



**Planning  
Commission**

The Planning Commission meets the second Wednesday of the month at 4:00 p.m. in the Board of Supervisors' Hearing Room. All meetings are open to the public. Those who wish to speak are asked to complete a "Speaker Information" form (available at the meeting) and submit it to County staff before the Call to Order.

The order and/or deletion of any item on the agenda is subject to modification at the meeting. Actions of the Planning Commission may be appealed to the Board of Supervisors by any interested party by submitting an application for appeal within 15 days. An application for appeal is available this afternoon with the Clerk, at the Community Development Department's office Monday through Friday between 8 A.M. and 5 P.M., or anytime on our webpage in the "Permits and Packets" link.

Packets and staff reports are available for review at the Community Development Department. Questions or concerns may be directed to Planning Manager, Michael Turisk at 520.432.9240. Agendas and minutes are posted on Cochise County's home page in the "Public Meeting Info" link.

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.

**COMMUNITY DEVELOPMENT DEPT.  
HOURS OF OPERATION  
Monday through Friday  
7:30 a.m. to 5:00 p.m.  
Phone: 520.432.9240  
Fax: 520.432.9278**



# Cochise County Planning Commission

Cochise County Complex  
Board of Supervisors' Hearing Room  
1415 W. Melody Lane, Building G  
Bisbee, Arizona 85603

**Regular Meeting  
March 12, 2014  
4:00 p.m.**

## AGENDA

- 1. 4:00 P.M. - CALL TO ORDER**
- 2. ROLL CALL** (Introduce Commission members and explain quorum and requirements for taking legal action).
- 3. APPROVAL OF PREVIOUS MONTH'S MINUTES**
- 4. CALL TO THE PUBLIC** - Pursuant to A.R.S. § 38-431.01 (H) this is an opportunity for the public to comment. Individuals are invited to address the Commission on any issue within the Commission's jurisdiction. Since Commissioners may not discuss items that are not specifically identified on the agenda, Commission action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.
- 5. OLD BUSINESS**

**Item 1 - (Page 1) – PUBLIC HEARING – Docket SU-14-02 (Workman):** A request for a Special Use authorization to establish and operate a special event venue in the Kings Ranch subdivision. The proposal is to use the 10,937-square foot existing home on the property for special events such as wedding receptions. The subject parcel is located at 6121 E. Oak Loop in Palominas. The Applicant is R.L. Workman of Workman Homes.

## **6. NEW BUSINESS**

**Item 1 – (Page 46) – NOT A PUBLIC HEARING - Docket S-05-05 (La Marquesa)** – A request for an additional one-year time extension for the La Marquesa Subdivision Tentative Plat. La Marquesa is a 103-lot Residential Conservation subdivision located on 317 acres, zoned RU-4 (Rural; one dwelling unit per 4 acres) and located at the north side of Three Canyons Road in Hereford, about one-mile east of Highway 92. The Tentative Plat was approved by the Board of Supervisors on February, 5, 2007. The current Tentative Plat extension expired on February 5, 2014. The Developer is Mr. Patrick Kirk and the Project Engineer is Mr. Blaine Reely of Monsoon Consultants in Tucson.

**Item 2 – (Page 50) – PUBLIC HEARING - Docket SU-14-03 (Marshall):** - A request for Special Use authorization to establish and operate a small-scale animal husbandry operation on an undeveloped, one-acre site. The intention is to construct a small tack shed/horse shelter to accommodate up to two horses on a seasonal basis. As the proposal is to establish a principal land use on the site, it is considered Animal Husbandry and requires Special Use approval. The subject parcel is unaddressed, but is located at the southwest corner of S. Barnett Road and Copper Ridge Road in unincorporated Bisbee. The Applicant is Mr. Steve Marshall.

**Item 3 – (Page 74) – PUBLIC HEARING - Docket SU-14-04 (Kitko):** A request for Special Use authorization in order to offer a single-family home for short-term vacation rentals. The proposed use is considered Guest Lodging and requires Special Use approval. The subject parcel is located at 11943 S. Elk Horn Road in Pearce. The Applicant is Stephen Kitko.

- 7. PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS**
- 8. CALL TO COMMISSIONERS ON RECENT MATTERS**
- 9. ADJOURNMENT**

**COCHISE COUNTY PLANNING & ZONING COMMISSION**  
**DRAFT MINUTES**  
**February 12, 2014**  
**REGULAR MEETING at 4:00 p.m.**

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

Chair Weissler 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. She explained the time allotted to speakers when at the podium. She then explained the composition of the Commission, and indicated there was a proposed bylaw change and one Special Use Docket on the Agenda. She explained the consequences of a potential tie vote and the process for approval and appeal.

**ROLL CALL**

Ms. Weissler noted the presence of a quorum and the roll, asking the Commissioners to introduce themselves and indicate the respective District they represent; eight Commissioners (Tim Cervantes, Jim Lynch, Gary Brauchla, Liza Weissler, Pat Edie, Jim Martzke, Nathan Watkins, and Carmen Miller) indicated their presence. She then noted that Mr. Garcia was not present, and welcomed Mr. Watkins as a new Commissioner. Staff members present included Beverly Wilson, Planning Director; Adam Ambrose, Chief Civil Deputy County Attorney, Michael Turisk, Planning Manager, Keith Dennis, Planner II; and Peter Gardner, Planner I.

**APPROVAL OF THE MINUTES**

**Motion:** Approve the minutes of the January 8, 2014 meeting with the correction offered by Ms. Weissler. **Action:** Approve with correction. **Moved by:** Mr. Martzke **Seconded by:** Mr. Cervantes

**Vote:** Motion passed (**Summary:** Yes = 7, No = 0, Abstain = 1)

**Yes:** Mr. Lynch, Mr. Cervantes, Mr. Brauchla, Mr. Martzke, Ms. Weissler, Ms. Edie, Ms. Miller  
**No:** 0 **Abstain:** Mr. Watkins

**CALL TO THE PUBLIC:**

Mr. Jack Cook of Bisbee spoke of various matters.

Ms. Jere Fredenburgh of Sierra Vista spoke, asking the Commission to leave the Call to the Public at the beginning of the meeting to facilitate dialogue.

## NEW BUSINESS

### Item 1

#### **A PROPOSAL BY CHAIR WEISSLER TO AMEND THE PLANNING COMMISSION BYLAWS**

Chair Weissler stated that she was proposing to relocate the Call to the Public from after Approval of the Minutes to after New Business. She stated that she had moved it in the past at her discretion and noted that she may do so in the future. She expressed a feeling that individuals dealing with dockets that involved fees and potentially their livelihood should be permitted to “go first”, and then invited discussion. Mr. Martzke expressed opposition, stating that very few people generally came for call to the public, and by having it at the beginning of the meeting allowed them to know when they would be permitted to speak without the uncertainty of waiting for dockets to be completed. Ms. Edie agreed with Mr. Martzke’s points, and added that she liked having the public to provide information prior to docket discussion, and worried that if call to the public were at the end, it would be used to lambast the Commission for decisions made during the meeting. Mr. Lynch agreed with the Chair, and noted that when he was Chair he usually moved call to the public to the end of the meeting. He also pointed out that the law did not require the Commission to have a Call to the Public. He felt that having it was a good idea, but felt that it was reasonable to be at the end of the meeting. Mr. Lynch also noted that most dockets have a public hearing that permits the public to weigh in. He also noted that Call to the Public topics should be related to matters under the jurisdiction of the Commission, and stated he felt the statements should be limited to such topics. He closed by concurring with the Chair that paying Applicants should be given precedent over Call to the Public. Mr. Cervantes agreed that dockets should be given priority and supported moving the Call to the Public to the end. Ms. Weissler stated that the Commission had received letters regarding the topic at hand. She discussed the matter of convenience for the speakers and expressed a belief that moving it to the end would be more convenient. Mr. Watkins asked the Chair if she could move the Call to the Public at her discretion. Ms. Weissler stated that she could. Mr. Watkins asked for an example of when she would move it, asking if Ms. Weissler reviewed the speaker request forms and moved it on the basis of the content. Ms. Weissler stated that she generally tried not to review the contents when making that decision, but focused on numbers of speakers. Mr. Watkins explained that he was on other boards that had Call to the Public, and stated that in his experience having it at the end allowed people to “fester” on an issue and added to their potential anger, whereas if it was early the speakers were generally calmer. He asked that due to the existing discretion of the Chair to move it, “why change it?” Ms. Weissler moved to amend the bylaws to move the bylaws from fifth to seventh, and Mr. Lynch seconded. Ms. Weissler called for a vote, and the vote failed 3-4, with Mr. Brauchla abstaining.

**Motion:** Motioned to Amend the Bylaws to relocate Call to the Public to after New Business.

**Action:** Amend the Bylaws to move call to after New Business **Moved by:** Ms. Weissler  
**Seconded by:** Mr. Lynch

**Vote:** Motion failed (**Summary:** Yes = 3, No = 4, Abstain = 1)

**Yes:** Ms. Weissler, Mr. Lynch, Mr. Cervantes **No:** Mr. Martzke, Ms. Edie, Ms. Miller, and Mr. Watkins

**Abstain:** Mr. Brauchla

Item 2

**PUBLIC HEARING**

**Docket SU-14-02 (Workman):** A request for a Special Use authorization to establish and operate a special event venue in the Kings Ranch subdivision. The proposal is to use the 10,937-square foot existing home on the property for special events. This land use is deemed an indoor/outdoor recreation use, allowed by Special Use in the Rural Districts. The subject parcel (104-24-415) is located at 6121 E. Oak Loop in Palominas. The Applicant is R.L. Workman of Workman Homes.

Chair Weissler called for the Planning Director's report. Planner II Keith Dennis presented the Docket, explaining the background of the request utilizing photos, maps, and other visual aids. He explained access issues and solutions. He explained the Modifications requested by the Applicants, and explained Staff's assessment of the requests and the support and opposition from neighbors. Mr. Dennis also explained Staff's analysis of the Special Use factors. He explained offsite impacts and potential mitigation measures that may be applied. He closed by listing factors in favor of and against approval and invited questions from the Commission. Mr. Martzke asked if any of the immediately adjacent lots were developed. Mr. Dennis explained that they were not, and stated that the closest structures were the RL Workman headquarters structures, but noted that it was surrounded by a platted residential subdivision. Mr. Brauchla asked for clarification on the property being designated commercial. Mr. Dennis clarified that while the site was started as a single-family residence, the final plat for the subdivision noted that the site was designated for commercial use under a Special Use. Mr. Cervantes asked about the exterior lighting setup. Mr. Dennis stated that while there were a number of types of lights proposed, no pole-mounted lights were proposed.

Ms. Weissler invited the Applicant to make a statement. Michael Cerepanya of Hereford spoke on behalf of the Applicant. Mr. Cerepanya explained the background of the structure and how the current owner and Applicant had taken possession of it. He demonstrated where the site was in relation to existing homes outside the subdivision as well as other structures. He stated that the Applicant felt that the wall being requested by Staff would be detrimental to the site and would be unattractive. Mr. Cerepanya noted that the Applicant owned the vacant residential lots adjacent to the site, and stated that the Applicant had considered the same impacts being discussed and felt that they could be effectively mitigated. He noted that sounds seemed to be a major concern, and proposed using vegetative screening and wrought iron in lieu of a solid wall. He also explained how the Applicant planned to reduce the impacts generated by the parking area. Mr. Cerepanya again reiterated the desire not to build a solid wall, and stated that the Applicant felt that the venue would drive sales in the subdivision and the surrounding area, as well as provide additional economic benefits. He stated that the Applicant felt that the wall would detract from the area rather than compliment it. He further stated that an individual interested in purchasing an adjacent lot was aware of the request and was not concerned about the impacts from the facility. He closed by explaining a previous owner's intentions regarding recreational facilities and how this use would be a lower impact. He then invited questions from the Commission. Mr. Cervantes asked about the location of the proposed area for music, and asked if it would be live bands or disc jockeys. Mr. Cerepanya explained that users would be contractually limited to a particular area for music, but the type of music was up to users. Mr. Cervantes asked if other events would be permitted.

Mr. Cerepanya explained that the facility would not be restricted to weddings. Mr. Watkins asked if only vegetation was being used to direct foot traffic or if wrought iron would be used as well. Mr. Cerepanya stated that vegetation alone would be used. Mr. Cervantes asked again about the sound, noting a personal experience in the area regarding noise issues. Mr. Cerepanya again stated that a smaller enclosed area than requested by Staff would be more effective in sound mitigation. Mr. Cervantes asked if there was an alternative plan if the proposed wall did not effectively perform. Mr. Cerepanya answered that there was not and stated that they would consider placing additional restrictions on users after several events had occurred and been reviewed and placed responsibility to do so on the owner. He stated that it was "hard to anticipate" and that they were "hoping that most of the stuff is limited to daylight" and also stated that a curfew of 10:00 pm would be in place. Mr. Cerepanya suggested they would consider putting something in place to stop music before that time if it became a problem. He stated that it would be "lessons learned as we go". Mr. Lynch asked if the facility would do catering at the location. Mr. Cerepanya explained that Pizzeria Mimosa would provide the catering so that the Applicant could control it. Mr. Lynch asked if the Applicant would be getting a liquor license. Mr. Cerepanya stated that he thought that would probably come through Mimosa and that special event licenses may be required. Mr. Lynch expressed concern for loud music and alcohol and noted that the facility could not limit who used the facility. Ms. Edie asked if the adjacent lots had been sold, and when Mr. Cerepanya answered that they had not, she asked if this project would not be detrimental to selling those lots. Mr. Cerepanya stated that the Applicant had considered that and felt that the venue would not be an obstacle to selling the lots. He also noted that there was full disclosure to any potential buyers within the subdivision.

Ms. Weissler opened the Public Hearing. She opened with calling for speakers in favor of the docket. There being none, she asked for speakers in opposition. Ms. Kori Henderson of Hereford spoke, noting that she lived in the closest residence to the proposed project, just outside the subdivision. She noted that there was no existing screening between the site and existing residential lots. She explained the relationship with previous owners of the site and stated that the current owner was not similarly accommodating and communicative. She stated that in past years noise and light pollution have increased, and stated that sounds carries very far in the area. Ms. Henderson stated that the proposed music location pointed directly at her home, and noted that the vegetation shown in photos was no longer present. She expressed concern about noise and lights, and stated that she felt that the wall requested by Staff would be insufficient to mitigate the noise. She noted that disclosure was occurring within the subdivision, but nothing was being done regarding lots outside the subdivision. Ms. Henderson further stated that the notification letter from the Applicant stated the use would be indoors, but when pressed, the Applicant admitted that activity would occur outside as well. She also stated that the Applicant's answers to her questions were "vague and inconsistent", and emphasized that the area was residential, and that the time when events would be scheduled was exactly when residents would be looking for peace and quiet. She closed by stating that she could not see how the proposal would directly benefit the local residents, nor how any of the impacts would be mitigated. Ms. Weissler asked Ms. Henderson how much noise she heard from the adjacent canyons. Ms. Henderson stated that she heard a great deal of noise from the canyons due to echoes. There being no one else wishing to speak, Ms. Weissler invited the Applicant to rebut the speakers in opposition.

Mr. Cerepanya stated, "None of us know what the sound will be like" and stated that the Applicant felt that the impact to the area would be very positive. He stated that notification was sent out per County regulations, and asked the opposition to contact the Applicant directly. Ms. Henderson stated that the Applicant's letters requested neighbors to email with questions, but no email address was given. She had then tracked down a phone number, but had never been able to speak with the Applicant directly, but had always communicated through third parties. Mr. Cerepanya agreed that it was difficult to reach the Applicant directly. Ms. Weissler admonished both individuals that a back and forth discussion was not permitted. Mr. Cerepanya then closed by disputing the age of the pictures presented. Ms. Weissler asked if other disclosure was done on the subdivision lots regarding noise in the area. Mr. Cerepanya stated that they did not, and stated that buyers generally look around to try to get a feel for the area. He stated that the subdivision Home Owners' Association could mitigate any problems in the future.

Ms. Weissler closed the Public Hearing and asked for discussion from the Commission.

Mr. Cervantes talked about such facilities in Scottsdale, but noted that all music was contained inside and expressed concern about how sound travelled in the area. Mr. Lynch suggested that a local rock band be contracted to play on the site to test what the sound would actually be like. Mr. Watkins concurred with Mr. Cerepanya's concerns regarding the appearance of the wall, and expressed approval of the concept of a sunken patio. He also concurred with Mr. Cervantes regarding how the sound travelled. Ms. Weissler noted that she lived in the area, and had moved there for the peace and quiet, but it was rarely actually peaceful or quiet. Ms. Edie expressed concern regarding all of the cars in the parking lot leaving at once and creating light and sound problems.

