

ORDINANCE NO. 707

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING THE OFFICIAL ZONING MAP FOR THE TOWN OF PAYSON, AMENDING ORDINANCE NO. 466 AND AMENDING THE ZONING CODE FOR THE TOWN OF PAYSON BY REZONING CERTAIN REAL PROPERTY GENERALLY LOCATED AT 203, 215, 217, & 219 WEST AERO AND 116 WEST CEDAR LANE, BEING GILA COUNTY ASSESSOR'S PARCEL NUMBERS 304-17-139, 304-17-140, 304-17-141, 304-17-123A, 304-17-123B, AND 304-17-127, AS MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM R3-MH TO C-3.

WHEREAS, the Town of Payson from time to time amends its Official Zoning Map and Official Zoning Code for the purpose of accommodating zoning changes; and

WHEREAS, Application No. P-332-06 to amend the Official Zoning Map and Official Zoning Code has been made by Dennis and Marjorie Pierce, Bernice Gaskill, and Christopher and Roberta Miller, property owners (Dennis Pierce, representative) to the Planning and Zoning Commission and the Town Council; and

WHEREAS, the Planning and Zoning Commission held a public hearing on February 12, 2007, considered the issues, and made recommendation on Application No. P-332-06 to the Town Council; and

WHEREAS, the Town Council held a public hearing on March 15, 2007, in regard to said Application No. P-332-06 and has considered the issues relating thereto,

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AS FOLLOWS:

Section 1. Ordinance No. 466 of the Town of Payson, the Official Zoning Map for the Town of Payson and the Zoning Code for the Town of Payson be and each is hereby amended to establish a zoning district of C-3 for that portion of the certain real property located at 203, 215, 217, & 219 West Aero and 116 West Cedar Lane, Gila County Assessor's Parcel Numbers 304-17-139, 304-17-140, 304-17-141, 304-17-123A, 304-17-123B, and 304-17-127, more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference (the "Property").

Section 2. That the requested rezoning and the use and density of the Property as proposed by Application No. P-332-06 is hereby made contingent upon those conditions set forth in Section 3 below, and is consistent with the General Plan of the Town of Payson, as required by A.R.S. § 9-462.01(F).

1st Reading & Pub. Hrg. MAR 15 2007 G. 8
2nd Reading & Pub. Hrg. APR 05 2007 G. 11

Section 3. The foregoing change in zoning shall be and is hereby specifically made contingent upon and conditional upon each of the following:

- A. Development on the property shall be in conformance with the site plan as submitted.
- B. Any future development on the properties located at 203 West Aero Drive, 219 West Aero Drive, and 116 West Cedar Lane shall submit site and development plans to the Planning and Zoning Commission for approval prior to obtaining any building permits.
- C. Development at 215 and 217 West Aero Drive shall provide screening at the south property line adjacent to the residential zoned district in the form of a 6 foot high solid masonry wall.
- D. Development at 215 and 217 West Aero Drive shall be subject to Design Review requirements including, but not limited to: architectural character, a landscape plan, fences and walls, building materials and colors, lighting, parking and pedestrian systems.
- E. All vehicular traffic must exit 215 and 217 West Aero Drive in a forward motion.

Section 4. This Ordinance 707 shall be treated as having been adopted and the 30-day referendum period established by Arizona Revised Statutes section ("A.R.S. §") 19-142(D) and §30.54 of the Code of the Town of Payson shall begin when the Town files with the Gila County Recorder instruments (in a form acceptable to the Town Attorney), executed by the Property Owners and any other party having any title interest in the Property, that waives any potential claims against the Town under the Arizona Property Rights Protection Act (A.R.S. § 12-1131 et seq., and specifically A.R.S. § 12-1134) resulting from changes in the land use laws that apply to the Property as a result of the Town's adoption of this Ordinance 707. If these waiver instruments are not recorded within 15 calendar days after the motion approving this Ordinance 707, this Ordinance 707 shall be void and of no force and effect.

Section 5. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2007, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorney

EXHIBIT "A"

to Ordinance No. 707

PARCEL 304-17-139

WOODED ESTATES AMENDED LOT 29

PARCEL 304-17-140

**WOODED ESTATES AMENDED LOT 30 299/436 MH 59 10X50 COLUMBIA
29501C5445**

PARCEL 304-17-141

WOODED ESTATES AMENDED TR A

PARCEL 304-17-123A

**POR OF LOT 1 OF WOODED ESTATES IN SEC 9 T10N R10E; BEG AT NE
COR OF SAID LOT 1; TH N 89-41 W 208.68'; TH SWLY ALG A LEFT
CURV 61.95'; TH S 27-34-18 E 111.31'; TH S 89-34-41 E 184.02'; TH N 00-00-
06 E 142.91' TO POB; APPROX 0.70 AC M/L**

PARCEL 304-17-123B

**PT OF LOT 1 WOODED ESTATES IN SEC 9 T10N R10E; COMM AT NE
COR LT 1; TH S 00-00-06 W 142.91' TO POB; TH N 89-34-41 W 183.02'; TH
S 27-34-18 E 95.22'; TH ALG A LEFT CURV 123.10'; TH S 89-51-18 E 39.97';
TH N 00-00-06 E 144 16' TO POB; APPROX 0.44 AC M/L**

