



**MINUTES OF THE GILA COUNTY
PLANNING AND ZONING COMMISSION
Held at the Gila County Courthouse,
1400 East Ash Street, Globe, AZ. 85501
At 10:00 am**

NOVEMBER 21, 2013

REGULAR MEETING

1. Call to Order: The meeting was called to order at 10:00 am by Mickie Nye, Chairman.
2. Pledge of Allegiance: Pledge of Allegiance was led by Chairman, Mickie Nye.
3. Roll Call: Mickie Nye-Chairman, ~~Lori Brown-Vice Chairman~~, Jack Larimore, Dawn Brunson, Randy Slapnicka, Jay Spehar, Travis Williams, Mary Lou Myers and Ray Jones.

Staff present: Robert Gould, Community Development Director
Beverly Valenzuela, Executive Administrative Assistant

4. Approval of the Planning and Zoning Minutes of September 19, 2013 and October 17, 2013.
Commissioner Mary Lou Myers made the following corrections to the September 19th minutes:
 - 6. CUP-13-02: ~~New restaurant tenant~~ owner
 - 7. CUP-13-03: Page 2 last paragraph-Moose ~~Mart~~ Mountain changed, page 3 ~~Pat VerHeyen~~ was J Pak, page 3 paragraph 7 to read "Gila County Code Compliance Officer, Margie Chapman stated that the owner of the Moose ~~Mart~~ Mountain had called and expressed ~~his~~ her concerns regarding the parking..."Commissioner Mary Lou Myers motioned to approve the minutes of September 19, 2013 with the above mentioned corrections; Commissioner Jay Spehar seconded the motion and the minutes were unanimously approved.

No corrections or additions were made to the minutes of October 17, 2013. Motion was made by Commissioner Mary Lou Myers to approve and Commissioner Ray Jones seconded the motion; motion unanimously passed.

5. Director/Commission Communications: At any time during this meeting of the Planning and Zoning Commission and the Director of Community Development may present a brief summary of current events. No action may be taken.

Robert Gould, Community Development Department Direction reported that the wastewater fees were approved by the Gila County Board of Supervisors and will become effective December 5, 2013. The Unified Development Code was scheduled to go to the Board of Supervisors on December 17, 2013 but may be delayed. It will cost \$9700 to publish the entire document in the newspaper. He will meet with the Clerk of the Board of Supervisors this afternoon to determine if this will in fact go before the Board of Supervisor on the 17th. He also reported that the forest service has requested that Lake View Mobile Home Park submit their financial plan by December 31st, 2013 or they will need to vacate the premises. Gila County was waiting for Lake View's financial plan and were willing to do a Townsite Act.

INFORMATION/DISCUSSION/ACTION
PUBLIC HEARING

6. CUP-13-04 Candese Roe Bridges (Owner/Applicant): Application for a Conditional Use Permit to allow the use of their home as a retreat destination with paying guest services along with meals served to guests. Premises to accommodate up to sixteen (16) guests and will include a gift shop. Home owner has been operating the business

under an existing Use Permit (U-06-03) since 2006 but was not approved to have paying guests or more than sixteen guests at one time. Property is located at 5659 Chaparral Lane, Pine, AZ., and is known as Gila County Tax Assessor's Parcel 301-31-143A, Section 30, T12N, R9E of the G&SRM; property is currently zoned R1-D12.

Community Development Director, Robert Gould, introduced this item to the commission. He stated that this property is approximately $\frac{3}{4}$ of an acre. This property was issued a Use Permit in 2006 and there have been no complaints to date. The commercial use was reported to us by the Assessor's Office.

Commissioner Randy Slapnicka asked Mr. Gould if he was comfortable with spot zoning in residential area and stated that sixteen people are a lot of people. Mr. Gould replied that bed and breakfasts are allowed in residential areas and did not see a problem. He further stated that this business has been in operation for seven years and have not had any complaints.

Commissioner Travis Williams stated that he agreed with Commissioner Slapnicka about sixteen people being a lot of people but stated that they still had no complaints.

Commissioner Mary Lou Myers asked if there was a limit on the number of bedrooms for a bed and breakfast. Mr. Gould answered that the maximum is five and stated that over five would be considered spot zoning.

While in the meeting, Mr. Gould received a letter from Albert and Mary Robles and read the email to the commission (see attached copy). Mr. Gould stated that Mr. and Mrs. Robles reside in California.

Mr. Gould read staff recommendations and recommended they add one more:

1. This Conditional Use Permit will be revisited in two years for compliance.

Applicant Candese Bridges stated that the average group number is ten and they normally don't stay more than two nights. Rarely have sixteen but occasionally will have a group for a retreat or church group.

Commissioner Mary Lou Myers motioned to accept and grant this conditional use permit, Commissioner Dawn Brunson seconded the motion; Community Development Director, Mr. Gould, stated that they needed to "recommend" when making the motion and Chairman Mickie Nye requested that when making the motion they add the condition that this conditional use permit will be revisited in two years; The public hearing portion of the meeting was closed at this time; Commissioner Mary Lou Myers amendment the motion and Commissioner Dawn Brunson agreed and seconded the amended motion. The motion unanimously passed.

Bob Gould stated that the email received from Mr. and Mrs. Robles will be forwarded to the Board of Supervisors.

