

Posted by: \_\_\_\_\_  
Date: \_\_\_\_\_



**AGENDA  
TOWN OF CAMP VERDE  
BOARD OF ADJUSTMENTS & APPEALS  
473 S. MAIN STREET, SUITE 106, CAMP VERDE, AZ 86322  
TUESDAY, December 14th AT 3:00 PM  
Regular Session**

**Zoom Meeting Link:**

<https://us02web.zoom.us/j/81137395244?pwd=bnR0cUlvajNCRXFxZTlaL3dBUG9OQT09>

Meeting ID: 811 3739 5244

Passcode: 342590

1. Call to Order
2. Roll Call
3. 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 if a member of the Board so requests.
  - a. **Approval of Minutes:** April 13, 2021
  - b. **Set Next Meeting, Date and Time:** Tentative, January 11<sup>th</sup>, 2022 and  
Tentative, Special session January 20<sup>th</sup>, 2022
5. **Call to the Public for items not on the Agenda:** *Residents are encouraged to comment about any matter not included on the agenda. State law prevents the Board from taking any action on items not on the agenda, except to set them for consideration for a future date.*
6. **Board Informational Reports:** *Individual Board members may provide brief summaries of current events and activities. Summaries are strictly for the purpose of informing the public. The Board will have no discussion, consideration nor take action on any such item, except an individual Board member may request an item be placed on a future agenda.*
7. **Public Hearing, Discussion and Possible Approval of an application submitted by Jeff and Jane Galloway:** Applicant is requesting a Variance to the minimum parcel size in order to divide a 3.82 acre lot into two (2) lots in an area zone RR-2A.

Parcel: 403-19-008P                      Acres: 3.82  
Zoning: RR-2A (Residential-Rural, 2 Acre Minimum)  
Address: 2045 N. Long Rifle, Camp Verde, Yavapai County, AZ
8. Staff Comments
9. Adjournment

**Please note:** 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 Staff prior to a meeting for copies of supporting documentation that may have been unavailable at the time agenda packets were prepared.

Note: Pursuant to A.R.S. §38-431.03A.2 and A.3, the Planning & Zoning Commission 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.

*Camp Verde Chambers is inviting you to a scheduled Zoom meeting.*

*Topic: Board of Adjustments & Appeals, December 2021*

*Time: Dec 14, 2021 02:30 PM Arizona*

*Join Zoom Meeting*

<https://us02web.zoom.us/j/81137395244?pwd=bnR0cUlvajNCRXFxZTlaL3dBUG9OQT09>

*Meeting ID: 811 3739 5244*

*Passcode: 342590*

*One tap mobile*

*+13462487799,,81137395244#,,,,\*342590# US (Houston)*

*+16699009128,,81137395244#,,,,\*342590# US (San Jose)*

*Dial by your location*

*+1 346 248 7799 US (Houston)*

*+1 669 900 9128 US (San Jose)*

*+1 253 215 8782 US (Tacoma)*

*+1 312 626 6799 US (Chicago)*

*+1 646 558 8656 US (New York)*

*+1 301 715 8592 US (Washington DC)*

*Meeting ID: 811 3739 5244*

*Passcode: 342590*

*Find your local number: <https://us02web.zoom.us/u/keyAStUSX>*



**Agenda Report Form – Section I**

**Meeting Date:** Tuesday, December 14, 2021

- Consent Agenda*       *Decision Agenda*       *Executive Session Requested*  
 *Presentation Only*       *Action/Presentation*       *Work Session*

**Requesting Department:**            *Community Development*

**Staff Resource/Contact Person:**    *John Knight, Director*

**Agenda Title (be exact):**            *Application for Variance, Jeff & Jane Galloway*

**List Attached Documents:**

- Exhibit A:* 2006 Letter from Town of Camp Verde
- Exhibit B:* Current Zoning
- Exhibit C:* 2006 Property Survey Provided by Town of Camp Verde after Donation of Land
- Exhibit D:* Application and Letter of Intent
- Exhibit E:* Letter to 300' Radius Neighbors with list of 14 recipients

