



**Staff Report
To the
Board of Supervisors**



Conditional Use Permit Application
CUP-13-04

APPLICATION

Applicant Name	Candese Bridges
Applicant Address	PO Box 1117 Pine, Arizona
Site Address	5659 Chaparal Lane, Pine, AZ
APN Number	301-31-143A
Current Zoning	<p>R1-D12</p> <p>1. Intent and Purpose: To promote the development of areas primarily of single family dwellings, intending that all other uses be installed, operated and maintained in a manner so as to either complement, or at least be of a minimum disruption to such single family uses. Any use not in accordance with the Intent and Purpose, District Stipulations and Provisions, and Permitted Uses as set forth in this section shall be deemed a nuisance.</p>
Current Comprehensive Plan Designation	<p>Residential 1.0-2.0 du/acre:</p> <p>The Residential 1.0-2.0 category denotes the areas of the county where low-density detached residential development is preferred. The Residential 1.0-2.0 land use designation includes private lands in rural areas where it is desirable to allow a slightly higher density while maintaining the rural character of the area. Additional uses permitted within the Residential 1.0-2.0 category shall include farming, ranching and those uses otherwise permitted by state statute. Other non-residential land uses may be permitted if allowed in the zoning district designated for the parcel, if located on a cumulative total of less than two acres and if separated and buffered from adjacent existing residential uses and adjacent residentially designated (on the Land Use Plan) uses.</p>
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II Purpose & Description

In August of 2006 Candese Bridges was approved for a Use Permit to operate a weekend retreat at this home in Pine. The conditions attached to this permit include the following:

- a. The guest for weekend retreats would not park in the roadway as it is too narrow and home is located on a corner lot providing poor visibility
- b. The property owner would utilize a 3500 gallon water tank for weekend visitors and set the timer to fill the tank after midnight and before 6 AM.
- c. Any overflow traffic would be parked at another property owned by the property owner

- d. All lighting would be reflected away from adjoining properties and be the minimum needed.
- e. Property owner will raise the current four foot fence on the east side to an opaque fence with a height of six feet
- f. There will be no more than sixteen (16) guests at any one time
- g. This is not a business activity with paying customers.

Upon receiving a query regarding the commercial activity on this property, staff inspected the property and found that the property owner was not in compliance with the use permit.

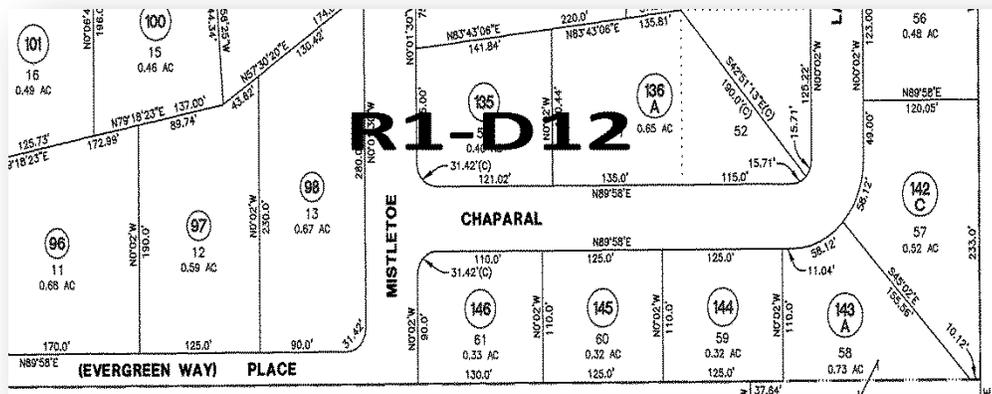
Four bedrooms in the home were being used for paying guests and they also had a gift shop. As you can see from their narrative they have quilters and others stay at this home. The closest zoning designation that staff felt fit this activity was a Bed and Breakfast facility for four or five bedrooms. This activity requires a conditional use permit.

This land use activity has been in operation for more than 7 years. There have been no complaints filed by the neighbors.

The original application filed in 2006 and approved as a Use Permit brought out several concerns from the neighborhood to include parking on the street and impact to water pressure. The applicants addressed the water pressure issue by installing a 2000 gallon water tank that would fill up during late night hours. They also made provision to not allow guest parking on the street.

III Zoning Regulations

This zoning district will allow up to 3.5 residential units per acre. It serves as a more rural residential district with minimum lot sizes of 12,000 square feet.



IV Primary issue or issues to consider

There are several issues that should be looked at for compatibility:

- a. Noise: Playing music till 11 PM outside can be disturbing to residential properties

- b. Lighting: Lighting needs to occur in a manner that assures surrounding residential properties will not be adversely affected.
- c. Sale of alcoholic beverages in residential areas needs to have adequate controls so it does not become a nuisance to surrounding property owners.
- d. Dust from unpaved parking facilities can be a nuisance to surrounding properties.

V Analysis

Residential development is very close to the side and rear property lines of this parcel. Because of this we should take appropriate action to include the following:

1. Limit the amount of dust that can be emitted into the air through customer traffic.
2. Limit the amount of noise from music that can cause disruption to residential uses
3. Limit the spillage of light onto adjacent residential properties
4. Sales of alcoholic beverages should be limited to patrons who come for meals and not allow the establishment of a bar for drinking customers only.

Current Property Pictures



VII Summary

Adjoining residential development is rural as compared with urban residential development of small lots and close proximity to each other. Because of this it is important that the potential intrusions from this proposed land use activity be limited. These intrusions include the four issues identified above.

VIII Recommendation

Staff would recommend that the Planning and Zoning Commission recommend approval of this application for a conditional use permit to the Board of Supervisors with the following conditions:

- a. Up to five bedrooms may be designated and/or occupied as guest rooms with a maximum of 16 persons.
- b. Food preparation must be approved by the Gila County Health Department.
- c. Guest rooms may be accessed by entrances other than the main entrance to the dwelling.
- d. Limit the amount of noise from music that can cause disruption to residential uses
- e. Limit the spillage of light onto adjacent residential properties
- f. Any sales of retail items will be limited to sales to paying guests only.
- g. The maximum duration of stay of any one guest shall be ten (10) days.
- h. All parking must be accommodated on the site.
- i. All meals or snacks provided to guests shall be served in a common dining area.
- j. Any applicable State and County Health Department regulations must be complied with, and all required permits must be obtained and remain valid so long as the use is in operation.
- k. This Conditional Use Permit shall replace the current Use Permit issued in 2006.
- l. This Conditional Use Permit will be reviewed in two years to ensure compliance with all conditions listed above.

IX Planning & Zoning Commission Hearing – November 21, 2013

The Planning & Zoning Commission held a public hearing on this application on November 21, 2013. Staff received one email during the meeting that protested the issuance of the conditional use permit. This email was sent by an adjoining property owner who currently lives in California. A copy is attached to this staff report for Board review.

The Planning & Zoning Commission voted unanimously to approve the conditional use permit with the conditions as listed in Item VIII of this report.