

AGENDA
Special Session
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE 473 S. MAIN STREET
CAMP VERDE, AZ. 86322 COUNCIL CHAMBERS SUITE #106
THURSDAY DECEMBER 06, 2012 6:30 PM

Because All Commission meetings will end at 9 PM, any remaining agenda items will be heard at the next Commission meeting.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda** - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.
 - a. **Approval of Minutes:**
November 01, 2012 Regular Session
 - b. **Set Next Meeting, Date and Time:**
January 3, 2013 Regular Session
5. **Call to the Public for Items not on the Agenda**
(Residents are encouraged to comment about any matter not included on the agenda. State law prevents the Commission from taking any action on items not on the agenda, except to set them for consideration at a future date.)
6. **Public hearing, discussion and possible recommendation to Council on an application submitted by the Gregory Blue, owner of parcel 404-26-032, requesting a Zoning Map Change, project # 20120238, to go from R1-10 (Residential) to RS (Residential and Services) for approximately 1.37 acres located at 671 S. 4th St.**
7. **Call to the Public for Items not on the Agenda**

There will be no Public input on the following items:

8. **Commission Informational Reports:** Individual members of the Commission may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the public of such events and activities. The Commission will take no discussion, consideration, or action on any such item, except that an individual Commission member may request an item be placed on a future agenda.
9. **Staff**
10. **Adjournment**

Please note: The Planning and Zoning Staff makes every attempt to provide a complete agenda packet for public review. However, it is not always possible to include all information in the packet. You are encouraged to check with The Community Development Department prior to a meeting for copies of supporting documentation, if any that were unavailable at the time agenda packets were prepared.

Posted by: *J. Owens* Date/Time: 11-30-12 11:00 AM

Note: Pursuant to A.R.S. §38-431.03A.2 and A.3, the Planning & Zoning Commission may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Community Development Office.

MINUTES DRAFT
Regular Session
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE
CAMP VERDE, AZ. 86322
COUNCIL CHAMBERS SUITE #106
THURSDAY NOVEMBER 01, 2012
6:30 PM

Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Commission motions to facilitate future research.
Public input, where appropriate, is heard prior to the motion

1. **Call to Order**
The meeting was called to order at 6:30 p.m.

2. **Roll Call**
Chairperson Butner, Vice Chairperson Blue, Commissioners Hisrich, Parrish, Norton, Freeman and Hough were present.

Also Present: Community Development Director Mike Jenkins, Asst. Planner Jenna Owens, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**
The Pledge was led by Butner.

4. **Consent Agenda** - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.
 - a. **Approval of Minutes:**
10-04-2012 Regular Session
 - b. **Set Next Meeting, Date and Time:**
12-6-2012 Special SessionOn a motion by Hough, seconded by Freeman, the Consent Agenda was unanimously approved as presented.

5. **Call to the Public for Items not on the Agenda**
There was no public input.

6. **Public hearing, Discussion and Possible Recommendation to Council for a Use Permit to continue an Off Premise Sign that is located on parcel 403-25-023 owned by Leslie Friedlander and is being requested by owners John Otto & Marlin Warkentin of Otto Bond & Bail, LLC. The property is located at 2931 Commonwealth Drive in the Verde Valley Business Park next to the Yavapai Co. Justice Facility.**
On a motion by Freeman, seconded by Norton, the Commission unanimously recommended that Council approve a Use Permit to continue the use of an Off Premise Sign for a period of five (5) years from the date of the Town Council approval as required by Part 4 Section 404.D of the Planning & Zoning Ordinance, for an Off Premise sign located on Parcel 403-25-023, owned by Leslie Friedlander, as requested by John Otto & Marlin Warkentin, owners of Otto Bond & Bail, LLC, with all seven stipulations as they are listed, with the addition to No. 4, "as long as the sign Use Permit is in effect."