**Estimated Presentation Time:** 10 minutes

**Estimated Discussion Time:** 20 minutes

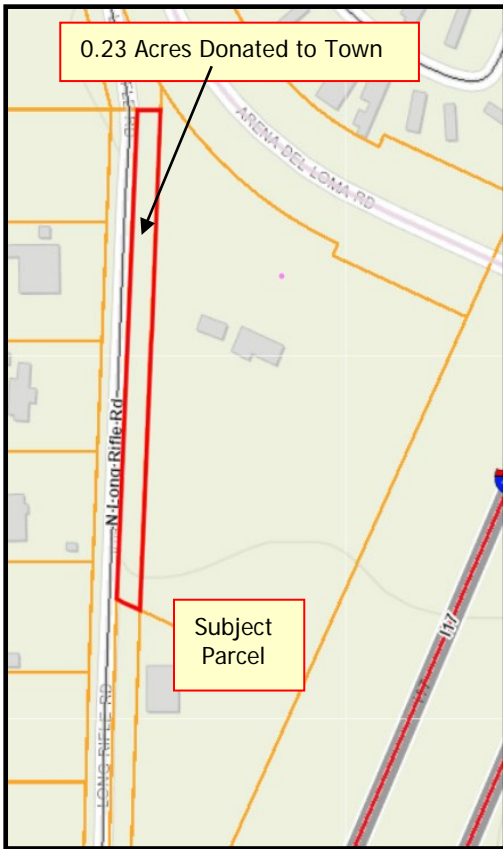
**Reviews and comments Completed by:**

- Town Manager: N/A*
- Department Head: John Knight, Director*
- Town Attorney Comments: N/A*
- Risk Management: N/A*
- Finance Department: N/A*

**BACKGROUND:**

Jeff & Jane Galloway purchased their parcel at 2045 Long Rifle Road in July of 2005. At the time of purchase, the parcel (originally 403-19-008H) was 4.11 acres which met the Zoning of RR-2A (Residential-Rural, 2 Acre Minimum Lot Size). This original lot size of 4.11 acres would have legally allowed the Galloways to divide this lot into two parcels of 2+ acre lots. See Exhibit B.

In 2006, the Town of Camp Verde approached the Galloways about acquiring a right-of-way on a portion of their lot in order to improve and pave a Town owned street, North Long Rifle Road, which borders their lot at the west.



As a result of the Town’s request, the Galloways donated 0.28 acres of their lot to the Town of Camp Verde to improve and pave N. Long Rifle Road. This donation reduced their lot area from 4.11 to 3.82 acres.

As a result of this action and current zoning of RR-2A, this parcel can no longer be divided as it is now less than 4 acres.

Recognizing the potential adverse impact of the donation, then Town Community Development Director, Will Wright and Town Street Inspector Marvin Buckel, provided a letter to the Galloways stating:

*“Since it is not the intent of the town to penalize you for your generous assistance with this road improvement, this letter verifies that the town*

*would allow you to proceed with any division of this lot as if the ROW dedication to the town were still in place.”* See attached Exhibit A.

Following their dedication of 0.28 acres, in April of 2006, the Town contracted for and provided to the Galloways a survey of their reduced parcel. A copy of this survey, performed by Heritage Land & Survey Mapping is attached (Exhibit C).

In October of this year the Galloways contacted the Community Development Office seeking advice on how they may divide their lot. Their desire is to divide their lot into two parcels to allow their son to build a home on the property.

Review of current zoning and their records indicated applying for a Variance to be the most appropriate avenue for them to achieve their goal.

**SUBJECT PARCEL:**

Parcel: 403-19-008P  
Zoning: RR-2A; Residential-Rural, 2 Acre Minimum Lot Size  
Acreage: 3.82  
Address: 2045 N. Long Rifle Road  
Ownership: Jeff & Jane Galloway

<b>Table 2-4: R-R-2A Dimensional Standards</b>	<b>“R-R”</b>
Minimum Lot Area (square feet)	87,120’ (2 acres)
Minimum Width OR Depth (feet)	225’
Maximum Building Height (stories)	2
Maximum Building Height (feet)	30’
Maximum Lot Coverage (%)	15%
Minimum Front Yard (feet)	50’
Minimum Rear Yard (feet)	50’
Minimum Side Yard Interior (feet)	25’
Minimum Side Yard Exterior (feet)	30’

