



Cochise County

Development Services
Planning Division

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

APPLICATION FOR A SPECIAL USE

Applicant's Name: Thomas Messier

Name of All Property Owner(s): Thomas Messier, Teresa Messier

Applicant Mailing Address:

250 E Hillside St Mesa AZ 85201

Street # Town State Zip code

Subject Property Address (if different than mailing address):

6107 E Cattle Driv Willcox AZ 85643

Street # Town State Zip code

Email Address: tom_messier@hotmail.com

Phone Number: 4807398447

Tax Parcel Number: 305-55-024B

Current Zoning Designation: Rural

Comprehensive Plan Land Use Category/Growth Area: _____

Comprehensive Plan Land Use Designation: _____

Area Plan Designation (if applicable): _____

Size of Property (in acreage or square feet): 20 Acres

How many acres will be cleared and developed? 5

Describe your relationship to this application. (Select one)

I am the property owner

I am an authorized agent for the property owner

Bisbee Office

1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
planningandzoning@cochise.az.gov

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

The Purpose of a Special Use

Special Uses include uses or activities with a greater potential for impacts on neighboring properties than the permitted uses in a Zoning District. Examples of Special Uses are manufacturing, RV Parks, guest ranches, hospitals and schools. These more intense uses must be carefully reviewed to decide if they could make good neighbors to the existing uses. For this reason, a Special Use Permit requires a public hearing and approval by the Planning and Zoning Commission before it is allowed.

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.
3. Application Submittal
4. Technical review by relevant internal staff and external agencies
5. Public Hearing – Planning and Zoning Commission (Approval/Denial)

Appeals

The Commission action can be appealed to the Board of Supervisors by anyone who disagrees with the outcome. Appeals must be filed within fifteen (15) calendar days of the Commission action. The applications are available online "Appeal: Board of Supervisors."

Required Submittals

1. This application
2. Citizen Review Report
3. Site plan -drawn to scale showing the existing and proposed District boundaries and an accurate legal description of the area being petitioned for amendment. See "concept plan instructions for special uses" (included in this application). Please see our website for an example plan: <https://www.cochise.az.gov/development-services/special-uses>
4. Letter of Authorization (for authorized agents, if applicable)
5. Hazardous or polluting materials attachment (only if hazardous materials are proposed, if applicable)
6. Deed restrictions (if applicable)
7. Outdoor lighting, manufacturers specifications (if applicable)
8. Processing Fee

Concept Plan Instructions for Special Uses

Sometimes, an applicant will seek approval for a particular special use or uses on a piece of property well ahead of actual construction or operation of that use. Often the exact dimensions of structures or configuration of uses on the property are not known yet until the uses have been approved and the applicant has invested resources into site planning. The Zoning Regulations allow for the submittal of a "Concept Plan" in lieu of a site plan in the case of phased special uses on one property or a special use where construction is not anticipated within one year. However, if the use(s) are approved by the Planning and Zoning Commission, then a detailed site plan meeting the requirements of the Zoning Regulations will be required for each use or phase and shall be in substantial conformance with the approved special use. If the site plan is not within substantial conformance with the approved use and concept plan, then the special use will need to be reviewed, in a public hearing, by the Commission once again to modify the original proposal. **Note: any**

anticipated waivers of site development standards such as setbacks, screening, landscaping or parking spaces must be requested, justified, and approved by the Commission prior to the issuance of a building permit.

In order to adequately review the proposed special use(s) on a piece of property, a Concept Plan must include at a minimum the following information:

- Parcel boundaries and adjacent roads;
- The general location, size and height of all structures and uses (existing and proposed), including minimum setbacks from parcel boundaries, washes and roads;
- The general location and minimum number of parking spaces to be provided, including proposed surface and width of driveways;
- Proposed screening and landscaping;
- Any significant topographical features (washes, hills, rock outcroppings, wetlands) and cultural features of the property and adjacent parcels;
- If applicable, project phasing (approximate schedule of uses and construction) and any other information deemed necessary to effectively review the Special Use.

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

This request is for a Farm Winery at 6107 E Cattle Drive Willcox, AZ. There will be a Winery, Tasting Room, and Vineyard at this location. The Omphalos Winery will produce wine and the tasting room will provide wine tastings, bottle sales and snacks to customers. We will initially be planting 5 acres of grapevines which may expand in the future. The winery will be open on Saturdays and Sundays and by appointment at other times. Omphalos Winery would like to expand the wine industry presence in the premier grape growing county of Arizona. As winemakers and viticulturists we would like to utilize local expertise and resources for cultivation and maintenance of our vineyard. Omphalos winery will help contribute to the

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	Pride Drilling and Ingle Well and Pump	
Sewer/Septic	Stamback Septic Service	
Electricity	Sulphur Springs Valley Electric Cooperative	
Natural Gas	N/A	
Telephone	N/A	
Fire Protection	Willcox Rural Fire Department	
Waste Disposal	Willcox Transfer Station	

Is this request consistent with all deed restrictions or private covenants in effect for this property? If applicable, please include a copy of these restrictions/covenants with this application.

