



TOWN OF EAGAR
BOARD OF ADJUSTMENT
REGULAR MEETING & PUBLIC HEARING

JANUARY 13, 2026

**IMMEDIATELY FOLLOWING THE PLANNING &
ZONING COMMISSION MEETING SCHEDULED FOR
6:00 PM**

COUNCIL CHAMBERS, 22 WEST 2ND STREET

AGENDA

PURSUANT TO A.R.S. 38-431.02 NOTICE IS HEREBY GIVEN TO THE MEMBERS OF THE BOARD OF ADJUSTMENT OF THE TOWN OF EAGAR AND THE GENERAL PUBLIC THAT THE BOARD OF ADJUSTMENT OF THE TOWN OF EAGAR WILL HOLD A MEETING AND PUBLIC HEARING OPEN TO THE PUBLIC ON TUESDAY JANUARY 13, 2026 IMMEDIATELY FOLLOWING THE PLANNING & ZONING COMMISSION MEETING SCHEDULED FOR 6:00 PM, IN THE COUNCIL CHAMBERS LOCATED AT 22 W. 2ND STREET, EAGAR, AZ 85925.

1. WELCOME

2. ROLL CALL

3. PUBLIC COMMENTS

PERSONS WISHING TO ADDRESS THE BOARD OF ADJUSTMENT ON ANY ITEM NOT ALREADY ON THE AGENDA MAY DO SO, ALTHOUGH EACH SPEAKER IS LIMITED TO THREE MINUTES. THE BOARD MAY LIMIT THE TOTAL TIME OFFERED SPEAKERS, IF NECESSARY. ALL SUCH REMARKS SHALL BE ADDRESSED TO THE BOARD AS A WHOLE, AND NOT TO ANY SPECIFIC MEMBER. NO PERSON OTHER THAN THE SPEAKER SHALL ENTER THE DISCUSSION WITHOUT PERMISSION OF THE BOARD. THE COMMISSION MAY NOT ADDRESS, DISCUSS, OR VOTE UPON ANY PETITION OR COMMENT RAISED BY THE PUBLIC AT ANY MEETING. THE ITEM MAY BE PLACED ON A FUTURE AGENDA WITH DIRECTION FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT ON HOW TO PLACE AN ITEM ON THE AGENDA.

4. MEETING MINUTES

- A. DISCUSSION AND POSSIBLE ACTION TO APPROVE THE SEPTEMBER 9, 2025 MEETING MINUTES

CONVENE TO PUBLIC HEARING

Public Hearings are conducted in accordance with ARS 38-431 et seq (the "open meeting law") and the Board of Adjustment Policies & Procedures, Town of Eagar, Arizona Section VII-Public Hearing

Calling Agenda Item: The agenda item shall be called by the Chair as any other agenda item.

Declaration of Public Hearing: The Chair shall declare that the Board is in public hearing.

Applicant Presentation: The Applicant may make an opening statement in order to explain the item to the Board and public. The Chair or Board may limit the time for his/her statement as necessary.

Staff Reports/Recommendations: Staff shall have an opportunity to report on the issue and answer questions by the Board.

Written Comments: Written comments filed with the Town or staff shall be presented to the Board and read into the record.

Public Comments: Testimony from members of the public shall be permitted and encouraged. Anyone wishing to make a statement shall first stand and identify themselves by name and also identify where they reside. Members of the public shall be limited to five minutes per person, or less as designated by the Chair or Board. The total time allotted to the public on any issue may be limited or extended by the Chair or Board.

Board Interaction: Questions from Board Members may be held at this time or reserved until public hearing has closed. The Board Members may address the applicant with any questions raised from the public and discuss the question.

Applicant Closing Statement: The applicant shall be allowed a brief closing statement in order to rebut the statements made by the public, to offer a compromise, or otherwise address the issue.

Declaration of closing the Public Hearing: Unless a majority of the Board Members object, the Chair shall declare the public hearing as closed. At this time public and applicant participation is limited to questions from the Board only.

Board Discussion and Vote: The agenda item may then be discussed and action can be taken as on any other agenda item.

5. PUBLIC HEARING

- A. Public Hearing for VAR2025-2; An application for variance from Ranel Penrod for the properties known as Apache County parcel numbers #104-31-004 & 104-31-007 situated in the area of West 8th Street, west of School Bus Road, seeking relief from strict zoning restrictions, specific to lot size in Zone AR-20, to construct residential dwellings.

RECONVENE TO REGULAR MEETING

6. APPLICATION FOR VARIANCE

- A. Discussion and possible action on agenda item #5A; VAR2025-2, An application for variance from Ranel Penrod for the properties known as Apache County parcel numbers #104-31-004 & 104-31-007 situated in the area of West 8th Street, west of School Bus Road, seeking relief from strict zoning restrictions, specific to lot size, to construct residential dwellings.

