



**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 16, 2026,

To: Apache County Planning & Zoning Commission

From: Matthew Fish, Community Development Director

RE: Major Plat Amendment – Luna Lake Village #2026-21

Staff Report

Applicant

Devin and Tammy Fenn / F6 Properties LLC

Request

Devin and Tammy Fenn have submitted a Major Plat Amendment application for a portion of Luna Lake Village located in Alpine, Arizona. The proposal amends Lots 2, 4, 5, 7, and 8 of the recorded Luna Lake Village subdivision. The amendment reconfigures the existing lots into ten residential lots identified as Lots 2A, 2B, 2C, 4A, 4B, 4C, 7A, 7B, 8A, and 8B as shown on the amended plat. The property is accessed from County Road 2092 and County Road 2096 and remains within the existing subdivision boundary.

Property Ownership

A recorded Warranty Deed dated March 25, 2026, and recorded April 2, 2026, conveys Lots 2 and 3 and Tracts D and F of Luna Lake Village to Devin Fenn and Tammy Fenn as community property with right of survivorship. The ownership documentation establishes legal authority of the applicants to seek the requested amendment.

Findings

1. Process the Request as a Major Plat Amendment

The submitted application proposes modifications to an existing recorded subdivision plat. The amendment affects existing lots within the Luna Lake Village subdivision and does not create a new subdivision outside the boundaries of the recorded plat. The

proposed changes involve the reconfiguration of existing lots and lot boundaries as depicted on the submitted Amended Plat.

Ownership documentation submitted with the application identifies Devin and Tammy Fenn as the owners of the affected property. The Warranty Deed recorded with the Apache County Recorder demonstrates ownership and legal standing to request amendment of the plat.

Based upon the submitted materials, the application constitutes a request that may be considered through the Major Plat Amendment process.

2. Compliance with Major Plat Amendment Application Requirements

Staff reviewed the materials submitted with the application and finds the following:

- A survey and Amended Plat depicting the proposed lot configuration has been submitted.
- Proof of ownership has been provided.
- Utility service information has been submitted. The Alpine Domestic Water Improvement District and Alpine Sanitary District have indicated their willingness to provide water and sewer service to the lots affected by the amendment.
- The application has been processed in accordance with County review procedures and scheduled for public hearing consideration.

Based upon the submitted documentation, staff finds that the application materials satisfy the procedural requirements necessary for consideration of a Major Plat Amendment.

3. Consistency with the Alpine Community Plan

The Alpine Community Plan serves as the primary planning document for the Alpine area and provides guidance regarding land use, development patterns, infrastructure, and community character. The Apache County Comprehensive Plan specifically recognizes the Alpine Community Plan as the controlling planning document for the Alpine area.

The proposed amendment:

- Occurs within an existing recorded subdivision.
- Does not expand development beyond the boundaries of Luna Lake Village.
- Maintains residential lot development patterns consistent with surrounding properties.
- Utilizes existing road access and available utility infrastructure.

Staff finds that the proposed amendment is generally consistent with the land use and development objectives contained within the Alpine Community Plan.

4. Consistency with the Apache County Comprehensive Plan

The Apache County Comprehensive Plan identifies several guiding principles for development review, including:

- Encouraging coordinated physical development.
- Protecting private property investments.
- Promoting efficient use of infrastructure and public services.
- Guiding growth in a logical and orderly manner.

The proposed amendment involves the reconfiguration of lots within an existing subdivision that is served by existing transportation infrastructure and utility services. The amendment does not require extension of major public infrastructure and does not alter the overall character of the surrounding development pattern.

Staff finds that the proposal is generally consistent with the goals and policies of the Apache County Comprehensive Plan.

5. Compliance with Apache County Ordinances

The Apache County Zoning Ordinance was adopted to promote orderly land use, facilitate the provision of transportation and utility services, protect public health and safety, and ensure development occurs in a logical and coordinated manner.

Staff reviewed the submitted plat and supporting materials and finds:

- The proposed lots maintain access from existing public roadways.
- Water and sewer service availability has been documented.
- No conflicts with applicable provisions of the Apache County Zoning Ordinance have been identified through staff review.
- The proposal remains subject to all applicable zoning, building, environmental health, and development standards at the time of future development.

Staff finds the application is generally consistent with applicable Apache County ordinances governing land development and subdivision review.

THRESHOLD DETERMINATION

Based upon review of the submitted application materials, ownership documentation, amended plat, utility service verification, applicable planning documents, and County ordinances, staff finds that:

1. The request qualifies for consideration as a Major Plat Amendment.
2. The applicant has submitted the materials necessary for processing and review.
3. The proposal is generally consistent with the Alpine Community Plan.

4. The proposal is generally consistent with the Apache County Comprehensive Plan.
5. The proposal is generally consistent with applicable Apache County ordinances.

Accordingly, staff finds that the application meets the threshold requirements for consideration as a Major Plat Amendment and may proceed through the public hearing process for determination by the Planning and Zoning Commission and Board of Supervisors.

Martin Felt

AMENDED PLAT OF A PORTION OF LUNA LAKE VILLAGE

A PORTION OF LOTS 2, 4, 5, 7 & 8 OF LUNA LAKE VILLAGE, AS SHOWN ON TOWNSITE MAP BOOK NO. 1, PAGE 1 OFFICIAL RECORDS OF APACHE COUNTY, ARIZONA, AND LYING IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 31 EAST OF THE GILA AND SALT RIVER MERIDIAN, COUNTY OF APACHE, STATE OF ARIZONA

CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT CONSISTING OF 1 SHEET(S) REPRESENTS A SURVEY MADE UNDER MY DIRECTION AND THAT THE PROPERTY CORNERS AND SURVEY MONUMENTS ACTUALLY EXIST AS SHOWN HEREON.

