

ZONING ORDINANCE 21-___

**AMENDING CERTAIN ZONING DISTRICT BOUNDARIES
FROM RU-2 TO RU-4, PURSUANT TO THE APPLICATION OF
MARKIE KINNEY**

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 404-02-431 are zoned as RU-2 and were never developed in accordance with the RU-2 Zoning District; and

WHEREAS, Markie Kinney (the “Applicant”) wishes 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 an appropriate transition 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 classification for Tax Parcel 404-02-431 as shown on the map attached to this Resolution as Exhibit A, is changed from RU-2 to RU-4. It is further described as being situated in Section 08 of Township 21 South, Range 27 East of the G&SRB&M, in Cochise County, Arizona.

The Board of Supervisors approves Docket RZ-21-13, subject to the following conditions of approval:

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 rezoning; and
2. The applicant's responsibility is to obtain any additional permits or meet any additional conditions that may apply to the proposed use pursuant to other federal, state, or local laws or regulations.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this 26th day of October 2021.

Ann English, Chair
Cochise County Board of Supervisors

ATTEST:

Kim Lemons, CPCC
Clerk of the Board

APPROVED AS TO FORM:

Paul Correa

Paul Correa
Civil Deputy County Attorney