

Cochise County Planning Commission

Cochise County Complex
Board of Supervisors' Hearing Room
1415 W. Melody Lane, Building G
Bisbee, Arizona 85603

**Regular Meeting
May 9, 2018**

4:00 p.m.

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL** (Introduce Commission members and explain quorum and requirements for taking legal action).
3. **APPROVAL OF THE PREVIOUS MONTH'S MINUTES**
 1. Approve the minutes of the April 11, 2018 meeting.
4. **CALL TO THE PUBLIC** – Pursuant to A.R.S . § 38-431.01 (H) this is an opportunity for the public to comment. Individuals are invited to address the Commission on any issue within the Commission's jurisdiction. Since Commissioners may not discuss items that are not specifically identified on the agenda, Commission action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.
5. **ACTION**
6. **PUBLIC HEARING**
 1. OLD BUSINESS - SU-18-07 (Majewski) A request for a Day Care Facility in Willcox.
 2. OLD BUSINESS - SU-18-05 (Campos) Applicant requests Special Use Authorization to establish a campground, yoga studio and related activities in Palominas.
 3. SU-18-10 (Baker)The Applicant requests Special Use Authorization to establish art and permaculture facilities.
 4. SU-18-08 (Kropf) The Applicant requests Special Use Authorization to expand a home-based wood and metal working business (Home Occupation, HO 17-25) into larger structures such as sheds, cabins, garages, and similar structures.
 5. SU-18-09 (Finneran MMJ Cultivation) The Applicant is requesting Medical Marijuana Cultivation on an 8.04 acre site in Dragoon.

6. Z-18-05 (Reaves) The Applicant is requesting a rezoning from RU-4 (Rural; one dwelling per four-acres) to RU-2 (Rural; one dwelling per two-acres) in Whetstone.
7. **PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS.**
8. **CALL TO COMMISSIONERS ON RECENT MATTERS.**
9. **ADJOURNMENT**

P&Z Agenda Template

3. 1.

Meeting Date: 05/09/2018

Approval of the minutes of the April 11, 2018 meeting

Submitted By: Peter Gardner, Community Development

Department: Community Development

Division: Development Services

Presentation: No A/V Presentation

NAME NA

of PRESENTER:

TITLE NA

of PRESENTER:

Agenda Item Text:

Approve the minutes of the April 11, 2018 meeting.

Background:

Approve the minutes of the April 11, 2018 meeting.

Attachments

Minutes April 11, 2018

COCHISE COUNTY PLANNING & ZONING COMMISSION
DRAFT MINUTES
April 11, 2018
REGULAR MEETING at 4:00 p.m.

1. 4:00 P.M. - CALL TO ORDER

The regular meeting of the Cochise County Planning and Zoning Commission was called to order at 4:00 p.m. by Chairman Greene at the Cochise County Complex, 1415 Melody Lane, Building G, Bisbee, Arizona in the Board of Supervisors' Hearing Room. Chairman Greene admonished the public to turn off cell phones, use the speaker request forms provided, and to address the Commission from the podium using the microphone. He explained the time allotted to speakers when at the podium. Chairman Greene explained the consequences of a potential tie vote and the process for approval and appeal.

- 2. ROLL CALL** Chairman Greene noted the presence of a quorum and called the roll, asking the Commissioners to introduce themselves and indicate the respective District they represent; seven Commissioners (Jim Martzke, Gary Brauchla, Patrick Greene, Kim DePew, Wayne Gregan, Tom Borer, Nathan Watkins) indicated their presence. Commissioner Miller joined at 4:17PM. Staff members present included; Daniel Coxworth, Development Services Director; Paul Esparza, Planning Manager; Elda Orduno, County Attorney's Office; Karen Lamberton, Transportation Planner; Peter Gardner, Planner II; and Robert Kirschmann, Planner II.

3. APPROVAL OF THE PREVIOUS MONTH'S MINUTES

Motion: Approve minutes of the March 14, 2018 meeting **Action:** Approve

Moved by: Mr. Martzke **Seconded by:** Mr. Gregan

Vote: Motion passed (**Summary:** Yes = 6, No = 0, Abstain 2)

Yes: Mr. Martzke, Ms. DePew, Mr. Greene, Mr. Gregan, and Mr. Brauchla, and Mr. Watkins

No: 0

Abstain: Ms. Miller and Mr. Borer

4. CALL TO THE PUBLIC – CALL TO THE PUBLIC

None

5. NEW BUSINESS

Item 1 - –Public Hearing – SU-18-07 (Majewski)

The Applicant requests a Special Use Authorization to expand a current four child day care business located in an existing home, which does not require County permits to a ten-child day care business, a use considered a Day Care Facility. Day Care Facilities located in Residential Zoning Districts require Special Use Authorization. The 4.47-acre site, APN 202-16-009, is located at 3900 N. Fort Grant Road in Willcox and is zoned R-36. The applicant is Kara Majewski.

Chairman Greene introduces the project and calls for Planning Directors Report. Mr. Gardner presented a PowerPoint presentation which is preserved in the file.

The only issue Staff has on the Docket is wear and tear of the driveway on Fort Grant Road. Under current conditions, the County is responsible for the maintenance. A strict reading of the regulations may require a 24-foot commercial driveway, like a Dollar General would warrant, however, the traffic does not justify this requirement. The Applicant has offered to place AB material adjacent to Fort Grant road to protect the edge. The daycare provides a service to the local community. Staff received four letters of support on the project.

Chairman Greene recognizes the arrival of Commissioner Miller

Motion: Table the item to the May 9, 2018 Planning and Zoning Commission meeting.

Moved by: Mr. Gregan **Seconded by:** Mr. Martzke

Vote: Motion passed (**Summary:** Yes = 5, No =3, Abstain =0)

Yes: Jim Martzke, Kim DePew, Patrick Greene, Wayne Gregan, Gary Brauchla, Nathan Watkins, Carmen Miller and Pat Edie

No: Tom Borer, Nathan Watkins, and Carmen Miller

Abstain: 0

Mr. Gardner requested and received clarification on the motion, that the Applicant may call into the meeting.

Item 2 - –Public Hearing – SU-18-06 (Green Desert Patient Center)

The Applicant requests a Special Use Authorization to establish a Medical Marijuana Cultivation and Infusion Facility southeast of Kansas Settlement, per Section 607.53 & 607.56 of the Zoning Regulations. The property is zoned RU-4 (Rural; one dwelling unit per 4 acres) and accommodates an existing agricultural facility including greenhouses, a warehouse, and accessory structures. The 143-acre site, parcel 305-43-056C, is located at 5655 E. Gaskill Road in Willcox, AZ.

Chairman Greene introduces the project and calls for the Planning Director's report.

Mr. Gardner presented a PowerPoint presentation which is preserved in the file. The site was previously used for growing agricultural products. Unlike those products, medical marijuana is not exempt. The Applicant is required to comply with State requirements. Staff has concerns in regard to odor and traffic. The odor is mitigated by the size of the parcel. Traffic is mitigated by the County chip sealing adjacent roads, and the applicant being conditioned to construct an apron once paving is completed.

Applicant Kurt Merschman introduced members of his team and provided background on their business operations

Chairman Greene opened and closed public hearing with no individuals wishing to speak.

Mr. Brauchla asked and received clarification that the Commission is only approving or disapproving the land use. Mr. Gardner confirmed.

Chairman Greene called for the Planning Directors recommendations and conditions. Mr. Gardner read the Conditions and presented Staff's recommendation.

Chairman Greene called for a motion

Motion: Approve the Docket with Conditions recommended by Staff

Moved by: Mr. Martzke **Seconded by:** Mr. Borer

Vote: Motion passed (**Summary:** Yes = 8, No =0, Abstain =0)

Yes: Jim Martzke, Gary Brauchla, Patrick Greene, Kim DePew, Wayne Gregan, Tom Borer, Nathan Watkins, Carmen Miller

No: 0

Abstain: 0

Item 3 –Public Hearing – Z-18-04 (Vicencio)

The Applicant is requesting a rezoning from RU-4 (Rural; one dwelling per 4 acres) to RU-2 (Rural; one dwelling per 2 acres). The request is to facilitate the creation of up to five lots. The subject parcel totals 10 acres. The subject parcel, APN 203-10-006C, is located on the northwest corner of West Red Rose Lane and South Taylor Road in Willcox. They are further described as being situated in Section 10 of Township 14 South, Range 24 East of the G&SRB&M, in Cochise County, Arizona. The Applicant Sylvia Vicencio.

Chairman Greene introduces project and calls for Planning Director's report

Mr. Kirschmann presented a PowerPoint presentation which is preserved in the file.

Mr. Kirschmann discussed the surrounding land uses and zoning designations.

Chairman Greene calls for applicant's statement.

Applicant Ms. Sylvia Vicencio stated that she is seeking to Rezone the property from RU-4 to RU-2 to split the property into lots for her three children.

Chairman Greene calls for Planning Commission discussion. There being no discussion, Chairman Greene calls for Planning Directors recommendation and conditions. Mr. Kirschmann read the Conditions and presented Staff's recommendation.

Chairman Greene calls for a motion

Motion: Forward to the Board with a recommendation of conditional Approval

Moved by: Mr. Gregan **Seconded by:** Mr. Borer

Vote: Motion passed (**Summary:** Yes = 8, No =0, Abstain =0)

Yes: Jim Martzke, Gary Brauchla, Patrick Greene, Kim DePew, Wayne Gregan, Tom Borer, Nathan Watkins, Carmen Miller

No: , 0

Abstain: 0

Item 4 -Public Hearing- SU-18-04 (Verdugo)

The Applicant requests Special Use Authorization to establish an event center and campground. An existing 1,400 square foot residence will be converted into an event/dining hall including a

commercial kitchen to accommodate weddings and similar events. One building will be converted to a portrait studio and another into an audio and video production room to support the onsite uses. Up to 30 primitive cabins/teepees and restroom/shower facilities will be provided in the future. The property is zoned RU-4 (Rural; one dwelling unit per 4 acres). Guest lodging (607.01) and Recreational Facilities (607.08) are allowed subject to the approval of this Special Use request. The 120 acres is on multiple parcels with development focused on 403-38-041 and 042. The site is located at 510 E Globo Lane north of Douglas.

Chairman Greene introduces the project and calls for Planning Director's report.

Mr. Kirschmann presented a PowerPoint presentation which is preserved in the file. Mr. Kirschmann showed aerial maps and photos of the site. The project has been conditioned to enter into a private maintenance agreement, reconfigure the driveway onto Lobo Lane in phase one and to provide a paved apron on Leslie Canyon Road in conjunction with the sixth campsite.

Mr. Gregan asked about the auxiliary parking. Mr. Kirschmann stated that the auxiliary parking areas are proposed to remain as dirt with the requested modification. It is staff's belief that there is enough paved parking that the auxiliary areas will not often be necessary. Mr. Gregan also asked about the letter provided by the Health Department. Mr. Kirschmann explained that a copy of letter was provided to the Applicant and he did have some concerns. He may be able to comment further.

Chairman Greene calls for applicant's statement.

Mr. David Verdugo explained that he and his wife purchased the property 18 months ago. They believe that the business will be great for the community. Once they build the profitable side of the business they want to help the children of the community by teaching farming and holding classes.

Chairman Green calls for public comments. There being no comments, the public hearing was closed.

Chairman Greene calls for Planning Commission discussion. There being no discussion, Chairman Greene calls for Planning Directors recommendation and conditions. Mr. Kirschmann read the Conditions and presented Staff's recommendation.

Chairman Greene calls for a motion.

Motion: Approve the Docket with Conditions and modifications recommended by Staff

Moved by: Mr. Martzke **Seconded by:** Mr. Gregan

Vote: Motion passed (**Summary:** Yes = 8, No =0, Abstain =0)

Yes: Jim Martzke, Gary Brauchla, Patrick Greene, Kim DePew, Wayne Gregan, Tom Borer, Nathan Watkins, Carmen Miller

No: , 0

Abstain: 0

Item 5 -Public Hearing- SU-18-05 (Campos)

The Applicant requests Special Use Authorization to establish a campground, yoga studio and related activities. The concept plan includes three tents and two earthbag domes (each less than

200 square feet), Restroom/shower building, a 2,500 square foot Yoga/meditation/retreat room, Art studio, chicken coop, greenhouse and a single-family home. Guest lodging (607.01), Personal/Professional Services (607.26) and Recreational Facilities (607.08) are allowed subject to the approval of this Special Use request. The 20-acre site is on parcel 104-84-028B on E Javelina Trail, west of Paloma Trail.

Chairman Greene introduces project and calls for Planning Director's report.

Mr. Kirschmann presented a PowerPoint presentation which is preserved in the file. The site currently has a permit for a single-family home and temporary recreation vehicle. Mr. Kirschmann showed aerial maps, photos and detailed the site plan including the various structures and setbacks. The presentation detailed each of the Special Use criteria used to evaluate the request. A map was presented showing the neighborhood feedback received.

Chairman Greene calls for applicant's statement. Ms. Julie Campos presented a PowerPoint presentation. The presentation highlighted Ms. Campos background, experience and scope of the project. She described the activities including permaculture, yoga and glamping. Ms. Campos then responded to some of the neighbor concerns including interruption of the natural beauty of the area, appropriateness of camping in rural areas, attraction of undesirables, concern of violence, traffic, road maintenance, and discussed financial benefits.

Chairman Greene opens the Public Hearing.

Ms. Socorro Paul stated that they have designated J.C. Mutchler speaker on behalf of the neighbors. She has lived in the area for a long time and believes that there are services for military personnel elsewhere.

Mr. Jack Mutchler, representing the neighbors within one mile of the project spoke in opposition to the Docket. He turned to the audience and requested all those in opposition to please stand. They feel the business will ruin the character of the neighborhood. The groups three major objections are: 1. Sheer number of people, 2. All the group supports the police and military and these services are needed but are not appropriate at this location. 3. The access road is primitive at best. The group has nothing against Ms. Campos and support her permaculture, off-grid living, and water recycling, but not her commercial enterprise.

Ms. Donna Pulling applauded the work of the County on the comprehensive plan. She states that the request complies with aspects of growth that have attracted all of us here. She believes the fear being demonstrated by the neighbors is not in accurate proportion to what she understands of the project. Ms. Pulling cited Section I, Rural Character of the Comprehensive Plan.

Ms. Faye Douglas stated her, and her husband owns 40 acres across from the project site. They have known Ms. Campos for 30 years. She is excited about the plan and supports the project.

Ms. Tandra Vertrees spoke in favor of the Docket.

Mr. Sam Moore spoke in opposition to the request, stating the majority of the people who spoke in favor do not live in the area. He supports what she is doing but not at this location.

Ms. Susan Avelli spoke in favor of the request, citing the bigger picture of helping people beyond just the immediate area.

Ms. Paula Sindelark spoke in favor of the Docket citing that what she is doing is from the heart and will increase property values.

Mr. Bobby Zavan spoke in favor of the Docket citing the need for these types of services in this area.

Ms. Grace Ison spoke in favor of the Docket citing the benefit of the proposed use.

Mr. James Bonilla spoke in favor of the Docket citing the positive impact to the environment and people suffering.

Ms. Jean Howe spoke in opposition to the request citing concerns over water usage and impacts to the San Pedro River.

Ms. Ivette Cunningham spoke in opposition to the Docket, citing that business is not appropriate in the area.

Mr. Dietmar Cunningham spoke in opposition to the Docket stating that the neighborhood does not want a business in the area.

Mr. William McNab spoke in opposition to the Docket stating concerns about having a business in the neighborhood and the possibility about it being sold to a KOA in the future.

Ms. Linda DeMarco spoke in opposition to the Docket citing concerns about additional traffic. The service is needed but not appropriate in this area.

Chairman Greene invited Ms. Campos up for rebuttal.

Ms. Campos stated that the neighborhood held a meeting last week and did not invite her. That eliminates the ability for cooperation. Ms. Campos stated that she is willing to limit the yoga classes to the weekends and workshops to once per quarter. The Applicant stressed the importance of working together to improve the road.

Chairman Greene closed the public hearing and called for questions of the applicant.

Mr. Gregan asked Ms. Campos about these types of services being offered in other areas. Ms. Campos replied that one is active, the others are for sale. Mr. Gregan asked why this piece of property? It was determined after talking to Faye Douglas and visiting the property. She then discussed the matter with the immediate neighbor and Mr. Gardner. Mr. Gregan suggested that she can split the parcel up and sell them off. Mr. Gregan also questioned whether there would be general camping. Ms. Campos, said no and explained that it was a misunderstanding.

Mr. Greene asked Ms. Campos about what the cost of compliance for the business will be. Ms. Campos that she plans to phase the development in over time.

Mr. Borer questioned the type of clientele would be anticipated. Ms. Campos responded people in their mid 20s-to retirement age. Typically, they are well educated, have jobs and come from

Tucson, Phoenix, Los Angeles and beyond. Mr. Borer followed with how many people could be supported in the tents. Generally, only 2 adults, and occasionally 2 small kids. The domes would only hold 2 adults. Mr. Borer questioned how many people would show up for a workshop. Ms. Campos said it would be 25 people maximum.

Mr. Greene calls for the Planning Directors recommendation with staff conditions.

Mr. Kirschmann states that Staff's recommendation is for denial. If the Commission wishes to approve the item, staff has prepared Conditions of Approval for consideration.

Chairman Greene calls for a motion. Mr. Martzke makes a motion in the affirmative and Mr. Borer seconds.

Chairmen Greene called Karen Lamberton to discuss the road issues.

Ms. Lamberton explained what vehicle trips are. She explained that that the parcel could be subdivided into residential lots and that the potential traffic would be equivalent to the proposed use. The trips would be intermittent and off peak. The Private Maintenance Agreement was explained for the benefit of the Commission and the audience.

Mr. Gregan commended Ms. Campos thoughts and plans, however he was not able to support the Docket because things do not always turn out as they are planned.

Chairman Greene stated that our Staff has been very pro-business, but we do not want to set up a formula for failure. Mr. Greene stated he has concerns about her being able to comply with County requirements.

Motion: Approve the Docket with Conditions and modifications recommended by Staff

Moved by: Mr. Martzke **Seconded by:** Mr. Borer

Vote: Motion failed (**Summary:** Yes = 4, No =4, Abstain =0)

Yes: Jim Martzke, Gary Brauchla, Tom Borer, Carmen Miller

No: Kim DePew, Patrick Greene, Wayne Gregan, Nathan Watkins

Abstain: 0

The vote was a tie, the Docket will automatically be heard next month.

Item 6 -Public Hearing- SU-93-08C (AFP)

The Applicant is requesting a Special Use Modification to expand parking and legitimize weekend music performances per Section 1716.05 of the Zoning Regulations. The applicant is Mike Rutherford representing the Arizona Folklore Preserve. The subject property, APN 105-46-001H, is located at 56 Folklore Trail off Ramsey Canyon Road.

Chairman Greene introduces project and calls for Planning Director's report.

Mr. Esparza presented a PowerPoint presentation which is preserved in the file. Mr. Esparza showed aerial maps, photos and detailed the site plan including the various structures. Parcel and use history was summarized. The applicant is requesting to legitimize the existing weekend music performances and parking. Mr. Esparza visited the site during a Saturday performance and

provided photos and insight on the parking. Fry Fire was included in the discussion and provided revised comments on the Docket.

Mr. Gregan asked about how the parking was determined to be appropriate. Mr. Esparza responded that he visited the site and compared it to the site plan. Mr. Gregan confirmed that there are no improvements proposed to the site.

Chairman Greene calls for applicant's statement.

Mr. Mike Rutherford explained the Folklore Preserve has been operating for 21 years. He was not involved in the previous applicant. Mr. Rutherford stated that floor has an occupancy of 55 and the mezzanine can accommodate an additional 8-10 more people. They are not requesting any changes only to legitimize the existing uses. Mr. Rutherford stated that an immediate resident was in the audience to speak in favor but had to leave. Ms. Rose Else did not speak, but Mr. Rutherford indicated that she supported the Docket.

Chairman Greene opened the Public hearing.

Ms. Sally Close spoke in opposition, citing history of the project, including denial based on previous Fry Fire Chief concerns about narrowness of road, and only one driveway. She stated nothing has changed on the site to overrule this opinion. Expresses concerns about more traffic, including "bikers". Ms. Close notes that Folklore Trail provides access to multiple parcels, causing ingress/egress issues. Cited July 1993 when Jim Vlahovich sent letter with "modest" compliance, noted no actual improvements to parking area. There is two-way traffic on a 14' bridge and cited an example of a visitor driving off bridge. In 25 years, there could have been better compliance. Arizona Folklore Preserve "knew they were going to get to do this".

Mr. John Messenger spoke about the progress as a two-edge sword. The Folklore Preserve is not asking for change, only change with relationship with neighbors. The Folklore Preserve is an asset to Cochise County. He stated that he has never seen the Folklore Preserve traffic as impediment to the roadway. He stated there was communication issues with staff changes on both sides.

Chairman Greene offered Mr. Rutherford a chance for rebuttable. Mr. Rutherford closed with a request to be allowed to continue the use as is.

Mr. Borer asked what happens if the request is denied. Mr. Esparza says violation continues, and Staff felt this was the remedy to the violation. Elda Orduno reminded that appeal to the Board of Supervisors is possible. Mr. Borer asked what the immediate repercussions are. Mr. Esparza stated that the violation would continue.

Chairman Greene asked if the complaint was in made in court. Mr. Esparza stated that this was a zoning complaint.

Ms. DePew asked if the split violated the special use. Mr. Esparza stated that in this case there was no impact created from the split.

Mr. Watkins asked Mr. Rutherford's if adding a driveway was possible. Mr. Rutherford explained using the map that it would not be possible. He also added that limiting them to 13 parking spaces will cause the Folklore Preserve to close due to insufficient revenue. Mr. Watkins

thanked him and stated he already knew answer. Mr. Rutherford explained the improvements they have done to the parking area with paving and gravel, and the area they left clear for drainage and safety. Mr. Rutherford states they have two 4,000-gallon water tanks onsite.

Ms. DePew asked if the Fry Fire had any access issues. Mr. Rutherford explained there were no issues when there was a nearby fire. Ms. DePew then asked why was there no adequate site plan when the building was built in 2001. Mr. Rutherford stated he does not know.

Chairman Greene calls for Planning Directors recommendation and conditions. Mr. Esparza read the Conditions and presented Staff's recommendation.

Chairman Greene calls for a motion. Mr. Martzke made the motion and Mr. Borer seconded.

Mr. Gregan expressed concerns about an incomplete packet, lack of Fry Fire and Transportation Memos. He expressed concerns about legitimizing what they are doing out there, after being denied by previous commissions. Mr. Gregan suggested the Commissioners vote against the Docket so that the Supervisors can make the decision.

Motion: Approve the Docket with Conditions and modifications recommended by Staff

Moved by: Mr. Martzke **Seconded by:** Mr. Borer

Vote: Motion passed (**Summary:** Yes = 6, No =2, Abstain =0)

Yes: Jim Martzke, Gary Brauchla, Patrick Greene, Tom Borer, Nathan Watkins, Carmen Miller

No: , Wayne Gregan, Kim Depew

Abstain: 0

6. PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS.

Next P&Z Commission meeting

May 9, 2018

- a. SU-18-07 (Fort Grant Child Care) Expand an existing daycare from 4 children to 10
- b. Rezoning in Whetstone
- c. Shed Manufacturing in Palominas
- d. Medical Marijuana in Dragoon
- e. Permaculture activities outside Bisbee

Mr. Coxworth updated the Commission on Tim's Electric appeal to the Board. The Board upheld the Commission's approval.

Mr. Gardner updated the Commission that the Pig Farm Docket has been withdrawn.

7. CALL TO COMMISSIONERS ON RECENT MATTERS.

None

8. ADJOURNMENT

Chairman Greene adjourned meeting at 8PM

P&Z Agenda Template

6. 1.

Meeting Date: 05/09/2018

OLD BUSINESS - SU-18-07 (Majewski)

Submitted By: Peter Gardner, Community Development

Department: Community Development

Presentation: PowerPoint

NAME Peter Gardner
of PRESENTER:

TITLE Planner II
of PRESENTER:

Agenda Item Text:

OLD BUSINESS - SU-18-07 (Majewski) A request for a Day Care Facility in Willcox.

Background:

The Applicant requests a Special Use Authorization to expand a current four child day care business located in an existing home, which does not require County permits to a ten child day care business, a use considered a Day Care Facility. Day Care Facilities located in Residential Zoning Districts require Special Use Authorization. The 4.47-acre site, APN 202-16-009, is located at 3900 N. Fort Grant Road in Willcox, and is zoned R-36. The applicant is Kara Majewski.

Attachments

[SU-18-07 \(Majewski\) Memo](#)

[Application & Maps](#)

[Public Comments](#)

[Agency Comments](#)



Cochise County
Community Development
 Planning, Zoning and Building Safety Division

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

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Peter Gardner, Planner II
FOR: Daniel Coxworth, AICP, Development Director
SUBJECT: Docket SU-18-07 (Majewski Daycare)
DATE: March 29, 2018 for the April 11, 2018 Meeting

APPLICATION FOR A SPECIAL USE AUTHORIZATION

The Applicant requests a Special Use Authorization to expand a current four child day care business located in an existing home, which does not require County permits, to a ten-child day care business, a use considered a Day Care Facility. Day Care Facilities located in Residential Zoning Districts require Special Use Authorization. The 4.47-acre site, APN 202-16-009, is located at 3900 N. Fort Grant Road in Willcox and is zoned R-36. The applicant is Kara Majewski.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 4.47 acres (194,713 square feet)
 Zoning: R-36 (Residential; one dwelling per 36,000 square feet)
 Growth Area: Category B-Community Growth Area
 Comprehensive Plan Designation: Neighborhood Conservation
 Area Plan: None
 Existing Uses: Rural Residential with exempt 4 child day care
 Proposed Uses: Same, with Day Care Facility, up to ten children

Zoning/Use of Surrounding Properties

| Relation to Subject Parcel | Zoning District | Use of Property |
|-----------------------------------|-----------------------------|--|
| North | R-36 | Rural Residential |
| South | R-36 | Rural Residential |
| East | Non-Maintained Road/R-36 | N. El Sol Lane/Rural Residential |
| West | County Maintained Road/R-36 | N. Fort Grant Road/Vacant & Grazing Land |

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

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

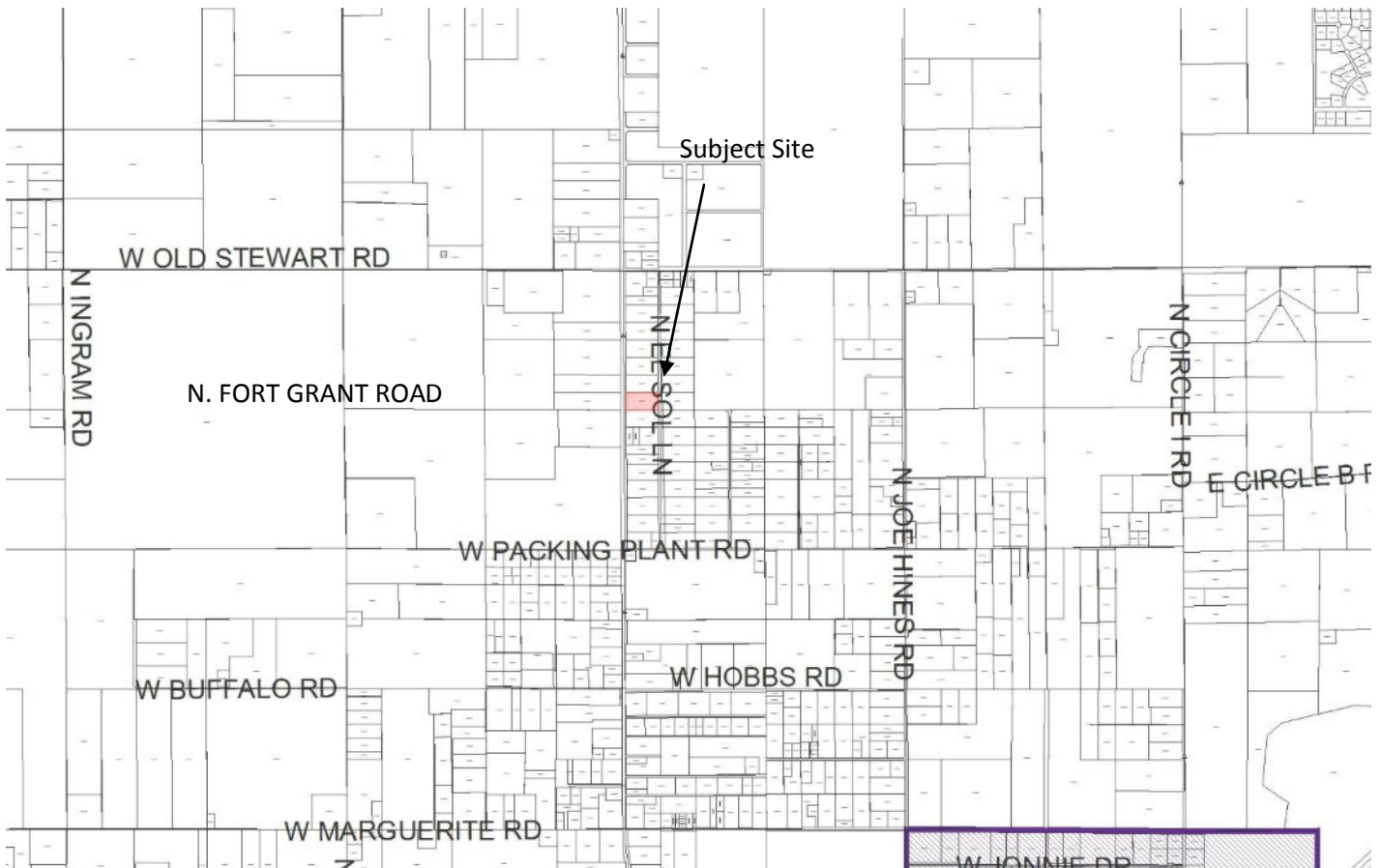
II. PARCEL HISTORY

1977 – Subject SFR Built

2002 – Additional septic and manufactured home installed

III. NATURE OF REQUEST

The Applicant currently provides day care for up to four children in her home, a use exempted from County permitting requirements and licensed through DES. The Applicant would like to apply for a license through DHS which would permit up to ten children, a use considered a Day Care Facility under the zoning regulations. In the Residential zoning district, this requires Special Use Authorization, but is still operated out of a single family home occupied by the Applicant. While the request does require this approval, it remains accessory to the principal use of the site as a primary residence.



Location Map

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of ten factors with which to evaluate Special Use applications. Staff uses these factors to help determine the suitability of a given Special Use request, whether to recommend approval for a Special Use Authorization, as well as to determine what Conditions and/or Modifications may be needed.

With the information provided, nine of the ten factors apply to this request. The project as submitted, complies with seven of those nine factors. With the recommended Conditions and Modifications, the other two factors are met.



Aerial view of the site.

