



# 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 Concho Valley OPC

Mailing Address PO Box 1010  
Concho AZ 85924

Contact Person Randy Mifflin

Phone 928-892-3255 Fax N/A

Email miff61@gmail.com

### PROPERTY INFORMATION

Assessor's Parcel # 201-42-184B/184C

Township 12N Range 26E Section 18

Subdivision Concho Valley Unit 4-A

Unit # 184 Lot # 2/3

Address/Location 58/60 ACR 5054  
Concho AZ 85924

Existing Zoning Residential

Existing Land Use Vacant

Lot Size 184B=100'x150' / 184C=110'x150'

### 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.

### 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 [Signature] Date 2/4/21

Signature of Property Owner (if not the applicant) \_\_\_\_\_ Date \_\_\_\_\_

### CONDITIONAL USE PERMIT REQUEST

Please provide a brief description of the request.

Private cemetery

Temporary Use: \_\_\_ Yes  No

| OFFICE USE ONLY            |                    |
|----------------------------|--------------------|
| Received By <u>Spearce</u> | Date <u>2/4/21</u> |
| Receipt # <u>1099</u>      | Fee <u>500</u>     |
| Permit # <u>2021-7</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



Concho Valley Orthodox Presbyterian Church

5052

5050

61

5059

Commercial Dr

Evergreen Ln

5051

5053

Crest Ln

Bonita Ln

Front

LOT 201-42-184B  
110' X 150'

LOT 201-42-184C  
100' X 150'