Asst. Planner Owens reviewed the background of the request for a Use Permit to continue the subject existing Off Premise sign that was originally approved by Council for a period of three years, with certain stipulations, which Owens outlined. The Town Code allows Use Permits to be granted for a period of five years. Since the original installation of the Off Premise sign, no complaints have been received, and the applicant is now requesting to continue the sign in place for a five-year period. The required notices were sent and public meeting held, with no neighbors in attendance. Owens also referred to the Land Use Application Form, copies of which were included in the Agenda packet, together with supporting documentation and photos. Owens noted that according to the Town Clerk, a Town of Camp Verde Business License is not required, as had been originally stipulated, since the business is basically a service that is not subject to that requirement.

The Commissioners discussed the subject application; Owens confirmed that the applicant maintains an office in the Fort Verde Plaza. In response to further questions, Marlin Warkentin stated that they do have a current Business License in place, and plan to continue to keep it in force throughout the requested Use Permit period. The Commissioners indicated they were generally in favor of continuing to require a Business License and, based on the history of no complaints, would also favor approving the request for a five-year Use Permit period. It was agreed that the subject request should be recommended for approval and that the stipulation requiring a business license be continued, with addition of the following language: "...as long as the sign Use Permit is in effect."

7. Call to the Public for Items not on the Agenda

There was no public input.

8. Commission Informational Reports:

There were no Commission informational reports.

9. Staff

Owens noted that the terms of two members of the Commission will be expiring, and if either individual would like to submit a Letter of Interest, she can provide the required form to get the ball rolling as soon as possible.

10. Adjournment

On a motion by Hisrich, seconded by Parrish, the meeting was adjourned at 7:01 p.m.

Joe Butner, Chairman

Planning & Zoning

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Regular Session of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 1st day of November 2012. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2012.

Margaret Harper, Recording Secretary



Town of Camp Verde

Exhibit A - Agenda Item Submission Form – Section I

Meeting Date: December 6, 2012

- Consent Agenda Decision Agenda
- Presentation Only Recommendation to Council

Requesting Department: Community Development

Staff Resource/Contact Person: Michael Jenkins – Community Development Director

Agenda Title (be exact): Public Hearing, Discussion and Recommendation to Council on Zoning Map Change 20120238. An application submitted by Gregory Blue owner of the Sunland RV Park on parcel 404-26-032, requesting a Zoning Map Change from R1-10 (Residential: single family) to RS (Residential and Services) for approximately 1.37 acres located at 671 S. 4th St.

List Attached Documents: Application, Letter of Intent, Neighborhood meeting affidavit, Site Plan, Land Use Map and Map of the Zoning of Adjacent properties.

Estimated Presentation Time: 15 min.

Estimated Discussion Time: 30 min.

Reviews Completed by:

Department Head: _____ Town Attorney Comments:

Finance Department

Fiscal Impact:

Budget Code: _____ **Amount Remaining:** _____

Comments:

Instructions to the Clerk: None

Exhibit B – Agenda Item Submission Form – Section II (Staff Report)

Town of Camp Verde

Agenda Item Submission Form – Section II (Staff Report)

Department: Community Development

Staff Resource/Contact Person: Michael Jenkins – Community Development Director

Contact Information: 554-0051

Background:

History: From the early 1960's to 1985 this property was known as "The Glory Hole Mobile Home Park". In 1986 the property was purchased and the name changed to "Sunland RV Park". The new owner's intent at the time was to incorporate Recreational Vehicles as well as Mobile Homes into the park. The new owners were advised by Yavapai County Planning & Zoning that the "Mobile Home" portion had "Grandfathered" rights, but that the proposed RV portion would need to have a Use Permit.

An application was submitted for a Use Permit to Yavapai County for the expansion of the existing Mobile Home Park to include RV's. Due to complications with the sewage disposal system, the application was withdrawn by the owners. NOTE: The property currently served by the Camp Verde Sanitary District.

