

ZONING ORDINANCE 14-___

**AMENDING CERTAIN ZONING DISTRICT BOUNDARIES FROM TR-36
AND RU-2 TO RU-4, PURSUANT TO THE APPLICATION OF JEFFERY
& BARBARA FRANZ**

WHEREAS, A.R.S. § 11-814 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, Tax Parcels 106-15-094, -094B, -094C, & -094D were granted a conditional rezoning in 2005 from RU-4 to TR-36 and RU-2 to facilitate a residential subdivision; and

WHEREAS, the conditions applied to the rezoning were never completed (including the submission of a subdivision plat); and

WHEREAS, the Applicant wishes to abandon the proposed subdivision project and wishes to revert the zoning to RU-4; and

WHEREAS, pursuant to A.R.S. § 11-814, the Board of Supervisors may revert zoning if the property has not been improved for the use for which it was conditionally approved; and

WHEREAS, the requested zoning district represents a reduction in density in accordance with the Babocomari Area Plan; and

WHEREAS, the requested zoning district is harmonious with the surrounding zoning districts; and

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

WHEREAS, the Board of Supervisors held a duly noticed public hearing on the amendments to the Zoning District boundaries proposed by Applicants Jeffery & Barbara Franz; and

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Re: Docket Z-14-01 Application of Jeffery & Barbara Franz

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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 classifications for Tax Parcels 106-15-094, -094B, -094C, & -094D, as shown on the map attached to this Resolution as Exhibit A, are changed from TR-36 and RU-2 to RU-4. The property is located in the Babocomari Land Grant in Huachuca City, AZ. The property is further described as being in Township 20 South, Range 20 East of the G&SRB&M in Cochise County, Arizona. The Board of Supervisors approves Docket Z-14-01 subject to the following condition of approval:

1. The Applicant shall provide the County with 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;

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this 28th day of January, 2014.

Ann English, Chairman
Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Arlethe G. Rios,
Clerk of the Board

Adam Ambrose,
Civil Deputy County Attorney