



MEMO

TO: Planning and Zoning Commission

FROM: Doni Wilbanks
Planning Specialist

DATE: July 6, 2015

SUBJECT: Conditional Use Permit Request
503 E. McKamey Street

CUP15-005

Background

This is a request by Kenneth and Amy Plunkett, property owners, for a Conditional Use Permit to seek relief from the standards of a Level Two Home Occupation. The Unified Development Code (UDC) §15-14-005, allows relief to be granted from any of the standards set forth in § 154-14-006 through 154-14-007 (Level One and Level Two) through the issuance of a conditional use permit.

The applicants are seeking relief from UDC § 154-14-007B (Allowable Locations) for a Level Two Home Occupation. The property located at 503 E. McKamey Street, parcel number 304-04-016, is located in an R-1 Zoning District. The homeowners/applicants wish to continue to provide in-home child care on the property. However, the property does not meet the provisions of §154-14-007B, as the property does not take access from an arterial roadway nor is it an acre or more or 100% larger than the zoning district standard in that area.

Analysis

The applicants' have been running an in-home day care at their property and wish to allow non-resident employees as part of their business. The home has a circular driveway and off-street parking. There is a fenced, backyard play area that is used as part of the daily operation of the business. The property is bordered by single-family residential uses.

A Level Two Home Occupation allows for up to three (3) employees and 20 vehicle trips per day. The UDC defines vehicle trip as vehicle movement either to or from the property and includes customer, clients, and employees.

The International Residential Code (adopted building code) allows an exemption from the fire sprinkler requirements for in-home child care providers so long as the total number of children being cared for does not exceed 18 at any one time, and so long as no more than 5 of those 18 children are under the age of 2 ½ years. This exemption will be a limiting factor to the number of children that may be cared for on the property. The homeowners shall sign an affidavit verifying they will comply with these requirements prior to recordation of this Conditional Use Permit.

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

Staff Recommendation:

Staff recommends: **Approval** of CUP15-005 with the conditions listed below:

1. Business shall comply with all Level Two Home Occupation requirements of UDC §154-14-007 subsections A thru G, except for subsection B (allowable locations).
2. All vehicles associated with the business, including customers and employees, shall only park in the designated parking areas as depicted on the site plan submitted/stamped 5/11/2015.
3. Vehicles shall not use any adjoining properties for parking, turn-around, or access.
4. No more than 18 children shall be cared for at the residence at any one time, and no more than 5 of those 18 children may be under the age of 2 ½.
5. The total number of vehicle trips per day shall not exceed the allowable twenty (20) vehicle trips per day.
6. The length of this Conditional Use Permit shall run concurrent with the use of this property. That is, as long as this property is used for a day care use then the use permit is applicable. Change in use or additional uses may require separate approvals or a modification to this Conditional Use Permit.
7. 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. A request for review may be brought before the P & Z Commission at the discretion of the Zoning Administrator.

Suggested Motion to Approve:

"I move the Planning & Zoning Commission approve CUP15-005, a request for relief from §154-14-007B the allowable locations for Level Two Home Occupations in an R1 Zoning district at 503 E. McKamey Street subject to the conditions recommended by staff."

* 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 APPLICATION**

The undersigned Applicant(s) hereby applies for:

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

Jul, 2014

Project Address: 503 E McKamey St Tax Parcel Number: 304-44-016
 Subdivision: _____ Lot Number: _____
 Name of Applicant(s): Amy Hibberd Plunkett/Ren Plunkett Phone #: 928-468-8797
 Mailing Address: 503 E McKamey St Town: Payson St: AZ Zip: 85541
 Name of Property Owner(s): Ren Plunkett
 Mailing Address: Same Town: _____ St: _____ Zip: _____
 Contact Person: Amy Plunkett Phone #: Same Fax #: _____
 Payson Business License # _____ Sales Tax # _____

Detailed Description of Request:

To operate my daycare as a home occupation - Level Two
home occ. (vehicle trips, employees)
Approx 20 TRIPS (3)

(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/her behalf.