Mr. Gregory Blue purchased the Sunland RV Park for long term and affordable housing. Mr. Blue would like to bring the property into compliance and make improvements. Due to the new language in the Planning & Zoning Ordinance, the R1-10 zoning does not allow for a Recreational Vehicle Parks. In order to achieve compliance, a Zoning Map Change is necessary. By rezoning to the RS District, allowable uses in this district provide for Recreational Vehicle Parks with a Use Permit. Following the approval of the Zoning Map Change, an application for a Use Permit will be submitted to set stipulations for the use of the property. Once the Zoning Map Change and Use Permit are in place, the parcel will be in compliance with the Planning & Zoning Ordinance

The following has been completed by the applicant and staff:

Agencies were notified. The responses are as follows:

Town of Camp Verde Building Official – No Comments

Town of Camp Verde Community Development Director – This Zoning Map Change is the first of two processes required to bring the RV Park into Compliance and allow for a small Expansion of spaces and amenities.

Camp Verde Water – Currently serves this property with a six (6) main and would be able to provide Fire Protection if needed.

Yavapai County Flood – No Comment

Camp Verde Sanitary District – When additional spaces are added Mr. Blue must apply permits.

Camp Verde Fire District – Reviewed and approved.

- 24 letters were mailed to properties within 300' of the subject parcel on November 01, 2012. This letter advised the neighbors of the Planning & Zoning Commission and the Town Council meeting times and dates.

The applicant mailed out letters to the neighboring property owners within 300' of the subject property and invited them to a meeting to express concerns and comments. The meeting was held October 18, 2012 in the Community Development Office suite 109 from 5:30 pm to 6:15 pm., a staff member was present. There were four (4) neighbors who attended the meeting. Their comments are not directly related to the Zoning Map Change.

(1) They commented about citizens not always stopping at the stop sign on the road east of the RV Park that comes north from the American Heritage School and that people fly through that intersection.

(1) Answer: This property is not owned by Mr. Blue, however he has inquired about a solution. Mr. Blue has contacted the Town Engineer to see if a Yield sign instead of a Stop sign could be placed at the intersection in question.

(2) There were comments as to why Mr. Blue allowed a level two sex offender live in the RV Park when it is so close to the American Heritage School.

(2) Answer: Mr. Blue has researched the regulations for how far a sex offender has to be from a school. Per Arizona Revised Statute § 13-3727, for level three offenders, the distance from a Private School is 1000 feet. Mr. Blue's resident is not a level 3. The Camp Verde Marshal's office noticed the American Heritage School and the neighborhood.

Statement of the Problem or Opportunity: If the property is not rezoned, compliance with the Planning & Zoning Ordinance cannot be achieved.

Alternatives/Options/Solutions: None

Comparative Analysis: None

Fiscal Impact to the Town: None

Other Impacts: None

Conclusion: This property has been out of compliance for some time and a recommendation to Council to approve a Zoning Map Change to RS will bring this property into compliance with the current Planning & Zoning Ordinance.

Recommended Motion: Recommend that Council approve a Zoning Map Change for parcel 404-26-032 to go from R1-10 (Residential: Single Family) to RS (Residential & Services) to bring the property into compliance with the current Planning & Zoning Ordinances. Parcel is approximately 1.37 acres located at 671 S. 4th St.

Zoning Map Change Check List

Pre-Application Conference with staff and the Acting Community Development Director

***Staff Report**

Will include summary of agency & citizen's comments, Town requirements, and applicant's narrative as it addresses requirements for application and recommended stipulations if approved (if any).

***Ordinance (for Council Hears Planning & Zoning)**

Agency Comments

- Notification List
- Responses

Letter of request to be annexed into the Camp Verde Fire District or letter from the Camp Verde Fire District stating that applicant is already in the Camp Verde Fire District.

*** Application including:**

1. ***Directions to Property**
2. ***Letter of Intent (Narrative)**
3. ***Consent or Approval letter from property owner (if applicable)**
4. ***Public Participation, Neighborhood meeting, completed. Date: 10-18-12**
 - ***Affidavit of summary of meeting**
 - ***Statement of how the applicant addressed neighborhood concerns.**
 - Copy of letter sent to neighbor's within 300'
 - Posting of Property by applicant (photo)
 - Affidavit attesting to notification of neighbors
 - Sign in sheet

***Site Plan**

***Land Use Map**

***Vicinity Map**

***Adjacent land use**

Ordinance (for Council)

Reviewed and approved by Town Attorney.

