

From: [D.G SPAIN](#)
To: [Kirschmann, Robert](#)
Subject: Re: Planning and Zoning Commission Meeting of May 11, 2022 Agenda
Date: Wednesday, May 4, 2022 11:13:19 AM
Attachments: [Screen Shot 2022-05-04 at 11.10.06 AM.png](#)

CAUTION: EXTERNAL EMAIL*

Thank you. My concerns have been addressed on this property so long as all the criteria are upheld. I still think it would be a better idea to leave the area west of SR 83 as RU4.

In two previous rezone/split proposals near the lake, changes were made from the original application. On the 5 acre Colville property (10528004C) the split was changed from two properties to four (two of those were non-conforming and were later sold and combined with lots from Parker Lakeview Estates).

I thought this comment from the County was interesting:

"Typically, regardless of Zoning, the Assessor's Office will not allow parcel boundaries to cross roadways."

The Kerr/Ortiz 10 acre split (10528004) includes lots that incorporate subdivision roadways (and completely divide two of the plats) in order to make 5 two acre parcels.

Plus the remaining portion from Kerr's previous 10 acre split (10530003C, 1.4 acres including an easement from USDA roadway) has been an eyesore for many years. Mr. Saylor issued a violation in February 2016 that was never cleaned up. Mr. Kerr has added 2-3 small dwellings that are occupied from time to time.

I hope the County will be more diligent in seeking compliance from Mr. Ealey.

Gail Spain
9012 W Montezuma Place
5204559345

On Wed, May 4, 2022 at 10:07 AM Kirschmann, Robert <RKirschmann@cochise.az.gov> wrote:

Good morning,

Please find the Planning and Commission agenda [here](#).

Let me know if you have any questions.

As a reminder, please *do not* "reply to all"

Best regards,

Robert Kirschmann

Planner II

Cochise County Community Development

Development Services Department

126 West 5th Street, Suite 4

Benson, AZ 85602

520-432-9248 Direct

520-432-9300 Main

520-432-9278 fax

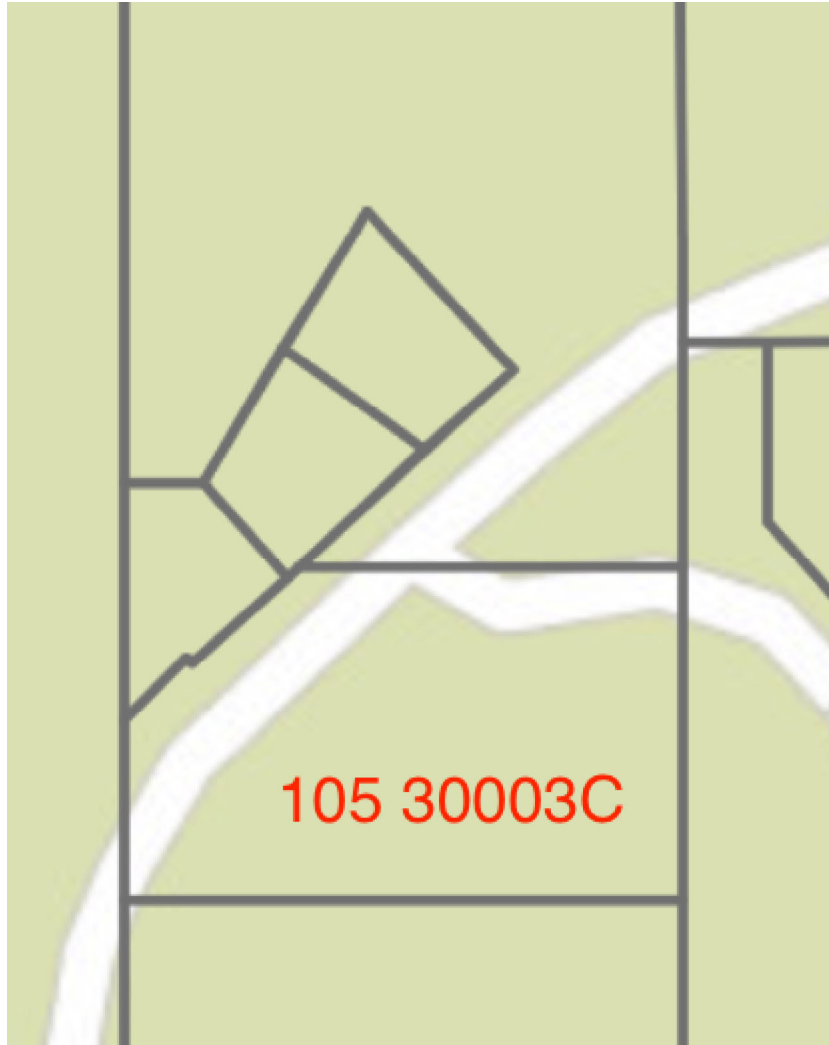
GIS Online Map: [INFOMap](#)

APPLY ONLINE: [CITIZEN SERVE](#)

Public Programs...Personal Service

www.cochise.az.gov

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105 30003C

From: [D.G SPAIN](#)
To: [Kirschmann, Robert](#)
Subject: Re: COMMENT Rezone request
Date: Tuesday, May 3, 2022 1:06:59 PM
Attachments: [Hays Crump Permits for addition .pdf](#)

CAUTION: EXTERNAL EMAIL*

Thank you for your response. Unfortunately the roadway notices were almost immediately knocked down and we only learned of the proposal by hearsay. Also, having retrieved the sign that was on the ground I see no notice of an April 24 deadline. Another concern would be the former commercial usage of the land on both sides of Hwy 83 and whether that would be a precedent for new commercial uses. The application is pretty vague other than a reference to future homes.

