



Development Services

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Special Use Appeal Application

An appeal against an approved or denied special use may be filed by the applicant or by any other person aggrieved in any manner by the decision by the Planning and Zoning Commission. An appeal must be filed within 15-calendar days of the commission decision. Any submitted appeal will be reviewed by the Board of Supervisors at a public hearing within 60- calendar days of the receipt of the appeal. Additional sheets may be attached, if necessary.

Commission Docket Info

Name of docket being appealed: SU25-18

Commission hearing date: August 13, 2025

Appeal submittal date: August 28, 2025

Appellant Info

Name: Mario and Angela Robles

Address: 7569 S Carlisle Ave Tucson, AZ 85746

Email: robles.mario659@gmail.com, ang552266@gmail.com

Phone Number: 520-609-8281, 520-268-5160

Processing Fee

\$600. 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



This application



A non-refundable processing fee

Appeal Narrative

1. Describe the decision you would like to appeal.

We are appealing the Planning and Zoning Commissions denial of Special Use Permit SU25-18 for Ever After Ranch. Our application sought to allow guest lodging, agritourism, and a multi-purpose event project on the lower 40 acres of our future residence and operating site. The Commission voted to deny the request on August 13, 2025.

2. Provide a complete statement of all reasons why you believe that the decision, or any part of the decision, was erroneous, arbitrary, capricious, or any abuse of discretion. (Additional sheets may be attached.)

Sheet attached for answer.

Appeal Narrative Continued

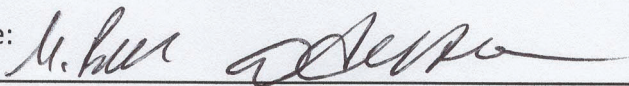
3. Provide a full explanation of the additional testimony and evidence that will be submitted. Include an explanation of why this was not presented to the Planning and Zoning Commission.

Sheet attached for answer.

Acknowledgment

By typing their name below, the applicant hereby certifies that information contained in this application and accompanying plans and documents is true, correct, and to the best of their knowledge. The applicant understands that if any of this information is false, it may be grounds for denial or future revocation.

Signature:



Date:

8/28/25

Name of docket being appealed: SU25-18

Mario and Angela Robles

Additional sheet for question 2 and question 3 of the Special Use Appeal Application

2. Provide a complete statement of all reasons why you believe that the decision, or any part of the decision, was erroneous, arbitrary, capricious, or any abuse of discretion. (Additional sheets may be attached.)

The Planning and Zoning Commission cited primarily Factor 7 (public response) and, in two instances, Factor 1 (consistency with adopted plans) as reasons for denial. While public input is important, it must be weighed against the applicant's demonstrated efforts to address concerns, the broader intent of the Tres Alamos Area Plan, and the full set of ten factors considered together.

The denial was based on selective interpretation of the record, giving disproportionate weight to speculative public comments while disregarding the applicant's thorough compliance and alignment with adopted plans. The decision therefore constitutes arbitrary and capricious action.

To support our stance, Exhibit B contains our responses to public comments that were made available to us on 08/12/2025. At the time of the agenda release on 08/06/2025, only two support and two opposition comments were on record. With limited time before the hearing, we made every effort to provide clarification and address our neighbors' concerns. These responses are included with this application to further demonstrate our commitment to transparency and to ensure that all questions and concerns are/were answered thoroughly. Responses were submitted to the Commission for the meeting.

Although our original application and site plan had realistic and calculated figures for traffic and noise, the figures were overlooked and compared to noises, events and offerings not relevant to our submitted plan. In this appeal we have provided methodology and propagation models for measuring anticipated noise levels and traveling distances. See Exhibit C for Impact Analysis by address.

Exhibit E – The Tres Alamos Site Plan and Compliance Chart has been submitted with this appeal. The highlighted portions of the Plan clearly state that special use permits which align with the Vision should be supported. Our proposal fully reflects that Vision by preserving rural life, protecting open space, honoring ranching heritage, and meeting every element of the Plan's expectations. By denying our request despite this alignment and our demonstrated 100% compliance, the Commission's decision disregarded adopted policy guidance and therefore was arbitrary and erroneous. The charts and findings we provide further substantiate our compliance and reinforce that the decision was not supported by the governing standards.

3. Provide a full explanation of the additional testimony and evidence that will be submitted. Include an explanation of why this was not presented to the Planning and Zoning Commission.

We are including additional testimony and evidence with this appeal, much of which was already submitted but may have been overlooked during deliberation. To ensure full clarity, we have expanded on this information and provided even greater detail. This includes responses to late public comments, sound travel analysis, traffic data, and a compliance chart to the Tres Alamos Area Plan. These materials reinforce our compliance with every Special Use factor and directly address concerns raised.

Most of the evidence was presented in full to the Planning and Zoning Commission. Because several concerns, particularly regarding noise, were raised only shortly before or during the hearing, we have elaborated the information previously provided. While we responded to all available comments at that time, the short notice limited our ability to prepare comprehensive supporting studies. We now provide this additional documentation to give the Board of Supervisors a clear and complete record.

Included exhibits are as follows:

Exhibit A - Statement to Board of Supervisors

Exhibit B - Public Responses

Exhibit C - Noise Impact Analysis

Exhibit D - Traffic Impact Analysis

Exhibit E - Area Plan, Chart and Support and Opposition Maps

Exhibit A

Statement to the Board of Supervisors

We respectfully submit this statement in support of our appeal of the denial of Special Use Permit SU25-18. Our vision for Ever After Ranch is to create a low-impact lodging and event venue that supports agriculture, celebrates the rural character of Cochise County, and brings economic and cultural benefits to the community while preserving open space and natural resources.

We understand that the appeal packet provides a large amount of detail. We respectfully ask that it be read diligently, as the information clearly demonstrates that concerns raised at the hearing were anticipated, addressed, and supported by factual studies and mitigation measures.

Planning Department staff confirmed that our request meets all Special Use criteria and recommended approval subject to reasonable conditions. We have accepted each of those conditions and remain committed to compliance.

We focused this appeal on the facts at hand and provided evidence to support our findings.

We respectfully ask this Board to reverse the Planning Commission's denial and uphold staff's recommendation of approval. Doing so will honor the integrity of the planning process and affirm that thoughtful, well-regulated rural entrepreneurship has a future in Cochise County. Thank you for your consideration and commitment to balanced, forward-looking leadership.

Respectfully,

Mario and Angela Robles

EXHIBIT B

Exhibit B is a compilation of transcripts, responses, and public comments—both previously submitted and newly prepared. It highlights plan details that directly address all concerns raised by the community and demonstrates our continued efforts to engage openly and in good faith.

1. Open letter to the Tres Alamos Community **(previously submitted)**
2. Response to Public Comment – Mr. Sherman **(previously submitted)**
3. Response to Public Comment – Mrs. Dawn Sherman **(previously submitted)**
4. Response to Public Comment – Mr. Roberts **(previously submitted)**
5. Response to Public Comment – Ms. White **(previously submitted)**
6. Response to Public Comment – Parcel 208-93-010A **(previously submitted)**
7. Response to Public Comment – Ann Roberts (speaker 08/13/2025)
8. Response to Public Comment – Kevin Roberts (speaker 08/13/2025)
9. Response to Public Comment – Robert Bray (speaker 08/13/2025)
10. Response to Public Comment – Jonathan Wall (speaker 08/13/2025)
11. Response to Public Comment – Laurel Goeglein (speaker 08/13/2025)
12. Response to Public Comment – Loretta Goeglein (speaker 08/13/2025)

Submitted to Planning and Zoning for use at 08/13/2025 public hearing

To our neighbors in the Tres Alamos community,

First, we would like to thank those who have taken the time to engage with us directly and thoughtfully during the Special Use Permit process. We understand that any proposed change in a rural area brings questions and concerns, and we are committed to approaching this endeavor with full transparency, care, and respect.

However, we must also express our disappointment at the pattern and tone of opposition we've experienced from some members of the community. Of the six formal objections submitted to the County, only two neighbors contacted us directly. Instead, a series of rumors — including the absurd and baseless mention of a “nudist colony” — have circulated without foundation. This type of misinformation does not foster community; it fosters distrust.

As prospective property owners, we have chosen to go through the formal Special Use Permit process because it is not only the correct way to proceed — it is also the considerate and transparent one. Unlike property owners who could seek alternative methods that limit public input, we chose the path that invites oversight, establishes accountability, and protects both current and future neighbors. Contrary to the idea that our application opens the door to unchecked expansion, it actually does the opposite — it limits and defines future use under county oversight.

We are grateful that Cochise County has reviewed our plan and offered clear support, recognizing our efforts to build something low-impact, appropriate, and in alignment with rural values. The County's review confirms that our proposal meets planning objectives, is within reason for the zoning designation, and is consistent with responsible land use and economic development in this region.

To clarify key points for those who still have questions:

- Outdoor events with music will end/be moved inside by 10:00 PM, are capped in size, and will be held in a sound-insulated building in the southeast corner of the property — far from neighbors.
- Dark-sky compliant lighting will be installed — low-lumen, motion-activated, and shielded.
- Traffic will be staggered, scheduled, and parked entirely on-site, with no overflow onto roads.
- We have offered to partner with the County to grade and maintain the dirt section of Ocotillo Road, which we already do professionally as licensed excavation contractors.
- Flood risk is accounted for — monsoon season is our off-season, and guests will receive pre-arrival weather and access alerts.
- We have seven registered wells and 40,000 gallons of water storage, and our annual projected usage (500,000–800,000 gallons) is well below average for agricultural properties of this size.
- Fire mitigation is in place, including cleared defensible space, firebreaks, non-combustible buildings, and coordination with emergency services.