Amy Hibberd Plunkett
 Print Name

[Signature]
 Signature

5/8/15
 Date

STAFF USE ONLY - PERTINENT DATA			
APPLICATION	DATE	INITIALS	APPLICATION FEE:
DATE FILED	5/11/15	DW	\$250 Paid
COMPLETED APPLICATION	5/11/15	DW	
NEWSPAPER PUBLICATION	6/16/15	DW	
300' NOTIFICATION MAILOUT	6/16/15	DW	
POSTING DATE	6/16/15	DW	
			CHECK NUMBER: <u>3596</u> DATE: <u>5/11/15</u>

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

RECEIVED

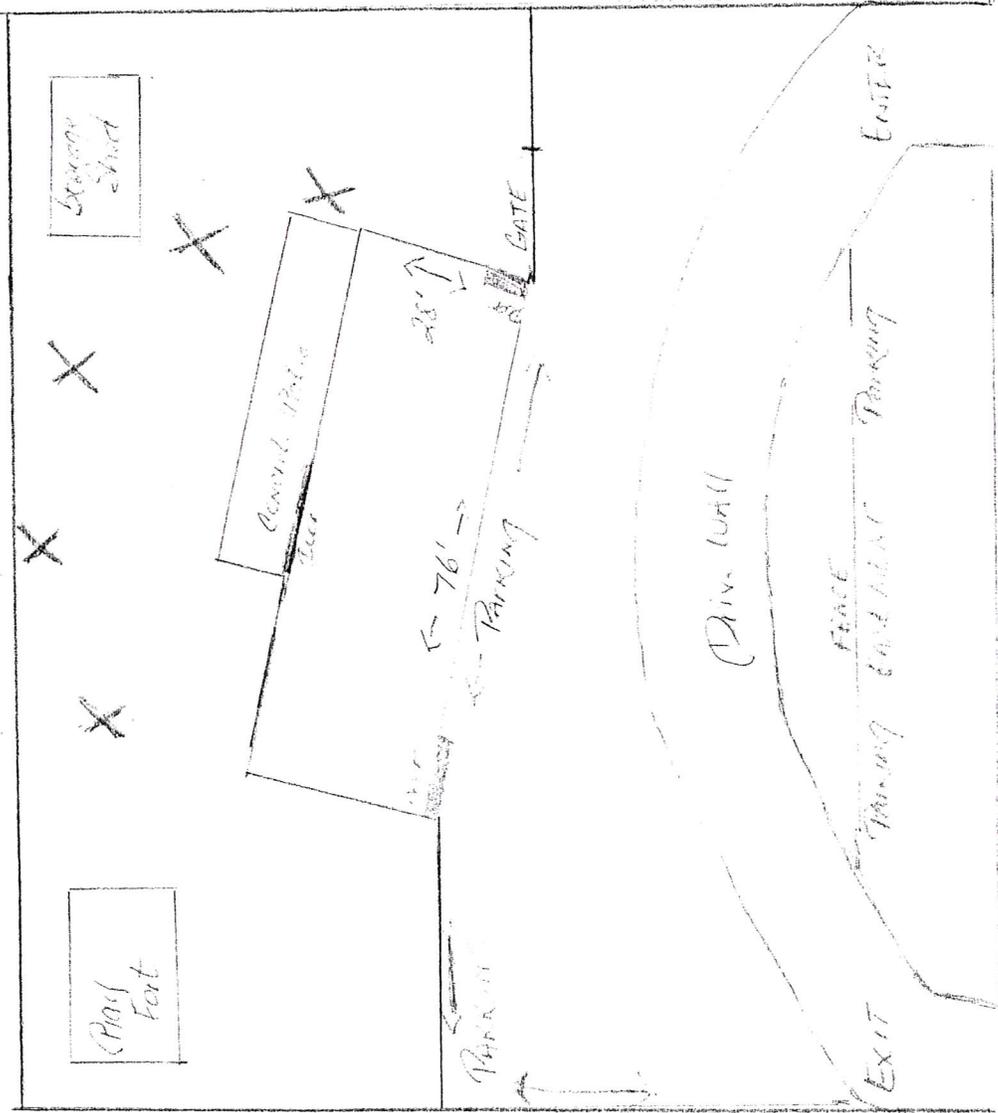
