

\$ 250
2-17-01



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

COCHISE COUNTY REZONING APPLICATION

Submit to: Cochise County Community Development Department
1415 Melody Lane, Building E, Bisbee, Arizona 85603

1. Applicant's Name: MICHAEL BUSSIW

2. Mailing Address: PO BOX 23

MCNEAL AZ 85617
City State Zip Code

3. Telephone Number of Applicant: (520) 254-2145

4. Telephone Number of Contact Person if Different: ()

5. Email Address: MJBUSIWS@G-MAIL.COM

6. Assessor's Tax Parcel Number: 404-02-379 (Can be obtained from your County property tax statement)

7. Applicant is (check one):
- Sole owner: _____
 - Joint Owner: ✓ (See number 8)
 - Designated Agent of Owner: _____
 - If not one of the above, explain interest in rezoning: _____

7. If applicant is not sole owner, attach a list of all owners of property proposed for rezoning by parcel number. Include all real parties in interest, such as beneficiaries of trusts, and specify if owner is an individual, a partnership, or a corporation:

- List attached (if applicable): _____

8. If applicant is not sole owner, indicate which notarized proof of agency is attached:
- If corporation, corporate resolution designating applicant to act as agent: _____
 - If partnership, written authorization from partner: _____
 - If designated agent, attach a **notarized** letter from the property owner(s) authorizing representation as agent for this application.

9. Attach a proof of ownership for all property proposed for rezoning. Check which proof of ownership is attached:

- Copy of deed of ownership: _____
- Copy of title report: _____
- Copy of tax notice: _____
- Other, list: _____

10. Will approval of the rezoning result in more than one zoning district on any tax parcel?

- Yes _____ No

11. If property is a new split, or the rezoning request results in more than one zoning district on any tax parcel then a copy of a survey and associated legal description stamped by a surveyor or engineer licensed by the State of Arizona must be attached.

12. Is more than one parcel contained within the area to be rezoned? Yes _____ No

- If yes and more than one property owner is involved, have all property owners sign the attached consent signature form.

13. Indicate existing Zoning District for Property: RV-2

14. Indicate proposed Zoning District for Property: RV-4

Note: A copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached. Review this criteria and supply all information that applies to your rezoning. Feel free to call the Planning Department with questions regarding what information is applicable.

15. Comprehensive Plan Category: D (A County planner can provide this information.)

16. Comprehensive Plan Designation or Community Plan: Rural (A County planner can provide this information.)

Note: in some instances a Plan Amendment might be required before the rezoning can be processed. Reference the attached rezoning criteria, Section A.

17. Describe all structures already existing on the property: NONE

18. List all proposed uses and structures which would be established if the zoning change is approved. Be complete. Please attach a site plan: 12x24 STORAGE BUILDING

THAT WILL EVENTUALLY BE CONVERTED TO RESIDENCE

19. Are there any deed restrictions or private covenants in effect for this property?

- No / Yes _____
- If yes, is the proposed zoning district compatible with all applicable deed restrictions/private covenants? Yes _____ No _____
- Provide a copy of the applicable restrictions (these can be obtained from the Recorder's office using the recordation Docket number)

20. Which streets or easements will be used for traffic entering and exiting the property?

N. ZUNI AVE.

21. What off-site improvements are proposed for streets or easements used by traffic that will be generated by this rezoning? NONE

22. How many driveway cuts do you propose to the streets or easements used by traffic that will be generated by this rezoning? NONE

23. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	<u> NONE </u>	<u> TAP IN </u>
Sewer/Septic	<u> NONE </u>	<u> SEPTIC </u>
Electricity	<u> NONE </u>	<u> SOLAR </u>
Natural Gas	<u> NONE </u>	<u> PROPANE </u>
Telephone	<u> NONE </u>	<u> CELL </u>
Fire Protection	<u> NONE </u>	<u> NONE </u>

24. This section provides an opportunity for you to explain the reasons why you consider the rezoning to be appropriate at this location. The attached copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached for your reference (attach additional pages as needed).