The activities at Ever After Ranch — weddings, retreats, gardens, animal care, flower farming — are inherently peaceful. These are not disruptive commercial operations. They are celebrations of land, nature, and community — and they bring people closer to the rural lifestyle that so many of us value.

We are not outsiders looking to bring in a resort. We are rural people, raised in small communities, with a deep appreciation for the quiet, slow beauty of land, animals, and hard work. This project is a family endeavor built on respect for the land and a vision of community-minded agriculture and stewardship.

To those who wrote objections without ever reaching out to us directly, did not have the opportunity to reply or would simply like the chance to inquire — our door remains open, we would be delighted to get to know you and share our ideas. We believe in honest dialogue and what we ask in return is fairness and civility.

We are not asking to transform the character of Tres Alamos — we are asking to protect and celebrate it. Ever After Ranch is not about expansion — it's about intention.

Thank you for your time,

Angela & Mario Robles
Ever After Ranch

Submitted to Planning and Zoning for use at 08/13/2025 public hearing

We appreciate Mr. Sherman's concerns and his passion for protecting the integrity and safety of the North Ocotillo Road area. We'd like to address each of the points raised and clarify how our project seeks to mitigate, and in many cases, support the existing conditions and values of the area.

1. Road Maintenance, Safety, and Flooding

We are aware of the current condition of North Ocotillo Road and share concerns about its maintenance and seasonal flooding. Being the owners of an excavation company, we are prepared to propose a maintenance partnership with the City of Benson to periodically grade and stabilize the road ourselves — at no cost to neighbors or the county.

Additionally, all guests will receive clear instructions about safe travel, flood zones, and weather-related access limitations. We have designated monsoon season as an "off-season" for events to prevent risk during flooding periods.

2. Traffic and Shared Road Use

Our event and guest traffic will be limited and scheduled to avoid overuse or congestion. Parking will be 100% on-site, and entrance points will be upgraded to improve flow and safety. We understand neighbors walk, ride horses, and bike on this road — our goal is to keep the road safe and passable for all users. Guest traffic will not exceed what the road currently supports for neighboring operations.

3. Noise, Light, Trash, and Visitor Respect

We are proactively managing the concerns raised regarding noise and light pollution, trash, and guest behavior:

- The reception area is located in the southeast corner of the property — the farthest point from nearby homes
- The reception building will be sound-insulated, with directional speaker systems to keep audio contained
- Lighting will be dark-sky compliant, using low-lumen, shielded fixtures and motion-activated systems
- Trash will be collected in commercial bins and hauled by contracted services.
- Guests will receive clear expectations about conduct, respect for wildlife, and neighborhood quiet hours

Our family and ranch hands will be present at all events to monitor compliance and quickly address any concerns.

4. Water Scarcity and Fire Protection

The property has seven registered wells and 40,000 gallons of water storage. Our total estimated annual water usage (500,000–800,000 gallons) remains within the property's available supply. Crops such as mushrooms and saffron are drought-tolerant, and all irrigation will be handled via efficient drip systems.

To address fire safety:

- We are creating defensible space and maintaining fuel-reduced firebreaks
- Emergency access will be maintained via two gated access points
- We will work with local fire services to ensure access and protocol compliance

We are securing full insurance coverage for the property, and we do not anticipate any impact to the ability of neighbors to secure their own coverage as a result of this project.

Final Note

We are not creating a high-volume tourist attraction. This is a family-operated project centered on agriculture, education, and small gatherings. We believe it's possible to share the beauty and heritage of the land without compromising the rural nature of the community.

We welcome continued dialogue and are committed to being respectful, transparent neighbors as this project develops.

Respectfully,

Angela & Mario Robles

Submitted to Planning and Zoning for use at 08/13/2025 public hearing

We thank Ms. Dawn Sherman for taking the time to submit her comments and share her perspective. We understand that her concerns reflect a strong desire to preserve safety, peace, and livability in the North Ocotillo area. We respectfully respond to each of the issues raised.

1. Road Safety, Dangerous Curves, and Flooding

We agree that the dirt portion of North Ocotillo Road is under-maintained and can pose challenges to unfamiliar drivers. That's why we have proactively designed our project to reduce risk by:

- Proposing a partnership with the City of Benson to provide periodic road grading and maintenance ourselves, at no cost to neighbors
- Restricting guest access during monsoon season, which we've designated as our off-season due to known flood risks
- Providing clear pre-arrival communication to all visitors about road conditions, flood danger, and the importance of staying put during wash activity
- Training our on-site team to monitor weather patterns and coordinate safe guest movement

2. Noise, Light Pollution, Trash, and Fire Protection

We understand how valuable quiet nights and dark skies are in this rural area. Our approach includes:

- Directional sound systems inside a sound-insulated building in the southeast corner of the property
- Dark sky-compliant lighting: shielded, motion-activated, low-lumen fixtures only
- Trash will be managed by commercial collection with no event overflow left on-site

Regarding fire safety:

- We have seven wells and 40,000 gallons of on-site water storage
- Defensible space and firebreaks are being cleared around all structures
- We are coordinating with local emergency services for site planning and access
- The property will carry full insurance coverage before any operations begin

3. Walking, Riding, and Community Safety

We absolutely respect that this road is shared by horseback riders, walkers, and cyclists. That's why guest volume will be capped, events will be pre-scheduled, and guests will be given clear instructions about respectful driving behavior at safe rural speeds.

Our goal is to preserve the lifestyle current residents enjoy — not interrupt it.

Final Note

We appreciate Ms. Sherman's detailed input. As new stewards of this land, we're committed to being respectful, collaborative neighbors. We do not take this opportunity lightly and have gone to great lengths to design this project around the needs and concerns of the existing community, not in spite of them. We remain open to continued conversation with all neighbors.

Respectfully,

Angela & Mario Robles

Submitted to Planning and Zoning for use at 08/13/2025 public hearing

We appreciate Mr. Roberts' detailed submission and his care for preserving the rural heritage of the Tres Alamos community. Below is our respectful response to the concerns raised.

1. Community Character & Zoning Compatibility

Our application was carefully crafted to align with the goals of the Tres Alamos Community Plan. We are not seeking commercial rezoning, but rather requesting a Special Use Permit for a limited, low-impact rural operation that:

- Preserves open space and agricultural use
- Honors the equestrian and ranching history of the property
- Creates no subdivision, no intensive development, and no industrial footprint

All proposed uses remain in harmony with the low-density, rural character of the area and are set well within the property boundaries with natural buffers and setbacks.

2. Environmental & Water Resource Protection

Water use is a top priority. Our plan includes:

- Seven registered wells
- 40,000 gallons of on-site storage
- Annual usage projected between 500,000 and 800,000 gallons

This usage is well below typical agricultural operations of comparable size in Cochise County. We are implementing drip irrigation, drought-tolerant crops like saffron and flowers, and efficient plumbing in all structures. The proposed natural wading pool will be lined with bentonite clay, requiring minimal maintenance and no constant filling or draining.

3. Noise, Light Pollution & Wildlife Preservation

We share the community's appreciation for dark skies, quiet surroundings, and thriving wildlife. As part of our design:

- Amplified sound is limited, sound-insulated, and directed inward
- Dark-sky compliant lighting: shielded, low-lumen, motion-activated only
- No pole-mounted or overhead lighting is proposed

These standards reduce light spillage and prevent disruption to nocturnal species like bats and owls. Additionally, our farming practices promote natural habitat conservation.

4. Fire Risk Mitigation & Safety Access

We take wildfire safety seriously and have proactively planned for it:

- Defensible space cleared around all structures
- Use of metal buildings and fire-resistant design
- Maintained firebreaks and wide internal roads
- Dual gated access points (primary and emergency)
- Coordination with local fire services and full property insurance coverage

These measures are intended to lower fire risk, not only on our property, but for the entire neighborhood.

Final Note

We respect Mr. Roberts' long-standing commitment to the community and rural values. Our intent is not to transform this area, but to enhance its beauty and sustainability through thoughtful, transparent planning.

By going through the Special Use Permit process, we are inviting oversight, establishing guardrails, and creating long-term protections that serve both current and future residents.

We remain committed to being good neighbors and open communicators.

Respectfully,

Angela & Mario Robles

Submitted to Planning and Zoning for use at 08/13/2025 public hearing

We appreciate Ms. White's heartfelt description of her neighborhood and her desire to preserve its peacefulness. We also deeply value the same quiet, community-oriented lifestyle that drew us to this area. Below is our response to her concerns:

1. Sound and Neighborhood Tranquility

We understand that sound travels clearly in areas like ours, and that residents enjoy the subtle and comforting sounds of daily life — animals, neighbors, children, and quiet nights. Our proposal has been shaped specifically to preserve this character.

- All events will be held in the southeast corner of the property, farthest from nearby homes
- The event venue will be sound-insulated, and amplified music will be directed inward, not toward homes
- Many of our events will be small in nature — such as micro weddings or farm-to-table dinners — with sound levels lower than a residential party or family gathering

We believe it is entirely possible to host meaningful, respectful gatherings while still preserving the quiet rhythm of rural life. The sounds of the land will remain the dominant voice of the neighborhood.

2. Dirt Road Maintenance and Traffic

Traffic and dust are real concerns on North Ocotillo and Bosque Mesquite Lane. We've heard this from several neighbors and have built road mitigation into our plan:

- As the owners of a local excavation company, we will volunteer to assist with routine grading and maintenance of the road
- Guest traffic will be pre-scheduled and capped to stay within safe limits
- Dust control treatments (such as water trucks or soil stabilizers) will be used during events
- All parking will remain on-site, with no guest access to neighbor properties

We are not looking to change the nature of the road, but to help maintain it and ensure it remains safe and comfortable for both residents and our future guests.

