

Special Use Docket SU22-33 (RV Park Expansion)

_____ YES, I SUPPORT THIS REQUEST. Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST. Please state your reasons:

We are new to this area and we have gotten acquainted with the people who have lived here for years. And the majority do not want the disturbance in this area, and my husband and I agree. It is a peaceful place.

(Attach additional sheets, if necessary)

PRINT NAME(S): Reiner Fischer and Tame Griffin

SIGNATURE(S): 

YOUR TAX PARCEL NUMBER: _____ (the eight-digit identification number found on the tax statement from the Assessor's Office) or you look it up online by going to "Mapping Resources" on our website (<https://www.cochise.az.gov/development-services/home>)

Your comments will be made available to the Planning and Zoning Commission. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than **January 25, 2023**, to be included in the staff report to the Planning and Zoning Commission.

RETURN TO: Robert Kirschmann, Planner II
Cochise County Development Services
126 West 5th Street, Suite 4
Benson, AZ 85602
rkirschmann@cochise.az.gov

From: [Patrick Gleason-Moore](#)
To: [Kirschmann, Robert](#)
Subject: Docket SU22-33 (RV Park Expansion)
Date: Wednesday, January 25, 2023 8:49:16 PM

CAUTION: EXTERNAL EMAIL*

Hi Robert;

Docket SU22-33 (RV Park Expansion)

After reviewing the letter from Cochise County Development Services. The application and site plan from the property owners.

We do not support the request because of the deed restrictions.
Please see quotes from the CC&R's.

Although The Deerhaven Homeowners Association seems to be defunct, and please correct me if I am wrong; the CC&R's are alive and still binding.

Unfortunately, people are acquiring properties in the Deerhaven area without receiving the CC&R's at title.

Until the issue of the deed restrictions are resolved documented in the CC&R's Jan 6, 1981 and recorded amendments. The application for Zoning expansion of the Use Permit for the property at 3651 E Doe Ranch Rd, Pearce, Arizona on parcel # 114-01-097A should be tabled or withdrawn.

Quotes from recorded documents in Cochise County.

In the original document

Article II General Provisions

Sec 2.01 Term “The covenants, conditions and restrictions of this Declaration shall remain in full force and effect for a period of (25) twenty-five years from the date the Declaration is recorded. Thereafter they shall be deemed to be renewed and automatically extended for successive periods of (10) ten years each.”

Amendment

Doc ID 1989-06926

Sec 1.02 “No zoning changes shall be made without the prior written approval of the majority of the property owners or their designated representatives. Prior to the issuance of a license to conduct any business on any property located in Deerhaven Ranches, the property owners shall be advised of the nature of the business to be conducted, and approval by a majority of the property owners must be granted in writing.”

Amendment

Doc ID 1995-21147

Sec 1.03 “Any commercial venture which requires a special use permit, a variance, or a change in the RU-4 zoning from Cochise County Planning & Zoning Will not be permitted”.

Best regards

Patrick Gleason-Moore

Our Tax Parcel #114-01-092B1

This E-mail is from an **EXTERNAL** address. **DO NOT click on links or open attachments unless you trust the sender and know the content is safe.** If you suspect this message to be phishing, please report it using the Phish Alert Button at the top of the email, or forward to

cochise.az.gov@missedspam.com or contact IT support at 520-432-8301.

Special Use Docket SU22-33 (RV Park Expansion)

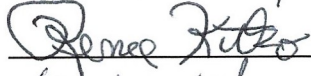
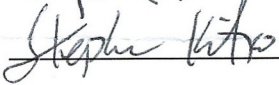
____ YES, I SUPPORT THIS REQUEST. Please state your reasons:

X NO, I DO NOT SUPPORT THIS REQUEST. Please state your reasons:

VIEWS TO THE EAST FROM OUR PROPERTY WILL BE NEGATIVELY IMPACTED. WE ARE ALREADY LOOKING AT A MISHMASH OF OUTBUILDINGS & A GRAIN SILO. ANY EXTRA BUILDINGS & RVs (PLUS THE HORSE TRAILERS & LARGE PICKUP TRUCKS THAT HAUL THEM) WOULD BE UNACCEPTABLE. EXTRA TRAFFIC INTO THE NEIGHBORHOOD & MORE PEOPLE ARE NOT DESIRABLE. THE PREVIOUS OWNER HAD MISLED US - HE WAS AN OVER EMBLE MAN THAT WE FELT SORRY FOR & OK'D HIS REQUEST FOR A SMALL RV SETUP THAT HE WAS RUNNING AS A "SIDE HUSTLE" SINCE IT NEVER RESULTED IN MUCH ACTIVITY. THIS WAS NEVER MEANT TO BE A PERMANENTLY EXPANDING BUSINESS VENTURE IN OUR SMALL RANCH COMMUNITY.

(Attach additional sheets, if necessary) ATTACHED PHOTO OF EXISTING VIEW

PRINT NAME(S): RENEE KITKO, STEPHEN KITKO

SIGNATURE(S): 


YOUR TAX PARCEL NUMBER: 114-01-098F5 (the eight-digit identification number found on the tax statement from the Assessor's Office) or you look it up online by going to "Mapping Resources" on our website (<https://www.cochise.az.gov/development-services/home>)

Your comments will be made available to the Planning and Zoning Commission. Submission of this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received no later than **January 25, 2023**, to be included in the staff report to the Planning and Zoning Commission.

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Cochise County Development Services
126 West 5th Street, Suite 4
Benson, AZ 85602
rkirschmann@cochise.az.gov



2023-01-19 03:5



round

01/13/2023

Cochise County Planning and Zoning

ie: Lazy Horse Ranch Special Use Permit
3651 E Doe Ranch Road
SU22-33

We are writing our opposition to the expansion of the RV park located at Lazy Horse Ranch located at address above.

