

**COCHISE COUNTY PLANNING & ZONING COMMISSION  
MINUTES**

Wednesday, December 12, 2012

The regular meeting of the Cochise County Planning & Zoning Commission was called to order at 4:00 p.m. by Chair Lynch at the Cochise County Complex, 1415 Melody Lane, Building G, Bisbee, Arizona in the Board of Supervisors' Hearing Room.

Mr. Lynch admonished the public to turn off cell phones, use the speaker request forms provided, and to address the Commission from the podium using the microphone. He explained the time allotted to speakers when at the podium. He then explained the composition of the Commission, and indicated there was a single Special Use Permit on the Agenda. He explained the consequences of a potential tie vote and the process for approval and appeal.

**ROLL CALL**

Chair Lynch noted the presence of a quorum and called the roll, asking the Commissioners to introduce themselves and indicate the respective District they represent; six Commissioners (Tim Cervantes, Pat Edie, Jim Lynch, Jim Martzke, Carmen Miller, and Liza Weissler) indicated their presence.

**CALL TO THE PUBLIC**

Chair Lynch opened the "Call to the Public." Jack Cook spoke about various matters. Chair Lynch closed the "Call to the Public."

**APPROVAL OF THE MINUTES**

**Motion:** Approve the minutes of the October 10, 2012 meeting as presented.

**Action:** Approve **Moved by:** Mr. Martzke, **Seconded by:** Ms. Edie

**Vote:** Motion passed (**Summary:** Yes = 4, No = 0, Abstain = 2)

**Yes:** Mr. Martzke, Ms. Miller, Chair Lynch, Ms. Edie

**No:** 0

**Abstain:** Mr. Cervantes, Ms. Weissler

**NEW BUSINESS**

**Item 1**

**PUBLIC HEARING, Docket SU-12-15 (Peterson):** The Applicant seeks Special Use authorization from the Planning and Zoning Commission for a Guest Lodging operation, per Section 607.01 of the Zoning Regulations.

The intent is to offer the existing 2,800 square foot home, as well as up to six cabins in the future, as a weekend retreat center for fitness events, weddings, family reunions, corporate, religious or social functions.

The subject property (Parcel #203-17-006) is located at 3700 E. Moonlight Road, East of incorporated Willcox, AZ. The Applicants are John and Betty Peterson.

Chairman Lynch called for the Planning Director's presentation of the Docket. Keith Dennis, Planner II, delivered the report, illustrating the facts of the case, utilizing photos, maps and other visual aids. He explained the background of the case and the circumstances surrounding the Special Use Permit under consideration. Mr. Dennis explained the Applicant's site plan and the current and proposed uses on the parcel. Mr. Dennis did note that the concept plan would need additional details at the Non-Residential Permit Phase. Mr. Dennis mentioned that the existing structures were all constructed without permits, but the opinion of Jack Holden, County Building Official, is that the construction is up to code. Issues regarding permitting, access, and parking were discussed. Mr. Dennis did note that Modifications of access and parking requirements were requested by the Applicants. He concluded by offering four factors in favor and one factor against approval. Mr. Dennis asked for questions from the Commissioners. There being no questions, Mr. Lynch invited the Applicant to make a statement.

Mr. Peterson commented on how pleased he was with all interactions with County Staff. Mr. Martzke requested clarification that the Applicant would continue to live on site. Mr. Peterson responded in the affirmative.

Chairman Lynch opened the Public Hearing. There being no members of the Public interested in speaking, Chairman Lynch closed the Public Hearing. After there being no further questions from the Commissioners, Chairman Lynch asked for the Planning Director's summary and recommendation. Mr. Dennis recommended Conditional Approval and explained the requested Conditions. Mr. Lynch asked the Commission if there were questions for staff. There being none he asked for a motion in the affirmative. Mr. Martzke moved to approve Docket SU-12-15 with the conditions recommended by staff in the staff memorandum. Ms. Edie seconded. Mr. Lynch opened the item for discussion. Mr. Lynch asked about the surface of the County maintained road mentioned. There being no further questions, Mr. Lynch explained the motion process to new Commissioner, Liza Weissler, and then called for a vote. The motion passed 6-0.

