Town of Camp Verde Vision Statement
"Camp Verde is welcoming, a safe community, a vibrant economy, thoughtfully growing, and offering an exceptional quality of life."

AGENDA
TOWN OF CAMP VERDE
REGULAR SESSION
BOARD OF ADJUSTMENT & APPEALS
473 S. MAIN STREET, SUITE 106
TUESDAY, JANUARY 13, 2026, at 3:00 P.M.

ZOOM MEETING LINK:
https://us02web.zoom.us/j/85884550283?pwd=wajXqUa5avEocx5EJWwZ8SrougdNw6.1
One Tap Mobile: 1-669-900-9128 or 1-253-215-8782
Meeting ID: 858 8455 0283
Passcode: 096130

1. **Call to Order**

2. **Roll Call.** Member Jeremy Brady, Member Rob Corbin, Vice Chairperson Tanner McDonald, and Chairperson Stephen Magoon

3. **Pledge of Allegiance**

4. **Consent Agenda** - All items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered a separate item if a member of the Commission requests it.

   a. **Approval of Minutes:**
      1) Regular Session – October 8, 2024 Pg. 3

5. **Oath of Office of Reappointed Board of Adjustment and Appeals Member Rod Corbin and Newly Appointed Member Robert Benson.** Staff Resource: Town Clerk Leah Rhodes. Pg. 5

6. **Appointment of one Member to serve as Chairperson and one Member to serve as Vice Chairperson until January 2027.** Staff Resource: Acting Senior Planner Cory Mulcaire. Pg. 13

7. **Board of Adjustment and Appeals Training Session.** Resource: Attorney Frank Cassidy. Pg. 15

8. **Public Hearing: Discussion, consideration and possible approval of a variance request to reduce the residential setback from 300 feet to 240 feet for a Wireless Communications Tower on parcel 404-15-00C, located at 4353 E Blue Heron Lane, Camp Verde, Arizona.** Staff Resource: Acting Senior Planner Cory Mulcaire. Pg. 57
   Staff Comments
   Applicant Comments
   Open Public Hearing
   Close Public Hearing
   Board Discussion

9. **Public Hearing: Discussion, consideration, and possible action on an appeal of the Zoning Administrator's November 11, 2025 determination concerning subdivision replat requirements and Conditional Use Permit PZ-95-21 at the Montezuma Heights Airpark.** Staff Resource: Town Manager Miranda Fisher.Pg. 81

Appellant Comments
Staff Comments
Open Public Hearing
Close Public Hearing
Board Discussion

10. **Adjournment**

The Planning and Zoning Staff makes every attempt to provide a complete agenda packet for public review. However, it is not always possible to include all information in the packet. You are encouraged to check with the Community Development Department prior to a meeting for copies of supporting documentation, if any that were unavailable at the time agenda packets were prepared.

Note: Pursuant to A.R.S.§38-431.03A.2 and A.3, the Board of Adjustments and Appeals may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item. The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the Town of Camp Verde, Town Library, and Bashas on January 7, 2026 *(date) at 5:00* P.M. *(time) in accordance with the statement filed by the Camp Verde Town Council with the Town Clerk*
(signed) Leah Rhodes, Town Clerk.

DRAFT MINUTES
TOWN OF CAMP VERDE
BOARD OF ADJUSTMENTS & APPEALS
473 MAIN STREET, SUITE 106, CAMP VERDE, AZ 86322
TUESDAY, OCTOBER 8, 2024, AT 3:00 PM
REGULAR SESSION

Zoom Meeting Link:
https://us06web.zoom.us/j/86451839231?pwd=1S0cjp7d0h0UIneGC1kIbHXioQ3aAn.1
Meeting ID: 864 5183 9231 **Passcode:** 573754 **Dial In:** 1-669-444-9171

1. **Call to Order** – Chairman Magoon called the meeting to order at 3:00 PM.

2. **Roll Call** – Vice Chairman Tanner McDonald, Jeremy Brady (Absent), Rodney Corbin, Chairman Stephen Magoon, Doug Fasteen

3. **Pledge of Allegiance**

   Chairman Magoon led the Pledge of Allegiance.

4. **Consent Agenda –** All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item at the request of a Board member.

   a. **Approval of Minutes –**
      i. August 22, 2023 – Special Session
      ii. March 12, 2024 – Regular Session

   b. **Set Next Meeting Date –**
      i. As needed

   On a **motion** by Board Member Fasteen, Seconded by Board Member Corbin approval of consent agenda item as presented.

   Jeremy Brady: Absent
   Rodney Corbin: Aye
   Chairman Magoon: Aye
   Vice Chairman McDonald: Aye
   Doug Fasteen: Aye

   Motion Carried 4-0.

5. **Board Informational Report:**

   No board members had comments at this time.

6. **Staff Comments –**

   Planner II Cory Mulcaire expressed her appreciation to the Board and reminded them of Fort Verde Days this weekend and that Parks and Rec is still looking for volunteers.

7. **Adjournment** Chairman Magoon adjourned the meeting at 3:04.

Chairman Stephen Magoon

Planner II, Cory Mulcaire

CERTIFICATION
I hereby certify that the foregoing minutes are a true and accurate accounting of the actions of the Board of Adjustment and Appeals of the Town of Camp Verde, Arizona during the Special Session held on the 8th day of October 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 8th day October 2024

Cory Mulcaire

Cory Mulcaire, Recording Secretary

DRAFT

Board of Adjustment & Appeals
Agenda Information Memorandum

Meeting Date: January 13, 2026

Agenda Item Type:

☐ Consent Agenda ☒ Informational Presentation ☐ Discussion Item
☐ Action/Decision Item ☐ Executive Session Request ☐ Other:

Requesting Department: Community Development **Staff Resource:** Town Clerk, Leah Rhodes

Agenda Title: Oath of Office of Reappointed Board of Adjustment and Appeals Member Rod Corbin and Newly Appointed Member Robert Benson

Attached Documents:

- Rod Corbin's Letter of Interest- Redacted
- Robert Benson's Letter of Interest - Redacted

Estimated Presentation Time: 5 minutes **Estimated Discussion Time:** 5 minutes

Reviewed By:

☒ Town Manager ☐ Legal ☐ Risk Management ☐ Finance ☐ Other:

Financial Review (if applicable)**:**

- Funding Source / GL Account Number:
- Approved in the FY25 Budget? ☐ Yes ☐ No ☒ N/A ☐ Other:
- Is this an approved CIP Project? ☐ Yes ☐ No ☒ N/A ☐ Other:

Background Information:

Every December, the Town opens recruitment for its Boards and Commissions. For this cycle, the Board of Adjustment and Appeals had one vacancy due to the end of Rod Corbin's term on January 1, 2026, as well as an existing vacancy created by the resignation of Doug Fasteen on May 30, 2025. To date, no applications have been received specifically to fill Mr. Fasteen's vacant seat.

By the November 17, 2025, application deadline, the Town received one application for the Board of Adjustment and Appeals, submitted by:

- Rod Corbin

Mr. Corbin was interviewed on December 2, 2025, by Mayor Moore, Vice Mayor Escoffier, Councilor Seybold, Acting Senior Planner Cory Mulcaire, and Town Manager Miranda Fisher. The applicant was asked a series of structured questions, with responses scored individually. Following the interview, the committee unanimously recommended Mr. Corbin's reappointment to the Board of Adjustment and Appeals.

Although Mr. Corbin was the only direct applicant for this Board, Robert (Bob) Benson applied and interviewed for a vacancy on the Parks and Recreation Commission on December 2, 2025 as well. Following his interview, the committee discussed that Mr. Benson's construction background would make him an

especially strong fit for the Board of Adjustment and Appeals. Town Code Section 7-2-110.1 states that the Board "shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the Town."

Mr. Benson previously applied to serve on the Board of Adjustment and Appeals in December 2024; however, at that time, Mr. Fasteen was reappointed. Town staff contacted Mr. Benson to determine whether he would be willing to accept an appointment to the Board of Adjustment and Appeals, and he has confirmed his interest and willingness to serve. As such, the interview committee unanimously recommends Mr. Benson's appointment to the Board of Adjustment and Appeals.

The Town Council voted to approve both appointments at their December 17, 2025 meeting. At the January 13, 2026 BOA meeting, Rod Corbin and Robert Benson will complete their oath of office and will be seated at the dais.

Question before the Board:

- Does the Board have any questions for staff?

Camp Verde, Arizona

LETTER OF INTEREST

Name: Robert BENSON (Bob)	Date: November 12th, 2025
Home Address: [redacted] 86322	
Mailing Address, if different:	
Email Address: [redacted]	
Home Telephone: [redacted]	Work Telephone: same
Are you a resident of the Town of Camp Verde? ☒ Yes ☐ No	Do you own commercial property in the Town of Camp Verde ☐ Yes ☒ No
Length of residency in the Town of Camp Verde: 4 years 8 months	Do you operate a business in Camp Verde? ☒ Yes ☒ No Goat Breeding
Name and address of business (if applicable): RCB Boer Goats - Home	
If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession: Electrician, Docent, Broken retired	
Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? ☐ Yes ☒ No + yet If yes, please list names of board/commission and dates served:	
Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:	
1. Parks & Recreation	3.
2.	4.

Education and Community Service

Schools Attended:	Degree:	Year:	
Coconino Junior College	AA	1988	
Civic Activities-Service Organizations	Office Held:	Year Begun:	Year Ended:
Historian - Docent - Tour Guide	Costumed	2015	2020
Summer Camp - Camp Verde	Butter Churner	2025	-

Please state why you would like to be appointed to a Town Board, Commission, or Committee: Love sharing community events and working with public

Have you ever been charged and convicted of a crime? ☒ Yes ☒ No
If yes please explain. Reckless Driving 1972 - sealed record

What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?

(a) Assist & relay recommendations of public to Town Council / help work

(b) Assist with new & existing Parks & Rec Developments / listen to public

(c) Have knowledge of systems, Budgets, developments of Parks & Recs facilities & convey information

1

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee: My experience of working As A volunteer town guide & docent at the Rancho los Cornitos Adobe. History of the Victorian Era ② Management of electrical construction projects As general foreman and project MANAGER ③ Property MANAGER AND Real Estate Broker ④ Attended Camp Verde Citizens Academy ⑤ 4H + FFA; involvement

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 554-0021 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature: [signature] Date: 11/12/2025

	Date:
Date Contacted & Invited to Appear before Council:	
Staff Contacting Individual	
Date Appointed by Council	
Board or Commission appointed to:	

Camp Verde, Arizona

LETTER OF INTEREST

Name: Rod Corbin	Date: 10/21/25
H [redacted]	
Mailing Address, if different:	
Email Address: [redacted]	
Home Telephone:	Work Telephone:
Are you a resident of the Town of Camp Verde? ☒ Yes ☐ No	Do you own commercial property in the Town of Camp Verde ☐ Yes ☒ No
Length of residency in the Town of Camp Verde: 10 years	Do you operate a business in Camp Verde? ☐ Yes ☒ No
Name and address of business (if applicable):	
If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession:	
Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? ☒ Yes ☐ No If yes, please list names of board/commission and dates served: BOA	
Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference:	
1.	3.
2.	4.

Education and Community Service

Schools Attended:	Degree:	Year:	
Civic Activities-Service Organizations	Office Held:	Year Begun:	Year Ended:
Veteran of Foreign Wars	Trustee		2028
American Legion		2022	2027
DAV			

Please state why you would like to be appointed to a Town Board, Commission, or Committee: _____

What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members?

(a) B - The Citizens

(b) A The Town

(c)

1

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee:

Current member of the BOA

Active member of VFW

Active member of American Legion

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 554-0025, if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Email or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322 or clerk@campverde.az.gov

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature: _____ Date: 10/21/25

	Date:
Date Contacted & Invited to Appear before Council:	
Staff Contacting Individual	
Date Appointed by Council	
Board or Commission appointed to:	

OVERVIEW OF THE TOWN OF CAMP VERDE BOARDS AND COMMISSIONS

Planning & Zoning Commission		
Duties: Analyzes reviews and makes recommendations to Council regarding land use and development-related issues.		
Residency Requirement: 2003-A261 must reside within the corporate limits of the Town		
Membership: Seven members	Term: Three Years	Meetings: Second and Fourth Thursday at 6:00 p.m.
Board of Adjustments & Appeals		
Duties: Hears and decides appeals made by individuals regarding construction codes and decisions made by the Town Building Official. Hears and decides appeals or decisions made by the Zoning Administrator.		
Residency Requirement: 2003-A261 must reside within the corporate limits of the Town		
Membership: Five members	Term: Three Years	Meetings: Third Tuesday at 3:00 p.m. as needed.
Parks & Recreation Commission		
Duties: Recommends to Council regulations, policies and fees for the use, control and improvements of public parks.		
Residency Requirement: 2003-A261 must reside within the corporate limits of the Town. Council may waive the residency requirements with good cause.		
Membership: Seven members	Term: Three Years	Meetings: First Monday at 6:00 p.m.

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Board of Adjustment & Appeals
Agenda Information Memorandum

Meeting Date: January 13, 2026

Agenda Item Type:

☐ Consent Agenda ☐ Informational Presentation ☐ Discussion Item
☒ Action/Decision Item ☐ Executive Session Request ☐ Other:

Requesting Department: Community Development **Staff Resource:** Acting Senior Planner, Cory Mulcaire

Agenda Title: Appointment of one Member to serve as Chairperson and one Member to serve as Vice Chairperson until January 2027.

Attached Documents: N/A

Estimated Presentation Time: 5 minutes **Estimated Discussion Time:** 5 minutes

Reviewed By:

☒ Town Manager ☒ Legal ☐ Risk Management ☐ Finance ☐ Other:

Financial Review (if applicable)**:**

- Funding Source / GL Account Number:
- Approved in the FY25 Budget? ☐ Yes ☐ No ☒ N/A ☐ Other:
- Is this an approved CIP Project? ☐ Yes ☐ No ☒ N/A ☐ Other:

Background Information:

At the first meeting of the year, the Board of Adjustment and Appeals must select a Chairperson and Vice Chairperson (Town Code Article 4-2). The Board shall accept nominations from its membership for a chairperson and vice-chairperson. Such nominations shall be made, seconded, and selection of one chairperson shall result upon a majority vote of the full membership of the board.

As outlined in the Town Code Article 4-2-B, the duties and powers of various officers and members of the Board are as follows:

Chairperson. The chairperson shall preside at all meetings and hearings of the board or commission, decide all points of order or procedure, and perform any duties required by law, ordinance, or the requirements established in this chapter. The term of the chairperson shall be one year, unless reelected to succeeding terms by a majority vote of the membership. The chairperson is responsible for becoming familiar with and adhering to the provisions of open meeting law. The chairperson shall also become familiar with the provisions of Roberts Rules of Order, and although general informality in such rules of order may prevail, shall adhere to such rules in the conduct of meeting where emotional content of the subject matter or the conflict or personalities may otherwise interfere with the orderly conduct of business. The chairperson may, to the extent necessary, work with the department head assigned to the board or commission to assist with special needs, requirements for assistance from the staff, reviewing monthly budget reports and preparation of agendas. The chairperson will determine whether he/she, staff liaison, or designee', will provide a written report to the Mayor and Council summarizing the board or commission activities during the prior quarter, identifying upcoming activities and reviewing any

problems, concerns or proposals. Such reports are to be submitted to the Town Clerk for distribution to the Council. Meetings may be scheduled with Council as needed and/or on a regular quarterly basis. In addition, the chairperson shall sign all minutes and resolutions of the board or commission.

Vice-Chairperson. The vice-chairperson shall have the responsibility of assuming all of the duties and responsibilities of the chairperson in the event that the chairperson should be absent or the position vacant. Additional duties or activities may be assigned by the chairperson upon majority approval of the board or commission as determined necessary.

Stephen Magoon currently serves as the Chairperson and Tanner McDonald serves as Vice Chairperson.

Question(s) before the Board:

- Who does the Board want to serve as Chairperson?
- Who does the Board want to serve as Vice Chairperson?

Proposed Motion:

Separate Motions:

I move to appoint _____ as the Chairperson.

I move to appoint _____ as the Vice Chairperson.

Combined Motion:

I move to appoint _____ as the Chairperson and _____ as Vice Chairperson.

Agenda Item 7

BOARD OF ADJUSTMENT AND APPEALS AGENDA INFORMATION MEMORANDUM

MEETING DATE: January 13, 2026

AGENDA ITEM TYPE:

☐ Consent Agenda ☒ Informational Presentation ☐ Discussion Item
☐ Action/Decision Item ☐ Executive Session Request ☐ Other:

REQUESTING DEPARTMENT: Community Development **RESOURCE:** Attorney Frank Cassidy

AGENDA TITLE: Board of Adjustment & Appeals Training Session

ATTACHED DOCUMENTS:

- PowerPoint Presentation

ESTIMATED PRESENTATION TIME: 30 minutes **ESTIMATED DISCUSSION TIME:** 30 minutes

REVIEWED BY:

☒ Town Manager ☐ Legal ☐ Risk Management ☐ Finance ☐ Other:

BACKGROUND INFORMATION:

The Town has retained Attorney Frank Cassidy to represent the Board of Adjustment and Appeals at the January 13, 2026 meeting. Prior to the two public hearings, Attorney Cassidy will conduct a training for the Board of Adjustment and Appeals Members regarding their authority and general rules for the BOA and all public bodies.

QUESTION(S) BEFORE THE BOARD:

- Does the Board have any questions for Attorney Cassidy?

Camp Verde Board of Adjustment and Appeals Training Session

Frank Cassidy, Attorney
FRANK CASSIDY, P.C.

January 13, 2026

Board of Adjustment and Appeals training session overview

- BOA authority
  - Appeals
  - Variances
- BOA administration
  - BOA officers and staff
  - Agenda
  - Parliamentary procedure
- General rules that apply to all public bodies
  - Conflict of interest laws
  - Open meeting law
  - Public records law

BOA authority

BOA authority

- Board of adjustment authority is defined in state law and in Town of Camp Verde ordinances
  - The controlling state law is Arizona Revised Statutes section (A.R.S. §) 9-462.06
  - The controlling Town of Camp Verde ordinance is Section 602 of the "Camp Verde Planning & Zoning Ordinances and Subdivision Regulations" (which internally refers to itself as the "Zoning Ordinance")

BOA authority

- Under state law, the BOA hears and decides:
  - Appeals:
    - 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 adopted pursuant to this article" (A.R.S. § 9-462.06(G)(1))
    - A.R.S. Title 9, Article 6.1—"Municipal Zoning" is "this article"
  - Variances from the terms of the zoning ordinance

BOA authority

- Under state law, the BOA hears and decides:
  - Appeals
  - 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 the property of privileges enjoyed by other property of the same classification in the same zoning district
    - Any variance granted is subject to conditions as will assure that the variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is located

BOA authority

- State law provides that the BOA may not:
  - Make any changes in the uses permitted in any zoning classification or zoning district
  - Make any changes in the terms of the zoning ordinance
  - Grant a variance if the special circumstances applicable to the property are self-imposed by the property owner

BOA authority

- Section 602 of the "Camp Verde Planning & Zoning Ordinances And Subdivision Regulations":
  - Variances. The board of adjustment shall hear and decide appeals for variances, as provided by state law
  - Appeals from Administrative Decisions. "The Board, on deciding appeals from decisions of the Community Development Director (Zoning Administrator), is responsible for interpreting the meaning and equitable application of the Zoning Ordinance"

Appeals

Appeals

- What?
  - "A board of adjustment shall hear and decide appeals from the decisions of the zoning administrator…"
  - A.R.S. § 9-462.06(G)(1): BOA appeal involves zoning
  - Camp Verde Zoning Ordinance Section 602 allows the BOA to hear appeals of "the meaning and equitable application of the Zoning Ordinance"
  - The Camp Verde Zoning Ordinance includes non-zoning matters (subdivisions, land divisions, street naming)

Appeals

- By whom?
  - "Appeals to the board of adjustment may be taken by persons aggrieved or by any officer…of the municipality…" (A.R.S. § 9-462.06(D))
  - Lots of law on "persons aggrieved"—typically someone directly affected
  - For appeals from BOA to court, it includes "a taxpayer who owns or leases the adjacent property or a property within three hundred feet from the boundary of the immediately adjacent property" (A.R.S. § 9-462.06(K))

Appeals

- How?
  - Written notice of appeal filed with the zoning administrator
    - Within a "reasonable time"
    - Specifying the grounds for the appeal
  - The zoning administrator transmits to the BOA all records relating to the appeal
  - 15 days' notice of the BOA hearing
    - By publication in a newspaper
    - By posting near the affected property

Appeals

- What decision can the BOA make?
  - The BOA may "reverse or affirm, wholly or partly, or modify the order, requirement or decision of the zoning administrator appealed from, and make such order, requirement, decision or determination as necessary" (A.R.S. § 9-462.06(G)(3))
  - BOA's decision may include related conditions

Appeals

- What then?
  - A "person aggrieved" may challenge the BOA's decision in court
  - The appeal before the court is based solely on the record before the BOA
  - Make a good record
    - Clearly identify speakers
    - Bring documents and maps into evidence
    - Explain what's happening
      - "This location right here"
      - "Let the record reflect that the speaker has pointed to …"

Variances

Variances

- What?

  “A board of adjustment shall…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” (A.R.S. § 9-462.06(G)(2))

Variances

- Legal requirements:
  - A variance may be granted only where there are special circumstances that apply to the property
  - Any hardship which is a basis for a variance must relate to the land, NOT the owner
  - A personal hardship does not justify a variance
  - The landowner's need to receive an adequate financial return on the property is not a legitimate basis for a variance
  - A variance may not be granted where the hardship was willfully and intentionally created by the landowner
  - The BOA may not grant a "use" variance, i.e.,
    - Make any changes in the uses permitted in any zoning classification or zoning district
    - Make any changes in the terms of the zoning ordinance

Variances

- Procedures: Same as for appeals

BOA administration:
BOA officers and staff

BOA officers and staff

- BOA elects Chair and Vice Chair
- Community Development Director (Zoning Administrator) assigns someone to be BOA Secretary
- Town Attorney or designee provides legal advice
- Outside counsel is sometimes appointed for BOA

  Example:
  - Town Attorney advised staff
  - Staff's interpretation is appealed to BOA

BOA administration: Agenda

Agenda

- The Secretary prepares the agenda
- The BOA is a “quasi-judicial” body; other than training and other administrative matters, its agenda items are cases brought before it

BOA administration: Parliamentary procedure

Parliamentary procedure

- The Chair manages the floor at all meetings
- Direct your questions to the applicant or speaker
- Confine questions and discussion to the issue
- Don’t interrupt another BOA member
- Limit direct speaker-audience interaction
- Debate and discuss after the hearing is closed and
  - Before a motion is made, and/or
  - Between when a motion is seconded and the vote

Parliamentary procedure

- Meetings generally follow Robert's Rules of Order, unless those rules are suspended by majority vote of the BOA
- Robert's Rules call for proceedings by motion:
  - Ask the Chair to speak: "Mr. Chair." "Board Member Smith."
  - "I move that" or "I move to"
  - Specifically state the contents of the motion
- A motion should not be discussed unless it is seconded

Parliamentary procedure

- **Main motion** – the matter before the body at the moment; may only be voted on when no other motion is pending
- **Subsidiary motions** – propose to do something to the main motion; e.g., amend, refer, lay on the table
- **Incidental motions** – relate to pending matter, usually must be dealt with before returning to main or subsidiary motion; e.g., point of order
- **Privileged motions** – take precedence over all motions; e.g., motion to recess, motion to adjourn; not debatable

- **Amending a motion**
  - Before the vote, the member who made motion may ask to amend the motion
  - Clearly state the amendment
  - If the member who seconded agrees, the motion is voluntarily amended without a vote unless another member objects
  - Before the vote, any member may make a motion to amend the motion
  - If the motion to amend is seconded, then the motion to amend takes precedence over the original main motion

- **Motion to reconsider**
  - May only be made by a member who voted on the prevailing side of the vote sought to be reconsidered
  - May be made at the same meeting as when the matter was considered or at a subsequent meeting
  - If made at a subsequent meeting, the motion to reconsider must be on the agenda
  - If the motion to reconsider is approved, the original issue is again before the BOA
  - Changed conditions may moot a motion to reconsider
    - Variance granted; appeal time has run; construction has begun
    - An interpretation is on appeal in the Superior Court

General rules that apply to all public bodies: Conflict of interest laws

Conflict of interest laws

- Purposes:
  - Remove or limit the possibility of personal influence that might bear upon an official's decision

    Yetman v. Naumann, 16 Ariz. App. 314, 317, 492 P.2d 1252, 1255 (1972)
  - Prevent self-dealing by public officials

    Maucher v. City of Eloy, 145 Ariz. 335, 338, 701 P.2d 593, 596 (App. 1985)
- If you have a "pecuniary or proprietary" interest in a case, you may not participate
  - Pecuniary: financial interest; money in or out of your pocket
  - Proprietary: property interest; helps or hurts property you own or have an interest in

Conflict of interest laws

- Exceptions
  - Nonsalaried officer of a nonprofit corporation
  - Ownership of less than 3% of the shares of a company from which you receive less than 5% of your income
  - Interest no different than a large class of persons (e.g., utility customer)
  - Others too numerous to mention (check with the Legal Department ahead of time!)

Conflict of interest laws

- When you have a conflict of interest
  - File a conflict-of-interest disclosure form with the Town Clerk
  - Explain that you have a conflict of interest when the matter is announced
  - Do not participate as a member of the BOA in the discussion of the matter
  - Step down from the dais

General rules that apply to all public bodies: Open meeting law

Open meeting law

- Purposes
  - Maximize public access to the governmental process
  - Ensure that the public's business takes place in public
- Any uncertainty under the open meeting law should be resolved in favor of openness in government
- Agenda
  - Do not discuss an item that is not on the agenda
  - At least 24 hours before the meeting, the agenda must be posted on the town's website
  - A meeting may be recessed and reconvened within 24 hours if the time and location of the reconvened meeting is stated on the record during the meeting

Open meeting law

- Don’t have an illegal “meeting”
  - A “meeting” is a “gathering, in person or through technological devices, of a quorum of members of a public body at which they discuss, propose or take legal action, including any deliberations by a quorum with respect to such action”
  - Be careful with email
    - Don’t email two other BOA members, serially or together
    - Don’t “reply all”
  - Exception: Staff sometimes provides agendas, packets, & information via email
    - When they do, don’t “reply all”

Open meeting law

- Special considerations for the BOA as a quasi-judicial body
  - The parties before you are entitled to hear and participate in all your deliberations
    - Don't talk separately to a party
    - Don't talk separately to another BOA member about a case
  - Don't discuss a particular case on social media or in casual conversation

General rules that apply to all public bodies: Public records law

Public records law

- Purposes
  - Increase public access to government information
  - Make government agencies accountable to the public
- "Public records and other matters in the custody of any officer shall be open to inspection by any person at all times during office hours" (A.R.S. § 39-121)

Public records law

- With some exceptions, the Town is required to provide anything in the Town's records or on the Town's computer system if someone makes a public records request for it
  - Don't say anything in an email that you'd be uncomfortable seeing on the front page of the newspaper
  - Comments during public meetings are public, even if no members of the public are in the audience

Questions/discussion

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BOARD OF ADJUSTMENT AND APPEALS AGENDA INFORMATION MEMORANDUM

MEETING DATE: January 13, 2026

AGENDA ITEM TYPE:

☐ Consent Agenda ☐ Informational Presentation ☐ Discussion Item
☒ Action/Decision Item ☐ Executive Session Request ☐ Other:

REQUESTING DEPARTMENT: Community Development
STAFF RESOURCE: Acting Senior Planner Cory Mulcaire

AGENDA TITLE: **Public Hearing:** Discussion, consideration and possible approval of a variance request to reduce the residential setback from 5,000 feet to 240 feet for a Wireless Communications Tower on parcel 404-15-00C, located at 4353 E Blue Heron Lane, Camp Verde, Arizona.

ATTACHED DOCUMENTS:

- Letter of Intent
- Site Plan
- Public Hearing Notice
- Section 602 of the Planning & Zoning Ordinance for Variance Applications
- Part Eight of the Planning and Zoning Ordinance for Wireless Community Facility Regulations

ESTIMATED PRESENTATION TIME: 15 minutes **ESTIMATED DISCUSSION TIME:** 30 minutes

REVIEWED BY:

☒ Town Manager ☐ Legal ☐ Risk Management ☐ Finance ☐ Other:

BACKGROUND INFORMATION:

The applicant, Tiffany Passehl, on behalf of the property owner, Fedel Mackleprang Living Trust, has applied for a variance from the required setback standards for a Wireless Communication Tower abutting a residential zoning district on parcel 404-15-00C. The current requires a setback of 5,000 feet next to residential areas. The applicant is seeking a variance to reduce the setback to 250 feet. The Town's Planning & Zoning Ordinance requires a 5,000-foot setback for wireless facilities abutting residential areas. The applicant is requesting a variance to allow a reduced setback of 250 feet.

The proposed facility would be located at 4353 E. Blue Heron Lane, Camp Verde, within the Verde Lakes area. According to the applicant and supported by Town staff, all other feasible locations to improve wireless coverage in this service area have been evaluated and exhausted due to zoning limitations, topography, access constraints, and coverage deficiencies. Based on these factors, the subject site has been identified as the most appropriate and effective location to address existing service gaps and improve connectivity.

The proposed wireless facility would consist of a 105-foot monopole with a 4-foot lightning rod, situated within a 100-foot by 100-foot lease area. The property owner has authorized the installation. The proposed wireless facility is intended to enhance service reliability and network capacity for residents, visitors, and businesses in the Verde Lakes area. Of particular importance is the significant public safety

benefit associated with improved wireless coverage. The Verde Lakes area has documented communication challenges for the Camp Verde Marshal's Office, to the extent that the Town is planning to install a radio repeater to help bolster signal coverage for emergency response. Improved wireless infrastructure at this location would directly support law enforcement, fire, and other emergency services by strengthening communication capabilities in an area where reliable service is critical.

Construction of the Wireless Communications Facility may result in temporary increases in vehicular traffic related to construction activities. However, once operational, the facility is not expected to generate ongoing traffic, noise, or other nuisances. All ground-mounted equipment will be fully enclosed within a 50-foot by 50-foot concrete compound, secured by an 8-foot chain-link fence, minimizing visual and operational impacts.

The facility has been designed to maintain compatibility with surrounding land uses. The nearest residential parcel is located approximately 240 feet from the proposed tower. The site is also located approximately 980 feet from State Route 260; however, this frontage does not abut a residential zoning district and, as such, meets the Town's required setback standards. Therefore, no variance is required for the setback from State Route 260.

APPROVAL CRITERIA PER TOWN PLANNING & ZONING ORDINANCE, SECTION 602.A & B

A. **Variances**

1. **A variance for the Planning and Zoning Ordinance shall not be granted by the Board unless and until a public hearing has been conducted pursuant to Section 602.C, and until the property owner in a written appeal and public hearing demonstrates and the Board finds all the criteria required by subsections a. through e. have been met:**

   a. **That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures of buildings in the same District.**
   Staff Response: Due to the existing development pattern, zoning configuration, and proximity of residential districts, there are no feasible sites within the Verde Lakes area that can accommodate the required 5,000-foot setback from residential zoning while still meeting the technical and service requirements necessary for a wireless communications facility. These constraints are specific to this location and are not generally applicable to other properties within the district.

   b. **The literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same District under the terms of the Zoning Ordinance.**
   Staff Response: A strict application of the setback standard would effectively preclude the development of a wireless communications facility in the Verde Lakes area. Denial of the variance would not only prevent the proposed facility but would also delay or inhibit improved wireless connectivity for residents, businesses, and emergency services in the area.

c. **That the alleged hardships are caused by literal interpretation of the provisions of the Zoning Ordinance include more than personal inconvenience and financial hardship and do not result from actions that are self-imposed or for economic gain by the applicant.**
Staff Response: The hardship is not self-created and does not result from the actions of the applicant. Rather, it is a consequence of the limited availability of appropriately zoned and suitably located properties capable of meeting the required setback standards within the service area.

d. **The granting the variance requested will not confer upon the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures of buildings in the same District.**
Staff Response: Approval of the variance would not grant a special privilege but would allow the applicant to provide a necessary and widely utilized service to the Verde Lakes area. The facility would remain subject to all other applicable development standards, permitting requirements, and operational regulations imposed by the Planning & Zoning Ordinance.

e. **That granting the variance requested will not interfere or injure the rights of other properties in the same District.**
Staff Response: The proposed facility, as designed and conditioned, will not interfere with or injure the rights of neighboring properties. Mitigation measures, including setback placement, equipment screening, and limited ongoing operational impacts, ensure compatibility with surrounding land uses and protect the character of the area.

2. **The Board MAY NOT:**

a. **Make any changes in the uses permitted in any zoning classification or zoning District, or make any changes in the terms of the Zoning Ordinance, provided the restriction in this paragraph shall not affect the authority to grant variances pursuant to this article.**
Staff Comments: Granting the requested variance does not modify permitted uses or amend zoning regulations. The proposed wireless communications facility remains subject to the applicable Use Permit and all requirements of the Planning and Zoning Ordinance.

b. Grant a variance if the special circumstances applicable to the property are self-imposed by the owner.
Staff Response: The special circumstances associated with this request are not self-imposed. They result from the limited availability of appropriate sites within the Verde Lakes area that can meet setback requirements while providing adequate service coverage, rather than from any action or decision made by the property owner or applicant.

STAFF RECOMMENDATIONS

Staff finds that the requested variance is supported by the demonstrated lack of alternative sites, the essential nature of wireless infrastructure, the public safety benefits associated with improved

emergency communications, and the proposed mitigation measures intended to reduce visual and operational impacts. Based on these factors, the requested setback reduction is considered reasonable and necessary to achieve the intended service improvements. Accordingly, Town staff recommends approval of the variance request.

QUESTION(S) BEFORE THE BOARD:

- Does the Board have any questions regarding this variance application for Town Staff?
- Does the Board determine that this variance request meet the requirements of the Planning and Zoning Ordinance?

PROPOSED MOTION:

Motion to **APPROVE** the variance request to reduce the residential setback from 5,000 feet to 240 feet for a Wireless Communications Tower on parcel 404-15-00C, located at 4353 E Blue Heron Lane, Camp Verde, Arizona.

OR

Motion to **DENY** the variance request to reduce the residential setback from 5,000 feet to 240 feet for a Wireless Communications Tower on parcel 404-15-00C, located at 4353 E Blue Heron Lane, Camp Verde, Arizona.

Tiffany Passehl
[redacted]
Mesa, AZ 85201
([redacted]

Date of Preparation: 08/20/2025

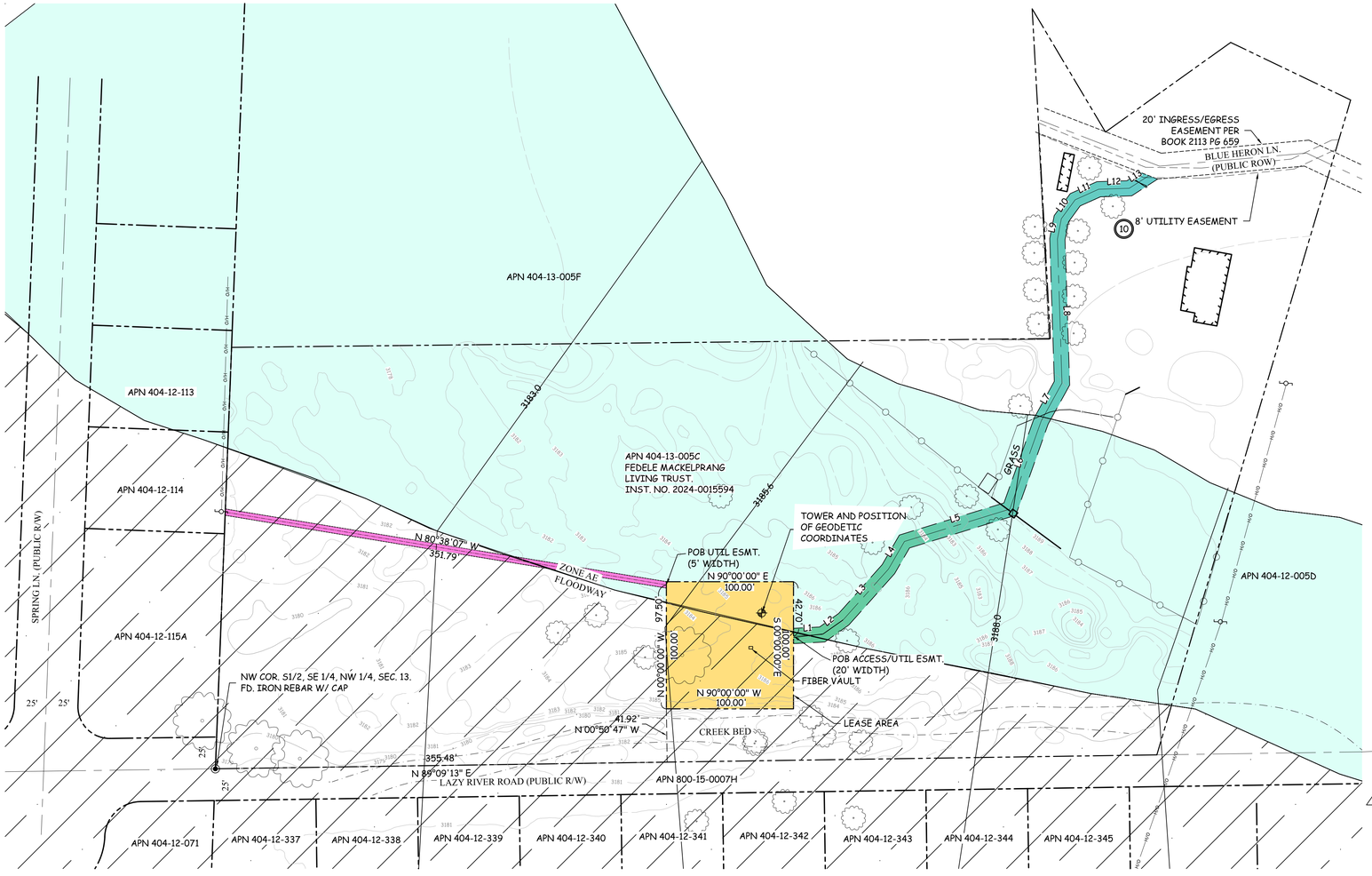
Planning & Zoning Department
Town of Camp Verde
473 S. Main Street
Camp Verde, AZ 86322

Physical Address: 4353 E Blue Heron Ln, Camp Verde, 86322
Parcel Number: 404-13-005C

Vertical Bridge is committed to improving coverage and expanding network capacity to meet customer demand throughout Yavapai County. Vertical Bridge is proposing to install a new 105'-0" monopole with a 4'-0" lightning rod, in a 100' x 100' lease area, on parcel 404-13-005C at (34.520077, -111.778322). The owner of the parcel, Fedele Mackelprang Living Trust & Fedele Gregory, has approved the installation of the new cell tower.

Tiffany Passehl, as the applicant, will be submitting all required documents on behalf of Vertical Bridge. This wireless facility will provide residents, visitors, and businesses with high-quality reliable wireless service for both personal and business purposes but also enhances emergency services, which is vital to the safety of the surrounding community.

There may be an increase in vehicular traffic due to construction of the Wireless Cell Facility (WCF) and creating access roads to the WCF. There will not be any nuisance from the WCF nor will the WCF have a significant effect on property value. The WCF will have compatibility with surrounding structures as the closest parcel located to the facility is ~240 ft. away and ~980 ft. away from Hwy 260. Vertical Bridge will effectively manage and prevent behavior that could disturb others with the building of this WCF. All ground equipment will be concealed within a 50' x 50' concrete compound with 8'-0" chain link fences.



N 9° 51' MAG-N

LEASE AREA LEGAL DESCRIPTION

COMMENCING AT AN IRON REBAR WITH CAP MARKING THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, T.13N, R.5E, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY;
THENCE NORTH 89°09'13" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF A DISTANCE OF 355.48 FEET;
THENCE DEPARTING SAID LINE NORTH 00°50'47" WEST A DISTANCE OF 41.92 FEET TO THE POINT OF BEGINNING;

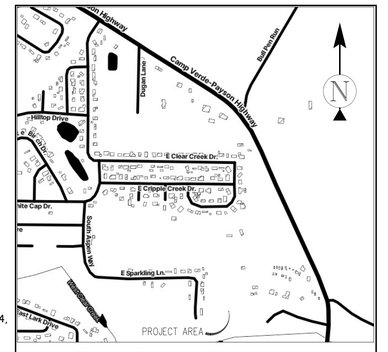
THENCE NORTH 00°00'00" WEST A DISTANCE OF 100.00 FEET;
THENCE NORTH 90°00'00" EAST A DISTANCE OF 100.00 FEET;
THENCE SOUTH 00°00'00" EAST A DISTANCE OF 100.00 FEET;
THENCE NORTH 90°00'00"WEST A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

5' WIDE UTILITY EASEMENT LEGAL DESCRIPTION

COMMENCING AT AN IRON REBAR WITH CAP MARKING THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, T.13N, R.5E, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY;
THENCE NORTH 89°09'13" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF A DISTANCE OF 355.48 FEET;
THENCE DEPARTING SAID LINE NORTH 00°50'47" WEST A DISTANCE OF 41.92 FEET;
THENCE NORTH 00°00'00" WEST A DISTANCE OF 97.50 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A 5.00 FOOT WIDE UTILITY EASEMENT, OFFSET 2.50' FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;

THENCE NORTH 80°38'07" WEST A DISTANCE OF 351.79 FEET TO THE POINT OF TERMINUS.

LEGAL DESCRIPTIONS



VICINITY MAP – N.T.S.

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 ft.

LINE	BEARING	DISTANCE
L1	N 87°03'03" E	22.59'
L2	N 54°44'59" E	20.81'
L3	N 41°43'28" E	52.82'
L4	N 30°06'28" E	25.12'
L5	N 72°55'32" E	86.74'
L6	N 19°35'53" E	73.59'
L7	N 28°49'46" E	33.95'
L8	N 01°49'46" W	113.43'
L9	N 11°02'27" E	16.30'
L10	N 36°07'58" E	18.44'
L11	N 65°49'28" E	20.25'
L12	N 88°15'41" E	24.11'
L13	N 57°08'33" E	18.33'

LEGEND

POB	POINT OF BEGINNING	0000.0 N&E	SPOT ELEVATION
POT	POINT OF TERMINUS		POSITION OF GEODETIC COORDINATES
PUE	PUBLIC UTILITY EASEMENT	WV	WATER CONTROL VALVE
ROW	RIGHT OF WAY	FH	FIRE HYDRANT
DW	DRIVEWAY		POWER POLE
SW	SIDEWALK		
BCHH	BRASS CAP IN HANDHOLE	SS	SEWER CLEAN OUT
BCFL	BRASS CAP FLUSH	SS	SEWER MANHOLE
			FOUND AS NOTED

OHE OHE OHE — OVERHEAD ELECTRIC
PROPERTY LINE
BARBED WIRE FENCE

PARENT PARCEL LEGAL DESCRIPTION

PARCEL NO. 1:

A PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 13 NORTH RANGE 5 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMMENCING AT THE NORTHEAST CORNER OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

THENCE SOUTH 01°33'39" WEST, A DISTANCE OF 668.21 FEET TO THE SOUTHEAST CORNER OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

THENCE SOUTH 89°13'05" WEST, ALONG THE SOUTH BOUNDARY OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 618.73 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89°13'05" WEST, A DISTANCE OF 740.82 FEET TO THE SOUTHWEST CORNER OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

THENCE NORTH 02°15'15" EAST, ALONG THE WEST BOUNDARY OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 331.73 FEET;

THENCE NORTH 89°26'48" EAST, A DISTNACE OF 644.32 FEET;

THENCE NORTH 03°05'47" WEST, A DISTANCE OF 259.75 FEET;

THENCE SOUTH 30°41'42" EAST, A DISTANCE OF 112.76 FEET;

THENCE NORTH 54°29'40" EAST, A DISTANCE OF 121.14 FEET TO THE CENTER OF THE CLEAR CREEK DITCH;

THENCE SOUTH 64°18'17" EAST, ALONG THE CENTER OF SAID DITCH A DISTANCE OF 104.67 FEET;

THENCE 16°33'09" WEST, A DISTANCE OF 537.22 FEET TO THE TRUE POINT OF BEGINNING.

FEMA FLOOD INFORMATION

MAP NUMBER	COMMUNITY NUMBER	PANEL #	SUFFIX	PANEL DATE	FIRM ZONE
04025C2195G	*040131*	*2195*	*G*	*9/3/2010*	*AE*

SCHEDULE B EXCEPTIONS:

TITLE REPORT ORDER #VTB-203186-C, ISSUED BY TOWER AGENCY, LLC DATED 12/16/24.

EXCEPTIONS 1 - 9 ARE GENERAL AND THEREFORE NOT PLOTTED

9. RIGHTS OF FEE SIMPLE OWNERS IN AND TO THE SUBJECT PROPERTY. GENERAL EXCEPTION

10. UTILITY EASEMENT BETWEEN GREGORY PETER FEDELE, AN UNMARRIED MAN AND STACY MACKELPRANG, AN UNMARRIED WOMAN; AND ARIZONA PUBLIC SERVICE COMPANY, AN ARIZONA CORPORATION, DATED JUNE 17, 2008 AND RECORDED JUNE 24, 2008 IN (BOOK) 4604 (PAGE) 721, IN YAVAPAI COUNTY, ARIZONA. PLOTTED

(#) SCHEDULE B EXCEPTION NUMBER PER TITLE REPORT

1-A ACCURACY CERTIFICATION

THE HORIZONTAL ACCURACY OF THE LATITUDE AND LONGITUDE AT THE CENTER OF EACH SECTOR FALLS WITHIN FIFTEEN (15) FEET. THE ELEVATIONS (NAVD88) OF THE GROUND AND FIXTURES FALL WITHIN THREE (3) FEET.

CENTER OF MONOPOLE TOWER (NAD83)
LATITUDE 34° 31' 12.28" NORTH
LONGITUDE 111° 46' 41.96" WEST
ELEVATION 3185.5' (NAVD88)

CENTER OF FIBER VAULT (NAD83)
LATITUDE 34° 31' 12.01" NORTH
LONGITUDE 111° 46' 42.06" WEST
ELEVATION 3185.7' (NAVD88)

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
28719
JEFF R.
COOK
Date Signed
ARIZONA, U.S.A.

EXPIRES: 3/31/2028

20' WIDE ACCESS/UTILITY EASEMENT LEGAL DESCRIPTION

A 20' WIDE ACCESS AND UTILITY EASEMENT SITUATED IN THE NORTHWEST QUARTER OF SECTION 13, T. 13N, R.5E, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YAVAPAI COUNTY, ARIZONA,COMMENCING AT AN IRON REBAR WITH CAP MARKING THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13;
THENCE NORTH 89°09'13" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF A DISTANCE OF 355.48 FEET;
THENCE DEPARTING SAID LINE NORTH 00°50'47" WEST A DISTANCE OF 41.92 FEET;

THENCE NORTH 00°00'00" EAST A DISTANCE OF 100.00 FEET;
THENCE NORTH 90°00'00" EAST A DISTANCE OF 100.00 FEET;
THENCE SOUTH 00°00'00" EAST A DISTANCE OF 42.70 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF SAID EASEMENT, LYING 10.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE;
THENCE NORTH 87°03'03" EAST, 22.59 FEET;
THENCE NORTH 54°44'59" EAST, 20.81 FEET;
THENCE NORTH 41°43'28" EAST, 52.82 FEET;
THENCE NORTH 30°06'28" EAST, 25.12 FEET;
THENCE NORTH 72°55'32" EAST, 73.59 FEET;
THENCE NORTH 28°49'46" EAST, 33.95 FEET;
THENCE NORTH 01°49;46" WEST, 113.43 FEET;
THENCE NORTH 11°02'27" EAST, 16.30 FEET;
THENCE NORTH 36°07'58" EAST, 18.44 FEET;
THENCE NORTH 65°49'28" EAST, 20.25 FEET;
THENCE NORTH 88°15'41" EAST, 24.11 FEET;
THENCE NORTH 57°08'33" EAST, 18.33 FEET TO THE SOUTHERLY LINE OF THE INGRESS/EGRESS EASEMENT RECORDED IN BOOK 2113 OF OFFICIAL RECORDS, PAGE 659 OF YAVAPAI COUNTY RECORDERS OFFICE AND BEING THE POINT OF TERMINUS.

I hereby certify to: Vertical Bridge REIT, LLC, a Delaware limited liability company, its subsidiaries, and their respective successors and/or assigns; and (ii) Toronto Dominion (Texas) LLC, as Administrative Agent, for itself and on behalf of the lenders parties from time to time to that certain Second Amended and Restated Loan Agreement dated June 17, 2016 with Vertical Bridge Holdco, LLC, as borrower, and Vertical Bridge Holdco Parent, LLC, as parent, as may be amended, restated, modified or renewed, their successors and assigns as their interests may appear; and Tower Agency, LLC.

SIGNED _____ 6/06/25
JEFF R. COOK / AZ Reg. No. 28719 Date
My License renewal date is March 31, 2028

BENCHMARK

ELEVATIONS WERE ESTABLISHED FROM PROCESSING GPS DATA WITH AND CONSTRANING TO NGS "CORS" STATIONS AND APPLYING GEOID12b SEPARATIONS AND ARE AT NAVD88 DATUM

BASIS OF BEARINGS

BEARINGS SHOWED HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM *ARIZONA CENTRAL ZONE*, DETERMINED BY GPS OBSERVATIONS.

SURVEY DATE

3/06/2025

SURVEYOR'S NOTES

SURVEY PREPARED FOR VB BTS II, LLC

ALL EASEMENTS CONTAINED WITHIN SAID TITLE REPORT AFFECTING THE IMMEDIATE AREA SURROUNDING THE LEASE HAVE BEEN PLOTTED (EXCEPT FOR ROOFTOPS). SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE ISSUED.

THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.

AT THE TIME OF THE SURVEY, NO ENCROACHMENTS WERE DISCOVERED THAT AFFECTED THE VB LEASE OR EASEMENT AREAS. VB LEASE AND VB EASEMENT LIE ENTIRELY WITHIN THE PARENT PARCEL.

THE ACCESS AND UTILITY EASEMENT ADJOINS TO A PUBLIC RIGHT OF WAY.

