

Robert Kirschmann, Planner 2
Development Department
County of Cochise
126 W. 5th Street
Benson, Arizona 85602

January 29, 2021

Sent Electronically

Dear Robert:

Enclosed we have submitted the electronic application to rezone the property west of Benson known as, "Buena Vista Ranchettes," from RU4 to RU2.

We have discussed this option at prior meetings which would allow us to retain the lots we have purchased and as a result of this rezoning approval, we would request that the subdivision be officially dissolved.

In accordance with our agreement to move forward in this matter in the best and most expeditious manner for BOTH ourselves and the County, we hope the County will accept and process this application. We have not submitted ALL the requested attached documents as this approval is first necessary in order for each of the new owners to retain engineering firms and subsequently submit a final plat design.

We look forward to working with you in this endeavor and appreciate your prompt attention to this matter.

Sincerely,



Eric E. Spencer
714-654-1149
timetrpr@aol.com

Cc: Mahlon Mackenzie
Kevin Colwell
Daniel Coxworth, Director



Cochise County

Development Services
Planning Division

Public Programs...Personal Service
www.cochise.az.gov

APPLICATION FOR A ZONING AMENDMENT: REZONING

Applicant's Name: Eric E. Spencer, Janitzzy Spencer, Spencer Grijalva, Kevin Colwell, Starl

Name of All Property Owner(s): Eric E. Spencer; Janitzzy M. Spencer; Spencer H. Grijalva; I

Applicant Mailing Address:

1815 W. Hunter Road Tucson, Arizona 85755

Street # Town State Zip code

Subject Property Address (if different than mailing address):

Vacant Land Mescal Road Benson, Arizona 85602

Street # Town State Zip code

Email Address: timetrpr@aol.com

Phone Number: 714-654-1149

Tax Parcel Number: 124-02-013-0; 014-3; 022-6; 015-6; 021-3; 023-6

Current Zoning Designation: RU4

Proposed Zoning Designation: RU2

Comprehensive Plan Land Use Category/Growth Area: None

Comprehensive Plan Land Use Designation: None

Area Plan Designation (if applicable): N/A

Is more than one parcel included in this request? (Select one) Yes No

If more than one property owner is involved, all property owners must sign the attached consent signature form.

Are you applying for more than one zoning district on a single parcel? Yes No

If property is a new split, or the rezoning request results in more than one zoning district on any tax parcel, then a copy of a survey and associated legal description stamped by a surveyor or engineer licensed by the State of Arizona must be attached.

Describe your relationship to this application. (Select one)

I am the property owner

I am an authorized agent for the property owner

If the applicant is not the property owner, please attach a notarized letter of authorization to this application.

The Purpose of Re-Zoning

The purpose of zoning is to guide the development of land in accordance with the County's Comprehensive Plan, and to promote the public health, safety and general welfare of the County's residents. Zoning districts specify permitted land uses, minimum lot sizes, and certain site development standards such as setbacks and screening. Because Cochise County encompasses a large and diverse area, there are 34 individual zoning districts, ranging from rural and residential districts to business and industrial districts. When property is rezoned, all uses permitted within the new district can be permitted on the rezoned parcel.

What is the Process?

1. Pre-application meeting with County planning staff.
2. Citizen Review Process – the applicant must send notice to all property owners within a radius of no less than 300 feet of the subject parcel(s), as shown on the most recent available records of the last property tax assessment. The County Zoning Inspector may expand the mailed notification area to greater than a 300-foot radius at time of application acceptance if there are compatibility concerns associated with the request. Note: this step is not required for rezonings to less intensive districts.
3. Application Submittal
4. Technical review by relevant internal staff and external agencies
5. Public Hearing – Planning and Zoning Commission (Recommendation to the Board of Supervisors)
6. Public Hearing – Board of Supervisors (Approval or Denial)

Required Submittals

1. This application
2. Citizen Review Report
3. Land use/concept plan -drawn to scale showing the existing and proposed District boundaries and an accurate legal description of the area being petitioned for amendment. See our website for an example plan: <https://www.cochise.az.gov/development-services/rezoning>
4. Letter of Authorization (for authorized agents, if applicable)
5. Copy of survey with an associated legal description (if more than one zoning district is requested on a single parcel, if applicable)
6. Processing Fee

Please state the reason for this request and why it should be supported.