Legal Description

Advertising & Posting has been completed & meet State Law Requirements

NOTE: *Indicates included in packet



PROJECT #
20120238

Land Use Application Form

1. Application is made for:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Zoning Map Change | <input type="checkbox"/> Use Permit | <input type="checkbox"/> General Plan Amendment |
| <input type="checkbox"/> Conceptual Plan Review | <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> PUD Zoning | <input type="checkbox"/> Variance | <input type="checkbox"/> Sign |
| <input type="checkbox"/> Street Abandonment | <input type="checkbox"/> Minor Land Division | <input type="checkbox"/> Wireless Tower |
| <input type="checkbox"/> Appeal | <input type="checkbox"/> Verification of Non-Conforming Use | <input type="checkbox"/> Utility Exemption |
| <input type="checkbox"/> Site Plan Compatibility Review (Commercial) | | |
| Other: _____ | | |

2. Project Name: IMPROVEMENTS + EXPANSION OF SUNLAND RV PARK

Please print or type legibly

3. Contact information: (a list of additional contacts may be attached)

Owner Name GREGORY BLUM Applicant Name SAMG
 Address 95 E Cliff House Dr, #A Address _____
 City CAMP VERDE State AZ Zip 86328 City _____ State _____ Zip _____
 Phone 928.300.4747 Phone _____
 E-mail GREGORYBLUM@HOTMAIL.COM E-Mail: _____

4. Property Description:

Address or Location: 671 S. FIRST, CAMP VERDE, AZ 86328
 Existing Zoning R1-10 Existing Use RV/TRAILOR PARK
 Proposed Zoning RS Proposed Use RV/TRAILOR PARK

5. Purpose: (describe intent of this application in 1-2 sentences)

IMPROVEMENTS AND EXPANSION OF
SUNLAND RV PARK

6. Certification:

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action.

