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Marian Sheppard, BOS
05/06/2014 2-B

RESOLUTION NO. 14-05-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF GILA COUNTY, ARIZONA, APPROVING PLANNING AND ZONING DEPARTMENT CASE NO. CUP-14-02, A REQUEST BY RAY STEPHENS (APPLICANT/OWNER) FOR A CONDITIONAL USE PERMIT UPON GILA COUNTY ASSESSOR'S TAX PARCEL NUMBER 301-19-007R LOCATED AT 3465 HARPS WAY, PINE, ARIZONA.

WHEREAS, the Gila County Planning and Zoning Commission, at a duly noticed public hearing held on April 17, 2014, approved Planning and Zoning Department Case No. CUP-14-02 to recommend Board of Supervisors' approval to allow a Conditional Use Permit upon Assessor's tax parcel number 301-19-007R to allow the operation of a cottage industry to produce wine at a residence upon this parcel of land; and

WHEREAS, after holding a public hearing as provided by law, the Board of Supervisors is of the opinion that the approval of this Conditional Use Permit would be harmonious or compatible with neighboring uses through the application and maintenance of qualifying conditions.

NOW, THEREFORE, BE IT RESOLVED that the Gila County Board of Supervisors does hereby approve Planning and Zoning Department Case No. CUP-14-02 as set forth in the attached Exhibit A, to allow for a Conditional Use Permit on Assessor's tax parcel number 301-19-007R.

PASSED AND ADOPTED this 6th day of May 2014, at Globe, Gila County, Arizona.

Attest:

Laurie J Kline for
Marian Sheppard
Clerk of the Board of Supervisors

GILA COUNTY BOARD OF SUPERVISORS

Michael A Pastor
Michael A. Pastor, Chairman

Approved as to form:

Bryan Chambers
Bryan Chambers
Deputy Attorney Principal

EXHIBIT A

GILA COUNTY PLANNING AND ZONING DEPARTMENT
CASE NO. CUP-14-02

AN APPLICATION BY RAY STEPHENS (APPLICANT/OWNER)
FOR A CONDITIONAL USE PERMIT UPON ASSESSOR'S TAX PARCEL NUMBER
301-19-007R LOCATED AT 3465 HARPS WAY, PINE, ARIZONA

THIS PARCEL IS CURRENTLY ZONED AS "R1-D12"

The Gila County Board of Supervisors has approved a Conditional Use Permit to allow the operation of a cottage industry to produce wine at a residence as per Gila County Zoning Ordinance Section 103.11 which reads:

Conditional Uses and Conditional Use Permits:

A. GENERAL:

As defined in Section 102, *Conditional Uses are those uses which, although not specifically permitted in a given zoning district, would become harmonious or compatible with neighboring uses through the application and maintenance of qualifying conditions.* Conditional Use Permits shall be issued setting forth all qualifying conditions subject to the procedures for rezoning found in Section 105 amendment Procedures.

The Gila County Board of Supervisors approved the Conditional Use Permit with the following conditions:

1. That no more than three employees that are nonresidents may be employed at any given time.
2. That the current floor area being used in the business, in the basement of the home is acceptable with no expansions into other areas of the home.
3. That prior to initiating the winery business the applicant shall submit approval to operate from the Gila County Health Department
4. No business activities or advertising shall be visible from the roadway or adjacent properties
5. That the use does not cause any sustained or unpleasant or unusual noises or vibrations or noxious fumes or odors, or cause any parking or traffic congestion in the immediate neighborhood.
6. No on-street parking
7. Prior to opening the winery business, the applicant shall submit a copy of a Series 13 Domestic Farm Winery License issued by the Arizona Department of Liquor Licenses and Control.