**THE FOLLOWING HAVE BEEN COMPLETED BY APPLICANT OR STAFF:**

- Application formally requested a Variance with all of the accompanying documentation, accepted November 16, 2021 (Exhibit D).
- Community Development Staff mailed out fourteen (14) letters to property owners within three hundred (300) feet of the subject parcel on November 23<sup>rd</sup>, 2021. This letter advised the neighbors of the Board of Adjustment meeting date, time and location (Exhibit E).
- Notice of Hearing was placed in the Bugle newspaper on November 28, 2021 by Community Development Staff.
- Notice of Public Hearing was posted on the Town bulletin board, Bashas public bulletin board on November 30<sup>th</sup>, 2021 and on the Town website December 3<sup>rd</sup>, 2021.
- Notice of Public Hearing was posted on the subject property at 2045 N. Long Rifle Road, on November 30<sup>th</sup>, 2021, by Community Development Staff.
- The agenda for today’s hearing was posted on the Town web site on December 3<sup>rd</sup>, 2021 by Community Development Staff.

**APPROVAL CRITERIA per TOWN ORDINANCE, Section 602, A. and B.:**

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.

Staff Response: The conditions and specifications of this situation are unique and applicable only to these applicants and which came about only when they donated 0.23 acres of their parcel to the Town of Camp Verde in order for the Town to improve street infrastructure.

- 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.

Staff Response: Denial of this Variance will deny the applicants the right to divide this property, which was legally dividable when purchased, and only became less than 4 acres due to their donation of 0.23 acres to the Town of Camp Verde.

- 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.

Staff Response: This hardship was not caused nor created by the application, but came about as a result of the Town seeking to improve Town infrastructure.

- d. 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.

Staff Response: Granting of this Variance will not confer upon the applicants any special privilege as legal-non-conforming properties are already common in this zone and neighborhood.

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

Staff Response: Granting of this Variance will not interfere nor injure the rights of other properties in this zone and neighborhood as there are already several less than 2 acres parcels (legal-non-conforming) existing along N. Long Rifle Road.

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 Response: Granting of this Variance will not make any changes to uses permitted in this zone or district.

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

Staff Response: The special circumstances were not self-imposed, but came about at the initiation of the Town of Camp Verde for the purpose of improving Town infrastructure.

**STAFF RECOMMENDATION:**

Staff recommends granting this Variance based on compliance with the above referenced criteria.

**NEIGHBORHOOD COMMENTS:**

*None received as of December 3, 2021.*

**RECOMMENDED ACTION (MOTION): MOTION TO APPROVE A VARIANCE REQUEST BY OWNERS JEFF AND JANE GALLOWAY, TO ALLOW PARCEL 403-19-008P TO BE SPLIT INTO TWO PARCELS, LESS THAN 2 ACRES. THIS PROPERTY IS LOCATED AT 2045 N. LONG RIFLE ROAD ON APN 403-19-008P, IN CAMP VERDE, YAVAPAI COUNTY, ARIZONA.**



# TOWN OF CAMP VERDE

P.O. Box 710 ♦ 473 S. Main Street ♦ Camp Verde, Arizona 86322 ♦ (928) 567-6631 FAX 567-9061  
Marshal 567-6621 ♦ Parks & Recreation 567-0535 ♦ Community Development 567-8513 ♦ www.campverde-az.gov

April 27, 2006

Mr. Jeffrey Galloway  
740 Mingus Avenue, Suite 2050  
Cottonwood, AZ 86326

*403-19-008P*

Re. Parcel #403-19-008H

Dear Mr. Galloway:

The purpose of this letter is to provide you with documentation that due to your willingness to cooperate with the Town's Street Department to improve Long Rifle Road that your ability to divide or use your property as is now exists will not be negatively affected because of help with this road project. You have agreed to dedicate fifteen (15) feet or .29 acres from parcel 403-19-008 (4.1 acres) to improve town right-of-way (ROW) for this street. This property is zoned RCU-2A and in theory could be split into two parcels from a size standpoint according to County records, however with this dedication you would not have enough acreage to meet the minimum zoning requirement from a total number of acres standpoint.

Since it is not the intent of the town to penalize you for your generous assistance with this road improvement, this letter verifies that the town would allow you to proceed with any division of this lot as if the ROW dedicated to the town were still in place. It is important to note, that all regulations pertaining to the splitting of property from the town, county and state would have to be met.

I hope this letter provides you with the assurance you need regarding the use of this parcel and again want to thank you for your cooperation on this matter.

