



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

COCHISE COUNTY REZONING APPLICATION

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

1. Applicant's Name: JOHN K. SLAUGHTER

2. Mailing Address: 275 E, OLD CHURCH RD.

Huachuca City, AZ. 85616
City State Zip Code

3. Telephone Number of Applicant: () 520-678-5896

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

5. Email Address: SLAUGHTERJ123@GMAIL.COM (all lowercase)
jindouglasvaca@hotmail.com

6. Assessor's Tax Parcel Number: 106 - 15 - 01509 (Can be obtained from your County property tax statement)

7. Applicant is (check one):
- Sole owner: X
 - 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: J.S.
- Other, list: _____

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

- Yes _____ No X

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 X

- 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 ? R0-2/R-3L

14. Indicate proposed Zoning District for Property: R U4

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: ? B (A County planner can provide this information.)

16. Comprehensive Plan Designation or Community Plan: ? Low Density Residential (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

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

- No X 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?

ZOSIMO ST,

21. What off-site improvements are proposed for streets or easements used by traffic that will be generated by this rezoning? none

22. How many driveway cuts do you propose to the streets or easements used by traffic that will be generated by this rezoning? 1

23. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	<u>WELL</u>	
Sewer/Septic	<u>OWNER</u>	
Electricity	<u>SSVEC</u>	
Natural Gas	<u>OWNER</u>	
Telephone	<u>?</u>	
Fire Protection	<u>?</u>	

