keenans from locating the desired structures within the required building envelope without encroaching on the setbacks. Enclosed herewith is a aerial photograph of the subject property showing the topographical limitations preventing the Keenans from locating their improvements elsewhere on the property because of the slope of the property, the natural waterways and drainage of rainwater. We believe that the Town already is in possession of photographs depicting the condition of the subject property as well. Other properties within the same zoning district are able to locate their structures within the required setbacks because their properties are no so limited by topography. This would be considered to be a privilege and right of other properties located within the district that is not enjoyed by the Keenans. Granting a variance would not be a special privilege because it is the only way to allow the Keenans to enjoy the same privileges and rights as other property owners in the same zoning district.

(b) Criteria 3: The special circumstances applicable to the subject property are not self-imposed or created by the Keenans in order to receive a variance. The topography of the land was not created or altered in any way by our client or our clients' predecessor and therefore the conditions of the property are not self-imposed.

We are hopeful that the provision of the foregoing amendments to the Keenans variance application will render it complete. Should you have any questions, comments or concerns regarding this matter following your review of this letter, please call at your convenience.

Regards,

THE ADAMS LAW FIRM, PLLC

By: 

Jeffrey R. Adams, Esq.

JRA/ac  
cc: clients  
Phyllis Smiley  
enclosure



Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.

Map printed on: 1.26.2017



# Town of Dewey-Humboldt

P.O. Box 69 / 2735 South Highway 69, Suite 10, Humboldt Station, Humboldt, AZ 86329

## PUBLIC HEARING NOTICE

### BOARD OF ADJUSTMENT

The following hearing application shall appear in addition to previously set matters by the

### TOWN OF DEWEY-HUMBOLDT BOARD OF ADJUSTMENT ON MARCH 14, 9:00 AM

The Hearing will be conducted at Town Hall, 2735 South Highway 69, Suite 10, Humboldt, AZ 86329

#### Public Hearing Item:

#### ITEM #17-001: Variance Request

**Request:** Consider a request for a variance of the rear and side setbacks on property located at 1925 S. Sierra (Assessor's Parcel Number 402-24-101).

**Applicant:** James and Melinda Keenan  
**Address:** 1925 S. Sierra  
Assessor's Parcel Number: 402-24-101

NOTICE TO THE PUBLIC: Property owners may submit letters in support or opposition of a Public Hearing Item by directing written correspondence to the Town of Dewey-Humboldt, PO Box 69, Humboldt, Arizona 86329. For more information, contact Dewey-Humboldt Town Clerk, Judy Morgan, at (928) 632-7362/ Fax 928-632-7365

*First, I want to state my support for the variance.*

*Second, I want to state my disdain for the brouhaha this has created. The neighbors east of the Keenan's have no problem with the variance. So why is Board of Adjustment having a problem with the variance? Why did you grant a building permit and withdraw it when the existing structure was torn down. The whole thing is RIDICULOUS!*

Petroglyph Properties, LLC  
10645 North Tatum Blvd, Ste 200-527  
Phoenix, AZ 85028

February 21, 2017

Town of Dewey-Humboldt  
PO Box 69  
Humboldt Station  
Humboldt, AZ 86329

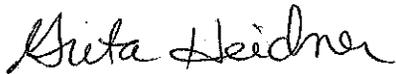
Attention: Board of Adjustment

Dear Board,

Re: **ITEM #17-001: Variance Request**

We wish to register our opposition to the above mentioned variance request located at 1925 S. Sierra (Assessor's Parcel Number 402-24-101).

Yours truly,



Greta Heidner, co-manager



Russell T. Greene, co-manager

Parcel 402-24-041  
Lot 41  
Sierra Dells Subdivision

March 9, 2017

To the Town of Dewey-Humboldt

I am the property owner directly south and adjacent to the property at 1925 S. Sierra. I have no opposition to the variance proposed by the Keenan's. I would request that they are granted the right to build at the earliest date possible.

If you have any other questions, please feel free to contact me. 928 632 5939

Sincerely,

A handwritten signature in black ink that reads "Sharon Douglas". The signature is written in a cursive style with a long horizontal line extending to the right.

Sharon Douglas

13788 E. Ridge Way

Dewey, Az 86327