



# Cochise County

Development Services  
Planning Division

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

Cochise  
County

AUG 21 2023

Development  
Services

## APPLICATION FOR A ZONING AMENDMENT: REZONING

Applicant's Name: Jacob Linde

Name of All Property Owner(s): Jacob Linde and Holley Linde (Husband and Wife)

Applicant Mailing Address:

2000 Chateau Lane	Sierra Vista	AZ	85635
Street #	Town	State	Zip code

Subject Property Address (if different than mailing address):

TBD Beki Lane	Douglas	AZ	85607
Street #	Town	State	Zip code

Email Address: hiflyer93@gmail.com

Phone Number: 520-820-5736

Tax Parcel Number: 40812004D and 40812004C

Current Zoning Designation: R-36

Proposed Zoning Designation: General Business (GB)

Comprehensive Plan Land Use Category/Growth Area: B

Comprehensive Plan Land Use Designation: Developing

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>
- NA 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 **Check # 4128 for \$1,100<sup>00</sup>**

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

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.

These parcels are both about 20 acres and completely vacant land. There are currently no uses or structures of any type on either of the parcels.

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.

There are currently no plans to use the parcels or place any structures on them at this time. However, given that most of the adjacent parcels are already zoned GB and using their parcels for business purposes such as steel fabrication and vehicle storage yards, we don't feel that residential housing would promote the public health, safety, or general welfare of the county's residents. On the other hand, given that the parcels are just off of Highway 80, and between the current International Port of Entry and the new Commercial Port of Entry, we feel that it would be in the best interest of the County's residents to have that land available to support the growing general business needs of both Ports of Entry in the near future. We anticipate that the land would be used in a similar manner to the surrounding properties, or in a way that supports the needs of the County, particularly as it relates to growth associated with the new Commercial Port of Entry and general business growth in that area. For these reasons, we are respectfully requesting both parcels be re-zoned for general business (GB).

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

Beki Lane would be used for traffic entering or exiting the property. Beki Lane is a county-maintained road.

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

We don't believe there would be any additional traffic volume at this time and minimal volume in the near future.

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.

There are currently no driveway cuts and or plans to create any at this time. However, if a business were to be established there, I would anticipate one or two entrances off of Beki Lane.

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.

We mailed 17 notifications on August 5, 2023, and as of today, August 18th, we have only received one response/inquiry. The inquirer was simply curious as to the location of the parcels, our plans, and if they would raise the taxes on his parcel. He did not present any objections or make any petitions of us. We will respectfully consider any future concerns or feedback we may receive.

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.

<b>Service Provider</b>	<b>Service Provider</b>	<b>Additional Provisions Required</b>
Water/Well	Well	Yes
Sewer/Septic	Septic	Yes
Electricity	APS	Yes
Natural Gas	None	No
Telephone	Cellular	No
Fire Protection	Pirtleville Fire District	No
Waste Disposal	Republic Services	No

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

Yes. At approximately 20 acres each, the two parcels are sufficiently large enough to accommodate typical uses of GB zoning, without any setback concerns, easement issues, or special permits. The flat topography, absence of any washes, easy access off of Beki Lane, and close proximity to Highway 80, should make it ideal for most general business purposes.

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 adjacent parcels will be reduced in size or altered. I had a Record of Survey completed with pins/stakes for parcel 40812004D on February 8, 2010. Please see attached copy of the survey.

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?

No. There are not any nonconforming uses in the area currently, and this amendment will not result in any nonconforming lots or uses.

Is the proposed zoning adjacent to, or near, other parcels with the same zoning designation? Explain.

Yes. The two adjacent parcels to the south are both zoned GB (40812032 and 40812039). The parcel to the west (40812003) is also zoned GB. The parcel to the Southeast is also zoned GB (40812028).

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 a request to a LESS 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. The parcels are not in a flood zone, and there are no washes, steep slopes, or unstable soils.

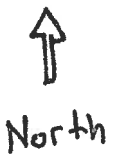
Water Use:

Estimate the total gallons of water needed for the proposed use: per day 100 per year 35,000

Please indicate your water source. well or municipal water source if extended.

If your property is served by a private well, show the existing or proposed location on the site plan.





Parcel 40812003  
Undeveloped Zoned GB

Property Line

Parcel  
40812004D  
R36 Zoning (Current)  
GB Zoning (Proposed)

Parcel  
40812004C  
R36 Zoning (Current)  
GB Zoning (Proposed)

Property Line

1,298'

659.8'

Beck Lane

County maintained Road

Easement Dedicated to Cochise County

Utility Pole

Parcel 40812039  
Zoned GB  
Steel Fabrication +  
Storage Yard

Parcel 40812032  
Zoned GB  
Tow Company +  
Vehicle Storage Yard

Hwy. 80

# Site Map