Jessica J. Hale
JESSICA J. HALE REGISTERED LAND SURVEYOR NO. 51967



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE LINE BETWEEN THE FOUND 1/2" ROD AT THE SOUTHEAST CORNER OF LOT 2 OF LUNA LAKE VILLAGE, AND THE FOUND 1/2" ROD AT THE SOUTHWEST CORNER OF LOT 10 OF LUNA LAKE VILLAGE, IN ACCORDANCE WITH TOWNSITE MAP BOOK NO. 1, PAGE 1, AND SHOWN HEREON AS SOUTH 87°27'20" EAST, 414.52'

REFERENCES

LUNA LAKE VILLAGE, TOWNSITE MAP BOOK 1, PAGE 1
BOOK 12 LS, PG.90

APACHE COUNTY APPROVAL

APPROVED AND RECOMMENDED BY THE APACHE COUNTY PLANNING AND ZONING COMMISSION

CHAIRMAN, PLANNING AND ZONING _____ DATE _____

APPROVED AND ACCEPTED BY THE APACHE COUNTY BOARD OF SUPERVISORS OF APACHE COUNTY THIS _____ DAY OF _____, 20____ BY:

CHAIRMAN OF THE BOARD OF SUPERVISORS _____

ATTESTED TO: _____

RECORDING DATA

STATE OF ARIZONA SS FEE NO. _____
COUNTY OF APACHE SS

FILED FOR RECORD AT THE REQUEST OF JESSICA J. HALE ON THIS _____ DAY OF _____, 2026, AT _____ M. IN BOOK NO. _____ PAGE _____

WITNESS MY HAND AND OFFICIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

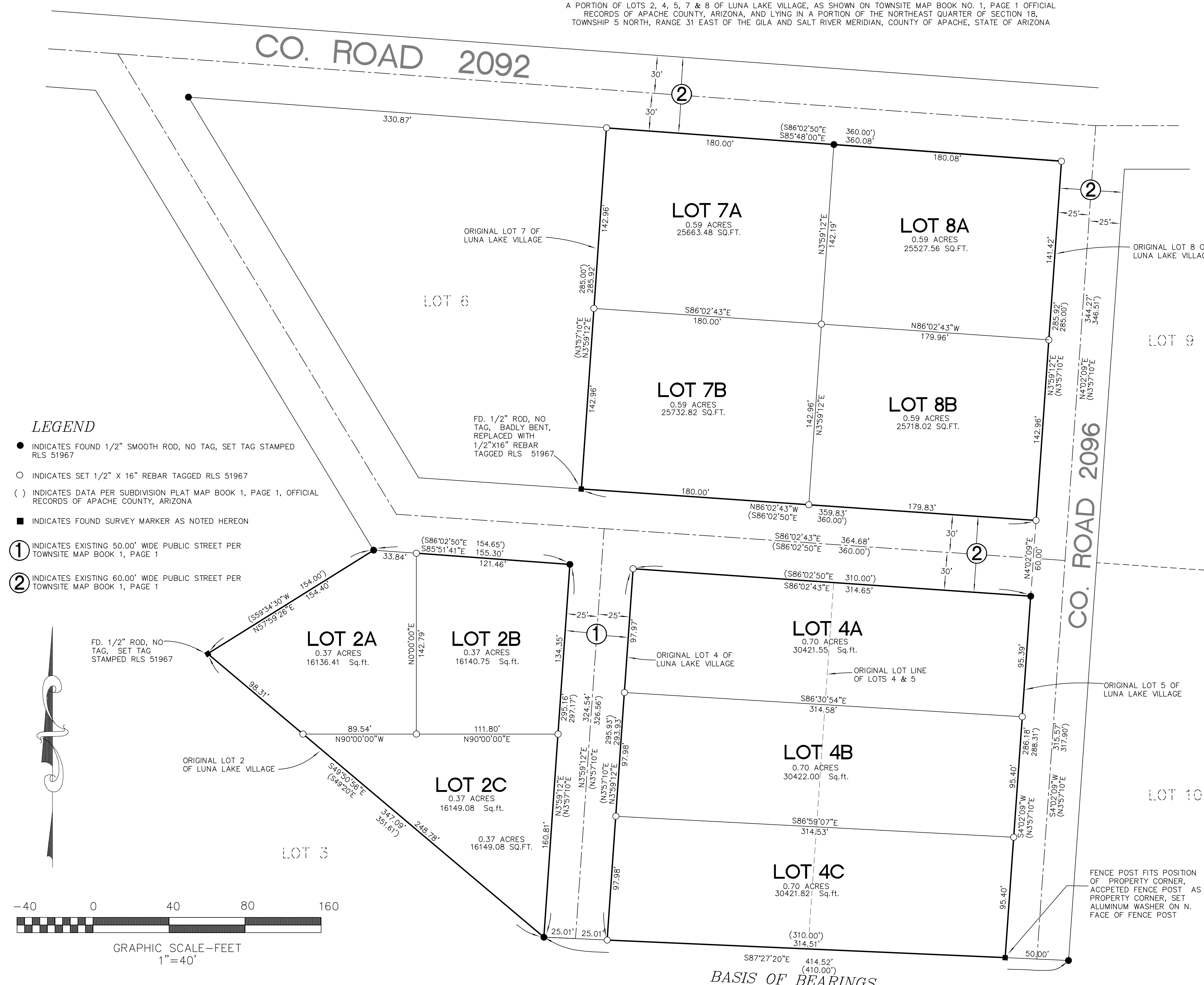
COCHISE COUNTY RECORDER _____ DEPUTY COUNTY RECORDER _____

FEE: \$24.00

H&H
Land Surveying
PLLC

2256 N. Ocotillo Rd., Benson, AZ 85602
hale@handhandlandsurveying.com FL 520.221.1223

JOB No: 26-041 DRAWN BY: JH
DATE: MAY 2026 REVISED BY:
SHEET 1 OF 1





SUBDIVISION MAJOR PLAT AMENDMENT APPLICATION

APPLICANT

Name Devin Fenn and Tammy Fenn
 Mailing Address P.O. Box 1844
Benson AZ 85602
 Contact Person Devin Fenn
 Phone 520-508-4204 Fax _____
 Email dfennent@gmail.com

