

TOWN COUNCIL OF DEWEY-HUMBOLDT

REGULAR MEETING NOTICE

Tuesday, November 1, 2016, 6:30 P.M.

**COUNCIL REGULAR MEETING
2735 S. HWY 69**

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

AGENDA (AMENDED)

The issues that come before the Town Council are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Council believes that the meeting be a safe place for people to speak. With this in mind, the Council asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Council may vote to go into Executive Session for legal advice regarding any matter on the open agenda pursuant to A.R.S. 38-431.03 (A) (3), which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda. Agenda items may be taken out of order. Please turn off all cell phones. The Council meeting may be broadcast via live streaming video on the internet in both audio and visual formats. One or more members of the Council may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

1. Call To Order.

2. Opening Ceremonies.

2.1. Pledge of Allegiance.

2.2. Invocation.

3. Roll Call. Town Council Members Arlene Alen, Jack Hamilton, Mark McBrady, Dennis Repan, Nancy Wright; Vice Mayor Doug Treadway; and Mayor Terry Nolan.

4. Announcements Regarding Current Events, Guests, Appointments, and Proclamations.

Announcements of items brought to the attention of the Mayor not requiring legal action by the Council. Guest Presentations, Appointments, and Proclamations may require Council discussion and action.

4.1. University of Arizona Superfund Research Program, 2nd Annual Update in 2016.

4.2. Big Brother Big Sister Prescott presentation and Tax Giving proclamation. (As authorized at the October 4th meeting)

4.3. Veteran's Day Proclamation.

5. Town Manager's Report. Update on Current Events. No legal actions can be taken. Council may ask town staff to review an operational matter at this time, or may ask that a matter be put on a future agenda for actions or further discussion. Possible matters and projects are related to Town general administration, Finance, Public Works, Community Development.

6. Consent Agenda.

6.1. Minutes. Minutes from the September 13, 2016 Work Session, September 20, 2016 Regular Council Meeting, October 4, 2016 Regular Council Meeting, and October 11, 2016 Work Session.

7. Comments from the Public (on non-agendized items only). The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. At the conclusion of Comments from the Public, Council members may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Council members are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal

action. A 3 minute per speaker limit may be imposed. The audience is asked to please be courteous and silent while others are speaking.

8. **Discussion Agenda – Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

9. **Discussion Agenda – New Business.** Discussion and Possible Action on matters not previously presented to the Council.

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9.1. **[Request for a] Presentation by APS of their Focused Future program that they have facilitated for many AZ communities.** [CAARF requested by CM Alen]

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9.2. **Notice to Council of sufficiency of signatures for Referendum REF 16-01 “Referring Resolution 16-125 which authorizes and directs the Town Manager and Town Attorney to take necessary actions to acquire title to a certain parcel of real property on behalf of the Town for municipal purposes”; and next steps.**

9.3. **Recess the Regular Council Meeting**

10. **Board of Adjustment Public Hearing Agenda.**

10.1. **Convene the Board of Adjustment Meeting**

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10.2. **Appeal of an Administrative Determination of the Zoning Administrator to require compliance with 50-foot rear setback in construction of a barn as an accessory structure (property located at 1925 S. Sierra Drive, Dewey, AZ 86327).**

10.2.1. **Open Public Hearing**

10.2.1.1. **Staff Report**

10.2.1.2. **Appellant Presentation**

10.2.1.3. **Zoning Administrator’s Response**

10.2.1.4. **Public Comments/Testimony**

10.2.1.5. **Appellant Response**

10.2.1.6. **Staff and Zoning Administrator Response**

10.2.2. **Close Public Hearing**

10.2.3. **Discussion and deliberation by Board**

10.3. **Adjourn the Board of Adjustment agenda**

10.4. **Reconvene Council Regular Meeting**

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

11. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, November 16, 2016, at 6:30 p.m.

Next Planning & Zoning Meeting: November 3, at 6:00 p.m.

Next Town Council Work Session: Tuesday, November 8, 2016, at 2:00 p.m.

If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type **Subscribe** in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

Certification of Posting

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the ____ day of _____, 2016, at ____ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: _____, Town Clerk’s Office.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 632-7362 at least 24 hours in advance of the meeting.

Veterans' Day Proclamation

The citizens of our country are justly proud of the men and women who have fought to defend the principles of liberty and freedom on which our nation was founded.

From the Revolutionary-era militias through today's sophisticated defense structure, American service members have defended our country in times of challenge, brought honor to the United States and created a solid foundation for its continued security, growth and prosperity.

Despite the tremendous perils and pressures of wartime, our Armed Forces have defended the country with conviction and courage. In admiration of the strength of our convictions, other nations have looked to America for leadership. Our allies have always been secure in the knowledge that our proud country will not allow its principles and beliefs to be compromised.

The citizens of the United States will forever owe an immense debt of gratitude to our veterans for the sacrifices they have made to secure the safety of our country.

As an expression of that gratitude, President Dwight D. Eisenhower signed into law an act calling for the observance of Veterans Day on November 11th of each year. That date was originally designated in 1921 as Armistice Day in remembrance of the end of World War I, and as a perpetual reminder of the blessings of peace. However, by 1954, the observance widened to honor the courageous veterans of all foreign conflicts.

Our veterans reflect the preeminent qualities of patriotism and courage in all of us, and they continue to make countless contributions to military and civilian life. In addition, many men and women from the Arizona National Guard are serving in Iraq or Afghanistan, or are scheduled to be deployed there shortly, along with many other Arizona residents serving with the United States Army, Air Force, Navy, Marines and Coast Guard.

*To honor the principles that motivate their many contributions and accomplishments and those of all of our veterans, and in accordance with the Statutes of the State of Arizona, I, Mayor Terry Nolan, officially recognize **VETERANS' DAY** in the Town of Dewey-Humboldt. I urge that the American Flag be displayed on our buildings and homes on this day, that attention in our schools be directed to the selfless deeds of our veterans throughout the week.*

In Witness Whereof, I have hereunto set my hand this 1st day of November 2016.

*Mayor Terry Nolan
Town of Dewey-Humboldt*

*Judy Morgan
Town Clerk*

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**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
STUDY SESSION MINUTES
SEPTEMBER 13, 2016, 6:30 P.M. (SPECIAL TIME)**

A STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, SEPTEMBER 13, 2016, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order**. The meeting was called to order at 6:34 p.m. Mayor Terry Nolan presided.
2. **Roll Call**. Town Council Members Arlene Alen, Jack Hamilton, Mark McBrady, Dennis Repan, Nancy Wright; Vice Mayor Doug Treadway; and Mayor Terry Nolan were present.
3. **Study Session**. No legal action to be taken.
 - 3.1. **Planning and Zoning recommendation and continued discussion regarding draft ordinance amending Town Code Title XV Chapter 153 Zoning Regulation Ordinance.** (Continued from the June 21st meeting)

Community Planner/Code Officer Steven Brown gave an overview of the agenda item and reviewed the history of this to date. Planning & Zoning Commission recommended a definition for kennel but staff identified contradictory language, “solely and primarily”. In addition, Household Pets definition was also included on the agenda as directed by Council to satisfy a citizen’s request for further council discussion.

Town Attorney Susan Goodwin was present to answer Council’s legal concerns and read the Household Pets definition explaining it was adopted among amendments to Chapter 90 and now in Section 153 to be consistent. Current recommendation includes the allowance of swine and limits to “under 100 lbs.”.

Council considered when and how frequently to take public comment. Some Council wanted it one time only, while others wanted to hear from the public on each consideration to be discussed under the proposed ordinance. There was discussion on whether to wait to discuss these issues once the new council was seated, which would occur December 6th, or to take public comment at this meeting and move forward on this now. Council reached consensus to take public comment at this time.

Public comment was taken on definitions.

Victoria Wendt spoke on the language “and other small animals under 100 lbs.” being confusing; “For pleasure rather than commercial purposes” definition not being in the 22nd session but coming up later as part of the proposed ordinance; May 5th comment to P&Z told this portion was taken out; asked if “accidental puppies” is affected by this.

CP/CO Steven Brown responded he had made a mistake regarding the May 5th comment. He suggested council could consider a recommendation for amnesty for accidents.

Victoria Wendt suggested taking that proposed definition and leaving off “in the home for pleasure rather than commercial purposes”. Leave off the “other small pets under 100 lbs.

Town Attorney Goodwin explained one-time selling of puppies is not commercial.

Victoria Wendt spoke on wording that makes any sale of an animal commercial. She recommended adding in pot belly pigs and using “primary” rather than “solely”.

Councilmember Wright disagreed with Mr. Brown's interpretation. She doesn't think a litter or two is a commercial enterprise.

There was discussion on what makes breeding commercial or a hobby and defining the line between the two. CM Wright suggested defining under "Hobby Breeder" the number of litters per year allowed (1-2).

TA Goodwin suggesting changing boarding and training and removing breeding.

Amy Timmons spoke on kennel use as boarding and training rather than breeding; hobby breeders typically don't board but keep their dogs in their home. She asked if owning a livestock guardian would violate the "commercial" definition; keep the county ordinances as they are; stated this seems to be a revenue generating situation.

Ulys Brooks spoke on what he was told when zoning was brought to the area, that it wouldn't be enforced; comparison of zoning between D-H and other municipalities in the valley; don't micromanage citizens' lives; throw out that number.

TA Goodwin explained the ordinance does not prohibit dogs over 100 lbs. but refers to "other small animals under 100 lbs" as household pets.

Councilmember McBrady spoke on people who show their dogs and sell puppies and concern of complaints being done through advertising of puppies.

TA Goodwin suggested again removing "breeding" from the definition, which would make the ordinance silent as to breeding.

CM Alen spoke on breeding limits being put in to protect against puppy mills.

TA Goodwin explained legislation in place to prohibit puppy mills.

John Hughes asked to speak on Town Code Section 90.02. He was told it was not part of the discussion and had already been adopted.

Amy Timmons spoke on snakes as pets and some weighing over 100 lbs.

There was discussion on whether to remove the wording related to 100 lbs. limit.

Victoria Wendt asked whether the town needed an ordinance for hobby breeders; if there was a problem already within the town with hobby breeders.

There was discussion on how the animal code sections ended up for modifications with parts of codes missing. Currently code violations are addressed through complaints; misinformation in the public that has brought division amongst the community.

Lee Cloff spoke on frustration within the community and historically taking care of problems amongst neighbors.

Linda Horbath spoke in support of the current country environment and concerns with new laws pertaining to maintenance of animals.

Amy Timmons supported concentrating on puppy mill kennels, not other types of kennels.

Lori Crofutt spoke in support of encouraging "bed and biscuit" businesses in town.

Victoria Wendt spoke on having commercial kennel and household pet definitions. She recommended leaving the ordinance to the next council to decide.

Linda Horbath spoke on requiring business licenses and permits for Commercial Kennel

operations.

Amy Timmons spoke on different types of kennels, but training is not part of kennels.

Council reached consensus to move the agenda to 4.1.

3.2. "Household Pets" Definition. (As directed at the June 21st meeting)

4. Special Session. Legal action can be taken.

4.1. Official Canvass of Primary Election (August 30, 2016) Election Results.

Acceptance of the Canvass of results from Yavapai County Election Department.

There was discussion on the results pertaining to rejected ballots and reasons for rejection. Council recommended more voter outreach on this subject, including an article in the Town's newsletter.

Councilmember Hamilton made a motion to accept the Official Canvass of Results from Yavapai County Elections Department for the Primary (August 30, 2016) Election. The motion was seconded by CM Repan and approved unanimously.

4.2. Whether to hold additional special session(s) this month. This is an established agenda item for Council's discussion on whether to add an additional special study session and if so, to set the date.

Council determined it was not necessary to hold an additional session this month.

5. Adjourn.

The meeting was adjourned at 8:01 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, CMC
Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
SEPTEMBER 20, 2016, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, SEPTEMBER 6, 2016, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. VICE MAYOR DOUG TREADWAY PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:30 p.m.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Done.
 - 2.2. **Invocation.** Given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members Arlene Alen, Jack Hamilton, Mark McBrady, Dennis Repan, Nancy Wright; Vice Mayor Doug Treadway were present. Mayor Terry Nolan was absent.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

None.
5. **Town Manager's Report.** Update on Current Events.

5.1. Communication with Environmental Protection Agency (EPA) Project Team.

Town Manager (TM) Kimball announced an upcoming EPA team visit in October or November and possible attendance at a Council Meeting at that time. It appears they are trying to bring conclusion to the study. The residential properties are their focus as far as clean-up goes and are nearing completion. A feasibility study will occur next year.

Vice Mayor Treadway inquired about how many homes are to be tested, or if they have been identified.

TM Kimball believes it to be less than ten. Only 30 properties have been identified as high risk and cleaned up over the years. TM Kimball confirmed from her notes that it is less than ten homes and the identity of the homes has not been shared.

Councilmember Hamilton inquired if permission was necessary from the homeowners in order to clean up.

TM Kimball confirmed that permission was necessary.

TM Kimball explained the EPA's open house would be sometime in the fall, but no date has been confirmed. TM Kimball will share with Council once she is given the date for the Open House.

5.2. Historic District Boundary – Planning & Zoning Commission recommendation report.

Community Planner (CP) Steven Brown gave an overview on this item. The Planning & Zoning Commission has made a recommendation, at their September 8th meeting, for a boundary for an historical district. CP Brown showed the map that was used to reach their decision. They started by identifying some of the older subdivisions, the Woolsey ruins and the Smelter property.

There was discussion on how this designation might affect properties; where the historical data was obtained; why Humboldt area rather than inclusion of Dewey in Historic Area; "next steps" for future designations of historical district and/or national registry site.

Mr. Brown explained the designation would be no impact as it is only an identification of an area with historic background; data obtained through recorded plats from that time period, research with the county and the Dewey- Humboldt Historical Society (DHHS); there was discussion on the history of the ranching and farming area that could be explored later, along with the Old Black Canyon corridor; reaching a level of historic registry would require many steps before this level would be reached.

There was discussion on the wording of historic district versus historic area. It was determined that historic area was the correct title to use for what Council is trying to achieve.

Councilmember Alen stated she would put this on the next regular meeting schedule for legal action and she would submit a CAARF in that regard.

Vice Mayor Treadway asked CP Brown to bring any further relevant information or research to that meeting.

Councilmember Repan asked CP Brown to pass on Council's gratitude to the P & Z Commission for their work.

5.3. A Report of recent programs and events, including the clean-up days.

Town Manager Kimball gave an overview of the clean-up event describing that there were approximately 250 vehicles and 80 trailers filling 10 dumpsters. There were two huge brush piles and Earth Resources donated their time and equipment for the chipping of the brush, which was very generous of them.

Firewise Program will have a booth at the Agua Fria Festival on October 1st. A more in-depth report will be presented to Council in October.

On September 10th there was the Green Gulch Trailhead work day and grand opening. CM Wright was there for the work day and CM Alen attended the grand opening ceremony. TM Kimball encouraged everyone to go check out the site, as they will not be disappointed. Signs will be put up at Kachina Place to direct people to the trailhead.

Yesterday, September 19th, was the traffic light dedication ceremony with Council Members Alen and Wright, Vice Mayor Treadway, and 30 guests in attendance, and it was a good event, as well.

The second round of well water testing went well with 85 property owners participating. The results will be emailed directly to the property owners. Last year 150 kits were handed out.

6. Consent Agenda.

6.1. Minutes. Minutes from the June 21, 2016 Regular Council Meeting

Councilmember Repan made a motion to approve the Minutes from the June 21, 2016 Regular Council Meeting, seconded by Councilmember Alen, the motion passed unanimously.

7. Comments from the Public (on non-agendized items only). None

8. Discussion Agenda – Unfinished Business. Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

8.1. Bank building acquisition and use of the building. Continued discussion of possible action regarding acquisition of Museum Building property located at 12925 E. Main St. (Continued from June 7, 2016, July 19, 2016, August 16, 2016, and September 6, 2016 meetings)

Vice Mayor Treadway recommended, with Council consensus, to move Agenda Items 10.1 and 9.2 ahead of Item 8.1 in the agenda, to accommodate the audience.

10. Public Hearing Agenda.

10.1. Hearing on Annexation proposal for 200-foot remainder parcels of property adjacent to the North Boundary of the Town of Dewey-Humboldt, west of SR 69.