**Motion:** Motioned to approve the Special Use authorization for Guest Lodging.

**Action:** Approve **Moved by:** Mr. Martzke, **Seconded by:** Ms. Edie

**Vote:** Motion passed unanimously (**Summary:** Yes = 6, No = 0, Abstain = 0)

**Yes:** Mr. Martzke, Ms. Miller, Chair Lynch, Mr. Cervantes, Ms. Weissler and Ms. Edie.

## Item 2

**PUBLIC HEARING, Docket Z-12-07 (Jantz):** The Applicants are requesting a rezoning of nine contiguous one-acre parcels from SR-43 (single family residential, 1 dwelling per acre) to RU-4 (Rural, 1 dwelling per 4 acres). The Applicants, who reside on the site, are requesting the rezoning as part of an effort to convert the parcels to full time agricultural production.

The properties (a site consisting of Parcels 119-05-244 through 252) are located at 730 N. Skyline Road in Cochise, AZ. The Applicants are Michael and Cynthia Jantz of the same address.

The Applicant not yet present, Chairman Lynch called a short recess. Once the Applicant arrived, the meeting was called back to order.

Keith Dennis, Planner II, delivered the report, illustrating the facts of the case, utilizing photos, maps and other visual aids. He explained the background of the case and the circumstances surrounding the rezoning under consideration. He explained that the parcel was a functioning farm and currently has Agricultural Exempt Status from the Community Development Department. Mr. Dennis explained the Applicant's site plan and the current and proposed uses on the parcel. Mr. Dennis explained that the Mid-Sulphur Springs Valley Area Plan encouraged such downzonings and explained how the proposed zoning is a better fit with the local development pattern. The citizen response was discussed. Mr. Dennis concluded by offering four factors in favor and one factor against approval. Mr. Dennis asked for questions from the Commissioners. Ms. Weissler asked about the adjacent zoning. Mr. Dennis clarified the status of the surrounding area and it was discovered that the Staff memo was in error on this point; the surrounding zoning is SR-43, not RU-4.

Mr. Lynch invited the Applicant to make a statement. Mr. Jantz explained the details of his farm and future plans. Mr. Jantz responded to the concerns from a neighbor regarding keeping poultry. Mr. Lynch asked about water and irrigation. Mr. Jantz commented that there had been an objection regarding this issue but explained that he was using high efficiency irrigation systems.

Chairman Lynch opened the Public Hearing. There being no members of the Public interested in speaking, Chairman Lynch closed the Public Hearing. Mr. Martzke commented that Mr. Jantz's farm is using much less water than would be used if the subdivision was developed with homes. With no further questions from Commissioners, Chairman Lynch asked for the Planning Director's summary and recommendation. Mr. Dennis recommended Conditional Approval and explained the requested Conditions.

Mr. Lynch asked what the implications of the rezoning would be for Mr. Jantz's agricultural options. Mr. Dennis explained that due to the Agricultural Exemption there would be no change, and that the rezoning is primarily for the Applicant's peace of mind. Mr. Martzke moved to approve Rezoning Docket Z-12-07 with the conditions recommended by staff in the staff memorandum. Ms. Edie seconded.

Mr. Lynch opened the item for discussion. Mr. Lynch asked about the surface of the County maintained road mentioned. There being no further questions Mr. Lynch called for a vote and the motion passed 6-0.

**Motion:** Motioned to recommend conditional approval of the rezoning to the Board of Supervisors.

**Action:** Approve **Moved by:** Mr. Martzke, **Seconded by:** Ms. Edie

**Vote:** Motion passed unanimously (**Summary:** Yes = 6, No = 0, Abstain = 0)

**Yes:** Mr. Martzke, Ms. Miller, Chair Lynch, Mr. Cervantes, Ms. Weissler and Ms. Edie.

### **PLANNING DIRECTOR'S REPORT**

Chairman Lynch then called for the Planning Director's report. Deputy Director Beverly Wilson reported that next month there is a request for an extension of a Special Use approved in 2009 for a Solar Energy Power Plant, and a request for a Special Use for Contract Construction Services from Workman Homes in the King's Ranch Estate Subdivision. Ms. Wilson noted that the Zoning Regulation update would be considered by the Commission as well.

### **CALL TO COMMISSIONERS**

Mr. Lynch reminded everyone that officer elections would take place at the next meeting. Mr. Lynch also recommended a retreat early next year with the Board of Supervisors, and Mr. Martzke concurred. There were no planned absences for next month.

### **ADJOURNMENT**

Mr. Martzke moved to adjourn, Ms. Edie seconded, and the meeting was adjourned at 4:55 p.m.