Ms. Weissler then called for the Planning Director's summary and recommendation. Mr. Dennis recommended Conditional Approval and explained the Conditions and Modifications recommended by Staff. Ms. Weissler called for a motion. Mr. Cervantes made a motion for Approval of the Special Use with Conditions and Modifications given by Staff. Mr. Martzke seconded the motion and Ms. Weissler asked for discussion. Mr. Lynch stated that he would vote against the use as he felt it was inappropriate and was too open ended to adequately mitigate impacts to surrounding properties. Ms. Weissler asked Mr. Dennis for the regulations pertaining to screening. Mr. Dennis explained that the regulations required a six-foot high solid screen. Mr. Brauchla asked if that was three sides, and Mr. Dennis replied it was all four. Ms. Wilson clarified that a solid wall was recommended to block noise, as vegetation does not block noise. Ms. Weissler asked if music could be contained. Ms. Wilson stated that the Commission could impose such a Condition. Ms. Miller agreed with Mr. Cervantes' comment regarding similar venues, and suggested a Condition to move the music indoors. She also agreed that the wall may not be appropriate. She suggested that a more detailed mitigation plan regarding lights and noise might be helpful. Mr. Cervantes withdrew his motion, and Ms. Miller moved to table the docket until the next regularly scheduled meeting.

Mr. Brauchla seconded, and Mr. Lynch noted that his vote might be influenced by experimental data regarding sound. Ms. Weissler called for a vote. The motion passed 8-0.

**Motion:** Motioned to grant the Special Use with the Conditions and Modifications as recommended by Staff.

**Action:** Approve with Conditions and Modifications **Moved by:** Mr. Cervantes **Seconded by:** Mr. Martzke

**Vote:** None – Motion Withdrawn by Mr. Cervantes **Yes:** N/A **No:** N/A

**Abstain:** N/A

**Motion:** Motioned to Table the Docket until the next regularly scheduled meeting.

**Action:** Table to Time Certain **Moved by:** Ms. Miller **Seconded by:** Mr. Brauchla

**Vote:** Motion passed (**Summary:** Yes = 8, No = 0, Abstain = 0)

**Yes:** Ms. Weissler Mr. Lynch, Mr. Cervantes, Mr. Martzke, Ms. Edie, Ms. Miller, Mr. Watkins, and Mr. Brauchla **No:** 0

**Abstain:** 0

#### Item 4

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

Planning Director Beverly Wilson offered the Director's Report, informing the Commission that there would be two additional Special Use Dockets for the March meeting. She also stated that there would be a Tentative Plat extension request. She also updated the Commission on the pending water conservation regulations. Ms. Wilson also introduced the new Building Official, Mike Izzo. Ms. Weissler asked if anything would be upcoming regarding light pollution. Ms. Wilson stated that work was in progress, but the Code would not be going to the Commission for review, as it was not a zoning matter.

#### **CALL TO COMMISSIONERS ON RECENT MATTERS:**

Ms. Weissler again welcomed Mr. Watkins.

**ADJOURNMENT** – Chair Weissler called for a motion to adjourn: Mr. Martzke moved, Mr. Lynch seconded and the meeting was adjourned at 5:17 p.m.



# COCHISE COUNTY COMMUNITY DEVELOPMENT

*"Public Programs...Personal Service"*

## MEMORANDUM

**TO:** Cochise County Planning and Zoning Commission

**FROM:** Keith Dennis, Planner II *KD*

**FOR:** Beverly J. Wilson, Planning Director *bw*

**SUBJECT:** Docket SU-14-02 (Workman)

**DATE:** February 27, 2014, for the March 12, 2014 Meeting

### APPLICATION FOR A SPECIAL USE

**Docket SU-14-02 (Workman):** The Applicant is requesting a Special Use authorization to establish and operate a special event venue on the subject parcel. The proposal is to use the 10,937-square foot existing home on the property for wedding ceremonies and receptions, anniversary, retirement, or birthday parties, as well as other celebratory gatherings, which is an indoor/outdoor recreation land use. This land use is allowed as a Special Use in the Rural Districts, per Section 607.08 of the Zoning Regulations. The subject parcel (104-24-415) is located at 6121 E. Oak Loop in Hereford. The Applicant is R.L. Workman of Workman Homes.

### I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 5.48-Acres  
 Zoning: Rural (RU-4)  
 Growth Area: Category D (Rural)  
 Plan Designation: Rural-Density Residential  
 Area Plan: Southern San Pedro Valley Area Plan, Sierra Vista Sub-Watershed  
 Existing Uses: Single-Family Residence (unfinished)

#### Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Subdivision Lots
South	RU-4	Oak Loop, Subdivision Lots
East	RU-4	Subdivision Lots
West	RU-4	Wilderness Road, Subdivision Lots

### II. PARCEL HISTORY

2006 – Permit issued for construction of an 8,914-square foot home, 1,643-square foot porch, 1,643-square foot garage, and two septic systems. Construction was discontinued later and the permit expired.

2011 – New permit issued to complete the home. The owner/Applicant has since decided to develop this property in accordance with this Docket.



*The project site is in the Kings Ranch at Coronado subdivision.*

**III. NATURE OF REQUEST**

Applicant R.L. Workman intends to develop an unfinished home located on the property as a venue for special events, primarily weddings. These events could take place inside or outside the home. The Citizen Review letter states that the home would be offered to the public for wedding ceremonies and receptions, as well as “anniversary parties, birthday parties, retirement parties, and the like.” The Application specifies operating hours between 7 a.m. and 10 p.m. during such times as the facility is reserved.

The property has an unpaved residential driveway for access, and an additional point of access, leading to additional parking, is proposed. Although the site is within a Category D Growth Area, which allows for gravel surfacing, all internal parking areas are proposed to be paved.

In 2011, the Applicant purchased the Kings Ranch Estates Subdivision and subsequently replatted the development.

Mr. Workman intended to develop this parcel for commercial use at that time, as reflected on the Kings Ranch at Coronado Final Plat in General Note #11, which reads in part: “A Special Use Permit will be requested for lot 6 and lot 110 to allow for commercial use of the existing structures on these 2 lots.” Lot 6 is the Workman Homes Sales Center, for which a Special Use was authorized by the Commission last year (Docket SU-13-01). Lot 110 of the site is subject to the present request.

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On February 12, 2014, the Commission heard this Docket, and tabled it to the March meeting. There was concern expressed by members of the public, and Commissioners, about the feasibility of mitigating off-site impacts, particularly relative to sound. Staff recommended that zoning standards requiring screening be followed, in order to mitigate sound and light impacts and ensure compliance with the policies of the *Southern San Pedro Valley Area Plan*. The Applicant asked the Commission to allow more targeted screening, and this docket was tabled to allow time for the Applicant to develop a mitigation plan to address off-site impacts from sound and headlight glare. The mitigation plan submitted by the Applicant is attached to this report (See Attachment E).

**IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS**

Section 1716.02 of the Zoning Regulations provides a list of 10 factors with which to evaluate Special Use applications. Staff uses these factors to help determine whether to recommend approval for a Special Use Permit, as well as to determine what Conditions and/or Modifications may be needed. Eight of the 10 criteria apply to this request. The project as submitted complies with four of the eight applicable Special Use factors. If the Conditions of approval recommended by staff and the Modifications requested by the Applicant are applied, the project would comply with seven of the eight applicable factors.



*View to the northeast of the proposed wedding venue.*

**A. Compliance with Duly Adopted Plans: Complies (subject to Condition #2)**

The *Southern San Pedro Valley Area Plan* provides for a variety of Special Uses in the plan area; among the relevant policies in the document are design and landscaping standards for non-residential structures. As a land use serving a local population, the design of which is in keeping with the character of the area, this proposal complies with the Area Plan policies.

However, the Area Plan also says that Special Uses are allowed in rural residential areas “as long as they are designed to have no negative off-site impacts.” This project, if approved, will likely have an impact on the surrounding, developing neighborhood. Compliance with the Area Plan policies will depend on the ability of the Applicant to mitigate off-site impacts to the greatest extent possible. Condition #2, discussed below under the Off-Site Impacts factor, would help promote compliance with Area Plan policies.

**B. Compliance with the Zoning District Purpose Statement: Complies**

Section 601.02 of the Zoning Regulations encourages “those types of non-residential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living.”

**C. Development Along Major Streets: Not Applicable**

The property takes access from Oak Loop, a paved subdivision road which is maintained by the County.



*Looking northwest at the project site.*

**D. Traffic Circulation Factors: Complies**

The project site is at the corner of Oak Loop and Wilderness Road. The latter is the main road serving the West side of the Kings Ranch at Coronado subdivision, and is therefore considered a collector street to convey traffic to and from Highway 92 to the South. As the site borders this road, vehicles would have ready access to collector streets.

**E. Adequate Services and Infrastructure: Complies**

This factor concerns the ability of the Applicant to provide for necessary street, water, sewer and utility services on the property. The property is served by the Liberty Water Company; SSVEC provides electric power, and the Palominas Fire Department provides fire protection. As stated, internal surfaces will be paved and the property takes access from a paved County road.

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**F. Significant Site Development Standards: Complies (See Requested Modifications)**

It is important to note that construction of this unfinished house was started by a previous Owner. Upon acquiring it, the Applicant chose to move towards completion of the structure. The Applicant can generally meet, or in some cases exceed applicable development standards. For instance, the Applicant requests to install 20-foot wide internal driveways (24-feet required), but intends to pave these, where a gravel surface would meet the standard. Additionally, the submittal includes a landscaping plan, which is not required in Category D areas (but is required per Area Plan policy). The parking standards in Article 18 require, for indoor/outdoor recreation uses, one space per five persons in attendance. The concept plan provides 40 regular and four handicap parking spaces – enough parking for up to 200 guests, which is more than adequate.

The Applicant has provided staff with a request for Modifications to two development standards as discussed in Section VI of this report, below.



*View to the west along Oak Loop toward the Wilderness Road intersection. Two commercial driveways would be located along this stretch of road.*

**G. Public Input: Complies**

The Applicant completed the Citizen Review process and received two responses expressing concern over the proposed potential off-site impacts from the project. Mr. Workman offered a detailed response to those opposed to the project. The subsequent County mailings have resulted in four responses, also expressing concern, as of this writing (See Section V of this memo, below). One neighbor has responded positively to the request.

**H. Hazardous Materials: Not Applicable**

Per the Applicant, no hazardous materials are to be stored on site.

**I. Off-Site Impacts: Complies (Subject to Condition #2)**

The greatest potential for off-site impacts associated with the proposed business includes traffic, noise, headlight glare and light trespass. As for the latter, the project will have to comply with the *Cochise County Light Pollution Code* (See Condition #3), as well as General Note #18 of the subdivision plat, which states that “outdoor lighting shall not be directed or reflected onto other parcels.”

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The Applicant maintains that a good traffic estimate is difficult to establish. The business is untried and untested by the market at this time, and it is not known how well it will be received by the community. The site will be served by two commercial driveways built to County standards that will convey customers to the larger transportation network quickly.

There is potential for noise impacts in the neighborhood, due to traffic as well as on-site activities. The Application states that business hours will end at 10:00 p.m. This means that traffic leaving the site after dark could create headlight glare impacts on neighboring properties.

The Applicant has requested a waiver from the screening requirement for non-residential uses in Rural Residential areas. In order to mitigate off-site impacts from noise and glare, screening is recommended by staff. Specifically, a block wall is the screening device recommended, as this method provides the most effective mitigation from sound and lighting impacts, and is also in keeping with the Area Plan policies relative to design standards and impact mitigation.

Condition #2 is a multi-part condition of approval intended to address off-site impacts. This approval condition would limit hours of operation to those specified in the Special Use application (10:00 p.m.); require a six-foot high block wall around the building envelope of the property; and stipulate that lighting for parking areas shall not consist of overhead lighting.

As suggested at the February 12 Commission hearing, the Applicant has provided an impact mitigation plan. Note that the Applicant proposes that a "42-inch wall and landscaping will be constructed across the top of the east parking lot" to screen headlights. This is in addition to the proposal of a six-foot wall around the courtyard. These proposals are understood to be in lieu of the full screening required by standard and by Area Plan policies. Staff continues to recommend that a six-foot high masonry block wall surround the building envelope of the site. The Commission may decide to accept and allow the methods proposed by the Applicant, or follow staff's recommendation, or impose other measures as may be appropriate.

The mitigation plan also stipulates that the area reserved for the west-side parking lot be cut down to street level with Wilderness Road. The plan states that "*with the height of the bank on the west side of Wilderness drive exceeding 5-feet the vehicle lights will not be shining directly into adjacent properties.*" This mitigation method may lead to erosion issues due to the topography of the land, and would likely result in the need for a retaining wall adjacent to the western parking area. Staff does not recommend that the Commission impose this mitigation.

Staff recommends, as part of Condition #2, that this plan, *as may be modified by the Commission*, be adhered to during operation of the business.

#### **J. Water Conservation: Complies (Subject to Condition #3)**

This site, as well as the overall Kings Ranch at Coronado subdivision, is within the Sierra Vista Sub Watershed, and as such, all water fixtures must comply with the Sub-Watershed water conservation standards (per Condition #3). The property is served by a water company.

#### **V. PUBLIC COMMENT**

The Department mailed notices to neighboring property owners within 1,500-feet of the subject property. Staff posted the property on February 24, 2014, and published a legal notice in the *Bisbee Observer* on January 23, 2014. To date, the Department has received eight responses opposing the Special Use. These neighbors cite the potential for noise, light, and traffic as



reasons to oppose the use. Staff has also received a supporting letter from one neighboring property owner.

## **VI. REQUESTED MODIFICATIONS (See Condition #2)**

The Applicant has requested two site development standard Modifications as part of this Docket:

1. A Modification to the 24-foot two-way driveway standard for commercial uses; the Applicant requests to allow 20-foot wide internal driveways; and
2. A request to waive the screening requirement for non-residential uses in areas designated on the Comprehensive Plan as "Rural Residential." Note that this request has been amended since the last Commission hearing. The Applicant proposes to screen the courtyard area with a six-foot high wall, and provide a 42-inch wall around the east side parking area.

While staff supports the request to allow for the driveways to be more narrow than required by standard, staff does not support the request to waive the screening requirement. Screening is necessary to help mitigate off-site impacts from noise and headlight glare (See Condition #2). Staff's recommendation regarding screening remains unchanged: a masonry block wall is the recommended method of screening, to include the area reserved for development around the entire use area (the building envelope as shown on the Kings Ranch at Coronado Final Plat). Staff does support waiving the screening requirement for the auxiliary parking area on the West side of the site.

## **VII. SUMMARY AND CONCLUSION**

The Kings Ranch at Coronado Subdivision Plat designates this parcel for commercial development, and specifically mentions a Special Use permit process as a requirement of establishing such a use.

There is a potential for off-site impacts from noise, light, traffic, and headlight glare associated with the proposed business. However, the recommended Conditions of approval can mitigate these impacts to a substantial degree. The Applicant is aware of the impact potential of the project and has submitted a mitigation plan that would help alleviate sound and headlight glare impacts. While a mitigation plan generally is supported by staff, there are areas of disagreement between the staff recommendation and what is proposed under the mitigation plan. The Applicant suggests screening the courtyard and parking area, while staff continues to recommend a six-foot high block wall be placed around the building envelope of the site.

### **Factors in Favor of Approving the Special Use**

1. With the requested Modifications, the request complies with each of the eight applicable Special Use factors used by staff to analyze such requests;
2. Off-site impacts can be mitigated through existing regulations, approval Conditions, the Applicant's mitigation plan, and permit requirements;
3. The Rural Zoning Districts are established for such land use proposals, per Section 601.02 of the Zoning Regulations;
4. This site has long been planned for commercial use, as General Note #11 on the Kings Ranch at Coronado Final Plat designates this site for a Special Use Permit; and



5. One neighboring property owner supports the request.

**Factors Against Allowing the Special Use**

1. The nature of the business, and its location, suggest a potential for off-site impacts and changes in the character of a developing neighborhood; and
2. Eight nearby property owners have provided written statements opposing the request, citing concerns relative to off-site impacts.

**VIII. RECOMMENDATION**

Based on the factors in favor of approval, Staff recommends **conditional approval** of the Special Use request, subject to the following Conditions:

1. Within 30-days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicant shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards (except as modified) and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18-months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;
2. In order to mitigate noise, light, and glare impacts to neighboring properties, the following stipulations shall apply to this use:
  - a. Prior to operation, the Applicant shall construct a six-foot high, block wall fence around the allowed building envelope of the property. Block or other fencing shall not be required for the parking lot along the West side of the site;
  - b. Parking areas shall not be illuminated with overhead lights;
  - c. Hours of operation are limited to 7:00 a.m. to 10:00 p.m.;
  - d. The submitted "Kings Ranch Event House Impact Mitigation Plan" shall be adhered to during operation of the business. This plan, *as may be modified by the Commission*, shall be recorded with the Applicant's Acceptance of Conditions form as a binding condition of operation; and
  - e. Outdoor sound amplification will be limited to a maximum of two speakers, which shall be rated to limit output to 50 decibels. Such speakers shall be mounted at ground level, and shall be directed to face the building, and not be directed toward neighboring properties.
3. It is the Applicant's 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; and
4. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional Modification and approval by the Planning and Zoning Commission.

