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RESOLUTION NO. 46-82

A RESOLUTION AMENDMENT
OF THE
NAVAJO COUNTY BOARD OF SUPERVISORS

SECTION 1. The Navajo County Board of Supervisors does hereby acknowledge that an amendment to Board of Supervisors Resolution No. #17-82 granting a Special Use Permit to Mr. Alfred Andersen for the purpose of operating a 56 unit R-V Park in the Residential-2 zoning district located on the following described property a portion of the NW¼, SE¼, NE¼ of Section 4, Township 9 North, Range 22 East, G+SRB+M was approved this 20 day of July, 19 82.

SECTION 2. The Board of Supervisors after a duly noticed Public Hearing having been held, has reviewed the aforementioned request for an amendment to a Special Use Permit and having also considered the recommendation by the Planning Commission, has determined that the requested amendment to a Special Use Permit be granted according to the following conditions:

SECTION 3. This permit hereby allowed is conditional upon the privileges being utilized within one (1) year after the effective date thereof, and if they are not utilized or construction work begun within said time and carried on diligently in accordance with conditions imposed by the Board, the authorization shall become null and void, and any privilege or permit granted shall be deemed to have elapsed. An extension may be granted when requested by the owner.

SECTION 4. This action shall become final and effective thirty (30) days after adoption of this resolution unless during that time a written appeal is submitted by any person to the Board of Supervisors.

Approved and adopted this 20 day of July, 19 82.

, Chairman
NAVAJO COUNTY BOARD OF SUPERVISORS

ATTEST:

Clerk
BOARD OF SUPERVISORS

PROPOSED AMENDMENT

TO THE

NAVAJO COUNTY ZONING ORDINANCE

ARTICLE TWENTY THREE

Section2302.36 Home Occupation

Any occupation or profession customarily conducted entirely within a dwelling unit and carried on by a member of the family residing therein, and which occupation or profession is clearly incidental and subordinate to the use of the dwelling unit for dwelling purposes and does not change the character thereof, and in connection with which there are no employees other than a member of the immediate family residing in the dwelling unit, ~~and no mechanical equipment except for that which is customarily used for domestic, hobby, or household purposes. Home occupation includes the use of a dwelling unit by physician, surgeon, dentist, lawyer, clergyman, or other professional person for consultation or emergency treatment, but not for the general practice of his profession. Home occupation does not include clinic, hospital, barber shop, beauty parlor, animal hospital, advertising or public relations agency, interior decorator's office or workshop, real estate or insurance office, stockbrokers office or similar use.~~

AMEND TO READ:

"Any occupation or profession which can be conducted entirely within a dwelling unit and carried on by a member of the family residing therein, and which occupation or profession is clearly incidental and subordinate to the use of the dwelling unit for dwelling purposes and does not change the character thereof in any manner and in connection with which there are no employees other than a member of the immediate family residing in the dwelling unit. Any occupation or profession which can be considered offensive, obnoxious, noisy, or create a nuisance in any way or which requires additional parking area, outside storage, accessory buildings in conjunction with the occupation or profession, outdoor advertising, or any other outside alteration of the dwelling cannot be considered a home occupation. Any proposed home occupation shall be submitted to the Navajo County Planning and Building Department for review, to insure that the proposed use is in conformance with this ordinance.

13) Building Height: The vertical distance from grade to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or the average height of the highest gable, hip or gambrel roof.

14) Building Principal: A building in which is conducted the principal use of the lot on which it is situated. In a residential zoning district any dwelling is deemed to be the principal building on the lot on which it is situated.

15) Carport: A roofed structure with two (2) or more open sides under which a vehicle may be driven.

16) Cellar: That portion of a building between floor and ceiling which is partly below and partly above grade, but so located that the vertical distance from grade to floor below is greater than the vertical distance from grade to ceiling.

17) Commission: The Planning and Zoning Commission of Navajo County.

18) Corral: A pen or enclosure for confining animals.

19) Director: The Director of the Navajo County Planning and Zoning Department.

20) Dwelling: A building or portion thereof designed or used exclusively for residential occupancy, including single-family, two-family, and multiple-family dwellings, but not including hotels, boarding and lodging houses.

21) Dwelling Group: A group of three (3) or more buildings which occupy a parcel of land in one (1) ownership and have a yard in common.

