



Cochise County
Development Services
Planning, Zoning and Building Safety Division
Public Programs...Personal Service
www.cochise.az.gov

SPECIAL USE APPLICATION FOR APPEAL

NAME OF APPELLANT: RONALD Sirota
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NUMBER OF DOCKET APPEALED: SU
DATE OF COMMISSION DECISION: Feb 8 2023
DATE OF APPEAL SUBMITTAL: 2/22/23 FEE PAID: \$

In addition to the \$600 fee, the following information shall be provided before an appeal can be accepted. If more room is needed please attach additional pages.

1. Description of the decision being appealed. An appellant can appeal the Commission's decision for approval or disapproval or any conditions stipulated as part of docket approval.

See ATTACHED

Special Use Application for Appeal

Response to Question 1.

On February 8, 2023 the Cochise County Planning and Zoning Commission at a public hearing that date denied my application for a Special Use Permit Application to allow for guest lodging on 2 parcels as follows:

208.67.026

208.67.025A

The request was an expansion of a approved home occupation permit which allows for a horseback trail riding business on the property. The application did not involve adding any new structures or property modifications.

Response to question 2.

It is this petitioners strong belief that the board erred in its decision {2 yay 3 nay} to deny my application. At that hearing over 20 people appeared to protest my request a small percentage of that group (2 properties) being proximal neighbors. All the remainder were recruited from as far as 10 miles away and can not factually make a claim that our business has any impact on their lives. Of those that spoke at the hearing or sent in letters in advance of same, their objections fell into three areas. None of which have any bearing on the content of my application.

1. Traffic
2. Manure
3. Flies

The environment can be best described as a mob mentality, and it is my belief that the board was unduly influenced by the boisterous and volatile crowd. One of the 2 neighbors Steve Breitengross who can see our guests as they arrive and

depart is the organizer of the group and even now 2 weeks post hearing date is still stirring up this group spreading lies and untruths. I know this as he inadvertently sent me a private text message to another neighbor stating things that were untrue about me and only designed to foment ill feeling.

Our application to allow a small number of guests to stay overnight creates no buildings and if anything lowers the number of vehicles that travel our private road. I believe that had the board only considered the facts relative to the real matter contained in the application and didn't allow themselves to be influenced by the blatant lies and gross exaggerations that the board would have approved my request.

Response to question 3.

If the appeal board opts to consider the past and likely future objections relating to traffic, I plan to produce the only factual testimony the Supervisors will hear relative to this objection, that being our computerized schedule on a month by month basis which will certainly support my statement that our business generates an average of 3 perhaps 4 cars per day in nonresidential traffic. Not the 56 plus per day as one not even proximal neighbor stated she counted.

I plan to introduce evidence that since I started operations in this location in 2017 that my neighbors caused me nothing but problems, impeding my special use permit rights and that I have had on several instances been forced to retain legal counsel to remedy. I plan to introduce various correspondence from my lawyer to certain and specific neighbors demanding that they cease and desist their destructive and interruptive actions and behavior. One in particular, has on numerous occasions, harassed verbally our employees and guests as they left our property horseback.

Again, hosting overnight guests does not increase vehicular traffic and in fact just the opposite will reduce traffic in and out. We have only a limited amount of available horses and on site guests horseback riding limits the number of outside riders we can have....therein less traffic.

Our second parcel contained 3 full service RV hookups that were properly installed and permitted years prior to my purchasing that parcel. On occasion we allow RVers to stay in these spots. Most of those do so to be able to stay on an authentic ranch property and to ride horses during their stay. Our application includes those few spots for overnight hosting. These guests are normally short stays lasting 2 or 3 night stays. Currently we have friends staying with us on 2 of those sites.

We do not have a manure issue. There is no runoff. We have an effective manure management system and there is no run off from our pastures to any neighboring property. We clean the road almost daily where the horses traverse. Again, this objection is not relevant to this appeal action.

In summary, we are quiet and respectful of our neighbors right to privacy. We plan to continue to operate our small business in that fashion. I have always made it known that if any of our few neighbors have something that is bothering them to please call or come see me in person. Perhaps once in all the years here has anyone ever contacted me.