PARCEL 304-17-127

WOODED EST N 40' OF LOT 12; 13 363/216



MEMO

TO: Mayor and Council

THROUGH: Fred Carpenter, Town Manager

FROM:  Jerry Owen, Community Development Director

DATE: March 15, 2007

SUBJECT: Ordinance 707 - P-332-06; 203, 215, 217 & 219 W. Aero Dr. and 116 W. Cedar Lane Rezone

The owners of the above listed properties are requesting the rezoning of their parcels on W. Aero Drive and W. Cedar Lane in the Green Valley Redevelopment Area (GVRA) from R-3-MH to C-3 to allow for current and future development. The Pierce's intend to mitigate the blighted conditions which now exist on their property in order to begin commercial development. The Miller's currently operate a commercial business, Aero Well Drilling, which would be better suited by C-3 zoning. Mrs. Gaskill understands that any change in use of her property, currently residential, would trigger conditions as set forth by the P&Z Commission. The Planning and Zoning Commission reviewed this request on February 12, 2007 and unanimously recommended approval to the Town Council. There has been no citizen opposition to this request. Attached is the complete Planning and Zoning Commission staff report for your review.

APR 05 2007 G.11

Conditions for P-332-06 (West Aero Drive)

As recommended by the Planning & Zoning Commission 2-12-07

1. Development on the property shall be in conformance with the site plan as submitted.
2. Any future development on the properties located at 203 West Aero Drive, 219 West Aero Drive, and 116 West Cedar Lane shall submit site and development plans to the Planning and Zoning Commission for approval prior to obtaining any building permits.
3. Development at 215 and 217 West Aero Drive shall provide screening at the south property line adjacent to the residential zoned district in the form of a 6 foot high solid masonry wall.
4. Development at 215 and 217 West Aero Drive shall be subject to Design Review requirements including, but not limited to: architectural character, a landscape plan, fences and walls, building materials and colors, lighting, parking and pedestrian systems.
5. All vehicular traffic must exit 215 and 217 West Aero Drive in a forward motion.



Staff Report Planning and Zoning Commission

Project Title: Zoning Change from R3-MH to C-3 **P-332-06**

Planning & Zoning Commission Meeting Date: February 12, 2007

Description:

Location: 203, 215, 217 & 219 W. Aero Drive and 116 W. Cedar Lane
Site size: Various
Current Zoning: R3-MH
Lot sizes: Various
No. of homes: N/A
Estimated cost of homes: N/A

Applicants:

1. Dennis and Marjorie Pierce 215 & 217 W. Aero Drive
2. Bernice F. Gaskill 219 W. Aero Drive
3. Christopher T. and Roberta K. Miller 203 W. Aero Drive and 116 W. Cedar Lane

Action Requested: Zone change request from R3-MH to C-3 for properties located at 203, 215, 217 & 219 W. Aero Drive and 116 W. Cedar Lane, Gila County Tax Parcel numbers 304-17-139, 304-17-140, 304-17-141, 304-17-123A, 304-17-123B, 304-17-127.

Neighborhood Involvement

A Citizens Participation Meeting was held on Friday, November 10, 2006. According to the Citizens Participation Report, 6 citizens attended the meeting.

General comments/inquiries included the following:

1. Judy Hegrenes: Is there a time limit in which an owner must convert to a commercial use if the zone change is approved? Mrs. Hegrenes is also interested in the possible rezone of her property (117 W. Cedar Lane)
 - a. She was told that there was no time limit on that conversion
2. Doug and Marty Meadows: Their concern was mostly regarding Bernice Gaskill's property. They wanted to be assured that she will not have to move nor will her taxes increase unless the use of the property changes.
 - a. They were assured that neither would happen

Community Benefits

The Pierces would like to renovate and clean up unsightly properties. If zoned C-3 they plan to remove the mobile home on Lot #30 and clean up all the debris. Lot #29, Cars Auto Collision, Inc. will be cleaned up and all of the wrecking yard vehicles removed. The renovated properties, the new building and the adherence to the Design Review standards will be a great improvement on these properties.

Community Development & Engineering Assessment

Compatibility with adjacent zoning districts: Compatible.

Drainage: As a Special Plan District, properties that lie within the Green Valley Redevelopment Area benefit from more flexible requirements. The Town is allowing the Pierces to use a portion of Town right of way for their detention needs.

General Plan Conformance: This action conforms to the General Plan (See Analysis).

Fire Safety: Meets requirements.

Water:

1. Source - Town of Payson
2. Estimated Usage - Will be determined upon commercial use when developed.

Analysis

The Payson General Plan Update was approved by the voters and became effective January 2003. In the Land Use Plan, most of the Green Valley Redevelopment area is designated as either High Density Residential or Commercial. There is only one small "Node" which is designated as Employment. This Node is the area in which the above properties lie. It is surrounded by Commercial designation.

