



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

check # 2138

Rec'd \$41500 2/27/2014

(KD)

COCHISE COUNTY REZONING APPLICATION

Submit to: Cochise County Community Development Department
1415 Melody Lane, Building E, Bisbee, Arizona 85603

1. Applicant's Name: Douglas Carr

2. Mailing Address: PO BOX 1150

Tombstone AZ 85638

City State Zip Code

3. Telephone Number of Applicant: 529 4579457

4. Telephone Number of Contact Person if Different: ()

5. Email Address: carrs auto body 1@gmail.com

6. Assessor's Tax Parcel Number: 108-15 06162 (Can be obtained from your County property tax statement)

7. Applicant is (check one):
- Sole owner:
 - Joint Owner: (See number 8)
 - Designated Agent of Owner:
 - If not one of the above, explain interest in rezoning:

7. If applicant is **not** sole owner, attach a list of all owners of property proposed for rezoning by parcel number. Include all real parties in interest, such as beneficiaries of trusts, and specify if owner is an individual, a partnership, or a corporation:

- List attached (if applicable):

8. If applicant is **not** sole owner, indicate which **notarized** proof of agency is attached:
- If corporation, corporate resolution designating applicant to act as agent:
 - If partnership, written authorization from partner:
 - If designated agent, attach a **notarized** letter from the property owner(s) authorizing representation as agent for this application.

9. Attach a proof of ownership for all property proposed for rezoning. Check which proof of ownership is attached:

- Copy of deed of ownership: _____
- Copy of title report: _____
- Copy of tax notice: _____
- Other, list: _____

10. Will approval of the rezoning result in more than one zoning district on any tax parcel?

- Yes _____ No

11. If property is a new split, or the rezoning request results in more than one zoning district on any tax parcel then a copy of a survey and associated legal description stamped by a surveyor or engineer licensed by the State of Arizona must be attached.

12. Is more than one parcel contained within the area to be rezoned? Yes _____ No

- If yes and more than one property owner is involved, have all property owners sign the attached consent signature form.

13. Indicate existing Zoning District for Property: R.V.4

14. Indicate proposed Zoning District for Property: R.18

Note: A copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached. Review this criteria and supply all information that applies to your rezoning. Feel free to call the Planning Department with questions regarding what information is applicable.

15. Comprehensive Plan Category: _____ (A County planner can provide this information.)

16. Comprehensive Plan Designation or Community Plan: _____ (A County planner can provide this information.)

Note: in some instances a Plan Amendment might be required before the rezoning can be processed. Reference the attached rezoning criteria, Section A.

17. Describe all structures already existing on the property: none

18. List all proposed uses and structures which would be established if the zoning change is approved. Be complete. Please attach a site plan: mobile home on site BUILD

19. Are there any deed restrictions or private covenants in effect for this property?

- No Yes
- If yes, is the proposed zoning district compatible with all applicable deed restrictions/private covenants? Yes No
- Provide a copy of the applicable restrictions (these can be obtained from the Recorder's office using the recordation Docket number)

20. Which streets or easements will be used for traffic entering and exiting the property?

MAGUEY Circle or Bayonet Drive off of Diamond Acres

21. What off-site improvements are proposed for streets or easements used by traffic that will be generated by this rezoning? Single Driveway Home

22. How many driveway cuts do you propose to the streets or easements used by traffic that will be generated by this rezoning? 0

23. Identify how the following services will be provided:

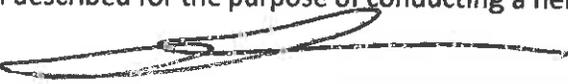
Service	Utility Company/Service Provider	Provisions to be made
Water	private well 5026	
Sewer/Septic		
Electricity		
Natural Gas		
Telephone		
Fire Protection		

24. This section provides an opportunity for you to explain the reasons why you consider the rezoning to be appropriate at this location. The attached copy of the criteria used to determine if there is a presumption in favor of or against this rezoning is attached for your reference (attach additional pages as needed).

