



Development Services

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Matthew Taylor, AICP, Planning Manager
FOR: Christine McLachlan, AICP, Director
SUBJECT: SU26-01 (Bever Street Educational Services)
DATE: March 11, 2026

Docket SU26-01 (Bever Street Educational Services)

A Special Use Authorization request to allow educational services.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Applicant: Kathryn Switzer
Location: 5048 E. Bevers Street
APN: 107-69-039A
Property Size: 3.1 acres
Zoning: R-36
Plan Designation: Neighborhood Conservation
Growth Area: B - Developing
Existing Use: Education Services for Homeschool Children
Proposed Use: Education Services for Homeschool Children

Surrounding Zoning and Uses

North	R-36	Residential
South	R-36	Residential
East	R-36	Residential
West	R-36	Residential

II. SITE HISTORY

- 1967: Golden Meadows subdivision.
- 1970s: Single family residence, septic, and accessory structures.
- 2025: Active code compliance action for operating a school (educational service) without Special Use authorization and non-residential permit (#25-004290).

III. SPECIAL USE AUTHORIZATION REQUEST

A Special Use Authorization request to allow education services for homeschooled children within an existing residential structure. Typical days/hours of operation are Tuesdays through Thursdays between 8:30am and 2:30pm (three weeks per month). The school serves up to eight (8) children with up to four (4) contractors/volunteers.

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

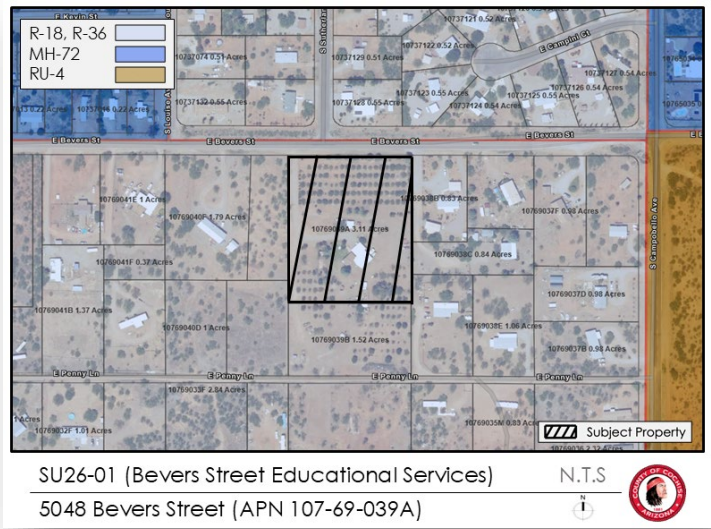
Section 2.48.160 of the Zoning Regulations identifies ten (10) factors to evaluate Special Use applications. These factors determine the suitability of a special use request, whether to recommend approval, and to determine if conditions and/or modifications are needed to mitigate potentially negative impacts on surrounding properties. With the information provided, nine (9) factors apply to this special use request with all applicable factors complying with conditions:

1. Compliance with Duly Adopted Plans: Partially Complies

The subject property is designated *Neighborhood Conservation* by the Comprehensive Plan and falls within *Growth Area B (Developing)*. The property’s R-36 zoning is consistent with Plan designations, and establishment criteria for *Neighborhood Conservation* is as follows:

- *The area to be designated is a developed residential neighborhood that warrants protection from non-residential uses; or,*
- *The area is an approved subdivision for which all the improvements are in place and constructed to minimum County standards.*

The Plan’s *Neighborhood Conservation* designation identifies an area as having an established, primarily residential character that needs special zoning protections to maintain land use character that generally occurs on parcels one acre or less. Parcels in this area are commonly within platted subdivisions and consist of less than one acre with established residential uses. The residential character of the subject property will change little beyond potential increases in traffic during morning and early afternoon hours. Otherwise, the property, though needing interior and potentially exterior work to comply with improvements required for assembly-type building occupancies, will remain residential in appearance.



