

**COCHISE COUNTY PLANNING & ZONING COMMISSION
MINUTES**

Wednesday, December 8, 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.

ROLL CALL

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, Ron Bemis, Jim Lynch.

Absent/Excused: Cruz Silva, Rusty Harguess.

APPROVAL OF THE MINUTES

Motion: Approve the minutes of November meeting, **Action:** Approve, **Moved by** Duane Brofer, **Seconded by** Jim Martzke.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Jim Martzke, Duane Brofer, Lee Basnar, Pat Edie, Gary Brauchla, Ron Bemis, 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 S-05-05 La Marquesa Subdivision: Planner Keith Dennis presented the docket for a request for approval of an additional one-year time extension for the La Marquesa Subdivision Tentative Plat. He further stated staff supports the request for the extension. Mr. Dennis then explained the request for the waiver from the Sierra Vista Sub-watershed condition, and staff does not support the request for a waiver.

Chair Basnar asked for the applicants comments.

Patrick Kirk, Applicant, stated the economy foretells there will be more wash out in the housing market. He further explained how the water system will work in his subdivision.

Mr. Dennis stated the waiver request was tabled and asked the Commission to un-table the request.

Motion: Remove S-05-05 off the table, **Action:** Remove from Table, **Moved by** Duane Brofer, **Seconded by** Jim Lynch.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

Commissioner Martzke stated he feels the waiver request should be denied.

Commissioner Lynch stated he feels large subdivisions need to address the water issues from the beginning.

Mr. Brofer stated he feels the application should be allowed to expire and start again when the economy turns.

Commissioner Basnar stated he agrees with Mr. Brofer.

Motion: Motion to approve the request for a waiver of requiring a water company for the subdivision., **Action:** Approve, **Moved by** Jim Martzke, **Seconded by** Gary Brauchla.

Vote: Motion failed (**summary:** Yes = 0, No = 7, Abstain = 0).

No: Jim Martzke, Duane Brofer, Lee Basnar, Pat Edie, Gary Brauchla, Ron Bemis, Jim Lynch.

Motion: Motion to approve the request for a one year time extension to February 2012 for S-05-05., **Action:** Approve, **Moved by** Jim Martzke, **Seconded by** Gary Brauchla.

Vote: Motion passed (**summary:** Yes = 5, No = 2, Abstain = 0).

Yes: Jim Martzke, Pat Edie, Gary Brauchla, Ron Bemis, Jim Lynch.

No: Duane Brofer, Lee Basnar.

Item 2

Docket SU-10-18: Planner Keith Dennis presented the docket for a Special Use Permit for Manufacturing in an RU-4 District, activity area not to exceed 5,000 square feet, per Section 607.16 of the Zoning Regulations. The proposed business is a custom motorcycle building business in a 40' x 60' building on a 39 acre parcel, which the Applicant maintains would result in one to three cycles built on the property per year, to be delivered off-site after construction. The subject parcel (Parcel No. 110-60-003) is located at 3837 S. Yoruba Basin Trail, between Tombstone and Bisbee, AZ. Mr. Dennis presented photos of the property and explained the zoning in the area. He further stated staff has received 1 letter in support and one letter in opposition, gave explained the other factors in favor and factors against.

Chair Basnar asked for the applicant's statement.

Phil Korte, Applicant, stated the neighbor's all work together to maintain the road. He further stated he has a manufacturing license which requires he have a commercial building, which triggered the Special Use.

Chair Basnar opened the meeting to the public, being no one wished to speak, he closed the meeting to the public.

Mr. Dennis stated staff recommends conditional approval with the conditions stated in the staff report.

Motion: Motion to approve SU-10-18 with the conditions in the staff report, factors in favor being the findings of fact, **Action:** Approve, **Moved by** Jim Martzke, **Seconded by** Duane Brofer.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

Item 3

Docket SU-10-19: Planning Manager Michael Turisk presented the docket for a Special Use Permit in a General Business zoning district adjacent to incorporated Willcox to establish and operate a mini-mix concrete batch manufacturing and sales facility, per Section 1205.01 (manufacturing, wholesaling, warehousing, distribution or storage of goods) of the Zoning Regulations. The subject property (Parcel No. 203-40-002) is currently used for retail sales of construction materials such as sand and gravel, and is located at 920 S. Haskell Ave., a paved ADOT-maintained road. Mr. Turisk presented maps showing the zoning in the area, and photos of the property. Mr. Turisk presented five factors in favor and two factors against; he stated staff had received one letter in support and no letters in opposition.

Chair Basnar asked for the applicant's statement

Matthew W. Klump, Applicant, stated the parcel is a 25 acre parcel, not a 29 acre parcel. He stated the area will be covered with gravel to control the dust, but water may also need to be used to maintain dust. He further stated he did not want to be locked into Monday through Friday as he may need to delivered material on Saturday.

Chair Basnar opened the meeting to the public, being no one wished to speak, he closed the meeting to the public.

Mr. Turisk stated staff recommended conditional approval with the conditions stated in the staff report.

Commissioner Martzke asked that he would like condition #4 to read "The Applicant shall generally adhere to the hours of operation indicated on the submitted Special Use Application (6am to 5pm; five days per week)"

Mr. Klump stated he would like to delete condition #4 because he owns all the adjacent residential land.

Motion: Motion to approve S-10-19 with recommendations as stated in the staff memorandum, deleting condition #4, with the modifications, **Action:** Approve, **Moved by** Jim Martzke, **Seconded by** Duane Brofer.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

Docket SU-10-18: Planner Keith Dennis explained to the Commission that the modifications asked for by the applicant for SU-10-18 were not approved by the Commission.

Motion: Approve the modifications to SU-10-18 as stated in the staff report. **Action:** Approve, **Moved by** Jim Martzke, **Seconded by** Duane Brofer.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

Item 4

Docket R-09-02: Zoning Administrator Rick Corley presented the docket for consideration of adoption of a new ordinance entitled the "Cochise County Hazard Abatement Ordinance" to abate/remove rubbish, trash, weeds, filth, debris or damaged or dilapidated buildings which constitute a hazard to public health and safety and which may be compelled to be removed, with due process, from buildings, grounds, lots, contiguous sidewalks, streets and alleys within the unincorporated areas of the County. The Ordinance outlines the due process for formal notification, removal by the County and recovery of costs for removal, appeal and lien processes for property owners with hazardous conditions on their property.

Chair Basnar opened the meeting to the public.

Mike Jackson, read written comments (attached).

Helene Jackson, read written comments (attached).

Chair Basnar closed the meeting to the public.

Mr. Corley stated that staff recommends forwarding a recommendation of approval to the Board of Supervisors with the noted provisions.

Motion: Motion to forward a recommendation of approval of the Hazard Abatement Ordinance with the recommended provisions to the Board of Supervisors for Approval, **Action:** Approve, **Moved by** Jim Lynch, **Seconded by** Pat Edie.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

PLANNING DIRECTOR'S REPORT

1. There have been no recent actions by the Board of Supervisors.
2. Next month there will be no dockets; therefore there is no meeting in January.
3. Mr. Vlahovich stated they are interviewing some strong applicants for Planning Director.
4. Staff has been working with the Business Friendly Task Force on future update on the Zoning Regulations.

CALL TO COMMISSIONERS

Mr. Basnar stated he has resigned from the Commission. Therefore this will be his last meeting.

ADJOURNMENT

Motion: Motion to adjourn, **Action:** Adjourn, **Moved by** Duane Brofer, **Seconded by** Jim Martzke.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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