We live in a quiet, rural setting. A large RV park is better suited in a more metropolis area that has adequately maintained roads, services and emergency options, all that we do not have.

In 2018 the original Special Use application was sent to us, much after the business had already been in operation. Once the County found out it was being operated without proper permitting we were given the option to oppose or agree. At that time, we did not have many issues with either the way the business was operating or the customers that stayed at LHR. Because it was labeled very distinctively as an "equine only small park" we felt as other small business owners that it was acceptable to our area and lifestyle.

The permit passed. New owners Becky Bassett and Jason Roberts purchased the property and the business in 2021. They have a very different vision for the business than what we all agreed to. The vision as presented to us now increases traffic, noise, light pollution, waste management issues and much more.

The "temporary" term in the original permit has been stretched by having people stay 6 months at a time. To us, this is not "temporary". In fact, the State of Arizona Department of Revenue would call that a part time resident and require an Arizona tax return.

We might add, there are guests that do not even have horses. This is an "equine" park, not a "anyone can stay" park. There are plenty of full time RV parks in the area for people who do not travel with their horses to stay. This was sold to us as a "niche" market only to be advertised to the horse enthusiasts who travel.

We understand Cochise County wants businesses to thrive and sometimes they need to expand. This endeavor however is not suited to our area. But, should it pass, we would respectfully request the following.

Traffic be diverted down Buck Ranch Road to Bull Run to their back entrance. This alleviates any speeding issues, road erosion and risk of accidents. If allowed to use Doe Ranch, it needs to be CLEARLY stated in the rules the speeds limits in our area.

NO generators at any time, even for the dry campers. Sound travels.

Quiet time from 10pm-6am. All Arizona state parks require this, it is not an unreasonable request.

No outdoor lighting after 10pm.

ONLY guests that travel with horses. This is how the special use permit is labeled.

Rules need to include no trespassing, all property around LHR is privately owned. No riding except on the public roads.

Dogs if leaving the park needs to be on a leash at all times. No approaching neighbor properties or fence lines.

The term “temporary” be established. There is too much room for interpretation. Our view of temporary is 2 weeks or less.

Commercial liability insurance policy covering any event or RV'er that uses their business. As you can see from their website, they are adverting events that will draw large groups of people.

A yearly Certificate of Insurability naming neighbors as additional insured in case of accidents caused by guests. As a small business who sells in various markets, I have to provide the sponsor and City for protection against damages of any kind. If we don't have something and damages occur, who is responsible?

I am including the rules taken from LHR website. They are not detailed. I might add the “road” rule is labeled as “Campfires”

Sincerely, Shawn J and Shawn M Campbell
11878 S Elkhorn Road
also parcel #114-01-093F0 and parcel #114-01-130E5

Horses

- A current health certificate and a negative Coggins test are required for all out-of-state horses.
- Guests are responsible for their horses and for cleaning corrals daily AND prior to departure. Including dumping feeders and water containers.
- All manure goes into a pile at the south side of the riding arena.
- DO NOT dump manure in the ditch, or throw it over the fence on the west side of the campsites.

Dogs

Dogs are allowed

- Please be a responsible dog owner for their behavior, and also clean up after them. Dog poo goes in the horse manure pile at the south end of the arena.

Campfires

Please use caution and sustain safe and reasonable speeds in the driveway and obey speed limits on Doe Ranch Road. We maintain the roads.

Campfires

- Campfires are permitted only in the fire pit.
- Please put out all campfires before leaving them.
- No fires in windy conditions.



+1 602-620-0247 becky@lazyhorseranch.com

[Home](#) [Accommodation](#) [Things to do](#) [Rules](#) [Local Amenities](#) [Trail Maps](#) [Gallery](#) [Contact Us](#)

Book an Event at Lazy Horse Ranch

Equine campground with 6 RV sites

- ✓ Western Wedding Venue
- ✓ Horsemanship Clinic
- ✓ Quinceanera's
- ✓ Birthday parties
- ✓ And much, much, more! Tell us what your needs are!

BOOK NOW!

Date will depend on the availability. To confirm the date, please call : +1 602-620-0247

SEND INQUIRY

Special Use Docket SU22-33 (RV Park Expansion)

____ YES, I SUPPORT THIS REQUEST. Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST. Please state your reasons:

WE ALLOWED A SPECIAL USE PERMIT TO BE ISSUED TO THEIR ORIGINAL 10 ACRE PARCEL WITH ASSURANCES TO THE SIZE AND USE OF THE PROPERTY. NOW THEY ARE STRETCHING THIS PSEUDO RV PARK OUT ACROSS THE ENTIRE NEIGHBORHOOD. THIS IS A RESIDENTIAL NEIGHBORHOOD THAT WILL BE DISTURBED BY BOTH NOISE, LIGHT POLLUTION AND TRAFFIC.

(Attach additional sheets, if necessary)

PRINT NAME(S): CHARLES MADDOX

SIGNATURE(S): Charles Maddox

YOUR TAX PARCEL NUMBER: 114 01 099 C1 & 114 01 099 F8 (the eight-digit identification number found on the tax statement from the Assessor's Office) or you look it up online by going to "Mapping Resources" on our website (<https://www.cochise.az.gov/development-services/home>)

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Cochise County Development Services
126 West 5th Street, Suite 4
Benson, AZ 85602
rkirschmann@cochise.az.gov

Special Use Docket SU22-33 (RV Park Expansion)

____ YES, I SUPPORT THIS REQUEST. Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST. Please state your reasons:

THIS WILL LOWER ALL THE NEIGHBORHOODS PROPERTY VALUES IT WILL CREATE MORE TRAFFIC ON A UNMAINTAINED DIRT ROAD. IT WILL CREATE BOTH NOISE AND LIGHT POLLUTION IN OUR NEIGHBORHOOD. THEY WERE GIVEN A SPECIAL USE PERMIT WITH ASSURANCES THAT THEY WOULD NOT CREATE FUTURE EXPANSION. THIS EXPANSION IS UNACCEPTABLE.