The above parcels were purchased last Fall as part of a County approved Subdivision known as "Buena Vista Ranchettes." However, the lots do not meet current RU4 zoning requirements and property owners are asking that the property be re-zoned to RU2 to bring said lots into compliance and conformity.

Is this request consistent with all deed restrictions or private covenants in effect for this property?

Yes

No

Not applicable (no deed restrictions or covenants)

Describe all **existing** structures/uses present on the subject parcel. Note: the size and location of existing structures must be shown on the accompanying site plan.

There are no current structures on the subject parcel with the exception of an old water
trough which is inoperable and will be removed.

Describe all **proposed** structures/uses on the parcel that to be placed on the parcel. Note: the size and location of proposed structures must be shown on the accompanying site plan.

None at this time.

Which streets or easements will be used for traffic entering or exiting the property? (Please label on the accompanying plan)

Mescal Road.

What impact will this have on the traffic volume of roads serving this subject property?

Minimal. There will be no more than 30 dwellings.

How many driveway cuts are proposed along streets or easements to allow site access? State whether this is an increase/decrease and whether any existing cuts will need relocation.

Two.

Will this rezoning encourage/result in the use of any residential street for through traffic to and from the proposed District? Note: this only applies to rezonings to GB, LI, or HI. Rezonings to any other district should select "not applicable."

Yes No Not applicable

Does the subject parcel have site access onto a major road?

Yes No

Please indicate whether the subject property occurs within the following:

- Within the Sierra Vista Sub-Watershed Overlay Zone
- Within two miles of the San Pedro Riparian National Conservation Area
- Within one mile of the Babocomari River
- None of the Above

If the subject property is within one of the previously mentioned zones, are you interested in a voluntary retirement of development rights in exchange for a concomitant density increases elsewhere in the County?

Yes No

Please describe your citizen review process (if applicable). Specifically, state whether you received any responses to your mailed notice or public meeting. Explain how your rezoning application has incorporated the feedback you received.

Kevin Colwell mailed a letter November 20, 2020 to all adjacent property owners and we received three responses - all positive.

Identify the utility company/service provider for each of the following services and state if additional provisions or future connections are required in the space below.

Service Provider	Service Provider	Additional Provisions Required
Water/Well	Individual Wells	
Sewer/Septic	Individual Septic	
Electricity	Sulpher Springs Valley Electric Cooperative	Ned to run line (s) from adjacent property
Natural Gas	Individual Propane - (Barrett)	
Telephone	AT&T or Up to Individual Preference	
Fire Protection	Mescal Fire Department	
Waste Disposal	Waste Disposal	

Can the subject parcel accommodate typical uses within the proposed zoning district in full compliance with all applicable site development standards? Explain.

Yes;

Will any adjacent parcels be reduced in size or altered in shape as a result of this amendment? If so, will they remain capable of reasonable future development in full compliance with the Zoning Regulations?

No. We'd like to have the parcels remain," as is," from the original subdivision map enclosed.

Is there a significant amount of nonconforming uses in the area currently? Will this amendment result in additional nonconforming lots or uses in the area?

This amendment will bring said property into conforming lots.

Is the proposed zoning adjacent to, or near, other parcels with the same zoning designation? Explain.
No. Not at this time. The property is bordered on the south by MH 72 zoning and to the East,
North and West by RU 4.

Is the proposed zoning district more intense than the one in place currently? Please select one of the following statements:

- The proposed District is buffered by an intermediate District of sufficient size to provide a reasonable transition of intensity from the existing area.
- The proposed District is a reasonable extension of a similar density District within the area;
- The proposed District provides a transition between an existing less intense District and a more intensive District or an arterial street; or
- The proposed District is designed to provide adequate protection to the adjacent less intense development in the form of enhanced screening, landscaping, setbacks, large lot size, building orientation, or other design measures.
- Not applicable, this is not a request to a more intense zoning district.

Are there any areas of unstable soils, steep slopes, severe washes, floodplains on the subject parcel? If so, please indicate their location on the concept plan. Indicate how these areas will be protected from future development.

No.

Do you anticipate the use of any hazardous or dangerous materials? If yes, please complete a "Hazardous or Polluting Materials Attachment" and attach it to this application.

