



**TOWN OF EAGAR
PLANNING AND ZONING COMMISSION**

APRIL 11, 2023 at 6:00 PM

COUNCIL CHAMBER, 22 WEST 2ND STREET

AGENDA

- 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 POSSIBLE ACTION FOR FEBRUARY 14, 2023 MEETING MINUTES**
- 7. 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.

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

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 R10-10 residential to AG agricultural.

9. DISCUSSION AND VOTE

A. 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. 4th Ave.

10. DISCUSSION AND VOTE

A. 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. River Rd.

11. DISCUSSION AND VOTE

A. 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.

12. DISCUSSION AND VOTE

A. 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.

13. DISCUSSION AND VOTE

14. RECONVENE TO REGULAR MEETING

15. REPORTS

16. 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:** April 7, 2023 **Time:** 11:00 A.M.



MINUTES
PLANNING AND ZONING COMMISSION
REGULAR MEETING
FEBRUARY 14, 2023, AT 6:00PM
22 W 2ND ST. EAGAR

Commission Present: Renee Fowler
Brenda Ciminski
Derrick Kelly
Kristi Penrod

Commission Excused: Chad Finch
Becky Crosby
Macie Edwards

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

ITEM #5 PUBLIC COMMENTS

Lane Scott stood up and wanted to bring to the attention of the commission the possibility of him and his associates looking to build a tiny home village within the Town of Eagar. He printed a sheet with details of the plan and gave each commissioner a copy. Mr. Scott stated that there is a big need for affordable housing especially for veterans and the elderly and he believes they can help provide this. Mr. Scott stated that he has not purchased any land in Eagar yet.

ITEM #6 DISCUSSION AND CONSIDERATION OF MINUTES FOR JANUARY 10, 2023 MINUTES

Commissioner Brenda Ciminski made a motion to approve the January 10, 2023 minutes, Commissioner Derrick Kelly seconded the motion; all were in favor, motion carried unanimously 4-0.

Vote: Ayes: Kristi Penrod
Renee Fowler
Derrick Kelly
Brenda Ciminski

CONVENE TO PUBLIC HEARING

Commissioner Brenda Ciminski made a motion to convene to public hearing. Commissioner Renee Fowler seconded the motion; all were in favor, motion carried unanimously 4-0.

Vote: Ayes: Kristi Penrod
Renee Fowler
Derrick Kelly
Brenda Ciminski

ITEM #7 – PUBLIC HEARING FOR RZ2023-1; A REZONING APPLICATION FOR THE PROPERTY KNOWN AS PARCEL # 104-52-016 TO REZONE FROM COMMERCIAL C-1 TO RESIDENTIAL R2-7.



Applicants were not present. Britney Reynolds gave a staff recommendation to allow for the rezoning since the two parcels just to the south were rezoned back in September of 2022. And when the applicants purchased the land they were told by their realtor that the property was unrestricted, which is not the case. Chair Kristie Penrod asked if there were any public comments on the matter. Debra Seeley who lives across the street and to the south a bit asked what kind of house does the applicant plan to put on the property. Britney Reynolds said that the applicants plan to put a manufactured home. Chair Kristie Penrod declared the public hearing as closed. Commissioner Fowler asked if minimum 1,000 square feet is required for the size of home, Britney Reynolds responded that R2-7 zoning does allow homes under 1,000 square feet to be built or placed on the property as its main residential dwelling.

Chair Kristie Penrod motioned to approve RZ2023-1, Commissioner Ciminski seconded the motion; all were in favor, motion carried unanimously 4-0.

Vote: Ayes: Kristi Penrod
 Renee Fowler
 Derrick Kelly
 Brenda Ciminski

RECONVENE TO REGULAR MEETING

Commissioner Kelly motioned to reconvene to regular meeting. Commissioner Ciminski seconded the motion; all were in favor, motion carried unanimously 4-0.

Vote: Ayes: Kristi Penrod
 Renee Fowler
 Derrick Kelly
 Brenda Ciminski

ITEM #9 – REPORTS

Community Development Director, Britney Reynolds, stated that there will be no meeting in March due to spring break and most commissioners will be out of town and there will not be enough commissioners for a quorum. But will have a meeting in April.

ITEM #10 – ADJOURNMENT

Commissioner Fowler motioned to adjourn the meeting [6:17 p.m.]. Commissioner Ciminski seconded; all were in favor, motion carried unanimously 4-0.

