

NAVAJO COUNTY AGENDA ITEM REQUEST FORM

Meeting Date: March 24, 2015	Time Needed: 15 minutes										
Requesting Department: Public Works/P&Z	Presenter(s) Name: Trent Larson										
Motion before the Board: Consideration and possible adoption of Resolution ____-15, approving/denying a Zone Change from RU-20 to RU-10 on APN: 403-81-011A.											
Recommendation: (who, what, where, when, how, etc.) Request Board action.											
Background: (why should it be done, what will happen if not approved, etc. include resolution)											
<p>Edward T. Deese is requesting a zone change on the parcel referenced above to allow the property to be split into two 10 acre parcels. The Planning & Zoning staff has reviewed the materials submitted by Mr. Deese and, the application and required documents are complete and in order. The Planning & Zoning Commission met on February 19, 2015 and recommended approval of this zone change 8-0.</p> <p>Thank you for your consideration of this request.</p>											
Fiscal Impact: (what will it cost, where funds will come from, is it budgeted, etc.) N/A											
Reviewed and approved by:	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">County Manager</td> <td style="text-align: center;">County Attorney</td> <td style="text-align: center;">Human Resources</td> <td style="text-align: center;">Finance</td> <td style="text-align: center;">IT</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	County Manager	County Attorney	Human Resources	Finance	IT	<input type="checkbox"/>				
County Manager	County Attorney	Human Resources	Finance	IT							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
Board Action Taken											
Approved <input type="checkbox"/>	Denied <input type="checkbox"/>										
No Action <input type="checkbox"/>	Continued <input type="checkbox"/>										
Continued to: _____											
Approved with changes as follows: _____											
Clerk's Notes											
Date:	Initial:										

REMINDER: Email this coversheet and all backup documentation to **BOS.Clerk** by **Noon the Tuesday before the BOS meeting.**



NAVAJO COUNTY
PUBLIC WORKS DEPARTMENT
PLANNING & ZONING

STAFF REPORT

BOARD OF SUPERVISORS

HEARING DATE: March 24, 2015
CASE #: 14-37
ACTION: Zone Change
APPLICANT/OWNER: Edward Deese
PROJECT NAME: Deese Zone Change

PARCEL INFORMATION:

Location: Located north of Concho Road in the east Snowflake area
APN: 403-81-011A
Legal Desc: A portion of Section 31, Township 14 North, Range 23 East, Gila and Salt River Meridian
District: III – Supervisor Jason Whiting
Parcel Size: 20.9 acres (approximate)

STATED REASON FOR REQUEST: The applicant, Mr. Deese, would like to be able to sell half of his 20 acre parcel to a family member to build a home. A Zone Change from RU-20 (Single-family Residential, 20 Acre minimum lot size) to RU-10 (Single –Family Rural 10 Acre minimum lot size) would allow the parcel to be split into two 10 acre parcels.

BACKGROUND & DISCUSSION: Over the years there have been several other changes in the zoning for parcels adjacent to the subject parcel and in the surrounding area. These other zoning changes include the RU-5, RU-10 and C-R.

NAVAJO COUNTY ORDINANCES, PLANS & REGULATIONS:

ZONING DISTRICTS:

- (RURAL 20): The primary purpose of this district is to conserve and protect open land uses, foster orderly growth in rural areas, and prevent urban agricultural land use conflicts. The purpose of requiring large **minimum parcels of not less than twenty (20) acres** in area is to discourage small lot or residential subdivisions where public facilities such as water, sewage disposal, parks and playgrounds, and governmental services such as police and fire protection are not available or could not reasonably be made currently available. Uses permitted in this zoning district include both farm and nonfarm residential uses, farms, and recreational and institutional uses.

- (RURAL 10): The primary purpose of this district is to conserve and protect open land uses, foster orderly growth in rural areas, and prevent urban agricultural land use conflicts. The purpose of requiring large **minimum parcels of not less than ten (10) acres** in area is to discourage small lot or residential subdivisions where public facilities such as water, sewage disposal, parks and playgrounds, and governmental services such as police and fire protection are not available or could not reasonably be made currently available. Uses permitted in this zoning district include both farm and non-farm residential uses, farm, and recreational and institutional uses.

