

SHOW LOW PLANNING AND ZONING COMMISSION
REGULAR MEETING - TUESDAY, DECEMBER 12, 2023

PURSUANT to A.R.S. Section 38-431.02, notice is hereby given to the Show Low Planning and Zoning Commission and to the general public, that a **Regular Meeting** of the Show Low Planning and Zoning Commission will be held on Tuesday, December 12, 2023, at 7:00 PM in the City Council Chambers, 181 North 9th Street, Show Low, Navajo County, Arizona. The agenda for this meeting is as follows:

1. Call to Order.
2. Roll Call.
3. Invocation.
4. Pledge of Allegiance.
5. **NEW BUSINESS:**
 - A. Consideration of Conditional Use Permit 602-04-265 submitted by Brandon Garvin to allow for the reduction in side yard setbacks from 21 feet to 16 feet for a detached building over 15 feet in height located at 261 E. Whipple, that being A.P.N. 210-32-010E. (Justen Tregaskes)
6. **CALL TO THE PUBLIC:**

Any citizen desiring to speak on a matter that is within the jurisdiction of the Planning and Zoning Commission may do so at this time. Comments may be limited to three minutes per person and shall be addressed to the Planning and Zoning Commission as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the Planning and Zoning Commission. Pursuant to the Arizona Open Meeting Law, the Planning and Zoning Commission cannot discuss or act on items presented at this time. At the conclusion of the call to the public, individual Planning and Zoning Commission members may (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, and (3) ask that a matter be put on a future agenda.
7. **APPROVAL OF MINUTES:**
 - A. Planning and Zoning Commission Regular Meeting of November 14, 2023.
8. **SUMMARY OF CURRENT EVENTS:**
 - A. Commission Members
 - B. Planning and Zoning Director
9. **ADJOURNMENT:**

NOTICE TO PARENTS AND LEGAL GUARDIANS: Parents and legal guardians have the right to consent before the City of Show Low makes a video or voice recording of a minor child, pursuant to A.R.S. § 1-602(A)(9). The Show Low Planning and Zoning Commission regular meetings are recorded and may be viewed on the City of Show Low's website. If you permit your child to attend/participate in a televised Planning and Zoning Commission meeting, a recording will be made. You may exercise your right not to consent by not allowing your child to attend/participate in the meeting.

Pursuant to the Americans with Disabilities Act (ADA), the Planning and Zoning Commission endeavors to ensure the accessibility of its meetings to all persons with disabilities. If you need accommodation for a meeting, please call the City Clerk's office at (928) 532-4061 at least 48 hours prior to the meeting for accommodation.

Council Chambers will open at least ten minutes prior to the meeting to allow public access to the room. Council Chambers has a maximum occupancy of 139 people.

I, Katie Fechtelkotter, do hereby certify that the foregoing notice was posted on Friday, December 8, 2023.

Katie Fechtelkotter

**City of Show Low
STAFF SUMMARY REPORT**

AGENDA TITLE: Consideration of Conditional Use Permit 602-04-265 submitted by Brandon Garvin to allow for the reduction in side yard setbacks from 21 feet to 16 feet for a detached building over 15 feet in height located at 261 E. Whipple, that being A.P.N. 210-32-010E. (Justen Tregaskes)

RECOMMENDATION

I **MOVE** to approve CUP 602-04-265 submitted by Brandon Garvin on behalf of James and Barbara Farpelha to allow for the reduction in side yard setbacks from 21 feet to 16 feet for a detached building over fifteen (15) feet in height on property located at 261 E. Whipple, that being A.P.N. 212-32-010E, subject to staff recommendations.

BACKGROUND

Brandon Garvin has submitted a conditional use permit application on behalf of James and Barbara Farpelha. The purpose of this application is to allow for the reduction in side yard setbacks from 21 feet to 16 feet for a 18' x 50' RV carport over fifteen (15) feet in height on property located at 261 E. Whipple, that being A.P.N. 212-32-010E. The subject property is zoned R1-15 (Single-family residential, 15,000 square feet). City code section 19.25.060(F)(3) states, "Detached accessory buildings shall meet street side setbacks. Side and rear setbacks shall be equal to or greater than the height of the accessory building. Any encroachment into these permitted side and rear setbacks shall require a conditional use permit."

A twenty-one (21) foot tall accessory structure is proposed along the west property line of the subject property. Side yard setbacks in this case would be required to match or exceed the height of the structure, unless otherwise approved through a conditional use permit. The applicant is requesting a reduction in the side yard setbacks from twenty-one (21) feet to sixteen (16) feet from the west property line. As indicated on the attached site plan, the proposed structure will be located approximately 337 feet from East Whipple.

ATTACHMENTS

1. Findings of Fact
2. Subject Property Map
3. Application
4. Site Plan
5. Plans

FISCAL IMPACT

N/A

FINDINGS OF FACT

1. Brandon Garvin has submitted a conditional use permit application on behalf of James and Barbara Farpelha. The purpose of this application is to allow for the reduction in side yard setbacks from 21 feet to 16 feet for an 18x50 RV carport over fifteen (15) feet in height on property located at 261 E. Whipple, that being A.P.N. 212-32-010E. The subject property is zoned R1-15 (Single-family residential, 15,000 square feet).
2. City code section 19.25.060(F)(3) states, "Detached accessory buildings shall meet street side setbacks. Side and rear setbacks shall be equal to or greater than the height of the accessory building. Any encroachment into these permitted side and rear setbacks shall require a conditional use permit."
3. According to county records, the subject property is approximately 4.8 acres in size. The northwest corner of the property is fairly level, with approximately forty (40) feet of fall as you move to the east.
4. The applicant is currently in the process of completing a home on the subject property for the property owner. An RV carport has been proposed to protect their RV while they are at the home.
5. Current zoning of the surrounding properties include.

North: R1-7 (Single-family residential, 7,000 square feet)
South: R1-10 (Single-family residential, manufactured homes excluded, 10,000 square feet,), R1-15 (Single-family residential, manufactured homes excluded,15,000 square feet)
East: R1-10 (Single-family residential, manufactured homes excluded, 10,000 square feet,), R1-15 (Single-family residential, manufactured homes excluded,15,000 square feet)
West: R1-15 (Single-family residential, manufactured homes excluded,15,000 square feet)
6. The current land uses of the surrounding properties include.

North: Timber Ridge subdivision
South: Single-family residential
East: Single-family residential
West: Jehovah's Witness church
7. Transmittal memos were sent to all affected agencies. No applicable comments were received.
8. Staff has received several phone calls from notified individuals. No opposition has been received regarding the proposed development at the time the staff summary report was prepared.

STAFF RECOMMENDATIONS

After reviewing the Zoning Ordinance, Standards for Review, Findings of Fact, discussions with the applicant, and because the request is consistent with the City of Show Low General Plan, staff recommends that the Planning and Zoning Commission approve Conditional Use Permit 602-04-265 submitted by Brandon Garvin on behalf of James and Barbara Farpelha to allow for the reduction in side yard setbacks from 21 feet to 16 feet for a detached building over fifteen (15) feet in height on property located at 261 E. Whipple, that being A.P.N. 212-32-010E subject to the following conditions;

1. All development shall comply with all applicable federal, state, and local requirements.
2. Per city code, any exterior lights shall be shielded so that the source of light is not visible from adjacent properties or the city right of way.
3. RV occupancy shall be in compliance with time limits as established in city code chapter 19.25.120(A).

