



**NOTICE OF A REGULAR MEETING OF THE BOARD OF ADJUSTMENT
OF THE TOWN OF CLARKDALE
TUESDAY, FEBRUARY 10, 2026 AT 4:30 PM**

In Person: Clark Memorial Clubhouse, 19 N. Ninth St., Clarkdale AZ

Unless otherwise stated, the public will have physical access to the meeting place 15 minutes prior to the meeting start time.

PURSUANT TO A.R.S. §38-431.02, NOTICE IS HEREBY GIVEN to the members of the Common Council of the Town of Clarkdale and to the general public that the Town of Clarkdale Board of Adjustment will hold a Regular Meeting open to the public on Tuesday, February 10, 2026, at 4:30 PM in a hybrid meeting via Zoom Video Conference or in person at 19 N. Ninth Street, Clarkdale, Arizona, Clark Memorial Clubhouse, Men's Lounge. Members of the Clarkdale Common Council will attend either in person or by telephone, video or internet conferencing. Pursuant to A.R.S. §38-431.03, the Council may vote to recess the meeting and move into Executive Session on any item, 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.

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR DISCUSSION AND POSSIBLE ACTION, UNLESS OTHERWISE NOTED.

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

The Board of Adjustment invites the public to provide comments at this time. Members of the Board of Adjustment may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01, action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date. Persons interested in making comments on a specific agenda item are asked to complete a brief form and submit it to the Clerk or liaison during the meeting. Each speaker is asked to limit their comments to three minutes unless a different amount of time is noted on the agenda or is determined by the Presiding Officer or by a majority vote of the Council, Commission or Committee.

4. MINUTES

A. Approval of Minutes

Discuss, consider and act upon the draft minutes from the regular meeting held on Feb. 27, 2024.

5. NEW BUSINESS

A. Variance Request

Discuss, consider and act upon a variance request to allow construction of an accessory structure in the front yard at 1375 Abbey Rd N., APN 406-28-007J.

6. FUTURE AGENDA ITEMS

Board of Adjustment may propose items to be placed on a future agenda. This item is for discussion only.

7. ADJOURNMENT

Values

Values are the guiding principles that provide an organization with purpose and direction. The Town of Clarkdale's organizational values are:

COPPER

Customer focused

Open, transparent and equitable

Preserving our history, charm, and environment

Planning for a sustainable future

Economic and social resiliency

Resourceful and innovative

Mission

The Town of Clarkdale serves the community by providing amenities, infrastructure, services, and public safety to enhance quality of life. We are stewards of our history while we sustainably and resiliently plan for the future with an emphasis on community engagement and transparency.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at (928) 639-2400 (TTY: 1-800-367-8939) at least 72 hours in advance of the meeting.



Staff Report

Item Number: 4.A.

<u>Agenda Item:</u>	Approval of Minutes Discuss, consider and act upon the draft minutes from the regular meeting held on Feb. 27, 2024.
<u>Staff Contact:</u>	Scott Ellis, Community Development Director
<u>Meeting Date:</u>	February 10, 2026
<u>Strategic Goal:</u>	Not applicable.
<u>Background:</u>	Review of the draft minutes from the regular meeting held on Feb. 27, 2024.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Staff recommends approval of the draft minutes from the regular meeting held on Feb. 27, 2024.



**SUMMARIZED MINUTES OF A REGULAR MEETING OF THE BOARD OF ADJUSTMENT
OF THE TOWN OF CLARKDALE**

TUESDAY, FEBRUARY 27, 2024 AT 2:00 PM

(To listen to the full audio/video of the meeting,
please visit www.clarkdale.az.gov – agendas & minutes)

Members Present: Mayor Prud’homme-Bauer, Vice Mayor Debbie Hunseder, and Council Members, Lisa O’Neill, Marney Babbitt-Pierce and Laura Jones

Other Municipal Officials Present: Susan Guthrie, Town Manager; Charity Brooks, Town Clerk; Ruth Mayday, Community Development Director

Zoom: No members of the public were present.