FINDINGS OF FACT:

1. The legal notice for this item has been printed in the Holbrook Tribune and placards were posted in the neighborhood, in compliance with Arizona Revised Statutes and Article 29.
2. The applicant has submitted the plans and supporting statement required by Section 2902(1).
3. The proposed use is one for which a Zone Change may properly be granted pursuant to Section 2902 (1): “Any owner or owners of property desiring a re-classification of their property, or an amendment, supplement or change of the regulations of this Ordinance, shall file with the Board of Supervisors a application, duly signed and acknowledged, describing the proposed amendments, supplements or change of the regulation of this Ordinance, zoning boundaries or districts. Each such application shall also be accompanied by a map showing the existing and proposed district boundaries and other information relating thereto, and by the fee prescribed herein.”
4. Staff has reviewed the submitted materials, site plans and related exhibits in accordance with the Navajo County Zoning Ordinance requirements for a Zone Change. Staff finds that the submitted documentation conforms to the requirements of the Ordinance and the promotion of the health, safety and welfare of the public.

COMPREHENSIVE PLAN / AREA PLANS:

The Navajo County Comprehensive Plan, adopted on May 24, 2011, indicates that the land use category for the site and surrounding area is Rural Edge. The proposed Zone Change will remain consistent with the intended land use category of the Comprehensive Plan.

GENERAL CHARACTER OF AREA: The immediate surrounding area is a mix of agricultural and low density residential uses mixed with commercial office and convenience services.

PUBLIC COMMENTS & CONCERNS:

As of the date of preparation of this staff report, 0 comments in favor and 0 opposed have been expressed by the public.

PLANNING & ZONING COMMISSION: The Planning Commission held a hearing for this item on Feb. 19, 2015 and unanimously recommended approval of the Zone Change with a vote of 8-0.

REVIEWING AGENCY COMMENTS & RECOMMENDATIONS:

COUNTY ATTORNEY:

No legal objection to this Zone Change as long as applicant abides by all County, State and Federal rules and regulations.

Initial: B.C. Date: 1-16-15

ENGINEERING:

Engineering has no objection to the Zone Change.

Initial: W.R.B. Date: 1-15-15

FLOOD CONTROL:

The parcel is within flood hazard Zone X: the DFIRM map does not show a flood hazard for this area.

Initial: R.P. Date: 1-15-15

PLANNING & ZONING:

Planning & Zoning staff has reviewed the Zone Change request and determined it is ready for Board action. Staff supports the zone change request.

Initial: T.L. Date: 2-12-15

PUBLIC WORKS DEPARTMENT RECOMMENDATION: Should the Board of Supervisors approve this Zone Change, staff recommends the following condition be applied:

1. Future development of the site (new construction) shall comply with all applicable Navajo County requirements, including those of the Zoning Ordinance, Flood

Control Ordinance, Building Safety Ordinance, etc.



NAVAJO COUNTY PUBLIC WORKS DEPARTMENT

PLANNING & ZONING

Post Office Box 668 - 100 East Carter Drive
Holbrook, Arizona 86025
(928) 524-4100 FAX (928) 524-4122
www.navajocountyaz.gov

ZONE CHANGE APPLICATION

(also to be used for an Amendment to an approved Zone Change)

SITE & PROPOSAL INFORMATION:

PROJECT NAME: Zone Change Deese 403-81-011 A
LOCATION (include nearest town/community): 8740 Stray Burro Trail
Snowflake Arizona
GENERAL DIRECTIONS TO PARCEL: Turn East onto Concho Hwy from 77 in
Snowflake, AZ/Go 8 miles turn left at Churchill then R at Stray Burro
ADDRESS (if known): 8740 Stray Burro Trail
LEGAL DESCRIPTION: Township 14 North, Range 23 East, Section(s) 31
ASSESSOR PARCEL NO.: 403-81-011 A
SIZE: 20.09 acres; 875,120.4 square feet
SUBDIVISION NAME: _____ LOT #: _____
DATE OF OWNERSHIP: June 4 1998
PRESENT USE OF PROPERTY: Residential
PROPOSED USE OF PROPERTY: Residential
CURRENT ZONING: RU-20
PROPOSED ZONING: RU-10

OWNER & CONTACT INFORMATION:

OWNER'S NAME: Edward T Deese
CONTACT PHONE NO.: 928-243-1568 FAX #: _____
OWNER EMAIL ADDRESS: dtranch@frontier.net.net
OWNER MAILING ADDRESS: PO Box 1927
CITY: Snowflake STATE: AZ ZIP CODE: 85937

CONTACT NAME: Edward Deese
CONTACT PHONE NO.: 928-243-1568 FAX #: _____
CONTACT EMAIL ADDRESS: dtranch@frontier.net.net
CONTACT MAILING ADDRESS: PO Box 1927
CITY: Snowflake STATE: AZ ZIP CODE: 85937

To: Navajo County Arizona
Re: Zone Change Change Request

I am requesting a zone change for parcel # 403-81-011A in order to sell the other half to family to build a home.