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.

Currently there is a structure and storage unit on the property. The structure is a 12 by 40 foot wood framed 480 square foot building. This will be a wine making and tasting room location for consumer sales. The storage unit is a 408 square foot trailer. This will contain wine storage and other related winery and vineyard items.

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.

At this time there are no additional structures or uses for the parcel.

Is the proposed special use consistent with stated purpose of the current zoning district? Explain.

This parcel is a rural zoning area and the planting of an agricultural crop is in the planning stage.

Describe all intermediate and final products/services that will be produced/offered/sold, if applicable.

Omphalos Winery will purchase locally grown grapes from neighboring county vineyards for our wine making needs. From these grapes Omphalos Winery will create fine crafted wine for consumer tastings and purchase at our Cattle Drive location. In addition Omphalos Winery will utilize local help for vineyard management and harvest activities.

What materials will be used to construct the new building(s)? (Note, for an existing building(s), please also list the construction type(s), i.e., factory-built building, wood, block, metal).

The existing structure is wood frame with a metal roof.

Will the project be constructed/completed within one year or phased?

One year

Phased

If this is a phased project, describe the phases here and physically depict them on the site plan.

The current phase is execution of the electrical, plumbing and interior finishing of the 480 foot structure. Along with this is the allocation and layout for consumer parking.

The next phase will be the layout and implementation of irrigation lines, trellising, pest protection, and planting of the vines into the vineyard.

What are the days and hours of operation (if applicable)?

Days of the week: Saturday and Sunday

11 AM to 6 PM

Number of employees (if applicable):

Initially 2 Future: 4

Total average daily traffic generated (non-residential uses):

How many vehicles will be entering and leaving the site (per day)? 5

Total trucks (e.g., by type, number of wheels, or weight)? Pick up trucks

Estimate which direction(s) and on which road(s) the traffic will travel from the site.

East/West on Cattle Drive in Willcox

If more than one direction, estimate the percentage that travel in each direction.

Primarily from the West

At what time of day, day of week and season (if applicable) is traffic the heaviest?

Trucks will arrive occassionally during the day time hours in March and April for equipm

Will your property be served by a private well? If private well, show the location on the site plan. Also, please answer the following:

Estimated total gallons of water used: per day 1588 per year 579620

Will your property be served by a septic system? Yes No

If yes, show the septic tank, leach field and 100% expansion area on the site plan, and indicate whether the system is existing or proposed.

Does your parcel have permanent legal access*? If no, what steps are you taking to obtain such access? (*Our Zoning Regulations state that no building permit for a nonresidential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet. If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.)

Yes, the parcel has permanent legal access.

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

Traffic will enter and exit from E Cattle Drive

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

There will be a slight increase of 4 to 10 cars per day.

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 will be one driveway cut on E Cattle Drive. This cut is already existing.

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



Yes



No

Are you requesting any modifications or waivers from site development standards? Please explain.

No modifications are requested at this time.

Is the subject property within Sierra Vista Sub-Watershed Overlay Zone? If so, please indicate this, and that you understand that it will be subject to additional plan reviews and inspections whenever a building permit is required.

Yes, and I understand the permitting requirements

No, it's outside the boundaries

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 special use application has incorporated the feedback you received.

Notification letters were mailed on 12/19/22 to the surrounding area neighbors explaining the Omphalos Winery plans and asking for comments.

Describe any outdoor activity associated with your special use proposal, if applicable.

There will be vineyard farm activities (planting, pruning, harvesting) involving a tractor, UTV, and pick up trucks with trailers. The winery/tasting room will have outdoor tables and chairs for customer use.

Will outdoor storage of equipment, materials or products be needed? If yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties.

Outdoor storage of farm equipment will be needed on the southern side of the property.

Will any noise or vibrations be produced that can be heard or felt on neighboring properties on a regular basis? if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties?

There will not be any noise or vibrations produced.

Will odors be created? If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties?

There will not be any odors produced.

Will any on-site activities attract pests, such as flies or mice? If yes, what measures will be taken to prevent a nuisance on neighboring properties?

There will not be any specific on site activities that will attract flies or mice.

