

COCHISE COUNTY

Z-16-02 (Kerr)

A request to rezone from RU-4 to RU-2

Board of Supervisors

October 11, 2016



Public Programs...Personal Service

COCHISE COUNTY

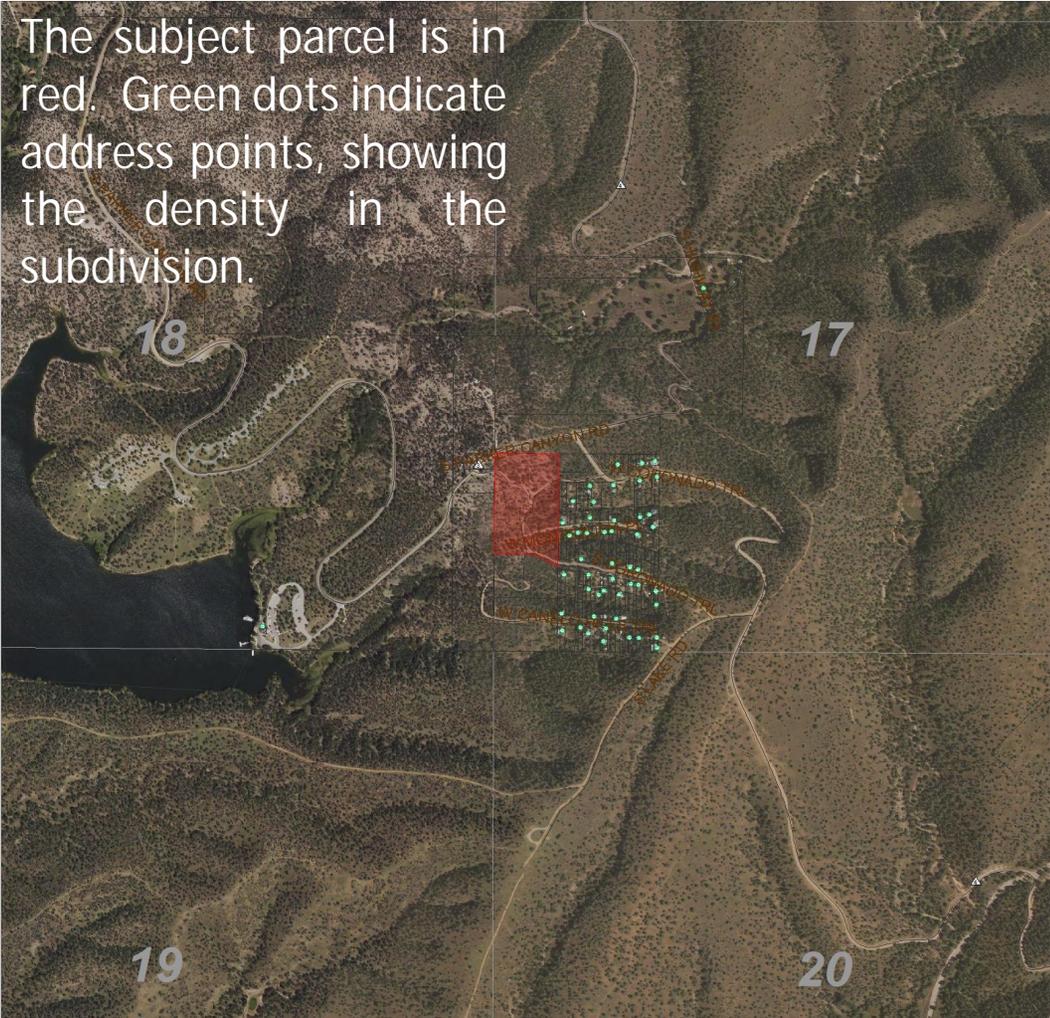
Docket Z-16-02 (Kerr)

- The Applicant is requesting rezoning from RU-4 (Rural; one dwelling per four-acres) to RU-2 (Rural; one dwelling per two-acres) on a 10.11 acre parcel in the Parker Lake area.
- The parcel, 105-28-004A, abuts the Parker Lakeview Estates subdivision. This subdivision is zoned RU-4, but as originally platted, the average lot size is less than 0.5 acres. The lots are legal non-conforming, but are at a much higher density than RU-4 or RU-2.
- The Applicant is Scott Kerr.
- On September 14, 2016, the Planning & Zoning Commission voted unanimously to forward the docket with a recommendation of Conditional Approval.