MAY 11 2015

COMMUNITY DEVELOPMENT
DEPARTMENT

Spurville

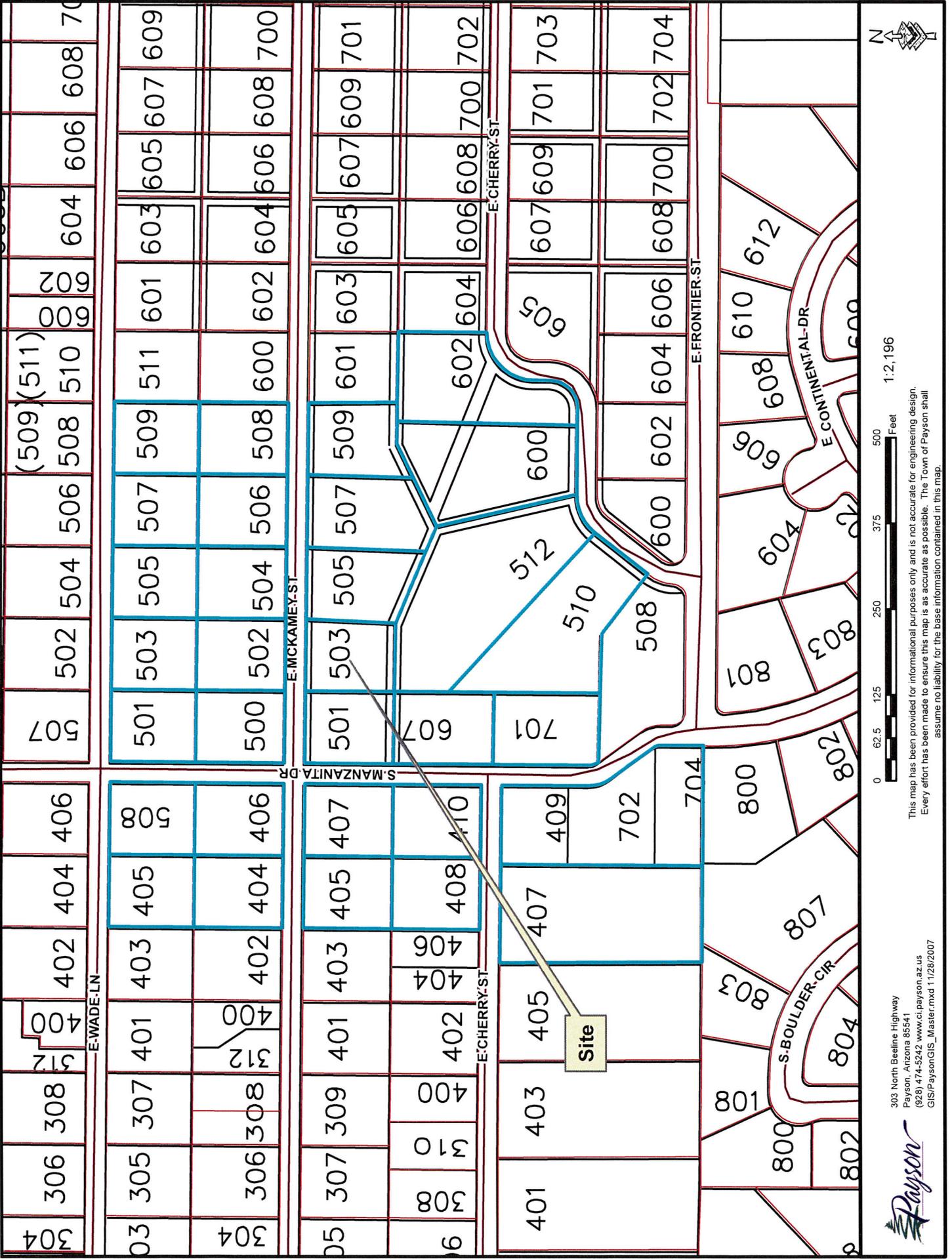
4
way
stop

X = Pool Equipment



McHenry

300' Map 503 E. McKamey Street



303 North Beeline Highway
 Payson, Arizona 85541
 (928) 474-5242 www.ci.payson.az.us
 GIS/PaysonGIS_Master.mxd 11/28/2007



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 Payson shall assume no liability for the base information contained in this map.