UTILITY NOTES

SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT BLUE STAKE AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION, REMOVAL, RELOCATION AND/ OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

PROJECT INFORMATION

The Towers LLC

vertical bridge

750 PARK OF COMMERCE DRIVE, SUITE 200
BOCA RATON, FL 33487
(561)-948-6367

PLANS PREPARED FOR:

State 48 Development Consulting

WWW.STATE48CONSULTING.COM
14301 N. 87th STREET #105
SCOTTSDALE, AZ 85206
480-242-2477 602-821-3567

PLANS PREPARED BY:

Western Geomatics Services

2925 E Riggs Rd Suite 8-191
Chandler, AZ 85249
(480) 656-7912 office
(480) 219-5195 fax

PROJECT NUMBER	DRWN BY	CHK'D BY
US-AZ-5326	CB	JC

REVISIONS

0	6/6/25	SUBMITTAL

SITE NAME

US-AZ-5326
AZ2_ERGODIC

SITE ADDRESS

4353 E. BLUE HERON LN.
CAMPE VERDE, AZ 86322

SHEET TITLE

SITE SURVEY

SHEET NUMBER

LS-1

Public Notice to be published Tuesday December 23 and Saturday December 27, 2026: The Town of Camp Verde Board of Adjustment and Appeals is holding a Public Hearing. The public hearing will be held January 13, 2026, at 3:00 pm in the Town Council Chambers at 473 South Main Street in Camp Verde, AZ. The purpose of the hearing is to consider a Variance for parcel 404-13-005C, located at 4353 E Blue Heron Lane. The variance is requesting a setback variance for a wireless communication tower.

For questions or more information, please contact Camp Verde Community Development at 928.554.0066 or cory.mulcaire@campverde.az.gov.

TAG: This notice is for Community Development Department

Town of Camp Verde

Community Development Department

♦ 473 S. Main Street, Suite 108 ♦ Camp Verde, Arizona 86322 ♦
♦ Telephone: 928.554.0050 ♦ www.campverde.az.gov ♦

December 11, 2025

Dear Landowner:

You are receiving this letter because a landowner within 300 feet of your parcel has submitted an application to the Town of Camp Verde which requires a public hearing. This request will be heard by the Board of Adjustment and Appeals on:

Public Hearing:
Tuesday, January 13, 2026, at 3pm
in the Council Chambers, 473 S. Main Street, Camp Verde, AZ.

Application No: VAR-25-0056

Applicant/Owner: Kaylee Moore; State 48 Development Consulting on behalf of property owner Gregory Fedele

Request: The property owners have applied for a Variance to the setbacks of a wireless communication tower

APN: 404-13-005C

Address: [redacted] Camp Verde, Az 86322

Zone: RR-2A

The agenda with accompanying documentation will be available on the Town web site approximately 1-week prior to the meeting. It may be found at: https://www.campverde.az.gov/departments/boards-commissions/planning-zoning-commission

This is a public meeting which you may attend and be heard regarding this matter.

Additional information may be obtained by contacting the Community Development Department at (928) 554-0066, or by emailing cory.mulcaire@campverde.az.gov. Written comments may be dropped off at the Community Development Office, located at 473 S. Main Street, Suite 108, or may be mailed to the Department at 473 S. Main Street, Suite 108, Camp Verde, AZ 86322.

Comments received, will be included in the packet for the Board Members. Comments received after the above date will be given to members at the meeting.

Respectfully,

Cory L Mulcaire
Cory Mulcaire, Acting Senior Planner
Community Development, Town of Camp Verde
cory.mulcaire@campverde.az.gov or (928) 554-0066

cc: Project File

BOARD OF ADJUSTMENT
AND APPEALS
PUBLIC HEARING
SETBACK VARIANCE
WIRELESS TOWER
473 S MAIN ST. STE
108
TUESDAY
JANUARY 13, 2015
3:30 PM
404-13-8052
4353 E BLUE HERON
LANE
CAMP VERDE, AZ

SECTION 602 – ZONING ADJUSTEMENTS

Zoning matters decided by the Board of Adjustment and Appeals are intended to apply to specific properties or actions. Such decisions are not regarded as strict precedents; however, they may be considered in future matters under similar circumstances.

A. Variances

1. A variance from the Planning and Zoning Ordinance shall not be granted by the Board unless and until a public hearing has been conducted pursuant to Section 602.C, and until the property owner in a written appeal and at the public hearing demonstrates and the Board finds that all criteria required by subsections a. through e. have been met:

    a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same District;

    b. That literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same District under the terms of the Zoning Ordinance;

    c. That the alleged hardships caused by literal interpretation of the provisions of the Zoning Ordinance include more than personal inconvenience and financial hardship and do not result from actions that are self-imposed or for economic gain by the applicant;

    d. The granting the variance will not confer upon the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures or buildings in the same District; and

    e. That granting the variance requested will not interfere or injure the rights of other properties in the same District.

2. The Board MAY NOT:

    a. Make any changes in the uses permitted in any zoning classification or zoning District, or make any changes in the terms of the Zoning Ordinance, provided the restriction in this paragraph shall not affect the authority to grant variances pursuant to this article.

    b. grant a variance if the special circumstance applicable to the property are self-imposed by the owner.

B. Appeals from Administrative Decisions

The Board, on deciding appeals from decisions of the Community Development Director (Zoning Administrator), is responsible for interpreting the meaning and equitable application of the Zoning Ordinance.

1. Appeals to the Board may be filed by persons aggrieved or by any officer, department, board or bureau of the Town affected by a decision of the Community Development Director, within a period of 45 days by filing, in writing, with the Community Development Director and with the Board, a notice of appeal specifying the grounds thereof.

2. The Community Development Director shall immediately transmit all records, pertaining to the action appealed, to the Board.

3. An appeal stays all proceedings in the matter appealed, unless the Community Development Director

verifies to the Board after the notice of appeal is filed, that by any reason of facts stated in the certificate, a stay would cause imminent peril to life or property. Upon such certification, proceedings shall not be stayed other than by a restraining order granted by the Board or by a court of record on application and notice to the Community Development Director.

4. A person aggrieved by a decision of the Board, or a tax payer or municipal officer may, at any time within 30 days after the Board has rendered its decision, file a complaint in the Superior Court to review the decision. Filing of the complaint shall not stay proceedings upon the decision appealed, but the court may, on application, grant a stay, and on final hearing may reverse or affirm wholly or partly, or may modify the decision received.

C. Hearings

The Board shall fix a reasonable time for the public hearing of an appeal; and shall give public notice thereof, by both publication in a newspaper of general circulation in accordance with ARS 9-462.04 as it exists now or as it is amended from time to time, and by posting notices in conspicuous places close to the property affected, as well as due notice to the parties in interest, including first class mail notice to all owners of record of properties located within 300 feet of the subject property.

1. At the public hearing, any applicant may appear in person or by representative, and may present their appeal orally or by documentary materials, and submit rebuttal as may be necessary.

2. The chair shall have the power to administer oaths and take evidence in accordance with ARS 9-462.06, as may be amended.

3. The Board shall reach its decision within a reasonable time.

Planning & Zoning Ordinances

And Subdivision Regulations

PART EIGHT. WIRELESS COMMUNICATION FACILITY REGULATIONS

SECTION 800 – ADMINISTRATION

1. Purpose & Intent:

The purpose of this ordinance is to provide for the development of wireless communication services throughout the Town of Camp Verde while protecting the public health, safety, welfare, and property of the citizens and to ensure the community's remarkable scenic, wildlife, historic and cultural qualities.

2. Conformance with Applicable Ordinances:

This Ordinance shall be an addendum to the Camp Verde Zoning Ordinance. All wireless communications facilities shall conform to this Ordinance except those used solely for transmission and receipt by a single user and not otherwise restricted within that zoning district, including but not limited to amateur radio an devices necessary for the use of a subscription to a commercial wireless provider service.

In accordance to the Telecommunications Act of 1996, no legal statute or regulation, or local legal requirements, may prohibit or have the effect of prohibiting the ability of an entity to provide any interstate or intrastate telecommunications.

SECTION 801 – DEFINITIONS

As used in this section, the following terms shall have the following meanings:

Alternative tower structure: vertical components not generally designed for use as antenna support structures including but not limited to structures such as church steeples, ballpark light poles and water towers.

Antenna: any exterior device for transmitting and receiving wireless communication mounted on a tower, alternative tower structure, building or structures and used for transmitting and receiving wireless communication for a fee to more than one customer at a time.

Antenna, attached: an antenna mounted on the exterior of an existing building, silo, smokestack, water tower, utility or power pole, existing wireless communication tower, or an alternative support structure.

Antenna, concealed (stealth): an antenna with a support structure that screens or camouflages the presence of antennas and/or towers from public view, in a manner appropriate to the site's context and surrounding environment. Examples of concealed antennas include but are not limited to manmade trees, clock towers, flagpoles that do not

exceed ten feet above the maximum building height, light structures, steeples, water tanks, and architectural façade and parapet features.

Arbitrator: person designated by the American Arbitration Association to resolve a dispute.

Certification: A written statement of the fact to be certified made under oath by the applicant or licensed professional working for the applicant and notarized.

Collocation: use by two or more wireless communication providers located on the same tower or alternative tower structure.

Commercial Coverage: a single FCC licensee's network of wireless communications facilities providing a level of service to all areas of the community which, when fully developed, will permit viable commercial operation.

FAA: Federal Aviation Administration

Facility, Existing: a wireless communication facility in active use and for which a building permit has been properly issued and has not expired before the effective date of this section.

Facility, New: a wireless communication facility in active use and for which a building permit has been properly issued and has not expired before the effective date of this section.

FCC: Federal Communications Commission

Financial Assurance: bond, cash, contract or other acceptable document on file with the Town, submitted by the applicant guaranteeing the return of the site to a condition approved by the Town.

Height: the distance from the finished grade at the antenna tower base to the highest point of the tower. Overall tower height includes the base pad, mounting structures, panel antennae, lightning rods, and whip antennae.

Person: includes a corporation, company, partnership, firm, association or society, as well as an individual property owner.

Planning and Zoning Department: the Director of the Planning and Zoning Department for the Town of Camp Verde and his/her designated representative.

Proposed Site: Boundaries of the parcel proposed for development.

Residence: a home, abode, or place where an individual is actually living at a specific point in time.

Residential: suitable or used for a residence.

Site Facility: property as defined by parcel boundaries of where the facility is located.

Tower Lattice: a self-support structure, erected on the ground, which consists of cross bracing of structural steel to support antennae and related equipment.

Tower Monopole: a self-support structure, with a single shaft of wood, steel, or concrete, and a platform for antenna arrayed at the top known as a "top hat".

Use, permanent: the active daily use of antennae for the commercial transmission and receipt of wireless communication intended at the time of its installation and approved to be actively used for a permanent basis.

Use, temporary: the active daily use of antennae for the commercial transmission and receipt of wireless communication intended at the time of its installation and approved to be actively used for a specific period of time.

Use, single: a single dwelling or single business.

Wireless Communication: any technology for transmitting communication through air.

Wireless Communication Facility: any combination of one or more antenna, tower and/or structures or equipment used for the transmission of wireless communication.

Wireless Communication Provider: any FCC licensed service provider for the Town of Camp Verde, and any supplier of wireless communication facilities for those providers.

SECTION 802 – GENERAL PROVISIONS

The following are applicable to all wireless communication requests:

1. Camouflaging:

a. Improvements consisting of a wireless communication facility including tower structure, antennae and related electrical and mechanical equipment, shall, to the extent possible, use materials, colors, textures, screening, landscaping, and terrain to blend to them into the natural and surrounding setting, unless subject to any applicable standards of the FAA.

b. The specific requirements for camouflaging will be determined on a case by case basis depending on the proposed location.

2. Collocation:

a. Priority will be given, after a complete and correct application, fee and all required documentation and information is filed, to applicants who collocate on Town facilities.

b. Wireless communications facilities located on property owned, leased, or controlled by The Town of Camp Verde pursuant to agreement of or approved by the Town of Camp Verde shall be a permitted use in all zoning districts, except residential districts, with a zoning clearance.

c. An applicant who certifies in writing that the tower constructed is suitable for collocating multiple providers of varying wireless technologies and. As a condition of zoning, executes a written agreement (collocation agreement) with the Town of Camp Verde on a form approved by the Town Attorney, consenting to application of the terms of this provision, shall, unless, waived by the applicant, receive preferential treatment for a final approval or rejection of its application after a complete and correct application, fee and all required documentation and information is filed.

d. Proposed antenna facilities, including concealed antennas, shall be designed to accommodate not only equipment for the applicant's use, but also for the collocation for at least one additional wireless communications provider for every 30' of height proposed. The Town Council may reduce the required shared capacity, if a facility necessary to provide for such collocation, adversely alters the area's visual character.

e. Collocation Agreement: The collocation agreement shall provide for at least the following:

1) The applicant shall accept for collocation any FCC licensed wireless communication provider (additional user) using any compatible technology on commercially reasonable terms considering all of the factors a reasonable tower leasing company would deem relevant in entering into such an agreement.

ii. Any additional user seeking collocation shall submit specifications for its equipment and use (request to the applicant and applicant shall, within 30 days thereafter, respond to such party in writing, furnishing all technical requirements which must be resolved before collocation.

iii. The applicant and the additional user shall, thereafter in good faith, attempt to resolve any technical or business terms. If, after 30 days from the response, the additional user may submit in writing a request for arbitration to applicant and the American Arbitration Association which shall designate a person knowledgeable in collocation of wireless communication carriers, to act as arbitrator and decide all issues between the parties. Such arbitration shall be held within 30 days of the request for arbitration. Upon written agreement of both parties, a different procedure for binding dispute resolution may used. The result of the arbitration or other resolution method agreed to by the parties shall be binding.

iv. If the arbitrator certifies in writing the Town of Camp Verde that the application has failed to comply the decision of the arbitrator within 15 days of its issuance by the arbitrator, the use permit or administrative approval for the wireless communication facility in question shall be terminated and the wireless communications facility shall be removed within 30 days of the date of the arbitrator's certification, failing which, The Town of Camp Verde shall have all of the remedies available to it for elimination of a use in violation of the zoning code;

v. The additional party, upon submitting the request shall become a third party beneficiary to the collocation agreement.

vi. The Town of Camp Verde shall not be a party to any contract between the applicant and the additional part and shall not be made a party to any dispute or arbitration and applicant shall indemnify, defend and hold The Town of Camp Verde harmless from any cost, including reasonable attorney fees associated with such matters.

vii. A lease or other agreement containing the business terms proposed by the applicant for collocation shall be attached as an exhibit to the collocation agreement.

3. Height Limitations

Collocations on towers or structures are allowed on a 15' height increase above the standard height restrictions for the second, third, and fourth collocations.

4. Lot Size

For purposes of determining whether the installation of a tower or antenna complies with district development regulations, even though the antennas or towers may be located on a separately leased

portion of the lot, the density district requirements of the entire overall lot shall control requirements, including but not limited to setbacks, lot coverage percentages, and other such requirements.

5. Equipment shall not generate noise levels that exceed 45 DA Sound Pressure Level (SPL) on directly adjacent properties. This maximum sound level does not apply to generators used in emergency situations when the regular power supply is temporarily interrupted and noise made during the regular maintenance and upkeep of the facility and site.

6. Principal or Accessory Use

Antennas and towers may be considered either principal or accessory uses to the principal use of the property.

7. Setbacks

a. Setbacks and separation distances shall be calculated and applied irrespective of municipal and county jurisdictional boundaries.

b. Tower facilities must be set back from any lot line at least 100 percent of the height of the tower unless a greater setback is required for the particular zoning district: i.e., the reclining length of any tower must be located on the lot so that in the case of collapse, the tower must be located on the lot so that in the case of collapse, the tower would be contained within the bounds thereof.

Tower facilities must be located no closer than 5,000 feet to residential zones.

c. Guys and accessory structures must satisfy the minimum zoning district setback requirements.

d. Facilities that are located on existing or replaced streetlights, traffic signal poles or electrical utility pole are exempt from any setback requirements.

8. All wireless communication facilities shall be maintained in compliance with applicable state or local building codes under which they were constructed and any regulations of the FAA, the FCC, and any other federal government agency with the authority to regulate them or their components. If such Federal standards and regulations are changed, then the owners of the wireless communication facilities governed by this chapter, which are applicable to these new federal standards shall bring such towers and antennas into compliance with such revised standards and regulations within three months of the effective date of such standards and unless a different compliance schedule is mandated by controlling law. Wireless communications facilities that are not in compliance, shall be removed at the owner's expense if not brought into compliance within 30 days after written demand by the Town of Camp Verde.

9. Wireless communications facilities shall be regulated and permitted pursuant to this Section and shall not be regulated and permitted pursuant to this section and shall not be regulated or permitted as essential services, public utilities, or private utilities.

10. Zoning Districts

a. All other locations must be exhausted before a wireless communication facility applies for location in a residential zone.

b. Except as provided in this section, all buildings and uses processes and requirements, including height restrictions, applicable in the zoning district shall apply to wireless communication facilities.

11. Above ground equipment shall be enclosed by concrete masonry unit walls with landscaped screening, if located within 1,000 feet of existing residences.

12. Camp Verde Fire Department and Camp Verde Fire Marshal's Office shall have access to the exterior and interior via keys or other method in case of emergency.

SECTION 803 – MODIFICATIONS

No existing wireless telecommunications facility may be changed or modified except as follows:

1. The change or modification is required by a change in user technology.

2. The change is required for the collocation of additional carriers on the existing structure.

3. The change does not increase the height of the tallest component above the height approved in the use permit, administrative approval, or in the case of a pre-existing facility, its then current height.

4. At the conclusion of the change or modification, the facility complies with all requirements of the Town of Camp Verde Community Development Department.

5. An explanation is submitted to the Planning and Building Director stating the modification is necessary, and an updated Provider's Communication Plan, including any proposed changes in the service areas, antennae, towers, and policy direction is provided.

SECTION – 804 PROHIBITIONS

1. Lighting

Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the application shall contain a list of optional light devices and a statement of the reason for selection of the light device specified over each of the options.

2. Signs

No signs shall be allowed at a facility with the exception of a single one (1) square foot sign providing emergency contact numbers for the facility.

3. Wireless communications facilities shall not be installed in environmentally sensitive areas, including but not limited to any riparian or watercourse areas.

SECTION 805 – PROVIDERS COMMUNICATION PLAN

1. Each wireless communication provider shall provide a plan of its facilities within the Town's area of interest to the Twon of Camp Verde prior to any application for the installation of a wireless communication facility. The plan shall cover the entire Town extending five (5) miles beyond the Town border. The plan shall include the following.

a. All of the provider's existing wireless communication facilities, by size, type and their coverage areas.

b. All presently anticipated future service areas, anticipated deployment date, and types of wireless communication facilities and heights desired for each of the service areas.

c. The various types of wireless communication facilities used by the provider to furnish service and when they are used. This includes drawings providing the sizes and shapes of the antennae and equipment as well as written materials describing their application.

d. The provider's policy direction for the mitigation and/or reduction of existing and proposed towers to avoid the proliferation of such facilities.

e. The provider's policy direction on the mitigation and/or reduction of the negative visual impact created by existing towers, including any proposals to conceal or disguise such facilities designed to be architecturally and/or environmentally compatible with their surroundings.

f. The provider's policy direction on collocation of antennae on their own facilities, on facilities from other provider's, or on other structures that provide the vertically required to this Section.

2. Designation of agent of the provider who is authorized to receive communications and notices pursuant to this Section.

SECTION 806 – APPLICATION SUBMITTAL AND REVIEW

1. General

The following provisions shall govern the issuance of permits for towers or antennas:

a. If the wireless communication facility is not a permitted use, then an administrative approval or a use permit shall be required for the construction.

b. Applications for administrative approvals and use permits for a wireless communication facility shall be subject to the procedures and requirements for use permits generally, except as modified in this section.

c. Fees for applications under this section are listed in Section K under Fee Schedule.

d. All use permit or administrative review approvals for new wireless communication facilities shall be granted for a maximum period of ten (10) years with Council review after five (5) years. The applicant/structure owner shall be responsible for initiating an administrative renewal and possible extension of the approved wireless facility and shall demonstrate that changes in technology, that are economically feasible, have not eliminated the need for the facility as approved. Applications for collocation on existing structures shall be set for a period of time so that the expiration date for the collocation expires simultaneously with the structure. If an extension is denied by the Planning and Zoning Department, the applicant may appeal the decision to the Planning and Zoning Commission and the Town Council by applying for a use permit.

e. In granting approval of an application, The Town of Camp Verde may impose conditions to the extent that such conditions carry out the purposes of this section.

f. Any information of an engineering nature that the applicant submits shall be certified by an Arizona licensed professional engineer.

g. The Community Development Director is authorized to employ on behalf of the Town Council, an independent technical expert to review any technical materials submitted including, but not limited those required under this section and in those cases where a technical demonstration of unavoidable need or unavailability of alternatives is required. The applicant shall pay all the costs of said review.

h. Prior to applying for a new facility, including collocation, the applicant shall meet with community groups and interested individuals who reside or own property within one thousand (1000) feet of the proposed site to explain the proposed project. The purpose of these meetings are to inform and educate the community of wireless communications and the restrictions placed on the Town of Camp Verde by the Federal Telecommunications Act of 1996, as well as to solicit suggestions from these groups about the applicant's proposal and impact mitigation measures. Applicant shall make a concerted effort to incorporate the community suggestions for impact mitigation generated by the meetings and describe the efforts in the application. Applicant shall be prepared to discuss information including but not limited to, technical aspects, visual aspects, including alternative sites and designs. Applicant shall provide detailed meeting minutes, copy of all materials delivered or received, and documentation of who attended the meetings from the community organization.

2. Performance Criteria:

The order of preferences for wireless communication facilities is, from most preferred to least preferred:

a. Concealed sites.

b. Collocation on an existing Town property.

c. Collocation on an existing facility, tower, or electrical utility pole.

d. New sites located on public lands at least 5000' from private land.

e. New concealed or attached antenna sites located on/at public or quasi-public facilities.

f. Now towers/facilities under 99'.

g. New towers/facilities 100' to 199'.

h. New towers/facilities 200' and over.

New facilities shall use the most preferred facility type where technically feasible, even if it results in an increase in the number of facilities, or a higher cost. A less-preferred facility type may be permitted only if the applicant presents substantial evidence to show that it will have less of a visual impact than the use of more preferred facilities.

3. Characteristics

The following characteristics are deemed consistent with the purposes of this section and will be afforded favorable weight in considering the application:

a. Sites located on an existing Town property.

b. Existing structures will be preferred over new structures.

c. New structures that are camouflaged to blend into the location.

d. Wireless communication facilities that cannot be readily observed from adjacent streets.

e. Structure heights that do not exceed the height limitations for that zoning district. When heights may exceed an adjacent district's height restrictions, the owner of that adjacent jurisdiction will be notified of the application by the Town.

f. Collocation of all licensed carriers for The Town of Camp Verde on a single wireless communication facility in remote locations will have significant favorable weight in evaluating the application.

g. The service provider's development plans which achieves the least obtrusive wireless communication facilities of all providers reasonably necessary for commercial coverage.

h. Location in the least restrictive zoning district starting with Industrial.

i. Suitability of the location for collocation of governmental public service wireless communication facilities.

SECTION 807 – ADMINISTRATIVE REVIEW APPLICATIONS

Applications for collocation of antennae on, and equipment at, an existing, permitted wireless communications facility, shall be subject to review by the Community Development Department staff and approval by the Planning Director. Applications to place antennae on top of, or attached to, an existing or replaced utility/power pole which does not extend the height of the existing pole by more then ten (10) feet shall also be evaluated by the Administrative Review process. A decision shall be rendered to approve or deny within 14 days of submittal of a complete application. If an Administrative Review application is denied by the Community Development Department, the applicant may then apply for a Use Permit.

1. Application Requirements:

a. Completed hearing application submittal form, letter of authorization, and permission to enter property letter as contained in the application procedures information packet.

b. An updated Provider's Communication Plan, including the proposed changes within the Town's area of interest, antennae, towers, and policy direction.

c. Study on impact of emissions.

d. Data on herbicides used on site.

e. Photographs of the site prior to construction of the facility.

f. Biological impact study.

g. The zoning classification of the site.

h. Plans showing elevation drawings of the exterior of each element of the proposed wireless communication facility including method of fencing, color, and regulations.

i. Certification that the wireless communication facility, as represented in the application, will comply with all FAA, FCC and other applicable regulations.

j. Copies of all wireless telecommunication licenses for all providers who will use the facility at the time of filing the application;

k. Copy of signed, lease agreement or landowner.

l. Semi-annual notification to the Town giving use status of the facility.

m. Reclamation Plan as specified in this ordinance.

SECTION 808 – ADMINISTRATIVE REVIEW WITH COMMENT PERIOD APPLICATIONS

Applications for new wireless communication facilities that do not exceed ten (10) located at least 5,000 feet from the nearest privately owned land, would be subject to administrative review with a 21-day public comment period. Surrounding property owners and community organizations shall receive notice of the application. If an Administrative Review with Comment Period application is denied, the applicant may then apply for a Use Permit.

1. Application Requirements:

a. All material associated with the submittal of an Administrative Review application as stated above.

- A mailing list of all property owners within 1,000 feet of the facility site, and pre-addressed envelopes affixed with first class postage to each property owner.

b. A map showing the adjacent roadways and proposed means of legal access.

c. RF propagation maps showing the coverage areas of the proposed site and how it interacts with the coverage areas of connecting sites.

d. The setback distance between the proposed wireless communication facility, the nearest residential unit and/or the nearest residential zoned owned properties.

e. Certification of whether the applicant is applying for collocation treatment, and how many carriers could be accommodated on the facility with adequate signal coverage.

f. Certification that no Town Property or municipality owned site, or existing wireless facility reasonably meets the needs of the applicant, listing all such sites within five (5) miles of the proposed site and the reason each is not physically adequate for reasonable commercial coverage, or not economically feasible.

g. A visual analysis, which may include photo simulations, field mock-ups, or other techniques, which identify the potential visual impacts of the proposed facility. Photo simulations shall be provided from the three closest residences within one half-mile of the proposed site and from the closest collector or arterial discretion, request additional photos from specific vantage points.

h. Attendees list, minutes, and information obtained from required community meeting.

SECTION 809 – USE PERMIT APPLICATIONS – PUBLIC HEARING REQUIRED

Any new wireless communication facility that exceeds ten (10) feet above the maximum height allowed in the density district, or does not meet all of the criteria to be allowed in the Administrative review process, shall require a Use Permit.

1. Application Requirements:

a. All material associated with the submittal of an Administrative Review with Comment Period.

b. A complete Use Permit application packet.

c. A mailing list of all property owners within the distance required from the facility site, and pre-addressed envelopes affixed with first class postage to each property owner.

Notification required by tower height:

- 99 feet and under = 1,000 feet radius
- 100 to 199 feet = 2,500 feet radius
- 200 feet and above = 5,000 feet radius

d. RF frequency propagation maps showing the coverage areas of the proposed site and how it interacts with the coverage areas of connecting sites. If the applicant is seeking collocation of multiple carriers, the RF propagation coverage maps should also include on a separate map, the coverage areas obtained from the lowest collocation point on the tower.

e. Certification that policing, fire departments, public safety, water and local governments having jurisdiction within five (5) miles of the site have been notified of the application.

f. The applicant shall submit visual analysis of the potential impact to the proposed site, which will include photo simulations, field mockups, or other techniques that identify the potential visual impacts of the proposed facility. Photo simulations shall be provided from the five closest residences within two miles of the proposed site and from the closest collector or arterial street. The Community Development Director at his/her discretion, request additional phots from specific vantage points.

g. A written narrative/explanation of why it is necessary that the proposed wireless communications facility be located in the proposed location, and why it will exceed the maximum height allowance for the zoning district in which it is proposed. If the explanation is based on coverage maps, structural calculations, lease amounts, or any other information pertinent to the need for the structure or additional height, this information shall be included as appendices to the narrative.

2. Standards

In addition to any standards for consideration of use permit applications, the following shall be considered in determining whether to issue a use permit or administrative approval

- Height proposed
- Proximity to other uses
- Historic sites
- Landmarks
- Vehicle traffic routes
- Medical facilities
- Air routes
- Topographical features

- Utilities
- Access
- Suitability of alternative sites
- Visual impact

SECTION 810 – RECLAMATION PLAN

All applications must include a detailed reclamation plan. Implementation of the Reclamation Plan must begin within seven calendar days after removal of the facility.

The reclamation plan must include:

- Conceptual drawing of what the site will look like after the reclamation plan is completed.
- Vegetation plan.
- Implementation plan.
- Completion schedule.
- Cost estimate

Financial assurances equal to the cost estimate shall be posted by the applicant prior to issuance of building permits. The applicant will add an amount equal to 8% of the cost estimate yearly to the financial assurance until the reclamation plan is completed.

SECTION 811 – REMOVAL

Prior to building permits/zoning clearances being issued, and within 30 days of Town Council approval, financial assurances shall be posted by the applicant to assure the removal of the tower and return of the site to its previous state in the event the use is discontinued or abandoned.

Towers and antennae shall be removed, at the owner's expense, if not used for a permanent use for 180 consecutive days unless this period is extended pursuant to this section. If the tower or antennae is not removed, after 180 days of consecutive disuse, the Town of Camp Verde may give notice that it will contract for removal within 30 days following written notice to the owner. Thereafter, the Town of Camp Verde may cause removal at the cost of the owner.

An owner wishing to extend the time for removal or reactivation shall submit an application stating the reason for such extension. The Planning Director may extend the time for removal or reactivation up to 60 additional days upon a showing of good cause.

Upon removal of the wireless telecommunications facility, the applicant will have seven calendar days to begin the reclamation plan approved with the original application.

SECTION 812 – FEE SCHEDULE

Application fees for Wireless Communication Sites shall be as per the currently adopted fee schedule.

Applications to review/renewal an existing approved facility – 50% of original fee.

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Board of Adjustment & Appeals
Agenda Information Memorandum

Meeting Date: January 13, 2025

Agenda Item Type:

☐ Consent Agenda ☐ Informational Presentation ☐ Discussion Item
☒ Action/Decision Item ☐ Executive Session Request ☐ Other:

Requesting Department: Community Development
Staff Resource: Town Manager Miranda Fisher

Agenda Title: **Public Hearing:** Discussion, consideration, and possible action on an appeal of the Zoning Administrator's November 11, 2025 determination concerning subdivision replat requirements and Conditional Use Permit PZ-95-21 at the Montezuma Heights Airpark.

Attached Documents:

- November 22, 2025 BOA Appeal filed by Marvin E. Wessel, Jr.
- January 6, 2026 Amended and Supplemental BOA Appeal filed by Marvin E. Wessel, Jr. with Exhibits
- Public Hearing Notices
- Section 602 of Town Code

Estimated Presentation Time: 30 minutes **Estimated Discussion Time:** 1 hour

Reviewed By:

☒ Town Manager ☒ Legal ☐ Risk Management ☐ Finance ☐ Other:

Background Information:

The Appellant, Marvin E. Wessel, Jr., filed an appeal to the Town of Camp Verde Board of Adjustment on November 22, 2025, followed by an Amended and Supplemental Appeal on January 6, 2026. The appeal challenges a Zoning Administrator interpretation dated November 11, 2025, issued by Town Manager Miranda Fisher, who was serving as the Interim Community Development Director at the time.

The appeal raises a number of issues related to subdivision boundaries, historic lot splits, assessor records, enforcement of Town Code § 509(B)(1), Conditional Use Permit (CUP) PZ-95-21, and the Town's enforcement practices within the Montezuma Heights Air Park subdivision.

Town staff have reviewed the appeal and provide the following response below.

SCOPE OF BOARD OF ADJUSTMENT AND APPEALS AUTHORITY

Before addressing the individual claims, it is important to clarify what the Board of Adjustment is authorized to review. Under Arizona law and the Town's Zoning Code, the BOA may hear appeals of a specific and timely decision made by the Zoning Administrator, including interpretations of the Zoning Code. The BOA also has limited authority to hear an appeal if a Conditional Use Permit has been formally voided by the Community Development Director.

The BOA does not have authority to interpret, amend, or clarify the conditions of a Conditional Use Permit; to retroactively invalidate recorded parcels or previously issued permits; to resolve private

disputes involving subdivision bylaws, easements, or utility governance; or to evaluate claims of inconsistent or selective enforcement. These limitations guide staff's responses to each section of the appeal and is the reason that staff recommend that the BOA dismiss the appeal in its entirety for lack of jurisdiction.

STAFF RESPONSE TO THE APPEAL

Response to Section I.A – Split Lots Within the Subdivision
The Appellant asserts that several subdivision lots were divided into A/B/C parcels without a formal replat approved under Town Code § 509(B)(1) and A.R.S. § 9-463.01. Staff finds that the parcels cited were created and recorded many years ago, well outside the 45-day appeal period applicable to Zoning Administrator decisions under Section 602.B.1.

The parcels and their initial recorded dates with legal descriptions matching current parcel are as follows:

- 404-17-013A (Initial Warranty Deed: 8/22/2001)
- 404-17-013C (Initial Warranty Deed: 1/15/2016)
- 404-17-014B (Initial Warranty Deed: 8/30/1999)
- 404-17-014C (Initial Warranty Deed: 10/29/1997)
- 404-17-018A (Initial Warranty Deed: 7/1/2005)
- 404-17-018B (Initial Warranty Deed: 7/1/2005)
- 404-17-019D (Initial Joint Tenancy Agreement: 5/23/2003)
- 404-17-019E (Initial Warranty Deed: 12/31/2012)
- 404-17-022H (Initial Warranty Deed: 5/31/2002)
- 404-17-022D (Initial Warranty Deed: 8/22/1991)
- 404-17-023A (Initial Warranty Deed: 9/5/1996)
- 404-17-023B (Initial Warranty Deed: 2/5/1999)

Because these parcels were recorded well outside the appeal window of 45-days from a Zoning Administrator decision, the BOA does not have authority to retroactively determine the legality of historic parcel creation, recorded deeds, or subdivision plats.

Response to Section I.B – Misfiled or Irregular Parcels
The Appellant raises concerns regarding alleged misfilings, conflicting assessor records, contiguity issues, zoning classifications, and County GIS discrepancies. These issues relate to parcel numbering, recordation, and mapping functions administered by Yavapai County, not zoning determinations made by the Town.

The BOA does not have authority to correct assessor records, resolve conflicts between deeds and GIS data, or declare parcels invalid based on historic filing irregularities. To the extent a parcel is nonconforming, it is treated as a legal, nonconforming lot under Town Code.

Response to Section I.C – Recorded Easement Obstruction
The Appellant alleges that a fence obstructs a recorded taxiway easement and violates subdivision plat requirements, CUP conditions, and aviation safety standards. Staff notes that the fence permit was issued by the Building Department, not the Zoning Administrator, and was issued on March 5, 2025, which is outside the 45-day appeal window.

Permit issuance is also not an appealable Zoning Administrator decision. In addition, the Town has previously determined that the internal roads and easements within the subdivision are privately

owned, and enforcement of private easement restrictions is a civil matter outside the Town's jurisdiction. The BOA does not have authority to review building permits or adjudicate private easement disputes.

Response to Section I.D – Adjacent Parcels Allegedly Treated as Subdivision or CUP Participants
The Appellant contends that several adjacent parcels have been improperly treated as subdivision or CUP participants. Staff finds that the Town has not expanded subdivision boundaries or amended CUP PZ-95-21. The CUP expressly authorizes runway use by "residents of the Montezuma Heights Subdivision and the adjoining metes and bounds parcels on the north of the airstrip only." These parcels fall within the category of metes and bounds parcels: 404-17-025C, 025D, 025F, 025K, 025N, 025M, 025P/Q, 029A, 029C, 029D.

Applying the CUP language to parcels that adjoin the subdivision to the north is a factual application of the CUP's terms, not an expansion or modification of CUP rights. Any minor land division approvals referenced by the Appellant occurred well outside the-day appeal window and are not subject to BOA review. Alleged inaccuracies on permit applications are also not Zoning Administrator decisions and are not appealable.

Response to Section II – Decision Being Appealed and Timeliness
Staff acknowledges that the June 5, 2025 letter from the Town's Attorney Trish Stuhan was adopted by Miranda Fisher acting as the Zoning Administrator as the Town's official position regarding the matters raised by the Appellant. However, the June 5, 2025 letter itself is a legal analysis explaining the Town's enforcement posture and jurisdictional limitations based on the facts presented. It does not approve, deny, modify, or amend zoning regulations, subdivision approvals, or the conditions of Conditional Use Permit PZ-95-21, nor does it establish new policy or administrative rules.

The November 11, 2025 correspondence reflects the Zoning Administrator's reliance on that legal analysis to confirm that no zoning or CUP violation existed that would trigger enforcement action. While it represents the Zoning Administrator's position, it does not constitute an appealable zoning decision because it did not result in the approval or denial of an application, the interpretation of a zoning regulation or the modification or voiding of a Conditional Use Permit.

Response to Section III – Relief Requested
The Appellant requests that the BOA reverse the November 11, 2025 correspondence, adopt new interpretations of CUP Condition 4, direct retroactive correction of permits and enforcement actions, and issue binding findings while preserving judicial rights. Each of these requests exceeds the BOA's authority. The BOA cannot reinterpret or clarify CUP conditions, direct retroactive enforcement actions, or issue policy determinations. Judicial rights exist independently under state law.

Response to Section IV – Legal Framework
The Appellant's discussion of Arizona Corporation Commission adjudications and MHAP authority does not present matters in dispute. Staff does not assert that MHAP possesses zoning authority or the ability to expand subdivision boundaries, nor has the Town relied on MHAP bylaws to alter zoning, subdivision boundaries, or CUP applicability. Compliance with ACC adjudications is not a zoning determination and is outside the BOA's jurisdiction.

Response to Section V – Alleged Inconsistent Enforcement
The Appellant references unrelated enforcement actions to suggest arbitrariness or inconsistency. Claims of selective or inconsistent enforcement are outside the BOA's authority and are not properly considered in this appeal.

Response to Section VI – Requested Interpretations of CUP Condition 4
The Appellant asks the BOA to define or clarify the meaning of "resident," permissible guest use, and "commercial use" under CUP PZ-95-21. The BOA does not have authority to interpret, clarify, or modify CUP conditions. Any such changes would need to occur through the Planning and Zoning Commission and Town Council as part of a possible CUP amendment.

Response to Section VII – Requested BOA Findings
The requested findings seek retroactive invalidation of parcels, modification of CUP applicability, enforcement directives, and policy declarations. These actions exceed the BOA's jurisdiction and are reserved to other decision-making bodies or the courts.

STAFF CONCLUSION AND RECOMMENDATION

Staff finds that the appeal does not identify a timely or appealable Zoning Administrator decision, raises issues outside the BOA's jurisdiction, and seeks relief that the BOA is not authorized to grant.

Staff therefore recommends that the Board dismiss the appeal in its entirety for lack of jurisdiction.

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BEFORE THE TOWN OF CAMP VERDE
BOARD OF ADJUSTMENT

In the Matter of:
Appeal of Zoning Administrator Interpretation Dated November 11, 2025
Relating to Subdivision Boundaries, Lot Splits, Enforcement of Zoning Code § 509(B)(1),
CUP PZ-95-21, and Town Enforcement Practices

I. PARTIES & PROPERTY

1. Appellant

Marvin E. Wessel, Jr.
[redacted]
Camp Verde, Arizona 86322

Appellant is an owner of property within the Montezuma Heights Air Park subdivision and is directly affected by the Town's interpretation and enforcement of zoning, subdivision, and Conditional Use Permit (CUP) requirements.

2. Properties / Areas Affected

This appeal concerns the platted Montezuma Heights Air Park subdivision, consisting of parcels:

Platted Subdivision Parcels: 404-17-001 through 404-17-024.

It also concerns split lots within that subdivision, parcels misfiled or irregularly recorded, a platted taxiway easement obstruction, and adjacent parcels that have been treated as if they were part of the subdivision and CUP despite lacking a lawful replat or legal access.

A. Split Lots Within Subdivision Without a Replat

The following platted subdivision lots were divided into sub-parcels without any formal replat approved under Town Code § 509(B)(1):

404-17-013A/C
404-17-014B/C
404-17-018A/B
404-17-019D/E
404-17-022H/D
404-17-023A/B

Under Town Code § 509(B)(1) and A.R.S. § 9-463.01, these A/B/C variants are not legally recognized building lots because no replat was processed or recorded.

B. Misfiled / Irregular Parcels Affecting Subdivision Administration

404-17-022J — A state tax-lien carve-out inside the subdivision.

404-17-007B (two conflicting filings):

- One version recorded as the MHAP well house (sometimes shown as 007A);
- Another version effectively recorded as the northern one-third runway segment, misfiled as part of parcel 404-17-029.

This northern runway segment is not contiguous with the Montezuma Heights Air Park subdivision. It is separated by parcel 404-17-033D, and there are no recorded documents for 033D on the County GIS. The parcel is zoned RR-2A and is approximately 0.7 acres—significantly undersized for RR-2A minimums and entirely nonconforming with both the subdivision and the zoning district. Under the Town's own position on contiguity, its improper size and zoning classification further compound the zoning and subdivision compliance problems associated with treating the area as a continuous subdivision or CUP area.

C. Recorded Easement Obstruction

A fence was erected within the platted 35-foot taxiway easement between parcels 404-17-011 and 404-17-017, obstructing aircraft movement and violating:

- The recorded subdivision plat (dedicated taxiway easement);
- Aviation-safety conditions embedded in CUP PZ-95-21;
- FAA AC 150/5300-13B taxiway safety and object-free standards (by reference in CUP context and common practice);
- The Town's basic zoning and safety-enforcement obligations.

Despite a formal complaint, the Town issued a fence permit after the obstruction was reported. The permit application identified the legal access as a "Privately Owned Road." The box requiring an attached copy of the easement for private-road access was left unchecked—an omission that should have triggered zoning clearance review—further entrenching the violation rather than enforcing the recorded easement and CUP conditions.

D. Adjacent Parcels Improperly Treated as Subdivision / CUP Participants

Without any lawful replat, recorded access easements consistent with the CUP, or subdivision inclusion, the following parcels have been treated by Town staff and MHAP as if they were part of the subdivision and CUP:

404-17-025C, 025D, 025F, 025K, 025N, 025M, 025P/Q, 029A, 029C, 029D.

In particular:

- Parcel 404-17-025M, by Warranty Deed recorded in 2025, expressly "EXCEPTS THEREFROM any portion lying within MONTEZUMA HEIGHTS AIR PARK," confirming it is not part of the platted subdivision. Despite this, it has been issued

permits—including a permit specifically approving an aircraft hangar—and treated as if it had subdivision and CUP privileges.

- That same source parcel was then used in September 2025 to create Parcels 404-17-025P and 404-17-025Q by quit claim deeds recorded "for the sole purpose of splitting that property." No replat was processed, and although the split deeds reserve private easements for ingress, egress, utilities, and aircraft taxi along a 30-foot strip, 025P and 025Q remain outside the recorded subdivision and CUP legal description. Nonetheless, they have been treated as lawful CUP/runway participants and water-service beneficiaries.

II. DECISION BEING APPEALED & TIMELINESS

This appeal challenges the November 11, 2025 written determination of the Zoning Administrator, which adopts and relies on the June 5, 2025 Town Attorney opinion. That opinion asserts, among other things, that:

1. Private MHAP bylaws and membership lists can be used to affect zoning determinations and define who is "in" the subdivision or CUP area;
2. Lot splits inside an existing subdivision may be treated as lawful building lots without a formal replat;
3. CUP PZ-95-21 extends CUP rights and runway access to parcels not in the platted subdivision and not part of the original metes-and-bounds legal description; and
4. The Town may issue permits to non-subdivision parcels by relying on private MHAP membership records instead of the recorded subdivision plat and replat requirements, **contrary to the ACC adjudication limiting MHAP service and authority strictly to the platted subdivision parcels**.

This appeal is filed within the time allowed under A.R.S. § 9-462.06 and applicable Town Code provisions governing appeals to the Board of Adjustment.

III. RELIEF REQUESTED — SUMMARY

Appellant further requests that the Board of Adjustment formally adopt the clarifying interpretations of CUP Condition 4 set forth in Section VI of this Appeal, including the definitions of "resident," permissible guest use, and the scope of "commercial use," as part of its corrected interpretation. These clarifications are necessary to ensure that CUP PZ-95-21 is applied consistently, reasonably, and within the limits of Town authority.

Appellant requests that the Board of Adjustment:

1. Reverse the November 11, 2025 interpretation of the Zoning Administrator;
2. Issue a corrected interpretation consistent with Arizona zoning and subdivision law, Town Code § 509(B)(1), and CUP PZ-95-21;
3. Direct the Zoning Administrator to review and correct past permitting and enforcement actions that were based on the erroneous interpretation; and

4. Preserve all rights for Appellant (and other affected parties) to seek further judicial review and civil remedies.

IV. LEGAL FRAMEWORK

7. ACC Adjudication Limits MHAP

The Arizona Corporation Commission (ACC) adjudication governing the MHAP water system authorizes service to the platted subdivision parcels only. MHAP is a limited-purpose **water company and road-maintenance corporation**, as filed and adjudicated, and it possesses **no governance authority** beyond those narrow utility and maintenance functions. MHAP is not an HOA created by CC&Rs and does not possess unilateral authority to: nor may it enforce or restrict Conditional Use Permit (CUP) rights, as CUP enforcement authority is reserved solely to the Town of Camp Verde, the issuing authority.

- Expand subdivision boundaries;
- Redefine which parcels are "in" the subdivision; or
- Confer legal CUP, runway, or water-service rights to non-subdivision parcels.

MHAP's private bylaws and membership practices cannot override either the ACC adjudication boundaries or Town zoning and subdivision law.

8. Subdivision Plat Law (A.R.S. § 9-463.01; Town Code § 509(B)(1))

Under A.R.S. § 9-463.01 and Town Code § 509(B)(1):

- Once a subdivision is platted, further division of platted lots is not a "simple lot split";
- Any such division requires a formal replat processed and approved as a subdivision amendment; and
- Newly created A/B/C parcels do not become legal building lots and cannot lawfully receive building permits or be treated as CUP beneficiaries until a replat is approved and recorded.

9. CUP PZ-95-21

CUP PZ-95-21 was granted to the Montezuma Heights Air Park subdivision and, as recorded, applies only to:

1. The platted subdivision parcels (404-17-001 through 404-17-024); and
2. Two original metes-and-bounds parcels, not specifically named in the CUP text but understood from the 1995 record to correspond to the metes-and-bounds areas later associated with portions of parcels 404-17-029 and 404-17-025 as they existed at the time of CUP issuance.

CUP rights and associated aviation-safety conditions do not automatically "follow" unlawful splits or newly created parcels.

Critically, Resolution PZ-95-21, Condition 4, restricts runway use to "the residents of Montezuma Heights Subdivision and the adjoining metes and bounds parcels on the north of the airstrip only," and prohibits "commercial use of the airstrip." These provisions establish the CUP's **baseline limitations**, but they are subject to reasonable interpretation. The text does not expressly define "resident," nor does it prohibit ordinary guest visitation or incidental private arrangements between parcel owners. Accordingly, this Appeal seeks BOA clarification to ensure these terms are applied in a manner that preserves the CUP's private, non-commercial nature **without imposing overly restrictive or unintended prohibitions** on parcel owners, bona fide residents, or their guests. The BOA-requested interpretations in Section VI reflect this necessary clarification, rather than an expansion of CUP coverage or authorization of non-resident commercial activity.

Moreover, **MHAP has no lawful authority to interpret, expand, restrict, or enforce CUP PZ-95-21**. As adjudicated by the Arizona Corporation Commission, MHAP is solely a water-service and road-maintenance corporation and holds **no zoning, subdivision, or land-use governance authority**. Enforcement, interpretation, and modification of CUP terms are powers reserved **exclusively to the Town of Camp Verde**, the issuing authority, and cannot be delegated—explicitly or implicitly—to a private utility corporation. Where CUP-recognized parcels are split, those splits must go through the lawful zoning and subdivision process (including replat or CUP amendment) before claiming CUP benefits or runway access.

10. Zoning Law Supremacy Over Private Bylaws

Under A.R.S. § 9-462.01 and City of Phoenix v. Fehlner, 90 Ariz. 13 (1961):

- Zoning ordinances and subdivision regulations control. Private covenants, bylaws, and membership lists cannot alter recorded zoning boundaries, legal access, or CUP applicability; and
- Only a recorded plat, replat, or zoning/CUP amendment can change subdivision boundaries or expand CUP coverage.

Accordingly, MHAP bylaws and membership records have no legal effect on:

- What constitutes a legal subdivision lot;
- Which parcels are covered by CUP PZ-95-21; or
- Whether the Town may issue permits or recognize runway access rights on non-subdivision parcels.

V. SPECIFIC ERRORS IN THE TOWN'S INTERPRETATION

VI. REQUESTED INTERPRETATIONS OF CUP CONDITION 4 (RESIDENT USE & COMMERCIAL USE)

Appellant requests that the Board of Adjustment, in exercising its statutory authority to review and modify zoning interpretations, clarify the meaning and scope of CUP Condition 4 in a manner consistent with:

- the private, non-commercial character of the airstrip;
- the reasonable use and enjoyment of property by lawful owners and residents; and
- the Town's exclusive authority (not MHAP's) to interpret and enforce CUP terms.

The CUP, as written, is unusually narrow and leaves several terms undefined, including "resident" and "commercial use." A strict, literal reading could lead to unreasonable or unconstitutional outcomes (e.g., prohibiting parcel owners from landing aircraft, or prohibiting ordinary guest visitation). The BOA is therefore the appropriate body to clarify the CUP's application.

