



MEMO

TO: Planning and Zoning Commission
FROM: Ray Erlandsen, Acting Community Development Director
DATE: January 12, 2009
SUBJECT: **Conditional Use Permit Extension Request**
212 W. Corral Drive **CUP-157-07**

Background

This is a request by the Ponderosa Baptist Church, property owner, for an extension of their approved conditional use permit. On April 9, 2007, the Planning & Zoning Commission approved Conditional Use Permit CUP-157-07 with nine (9) conditions (see attached Notice of Action). The approval allows a temporary church office use in a R-1 zoning district at 212 W. Corral Drive. Approval of CUP-157-07 expires April 10, 2009.

Condition #6 states:

"6. That the length of this conditional use permit shall be for a period of two years."

The applicant has submitted a letter requesting an amendment of condition six (6) extending the time period to seven years with the possibility of a five-year extension. Any extension would be brought back to the Commission for approval.

In addition to the letter of request, the applicant has submitted documentation that immediate neighbors have been contacted recently to determine if any would be opposed to this extension request. According to the statements of representatives of the church as well as the document itself, no adverse comments were received. In fact, at least one neighbor stated he was glad to have them there. Similarly, staff has received no formal complaints regarding this CUP.

Staff Recommendation:

Amend Condition #6 as listed below:

6. That the length of this conditional use permit shall be for a period of ~~two years~~ **seven years, with the possibility of a five-year extension if approved by the Planning & Zoning Commission.**

Suggested Motion to Approve:

"I move the Planning & Zoning Commission amend CUP-157-07, Condition #6 as listed in the staff report."

NOTICE OF ACTION

April 12, 2007

Mr. & Mrs. Glenn Smith
212 West Corral Drive
Payson, AZ 85541

Re: CUP-157-07, Conditional Use Permit – 212 West Corral Drive

Dear Mr. & Mrs. Smith,

This letter serves to inform you that the Planning and Zoning Commission approved your application for Conditional Use Permit CUP-157-07, on April 9, 2007, with the following conditions:

1. The use shall be in substantial conformance with the current Site Plan submitted March 26, 2007.
2. All parking must be on private property. On street parking is not permitted.
3. No parking may be created or utilized other than existing parking.
4. All ingress and egress from the property onto Corral Drive must be in a forward motion.
5. Northern Gila County Sanitary District approval must be received prior to issuance of a certificate of occupancy.
6. That the length of this conditional use permit shall be for a period of two years.
7. If approved, a 30 day appeal period shall apply from the date of approval prior to the effective date of the conditional use permit.

8. The requirement that there be no signs on the property.

9. Failure to comply with the above conditions shall be grounds for zoning citations and possible revocation of the Conditional Use Permit. If alleged violations of the conditions of this CUP are brought to the attention of the Community Development Department, with a 24 hour notification to the property owner, a zoning inspection shall be allowed at the site. If violations of the conditions of this CUP persist, a request for review may be brought before the P & Z Commission at the discretion of the Zoning Administrator.

As outlined in Condition #7, if there are no appeals within 30 days of the approval, this Conditional Use Permit will be effective May 10, 2007. After the effective date, the applicant shall be required to sign the Conditional Use Permit, have it notarized and submit it to the Town for recordation.

If you have any questions please feel free to contact me at your convenience.

Respectfully,

Ray Erlandsen
Zoning Administrator

cc: Dr. Joe Falkner



December 18, 2008

Mr. Ray Erlandsen
Town of Payson, Building and Zoning
303 N. Beeline Hwy
Payson, AZ 85541

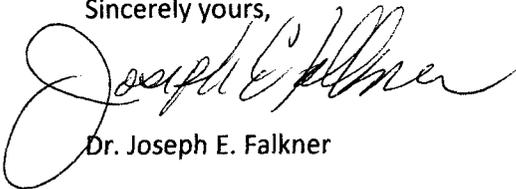
Dear Mr. Erlandsen:

The time of our conditional use permit for 212 W. Corral is nearly up, and I am requesting an extension of that permit. For the past two years we have had a good relationship with our neighbors and have had no complaint that I know of. When we first sought the conditional use permit, the next-door-neighbor was not thrilled but did not offer opposition. She has sold the property without having any of the problems she perceived she might have with our offices next door, and no one else seems to have any difficulty with our use of the building.

I am requesting an amendment of Condition #6 from two years to seven years with the possibility of a five-year extension. It seems like two years went by much too quickly. We have worked hard to make sure Ponderosa Baptist Church would be an asset to the community and not a liability. We've hired Bernie Leider as our architect to help us plan for the future, because we want to be sure we comply with what the Town really expects of us.

Thank you for your help in the past and for bringing this matter before the zoning committee.

Sincerely yours,



Dr. Joseph E. Falkner

Encl: Neighborhood Survey dated 11/12/08

RECEIVED

DEC 18 2008

COMMUNITY DEVELOPMENT
DEPARTMENT

Duane and Prinie Stark

From: "Barb Renouf" <barb_payson@yahoo.com>
To: "Duane Stark" <dlstark@npgcable.com>
Sent: Wednesday, November 12, 2008 1:11 PM
Subject: Neighborhood Survey

Duane,

Per your request, below is the result of the survey I did from a few of the neighbors located around the church office on W. Corral.

I asked the neighbors what their thoughts were as far as our church office being located in their neighborhood. None of them had a problem with us being located on their street.

I then asked if there were any complaints they may have that we should address. None of them had any complaints. In fact, one of the neighbors said he was glad to have us here! Another neighbor said they never hear anyone at the office, and apologizes if her dogs bark too much. Yet another said, if they didn't already know our office was located here, they would have thought a family lived in the house.

I spoke to the following people at these addresses:

- 214 W. Corral
Amber Hatfield
- 216 W. Corral
Robert Graham
- 310 W. Corral
Charles Little (he happened to be walking by as I parked my car on the street)

The following addresses nobody was home:

- 209 W. Corral (however, Mr. Graham said they're selling the home and will be moving)
- 207 W. Corral (the house was closed up. Mr. Graham said Sylvia Lloyd passed away and nobody is living there at this time)
- 206 W. Corral (the house looked closed up)
- 210 W. Corral (the house looked closed up)
- 203 W. Corral (the house looked closed up)

Mr. Graham also mentioned to me that a lot of these homes in the neighborhood are week-end or vacation homes. He says he's never heard anyone complain.

I hope I've done what you've asked me to do satisfactorily, and that it helps you in your discussion with Pastor Joe.

Regards,
Barb Renouf

11/12/2008