STANDARDS FOR REVIEW

Project: Conditional Use Permit 602-04-265 submitted by Brandon Garvin on behalf of James and Barbara Farpelha to allow for the reduction in side yard setbacks from 21 feet to 16 feet for a detached building over fifteen (15) feet in height on property located at 261 E. Whipple, that being A.P.N. 212-32-010E.

General Plan

Land Use

Goal: Preserve the natural surroundings and the rural, hometown atmosphere.

Objective: Promote infill and indicate prime growth areas for programmed expansion of service systems to discourage sprawl.

Zoning Ordinance

Chapter 19.20 CONDITIONAL USE PERMITS

19.20.010 Purpose.

Every zoning district contains certain uses of land which are normal and complementary to permitted uses in the district, but which, by reason of their typical physical or operational characteristics, influence on the traffic function of adjoining streets, or similar conditions, are potentially incompatible with adjacent activities and uses. It is the intent of this chapter to permit conditional uses if the use can be designed and developed in a manner which assures maximum compatibility with adjoining uses. It is the purpose of this chapter to establish

principles and procedures essential to proper guidance and control of such uses. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(A))

19.20.020 General regulations.

(A) Zoning district regulations established elsewhere in this chapter specify that certain uses of land may be allowed by the commission as conditional uses in a given district subject to the provisions of this section and the requirements set forth in district regulations. The planning and zoning commission is empowered to grant or to deny applications for conditional use permits and to impose conditions upon them.

(B) Any use, legally established and in compliance with the rules and regulations of the state of Arizona and the City of Show Low, that is existing on the effective date of the ordinance codified in this chapter which is reclassified as a conditional use by this chapter for the district in which it is located shall be considered as meeting the conditions which would otherwise be imposed upon such use by this chapter, and its continuance shall not be subject to issuance of a conditional use permit; provided, however, that to the extent that such use fails to conform to the requirements of this chapter, it shall be considered nonconforming as described in Chapter [19.95](#), and its continuance shall be governed by all nonconforming use regulations applicable thereto.

(C) Every conditional use permit issued shall be applicable only to the specific conditional use and to the specific property for which it is issued. The maintenance of special conditions imposed by the permit, as well as the compliance with other provisions of this chapter, shall be the responsibility of the property owner. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(B))

19.20.030 Application process.

(A) *Authorized Applicant.* An applicant for a conditional use permit shall be one (1) of the following:

- (1) The owner(s) and/or authorized agent of the property;
- (2) Any person with a potential interest in the property, together with the name, address and signature of the owner and/or authorized agent of the property.

(B) *Submittal Requirements.* Application for a conditional use permit shall be filed with the planning and zoning department on a form provided by the planning and zoning department. The applicant shall provide the planning and zoning director with a detailed site plan with the information requested in Chapter [19.15](#), and the narrative information as requested on the application form. An applicant shall also furnish the commission any additional information the planning and zoning director may consider relevant.

(C) *Mandatory Applicant Attendance.* Applicants, or their representative with authority to speak for and bind the applicant, shall be present at all meetings and public hearings required under this section.

(D) *Representations of Applicant Binding.* All representations by the applicant, or by the applicant's authorized representative, made in writing, or during any city public meeting or public hearing, or by any submitted plan, plat, drawing or other graphic depiction in support of the application, and designated in the record by the planning and zoning commission and/or city council, shall be deemed to be conditions of approval.

(E) *Diminution of Fair Market Value Waiver Required.* An executed, notarized waiver by the owner of the subject property of any and all claims for diminution in fair market value as defined by A.R.S. § [12-1134](#) arising out of the subject application shall be submitted. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(C))

19.20.040 Staff review.

An application for a conditional use permit shall be submitted to the planning and zoning director at least twenty-one (21) days prior to the public meeting. The recommendation shall be submitted to the planning and zoning commission prior to the scheduled public meeting. The recommendation shall set forth whether the conditional use permit should be granted, granted with conditions, denied, or set for a public hearing. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(D))

19.20.050 Standards for reviewing conditional use permits.

All conditional use permits shall be evaluated for the following standards:

(A) The application shall be consistent with and conform to the general plan and any other adopted plans;

(B) There shall be no significant adverse or intrusive effect upon property within three hundred (300) feet of the external boundaries of the subject property as a result of the proposed use; and

(C) The proposed change would not be detrimental to the public health, safety and general welfare of the persons or property in the surrounding area, nor to the community in general. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(E))

19.20.060 Notification requirements.

Notice of the nature of the conditional use permit application and the date of the meeting at which it will be considered shall be posted on the property and shall be mailed to the owners

of all real property within three hundred (300) feet of the property for which application is made at least ten (10) days prior to the meeting. Notwithstanding the notice requirements set forth in this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(F))

19.20.070 Commission action.

Based on the application, site plan, standards of review, staff's recommendation and any other presented information the commission has the following options in rendering a decision:

(A) The commission may grant a conditional use permit with conditions the commission deems necessary to secure the intent and purpose of this section and require such guarantees and evidence that such conditions are being, or will be, complied with as the commission may desire.

(B) Deny the conditional use permit. If the commission finds that the application and supporting data do not indicate that all applicable conditions and requirements of this section will be met, it shall deny the permit. Notice of denial, including reasons therefor, shall be mailed to the applicant at the address shown in the application, and the commission shall report its actions to the city council.

(C) At its discretion, set the matter for a public hearing. If the commission does set the matter for public hearing, notice thereof shall be given to the public by publication of a notice in the official newspaper of the city and by posting the property included in the application not less than fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing and include a general explanation of the matter to be considered and a general description of the area affected.

(D) Continue the matter one (1) time to a specific date not to exceed thirty (30) days from the original meeting date. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(G))

19.20.080 Appeals.

(A) Any aggrieved person may file an appeal with the city council regarding any decision of the planning and zoning commission regarding the commission's action on a conditional use permit by filing a written notice of appeal with the city clerk specifying the request. If no appeal is filed with the council within seven (7) days after commission action, the action of the commission shall be considered final.

(B) When an appeal is filed with the city clerk, the planning and zoning director shall place the item on the next available regular city council meeting agenda, or, in the alternative, the planning and zoning director may set the matter for public hearing before the council as per the notification requirements outlined in Section [19.20.070\(C\)](#). Notice shall be given to the

planning and zoning commission of such appeal and the commission shall submit a report to the council prior to the hearing setting forth the reasons for its action taken. The commission shall be represented at the hearing by the commission chairman or his designee.

(C) *Council Action.*

(1) May grant or deny it; the council may elect to set the matter for a public hearing, and the latter action shall require notification as outlined in Section [19.20.070\(C\)](#).

(2) The council shall, within fifteen (15) days of the public hearing, either uphold the decision of the planning and zoning commission or make a decision of its own. The council is not bound by the record of the commission's findings and/or decision in reaching its decision.

(3) The council may grant a conditional use permit with conditions the council deems necessary to secure the intent and purpose of this section and require such guarantees and evidence that such conditions are being, or will be, complied with as the council may desire.

