

3-Feb-25

Reference: County Permit #BP24-001045.

ROVD COCHISE CNTY BOS  
FEB 7 2025 04:13:25

Subject: Appeal for County permit for adding nylon sunscreen fence panels.

Dear Board of Supervisors,

I ask that you consider this letter of appeal for my zoning violation of adding nylon fence sunscreen panels to my fence.

Before I talk about my appeal, I would like to explain about myself. So that you may better understand the personal aspects of my appeal. I served in the US Army for 13 years. I was an enlisted Military Police Officer (MP). My rank was Staff Sergeant when I was medically retired. While in the US Army I did 2 deployments to Bosnia. I'm a Combat Veteran because of the first deployment. I was stationed here at Ft Huachuca twice. I worked in the community as a law enforcement supervisor. I also raised my kids here for awhile. After I was medically retired from the US Army, I started working on my second career in medicine. I was certified as an EMT-Basic. While going to college to become a Physician's Assistant. I worked closely in the community in the Emergency Medical System serving the community. My ex-wife moved to California and took the kids with her. I moved to California to raise my kids and continue my education. After my kids grew up and the VA declared me 100% disabled, and unemployable. I decided to move back to Sierra Vista. I'm 53 and this is my first home that I've ever bought. There are many things I wish to do with it during my retirement. I've added several things to make my home look better.

screening, a shed, and a lawn in the back yard. I've added a few things already. It's a work in progress.

I bought the panels because I want privacy and to block the wind. There is a lot of pedestrian and vehicle traffic. It's a busy street. I also want privacy from my neighbors. When I open my curtains my neighbors, pedestrians, and vehicles can see me. I do have the right to privacy. The panels are not 100% UV blocked. It is lower. You can see through the mesh a little bit. Look at 4 pictures in picture section, (Pictures 1-4). I can see cars through it during the day and night. Which is better than brick and wood fences, or bushes and trees with no visibility.

The total cost of the project was \$1,400. Each section varies but is over \$100 for each panel. If you make me remove the sections by the road it will be several hundred dollars. I will take a personal financial loss. Your office isn't enforcing this on the whole neighborhood that I live in. Targeting me is unfair and I will lose money.

The first Zoning Inspector sent me a letter. Stating a complaint was made and I was in violation of zoning rules. The investigation only shows pictures from a car. That is not how street investigations are made. I was an MP and have worked on traffic accidents. I was always out of my car, and on the street making evaluations. This seems like it was done very quickly and not very well. The violation also states that it was done by a Zoning Administrator. According to the job criteria they don't have any training to do street surveying. Which means they didn't get out and measure anything. Nor did they draw a diagram. Which means they don't have technical training. Which means they could be wrong. I was an MP and worked traffic accidents every day for 13 years. I was trained to sketch and measure traffic accidents. What

a cell phone picture. A low quality investigation.

The second Zoning Inspector responded by email. They didn't use their name, title, or position. It seemed like a low level report. They also claimed I was in violation. But they didn't cite what zoning regulation that I was in violation of. They also didn't tell how they investigated their report. As a former MP I know that this isn't a full investigation. The report is low level and missing official details. A report missing crucial information means that the reporter didn't do a full investigation on scene.

The Zoning Inspector or Inspectors, whichever it may be. I don't know because of missing information on the reports. They both drove by 2 other homes that I've included in my photo evidence section of this appeal letter. Both homes have similar obstructions at their intersections. See the pictures I've included at the end (Pictures Number 4 & 5). They didn't cite those homes either. Which means there is a focus on me only, and not equal justice across the neighborhood.

Throughout the neighborhood there are chain link fences with panels, brick walls, wood fences, and bushes and trees all over. They are producing the same effect my fence does. See the 9 pictures included as enclosures at the end of this letter (Pictures Number 4-12). So, I'm not the only person doing it, and you're not enforcing it on them. You're required to treat everyone equally.

Also, when I requested an appeal from the Zoning Director per the guidelines online. I sent my appeal letter with tracking to the Zoning Office. I received notification that the letter was delivered after 3 days. I didn't hear a response from the Director for my appeal. A few weeks later I received a letter from the Zoning Office telling me I had to remove my fence panels or I would be fined. They didn't address my appeal letter. I called the Zoning Office and talked to the Zoning Administrator. She advised me that I had to

appeal. They denied my right to an appeal. I asked her about my appeal that I sent in the mail. She said she would check on it. She called me back later saying the appeal was denied. I requested that the Zoning Director address me and follow the appeal process. Because the letter was sent to him and not her. Later in the day the Zoning Director called me to deny my appeal. But, they were denying me the process of appeal in the first place. So, his response was forced by me and it was done quickly. Only because I had to force it. They denied my appeal through the process, so I don't think they even took the appeal seriously. They have been unprofessional in their contact with me this whole time.

