

Robert L. Burk
P.O. Box 590
Elfrida, Arizona 85610
520-508-0938

June 23, 2011

Mike Turisk
Planning and Zoning Manager
1415 Melody Lane
Bisbee, AZ 85603

Dear Mr. Turisk,

The end of this month, the commercial zoning for the property located at Whispering Pine and Highway 191 (Docket Z-06-08) will revert to TR-18.

Due to the depressed economy, which hasn't improved, I no longer wish to request a zoning extension to keep this property commercial.

Sincerely,



Robert L. Burk

COCHISE COUNTY

JUN 24 2011

PLANNING



Legend

- Incorporated Limits
- Roads
- Driveway
- Parcels
- Milepost
- Address
- Current Features



Parcel #403-20-004E
Mr. Robert Burk

This map is a product of the Cochise County GIS





COCHISE COUNTY PLANNING DEPARTMENT

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

Fax 432-9278

Judy Anderson, Director

June 6, 2008

Robert Burk
6217 S. Central
Phoenix, Arizona 85042
RLBurk1@cox.net

RE: Z-08-06, Burk Rezoning for a portion of Parcel 403-20-004A from TR-18 to GB, General Business in Elfrida, Arizona.

Dear Mr. Burk:

As you are aware, the Cochise County Board of Supervisors voted unanimously (3 to 0) on June 3, 2008 to conditionally-approve your rezoning request for the above-referenced parcel. The conditions of this approval are noted below. Paramount is the condition that only a portion of the proposed new parcel, an approximately 3 acre portion of the above-referenced "parent" parcel would be designated General Business (GB). The conditions of approval also include the negotiated agreements made by you and Mr. and Mrs. King, the residents of the abutting parcel to the south of your subject parcel. Those negotiated agreements include the following:

1. The portion of the property you seek to purchase and as shown in the rezoning application Site Plan and land "record of survey" will be reduced to the area described as follows and shown on the attached Assessor Map. Please note that we will require a copy of a new land survey showing the dimensions and metes and bounds of the General Business zone on this parcel; this is needed for our zoning maps and for our GIS maps and would be forwarded to the County Assessor's office as well. Please show the location of the vehicular access easement that is to be provided to the TR-18 zoned portion of the new parcel; this easement should be a minimum of 24-feet in width, 305-feet in length and should provide access to the residentially-zoned portion of the new parcel from W. Whispering Pine Lane.

North boundary	The Parcel 403-20-004A property line abutting W. Whispering Pine Lane from the westernmost property line abutting the ADOT right-of-way along US 191 to the easternmost boundary of Parcel 403-20-004A at the point that it abuts Parcel 403-20-004B;
East boundary	The intersection of Parcel 004A at the western boundary of Parcel 004B;
South boundary	Measured from the north-easternmost boundary of Parcel 00A <u>where it abuts</u> the north-western boundary of Parcel 004B, then moving south for a distance of 305 feet to the southwest boundary of Parcel 004B, then from this point moving westward along this alignment to the west boundary of Parcel 403-20-004A; and
West boundary	The property line abutting the ADOT right-of-way along US 191.

2. The service "bays" for the auto repair shop shall face northward and the shop shall be insulated so as to reduce fugitive noise impacts to adjacent residences;

3. The Applicant shall install a ten foot tall screen wall or fence at the southernmost boundary of the General Business Zoning District on the subject parcel; the screen wall or fence shall meet the screening standards of Section 1805.02 of the County Zoning Regulations. A cyclone fence with interlocking plastic-like screening material, such as the brand name "PrivacyLink" meets these standards. Please note that a ten-foot tall fence will require an approved building permit prior to installation. Please also note that the Zoning Regulations require a six-foot screen wall along the eastern boundary of the GB-zoned land, abutting Parcel 004B. The screen wall should be installed prior to operation of the auto repair use but it is preferred that you install it prior to site preparation of the land and construction of the shop so as to serve as an effective screen from those non-residential activities.