A. Compliance with Duly Adopted Plans: Complies

The project site is located in an area designated "Neighborhood Conservation" in the Comprehensive Plan. This use will not change the overall character of the site, while providing a necessary service to the neighborhood. The Strategic and Comprehensive Plans both support economic development which are served both directly and indirectly by permitting parents to work. These plans also support creating healthy, safe communities, and this will provide a safe place for children in addition to the opportunities created for parents.

B. Compliance with the Zoning District Purpose Statement: Complies

The purpose statement in Article 7 makes no mention of any type of non-residential land use, however, Section 706 allows childcare in the R Districts as a Special Use. Typically, small childcare services provided in a home, rather than a school or community center setting, is considered "neighborhood serving" and compatible with residential neighborhoods such as unincorporated Willcox.



The home.

C. Development along Major Streets: Complies

The proposed use would not result in the creation of any additional access points to an arterial road or major thoroughfare.

D. Traffic Circulation Factors: Complies

N. Fort Grant Road is a major collector road and will easily absorb any potential increase in traffic.

E. Adequate Services and Infrastructure: Complies with Conditions

The site is accessed directly from N. Fort Grant Road. The site currently has a native surface, unimproved driveway, which is compliant with existing regulation and adopted road design standards. There is a clear pattern of wear from the current exempt use, with most turning movements coming from and returning to the south, towards incorporated Willcox. The current situation does not give the County any means of requiring improvement or protection of the roadway surface. This proposed increase to a regulated use provides the County with these means. At question is what level of improvement is appropriate. A traditional commercial use such as a retail store or professional services building would require a 24', two lane, chip seal, concrete, or asphalt driveway. A residential driveway, as noted above, can be 12' wide, native surface driveway. The latter has shown a noticeable amount of roadway wear, and the former would be well beyond what is required to protect the roadway based on the actual level of traffic. Staff

suggests that the driveway meet residential standards, with the additional requirement of using AB aggregate construction or better to protect the roadway edge. Staff also suggests that this requirement be deferred for one year after closure of the use permit to allow the applicant to procure funds.

All other infrastructure is existing.

F. Significant Site Development Standards: Complies with Modifications

Based on the nature of the use, which is akin to an accessory residential use rather than a true commercial use, Staff recommends the site be treated as a residential site for all site development standards except as noted above.

G. Public Input: Complies

The Applicant mailed letters to property owners within 1,000-feet of the property prior to application submittal. The Planning Department mailed letters to neighboring property owners within 1,000-feet of the subject property, published a legal ad in the *San Pedro Valley News-Sun* and posted legal notices on the property. To date, staff has received three letters of support. Neighboring property owners have noted that any business is good for the area, that the applicants are providing a much-needed service and have an excellent reputation.

H. Hazardous Materials: Does Not Apply

The Applicant states that no hazardous materials will be used or stored on site.



The access onto Fort Grant, showing the existing wear.

I. Off-Site Impacts: Complies

The only offsite impacts are to the roadway, which have been addressed above.

J. Water Conservation: Complies

The project site is not located within the Sierra Vista Sub-Watershed, and no new construction is proposed. Additional water usage will be minimal.



Playground for the children.

V. PUBLIC COMMENT

The Applicant mailed letters to property owners within 1,000-feet of the property prior to application submittal. The Planning Department mailed letters to neighboring property owners within 1,000-feet of the subject property, published a legal ad in the *San Pedro Valley News-Sun* and posted legal notices on the property. To date, staff has received three letters of support. Neighboring property owners have noted that any business is good for the area, that the applicants are providing a much-needed service and have an excellent reputation.

VI. SUMMARY AND CONCLUSION

The Applicant requests Special Use approval to add six additional children to an existing exempt child care operation, placing the proposed use into the category of Day Care Facility.

This department must weigh multiple, sometimes competing interests when reviewing requests. In this case, we must consider Public Health and Economic Development which are served by creating additional safe child care opportunities, permitting more individuals to work while guaranteeing safe situations for their children, as we also consider Infrastructure Protection, by striving for risk mitigation to our County roadway by requiring a higher level of driveway construction. We must note that this is not a Commercial request as many people would understand it, and the impact to the roadway is not on par with a new retail store or restaurant. Both the Special Use Authorization and the DHS regulations cap the number of children in the home at ten, placing a firm limit on traffic generation. In addition, the limited nature of the request and use limit the available financing from the Applicant, which must be considered when weighing the options above. If the County refuses a compromise from a full commercial driveway, the applicant will withdraw the application and continue at the level of current operation. This removes any ability of the County to require or request any repairs on the driveway, failing to fulfill any of the relevant interests as the existing level of traffic and wear will continue.

Based on the factors above, including the limited scope of the request, essentially being an accessory use in an existing single family dwelling, the nature of the other driveways in the area, which are all similar to the Applicant's, even those that serve commercial or agricultural uses, and the Applicant's stated willingness to place AB to repair and improve the driveway, we are comfortable deeming the driveway Residential and recommending that the Commission approve a modification to use AB instead of DBST.

Further, Staff recommends that for all other standards the site be deemed residential in nature.

Factors in Favor of Approving the Special Use

1. The use complies with the Comprehensive Plan and Zoning District purpose statement;
2. With the requested Conditions and Modifications, the request complies with all of the nine applicable Special Use factors;
3. The site has been in operation as a four-child day care operation since 2003, without incident;
4. The increase in children will grant the County the authority to require some level of improvements to protect Fort Grant Road;
5. Although commercial in nature, the use would be low-impact, and in overall harmony with surrounding residential development; and
6. Staff has received three letters of support of the request.

Factors Against Allowing the Special Use

1. Until driveway buildout, additional damage may occur on the edge of Fort Grant Road.

VII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **Conditional Approval** of the Special Use request, subject to the following Conditions:

1. The Applicant shall provide the County 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 properties within thirty (30) days of approval of the Special Use Permit. Prior to permit issuance, the Applicant shall submit and obtain building/use permits within 12 months of approval, including a completed joint permit application. The building/use permit(s) shall include a site plan in conformance with this approval and meeting all site development standards (except those specifically waived or modified by the Planning Commission as part of this approval), the completed Special Use Permit questionnaire, and appropriate fees. A permit must be issued within 18 months of approval, otherwise the approval may be deemed void upon 30-day notification to the Applicant;
2. It is the Applicant's responsibility to obtain any additional permits or meet additional conditions, if any, that may be applicable to the proposed activities pursuant to other federal, state, or local laws or regulations;
3. Within one year of temporary Certificate of Occupancy, the Applicant shall construct a driveway to residential standards with an AB or better surface; and
4. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional modification and approval by the Planning and Zoning Commission.

Sample Motion: *Mr. Chairman, I move to approve Special Use Docket SU-18-07, with the Conditions of Approval and Modifications recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*

VIII. ATTACHMENTS

- A. Application
- B. Parcel map, aerial, and site plan
- C. Citizen and Agency comment memos



Cochise County
Community Development
 Development Services Department

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

Docket No. _____
 Date Received _____
 Receipt No. _____

SPECIAL USE AUTHORIZATION QUESTIONNAIRE
(TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER/APN 202-16-009

APPLICANT Kara Majewski

PHYSICAL ADDRESS OF THE PROPERTY 3900 N. FT GRANT RD
WILCOX, AZ 85643

CONTACT TELEPHONE NUMBER (520) 384-0101

EMAIL ADDRESS: Kara.majewski93@GMAIL.COM

PROPERTY OWNER (IF OTHER THAN APPLICANT) Richard Majewski

PROPERTY OWNER'S MAILING ADDRESS 3900 N. FT GRANT RD
WILCOX, AZ 85643

REQUIRED SUBMITTALS

- Questionnaire with all questions completely answered (attached).
- A Concept Plan or Preliminary Site Plan in 8 1/2 " x 11" or 11" x 17" hard copy, or electronic in jpg or pdf format. Please note that if a Concept Plan is submitted for the Special Use Authorization, a complete Site Plan will be required when submitting the Non-Residential permit application.
- If the applicant is not the property owner, provide a notarized letter from the property owner granting permission to the applicant to apply for the Special Use Authorization and to act as the owner's representative.
- Any other Attachments or Information required to adequately analyze your request.
- Applicant's Certification and Acknowledgement

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

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

- Fees (\$300.00)
- Other Submittals as required based on the type, scope, and location of the proposed project
 - Hazardous or Polluting Materials Report
 - Off-site Improvement Plans
 - Soils Engineering Report
 - Landscape Plan
 - Hydrology/Hydraulic Report
 - Traffic Impact Analysis (TIA), Traffic Impact Statement (TIA), or Traffic Report (TR):
 - Outdoor Lighting Plan including lumen count

The Planner will advise you if and when any of the above attachments are required.

Project Description

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach separate pages if the lines provided are not adequate for your response.** Answer each question as completely as possible to avoid delay in analyzing the request.

Describe the existing uses and structures on the property.

USED FOR DAYCARE Birth to 13 years

Describe the proposed uses, structures, and activities.

DAYCARE Birth to 13 years

Describe all the products and services that will be produced or sold.

DAYCARE Birth to 13 years

What is the proposed time frame for construction and operation, including phasing if applicable?

N/A

Provide the following information (when applicable):

Days and hours of operation: Days: 7 Hours (from 1200 AM to 1159 PM)

Number of employees: Initially: 0 Future: 1

Number per shift Seasonal changes N/A

Total truck traffic, including deliveries and shipment (e.g., by type, number of wheels, or weight)

N/A

At what time of day, day of week and season (if applicable) is traffic the heaviest?

N/A

Describe the physical access to your site.

DRIVEWAY OFF FT BRANT RD.

Identify how the following services are or will be provided:

| | Existing Utility Company/Service Provider | Proposed provisions to be made if services are not currently on site |
|-----------------|---|--|
| Water | <u>WELL</u> | |
| Sewer/Septic | <u>SEPTIC</u> | |
| Electricity | <u>SSVEC</u> | |
| Natural Gas | <u>N/A</u> | |
| Fire Protection | <u>WILCOX PIPE DEPT</u> | |

Describe all outdoor storage and activities.

N/A

What noise, vibrations, dust, smoke, or odors will be produced that can be detected on neighboring properties? How will they be mitigated, controlled, or reduced?

N/A

If any activities will attract pests, what measures will be taken to control them?

N/A

What screening, if any is proposed?

N/A

Describe all outdoor lighting, including lighted signs.

N/A

Describe the locations and dimensions of all existing and proposed signs, including any attached to a building.

N/A

Is there any regulated flood plain on the property?

Yes ___ No

Are there any washes within 300 feet of the property?

Yes ___ No

Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?

Yes ___ No

Will washes be improved with culverts, bank protection, crossings or other means?

Yes ___ No

If yes to any of these questions, describe and/or show on the site plan.

Show dimensions, locations, and materials of parking areas (including ADA parking), loading areas, and driveways.

Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?

Yes ___ No If yes, show details on the site plan.

How many acres will be cleared? N/A

If more than one acre is to be cleared, describe the proposed dust and erosion control measures to be used.

N/A

What specific measures will be taken to conserve water on-site? Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described.

N/A

Describe proposed landscaping, including what plants and materials are proposed.

N/A

Does the proposed use involve hazardous materials?

No Yes If yes, complete the attached Hazardous Materials attachment.

Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, any required attachments, and on the concept plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Special Use Authorization.

Applicant's Signature Kara Majewski

Print Applicant's Name Kara Majewski

Date signed 2/21/18

D STEWART RD

N ELSOLL LN

N CIRCLE IRD

W PACKING PLANT RD

N JOE HINES RD

E CIR

UFFALO RD

W HOBBS RD

W MARGUERITE RD

W JONNIE DR

W SMITH LN

N HAMILTON RD

W COX RD

N TAYLOR RD

N WELLS LN

FORT GRANT RD

N BISBEE AVE

N ARIZONA AVE

Legend

-  Incorporated Limits
-  Roads
-  Parcels
-  Milepost
-  Highlighted Features
-  Current Features
-  Buffer

W TORRES LN

N QUAIL DR



SU-18-07

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



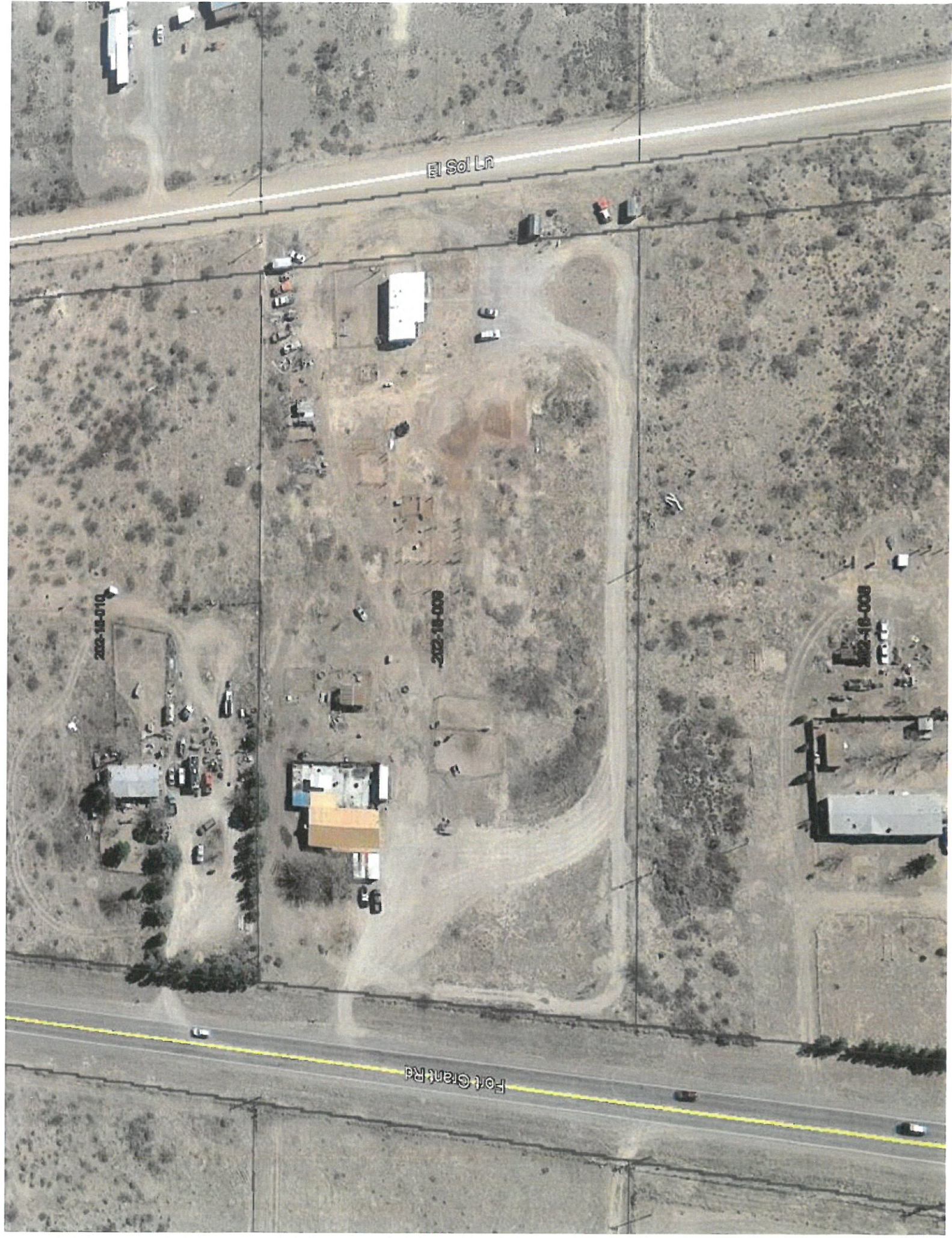
E Sol Ln

202-18-010

202-18-008

202-18-008

Fot Grant Rd



Special Use Docket SU-18-07 (Majewski Daycare)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

It helps working families - No ~~for~~ impact on the neighborhood. ^{negative}

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

SIGNATURE(S):

Pony Brander

YOUR TAX PARCEL NUMBER: 202-17-001A (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Wednesday, March 28, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by April 10, 2018 to have your support or non-support noted verbally at the meeting; or you may personally make a statement at the **public hearing on April 11, 2018**. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-18-07 (Majewski Daycare)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Singer, E. Richard & Victoria H

SIGNATURE(S):

Richard Singer
Victoria H. Singer

YOUR TAX PARCEL NUMBER: 20216049H (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Wednesday, March 28, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by April 10, 2018 to have your support or non-support noted verbally at the meeting; or you may personally make a statement at the **public hearing on April 11, 2018**. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY

MAR 19 2018

PLANNING

Special Use Docket SU-18-07 (Majewski Daycare)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

It will in no way have any effect on me and I don't foresee any problems.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

SIGNATURE(S): _____

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

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RETURN TO: Peter Gardner, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-18-07 (Majewski Daycare)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Any kind of business added to the Willcox area will be a plus and these are good neighbors and I heard positive comments about their operation

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Jay Douglas Kuhn Jay Douglas Kuhn

SIGNATURE(S):

Jay Douglas Kuhn

YOUR TAX PARCEL NUMBER: 202-17-001 E 3 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Wednesday, March 28, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by April 10, 2018 to have your support or non-support noted verbally at the meeting; or you may personally make a statement at the **public hearing on April 11, 2018**. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner I
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY
MAR 28 2018
PLANNING



Cochise County
Community Development
Highway and Floodplain Division

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INTEROFFICE MEMO

Date: March 12, 2018
To: Peter Gardner, Planner II
From: Teresa Murphy, Right-of-Way Agent
Subject: SU-18-07 (Majewski Daycare)

Background: The applicant requests a Special Use Authorization to expand a current four child daycare business located in an existing home, which does not require County permits to a ten child daycare business, a use considered a Daycare Facility. Daycare Facilities located in Residential Zoning Districts require Special Use Authorization. The 4.47 acre site, APN 202-16-009, is located at 3900 N. Fort Grant Road in Willcox, and is zoned R-36. The applicant is Kara Majewski.

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:

- Access via Fort Grant Road
- Fort Grant Road is a County Maintained Road (MI #346)
- Public Dedication of West 33 feet per Book 4 of Maps and Plats, page 50.
- Public Dedication of East 70 feet per Docket 887, page 140.
- Established as a County Highway per the Cochise County Board of Supervisors minute Book 23, page 335, dated June 7, 1965 at a declared width of 60 feet.
- Fort Grant Road is classified as a Federal Function Major Collector Road which has a 100'-150' minimum standard right-of-way width (see figure CC011 of Cochise County Highway Standards).

Recommendation:

- Further right-of-way dedication is not required for Fort Grant Road at this time.

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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MEMORANDUM

Date: March 20, 2018
To: Peter Gardner, Planner I
From: Karen L. Lamberton, AICP County Transportation Planner
Subject: Majewski Daycare/SU-18-07/Parcel # 202-16-009

The applicant, Kara Majewski, is requesting a Special Use authorization to expand a 4-child day care to a 10-child day care facility. The property is zoned RU-36, Neighborhood Conservation, and the proposed day care facility requires a special use in this zoning.

Special Use Authorization Conditions

We have no objection to issuing the requested Special Use Authorization with the following conditions:

1. At the Commercial Permit phase the applicant will be required to obtain a ROW/Encroachment Permit for the construction of a commercial driveway, meeting Design Standard CC205-2, with clear zones (sight distance triangles) per Design Standard, CC300 and Zoning Code 1807.06B, in advance or concurrent with their Commercial Permit application.

Background

The applicant is applying for a Special Use Authorization to provide day care services in an existing home located in the Willcox area. Access to the site is from Fort Grant Road: a county maintained, federally functionally classified rural major collector, asphalt-concrete surfaced, with a 28-foot cross-section.

Driveway Access

Commercial uses typically require a commercial driveway apron allowing for two-way traffic (minimum 24 feet per Design Standard CC2015-2). At a minimum a Type D driveway apron should be constructed.

However, it is understood that this is a fairly low impact commercial use and the applicant may request a modification from the full commercial access apron width from the County Engineer. Design standards for commercial use driveways require that the driveway apron match the surfacing of the adjacent county-maintained roadway; a waiver from that requirement may only be granted by the County Engineer upon a written request and justification for meeting a different or lower standard.

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520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Given the classification of Fort Grant Road, the traffic volumes and speeds, the evidence of tracking of debris onto the roadway under existing conditions, a hard-surfaced driveway apron is appropriate. A waiver is unlikely to be granted.

However, up to a one year to complete an approved Right-of-Way Encroachment Permit can be granted, if approved by the County Engineer. If the applicant feels that constructing this infrastructure improvement immediately is a hardship, and the Planning and Zoning Commission is not opposed to a delay in this improvement, the applicant may request additional time from the County Engineer to meet this requirement. (e.g. assessing each student \$2.00 per day will likely generate the necessary funds to construct this improvement within 10 months). A request for more time is likely to be granted.

The applicant should keep in mind that typically only a temporary permit to operate will be issued until the driveway condition is completed.

Traffic Analysis

Trip generation, with one employee and ten daycare children, using the primary residential unit, is estimated to be 34.54 vehicle trips per day, per the ITE Manual, 9th edition. This use is likely to increase the trip generation from this parcel slightly beyond that of the high end of the range for a single residential unit (21.85 trips per day). This potential use would likely create a slight increase in trips generated during the morning and evening peak hour travel periods.

Traffic volumes average 2,684 vehicles per day on Fort Grant Road with an estimated 18% of the daily traffic heavy trucks or buses. Average speeds on this segment of Fort Grant Road is 62 miles per hour (it is recommended that this speed be used for calculating sight distance triangles). Fort Grant Road has the capacity to absorb both current and future traffic generated by this use without causing an adverse effect on traffic patterns. No off-site improvements would be necessary for this proposed use.

Applicant Guidance

We have no objection to issuing the requested Special Use authorization with the following advisory notes to the applicant:

- The site plan is adequate to illustrate the concept for this Special Use authorization request. It will not be adequate at the Commercial Permit phase. The applicant is advised that a revised site plan that clearly shows all the driveway dimensions as well as sight triangles (Roadway Design Standards CC300 & Zoning Regulation 1807.06B) will be needed at the Commercial Permit stage.

What we are looking for is the dimensions of the width of the driveway, the distance of those from the edge of pavement, property lines. What we want the applicant to be sure of is that no fixed objects, including signs, interfere with sight distance.

P&Z Agenda Template

6. 2.

Meeting Date: 05/09/2018

OLD BUSINESS SU-18-05 (Campos)

Submitted By: Robert Kirschmann, Community Development

Department: Community Development

Division: Development Services

Presentation: PowerPoint

NAME Robert Kirschmann

of PRESENTER:

TITLE Planner II

of PRESENTER:

Agenda Item Text:

OLD BUSINESS - SU-18-05 (Campos) Applicant requests Special Use Authorization to establish a campground, yoga studio and related activities in Palominas.

Background:

The Applicant requests Special Use Authorization to establish a campground, yoga studio and related activities. The concept plan includes three tents and two earthbag domes (each less than 200 square feet), Restroom/shower building, a 2,500 square foot Yoga/meditation/retreat room, Art studio, chicken coop, greenhouse, and a single family home. Guest lodging (607.01), Personal/Professional Services (607.26) and Recreational Facilities (607.08) are allowed subject to the approval of this Special Use request. The 20 acre site is on parcel 104-84-028B on E Javelina Drive, west of Paloma Trail.

This item was heard at the Planning and Zoning Commission meeting of April 11, 2018. At that meeting the Commission voted 4-4. Per the bylaws ties must be heard at the next available Commission meeting. On April 12, 2018 Ms. Campos submitted a request to continue the item to the June 13, 2018 meeting due to previously scheduled family matters.

Staff recommends continuing the item to the meeting of June 13, 2018.

Attachments

Request to continue

Kirschmann, Robert

From: Julie Campos <bienestaroasis@gmail.com>
Sent: Thursday, April 12, 2018 3:14 PM
To: Kirschmann, Robert
Subject: Postpone hearing date?

Dear Mr. Kirschmann,

I am writing to request that the hearing of my Special Use Permit application be delayed. I have a scheduling conflict as I am already committed to be out of town during the first 2 weeks of May to attend to family matters. The appointments scheduled have been pending for 18 months and cannot be changed. It is my understanding that the following hearing date would be June 13, 2018 at 4pm.

Please can you confirm this postponement at your earliest convenience?

Many thanks.

Kind regards,

Julie Campos

P&Z Agenda Template

6. 3.

Meeting Date: 05/09/2018

SU-18-10 (Baker)

Submitted By: Robert Kirschmann, Community Development

Department: Community Development

Division: Development Services

Presentation: No A/V Presentation

NAME Robert Kirschmann

of PRESENTER:

TITLE Planner II

of PRESENTER:

Agenda Item Text:

SU-18-10 (Baker)The Applicant requests Special Use Authorization to establish art and permaculture facilities.

Background:

The Applicant requests Special Use Authorization to establish art and permaculture facilities to include: classrooms, outdoor stage, covered outdoor kitchen, restrooms, offices, parking, greenhouses, gardens, and other related structures and activities. Educational Services (607.25) are allowed subject to the approval of this Special Use request. The 80-acre site is on parcel 101-40-001.

Staff is requesting that this item be tabled to the July 11, 2018 Planning and Zoning Commission meeting to allow the Applicant's time to verify access to the parcel and address some neighbor concerns expressed during the outreach.

P&Z Agenda Template

6. 4.

Meeting Date: 05/09/2018

SU-18-08 (Kropf)

Submitted By: Robert Kirschmann, Community Development

Department: Community Development

Division: Development Services

Presentation: No A/V Presentation

NAME of PRESENTER: Robert Kirschmann

TITLE of PRESENTER: Planner II

Agenda Item Text:

SU-18-08 (Kropf) The Applicant requests Special Use Authorization to expand a home-based wood and metal working business (Home Occupation, HO 17-25) into larger structures such as sheds, cabins, garages, and similar structures.

Background:

The Applicant requests Special Use Authorization to expand a home-based wood and metal working business (Home Occupation, HO 17-25) into larger structures such as sheds, cabins, garages, and similar structures. The concept plan identifies the existing 1,000 square foot concrete slab and 858 square foot workshop/shed used to construct the structures. Lumber and other materials may be stored outside but will be screened from neighbor view with existing vegetation. Manufacturing, not to exceed 5,000 square feet (607.17) is allowed subject to the approval of this Special Use request. The 40.5-acre site is on parcel 104-80-024B, 11660 S. Rough Rider Road.

Attachments

Staff Report

Application

Public Response

Agency Response



Cochise County
Community Development
 Planning, Zoning and Building Safety Division

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

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Robert Kirschmann, Planner II
FOR: Daniel Coxworth, AICP, Development Director
SUBJECT: Docket SU-18-08 (Kropf)
DATE: April 26, 2018 for the May 9, 2018 Meeting

APPLICATION FOR A SPECIAL USE AUTHORIZATION

The Applicant requests Special Use Authorization to expand a home-based wood and metal working business (Home Occupation, HO 17-25) into larger structures such as sheds, cabins, garages, and similar structures. The concept plan identifies the existing 1,000 square foot concrete slab and 858 square foot workshop/shed used to construct the structures. Lumber and other materials may be stored outside but will be screened from neighbor view with existing vegetation. Manufacturing, not to exceed 5,000 square feet (607.17) is allowed subject to the approval of this Special Use request. The 40.5-acre site is on parcel 104-80-024B, 11660 S. Rough Rider Road.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 40.42 acres
 Zoning: RU-4 (Rural; one dwelling 4 acres)
 Growth Area: Category D
 Comprehensive Plan Designation: Rural Density Residential
 Area Plan: Southern San Pedro Valley Area Plan
 Existing Uses: Rural Residential, home based business
 Proposed Uses: Single family home, sheds, shed/barn manufacturing

Zoning/Use of Surrounding Properties

| Relation to Subject Parcel | Zoning District | Use of Property |
|----------------------------|-----------------|--|
| North | RU-4 | Rural Residential/ Vacant/ Horse Ranch |
| South | RU-4 | Rural Residential/Vacant/Mexico |
| East | RU-4 | Rural Residential/Vacant |
| West | RU-4 | Vacant |

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

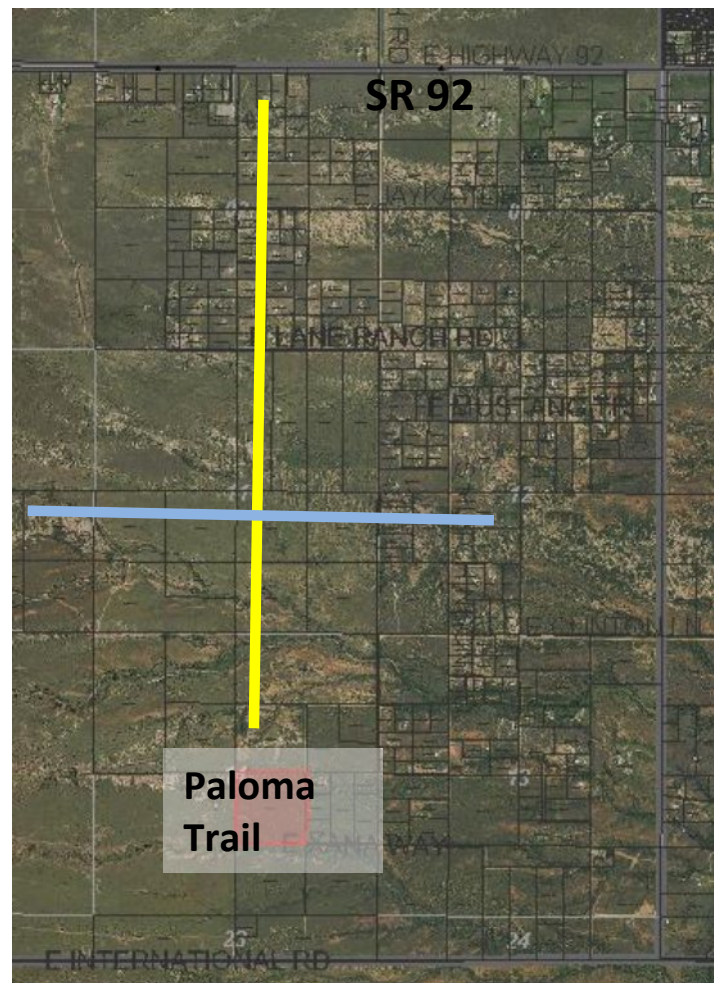
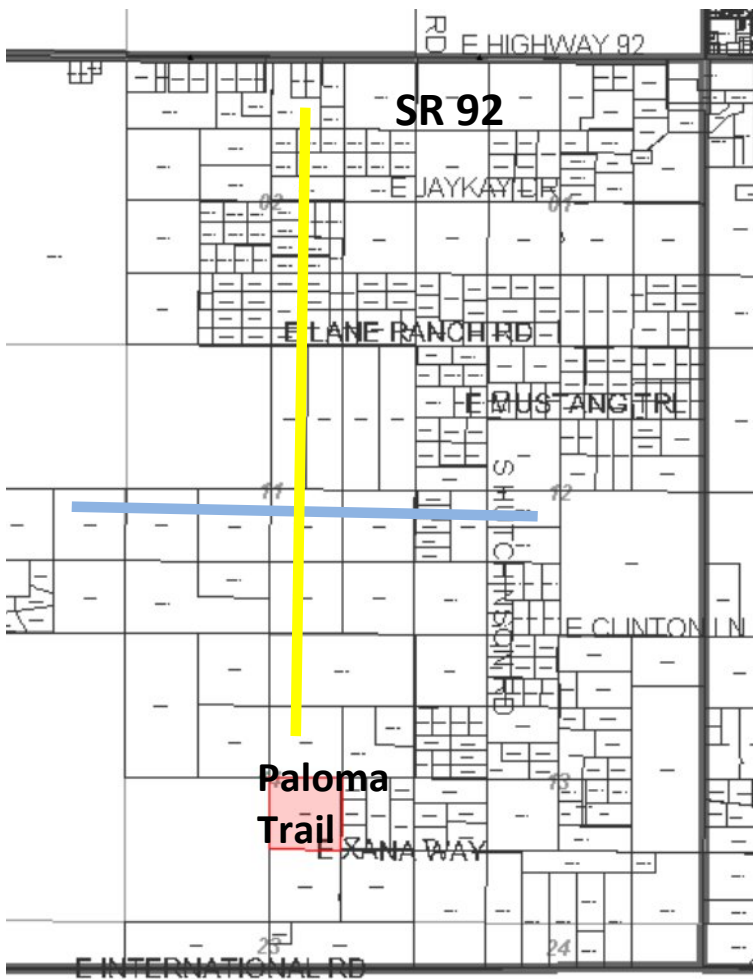
Highway and Floodplain
 1415 Melody Lane, Building F
 Bisbee, Arizona 85603
 520-432-9300
 520-432-9337 fax
 1-800-752-3745
 highway@cochise.az.gov
 floodplain@cochise.az.gov

II. PARCEL HISTORY

2017 – Single Family Home Permit, patio, storage, workshop, septic

III. NATURE OF REQUEST

The Applicant requests Special Use Authorization to expand a home-based wood and metal working business (Home Occupation, HO 17-25) into larger structures such as sheds, cabins, garages, and similar structures. The concept plan identifies the existing 1,000 square foot concrete slab and 858 square foot workshop/shed used to construct the structures. Lumber and other materials may be stored outside but will be screened from neighbor view with existing vegetation. Manufacturing, not to exceed 5,000 square feet (607.17) is allowed subject to the approval of this Special Use request. The 40.5-acre site is on parcel 104-80-024B, 11660 S. Rough Rider Road.