Sincerely,

Marvin Buckel  
Street Inspector

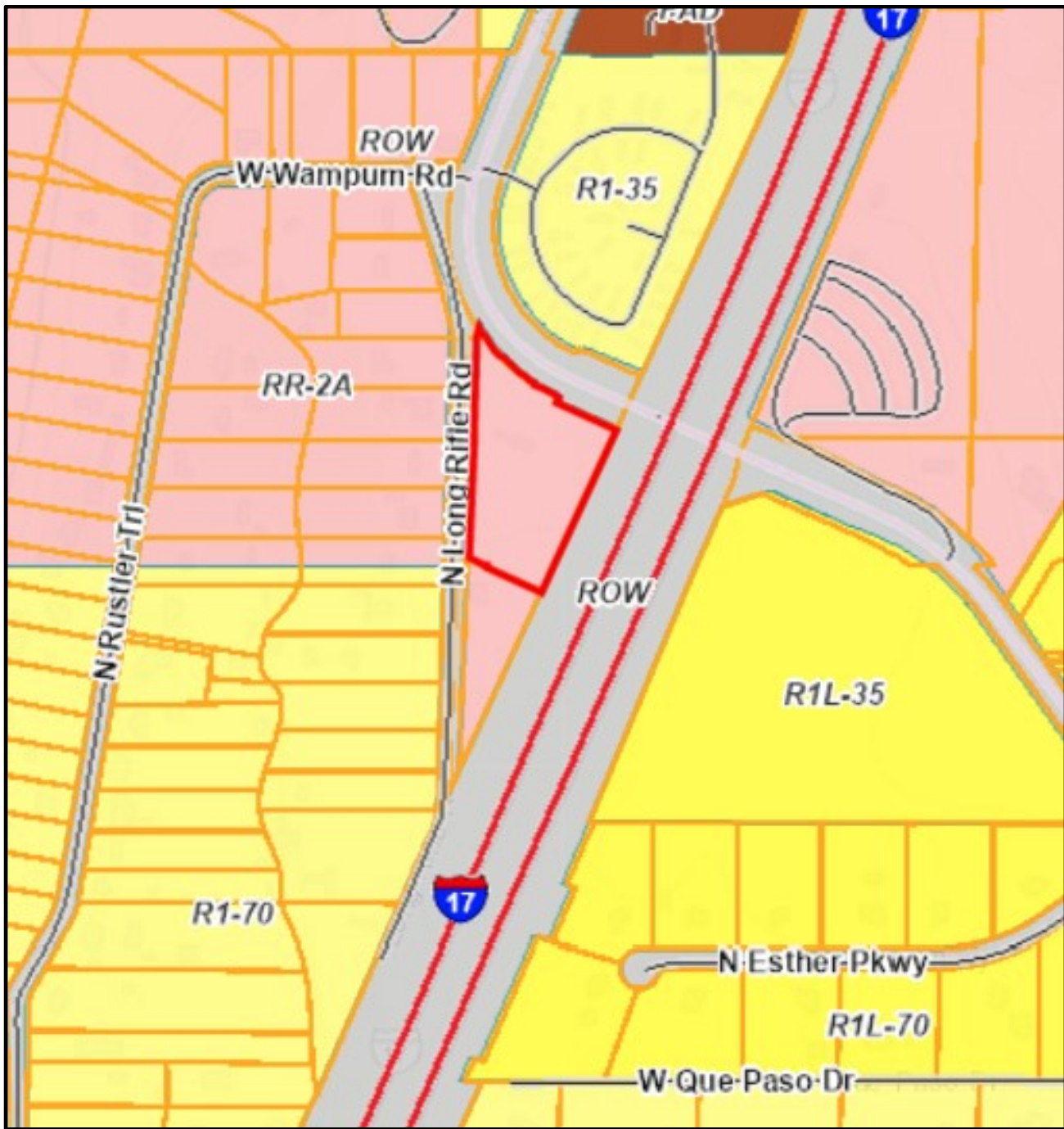
Will Wright  
Community Development Director

404-05-159A  
Jeff Galloway  
LAND: BOA, Request for Variance  
20210682  
2045 N. Long Rifle Rd





**Exhibit B: Vicinity, Zoning & Land Use Map for subject parcel and surrounding area**



*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 knowing waives any and all claims for damages against Yavapai County that may arise from the use of this data. Source: <https://gis.yavapaiaz.gov/v4/map.aspx?search=404-28-146#>.*

Map printed on 12/02/2021



# HERITAGE

Land Survey & Mapping Inc.