(Attach additional sheets, if necessary)

PRINT NAME(S): CHARLES MADDOX

SIGNATURE(S): Charles Maddox

YOUR TAX PARCEL NUMBER: 11401099E9 (the eight-digit identification number found on the tax statement from the Assessor's Office) or you look it up online by going to "Mapping Resources" on our website (<https://www.cochise.az.gov/development-services/home>)

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RETURN TO: Robert Kirschmann, Planner II
Cochise County Development Services
126 West 5th Street, Suite 4
Benson, AZ 85602
rkirschmann@cochise.az.gov

Regarding modification of special use permit for 3651 E Doe Ranch Rd, known as LazyHorse Ranch. Docket SU22-33 (RV Park Expansion)

We oppose the proposed expansion of the RV park primarily because it changes the whole nature of the original small venue neighborhood park and increases the percentage of site coverage, amplifying the negative impact to our rural landscape to the east.

The current proposal essentially defines our eastern property line views. This seems excessive in such a concentrated area and certainly detracts from our pleasure in rural living.

In 2018 the original Special Use Permit application was presented to the neighbors of Lazy Horse Ranch, 5 years after the establishment of the RV park. Neighbors were told that the park was for equestrian travelers who wanted to bring their horses to explore the area. It was presented as a small venture to accommodate winter visitors with horses. The outbuildings were sufficient for the number of guests. In fact, the picnic table shelter located behind the firepit/barbeque was expanded but is now labeled as storage. Perhaps better use of available space is in order.

Neighbors and friends were generally supportive in 2018 because a) it was already built, b) extra traffic was not too bad, and c) the limited number of sites fit into the rural landscape.

New owners took over in 2021. In my opinion, they appear to have an expanded vision which will negatively impact the rural landscape for their neighbors.

The proposed modifications are concentrated into a small section of their 20 acre property abutting our eastern fence line. The new owners have added a chicken coop not listed in the application or on the site plan. They also propose a 3000 sqft communal building which maximizes the congestion in this small area.

We originally opted out of the screening wall because of the small footprint of the park area, the limited number of RV sites, and the distance from our property line to the 2 additional small communal buildings.

If the modifications are approved, we will not continue to support the screening waiver.

About the recent application for modification of the Special Use Permit:

Deerhaven Ranches have CC&Rs recorded in January 1981 which run with the land. They remained in effect for 25 yrs and thereafter renew and automatically extend for successive periods of 10 yrs each. They have not been terminated by 90% approval of homeowners.

The last amendment recorded in August of 1995 states that "any commercial venture which requires a special use permit, a variance, or a change in the RU-4 zoning from Cochise County Planning and Zoning will not be permitted."

These covenants remain binding on each successive owner of the property whether or not the new owner has been advised of them.

A copy of this document is enclosed.

The site plan needs to be more specific as to exactly the area covered by the special use permit. The original site plan drawn by the Supplees was difficult to decipher. This one lacks a complete outline of the area concerned, the total acreage, and all included buildings/sheds.

There is a large chicken coop which is not in the site plan.

I question her water use estimates. Proposed daily water use needs to be looked at, based on at least 2 people with 2 horses per RV times 12 sites

There is no private maintenance agreement in place for the roads leading to the property. Previous improvements were done with donations by some of the adjacent homeowners. The Suppliers agreed to road maintenance for their commercial venture and for the approval of their Special Use.

Average daily traffic estimates are incorrect. When the RV sites are occupied, there is a lot of entering and leaving the sites every day as horses are trailered to go riding.

There is not "a significant amount of tree vegetation between the campground and neighbor dwellings". There is a lot of mesquite mixed with grassland in the neighboring yard which provides more privacy in summer months when the campground is empty.

The small area of proposed screening is unacceptable. They are responsible for providing adequate screening, not dependent on the low growing mesquite in my yard.

Noise is heard when visitors are feeding their horses or when a group congregates. It's an attractive nuisance for neighbor's dogs who feel the need to investigate unusual occurrences.

There was a citizen review process in May 2022 when neighbors received a letter about the proposed modification of the Special Use Permit from Becky Bassett. Neighbors asked questions to clarify the locations of proposed modifications and, after seeing the proposed site plan, neighbors emailed questions and concerns back and forth several times.

There were common concerns regarding increased traffic and excessive speed experienced since the beginning of the RV park.

There was concern for the size of the proposed expansion to accommodate activity for 1-2 busy months per year. We wondered why such a large building was needed for 1-2 months a year. We asked if it was for a wedding venue they currently advertise or for some other purpose to which she replied it was only for campground use.

We asked about the planned location, which abuts my property line, and why it couldn't be located at the back of her property where there would be minimal impact on neighbors.

We asked our questions and gave her feedback once we saw the site plan. We did not feel that we should have to go over there and argue every point. All we wanted was more information and what we got was threats and recriminations. We previously sent copies of the emails and replies from May 2022. We have no intention of arguing with them again over this new proposal which only increased the sq footage of the corral and communal building.

We made it clear that we had no input until the Suppliers were forced to legitimize in 2018 after the RV park was in operation for about 5 years. We were led to believe that this would remain a small venue which is why we went along. We have come to regret this.

