

**COCHISE COUNTY PLANNING & ZONING COMMISSION
MINUTES**

Wednesday, June 9, 2010

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

ROLLCALL

Chair Basnar noted the presence of a quorum. He then introduced the Commissioners to the public. Chair Basnar then explained to the audience the procedures for considering a docket.

Roll Call.

Present: Jim Martzke, Duane Brofer, Lee Basnar, Pat Edie, Gary Brauchla, Jim Lynch.

Absent/Excused: Cruz Silva, Rusty Harguess, Ron Bemis.

APPROVAL OF THE MINUTES

Chair Basnar asked for a motion to approve the minutes of the previous minutes. Commissioner Brofer made motion to approve the amended minutes as written. Commissioner Martzke seconded.

Motion: Approve the minutes as written **Action:** Approve, **Moved by** Duane Brofer, **Seconded by** Jim Martzke.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Jim Martzke, Duane Brofer, Lee Basnar, Pat Edie, Gary Brauchla, Jim Lynch.

CALL TO THE PUBLIC

Chair Basnar opened the meeting to the public, being there was no one who wished to speak; Chair Basnar closed the "Call to the Public"

Item 1

Docket Z-10-02: Interim Planning Manager Michael Turisk presented the request to downzone a parcel of land from SR-43 (Single-Household Residential, minimum lot size 1-acre) to SR-4 District (Single-Household Residential, minimum lot size 4-acres) to allow the Applicant to comply with the Amendment to the Cochise County Building Safety Code for owner-built residential construction. This downzone request is to allow the Applicant to opt-out of Building Code compliance review for a 2,000 sq.-ft. barn. The subject property (Parcel 116-09-485A) is approximately 4.2-acres in size, and is located at 105 W. Ironwood Rd. in Cochise, AZ. Mr. Turisk presented photos and maps of the area, and explained the surrounding zoning, and lack of development in the area. He further presented the compliance with zoning factors, and that the staff had received 2 letters of support and 6 letters in opposition, although Mr. Turisk stated he had spoken to

some of the property owners in opposition and they had thought the property was being up zoned.

Chair Basnar asked if the opposing comments in the packet were no longer valid.

Mr. Turisk stated that he spoke to 3 of the property owners that he changed their mind.

Cletus Frei., Representative for the applicant, stated they were told by neighbors that they didn't need a permit for corrals and a pole barn. He further stated that the pole barn had become more than the original plan. He stated the barn is built to code standards.

Chair Basnar opened the meeting to the public.

Being there was no one wishing to speak; Chair Basnar closed the meeting to the public.

Commissioner Brauchla stated the protests were about whether a barn I permitted on the property and the applicant is allowed to have a barn on her property.

Mr. Turisk stated that staff recommends conditional approval with the conditions stated in the packet.

Motion: Made a motion to approve with the conditions stated by staff, **Action:** Approve, **Moved by** Jim Martzke, **Seconded by** Duane Brofer.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Jim Martzke, Duane Brofer, Lee Basnar, Pat Edie, Gary Brauchla, Jim Lynch.

Item 2

Docket SU-10-10: Senior Planner Keith Dennis presented the docket for a Special Use Permit to establish a winery with tasting room on two contiguous 8-acre parcels, per Section 607.37 of the Zoning Regulations. The subject parcels (401-84-005A and 005E) are located at the Northeast corner of Highway 181 and Braaton Ranch Road, East of Sunizona, AZ. Mr. Dennis presented photos and maps of the area, and explained the proposal with a site plan. Mr. Dennis further stated staff had received 2 letters of support for the project.

Chair Basnar asked for the applicant's statement.

John Kovacs of Sandor Vineyards stated the area is perfect for growing grapes and they intend on being an employer, and paying taxes for the County.

Chair Basnar opened the meeting to the public, seeing no one he closed the meeting to the public.

Mr. Dennis stated staff is recommending conditional approval with the conditions stated in the packet.

Motion: Moved to approve base on the factors in favor as the findings in fact with the conditions stated in the packet, **Action:** Approve, **Moved by** Jim Martzke, **Seconded by** Duane Brofer.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Jim Martzke, Duane Brofer, Lee Basnar, Pat Edie, Gary Brauchla, Jim Lynch.

Item 3

Docket SU-90-06AA: Mr. Dennis presented the docket to modify an approved Special Use Permit to allow an expansion of the existing Mountain View RV Park (originally permitted under Docket SU-90-06). The expansion would allow for up to 52 additional spaces beyond the 100 spaces originally permitted on Parcel 106-06-008. The project would now incorporate adjacent Parcel 106-06-021C. The above-referenced parcels are located at 99 West Vista Lane, in Whetstone, AZ. Mr. Dennis presented photos of the area, and a site plan showing the proposed project. He further explained factors in favor and that there are no factors against.

