



**COCHISE
COUNTY**
Arizona

Development Services

☎ 520-432-9300
 ✉ developmentservices@cochise.az.gov
 🌐 www.cochise.az.gov
 📍 1415 Melody Ln, Bdg F
 Bisbee, Arizona 85603

Rezoning Application

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.

| Applicant Info | |
|--|--|
| Name: | Robert Maloney |
| Address: | 77 Calle Portal Ste C140, Sierra Vista, AZ 85635 |
| Phone: | 520-255-0686 |
| Email: | robert.w.maloney@gmail.com |
| Describe your relationship to this application (select one): | |
| <input type="checkbox"/> | Property owner (skip next question) |
| <input checked="" type="checkbox"/> | Authorized agent |
| By typing their name below, the undersigned, registered property owner of the property subject to this application, hereby grants the authorized agent noted above to act on their behalf and take all actions necessary for the processing, issuance and acceptance of this permit or application. (See final page if there are multiple property owners) | |
| Signature: | Date: |
| Processing Fees | |
| \$400 rezoning to SM-174 or SM-87, \$450 + (\$2/acre (\$1,500 max.)) rezoning to RU-2, \$500 + (\$10/acre (\$3,000 max.)) rezoning to SR, R, SM-36, SM-18, SM-9, \$500 + (\$15/acre (\$4,000 max.)) rezoning to all other districts. Applicants may pay online with a credit card or mail a check to the Development Services Department at 1415 W Melody Ln, Building F, Bisbee, AZ 85603, payable to the Cochise County Treasurer. | |

| Required Submittals | |
|--|---|
| <input checked="" type="checkbox"/> | This application |
| <input type="checkbox"/> | A concept plan |
| <input checked="" type="checkbox"/> | A copy of the neighborhood notification letter and any information provided to the public |
| <input checked="" type="checkbox"/> | A non-refundable processing fee |
| Property Info | |
| Property Owner Name(s): Richard L. Johnston Jr. | |
| Parcel Number(s) (APN): 105-40-004 | |
| Total Acreage: 4.493 acres | |
| Current Zoning Designation: r36 | |
| Proposed Zoning Designation: GB | |
| <p>Is the property a result of a new split or will the rezoning request result in more than one zoning district on a single tax parcel? If yes, a copy of a survey and associated legal description stamped by a surveyor or engineer licensed by the State of Arizona must be submitted with this application.</p> <p> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </p> | |
| <p>Is there a concurrent comprehensive plan amendment associated with this request?</p> <p> <input type="checkbox"/> Yes, state proposed category/designation <input checked="" type="checkbox"/> No </p> | |
| Project Info | |
| <p>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.</p> <p> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A, no deed restrictions </p> | |

Project Info Continued

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 | Utility Company/Service Provider |
|-----------------|----------------------------------|
| Water/Well | Liberty Utilites |
| Sewer/Septic* | No septic planned at this time. |
| Electricity | SSVEC |
| Fire Protection | Fry Fire District |
| Waste Disposal | Various Private Companies |

* If the property is, or will be, served by a septic system, indicate the location of the septic system and the 100% expansion area on the site plan. State whether the system is existing or proposed.

Supplemental Questions

1. State the reason for this request and why it should be supported.

To change the current zoning from R36 to GB so it will match what the zoning should be for this location. The property on the south and north of the subject property is currently Zones GB. The obviouse use of a corner lot like this on highway 92 should be GB.

2. Describe all **existing** structures/uses present on the subject parcel. Note: Show the location and size of existing structures on the accompanying site plan.

No existing structures and none planned at this time.

Supplemental Questions Continued

3. Describe all **proposed** structures/uses that will be placed on the parcel. Note: Show the location and size of proposed structures on the accompanying site plan.

None

4. Is the property adjacent to, or near, other parcels with the same zoning designation as what is being proposed? Explain.

Yes, the property directly south and north is zoned GB.

5. Is the proposed zoning district more intense than the one in place currently? Please select one of the following statements:

Not applicable, this is a request to a LESS intense zoning district.

The proposed zoning is an extension of a similar density zoning within the area.

The proposed zoning provides a transition between an existing less intense district and a more intensive district or an arterial street.

The property can 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.

6. What is the existing or proposed water source? If the property is, or will be, served by a private or shared well, show the existing or proposed location on the site plan.

Water company on South property line.

7. Estimate the total gallons of water needed for the existing use of the site (daily or annual usage) unknown as not being developed now.

8. Estimate the total gallons of water needed for the proposed use of the site (daily or annual usage) unknown as not being developed now.

Supplemental Questions Continued

9. List any strategies you will use, on site, to minimize water use, recycle water, and/or enhance onsite natural recharge.

Unknown as the future use would determine strategies for the property.

10. Describe the permanent legal access to the property. State which streets or easements will be used by traffic to enter or exit the property. Specify whether the vehicular access is from a public road, private road, or easement, and label all legal access on the concept plan.

Highway 92 and Keeling Road

11. What impact will this request have on the traffic volume of roads that serve the subject property?

Unknown as the future use has not been determined

12. 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.

Unknown as the future use has not been determined.

Supplemental Questions Continued

13. 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. Submit a copy of any material provided to the public.

On March 20, 2024 letter to neighbors was mailed. Only one response was received via a phone call. The caller was just curious as to what was planned and had no negative feedback.

14. Date of mailing by applicant: March 20, 2024

15. Mailing radius:

16. Indicate whether the subject property occurs within the following (select at least one):

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

I'm not sure

17. 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

Not Applicable

Acknowledgments

By typing their name below, the applicant certifies that all information in this application and on the site plan is true, accurate, and to the best of their knowledge. They understand that if any information is false, it may be grounds for denial or revocation of this permit.

