



**APACHE COUNTY COMMUNITY  
DEVELOPMENT**

P.O. Box 238  
75 West Cleveland  
St. Johns, Arizona 85936  
(928) 337-7526 • Fax (928) 337-7633

Director:  
Matthew Fish

Senior Staff  
Plan Reviewer:  
Shaunna Pearce

June 22, 2026,

**To:** Apache County Planning & Zoning Commission

**From:** Matthew Fish, Community Development Director

**RE:** Modification Request for Conditional Use Permit 2025-51, Pinnacle Consulting on behalf of Verizon Wireless

## **Staff Report**

### **Background**

On November 6th, 2025, the Apache County Planning and Zoning Commission recommended approval of CUP 2025-51 for the construction and operation of a wireless telecommunications tower near Alpine, Arizona. The recommendation included six conditions of approval.

Condition No. 6 stated:

"Applicant must obtain a written agreement with affected property owners addressing road access and responsibilities for road repair/maintenance during construction before construction may commence."

The applicant has subsequently requested modification of Condition No. 6. While the applicant has made efforts to contact affected property owners, obtaining written responses from all parties has proven difficult and has delayed commencement of the project.

### **Staff Analysis**

The Planning and Zoning Commission's discussion focused primarily on concerns regarding construction impacts to N2131 and related access routes. Testimony clarified that portions of the access route consist of private ingress/egress easements assigned an

"N" number for addressing purposes and that CUP approval does not create or convey any private access rights.

Staff notes that:

- The CUP process is intended to evaluate land use compatibility and project impacts, not to resolve private easement disputes.
- The applicant has demonstrated legal access to the leased tower site.
- Condition No. 3 already requires the applicant and its contractors to repair or restore any construction-related damage to roads used for access.
- Requiring written agreements from all affected property owners has proven impractical and may prevent implementation of an otherwise approved public utility project.
- Questions regarding private access rights remain matters between affected property owners and the applicant and are not altered by CUP approval.

### **Staff Recommendation**

Staff recommends that Condition No. 6 be modified and replaced with the following:

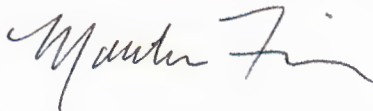
#### **Modified Condition No. 6**

Approval of this Conditional Use Permit does not grant or establish any private roadway access rights. The applicant shall be responsible for repairing any construction-related damage caused by the project as required by Condition No. 3. Apache County shall remain responsible for the maintenance of county-maintained roadways in accordance with its normal maintenance practices. Any disputes regarding private easements or access rights shall remain private civil matters between the affected parties.

### **Suggested Motion**

I move to recommend approval of the modification to Conditional Use Permit 2025-51 by replacing Condition No. 6 with the revised condition as presented by staff, finding that the modification maintains adequate protection of public infrastructure while clarifying that the Conditional Use Permit does not convey private access rights or resolve private easement matters.

Matthew Fish, Director Community Development



2025-007448 2025-007448

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OFFICIAL RECORDS OF APACHE COUNTY, AZ

Larry Noble Recorder

12/02/2025 04:57 PM Recording Fee: \$0.00



*When recorded return to:*

Planning & Zoning

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## APPLICATION

Caption

Cover Sheet

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# 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 Pinnacle Consulting

Mailing Address 1426 N Marvin St #101  
Gilbert, AZ 85233

Contact Person Logan Williams

Phone (480) 529-6617 Fax (480) 664-9850

Email logan.williams@pinnacleco.net

### PROPERTY INFORMATION

Assessor's Parcel # 101-35-011

Township 5N Range 31E Section 28

Subdivision N/A

Unit # N/A Lot # N/A

Address/Location COUNTRY RD. N2131 #32  
Alpine, AZ 85920

Existing Zoning Agricultural

Existing Land Use Residential

Lot Size 5 acre

### CONDITIONAL USE PERMIT REQUEST

Please provide a brief description of the request.

Proposed 185' wireless communication  
facility of self support design. 50'x50'x6' chain  
link fence, with 3 strand barbed wire.

Temporary Use: \_\_\_ Yes  No

### SUBMITTAL CHECKLIST

- Pre-application meeting with a staff planner.
- A non-refundable filing fee.
- Proof of Ownership.
- Application, photographs, diagrams, site plans with the setbacks noted, drainage report and any other required information. Please be precise and detailed.
- Citizen Review Process as listed in ordinance Section 1106. A list of names and addresses of all the property owners within 300 feet of subject property.
- ADOT permit granting ingress / egress access
- Map to property.
- All required items need to be submitted to Planning & Zoning at least 30 days prior to the next scheduled meeting.

### 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

Logan Williams Date 7/24/2025

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

Stuart Sterling Simpson (Aug 1, 2025 16:13:03 PDT) Date 01/08/2025

### OFFICE USE ONLY

Received By Spa... Date 9/15/25

Receipt # 6809 Fee 500

Permit # 2025-51

Related Cases \_\_\_\_\_

Appeal Filed By \_\_\_\_\_ Date \_\_\_\_\_

Receipt # \_\_\_\_\_ Fee \_\_\_\_\_

### COMMISSION ACTION

Approved  with Conditions  Denied

Resolution # \_\_\_\_\_ Date \_\_\_\_\_

Chairman [Signature] Date 11/6/25

### BOARD ACTION

Approved  with Conditions  Denied

Ordinance # \_\_\_\_\_ Date \_\_\_\_\_

Supervisor [Signature] Date 12/2/25

December 1, 2021



Apache County  
Community Development

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Conditional Use Permit Condition(s)

Name: Pinnacle Consulting

A.P.N. 101-35-011

Permit #2025-51

1. Applicant shall obtain a valid Apache County address prior to building permit issuance.
2. Tower, fencing, and equipment shall be painted in muted, non-reflective earth-tone colors.
3. Applicant/contractors shall repair or restore any construction-related damage to "N" roads used for access.
4. All power and communication connections must comply with Navopache and Apache County code.
5. Upon discontinuance of use, the tower and equipment shall be removed within 12 months and the site restored to pre-construction conditions.
6. Applicant must obtain a written agreement with affected property owners addressing road access and responsibilities for road repair/maintenance during construction before construction may commence.