



# APACHE COUNTY — Community Development Department

P.O. Box 238 • St. Johns, AZ 85936 • Phone: (928) 337-7526 • Fax: (928) 337-7633

## CONDITIONAL USE PERMIT APPLICATION

### APPLICANT

Name Adam Marsh and Karissa Burgess  
 Mailing Address 17818 N 57th Dr.  
Glendale, AZ 85308  
 Contact Person Karissa Burgess  
 Phone 602-488-2312 Fax None  
 Email karissa\_burgess@msn.com

### SUBMITTAL CHECKLIST

- Pre-application meeting with a staff planner in the Planning and Zoning Division.
- Proof of Ownership.
- Application, photographs, diagrams, site plans with the setbacks noted, and any other required information. Please be precise and detailed. (See the attached guidelines)
- Citizen Review Process as listed in ordinance Section 1106. And a list of names and addresses of all the property owners Within 300 feet of subject property.
- Map to property.
- A non-refundable filing fee.
- All required items need to be submitted to Planning and Zoning at least 30 days prior to the next scheduled meeting.

### PROPERTY INFORMATION

Assessor's Parcel # 101-28-041  
 Township 5N Range 31E Section 18  
 Subdivision Luna Lake Village  
 Unit # \_\_\_\_\_ Lot # 30  
 Address/Location Lot 30 CR 2092  
Alpine, AZ 85920  
 Existing Zoning Agricultural General  
 Existing Land Use Vacant Land  
 Lot Size 1.36 Acres

### CERTIFICATION & SIGNATURE

Submittal of this application constitutes consent of the applicant in granting the Community Development Department access to the subject property during the course of project review. No further consent or notice shall be required.

I hereby certify that the information in this application is correct and agree to abide by the regulations of this jurisdiction.

### Signature of Applicant

Karissa Burgess Date 10/19/2020  
Adam Marsh Date 10/19/2020

### Signature of Property Owner (if not the applicant)

\_\_\_\_\_  
 Date \_\_\_\_\_

### CONDITIONAL USE PERMIT REQUEST

Please provide a brief description of the request.

This request is for permission to build a guest home  
on the property.

Temporary Use: \_\_\_ Yes  No

| OFFICE USE ONLY            |                      |
|----------------------------|----------------------|
| Received By <u>Spearce</u> | Date <u>10/28/20</u> |
| Receipt # <u>1076</u>      | Fee <u>300</u>       |
| Permit # <u>2020-43</u>    |                      |
| Related Cases _____        |                      |
| Appeal Filed By _____      | Date _____           |
| Receipt # _____            | Fee _____            |

| COMMISSION ACTION                 |  |                                 |
|-----------------------------------|--|---------------------------------|
| <input type="checkbox"/> Approved | <input type="checkbox"/> with Conditions | <input type="checkbox"/> Denied |
| Resolution # _____                | Date _____                               |                                 |
| Chairman _____                    | Date _____                               |                                 |
| BOARD ACTION                      |  |                                 |
| <input type="checkbox"/> Approved | <input type="checkbox"/> with Conditions | <input type="checkbox"/> Denied |
| Ordinance # _____                 | Date _____                               |                                 |
| Supervisor _____                  | Date _____                               |                                 |
| 5/16/2019                         |  |                                 |

RECORDING REQUESTED BY  
Lawyers Title of Arizona, Inc.

AND WHEN RECORDED MAIL TO:

ADAM MICHAEL MARSH  
17818 N. 57TH DRIVE  
GLENDALE, AZ 85308

Recorded Electronically  
ID 2020-006841  
County Apache  
Date 09-28-2020 Time 5:02 PM  
BY LAWYERS TITLE OF ARIZONA

ESCROW NO.: 01943739 - 283 - CT2

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### Warranty Deed

For the consideration of Ten Dollars, and other valuable considerations, I or we,

**Harold A. McCullough, an unmarried man**

do/does hereby convey to

**Adam Michael Marsh and Karissa Burgess, husband and wife**

the following real property situated in Apache County, ARIZONA:

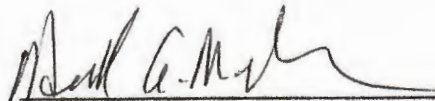
**Lot 30, LUNA LAKE VILLAGE, according to Book 1 of Townsite Maps, Page 55, records of Apache County, Arizona.**

SUBJECT TO: Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations, and liabilities as may appear of record.

And I or we do warrant the title against all persons whomsoever, subject to the matters set forth above.

Dated: September 23, 2020

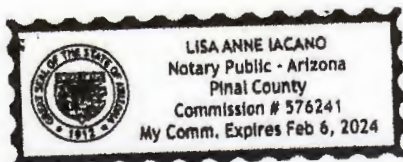
Grantor(s):

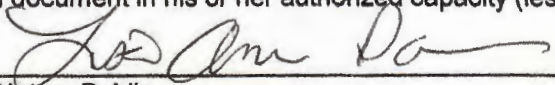
  
\_\_\_\_\_  
Harold A. McCullough

State of Arizona } ss:  
County of Pinal

On Sept 24, 2020 before me personally appeared **Harold A. McCullough**, whose identity was proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this document and who acknowledged that he/she signed the above/attached document in his or her authorized capacity (ies)

(Seal)



  
\_\_\_\_\_  
Notary Public  
Commission Expires: 2-6-2024

RECORDING REQUESTED BY  
Lawyers Title of Arizona, Inc.

