

# PLANNING AND ZONING COMMISSION

## MINUTES OF MEETING

### MAY 17, 2023

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**COMMISSION MEMBERS PRESENT:** Chairman Gene Robert Larson, Kay Matlock, Brandon Lunt, Peter Vlassis, Michael Ruiz, and Mark Claridge.

**MEMBERS ABSENT:** Judy Motes and Alvin Summers

**STAFF PRESENT:** Steve McGaughey, Valerie Cooke, Mark Cavanaugh, Michael Bryce, P.J. Allred, and Jennifer Cochran

**VISITORS:** Justin Layton, Louise Welker, Daniel Welker, Mike Bingham, Cassie Allred, Gary Allred, Louis Schumaker, Mike Spenger, Marissa Peasnall, Evelyn Palmer, Teresa Herbert, Fred Herbert, Janice Howard, Patricia Allen, Ron Howard, Steve Curtis, Barbara Curtis, Barbara Boehm, Dale Boehm, Mindi Davis, Dale Davis, Debbie Fleming, Wende Macumber, Gabriel Jaurigue, Nicole Jaurigue, Kim Donohue, Antonio Jaurigue, Kaye Congdon, Stephanie Howard, J.R. Howard, Sherry Porter, Chris Porter, Ashley Stover, Sam Daley, Larry Garcia, Gina Groll, Bailey Allred, Laine Allred, George Santas, Russell Cox, Sharon O'Bannon, Ying Cox, Russell Cox, Dell Cluff, Kent Cleckler, John Wilson, and Sharon O'Bannon,

**CALL TO ORDER:** Chairman Gene Robert Larson called the meeting to order at 9:02AM and took roll, a quorum was present.

**APPROVAL OF PREVIOUS MEETING MINUTES:** Commissioner Claridge motioned to approve the minutes for the April 19, 2023, Planning and Zoning meeting. Commissioner Ruiz seconded. Vote: all in favor.

### **ITEMS FOR PUBLIC HEARING**

4. REZ 875-23 (APN105-45-086H) 1.47 acres. A request was made to rezone from current A (General Use) to R-M (Residential Multi-Family) for the purpose of developing multi-family units. The owner and requestor, Cody Innes. The situs is 2798 N. Shiflet Ave., Central.

*Director McGaughey presented. Access for property has not been requested or approved from ADOT. P&Z received two letters of opposition.*

*Chairman Larson call to the public – no response.*

*Commissioner Claridge, same type of zoning in the area, how many units will this allow?*

*Director McGaughey, quite of bit of less than one 1/2 acre lots – displayed on overhead map screen*

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*Commissioner Vlassis, similar to Elmer Estates?*

*Commissioner Matlock, how many units?*

*Director McGaughey, depends on septic allowance and fixture count – maybe 6 small duplexes*

*Chairman Larson let's vote.*

*Commissioner Claridge motioned for item REZ 875-23 (APN105-45-086H) to send a favorable recommendation to the Board of Supervisors. Commissioner Vlassis seconded. Vote: all in favor.*

5. REZ 876-23 (APN113-03-029) 10-acre section of the 79-acre parcel (The Southeast quarter of the Southeast quarter of the Northwest quarter of section 6, range 9S, Township 26E.) A request was made to rezone from a current A (General Use) to M-X (Unlimited Manufacturing) for a feed lot. The owners and requestors are Wyle “Bill” and Lori Sollers. The situs is 1475 W. Quatro Cerros Rd. Safford.

*Director McGaughey presented. At P& Z request since the owners have been using this area of the property as a feed lot before sending their cattle to market, they would need to change the zoning to MX.*

*Chairman Larson call to the public – no response.*

*Commissioner Claridge motioned for item REZ 876-23 (APN113-03-029) to send a favorable recommendation to the Board of Supervisors. Commissioner Ruiz seconded. Vote: all in favor.*

6. SUP23-01 (APN 106-06-086) A request was made for a Special Use Permit (SUP) for a Petting Zoo Farm for (special occasions). The owner and requestor, Kaye Congdon. The situs is 5828 S. Cottontail Trail, Safford.