(4) The council's decision shall be final and shall become effective immediately. Notice of the decision shall forthwith be mailed to the applicant at the address shown in the application. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(H))

19.20.090 Time limits.

(A) Conditional use permits become effective seven (7) days after approval by the planning and zoning commission, but in the event an appeal is filed, said permit shall not become effective until a decision upholding granting of the permit is arrived at by the council.

(B) The construction of any improvements allowed by a conditional use permit shall commence within twelve (12) months or as otherwise stipulated by the commission and must be completed within eighteen (18) months or as otherwise stipulated by the commission in accordance with the development plan, unless extended by the planning and zoning commission, otherwise the conditional use permit shall become null and void.

(C) The commission may establish a time limitation for specific conditional use permits and prior to the termination of this time limit, the commission may reconsider said use permit to determine if the permit should be reissued for an additional time period or be terminated.

(D) A conditional use permit shall not be effective until the conditions of the permit are fulfilled unless specific clarifications on the conditional use permit as to timing of compliance are present.

(E) If a time limit is not established by the commission, and the conditional use is discontinued for more than twelve (12) months, a new conditional use permit shall be required.

(F) An applicant may submit a master plan of a proposed development which requires a conditional use permit and have the development approved by the commission. No further conditional use permit process will be necessary to implement this plan as long as it is in substantial compliance with the master plan and is completed within the time period established by the commission.

(G) No person shall reapply for the same or substantially the same use permit on the same or substantially the same plot, lot, or parcel of land within a period of one (1) year from the date of denial or revocation of said use permit. (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(I))

19.20.100 Revocation and enforcement.

(A) Use permits granted in accordance with the provisions of this chapter may be revoked if any of the conditions or terms of the permit are violated or if any law or division is violated in connection therewith. The planning and zoning director shall notify the permittee of a violation of a conditional use permit. If the violation is not remedied or the remedy is not substantially begun in the opinion of the planning and zoning director, the permittee shall be served with a notice that the planning and zoning commission will consider revocation of the conditional use permit at a commission meeting specified in the notice. This commission meeting shall not be held less than ten (10) days after the notice is mailed by certified mail or by personal delivery. If the commission decides to revoke the permit, the property owner shall cease the use for which the conditional use permit was issued.

(B) Failure to comply with the conditional use permit or the standards of this chapter may result in a complaint being filed in the magistrate court as per Section [19.10.080](#). (Ord. No. 473, §§ 1 – 4, 6-6-00; Ord. No. 2006-07, § 3, 3-7-06; Ord. No. 2007-03, § 1, 1-16-07; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-32(J))

Article II. R1-15 Zone – Single-Family Residential, Manufactured Homes Excluded (15,000 Square Feet)

19.50.090 Purpose.

This district is intended to promote and preserve low-density single-family residential development. Regulations and property development standards are designed to protect the single-family residential character of the district and to prohibit all incompatible activities. Land use is composed chiefly of individual homes, together with required recreational, religious and educational facilities. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-52(A))

19.50.100 Permitted uses.

- (A) One (1) single-family dwelling. Manufactured homes are prohibited.
- (B) Customary accessory uses and buildings, provided such uses are incidental to the principal use.
- (C) Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion of or abandonment of the construction work.
- (D) Publicly owned and operated schools, parks and recreation areas and centers.
- (E) Home occupations.
- (F) Attached guest units in accordance with Section [19.25.230\(A\)](#). (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-52(B))

19.50.110 Conditional uses.

- (A)
 - (1) One (1) additional single-family dwelling for use as a guest house not to exceed fifty (50) percent of the total living area of the main dwelling, provided the total intensity of land use shall be a minimum of fifteen thousand (15,000) square feet of lot area per dwelling unit; or
 - (2) One (1) additional single-family dwelling for use as a guest house not to exceed the total living area of the main dwelling provided the total intensity of land use shall be a minimum of twenty thousand (20,000) square feet of lot area per dwelling unit.
- (B) Churches or similar places of worship.
- (C) Public utility buildings, structures, or appurtenances thereto for public service use.
- (D) Temporary home and land sales offices provided they are located within the same subdivisions as the land and homes that are offered for sale.
- (E) Private schools.
- (F) Golf courses and associated facilities but not including miniature golf or commercial driving ranges.
- (G) Public and quasi-public facilities which provide essential services including hospitals, police and fire stations and substations, and cemeteries.
- (H) Bed and breakfast.
- (I) Group home for the handicapped. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-52(C))

19.50.120 Property development standards.

- (A) *Minimum Lot Area*. Fifteen thousand (15,000) square feet.

- (B) *Minimum Average Lot Width.* Sixty (60) feet.
- (C) *Minimum Lot Frontage.* Thirty (30) feet.
- (D) *Maximum Lot Coverage.* Forty (40) percent.
- (E) *Minimum Front Yard.* Twenty (20) feet.
- (F) *Minimum Side Yard.* One (1) side yard of eight (8) feet and one (1) side yard of twelve (12) feet except that where a side lot line abuts a street, there shall be a minimum side yard of twenty (20) feet.
- (G) *Minimum Rear Yard.* Fifteen (15) feet.
- (H) *Minimum Dwelling Size.* Exclusive of patios, porches and garages, one thousand five hundred (1,500) square feet.
- (I) *Maximum Building Height.* Not to exceed thirty-five (35) feet.
- (J) *Minimum Off-Street Parking Required.* Two (2) side-by-side parking stalls. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-52(D))

19.50.130 General provisions.

The provisions of Chapter [19.25](#) shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-52(E))

19.50.140 Signs.

The provisions of Chapter [19.100](#) shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-52(F))

19.50.150 Parking and loading.

The provisions of Chapter [19.105](#) shall apply. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-52(G))

19.50.160 Plan review.

The provisions of Chapter [19.15](#) shall apply to all uses. (Ord. No. 2009-01, §§ 1, 2, 1-20-09; Ord. No. 2009-08, §§ 1, 2, 6-2-09. 1976 Code § 15-1-52(H)).

19.25.060 Yard, lot, and area requirements.

(F) *Accessory Buildings (Detached) Including Garages and Carports.* Any detached accessory building, garage or carport located in any zone shall not be located in the required street side setback. Allowed heights and setbacks are as follows:

- (1) Detached accessory buildings located five (5) feet from any side or rear property line shall be limited to a maximum of fifteen (15) feet in height, or the height of the main structure, whichever is less.
- (2) Detached accessory buildings shall be located five (5) feet from any structure (measured from structure wall to structure wall).

(3) Detached accessory buildings which meet the setback requirements for a main structure for the zone in which they are located may exceed fifteen (15) feet in height provided they do not exceed the height of the main structure. Detached accessory buildings shall meet street side setbacks. Side and rear setbacks shall be equal to or greater than the height of the accessory building. Any encroachment into these permitted side and rear setbacks shall require a conditional use permit.

(4) Detached accessory buildings which meet the setback requirements for a primary building for the zone in which they are located may exceed the height of the primary building but not exceed the maximum building height for that zone provided they meet the setbacks for the main building and are located on a lot a half-acre in size or greater. Detached accessory buildings shall meet street side setbacks. Side and rear setbacks shall be equal to or greater than the height of the accessory building. Any encroachment into these permitted side and rear setbacks shall require a conditional use permit.