- Yes No

The undersigned, do hereby file this application with the Cochise County Planning and Zoning Commission. I certify that, to the best of my knowledge, all the information submitted herein and in the attachments is correct. I hereby authorize the Cochise County Planning Department staff to enter the property herein described for the purpose of conducting a field visit.

Eric Spencer

January 28, 2021

Applicant Signature

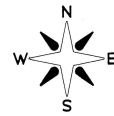
Date

The following form **must** be completed where there are multiple property owners or multiple parcels subject to the request.

I, the undersigned owner of record of property which lies within the area of the proposed rezoning set forth in the attached application, do hereby consent to the proposed change of zoning district boundary or reclassification of the property(ies) sought for rezoning. I do hereby certify and declare that I was afforded an opportunity to read the full and complete application prior to affixing by signature hereon.

Consent Signature Form

Parcel Number	Owner of Record, Printed Name and Address	Signature	Date
124-02-013-0; 014-3; 014-6; 015-6; 021-3; 023-6	Eric and Janitzky Spencer 1815 W. Hunter Rd. Tucson, Az. 85755	<i>Eric Spencer</i>	1/28/21
124-02-013-0; 014-3; 014-6; 015-6; 021-3; 023-6	Spencer Grijalva 5125 W. Blackbird Dr. Tucson, Az. 85742		1/28/21
124-02-016-4; 017-5; 018-6; 019-7; 020-8; 028-18	Brandi and Johns Comeau 4848 W. Willow Wind Tucson, Az. 85741		1/28/21
124-02-016-4; 017-5; 018-6; 019-7; 020-8; 028-18	Kevin and Starla Colwell 3128 W. Acacia Benson, Az. 85602		1/28/21
124-02-024-12; 025-13; 026-14; 027-15; 029-17; 03	Long Mountain View Realty, LLC 642 W. 4th St. Benson, Az. 85602		1/28/21
124-02-024-12; 025-13; 026-14; 027-15; 029-17; 03	RR Vehicle Inspection Solutions, LLC 6336 N. Oracle Rd. Suite 326-280 Tucson, Az. 85704		1/28/21
124-02-033	Kevin and Starla Colwell 3128 W. Acacia Benson, Az. 85602		1/28/21



SCALE 1" = 100'