2. Compliance with the Zoning District Purpose: Complies

Residential zoning districts, including R-36, are established for the following purposes:

- *To provide an area for families living at a variety of low to medium densities*
- *To provide an area where single-household dwellings, rehabilitated mobile homes, and manufactured homes can co-exist.*

All R districts facilitate residential development and, like all other rural and residential districts, have multiple districts based on minimum site area: R-9, R-18, and R-36 (in square feet). These districts also

allow non-residential uses provided they comply with applicable site development standards of the district and include:

- Churches or places of religious worship
- Civic, social, fraternal, or business associations (approved by the subdivision process for residents/guests)
- Community gardens
- Emergency vehicle stations
- Mobile, manufactured, and recreational vehicle parks
- Residential care homes (maximum 6 residents)
- Commercial riding stables (approved by the subdivision process for residents/guests)
- Utility installations (excluding electric generation, sewage treatment, landfills, incinerators)

Numerous non-residential land uses are allowed in Residential districts with special use approval either as a standalone use or in conjunction with an established principal residential use, including personal and professional services, day care facilities, farmers markets, grocery stores, health clinics, mini-warehouses, recreational facilities, and veterinary clinics/animal hospitals. Educational services are also identified as an allowed special use:

- A category of land uses including pre-school, primary, secondary, and higher education facilities, vocational and technical schools, and any other facility in which the principal use is the public assembly to receive classroom instruction or practical training.

The property was developed for residential use in the early 1970's, and the applicant acquired the property in 2024 to use the existing residential structure as a microschool with a small number of homeschool students. The County received a complaint in November 2025 and validated the existence of a violation on November 24th, sending violation notices on December 5th and December 22nd. The applicant subsequently met with staff on January 7th to initiate the Special Use process.

The site totals about 3.1 acres and has an existing residential structure with water, septic, and power. The prevailing development pattern in this area is residential on lots ranging from less than ½ acre to more than one acre and most parcels have established single family residences. Special use approval for non-residential uses may be appropriate in residential areas provided compliance with site development standards is achievable and potential off-site impacts on surrounding properties and residents can be effectively mitigated. Given the predominately indoor nature of the use, property size, abundant vegetation, and location along an Urban Local roadway that accommodates both local and through traffic, off-site impacts are generally minimal and mostly related to traffic and possibly playground noise. Business information provided in the application does not suggest the use is significantly more intense



than activities that could occur on other properties with established residential uses.

3. Development Along Major Streets: Complies

This factor encourages reduction in the number of access points along major thoroughfares, arterial streets, and county collector roads by using frontage roads, shared access, no access easements, and other measures. The subject property is located within a residential area along Bevers Street, an Urban Minor Collector. This road serves both local and through traffic. A County right-of-way (ROW) permit is required to improve the existing driveway to meet commercial standards, including an apron that meets or exceeds the existing surface of Bevers Street.

4. Traffic Circulation: Complies

This Special Use Authorization factor stipulates:

1. The request is consistent with the preservation of the functions of surrounding streets as defined in the County Comprehensive Plan.
2. The request does not result in the use of any residential street for non-residential traffic.
3. Consideration of future circulation needs in the surrounding area has been considered through right-of-way dedication and off-site improvements if warranted.

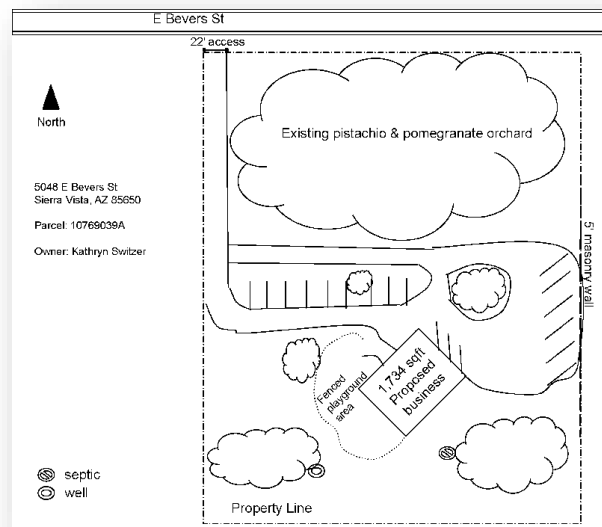
The project site has direct access to Bevers Street, an improved Urban Minor Collector that connects Highway 92 and Campobello Avenue. A County ROW permit is required to improve the existing driveway with a hard surface apron that matches or exceeds the existing roadway surface. The proposed special use will not impact existing road classifications, utilize residential streets, or require ROW dedications or off-site improvements.