AND WHEN RECORDED MAIL TO:

ADAM MICHAEL MARSH  
17818 N. 57TH DRIVE  
GLENDALE, AZ 85308

2020-006861  
Page 1 of 3  
OFFICIAL RECORDS OF APACHE COUNTY  
EDISON J. WAUNEKA, RECORDER  
09-28-2020 05:02 PM Recording Fee \$30.00

ESCROW NO.: 01943739 - 283 - CT2

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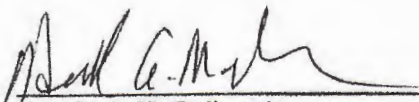
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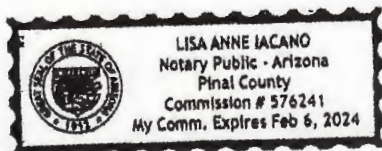
Grantor(s):

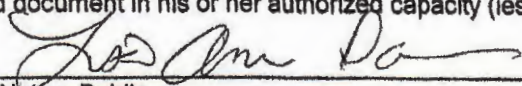
  
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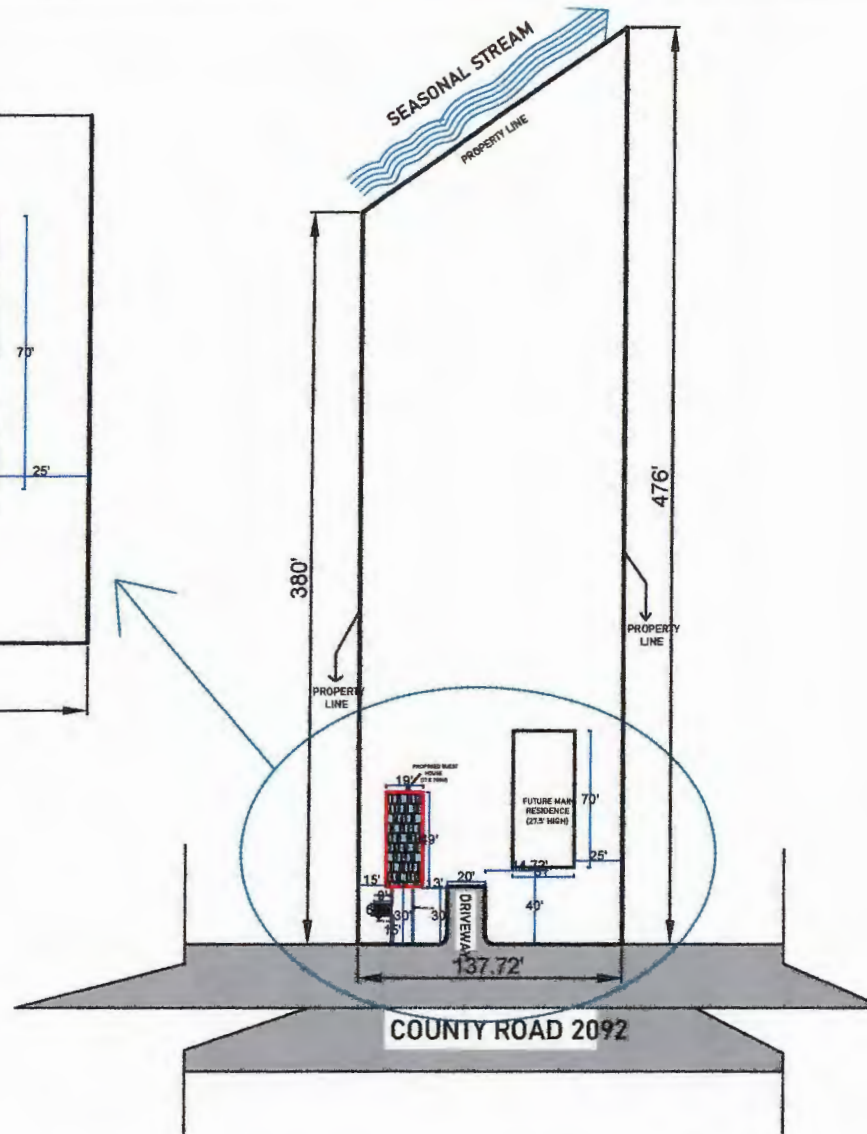
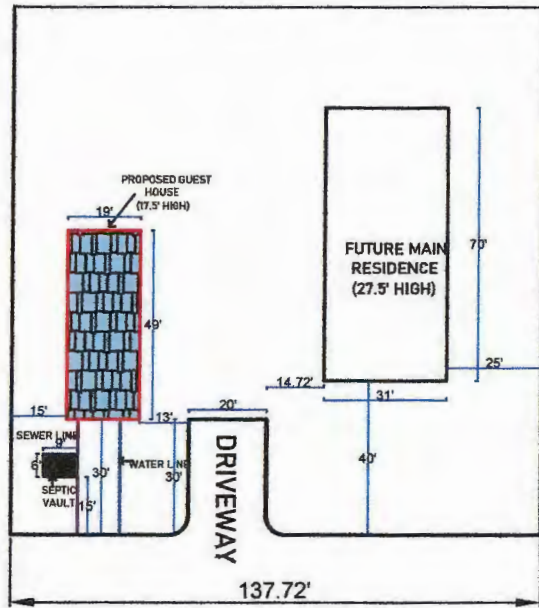
**Guest Home Details:**

