



**TOWN OF EAGAR**  
**PLANNING AND ZONING COMMISSION**

**JULY 11, 2023 at 6:00 PM**

**COUNCIL CHAMBER, 22 WEST 2ND STREET**

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**AGENDA**

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- 1. WELCOME**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. INVOCATION**
- 5. PUBLIC COMMENTS**

PERSONS WISHING TO ADDRESS THE COMMISSION ON ANY ITEM NOT ALREADY ON THE AGENDA MAY DO SO, ALTHOUGH EACH SPEAKER IS LIMITED TO THREE MINUTES. THE CHAIR, WITH THE CONSENT OF THE COMMISSION, MAY LIMIT THE TOTAL TIME OFFERED SPEAKERS, IF NECESSARY. ALL SUCH REMARKS SHALL BE ADDRESSED TO THE COMMISSION AS A WHOLE, AND NOT TO ANY SPECIFIC MEMBER. NO PERSON OTHER THAN THE SPEAKER SHALL ENTER THE DISCUSSION WITHOUT PERMISSION OF THE CHAIR. THE COMMISSION MAY NOT ADDRESS, DISCUSS OR VOTE UPON ANY PETITION OR COMMENT RAISED BY THE PUBLIC AT ANY MEETING. THE ITEM MAY BE PLACED ON A FUTURE AGENDA WITH DIRECTION FROM THE PLANNING AND ZONING ADMINISTRATOR ON HOW TO PLACE AN ITEM ON THE AGENDA.

**6. DISCUSSION AND CONSIDERATION OF MINUTES**

- A. DISCUSSION AND POSSIBLE ACTION FOR APRIL 11TH, 2023 MEETING MINUTES

**7. CONVENE TO PUBLIC HEARING**

Public Hearings are conducted in accordance with AR S 38-431 et seq (the "open meeting law") and the Planning & Zoning Commission Policies Procedures, Town of Eagar, Arizona Section VII-Public Hearing

Calling Agenda Item: The agenda item shall be called by the Chair as any other agenda item.

Declaration of Public Hearing: The Chair shall declare that the Commission is in public hearing.

Applicant Presentation: The Applicant may make an opening statement in order to explain the item to the commission and public. The Chair or Commission may limit the time for his/her statement as necessary.

Staff Reports/Recommendations: Staff shall have an opportunity to report on the issue and answer questions by the Commission.

Written Comments: Written Comments filed with the Town or staff shall be presented to the Commission and read into the record.

Public Comments: Testimony from members of the public shall be permitted and encouraged. Anyone wishing to make a statement shall first stand and identify themselves by name and also identify where they reside. Members of the public shall be limited to five minutes per person, or less as designated by the Chair or Commission. The total time allotted to the public on any issue may be limited or extended by the Chair or Commission.

Commission Interaction: Questions from Commissioners may be held at this time, or reserved until public hearing has closed. The Commissioners may address the applicant with any questions raised from the public and discuss the question.

Applicant Closing Statement: The applicant shall be allowed a brief closing statement in order to rebut the statements made by the public, to offer a compromise, or otherwise address the issue.

Declaration of closing the Public Hearing: Unless a majority of the Commissioners object, the Chair shall declare the public hearing as closed. At this time public and applicant participation is limited to questions from the Commission only.

Commission Discussion and Vote: The agenda item will then be discussed and action taken as on any other agenda item.

## **PUBLIC HEARING**

- A. Discussion and possible action of Debord CUP2022-4; For living in RV's during construction of primary residence at 822 S. Juniper

## **8. DISCUSSION AND VOTE**

### **RECONVENE TO REGULAR MEETING**

## **9. CONVENE TO WORK SESSION**

### **RECONVENE TO REGULAR MEETING**

## **10. REPORTS**

## **11. ADJOURNMENT**

ANYONE WISHING TO ATTEND THIS MEETING AND HAS SPECIAL NEEDS DUE TO A DISABILITY, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT AT 928-333-4128 EXT.222 FORTY-EIGHT HOURS PRIOR TO THE MEETING AND RESONABLE ACCOMMODATIONS WILL BE PROVIDED.