Vote: Ayes: Renee Fowler
 Derrick Kelly
 Kristi Penrod
 Brenda Ciminski

Chair signature: _____

Director signature: _____

**TOWN OF EAGAR
REZONING APPLICATION**
(REFER TO CHAPTER 18.80 OF THE ZONING ORDINANCE)

Permit No. RZ 2023-2

Name of Applicant: Michael Adam Stroud

Address: 386 N River Rd. Eagar AZ 85925

Telephone: (928) 551-1379 Date: 01/31/2023

Parcel Number(s): 104-68-229A

1. Legal description of property and current and proposed zone which request to rezone is being made: See attachment for details on rationale and vision.

Current Zone:	Proposed Zone:	Adjacent Zoning (all sides)
R1-10	AG or any AR	AG to the south, west and north. On the East is R1-10.

Current Use:	Proposed Use:	Adjacent Use (all sides)
Current use is raw land with no Residence.	2 Residences and Farming buildings	AG purposes to the west and north, the south has multiple dwellings with animal sanctuary. The east are all residences.

2. Reason for request of zoning change: I would like to be able to build more than one home on the property. First being my primary dwelling, second being a home my in-laws can move into. I would also like to build a barn as well as have a large farm and farm animals to be self sufficient on land. I have no interest in doing anything commercial, industrial, or developing/subdividing the land.

3. Attachments (for rezoning of specific area):

- a. Plot plan to include rezoning area & location and zone of adjacent parcels
- b. Names and addresses of all landowners within the rezone area and 300 foot radius around the affected property.
- c. Stamped addressed envelopes of all those who notification of public hearing must be made.
- d. Signed petition of 50% of above landowners

4. Filing Fee: 250.00 Date Paid: 03/14/2023

5. Signature of Applicant: Michael Adam Stroud Date: 03/14/2023

6. Zoning Administrator: Bushy Pardo Date: 3/20/23

7. Application shall be forwarded to the planning and Zoning Commission on:

(Date) April 11th, 2023 (Time) 6:00 pm

(Place) _____

Property In Eagar
8 Acres with a linear perimeter of 8900ft+



- Legend
- Berry Patch ?
- Feature 1
- home pad
- Machine and Equip Shop
- Orchard
- Proposed Greenhouses
- Recreational Penning/Gazebos

Google Earth





TOWN OF EAGAR

REGULAR MEETING

APRIL 11TH, 2023 at 6:00 PM

COUNCIL CHAMBER, 22 WEST 2ND STREET

STAFF COMMUNICATION

DEPARTMENT: Community Development

PRESENTATION: RZ2023-2

AGENDA ITEM: 9

BUDGET IMPACT: \$0.00

HISTORY: Mr. Stroud purchased this property a few years ago stating he would like to build his own home and enjoy the area. Mr. Stroud is asking to rezone the property as he believes the current zoning does not align with his goals of building 2 residences, farming buildings, greenhouses, a pergola, a large farm with farm animals, and to be able to be self sufficient.

ATTACHMENTS: application and applicable documents

STAFF RECOMMENDATION: Staff would recommend that this request not be approved as his current zoning allows Mr. Stroud to accomplish his goals for his property. R1-10 zoning allows for a single family dwelling (this could be his home) as well as a tiny home (this could be his in-laws home) in that zoning. He is allowed the right to keep large animals and livestock on the property with this current zoning and could build a barn as that would be a customary accessory use building. Mr. Stroud could also have a greenhouse (within reasonable standards for the area) to grow different products in allowing him to be self-sufficient. I conveyed this to Mr. Stroud several times during conversations previous to his turning in his request and he determined to proceed.

TOWN OF EAGAR COMMUNITY DEVELOPMENT
REQUEST FOR CONDITIONAL USE PERMIT
(REFER TO CHAPTER 18.84 OF THE ZONING CODE)

Permit No. CUP2023-1 Date: 3-14-23

Name of applicant: Jose Luis noñez Chavez

Mailing Address Po box 1393 Springerville AZ 85938

Telephone: (928) 245-0887 Email Address Jose36975@live.com

1. Location of Property: 30 East 4th avenue Eagar AZ 85925

2. Current Zoning: C-1 104-10-035B

3. Proposed Use (as listed under "Conditional Uses" in the above zoning district):

Build New Residence

4. Reason for Proposed Use Remove old single wide trailer and build new site built

5. Attachments: a. Plot Plan (to Scale)

b. Pertinent data as required by the Zoning Administrator or Planning and Zoning Commission