Final Note

We thank Ms. White for her comments and want her — and all neighbors — to know that our intent is not to disrupt the tranquility of this community, but to share its beauty in a respectful, responsible way.

Respectfully,

Angela & Mario Robles

Submitted to Planning and Zoning for use at 08/13/2025 public hearing

We thank the property owner of parcel 208-93-010A for taking the time to share their concerns. While the full comment was not available, we would like to respond directly to the portion that was legible and relevant to the hearing process.

1. Traffic and Road Grading Concerns

We fully understand the concern regarding excess traffic on Ocotillo Road. One of the very first priorities we identified when designing this proposal was how to prevent any burden on the existing roadway. We are not requesting an increase in permanent traffic volume but rather hosting a limited number of scheduled events and short-term guests who will use designated access points.

As owners of a local excavation company, we are equipped and ready to take proactive responsibility for helping maintain the road. While we agree that the county should be regularly grading Ocotillo Road, we are not waiting for that to happen — we are prepared to enter into a voluntary agreement with the City of Benson to provide periodic grading ourselves, at no cost to the neighbors.

2. Flooding and Wash Safety

We are equally concerned with guest safety during monsoon season and have already identified that time of year as our operational off-season. Guests will receive clear instructions during booking regarding weather risks, wash crossings, and alternate plans if the road becomes impassable.

We are committed to maintaining transparency with guests and neighbors alike to avoid any unnecessary risk or emergency involvement.

Final Note

We hope this response provides clarity on our intentions and demonstrates our willingness to support the existing community rather than burden it. We welcome additional feedback from the parcel owner as more of their comment becomes available.

Respectfully,

Angela & Mario Robles

Public Comment Transcript: Ms. Ann Roberts

"Thank you, Madam Chairperson, and the Commission, thank you for listening to us. So I am Ann Roberts. I live at 2532 North Ocotillo Road, his wife, right across the street. We own 160 acres directly across the street from that project. And I am in opposition at this point in time. I do believe that they have a very nice property over there as it is now, but there's hardly anything going on over there. There's no way — even looking at the beautiful view or slideshow that they showed you — that is clearly a commercial business. That is not something that is appropriate for a special use permit in a rural area where there are very few residences, and as a matter of fact, that building that you see right there is the church. My driveway is right across the street from there. And there's no way that having an event center right there is going to not have a negative impact on our property.

You saw the pictures of the casitas. We don't even know how many casitas. It says 15 casitas, but are they holding two people? One person? I mean, we know they're going to be more than one, right? Four people, six people. That could be hundreds of people there at one time. And I think you ought to also take into consideration that that's going to be a real issue. I'm a prosecutor for Benson Justice Court. That's going to be a real stressor on the sheriff's department if there's a public safety issue out there. We're eight miles out of town and coming miles off the dirt? Two, One. So there are public safety concerns, not only with fire, but with the sheriff's department, the noise. I'm in opposition, I think it's a terrible idea. Maybe if they have a smaller project, something that is a little more — I get the nature part — but there's way too much commercialism that's involved with what they've shown us. And it really should be rezoned to general business for that type of project. Thank you."

This transcript was generated with software and may contain minor errors; it is provided for reference only

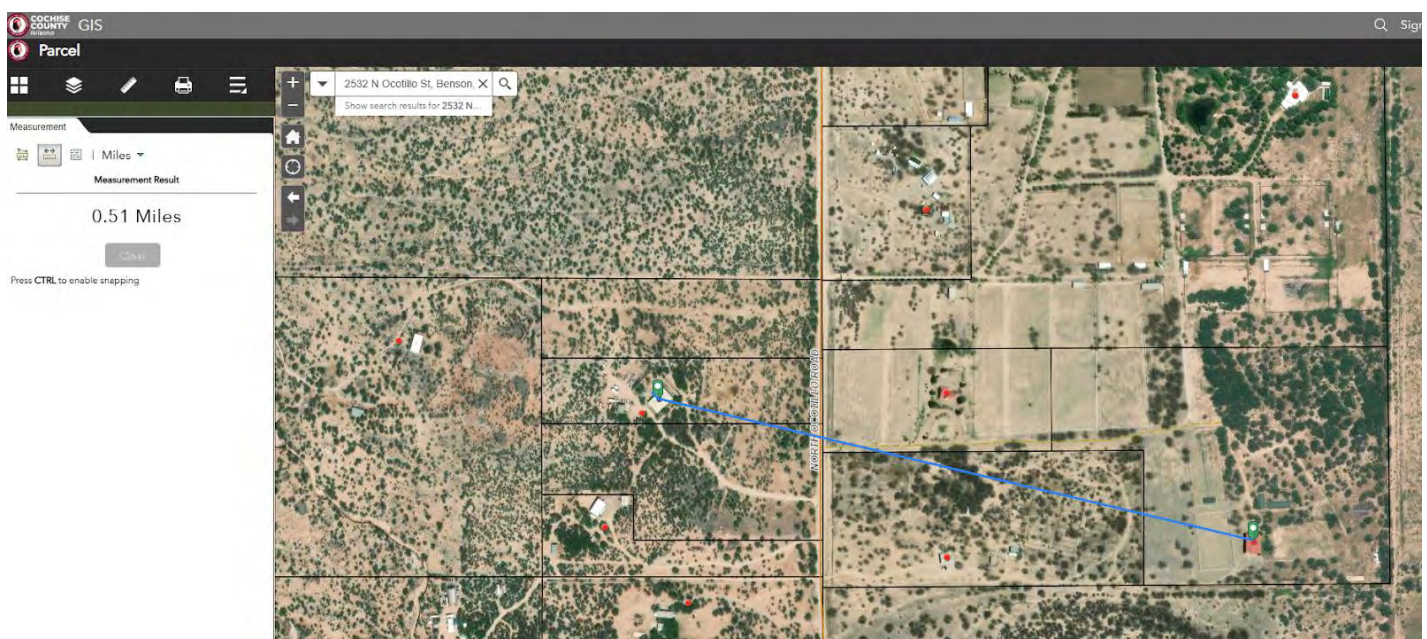
Our Response to Public Comment: Ms. Ann Roberts

We respect Ms. Roberts' concerns and her long-standing presence in the area. Her concerns regarding density, capacity, and rural compatibility were specifically addressed in our written responses to the Planning Commission, and those same responses were reflected in the Planning Department's professional Findings Report, which recommended approval.

The Special Use Permit process exists to accommodate exactly this type of rural, low-impact development — one that is seasonal, conditional, and regulated. Our project does not require rezoning, and our plans for guest lodging, capacity limits, emergency access, and noise mitigation are clearly outlined and meet all required standards.

Final Note to the Board of Supervisors: We respectfully ask that Ms. Roberts' concerns be weighed against the actual conditions and findings already supported by County staff. The proposed use meets the rural intent of the Tres Alamos Area Plan and is consistent with permitted activity under a Special Use Permit.

Below is a map of Mrs. Roberts address as stated. The proximity to the event center is listed as 0.51 miles, please see Exhibit C for noise impact analysis.



Public Comment Transcript: Mr. Kevin Roberts

"Okay. Speaking here, Kevin Roberts. I resided at 2532 North Ocotillo Rd, right across the road from the development. At this time, I oppose it. What they're trying to do will cause a bunch of noise. Nothing against you guys. Everybody who lives out there lives out there for agriculture. It's well, it's quiet. We just got rid of Double R Ranch — they brought in a lot of horseback traffic. They're gone, and the traffic, the noise, everything is gone. You can actually walk down the road now. If your cattle's out, you don't have to worry about them being hit, because the residents who live out there understand there's going to be livestock on the road.

Bringing that many people in at a time — they don't know where they're going, they're on Google Maps, and they're being sent down driveways and everywhere else. Whether they're going to an event center or looking for their friend's house, it's going to cause problems. Somebody's going to get hurt.

Another thing — as a former highway maintenance supervisor for Cochise County, they say they're going to coordinate with the county to maintain the road. That can't happen. One reason is, there's no right-of-way from the end of the pavement to the rest of the county-maintained area. All the county legally has is the right to grade. They can't do any capital improvements. All they can do is latitude. And I've got a minute left. If I can give my minute to someone else, I'd like to do that. Like I said, nothing against you guys, nothing against you Rex. There's just too much unknown right now for me personally. Like I said, it goes. Thank you."