The Zoning regulation is wrong and impossible to comply to. The sight distance for stop signs is very easily obstructed by anything that is on the property next to it. If there is a fence, bush, tree, lawn decoration, or building then there will be a slight obstruction or major obstruction. There is no way a homeowner can put anything on their lawn. Except for a several foot high fence, chain link fences with no screening, or nothing at all. This is too limited for the homeowners. They have the right to modify their property as they wish. Not be controlled by the impossible standard of a unreasonable sight distance clearance. One that forbids everything. I know this from my driving experience as an MP for 13 years in the Army. It's common for a person to put something on their yard that obstructs the stop sign. Drivers are required to adapt to these things while driving. I have added picture examples to show you. These pictures are mostly on my street but I know there are many more in the neighborhood. And it's a theme where stop sign intersections are obstructed. Because the regulation is too strict to comply with. So, people don't.

I'm being targeted because my neighbor is grumpy. When I met him he mentioned that he lost the bid for this land, and he was not

he cant add this lot to his other 3 lots. When I put my fence screens up, he complained to me that I should take them down. He has no rights to tell me what to put on my property. He is mad that he lost the lot my house is on, and that I put something up he doesn't like. His complaint is revenge on me. He is using the Planning and Zoning Division for revenge. Is it common for people to complain to the Planning and Zoning Division, and for them to respond like the police to the complaint? As a former MP, I've responded to many neighbor complaints. Usually they were one neighbor who was mad at another. And they wanted revenge through the system. He is wasting your time by involving you. Also, is it the responsibility of the Planning and Zoning Division to police the whole county sector? There are many violations all over the neighborhood. That means the Planning and Zoning Division should be inspecting peoples land, and homes like mine. Instead, there is a singular focus on mine. Which is uneven use of authority. The Planning and Zoning Division time and money, and my time are being wasted by this petty complaint.

There are many legal cases across the U.S. that show people winning against Zoning Offices. Here are a few examples. The case of Crenshaw v. Maguire. Where the fence was found to not need to be set back on the street. This is similar to my case. My fence panels don't need to be removed. They are similar to many other fences across the neighbor. Another case is Greenwalt v. Zoning Board of Adjustment of Davenport. The homeowner applied for a variance in height and was denied. Much like my variance of fence panels. The Zoning Board denied them. The Judge sided with the homeowner. Because the homeowner has the right to make minor modifications like I do.

If the Planning and Zoning Division doesn't grant my appeal based on the evidence I've shown. I will be forced to take legal

costs as well. Let's not waste more time and money on forcing something on one person. That isn't being forced on everyone else. The judge will see that and side with me. Like the legal cases I referenced earlier. I have the right to add sunscreen panels to my fence, and I will fight until I win.

Based on my many years as an MP I find the complaint by my neighbor to be untrue, and also based on personal reasons. I also find the investigation of the matter to be very rushed and low level. Because there are many homes in the neighborhood with the same thing happening at thier stop sign intersections. They are not being policed as well, so justice is not truly being served. I will not stop defending myself. I will file a lawsuit. It will waste even more time and money of the County. I feel that this claim against me should be dropped. I should be given a permit for my fence panel covers based on what I've shown. Thank you for your consideration in this matter.

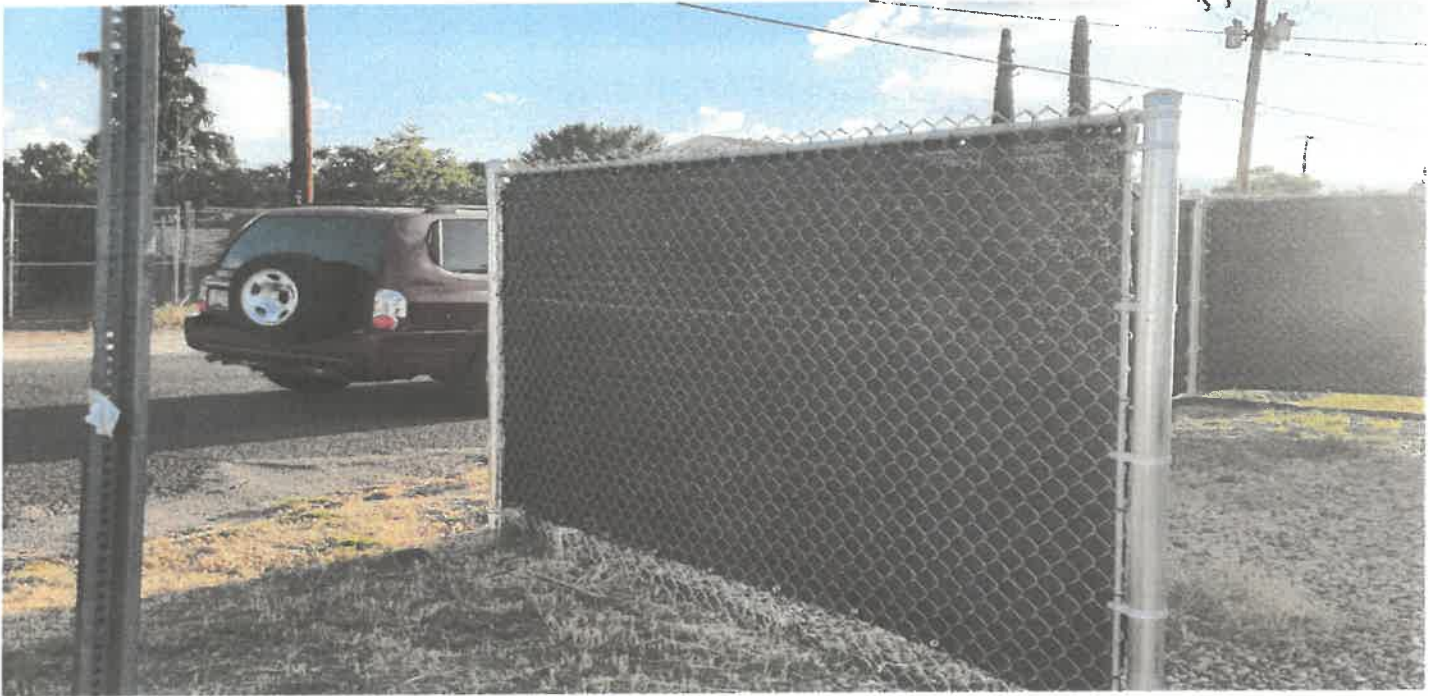
Thank you for your time.