**POSTED BY:** BRITNEY REYNOLDS

**Date:** July 10<sup>th</sup>, 2023

**Time:** 11:00 A.M.



**TOWN OF EAGAR**  
**MEETING TYPE MEETING**

MONTH DD, 20YY at 6:00 PM

COUNCIL CHAMBER, 22 WEST 2ND STREET

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**STAFF COMMUNICATION**

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**DEPARTMENT:** Community Development

**PRESENTATION:** CUP2022-4

**AGENDA ITEM:** 7A

**BUDGET IMPACT:** \$0.00

**HISTORY:** Ms. Debord has come back to the commission on different occasions to discuss this home continuing forward and allowing them to live in RV's while this occurred. This is another check in with the timeline set by Ms. Debord

**ATTACHMENTS:** None

**STAFF RECOMMENDATION:** Ms. Debord reached the rough combination stage of this permit. She has not called in for a gypsum (drywall) or final inspection. The commission needs to determine if Ms. Debord should stay on the property in RV's and give a timeline to be done or if she needs to vacate the property and can move on once the home is completed.



MINUTES  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
APRIL 11, 2023, AT 6:00PM  
22 W 2ND ST. EAGAR

Commission Present: Renee Fowler  
Brenda Ciminski  
Chad Finch  
Kristi Penrod  
Becky Crosby  
Macie Edwards

Commission Excused: Derrick Kelly

Staff Present: Britney Reynolds, Community Development Director  
Ethan Eagar, Building Inspector

Chair Penrod welcomed everyone [ 6:00 p.m.]. Chair Penrod then lead the Pledge of Allegiance. Commissioner Finch gave the invocation.

**ITEM #5 PUBLIC COMMENTS**

None

**ITEM #6 DISCUSSION AND CONSIDERATION OF MINUTES FOR February 14, 2023, MINUTES**

Commissioner Renee Fowler made a motion to approve the February 14, 2023 minutes, Commissioner Becky Crosby seconded the motion; all were in favor, motion carried unanimously 6-0.

Vote: Ayes: Kristi Penrod  
Renee Fowler  
Chad Finch  
Brenda Ciminski  
Macie Edwards  
Becky Crosby

**CONVENE TO PUBLIC HEARING [6:03 p.m.]**

Commissioner Macie Edwards made a motion to convene to public hearing. Commissioner Brenda Ciminski seconded the motion; all were in favor, motion carried unanimously 6-0.

Vote: Ayes: Kristi Penrod  
Renee Fowler  
Chad Finch  
Brenda Ciminski  
Macie Edwards  
Becky Crosby



**ITEM #7 – DISCUSSION AND POSSIBLE ACTION OF CUP2022-4; DEBORD RV LIVING WHILE HOUSE IS BEING CONSTRUCTED AT 822 S. JUNIPER.**

Ms. Debord was present. Ms. Debord stated that they are a week away from rough combo inspection. Doors and windows have been installed. After which insulation and drywall will be installed. Ms. Debord mentioned that they have put up fencing and planted trees. The building inspector Ethan Eagar explained that according to the pictures too much progress has been made before having a rough combo inspection by having insulation and gypsum board up in a couple of areas. Ms. Debord said that the only places that have insulation and gypsum board are areas that do not have electrical, plumbing, or mechanical behind it. Mr. Eagar explained that during the rough combo inspection she would need to be prepared to remove gypsum board and insulation if needed to complete inspection. Ms. Debord agreed to that. Chair Penrod asked Britney to remind her what was decided to be done by this point. Britney said that Ms. Debord’s timeline was for rough combo to be completed by this time. Chair Penrod asked Ms. Debord how long until completion and Ms. Debord said the first week in July. Ms. Debord then stated that she doesn’t expect any delays between now and the first week in July.

