



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

*Public Programs...Personal Service*  
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**MEMORANDUM**

**TO:** Cochise County Board of Supervisors  
**THROUGH:** Edward T. Gilligan, County Administrator  
**FROM:** Robert Kirschmann, Planner II  
**FOR:** Daniel Coxworth, AICP, Development Director  
**SUBJECT:** Docket SUA-19-06 (Counter Intelligence) Appeal  
**DATE:** June 24, 2019 for the July 9, 2019 Meeting

**APPEAL OF A SPECIAL USE AUTHORIZATION**

Mr. Terrance C. Hogan has filed an Appeal against a decision made by the Cochise County Planning and Zoning Commission on Wednesday, May 8, 2019. On a 5 – 0 vote, the Commission granted a request for Special Use Authorization to construct a 1,600 square foot building to be used in manufacturing counter tops. The 4.55 acre site, 106-04-126B, is located 2439 N. Busick Ranch Road and is zoned RU-4.

Section 1716.04 of the Zoning Regulations states that appeals of Special Use decisions shall be heard by the Board of Supervisors at a duly noticed public hearing.

**NATURE OF THE APPEAL/PLANNING AND ZONING COMMISSION MEETING**

In March of 2019 Mr. Jonathan Montez of Counter Intelligence started discussing moving his existing counter business to his existing residence located at 2439 Busick Road. The business involves taking a slab of Corian type material cutting, sanding and finishing the product. Per County Zoning Regulations, the business is considered Manufacturing, Wholesaling, Warehousing, Distribution, and/or Storage of Products, activity area not to exceed 5,000-square feet, requiring Special Use authorization per Section 607.17.

At the Commission hearing, the Commissioners took public testimony from six individuals, five that were in opposition. After considering all facts the Commission voted unanimously (5 – 0) to approve the request.

Mr. Terrance Hogan has appealed the decision of the Planning and Zoning Commission to approve the request. In the Appeal documents, he cites (list is not exhaustive, please see Attachment for full appeal statement):

- Misrepresentation of the "character of Ranchos Cochise"
- Misrepresentation of "Arizona Legislation of General, Comprehensive, and Envision 2020"
- The approval "will do irreparable harm to residents of Ranchos Cochise, Cochise County as a whole, the state of Arizona and Mr. Hogan personally"

The Staff report presented to the Planning Commission is attached for your reference.

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