

COCHISE COUNTY

Z-17-01 (Bussius)

A request to rezone from RU-2 to RU-4

Board of Supervisors

May 23, 2017



Public Programs...Personal Service

COCHISE COUNTY

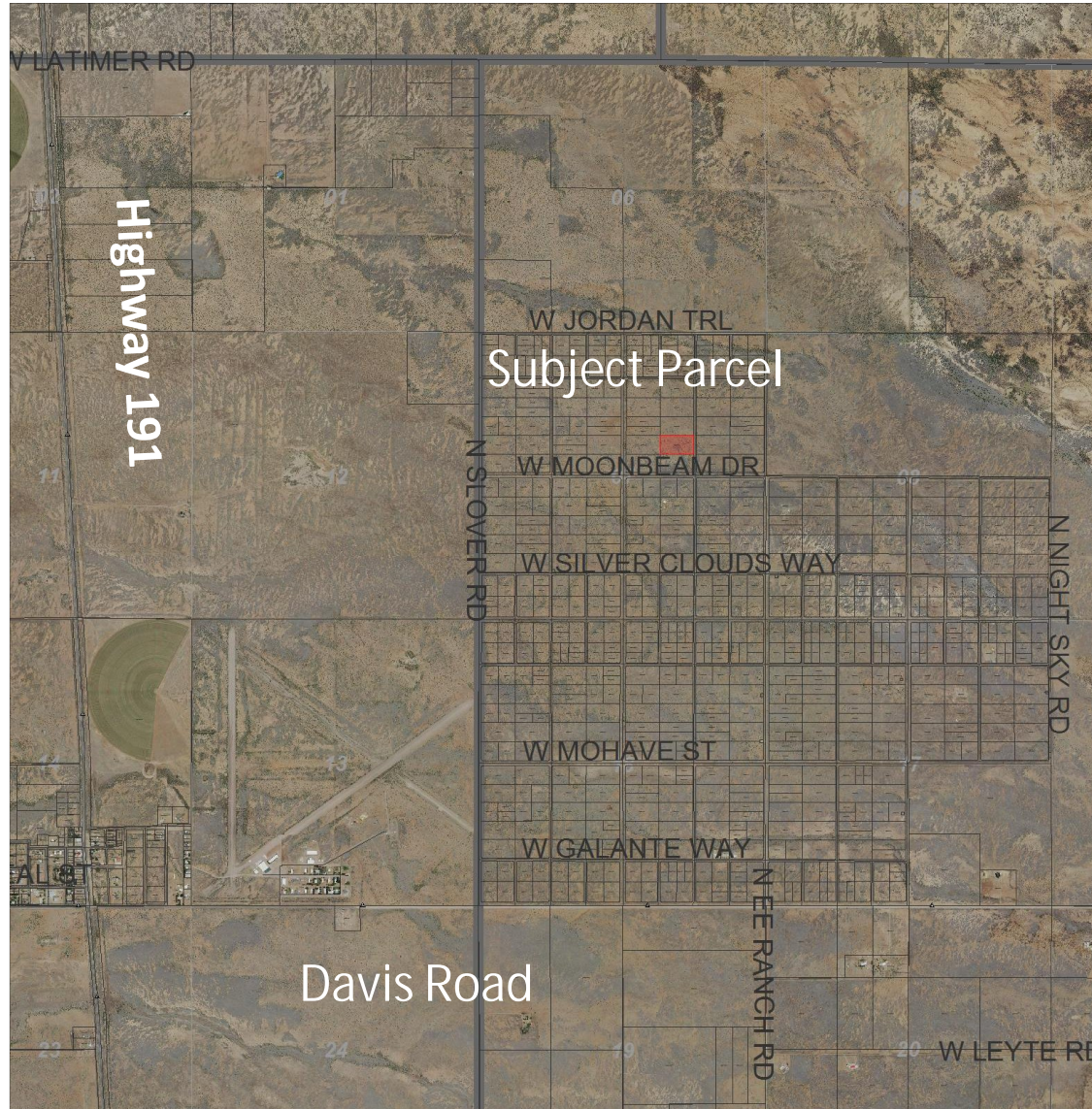
Docket Z-17-01 (Bussius)

- The Applicant is requesting rezoning from RU-2 (Rural; one dwelling per two acres) to RU-4 (Rural; one dwelling per four acres) on a five acre site in the Desert Sky subdivision east of McNeal.
- The parcel, 404-02-379, is located in the failed Desert Sky subdivision. This subdivision is zoned RU-2, as over half of the original five acre lots were split in half prior to zoning being enacted in 1975. The applicant's parcel has not been split, and remains five acres.
- Since the subdivision was platted in 1971, two homes have been built, both on parcels that have applied for and been granted a rezoning from RU-2 to RU-4 to facilitate use of the Owner Builder Opt-Out program.
- On May 10, the Planning Commission held a public hearing, at which no citizen objection was received, and the Commission voted unanimously to forward the request to the Board with a recommendation of Conditional Approval.
- The Applicant is Michael Bussius.