E MCKAMEY ST

501

503

505



PARCEL_NB	CURRENT RESIDENT	LOCATION ST_ZI	ADDRESS	LOCATIONCI	Owner	MAILADDRES	MAILCITY	MAILS	MAILZIPCOD	Data_Data
30402002W	CURRENT RESIDENT	AZ 85541	409 E CHERRY	PAYSON	JOHNSTON DARRYL R & JANE A SAVAGE ROBERT ALLEN & JOAN DIANE	398 N BEAVER POND CIRCLE	PAYSON	AZ	85541	01/27/2015
30402002H	CURRENT RESIDENT	AZ 85541	407 E CHERRY ST	PAYSON	TRUSTEE	407 E CHERRY ST	PAYSON	AZ	85541	01/27/2015
30404100	CURRENT RESIDENT	AZ 85541	405 E WADE LN	PAYSON	KILBURG SHARON	405 E WADE LN	PAYSON	AZ	85541	01/27/2015
30404101	CURRENT RESIDENT	AZ 85541	508 S MANZANITA	PAYSON	BOYLE NORMAN CRAIG & LISA ANNETTE	610 S MCLANE RD	PAYSON	AZ	85541	01/27/2015
30404114	CURRENT RESIDENT	AZ 85541	406 E MCKAMEY ST	PAYSON	BOWEN LORETTA	3121 E DESERT COVE AVE	PHOENIX	AZ	85028	01/27/2015
30404250	CURRENT RESIDENT	AZ 85541	410 E CHERRY ST	PAYSON	SMITH JESSIE & DEBBIE	408 E CHERRY ST	PAYSON	AZ	85541	01/27/2015
30404238	CURRENT RESIDENT	AZ 85541	407 E MCKAMEY ST	PAYSON	FOXFIRE HOMES	PO BOX 1023	PAYSON	AZ	85547	01/27/2015
30404237	CURRENT RESIDENT	AZ 85541	405 E MCKAMEY ST	PAYSON	ANDERSON VIOLET L	101 W GENEVA CIR	TEMPE	AZ	85282	01/27/2015
30404249	CURRENT RESIDENT	AZ 85541	408 E CHERRY ST	PAYSON	SMITH JESSIE L & DEBORAH A	408 E CHERRY ST	PAYSON	AZ	85541	01/27/2015
30404115	CURRENT RESIDENT	AZ 85541	404 E MCKAMEY ST	PAYSON	HIBBITTS BOBBY O & ELIZABETH R	404 E MCKAMEY ST	PAYSON	AZ	85541	01/27/2015
30404110	CURRENT RESIDENT	AZ 85541	506 E MCKAMEY ST	PAYSON	DONNAS DISASTER LLC	3824 N 30TH ST	PHOENIX	AZ	85016	01/27/2015
30404111	CURRENT RESIDENT	AZ 85541	504 E MCKAMEY ST	PAYSON	BULLARD MAURICE F & JUDY K	504 E MCKAMEY ST	PAYSON	AZ	85541	01/27/2015
30404112	CURRENT RESIDENT	AZ 85541	502 E MCKAMEY ST	PAYSON	SCHILLINGER ALBERT	10632 N SCOTTSDALE RD B-466	SCOTTSDALE	AZ	85254	01/27/2015
30404113	CURRENT RESIDENT	AZ 85541	500 E MCKAMEY ST	PAYSON	FRANSEN MICHAEL L	140 ROSE LANE	PAYSON	AZ	85541	01/27/2015
30404102	CURRENT RESIDENT	AZ 85541	501 E WADE LN	PAYSON	TILFORD LLC	401 E WADE LN	PAYSON	AZ	85541	01/27/2015