Audience: Two members of the public were present.

1. **CALL TO ORDER** - *Chair Prud’homme-Bauer called the meeting to order at 2 p.m.*

2. **ROLL CALL** - *All members present.*

3. **PUBLIC COMMENT**

No public comment.

4. **CONSENT AGENDA**

Items on the consent agenda are of a routine nature or have been previously studied by the Town Council at a work session or during a New Business discussion. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

A. Approval of Minutes of the Board of Adjustment

Discuss, consider and act upon the draft minutes from the regular meeting held on Sept. 14, 2021.

Action: Approve consent agenda item A as presented:

Motion: Board Member O’Neill

Second: Board Member Hunseder

Vote: Approved 5-0

Voting Member	Aye/Nay
Mayor Robyn Prud’homme-Bauer	Aye

Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Council Member Marney Babbitt-Pierce	Aye
Council Member Laura Jones	Aye

5. NEW BUSINESS

A. Variance Request

Discuss, consider and act upon a variance request regarding an encroachment into the side setback for the purpose of building a carport attached to the home at 1960 Wildflower Lane, APN 406-29-258.

Action: Deny the variance request regarding an encroachment into the side setback for the purpose of building a carport attached to the home at 1960 Wildflower Lane, APN 406-29-258 based on the findings of fact and stipulations as presented.

Motion: Board Member O'Neill

Second: Board Member Jones

Vote: Approved 5-0

Voting Member	Aye/Nay
Mayor Robyn Prud'homme-Bauer	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Council Member Marney Babbitt-Pierce	Aye
Council Member Laura Jones	Aye

6. ADJOURNMENT

Voting Member	Aye/Nay
Mayor Robyn Prud'homme-Bauer	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Council Member Marney Babbitt-Pierce	Aye
Council Member Laura Jones	Aye

Chair Prud'homme-Bauer adjourned the meeting without objection at 2:43 p.m.

APPROVED:

ATTESTED/SUBMITTED:

Robyn Prud'homme-Bauer, Chair

Charity Brooks, Town Clerk

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 27th day of February 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Date approved by Town Council: Feb. 10, 2026.

Charity Brooks, Town Clerk



Staff Report

Item Number: 5.A.

Agenda Item:

Variance Request

Discuss, consider and act upon a variance request to allow construction of an accessory structure in the front yard at 1375 Abbey Rd N., APN 406-28-007J.

Staff Contact:

Scott Ellis, Community Development Director

Meeting Date:

February 10, 2026

Strategic Goal:

Not applicable.

Background:

Variance Requested

The applicant requests an area variance from Town Code provisions prohibiting accessory structures in the front yard to allow construction of a carport with an attached storage shed.

Legal Standard

Approval of an area variance is governed by Arizona Revised Statutes. To grant a variance, the applicant must demonstrate the following:

1. Strict application of the zoning ordinance would cause peculiar and exceptional practical difficulties that deprive the property of privileges enjoyed by other similarly zoned properties (A.R.S. § 9-462.06(G)(2)).
2. The variance does not constitute a grant of special privileges inconsistent with limitations placed on other properties in the same vicinity and zoning district (A.R.S. § 9-462.06(G)(2)).
3. The circumstances justifying the variance are not self-imposed by the property owner (A.R.S. § 9-462.06(H)(2)).

Town Code Compliance

Town Code Chapter 17, Boards and Commissions, Article 17-2, Board of Adjustment, Section 17-1(C) establishes criteria for issuance of a variance. Decisions must be based on review of the application and the following criteria:

1. Special Circumstances: Special circumstances must be attributable to the physical characteristics of the property, including shape, size,

topography, location of surroundings, and not to the personal circumstances of the property owner or applicant.