I have 1.1 acre 15 in R-18, I would like to make it R-18 to put a mobile office on this lot, it right behind lot 5 in Diamond Acres it has access to lot. I have contacted 12 people in 1500 ft no body seems to have a problem with it. Thank you for your time

25. AFFIDAVIT

I, the undersigned, do hereby file with the Cochise County Planning Commission this petition for rezoning. I certify that, to the best of my knowledge, all the information submitted herein and in the attachments is correct. I hereby authorize the Cochise County Planning Department staff to enter the property herein described for the purpose of conducting a field visit.

Applicant's Signature:  _____

Date: 2-25-14 _____



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MASTER DEVELOPMENT PLAN APPLICATION

Master Development Plan (MDP) Name: Douglas Corn

General Location: Hwy 82 and Hwy 80

Parcel Number(s): 108-15-06162

Site Address: _____

Owner's Name: Douglas Corn

Address: PO Box 1150 Tombstone AZ 85638

Phone: 520 457 9457 Email address: corns auto body 1@gmail.com

Developer's Name (if different from owner): _____

Address: _____

Phone: _____ Email address: _____

Agent's/Project Engineer's Name: N/A

Address: _____

Phone: _____ Email address: _____

Total Acreage in MDP: .51

Current Zoning Designation(s): R04

Concurrent Rezoning? (separate Rezoning Application and fee required) _____

Proposed Uses within MDP: _____

Signature of Applicant: [Signature]

Date: 4-9-14

Signature of Property Owner (if different from Applicant): _____

Date: _____

Douglass Creek
PO Box 1152
Tombstone, AZ 85638

for parcel #
108-15-06 162 - 51 Acre

The concept is to put
a mobile home on
site build on .51 acres

2
3





Legend

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



MDP-14-01/Z-14-02 (Carr)
Location Map

This map is a product of the
Cochise County GIS
Information Technology Dept.

0' 1" = 1000'

D
13

February 14, 2014

Douglass Carr

P.O. Box 1150

Tombstone, AZ 85638

(520) 457-9457

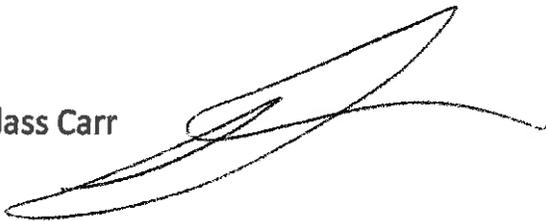
I Douglass Carr of 875 Main Chance Road, Tombstone, AZ 85638 am written to inform you my neighbors that I would like to rezone Parcel #108-15-061G 2 Lot #2 (.51 Acres) of Diamond Acres Subdivision. I would like to rezone it from RU4 to R18, to put a manufactures home on the lot for my family. I have lived and worked in Tombstone, AZ for 9 years. I am the owner of Carr's Auto Body Shop that has been in business for 9 years. I would appreciate your help in getting this land rezone.

Please write, call or email me with your questions, comments or concerns:

P.O. box 1150, Tombstone, AZ 85638, telephone number: 520-457-9457,
carrsautobody1@gmail.com

Thank you for your time,

Douglass Carr

A handwritten signature in black ink, appearing to read 'Douglass Carr', with a large, sweeping flourish extending to the right.

April 07, 2014

Douglass Carr

P.O. Box 1150

Tombstone, AZ 85638

(520) 457-9457

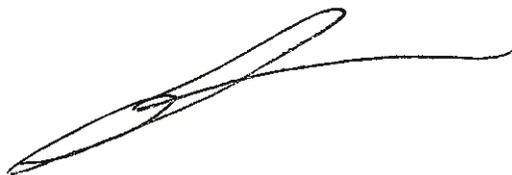
Well, you may remember me writing you to tell you I wanted to rezone my property. The County is now telling me I have to change the "Comprehensive Plan" designation of the property in order to rezone it. I am still asking the County to rezone my property but I am also asking to change the Comprehensive Plan designation as well.

