

**APACHE COUNTY COMMUNITY DEVELOPMENT**

P. O. Box 238  
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Phone: (928) 337-7526

**PLANNING AND ZONING COMMISSION  
MINUTES FOR August 8, 2024**

**Commissioners**

**District I**

Carey Dobson  
Bobby Fite  
Brad Jarvis

**District II**

Kay Hauser  
Dan Muth, Chair

**District III**

Brad Peterson  
Bob Pollock  
Travis Johnson

**Alternate**

Michael Bragiel

**Staff Members in attendance**

Matthew Fish, Director  
Shanna Pearce, Plan Reviewer  
Christopher Padilla, Engineering

Celeste Robertson, Chief Deputy County Attorney  
Roxanne Drye, Appraiser III

**Working Lunch Session**

Working lunch session called to order at 12:35 p.m.

**Item #1 – Discussion of potential commercial properties.**

Mr. Fish explained his goal was to rezone those along the corridors of the county. He noted those around Stanford Store around the “Y” and those between the “Y” and Vernon. Mr. Muth noted those outside of the incorporated areas. Mr. Fish added Nutrioso and Alpine. Mr. Muth added that flexibility was key, depending on the applicants want and needs.

**Item #2 – Discussion on any agenda item.**

Mr. Fish advised he did not have any further updates regarding the wind/solar project and that he had not received any negative or positive comments.

No discussion on agenda items.

Working lunch session adjourned at 12:46 p.m.

**Public Meeting**

**Item #1 – Call to Order.**

Chairman Dan Muth called the public meeting to order at 1:05 p.m. MST in the Board of Supervisors' Hearing Room, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona.

**Item #2 – Roll Call/Determination of a Quorum.**

Mr. Muth determined a quorum was present by roll call. Present were Commissioners Bobby Fite, Dan Muth, Kay Hauser, Bob Pollock, Carey Dobson, Brad Jarvis attended via phone and later attended in person. Staff present were Matt Fish, Celeste Robertson, Shanna Pearce, and Roxanne Drye.

**Item #3 – Call to the Public**

Lyman Murdock voiced his opposition of the Lava Run Solar/Wind project. He provided a website StopLavaRun.com and announced there would be an informational meeting on August 17, 2024 at 9 a.m. at the American Legion in Springerville, AZ.

**Item #4 – Review and approval of the minutes of the Planning and Zoning Commission working lunch session and public meeting held on June 6, 2024.**

Mr. Muth opened for a motion and discussion.

No discussion.

**Mr. Pollock motioned to approve, seconded by Mr. Muth.**

The vote was unanimous - 5 ayes to 0 nays with one (1) abstention, Mrs. Hauser was not present at the meeting,

**Motion carried.**

**Item #5 – Review and approval of the minutes of the Planning and Zoning Commission working lunch session and public meeting held on July 11, 2024.**

Mr. Muth opened for a motion and discussion.

No discussion.

**Mrs. Hauser motioned to approve, seconded by Mr. Pollock.**

Vote was unanimous - 4 ayes to 0 nays with two (2) abstentions, Mr. Dobson and Mr. Fite were not present at the meeting,

**Motion carried.**

**PUBLIC HEARING(S)**

**Item #6 – MAJOR PLAT AMENDMENT 2024-40**

Mr. Muth recused himself from the discussion and recommendation; Mrs. Hauser was appointed as acting chair for this agenda item.

Mr. Fish introduced the item, provided staff report and addressed concerns received from neighbors and provided pictures of the area regarding public access and community benefit; he pointed out that access to the lake was further down highway 180 and that there was no access from within the subdivision. He also commented regarding environmental degradation and water quality, property values and community character. He recommended approval.

Mr. Fite asked Mr. Samuelson what their use plan was. Mr. Samuelson stated that they wanted to place a small cabin, and the location would be encroaching on the easement.

Mr. Fite asked if there had been an easement or road established to go across the river. Mr. Samuelson stated not to his knowledge. Mr. Muth added that a physical road was never established. Mr. Padilla noted that there was no physical means for the county to create a road over the river, the landowners could build a road and would follow federal government regulations.

Mr. Fite addressed the concerns regarding access and noted that there was a sign at the entrance of the subdivision that noted there was no access to Luna Lake from within the subdivision. Mr. Pollock asked if there would be any need for access across the river for the neighbor to the north, Mr. Phelps as his property was divided by the river. Mr. Samuelson noted that he could create his own access from his larger piece of property to the small piece across the river.

No further discussion.

Mrs. Hauser opened for a motion and discussion.

**Mr. Pollock motioned to approve, seconded by Mr. Fite.**

Vote was unanimous - 6 ayes to 0 nays.

**Motion carried.**

Mr. Muth returned as chair.

**Item #7 – ZONE CHANGE PERMIT 2024-37**

Mr. Muth presented the item.

Mr. Fish provided a staff report and recommended approval.

Mr. and Mrs. Ortiz addressed the commission and provided an overview of their application, they stated that water was provided by existing wells in the area, and they had future plans of further retail development.

Mr. Muth asked staff if there were any development issues related to the ordinance. Mr. Fish replied there were none and added that the applicants were working with ADOT to develop an entrance off directly off highway 61.

M. Fite asked if staff recommended any conditions. Mr. Fish stated one condition would be to maintain the current access and added that the applicant had already laid basalt.

Mr. Muth asked what the density was within a half mile. Mr. Fish replied there were five to 10 residents on both sides of the highway, there was low impact to the water and with any future development permitting would look at the water use. Mr. Fish stated that the future development would be address in the building permitting.

Mrs. Hauser clarified that the applicants owned the well, and clarified the condition recommended by staff.

Mr. Muth opened for a motion and discussion.

**Mrs. Hauser motioned to approve the application with the condition that the applicant maintain the existing access to his property. Mr. Dobson seconded the motion.**

Vote was unanimous – 6 ayes to 0 nays.

**Motion carried.**

#### **Item #8 – Report from Staff to the Commission.**

Mr. Fish advised that staff had not receive any new application for the September meeting. Commission discussed and agreed that there may not be a need to hold the meeting, a determination would be made closer to the meeting date.

#### **Item #9 – Adjournment.**

The public meeting was adjourned at 1:46 p.m. MST.