210

NATURAL DRAINAGE

10' EASEMENT

18

16

10

15

24

10' EASEMENT

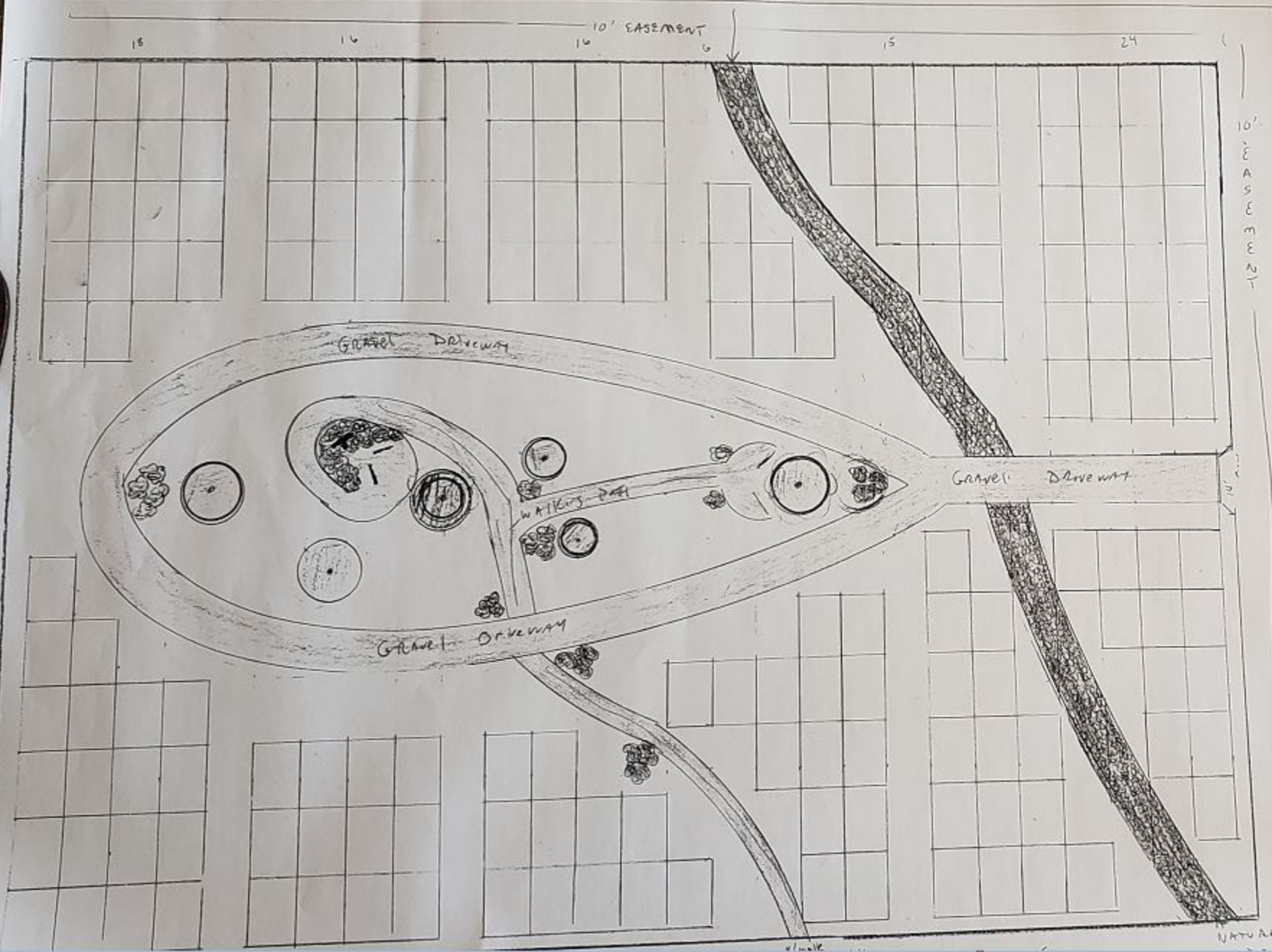
Gravel Driveway

Gravel Driveway

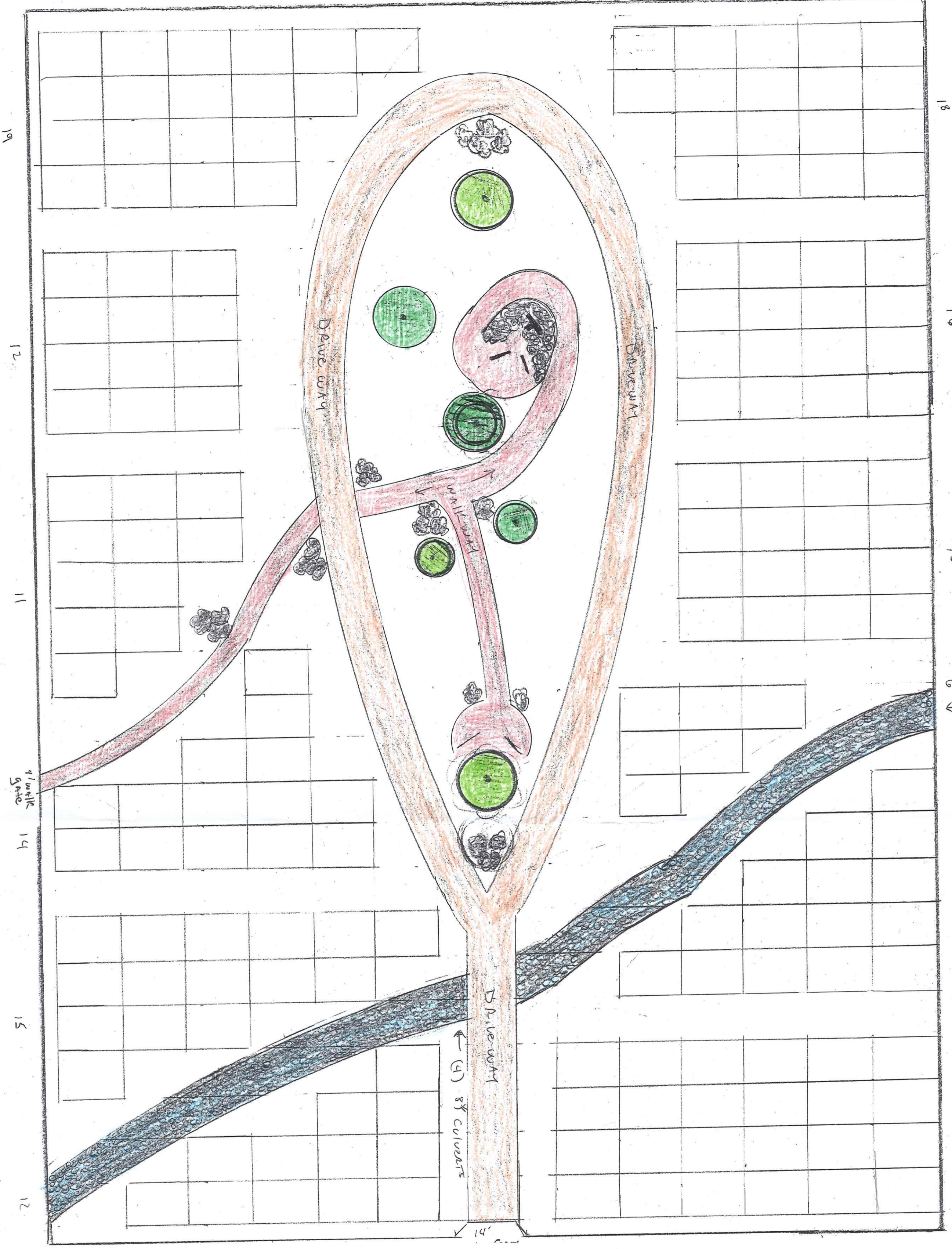
Gravel Driveway

WALKWAY

NATURAL DRAINAGE

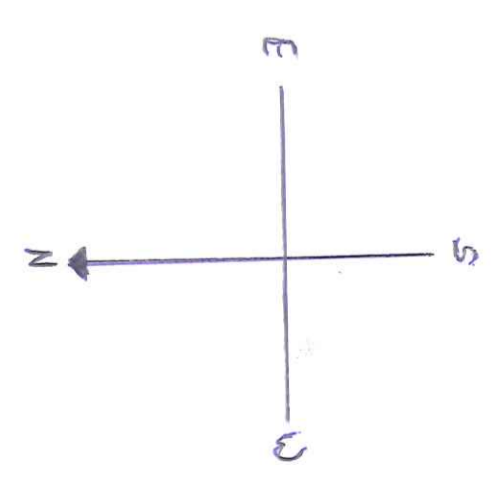


ACR 5054



18  
16  
16  
16  
15  
24

210  
Natural  
Diameter  
↓



**Impact Statement**  
**For**  
**Concho Valley OPC Cemetery**

- a. Number of employees:** There will be no employees working at the cemetery.
- b. Estimated amount of traffic by day of week;** Anticipated usage would be 2-6 times a year with 20-30 cars present.
- c. Parking, storage, loading, and service areas needed:** None, parking will utilize existing church parking.
- d. Amount of water use and source:** There will be (6) trees planted as part of the landscaping of the project and they are anticipated to use a total of 1,440 gallons per month. The water system will come from the existing church landscape irrigation system.
- e. Method of handling increased surface drainage:** There will be no building or hardscape to create any additional drainage. There is an existing natural drainage that will not be altered.
- f. Nearest residences:** The church owns most parcels surrounding the project. There is one neighbor to the immediate east of the project.
- g. Amount and types of refuse and sewage:** N/A
- h. Any pollutants and method of handling:** N/A
- i. Site changes necessary including tree removal:** There are (9) small indigenous cedar trees that will be removed.
- j. Landscaping and recreation provided:** No recreation provided, there is minimal landscaping be provided and is indicated on drawing provided. The landscape plan includes a gravel driveway, a graveled walkway, some boulder placement and (8) park benches.
- k. Use of natural resources:** Boulder and trees in landscape
- l. Fire prevention and protection systems:** N/A
- m. Services required of the county, such as road maintenance and snow removal:** None anticipated.
- n. Method of controlling dust from traffic areas and other sources:** No dust control needed for the small landscape project. Everything else will be native dirt as is.

