

ZONING ORDINANCE 20-___

REVERTING CERTAIN ZONING DISTRICT BOUNDARIES FROM R-36 TO RU-4, PURSUANT TO THE APPLICATION OF GARTH AND CHERYL ST. GERMAIN

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 106-15-020M was granted a conditional rezoning in 2006 from RU-4 to R-36 to facilitate a residential subdivision; and

WHEREAS, the conditions of the rezoning were never completed (including the submission of a subdivision plat); and

WHEREAS, the Applicants, Garth and Cheryl St. Germain, subsequently acquired Parcel 106-15-020M and the Applicants do not wish to pursue the proposed subdivision and want to revert the zoning to RU-4:

WHEREAS, pursuant to A.R.S. § 11-814, the Board of Supervisors can revert zoning, if the property has not been improved for the use for which it was conditionally approved; and

WHEREAS, the requested zoning district represents a reduction in density; 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 reversion of the zoning of Parcel 106-15-020M, as requested by the applicants, Garth and Sheryl St. Germain.

NOW, THEREFORE, BE IT RESOLVED that the zoning of Tax Parcel 106-15-20M is reverted from R-36 to RU-4. The property is located in the Babocomari Land Grant in Huachuca City, AZ. The property is further described as being in Township 20 South, Range 20 East of the G&SRB&M in Cochise County, Arizona. The Board of Supervisors approves Docket Z-20-02, subject to the following condition:

1. The Applicant shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from A.R.S. § 12-1134, signed by the property owner of the subject property within thirty (30) days of the Board of Supervisors' approval of the rezoning.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this 24th day of March 2020.

Thomas E. Borer, Chair
Cochise County Board of Supervisors

ATTEST:

Kim Lemons, CPCC
Clerk of the Board

APPROVED AS TO FORM:

Christine J. Roberts 3/12/2020

Christine J. Roberts
Civil Deputy County Attorney