4. As noted in agreement number 1, above, there should be a recorded vehicular access easement on the GB portion of the new parcel, with the dimensions noted above, and granted by you to the "remnant" TR-18 residentially-zoned portion of your new lot.

In addition to the negotiated agreements that the Board of Supervisors imposed as conditions of approval of the rezoning, the following conditions of approval, suggested by the Planning and Zoning Commission on May 14, 2008, were also imposed by the Board as conditions of approval of the reduced area rezoning:

1. The Applicant shall provide the County a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning.

Mr. Robert Burk
June 6, 2008
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2. The Applicant shall record the lot split with the County Recorder and shall provide a survey and record of recordation to the Planning Department within 3 months of the Board of Supervisors' approval. There shall be no further splits of the new parcel unless and until a modification to this condition is approved by the Board of Supervisors pursuant to a new rezoning application and process.
3. The Applicant shall submit a building permit for the auto repair shop, driveway, parking areas, screening and other site development standards for the proposed use within 12 months of the Board of Supervisors' approval. The building permit shall include a site plan in conformance with this approval and meeting all site development standards, County Building and Safety Codes, Septic System and Well codes, and appropriate fees. Failure to meet this condition will cause the rezoning approval to be deemed void, upon 30-day notification to the Applicant.
4. The Applicant shall secure an Arizona Department of Transportation (ADOT) Encroachment permit and/or Right-of-Way permit for ADOT-required and/or County Highway and Floodplain Department (H&F) required improvements to the intersection of US 191 and Whispering Pine Lane and to the Whispering Pine Lane private easement, including provision of a paved "apron" and improvements to the existing cattle guard on Whispering Pine Lane. The improvements to US 191 and Whispering Pine Lane shall meet ADOT standards. The Applicant shall acquire easements if necessary to complete those improvements.
5. The Applicant shall enter into a Private Maintenance Agreement with the County assuring that the Applicant will keep the portion of Whispering Pine Lane from US 191 to the easternmost portion of their driveway in safe and passable condition.
6. There shall be a minimum 80-foot setback along the east property line within which no structure or materials stored therein shall exceed the height of the screen wall.
7. There shall be no outdoor activity, other than parking, associated with any non-residential use of the property.
8. The rezoning is limited to the Applicant's request for an auto repair business in the location described and shown in the application and on the concept plan, the hours of operation shall be limited to 8:00 AM to 5:30 PM, Monday through Friday, and there shall be no expansion of the business without a modification of this condition pursuant to a rezoning application process.

Per Arizona State Law, please be aware that the new zoning does not go into effect until 30 days after the Board action. If you wish to appeal the Board of Supervisors' decision or any of the conditions of approval, appeal of the Board's action is to Superior Court.

After the appeal period, the County may *issue* permits for the 10-foot tall fence which is a permitted use in a General Business District. You may, however *file* for these permits at any time, including during the appeal period. Please call to make an appointment with our Permit Coordinator, Ms.

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Page 4

Dora Flores, to go over the permit application requirements for land clearing, the fence, the shop, the septic system, County road encroachment and right-of-way permits, and other improvements to the Site. Please also contact Mr. Armando Membrila of ADOT to begin the application process for the ADOT right-of-way improvements and permits.

Please note that pursuant to the Board's Condition Number 1, the property owner must sign the Acceptance of Conditions and Waiver of Claims arising from ARS Section 12-1134 (Prop 207). This must be signed and notarized by all owners of the subject property and returned to me within 30-days of the Board's June 3, 2008 action. If you and Mrs. Burk are not the official property owners within this 30-day time period, please have the current property owner sign and notarize one copy of the form and you and Mrs. Burk sign another copy of the notarized form and return both to me. Upon receipt of the notarized and signed forms, we will record the waivers with the County Recorder and will keep the originals with the parcel file here at the Planning Department.