**Size:** 600 square feet with 1 bedroom and 1.75 baths.

**Intent:** We (Adam & Karissa, Owners/Applicants) will stay in the home while the main residence is built. After the main residence is finished it's long term use will be for our in-laws to live there at least seasonally, if not full time.

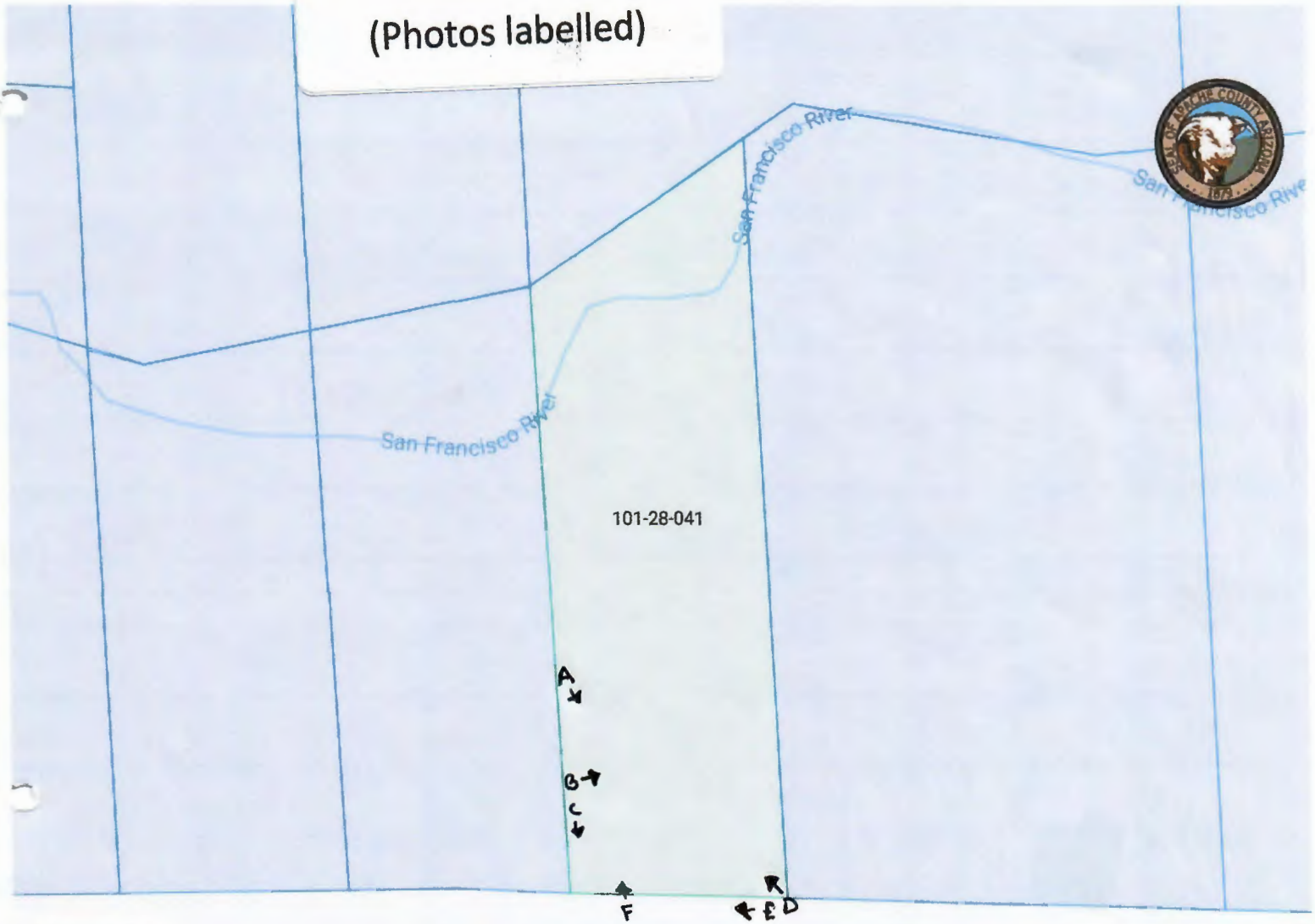
**Other:** No portion of the guest home or main residence will be built in the flood plain. All other zoning requirements such as setbacks and building differences will be met.