PROPERTY INFORMATION

Assessor's Parcel # 101-28-013
 Township 5 Range 31 Section 18
 Subdivision Name Luna Lake Village
 Unit # _____ Lot # 2
 Physical Address/Location 42093

Number of Lots Proposed 3
 Total Site Acreage 1.11 ACRES
 Existing Access and Utility Easements yes public roads per dedication on plat map Book 1 page 1

MAJOR PLAT AMENDMENT REQUEST

request to divid Lot 2 into 3 equal parcels, shown on map as LOTS 2A, 2B and 2C

SUBMITTAL CHECKLIST

- Major Plat Amendment application.
- A non-refundable processing fee of \$350.00.
- Proof of ownership.
- An amended plat map that has been prepared and signed by a Registered Land Surveyor, titled "AMENDED PLAT OF (Subdivision Name)" indicating original & revised lot lines, legal access to all lots, all easements, and roadways. and a certification block for Planning and Zoning and the Board of Supervisors signature.
- ADOT permit granting ingress / egress assess N/A
- Site plan showing all structures and setbacks vacant
- A list of names & addresses of ALL property owners within 300 feet of subject property.
- All required items need to be submitted to Planning and 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 Planning and Zoning 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

Tammy Fenn Date 5.29.20

Signature of Property Owner (if not the applicant)

Tammy Fenn Date 5.29.20

OFFICE USE ONLY	
Received By <u>S. Marco</u>	Date <u>6/1/20</u>
Receipt # <u>11919</u>	Fee <u>\$350</u>
Subdivision Name <u>Luna Lake Village</u>	
Related Subdivisions _____	

COMMISSION ACTION		
<input type="checkbox"/> Approved	<input type="checkbox"/> with conditions	<input type="checkbox"/> Denied
Chairman _____	Date _____	
BOARD ACTION		
<input type="checkbox"/> Approved	<input type="checkbox"/> with conditions	<input type="checkbox"/> Denied
Supervisor _____	Date _____	



SUBDIVISION MAJOR PLAT AMENDMENT APPLICATION

APPLICANT

Name F6 Properties LLC
 Mailing Address P.O. Box 1844
Benson AZ 85602
 Contact Person Devin Fenn
 Phone 520-508-7204 Fax _____
 Email dfennent@gmail.com

PROPERTY INFORMATION

Assessor's Parcel # 101-28-015 & 101-28-016
 Township 5 Range 31 Section 18
 Subdivision Name Luna Lake Village
 Unit # _____ Lot # 4 & 5
 Physical Address/Location 8 2093
6 2093

Number of Lots Proposed 3
 Total Site Acreage 2.1 Acres
 Existing Access and Utility Easements yes, public roads per Luna Lake village Map Book 1, page 1

MAJOR PLAT AMENDMENT REQUEST

Requestin to divide Lots 4 & 5 as a whole into 3 equal parcels as shown on map as Lots 4A, 4B & 4C

SUBMITTAL CHECKLIST

- Major Plat Amendment application.
- A non-refundable processing fee of \$350.00.
- Proof of ownership.
- An amended plat map that has been prepared and signed by a Registered Land Surveyor, titled "AMENDED PLAT OF (Subdivision Name)" indicating original & revised lot lines, legal access to all lots, all easements, and roadways. and a certification block for Planning and Zoning and the Board of Supervisors signature.
- ADOT permit granting ingress / egress assess N/A
- Site plan showing all structures and setbacks vacant
- A list of names & addresses of ALL property owners within 300 feet of subject property.
- All required items need to be submitted to Planning and 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 Planning and Zoning 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

Jammy Fenn Date 5.29.20

Signature of Property Owner (if not the applicant)

Jammy Fenn Date 5.29.20

2026-21

OFFICE USE ONLY

Received By Spence Date 6/11/26
 Receipt # 11919 Fee \$350
 Subdivision Name Luna Lake Village
 Related Subdivisions _____

COMMISSION ACTION

Approved with conditions Denied

Chairman _____ Date _____

BOARD ACTION

Approved with conditions Denied

Supervisor _____ Date _____

December 1, 2021



APACHE COUNTY — Planning and Zoning Department
 P.O. Box 238 • St. Johns, AZ 85936 • Phone: (928) 337-7527 • Fax: (928) 337-7633

SUBDIVISION MAJOR PLAT AMENDMENT APPLICATION

APPLICANT

Name FG Properties LLC
 Mailing Address P.O. Box 1844
Benson AZ 85602
 Contact Person Devin Fenn
 Phone 520-508-4204 Fax _____
 Email dfennent@gmail.com

PROPERTY INFORMATION

Assessor's Parcel # 101-28-018
 Township 5 Range 31 Section 18
 Subdivision Name Luna Lake Village
 Unit # _____ Lot # 7
 Physical Address/Location 18 2092
County Road 2092
 Number of Lots Proposed 2
 Total Site Acreage 1.18 ACRES
 Existing Access and Utility Easements yes,
public road & County Road
2092 & platted public road

MAJOR PLAT AMENDMENT REQUEST

Requesting to divide Lot 7
into 2 equal parcels, each
0.59 Acres. See Map proposed
Parcels 7A & 7B

SUBMITTAL CHECKLIST

- Major Plat Amendment application.
- A non-refundable processing fee of \$350.00.
- Proof of ownership.
- An amended plat map that has been prepared and signed by a Registered Land Surveyor, titled "AMENDED PLAT OF (Subdivision Name)" indicating original & revised lot lines, legal access to all lots, all easements, and roadways. and a certification block for Planning and Zoning and the Board of Supervisors signature.
- ADOT permit granting ingress / egress assess N/A
- Site plan showing all structures and setbacks -vacant
- A list of names & addresses of ALL property owners within 300 feet of subject property.
- All required items need to be submitted to Planning and 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 Planning and Zoning 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