A handwritten signature in black ink, appearing to read 'Jason Houston', written over a horizontal line.

Jason Houston

Enclosures: Pictures 1- 10.

Picture 1 Of My Home



Picture 2 Of My Home



Picture 3 Of My Home



Picture 4 Of N. 6th Place



Picture 5 Of N. Fifth St



Picture 6 Of Opposite Side of N. Fifth St



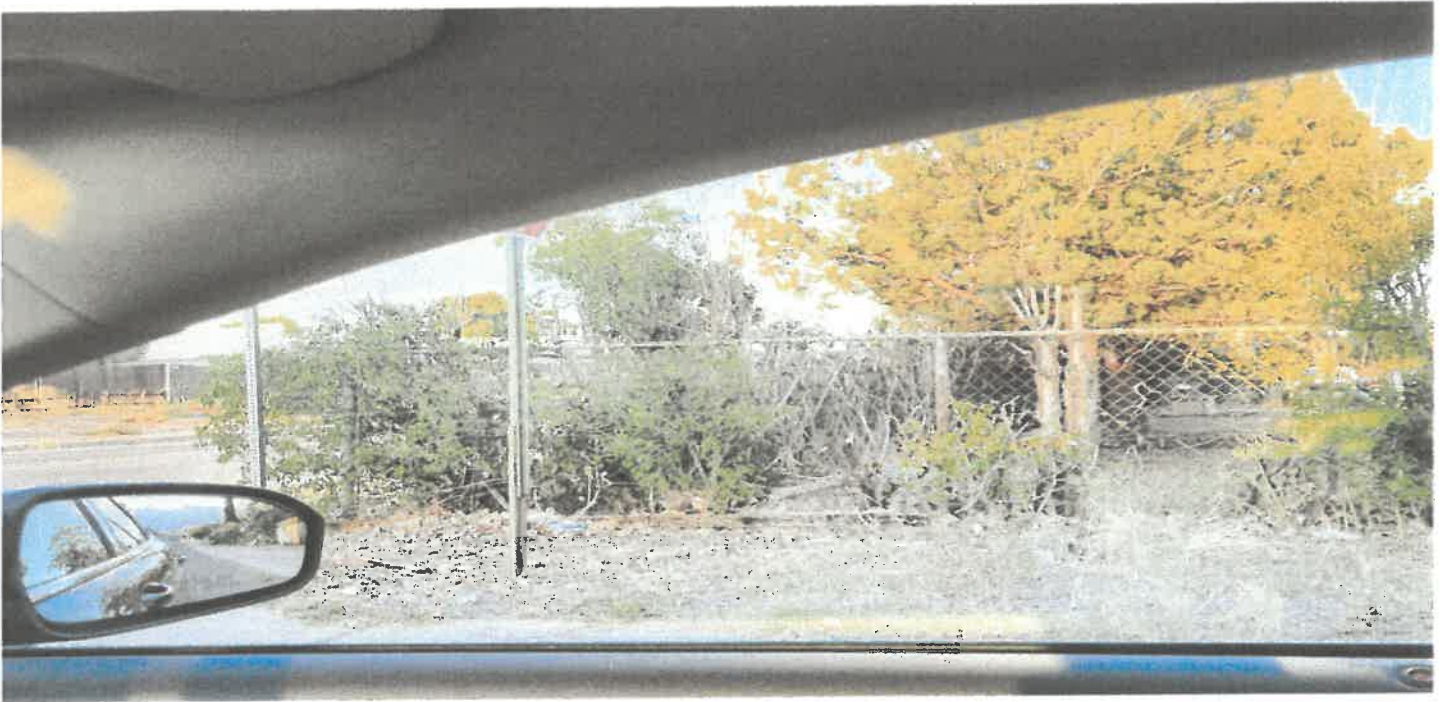
Picture 7 Of N. 1st St



Picture 8 Of N. Second St



Picture 9 Of N. Wolfe St



Picture 10 Of Peterson St

