

**PLANNING & ZONING COMMISSION  
MINUTES OF MEETING  
October 16, 2013**

**COMMISSION MEMBERS PRESENT:** Gene Robert Larson, Chairman, Kay Matlock, Commissioner, Joe Carpenter, Commissioner, Judy Motes Driver, Commissioner, Mark Claridge, Commissioner.

**MEMBERS ABSENT:** Jim Bryce, Commissioner, Dean Krieg Commissioner, Jack Willey, Commissioner

**STAFF PRESENT:** Joe Goodman, P&Z Director; Karen Ulibarri, P&Z Secretary; Larry Woodside, Building Inspector, Michael Bryce, Graham County Engineer

**VISITORS:** Robert Hedges, Bill Cross, Richard Ross, Michele Ely-Haralson, Renate Ely, Melissa Matlock, David Crum, Charles Curtis, Cheryl Wilson, Daniel Barker

**CALL TO ORDER:** Chairman Larson called the meeting to order at 9:00 a.m., noting there was a quorum present.

**APPROVAL OF PREVIOUS MEETING MINUTES:** Commissioner Matlock moved to approve the minutes of the Planning & Zoning Commission meeting held on August 21, 2013. Commissioner Claridge seconded the motion. The Commission vote was unanimous to approve the minutes.

***MOTION ADOPTED***

**ITEMS FOR PUBLIC HEARING:**

**AGENDA ITEM #4:** Public hearing for a Contitional Use Permit CUP #13-03 (APN 103-30-001). Request is made for the purpose of operating a Recycling Center. The applicant is Richard Ross. The property is 1.72 acres. The situs address is 822 W. Cholla Dr., Safford.

Mr. Richard Ross addressed the Commission with his plans for operating a Recycling Center. He said that they are trying to make improvements to the property.

Chairman Larson questioned him about the timeline for opening this Recycling Center.

Mr. Ross told the Commission that he had come to the county to get approval and was told that everything was ok. Then about three weeks later Joe Goodman came to him and told him that there is no zoning in the county for a Recycling Center.

Mr. Joe Goodman, Planning & Zoning Director addressed the Commission and gave them the history. He said that he found that there is nothing in the ordinance that specifically addresses Recycling Centers. He said that the closest definition is for a Junkyard which

requires a five acre minimum. So, he suggested to Mr. Ross that he apply for a Conditional Use Permit. He acknowledged that Mr. Ross has done a lot of work on the property even though he suggested to him that he not spend any more money on the property until this was resolved.

Commissioner Matlock asked Mr. Ross whether he had been advised not to continue until it was resolved. Mr. Ross said that Mr. Goodman had told him not to continue but, that he wanted to show the neighbors that it wasn't going to stay looking the same.

Commissioner Motes-Driver asked for clarification on the ordinance and whether Mr. Goodman was saying that Mr. Ross was actually legal because there is no zoning for Recycling.

Chairman Larson stated that Recycling Center is a new term for Junkyard. Mr. Ross disagreed and said that it isn't a junkyard because he doesn't stockpile.

Mr. Joe Goodman said the real issue is that Mr. Ross is asking for permission to use the property as he is doing.

Mr. Ross asked what the complaints are and stated that he is willing to do whatever it takes to make it acceptable.

Mr. Clyde England questioned whether anyone had checked into the environmental hazards. Chairman Larson told him that they are only dealing with the zoning aspect.

Ms. Michele Ely told the Commission that they have run people off of their property who are picking up horsehoes and cutting pipe to take across the street to recycle.

Mr. David Crum, the neighbor across the street, said that the crusher Mr. Ross is using is so loud that he can't even hear his phone ring in his garage. Also, he is concerned about traffic coming through there and that he feels there will be an accident soon, as Mr. Ross uses the entire road to turn trucks around to back them into the yard.

Mr. Robert Hedges spoke for his brother who lives diagonally from Mr. Ross's property. His concern is that the property values will be affected.

Mr. Ross answered the complaints, telling the Commission that he hasn't taken apart any a/c units or refrigerators but, he will be getting a recovery machine to recover the freon properly. He said that they do drain the fluids from the cars before they crush them. He said that he cares about the environment and intends to be environmentally safe. He noted that he is doing a service to the community so that people can get rid of this stuff. He addressed Ms. Ely's concerns and told her that nobody is bringing horshoes to him. He addressed Mr. Crum's concerns and told him that he has put up a fence to keep the noise down. He said he plans to put gravel in the driveway to keep the dust down also.

Commissioner Matlock asked Mr. Ross why he left the City of Safford. He said that the previous owner had failed to get proper zoning for the buisness.

Mr. England asked whether anyone had contacted Kinder-Morgan about the right-of-way for the gas line. Chairman Larson told him that the Planning & Zoning Commission doesn't deal with those things, just the zoning.

Commissioner Matlock told the Commission that she is so vocal because she lives in the area and has had several people come to her with concerns.

Commissioner Motes-Driver questioned what recourse the County would have if the Use Permit was denied.

Commissioner Claridge stated his observation that even though Mr. Ross had checked with the County, acting in good faith, and there are other operations in the community that do not exactly fit. He said that in his mind it doesn't exactly fit in Commercial zoning.

Commissioner Carpenter moved to send an *unfavorable recommendation* to the Board of Supervisors. Commissioner Matlock seconded the motion. The vote was unanimous in favor of the recommendation.

***MOTION ADOPTED***

**AGENDA ITEM #5:** Set up for Public hearing for a zone map change request REZ #758-13 (Apn 103-29-050). Request is made to change the present "A"(General Land Use) Zone to "C-M" (Commercial-Manufacturing) Zone for the purpose of storing machining equipment. The applicant is Michael & Sarah Mayes. The property is 8 acres. The situs address is approx. 900 E. Double K Drive, Safford.

Commissioner Matlock moved to accept this item for set up on the November 20, 2013 meeting. Commissioner Carpenter seconded the motion and the vote was unanimous in favor.

***MOTION ADOPTED***

**PLANNING & ZONING COMMENTS:**

**AGENDA ITEM #6:** 2013 P&Z Meeting Schedule

Commissioner Carpenter moved to accept the meeting schedule for 2014. Commissioner Matlock seconded the motion. The vote was unanimous to accept the schedule.

***MOTION ADOPTED***

**DISCUSSION FROM PREVIOUS BOARD OF SUPERVISORS ACTIONS:**

**CALL TO THE PUBLIC:**

**ADJOURNMENT:** by acclamation at 9:48 a.m.

**MINUTES ACCEPTED:**

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<b>Gene Robert Larson, Chairman Planning &amp; Zoning Commission</b>	<b>Date</b>
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**Attest:**

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<b>Joe Goodman, Community Development Director Planning and Zoning Department</b>	<b>Date</b>
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