Please write, call or email me with your questions, comments or concerns:

P.O. box 1150, Tombstone, AZ 85638, telephone number: 520-457-9457,
carrsautobody1@gmail.com

Thank you for your time,

Douglass Carr

A handwritten signature in black ink, appearing to read 'Douglass Carr', with a long horizontal flourish extending to the right.

CARR DOUGLASS
P O BOX 1150
TOMBSTONE AZ 85638

SKELHORN WILLIAM J & LAURA D (C
777 HAYES LINE RR2
OMEMEE ON K0L

CLAY SCOTT & MICHELLE (2)
P O BOX 757
TOMBSTONE AZ 85638

TOMBSTONE HOLDING LLC
3801 EAST INDIAN SCHOOL ROAD
PHOENIX AZ 85018

CRABTREE RONALD D
640 GOOSEBERRY DR UNIT 105
LONGMONT CO 80503

WINTERS VIJAYA
P O BOX 657
TOMBSTONE AZ 85638

*5:00 call me 2-21
2:52 pm no problem*

DIAMOND ACRES DEVELOPMENT INC
PO BOX 198
DIAMOND CITY AR 72644

*no mail receptacle
unable to forward*

EVANS DOUGLAS A & TERESA M
PO BOX 27
TOMBSTONE AZ 85638

HARRIS MATTHEW D & JANETTE K
5757 BOX ELDER RD
EL PASO TX 79932

HOWISON GEORGE D & LISA L
4014 CENTER AVENUE
NORCO CA 92860

*call me -2-13-14
4:00 pm no problem*

MCWHORTER JAKE & JAMIE
971 CHOLLA TRAIL
TOMBSTONE AZ 85638

PEAK JESSE & SHAWN
5329 N CROWLEY LN
TUCSON AZ 85705

SECRETARY OF HOUSING & URBAN DE
4400 WILL ROGERS PKWY STE 300
OKLAHOMA CITY OK 73108

Rezoning: Docket Z-14-02 (Carr)

COCHISE COUNTY

MAR 28 2014

PLANNING

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

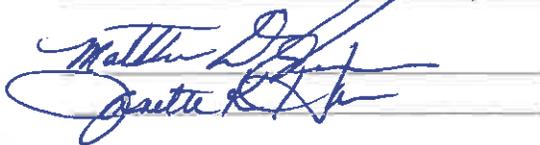
PLEASE SEE ATTACHED

(Attach additional sheets, if necessary)

PRINT NAME(S):

MATTHEW D. HARRIS, JANETTE K. HARRIS

SIGNATURE(S):



YOUR TAX PARCEL NUMBER: 108-15-061 J 6 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Board of Supervisors. Upon submission this form or any other correspondence 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 Friday, March 28, 2014 if you wish the Commission to consider them before the April 9 meeting. We cannot 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.**

RETURN TO: Keith Dennis
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Matthew & Janette Harris
Property Owner
Tombstone Property
Parcel (108-15-061J 6)

To Whom It May Concern,

My name is Matthew Harris and I would like to respond to a recent notice I received regarding a request for rezoning near 4 acres of property that my wife and I own. The request was made by **Mr. Douglas Carr** under **Docket Z-14-02 (Carr)** in Cochise County. Currently the RU4 zoning is preventing him from placing a manufactured home on a lot that he owns in the area.

Having researched the issue at hand I must ask that the request be declined at this time. As an advocate for personal property rights I do not ask this lightly and will attempt to explain my issue in full. I would like to be clear that my opposition to this in no way conveys any animosity to Mr. Carr or his right to make the request. The reason for my issue is based solely on a prevailing market bias that currently exists, with regard to manufactured homes, their valuation and the significant adverse effects this would have on my property rights.