Location Map

Aerial

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of ten factors with which to evaluate Special Use applications. Staff uses these factors to help determine the suitability of a given Special Use request, whether to recommend approval for a Special Use Authorization, as well as to determine what Conditions and/or Modifications may be needed.

With the information provided, eight of the ten factors apply to this request. The project, as submitted, fully complies with two of the factors, and partially complies with three others. With the recommended conditions and modifications, the project complies with two additional factors. The project does not comply with one factor.

A. Compliance with Duly Adopted Plans: Partially Complies

The project site is located in Category D, Rural Density Residential area. The Rural Residential describes areas with a definite pattern of residential development on lots two acres or greater. The Comprehensive Plan goes on to State "Due to well-established residential character of these areas, rezonings or *Special Uses* to allow more intensive developments that do not



directly serve the residents of the area are ***not generally appropriate***". The area has minimal residential development on wildcat splits. The lots range from four plus. The area does not exhibit a "definitive pattern of residential development", insofar as the lots sizes widely range, homes are scattered, and a Commercial horse breeding/stable is also located on Rough Rider, north of the proposed use.

The project site is also located within the Southern San Pedro Valley Area Plan. The Business and Industry Goal states "New non-residential development should complement the rural, small town, recreational and ranching character of the valley". There are 5 Policies within the Plan used to implement the goal.

Policy 1: The first policy wishes to maintain existing development patterns by directing business to areas that are already developed. The request does not comply with this policy, as the area where the use is located is largely undeveloped. However, the applicant is constructing a single-family home and several storage buildings on the parcel. The applicant obtained a Home Occupation to construct small structures such as dog houses and chicken coops. The business has grown and now includes barns and sheds. There have been no complaints received



regarding noise or additional traffic in the area. Any expansions beyond the scope of this application will require review and possible modification to the Special Use.

Policy 2: Does not apply as a rezoning is not requested or required for the proposed project.

Policy 3: Does not apply as there are no existing commercial structures on the site.

Policy 4: Policy four states that Special Uses are acceptable if they have no off-site negative impacts. The policy goes on to further describe the types of special uses considered appropriate in the Plan Area. These include resorts, guest ranches, and group camps, rural density RV parks/campgrounds and recreational uses designed to primarily serve the plan area. The use does not fall into any of these categories, however, there are minimal offsite impacts. The area of work is

setback at least 380 feet from the closest property line. As previously stated, the applicant has already been constructing structures with **no** complaints received.

Policy 5: Policy five states that industrial uses are considered more suitable in the Sierra Vista employment center where the infrastructure exists to support such activities. The area plan and zoning regulations do not define industrial uses. Though the applicant is building chicken coops, sheds, barns, etc. it is a family business, built one at a time rather than a major production. Tools, such as table saws, circular saws, and drills (similar to what is typical in a home garage) are used for the business. The sheds are delivered on a



trailer and with a truck not larger than some used for horse or cattle.

B. Compliance with the Zoning District Purpose Statement: Partially Complies

The purpose statement of the Rural Zoning District in Article 6 includes seven points. Section 601.02 encourages non-residential uses which serves local need or provides a service that are compatible with rural living. The sheds are being sold offsite, but locally and are the types of structures that are common in the rural areas. The proposed use is small in scale with only family members participating in the construction. This limits the number of sheds that can be produced. A local property owner stated that the horse stable located north of the proposed application contributes more traffic than seen from this application.



C. Development along Major Streets: Not Applicable

The proposed use is located on Rough Rider Road. The site is over 2.5 miles south of Highway 92 on a series of non-County Maintained Roads. Only the existing residential access on Rough Rider is proposed.

D. Traffic Circulation Factors: Complies

This site, as proposed, includes one single family residential unit with an estimated 1,858 square footage of workspace and potentially up to 5 family member employees. Combined range of traffic impact is likely to be 17.19 to 31.54 vehicle trips per day (8 to 15 vehicles in/out on any given day), per the *ITE Manual, 9th edition*.

The 40.5-acre could, if developed into 4-acre residential lots have a potential range of 43.1 to 218.5 vehicle trips per day, if fully built out and occupied. As proposed, the site itself would typically have the equivalent of the high-end range of one single residential unit. However, the heavier truck traffic, for the most part of similar size and weight as horse trailers or tractors used

in the area, can potentially have an impact on the roadway due to their larger turning radii requirements. The additional axles spread out the weight but then impact the roadway like several vehicles might, depending on the number of axles and their loaded weight. Although the number proposed at this time is

not excessive (2 larger semi-trucks per year, 1-2 trucks per week) the applicant is advised that they do not have easy access to a maintained roadway network. Per Zoning Code 1807.02A, the applicant would be responsible to participate with other neighbors for maintenance of the roadways that their business operations would use.

E. Adequate Services and Infrastructure: Partially Complies

The site is accessed via Rough Rider Road and a series of approximately 2.5 miles of non-maintained roads from State Route 92. There are several washes that that the applicant must cross. During rain events it may be impossible for the applicant to reach their home. However, the public is not invited to the site and therefore, the only impacts would be to the Applicant.

The applicant is off-grid and provides their own water electric and a septic system.

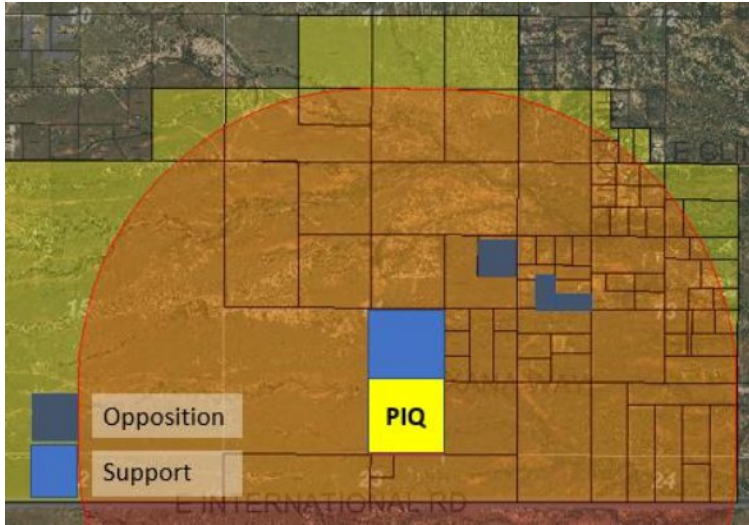
F. Significant Site Development Standards: Complies with Conditions and modification

The site plan presented complies with most development standards. The structures are more than 380 feet to any property line, which exceeds the required 20 feet. The Applicant will have no customers onsite and will only employ up to five family members. Deliveries of materials to the site will be limited and not exceed what is currently occurring. Based on these factors staff recommends approval of residential standards for parking, parking and driveway materials and screening.

Transportation Staff is recommending the site plan submitted for the non-residential permit application show a full commercial apron width of 24 feet with a 35-foot radius in order to accommodate the larger trucks needed for hauling the completed structures off the site. This can remain a native surface. In reference to the screening, existing mesquite trees, shed and the single-family home provide screening and buffers surrounding properties south and east.



G. Public Input: Does not Comply



The Applicant mailed letters to property owners within 1 mile of the property prior to application submittal. The Planning Department mailed letters to the same property owners within 1 mile of the subject property, published a legal ad in the *San Pedro Valley News-Sun* and posted legal notices on the property. To date, staff has received three letters of opposition from property owners within that radius and one letter of support. The concerns and objections raised by the nearby property owners include noise, access, traffic and future expansion. Approximately 69 letters were mailed to property owners within the mile. A total of four responded, which is a low

response. Three of the four letters are in opposition and therefore the project does not comply with this factor.

H. Hazardous Materials: Not applicable

There will not be any potentially hazardous materials used on the site.

I. Off-Site Impacts: Complies with Conditions

The closest structure will be at least 380 feet from the property line, limiting visual impacts to the surrounding neighbors. Minimal outdoor lighting is provided and will comply with County’s Outdoor Lighting Ordinance. There will be occasional noise from tools being operated, however distance, existing home, and vegetation will minimize these impacts. The Applicant could construct ten single family homes on the 40.5-acre parcel. Vehicle trips could range from 43.1 to 218.5 vehicle trips per day, if fully built out and occupied. As proposed, the site itself would typically have the equivalent of the high-end range of **one** single residential unit. The existing truck traffic will continue, however the truck and trailer used is equivalent to the size, scale and weight of the horse trailers utilized by many neighbors and guests. A condition has been placed requiring a private maintenance agreement for all non-County maintained roads used.

J. Water Conservation: Complies

The project site is located within the Sierra Vista Sub-Watershed. The single-family home and accessory structures have been reviewed and conditioned to be in Compliance.

V. PUBLIC COMMENT

Staff mailed notices to neighboring property owners within 5,280 feet of the subject property on April 12, posted the property on April 11, and published a legal notice in the *San Pedro Valley News-Sun* on April 17, 2018. In response to applicant and County mailings, the Planning Department received three letters of opposition and one letter of support from surrounding property owners.

VI. SUMMARY AND CONCLUSION

The Applicant requests Special Use approval to authorize manufacturing of sheds, barns and similar structures. The parcel is over 40 acres in size, and the development is located near the center, at least 380 feet from the closest property line. The business is family owned and operated, with only family members employed at the site. No customers are permitted on the site. The structures are currently being sold from a commercial location along SR92. No complaints have been received from surrounding property owners while the applicant had the Home Occupation.

Factors in Favor of Approving the Special Use

1. The area of construction is at least 380 feet away from the closest property line and screened by the existing residence and vegetation;
2. No customers will come to the site;
3. Only members of the family will be involved with the business;
4. One letter of support, from the adjacent property to the north was received.

Factors Against Allowing the Special Use

1. The Planning Department has received three letters in opposition to the request from neighboring property owners;
2. The project does not comply with one of the Special Use Factors.

VII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **Approval** of the Special Use request.

Should the Commission approve the Application, staff recommends the following Conditions:

1. The Applicant shall provide the County 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 properties within thirty (30) days of approval of the Special Use Permit. Prior to permit issuance, the Applicant shall submit and obtain building/use permits within 12 months of approval, including a completed joint permit application. The building/use permit(s) shall include a site plan in conformance with this approval and meeting all site development standards (except those specifically waived or modified by the Planning Commission as part of this approval), the completed Special Use Permit questionnaire, and appropriate fees. A permit must be issued within 18 months of approval, otherwise the approval may be deemed void upon 30-day notification to the Applicant;
2. At the Commercial Permit phase, the applicant will be required to submit a Private Maintenance Agreement, per Zoning Code 1807.02A, for segments of roadway from their driveway to Highway 92.
3. In conjunction with the Commercial Permit Submittal, the Applicant shall provide a clear site plan demonstrating proper driveway width at Rough Rider Road;

4. It is the Applicant's responsibility to obtain any additional permits or meet additional conditions, if any, that may be applicable to the proposed activities pursuant to other federal, state, or local laws or regulations; and
5. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional modification and approval by the Planning and Zoning Commission.

Sample Motion:

Mr. Chairman, I move to approve Special Use Docket SU-18-08, with the Conditions of Approval and Modifications recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

VIII. ATTACHMENTS

- A. Complete Staff Report
- B. Application
- C. Public Response
- D. Agency Response

April 27th due

Docket No. SU-18-08
Date Received 03/29/18
Receipt No. 18-1386



Cochise County
Community Development
Development Services Department
Public Programs...Personal Service
www.cochise.az.gov

SPECIAL USE AUTHORIZATION QUESTIONNAIRE
(TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER/APN 104-80-024 B

APPLICANT Elmer Kropf

PHYSICAL ADDRESS OF THE PROPERTY 11660 S. Rough Rider RD
Hereford AZ 85615

CONTACT TELEPHONE NUMBER 520-216-1952

EMAIL ADDRESS: kropfhomestead@gmail.com

PROPERTY OWNER (IF OTHER THAN APPLICANT) _____

PROPERTY OWNER'S MAILING ADDRESS P.O. Box 727
Hereford AZ 85615

REQUIRED SUBMITTALS

- Questionnaire with all questions completely answered (attached).
- A Concept Plan or Preliminary Site Plan in 8 1/2" x 11" or 11" x 17" hard copy, or electronic in jpg or pdf format. Please note that if a Concept Plan is submitted for the Special Use Authorization, a complete Site Plan will be required when submitting the Non-Residential permit application.
- If the applicant is not the property owner, provide a notarized letter from the property owner granting permission to the applicant to apply for the Special Use Authorization and to act as the owner's representative.
- Any other Attachments or Information required to adequately analyze your request.
- Applicant's Certification and Acknowledgement

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

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

- Fees (\$300.00)
- Other Submittals as required based on the type, scope, and location of the proposed project
 - Hazardous or Polluting Materials Report
 - Off-site Improvement Plans
 - Soils Engineering Report
 - Landscape Plan
 - Hydrology/Hydraulic Report
 - Traffic Impact Analysis (TIA), Traffic Impact Statement (TIA), or Traffic Report (TR):
 - Outdoor Lighting Plan including lumen count

The Planner will advise you if and when any of the above attachments are required.

Project Description

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach separate pages if the lines provided are not adequate for your response.** Answer each question as completely as possible to avoid delay in analyzing the request.

Describe the existing uses and structures on the property.

36x48 residence = under construction
 26x33 metal building for storage + workshop
 2 small storage sheds 8x14 and 8x26

Describe the proposed uses, structures, and activities.

use the existing facilities to build smaller structures for now and progressing to larger structures by summer or fall

Describe all the products and services that will be produced or sold.

portable chicken coops
 " storage buildings
 " garages
 " horse sheds
 " cabins
 " dog kennels

What is the proposed time frame for construction and operation, including phasing if applicable?

starting ASAP and putting up 48x78 shop by March 2018

only family members employed

Provide the following information (when applicable):

Days and hours of operation: Days: ^{mon} ~~sat~~ Hours (from 8 AM to 6 PM)

Number of employees: Initially: 3 Future: 5 ~~only family members~~

Number per shift Seasonal changes no seasonal changes

Total truck traffic, including deliveries and shipment (e.g., by type, number of wheels, or weight)

incoming 1 per wk 2 = 18 wheeler loads per year
outgoing 2 per wk everything else on flatbed trucks and trailers

At what time of day, day of week and season (if applicable) is traffic the heaviest?

N/A

Describe the physical access to your site.

3 1/2 miles of unpaved roads

Identify how the following services are or will be provided:

| | Existing Utility Company/Service Provider | Proposed provisions to be made if services are not currently on site |
|-----------------|---|--|
| Water | <u>well</u> | |
| Sewer/Septic | <u>septic</u> | |
| Electricity | <u>off-grid = solar</u> | |
| Natural Gas | | |
| Fire Protection | | |

Describe all outdoor storage and activities.

loading and unloading trucks with forklift
stacking bundles of lumber outdoors

What noise, vibrations, dust, smoke, or odors will be produced that can be detected on neighboring properties? How will they be mitigated, controlled, or reduced?

very minimal if any
enough distance to closest neighbors that they should not be able to detect noise and vibrations

If any activities will attract pests, what measures will be taken to control them?

our activities should not attract any pests

What screening, if any is proposed?

natural screening i.e. existing mesquite trees and planting more trees

Describe all outdoor lighting, including lighted signs.

very minimal outdoor lighting on buildings and no lighted signs

Describe the locations and dimensions of all existing and proposed signs, including any attached to a building.

~~at~~ no signs planned at this time

Is there any regulated flood plain on the property?

Yes ___ No

Are there any washes within 300 feet of the property?

Yes No ___

Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?

Yes ___ No

Will washes be improved with culverts, bank protection, crossings or other means?

Yes ___ No

If yes to any of these questions, describe and/or show on the site plan.

Show dimensions, locations, and materials of parking areas (including ADA parking), loading areas, and driveways.

Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?

Yes ___ No If yes, show details on the site plan.

How many acres will be cleared? none

If more than one acre is to be cleared, describe the proposed dust and erosion control measures to be used.

N/A

What specific measures will be taken to conserve water on-site? Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described.

N/A

Describe proposed landscaping, including what plants and materials are proposed.

Native trees or if anything else used, we would water with grey water

Does the proposed use involve hazardous materials?
No Yes If yes, complete the attached Hazardous Materials attachment.

Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, any required attachments, and on the concept plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Special Use Authorization.

Applicant's Signature Elmer Kroft

Print Applicant's Name Elmer Kroft

Date signed March 26, 2018

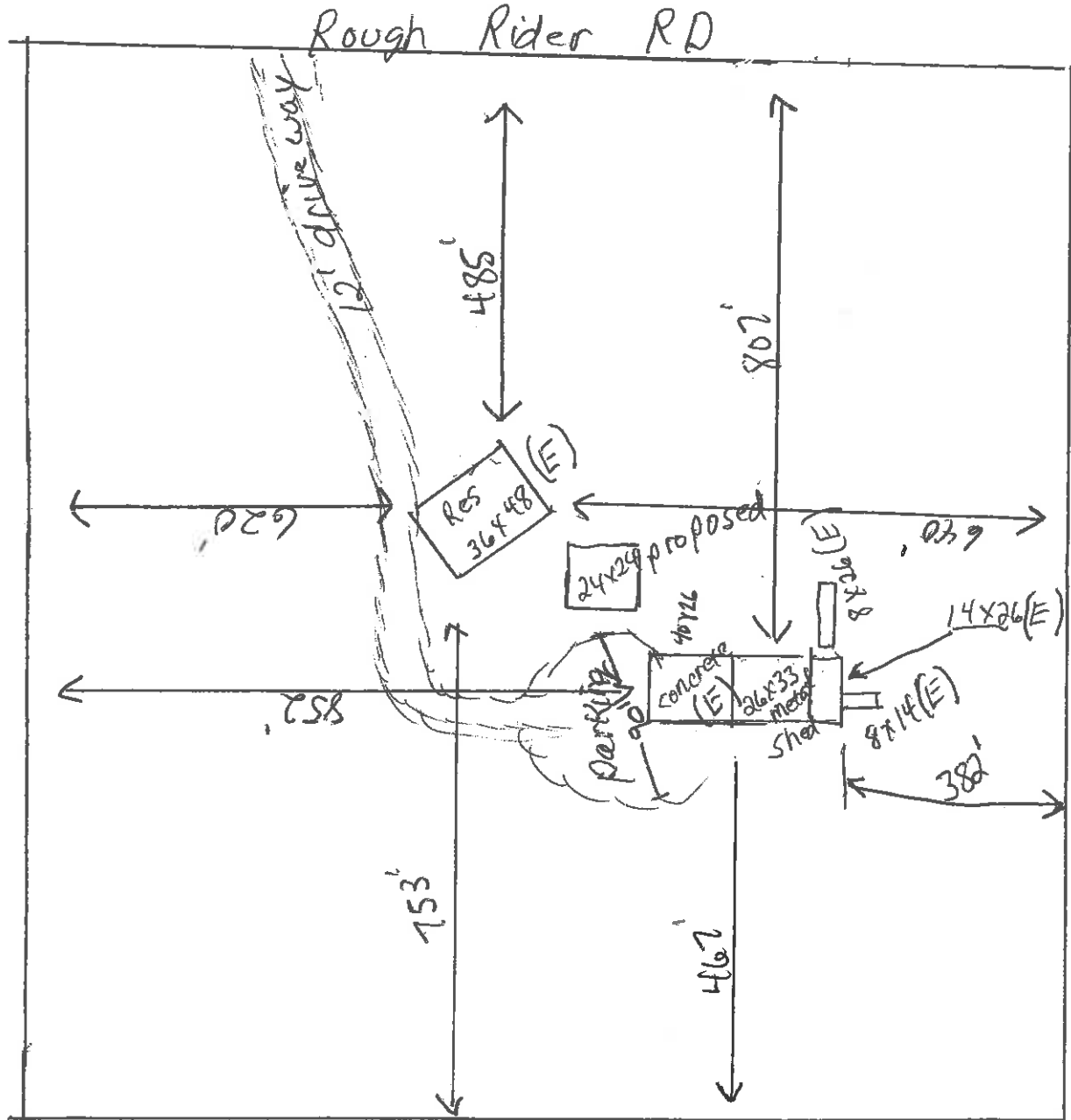
April 12, 2018.

We as a family have after hearing concerns from some of our neighbors, decided to amend our application and do away with plans to build the 48x78 shop.

Elmer Shop

Parcel # 104-80-024 B

Elmer Kroft



HOMESTEAD STRUCTURES

March 22, 2018

Dear Friends and Neighbors,

We are the Elmer and Renee Kropf family. We moved to the area in November of last year, coming from Harrison, Arkansas as part of a church outreach. In Arkansas we owned and operated a small family business of building structures, beginning with chicken coops, storage sheds and progressing eventually to small cabins. We would like to establish a similar business here at our new home (11660 S. Rough Rider Road, Hereford, AZ) (Parcel #104-80-0248). We plan to build the structures on our property, then put them on a lot in town for retail sales.

Our project will include:

- Existing 855 sq ft shop building (possible expansion to 3,744 sq ft in future)
- 3 or 4 family member employees

The County requires that we go through the zoning process of acquiring a "Special-use Authorization". Part of that process includes obtaining feedback from YOU, our neighbors who own property within one mile of our location.

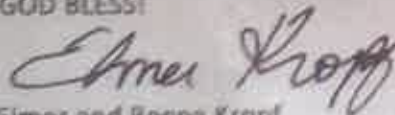
You will also be receiving a letter from the County with contact information in case of objections to this project. We ask and encourage you to contact us if you have any such concerns, questions, or objections so that we may address them. There may be something we haven't thought of that will make this project that much better.

You are welcome to come see us at 11660 S. Rough Rider Road, Hereford. We enjoy meeting our new neighbors!

Our mailing address is PO Box 727, Hereford, AZ 85615 or you may contact us directly at (520) 216-1952 - Ask for Elmer.

Thank you for your time and consideration;

GOD BLESS!



Elmer and Renee Kropf
Rochelle, Todd, Travon, Kaitlyn and Kianne

Kirschmann, Robert

From: Elmer Kropf <kropfhomestead@gmail.com>
Sent: Monday, April 30, 2018 9:30 AM
To: Kirschmann, Robert
Subject: Responses to letter

Mr Kirschmann,

we sent out 68 letters.

Responses:

-0....by mail

-2....by phone

-1....came to our house

-1....talked beside the road

Negative: 1

Positive: 3

Would it be helpful to have the names of those who responded and whether it was negative or positive? Also we heard a couple responses through other neighbors; one positive, one negative.

Thank you for your time,

The Kropfs

On Fri, Apr 27, 2018, 9:40 AM Kirschmann, Robert <RKirschmann@cochise.az.gov> wrote:

Good morning,

Please find the comments from our Transportation Department. There are no big surprises to me in there. Please review and let me know if you have any questions.

Best regards,

Robert Kirschmann

Planner II

Cochise County Community Development

Development Services Department

Special Use Docket SU-18-08 (Kropf)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Please see attached statement for reasons why we
Do Not agree with the proposal.

(Attach additional sheets, if necessary)

PRINT NAME(S):

Roland A. + Martina Rodriguez

SIGNATURE(S):

Roland A. Rodriguez
Martina Rodriguez

YOUR TAX PARCEL NUMBER: 10480019B (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Thursday April 26, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Robert Kirschmann at the contact information listed on page one by May 8, 2018 to have your support or non-support noted verbally noted at the meeting; or you may personally make a statement at the public hearing on May 9, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Dear Sir/Madam,

We as property owners within 5280 feet of the site where the special use permit is requested do not agree with the owner having a manufacturing business to build structures, cabins, sheds, garages, and similar buildings.

We purchased our property with the intention of retiring in a place of quiet and peaceful rural life. This proposed business will impose unfair noise and traffic which will affect the community as a whole and become a nuisance to all neighbors in the area. This project will also cause stress to the already poorly maintained roadways due to the moving of said materials and the transport of buildings, shed, and garages. This business will also affect the environment including wildlife in the area. The Sierra Vista/Hereford area has been known for its bird watching and conservation area and this proposed business will have a negative impact on the nature and wildlife.

It is our belief that a mostly residential area will be greatly impacted by noises generated by this purposed business. Had we have known prior to purchasing our property that an owner could build such a nuisance of a business in the area where we want to spend our quiet retirement life we would not have purchased our land. The area is known for its serenity and peaceful lifestyle. Such a business would also have a negative impact on the further development by other homeowners who would want to move to the area. This proposed business does not take in consideration the lives of families who want to enjoy their quiet family life, raising their children and enjoying the peacefulness of the area. This proposed business will not benefit the community as a whole. It will in fact become a nuisance and bring down property values.

We do not approve of this proposed business and hope that other residents in the area share these objections.

If this proposal is approved this one family will negatively affect many lives who reside in this area.

Respectfully,

Roland A. Rodriguez
Martina Rodriguez

Roland and Martina Rodriguez

Special Use Docket SU-18-08 (Kropf)

~~YES, I SUPPORT THIS REQUEST~~

~~Please state your reasons:~~

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~



NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

We purchased this property to be used as a personal residence for our family. We specifically chose the location for its peace and quiet and safety for raising children. We are satisfied with unpaved dirt road since this is less likely to draw unwanted heavy traffic. Our reasons for opposing the special use authorization request is explained in the attached letter and the email to the planning and zoning depts.

(Attach additional sheets, if necessary) → SEE ATTACHED LETTER

PRINT NAME(S):

VIRGINIA J FISHER DONALD E. FISHER ERICA LARIMER

SIGNATURE(S):

Virginia Fisher Donald E. Fisher Erica Larimer

YOUR TAX PARCEL NUMBER: 104-80-0086 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Thursday April 26, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Robert Kirschmann at the contact information listed on page one by May 8, 2018 to have your support or non-support noted verbally noted at the meeting; or you may personally make a statement at the public hearing on May 9, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY

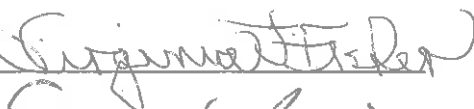
APR 23 2018


PLANNING

We, the property owners of parcel 104-80-008G at 11494 S Hutchinson Rd. in Hereford, AZ. do not support this request for the following reasons:

1. The type of business they are planning will necessitate the dirt roads in this area, which are maintained by the property owners, to handle much heavier vehicles than required by the current use by private home owners when they need to travel to and from their homes. These very heavy vehicles will rapidly make the road damaging to the private vehicles who must use the road daily. As it is, the road suffers from the normal use by the local residents. When we have heavy rains the roads deteriorate such that at times, support vehicles like trash pickup and delivery vehicles cannot get through till the road dries out.
2. Much of the area here is left to grow wild and is used for grazing cattle. As the wild growth dries out it becomes a significant fire danger. The equipment used to build and transport the structures they want to construct, transport and sell can easily accidentally produce sparks which can cause wild fires which spread quickly and can destroy property, homes and animals.
3. Most of the home owners here purchased the property because it was a quiet and beautiful place to live. Several of the property owners have horses which they keep and ride. They ride the horses not only on the roads but on occasion they ride across unfenced property at the OK of the property owners. Riding along the roads with commercial vehicles hauling construction materials and/or finished structures like sheds etc. can startle the horses and cause rider injuries as well as injuries to the horses. We do not want a "Factory" which will not only be noisy and potentially unsafe, but will adversely affect the peace and beauty of the area.
4. The water table in this area is over taxed by the current population as a result of the building of more and more developments. Any commercial business will put another significant draw on the water table. If this kind of expansion is not curbed, it will soon result in individual wells requiring to be drilled deeper assuming that this would even be a resolution. This is not an acceptable

Donald E Fisher 

Virginia J. Fisher 

Erica Larimer 

Special Use Docket SU-18-08 (Kropf)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

PLEASE SEE ATTACHED
REPLY. EXCUSE MY WRITING
AND SPELLING. MY INJURIES SHOW UP
IN MY WRITING

(Attach additional sheets, if necessary)

PRINT NAME(S):

ALAN BAXTER

SIGNATURE(S):

Alan Baxter

YOUR TAX PARCEL NUMBER: 104-80-008M0 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Thursday April 26, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Robert Kirschmann at the contact information listed on page one by May 8, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the public hearing on May 9, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

REPLY OF ALAN BAXTER
RE: DOCKET SU-18-08 (KROPF)

GENERAL - THE SUBJECT OF THIS HEARING, PRACTICALLY SPEAKING, IS NOT THE EXPANSION OF THE KROPF BUSINESS, BUT RATHER THE EFFECT THAT APPROVAL OF IT WOULD HAVE ON THE RESIDENTS, SOME OF WHOM HAVE PUT THEIR LIFE SAVINGS AND COMMITMENTS INTO THEIR PROPERTIES. FURTHER, WE ARE NOT THE ONLY RESIDENTS OF THE PROPERTIES. THE EFFECT OF APPROVAL WOULD ALSO IMPACT THE LOCAL WILDLIFE AND THE ENVIRONMENT, GENERALLY.