(5) Portable parking structures (with footings) shall require the issuance of a City of Show Low building permit. No encroachment shall be permitted into any required yard setbacks.

19.25.120 Storage and parking of manufactured homes and trailers.

(A) *Storage.* The owners and tenants of residentially zoned property may store, park or locate personal recreational vehicles such as but not limited to boat trailers, utility trailers, travel trailers or motor homes, provided they do not obstruct the view of oncoming traffic from vehicles entering a street at intersections and driveway entrances. Such recreational vehicles may not be rented or otherwise used for income purposes. Campers, motor homes, and travel trailers in conjunction with a residence may be inhabited for no more than fourteen (14) consecutive days, and no more than thirty (30) days in any one (1) calendar year. Inhabitation for this purpose may be defined as including, but not be limited to, connection to external fuel tanks or natural gas, skirting, or connection to water, sewer, electrical or natural gas exceeding thirty (30) days.





Subject Property:
261 E. Whipple
A.P.N. 210-32-010E



City of Show Low Planning & Zoning
180 N. 9th Street, Show Low, AZ 85901
(928) 532-4040

Conditional Use Permit Application
(Filing Fee: \$150.00)

For Office Use Only

Date received: 11-29-23
Time received: 11:30 AM
Received By: CBF

OWNER INFORMATION

Name: James & Barbara Farpelha
Address: 261 E. Whipple
Mailing Address
Show Low AZ 85901
City State ZIP Code
Phone: 805-432-8822 Email: barbarafarpelha@yahoo.com

APPLICANT INFORMATION (if different)

Name: Brandon J. Garvin
Address: 1179 Burton Rd
Mailing Address
Show Low AZ 85901
City State ZIP Code
Phone: (928) 205-9203 Email: outwestconstructionllc@gmail.com

PROPERTY INFORMATION

Address of Property: 261 E. Whipple Parcel Number (A.P.N.): 210-32-010E
Legal Description of Property: See attached.

Zoning Classification: R-1-15 Applicant's interest in Land: Contractor

What is the Nature of the Request? We are requesting the approval of a covered RV structure that will be placed on the west property line adjacent to the rear of the Jehovah Whitness church.

APPLICATION REQUIREMENTS

1. One (1) copy of 24" X 36" map and one (1) copy of the same map in 11" X 17" (additional maps may be required if requested by Staff) **All maps must be drawn to scale and shall include:**
 - ☐ Lot dimensions.
 - ☐ Location, size, height, use and exterior materials of all buildings and structures.
 - ☐ Size and dimensions of yards and space between buildings.
 - ☐ Location and height of walls and fences.
 - ☐ Location, number of spaces, dimensions, circulation patterns, and surface materials for all off- street parking and loading areas, driveways, access ways and pedestrian walkways.
 - ☐ Location, dimensions area, materials, and lighting of signs.
 - ☐ Location and general nature of exterior lighting.
 - ☐ Street dedications and improvements.
 - ☐ Existing and proposed grades and drainage systems.
 - ☐ Size and location of all existing and proposed public and private utilities. All easements must be shown.
 - ☐ Natural features such as mesas, rock outcroppings, or streams and manmade features such as existing roads and structures, with indication as to which are to be retained and which are to be removed or altered.
 - ☐ Landscaping, including all surfacing material around buildings and in all open spaces.
 - ☐ A vicinity sketch showing the location of the site in relation to the surrounding street system.
 - ☐ Adjacent properties and their uses shall be identified.
 - ☐ A legal description of the land included in the site plan and of the lot; the name, address and telephone number of the owner, developer and designer.
 - ☐ Any information which the zoning administrator may find necessary to establish compliance with this and other ordinances.

2. A statement of how this proposed project or use will comply with the goals and objectives of the Show Low General Plan:

The City has been apprized of the Structure that will have the height of 21'1". The Structure is A metal Tubing Framed Structure that has been engineered. It will be neat and clean.

3. A statement as to what steps will be taken to avoid and minimize any adverse impact on the public health, peace, convenience, comfort, safety and general welfare of the surrounding property owners and users as well as the general welfare of the City.

This structure will actually be a blessing to move th RV out of sight. It will allow for a neat Clean space to hide things that are now Visable.

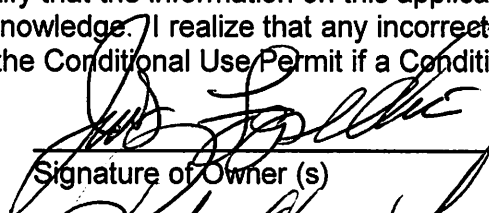
4. Explain what utility demands are going to be required and what steps, if any, will have to be made to meet your utility demands.

The Eletriz, Water, and Sewer have been placed in preperation, for the proposed structure. They will be out of sight.

5. **PLEASE NOTE:** In accordance with City Code, Title 19.20.030(C) and (D), you or your authorized representative must be present at all Planning and Zoning Commission and/or City Council hearings or public meetings regarding this application. Below please list any person(s) authorized to represent you during this application process. Representations made during those meetings or hearings and designated in the record shall be deemed conditions of approval.

Brandon Garvin will be the representative of this
proposed project as well as all others on our property.

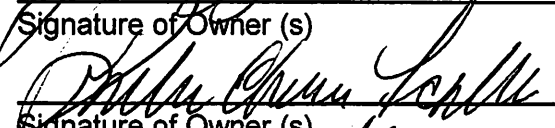
I certify that the information on this application form and attachments are true and correct to the best of my knowledge. I realize that any incorrect information may lead to the cancellation of any proceedings and the Conditional Use Permit if a Conditional Use Permit has been issued.



Signature of Owner (s)

11-29-23

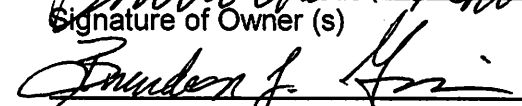
Date



Signature of Owner (s)

