

P & Z COMMISSION HEARING MINUTES
Thursday, January 17th, 2019

P & Z Commissioners:

ATTENDED

1. Ruth Ann Smith
2. Chuck Howe
3. Brian Shields
4. Nick McVicker
5. Randy Murph
6. Rodger Rhoades
7. Wendell DeCross

ABSENT

1. Chuck Howe
2. Rick Slom

Staff Attendance

1. Sandra Phillips
2. Jeanine Carruthers
3. John Osgood

Meeting held at the Navajo County Board of Supervisors Chamber, Holbrook, Arizona – 5:58 p.m. Call to Order and the Pledge of Allegiance led by Acting Chairman Ruth Ann Smith. Chairwoman Smith explained meeting procedures to the Commissioners. Commissioners Shields and Rhoades were introduced.

ITEM #1 – CASE #18-40 – SPECIAL USE PERMIT – DISTRICT III: Discussion and possible action on a request by LIV Heritage to open an automotive shop and construct a 1400 square foot addition to an already existing shop on their 2.34 acre parcel, APN 107-18-003F, a portion of Township 18 North, Range 19 East, Section 17 of the Gila and S. Meridian in the Joseph City area.

Ms. Phillips presented a staff report. The business was present prior to the creation of the zoning ordinance and the purpose of the SUP is to bring it into compliance. The existing shop was grandfathered in, but the applicant has requested an addition that exceeds that which is allowed to non-conforming parcels. The applicant has worked with Staff and provided information to neighboring property owners showing their support of this application. **Sandra** noted the area of notification where Post cards were placed and where meetings were placed. Staff has received no objections or phone calls in favor or against, and staff has no objections to the SUP.

Commissioner DeCross asked if there were any photo's of sign up front, **Sandra** showed them to staff had down the driveway. Commissioner DeCross noted that he went by the site and found it difficult to locate. **Commissioner Howe** asked if there were any limitations on the sewer, **Sandra** noted that she was not aware and would defer to the applicant for that information. She noted that compliance with Federal and State waste requirements is included in the draft stipulations. **Commissioner Rhoades** asked about the need for a special use permit, over a zone change. **Sandra** replied that she originally suggested a zone change to C-R, which would eliminate the concern for a violation of the side yard setback, however upon consideration the C-R zoning would probably open too many uses that would not be compatible to the surrounding properties' zoning, and that with a special use permit a restriction on the use to just the auto shop. The permit would be tied to the land as long as the operation of the shop was in

compliance with The commission asked if the applicant was available, which he was, and they called Mr. Virgil Bushman to speak. **Commissioner Rhoades** asked if Mr. Bushman had a hazardous waste disposal permit, Mr. Bushman noted that they had a waste oil heater but had not obtained a permit for hazardous waste. Typically the anti-freeze is already drained out of a vehicle that comes in. **Chairwoman Smith** asked if the applicant had anything further to present; Mr. Bushman stated the business has been in his family for generations, and that despite the difficult location it was their land, and even though the economy was harsh they had a flourishing business that took care of their needs, and they had been able to set money aside for this addition. **Commissioner Howe** asked the applicant if they had made any plans for the design and type of building yet, Mr. Bushman replied that they had not. **Commissioner Shier** questioned Grandfathering, **Ms. Phillips** explained that if it was a pre-existing use prior to when the zoning was established then it would be grandfathered. **Ms. Phillips** also stated that there was also in the works an administrative waiver for a 30' side-yard setback that is contingent on the Planning Commission's decision. **Commissioner DeCross** questioned what happens if they don't recommend approval. **Ms. Phillips** stated that she would consult with her supervisor but she had good reason to believe they would approve the waiver. **Commissioner DeCross** asked who owns the building on North. Mr. Bushman stated that his son did; **Commissioner DeCross** wanted to compliment the flag on the side of the building. **Commissioner DeCross** asked if they will tie in to the sewer or if they need a new one. Mr. Bushman stated they would tie in and it should have a flow. **Commissioner DeCross** questioned when APS shuts down Cholla Power Plant it would affect the building. Mr. Bushman stated they have taken it into consideration but they have a loyal enough customer base that they felt they could continue to make a profit despite the loss of business from Cholla's employees. **Commissioner DeCross** questioned if all automotive work would be done in the new building, Mr. Bushman replied that yes, and they would continue using the old building as well. The reason for the addition is that they are not as efficient with their costs for when they take vehicles apart to determine problems- currently must take a vehicle apart, find the problem, order parts, then put the vehicle back together to park it outside, then redo the process when the parts comes in. The new addition would allow them to leave the car inside and protected from the break-down process while they wait for parts. **Commissioner Rhoades** asked about the 2015 IBC guidelines, will this affect their building, and how will affect the existing building. **Ms. Phillips** stated it doesn't go into effect until July, and permits approved and permitted up to July will still use the 2003 IBC guidelines. **Chairwoman Smith** asked if anyone in public wanted to speak in support. **Andrew Sheman** Owner of property to north and west. He is in support of it. **Chairwoman Smith** asked if anyone wanted to speak in opposition. None came forward against the project. **Commissioner Murph** asked if they needed to include in the motion something about the setback. **Ms. Phillips** stated staff is comfortable granting waiver, and they didn't need to include in the motion. **Commissioner DeCross** made a motion to recommend approval including the stipulations recommended by staff in the resolution; **Commissioner Howe & Murph** seconded the motion. Motion carried unanimously to recommend approval to the Board Supervisors.

ITEM #3 – POSSIBLE APPROVAL OF THE 2019 MEETING SCHEDULE.

Commissioner DeCross made a motion to approve the meeting schedule; Commissioner Shields seconded the motion. Motion passed unanimously.

ITEM #4 – ELECTION OF OFFICERS.

For the office of Chairman, Commissioner Murph recommended current chairman Chuck Teetsel, Commissioner Howe seconded. Motion Passed unanimously.
For the office of Vice chairman – Commissioner Shields recommended current chairwoman, Commissioner Ruth Ann Smith. Commissioner Howe seconded. Motion passed unanimously.

ITEM #5 – POSSIBLE APPROVAL OF MINUTES FROM THE COMMISSION HEARING OF 9/20/18.

No action taken.

ADJOURN MEETING at 6:31p.m.

Approved this _____ day of _____

Chairman, Navajo County
Planning & Zoning Commission

ATTEST

Secretary, Navajo County
Planning & Zoning Department