



MEMO

TO: Planning and Zoning Commission
FROM: Sheila DeSchaaf, Planner II
DATE: May 11, 2009
SUBJECT: **Conditional Use Permit Request**
1007 N. Mud Springs Rd., Mogollon Outdoors Inc. **CUP-172-09**

Background

This case is a request by Clay Goldman, property owner and proprietor of Mogollon Outdoors Inc. for a conditional use permit (CUP) to allow one nonresident employee and to allow more than two (2) customer/client visits per day to his home-based business located on 1.1 acres at 1007 N. Mud Springs Road.

Analysis

The applicant's property is located in an R1-90 zoning district. The Unified Development Code (UDC) requires a CUP in all residential districts for "Uses that have more than two customer/client visits per day" and "Uses desiring a nonresident employee on the premises..." (see attached Section 15-02-004).

The applicant currently operates his home-based taxidermy business inside within a permitted accessory structure on the site. No tanning is done on the premises, all skins are shipped to/received from a tannery. Parking is provided completely on the private property, which is surfaced in concrete.

Staff finds that the applicant's request could be compatible with the surrounding area.

Staff Recommendation:

Approval with conditions listed below:

1. No tanning, tannery type activities or portions of the tanning process shall be performed on the premises. This shall not prevent fleshing, salt-curing, or cold-curing (preservation) of skins that are brought to the site.
2. All activities and operations associated with this business shall remain in compliance with the Unified Development Code standards for home-based businesses, including but not limited to hours of operation, fire code compliance, limits on equipment and operation nuisances, and parking.

3. 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.

Issuance of this Conditional Use permit shall apply only to the particular use and site plan for which it is issued, and such approval shall be deemed to run with the land. The applicant shall be required to follow the provisions of the Unified Development Code for any additional applicable permits prior to proceeding with development or implementation of additional uses for subject property.

Suggested Motion to Approve:

“I move the Planning & Zoning Commission approve CUP-172-09, a request to allow one non-resident employee and to allow more than two (2) customer/client visits per day to his home-based business located at 1007 N. Mud Springs Rd in a R1-90 zoning district at 1007 N. Mud Springs Road subject to the conditions recommended by staff.”

Neighborhood Involvement

The applicant essentially went door-to-door to meet with all of the property owners within the 300' notification area to fulfill the citizen's participation element concerning this request. Discussions were held between March 16, 2009 and March 26, 2009. Information regarding those meetings is attached to this report.

* Note: There is a 30 day appeal period before the action of the Planning and Zoning Commission becomes effective.

**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 checked="" 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 |

May, 2007

Project Address: 1007 N. Mud Springs Rd Payson, AZ Tax Parcel Number: 30240006V
 Subdivision: n/a Lot Number: n/a
 Name of Applicant(s): Clay Goldman / Mogollon Outdoors, Inc Phone #: 928-474-4249
 Mailing Address: 1007 N. Mud Springs Rd Town: Payson St: AZ Zip: 85541
 Name of Property Owner(s): Clay and Jamie Goldman
 Mailing Address: 1007 N. Mud Springs Rd Town: Payson St: AZ Zip: 85541
 Contact Person: Clay Goldman Phone #: 928-474-4249 Fax #:
 Payson Business License # PI# 5992 Sales Tax # 04014380-G

Detailed Description of Request:

Request permission to have one (1) nonresident employee and more than two customer visits in a given day

(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 in his behalf.