11-29-23

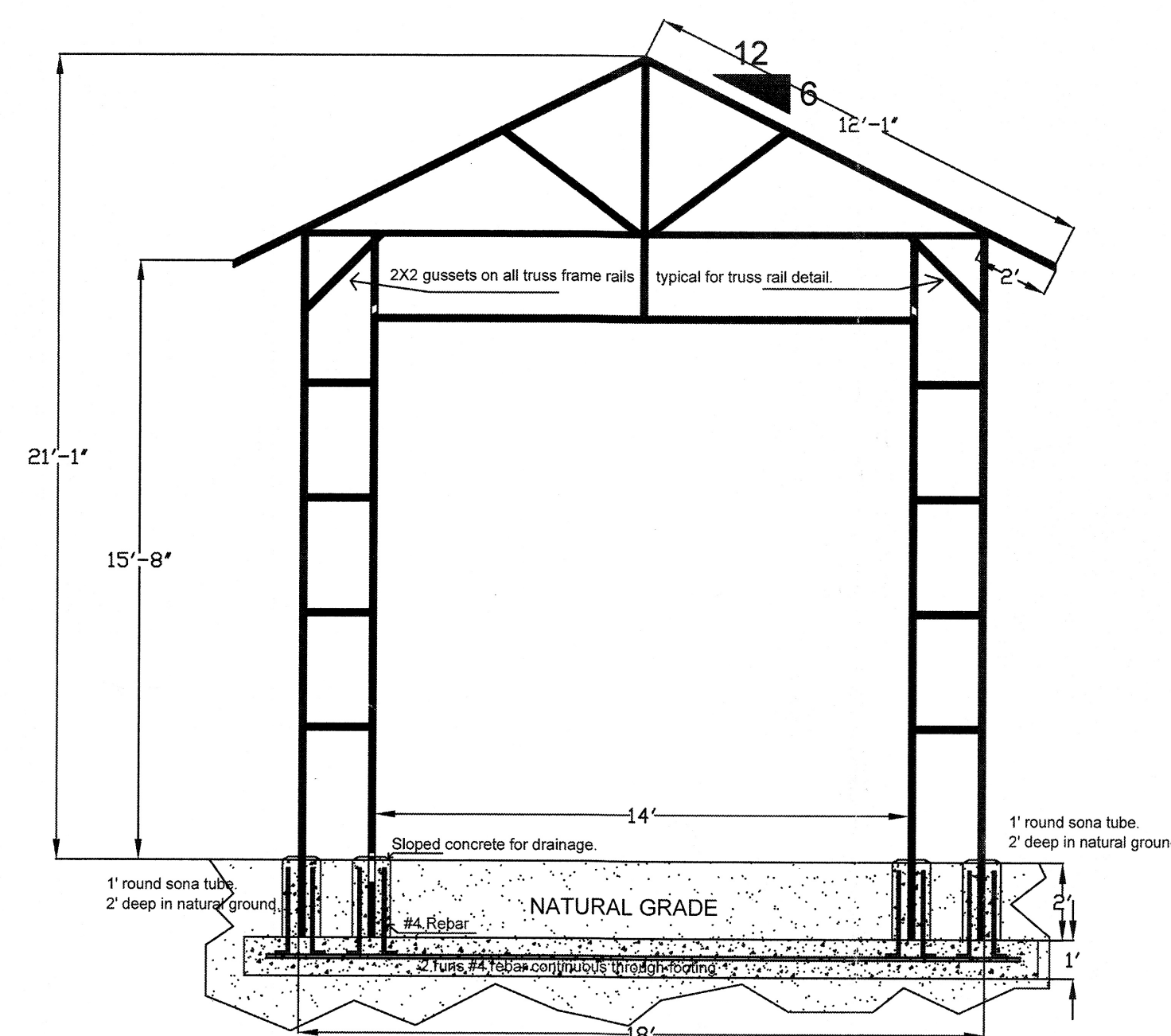
Date



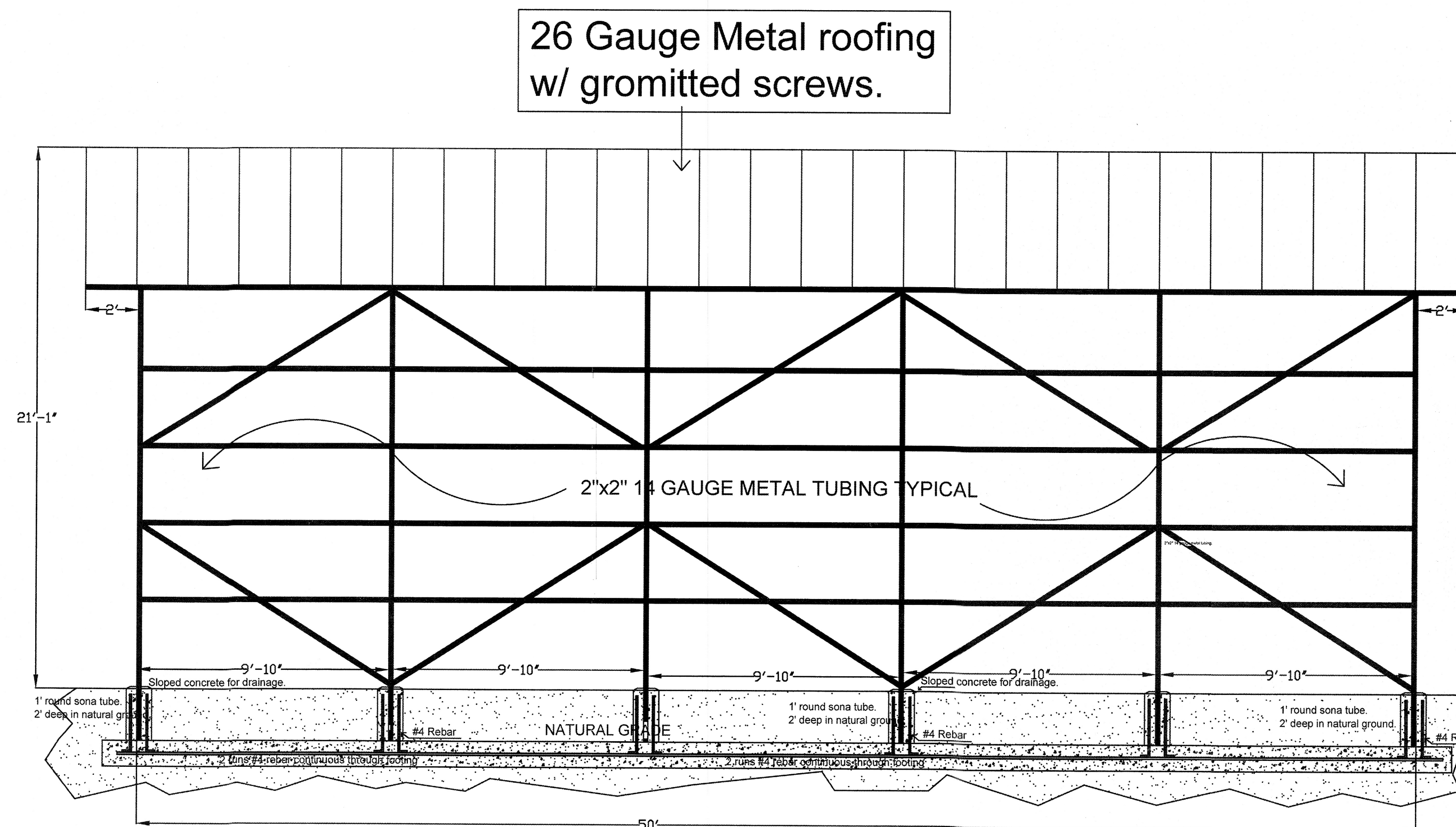
Signature of Applicant (If other than owner)