Thank You

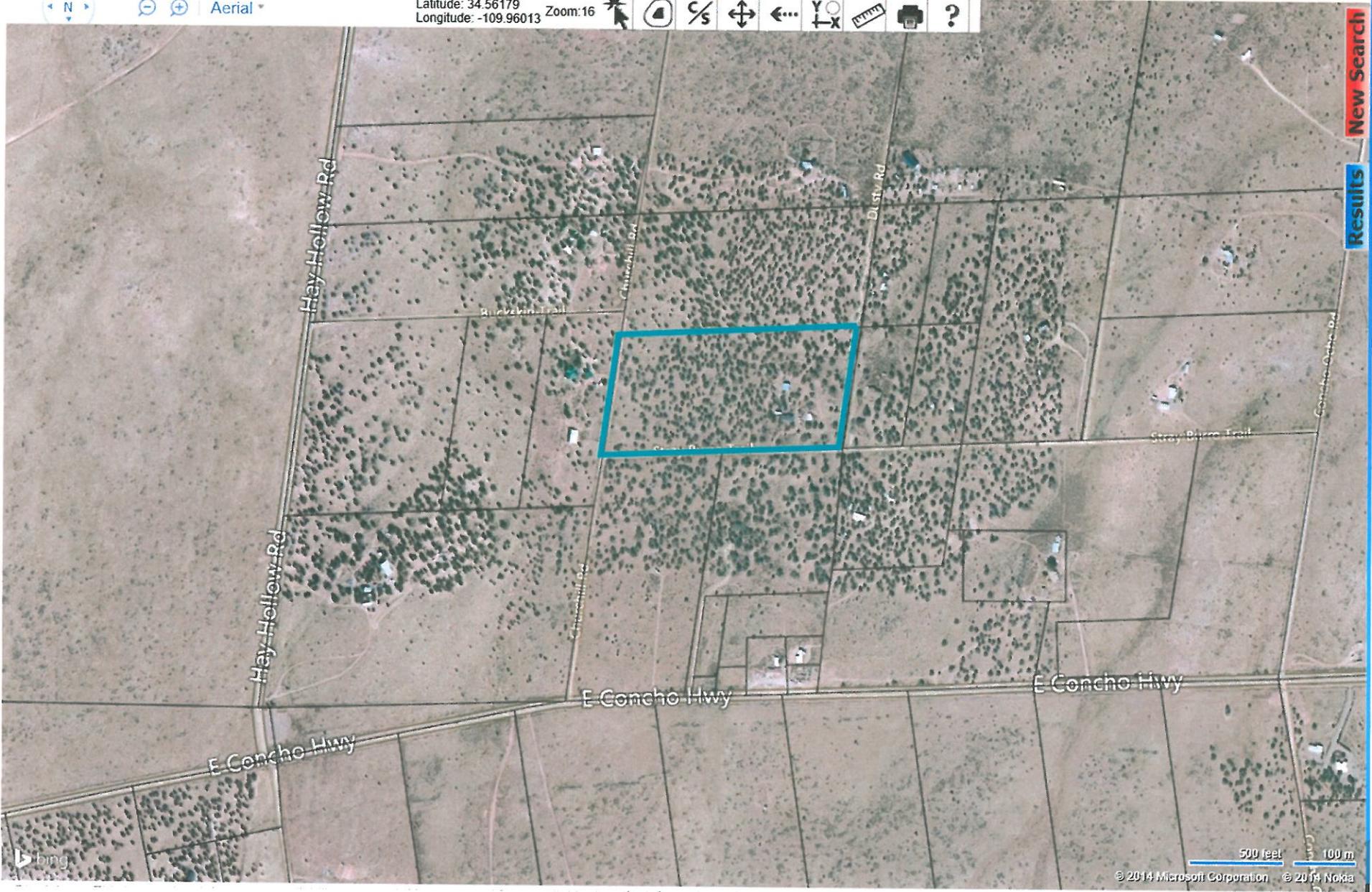
EDWARD T. DEESE


12/23/2014



Aerial

Latitude: 34.56179
Longitude: -109.96013 Zoom: 16