Community Planner Steven Brown gave an overview of the history of this issue explaining that in June Council told Staff to proceed with the process for annexation of said property including 33 parcels of land. Presently the properties are within the northern Town limits. There is a 200-foot strip of land that was left out of the Town's boundaries during incorporation process, which has caused difficulties for the property owners. In order to annex the territory, the Town is required to gain signatures from a minimum of 51% of the property owners in the territory as well as signatures representing 51% of the assessed valuation. Both those marks have to be met to annex the property. The blank petition was filed with the County Recorder on August 30th, which was the first step, with courtesy copies going to the County Assessor and the Clerk of the Board of Supervisors. This started a 30-day waiting period before petitions can be collected. During the last 10 days of the 30-day waiting period a public hearing must be held, the reason for the presentation tonight. Following this hearing Staff will begin the process of obtaining signatures. The deadline for the process is September 30, 2017, however, CP Brown was hopeful this matter would be wrapped up by December 2016. Following the collection of the necessary signatures, Council will be asked to adopt an annexation ordinance which has been reviewed by the Town Attorney previously. Thirty days following the adoption of the ordinance, the annexation becomes effective. Within 60 days of the annexation's effective date the Town Clerk provides a copy of the annexation ordinance to the Clerk of the Board of Supervisors, and within six months of the effective date, town zoning is applied to the properties.

There was Council discussion and questions regarding procedures and the response received from the community.

CP Brown spoke of only receiving positive responses thus far.

Vice Mayor Treadway opened the Public Hearing at 7:05 p.m.

Jody Pariseau – spoke of owning 5.5 acres and it is split in four parcels and have had to move their house and garage three different times. They receive four different tax bills and the whole process has been terrible and no one would listen to their concerns. Ms. Pariseau was in favor of the annexation.

Ellie Demesquita – spoke to living on Kachina Place and if she chose to sell their property they would have to work with Dewey-Humboldt and the County and it would be very confusing and time consuming. She is in support of the annexation.

Councilmember Hamilton spoke of his understanding of the history of this issue with previous Councils and is in support of the annexation.

Councilmember Wright spoke of this issue previously going to a vote and that it did not pass.

The Public Hearing was closed at 7:10 p.m.

9.2 Greater Prescott Regional Economic Partnership (GPREP) Intergovernmental Agreement (IGA).

Town Manager Kimball deferred the overview of this item to Councilmember Repan who is on the Executive Board of GPREP. TM Kimball spoke of Staff support of the agreement and the invoice has been received for payment, however, this was held up pending Council discussion.

Councilmember Repan spoke of this having been reviewed during the budget season. Dewey-Humboldt might not see direct effects, but the residents would possibly realize employment opportunities. The contract is a formality and CM Repan feels GPREP is going in the right direction.

Councilmember Hamilton made a motion to approve the IGA Agreement with GPREP, seconded by Councilmember Alen, the motion passed unanimously.

8.1 Bank building acquisition and use of the building. Continued discussion of possible action regarding acquisition of Museum Building property located at 12925 E. Main St. (Continued from June 7, 2016, July 19, 2016, August 16, 2016, and September 6, 2016 meetings)

Councilmember Repan made a motion to enter into Executive Session for this item, seconded by VM Treadway, the motion passed unanimously.

8.1.1 An executive session pursuant to A.R.S. § 38-431.03(A)(7) for discussions or consultations with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations for the purchase of real property located at 12925 E. Main Street, Dewey-Humboldt, Arizona.

Council entered Executive Session at 7:13 p.m.

8.1.2 Reconvene into Open Session.

Council reconvened to open session at 7:41 p.m.

9. Discussion Agenda – New Business. Discussion and Possible Action on matters not previously presented to the Council.

9.1. Resolution 16-125 authorizing the acquisition of real property located at 12925 E. Main Street, Dewey-Humboldt and approving the Purchase Agreement.

Councilmember Hamilton requested public comment before a vote is taken.

Councilmember Repan requested that the Town Attorney clarify for the public the wording in the resolution, for “municipal purposes”.

Town Attorney Goodwin spoke to the question being whether the property purchase is for municipal town purposes or if there would be the ability to lease the property to the Museum? The Museum is a public purpose and they can spend public monies. The wording could be changed to limit it to town uses only, (office, etc...). The intent needs to be made clear, if this is the desire. If this is the goal, then add an additional paragraph such as “restricted to town purposes only” which would probably show up as a deed restriction. Council could remove that restriction in the future but, if it goes to a referendum, it would require another election to change the restriction.

Councilmember Repan spoke of there being three parties involved in this deal and he does not feel there is a meeting of the minds as of yet. There is a lot of misinformation about this topic and as a businessman he does not support moving forward until that is achieved.

Councilmember Alen disagrees with CM Repan. The Town is supportive of the DHHS and feels the use and acquisition of the property are separate issues. This Council had

consensus to move forward with the purchase. A future Council will decide the issue of “use”. This is a tremendous asset to the community in preserving the Town history and taking the steps to make this acquisition.

Vice Mayor Treadway supports Councilmember Alen’s viewpoint on this issue and he has spent much time considering and researching this issue. The Council has to be willing to take a step and purchase a solid asset for a good price. The future Council will determine the “use”. This will enhance the fiscal assets for the Town.

Councilmember Wright disagrees with Vice Mayor Treadway and CM Alen’s viewpoints. She has researched five different museums which are not town-owned, rather privately-funded. The Town will not lose its heritage or history by not providing a building for the Museum. DHHS existed before and will continue after the issue of the building purchase. She has talked with many citizens and they have shared that they would only support the purchase of the building, if it were to be used for Town offices and otherwise they are very much against it. CM Wright shares this position.

Councilmember Repan commented on not being in agreement with the purchase price. He is disappointed that the Council cannot come together on a business decision on this issue and that this will probably come to a referendum just because the Council can’t come to a consensus.

Councilmember Alen spoke of Council agreement never being reached, this has been discussed for seven years. History is not just people, buildings have history, when buildings are torn down you lose history. This is an under market acquisition of a historical property with multiple possible purposes and uses.

Councilmember McBrady spoke of the Council being split on what to do and felt a vote without a majority would be a split vote. He spoke of needing a full Council to make the decision.

Councilmember Hamilton spoke of the Council being locked on their positions, and that this needs to go to the people as a referendum for them to decide.

Vice Mayor Treadway asked for public input on this issue.

Public Comment:

Victoria J. Wendt spoke of researching the work that CM Alen has done regarding the historical area, the historical museum and the old bank building dating back to 2008. This is a building which could have multiple uses. This is a historic building that will not depreciate. The future Council may be able to consider what the voters want and make these decisions, as the current Council is split. Ms. Wendt spoke that the Town should not pass up this opportunity to add to the Town’s assets.

John Young spoke of the museum building being a hard asset and wishes that the Council could come to a consensus and purchase it.

Amy Timmons spoke of not understanding what is dividing Council on the purchase of the property. The building is a beautiful example of what was here at one time. If the Museum moved on, you would still have the building, it won’t depreciate.

Gerald Hoyer spoke of being a member of DHHS and during research learned that many museums had their facilities given to them by a public agency. An appraiser summarized the building as not being able to be used for modern purposes, but a museum is what it would be best used for, as it is now.

Vice Mayor Treadway commented that the Council will miss the boat, if they don't purchase the building.

Councilmember Wright spoke that Council is split over the use of the building, not the purchase of the building. CM Wright said it is the use, not the purchase that is causing the split. CM Wright supports the purchase of the building for the use of Town offices, which are too crowded and need more space. She agrees to let the Museum use the building till the end of their lease, but has issue if it is purchased for the Museum to use for as long as they want.

Vice Mayor Treadway spoke of supporting the purchase of the building for the benefit of the Town of Dewey-Humboldt and does not believe the building will always be utilized as a Museum.

Councilmember Hamilton spoke of testimony from DHHS members that the Museum will remain in the building for an extended length of time as they don't have resources to move on. CM Hamilton noted that he was the first to recommend purchasing the building over a year ago for Town use and no one agreed with him. CM Hamilton spoke that the best investment would be to build a Town Hall and pay for it in 15 years citing the amount being spent for Town office rent in support of this. CM Hamilton referred to the liability that would be assumed with the purchase of the Museum building. CM Hamilton summarized that there needs to be a referendum on this, letting the people decide. He feels the future of Dewey-Humboldt is at Highway 69 and 169, not in downtown Humboldt.

There was further Council input and discussion on the purchase and use of the building.

Vice Mayor Treadway made a motion to approve adopting Resolution 16-125 authorizing the acquisition of real property located at 12925 E. Main Street, Dewey-Humboldt and approving the Purchase Agreement, seconded by CM Alen.

Town Attorney Goodwin spoke on how the resolution wording could be changed to restrict uses within the resolution.

Vice Mayor Treadway and Councilmember Alen approved the current wording of the motion, and VM Treadway called for a roll call vote. The vote passed 4-2 with Councilmember Hamilton and Councilmember Wright voting against.

10. Adjourn.

The meeting was adjourned at 8:21 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
OCTOBER 4, 2016, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, OCTOBER 4, 2016, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:30 p.m.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Done.
 - 2.2. **Invocation.** Councilmember Nancy Wright gave the invocation.
3. **Roll Call.** Town Council Members Arlene Alen, Jack Hamilton, Mark McBrady, Dennis Repan, Nancy Wright; Vice Mayor Doug Treadway; and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

Mayor Nolan announced the Horses with Heart Barrel Race on October 22, 2016, and shared information regarding this event.

Mayor Nolan thanked the Town Staff for their participation at the Trailhead and Traffic Light dedication events, as well as the Agua Fria Festival.

CM Wright announced a blood drive to be held October 11, 2016, at the Humboldt Bible Church.

4.1. ADOT presentation regarding ongoing/future ADOT projects relative to D-H and the speeding and speed signs etc. discussion items identified by Council at July 19th meeting. (Alvin Stump, P.E., Northwest District Engineer)

Alvin Stump was in attendance and gave a PowerPoint presentation. Mr. Stump spoke on projects in this region occurring in the near future. He spoke on questions regarding the new traffic light. ADOT is studying and evaluating issues with the new light such as left turns, speed and signal timing.

Mr. Stump also noted that next year they will be working on a reversible lane project on I-17, wherein two south-bound lanes could have traffic switched over in the case of an accident or emergency closure.

There was Council discussion and comment regarding the traffic light issues, Mr. Stump's background, and questions regarding qualifications for turning lanes at busy intersections.

Mayor Nolan requested public input. There was no public input.

CM Repan asked about bringing the speed limit down to 55 on the approaches to the new traffic light.

Mr. Stump acknowledged that they are looking at this situation by taking into consideration how far the light is from the next one, the average speed driven in this area, and enforcement issues.

Mayor Nolan spoke of interest in having an electronic speed sign on the north and south side and would that be acceptable to ADOT.

Mr. Stump said an encroachment agreement could be worked out, but recommended moving it around as people tend to begin to ignore the stationery signs.

Public Comment – Ted Brooks spoke of understanding ADOT's position and agrees that

speed reductions can cause more accidents, rather than less, due to the mix of people responding to the posted speeds and those not.

Mr. Stump showed a short video of the proposed I-17 concept with south-end reversible lanes in the event of an accident and answered a few Council questions regarding ADOT funding.

CM Wright asked if there is direct phone number to call when the light is not functioning property.

Mr. Stump said there is a Traffic Operations Center number, which he could provide later. General questions or non-emergent issues could be directed to the projects@azdot website.

4.2. Yavapai College Presentation. (Dr. Ron Liss, Vice President for Instruction and Student Development – speaker)

Dr. Ron Liss, Vice President for Institution and Student Development gave an overview of Yavapai County Community College and handed out brochures on basic information about the college. There are new culinary programs being implemented in Sedona; Prescott campus is renovating their arts area; Sedona and Clarkdale are delivering shows as well; and there is construction beginning in Prescott Valley with the addition of a second floor for all programs. Dr. Liss spoke on working with NAU and ASU to develop third and fourth years and Master's Programs and shared other information pertaining to the area. Town Halls will be held in the future to hear from the community input on their needs. They will also be working with high schools to develop job training, as well.

Mayor Nolan inquired if there were any plans to locate a campus in Dewey-Humboldt.

Dr. Liss noted that he did not believe they are looking for new campus sites rather how to bring education to the community, such as online access, looking to libraries for example.

There was further Council discussion regarding community outreach.

5. Town Manager's Report. Update on Current Events.

Town Manager Kimball informed the Council that the EPA sent the latest fact sheet and citizens should be receiving it in the mail. The remedial investigation report for the Superfund sites is available for review in the Town Hall, as well as the Library. A representative of the EPA will attend the Council meeting on October 18, 2016, to provide a brief presentation. University of Arizona has provided a binder, as well, on the Iron King Mine and Smelter site. Both binders are available for public perusal at Town Hall.

6. Consent Agenda.

6.1. Minutes. Minutes from the June 14, 2016 Work Session, July 5, 2016 Regular Council Meeting and July 12, 2016 Work Session.

Mayor Nolan made a motion to approve the consent agenda as presented, CM Hamilton seconded, the motion passed unanimously.

7. Comments from the Public (on non-agendized items only). None.

8. Discussion Agenda – Unfinished Business. Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

8.1. Current Private Roads transition (to Town-owned-and-maintained roads) policy and implementation procedures. Staff report and Council review and comment.

Town Manager Kimball gave a brief overview of why the item was being discussed at this meeting and not during budget season. Resolution 07-49 addresses the policy. There are not many requests for this, but it is a good time to clarify this matter and be on the same page regarding implementation.

There was extensive Council discussion with Public Works Supervisor Ed Hanks regarding the requirements and maintenance standards to transition a private road to public with many questions about the minimum road condition standards and legal requirements before a transition can occur. Supervisor Hanks shared that the standards are covered in Ordinance 152.09 and Resolution 07-49. Council discussed ways to ease the burden on citizens wishing to transition roads, but that there are limits in accomplishing this due to legalities and difficulties such as financial burden; surveys; road improvement to meet standards, mortgage company requirements, etc...

Public Comment – Ted Brooks spoke of the financial hardship and having property owners pay for this through a property tax.

There was also further Council discussion and questions about Road Improvement Districts, as well as the extensive time frame to accomplish private road transitions.

Public Comment – Ted Brooks inquired as to what an improvement district does and if the financial burden would be spread over a period of time and was informed it was like a loan.

CM Hamilton made a motion to approve having staff look into improvement districts to see what is involved (best practice), seconded by CM Alen, the motion passed unanimously.

9. Discussion Agenda – New Business. Discussion and Possible Action on matters not previously presented to the Council.

9.1. Approval of Dewey-Humboldt Local Historical Area as defined by Planning & Zoning and discussed by Council from recommendation in Town Manager’s Report.
[CAARF requested by CM Alen]

CM Alen clarified that this was brought forth as there was confusion and error over the fact that a Local Historical Area (LHA) is being defined, not a Historical Area District. Just the title needs to be changed for clarity.

Mayor Nolan pointed out that Ms. Alen’s original CAARF referred to a historical district, but changing it to an “area” from “district” is fine. Mayor Nolan recommended that the Iron King Mine needs to be included in the LHA.

There was Council discussion regarding the Iron King Mine and the Smelter, as to which existed first, however, there was Council consensus to include it in the historical area.

CM Alen spoke that the areas included in Planning & Zoning recommendations were a good baseline, but there was discussion by the Commission that other areas could be added to the LHA by future Councils, as well.

Mayor Nolan made a motion to add the Iron King Mine to the LHA designation, seconded by VM Treadway.

CM Repan spoke of still being at a loss to understand the need for the LHA and why people need to have this defined.

CM Alen replied that if this designation had an impact on citizens, there would have been much more dialogue about this subject. CM Alen spoke of the LHA helping with history, education, tourism and not being able to move forward in this area without the designation.

Mayor Nolan asked CM McBrady if he had information about the train station that was located at Cherry Creek, near Highways 69 and 169, and if this could be defined as part of the LHA.

CM McBrady gave an overview on the history that he was aware of regarding the train station and that it would be appropriate to be included.

CM Hamilton spoke of the P & Z Commission having discussed including Young's Farm and the ranching area, however, they decided to start with the Humboldt designation.

Mayor Nolan asked to have the motion repeated by Town Clerk Morgan.

TC Morgan read back, "to approve adding the mine site into the LHA".

Mayor Nolan called for a vote. The motion passed unanimously.

CM Alen made a motion to approve the map of the Local Historical Area, including the mine site, seconded by CM Treadway, the motion passed unanimously.

9.2. Discussion to send letter to Property Owners along Prescott Dells Rd., Rocky Hill Rd., and Dewey Road for Private to Public Road Transition for the purpose of creating circulation roads through Blue Hills area. [CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview of his CAARF and recommended that the policy regarding this issue be sent on Town letterhead to the property owners in these areas, to educate them on the process.

CM Hamilton spoke of there being many more people affected than just these specific residents mentioned recommending that the information be published in the newsletter.

Mayor Nolan spoke of the specific interest of the property owners mentioned in his CAARF and that addressing them directly would give them an opportunity to see how difficult the process may be. Mayor felt that this information would be too much for the Newsletter and recommended direct letters.

