

# COCHISE COUNTY

## Docket SUA-19-06 (Counter Intelligence)

Appeal of the Planning & Zoning Commission  
Approval of a Special Use Authorization  
For manufacturing in  
in a Rural zoning district.

Board of Supervisors  
July 9, 2019



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

## **COCHISE COUNTY**

# Docket SUA 19-06(Counter Intelligence)

- On May 8, 2019 the Planning and Zoning Commission voted unanimously (5-0) to approve the construction of a 1,600 square foot building to be used in the manufacturing of counter tops.
- The Appellant seeks to overturn the Commission's decision on the basis:
  - 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 Appellant is Mr. Terrance Hogan



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

## **COCHISE COUNTY**

# Docket SUA 19-06(Counter Intelligence)

- The proposed use is to approve a 1,600 square foot building to be used in manufacturing counter tops
- The subject property, 106-04-126B is located at 2439 N. Busick Road
- The site currently has a single family home and is zoned RU-4
- The site is 4.55 acres

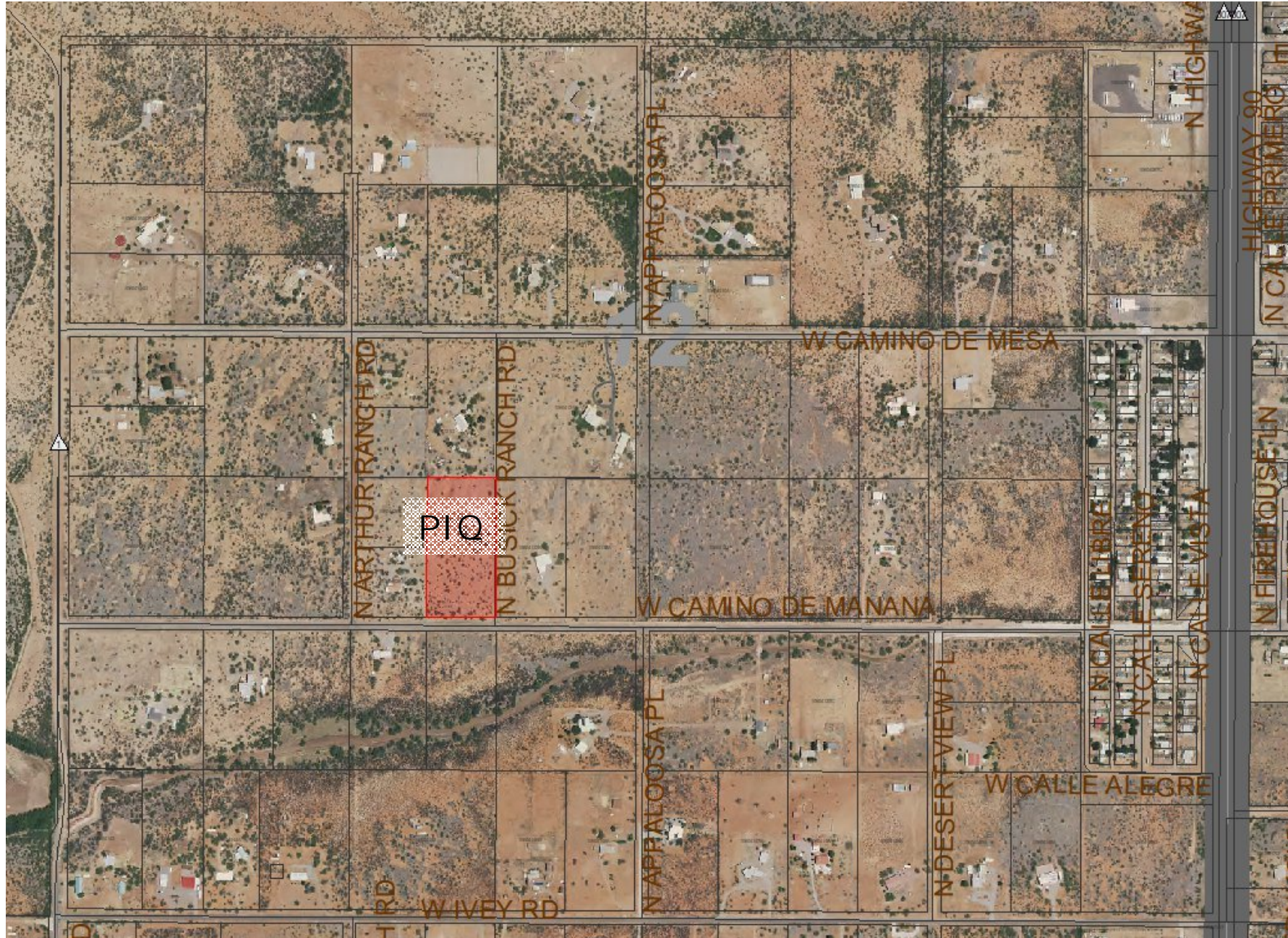


***Public Programs...Personal Service***



# COCHISE COUNTY

# Aerial Photo





## COCHISE COUNTY

Process:

- No actual manufacturing
- Raw slab delivered by personal pick up truck no semis or large trucks
- Slab is sanded, contoured, glued
- Minimal water used only to rinse dust, which dries on floor and is swept up



*Public Programs...Personal Service*

## COCHISE COUNTY

# Factors for or Against a Proposed Special Use Authorization

- Zoning Regulations have 10 factors used to evaluate a proposal
  - Nine of the criteria apply to this request
  - As submitted complies with 7 criteria
  - One criteria complies with modifications
    - Site Development Standards
  - One criteria does not comply
    - Public Input



*Public Programs...Personal Service*

## COCHISE COUNTY

Section 1716.04 of the Zoning Regulations governs the appeal of Special Use Authorization Decisions.

The Appeal shall include:

1. An identification of the decision being appealed; **The Appellant requests that the entire decision be overturned.**
2. A complete statement of all reasons why the appellant believes that the decision, or any part of the decision, was erroneous, arbitrary, capricious, or an abuse of discretion; **The Appellant states that misinformation was provided to the Planning Commission.**
3. Written presentation of additional testimony and evidence, a full explanation of the additional testimony and evidence that will be submitted, with an explanation of why this was not presented to the Planning Commission. **The Appellant provided several pages as to why he has filed the appeal**

## **COCHISE COUNTY**

# Factors in Favor of Denying the Appeal

1. The Planning Commission voted unanimously to approve the original request
2. With the recommended Conditions of Approval, the Special Use would fully comply with the seven Special Use factors used by staff to analyze this request;
3. The subject parcel is of a size and configuration that would allow compliance with all applicable site development standards with the conditions;
4. The proposed Special Use is low impact and more akin to a home occupation.
5. The request for this Special Use is allowable within the RU-4 Zoning District;
6. Four letters of support were received for the original request, two in response to the appeal notice.

## **COCHISE COUNTY**

# Factor In Favor of Granting the Appeal

1. Sixty-nine letters in opposition to the original request were received, six in response to the appeal notice.

**COCHISE COUNTY**

## Recommendation:

Based on the Factors in Favor of Denial of the Appeal, Staff recommends Denial of the Appeal, thereby upholding the Planning and Zoning Commission's Approval of SU-19-06, with the original Conditions of Approval.



*Public Programs...Personal Service*