 TO USE THE OWNER-BUILDER OUT OUT

25. AFFIDAVIT

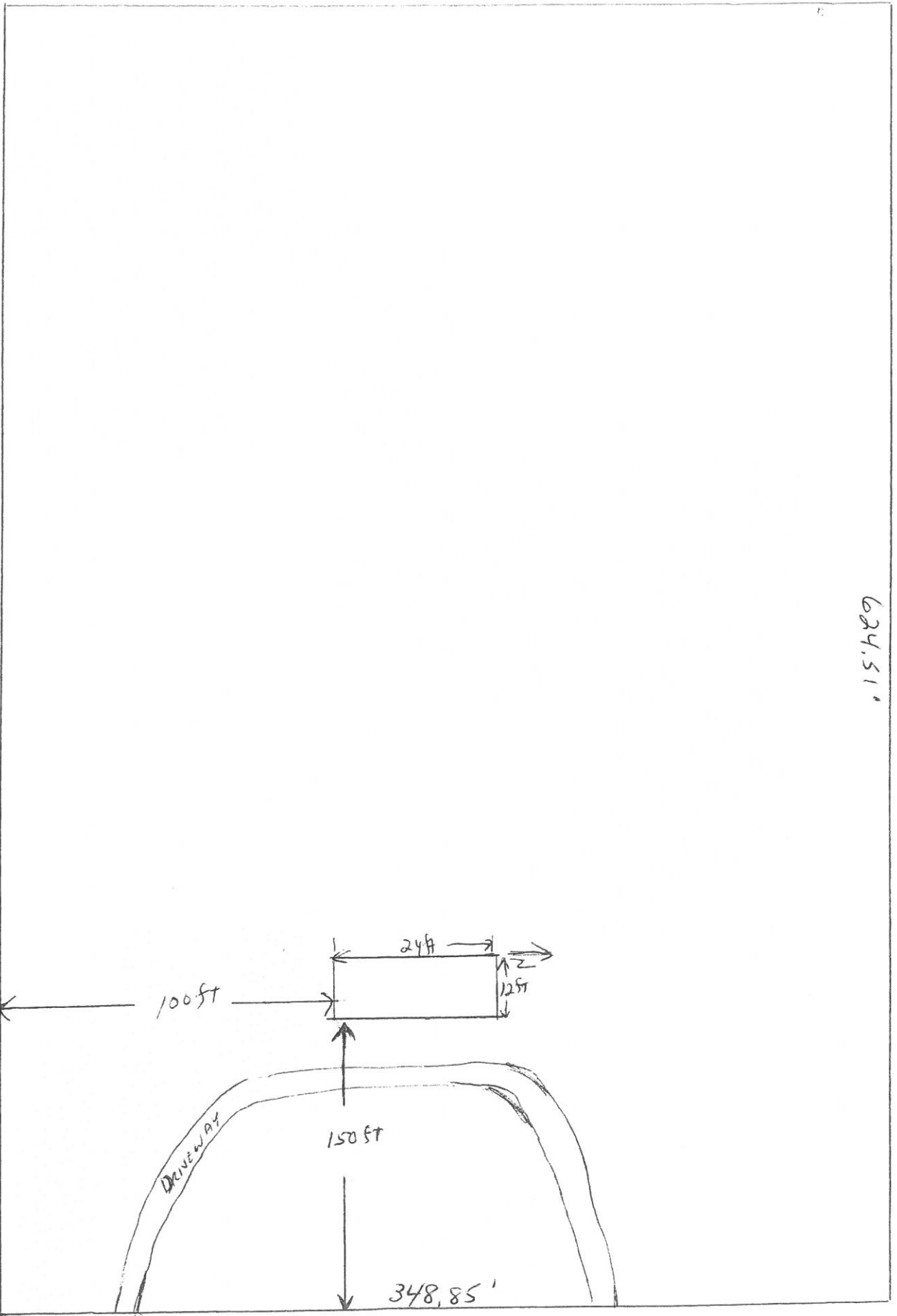
I, the undersigned, do hereby file with the Cochise County Planning Commission this petition for rezoning. I certify that, to the best of my knowledge, all the information submitted herein and in the attachments is correct. I hereby authorize the Cochise County Planning Department staff to enter the property herein described for the purpose of conducting a field visit.