If the proposal is approved:

We would like to request larger setbacks from our property line for all future endeavors

We would like a solid screening wall for the length of our fence line so we can see the mountains and not the RV congestion

We would like a defined "temporary stay limit" for recreation/vacation of people with horses

No long term stays or RVs who could stay at any of the other non-equestrian RV parks in Cochise county

There needs to be time limits for operation of generators. Quiet time from 10pm to 6am

Vehicles on the property by 10pm

Glen C Renell
Glen C Renell

Gail M Renell
Gail M Renell

January 11, 2023

Tax parcel #114 01 097C5

Copy of 1995 Amendment to Deerhaven Ranches CC&Rs. Special Use Permits will not be permitted

WHEN RECORDED

AUG 28 1995 *12/1*
 FEE \$ 950821147
 OFFICIAL RECORDS
 COCHISE COUNTY
 DATE 8/28/95 HOUR 12
 REQUEST OF
 WOODCOCK, LARRY
 CHRISTINE RHODES-RECORDER
 FEE 10.00 PAGES 1

When recorded return to:
 LARRY WOODCOCK, PRESIDENT,
 DEERHAVEN PROPERTY OWNERS ASSN.
 PEARCE, AZ 85625

AMENDMENT TO DECLARATION OF
 COVENANT CONDITIONS AND
 RESTRICTIONS OF DEERHAVEN RANCHES

This amendment executed this 23rd day of August, 1995 by Custom Finance, Ltd., an Arizona Corporation, as developer of Deerhaven Ranches, to Covenant Conditions and Restrictions, dated January 8, 1981 in Docket 1477 at pages 89 thru 112.

WITNESSETH:
 SECTION 1.03 of Article 1, General Restrictions, as set forth in the original Declaration shall, from the date of this Amendment and henceforth, include the following:

Section 1.03. Any commercial venture which requires a special use permit, a variance, or a change in the RD-4 zoning from Cochise County Planning & Zoning will not be permitted.

Michael H. Mooney
 MICHAEL H. MOONEY, PRESIDENT
 CUSTOM FINANCE LTD.

STATE OF ARIZONA)
) SS:
 COUNTY OF COCHISE)
 This instrument was acknowledged before me this 25th day of August, 1995 by Michael H. Mooney for Custom Finance, Ltd., an Arizona Corporation,
 My Commission Expires: 8/26/96
Larry Woodcock Notary Public

WITNESS LARRY WOODCOCK, PRESIDENT,
 DEERHAVEN HOMEOWNERS ASSN.

STATE OF ARIZONA)
) SS:
 COUNTY OF COCHISE)
 This instrument was acknowledged before me this 25th day of August, 1995 by Larry P. Woodcock
 My Commission Expires: 8/26/96
 Notary Public

950821147



Special Use Docket SU22-33 (RV Park Expansion)

____ YES, I SUPPORT THIS REQUEST. Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST. Please state your reasons:

SEE ATTACHMENTS (15 PAGES)

THE RV LICENCE IS NOT LEGAL TO EXPAND

THE SUPPLEE BUILT AN RV PARK WITHOUT PERMITS WHILE HOLDING A LICENCE ONLY TO GIVE RIDING LESSONS FOR HANDICAPPED INDIVIDUALS. THE LICENCE IS PART OF

EXISTING LAWSUIT. YOU AND APPLICANT ARE WITNESSES IN THE LAWSUIT. LET IT HAPPEN AND NOT COMPLICATE MATTERS.

(Attach additional sheets, if necessary)

PRINT NAME(S):

YORRKY S. RAMIREZ

Robert GENDLER

SIGNATURE(S):



Robert Gendler

YOUR TAX PARCEL NUMBER: 114-01-096A (the eight-digit identification number found on the tax statement from the Assessor's Office) or you look it up online by going to "Mapping Resources" on our website (<https://www.cochise.az.gov/development-services/home>) 3723 E DOE RANCH ROAD

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RETURN TO: Robert Kirschmann, Planner II
Cochise County Development Services
126 West 5th Street, Suite 4
Benson, AZ 85602
rkirschmann@cochise.az.gov

From: robertg@vtc.net
Sent: Monday, January 16, 2023 3:28 PM
To: 'Estrella Black'
Subject: Reply with confirmation
Attachments: BassettZoningHearingRequestToContinue1.pdf

From: robertg@vtc.net <robertg@vtc.net>
Sent: Saturday, January 14, 2023 2:46 PM
To: 'planningandzoning@cochise.az.gov' <planningandzoning@cochise.az.gov>
Cc: 'mynewgalaxy8yr@gmail.com' <mynewgalaxy8yr@gmail.com>
Subject: Bassett Notice to Demand Continuation until Supplee Lawsuit Determination.

Hello Mr. Kirschmann,

- 1) You are going to be a witness in the lawsuit filed and ongoing attached
- 2) Supplee **never told** Rebecca Bassett that the RV license obtained was under Cochise Superior Court Lawsuit. (**may be considered MATERIAL CONTRACT REAL ESTATE FRAUD – IF YOU DO NOT ALLOW THIS APPLICATION TO BE APPROVED**)
- 3) Supplee never had a RV license – only a license to give riding lessons for handicapped children.
- 4) They built structures for years illegally.
- 5) Although Zoning and Assessors office had our legal mailing address we were never notified of the Hearing to grant RV license and the sign was taken down by Supplee and we never had chance to object at any hearing.
- 6) Your decision to “conditionally approve your request to legitimize an existing six space Recreational Vehicle Park.
- 7) **THERE WAS NO EXISTING RECREATIONAL PARK** – YOU REWARDED A LICENCE TO GIVE RIDING LESSIONS A RV LICENSE ILLEGALLY.
- 8) **THE DUST** – LOSS OF PRIVACY TO NEIGHBORS WAS NEVER GIVEN THE CHANCE TO BE HEARD.

THE SUPPLEES NEVER TOLD THE NEW OWNERS THE RV LICENSE AND ASSOCIATED ATTACKS AND DAMAGES WERE BEING IN A LAWSUIT.

The SUPPLES INCREASED THE VALUE OF THE PROPERTY AND LEFT OUT MATERIAL INFORMATION ABOUT THE RV LICENCE.