CM Alen inquired if this was the same area as petitions circulated earlier in the year, and recommended that the circulator of that petition could take information back to the petitioners, but is not sure that outreach shouldn't be global at this point.

Mayor Nolan spoke that information on Town letterhead would make it official, any other form of delivery to other individuals could be misconstrued.

CM Alen recommended that the information be sent to everyone, avoiding misinterpretation.

CM Repan felt that it would be a good gesture to respond to the petitioners, but felt both avenues of communication could be pursued.

PWS Hanks spoke of a number of citizens coming in to Town Hall to pick up the information available on private road transition and recommended proceeding with the staff directive to bring back information on road improvement districts before giving out any other information on this matter.

TM Kimball requested of Town Council to clarify the content of this intended communication and noted that the current resolution is already posted online, with no interpretation, included. Any clarification would be an explanation of the standards. Sending a letter is not a problem, but the content requires Council discussion. With Council consent she could make mention in the Newsletter that Council is considering possible

modifications to the road transition process. This could also include information to contact Staff or Council with any questions.

Public Comment – Lori Crofutt spoke of herself, as well as others, not receiving the Newsletter.

TM Kimball pointed out that the Newsletter, if not received through the bulk mailing, is available online and copies are also available at Town Hall or the Library.

Mayor Nolan said this matter of communication requested in his CAARF could wait to see if there are any modifications to the existing policy.

9.3. Big Brother Big Sister [request to hear future] Presentation. [CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview of his CAARF explaining that Big Brothers Big Sisters would like to make a presentation and present a proclamation for the Mayor to read at the November 1, 2016, Regular Council Meeting. There is also an event scheduled for October 22, 2016, at Prescott Junction wherein the local Mayors will provide and auction pies in support of the cause.

CM Repan made a motion to allow Big Brothers Big Sisters to make a presentation and proclamation at the November 1, 2016, Regular Council Meeting, seconded by CM Alen, the motion passed unanimously.

10. Public Hearing Agenda. None.

11. Adjourn. Meeting was adjourned at 8:51 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
STUDY SESSION MINUTES
OCTOBER 11, 2016, 2:00 P.M.**

A STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, OCTOBER 11, 2016, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 2:00 p.m.
2. **Roll Call.** Town Council Members Arlene Alen, Jack Hamilton, Mark McBrady, Nancy Wright; Vice Mayor Doug Treadway; and Mayor Terry Nolan were present. Council Member Dennis Repan was absent.
3. **Study Session.** No legal action to be taken.

Mayor Nolan requested that Agenda Item 3.2 be moved ahead of Item 3.1 to accommodate Town Attorney Goodwin's prior commitments. There was Council consensus to do so.

3.2. Advisability/introduction of a proposed nuisance abatement ordinance. (Attorney Susan Goodwin to present)

Town Attorney (TA) Goodwin spoke that this subject originated with issues brought forth by Staff in regard to some of the more egregious code enforcement issues. It was determined the Town needed to address this through citation, as well as abatement on rare occasions. This is similar to other localities' ordinances; however, the "nuisance" is defined more narrowly to allow abatement of a nuisance to recover costs. If a violation was not cured or fixed, then the Town would have the authority to go in and fix the nuisance and, following the correct procedures, affix a lien on the property. TA Goodwin stated the definition of a nuisance is dilapidated building, blighted condition or accumulation of trash and debris. These definitions are well-defined and set forth procedures for inspections; emergency abatements; giving notice to the property owner; hearings; Town abatement; finally imposing the cost as a lien against the property.

There was discussion regarding the term "nuisance" being in the animal ordinance and if this leads to confusion. TA Goodwin said this is something to be decided by Council, and she can change terminology as directed. TA Goodwin read the definitions of "nuisance" and "blighted", which she described as typical language. The definitions have been narrowly defined to avoid the need for much discretion. The Code Enforcement Officer in light of the building code makes the determination. TA Goodwin said if the Council wants more specificity they could work with the Code Enforcement Officer on this.

There was Council discussion with differing opinions as to whether the proposed "nuisance" definition was too vague or too specific. There was also division on whether this type of code was necessary for the Town. There was further discussion and clarification regarding anonymous complaints, and the actual current process of redacting complainant names from Town communications regarding violations.

Public comment was taken on this item.

Victoria Wendt spoke against the ordinance citing the ability to lose public; progress with abatement with Firewise program; concerns with over-regulating; advised them to suspend this ordinance; supported condemnation on the specific Humboldt property that triggered this issue rather than adding ordinances.

There was further Council discussion that this agenda item was to have been strictly regarding a proposed abatement ordinance process.

TA Goodwin inquired whether the Town has a current litter ordinance, which it does not. She noted, therefore, this proposed ordinance would deal only with dilapidated buildings and blighted conditions.

There was further Council input and discussion regarding if there is a need for a litter ordinance, or, if safety should be the line for town involvement, as well as noting that this discussion and proposed ordinance deals with the abatement process only and there are ordinances regarding public safety issues already in place.

There was Council consensus to postpone this matter until January to include the new Council and public input.

3.1. 2016 Arizona League of Cities and Towns Annual Conference information sharing and recap.

CM Hamilton spoke of wanting to pass on what he heard at the conference. Mr. Hamilton gave an overview of the five sessions he attended: Police Body Cameras; Two Box Small Town Economic Development; AZ Open Meeting Law; Reading the Tea Leaves and Basic Zoning for City and Town Officials. Mr. Hamilton did speak of learning from a conference session that Prop 207, if making a law change, could change property values. This is a problem for historical preservation districts and requires waivers signed by property owners. He also heard that it is a bad idea for Council to act as the Board of Adjustment.

VM Treadway spoke of attending five or six courses with great interest in the seminar on marijuana laws and taxation, which is pertinent due to Prop 205, the legalization of marijuana. VM Treadway gave an overview of the session sharing that the proposed guidelines for Arizona would be much more conservative than Colorado laws. It is projected that legalization of recreational marijuana could generate \$53-113 million dollars in tax revenue. VM Treadway spoke of many pros and cons and recommended everyone doing their homework on this subject before voting.

There was Council discussion of Prop 205 regarding public smoking; issues not addressed in the seminar were human resource/employment issues and tribal effects; and AZ Department of Revenue taxation.

CM Wright spoke on the seminar she attended on Public Servant Ethics which prompted two questions, first, that all purchases are properly procured and the second, does the Town have bonds in place to protect from staff embezzlement, as well as accounting policies. CM Wright also noted pursuant to her attendance of the Mayor/Council Manager Meeting she learned that any questions asked by one Council Member should be answered to all Council Members, so that they all have the same information. She also spoke of hearing that the Town Council should set a vision for strategy, trust, and respect of opinions to fit the Town vision and General Plan.

CM Alen spoke of having notes that Council could ask for. She has them downloaded and will forward them to anyone interested. She does not want to relate her overview of the sessions she attended as she does not want to apply her filter. CM Alen recommends that current Council and future Council download the sessions as there was much valuable information.

Mayor Nolan gave an overview of the session he attended noting that it was stressed that serial communication amongst Council members can have a negative impact. GAMA elected a new president, which is the Mayor of Flagstaff. Mayor Nolan also attended the speed networking breakfast where a different topic is discussed at each table. It appears that each locale has similar problems.

Mayor Nolan asked for any public questions.

Public Comment was taken on this item.

Sal Leto spoke of Powerline Road and his interest to transition it from a private to public road for the last three years; research done on original property owner; 30 current owners on Powerline Road wanting it to be maintained by Council by grading four times a year.

CM Wright explained this was not agendized so therefore they could not discuss it at this time but Council could direct to place it on a future agenda.

Mayor Nolan spoke of understanding the predicament and stated that this topic will be on a future agenda.

4. Special Session. Legal action can be taken.

4.1. Whether to hold additional special session(s) this month. This is an established agenda item for Council's discussion on whether to add an additional special study session and if so, to set the date.

No special session was scheduled.

5. Adjourn.

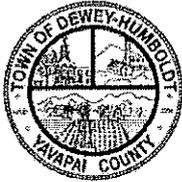
The meeting was adjourned at 3:38 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, CMC
Town Clerk

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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8562 • Fax 928-632-7365

Town Council Presentation Request Form

Requests to make a formal Town Council presentation must be approved by the Town Council as a whole at a council meeting. The request form is used to accompany a council member's Council Agenda Request Form (CARF) which would sponsor the presentation request. The Form must be submitted at least four weeks to the sponsoring council member prior to the requested Town Council meeting date. The CARF will be discussed at a council meeting for the Council to determine whether to approve the presentation request. The Town Council meets every first and third Tuesday of the month at 6:30 p.m. for regular sessions. The Council also meets every second Tuesday of the month at 2:00 p.m. for study sessions. The Town Council attempts to limit the length of individual presentations to 30 minutes unless the Council votes to extend that time. If any special equipment is requested, please notify the Town Clerk no less than 72 hours before the Council meeting.

Nature and Description of Presentation (Please note that this form does not apply to commendation and /or proclamation presentations, and individuals who wish to speak at the Comments from the public item on an agenda):

APS presentation on their Focused Future Program (Strategic Planning) for cities and towns in Arizona as a lead in to preparation for general plan review and a foundation for budgeting and other decision-making processes by Council, Commissions & Staff.

Please describe the number of participants, any audio or visual equipment that you will set up and utilize, and how long you will require to set up your equipment.

1-2 participants, PowerPoint presentation with handouts. No other set up required.

Individual, agency, and/or organization attending Town Council meeting:

Name: APS Phone: 928.443.6614

Council Meeting Date Requested: November 2016; alternate date: TBD

Requested by:

Name: Darla DeVille Phone: 928.443.6614

Address: _____ Email: Darla.Deville@aps.com

120 N. Marina St. Prescott

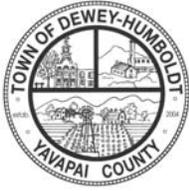
If you have any questions about the application process, please contact the Town Clerk's Office at (928) 632-7362. Please return this form to the sponsoring council member, Dewey- Humboldt Town Hall, 2735 S. Highway 69, P.O. Box 69, Humboldt, AZ 86329, by fax to (928) 632-7365 or by email to the council member (Town Council contact information can be found at www.dhaz.gov/contacts).

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For Town Clerk Office Use Only:

Date requested received	<u>10/14/16</u>	Sponsoring Council Member	<u>CM Alen</u>
Approved by Council at	<u> </u>	meeting (Mayor Initial	<u> </u>)
Not Approved	<u> </u>	Applicant Notified and Notes:	<u> </u>

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

TOWN COUNCIL REGULAR MEETING

November 1, 2016 – 6:30 p.m. Town Council Meeting Chambers

Agenda Item # 9.2. Notice to Council of sufficiency of signatures for Referendum REF 16-01 “Referring Resolution 16-125 which authorizes and directs the Town Manager and Town Attorney to take necessary actions to acquire title to a certain parcel of real property on behalf of the Town for municipal purposes”; and next steps.

To: Mayor and Town Council Members

From: Judy Morgan, Town Clerk

Date submitted: October 26, 2016

Summary:

Application for Referendum Serial Number was submitted on September 21, 2016 with Serial Number REF 16-01 assigned by my office. (See Attachment #1 Application). Petition signatures were submitted on October 10, 2016. Signature verification was completed by the Clerk’s office and the Yavapai County Recorder’s office by October 21, 2016, where it was determined that a sufficient number of eligible signatures were submitted for placement on ballot (103 minimum required, 170 verified eligible). Notification was sent to the Mayor (ARS 19-121.04) and Council on October 21, 2016 that there are adequate signatures to place the referred measure on a ballot. An Official Receipt letter was sent to the Referendum Applicant, Jack Hamilton, on October 21, 2016, as well.

Council is requested to acknowledge the sufficiency of signatures for referendum REF 16-01.

Next Steps and other considerations are:

- a. If Council wishes to do nothing, by default the referendum will go on the next primary/general election ballot. This is scheduled to occur in August 2018.
- b. If Council wishes the referendum measure to go to the voters in an election prior to the default date, Council needs to call a special election and direct the date. Consolidated election dates for 2017 are March 14, 2017, May 16, 2017, August 29, 2017 and November 7, 2017. At this time, deadlines can be met to put it on any of these four consolidated election dates. Cost estimate for a special election is \$12,000.

Town Code *30.043 Referendum and Initiative Elections* stipulates:

(A) When a referendum or initiative is required to be placed upon the ballot, the Council shall do so either:

- (1) At the next regularly scheduled town primary or general election or state general election; or
- (2) Call a special election to be held on any date authorized by A.R.S. § 16-204.

Some Council Members inquired about the possible repeal of Resolution 16-125. Council has the authority to repeal their legislative actions. If repealed, there is no need to hold an election, the issue is moot.

Attachments: #1 Application for Referendum Serial Number for REF 16-01 referring Resolution 16-125.

APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

Secretary of State
1700 W. Washington Street, 7th Floor
Phoenix, AZ 85007

The undersigned intends to circulate and file an **INITIATIVE** or a **REFERENDUM** (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the **MEASURE** or **CONSTITUTIONAL AMENDMENT** (circle appropriate word) intended to be **INITIATED** or **REFERRED** (circle appropriate word) at the next general election.

SUMMARY: A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

VOTE NO! THIS VOTE WILL OVER TURN THE TOWN COUNCIL'S DECISION TO SPEND A LARGE SUM OF MONEY TO BUY THE OLD BANK BUILDING FOR THE HISTORICAL SOCIETY'S MUSEUM. THIS PUBLIC MONEY SHOULD BE SPENT TO BENEFIT THE WHOLE TOWN AND NOT JUST ONE SPECIAL ORGANIZATION. TOWN NEGDS SHOULD COME BEFORE HISTORICAL SOCIETY'S WANTS, THIS PUBLIC MONEY WOULD BE BETTER SPENT ON OTHER TOWN PROJECTS LIKE TOWN ROADS.

Jack Hamilton
Signature of Applicant

JACK HAMILTON
Printed Name of Applicant

13140 E. HARVEST VIEW WAY
Address

DEWEY-HUMBOLDT ARIZONA 86327
City State Zip

928-632-0040
Telephone Number

~~None~~ JACK HAMILTON
Name of Organization (if any)

13140 EAST HARVEST VIEW WAY
Address

DEWEY AZ 86327
City State Zip

928-632-0040
Telephone Number

JACK HAMILTON
Name of Officer and Title

13140 EAST HARVEST VIEW WAY
Address

DEWEY AZ 86327
City State Zip

928-632-0040
Telephone Number

JACK HAMILTON
Name of Officer and Title

13140 EAST HARVEST VIEW WAY
Address

DEWEY AZ 86327
City State Zip

928-632-0040
Telephone Number

Date of Application	9/21/2016
Signatures Required	103
Deadline for Filing	10/21/16
Serial Number Issued	REF 16-01
FOR OFFICE USE ONLY	

Revised 11/92

68 words



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

TOWN COUNCIL REGULAR MEETING

November 1, 2016, 6:30 p.m. Town Council Meeting Chambers

Agenda Item # 10.1 Appeal Hearing – Barn permit APN 402-24-101

To: Mayor and Town Council Members

From: Yvonne Kimball, Town Manager /Zoning Administrator

Date submitted: October 27, 2016

Summary:

The Town Office received the appeal hearing application filed by the Adams Law Firm on behalf of Mr. and Mrs. Keenan to appeal my decision made on August 12, 2016 (YK letter in Exhibit A) to require the 50' rear setback for construction of the new barn to be located at 1925 S. Sierra Dr. (Property photos in Exhibit B). Town Code provides that "The Board of Adjustment shall hold at least one public hearing, within a reasonable time from the date of application, after giving a minimum of 15 days' notice thereof to parties of interest and the public, by posting at the property of application (if property is involved) and by publishing once in a newspaper of general circulation in the town. "

Town staff has fulfilled all code requirements for this hearing (Public hearing posting by property, newspaper posting affidavit in Exhibit C). The Board of Adjustment is hereby holding this Appeal hearing to decide on whether to affirm or overturn my decision rendered on August 12 to require a 50' rear setback for the proposed 40'x48' barn located at 1925 S. Sierra Dr. in the public notice period, a letter opposing granting of the appeal was received (Exhibit D).

My decision was rendered in response to Mr. Keenan's appeal letter to me dated August 10, 2016 (Exhibit E). Mr. Keenan appealed Community Planner's denial of the Zoning Clearance for a building permit application to construct a 40'x48' barn on Keenan's property. The Community Planner determined that the barn shall meet the 50' rear setback requirement pursuant to Town Code Section 153.038 R1 District (Exhibit F).