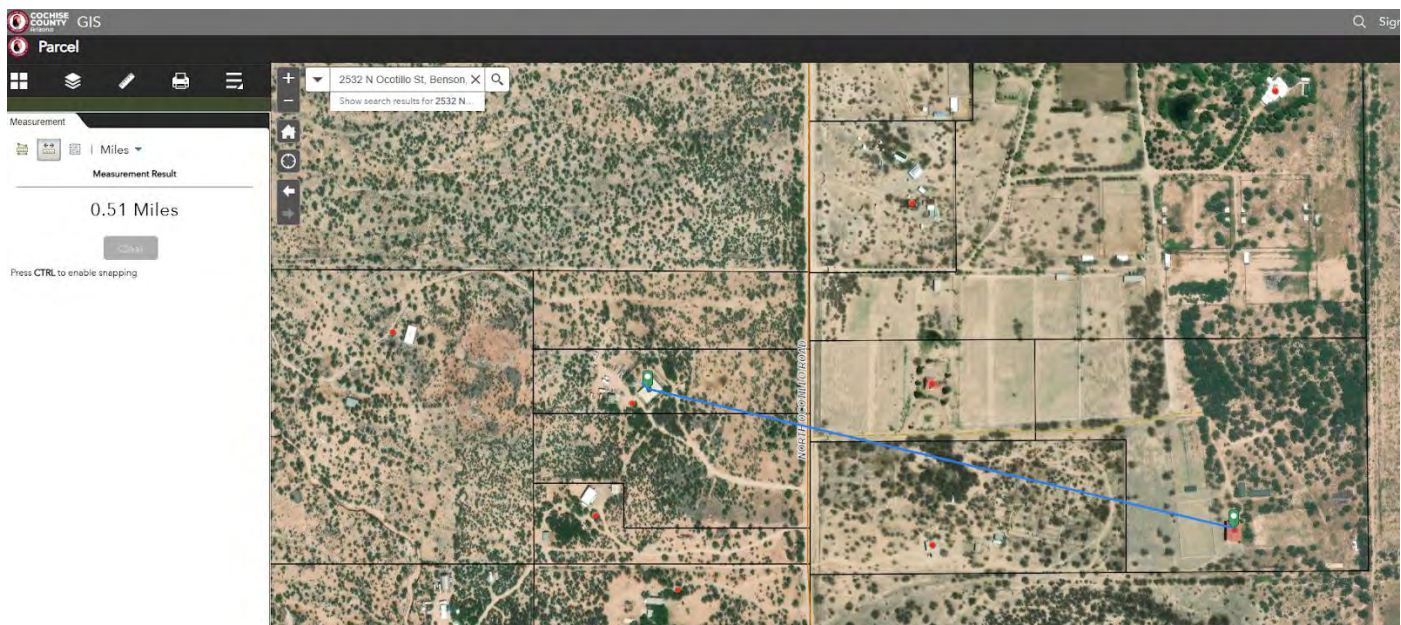
This transcript was generated with software and may contain minor errors; it is provided for reference only

Response to Public Comment: Mr. Kevin Roberts

Mr. Roberts' concerns regarding noise, visitor traffic, and road maintenance were respectfully addressed in our written submission to the Planning Commission. These issues were also considered in the Planning Department's Findings Report, which ultimately recommended approval with clear conditions. All mitigation efforts — including noise control, guest access, and voluntary road grading — are outlined in our submitted materials and remain part of the current appeal.

Final Note to the Board of Supervisors: Mr. Roberts' concerns are noted, but they do not reflect noncompliance with Special Use Permit criteria. The project is soundly within the bounds of the Area Plan and Zoning Ordinance, and staff findings confirm its compatibility. We respectfully ask the Board to consider the facts, conditions, and applicant mitigation efforts in full.

Below is a map of Mr. Roberts address as stated. The proximity to the event center is listed as 0.51 miles, please see Exhibit C for noise impact analysis.



Public Comment Transcript: Mr. Robert Bray

Chair: "Number one is Robert Bray. Please state your name and address, and then three minutes."

Robert Bray: "Yes, my name is Robert Bray, R-A-Y, my address 1755 Rancho Vista Road. I want to bring to your attention number one, is he the owner of the property? I want you to give that a little thought and why is the property owner not asking for a special use for?"

Okay, we go through there for a little bit, but they talk about the noise. I live 10 miles away from town, the train goes by. We hear the train. So we just sit there and say that they're going to eliminate noise, in what direction are they going to point those speakers? You can get behind a gun and point that gun in the direction. And behind me, north, southeast, west, you're going to hear the noise. They're not going to suppress that noise in any way, I don't know what foolishness they're talking about, about suppressing noise.

The special use permit, number one, is not allowed in an argument form, because number one is going to be interfering with the possibility and it states that your own regulations provided that they meet certain criteria is compatible with the surrounding land usage and does not negatively affect the community or the environment that is in existence.

Okay, I'll go back to this other deal that I'm talking about. You need to hear. Okay. And the other thing I just pointed out is why is the applicant the owner of the property? He gives his address, he lives in Tucson, Arizona. Does he live at this location? And why I ask you is, is there a possibility that this applicant is in the process of trying to buy this location? Okay? And if this is denied, is there a possibility that the sale from the landowner, which is Mr. Wilder, I guess, is his name? He's the owner of the property, so are they in negotiations to sell? And if you make the wrong decision to say no, is there a possibility that this sale doesn't take place? So why bring this to your attention? Is that now you become a real estate transaction? You vote yes, the transaction goes through. If you vote no, there's a possibility that this particular applicant requesting a special use permit, he says no more. I'm not here to buy the property. So I just want you to give that a lot of thought there.

The other thing is that the proposed special use is zoned as a rural residential area. Is that time? I'm up?"

Chair: "That's your time..."

This transcript was generated with software and may contain minor errors; it is provided for reference only

Our Response to Public Comment: Mr. Robert Bray

Mr. Bray raised questions regarding property ownership, noise direction, and the legitimacy of the Special Use Permit request. We respectfully note that:

- Property ownership and purchase contingencies were disclosed voluntarily and are not disqualifying under County requirements.
- Noise mitigation measures, including sound insulation and building placement are explicitly detailed in the site plan and County staff findings.
- The Special Use Permit process exists to allow compatible, low-density activities in rural areas and is not restricted by the origin of the applicant.

These issues were addressed both in public testimony and within the Planning Department's staff report, which found the project met the necessary standards with conditions.

Final Note to the Board of Supervisors: Mr. Bray's comments raise no actionable opposition grounded in policy, regulation, or the Area Plan. We respectfully ask the Board to uphold the integrity of the County's planning framework by focusing on compliance, transparency, and the project's full alignment with Tres Alamos goals.

Below is a map of Mr. Bray's property as stated. The proximity to the event center is listed as 0.95 miles, please see Exhibit C for noise impact analysis.

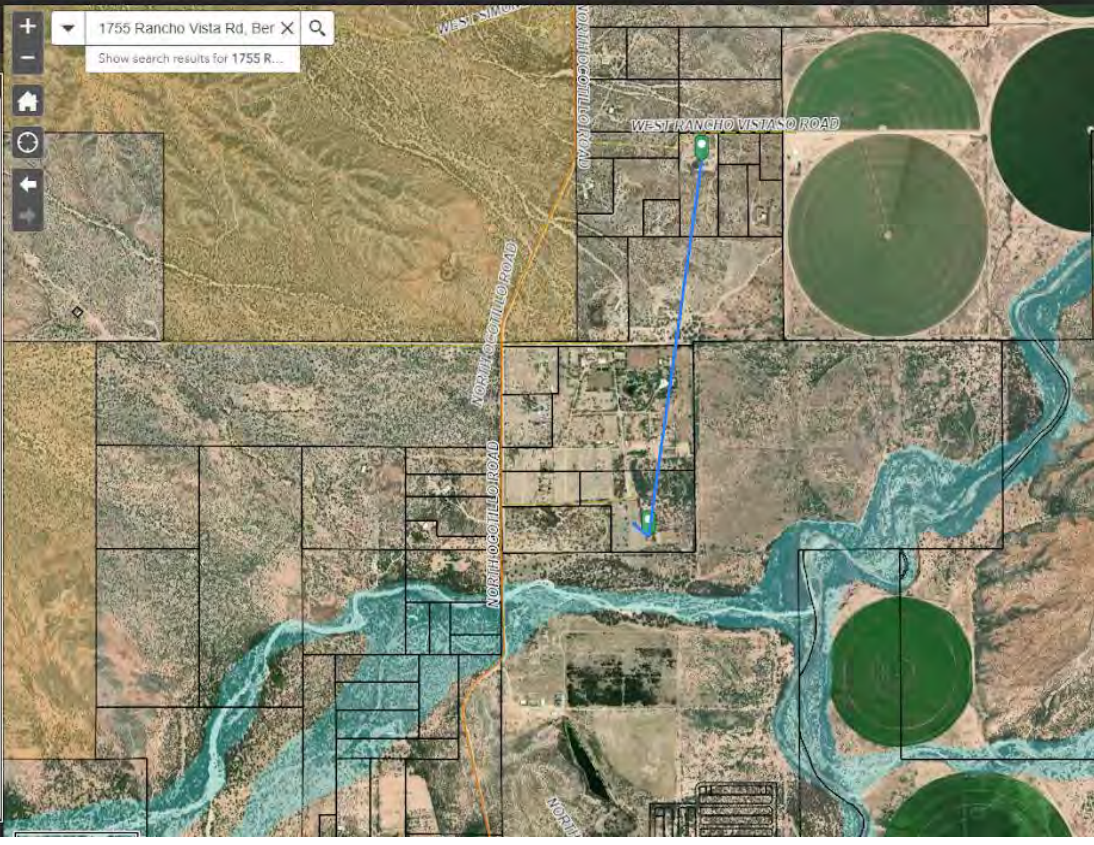
Map navigation and tool icons: Home, Measure, Print, Layers, Full Screen.

Measurement

Miles

Measurement Result
0.95 Miles

Press CTRL to enable snapping



Public Comment Transcript: Mr. Jonathan Wall

"Jonathan Wall, and I live at 2500 North Ocotillo Road. We're just down the road from there. I'm concerned about it for all the same reasons that they said. It's a lot larger in capacity than what would even be reasonable out there. We're out in the middle of nowhere, and bringing all that out there... Another concern for me is taxing on our water supply. Our tanks are already running dry. All the natives are on there, and you add that extra water — I mean, that's a concern. Obviously then, because of the size of the 15 casitas, the extra traffic... And we walk down the road. You can hear people on that property — you know, you can hear people on other properties — and if they're having parties and weddings and such or whatever, it really could totally destroy the area, I think. So that's all I've got to say about it. Thank you very much."