Staff also recommends that the driveway Modification discussed above be applied to the land use as part of such approval. As previously stated, Staff does not support the Applicant's request to modify the screening requirement for the primary use area of the site, but would support waiving the screening standard for the auxiliary parking area on the West side.

*Sample Motion: Madame Chair, I move to approve Special Use Docket SU-14-02, with the Conditions and Modifications to development standards recommended by staff; the Factors in Favor of approval constituting the Findings of Fact.*

#### **IX. ATTACHMENTS**

- A. Special Use Application
- B. Location Map
- C. Concept Plan
- D. Agency Comments
- E. Requested Modifications and Impact Mitigation Plan
- F. Citizen Review and Public Comment
- G. Support and Protest Map



# COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

## COCHISE COUNTY PLANNING DEPARTMENT COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE (TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER 104-24-415

APPLICANT MGC Consulting, L.L.C. (Michael Cerepanya)

ADDRESS 4536 E. Miller Canyon Rd., Hereford, AZ 85615

CONTACT TELEPHONE NUMBER (520) 909-4707

EMAIL ADDRESS: mgcerepanya@hotmail.com

PROPERTY OWNER (IF OTHER THAN APPLICANT) Robert L. Workman

ADDRESS 10280 S. Wilderness Road

Hereford, AZ 85615

DATE SUBMITTED 12/20/13

Special Use Permit Public Hearing Fee (if applicable)	\$ _____
Building/Use Permit Fee	\$ _____
<b>Total paid</b>	<b>\$ _____</b>

### PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (6) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. **(Please note that nine (9) copies will be required for projects occurring inside the Uniform Building Code enforcement area. In addition, if the site plan is larger than 11 by 17 inches, please provide one reduced copy.)**
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
5. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)

10 A

6. Hazardous or Polluting Materials Questionnaire, if applicable.

**OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT**

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report
6. Traffic Impact Analysis (TIA): **Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.**
7. Material Safety Data Sheets
8. Extremely Hazardous Materials Tier Two Reports
9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

**PART TWO - QUESTIONNAIRE**

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach separate pages if the lines provided are not adequate for your response.** Answer each question as completely as possible to avoid confusion once the permit is issued.

**SECTION A - General Description** (Use separate sheets as needed)

1. What is the existing use of the property? Single family - residential  
\_\_\_\_\_
2. What is the proposed use or improvement? Special Events such as weddings, wedding receptions; retirement parties; birthday parties; etc.  
\_\_\_\_\_
3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? See above (2) for description.  
Increased traffic to and from facility on days the special events takeplace.
4. Describe all intermediate and final products/services that will be produced/offered/sold.  
\_\_\_\_\_  
\_\_\_\_\_

// A

5. What materials will be used to construct the building(s)? (Note, if an existing building(s), please list the construction type(s), i.e., factory built building, wood, block, metal)

~~Block~~ Rasra block & synthetic stucco

6. Will the project be constructed/completed within one year or phased? One Year X  
Phased \_\_\_ if phased, describe the phases and depict on the site plan.

\_\_\_\_\_  
\_\_\_\_\_

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: \_\_\_\_\_ Hours (from 7 AM to 10 PM)

B. Number of employees: Initially: \_\_\_\_\_ Future: \_\_\_\_\_  
Number per shift Seasonal changes \_\_\_\_\_

C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site.

\_\_\_\_\_

(2) Total trucks (e.g., by type, number of wheels, or weight)

\_\_\_\_\_

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?

Traffic will turn north on Wilderness Rd from SR 92, then east on E. Oak Loop to driveway.

(4) If more than one direction, estimate the percentage that travel in each direction

\_\_\_\_\_

(5) At what time of day, day of week and season (if applicable) is traffic the heaviest

\_\_\_\_\_

Circle whether you will be on public water system or private well. If private well, show the location on the site plan.

D. Estimated total gallons of water used: per day \_\_\_\_\_ per year \_\_\_\_\_

Will you use a septic system? Yes X No \_\_\_ If yes, is the septic tank system existing?

Yes X No \_\_\_ Show the septic tank, leach field and 100% expansion area on the site plan.

12 A

G. Does your parcel have permanent legal access\*? Yes  No \_\_\_ if no, what steps are you taking to obtain such access?

\_\_\_\_\_

\_\_\_\_\_

\*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet. If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

H. For Special Uses only - provide deed restrictions that apply to this parcel if any.  
Attached \_\_\_\_\_ NA \_\_\_\_\_

8. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	Belle Vista Water aka liberty utilities	
Sewer/Septic	Private	
Electricity	SSVEC	
Natural Gas		Propane Provider not yet determined
Telephone	Cox Communications	
Fire Protection	Palmings Fire District	

**SECTION B - Outdoors Activities/Off-site Impacts**

1. Describe any activities that will occur outdoors.

Weddings and picture taking.

\_\_\_\_\_

2. Will outdoor storage of equipment, materials or products be needed? Yes \_\_\_ No  if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties.

\_\_\_\_\_

3. Will any noise be produced that can be heard on neighboring properties? Yes \_\_\_ No \_\_\_ if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties?

\_\_\_\_\_

\_\_\_\_\_

4. Will any vibrations be produced that can be felt on neighboring properties? Yes \_\_\_ No  If yes; describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties? \_\_\_\_\_

5. Will odors be created? Yes \_\_\_ No  If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties? \_\_\_\_\_

6. Will any activities attract pests, such as flies? Yes \_\_\_ No  If yes, what measures will be taken to prevent a nuisance on neighboring properties? \_\_\_\_\_

7. Will outdoor lighting be used? Yes  No \_\_\_ If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications.

8. Do signs presently exist on the property? Yes \_\_\_ No  If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.

A. \_\_\_\_\_ B. \_\_\_\_\_ C. \_\_\_\_\_ D. \_\_\_\_\_

9. Will any new signs be erected on site? Yes  No \_\_\_ If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).

10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?  
Yes  No \_\_\_

If yes, will storm water be directed into the public right-of-way? Yes \_\_\_ No

Will washes be improved with culverts, bank protection, crossings or other means?  
Yes \_\_\_ No

If yes to any of these questions, describe and/or show on the site plan.

11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)

Concrete ~~asphalt~~ and chip seal

12. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)

13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?  
Yes \_\_\_ No \_\_\_ If yes, show details on the site plan. **Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.**

**SECTION C - Water Conservation and Land Clearing**

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Planning Department has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

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2. How many acres will be cleared? 9 acres  
If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used (Show on site plan if appropriate.) \_\_\_\_\_

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**SECTION D - Hazardous or Polluting Materials**

Some businesses involve materials that can contaminate the soil, air, water, waste disposal system or environment in general. Precautions must be taken to protect the environment when such products are distributed to or from the site, stored, manufactured, processed, disposed of, or released as raw materials, products, wastes, emissions, or discharges (When sold or incorporated in a product these materials are required to have Material Safety Data Sheets (MSDS) supplied by the manufacturer.) Examples of such products include but are not limited to paint, solvents, chemicals and chemical wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, biological wastes etc.

Does the proposed use have any activities involving such materials?

Yes \_\_\_ No  If yes, complete the attached *Hazardous or Polluting Materials Use Questionnaire*.

**Note:** Depending on quantities, this question does not apply to ordinary household or office products or wastes such as cleansers, waxes or office supplies. Answer YES only if the materials are involved in the commercial or special use process or if landscaping or maintenance chemicals (pesticides, fertilizers, paints, etc.) will be present in quantities greater than 50 pounds (solids) or 25 gallons (liquids).

15 A

If you answer NO to this question but in the County's experience, the type of business proposed typically uses such materials, you will be asked to complete the *Hazardous or Polluting Materials Questionnaire* prior to processing this Commercial Use/ Building/ Special Use Permit.

**Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research. The Arizona Department of Environmental Quality Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333).**

**SECTION E - Applicant's Statement**

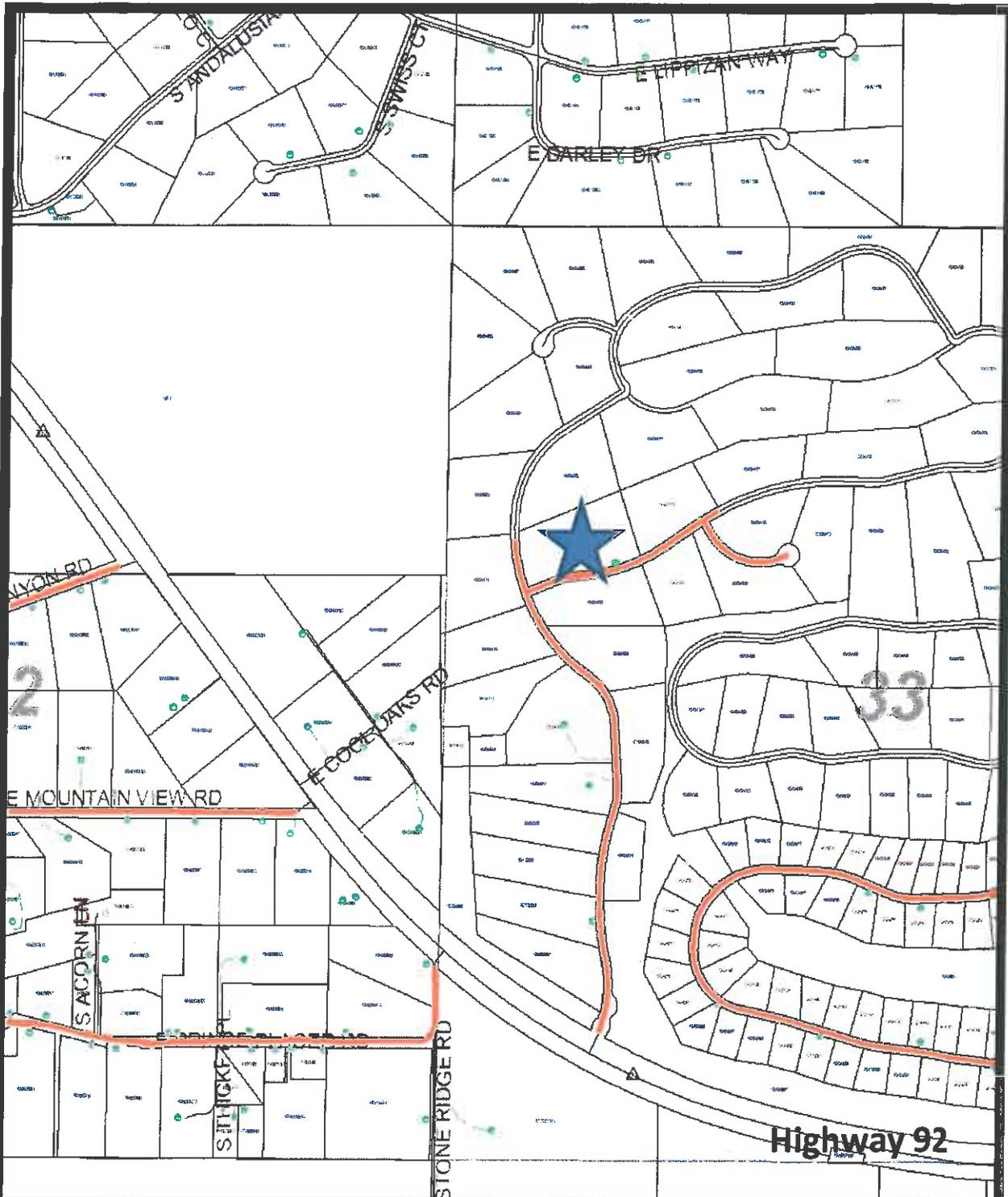
I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature Michael G. Cerepanya

Print Applicant's Name Michael G. Cerepanya

Date signed 12/16/13

14 A



Docket SU-14-02  
(Workman)  
Location Map

This map is a product of the  
Cochise County GIS



17 B



OVERALL SIGN SIZE 34" X 78"

18

C

**STRONGHOLD SIGNS**

4661 N. COMMERCE DR.  
 SIERRA VISTA, AZ 85635  
 sales@strongholdsigns.com  
 PHONE 520-439-4442 FAX 520-439-9244

SCALE: NONE

DATE:

SIGN TYPE:

Prepared by:

Mike Houchins

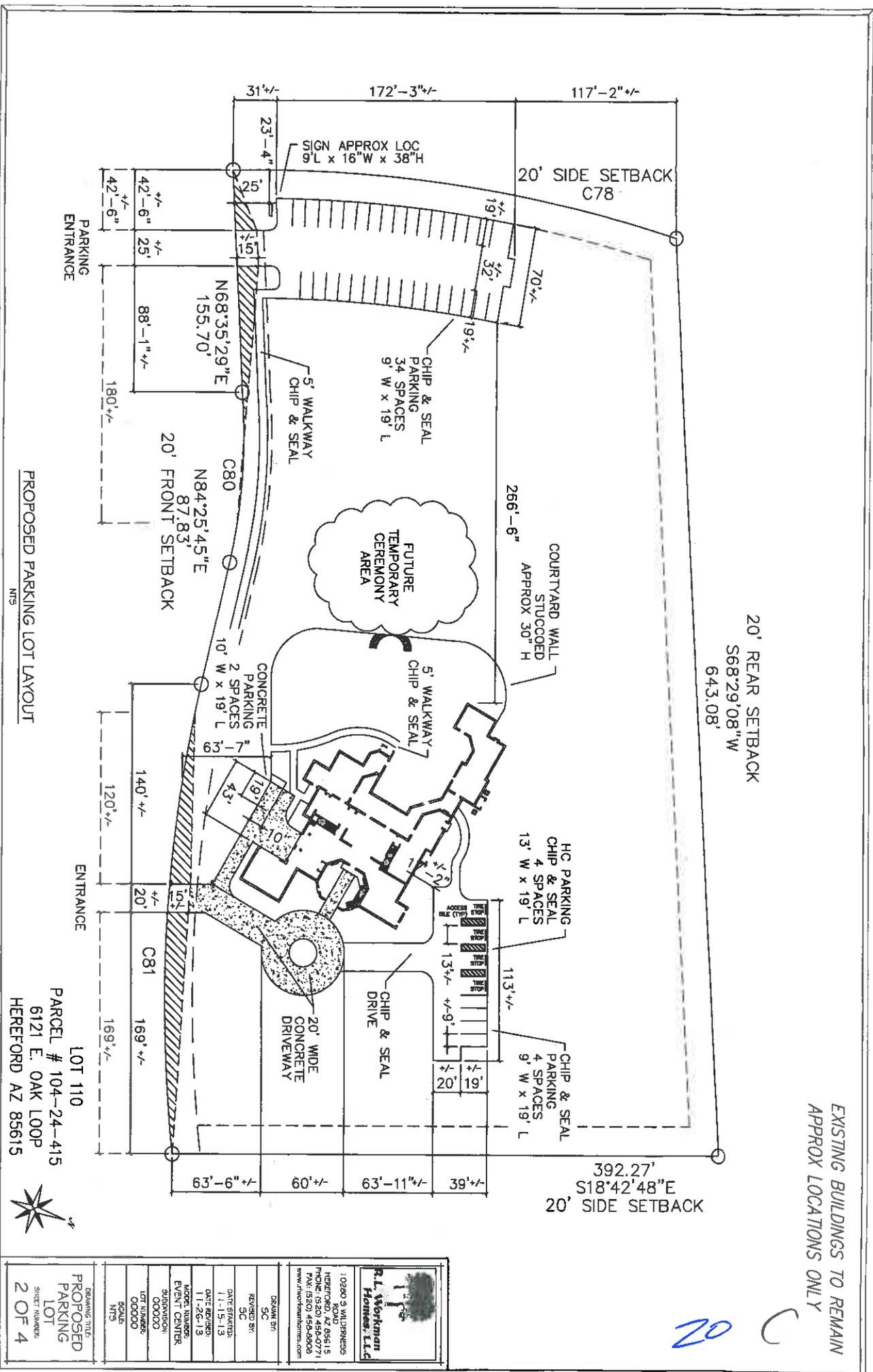
APPROVED

PROJECT

-



EXISTING BUILDINGS TO REMAIN  
APPROX LOCATIONS ONLY



PROPOSED PARKING LOT LAYOUT  
NTS

LOT 110  
PARCEL # 104-24-415  
6121 E. OAK LOOP  
HEREFORD AZ 85615

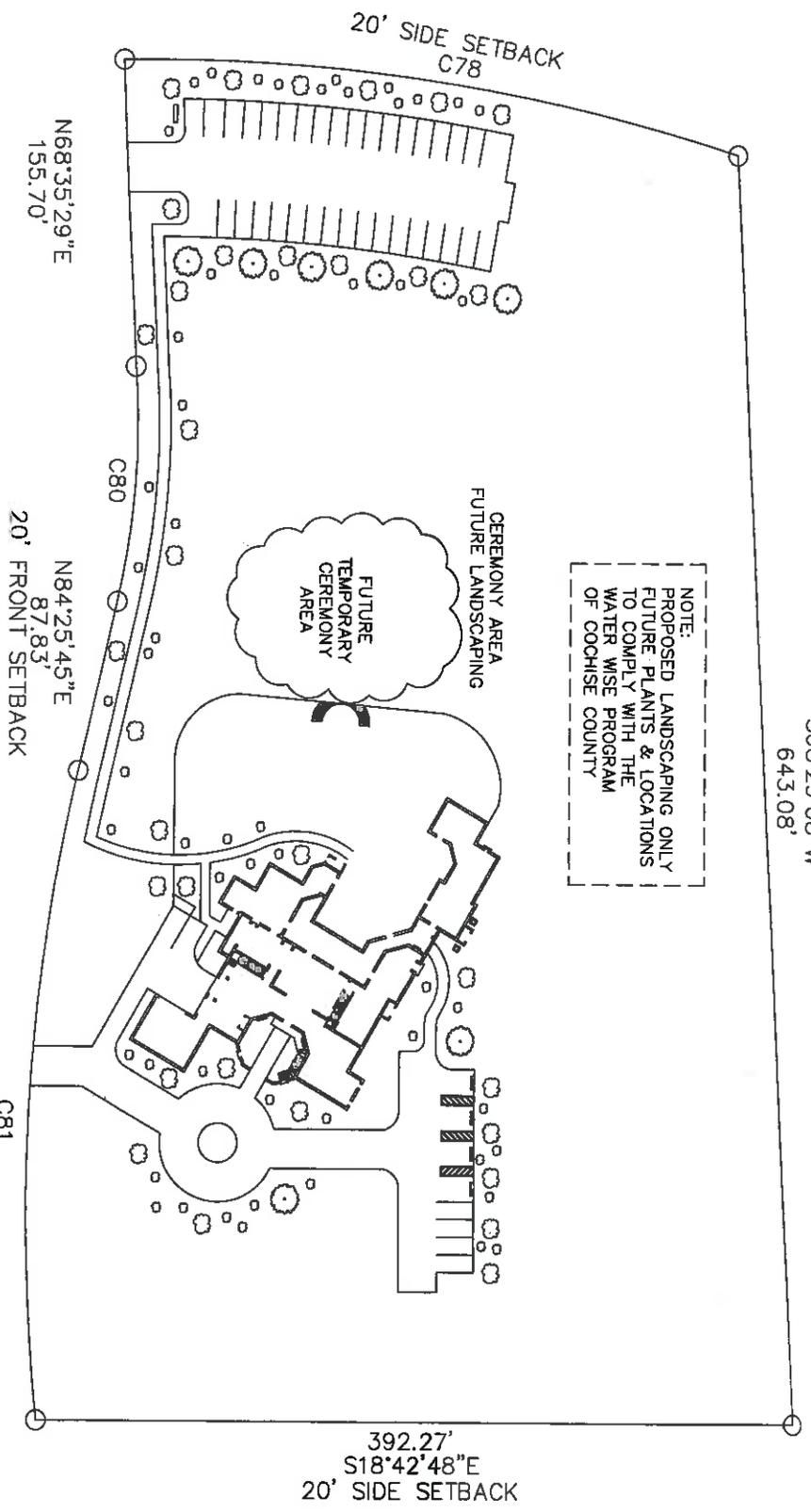


10220 S. WINDRIVERS ROAD HEREFORD, AZ 85615 PHONE: (520) 458-0771 FAX: (520) 458-8808 WWW.RLWORKMANHOMES.COM	
DRAWN BY: SC	DATE STARTED: 11-15-13
REVISION BY: SC	DATE REVISED: 11-26-13
MODEL NUMBER: EVENT CENTER	SUBDIVISION: 000000
LOT NUMBER: 00000	SCALE: NTS
DRAWING TITLE: PROPOSED PARKING LOT SHEET NUMBER: 2 OF 4	

EXISTING BUILDINGS TO REMAIN  
APPROX LOCATIONS ONLY

20' REAR SETBACK  
S68°29'08"W  
643.08'

NOTE:  
PROPOSED LANDSCAPING ONLY  
FUTURE PLANTS & LOCATIONS  
TO COMPLY WITH THE  
WATER WISE PROGRAM  
OF COCHISE COUNTY



PROPOSED LANDSCAPING LAYOUT

LOT 110  
PARCEL # 104--24--415  
6121 E. OAK LOOP  
HEREFORD AZ 85615



10280 S WILDERNESS ROAD HEREFORD, AZ 85615 PHONE (928) 458-0771 FAX (928) 458-0771 <a href="http://www.herefordhomes.com">www.herefordhomes.com</a>	
DRAWN BY:	SC
REVIEWED BY:	SC
DATE STARTED:	11-15-13
DATE REVISED:	11-26-13
PROJECT NUMBER:	00000
EVENT CENTER:	00000
SUBDIVISION:	00000
LOT NUMBER:	00000
SCALE:	N.T.S.
DRAWING TITLE: PROPOSED LANDSCAPING LAYOUT SHEET NUMBER: 4 OF 4	

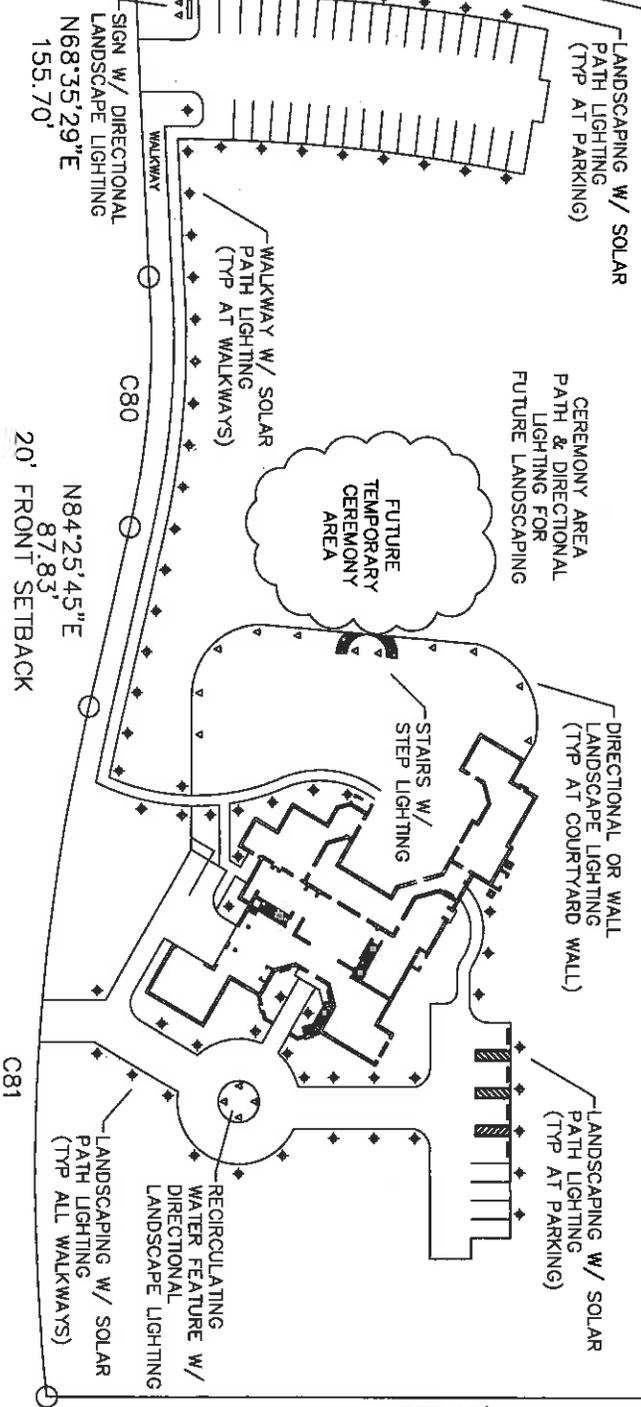
12 C

EXISTING BUILDINGS TO REMAIN  
APPROX LOCATIONS ONLY

20' REAR SETBACK  
S68°29'08"W  
643.08'

20' SIDE SETBACK  
C78

392.27'  
S18°42'48"E  
20' SIDE SETBACK



PROPOSED LIGHTING LAYOUT  
N19

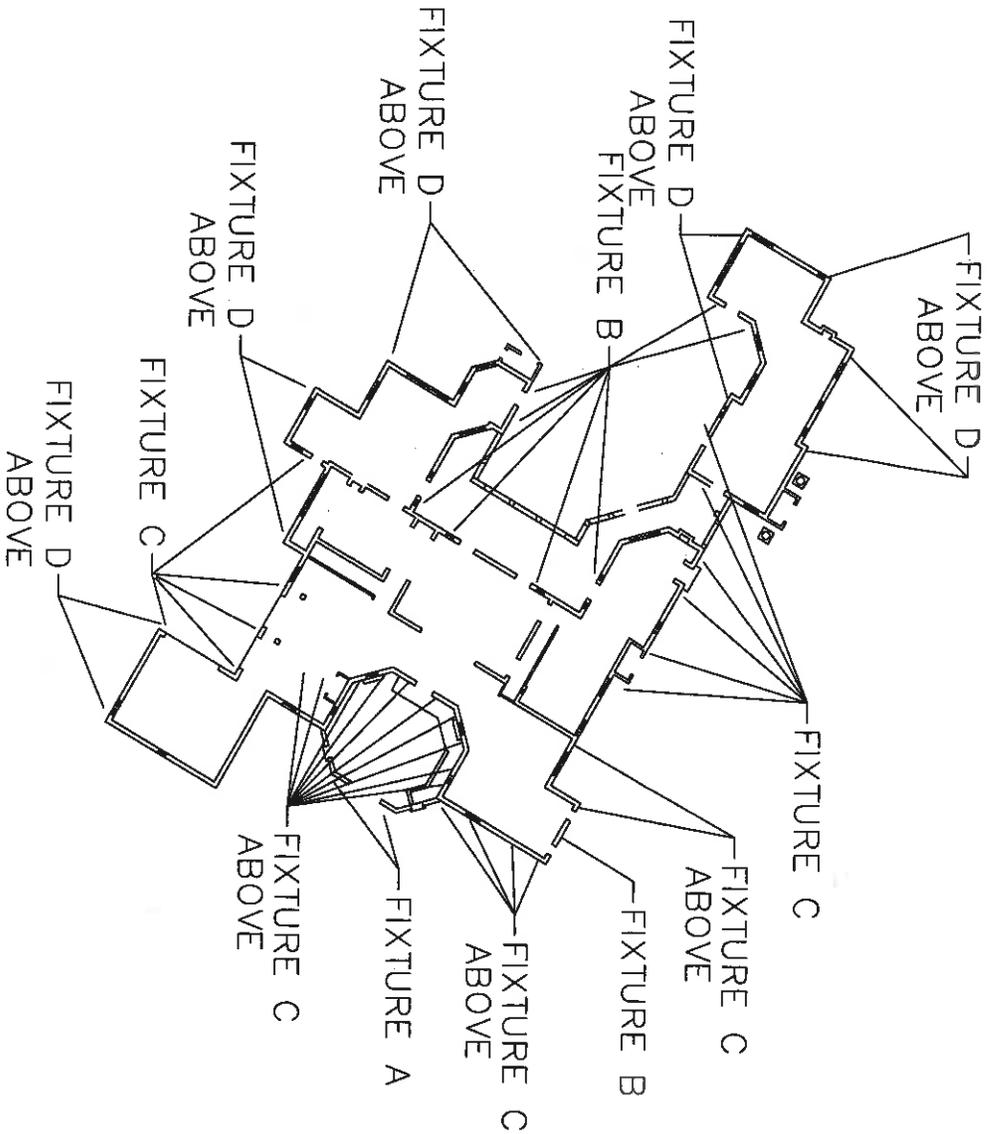
LOT 110  
PARCEL # 104-24-415  
6121 E. OAK LOOP  
HEREFORD AZ 85615



10280 S WILDERNESS ROAD HEREFORD, AZ 85615 PHONE: (520) 458-4500 FAX: (520) 458-4500 www.rlworkmanhomes.com	
DRAWN BY:	SC
REVISED BY:	SC
DATE STARTED:	11-13-13
DATE REVISION:	11-28-13
WATER NUMBER:	00000
EVENT CENTER:	00000
SUBDIVISION:	00000
LOT NUMBER:	00000
SCALE:	N19
DRAWING TITLE: PROPOSED LANDSCAPING LAYOUT SHEET NUMBER: 3A OF 4	

Handwritten initials 'C' and '22'.

EXISTING BUILDINGS TO REMAIN  
APPROX LOCATIONS ONLY



PROPOSED LIGHTING LAYOUT  
NTS

LOT 110  
PARCEL # 104-24-415  
6121 E. OAK LOOP  
HEREFORD AZ 85615



23 C

10280 S WILDBIRDS RD HEREFORD, AZ 85615 PHONE: (520) 458-0771 FAX: (520) 458-0000 WWW: www.rlworkmanhomes.com	
DRAWN BY:	SC
REVIEWED BY:	SC
DATE STARTED:	11-15-13
DATE REVISED:	11-26-13
PROJECT NUMBER:	EVENT CENTER
SUBDIVISION:	000000
LOT NUMBER:	000000
SCALE:	NTS
DRAWING TITLE	
PROPOSED LIGHTING LAYOUT	
SHEET NUMBER	
3B OF 4	



# COCHISE COUNTY COMMUNITY DEVELOPMENT

*"Public Programs...Personal Service"*

## MEMORANDUM

**Date:** January 22, 2014  
**To:** Keith Dennis, Senior Planner  
**From:** Karen L. Lamberton, AICP, County Transportation Planner  
**Subject:** Kings Ranch Special Event Center: SU 14-02/Parcel #104-24-415

The applicant is applying for a Special Use Authorization to convert a residential unit into a Special Event location within the subdivision known as Kings Ranch at Coronado. The planned uses would include celebratory events, such as weddings and could also include workshops, training events, retreats and other activities where a larger group setting is desired. Ideally, subdivision residents would see this site as a neighborhood gathering location, available for meetings and larger family events.

Primary access is from State Highway 92 along Wilderness Road to Oak Loop. These roads are all within the County maintenance system.

### **Traffic Analysis**

There is no estimated trip generation identified in the ITE Manual, 8<sup>th</sup> ed. for small-scaled Special Event facilities, such as proposed by this applicant. Capacity of the facility is limited by its size (less than 10,000 sq. ft.) and parking. Currently, the applicant has planned for approximately 40 parking spaces along with handicapped parking and hard surfaced access driveways with space for loading activities to be conducted. It could be inferred that at full capacity an event might generate about 100 vehicle trips; these trips could be absorbed into the existing traffic network with minimal impact. In addition, neighborhood generated events could include internal walking trips rather than driving trips such as might occur with privately owned clubhouses in gated communities.

A hard surfaced walkway has been proposed for access from the proposed parking to the facility itself. Appropriate lighting of the pathway and parking areas would assist with nighttime events – these details are typically designed at the commercial permit stage.

It is suggested that the applicant consider providing an extension to their existing hard surfaced planned parking for overflow parking into a dirt or gravel surfaced area easterly of the proposed parking area. If the Event Center proves successful, including this within the Special Use at this time would allow for easy expansion and/or an occasional overflow parking area in the future without a return to the Special Use Authorization process.

### **Advertising Signs Adjacent to Roadways**

24 D

While there are no specific guidelines regarding the placement of an advertising sign adjacent to a private roadway (other than the sign may not interfere with the roadway clear zone or block sight distance) there are specific guidelines regarding placement of signs adjacent to county-maintained roadways. The sign must be at least 10-feet from any public right-of-way. See Operating Policy HF 99-02 & Zoning Regulation 1905.01; 1905.02 and 1902.03.