Chair Kristie Penrod motioned to continue to allow Ms. Debord to live in her RV under CUP2022-4 until the July 11, 2023 meeting and then revisit. Commissioner Edwards seconded the motion; all were in favor, motion carried unanimously 6-0.

Vote:           Ayes:           Kristi Penrod  
                      Renee Fowler  
                      Chad Finch  
                      Brenda Ciminski  
                      Macie Edwards  
                      Becky Crosby

**ITEM #8 – PUBLIC HEARING FOR RZ2023-2; A REZONING APPLICATION FOR THE PROPERTY KNOWN AS 386 N. RIVER RD. AND PARCEL # 104-68-229A TO REZONE FROM R1-10 RESIDENTIAL TO AG AGRICULTURE.**

Adam Stroud was present at the meeting. He stood and explained they want to use the property for agricultural purposes as well as to build a home. Britney Reynolds gave the staff recommendation which is that all the things that Mr. Stroud wants to do on the property he can already do in an R1-10 zone. Mrs. Reynolds also explained that in past P&Z meetings the commission had mentioned not wanting to get into the habit of rezoning properties when the buyer was aware of what the current zoning is. Chair Penrod asked for any public comments. A few neighbors near Mr. Stroud’s Property stood and voiced concerns of changing to AG zoning. They voiced concern of the property being along the Little Colorado River and large animal and green house farming which would potentially result in animal waste running into the river, fertilizers and insecticides inadvertently being put into the river, along with equipment, and animal noises. Steven Heap and Margi Stroud Stood and voiced their support and said it would increase property value and be a huge benefit to the community. Chair Penrod asked Mr. Stroud what the benefit to him would be to rezone it when R1-10 does not restrict him from doing what he has explained he wants to do. Mr. Stroud explained that if it is rezoned to AG then he could get tax benefits. Mrs. Reynolds explained to Mr. Stroud that if he keeps it R1-10 it would be easier for him to split off a section so that he could then build two houses of 1000 square feet or more.

Commissioner Ciminski moved to leave the property zoned as R1-10, Commissioner Fowler seconded the motion; all were in favor, motion carried unanimously 6-0.



Vote:           Ayes:           Kristi Penrod  
                      Renee Fowler  
                      Chad Finch  
                      Brenda Ciminski  
                      Macie Edwards  
                      Becky Crosby

**ITEM #9 – PUBLIC HEARING FOR CUP2023-1; TO ALLOW OWNER TO REMOVE EXISTING OLD SINGLE WIDE HOME AND BUILD A SITE BUILT HOME ON THE PROPERTY AT 30 E. 4<sup>TH</sup> AVE.**

Mrs. Sandoval (owner) Explained that housing market is really high right now and all they want to do is remove the old single wide trailer on their property that they are currently living in and build a bigger, nicer site built home for their family. Britney Reynolds gave a staff recommendation to approve CUP2023-1, and that all neighbors are in favor of it as well.

Commissioner Crosby motioned to approve CUP2023-1, Commissioner Finch seconded the motion; all were in favor, motion carried unanimously 6-0.

Vote:           Ayes:           Kristi Penrod  
                      Renee Fowler  
                      Chad Finch  
                      Brenda Ciminski  
                      Macie Edwards  
                      Becky Crosby

**ITEM #10 PUBLIC HEARING FOR CUP2023-2; TO ALLOW OWNER TO CONSTRUCT MULTIPLE QUADPLEX'S FOR MULTI FAMILY HOUSING IN A COMMERCIAL ZONED AREA KNOWN AS 25 N. RVER RD.**

Property owner James Rogers was present at the meeting. Mr. Rogers stated that his purpose for these duplex's is for affordable housing. Neighbors and citizens did not like the idea of duplex's going in due to health and safety issues, extra trash issues which potentially come from multi plex's, traffic issues, and kids passing through private properties. Mr. Rogers then stated that he could just put a hotel/motel there without a Conditional Use Permit.