Allow me to state a brief history of my ownership and the reasoning behind my choices to purchase the property I now own. In 1998 I purchased a site built home (at 971 Cholla Trail) that was advertised on 4 acres of property consistent with the zoning of the area. In the purchase negotiations the seller made clear that additional contiguous acreage was available if that was of interest to me. In the end I purchased the home on 8 acres instead of the advertised 4 for the sole purpose of investment. In 2009 I sold the home on 4 acres. However, prior to the sale, I spent significant time, effort and money to ensure that legal access was established to both 4 acre parcels, appropriate surveys were completed and filed and title and recordings were appropriately made. I did this to preserve the valuation of the unimproved 4 acres that I continue to retain. I now own the property unencumbered and as such have managed the investment as intended. This of course is true only if the valuation of the property remains undiminished outside of normal market fluctuations. With this, you can see that I have made significant effort to ensure that I maintain the current zoning and by doing so, the potential value, of the property I own.

Unfortunately the requested variance to allow manufactured homes on parcels less than four acres would have the specific effect of reducing the comparative value assessed on my property. The issue at hand is the fact that the real estate industry continues to hold significant bias with regard to valuations of property with manufactured homes. This is primarily the case with appraisal, mortgage and insurance agencies and has been for some time. This is the primary reason I purchased the home and additional property that I did in the first place. My research at the time proved that the valuation of properties

with manufactured homes was consistently 25 to 40 percent less than comparable site built homes on average. Therefore the specific zoning of the area in question was, and is, of paramount importance to me. In doing some brief but current research, I find that diminished valuation is still a consistent issue with regard to comparable acreage and square footage of homes. While there are considerable variations in the quality, workmanship, styling and installation of the wide variety of manufactured homes presently available, the appraisal, mortgage and insurance industries currently do not have sufficient capabilities to distinguish these variations and therefore, consistently minimize their risk by relegating all of these to the lowest valuations of the scale. When this occurs, the valuation of nearby comparative properties is also diminished for both mortgage and market appraisals. The smaller acreage (less than four acres) would, again upon brief but current research, have minimal impact on property values of like comparison. The manufactured home however and unfortunately, would still appear to have a significant derogatory effect.

For these reasons I must object to the course of action requested. In summary, I obtained my property in the area with full understanding of the implications of the zoning in place. It in fact played a considerable part in my decision making process. I have gone to great lengths to ensure that I comply with and maintain the zoning specifications for the future integrity of my property and the properties around me. I expect that Mr. Carr would have understood the zoning implications in place upon obtaining his property in the area as well. If I found that a change would have minimal implication, as is the case with the reduction of parcel size, I would certainly support the action in favor of an expansion of owners' rights. The variance to allow manufactured homes however, would have the opposite effect and would diminish the rights of numerous property owners in the area. I would hope that good governance would continue and that due consideration to existing property rights would prevail over a singular variance but also that regulatory reform be considered to rectify the current state of affairs that allows such disparity of accurate assessments of value to persist.

Respectfully,



Matthew D. Harris

15 MARCH 2014

PAGE 1 OF 2

COCHISE COUNTY COMMUNITY DEVELOPEMENT
1415 MELODY LANE
BLDG F
BISBEE, ARIZONA 85603

COCHISE COUNTY
MAR 17 2014
PLANNING

JESSE & SHARON PEAK
5329 NORTH CROWLEY LANE
TUSCON, ARIZONA 85705

- RESIDENCE & MAILING ADDRESS -

- LAND OWNER - DIAMOND ACRES, TOMBSTONE ARIZONA
PARCEL 108-15-012 7 LOT 10

DOUGLAS

CARR FAMILY INTENT TO REZONE HIS 'PARCEL' TO TR-18

NOTICE OF PUBLIC HEARING

09 APRIL 2014

COCHISE COUNTY BOARD/PLANNING AND REZONING

HELLO: IN RECEIPT OF (1) DOUGLASS CARR LETTER OF INTENT... 14
FEBRUARY 2014 (2) COCHISE COUNTY COMMUNITY DEVELOPEMENT NOTICE...
PUBLIC HEARING 11 MARCH 2014 (RELATED).