Accordingly, Appellant requests that the BOA adopt the following interpretations:

1. **Definition of "Resident."** For purposes of CUP Condition 4, the term "resident" reasonably includes a lawful owner of a CUP-covered parcel who occupies, maintains, or uses the property as a residence, whether full-time or part-time. A contrary interpretation would improperly exclude legitimate parcel owners, undermine property rights, and contradict the residential purpose of the subdivision.
2. **Guest and Invitee Use.** Occasional visitation by guests, family, or invitees of a resident or owner—whether arriving by aircraft or other means—remains consistent with the CUP so long as such use is private, non-commercial, and associated with the resident/owner's use of their parcel. Nothing in the CUP suggests an intent to prohibit ordinary social and residential visitation.
3. **Clarification of "Commercial Use."** The prohibition on "commercial use of the airstrip" in Condition 4 is reasonably interpreted to prohibit public-facing or revenue-generating aeronautical operations such as flight schools, charter services, for-hire passenger flights, scheduled operations, or similar activities. Incidental, private rental or licensing of hangar or tie-down space by a resident/owner to another private aircraft owner does not constitute commercial airstrip use so long as:
    - the airstrip is not held out to the public;
    - the arrangement does not create a flight school or other aeronautical business; and
    - all operations remain private and compliant with the CUP.
4. **No Expansion of CUP Coverage.** These requested clarifications do not expand CUP applicability to non-subdivision parcels, do not validate unlawful lot splits, and do not authorize runway use by non-residents of non-CUP-covered parcels. They merely interpret ambiguous terms to avoid absurd or unreasonable outcomes while preserving the CUP's private, limited-use character.

These interpretations fall squarely within the BOA's authority to review and correct zoning administrator interpretations and ensure consistent, lawful application of CUP PZ-95-21.

VI. SPECIFIC ERRORS IN THE TOWN'S INTERPRETATION

A. Treating Split Lots as Legal Lots Without a Replat

The Town has accepted and relied upon A/B/C split parcels (e.g., 013A/C, 014B/C, etc.) as if they were lawful building lots, despite no replat having been processed under § 509(B)(1).

This is contrary to subdivision law, which requires that:

- Any division of platted lots within an existing subdivision be treated as a subdivision amendment; and
- No new legal lots arise unless and until a replat is approved and recorded.

Requested BOA Finding A: Split lots inside an existing subdivision require a formal replat before they can be treated as legal building lots or receive permits.

B. Issuing Permits to Non-Subdivision Parcels

Parcels 404-17-025M, 025P, 025Q, and the 029 family have never been replatted into the subdivision and are expressly excluded by recorded deeds. The Town's issuance of permits—including an aircraft hangar permit—to these parcels treats them as lawful CUP/runway parcels despite lacking legal subdivision or CUP status.

Requested BOA Finding B: Permits may not be issued to parcels outside the subdivision and outside the CUP legal description without a lawful replat or CUP amendment.

C. Relying on Private Bylaws to Determine Zoning

The Town improperly relied on MHAP bylaws and membership lists to determine which parcels were "in" or "out" of the subdivision/CUP, instead of the recorded plat and legal descriptions.

Requested BOA Finding C: Private corporate documents cannot expand or redefine legal subdivision boundaries, CUP coverage, or zoning classifications.

D. Misinterpretation of CUP PZ-95-21

The Town treated CUP rights as if they automatically extend to split parcels, adjacent parcels, and non-subdivision parcels. The CUP applies only to the platted subdivision parcels and two original 1995 metes-and-bounds parcels.

Requested BOA Finding D: CUP rights do not extend to split parcels, adjacent parcels, or later-created parcels absent a formal CUP amendment.

E. Failure to Enforce Platted Taxiway Easements

The Town issued a fence permit inside a recorded 35-foot taxiway easement despite a pending complaint and without verifying the required private-easement documentation.

Requested BOA Finding E: The Town must enforce recorded taxiway easements and may not issue permits that obstruct aviation-safety easements tied to the CUP.

VII. RESERVATION OF RIGHTS

This Appeal does not address the separate issue of unapproved subdivision activity under A.R.S. § 9-463.01, which is the subject of a pending enforcement complaint with the Town of Camp Verde and, if necessary, will be pursued through separate legal action. The issues raised here are limited to the Zoning Administrator's interpretation of existing zoning, subdivision, and CUP provisions and the Town's reliance on that interpretation.

VIII. EXHIBITS

Exhibit A – ACC Adjudication Order (MHAP water-service boundaries)
Exhibit B – Recorded Subdivision Plat (Montezuma Heights Air Park)
Exhibit C – CUP PZ-95-21 (Resolution and legal description)
Exhibit D – Town Attorney Letter dated June 5, 2025
Exhibit E – Zoning Administrator Determination dated November 11, 2025
Exhibit F – Parcel Maps (025M/P/Q and 029 variants)
Exhibit G – Town Permit Records for non-subdivision parcels
Exhibit H – Taxiway Easement Photographs and Annotations
Exhibit I – MHAP Bylaws and Membership Lists
Exhibit J – Correspondence with Town Staff
Exhibit K – Fence Obstruction Permit and Supporting Documents

Marvin E. Wessel, Jr.
Appellant
[redacted]
Camp Verde, AZ 86322

BEFORE THE TOWN OF CAMP VERDE
BOARD OF ADJUSTMENT

AMENDED & SUPPLEMENTAL BOA APPEAL FILING

In the Matter of:
Appeal of Zoning Administrator Interpretation Dated November 11, 2025
Relating to Subdivision Boundaries, Lot Splits, Enforcement of Zoning Code § 509(B)(1),
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I. PARTIES & PROPERTY

Appellant

Marvin E. Wessel, Jr.
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Camp Verde, Arizona 86322

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Properties / Areas Affected

This appeal concerns the platted Montezuma Heights Air Park subdivision, consisting of parcels:

Platted Subdivision Parcels: 404-17-001 through 404-17-024.

It also concerns split lots within that subdivision, parcels misfiled or irregularly recorded, a platted taxiway easement obstruction, and adjacent parcels that have been treated as if they were part of the subdivision and CUP despite lacking a lawful replat or legal access.

A. Split Lots Within Subdivision Without a Replat

The following platted subdivision lots were divided into sub-parcels without any formal replat approved under Town Code § 509(B)(1):

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404-17-023A/B

Under Town Code § 509(B)(1) and A.R.S. § 9-463.01, these A/B/C variants are not legally recognized building lots because no replat was processed or recorded.

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One version recorded as the MHAP well house (sometimes shown as 007A);

Another version effectively recorded as the northern one-third runway segment, misfiled as part of parcel 404-17-029.

This northern runway segment is not contiguous with the Montezuma Heights Air Park subdivision. It is separated by parcel 404-17-033D, and there are no recorded documents for 033D on the County GIS. The parcel is zoned RR-2A and is approximately 0.7 acres—significantly undersized for RR-2A minimums and entirely nonconforming with both the subdivision and the zoning district. Under the Town's own position on contiguity, its improper size and zoning classification further compound the zoning and subdivision compliance problems associated with treating the area as a continuous subdivision or CUP area.

C. Recorded Easement Obstruction

A fence was erected within the platted 35-foot taxiway easement affecting parcels 404-17-011, 404-17-016, and 404-17-017, obstructing aircraft movement and violating:

The recorded subdivision plat (dedicated taxiway easement);

aviation safety conditions embedded in CUP PZ-95-21;

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The Town's basic zoning and safety-enforcement obligations.

Despite a formal complaint, the Town issued a fence permit after the obstruction was reported. The permit application identified the legal access as a "Privately Owned Road." The box requiring an attached copy of the easement for private-road access was left unchecked—an omission that should have triggered zoning clearance review—further entrenching the violation rather than enforcing the recorded easement and CUP conditions.

D. Adjacent Parcels Improperly Treated as Subdivision / CUP Participants

Without any lawful replat, recorded access easements consistent with the CUP, or subdivision inclusion, the following parcels have been treated by Town staff and MHAP as if they were part of the subdivision and CUP:

404-17-025C, 025D, 025F, 025K, 025N, 025M, 025P/Q, 029A, 029C, 029D.

In particular:

Parcel 404-17-025M, by Warranty Deed recorded in 2025, expressly "EXCEPTS THEREFROM any portion lying within MONTEZUMA HEIGHTS AIR PARK," confirming it is not part of the platted subdivision. Despite this, it has been issued permits—including a permit specifically approving an aircraft hangar—and treated as if it had subdivision and CUP privileges. Notably, the building permit application for this parcel identified site access as a "Town Owned Road" (i.e., public access), a designation inconsistent with the recorded deed exclusion, the absence of any Town-owned roadway serving the parcel, and the Town's conflicting treatment of access in related permits (including permits identifying access as a privately owned road).

That same source parcel was then used in September 2025 to create Parcels 404-17-025P and 404-17-025Q by quit claim deeds recorded "for the sole purpose of splitting that property." No replat was processed, and although the split deeds reserve private easements for ingress, egress, utilities, and aircraft taxi along a 30-foot strip, 025P and 025Q remain outside the recorded subdivision and CUP legal description. Nonetheless, they have been treated as lawful CUP/runway participants and water service beneficiaries.

II. DECISION BEING APPEALED & TIMELINESS

This appeal challenges the November 11, 2025 written determination of the Zoning Administrator, which adopts and relies on the June 5, 2025 Town Attorney opinion. That opinion asserts, among other things, that:

Private MHAP bylaws and membership lists can be used to affect zoning determinations and define who is "in" the subdivision or CUP area;

Lot splits inside an existing subdivision may be treated as lawful building lots without a formal replat;

CUP PZ-95-21 extends CUP rights and runway access to parcels not in the platted subdivision and not shown, by the recorded 1995 CUP record, to be part of the original metes-and-bounds legal description; and

The Town may issue permits to non-subdivision parcels by relying on private MHAP membership records instead of the recorded subdivision plat and replat requirements, contrary to the ACC adjudication limiting MHAP service and authority strictly to the platted subdivision parcels. As a result, the Town's interpretation improperly shifts the burden onto the public and affected owners to disprove informal claims of inclusion; the correct legal standard places the burden on the proponent of expanded subdivision, CUP, or MHAP eligibility to demonstrate lawful inclusion through recorded instruments and Town-approved process.

In addition, the Zoning Administrator treated the June 5, 2025 Town Attorney letter as if it constituted binding Town policy or procedure governing zoning and subdivision enforcement. No evidence exists in the record that the Town Council, Planning and Zoning Commission, or any other body with legislative or policy-making authority formally adopted that letter or its interpretations through ordinance, resolution, or other required public action. A legal opinion of counsel, standing alone, does not constitute adopted Town procedure and cannot substitute for duly enacted zoning regulations or formally adopted administrative rules.

This appeal is filed within the time allowed under A.R.S. § 9-462.06 and applicable Town Code provisions governing appeals to the Board of Adjustment.

III. RELIEF REQUESTED — SUMMARY

Appellant further requests that the Board of Adjustment formally adopt the clarifying interpretations of CUP Condition 4 set forth in Section VI of this Appeal, including the definitions of "resident," permissible guest use, and the scope of "commercial use," as part of its corrected interpretation. These clarifications are necessary to ensure that CUP PZ-95-21 is applied consistently, reasonably, and within the limits of Town authority.

Accordingly, Appellant requests that the Board of Adjustment:

• Reverse the November 11, 2025 interpretation of the Zoning Administrator;
• Issue a corrected interpretation consistent with Arizona zoning and subdivision law, Town Code § 509(B)(1), and CUP PZ-95-21;
• Direct the Zoning Administrator to review and correct past permitting and enforcement actions that were based on the erroneous interpretation; and
• Preserve all rights for Appellant (and other affected parties) to seek further judicial review and civil remedies.

IV. LEGAL FRAMEWORK

ACC Adjudication Limits MHAP

The Arizona Corporation Commission (ACC) adjudication governing the MHAP water system authorizes service to the platted subdivision parcels only (i.e., the original subdivision lots), and expressly limited MHAP's membership/service footprint to that defined set rather than to later-created or privately designated parcels. MHAP is a limited-purpose water service and road maintenance corporation, as filed and adjudicated, and it possesses no governance authority beyond those narrow utility and maintenance functions. MHAP is not an HOA created by CC&Rs and does not possess unilateral authority, nor may it enforce or restrict Conditional Use Permit (CUP) rights, as CUP enforcement authority is reserved solely to the Town of Camp Verde, the issuing authority. In particular, MHAP lacks authority to:

• Expand subdivision boundaries;
• Redefine which parcels are "in" the subdivision; or
• Confer legal CUP, runway, or water service rights to non-subdivision parcels.

MHAP's private bylaws and membership practices cannot override either the ACC adjudication boundaries or Town zoning and subdivision law. Accordingly, where MHAP or the Town claims that additional parcels (including portions of parent tracts historically described as "metes and bounds") are entitled to subdivision/CUP benefits or MHAP participation, the burden is on the proponent of that claim to show lawful inclusion through recorded instruments and Town-approved processes (e.g., replat and/or CUP amendment), not on the public or an appellant to disprove informal or private assertions.

Subdivision Plat Law (A.R.S. § 9-463.01; Town Code § 509(B)(1))

Under A.R.S. § 9-463.01 and Town Code § 509(B)(1):

• Once a subdivision is platted, further division of platted lots is not a "simple lot split";
• Any such division requires a formal replat processed and approved as a subdivision amendment; and

• Newly created A/B/C parcels do not become legal building lots and cannot lawfully receive building permits or be treated as CUP beneficiaries until a replat is approved and recorded.

CUP PZ-95-21

CUP PZ-95-21 was granted to the Montezuma Heights Air Park subdivision and, as recorded, applies only to:

• The platted subdivision parcels (404-17-001 through 404-17-024); and
• Two original metes-and-bounds parcels, not specifically named by modern parcel number in the CUP text, but referenced in the 1995 CUP record as adjoining parcels north of the airstrip.

To the extent any party contends that modern parent parcels (e.g., 404-17-025 and/or 404-17-029) or their later splits inherit those metes-and-bounds benefits, that contention must be supported by the recorded 1995 CUP record and by lawful Town action (replat and/or CUP amendment) where later splits or deed exclusions have altered the original land configuration.

CUP rights and associated aviation safety conditions do not automatically "follow" unlawful splits or newly created parcels.

Critically, Resolution PZ-95-21, Condition 4, restricts runway use to "the residents of Montezuma Heights Subdivision and the adjoining metes and bounds parcels on the north of the airstrip only," and prohibits "commercial use of the airstrip." These provisions establish the CUP's baseline limitations, but they are subject to reasonable interpretation. The text does not expressly define "resident," nor does it prohibit ordinary guest visitation or incidental private arrangements between parcel owners. Accordingly, this Appeal seeks BOA clarification to ensure these terms are applied in a manner that preserves the CUP's private, noncommercial nature without imposing overly restrictive or unintended prohibitions on parcel owners, bona fide residents, or their guests. The BOA-requested interpretations in Section VI reflect this necessary clarification, rather than an expansion of CUP coverage or authorization of nonresident commercial activity.

Moreover, MHAP has no lawful authority to interpret, expand, restrict, or enforce CUP PZ-95-21. As adjudicated by the Arizona Corporation Commission, MHAP is solely a water service and road maintenance corporation and holds no zoning, subdivision, or land-use governance authority. Enforcement, interpretation, and modification of CUP terms are powers reserved exclusively to the Town of Camp Verde, the issuing authority, and cannot be delegated—explicitly or implicitly—to a private utility corporation. Where CUP-recognized parcels are split, those splits must go through the lawful zoning and subdivision process (including replat or CUP amendment) before claiming CUP benefits or runway access.

Zoning Law Supremacy Over Private Bylaws

Under A.R.S. § 9-462.01 and City of Phoenix v. Fehlner, 90 Ariz. 13 (1961):

Zoning ordinances and subdivision regulations control. Private covenants, bylaws, and membership lists cannot alter recorded zoning boundaries, legal access, or CUP applicability; and

Only a recorded plat, replat, or zoning/CUP amendment can change subdivision boundaries or expand CUP coverage.

Accordingly, MHAP bylaws and membership records have no legal effect on:

What constitutes a legal subdivision lot;

Which parcels are covered by CUP PZ-95-21; or

Whether the Town may issue permits or recognize runway access rights on non-subdivision parcels.

V. SPECIFIC ERRORS IN THE TOWN'S INTERPRETATION

A. Illustrative inconsistency in Town enforcement (Vavra matter) — offered only to show arbitrariness, not to litigate constitutional claims

The Town's own enforcement actions demonstrate that the appealed interpretation is being applied inconsistently inside the same gated MHAP area. For example, in the Town's code enforcement matter involving Loren Vavra (also located behind the MHAP gate), the Town proceeded with enforcement activity notwithstanding the Town Attorney position adopted by the Zoning Administrator that MHAP is "self-governing/private" for the subdivision and zoning issues raised here. Appellant is not asking the BOA to adjudicate "selective enforcement" or any constitutional claim; rather, this example is offered solely to show that the Town's adopted interpretation produces contradictory enforcement outcomes in materially similar circumstances, confirming the interpretation is arbitrary, unworkable, and requires correction to ensure uniform application of Town Code § 509(B)(1), subdivision law, and CUP PZ-95-21.

VI. REQUESTED INTERPRETATIONS OF CUP CONDITION 4 (RESIDENT USE & COMMERCIAL USE)

Appellant requests that the Board of Adjustment, in exercising its statutory authority to review and modify zoning interpretations, clarify the meaning and scope of CUP Condition 4 in a manner consistent with:

the private, noncommercial character of the airstrip;

the reasonable use and enjoyment of property by lawful owners and residents; and

the Town's exclusive authority (not MHAP's) to interpret and enforce CUP terms.

The CUP, as written, is unusually narrow and leaves several terms undefined, including "resident" and "commercial use." A strict, literal reading could lead to unreasonable or unconstitutional outcomes (e.g., prohibiting parcel owners from landing aircraft, or prohibiting ordinary guest visitation). The BOA is therefore the appropriate body to clarify the CUP's application.

Accordingly, Appellant requests that the BOA adopt the following interpretations:

• Definition of "Resident." For purposes of CUP Condition 4, the term "resident" reasonably includes a lawful owner of a CUP-covered parcel who occupies, maintains, or uses the property as a residence, whether full-time or part-time. A contrary interpretation would improperly exclude legitimate parcel owners, undermine property rights, and contradict the residential purpose of the subdivision.

• Guest and Invitee Use. Occasional visitation by guests, family, or invitees of a resident or owner—whether arriving by aircraft or other means—remains consistent with the CUP so long as such use is private, noncommercial, and associated with the resident/owner's use of their parcel. Nothing in the CUP suggests an intent to prohibit ordinary social and residential visitation.

• Clarification of "Commercial Use." The prohibition on "commercial use of the airstrip" in Condition 4 is reasonably interpreted to prohibit public-facing or revenue-generating aeronautical operations such as flight schools, charter services, for-hire passenger flights, scheduled operations, or similar activities. Incidental, private rental or licensing of hangar or tiedown space by a resident/owner to another private aircraft owner does not constitute commercial airstrip use so long as:

the airstrip is not held out to the public;

the arrangement does not create a flight school or other aeronautical business; and

all operations remain private and compliant with the CUP.

• No Expansion of CUP Coverage. These requested clarifications do not expand CUP applicability to non-subdivision parcels, do not validate unlawful lot splits, and do not authorize runway use by nonresidents of non-CUP-covered parcels. They merely interpret ambiguous terms to avoid absurd or unreasonable outcomes while preserving the CUP's private, limited-use character.

These interpretations fall squarely within the BOA's authority to review and correct zoning administrator interpretations and ensure consistent, lawful application of CUP PZ-95-21.

VII. SPECIFIC ERRORS IN THE TOWN'S INTERPRETATION — REQUESTED BOA FINDINGS

The following errors in the Town's interpretation warrant correction. Appellant requests that the Board of Adjustment adopt the following findings as part of its decision:

A. Treating Split Lots as Legal Lots Without a Replat

• The Town has accepted A/B/C split parcels within the platted subdivision as lawful building lots despite no replat under Town Code § 509(B)(1).
• Subdivision law requires that any division of platted lots be processed as a subdivision amendment.
• No new legal lots arise unless and until a replat is approved and recorded.

Requested BOA Finding A: Split lots inside an existing subdivision require a formal replat before they can be treated as legal building lots or receive permits.

B. Issuing Permits to Non-Subdivision Parcels

• Parcels 404-17-025M, 025P, 025Q, and the 029 family have never been replatted into the subdivision and are expressly excluded by recorded deeds.
• The Town issued permits, including an aircraft hangar permit, treating these parcels as CUP/runway parcels despite lacking legal status.

Requested BOA Finding B: Permits and zoning clearances may not be issued on the premise of subdivision/CUP runway rights to parcels that are outside the platted Montezuma Heights Air Park subdivision and outside the CUP's legal description unless and until those parcels are lawfully created and incorporated through the Town's subdivision/plat process and are otherwise entitled under the zoning code and applicable land-use approvals. A CUP interpretation or amendment does not substitute for, and cannot cure, noncompliance with subdivision/plat requirements.

C. Relying on Private Bylaws to Determine Zoning

• The Town relied on MHAP bylaws and membership lists instead of recorded plats and legal descriptions.

Requested BOA Finding C: Private corporate documents cannot expand or redefine legal subdivision boundaries, CUP coverage, or zoning classifications.

D. Misinterpretation of CUP PZ-95-21

• The Town treated CUP rights as extending to split parcels, adjacent parcels, and later-created parcels.
• CUP PZ-95-21 applies only to the platted subdivision parcels and two original 1995 metes-and-bounds parcels.

Requested BOA Finding D: CUP rights do not extend to split parcels, adjacent parcels, or later-created parcels absent a formal CUP amendment.

E. Failure to Enforce Platted Taxiway Easements

• The Town issued a fence permit within a recorded 35-foot taxiway easement without verifying required private easement documentation.

Requested BOA Finding E: The Town must enforce recorded taxiway easements and may not issue permits that obstruct aviation safety easements tied to the CUP.

F. Access Determinations

• Zoning clearance and permit issuance require reliance on recorded instruments for legal access.
• Staff-selected or assumed access classifications may not substitute for recorded proof.

Requested BOA Finding F: Legal access determinations must be based on recorded plats, easements, or dedications.

G. Adoption of Policy

• Attorney opinions do not constitute adopted Town policy or procedure absent formal legislative action.

Requested BOA Finding G: Attorney opinions, standing alone, do not bind the public or alter zoning, subdivision, or CUP requirements unless formally adopted through ordinance, resolution, or other required public action.

VIII. RESERVATION OF RIGHTS

This Appeal does not address the separate issue of unapproved subdivision activity under A.R.S. § 9-463.01, which is the subject of a pending enforcement complaint with the Town of Camp Verde and, if necessary, will be pursued through separate legal action. The issues raised here are limited to the Zoning Administrator's interpretation of existing zoning, subdivision, and CUP provisions and the Town's reliance on that interpretation.

IX. EXHIBITS

The following exhibits are submitted as the CORE record set for this BOA appeal. Each exhibit is separately labeled for flash-drive delivery and easy reference during the hearing:

- CORE-A — ACC Adjudication Order (MHAP water service boundaries)
- CORE-B — Recorded Subdivision Plat (Montezuma Heights Air Park)
- CORE-C — CUP PZ-95-21 (Resolution and legal description)
- CORE-D — Appellant complaint email / correspondence
- CORE-E — Town Attorney Letter dated June 5, 2025
- CORE-F — Zoning Administrator Determination dated November 11, 2025
- CORE-G — Parcel Maps (025M / P / Q and 029 variants)
- CORE-H — Excluded-Parcels Deeds (025M-N-P-Q)
- CORE-I — Town Permit Records (split and excluded parcels)
- CORE-J — BOA Rules Request and Response
- CORE-K — Fence Permit / Easement Review Failure (Parcel 404-17-017)

/s/ Marvin E. Wessel Jr.

Marvin E. Wessel, Jr.
Appellant
[redacted]
Camp Verde, AZ 86322

EXHIBIT COVER SHEET & CORE EXHIBIT INDEX

BEFORE THE TOWN OF CAMP VERDE
BOARD OF ADJUSTMENT

In the Matter of:

Appeal of Zoning Administrator Interpretation
Dated November 11, 2025
Relating to Subdivision Boundaries, Lot Splits, Enforcement of Town Code § 509(B)(1), Conditional Use Permit PZ-95-21, and Town Enforcement Practices

Appellant:

Marvin E. Wessel, Jr.
[redacted]
Camp Verde, Arizona 86322

PURPOSE OF CORE EXHIBITS

The following exhibits constitute the CORE evidentiary record supporting the Appellant's appeal of the Zoning Administrator's November 11, 2025 interpretation.

These exhibits establish the factual, statutory, and procedural foundation necessary for the Board of Adjustment to determine whether the Town's interpretation and permitting practices comply with Arizona zoning law, subdivision law, and the limits of Conditional Use Permit PZ-95-21.

Specifically, the CORE exhibits document:

- The legally recorded boundaries of the Montezuma Heights Air Park subdivision;
- The absence of any lawful replat incorporating additional parcels into the subdivision;
- The Town's reliance on private MHAP governance documents in lieu of recorded plats and subdivision law;
- The issuance of permits to non-subdivision parcels without lawful subdivision or CUP authority;
- The Town's adopted position regarding zoning and subdivision enforcement within MHAP; and
- Procedural and interpretive deficiencies affecting the validity of the appealed determination.

LIMITATION OF SCOPE

These exhibits are submitted solely in support of the appeal of the Zoning Administrator's interpretation under A.R.S. § 9-462.06.

They are not offered to request enforcement action, penalties, or remedial measures beyond the statutory authority of the Board of Adjustment.

Nothing herein shall be construed as a waiver of the Appellant's rights to judicial review, declaratory relief, or other civil remedies.

AUTHENTICATION

The Appellant is prepared to authenticate these exhibits through personal knowledge, recorded instruments, public records, and official Town correspondence, as applicable.

CORE EXHIBIT INDEX

Exhibit ID Description

- CORE-A — ACC Adjudication Order (MHAP water service boundaries)
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- CORE-I — Town Permit Records (split and excluded parcels)
- CORE-J — BOA Rules Request and Response
- CORE-K — Fence Permit / Easement Review Failure (404-17-017)

CORE-A — ACC Adjudication / Opinion & Order (1993)

What this is: A binding state adjudication governing MHAP's authorized service and corporate authority footprint. This adjudication was downloaded directly from the ADEQ Water Division website and is currently listed by ADEQ as operative documentation for the MHAP water company. Why the BOA should care: It legally fixes MHAP's parcel-based limits to the platted subdivision only. No subsequent order modifying, vacating, or superseding this adjudication has been identified, and the Town cannot lawfully disregard a controlling state adjudication in favor of private bylaws or post hoc interpretations without a lawful replat.

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission
DOCKETED
APR 07 1993
DOCKETED BY JDL

MARCIA WEEKS
CHAIRMAN
RENZ D. JENNINGS
COMMISSIONER
DALE H. MORGAN
COMMISSIONER

IN THE MATTER OF THE APPLICATION OF THE MONTEZUMA HEIGHTS WATER AND AIRPORT CO., INC., FOR AN ADJUDICATION THAT IT IS NOT A PUBLIC SERVICE CORPORATION.

DOCKET NO. U-2686-92-230

DECISION NO. 58251

OPINION AND ORDER

DATE OF HEARING: February 16, 1993

PLACE OF HEARING: Phoenix, Arizona

PRESIDING OFFICER: Bradley S. Carroll

APPEARANCES: LAW OFFICES OF MARTINEZ & CURTIS, P.C., by Mr. William P. Sullivan, on behalf of Montezuma Heights Water and Airport Co., Inc.;

LAW OFFICE OF DAVID C. KENNEDY, by Mr. David C. Kennedy, on behalf of Intervenor Camp Verde Water System; and

Mr. Peter Breen, Staff Attorney, on behalf of the Utilities Division of the Arizona Corporation Commission.

BY THE COMMISSION:

On August 18, 1992, Montezuma Heights Water & Airport Co., Inc. ("Montezuma" or "Company") filed with the Arizona Corporation Commission ("Commission") an Application For an Adjudication that it is not a Public Service Corporation ("Application). On October 8, 1992, Camp Verde Water System ("Camp Verde") filed a motion to intervene ("Motion") in the matter. By Procedural Order dated November 22, 1992, Camp Verde's Motion was granted over Montezuma's objection. On December 23, 1992, the Commission's Utilities Division ("Staff") filed its Staff Report recommending that the Application be

approved following a hearing. By Procedural Order dated December 30, 1992, the hearing was set to commence on February 16, 1993.

On February 16, 1993, the hearing was held before a duly authorized Hearing Officer of the Commission at its offices in Phoenix, Arizona. Montezuma, Camp Verde and Staff appeared at the hearing and presented evidence. Three property owners were also present at the hearing and gave public comment in support of the Application. At the conclusion of the hearing, the Hearing Officer took the matter under advisement pending submission of a Recommended Opinion and Order to the Commission.

DISCUSSION

Background

Montezuma was formed in 1976 as a non-profit corporation solely for the purpose of producing and distributing domestic water and maintaining an airport runway for the use and benefit of owners of lots or parcels of land within the Montezuma Heights Air Park Subdivision ("Subdivision"). The Subdivision is essentially a fly-in, fly out subdivision in that all lot owners are licensed pilots. There are currently 34 two acre lots; only 23 of which are currently occupied. There are currently only 12 year round occupants. Although there can be further subdividing within the Subdivision, the maximum number of two acre lots that there could potentially be is 40. Each lot owner may apply to be a member of the Company. Each member of the Company has one vote per lot. Members may receive an unlimited amount of water from the Company by paying their annual assessment. There is no requirement that members receive water service from Montezuma. In fact, two members have their own wells. The Company currently

provides water service to 24 lot owners; 23 of which have signed the petition in favor of the adjudication.

The Company's well was drilled in 1960, the lines were installed in 1972 and service commenced in 1977. The facilities include an 8,000 gallon storage tank, one 500 gallon pressure tank, one eight inch well casing, one well pump and two pressure tanks.

Camp Verde is engaged in the business of providing water utility service to the public within portions of Yavapai County, Arizona and has been in operation since 1954 when it was granted its Certificate of Convenience and Necessity ("CC&N"). The Subdivision is located within Camp Verde's certificated area. Camp Verde's closest facilities is approximately one and one half miles away from the Subdivision.

In 1971, the developer of the Subdivision, Mr. Jack Bird, entered into negotiations with Camp Verde for a line extension wherein Camp Verde would supply water to the Subdivision. The line extension agreement was never signed and Mr. Bird broke off negotiations with Camp Verde. Montezuma ultimately went on to develop its own system. Camp Verde maintains that it has complained to the Commission from the mid-1970's until 1990 regarding Montezuma. Camp Verde, however, produced no written documentation or other evidence of such complaints. It was not until late 1990, that a representative of Camp Verde met with Staff regarding the situation. Camp Verde asserts that Montezuma has been operating as a public service corporation, that its CC&N entitles it to provide the water service, and requests that the Application be denied.

Analysis

Although the Company has been providing its members water service since 1977, Camp Verde asserts that its CC&N entitles it to provide water service to the Subdivision. If Montezuma is acting as a public service corporation, we would agree with this assertion. The only issue that we must decide, therefore, is whether Montezuma is a public service corporation.

The issue of what constitutes a public service corporation was legally addressed in the Arizona Supreme Court's decision in Natural Gas Service vs. Serv-Yu Cooperative, Inc., 70 Ariz 235, 219 P.2d 324 (1950) ("Serv-Yu"), wherein the Court set forth the criteria for a determination of what constitutes a public service corporation. In response to the Serv-Yu case, as well as numerous applications for adjudication primarily from individually formed non-profit homeowner associations and cooperatives located in rural areas outside established utility service areas, on April 22, 1987, the Commission issued a Policy Directive in Decision No. 55568 ("Directive"). The Directive provided clarification and seven guideline requirements for Staff to evaluate applications requesting adjudication and outlined the specific filing requirements for applicants.

Based upon our review of Serv-Yu and the Directive, as applied to the evidence presented at the hearing, we find that Montezuma is not a public service corporation. Montezuma may only provide water service to its members who must be lot owners. There are currently 34 lots and even with further subdivision of those lots, the maximum number of lots (and therefore members) that there could be is 40. Each lot owner has one vote in the Company. More than 50 percent of the existing lot owners have signed the petition for adjudication.

There has been no dedication of the Company's water system to public use and there is no intent by the Company to monopolize water service. In fact, two lot owners have their own wells and there would be nothing that would preclude a lot owner from attempting to seek service from Camp Verde if it was economically practical.

We find, therefore, that Montezuma is not acting as a public service corporation and the Application should be approved.

* * * * * * * * * * * *

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. Montezuma is an Arizona non-profit corporation providing water service to its members. Montezuma was formed solely for the purpose of producing and distributing domestic water and maintaining an airport runway for the use and benefit of owners of lots or parcels of land within the Subdivision.

2. Camp Verde is an Arizona corporation engaged in the business of providing water utility service to the public within portions of Yavapai County, Arizona pursuant to authority granted by the Commission in Decision No. 28485 (October 29, 1954).

3. On August 18, 1992, Montezuma filed with the Commission the Application. On November 22, 1992, Camp Verde was granted intervention in the matter.

4. The Subdivision is located within Camp Verde's certificated area. Camp Verde's closest facilities is approximately one and one half miles away from the Subdivision.

5. There are currently 34 two acre lots; 23 of which are currently occupied. There are currently only 12 year round occupants. Although there can be further subdividing within the Subdivision, the maximum number of two acre lots that there could potentially be is 40.

6. Each lot owner may apply to be a member of the Company and each lot owner who is a member of the Company has one vote per lot.

7. Montezuma may only provide water service to its members who must also be lot owners.

8. The Company currently provides water service to 24 members. Members may receive an unlimited amount of water from the Company by paying their annual assessment.

9. There is no requirement that members receive water service from Montezuma. Two members have their own wells.

10. More than 50 percent of the existing lot owners have signed the petition for adjudication.

11. There has been no dedication of the Company's water system to public use and there is no intent by the Company to monopolize water service.

12. There is nothing that would preclude a member from attempting to seek service from Camp Verde.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this matter pursuant to Article XV of the Arizona Constitution and A.R.S. §40-202.

2. The Commission has jurisdiction over Montezuma and over the subject matter of the Application.

3. Notice of the Application was given in accordance with the law.

4. Montezuma is not a public service corporation within the meaning of Serv Yu and the Directive.

5. The Application should be approved.

ORDER

IT IS THEREFORE ORDERED that the Application of Montezuma Heights Water and Airport Co., Inc. for an adjudication that it is not a public service corporation is hereby approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN COMMISSIONER COMMISSIONER

IN WITNESS WHEREOF, I, JAMES MATTHEWS, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 7 day of April, 1993.

JAMES MATTHEWS
EXECUTIVE SECRETARY

DISSENT _____
BSC

SERVICE LIST FOR: MONTEZUMA HEIGHTS WATER AND AIRPORT CO., INC.

DOCKET NO.: U-2686-92-230

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Utilities Division
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1200 West Washington Street
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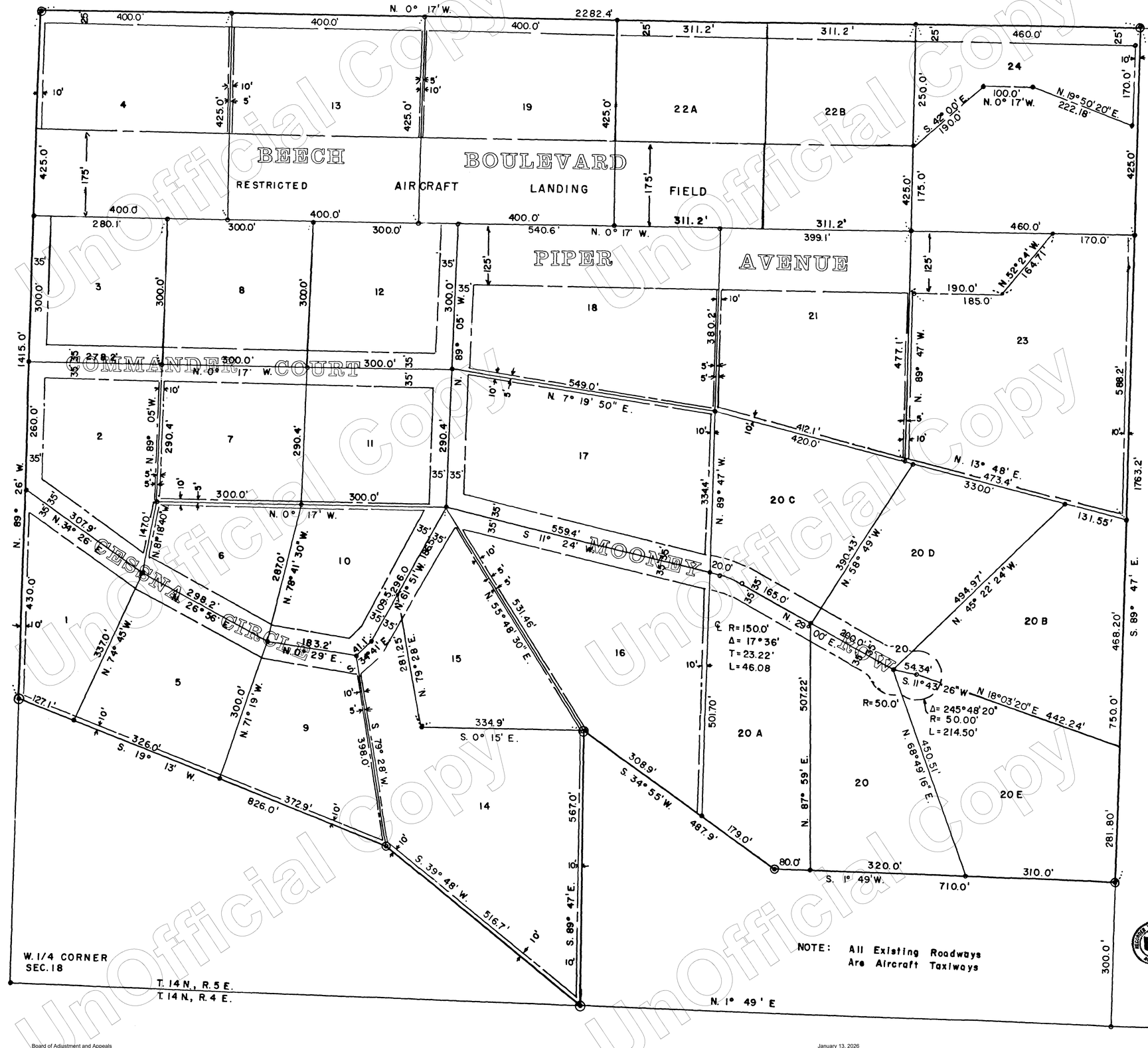
CORE-B — Recorded Plat: Montezuma Heights Air Park (Book 25, Page 18)

What this is: The recorded subdivision plat defining the lawful lots and subdivision boundaries.
Why the BOA should care: This is the controlling boundary document. Any parcel not shown on this plat is not lawfully within the subdivision absent an approved replat.

25-18


N. 0° 17' W. 2282.4'
BEECH BOULEVARD
RESTRICTED AIRCRAFT LANDING FIELD
PIPER AVENUE
COMMANDER COURT
CESSNA CIRCLE
MOONEY ROW
N. 0° 17' W. 540.6'
N. 7° 19' 50" E. 549.0'
N. 13° 48' E. 473.4'
N. 34° 26' E. 307.9'
S. 11° 24' W. 559.4'
N. 29° 00' E. 269.0'
S. 0° 15' E. 334.9'
S. 19° 13' W. 326.0'
S. 34° 55' W. 308.9'
S. 39° 48' W. 516.7'
S. 1° 49' W. 710.0'
N. 1° 49' E
S. 89° 47' E. 567.0'
N. 89° 47' W. 3344'
N. 0° 17' W. 1415.0'
N. 89° 26' W. 2638.2'
S. 89° 47' E. 1763.2'
S. 89° 47' E. 468.20'
S. 89° 47' E. 281.80'
N. 89° 47' W. 586.2'
N. 89° 05' W. 2638.2'
N. 0° 17' W. 2638.2'
N. 0° 17' W. 1763.2'
N. 0° 17' W. 300.0'
N. 0° 17' W. 1320.0'
N. 0° 17' W. 1320.0'
N. 0° 17' W. 1320

CORE-C — CUP Resolution PZ-95-21 (full resolution and conditions)

What this is: The Town’s Conditional Use Permit authorizing the airpark and runway, subject to conditions. Why the BOA should care: CUP rights attach to lawful zoning and subdivision status and cannot be extended to non-platted or unlawfully split parcels absent a formal CUP amendment.

RESOLUTION NO. PZ 95-21

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING USE PERMIT 95-12 FOR THE CONTINUED OPERATION OF THE MONTEZUMA HEIGHTS AIRPARK LOCATED IN THE MONTEZUMA HEIGHTS SUBDIVISION. THE SITE IS TAX PARCELS 404-17-025 et al., ZONED RCU-2A.

The Town Council of the Town of Camp Verde hereby resolves as follows:

I. The Town Council hereby finds as follows:

A. A request for renewal of a Use Permit (No. 95-12) was filed by Mrs. Janet Kelton, agent, for tax parcels 404-17-025 et al.

B. The project was reviewed by the Planning Commission on November 2, 1995, and Town Council on November 22, 1995 in public hearings that were advertized and posted according to state law.

C. The purpose of the Use Permit is to allow for the continued operation of a private airport on the property.

D. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

E. The Use Permit (Number 95-12) is approved, based upon the following findings:

1. The Use Permit will not injure the public health, safety, or welfare.

2. The proposed use meets the requirements of the Planning and Zoning Ordinance.

3. The use, with the conditions recommended by the Planning and Zoning Commission, will be required to meet all requirements of the reviewing agencies responsible for approving this project or portions thereof.

II. The Town Council of the Town of Camp Verde hereby approves Use Permit Number 95-12 for the purpose of continued operation of the Montezuma Heights Airpark with the following conditions which are carried over from the current Use Permit.

1. As required by Sections 111-C and F of the Planning and Zoning Ordinance, the use permit is subject to inspection by the Town and issuance of a Certificate of Compliance and Occupancy within six months from the date of approval.

2. The airstrip shall be operated and maintained in a manner consistent with the general provisions of the Planning and Zoning Ordinance Section 108, inclusive, and any other applicable sections of the Planning and Zoning Ordinance unless otherwise specified.

3. Any violation of the conditions contained in this Use Permit is basis for revocation of the permit by the Town Council.

4. The airstrip is restricted to the use of the residents of Montezuma Heights Subdivision and the adjoining metes and bounds parcels on the north of the airstrip only. No commercial use of the airstrip is permitted.

5. All use of the airstrip and the operation and maintenance of the airstrip shall be in conformance with all applicable requirements of the Federal Aviation Administration (FAA) and the Arizona Department of Transportation (ADOT).

6. Installation of any new structures or expansion of the tie downs, airstrip or taxi ways requires prior approval and amendment of this use permit.

7. This use permit is valid in perpetuity provided that all conditions of this use permit are complied with.

PASSED AND ADOPTED AT A REGULAR SESSION OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON NOVEMBER 22, 1995.

APPROVED AS TO FORM:

Ronald Ramsey
Town Attorney

Carter Rogers
Mayor

WITNESS:

Thomas Ritz
Associate Planner

CORE-D — May 11, 2025 complaint email from Appellant to the Town

What this is: Appellant's written complaint expressly identifying the 1993 adjudication, plat limits, and subdivision law violations. Why the BOA should care: Proves the Town had actual notice of controlling law before issuing the Town Attorney opinion and the Zoning Administrator's adoption.

marv grfs.net

From: [redacted]t
Sent: Sunday, May 11, 2025 4:49 PM
To: Miranda Fisher
Cc: Marie Moore; Trish Stuhan; Sarah Wessel
Subject: RE: Request for Clarification Meeting: MHAP Parcel Subdivisions, CUP Compliance, and Potential Commercialization Concerns
Attachments: Camp_Verde_Complaint.pdf; Exhibit_A_FAA_Commercial_Use_Risk_05022025.pdf; MHAP subdivision map.pdf; MHAP Adjudication comments.pdf; Easements 25 18.pdf

Dear Miranda,

This correspondence serves as a formal continuation of my complaint and notice of potential legal action concerning the Town of Camp Verde's continuing failure to enforce the Conditional Use Permit (CUP) and zoning regulations applicable to the Montezuma Heights subdivision and airstrip. I am available to meet with the Town Attorney and appropriate staff on **Tuesday, May 14**, including virtually or by phone. If the Town is unavailable on May 14, please propose an alternative date prior to May 21. I have commitments on **May 21** and will be unavailable that day.

On **March 17, 2025**, I submitted my initial complaint detailing violations of Town Code §509(B)(1), illegal parcel inclusion, and easement obstruction related to Parcel 025M and other unplatted lots. Since that date, multiple formal and informal communications have occurred—including your April 25 response and my May 2 clarification request. However, the Town has not yet taken any enforcement action or confirmed the legal status of the CUP despite ample time and documentation.

More concerning, your office continues to defer responsibility to the MHAP corporation—an unregulated mutual benefit corporation with no recorded CC&Rs or statutory enforcement power over the subdivision. The town issued a CUP to the subdivision, not the MHAP corporation. The notion that such an entity can override Town Code §509(B)(1), ignore the legal requirement for replatting under ARS §9-463.01, and bypass subdivision zoning protections is legally indefensible. The Town's continued inaction invites the question: on what authority does MHAP have the legal right to unilaterally expand a subdivision, allocate access rights, or assign membership where zoning law explicitly prohibits such actions without Town oversight?

I must emphasize the following:

1. Town Code §509(B)(1) Must Be Enforced

Zoning Inspector **Cory Mulcaire** personally confirmed to me and others that §509(B)(1) prohibits adding any parcel to a recorded subdivision without formal replatting. Yet the Town permitted development on **Parcel 025M**, which is not platted into the Montezuma Heights subdivision. This parcel is only **one of nine** that have been improperly incorporated into MHAP governance without a replat, despite being excluded from the official subdivision plat. The Town has taken no action to address MHAP's internal votes to include these parcels or to prevent permit issuance and water access that further legitimizes this unlawful expansion. These nine parcels, which include 025M, 025N, 025C, 025F, 025K, 025D, 029A, 029C, and 029D, continue to receive benefits from a system they are not legally entitled to under the current plat, zoning code, or adjudicated utility boundaries.

2. FAA and ADOT Compliance Risks

Allowing metes-and-bounds parcels access to the runway or airstrip infrastructure constitutes a **commercial use condition** under FAA regulations, triggering risk of **public-use reclassification**. MHAP's actions, enabled by the Town's inaction, violate the CUP terms restricting usage to subdivision residents and guests.

Additionally, the fence constructed across the recorded taxiway easement is not only a violation of subdivision access rights but **a potential violation of FAA and ADOT safety standards** for obstruction near active taxiways. This easement is recorded with the County subdivision plat, further establishing its legal significance and the Town's obligation to prevent interference.

3. Water System Enforcement (Secondary)

While most of my complaint involves civil claims against MHAP, the Town may have additional obligations related to the operation of the **adjudicated MHAP water system**. I will evaluate whether ARS or ADEQ statutes impose a municipal duty here, though this is not the focus of the initial action.

4. Town's Legal Position Moving Forward

If the Town:

- Affirms the CUP's validity,
- Requires formal replatting for parcels using subdivision services but not legally recorded in county records,
- Acknowledges the obstruction of easements as a violation of the approved plat,

…I will proceed **without naming the Town as a defendant** and welcome the Town's cooperation as a zoning authority. I also want to be clear that **subdivision residents are committed to complying with all CUP conditions** in good faith. There should be no need to consider CUP revocation, and any such action by the Town would likely be met with additional legal response.

If, however, the Town continues to decline enforcement, I will file my Declaratory Judgment Complaint before the end of May and **name the Town as a co-defendant** for:

- **Failure to enforce mandatory zoning regulations** under ARS § 9-462.01 and Town Code,
- **Improper issuance of development permits** to non-platted parcels,
- **Failure to enforce Conditional Use Permit (CUP) restrictions**, despite documented evidence of commercial runway use and non-subdivision parcel access,
- **Administrative negligence** regarding recorded easements and safety violations.

Please confirm by **Wednesday, May 14** whether the Town acknowledges its enforcement role regarding the CUP and plat restrictions. I am available to meet with the Town Attorney that day. I am unavailable May 21 and intend to move forward before the end of the month.

Attachments:

- **Camp_Verde_Complaint.pdf** – March 17 zoning and CUP enforcement complaint
- **Exhibit A – FAA Commercial Use Risk** – Public-use reclassification exposure under FAA AC 150/5190-6B

- **Easements 25 18 – Recorded Subdivision Plat (Book 25, Page 18)**
- **MHAP_ Adjudication_comments.pdf** – Legal boundaries for water utility service with comments
- **MHAP subdivision map** – **Current Yavapai County GIS Subdivision Plat Extract** To confirm the legal subdivision boundary and identify parcels not formally included

Respectfully,
Marv Wessel
Resident, Montezuma Heights Subdivision

From: Miranda Fisher <Miranda.Fisher@campverde.az.gov>
Sent: Sunday, May 11, 2025 9:33 AM
To: m[redacted]
Cc: Marie Moore <marie.moore@campverde.az.gov>; Trish Stuhan <trish@piercecoleman.com>
Subject: Re: Request for Clarification Meeting: MHAP Parcel Subdivisions, CUP Compliance, and Potential Commercialization Concerns

Hi Marv,

Would you be able to meet on Wednesday, May 21st @ 5:30pm?

Thanks,
Miranda

Get Outlook for iOS

From: m[redacted]>
Sent: Friday, May 2, 2025 6:23:49 PM
To: Miranda Fisher <Miranda.Fisher@campverde.az.gov>
Cc: Marie Moore <marie.moore@campverde.az.gov>; Trish Stuhan <trish@piercecoleman.com>
Subject: RE: Request for Clarification Meeting: MHAP Parcel Subdivisions, CUP Compliance, and Potential Commercialization Concerns

Miranda,

Thank you for your response to my zoning complaint. Unfortunately, I will be unavailable for a meeting on May 7 but can meet any day following that date and would appreciate the opportunity to do so.

I respectfully request clarification on a key point: If the Town is unable or unwilling to enforce Zoning Code §509(B)(1) or the Conditional Use Permit (CUP) due to uncertainty about the CUP's legal standing, please confirm. If the CUP is not enforceable for legal reasons, I am prepared to drop the complaint and pursue resolution through civil court instead.

However, if the CUP is legally enforceable, I believe the Town has a clear responsibility to review the attached evidence and enforce subdivision zoning boundaries consistent with its own regulations. This includes addressing the addition of Parcel 025M to MHAP governance and the issuance of permits for substantial development on that parcel—despite its exclusion from the original subdivision plat and clear language in the deed stating it is not part of the Airpark. Parcel 025N contains identical deed restrictions.