From the Green Valley Redevelopment Plan (Pages 13 and 14)

Almost 1/5 of the redevelopment area is currently allocated for heavy commercial or industrial use. Heavy commercial use is dispersed throughout the area.

While some zoning allows for a high density of residential development, the actual development is not nearly as high as what is permitted. Under the current zoning, we could have over 1500 residential units in the Residential zoned areas only. Some areas which are zoned for C1 commercial have developed as single family residential.

The basic objective of zoning regulations is to ensure some level of compatibility. As a result of the above, the redevelopment area has residential and heavy commercial uses adjacent to one another with little buffering requirements to ameliorate intrusions. Allowable land uses and compatibility are major issues.

There have been a total of 19 zoning actions which affected the Green Valley Redevelopment Area since the time of Payson's incorporation. Eight of those zoning changes were hard zoning which changed CU and C2 zoning to C3, C2, C1 and M1 zoning. These zoning actions, for the most part, affected that area between Aero Drive and Phoenix Street. Each of these applications increased the intensity of allowable development. The primary impact of these zoning actions was to whittle away at High Density Residential zoned areas by replacing them with commercial zoning.

The above properties lie in that area between Aero Drive and Phoenix St. These properties are a portion of a small cluster of properties that are still zoned R3-MH which allows for multi-family dwellings as well as mobile homes. These properties are contiguous with C3 zoning on the north, east and west with natural separation provided to the south by a 16' public alley and W. Cedar Lane.

Mr. & Mrs. Pierce are requesting the zone change to facilitate commercial development and in the process mitigate a somewhat blighted condition on their property. Mr. Miller is currently operating a commercial well drilling business as legal non-conforming. This action would bring his property into zoning conformance. Mrs. Gaskill is currently residing on her property as a single family residence. Staff felt due to the immediate proximity of her property to the Pierce's, as well as the natural separation provided by the public alley to the south, it would be wise to rezone this property at this time with conditions for any change of use development in the future.

The request for a zone change for the above properties conforms to the General Plan Land Use Plan as well as the Green Valley Redevelopment Plan.

Staff Recommendation

Recommendation: Approval with conditions listed below.

1. Development on the property shall be in conformance with the site plan as submitted.
2. Any future development on the properties located at 203 W. Aero Drive, 219 W. Aero Drive and 116 W. Cedar Lane shall submit site and development plans to the Planning and Zoning Commission for approval prior to obtaining any building permits.
3. Development at 215 and 217 W. Aero Drive shall provide screening at the south property line adjacent to the residential zoned district in the form of a 6 foot high solid masonry wall.
4. Development at 215 and 217 W. Aero Drive shall be subject to Design Review requirements including, but not limited to: architectural character, a landscape plan, fences and walls, building materials and colors, lighting, parking and pedestrian systems.
5. All vehicular traffic must exit 215 and 217 W. Aero Drive in a forward motion.

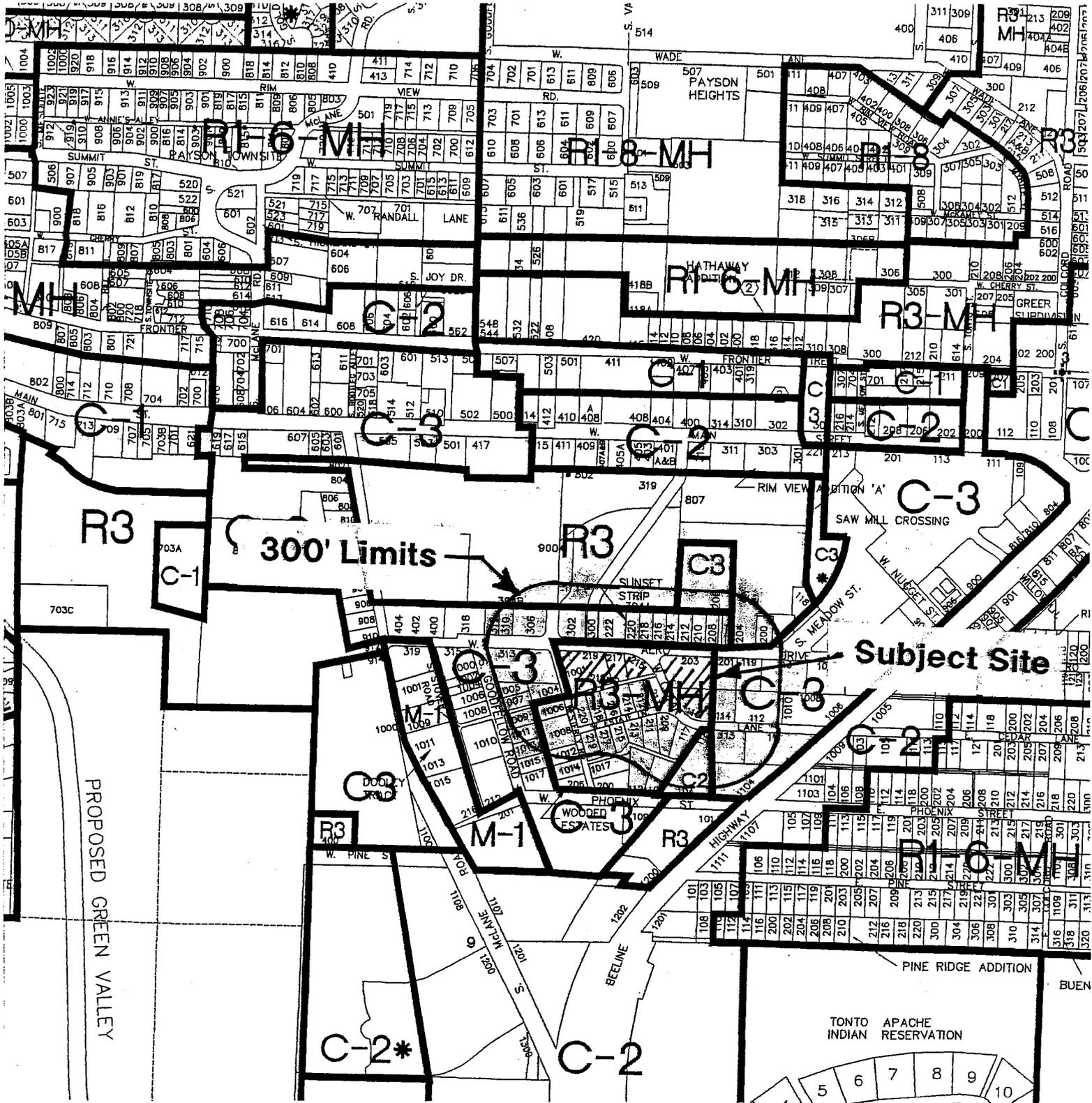
Suggested Motion to Approve: If a commissioner agrees with staff, the following could be an appropriate motion:

“I move the Planning & Zoning Commission recommend to the Town Council approval of P-332-06, a request to rezone properties located at 203, 215-219 W. Aero Drive and 116 W. Cedar Lane from R3-MH to C-3 for the purpose of current and future commercial development.”

LEGAL DESCRIPTION OF SUBJECT PROPERTIES

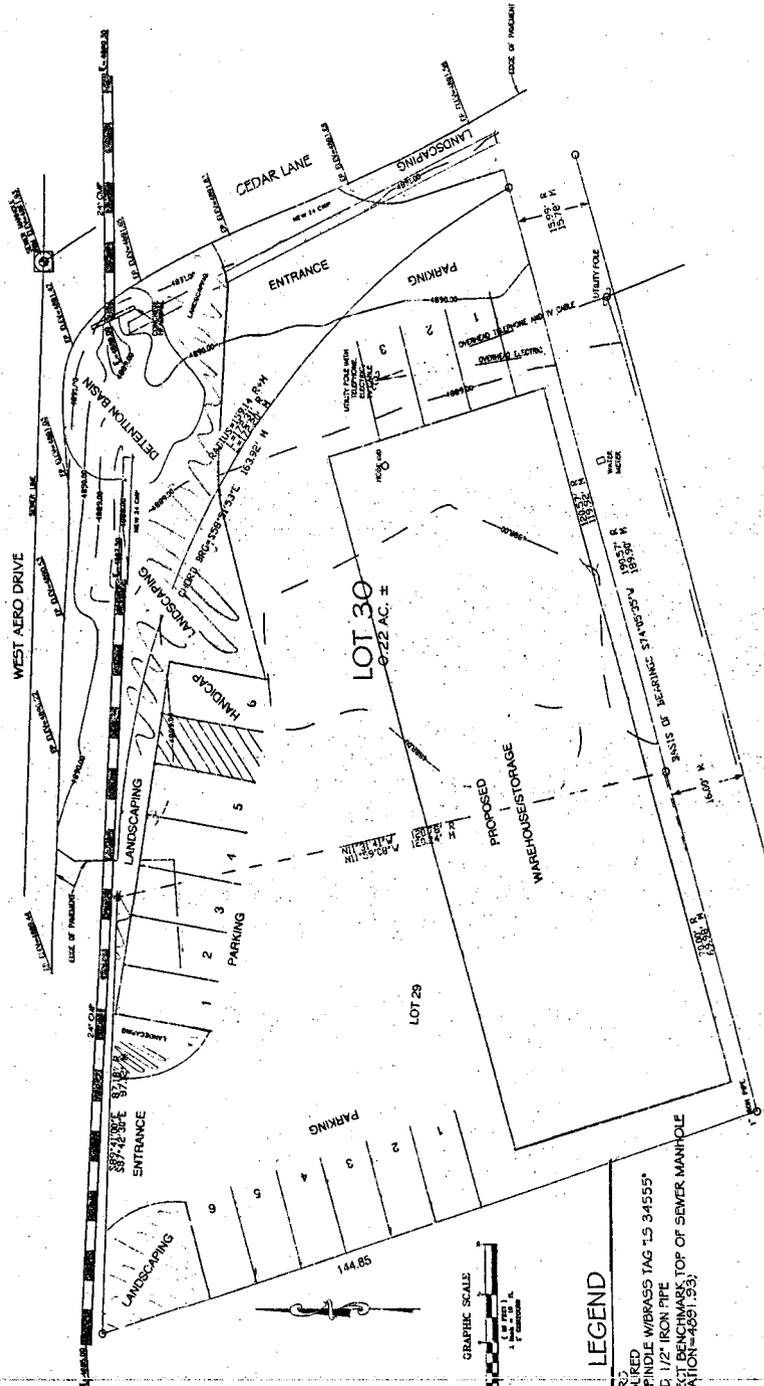
1. PARCEL 304-17-139
 - a. WOODED ESTATES AMENDED LOT 29
2. PARCEL 304-17-140
 - a. WOODED ESTATES AMENDED LOT 30 299/436 MH 59 10X50 COLUMBIA 29501C5445
3. PARCEL 304-17-141
 - a. WOODED ESTATES AMENDED TR A
4. PARCEL 304-17-123A
 - a. POR OF LOT 1 OF WOODED ESTATES IN SEC 9 T10N R10E; BEG AT NE COR OF SAID LOT 1; TH N 89-41 W 208.68'; TH SWLY ALG A LEFT CURV 61.95'; TH S 27-34-18 E 111.31'; TH S 89-34-41 E 184.02'; TH N 00-00-06 E 142.91' TO POB; APPROX 0.70 AC M/L
5. PARCEL 304-17-123B
 - a. PT OF LOT 1 WOODED ESTATES IN SEC 9 T10N R10E; COMM AT NE COR LT 1; TH S 00-00-06 W 142.91' TO POB; TH N 89-34-41 W 184.02'; TH S 27-34-18 E 95.22'; TH ALG A LEFT CURV 123.10'; TH S 89-51-18 E 39.97'; TH N 00-00-06 E 144.16' TO POB; APPROX 0.44 AC M/L
6. PARCEL 304-17-127
 - a. WOODED EST N 40' OF LOT 12; LOT 13 363/216