I AM A DISABLED WAR VETERAN LIVING ON A MILITARY DISABILITY PENSION. MY HOME AND ALL THAT I HAVE IS TIED TO MY PROPERTY; I HAVE NOTHING ELSE, AND MY DISABILITY PREVENTS MY LIVING IN A TOWN, CITY, OR OTHER BUILT-UP AREAS.

MY OBJECTIONS TO THE APPROVAL OF DOCKET SU-18-08 (KROPF) ARE STATED BELOW.

COMMUNITY STRUCTURE. THE MAJORITY OF OUR CITIZENS HAVE FAMILY LIVING ON THE PROPERTY, OR ARE RETIREES. MANY COMMUTE TO WORK FROM THEIR HOMES. OTHERS ^{ARE} WAR AND POLICE VETERANS WITH POST TRAUMATIC STRESS DISORDER (PTSD) AND OTHER MILITARY OR POLICE DISABILITIES. I HAVE SPOKEN TO MANY OF OUR RESIDENTS, WHO ARE ALSO MEMBERS OF MY CHURCH, AND THEY ^{ARE} UNANIMOUS IN THEIR

OBJECTION TO THE APPROVAL OF THE KROPF REQUEST. WE LIVE WHERE WE DO SOLELY BECAUSE OF THE BEAUTY, PEACE, AND TRANQUILITY OF THE AREA. WE HAVE HAD ENOUGH "CITY" IN OUR LIVES AND NEED TO LIVE OUT THE REMAINDER OF OUR TIME FREE OF THE NOISE, AIR AND LIGHT POLLUTION, AND THE MOVEMENT OF A COMMERCIAL ENVIRONMENT.

NATURE OF DOCKET SU-18-08 (KROPF). I AM IN RECEIPT OF A LETTER FROM THE KROPF FAMILY, DATED MARCH 22, 2018 WHEREIN THEY DESCRIBE THE NATURE OF THEIR HOMESTEAD AS A CHURCH OUTREACH. IF THIS IS SO, THE CHURCH MUST BE AN ARIZONA CORPORATION. THIS, IN TURN, WOULD HAVE TO RECEIVE FEDERAL AND STATE TAX-FREE STATUS WITH STRICT ACCOUNTING RULES, ELSE THEIR CHURCH WOULD BE TAXED AS A COMMON CORPORATE ENTITY. THIS WAS THE LEGAL REQUIREMENT FOR A CHURCH I HELPED TO FOUND.

HAVE THE KROPFS DONE THIS? IF NOT, THEY WOULD NEED TO INCORPORATE OR BE TAXED AS A PRIVATE ENTERPRISE. THE POINT IS: WHAT ARE THEY? WHAT IS THEIR BUSINESS PLAN? IS THERE A PARENT CORPORATION? WE, THE AREA RESIDENTS, HAVE NO INFORMATION ABOUT THIS "SMALL FAMILY BUSINESS" OTHER THAN THEIR CIRCULATED LETTER.

THE LETTER. ON ITS FACE, THIS LETTER CLEARLY SHOWS THAT THE KROPF FAMILY WANTS TO ESTABLISH A MANUFACTORY ON THEIR PROPERTY, AND TO EXPAND SUCH MANUFACTORY AS THE BUSINESS GROWS; AND MAKE NO MISTAKE— THEY INTEND FOR THEIR BUSINESS TO GROW. WITH THE APPROVAL, SU-18-08 WOULD GRANT TO THE KROPFS NOT 3,744 \$ SQUARE FEET OF EXPANSION, BUT 5000! THAT IS A MANUFACTORY FLOOR, NOT A SMALL FAMILY BUSINESS. IN TRUTH, WHAT THE KROPFS ARE PROPOSING IS A COMMERCIAL BUSINESS WITH PROFIT AND GROWTH AT ITS CORE.

FURTHERMORE, IT IS IMPORTANT TO NOTE THAT THIS COMMERCIAL ENTERPRISE IS NOT A SINGULAR, CONTAINED ENTITY. THE KROPF REQUEST CLEARLY STATES THAT MANUFACTORY AND RETAIL OPERATIONS ARE DISTINCT FUNCTIONS PHYSICALLY SEPARATED BY NEARLY 20 MILES, AND BY ENVIRONMENTS THAT ARE POLAR OPPOSITES. THE RETAIL DIVISION WILL BE LOCATED IN A TOWN, PRESUMABLY SIERRA VISTA, WHILE THE MANUFACTORY WILL FUNCTION IN A PURELY RESIDENTIAL LOCATION. BY DEFINITION, THIS MEANS THAT LUMBER, METALS, AND OTHER MATERIALS, WITH THE LARGE VEHICLES NEEDED HAUL SUCH PRODUCTS, WILL BE MOVED THROUGH OUR OUR COMMUNITY AND THEN MOVED BACK AGAIN IN THE FORM OF A FINISHED RETAIL PRODUCT. THUS TWICE THE AFFLICTION OF A COMMERCIAL ENTERPRISE WILL BE VISITED UPON THE RESIDENTS, THEIR LIVESTOCK,

WILD ANIMALS AND THE ENVIRONMENT.

INGRESS AND EGRESS, AN UNDERSTANDING OF THIS SUBJECT IS VITAL IF WE ARE TO COMPREHEND THE EFFECT THAT APPROVAL WILL HAVE ON OUR RESIDENTS, LIVESTOCK, WILD ANIMALS, AND THE GENERAL ENVIRONMENT.

1. INITIAL CONSTRUCTION PHASE. I OBSERVED THIS PHASE CLOSELY AS I LIVE NEARBY. LARGE TRUCKS HAULED IN MATERIALS TO BEGIN CONSTRUCTION. THE ROAR OF THESE VEHICLES AND THE CLOUDS OF DUST THEY MADE WAS IRRITATING AND TROUBLESOME. THE STRONG WEST WIND BLEW THAT DUST ONTO AND INTO MY HOME, FEED SHACK, AND WATER TANKS. IT WAS NO LITTLE THING, BUT I DID NOT COMPLAIN AS I ASSUMED THAT THE NEW NEIGHBORS WERE BUILDING A HOME, NOT A COMMERCIAL MANUFACTORY.

I NOTED THAT THE NOISE, DUST, AND MOVEMENT DISPLACED A HERD OF DEER THAT HAVE LIVED HERE FOR YEARS IN A LARGE ARROYO THAT BISECTS FIREBIRD ROAD. THEY DID NOT RETURN. SIMILARLY, A HERD OF JAVALINA THAT PREVIOUSLY HAD AVOIDED HUMANS WERE DISPLACED EASTWARD INTO MY AREA, WHERE THEY ARE NOW EATING MY CACTUS AND DISRUPTING THE LIVESTOCK. THE DISRUPTION CAUSED

BY HEAVY TRUCKS ALSO DISPLACED A MOTHER BOBCAT AND A FAMILY OF HORNEOWLS, ALL OF WHICH HAD LIVED IN THE BIG ARROYO.

THESE RESULTS ARE NOT TRIVIAL TO THOSE OF US WHO HAVE PURCHASED HOMES AND LAND WITH THE REASONABLE EXPECTATION THAT WE WERE SECURE FROM COMMERCIAL ENCROACHMENT AND ITS DEVASTATING EFFECT ON OUR ENJOYMENT OF LIFE AND THE VALUE OF OUR INVESTMENTS.

2. CONSTRUCTION COMPLETION PHASE. GIVEN THE NATURE OF THE KROPF ENTERPRISE, IT IS APPARENT THAT WE WILL SEE A MUCH GREATER EROSION OF RESIDENTIAL AND NATURAL ENVIRONMENTS, WHICH WILL GROW AS AS THEIR BUSINESS GROWS. DO NOT BE MISLED BY THE MYTH THAT ALL WILL BE WELL WHEN PROPERTY CONSTRUCTION IS FINISHED. I OWNED MY BUSINESS FOR 22 YEARS AND I ASSURE THAT THERE IS NO SUCH THING AS "FINISHED" OR "COMPLETE" IN BUSINESS. A CORPORATION OR OTHER LEGAL FORM OF BUSINESS ENTERPRISE MUST GROW CONSTANTLY OR DECAY INTO COLLAPSE. IN BUSINESS THERE IS NO SUCH THING AS STASIS.

THE KROPF BUSINESS PLAN IS CLEARLY TO EXPAND. OTHERWISE, WHY WOULD THEY HAVE INCLUDED THAT FACT IN THEIR LETTER, SUPRA? THE APPROVAL OF THE KROPF REQUEST MEANS THE DESTRUCTION OF OUR HOMES, OUR ENJOYMENT OF A CHOSEN LIFESTYLE, AND THE REDUCTION OF PROPERTY VALUE, ALL TO THE BENEFIT OF

THE KROPF FAMILY.

3. ROADS, NO SUCH THINGS EXIST IN THIS AREA. IT IS ENTIRELY PRIVATE PROPERTY WITH PRIVATE RIGHTS-OF-WAY FOR THE RESIDENTS, EXCLUSIVELY. WE MAKE OUR OWN "ROADS" BY SIMPLY DRIVING ON OR ACROSS THE RIGHTS-OF-WAY. THESE TRAVEL WAYS ARE NOT COUNTY ROADS. WE HAVE TWICE DEFEATED MRS. CLINTON'S ATTEMPTS TO, AS SHE PUBLICIZED IT, CREATE "OWNERS WITH OUR OWN GOVERNMENT." WE DO NOT WANT COUNTY ROADS AND THE RESULTANT HIGHER TAXES. WE ARE TAXED ENOUGH ALREADY.

HAVING FOR YEARS WITNESSED THE DIFFICULTY EXPERIENCED BY GARBAGE AND DELIVERY TRUCKS ATTEMPTING TO NAVIGATE OUR RIGHTS-OF-WAY DURING MONSOONS AND WINTER RAINS, IT IS EVIDENT LARGE COMMERCIAL VEHICLES CANNOT RELIABLY TRAVEL IN THIS AREA.

WHAT THIS MEANS RE THE APPROVAL OF THE KROPF REQUEST, IS THAT THEY WILL APPLY FOR COUNTY ROAD STATUS OVER EVERY ROUTE THEY USE FOR INGRESS AND EGRESS. AND THE COUNTY WILL APPROVE THAT, TOO, BECAUSE THE KROPF BUSINESS PLAN WAS THE COUNTY'S LEGAL BABY, MAKING THE COUNTY LEGALLY LIABLE TO THE KROPFS FOR DAMAGES INCURRED. AND HERE ARE THE "ROADS", AND HERE ARE THE RIGHTS-OF-WAY, THEY MUST USE TO GET INTO AND FROM THE MANUFACTORY:
KINGS RANCH Rd
LANE RANCH Rd

- 7 -

HUTCHINSON Rd
CLINTON Rd
FIREBIRD Rd
FOUR N STARR Rd
ROUGH RIDER Rd

THESE RIGHTS-OF-WAY COMPRISE THE ONLY ROUTES AVAILABLE FOR THE KROPF COMMERCIAL VEHICLES (TIMES TWO - COMING & GOING). AND COMMERCIAL VEHICLES PERTINENT TO THE KROPF ENTERPRISE SIMPLY CANNOT TRAVERSE THEM WITHOUT MAJOR WORK TO SPAN AT LEAST ONE ARROYO AND ALTERING CORNERS AND INSERTING CULVERTS IN OTHER PLACES. THE ONE MILE RADIUS NOTIFICATION IS A MYTH. DO YOU INTEND TO NOTIFY ALL WHO WILL BE HARMED?

EFFECT OF APPROVAL

THE EFFECT OF APPROVAL WILL BE POLITICAL AND LEGAL.

THE KROPF FAMILY CAME FROM ANOTHER STATE TO ESTABLISH AN OUTREACH MISSION FOR THEIR CHURCH IN ARKANSAS, ACCORDING TO THEIR OWN STATEMENT. IT IS THEREFORE SELF-EVIDENT THAT THEY, AND OTHERS, HAVE THOUGHT THIS ENTERPRISE THROUGH TO THE EXTENT OF FINALIZING THE PROJECT WITH A RETAIL OUTLET IN A TOWN. THIS IS NOT A "SMALL FAMILY BUSINESS," BUT A CLEAR BUSINESS VENTURE WITH NON-FAMILY MEMBERS, OF NECESSITY, BEING INVOLVED FROM THE START. THIS IS

SO ACCORDING TO THEIR OWN DOCUMENT.

GIVEN THE ABOVE, WHY DID THE KROPF'S NOT APPROACH THE COUNTY IN THE FIRST INSTANCE, FAMILIARIZE THEMSELVES WITH THE LEGAL REQUIREMENTS, AND PREPARE PRIOR TO SPENDING THOUSANDS OF DOLLARS ON PROPERTY AND BUILDINGS? THAT WAS THEIR RESPONSIBILITY. THEY FAILED IT.

I UNDERSTAND THAT THE KROPF VENTURE MEANS MORE TAX INCOME FOR THE COUNTY, BUT THOSE ROADS, IF MADE COUNTY ROADS, WILL TAX THE CURRENT LANDOWNERS UNREASONABLY TO THE POINT OF DESTRUCTION. WE ALL REMEMBER THE MILLER RANCH.

PLEASE UNDERSTAND THAT WE WILL FIGHT FOR OUR HOMES AND OUR WAY OF LIFE. THE KROPF ISSUE IS A PURELY POLITICAL ONE, AND SHOULD THE COUNTY APPROVE THEIR REQUEST, IT WILL BE ANSWERED POLITICALLY. APPROVAL WOULD NOT BE WISE.

SOLUTION

THE KROPF FAMILY IS ENTIRELY RESPONSIBLE FOR ITS LOSSES. WE ARE NOT RESPONSIBLE FOR THEIR ACTIONS NOR RESULTS. THEREFORE, AS THE VERY NATURE OF THEIR BUSINESS DEMANDS FULFILLMENT IN TOWN, THEY CAN SIMPLY ACQUIRE AN ADDITIONAL 5000 SQFT. OF RETAIL SPACE, AND MANUFACTURE THEIR PRODUCTS THERE AT A SUBSTANTIAL SAVINGS. THEN THEY COULD LIVE AT HOME AND COMMUTE TO WORK - JUST LIKE ANYONE ELSE!


4-26-18

Special Use Docket SU-18-08 (Kropf)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

CURRENTLY, THERE IS A HOME BASED BUSINESS LOCATED BORDERING MY PROPERTY TO THE NORTH (HORSE BOARDING/FEDING) THAT HAS GENERATED CONSIDERABLE TRAFFIC, BUT HAS NOT BEEN A PROBLEM. THE KROPF PLANNED BUSINESS WOULD NOT CAUSE ADDITIONAL FORESEEN PROBLEMS. I AM IN FAVOR OF MOST BUSINESSES THAT CREATE JOBS, SUCCESSFUL BUSINESSES AND SUPPORT THE COMMUNITY THROUGH INCOME, SALES AND PROPERTY TAXES. I HAVE MET THE KROPF FAMILY AND JUDGE THEM TO BE HONEST, HARDWORKING AND FRIENDLY PEOPLE. I WISH THEM WELL.

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

(Attach additional sheets, if necessary)

PRINT NAME(S): ROBERT MURPHEY, OLIVE MURPHEY

SIGNATURE(S): [Signature]
[Signature]

YOUR TAX PARCEL NUMBER: 10480021 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Thursday April 26, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Robert Kirschmann at the contact information listed on page one by May 8, 2018 to have your support or non-support noted verbally noted at the meeting; or you may personally make a statement at the public hearing on May 9, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Robert Kirschmann, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603



Cochise County Community Development

Highway and Floodplain Division

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

MEMORANDUM

Date: April 26, 2018
To: Robert Kirschmann, Planner II
From: Karen L. Lamberton, AICP County Transportation Planner
Subject: Kropf Manufacturing/SU-18-08/Parcel #104-80-024B

The applicant, Elmer Kropf, is requesting a Special Use authorization to expand an existing home-based business to include the construction of larger structures such as sheds on his 40.5-acre site. The property is zoned RU-4, Rural Growth Area D and the proposed uses fall under manufacturing/light industry.

Special Use Authorization Conditions

We have no objection to issuing the requested Special Use Authorization with the following condition:

1. At the Commercial Permit phase, the applicant will be required to submit a Private Maintenance Agreement, per Zoning Code 1807.02A, for segments of roadway from their driveway to the state highway.

Background

The applicant is applying for a Special Use Authorization to expand their family owned business to include the construction of larger sheds, garages and potentially cabins. Access to the site is entirely on privately owned and privately maintained roadways in the Hereford area. South of Highway 92 are very few county-maintained roadways to this primarily residential, but typically large parcels, up to the international boundary with Mexico.

Traffic Analysis

This site, as proposed, includes one single family residential unit with an estimated 1,858 square footage of workspace and potentially up to 5 family member employees. Combined range of traffic impact is likely to be 17.19 to 31.54 vehicle trips per day (8 to 15 vehicles in/out on any given day), per the *ITE Manual, 9th edition*.

The 40.5-acre could, if developed into 4-acre residential lots have a potential range of 43.1 to 218.5 vehicle trips per day, if fully built out and occupied. As proposed, the site itself would typically have the equivalent of the high-end range of one single residential unit. However, the heavier truck traffic, for the most part of similar size and weight as horse trailers or tractors used

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



**Cochise County
Community Development
Planning, Zoning and Building Safety Division**

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PRIVATE MAINTENANCE AGREEMENT

**Rough Riders Rd & Others
SU-18-08 (Kropf Manufacturing)**

Elmer Kropf, owner of parcel 104-80-024B, located on 11660 S. Rough Rider Road in Hereford, Arizona; agree to participate with other property owners to maintain Rough Rider Road, and other roads not in the County Maintenance system to include Four Starr Road, Firebird Road, Clinton Lane, Hutchinson Road, Land Ranch Road, Kings Ranch Road or other roads that may be frequently used, from the driveway of my parcel to the intersection with State Highway 92, where state-maintenance begins, in a passable condition for the duration of my permitted commercial land use.

I acknowledge that the Cochise County Community Development, Highway and Floodplain Department do not, and will not, maintain the access roadways to my parcel.

I acknowledge that the primary access roadways to my parcel are not currently built to a county design standard for native surfaced roadways.

I acknowledge that all-weather access is not assured to my parcel nor are any improvements planned by the Cochise County to improve wash crossings in the foreseeable future.

April 30, 2018

Signature

Date

**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

**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



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Highway and Floodplain Division

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INTEROFFICE MEMO

Date: April 17th, 2018
To: Robert Kirschmann, Planner II
From: Teresa Murphy, Right-of-Way Agent
Subject: SU-18-08 (Kropf)

Background: The applicant requests Special Use Authorization to expand a home-based wood and metal working business (Home Occupation, HO 17-25) into larger structures such as sheds, cabins, garages, and similar structures. The concept plan identifies the existing 1,000 square foot concrete slab and 858 square foot workshop/shed used to construct the structures. Lumber and other materials may be stored outside but will be screened from neighbor view with existing vegetation. Manufacturing, not to exceed 5,000 square feet (607.17) is allowed subject to the approval of this Special Use request. The 40.5 acre site is on parcel 14-80-024B, 11660 S. Rough Rider Road.

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:

- Xana Way and Rough Rider Road are not a County Maintained Road.
- Xana Way and Rough Rider Road are 60' wide public easements established in Book 3, page 20A "Palominas Ranches Unit 3".
- The subject parcel has a 30' wide public easement along the North boundary (Xana Way) and East boundary (Rough Rider Road).

Recommendation:

- Further right-of-way dedication is not required for Xana Way or Rough Rider Road at this time.

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

Kirschmann, Robert

From: Cratsenburg, Diane E
Sent: Monday, April 23, 2018 11:54 AM
To: Kirschmann, Robert
Cc: Lamberton, Karen L; Vincent, Jennifer M
Subject: RE: Transmittal for Docket SU-18-08 (Kropf)

No off-site improvements for access required by the County for this special use proposal; thanks for checking.

He has jumped the commercial permit gun & has sheds on display in Miracle Valley already, so I hope that he gets his paperwork in order soon. He has several sheds on the property. The largest I've noted so far is 12x32, and he is not observing a setback from the property line with most of them. I would presume that he should be doing so.

I have checked with Jennifer; there is old paperwork where a parent parcel of the subject parcel was approved for commercial use; it is possible that they will propose combining parking with the furniture store on the adjacent parcel, owned by the same individual, which is a permitted operation. We would not require a ROW permit application in that case.

In addition, please feel free to let him know that since Ghost Riders is not paved, at most he would have to define a driveway, minimum width of 24'.

In that case, a ROW permit application would be required to document the creation of the driveway to that parcel; no improvements to the surface would be required. He could use something like railroad ties to define the frontage and just omit them at the driveway location. Those would need to be on the property line or slightly inside the property, not in the ROW.

Diane Cratsenburg
Engr Tech III
Cochise County Community Development
Highway and Floodplain Division
1415 Melody Lane
Bisbee, AZ 85603
520-432-9327
520-432-9337 fax

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www.cochise.az.gov

From: Kirschmann, Robert
Sent: Thursday, April 12, 2018 3:11 PM
To: McCoy, Randy <RMcCoy@cochise.az.gov>; Lamberton, Karen L <KLamberton@cochise.az.gov>; Murphy, Teresa <TMurphy@cochise.az.gov>; Garcia, Teresa M <TGarcia@cochise.az.gov>; Solis, Joaquin <JSolis@cochise.az.gov>; Simmons, Bradley A <bsimmons@cochise.az.gov>; Cratsenburg, Diane E <dcratsenburg@cochise.az.gov>; Flores, Dora V <DFlores@cochise.az.gov>; Orduno, Elda E <EOrduno@cochise.az.gov>; Capas, Carol <CCapas@cochise.az.gov>; mark@palominasfire.com; eric.odden@dhs.gov; info@herefordnrcd.com
Cc: PNZ-Commission <PNZCommission@cochise.az.gov>; BOS-Supervisors <BOSSupervisors@cochise.az.gov>; Coxworth, Daniel <dcoxworth@cochise.az.gov>; Gardner, Peter B <PGardner@cochise.az.gov>; Esparza, Paul <PEsparza@cochise.az.gov>
Subject: Transmittal for Docket SU-18-08 (Kropf)

Kirschmann, Robert

From: McCoy, Randy
Sent: Wednesday, April 18, 2018 10:56 AM
To: Kirschmann, Robert
Subject: RE: Transmittal for Docket SU-18-08 (Kropf)

Howdy Robert ,

Thank you for the opportunity to comment on this proposed project . The Building Department has no concerns or comments at this time .

Sincerely ,
R. McCoy

Randy McCoy
Interim Building Official
Cochise County Community Development
1415 Melody Lane , Bldg. E
Bisbee , AZ 85603
520-432-9266
520-432-9278
rmccoy@cochise.az.gov

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

From: Kirschmann, Robert
Sent: Thursday, April 12, 2018 3:11 PM
To: McCoy, Randy <RMcCoy@cochise.az.gov>; Lamberton, Karen L <KLamberton@cochise.az.gov>; Murphy, Teresa <TMurphy@cochise.az.gov>; Garcia, Teresa M <TGarcia@cochise.az.gov>; Solis, Joaquin <JSolis@cochise.az.gov>; Simmons, Bradley A <bsimmons@cochise.az.gov>; Cratsenburg, Diane E <dcratsenburg@cochise.az.gov>; Flores, Dora V <DFlores@cochise.az.gov>; Orduno, Elda E <EOrduno@cochise.az.gov>; Capas, Carol <CCapas@cochise.az.gov>; mark@palominasfire.com; eric.odden@dhs.gov; info@herefordnrcd.com
Cc: PNZ-Commission <PNZCommission@cochise.az.gov>; BOS-Supervisors <BOSSupervisors@cochise.az.gov>; Coxworth, Daniel <dcoxworth@cochise.az.gov>; Gardner, Peter B <PGardner@cochise.az.gov>; Esparza, Paul <PEsparza@cochise.az.gov>
Subject: Transmittal for Docket SU-18-08 (Kropf)

Please review the attached transmittal for expansion of a home based metal and wood working facility . Please have any comments back to me by April 26.

Thank you,

Robert Kirschmann
Planner II
Cochise County Community Development
Development Services Department
1415 Melody Lane, Building E
Bisbee, AZ 85603
520-432-9248
520-432-9278 fax

P&Z Agenda Template

6. 5.

Meeting Date: 05/09/2018

SU-18-09 (Finneran MMJ Cultivation)

Submitted By: Peter Gardner, Community Development

Department: Community Development

Presentation: PowerPoint

Division: Development Services

NAME Peter Gardner

of PRESENTER:

TITLE Planner II

of PRESENTER:

Agenda Item Text:

SU-18-09 (Finneran MMJ Cultivation) The Applicant is requesting Medical Marijuana Cultivation on an 8.04 acre site in Dragoon.

Background:

The Applicant requests a Special Use Authorization to approve a facility for the cultivation of medical marijuana. Medical Marijuana Uses require Special Use Authorization. The 8.04-acre site, APN 208-90-12F, is located at the northeast corner of N. Nino Place and Unnamed road 6288 in the Dragoon area and is zoned RU-4. The applicant is Dennis Finneran.

Attachments

[SU-18-09 \(Finneran MMJ Cultivation\) Memo](#)

[Concept Plan](#)

[Application](#)

[Location Map](#)

[Agency Comment](#)

[Public Comments](#)



Cochise County
Community Development
 Planning, Zoning and Building Safety Division

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Peter Gardner, Planner II
FOR: Daniel Coxworth, AICP, Planning Director
SUBJECT: Docket SU-18-09 (Finneran)
DATE: April 26, 2018 for the May 9, 2018 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant requests a Special Use Authorization to approve a facility for the cultivation of medical marijuana. Medical Marijuana Uses require Special Use Authorization. The 8.04-acre site, APN 208-90-012F, is located at the northeast corner of N. Nino Place and Unnamed road 6288 in the Dragoon area and is zoned RU-4. The applicant is Dennis Finneran.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 8.04 acres
 Zoning: RU-4 (one dwelling per four-acres)
 Growth Area: D-Rural
 Comprehensive Plan Designation: Agricultural and/or Green Space
 Area Plan: Mid Sulphur Springs
 Existing Uses: None
 Proposed Uses: Medical marijuana cultivation and Residential

Zoning/Use of Surrounding Properties

| Relation to Subject Parcel | Zoning District | Use of Property |
|----------------------------|---------------------------------|------------------------------------|
| North | RU-4 | Vacant |
| South | Non-Maintained Road/RU-4 | Unnamed Road/State Land |
| East | RU-4 | Vacant |
| West | Non-County Maintained Road/RU-4 | N. Nino Place/Residence & Airstrip |

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

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

II. PARCEL HISTORY

None

III. NATURE OF REQUEST

The Applicant is requesting authorization for cultivation of medical marijuana both in enclosed greenhouses and on approximately two acres enclosed by fencing on the eight-acre parcel located at the corner of N. Nino Place and an unnamed road in Dagoon, an RU-4, D-Rural zoned property. There will be no dispensary or public facilities at this cultivation site, however, there will be a home on site for a caretaker. The intention is to provide a single site for multiple caregiver level growers to consolidate their growth in one location, with development spread over three phases as demand requires. The property is located approximately 1 mile south of Dagoon Road. Currently the property is vacant.



Site aerial with parcel highlighted in blue

The property is located in a rural area approximately one mile south of Dagoon Road, and over two miles from Interstate 10. It abuts state land to the south. The surrounding area is partially developed in a rural fashion.



The parcel is not located in any active water management area. The crop will be grown with drip irrigation. Water runoff will be captured for reuse. The product will be delivered to off-site consumers, with no public access to the site. The entire parcel will have perimeter fencing. The site will be in operation five days a week sunrise to sunset starting with 4 employees with possible expansion to 8 employees.

The parcel takes access from N. Nino Place, a non-county-maintained road that intersects on the north with W. Drought Road, a county-maintained roadway. Bell Ranch Road is currently a chip seal surface. The applicant states that there will be no truck traffic to the site. Additional traffic will be limited to employees. The existing road network is sufficient to handle the load. The Applicant will be required to sign a Private Road Maintenance Agreement prior to or concurrent with commercial permitting, stating that they will participate in roadway maintenance from Drought Road to their driveway. At the third phase, a compliant roadway apron onto Drought Road will be required, at the discretion of the County Engineer.

Potential off-site impacts will be mitigated with plants being grown primarily indoors, with no more than two acres of exterior grow area. The distance from other occupied parcels will mitigate odors during flowering, which is the primary off-site impact unique to the proposed use.

The proposed project meets all of the County's separation requirements from residences, libraries, schools and day care facilities found in Article 1825 of the Cochise County Zoning Regulations. There is another approved Medical Marijuana Cultivation and Dispensary site located on Drought Road, which is outside of the state and County minimum separation distance. That site, while approved as both a Dispensary and Cultivation site, it currently being used only as a Dispensary, although Cultivation may legally be restarted at any time.

Any medical marijuana cultivation will be required to meet the security requirements mandated by the State of Arizona, including security cameras, perimeter fencing and secured access, and will require final approval from the Arizona Department of Health Services (AZDHS) prior to beginning of any marijuana cultivation.



Intersection of Nino & Bird of Paradise



View the property looking east



Airstrip and hanger to the west

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of ten factors with which to evaluate Special Use applications. Staff uses these factors to help determine the suitability of a given Special Use request, whether to recommend approval for a Special Use Permit, as well as to determine what Conditions and/or Modifications may be needed.

Nine of the ten factors apply to this request. The project, as submitted, fully complies with seven of the conditions and with the recommended conditions, complies with the other two factors. The one remaining factor is not relevant to this application.

A. Compliance with Duly Adopted Plans: Complies

The proposed project satisfies the criteria for Comprehensive Plan D-Rural areas since the proposal is in an outlying rural area between unincorporated communities that have a low growth rate and is in a very low-density area surrounded by agricultural and vacant lands.

The proposal also supports the following Comprehensive Plan Elements:

The Agriculture and Ranching Element goal that seeks to "Protect and promote the agricultural economy of Cochise County, its agricultural and ranching lands, and related land uses."; and the policy to "Continue encouraging development of agricultural processing, both on-site and at industrial scale, to support production of value-added agriculture products in Cochise County.

The Economic Development Element that states that "Supporting small businesses will not only spur diversified income opportunities and ensure economic competitiveness but will also foster resilience in the face of economic challenges such as natural disasters "and the policy to Continue to communicate with the business community, and be responsive to the changing needs of established and new businesses.'

The Rural Character Element: One goal of the Rural Character Element is to "Provide for a continuation of traditional rural ways of life, such as farming, ranching, and other agricultural-related activities, and provide for diverse and viable economic and development opportunities that are consistent with the character of Cochise County's rural areas."

The project site is within the boundaries of the Mid-Sulphur Springs Valley area plan. The "Agriculture and/or Green Space" designation supports agriculture and associated support uses as Special Uses. This request complies with this designation.

B. Compliance with the Zoning District Purpose Statement: Complies

The proposed project satisfies the following zoning district purpose statements:

601.01 To preserve the character of areas designated as "Rural" in the Cochise County Comprehensive Plan;

601.02 To encourage those types of non-residential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living;

601.03 To preserve the agricultural character of those portions of the County capable of resource production;

C. Development Along Major Streets: Not Applicable

The property is located on the east side of N. Nino Place and therefore does not take access from any Major thoroughfare or arterial street.