PLOT PLAN FOR PROPERTY UNDER REVIEW, SHOWING THE PROPOSED GUEST HOUSE DEVELOPMENT

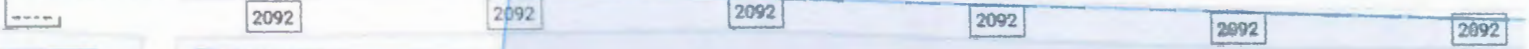


SCALE - 1" = 20'

# Vantage of Photos (Photos labelled)



Measure Tool



50 ft

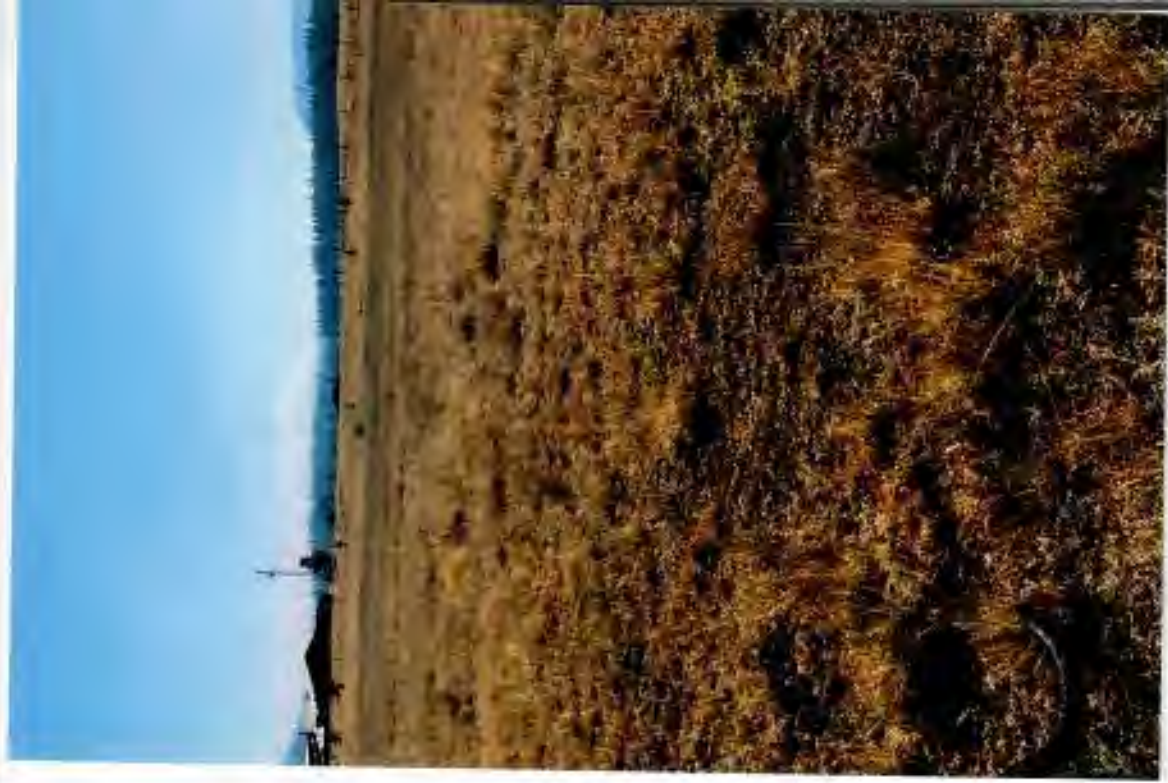
Report a map error