Applicant's Signature: 

Date: 3/9/17

NOT TO SCALE

624.51'



MICHAEL BUSSIVJ
N ZUNI AVE PO BOX 23
MCNEMER AZ 85013

DESERT SKY LOT # 116
TRX PARCEL ID # 404-02-379

March 15, 2017

Michael D Bussius
12022 Chicamauga Trail,
Huntsville, AL 35803
256-797-7210

To Whom It May Concern:

I, Michael D Bussius, do hereby approve of the rezoning application and authorize Michael J Bussius, as my representative involving Lot #404-02-379

Sincerely,

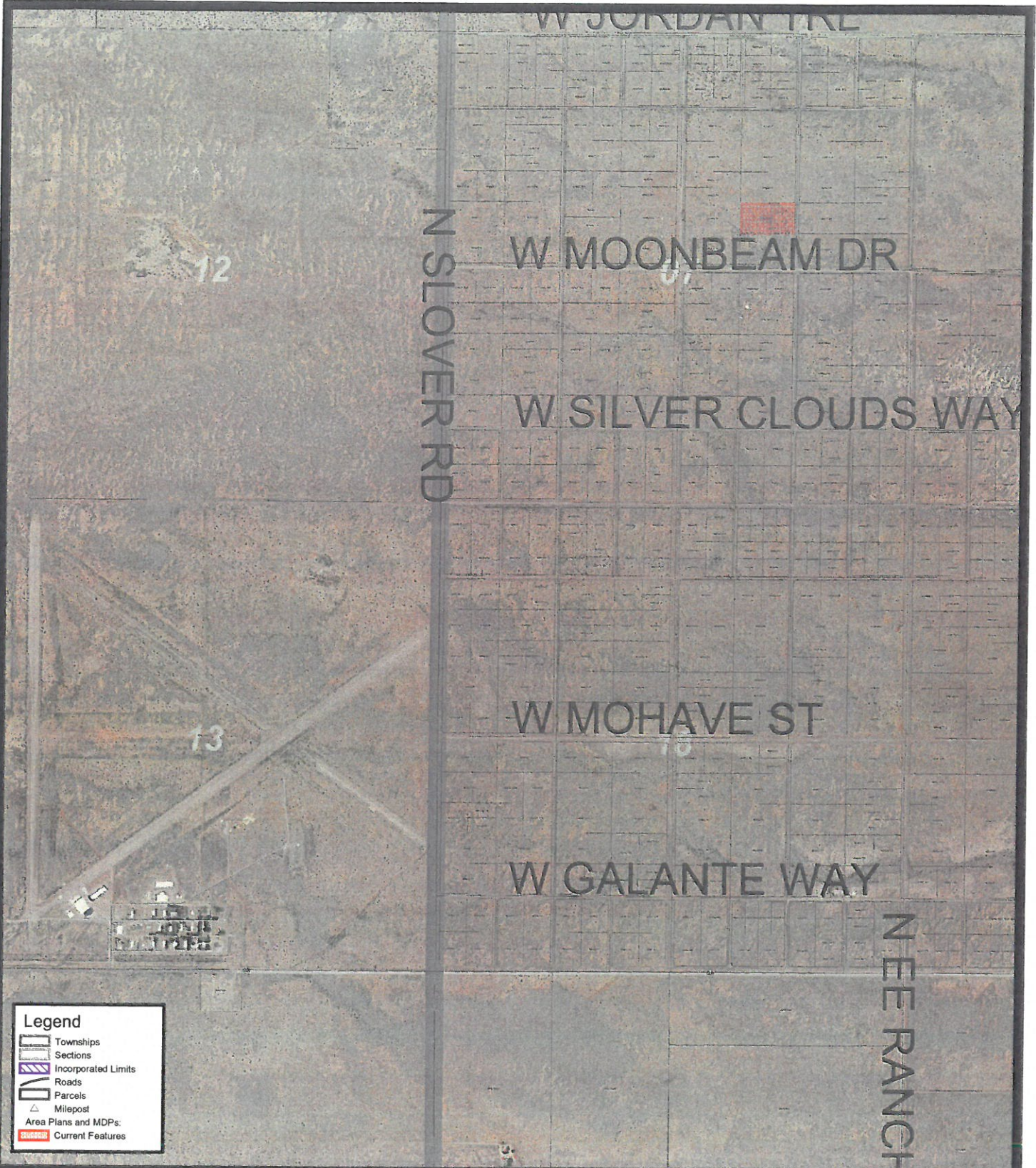


Michael D. Bussius



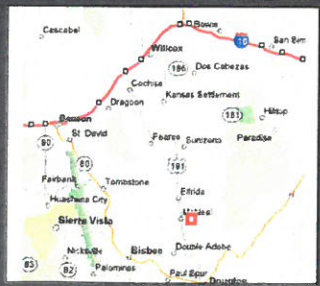
County/City of Marshall
Commonwealth/State of Alabama
The foregoing instrument was acknowledged
before me this 28th day of March,
2017, by
Michael D. Bussius
(name of person seeking acknowledgement)

Notary Public Kasia Hamm
My Commission Expires: 05/09/2020





Legend

- Townships
- Sections
- Incorporated Limits
- Roads
- Parcels
- Milepost
- Area Plans and MDPs:**
- Current Features



Z-17-01
(Brussius)

This map is a product of the Cochise County GIS Information Technology Dept.