Filing Fee: \$100.00 Date Paid: _____ Receipt # _____

6. Signature of Applicant: Jose Chavez Date: 3-14-2023

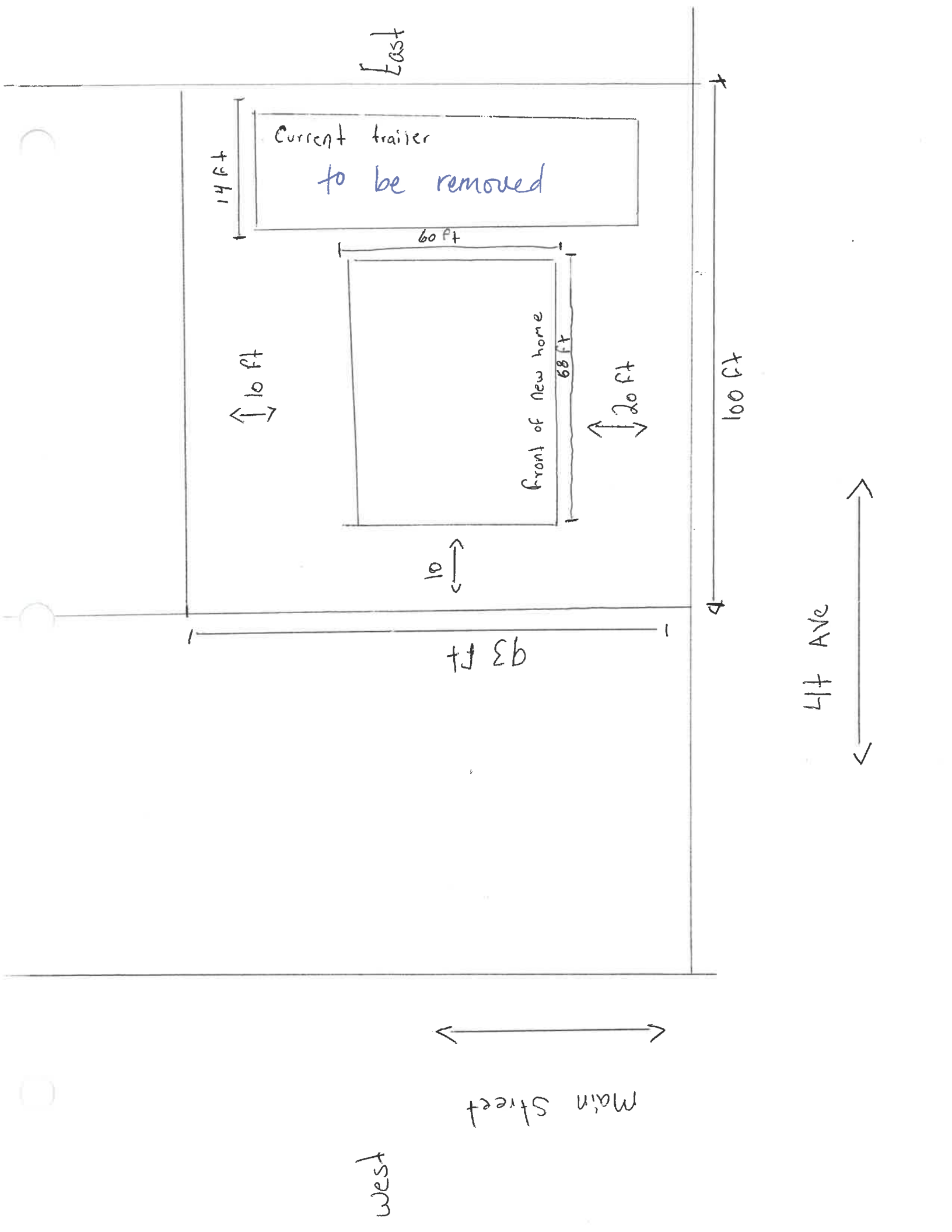
7. Signature of Zoning Administrator: _____ Date: _____

8. Application shall be forwarded to the planning and Zoning Commission on:

(Date) _____ (Time) _____

(Place) _____

Notice of the nature of the Conditional use Permit and the date of the meeting at which it will be considered will be posted on the affected property 15 days prior to the public hearing. The property owners within a 300-foot radius of the applicant's property will be notified by first class mail.



