

AMENDED ZONING ORDINANCE 19-04

AMENDING A CERTAIN COCHISE COUNTY COMPREHENSIVE PLAN DESIGNATION FROM ENT TO NC AND CONDITIONALLY AMENDING CERTAIN ZONING DISTRICT BOUNDARIES IN SIERRA VISTA, AZ FROM GB & SR-12 TO MR-1, PURSUANT TO THE APPLICATION OF MR. WILLIAM SKALAK.

WHEREAS, pursuant to A.R.S. §11-829 allows property owners or their authorized agent to request amendments to the Comprehensive Plan Designation through the Board of Supervisors in a public hearing; and

WHEREAS, pursuant to A.R.S. §11-814 property owners or their authorized agents may request amendments to the Zoning District boundaries through the Board of Supervisors at a public hearing; and

WHEREAS, the Cochise County Board of Supervisors recognizes that plan designations and rezonings can affect land use patterns and therefore warrant careful consideration of local and regional impacts at a public hearing; and

WHEREAS, the request by William Skalak to rezone portions of parcels 105-05-010A/B from GB to MR-1 requires a Comprehensive Plan Designation of NC (Neighborhood Conservation); and

WHEREAS, the Cochise County Board of Supervisors seeks to promote effective, early and continuous public participation by citizens; and

WHEREAS, on May 8, 2019, the Planning and Zoning Commission held a duly noticed public hearing on the proposed amendments to the Comprehensive Plan designation and Zoning District classification for a portion of a 7.58 acre tract of land, Parcel No. 105-05-010A as depicted on the legal description attached hereto as "Exhibit A," and hereby known as Docket CP-19-01/Z-19-01 (Skalak), being an Application to amend Zoning District boundaries; and

WHEREAS, on June 11, 2019, the Board of Supervisors held a duly noticed public hearing on the amendments to the Comprehensive Plan designation and the Zoning

District classification for Parcel Nos. 105-05-010A/B as recommended by the Planning and Zoning Commission; and

WHEREAS, the Zoning Ordinance 19-04 previously recorded contained some clerical errors and omissions, and this Amended Ordinance 19-04, approved by the Board of Supervisors on November 17, 2020, corrects those errors and omissions and supersedes the original recorded Zoning Ordinance 19-04.

IT IS HEREBY RESOLVED AND ORDERED, that the Comprehensive Plan designation for Tax Parcel 105-05-010B as described in "Exhibit A," is changed from ENT to NC. The subject parcel is located in the Sierra Vista area on the corner of S. Avenida Escuela and E. Blue Bird Drive.

The property is further described as being situated in Section 01 of Township 22 South, Range 20 East of the Gila & Salt River Base & Meridian, Cochise County, Arizona.

IT IS FURTHER RESOLVED AND ORDERED, that the zoning classification for a portion Tax Parcels 105-05-010A/B as described in "Exhibit A," is changed from GB to MR-1. The change comprises approximately 4.01 acres. The subject parcel is located in the Sierra Vista area on the corner of S. Avenida Escuela and E. Blue Bird Drive. The property is further described as being situated in Section 01 of Township 22 South, Range 20 East of the Gila & Salt River Base & Meridian, Cochise County, Arizona.

IT IS FINALLY RESOLVED AND ORDERED, that the change in Zoning District is 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. Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors' approval of the Comprehensive Plan Amendment and Rezoning or the approval of the Amendment and Rezoning may be deemed void.
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. Any single-family development at a greater density than one unit per 12,000 shall be completed with an approved subdivision plat;
4. Any new driveway access shall follow all applicable City and/or County standards; and
5. All development will comply with County water conservation regulations adopted at the time of construction.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this 15th day of December, 2020.

Thomas E. Borer, Chairman
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