Will additional dust be created on a regular basis? If yes, what measures will be taken to prevent this dust from escaping onto neighboring properties or roadways?

There will not be any additional dust generated on a regular basis.

Is outdoor lighting proposed? If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please submit manufacturer's specifications for all light fixtures.

Yes No

Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)? If yes, show details on the site plan. Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.

Yes No

Show on-site drainage flow on the site plan. Will drainage patterns on site be changed? If so, please indicate on the site plan and describe below.

There are not any changes to existing drainage patterns anticipated.

If more than one acre is to be cleared, describe the proposed dust and erosion control measures to be used and show on site plan, if appropriate.

Five acres of land will be cleared for agricultural purposes.

If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be provided. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. What specific water conservation measures are proposed (for applicable site 1+ acres)? Describe here and/or show on the site plan submitted with this application.

The development portion of the site will be less than one acre.

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

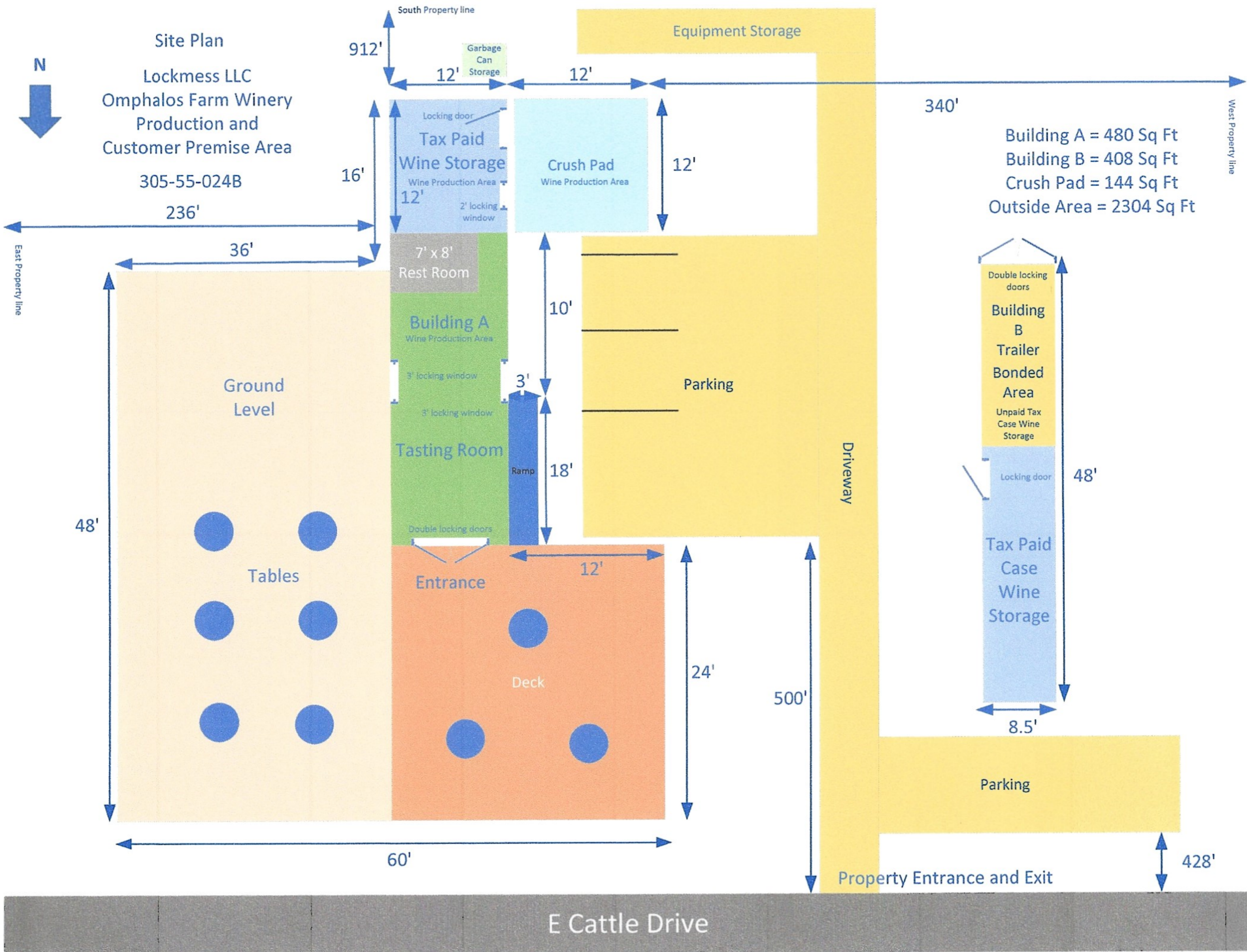
I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit. In addition, I hereby request all inspections necessary to process this application, and if the permit is issued, I request all inspections necessary to monitor progress, and document completion, at all stages of the work related to this permit. Failure to obtain permits may result in fines or other penalties.