WE SUGGEST POSTPONMENT OF ANY HEARING UNTIL THE ATTACHED CASE IS DETERMINED AS YOU WILL BE A WITNESS AND HOPEFULLY YOU WILL NOT TAKE ANY ACTIONS THAT WOULD FURTHER IRREPAIRABLY DAMAGE THE PRIVACY OF YOYKYS REMIREZ PROPERTY AT 3723 DOE RANCH RODA.

YOUR MATERIAL MISTAKE TO APPROVE A REQUEST TO LEGITIMIZE

AN EXISTINE SIX SPACE PARK WAS LILLEGAL AS **THERE WAS NO EXISTING**
PARK -- ONLY ONE FOR REIGING LESSONS FOR HANDICAPPED INDIVIDUALS.

SINCERELY

YORKYS RAMIREZ
ROBERT GENDLER

2160 EAST FRY BLVD. C5 – 233 (mailing address)
SIERRA VISTA, AZ 85635

954 802 9503 – CELL

Home address 3723 East Deo Ranch Road – (no mailing received)

From: Estrella Black <blackestrella88@gmail.com>
Sent: Monday, January 16, 2023 2:54 PM
To: robertg@vtc.net
Subject: Test

MOTIVE #4



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

CHRIS STAYLOR

CC

COCHISE COUNTY ZONING COMPLAINT FORM

Date: 3/16/18

Please complete this form as fully and completely as you can so that staff can quickly and adequately investigate a potential violation. Your name and any information given by you on this form will become a matter of public record. Upon completion, please mail this form to:

Code Compliance Officer
Cochise County Planning Department
1415 Melody Lane Building E
Bisbee, AZ 85603

1. Location (Note that one of the following MUST be provided to process this complaint)

a. Tax parcel identification number, assigned rural address and /or a street or Highway and a mile marker number: 114-61-097A LAZY HORSE RANCH - HOTEL 3 MEALS A DAY 6-RV with sewer/water

b. A description of the specific location of where the violation exists, and include driving directions (a map would be helpful):

3651 EAST DOE RANCH Rd Pearce AZ 85625
SOUTH OF 2 MILE MARKER ON KANSAS SETTLEMENT ROAD

2. Property owner (if known): CHARLES + ANN SUPLEE 520 221-0722

a. Is the lot vacant? YES NO If no, what type of structure(s) exists?

MULTIPLE NEW BUILDING - 6 RV SPOTS / SEWER / WATER SHARE HOME RESTAURANT / BAR

3. Please describe in your own words the condition or conditions that you believe are a violation. Tell WHAT the condition is, WHERE the condition is located, HOW LONG the condition has existed. Is the condition dangerous? (Photographs would be helpful.)

THEY ONLY HAVE PERMIT FOR HORSE BACK RIDING FOR HANDICAPPED CHILDREN - SEE WEBSITE BROCHURE - TURN INTO DOE RANCH

4. Please give us your name, address and phone number in case we have any questions. (Note: anonymous complaints will be processed in the same fashion as signed complaints.)

Name: ROBERT GENDLER MAILING ONLY (NO MAIL)
Phone number 520 826-0444 2160 EAST FRY BLVD CS-233
Address: 3723 EAST DOE RANCH Rd Sierra Vista, AZ 85635
PEARCE AZ 85625

We will respond to your request as soon as possible based upon priority order. Please note, however, that the owner or occupant of the property being investigated has certain legal "due process" rights, which are provided for under law. Consequently, follow-up on a violation investigation does take time.

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov


SUPERIOR COURT, STATE OF ARIZONA, In and for the County of Cochise

<p>ROBERT L GENDLER AND YORKS RAMIREZ,</p> <p style="text-align: right;">Plaintiff,</p> <p>VS.</p> <p>CHARLES M. SUPPLEE and ANNA SUPPLEE and COCHISE COUNTY BUILDING and ZONING DEPARTMENT,</p> <p style="text-align: right;">Defendant(s).</p>	<p style="text-align: center;">March 23, 2022</p> <p style="text-align: center;">CASE NO. CV202000307</p> <p style="text-align: center;">ORDER SETTING HEARING</p>	<p style="text-align: center;">File Stamp Only</p>
<p>HONORABLE LAURA CARDINAL DIVISION ONE</p>	<p style="text-align: right;">By: Jennifer Carranza Judicial Administrative Assistant</p>	

The Court is in receipt of Plaintiff's Motion for Summary Judgment filed on or about February 25, 2022, therefore,

IT IS ORDERED SETTING this matter for a hearing on Plaintiffs' Motion for Summary Judgment for **FRIDAY, APRIL 29, 2022** at 3:00 p.m. in Division ONE of this Court, before the Honorable Laura Cardinal.

Dated this 23rd day of March, 2022.


HONORABLE LAURA CARDINAL
Judge of the Superior Court

mailed/distributed:

xc: ↓ Robert Gendler, 2160 E. Fry Blvd., C5-593, Sierra Vista, AZ 85635 (Robertg@vtc.net)
↓ Yorkys Ramirez, 2160 E. Fry Blvd., C5-593, Sierra Vista, AZ 85635
↓ Joel Borowiec, Esq., 1723 S. Hwy 92, Sierra Vista, AZ. 85635 (courtdoc@boroquielaw.com)

1 **BOROWIEC & BOROWIEC, P.C.**
Attorneys at Law
1723 S. Hwy 92
2 Sierra Vista, Arizona 85635
(520) 417-0221
By: Joel P. Borowiec, Esquire
3 State Bar No. 014129
courtdocs@borowieclaw.com

4 Attorneys for Defendants

5 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
6 **IN AND FOR THE COUNTY OF COCHISE**

7 ROBERT L. GENDLER (pro se))
8 and YORKYS RAMIREZ (pro se))
9 Plaintiffs,)

Case No. S0200CV2020307

10 v.)