#### **Applicant Guidance**

We have no objection to issuing the requested Special Use authorization with the following guidance to the applicant:

- The site plan is adequate to illustrate the concept for this Special Use authorization request. It will not be adequate at the Commercial Permit phase. The applicant is advised that a revised site plan that clearly shows dimensions as well as sight triangles (Roadway Design Standards D-300 & Zoning Regulation 1807.06) will be needed at the Commercial Permit stage. Property lines, right-of-way lines, set-backs, existing features, proposed location of the new sign should all be clearly identified and dimensions indicated.
- It is recommended that the applicant request an inspection of the sign location prior to setting it in place permanently to ensure that the location meets the minimum setback requirements (minimum of 10 feet from all right-of-way lines).
- It is suggested that the applicant consider providing an extension to their existing hard surfaced planned parking for overflow parking into a dirt or gravel surfaced area easterly of the proposed parking area.

#### **Recommendation**

The proposed use would have event related traffic impacts on internal traffic circulation within the subdivisions; however, these would likely be off-peak, seasonal and given the size of the proposed facility, at a level that would be accommodated by the existing traffic network. With the above noted advisory notes to the applicant, we have no objection to issuing the requested Special Use authorization to convert one residential unit into a Special Event facility within this subdivision.

cc: Docket SU-14-02, County Engineer, Highway Dept.



**R.L. Workman  
Homes L.L.C.**

January 28, 2014

Keith Dennis  
Cochise County Planning Development  
1415 W. Melody Lane  
Bisbee, AZ 85603

RE: Kings Ranch at Coronado – Event House Special Use Permit  
Parcel Tax ID No: 104-24-415

Dear Mr. Dennis:

On behalf of the owners I am requesting the following modifications to the County Zoning regulations for the above referenced Special Use Permit for their property on lot 110 at 6121 E. Oak Loop, Hereford, AZ 85615:

1: Modify the loop driveway at the entrance of the building to 20 feet wide for the portion on the property (24 feet required) with the section in the right-of-way being 24 feet;

2: Because the area is designated on the Comprehensive Plan as "Rural Residential," there is a screening requirement for all non-residential uses. By this standard, the land use area should be screened with a 6-foot high, opaque fence or wall. We are asking to have this requirement waved due to the nature of the use we are seeking as well as the aesthetics and theme for the development.

If you have any questions regarding the modifications we are seeking, please do not hesitate to call me at (520) 909- 4707.

Sincerely,

Michael G. Cerepanya  
Agent

R.L. Workman Homes 10280 S. Wilderness Road • Hereford, AZ 85615  
Phone: (520) 458-0771 • Fax: (520) 458-8808 • [www.rlworkmanhomes.com](http://www.rlworkmanhomes.com)



License# RCC253161

24 E

## KINGS RANCH EVENT HOUSE IMPACT MITIGATION PLAN

To minimize the impacts of sound and vehicle headlights on the neighboring properties we have developed the following mitigation measures:

### SOUND

1. Band and DJ music will be restricted to indoors of the facility.
2. The decibel limit of amplified music from the band/DJ must not exceed 75 decibels at 50 feet from the source of sound and 45 decibels at the west end of the property (the west guest parking lot).
3. There will be no outside music after 8:00 PM.
4. All courtyard speakers will be face the courtyard and not outwardly towards the neighboring properties.
5. A speaker will be allowed in the ceremony area only during the ceremony and will be turned off after the ceremony is completed.
6. All the above conditions will be part of the contract (Event Venue Rental Agreement).
7. The wall around the courtyard will be 6-foot high as measured on the inside of the courtyard.

### VEHICLE HEADLIGHTS

1. The west parking lot will be cut to approximately the same level as the adjacent street, Wilderness Road. With the height of the bank on the west side of Wilderness drive exceeding 5 feet the vehicle lights will not be shining directly into the adjacent properties.
2. An approximately 42-inch wall and landscaping will be constructed across the top of the east parking lot to screen the headlights.
3. The east parking lot will be restricted to event vendors and the immediate event party. Example: bride/groom/ wedding party.



R.L. Workman  
Homes, Inc.

November 4, 2013

**SPECIAL USE PERMIT APPLICATION NOTIFICATION LETTER**

Re: Kings Ranch at Coronado, Lot 110, Tax Parcel No: 104-24-415

Dear Neighbor:

This letter is to inform you that as the owner of lot 110 in the Kings Ranch at Coronado subdivision I am applying for a Special Use Permit for the above referenced property per the Cochise County zoning codes. The proposed use is as Indoor Recreation under Section 607.07 under the Cochise County Subdivision Regulations. The current use of the lot is as a single-family residence however provisions were made on the Final Plat and CC&Rs for Kings Ranch at Coronado allowing a Special Use Permit for this lot.

As you may or may not know, I purchased the partially built house and lot from the former owner of the Kings Ranch Estates subdivision in order to complete the house, thus removing an eyesore within the Kings Ranch at Coronado subdivision and surrounding area. Due to its size (approximately 10,000 sq. ft.) I have looked for an alternative use since there currently is not much of a market for such a large home. After consulting with various professionals I have decided to make it an Event House to allow weddings, anniversary parties, birthday parties, retirement parties and the like. My hope is with the beauty of the surrounding area as well as the magnificence of the house itself, it will become a destination venue for special events, bringing in people that would contribute to our economy as well as being an alternative for the local population to stage their special events.

If you have any questions, please do not hesitate to call us or send us and email.

Sincerely,

Robert L. Workman

Owner

R.L. Workman Homes

10280 S. Wilderness Road • Hereford, AZ 85615

Phone: (520) 458-0771 • Fax: (520) 458-8808 • [www.rlworkmanhomes.com](http://www.rlworkmanhomes.com)



License# ROC263161

23 F

## Rose

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**From:** Henderson <koriandjim@cis-broadband.com>  
**Sent:** Thursday, November 21, 2013 11:46 AM  
**To:** Rose  
**Cc:** Richard L. Mueller; Connie Atkins; Patricia Goggin; John Goggin; John & Alicia Guerrero; pbrudos@gmail.com; pcall@cochise.az.gov  
**Subject:** Special Use Permit Application Notification Letter for King's Ranch at Coronado

Robert L. Workman, Owner R.L. Workman Homes:

Regarding your letter dated Nov. 4, 2013 notifying us of your intent to apply for a Special Use Permit; in response, we have a few issues with your desire to create an "Event House."

Our concerns are:

1. The increased noise and light pollution to this serene and wildlife friendly residential area.
2. The proposed use as stated is "Indoor Recreation" but no matter how you slice it, this will lead to outdoor issues as the facility has several outdoor patios, and a parking area.
3. Increased highway traffic on Hwy 92 at the Cool Oaks/Mountain View intersection which is already a dangerous area due to the blind curve in that vicinity.
4. While you may have no wish to serve or allow alcohol at these events - it will happen, thus creating a public safety hazard in the area.
5. You have already requested several zoning variances which we have allowed without protest, however we are now seeing a pattern of - we give you an inch and, before we know it, you've taken a mile.

As for your "Dear Neighbor" letter introduction, we already have current issues with RL Workman Homes and KE&G Construction on the King's Ranch Development:

1. You imply that you have done us a favor by completing the partially constructed residence you refer to as an eyesore: since your construction began we have put up with **increased** light, noise and obstruction of views. You and your father-in-law posses hundreds of acres within the subdivision yet you insist on storing/parking "Construction Equipment" within 75 ft. of the joint property line of your "dear neighbors" and allow workers to park their personal cars in the same area. It is not only an incessant eyesore but the roar and smell of diesel engines and the headlights at 0600 are annoying.
2. While the decision to install the water tank/pumping station in its current location by the previous owner is regrettable and does not reflect on you, the management decision to place a white awning with and a flood light over the pump station is. The light as well as the loud noise generated by the compressor is a nuisance. Your installation of a more aesthetically pleasing awning with three sides to reduce light and noise emissions would have been a preferable and "neighborly" consideration.

Sincerely,

James and Kori Henderson  
9997 S. Jingles Trail

520-378-0893

Michael Cerepanys

**Sent:** Monday, November 25, 2013 13:30  
**To:** Rose  
**Subject:** Notification Letter for Kings Ranch

Rose sablar

[View contact](#)

Robert L. Workman, Owner R.L. Workman Homes:

Regarding your letter dated Nov. 4, 2013 notifying us of your intent to apply for a Special Use Permit; in response, we have a few issues with your desire to create an "Event House."

Our concerns are:

1. The increased noise and light pollution to this serene and wildlife friendly residential area.
2. The proposed use as stated is "Indoor Recreation" but no matter how you slice it, this will lead to outdoor issues as the facility has several outdoor patios, and a parking area.
3. Increased highway traffic on Hwy 92 at the Cool Oaks/Mountain View intersection which is already a dangerous area due to the blind curve in that vicinity.
4. While you may have no wish to serve or allow alcohol at these events - it will happen, thus creating a public safety hazard in the area.
5. You have already requested several zoning variances which we have allowed without protest, however we are now seeing a pattern of - we give you an inch and, before we know it, you've taken a mile.

Please contact me if you have any questions.

Charles Atkins  
Intel & UAS Product Support Area Manager  
Raytheon WFF, Ft. Huachuca AZ  
(business) 520 452-8837  
(cell) 520 220-2545

*charles.atkins@raytheon.com*

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*F*  
*30*

Rose

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To: Henderson (koriandjim@cis-broadband.com)  
Subject: Special Use Permit Application Notification

Dear James and Kori Henderson,

This email is in response to your email dated 21 November 13 regarding the Notification letter.

I also share some of the concerns noted in your email and considered them before making the decision to apply for a special use permit for an event house. We wouldn't want to have a detrimental effect on the Kings Ranch Development or the surrounding properties. Please let me address your concerns.

1. The exterior lighting will follow the Cochise County light pollution standards. Additionally we anticipate outside lighting should be minimal since most wedding events occurring outside are held in the daytime. The Conservation Easement remains unchanged on the Event House lot and the other lots in Kings Ranch.
2. This is true. There will be an outdoor area to conduct ceremonies, parking for guests and an area in the rear courtyard and patios for a meal. However we intend to mitigate this with landscaping and guidelines as to time of exterior use for these events.
3. We do not anticipate an adverse effect on traffic on Hwy 92 and its ability to carry any additional traffic.
4. Many weddings provide a shuttle service to and from a Hotel for guests choosing to drink alcohol.
5. We are not asking for a Zoning variance but for a Special Use Permit that was allowed for by the Kings Ranch at Coronado Final Plat for both this house and the Old Kinjockity Ranch House which now serves as our office. We are just completing the process for the second Special Use Permit.

1. We have started removing the equipment referenced in your email. It was a temporary measure and I apologize for disturbing you. In the future please do not hesitate in calling our office if there is something we are doing at Kings Ranch that is disruptive to you we want to be a good neighbors and we think completing the home is a positive for Kings Ranch and the neighborhood.
2. It was not a management decision to construct the water facility to its existing state. That is dictated by Liberty Water by their design standards and requirements. Neither R.L. Workman Homes or KE&G Construction make any determination of water facilities design or requirements.

It is my goal to enhance Kings Ranch and the surrounding Neighborhood through completing the house as an event house tastefully done complementing the neighborhood. We are at the beginning of a long build out process and future phases, we view this event house, done rightly, as an attribute.

I hope given the above you will also.

If you have any questions or concerns please email or call 452-0771.

Sincerely,

R.L. Workman

February 20, 2014

Cochise County Supervisors  
Cochise County Planning & Zoning Commission  
C/O Beverly Wilson

Dear Fellow Cochise County Residents:

We are Mike and Janet Strange, residents of Cochise County since 2005. Although we have and are living in Sierra Vista, we have owned Lot 3, Wildhorse Community, Subdivision 1 since 2004. We still plan to build and live there.

We were disturbed to learn, through the Sierra Vista Herald, that an events center is being planned very close to our lot. Our specific concern is noise. We have no objection to an events center for events such as weddings, reunions, or small indoor events, or even outdoor events that do not cause much noise. Outdoor concerts, however, are another matter entirely. This is a rural residential area entirely unsuited for noisy events. We would describe the 2 principal attractions to this rural setting as being the view and the quiet.

We currently live at 4231 Paseo Quieto, north of Cochise College. We customarily watch the Fourth of July fireworks event from our front yard. Using Google Earth it is 4,453 feet from the speakers in the center of the main field where the public watches the fireworks to our front yard. Not only can we hear the music from that field, we can hear MC Rich Besselman over the City's loudspeaker system. Having chaired this event for the Sierra Vista Rotary Club for 4 years, Mike is well aware that the City's sound system is not anywhere close to a professional setup.

Contrast this to the Google Earth measurement from our Wildhorse lot to the proposed events center: 2,560 feet, just across a draw.

We sincerely hope you consider the harm to the quality of life at Wildhorse, and other adjacent areas that would be affected by the possible noise issues. Again, we do not object per se to the events center, only to the noise issue. That said, we would not be opposed to afternoon concerts, we probably would go to some ourselves. Evenings or nights is entirely unacceptable.

Thank you for your consideration.

Mike and Janet Strange  
4231 Paseo Quieto  
Sierra Vista, AZ 85635



COCHISE COUNTY

FEB 21 2014

PLANNING

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## Special Use: Docket SU-14-02 (Workman)

**NO, I DO NOT SUPPORT THIS REQUEST: Please state your reasons:**

Connie and I purchased our land and built our home in this area because it is quiet and somewhat isolated. We enjoy the unlit night sky and the natural wild life in our yard every evening.

A special use authorization that changes our residential area to a commercial zone is unacceptable. We believe this plan would create a club like atmosphere where loud parties, with associated drinking and disorderly conduct, would be a nightly occurrence. We don't want the increased lights from the commercial parking lot, nor do we want the increased traffic. We attached pictures taken from our front yard showing the proximity of the planned commercial property to our house. As you can see, there are no barriers to block the expected increase in noise and lights.

We request your consideration of our rights to live in a quiet and peaceful residential neighborhood. Please deny the Special Use Docket SU-14-02 (Workman).

(Attach additional sheets, if necessary)

PRINT NAME(S): Charles Atkins; Connie Atkins

SIGNATURES: 

YOUR TAX PARCEL NUMBER: 104-24-007E 6

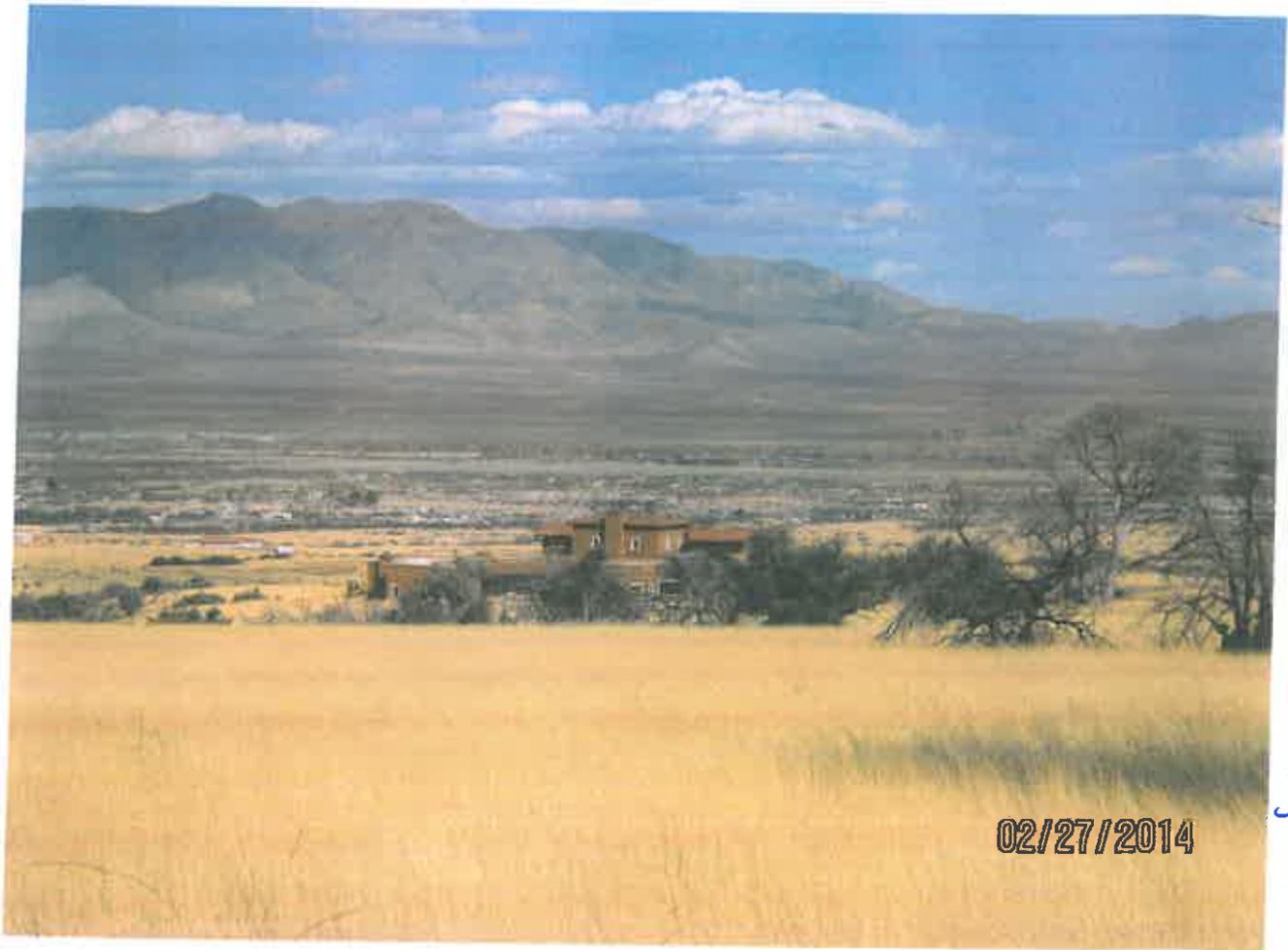
Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, February 28, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Senior Planner  
Cochise County Planning  
Department 1415 Melody Lane,  
Building E Bisbee, AZ 85603