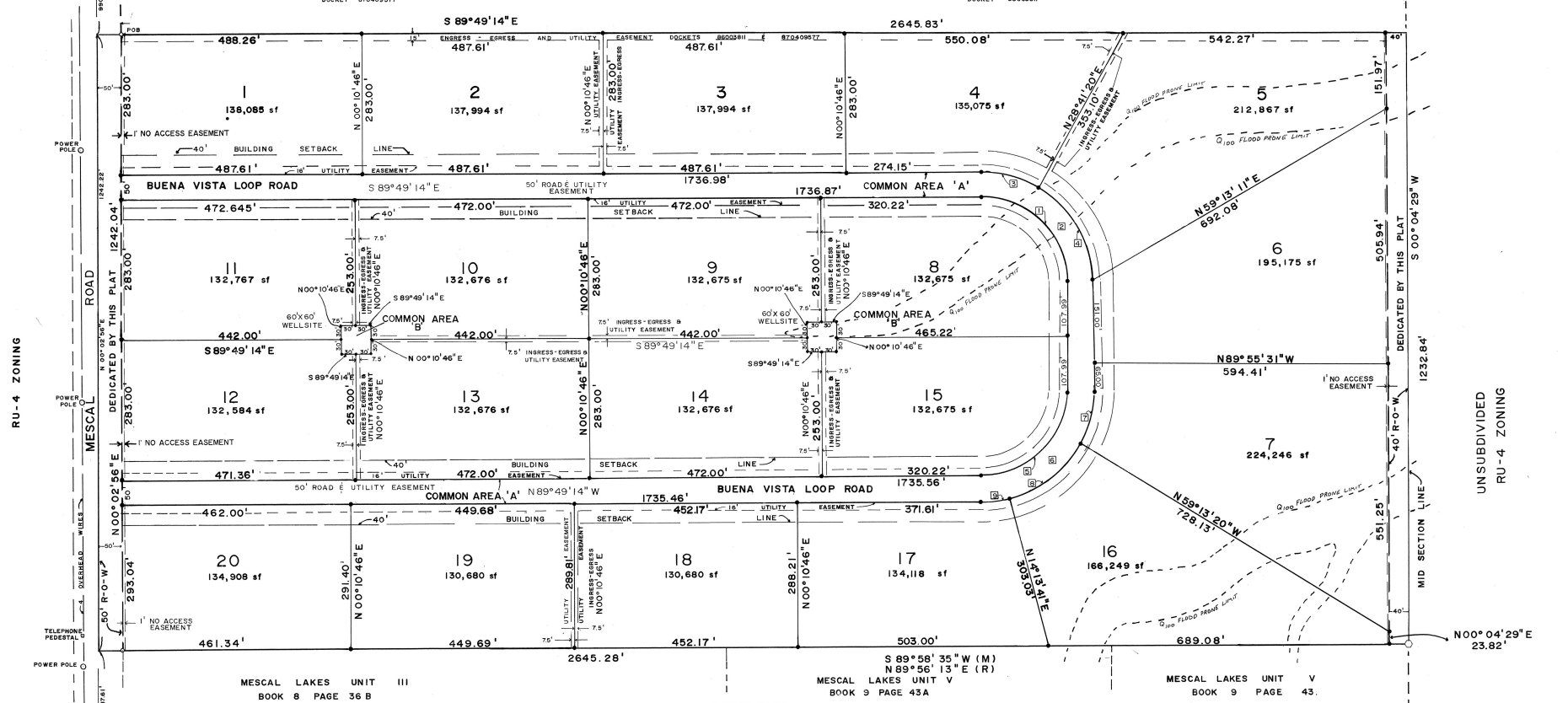
RU - 4 ZONING

SECT. COR.
1/2" IRON PIN

W. 1/4 COR.
1/2" IRON PIN

DOCKET 870409577

DOCKET 8600811



MESCAL LAKES UNIT III
BOOK 8 PAGE 36 B

MESCAL LAKES UNIT V
BOOK 9 PAGE 43A

MESCAL LAKES UNIT V
BOOK 9 PAGE 43.

MH - 72 ZONING

CURVE DATA

NO.	RADIUS	DELTA	LENGTH
1	175.00'	90°00'00"	274.89'
2	200.00'	90°00'00"	314.16'
3	225.00'	28°30'34"	111.96'
4	225.00'	61°29'26"	241.47'
5	175.00'	90°00'00"	274.89'
6	200.00'	90°00'00"	314.16'
7	225.00'	30°35'54"	120.16'
8	225.00'	44°59'39"	176.63'
9	225.00'	14°24'27"	56.58'

LEGEND

- DENOTES PROPERTY CORNER FOUND, IRON PIN & CAP, RLS NO. 7599.
- DENOTES PROPERTY CORNER TO BE SET, IRON PIN & CAP, RLS NO. 16525
- DENOTES ORIGINAL PROPERTY CORNER FOUND, IRON PIN & CAP, NO. 1052.

FINAL PLAT

BUENA VISTA RANCHETTES

LOTS 1 THRU 20



Jerry R. Jones & Associates, Inc.
ENGINEERS, PLANNERS AND SURVEYORS
888 E. FRY BLVD., SUITE 300
SIERRA VISTA, AZ. 85835 (602) 499-0425

SHEET 2 OF 2

387-088.02
17 - LARGE LOGO, SIERRA VISTA - 4301 (0, 5) PP, PLOTS 25 18-849-87 11:54 AM / 899-4

Dear friends and neighbors,

My name is Kevin Colwell and I am representing a small group of property owners in this area. We have recently acquired the property formally referred to as Buena Vista Ranchettes. Buena Vista Ranchettes has been on the books with Cochise County since 1988. We would like to move forward with developing this property as it was originally platted and consistent with this earlier area design but to do that it will require a zoning change to RU2. The county requires we go through the zoning process and as part of that process we would like to get feedback from you.

You will also be receiving a letter from the county with contact information in case of objections. We ask and encourage you to contact us regarding any concerns or issues.

Thank you for your time, please find my contact information below.

Kevin Colwell

3128 W Acacia Ln

Benson, Arizona

520-429-6664

TEXT will work but be sure to let me know who you are.