22) Dwelling, Multiple: A building or portion thereof designed for occupancy by three (3) or more families.

23) Dwelling, Single-Family: A building designed for occupancy by one (1) family.

24) Dwelling, Duplex: A building designed for occupancy by two (2) families.

25) Dwelling, Unit: One (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having its own cooking and sanitary facilities.

26) Family: One (1) or more persons occupying a premises and living as a single housekeeping unit as distinguished from a group occupying a boarding house, lodging house, or hotel as herein defined.

27) Farm: An area of not less than two (2) contiguous acres which is used for the commerical production of farm crops such as vegetables, fruit trees, grain and other crops and their storage on the area, as well as the raising thereon of farm poultry and farm animals, such as horses, cattle, sheep and swine for commercial purposes. The term "farm" includes the operating of such an area for one (1) or more of the above uses, including dairy farms, with the necessary accessory uses for treating or storing the produce, provided that the operation of any such accessory uses is secondary to that of the farm activities, and provided further that the farm activities, do not include commercial pen feeding or commercial feed lots, or the commercial feeding of garbage or offal to swine or other animals.

28) Feed Lot, Commercial: A livestock feeding or handling facility operated for the purpose of accommodating the needs of others in whole or in part for a fee or fees paid to the operator or owner for the accommodations, materials, and services received.

29) Floor Area: The sum of the gross horizontal areas of every floor of all buildings on the lot measured from the exterior faces of the exterior walls or from the center line of walls separating the buildings, including basement floor area, elevator shafts and stairwells at each floor, floor space used for mechanical equipment, penthouses, attic space whether or not a floor has actually been laid and having headroom of seven (7) feet or more, interior balconies and mezzanines, and enclosed porches, but not including any space devoted to parking, or to loading and unloading.

30) Garage, Private: An accessory building or portion of a principal building designed or used for the parking or temporary storage of motor vehicles of occupants in the building to which such garage is accessory, but not including the parking or temporary storage of delivery or truck motor vehicles having a capacity in excess of one (1) ton.

31) Garage, Public: A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, or storing motor vehicles.

32) Grade:
   (a) For buildings having walls adjoining one (1) street only, the elevation of the sidewalk at the center of the wall adjoining the street, or if there be no sidewalk, then the elevation of the roadway at the center of the wall adjoining the street.
   (b) For buildings having walls adjoining more than one (1) street, the average of the elevation of the sidewalk at the centers of all walls adjoining the streets, or if there be no sidewalks, then the average of the elevation of the roadway at the centers of all walls adjoining the street.
   (c) For buildings having no walls adjoining the street, the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.
   (d) Any wall parallel or nearly parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street.

33) Guest: Any transient person who rents or occupies a room for sleeping purposes.

34) Guest Ranch: A building or group of buildings containing two or more guest rooms, other than a boarding house, hotel or motel, and including outdoor recreational facilities such as, but not limited to, horseback riding, swimming, tennis courts, shuffleboard courts, barbecue and picnic facilities, and dining facilities intended for the use primarily by guests of the guest ranch, but not including bars and restaurants which cater primarily to other than guests of the guest ranch.

35) Guest Room: A room which is designed for occupancy by one (1) or more guests for sleeping purposes, but having no cooking facilities and not including dormitories.

36) Home Occupation: Any occupation or profession customarily conducted entirely within a dwelling unit and carried on by a member of the family residing therein, and which occupation or profession is clearly incidental and subordinate to the use of the dwelling unit for dwelling purposes and does not change the character thereof, and in connection with which there are no employees other than a member of the immediate family residing in the dwelling unit, and no mechanical equipment except for that which is customarily used for domestic, hobby, or household purposes. Home occupation includes the use of a dwelling unit by physician, surgeon, dentist, lawyer, clergyman, or other professional person

for consultation or emergency treatment, but not for the general practice of his profession. Home occupation does not include clinic, hospital, barber shop, beauty parlor, animal hospital, advertising or public relations agency, interior decorator's office or workshop, real estate or insurance office, stockbroker's office, or similar use.

37) Hospital: An institution for the diagnosis, treatment, or other care of human ailments. The term hospital is deemed to include sanitarium, preventorium, clinic, rest home, nursing home, convalescent home and maternity home.