The original subdivision plat (Book 25, Page 18) defines the boundary of Montezuma Heights. MHAP bylaws restrict membership to parcels within that boundary. No replatting has occurred for these outlying parcels.

Moreover, FAA regulations may also be implicated. The inclusion of non-subdivision parcels with no recorded easement or plat entitlement in MHAP operations risks a reclassification of the runway as a public-use airport. Please refer to **Exhibit A – FAA Commercial Use Risk**.

Respectfully, I also remind the Town that the fence issue—caused by permitted construction that encroaches on a recorded taxiway easement—may also be resolved in civil court if Town enforcement is unavailable.

If Town officials determine that legal uncertainty over the CUP prevents enforcement, I request formal written confirmation. Otherwise, I urge the Town to take enforcement action before I proceed with filing a Declaratory Judgment in court.

Included Attachments:

- Exhibit A – FAA Commercial Use Risk
- Exhibit B – Subdivision Boundary Violation
- Exhibit E – Taxiway Encroachment and Easement Violation
- Deeds for Parcel 025M and 025N
- Original Subdivision Plat (Book 25, Page 18)

Best regards,

Marv Wessel
CEO Global RF Solutions

From: Miranda Fisher <Miranda.Fisher@campverde.az.gov>
Sent: Thursday, May 01, 2025 6:21 PM
To: m[redacted]
Cc: Marie Moore <marie.moore@campverde.az.gov>; Trish Stuhan <trish@piercecoleman.com>
Subject: RE: Request for Clarification Meeting: MHAP Parcel Subdivisions, CUP Compliance, and Potential Commercialization Concerns

Hi Marv,

We look forward to meeting with you on Wednesday, May 7th, at 4:30 p.m. Before our meeting, I would like to provide some additional clarification, as I believe there may be some misunderstandings.

Parcel 025M
Although parcel 025M is not part of the official subdivision, the bylaws do list it as a member parcel (see Article II, Section 1, second paragraph). Please note that the Town does not have authority over the bylaws, and simply listing the parcel in the bylaws does not imply an illegal subdivision. The issue here is more related to the bylaws themselves than the subdivision. That being said, we encourage a replat to ensure that all properties identified in the bylaws are properly included in the subdivision.

Notice of Common Area Property
A Notice of Common Area Property establishes the usage and maintenance of shared spaces. It's important to understand that a Notice of Common Area Property is not a zoning or subdivision-related document. Its primary purpose is to establish the framework for shared ownership and access to communal spaces, as well as to outline the obligations of those responsible for upkeep. The existence of such a notice does not, in and of itself, suggest or indicate that an illegal subdivision has occurred.

Fencing
Regarding the new fencing, we will investigate further to determine whether it complies with FAA and ADOT minimum requirements. If a violation is found, the Town will work with MHAP to address the necessary changes to ensure compliance. It's important to note that revocation of CUPs is not our usual approach; instead, we prefer to collaborate with applicants to resolve issues.

As previously mentioned, in order to determine if there is a zoning violation, we would need evidence of an illegal subdivision. To date, the documents you provided point to issues within MHAP's policies and procedures, rather than indicating a violation of zoning laws.

I hope this helps clarify the situation. We look forward to discussing this further at our meeting.

Thanks,

Miranda Fisher, DPA
Town Manager / Interim Community Development Director
Town of Camp Verde
473 S. Main Street
Camp Verde, AZ 86322
Cell Phone: 928-451-3670
Office: 928-554-0001

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From: m[redacted]
Sent: Friday, April 25, 2025 5:30 PM
To: Miranda Fisher <Miranda.Fisher@campverde.az.gov>
Cc: Marie Moore <marie.moore@campverde.az.gov>; Trish Stuhan <trish@piercecoleman.com>
Subject: RE: Request for Clarification Meeting: MHAP Parcel Subdivisions, CUP Compliance, and Potential Commercialization Concerns

Miranda,
Thank you for your response and for coordinating the upcoming meeting with Town Counsel.
Before that meeting, I want to respectfully clarify several key points based on the formal documentation already provided:

- The Town's own Zoning Code Section 509(B)(1) requires replatting for any subdivision expansion.
- Arizona Revised Statutes § 9-463.01(A) mandates platting and Town approval for the subdivision of land into additional parcels.

- The Conditional Use Permit (Resolution PZ 95-21) prohibits commercial use and requires compliance with FAA, ADOT, and zoning standards.
- MHAP Annual Meeting Minutes from January 2025 show a vote to incorporate Lot 025M into MHAP governance despite direct warnings that replatting was required.
- MHAP Bylaws inconsistently list non-platted parcels as members, contrary to the requirement for recorded subdivision membership.
- A subdivision map demonstrates that multiple parcels incorporated by MHAP are not part of the recorded subdivision plat.
- A formal complaint outlining these zoning, CUP, and governance violations has been previously submitted.

Further, it is important to recognize that MHAP, by voting internally to add non-platted parcels like Lot 025M, is effectively acting as a de facto zoning authority — without any lawful delegation of that power. MHAP is a private water and airport maintenance company, not a municipal zoning board. Permitting MHAP to self-expand its subdivision boundaries by corporate vote, without a Town-supervised replatting process, is entirely incompatible with both Town Zoning Ordinance 509(B)(1) and A.R.S. § 9-463.01(A).

Additionally, in 2015, MHAP representatives recorded a “Notice of Common Area Property” (Tenniswood filing) with Yavapai County purporting to add a parcel into the subdivision without following any formal replatting procedures. No preliminary plat, final plat, or Town Council approval occurred. This recorded action stands as further evidence of subdivision boundary changes without lawful process.

There are also newly emerging concerns regarding CUP compliance with aviation safety standards. MHAP has installed fencing along taxiways that restricts clearance below FAA and ADOT minimum requirements for object-free zones. This creates a safety hazard in violation of federal design standards and breaches CUP conditions requiring compliance with FAA and ADOT regulations.

Given the cumulative evidence and the Town’s current refusal to recognize zoning violations, I respectfully ask for specific clarification before our meeting:

1. What additional evidence, specifically, does the Town require to recognize that a violation of Zoning Code 509(B)(1) and A.R.S. § 9-463.01(A) has occurred?

2. What specific elements are missing that prevent the Town from acknowledging noncompliance with CUP requirements?

Beyond these immediate issues, I am deeply concerned that the Town’s inaction is now widely interpreted by property owners as permission to proceed with further parcel subdivisions, unauthorized runway use expansions, and compensated aviation activities. This substantially increases the risk that MHAP will be reclassified as a public-use airport under FAA standards. Pilots are familiar with the phrase "We're from the FAA, we're here to help!" and it is not a phrase you wish to have directed at you at any time!

Once public-use status is triggered — particularly given the involvement of a State-owned parcel intersecting the MHAP runway — the Town may lose substantial control over future airport operations. The situations currently unfolding at Cottonwood Municipal Airport and in Clarkdale, due to Embry-Riddle flight operations and FAA oversight, provide a real-world precedent for how rapidly these issues can escalate when municipalities lose local zoning and CUP enforcement authority.

To avoid these consequences and to resolve the current uncertainty, I look forward to presenting additional exhibits and structured materials at our scheduled meeting. I sincerely hope the Town will proactively reconsider its enforcement posture and take appropriate corrective actions consistent with Town ordinances, State law, and federal aviation regulations.

Thank you again for your time and consideration.

Best regards,

Marv Wessel
CEO Global RF Solutions

From: Miranda Fisher <Miranda.Fisher@campverde.az.gov>
Sent: Friday, April 25, 2025 1:32 PM
To: m[redacted]

Cc: Marie Moore <marie.moore@campverde.az.gov>; Trish Stuhan <trish@piercecoleman.com>
Subject: Re: Request for Clarification Meeting: MHAP Parcel Subdivisions, CUP Compliance, and Potential Commercialization Concerns

Hi Marv,

I discussed your concerns with our Town Attorney Trish Stuhan so she'd be the most appropriate person to join us. That said, she won't be back in Camp Verde until 5/7. We could meet that day at 4:30pm in person or another day/time virtually. Please let me know what you'd prefer.

Based on the documentation you've provided to date, there is nothing that has shown confirmation of an illegal subdivision occurring. If you have additional documentation showing a parcel(s) was illegally subdivided, that's something we can look into further. At this time though, I can only make my assessment off what's been provided to date.

Thanks,
Miranda

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From: m[redacted]
Sent: Friday, April 25, 2025 11:44 AM
To: Miranda Fisher <Miranda.Fisher@campverde.az.gov>
Cc: Marie Moore <marie.moore@campverde.az.gov>
Subject: Request for Clarification Meeting: MHAP Parcel Subdivisions, CUP Compliance, and Potential Commercialization Concerns

Hello Miranda,
I'm writing to respectfully request a meeting with you, the Town's land use attorney, and any other staff you feel appropriate to help clarify the Town's current interpretation regarding MHAP's Conditional Use Permit (CUP) enforcement and subdivision compliance under Section 509(B)(1).
Based on your written response, and following additional discussions with other concerned parties, there appears to be a growing interpretation that the Town is permitting continued subdivision of parcels both within and adjoining the MHAP subdivision without requiring replatting or Town oversight under 509(B)(1). Several property owners are now actively considering, if not already proceeding with, such actions.
Additionally, the lack of enforcement is raising concern that commercial aviation activities **"specifically compensated runway use by non-subdivision parcels"** may have been inadvertently permitted as well. This could open the door to broader operational and regulatory challenges that might not align with the Town's original vision for the airpark.
Given the number of parties who are now interpreting the Town's position this way, and the potential consequences to the CUP and zoning integrity, I believe it would be beneficial to meet as soon as possible to clarify the Town's enforcement policies moving forward.
Thank you for your time and consideration. I am happy to accommodate your availability.

Best regards,

Marv Wessel
CEO Global RF Solutions

From: Miranda Fisher <Miranda.Fisher@campverde.az.gov>
Sent: Thursday, April 24, 2025 5:09 PM

To: marv grfs.net <marv@grfs.net>
Subject: RE: Follow up on CUP

Hi Marv,

Thank you for providing this additional context, and again, I apologize for the delayed response.

When we met on March 18, 2024, you submitted a letter titled *"Formal Complaint Regarding MHAP's Zoning Violations and Conditional Use Permit (CUP) Compliance."* In that letter, you asked the Town to review five key concerns. However, the Town only has jurisdiction over two of the issues raised: (1) potential violations of Zoning Ordinance 509(B)(1), and (2) compliance with the Conditional Use Permit. As such, we are unable to comment on the remaining matters, as they fall within the scope of private civil issues.

Conditional Use Permit (CUP)
The CUP is specific to the use of the airpark and states that residents of the Montezuma Heights Subdivision, as well as owners of adjoining metes-and-bounds parcels to the north, are permitted to use the airstrip. While the CUP references compliance with the Town's zoning regulations, that requirement pertains specifically to airstrip usage and maintenance. It does not extend to matters of platting. Therefore, it is the Town's opinion that there is no violation of the CUP at this time.

Zoning Violation
The MHAP bylaws include a list of parcels as membership properties that we agree are not in the subdivision. While the Town recommends that MHAP consider replatting to formally incorporate the northern parcels into the subdivision, we do not have the authority to mandate this. As such, we view this as a civil matter and not a zoning or land use violation.

Please don't hesitate to reach out if you have any additional questions or would like to discuss this further.

Thanks,

Miranda Fisher, DPA
Town Manager / Interim Community Development Director
Town of Camp Verde
473 S. Main Street
Camp Verde, AZ 86322
Cell Phone: 928-451-3670
Office: 928-554-0001

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From: m[redacted]
Sent: Monday, April 14, 2025 10:44 AM
To: Miranda Fisher <Miranda.Fisher@campverde.az.gov>
Subject: RE: Follow up on CUP

Miranda,

Thank you for taking the time to work on this. Let me know if you need additional information. I also located a parcel that was added to the subdivision by recording it with the County and circumventing the town zoning code. I listened to you in the council meeting about reviewing CUP with "In perpetuity" status. This airpark is the perfect example of what happens when a group gets together and thinks they can fly under the radar (sorry for the pun) from town oversight. Here's my analysis of the parcel addition.

Summary:

Parcel 404-17-029, representing approximately one-third of the Montezuma Heights airstrip, is **not legally part of the platted Montezuma Heights Subdivision**. Despite this, Montezuma Heights Water and Airport Corporation, Inc. (MHAP) recorded a 2015 “Notice of Common Area Property” (Book 2015, Page 408678) designating this parcel as “common area” for subdivision members without following required legal procedures under Arizona law or Town zoning regulations.

Key Legal Points:

1. No Subdivision Replat Was Performed

- Parcel 404-17-029 is not included in the original plat (Book 6, Page 84 or Book 25, Page 18) for the Montezuma Heights Subdivision.
- Arizona Revised Statutes **§ 9-463.01** and Town of Camp Verde zoning code both require that any new parcel added to a subdivision must undergo a **formal replat** process with Town approval.
- No such replat was performed or recorded for Parcel 404-17-029.

2. 2015 Recording Does Not Legally Bind or Expand the Subdivision

- The document recorded by MHAP on 08/27/2015 under **A.R.S. § 42-13402** is intended for **property tax classification only** (i.e., exempting common area property from ad valorem taxes).
- This statute **does not grant zoning authority, legal easements, or plat inclusion.**
- The document does not reference, nor comply with, the process required to expand a legal subdivision boundary.

3. No Easements or Access Rights Were Created

- There is no recorded easement or declaration extending runway or taxiway access across Parcel 404-17-029 to other parcels—particularly to **non-subdivision parcels** (e.g., those not part of Book 25, Page 18).
- Town of Camp Verde’s CUP protections cannot extend to this parcel **without zoning amendment or plat modification**.

4. MHAP Bylaws Cannot Legally Expand Access

- MHAP’s bylaws are **not recorded CC&Rs**, and are not binding on parcel owners unless recorded against title.
- No provision in the bylaws grants or records access over 404-17-029 for non-subdivision parcels.
- Internal votes by MHAP to treat this parcel as common area or assign it to members are **not legally enforceable**.

Conclusion:

The inclusion of Parcel 404-17-029 as “common area” in MHAP’s corporate filings is **procedurally invalid**. It does not establish legal subdivision status, access rights, or enforceable participation in the airpark under the Town’s zoning code. Any rights claimed by MHAP or non-subdivision parcels based on this recording are **legally void** without:

- A replat,
- Town zoning approval, and
- Proper easement documentation.

This strengthens the argument to have this subdivision replat to include all parcels that could/should be in the subdivision and make our water system legal by following the adjudication of the court to not export water beyond the subdivision boundaries.

Best regards,

Marv Wessel
CEO Global RF Solutions

From: Miranda Fisher <Miranda.Fisher@campverde.az.gov>
Sent: Monday, April 14, 2025 6:53 AM
To: m[redacted]
Subject: Re: Follow up on CUP

Hi Marv,

I apologize for the delay in follow up on this matter! I am hoping to snag time with our Attorney this week to verify my analysis of the situation. I should be able to reconnect by next Monday at the latest.

Thanks,
Miranda

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From: m[redacted]
Sent: Thursday, April 10, 2025 10:28:54 AM
To: Miranda Fisher <Miranda.Fisher@campverde.az.gov>
Subject: Follow up on CUP

Miranda,

Nice to see you in action last night. I realize you're a busy person but I'm just checking in to see what the status is on my complaint? Let me know if there is any additional research or information you may need help with?
Best regards,

Marv Wessel
[redacted]

From: Marvin E. Wessel Jr.
[redacted]

To: Miranda Fisher
Town Manager
Town of Camp Verde
473 S. Main Street
Suite 102
Camp Verde, AZ 86322

March 17, 2025

Subject: Formal Complaint Regarding MHAP's Zoning Violations and Conditional Use Permit (CUP) Compliance

Dear Ms. Fisher,

I am writing to formally request the Town of Camp Verde's assistance in ensuring zoning regulations and Conditional Use Permit (CUP) compliance concerning Montezuma Heights Water and Airport Company, Inc. (MHAP). While the CUP is issued to the Montezuma Heights Subdivision, MHAP currently administers the permit on behalf of residents. Despite multiple attempts to address these issues internally, MHAP leadership has refused to acknowledge or correct ongoing violations, placing my investment and those of other property owners at risk.

Key Issues Requesting Town Review

1. **Fraudulent Representation in MHAP Bylaws**
    - MHAP's bylaws falsely state that certain parcels are part of the Montezuma Heights Subdivision as recorded in county records, despite these parcels never having been legally re-platted.
    - This misrepresentation further invalidates MHAP's authority to provide water service or enforce assessments on these parcels, strengthening the argument that they must be properly re-platted to comply with legal requirements.
    - The misleading bylaw statements regarding parcel inclusion confuse and mislead residents and property owners, creating uncertainty about their legal status and obligations.
    - This raises concerns about potential fraudulent misrepresentation in official governing documents and whether members have been misled regarding the legal status of their properties.

2. **MHAP Water System Adjudication and Restrictions**

   - A court-ordered decision, stemming from a lawsuit between MHAP and the Town of Camp Verde, adjudicated the MHAP water system as not a public service corporation, meaning it can legally only provide water to lot owners within the subdivision. This legal ruling further underscores the necessity for MHAP to comply with zoning regulations and reinforces that water service cannot be extended beyond the subdivision without violating the court's decision.

   - This decision underscores that MHAP cannot supply water outside the subdivision, emphasizing the need for strict adherence to zoning laws. To align with this ruling, parcels outside the subdivision should be re-platted before being incorporated into MHAP, ensuring compliance with both the court's decision and municipal regulations.

   - Despite this legal restriction, MHAP has continued to distribute water beyond the subdivision, raising serious concerns about compliance with the adjudication decision and regulatory oversight.

   - MHAP's own bylaws also restrict water distribution to the subdivision, further reinforcing that supplying water beyond its legal boundaries is both a violation of its governing documents and the court ruling.

3. **Violation of Zoning Ordinance 509, B, 1**

   - MHAP has improperly incorporated parcel 025M and other metes and bounds parcels into its corporate structure without re-platting, in direct violation of zoning regulations.

   - The Town’s zoning ordinance (Section 509) requires that any changes to subdivision boundaries follow formal re-platting procedures. MHAP has knowingly bypassed these requirements.

4. **Ensuring Compliance with the Conditional Use Permit (CUP)**

   - The CUP issued to Montezuma Heights Subdivision requires compliance with zoning laws. MHAP’s unauthorized additions of parcels must be addressed to maintain compliance with the CUP terms.

   - MHAP leadership was warned at the 2025 annual meeting about the illegal inclusion of parcel 025M, yet they proceeded with the vote anyway, ignoring zoning law requirements.

5. **Financial and Legal Risks to Property Owners**

   - If MHAP’s violations remain unresolved, it could inadvertently invite additional scrutiny regarding the CUP, which may impact the subdivision’s operations as a private airport. The majority of residents are committed to upholding compliance with all conditions

necessary to maintain a positive and cooperative relationship with the Town, ensuring the continued success and integrity of the community.

- MHAP is imposing financial assessments on members under an illegitimate structure, as it lacks legal authority over improperly added parcels.

6. **Failure of MHAP Leadership to Address Legal Warnings**

   - Although it seems evident that the current MHAP leadership refuses to comply, the majority of residents remain committed to upholding the CUP conditions. Multiple efforts have been made to work with MHAP to resolve these violations, including formal warnings, direct communication at meetings, and requests for corrective action. Unfortunately, these efforts have not yet been met with cooperation.

   - The 2025 meeting minutes confirm that members raised concerns about parcel 025M, yet the Board moved forward with its inclusion without considering the legal ramifications, despite recommendations from members present at the annual meeting.

Request for Town Guidance and Assistance

Given that the current MHAP Board of Directors (BOD) has demonstrated a pattern of non-compliance and a refusal to self-correct—actions that do not reflect the wishes of the majority of MHAP members—I respectfully request the Town of Camp Verde take the following actions:

1. Enforce Zoning Ordinance 509, B, 1 and require that all parcels within MHAP comply with re-platting regulations.
2. Work with MHAP to ensure compliance with the Conditional Use Permit (CUP) and provide guidance on necessary corrective measures to maintain good standing.
3. Issue a formal directive to MHAP mandating compliance with all applicable zoning and permit requirements to prevent any potential future conflicts.

It is important to note that the MHAP BOD exercised strict control over what could be presented to the membership, limiting open discussion and leaving many members questioning whether the actions taken were appropriate or legally sound.

Supporting Documentation

- Zoning Code 509, outlining re-platting requirements.
- MHAP Conditional Use Permit (CUP), demonstrating the conditions that MHAP must adhere to in coordination with the Town of Camp Verde.
- 1993 MHAP Adjudication
- MHAP Bylaws

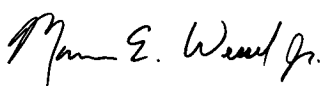
- 2025 MHAP Annual Meeting Minutes, confirming the Board's decision to bypass zoning laws despite member warnings.
- MHAP Subdivision Map, identifying parcels that remain outside the official subdivision.
- Formal Warning to MHAP Board, highlighting previous attempts to rectify these issues internally.

Conclusion

I have exhausted every method available to encourage MHAP to comply with zoning laws and protect my investment. I hope that the Town of Camp Verde will take proactive measures to ensure MHAP conforms to all zoning requirements and continues to operate in harmony with the Town under the CUP. By addressing these compliance issues now, we can avoid the need for more severe corrective action in the future.

I will be hand-delivering this complaint, so confirmation of receipt is not necessary. However, I remain available to discuss this matter further at your earliest convenience.

Sincerely,



Marvin E. Wessel Jr.

Montezuma Heights Subdivision Resident

Exhibit A – FAA Commercial Use Risk: MHAP Subdivision vs. Non-Platted Parcels

Purpose:

To illustrate the FAA regulatory distinction between lawful private hangar usage by subdivision parcel owners and unauthorized compensated access by non-platted parcels, and how the latter may convert the airstrip into a commercial-use facility.

1. FAA Regulations and Definitions:

- FAA Advisory Circular AC 150/5190-7 states: “Accepting compensation for the use of a private airstrip by individuals or entities who are not property owners may constitute a change in status from private to public-use.”

- A private-use airport may operate without FAA registration only when:

- It does not accept compensation from the public,

- It restricts access to a legally entitled group (e.g., subdivision lot owners with appurtenant runway access).

- FAA Order 5090.4B and 14 CFR Part 157.3 define a public-use airport as one that is available for use by the general public without prior approval of the airport owner/operator.

- FAA Compliance Manual (Order 5190.6B) outlines that operations must be restricted to lawful participants with documented access rights to maintain private-use designation.

2. Permissible Use – Subdivision Parcel Owners:

- Legally platted subdivision parcels with recorded access rights may host aircraft in private hangars.

- Rental of hangar space or tie-downs by subdivision parcel owners is permissible if the renter is also a legal member or guest and no runway access is sold to the public.

- This is consistent with private-use FAA definitions.

3. Unauthorized Use – Non-Platted Parcels and Compensation:

- MHAP currently includes parcels not legally platted into the subdivision (e.g., Parcel 025N) and collects assessments or usage fees from them.

- These parcels have no recorded easement or plat-based right to use the airstrip. Deeds for Parcels 025M and 025N specifically exclude participation in the Airpark, yet MHAP leadership has moved to include them by vote without replatting.

- Any monetary exchange to allow these parcels runway access constitutes compensated public access under FAA policy.

- If allowed to continue, FAA may consider MHAP a public-use airport subject to registration, inspection, and reclassification.

- Federal Law Reference:

- 14 CFR Part 157.3 requires that any airport opening to the public or materially changing its use must notify and obtain FAA approval.

- MHAP's acceptance of compensation from non-entitled users without FAA notification would place it in violation of federal regulations, triggering enforcement actions.

4. CUP and Metes-and-Bounds Parcel Context:

- The original CUP (1991, reaffirmed in 1995) allowed limited access to certain adjoining metes-and-bounds parcels, but only if they remained whole and complied with zoning and platting regulations.

- Once a metes-and-bounds parcel is subdivided, it loses any implied access under the original CUP unless it is formally replatted and approved by the Town.

- FAA views access granted to these subdivided, non-entitled parcels as indicative of commercial use.

5. CUP Conflict:

- CUP Condition #4 (1991, reaffirmed 1995): “No commercial use of the airstrip is permitted.”

- By charging non-entitled parcels for access, MHAP violates this CUP condition.

Conclusion:

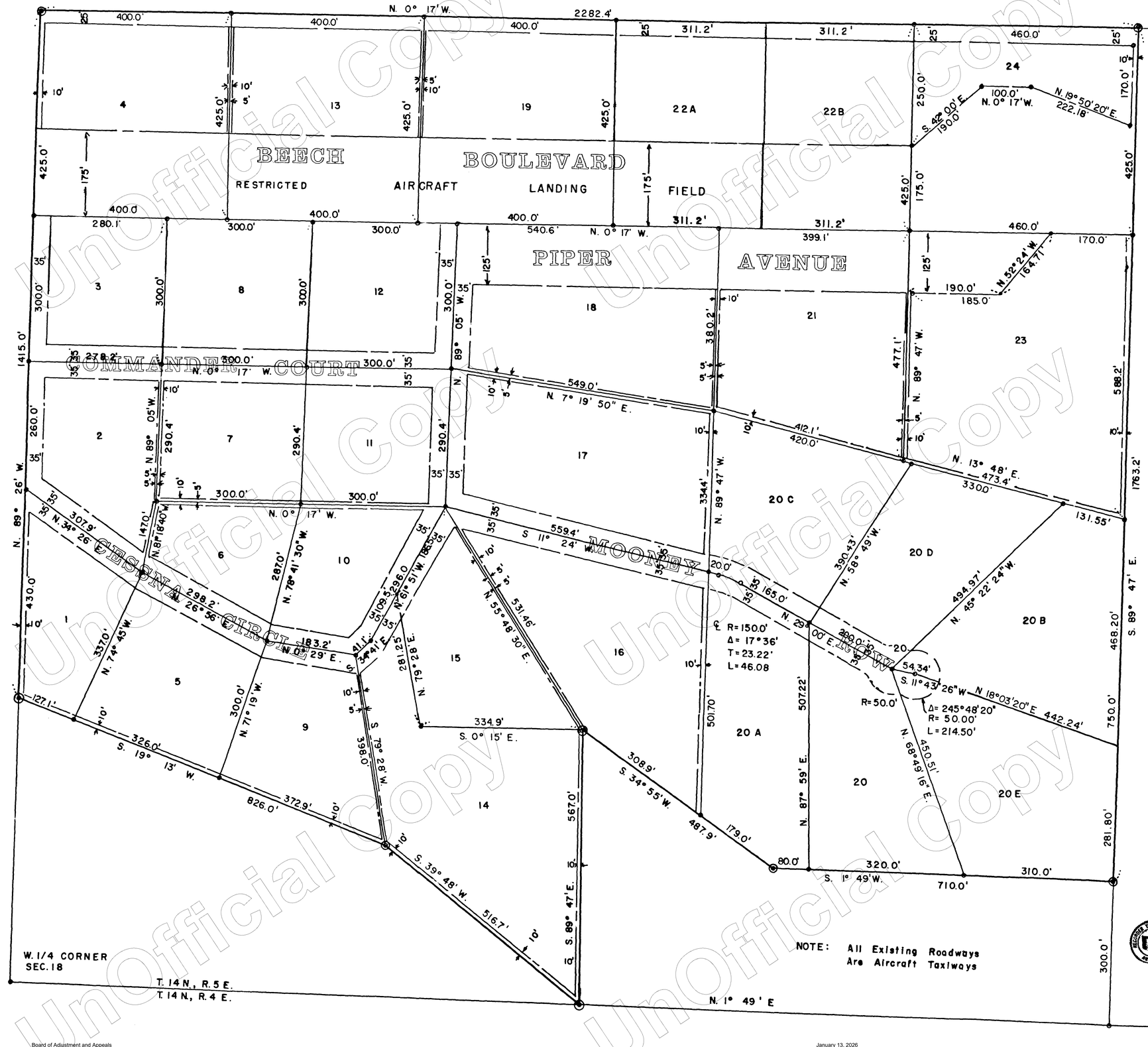
MHAP’s acceptance of payments from non-platted parcels crosses the FAA threshold for commercialization and directly violates Town CUP restrictions. In addition, MHAP's activities may trigger federal enforcement under 14 CFR Part 157.3 if changes to public accessibility are not properly reported. The CUP's original inclusion of whole metes-and-bounds parcels does not legitimize the current practice of adding newly subdivided, unplatted lots. If enforcement is not reinstated, the Town risks loss of MHAP's private-use status and invites further misuse by external operators.

Prepared by:

Marv Wessel

May 2025

25-18



NOTE: All Existing Roadways Are Aircraft Taxiways

AMENDED MAP OF MONTEZUMA HEIGHTS AIR PARK

PREPARED FROM THE RECORDED PLAT BOOK 6, PAGE 84, YAVAPAI CO., ARIZ.

FOR THE PURPOSE OF

DELINEATION AND DIMENSIONING EASEMENTS FOR PUBLIC UTILITIES, RESTICTED AIRCRAFT LANDING FIELD, ACCESS ROADWAY COMBINED WITH AIRCRAFT TAXIWAYS, AND REVISING THAT MAP RECORDED IN BK 17, PG 22. AND SHOWING PARCELS FROM INDIVIDUAL SURVEYS IN LOT 20.

LEGEND

LOT LINE.= ———

EASEMENT LINE.= – – – – –

USE RESTICTED TO;
UTILITIES ONLY = 10' WIDTH.
RUNWAY = 175' MIN. WIDTH.
TAXIWAY, VEHICULAR ACCESS, & UTILITIES = 30' MIN. WIDTH.

SUBDIVISION CORNER = —⊕—

FOR

MONTEZUMA HEIGHTS WATER & AIRPORT CO. INC.
P.O. BOX 1177, CAMP VERDE, ARIZ.
86322

BY

MC DONALD PLANNING & SURVEYING
946 E. DRIFTWOOD DR.
TEMPE, ARIZ. 85283
838-2959

REGISTERED LAND SURVEYOR 5357 VANCE L. McDONALD ARIZONA U.S.A.

Vance L. Mc Donald
V. L. MC DONALD L.S.
JUNE 1982

WE, THE REPRESENTATIVES OF THE OWNERS OF THE PARCELS SHOWN HERE ON, AS OFFICERS OF MONTEZUMA HEIGHTS WATER AND AIRPORT CO., INC, DO HERE BY PUBLISH THIS MAP.

Henry M. Rood
PRESIDENT
Ardell M. Richcreek
SECRETARY

Filed and recorded at request of
YAVAPAI CO. PLANNING & ZONING
July 15 A.D. 1985
at 12:20 o'clock P M
Book 25 of Maps + Plats
Page 18
Records of Yavapai County, Arizona
PATSY C. JENNEY
County Recorder
Deputy Recorder

ACKNOWLEDGEMENT
STATE OF ARIZONA
COUNTY OF COCONINO
ON THIS, THE 30 DAY OF May, 1980, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED _____, AND _____, PRESIDENT AND SECRETARY, RESPECTIVLY AND EXECUTED THIS INSTRUMENT FOR THE PURPOSES HERE ON.

IN WITNESS WHEREOF I HEREUTO SET MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES 1/30/1988

REV. 6-27-85

Unofficial Copy

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission
DOCKETED
APR 07 1993
DOCKETED BY JOL

MARCIA WEEKS
CHAIRMAN
RENZ D. JENNINGS
COMMISSIONER
DALE H. MORGAN
COMMISSIONER

IN THE MATTER OF THE APPLICATION OF THE MONTEZUMA HEIGHTS WATER AND AIRPORT CO., INC., FOR AN ADJUDICATION THAT IT IS NOT A PUBLIC SERVICE CORPORATION.	DOCKET NO. U-2686-92-230 DECISION NO. 58251 OPINION AND ORDER

DATE OF HEARING: February 16, 1993

PLACE OF HEARING: Phoenix, Arizona

PRESIDING OFFICER: Bradley S. Carroll

APPEARANCES: LAW OFFICES OF MARTINEZ & CURTIS, P.C., by Mr. William P. Sullivan, on behalf of Montezuma Heights Water and Airport Co., Inc.;

LAW OFFICE OF DAVID C. KENNEDY, by Mr. David C. Kennedy, on behalf of Intervenor Camp Verde Water System; and

Mr. Peter Breen, Staff Attorney, on behalf of the Utilities Division of the Arizona Corporation Commission.

BY THE COMMISSION:

On August 18, 1992, Montezuma Heights Water & Airport Co., Inc. ("Montezuma" or "Company") filed with the Arizona Corporation Commission ("Commission") an Application For an Adjudication that it is not a Public Service Corporation ("Application). On October 8, 1992, Camp Verde Water System ("Camp Verde") filed a motion to intervene ("Motion") in the matter. By Procedural Order dated November 22, 1992, Camp Verde's Motion was granted over Montezuma's objection. On December 23, 1992, the Commission's Utilities Division ("Staff") filed its Staff Report recommending that the Application be

approved following a hearing. By Procedural Order dated December 30, 1992, the hearing was set to commence on February 16, 1993.

On February 16, 1993, the hearing was held before a duly authorized Hearing Officer of the Commission at its offices in Phoenix, Arizona. Montezuma, Camp Verde and Staff appeared at the hearing and presented evidence. Three property owners were also present at the hearing and gave public comment in support of the Application. At the conclusion of the hearing, the Hearing Officer took the matter under advisement pending submission of a Recommended Opinion and Order to the Commission.

DISCUSSION

Background

Montezuma was formed in 1976 as a non-profit corporation solely for the purpose of producing and distributing domestic water and maintaining an airport runway for the use and benefit of owners of lots or parcels of land within the Montezuma Heights Air Park Subdivision ("Subdivision"). The Subdivision is essentially a fly-in, fly out subdivision in that all lot owners are licensed pilots. There are currently 34 two acre lots; only 23 of which are currently occupied. There are currently only 12 year round occupants. Although there can be further subdividing within the Subdivision, the maximum number of two acre lots that there could potentially be is 40. Each lot owner may apply to be a member of the Company. Each member of the Company has one vote per lot. Members may receive an unlimited amount of water from the Company by paying their annual assessment. There is no requirement that members receive water service from Montezuma. In fact, two members have their own wells. The Company currently

provides water service to 24 lot owners; 23 of which have signed the petition in favor of the adjudication.

The Company's well was drilled in 1960, the lines were installed in 1972 and service commenced in 1977. The facilities include an 8,000 gallon storage tank, one 500 gallon pressure tank, one eight inch well casing, one well pump and two pressure tanks.

Camp Verde is engaged in the business of providing water utility service to the public within portions of Yavapai County, Arizona and has been in operation since 1954 when it was granted its Certificate of Convenience and Necessity ("CC&N"). The Subdivision is located within Camp Verde's certificated area. Camp Verde's closest facilities is approximately one and one half miles away from the Subdivision.

In 1971, the developer of the Subdivision, Mr. Jack Bird, entered into negotiations with Camp Verde for a line extension wherein Camp Verde would supply water to the Subdivision. The line extension agreement was never signed and Mr. Bird broke off negotiations with Camp Verde. Montezuma ultimately went on to develop its own system. Camp Verde maintains that it has complained to the Commission from the mid-1970's until 1990 regarding Montezuma. Camp Verde, however, produced no written documentation or other evidence of such complaints. It was not until late 1990, that a representative of Camp Verde met with Staff regarding the situation. Camp Verde asserts that Montezuma has been operating as a public service corporation, that its CC&N entitles it to provide the water service, and requests that the Application be denied.

Analysis

Although the Company has been providing its members water service since 1977, Camp Verde asserts that its CC&N entitles it to provide water service to the Subdivision. If Montezuma is acting as a public service corporation, we would agree with this assertion. The only issue that we must decide, therefore, is whether Montezuma is a public service corporation.

The issue of what constitutes a public service corporation was legally addressed in the Arizona Supreme Court's decision in Natural Gas Service vs. Serv-Yu Cooperative, Inc., 70 Ariz 235, 219 P.2d 324 (1950) ("Serv-Yu"), wherein the Court set forth the criteria for a determination of what constitutes a public service corporation. In response to the Serv-Yu case, as well as numerous applications for adjudication primarily from individually formed non-profit homeowner associations and cooperatives located in rural areas outside established utility service areas, on April 22, 1987, the Commission issued a Policy Directive in Decision No. 55568 ("Directive"). The Directive provided clarification and seven guideline requirements for Staff to evaluate applications requesting adjudication and outlined the specific filing requirements for applicants.

Based upon our review of Serv-Yu and the Directive, as applied to the evidence presented at the hearing, we find that Montezuma is not a public service corporation. Montezuma may only provide water service to its members who must be lot owners. There are currently 34 lots and even with further subdivision of those lots, the maximum number of lots (and therefore members) that there could be is 40. Each lot owner has one vote in the Company. More than 50 percent of the existing lot owners have signed the petition for adjudication.

There has been no dedication of the Company's water system to public use and there is no intent by the Company to monopolize water service. In fact, two lot owners have their own wells and there would be nothing that would preclude a lot owner from attempting to seek service from Camp Verde if it was economically practical.

We find, therefore, that Montezuma is not acting as a public service corporation and the Application should be approved.

* * * * * * * * * * * *

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

FINDINGS OF FACT

1. Montezuma is an Arizona non-profit corporation providing water service to its members. Montezuma was formed solely for the purpose of producing and distributing domestic water and maintaining an airport runway for the use and benefit of owners of lots or parcels of land within the Subdivision.

2. Camp Verde is an Arizona corporation engaged in the business of providing water utility service to the public within portions of Yavapai County, Arizona pursuant to authority granted by the Commission in Decision No. 28485 (October 29, 1954).

3. On August 18, 1992, Montezuma filed with the Commission the Application. On November 22, 1992, Camp Verde was granted intervention in the matter.

4. The Subdivision is located within Camp Verde's certificated area. Camp Verde's closest facilities is approximately one and one half miles away from the Subdivision.

5. There are currently 34 two acre lots; 23 of which are currently occupied. There are currently only 12 year round occupants. Although there can be further subdividing within the Subdivision, the maximum number of two acre lots that there could potentially be is 40.

6. Each lot owner may apply to be a member of the Company and each lot owner who is a member of the Company has one vote per lot.

7. Montezuma may only provide water service to its members who must also be lot owners.

8. The Company currently provides water service to 24 members. Members may receive an unlimited amount of water from the Company by paying their annual assessment.

9. There is no requirement that members receive water service from Montezuma. Two members have their own wells.

10. More than 50 percent of the existing lot owners have signed the petition for adjudication.

11. There has been no dedication of the Company's water system to public use and there is no intent by the Company to monopolize water service.

12. There is nothing that would preclude a member from attempting to seek service from Camp Verde.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this matter pursuant to Article XV of the Arizona Constitution and A.R.S. §40-202.

2. The Commission has jurisdiction over Montezuma and over the subject matter of the Application.

3. Notice of the Application was given in accordance with the law.

4. Montezuma is not a public service corporation within the meaning of Serv Yu and the Directive.

5. The Application should be approved.

ORDER

IT IS THEREFORE ORDERED that the Application of Montezuma Heights Water and Airport Co., Inc. for an adjudication that it is not a public service corporation is hereby approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN COMMISSIONER COMMISSIONER

IN WITNESS WHEREOF, I, JAMES MATTHEWS, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 7 day of April, 1993.

JAMES MATTHEWS
EXECUTIVE SECRETARY

DISSENT _____
BSC

SERVICE LIST FOR: MONTEZUMA HEIGHTS WATER AND AIRPORT CO., INC.

DOCKET NO.: U-2686-92-230

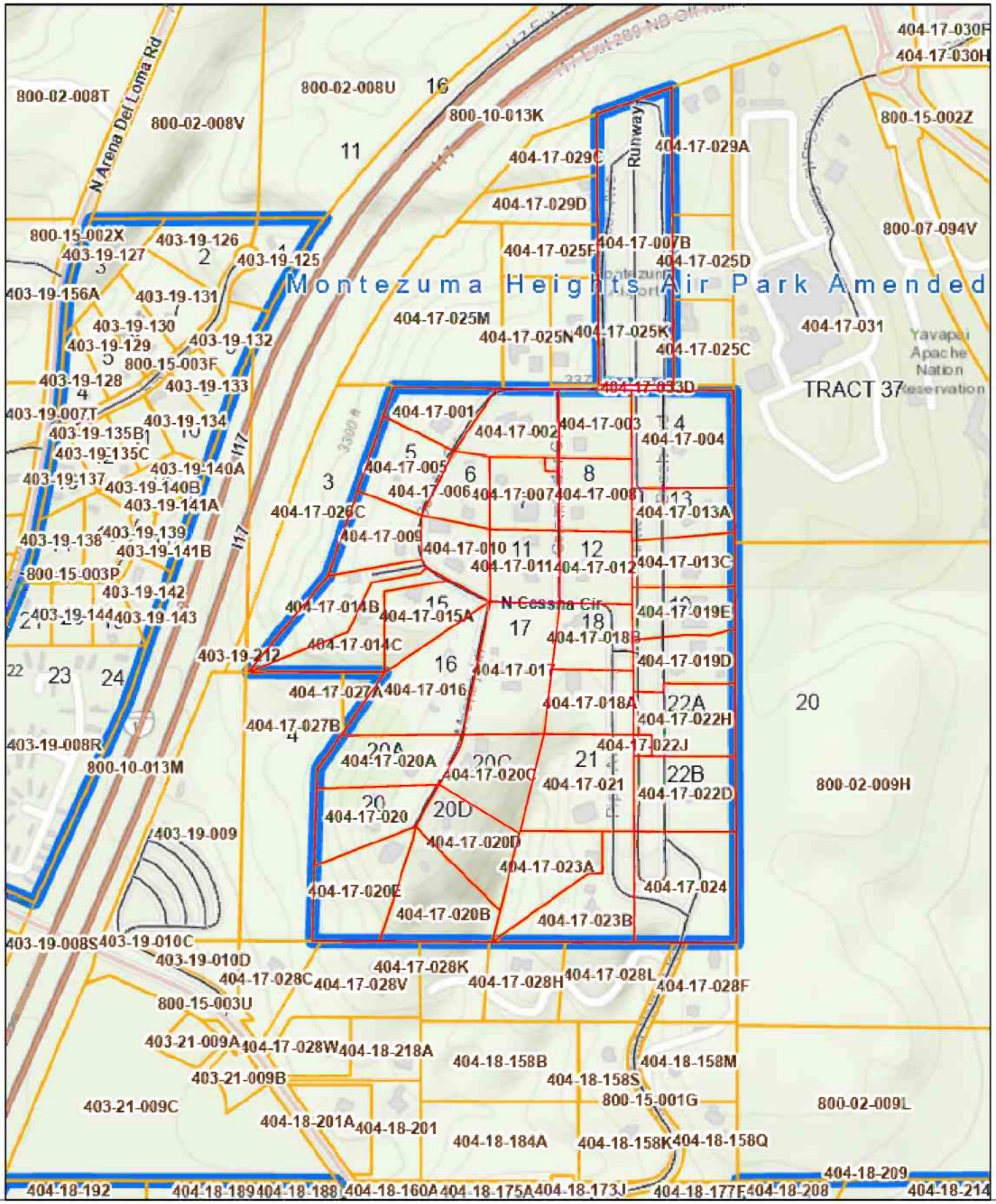
William P. Sullivan, Esq.
MARTINEZ & CURTIS, P.C.
2712 North Seventh Street
Phoenix, Arizona 85006-1003
Attorneys for Montezuma Heights Water and Airport Co., Inc.

David C. Kennedy
Attorney at Law
100 West Clarendon Avenue
Suite 200
Phoenix, Arizona 85013-3523
Attorney for Camp Verde Water System

Paul A. Bullis, Chief Counsel
Peter Breen, Staff Attorney
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

Gary Yaquinto, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

MHAP Subdivision 3



YAVAPAI COUNTY

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.

0 0.05 0.1 0.2 Miles
0 0.1 0.2 0.4 Kilometers

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1:7,860

Map Created 2/3/2025

Yavapai County assumes no responsibility for errors, omissions, and/or inaccuracies in this mapping product.

CORE-E — Town Attorney opinion letter (Trish Stuhan / Pierce Coleman)

What this is: The Town Attorney's written legal response asserting MHAP is "self-governing."
Why the BOA should care: The opinion does not address, and does not cite, the adjudication, plat, or replat statutes raised by Appellant, demonstrating a legally incomplete framework.

PIERCE | COLEMAN

Justin S. Pierce
Stephen B. Coleman
Aaron D. Arnson
Trish Stuhan
Christina Estes-Werther
Jon M. Paladini
Joseph D. Estes

17851 North 85th Street, Suite 175
Scottsdale, Arizona 85255

2812 North Norwalk, Suite 107
Mesa, Arizona 85215

Dominic L. Verstegen
Allen H. Quist
Robert W. Wingo
Rodney F. W. States
Justin B. Petersen
Michelle N. Stinson
Alexandra N. Cayton
Matthew W. Schiumo

June 5, 2025

Via Electronic Mail
Marvin Wessel
Property Owner
Montezuma Heights Air Park Subdivision
Email: [redacted]t

RE: Montezuma Heights Air Park Conditional Use Permit

Dear Mr. Wessel,

As you know, this office serves as Town Attorney for the Town of Camp Verde ("Town"). We appreciate you taking the time to meet with our office, the Mayor, and Town Manager, to explain your concerns regarding the Montezuma Heights Air Park Conditional Use Permit ("CUP"). We have reviewed the materials submitted and determined that the Town has no enforcement role in this matter. This is a private dispute. Notably, the Town's jurisdiction is limited to addressing potential violations of its Zoning Code and ensuring compliance with the applicable CUP. Based on the information currently available, Montezuma Heights Water and Airport Co., Inc. ("Montezuma Heights") is not in violation of either. This correspondence outlines the relevant information supporting that conclusion.

Zoning Code

Montezuma Heights is not presently in violation of the Town's Zoning Code because it has not legally expanded the boundaries of its subdivision. Section 509 of the Zoning Code governs amendments, revisions, and replats of existing subdivisions. Specifically, Section 509(B)(4) requires that any changes to the exterior boundaries of a subdivision must comply with the procedures for Final Plats outlined in Section 506 prior to recordation.[1]

[1] "Any of the following changes to a recorded subdivision plat shall require compliance with the procedures for Final Plat (see Sec 506): [] (4) Any changes to the exterior boundaries of a subdivision." Town Zoning Code § 509(B(4); "It is the responsibility of the subdivider after Council approval of a Final Plat to provide all required materials and demonstrate that all conditions of plat approval have been met and to present such to the Community Development Director for recording of the plat in the office of the County Recorder." Town Zoning Code § 506(F)(1).

ATTORNEY CONTACT:
Trish Stuhan
Direct Line: 602-218-6877
Email: Trish@PierceColeman.com

Tel.: 602-772-5506
Fax: 877-772-1025
Website: www.piercecoleman.com

The currently recorded plat of the Montezuma Heights Subdivision does not include parcels 404-17-025M, -025N, -025C, -025F, -025K, -025D, -029A, -029C, or -029D – each of which you indicate the Montezuma Heights Subdivision has expanded to include. Therefore, there is no present violation of Section 509(B)(4). Had Montezuma Heights recorded an amended plat including these parcels without complying with the requirements of Sections 506 and 509, such action would have constituted a violation of the Town's Zoning Code.

Although Montezuma Heights has indicated in its bylaws that these parcels are to be included within the subdivision, such action is a matter of private governance and does not constitute a legal subdivision boundary change under the Zoning Code. Accordingly, this matter does not trigger any enforcement role by the Town and remains a private dispute among the affected parties. As discussed, the Town supports a replat of this area if, consistent with the bylaws, Montezuma Heights intends to provide services to these additional parcels. However, as of today, regardless of what the bylaws state, these parcels are not legally a part of the subdivision and we do not accordingly see any violation of the Town's Zoning Code.

Conditional Use Permit

The Town has jurisdiction to enforce the CUP, however, there are currently no violations that would trigger any enforcement obligations by the Town.

First, as discussed above, any alleged violation of the CUP cannot be based on noncompliance with the Zoning Code regarding subdivision boundary expansion, as no such violation currently exists.

Second, to the extent you allege a violation of the CUP based on use of the airstrip by individuals outside the subdivision, the CUP expressly contemplates this possibility. It authorizes use of the airstrip by "residents of the Montezuma Heights Subdivision ***and the adjoining metes and bounds parcels on the north of the airstrip only.***" Although not within the subdivision, parcels 404-17-025M, -025N, -025K, and -025C adjoin the Montezuma Heights Subdivision to the north and are therefore permitted users under the terms of the CUP.

Third, the CUP expressly prohibits any commercial use of the airstrip. While we understand that you have alleged "documented evidence of commercial runway use and non-subdivision parcel access," the Town is not presently aware of any such violations. If you have documentation supporting these claims, please forward it to the Town for review. Upon receipt, the Town will evaluate its permissive and mandatory obligations under the CUP accordingly.

Lastly, you noted concern about residents encroaching onto the streets, installing fences that may make it difficult for airplanes to navigate. The Town Manager has reviewed these concerns and confirmed that the streets are privately owned, not public streets. Again, this appears to be a private matter regarding enforcement of easement restrictions in the subdivision which is beyond the scope of the Town's jurisdiction.

In sum, the Town has no enforcement role in this matter, as there is no present violation of either the Town's Zoning Code or the CUP. Montezuma Heights has not legally expanded its subdivision boundaries through a recorded amendment to the subdivision plat or other recorded document which would alter the exterior boundaries of the subdivision and therefore is not in violation of the Zoning Code. Likewise, the CUP remains in good standing, as its terms expressly permit use of the airstrip by certain adjoining parcels and prohibit commercial use – of which the Town is currently unaware of any violation.

Accordingly, the issues you have raised fall outside the Town's jurisdiction and constitute a private dispute among affected parties.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

/s/ Trish Stuhan

Trish Stuhan
For the Firm

TS/maw

CORE-F — Zoning Administrator adoption of Town Attorney opinion (Nov. 11, 2025)

What this is: Written adoption of the Town Attorney's opinion as Town policy. Why the BOA should care: This is the appealed interpretation and reflects reliance on private governance instead of controlling law.

marv grfs.net

From: Miranda Fisher <Miranda.Fisher@campverde.az.gov>
Sent: Tuesday, November 11, 2025 2:47 PM
To: [redacted]
Cc: Cory Mulcaire; Leah Rhodes; Trish Stuhan
Subject: FW: Formal Request for Written Zoning Determination – Enforcement of Town Code § 509(B)(1) and CUP PZ-95-21 (A.R.S. § 9-462.06)the
Attachments: 404-17-25M permit and plans.pdf; County book25 page 18.pdf; May 11 email to town.pdf; MHAP Adjudication.pdf; MHAP subdivision map with parcel detail.pdf; Pierce Coleman response.pdf; Resolution PZ 95-21.pdf

Hi Marv,

I have reviewed your email and the information provided.

