

ZONING ORDINANCE 20-___

**AMENDING CERTAIN ZONING DISTRICT BOUNDARIES
FROM SR-43 TO RU-4, PURSUANT TO THE APPLICATION OF
MR. AND MRS. ANDASOLA**

WHEREAS, Arizona Revised Statutes (“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 (“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 Parcels 119-02-214B is zoned as SR-43 and was never developed in accordance with the SR-43 Zoning District; and

WHEREAS, Mr. and Mrs. Andasola (the “Applicants”) wish to bring the Zoning into compliance with the actual development pattern and to amend the zoning to RU-4; and

WHEREAS, the requested zoning district represents a reduction in density in accordance with the Comprehensive Plan; and

WHEREAS, the requested zoning district is harmonious with the surrounding zoning districts; and

WHEREAS, the 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 the Applicant; 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 119-02-214B as shown on the map attached to this Resolution as Exhibit A, are changed from SR-43 to RU-4. The subject parcels are located on the northeast corner of N. Cochise Stronghold Road and W. Kelvin. It is further described as being situated in Section 04 of Township 17 South, Range 24 East of the G&SRB&M, in Cochise County, Arizona.

The Board of Supervisors approves Docket Z-20-11, subject to the following conditions of approval:

1. Within 30-days of approval of the Special Use, Applicants shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from A.R.S. § 12-1134. Prior to operation of the Special Use, the Applicants shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards (except as modified) and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18-months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant.
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.
3. Within six (6) months of the Board of Supervisors approval the applicant shall submit permits for the home (opt-out), right-of-way and floodplain.
4. Site plan submitted with the Opt-Out permit shall comply with minimum standards.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this 17th day of November 2020.

Thomas E. Borer, Chair
Cochise County Board of Supervisors

ATTEST:

Kim Lemons, CPCC
Clerk of the Board

APPROVED AS TO FORM:

Britt Hanson

Britt W. Hanson, Of Counsel
Cochise County Attorney