The attached makes reference to a lodge and store and it is historical knowledge that there was a campground on the west side. I do know that the liquor license was used for the lakeside store but was sold out of the area several years ago.

I understand that I can request a conference link from you for the May 11 hearing ID 768 243 311#

Gail Spain
9012 W Montezuma Place
520 455-9345

On Tue, May 3, 2022 at 12:47 PM Kirschmann, Robert <RKirschmann@cochise.az.gov> wrote:

Good afternoon,

Thank you for your email.

I make reference to the Zoning Regulations below. They may be found in full [here](#).

Staff mailed notices to neighboring property owners within 300 feet (Section 2206.02) of the subject property on April 6, 2022. Staff posted and notice on both sides of SR83 (Section 2206.01) on April 13, 2022, and published a legal notice in the Herald/Review April 12, 2022 (Section 2206.02). In order to be included in the Staff report comments were required to be returned by April 25, 2022. I will make every effort to at least make your email available to the Commission. You are also welcome to attend the Hearing to make your position known.

Please note, you did not receive a notice as your property is approximately 1,500 feet away.

I have attached a copy of the Applicants application for your information.

If you have any additional questions, please feel free to reach out.

Best regards,

Robert Kirschmann

Planner II

Cochise County Community Development

Development Services Department

126 West 5th Street, Suite 4

Benson, AZ 85602

520-432-9248 Direct

520-432-9300 Main

520-432-9278 fax

GIS Online Map: [INFOMap](#)

APPLY ONLINE: [CITIZEN SERVE](#)

Public Programs...Personal Service

www.cochise.az.gov

From: D G SPAIN <dgspain768@gmail.com>

Sent: Tuesday, May 3, 2022 11:38 AM

To: Kirschmann, Robert <RKirschmann@cochise.az.gov>

Subject: COMMENT Rezone request

CAUTION: EXTERNAL EMAIL*

Parcel 105-28-006, 7563 Hwy 83

Is it no longer the practice to send Intent Notices to nearby property owners?

Is there already a plan submitted? Does it include an access easement? What provision for potable water? What provision for flood control?

Much of the portion of this parcel on the west side of Hwy 83 is prone to flooding during heavy monsoon seasons. In fact, a few years ago the water pouring through there washed a very large metal liquid (either water or fuel) storage tank all of the way into Parker Canyon Lake.

I support the ability to split and preserve the property on the east side of Hwy 83 to maintain the established buildings there. However, if the plan is also to split the property on the west side into possibly six or seven 2 acre plats it is very likely that some of those plats will be subject to flooding every five years or so.

I DO NOT SUPPORT REZONING THE ACREAGE ON THE WEST SIDE OF HWY 83.

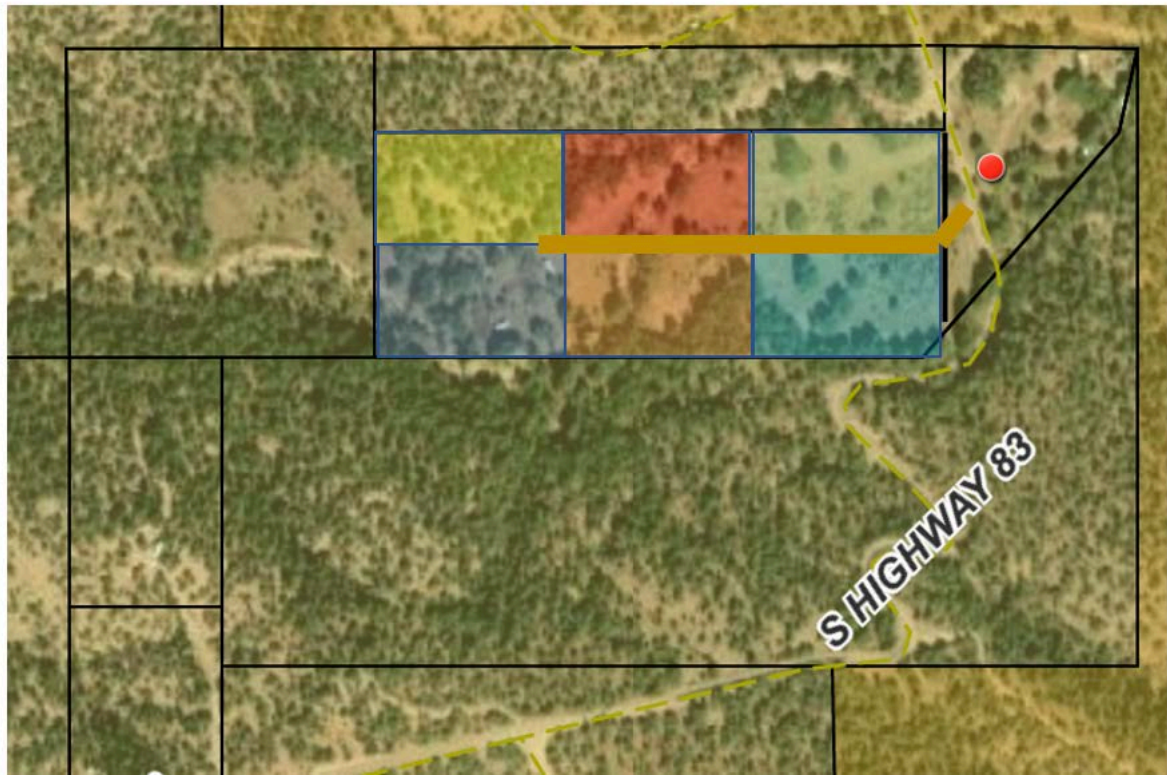
Attached are a few historical and hypothetical illustrations of the area.