Copyright © Apache County Arizona

Parcel Number: 101-28-061

33.8325, -109.1074

A



B



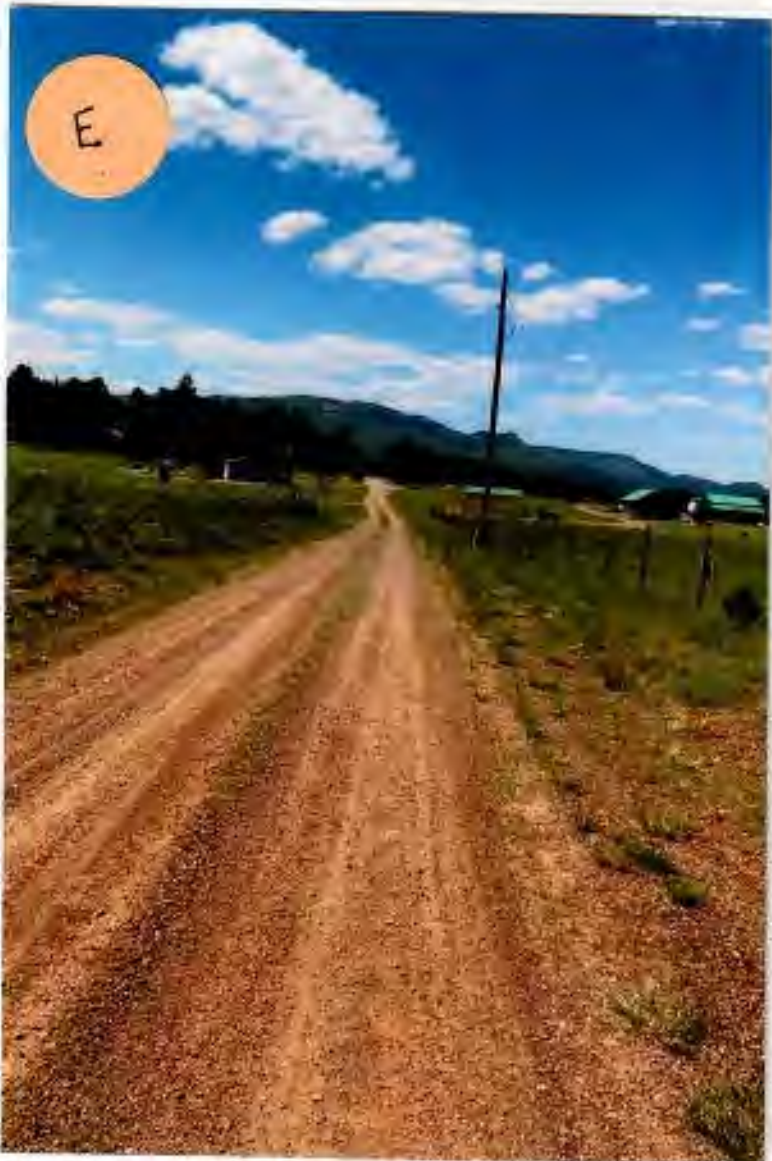
C



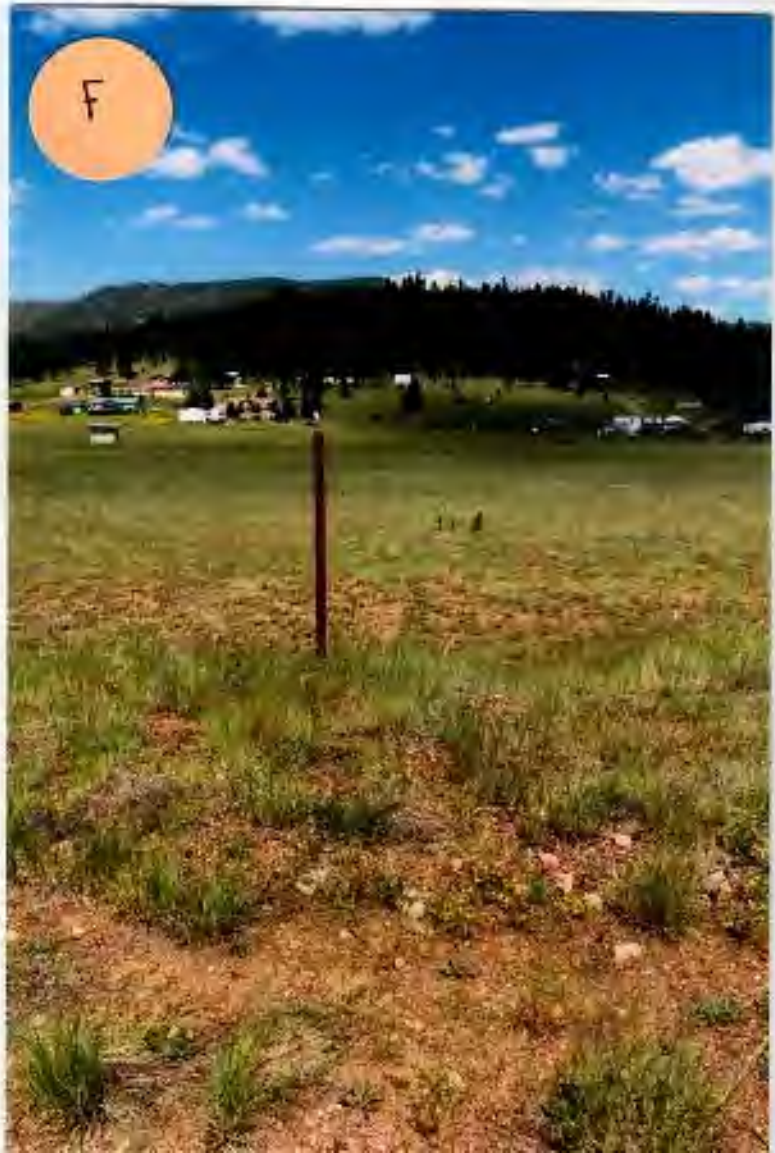
D



E



F

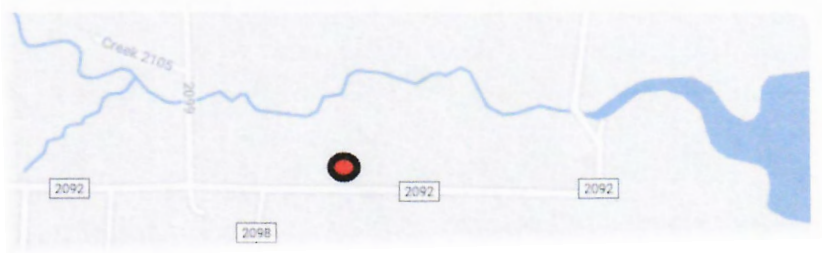
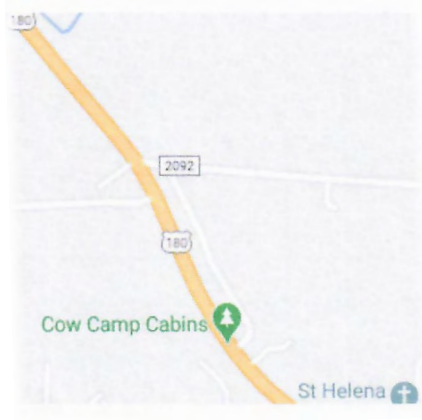