East

Current trailer
to be removed

14 ft

60 ft

10 ft

front of new home

68 ft

20 ft

10

93 ft

100 ft

4th Ave

Main Street

west



TOWN OF EAGAR
MEETING TYPE MEETING

APRIL 11, 2023 at 6:00 PM

COUNCIL CHAMBER, 22 WEST 2ND STREET

STAFF COMMUNICATION

DEPARTMENT: Community Development

PRESENTATION: CUP2023-1

AGENDA ITEM: 10

BUDGET IMPACT: \$0.00

HISTORY: Mr. Chavez purchased this property with a single wide manufactured home in place. Mr. Chavez came to the Town asking to build a site built home and to remove the current single wide.

ATTACHMENTS: application and applicable documents

STAFF RECOMMENDATION: Staff would recommend the approval of this request as the current single wide trailer appears to be aging poorly which could lead to several code violations. While staff understands this is a commercial zone and should be used as such, much of the surrounding areas have homes in place and we do not currently have developers looking into this area. Staff believes this would not only improve the value of Mr. Chavez' property, but also of those around the area.

TOWN OF EAGAR COMMUNITY DEVELOPMENT
REQUEST FOR CONDITIONAL USE PERMIT
(REFER TO CHAPTER 18.84 OF THE ZONING CODE)

Permit No. CUP2023-2 Date: 3/21/23

Name of applicant: James Rogers

Mailing Address 2119 E Norwood ST Mesa AZ 85213

Telephone: 480 824 8102 104-17-001 A, B, C

1. Location of Property: 25 N. River Rd

2. Current Zoning: C-1 Commercial

3. Proposed Use (as listed under "Conditional Uses" in the above zoning district):
Multi Family

4. Reason for Proposed Use Provide more housing in the form of Multi Family

5. Attachments: a. Plot Plan (to Scale)

b. Pertinent data as required by the Zoning Administrator or Planning and Zoning Commission

Filing Fee: \$100.00 Date Paid: _____ Receipt # _____

6. Signature of Applicant: _____ Date: _____

7. Signature of Zoning Administrator: _____ Date: _____

8. Application shall be forwarded to the planning and Zoning Commission on:

(Date) _____ (Time) _____

(Place) _____

Notice of the nature of the Conditional use Permit and the date of the meeting at which it will be considered will be posted on the affected property 15 days prior to the public hearing. The property owners within a 300-foot radius of the applicant's property will be notified by first class mail.



TOWN OF EAGAR
MEETING TYPE MEETING

APRIL 11, 2023 at 6:00 PM

COUNCIL CHAMBER, 22 WEST 2ND STREET

STAFF COMMUNICATION

DEPARTMENT: Community Development

PRESENTATION: CUP2023-2

AGENDA ITEM: 11

BUDGET IMPACT: \$0.00

HISTORY: Mr. Rogers purchased this property within the last few years and was told a conditional use would have to be obtained for his request to build quad-plex (multi-family dwellings) on this property. Mr. Rogers wants to build these dwellings to provide more family housing in our area. Mr. Rogers purchased this lot on the North East corner of River Rd. and Central and has since split this lot into three pieces.

ATTACHMENTS: application and applicable documents

STAFF RECOMMENDATION: Staff would recommend the commission consider that this is allowable by conditional use but to consider the area this would be placed in and around. These buildings would be similar to the current multi-family dwellings being built in Springerville on the East hand side of the road before the new RV park.

TOWN OF EAGAR COMMUNITY DEVELOPMENT
REQUEST FOR CONDITIONAL USE PERMIT
(REFER TO CHAPTER 18.84 OF THE ZONING CODE)

Permit No. CUP2023-3 Date: 3/21/23

Name of applicant: James Rogers

Mailing Address 2119 E. Norwood St Mesa AZ 85213

Telephone: (480) 824 8102

1. Location of Property: 246 E Central 104-12-055

2. Current Zoning: C-1 Commercial

3. Proposed Use (as listed under "Conditional Uses" in the above zoning district):
Multi Family

4. Reason for Proposed Use Provide more housing in the form of Multi Family

5. Attachments: a. Plot Plan (to Scale)
b. Pertinent data as required by the Zoning Administrator or Planning and Zoning Commission