5. Adequate Services and Infrastructure: Complies

The site is served by private well and septic, and is located within the Sulphur Springs Valley Electric Cooperative (SSVEC) and Fry Fire District service areas. The nearest fire station is located about two miles west at 4817 Apache Avenue (Station #2). Refuse disposal is provided by Waste Management.

6. Significant Site Development Standards: Partially Complies

The subject property totals about 3 acres and has an existing residential structure dating to 1970, appearing to meet R-36 zoning district development standards (Section 2.18 of the Zoning Regulations). No new structures are proposed though the applicant is requesting waivers from improvements required by the growth area category.



7. Public Input: Complies

Section 2.48.160 of the Zoning Regulations states, "If public concerns have been raised, it is fair to ask if the applicant has made a reasonable effort to address these concerns through the Citizen Review Process." The applicant mailed notices to property owners within 600' on January 7, 2026, receiving two

responses in support.

8. Hazardous Materials: Not Applicable

The use or storage of hazardous materials are not proposed.

9. Off-Site Impacts: Complies

This factor is intended to ensure adequate measures are taken to mitigate off-site impacts such as noise, outdoor lighting, odors, smoke, traffic, and dust. See also Section 6 (Significant Site Development Standards):

- Noise: Given the property's adherence to residential character and proposed 8:30am to 2:30pm business hours during weekdays, significant noise is unlikely.
- Lighting: The applicant has not proposed new outdoor lighting the property. Outdoor lighting relative to brightness and shielding applies to all properties within the county and is subject to Section 2.45 of the zoning regulations.
- Odors and Smoke: Site improvements are limited to residential use – significant generation of odors or smoke are unlikely to require mitigation.
- Parking: The site has an existing driveway and parking area. Growth Area B requires improved on-site driveways and parking areas and the applicant requests a waiver to keep existing unimproved driveway and parking surfaces.
- Landscaping: Growth Area B requires landscaping (5' strip along Bevers and 5% of the developed site). The applicant is requesting a waiver of this requirement given the low intensity of the use and the abundance of existing trees on the site, particularly along the frontage of Bevers Street.
- Traffic: A county right-of-way permit is required to upgrade the existing driveway to commercial standards with hard surface apron.

10. Water Conservation: Applicable

County water conservation requirements apply to non-residential uses and properties. Section 2.51.170 of the zoning regulations requires water saving strategies such as low-flow fixtures, and applicable water conservation regulations and policies identified in the zoning regulations and comprehensive plan are typically identified at permitting. The property is located within the Sierra Vista Sub-Watershed and has access to water via private well.

V. PUBLIC COMMENT

Staff mailed notices to property owners within 500', published legal notice, and posted the property February 13-18, 2026.



VI. WAIVERS

The applicant requests a waiver from Section 2.51 of the zoning regulations to forego paving on-site driveways and parking areas and installing landscaping. An improved apron matching or bettering the surface of Bevers Street is required.

VII. SUMMARY AND CONCLUSION

The applicant requests special use authorization for educational services for homeschooled children within an existing residential structure. As submitted, the special use request complies or partially complies with all applicable factors identified in the Zoning Regulations to evaluate special use authorization requests.

Factors in Favor of Approval

1. Complies with applicable factors.

Factors Against Approval

1. Waiver from driveway, parking, and landscaping standards.
2. Opposition from nearby property owners.

VIII. RECOMMENDATION

Based on the factors in favor of approval, staff recommends approval of Docket SU26-01 to allow educational services with the following conditions:

1. County right-of-way permit and hard surface apron are required along Bever Street.
2. School activities are limited to Tuesdays through Thursdays between 8:30am and 2:30pm.
3. A special use modification are required if the number of students exceeds twelve (12).
4. 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 operation of the Special Use, the applicant shall apply for a building/use permit for the project within 12 months of approval. The building/use permit shall include a site plan in substantial conformance with the approved special use concept plan, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18 months of approval or within time limits specified by the Planning and Zoning Commission.
5. It is the applicant's responsibility to obtain any additional permits, or meet any additional Conditions, that may apply to the proposed use pursuant to other federal, state, or local laws or regulations.
6. Any changes to the approved Special Use will be considered a Modification to this Special Use and may require re-hearing before the Planning and Zoning Commission.

Sample Motion

I move to approve Docket SU26-01 with conditions recommended by staff, the factors in favor of approval constituting the findings of fact.