D. Traffic Circulation Factors: Complies with Conditions

Access is taken from a privately-maintained road, N. Nino Place. Nino Place connects to Dragoon Road, which is a county-maintained chip seal roadway. A condition is included requiring a chip seal or better apron to be constructed prior to or concurrent with the third phase of development, at the discretion of the County Engineer.

E. Adequate Services and Infrastructure: Complies with Conditions

Electrical service is provided to the site by Sulphur Springs Valley Electric Cooperative; water is supplied by an existing private well and there is an existing septic tank on site. The applicant will also have propane delivered. While the property is not officially located within a fire district, the use poses no more fire risk than a typical residential or agricultural use.

Traffic Analysis

This type of use is akin to a residential use: average trip generation rates specifically for this type of growing operation have not been developed on either a national or state-level at this time. The applicant anticipates up to 8 employees, at full-build out of this project, which has the potential to generate an estimated range of trips similar to the two residences that could be built on the site. Greenhouses tend to stabilize the typical seasonal variations inherent in open agricultural activities. The applicant is proposing a staged greenhouse development with three or five phases over time, as market demand allows.



Looking south on N. Nino Place

Private Maintenance Agreement

The applicant’s access is off a non-county-maintained roadway. The applicant will be required, in keeping with the requirements of Zoning Regulation 1807.02 A., to provide a Private Maintenance Agreement at the Commercial Permit stage. This agreement will require the applicant to keep this segment of roadway in “passable” condition which means in a condition on which the average vehicle can travel on the roadway. This agreement does not require that the roadway be maintained to a county-maintained standard or to an all-weather condition.

Like all other native surfaced roadways in the County the access roads to this site are subject to changing conditions which include sudden and severe flooding, ruts, erosion and blowing dust. There is no expectation that the applicant will maintain the private segment of the roadway in any better condition than the County can manage to do in severe weather conditions. However, the applicant will likely have a higher motivation to bring the roadway back into passable condition than other property owners in order to provide access to their customers and the Private Maintenance Agreement formalizes the higher degree of obligation that they would have as a business owner along this residential roadway.

F. Significant Site Development Standards: Complies

The applicant has not requested any waivers from site development standards. All site development standards must be met to obtain a non-residential use permit, should this request be approved. The property has adequate area for parking. In addition to County regulations, the applicant will be required to meet all regulations and requirements established by the State of Arizona for these types of facilities including security cameras, perimeter fencing and secured access to the cultivation greenhouses.

G. Public Input: Complies

The Applicant sent letters to all property owners within 1 mile of the subject parcel to notify them of this application. The County notified the same 62 owners and received nine letters in opposition and three in support. The County also notified the Sunsites Community Association working group to update the area plan. The group found no issue with the request.

H. Hazardous Materials: Complies

Natural pest controls will be used to deter and control pests. Only organic fertilizers will be used. No hazardous materials or pesticides will be used.

I. Off-Site Impacts: Complies

The proposed facility is not anticipated to produce off-site impacts. The State of Arizona has other lighting requirements for medical marijuana facilities. The applicant is intending to use compliant lighting and will control off-site odors from the plants. The proposal will have the same visual impact as any other agricultural greenhouse use that would be allowed by right as a principal permitted use in this zoning district.

J. Water Conservation: Complies

The applicant is proposing to recycle and capture water and use drip irrigation to reduce water consumption.

V. PUBLIC COMMENT

The Planning Department staff mailed notices to neighboring property owners within 1 mile of the subject property. This is the minimum radius required to reach at least 50 distinct property owners as required under current regulations, reaching 62 distinct property owners. Staff posted the notice to the County website on April 24, 2018, published a legal notice in the *San Pedro Valley News Sun* on the same date and posted the property on April 19. In response to applicant and County mailings, staff received three letters in support of this request and nine letters in opposition to this request.

The support letters cited the benefits of the medical use of this plant, economic development, and that this will be a quiet operation with no retail sales or retail traffic. The opposition letters expressed disapproval of marijuana in general, and concerns about traffic & road maintenance, water, and the Applicant.

VI. SUMMARY AND CONCLUSION

This request is for a Special Use authorization to approve the change of use of an existing agricultural property for the cultivation of medical marijuana on an 8-acre parcel located on N. Nino Place in Dagoon, AZ.

No waivers or modifications have been requested. Any State of Arizona requirement for cultivation, security and lighting requirements will be met.

Approval of this land use does not guarantee that the applicant will be successful in obtaining a license with the State of Arizona for medical marijuana cultivation; obtaining County land use approval is only one part of the State application process.

Factors in Favor of Approving the Special Use

1. With the recommended Conditions of Approval, the proposed use would fully comply with seven of the ten Special Use factors used by staff to analyze this request, and complies with conditions with two additional factors;
2. The proposal complies with the Adopted Comprehensive Plan Agriculture and Ranching, Economic Development and Rural Character Elements;
3. The proposal complies with the adopted Mid-Sulphur Springs Area Plan
4. The proposal complies with the Rural Zoning District purpose statement;
5. If any other crop were being grown, the use would be exempt from County Zoning and Building Codes;
6. The proposal will employ water conservation measures;
7. At full build-out the traffic generated by this proposal would be less than if the site were developed as a residential use; and
8. Three property owners have sent letters of support for this application.

Factors Against Allowing the Special Use

1. Eight Property owners have sent letters in opposition to this application.

VII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **Conditional Approval** of the Special Use request, subject to the following Conditions:

1. Within 30-days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicant shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards (except as modified) and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18-months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;
2. It is the Applicant's 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;
3. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional Modification and approval by the Planning and Zoning Commission;
4. In advance, or concurrent with, their first Commercial Permit application, the applicant is required to provide a Private Maintenance Agreement for N. Nino Place from their driveway to W. Dragoon Road;
5. Within one year of the permit for the third phase of construction, the Applicant shall apply for a permit to construct a private road apron meeting per the requirements of the County Engineer, and complete said apron within one year of permit issuance;
6. If additional phases beyond the first exceed 1 acre of disturbance and/or imperviousness then a drainage statement/analysis will be required.

Sample Motion:

Mr. Chairman, I move to approve Special Use Docket SU-18-09, with the Conditions of Approval as recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

VIII. ATTACHMENTS

- A. Special Use application
- B. Site plan
- C. Location map
- D. Agency comments
- E. Public Comment

CONCEPT PLAN FOR SPECIAL USE APPLICATION

MEDICAL MARIJUANA CULTIVATION FACILITY

SUBMITTED BY DENNIS FINNERAN

PARCEL NUMBER 20890012F ZONED RU4 8 ACRES

PARCEL SURROUNDED BY VACANT LAND

MINIMUM SETBACKS MET

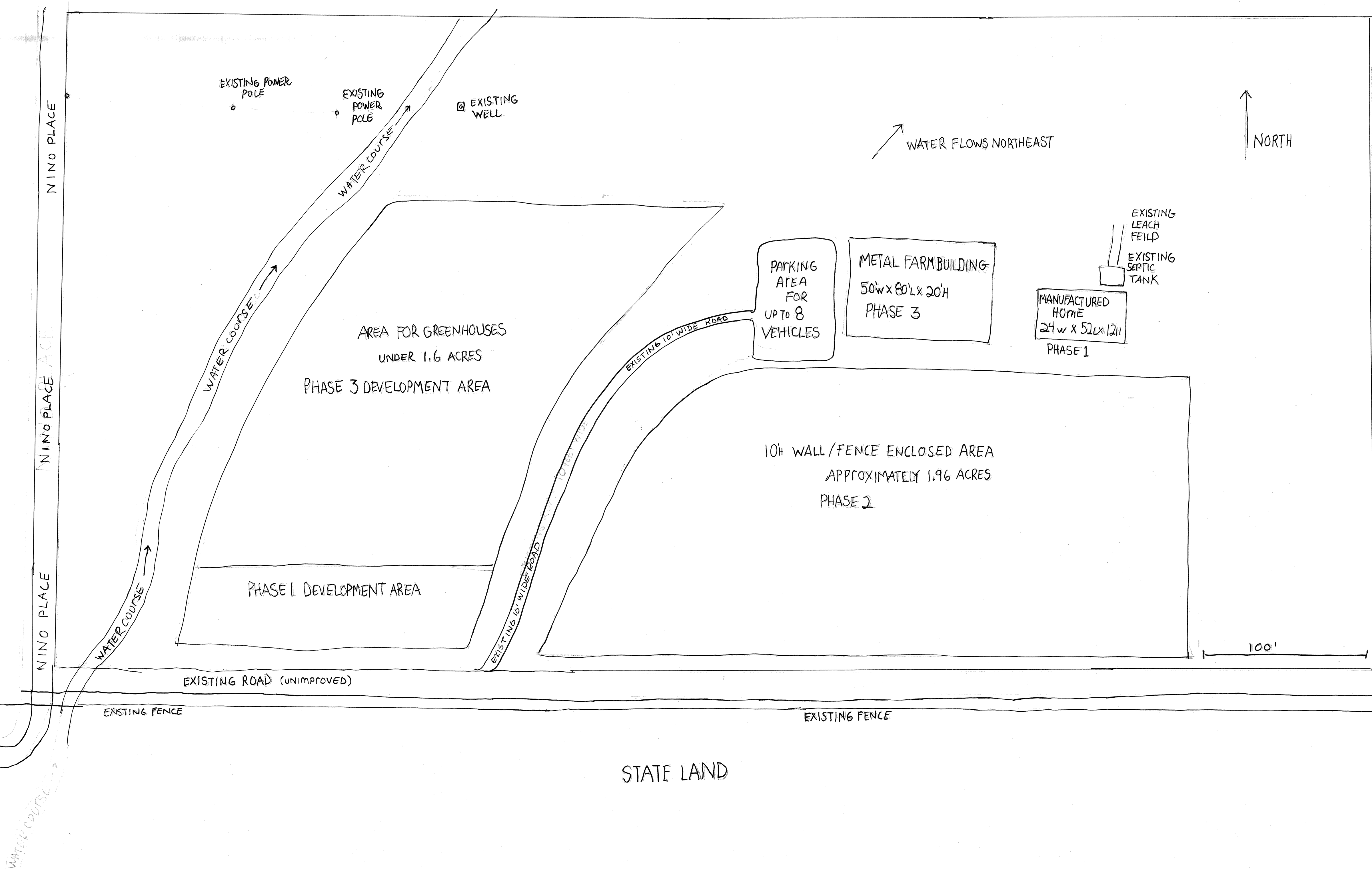
CONCEPT PLAN ONLY (NOT TO SCALE)

SITE PLAN TO BE SUBMITTED AFTER APPROVAL AND BEFORE DEVELOPMENT

VACANT
PRIVATE
LAND

VACANT
PRIVATE
LAND

VACANT
PRIVATE
LAND



SU-18-09
2018-134

COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE
(TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER 20890012F

APPLICANT DENNIS FINNERAN

ADDRESS 4876 S. 12TH AVENUE TUCSON, ARIZONA 85714

CONTACT TELEPHONE NUMBER 520-235-6256

EMAIL ADDRESS: CRUCIALD@AOL.COM

PROPERTY OWNER (IF OTHER THAN APPLICANT) VINCENT OWEN HUTSON

ADDRESS 3661 E ANTELOPE RD
PEARCE, ARIZONA 85625

DATE SUBMITTED _____

Special Use Permit Public Hearing Fee (if applicable) \$ _____

Building/Use Permit Fee \$ _____

Total paid \$ _____

PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (6) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. (Please note that nine (9) copies will be required for projects occurring inside the Uniform Building Code enforcement area. In addition, if the site plan is larger than 11 by 17 inches, please provide one reduced copy.)
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
5. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)
6. Hazardous or Polluting Materials Questionnaire, if applicable.

OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report

6. Traffic Impact Analysis (TIA): Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.
7. Material Safety Data Sheets
8. Extremely Hazardous Materials Tier Two Reports
9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

PART TWO - QUESTIONNAIRE

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach separate pages if the lines provided are not adequate for your response.** Answer each question as completely as possible to avoid confusion once the permit is issued.

SECTION A - General Description (Use separate sheets as needed)

1. What is the existing use of the property?

THE PROPERTY IS CURRENTLY VACANT AND ZONED RU 4

- What is the proposed use or improvement?

THE PROPOSED USE IS A MEDICAL MARIJUANA CULTIVATION LOCATION

2. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties?

SEE ATTACHMENT

3. Describe all intermediate and final products/services that will be produced/offered/sold.

MEDICAL MARIJUANA WILL BE PRODUCED. THE MEDICAL MARIJUANA WILL ONLY BE DELIVERED OFF SITE

AND ONLY OFFERED TO QUALIFIED PATIENTS REGISTERED WITH THE ARIZONA DEPARTMENT OF HEALTH SERVICES.

4. What materials will be used to construct the building(s)? (Note, if an existing building(s), please list the construction type(s), i.e., factory built building, wood, block, metal)

SEE ATTACHMENT

5. Will the project be constructed/completed within one year or phased? One Year _____
Phased if phased, describe the phases and depict on the site plan.

SEE ATTACHMENT

6. Provide the following information (when applicable):

A. Days and hours of operation: Days: 7 Hours (from 9 AM to 5 PM)

B. Number of employees: Initially: 4 Future: 8
Number per shift Seasonal changes _____

C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site.
UNDER 7

(2) Total trucks (e.g., by type, number of wheels, or weight)
0

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?
ALL TRAFFIC WILL EXIT PROPERTY AND TRAVEL NORTH ON NIND PLACE TO DRAGON RD

(4) If more than one direction, estimate the percentage that travel in each direction

(5) At what time of day, day of week and season (if applicable) is traffic the heavies
9AM AND 5PM DAILY

Circle whether you will be on public water system or private well. If private well, show the location on the site plan.
Estimated total gallons of water used: per day 5000 AT PHASE 3 **per year** 1,780,000 AT PHASE 3

Will you use a septic system? Yes No _____ If yes, is the septic tank system existing?
Yes No _____ Show the septic tank, leach field and 100% expansion area on the site plan.

G. Does your parcel have permanent legal access*? Yes No _____ if no, what steps are you taking to obtain such access?

*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet. If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

H. For Special Uses only - provide deed restrictions that apply to this parcel if any.

Attached _____ NA

8. Identify how the following services will be provided:

| Service | Utility Company/Service Provider | Provisions to be made |
|-----------------|---|---|
| Water | PRIVATE EXEMPT WELL | |
| Sewer/Septic | SEPTIC TANK | EXISTING SEPTIC TANK TO BE INSPECTED AND |
| Electricity | Sulphur Springs Electric | CONFORM TO AZ DEPARTMENT OF ENVIRONMENTAL |
| Natural Gas | BARNETT'S PROPANE | QUALITY FLOWCHART |
| Telephone | N/A | |
| Fire Protection | SUNSHINE PEAK FIRE DISTRICT BENSON FIRE DEPARTMENT | |

SECTION B - Outdoors Activities/Off-site Impacts

1. Describe any activities that will occur outdoors.

PARKING AND WALKING BETWEEN ENCLOSED LOCKABLE FACILITIES

2. Will outdoor storage of equipment, materials or products be needed? Yes ___ No if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties.

Will any noise be produced that can be heard on neighboring properties? Yes ___ No if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties?

3. Will any vibrations be produced that can be felt on neighboring properties? Yes ___ No if yes; describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties?

4. Will odors be created? Yes No ___ If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties?

SEE ATTACHED

5. Will any activities attract pests, such as flies? Yes ___ No if yes, what measures will be taken to prevent a nuisance on neighboring properties?

6. Will outdoor lighting be used? Yes ___ No If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications.

7. Do signs presently exist on the property? Yes ___ No If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.

A. _____ B. _____ C. _____ D. _____

8. Will any new signs be erected on site? Yes ___ No If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).

9. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?

Yes ___ No

If yes, will storm water be directed into the public right-of-way? Yes ___ No

Will washes be improved with culverts, bank protection, crossings or other means?

Yes ___ No

If yes to any of these questions, describe and/or show on the site plan.

10. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)

~~STONE~~ GRAVEL DURING PHASE 2

11. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)

12. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?
Yes ___ No If yes, show details on the site plan. **Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.**

SECTION C - Water Conservation and Land Clearing

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Planning Department has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

SEE ATTACHMENT

2. How many acres will be cleared? UNDER 4
If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used
(Show on site plan if appropriate.) SEE ATTACHMENT

SECTION D - Hazardous or Polluting Materials

Some businesses involve materials that can contaminate the soil, air, water, waste disposal system or environment in general. Precautions must be taken to protect the environment when such products are distributed to or from the site, stored, manufactured, processed, disposed of, or released as raw materials, products, wastes, emissions, or discharges (When sold or incorporated in a product these materials are required to have Material Safety Data Sheets (MSDS) supplied by the manufacturer.) Examples of such products include but are not limited to paint, solvents, chemicals and chemical wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, biological wastes etc.

Does the proposed use have any activities involving such materials?

Yes No If yes, complete the attached *Hazardous or Polluting Materials Use Questionnaire*.

Note: Depending on quantities, this question does not apply to ordinary household or office products or wastes such as cleansers, waxes or office supplies. Answer YES only if the materials are involved in the commercial or special use process or if landscaping or maintenance chemicals (pesticides, fertilizers, paints, etc.) will be present in quantities greater than 50 pounds (solids) or 25 gallons (liquids).

If you answer NO to this question but in the County's experience, the type of business proposed typically uses such materials, you will be asked to complete the *Hazardous or Polluting Materials Questionnaire* prior to processing this Commercial Use/ Building/ Special Use Permit.

Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research. The Arizona Department of Environmental Quality Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333).

SECTION E - Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature 

Print Applicant's Name DENNIS FINNERAN

Date signed 3/23/18

SUA

Section A

4. The construction materials of the greenhouses will be metal and plastic, the factory built building will be metal, the factory built mobile home will be wood and the fence will be built with wood or metal.
2. The activities that will occur as a part of the special use are consistent with a small scale agricultural operation and will all occur in enclosed lockable areas. In our estimation, the only impact on neighboring properties will be an altered view from our development and the use of up to six (6) extra cars on Nino Place and Dragoon Road.

Section B

4. Medical marijuana cultivation can seasonally produce a floral odor which dissipates naturally a short distance from the cultivation location. Our proposed location has privately owned vacant land on three (3) sides and a vast tract of State land on the remaining side. The development will consider buffer distances from privately owned land to maximize odor dissipation and minimize odor nuisance to any future neighbors.

Section C

1. A number of specific measures to conserve water on site will be addressed. Pricipally we will be using an efficient drip irrigation system in order to minimize water loss due to evaporation. Design features for active and passive water harvesting from all impervious surfaces will be addressed actively by collecting rainwater run off in multiple installed tanks and passively to encourage ground soaking by creating simple land contours to act as detention basins on any remaining unused areas that may have been disturbed by our development process. Open spaces will be protected and soil disturbance will be minimized in an effort to comply with Section 102E of Cochise County's Comprehensive Plan and Waterwise Development Code.

2. Although this proposal calls for the clearing of land to develop sites for a road, parking spaces, greenhouses, a metal building, a mobile home and a wall enclosed two (2) acres to be used as a normal agriculture area, developmment will happen in several phases that will slowly take place over the course of five (5) years. Any clearing of land for a greenhouse array, mobile home, building site, road or parking spaces will not exceed a half (1/2) an acre at a time and construction will be completed in a timely fashion to minimize dust and erosion. The wall enclosed area to be used for agriculture will also be cleared in phases and be cleared at the rate of less than one (1) acre at a time and be immediately planted and irrigated to control dust and erosion. An Intent to Clear Land Form will be filed with the local office of the Arizona Department of Agriculture prior to clearing any native vegetation. Existing vegetation will remain intact as a buffer around development site and straw bales or silt screens will be deployed to control potential erosoin around cleared land that remains uncovered by structures or planted and drip irrigated. Any remaining cleared land will be minimal and be reseeded with native vegetation. Any land clearing will not divert, retard or obstruct the flow of water in a watercourse. A clearing permit is to be otained by Cochise County if it is deemed necessary by planning officials.

Section D

- Any fertilizers or pesticides used in our cultivation operation will be OMRI (Organic Materials Review Institute) listed or be allowable and compliant with the USDA NOP (United States Department of Agriculture National Organic Program). These products will only be used as directed on labels.

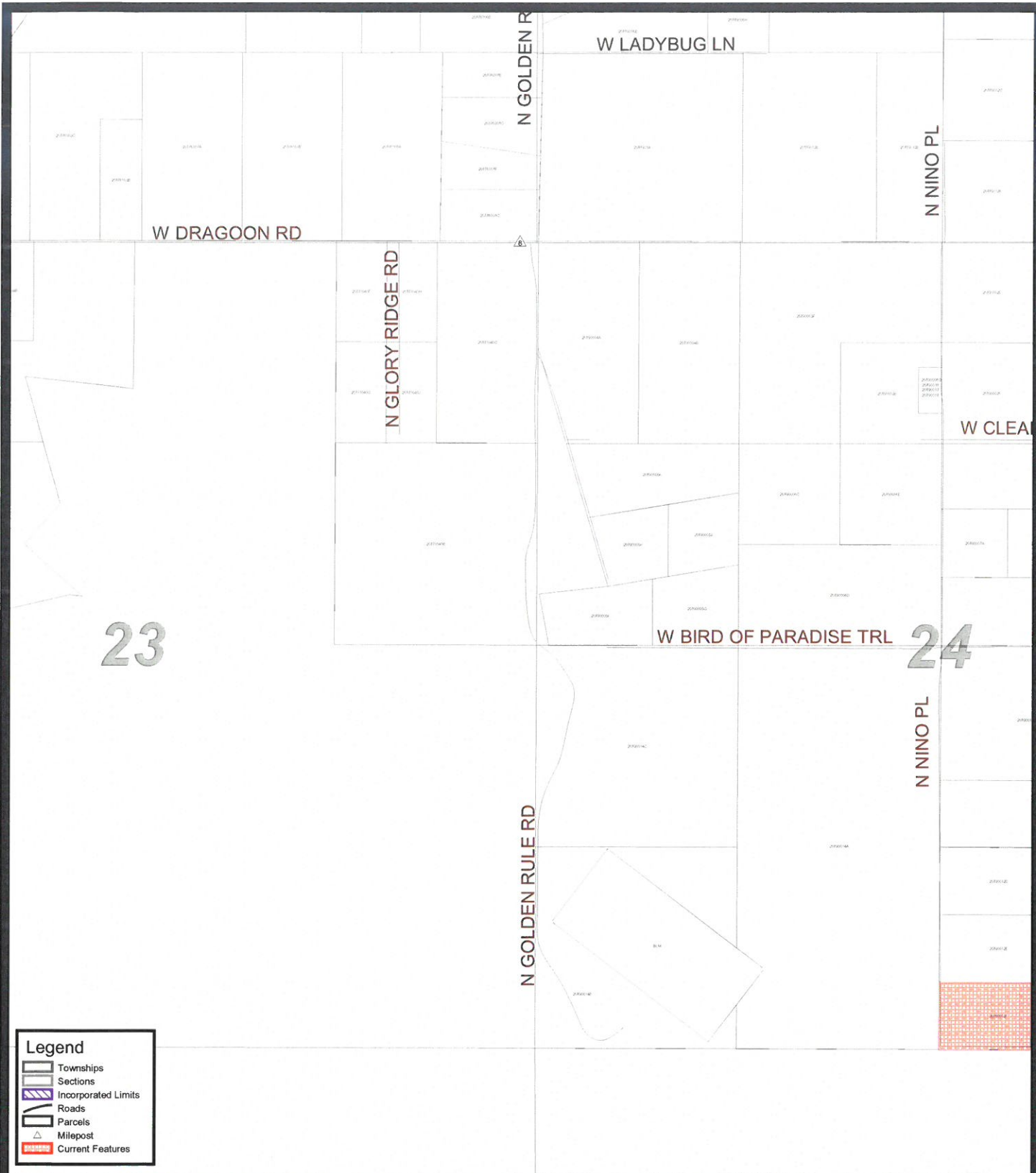
concept plan

Concept Plan for Special Use Application.

It is the intention of Dennis Finneran to establish a Medical Marijuana Cultivation Location for an association of Medical Marijuana Cultivating Caregivers that are registered with the Arizona Department of Health Services. The proposed location is Parcel Number 20890012F, The Southernmost Parcel on Nino Place in Dragoon, Arizona, Cochise County, Arizona. The eventual plan is to have an array of greenhouses not to exceed 20 percent of the parcel size, a manufactured home that is 24 feet wide by 52 feet in length and 12 feet in height, a factory built metal farm building that is 50 feet wide by 80 feet in length and 20 feet high, and a 10 foot high wall enclosed area that is under 2 acres in size.

The first phase of development will include the installation and affixation of a manufactured home, the installation of a prefabricated greenhouse array of 3600 square feet, improve existing access road on the property and clear a parking area. The second phase will be to build the wall enclosed area of under 2 acres. The third phase will be to build the metal building and add additional greenhouses.

A sight plan will be submitted before any development begins. All phases of development will happen within 5 years.



Legend

- Townships
- Sections
- Incorporated Limits
- Roads
- Parcels
- Milepost
- Current Features



SU-18-09
Finneran MMJ Cultivation

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





**Cochise County
Community Development
Highway and Floodplain Division**

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

MEMORANDUM

Date: April 26, 2018
To: Peter Gardner, Planner I
From: Karen L. Lamberton, AICP County Transportation Planner
Subject: Finneran MMJ Cultivation/SU-18-09/Parcel #208-90-102F

The applicant, Dennis Finneran, is requesting a Special Use authorization to develop facilities for the cultivation of medical marijuana. The property is zoned RU-4, Rural, and the proposed growing operations are considered a Special Use in that zone under Sections 607.53 and 607.56 of the Zoning Regulations.

Special Use Authorization Conditions

We have no objection to issuing the requested Special Use Authorization with the following conditions:

1. A Private Maintenance Agreement, per Zoning Code 1897.02A will need to be submitted with their first Commercial Permit application, for that segment of Nino Place from their driveway entrance to Dragoon Rd.
2. A commercial driveway, meeting Design Standard CC205-2, with clear zones (sight distance triangles) per Design Standard, CC300 and Zoning Code 1807.06B, should be in place in advance or concurrent with their first Commercial Permit application and shown on the submitted site plan.

The applicants are also advised of the following potential commercial permit condition during Phase 3 development:

3. In advance or concurrent with their Commercial Permit application for the third phase the applicant may be required to coordinate with the Highway Dept. to provide a roadway access apron at the Dragoon intersection connection with Dragoon Road as per the County Roadway Design standard CC205-3 or as approved by the Highway Dept. County Engineer.

Background

The applicant is proposing to cultivate and infuse medical marijuana within existing greenhouses on an 8.04-acre site located in the Willcox area. This site is currently vacant.

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

The property is located off of an unnamed roadway (No. 6288) to Nino Place., a private, native surfaced roadway. Neither roadway is currently county-maintained. Dragoon Road, a county-maintained, federally functionally classified, rural major collector roadway is located about one mile north of the subject parcel.

Driveway Access

A commercial driveway intersection will be required from the subject parcel onto the unnamed roadway 6288 that meets or exceeds the County's Roadway Design Standards. Design standards require that driveways meet or exceed the existing roadway surface, in this case, native surface at the subject parcel connection. Standard commercial driveways for this type of use would typically be a native surfaced 24-foot wide driveway with 35-foot radii to facilitate turning movements of the larger and heavier vehicles that typically serve commercial and agricultural uses. See Design Standards CC205-2. Nino Place should either meet this commercial driveway standard or the Roadway Access Apron standard CC 205-3. A ROW/Encroachment Permit is not needed for the driveway improvements (if needed) as this driveway takes access onto a private roadway(s). These dimensions should be shown on the submitted Commercial Permit site plan.

Traffic Analysis

This type of use is akin to a small-scaled agricultural use: average trip generation rates specifically for this type of growing operation have not been developed on either a national or state-level at this time. The applicant anticipates up to 8 employees, at full-build out of this project, which has the potential to generate an estimated range of 5.60 to 60.70 vehicle trips per day, with a **typical average of 25.09 vehicle trips per day**, per the *ITE Manual, 9th ed.* Greenhouses tend to stabilize the typical seasonal variations inherent in open agricultural activities. The applicant is proposing a staged greenhouse development with three phases over time, as market demand allows.

Note: Vehicle trips are different than number of vehicles that travel to the site. Average vehicle trips per day also include incidental traffic generated due to the presence of any particular use (e.g. mail, deliveries, trash pick-up) and averages seasonal variations in trips generated.

The applicant indicates a startup operation using approximately 3,600 square feet of greenhouses with up to 5,248 square feet of office/support buildings at full build out. Support buildings have a potential trip generation of 26.56 vehicle trips per day; these vehicle trips serve the same employees and land use purpose and would overlap rather than add to the total site potential traffic impacts. The future number of greenhouses was not stated: if scaling from the proposed site plan possibly 5 additional greenhouses may be planned in Phase 3. This level of light industrial agricultural activities is likely to generate an estimated range of 3 vehicle trips per day per employee and average 25.09 per greenhouse.

If built out to a full residential use this 8-acre parcel would likely generate an average of 19.08 vehicle trips per day, to a high-end range of 43.7 vehicle trips per day, for 2 residential units. As a growing operation only, with no dispensary operation, it is likely that Phase 1 and Phase 2, as proposed by this applicant, would generate no more than the high end of the range for residential use on this parcel.

Traffic Statement Requirements/Off-Site Improvements

Trip generation at this location, based on this conceptual proposal, does not appear to reach the threshold of needing a Traffic Report. Construction impacts are expected to be minimal as the site is fully developed for this type of agricultural cultivation within existing facilities. Off-Site

improvements are not needed at Phase 1 or Phase 2. However, as additional greenhouses are built, the number of employees increase, trip generation by this use could reach a threshold requiring some mitigation at the intersection with Dragoon Road.

At their Phase 3 Commercial Permit application, the applicant is requested to provide additional information about the full-build out of the site (total number of greenhouses, expected employees: full-time, part-time and and seasonal). An assessment by the Public Works Dept. will be undertaken at that time of the roadway access apron at Dragoon Rd. and Nino Place. If the scale of operations still falls within a typical agricultural use no off-site improvements will be needed. However, if the scale of operations has become an intensive, year-around greenhouse production with increased truck traffic and vehicle trips volumes that exceed 100 per day the applicants are advised that a commercial permit condition at Phase 3 may include improvement of the roadway access apron onto Dragoon Rd. (Note that an additional five greenhouses, totaling six greenhouses, would potentially generate an average of 125.45 vehicle trips per day/62 vehicles/40 employees).

It is premature to make that determination at this time as it may be only the addition of one or two more greenhouses in Phase 3, which could be accommodated by the existing roadway network.

Advisory Note for the Applicant

The conceptual plan is adequate for this Special Use application but will not be adequate at the Commercial Permitting stage. At the commercial permit stage additional details on the driveway connections, connection to Nino Place, including a sight distance triangle, per Zoning Regulation 1807.06 and/or Roadway Design Standards D-300, will be needed on the site plan or as a separate illustration.

Roadway Access Aprons for both Nino Place and, potentially Dragoon Road, can be found in the Cochise County Roadway Design Standards: CC205-3.