11-29-23

Date



FRONT ELEVATION



LEFT SIDE ELEVATION
&
RIGHT SIDE ELEVATION

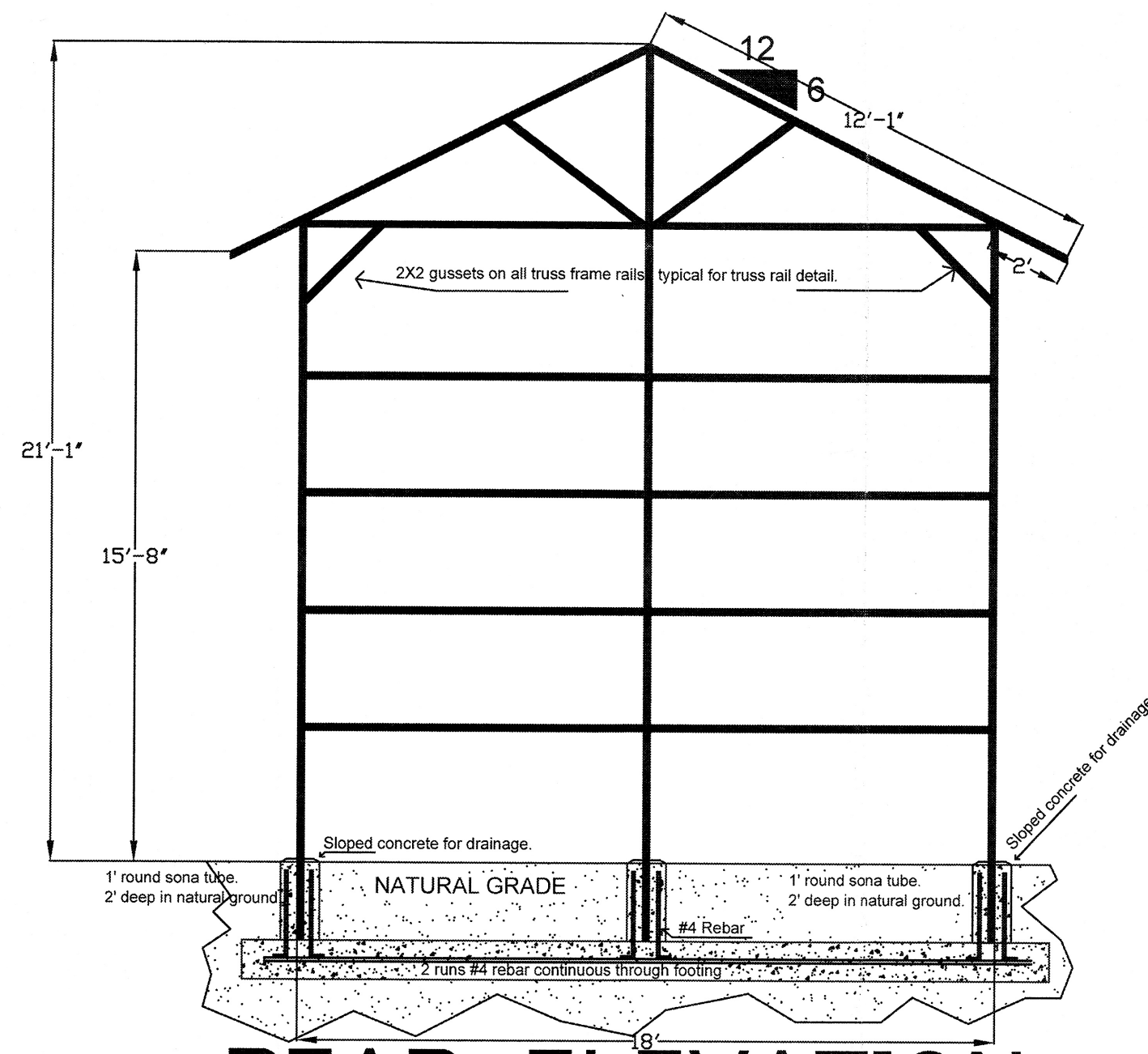
NO LIABILITY CLAUSE
BRIANNE GARVIN HAS NO LIABILITY WHATSOEVER AFTER PLANS ARE REVIEWED AND ACCEPTED BY THE CLIENT AND/OR GENERAL CONTRACTOR. ALL CODE REQUIREMENTS AND BEAM SIZES ARE TO BE VERIFIED BY GENERAL CONTRACTOR AND IT IS ALWAYS SUGGESTED THAT ALL PLANS SHOULD BE REVIEWED BY A LICENSED ENGINEER OR ARCHITECT PRIOR TO ANY CONSTRUCTION.

DIMENSIONS
ALL DIMENSIONS ARE TO BE FIELD VERIFIED BY THE BUILDER. 1/4" SCALE WAS USED TO DRAW THESE PLANS.

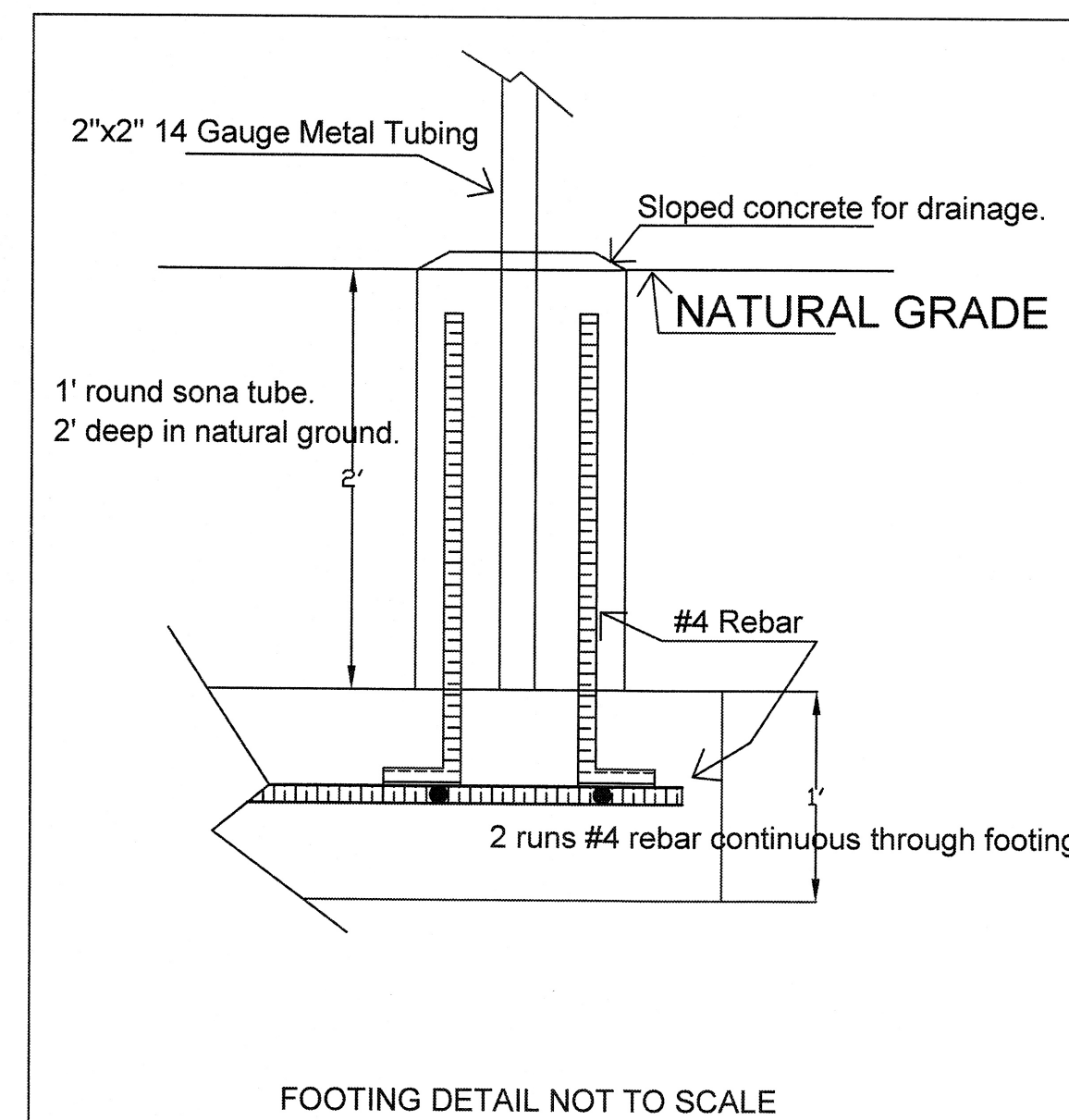
14 GAUGE METAL
ALL METAL USED WILL BE 2" x 2" 14 GAUGE METAL TO BE CONSTRUCTED ON SITE.