7. ADJOURNMENT

ANYONE WISHING TO ATTEND THIS MEETING AND HAS SPECIAL NEEDS DUE TO A DISABILITY, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT AT 928-333-4128 EXT 222 FORTY-EIGHT HOURS PRIOR TO THE MEETING AND RESONABLE ACCOMMODATIONS WILL BE PROVIDED.

POSTED BY: William Gleeson **Date:** January 8, 2026 **Time:** 3:00 P.M.



**TOWN OF EAGAR
BOARD OF ADJUSTMENT
PUBLIC HEARING**

SEPTEMBER 9, 2025 at 6:00 PM

COUNCIL CHAMBERS, 22 WEST 2ND STREET

MINUTES

Chelsea Slade called the meeting to order [6:01 p.m.] and welcomed those present. Chelsea Slade asked for roll call to show attendance. Chelsea Slade led the Pledge of Allegiance. Board Member Becky Crosby offered an invocation.

Board Members Present: Chelsea Slade
Brenda Ciminski
JoElla Younkin
Becky Crosby
Debra Seeley

Excused: Ethan Eagar

Absent: Kristi Penrod

Staff Present: Britney Reynolds – Community Development Director
William Gleeson – Building Inspector

5. SUMMARY OF CURRENT EVENTS

A. BOARD Board Member Ciminski asked what kind matters the Board of Adjustment would hear and make decisions about. Director Reynolds explained that the Board hears matters such as variances. Board Member Seeley asked if the Board's decision went before the Town Council for final approval. Director Reynolds explained that the Board's decision did not have to go before Town Council for final approval.

B. STAFF Director Reynolds explained that that the Board of Adjustment would only be meeting on an as-needed basis.

6. PUBLIC COMMENTS

No public comments

7. ELECTION OF CHAIR AND VICE-CHAIR

A. DISCUSSION AND POSSIBLE ACTION TO APPOINT A BOARD OF ADJUSTMENT CHAIR AND VICE CHAIR FOR A TERM OF 1 YEAR.

Board Member Brenda Ciminski moved to always parallel the Planning & Zoning Commission's sitting Chair and sitting Vice-Chair, thereby nominating Ethan Eagar and Chelsea Slade respectively.

Board Member JoElla Younkin second the motion.

AYES

NAYS

Chelsea Slade
Brenda Ciminski
JoElla Younkin
Becky Crosby
Debra Seeley

None

The motion carried unanimously.

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Calling Agenda Item: The agenda item shall be called by the Chair as any other agenda item.

Declaration of Public Hearing: The Chair shall declare that the Board is in public hearing.

Applicant Presentation: The Applicant may make an opening statement in order to explain the item to the Board and public. The Chair or Board may limit the time for his/her statement as necessary.

Staff Reports/Recommendations: Staff shall have an opportunity to report on the issue and answer questions by the Board.

Written Comments: Written comments filed with the Town or staff shall be presented to the Board and read into the record.

Public Comments: Testimony from members of the public shall be permitted and encouraged.

Anyone wishing to make a statement shall first stand and identify themselves by name and also identify where they reside. Members of the public shall be limited to five minutes per person, or less as designated by the Chair or Board. The total time allotted to the public on any issue may be limited or extended by the Chair or Board.

Commission Interaction: Questions from Board Members may be held at this time or reserved until public hearing has closed. The Board Members may address the applicant with any questions raised from the public and discuss the question.

Applicant Closing Statement: The applicant shall be allowed a brief closing statement in order to rebut the statements made by the public, to offer a compromise, or otherwise address the issue.

Declaration of closing the Public Hearing: Unless a majority of the Board Members object, the Chair shall declare the public hearing as closed. At this time public and applicant participation is limited to questions from the Board only.

Board Discussion and Vote: The agenda item may then be discussed and action can be taken as on any other agenda item.

8. PUBLIC HEARING

A. Public Hearing for VAR2025-1; An application for variance for the property known as 119 E. 7th Ave (parcel number #104-09-024D) seeking relief from strict zoning restrictions, specific to lot width and setbacks to construct a multi-family dwelling.

Vice Chair Slade called the agenda item and declared the Board was in public hearing [6:08 p.m.]

Applicant Doug Brown and associate, Daniel Thompson, made a brief presentation and answered questions for the Board. Resident Betty Lester expressed her opposition to the variance. Staff relayed to the Board that neighbor, Mary Ann Stoor, came to Town Hall and asked questions about the variance, had expressed some concern about the eight (8) foot setback, but never definitively expressed favor or opposition.