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). Going Back to R44

to get a Building permit,

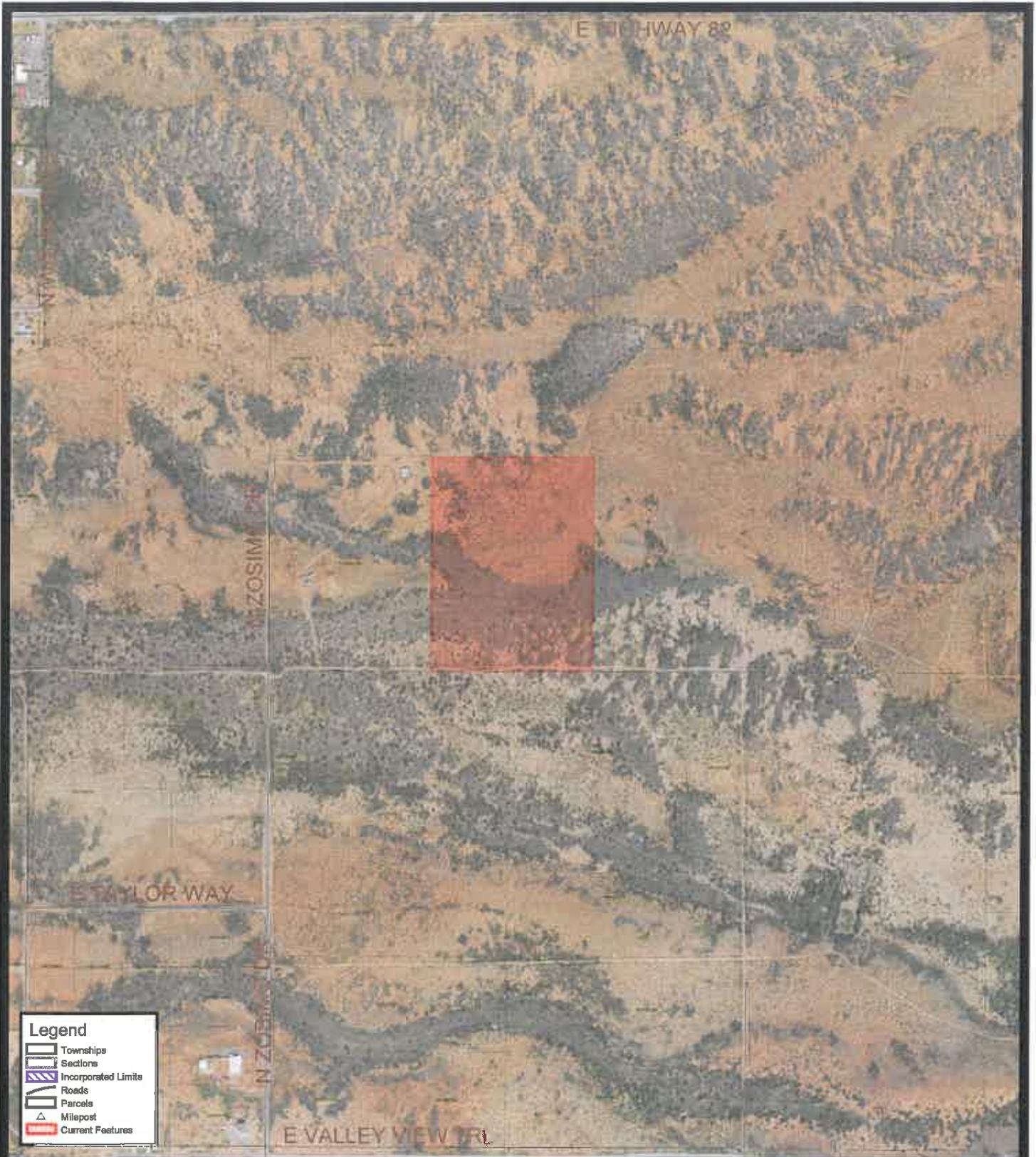
25. AFFIDAVIT

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: John O'Connell

Date: 3-25-2016

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Legend

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



106-15-015C

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

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**Cochise County
Community Development**

Highway and Floodplain Division

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

INTEROFFICE MEMO

Date: May 10, 2016
To: Peter Gardner, Planner I
From: Teresa Murphy, Right-of-Way Agent
Subject: Z-16-01 (Slaughter)

Background: The applicant is requesting a rezoning from Conditional R-36 (Residential; one dwelling per 36,000 ft) and RU-2 (Rural; one dwelling per 2 acres) to RU-4 (Rural; one dwelling per four acres). The subject parcel is 24.29 acres in size and was zoned in 2005 from RU-4 to the current R-36 and RU-2, with the condition that any development occur under a subdivision plat. The requested rezoning will return the zoning to the original RU-4, and would permit development without a subdivision plat.

The subject parcel, APN 106-15-015C, is located on East KC Williams Lane approximately 900 feet to the east of the intersection of East KC Williams Lane and North Zosimo Drive. It is further described as being situated in Section 00 of Township 20 South, Range 20 East of the Gila and Salt River Base & Meridian, in Cochise County, Arizona. The Applicant is John Slaughter. Right-of-Way Staff was contacted by Planning and Zoning to review the permit and provide comments regarding right-of-way dedication needs for county maintained roads.

Analysis:

- Access for the subject parcel is Ronald Reagan Parkway to Zosimo Drive
- KC Williams Lane is not a County maintained road.
- A 60' foot easement for Zosimo Drive and a 30' easement for access from the Northwest of the subject parcel as shown of record in Book 39 of Surveys, page 17.
- Records indicate that the right-of-way for KC Williams Lane, as it adjoins the subject parcel, has not been perfected.

Recommendation:

- No need for right-of-way dedication is required for KC Williams Lane at this time.

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

Planning, Zoning and Building Safety
1415 Melody Lane, Building E
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MEMORANDUM

Date: May 19, 2016
To: Peter Gardner, Planner 1
From: Karen L. Lamberton, AICP, County Transportation Planner
Subject: Slaughter Re-Zoning/Z-16-01/Parcel #106-15-015C

This re-zoning proposes modifying the land designation from R-36 and RU-2 to RU-4 on this 24.29 acre parcel. Although the applicant owns a large parcel, it currently has two different zonings on it that were created as part of a much larger development scheme for the Babocomari area. As part of the conditional re-zoning in 2005, a subdivision plat was required for any development to occur. In order to place any kind of single family residential unit here for the current owner the re-zoning either needs to be reversed or a subdivision plat finalized. The applicant indicates a desire to place a mobile home on this parcel without going through a subdivision plat process.

Traffic Analysis

Access is stated by the applicant to come off of Zosimo Drive in the re-zoning application; however, that access is located east of the subject parcel and fronts onto an adjacent parcel not under the applicant's control. Access is more likely to come off of E. KC Williams Lane. None of the roads serving this area are county-maintained; during the 2005 re-zoning conditions roadway improvements were to be designed under a Road Improvement District and built during the subdivision and commercial construction phases.