This transcript was generated with software and may contain minor errors; it is provided for reference only

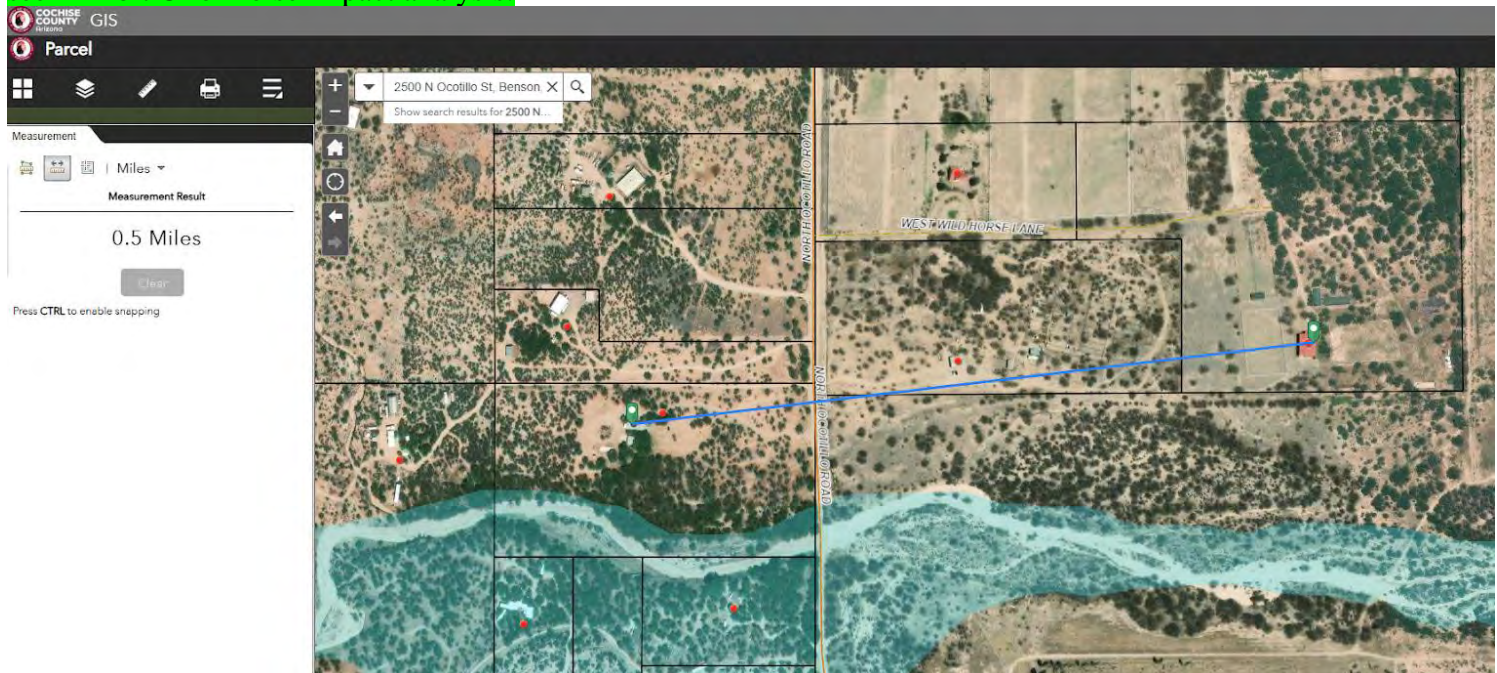
Response to Public Comment: Mr. Jonathan Wall

We acknowledge Mr. Wall's concerns and note that many were previously raised and addressed during the Commission hearing process. Our submitted plans, detailed site designs, and water usage analysis directly respond to questions of scale, traffic, and sound.

All water use estimates, mitigation strategies for noise, and guest management policies have been reviewed and supported by County staff. The Findings Report confirmed that our project is compatible with the Tres Alamos Area Plan and recommended approval with specific conditions.

Final Note to the Board of Supervisors: Mr. Wall's concerns mirror those of others already evaluated by Planning staff and addressed in our filings. No element of his comment identifies noncompliance or conflict with County policy. We ask the Board to uphold the findings and recommendations supported by the evidence in the record.

Below is a map of Mr. Walls' property as stated. The proximity to the event center is listed as 0.5 miles, please see Exhibit C for noise impact analysis.



Public Comment Transcript: Ms. Laurel Goeglein

"Laurel Goeglein, 199 West Lightning Lane in Benson, Arizona — a few miles north of this proposed property. And I strongly oppose this. We don't want to turn into another Ramsey Canyon situation. As you've heard, we just recently got rid of the Dude Ranch — thank God — and we have a semblance of peace in our neighborhood. As several people mentioned, it's peaceful and quiet and our traffic has decreased significantly. And as the gentleman earlier spoke about the Tres Alamos Area Plan — that's what we want in our area.

It specifically states that it is characterized by quiet peacefulness, neighborliness, the beauty of a rural environment, and large lot sizes. This proposed business would go against that with 15 extra buildings, event centers...

I also have a discrepancy with their application. On number 10 about the volume of traffic, they say it'll be moderate traffic. In the slideshow, they said it'll be small scale, but they put 50 to 150 cars on average weekly. I say that's crap. I used to be an on-call event banquet server — weddings, quinceañeras, business parties. Who's to say they'll keep it small? They could easily have 300 to 500 people a week.

Cochise County infrastructure cannot handle this. Our neighborhood cannot handle this. I appreciate what they want to bring, but it's not appropriate for our area. Please vote no."

This transcript was generated with software and may contain minor errors; it is provided for reference only

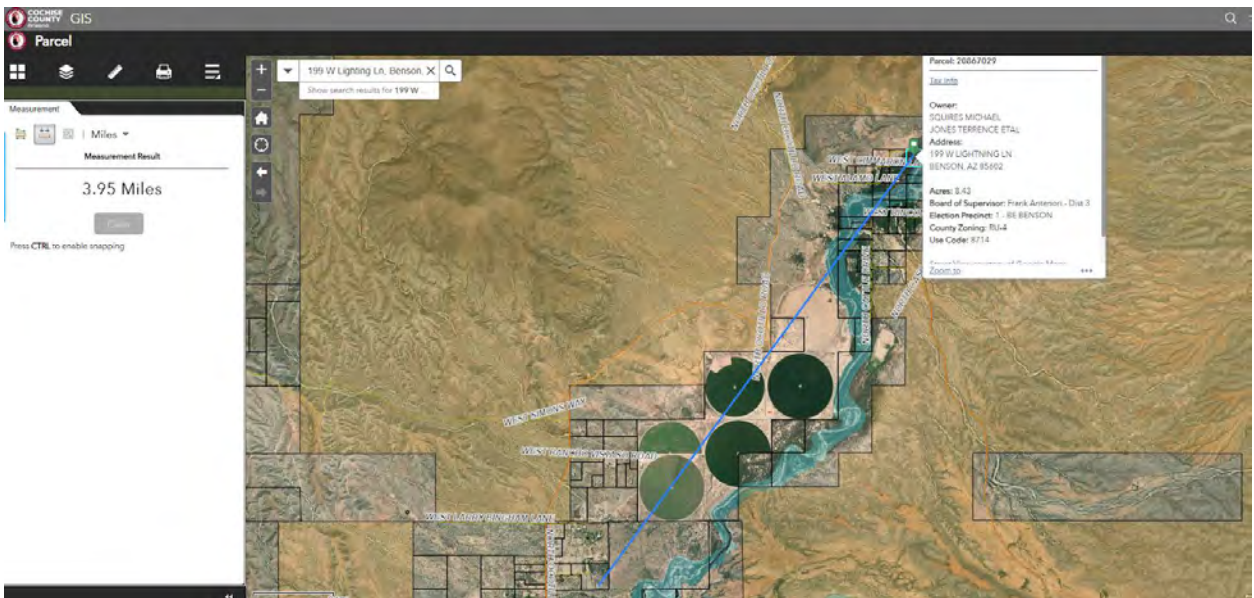
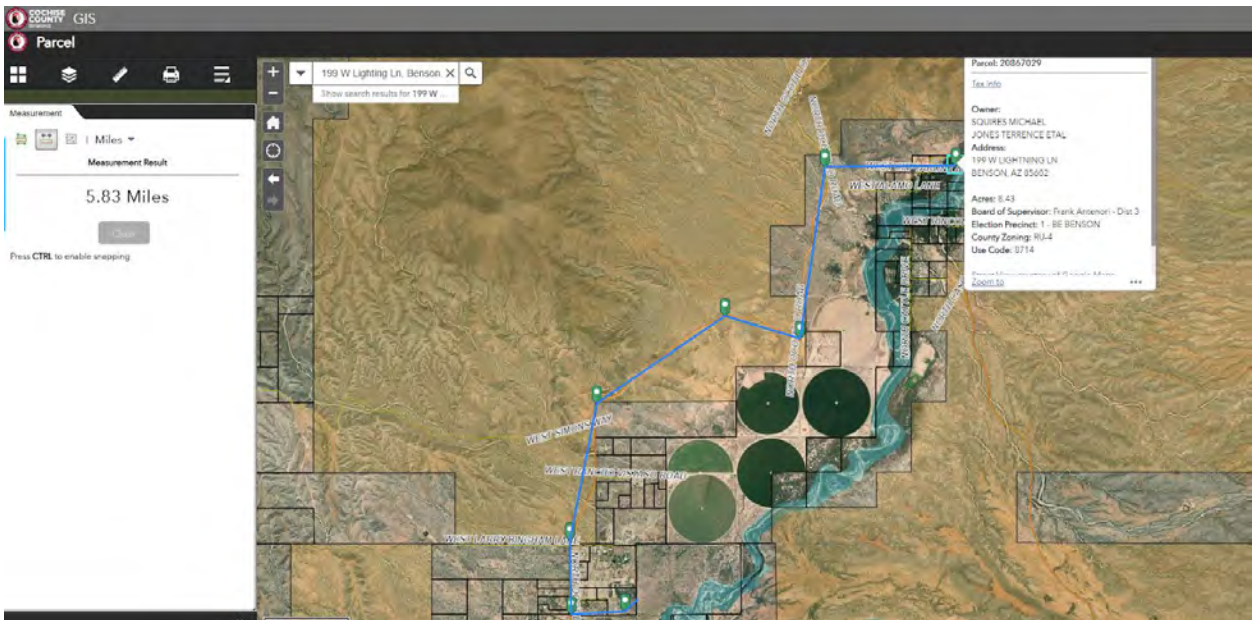
Response to Public Comment: Ms. Laurel Goeglein

We respectfully note that Ms. Goeglein's comment relies heavily on speculation rather than verified data or reference to the Planning Department's staff report. Her concerns about traffic and scale are addressed in full in our submitted plan and supported by the County's professional findings.