Gail Spain

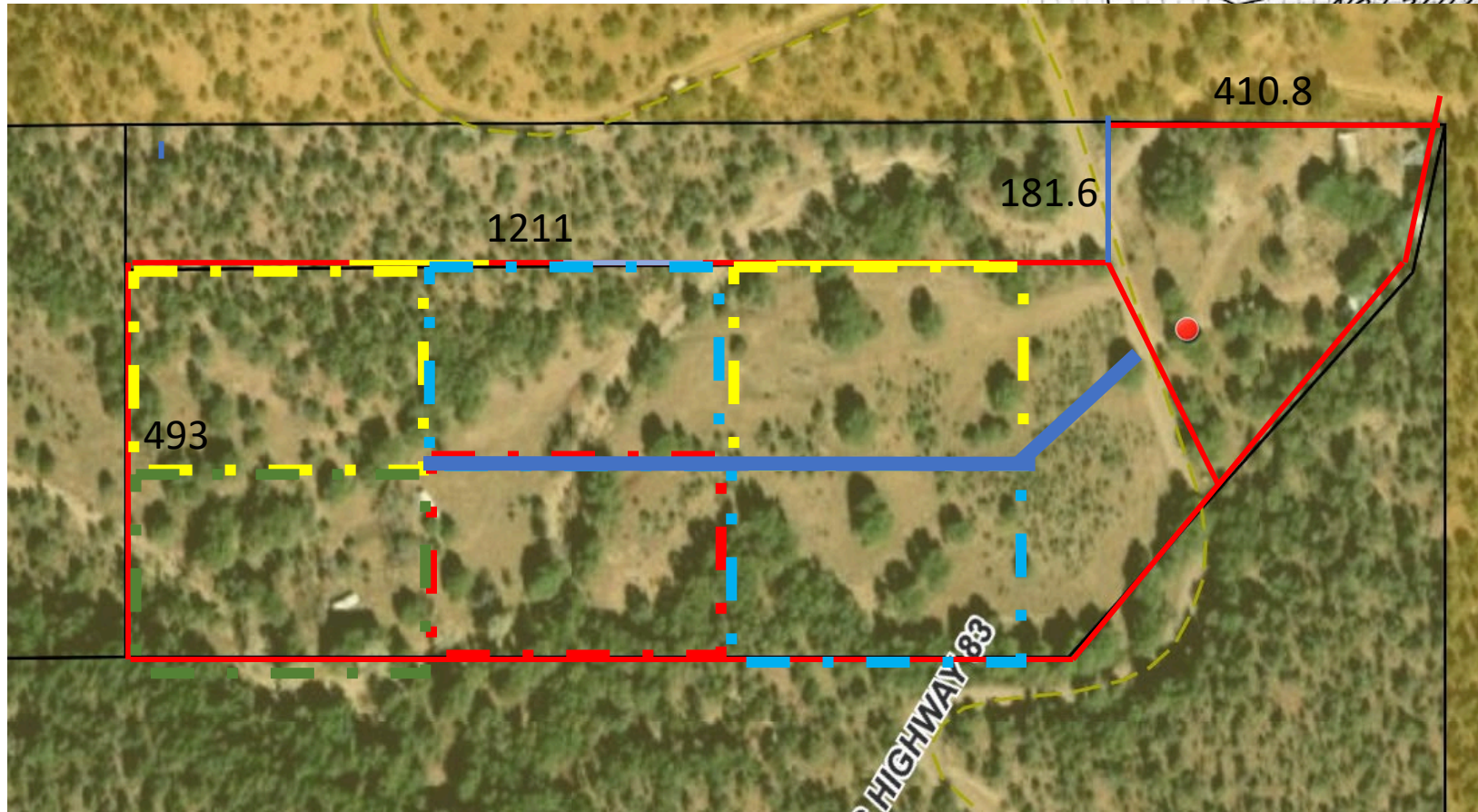
9012 West Montezuma Place
520 455-9345

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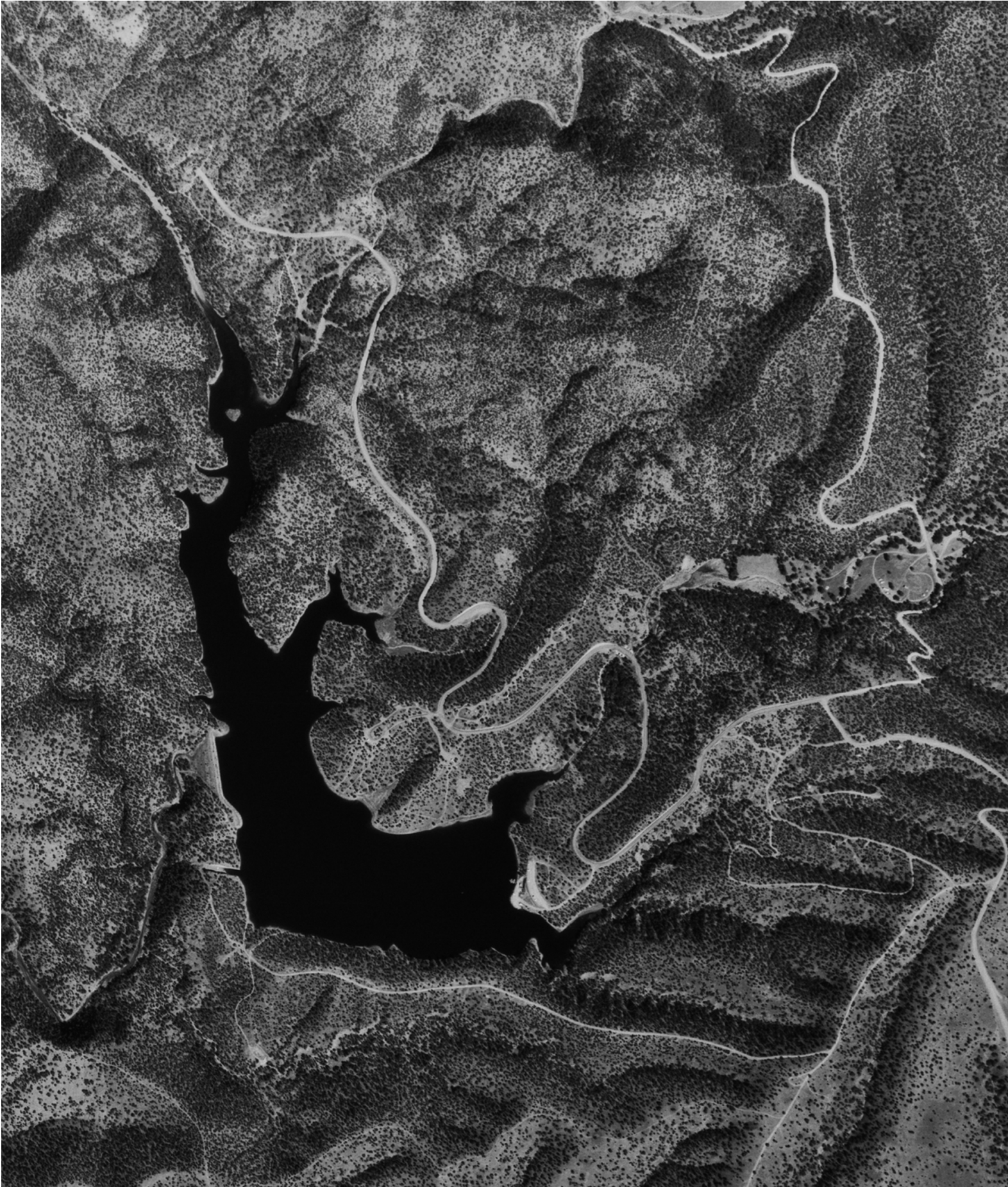


S HIGHWAY 83





POR OF LOTS 6 & 7 HES #290 BY M&B BEG AT
NECOR OF LOT 7 TH S13DEG 45MIN W187.8'
S41DEG 42MIN W639.6' W1176' N483' E1226'
N177' E420' TO POB SEC 17 23 19 16.919AC



105 28 006

**COCHISE COUNTY
USE PERMIT**

No 1597

Fee Paid \$ 25.00 Date Issued 6/3/77

Street Address 30 miles south of Safford

Subdivision

Unit Lot Block

Legal Description 105-28-6 Section 17 T23 R19

Description of Use or Improvement addition to lodge

Type of Const. adobe block

Floor Area 720 sq. ft. Est. Cost \$6000

Sewer septic

Water private well

Owner Russel Crump, Jack Elsey &
Holly G. Crump, P. R. Box 398 Elgin

Agent self

Zoning Inspector *Jack G. Loney*

NOTICE

Issuance of this use permit is based upon the submitted application. All changes must be approved by the Inspector. This permit shall become void after six (6) months from date of issuance unless the proposed use or improvement has been substantially begun. It is the responsibility of the applicant to comply with all applicable laws and regulations and obtain all other necessary approvals including those from the County Health Department and County Engineer. This use permit does not abrogate or annul any deed restrictions or private covenants.