33 F

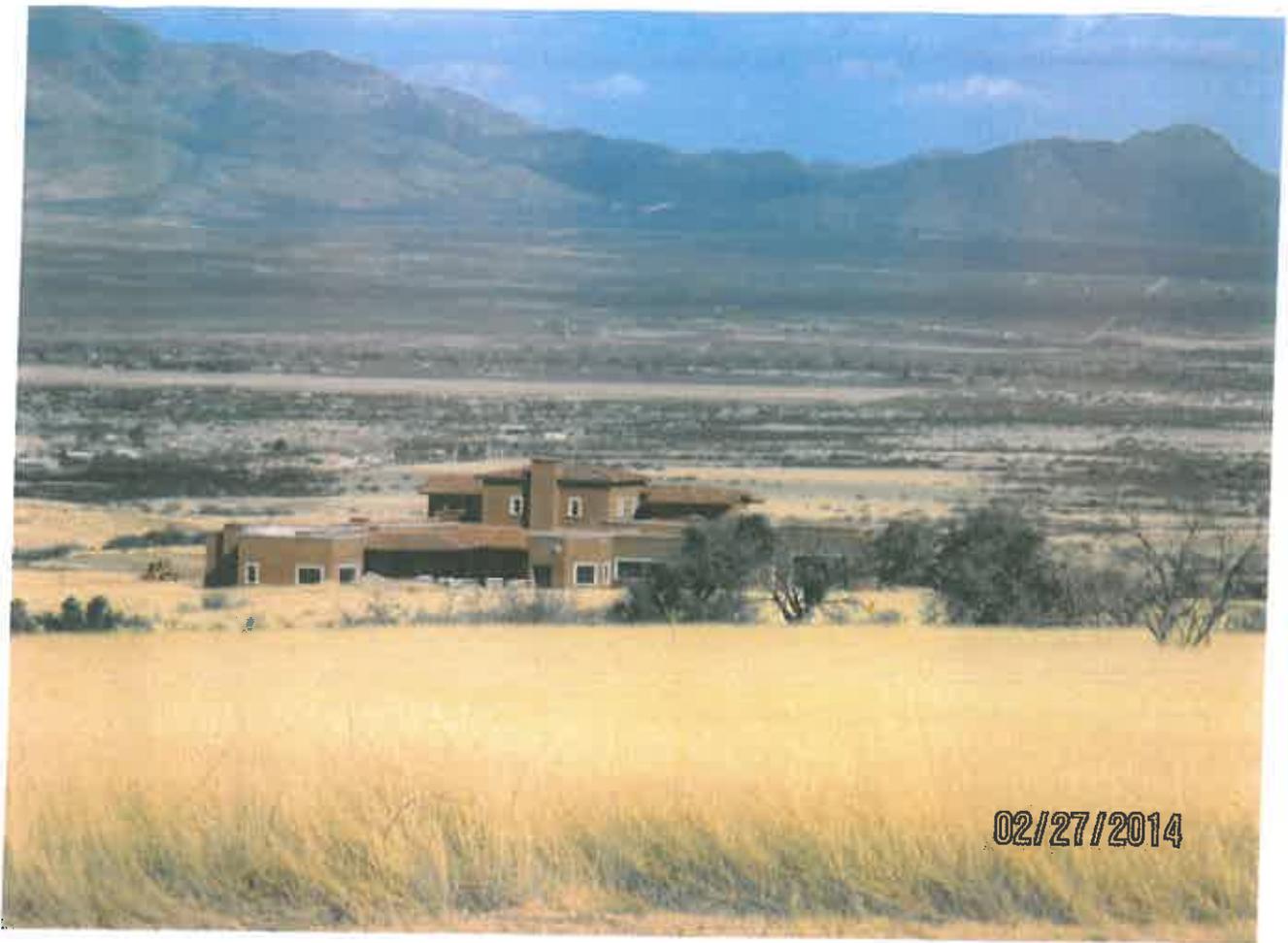


02/27/2014



02/27/2014

34  
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Parcel # 104-24-007E 6

35 F

# Special Use: Docket SU-14-02 (Workman)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

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NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

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WE STRONGLY OPPOSE THIS REQUEST  
— SEE ATTACHMENT

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(Attach additional sheets, if necessary)

PRINT NAME(S):

RECHAM L. MORGAN Vall. C. Tolson

SIGNATURE(S):

[Signature] Sis Not Avail.

YOUR TAX PARCEL NUMBER: 104-24-006H (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, February 28, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Senior Planner  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

36 F

Richard L. Mueller/Valli C. Troester  
5907 E Cool Oaks Rd  
Hereford, AZ 85615

24 February 2014

Keith Dennis, Senior Planner  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

Re: Docket SU-14-02 (Workman)

This brief letter is to request denial of the special use permit (and subsequent commercial permit) for parcel 104-24-415. Request is for the establishment and operation of an indoor/outdoor recreation operation.

Recommend the planning department table this request until such time Mr. Workman becomes a member of the residential development (Cool Oaks community and western boundary of Kings Ranch) by constructing a new residence on the lot most adjacent to the proposed "recreation center" with the stipulation that the said structure has only the minimum setback towards the "facility" and the primary living areas (family room, living room, master suite) face the proposed center. Upon completion of said structure and issuance of a certificate of occupancy, Mr. Workman needs to provide an affidavit stating that the structure is his primary residence, and should he move from said residence, the special use permit and subsequent rezoning will be revoked and the property will be returned to single family residential/non commercial.

We, knowing full well the above will not happen due to the influence Mr. Workman and his developers have on the permitting/rezoning, etc, we strongly appose the proposed special use permit and subsequent commercial permit for the following reasons.

We believe that approval of this request will do severai things:

1. Result in a substantial amount of noise. Our understanding based on previously received information is that the recreation center will be used to host events including weddings, parties, etc. In those cases the likely hood of the client hiring a "disc jockey" is quite high. Noise travels significant distances in the high desert environment and it is extremely likely that we would be subjected on a recurring basis to the noise pollution the DJs would provide. Our property has restrictions on having chickens... We are quite certain than three of four laying hens would produce much less noise than DJs playing what they call music now days; however, zoning restrictions and attached covenants do not allow me to have even a couple laying hens. (Compare cluck, cluck, cluck to the sound of today's "thump wack" music...)

2. Result in light pollution. One of the main reasons we purchased our lot on Cool Oaks was that there were a limited number of outside lights in the area allowing us to look at the stars on clear evenings. (I had not been able to marvel at the vastness of the milky-way for several years because I lived in Sierra Vista and had to put up with the city light pollution.) If the recreation center is developed, there will be a need for parking lots to allow access to the facility. We are quite certain that any parking lot would be required to be well lighted to reduce any liability should someone injure themselves while walking from the parking lot to the proposed facility. The additional lighting would affect the night sky and reduce the ability to

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view the natural God provided gift of seeing (although limited) the heavens he provided.

3. Increase traffic and noise. Additional vehicle traffic would be added to the area. Entry to the facility would add another well traveled road to the area and vehicular noise would increase. The access road would place our residence between Highway 92 and the new road. In addition to the traffic noise, we are quite certain many of the guests would be inclined to crank up the vehicular music systems and again add additional noise to the area. It's bad enough the county doesn't have a noise abatement restriction that restricts the distance music (or what they call music today) can project. The proposed access road will provide us with significant reverberation (e.g. vibrating fenders and auto sheet-metal sounds) on both sides of our residence.

4. Reduce property values. Opening a recreational facility in the middle of a rural residential area would probably have a significant impact on property values should the neighbors of the facility decide to sell their property. Many buyers of rural property move to the country in order to get away from commercial operations and improve their quality of living. That's why we bought our lot: Peace and quite, good view of the heavens, decent neighbors that respect each other, low level noise except for general traffic. It's kind of nice to hear coyotes, owls, etc in the night time. Also nice that wildlife frequents our property because they haven't been scared away (yet) by a commercial establishment. That's why we invested a significant amount of our life savings in our property. Please don't take that away from us.

In closing we want to re-iterate our opposition to the approval of a special use permit for the purpose of establishing a recreational facility in the close proximity of our home and property. Mr. Workman took it upon himself and his company to try and recuperate the losses encountered on a construction job gone wrong by trying to force an unwanted and ill-advised facility upon the established neighbors that have invested a considerable amount of resources in the development of their individual properties. We do not support this request, and strongly recommend the planning department take the interests of the neighbors into consideration over the influence projected by a "developer" that is out of touch with the neighborhood he wants to infringe on.

v/r



Richard L. Mueller

# Special Use: Docket SU-14-02 (Workman)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

*(This section is crossed out with a diagonal line.)*

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

In direct violation of the CCC P<sub>3</sub>Z regulations the requestor failed to provide proper public notice of the SUP and failed to take into consideration any of the suggested methods for performing a successful public notice; misleadingly failed to state the requested permit would allow outdoor recreation and building a parking lot. Questions & concerns that did eventually reach Workman were responded to with vague, misleading and dismissive answers. There is also a nepotistic relationship with Kings Ranch Developer that will provide future Kings Ranch lot & Homeowners will little protection (Attach additional sheets, if necessary) or vote against future commercial proposals in the community.

PRINT NAME(S):

Kori K. Henderson, James L. Henderson

SIGNATURE(S):

*(Handwritten signatures of Kori K. Henderson and James L. Henderson)*

YOUR TAX PARCEL NUMBER: 104-24-0066 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, February 28, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Senior Planner  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

39 F

# Special Use: Docket SU-14-02 (Workman)

~~YES, I SUPPORT THIS REQUEST~~

~~Please state your reasons:~~

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\_\_\_\_\_  
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**NO, I DO NOT SUPPORT THIS REQUEST:**

Please state your reasons:

- WE HAVE BEEN MADE AWARE THE PLANNED USE AS STATED IN THE NOTICE FROM R.L. WORKMAN IS NOT ACCURATE OR COMPLETE.
- OUTSIDE NOISE AND LIGHTS WILL HAVE A SIGNIFICANTLY NEGATIVE IMPACT ON THE RESIDENTIAL NEIGHBORHOOD AND PROPERTY VALUE.
- PERSONS/GUESTS AT THE PARTIES WILL HAVE NO VESTED INTEREST IN MAINTAINING THE PEACE & QUIET AND THE NOISE LEVEL WILL BE OF NO CONCERN TO SOMEONE NOT LIVING IN THE AREA.
- OUR PROPERTY HAS MINIMAL NATURAL SCREENING BETWEEN THE PLANNED PROJECT AND LIKELY HOMESITES ON OUR LAND.

(Attach additional sheets, if necessary)

PRINT NAME(S):

GEORGE R. OAKES KATHERINE C. OAKES

SIGNATURE(S):

  
Katherine C. Oakes

YOUR TAX PARCEL NUMBER: 10424007D (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, February 28, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Senior Planner  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

40 F

# Special Use: Docket SU-14-02 (Workman)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

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NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

We moved to a rural setting to get away from the noise and lights and larger populations. With the possibility of having a 'party house' next door, it will have a huge impact on the local residents. Many of us have jobs with different hours and therefore have different sleep cycles. The established residents shouldn't have to suffer.

(Attach additional sheets, if necessary)

PRINT NAME(S):

Linnea Cordts

SIGNATURE(S):

*Linnea Cordts*

YOUR TAX PARCEL NUMBER: 104-24-008 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, January 31, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Senior Planner  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

41 F

# Special Use: Docket SU-14-02 (Workman)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

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**NO, I DO NOT SUPPORT THIS REQUEST:**

Please state your reasons:

Our property owners on the proposed special use request. we value our peace and quiet. we do not want a parking lot or loud music and lights in the area. we built and move here for the aesthetics of the area. This proposal would ruin it and lower the value of our property. **DO NOT GRANT THIS REQUEST!**

(Attach additional sheets, if necessary)

PRINT NAME(S): JOHN P. GOGGIN PATRICIA A. GOGGIN

SIGNATURE(S): John P. Goggin  
Patricia A. Goggin

YOUR TAX PARCEL NUMBER: 104-24-~~10~~8D (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, February 28, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Senior Planner  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

42 F

# Special Use: Docket SU-14-02 (Workman)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

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**NO, I DO NOT SUPPORT THIS REQUEST:**

Please state your reasons:

Turning a home into a place for people not living in the community to have a large party with outdoor activities and music and lights in the evening will provide no enhancement to the quiet rural residential neighborhood and will likely decrease our property value as there is no screening between our property and the proposed location for the SUP. We have not received sufficient assurances that noise & lights intrusion would be blocked.

(Attach additional sheets, if necessary)

PRINT NAME(S):

James Henderson, Kuri Henderson

SIGNATURE(S):

*[Handwritten signature]*  
Kuri Henderson

YOUR TAX PARCEL NUMBER: 104-24-007C (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, February 28, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Senior Planner  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

43 F

# Special Use: Docket SU-14-02 (Workman)



YES, I SUPPORT THIS REQUEST

Please state your reasons:

This house is not a good representation of the other homes in the area and if not used for this purpose will be a "white elephant" and empty. It makes good sense to use it for the enjoyment of others in the community.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets, if necessary)

PRINT NAME(S):

Gayland Yarbrough

SIGNATURE(S):

YOUR TAX PARCEL NUMBER: 104-24-309 8 (the eight-digit identification number found on the tax statement from the Assessor's Office)

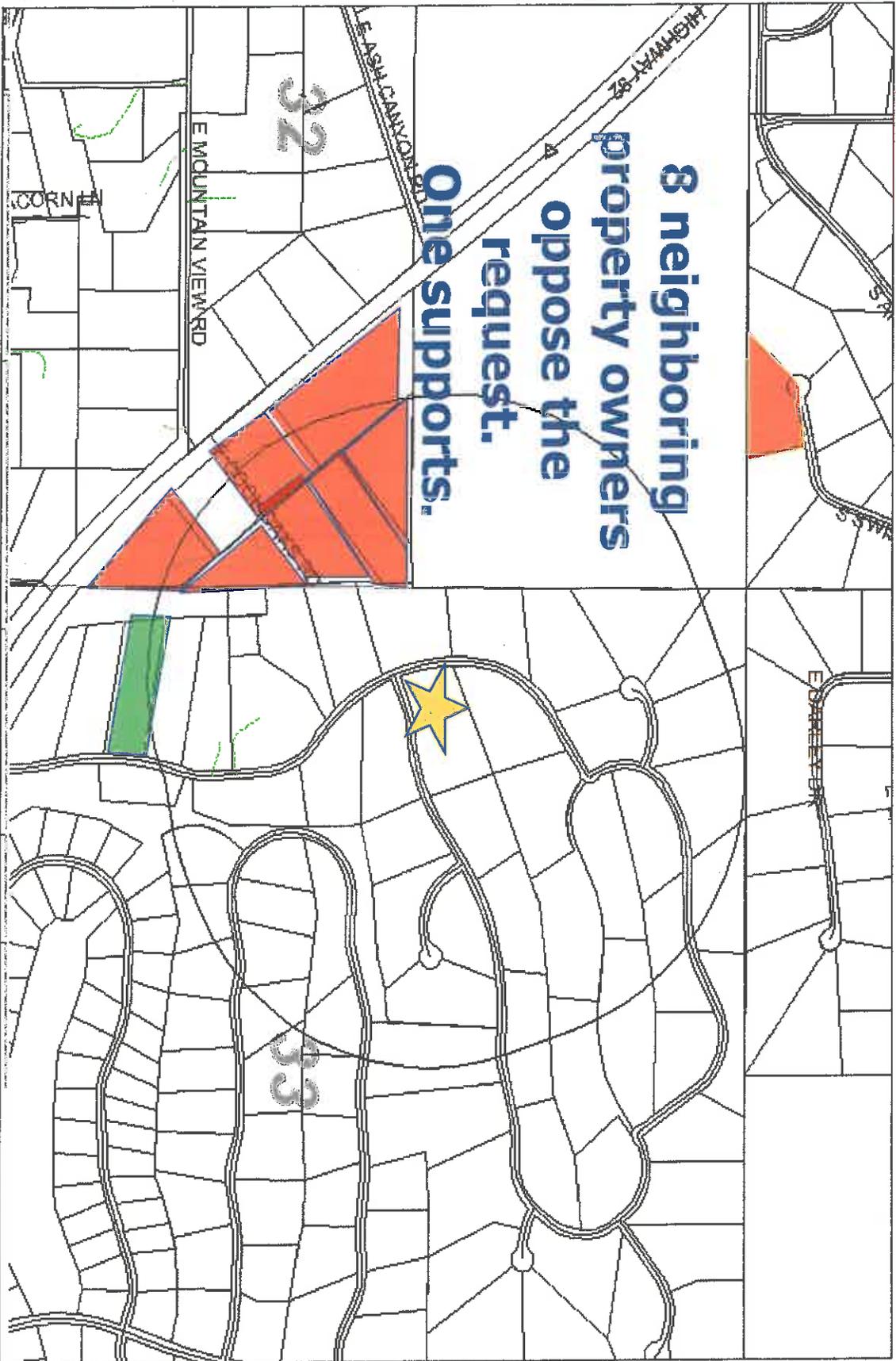
Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, February 28, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Senior Planner  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

