

**ZONING ORDINANCE 19-\_\_\_**

**AMENDING CERTAIN ZONING DISTRICT BOUNDARIES FROM R-36 TO R-18, PURSUANT TO THE APPLICATION OF CHARLES DATTELLAS**

**WHEREAS**, A.R.S. § 11-814 allows property owners or their authorized agent to request amendments to the Zoning District boundaries through the Board of Supervisors in a public hearing; and

**WHEREAS**, the Cochise County Board of Supervisors recognizes that zoning amendments can affect land use patterns and therefore warrant careful consideration of local and regional impacts at a public hearing; and

**WHEREAS**, Tax Parcel 401-17-306 was zoned as R-36 in 1975, and never developed in accordance with the R-36 Zoning District; and

**WHEREAS**, the Applicant wishes to bring the Zoning into compliance with the actual development pattern and wishes to amend the zoning to R-18; and

**WHEREAS**, the requested zoning district represents an increase in density in accordance with the Comprehensive Area Plan; and

**WHEREAS**, the requested zoning district is harmonious with the surrounding zoning districts; and

**WHEREAS**, the Cochise County Board of Supervisors promotes effective, early and continuous public participation by citizens; and

**WHEREAS**, the Board of Supervisors held a duly noticed public hearing on the amendments to the Zoning District boundaries proposed by Applicant Charles Dattellas; and

**WHEREAS**, the Board of Supervisors conditionally approved the request for a change in the Zoning District boundaries,

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**NOW, THEREFORE, BE IT RESOLVED** that the Cochise County Zoning District Boundaries shall be amended as follows:

The zoning classifications for Tax Parcel 107-20-009, as shown on the map attached to this Resolution as Exhibit A, is changed from R-36 to R-18. The property is located east of Sierra Vista, AZ. The property is further described as being in Section 33 of Township 21 South, Range 21 East of the G&SRB&M in Cochise County, Arizona. The Board of Supervisors approves Docket Z-18-10 subject to the following conditions of approval:

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 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. If the parcel is split, then the existing driveway must be developed into a private road meeting the County's Road Standards.

**PASSED AND ADOPTED** by the Board of Supervisors of Cochise County, Arizona, this 12<sup>th</sup> day of February 2019.

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Peggy Judd, Chair  
Board of Supervisors

**ATTEST:**

**APPROVED AS TO FORM:**

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Arlethe Rios,  
Clerk of the Board

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Elda E. Orduño,  
Civil Deputy County Attorney