2. Undue Hardship: Strict application of development standards must result in an undue hardship that renders the property unusable without the variance. Hardship must relate to the physical characteristics of the property.
3. Public Health, Safety and Welfare: The variance may be granted only if it does not result in substantial detriment to public health, safety or welfare and does not substantially depart from the intent of the applicable standard.
4. Adequate Financial Return: The applicant's desire for financial return shall not be considered justification for granting a variance.
5. Self-Imposed Circumstances: A variance shall not be granted if the special circumstances are self-imposed by a current or former property owner or applicant.

The variance application reiterates these standards and advises that personal needs, desires, economic hardship, attractiveness or social desirability of the project are not relevant factors.

Site Description and Analysis

The subject property is a 2.5-acre parcel located at 1375 Abbey Rd. N. and zoned R1-L, Single-Family Residential Limited. Section 4-010.A.1.a of Chapter 4, General Provisions, prohibits accessory structures in the front yard. The zoning district requires a 30-foot front yard setback; any land between that setback and the primary residence is considered the front yard.

The parcel has extreme topography. The distance from the front to rear property line is approximately 409 feet, with an elevation increase of approximately 85 feet, resulting in an average slope of about 20 percent. Due to these conditions, the primary residence was constructed toward the rear of the property, approximately 195 feet from the front property line, to utilize an existing house pad and septic system at the end of an approximately 300-foot driveway with an average 16 percent grade. This placement minimized grading and avoided significant site disturbance and restoration. The proposed carport with attached shed would be approximately 165 feet back from the front property line.

Alternative options for a garage or carport, including underground or attached configurations, were evaluated but found infeasible while maintaining Fire Department access requirements, including a 45-by-75-foot turnaround.

Statutory Authority

Arizona Revised Statutes § 9-462.06 limits the authority of the Board of Adjustment to grant variances only under specific conditions, including the existence of special circumstances related to property characteristics and the absence of self-imposed hardship.

Findings of Fact

Staff finds the following:

- The special circumstances are not self-imposed and are directly related to the parcel's extreme topography.
- The applicant seeks the same privilege—construction of a site-built accessory structure—available to other properties within the same zoning district.
- Due to the topography and configuration of the lot, there are no economically viable locations for an accessory structure that comply with the zoning code without a variance.
- Strict application of the ordinance would deprive the property owner of privileges enjoyed by other similarly zoned properties.
- Granting the variance would not constitute a grant of special privileges inconsistent with limitations on other properties in the vicinity or zoning district.
- The request would minimize grading disturbance and avoid extensive site restoration that would otherwise be required.

This request is not intended to increase speculative financial return or obtain special privileges, but to provide reasonable use consistent with other R1-L single-family properties.

Stipulations

1. No other rights are conferred by this approval. Development of the subject property shall comply with all applicable provisions of the Town of Clarkdale Zoning Code, including but not limited to Chapter 4, General Provisions; Chapter 3, Zoning Districts; and Chapter 8, Outdoor Lighting.
2. A building permit must be applied for and diligently pursued within 24 months of approval. Failure to do so shall render the variance null and void.

Budget Impact: No budget impact.

Recommendation: Staff recommends the Board of Adjustment approve the variance request to allow construction of an accessory structure in the front yard at 1375 Abbey Rd. N., Clarkdale, Ariz., APN 406-28-007J, subject to the stated stipulations.

Suggested Motion

"I move to approve Variance Application No. 250208 for the property located at 1375 Abbey Rd. N., Clarkdale, Ariz., APN 406-28-007J, subject to the stipulations set forth in the staff report."