WELDING
ALL INTERSECTIONS WILL BE WELDED COMPLETELY AROUND.

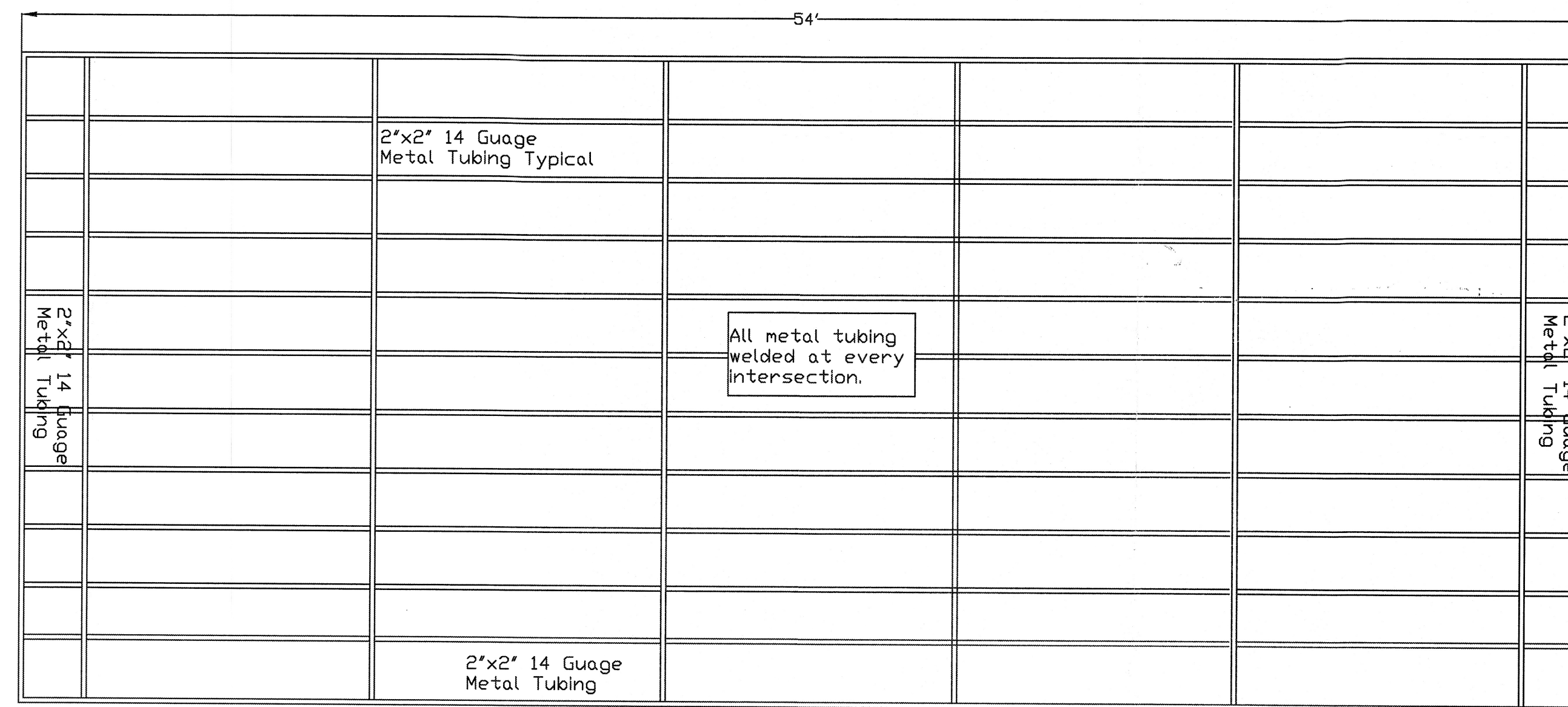
METAL ROOFING
ALL ROOFING WILL BE 26 GAUGE METAL ROOF SCREWED WITH METAL GROMMET SCREWS.



REAR ELEVATION



FOOTING DETAIL



ROOF PLAN

RECEIVED
OCT 8 8 2023
3:21 PM



David R. Ashton

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON TUESDAY, NOVEMBER 14, 2023, AT 7:00 PM IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA

1. Call to Order.

Chairman Barlow called the meeting to order at 7:00 p.m.

2. Roll Call.

COMISSION MEMBERS PRESENT: Chairman Barlow, Commissioner Roberts, Commissioner Schnepf, Commissioner Whipple, Commissioner Hatch, Commissioner Wilson

COMMISSION MEMBERS ABSENT: None.

STAFF MEMBERS PRESENT: Planning and Zoning Director; Justen Tregaskes, Planner; Katie Fechtelkotter, and City Attorney; Anna Atencio

GUESTS: Guy R. & Laura Cannon, and Mike & Lisa Neagle.

3. Invocation.

Commissioner Whipple gave the invocation.

4. Pledge of Allegiance.

Commissioner Wilson led the Commission and audience in the pledge of allegiance.

5. **NEW BUSINESS:**

- A. Consideration of Conditional Use Permit 602-04-264 submitted by Show Low Pizza Boyz, LLC to allow for a drive-through restaurant located at 4451 S. White Mountain Rd., Ste D, that being A.P.N. 212-03-158. (Justen Tregaskes)

Director Tregaskes said that he wanted to clarify that although it said this was for a drive-through restaurant, there will be no on-site consumption of food at this location. He said that a drive-through restaurant was the closest to this use.

Director Tregaskes read the staff summary report. Guy Cannon of Show Low Pizza Boys, LLC has submitted a Conditional Use Permit (CUP) to allow for a drive-through restaurant located at 4451 S. White Mountain Rd., Ste D, that being A.P.N. 212-03-158. The subject property is zoned C-2 (General Commercial). Drive-through restaurants require a CUP in the C-2 zone.

The subject property is considered an out-parcel of the Park Pineway Shopping Center and was previously utilized by the Arizona Central Credit Union. The applicant is proposing to utilize the existing drive-through lane for a Papa Murphy's Take and Bake Pizza Store. The applicant has indicated that there will be sufficient parking for the shopping center with the additional development. Access to the subject property will be from within the existing Park Pineway Shopping Center, there will be no driveway access directly onto S. White Mountain Rd.

At their regular meeting of January 24, 2023, the Planning and Zoning Commission approved a similar request for property located at 4421 S. White Mountain Road. This location is no longer being pursued by the applicant. The conceptual site plan and proposed building elevations for the new proposed location have been attached for your review.