I, JESSE PEAK HAVE ENCLOSED MY RESPONSE TO MR. CARR'S INQUIRY
TO REZONE, DATED 24 FEBRUARY 2014!

MY POSITION IN/OF THIS MATTER REMAINS EXACTLY AS STATED IN
MY 24 FEBRUARY 2014 RESPONSE! I HAVE ENCLOSED COPY(S) OF
ALL WRITTEN CORRESPONDENCE!

E 20

PAGE 202

MEETING

PLEASE, IN WRITING - VIA MAIL DELIVERY, COMMUNICATE ANY/ALL
MINUTES, ... POTENTIAL, PRE-CLUDING, INFORMATIONAL, VOTING OR
INQUIRIES (CHANCES): FOR JESSE AND SHAWN PEAK!

RESPECTFULLY
JESSE PEAK

NOTE

Rezoning: Docket Z-14-02 (Carr)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Blank lines for providing reasons for supporting the request.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

REFER TO MY ATTACHED 24 FEBRUARY 2014 LETTER IN RESPONSE TO MR. DOUGLASS CARR'S 14 FEBRUARY 2014 LETTER!

WE DO NOT SUPPORT HIS REQUEST THIS EARLY IN WITH HIS INTENT = LACK OF SPECIFICS

ATTACHMENTS: ① 14 FEBRUARY 2014 (LETTER MR. CARR) ② 24 FEBRUARY 2014 LETTER PEAK RESPONSE TO MR. CARR ③ 15 MARCH 2014 (LETTER-REZONING)

(Attach additional sheets, if necessary)

PRINT NAME(S):

JESSE J AND SHAWN R. PEAK

SIGNATURE(S):

Handwritten signatures of Jesse J. Peak and Shawn R. Peak.

YOUR TAX PARCEL NUMBER:

108-15-012 7

(the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Board of Supervisors. Upon submission this form or any other correspondence 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 Friday, March 28, 2014 if you wish the Commission to consider them before the April 9 meeting. We cannot 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.

RETURN TO: Keith Dennis
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

24 FEBRUARY 2014

1 of 2

JESSE & SHAWN PEAK
- HUSBAND & WIFE -
5329 NORTH CHOWKEY LANE
TUCSON, ARIZONA 85705

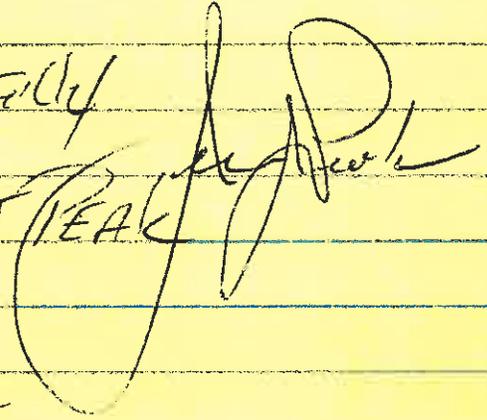
MR. DOUGLAS CARR
- TOMBSTONE, ARIZONA -

SIR: THANKED... MR. CARR FOR YOUR 'LETTER' OF
INQUIRY AS IT RELATES TO (1) DIAMOND ACRES SUB-
DIVISION - TOMBSTONE ARIZONA (2) RE-ZONING (3) TO
INCLUDE MANUFACTURED HOMES (4) & (5) YOUR 'PARCEL' AND
LOT I.D. YOUR LETTER VERY 'GENERIC' SPECIFICS N/A?
YOUR LETTER, LEADS TO 'REZONE' YOUR PROPERTY AS
SCRIPTED 'SOLELY' W/ EXCLUSION TO/FOR SAID SUB-
DIVISION ???

IT REMAINS OBVIOUS TO ME, MY GRANDFATHER'S
INTENT WAS TO DEVELOPE 'DIAMOND ACRES' BUILDING
ONLY SINGLE FAMILY CUSTOM HOMES W/ FOUNDATION(S)!
BUT FOR (A) SLOW GROWTH (B) PROFITABILITY (C) WATER
(D) REGULATIONS & (E) POLITICS: HIS 95 YEARS WAS NOT
LONG ENOUGH FOR A-B-C-D-E TO BECOME VIABLE IN
TOMBSTONE, NOR HAVE THEY, SINCE HIS PASSING 5 YEARS
AGO!