TOWN OF CLARKDALE
 890 Main Street
 Clarkdale, AZ 86324
 (928) 639-2500

**COMMUNITY DEVELOPMENT
 DEPARTMENT**
**VARIANCE AND APPEAL
 APPLICATION**
BOARD OF ADJUSTMENT
PLEASE PRINT

Date Received: _____
 By: _____
 Parcel # _____
 Zoning: _____
 Project # _____

please mail or email completed form to:
 O Box 308, Clarkdale, AZ 86324 or
 CommunityDevelopment@Clarkdale.AZ.gov

IMPORTANT INFORMATION

The Board of Adjustment, a quasi-judicial body of the Town of Clarkdale, is given the authority to hear and decide on requests for variances from the strict application of the Zoning Code. Arizona State Statutes and the Town Code of the Town of Clarkdale have specific criteria, which must be met for the granting of a variance. Variances are exceptions from the standards of the Zoning Code. They provide flexibility to assure that a property owner will not be unfairly deprived of the use of their property. **Variances** are meant to relieve a particular land owner from unique hardship applicable to their property where the strict application of the code would deprive such property of privileges enjoyed by other property of the same classification in the same zoning district. Any variance granted is with the limitations upon other properties in the same vicinity and zone. **THE APPLICANT'S NEEDS, DESIRES, ECONOMIC HARDSHIP OR ATTRACTIVENESS OR SOCIAL DESIRABILITY OF THE PROJECT ARE IRRELEVANT.**

Before the granting of a variance, every other option available for compliance should first be sought. When variances are granted, the variance will be for no more than the minimum adjustment required to resolve the problem. For example, if an applicant is asking for a setback variance (which meets all the criteria required by law) of 10 feet, and the problem could be corrected by a 5 foot variance, only a 5 foot variance will be granted.

To hear and decide appeals in which it is alleged, by the applicant, there is an error in an order, requirement, or decision made by an administrative official based on the enforcement of the Zoning Code or Building - Chapter 7 of the Town Code, an appeal process may be pursued through the Board of Adjustment through submission of this application.

APPLICANT INFORMATION

THE APPLICANT WILL BE THE ONLY PERSON NOTIFIED BY THE TOWN OF THE MEETING SCHEDULE. IT WILL BE HIS OR HER RESPONSIBILITY TO NOTIFY OTHER PARTIES WHO MAY BE INVOLVED.

PROPERTY ADDRESS 1375 Abbey Rd. N. PARCEL # APN: 406-28-007J
 APPLICANT NAME(S) Scott Sears - Paula Horrigan BUSINESS NAME N/A
 PHONE 607 227-5926 E-MAIL scott@searsassoc.com
 APPLICANT'S RELATIONSHIP TO PROPERTY OWNER owner

OWNER INFORMATION AND CERTIFICATION

PLEASE FILL OUT THE FOLLOWING INFORMATION IF THE APPLICANT IS NOT THE PROPERTY OWNER.

PROPERTY OWNER NAME _____
 ADDRESS _____
 PHONE _____ EMAIL _____
 CONTACT PERSON _____ PHONE _____

I certify I am an owner authorized to conduct business related to this property and the information and exhibits herewith are true and correct to the best of my knowledge. I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the Town of Clarkdale to enter the premises described in this application as necessary to determine the suitability of the request and to ascertain compliance with all applicable Town Codes.

SIGNATURE Scott Sears DATE 12/23/25

PLEASE SEE PAGE 2 FOR CRITERIA AND REQUIREMENTS FOR VARIANCE AND APPEAL REQUESTS.

CRITERIA FOR VARIANCES

Special Circumstances: There are special circumstances attributable to the property, which are not applicable to other properties in the area or within the same zoning district. The special circumstances must be related to the physical characteristics of the property including its shape, size, topography, location or surroundings and may not be related to the personal circumstances of the property owner or applicant.

Undue Hardship: If special circumstances attributable to the property exist, they must be of such a nature that the strict application of the development standards will result in an undue hardship. An undue hardship exists when the strict application of the Zoning Code is so unreasonable that it renders the property unusable without the granting of a variance. Hardship relates to the physical characteristics of the property, not the personal circumstances of the property owner or applicant.

Public Health, Safety and Welfare: A variance may be granted only if it can be done without substantial detriment to public health, safety or welfare and without substantial departure from the intent of the standard from which relief is requested.