As Zoning Administrator, I concur with and adopt the conclusion outlined in the *Pierce Coleman response* (dated June 5, 2025) that you included in your correspondence to Acting Senior Planner Cory Mulcaire, which is attached here, as it pertains to the alleged violations of the Conditional Use Permit and the Subdivision.

Regarding the matter of internal lot split violations, the Town's Zoning Code does not require the Zoning Administrator to issue a written analysis of potential historical violations. Accordingly, in my capacity as Interim Community Development Director and Zoning Administrator, I decline to provide such an analysis.

NOTE: The Town Council is bcc'd so they can see my response.

Thanks,

Miranda Fisher, DPA, PCED
Town Manager / Interim Community Development Director
Town of Camp Verde
473 S. Main Street
Camp Verde, AZ 86322
Cell Phone: 928-451-3670
Office: 928-554-0001

Camp Verde
ARIZONA
THE CENTER OF IT ALL

Any information provided by the Town related to zoning or land use within this correspondence is offered as a courtesy and without any guarantee of accuracy. Zoning verifications may be requested through the Community Development Department.

From: [redacted]
Sent: Thursday, October 30, 2025 10:47 PM
To: Cory Mulcaire <cory.Mulcaire@campverde.az.gov>

Cc: Leah Rhodes <leah.rhodes@campverde.az.gov>
Subject: Formal Request for Written Zoning Determination – Enforcement of Town Code § 509(B)(1) and CUP PZ-95-21 (A.R.S. § 9-462.06)

Dear Ms. Mulcaire,

This correspondence serves as a formal request for a written zoning determination under A.R.S. § 9-462.06 regarding enforcement of the Town of Camp Verde Zoning Code and Conditional Use Permit PZ-95-21 within and adjoining the Montezuma Heights Subdivision.

I previously filed detailed complaints identifying potential violations of Town Code § 509(B)(1) (replat requirement) and CUP PZ-95-21 (use and access limitations). To date, I have not received a signed, dated decision from the Zoning Administrator indicating whether enforcement will be pursued or declined. I am therefore requesting a formal, written determination on the following points:

1) Internal split-lot violations: Whether ten parcels within the recorded Montezuma Heights Subdivision have been split without re-plat approval, contrary to § 509(B)(1) and § 506 of the Town Code.

2) Adjoining parcels treated as de facto subdivision expansion: Whether ten additional adjoining parcels—outside the subdivision but treated by Montezuma Heights Water & Airport Co., Inc. ("MHAP") as subdivision members—are lawfully included under the subdivision or CUP PZ-95-21. These adjoining parcels obtain access exclusively through private subdivision roads, receive water from the adjudicated Montezuma Heights water system, and use a private runway restricted by the CUP to subdivision residents. By receiving subdivision access, services, and runway privileges, these parcels effectively expand the subdivision without a re-plat as required by Town Code § 509(B)(1). The Conditional Use Permit PZ-95-21 expressly requires continued compliance with all Town zoning and subdivision regulations; therefore, any expansion of use or service to un-platted parcels without re-plat approval constitutes a concurrent violation of both the CUP and Town Code. Despite this, the Town of Camp Verde has continued to authorize this expansion by issuing building permits to parcel 404-17-025M, which has since been split into two new parcels, 404-17-025P and 404-17-025Q, without any corresponding subdivision re-plat approval.

For clarity, the relevant parcels are listed below for your convenience:

• Internal split-lot parcels (10): 404-17-013A, 404-17-013B, 404-17-019E, 404-17-019D, 404-17-023B, 404-17-023A, 404-17-018A, 404-17-018B, 404-17-014C, 404-17-014B

• Adjoining parcels treated as members (10): 404-17-025C, 404-17-025D, 404-17-025F, 404-17-025K, 404-17-025N, 404-17-029A, 404-17-029C, 404-17-029D, 404-17-025P, 404-17-025Q

Additional Clarification: Contrary to a common misconception, there are no recorded Covenants, Conditions, or Restrictions (CC&Rs) associated with the Montezuma Heights Subdivision, and there has never been a homeowners' association (HOA) or similar recorded entity governing it. The only recorded instruments are the subdivision plat (Book 25, Page 18, Yavapai County) and easements for roads and utilities. Accordingly, all land-use authority derives solely from the Town Zoning Code, CUP PZ-95-21, and Arizona Revised Statutes; no private bylaws may substitute for or override those ordinances.

Please issue a signed, dated written decision stating whether enforcement will be initiated or declined, and cite the specific code sections and findings supporting the decision. If the Town declines enforcement, please identify the basis for doing so to allow timely appeal to the Board of Adjustment. Kindly respond within 10 calendar days or advise when a formal determination can be expected. Please assign a case or complaint number in your reply.

Attachments (for reference, as previously submitted or available upon request):

A. Recorded plat (Book 25, Page 18) and parcel maps showing internal splits and adjoining parcels

B. CUP PZ-95-21

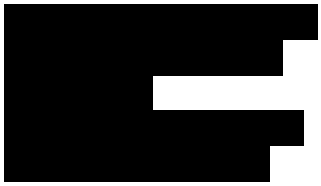
C. Prior enforcement complaints and correspondence (including June 5, 2025 letter from Town Attorney)

D. Building permit records for 404-17-025M Hangar Construction

E. Water adjudication documents limiting the system to platted subdivision lots

Best regards,

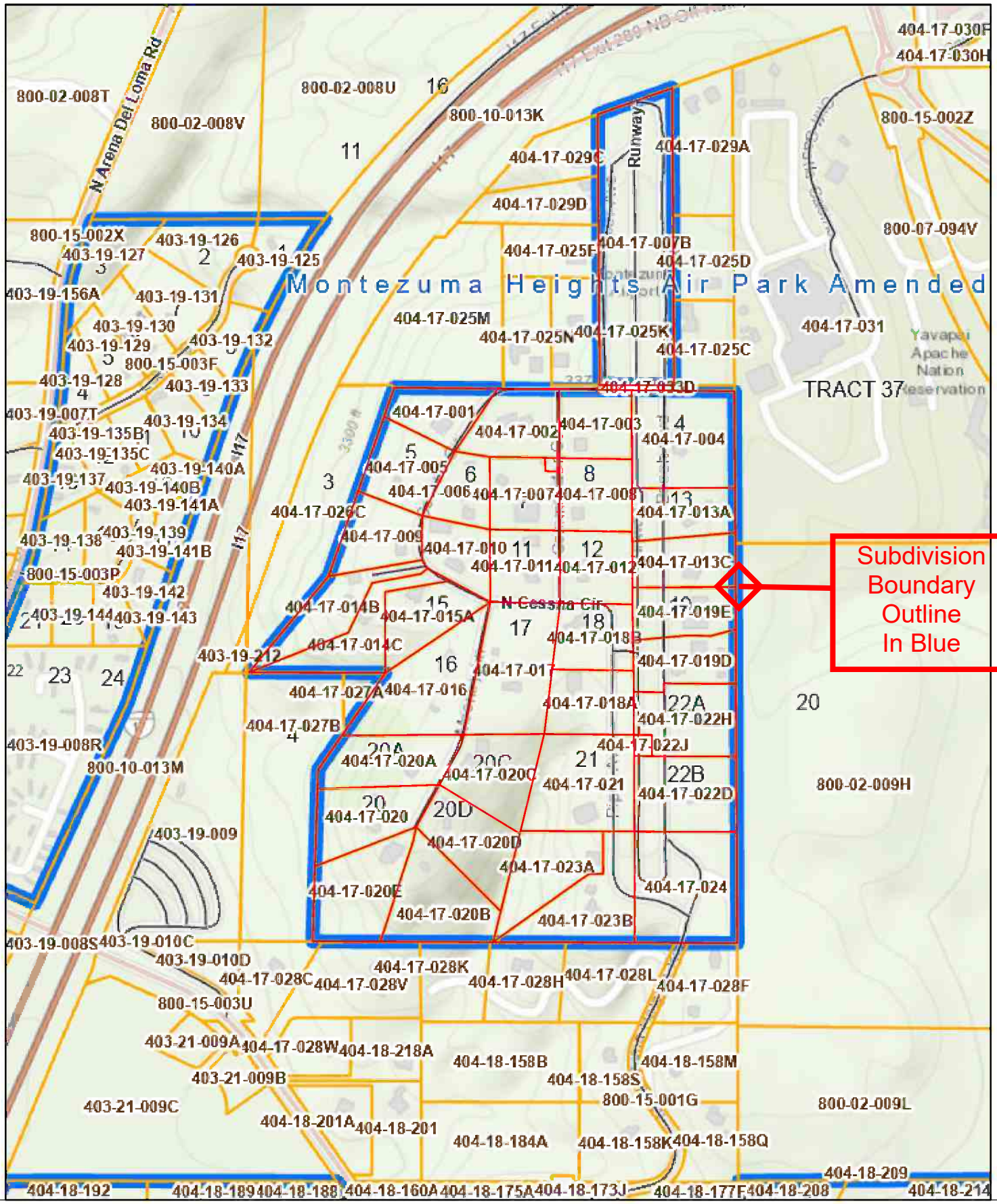
Marv Wessel



CORE-G — Subdivision and parcel status map with detail

What this is: Map identifying platted subdivision lots alongside split-created and outside-plat parcels. Why the BOA should care: Provides a visual cross-check between the recorded plat and parcels being treated as subdivision lots in practice.

MHAP Subdivision 3



YAVAPAI COUNTY

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0 0.1 0.2 0.4 Kilometers

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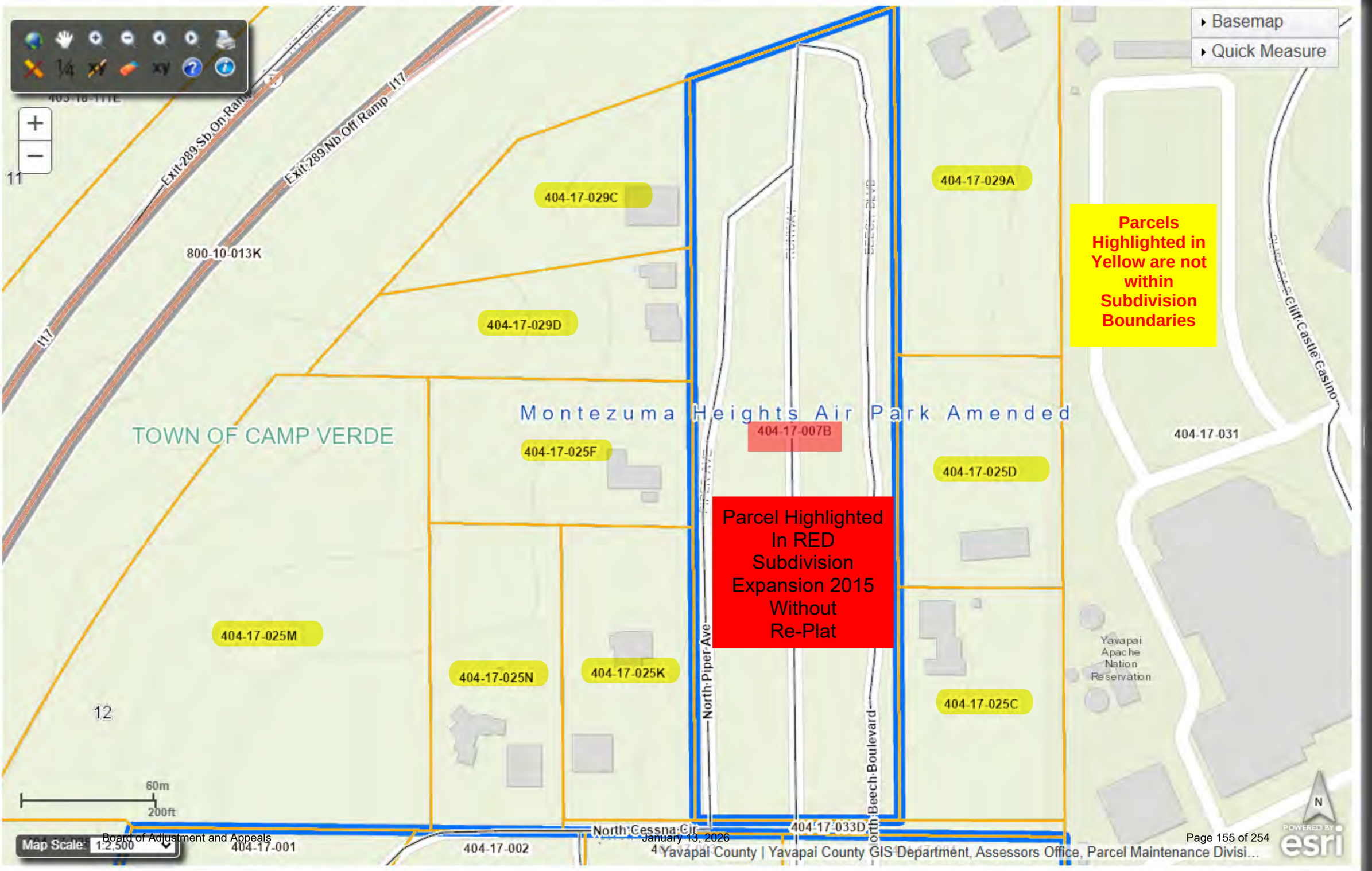
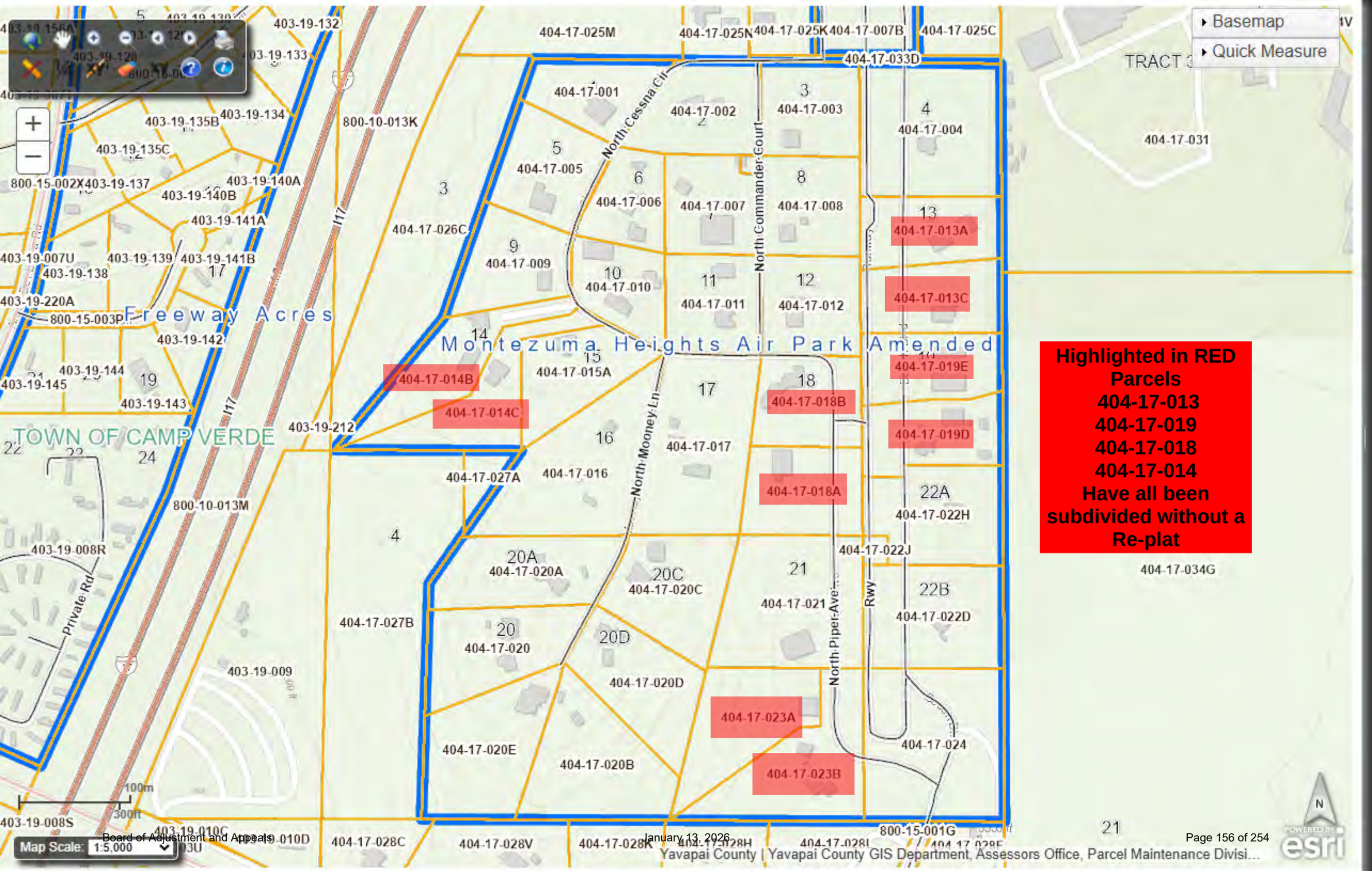
Yavapai County assumes no responsibility for errors, omissions, and/or inaccuracies in this mapping product.

Map Created 2/3/2025


Basemap
Quick Measure
Parcels Highlighted in Yellow are not within Subdivision Boundaries
Parcel Highlighted In RED Subdivision Expansion 2015 Without Re-Plat
Montezuma Heights Air Park Amended
TOWN OF CAMP VERDE
404-17-029C
404-17-029A
404-17-029D
404-17-007B
404-17-025F
404-17-025D
404-17-031
404-17-025M
404-17-025N
404-17-025K
404-17-025C
404-17-033D
404-17-001
404-17-002
800-10-013K
Exit 289 Sb On Ramp
Exit 289 Nb Off Ramp
I17
North Piper Ave
North Beech Boulevard
North Cessna Cir
Cliff Castle Casino
Yavapai Apache Nation Reservation
11
12
60m
200ft
Map Scale: 1:2,500
Yavapai County | Yavapai County GIS Department, Assessors Office, Parcel Maintenance Divisi...
N
POWERED BY esri


Basemap
Quick Measure
Highlighted in RED
Parcels
404-17-013
404-17-019
404-17-018
404-17-014
Have all been
subdivided without a
Re-plat
Freeway Acres
Montezuma Heights Air Park Amended
TOWN OF CAMP VERDE
North Cessna Cir
North Commander Court
North Mooney Ln
North Piper Ave
Private Rd
Rwy
404-17-025M
404-17-025N
404-17-025K
404-17-007B
404-17-025C
404-17-033D
404-17-001
404-17-002
404-17-003
404-17-004
404-17-031
404-17-005
404-17-006
404-17-007
404-17-008
404-17-026C
404-17-009
404-17-010
404-17-011
404-17-012
404-17-013A
404-17-013C
404-17-014B
404-17-014C
404-17-015A
404-17-016
404-17-017
404-17-018B
404-17-018A
404-17-019E
404-17-019D
404-17-027A
404-17-020A
404-17-020C
404-17-021
404-17-022H
404-17-022J
404-17-022D
404-17-034G
404-17-027B
404-17-020
404-17-020D
404-17-020E
404-17-020B
404-17-023A
404-17-023B
404-17-024
404-17-028C
404-17-028V
404-17-028K
800-15-001G
800-10-013K
800-10-013M
800-15-002X
800-15-003P
403-19-132
403-19-133
403-19-134
403-19-135B
403-19-135C
403-19-137
403-19-140A
403-19-140B
403-19-141A
403-19-141B
403-19-139
403-19-138
403-19-007U
403-19-220A
403-19-142
403-19-144
403-19-145
403-19-143
403-19-212
403-19-008R
403-19-009
403-19-008S
403-19-010C
403-19-010D
I17
100m
300ft
Map Scale: 1:5,000
Yavapai County | Yavapai County GIS Department, Assessors Office, Parcel Maintenance Divisi...
esri

CORE-H — Recorded Deeds for Parcels 025M, 025N, 025P, 025Q

What this is: Recorder documents for parcels 025M, 025N, 025P, and 025Q showing removal of express exclusion language following parent-parcel splits that occurred without replat approval under applicable subdivision law. Why the BOA should care: Demonstrates post-split deed modification attempting to erase recorded subdivision exclusions without required replat approval, reinforcing that private deed edits or "membership" actions cannot lawfully alter subdivision boundaries or CUP eligibility.

YAVAPAI COUNTY RECORDER
2025-0007706 Page 1 of 3
02/28/2025 09:10:08 AM $30.00
eRecorded in Yavapai County, AZ
Michelle M. Burchill, Recorder

at the request of Yavapai Title Agency, Inc.

When recorded mail to
Top Tine LLC, an Arizona Limited Liability Company
1055 Cheyenne Lane
Camp Verde, AZ 86322

09008603-EJ

NO TRANSFER FEE NECESSARY
EXEMPT UNDER ARS 11-1134-B7

SPACE ABOVE THIS LINE FOR RECORDER'S USE
COURTESY RECORDING - NO TITLE LIABILITY

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable consideration, I or we,

Salt Mine Ranch, LLC, an Arizona Limited Liability Company

do/does hereby convey to

Top Tine LLC, an Arizona Limited Liability Company

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: February 7, 2025

Salt Mine Ranch, LLC, an Arizona Limited Liability Company

Randy McDonald, Manager/Member

Salt Mine Ranch, LLC, an Arizona Limited Liability Company

Debra McDonald, Manager/Member

State of Arizona }
} ss.
County of Yavapai }

The foregoing instrument was acknowledged before me this 18th day of February, 2025, by Randy McDonald and Debra McDonald as Managers on behalf of Salt Mine Ranch, LLC, an Arizona Limited Liability Company.

ELISSA JEWELL
NOTARY PUBLIC - STATE OF ARIZONA
YAVAPAI COUNTY
COMMISSION # 642224
My Comm. Expires February 24, 2027

NOTARY PUBLIC

My commission expires:
Feb 24, 2027

Unofficial Copy

Exhibit A

PARCEL 1:

Description for a parcel of land being a portion of the S 1/2 SE 1/4 NW 1/4 and a portion of Lot 12, Section 18, T14N, R5E, G. & S.R.B.M., Yavapai County, Arizona more particularly described as follows:

COMMENCING at the Southeast corner of the Northwest quarter of said Section 18, marked with a Bureau of Land Management brass cap;

thence N 89° 59' W., 960.00 feet along the South line of the S 1/2 SE 1/4 NW 1/4 of said Section 18 to the POINT OF BEGINNING;

thence N 89° 59' W., 695.90 feet along said South line of the S 1/2 SE 1/4 NW 1/4 of Section 18 to the existing Easterly right of way line of Interstate 17;

thence from a local tangent bearing of N 24° 25' 27" E along the arc of a curve to the right, having a radius of 3004.05 feet, a distance of 756.66 feet along said Easterly right of way line of Interstate 17;

thence S 88° 14' 08" E., 37.56 feet along said right of way line of Interstate 17;

thence N 41° 25' 34" E., 40.36 feet along said right of way line of Interstate 17 to a point on the North line of the S 1/2 SE 1/4 NW 1/4 of said Section 18;

thence S 89° 06' E., 230.87 feet along said North line of the S 1/2 SE 1/4 NW 1/4 of said Section 18;

thence S 0° 26' E., 668.07 feet to the PLACE OF BEGINNING.

RESERVING unto the Grantor, their heirs and assigns, an easement 10 feet in width for ingress, egress and utilities lying North of, adjacent to and parallel with the South line of the above described parcel.

PARCEL 2:

Description for a parcel of land being a portion of the S ½ SE ¼ NW ¼ and a portion of Lot 12, Section 18, T 14N, R 5E, G. & S.R.B.M., Yavapai County, Arizona more particularly described as follows:

COMMENCING at the SE corner of the NW ¼ of said Section 18, marked with a Bureau of Land Management brass cap;

Thence N 89° 59' W, 960.00 feet along the South line of the S ½ SE ¼ NW ¼ of said Section 18 to the POINT OF BEGINNING;

Thence N 89°59' W, 455.00 feet;

Thence S 0°52'26" E., 15.08 feet;

Thence S 89°35' E., 454.93 feet;

Thence N 0°26' W., 18.22 feet to the PLACE OF BEGINNING.

EXCEPTING THEREFROM any portion lying within Parcel 1 above, and

UnOfficial Copy

EXCEPTING THEREFROM any portion lying within MONTEZUMA HEIGHTS AIR PARK, as described in Book 6 of Maps, page 24, and amended in Book 25 of Maps, page 18, records of Yavapai County, Arizona.

RESERVING unto the Grantor, their heirs and assigns, an easement for ingress, egress and utilities over the entirety of Parcel 2.

UnOfficial Copy

FEE
$
$8
$5
$1
$14

Recorded at the request of:
Chicago Title Insurance Company

when recorded mail to:
Charles H. Stark and Elizabeth A. Stark
2550 Cessna Circle
Camp Verde, AZ 86322

3664776 BK 4102 PG 892
Yavapai County, Arizona
Patsy Jenney-Colon, Recorder
12/16/2003 04:29P PAGE 1 OF 2
CHICAGO TITLE INS CO
RECORDING FEE 5.00
SURCHARGE 8.00
POSTAGE 1.00

Order No.: **12030781-004-ECB**

Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,

Charles H. Stark and Elizabeth A. Stark, Husband and Wife

do/does hereby convey to

Charles H. Stark and Elizabeth A. Stark, Trustees of The Charles H. and Elizabeth A. Stark 1994 Trust dated August 10, 1994

the following real property situated in **Yavapai**, County, Arizona:

See Exhibit A attached hereto and made a part hereof.

Pursuant to A.R.S. 33-404, the beneficiaries of the above referenced trust are as follows: **Charles H. Stark** and **Elizabeth A. Stark** as Trustee(s); at the following addresses **2550 Cessna Circle , Camp Verde, AZ 86322** .

Exempt from affidavit filing fee A.R.S. 11-1134-B8.

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

And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

Dated: **December 10, 2003**

Charles H. Stark

Elizabeth A. Stark

STATE OF **ARIZONA** }
County of **Yavapai** } ss

This instrument was acknowledged before me this 10 day of Dec, 2003 by
Charles H. Stark and Elizabeth A. Stark

Notary Public

My commission will expire 3/31/05

OFFICIAL SEAL
JANET MAHLMAN
Notary Public - State of Arizona
YAVAPAI COUNTY
My Comm. Expires Mar. 31, 2005

WDEED01 07/29/99 CG

RECORDERS MEMO: LEGIBILITY QUESTIONABLE FOR GOOD REPRODUCTION

Unofficial Copy

Exhibit A

PARCEL 1:

All that portion of the Southeast quarter of the Northwest quarter of Section 18, Township 14 North, Range 5 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

To find the TRUE POINT OF BEGINNING, begin at the Southeast corner of the Northwest quarter of Section 18, marked with a Bureau of Land Management Brass Cap;

Thence North 89 degrees, 59 minutes West, 760.00 feet along the South line of the Northwest quarter of said Section 18 to the TRUE POINT OF BEGINNING;

Thence North 00 degrees, 26 minutes West, 444.99 feet;

Thence North 89 degrees, 06 minutes West, 200.00 feet;

Thence South 00 degrees, 26 minutes East, 448.07 feet;

Thence South 89 degrees, 59 minutes East, 200.00 feet to the TRUE POINT OF BEGINNING.

PARCEL 2:

All that portion of the Southeast quarter of the Northwest quarter of Section 18, Township 14 North, Range 5 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, more particularly described as follows:

To find the TRUE POINT OF BEGINNING, begin at the Southeast corner of the Northwest quarter of Section 18, marked with a Bureau of Land Management Brass Cap;

Thence North 89 degrees, 59 minutes West, 760.00 feet along the South line of the Northwest quarter of said Section 18 to the TRUE POINT OF BEGINNING;

Thence continuing North 89 degrees, 59 minutes West, 200.00 feet;

Thence South 00 degrees, 26 minutes East, 18.22 feet;

Thence South 89 degrees, 35 minutes East, 200.00 feet;

Thence North 00 degrees, 26 minutes West, 19.63 feet to the TRUE POINT OF BEGINNING.

EXCEPTING therefrom any portion lying within Parcel 1 above, and excepting therefrom any portion lying within MONTEZUMA HEIGHTS AIR PARK, as described in Book 6 of Maps, Page 84, and thereafter amended in Book 25 of Maps, Page 18, records of Yavapai County, Arizona.

UnOfficial Copy

RECORDERS MEMO: LEGIBILITY QUESTIONABLE FOR GOOD REPRODUCTION

YAVAPAI COUNTY RECORDER
2025-0039267 Page 1 of 3
09/17/2025 02:57:55 PM $30.00
Official Records of Yavapai County, AZ
Michelle M. Burchill, Recorder

at the request of

When recorded mail to
Top Tine LLC, an Arizona Limited Liability Company
1055 S. Cheyenne Lane
Camp Verde, AZ 86322

Exempt A.R.S. 11-1134 B5

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUIT CLAIM DEED

For consideration of Ten Dollars, and other valuable considerations, I or we,

Top Tine LLC, an Arizona Limited Liability Company

hereby quit-claim to

Top Tine LLC, an Arizona Limited Liability Company

all right, title or interest in the following real property situated in Yavapai County, Arizona:

See Exhibit A attached hereto and made a part hereof.

This deed is being recorded for the sole purpose of splitting subject property.

Dated: September 17, 2025

Top Tine LLC, an Arizona Limited Liability Company

Brian Allen McDonald, Member

Top Tine LLC, an Arizona Limited Liability Company

Tanner Clyde McDonald, Member

State of Arizona }
} ss.
County of Yavapai }

The foregoing instrument was acknowledged before me this 17th day of September, 2025, by Brian Allen McDonald, as Member and Tanner Clyde McDonald, as Member of Top Tine LLC, an Arizona limited liability company.

ELISSA JEWELL
NOTARY PUBLIC - STATE OF ARIZONA
YAVAPAI COUNTY
COMMISSION # 642224
My Comm. Expires February 24, 2027

NOTARY PUBLIC

My commission expires:
Feb 24. 2027

UnOfficial Copy

HERITAGE
Land Survey & Mapping

EXHIBIT "A"

PARCEL 1:

The following is a description of a parcel of land being located within the Northwest Quarter of Section 18, Township 14 North, Range 5 East, of the Gila and Salt River Base and Meridian, being a portion of that parcel of land described in Reception Number 2025-0007706 [Record Source #1 (R1)], records of the Yavapai County Recorder, said parcel of land being more particularly described as follows:

Beginning for reference at a found BLM brass cap marking the Center quarter corner of said Section 18, dated "1972", from which a found BLM brass cap marking the South quarter corner of said Section 18, dated "1938" bears South 00°24'36" East, at a distance of 2637.52 feet; Thence North 89°59'00" West [Basis of Bearings(R1)] along the South line of the South ½ of the Southeast ¼ of the of the Northwest ¼ of said Section 18, 959.99 feet [960.00 feet (R1)] to the Southeast corner of (R1), a found ½" rebar with cap stamped "LS 4129"; Thence North 00°27'19" West, a distance of 158.39 feet to a set ½" rebar with cap stamped "RLS 50106" and the **TRUE POINT OF BEGINNING;**

Thence North 89°58'43" West, a distance of 399.20 to a set ½" rebar with cap stamped "RLS 50106";

Thence North 22°42'50" West, a distance of 237.10 feet to a set ½" rebar with cap stamped "RLS 50106" and said point being a point on the East right-of-way line of Interstate 17 and a point on a non-tangent curve to the right having a radius of 3004.05 feet (R1);

Thence along said curve to the right an arc length of 365.60 feet having a central angle of 06°58'23"(said curve also having a chord bearing of North 35°53'18" East and a chord distance of 365.37 feet) to a found ADOT aluminum cap stamped 4694+85.57 POC;

Thence South 89°49'35" East, a distance of 37.54 feet along the said Interstate 17 right-of-way line to a found ADOT aluminum cap stamped 4695+09.71 POC;

Thence South 88°47'56" East, a distance of 235.02 feet [South 89°06'00" East, 230.87 feet (R1)] to a set ½" rebar with cap stamped "RLS 50106";

Thence South 00°27'19" East [South 00°26'00" East (R1)], a distance of 509.85 feet to the **TRUE POINT OF BEGINNING.**

The subject parcel described herein contains 4.83 acres more or less and is subject to all exceptions, easements and other items of the public record that may be pertinent to the subject parcel.

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The subject parcel described herein contains 3.12 acres more or less and is subject to all exceptions, easements and other items of the public record that may be pertinent to the subject parcel.

Together with an easement for ingress, egress aircraft taxiway, and public utility along the Easterly 30 feet of the following described parcel.

Beginning for reference at a found BLM brass cap marking the Center quarter corner of said Section 18, dated "1972", from which a found BLM brass cap marking the South quarter corner of said Section 18, dated "1938" bears South 00°24'36" East, at a distance of 2637.52 feet; Thence North 89°59'00" West [Basis of Bearings(R1)] along the South line of the South ½ of the Southeast ¼ of the of the Northwest ¼ of said Section 18, 959.99 feet [960.00 feet (R1)] to the Southeast corner of (R1), a found ½" rebar with cap stamped "LS 4129"; Thence North 00°27'19" West, a distance of 158.39 feet to a set ½" rebar with cap stamped "RLS 50106" and the **TRUE POINT OF BEGINNING**;

Thence North 89°58'43" West, a distance of 399.20 to a set ½" rebar with cap stamped "RLS 50106";

Thence North 22°42'50" West, a distance of 237.10 feet to a set ½" rebar with cap stamped "RLS 50106" and said point being a point on the East right-of-way line of Interstate 17 and a point on a non-tangent curve to the right having a radius of 3004.05 feet (R1);

Thence along said curve to the right an arc length of 365.60 feet having a central angle of 06°58'23"(said curve also having a chord bearing of North 35°53'18" East and a chord distance of 365.37 feet) to a found ADOT aluminum cap stamped 4694+85.57 POC;

Thence South 89°49'35" East, a distance of 37.54 feet along the said Interstate 17 right-of-way line to a found ADOT aluminum cap stamped 4695+09.71 POC;

Thence South 88°47'56" East, a distance of 235.02 feet [South 89°06'00" East, 230.87 feet (R1)] to a set ½" rebar with cap stamped "RLS 50106";

Thence South 00°27'19" East [South 00°26'00" East (R1)], a distance of 509.85 feet to the **TRUE POINT OF BEGINNING.**

Expires 9.30.27

UnOfficial Copy

YAVAPAI COUNTY RECORDER
2025-0039268 Page 1 of 3
09/17/2025 02:57:55 PM $30.00
Official Records of Yavapai County, AZ
Michelle M. Burchill, Recorder

at the request of

When recorded mail to
Top Tine LLC, an Arizona Limited Liability Company
1055 S. Cheyenne Lane
Camp Verde, AZ 86322

Exempt A.R.S. 11-1134 B5

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUIT CLAIM DEED

For consideration of Ten Dollars, and other valuable considerations, I or we,

Top Tine LLC, an Arizona Limited Liability Company

hereby quit-claim to

Top Tine LLC, an Arizona Limited Liability Company

all right, title or interest in the following real property situated in Yavapai County, Arizona:

See Exhibit A attached hereto and made a part hereof.

This deed is being recorded for the sole purpose of splitting subject property.

Dated: September 17, 2025

Top Tine LLC, an Arizona Limited Liability Company

Brian Allen McDonald, Member

Top Tine LLC, an Arizona Limited Liability Company

Tanner Clyde McDonald, Member

State of Arizona }
} ss.
County of Yavapai }

The foregoing instrument was acknowledged before me this 17th day of September, 2025, by Brian Allen McDonald, as Member and Tanner Clyde McDonald, as Member of Top Tine LLC, an Arizona limited liability company.

ELISSA JEWELL
NOTARY PUBLIC - STATE OF ARIZONA
YAVAPAI COUNTY
COMMISSION # 642224
My Comm. Expires February 24, 2027

NOTARY PUBLIC

My commission expires:
Feb 24. 2027

UnOfficial Copy

HERITAGE
Land Survey & Mapping

EXHIBIT "A"

PARCEL 2:

The following is a description of a parcel of land being located within the Northwest Quarter of Section 18, Township 14 North, Range 5 East, of the Gila and Salt River Base and Meridian, being a portion of that parcel of land described in Reception Number 2025-0007706 [Record Source #1 (R1)], records of the Yavapai County Recorder, said parcel of land being more particularly described as follows:

Beginning for reference at a found BLM brass cap marking the Center quarter corner of said Section 18, dated "1972", from which a found BLM brass cap marking the South quarter corner of said Section 18, dated "1938" bears South 00°24'36" East, at a distance of 2637.52 feet; Thence North 89°59'00" West [Basis of Bearings (R1)] along the South line of the South ½ of the Southeast ¼ of the of the Northwest ¼ of said Section 18, 959.99 feet [960.00 feet (R1)] to the Southeast corner of (R1), a found ½" rebar with cap stamped "LS 4129" and the **TRUE POINT OF BEGINNING**;

Thence North 00°27'19" West [North 00°26'00" West (R1)], a distance of 158.39 feet to a set ½" rebar with cap stamped "RLS 50106";

Thence North 89°58'43" West, a distance of 399.20 to a set ½" rebar with cap stamped "RLS 50106";

Thence North 22°42'50" West, a distance of 237.10 feet to a set ½" rebar with cap stamped "RLS 50106" and said point being a point on the East right-of-way line of Interstate 17 and a point on a non-tangent curve to the left having a radius of 3004.05 feet (R1);

Thence along said curve to the left an arc length of 428.05 feet having a central angle of 08°09'51"(said curve also having a chord bearing of South 28°21'22" West and a chord distance of 427.69 feet) to a found ½" rebar;

Thence South 89°52'07" East, a distance of 240.14 feet to a found ½" rebar;

Thence South 00°46'45" East, a distance of 15.08 feet [South 00°52'26" East, 15.08 feet (R1)] to a set ½" rebar with cap stamped "RLS 50106";

Thence South 89°33'39" East, a distance of 454.93 feet [South 89°35'00" East, 454.93 feet (R1)] to a found cotton spindle;

Thence North 00°23'20" West, a distance of 18.24 feet [North 00°26'00" West, 18.22 feet (R1)], to the **TRUE POINT OF BEGINNING**.

UnOfficial Copy

Together with an easement 10 feet in width for ingress, egress and utilities being a portion of "Parcel 1" as described in Reception Number 2025-0007706, records of Yavapai County, Arizona.

Also together with an easement for ingress, egress and public utilities over the entirety of "Parcel 2" as described in Reception Number 2025-0007706, records of Yavapai County, Arizona.

Also together with a perpetual easement for ingress, egress, aircraft taxiway, and public utility along the Easterly 30 feet of the above described parcel.

Expires 9.30.27

UnOfficial Copy

CORE-I — Town permitting and action records applying the adopted policy

What this is: Permit search results and records showing Town approvals affecting split-created and excluded parcels. Why the BOA should care: Demonstrates the interpretation has concrete effects, authorizing development inconsistent with plat/replat requirements.

marv grfs.net

From: Jadie Edwards <Jadie.Edwards@campverde.az.gov>
Sent: Tuesday, September 09, 2025 4:09 PM
To: [redacted]
Cc: Laura Keesler; Leah Rhodes
Subject: Records request 25-79
Attachments: 25-77 Records Request.pdf

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Good afternoon,

Attached are the records you requested, please let us know if you have any questions.

Thank you,

Jadie Edwards
Acting Deputy Town Clerk
Town of Camp Verde
473 S. Main Street
Camp Verde, AZ 86322
Office: 928-554-0023

TOWN OF CAMP VERDE
P.O. Box 710
Camp Verde, AZ 86322
928 567-8513

Building Permit

Permit Number: 01370

Printed: 10/31/01
Approved: 10/31/01

Applicant: TDH Corp.
[redacted]

Parcel Number: 404-17-013A
2425 Beech Blvd.
Camp Verde, AZ 86322

Zoning: RCU-2A
Addition: Aircraft Hanger
Block: **Lot(s):**
Section:
Township:
Range:
Area:

Legal Description: Montezuma Heights Lot 13A; Flood Map 2205; FIRM Zone Unshaded X; Well # 55622718 and #55577288

General Desert Development & Design Corp

Voice:
Fax:

Local License: 1008 **State License:** 089717

Fees and Receipts:

Number	Description	Amount
01370	Building	$363.00
01370-4023	Zoning Clearance	$25.00
	Fees Total:	**$388.00**
8050		$60.00
	Receipts Total:	**$60.00**

Construction Value: $22,500.00 **Structure Use:** Residential **Purpose:** New Outbuilding **Start Date:** 10/31/01 **End Date:** 4/28/02

Floor Areas

Living Space:	0.00	**Basement/Storage:**	0.00
Garage:	0.00	**Porches:**	0.00
Decks:	0.00	**Other:**	2,500.00
		Total Area:	2,500.00
Site Area:	87,120.00	**Structure Area:**	2,500.00
		Percentage of Site:	3%

Impervious Surfaces

House:	0.00	**Porch/Walk:**	0.00
Garage:	0.00	**Other:**	2,500.00
Driveways:	0.00	**Total:**	0.00

I hereby certify that this application and all submittals are true and correct. All laws and ordinances governing zoning, building and health will be complied with whether specified herein or not. The granting of this permit does not give authority to violate or cancel other laws regulating construction or the performance of the same.

Approved by Building Dept: Gatti Hall Date: 10-31-01

Approved by Zoning Dept: Wendy Escoffier Date 11/2/01

Owner/Agent Signature: _____ Date _____

TOWN OF CAMP VERDE
P.O. Box 710
Camp Verde, AZ 86322
928 567-8513

Building Permit

Permit Number: 01380

Printed: 11/5/01
Approved: 11/5/01

Applicant: TDH Corp
[redacted]

Parcel Number: 404-17-013A
2425 Beech Blvd.
Camp Verde, AZ 86322

Zoning: RCU-2A
Addition: SFR/Garage
Block: **Lot(s):**
Section:
Township:
Range:
Area:

Legal Description: Montezuma Heights Lot 13A; Flood Map 2205; FIRM Zone Unshaded X; Well # 55622718 and #55577288 Septic # P52-1-2653

General Desert Development & Design Corp

Voice:
Fax:

Local License: 1008 **State License:** 089717

Fees and Receipts:

Number	Description	Amount
01380	Building	$1,336.00
01380-4024	Plan Check	$100.00
01380-4023	Zoning Clearance	$75.00
	Fees Total:	**$1,511.00**
8048		$150.00
	Receipts Total:	**$150.00**

Construction Value: $160,383.00 **Structure Use:** Residential **Start Date:** 11/5/01
Purpose: New SF Residential **End Date:** 5/5/02

Floor Areas

Living Space:	2,547.00	**Basement/Storage:**	122.00
Garage:	710.00	**Porches:**	119.00
Decks:	0.00	**Other:**	0.00
		Total Area:	3,498.00
Site Area:	87,120.00	**Structure Area:**	3,498.00
		Percentage of Site:	4%

Impervious Surfaces

House:	2,547.00	**Porch/Walk:**	119.00
Garage:	710.00	**Other:**	0.00
Driveways:	0.00	**Total:**	0.00

I hereby certify that this application and all submittals are true and correct. All laws and ordinances governing zoning, building and health will be complied with whether specified herein or not. The granting of this permit does not give authority to violate or cancel other laws regulating construction or the performance of the same.

Approved by Building Dept: Cathi Hall Date: 11-5-01

Approved by Zoning Dept: Wendy Bridges Date 11-7-01

Owner/Agent Signature: [signature] Date 11-07-01

TOWN OF CAMP VERDE
P.O. Box 710
Camp Verde, AZ 86322
928 567-8513

Building Permit

Permit Number: 02432

Printed: 12/27/02
Approved: 12/27/02

Applicant: [redacted]
2425 Beech Blve
Camp Verde, AZ 86322

Parcel Number: 404-17-013A
2425 Beech Blvd.
Camp Verde, AZ 86322

Zoning: RCU-2A
Addition: Storage
Block: **Lot(s):**
Section:
Township:
Range:
Area:

Legal Description: Montezuma Heights Lot 13A; Flood Map 2205; FIRM Zone Unshaded X; Well # 55622718 and #55577288 Septic # P52-1-2653

Fees and Receipts:

Number	Description	Amount
02432	Building	$97.00
02432-4023	Zoning Clearance	$25.00
	Fees Total:	**$122.00**
8898		$30.00
	Receipts Total:	**$30.00**

Construction Value: $3,744.00 **Structure Use:** Residential **Start Date:** 12/27/02
Purpose: Expand Outbuilding **End Date:** 6/27/03

Floor Areas				Impervious Surfaces			
Living Space:	0.00	**Basement/Storage:**	0.00	**House:**	0.00	**Porch/Walk:**	0.00
Garage:	0.00	**Porches:**	0.00	**Garage:**	0.00	**Other:**	0.00
Decks:	0.00	**Other:**	416.00	**Driveways:**	0.00	**Total:**	0.00
		Total Area:	416.00				
Site Area:	0.00	**Structure Area:**	416.00				
		Percentage of Site:					

I hereby certify that this application and all submittals are true and correct. All laws and ordinances governing zoning, building and health will be complied with whether specified herein or not. The granting of this permit does not give authority to violate or cancel other laws regulating construction or the performance of the same.

Approved by Building Dept: Date: 12-27-02

Approved by Zoning Dept: Date 12/27/02

Owner/Agent Signature: Date

TOWN OF CAMP VERDE
DEPT OF COMMUNITY DEVELOPMENT
BUILDING PERMIT

PERMIT # 96327
DATE ISSUED 12-9-96

1. TYPE OF PERMIT:
COMM ___ RES X MECH ___ PLUMB ___ ELEC ___ BUILD ___ OTHER ___

2. JOB/STREET ADDRESS 2340 CESSNA CIRCLE - CAMP VERDE, AZ 86322

3. ASSESSOR'S PARCEL: BOOK 404 MAP 17 PARCEL 014B SIZE CONTAINS 2.11 ACRES

4. LEGAL DESCRIPTION: SUBDIVISION MONTEZUMA HEIGHTS AIR PARK LOT 14B

5. PROPERTY OWNER($) [redacted] PHONE: [redacted]
MAILING ADDRESS [redacted] -WILLIAMSTON, MI 48895

6. RENTER/TENANT: N/A PHONE: N/A
MAILING ADDRESS: N/A

7. BUILDER/CONTRACTOR ABCD INC PHONE: [redacted]
MAILING ADDRESS: [redacted]
CONTRACTOR STATE LICENSE # 107255

8. CLASS OF WORK: NEW X ALTERATION ___ ADDITION ___ REPAIR ___ MOVE ___
REMOVE ___ GRADING ___ DEMOLITION ___ ACTUAL VALUATION $ 143,289

9. DES. OF WORK: FRAME X MASONRY X STUCCO ___ STEEL ___ OTHER ___

10. SETBACKS: FRONT 50 LEFT SIDE 25 RIGHT SIDE 30 REAR 64

11. SQUARE FOOTAGE: HABITABLE 2802 NON-HABITABLE AREA: 816
Height 24 # Stories 1 # Bedrooms 4

12. UTILITIES: SEWER ___ SEPTIC X GAS ___ LPG X ELEC X WATER ___ WELL ___

13. EXISTING USE: VACANT

14. PROPOSED USE: SFR - GARAGE

I HEREBY CERTIFY THAT THIS APPLICATION AND ALL SUBMITTALS ARE TRUE AND CORRECT. ALL LAWS AND ORDINANCES GOVERNING ZONING, BUILDING AND HEALTH WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF THIS PERMIT DOES NOT GIVE AUTHORITY TO VIOLATE OR CANCEL OTHER LAWS REGULATING CONSTRUCTION OR THE PERFORMANCE OF SAME.

SIGNATURE OF OWNER/AGENT

12-11-96
DATE

404-17-018

FOR OFFICIAL USE ONLY

Expires: 6-9-97	Plan Check Fee	100.00	Zoning RCU-2A
Flood Map 1085&1095	Permit Fee	790.70	
Flood Zone C	Zoning Fee	50.00	Examiner: Bob Lau
	Other Deposit	(30.00)	
	Total	910.70	Bldg Approved

TOWN OF CAMP VERDE
DEPT OF COMMUNITY DEVELOPMENT
BUILDING PERMIT

PERMIT # 98003
DATE ISSUED 1-7-98

1. TYPE OF PERMIT:
COMM ___ RES X MECH ___ PLUMB ___ ELEC ___ BUILD ___ OTHER ___

2. JOB/STREET ADDRESS 2330 W CESSNA CIRCLE-CAMP VERDE, AZ 86322

3. ASSESSOR'S PARCEL: BOOK 404 MAP 17 PARCEL 014C SIZE ___
4. LEGAL DESCRIPTION: SUBDIVISION MONTEZUMA HEIGHTS AIR PARK LOT 14C

5. PROPERTY OWNER(S) [redacted] PHONE [redacted]
MAILING ADDRESS: SAA

6. RENTER/TENANT: N/A PHONE: N/A
MAILING ADDRESS: N/A

7. BUILDER/CONTRACTOR RED ROCK HOMES PHONE: 567-9055
MAILING ADDRESS: P.O. BOX 688 CONTRACTOR STATE LICENSE # 87198

8. CLASS OF WORK:NEW X ALTERATION ___ ADDITION ___ REPAIR ___ MOVE ___
REMOVE ___ GRADING ___ DEMOLITION ___ ACTUAL VALUATION $ 125,876.00

9. DES. OF WORK :FRAME X MASONRY ___ STUCCO ___ STEEL ___ OTHER ___
10. SETBACKS: FRONT 58 LEFT SIDE 25 RIGHT SIDE 25 REAR 192
11. SQUARE FOOTAGE: HABITABLE 1910 NON-HABITABLE AREA 2796 # stories 2
Bedrooms 3

12. UTILITIES: / SEWER ___ SEPTIC X GAS ___ LPG X ELEC ___ WATER ___ WELL X
13. EXISTING USE VACANT
14. PROPOSED USE: SFR & HANGER

I HEREBY CERTIFY THAT THIS APPLICATION AND ALL SUBMITTALS ARE TRUE AND CORRECT. ALL LAWS AND ORDINANCES GOVERNING ZONING, BUILDING AND HEALTH WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF THIS PERMIT DOES NOT GIVE AUTHORIT TO VIOLATE OR CANCEL OTHER LAWS REGULATING CONSTRUCTION OR THE PERFORMANCE OF SAME.