Traffic volume has been calculated based on full-capacity assumptions and remains within levels appropriate for the area. The project uses dark-sky compliant lighting, scheduled event timing, capped capacity, and onsite-only parking — all of which are laid out in detail in our application materials. Regarding the Tres Alamos site plan, we believe our home and property plans are a true testament to the vision of the entire

Final Note to the Board of Supervisors: The County's staff recommendation, based on facts and site data, supports this Special Use Permit with clear conditions. We respectfully ask the Board to prioritize evidence-based planning over conjecture and uphold the appeal.

Below is a map of Ms. Goegleins' address as stated. The proximity to the event center is listed as 3.95 and 5.83 miles, please see Exhibit C for noise impact analysis.



Public Comment Transcript: Loretta Goeglein

"Loretta Gagline, 2711 North Ocotillo Road. I'm in opposition of this Special Use Permit, as I feel that it should be maybe a rezone for a subdivision with all these homes going in — tiny homes — or perhaps, as Ann said, general business, because of the scale it's at. It's not a Special Use — it's something bigger than that. I hope you deny this and have them resubmit something other than a Special Use Permit because that will open a door to other items that they could do at that location.

So please deny this, as it should be a rezone or general business — please consider that. Also, the noise factor, of course. That will generate a lot of noise, because we can sit on our porch or go on a walk, and we can hear people a long ways away. Sure, if you're at that event, there's no noise other than what's around you — but if you're a neighbor, you're going to hear it, because sound travels.

The county road — maintenance on that. The county cannot maintain them. It's horrible. The flooding on that road is horrible from the cattle guard north of that property all the way to Ash Creek. At times it's a river. It's just water — floodwater — and it raises up to two feet that you have to go try to get by at least half a mile or more to get to Ash Creek, which is running as well. It's a major wash that comes out of the Little Rincons and Huachuca Valley.

There are safety issues with that. And as I said, the county cannot maintain the road as it is. So we wish you'd take that into consideration as well. The errors on the application — stating that the city and fire department would respond is an error, the city maintenance of the road is an error. There was 40 acres, and then there was 108 acres — an error."

This transcript was generated with software and may contain minor errors; it is provided for reference only

Response to Public Comment: Loretta Goeglein

Ms. Goeglein's concerns were considered in full during the public hearing process. **The Planning Department's staff review did not identify any zoning or land use inconsistencies with a Special Use Permit.** The property remains zoned rural, and Special Use Permits are intended to accommodate exactly this type of conditional, seasonal, and low-density activity without requiring commercial rezoning.

Noise, flooding, and road maintenance concerns were addressed in detail through site planning, project design, and public responses. **Errors alleged in the application — including acreage and jurisdictional oversight — were clarified on the record and do not impact the core validity of the proposal.**

Final Note to the Board of Supervisors: We respectfully refer the Board to the complete and factual Planning Department staff report, which supported approval with enforceable conditions. **No part of Ms. Goeglein's comment demonstrates a violation of policy or land use law. The project remains within the bounds of the Tres Alamos Area Plan and the Zoning Ordinance**

Below is a map of Ms. Goegleins' address as stated. The proximity to the event center is listed as 0.88 miles, please see Exhibit C for noise impact analysis.

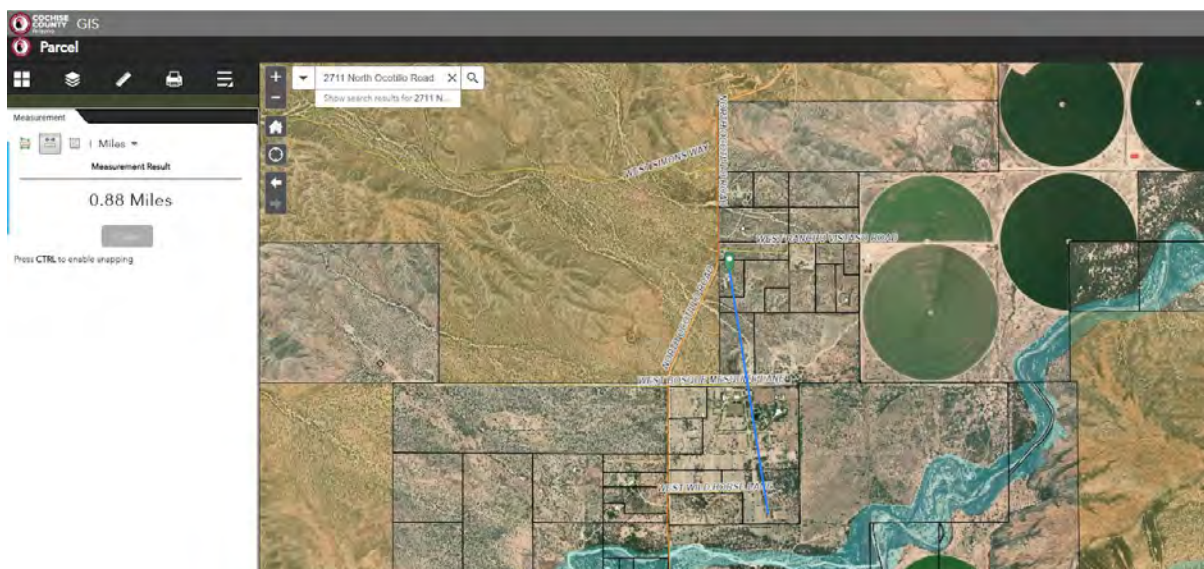


Exhibit C

Noise Impact Analysis

1819 W Wild Horse Ln, Benson, AZ 85602

Introduction

This report evaluates the potential noise and traffic impacts from indoor wedding events at the above property. Events will occur inside a fully insulated metal building, with doors and windows closed during amplified music. Quiet hours begin at 10:00 PM per Cochise County ordinance.

Methodology

- **Sound Source:** Peak internal level assumed **100 dBA** on the dance floor (consistent with typical wedding DJ/band).
- **Building Insulation:** ~25 dB reduction through insulated walls and closed envelope.
- **Propagation Model:** Inverse-square law (-6 dB per doubling distance).
- **Vegetation/Terrain Adjustment:** Additional ~5 dB attenuation.
- **Measurement Distances:** Distances from the event center to neighboring homes determined using Cochise County Web Parcel Search.
- **Results Reported:** Both calculated values and conservative presentation values compared to ordinance thresholds.

Adjacent Parcels (No Opposition responses have been received as of 08/28/2025):

- 20828001C (18 acres, south boundary)
- 20826009 (553 acres, east/south boundary)
- 20828001G (10 acres, west boundary)
- 20828001F (10 acres, northwest boundary)

Findings

- **At property line:** ~35 dBA (vs. 60 dBA nighttime ordinance).
- **At closest residences (0.5–0.56 mi):** ~31–32 dBA, comparable to *quiet rural night background*.
- **At farther residences (0.86–0.90 mi):** ~27 dBA, inaudible against ambient crickets/wind.
- **At 3.36 mi:** ~20 dBA, below ambient and effectively silent.
- **Comparison:** Farm equipment and rural business activity often generate 70–90 dBA near source, far exceeding any faint residual music levels.

Conclusion: Noise impact is scientifically negligible. All measured levels are well below ordinance thresholds and blend into normal rural background.

Neighboring Residences (Distances & Levels)

Address / Owner	Distance from Venue	Est. Level w/ Terrain & Vegetation	Notes
Ocotillo Rd Property Line	0.36 mi (1,900 ft)	~35 dBA	Well below 60 dBA nighttime limit.
1768 W Bosque Mesquite Ln (Mr. & Mrs. White)	0.56 mi	~31 dBA	1,443-acre alfalfa farm at 1629 W Rancho Vistaso Rd.(listed owners) Referenced for current noise conditions comparison
2667 N Ocotillo Rd (Ali & Clayton Goeglein)	0.56 mi	~31 dBA	Business registered at address. Referenced for current noise conditions comparison
2532 N Ocotillo Rd (Kevin & Ann Roberts)	0.50 mi	~32 dBA	
2518 N Ocotillo Rd (Richard & Dawn Sherman)	0.50 mi	~32 dBA	
2500 N Ocotillo Rd (Jonathan Wall)	0.50 mi	~32 dBA	
2711 N Ocotillo Rd (Loretta Goeglein)	0.86 mi	~27 dBA	
1755 W Rancho Vistaso Rd (Robert Bray)	0.90 mi	~27 dBA	
199 W Lightning Ln (Laurel Goeglein)	3.36 mi	~20 dBA	Essentially inaudible.
Parcel 20822012C (Garrett Roberts)	0.50 mi	~32 dBA	

References & Resources

1. **Cochise County Web Parcel Search** – distances and ownership data.
2. **Inverse-Square Law for Sound Propagation** – [Engineering Toolbox / Outdoors Acoustics].
3. **EPA / FHWA Noise Control Guidelines** – vegetation attenuation estimates.
4. **NoiseQuest (Penn State)** – rural ambient sound levels.
5. **City of Benson Ordinance 631** – 60 dBA nighttime / 70 dBA daytime limits at property lines.
6. **MBMA / Building Acoustics Studies** – insulation transmission loss values for metal buildings.