*Kay Congdon presented. Kay stated that she wanted to hold a petting zoo for birthday parties and special occasions for about 10 children. A port a potty would be set up along with a hand washing station.*

*Chairman Larson asked is she had done this before?*

*Congdon stated, yes for the schools.*

*Commissioner Matlock, is it by reservation only?*

*Congdon, yes.*

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*Commissioner Matlock, I think this is a wonderful idea.*

*Commissioner Lunt, what type of animals do you have?*

*Congdon, goats, chickens, rabbits, ducks.*

*Commissioner Lunt, small stuff?*

*Congdon, yes.*

*Chairman Larson, anyone have any comments?*

*Visitor John Wilson, I oppose. I like your dog smokey, but I am concerned about parking and children. The roadway is too narrow. I am concerned about containment. You can't keep your dog contained.*

*Visitor Marissa Peasnall, I oppose because I maintain the road, and this will bring too much traffic. Small animals bring more predators. I also agree with the issues of containment and parking.*

*Visitor Sandra Romero, I oppose. There is no parking and the extra use of our road. There is no where to turn around. You can only pass with two cars – carefully. There are no lights at night. People will get lost and end up in my driveway. I have concerns with safety access – large concerns.*

*Dale Boehm – I live across the highway, and I support Kay Congdon. She has always had these animals so the issue with predators is not going to change. If issues come up, I feel that she would be responsible and fix them.*

*Congdon, I am trying to get a remote on the gates to keep them closed. My family across the wash owns the property and I am planning on using it for parking.*

*Commissioner Matlock, are you doing night parties?*

*Congdon, no, day parties – weekends and holidays. I work full time.*

*Commissioner Claridge, is the family property easily accessible? Maybe you could do cost sharing with road maintenance.*

*Director McGaughey the road is owned by the County but not maintained by the County*

*Commissioner Vlassis, the family property for parking is zoned commercial.*

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*Visitor John Wilson approached the map to show that there is no way to turn around. It's a 25mph road and no one goes 25mph. Dogs and kids are the focus and concern. Parking should be within the gates of the petting zoo. What about emergency services? Fire trucks? A 25ft trailer has to back out.*

*Visitor Sandra Romero her fence runs along her property but does not enclose her property – the dog smoky still gets out. She needs to have a fully contained fence.*

*Commissioner Claridge, where is your family's lot?*

*Congdon showed on the overhead map the location of the lot for parking. I don't plan on having parties with more than 10 kids.*

*Chairman Larson, reservations would control cars. How many times a year?*

*Congdon, special events – once or twice a month.*

*Commissioner Claridge, SUP can be worked out with the neighbors.*

*Director McGaughey – solutions to problems can be worked out or the SUP will be pulled.*

*Chairman Larson any questions?*

*Commissioner Matlock motioned for SUP23-01 (APN106-06-086) item to send a favorable recommendation to the Board of Supervisors Commissioner Lunt seconded. Vote: all in favor.*

7. REZ877-23 (APN105-32-010) 38.96980 acres. A request was made to rezone from current A (General) to R-MH (Residential -Manufactured Home) for the proposed development of a RV park. The requestor is Ronald and Janice Howard. The property runs along both sides of Reay Lane, and South of Marble Lane, Thatcher.