The proposed use as a parcel for a mobile home would not likely change the existing traffic circulation or create any new traffic impacts. A single family residential unit, either on existing zoning or as re-zoned as RU-4, would likely generate an estimated 9.52 trips per day, per the ITE Manual, 9th edition. No special driveway requirements apply to a residential use on a non-county maintained roadway.

If the entire parcel was built out, with one residential unit per 4 acres, the average trip generation is estimated to be 57.42 vehicle trips per day. The current zoning would allow an estimated 114.84 to 262.2 vehicle trips per day. Clearly this re-zoning would reduce the potential traffic impacts on the roadway network. However, all vehicle trips that would be generated (for just one home or for six) would be entirely reliant on a privately maintained network contributing to a growing impact of this area without a plan for future improvements, maintenance or connection to the state or county maintained roadway network.

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Recommendation

Land use changes do not, in and of themselves, change traffic patterns; however, they do create conditions for future transportation impacts. This re-zoning is not likely to change the general nature of this land use, as it currently exists, nor is one additional single residential unit likely to adversely impact traffic circulation or trip generation in the area. However, it does continue a pattern of breaking up previously planned roadway improvements, through a subdivision process, into "wildcat" development occurring without any mechanism in place (such as the subdivision process) to improve the roadway network in this area.

Advisory Notes for the Applicant

The applicant should be advised that this re-zoning, while removing the condition to build under a subdivision plat, does not remove the condition to contribute to the existing Road Improvement District. Also, the applicant is advised that splitting the 24.29 acre into four acre parcels, as might be permitted under a RU-4 zoning, could potentially create 6 lots, exceeding the number of splits allowed by a single owner and could trigger a requirement to go through the subdivision plat process under state law even without the 2005 re-zoning condition. In addition, the applicant is advised that there are no plans at this time to bring KC Williams into the county maintained road network and roadway maintenance would be the responsibility of the property owners in the area.



COCHISE COUNTY PLANNING DEPARTMENT

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

Fax 432-9278

Judy Anderson, Director

February 7, 2006

Jim Huff
Shade Tree Consulting
PMB 200, 2160 E. Fry Blvd.
Sierra Vista, Arizona 85635

John Slaughter
3412 Casper Dr.
Sierra Vista, AZ 85650

RE: Docket Z-05-30, Tax Parcels 106-15-015C

Dear Mr. Huff and Mr. Slaughter:

As you are aware, at their regular meeting of February 7 2006, the Board of Supervisors voted unanimously (3-0) to approve your rezoning of approximately 9 acres from RU-4 to TR-36 and approximately 15 acres from RU-4 to RU-2 for the subject parcel located in the Babocomari Plan Area with the following conditions:

1. No building permits shall be issued for development that has not been approved through a subdivision process. All development shall be in substantial conformance with the rezoning application. Minor revisions to lot layouts and circulation shall be permitted, but the maximum number of residential units shall be no more than 16.
2. Prior to any subdivision plat approval, the applicants shall participate in the Traffic Impact Analysis (TIA), including a traffic signal needs study required of the developers in dockets Z-05-21, which shall be submitted and approved by ADOT and the County. The developers shall participate in the cost of any outside reviews of the TIA required by the County.
3. Prior to any subdivision plat approval, a development agreement or other acceptable mechanism, shall be in place that specifies the funding, timing and responsibility for improvements identified in the approval of the Traffic Impact Analysis.
4. Prior to any subdivision plat approval, the applicants shall participate in the comprehensive hydrology report required of the developers in dockets Z-05-21, which shall be submitted and substantially approved by the County. This report, at a minimum, shall address drainage and floodplain issues associated with the subject property and adjacent lands.

Per Arizona State Law, please be aware that the new zoning does not go into effect until 30 days after the Board action (March 7, 2006). In that time, anyone can appeal the Board action to Superior Court.

Sincerely:

Mark B. Apel
Planning Division Manager

xc: Richard Searle, Supervisor District Three
Docket File

Parcel File
Debra Meyers, Zoning Log Book

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