**RESPONSE TO THE
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

11 CHARLES M. SUPPLEE and ANNA)
12 SUPPLEE and COCHISE COUNTY)
13 BUILDING and ZONING DEPARTMENT,)
14 Defendants.)

Hon. Laura Cardinal

15 COME NOW the Defendants, by and through their attorneys undersigned, and
16 hereby respond to the Plaintiffs' Motion for Summary Judgment as follows as more
17 particularly set forth in the Memorandum of Points and Authorities, and Affidavit
18 submitted herewith.

19 DATED this 12th day of April, 2022.

20 **BOROWIEC & BOROWIEC, P.C.**

21 By: 

22 Joel P. Borowiec
23 Attorney for Defendants

24 A copy of the foregoing was filed and
25 Served by Turbocourt, and also by E-
26 Mail, this 12th day of April, 2022, to:
27 Robert Gendler
28 Yorkys Ramirez
Plaintiffs

Superior
IN THE CIRCUIT COURT OF THE STATE OF ARIZONA
FOR THE COUNTY OF COCHISE

FILED

Robert L Gendler (pro se)

2320 AUG -7 AM 9:09

Yorkys Ramirez (pro se)

2160 East Fry Blvd. C5-593
Sierra Vista, Arizona 85635
Phone 954 802-9503

Plaintiff

Case No. S0200CV202000-~~295~~

307

RLG

v.

Anna Supplee and Charles Supplee

Cochise County Building and Zoning Department

MOTION TO QUASH MOTION TO DISMISS.

Defendants.

Jurisdiction

The Plaintiffs and all the Defendants are residents and Cochise County administrators within
The County of Cochise Arizona within the last 1 year ~~or~~ more and the condition of the case
Shall reside within the Superior Court of the State of Arizona.

Pleading under the Rule of 8 a.

- 1) No one is above the law. The County lawyers state in section 1V the following: The County because the County is not liable, unless intentionally or grossly negligent".
- 2) The plaintiffs can prove through examination of emails and correspondence between the Defendants and depositions that Chris Saylor and others purposefully carried out the requests of the Supplees' that the Plaintiffs not be notified of any hearing to object for the RV license. Chris Taylor and his secretary told Robert Gendler that Anna Supplee asked Taylor and others to hide their application at any cost. That is exactly what they did activating the legal clause: intentionally or grossly negligent exception.
- 3) Gendler submitted a cease and desist order within the 1year limit for legal action.

the Defendants did nothing except say the notice of hearing was mailed properly even though the Plaintiffs legally noticed the Building and Zoning Department and the County Accessors office with the mailing address and the fact the Plaintiffs do not get mail at their home location. Both offices ignored the legal notice and purposefully sent the hearing notice to the home address and the notice of hearing was never delivered. In addition the sign the Zoning Department placed 30 days in advance was taken down by the Supplees within hours as the Plaintiffs pass by the location 3-4 times a week and never saw and notice of hearing. In addition the Supplees committed perjury in court that they had a RV park license when obtaining an illegal restriction order to prevent the Plaintiffs from stopping the RV license legally.

- 4) The Defendants colluded – violating their fiduciary responsibility, intentionally or grossly negligently acted to allow the RV license to be granted without the opportunity for the plaintiffs to give their right to object. They both purposefully violated the civil rights of the Plaintiffs. The property value has decreased, privacy is abolished.

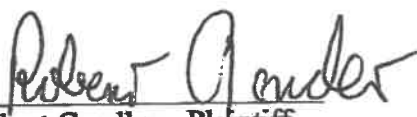
Demand


1. That the Defendants and Zoning Department cease and desist the issues of the RV park license as the license was not obtained legally without following proper procedure.
2. The issuance of the RV park and the constant noise, traffic, loss of property value, loss of privacy, damage to constant animal control calls, harassment 26 phone calls, many of which have been submitted by the Sheriffs submittal to the County Attorney for prosecution.
3. The value of the Plaintiff's property is at an estimated loss of over \$100,000 in property value due to having a commercial RV park located within a residential area,

4. The loss of privacy and continued stress of loud noises, traffic in the day and the middle of of night of vehicles going in and out of the road built while the Plaintiffs had to pay \$3000 to replace the fence Charles Supplee took and the NO TRESPASSING signs Charles Supplee took from the new fence so their customers would not be offended.
5. The Plainiffs have suffered continued harassment, mental and marital problems and Gendler separated from Ramirez for 6 months ad Ramirez was faced daily with the illegal way the Defendants avoided and conspired with the Building Zoning to again obtain a RV license and continue to harass the Plaintiffs because they continue to make right the wrong done by both Defendants Supplee and Zoning on purpose to avoid the Plaitiffs rights to not approve the RV park without permission from surrounding residents.

Summary

The Plaintiffs ask the court to deny any dismissal due to the fact that the Building and Zoning committed intentionally or grossly negligent actions. Therefore immunity is eliminated as the reason for dismissal. An action to collect the evidence and deposition should be allowed and continuance of the pending lawsuit to persist the dismissal to obtain the civil rights of the Plaintiffs.