We look forward to working with you on this next, permitting, phase of your project. Please feel free to contact me if you have any questions at (520) 432-9252 or by email at smontana@cochise.az.gov

Sincerely,

Susana Montana, Planning Manager

Attachments:

1. Acceptance of Conditions Form
2. Waiver of Diminution of Value Form
3. Assessor Map showing the General Business area of the new parcel

C: Judy Anderson, Planning Director
Jim Vlahovich, Deputy County Administrator
Paul Newman, District 2 Supervisor
Rick Corley, Zoning Administrator
Doris Flores, Permit Coordinator
Karen Lamberton, County Transportation Planner
Armando Membrila, ADOT Right-of-way Permit Coordinator (928) 432-4900, amembrila@azdot.gov

Acceptance of Conditions Of Rezoning Approval Docket Z-08-06

I, Robert Burk and Anna Marie Burk, hereby accept the following conditions imposed by the Cochise County Board of Supervisors on June 3, 2008 for the Z-08-06 rezoning application to change the zoning map designation on an approximately three-acre portion of Parcel 403-20-004A from TR-18 (Residential, minimum lot size 18,000 square feet) to General Business, GB, for the portion of the above-referenced parcel located at the southeast corner of U.S. 191 and W. Whispering Pine Lane in Elfrida, AZ.

The rezoning is subject to the following conditions of approval which we agree to adhere to:

1. The portion of the property you seek to purchase and as shown in the rezoning application Site Plan and land "record of survey" will be reduced to the area described as follows and shown on the attached Site Plan. Please note that we will require a copy of a new land survey showing the dimensions and metes and bounds of the General Business zone on this parcel; this is needed for our zoning maps and for our GIS maps and would be forwarded to the County Assessor's office as well. Please show the location of the vehicular access easement that is to be provided to the TR-18 zoned portion of the new parcel; this easement should be a minimum of 24-feet in width, 305-feet in length and should provide access to the residentially-zoned portion of the new parcel from W. Whispering Pine Lane.

North boundary	The Parcel 403-20-004A property line abutting W. Whispering Pine Lane from the westernmost property line abutting the ADOT right-of-way along US 191 to the easternmost boundary of Parcel 403-20-004A at the point that it abuts Parcel 403-20-004B;
East boundary	The intersection of Parcel 004A at the western boundary of Parcel 004B;
South boundary	Measured from the north-easternmost boundary of Parcel 00A <u>where it abuts</u> the north-western boundary of Parcel 004B, then moving south for a distance of 305 feet to the southwest boundary of Parcel 004B, then from this point moving westward along this alignment to the west boundary of Parcel 403-20-004A; and
West boundary	The property line abutting the ADOT right-of-way along US 191.

2. The service "bays" for the auto repair shop shall face northward and the shop shall be insulated so as to reduce fugitive noise impacts to adjacent residences;
3. The Applicant shall install a ten foot tall screen wall or fence at the southernmost boundary of the General Business Zoning District on the subject parcel; the screen wall or fence shall meet the screening standards of Section 1805.02 of the County Zoning Regulations. A cyclone Mr.

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fence with interlocking plastic-like screening material, such as the brand name "PrivacyLink" meets these standards. Please note that a ten-foot tall fence will require an approved building permit prior to installation. Please also note that the Zoning Regulations require a six-foot screen wall along the eastern boundary of the GB-zoned land, abutting Parcel 004B. The screen wall should be installed prior to operation of the auto repair use but it is preferred that you install it prior to site preparation of the land and construction of the shop so as to serve as an effective screen from those non-residential activities.

4. As noted in agreement number 1, above, there should be a recorded vehicular access easement on the GB portion of the new parcel, with the dimensions noted above, and granted by you to the "remnant" TR-18 residentially-zoned portion of your new lot.