HAVING SAID THIS, I WOULD ENTERTAIN 'CHANCES' TO IN-
CREASE THE LIVE-ABILITY AT/ON 'DIAMOND ACRES. E 23

WITHOUT YOUR INTENDED 'SPECIFICS' IT WOULD BE
IRRESPONSIBLE TO CONTINUE IN ASSISTING YOU AT THIS
TIME!

RESPECTFULLY
JESSE J TEAK 

CP FILE
RECORDS
ORIGINAL RETAINED

Rezoning: Docket MDP-14-01/Z-14-02 (Carr)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

PETITIONER MUST PRESENT QUALIFIED DESCRIPTION(S) OF INTENTIONS IN FULL

STAMP - PLANS - APPROVALS

TEAM ENGINEERING - CIVIL - ARCHITECTURAL - PLOT - YEAR MODEL MAKE BUT NOT LIMITED TO !!! (WATER - SEWER ELECTRICAL) ARE ADDITIONAL CONCERNS

ALL INTENTIONS PRIOR TO VOTE REQUESTED / RECOGNIZED

(Attach additional sheets, if necessary)

PRINT NAME(S):

JESSE IT PEAK 23 JUNE 2014

SIGNATURE(S):

J. It Peak c/o FILE/RECORDS

YOUR TAX PARCEL NUMBER: 108-15-0127#10 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Board of Supervisors. Upon submission this form or any other correspondence 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 Friday, June 27, 2014 if you wish the Commission to consider them before the July 9 meeting. We cannot 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.**

RETURN TO: Peter Gardner
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

COCHISE COUNTY

JUN 26 2014

PLANNING

E 25

"APOLOGY FOR RED INK" J. It Peak

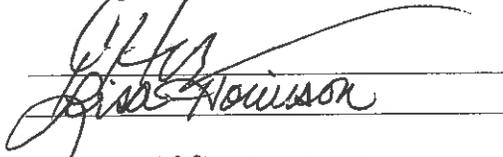
Rezoning: Docket Z-14-02 (Carr)

YES, I SUPPORT THIS REQUEST
Please state your reasons:

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): George + Lisa Howison

SIGNATURE(S): 

YOUR TAX PARCEL NUMBER: 10815041C (the eight-digit identification number found on the tax statement from the Assessor's Office)

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Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Peter Gardner, Planner I *(PG)*
FOR: Beverly J. Wilson, Planning Director *(BW)*
SUBJECT: Docket SU-13-03A (Verizon)
DATE: June 24, 2014, for the July 9, 2014 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant seeks to modify a Special Use authorization from the Planning and Zoning Commission for a Wireless Communication Tower exceeding 30-feet in height, per Section 607.38 of the Zoning Regulations. The tower will be placed atop Beacon Hill northeast of Douglas, AZ. The Applicant requests a Modification from Section 1813.02.B of the Cochise County Zoning Regulations which requires all Communications Towers up to 150-feet in height to be designed to accommodate at least two providers. The Applicant wishes to construct a tower designed to accommodate only their equipment. The subject Parcel (405-51-000) is located at 8377 N. Dangerous Road, east of Douglas, AZ.

The Applicant is Ryan Rawson of In Command Communications, on behalf of Verizon Corporation.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 8,377.30-Acres
Zoning: Rural (RU-4; one home per 4-acres)
Growth Area: Category D (Rural)
Comprehensive Plan Designation: Rural
Area Plan: None Applicable
Existing Uses: Ranching per ASLD and BLM Grazing Leases/Allotments, with Wireless Communication Facilities atop Beacon Hill

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Coronado National Forest
South	RU-4	Ranching
East	RU-4	Ranching
West	RU-4	Ranching