30404103	CURRENT RESIDENT	AZ 85541	503 E WADE LN	PAYSON	PARRISH RAYCHEL A	PO BOX 67	PAYSON	AZ	85547	01/27/2015
30404104	CURRENT RESIDENT	AZ 85541	505 E WADE LN	PAYSON	SCHULTE JAMES & KARIN L	505 E WADE LN	PAYSON	AZ	85541	01/27/2015
30404105	CURRENT RESIDENT	AZ 85541	507 E WADE LN	PAYSON	THOMPSON CHARLES EUGENE	PO BOX 516	PAYSON	AZ	85547	01/27/2015
30444036	CURRENT RESIDENT	AZ 85541	600 E CHERRY ST	PAYSON	WOODS KENNETH C	PO BOX 161	BARD	CA	92222	01/27/2015
30444037	CURRENT RESIDENT	AZ 85541	512 E CHERRY ST	PAYSON	ECHOLS KENT & LOUISE	803 S MANZANITA DR	PAYSON	AZ	85541	01/27/2015
30444040	CURRENT RESIDENT	AZ 85541	508 E CHERRY ST	PAYSON	SCOTT BRAD L & KAREN S TRUSTEES	405 E JUNIPER ST	PAYSON	AZ	85541	01/27/2015
30444039	CURRENT RESIDENT	AZ 85541	701 S MANZANITA DR	PAYSON	BESSEL MARJORIE & SCOTT	6446 E TRAILRIDGE CIR UNIT 98	MESA	AZ	85215	01/27/2015
30444038	CURRENT RESIDENT	AZ 85541	607 S MANZANITA DR	PAYSON	KETCHEM JOHNNY L & KATHLEEN A	607 S MANZANITA	PAYSON	AZ	85541	01/27/2015
30444015	CURRENT RESIDENT	AZ 85541	501 E MCKAMEY ST	PAYSON	MORRIS NATHAN G & BREE A	501 N MCKAMEY ST	PAYSON	AZ	85541	01/27/2015
30444016	CURRENT RESIDENT	AZ 85541	503 E MCKAMEY ST	PAYSON	PLUNKETT KENNETH D	503 E MCKAMEY ST	PAYSON	AZ	85541	01/27/2015
30444017	CURRENT RESIDENT	AZ 85541	505 E MCKAMEY ST	PAYSON	ZEIGNER JEFFREY H FAMILY TRUST	PO BOX 741	PINE	AZ	85544	01/27/2015
30444018	CURRENT RESIDENT	AZ 85541	507 W MCKAMEY ST	PAYSON	HERRMANN GUNTHER &	5312 HIGHWAY 160	CORTEZ	CO	81321	01/27/2015
30404109	CURRENT RESIDENT	AZ 85541	508 E MCKAMEY ST	PAYSON	MOON BETH CHESLEY TRUSTEE	5117 W REDFIELD	GLENDALE	AZ	85306	01/27/2015
30404106	CURRENT RESIDENT	AZ 85541	509 E WADE LN	PAYSON	DODSON GEORGE G	509 E WADE LN	PAYSON	AZ	85541	01/27/2015
30444035	CURRENT RESIDENT	AZ 85541	602 E CHERRY ST	PAYSON	HARPE THOMAS & YVETTE	10254 RALPH COURT	BOISE	ID	83709	01/27/2015
30444019	CURRENT RESIDENT	AZ 85541	509 E MCKAMEY ST	PAYSON	BECKNER ERIC S &	509 E MCKAMEY ST	PAYSON	AZ	85541	01/27/2015