

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

**AMENDING CERTAIN ZONING DISTRICT BOUNDARIES FROM NB TO MH-72, PURSUANT TO THE APPLICATION OF DIANNA FISCHER**

**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**, a portion of Tax Parcel 106-04-044A was rezoned as NB from MH-72 in 1988, and never developed in accordance with the NB Zoning District; and

**WHEREAS**, the Applicant wishes to bring the Zoning into compliance with the actual development pattern and wishes to revert the zoning to MH-72; and

**WHEREAS**, the requested zoning district represents a reduction in intensity 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 Dianna Fischer; and

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

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

The zoning classifications for Tax Parcel 106-04-044A, as shown on the map attached to this Resolution as Exhibit A, is changed from NB to MH-72. The property is located north of Huachuca City, AZ. The property is further described as being in Section 12 of Township 20 South, Range 19 East of the G&SRB&M in Cochise County, Arizona. The Board of Supervisors approves Docket Z-18-11 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 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.

**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:**

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Arlethe Rios,  
Clerk of the Board

**APPROVED AS TO FORM:**

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Elda E. Orduño,  
Civil Deputy County Attorney