New Search

Results

bing

500 feet 100 m

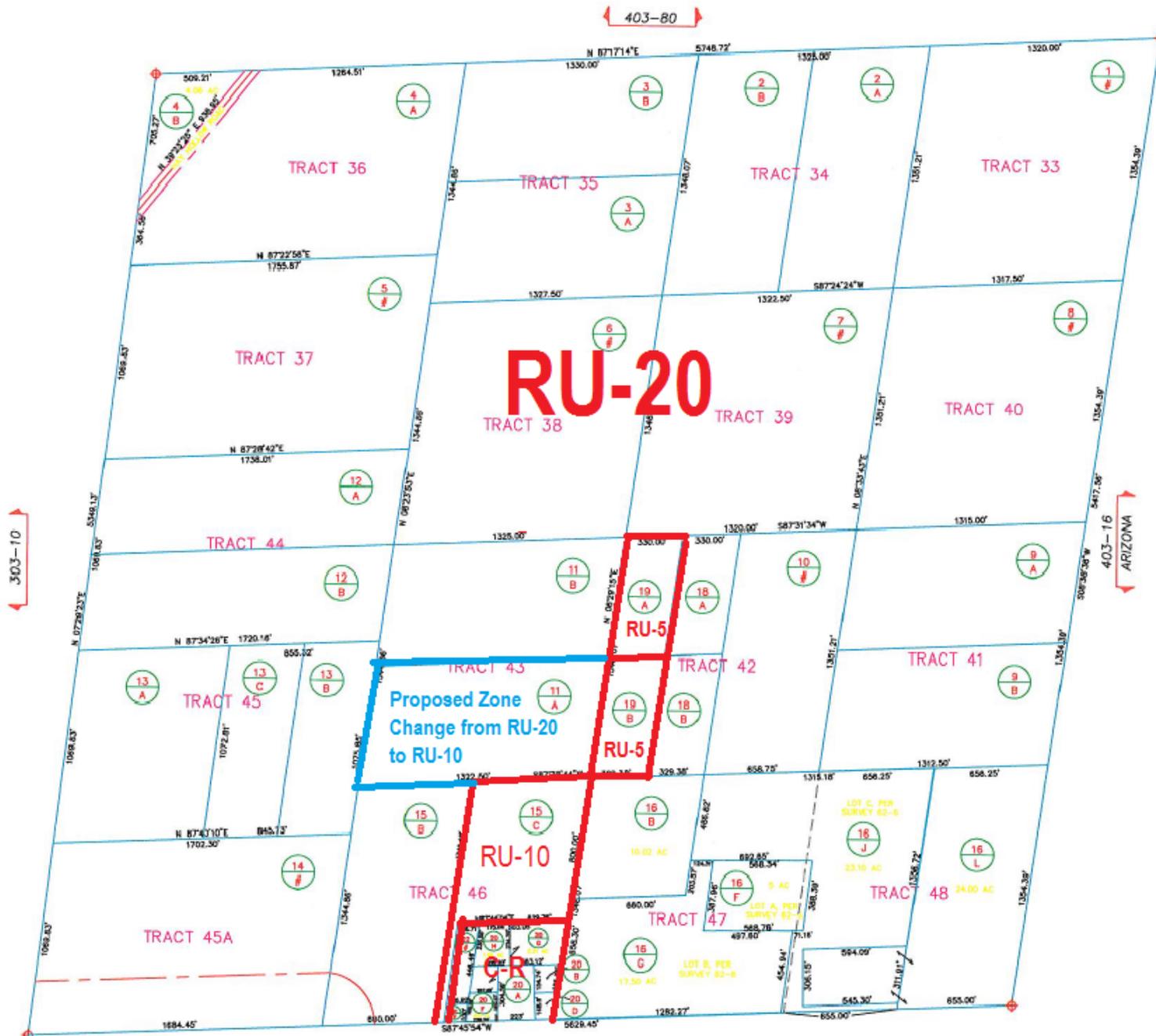
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403-81