In addition to the negotiated agreements that the Board of Supervisors imposed as conditions of approval of the rezoning, the following conditions of approval, suggested by the Planning and Zoning Commission on May 14, 2008, were also imposed by the Board as conditions of approval of the reduced area rezoning:

1. The Applicant shall provide the County a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning.
2. The Applicant shall record the lot split with the County Recorder and shall provide a survey and record of recordation to the Planning Department within 3 months of the Board of Supervisors' approval. There shall be no further splits of the new parcel unless and until a modification to this condition is approved by the Board of Supervisors pursuant to a new rezoning application and process.
3. The Applicant shall submit a building permit for the auto repair shop, driveway, parking areas, screening and other site development standards for the proposed use within 12 months of the Board of Supervisors' approval. The building permit shall include a site plan in conformance with this approval and meeting all site development standards, County Building and Safety Codes, Septic System and Well codes, and appropriate fees. Failure to meet this condition will cause the rezoning approval to be deemed void, upon 30-day notification to the Applicant.
4. The Applicant shall secure an Arizona Department of Transportation (ADOT) Encroachment permit and/or Right-of-Way permit for ADOT-required and/or County Highway and Floodplain Department (H&F) required improvements to the intersection of US 191 and Whispering Pine Lane and to the Whispering Pine Lane private easement, including provision of a paved "apron" and

Mr. Robert Burk
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improvements to the existing cattle guard on Whispering Pine Lane. The improvements to US 191 and Whispering Pine Lane shall meet ADOT standards. The Applicant shall acquire easements if necessary to complete those improvements.

5. The Applicant shall enter into a Private Maintenance Agreement with the County assuring that the Applicant will keep the portion of Whispering Pine Lane from US 191 to the easternmost portion of their driveway in safe and passable condition.
6. There shall be a minimum 80-foot setback along the east property line within which no structure or materials stored therein shall exceed the height of the screen wall.
7. There shall be no outdoor activity, other than parking, associated with any non-residential use of the property.
8. The rezoning is limited to the Applicant's request for an auto repair business in the location described and shown in the application and on the concept plan, the hours of operation shall be limited to 8:00 AM to 5:30 PM, Monday through Friday, and there shall be no expansion of the business without a modification of this condition pursuant to a rezoning application process.

Applicants Signatures

Date

Applicants Signatures

Date

Mr. Robert Burk
June 6, 2008
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WAIVER FOR DIMINUTION OF VALUE

The undersigned is/are the owner(s) of the parcel of the land described as Parcel 403-20-004A that is the subject of Docket Z-08-08 and is located at the southeast corner of U.S. Highway 191 and W. Whispering Pine Lane in Elfrida, Arizona and is further described as being in Section 4, Township 18 South, Range 21 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona.

By signing this document, the undersigned parties agree and consent to all the conditions imposed by the Cochise County Board of Supervisors in conjunction with the approval of Docket Z-08-08 and 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 Z-08-08.

Dated this _____ day of _____, _____.

OWNER: [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 _____, 2008 by.

Notary Public

My commission expires:

(TO BE RECORDED BY PLANNING DEPARTMENT)

Z-08-06

Board of Supervisors

Richard R. Searle
Chairman
District 3

Patrick G. Call
Vice-Chairman
District 1

Paul Newman
District 2

Michael J. Ortega
County Administrator

James E. Vlahovich
Deputy County Administrator

Katie A. Howard
Clerk



RESOLUTION 08-41

AMENDING CERTAIN COCHISE COUNTY ZONING DISTRICT BOUNDARIES FROM RESIDENTIAL, TR-18, TO GENERAL BUSINESS, GB, PURSUANT TO THE APPLICATION OF ROBERT AND ANNA MARIE BURK

WHEREAS, A.R.S. § 11-829 allows property owners or their authorized agent to request amendments to the Zoning District boundaries through the Board of Supervisors in a public hearing; and

WHEREAS, the Cochise County Board of Supervisors recognizes that zoning amendments can affect land use patterns and therefore warrant careful consideration of local and regional impacts at a public hearing; and

WHEREAS, the Cochise County Board of Supervisors promotes effective, early and continuous public participation by citizens; and

WHEREAS, the Planning and Zoning Commission held a duly noticed public hearing on the proposed amendments to the Zoning District boundaries, hereby known as Docket Z-08-06; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on the amendments to the Zoning District boundaries proposed by Robert and Anna Marie Burk, representing the property owners Alex and Peggy Hunt; and

WHEREAS, the Board of Supervisors conditionally-approved the request for a change in the Zoning District boundaries,

NOW, THEREFORE, BE IT RESOLVED that the Cochise County Zoning District Boundaries shall be amended as follows:

The zoning classification for a 2.89 acre portion of Tax Parcel 403-20-004A, as described in the table attached to this Resolution as Exhibit A, is changed from TR-18 to GB, and the change comprises the western portion of the parcel which will be sold to the Applicants subsequent to the rezoning

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RESOLUTION 08- 41

Re: Amending Certain Cochise County Zoning District Boundaries (Burk)

Page 2

approval. The parcel is located at the Southeast corner of W. Whispering Pines Lane and U.S. 191 in Elfrida. The subject property is further described as being situated in Township 20, Range 26 and Section 15 of the G&SRB&M, Cochise County, Arizona. The change in zoning classification is conditioned as follows:

1. The Applicant shall provide the County a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning.
2. The Applicant shall record the lot split with the County Recorder and shall provide a survey and record of recordation to the Planning Department within 3 months of the Board of Supervisors' approval. There shall be no further splits of the new parcel unless and until a modification to this condition is approved by the Board of Supervisors pursuant to a new rezoning application and process. The new parcel is described on Attachment A to this Resolution.
3. The Applicant shall submit a building permit for the auto repair shop, driveway, parking areas, screening and other site development standards for the proposed use within 12 months of the Board of Supervisors' approval. The building permit shall include a site plan in conformance with this approval and meeting all site development standards, County Building and Safety Codes, Septic System and Well codes, and appropriate fees. Failure to meet this condition will cause the rezoning approval to be deemed void, upon 30-day notification to the Applicant.
4. The Applicant shall secure an Arizona Department of Transportation (ADOT) Encroachment permit and/or Right-of-Way permit for ADOT-required and/or County Highway and Floodplain Department (H&F) required improvements to the intersection of US 191 and Whispering Pine Lane and to the Whispering Pine Lane private easement, including provision of a paved "apron"

RESOLUTION 08-41

Re: Amending Certain Cochise County Zoning District Boundaries (Burk)

Page 3

and improvements to the existing cattle guard on Whispering Pine Lane. The improvements to US 191 and Whispering Pine Lane shall meet ADOT standards. The Applicant shall acquire easements if necessary to complete those improvements.

5. The Applicant shall enter into a Private Maintenance Agreement with the County assuring that the Applicant will keep the portion of Whispering Pine Lane from US 191 to the easternmost portion of their driveway in safe and passable condition.
6. There shall be a minimum 80-foot setback along the east property line within which no structure or materials stored therein shall exceed the height of the screen wall.
7. There shall be no outdoor activity, other than parking, associated with any non-residential use of the property.
8. The rezoning is limited to the Applicant's request for an auto repair business in the location described and shown in the application and on the concept plan, the hours of operation shall be limited to 8:00 AM to 5:30 PM, Monday through Friday, and there shall be no expansion of the business without a modification of this condition pursuant to a rezoning application process.

In addition to the above eight conditions, the Board of Supervisors also imposed the following conditions following discussions among the Applicant and the protesting property owners and residents of the abutting parcel to the south of the subject property:

1. The portion of the property rezoned will be reduced to the area described in the table provided in Attachment A to this Resolution. The County Planning Department will require a copy of a new land survey showing the dimensions and metes and bounds of the General Business zone on this parcel. Said survey shall also show the location of the vehicular access easement that is to be provided to the TR-18 zoned portion of the new parcel; this easement should be

RESOLUTION 08- 41

Re: Amending Certain Cochise County Zoning District Boundaries (Burk)

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a minimum of 24-feet in width, 305-feet in length and shall provide access to the residentially-zoned portion of the new parcel from W. Whispering Pine Lane.