44 F



# Support and Protest





# COCHISE COUNTY COMMUNITY DEVELOPMENT

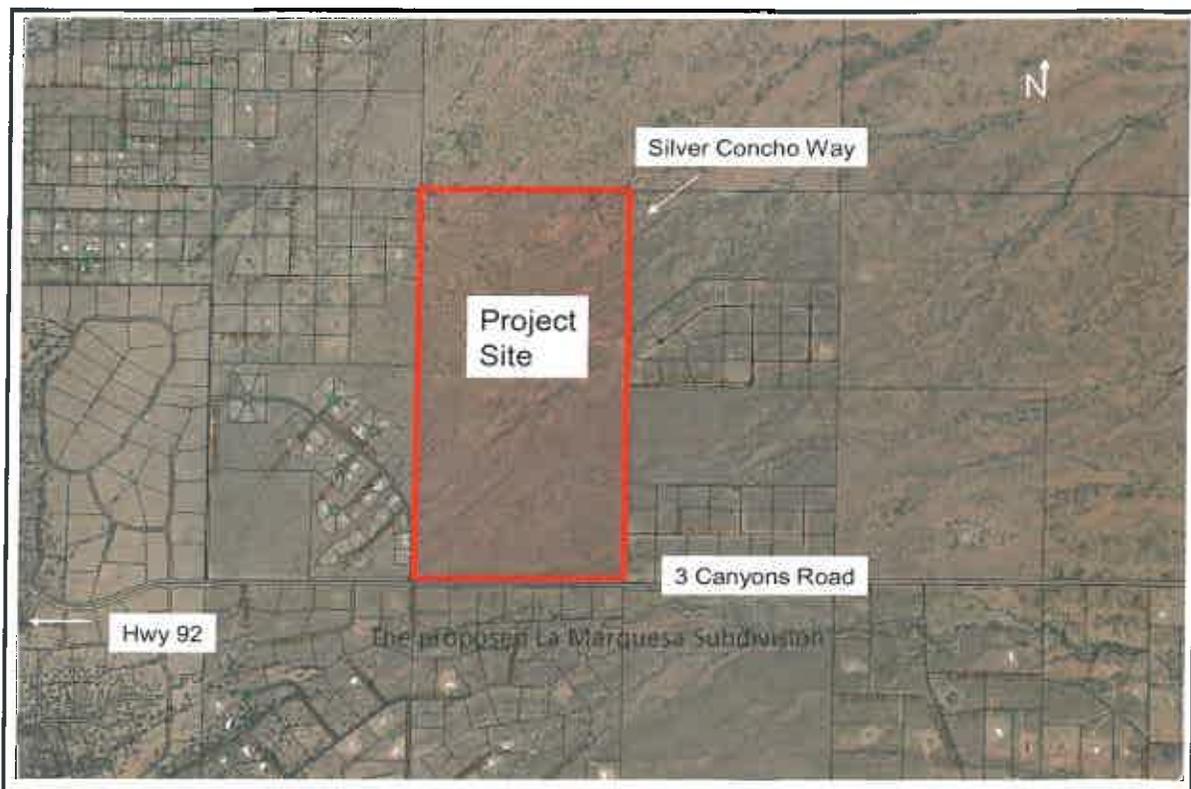
"Public Programs...Personal Service"

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Keith Dennis, Planner II ↔  
For: Beverly J Wilson, Planning Director *low*  
**DATE:** March 3, 2014 for the March 12, 2014 Meeting  
**SUBJECT:** Tentative Plat Extension, La Marquesa Subdivision (S-05-05)

## I. NATURE OF REQUEST

This request is for approval of an additional one-year time extension for the La Marquesa Subdivision Tentative Plat. The Tentative Plat was approved by the Board of Supervisors on February 5, 2007. The current Tentative Plat extension expired on February 5, 2014. The Developer is Mr. Patrick Kirk and the Project Engineer is Mr. Blaine Reely of Monsoon Consultants in Tucson.

The subdivision is a 103-lot Residential Conservation subdivision located on 317 acres, zoned RU-4 (Rural; one dwelling unit per 4 acres). The parcel (104-01-011R) is located on the north side of Three Canyons Road in Hereford, about one mile east of Highway 92.



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**II. BACKGROUND**

Since the Board of Supervisors approved the Tentative Plat (TP) in 2007, the developer has received a one-year administrative extension, in 2009, followed by three subsequent one-year extensions granted by the Commission. He is now asking to extend the Tentative Plat for an additional year.

**III. ANALYSIS**

Tentative Plat approvals are effective for a two-year period, after which a one-year extension may be approved by staff (per Section 208 of the Subdivision Regulations). Subsequent requests for a one-year extension are decided by the Planning Commission. As stated above, the Developer has utilized his one-year administrative extension, and obtained three subsequent Commission-approved extensions.

**IV. STAFF RECOMMENDATION**

Staff recommends approval of the one-year time extension for the La Marquesa Tentative Plat, to expire on February 5, 2015.

*Suggested Motion: Mdm. Chair, I move to approve a one-year time extension for the La Marquesa Subdivision Tentative Plat, Docket S-05-05.*

**V. ATTACHMENTS**

- A. La Marquesa Subdivision Tentative Plat Sheet 1
- B. Extension Request

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## Dennis, Keith

---

**From:** Patrick Kirk [patrickkirk10@gmail.com]  
**Sent:** Friday, January 31, 2014 1:19 PM  
**To:** Dennis, Keith  
**Subject:** Tentative Plat Extension - La Marquesa

Hi Keith,

I would like to get on the February commission agenda to extend the tentative plat agenda for one more year. If not, March will be OK.

I would also like to ask for a waiver for the right to have the full density bonus (3 acre density) for wells OR a commercial water system. Let me know which meeting I am scheduled for and I will prepare material for a presentation.

Let me know if you have any questions

Thanks

Patrick Kirk



# COCHISE COUNTY COMMUNITY DEVELOPMENT

*"Public Programs...Personal Service"*

## MEMORANDUM

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Keith Dennis, Planner II *KD*  
**FOR:** Beverly J. Wilson, Planning Director *BW*  
**SUBJECT:** Docket SU-14-03 (Marshall)  
**DATE:** March 3, 2014, for the March 12, 2014 Meeting

### APPLICATION FOR A SPECIAL USE

**Docket SU-14-03 (Marshall):** The Applicant is requesting a Special Use authorization to construct a small tack shed/horse shelter to accommodate up to two horses on a seasonal basis for personal use. Per the Cochise County Zoning Regulations in the Residential zoning districts, accessory structures are only allowed if a home is located on the parcel. There is no residence, however, so this proposal is to establish a principal land use on the site. It is therefore considered Animal Husbandry, and requires Special Use approval under Section 707.17 of the Zoning Regulations.

The subject parcel (102-31-072F) is unaddressed, but is located at Milepost 1 along Barnett Road in unincorporated Bisbee. The Applicant is Steve Marshall.

### I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

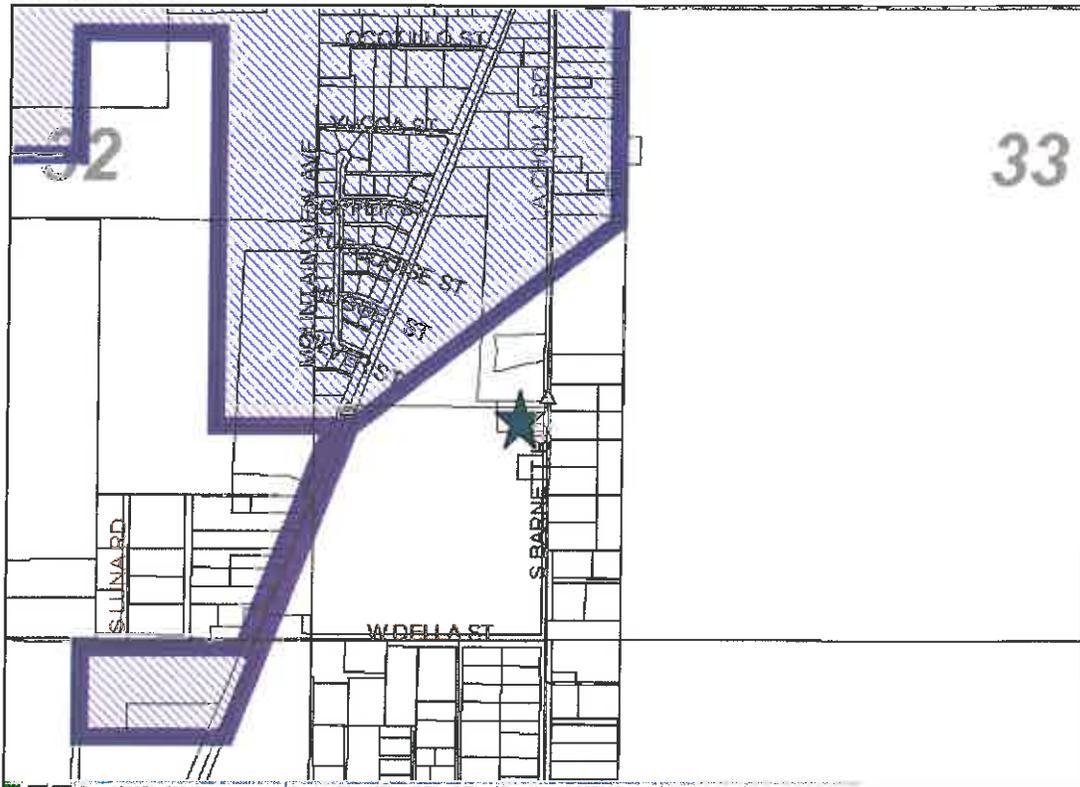
Parcel Size: One-Acre  
 Zoning: R-18 (Residential–One dwelling per 18,000 square feet)  
 Growth Area: Category B (Community Growth Area)  
 Plan Designation: Developing  
 Area Plan: None Applicable  
 Existing Uses: Undeveloped Land

### Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	R-18	Auto Wrecking/Salvage
South	R-18	Undeveloped Land
East	R-18	Manufactured Homes
West	R-18	Undeveloped Land

**II. PARCEL HISTORY**

There are no records of any permits for this undeveloped Parcel of land. The Applicant did obtain a permit from County Right-of-Way staff for a residential driveway onto this Parcel in 2013, and has installed a 3-strand barbed wire fence around the property.



*The project site is just east of Naco Highway, outside incorporated Bisbee.*

**III. NATURE OF REQUEST**

Applicant Steve Marshall and his wife live in incorporated Bisbee, and recently acquired the subject Parcel in order to have a place to keep their two horses. The horses are normally boarded either in local stables, or on their land in Alpine, Arizona. The Marshalls are working towards having their horses nearby, and acquired this property in 2013 to this end. The plan is to construct one 1,200 square-foot tack shed and stable for the horses. This type of structure would typically be considered an accessory building. However, because the Parcel is undeveloped, it has no established principal use, and as such, a permit for an accessory building cannot be issued. Instead, Mr. Marshall seeks Special Use authorization to establish an Animal Husbandry use on the property. In this case, the barn will be considered the principal structure, and Animal Husbandry the principal land use.

**IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS**

Section 1716.02 of the Zoning Regulations provides a list of 10 factors with which to evaluate Special Use applications. Staff uses these factors to help determine whether to recommend

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approval for a Special Use Permit, as well as to determine what conditions and/or Modifications may be needed. Seven of these are applicable in this case.

The project as submitted complies with four of the eight applicable Special Use factors. If the conditions of approval recommended by staff and the Modifications requested by the Applicant are applied, the project would comply with six of the seven applicable factors.



*Looking north at the area reserved for the barn.*

**A. Compliance with Duly Adopted Plans: Not Applicable**

This project does not find support, or opposition, in any adopted plan policy. No area plan applies to this area. Apart from land use policies speaking to the need for public notification for Special Use requests, which apply to all such requests, there are no specific land use policies that apply here.

**B. Compliance with the Zoning District Purpose Statement: Does Not Comply**

Section 701 provides two purposes for Residential Districts, both of which establish these Districts for low to medium density single family residential units (701.01), which may include manufactured or site built homes (701.02). Neither of these applies in this case.

**C. Development Along Major Streets: Not Applicable**

This site accesses Barnett Road, a paved, County-maintained road considered a Rural-Minor Collector. The Applicant obtained a right-of-way permit in 2013 to install a residential driveway along this road. One driveway will adequately serve this property and no commercial traffic will utilize this site.

**D. Traffic Circulation Factors: Complies**

Special Uses are typically requested in order to authorize a commercial use of land. In this case, the Applicant seeks to develop what would otherwise be considered a rural-residential accessory land use. As previously discussed, it is the lack of an existing principal permitted use that prompted the

Special Use request. This proposed development would not result in non-residential traffic through residential areas, and would be in keeping with expected residential traffic in this area.

**E. Adequate Services and Infrastructure: Complies**

This factor concerns the ability of the Applicant to provide for necessary street, water, sewer and utility services on the property.

The property is served by the Arizona Water Company. There are no electrical or other utilities on the site, nor does the Applicant expect to have need of them.

**F. Significant Site Development Standards: Complies (See Condition #2)**

As discussed elsewhere in this report, this is essentially a residential accessory use. Because Special Uses refer to commercial uses in most cases, non-residential site development standards are triggered. For a residential site in a residential District, in a Category B Growth Area accessing a paved County-maintained road, this would mean paved driveways and parking areas, a six-foot screening wall, landscaping, and a commercial apron accessing Barnett Road. Due to the nature of the request, staff recommends, as Condition #2, that this project be treated as a residential site at the permitting stage, subject to residential site development and building code standards only. Note that County Highway staff has already approved a waiver of the standards requiring a commercial apron at Barnett Road.



*View to the west from Barnett Road.*

**G. Public Input: Complies**

The Applicant completed the Citizen Review process and received eight responses from neighbors supporting the request. The subsequent County mailing has elicited four additional comments in support from area property owners.

**H. Hazardous Materials: Not Applicable**

Per the Applicant, no hazardous materials are to be stored on site.

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**I. Off-Site Impacts: Complies**

It is anticipated that this project will result in minimal to no off-site impacts.

**J. Water Conservation: Complies (Subject to Condition #2)**

As a seasonally-occupied small pasture and shelter for two horses, this use is expected to use a minimal amount of water.

**V. PUBLIC COMMENT**

The Department mailed notices to neighboring property owners within 1,500-feet of the subject property. Staff posted the property on February 19, 2014, and published a legal notice in the *Bisbee Observer* on February 20, 2014. To date, the Department has received three responses in support of the Special Use.

**VI. SUMMARY AND CONCLUSION**

The Applicant approached staff with a unique situation and request in December of 2013. After discussing a number of options it was decided that the best path forward for Mr. Marshall would be to request Special Use authorization for the proposed stable. The Applicant’s plan enjoys broad support in the neighborhood. Staff’s position is that the proposal should be approved, provided that the nature and scale of the use conforms to what the Applicant has proposed.

**Factors in Favor of Approving the Special Use**

1. With the requested Modifications, the request complies with six of the seven applicable Special Use criteria in Article 17 of the Zoning Regulations;
2. The use is expected to generate little to no off-site impacts; and
3. The project enjoys broad support among the neighbors notified. The Applicant received eight positive responses to the Citizen Review mailing; four neighbors responded favorably to the County mailing.