0' 1" = 1553'



Cochise County
Community Development
Highway and Floodplain Division

Public Programs...Personal Service
www.cochise.az.gov

MEMORANDUM

Date: March 29, 2017
To: Peter Gardner, Planner 1
From: Karen L. Lamberton, AICP, County Transportation Planner
Subject: Down-Zoning/Z-17-01/Parcel #404-02-379

This rezoning proposes modifying the land designation from RU-2 to RU-4 on one 5 acre parcel in the McNeal area. The applicant then plans to construct additional residential use buildings under the Owner-Builder Opt-Out provision.

Traffic Analysis

From a trip generation standpoint this down-zoning would result in the potential reduction of residential units from two to one. The estimated potential reduction in average daily vehicle trips in this area would be from about 20 average daily vehicle trips to just a little bit under 10. The site access is off of non-county maintained roadways with the closest maintained roadway, N. Slover Road, just under a mile away.

Recommendation

Land use changes do not, in and of themselves, change traffic patterns; however, they do create conditions for future transportation impacts. This down-zoning proposal is compatible with the surrounding area and transportation infrastructure, would likely reduce future vehicle trips generated in this area and we have no objection to the requested down-zoning. This site was only analyzed for the proposed use and not for the full range of potential RU-4 uses. Should this proposal change to more intensive uses resulting in heavier impacts on county- maintained roads appropriate mitigation may be required for a subsequent Special Use Authorization or commercial permit request.

Advisory Note for the Applicant

Approval of this down-zoning does not constitute review or approval of any proposed uses on this site. The applicant is advised that any land clearing in excess of one acre would likely require a drainage analysis.

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov



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INTEROFFICE MEMO

Date: 4/03/2017
To: Peter Gardner, Planner I
From: Teresa Murphy, Right-of-Way Agent
Subject: Z-17-01 (Bussius)

Background: The Applicant is requesting a rezoning from RU-2 (Rural; one dwelling per 2 acres) to RU-4 (Rural; one dwelling per 4 acres). The subject parcel is 5 acre in size. The request is to facilitate the use of the Owner-Builder Opt0Out Amendment. The subject parcel, APN 404-02-379, is located on N. Zuni Avenue, east of McNeal. It is further described as being situated in Section 07 of Township 21 South, Range 27 East of the Gila and Salt River Base & Meridian, Cochise County, Arizona. The Applicant is Michael Bussius. Right-of-Way Staff was contacted by Planning and Zoning to review the permit and provide comments regarding right-of-way dedication needs for county maintained roads.

Analysis:

- Zuni Avenue is publically dedicated right-of-way per the recorded Plat of Desert Sky subdivision, Book 6, page 54. The right-of-way width is 50 feet.
- Zuni Ave is not a County Maintained Road.

Recommendation:

- Further right-of-way dedication is not required for Zuni Avenue at this time.

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Rezoning Docket Z-17-01 (Bussius)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

I fully support my neighbor in his efforts to rezone and owner build. Rezoning means less structures, keeping the scenic view scenic. Wishing Mr. Bussius the best of luck.

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

(Attach additional sheets, if necessary)

PLANNING
APR 14 2017
COCHISE COUNTY

PRINT NAME(S): Leah D. Phillips

SIGNATURE(S): *Leah D. Phillips*

YOUR TAX PARCEL NUMBER: 40402268 (9350 Zur Ave) (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning and Zoning Commission and the Board of Supervisors. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than 4 PM on Monday, April 24, 2017 to be included in the staff report to the Commission, and by Thursday, May 11, 2017 to be included in the staff report to the Board of Supervisors. We cannot make exceptions to these deadlines; however, if you miss the written comment deadline for any staff report you may still mail or send e-mail comments to Peter Gardner at pgardner@cochise.az.gov. Comments received after the August 29, 2016 deadline must be received prior to the public meeting date to be verbally noted at the meeting. You may also personally make a statement at the public hearing on May 10, 2017 for the Planning and Zoning Commission and May 23, 2017 for the Board of Supervisors. NOTE: Please do not ask the Commissioners or Board members to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I
Cochise County Planning Department
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Bisbee, AZ 85603