



Cochise County

Development Services

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

MEMORANDUM

June 15, 2023

Albert Armenta
8876 E. Hawthorn
Hereford, AZ 85615

Transmitted Via email

RE: Docket SU23-14 (Barataria Feed) Parcel No 107-62-009A, located on at 8191 E. Barataria Blvd. Sierra Vista, AZ 85650

Dear Mr. Armenta,

As you are aware, on Wednesday, June 14, 2023, the Cochise County Planning and Zoning Commission (Commission) voted 9-0 to **conditionally approve** Special Use Authorization pursuant to Section 607.23 to construct a retail feed store. Phase 1 will include a 4,000-square-foot hay barn, small sheds with merchandise, parking, and a driveway. Phase 2 will include a 60,000-square-foot building to house the feedstore and indoor arena.

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 about what permits you need to obtain.

Also, per Section 1716.03 (Procedures for Issuance of a Special Use Authorization) of the Zoning Regulations,

- Within 30 days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to the operation of the Special Use, the Applicant shall apply for a building/use permit for the Project within 18 months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards (except as modified) and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 24 months of the Special Use approval. Otherwise, the Special Use may be deemed void upon 30-day notification to the Applicant;
- It is the Applicant's responsibility to obtain any additional permits or meet any additional Conditions that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations,

Planning, Zoning and Building Safety

1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
planningandzoning@cochise.az.gov

in addition all standards and requirements of the County Health Services District shall be met, and all permits or licenses shall be obtained prior to operation;

- Any changes to the approved Special Use shall be subject to review by the Planning Division and may require additional modification and approval by the Planning and Zoning Commission;

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

1. With the non-residential permit the Applicant shall obtain a right-of way permit. The driveway connection shall be paved.
2. Should the Applicant wish to continuing uses the existing driveway on the adjacent parcel to the east an ingress/egress easement shall be recorded.
3. Outside of County right-of way, the driveway, parking, and all maneuvering areas shall consist of dust proof material such as gravel to prevent fugitive dust from leaving the site.
4. In conjunction with phase two a traffic analysis shall be provided. Any offsite improvements required by that document will be required.
5. In conjunction with the commercial permit for phase 2 the Applicant shall install a commercial septic and restroom facilities, in compliance with the Building Regulations in place at that time.
6. In conjunction with the non-residential permit the Applicant shall provide a fully detailed and dimensioned site plan that meets the minimum submittal requirements.
7. All disturbed areas of the site outside of driveways, parking and maneuvering areas shall implement methods to control erosion and could include a dust polymer, hydroseed or other approved methods.

If you or anyone disagrees with the action taken by the Commission, the Zoning Regulations allow for an appeal of the action to the Board of Supervisors. Such appeal must be filed within fifteen (15) calendar days of the Commission's June 14, 2023 action. If you have any questions, please call me at (520) 432-9268 or dcoxworth@cochise.az.gov.

Best regards,

A handwritten signature in black ink, appearing to read "D. Coxworth", written in a cursive style.

Dan Coxworth, Director

**Acceptance of Conditions:
Special Use Approval, Docket No. SU23-14 (Barataria Feed)**

I, the undersigned, own Parcel No **107-62-009A**, located at **8191 E. Barataria Blvd. Sierra Vista, AZ 85650**. This parcel is the subject property for Docket SU23-14, being a Special Use Authorization pursuant to Section 607.23 to construct a retail feed store. Phase 1 will include a 4,000-square-foot hay barn, small sheds with merchandise, parking, and a driveway. Phase 2 will include a 60,000-square-foot building to house the feedstore and indoor arena. On June 14, 2023, the Cochise County Planning and Zoning Commission conditionally approved Docket SU23-14, subject to the following conditions of approval, to which I agree to adhere:

1. With the non-residential permit the Applicant shall obtain a right-of way permit. The driveway connection shall be paved.
2. Should the Applicant wish to continuing uses the existing driveway on the adjacent parcel to the east an ingress/egress easement shall be recorded.
3. Outside of County right-of way, the driveway, parking, and all maneuvering areas shall consist of dust proof material such as gravel to prevent fugitive dust from leaving the site.
4. In conjunction with phase two a traffic analysis shall be provided. Any offsite improvements required by that document will be required.
5. In conjunction with the commercial permit for phase 2 the Applicant shall install a commercial septic and restroom facilities, in compliance with the Building Regulations in place at that time.
6. In conjunction with the non-residential permit the Applicant shall provide a fully detailed and dimensioned site plan that meets the minimum submittal requirements.
7. All disturbed areas of the site outside of driveways, parking and maneuvering areas shall implement methods to control erosion and could include a dust polymer, hydroseed or other approved methods.

Owner's Signature

Date

ACCEPTANCE OF CONDITIONS/WAIVER FOR DIMINUTION OF VALUE

(Property owned by one or more entities)

I, the undersigned, am the owner of Parcel No. **107-62-009A, located at 8191 E. Barataria Blvd. Sierra Vista, AZ 85650**. This parcel is the subject property for Docket SU23-14, being a Special Use Authorization pursuant to Section 607.23 to construct a retail feed store. Phase 1 will include a 4,000-square-foot hay barn, small sheds with merchandise, parking, and a driveway. Phase 2 will include a 60,000-square-foot building to house the feedstore and indoor arena.

By signing this document, I, the undersigned property owner, waive any right to compensation for diminution in value pursuant to Arizona Revised Statutes §12-1134 that may now or in the future exist as a result of the approval of Docket # SU23-14.

Dated this _____ day of _____, _____.

OWNER(s): [Entity name and descriptions]

By: _____
Print Name

Sign Name

Its: _____
[Title]

STATE OF ARIZONA)
County of Cochise) ss

The foregoing instrument was acknowledged before me on _____, 23 by.

Notary Public

My Commission expires:

(TO BE RECORDED BY THE DEVELOPMENT SERVICES DEPARTMENT)