Exhibit D

Event Traffic Impact

1819 W Wild Horse Ln, Benson, AZ 85602

Event Traffic Volume: A typical wedding at the venue might involve on the order of ~50 vehicles (assuming ~100 guests arriving in ~40–50 cars, plus vendors). This is a *one-time influx* around the ceremony start and a *one-time exodus* at the end of the event. Event traffic is infrequent and confined to a short time window. Nearby roads such as N. Ocotillo Road are rural and see light traffic normally. Guests typically leave over a 30–60 minute period as an event winds down, rather than all at once, further smoothing the effect on traffic flow.

Comparative Context: It is worth noting that some neighbors' own activities likely generate periodic traffic and noise. Farm equipment and business operations in the area generate more substantial traffic noise. The additional cars from occasional events represent minimal incremental impact.

Event Traffic Volume

A typical event (~100 guests) = 40–50 cars arriving before the ceremony and leaving after.

Traffic Routes

All cars use county roads (Ocotillo Rd). Parking is on-site; no roadside parking.

Vehicle Noise

A car pass-by at 50 ft = ~50–60 dB (quiet street level). Homes are hundreds of feet away, reducing further to ~40–45 dB, i.e., similar to background.

Mitigation

- Staggered departures.
- Quiet departure enforcement
- Onsite lodging reduces overall event traffic at arrival and departure times.

Conclusion: Event traffic is limited, short-duration, and comparable to normal rural activity. No significant traffic noise or congestion impact is expected. The volume of cars is low and confined to event start/end, the noise from vehicles is comparable to normal rural activity, and the venue's internal parking and quiet hours policies mitigate any prolonged disturbance. Traffic impacts will be minimal and will not materially affect the quiet character of the neighborhood. Neighbors can be assured that apart from a brief uptick in cars on the road during an event, there is no lasting or significant traffic noise issue caused by the venue.

EXHIBIT E

Exhibit E includes the Tres Alamos Area Plan (highlighted to show the full context of its Vision), a compliance chart demonstrating alignment with the Plan, and maps reflecting both support and opposition within the Tres Alamos area.

1. Tres Alamos Vision statement compliance chart
2. Tres Alamos Area Plan
3. Support and Opposition Map

Tres Alamos Vision Statement – Compliance Chart

Vision Requirement	Ever After Ranch Compliance
Maintain quiet & peaceful rural quality	Events clustered in southeast corner away from homes; sound analysis shows noise remains within acceptable thresholds.
Maintain neighborliness	Applicants provided contact info, responded to inquiries, and submitted rebuttals demonstrating transparency and respect.
Preserve beauty of rural environment	Native, drought-tolerant landscaping; open views maintained; design blends with natural setting.
Maintain large lot sizes	40-acre property exceeds minimums, ensuring low density and spacious use.
Maintain trail network	Preserves natural corridors; integrates equestrian and agritourism trails consistent with area character.
Protect wildlife pathways	Clustered development leaves large areas undisturbed; fencing/site planning allows wildlife movement.
Preserve green open spaces	Over 75% of parcel remains natural; pastures and event lawns function as both open space and agricultural land.
Protect dark night skies	Downward facing, shielded lighting; no stadium or flood lighting proposed.
Honor ranching history	Agritourism features include horseback riding, farm-to-table events, and preservation of ranching traditions.
Preserve historic sites	No historic sites disturbed; project promotes appreciation for ranching history.
Preserve trails	Existing natural trails retained and improved for equestrian and pedestrian use.



COCHISE COUNTY PLANNING DEPARTMENT

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

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Judy Anderson, Director

Tres Alamos Area Plan

The **Tres Alamos Area Plan** consists of the Vision Statement, the Policies and a Land Use Map. The Land Use Map identifies the boundaries of the Plan Area. The land use designation within the Plan Area is the “Rural Residential” (RR) designation within a Category “D” Rural Area designation.

Amendments to the Comprehensive Plan land use designations do not change the underlying zoning district designations for any parcel lying within the Plan area. The underlying zoning remains until a property owner seeks to change the zoning through a rezoning process.

Vision Statement

“In the year 2020 the Tres Alamos communities will maintain a rural quality characterized by quiet, peacefulness, neighborliness, the beauty of the rural environment and large lot sizes. The community will maintain a trail network while protecting wildlife pathways, green open spaces and dark night skies. New development will contribute to this Vision and will honor the rich ranching history of the area and will preserve historic sites and trails.”

Land Use Policies

1. Heavy industry is not appropriate.
2. Legal subdivisions are preferable to lot splitting.
3. All approvals for rezonings to a higher density shall be conditioned with the requirement that new development proceed under the subdivision process.
4. Improved roads should be required as part of new development and should be designed to (a) be safe for residential traffic; (b) reflect a rural residential character; and (c) be pedestrian-, bicycle- and equestrian-friendly.
5. Water resources should be protected, particularly groundwater levels for home sites and watersheds serving the San Pedro River. Unique natural water features, such as natural springs and ponds, should be preserved.

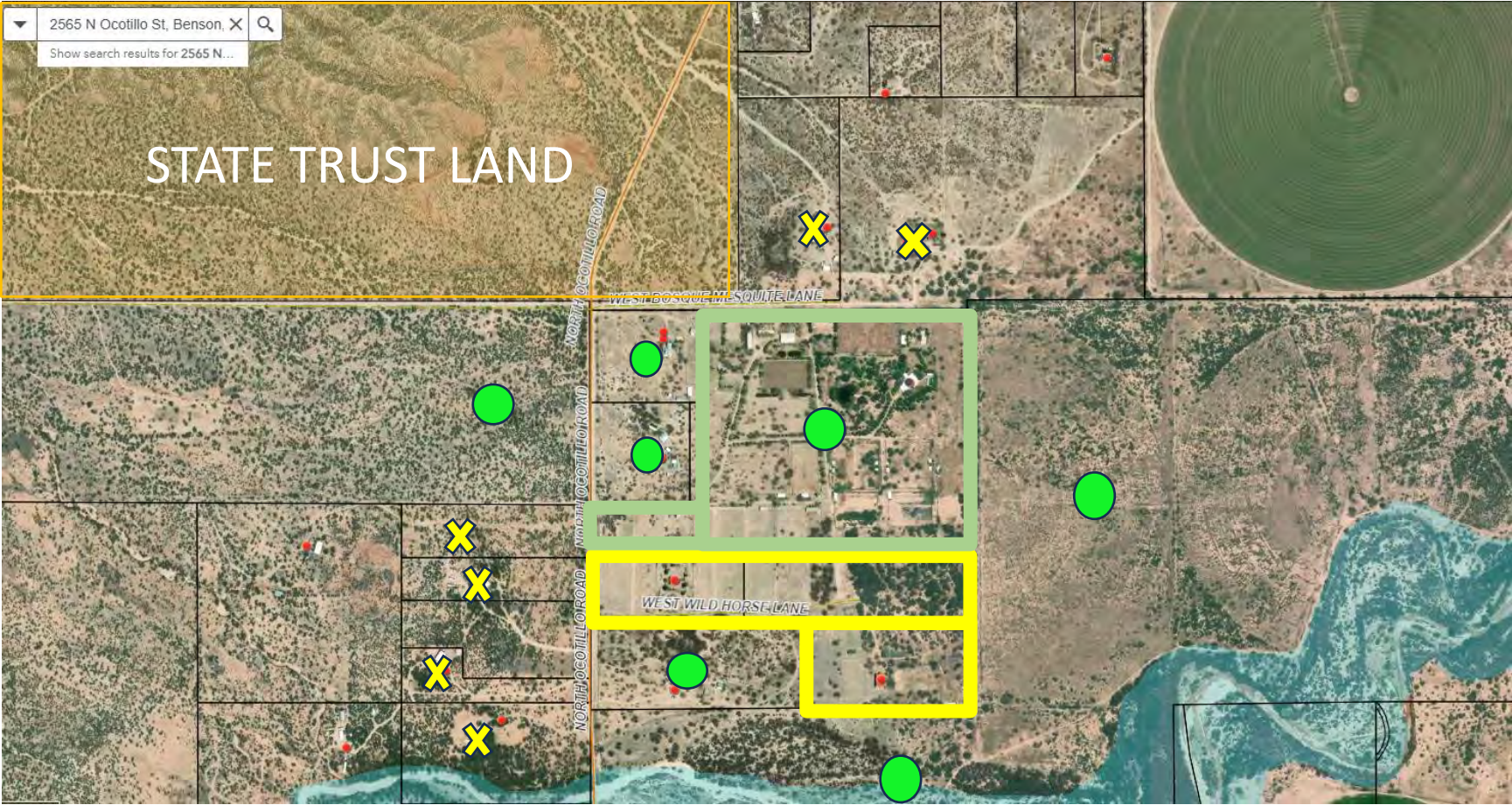
How the Plan is to be Used

The purpose of the proposed Tres Alamos Area Plan is to guide future growth and conservation efforts within the Plan Area. The Vision Statement and policies provide direction and guidance on how the community chooses to direct residential and non-residential development, infrastructure, and new building forms in order to sustain and strengthen the natural resources, rural character, privacy and healthy livability of the community.