Map Depicting the Subject Site with 300' Notification Area for 203, 215-219 W. Aero Drive & 115 W. Cedar Lane



TOPOGRAPHIC SURVEY

OF LOT 30 WOODED ESTATES AMENDED, (GCR MAP #132) LOCATED
IN SECTION 9, TOWNSHIP 10 NORTH, RANGE 10 EAST, OF THE GILA AND
SALT RIVER MERIDIAN, TOWN OF PAYSON, GILA COUNTY, ARIZONA



LEGEND

- R = RECORD
- M = MEASURED
- = SET SPINDLE W/BRASS TAG 15 34555"
- = FOUND 1/2" IRON PIPE
- ◇ = PROXIMATE TO CENTERLINE TOP OF SEWER MANHOLE (ELEVATION=4651.25)

STATEMENT
THIS MAP, CONSISTING OF ONE SET ACCORDING TO RECORDS IN COUNTY RECORDS IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.



9206 N. BEELINE HWY., STE. B.
PAYSON, ARIZONA 85541
PHONE (520)414-3311

GOLDEN RULE SURVEYING LLC



SCALE: 1" = 10'	DATE: 10-24-20	NO. OF SHEETS: 1	NO. OF CONTOURS: 1
JOB NAME: WOODED ESTATES LOT 29 AND 30		JOB NUMBER: 010715	
DESCRIPTION: TOPOGRAPHIC SURVEY		SHEET: 1 OF 1	

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION or
BOARD OF ADJUSTMENTS APPLICATION**

The undersigned Applicant(s) hereby applies for:

- | | |
|--|--|
| <input type="checkbox"/> Abandonment Request | <input type="checkbox"/> General Plan or Land Use Plan Amendment |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Minor Land Division |
| <input type="checkbox"/> Code Amendment | <input type="checkbox"/> P & Z Commission Appeals |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Subdivision Plat |
| <input type="checkbox"/> Development Master Plan | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Devel. Agreement, PAD & SPD | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Zone Change |

Page 1 of 2

1. Project Address: 6 parcels, see Attached Tax Parcel Number: 04 304-17-140-5
215 W. Aero Drive Lot Number: 30
 Subdivision: Wooded Estates Amended
 Name of Applicant(s): Dennis and Marjorie Pierce Phone #: _____
 Mailing Address: P.O. Box 2157 Town: Payson St: AZ Zip: 85547
 Name of Property Owner(s): Dennis and Marjorie Pierce
 Mailing Address: Same as above Town: _____ St: _____ Zip: _____
 Contact Person: Dennis Pierce Phone #: (928) 474-2032 Fax #: _____
 Payson Business License # _____ Sales Tax # _____

Detailed Description of Request: Rezone 3 properties from ^{R3-MH} C-2 to C-3, to build two buildings. One on Lot 30 and one on Lot 29 and 29 Track A. Used for Retail/Warehouse

(Note: Additional Description area can be included in an attachment)

Certification: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address, or that for the purpose of obtaining this approval I am an authorized agent on the owners behalf.