Robert Gendler – Plaintiff


Yorkys Ramirez – Plaintiff

Mailing only:
Robert Gendler / Yorkys Ramirez
2160 East Fry Blvd. C5- 593
Sierra Vista, Arizona 95835
Phone 954 802-9503

No Mailing 3723 East Doe Ranch Road Pearce Arizona 85625 – physical address

Mailing copy to:

**Charles and Anna Supplee
3651 East Doe Ranch Road
Pearce, Arizona 85625
Phone: 520 221-0722**

Cochise County Building and Zoning Department

**Att: Chris Saylor
4001 E. Foothills Drive
Sierra Vista, Arizona 85650
Phone: 520) 384-7160**

**Kristin M. Mackin
Sima Mackin
3101 North Central Avenue Suite 870
Phoenix, Arizona 85012
602 772-5509**

**Exhibit: Supplee committing perjury
during hearing for Building and Zoning
Violation with legal transcript proof.**



Corporate Office
 365 East Coronado Road, Suite 100
 Phoenix, AZ 85004-1525
 602-263-0885
 www.avtronics.com
 Tax ID # 86-0673295

Colorado Office
 600 17th Street, Ste 2800
 Denver, CO 80202
 (303) 634-2295

Bill To
 Robert Gendler
 995 W 4th St., #G138
 Benson AZ 85602
 United States

*FAX 520 844-8245-F
 520 403-8024-PA
 D&TTE*

Invoice

Invoice Date 10/29/2008
 Invoice # 3297
 Partner Terms
 PO # / Deposit
 Hearing Dates
 Case Number
 Deposit Required
 Visa
 9-29-08
 4CV20080325

Case Name
Yorkys Ramirez

Amount Paid 203.00
Balance Due 0.00

Qty	Description	Price Level	Rate	Amount
32	General - Transcription	10-Day Turnaround		
32	General - Copy Pages	Base Price	5.00	160.00
1	Court Filing Fee	Base Price	0.00	0.00
1	Administration Fee	Base Price	35.00	35.00
		Base Price	8.00	8.00

Total \$203.00

paid in full

AV Tronics, Inc.

Make Checks Payable To
 AV Tronics, Inc.
 365 E. Coronado Road
 Phoenix, AZ 85004

Remittance Slip

Customer Gendler, Robert
 Invoice # 3297
 Amount Paid _____
 Amount Due \$0.00

Thank You for your prompt payment!!
 We also accept Visa, Mastercard, and American Express payments.
 Please call 602-263-0885 or 800-257-0885 for Processing.

A charge may be applied to all returned checks.



Mailing Address:

**Robert Gendler
Yorkys Ramirez
2160 East Fry Blvd C5-233**

Sierra Vista, Arizona 85635 : Attached 11 pages of evidence.

**Home Address:
3723 East Doe Ranch Road
Pearce, Arizona 85625**

**To: Cochise County Community Development
1415 Melody Lane, Building E
Bisbee, Arizona 85603
Sierra Vista Office - Chris Saylor
4001 E. Foothills Drive 85650**

Notice Delivered by email 07/02/18 and hand delivered 07/03/18

**RE: Cease and Desist Letter and Notice of Intent for Filing
Lawsuit in Access of \$100,000.**



**Dear Chris Saylor, Robert Kirchmann, Peter Gardner, Cochise County Community
Development Services.**

**This letter serves as documentation of a pattern of offensive activities that began on
3/16/18/ This letter is notice to you that you must immediately cease and desist the
issuance of a "6" RV spaces at 3651 East Doe Ranch Road, Pearce, Arizona 85625 -
Violation V2018-00000086 including and not limited to the following:**

**Your actions are unwanted, unwelcome, a violation of your fiduciary responsibility,
unbearable and result in irreparable damages to the value, safety and privacy in
violation of the residential rules established in the Doe Ranch Estates area.**

**It is alleged that you are purposefully violated the property rights of Gendler and
Ramirez to be able to attend a hearing and complain about the establishment of a
RV park in the Doe Ranch Estates residential area.**

- 1) Chris Saylor was told not to allow Gendler/Ramirez a copy of the zoning violation
04/04/18 and had to check with the county attorney to enable Gendler/Ramirez to
obtain a copy - showing intent to hide and avoid the Gendler/Ramirez ability to
complain and stop this RVventure due to the Gendler/Ramirez complaint.**
- 2) Supplees' committed Material Perjury in the Benson Court stating they had a
license to run a RV park when they did not and was able to use perjury to obtain a
protection order against Gendler/Ramirez with this perjury. We are obtaining the
voice CD and transcript for a separate lawsuit and police actions.**
- 3) Supplees' lied to the police and submitted a false police report stating they had
the RV park permission and is under Cochise Attorney investigation for calling
Gendler/Ramirez 26 times when Gender/Ramirez contacted many of Supplees
customers about their violation.**
- 4) It was clearly known to Saylor, Kirchmann and Gardner that Supplees' did not
want Gendler/Ramirez to attend any hearing to complain about the RV park
violations and to stop their actions.**



Cochise County
Community Development
Planning, Zoning and Building Safety Division

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

MEMORANDUM

June 14, 2018

Charles and Ann Supplee
3651 E. Doe Ranch Road
Pearce, AZ 85625
Via Email

RE: Docket SU-18-12 (Supplee), Parcel No. 114-01-097A, located on 3651 E. Doe Ranch Road in Pearce, AZ.

Dear Mr. and Mrs. Supplee,

As you are aware, on Wednesday, June 13, 2018, the Cochise County Planning and Zoning Commission (Commission) voted unanimously (8 – 0) to **conditionally approve** your request to legitimize an existing six space Recreational Vehicle Park. Section 607.02 permits Recreational Vehicle Parks that are designed to ensure that the park fits into the rural landscape.

Note: As a reminder, the Commission's action was to authorize you to apply for the appropriate permits for your requested use; this permission does not relieve you of the obligation to apply for and obtain all required permits such as a County Planning and Zoning Department Use Permit and Building Permit, a Land Clearing Permit, and/or other permits as may be applicable. You should contact the Planning Department Permit Coordinator if you have any questions on what types of permits you need to obtain.

