

**COCHISE COUNTY PLANNING & ZONING COMMISSION  
MINUTES**

Wednesday, February 9, 2011

 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**

**Item 1- Election of Officers**

Member Brofer nominated Jim Lynch as Chair

Motion: Nominate Jim Lynch as Chair of the Commission, Action: Nominate, Moved by Duane Brofer, Seconded by Ron Bemis.

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

Yes: Duane Brofer, Cruz Silva, Pat Edie, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

Motion: Nominate Duane Brofer as Vice-Chair, Action: Nominate, Moved by Ron Bemis, Seconded by Jim Lynch.

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

Yes: Duane Brofer, Cruz Silva, Pat Edie, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

**Roll Call.**

Present: Duane Brofer, Cruz Silva, Pat Edie, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

Absent/Excused: Jim Martzke, Rusty Harguess.

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

**APPROVAL OF THE MINUTES**

Commissioner Brofer asked that the wording be changed in the “Call to the Commissioners” that Chair Basnar did not resign, he came to the end of his term.

**Motion:** Approve the minutes as corrected, **Action:** Approve, **Moved by** Duane Brofer, Ron Bemis, **seconded.**

**Vote:** Motion passed (**summary:** Yes = 6, No = 0, Abstain = 1).

**Yes:** Duane Brofer, Cruz Silva, Pat Edie, Jim Lynch, Ron Bemis, Gary Brauchla.

**Abstain:** Dan Abrams.

## CALL TO THE PUBLIC

Chair Lynch opened the meeting to the public, being there was no one who wished to speak; Chair Lynch closed the “Call to the Public”

### Item 2

**Docket SU-11-01:** Planner Keith Dennis presented the docket for a Special Use authorization from the Planning and Zoning Commission for a Cultural, Nature or Historic Exhibit, per Section 607.31 of the Zoning Regulations. A Bed and Breakfast exists on the property (Ash Canyon B&B). The Special Use would legitimize the use of the property by bird watchers, some of whom are B&B guests, as well as to members of the public not staying at the B&B. The Applicant proposes no new construction as part of the Application. The subject parcel (Parcel No. 104-21-022) is located 5255 E. Spring Road in Hereford, AZ. Mr. Dennis presented maps showing the location of the property, and photos of the area. He further explained factors in favor and factors against and that staff had received 7 letters in opposition and 3 letters in support, from inside the buffer area, and 20 from outside the buffer area.

Commissioner Abrams asked about the number of parking spaces.

Mary Jo Ballator, Applicant, she stated the B&B was started in 2002 because a rare hummingbird took residence on her property. She stated that the birds that live on her property are difficult to see except in Mexico. She stated she has no plans to expand her B&B, she is only requesting the Special Use to allow birder’s to view the birds on her property. She further stated she was requesting a waiver from the condition requiring sanitary facilities.

Chair Lynch opened the meeting to the public.

Susan Ostrander stated she lives about 8 miles from the property, and that she hopes the neighbors can come to an understanding so Ms. Ballator will be allowed to continue to allow people to view birds.

Margaret Case stated she and her husband visited the property prior to moving here, and stressed the importance of ecotourism in Cochise County.

Anthony Batiste stated he lives about 3 miles from the property. He owns a B&B in the area also, and explained the economic impact that the birding industry has on Cochise County.

Art Douglas stated he owns the property next to the property, and he feels the property should not be open to the public, as it is a residential area.

Larry Kastens stated he maintains the Peterson property, and is speaking on their behalf. He stated there is a lot of traffic during peak hours.

Mary Jo Ballator acknowledged Mr. Douglas' statement that parking is inadequate, but cars park on the Peterson property because visitors think that is where they are supposed to park.

Chair Lynch closed the meeting to the public.

Planner Keith Dennis stated staff recommends approval of the Special Use with the conditions stated in the staff report.

**Motion:** Recommends approval with the conditions stated by staff excluding condition 4,

**Action:** Approve, **Moved by** Gary Brauchla, **Seconded by** Ron Bemis.

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

**Yes:** Duane Brofer, Cruz Silva, Pat Edie, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.

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

1. Community Development Director Carlos De La Torre announced the Board of Supervisors approved the Hazard Abatement Ordinance on February 8, 2011.
2. Mr. De La Torre announced the hiring of Michael Turisk as Interim Planning Director.
3. Next Month's Agenda includes 5 dockets.

### **CALL TO COMMISSIONERS**

### **ADJOURNMENT**

**Motion: Action:** Adjourn, **Moved by** Ron Bemis, **Seconded by** Duane Brofer.

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

**Yes:** Duane Brofer, Cruz Silva, Pat Edie, Jim Lynch, Ron Bemis, Gary Brauchla, Dan Abrams.