Filing Fee: \$100.00 Date Paid: _____ Receipt # _____

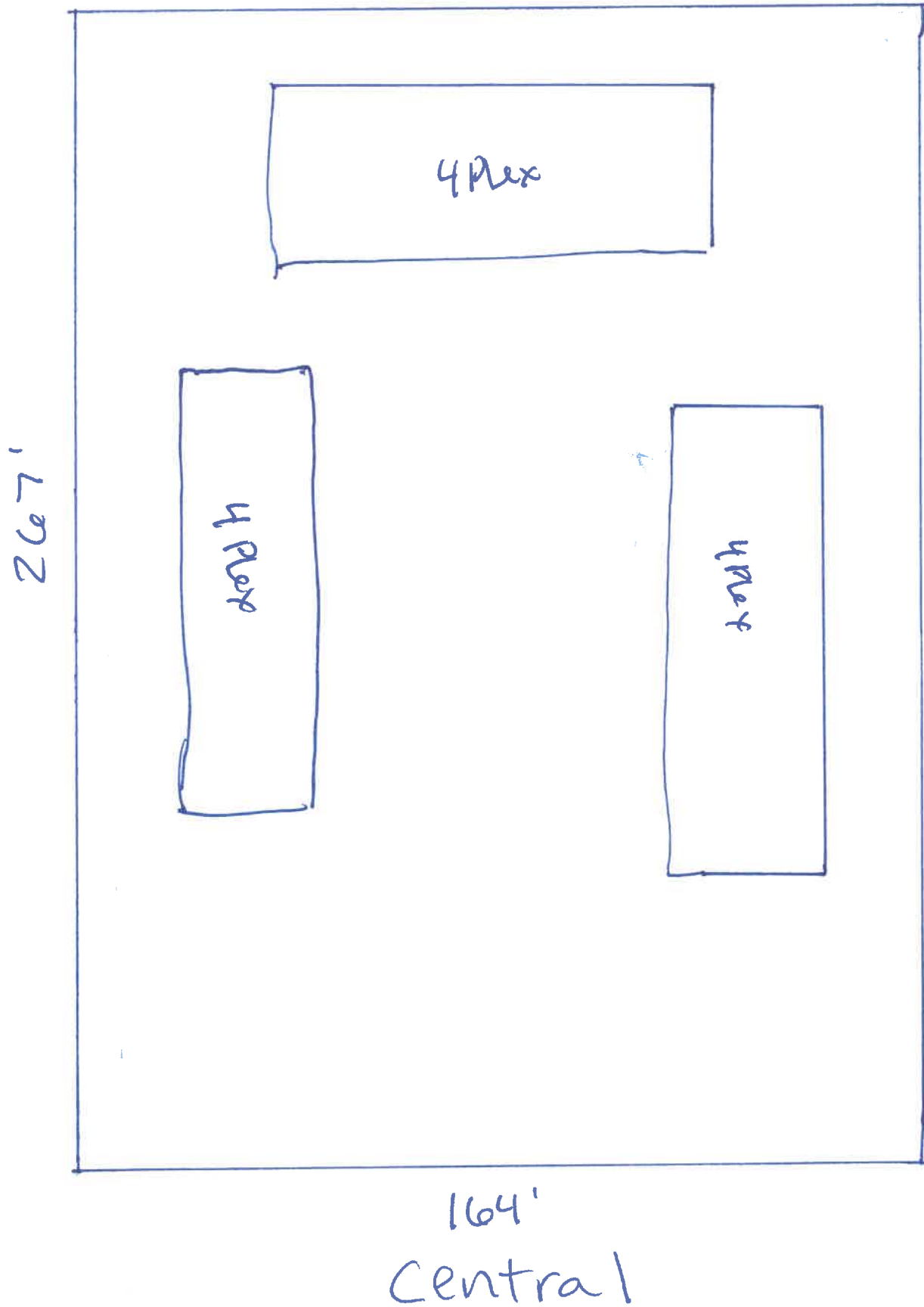
6. Signature of Applicant: _____ Date: _____

7. Signature of Zoning Administrator: _____ Date: _____

8. Application shall be forwarded to the planning and Zoning Commission on:
(Date) _____ (Time) _____
(Place) _____

Notice of the nature of the Conditional use Permit and the date of the meeting at which it will be considered will be posted on the affected property 15 days prior to the public hearing. The property owners within a 300-foot radius of the applicant's property will be notified by first class mail.