Directions to Lot 30 County Road 2092, Alpine, AZ 85920

**Directions:** The parcel is located off of Highway 180 in Alpine, Arizona. From Springerville, take Highway 191 South approximately 27 miles to Highway 180 East. Take Highway 180 East approximately 2 miles to County Road 2092. Turn left onto County Road 2092 and continue for approximately 1/3 mile. The parcel will be on the left.

The red dot below is the specific location. In the area of the red dot below on the North side of County Road 2092 is a red house. Lot 30 is the parcel to the West of the red house on the North side of County Road 2092.



Outpost RV & Trailer Park



St Johns, Arizona 85936 to 30 Co Rd 2092,  
Alpine, AZ 85920

Drive 58.3 miles, 1 h 3 min



Map data ©2020 5 mi

## CITIZEN PARTICIPATION PLAN

**1. Which residents, property owners, interested parties, and public and private agencies may be affected by the application;**

Response: A list of owners within 300ft is provided. Labels for all unique owners are included in the front pocket of the application binder.

**2. How those interested in and potentially affected by an application will be notified that an application has been made;**

Response: Parcel owners within at least 300ft were sent a letter notifying the property owner of the conditional permit application. A copy of the letter sent is included in the application binder. The letters were sent on 10/05/20 and notified owners that we, the owners, will be meeting on the property on 10/24/2020 from 12:00pm-2:00pm to answer any questions and to listen to concerns.

**3. How those interested, and potentially affected parties will be informed of the substance of the zone change, amendment, or development proposed by the application;**

Response: The letter described informed the property owner of the request to build a guest house and notify owners of the meeting at our property to answer any additional questions. We also provided an email address and did receive questions and provide responses through that medium of communication as well.

**4. How those interested, and potentially affected parties will be provided an opportunity to discuss the applicant's proposal with the applicant and express any concerns, issues, or problems they may have with the proposal in advance of the public hearing;**

Response: As described above, we held a meeting at the property on 10/24/2020 to discuss the proposal and talk through any concerns, issues, or problems.

**5. The applicant's schedule for completion of the citizen participation plan; and**

Response: The citizen participation plan is complete.

Letters were sent to property owners within 300ft notifying them of neighborhood meeting: 10/05/2020

Neighborhood meeting at property: 10/24/2020 12:00pm-2:00pm

Citizen Participation Report (and completion of citizen participation plan) is included in this application packet.

**6. How the applicant will keep the Community Development Department informed**

## CITIZEN PARTICIPATION PLAN

**on the status of citizen participation efforts.**

Response: A copy of the citizen participation report is included in this application packet.

## CITIZEN PARTICIPATION REPORT

1. **Details of the techniques the applicant used to involve the public, including:**
  - a. **Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal;**

Response: A neighborhood meeting was held 10/24/2020 from 12pm-2pm at the lot where the guest house will be located (Lot 30 County Road 2092, Alpine, AZ 89520).

- b. **Content, dates mailed, and numbers of mailings, including letters, meeting notices, newsletters, and other publications;**

Response: As listed in the Citizen Participation Plan, one mailing was sent to property owners notifying them that we were submitting an application for a conditional use permit to add a guest house to the property and that we were holding a neighborhood meeting to address any questions/concerns. Letters were mailed 10/05/2020 to all property owners within 300 feet of the property line with addresses obtained from the County Assessor's office on 9/28/2020. A copy of the letter that was sent is included in this application packet.

- c. **Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located;**

Response: Letters were sent to all property owners within 300 feet of the property line. The mailing addresses were not all in Alpine, and the exact addresses used are included in the application packet. Five were in Alpine, AZ. Two were in San Tan Valley, AZ. One was in Indio, CA. One was in Bermuda Dunes, CA. One was in Tombstone, AZ. Two were in Tucson, AZ. One was in Albuquerque, NM.

- d. **The number of people who participated in the process; and**

Response: Four of the properties that were sent letters participated in the process. Two owners that were sent letters sent emails with questions and owners from three properties were at the neighborhood meeting (one participant both sent an email and attended the neighborhood meeting).

- e. **The percentage of those notified who participated in the process; and**

Response: There were 13 unique addresses/property owners that letters were sent to. Of those, four participated in the process.  $4/13 = 31\%$ .

## CITIZEN PARTICIPATION REPORT

**2. A summary of perceived or real concerns, issues, and problems expressed during the process, including:**

**a. The substance of the concerns, issues, and problems;**

Response: The concern that all property owners that contacted us had was that we might run an AirBnB or other nightly rental business out of the guest house and they were opposed to having additional rentals in the area.