SIGNATURE OF OWNER/AGENT ___ DATE ___

FOR OFFICIAL USE ONLY

Expires: 7-7-98 Plan Check Fee 100.00 Zoning RCU-2A
Flood Map 1085/1095 Permit Fee 730.00
Flood Zone C Zoning Fee 50.00 Examiner: Cindy Bolz
Other Deposit (30.00)
Total DUE 850.00 Bldg Approved ___

RECEIPT # ___

TOWN OF CAMP VERDE
473 S. Main St., Ste #108
Camp Verde, AZ 86322
928-567-8513

Building Permit

Page: 1
Printed: 9/28/06
Approved: 9/28/06

Permit Number: 2006471

Owner: [redacted]
2250 N. Piper Ave.
Camp Verde, AZ 86322

Parcel Number: 404-17-018A

Zoning: RCU-2A
Permit type: Sunroom Addt.
Block:
Section:
Township:
Range:
Area:

Legal Description: Montezuma Heights Airpark, portion of Lot 18; Property located in FIRM Zone Unshaded X, Map #04025C: 2205F; approved for issuance.

Conditions: All Lighting must be permitted and a lumens calculation form submitted for staff approval prior to final inspection.

Fees and Receipts:	Number	Description	Amount
	4010	Building Permit Fee	$ 321.25
	4024	Plan Check	$ 192.75
	4023	Zoning Clearance	$ 25.00
		Fees Total:	**$ 539.00**
		Receipt: 11888	- $ 60.00
		Balance Due:	**$ 479.00**

Construction Value: $19,454.16 **Structure Use:** Accessory **Start Date:** 9/28/06

Purpose: Sunroom Addition **End Date:** 3/28/07

Floor Areas		Impervious Surfaces
Living Space:	**Basement/Storage:**	**House:**
Porch/Walk:	**Porches:**	**Garage:**
Other: 264 (Sunroom Addt.)	**Decks:**	**Grading/Exc:**
Total square footage: 264sf	**Total site area:**	**Percentage of Site:**

I hereby certify that this application and all submittals are true and correct. All laws and ordinances governing zoning, building and health will be complied with whether specified herein or not. The granting of this permit does not give authority to violate or cancel other laws regulating construction or the performance of the same.

Approved by Building Dept. Becky Quinn Date: 9-28-06

Approved by Zoning Dept. [signature] Date: 9-28-06

Owner/Agent Signature [signature] Date:

TOWN OF CAMP VERDE
P.O. Box 710
Camp Verde, AZ 86322
928 567-8513

Building Permit

Permit Number: 2005564

Printed: 11/22/2005

Applicant

Approval Date: 11/22/2005

Name: [redacted]
Address: 2250 N. Piper Ave.
Camp Verde, AZ 86322
Phone: [redacted]

Parcel

Parcel Number: 404-17-018A
Zoning: RCU-2A
Address: 2250 Piper Avenue N.
Camp Verde, AZ 86322
Section: **Township:** **Range:**
Addition: SFR/Hangar **Block:** **Lot(s):**
Legal Description: Located in FIRM Zone Unshaded X; Septic #P52-5-5894; Well #55-622-718

Fees and Receipts:

Number	Description	Amount
		$0.00
4010	Building Permit Fee (Auto)	$1,805.75
4024	Plan Check	$1,173.73
4023	Zoning Clearance Fee - Resid	$75.00
	Total Fees:	**$3,054.48**
11088		$150.00
	Total Receipts:	**$150.00**

Description

Structure Use: Residential
Purpose: New SF Residential
Construction Value: $244,140.60
Start Date: 11/22/2005
End Date: 5/22/2006

Floor Areas		Impervious Surfaces	
Living Space:	810.00	**House:**	
Basement/Storage:		**Garage:**	
Garage:	750.00	**Driveways:**	
Decks:		**Porch/Walk:**	
Porches:		**Other:**	
Other:	2,940.00	**Total:**	
Total Area:	4,500.00		

Structure Area: **Site Area:** **Percentage of Site:**

I hereby certify that this application and all submittals are true and correct. All laws and ordinances governing zoning, building and health will be complied with whether specified herein or not. The granting of this permit does not give authority to violate or cancel other laws regulating construction or the performance of the same.

Approved by Building Dept: Becky Auns Date: 11-28-05

Approved by Zoning Dept: Tommy Burkl Date 11-29-05

Owner: [signature] Date: 11/29/05

TOWN OF CAMP VERDE
P.O. Box 710
Camp Verde, AZ 86322
928 567-8513

Building Permit

Permit Number: 03388

Printed: 11/4/03
Approved: 11/4/03

Applicant: [redacted]

Parcel Number: 404-17-019D
2301 Beech Blvd
Camp Verde, AZ 86322

Zoning: RCU-2A
Addition: Metal Building (Hanger)
Block: **Lot(s):**
Section:
Township:
Range:
Area:

Legal Description: Montezuma Heights Lot 19 (D); Flood Map2205; FIRM Zone Unshaded X; Montezuma Hts Water; Septic P52-3-3249

Fees and Receipts:

Number	Description	Amount
03388	Building Permit Fee (Auto)	$833.00
03388-4023	Zoning Clearance	$25.00
	Fees Total:	**$858.00**
9480		$100.00
	Receipts Total:	**$100.00**

Construction Value: $76,104.00 **Structure Use:** Residential **Purpose:** New Outbuilding **Start Date:** 11/4/03 **End Date:** 5/4/04

Floor Areas

Living Space:	0.00	**Basement/Storage:**	0.00
Garage:	0.00	**Porches:**	0.00
Decks:	0.00	**Other:**	3,600.00
		Total Area:	3,600.00
Site Area:	87,120.00	**Structure Area:**	3,600.00
		Percentage of Site:	4%

Impervious Surfaces

House:	0.00	**Porch/Walk:**	0.00
Garage:	0.00	**Other:**	0.00
Driveways:	0.00	**Total:**	0.00

I hereby certify that this application and all submittals are true and correct. All laws and ordinances governing zoning, building and health will be complied with whether specified herein or not. The granting of this permit does not give authority to violate or cancel other laws regulating construction or the performance of the same.

Approved by Building Dept: Tatti Hull Date: 11-4-03

Approved by Zoning Dept: Bruce Gillaham Date 11-05-03

Owner/Agent Signature: [signature] Date 11/7/03

TOWN OF CAMP VERDE
P.O. Box 710
Camp Verde, AZ 86322
928 567-8513

Building Permit

Page 1 of 1

Permit Number: 2005460

Printed: 9/26/2005

Applicant

Approval Date: 9/26/2005

Name: [redacted]
Address: 2301 N. Beech Blvd.
Camp Verde, AZ 86322
Phone: [redacted]

Parcel

Parcel Number: 404-17-019D
Zoning: RCU-2A
Address: 2301 Beech Blvd
Camp Verde, AZ 86322
Section: **Township:** **Range:**
Addition: SFR **Block:** **Lot(s):**
Legal Description: Montezuma Heights Lot 19 (D); Flood Map2205; FIRM Zone Unshaded X; Montezuma Hts Water; Septic P52-3-3249

Fees and Receipts:

Number	Description	Amount
4010	Building Permit Fee (Auto)	$1,956.95
4024	Plan Check Fee	$250.00
4023	Zoning Clearance Fee - Resid	$75.00
	Total Fees:	**$2,281.95**
10902		$150.00
	Total Receipts:	**$150.00**

Description

Structure Use: Residential
Purpose: New SF Residential
Construction Value: $271,289.00
Start Date: 9/26/2005
End Date: 3/26/2006

Floor Areas

Living Space:	3,328.00
Basement/Storage:	
Garage:	872.00
Decks:	238.00
Porches:	
Other:	
Total Area:	4,438.00

Impervious Surfaces

House:	
Garage:	
Driveways:	
Porch/Walk:	
Other:	
Total:	

Structure Area: **Site Area:** **Percentage of Site:**

I hereby certify that this application and all submittals are true and correct. All laws and ordinances governing zoning, building and health will be complied with whether specified herein or not. The granting of this permit does not give authority to violate or cancel other laws regulating construction or the performance of the same.

Approved by Building Dept: Valerie Hance Date:

Approved by Zoning Dept: Jennifer Burkel Date 9-28-05

Owner/Agent Signature: [signature] Date: 9/28/05

TOWN OF CAMP VERDE
473 S. Main St., Ste #108
Camp Verde, AZ 86322
928-567-8513

Building Permit

Printed: 8/23/06
Permit Number: 2006418 Approved: 8/23/06

Owner: [redacted]

Applicant: A & L Fire Protection, Inc.
2301 Beach Blvd.
Camp Verde, AZ 86322

Parcel Number: 404-17-019D

Zoning: RCU-2A
Permit type: Fire Sprinklers
Block:
Section:
Township:
Range:
Area:

Legal Description: Montezuma Heights Air Park, Lot #9; Property located in firm unshaded x zone, map #2205F.

Conditions: **All outdoor lighting must be permitted and a lumens calc sheet submitted for staff approval.**

Fees and Receipts:	Number	Description	Amount
	4010	Building Permit Fee	$ 194.13
	4024	Plan Check	$ 126.18
	4023	Zoning Clearance	$ 0.00
		Fees Total:	**$ 320.31**
Receipt #:		Deposit	- $ 0.00
		Balance Due:	**$ 320.31**

Construction Value: $10,920.00 **Structure Use:** Residential **Start Date:** 8/23/06
Purpose: Fire Sprinkler Installation **End Date:** 2/23/07

Floor Areas		Impervious Surfaces
Living Space: 4200	**Basement/Storage:**	**House:**
Porch/Walk:	**Porches:**	**Garage:**
Other:	**Decks:**	**Grading/Exc:**

Total square footage: 4,200 sf **Total site area:** **Percentage of Site:**

I hereby certify that this application and all submittals are true and correct. All laws and ordinances governing zoning, building and health will be complied with whether specified herein or not. The granting of this permit does not give authority to violate or cancel other laws regulating construction or the performance of the same.

Approved by Building Dept. _____ Date: 8/24/06

Approved by Zoning Dept. N/a Date: _____

Owner/Agent Signature _____ Date: 6/28/07

TOWN OF CAMP VERDE
P.O. Box 710
Camp Verde, AZ 86322
928 567-8513

Building Permit Page 1 of 1
Permit Number: 2004474 Printed: 12/8/2004

Applicant **Approval Date:** 12/8/2004

Name: [redacted]
Address: 2150 N. Piper Ave.
Camp Verde, AZ 86322
Phone: 3001-7310

See amendment made to this permit on 6/7/05 - See attached Permit Fee worksheet. V. Howe

Cleatonnupfd - 04/0 45

Parcel

Parcel Number: 404-17-023A **Zoning:** RCU-2A
Address: 2150 Piper Ave. N. Camp Verde, AZ 86322
Section: **Township:** **Range:**
Addition: Airplane Hanger/residence **Block:** **Lot(s):**
Legal Description: Montezuma Heights, Lot 23; Property located in FIRM Unshaded X zone; Septic #P52-4-5782; Montezuma Heights Water & Airport

Fees and Receipts:

Number	Description	Amount
4010	Building Permit Fee (Auto)	$1,318.55
4024	Plan Check Fee	$250.00
4023	Zoning Clearance Fee - Resid	$75.00
	Total Fees:	**$1,643.55**
10321		$150.00
	Total Receipts:	**$150.00**

Description

Structure Use: Residential
Purpose:
Construction Value: $157,660.00

Floor Areas

Living Space:	1,201.00
Basement/Storage:	
Garage:	
Decks:	
Porches:	
Other:	2,429.00
Total Area:	3,630.00

Start Date: 12/8/2004
End Date: 6/8/2005

Impervious Surfaces

House:	
Garage:	
Driveways:	
Porch/Walk:	
Other:	
Total:	

Structure Area: **Site Area:** **Percentage of Site:**

I hereby certify that this application and all submittals are true and correct. All laws and ordinances governing zoning, building and health will be complied with whether specified herein or not. The granting of this permit does not give authority to violate or cancel other laws regulating construction or the performance of the same.

Approved by Building Dept: Valerie Howe Date: 12/8/04

Approved by Zoning Dept: Bruce Bellatorre Date 12/09/04

Owner/Agent Signature: [signature] Date: 12/13/04

ZONING CLEARANCE PERMIT
PLANNING AND ZONING DEPARTMENT
TOWN OF CAMP VERDE

Permit No. V-1011
Construction Shall Commence
By: June 23, 1993

PLEASE READ THIS PERMIT. IT IS A BINDING DOCUMENT AND FAILURE TO MEET THE CONDITIONS CONTAINED HEREIN RESULTS IN THIS PERMIT BEING NULL AND VOID. The Town of Camp Verde Planning and Zoning Department has issued a Zoning Clearance Permit for the project as described herein and shown on the attached site plan. The Permittee shall abide by any and all conditions as stated in this permit. Construction shall commence by the date shown above. Once construction has commenced it shall be diligently pursued thereafter; otherwise, this permit expires. An extension of this permit may be granted if requested in advance.

This permit was issued to:
Name of Permittee: Lionel & Dolores Carpenter Title: Owners
Address: [redacted]
City/Town:
Phone Numbers: (____) Home: (____) Work:

Project Location and Zoning:
Tax Parcel No.: 404-17-025C Legal Description: Lot 25C, Mont. Hts Airpark
Physical Address: 2535 Beech Blvd.
Zoning of Property: RCU-2A Intended Use: Residential

Permit Issued for the Purpose of:
Description of Project: Construct home and hangar
Total Square Feet: Habitable Area _____ Non-Habitable Area _____
Name(s) and Address(es) of Contractor(s): Lic. #:
Self

Mandatory Restrictions and Conditions on Permit:
Parking Required: Standard 2 Loading _____ Total Dwelling Units 1
Modular or Manufactured Structures Allowed on Site: Yes N/A No _____
Required Minimum Setbacks: Front: 50 Rear: 50 Ext. Side: 25 Int. Side: 25
Maximum Height of Structure(s): 30 Septic Permit No.: 37979
Value of Construction: $ 50 000.00 Use: Residential Fed Code: 101
Flood Area Map No.: 1085 Flood Zone: C Flood Remarks: None
Fee: 50.00 Receipt No.: _____ Penalty: Yes _____ No X

REMARKS AND SPECIAL CONDITIONS:

Approved by: _____ Date: 12/23/92

TOWN OF CAMP VERDE
DEPT OF COMMUNITY DEVELOPMENT
BUILDING PERMIT

PERMIT # 96079
DATE ISSUED 5-2-96

1. TYPE OF PERMIT:
COMM___ RES x MECH___ PLUMB___ ELEC___ BUILD___ OTHER _____

2. JOB/STREET ADDRESS 2705 Beech Boulevard

3. ASSESSOR'S PARCEL: BOOK 404 MAP 17 PARCEL 29A SIZE 250 x 579 plus

4. LEGAL DESCRIPTION: SUBDIVISION Metes and Bounds LOT _____

5. PROPERTY OWNER(S) Dr. J and Diane Houston PHONE: [redacted]
MAILING ADDRESS: [redacted]

6. RENTER/TENANT: _____ PHONE: _____
MAILING ADDRESS: _____

7. BUILDER/CONTRACTOR Jeff Fine PHONE: [redacted]
MAILING ADDRESS: [redacted]
CONTRACTOR STATE LICENSE # _____

8. CLASS OF WORK: NEW xx ALTERATION ___ ADDITION ___ REPAIR ___ MOVE ___
REMOVE ___ GRADING ___ DEMOLITION ___ ACTUAL VALUATION $ 82,569

9. DES. OF WORK: FRAME xx MASONRY ___ STUCCO ___ STEEL ___ OTHER _____

10. SETBACKS: FRONT 100 LEFT SIDE 100 RIGHT SIDE 70 REAR 300

11. SQUARE FOOTAGE: HABITABLE 1768 NON-HABITABLE AREA: 704
Height 18 # Stories _____ # Bedrooms 3

12. UTILITIES: SEWER ___ SEPTIC x GAS ___ LPG x ELEC x WATER x WELL ___

13. EXISTING USE: Vacant

14. PROPOSED USE: _____

I HEREBY CERTIFY THAT THIS APPLICATION AND ALL SUBMITTALS ARE TRUE AND CORRECT. ALL LAWS AND ORDINANCES GOVERNING ZONING, BUILDING AND HEALTH WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF THIS PERMIT DOES NOT GIVE AUTHORITY TO VIOLATE OR CANCEL OTHER LAWS REGULATING CONSTRUCTION OR THE PERFORMANCE OF SAME.

SIGNATURE OF OWNER/AGENT

5/2/96
DATE

404-17-29A

FOR OFFICIAL USE ONLY

Expires:	11/2/96	Plan Check Fee	100.00	Zoning	RCU-2A
Flood Map	1085	Permit Fee	686.75		
Flood Zone	C	Zoning Fee	50.00	Examiner:	Bob Lau
		Other Deposit	(30.00)		
		Total	806.75	Bldg Approved	

TOWN OF CAMP VERDE
P.O. Box 710
Camp Verde, AZ 86322
928 567-8513

Building Permit

Permit Number: 2004418
Printed: 11/1/2004

Applicant

Approval Date: 11/1/2004

Name: [redacted]
Address: 2660 N. Piper Ave.
Camp Verde, AZ 86322
Phone: [redacted]

Parcel

Parcel Number: 404-17-029C
Zoning: RCU-2A
Address: 2660 Piper Ave. N.
Camp Verde, AZ 86322
Section: **Township:** **Range:**
Addition: Metal Bldg. **Block:** M & B **Lot(s):**
Legal Description: Metes & Bounds; Property located in FIRM Unshaded X Zone.

Fees and Receipts:

Number	Description	Amount
4010	Building Permit Fee (Auto)	$1,540.00
4024	Plan Check Fee	$495.00
4023	Zoning Clearance - Residentia	$25.00
	Total Fees:	**$2,060.00**
10214		$100.00
	Total Receipts:	**$100.00**

Description

Structure Use: Residential
Purpose: New Outbuilding
Construction Value: $190,305.00
Start Date: 11/1/2004
End Date: 5/1/2005

Floor Areas		Impervious Surfaces	
Living Space:		House:	
Basement/Storage:		Garage:	
Garage:		Driveways:	
Decks:		Porch/Walk:	
Porches:		Other:	
Other:	4,920.00	Total:	
Total Area:	4,920.00		

Structure Area: **Site Area:** **Percentage of Site:**

I hereby certify that this application and all submittals are true and correct. All laws and ordinances governing zoning, building and health will be complied with whether specified herein or not. The granting of this permit does not give authority to violate or cancel other laws regulating construction or the performance of the same.

Approved by Building Dept: Valerie Hamm Date: 11/1/04

Approved by Zoning Dept: Bruce Bellobuono Date 11-02-04

Owner/Agent Signature: [signature]
Date: 11-4-04

REQUESTOR'S PHONE #602-980-[redacted]

REQUESTOR'S E-MAIL [redacted]

NON-COMMERCIAL PUBLIC RECORDS REQUEST

TO: Laura Keesler (Designate Record Custodian)

Request is hereby made to ☐ inspect ■ reproduce the following record(s): (indicate document name, page numbers, address, and permit number where applicable. Attach 8.5" x 11 sheet if necessary.

Requesting all construction permits that have been submitted for Parcel # 404-17-025N for the years 1999 and 2000

Address 2550 N Cessna Circle, Camp Verde, Az 86322

☑ Please send Records Electronically

☑ Will not be used for a commercial purpose: Commercial purpose is define as "the use of a public record for the purpose of sale or resale or for the purpose of producing a document containing all or part of a copy, printout or photograph for sale or the obtaining of names and addresses from such public record for the purpose of solicitation or the sale of such names and addresses to another for the purpose of solicitation or for any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of such public records" Pursuant to ARS 39-121.03, the record(s) are requested are for **Non-Commercial** purposes only.

I certify that all information provided is true and correct under penalty of perjury. I agree to pay the fee or deposit of $1.00 per page for printed records. I also agree that the public records will not be transmitted or resold to any other person or entity without specific authorization from the Town's record custodian. I agree not to hold the Town of Camp Verde liable for an inaccurate or incomplete information that I may receive.[1]

Print Name: Marvin E. Wessel Jr Signature: Marvin E Wessel Jr

[redacted] City/State/Zip: Camp Verde, AZ, 86322

"A person who obtains pubic records for a commercial purpose without indicating the commercial purpose or who obtains a public record for a noncommercial purpose and uses or knowingly allows the uses of such public records for a commercial purpose or who obtains a public record for a commercial purpose and uses or knowingly allows the use of such public record for a different commercial purpose or who obtains a pubic record from anyone other than the custodian of such records and uses them for a commercial purpose shall in addition to other penalties be liable to the state or the political subdivision from which the public record was obtain for damages in the amount of three (3) time the amount which would have been charged for the public record had the commercial purpose been stated plus costs and reasonable attorney's fees or shall be liable to the state or the political subdivision for the amount of three (3) times the actual damages if it can be shown that the public record would not have been provided had the commercial purpose of actual use been stated at the time of obtain the records.

[1] Requestor/purchaser understands and agrees that the Town of Camp Verde does not guarantee the accuracy of the data and information requested and hereby expressly disclaims any responsibility for the truth, lack of truth, validity, invalidity, accuracy, inaccuracy of any said data and information. Requestor /Purchaser accepts responsibility for requestor/purchaser's unauthorized use or transmission of any such data or information in its actual or altered form

Revised 05-2023

2-23-01

TOWN OF CAMP VERDE
P.O. Box 710
Camp Verde, AZ 86322
520 567-8513

Building Permit

Permit Number: 00354

Printed: 9/13/00
Approved: 9/13/00

Applicant: [redacted]
2550 Cessna Circle
Camp Verde, AZ 86322

Parcel Number: 404-17-025N
2550 Cessna Circle
Camp Verde, AZ 86322

Zoning: RCU-2A
Addition: SFR/Garage
Block: **Lot(s):**
Section:
Township:
Range:
Area:

Legal Description: Metes & Bounds; Flood Map 1085; Flood Zone C; Septic # 49646

Builder Red Rock Homes
P.O. Box 688
Camp Verde, AZ 86322
Local License: 121

Voice: 567-9055
Fax:
State License: 87198

Fees and Receipts:

Number	Description	Amount
00354-4023	Zoning Clearance	$50.00
00354-4024	Plan Check	$100.00
00354	Building	$1,263.00
	Fees Total:	**$1,413.00**
7126		$30.00
	Receipts Total:	**$30.00**

Construction Value: $148,040.00 **Structure Use:** Residential **Purpose:** New SF Residential

Start Date: 9/13/00
End Date: 3/13/01

Floor Areas

Living Space:	2,518.00	**Basement/Storage:**	0.00
Garage:	740.00	**Porches:**	460.00
Decks:	0.00	**Other:**	0.00
		Total Area:	3,718.00
Site Area:	89,998.00	**Structure Area:**	3,718.00
		Percentage of Site:	4%

Impervious Surfaces

House:	2,518.00	**Porch/Walk:**	460.00
Garage:	740.00	**Other:**	0.00
Driveways:	0.00	**Total:**	0.00

I hereby certify that this application and all submittals are true and correct. All laws and ordinances governing zoning, building and health will be complied with whether specified herein or not. The granting of this permit does not give authority to violate or cancel other laws regulating construction or the performance of the same.

Approved by: David R. Stevens Date: 9/14/00

Owner/Agent Signature: J. T. Foble Date 9/14/00

TOWN OF CAMP VERDE
DEPT OF COMMUNITY DEVELOPMENT
BUILDING PERMIT

PERMIT#: 99402
ISSUED: 11-12-99

1. **TYPE OF PERMIT:**
COMM____RES ___MECH____PLUMB____ELEC____BUILD__X__OTHER ____

2. **JOB/STREET ADDRESS:** 2550 Cessna Circle

3. **ASSESSOR'S PARCEL:** BOOK: 404 MAP: 17 PARCEL: 025N SIZE: 220.02x448.07

4. **LEGAL DESCRIPTION:** SUBDIVISION: Metes & bounds LOT:

5. **PROPERTY OWNERS:** [redacted] PHONE: [redacted]
MAILING ADDRESS: [redacted]

6. **RENTER/TENANT:** N/A PHONE:_____ MAILING ADDRESS:

7. **BUILDER/CONTRACTOR:** Moore Builders PHONE: 520-282-9447
MAILING ADDRESS: PO Box 1866 Sedona, AZ 86339
CONTRACTOR STATE LICENSE #: 48875

8. **CLASS OF WORK:** NEW __x__ ALTERATION ___ ADDITION ____ REPAIR ___ MOVE ___REMOVE ___
GRADING ____DEMOLITION __ ACTUAL VALUATION $ 100,258

9. **DESCRIPTION OF WORK:** FRAME ___ MASONRY____STUCCO ___STEEL_x__ OTHER

10. **SETBACKS:** FRONT: 60 REAR: 300 LEFT SIDE: 25 RIGHT SIDE: 125.02

11. **SQUARE FOOTAGE:** HABITABLE: 825 sq ft. NON-HABITABLE AREA: 3150 sq ft.
Height 30 # Stories 1 # Bedrooms 0
EXISTING

12. **UTILITIES:** SEWER _ ___ SEPTIC_x_LPG ____ELEC_x__ WATER ____ WELL_x

13. **EXISTING USE:** vacant

14. **PROPOSED USE:** Hanger/office

I HEREBY CERTIFY THAT THIS APPLICATION AND ALL SUBMITTALS ARE TRUE AND CORRECT. ALL LAWS AND ORDINANCES GOVERNING ZONING, BUILDING AND HEALTH WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF THIS PERMIT DOES NOT GIVE AUTHORITY TO VIOLATE OR CANCEL OTHER LAWS REGULATING CONSTRUCTION OR THE PERFORMANCE OF THE SAME.

Barbara A. Grace / Moore Builders — 11-12-99
SIGNATURE OF OWNER/AGENT / DATE

404-17-025N

FOR OFFICIAL USE ONLY

Permit Fee	$
Plan Check Fee	$
Zoning Fee	$
Other Deposit	$
TOTAL DUE	**$**

Expires: 5-12-99
Flood Map: 1085
Flood Zone: C
Zoning: RCU 2A
Examiner: Monty Smith
RECEIPT#

JUN 12'25 10:58

REQUESTOR'S PHONE #[redacted]

REQUESTOR'S E-MAIL [redacted]

NON-COMMERCIAL PUBLIC RECORDS REQUEST

TO: Laura Keesler (Designate Record Custodian)

Request is hereby made to ☐ inspect ■ reproduce the following record(s): (indicate document name, page numbers, address, and permit number where applicable. Attach 8.5" x 11 sheet if necessary.

Parcel 404-17-025M building permit received had Work Conditions: "See attached" highlighted but nothing was attached? Requesting attachment missing. Also requesting any "Zoning clearance" documentation for this parcel ($190 fee was assessed). Copy of the building plans are also requested.

☑ Please send Records Electronically

☑ Will not be used for a commercial purpose. Commercial purpose is define as "the use of a public record for the purpose of sale or resale or for the purpose of producing a document containing all or part of a copy, printout or photograph for sale or the obtaining of names and addresses from such public record for the purpose of solicitation or the sale of such names and addresses to another for the purpose of solicitation or for any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of such public records" Pursuant to ARS 39-121.03, the record(s) are requested are for **Non-Commercial** purposes only.

I certify that all information provided is true and correct under penalty of perjury. I agree to pay the fee or deposit of $1.00 per page for printed records. I also agree that the public records will not be transmitted or resold to any other person or entity without specific authorization from the Town's record custodian. I agree not to hold the Town of Camp Verde liable for an inaccurate or incomplete information that I may receive.[1]

Print Name: Marvin E. Wessel Jr Signature: Marvin E. Wessel Jr

[redacted] City/State/Zip: Camp Verde, AZ, 86322

"A person who obtains public records for a commercial purpose without indicating the commercial purpose or who obtains a public record for a noncommercial purpose and uses or knowingly allows the uses of such public records for a commercial purpose or who obtains a public record for a commercial purpose and uses or knowingly allows the use of such public record for a different commercial purpose or who obtains a public record from anyone other than the custodian of such records and uses them for a commercial purpose shall in addition to other penalties be liable to the state or the political subdivision from which the public record was obtain for damages in the amount of three (3) time the amount which would have been charged for the public record had the commercial purpose been stated plus costs and reasonable attorney's fees or shall be liable to the state or the political subdivision for the amount of three (3) times the actual damages if it can be shown that the public record would not have been provided had the commercial purpose of actual use been stated at the time of obtain the records.

[1] Requestor/purchaser understands and agrees that the Town of Camp Verde does not guarantee the accuracy of the data and information requested and hereby expressly disclaims any responsibility for the truth, lack of truth, validity, invalidity, accuracy, inaccuracy of any said data and information. Requestor/Purchaser accepts responsibility for requestor/purchaser's unauthorized use or transmission of any such data or information in its actual or altered form

Revised 05-2023

Town of Camp Verde
928.554.0050
www.campverde.az.gov

Community Development Department
473 S. Main Street, Suite 108
Camp Verde, Arizona 86322

Building Permit: Residential One-or Two-Family Homes or Townhouses

Number: #RHT-25-0041
Valid From: 4-17-2025
Valid Until: 10-17-2025

Address: 2500 N CESSNA CIRCLE

Issued to

Applicant:

Tanner McDonald
[redacted]
Camp Verde AZ 86322-6895
[redacted]

Owner:

Tanner McDonald
[redacted]
Camp Verde AZ 86322-6895
[redacted]

General Contractor:

#CON-O-25-0019 | Tanner McDonald | Triple X Construction Inc. | Submitted 2/27/25

Site Information

Zoning: RR-2A
Flood Zone: No Flood
Block #: N/A
Flood Map: N/A

Project Information

Const Type: VB
Use/Occupancy: R-3

Description of Project

Work Conditions

Work Conditions: See Attached

Fees

Building Permit Fee	$0.00
Building Plan Review Fee	$4,237.11
Building Plan Review Deposit - Commercial	$250.00
Zoning Clearance for Building Permits - Residential Single-Family Dwelling (Includes Manufactured and Factory-Built / Modular Buildings)	$190.00
Total	$4,677.11

Building Signature:

Date: 4/17/25

Applicant's Signature: Jennifer McDonald Date: 4/23/25

1 CB Cliff Bryson
Planner

Proposing 11,970 shielded lumens for this project. 120,000 lumens will need to be shielded.

Page 6 • April 9, 2025, 11:58am

2 CB Chris Biggs
Plans Examiner

TOTAL LUMENS ALLOWED FOR THIS PROPERTY - 160000 / UNSHIELDED - 40000. MAXIMUM 3000K PER BULB

Page 6 • March 17, 2025, 10:17am

3 CB Chris Biggs
Plans Examiner

SLOPE FLOOR TOWARDS VEHICLE DOOR PER R309.1

Page 11 • March 17, 2025, 11:41am

4 CB Chris Biggs
Plans Examiner

SHOWER FINISHES TO COMPLY WITH R307.2 / R702.4.2

Page 12 • March 17, 2025, 11:33am

5 CB Chris Biggs
Plans Examiner

PROVIDE A PRESSURE / TEMPERATURE RELIEF LINE TO THE OUTSIDE FOR THE WATER HEATER PER P2804.
PROVIDE A DRAIN PAN FOR THE WATER HEATER PER P2801.6

Page 12 • March 17, 2025, 12:08pm

6 CB Chris Biggs
Plans Examiner

WHAT MATERIAL IS ON TOP OF THE LIVEABLE FRAMING?

Page 12 • March 17, 2025, 2:25pm

7 CB Chris Biggs
Plans Examiner

HOW WILL THE WATER HEATER AND HVAC ON TOP OF THE LIVEABLE AREA BE ACCESSED?

Page 12 • March 17, 2025, 2:26pm

8 CB Chris Biggs
Plans Examiner

MINIMUM R-VALUE FOR WALLS R-13 / CEILING R-38
U-FACTOR MAXIMUM 0.40
SOLAR HEAT GAIN COEFFICIENT MAXIMUM 0.25

Page 12 • March 17, 2025, 2:09pm

9 CB Chris Biggs
Plans Examiner

PROVIDE INTERIOR WALL CONSTRUCTION CROSS SECTION WITH MATERIALS LISTED.

Page 12 • March 17, 2025, 2:21pm

10 CB Chris Biggs
Plans Examiner

INSTALL DRYER VENT PER M1502

Page 12 • March 17, 2025, 11:35am

11 CB Chris Biggs
Plans Examiner

WAS THE LIVEABLE AREA APPROVED BY AN ENGINEER OR ARCHITECT? THE GENERAL NOTES ON PAGE C-1 STATE THAT ANY ADDITION TO THE METAL BUILDING PLANS REQUIRE APPROVAL FROM A DESIGN PROFESSIONAL. PLEASE PROVIDE THIS APPROVAL.

Page 12 • March 17, 2025, 2:24pm

12 CB Chris Biggs
Plans Examiner

RECEPTACLE (GFCI) REQUIRED WITHIN 3' OF BATHROOM SINK PER E3901.6

Page 15 • March 17, 2025, 1:51pm

13 CB Chris Biggs
Plans Examiner

RECEPTACLE (WEATHERPROOF / GFCI) REQUIRED WITHIN 25' OF OUTDOOR HVAC EQUIPMENT PER E3901.12

Page 15 • March 17, 2025, 2:02pm

14 CB Chris Biggs
Plans Examiner

ARC-FAULT PROTECTION REQUIRED FOR ALL 15- / 20- AMP CIRCUITS PER E3902.16

Page 15 • March 17, 2025, 1:54pm

15 CB Chris Biggs
Plans Examiner

PROVIDE DISCONNECTS FOR ALL HVAC AND WATER HEATERS

Page 15 • March 17, 2025, 2:06pm

16 CB Chris Biggs
Plans Examiner

CLEARANCE TO LIGHT FIXTURES IN CLOTHES CLOSETS TO COMPLY WITH E4003.12

Page 15 • March 17, 2025, 2:04pm

17 CB Chris Biggs
Plans Examiner

AT LEAST ONE EXTERIOR RECEPTACLE (WEATHERPROOF / GFCI) REQUIRED AT FRONT AND BACK OF DWELLING PER E3901.7

Page 15 • March 17, 2025, 1:58pm

Town of Camp Verde
928.554.0050
www.campverde.az.gov

Community Development Department
473 S. Main Street, Suite 108
Camp Verde, Arizona 86322

Zoning Clearance #ZC--25-0004

Address: 2500 N CESSNA CIRCLE

Parcel: 404-17-025M

Zoning District Criteria

Lot Area Measurement: SqFt
Lot Area Minimum: 87,120
Lot Area Maximum: --
Lot Area Proposed: 348480
Structure Height Minimum: --
Structure Height Maximum: 30
Structure Height Proposed: 28.2
Front Minimum: 50
Front Maximum: --
Front Proposed: 85
Back Minimum: 50
Back Maximum: --
Back Proposed: Meets
Interior Sides Minimum: 25
Interior Sides Maximum: --
Interior Sides Proposed: 45
Exterior Sides Minimum: 30
Exterior Sides Maximum: --
Exterior Sides Proposed: --
Parking Minimum: 2 per dwelling unit residence
Parking Maximum: --
Parking Proposed:

Landscape Minimum: --
Landscape Maximum: --
Landscape Proposed: None Proposed
Screening Minimum: --
Screening Maximum: --
Screening Proposed: None Proposed
Lumens - Shielded Minimum: 120,000
Lumens - Shielded Maximum:
Lumens - Shielded Proposed: 11,970
Lumens - Unshielded Minimum:
Lumens - Unshielded Maximum: 40,000
Lumens - Unshielded Proposed: 0
Kelvin (Per Bulb) Minimum:
Kelvin (Per Bulb) Maximum: 3000
Kelvin (Per Bulb) Proposed:
Sign Size Minimum: --
Sign Size Maximum: --
Sign Size Proposed: --
Acreage: 8
Livable SF: 1875
Non-Livable SF: 12,250
Legal Access: Town Owned Road

SUBMIT INSPECTION REQUESTS TO BUILDING INSPECTION DEPARTMENT FOR ALL REQUIRED INSPECTIONS

This permit is non-transferable and expires 180 days from issue if work has not commenced, or if construction ceases for a period of 180 days. The undersigned applicant acknowledges that he is responsible for calling for each inspection required for this project before beginning the next phase of construction. THIS INCLUDES A FINAL INSPECTION FOR ALL TYPES OF CONSTRUCTION. Permission is hereby given to commence the above described work, according to the conditions hereon and in accordance with the approved plans and specifications pertaining thereto. The permit or approval granted hereby, or any inspections conducted on the site here after, shall not be construed as authorizing any activity in violation of any applicable Town of Camp Verde ordinances, federal or state law or regulation. Town staff may advise the applicant of issues regarding State and Federal laws that the Town staff member believes would be helpful to the applicant, but any such advice or comment is not a determination or interpretation of Federal or State law or regulation.

Note: 9-495. Arizona Revised Statute In any written communication between a city or town and a person, the city or town shall provide the name, telephone number and email address of the employee who is authorized and able to provide information about the communication if the communication does any of the following:

1. Demands payment of a tax, fee, penalty fine or assessment;
2. Denies an application for a permit or license that is issued by the city or town; or
3. Requests corrections, revisions or additional information or materials needed for approval of any application for a permit, license or other authorization that is issued by the city or town.

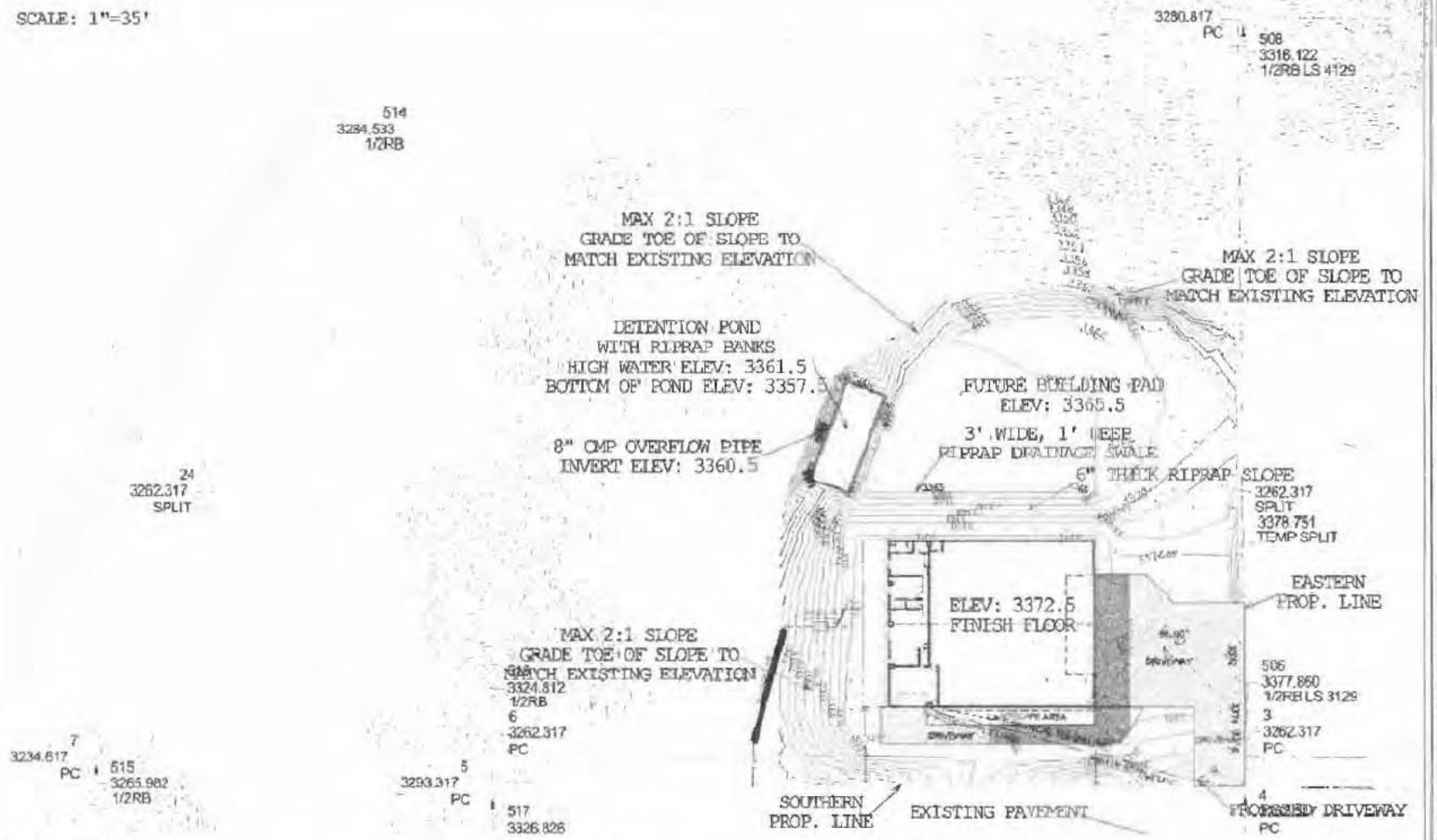
An employee who is authorized and able to provide information about any communication that is described above shall reply within

five (5) business days after the
city or town receives that communication.

Zoning Reviewer's Signature: Date: 4/15/25

Zoning Approver's Signature: Date: 4/15/25

Applicant's Signature: Date: 4/15/25



EFFECTIVE CODE:

THIS PROJECT SHALL COMPLY WITH THE FOLLOWING ADOPTED CODES:

-2018 INTERNATIONAL RESIDENTIAL CODE
-2018 INTERNATIONAL PLUMBING CODE
-2018 INTERNATIONAL MECHANICAL CODE
-2017 NATIONAL ELECTRIC CODE
-2006 INTERNATIONAL ENERGY CONSERVATION CODE

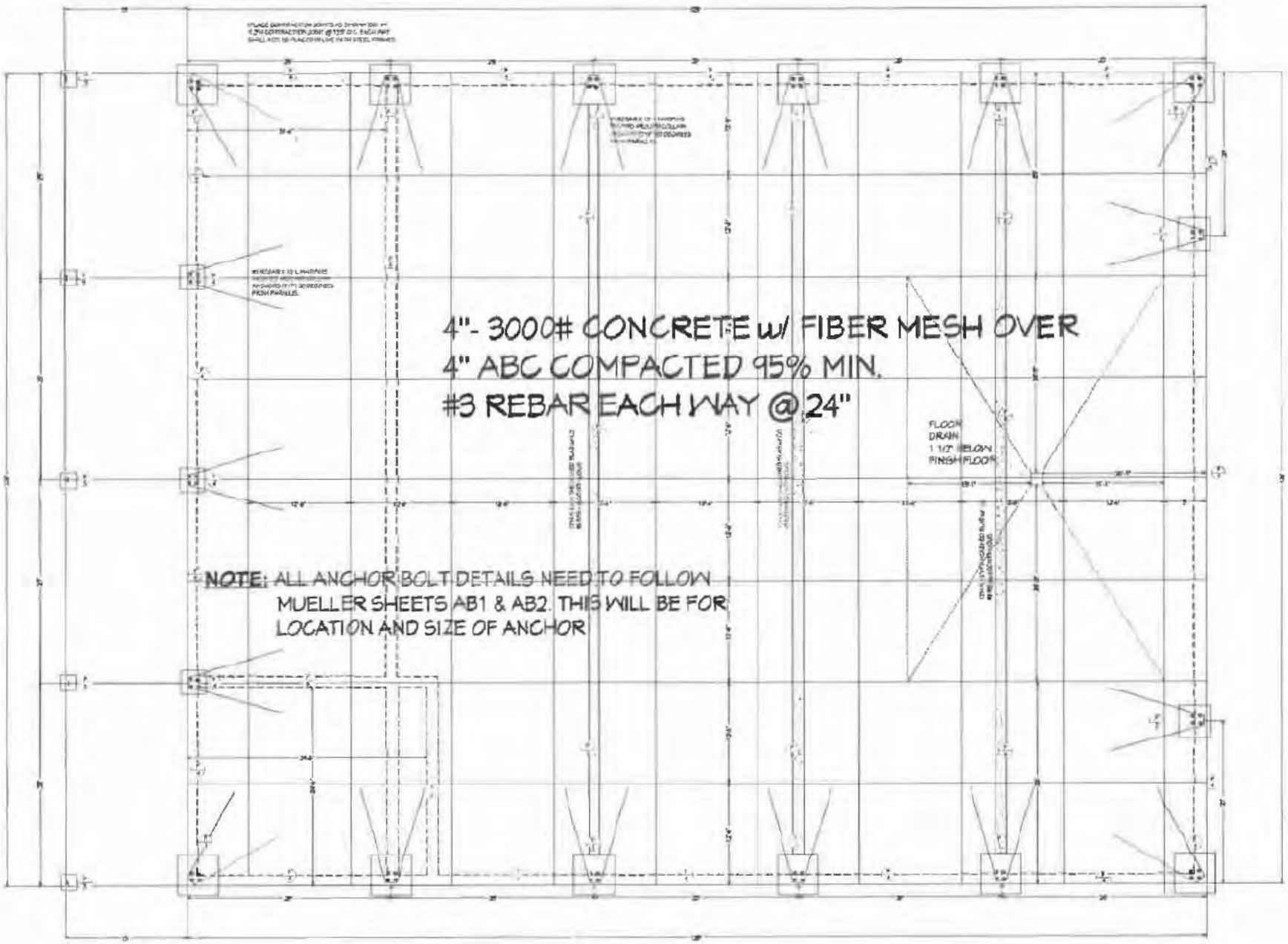
NOTE: -THE TOWN OF CAMP VERDE IS THE LOCAL JURISDICTION
- DESIGN WIND SPEED OF 115 MPH
- GROUND SNOW LOAD OF 20 PSF
- EXPOSURE & SEISMIC CATEGORY C

NOTE:- SUPPLY AND DWV PIPING SHALL IDENTIFY TYPE OF EACH RUN PER IRC. R3002
- WATER SUPPLY TO PEX PIPING
-INSTALL 45 DEGREE BENDS AT ALL HORIZONTAL DIRECTION CHANGES SO THAT NO CHANGE IN DIRECTION IS GREATER THAN 45 DEGREE

LIVABLE SQ FT = 1875
REAR PATIO SQ FT = 1500
GARAGE SQ FT = 750
HANGER SQ FT = 10,000

DRAWINGS REVISED BY:
TOP TINE LLC.
[redacted]

DATE:
2/27/2025
SCALE:
1"=30'
SHEET:
1



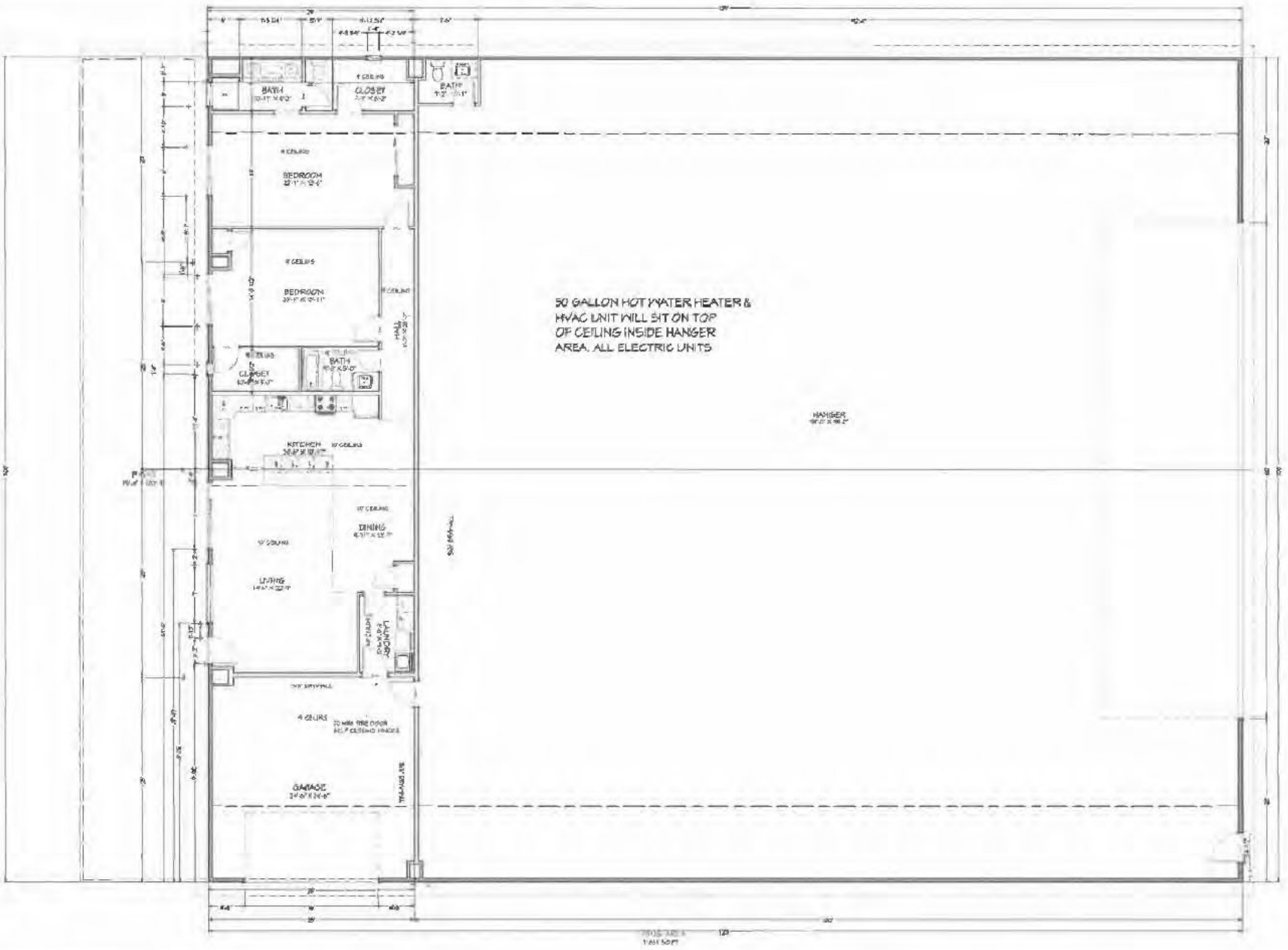
TOP TINE LLC

DRAWINGS PROVIDED BY: TRIPLE X CONSTRUCTION INC.