RECONVENE TO REGULAR MEETING

Vice Chair Slade motioned to reconvene to regular meeting. Board Member Debra Seeley seconded the motion.

AYES

NAYS

Chelsea Slade
Brenda Ciminski
JoElla Younkin
Becky Crosby
Debra Seeley

None

The motion carried unanimously [6:38 p.m.]

9. DISCUSSION AND POSSIBLE ACTION

A. Discussion and possible action on agenda item #8A; VAR2025-1, an application for variance for the property known as 119 E. 7th Ave (parcel number #104-09-024D) seeking relief from strict zoning restrictions, specific to lot width and setbacks to construct a multi-family dwelling.

Board Member Brenda Ciminski motioned to approve the application for variance.

Vice-Chair Slade seconded the motion.

AYES

NAYS

Chelsea Slade
Brenda Ciminski
JoElla Younkin
Becky Crosby
Debra Seeley

None

The motion carried unanimously.

10. ADJOURNMENT

Board Member Debra Seeley motioned to adjourn the meeting.

Board Member Brenda Ciminski seconded the motion.

AYES

NAYS

Chelsea Slade
Brenda Ciminski
JoElla Younkin
Becky Crosby
Debra Seeley

None

The motion carried unanimously. The meeting adjourned [6:39 p.m.].



ALL MEASUREMENTS WERE MADE USING REAL-TIME DIFFERENTIALLY CORRECTED GLOBAL POSITIONING OBSERVATIONS MADE OF THE REFERENCE LINE AS DEPicted HEREON. TRUE NORTH IS REFERENCED TO NAD83(2011), ALL DISTANCES ARE GROUND.

DRAWN DRM	DATE Oct. 2025	Adjustment Survey APN 104-31-004,007
APPROVED	DATE	S.18, T8N29E, GSRM Apache County, Arizona
SCALE 1 in. = 30 ft.	SHEET 1 of 1	PROJECT NO. 2025.074

January 7, 2026

Ref: Board of Adjustment hearing for parcels 104-31-004 and 104-31-007

Dear Ms. Reynolds:

The following are my comments and recommendations regarding the above hearing item to be addressed at the January 13, 2026 Town of Eagar Board of Adjustment hearing.

Review of the parcels at the Apache County Recorder's website reveals that parcel 104-31-007 was purchased December 01, 2010 and parcel 104-31-004 was purchased August 10, 2011. Both parcels were zoned as AR-20 at the time of purchase and continue to this day. They have also been taxed by Apache county as unoccupied agricultural land.

I do not believe the zoning of these parcels to be "strict". The minimum 20,000 square foot lot size for AG-20 was in effect when the parcels were purchased as it is today. Since the two single lots do not meet the required minimum AG-20 lot size for construction of a single residential dwelling on each of them there is an obvious solution. Combine the two lots into one. One dwelling could then be constructed on the new lot. The problem would then be solved. Another, more extreme solution would be to rezone the parcels from AG-20 to R-10. The problem with this possible solution is you would be carving out a section of AG-20 zoning at the expense of the other compliant adjacent property owners so that a developer can build two residential dwellings instead of one. This conflicts with the reasoning behind the AG-20 zoning classification that there is agricultural land associated with a residence.

My recommendation is the two lots be combined into one and leave the zoning classification alone. I do not believe there is a need for "relief" as the zoning classification for these lots has always been in effect and the minimum lot size was known. Carving out a small piece of it so it can be used as what in effect would be R-10 zoning classification defeats the purpose of the AG-20 zoning classification.

Thank you and the Board of Adjustment for considering my comments.

Sincerely,
/s/Joseph Sitarzewski
Joseph Sitarzewski
PO Box 865
Eagar, AZ 85925



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BOARD OF ADJUSTMENT

REGULAR MEETING AND PUBLIC HEARING

JANUARY 13, 2026

**IMMEDIATELY FOLLOWING THE PLANNING AND
ZONING COMMISSION MEETING SCHEDULED FOR
6:00 PM**

COUNCIL CHAMBERS, 22 WEST 2ND STREET

STAFF COMMUNICATION

DEPARTMENT: Community Development

PRESENTATION: VAR2025-2

AGENDA ITEM: 5A

BUDGET IMPACT: \$0

HISTORY: These properties were split a decade plus ago and, to my knowledge, did not meet zoning standards at that time. Properties have been realigned to better suit access off of 8th Street from the east of said properties.

ATTACHMENTS: Map and Survey

STAFF RECOMMENDATION: Approve VAR2025-2 allowing relief from strict zoning restrictions and allowing for residential dwellings to be constructed.