DENNIS Pierce Dennis Pierce 10-16-06
 Print Name Signature Date

STAFF USE ONLY - PERTINENT DATA			
APPLICATION	DATE	INITIALS	APPLICATION FEE: \$ <u>ZONE CHANGE = \$350.00</u> Pd 1 # CHECK NUMBER: <u>2834</u> DATE: <u>10-16-06</u>
DATE FILED	<u>10-16-06</u>	<u>DP</u>	
COMPLETED APPLICATION	<u>1-29-07</u>	<u>Sld</u>	
NEWSPAPER PUBLICATION	<u>1-26-07</u>	<u>Sld</u>	
300' NOTIFICATION MAILOUT	<u>1-25-07</u>	<u>Sld</u>	
POSTING DATE	<u>1-25-07</u>	<u>Sld</u>	
RECOMMENDATION		DECISIONS	
By: _____	Date: _____	By: _____	Date: _____

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION or
BOARD OF ADJUSTMENTS APPLICATION**

The undersigned Applicant(s) hereby applies for:

- | | |
|--|--|
| <input type="checkbox"/> Abandonment Request | <input type="checkbox"/> General Plan or Land Use Plan Amendment |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Minor Land Division |
| <input type="checkbox"/> Code Amendment | <input type="checkbox"/> P & Z Commission Appeals |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Subdivision Plat |
| <input type="checkbox"/> Development Master Plan | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Devel. Agreement, PAD & SPD | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Zone Change |

Page 2 of 3

2. Project Address: 217 W. Aero Drive Tax Parcel Number: 04 304-17-139 3
 Subdivision: Wooded Estates Amended Lot Number: 29
 Name of Applicant(s): Dennis and Marjorie Pierce Phone #: (928) 474-2037
 Mailing Address: P.O. Box 2157 Town: Payson St: AZ Zip: 85547
 Name of Property Owner(s): Dennis and Marjorie Pierce
 Mailing Address: Same as above Town: _____ St: _____ Zip: _____
 Contact Person: Dennis Pierce Phone #: (928) 474-2037 Fax #: _____
 Payson Business License # _____ Sales Tax # _____

Detailed Description of Request: Same as Page one.

(Note: Additional Description area can be included in an attachment)

Certification: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address, or that for the purpose of obtaining this approval I am an authorized agent on the owners behalf.

Dennis Pierce
Print Name

Dennis Pierce
Signature

10-16-06
Date

STAFF USE ONLY - PERTINENT DATA			
APPLICATION	DATE	INITIALS	APPLICATION FEE: \$ CHECK NUMBER: DATE:
DATE FILED			
COMPLETED APPLICATION			
NEWSPAPER PUBLICATION			
300' NOTIFICATION MAILOUT			
POSTING DATE			
RECOMMENDATION		DECISIONS	
By: _____	Date: _____	By: _____	Date: _____

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION or
BOARD OF ADJUSTMENTS APPLICATION**

The undersigned Applicant(s) hereby applies for:

- | | |
|--|--|
| <input type="checkbox"/> Abandonment Request | <input type="checkbox"/> General Plan or Land Use Plan Amendment |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Minor Land Division |
| <input type="checkbox"/> Code Amendment | <input type="checkbox"/> P & Z Commission Appeals |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Subdivision Plat |
| <input type="checkbox"/> Development Master Plan | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Devel. Agreement, PAD & SPD | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Subdivision Plat | <input type="checkbox"/> Zone Change |

Page 3 of 3

3. Project Address: 217 W. Aero Drive Tax Parcel Number: 04-304-17-141 8
 Subdivision: Wooded Estates Amended Lot Number: Track A
 Name of Applicant(s): Dennis and Marjorie Pierce Phone #: (928) 474-2037
 Mailing Address: P.O. Box 2157 Town: Payson St: AZ Zip: 85547
 Name of Property Owner(s): Dennis and Marjorie Pierce
 Mailing Address: Same as above Town: _____ St: _____ Zip: _____
 Contact Person: Dennis Pierce Phone #: (928) 474-2037 Fax #: _____
 Payson Business License # _____ Sales Tax # _____

Detailed Description of Request: Same as page one.

(Note: Additional Description area can be included in an attachment)
 Certification: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address, or that for the purpose of obtaining this approval I am an authorized agent on the owners behalf.

DENNIS Pierce Dennis Pierce 10-16-06
 Print Name Signature Date

STAFF USE ONLY - PERTINENT DATA			
APPLICATION	DATE	INITIALS	APPLICATION FEE: \$
DATE FILED			
COMPLETED APPLICATION			
NEWSPAPER PUBLICATION			
300' NOTIFICATION MAILOUT			
POSTING DATE			
			CHECK NUMBER: _____ DATE: _____

RECOMMENDATION	DECISIONS
By: _____ Date: _____	By: _____ Date: _____

**TOWN OF PAYSON
PLANNING AND ZONING COMMISSION or
BOARD OF ADJUSTMENTS APPLICATION**

The undersigned Applicant(s) hereby applies for:

- | | |
|--|--|
| <input type="checkbox"/> Abandonment Request | <input type="checkbox"/> General Plan or Land Use Plan Amendment |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Minor Land Division |
| <input type="checkbox"/> Code Amendment | <input type="checkbox"/> P & Z Commission Appeals |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Subdivision Plat |
| <input type="checkbox"/> Development Master Plan | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Devel. Agreement, PAD & SPD | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Final Subdivision Plat | <input checked="" type="checkbox"/> Zone Change |