Citizen Participation Report, RE:  
Concho Valley Orthodox Presbyterian Church  
Cemetery Conditional Use Permit Application

Concho Valley Orthodox Presbyterian Church (CVOPC) is seeking County authorization to establish a cemetery on two residentially-zoned lots in Concho which are owned by and adjacent to the Church. Those lots are eligible for cemetery use under Section 414 of the Apache County Zoning Ordinance, provided that a Conditional Use Permit (CUP) is granted for that purpose.

To comply with the requirement of Zoning Ordinance Section 1106(B), that every CUP application shall include a citizen participation plan developed after a pre-application meeting and consultation with the Community Development Department, the Session (elder board) of CVOPC created a committee to handle such pre-application procedures and the other steps necessary to prepare and file the CUP. The committee consists of CVOPC member Randy Mifflin (a partner in the Mifflin Brothers Company, which has contracted to do the work of creating the cemetery, who is the official “contact person” for CVOPC on the CUP), Pastor Stephen Larson, and Elder Bruce Ferg.

This committee met with Shanna Pearce of the County Planning and Zoning Division on January 6, 2021. The committee agreed with her that, to ensure maximum citizen participation, the notification target area would be increased from the minimum 300-foot radius required by Section 1106(B)(3)(a) to include the record owners of all property parcels within 500 feet of the proposed cemetery. The names and mailing addresses for those parcels would be obtained from the County Assessor’s records, and a letter would be mailed to each listed property owner, notifying them of the intent to file a CUP application for the establishment of a cemetery on the CVOPC lots. (There being no property owners’ organization in Concho, this was deemed sufficient to inform all potentially-affected persons.) A copy of the notification letter and the lists of properties and owners who would be contacted were to be provided to Mrs. Pearce before the letters were mailed, to help assure that the letter was sufficient and the proposed mailing list complete.

This plan was put into effect using the Apache County on-line property maps. It was determined that 74 parcels of property lie within 500 feet of the cemetery lots, and that those parcels are owned by 52 persons (except for one lot with no listed owner); these lists are attached. A notification letter was mailed to each of those 52 property owners on January 15, 2021. The letter (copy attached)

explained CVOPC's desire to establish the cemetery on its property and that the church would be filing an application for a CUP with the County; that an open meeting would be held at the church on the evening of February 1, 2021, from 6:00 p.m. to 7:00 p.m., and that any of the recipients who wished to comment about the matter could submit their input by mail or email to the church at any time through February 1, or in person at the church that evening, or by calling a Zoom telephone meeting number arranged for the purpose during the time of the meeting.

On the evening of February 1, 2021, Mr. Mifflin and Mr. Ferg both arrived at the CVOPC church building in Concho at 5:45 p.m.; there was no one waiting to be admitted. Mr. Mifflin opened the Zoom meeting number shortly before 6:00 p.m., and tested it by using a second phone to call the designated number to verify that it was open and functioning properly. The Zoom line was recording until it was shut down at 7:02 p.m.; no calls were received. Mr. Mifflin and Mr. Ferg remained in the building until 7:15 p.m., but no one ever came. No comments by letter or email have been received. It therefore appears that no property owner even potentially affected by the proposed cemetery has any objection to it be established.

It also is important to note that Mr. and Mrs. Vern Christian are the only property owners in the notification target area whose residence actually abuts the lots where the cemetery is planned (much of the land around the church property is completely vacant). They have been aware for years of CVOPC's hope to establish the cemetery there and have repeatedly voiced their willingness to various officers and members of CVOPC that that be done.

Respectfully submitted,

Randy Mifflin

Bruce Ferg