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APPLICATION

COCHISE COUNTY USE PERMIT

1597

PART A: DESCRIPTION OF PARCEL

1. Street Address 30 miles so. of Sonoita	
2A. Subdivision Name -	2B. Unit
2C. Lot Number PT HES 290 S. 7	2D. Block Number
3. Legal Description HES 290 Sec 17 T23S R19E	
4. Parcel Number 105-28-6 512	5. Zoning RU-4
6. Existing Uses resort	
7. Existing Dwelling Units 1 store 2 cabins	8. Special Districts
9. Lot Width 600	10. Lot Area 22 acres

RECEIVED

JUN 2 1977

COCHISE COUNTY
PLANNING DEPARTMENT

DO NOT WRITE
IN THIS COLUMN

FOR OFFICE USE ONLY

AREA FILE T23S R19E
DISTRICT 1
ZONING MAP Base 9
OWNER'S AFFIDAVIT ✓
PLOT PLANS 1
NONCONFORMING Use Structure Lot Non Conforming BUSINESS
PLANNED DEVELOPMENT Reference N/A
PERMITTED ON APPEAL Approved N/A
SITE PLAN REVIEW Approved N/A
WATER SYSTEM REQUIRED Approved N/A
SEWER SYSTEM REQUIRED Approved N/A
ACTIONS BY INSPECTOR Approved By Date JACK V. DOTY 6-3-77
Denied By Date Reason
FILE CLOSURE

PART B: DESCRIPTION OF PROPOSED USE OR IMPROVEMENT

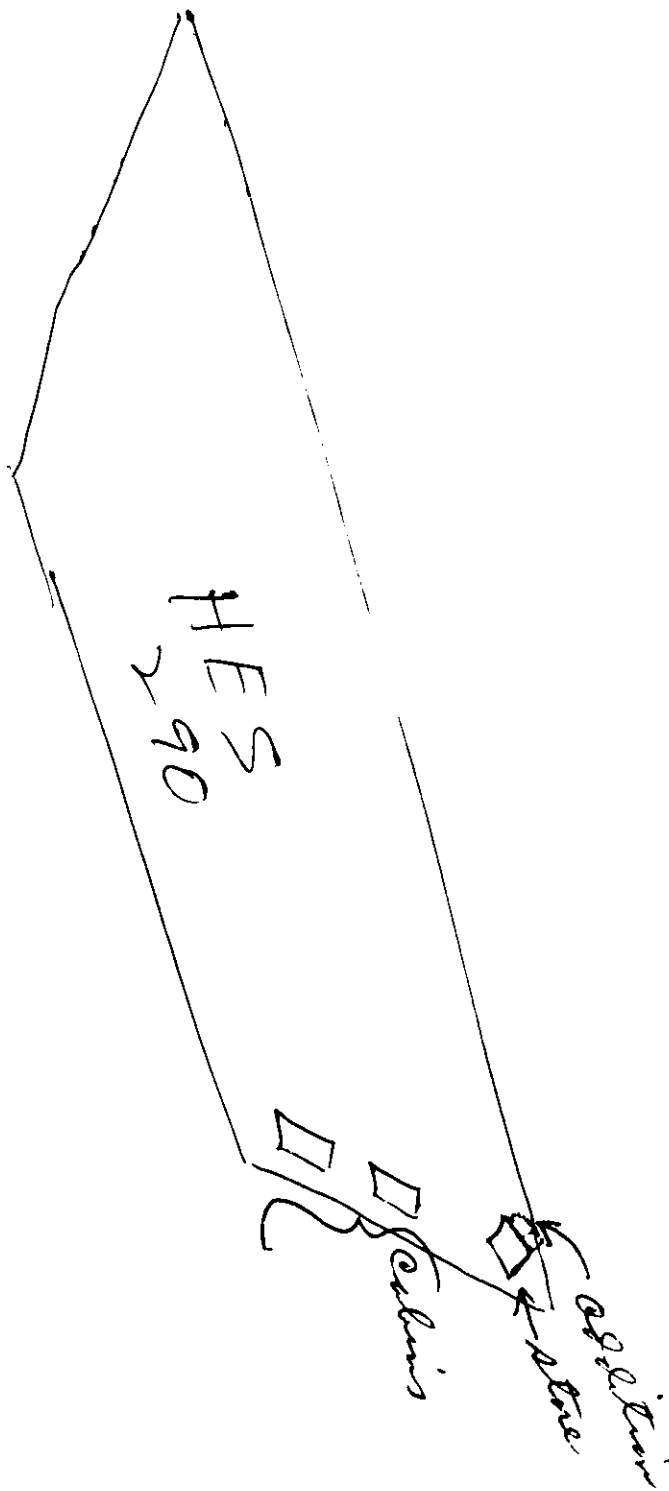
11. Nature of Use or Improvement 20 x 36 add-on bar area 720 sq ft				
12. Gross Floor Area 720 sq ft		13. Structure Height 7-10 ft		
14. Type of Construction adobe block				
15. Sewage Disposal	15A. Septic Tank X	15B. Sewer System Utility Name		
16. Water Supply C	16A. Private Well X	16B. Public System Utility Name		
17. Total Estimated Cost 6000.00		18. New Dwelling Units		
19. Setbacks 1100 ft	19A. Front 1100 ft	19B. Rear 50 ft	19C. Side 40 ft	19D. Side 460 ft
20. Swimming Pool Area none		21. Fence or Wall Length none		
22. Off-Street Parking Spaces 25		23. Off-Street Loading Spaces 2		