In the August 10 appeal letter, Mr. Keenan requested I overturn the determination made by the Community Planner and that Town use Quail Run as the property's front because of the 1982 building permit application that was filed by the then property owners, Mr. and Mrs. Bennett's (Exhibit G).

I looked into Mr. Keenan's request in this matter in depth. In addition to the Town Code, I considered the topography of the property, its location and other properties in the neighborhood. I also reviewed the County's permitting history of the Keenan property notwithstanding D-H as an incorporated municipality is not subject to County's discretion with regards to zoning regulations. Upon deliberation, I concluded that the proposed 40'x48' barn shall meet the 50' rear setback, that the Community Planner's determination of requiring such was correct, and that Sierra Dr. is the front property line as established by the property address (1925 Sierra Dr.). I explained my position to Mr. Keenan in writing. Subsequently, an appeal hearing from my decision was filed.

Originally, this matter of constructing a barn on 1925 S. Sierra Dr. was brought forward to staff's attention in July. It is our understanding that there was a 20'x24' barn which was permitted by Yavapai County in 1982. The Town recognized that the old 20'x24' barn was a non-conforming structure as it encroached the rear setback. When we were considering the footprint of the barn, we were not aware of the additions, such as horse barns, since all structures in the old barn area have been demolished prior to Town's acknowledgement or the issuance of a demolition permit. When we verified with official records, we could only identify the 20'x24' old barn. During a pre-application discussion with Mr. Keenan, staff had offered to allow the replacement of the 20'x24' (480 sq. ft.) barn on the existing footprint despite of the old barn's non-conforming status, as was Keenan's stated request at that time. The Town was tentatively set to approve that, as a "reconstruction necessitated by wear and tear" of a pre-existing non-conforming structure on the same 20'x24' footprint of the existing barn. However, the plans submitted to the Town by the Keenan's for building permit (Exhibit H), were for a 1,920 sq. ft. 40'x48' barn, roughly 4 times the area of the existing barn and in no way matching the existing footprint as tentatively agreed. Given this difference, staff determined that rather than a reconstruction of a pre-existing non-conforming structure, this represented an entirely new structure, subject to the current setback requirements which included a 50-foot rear setback measured from the east property line.

In summary, I believe my staff and I have given our due diligence and extensive consideration when deciding on the matter regarding the construction of a 40'x48' barn located on 1925 S. Sierra Dr. and our determinations are prudent. Staff recommends that the Board of Adjustment:

Vote to affirm the determination of the Zoning Administrator and uphold Sierra Dr. as the Lot Front for Assessor's Parcel Number 402-24-101 (1925 S. Sierra Dr.), and require compliance with the required 50-foot rear setback from the east property line for any new construction in conformance with Town Code Section 153.038.

This decision is based on:

1. The logical correlation between address, usage (driveway location) and property front: usage dictates addressing while the address confirms the front. Town has consistently followed this commonly accepted practice.
2. The property is a corner lot and abuts two frontage streets – Quail Run and Sierra Dr. However, Quail Run is practically inaccessible for driveway purposes due to a steep slope. Sierra Dr. is the logic access and has always been connected to the driveway and therefore is used to address the property in 1982 when the principle structure and the 20'x24' barn were originally permitted by Yavapai County. Sierra Dr. is the front.
3. Dewey-Humboldt is an incorporated municipality and is independent from other agencies' discretion in the matter of land use. Furthermore, in reference to the 1982 County permit application, the mere appearance of the word "front" is not sufficient to establish that Quail Run was approved as the front property line. The front is Sierra Dr. which is evidenced by the address – 1925 S. Sierra Dr.

Enclosures:

Staff Report Exhibits

- A. Zoning Administrator letter dated August 12, 2016
- B. Property photos

- C. Public Hearing Notice
- D. Letter from the property located at 1870 Sierra Dr. opposing granting of the appeal
- E. Keenan letter to the Zoning Administrator dated August 10, 2016
- F. Community Planner letter to Mr. & Mrs. Keenan dated August 3, 2016
- G. Drawing that accompanied Bennett's 1982 Construction Permit application and the Construction Permit issued by the County on July 26, 1982
- H. Keenan building permit application for a 40'x48' barn

Appeal Application packet filed by the Adams Law Firm on behalf of Mr. and Mrs. Keenan (beginning on Page 58)



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

Date: August 12, 2016

To: James Keenan

From: Yvonne Kimball

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

Dear Mr. Keenan:

I have received your letter dated August 10, 2016, in which you requested an appeal of the decision by the Community Planner/Code Officer to deny the Zoning Clearance for your recent building permit application for a 40'x48' barn to replace a 20'x24' barn. The Zoning Clearance was denied because the rear setback of your property, zoned in the R1-70 zoning district, is 50' in accordance with Town Code section 153.038 while the plot plan in your application indicated a 30' rear setback.

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

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

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

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

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

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

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

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

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

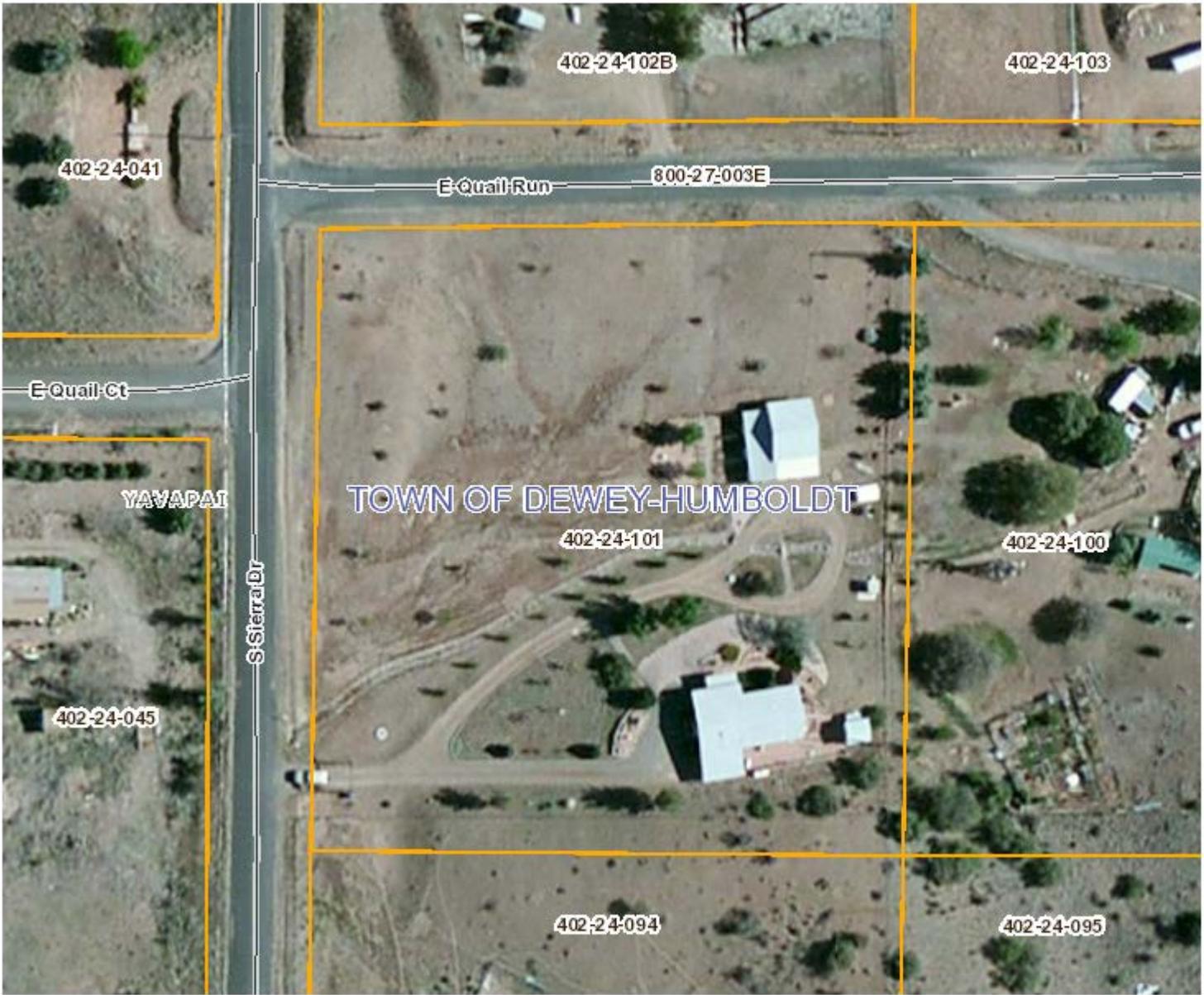
Sincerely,



Yvonne Kimball

Town Manager/Zoning Administrator

Attachment: 1982 building permit application as provided by Yavapai County



- ### Legend
- City Boundaries
 - Cottonwood
 - Prescott
 - Sedona
 - Camp Verde
 - Chino Valley
 - Clarkdale
 - Dewey-Humboldt
 - Jerome
 - Prescott Valley
 - Wickenburg
 - County Boundary
 - Counties
 - Parcels
 - Major Roads
 - Interstate
 - State Highways
 - Major Roads
 - Road Centerlines
 - Parcel Labels
 - Cities
 - City Boundaries
 - Cottonwood
 - Peoria
 - Prescott
 - Sedona
 - Camp Verde
 - Chino Valley
 - Clarkdale
 - Dewey-Humboldt
 - Jerome
- Legend truncated...*

EXHIBIT B

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.



EXHIBIT B



EXHIBIT B





EXHIBIT C

Town of Dewey-Humboldt

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

PUBLIC HEARING NOTICE

BOARD OF ADJUSTMENT

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

TOWN OF DEWEY-HUMBOLDT BOARD OF ADJUSTMENT ON NOVEMBER 1, 2016, 6:30PM

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

Public Hearing Item:

ITEM #16-001: Administrative Appeal

Request: Appeal of an Administrative Determination of the Zoning Administrator to require compliance with 50 foot rear setback in construction of replacement barn.

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

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

AFFIDAVIT OF PUBLICATION

STATE OF ARIZONA)
County of Yavapai) ss.

I, Teri Bryant, being first duly sworn on her oath, say:
That she is the Asst. Legals Clerk of PRESCOTT NEWSPAPERS, INC.,
an Arizona corporation, which owns and publishes THE DAILY
COURIER, a Daily Newspaper published in the City of Prescott, County
of Yavapai that the notice attached hereto, namely,

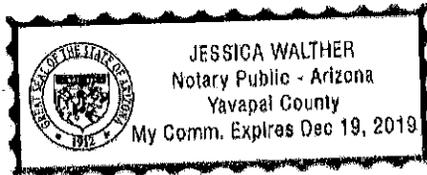
**TOWN OF DEWEY-HUMBOLDT
PUBLIC NOTICE
BOA HEARING**

has, to the personal knowledge of affidavit, been published in the news
paper aforesaid, according to law, on 14 day of OCT, 2016 to 14 day of
OCT, 2016 both inclusive without change, interruption or omission,
amounting in all 1 insertions, made on the following dates:
OCT 14, 2016

By: 
Dated this 14 Day of OCT, 2016

By: 
Notary Public

My commission expires:



Town of Dewey-Humboldt
P.O. Box 69 / 2795 South Highway 69,
Suite 10, Humboldt, AZ 86329

**PUBLIC HEARING NOTICE
BOARD OF ADJUSTMENT**

The following hearing application shall
appear in addition to previously set mat-
ters by the

**TOWN OF DEWEY-HUMBOLDT
BOARD OF ADJUSTMENT ON -
NOVEMBER 1, 2016, 6:30 PM**

The hearing will be held at Town
Hall, 2795 South Highway 69, Suite 10,
Humboldt, AZ 86329

Public Hearing Item:
(TEM #18-001 Administrative Appeal
Request: Appeal of an Administrative
Determination of the Zoning Administrator
to require compliance with 50-foot rear
setback in construction of replacement
bath as an accessory structure.
Applicant: James and Molinda Keenan

NOTICE TO THE PUBLIC: Property
owners may submit letters in support or
opposition of a Public Hearing Item by de-
positing written correspondence to the
Town of Dewey-Humboldt, P.O. Box 69,
Humboldt, Arizona 86329. For more infor-
mation, contact Dewey-Humboldt Town
Clerk, Judy Korman, at (928) 822-8632/
Fax 928-822-7368.
TTO PUB Oct 14, 2016

Public Notices

Town of Dewey-Humboldt,
P.O. Box 89 / 2735 South Highway 69,
Suite 10, Humboldt, AZ 86329

**PUBLIC HEARING NOTICE
BOARD OF ADJUSTMENT**

The following hearing application shall appear in addition to previous applications by the

**TOWN OF DEWEY-HUMBOLDT
BOARD OF ADJUSTMENT ON
NOVEMBER 1, 2016, 6:30 PM**

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

Public Hearing Item:
ITEM #16-001: Administrative Appeal
Request: Appeal of an Administrative Determination of the Zoning Administrator to require compliance with 60-foot rear setback in construction of replacement barn as an accessory structure.
Applicant: James and Malinda Keegan

NOTICE TO THE PUBLIC: Property owners may submit letters in support or opposition of a Public Hearing Item by directing written correspondence to the Town of Dewey-Humboldt, P.O. Box 89, Humboldt, Arizona 86329. For more information, contact Dewey-Humboldt Town Clerk, Judy Morgan, at (928) 632-8562. Fax 928-682-7525.
TTC PUB Oct 14, 2016

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

Town of Dewey-Humboldt
P.O. Box 69
Humboldt, AZ 86329

402-24-041
18705. Sierra

October 15, 2016

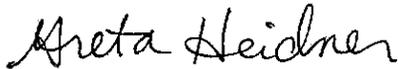
To the Town of Dewey-Humboldt Board of Adjustment:

RE: ITEM #16-001: Administrative Appeal

(Applicant: James & Melinda Keenan)

We own property in the area, and are **OPPOSED** to the granting of this appeal. We feel that the current zoning, requiring 50 foot rear setbacks, should be maintained. The current zoning protects the neighbors, and is for the ultimate good of the neighborhood. If an exception is made in this case, then others will think that they do not need to abide by the zoning rules, either.

Sincerely,

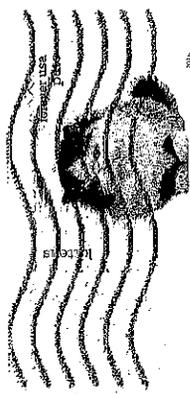


Greta Heidner, Co-Manager
Petroglyph Properties, LLC



Russell Greene, Co-Manager
Petroglyph Properties, LLC

Retroglyph Properties, LLC
10643 N. Tatum Blvd.
Ste. 200-527
Phoenix, AZ 85028



PHOENIX AZ 852

17 OCT 2016 PM 2 L

Town of Dewey - Humboldt
P.O. Box 69
Humboldt, AZ 86329

EXHIBIT D

PHOENIX AZ 852
17 OCT 2016 PM 2 L

86329

AUG 10 2016

8-10-16

To: Yvonne Kimball
From: James Keenan

Received

I am requesting an appeal on the permit application decision on parcel number 40% 24-101, 1925 S. Sierra Dr.

This pertains to the decision to use Sierra Dr. as the front of the property and not Quail run as shown in the original building permit for the home and barn. From your ordinance: Lot line front. The part abutting a street. The front line of a corner lot shall be the shorter of the two street lines as originally platted, or if such are equal, the most obvious front by reason of usage by adjacent lots. With this being a corner lot and the terrain of the property, Quail Run made the most sense to make the property more usable.

The front that was designated in 1982 when the property was developed is the "Historical Front" and the front designated in 1982 is the legal non-conforming front.

The changing of the front from the original designation creates a hardship on further improvements to the property.

The location of the septic and leach lines precludes the building to be moved to the west & drainage to the South and a hillside to the north.

Thank You James Keenan



TOWN OF DEWEY-HUMBOLDT

P.O. BOX 69

HUMBOLDT, AZ 86329

Phone 928-632-8643 • Fax 928-632-7365

EXHIBIT 1 F

Date: August 3, 2016

To: James Keenan

From: Steven Brown

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

Certified Mailing: 7015 0640 0006 1914 3283

Dear Mr. Keenan:

The Town of Dewey-Humboldt has reviewed your building permit application for a new barn measuring 40' X 48' to replace the now demolished barn that according to information obtained from the County Assessor, measured 20' X 24'.

The first step in consideration of building permit applications is the conduct of a zoning clearance. That review pointed out the setbacks for the property, zoned R1-70 are 50' for Front and Rear, 30' Exterior Side and 25' Interior Side.

This property, with an address and access off Sierra Dr. would then have a 50' Front Setback along Sierra Drive and a 50' Rear Setback opposite that, along the east boundary of your property.