Project Address: 919 W. Pers Tax Parcel Number: 304-17-127
 Subdivision: Wooded Est. No 40' Lot Number: 12-13
 Name of Applicant(s): Berniece F. Gaskin Phone #: 928-474-5352
 Mailing Address: Box 807 Town: Payson St: Az Zip: 85547
 Name of Property Owner(s): Berniece F. Gaskin Trust
 Mailing Address: Box 807 Town: Payson St: Az Zip: 85547
 Contact Person: _____ Phone #: 928-474-5352 Fax #: 7
 Payson Business License # _____ Sales Tax # _____

Detailed Description of Request: _____

(Note: Additional Description area can be included in an attachment)

Certification: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address, or that for the purpose of obtaining this approval I am an authorized agent on the owners behalf.

BERNIECE F. GASKIN Berniece F. Gaskin 9-22-06
 Print Name Signature Date

STAFF USE ONLY - PERTINENT DATA			
APPLICATION	DATE	INITIALS	APPLICATION FEE: \$
DATE FILED			
COMPLETED APPLICATION			
NEWSPAPER PUBLICATION			
300' NOTIFICATION MAILOUT			
POSTING DATE			CHECK NUMBER: _____ DATE: _____

RECOMMENDATION	DECISIONS
By: _____ Date: _____	By: _____ Date: _____

TOWN OF PAYSON
PRINCIPAL / AGENT FOR ZONING SUBMITTALS

A Principal (owner) / Agent (acts for the owner) relationship has been created between
Dennis and Marjorie Pierce [principal(s)] and
_____ (agent),

for the purpose of Renovating and cleaning up, bad looking property,
and building 2 new buildings for Retail/Warehouse,
use. That will enhance the community and
prosper the city.

Dennis Pierce
Principal
(Need both signatures, if husband & Wife)

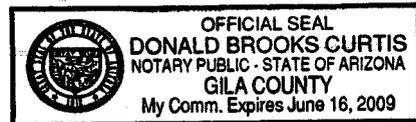
Marjorie Pierce
Principal

The foregoing Principal / Agent Relationship Statement was signed before me this 16 day of
October, 2006, by Dennis & Marjorie Pierce [principal(s)], known
to me to be the person(s) who signed said statement.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Donald Brooks Curtis
Notary Public

My commission expires: June 16, 2009



TOWN OF PAYSON
PRINCIPAL / AGENT FOR ZONING SUBMITTALS

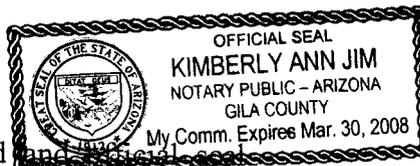
A Principal (owner) / Agent (acts for the owner) relationship has been created between
Bernice Frances Gaskill [principal(s)] and
Dennis Pierce (agent),

for the purpose of Rezoning - of Parcel 304-17-127
Wooded Est. N 40' of Lot 12; Lot 13 - 363/216
219 W. Aero.

Bernice F. Gaskill
Principal
(Need both signatures, if husband & Wife)

Principal

The foregoing Principal / Agent Relationship Statement was signed before me this 19 day of
Sept, 2006, by BERNICE F. GASKILL [principal(s)], known
to me to be the person(s) who signed said statement.



IN WITNESS WHEREOF, I have hereunto set my hand and official seal

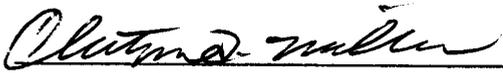
Kim Jim
Notary Public

My commission expires: 3/30/08

**TOWN OF PAYSON
PRINCIPAL / AGENT FOR ZONING SUBMITTALS**

A **Principal** (owner) / **Agent** (acts for the owner) **relationship** has been created between
Christopher T. and Roberta K. Miller [principal(s)] and
Dennis L. Pierce (agent),

for the purpose of representing our interests in a re-zoning issue of our
properties at 203 West Aero Drive and 116 West Cedar Lane, Parcel #'s 304-17-123A,
304-17-123B. It is our wish to have these properties re-zoned to C-3 as we intend
to build warehouses with outside storage areas in the future.



Principal

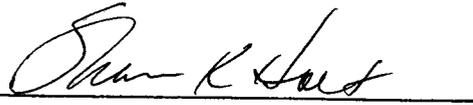
(Need both signatures, if husband & Wife)



Principal

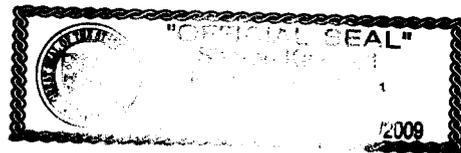
The foregoing Principal / Agent Relationship Statement was signed before me this 22nd day of
September, 2006, by Roberta and Christopher Miller [principal(s)], known
to me to be the person(s) who signed said statement.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Notary Public

My commission expires Aug 19, 2009



November 13, 2006

Town of Payson Community Development Department
RE: Citizen's Participation Meeting
Zone Change for 215, 217, 219 and 203 W. Aero Drive
and 116 W. Cedar Lane
Dennis and Marjorie Pierce, authorized agents for Chris Miller and Bernice Gaskill

Sirs/Ms,

A Citizen's Participation meeting was held for the above on Friday November 10th, 2006. The meeting was held at the Main Street/GVRA office at 600 S. Green Valley Parkway at 5:30 pm. Letters were sent to the enclosed property owners and interested citizens informing them of the meeting and its function. The mailing took place on Thursday, October 26, 2006 in compliance with the requirements. This mailing list was provided by the Town of Payson Community Development Department in conjunction with the GVRA/Main Street Office.