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Location Map:



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Site Photos:

The site



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Site Photos:

Access to the site



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Site Photos:

Another view of the area



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Factors in Favor and Against Approving the Rezoning:

Factors in Favor of Approval

1. Allowing the request would be in keeping with the character of the existing development in the area;
2. The Comprehensive Plan policies prescribe a low density of residential development in this area to protect the current character of the neighborhood, and the request would facilitate such a density;
and
3. One letter of support has been received.

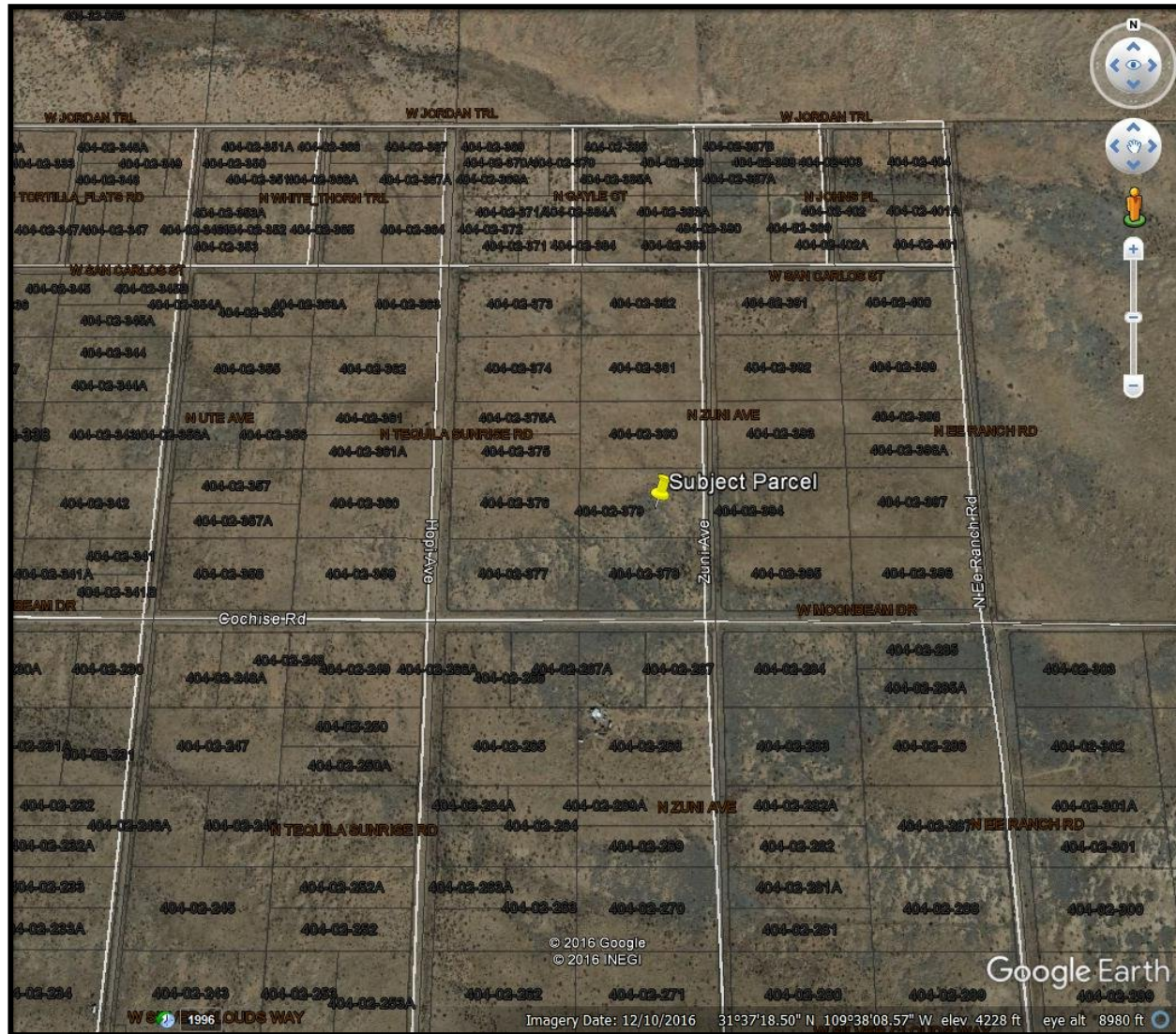
Factors Against Approval

None



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Discussion:



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Based on the factors in favor of approval, staff recommends Conditional Approval of the Rezoning request, subject to the following Conditions:

1. The Applicant shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning; and
2. It is the Applicants' responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;