James Rogers site Plan 246 E Central Ave.



Option 2



Central



TOWN OF EAGAR
MEETING TYPE MEETING

APRIL 11, 2023 at 6:00 PM

COUNCIL CHAMBER, 22 WEST 2ND STREET

STAFF COMMUNICATION

DEPARTMENT: Community Development

PRESENTATION: CUP2023-3

AGENDA ITEM: 12

BUDGET IMPACT: \$0.00

HISTORY: Mr. Rogers is in the process of purchasing this property to build quad-plex (multi-family dwellings) on this property. Mr. Rogers wants to build these dwellings to provide more family housing in our area. Mr. Rogers will complete the purchase of this lot if his conditional use permit is approved by the commission.

ATTACHMENTS: application and applicable documents

STAFF RECOMMENDATION: Staff would recommend the commission consider that this is allowable by conditional use but to consider the area this would be placed in and around. These buildings would be similar to the current multi-family dwellings being built in Springerville on the East hand side of the road before the new RV park.

TOWN OF EAGAR COMMUNITY DEVELOPMENT
REQUEST FOR CONDITIONAL USE PERMIT
(REFER TO CHAPTER 18.84 OF THE ZONING CODE)

Permit No. CP2023-4 Date: 3-21-23

Name of applicant: GARY BURTON

Mailing Address PO BOX 42, Eagar, AZ 85925

Telephone: (760) 265-1712 Email Address denise.lund3@gmail.com

1. Location of Property: 98 S. Wye Dr. ^{Daughter} Denise Lund (702) 401-4136

2. Current Zoning: RMH-7 104-24-002G

3. Proposed Use (as listed under "Conditional Uses" in the above zoning district):

4. Reason for Proposed Use see attached

5. Attachments: a. Plot Plan (to Scale)

b. Pertinent data as required by the Zoning Administrator or Planning and Zoning Commission

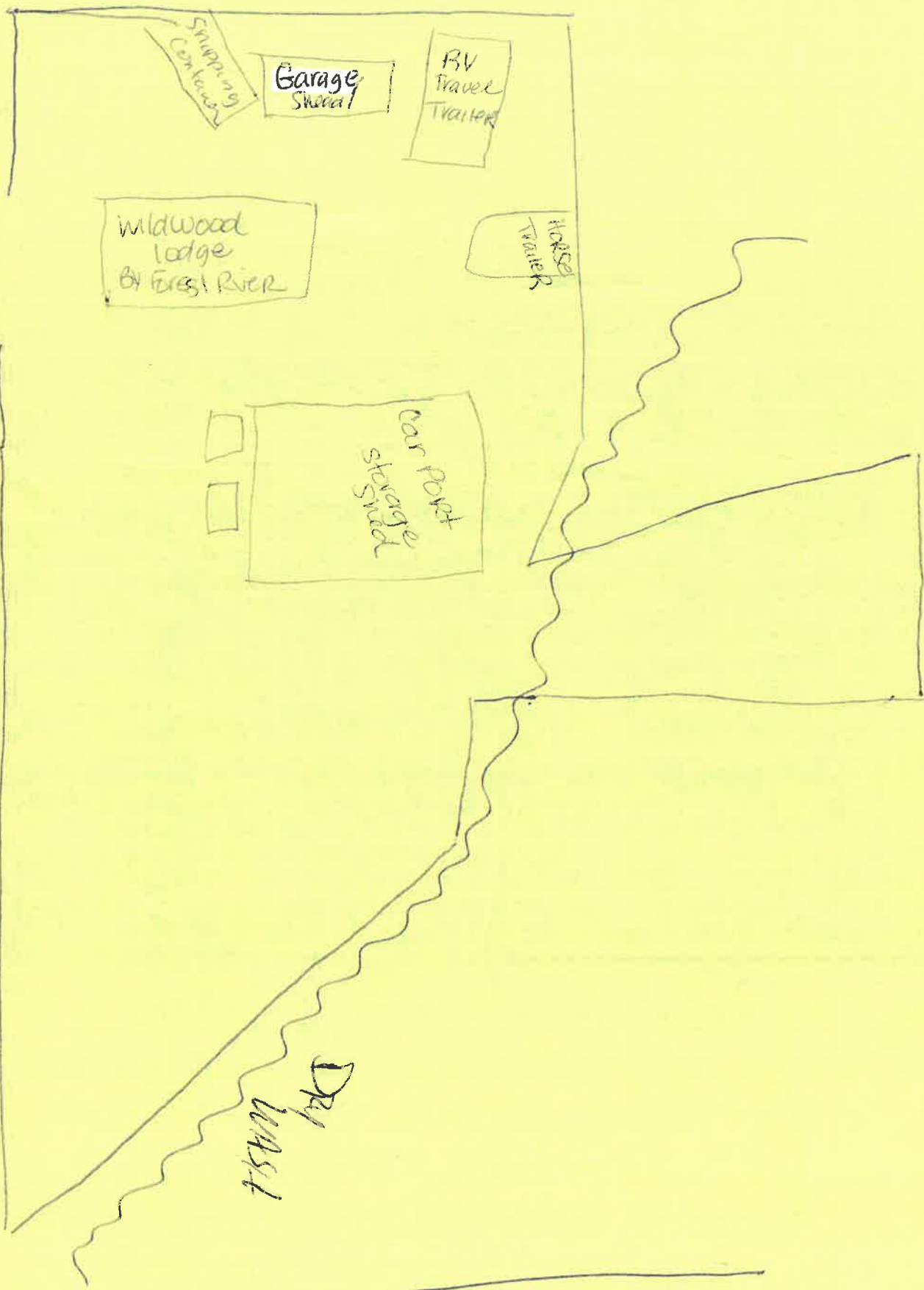
Filing Fee: \$100.00 Date Paid: _____ Receipt # _____