One property owner had a concern for driving an off-road vehicle up and down the shared road.

**b. How the applicant has addressed or intends to address perceived or real concerns, issues, and problems expressed during the process; and**

Response: We are not planning to use the guest house as a rental. Once we explained that we intended to use it for our in-laws to live in either year round or seasonally, the feedback was positive and all owners expressed that they did not have a concern with allowing a guest house on the property as long as it was not used as a rental business.

To the property owner who expressed concerns regarding off-road vehicles we let them know we did not own any off-road vehicles/ATVs and that if we did in the future we would be considerate to our neighbors in their use and they were satisfied with that response.

**c. Perceived or real concerns, issues, and problems the applicant is unwilling or unable to address, including an explanation of such reason**

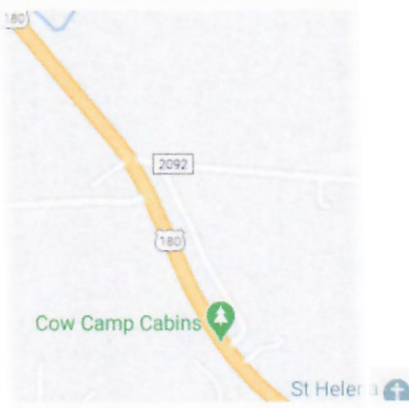
Response: All concerns that were brought to our attention were addressed and resolved.

## LETTER SENT TO PROPERTY OWNERS WITHIN 300FT

Dear Property Owner,

You are receiving this letter as you own a parcel near ours (101-28-041) and we are requesting a conditional use permit to build a guest house on the property. In order to provide an opportunity to discuss any concerns related to having a guest house on the property, we will be on the property on Saturday, October 24<sup>th</sup> from 12pm-2pm. Please see below for directions and a map to the property.

**Directions:** The parcel is located off of Highway 180 in Alpine, Arizona. The red dot below is the specific location. From Springerville, take Highway 191 South approximately 27 miles to Highway 180 East. Take Highway 180 East approximately 2 miles to County Road 2092. Turn left onto County Road 2092 and the parcel will be on the left.



If you have questions and are unable to meet us on October 24<sup>th</sup>, you may email us at [Adam@tinyswamp.com](mailto:Adam@tinyswamp.com). If possible, please provide feedback promptly so that we can address any concerns before the permit application.

We look forward to meeting you. Thank you for your time and have a pleasant day,

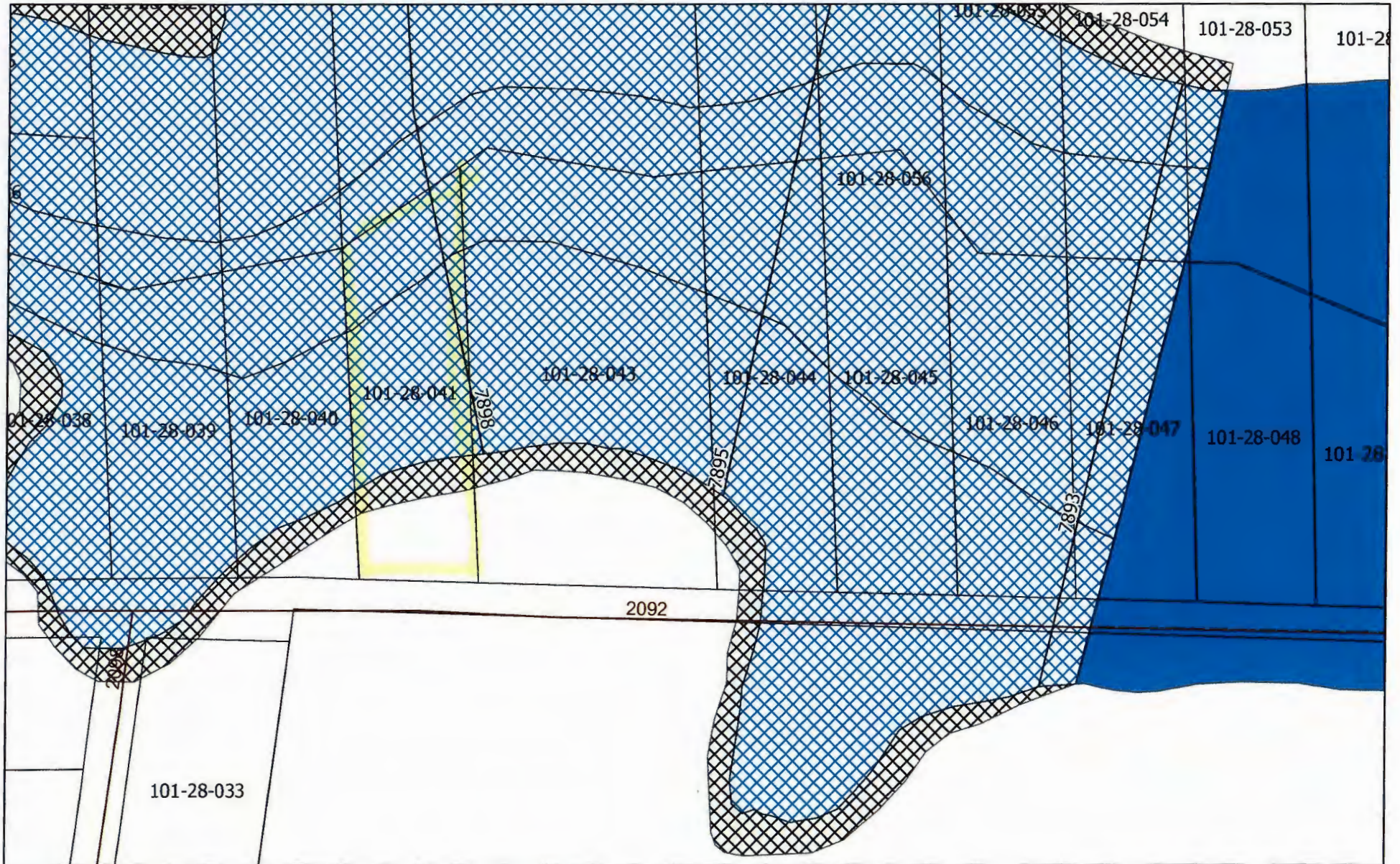
Karissa Burgess and Adam Marsh  
Lot 30 County Road 2092, Alpine, AZ 85920