Clay Goldman
Print Name

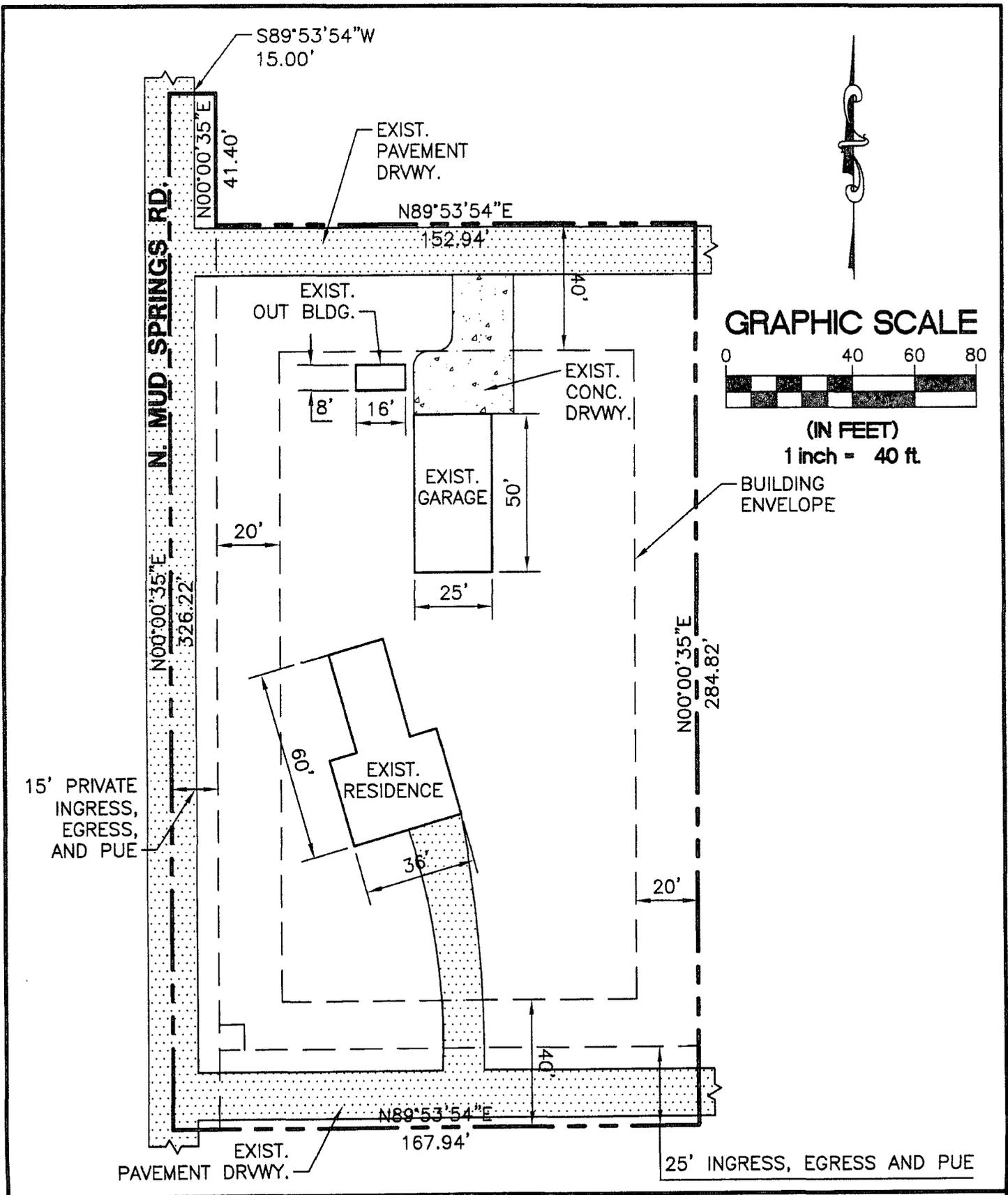
Cg Sh
Signature

4-13-09
Date

STAFF USE ONLY - PERTINENT DATA

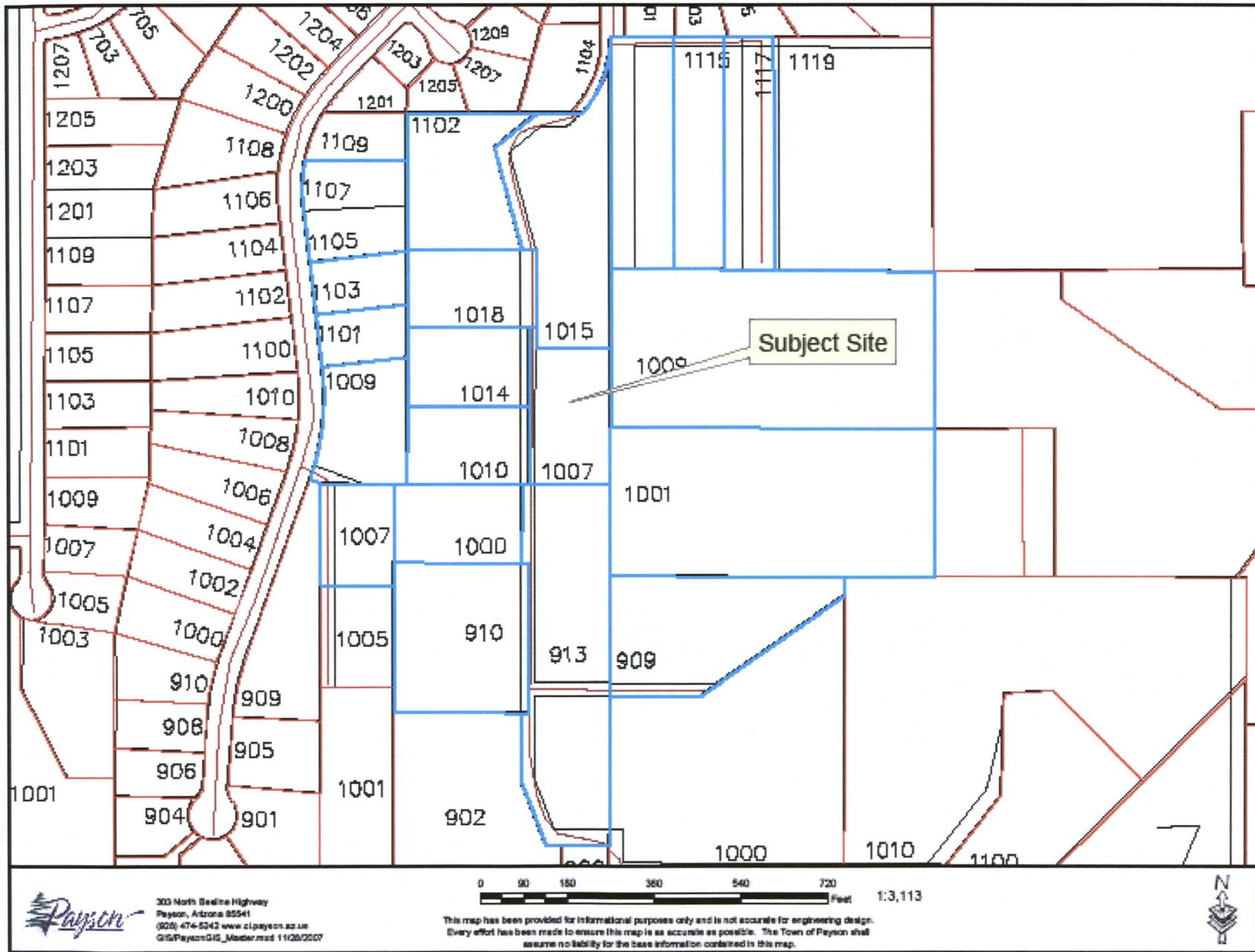
APPLICATION	DATE	INITIALS	APPLICATION FEE: <u>Conditional Use Permit other than SFR \$325⁰⁰</u> CHECK NUMBER: <u>3619</u> DATE:
DATE FILED	<u>4/13/09</u>	<u>Sld</u>	
COMPLETED APPLICATION	<u>4/13/09</u>	<u>Sld</u>	
NEWSPAPER PUBLICATION	<u>4/24/09</u>	<u>Sld</u>	
300' NOTIFICATION MAILOUT	<u>4/21/09</u>	<u>Sld</u>	
POSTING DATE	<u>4/22/09</u>	<u>Sld</u>	

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



MOGOLLON TAXIDERMY
CONDITIONAL USE PERMIT SITE PLAN
 1007 N. MUD SPRINGS RD.
 PAYSON, AZ 85541
 APN 302-40-006Q

Property Owners within 300' of 1007 N. Mud Springs Rd.



303 North Beeline Highway
Payscn, Arizona 85541
(520) 474-5242 www.ci.payscn.az.us
GIS\PayscnGIS_Master.mxd 11/26/2007

This map has been provided for informational purposes only and is not accurate for engineering design. Every effort has been made to ensure this map is as accurate as possible. The Town of Payscn shall assume no liability for the base information contained in this map.





1018

1015

1014

1009

1010

1007

1001

**CITIZENS
PARTICIPATION
MATERIAL**

Contacts made with property owners within 300' of Mogollon Taxidermy

James and Lori Johnson

3-20-09 Talked to them and they stated no concerns.

Gerri and Howard Levine

3-17 Talked to Howard and they stated no concerns.

Mary and Tom Robinson