6. Signature of Applicant:  Date: 3-21-23

7. Signature of Zoning Administrator: _____ Date: _____

8. Application shall be forwarded to the planning and Zoning Commission on:
(Date) _____ (Time) _____
(Place) _____

Notice of the nature of the Conditional use Permit and the date of the meeting at which it will be considered will be posted on the affected property 15 days prior to the public hearing. The property owners within a 300-foot radius of the applicant's property will be notified by first class mail.



E. Central Ave Hwy 260

When I purchased the property my intentions were to have a manufactured home placed on the property. In 2020 there was a shortage of manufactured homes due to Covid. I had to get on a wait list, I did, once the home came available we started the financing. I was approved for a 12 year loan, with a mortgage payment \$1,620.00. I simply can't afford that payment.

I purchase at 2021 Wildwood Lodge Park Model. My home is skirted with a small balcony and a ramp.

I keep my property clean and tidy. I have a round horse pen- often times a friend will leave their horse's for a week at a time to help control the weeds, we move the round pen to help control the weeds. I take pride in my property.

If you look across the street, you see far worse than my 2021 Wildwood.

I am 80 years old, If I am forced to move, I will have to move to a RV Park and have an added expense each month for a RV pad rental.

My wife and I move back to the area, Vernon AZ 2014. After a few years living in Veron, my wife became ill, and I was unable to take care of here needs, we had to decide and have her live in an assisted living home. Over the next year the \$3600.00 monthly rent became too much. I sold my home in Vernon and moved into a 40 ft travel trailer and lived in an RV Park in Veron for a few months, then purchased the property in Eagar. I couldn't afford a home, only the land.

I move to Eagar because is started to get involved with the VFW in Eagar. I spend and donate a lot of time at the VFW helping other members and member of the community. I often split wood there at my property and take the wood to someone in need, who can't afford a cord of wood to heat their home.

I love my home, my property, and the community I live in.



**TOWN OF EAGAR
MEETING TYPE MEETING**

APRIL 11, 2023 at 6:00 PM

COUNCIL CHAMBER, 22 WEST 2ND STREET

STAFF COMMUNICATION

DEPARTMENT: Community Development

PRESENTATION: CUP2023-4

AGENDA ITEM: 13

BUDGET IMPACT: \$0.00

HISTORY: Mr. Burton purchased this property a few years ago with the intention of placing a manufactured home. Mr. Burton began work on securing a manufactured home but due to his age and the current market Mr. Burton would be unable to afford the home on his fixed income. Mr. Burton has purchased a park model that is currently on the property and he has had fixed up to be his home.

ATTACHMENTS: application and applicable documents

STAFF RECOMMENDATION: Staff would recommend the commission to approve this request for the park model to remain on the property. Mr. Burton and his daughter have agreed that if this is approved, the park model will be removed immediately at the time Mr. Burton is no longer able to live on the property. Mr. Burton has improved this property and it is one of the better looking sites in the area.