Jammy Fenn Date 5.29.20

Signature of Property Owner (if not the applicant)

Jammy Fenn Date 5.29.20

2026-24

OFFICE USE ONLY

Received By [Signature] Date 6/1/20
 Receipt # 11919 Fee \$350
 Subdivision Name Luna Lake Village
 Related Subdivisions _____

COMMISSION ACTION

Approved with conditions Denied

Chairman _____ Date _____

BOARD ACTION

Approved with conditions Denied

Supervisor _____ Date _____

December 1, 2021



SUBDIVISION MAJOR PLAT AMENDMENT APPLICATION

APPLICANT

Name F6 Properties LLC
 Mailing Address P.O. Box 1844
Benson AZ 85602
 Contact Person Devin Fenn
 Phone 520-508-4204 Fax _____
 Email dfennent@gmail.com

PROPERTY INFORMATION

Assessor's Parcel # 101-28-019
 Township 5 Range 31 Section 18
 Subdivision Name Luna Lake village
 Unit # _____ Lot # 8
 Physical Address/Location 22 2092
County Road 2092
 Number of Lots Proposed 2
 Total Site Acreage 1.18 ACRES
 Existing Access and Utility Easements Yes, county
Road 2092 & County Road
2095, Public roads per Plat Map

MAJOR PLAT AMENDMENT REQUEST

Requesting to divide Lot 8 into
2 equal Parcel. Proposed parcels
shown on Map as LOT 8A & 8B
each 0.59 ACRES.

SUBMITTAL CHECKLIST

- Major Plat Amendment application.
- A non-refundable processing fee of \$350.00.
- Proof of ownership.
- An amended plat map that has been prepared and signed by a Registered Land Surveyor, titled "AMENDED PLAT OF (Subdivision Name)" indicating original & revised lot lines, legal access to all lots, all easements, and roadways; and a certification block for Planning and Zoning and the Board of Supervisors signature.
- ADOT permit granting ingress / egress assess N/A
- Site plan showing all structures and setbacks -vacant
- A list of names & addresses of ALL property owners within 300 feet of subject property.
- All required items need to be submitted to Planning and Zoning at least 30 days prior to the next scheduled meeting.

CERTIFICATION & SIGNATURE

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

Signature of Applicant

Jammy Fenn Date 5.29.20

Signature of Property Owner (if not the applicant)

Jammy Fenn Date 5.29.20

OFFICE USE ONLY		<u>2026 25</u>
Received By <u>[Signature]</u>	Date <u>6/1/20</u>	
Receipt # <u>11919</u>	Fee <u>\$350</u>	
Subdivision Name <u>Luna Lake Village</u>		
Related Subdivisions _____		

COMMISSION ACTION		
<input type="checkbox"/> Approved	<input type="checkbox"/> with conditions	<input type="checkbox"/> Denied
Chairman _____	Date _____	
BOARD ACTION		
<input type="checkbox"/> Approved	<input type="checkbox"/> with conditions	<input type="checkbox"/> Denied
Supervisor _____	Date _____	
December 1, 2021		

*ALPINE DOMESTIC WATER IMPROVEMENT DISTRICT
ALPINE SANITARY DISTRICT*

P.O. Box 595 - 11 County Road 2052 - Alpine, AZ 85920
Phone: (928) 339-4631 Fax: (928) 339-4302 Email: shawnadwid@frontier.com

June 12, 2026

To whom it may concern:

Alpine DWID and Alpine Sanitary District are in agreement with Devin Fenn to supply water and effluent sewer service to the previous Lot #s 2,4,5,7,8 of Luna Lake Village. Devin Fenn has a Lot Split of 10 lots under application with Apache County Planning and Zoning.

Shawna Metzger
General Manager
Alpine Water and Sewer
928-339-4631

Shanna Pearce

From: Leslie Norton <ljnorton2@yahoo.com>
Sent: Monday, June 22, 2026 7:49 AM
To: Matthew Fish; Nelson Davis; Shanna Pearce; Planning Mail; Ryan Huffman
Subject: Re: Subdivision Major Plat Amendment (Requested by Devin & Tammy Fenn)

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

You don't often get email from ljnorton2@yahoo.com. [Learn why this is important](#)

Mr. Fish, I just noticed 3 of the 4 Subdivisions Major Plat Amendment Applications submitted by the Fenns are under the name of F6 Properties, LLC. This is our written notice submitted to you, that we are opposed to these too. I request this notation also be included as part of the public record for the meeting scheduled for July 1, 2026.

On Monday, June 22, 2026 at 06:59:57 AM MST, Leslie Norton <ljnorton2@yahoo.com> wrote:

****Please disregard my previous correspondence. This is our official written submission for opposing. I request this specific correspondence and its attachments (arial picture of property and map of proposed subdivision) be made part of the public record for the meeting scheduled for July 1; 2026.****

June 22, 2026

Mathew Fish, Director
Apache County Planning & Zoning
P.O. Box 238
75 W Cleveland
St. John, Arizona 85936

Dear Mr. Fish;

This correspondence is in response to the notification we received from your office dated June 16, 2026, regarding the Major Plat Amendment submitted by Devin and Tammy Fenn.

My husband and I are the owners of (14 County Road 2092) which is adjacent to the property the Fenns are requesting to subdivide. Not only are we opposed to this plan, it is in violation of the Alpine Community Plan/Overlay Ordinance, Apache County Comprehensive Plan and Arizona State Law.

The Alpine Community Plan/Overlay Ordinance was recommended by the Apache County Planning & Zoning Commission, voted on by the citizens and adopted by the Apache County Board of Supervisors. The legitimacy of this Plan/Ordinance was challenged to no avail in 2002, when Mr. Gomez requested to put a 113/R.V. Park in Alpine. The Alpine Community Plan/Overlay Ordinance was deemed legal and binding in the application of Alpine's zoning restrictions.