The plot plan submitted in support of your building permit application indicated the new barn maintaining a 30' Rear Setback, which is 20' less than required.

It is my determination, as the Community Planner/Code Officer, that we cannot approve this zoning clearance for your building permit application, unless and until a revised plot plan is submitted that meets the required 50' Rear Setback.

If we do not receive the revised plot plan by 5:00 pm on Wednesday, August 10, 2016, we will consider the application withdrawn, and will return your deposit check by mail.

You have the right to appeal my determination by submitting your objection in writing to the Zoning Administrator, Yvonne Kimball at:

Yvonne Kimball
Town Manager
Town of Dewey-Humboldt
2735 South Highway 69
Humboldt, AZ 86329

Please feel free to contact me at 928-632-7362 if you have any questions.

Sincerely,

Steven L. Brown, AICP
Community Planner/Code Officer

Cc: Yvonne Kimball

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy)
 Return Receipt (electronic)
 Certified Mail Restricted Delivery
 Adult Signature Required
 Adult Signature Restricted Delivery \$
 Postage \$
 Total Postage and Fees \$ 6.47

Postmark Here
 JUN 04 2016
 595

Sent to
James Keenan
 Street and Apt. No., or PO Box No.
1925 S. Sierra Dr.
 City, State, ZIP+4®
Dewey, AZ 86327-6533

ERZE HFBT 9000 0490 5T02

EXHIBIT **F**

SENDER'S COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
James Keenan
1925 S. Sierra Dr.
Dewey, AZ 86327
6533

2. Article Number (Transfer from service label)
7015 0640 0006 1914 3283

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Insured Mail
 Insured Mail Restricted Delivery (over \$500)
 Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

4. Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 James Keenan
 Agent

B. Received by (Printed Name)
James Keenan
 Date of Delivery
6/4/16
 Addressee

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

CONSTRUCTION PERMIT NO. 402-24-101
 ZONING INSPECTOR, YAVAPAI COUNTY, ARIZONA

CONSTRUCTION ADDRESS: Sierra, Humboldt, R1-70
 OWNER: John O. Bennett, Friendly Pines Rd., Prescott, Az. 86301
 CONTRACTOR: [Blank]
 COST: \$25,000.00

DESCRIPTION OF CONSTRUCTION AND HOW WILL STRUCTURE BE USED:
 Mobile - Include size and Date of Manufacture:
 Mobile (26'x49'), Barn (20'x24'), carport (22'x26'),
 2 porches (10'x10') = \$200,00

NEW	Y	FRAM	FRONT YARD	1.00 FT.	HEIGHT	1.0
ADD OR MOVE		MASONRY	SIDE YARD	0.0 FT.	STORIES	
ADDITION		MISCAL	REAR YARD	1.0 FT.	NUMBER OF	
REAR YARD				0.0 FT.	DWELLING UNITS	1

It is agreed to construct in conformity with drawings attached and with laws of County of Yavapai and State of Arizona. The structure is not within the delineated flood plain or it will comply with Flood Control Regulations for Unincorporated Areas of Yavapai County.

LOCAL DESCRIPTION (note block subdivision; or if new, and bound attach a copy of recorded deed)
 Lot 101 Sierra Falls

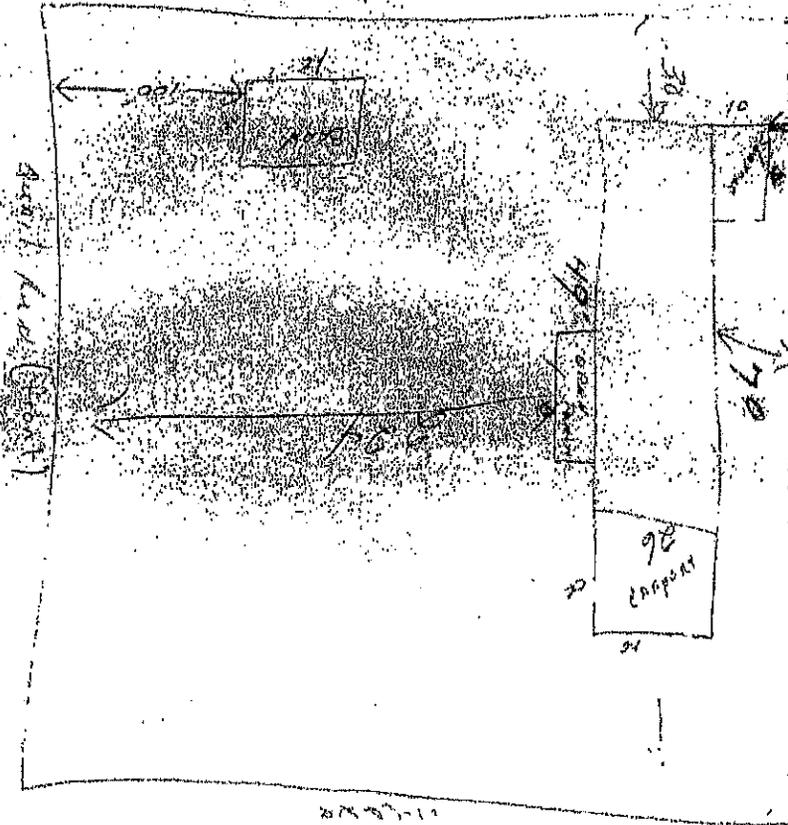
REMARKS:
 Permit is issued in accordance with an adoption by the inspector of the manifested technical construction contained in the plans and specifications. Therefore it is declared that any portion of the construction is in conflict with any portion of the Yavapai County regulations. The Zoning Inspector,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

YAVAPAI COUNTY PLANNING & ZONING DEPARTMENT -- PRESCOTT, ARIZONA
 (FORM PZ1-RIV 2/8)

CONSTRUCTION PERMIT NO. 402-24-101
 RECEIPT NO. & DATE: 7236-7-26-82
 FLOOD AREA MAPS CHECKED BY: Not A
 PLANS CHECKED BY: 45A
 PERMIT ISSUED BY: [Signature]
 DATE ISSUED: 7-26-82
 PREVIOUS PERMITS AND DATES: NONE

EXHIBIT G

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



CONSTRUCTION PERMIT NO.	
SEC.	
TWP.	
RANGE	
ASSESSOR PARCEL NO.	
PLAT	



TOWN OF DEWEY-HUMBOLDT

"Arizona's Country Town"

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

SEP 09 2016

www.dhaz.gov

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

EXHIBIT H

DATE: 7-16-16 PERMIT #: _____ RECEIPT #: _____
RECEIPT #: _____

Please Circle Permit Type: Residential Commercial _____ Other _____

Property Owner: James Keenan Assessor's Parcel # 402-24-101

Mailing Address: 1925 S. Sierra City/State: Dewey, AZ

Site Address: 1925 S. Sierra Phone: (602) 810-6619

Email Address: _____ Job Value/Cost: _____
(Excludes Land)

Project Description: BARN

Architect/Engineer: Owner Builder Phone: () _____

1 General Contractor: _____ Phone: () _____

Business Address: _____ State Lic. _____ Exp. _____ Type: _____

2 Electrical Contractor: _____ Phone: () _____

Business Address: _____ State Lic. _____ Exp. _____ Type: _____

3 Plumbing Contractor: _____ Phone: () _____

Business Address: _____ State Lic. _____ Exp. _____ Type: _____

4 Mechanical Contractor: _____ Phone: () _____

Business Address: _____ State Lic. _____ Exp. _____ Type: _____

SITE BUILT SQUARE FOOTAGE: 1920

Residential: _____ Commercial/Type: _____

Addition: _____ Carport/ Garage: _____ Porch/ Patio: _____

Barn: Shed: _____ Other: _____

NOTE: ATTACH A COPY OF THE YCES SEPTIC APPROVAL

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

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

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

James S Keenan 7-16-16
Signature of Applicant Date

Signature of Contractor or Authorized Agent Date

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

EXHIBIT H



TOWN OF DEWEY-HUMBOLDT
Plot Plan Sketch and Affidavit

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

James E. Keenan
 Signature

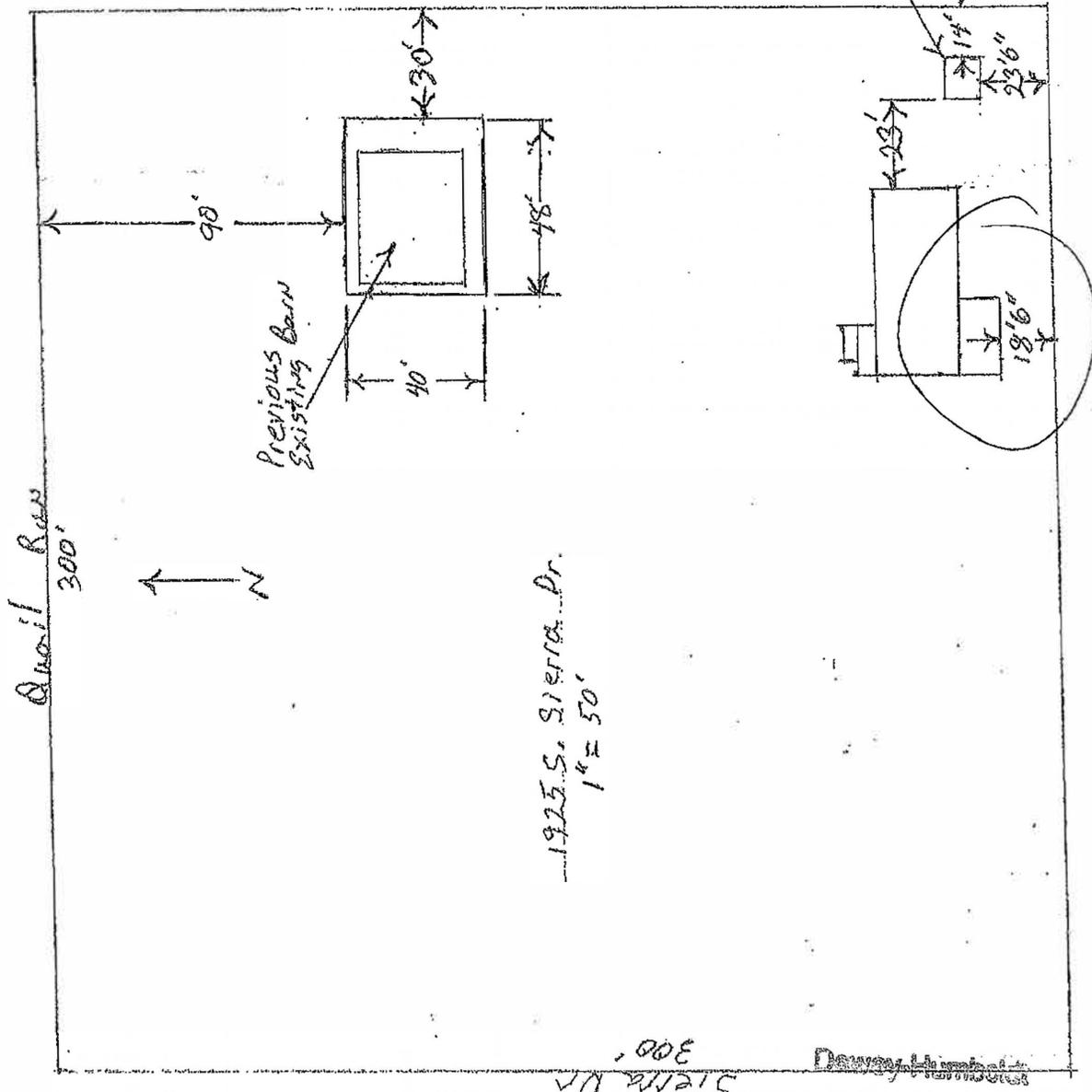
8-16-16
 Date

Dimension of Plot Plan

Dimension & Lettering				
Dimension & Lettering				

Document # B-16-01E098
 Sec 11
 Twn 13N
 Rng 01E
 A.P.N. 402-24-101

zoning: R1-70
 Stories: _____
 Height: _____
 Slope: _____ %
 FY: 50/
 RY: 50/
 FY: 30/
 IV: 25/
 LC: _____



1925 S. Sierra Dr.
 50'

Quail Run
 300'



Dewey-Humboldt

SEP 09 2016

Received

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

SEP 09 2016

Received

NOTES

RECEIPT DATE 9/19/16 No. _____

RECEIVED FROM Jones Foundation

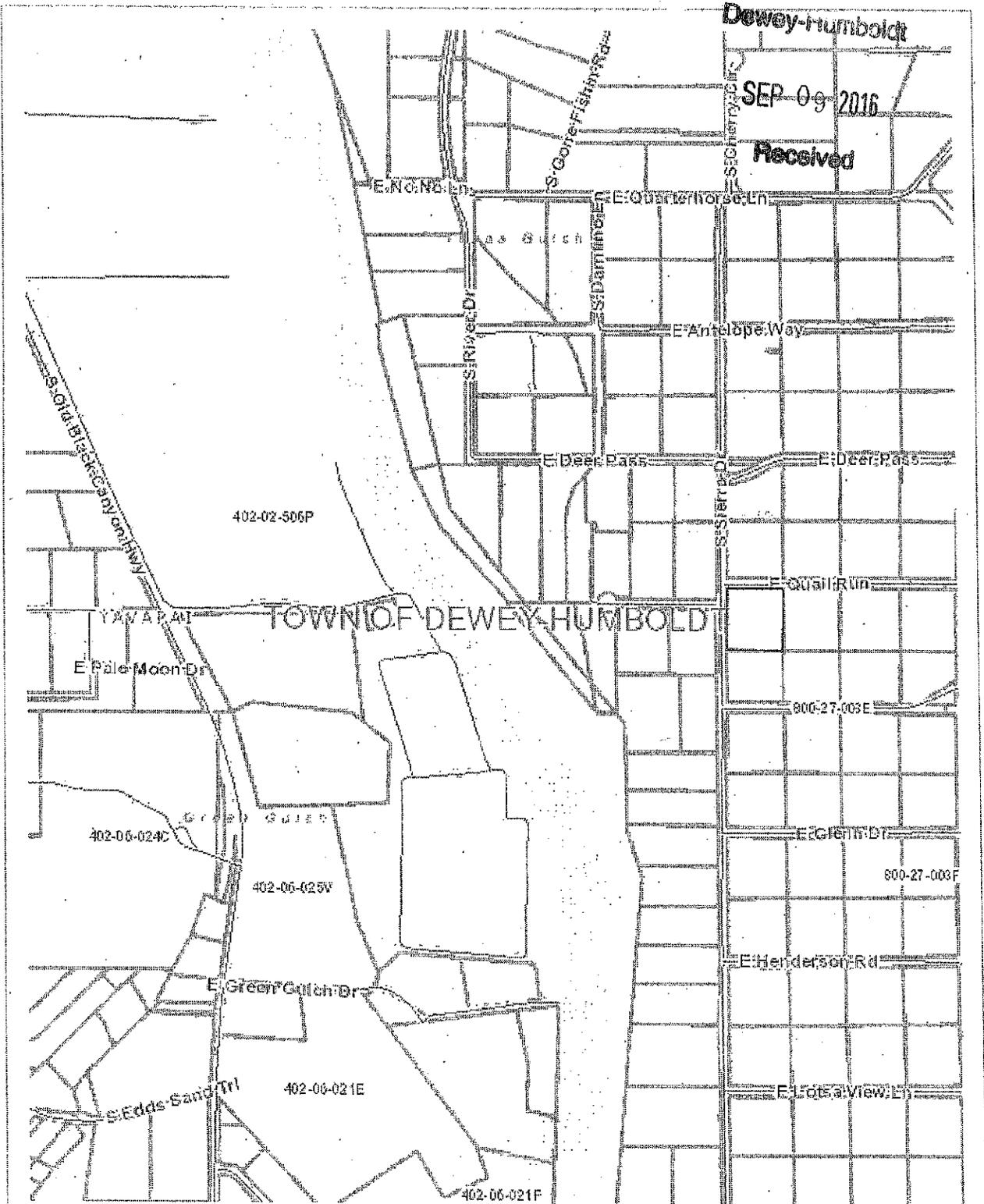
ADDRESS 402-21-101 \$ 400.00

FOR Postal of Administrative Services

ACCOUNT		AMOUNT PAID	
NO. OF ACCOUNT	AMOUNT	CASH	CHEQUE
	400.00		5402
BALANCE			
DATE			

BY [Signature]

©2001 REEBORN ® 31808



Dewey-Humboldt
 SEP 09 2016
 Received



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

Map printed on: 9.9.2016

at the request of Pioneer Agency, Inc.