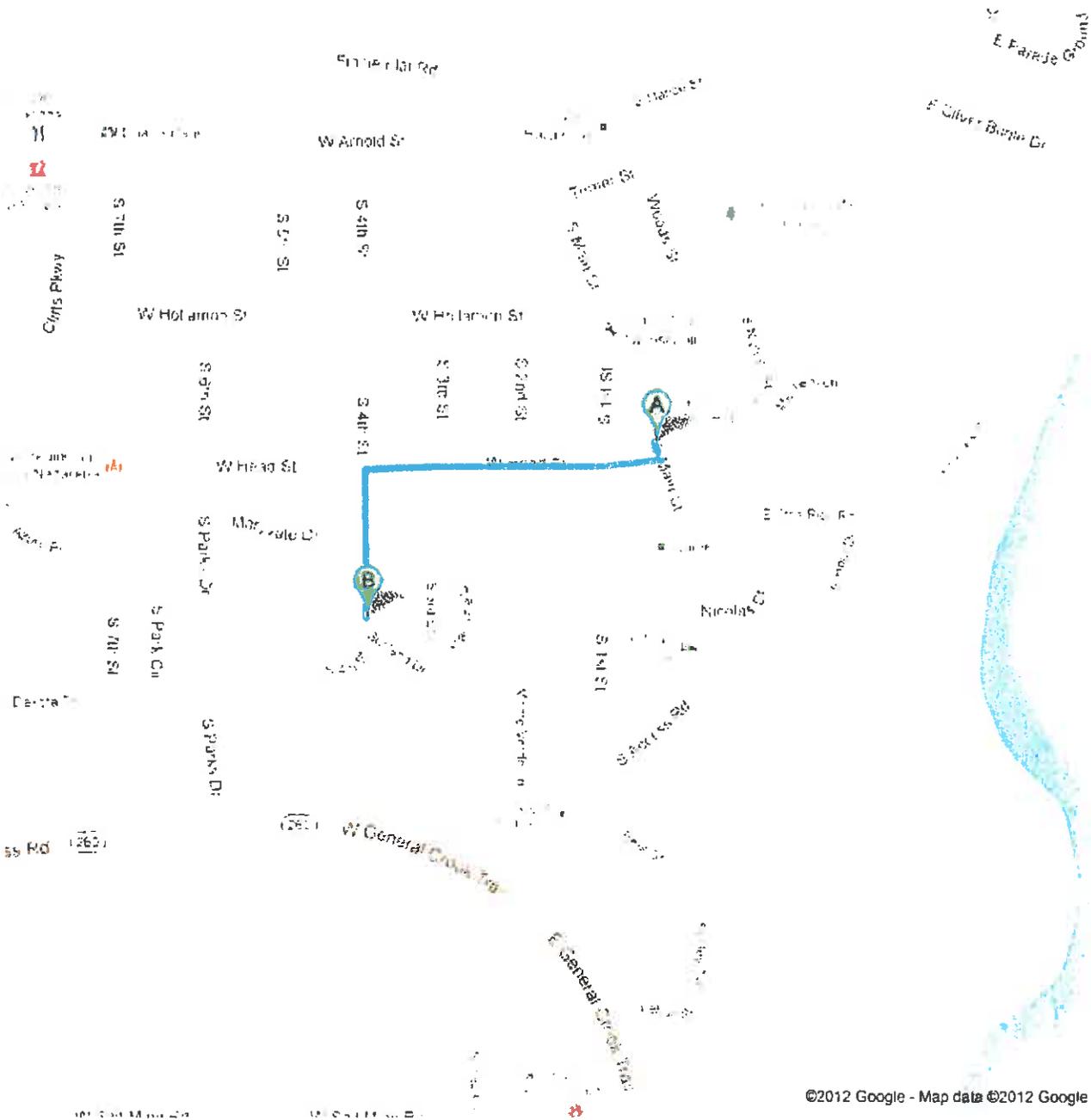
Owner [Signature] Date 8.20.2012 AND

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all materials and fees required by the Town of Camp Verde must be submitted prior to having this application processed

Applicant [Signature] Date 8.20.2012



Directions to 671 S 4th St, Camp Verde, AZ 86322
0.4 mi – about 2 mins



August 23, 2012

Town of Camp Verde
Community Development
473 S. Main St., Ste. 108
Camp Verde, AZ 86322

RE: Zoning Map Change

Dear Mr. Jenkins,

Sunland RV Park is requesting a Zoning Map Change from R1-10 to RS so that I can bring this property into compliance. The park has been in continuous use since before 1964. It also provides affordable living; the park is a "long term" park.

In the future, should the Zoning Map Change be approved, I will be applying for a Use permit to make improvements.

The park has a good mix of residents; some are retired most work and contribute to the community.

Sincerely,


Gregory Blue
Sunland RV Park

Affidavit

I GREG BLUG owner of parcel 404.26.032 have notified my neighbors within 300' of my residence, by sending letters on 10.2.12 to notify them of the neighborhood meeting that I conducted on the 13 day of OCTOBER 2012.

I posted my property with meeting date and time on the 7 day of OCTOBER 2012.

I GREG BLUG owner of parcel 404.26.032 have provided a summary of Neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde within 15 days attesting to the issues and concerns discussed at the Neighborhood Meeting held on the 13 day of OCTOBER 2012

Summary

Statement:

Mr. Shuster left a phone message with the Community Development office for me to call him. I returned his call that day. He was very pleasant to talk with. He asked about the current zoning. I informed him that it is currently zoned as R10. He asked if the park is in the sewer District and connected. I told him that the park is in the Sewer District and is connected. He also wanted to know how many spaces there are. I told him there are 11 spaces with 1 doublewide that is used as a rental. He asked if I had facilities for showers and toilets. I told him that this is a long term park, 30 days or longer. I don't have overnight rentals. He asked why I needed a Use Permit, I told him it's a Town requirement. In conclusion he told me that after talking to me, he supports this request. SEE ATTACHED

If Summary statement is too long, attach a copy.

