

Docket SU25-1 (Cherokee Trail Guest Lodging Appeal)

- Please note again, and I want to highlight, Staff's recommendation to approve and that my proposal aligns with the special use requirements and fits well with neighboring properties nearby.
- Committee was split with the chairwoman the deciding. One other nay had the “what the others said” explanation, as well as the chairwoman's’. I appeared to be she could have said yes, instead of no, and the “same as the others” excuse is the definition of arbitrary.
- The denial was based on a general “density”. I believe this "density" is a generalized and arbitrary mischaracterization.
- Occupants will be family already living on the property, and the project involves no new land division.
- In the committee meeting there were several land division or combinations, including on hotly contesting rezoning in Cochise. Compared to my request that request was much more opposed, but the committee still approved it. Should I have requested a rezoning instead, would that have been granted? Again, it appears arbitrary if not discriminatory that my request failed.

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- Existing Structures Are Permitted and Permanent
 - I want to Highlight that the buildings are already permitted, permanent structures. As such, the Special use request does not add to the density.
 - Their footprint is small and converting these structures into livable spaces aligns with county regulations for safe housing.
 - Septic is permitted and was installed with the future uses in mind.

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- **AGAIN: No Increase in Density**
 - I'd like to stress that the special request does not bring in new residents beyond your immediate family. Use maintains the neighborhood's character.
 - Approving the permit allows for occupancy compliant usage of the existing structures rather than leaving them underutilized.
 - Once immediate family has grown beyond use of the small structures, local area residents in high-rent houses have expressed a desire to fill them. Again, effective use and a solid solution for housing for acquaintances that could not occupy them without the special use.
 - The area of the property was weeds, stickers and underutilized. Neighbors might like the view of weeds and stickery plants but they did not buy the property, I did. I've not made improvements in this spot for 10 years, and have begun to make changes and am aiming to use the are of the property efficiently.



Photos of open spaces on property – Tequila Trail looking south includes neighbor to the north, my two buildings in the background.

Comparative
view of
“density” of
neighbor on
parcel to the
north from
previous photo





My Driveway, Patton lane, used by community as throughway between Tequila and Cherokee, view looking north towards structures.



On Tequila Trail, view is Northwards, buildings to the left, a roof barely visible.



163 N Cherokee Trail: the SW corner, ¼ acre, is empty, facing the closely placed houses on Cherokee trail, wide-open views from any direction of the much more traveled asphalt road



Property to the North's Garage close to Tequila trail and other Buildings that could be considered "dense" along Tequila Trail.

To Conclude:

A vote to approve allows me to use existing structures safely and responsibly without increasing the “density” that is already on the property.

The property still has many open spaces for neighbors to look through, and these open spaces assure and maintain the rugged look and feel neighbors want.

I’ll be additional landscaping that will greatly increase the appeal of the corner of the unused property.

Initial occupants will be family members, and when the move out local family acquaintances have expressed interest in moving in, and I want to follow the rules and have the permitting to allow this option, which, again, effectively utilizes the space on my own property.

As mentioned in the Appeal document, I am willing to compromise to get an approval, including a condition of dropping/not utilizing the garage as guest lodging on the property and/or not accessing the small unit for the guest lodging permit from Tequila trail.