Failure to provide required details on the site plan at the Commercial Permit stage may result in the application being found deficient and returned for revisions. Checklists and examples available from the Planning and Zoning Dept. office.

Should the scope or scale of operation change during the process of review by the State and Federal agencies the applicant is advised that conditions related to off-site impacts may change.



Cochise County Community Development

Highway and Floodplain Division

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

INTEROFFICE MEMO

Date: April 19, 2018
To: Peter Gardner, Planner II
From: Teresa Murphy, Right-of-Way Agent
Subject: SU-18-09 (Finneran MMJ Cultivation)

Background: The applicant requests a Special Use Authorization to approve a facility for the cultivation of medical marijuana. Medical Marijuana Use requires Special Use Authorization. The 8.04-acre site, APN 208-90-012F, is located at the northeast corner of Nino Place and Unnamed Road 6288 in the Dragoon area and is zoned RU-4. The applicant is Dennis Finneran.

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:

- Access via Dragoon Road.
- Nino Place is not a County Maintained Road.
- Nino Place and Unnamed Road 6288 are road easements created in Docket 968 page 33, at a width of 30.00 feet but are not conveyed to the public or designated as private.

Recommendation:

- Further right-of-way dedication is not required for Nino Place or Unnamed Road 6288 at this time.

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Bisbee, Arizona 85603
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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

Gardner, Peter B

From: Mickey Shields <1991ksuwildcat@gmail.com>
Sent: Wednesday, April 25, 2018 2:51 PM
To: Gardner, Peter B
Subject: Re: Transmittal MMJ Cultivation in Dragoon

Good afternoon Peter,

I shared this with the rest of the SCA Board Members. Aside from one totally against this type of thing, no concerns from the Board.

Thank you,
Mickey

On Wed, Apr 11, 2018 at 2:13 PM, Gardner, Peter B <PGardner@cochise.az.gov> wrote:

Please review the attached transmittal for Medical Marijuana Cultivation in Dragoon, and have any comments back to me by April 26. Thank you and regard,

Peter Gardner

Planner II

Cochise County Community Development

Development Services Department

1415 Melody Lane, Building E

Bisbee, AZ 85603

520-432-9300

520-432-9278 fax

Public Programs...Personal Service

Special Use Docket SU-18-09 (Finneran MMJ Cultivation)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

I absolutely support the request just south of the facility to be built for the cultivation AND use of medical marijuana at this location. We know & definitely approve of medical marijuana and the benefits is that where our medical fields have failed. I don't think the GENERAL PUBLIC realizes the great strides that come from the use of medical marijuana & states that provide the use are IN FRONT of what is needed!

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

(Attach additional sheets, if necessary)

PRINT NAME(S): PAMELA J. RADEMACHER DUANE D. Southwick

SIGNATURE(S): Duane D Southwick
Pamela J. Rademacher

YOUR TAX PARCEL NUMBER: 20890005F (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Friday, April 27, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by May 8, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the public hearing on May 9, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-18-09 (Finneran MMJ Cultivation)

Handwritten mark

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Feb 17, 2016 - Jul 3, 2016

I had 80% inoperable brain cancer (70% Left 10% Right) I went through 27/30 radiation treatments and 5 rounds of oral chemo. The 3 MRI's I had during this treatment showed (stable - not bigger OR smaller).

I started taking MT Suppositories on July 4 2016 and when to had my next MRI on Dec 5, 2016 - the tumor was gone, only residual sporing. I have had 3 more MRIs showing NO tumor.

AZ DHS ID 0195695@PYR04456 8002

This facility will also be good for competition, have more choices!

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Peter J. Ammon *Peter J Ammon*

SIGNATURE(S):

Elizabeth Ammon
ELIZABETH AMMON

Signed 4/17/18

YOUR TAX PARCEL NUMBER:

20890014B

(the eight-digit identification number found on the tax statement from the Assessor's Office)

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RETURN TO:

Peter Gardner, Planner II
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Bisbee, AZ 85603

Special Use Docket SU-18-09 (Finneran MMJ Cultivation)

X YES, I SUPPORT THIS REQUEST

Please state your reasons:

We believe it will help to encourage further agriculture and other development in the area.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Michael W. CORCORAN, DEBORAH S. CORCORAN

SIGNATURE(S):

Michael W. Corcoran
Deborah S. Corcoran

YOUR TAX PARCEL NUMBER:

20890012D

(the eight-digit identification number found on the tax statement from the Assessor's Office)

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RETURN TO: Peter Gardner, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Gardner, Peter B

From: Theresa Hoge <theresahoge@gmail.com>
Sent: Sunday, April 29, 2018 4:40 PM
To: Gardner, Peter B
Subject: Comments for Special Docket SU-18-09 (Finneran MMJ Cultivation)

Hello Peter,

I am writing you to express that my husband, Jessie Hoge, and I, do not support the Special Docket SU-18-09 (Finneran MMJ Cultivation) request.

My family and I moved to Cochise because of the lifestyle it provides. It's a small, rural, unincorporated area with mountainous landscape, no city lights and plenty of space. It also affords us a country living lifestyle and a small school district that my son will attend in the fall of 2019.

I do not support the special docket request because the facility has plans for the cultivation of medical marijuana on the 8- acres. I received a letter from Mr. Finneran and he explained what he plans to use the 8.04-acre lot, the storage facility and the amount of staff that will frequent the area. These are people that I do not know and are using the acreage just for their business purposes.

Cathy's Compassion is located across Dragoon Road and already is an inconvenience to the area. I would like to list the ways it has been an inconvenience to me and my family:

- Frequent sounds of alarms that go off at night – every other month if not monthly
- Patrol of Sheriff's in the area looking for a suspicious person trying to break in
- Expansion of Cathy's Compassions creates more traffic for medical marijuana customers not from the area

I question the need for another marijuana cultivation facility in such a small proximity to Cathy's Compassion. This does not seem necessary. Most farmers in the area are focused on Pistachios, Pecans, Corn and or small family farming, this is the type of agricultural facility I do support.

I also want to make the point that I have a small child that my family enjoys spending time with outside. We like to utilize the state and forest land that will border this parcel for recreational use. The access point is on Nino and the corner of parcel in question of the special use. I feel that is will become a nuisance to the bordering land and attract unwelcome visitors to our area.

If you would like to speak further or have any questions, I can be reached at 520-205-0746 and my husband, Jessie at 520-507-2113. Thank you for your time and allowing me to express my concern.

Sincerely,

Theresa Hoge

1751 W Clearview Lane

Cochise, AZ 85606

Tax parcel #: 20890001D

Gardner, Peter B

From: odierain@YAHOO.COM
Sent: Wednesday, April 25, 2018 7:55 PM
To: Gardner, Peter B
Subject: Docket SU-18-09 (Finneran MMJ Cultivation)

Mr. Gardner:

We own property at 1869 W. Bird of Paradise Trail. We are opposed to having this business in our neighborhood. We already have a marijuana business within about a half of a mile from us and we feel that we don't need another one. We are also concerned that if this business goes in there will be more traffic on our road which we maintain because the county will not, even though it is a county road. We are also concerned that there is no speed limit posted on this road and we have children that play in this neighborhood. Plus the dust and noise generated by the extra traffic. We request that you take this into consideration when making your decision. Please visit the site of this new business before agreeing to its approval and talk with the home owners and look at the neighborhood.

Thank you
Odis and Lorraine Miller

Sent from Samsung tablet

Special Use Docket SU-18-09 (Finneran MMJ Cultivation)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

UNLESS, N NINO PL RD IS WIDEN TO
ACCOMMODATE THE EXTRA TRAFFIC

(Attach additional sheets, if necessary)

PRINT NAME(S): Joseph & Jeannette Beaver

SIGNATURE(S): Joseph C. Beaver
Jeannette E. Beaver

YOUR TAX PARCEL NUMBER: 208-90-007B7 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Friday, April 27, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by May 8, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the public hearing on May 9, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-18-09 (Finneran MMJ Cultivation)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

There already is a dope factory within a mile of my property. Moved here almost twenty years past, thinking be cause this was a rural area away from such substances, now its on door steps! What else will be aloud to be put beside my home.

I will not attend your hearing as it hard getting around.

(Attach additional sheets, if necessary)

PRINT NAME(S): Rodrnick Ellis Glenn

SIGNATURE(S): Rodrnick Ellis Glenn

YOUR TAX PARCEL NUMBER: 206-03-012CA (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Friday, April 27, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by May 8, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the public hearing on May 9, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

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Cochise County Planning Department
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Bisbee, AZ 85603

Special Use Docket SU-18-09 (Finneran MMJ Cultivation)

 YES, I SUPPORT THIS REQUEST

Please state your reasons:



 NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Everytime one of these establishments are occupying land in Cochise County, property values decrease. Everyone in this area is aware of these establishments and the effect it is having on property values. Instead of buying up small parcels, a consortium could buy more property and contain all of these establishments in one area that would have the least impact on home values and property values. My property value has decreased w/ low ball offers with the help of these establishments in the area.

(Attach additional sheets, if necessary)

PRINT NAME(S):

Anthony Casella

SIGNATURE(S):

YOUR TAX PARCEL NUMBER: 20871040 II (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Friday, April 27, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by May 8, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the public hearing on May 9, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY

APR 23 2018

PLANNING

Special Use Docket SU-18-09 (Finneran MMJ Cultivation)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

*Do not approve of
marijuana for any use don't
want the growth of marijuana
to be in my neighborhood
increases people of drug use*

(Attach additional sheets, if necessary)

PRINT NAME(S):

Diane Neath

SIGNATURE(S):

Diane Neath

*I am a nurse I see
people with medical cards
frequently it's usually nonsense
& my son died
of drug use*

YOUR TAX PARCEL NUMBER: 20603011

(the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Friday, April 27, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by May 8, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the public hearing on May 9, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-18-09 (Finneran MMJ Cultivation)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

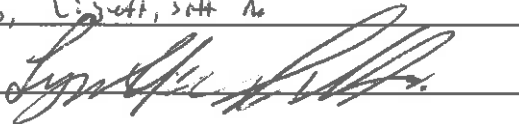
There is a great potential of leakage and to be used for other than what intended, thus increase drug trafficking in the name of medical usage.

(Attach additional sheets, if necessary)

PRINT NAME(S):

Casab, Jorge Casab, Liggett, Matt A

SIGNATURE(S):



YOUR TAX PARCEL NUMBER: 20603002 J, K, L, M, N (the eight-digit identification number found on the tax statement from the Assessor's Office)

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RETURN TO: Peter Gardner, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-18-09 (Finneran MMJ Cultivation)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

No - No and NO

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

It is a gateway drug
lost a daughter murdered by her husband - Drug lifestyle
a daughter's marriage destroyed - the person followed father's addiction
It causes irreversibility
It is not needed in our society
It will be detrimental to the community in spite of economy
There are better ways to help the ~~patients~~ intended patients

(Attach additional sheets, if necessary)

PRINT NAME(S):

KATHRYN LYNCH

SIGNATURE(S):

Kathryn Lynch

YOUR TAX PARCEL NUMBER: 206-03-002 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. 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 Friday, April 27, 2018 to be included in the staff report to the Commission in order for them to consider the comments before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still send email comments, or phone Peter Gardner at the contact information listed on page one by May 8, 2018 to have your support or non-support verbally noted at the meeting; or you may personally make a statement at the public hearing on May 9, 2018. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting; your cooperation is greatly appreciated.

RETURN TO: Peter Gardner, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Special Use Docket SU-18-09 (Finneran MMJ Cultivation)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

- ① Medical Marijuana is AN overly misused drug.
- ② The water consumption in an already depleted water table.
- ③ When Dennis grew marijuana illegally 2015 in Shasta County, Calif he was charged with NON COMPLIANCE FOR UNLAWFULLY CULTIVATING, then tried to sue the county FOR \$320,000 IN DAMAGES. (SEE ATTACHED)
- ④ When Dennis did business under Healing Herb LLC in Tucson L16496823 he was denied A permit (SEE ATTACHED)
- ⑤ We already have a marijuana dispensary in our area that we weren't notified about ahead of time.

PRINT NAME(S):

Daniel and Pamela Norrgard

SIGNATURE(S):

Dan Norrgard
Pam Norrgard

YOUR TAX PARCEL NUMBER: 20890004B (the eight-digit identification number found on the tax statement from the Assessor's Office)

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RETURN TO: Peter Gardner, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY

APR 23 2018

PLANNING

LOCAL NEWS

Man seeks damages from Shasta County for lopped marijuana plants



Courtesy photo A sign promotes a pesticide-free garden where Shasta County officials confiscated a 85-plant marijuana garden last year.

By Clay Duda

Posted: April 28, 2015



Courtesy photo An aerial image shows where Dennis Finneran of Tucson, Arizona, had a marijuana garden in Bella Vista.

Another marijuana grower has filed a claim against Shasta County alleging sheriff's deputies illegally cut down 85 "large, healthy, bushy marijuana plants" growing on a Bella Vista property last summer, records show.

Dennis Finneran of Tucson, Arizona, is seeking \$320,000 from the county — the amount deputies said the marijuana was worth in a police report — to cover the lost crop. The county denied that claim in a letter on April 15, saying it was "neither a proper charge against the county, nor for an amount justly due."



Courtesy photo A shed was found on the property where Dennis Finneran grew 85 marijuana plants. Finneran pled no-contest to charges of growing medical marijuana on property that lacked a residence.



Courtesy photo Makeshift equipment was found on the Bella Vista marijuana grow.

Finneran faced felony charges after the Sept. 16 raid on his Backbone Road property, but both felony counts for marijuana cultivation and possession of marijuana for sale were dismissed in court. He pleaded no contest to a misdemeanor violation of county ordinance 17.88.320, which prohibits marijuana cultivation on a property without a permitted residence.

Shasta County Counsel's office says Finneran's admission in court leaves them on firm footing against a potential lawsuit.

"A no contest plea is similar to a guilty plea," explained Deputy County Counsel Jim Ross. "He essentially said 'I'm not going to contest the allegations that I was unlawfully cultivating marijuana.'"

Chico-based attorney Eric Berg, whose law firm represented Finneran during his criminal trial and filed the claim on his behalf, said the misdemeanor plea mattered little when it came to upholding protections granted under the Fifth Amendment .

"The cops came in and raided his property without any kind of search warrant or judicial approval, and without any notice to our client that he was violating any ordinance," Berg said. "I think it's outrageous that the police think they can come in without a warrant or any notice and take it upon themselves to destroy this medicine. Twenty-six people were relying on that medicine, and they have to get it from somewhere."

A police report from the raid noted Finneran was in possession of "a packet of recommendations" — 26 in total, according to Berg — for medical marijuana patients Finneran said he was growing cannabis for.

"I asked him if he was a primary caregiver who met the everyday medical and safety needs of the patients and he said 'no,'" Shasta County Sheriff's Deputy Tom Barner noted in his report. "Based on statements from Finneran, the size and potential yield of the marijuana plants, and the lack of 'primary caregiver' status it is my opinion this is a growing for profit operation by Finneran."

Barner estimated each of the 85 plants would produce at least 2 pounds of processed marijuana with a street value of about \$2,000 per pound.

Shasta County Code Enforcement inspectors did their own follow-up after the raid, citing Finneran with violations for grading, building, electrical wiring and plumbing without a permit, among other things. A notice of non-compliance was issued for the property on Dec. 11 due to the outstanding issues.

Finneran is the second person in recent months who accused Shasta County of lopping medical marijuana plants illegally. On Dec. 31, 2014, Redding local Jason Penta filed a claim seeking \$172,000 for 87 marijuana plants chopped during the summer. The county denied that claim in March.

Voters in November last year chose to ban outdoor marijuana grows and approved stricter indoor regulations with passage of Measure A, an update to the county's zoning regulations.

Berg said his client was considering possible litigation. Finneran could not be reach for comment Thursday.

0

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Sometimes, there's a church, charter school or alcohol treatment center that goes undetected until the space is explored in person.

Morales, who specializes in zoning, uses the proprietary maps as part of a service she offers clients interested in opening dispensaries. She thought she had located a place that would work for someone, but upon further examination, she found a small storefront church that fell within 1,000 feet.

"It's made it very difficult," Morales said. "People are very frustrated trying to figure out where to put a dispensary."

Dennis Finneran, a prospective operator who set up The Healing Herb LLC, also has worked to map potential locations.

Like Morales, Finneran said he thought he had found a suitable location the proper distance from schools, rehab centers and churches with the proper commercial zoning. He even had a willing landlord.

But when Finneran submitted his paperwork to the city of Tucson, he learned the location was 625 feet from the Rillito River Park. Tucson's river parks create large sweeping bands that greatly restrict a dispensary operator's ability to find a spot to sell medical marijuana, Finneran said.

"We're trying hard"

That's something the city may have to review and modify to ensure it was the council's intent, said Craig Gross, the city's deputy director of planning and development services. So far, the city has received three official requests from operators looking to open up pot dispensaries, he said. All three were sent back to the applicants because they had problems that would have kept them from getting approved, Gross said.

"We're trying hard to work with them," he said. "The ordinance is complex."

P&Z Agenda Template

6. 6.

Meeting Date: 05/09/2018

Z-18-05 (Reaves)

Submitted By: Peter Gardner, Community Development

Department: Community Development

Division: Development Services

Presentation: PowerPoint

NAME Peter Gardner

of PRESENTER:

TITLE Planner II

of PRESENTER:

Agenda Item Text:

Z-18-05 (Reaves) The Applicant is requesting a rezoning from RU-4 (Rural; one dwelling per four-acres) to RU-2 (Rural; one dwelling per two-acres) in Whetstone.

Background:

The Applicant is requesting a rezoning from RU-4 Rural; one dwelling per 4-acres) to RU-2 (Rural; one dwelling per 2-acres). The request is to facilitate the split of the parcel, leaving the existing home and existing church/storage building on separate parcels. The subject parcel is 4.57 acres (199,177 square feet) in size.

The subject parcel, APN 106-04-110A, is located at 2472 N. Appaloosa Place in unincorporated Huachuca City. The commercial building has a separate address of 315 W. Camino de Mesa. The Applicants is Carla Reaves.

Attachments

Z-18-05 (Reaves) Memo

Application

Maps

Agency Comments

Public comment



Cochise County
Community Development
 Planning, Zoning and Building Safety Division

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

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Peter Gardner, Planner II
FOR: Daniel Coxworth, AICP, Development Services Director
SUBJECT: Docket Z-18-05 (Reaves)
DATE: April 30, 2018 for the May 9, 2018 Meeting

APPLICATION FOR A REZONING

The Applicant is requesting a rezoning from RU-4 Rural; one dwelling per 4-acres) to RU-2 (Rural; one dwelling per 2-acres). The request is to facilitate the split of the parcel, leaving the existing home and existing church/storage building on separate parcels. The subject parcel is 4.57 acres (199,177 square feet) in size. The subject parcel, APN 106-04-110A, is located at 2472 N. Appaloosa Place in unincorporated Huachuca City. The commercial building has a separate address of 315 W. Camino de Mesa. The Applicants is Carla Reaves.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 4.57 acres
 Current Zoning: RU-4 (Rural; one dwelling per 4-acres)
 Proposed Zoning: RU-2 (Rural; one dwelling per 2-acres)
 Growth Area: B – Community Growth Area
 Plan Designation: Developing
 Area Plan: None
 Existing Uses: Single Family Residence & Accessories/Quonset built as Church & used as personal storage
 Proposed Uses: Same

Zoning/Use of Surrounding Properties

| Relation to Subject Parcel | Zoning District | Use of Property |
|----------------------------|-------------------------------|--|
| North | RU-4 | Single Family Residence (Manufactured Home) |
| South | County Maintained Road/Vacant | W. Camino de Mesa/Vacant |
| East | SR-174 | Single Family Residence |
| West | Non-Maintained Road/SR-174 | N. Appaloosa Place/Single Family Residential |

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

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

II. PARCEL HISTORY

Prior to 2004 – Permits pulled but never completed

2004 – Permit issued for shed & completed. Permit issued for sign and canceled. Permit issued for commercial accessory structure and canceled.

2006 – Permit issued for residence & completed.

2007 – Permit issued for addition & completed.

2008 – Permit issued for barn & completed.

2009 – Permit issued for carport & completed. Permit issued for Quonset church building. Building completed, site not completed, permit canceled.

III. NATURE OF REQUEST

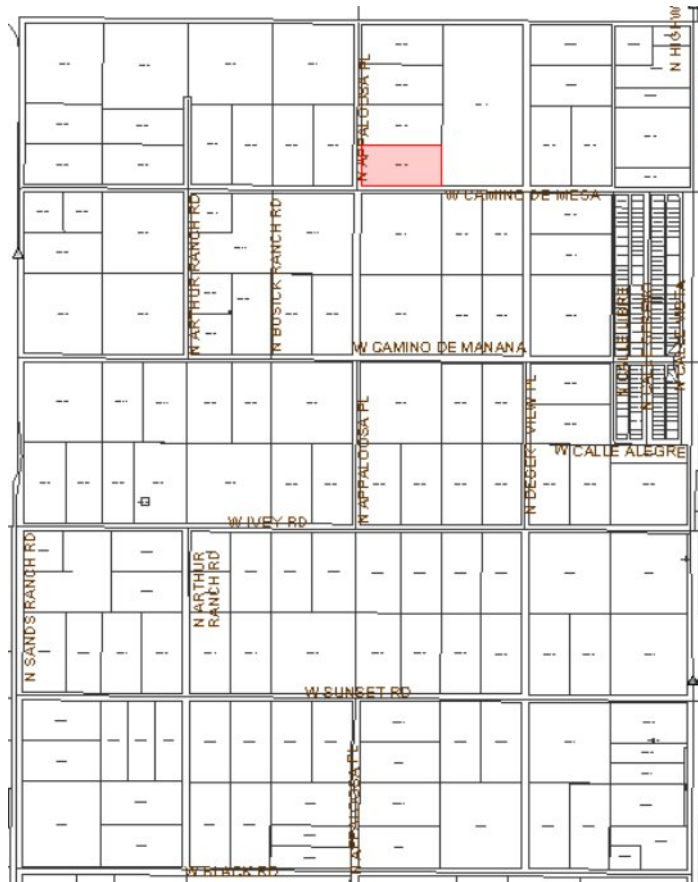
The Applicant is requesting to amend the zoning of her 4.57-acre parcel in Whetstone. The request is to divide the parcel, splitting the residence and accessories away from the partially developed commercial site. The commercial side has a 4,800 square foot Quonset hut which was permitted as a church. The building was completed, but no on-site improvements were completed, and the permit was cancelled. The building is currently used for personal storage.

The area was originally plotted as the Cochise Ranchos subdivision in 1957. This subdivision consisted of 80 lots of approximately 9.1 acres, with dedicated right-of-way surrounding each block of four lots. Two lots were re-platted in 1962 into the Cochise Ranchettes subdivision, consisting of 64 lots of approximately 0.17 acres each. In 1964, an additional lot was re-platted into Loma Serna, an 80-lot subdivision with lots of approximately 0.15 acres. Various other lots have been split between 1960 and 2017. Of the original 80 lots, two have been combined into one, and 22 are in, or similar to, their original configurations. The other 53 have been split into lots of various sizes, including 13 lots of less than four acres.

In 1975, the area was zoned RU-4. Rezoning have been granted between 1975 and 2000. Parcels along the highway were granted zonings to MH, NB, and GB zonings, to better fit with their developed character. In 2000, a group of property owners applied to amend the zoning from RU-4 to SR-174. The SR zoning did not alter the density, but otherwise became much more restrictive. Manufactured homes and most commercial uses are strictly prohibited in the SR zoning. This change only applied to the parcels belonging to the applicants' in the original docket. The Applicant's property was not one of the subject parcels.

The sites along the highway are a mixture of high density residential and commercial uses. The commercial uses include several propane businesses and the Little Family Farm.

The applicant's site is unique within the area inland from the highway in that it has been developed with multiple uses. The residential site and the intended church site are divided by a six-foot block wall, which also encloses the entire site. The residential portion takes access from N. Appaloosa, and the church site is accessed from Camino de Mesa, although the driveway has never been developed.



Location Map, showing the original area of Cochise Ranchos. Highway 90 is on the east border.



Aerial view of the site and neighboring properties

IV. ANALYSIS OF IMPACTS

Mandatory Compliance

Section 2208.03 of the Zoning Regulations requires that the amendment of Zoning District boundaries take place in compliance with the Comprehensive or Area Plan Designation assigned to the area in question. In this case, the subject property lies within a Category "B" Community Growth Area and is considered an "Development" area per the Comprehensive Plan. RU-2 zoning is permitted in the Category "B," "Development" areas, therefore this request to rezone to RU-2 complies with the Comprehensive Plan as detailed below. RU-2 is the lowest density permitted by the Developing designation. Neither RU-4 nor SR-174 comply with the designation.

Compliance with Rezoning Criteria

Section 2208.03 of the Zoning Regulations provides fifteen criteria used to evaluate rezoning requests. Twelve of the criteria are applicable to this request. Eight of the factors are met as submitted, three are met with conditions and modifications, and one is not met.

1. Provides an Adequate Land Use/Concept Plan: Complies with Conditions

If approved, the applicant intends to divide the property along the existing block wall. It will be the applicant's responsibility to ensure that the proposed division results in two compliant acres of two acres or more each.

2. Compliance with Applicable Site Development Standards: Complies with Modifications

The Board of Supervisors may, as part of a rezoning request, specify which site development standards apply. If a split along the block wall is otherwise compliant, one of the residential accessory structures will not meet the required 20-foot setbacks. The Board may waive this setback requirement, or, if that is not done, the structure will be rendered non-conforming. In this case, the structure may not be expanded, nor replaced if destroyed.

3. Adjacent Districts Remain Capable of Development: Complies

The proposal would not affect the development prospects of any neighboring properties. As noted above, it may create a non-conformance with an existing accessory structure, but the principal structure will be complaint. The eastern portion would also remain capable of further development. No other parcels would be affected in this way.

4. Limitation on Creation of Nonconforming Uses: Complies with Modification

This factor is focused on the creation of non-conforming lots or uses, for example a rezoning of a large area to a residential district in an area with existing commercial uses. The only potential non-conforming use will be a single accessory structure.

5. Compatibility with Existing Development: Complies

While the immediately surrounding area is zoned for four acre lots or larger, there are 13 non-conforming lots of less than four acres. These vary from 3.04 to 2.20 acres in size. This request would create two additional such lots.

6. Rezoning to More Intense Districts: Complies with Conditions

As noted above, the proposed zoning does not substantially alter the existing pattern of development due to its unique nature. The parcel is currently developed with an existing home and accessory structures on one portion, and a large Quonset on the other. If rezoned and split, the only new development that would be permitted would be an additional home on the eastern portion. The site is also buffered on all sides by an existing six-foot block wall.

7. Adequate Services and Infrastructure: Complies

The site has existing electric, gas, water, and septic service. Whetstone Fire provides fire service.

If this request covered a large portion of the Cochise Ranchos area, there would be potential for impacts to the infrastructure, particularly the non-maintained roadways and the ability to install wells and septic systems. In this case, as the request pertains to a single, already developed parcel, the infrastructure is adequate.



Camino de Mesa, and the gate to the east portion.

8. Traffic Circulation Criteria: Complies

As the site is currently developed, and the only additional use would be a single additional home, with access onto Camino de Mesa, traffic generation is minimal and easily supported by the County Maintained roadway.



The existing home.

9. Development Along Major Streets: Complies

No additional access points are proposed, and the existing driveway location is sound.

10. Infill: Not Applicable

This factor applies to rezonings to General Business, Light Industry, and Heavy Industry districts.

11. Unique Topographic Features: Not Applicable

There are no unique features such as steep slopes, large washes, or unstable soils, which would warrant special consideration.

12. Water Conservation: Complies

Any future development will be required to comply with applicable water conservation regulations. The limited scope of the request, a single parcel, limits the impact.



The Quonset.

13. Public Input: Does Not Comply

The Applicant completed a Citizen Review and received no response. Staff mailed notices to neighboring property owners within 1,000 ft. of the subject property on April 6, 2018. Submittal dates on the reverse of the letter were incorrect, and an additional notice was sent to correct the submittal dates on April 17. Staff posted the property on April 19, 2018 and published a legal notice in the *San Pedro Valley Sun-News* on April 24, 2018. At the request of a property owner within the 1,000-foot radius, Staff supplied contact information for all property owners within the Cochise Ranchos area. Staff provided this information for the parcels comprised of the original blocks except those bordering Highway 90. Letters in support have been received from the owners of two parcels, and opposition from 57. The letters in opposition cited concerns about the character of the area as intended in 1957, traffic & impact on County maintained roadways, noise, light pollution, water draw, impacts of new septic systems blocking new wells & vice versa, and wildlife. The attached form letter is predicated on this request setting a precedent that will require any future such requests to be granted. These concerns are not ones that can be addressed by this Applicant, as they are concerned with a much larger potential future request, rather than the specific request in question, limited to the single parcel with unique attributes.

14. Hazardous Materials: Not Applicable

No hazardous materials are proposed.

15. Compliance with Comprehensive Plan: Complies

The subject property lies within a Category "B"– Community Growth Area and is considered an "Development" area per the Comprehensive Plan. This designation is intended to include area with mixed uses until a clear pattern of development occurs. While the area is majority four acre lots or larger, as noted above, the area includes substandard RU-4 & SR-174 lots, high density residential, and heavy commercial uses. The request to add a single additional lot complies with the Developing designation.

V. PUBLIC COMMENT

Support has been received from two parcels, and opposition from 57. The letters in opposition cited concerns about the character of the area as intended in 1957, traffic & impact on County maintained roadways, noise, light pollution, water draw, impacts of new septic systems blocking new wells & vice versa, and wildlife.

VI. SUMMARY AND CONCLUSION

The request is for a rezoning, from RU-4 (Rural; one dwelling per four-acres) to RU-2 (Rural; one dwelling per two-acres) on a 4.57-acre parcel located in Whetstone. At this time, the area is characterized by rural residential land uses, and is considered a Community Growth, Developing, area under the Comprehensive Plan. The Applicant wishes to change the zoning to facilitate dividing the property, splitting the existing home & accessories from the Quonset building constructed, but never used as, a church. The site is physically divided in this manner, and if approved, the request would permit the construction of a single additional dwelling.

There is significant neighbor concern that if the request is approved that it will set an undeniable precedent requiring any future rezoning requests to be approved, potentially causing a doubling of density in the area. Any amendment to zoning is a legislative act, and therefore while precedent may factor into a decision, it is not legally binding. Staff is unable to predict future requests, although it seems unlikely that any of the objecting property owners are likely to request such a rezoning. The area has been repeatedly split from the original 1957 plat, with no more that 30 percent of the original lots intact, with 13 lots of under four-acres, and this request does not substantially alter the character of the neighborhood. Based on the unique nature of this property, being physically developed as two separate sites, the request does not create a reasonable precedent for requests on vacant parcels, nor those developed as a single unified site.