38) Hotel: A building in which lodging or boarding and lodging are provided for more than twenty (20) persons and offered to the public for compensation and in which ingress and egress to and from all guest rooms are made through an inside lobby or office.

39) Hotel, Resort: A building or group of buildings, other than a motel, boarding house or lodging house, containing individual guest rooms, suites of guest rooms, and dwelling units, and which furnishes services customarily provided by hotels.

40) Junk: Any old scrap copper, brass, rope, rags, batteries, paper, trash, wood and rubber debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

41) Junkyard: An establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard. The term "junkyard" includes garbage dumps and sanitary fills.

42) Kennel: Any establishment at which dogs and cats are bred or raised for sale, or boarded, cared for, commercially or on a nonprofit basis, exclusive of dental, medical or surgical care, or for quarantine purposes.

43) Labor Camp: Any camp or similar place of temporary abode, establishment by or for the care of workmen engaged in construction, repair or alteration work on roads or highways, railroads, or in lumbering or agricultural operations, or in other industrial activities.

44) Laundry, Self-Service: A building within which clothes washing and drying machines, and clothes dry cleaning machines, either coin operated or attendant operated, are provided on a rental basis for use by individuals for doing their own laundry and dry cleaning. Self-service laundry does not include outdoor drying facilities.

45) Loading and Unloading Space: A permanently maintained space on the same lot as the principal building accessible to a street or alley and not less than ten (10) feet in width, twenty (20) feet in length, and fourteen (14) feet in height.

46) Lodging House: A building where lodging only is provided for compensation to three (3) or more persons, but not exceeding twenty (20) persons.

47) Lot: Any lot, parcel, tract of land, or combination thereof, shown on a plat of record or recorded by metes and bounds that is occupied or intended for occupancy by a use permitted in this Ordinance, including one (1) principal building together with its accessory buildings, the open spaces and parking spaces required by this Ordinance, and having its principal frontage upon a street or upon an officially approved place.

48) Lot Area: The area of a horizontal plane within the lot lines of a lot.

49) Lot, Corner: A lot which has an interior angle of one hundred thirty-five (135) degrees or less at the intersection of two (2) street lines. A lot abutting upon a curved street is considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines intersect at an interior angle of one hundred thirty-five (135) degrees or less.

50) Lot Coverage: The percentage of the area of a lot which is occupied by all buildings or other covered structures.

51) Lot Depth: For lots having front and rear lot lines which are parallel, the shortest horizontal distance between such lines; for lots having front and rear lot lines which are not parallel the shortest horizontal distance between the midpoint of the front lot line and the midpoint of the rear lot line; and the triangular shaped lots, the shortest horizontal distance between the front lot line and line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.

52) Lot, Interior: A lot other than a corner lot.

53) Lot, Key: A lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street which forms the side boundary of the corner lot.

54) Lot Line: Any line bounding a lot.

55) Lot Line, Front: The boundary of a lot which separates the lot from the street; and in the case of the corner lot, the front lot line is the shorter of the two (2) lot lines separating the lot from the street except that where these lot lines are equal or within fifteen (15) feet of being equal, either lot line may be designated the front lot line but not both.

56) Lot Line, Rear: The boundary of a lot which is most distant from, and is, or is most nearly, parallel to the front lot line; except that in the absence of a rear lot line as is the case of the triangular shaped lot, the rear lot line may be considered as a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.

57) Lot Line, Side: The boundary of a lot which is not a front lot line or a rear lot line.

58) Lot of Record: A lot which is part of a subdivision, the plat of which has been recorded in the office of the County Recorder of Navajo County; or a lot, parcel or tract of land, the deed of which has been recorded in the office of the County Recorder of Navajo County.

59) Lot, Through: A lot having a pair of opposite lines abutting two (2) streets, and which is not a corner lot. On such lot, both lot lines are front lot lines.

60) Lot Width: For rectangular lots, lots having side lot lines not parallel, and lots on the outside of the curve of a street, the distance between side lot lines measured at the required minimum front yard line on a line parallel to the street or street chord; and for lots on the inside of the curve of a street, the distance between side lot lines measured thirty (30) feet behind the required minimum front yard line on a line parallel to the street or street chord.