*J.R. Howard presented a hand out to the commission and to the general public. He stated that there is a housing crunch for those business that are servicing the mine. The housing situation is one that is not preferred. People are hooking up travel trailers in people front yards. We have talked with representative from the mine and RV parks are needed. I handed out preliminary plans for 50-60 spots and a great location for most customers that are working at the mine. It is located just one mile from the mine turn off. This is less driving time, safer commute, less traffic and congestion in town. The property is currently an eye sore. We have an interest in beautifying the area. I have a reputation of doing that. This will also bring more utilities to the area.*

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*Chairman Larson, are you out of the flood plain?*

*Howard, in the flood plain.*

*Commissioner Ruiz, how many units?*

*Howard, 50-60.*

*Chairman Larson, any comments, or questions?*

*Visitor Gary Allred, I oppose there is so much traffic already on this road with the acid trucks, heavy equipment, employees, and deliveries. The river winds with the dust can become a black out situation. There are currently 20 residents with 60 units you would bring in 5x the number of residents and put additional stress on the water source. There is a river to cross and no fire infrastructure.*

*Director McGaughey, we will require a traffic impact study by a consultant. Manufactured homes cannot go in flood plain, nor park models. Septic systems are also not allowed in flood ways.*

*Michael Bryce, with engineering, stated that septic systems cannot be put in the flood way: the health department will regulate that. Engineering will review the traffic impact study done by a private company.*

*Commissioner Lunt, what about engineered septic tanks?*

*Michael Bryce depends on number of units. If it comes in phases, they will look at nitrogen concentration.*

*Commissioner Claridge, could you have up to 200 units? This phase has 50-60 units. What if he sold the property and someone else came in and purchased it.*

*Michael Bryce could be difficult to forecast.*

*Commissioner Claridge, I'm just trying to get a feel for what the possibilities are.*

*Michael Bryce, it's hard to answer not knowing what the flood way is.*

*J.R. Howard, what about holding tanks?*

*Michael Bryce, that's a question for the health department.*

*Commissioner Matlock, will you have laundry facilities?*

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*J.R. Howard, yes.*

*Open Discussion about well water*

*Michael Bryce, 20 gallons a minute not fully versed in water supply.*

*Chairman Larson, there is a limit on how many can be on a well.*

*Michael Bryce, there are shared well agreements*

*Chairman Larson, 15 houses.*

*Michael Bryce, I really can't speak with authority to that.*

*Chairman Larson – engineering and the floodplain – remember what happened with Little Hollywood.*

*Commissioner Claridge, with it being RV's, nothing tied to the ground so they can be pulled to higher ground. The State will do the water contamination and the County review the traffic study. I am not opposed to people using their property. They still have a lot of investing to do.*

*Chairman Larson we aren't going to solve the problems, they have to, solve their own problems.*

*Visitor Bailey Allred, I am a young mom with children. J. R has been cleaning the area and does a great job. I am nervous about criminal activity and more traffic on a dirt road. There are five families with young kids. What if there is a sex offender? There is a bus stop. It will be an eye sore out my window. I am opposed.*

*Visitor Fredrick Herbert, it will bring an increase of law enforcement to the area and a drop in property values. More dust, drought, drawing more water from the water table.*

*J.R Howard, Mr. Herbert is your house for sale?*

*Visitor Fredrick Herbert, yes. Who ever takes over, could be my kids, family, I want them to have a good quality life there.*

*Commissioner Claridge, how many units between 2 parcels?*

*J.R. Howard, 50-60 units.*

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*Commissioner Claridge, can we make a recommendation?*

*Director McGaughey, yes you can in your motion make a recommendation.*

*Commissioner Matlock, there is a need for an RV park in Graham County. I also know that people need to be able to put there roots down.*

*Commissioner Claridge, people need affordable housing.*

*Chairman Larson, I live in a mobile home myself.*

*Commissioner Claridge, it is a good neighborhood.*

*Chairman Larson, people need good places to live.*

*Commissioner Claridge, I would propose that we limit it to 60 units only.*

*Chairman Larson lets vote.*

*Commissioner Claridge motioned for item REZ877-23 (APN105-32-010) to send a favorable recommendation to the Board of Supervisors with the stipulation that between both rezonings (REZ877-23 & REZ878-23) there would be no more than 60 RV spaces without coming back through the process to get approved for additional spaces. Commissioner Vlassis seconded the motion. Vote: all in favor.*

8. REZ 878-23 (APN105-31-002A) 41.62 acres. A request was made to rezone from current A (General) to R-MH (Residential -Manufactured Home) for the proposed development of a RV park. The requestor is Ronald and Janice Howard. The property runs along both sides of Reay Lane, and North of the Thatcher Bridge, Thatcher.