Exhibit: C

## EXHIBIT "A"

The following is a description of a parcel of land located within the Southeast corner of Section 13, and the Northeast corner of Section 24, Township 14 North, Range 4 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona; being a portion of the That parcel of land described in Book 4306, Page 117, [Record Source #1 (R1)] Records of the Yavapai County Recorder; said parcel being more particularly described as follows:

Beginning for reference at the BLM Brass cap marking the Southwest corner of said Section 13, From which the BLM Brass cap marking the Southeast corner of said Section 13 bears South  $89^{\circ} 57' 33''$  East, [Basis of Bearing] a distance at a distance of 5,259.36 feet; Thence South  $89^{\circ} 57' 45''$  East, a distance of 3,971.54 feet, to an obliterated plastic cap atop a 1/2" found on the West line of that parcel of land described in Book 4339, Page 673 records of the Yavapai County Recorder [Record Source #2 (R2)]. Thence North  $02^{\circ} 31' 56''$  East, a distance of 22.13 feet, [North  $02^{\circ} 27' 50''$  East, a distance of 22.21 feet (R2)] along the West line of the said parcel of land described in (R2) to a plastic cap atop a 1/2" rebar stamped L.S. 31017, marking the Southwest corner of the said parcel of land described in (R1) to the TRUE POINT OF BEGINNING;

Thence North  $02^{\circ} 27' 21''$  East, a distance of 637.62 feet, [ North  $02^{\circ} 27' 20''$  East, a distance of 637.73 feet (R1)] along the West line of that said parcel of land described in (R1) to a plastic cap atop a stamped L.S. 31017; marking the Northwesterly most corner thereof; Being a point on a curve to the left, concave to the Northeast, from which the radius point of said curve bears North  $63^{\circ} 40' 42''$  East, at a distance of 478.00 feet;

Thence along said curve to the left, through a central angle of  $04^{\circ} 38' 34''$  an arc distance of 38.73 feet;

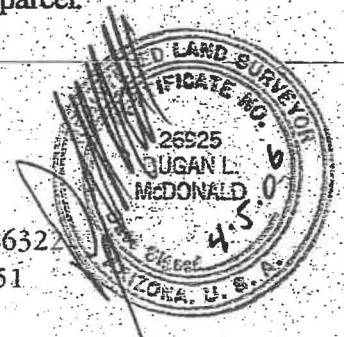
Thence South  $02^{\circ} 27' 25''$  West, a distance of 612.27 feet;

Thence North  $66^{\circ} 12' 32''$  West, [ North  $66^{\circ} 13' 40''$  West (R1)] a distance of 21.46 feet, to the West line of that parcel pf land described in (R1) and the TRUE POINT OF BEGINNING;

Subject parcel of land contains 0.29 acres more or less, and is subject to all exceptions, easements and or right-of-ways, of record that may be pertinent to the subject parcel.

Page 1 of 1

Dugan L. McDonald R.L.S. P. O. Box 3270 • Camp Verde, Arizona 86322  
Office (928) 567-9170 738 S. Parks Drive Fax (928) 567-6351







# Land Use

No Flood

# Application Form

**1. Application is made for:**

- |   |                     |                      |
|---|---------------------|----------------------|
| Zoning Map Change                         | Use Permit          | Temporary Use Permit |
| Conceptual Plan Review                    | Preliminary Plat    | Final Plat           |
| PAD Final Site Plan Review                | Variance            | Appeal               |
| Street Abandonment                        | Minor Land Division | Wireless Tower       |
| Administrative Review                     | Lot Line Adjustment | Zoning Verification  |
| Development Standards Review (Commercial) | Other: _____        |                      |

2. Project Name: Galloway Remedy

3. Contact information: (a list of additional contacts may be attached)

Owner Name: <u>JEFF GALLOWAY</u>	Applicant Name: <u>JEFF GALLOWAY</u>
Address: <u>2045 N. LONG RIFLE RD</u>	Address: <u>SAME</u>
City: <u>CAMP VERDE</u> State: <u>AZ</u> Zip: <u>86322</u>	City: _____ State: _____ Zip: _____
Phone: <u>928 254 8409</u>	Phone: _____
E-mail: <u>jjgalloway10@gmail.com</u>	E-Mail: _____

4. Property Description: Parcel Number 403-19-008P Acres: 3.82

Address or Location: 2045 N. LONG RIFLE RD,

Existing Zoning: RR-2A Existing Use: Residential

Proposed Zoning: \_\_\_\_\_ Proposed Use: Lot Split

5. Purpose: (describe intent of this application in 1-2 sentences)

To split property to put a house on lower half

**6. Certification:**

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action. I have also attached a completed Permission to Enter form for consent to access the property regarding this action.