Chair Kristie Penrod motioned to deny CUP2023-2, Commissioner Ciminski seconded the motion; Commissioners Ciminski, Finch and Crosby were in favor, Commissioners Edwards and Fowler were opposed; motion carried 4-2.

Vote:           Ayes:           Kristi Penrod  
                      Chad Finch  
                      Brenda Ciminski  
                      Becky Crosby

Nays:           Macie Edwards  
                      Renee Fowler



**ITEM #11 – PUBLIC HEARING FOR CUP2023-3; TO ALLOW JAMES ROGERS TO CONSTRUCT MULTI-FAMILY HOUSING IN A COMMERCIAL ZONED AREA KNOWN AS 246 E. CENTRAL AVE.**

James Rogers stood and explained that he wants to build more housing for the work force. He also explained that there are a majority residential houses in the area and would rather put residential housing instead of a business which he is legal to do without a Conditional Use Permit. Neighbors and citizens are concerned about extra traffic and safety.

Commissioner Ciminski motioned to deny CUP2023-3, Chair Penrod seconded the motion, Commissioner Fowler was in favor, Commissioners Finch, Edwards, and Crosby were opposed. Chair Penrod motioned to table the decision, Commissioner Edwards seconded the motion, Commissioners Crosby and Fowler were in favor and commissioners Finch and Ciminski were opposed. Motion carried 4-2.

Vote:           Ayes:           Kristi Penrod  
                      Renee Fowler  
                      Becky Crosby  
                      Macie Edwards

                      Nays:           Brenda Ciminski  
                                  Chad Finch

**ITEM #12 – PUBLIC HEARING ON CUP2023-4; TO ALLOW PROPERTY OWNER TO LIVE ON PROPERTY IN A PARK MODEL TRAILER UNTIL SUCH TIME AS MR. BURTON NO LONGER LIVES ON THE PROPERTY IN AN RMH-7 ZONE KNOWN AS 98 S. WYE DR.**

Mr. Burton was present and stated that he would like to stay in Eagar, and he lives by himself. Mr. Burton with the help of family and friends have fixed up the property and plan to continue to fix up the property with the assistance of a program from Home Depot. According to friends and family it would be a terrible financial burden to have to move off the property. Family and friends are in support of Mr. Burton being able to live in his park model home. Bobby and John Stone who are neighbors are opposed to Mr. Burton being able live on his property in a park model home since Mr. & Mrs. Stone was denied a mobile home because it was too old and against town ordinance.

Commissioner Crosby motioned to approve CUP2023-4 to allow a park model home on the property 98 S. Wye Dr. until Mr. Burton no longer lives on the property. Commissioner Finch seconded the motion; all were in favor, motion carried unanimously 6-0.

Vote:           Ayes:           Kristi Penrod  
                      Renee Fowler  
                      Chad Finch  
                      Brenda Ciminski  
                      Macie Edwards  
                      Becky Crosby



**RECONVENE TO REGULAR MEETING**

Commissioner Ciminski motioned to reconvene to regular meeting. [8:04 p.m.] Chair Penrod seconded the motion; all were in favor, motion carried unanimously 6-0.

Vote:           Ayes:           Kristi Penrod  
                      Renee Fowler  
                      Chad Finch  
                      Brenda Ciminski  
                      Macie Edwards  
                      Becky Crosby

**ITEM #9 – REPORTS**

Commissioners want to have a master plan review; they want to discuss potential rezoning areas and discuss other safety concerns within town limits. Work session discussed for May meeting.

**ITEM #10 – ADJOURNMENT**

Chair Penrod motioned to adjourn the meeting [8:14 p.m.]. Commissioner Ciminski seconded; all were in favor, motion carried unanimously 4-0.

Vote:           Ayes:           Renee Fowler  
                      Chad Finch  
                      Kristi Penrod  
                      Brenda Ciminski  
                      Macie Edwards  
                      Becky Crosby

Chair signature: \_\_\_\_\_

Director signature: \_\_\_\_\_