ALPINE COMMUNITY PLAN/OVERLAY ORDINANCE

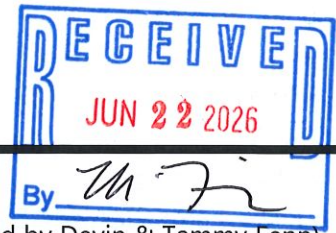
Section 402.01 - "Minimum lot or parcel size for any permitted use shall be one (1) acre, unless a substandard lot or parcel legally existed prior to the effective date of this ordinance."

Alpine Overlay Ordinance

Article 7/Conflict/Section 701 - "All ordinances, regulations, resolutions, and parts thereof which may be in conflict with the provision of this ordinance, in all instances the more restrictive ordinance shall control."

Apache County Comprehensive Plan

1.4-Applicability - "The following area or community plans are being adopted or readopted and incorporated into the Comprehensive Plan. This Comprehensive Plan does not further address the land covered in the area plans; those plans are the controlling planning documents for their



Matthew Fish

To: Leslie Norton
Subject: RE: Subdivision Major Plat Amendment (Requested by Devin & Tammy Fenn)

Mrs. Norton,

Thank you for the email. I wish to comment on several points you make in your opposition letter.

- The Alpine Overlay Ordinance or "Appendix A" was never adopted as ordinance or even as part of the official Alpine Community Plan. Mr. Ollerton, the Community Development Director at the time what adopting the Alpine Community Plan said, "That they, (the P&Z commission) are not adopting the Alpine Overlay as a zoning ordinance. It is an appendix at this time.... It is not an official document and will be adopted only as an appendix." Apache County has always maintained the Alpine Community Plan as a guide to making decisions in Alpine. Nothing in the Alpine Community Plan is ordinance, Alpine is governed by the same county ordinances as anywhere else in the unincorporate areas of the county with the exception of Greer, and in my professional opinion Greer SHOULD NOT have its own ordinance either. **Never, in my time as the director of Community Development has the Overlay been considered,** "legal and binding in the application of Alpine's zoning restrictions." **I will go on to argue this has never been the case since the Alpine Community Plan was adopted in 2001.** This issue was address and settled in 2022 when Fred Gomez applied for a CUP for an RV park.
- Article 4 Section 403. Permitted Uses.

"7. One single-family dwelling or one modular or mobile home per parcel. Guesthouses are allowed as prescribed in Section 750. For the purpose of this Article, a parcel **shall not be less than one acre when the dwelling is connected to a septic system and not less than net 10,000 square feet when connected to a public sewer.**"

The applicant has a letter from the Alpine Sanitation District that says, "Alpine DWID and Alpine Sanitary District are in agreement with Devin Fenn to supply water and effluent sewer services to the previous Lot #s 2,4,5,7,8 of Luna Lake Village."

Additionally, in this same subdivision there are already several lots split smaller than one acre.

- The application by the Fanns is under review by our county Environmental Health Department.
- The application is a Major Plat Amendment (MPS), MPS's do not require a neighborhood meeting, perhaps you are confusing this with a Conditional Use Permit Application or a Zone Change Application. The zoning for these lots is not changing, they are still zoned "Agricultural General" or AG

Kind Regards,

Matthew Fish
Apache County Community Development Director

O: 928 337 7547

C: 928 499 8395

mfish@apachecountyaz.gov

Mailing: PO Box 238 St Johns AZ 85936

Physical: 75 W. Cleveland St Johns AZ

Office Hours: Monday – Thursday 6:30am to 5:30pm

From: Leslie Norton <ljnorton2@yahoo.com>

Sent: Monday, June 22, 2026 7:00 AM

To: Matthew Fish <mfish@apachecountyaz.gov>; Nelson Davis <ndavis@apachecountyaz.gov>; Shanna Pearce <spearce@apachecountyaz.gov>; Planning Mail <planning@co.apache.az.us>; Ryan Huffman <ryanhuffman@azdefense.com>

Subject: Subdivision Major Plat Amendment (Requested by Devin & Tammy Fenn)

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Some people who received this message don't often get email from ljnorton2@yahoo.com. [Learn why this is important](#)

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June 22, 2026

Mathew Fish, Director
Apache County Planning & Zoning
P.O. Box 238
75 W Cleveland
St. John, Arizona 85936

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The Alpine Community Plan/Overlay Ordinance was recommended by the Apache County Planning & Zoning Commission, voted on by the citizens and adopted by the Apache County Board of Supervisors. The legitimacy of this Plan/Ordinance was challenged to no avail in 2002, when Mr. Gomez requested to put a113/R.V. Park in Alpine. The Alpine Community Plan/Overlay Ordinance was deemed legal and binding in the application of Alpine's zoning restrictions.

ALPINE COMMUNITY PLAN/OVERLAY ORDINANCE

Section 402.01 - "Minimum lot or parcel size for any permitted use shall be one (1) acre, unless a substandard lot or parcel legally existed prior to the effective date of this ordinance."

Alpine Overlay Ordinance

Article 7/Conflict/Section 701 - "All ordinances, regulations, resolutions, and parts thereof which may be in conflict with the provision of this ordinance, in all instances the more restrictive ordinance shall control."

Apache County Comprehensive Plan

1.4-Applicability - "The following area or community plans are being adopted or readopted and incorporated into the Comprehensive Plan. This Comprehensive Plan does not further address the land covered in the area plans; those plans are the controlling planning documents for their areas. The Comprehensive Plan Land Use Map, discussed in in Section (4.4), assigns no character areas to these areas but references the Community Plan."

These areas are noted as being; Alpine, Greer, Nutrioso and Concho.

Arizona Revised Statute

11-831.B(1) - "An application to split a parcel of land shall be approved if: The lots, parcels, or fractional interest each meet the minimum applicable county zoning requirements of the official zoning designation."