Factors in Favor of Approval

1. Allowing the request will not alter the character of the existing development in the area as the site is already developed;
2. The unique nature of this site precludes it being used as precedent for future potential requests;
3. The request will be supported by the existing infrastructure and services;
4. Rezoning to RU-2 for the purpose described would not change minimum site development standards other than density requirements for any future construction;
5. Allowing the rezoning would permit the applicant to split the property in a legal manner;
6. The Comprehensive Plan policies prescribe Developing areas to grow towards build-out. This request would bring the zoning into compliance with the Plan;
7. Owners of two parcels have expressed written support.

Factors Against Approval

1. Owners of 57 parcels have expressed written opposition.

VII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends forwarding the request for a rezoning, from RU-4 (Rural; one dwelling per four-acres) to RU-2 (Rural; one dwelling per two-acres) on an 4.57-acre parcel located 2472 N. Appaloosa Place in unincorporated Huachuca City to the Board of Supervisors with a recommendation of **Conditional Approval**, subject to the following Conditions and Modification:

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; and

Modification - The existing residential accessory structures shall be deemed legal non-conforming if less than 20-feet from new property lines.

VIII. ATTACHMENTS

- A. Application
- B. Location Map
- C. Agency Comment Memos
- D. Public Comment



**Cochise County
Community Development
Planning, Zoning and Building Safety Division**

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

COCHISE COUNTY REZONING APPLICATION

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

1. Applicant's Name: Carla J. Reaves

2. Mailing Address: PO Box 1810, Sierra Vista AZ 85636

Sierra Vista AZ 85636
City State Zip Code

3. Telephone Number of Applicant: (520) 266-3114

4. Telephone Number of Contact Person if Different: (520) 266-3114

5. Email Address: cochiserooting@aol.com

6. Assessor's Tax Parcel Number: 106-04-110A (Can be obtained from your County property tax statement)

7. Applicant is (check one):

- Sole owner: X
- 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): N/A

8. If applicant is not sole owner, indicate which notarized proof of agency is attached:

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

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3746
highway@cochise.az.gov
floodplain@cochise.az.gov

- 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: X
- Other, list: _____

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

- Yes _____ No X

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. N/A

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: Cochise County RU-4

14. Indicate proposed Zoning District for Property: Cochise County RU-2

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: B (A County planner can provide this information.)

16. Comprehensive Plan Designation or Community Plan: NC (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: Westerly side: home, 2-car detached garage, workshop, storage shed. Easterly side: large storage bldg (quansat hut/metal)

18. List all proposed uses and structures which would be established if the zoning change is approved. Be complete. Please attach a site plan: Westerly: single family residence Easterly: storage household/personal

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

- No X Yes _____
- If yes, is the proposed zoning district compatible with all applicable deed restrictions/private covenants? Yes _____ No _____ N/A

- 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?

Home/garage/wkshop/sheds - gate N. Appaloosa Pl.
Large storage bldg - gate Camino de Mesa

21. What off-site improvements are proposed for streets or easements used by traffic that will be generated by this rezoning? N/A No improvements needed.

22. How many driveway cuts do you propose to the streets or easements used by traffic that will be generated by this rezoning? 0 Existing entrances are sufficient

23. Identify how the following services will be provided:

| Service | Utility Company/Service Provider | Provisions to be made |
|-----------------|----------------------------------|-----------------------|
| Water | Northern Sunrise | same |
| Sewer/Septic | " " | same |
| Electricity | SSVEC | same |
| Natural Gas | N/A | same |
| Telephone | Century Link | same |
| Fire Protection | Whetstone Fire | same |

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).

Need to sell the westerly side of property
(home/garage/etc.) and we have moved all of
our furniture & personal belongings into storage
shed on Easterly side. No additional structures
are being built; everything will remain same.

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: Carly Meares

Date: 3/26/2018

CONSENT SIGNATURE FORM

Carla Reaves
2472 N. Appaloosa Place
Huachuca City, AZ 85616
(520)266-3114

March 23rd, 2018

Dear Friends and Neighbors,

My name is **Carla Reaves**, current property owner of the above-listed residential address. We have lived out here since October 2012, raised several of our children here, and have loved this beautiful Whetstone scenery and neighborhood. However, due to a serious family medical situation (which occurred approx. one year ago,) we decided to move closer to our eldest daughter and grandson. We planned to move into her home, to provide needed assistance, while putting our personal belongings into our storage building, also located on the property.

The county requires us to go through the process of rezoning our property from RU-4 to two (2) parcels at RU-2, which are both already separated by a 6' block wall. This rezoning would allow us to sell our large home/2-car detached garage/workshops/etc. (which is located on one side of the block wall) and still be able to keep ownership of our storage building (located on the other side of the block wall) for our household/personal belongings. We will not be adding/taking away any of the existing structures; just simply separating the properties into 2 parcels.

Part of this process includes getting feedback from our friends and neighbors; therefore, we would appreciate a favorable response. You will also be receiving a letter from the county in case you have additional questions or concerns. Please feel free to contact me, directly, as I welcome any responses.

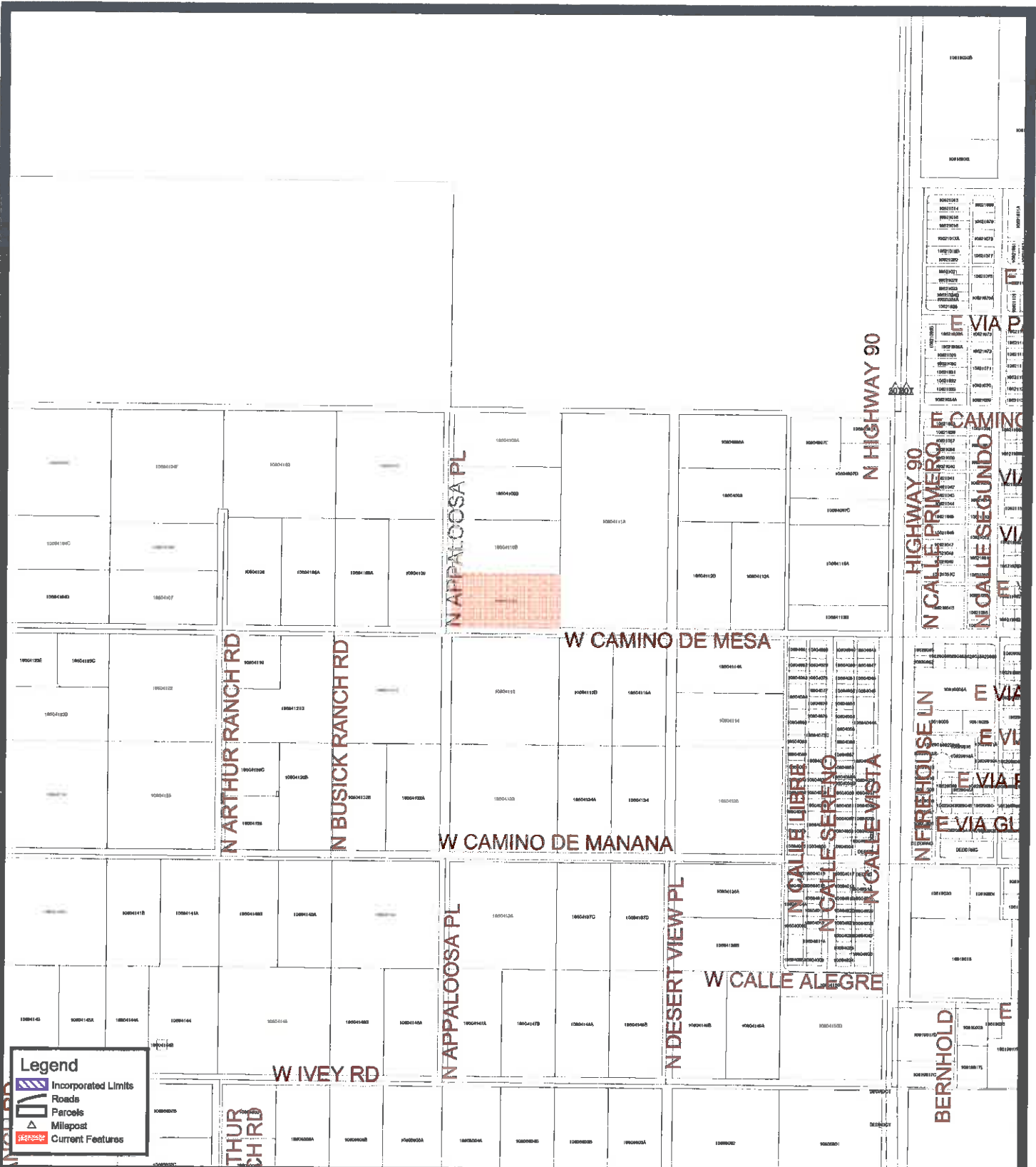
Thank you, in advance, for your time and consideration of this request. I appreciate the warm and friendly neighborhood comradery. We will miss our home and all of you so much!!

Sincerely,



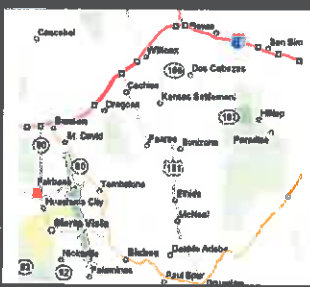
Carla and Everette Reaves

COPY



Legend

- Incorporated Limits
- Roads
- Parcels
- Milepost
- Current Features



Z-18-05 (Reaves)

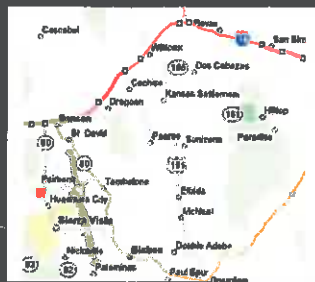
This map is a product of the
Cochise County GIS
Information Technology Dept.

0' 1" = 803'



Legend

- Incorporated Limits
- Roads
- Parcels
- Milepost
- Zoning:**

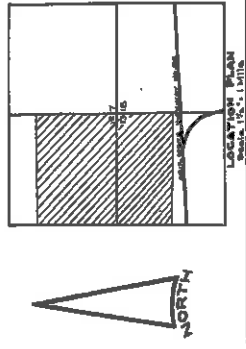


Cochise Ranchos Zoning Map

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



300 x 3
8. 1 5 9



DEDICATION

We the undersigned owners and mortgagees of the land shown on this plan hereby consent to the subdivision and dedication to the use of the public. Forever all private and therefore.

James F. Brown
James F. Brown
Alfred F. Brown
James R. Blake
C. E. Morris
STATE OF ARIZONA
COUNTY OF COCHISE

Chop Brass
Chop Brass
Mark V. Blake
Mark V. Blake
Norma B. Morris
Norma B. Morris

This instrument was acknowledged before me this 22 day of August 1957 by C. E. Morris and Norma B. Morris, his wife, the undersigned, a Notary Public in and for the State of Arizona. My Commission expires 12-22-1959.

This instrument was acknowledged before me this 22 day of August 1957 by Alfred F. Brown and Chop Brass, his wife, James R. Blake and Mark V. Blake, his wife



RECORD DATA

STATE OF ARIZONA
COUNTY OF COCHISE

Filed for record at the request of *James F. Brown* on this day of August 1957 at *11:38 AM* in Book 3 of Maps and Plats at page 472

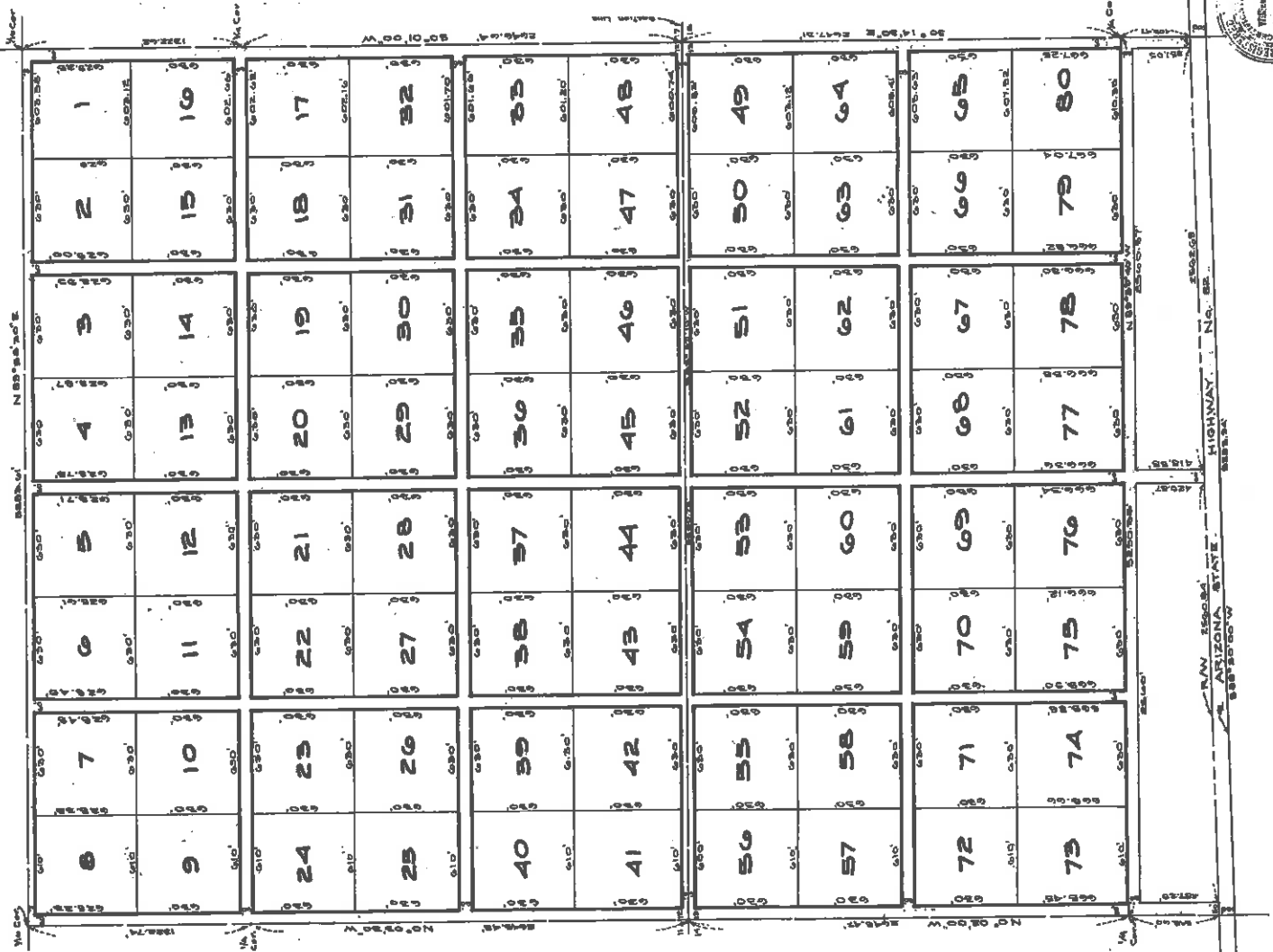
SEP 25 1957 2 55 PM
COUNTY RECORDER
By *[Signature]*

COCHISE RANCHOS

BEING A SUBDIVISION OF A PORTION OF SECTIONS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80

Scale: 1" = 400' August, 1957

[Signature]
Notary Public
State of Arizona



DECLARATION OF ESTABLISHMENT OF
CONDITIONS AND RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

That ARIZONA LAND TITLE & TRUST COMPANY, an Arizona corporation, as Trustee, being the owner of the following real property:

Lots 2 through 15, Lots 18 through 31, Lots 34 through 47, Lots 50 through 63 and Lots 66 through 79 of COCHISE RANCHOS, Cochise County, Arizona, according to the Map or Plat thereof of record in the office of the County Recorder of Cochise County, Arizona, in Book 3 of Maps and Plats at Page 159,

hereinafter referred to as said property, do hereby declare the manner, conditions, restrictions and covenants upon and subject to which all of said property shall henceforth be occupied, used and improved, which covenants, restrictions, and conditions shall be henceforth construed as covenants running with the land and shall inure to the benefit of the present and all future owners of any of the lots in said property, to-wit:

1. Said property shall be used for residential purposes only.
2. No building or dwelling of frame construction shall be erected or permitted upon said property.
3. No home or dwelling having a living area of less than 1,000 square feet shall be constructed or permitted upon said property. Only one story dwellings are permitted. Minimum setback from any property line shall be 50 feet.
4. No structure other than one home or dwelling, together with attached car porte or attached garage, shall be constructed or permitted upon any single holding or parcel. No single holding or parcel having an area of less than 2 1/2 acres shall be permitted.
5. House trailers may be maintained upon said property for a period not to exceed 90 days, and only during construction of a permanent residence upon the parcel of land upon which such trailer is maintained.
6. No obnoxious, malodorous or offensive trade or activity shall be permitted upon said property. No livestock other than customary domestic pets may be kept or maintained upon said property, except however, that horses, together with proper stable for housing same, may be maintained on parcels having a minimum area of 10 acres.
7. Buildings must have modern sanitary facilities and no outside toilets are permitted.

If the parties hereto, or any of them, or their successors or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any person or persons owning any lot or lots in said property to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant either to prevent him or them from so doing or to recover damages or other dues for such violation.

#12508 Oct. 25, 57 9:00AM
Dk. 177 PE. 268-269



Cochise County Community Development

Highway and Floodplain Division

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

INTEROFFICE MEMO

Date: April 16, 2018
To: Peter Gardner, Planner II
From: Teresa Murphy, Right-of-Way Agent
Subject: Z-18-05 (Reaves)

Background: The applicant is requesting a rezoning from RU-4 (Rural; one dwelling per 4-acres) to RU-2 (Rural; one dwelling per 2-acres). The request is to facilitate the split of the parcel, leaving the existing home and existing church/storage building on separate parcels. The subject parcel is 4.57 acres (199,177 square feet) in size.

The subject parcel, APN 106-04-110A, is located at 2472 N. Appaloosa Place in unincorporated Huachuca City. The commercial building has a separate address of 315 W. Camino de Mesa. It is further described as being situated in Section 12 of Township 20 South, Range 19 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona. The applicant is Carla Reaves.

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:

- Access via Camino de Mesa
- Camino de Mesa is a County Maintained Road (MI #142)
- Camino de Mesa and Appaloosa Place are 60' wide public right-of-way, dedicated on the map entitled Cochise Ranchos and recorded in Book 3, of Maps and Plats page 159.

Recommendation:

- Further right-of-way dedication is not required for Camino de Mesa or Appaloosa Place at this time.

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



Cochise County Community Development

Highway and Floodplain Division

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

MEMORANDUM

Date: April 6, 2018
To: Peter Gardner, Planner 1
From: Karen L. Lamberton, AICP, County Transportation Planner
Subject: Reaves Re-Zoning/Z-18-05/Parcel # 106-04-110A

This re-zoning request proposes splitting into two parcels one 4.57-acre site, currently zoned RU-4. The Applicant, Carla Reaves, indicates a need to sell a portion of their site and hopes to be able to retain one half of the existing parcel for storage and future uses. Currently the land has both a built-out residential unit with garage and a large storage type facility, apparently designed as a church building, on the west portion of the parcel. Access to the site is from State Highway 90 to W. Camino de Mesa and Appaloosa Place.

Access for the residential portion of this parcel is taken from Appaloosa Place. Appaloosa Place is a non-maintained roadway taking access onto Camino de Mesa and owners of the property are responsible, along with other property owners in the area, for maintenance of the private roadway. There is not an improved roadway access apron at this intersection at this time. Camino de Mesa is a county-maintained, rural minor collector roadway, chip-sealed with a 24-foot cross-section. An approved residential ROW/Enforcement Permit 2003-0842 is in place for the residential access driveway to this portion of the parcel. *(The church apparently was never completed, and a commercial driveway not established).*

Transportation Analysis

Current zoning would allow for 1 single family residential dwelling unit, typically averaging 9.52 vehicle trips per day, *ITE Manual, 9th edition, Land Use Code 210*. The proposed rezoning to RU-2 could potentially double this to an estimated average 19.04 vehicle trips per day. The immediate use of the severed parcel as a storage unit would lower this estimate to an additional 0.25 average trips per day per the *ITE Manual, 9th ed., Land Use Code 151*. In either case, use as a storage unit or as two residential units, the typical average is not likely to exceed the high-end range of one single residential unit of 21.85 vehicle trips per day.

The traffic impact of this proposal would likely be minimal, would likely not create any additional impacts onto the privately maintained segment of Appaloosa Place, and could be absorbed into the existing transportation network without any significant off-site impacts. The site's close proximity to State Highway 90, and the general mix of commercial and varied residential lot sizes in the immediate area are compatible with the proposed re-zoning request. Transportation Planning has no objection to the proposed re-zoning to RU-2.

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

Gardner, Peter B

From: burt.shill@powerc.net
Sent: Saturday, April 14, 2018 1:26 PM
To: Gardner, Peter B
Cc: cochiserooting@aoi.com
Subject: Support for Rezoning 106-04-110A

Mr. Gardner,

I support rezoning the property at 2472 N. Appaloosa Place from RU-4 to RU-2 as described in Carla Reaves' application. An imaginary line bisecting this walled compound will not alter the neighborhood's character.

Wright P. Shill

2350 Sands Ranch Road

Whetstone

burt.shill@powerc.net



Virus-free. www.avast.com

Gardner, Peter B

From: Gary Edgar <gedgar1@att.net>
Sent: Thursday, April 26, 2018 9:57 AM
To: Gardner, Peter B
Subject: Rezoning Docket Z-18-05

To: Peter Gardner, Planner II,

Peter, thank you very much for returning my phone call. You were able to clarify all the questions pertaining to the rezoning issue.

I have no vested interest in either side of this request. It is my opinion, after receiving your pertinent information, that this property in question is of such a unique condition that it stands alone, as far as precedent is concerned. It appears that the present owners have been forced, by no voluntary measure, to vacate this property and it would be a serious hardship for them to not be able to retain a portion of said property. This appears to be such a unique situation that it would not set a serious precedent for future requests for the same rezoning. Therefore, I give my support to this request.

Hopefully, my stance on this issue will shed some clarity to your recommendations.

Sincerely yours,

Gary W. Edgar, D.D.S.
Edgar Revocable Trust

Rezoning Docket Z-18-05 (Reaves)

____ YES, I SUPPORT THIS REQUEST

Please state your reasons:



NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

THIS WOULD SET A PRECEDENT FOR FUTURE DEVELOPMENT THAT IS NOT IN LINE WITH COMMUNITY INTENT. IT WOULD PUT STRESS ON ROAD STRUCTURE; WATER USAGE; WATER EROSION CONTROL; LIGHT POLLUTION; NOISE LEVEL. COCHISE RANCHOS IS OUR LITTLE BIT OF HEAVEN, WE ASK YOU HELP US MAINTAIN THE ENVIRONMENT AS INTENDED WHEN ESTABLISHED IN 1959.

(Attach additional sheets, if necessary)

PRINT NAME(S):

LINDA J GUNTER

SIGNATURE(S):

Linda J. Gunter

YOUR TAX PARCEL NUMBER: 106-04-109 (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 5 PM on Wednesday, January 24, 2018 to be included in the staff report to the Commission, and by Thursday, February 15, 2018 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 January 24 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 February 14, 2018 for the Planning and Zoning Commission and February 27, 2018 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
1415 Melody Lane, Building E
Bisbee, AZ 85603

Rezoning Docket Z-18-05 (Reaves)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

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

I OPPOSE DUE TO ENVIRONMENTAL AND GEOLOGICAL REASONS. REZONING WOULD BE DISASTROUS FOR THE AREA. THE TAX BASE CANNOT SUPPORT CHANGES AND DEVELOPMENT. THE AREA IS FRAGILE AND WEAK, NOT DESIGNED FOR DEVELOPMENT. THE ENVIRONMENT IS LOW ON WATER AND SOIL EROSION.
NO REZONING

(Attach additional sheets, if necessary)

PRINT NAME(S):

SUDAN M. MACCABEE

SIGNATURE(S):



YOUR TAX PARCEL NUMBER:

10604116

(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 5 PM on Wednesday, January 24, 2018 to be included in the staff report to the Commission, and by Thursday, February 15, 2018 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 January 24 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 February 14, 2018 for the Planning and Zoning Commission and February 27, 2018 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
1415 Melody Lane, Building E
Bisbee, AZ 85603

Rezoning Docket Z-18-05 (Reaves)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Wish to maintain a rural community in our neighborhood with current zoning.

(Attach additional sheets, if necessary)

PRINT NAME(S):

David Jones Tammy Jones

SIGNATURE(S):

[Handwritten signatures of David Jones and Tammy Jones]

YOUR TAX PARCEL NUMBER:

106-04-108A6

(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 5 PM on **Wednesday, January 24, 2018** to be included in the staff report to the Commission, and by **Thursday, February 15, 2018** 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 January 24 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 February 14, 2018 for the Planning and Zoning Commission and February 27, 2018 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
1415 Melody Lane, Building E
Bisbee, AZ 85603

Rezoning Docket Z-18-05 (Reaves)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Empty lines for providing reasons for supporting the request.

X NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

The Reaves purchased the property knowing it is ONE Residence for 4 ACRES. Approving the split would set precedent for future splits. I want to maintain the quality of life & integrity of COCHISE RANCHOS SUBDIVISION THAT WAS ESTABLISHED IN 1957. THERE ARE ALSO MANY ENVIRONMENTAL FACTORS THAT WOULD NEGATIVELY IMPACT OUR NEIGHBORHOOD. WE PURCHASED OUR 10 ACRES ON PURPOSE.

PRINT NAME(S):

JAMES V. Debra A. DeRosa

SIGNATURE(S):

James V. DeRosa
Debra A. DeRosa

YOUR TAX PARCEL NUMBER: 106-04-121E (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 5 PM on Wednesday, January 24, 2018 to be included in the staff report to the Commission, and by Thursday, February 15, 2018 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 January 24 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 February 14, 2018 for the Planning and Zoning Commission and February 27, 2018 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
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY

APR 23 2018

PLANNING

Rezoning Docket Z-18-05 (Reaves)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

DOROTHY J. BUSICK

SIGNATURE(S):

Dorothy J Busick

YOUR TAX PARCEL NUMBER: 106-04-12100 (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 5 PM on Wednesday, January 24, 2018 to be included in the staff report to the Commission, and by Thursday, February 15, 2018 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 January 24 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 February 14, 2018 for the Planning and Zoning Commission and February 27, 2018 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
1415 Melody Lane, Building E
Bisbee, AZ 85603

Rezoning Docket Z-18-05 (Reaves)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

SEE ATTACHED

(Attach additional sheets, if necessary)

PRINT NAME(S):

ELL HAKE

SIGNATURE(S):



YOUR TAX PARCEL NUMBER: 10609114A (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 5 PM on Friday, April 27, 2018 to be included in the staff report to the Commission, and by Thursday, May 10, 2018 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 April 27 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 9, 2018 for the Planning and Zoning Commission and May 24, 2018 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 II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

I am an owner in Cochise Ranchos and I want to maintain the quality of life associated with a low-density neighborhood, as do others in the community.

Approving this request would set precedent for future development by allowing others to easily rezone their property to smaller parcels.

I personally, want to maintain the integrity upon which Cochise Ranchos was established in 1957. Therefore, I **DO NOT** support this request for rezoning.

Doing so would also impact the following:

Current road construction will not support heavier traffic. This would require additional costs to the County for upgrade and maintenance.

Water is already a threatened commodity in Cochise County. Additional private wells and/or lowering the depth of current community wells will exacerbate the current problem.

Excessive clearing of land would increase soil erosion and water sheeting. The County has spent great costs and efforts to manage flooding of roads in the area (e.g. Camino de Manana Project). Heavier concentration of homes would greatly impact the system in place. Additional water collecting channels would need to be constructed.

The current requirement for a 100 ft separation between wells and septic systems would be hard to maintain, thereby jeopardizing the water quality of the area.

Wildlife that now roams the area would migrate due to an increase of human activity. Current zoning allows standoff interaction with the area's abundant wildlife.

The noise level in our quiet neighborhood would increase.

Light pollution would increase. Kartchner Caverns, which is in close proximity to Cochise Ranchos, has been designated a Dark Sky Area and I want to be part of that movement

Approval of Docket Z-18-05 (Reaves) would change the dynamics of our neighborhood. Cochise Ranchos is an existing low density community that provides a balance to heavier populated areas in Cochise County. I request you **DO NOT** approve the rezoning of this property to help us preserve the rural lifestyle of this area. Thank you.

Sincerely,



FELEICA A LAKE
132 W CAMINO DE MESA
HUACHUCA CITY, AZ 85616-9669
PARCEL ID NUMBER 10604114A

COCHISE COUNTY

APR 23 2018

PLANNING

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Approving this request would set precedent for future development by allowing others to easily rezone their property to smaller parcels.

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Approval of Docket Z-18-05 (Reaves) would change the dynamics of our neighborhood. Cochise Ranchos is an existing low density community that provides a balance to heavier populated areas in Cochise County. I request you **DO NOT** approve the rezoning of this property to help us preserve the rural lifestyle of this area. Thank you.

Sincerely,



ELIJAH H. LAKE III
132 W CAMINO DE MESA
HUACHUCA CITY, AZ 85616-9669
PARCEL ID NUMBER 10604114A

COCHISE COUNTY

APR 23 2018

PLANNING

Gardner, Peter B

From: Peggy Goodnough <pgoodnough@ymail.com>
Sent: Wednesday, April 25, 2018 3:42 PM
To: Gardner, Peter B; Ted Goodnough
Subject: Rezoning Docket Z-18-05 Reaves

RE: Z-18-05 (Reaves)

Dear Mr. Peter Gardner,

NO, I DO NOT SUPPORT THIS REQUEST.

We received a notice from you about a rezoning application of RU4 to become RU2.
We currently own lot **106-04-114** which effects our lot.

I would like to say that Cochise Ranchos has a special place in our hearts.
We bought and built a home on Lot 106-048 A, 215 W Ivey Rd back in the 90's. The deed restrictions are what attracted us to buy, build and later invest in this area. We wanted a more rural setting and the security that our investment would be a good one. We were and still are in agreement with the present deed restrictions. They were with four acres or more, types, sizes of homes that needed to be built, types of animals allowed and the option of water company or a well. .

Some of our reasons for NO on this request RE: Docket Z-18-05 (Reaves) are as follows:

1. Infringing on our desire to a more rural setting and our decisions and acceptance to the deed restrictions.
This is what also encouraged us to purchase more property as a future investment.
2. A yes decision would allow more lots in the future to be split and would become a more densely populated area.
3. More burden on the water company and possibly the expense handed down to residents because of increased water demands that weren't planned for in preparation of this subdivision back in the 1950's.
4. With more wells drilled, the water table would lower causing existing residents to dig deeper wells or having to leave their homes because the costly expense of putting in a new well. (We are seeing a lot of this lately in the Pearce / Sunsites area.)
5. Roads: An extra burden on the roads. Residents and lot owners donated money to the county to put chip seal down on
W Camino de Mesa and other roads. The conditions were that they would not be maintained and that there was no guarantee on how long they would last. With a RU2 zoning set in place, it would tend to more growth in the future, and traffic would increase effecting the roads at owners expense.

