

**ZONING ORDINANCE 20-\_\_\_**

**AMENDING CERTAIN ZONING DISTRICT BOUNDARIES FROM R-36  
TO RU-4, PURSUANT TO THE APPLICATION OF  
MR. ADAM HUSAREK**

**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 405-77-020B is zoned as R-36 and was never developed in accordance with the R-36 Zoning District; and

**WHEREAS**, Mr. Adam Husarek (the “Applicant”) 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 405-77-020B as shown on the map attached to this Resolution as Exhibit A, are changed from R-36 to RU-4. The subject parcels are located on northeast corner of E Lois Lane and N Bruno Road, north of Douglas. It is further described as being situated in Section 35 of Township 22 South, Range 28 East of the G&SRB&M, in Cochise County, Arizona.

The Board of Supervisors approves Docket Z-20-12, 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. The site plan provided for the Opt-Out permit shall clearly show the layout of buildings and the residence so that staff can confirm if the proposal fully complies with the Development Standards and Building Code requirements (I.E. minimum square footage and setbacks).

**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