All of the parcel divisions requested by the Fenns are less than the 1 acre minimum requirement.

Alpine Overlay Ordinance

Section 502.12. - "Where practical, site designs will preserve and enhance existing trees, watercourses, hills, slopes, and other existing natural features..."

Watercourse Definition - "A watercourse is a channel through which water flows that includes channels that takes seasonal flows and which may at times be dry. Water courses serve to drain the land and assists in supporting wildlife."

Alpine Overlay Ordinance

Page 3 - "...The intent is to achieve a proper balance between man-made and natural environments by ensuring that development is sensitive to natural resources and constraints."

Page 3 - "...We have tried to encourage careful, imaginative, development so that the environment is protected, wildlife is protected, the quality and quantity of our water is protected and our investment in our homes (present and future) and our property is protected."

Arizona Revised Statute

48-3613.A - "Except as provided in section 48-3625 and in this section, a person shall not engage in any development which will divert, retard or obstruction the flow of waters in any watercourse without securing written permission from the board of the district in which the watercourse is located..."

Arizona Department of Environmental Quality (ADEQ)

Luna Lake and the San Francisco River are on the ADEQ/Waters Of The United States (WOTUS) List which provides them protection under the CLEAN WATER ACT & SURFACE WATER PROTECTION ACT. This protection also covers watercourses that feed water to them.

Water drainage/runoff passes through a culvert under HWY 180 and exits onto the property of the Catholic Church. This water flow continues its route through the naturally formed watercourse crossing through proposed Lots 4C, 4B, 4A, 7B, 8B and 8A. The watercourse then empties into a culvert at the east corner of proposed Lot 8A. The water flow then exits underneath the road on the opposite side of County Road 2092 and then feeds into the San Francisco River which also supplies Luna Lake. Having been on this property numerous times, I can attest this watercourse makes the proposed Lots 7A, 7B, 8A and 8B which are sloped inwards extremely boggy. (Reference attached arial map photo which clearly reflects the depression of this naturally formed watercourse.)

It would also be questionable if during emergencies, that first responder vehicles could pass through the easements during adverse weather conditions; specifically, rain and snow due to the bogginess. The only access to proposed Lots 2A, 2B and 7B would be via the easements in emergencies, i.e., house fire, medical, etc. If these easements are built up to alleviate this issue, it would cause excessive runoff we would not normally have onto our property and the neighbor on the opposite side of the easement.

Also of great importance, the meadow area of this proposed subdivision supports Alpine wildlife. This is a well traversed area by elk; they leisurely graze, drink, rest and raise their young in the meadow. The Southwestern Willow Flycatcher and Loach Minnow that are both on the (U.S. Endangered Species List) inhabit the Alpine area and San Francisco River. It is imperative that we have ordinances and zoning regulations that manage growth to protect the habitat of all wildlife.

Apache County Zoning Ordinance

1106.B.2- "Neighborhood meeting. Applicants must conduct a neighborhood community meeting prior to submitting an application for a zone change or a conditional use permit."

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To this date, we have not been asked by the Fenns to attend or participate in any Citizen Participation Plan or Neighborhood Meeting; nor am I aware of any others being asked to attend or participate. We had no knowledge of the Fenn's plans until we received the notice by mail from your office (Mr. Fish) on June 18, indicating the Public Meeting scheduled for July 1, 2026.

We believe an individual should be able to do as they wish with their own property...provided, it is in compliance with the Alpine Community Plan/Overlay Ordinance, Apache County Zoning Directives and Federal/State Laws that govern the area. We all must abide by these regulations as they serve a purpose to protect and preserve; wildlife/wildlife habitat, natural resources, quantity and quality of water and the harmonious way of life in Alpine.

If the dismissal of the 1 acre minimum requirement that is necessary to balance growth with preservation is done for one, the floodgates will have been opened.....many more requests will follow.

Regards,

Wendell & Leslie Norton



St Helena Catholic Church



300 ft



Matthew Fish

From: keith waldrup <keithwaldrupwes@gmail.com>
Sent: Monday, June 22, 2026 10:51 AM
To: Matthew Fish
Subject: F6 Properties/Devin Fenn parcel subdivision



EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

You don't often get email from keithwaldrupwes@gmail.com. [Learn why this is important](#)

Hello Matt. I'm traveling till July 2nd and unable to attend the July 1st meeting. Just a note for the record that my wife Patti and I are strongly opposed to allowing the subdivision into less than 1 acre parcels.

Keith Waldrup
1 CR2332
Alpine, AZ 85920
602.513.9817

Andrew and LeAnn Zakariasen
PO Box 322
8 County Rd 2092
Alpine, AZ 85920



June 22, 2026

Matthew Fish, Director
Apache County Planning & Zoning
PO Box 238
75 West Cleveland
St Johns, AZ 85936

Dear Mr. Fish,

We received your letter regarding the requested subdivision of the property in Alpine currently owned by Devin and Tammy Fenn and F6 Properties, LLC. We object to this request as it will not only adversely impact us, but also the wild life and natural resources in the area. We request that our objection be made part of the public records.

Approving the Fenn's request would double the capacity for residences on this property according to the current 1 acre minimum requirement.

If this is approved, others will request to do the same and Alpine will become over populated regarding the balance needed for population vs. preservation.

Thank you for your attention to this matter.