Dewey-Hunt

When recorded mail to
JAMES KEENAN
MELINDA KEENAN
3631 W. EL CAMINITO DRIVE
PHOENIX, AZ 85051
00455269-AAJ

SEP 09 2016

Received

Tax Code: 402-24-101 3

SPACE ABOVE THIS LINE FOR RECORDER'S USE

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable consideration, I or we
RONNIE K. KAMMEYER, A Married Man, as his Sole and Separate Property
do/does hereby convey to

JAMES KEENAN and MELINDA KEENAN, Husband and Wife, as Community Property with Right of Survivorship

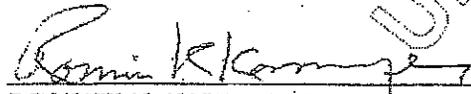
the following real property situated in Yavapai County, Arizona

See Exhibit A attached hereto and made a part hereof.

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

The Grantor warrants the title against all persons whomsoever.

DATED: October 21, 2012



RONNIE K. KAMMEYER

State of Arizona

County of Yavapai

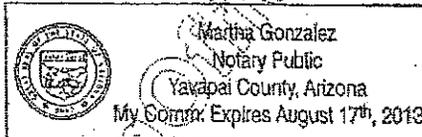
} ss.

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

My commission expires: 8-17-13



NOTARY PUBLIC



Warranty Deed - Escrow No. 00455269

Exhibit A

SEP 09 2316

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

Received

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

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

Unofficial Copy

SEP 09 2016

Received

ACCEPTANCE OF COMMUNITY PROPERTY
WITH RIGHT OF SURVIVORSHIP
(Deed)

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

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

See Exhibit A attached hereto and made a part hereof.

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

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

DATED: October 21, 2012

James Keenan
JAMES KEENAN

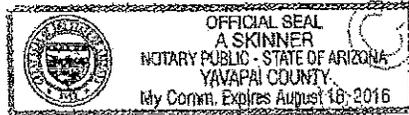
Melinda Keenan
MELINDA KEENAN

State of Arizona }
County of Yavapai } ss.

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

My commission expires: 8-18-2016

A Skinner
NOTARY PUBLIC



SEP 09 2016

Received



JEFFREY R. ADAMS, ESQ. 125 GROVE AVE. P.O. BOX 2522 PRESCOTT, AZ 86302 928-445-0003 FAX: 928-443-9230 law_office@jradamslaw.com

September 9, 2016

File No. 840.01

TRANSMITTED VIA HAND-DELIVERY

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

Re: Barn Permit for Assessor's Parcel 402-21-101
Request for Hearing

To whom it may concern:

This firm has been hired to represent James and Melinda Keenan, the owners of the above-referenced parcel. The Keenans took title to the subject parcel pursuant to that certain Warranty Deed dated October 21, 2012, that was recorded in the Official Records of Yavapai County, Arizona at Book 4929, Page 636. Prior to taking ownership of the subject parcel, some of its existing improvements included a home and a barn, part of which was enclosed and part of which included uncovered horse stalls. See pictures enclosed as Exhibit "1". Our clients have applied for a building permit to replace the old barn and horse stalls with a fully enclosed barn without any horse stalls that are uncovered. See application enclosed as Exhibit "2" and photographs enclosed as Exhibit "3". From a practical perspective, while the actual barn structure proposed by our clients is larger than the original barn, because the horse stalls will be located within the new barn, the footprint of the barn will occupy virtually the same square footage as the old barn and outdoor horse stalls.

As detailed in the August 12, 2016, letter from Yvonne Kimball enclosed as Exhibit "4", our client's application was denied due to the Community Planner's/Code Officer's determination that the front of the subject parcel runs along Sierra Drive and that the proposed set-back for the barn was therefore insufficient. As detailed below, we believe that that determination was in error.

During our research and due diligence into this matter, we obtained various records from the Yavapai County Development Department and spoke with that Department's Director, Steve Mauk. We did the foregoing because most if not all of the development of the subdivision in which the subject parcel is located took place long before Dewey-Humbolt incorporated and as such, the Yavapai County Development Services Department handled all building permit applications for the subdivision prior to Dewey-Humbolt's incorporation.

The records we obtained included a July 26, 1982, barn permit application submitted to the County by John D. Bennett who, together with his wife Carole R. Bennett, who were former owners of the subject parcel pursuant to that certain Joint Tenancy Deed dated December 3, 1981, and

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Dewey-Humboldt Board of Adjustment
September 9, 2016
Page 2

recorded in the Official Records of Yavapai County, Arizona at Book 1429, Page 953. As you can see from the Bennett permit application, which is enclosed as Exhibit "5", the front of the parcel was clearly identified by the Bennetts (our clients' predecessors-in-interest) as running along Quail Run. The Yavapai County Development Services Department accepted that determination and gave the Bennetts their building permit and they subsequently constructed their barn.

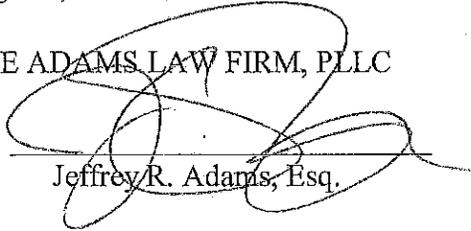
In speaking with Mr. Mauk, he advised us that once the Bennetts 1982 barn permit was issued, Yavapai County officially established that our client's boundary running along Quail Run is the subject parcel's "historical" frontage and that our client's boundary running along Sierra Drive is the subject parcel's side. As such, set-backs need to be determined in accord with the foregoing. Mr. Mr. Mauk also advised us that the County took the same position with respect to other building permit applications in the same general area with lots similarly situated as the subject parcel i.e. those lots that sit on the corner of intersecting streets/roads, and that at any upcoming hearing concerning our clients' permit application he would be willing to testify to the foregoing.

Based upon the foregoing, we believe that Dewey-Humboldt is estopped from denying our clients' building permit application for their new barn. As you may or may not be aware, "[a] claim for estoppel arises when one by his acts, representations or admissions intentionally or through culpable negligence induces another to believe and have confidence in certain material facts and the other justifiably relies and acts on such belief causing him injury or prejudice." *St. Joseph's Hosp. & Med. Ctr. v. Reserve Life Ins. Co.*, 154 Ariz. 307, 317, 742 P.2d 808, 818 (1987); *see also Heltzel v. Mecham Pontiac*, 152 Ariz. 58, 61, 730 P.2d 235, 238 (1986). Reliance is justified when it is reasonable. *Graham v. Asbury*, 112 Ariz. 184, 186, 540 P.2d 656, 658 (1975). Our clients purchased the subject parcel with the intention of replacing the old barn with a new one. In connection with the foregoing, they were entitled to rely, and were justified and reasonable in relying, upon the historical designation of the front of their property as determined by Yavapai County in 1982 and long before Dewey-Humboldt incorporated, in making their decision to purchase their property. Thus, to deny our client's application would result in significant harm and injury.

The foregoing being said, we respectfully request that the Board of Adjustment set this matter for a hearing at it's earliest possible convenience. Should you have any questions, comments or concerns regarding this matter following your review of this letter, please call at your convenience.

Regards,

THE ADAMS LAW FIRM, PLLC

By: 

Jeffrey R. Adams, Esq.

JRA/ac
cc: clients
enclosures



**DEWEY-HUMBOLDT BOARD OF ADJUSTMENT
HEARING APPLICATION**

~~402-21-101~~
Dewey-Humboldt

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Date of Application _____ Case # _____ Parcel Number(s) 402-21-101
Name of Applicant (appellant) James & Melinda Keenan
 Applicant owner Other (explain) Jeffrey R. Adams, Esq.
The Adams Law Firm, PLLC, 125 Grove Ave, Prescott, Az
Current Zoning District R1-70 Year of Purchase 2012 Year of Construction DATE UNKNOWN

Is the applicant requesting a:

Variance Interpretation of a zoning ordinance Appeal from an administrative decision

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

Describe relief required if a variance is being sought. Give current setbacks or requested setbacks if applicable. See letter accompanying this request

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

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

See letter accompanying this letter



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

Dewey-Humboldt

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BOARD OF ADJUSTMENT AND APPEALS APPLICATION
 For the Town of Dewey/Humboldt

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

see letter accompanying this request

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

Phone #'s: Home 9284450006 Call _____ Fax 9284439230

Email law_office@radamslaw.com Other _____

Convenient time(s) property may be visited Any time upon 48 hours prior notice

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

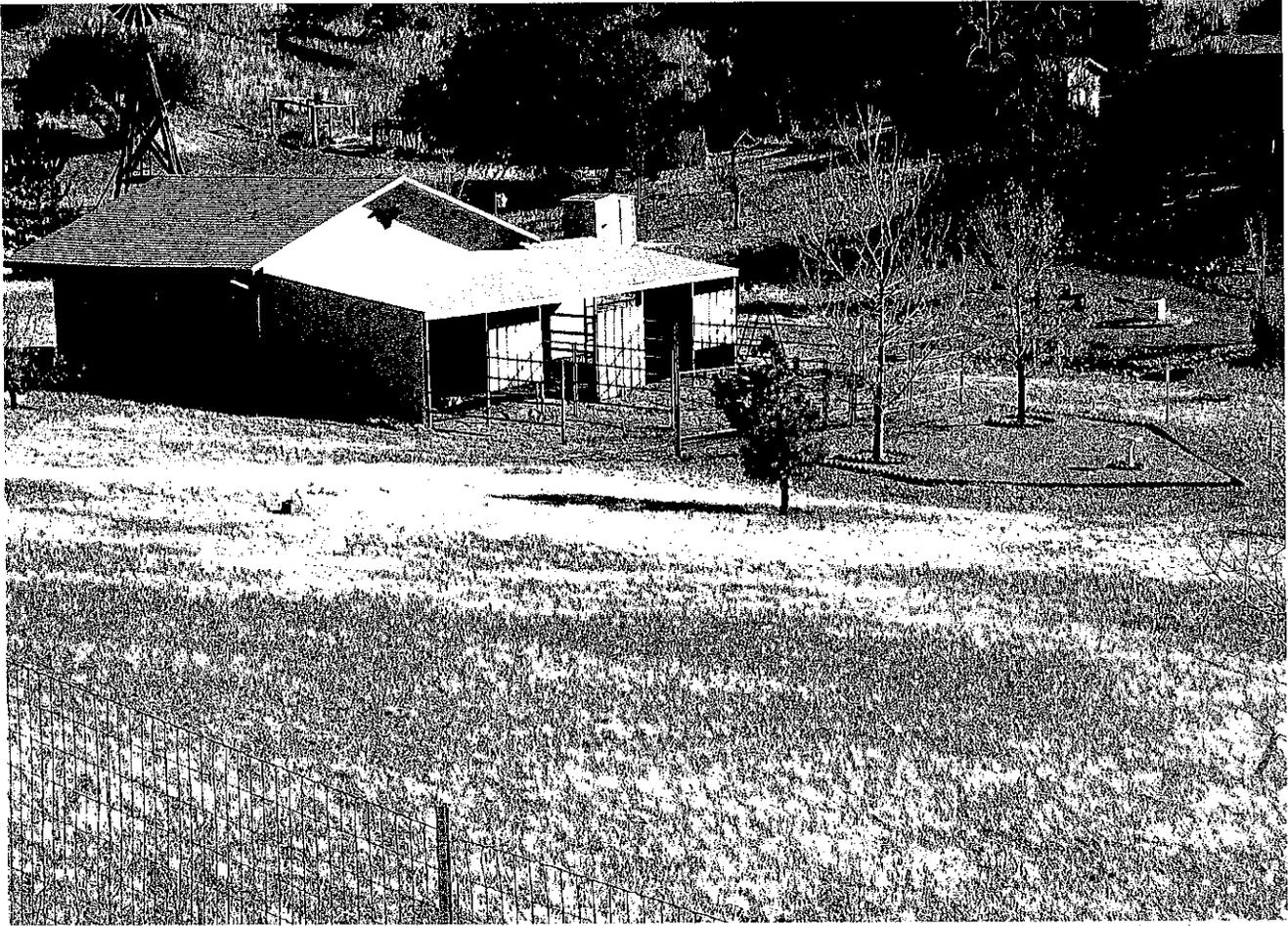
A map showing the location of the subject parcel is enclosed

Dewey-Humboldt

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EXHIBIT "1"



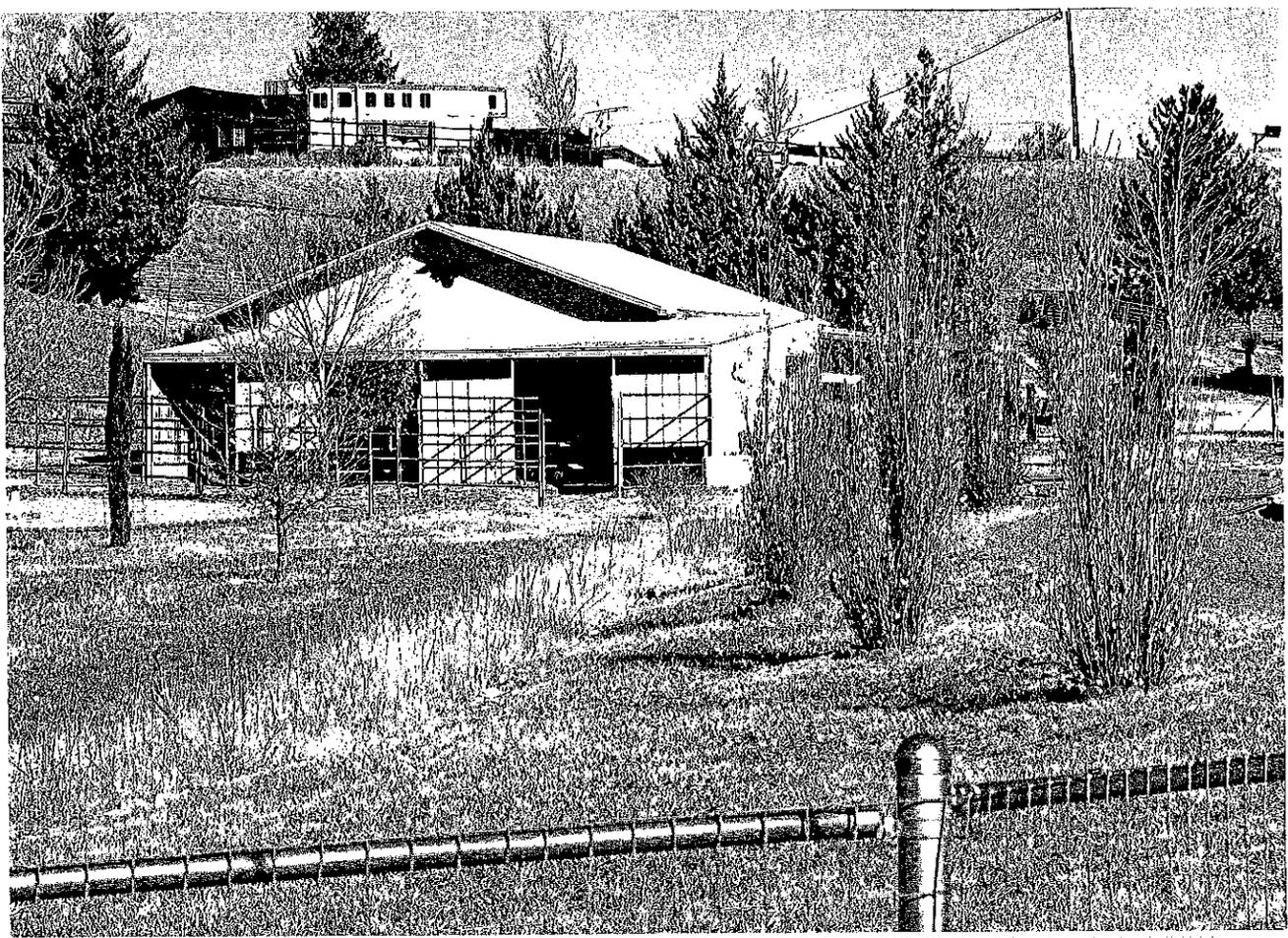


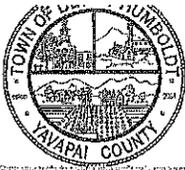
Exhibit 1

Dewey-Humboldt

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EXHIBIT "2"



TOWN OF DEWEY-HUMBOLDT

"Arizona's Country Town"

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

SEP 09 2016

Humboldt, AZ 86329

www.dhaz.gov

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

DATE: 7-16-16 PERMIT #: _____ RECEIPT #: _____

Please Circle Permit Type: Residential Commercial _____ Other _____

Property Owner: James Keenan Assessor's Parcel # 402-24-101

Mailing Address: 1925 S. Sierra City/State: Dewey, AZ

Site Address: 1925 S. Sierra Phone: (602) 810-6619

Email Address: _____ Job Value/Cost: _____
(Excludes Land)

Project Description: BARN

Architect/Engineer: Owner Builder Phone: () _____

1 General Contractor: _____ Phone: () _____

Business Address: _____ State Lic. _____ Exp. _____ Type: _____

2 Electrical Contractor: _____ Phone: () _____

Business Address: _____ State Lic. _____ Exp. _____ Type: _____

3 Plumbing Contractor: _____ Phone: () _____

Business Address: _____ State Lic. _____ Exp. _____ Type: _____

4 Mechanical Contractor: _____ Phone: () _____

Business Address: _____ State Lic. _____ Exp. _____ Type: _____

SITE BUILT SQUARE FOOTAGE: 1920

Residential: _____ Commercial/Type: _____

Addition: _____ Carport/ _____ Porch/ _____
Garage: _____ Patio: _____

Barn: Shed: _____ Other: _____

NOTE: ATTACH A COPY OF THE YCES SEPTIC APPROVAL

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

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

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

Signature of Applicant: James E Keenan Date: 7-16-16

Signature of Contractor or Authorized Agent _____ Date _____

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



TOWN OF DEWEY-HUMBOLDT BUILDING PERMIT APPLICATION

CHECK LIST

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

Dewey-Humboldt

SUBMIT THESE DOCUMENTS

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

✓
✓
✓
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✓

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Received

RETAIN THESE DOCUMENTS

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



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329

I am currently a licensed contractor: Name _____ SEP 03 2016

License No. ROC: _____ License Class: Received

Signature: _____ Title: _____

EXEMPTION FROM LICENSING

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

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

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

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

_____ License No. ROC _____ Class: _____
(General Contractor)

_____ License No. ROC _____ Class: _____
(Mechanical Contractor)

_____ License No. ROC _____ Class: _____
(Electrical Contractor)

_____ License No. ROC _____ Class: _____
(Plumbing Contractor)

Signature _____ Date: _____

Falsification of information on this document for the purpose of evading State licensing laws is a Class II misdemeanor pursuant to A.R.S. §13-2704.