Owner: Jeff Galloway Jane E. Galloway Date: 11-5-21

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all materials and fees required by the Town of Camp Verde must be submitted prior to having this application processed.

Applicant: Jeff Galloway Date: 11-5-21

In July of 2005 we purchased 2045 N. Long Rifle Road. At the time of purchase the parcel was: 403-19-008H. The property was and still is zoned RR-2A which has a minimum lot size of two acres. At the time of purchase, the property was 4.1 acres and could have been split into two lots.

In 2006, the Town of Camp Verde was seeking to improve & pave Long Rifle Road. At that time, the Town requested from us a right-of-way dedication for the adjacent Long Rifle Road, which we provided. Per the request, we donated approximately 0.28 acres to the Town of Camp Verde so that it could improve/pave Long Rifle Road.

After this donation, the new parcel is 403-19-008P and is now only 3.82 acres.

As part of the donation, the Town of Camp Verde committed to us that we would still be able to split our property into two lots. This commitment was made knowing this newly designated 3.82 parcel had been reduced below the minimally required four (4) acres which would be needed to meet the RR-2A zoning standard in order to legally split the parcel.

See attached letter from then Community Development, Will Wright and Street Inspector, Marvin Buckel.

We therefore respectfully request a variance to split our parcel of 3.82 acres into two separate parcels.

Sincerely,

Jeff and Jane Galloway

*Jeff Galloway* 11-12-21

*Jane E. Galloway* 11-12-21



# 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](http://www.campverde.az.gov) ◆

November 22, 2021

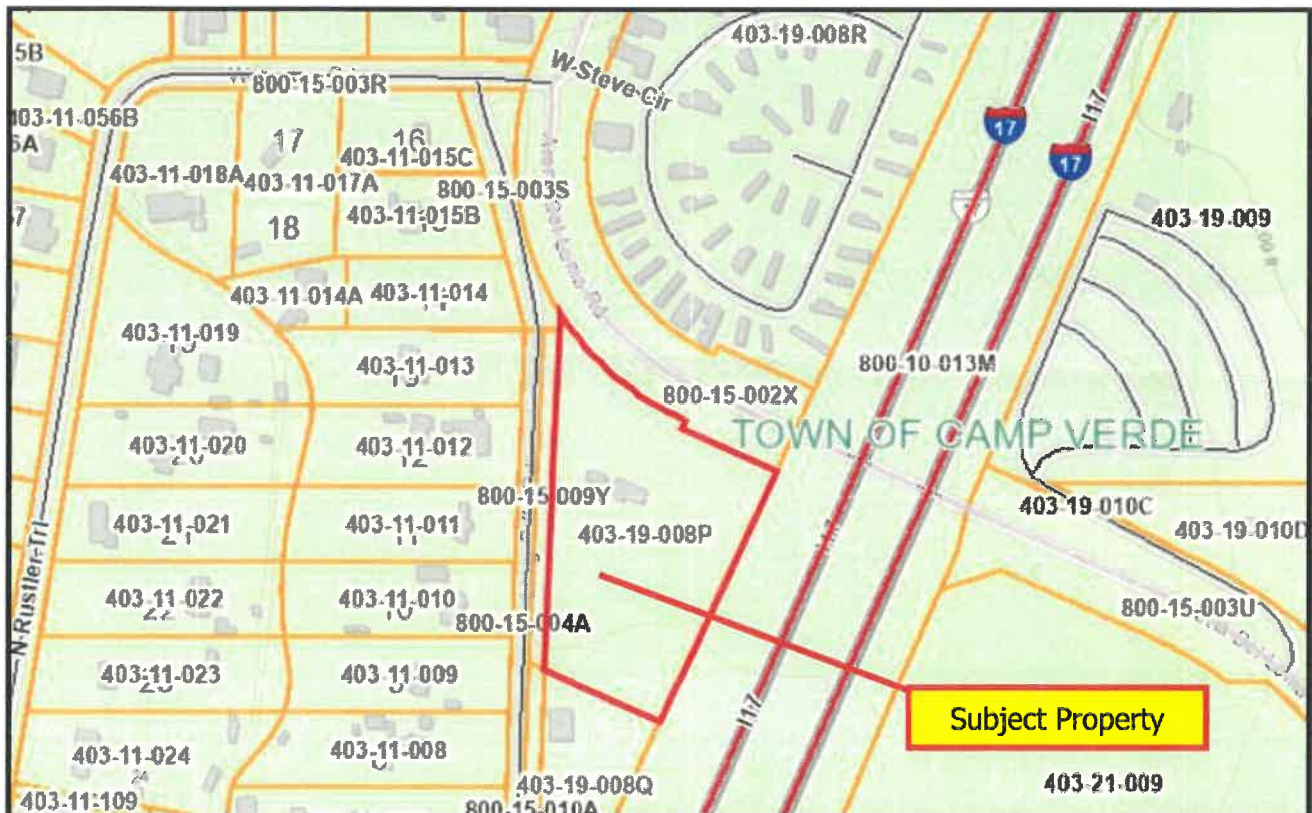
Exhibit E: Letter to 300' Radius  
Neighbors w/list of 14 Recipients