Sincerely,

Andrew & LeAnn Zakariasen
Andrew and LeAnn Zakariasen



Richard & Kim Duquette

P.O. Box 379
Alpine, AZ 85920

June 24, 2026

Mr. Matt Fish
Apache County Planning and Zoning
74 West Cleveland
St Johns, AZ 85936

Sent via E-mail and USPS

Attention:
Matt Fish, Apache County Planning and Zoning
mfish@co.apache.az.us
mfish@apachecountyaz.gov

Apache County Planning and Zoning Commission Members (please distribute)

The Honorable Nelson Apache County Supervisor
Ndavis@co.apache.az.us
ndavis@apachecountyaz.gov

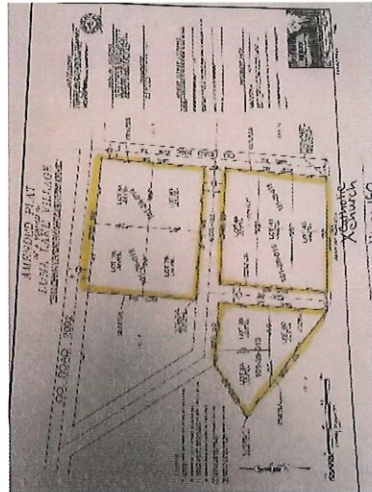
Secretary Shauna Pearce
Spearce@co.apache.az.us
spearce@apachecountyaz.gov

Regarding: Fenn 5-acre plat amendment "Amended Plat of a portion of Luna Lake Village"
(near CR's 2092 & 2096 & Hwy 180); (here and after "**Fenn Development**")
Hearing date: **7-1-2026** St. John's, Arizona

Dear Gentlepersons,

I live directly across Highway 180 from the proposed **Fenn Development** in the Pine Ridge Estates HOA community, which is serviced by a ground water well. We would be directly affected if you approved the **Fenn Development**. Living about 1/8 a mile away from the proposed **Fenn development** and sharing the HWY 180, a main artery, would result in increased traffic volume, congestion & safety risks without an appropriate ADOT study. Moreover, this development by reducing 1 acre lots to 1/2 acre and in this case of 3 lots at 1/3 of an acre, would contribute to slower emergency access, greater wear and tear on Hwy 180, noise, dust, possible **groundwater drilling** and impact wildlife and recreation, all of which is inconsistent with and Alpine's Rural Character & beauty.

Consequently, we object as aggrieved residents to the **Fenn proposed development** to convert an existing 5-acre parcel into 10 individual parcels for single-family homes. *Below are two color exhibits of the referenced amended Plat.* **Please file this letter into the record & reference it as filed at this 7-1-2026 hearing.**

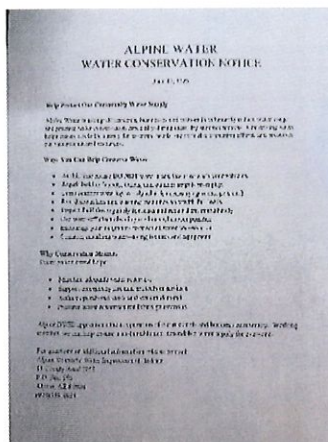


Preliminary facts

It's our understanding this 5-acre parcel was purchased knowing of the existing Alpine community plan as incorporated in the Apache County 2019 comprehensive plan, including all ARS and Apache County ordinances. (Please excuse any aggrieved citizen confusion asserting an Alpine plan/Ordinance Overlay from a reading of Apache County Website page ~26 and treat such reference and objections to the Fenn Plan under the existing Apache County Rules.) These rules limit the lots to 1 Acre.

I'm not aware of any rule that would allow (7) half acre lots and (3) one third acre lots on a 5-acre parcel for the purposes of single-family residence. This is a **significant variance** and doubles the original parcel purported use.

Further, as you know, Alpine Valley is experiencing a severe water drought, and the Alpine Water District recently notified its members, customers, and area residents to conserve water in a letter dated June 11, 2026, which is attached hereto and incorporated herein in full.



Furthermore, the proposed **Fenn Development** is located near the San Francisco River basin, so any attempt to drill for groundwater to forever service 10 single-family homes will likely impact this area and its neighbors like Pine Ridge Estates. Drilling water (especially without a comprehensive hydrologist report) will affect the biodiversity in this area including Luna Lake, Alpine wildlife, and the protected bald Eagles nesting and feeding at Luna Lake.

Please investigate the effect on Alpine and the surrounding areas, if a domestic well were to be drilled. Well depth typically falls in the range of about 495 feet. Residential homes typically need to produce 5-20 gallons per minute. Since Alpine, near Luna Lake, is primarily groundwater dependent, this issue **must be explored by a qualified Hydrologist** as to the effect on its neighbors and Luna Lake itself.

If you calculated the Average of 20 gallons per minute per household for its needs, not including irrigation, it pencils out at 28,800 gallons a day assuming a 3-4 persons per home. This would include indoor uses like laundry, toilets, cooking and more. A conservative estimate would be 180,000 – 290,000 gallons per year, per household needed.

It's more like 350,000 gallons a year if you add irrigation. For 10 homes @ 350,000 gallons per year per household, your total is **3.5 MILLION gallons of water needed each year for the project.**

Recent Scientific studies have proved in Borrego Springs, California by John Peterson the former County hydrologist and Professor Travis Huxman of the UC Irvine Social Ecology department that **reducing the water table damaged the biodiversity in the area**, including trees whose roots tap down at least 40+ feet. (The article dated **5-17-2026** published in the **San Diego Union Tribune** entitled "**Deep in the San Diego County Desert**" discusses new research that has the town of Borrego Springs in a dilemma regarding their use and dependance on groundwater as pumping has caused the groundwater level to drop precipitously.)

We submit that if the **Alpine Water District (AWD)** will provide water and sewer to the Fenn Development that it be **preapproved in writing with great specificity terms of all the details**, so that it's a **condition precedent to approval of any proposed Fenn subdivision**. This writing shall be **immediately available for inspection publicly and electronically and manually mailed by USPS first class mail to each lot owner within 300 feet of the Fenn development**.

By comparison, just last year in 2025, after several hearings (including mapping and presentations) with Alpine water, our HOA President, Vice President, and myself, were **unable to secure two simple fire hydrants stubs** (in our HOA) to **existing AWD waterlines** at our **HOA's expense**. This was simply to improve fire protection and safety in our area. Ironically, approximately five years prior, the fire chief of Alpine recommended **up to FOUR fire hydrant installations in our HOA** but then changed his position in an undated letter to the AWD in 2025. I have those documents if you'd like to see them.