FINDINGS OF FACT

1. Guy Cannon of Show Low Pizza Boys, LLC has submitted a Conditional Use Permit (CUP) to allow for a drive-through restaurant located at 4451 S. White Mountain Rd., Ste D, that being A.P.N. 212-03-158. The subject property is zoned C-2 (General Commercial). Drive-through restaurants require a CUP in the C-2 zone.
2. The subject property is considered an out-parcel of the Park Pineway Shopping Center and was previously utilized by the Arizona Central Credit Union. The applicant intends to utilize the existing drive-through.
3. The applicant has indicated that there will be sufficient parking for the shopping center with the additional development. Access to the subject property will be from within the existing Park Pineway Shopping Center, there will be no driveway access directly onto S. White Mountain Rd.
4. As indicated on the attached application, a Papa Murphy's Take and Bake Pizza is proposed for this location. The conceptual site plan and proposed building elevations have been attached for your review.
5. Current zoning of the surrounding properties include.
North: C-2 (General Commercial)
South: C-2 (General Commercial)
East: C-2 (General Commercial)
West: C-2 (General Commercial)
6. The current land uses of the surrounding properties include.
North: Meixler Investments
South: Denny's
East: Park Pineway Shopping Center
West: Pizza Hut/Goodwill
7. Transmittal memos were sent to all affected agencies. No applicable comments were received.
8. No public comment was received regarding the proposed development at the time the staff summary report was prepared.

Director Tregaskes said that after the staff summary report was prepared that a call was received from Denny's regarding general questions related to the project, including the routing of the drive-through lane. Director Tregaskes said that the drive-through lane would use the existing configuration and should not affect Denny's.

STAFF RECOMMENDATIONS

After reviewing the Zoning Ordinance, Standards for Review, Findings of Fact, discussions with the applicant, and because the request is consistent with the City of Show Low General Plan, staff recommends that the Planning and Zoning Commission approve Conditional Use Permit 602-04-264 submitted by Guy Cannon of Show Low Pizza Boys, LLC has submitted a Conditional Use Permit (CUP) to allow for a drive-through restaurant located at 4451 S. White Mountain Rd., Ste D, that being A.P.N. 212-03-158 subject to the following conditions;

1. All development shall comply with all applicable federal, state, and local requirements, including permit, sign, fire code, and Arizona Department of Transportation (ADOT) requirements. Any electronic message board signs shall meet applicable City Code including brightness levels and time between messages.
2. The applicant shall coordinate with the Public Works Department to ensure that adequate backflow protection is installed.
3. Parking and lighting shall meet all requirements of City Code Chapter 19.105.
4. This conditional use permit shall remain effective as long as a building permit has been issued within one (1) year of CUP approval.

Commissioner Roberts asked if there would be a walk-in service in addition to the drive-through and wanted to clarify that there would be no seating or on-site consumption at the location.

The applicant, Guy Cannon of 401 Paintbrush Dr, Show Low, AZ, said that there would be walk-in service and confirmed there would be no seating or on-site consumption at the location.

Chairman Barlow said that he appreciated that they will be using an existing building since there are so many available.

Commissioner Wilson agreed with Chairman Barlow.

COMMISSIONER WILSON MOVED TO APPROVE CUP 602-04-264 SUBMITTED BY SHOW LOW PIZZA BOYZ, LLC TO ALLOW FOR A DRIVE-THROUGH RESTAURANT LOCATED AT 4451 S. WHITE MOUNTAIN RD., STE D, THAT BEING A.P.N. 212-03-158, SUBJECT TO STAFF RECOMMENDATIONS.; SECONDED BY COMMISSIONER ROBERTS; PASSED 6 TO 0 WITH CHAIRMAN BARLOW, COMMISSIONER ROBERTS, COMMISSIONER SCHNEPF, COMMISSIONER WHIPPLE, COMMISSIONER HATCH, COMMISSIONER WILSON VOTING IN FAVOR.

Director Tregaskes said that there is a seven-day appeal period and that if no appeal is received within seven-days this Conditional Use Permit will become effective.

6. CALL TO THE PUBLIC:

Any citizen desiring to speak on a matter that is within the jurisdiction of the Planning and Zoning Commission may do so at this time. Comments may be limited to three minutes per person and shall be addressed to the Planning and

Zoning Commission as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the Planning and Zoning Commission. Pursuant to the Arizona Open Meeting Law, the Planning and Zoning Commission cannot discuss or act on items presented at this time. At the conclusion of the call to the public, individual Planning and Zoning Commission members may (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, and (3) ask that a matter be put on a future agenda.

None.

7. **APPROVAL OF MINUTES:**

A. Planning and Zoning Commission Regular Meeting of October 24, 2023.

COMMISSIONER ROBERTS MOVED TO APPROVE THE MINUTES OF THE OCTOBER 24, 2023, PLANNING AND ZONING COMMISSION MEETING; SECONDED BY COMMISSIONER SCHNEPF; PASSED 6 TO 0 WITH CHAIRMAN BARLOW, COMMISSIONER ROBERTS, COMMISSIONER SCHNEPF, COMMISSIONER WHIPPLE, COMMISSIONER HATCH, COMMISSIONER WILSON VOTING IN FAVOR.

8. **SUMMARY OF CURRENT EVENTS:**

A. Commission Members

Commissioner Wilson wanted to remind everyone, due to the Thanksgiving Holiday, that this was the only Planning & Zoning Commission meeting for November, but welcomed the community to attend the Planning and Zoning Commission meetings. She said the next meeting will be on December 12, 2023 at 7:00 PM in the Council Chambers.

Commissioner Whipple said that tickets for the Show Low High School Choir's Feaste of Carols are on sale and encouraged the community to attend and support the students.

Commissioner Schnepf added that the Feaste of Carol will be held at the end of the month.

Commissioner Hatch said it was a great day in Show Low.

Commissioner Roberts wanted to remind people about the Community Fast that is happening this week. He encouraged everyone to fast one or two meals and donate the proceeds from those meals to the Annual Community Fast. He said that donations are accepted at any bank in Show Low, at Show Low City Hall or online and thanked those who made donations in the past or have already donated.

Chairman Barlow wanted to wish everyone a Happy Thanksgiving and reminded everyone to be safe if they are traveling for the holiday.

B. Planning and Zoning Director

Director Tregaskes said that the Annual Fast of Compassion is this week. He encouraged everyone who can fast, one or two meals and donate the cost of the meal. He said that this is a unique program, since 100 percent of the proceeds goes directly to those in need and stays in the community. Director Tregaskes also reminded the community that the Annual Holiday Light Parade will be held on Saturday, December 2 at 6:00 PM along the Deuce of Clubs. Finally, he wished everyone a Happy Thanksgiving.

9. **ADJOURNMENT:**

There being no further business to be brought before the Commission,
**CHAIRMAN BARLOW ADJOURNED THE REGULAR MEETING OF THE SHOW
LOW PLANNING & ZONING COMMISSION MEETING OF NOVEMBER 14,
2023, AT 7:14 P.M.**

ATTEST:

APPROVED:

Planning and Zoning Director

Zachary Barlow, Chairman

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Planning and Zoning Commission of Show Low held on November 14, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 20____.

Katie Fechtelkotter