2. The service "bays" for the auto repair shop shall face northward and the shop shall be insulated so as to reduce fugitive noise impacts to adjacent residences;
3. The Applicant shall install a ten foot tall screen wall or fence at the southernmost boundary of the General Business Zoning District on the subject parcel; the screen wall or fence shall meet the screening standards of Section 1805.02 of the County Zoning Regulations. A cyclone fence with interlocking plastic-like screening material, such as the brand name "PrivacyLink" meets these standards. Please note that a ten-foot tall fence will require an approved building permit prior to installation. Please also note that the Zoning Regulations require a six-foot screen wall along the eastern boundary of the GB-zoned land, abutting Parcel 004B. The screen wall should be installed prior to operation of the auto repair use but it is preferred that you install it prior to site preparation of the land and construction of the shop so as to serve as an effective screen from those non-residential activities.
4. As noted in number 1 above, there should be a recorded vehicular access easement on the GB portion of the new parcel, with the dimensions noted above, and granted for the benefit of the "remnant" TR-18 residentially-zoned portion of your new lot. A copy of the recorded easement shall be provided to the Department.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this 3rd day of June 2008.



Richard Searle, Chairman
Board of Supervisors

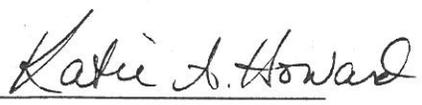
RESOLUTION 08- 41

Re: Amending Certain Cochise County Zoning District Boundaries (Burk)

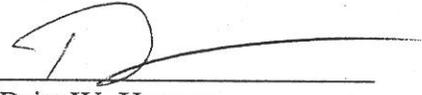
Page 5

ATTEST:

APPROVED AS TO FORM:



Katie Howard,
Clerk of the Board



Britt W. Hanson,
Chief Civil County Attorney

Attachment A

North boundary	The Parcel 403-20-004A property line abutting W. Whispering Pine Lane from the westernmost property line abutting the ADOT right-of-way along US 191 to the easternmost boundary of Parcel 403-20-004A at the point that it abuts Parcel 403-20-004B;
East boundary	The intersection of Parcel 004A at the western boundary of Parcel 004B;
South boundary	Measured from the north-easternmost boundary of Parcel 00A <u>where it abuts</u> the north-western boundary of Parcel 004B, then moving south for a distance of 305 feet to the southwest boundary of Parcel 004B, then from this point moving westward along this alignment to the west boundary of Parcel 403-20-004A; and
West boundary	The property line abutting the ADOT right-of-way along US 191.



COCHISE COUNTY PLANNING DEPARTMENT

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

Fax 432-9278

Judy Anderson, Director

May 5, 2009

Robert Burk
6217 S. Central
Phoenix, Arizona 85042
RLBurk1@cox.net

RE: Commercial Permit 09-5015 for construction of an auto repair shop on Parcel 403-20-004E associated with the Z-08-06 Rezoning for a portion of Parcel 403-20-004A from TR-18 to GB, General Business in Elfrida, Arizona.

Dear Mr. Burk:

As you are aware, the Cochise County Board of Supervisors voted unanimously (3 to 0) on June 3, 2008 to conditionally-approve your rezoning request for the above-referenced parcel. Condition Numbers 3 and 4 of the rezoning approval state:

3. The Applicant shall submit a building permit for the auto repair shop, driveway, parking areas, screening and other site development standards for the proposed use within 12 months of the Board of Supervisors' approval. The building permit shall include a site plan in conformance with this approval and meeting all site development standards, County Building and Safety Codes, Septic System and Well codes, and appropriate fees. Failure to meet this condition will cause the rezoning approval to be deemed void, upon 30-day notification to the Applicant.
4. The Applicant shall secure an Arizona Department of Transportation (ADOT) Encroachment permit and/or Right-of-Way permit for ADOT-required and/or County Highway and Floodplain Department (H&F) required improvements to the intersection of US 191 and Whispering Pine Lane and to the Whispering Pine Lane private easement, including provision of a paved "apron" and improvements to the existing cattle guard on Whispering Pine Lane. The improvements to US 191 and Whispering Pine Lane shall meet ADOT standards. The Applicant shall acquire easements if necessary to complete those improvements.