**Parcels within at least 300 feet- Owners/Addresses a/o 9/28/2020**

| <b><u>Parcel</u></b> | <b><u>Owner Name</u></b>   | <b><u>Street Address</u></b> | <b><u>City, State Zip</u></b> |
|----------------------|--|------------------------------|-------------------------------|
| 101-28-038           | WILCOX THEODORE W AND ALICE J CPWROS   | PO BOX 1095                  | ALPINE, AZ 85920              |
| 101-28-039           | 3 MC PROPERTIES, A GENERAL PARTNERSHIP   | 5236 E HORSE THIEF GULCH AVE | SAN TAN VALLEY, AZ 85138      |
| 101-28-040           | 3 MC PROPERTIES, A GENERAL PARTNERSHIP   | 5236 E HORSE THIEF GULCH AVE | SAN TAN VALLEY, AZ 85138      |
|                      | MC CULLOUGH ROBERT B & GRACE G CO-TRUST. THE ROBERT B & GRACE G                      |                              |                               |
| 101-28-043           | MCCULLOUGH REVOC.<br>MC CULLOUGH ROBERT B & GRACE G CO-TRUST. THE ROBERT B & GRACE G | 5236 E HORSE THIEF GULCH AVE | SAN TAN VALLEY, AZ 85138      |
| 101-28-044           | MCCULLOUGH REVO.   | 5236 E HORSE THIEF GULCH AVE | SAN TAN VALLEY, AZ 85138      |
| 101-28-060A          | MACHORRO HERMAN  | PO BOX 291                   | ALPINE, AZ 85920              |
| 101-28-057           | PERCY JEFF R & JANELL M  | 41100 YUCCA LN               | INDIO, CA 92201               |
| 101-28-061           | MORIN MICHAEL R & RHONDA F CPWROS<br>HUNT PAULETTE TRUSTEE THE PAULETTE              | PO BOX 1027                  | ALPINE, AZ 85920              |
| 101-28-062           | HUNT REVOCABLE LIVING TRUST  | 2861 N. LONGHORN DRIVE       | TUCSON, AZ 85749              |
| 101-28-065           | SOKOL JOHN A JR & PHYLLIS A (CPWROS  | P.O. BOX 849                 | ALPINE, AZ 85920              |
| 101-28-066           | SOKOL JOHN A JR & PHYLLIS A (CPWROS<br>USDA FOREST SERVICE, UNITED STATES OF         | P.O. BOX 849                 | ALPINE, AZ 85920              |
| 101-28-003A          | AMERICA  | 333 BROADWAY BLVD SE         | ALBUQUERQUE, NM 87102         |
| 101-28-033           | FREEDOM HOLDINGS LLC   | PO BOX 90866                 | TUCSON, AZ 85752              |
| 101-28-032           | FREEDOM HOLDINGS LLC   | PO BOX 90866                 | TUCSON, AZ 85752              |
| 101-28-025           | COLEMAN STEPHANIE M<br>LINDSEY MICHAEL L 1/3 INT. LINDSEY JAMES                      | PO BOX 342                   | ALPINE, AZ 85920              |
| 101-28-027           | A 1/3 INT.   | PO BOX 366                   | TOMBSTONE, AZ 85638           |
| 101-28-056           | PERCY JEFF R & JANELL (CPWROS)   | 41-100 YUCCA LANE            | BERMUDA DUNES, CA 92201       |



# Apache County Map



11/9/2020, 1:59:48 PM

- County Roads
- Supervisor Districts
- Base Flood Elevation
- ▭ Parcels
- ▭ Travis Simshauser
- ▭ Apache County
- ▭ Flood Plain Zones
- ▭ A
- ▭ AE
- ▭ AE
- ▭ X Inside the 0.2%