Commissioner Brofer asked if the fence is located on the property line.

Mr. Dennis stated he does not know if the fence is on the property line.

Commissioner Martzke asked what the width of the existing parking spaces is.

Mr. Dennis stated the question should be deferred to the applicant.

Chair Basnar asked for the applicant's statement.

Mike Thrall, Administrator of the trust that owns the park, stated there is a high demand for permanent residents in the park; therefore they want to expand the project.

Chair Basnar asked why they are requesting a waiver for sidewalks.

Lorenzo Ortiz, Engineer, stated they are asking for a waiver for sidewalks because when the park was developed there was no requirement for sidewalks, so there are no sidewalks in the park.

Commissioner Martzke asked why they are requesting the waiver of the parking spaces.

Mr. Ortiz explained there is a setback on the RV, which protrudes into the space by ½ foot, so they are requesting the waiver to the parking space, rather than a waiver to the setback.

Chair Basnar opened the meeting to the public.

Jack Cook stated a car is 102", which is 8 ½ foot.

Mr. Ortiz stated the City of Tucson uses 8 ½ foot width for their parking spaces, so it will accommodate a regular vehicle.

Chair Basnar closed the meeting to the public.

Mr. Dennis stated staff recommends conditional approval, with the conditions and modifications presented in the packet.

Motion: Move to approve docket SU-90-06AA based on the factors in favor with the conditions and the modifications stated by staff. **Action:** Approve, **Moved by** Duane Brofer, **Seconded by** Jim Lynch.

Commissioner Martzke stated he does not agree with the waivers for sidewalks, and 8 1/2 foot spaces.

Motion: Moved to amend the motion to not allow the waivers for sidewalks and 8 1/2 foot spaces, **Action:** Amend, **Moved by** Jim Martzke, **Seconded by** Pat Edie.

Vote for amended motion.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Jim Martzke, Duane Brofer, Lee Basnar, Pat Edie, Gary Brauchla, Jim Lynch.

Motion: Move to approve docket SU-90-06AA based on the factors in favor with the conditions and the third modification stated by staff. **Action:** Approve, **Moved by** Duane Brofer, **Seconded by** Jim Lynch.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Jim Martzke, Duane Brofer, Lee Basnar, Pat Edie, Gary Brauchla, Jim Lynch.

Item 4

Docket SU-10-09: Mr. Turisk presented the docket for a Special Use Permit in a General Business zoning district to establish and operate a pet boarding facility and accessory retail pet supplies shop in an existing 2,000 sq.-ft. space located on subject parcel (107-56-011S) at 4066 E. Monsanto Dr. in unincorporated Sierra Vista, per Section 1205.04 (animal husbandry services) of the Zoning Regulations. Mr. Turisk stated staff has received 2 letters in support, and no opposition.

Chair Basnar asked for the applicant's statement.

Stephanie Clarke, Applicant, stated she is proposing a cage free establishment, therefore the dogs bark less.

Commissioner Lynch asked if the dogs are left together at night.

Ms. Clark explained that the dogs are put into cages at night, and when they are eating.

Chair Basnar opened the meeting to the public.

Owner of the facility owns another business in Yuma located in a strip mall and near a residential area, and they have had no complaints.

Chair Basnar closed the meeting to the public

Mr. Turisk stated staff recommends conditional approval with the conditions stated by staff. Mr. Turisk stated staff had initiated a modification for setbacks also.

Motion: Motion to approve SU-10-09 with the conditions and the modification stated by staff, based on the factors in favor. **Action:** Approve, **Moved by** Duane Brofer, **Seconded by** Gary Brauchla.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Jim Martzke, Duane Brofer, Lee Basnar, Pat Edie, Gary Brauchla, Jim Lynch.

Item 5

Transportation Planner Karen Lamberton presented the study session for Right-of-way dedications with rezonings and SUPS. She stated the County has legal authority to determine right-of ways. She explained how the County determines access requirements for different land uses.

PLANNING DIRECTOR'S REPORT

1. Director Benny Young introduced Edwill Aquino the new Building Official to the Commission.
2. Next Month's Dockets include 2 Special Use dockets, and the Hazard Abatement Ordinance.

CALL TO COMMISSIONERS

Commissioner Martzke stated as that new dockets that come to the Commission should be required to use updated regulations changes.

ADJOURNMENT

Motion: Adjourn at 6:00 p.m., **Action:** Adjourn, **Moved by** Jim Martzke, **Seconded by** Duane Brofer.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Jim Martzke, Duane Brofer, Lee Basnar, Pat Edie, Gary Brauchla, Jim Lynch.