



MINUTES
PLANNING AND ZONING COMMISSION
PUBLIC HEARING
June 14th, 2022 AT 6:00PM
22 W 2ND ST. EAGAR

Chair Brenda Ciminski called the meeting to order and welcomed those in attendance. Chair Ciminski led the Pledge of Allegiance and Commissioner Renee Fowler offered the invocation.

Commission Present: Renee Fowler
Kristi Penrod
Macie Edwards
Brenda Ciminski
Derrick Kelly
Chad Finch

Staff Present: Britney Reynolds, Community Development Coordinator
Ethan Eagar, Community Development Admin. Assist., Inspector

Staff Excused: Matthew Mears, Town Manager/Community Development Director

ITEM #5 PUBLIC COMMENTS: None

ITEM #6 Loyalty oath for new members Chad Finch, Derrick Kelly, Renee Fowler, Kristi Penrod, and Macie Edwards

All new members followed Coordinator Britney Reynolds in reciting the loyalty oath. Documents were signed.

ITEM #7 Election of Vice Chair

Commissioner Kristi Penrod stated she would be willing to serve as the Vice Chair.

Commissioner Derrick Kelly nominated Kristi Penrod to serve as Vice Chair of the Planning and Zoning Commission. Commissioner Renee Fowler seconded; all were in favor, motion carries unanimously. 6-0

Vote: Ayes: Renee Fowler
Kristi Penrod
Macie Edwards
Brenda Ciminski
Derrick Kelly
Chad Finch

CONVENE TO PUBLIC HEARING

ITEM #8 PUBLIC HEARING ON CUP2022-1; TO ALLOW FOR RV LIVING IN A RECREATIONAL VEHICLE UNTIL HOME IS COMPLETED IN AN AR-20 ZONED AREA KNOWN AS 255 W. 1ST LN.

Chair Brenda Ciminski called the agenda item and then asked for the Jones' to address the commission

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if they so wished. The Jones' stated they had bought the property last year and have cleaned the property and have run all utilities in the last year. The Jones' were expecting to obtain their home in the month of June, but had just been informed that this would not be possible. They are developing the pad for the home and will install said home as soon as possible. With Covid, manufacturing companies have faced issues with supplies to meet demands. The Jones' are asking to have a year with their RV on the property to allow them to continue working on property and to enjoy their land. Mr. Jones stated that they are snowbirds so they are only in Eagar for roughly six months and then they leave. The Jones' are not enjoying their travel trailer for living and are looking forward to placing their home.

Chair Ciminski asked if there were any comments from community or staff in regard to this request. Britney Reynolds stated that no verbal or written comments were received and that staff would recommend approving this request as there have been several others such as this approved before. Mrs. Reynolds stated that the commission could put a one year time frame on the Conditional Use Permit and then give the Planning and Zoning department the authority to extend for six months if the home takes longer than expected. There were no public comments for this permit. There were no questions from the commission on this matter and the applicant did not feel the need to make a closing statement. Chair Ciminski closed the public hearing.

ITEM #9 DISCUSSION AND CONSIDERATION OF ITEM 8

Commissioner Derrick Kelly moved to approve CU2022-1 with a one year timeframe from the date of this approval and gives the Planning and Zoning department the authority to extend for six months if need to finish this permit. Commissioner Renee Fowler seconded; all were in favor, motion carries unanimously. 6-0.

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| Vote: | Ayes: | Renee Fowler |
| | | Kristi Penrod |
| | | Macie Edwards |
| | | Brenda Ciminski |
| | | Derrick Kelly |
| | | Chad Finch |

ITEM #10 PUBLIC HEARING ON CUP2022-2; TO ALLOW AN 8' FENCE ON THEIR PROPERTY AT 788 W. SCHOOL BUS RD

Chair Brenda Ciminski called the agenda item and then asked the Whitmore's to address the commission. Mr. Whitmore addressed the commission and shared the multiple businesses that he runs within the Town of Eagar. Mr. Whitmore stated there are three reasons that they are asking to install an 8' fence on their property. The first is to keep animals in the yard, they have a family member living with them that suffers from dementia and it was suggested that the higher the fence the easier it will be to assist with keeping this family member in the vicinity of the home, and to enclose his property to be a good neighbor. The fence will be constructed using 2 7/8 steel pipes, 5 runs of 2x4, with 1" thick 6" pine that will be stained to match the home. Feels that he and neighbors are harassed by another neighbor in the area.

Chair Ciminski asked for staff recommendations and for any comments made about this permit. Britney Reynolds informed the commission that Town Manager and Community Development Director Matt Mears and she discussed this matter. Mr. Mears stated that he recommended approval of this fence and does not feel that it would be a hindrance to entering the property. Mrs. Reynolds did state that there was a neighbor opposed to this matter and his comments were included in the packet. Chair called for public comments at this time. Mr. Daryl Swapp addressed the commission at this time who lives at 820 S. School Bus Rd. Mr. Swapp stated that he and his family are in complete favor of this fence being installed on the

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property. This would not only assist with keeping animals separated and create clean lines between the properties. Lisa Whitmore, wife of applicant, addressed the commission next. She stated that the neighbor that has an issue with this fence makes her feel harassed. She stated that he drives by frequently very slowly and staring at their property which makes her feel unsafe. She wants to feel that she can enjoy her property with her family without being watched and harassed. Commissioner Kristi Penrod asked if fencing was going directly along the neighbors' parcel that is against this fence? Mr. Whitmore stated it is not as he is a parcel away from this property. Commissioner Fowler asked if Mr. Whitmore had horses on the property. Mr. Whitmore stated that he did not at this time, but that there is a steel corral for horses and/or cows on the property. Debra Seeley asked if the fence had to be engineered. Mrs. Reynolds has not seen where a fence has to be engineered.

ITEM #11 DISCUSSION AND CONSIDERATION OF ITEM 10

Commissioner Derrick Kelly stated that because we are in the Town of Eagar there will be winds, sometimes extreme winds, and wants to know what Mr. Whitmore is doing to ensure the fence does not blow over. Mr. Whitmore restated his building specs for the fence. He will be using the steel pipe from the oil fields 10' on center with a top rail and bottom rail as well as four bags of concrete on every post.

Commissioner Derrick Kelly moved to approve the 8' fence as long as the construction with four bags of concrete per post is followed. Commissioner Chad Finch seconded; all were in favor except for Commissioner Fowler, motion carries. 5-1

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| Vote: | Ayes: | Kristi Penrod Macie Edwards Brenda Ciminski Derrick Kelly Chad Finch |
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| | Nays: | Renee Fowler |
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RECONVENE TO REGULAR MEETING

Chair Brenda Ciminski closed the public hearing.

ITEM #13 REPORTS

Meeting on July 12, 2022. Will work on getting a work session together for training purposes.

ITEM #14 ADJOURNMENT

Chair Brenda Ciminski moved to adjourn the meeting [6:28 p.m.].

Chair signature: _____

Director signature: _____

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