

Z 19-04(Womack)



Cochise County  
Community Development  
Planning, Zoning and Building Safety Division  
Public Programs...Personal Service  
www.cochise.az.gov

ok 7361 enclosed  
\$250.00

COCHISE COUNTY  
APR 11 2018  
PLANNING

COCHISE COUNTY REZONING APPLICATION

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

1. Applicant's Name: Lavon & Rebecca Womack

2. Mailing Address: 3222 S. Portia Ave.

Tucson AZ 85730  
City State Zip Code

3. Telephone Number of Applicant: 520-784-3326 Rebecca Cell

4. Telephone Number of Contact Person if Different: 520-780-6720 Lavon Cell

5. Email Address: womack71@msn.com

6. Assessor's Tax Parcel Number: 123 - 25 - 007B (Can be obtained from your County property tax statement)

7. Applicant is (check one):

- Sole owner: \_\_\_\_\_
- Joint Owner: X \_\_\_\_\_ (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): X \_\_\_\_\_

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  
1-800-752-3745  
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: \_\_\_\_\_
- Other, list: \_\_\_\_\_

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

- Yes \_\_\_\_\_ No

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.

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: R-36

14. Indicate proposed Zoning District for Property: RU-4

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

16. Comprehensive Plan Designation or Community Plan: Rural (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: Abandoned Structures x2

Shells of old cinderblock houses.

18. List all proposed uses and structures which would be established if the zoning change is approved. Be complete. Please attach a site plan: No site plan yet.

We are planning on building a house, horse shelters, horse pens and possibly a workshop over time.

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

- No  Yes \_\_\_\_\_
- If yes, is the proposed zoning district compatible with all applicable deed restrictions/private covenants? Yes  No \_\_\_\_\_

**OF PROPERTY OWNERS WITHIN THE PROPOSED ZONING DISTRICT**

This form is to be completed if there is more than one property owner and more than one parcel within the proposed zoning district.

I, the undersigned owner of record of property which lies within the area of the proposed rezoning set forth in the attached application, do hereby consent to the proposed change of zoning district boundary or reclassification of the property(ies) sought for rezoning. I do hereby certify and declare that I was afforded an opportunity to read the full and complete application prior to affixing by signature hereon.

Parcel Number	Owner of Record, Printed Name & Address	Signature	Date
123.26.007E	Rod Xanthos 9855 E. Mary Drive Tucson, AZ 85730	<i>Rod Xanthos</i>	2-27-19
123.26.007E	Sharon Xanthos 9855 E. Mary Drive Tucson, AZ 85730	<i>Sharon Xanthos</i>	2-27-19

(Attach separate pages if necessary)

Rezoning Application Evaluation Criteria

Section 2208.03.B. of the Cochise County Zoning Regulations provides fifteen (15) rezoning evaluation

- 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?

Barney Lane and Colony Drive

21. What off-site improvements are proposed for streets or easements used by traffic that will be generated by this rezoning? N/A

22. How many driveway cuts do you propose to the streets or easements used by traffic that will be generated by this rezoning? N/A

23. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	Pomeran Water and/or Well	
Sewer/Septic	Septic/Private	
Electricity	SSVEC	
Natural Gas	None	
Telephone	Cell	
Fire Protection	Benson Fire Department Station 71	

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).

We bought 2 Parcels adjoining each other. One Parcel is RU-4 and we want this Parcel to be RU-4, too.

We do not want to subdivide this parcel which R-36 is appropriate for.

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: *Rebecca Womack*

Date: 4-4-2019

**CONSENT SIGNATURE FORM**

When recorded mail to  
Lavon Womack  
Rebecca Womack  
3222 S. Portia Avenue  
Tucson, AZ 85730  
207682 - VR

Tax Parcel No.: 123-01-006F, 123-25-007B

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**WARRANTY DEED**

For the consideration of Ten Dollars and other valuable consideration,

Riley Lake Holding, LLC, a Wisconsin Limited Liability Company (hereafter "Grantor"), do/does hereby convey to

Lavon Womack and Rebecca Womack, husband and wife, as community property with right of survivorship, as to an undivided 50% interest and The Rodney Dean Xanthos and Sharon Beverly Xanthos Revocable Living Trust dated January 18, 2003 (hereafter "Grantee"), the following real property situated in Cochise County, Arizona: \* Rodney Dean Xanthos and Sharon Beverly Xanthos, Trustees of

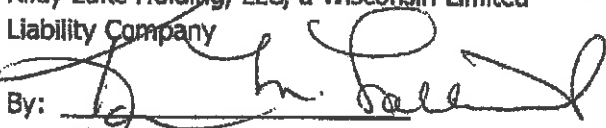
See Exhibit A attached hereto and made a part hereof.

Pursuant to A.R.S § 33-404, the names and addresses of the beneficiaries of the above referenced Trust are disclosed in the Trust Disclosure Exhibit attached hereto and incorporated herein by reference.

Subject to Current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record. The Grantor warrants the title against all persons whomsoever.

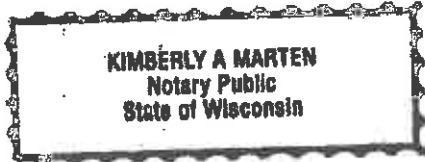
DATED: September 28, 2018

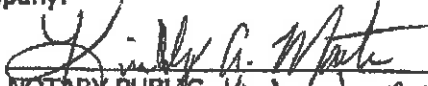
Riley Lake Holding, LLC, a Wisconsin Limited Liability Company

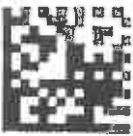
By:   
Karen M. Lallemond, Member

State of Wisconsin }  
                                  } ss.  
County of Chippewa }

The foregoing instrument was acknowledged before me this 4 day of October, 2018 by Riley Lake Holding, LLC, a Wisconsin Limited Liability Company.



  
NOTARY PUBLIC Kimberly A Marten  
My commission expires: 6-15-19



60738-5-0