*J.R. Howard, presented.*

*Visitor, Ron Howard, I worry about water too. This is our lively hood, but having said that the amount of water we used to farm in comparison will be minimal.*

*Visitor Gary Allred, wells are currently low what are we going to do about the water levels. There is not plan to bring out city water. There isn't a solution for the water shortage.*

*Commissioner Vlassis, we need a solution for the housing shortage. The mine is hiring 2000 employees.*



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*Chairman Larson, there are not enough houses being built to pay for the water lines to be extended to the area.*

*Open discussion about water being extended to area and water shortage.*

*Visitor Michael Bingham, is the floodway determined by the state?*

*Michael Bryce, no it's determined by an engineering study. The septic discharge is regulated by the state.*

*Visitor Michael Bingham, how many gallons of discharge per day?*

*Michael Bryce, 3000 gallons per day.*

*Visitor Gary Allred, the road curves are they going to put in a turning lane or widen the road?*

*Commissioner Vlassis, that will be taken care of by the traffic study.*

*Visitor Sherry Porter, I am opposed. We live out in the rural area for a reason. How many wells? How many septic? If wells go dry, we have to leave. When it floods it puts people in jeopardy. It will go until we have fifteen parks out there. You say the city will put water out there, but they won't.*

*Visitor Nicole Jaurigue, RV residents need to be closer to town due to walking or biking to the store. Irresponsible to build housing in a flood zone. I am opposed.*

*Visitor Sharon O'Bannon I am concerned about flooding. In the 70's it flooded, and we had to use our year supply because we were stuck. We weren't able to move in a timely manner. Our well has dried up before. I am opposed.*

*Visitor Sam Daley I am partnering with J.R. It is great everyone is here and concerned about the area and water issues. Septic is going to be an issue. People getting stuck or trapped – things will need to be looked into.*

*Visitor Dale Cluff abruptly interrupted Sam Daley. Mr. Cluff lives in Phoenix has property in the area showed his parcel on the overhead map that two wells that no longer have water. Where are you going to get the water? Homes have shallow wells, it costs money to dig deeper.*

*Commissioner Claridge, are you good J.R.?*

*J.R. Howard dust developing- we can take care of that. I think that we can control or we will do our best to control the people that have good paying jobs that need a temporary place. We can keep it from being an eye sore – a nice place.*



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*Director McGaughey, some clarification on how big a septic system can get. ADEQ gets involved if over 26-30 spaces.*

*Commissioner Claridge, no more than 60 units at once.*

*Chairman Larson let's vote.*

*Commissioner Claridge motioned for item REZ877-23 (APN105-32-010) to send a favorable recommendation to the Board of Supervisors with the stipulation that between both rezonings (REZ877-23 & REZ878-23) there would be no more than 60 RV spaces without coming back through the process to get approved for additional spaces. Commissioner Vlassis seconded the motion. Vote: all in favor*

9. REZ879-23 (APN105-48-011D) and a portion of (APN105-48-011C) the South 405' of the East 400' of the SE ¼ of the SE ¼ of Section 34 Township 6S Range 25E being about 3.71 acres. A request was made to rezone from current A (General) to R-MH (Residential -Manufactured Home) for the proposed development of a RV park. The requestor is owner, Justin Layton. The situs is 2020 N. Reay Lane, Thatcher.