DATE: 2/27/2025

SCALE: 3/16=1'

SHEET: 2



TOP TINE LLC

[redacted]

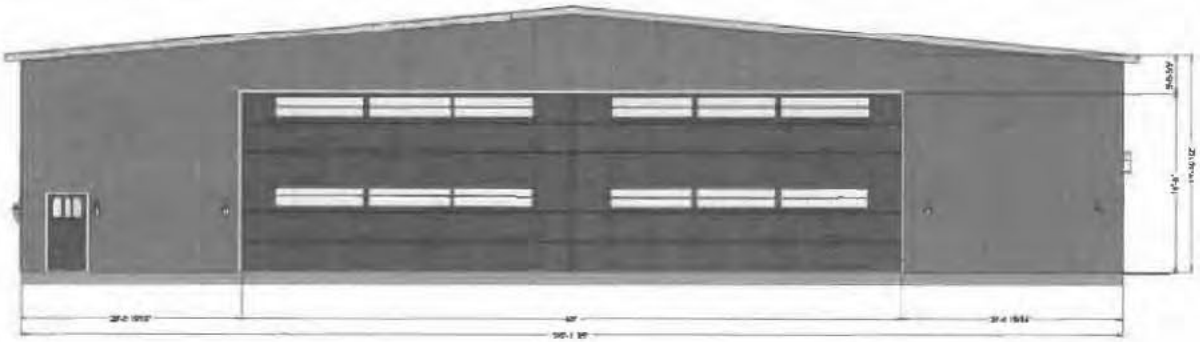
DRAWINGS PROVIDED BY:

[redacted]

DATE:
2/27/2025

SCALE:
3/16=1'

SHEET:
3



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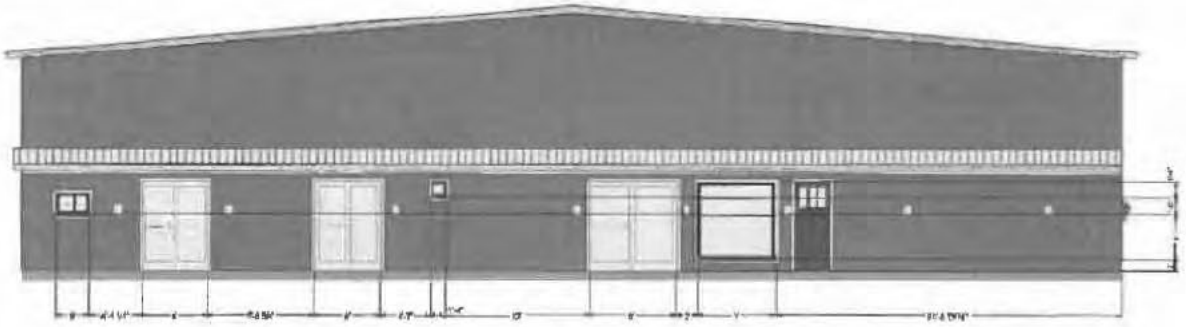
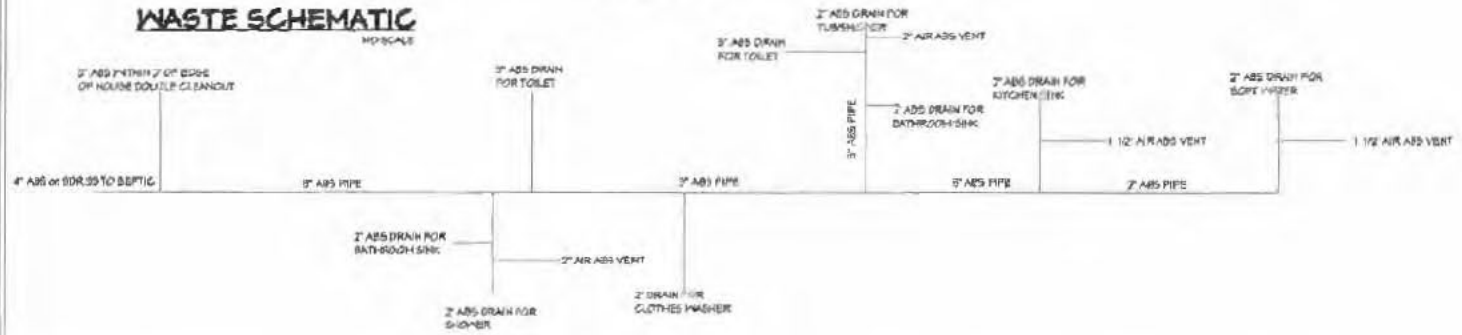


Elevation 2

WASTE SCHEMATIC

NO SCALE



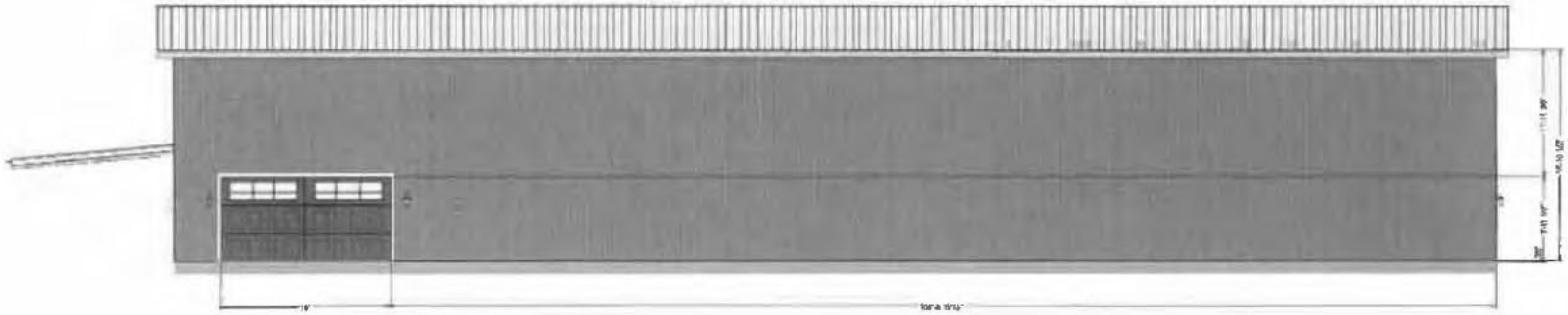
TOP TINE LLC.

DRAWINGS PROVIDED BY: TRIPLE K CONSTRUCTION INC

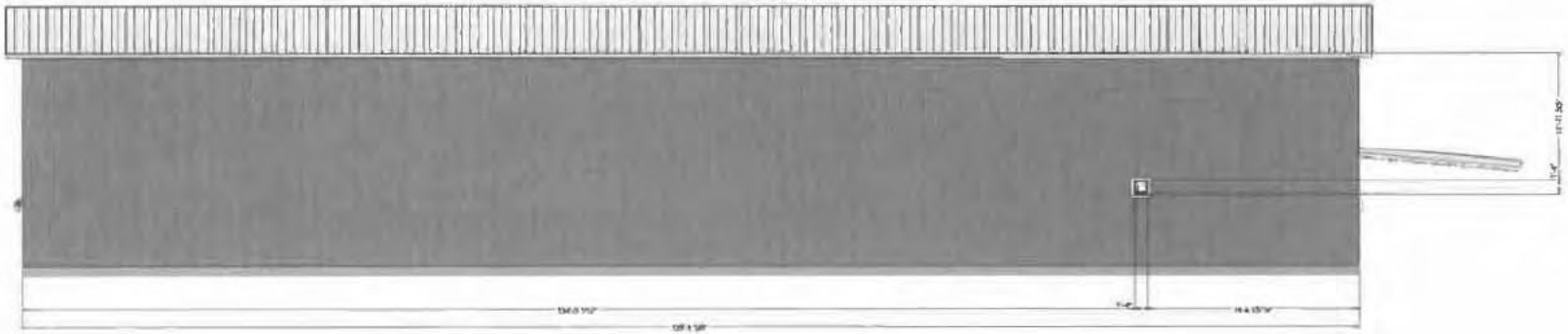
DATE: 2/27/2025

SCALE: 3/16"=1'

SHEET: 4



Elevation 4



Elevation 5

DATE:
2/27/2025
SCALE:
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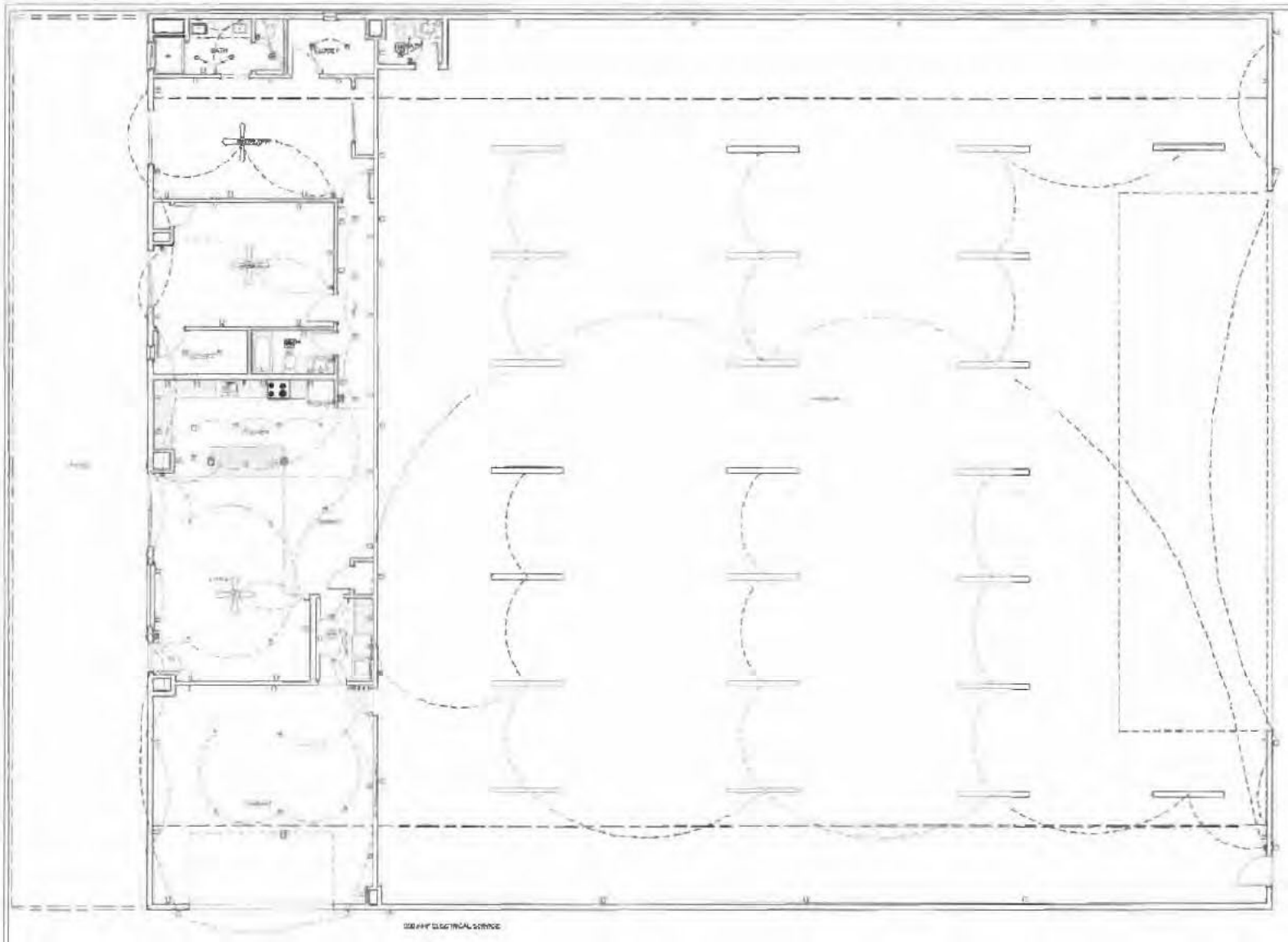
SHEET:
5



ELECTRICAL, DATA & AUDIO NOTES:
HOME OWNER SHALL COORDINATE THRU WITH RELEVANT INSTALLERS TO VERIFY THE EXACT LOCATION FOR OUTLETS, LIGHTS, SWITCHES, CABLE, DATA, PHONE, AUDIO, ETC.

ELECTRICAL NOTES:
1. ELECTRICAL RECEPTACLES IN BATHROOMS, KITCHENS AND GARAGES SHALL BE GFCI OR GFI.C. PER NATIONAL ELECTRICAL CODE REQUIREMENTS.
2. PROVIDE ONE SMOKE DETECTOR IN EACH ROOM AND ONE IN EACH CORRIDOR ACCESSING BEDROOMS. CONNECT SMOKE DETECTORS TO HOUSE POWER AND INTER-CONNECT SMOKE DETECTORS SO THAT, WHEN ANY ONE IS TRIPPED, THEY ALL WILL SOUND. PROVIDE BATTERY BACKUP FOR ALL UNITS.
3. CIRCUITS SHALL BE VERIFIED WITH HOME OWNER PRIOR TO WIRE INSTALLATION.
4. FINAL SWITCHES FOR TIMERS AND DIMMERS SHALL BE VERIFIED WITH HOME OWNER.
5. FIXTURES TO BE SELECTED BY HOUSE OWNER.

AUDIO:
1. LOCATE SPEAKERS AND AUDIO CONTROLS AS INDICATED ON THE PLAN. RUN CIRCUIT OF SPEAKER WIRING TO AUDIO HOME PANEL SPECIFIED BY FLOOR.
2. AUDIO SPEAKERS TO BE APPROVED BY HOME OWNER.
3. LOCATE JACKS AS INDICATED IN THE PLANS. INSTALL DATA / CABLE PANEL SIMILAR TO "ON Q" SYSTEM TO BE APPROVED BY HOME OWNER.

DATA / CABLE:
LOCATE SECURITY PANEL AS INDICATED IN THE PLANS. SYSTEM TO BE APPROVED BY HOME OWNER.

ELECTRICAL - DATA - AUDIO LEGEND

NOTE:-DISCONNECT AT ALL HVAC UNITS & WATER HEATERS
-ALL RECEPTACLES TO BE TAMPER RESISTANT PER NEC 406.12, E4002.14
-ARC-FAULT PROTECTION FOR ALL 15 & 20 AMP CIRCUITS PER E3902.16
-ALL EXTERIOR RECEPTACLE TO BE WP/GFCI

Electrical Plan View

REVISIONS TABLE

DRAWINGS PROVIDED BY:
TRIPLE K CONSTRUCTION

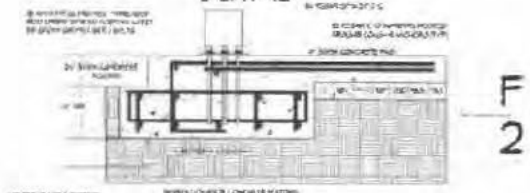
TOP TINE, LLC.

DATE:
2/27/2025

SCALE:
3/16"=1'

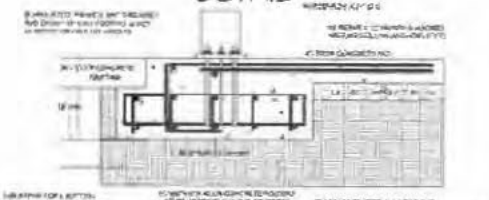
SHEET:
6

FOOTING DETAIL



F 2

FOOTING DETAIL



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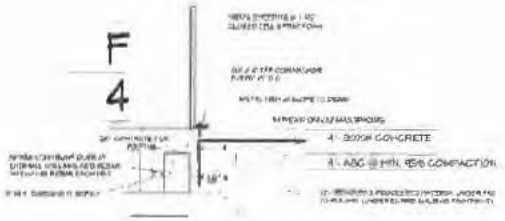

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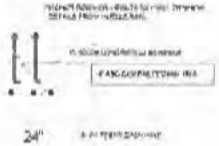


F 5

F 6

Concrete Thickened Slab Footing

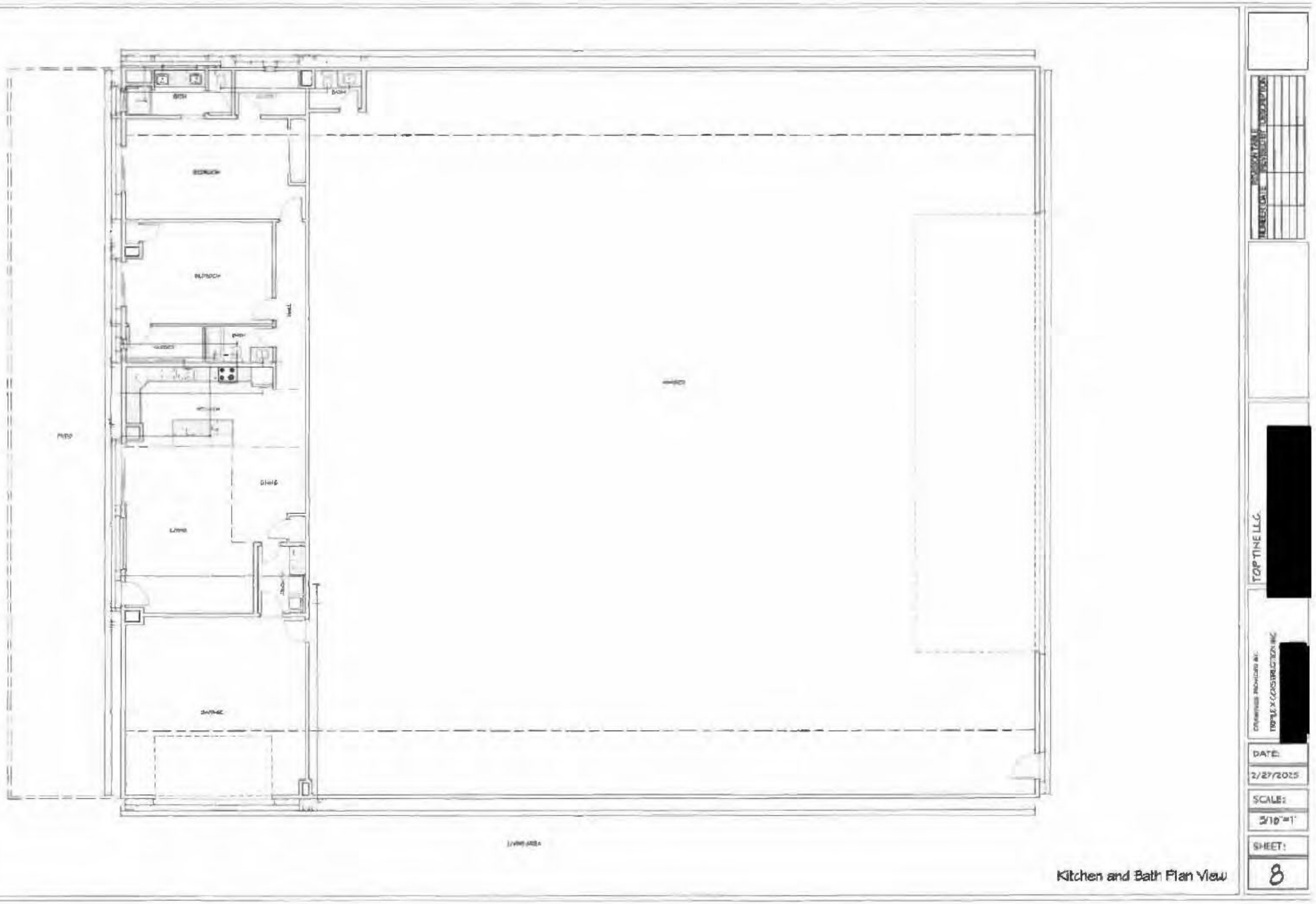
TOP TINS LLC

DRAWINGS PROVIDED BY: [redacted]

DATE: 2/27/2025

SCALE:

SHEET: 7


TOP TINE LLC.
DATE:
2/27/2025
SCALE:
3/16"=1'
SHEET:
8
Kitchen and Bath Plan View

CORE-J — BOA procedures record (Rules request + Town response)

What this is: Appellant’s Dec. 4, 2025 public-records request for BOA-adopted rules of procedure and the Town’s response. Why the BOA should care: Preserves the procedural defect that no BOA-adopted rules were produced, making ad hoc procedures unenforceable.

REQUESTOR'S PHONE [redacted]

REQUESTOR'S E-MAIL [redacted]

NON-COMMERCIAL PUBLIC RECORDS REQUEST

TO: Laura Keesler (Designate Record Custodian)

Request is hereby made to ☐ inspect ☒ reproduce the following record(s): (indicate document name, page numbers, address, and permit number where applicable. Attach 8.5" x 11 sheet if necessary.

Please See Attached

☑ Please send Records Electronically

☑ Will not be used for a commercial purpose: Commercial purpose is define as "the use of a public record for the purpose of sale or resale or for the purpose of producing a document containing all or part of a copy, printout or photograph for sale or the obtaining of names and addresses from such public record for the purpose of solicitation or the sale of such names and addresses to another for the purpose of solicitation or for any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of such public records" Pursuant to ARS 39-121.03, the record(s) are requested are for **Non-Commercial** purposes only.

I certify that all information provided is true and correct under penalty of perjury. I agree to pay the fee or deposit of $1.00 per page for printed records. I also agree that the public records will not be transmitted or resold to any other person or entity without specific authorization from the Town's record custodian. I agree not to hold the Town of Camp Verde liable for an inaccurate or incomplete information that I may receive.[1]

Print Name: Marvin E. Wessel Jr Signature: [signature]

[redacted] City/State/Zip: Camp Verde, AZ, 86322

"A person who obtains pubic records for a commercial purpose without indicating the commercial purpose or who obtains a pubic record for a noncommercial purpose and uses or knowingly allows the uses of such public records for a commercial purpose or who obtains a public record for a commercial purpose and uses or knowingly allows the use of such public record for a different commercial purpose or who obtains a pubic record from anyone other than the custodian of such records and uses them for a commercial purpose shall in addition to other penalties be liable to the state or the political subdivision from which the public record was obtain for damages in the amount of three (3) time the amount which would have been charged for the public record had the commercial purpose been stated plus costs and reasonable attorney's fees or shall be liable to the state or the political subdivision for the amount of three (3) times the actual damages if it can be shown that the public record would not have been provided had the commercial purpose of actual use been stated at the time of obtain the records.

[1] Requestor/purchaser understands and agrees that the Town of Camp Verde does not guarantee the accuracy of the data and information requested and hereby expressly disclaims any responsibility for the truth, lack of truth, validity, invalidity, accuracy, inaccuracy of any said data and information. Requestor/Purchaser accepts responsibility for requestor/purchaser's unauthorized use or transmission of any such data or information in its actual or altered form

Revised 05-2023

Subject: Arizona Public Records Request – Board of Adjustment Rules of Procedure (A.R.S. § 9-462.06(C))

Leah,

Pursuant to A.R.S. § 39-121 et seq., I hereby request copies of all records in the Town's possession that constitute, reflect, or reference the **rules of procedure adopted by the Town of Camp Verde Board of Adjustment** as required by **A.R.S. § 9-462.06(C)**.

Please include, but do not limit the search to:

1. Any resolutions, motions, or minutes of the Town Council or Board of Adjustment formally adopting "rules of procedure" or similar rules for the Board of Adjustment (sometimes titled "rules of procedure," "bylaws," "hearing procedures," "BOA policies," "BOA guidelines," etc.);
2. Any standalone documents describing the Board of Adjustment's rules of procedure, hearing procedures, filing requirements, or internal operating rules (including any documents provided to BOA members when appointed or used for BOA training);
3. Any internal policy documents, manuals, or memoranda prepared by Community Development, the Town Manager, or the Town Attorney that set out the rules or procedures for Board of Adjustment appeals or hearings;
4. Any GovWell documentation or internal instructions that purport to define the filing process, deadlines, or procedural rules for Board of Adjustment appeals.

The time frame for this request is **from the creation of the Board of Adjustment to the present**.

If **no rules of procedure have been adopted by the Board of Adjustment under A.R.S. § 9-462.06(C)**, please state that clearly in your response and confirm that the Board is operating solely under the text of the Planning & Zoning Ordinance without separately adopted rules.

Thank you,

Marvin E. Wessel, Jr.
[redacted]

Town of Camp Verde, AZ

Appeal

View details

1 Complete Form — 2 Review & Submit

Applicant

This is how the applicant for this record will be identified to staff at Town of Camp Verde, AZ. Communications will be sent to the email address associated with this account.

User *

Search for users by name, company, email or phone

Include users outside of this organization — Invite a user to GovWell

Company

Can't find the right company? Click here to search all companies

Digital Consent

DIGITAL PERMITTING SERVICES: AGREEMENT TO DO BUSINESS WITH THE TOWN OF CAMP VERDE ELECTRONICALLY

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

The Town of Camp Verde (we, us or Town) now offers digital permitting services. All documents must be submitted online through **GovWell.** The new digital permitting process is designed to streamline application submittal, plan review and permitting processes, and improve efficiency.

Described below are the terms and conditions for accessing permitting services electronically through your user account. Please read the information and if you can access this information electronically and agree to these terms, please confirm your agreement by clicking the **'I agree'** button at the bottom of this document.

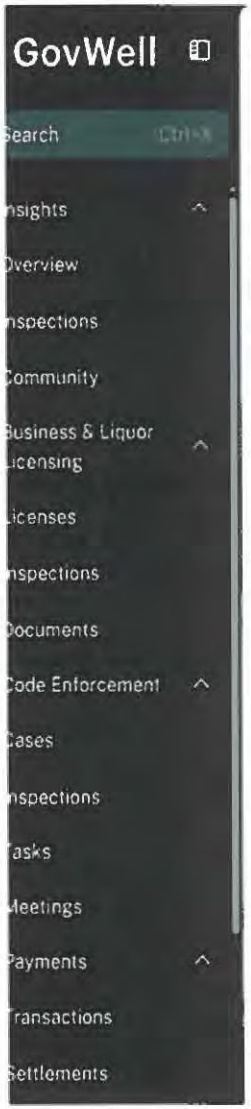
All permits, notices, and disclosures will be sent to you electronically.

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available during the course of our relationship with you.

Withdrawing your consent.

If you decide to receive permitting services from us electronically, you may at any time change your mind and tell us that thereafter you want to receive documents only in paper format. You may contact us to withdraw your prior consent to receive notices and disclosures electronically as follows:

Please send an email message to us at bpr@campverde.az.gov or call 928-554-0062.



Please send an email message to us at [illegible] or call 928-554-0062.

Consequences of changing your mind.
If you elect to receive documents only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you.

Getting paper copies.
At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. If you wish for us to send you paper copies of any such documents from our office to you you will be charged a fee in accordance with the Town fee schedule.

Acknowledging your access and consent to receive materials electronically.
To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the **'I agree'** butto below.

By checking the **'I Agree'** box, I confirm that:

- I can access and read this document.
- Until or unless I notify the Town as described above, I consent to receive exclusively through electronic means all permits, authorizations, notices, disclosures, acknowledgements, and other documents are required to be provided or made available to me during the course of my relationship with you.
- Any documents that are uploaded into my user account are true and accurate and submitted by me or with my express permission.
- I understand that the Town considers electronic signatures to be valid and generally equivalent to paper-based signatures in accordance with A.R.S. 44-7001 through-7043. Uploaded documents are eitl scanned copies of my original, physical signature, or a certified electronic signature. If electronic signatures are utilized, they must satisfy all applicable requirements of A.R.S. § 18-106, including that: (1 each electronic signature shall be unique to the person using it; (2) each electronic signature shall be capable of reliable verification; and (3) the process of using an electronic signature shall not allow a electronically signed record to be altered without invalidating the signature, or the record shall maintain, within the data set, evidence that the record was deleted or altered after signature. By using electronic signatures, I affirm the validity of these signatures and the right of the Town to rely on them.

Signature *

Sign

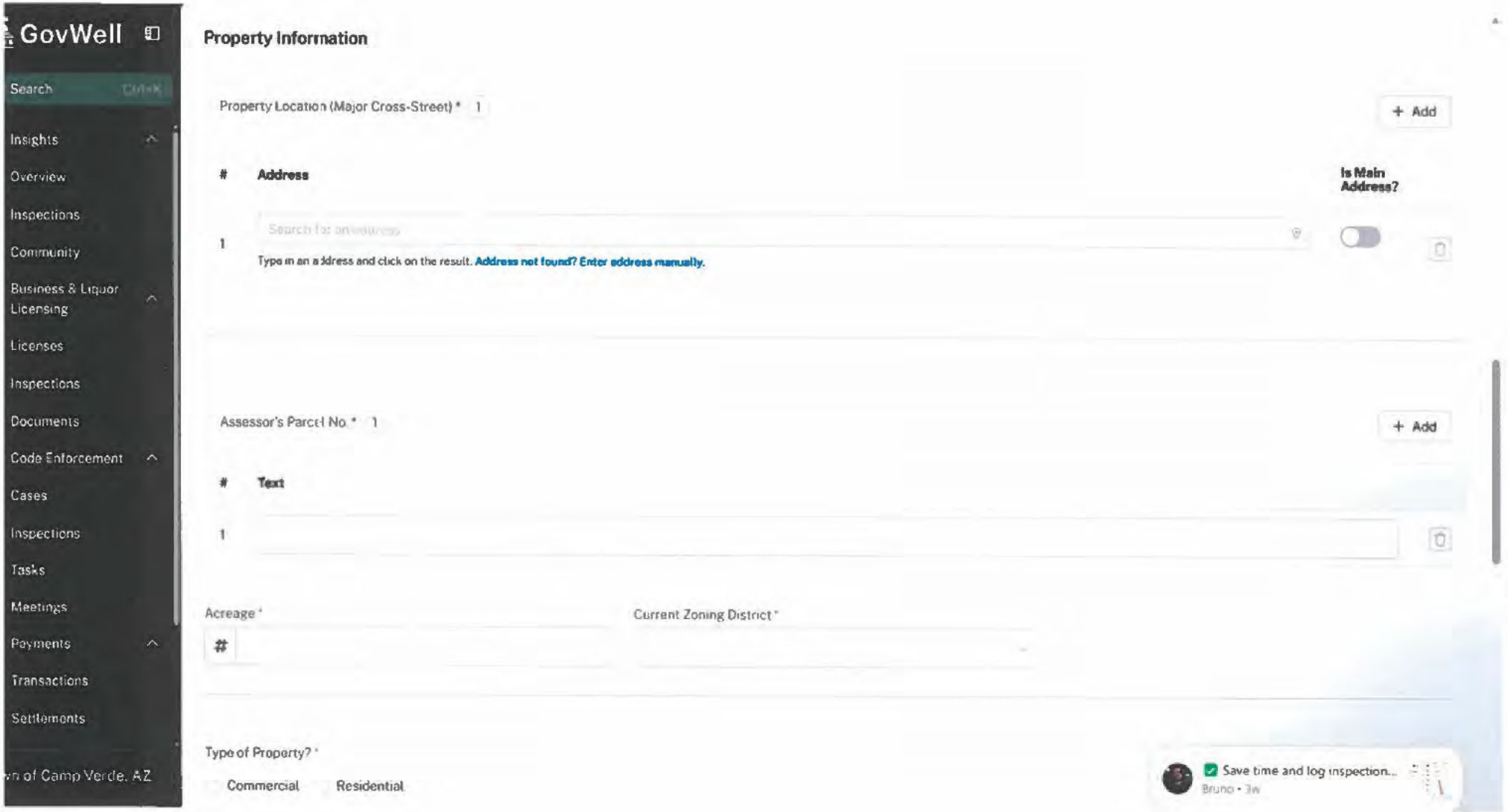
AGREEMENT TO DO BUSINESS WITH THE TOWN OF CAMP VERDE ELECTRONICALLY *

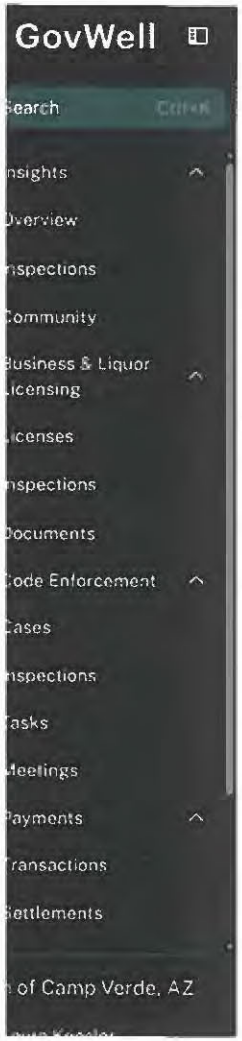
I agree

Appeal Review Timeframe (in Business Days)

Appeal Review Timeframe (in Business Days)

- Administrative Completeness Review (CR) of Submittal: **14 Days**
- Review of Submittal (Each Review): **21 Days**
- Overall Review Times: **45 Days**


GovWell
Search
Insights
Overview
Inspections
Community
Business & Liquor Licensing
Licenses
Inspections
Documents
Code Enforcement
Cases
Inspections
Tasks
Meetings
Payments
Transactions
Settlements
Property Information
Property Location (Major Cross-Street) *
+ Add
# Address
Is Main Address?
Type in an address and click on the result. Address not found? Enter address manually.
Assessor's Parcel No. *
+ Add
# Text
Acreage *
Current Zoning District *
Type of Property? *
Commercial
Residential
Save time and log inspection...



In a few sentences, describe what you are appealing: *

Contacts

Property Owner - First Name *

Property Owner - Last Name *

Property Owner - Business Name

Property Owner - Phone Number *

Property Owner - Email Address *

Property Owner - Address Line 1 *

Property Owner - Address Line 2

Property Owner - City *

Property Owner - State *

Property Owner - Zip Code *

Applicant - First Name *

Applicant - Last Name *

Applicant - Business Name

Applicant - Phone Number *

Applicant - Email Address *

Applicant - Address Line 1 *

Applicant - Address Line 2

Applicant - City *

Applicant - State *

Applicant - Phone Number *

Applicant - Email Address *

Applicant - Address Line 1 *

Applicant - Address Line 2

Applicant - City *

Applicant - State *

Applicant - Zip Code *

How would you like to be notified? *

Signature

I certify that the information and attachments I have submitted are true and correct. I understand that all materials and fees required by the Town of Camp Verde must be submitted before having this application processed. Anyone applying without authorization from the property owner(s) shall be subject to penalty under all applicable laws.

Applicant Signature *

Sign

Document Upload

Notice of Appeal/Letter *

Drag and drop files here or click to upload

PDF

Parcel Print-out *

Drag and drop files here or click to upload

PDF

Written Legal Description Showing Ownership *

Drag and drop files here or click to upload

PDF

ORDINANCE
2019-A448

ORDINANCE 2019-A448
AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE,
YAVAPAI COUNTY, ARIZONA,
AMENDING TOWN CODE CHAPTER 4 BOARDS, COMMISSIONS, AND COMMITTEES
Article 4-1.A – MEMBERSHIP

NOW THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Camp Verde as follows:

Article 4-1.A
Membership and Organization of the Town Code is amended to read:

A. Membership and Organization. Each board and commission shall be made up of seven members appointed by the Council in accordance with the procedures contained in subsection B of this Article, WITH THE EXCEPTION OF THE BOARD OF ADJUSTMENTS AND APPEALS WHICH WILL BE MADE UP OF 5 MEMBERS. The organization of boards and commissions shall include a chairperson, and vice-chairperson who are elected from the membership in accordance with Article 4-2.

B. Selection of New Members. (2000-A164) (2002-A231) (2003-A261)
Prior to the expiration of terms for board and commission members, the Town Clerk shall call for letters of interest from the general public. Such letters shall be filed with the Town Clerk in accordance with the time lines and other related procedures established by the Council. Membership requirements for appointees are subject to the requirements established in the appropriate resolution or ordinance that created the board or commission. The Council may establish any other requirements at the time such appointments are sought for the purpose of aiding the Council in completing the selection process. Any member of a board or commission appointed by the Council shall reside within the corporate limits of the Town. However, Council may waive the residency requirement with good cause, except for appointments to the Planning and Zoning Commission, Board of Appeals and Board of Adjustments. If a member holding a position relocates outside of the Town limits, other than within 90 days from the end of the appointed term, he or she shall resign from the board or commission. (Rev. 2004 by Ord 2003-A261)

Section 7-2-110 BOARDS OF APPEALS

7-2-110.6 Meetings of the Town Code is amended to read:

7-2-110.6 Meetings. The board shall hold one regular meeting every three (3) months or when there is pending business. Special meetings may be called by the Community Development Director or at the request of the chairman or any three (3) members. The affirmative vote of ~~four (4)~~ THREE (3) members shall be required for passage of any matter before the Board.

PASSED AND ADOPTED in open meeting by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 20th day of November 2019 to be effective when publication and posting pursuant to A.R.S. § 9-812 is completed.

Charles German, Mayor

Approved as to form: _____
Town Attorney

Attest::

12-10-2019
Virginia Jones, Deputy Town Clerk

ORDINANCE 2009-A360
AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE,
YAVAPAI COUNTY, ARIZONA,
amending Town Code Chapter 4 Boards, Commissions, and Committees
Article 4-2.A.3 - Organization and Article 4-3 - Meetings

Article 4-2
Organization

A. First Meeting. Each board and commission, during its first meeting of the month of ~~October~~ JANUARY of each calendar year, shall.

1. Elect a Chairperson. The board or commission shall accept nominations from its membership for a chairperson. Such nominations shall be made, and seconded, and selection of one chairperson shall result upon a majority vote of the full membership of the board or commission.

2. Elect a Vice-Chairperson. The board or commission shall accept nominations from its membership for a vice-chairperson. Such nominations shall be made, and seconded, and selection of one vice-chairperson shall result upon a majority vote of the full membership of the board or commission.

3. Set the Regular Meeting Schedule. The COUNCIL SHALL ESTABLISH REGULAR MEETING DATES & TIMES AND REGULAR MEETING PLACE BY RESOLUTION IN JANUARY OF EACH YEAR. ~~The board or commission shall review and approve a meeting schedule that establishes the regular meeting time, regular meeting date and regular meeting place. Such schedule shall contain, at the very least, one regular meeting a month. The regular meeting date shall be on a recognized day or days of the month such as the first Thursday of the month. The Town Council may schedule special meetings and work sessions.~~ COMMISSIONS MAY SCHEDULE SPECIAL MEETINGS AND WORK SESSIONS SUBJECT TO APPROVAL OF THE TOWN MANAGER.

Chapter 4, Boards & Commissions, Article 4-3 Meetings
A.1.C. Special or Work Sessions. The board or commission may, upon majority vote AND APPROVAL OF THE TOWN MANAGER, set a special meeting or work session. In addition, if determined necessary by the affected department head, a special meeting or work session may be called upon discussion with the chairperson.

PASSED AND ADOPTED in open meeting by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 18th day of February 2009.

Tony Gioia 2.19.09
Tony Gioia, Mayor

Approved as to form: _____
Town Attorney

Attest::
Deborah Barber
Deborah Barber, Town Clerk

ORDINANCE 2003-A260

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 4-1-C TERMS OF MEMBERS OF THE TOWN CODE REGARDING BOARDS, COMMISSION, AND COMMITTEE MEMBERSHIPS

WHEREAS, the Town Code Section 4-1-C regarding Boards, Commission and Committee memberships is to be updated and revised, and

WHEREAS, the Town Council adopted Ordinance 96-A116, adopting the Town Code which included Section 4-1-C Membership,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE AS FOLLOWS:

Section 1. Section 4-1-C Terms of Members, of the Town Code is amended to read:

Section 4-1-C Terms of Members

C. Terms of Members. All members appointed to boards and commissions will serve a three year term which begins on October 1 of the year such appointment is made. Members may be re-appointed to additional terms. ~~if approved by the Council~~. Such terms are to be staggered so that the terms of no more than three members shall expire in any given year. Such terms shall overrule and do hereby repeal any existing terms which were previously established by the Council. ~~, except those persons serving at the time of the adoption of the code shall continue in office until their present term expires. Persons appointed to a position on a board or commission of the Town shall be limited to two (2) full consecutive terms in office on the same commission. If they have A MEMBER HAS not been appointed for two (2) years following the end of their last consecutive term, they are then re-eligible to serve. If no other applicants are available, the Council may waive the requirements of this paragraph.~~

Section 2. All ordinances or parts of ordinances, specifically Ordinance 2000-A164, adopted by the Town of Camp Verde, in conflict with the provisions of this ordinance or any part of the code adopted herein by reference, are hereby repealed, effective as of the day this ordinance is effective.

Section 3. This ordinance is effective upon completion of publication and any posting as required by law.

PASSED AND APPROVED by a majority vote of the Town Council of Camp Verde, Arizona, this 17 **day of** September **2003.**

Approved as to Form:

Julie Kriegh, Town Attorney

Date Sept 18, 2003

Mitch Dickinson, Mayor

Attest:

Deborah Barber, Town Clerk

Publish 9-26-03 & 10-03-03

Effective Date 10-26-03

Posted by _____ Date/Time _____

ORDINANCE 2002A215
ADOPTION OF 2002 SECTION 112 ZONING AMENDMENTS

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING BY REFERENCE THE ESTABLISHMENT OF SECTION 112 (ESTABLISHMENT OF PLANNING & ZONING COMMISSION AND THE BOARD OF ADJUSTMENTS & APPEALS) OF THE PLANNING & ZONING ORDINANCE (87-A23).

Section 1. *Adoption by Reference*: Pursuant to ARS 9-802 (as amended), the Town hereby adopts for application **SECTION 112 (ESTABLISHMENT OF THE PLANNIING & ZONING COMMISSION AND THE BOARD OF ADJUSTMENTS & APPEALS) OF THE PLANNING & ZONING ORDINANCE (87-A23),** dated July 24, 2002, and declared a public record pursuant to **Resolution 2002-516.**

Section 2. *Effective Date*: The effective date of the Section 112 amendments shall be upon completion of publication and posting as an administrative ordinance as provided by law.

Section 3. *Repeal:* Upon adoption of this amendment, any part of the current Zoning Code that previously regulated the establishment of The Planning & Zoning Commission or The Board of Adjustments & Appeals that deal with the Planning and Zoning Ordinance shall be deemed repealed.

PASSED AND ADOPTED in open meeting by the Town Council, Town of Camp Verde, Arizona, on the 24th day of July 2002, to be effective when publication and posting, pursuant to ARS 9-813, is completed.

Approved: DATE:

Brenda Hauser 7-29-02

Mayor

Approved as to form: Attest:

Julie Krueger Deborah Barber

Town Attorney Town Clerk

SECTION 112
ESTABLISHMENT OF THE PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENTS AND APPEALS

I. THE PLANNING AND ZONING COMMISSION

A. Establishment:

The Planning and Zoning Commission is established by Ordinance 87-A12 of the Town of Camp Verde.

B. Membership:

As stated in Article 4-1 and 2 of The Town Code.

C. Meetings:

As stated in Article 4-3 of The Town Code and the following:

1. Meetings of the Commission shall be open to the public, the minutes of its proceedings, showing the votes of each member and records of its determinations, recommendations and other official actions shall be kept and filed in the Community Development Department as a public record. The secretary of the Commission shall be a member of the Community Development Department staff.
2. At least four (4) members shall be present to conduct a meeting.
3. In the event a quorum of four (4) members are the total members present, then a unanimous vote must be cast to recommend approval or denial.
4. In the event an item voted on fails to receive the required number of votes for approval the item will be forwarded to the Council with a recommendation for denial. Nothing in this paragraph will prevent the Commission from continuing or tabling an item unless specifically directed by the Town Council to vote on an item pursuant to 5. below.
5. The Town Council, by majority vote, may compel the Planning and Zoning Commission to place an item on a specific agenda for a vote.

D. Duties of the Planning and Zoning Commission shall be as stated in Article 4-4 of the Town Code and the following:

1. Recommend action to the Town Council on requests for amendments to the Zoning Map and to the Zoning Ordinance, on requests for Use Permits, Subdivision Plat approvals and modification of the General Plan.
2. Initiate, hear and recommend action to the Town Council on amendments to the Zoning Map and to the Zoning Ordinance of the Town of Camp Verde.
3. Hear and make recommendations on other matters as directed by the Town Council.

II. BOARD OF ADJUSTMENTS AND APPEALS

A. Establishment:

The Board of Adjustments of the Town of Camp Verde, Arizona is hereby established by Ordinance 89-A33 of the Town of Camp Verde.

B. Membership:

As stated in Article 4-1 and 2 of the Town Code and the following:

1. The members of the Board are appointed by the Town Council and Mayor. Such appointment to be for a period of three (3) years, except that in the event of the death or resignation of a member, the vacancy may be filled for the un-expired term.

C. Procedures:

Meeting shall be held at the call of the Chair and at such times as the Board may determine. All meetings shall be open to the public and the order of business shall be as stated in Article 4-3 of the Town Code

D. Functions:

As stated in Article 4-4 of the Town Code and as follows:

1. The Board shall hear and decide appeals from the decision of the Community Development Director who is the Zoning Administrator pursuant to (Ord. 95-A106) and ARS 9-462.05.
2. Appeals to the Board may be filed by persons aggrieved or by any officer, department, board or bureau of the Town affected by a decision of the Community Development Director, within a period of forty-five days by filing, in writing, with the Community Development Director and with the Board, a notice of appeal specifying the grounds thereof. The Community Development Director shall immediately transmit all records, pertaining to the action appealed from, to the Board.

E. Powers and Duties (ARS 9-462.06):

1. 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 the zoning ordinance.
2. Hear and decide appeals for variances from the terms of the zoning ordinance only if special circumstances applicable to the property including its size, shape, topography, location or surroundings. Or, if 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 is subject to such conditions as will assure that the adjustment authorized shall not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

3. In accordance with ARS 9-462.06.C, Reverse or affirm, wholly or partly, or modify the order, requirement, decision of the Community Development Director appealed from and make such order, requirement, decision or determination as necessary.
4. A variance from the Planning and Zoning Ordinance shall not be granted by the Board unless and until:
   a. The property owner has filed a written appeal for variance with the Board through the Zoning Administrator and said appeal demonstrates:
      1) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
      2) That literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the zoning ordinance.
      3) That the alleged hardships caused by literal interpretation of the provisions of the zoning ordinance include more than personal inconvenience and financial hardship and do not result from actions that are self imposed or for economic gain by the applicant.
      4) That granting the variance requested will not confer upon the applicant any special privilege that is denied by the zoning ordinance to other lands, structures or buildings in the same district.
      5) That granting the variance requested will not interfere or injure the rights of other properties in the same district.
   b. A public hearing has been held.
   c. Notice of public hearing has been posted in accordance to ARS 9-462.04 on the property in question and at Town Hall and the owner and applicant or his agent have been notified by certified mail at least fifteen (15) days in advance.
   d. The board finds that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of land, building or structure.
   e. The Board finds that granting of the variance will be in harmony with the general purpose and intent of the zoning ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

F. Hearings:

The Board shall fix a reasonable time for the hearing of an appeal; give public notice thereof by publication in a newspaper of general circulation in accordance with ARS 9-462.04; as well as, due notice to the parties in interest, and reach its decision within a reasonable time. At the hearing,

any party may appear in person or by agent or attorney. Parties to an appeal shall have the right to present their case by oral or documentary evidence, to submit rebuttal evidence and to conduct such cross-examination of witnesses as may be required for a full and true disclosure of the facts; provided that:

1. The submission of documentary evidence shall not, by reason of its written form, prejudice the interest of any party.
2. The Board shall, as a matter of policy, provide for the exclusion of irrelevant, immaterial or unduly repetitious evidence and, in furtherance of this policy, may limit cross examination.
3. The chair shall have the power to administer oaths and take evidence in accordance with ARS 9-462.06.

G. Stay of Proceedings:

An appeal stays all proceedings in the matter appealed from, unless the Community Development Director verifies to the Board after the notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. Upon such certification, proceedings shall not be stayed other than by a restraining order granted by the Board or by a court of record on application and notice to the Community Development Director.

H. Decision of the Board:

In exercising its powers and duties, the Board may, so long as such action is in conformity with the terms of the zoning ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as the board deems necessary, and to that end shall have powers of the Community Development Director from whom the appeal is taken. The concurring vote of four members of the board shall be required for all decisions.

I. Limitation of Board Powers (ARS 9-462.06)

1. A Board of Adjustment **MAY NOT**:
   a. Make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the zoning ordinance, provided the restriction in this paragraph shall not affect the authority to grant variances pursuant to this article.
   b. Grant a variance if the special circumstances applicable to the property are self-imposed by the owner.

2. Every decision of the Board shall be based upon findings of fact and every finding of fact shall be supported by the record of its proceedings. The enumerated conditions required to exist on any matter upon which the board is authorized to pass under this article shall be construed as limitations on the power of the Board to act. A mere finding or recitation of the enumerated conditions, unaccompanied by the findings of specific fact, shall not be deemed

findings of fact and shall not be deemed in compliance with this article.

J. Appeals From The Board:

A person aggrieved by a decision of the Board, or a resident or municipal officer may, at any time within thirty days after the Board has rendered it's decision, file a complaint in the Superior Court to review the decision. Filing of the complaint shall not stay proceedings upon the decision appealed from but the court may, on application, grant a stay, and on final hearing may reverse or affirm wholly or partly, or may modify the decision received.

K. Fees:

1. Upon filing an application or appeal, the applicant shall pay an application fee to the planning department in accordance with a schedule established by resolution of the Council and posted in the office of the zoning administrator, no part, of any such fee shall be returnable after an application is filed and such fee is paid.
2. In case of an application for a variance to more than one provision of the zoning ordinance, the filing fee shall be the total for all provisions as prescribed by the fee schedule.
3. Payment of the filing fee shall be waived when the appeal is made in behalf of or by the Town.

ORDINANCE 2000-A164

A ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA ESTABLISHING RESIDENCY REQUIREMENTS AND TERM LIMITS FOR BOARDS AND COMMISSIONS

WHEREAS, Section 4-1 and following provisions of the code of the Town of Camp Verde now provide for qualifications, organization, duties, and general meeting procedures for boards and commissions of the Town, and

WHEREAS, it would be in the best interest of the public to require residency of members of all boards and commissions within the Town corporate boundaries, and to fix term limits,

NOW THEREFORE THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE ORDAIN AS FOLLOWS:

1. Section 4-1-B of the Town Code is amended by adding the following: Any member of a board or commission appointed by the Council shall reside within the corporate limits of the Town. If a member holding a position relocates outside of Town limits, other than within 90 days from the end of the appointed term, he or she shall resign from the board or commission.