Adequate Financial Return: The applicant's need for an adequate financial return on investment shall not be considered justification for the granting of a variance.

Self-Imposed Special Circumstances: A variance shall not be granted when the special circumstances, from which relief is requested, have been self-imposed by a current or former property owner or applicant.

Use Variance: A use variance may not be granted. (A use variance is one, which would allow, as an example, a retail commercial establishment in a single family residential zone district.)

REQUIREMENTS FOR A VARIANCE REQUEST

1. Payment of the application fee in the amount determined by resolution of the Town Council. The applicant is also responsible for the cost of publication, engineering, and any legal advice directly related to this request.
2. A plot plan on white 8 ½" X 11" paper drawn to scale showing property dimensions, all buildings, structures, signs, and other pertinent information.
3. Any other information deemed pertinent by the Community Development Department (i.e. construction plans, map showing adjacent properties, etc.)
4. A statement explaining how the variance request meets each of the criteria listed.

REQUIREMENTS FOR AN APPEAL REQUEST

1. A written request outlining the decisions being appealed and the argument to grant the appeal.
2. Payment of the applicant fee in the amount determined by resolution of the Town Council.

Horrigan-Sears Carport/Shed Variance Request
APN: 406-28-007J, 1375 Abbey Rd. N, Clarkdale, AZ 86324
Statement on How Request Meets Variance Criteria, 12/31/25

As an addendum to our variance application we are providing the following Site Development Background and explanations addressing each of the Variance Request Criteria.

Site Development Background

Our 2.5 acre parcel is very steeply sloped, with the front to rear property line being 409 feet and the elevation rising 85' across that distance (average 20% grade). The existing house is placed approximately 340 feet uphill adjacent to the 30 foot back line easement setback. It was built at this location in 2019 to optimize use of a pre-existing house pad and septic system, both of which were located (but never used) by the previous owners at the end of a roughly graded 300' long (16% grade) driveway. This siting allowed us to minimize additional grading disturbance and avoid extensive site restoration that would have been required had an alternate location been selected. Options for inclusion of a garage/carport at this location (i.e., underground, attached to the house, etc.) were considered but proved infeasible while maintaining the fire department's access requirement for a 45' x 75' turnaround.

Variance Request Criteria

- A. Special Circumstances:** As explained above, the physical characteristics of extremely steep topography/adverse terrain and significant prior site disruption and infrastructure development do not allow for the siting of an automobile accessible carport structure anywhere behind the front line of the house.
- B. Undue Hardship:** Without receiving the requested variance on front line setback for this accessory structure the property is not reasonably usable as a residential site that includes appropriate shielding and coverage for automobiles.
- C. Public Health, Safety, and Welfare:** The carport's proposed location in front of the house would not be an exception in the immediate area nor would it have an adverse effect on the neighborhood's character, aesthetics, or property values.
- D. Adequate Financial Return:** Not applicable
- E. Self-Imposed Special Circumstances:** We do not believe that the Special Circumstance conditions cited above have been Self-Imposed. This is because: a) the property's physical characteristic limitations existed at the time of our purchase in 2015, b) our understanding is that Arizona's current *Prior Knowledge Rule* does not allow pre-existing physical characteristics to necessarily be considered as self-imposed, and c) our prior development choices and activities align with Clarkdale's commitment to sustainability and preservation of the environment.
- F. Use Variance:** Not Applicable