PART C: PERMIT FEE

24A. Residential Fee	25. Total Fee Amount Paid and Enclosed
24B. Nonresidential Fee 25.00	2139 \$25.00 Note: Make check payable to "Cochise County Treasurer"
24C. Wall and Fence Fee	
24D. Swimming Pool Fee	
24E. Other Structure Fee	

PART D: CERTIFICATION

26A. Owner's Name Holly G. Crump Russell Crump JACK EISEY	26B. Address RR Box 398 85611 E19IN AL12	26C. Phone 455-5531
27A. Agent's Name	27B. Address	27C. Phone
28. The undersigned hereby certifies and declares that to the best of his knowledge and belief the data submitted on and attached to this use permit application are true and correct, and agrees to fully comply with the requirements of the Cochise County Zoning Regulations.		
Signature [Signature]		Date 6-2-77
29. Mail Permit to:	29A. Parcel Address	29B. Owner Address
		29C. Agent Address



RECEIVED

JUN 2 1977

COCHISE COUNTY
PLANNING DEPARTMENT

APPLICATION FOR TRANSFER OF LICENSES, PERSON TO PERSON

Before the Superintendent completes the processing of this application, the applicant shall deliver to the Superintendent an affidavit that the seller and the purchaser have complied with Section 44-2802, Arizona Revised Statutes, relating to the bulk sales of businesses.

Approved.....Disapproved.....State No.....

This application form is designed for the use of an individual or a partnership in applying for the transfer of a license, person to person. It is not to be used by a corporation. For corporations, use Form 123-C. THIS APPLICATION DOES NOT COVER A CHANGE OF LOCATION.

- Applicant's Name..... HOLLY GEORGE CRUMP
(Name of person to whom License is to be transferred)
- New Business Name..... Barber Canyon Tavern and Dining
- Location where License is now operating..... Barber Canyon Tavern and Dining.....
(Number and Street) (City or Town) (County)
- Is license to be moved from this location?..... No..... Is business inside city limits?..... No.....
(Yes or No) (Yes or No)
- Mailing address.....
(If different From Business Location)
- Name of owner/transfersors of license..... GEORGE M. PARSONS
- Transfersors mailing address..... Box 71, Amado, Arizona 85640
- Series and Nos. to be transferred: Series..... 3..... No..... 276..... Series..... 2..... No..... 276..... Date issued..... 19
- List all persons who are or will be financially interested in this business, showing interest of each:

FULL NAMES OF APPLICANT AND PARTNERS	HOME ADDRESS OF EACH PARTY	PERCENTAGE OF OWNERSHIP
<u>Holly George Crump</u> (Applicant)	<u>7866 E. Camino Avizpa, Tucson, Ariz.</u>	<u>33-1/3</u>
<u>Russell Dennis Crump</u> (Partner)	<u>9542 Calle Cascaola, Tucson, Ariz.</u>	<u>33-1/3</u>
<u>Jack Lee Hlasy</u> (Partner)	<u>9501 E. 2nd St., Tucson, Ariz.</u>	<u>33-1/3</u>

10. PLACE AN X IN SQUARE OPPOSITE EACH LICENSE TO BE TRANSFERRED.	Application Fee	Transfer Fee	Send This Amt. With Application
<input type="checkbox"/> Series 1 Distiller's License	\$50.00	\$500.00	\$550.00
<input type="checkbox"/> Series 2 Brewer's License	50.00	500.00	550.00
<input type="checkbox"/> Series 3 Winer's License	50.00	300.00	350.00
<input type="checkbox"/> Series 4 Wholesaler's License to sell all spirituous liquors	50.00	500.00	550.00
<input type="checkbox"/> Series 5 Wholesaler's License to sell wine and beer	50.00	200.00	250.00
<input type="checkbox"/> Series 6 On-sale retailer's license to sell all spirituous liquors by individual portions and in the original containers	50.00	300.00	350.00
<input type="checkbox"/> Series 7 On-sale retailer's license to sell wine and beer by <u>INDIVIDUAL</u> portions and in the original containers	50.00	150.00	200.00
<input type="checkbox"/> Series 8 On-sale retailer's license to sell beer by individual portions and in the original containers	50.00	50.00	100.00
<input type="checkbox"/> Series 9 Off-sale retailer's license to sell all spirituous liquors <u>MAY 5 1977</u>	50.00	100.00	150.00
<input type="checkbox"/> Series 10 Off-sale retailer's license to sell wine and beer	50.00	100.00	150.00
<input type="checkbox"/> Series 11 Off-sale retailer's license to sell beer <u>CLERK</u>	50.00	50.00	100.00

- Will dancing be allowed?..... No..... BOARD OF SUPERVISORS
- Is there any charge of violation of the law or regulations pending against the licensee?..... No
- Is the business covered by the licenses which you wish transferred in operation at the present time?..... No

I hereby relinquish my rights to the above named license to the applicant named herein, subject to such restrictions as may be filed.