2. Section 4-1-C of the Town Code is amended by adding the following: Persons appointed to a position on a board or commission of the Town shall be limited to two full consecutive terms in office on the same commission. If they have not been appointed for (2) years following the end of their last consecutive term, they are then re-eligible to serve. If no other applicants are available the Council may waive the requirements of this paragraph.

3. Resolution 99-429 is hereby voided and superseded by this ordinance.

PASSED AND APPROVED by majority vote of the Common Council at the regular meeting of September 6, 2000:

Barbara Miller ***Barbara Miller, Mayor***

Attest: ***Approved as to form:***

Debbie Barber ***Debbie Barber, Town Clerk*** ***Ronald C. Ramsey, Town Attorney***

Please Publish: September 13 and 20th

Sent To : Bugle
Fax # : 634-2312
Date : 9-8-00
Time : 4:15 pm
Fax'd By : CJB

ORDINANCE 95-A107
ESTABLISHMENT OF A CITIZEN BOARD OF ADJUSTMENT FOR PLANNING & ZONING

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ESTABLISHING A CITIZEN BOARD OF ADJUSTMENT FOR ZONING AND RELATED MATTERS AS PROVIDED BY LAW, AND SUPERSEDING ORDINANCE 89-A33 WHICH PLACED THE ELECTED TOWN COUNCIL AS THE BOARD OF ADJUSTMENT

Section 1: *Deletion of Prior Board of Adjustment Ordinance.* Ordinance 89-A33, establishing the Town Council as the Board of adjustment, is hereby repealed. The ordinance describing the Board will no longer constitute Section 112 of the Planning & Zoning Ordinance (Ord 87-A23), but shall operate and be published as a separate ordinance.

Section 2: *Membership.* The Board of Adjustments ("Board") shall consist of seven (7) members appointed for a term of three years, effective immediately upon appointment and adoption of this ordinance, and expiring April 1, 1998, except that for the initial appointment, there shall be three classes of members, at least two in each, in staggered terms of one, two, and three years. Members shall be appointed from the electorate of the Town of Camp Verde, and be residents of the Town for a minimum of one (1) year, and not employed by the Town, nor an elected official of any governmental agency, nor an immediate family member of such employee or official.

Vacancies in office shall be filled by majority vote of the Town Council within thirty (30) days of the vacancy.

Section 3: *Organization, Public Meeting Procedures, and Voting* shall be conducted as provided in the Boards and Commissions Ordinance (Ord 92-A75), except as may be modified herein or by ARS 9-462.06 (as amended) or other provision of law.

Section 4: *Duties.* The Board shall:

(a) Hear and decide appeals from the Town Zoning Administrator, or such official as the Town appoints to make final decisions concerning the enforcement of the municipal zoning ordinances, in which it is alleged there is an error in an order, requirement, interpretation, or decision of the Administrator concerning a zoning ordinance or procedure.

(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 is 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. Variances shall not be granted if the special circumstances applicable to the property are self-imposed by the property owner, or if the owner seeks relief of a zoning requirement which the owner perceives to be an economic

hardship. The Board may not make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the zoning ordinance, but this limitation shall not affect its authority to grant variances pursuant to ARS 9-462.06, this ordinance, or as otherwise provided by law.

Section 5: Appeals.

(a) Appeals to the Board may be taken by persons aggrieved or by any officer, department head, or board or bureau of the Town affected by a decision of the zoning Administrator, within forty-five (45) days of the final written decision of the Administrator, by filing both with the Administrator and the Board a notice of appeal at its next regular or special meeting specifying the grounds thereof, and the Administrator shall immediately transfer all records pertaining to the action appealed from to the Board. An appeal to the Board stays all proceedings in the matter appealed from, unless the Administrator certifies to the Board that, in his or her opinion by the facts stated in the certificate, a stay would cause imminent peril to life or property. Proceedings shall not be stayed by the Board if the appeal requests relief which has previously been denied. The Board shall fix a reasonable time to hear the appeal, not more than thirty (30) days from the filing of the notice, and shall give notice of hearing by both publication as required by ARS 9-462.04 and posting the notice in conspicuous places close to the property affected. The Board may reverse or affirm, wholly or in part, or modify the order, requirement or decision of the zoning Administrator appealed from, and make such order, requirement, decision or determination as necessary.

(b) Appeals from the decision of the Board by a person aggrieved by its decision, or a taxpayer, officer or department of the Town affected by the decision, may be taken at any time within thirty (30) days after the Board has rendered its written decision by filing a complaint for a special action in Superior Court. Filing the complaint does not stay proceedings on the decision sought to be reviewed, unless so ordered by the Court.

Section 6: Hearing Officer for Appeals of Dedication or Exaction Requirements. As required by ARS 9-500.12, the Chairman of the Board of Adjustment, or the acting chairman in his or her absence, is hereby designated as the Hearing Officer to whom a property owner may appeal the imposition of an exaction or dedication by the Town as a condition for the use, improvement, or development of real property. The appeal shall be in writing and filed with or mailed to the Hearing Officer within thirty (30) days after the final determination is made. The Hearing Officer shall schedule a public hearing not less than 10 nor more than 30 days after receipt, unless the property owner agrees to a shorter time period. The Town at the appeal has the burden to show there is an essential nexus between the dedication or exaction and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the proposed use, improvement or development. The Hearing Officer shall decide the appeal within five (5) working days. The property owner may further appeal this decision to Superior Court within thirty (30) days.

This section does not apply to a dedication or exaction required in a legislative act, such as rezoning, that does not give discretion to an administrative agency or official of the Town to determine the nature or extent of the dedication or exaction.

PASSED AND ADOPTED in open meeting by the Town Council, Town of Camp Verde, Arizona, on this 12th day of July, 1995, to be effective when publication is completed.

Approved: A Carter Rogers, *A. Carter Rogers, Mayor*

ATTEST: Dane Bullard
Dane Bullard, Clerk

Approved as to Form: *Town Attorney*

ORDINANCE NO. 92-A75

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL, OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA REVISING THE DUTIES, PROCEDURES, AND POWERS OF THE BOARDS AND COMMISSIONS APPOINTED BY THE TOWN AND HEREBY REPEALING ORDINANCE 89-A38 AND MODIFYING ORDINANCE 87-A12.

The Mayor and Town Council of the Town of Camp Verde do hereby ordain as follows:

WHEREAS, the Town Council has the power and authority to establish Boards and Commissions and in the exercise of such powers has the need to establish standard operating procedures and requirements for such Boards and Commissions;

WHEREAS, the Town Council, in their selection and appointment of new members to Boards and Commissions, has the need to establish standard operating procedures for such selection;

WHEREAS, the various Boards and Commissions have certain obligations in the matters of doing business and as such must follow certain established procedures to ensure that all State and local laws and regulations are being complied with by all members;

NOW THEREFORE, the Town Council hereby repeals Ordinance 89-A38 and establishes the following rules and regulations regarding the duties, procedures and powers of the Boards and Commissions appointed by the Town Council and amends Ordinance 87-A12:

SECTION I: MEMBERSHIP AND ORGANIZATION

Each Board and Commission shall be made up of seven (7) members appointed by the Town Council in accordance with the procedures contained in Section II of this Ordinance. The organization of Boards and Commissions shall include a Chairperson, Vice-Chairperson and Secretary who are elected from the membership in accordance with Section IV of this Ordinance.

SECTION II: SELECTION OF NEW MEMBERS

Prior to the expiration of terms for Board and Commission members, the Town Council shall call for letters of interest from the general public. Such letters shall be filed with the Town in accordance with the time lines and other related procedures established by the Council. Membership requirements for appointees are subject to the requirements established in the appropriate Resolution or Ordinance which created the Board or Commission. Any other requirements may be established by the Council at the time such appointments are sought for the purpose of aiding the Council in completing the selection process.

SECTION III: TERMS OF BOARD AND COMMISSION MEMBERS

All members appointed to Boards and Commissions are limited to a three (3) year term which begins on April 1 of the year such appointment is made. Members may be re-appointed to additional terms if approved by the Town Council. Such terms are to be staggered so that no more than three members terms shall expire in any given year. Such terms shall overrule and do hereby repeal any existing terms which were previously established by the Town Council.

SECTION IV: BOARD AND COMMISSION ORGANIZATION, ELECTION OF OFFICERS AND SETTING MEETING SCHEDULE

Each Board and Commission, during its first meeting of the month of July of each calendar year shall:

A. Elect a Chairperson: The Board or Commission shall accept nominations form its membership for a Chairperson. Such nominations shall be made, and seconded, and selection of one Chairperson shall result upon a majority vote of the full membership of the Board or Commission.

B. Elect a Vice-Chairperson: The Board or Commission shall accept nominations form its membership for a Vice-Chairperson. Such nominations shall be made, and seconded, and selection of one Vice-Chairperson shall result upon a majority vote of the full membership of the Board or Commission.

C. Elect a Secretary: The Board or Commission shall accept nominations from its membership for a Secretary. Such nominations shall be made, and seconded, and selection of one Secretary shall result upon a majority vote of the full membership of the Board or Commission.

D. Set the Regular Meeting Schedule: The Board or Commission shall review and approve a meeting schedule which establishes the (1) Regular meeting time; (2) Regular meeting date; (3) Regular meeting place. Such schedule shall contain, at the very least, one regular meeting a month. The regular meeting date shall be on recognized day or days of the month such as the first Thursday of the month. Special meetings and work sessions may be scheduled by the Town.

SECTION V: DUTIES OF OFFICERS

The duties and powers of the various officers and members of the Boards and Commissions are as follows:

A. Chairperson: Shall preside at all meetings and hearings of the Board or Commission, decide all points of order or procedure, and perform any duties required by law, ordinance, or the requirements established herein. The term of the Chairperson shall be one year, unless re-elected to succeeding terms by a majority vote of the membership. The Chairperson shall be responsible for becoming familiar with and adhering to the provisions of Open Meeting Law. He or she shall also become familiar with the provisions of Roberts Rules of Order and although general informality in such Rules of Order may prevail, shall adhere to such rules in the conduct of meetings where emotional content of the subject matter or the conflict of personalities may otherwise interfere with the orderly conduct of business. The Chairperson may, to the extent necessary, work with the Department Head assigned to the Board or Commission to assist with special needs, requirements for assistance from the staff, reviewing monthly budget reports, and/or preparation of agendas. At the first regular meeting of each calendar quarter, the Chairperson, or his or her designee, will provide a written and verbal report to the Mayor and Council summarizing the Board or Commission activities during the prior quarter, identify upcoming activities, and review of any problems, concerns or proposals. Such reports are to be submitted to the Town Manager in advance of the meeting for inclusion in the Council meeting packets. In addition, all minutes and/or Resolutions of the Board or Commission shall be signed by the Chairperson.

B. Vice-Chairperson: Shall have the responsibility of assuming all of the duties and responsibilities of the Chairperson in the event that the Chairperson should be absent or the position vacant. Additional duties or activities may be assigned by the Chairperson upon majority approval of the Board or Commission as determined necessary.

C. Secretary: The Secretary acts as the Clerk of the Board or Commission and is responsible for signing approval of minutes and/or Resolutions in addition to the Chairperson.Shall be responsible for posting of agendas for the meetings, taking of the minutes of the meeting, the preparation of the minutes for approval and shall file the final approved minutes with the Town Clerk within three (3) working days of the date of approval. In the event that the assigned Department/Division Head agrees, in writing, the staff may provide for these duties in lieu of the Secretary. If such opportunity

arises where the Vice-Chairperson cannot fulfill the duties in the absence of the Chairperson, the Secretary shall assume these duties. The Secretary shall review and sign the minutes upon a majority approval of the Board or Commission. If the Secretary prepares and posts the agenda as provided herein, such agenda shall be posted according to Section VI of this Ordinance and at such time of posting, a copy shall be provided to the assigned Department/Division Head and Town Manager.

D. Other Members: The remaining four members of the Board or Commission shall assist the officers in the fulfillment of the general duties assigned to the group. Such members shall attend all meetings, participate in the discussion of agenda items, provide assistance to staff, when needed, and strive to be an involved and valuable member of the Board or Commission.

SECTION VI: AGENDAS AND MINUTES

Each Board and Commission shall provide for the posting of agendas and the preparation and approval of minutes for all meetings. The following minimums shall apply to agendas and minutes:

A. Agendas: Agendas shall be posted on the Town Hall Bulletin Board a minimum of 72 hours in advance of all regular, special and work session meetings of the Board or Commission and in other locations as deemed necessary.

1. Format: The Order of the Agenda items may be arranged according to the format approved by the Board or Commission and additional items may be added.The Agenda format shall include at least the following:

1) Name of Board or Commission
2) Date, time and place of Meeting with a statement that the meeting place is handicapped accessible
3) Call to Order
4) Roll Call
5) Discussion and Possible Action on the Following Items
6) Approval of the Minutes
7) Call to the Public
8) Set Next Meeting, Time and Date
9) Adjournment

2. Call to the Public: The "Call to the Public" item shall allow for public input on items either on the agenda or other items which may reasonably affect the Board or Commission. The Board or Commission may call for non-agenda item input at this time if appropriate input is allowed during all discussion items. Open Meeting Law prohibits the Board or Commission from discussing or making decisions on non-agenda items, however, the Board may choose to delegate staff to handle the issue or place the item for discussion on a future agenda.

3. Special or Work Sessions: The Board or Commission may, upon majority vote set a special meeting or work session. In addition, if determined necessary by the affected Department Head, a special meeting or work session may be called upon discussion with the Chairperson.

4. Agenda Packets: Upon completion of agenda posting and preparation of attachments to the agenda, copies of the agenda and any attachments shall be made available to the members of the Board or Commission in the manner deemed appropriate by the Department Head. Copies of the complete agenda packets shall be placed in the front reception area of Town Hall for disbursal to interested members of the public a minimum of 24 hours in advance of the meeting.

5. Agenda Items: The content of the agenda discussion items shall be determined by the Department Head depending upon the format of the Board or Commission. If determined prudent for the Board or Commission, the Chairperson may set the agenda with concurrence from the Department Head. Such procedures are determined necessary to ensure that the business of the Board or Commission is conducted in a timely manner. Should a member wish to place an item on the agenda, the member may request such at the next regular meeting of the Board or Commission. In the case of conflicts, items may be brought to the Board or Commission for a vote to consider whether or not the item should be agendized. In the case of the Planning and Zoning Commission and the Board of Adjustments and Appeals, all current applications which require review of the Board or Commission must be agendized in accordance with State Law and may not be removed from the agenda until a vote on the matter has occurred.

B. Minutes: Each Board and Commission shall make arrangements for the tape recording of all special and regular sessions. Tape recordings of work sessions is preferred, but if not possible, detailed minutes shall be taken by hand of the Secretary or Recording Secretary assigned by the Department Head. The following procedures shall be followed:

1. Approval: Minutes of the previous meeting(s) shall be presented at the most reasonable date following the meeting, usually the next meeting of the Board or Commission. Such minutes shall be reviewed and approved by a majority vote of the Board or Commission.

2. Filing: Upon approval of minutes, the signed original shall be provided to the Town Clerk within 72 hours of approval. In addition, copies shall be maintained by the affected Department for public review.

3. Disbursal: In no case shall minutes be provided to the public until such time as they are approved or a draft is placed on an agenda for the Board or Commission's consideration. After approved, the minutes become a public record and shall be available for public review upon request. Copies of minutes may be released and appropriate copy fees charged to the requesting party in accordance with Town Council policy.

4. Content: Minutes shall contain, at minimum, all discussion of agenda each item. Roll Call shall be included with a listing of the members present and absent from the meeting, including any staff present. When an action is taken by the Board or Commission, the motion maker, the seconding party and the numerical vote shall be listed in the minutes along with a complete wording of the motion. If a roll call vote is conducted, the name and vote of all members shall be listed. The minutes shall be as complete as possible with emphasis on discussion to determine the reason(s) for the Board or Commission's action on an item.

SECTION VII: VOTING PROCEDURES, QUORUMS AND ABSTENTIONS

The action of any Board or Commission shall be taken by a vote of the membership. Voting procedures shall be in accordance with Robert's Rules of Order and shall include the minimum:

A. Motion: A motion can only be made by a member of the Board or Commission and such motion shall only take place after the introduction of an agenda item. If an agenda item is listed as a public hearing, such motion shall not take place until the public hearing has been called and closed.

B. Second: A motion must received a second from a member of the Board or Commission. Once a second is received, additional discussion may take place on the item before the vote is taken. If a motion is not seconded, the motion dies.

C. Voting: The Chairperson shall call for a vote upon completion of a motion, second and any discussion. Such vote shall consist of votes in favor, votes in opposition, or abstentions. The Chairperson does not vote unless specifically requested or in the case of a tie. When a vote is not requested or there is not a tie, the Chairperson's vote is listed as being in the majority. For a motion to pass, a minimum of four votes shall be in favor of the motion. If less than four votes are received in favor, the motion is then considered to be a vote of denial of the motion. Items may be tabled or referred to a later agenda if it is determined,

by majority vote, that such decision would best be rendered upon receiving more information or if requested by the applicant. Tabling or delaying of agenda items should be based upon a definitive time frame and reason. Such should only be considered when necessary or if the applicant is absent, or requests a delay.

D. Quorum: A majority of the membership of the Board or Commission (four) is considered a quorum. If a quorum is present, the meeting shall commence and voting may occur. An affirmative vote shall be unanimous if only four members are present.

E. Abstentions/Conflict of Interest: If a member of a Board or Commission determines that they have a conflict of interest, they shall remove themselves from the meeting room and not take part in either the discussion or the vote. Such conflict should be stated prior to the item being introduced or just after introduction but prior to discussion. A member may abstain from voting on an item even if a conflict of interest is not present, however, this is not a preferred action.

VIII: GENERAL DUTIES AND REQUIREMENTS

All Boards and Commissions are established by a separate document which conveys the specific duties and powers of the group. The following general duties and requirements apply to all members of Boards and Commissions.

A. The Board or Commission must operate under the statutory requirements of Arizona Revised Statutes. Upon appointment to a Board or Commission, such member shall obtain information regarding Open Meeting Law and shall become familiar and abide by all statutory requirements. All members of a Board or Commission are to be provided with copies of this Ordinance upon appointment and shall become familiar with the duties and requirements of this Ordinance and other Ordinances, Resolutions or information affecting the Board or Commission and the general subject matter/department which they discuss.

B. Actions of a Board or Commission are recommendations only, and final action shall be taken by the Town Council upon items involving financial matters or other items affecting the duties of the staff or creation of new rules and regulations in accordance with State Law. The decisions of the Board of Adjustments and Appeals are final unless appealed to Superior Court.

C. A sub-committee of members of the Board or Commission may meet to discuss special projects as long as such sub-committee is less than a majority of members, such special sub-committees may be assigned only from the membership and shall not be construed to allow for appointment of non-members to any special committee or group unless approved by the Town Council in advance of such action.

D. Boards and Commissions should review the proposed budget of the affected Department where appropriate. Such review should provide general guidance to the Department. No formal changes to the proposed budget can be made without the Department Head's approval. Should conflicts arise, such may be referred to the Town Manager in writing, if deemed appropriate.

E. Boards and Commission shall annually review, as necessary, the operating policies and procedures for that activity within their purview. Changes deemed appropriate by the Board or Commission shall be forwarded, in writing to the Department Head and Town Manager and may be provided for consideration by the Mayor and Town Council if necessary.

F. Boards and Commissions shall annually, if necessary, conduct a review of the facilities to include buildings, grounds and/or any other real property or facilities operated by the Town that are within their purview. A report of the review shall be issued for consideration by the Department Head and Town Manager and referred to the Town Council if necessary for formal consideration.

G. A Development Plan may be developed by the Board or Commission regarding the Department activities which they are empowered to act upon. Such Plan should be forward thinking (five years) and include considerations for the facilities, staffing, equipment, materials and other items. Such report shall be submitted to the Department Head and Town Manager for review for final consideration by the Town Council.

H. Members of Boards and Commissions are hereby encouraged to interact with persons serving in similar capacities in other communities as well as those regional and state officials whose duties include and advisory capacity to them. The purpose of this ordinance is not to encumber each of the Boards and Commissions with specific duties and responsibilities as to interfere with the opportunity for expression of imagination and creativity. Rather, it is the intent of this ordinance to assure the orderly and timely conduct of the business of Boards and Commissions. Structured activity, procedures and policies are needed to ensure that the work of the Board or Commission is worthwhile, productive and successful.

I. A Board or Commission may vote to consider a request for scheduling a joint work session with the Town Council. Such request may be made in writing after approval of the Board or Commission and shall include a description of the reason(s) for the meeting. Such request shall then be presented for consideration of the Council. The Town Council may also request joint work sessions with any Board or Commission and may set any items for discussion at such meeting.

J. All powers and authorities of the town of Camp Verde are reserved to the Mayor and Town Council except to the extent that they are specifically delegated to various members of the staff or Board or Commission by the Mayor and Town Council or by statute. Boards and Commissions are basically to serve in an advisory capacity. Notwithstanding such reservation, the following powers and authorities are delegated to the Boards or Commissions:

1. Each Board or Commission shall have the power and the express authority to review those matters specifically assigned to it by ordinance and/or statute. They shall have the power and authority to issue reports and to discuss such reports with the Manager and the Town Council, and to hold any necessary public forums required to assist them in the development of any such reports. Said public forums may include discussion with the press, discussions with the public in general, special meetings and public hearings. In no case, however, shall a Board or Commission have the power or authority to enter into a contract or to obligate the Town to expend funds. Any such contract or obligation of funds shall be undertaken by request submitted to the Town Manager. Such request shall be responded to, in writing, either positively or negatively within thirty (30) days of receipt of such request by the Town Manager.

b. Executive Sessions, as may be allowed pursuant to ARS 38-431.03, to discuss disciplinary actions, legal matters or property acquisition, shall be requested by the Chairman and scheduled jointly with the Town Council.

11. Members of Boards or Commissions may be removed for cause, to include excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, and/or improper conduct as determined by the Mayor and Council.

PASSED, APPROVED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona this 3rd day of June, 1992.

Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Ronald C. Ramsey, Town Attorney

TERMS OF BOARD AND COMMISSION MEMBERS

The following listing of members terms is provided for the administration of this Ordinance. When such terms expire, the reappointment of the member or the appointment of a new member shall be for a three year period starting from July 1 of the appropriate year.

BOARD OR COMMISSION TYPE AND MEMBER NAME	CURRENT TERM EXPIRATION	NEW TERM EXPIRATION
Planning and Zoning:		
Onion	7/92	7/92
Hough	7/94	7/93*
Lawrence	7/94	7/93*
Crane	7/92	7/92
Kovacovich	7/92	7/92
Stirling	7/94	7/94
Pate	7/94	7/94

* Commissioners Hough and Lawrence have already agreed to allow for shorter terms to expire in 1993 rather than 1994.

Library:		
Clark	6/94	Need to
Wood	4/94	Stagger
Kleinfelt	4/93	Terms to
Gunnell	4/92	3 in 94
White	4/94	2 in 93
Charles	6/94	and 2 in
Bolton	4/93	92.
Parks and Recreation:		
Hoover	5/92	Need to
Girard	3/94	Stagger
Wager	3/93	Terms to
Stokes	6/94	3 in 94
Hasbrouck	3/92	2 in 93
Payne	3/94	and 2 in
Russell	3/92	92.

Board of Adjustments and Appeals

Council is Board of Adjustments
Terms coincide with Council terms.

Parks & Recreation Commission

Kae Stokes - 6/19/94
Geri Wager - 3/2/93
Earl Hasbrouck - 3/15/92 - Wishes to be re-appointed
Ken Payne - 3/15/94
Hank Hoover - 5/3/92 - Wishes to be re-appointed
Bonnie Russel - 3/15/92 - Wishes to be re-appointed
Wes Girard - 3/15/94

Library Advisory Commission

Barbara Bolton - 4/3/93
Sarah Lizotte - 4/3/94
Gwen Gunnell - 4/19/92 - Wishes to be re-appointed
Tillie Wieting - 4/13/94
Calvin Sheline - 4/18/93
Ambie Charles - 6/19/94
Jean Clark - 6/19/94

ORDINANCE 89 A38

AN ORDINANCE SETTING FORTH THE DUTIES, PROCEDURES AND POWERS OF THE BOARDS AND COMMISSIONS APPOINTED BY THE TOWN OF CAMP VERDE, ARIZONA. The following duties, responsibilities, authorities and powers required of or accorded to each Board and Commission duly appointed by the Town Council of the Town of Camp Verde:

1. Every Board and Commission, during the month of July of each calendar year, at it's first meeting, shall conduct at least the following items of business:

   a. Elect a Chairperson, a Vice Chairperson and, a Secretary. These officers of each Board or Commission may be persons new to that office or may, by re election of a person who served in that capacity during the prior year, at the pleasure of that Board or Commission.

   b. Shall establish a time, date and place for it's regular meeting. Every Board and Commission shall conduct, at the very least, one regular meeting each month. Those Boards or Commissions who elect to hold two regular meetings per month shall establish the appropriate date, time and place for both meetings. The date shall be expressed in a manner such as, the first and third Thursdays of each month.

   c. Shall adopt an agenda procedure which provides for the posting of the agenda not less than seventy two (72) hours prior to the meeting on the Town bulletin board at the Camp Verde Town Hall. Every agenda shall have provision for an item entitled "Call To The Public" during which time the public shall have an opportunity to comment on any item on the agenda and to raise questions within reasonable limitations of time and conduct other issues which may be within the purview of that Board or Commission. In any case, in which an item is raised which is not already on the agenda, no action shall be taken at that meeting but the issue shall be placed upon the agenda for the next regular meeting or at the discretion of the Board or Commission at a special meeting. Other agenda items must include at lease the following:

      1) Name of Board or Commission
      2) Date, Time and Place of Meeting
      3) Call to Order
      4) Roll Call
      5) Approval of the Minutes
      6) Line Stating: "Discussion and Possible Action on the Following"
      7) "Call To The Public"
      8) Adjournment

d. Shall make provision for the tape recording of minutes, if possible, of each meeting held, which minutes shall contain at least the name of the Board or Commission, the date and location of the meeting, the time of Call to Order, a roll call of the members of the Board or Commission and any staff present, a copy of the agenda of the meeting on a separate sheet, or by itemization incorporated into the minutes, a brief summary of the items as presented and discussed, and a recording of each motion and the action taken upon it. Recording of the motion must include the specific wording of the motion, who made the motion, who seconded the motion and the votes cast in favor or in opposition. If a roll call vote is requested, the recorder/secretary shall specify by name how each member of the Board or Commission voted. A copy of all minutes and the tapes must be filed with the Town Clerk, in draft form, within three (3) working days and in final form within three (3) working days of approval.

2. In addition to any specific duties, responsibilities, powers or authorities granted to any Board or Commission, the following shall apply to all Boards or Commissions of the Town of Camp Verde which are established on a permanent basis:

a. Shall assist in the preparation and review, as appropriate, of an annual budget proposal for that activity which the Board or Commission advises on. Upon completion of preparation or review, a written statement or recommendation shall be forwarded to the Town Manager for his consideration and the consideration of the Town Council. In the event that the actual budget preparation is provided by a member of the staff, discussion of potential additions or deletions to that budget is deemed to be appropriate, however, no change to the actual budget proposal shall be made without the approval of the appropriate department head. In the event of a disagreement as to the content or level of funding of the proposed budget the statement of recommendations to be submitted by the Board or Commission shall specify that recommendation and basis for which it is offered.

b. Shall annually review the operating policies and procedures for that activity within the Board or Commissions' purview. Any changes or modifications to the operating policies or procedures which are deemed to be appropriate by the Board or Commission shall be forwarded, in writing, to the Town Manager for consideration of the Mayor and Town Council.

c. Shall annually conduct a review of the facilities to include buildings, grounds and/or any other real property or facilities operated by the Town and that are within their purview. A report shall be issued to the Town Manager for the consideration of the Mayor and Town Council regarding any recommendations for change, improvements or modification to those facilities. It shall be the responsibility of the Town Staff to provide the preparation of any cost estimates or detailed plan required for the implementation of such a proposal which work shall be undertaken only at the direction of the Town Manager and Council

d. Shall prepare, in the event one does not exist, or review and update at such time as is appropriate, on an annual basis a development plan for that department of the Town of Camp Verde over which they purview. This shall include a five year consideration of the requirement for facilities, staff, equipment, materials and any items specifically necessary to that function. A report will be submitted to the Town Manager for consideration by the Mayor and Town Council which specifically outlines all changes to the existing plan with a copy of the existing plan attached. In each instance a summary in some detail of the change, the basis for it and some statistical or other documentation supporting the basis for that change shall be included.

e. The members of the Board and Commission are hereby specifically encouraged to interact with persons serving in similar capacities in other communities as well as those regional and state officials whose duties include an advisory capacity to said local Boards and Commissions. The purpose of this ordinance is not to so encumber each of the Boards and Commissions with specific duties and responsibilities as to interfere with the opportunity for an expression of imagination and creativity in bringing to the attention of the Town Manager and the Mayor and Town Council those concerns which they have or that they believe the public has. Rather, it is the intent of this ordinance to assure the orderly and timely conduct of the business of those Boards and Commissions, such that a basis would be provide for a structure of activity to be adhered to in such a manner as to assure proposed needs which must be addressed will be addressed, and yet leave time for the opportunity to provide that imaginative advice and guidance that is clearly desired to be received by the Manager and the Council.

3. The following are general provisions relating to the conduct of Boards and Commissions and shall apply to all Boards and Commissions and shall be carefully adhered to:

   a. The Chairperson of each Board or Commission shall be responsible for becoming familiar with and adhering to the provisions of the Open Meeting Law. He or she shall also become familiar with the provisions of Roberts Rules of Order and, although general informality in such Rules of Order may prevail, shall adhere to Roberts Rules of Order in the conduct of meetings where emotional content of the subject matter or the conflict of personalities among various parties may otherwise interfere with the orderly conduct of business. Other general provisions relating to responsibilities of the Chairperson of each Board or Commission would include dealing with the Department Head to the extent of which there are special needs or requirements for assistance from the staff, the obtaining of a monthly budget report for the activity or department that Boards of Commission oversees, the preparation of the agenda for the meeting and the filing of each of the reports and statement required by the provisions listed above. At the first Regular Council Meeting of each calendar quarter, the Chairperson, or his or her designee, will provide a written and verbal report to the Mayor and Council summarizing the verbal report to the Mayor and Council summarizing the Board's or Commission's activities during the prior quarter, proposed activities for the ensuing quarter, along with a review of any problems, concerns or proposals. The written report will be submitted to the Town Manager a week in advance for inclusion in the Council meeting packets.

   b. The Vice-Chairperson shall have the responsibility of assuming all of the duties and responsibilities listed above in relation to the Chairperson in the event that the Chairperson should be either absent or the position vacant.

   c. The Secretary shall be responsible for the posting of the agendas for the meetings, the taking of the minutes of the meeting, the preparation of those minutes and the filing of the final approved copy of the minutes of the meeting with the Town Clerk within three (3) working days following adoption of the minutes at the next meeting except as otherwise provided. In the event that a Department or Division Head agrees, in writing, the staff may provide for these duties in lieu of the Secretary.

In no case may the duty to review and sign the minutes be removed from the Secretary. Town staff may be available from time to time, for recording and transcribing minutes. It shall also be the specific responsibility of the Secretary of the Board or Commission to provide to the Town Manager and the affected Department Head a copy of the agenda at least seventy two (72) hours in advance of the meeting.

It shall be the duty and responsibility of each member of every Board and Commission to conduct themselves in a courteous manner in relation to each other, the staff and the public so as to ensure the most effective atmosphere for carrying on the business of that Board or Commission. During the course of the meetings, business may be conducted in a relatively informal fashion provided that it does not exceed the limitations of the Open Meeting Law, and in accordance with Roberts Rules of Order.

e. A majority of the Board or Commission shall constitute a quorum.

f. Vote to approve requires a majority of the members of the Board or Commission.

g. Any commission member may request the placing of an item on the next meeting agenda. In the event that the Chairperson determines that the agenda is already full, he or she may delay the item until the next meeting agenda.

4. All powers and authorities of the Town of Camp Verde are reserved to the Mayor and Town Council except to the extent that they are specifically delegated to various members of the staff or Boards or Commissions by the Mayor and Town Council or by statute. Boards and Commissions are basically to serve in an advisory capacity. Notwithstanding such reservation the following powers and authorities are delegated to the Boards or Commissions:

a. Each Board or Commission shall have the power and the express authority to review those matters specifically assigned to it by ordinance and/or statute. They shall have the power and authority to issue reports and to discuss such reports with the Manager and the Town Council, and to hold any necessary public forums required to assist them in the development of any such reports. Said public forums may include discussion with the press, discussions with the public in general, special meetings and public hearings. In no case,

however, shall a Board or Commission have the power or authority to enter into a contract or to obligate the Town to expend funds. Any such contract or obligation of funds shall be undertaken by request submitted to the Town Manager. Such request shall be responded to, in writing, either positively or negatively within thirty (30) days of receipt of such request by the Town Manager.

b. Executive Sessions, as may be allowed pursuant to ARS 38 431.03 to discuss disciplinary actions, legal matters or property acquisition, shall be requested by the Chairman and scheduled jointly with the Town Counsel.

5. Members of Boards or Commissions may be removed for cause, to include excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, and/or improper conduct as determined by the Mayor and Council.

PASSED, APPROVED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona this 11th day of October, 1989.

T.A. Parsons, Mayor

ATTEST:

David A. Maynard, Town Clerk

APPROVED AS TO FORM:

Ronald C. Ramsey, Town Attorney

ORDINANCE NO. 87-A2.

AN ORDINANCE OF THE TOWN OF CAMP VERDE, ARIZONA, ADOPTING

Planning & Zoning Ordinance

BY REFERENCE, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA:

Section 1: That certain document, known as Camp Verde Planning & Zoning Ordinance, three copies of which are are on file in the office of the Town Clerk of the Town of Camp Verde, Arizona, which document was made a public record by Resolution No. 87-13 of the Town of Camp Verde, Arizona is hereby referred to, adopted and made a part thereof as if fully set out in this ordinance.

Section 2: Any person found guilty of violating any provision of this ordinance shall be guilty of a misdemeanor, unless otherwise specified, and upon conviction thereof shall be punished by a fine of not to exceed one thousand dollars or by imprisonment for a period not to exceed six months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein above described.

Section 3: All ordinances and parts of ordinances in conflict with the provisions of this ordinance adopted herein by reference, are Hereby repealed.

Section 4: If any section, subsection, sentence, clause, phrase or portion of this ordinance adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5: Whereas, it is necessary for the preservation of the peace, health and safety of the Town of Camp Verde, Arizona, an emergency is declared to exist, and this ordinance shall become immediately operative and in force from and after the date of posting thereof.

APPROVED this 9TH day of July, 1987, by the affirmative vote of three fourths of the members of the Common Council of the Town of Camp Verde, Arizona.

Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Attorney

CORRECTED MINUTES

MINUTES OF THE COMMON COUNCIL
TOWN OF CAMP VERDE
July 9, 1987
7:00 p.m.

The Common Council of the Town of Camp Verde, Arizona met in Special Session on July 9, 1987 at the Camp Verde Town Hall for the adoption of a Planning & Zoning Ordinance. Mayor Barker called the meeting to order at 7:10 p.m.

Roll Call:

Bob Barker, Carol Blaich, Tap Parsons, Marvine Reynolds, Carter Rogers and Tom Shaw

Absent:

Woody Diehl

Also Present:

Mercer Weiskotten, Town Manager; Richard Parker, Chief Planner Yavapai County and Aaron Parker, Planning & Zoning.

Public Hearing - Adoption of Planning & Zoning Ordinance:

Concerning the adoption of the existing P & Z Ordinance, Section 1 and 2, with the exclusion and it will become the ordinance or record for Camp Verde for the time being until it is amended or adopted or until we get our own done. Mayor Barker stated that there is a moratorium which will end upon our adoption of this ordinance and we can go ahead and function.

A motion was made by Rogers and seconded by Reynolds that we adopt the Yavapai County Planning and Zoning Ordinance, Volume I, Volume II and the Subdivision Regulation with the exclusion of the Building and Safety portion of the ordinance with the emergency clasue attached. Appropriate work changes will be made to reflect Camp Verde Planning & Zoning ordinance instead of Yavapai County Planning and Zoning Ordinance. Town Council will be used in opposition to County Board of Supervisors and Camp Verde Planning and Zoning Commission will be used instead of County Planning and Zoning Commission. This action will be effective immediately upon final approval and adoption by the Town Countil and remain in effect until we adopt our own ordinance. A discussion followed about the building code. At a later date this matter will be addressed. The above motion was unanimously carried.

It was suggested that the forgoing motion be used to pass Resolution No. 87-13 Planning & Zoning Ordinance and also for the adoption of the Ordinance No. 87-A23 Planning & Zoning Ordinance. This was agreeable to Councilmen Rogers and Reynolds who initiated th motion and seconded it. The motion was carried unanimously.

Adjournment:

The meeting adjourned at 7:40 p.m.

Susan Maddox — Executive Secretary

Merle E. Weiskotten — Manager Approved

CORE-K — Fence Permit / Easement Review Failure (404-17-017)

What this is: Town permit and inspection records for a fence affecting a recorded taxiway/easement area. The permit application checked the box for a private road but did NOT check the box for easements. Why the BOA should care: Demonstrates approval based on an incomplete administrative review that failed to identify or evaluate an existing recorded easement. This supports the requested clarification that the Zoning Administrator's "self-governing" theory cannot be used to approve structures that obstruct recorded easements or aviation access, and supports corrective relief flowing from proper application of plat/CUP/subdivision requirements.

REQUESTOR'S PHONE #[redacted]

REQUESTOR'S E-MAIL[redacted]

NON-COMMERCIAL PUBLIC RECORDS REQUEST

TO: Laura Keesler (Designate Record Custodian)

Request is hereby made to ☐ inspect ■ reproduce the following record(s): (indicate document name, page numbers, address, and permit number where applicable. Attach 8.5" x 11 sheet if necessary.

Requesting all construction permits that have been submitted for fence construction at address 2275 N. Mooney Lane Camp Verde, AZ Parcel # 404-17-017 for the year 2025

☑ Please send Records Electronically

☑ Will not be used for a commercial purpose: Commercial purpose is define as "the use of a public record for the purpose of sale or resale or for the purpose of producing a document containing all or part of a copy, printout or photograph for sale or the obtaining of names and addresses from such public record for the purpose of solicitation or the sale of such names and addresses to another for the purpose of solicitation or for any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of such public records" Pursuant to ARS 39-121.03, the record(s) are requested are for **Non-Commercial** purposes only.

I certify that all information provided is true and correct under penalty of perjury. I agree to pay the fee or deposit of $1.00 per page for printed records. I also agree that the public records will not be transmitted or resold to any other person or entity without specific authorization from the Town's record custodian. I agree not to hold the Town of Camp Verde liable for an inaccurate or incomplete information that I may receive.[1]

Print Name: Marvin E. Wessel Jr Signature: Marvin E. Wessel Jr

Address: [redacted] City/State/Zip: Camp Verde, AZ, 86322

"A person who obtains pubic records for a commercial purpose without indicating the commercial purpose or who obtains a pubic record for a noncommercial purpose and uses or knowingly allows the uses of such public records for a commercial purpose or who obtains a public record for a commercial purpose and uses or knowingly allows the use of such public record for a different commercial purpose or who obtains a pubic record from anyone other than the custodian of such records and uses them for a commercial purpose shall in addition to other penalties be liable to the state or the political subdivision from which the public record was obtain for damages in the amount of three (3) time the amount which would have been charged for the public record had the commercial purpose been stated plus costs and reasonable attorney's fees or shall be liable to the state or the political subdivision for the amount of three (3) times the actual damages if it can be shown that the public record would not have been provided had the commercial purpose of actual use been stated at the time of obtain the records.

[1] Requestor/purchaser understands and agrees that the Town of Camp Verde does not guarantee the accuracy of the data and information requested and hereby expressly disclaims any responsibility for the truth, lack of truth, validity, invalidity, accuracy, inaccuracy of any said data and information. Requestor/Purchaser accepts responsibility for requestor/purchaser's unauthorized use or transmission of any such data or information in its actual or altered form

Revised 05-2023

Town of Camp Verde

Building Division - Community Development Department

♦ 473 S. Main Street, Suite 108 ♦ Camp Verde, Arizona 86322 ♦
♦ Telephone: 928.554.0050 ♦ Fax: 928.567.7401 ♦
♦ www.campverde.az.gov ♦

PERMIT

PERMIT #:	**2025-0045M**	**DATE ISSUED:**	**3/5/2025**
		DATE EXPIRED:	**9/5/2025**
JOB ADDRESS:	**2275 N. Mooney Lane**		
PARCEL #:	**404-17-017**	**BLOCK #:**	**N/A**
SUBDIVISION:	**Montezuma Heights Air Park Amended**	**ZONING:**	**RR-2A**
FLOOD MAP:	**None**	**FLOOD ZONE:**	**None**
ISSUED TO:	**Preston and Kimberly Hunting**	**CONTRACTOR:**	**Longfellow Excavation LLC**
ADDRESS:	**2275 N. Mooney Lane**	**ADDRESS:**	**6079 Bice Road**
CITY, STATE, ZIP:	**Camp Verde, AZ, 86322**	**CITY, STATE, ZIP:**	**Rimrock, AZ, 86335**
PHONE:	[redacted]	**PHONE:**	**928-300-3792**
USE/OCCUPANCY:	-----	**VALUATION:**	**N/A**
CNST TYPE:	-----	**SQ FT:**	**N/A**

WORK DESCRIPTION: **4-Rail, welded metal, border fence**

ZONING DISTRICT CRITERIA	Minimum	Maximum	Proposed
Lot Area, S.F. or Acreage	7,500 Sq ft		167,706 Sq ft
Structure Height		30 ft	
Setbacks:			
Front	10 Ft		Meets
Back	25 Ft		Meets
Interior Sides	7 Ft		Meets
Exterior Sides	10 Ft		Meets
Parking			None Proposed
Landscape			None Proposed
Screening			None Proposed
Outdoor Lighting:			None Proposed
Lumens - Shielded		77,000	None Proposed
Lumens - Unshielded		19,250	None Proposed
Kelvin (Per Bulb)		3000K	None Proposed
Sign Size			None Proposed

Acreage:	3.85
Livable SF:	0
Non-Livable SF:	0

Physical Address Confirmed:
Initial: CB

Legal Access:

[ ] Town owned road
[X] Privately owned road

[ ] If private, copy of easement attached

ZONING REMARKS: Four foot welded fence. No other remarks.

Zoning Reviewer: **Cliff Bryson - Planner I** Date: **3/5/2025**

Zoning Review Approved by: Cliff Bryson Date: 3/5/2025

BUILDING - WORK CONDITIONS: No Building remarks ro comments.

DESCRIPTION		AMOUNT
Zoning Clearance Review	$	90.00
Zoning Clearance Final	$	-
	$	-
	$	-
	$	-
TOTAL	$	90.00

SUBMIT INSPECTION REQUESTS TO BUILDING INSPECTION DEPARTMENT FOR ALL REQUIRED INSPECTIONS

This permit is non-transferable and expires 180 days from issue if work has not commenced, or if construction ceases for a period of 180 days. The undersigned applicant acknowledges that he is responsible for calling for each inspection required for this project before beginning the next phase of construction. THIS INCLUDES A FINAL INSPECTION FOR ALL TYPES OF CONSTRUC TION. Permission is hereby given o commence the above described work, according to the conditions hereon and in accordance with the approved plans and specifications pertaining thereto. The permit or approval granted hereby, or any inspections conducted on the site here after, shall not be construed as authorizing any activity in violation of any applicable Town of Camp Verde ordinances, federal or state law or regulation. Town staff may advise the applicant of issues regarding State and Federal laws that the Town staff member believes would be helpful to the applicant, but any such advice or comment is not a determination or interpretation of Federal or State law or regulation.

Note: 9-495. Arizona Revised Statute In any written communication between a city or town and a person, the city or town shall provide the name, telephone number and email address of the employee who is authorized and able to provide information about the communication if the communication does any of the following:

1. Demands payment of a tax, fee, penalty fine or assessment;
2. Denies an application for a permit or license that is issued by the city or town; or
3. Requests corrections, revisions or additional information or materials needed for approval of any application for a permit, license or other authorization that is issued by the city or town.

An employee who is authorized and able to provide information about any communication that is described above shall reply within five (5) business days after the city or town receives that communication.

Issued by: C.B [illegible] Date: 3/5/25

Signature: [signature] Date: 3/5/25

Town of Camp Verde

Community Development Department

♦ 473 S. Main Street, Suite 108 ♦ Camp Verde, Arizona 86322 ♦
♦ Telephone: 928.554.0050 ♦ www.campverde.az.gov ♦

December 11, 2025

Dear Landowner:

You are receiving this letter because a appeal on a parcel within 300 feet of your parcel has submitted to the Town of Camp Verde which requires a public hearing. This request will be heard by the Board of Adjustment and Appeals on:

Public Hearing:
Tuesday, January 13, 2026, at 3pm
in the Council Chambers, 473 S. Main Street, Camp Verde, AZ.

Application No: APP-25-0085

Applicant: Marv Wessel

Request: The applicant has appealed the decision of the Town to allow a Minor Land Division of this parcel.

APN: 404-17-025M (divided into parcels 404-17-025Q and 404-17-025P)

Address: [redacted] Camp Verde, Az 86322

Zone: RR-2A

The agenda with accompanying documentation will be available on the Town web site approximately 1-week prior to the meeting. It may be found at: https://www.campverde.az.gov/departments/boards-commissions/planning-zoning-commission

This is a public meeting which you may attend and be heard regarding this matter.

Additional information may be obtained by contacting the Community Development Department at (928) 554-0066, or by emailing cory.mulcaire@campverde.az.gov. Written comments may be dropped off at the Community Development Office, located at 473 S. Main Street, Suite 108, or may be mailed to the Department at 473 S. Main Street, Suite 108, Camp Verde, AZ 86322.

Comments received, will be included in the packet for the Board Members. Comments received after the packet has been prepared will be given to members at the meeting.

Respectfully,

Cory L Mulcaire
Cory Mulcaire, Acting Senior Planner
Community Development, Town of Camp Verde
cory.mulcaire@campverde.az.gov or (928) 554-0066

cc: Project File

Public Notice to be published Tuesday December 23 and Saturday December 27, 2026: The Town of Camp Verde Board of Adjustment and Appeals is holding a Public Hearing. The public hearing will be held January 13, 2026, at 3:00 pm in the Town Council Chambers at 473 South Main Street in Camp Verde, AZ. The purpose of the hearing is to consider aa appeal regarding a Minor Land Division for parcel 404-17-025M.
For questions or more information, please contact Camp Verde Community Development at 928.554.0066 or cory.mulcaire@campverde.az.gov.

TAG: This notice is for Community Development Department

BOARD OF ADJUSTMENT
AND APPEALS
PUBLIC HEARING
APPEAL
MINOR LAND DIVISION
404-17-025M
473 S MAIN ST. STE
106
TUESDAY
JANUARY 13, 2026
3:00 PM

SECTION 602 – ZONING ADJUSTEMENTS

Zoning matters decided by the Board of Adjustment and Appeals are intended to apply to specific properties or actions. Such decisions are not regarded as strict precedents; however, they may be considered in future matters under similar circumstances.

A. Variances

1. A variance from the Planning and Zoning Ordinance shall not be granted by the Board unless and until a public hearing has been conducted pursuant to Section 602.C, and until the property owner in a written appeal and at the public hearing demonstrates and the Board finds that all criteria required by subsections a. through e. have been met:

a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same District;

b. That literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same District under the terms of the Zoning Ordinance;

c. That the alleged hardships caused by literal interpretation of the provisions of the Zoning Ordinance include more than personal inconvenience and financial hardship and do not result from actions that are self-imposed or for economic gain by the applicant;

d. The granting the variance will not confer upon the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures or buildings in the same District; and

e. That granting the variance requested will not interfere or injure the rights of other properties in the same District.

2. The Board MAY NOT:

a. Make any changes in the uses permitted in any zoning classification or zoning District, or make any changes in the terms of the Zoning Ordinance, provided the restriction in this paragraph shall not affect the authority to grant variances pursuant to this article.

b. grant a variance if the special circumstance applicable to the property are self-imposed by the owner.

B. Appeals from Administrative Decisions

The Board, on deciding appeals from decisions of the Community Development Director (Zoning Administrator), is responsible for interpreting the meaning and equitable application of the Zoning Ordinance.

1. Appeals to the Board may be filed by persons aggrieved or by any officer, department, board or bureau of the Town affected by a decision of the Community Development Director, within a period of 45 days by filing, in writing, with the Community Development Director and with the Board, a notice of appeal specifying the grounds thereof.

2. The Community Development Director shall immediately transmit all records, pertaining to the action appealed, to the Board.

3. An appeal stays all proceedings in the matter appealed, unless the Community Development Director

verifies to the Board after the notice of appeal is filed, that by any reason of facts stated in the certificate, a stay would cause imminent peril to life or property. Upon such certification, proceedings shall not be stayed other than by a restraining order granted by the Board or by a court of record on application and notice to the Community Development Director.

4. A person aggrieved by a decision of the Board, or a tax payer or municipal officer may, at any time within 30 days after the Board has rendered its decision, file a complaint in the Superior Court to review the decision. Filing of the complaint shall not stay proceedings upon the decision appealed, but the court may, on application, grant a stay, and on final hearing may reverse or affirm wholly or partly, or may modify the decision received.

C. Hearings

The Board shall fix a reasonable time for the public hearing of an appeal; and shall give public notice thereof, by both publication in a newspaper of general circulation in accordance with ARS 9-462.04 as it exists now or as it is amended from time to time, and by posting notices in conspicuous places close to the property affected, as well as due notice to the parties in interest, including first class mail notice to all owners of record of properties located within 300 feet of the subject property.

1. At the public hearing, any applicant may appear in person or by representative, and may present their appeal orally or by documentary materials, and submit rebuttal as may be necessary.

2. The chair shall have the power to administer oaths and take evidence in accordance with ARS 9-462.06, as may be amended.

3. The Board shall reach its decision within a reasonable time.