It is intended that Applicants for subdivisions, rezonings and special use permits will review the Plan's Vision Statement and policies prior to designing the site plans for their Project and will address the Vision Statement and its values in the siting of infrastructure, roadways and trails, building sites and building orientation, areas for open space and natural resource conservation and various land uses to insure that their proposals meet the Vision Statement. **Applicants who propose Projects that satisfy the land use and design values of the Vision Statement can be expected to be supported in their efforts by the Tres Alamos community, the Planning and Zoning Commission, and the Board of Supervisors.** Developers should use the information in this Plan to select appropriate sites for development and to assist in the layout and design of their Projects. Prospective residents can use the Plan to identify the valued resources of the Community and to gain some assurance that these resources would be protected in the future by County staff and legislators.

The text of the *Countywide Comprehensive Plan* identifies land use policies that can be used to measure new development within various parts of the County. An Area Plan, typically, provides a set of policies which can be viewed as a sub-set of the broader Countywide policies and which are deemed more specifically reflective of the local physical environment, its setting, and the values and desires shared by the local community. The policies within this Area Plan are to be used to measure the suitability or appropriateness of a development proposal within the Plan Area. At a minimum, if a proposal meets or satisfies a specific policy of the Area Plan, this would be deemed a factor in favor of approval of the proposal. Conversely, if the proposal did not meet the policies of the Area Plan, it would be deemed by staff to represent a *factor against* the proposal, or a factor for staff or legislators to create conditions of approval to alter or redesign the proposal to positively address the Plan Vision and policies.

SUPPORT AND OPPOSITION MAP



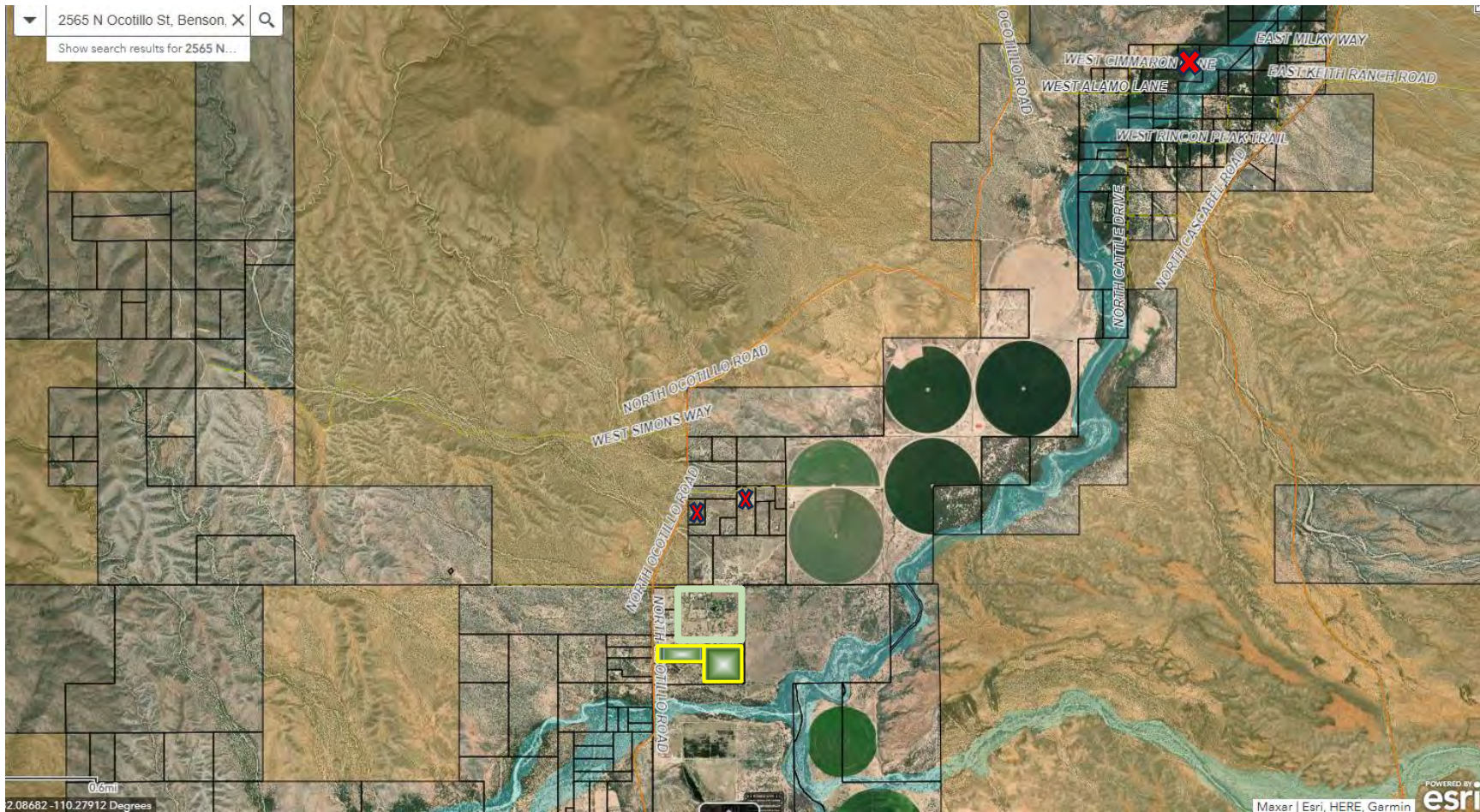
● Notice sent, no response or opposition received as of 08/28/2025

✕ Notice sent, opposition received

▭ Special use boundary

▭ Total property boundary

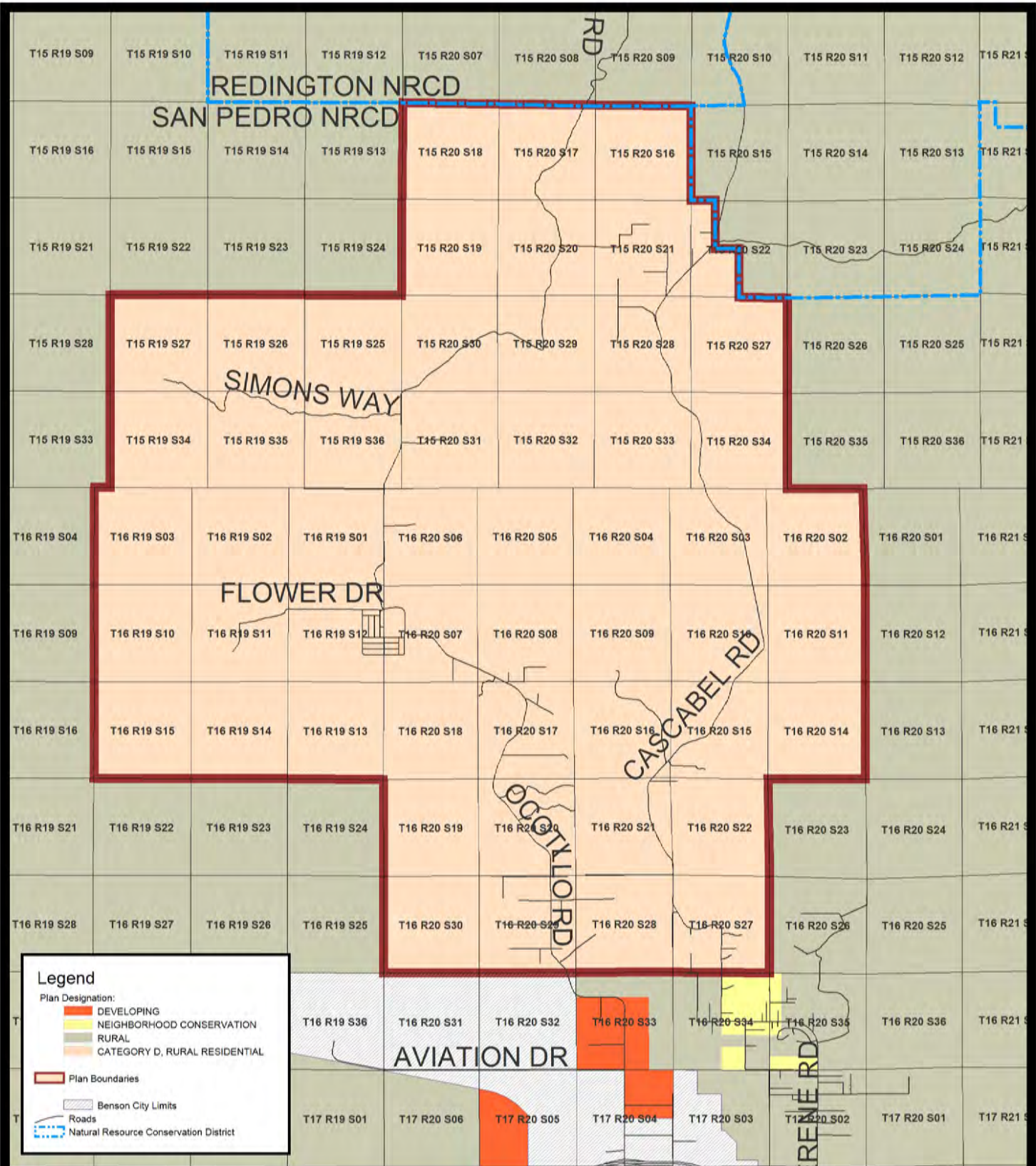
SUPPORT AND OPPOSITION MAP – outside of notice radius



✘ Opposition received – outside of 1000 ft notice radius

■ Special use boundary

□ Total property boundary



Tres Alamos Area Plan
 Adopted by Board of Supervisors
 July 11, 2006
 by Resolution 06-53

This map is a product of the Cochise County GIS