Please investigate this **Fenn Development** to determine if it will violate, now or in the future with construction, any Arizona and Federal laws, including ARS and the Clean Water, Wildlife and EPA Acts. I believe the Financial Burden is on the Fenn Development to Conduct an Environmental Impact Study at Fenn's Expense to satisfy Apache County.

There is Good Cause to delay and deny this Fenn Proposed Development.

Accordingly, there is good cause to delay this hearing and deny any final decision for a minimum of 120 days, as only 15 days' notice was given to residence within 300 feet of this project by letter. I believe the entire Alpine community would like to weigh in, in other words, **people that are impacted beyond 300 feet**, particularly regarding **water use and our declining ground water** as well as wildlife/bald eagle impact.

Furthermore, a **Zoom link** to the Alpine community should be conveniently established and published so that Alpine residence can weigh in at this hearing. Gas is expensive and it's a long way to drive from Alpine, especially during a Fourth of July holiday weekend.

Moreover, as you know, there's an Alpine subcommittee working to update the 2001 Alpine Community plan, which was ultimately incorporated into the Apache County 2019 comprehensive plan. This new community plan will require all Alpine residents to weigh in regarding issues like this **Fenn Development**, which is proposing to increase the number of lots in a one-acre parcel.

Please investigate any other concerns from people like Mr. and Mrs. Norton at the expense of the Fenn developer.

Currently, I urge you all to **deny the Fenn Development**, as proposed, as it's **premature, not ripe for a final decision**, and sets a **dangerous precedent** to double the development size of purchased parcels, knowing that everyone else is complying with the long-standing rules.

Any person or board member of any corporation, LLC, Non-Profit, or business entity with a financial interest directly or indirectly in the Fenn development project shall recuse themselves from voting on it.

Alternatively, The Apache County Planning and Zoning should explore reducing the **Fenn development** scope, using alternatives like ADU's of no more than 300 sq feet on one-acre lots with a main house, so long as not connected to a domestic well.

Last, this is a **public records request for all writings and records** related to the **Fenn Development** that have been received by Apache County Planning and Zoning and Apache County, AZ in the last 12 months from the date of this letter.

Thank you if you have any questions feel free to reach out.

Respectfully submitted,

Handwritten signatures of Richard and Kim Duquette in blue ink, positioned above a horizontal line.

Richard & Kim Duquette
Pine Ridge Estates, Alpine, AZ residents

Disclaimer: This letter offers my personal opinion as an Alpine resident and is not intended to be a legal opinion or to speak on behalf of the Pine Ridge HOA. I am not a licensed Arizona attorney.

areas. The Comprehensive Plan Land Use Map, discussed in in Section (4.4), assigns no character areas to these areas but references the Community Plan."

These areas are noted as being; Alpine, Greer, Nutrioso and Concho.

Arizona Revised Statute

11-831.B(1) - "An application to split a parcel of land shall be approved if: The lots, parcels, or fractional interest each meet the minimum applicable county zoning requirements of the official zoning designation."

All of the parcel divisions requested by the Fenns are less than the 1 acre minimum requirement.

Alpine Overlay Ordinance

Section 502.12. - "Where practical, site designs will preserve and enhance existing trees, watercourses, hills, slopes, and other existing natural features..."

Watercourse Definition - "A watercourse is a channel through which water flows that includes channels that takes seasonal flows and which may at times be dry. Water courses serve to drain the land and assists in supporting wildlife."

Alpine Overlay Ordinance

Page 3 - "...The intent is to achieve a proper balance between man-made and natural environments by ensuring that development is sensitive to natural resources and constraints."

Page 3 - "...We have tried to encourage careful, imaginative, development so that the environment is protected, wildlife is protected, the quality and quantity of our water is protected and our investment in our homes (present and future) and our property is protected."

Arizona Revised Statute

48-3613.A - "Except as provided in section 48-3625 and in this section, a person shall not engage in any development which will divert, retard or obstruction the flow of waters in any watercourse without securing written permission from the board of the district in which the watercourse is located...."

Arizona Department of Environmental Quality (ADEQ)

Luna Lake and the San Francisco River are on the ADEQ/Waters Of The United States (WOTUS) List which provides them protection under the CLEAN WATER ACT & SURFACE WATER PROTECTION ACT. This protection also covers watercourses that feed water to them.

Water drainage/runoff passes through a culvert under HWY 180 and exits onto the property of the Catholic Church. This water flow continues its route through the naturally formed watercourse crossing through proposed Lots 4C, 4B, 4A, 7B, 8B and 8A. The watercourse then empties into a culvert at the east corner of proposed Lot 8A. The water flow then exits underneath the road on the opposite side of County Road 2092 and then feeds into the San Francisco River which also supplies Luna Lake. Having been on this property numerous times, I can attest this watercourse makes the proposed Lots 7A, 7B, 8A and 8B which are sloped inwards extremely boggy. (Reference attached arial map photo which clearly reflects the depression of this naturally formed watercourse.)

It would also be questionable if during emergencies, that first responder vehicles could pass through the easements during adverse weather conditions; specifically, rain and snow due to the bogginess. The only access to proposed Lots 2A, 2B and 7B would be via the easements in emergencies, i.e., house fire, medical, etc. If these easements are built up to alleviate this issue, it would cause excessive runoff we would not normally have onto our property and the neighbor on the opposite side of the easement.

Also of great importance, the meadow area of this proposed subdivision supports Alpine wildlife. This is a well traversed area by elk; they leisurely graze, drink, rest and raise their young in the meadow. The Southwestern Willow Flycatcher and Loach Minnow that are both on the (U.S. Endangered Species List) inhabit the Alpine area and San Francisco River. It is imperative that we have ordinances and zoning regulations that manage growth to protect the habitat of all wildlife.

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