Dear Land Owner:

You are receiving this letter because a land owner within 300 feet of your parcel has requested a Variance from the Town of Camp Verde. This request will be heard in a public meeting by the Board of Adjustment & Appeals on December 14th.

Property owners, Jeff & Jane Galloway of 2045 Long Rifle Road, have requested a Variance from the Town in order to divide their parcel into two lots, less than minimum size. This area is zoned RR-2A which requires parcels to be at least 2 acres.

**Application Type:** Variance; divide a parcel less than 4 acres into two lots  
**Application Number:** 20210682  
**Property Description:** 3.82 acres, parcel 403-19-008P, zoned RR-2A  
**Hearing Date & Time:** Tuesday, December 14<sup>th</sup>, 2021 at 3pm  
**Hearing Location:** Council Chambers, Suite 106, 473 S. Main Street, Camp Verde



**Parcel, Owner, Address, City, State, Zip**

403-19-008P, GALLOWAY FAMILY TRUST, 2045 N LONG RIFLE RD, CAMP VERDE, AZ, 863227538

403-11-008, KLEINMAN JOHN J & REBECCA RS, PO BOX 3672, CAMP VERDE, AZ, 863223672

403-11-015C, ESSMAN DEBRA A , 1901 N ARENA DEL LOMA RD, CAMP VERDE, AZ, 863227519

403-11-013, BILLINGS FAMILY TRUST, 2092 N LONG RIFLE RD, CAMP VERDE, AZ, 863227506

403-19-008R, GREEN VALLEY MHP LLC, 9120 DONEY PARK LN, FLAGSTAFF, AZ, 860041100

403-11-009, YOUNG LAWRENCE E & SUNNY J RS, 105 RASCOE DR, CADIZ, KY, 422119312

403-11-007, MUNOZ ALFRED J , 1964 N LONG RIFLE RD, CAMP VERDE, AZ, 863227525

403-11-012, GOOD NEWS GROUP LLC, 9117 W GRAND AVE, PEORIA, AZ, 853458188

403-11-010, COMEAU EDWARD F & DEBRA ANN RS, 2026 N LONG RIFLE RD, CAMP VERDE, AZ, 863227506

403-11-011, KLEINMAN DANIEL & MELINA RS, 2054 N LONG RIFLE RD, CAMP VERDE, AZ, 863227506

403-11-015B, LAUS MONIKA &, 2162 N LONG RIFLE RD, CAMP VERDE, AZ, 863227534

403-19-008P, GALLOWAY FAMILY TRUST, 2045 N LONG RIFLE RD, CAMP VERDE, AZ, 863227538

403-11-014, BUCKNER MARTI, 2102 N LONG RIFLE RD, CAMP VERDE, AZ, 863227534

403-19-008Q, SCHLEGEL SHIRLEY K & DENNIS R RS, 1975 N LONG RIFLE RD, CAMP VERDE, AZ, 863227594