TOWN OF DEWEY-HUMBOLDT

Plot Plan Sketch and Affidavit

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

James E. Keenan
Signature

8-16-16
Date

Orientation of Plot Plan

Dimension & Lettering ↑				
	Dimension & Lettering ↓			

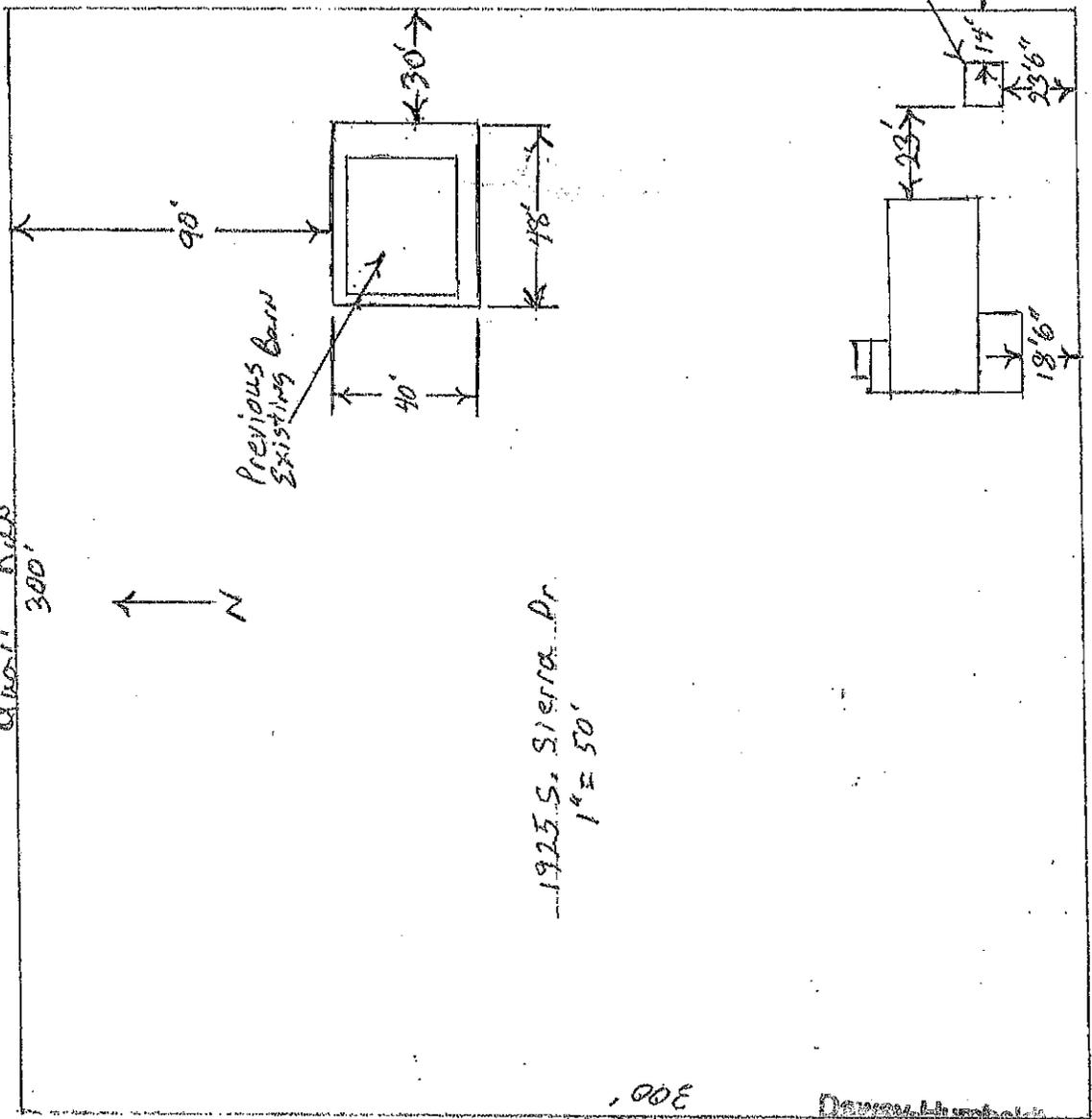
Document # B-16-015098
 Sec 11
 Twn 13N
 Rng 01E
 APN 4403-24-101

Zoning: R1-70
 Stories:
 Height:
 Slope:
 FY: 50
 RY: 50
 PY: 30
 IY: 25
 LC:

Lot Area
 Lot %
 Density Used:

Scale:

North Arrow



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

Town of Dewey-Humboldt

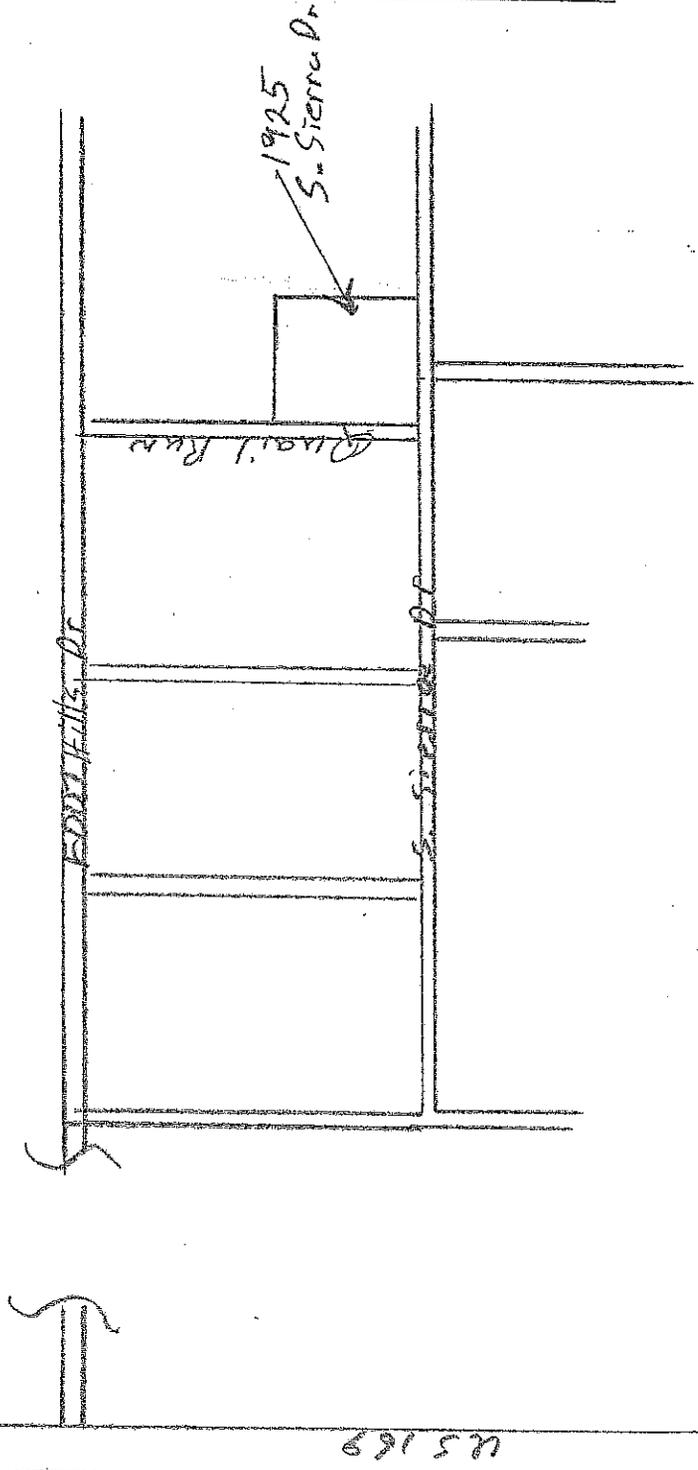
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Directions to Site

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

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



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

SEP 09 2016

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

Allowable lumen parameters:

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

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

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

Examples of lumen output of typical generic incandescent bulbs (W=watt, Lm=lumen):

60W=840Lm, 75W=1125Lm, 100W=1600Lm, 150W=2780Lm, 300W=4620Lm.

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

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

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

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

Shielded

Remaining allowable lumens for this parcel: _____

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

Owner or Agent

Date



TOWN OF DEWEY-HUMBOLDT

"Arizona's Country Town"

Dewey-Humboldt

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AFFIDAVIT OF SITE SPECIFIC SOIL CHARACTERISTICS AND CONDITIONS

Community Development

P.O. Box 69

Humboldt, AZ 86329

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www.dhaz.gov

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

PERMIT#: _____ CONSTRUCTION ADDRESS: _____

PARCEL#: _____ - _____ - _____ UNIT#: _____ LOT#: _____

OWNER'S NAME: _____ LAST FIRST MIDDLE INITIAL

MAILING ADDRESS: _____ PHONE: _____

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

- Expansive soils on site but concrete footings and stem walls will penetrate through the clay soils and bear upon underlying soils or be filled with approved lean concrete slurry within 18 inches or more below finished grade.
Footings will extend through fill and will penetrate through the clay soils and bear upon underlying soils.
Existing fills on site? If yes, Soils Engineering Report Required
Proposed fill to be placed on site? If more than 12 inches a Soils Engineering Report Required

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

- I/We agree to abide by the additional requirements the Town has imposed as a condition of granting this request per design for expansive soils 1805.8 IBC, or alternatively.
I/We will exercise the option to retain an Arizona registered engineer, experienced and currently practicing in the area of Geotechnical Engineering in the private sector in this area of the State of Arizona to submit a soils report and alternative design solutions for review and approval. See attached soils report.

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

NAME (printed): _____

SIGNATURE: _____ DATE: _____

FOR OFFICE USE ONLY

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

DEPARTMENT AUTHORIZATION

DATE

Dewey-Humboldt

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**APPLICANT INFORMATION
RETAIN THESE COPIES**



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
928-632-7362 / 928-632-7365 fax

Submittal Requirements

Dewey-Humboldt

ALL RESIDENTIAL Project Applications must contain the following:

SEP 09 2016

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

Received

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

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

Requirements for Plan Submittals Are as Follows:

General:

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

Site Plan:

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

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

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

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

Floor Plan:

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

Electrical Plan:

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

Floor Framing Plan:

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

Roof Framing Plan:

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

Elevation Views:

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

Building Sections and Connections:

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

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

Received

Mechanical Plans:

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

Plumbing Plan:

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

Additional Drawings/Information Required if Site Built:

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

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



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

Dewey-Humboldt

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Instructions for Drawing a Plot/Site Plan

Plot Plans must be drawn in Black Ink to scale on the form provided and must include all of the following information. An additional 8 ½" x 11" form may be used to provide an area map for a parcel which exceeds 2 acres or dimensions of 300 feet.

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

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

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



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P.O. BOX 69
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Night Sky Provisions:

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

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

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

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

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

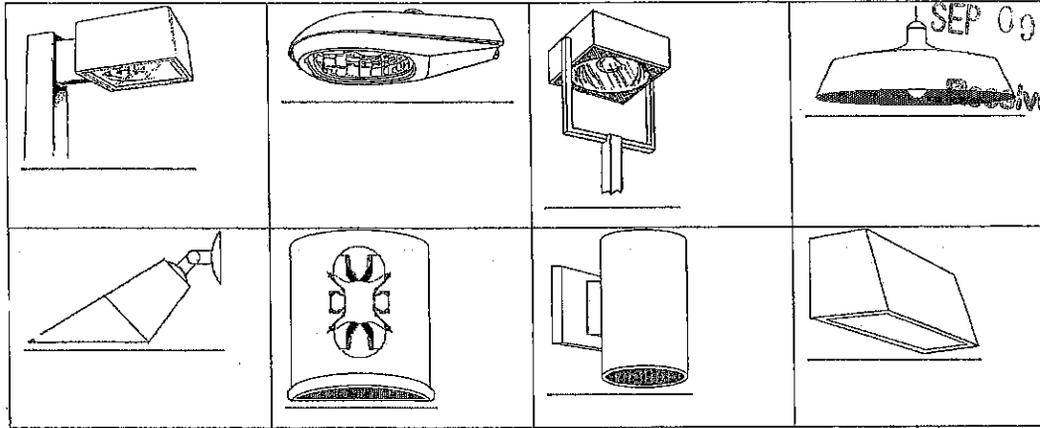
Applicant is to provide manufacturer's cut-sheet/catalog information detailing fixture shielding and lumen output of bulbs to be installed, and where required, a drawing/illustration of the proposed shielded fixture upon application for a building permit requiring exterior lighting.

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

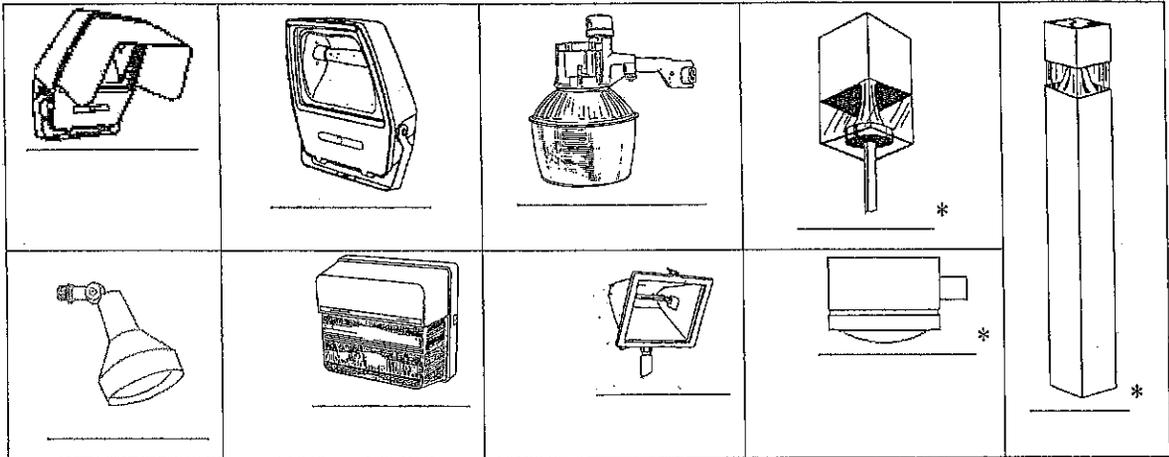
Note: Lumen is the unit used to measure the actual amount of visible light, which is produced by a lamp. Typical generic incandescent bulbs (W=Watt and L=Lumen)

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

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

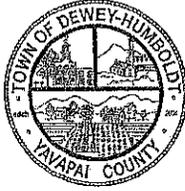


Examples of fixtures that are NOT Fully Shielded:



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

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



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P.O. BOX 69
HUMBOLDT, AZ 86329
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DESIGN CRITERIA FOR THE CONSTRUCTION OF STRUCTURES IN THE TOWN OF DEWEY-HUMBOLDT

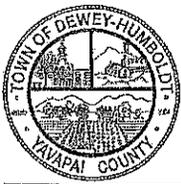
Our Town is generally at 4500+ feet in elevation
34 degrees North Latitude
112 degrees West Longitude

Many forms are available at our web-site www.dhaz.gov

Design Criteria

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

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

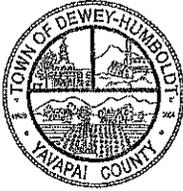


INSPECTION PROCESS

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

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

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



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

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REQUIRED INSPECTIONS

Site-Built Homes, Garages, Sheds, etc.