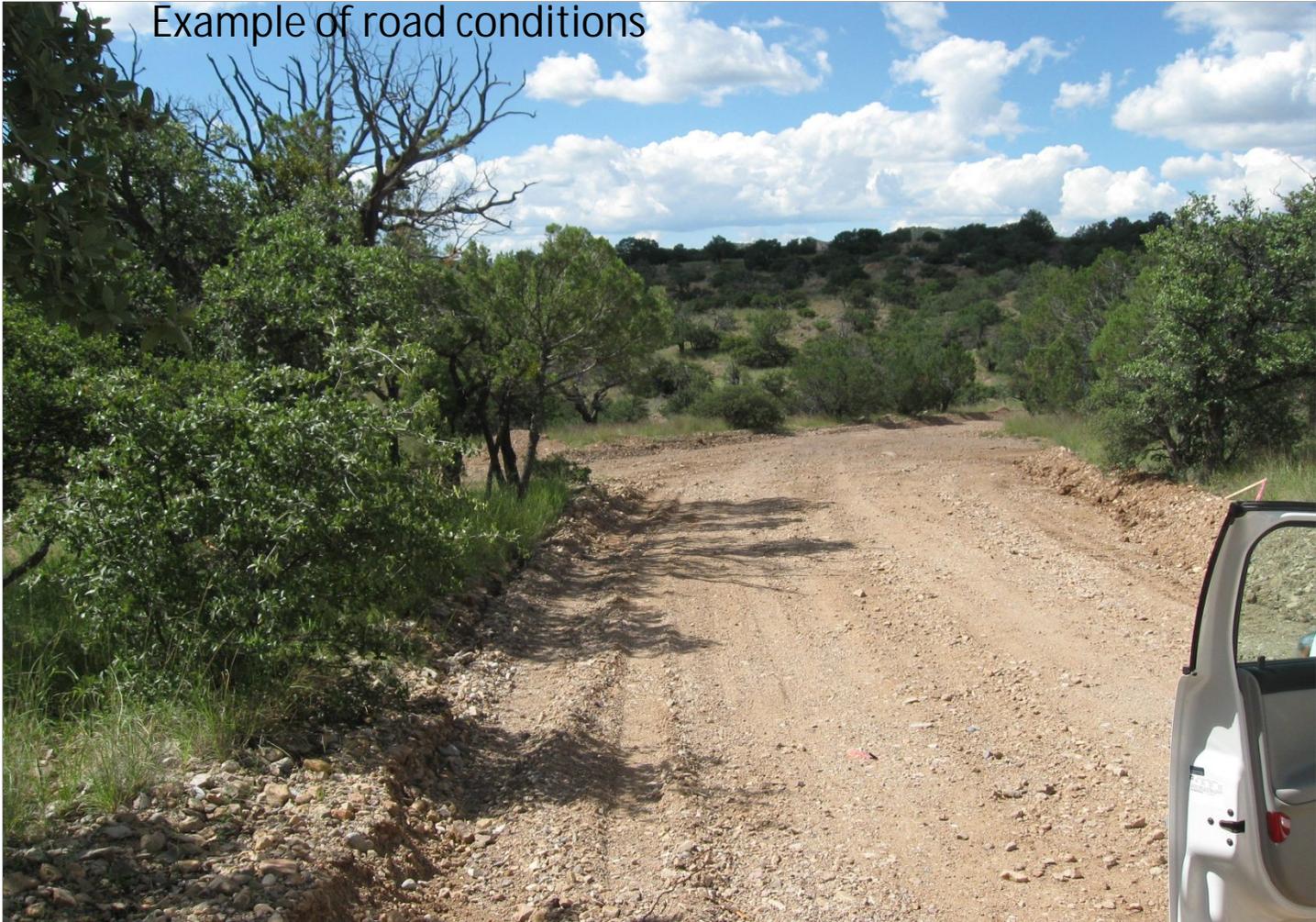
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Location Map:



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Site Photos:



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Site Photos:

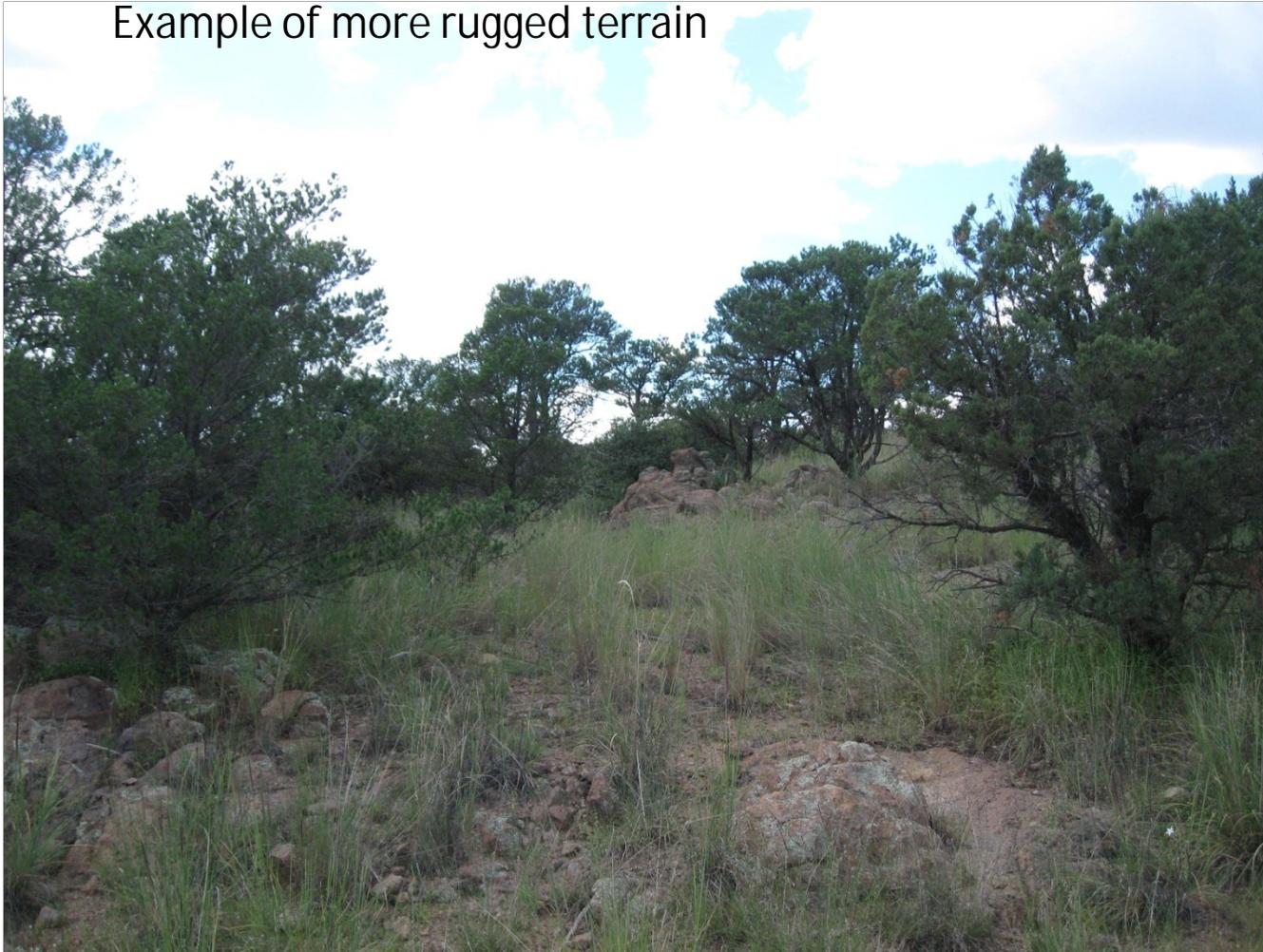
Example of flat terrain



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Site Photos:

Example of more rugged terrain



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Site Photos:

The creek bed



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Site Photos:



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Site Photos:

The creek bed



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Site Photos:



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Site Photos:

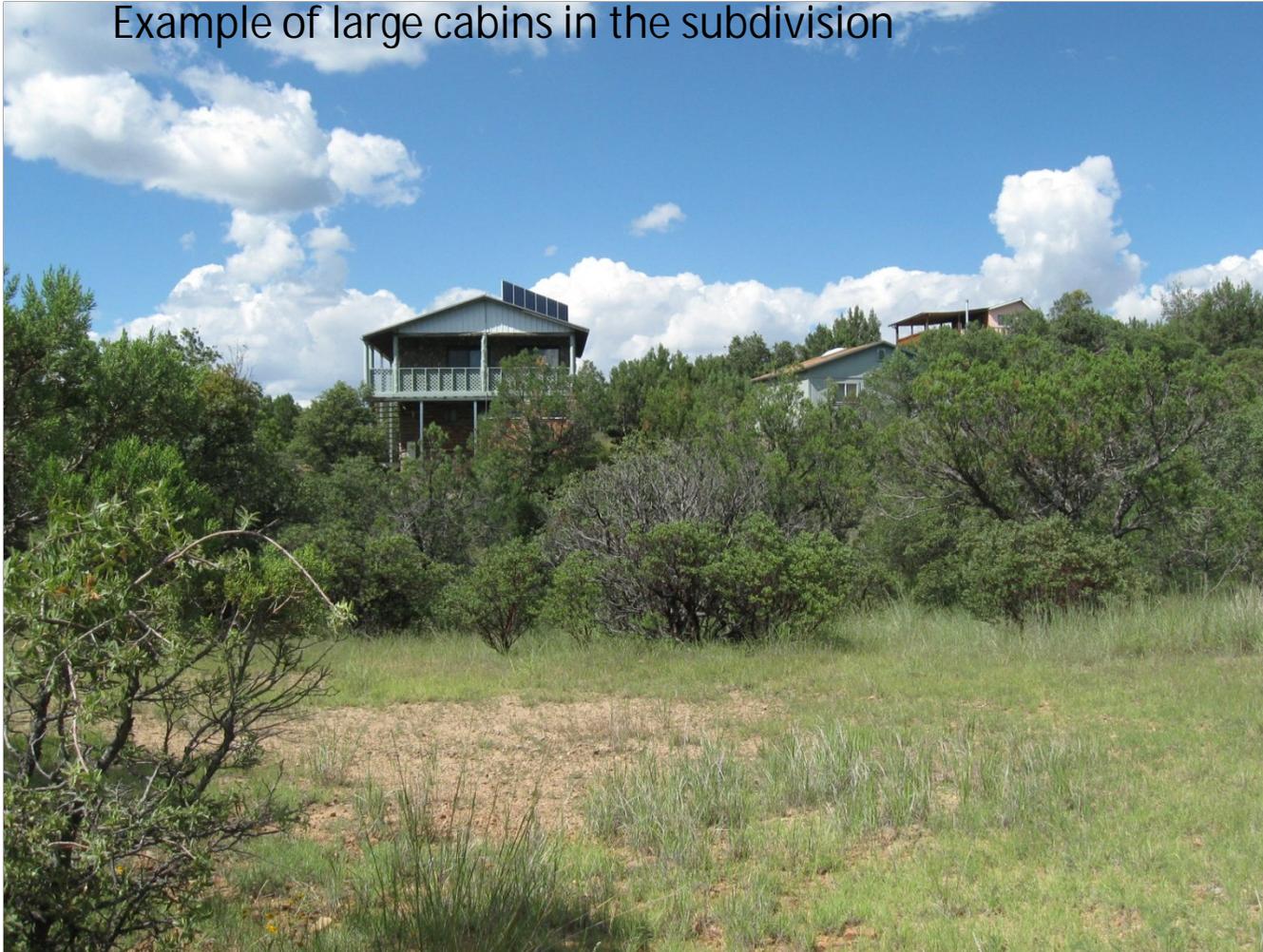
Example of cabins in the subdivision



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Site Photos:

Example of large cabins in the subdivision



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Factors in Favor and Against Approving the Rezoning:

Factors in Favor of Approval

1. Allowing the request would be in keeping with the character of the existing development in the area and create a buffer between the small subdivision lots and larger RU-4 zoned parcels;
2. The Comprehensive Plan policies prescribe a low density of residential development in this area to protect the current character of the neighborhood, and the request would facilitate such a density;
and
3. Eight letters of support have been received.

Factors Against Approval

1. Without a conceptual split plan, Staff cannot guarantee that access issues, topographical issues, and appropriate site development standards will be met;
2. Three letter of opposition or concern have been received.



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Discussion:



Tough little agave



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Based on the factors in favor of approval, staff recommends Conditional Approval of the Rezoning request, subject to the following Conditions:

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;
2. It is the Applicants' responsibility to obtain any additional permits, or meet any additional conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;
3. The Applicant shall work with the Highway Department to submit for Board of Supervisor acceptance and, if applicable, dedicate road easements to ensure access to the public, per the letter from Joaquin Solis dated September 1, 2016; and
4. The Applicant shall submit within 12 months a proposed split map identifying all proposed and existing property lines, all proposed and existing easements, and building envelopes.