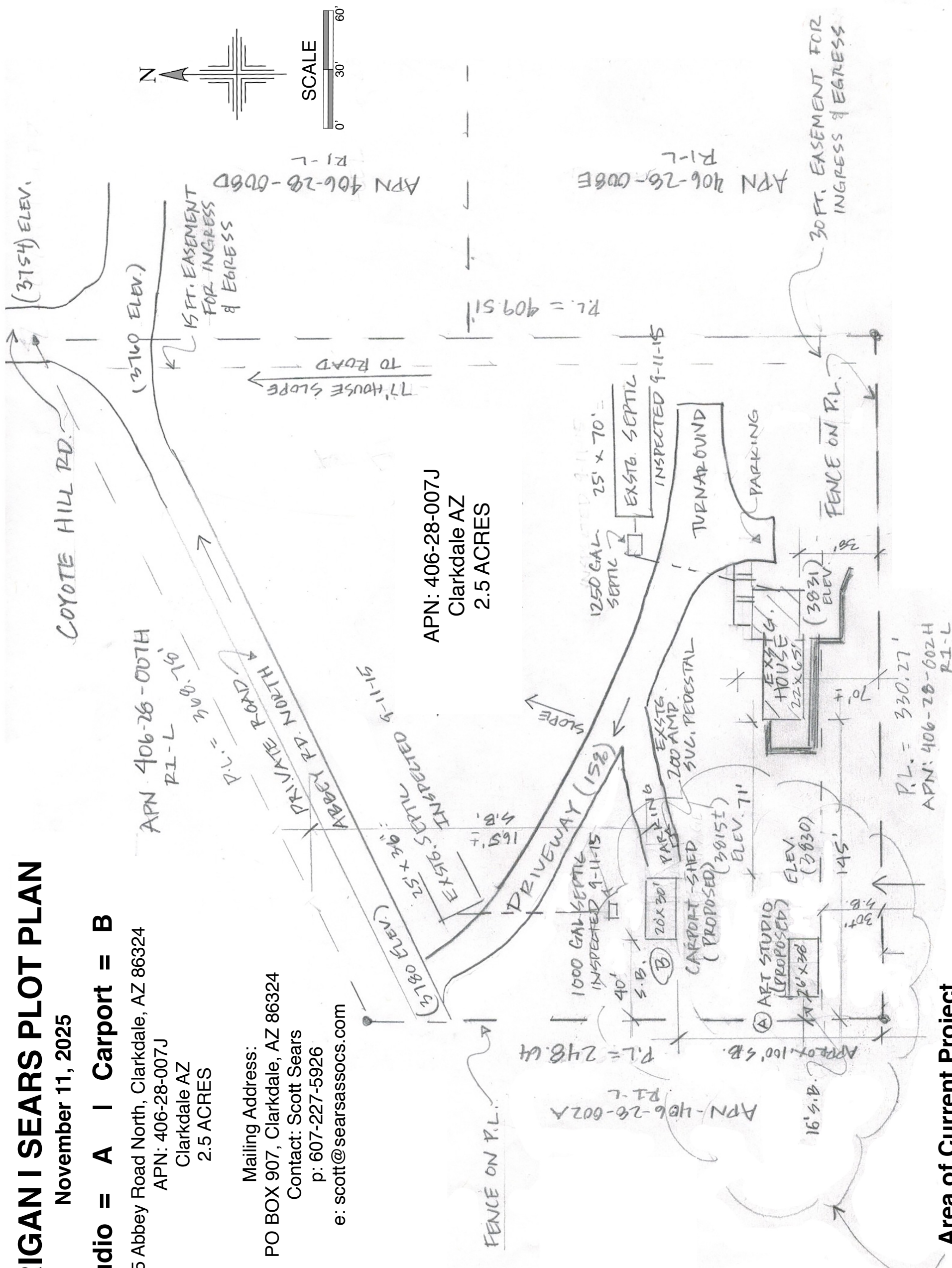
HORRIGAN I SEARS PLOT PLAN

November 11, 2025

Studio = A | Carport = B

1375 Abbey Road North, Clarkdale, AZ 86324
APN: 406-28-007J
Clarkdale AZ
2.5 ACRES

Mailing Address:
PO BOX 907, Clarkdale, AZ 86324
Contact: Scott Sears
p: 607-227-5926
e: scott@searsassoc.com



Area of Current Project
Art Studio and Carport

SITE PLAN