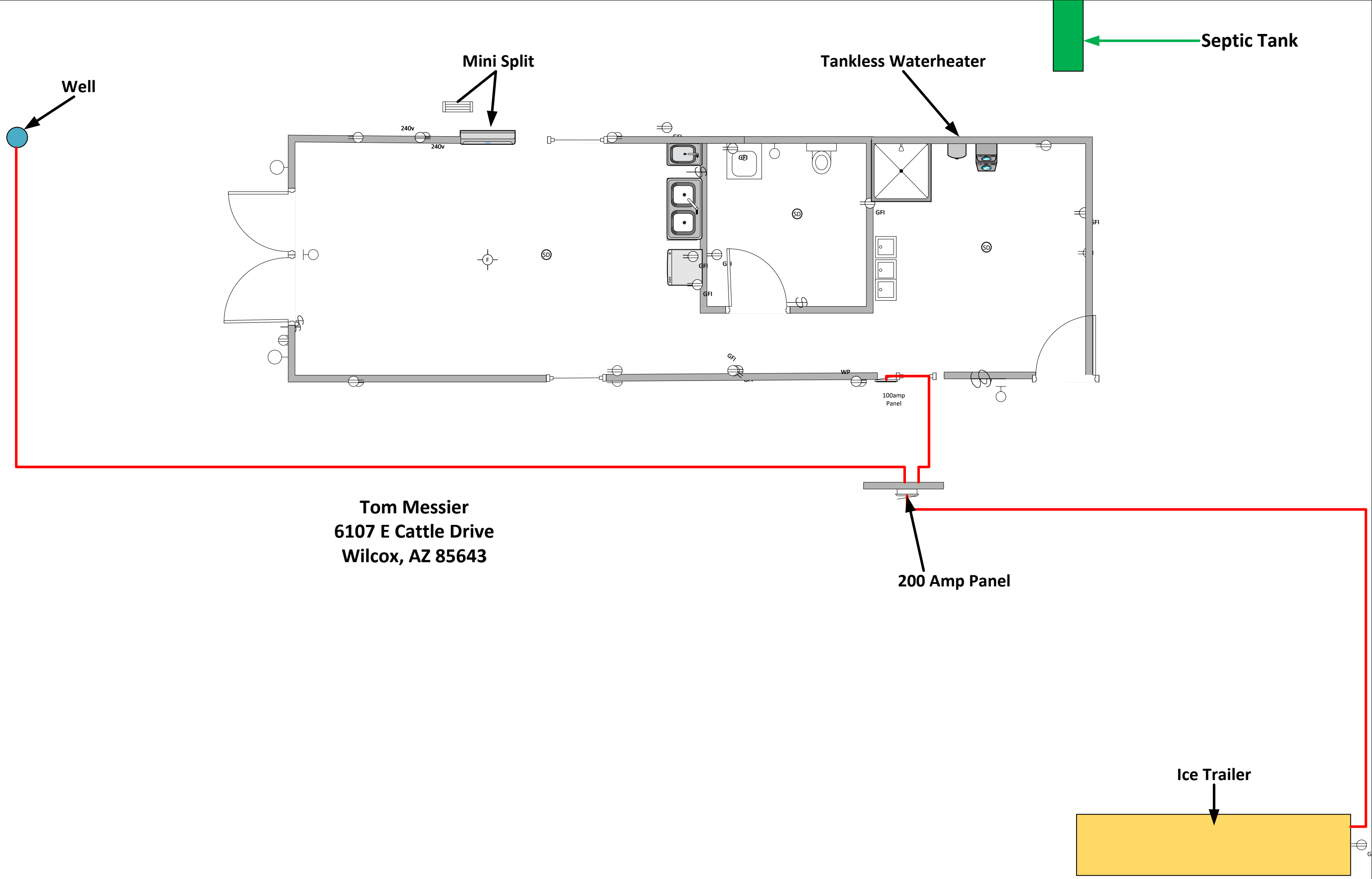
Thomas Messier

1/2/2023

Applicant Signature

Date





Septic Tank

Well

Mini Split

Tankless Waterheater

Tom Messier
6107 E Cattle Drive
Wilcox, AZ 85643

200 Amp Panel

100amp Panel

Ice Trailer