

COCHISE COUNTY

Z-18-08 (Thiels)

A request to rezone from R-36 to RU-4

Planning and Zoning Commission

October 10, 2018



Public Programs...Personal Service

COCHISE COUNTY

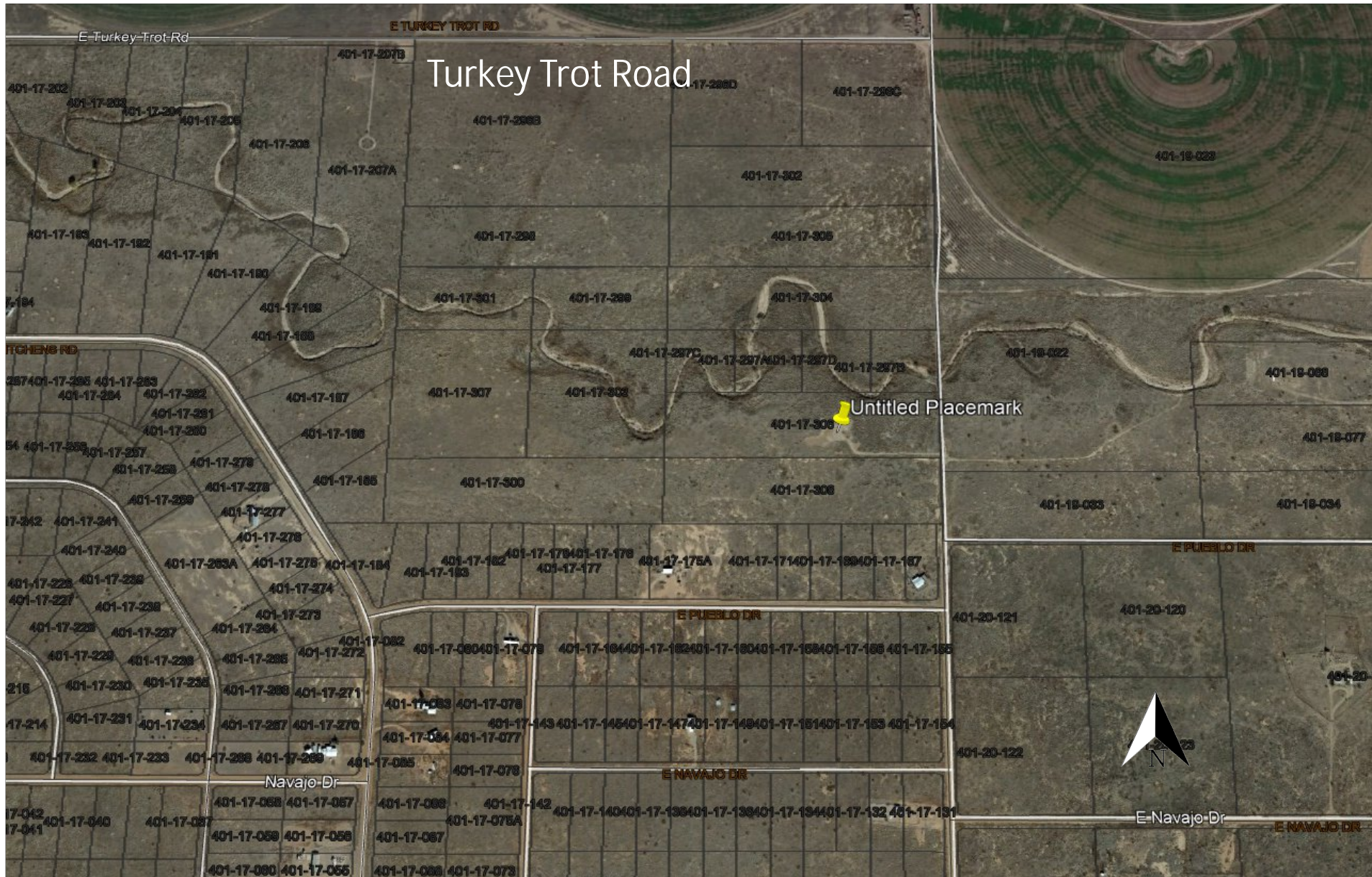
Docket Z-18-08 (Thiels)

- The Applicant is requesting rezoning from R-36 (Residential; one dwelling per 36,000 square feet) to RU-4 (Rural; one dwelling per four acres) on a ten acre site east of Sunizona.
- The parcel, 401-17-306, is located north of the failed Sunizona Acres #3 subdivision. This subdivision is zoned R-36, as the lots are one acre. The applicant's parcel, being nearby, was also zoned R-36 in 1975, despite being 10 acres.
- The request for a rezoning from R-36 to RU-4 is to facilitate use of the Owner Builder Opt-Out program and preserve the open space.
- The Applicant is Daniel Thiels.



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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. Five letters of support has been received.

Factors Against Approval

1. Two letters of opposition have been received, citing tax concerns and inability to develop.



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Planning Commission Action:

On October 10, 2018, the Commission voted 7-0 to recommend Conditional Approval.



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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;