Please consider these very real factors and decide on a **No to RU2 for Docket Z-18-05 (Reaves)** in Cochise Ranchos. It would effect the quality of life some wish to maintain, our investments and our natural resources.

Sincerely,

Theodore C and Peggy J. Goodnough

Gardner, Peter B

From: Jackson_656 Jackson <jackson_656@msn.com>
Sent: Friday, April 6, 2018 7:19 AM
To: Gardner, Peter B
Subject: Rezoning Request at 2472 N Appaloosa pl

Mr Gardner,

We are sending this email to notify the county that we do not support the rezoning request submitted by Carla Reeves. We are the owners of the property at 188 w Camino de mesa which is located across the street from the church property.

We bought our property out here specifically because of the RU4 zoning and the Cochise Ranchette CCRs. We believe any rezoning will decrease our property value.

We understand from our neighbors that you will be sending a letter out next week. We will be on vacation for two weeks so wanted to ensure you have this objection from us.

Thank you

Katrina Jackson

Rezoning Docket Z-18-05 (Reaves)

YES, I SUPPORT THIS REQUEST

Please state your reasons:



NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Do NOT approve the rezoning of this property
would like to preserve the rural lifestyle of
my area.

(Attach additional sheets, if necessary)

PRINT NAME(S):

Michelle Swanty

SIGNATURE(S):

Michelle Swanty

YOUR TAX PARCEL NUMBER: 106-04-100-51 (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 5 PM on Friday, April 27, 2018 to be included in the staff report to the Commission, and by Thursday, May 10, 2018 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 April 27 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 9, 2018 for the Planning and Zoning Commission and May 24, 2018 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 II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Rezoning Docket Z-18-05 (Reaves)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

X NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

Current road construction will not support heavier traffic
cause decrease in water table, jeopardizing water quality,
wildlife habitat decrease, increase noise level and light
pollution
see ATTACHED SHEET

(Attach additional sheets, if necessary)

PRINT NAME(S):

Lee R. Gray

SIGNATURE(S):

Lee R. Gray

Carolyn Gray

YOUR TAX PARCEL NUMBER: 10604100A (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 5 PM on Friday, April 27, 2018 to be included in the staff report to the Commission, and by Thursday, May 10, 2018 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 April 27 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 9, 2018 for the Planning and Zoning Commission and May 24, 2018 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 II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

April 27, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
RE: Docket Z-18-05 (Reaves)

Residents/owners in Cochise Ranchos want to maintain the quality of life associated with a low-density neighborhood. Approving this request would set precedent for future development by allowing others to easily rezone their property to smaller parcels. The Reaves reasoning does not justify a rezoning. I personally, want to maintain the integrity upon which Cochise Ranchos was established in 1957. Therefore, I DO NOT support this request for rezoning.

Doing so would also impact the following:

- Current road construction will not support heavier traffic. This would require additional costs to the County for upgrade and maintenance.
- Water is already a threatened commodity in Cochise County. Additional private wells and/or lowering the depth of current community wells will exacerbate the current problem.
- Excessive clearing of land would increase soil erosion and water sheeting. The County has spent great costs and efforts to manage flooding of roads in the area (e.g. Camino de Manana Project). Heavier concentration of homes would greatly impact the system in place. Additional water collecting channels would need to be constructed.
- The current requirement for a 100 ft. separation between wells and septic systems would be hard to maintain, thereby jeopardizing the water quality of the area.
- Wildlife that now roams the area would migrate due to an increase of human activity. Current zoning allows standoff interaction with the area's abundant wildlife.
- The noise level in our quiet neighborhood would increase.
- Light pollution would increase. Kartchner Caverns, which is in close proximity to Cochise Ranchos, has been designated a Dark Sky Area and I want to be part of that movement.

Approval of Docket Z-18-05 (Reaves) would change the dynamics of our neighborhood. Cochise Ranchos is an existing low density community that provides a balance to heavier populated areas in Cochise County. The approving Docket Z-18-05 (Reaves) would appear to "Spot Zoning". I request you DO NOT approve the rezoning of this property to help us preserve the rural lifestyle of this area.

Thank you!

Sincerely,

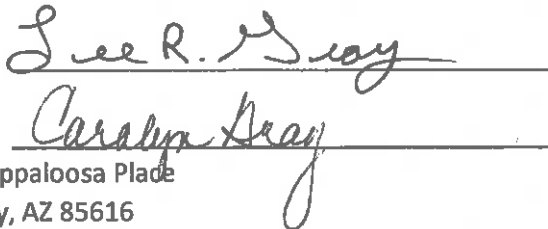
Lee R. Gray

and

Carolyn Gray

2520 North Appaloosa Place

Huachuca City, AZ 85616



The image shows two handwritten signatures in cursive. The first signature is 'Lee R. Gray' and the second is 'Carolyn Gray'. Each signature is written over a horizontal line that serves as a baseline for the signature.

Rezoning Docket Z-18-05 (Reaves)

____ YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

DEGRADATION OF OUR RURAL COMMUNITY DUE TO
INCREASED POPULATION
INCREASED VEHICLE TRAFFIC / IMPACT ON RURAL ROADS
INCREASED IMPACT ON POOR FLOOD CONTROL IN AREA
INCREASED IMPACT ON UTILITIES & SERVICES

(Attach additional sheets, if necessary)

PRINT NAME(S):

RANDY C BULFER EDWIN G BULFER

SIGNATURE(S):



YOUR TAX PARCEL NUMBER: 106-01-109A9 (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 **5 PM on Friday, April 27, 2018** to be included in the staff report to the Commission, and by **Thursday, May 10, 2018** 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 April 27 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 9, 2018 for the Planning and Zoning Commission and May 24, 2018 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 II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Rezoning Docket Z-18-05 (Reaves)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Empty lines for providing reasons for support.

NO I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

See Attached:

We believe the Reaves are wanting to put a business in the Quasar that

(Attach additional sheets, if necessary)

PRINT NAME(S): Daniel Verduzco Meri Verduzco

SIGNATURE(S): Daniel S. Verduzco Meri S. Verduzco

YOUR TAX PARCEL NUMBER: 106-04-11080 (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 5 PM on Friday, April 27, 2018 to be included in the staff report to the Commission, and by Thursday, May 10, 2018 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 April 27 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 9, 2018 for the Planning and Zoning Commission and May 24, 2018 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 II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Approving this request would set precedent for future development by allowing others to easily rezone their property to smaller parcels.

I personally, want to maintain the integrity upon which Cochise Ranchos was established in 1957. Therefore, I **DO NOT** support this request for rezoning.

Doing so would also impact the following:

Current road construction will not support heavier traffic. This would require additional costs to the County for upgrade and maintenance.

Water is already a threatened commodity in Cochise County. Additional private wells and/or lowering the depth of current community wells will exacerbate the current problem.

Excessive clearing of land would increase soil erosion and water sheeting. The County has spent great costs and efforts to manage flooding of roads in the area (e.g. Camino de Manana Project). Heavier concentration of homes would greatly impact the system in place. Additional water collecting channels would need to be constructed.

The current requirement for a 100 ft separation between wells and septic systems would be hard to maintain, thereby jeopardizing the water quality of the area.

Wildlife that now roams the area would migrate due to an increase of human activity. Current zoning allows standoff interaction with the area's abundant wildlife.

The noise level in our quiet neighborhood would increase.

Light pollution would increase. Kartchner Caverns, which is in close proximity to Cochise Ranchos, has been designated a Dark Sky Area and I want to be part of that movement

Rezoning Docket Z-18-05 (Reaves)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

I wish I could make the May 9th and May 24th public hearings on this issue but will be out of town on these dates. Knowing what I know now I would rather keep properties in the area at their current designations than set a precedent for approval of future rezoning that ~~we~~ could alter the future development of the area.

(Attach additional sheets, if necessary)

PRINT NAME(S):

Paul E. Hurst trustee of Paul Hurst Trust

SIGNATURE(S):

Paul E. Hurst

YOUR TAX PARCEL NUMBER: 106-04-115B5 (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 **5 PM on Friday, April 27, 2018** to be included in the staff report to the Commission, and by **Thursday, May 10, 2018** 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 April 27 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 9, 2018 for the Planning and Zoning Commission and May 24, 2018 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 II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

Residents/owners in Cochise Ranchos want to maintain the quality of life associated with a low-density neighborhood.

Approving this request would set precedent for future development by allowing others to easily rezone their property to smaller parcels.

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Approval of Docket Z-18-05 (Reaves) would change the dynamics of our neighborhood. Cochise Ranchos is an existing low density community that provides a balance to heavier populated areas in Cochise County. I request you DO NOT approve the rezoning of this property to help us preserve the rural lifestyle of this area. Thank you.

Sincerely,

Constantine Jacques

CONSTANTINE JACQUES

Printed Name

Signature

2366 N APPALOOSA RD TUBAC CITY AZ 85616 4-22-18

Address - Parcel/Tax ID #

Date

106-04-147A

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

Paul R. Whitby

Paul R. Whitby

Printed Name

Signature

106-04-145 4

4/24/18

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Ginny Dargatz

Printed Name

Ginny Dargatz

Signature

570 W. Sunset Rd. Huachuca City, Az 85701

Address - Parcel/Tax ID #

24 April 2018

Date

106-05-024D

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

DANIE S. VANNOY

Danie S. Vannoy

Printed Name

Signature

484 W. IVEY RD, AVA CHUCA CITY

4-24-18

Address - Parcel/Tax ID #

Date

106-05-006

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

Marshall M. Reaves



Printed Name

Signature

485 W SUNSET RD.

4-25-18

Address - Parcel/Tax ID #

106-05-011B

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Shirley A Hayden



Printed Name

2282 N Sands Ranch RD

Signature

White Stone 162

24 APR 2018

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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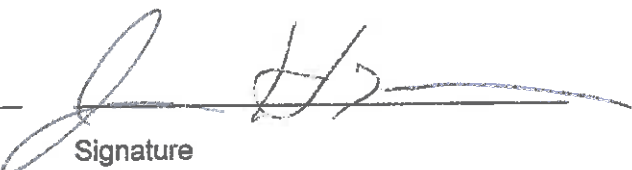
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Sincerely,

James Higgins 

Printed Name

Signature

2252 W SUNDY ROAD WHEATSTONE AZ

27 APR 2018

Address - Parcel/Tax ID #

106-05-025

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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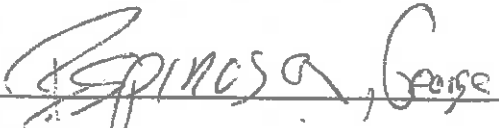
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Sincerely,


Printed Name


Signature

594 W. Camino de Manana

Address - Parcel/Tax ID #

106-04-141B

4-24-18
Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Approval of Docket Z-18-05 (Reaves) would change the dynamics of our neighborhood. Cochise Ranchos is an existing low density community that provides a balance to heavier populated areas in Cochise County. I request you **DO NOT** approve the rezoning of this property to help us preserve the rural lifestyle of this area. Thank you.

Sincerely,

Yelena Arevalo

Printed Name



Signature

4/23/18

Date

Address - Parcel/Tax ID # 106-04-112A 7

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Approval of Docket Z-18-05 (Reaves) would change the dynamics of our neighborhood. Cochise Ranchos is an existing low density community that provides a balance to heavier populated areas in Cochise County. I request you **DO NOT** approve the rezoning of this property to help us preserve the rural lifestyle of this area. Thank you.

Sincerely,

Fredy Arevalo

Printed Name



Signature

4/23/18

Date

Address - Parcel/Tax ID # 106-04-112A 7

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

Residents/owners in Cochise Ranchos want to maintain the quality of life associated with a low-density neighborhood.

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I personally, want to maintain the integrity upon which Cochise Ranchos was established in 1957. Therefore, I **DO NOT** support this request for rezoning.

Doing so would also impact the following:

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Sincerely,

Theresa L. Jones

Theresa L. Jones

Printed Name

Signature

106-04-108 A6

4-23-18

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Tammy Jones

Printed Name

Tammy Jones

Signature

106-04-108 A6

Address - Parcel/Tax ID #

4-23-18

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Michaela R Jones



Printed Name

Signature

106-04-108 Ale

4-23-18

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Jessica R Jones

Printed Name

Jessica R Jones

Signature

106-04-108 A 6

Address - Parcel/Tax ID #

4-23-18

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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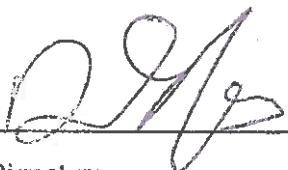
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Sincerely,

David Jones



Printed Name

Signature

106 -04-108 A6

4-23-18

Address - Parcel/Tax ID #

Date

April 18, 2018

2 parcels

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

W. BRENT NICOLA

W. Brent Nicola

Printed Name

Signature

2376 N. DESERT VIEW PL.

4-26-18

Address - Parcel/Tax ID #

106-04-130A
130B

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

SANDRA HANNAH


Signature

Printed Name

2444 N SANDS RANCH RD. HUMBURG CITY AZ 85616

Address - Parcel/Tax ID #

160-04-123B

4/26/18

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

DONALD HANNAH

Donald Hannah

Printed Name

Signature

2444 N. SANDS RANCH Rd. 85616

4/27/18

Address - Parcel/Tax ID #

Date

160-04-1238

April 18, 2018

Peter Gardner, Planner I /
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

DAN HANDT

[Signature]

Printed Name

Signature

2444 N SANDS RANCH RD HUACHUCA CITY AZ 85616

4/26/2018

Address - Parcel/Tax ID #

160-04-123B

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Raymond L Foote

Printed Name

Raymond L Foote

Signature

400 Sunset Rd, Huachuca City, AZ 85606-8005

Address - Parcel/Tax ID #

4-21-18

Date

106-05-020B

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

MARY M Foote

Mary M Foote

Printed Name

Signature

400 Sunset Rd, Huachuca City 85616-9265

Address - Parcel/Tax ID #

4-23-18

Date

106-05022B

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Andrea Blackshear

Andrea L. Blackshear

Printed Name

Signature

349 Ivey Rd Whetstone AZ

ID# 10604146A 4/20/18

Address - Parcel/Tax ID #

10604146A Date

4 PARCELS

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1418 Melody Lane, Building E
Bisbee, Arizona 85803

RE: Docket Z-18-05 (Reaves)

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Sincerely,

Dorothy Adams

Dorothy Adams

Printed Name

Signature

2261 N. Appaloosa Place

106-05-029 D0

April 20, 2018

Address - Parcel/Tax ID #

Also 106-05-029 4
106-05-029 C1
106-05-031 A8

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Prosevelt BlackShear

Prosevelt BlackShear

Printed Name

Signature

349 West Ivey Road White Stone AZ ID# 10604146A 4-20-2018

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

EDWIN G BULFER 

Printed Name

Signature

EDWIN G BULFER

4/24/2018

Address - Parcel/Tax ID #

415 W CAMINO DE MESA HUNCHUCA CITY AZ 85616
PARCEL # 106-07-109A9

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

Residents/owners in Cochise Ranchos want to maintain the quality of life associated with a low-density neighborhood.

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Sincerely,

DOROTHY J. BUSICK

Dorothy J. Busick

Printed Name

Signature

106-04-12100

4-19-18

Address - Parcel/Tax ID #

Date

2463 N BUSICK RANCH RD

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Sonni Callahan



Printed Name

Signature

Black Rd

Address - Parcel/Tax ID #

106-05-033

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Debra A. De Rosa Debra A. De Rosa

Printed Name

Signature

356 W CAMINO DE MESA 106-04-121 E

4/19/18

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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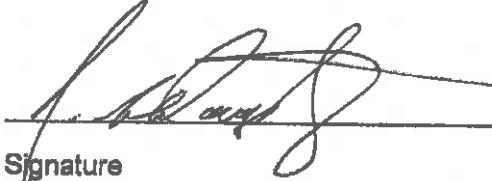
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Sincerely,

James Dargitz

Printed Name



Signature

570 W. Sunset Rd, Hercules City, AZ 85616

Address - Parcel/Tax ID #

106-05-024D

Apr 24 2018

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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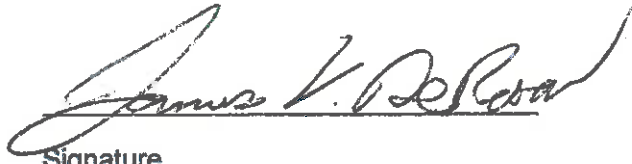
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Sincerely,

James V De Rosa



Printed Name

Signature

856 W Camino De Mesa 106-04-121E

4/19/18

Address - Parcel/Tax ID #

Date

April 18, 2018

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Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

CHARLES W Everett Charles W Everett

Printed Name

Signature

233 W Sunset Road

HC AZ 85616

21 Apr 18

Address - Parcel/Tax ID # 106 05 014 B8

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

MARILYN M Everett marilyn M Everett

Printed Name

Signature

233W SUNSET Rd HC, AZ

21 Apr 19

Address - Parcel/Tax ID # 106-05 - ~~0114 B8~~ 014 B8

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
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Sincerely,

Lori Filinuk Lori Filinuk

Printed Name

Signature

2384 N. Appaloosa PL HC 85616

04/21/18

Address Parcel Tax ID # 10604138

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

LINDA J GUNTER

Printed Name

Linda J Gunter

Signature

367 W CAMINO DE MESA

106-04-109

23 Apr '18

Address - Parcel/Tax ID #

Date

April 18, 2018

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Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Patrick Anderson

Patrick Anderson

Printed Name

Signature

445 W. Black Rd Huachuca

4-21-18

Address - Parcel/Tax ID #

City
85603

106-05-028A Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Debra L Jones Debra L Jones

Printed Name

Signature

199 W Camino de manana

24 Apr 2018

Address - Parcel/Tax ID #

Date

106-04-134

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Rocky L. Jones

Rocky L. Jones

Printed Name

Signature

199 W. CAMINO DE MANANA HANAUCA CITY, AZ

24 APR 2018

Address - Parcel/Tax ID #

Date

106-04-134

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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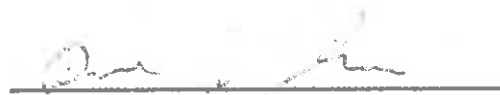
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Sincerely,

Brian Jackson



Printed Name

Signature

138 W Camino De Mesa

1060411517

4-23-18

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Katrina Jackson

Katrina Jackson

Printed Name

Signature

188 W Camino De Mesa

106 04115A

4-23-18

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

2 PARCELS

RE: Docket Z-18-05 (Reaves)

Residents/owners in Cochise Ranchos want to maintain the quality of life associated with a low-density neighborhood.

Approving this request would set precedent for future development by allowing others to easily rezone their property to smaller parcels.

I personally want to maintain the integrity upon which Cochise Ranchos was established in 1957. Therefore, I DO NOT support this request for rezoning.

Doing so would also impact the following:

Current road construction will not support heavier traffic. This would require additional costs to the County for upgrade and maintenance.

Water is already a threatened commodity in Cochise County. Additional private wells and/or lowering the depth of current community wells will exacerbate the current problem.

Excessive clearing of land would increase soil erosion and water sheeting. The County has spent great costs and efforts to manage flooding of roads in the area (e.g. Camino de Manana Project). Heavier concentration of homes would greatly impact the system in place. Additional water collecting channels would need to be constructed.

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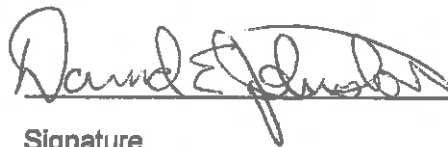
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Light pollution would increase. Kartchner Caverns, which is in close proximity to Cochise Ranchos, has been designated a Dark Sky Area and I want to be part of that movement

Approval of Docket Z-18-05 (Reaves) would change the dynamics of our neighborhood. Cochise Ranchos is an existing low density community that provides a balance to heavier populated areas in Cochise County. I request you DO NOT approve the rezoning of this property to help us preserve the rural lifestyle of this area. Thank you.

Sincerely,

David Johnston



Printed Name

Signature

106-04-107+104E

4-19-18

Address - Parcel/Tax ID #

Date

2488 ARTHUR RANCH RD

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Amber Jordans

Amber R Jordans

Printed Name

Signature 106-04-

2483 N. Arthur Road - parcel 107

19 April 18

Address - Parcel/Tax ID #

+104E

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

BONNIE J KAMMEYER

Printed Name

Bonnie J Kammeier

Signature

106-04-140B7

4/20/18

Address - Parcel/Tax ID #

Date

520 W CAMINO DE MANANA

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Edward G. Kammeyer

Edward G. Kammeyer

Printed Name

Signature

106-04-140B7

4-20-18

Address - Parcel/Tax ID #

Date

520 W CAMINO DE MANANA

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Kenneth G. Kempson

Printed Name

Kenneth G. Kempson

Signature

203 Sunset Rd

Address - Parcel/Tax ID # *106-05-014A*

24 APR 2018

Date

(02) Cochise Book 176 MAP, 05 PARCEL 014A

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

LARRY LANE



Printed Name

Signature

511 W CAMINO DE MANANA

4-20-18

Address - Parcel/Tax ID #

106-04-128 Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Catrina Ryan

Printed Name

Peter Gardner

Signature

188 W. Ivey Rd. Huachuca City

Address - Parcel/Tax ID #

4-20-18

Date

106-05-003A

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

MARK RYAN _____ 

Printed Name

Signature

188 W. IVEY RD HUACHUCA CITY, AZ 85616

4-20-18

Address - Parcel/Tax ID #

Date

106-05-003A

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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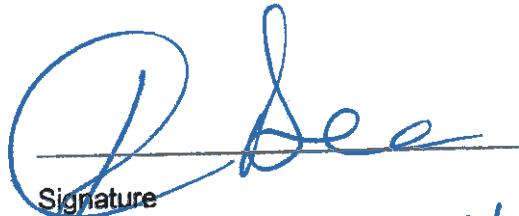
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Sincerely,

JUDAH M. MACCABEE



Printed Name

4416 PLAZA VISTA, SIERRA VISTA, AZ 85635

Address - Parcel/Tax ID # 10604116 LOT#20

4/21/18
Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

TERESA MORENO

Teresa Moreno

Printed Name

Signature

2525 N. APPALOOSA PL, H.C., AZ 85616

24 APR 18

Address - Parcel/Tax ID #

106-04-101

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

DIANE M. QUAST Diane M. Quast

Printed Name

Signature

545 W. Sunset Rd Parcel # 106-05-01017

19 April 2018

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

STEVEN D. QUAST

Printed Name



Signature

545 W. Sunset Rd, Parcel # 106-05-010A

Address - Parcel/Tax ID #

19 Apr 2018

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Johannes P. Schutte

Printed Name

Signature

1256 W. Camino de Manana

106-04-123-0

4-22-18

Address - Parcel/Tax ID #

HC, AZ 85603

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Kelly Schutte

Kelly Schutte

Printed Name

Signature

656 W. Caminock Mesa

106-04-123-0

4-22-18

Address - Parcel/Tax ID # *HC AZ 88016*

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Light pollution would increase. Kartchner Caverns, which is in close proximity to Cochise Ranchos, has been designated a Dark Sky Area and I want to be part of that movement

Approval of Docket Z-18-05 (Reaves) would change the dynamics of our neighborhood. Cochise Ranchos is an existing low density community that provides a balance to heavier populated areas in Cochise County. I request you **DO NOT** approve the rezoning of this property to help us preserve the rural lifestyle of this area. Thank you.

Sincerely,

Marilee Swanson

Printed Name

Marilee Swanson

Signature

1415 Melody Rd Huachuca City 19004143A 4/22/18

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

Residents/owners in Cochise Ranchos want to maintain the quality of life associated with a low-density neighborhood.

Approving this request would set precedent for future development by allowing others to easily rezone their property to smaller parcels.

I personally, want to maintain the integrity upon which Cochise Ranchos was established in 1957. Therefore, I **DO NOT** support this request for rezoning.

Doing so would also impact the following:

Current road construction will not support heavier traffic. This would require additional costs to the County for upgrade and maintenance.

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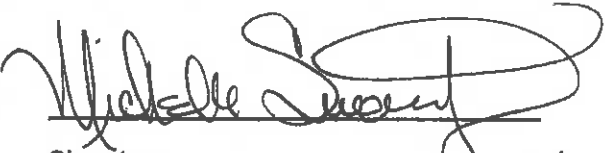
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Sincerely,

Michelle Swanty

Printed Name



Signature

106-04-100 B1

Address - Parcel/Tax ID #

04/22/2018

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Patsy C. Tuttle

Printed Name

Patsy C. Tuttle

Signature

2501N. Arthur Ranch Rd., Huachuca City, AZ 85616

04/25/2018

Address - Parcel/Tax ID # 10604104F

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

Den Viers

Printed Name

Signature

315 W. Sunset Rd

4-23-18

Address - Parcel/Tax ID #

Date

106-05-0130

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

Sharon Viers



Printed Name

Signature

315 W. Sunset Rd

4-23-18

Address - Parcel/Tax ID #

106-05-013C Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Cecilia V. Warren Cecilia V. Warren

Printed Name 4146 Huachuca Signature City, AZ 85616 April 20, 2018
P.O. Box

Address - Parcel/Tax ID #

Date

106-05-028

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

Ellis S. Warren

Ellis S. Warren

Printed Name 48th Black Rd
P.O. Box 4146 Huachuca City, AZ 85616

Signature

20 Apr 2018

Address - Parcel/Tax ID #

106-05-028

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

Jerry Winslow

Printed Name

[Handwritten Signature]

Signature

350 W. Trey Rd, Huachuca City, Az 85616 #10605005A

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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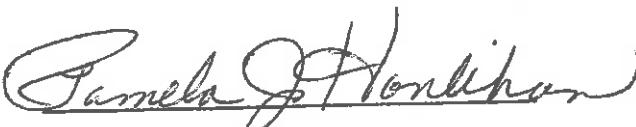
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Sincerely,

Pamela J. Howlihan 

Printed Name

Signature

2468 N. ARTHUR Ranch Road

April 24, 2018

Address - Parcel/Tax ID #

W Hetstone, AZ 85616

Date

106-04-119

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

PAUL E. HURST

Paul E. Hurst

Printed Name

Signature

106-04-115B5

4/22/18

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Theodore C. Goodnough

Theo. C. Goodnough

Printed Name

Signature

106-04-114 (mailing) P.O. Box 787 Pearce, AZ 85625

April 23, 2018

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner I
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

JAMES M. HULLIHAN 
Printed Name Signature

2468 N. ARTHUR RANCH ROAD, WHETSTONE, AZ Apr 24, 2018
Address - Parcel/Tax ID # 106-04-119 Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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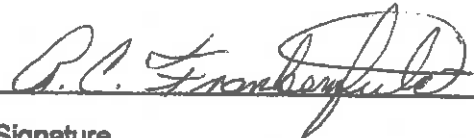
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Sincerely,

Robert C. Frankenfield



Printed Name

Signature

547 W. Ivey Road

106-04-1441

4/25/18

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Peggy J. Goodnough
Printed Name

Peggy J. Goodnough
Signature

106-04-114 (mailing) Po Box 787 Pearce, Az 85625 April 23, 2018
Address - Parcel/Tax ID # Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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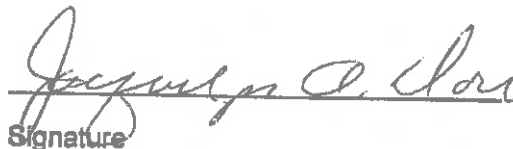
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Approval of Docket Z-18-05 (Reaves) would change the dynamics of our neighborhood. Cochise Ranchos is an existing low density community that provides a balance to heavier populated areas in Cochise County. I request you DO NOT approve the rezoning of this property to help us preserve the rural lifestyle of this area. Thank you.

Sincerely,

JACQUELYN A. DORR



Printed Name

Signature

322 W. IVEY RD 106050044

4/23/18

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

ANN E. AUST Ann E. Aust

Printed Name

Signature

510 W. IVEY, HUACHUCA CITY 106-05-007B

04/23/2018

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Printed Name

Signature

James Wales
115 West Black Rd Wheelstone AZ 85616
Address - Parcel/Tax ID #

4-23-18
Date

10605033B

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Diana Wales Diana Wales

Printed Name

Signature

115 West Black Rd Whetstone AZ 85616

4-23-18

Address - Parcel/Tax ID # 10605033B

Date

April 18, 2018

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Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

DANIEL G. VERDUZZO Daniel G. Verduzzo

Printed Name

Signature

2484 N. Appalosa Pl. Huachuca City, Az 85601

4-20-18

Address - Parcel/Tax ID # 106-04-110B0

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

Meri Verdugo

Meri Verdugo

Printed Name

Signature

2484 N. Appaloosa Pl. Huachuca City, Az 85606

4-20-18

Address - Parcel/Tax ID # 106-04-110130

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

SILEEN SWIERS Sileen Swiers

Printed Name

Signature

257 W. Sunset Rd., HC, AZ 85616

4/25/18

Address - Parcel/Tax ID # 106050 13A

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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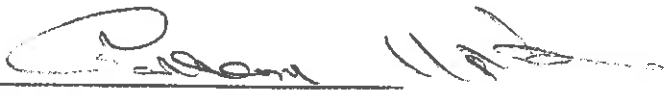
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Sincerely,

CATHERINE VASALEJO



Printed Name

Signature

647 W. Camino de Mesa
Tucson, AZ

Address - Parcel/Tax ID #

4/23/18

Date

106-04-104C
D

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

ERNEST M. PUGH

Ernest M. Pugh

Printed Name

Signature

2766 W ADDOLUCAPL

Humboldt City AZ 85616

4-22-18

Address - Parcel/Tax ID #

106-04-147A

Date

Ernest

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

Signatures

RE: Docket Z-18-05 (Reaves)

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Sincerely,

Clyde H. Meade

Sharon L. Meade-Chapman *S L Meade-Chapman*

Printed Name

Signature

Address - Parcel/Tax ID #

106-05-026

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

L. TANNER MARTIN

L. Tanner Martin

Printed Name

Signature

2282 N Apache Ave Place Cochise City AZ

4/18/18

Address - Parcel/Tax ID #

106-05-021

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

RE: Docket Z-18-05 (Reaves)

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Sincerely,

Constance Jacques Constance Jacques

Printed Name

Signature

2366 N WAPPALLOSA PL WACHUCA CITY AZ 85616 4-22-18

Address - Parcel/Tax ID #

Date

106-04-147A

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

Debbie Jacques

Printed Name

Debbie Jacques

Signature

2490 N. Arthur Ranch Rd.

Address - Parcel/Tax ID #

106-09-1087 4/22/18

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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Sincerely,

ALAN JACOBS



Printed Name

Signature

2490 N ARTHUR RANCH RD 106-04-1087

4-22-18

Address - Parcel/Tax ID #

Date

April 18, 2018

Peter Gardner, Planner II
Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603

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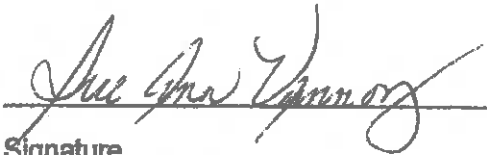
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Sincerely,

SUE ANN VANNOY



Printed Name

Signature

484 W. IVEY RD, WACHUCA CITY

4-24-18

Address - Parcel/Tax ID #

Date

106-057-006