CUP-13-04 approved with the following recommendations to the Gila County Board of Supervisors:

- a. Up to five bedrooms may be designated and/or occupied as guest rooms.
- b. Food preparation must be approved by the Gila County Health Department.
- c. Guest rooms may be accessed by entrances other than the main entrance to the dwelling.
- d. Limit the amount of noise from music that can cause disruption to residential uses.
- e. Limit the spillage of light onto adjacent residential properties.
- f. Any sales of retail items will be limited to sales to paying guests only.
- g. The maximum duration of stay of any one guest shall be ten (10) days.
- h. All parking must be accommodated on the site.
- i. All meals or snacks provided to guests shall be served in a common dining area.
- j. Any applicable State and county Health Department regulations must be complied with, and all required permits must be obtained and remain valid so long as the use is in operation.
- k. This Conditional Use Permit shall replace the current Use Permit issued in 2006.
- l. This Conditional Use Permit will be revisited in two years for compliance.

7. CUP-13-05 LeAnne Stolte for Verizon (owner: Joseph Bigge): Application for a Conditional Use Permit to allow applicant to construct a 100' monopole wireless communications facility on SE corner of lot. Project will include equipment shelter and backup generator within fenced compound. Property is located at 4045 S. Crosswind Dr., Globe, AZ. and is known as Gila County Tax Assessor's Parcel 205-09-010H, Section 12, T1N, R15 ½ E of the G&SRM; property is zoning R1-D10.

Director of Community Development, Bob Gould, introduced this item. He stated that the monopole cell tower is located Highway 60 East of the Town of Globe, passed the Gila County Fairgrounds and is a 1 ¾ acre parcel owned by Joseph Bigge. The proposed tower is located closer to the property lines than the height of the tower so will be required to have an engineered established fall zone. They will need to meet the required setbacks (20 ft in rear and 7 ft on the side). The tower is 400+ feet from the highway itself and has a 12' wide easement and they will be required to provide all weather access.

Commissioner Jay Spehar asked how many collocations and Mr. Gould responded by stating that we do not have regulations for collocations. Commissioner Randy Slapnicka stated that a tower of that size would probably have three.

The meeting was opened for public comments. Joe Mounce stated that the property is in the back of his property and was concerned that according to the drawing submitted it looked like it was located on his property. He stated that there are four families across from the tower and was concern with health issues. Mr. Mounce stated that he was not complaining but rather just had questions.

Commissioner Jay Spehar asked the applicant, LeeAnn Stolte, what the maximum number of antennas was and what they were looking at right now. Ms. Stolte answered that at this time she wasn't sure but suspected it was three.

With no further questions or comments from the public, the public hearing portion was closed.

Commissioner Jay Spehar motioned to recommend approval; Commissioner Travis Williams seconded the motion and it was unanimously passed with staff recommendations:

1. That the ingress/egress easement be approved with a surface that will control road dust and eliminate the difficult travel in wet weather attributable to the clay in soils.
2. That the current locations on the site plan are not acceptable and the applicant will resubmit a site plan showing compliance of all structures with side setbacks of 7 feet and rear setback of 20 feet.
3. That the applicant will obtain a building permit for this project.
4. That the fence enclosing this compound shall not exceed a height of 6 feet.
5. That the applicant will provide for the ability to collocate other antennas on this tower.
6. That this conditional use permit will run with land, but there will an inspection every five years to ensure compliance with all conditions and regulations. Should the applicant be in violation of any condition listed above the conditional use permit may be revoked.

INFORMATION/DISCUSSION/ACTION

8. ZOA-13-01 Gila County Fee Schedule: On September 24, 2013 at the Gila County Board of Supervisors meeting the Supervisor heard the case to amend the planning and zoning, wastewater and flood control fees. The Board of Supervisors supported amending the wastewater and flood control fees and referred the planning and zoning fees back to the commission for consideration of other options and suggested extending the review period further back than 2007, or increasing the fees by 50%.

Community Development Director, Robert Gould introduced this item and stated that there were two additions as recommended at the November 7, 2013 work session.

1. That the Board of Supervisors request staff prepares a yearly review of the current fees.
2. That if the Appellant wins the appeal the application fee is refunded.

Commissioner Jay Spehar motioned to recommend that the fee structure, as presented, be amended by the Board of Supervisors; Commissioner Travis Williams seconded the motion and the item was unanimously passed.

9. In accordance with Arizona Revised Statutes §11-802 J. 1. Election of Officers for the 2014 calendar year: The Commission shall elect a chairperson from among its members for a term of one year and those other officers as it determines.

Chairman Mickie Nye opened the meeting for nominations. Commissioner Travis Williams nominated Mickie Nye remain as Chairman and Dawn Brunson become the Vice-Chairman; motion seconded by Commissioner Jay Spehar. The motion unanimously passed.

10. In accordance with Arizona Revised Statutes §11-802 J. 2. Approval of Planning and Zoning Commission and Board of Adjustment and Appeals 2014 calendar: By resolution fix the time and place within the district of regular meetings, hold at least one regular meeting each month when there is new official business to transact and hold additional meetings as the chairperson or a majority of the commission deems necessary.

Commissioner Mary Lou Myers motioned to approve the calendar as presented. Commissioner Dawn Brunson seconded the motion and this item was unanimously passed.

11. Adjournment

Motion to adjourn was made by Commissioner Jack Larimore and seconded by Commissioner Jay Spehar. The meeting adjourned at 11:00 am.