If part interest only is sold state amount of interest transferred.....

WITNESS:

Signature of person or persons transferring MUST be witnessed by disinterested party.

Transferor, Owner or Owners of License transferred sign here.

Applicant Not to Use this Space

Amount Received With This Application..... \$.....

Refunded by Claim No.....

TOTAL.....

STATE OF ARIZONA,)
COUNTY OF.....) ss.

I,....., being first duly sworn, depose and say that the foregoing application is in all respects true and correct, to the best of my knowledge and belief, and that I am the applicant above named.

SUBSCRIBED AND SWORN TO before me this..... day of....., 19.....

(SIGN HERE).....
(Applicant's signature)

.....
(Capacity, viz: owner or partner)

Notary Public in and for the County and State aforesaid.

My commission expires.....

Mail white copies of this application to Department of Liquor Licenses & Control, accompanied by white copies of applicant's questionnaire (Form 127) of applicant and all partners.

FEE MUST ACCOMPANY APPLICATION

105-28-006



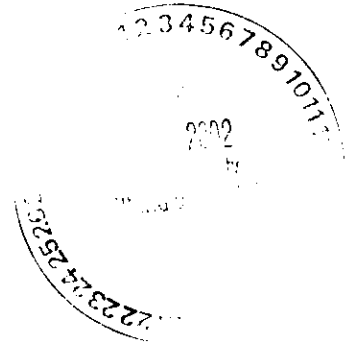
United States
Department of
Agriculture

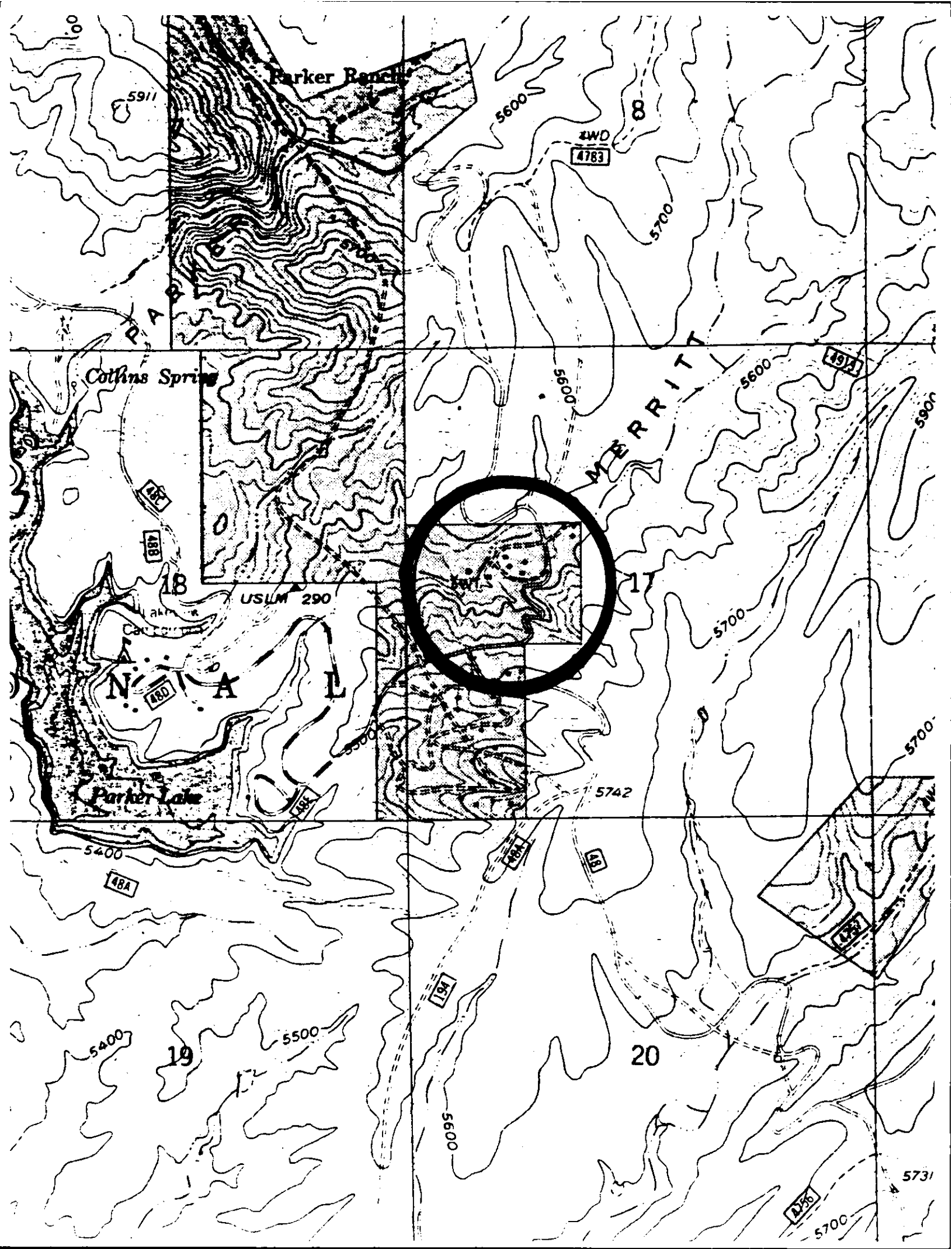
Forest
Service

Coronado National Forest
Sierra Vista Ranger District

5990 S. Highway 92
Hereford, Arizona 85615
Phone (520) 378-0311
FAX (520) 378-0519




File Code: 5510-2
Date: May 2, 2002



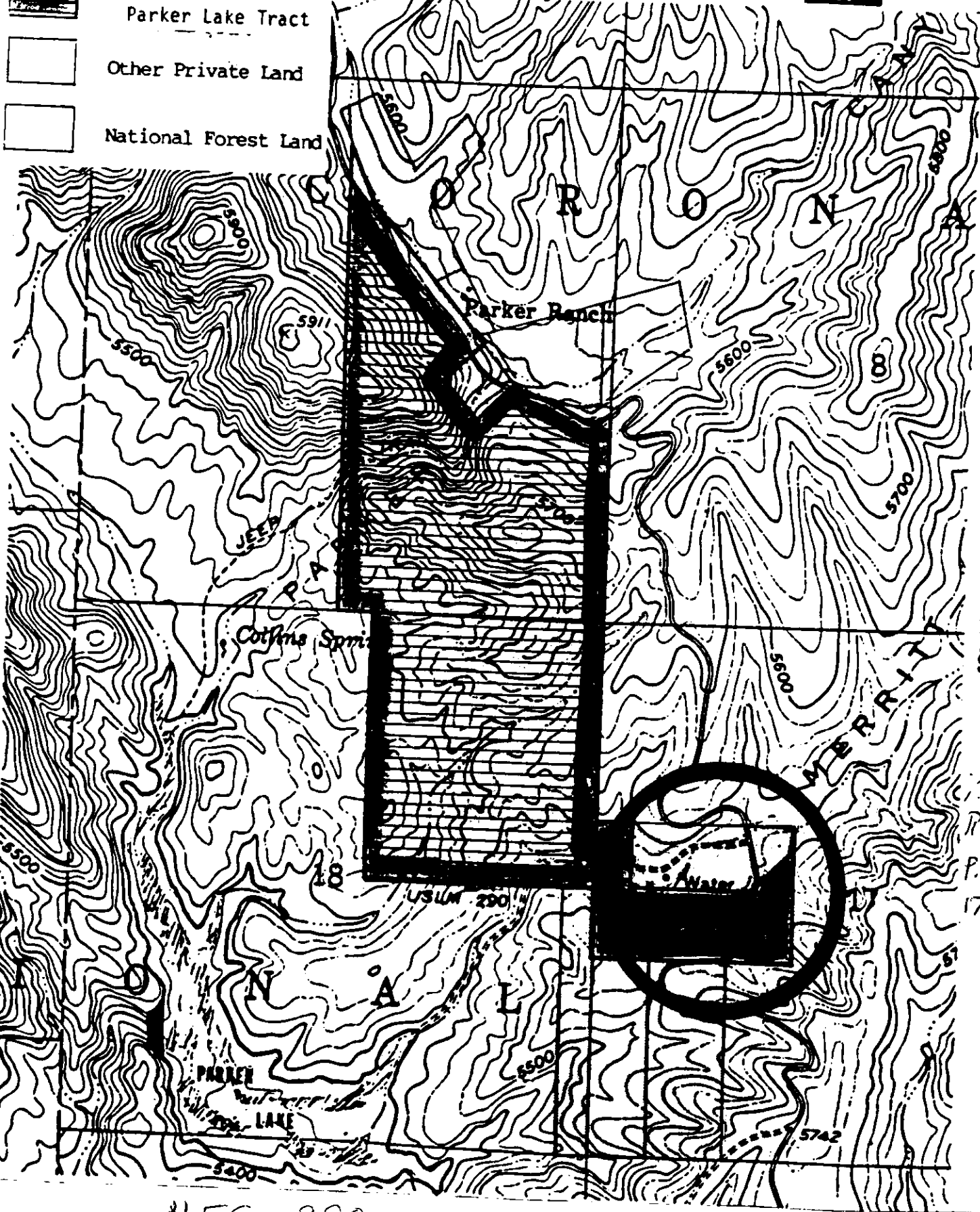


5430. Exchanges—Apache, Coronac Prescott (Tonto)
FLETCHER ENTERPRISES
(c/o Page Land and Cattle Co.)

9/85

-  Offered Private Land
-  Other Private Land
-  National Forest Land

R19E



735
P.P.E.
P.E.
1789

HES 290



1.40-5
R.19E,
Sec. 17

Fletcher Fitch Area

NE COR
LOT 7
P.E. 1288

51' 9" SEC.

12' 20"

PRIVATE

TRESPASS OR
ABUSE

ALWAYS
NF

~~STAY AWAY~~

~~STAY AWAY~~

STA

HOUSE

TRUNK

ALWAYS TO
TRESPASS OR
NF

RECENTLY
ACQUIRED

70' 54" COR LOT 7

COR 2