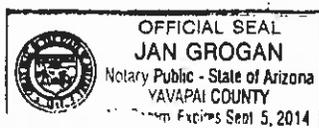
State of Arizona)

County of Yavapai)

[Signature]
Signature of Document Signer No. 1

Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 14 day of November 2012.



[Signature]
Signature of Notary

OCTOBER 18, 2012 NEIGHBORHOOD MEETING HELD IN THE COMMUNITY DEVELOPMENT OFFICE 5:30 pm to 6:15 pm

Mr. and Mrs. Howell and Mr. and Mrs. Coke came as a group and spoke as a group. They first asked why they received a letter. Jenna Owens, Assistant Planner for the Town, explained the procedure to them.

Then they spoke about people not stopping for the Stop sign on Sunland Dr. I told them that I would talk to the Town Marshal about their comment. Then they asked me why I allowed a former sex offender to move into the park. I tried to explain that I spoke with him and his brother and felt that he had served his time. Their response to me was on a negative personal level. They continued to ask what their rights were. I told them that I would speak to the Town Marshal and let them know her response. I talked to Town Marshall, Nancy Gardner, and she referred me to the Arizona Department of Safety Web Site in regards to rules regarding where the offender can reside, and rules regarding how far from a school, as per ARS 13-3727. A level three cannot reside within one thousand feet from a school or childcare facility. The resident is not a level three offender. I also discussed with the Marshall about the Stop sign located on Sunland Drive. She referred me to Ron Long with the Public Works Department. I contacted Mr. Long and suggested that a Yield sign could replace the Stop sign. His comment was that it was really none of my concern.

Then they talked about the poor job the former owner did in running the park. I told them that I am not an absentee owner. I take great pride in what I do in the community.

In conclusion, they asked me what improvements that I am planning on for the park and I shared with them that I am proposing to enclose the dumpster, build a laundry room, remove the storage building, and add landscaping to the park. They liked the proposal of these improvements.

Arizona State Legislature

Bill Number Search 

Fiftieth Legislature - Second Regular Session

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13-3727. Unlawful residency; persons convicted of criminal offenses; exceptions; preemption; classification

A. It is unlawful for a person who has been convicted of a dangerous crime against children as defined in section 13-705 or who has been convicted of an offense committed in another jurisdiction that if committed in this state would be a dangerous crime against children as defined in section 13-705, who is required to register pursuant to section 13-3821 and who is classified as a level three offender pursuant to sections 13-3825 and 13-3826 to reside within one thousand feet of the real property comprising any of the following:

1. A private school, as defined in section 15-101, or a public school that provides instruction in kindergarten programs and any combination of kindergarten programs and grades one through eight.
2. A private school, as defined in section 15-101, or a public school that provides instruction in any combination of grades nine through twelve.
3. A child care facility as defined in section 36-881.

B. This section does not apply to any of the following:

1. A person who establishes the person's residence before September 19, 2007 or before a new school or child care facility is located.
2. A person who is a minor.
3. A person who is currently serving a term of probation.
4. A person who has had the person's civil rights restored pursuant to chapter 9 of this title.

5. A person who has not been convicted of a subsequent offense in the previous ten years, excluding any time the person was incarcerated in any federal, state, county or local jail or prison facility.

C. Notwithstanding any other law and as a matter of statewide concern, a county, city or town shall not enact an ordinance that provides for distance restrictions greater than those found in this section.

D. For the purposes of subsection A of this section, measurements shall be made in a straight line in all directions, without regard to intervening structures or objects, from the nearest point on the property line of a parcel containing the person's residence to the nearest point on the property line of a parcel containing a child care facility or a school.

E. A person who violates this section is guilty of a class 1 misdemeanor.



Land Use Map

Adjacent Properties Land Use

Project: 20120238

Sunland RV Park, Camp Verde



Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be or used as a legal document. The information is provided subject to the terms and conditions of the map.

Zoning Map Change

Zoning of Adjacent Properties

Project: 20120238

Sunland RV Park, Camp Verde



Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the e