

ZONING ORDINANCE 16-___

Re: Docket Z-16-02 Application of Scott Kerr

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**AMENDING CERTAIN ZONING DISTRICT BOUNDARIES FROM RU-4
TO RU-2, PURSUANT TO THE APPLICATION OF Scott Kerr**

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 Parcel 105-28-004A was zoned in 1975 as RU-4; and

WHEREAS, the parcel is adjacent to a legal-nonconforming subdivision of 10,000 square-foot lots zoned RU-4; and

WHEREAS, the Applicant wishes to divide the subject parcel into 5 lots; and

WHEREAS, the rezoning will create a logical buffer between the legal non-conforming lots and larger conforming lots; 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 Applicant Scott Kerr; 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 classifications for Tax Parcel 105-28-004A, as shown on the map attached to this Resolution as Exhibit A, is changed from RU-4 to RU-2. The property is located in the Parker Lake area in southwest Cochise County, AZ. The property is further described as being in Section 23 of Township 19 South, Range 17 East of the G&SRB&M in Cochise County, Arizona. The Board of Supervisors approves Docket Z-16-02 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;
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.

PASSED AND ADOPTED by the Board of Supervisors of Cochise County, Arizona, this 11th day of October, 2016.

Richard Searle, Chairman
Board of Supervisors

ATTEST:

Arlethe Rios,
Clerk of the Board

APPROVED AS TO FORM:

Britt Hanson,
Chief Civil Deputy County Attorney