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

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

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

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

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

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

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

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

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

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

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

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

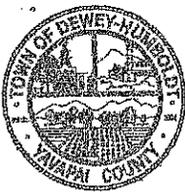
Energy efficiency inspection: Insulation inspection shall be made after frame and exterior lath inspection and all rough plumbing, mechanical, gas, and electrical systems are approved and prior to covering or concealment. Blown or sprayed roof/ceiling insulation may be verified before final inspection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

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

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

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

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



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

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ENERGY SAVING CONSTRUCTION

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

BUILDING / DESIGN

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

PLUMBING

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

HVAC

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

ELECTRICAL

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

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

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

Town of Dewey-Humboldt

BUILDING PERMIT PROJECT DEVELOPMENT TIME-LINE

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

SEP 09 2016

Item # Development Process

of working days

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

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

Inspection Time-Line: Once a permit is issued work must commence within 180 days, and project must have an approved inspection every 180 days during building progress.

Inspections must be requested a minimum of 24 hours in advance. Inspections will be completed by the Building Official / Inspector within 3 working days after receiving 24-hour notice of inspection request.

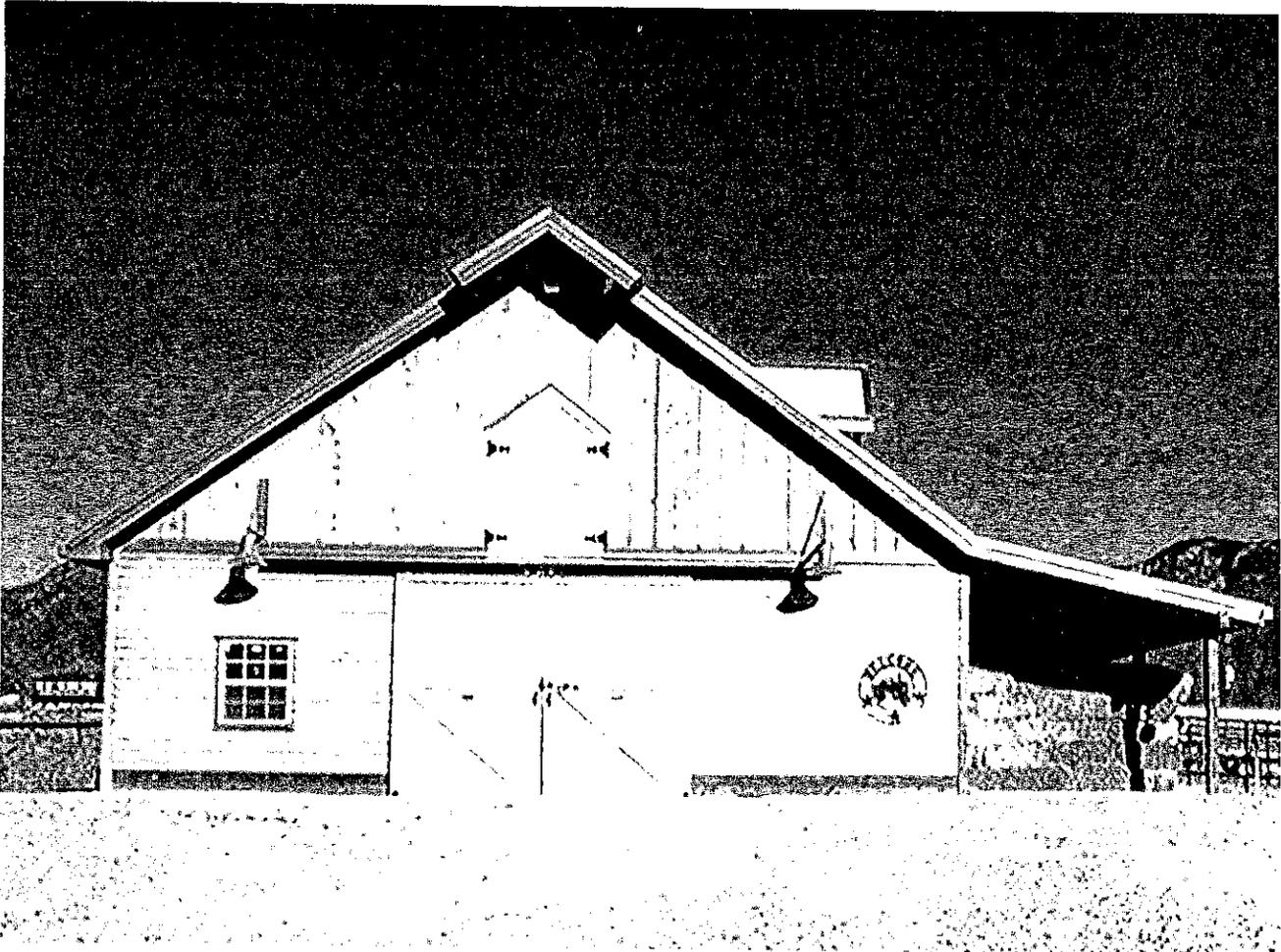
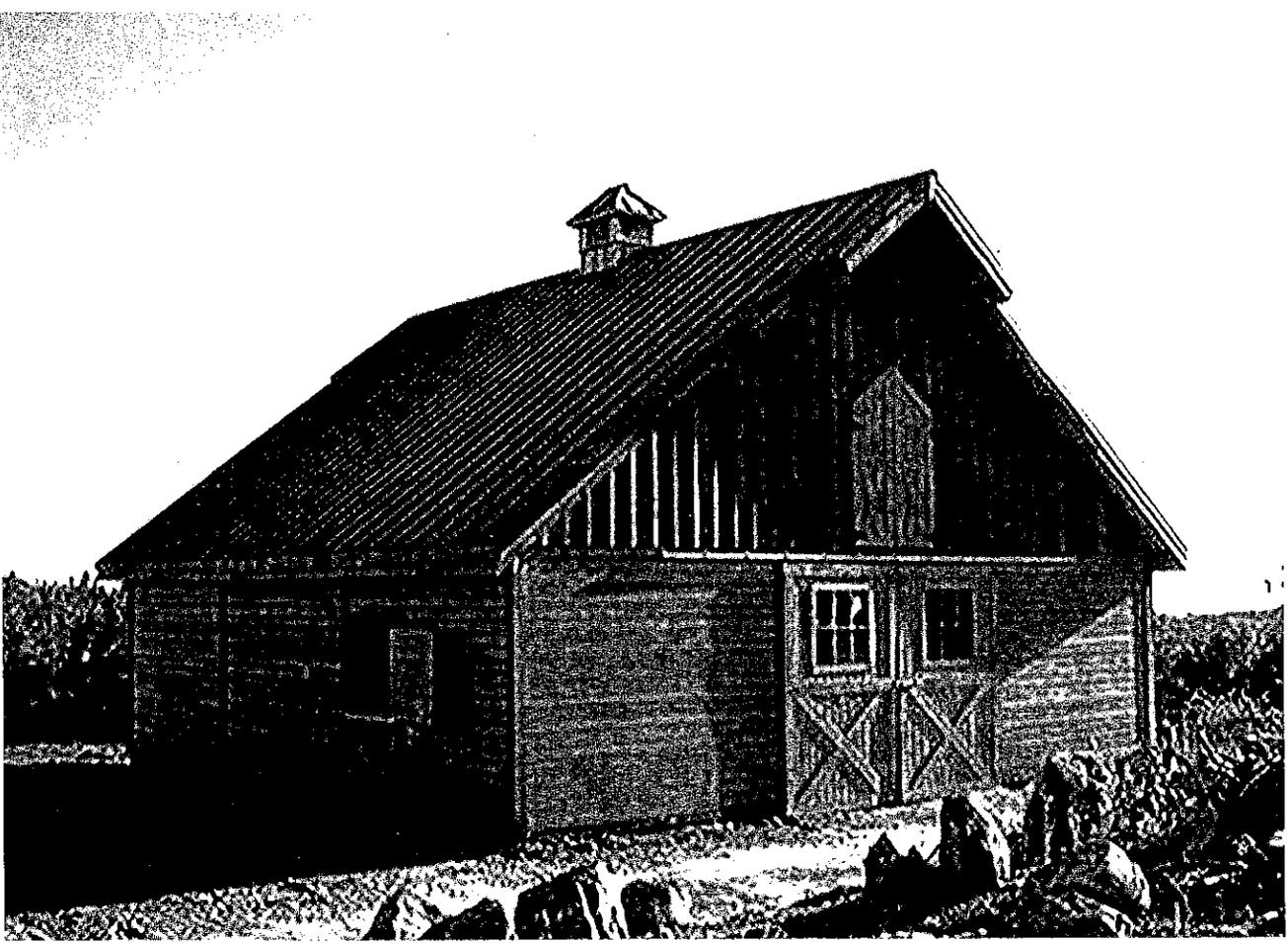
For general questions or additional information contact Town of Dewey-Humboldt at 928-632-7362

Dewey-Humboldt

SEP 09 2016

Received

EXHIBIT "3"



Dewey-Humboldt

New Barn Picture
(Kind of what it looks like)

SEP 09 2016

Received

Dewey-Humboldt

New Barn Picture
(Kind of what it looks like)

SEP 09 2016

Received

Dowsy-Humbert

SEP 09 2016

Received

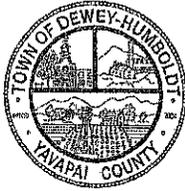
Exhibit 3

Dewey-Humboldt

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Received

EXHIBIT "4"



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

Date: August 12, 2016

To: James Keenan

From: Yvonne Kimball

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

Dewey-Humboldt

SEP 09 2016

Received

Dear Mr. Keenan:

I have received your letter dated August 10, 2016, in which you requested an appeal of the decision by the Community Planner/Code Officer to deny the Zoning Clearance for your recent building permit application for a 40'x48' barn to replace a 20'x24' barn. The Zoning Clearance was denied because the rear setback of your property, zoned in the R1-70 zoning district, is 50' in accordance with Town Code section 153.038 while the plot plan in your application indicated a 30' rear setback.

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

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

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

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

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

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

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

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

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

Sincerely,


Yvonne Kimball
Town Manager/Zoning Administrator

Attachment: 1982 building permit application as provided by Yavapai County

Prescott-Humboldt

SEP 09 2016

Received

CONSTRUCTION PERMIT No 14598 11 13N 1E 402-24-101
 ZONING INSPECTOR, YAVAPAI COUNTY, ARIZONA SEC IWP RANGE ASSESSOR PARCEL NO

CONSTRUCTION ADDRESS: Sierra
 STREET: Humboldt
 TOWNSHIP: Humboldt
 ZONING DISTRICT: R1-70
 USE (Res. Com. Ind. Res.):
 TYPE (Bldg. Wall etc.): Bldg
 FLOOR AREA (Gross): 2482 sq. ft.
 COST (Material & Labor): \$25,000.00

CONTRACTOR (if other than Owner):
 NAME:
 ADDRESS:
 PHONE:
 DESCRIPTION OF CONSTRUCTION AND HOW WILL STRUCTURE BE USED:
 (If Mobile - Include size and Date of Manufacture):
 Mobile (26'X49'), Barn (20'X24'), carport (22'X26'),
 2 porches (10'X10') = \$200.00

NEW	Y	FRAME	FRONT YARD	100 FT.	HEIGHT	1.0
USED OR MOVE		MASONRY	SIDE YARD	30 FT.	STORIES	1
ADDITION		METAL	SIDE YARD	199 FT.	NUMBER OF	
REMODEL			REAR YARD	60 FT.	DWELLING UNITS	1
WATER	Well					
ELECTRIC	APS					
GAS-NAT.						
GAS-LPG	Propane					
SEWER	Septic					
SEPTIC NO.	20096					
CULVERT NO.						

It is agreed to construct in conformity with drawings attached and with laws of County of Yavapai and State of Arizona. The structure is not within the Delineated Flood Plains or it will comply with Flood Control Regulations for Unincorporated Areas of Yavapai County.

Carole Bennett 7-26-82
 (Contractor - Owner - Architect - Agent) Date

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

LEGAL DESCRIPTION (lot, block subdivision; or if metes and bounds attach a copy of recorded deed):
 Lot 101 Sierra Dells

REMARKS:
 none

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

P. B. WHITE (Inspector) APPLICANT (Green) ASSESSOR (Grey) HEALTH (Goldend) OTHER (Pink)

YAVAPAI COUNTY PLANNING & ZONING DEPARTMENT — Prescott, ARIZONA

FORM PZI-REV 2/81

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

Dewey-Humboldt

SEP 09 2016

Received

EXHIBIT "5"

Sierra-Humboldt

SEP 09 2016

Received

CONSTRUCTION PERMIT No 14598 SEC 11 TWP 13N RANG 1E ASSESSOR PARCEL NO 402-24-101
 ZONING INSPECTOR, YAVAPAI COUNTY, ARIZONA

CONSTRUCTION ADDRESS: Sierra
 NEAREST TOWN: Humboldt
 ZONING DISTRICT: R1-70
 OWNER: John O. Bennett
 NAME: Friendly Pines Rd.
 AND: Prescott, Az. 86301
 TYPE (Bldg, Wall, etc.): Bldg
 FLOOR AREA (Gross): 2482 sq. ft.
 COST (Material & Labor): \$25,000.00

CONTRACTOR (if other than Owner):
 NAME:
 AND:
 ADDRESS:
 PHONE:
 PERMIT FEE: \$80.00

DESCRIPTION OF CONSTRUCTION AND HOW WILL STRUCTURE BE USED
 (if Mobile - Include size and Date of Manufacture)
 Mobile (26'X49'), Barn (20'X24'), carport (22'X26'),
 2 porches (10'X10') = \$200,00

NEW	<input checked="" type="checkbox"/>	FRAME	FRONT YARD	100 FT.	HEIGHT	10
USED OR MOVE	<input type="checkbox"/>	MASONRY	SIDE YARD	30 FT.	STORIES	1
ADDITION	<input type="checkbox"/>	METAL	SIDE YARD	100 FT.	NUMBER OF DWELLING UNITS	1
REMODEL	<input type="checkbox"/>		REAR YARD	60 FT.		

RECEIPT NO. & DATE: 7236-7-26-82
 FLOOD AREA MAPS CHECKED BY: Not A 45A
 PLANS CHECKED BY:
 PERMIT ISSUED BY:
 DATE ISSUED: 7-26-82
 WATER: wall
 ELECTRIC: APS
 GAS-NAT:
 GAS-LPG: Propane
 SEWER: Septic
 SEPTIC NO: 20096
 CULVERT NO:
 It is agreed to construct in conformity with drawings attached and with laws of County of Yavapai and State of Arizona. The structure is not within the Delineated Flood Plains or it will comply with Flood Control Regulations for Unincorporated Areas of Yavapai County.
 (Contractor - Owner - Architect - Agent) Date

LEGAL DESCRIPTION (if not block subdivision; or if metes and bounds attach a copy of recorded deed)
 Lot 101 Sierra Dells
 PREVIOUS PERMITS AND DATES: none

REMARKS:

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

PA / FEE (Other) APPLICANT (Green) ASSESSOR (Janet) HEALTH (Colleen) OTHER (Pam)

YAVAPAI COUNTY PLANNING & ZONING DEPARTMENT -- PRESCOTT, ARIZONA

FORM PZI-REV 2/81

CONSTRUCTION PERMIT No 14598 SEC 11 TWP 13N RANG 1E ASSESSOR PARCEL NO 402-24-101

Dewey-Humboldt

Exhibit A

SEP 09 2016

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

Received

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

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

UnOfficial Copy

Warranty Deed - Escrow No. 00455269

00455269-AAJ

Dewey-Humboldt

ACCEPTANCE OF COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP (Deed)

SEP 09 2016

Received

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

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

See Exhibit A attached hereto and made a part hereof.

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

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

DATED: October 21, 2012

[Signature of James Keenan]
JAMES KEENAN

[Signature of Melinda Keenan]
MELINDA KEENAN

State of Arizona }

County of Yavapai } ss.

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

My commission expires: 8-18-2016

[Signature of Notary]
NOTARY PUBLIC