The Commission imposed the following conditions of approval on these applicable permits:

1. The Applicant shall provide the County a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject properties within thirty (30) days of approval of the Special Use Permit. Prior to permit issuance, the Applicant shall submit and obtain building/use permits within 12 months of approval, including a completed joint permit application. The building/use permit(s) shall include a site plan in conformance with this approval and meeting all site development standards (except those specifically waived or modified by the Planning Commission as part of this approval), the completed Special Use Permit questionnaire, and appropriate fees. A permit must be issued within 18 months of approval, otherwise the approval may be deemed void upon 30-day notification to the Applicant;
2. At the Commercial Permit phase, the applicant will be required to submit a Private Maintenance Agreement, per Zoning Code 1807.02A, for segments of roadway from their driveway to Kansas Settlement Road.

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov



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

NOTICE OF VIOLATION

April 4, 2018

SUPPLEE CHARLES M & ANN M. XXX
3651 E DOE RANCH RD
PEARCE, AZ 85625

RE: NOTICE OF ZONING VIOLATION V 2018-00000086 on Parcel 11401097A
Property located at 3651 E DOE RANCH RD PEARCE, AZ 85625

Dear Property Owner(s):

It has come to our attention that the above parcel of land may be in violation of the County Zoning Regulations. A building or use permit may be required to resolve this violation. If that is the case a minimum surcharge of \$100 will apply, and if additional notices are sent, the surcharge will increase. Our preliminary investigation indicates that the following condition(s) exists:

- **Apply and obtain a special use for an RV park.**

Your positive, voluntary action in attending to this matter will be appreciated. Please call me at (520) 432-9300 by April 20, 2018 to discuss the resolution of this issue.

Sincerely,

Chris Saylor,
Code Compliance Officer

Planning, Zoning and Building Safety
1415 Melody Lane
Bisbee, Arizona 85803
520-432-9300
520-439-9178 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85803
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

From: [Nuha Habib](#)
To: [Kirschmann, Robert](#)
Subject: Docket SU22 -33 (RV-Park Expansion) public hearing Comment
Date: Monday, January 16, 2023 2:51:44 PM

CAUTION: EXTERNAL EMAIL *

Hi,

My name is Nuha Habib and I am the owner of the lot with parcel# 114-01130DT.

This lot happens to be within 1000 feet of the site where the expansion of existing six (6) space recreational vehicle (RV) park is considered.

I hereby, offer my lot for sale in case the project requires further expansion to be considered.

Thank you,
Nuha Habib
nuha.habib@yahoo.com

Sent from my iPhone

This E-mail is from an EXTERNAL address. DO NOT click on links or open attachments unless you trust the sender and know the content is safe. If you suspect this message to be phishing, please report it using the Phish Alert Button at the top of the email, or forward to

cochise.az.gov@missedspam.com<<mailto:cochise.az.gov@missedspam.com>> or contact IT support at 520-432-8301.

From: [Becky Bassett](#)
To: [Kirschmann, Robert](#)
Subject: Fwd: Permit approval
Date: Thursday, January 19, 2023 6:26:00 PM

CAUTION: EXTERNAL EMAIL*

----- Forwarded message -----

From: **Angela Hardy** <41belowoutpost@gmail.com>
Date: Thu, Jan 19, 2023 at 5:49 PM
Subject: Permit approval
To: <Beckylbassett@gmail.com>

To who it may concern

I live at [3533 east doe ranch rd](#) I'm not within a thousand feet of the lazy horse ranch but I am the first property on the road I have no complaints or concerns about the expansion they are planning on doing over at lazy horse ranch I approve 100 percent as far as the complaints you are getting from other neighbors please disregard

Thank you

Angela and Alan Makarewicz

--



Becky Bassett

Phone: 602-620-0247

Email: beckylbassett@gmail.com

This E-mail is from an **EXTERNAL** address. **DO NOT click on links or open attachments unless you trust the sender and know the content is safe.** If you suspect this message to be phishing, please report it using the Phish Alert Button at the top of the email, or forward to cochise.az.gov@missedspam.com or contact IT support at 520-432-8301.

From: [Celeste&Scott Turner](#)
To: [Kirschmann, Robert](#)
Subject: rv
Date: Tuesday, February 7, 2023 12:35:21 PM

CAUTION: EXTERNAL EMAIL*

Re: Parcel 11401097D4
Scott Turner and Celeste Cain
3617 E. Doe Ranch Road
Pearce, AZ 85625

We live at the address right next to the property of the proposed Rv park expansion. We have no issues with anyone trying to improve their land or business, unfortunately, this issue does directly affect the peace at our home. Our main concern is the traffic. To be adding on more traffic than we already are forced to put up with is not sitting well with us. We don't believe you move out in the country to have noise pollution and traffic issues.

We moved here for peace and quiet but sadly it has become what once was a few cars every now and then to nonstop big rigs and RVs and horse trailers. A sad example is that one of the guests ran over and killed our little puppy right in front of our house, driving so fast down the dirt street and leaving him dead without ever stopping. Adding more traffic is not what we want. At the last event held for their Cowboy Christmas, they had a lot of traffic and used our easement land for parking. This event was well-marketed and the public was welcomed. They had asked us to keep our dogs in the house. We did that but it is very hard to keep 3 large dogs indoors all day. We spent a lot of time and effort trying to keep up with our grassy landscape and the easement is meant as an easement for utilities or public officials. They had so many visitors that they used our easement without permission for their guests to park all down our fence line. This just aggravates everyone's dogs and becomes noise pollution. In addition to the traffic and noise pollution from the guests parked up and down our fence that causes concern; is the destruction of the grass that we maintain to keep the dust down.

We wish we did not have to write this letter because they are nice people and it seems like a great idea if they had no neighbors to deal with.

Sincerely
Scott Turner and Celeste Cain
520 260-2140
Coppercitysalloonaz@gmail.com

This E-mail is from an **EXTERNAL** address. **DO NOT click on links or open attachments unless you trust the sender and know the content is safe.** If you suspect this message to be phishing, please report it using the Phish Alert Button at the top of the email, or forward to cochise.az.gov@missedspam.com or contact IT support at 520-432-8301.