3-19 Attempted to contact them at their home the first time on 3-19 without success. Made five more attempts over the following eight days with no success. Mailed a letter on 3-28. Have not had any contact with them.

Donneen Omalley

3-16-09 Talked with her and stated no concerns. Was very supportive. Offered to speak in favor if needed.

Joseph Preising

3-26-09 Talked to him and stated no concerns. Offered support if needed.

Byron and Coyla McKean

3-17-09 Talked with both of them and their only concern was increased traffic. After discussion, it was agreed that it would be acceptable. Byron stated that he would discuss any concerns with me that may arise in the future.

Amy and Randy Hill

3-17-09 Talked to Randy and they stated no concerns. Offered to write a letter or other support if needed.

Garrett and Katie Goldman

3-20-09 Talked to Garrett and they stated no concerns.

Marty and Linda Highbaugh

3-17 Talked with Marty and they stated no concerns.

Jerry and Pam Hill

3-20-09 Talked with Jerry and Pam and they stated no concerns. Pam stated that a person would not even know business was being conducted at this address.

Tanner Ralls

3-16-09 Talked with Tanner and he stated no concerns. Stated he would sign something in support if needed.

Cathy and Wendell Stevens

3-26-09 Talked with Cathy and they stated no concerns.

Sandy and Walter Obrecht

3-26-09 Talked to them and they stated no concerns. Offered to sign something in support if needed.

Larry and Geraldine Hinds

3-26-09 Talked to Larry and they stated no concerns.

William and Tiffany Goldman

3-26-09 Talked to them and they stated no concerns.