You submitted the use/building permit for the auto repair shop on February 17, 2009 and this permit is set to expire on June 17, 2009 due to deficiencies in the application. We are aware that ADOT has delayed their issuance of the right-of-way permit due to concerns about the upgrading of the existing cattle guard on Whispering Pine Lane. We are in receipt of your letter of April 23, 2009 requesting a one-year extension of the use/building permit CP 09-5015 to allow you time to

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Mr. Robert Burk
CP 09-5015 and Z-08-06
May 5, 2009
Page 2 of 2

work with ADOT to resolve the cattle guard issue, as well as to meet the other conditions of approval and permit requirements. We hereby grant you a one-year extension to the permit which would expire on June 17, 2010 or before if the permit is issued prior to that date.

We look forward to working with you on this next, permitting, phase of your project. Please feel free to contact Planning Manager Susana Montana or Permit Coordinator Dora Flores if you have any questions about this permit. Ms. Montana can be reached at (520) 432-9252 or by email at smontana@cochise.az.gov and Ms. Flores can be reached at (520) 432-9240 or dflores@cochise.az.gov.

Sincerely,



Susan Buchan, Planning Director

C: Rick Corley, Zoning Administrator
Doris Flores, Permit Coordinator
Karen Lamberton, County Transportation Planner
Susana Montana, Planning Manager

BURK'S AUTOMOTIVE
6217 South Central Avenue
Phoenix, AZ 85042
602-276-7242

April 23, 2009

Susan Buchan, Planning Director
Cochise County Planning Department
1415 Melody Lane
Bisbee, Arizona 85603

Re: Parcel 403-20-004E
Z-08-06

Dear Ms. Buchan:

Our commercial project on Highway 191 and Whispering Pine has been delayed by ADOT. We are trying to work with them regarding their demands, but will need a year's extension from the County Planning and Zoning Department.

Thank you for your consideration.

Sincerely,



Robert Burk

CC: Susana Montana, Planning Manager

COCHISE COUNTY
APR 27 2009
PLANNING

E

SPECIAL USE: Docket Z-06-06R (Burk)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Anna Marie Burk

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): Anna Marie Burk

SIGNATURE(S): *Anna Marie Burk*

YOUR TAX PARCEL NUMBER: 40320004B (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS: 6247 S. 1st St., Phoenix, AZ 85042

Upon submission of this form or any other correspondence, it becomes part of the public record and is available for review by the Applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on July 29, 2011 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the pubic hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Beverly Wilson
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603
Email: bjwilson@cochise.az.gov
Fax: (520) 432-9278

COCHISE COUNTY

JUL 20 2011

PLANNING

F

SPECIAL USE: Docket Z-06-06R (Burk)

YES

YES, I SUPPORT THIS REQUEST

Please state your reasons:

It is a more appropriate zoning with houses all around the parcel.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Craig Abbott

SIGNATURE(S):

[Handwritten Signature]

YOUR TAX PARCEL NUMBER: 403-20-004E (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS 515-10th Douglas, AZ 85607

Upon submission of this form or any other correspondence, it becomes part of the public record and is available for review by the Applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on July 29, 2011 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Beverly Wilson
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603
Email: bjwilson@cochise.az.gov
Fax: (520) 432-9278

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RESOLUTION 11 -__

**REVERTING PARCEL #403-20-004E FROM GENERAL
BUSINESS TO R-18, PURSUANT TO THE APPLICATION OF
ROBERT BURK**

WHEREAS, A.R.S. § 11-829 allows property owners or their authorized agent to request amendments to the Zoning District boundaries through the Board of Supervisors in a public hearing; and

WHEREAS, on June 3, 2008, the Cochise County Board of Supervisors approved Docket Z-08-06, rezoning parcel# 403-20-004E owned by Robert Burk from R-18 to General Business, subject to certain conditions; and

WHEREAS, applicant Robert Burk is now requesting a reversion of zoning from General Business to R-18; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on the request for reversion,

NOW, THEREFORE, BE IT RESOLVED that the zoning of parcel 403-20-004E shall be reverted to R-18 from General Business, at the request of the applicant.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this 9th day of August, 2011.

Patrick Call, Chairman
Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Katie Howard,
Clerk of the Board

Britt W. Hanson, Chief Civil
Deputy County Attorney