SHEET
AREA CODE 0540
ZONING
OUT OF -----

AUTOCAD 4/98
REVISIONS

PARCEL 011 TO 001A,B	04/02 '83'
PARCEL 0150 TO 020,021	07/02 '83'
PARCEL 020 FOR TO 022	08/03 '84'
PARCEL 016 TO 016A,B	10/09 '80'
PARCEL 020 TO 020A-B	10/09 '80'
PARCELS 018A,017 TO 018C	10/09 '81'
SPLIT 004 TO 004A,B	06/07 '88'
SPLIT 005 TO 005A,B	12/07 '88'
SPLIT 013 TO 013A,B&C	08/04 '05'
SPLIT 016C TO 016D&E	06/07 '08'
SPLIT 016D TO 016E,C&H	03/08 '08'
SPLIT 016H TO 016A&K	12/08 '09'
COMB 016E&K TO 016L	04/09 '09'
SPLIT 020C TO 020E&F	04/13 '13'
SPLIT 020E TO 020G&H	10/14 '16'



SECTION 31

SURVEY XXXX
PLAT 12-4

SCALE: 1"=500'
LAST REVISED 10/14



ORIGINAL ZONING WAS RU-20
RU-10 CHANGED BY RESOLUTION # 88-81
C-R CHANGED BY RESOLUTION #88-81
RU-5 CHANGED BY RESOLUTION #5-95

403-22

RESOLUTION NO. _____-15

**A RESOLUTION OF THE NAVAJO COUNTY BOARD OF
SUPERVISORS RECOMMENDING APPROVAL OF A
ZONE CHANGE FROM RU-20 TO RU-10
FOR ASSESSOR PARCEL NUMBER 403-81-011A**

WHEREAS, a Change of Zoning Classification from RU-20 to RU-10 was duly filed on December 15, 2014 by Edward T. Deese, in regard to the following described property: APN: 403-81-011A, a.k.a. a portion of Section 31, Township 14 North, Range 23 East of the G&SRM in the Snowflake area, and

WHEREAS, Edward T. Deese is the owner of the above parcel according to a Deed of Trust Recorded in the Office of the Navajo County Recorder's on June 25, 1998 in 1998-11922; and

WHEREAS, a Public Hearing for a Zone Change, as required by Section 2902(2) of the Navajo County Zoning Ordinance was duly noticed and held on February 19, 2015; and

WHEREAS, the Planning & Zoning Commission, after considering the testimony and other evidence presented at the hearing, as well as the suggestions of staff, recommends that the Board of Supervisors should approve the requested Zone Change.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby APPROVES the Zone Change for APN 403-81-011A from RU-20 to RU-10 subject to the following condition:

1. Future development of the site shall comply with all applicable Navajo County and State of Arizona requirements, including but not limited to those of the Navajo County Planning & Zoning, Flood Control and Building Safety Ordinance.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors by a vote of _____

yeas and _____ nays on March 24, 2015.

Navajo County Board of Supervisors

**Dawnafe Whitesinger, Chairwoman
Navajo County**

ATTEST:

Melissa Buckley, Clerk of the Board

RESOLUTION NO. _____-15

**A RESOLUTION OF THE NAVAJO COUNTY BOARD OF
SUPERVISORS RECOMMENDING DENIAL OF A
ZONE CHANGE FROM RU-20 TO RU-10
FOR ASSESSOR PARCEL NUMBER 403-81-011A**

WHEREAS, a Change of Zoning Classification from RU-20 to RU-10 was duly filed on December 15, 2014 by Edward T. Deese, in regard to the following described property: APN: 403-81-011A, a.k.a. a portion of Section 31, Township 14 North, Range 23 East of the G&SRM in the Snowflake area, and

WHEREAS, Edward T. Deese is the owner of the above parcel according to a Deed of Trust recorded in the Office of the Navajo County Recorder's on June 25, 1998 in 1998-11922; and

WHEREAS, a Public Hearing for a Zone Change, as required by Section 2902(2) of the Navajo County Zoning Ordinance was duly noticed and held on February 19, 2015; and

WHEREAS, the Planning & Zoning Commission, after considering the testimony and other evidence presented at the hearing, as well as the recommendations of staff, found that the Board of Supervisors should deny the requested Zone Change.

NOW, THEREFORE, BE IT RESOLVED that the Navajo County Board of Supervisors hereby DENIES the Zone Change for APN 403-81-011A from RU-20 to RU-10.

PASSED, APPROVED AND ADOPTED by the Navajo County Board of Supervisors by a vote of _____ yeas and _____ nays on March 24, 2015.

Navajo County Board of Supervisors

Dawnafe Whitesinger, Chairwoman,

ATTEST:

Melissa Buckley, Clerk of the Board