The meeting was held to inform those citizens and property owners of our request for zone change for the above parcels. After an explanation of what our intentions were we opened the meeting for discussion of questions and/or concerns.

Attached is the sign in sheet of attendees. They were the following:

1. Judy Hegrenes, 300' radius property owner
2. Doug Meadows, 300' radius property owner
3. Marty Meadows, 300' radius property owner
4. Dennis Pierce, applicant
5. Marjorie Pierce, applicant
6. Carol McCauley, GVRA/Main Street Manager

As authorized agent for the other property owners involved we addressed the questions posed.

Judy Hegrenes: Is there a time limit in which an owner must convert to a commercial use once the zone change is approved?

She was told there is not. For example, Bernice Gaskill could continue living in her residence for as long as she wished. However, if the property was sold or the use changed then the new zoning requirements would take effect.

Ms. Hegrenes had been interested in receiving information regarding changing the zoning on her property (117 W. Cedar Lane). Carol McCauley told her she would get that information to her.

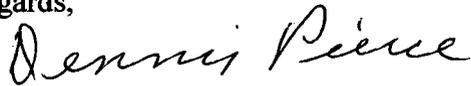
Doug and Marty Meadows: Their concern was mostly that for Bernice Gaskill. They just wanted to feel assured that she would not have to move and that her taxes would not

change if the zone change were to be approved. They were assured that this was the case as stated above.

It is our desire that the Town of Payson proceed with this application. Publication in the local newspaper per statute, will inform the general public affected or interested citizens and property owners of this zone change application.

We are in frequent contact with the GVRA/Main Street Manager in order to keep Community Development Department informed and the process moving. As always, we remain open to discussion on this application at the Town of Payson's, or general public's discretion.

Regards,

A handwritten signature in black ink that reads "Dennis Pierce". The signature is written in a cursive style with a large initial "D".

Dennis Pierce
Property Owner and Authorized Agents

Dennis and Marjorie Pierce Zone Change Application Attachment

#2 Parcel 304-17-139
217 W. Aero Drive
Payson, AZ 85541

Dennis and Marjorie Pierce

#3 Parcel 304-17-141
217 W. Aero Drive
Payson, AZ 85541

Dennis and Marjorie Pierce

#4 Parcel 304-17-127
219 W. Aero Drive
Payson, AZ 85541

Bernice F. Gaskill

#5 Parcel 304-17-123A
203 W. Aero Drive
Payson, AZ 85541

Christopher and Roberta Miller

#6 Parcel 304-17-123B
116 W. Cedar Lane
Payson, AZ 85541

Christopher and Roberta Miller

Dennis and Marjorie Pierce
PO Box 2157
Payson, Arizona 85547-2157
Phone: (928) 474-2037

Dear Property Owner:

This letter is to advise you, as property owners of 203, 215, 217, 219 W. Aero and 116 W. Cedar of Payson, that an application will be filed for a zone change to C-3.

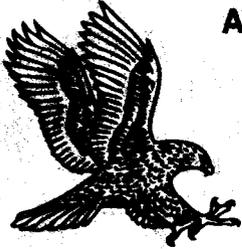
Per Town of Payson requirement, a Citizen's Participation Meeting has been scheduled for 5:30 p.m. Friday, November 10, 2006 at the Main Street Office, 600 South Green Valley Parkway, Payson, Arizona.

The meeting will ensure that you have an opportunity to learn about the application, and facilitate communications between applicants, interested citizens, and property owners.

Acting as principal applicant, with the other property owners, I and or they, will answer any questions, or concerns you may have. I look forward to meeting with and speaking to you concerning this matter.

Regards,

Dennis and Marjorie Pierce



Amon Builders, Inc
General Building Contractor

Office (928) 474-0689
FAX (928) 474-8818
www.amonbuilders.com

Eagle Springs Professional Plaza
903 E. Hwy. 260, Suite 6
Payson, Arizona 85541

January 29, 2007

Town of Payson
303 N. ~~Baseline~~ Highway
Payson, AZ 85541-4306

Re: Tract "A", 215-219 W. Aero Dr. Payson, Az. Zoning Change

Dear Town of Payson,

I, Denny Pierce with the help of Amon Builders, Inc. agree to conform with Town of Payson Design Review Regulations Ordinance #670 at the time of construction of the new storage facility located at 215-219 W. Aero Dr. Payson, Az if the zoning change is accepted.

Sincerely,

Denny Pierce

Denny Pierce
Dennis Pierce