

Gila County Planning and Zoning Commission

Board of Supervisor's Hearing Room

Gila County Courthouse, 1400 East Ash Street, Globe, AZ.

March 19, 2009

1. **Call to order/Pledge of Allegiance**

Planning and Zoning Commission meeting was called to order by Chairman, Don Ascoli at 10:10 am.

2. **Roll Call**

Commission Present:	Chairman:	Don Ascoli
	Vice Chairman:	Lori Brown
	Members:	Jack Larimore
		Mickie Nye
		Renee Zeising (via telephone)
		Ron Christensen
		Rose Harper (absent)
		Jay Spehar
		Travis Williams

3. **Discussion on Department of Real Estate allegation of illegal subdivision at Bouquet Ranch:**

Director of Community Development, Bob Gould introduced this item to the commission. He stated that this is a one hundred and sixty acre homestead located on the east side of the Tonto River.

Today this property has thirty six (36) lots with zoning of GU (General Unclassified). Comprehensive Master Plan allows a minimum of 10 acre lots. Mr. Gould stated that he did not believe Mr. VanSickle nor Mr. and Mrs. Ewing did this intentionally and is concerned with what could potentially happen out there. He further stated that we needed to get a handle on zoning out there but stated that we do not have ten (10) acre zoning out there; right now we have four (4) acre maximum zoning.

Vice-Chairperson Lori Brown stated that the people purchased that property knowing the river was out there and they bought knowing.

Commission member Jay Spehar stated that just because ADRE says they are in violation does not mean they are in violation. Zoning did not catch up to Comprehensive Master Plan changes.

Mr. Gould stated that Kurt LaBotz, Investigator for ADRE, was going to send complaint to the attorney today but wanted the commission's opinion.

Chairman Ascoli stated that if you look at this map you would see a subdivision. A person will buy on that side and know they have to cross the river but people do forget. If they created all these lots at once, you'd have a subdivision and re-zoning was probably the thing to do.

Mr. Gould stated that he's been refusing to issue building permits. He further stated that GU zoning requires you to re-zone before applying for a subdivision. He stated that he asked for three (3) acre lots but Mr. VanSickle applied for one (1) acre lots and current lots are grandfathered in.

Commissioner Jay Spehar stated that an illegal subdivision is not for the commission to decide; ADRE must prove it.

Chairman Ascoli asked the applicant if he had any comments; Craig VanSickle stated that his address is P.O. 522 in Tonto Basin. He stated that the law allows a five way split, once he sells them, it's none of his business. He further stated that the State had two charges: Linda Ewing had power of attorney to sign for him and a deed restriction.

Chairman Ascoli opened the meeting for public comments. Linda Ewing stated that Mr. VanSickle gave her Power of attorney and the property was in her husband's family for years.

After much discussion, the Commission requested a report from ADRE regarding their investigation before determining how to proceed.

Applicant, Mr. VanSickle stated that people are waiting to build and put septic systems in.

Director Bob Gould stated that rezoning could be a staff initiative and the applicant would not be required to pay for application.

At this time Chairman Ascoli had to leave and turned the meeting over to Vice-Chairperson Lori Brown.

4. **Arizona Smart Growth Scorecard** (tabled to meeting scheduled for April 16th, 2009)
5. **Discussion of Commission Bylaws** (tabled to meeting scheduled for April 16th, 2009)
6. **Motion to adjourn** made by Vice-Chairperson Lori Brown and seconded by Commission member Mickie Nye. The meeting adjourned at 11:40 a.m.