Signature (applicant):

Date:

The following form must be completed where there are multiple property owners, multiple parcels subject to the request, or if there is an authorized agent acting on behalf of the property owners.

I, the undersigned owner of record of property which lies within the area of the proposed rezoning set forth in the attached application, do hereby consent to the proposed change of zoning district boundary or reclassification of the property(ies) sought for rezoning. I do hereby certify and declare that I was afforded an opportunity to read the full and complete application prior to affixing by signature hereon. (Attach additional pages if necessary)

| Parcel Number (APN) | Property Owner Name | Typed Signature | Date |
|---------------------|------------------------|-------------------------|----------------|
| 105-40-004 | Richard L. Johston, Jr | Richard L. Johnson, Jr. | April 29, 2024 |
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Acknowledgments Continued, Prop 207 Waiver

By typing their name below, the property owner acknowledges that the approval being sought by this application may cause a reduction in the existing rights to use, divide, sell or possess the private property that is the subject of this application. The property owner further acknowledges that it is the property owner who has requested the action sought by the filing of this application. Therefore, with full knowledge of all rights granted to the property owner pursuant to A.R.S. §12-1132 through 1138, the property owner does hereby waive any and all claims for diminution in value of the property with regard to any action taken by Cochise County as result of the filing of this application.

Signature (Property Owner):

Date:

March 20, 2024

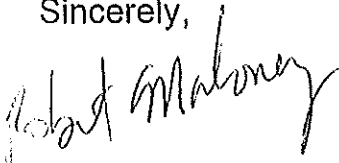
Dear Neighbors,

The purpose of this letter is to inform you I intend to file an application with Cochise County to change the zoning of my property from R-36 (Residential District) to GB (General Business District). The property is located at the northwest corner of Highway 92 and Keeling Road (see below map). GB zoning is consistent with the property's 'Developing' land use designation identified by the county's comprehensive plan.

My application is subject to public hearings before the county Planning and Zoning Commission and Board of Supervisors. We are required to notify nearby property owners by county zoning regulations to get feedback from you, our neighbors. The county will send notices prior to public hearings, and you will have further opportunity to provide comment.

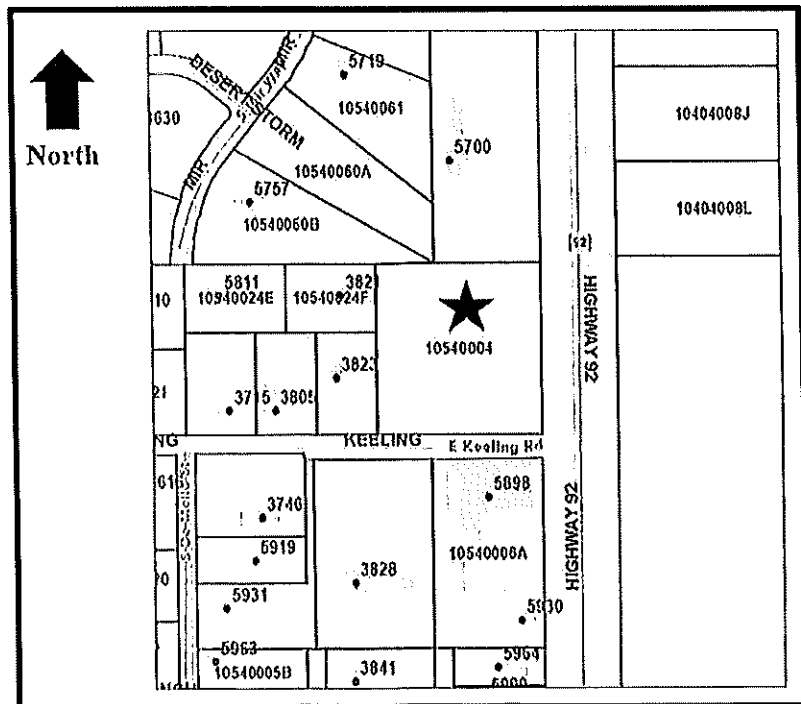
Please contact me directly with any questions or concerns about my future rezoning application with the county. Kindly respond by **April 4, 2024**.

Sincerely,



Robert Maloney
77 Calle Portal
Suite C14
Sierra Vista, AZ
85635

520-255-0686



Robert.w.maloney@gmail.com

March 20, 2024

I/we, Richard L. Johnston, Jr, owner(s) of tax parcel 105-40-004
authorize Robert Maloney to file an official rezoning application
with Cochise County on my/our behalf.

Print Name: Richard L. Johnston Jr Signature: [Handwritten Signature]

Print Name: _____ Signature: _____

STATE OF CALIFORNIA)
COUNTY OF Contra Costa) ss

The foregoing instrument was acknowledged before me on 3/22, 2024 by
Richard Lee Johnston.

[Handwritten Signature]
Notary Public

My commission expires:
11/19/2025

See attached notarial certificate.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

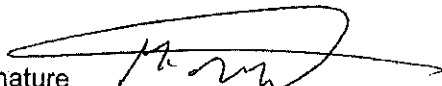
State of California
County of Contra Costa)

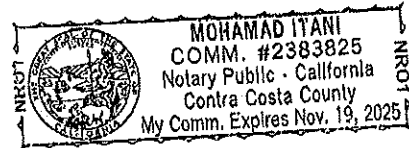
On 03/22/2024 before me, Mohamad Itani, Notary Public
(insert name and title of the officer)

personally appeared RICHARD LEE JOHNSTON JR
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 



(Seal)