*Justin Layton presented. RV park with 35 slots and small build to include laundry services, TV, and vending machines.*

*Commissioner Claridge, water source and septic?*

*Mr. Layton, city sewer and water.*

*Commissioner Matlock, the warehouse?*

*Mr. Layton, on the next application.*

*Director McGaughey clarification described with mapping of parcel on the overhead.*

*Chairman Larson any questions? No response.*

*Commissioner Vlassis motioned for item REZ879-23 (APN105-48-011D) and a portion of (APN105-48-011C) to send a favorable recommendation to the Board of Supervisors. Commissioner Ruiz seconded. Vote: all in favor.*

10. REZ880-23 a portion of (APN105-48-011C) the North 905.53 feet +/- (more or less) of the East 400' of the SE ¼ of the SE ¼ of the Section 34 Township 6S Range 25E being about 8.31 acres. A request was

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made to rezone from current A (General) to C-M (Commercial Manufacturing) for the proposed development of RV storage and warehouses. The requestor is owner, Justin Layton by POA of landowner, Jay Layton. The situs is 2075 to 2250 N. Reay Lane, Thatcher.

*Justin Layton presented - described mapping area and zoning of parcel for storage area for RV and warehouses (6).*

*Commissioner Matlock, this definitely fills a need.*

*Chairman Larson, any comments or questions? No response.*

*Commissioner Vlassis, motioned for item REZ880-23 a portion of (APN105-48-011C) to send a favorable recommendation to the Board of Supervisors. Commissioner Ruiz seconded. Vote: all in favor.*

11. REZ881-23 (APN107-17-037) 1.0048 acres. A request was made to rezone from current A (General) to R-R (Rural Residential) for the purpose of being able to split to make two half acre lots. The owner and requestor, Michael Spenger. The situs is 2204 N. San Juan Mine Rd., Safford.

*Michael Spenger presented. I am looking to split the property and bring my mother-in law and father-in law to live in a new structure. Utilities are already on the property but would need to add a new septic.*

*Commissioner Claridge, anything similar in size, ½ acre, in the area?*

*Director McGaughey showed examples of the area on the overhead map.*

*Chairman Larson call to the public? No response*

*Commissioner Vlassis motioned for item REZ881-23 (APN107-17-037) to send a favorable recommendation to the Board of Supervisors. Commissioner Ruiz seconded. Vote: all in favor.*

12. REZ882-23 (APN104-39-174) 1.0063 acres. A request was made to rezone from current A (General) to R-M (Multi-Family Residential) for the proposed development of a new duplex. The requestor is Travis Palmer. The situs is 1104 S. 4<sup>th</sup> Ave., Thatcher.

*Evelyn Palmer presented. Planning on building the duplex to live in while building their home on the parcel next to the property. It will be a nice addition to the neighborhood. There intension is to make the neighborhood a better place to live.*

*Chairman Larson call to the public?*

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*Kim Donahue wanted to know if the Palmers would be selling the duplex as individual units or as a whole unit?*

*Mrs. Palmer stated that they were not planning on selling the duplex - after they build their home, they will rent the duplex out to family or other people, it's an investment.*

*Ms. Donahue stated that is all she was concerned about was that the duplex was not being sold as separate units.*

*Director McGaughey, current rules would not allow the duplex to be sold in pieces.*

*Chairman Larson, asked for a vote.*

*Commissioner Vlassis motioned for REZ882-23 (APN104-39-174) item to send a favorable recommendation to the Board of Supervisors. Commissioner Lunt seconded. Vote: all in favor.*

**UNFINISHED BUSINESS: NONE**

## **ITEMS TO BE SET UP FOR PUBLIC HEARING**

NONE

## **OTHER BUSINESS**

NONE

## **CALL TO THE PUBLIC**

NONE

**JOINT WORK SESSION:** Marijuana Regulation Ordinance Review with the Board of Supervisors

ADJOURNMENT: at 12:16PM Chairman Gene Robert Larson called for adjournment.

MINUTES ACCEPTED by: \_\_\_\_\_ Date \_\_\_\_\_

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MAY 17, 2023

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Gene Robert Larson, Chairman Planning & Zoning Commission

ATTESTED by: \_\_\_\_\_ Date \_\_\_\_\_

Steve McGaughey, Community Development Director

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