**Factors Against Allowing the Special Use**

None Apparent.

**VII. RECOMMENDATION**

Based on the factors in favor of approval, Staff recommends **conditional approval** of the Special Use request, subject to the following conditions:

1. Within 30-days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicant shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees.

A permit must be issued within 18-months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;

2. This Special Use authorization is intended to facilitate a small-scale, non-commercial living area for the Applicant’s horses. There shall be no commercial activity associated with this

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site or land use. This site shall be treated as a residential site, subject to residential site development and building code standards during permitting and construction;

3. It is the Applicant's 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; and
4. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional Modification and approval by the Planning and Zoning Commission.

Sample Motion: *Mme. Chairman, I move to approve Special Use Docket SU-14-03, with the conditions of approval recommended by staff; the Factors in Favor of approval constituting the Findings of Fact.*

**VIII. ATTACHMENTS**

- A. Special Use Application
- B. Location Map
- C. Concept Plan
- D. Citizen Review and Public Comment





# COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

## COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE

(TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER: 102-31-072F

ZONING DISTRICT TR 18

APPLICANT: STEVE J. MARSHALL

MAILING ADDRESS: 507 BUENA VISTA PL. BISBEE, AZ 85603

CONTACT TELEPHONE NUMBER: (520) 432-5200

PROPERTY OWNER (IF OTHER THAN APPLICANT): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

DATE SUBMITTED: 1/23/14

Special Use Permit Public Hearing Fee (if applicable) \$ 300.00

Building/Use Permit Fee \$ 0.00

Total paid \$ 300.00

### PART ONE - REQUIRED SUBMITTALS

RED  
CHECK #  
4970  
1/23/14

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (9) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. (In addition, if the site plan is larger than 11 x 17 inches, please provide one reduced copy.)
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.

56 A

5. Citizen Review Report, if special use.
6. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)
7. Hazardous or Polluting Materials Questionnaire, if applicable.

**OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT**

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report
6. Traffic Impact Analysis (TIA): **Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.**
7. Material Safety Data Sheets
8. Extremely Hazardous Materials Tier Two Reports
9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

**PART TWO - QUESTIONNAIRE**

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach separate pages if the lines provided are not adequate for your response.** Answer each question as completely as possible to avoid confusion once the permit is issued.

**SECTION A - General Description** (Use separate sheets as needed)

1. What is the existing use of the property? EXISTING USE OF THE PROPERTY IS VACANT LAND
2. What is the improvement? IMPROVEMENT WOULD BE CONSTRUCTION OF A 12' X 30' STABLE/TALK ROOM
3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties?  
ACTIVITY FOR THE PROPERTY WOULD BE TO BOARD/STABLE NO MORE THAN 2 HORSES. NO IMPACT IS ANTICIPATED ON NEIGHBORING PROPERTIES.

57 A



D. Circle whether you will be on public water system or private well. If private well, show the location on the site plan.

Estimated total gallons of water used: per day 5 per year 1780

E. Will you use a septic system? Yes \_\_\_ No  If yes, is the septic tank system existing? Yes \_\_\_ No \_\_\_  
Show the septic tank, leach field and 100% expansion area on the site plan.

F. Does your parcel have permanent legal access\*? Yes  No \_\_\_

If no, what steps are you taking to obtain such access?

\_\_\_\_\_  
\_\_\_\_\_

\*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet.

Does your parcel have access from a (check one): \_\_\_ private road or easement\*\*  
 County-maintained road  
\_\_\_ State Highway

\*\*If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

G. For Special Uses only - provide deed restrictions that apply to this parcel if any.

Attached \_\_\_\_\_ NA

H. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	ARIZ. WATER COMPANY	
Sewer/Septic	N/A	
Electricity	N/A	
Natural Gas	N/A	
Telephone	N/A	
Fire Protection	SAN JOSE FIRE DISTRICT	

**SECTION B - Outdoors Activities/Off-site Impacts**

1. Describe any activities that will occur outdoors.

BOARDING / STABLING HORSES

2. Will outdoor storage of equipment, materials or products be needed? Yes \_\_\_ No  if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties

N/A

3. Will any noise be produced that can be heard on neighboring properties? Yes \_\_\_ No  if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties?

N/A

4. Will any vibrations be produced that can be felt on neighboring properties? Yes \_\_\_ No  if yes; describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties?

N/A

5. Will odors be created? Yes  No \_\_\_ If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties?

AREA WILL BE CLEANED OF MANURE AND WATERED DOWN WEEKLY

6. Will any activities attract pests, such as flies? Yes  No \_\_\_ If yes, what measures will be taken to prevent a nuisance on neighboring properties?

AREA WILL BE CLEANED OF MANURE AND OTHER PEST ATTRACTING SUBSTANCES WEEKLY

7. Will outdoor lighting be used? Yes \_\_\_ No  If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications.
- 
8. Do signs presently exist on the property? Yes \_\_\_ No  If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.
- A. \_\_\_\_\_ B. \_\_\_\_\_ C. \_\_\_\_\_ D. \_\_\_\_\_
9. Will any new signs be erected on site? Yes \_\_\_ No  If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).
10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?  
 Yes \_\_\_ No
- If yes, will storm water be directed into the public right-of-way? Yes \_\_\_ No \_\_\_*
- Will washes be improved with culverts, bank protection, crossings or other means?  
 Yes \_\_\_ No
- If yes to any of these questions, describe and/or show on the site plan.
11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)  
NONE
12. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)
13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?  
 Yes \_\_\_ No  If yes, show details on the site plan. **Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.**

**SECTION C - Water Conservation and Land Clearing**

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Community Development Department, Planning, Zoning and Building Safety has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site is one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

minimal water use is anticipated. AREA will  
Remain NATURALLY VEGETATED WITH NATIVE GRASSES.

---

2. How many acres will be cleared? N/A

If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used (Show on site plan if appropriate.)

**SECTION D - Hazardous or Polluting Materials**

Does the proposed use involve hazardous materials? These can include paint, solvents, chemicals and chemicals wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, or biological agents. Engine repair, dry cleaning, manufacturing and all uses that commonly use such substances in the County's experience require completion of the attachment.

No  Yes \_\_\_\_\_ If yes, complete the attached Hazardous Materials Attachment. Engine repair, manufacturing and all uses that commonly use such substances in the County's experience also require completion of the attachment.

Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research concerning the materials' impacts.

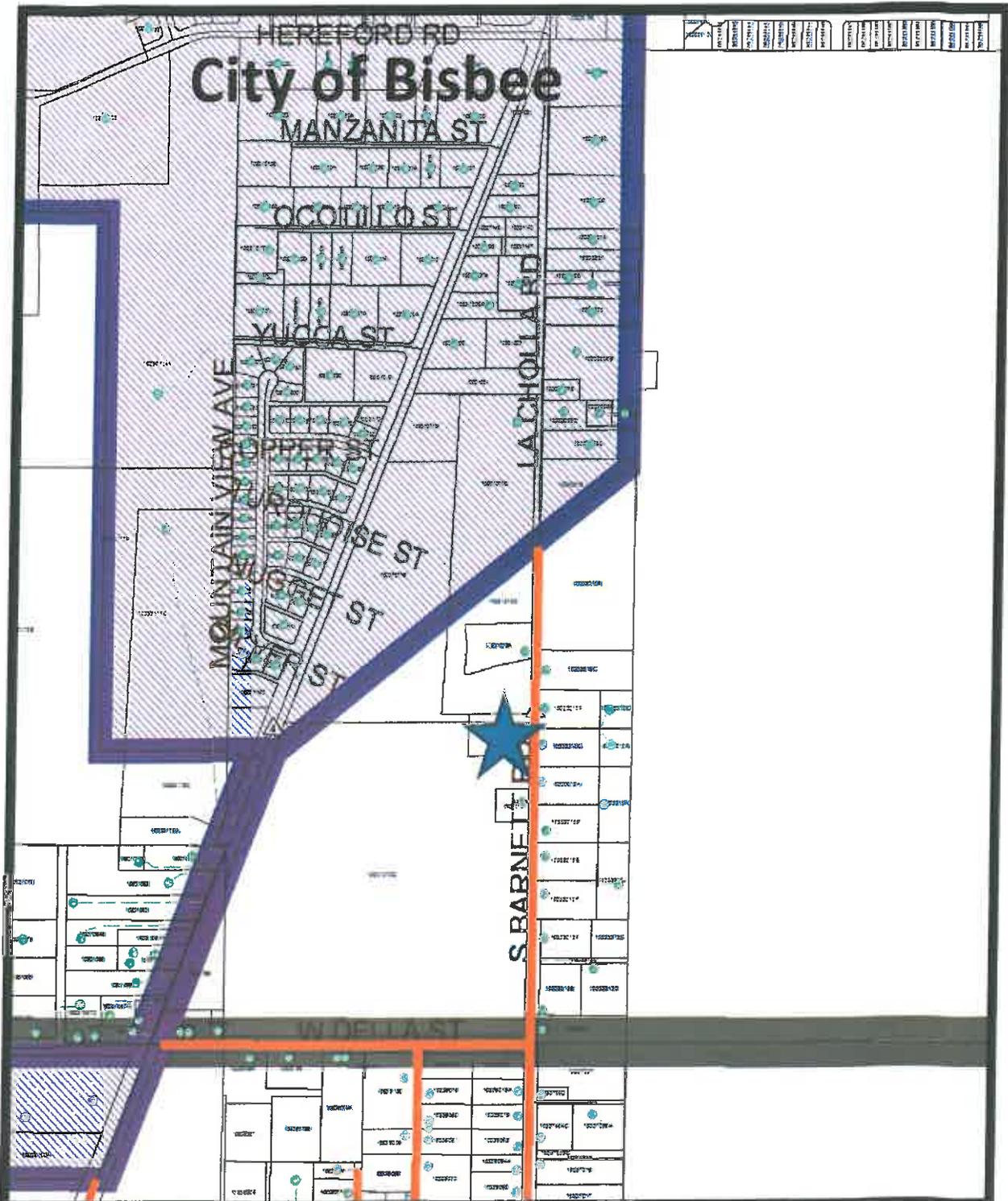
**The Arizona Department of Environmental Quality (ADEQ) Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333.)**

**SECTION E - Applicant's Statement**

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature Steve Marshall

Date signed JANUARY 15, 2014



Docket SU-14-03  
(Marshall)  
Location Map

This map is a product of the Cochise County GIS




0' 1" = 500'

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This document is a graphic representation only of information sources. Cochise County assumes no responsibility for any errors.

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M

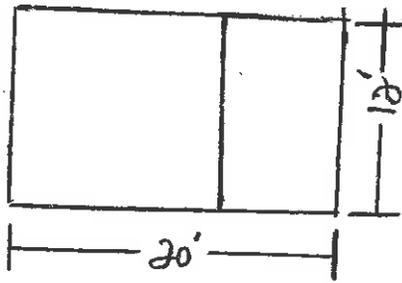
S. BARNETT ROAD

28'

14'

100'

50'



260'

STABLE/TALK ROOM

L = 20'

W = 18'

H = 9'

SITE AREA: 43,420 SQ. FT.

PARCEL NO: 102-31-072 F

← 2021

167'

CH

C

January 14, 2014

Dear Neighbors,

My name is Steve Marshall, and you are invited to comment on my request for a special use permit to allow construction of a stable/tack room on my property.

This property is located at mile marker 7 on S. Barnett Road. The parcel number is 102-31-072F and is one acre in size.

The special use permit, if approved, would allow me to board and stable no more than two horses on this property.

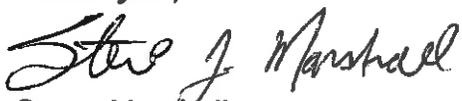
Thank you for your consideration in this matter, and I look forward to hearing from you.

Please submit written comments to: Steve Marshall  
507 Buena Vista Pl.  
Bisbee, AZ 85603

Please submit phone comments to: Steve Marshall  
(520) 432-5200

Please submit e-mail comments to: [smars51@yahoo.com](mailto:smars51@yahoo.com)

Thank you,

  
Steve Marshall

65 D

smars51 Profile Sign Out Home

- Inbox** Contacts
- Compose
- Inbox
- Drafts (2)
- Sent
- Spam [Empty]
- Trash (40) [Empty]
- My Folders [Edit] Toni Shuck
- Compose

Switch to the newest Yahoo Mail

Delete Reply Reply All Forward Actions Apply

regarding property on Barnett Road

Wednesday, January 15, 2014 3:49 PM

From: "Toni Shuck" <tonishuck@hotmail.com>

To: "smars51@yahoo.com" <smars51@yahoo.com>

Full Headers Printable View

[Empty]

[Empty]

I also own the house at 1951 S Barnett Road with my brother Rick Wood. Same response as my first email.

[Edit] Toni Shuck

Delete Reply Reply All Forward Actions Apply



WOOD RICHARD L  
1951 S BARNETT RD  
BISBEE AZ 85603

*Handwritten signature* *Handwritten mark*

smars51 Profile Sign Out Home

- Inbox**    Contacts
- Compose
- Inbox
- Drafts (2)
- Sent
- Spam            (Empty)
- Trash (40)      (Empty)
- My Folders      (Edit)

Switch to the newest Yahoo Mail

Delete Reply Reply All Forward **Actions** Apply

**letter regarding usage on Barnett Road**

Wednesday, January 15, 2014 2:32 PM

From: "Toni Shuck" <tonishuck@hotmail.com>  
To: "smars51@yahoo.com" <smars51@yahoo.com>

Full Headers Printable View

I received your letter today in the mail.

First of all let me start by saying welcome to the neighborhood. I realize this is just a stable/tack room and horses but now you have a vested interest in my/our neighborhood.

I do not have a problem with your request to keep horses and build a stable/tack room. Over the years horses have been part of this section of town and I rather enjoy seeing them.

Toni Shuck  
1983 S Barnett Road  
Bisbee, AZ 85603  
520-432-4719

Compose Delete Reply Reply All Forward **Actions** Apply

SHUCK EDDIE & TONI  
1983 S BARNETT RD  
BISBEE AZ 85603

67 D

BARNETT DONALD E  
12 BARNETT RD  
BISBEE AZ 85603

PHONE CALL: 3:00 P.M. 1/16/14

NO PROBLEM WITH PROJECT. WILLING TO WRITE  
A LETTER IF NEEDED

SCHMIDT WILLIAM J LIV TRUST  
4729 N SEVEN MILE RD  
PINCONNING MI 48650

PHONE CALL: 6:30 P.M. 1/20/14

NO OBJECTION. WANTED TO KNOW WHERE  
HIS LOTS WERE LOCATED IN CONJUNCTION WITH  
MINE.

THOMPSON CHUCK W & MAURINE G  
PO BOX 4542  
BISBEE AZ 85603

PHONE CALL: 10:00 A.M. 1/17/14

GO AHEAD AND DO YOUR PROJECT.  
WOULD ENJOY SEEING HORSES

CB D

RAVEL THOMAS JAMES  
2800 KELLER DR APT#206  
TUSTIN CA 92782

Phone call: 12:30 P.m. 1/17/14

NO OBJECTIONS. Lots located on  
Naco Highway

LA CHANCE KENNETH W & MARIA C R  
2273 S BOWERS ST  
BISBEE AZ 85603

Phone call: 1:10 P.m. 1/16/14

NO OBJECTION. WAS WONDERING WHERE ON  
BARNETT ROAD PROPERTY WAS LOCATED

COOPER CHARLES R  
1865 S BARNETT RD  
BISBEE AZ 85603

Phone call: 5:00 P.m. 1/15/14

GOOD IDEA. GO AHEAD WITH YOUR  
PROJECT.

BARNETT BRETT  
BARNETT BEATRICE  
1828 S BARNETT RD  
BISBEE AZ 85603

Phone call: 4:00 P.m. 1/15/14

CA

D

# Special Use: Docket SU-14-03 (Marshall)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Most of the land remains idle, as long as there are no more than 4 horses and proper care and they maintain sanitary land. TREAT ANIMALS IN A HUMAN MANNER

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

COCHISE COUNTY  
FEB 19 2014  
PLANNING

(Attach additional sheets, if necessary)

PRINT NAME(S):

ALBERT G. SHELDON & MARY SHELDON

SIGNATURE(S):

Albert G. Sheldon  
Mary E. Sheldon

YOUR TAX PARCEL NUMBER: 102-31-116 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, February 28, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Planner II  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

70 D

# Special Use: Docket SU-14-03 (Marshall)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Because Steve Marshall wants to.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

COCHISE COUNTY

FEB 19 2014

PLANNING

(Attach additional sheets, if necessary)

PRINT NAME(S):

Donald E. Barnett

SIGNATURE(S):

*Donald E. Barnett*

YOUR TAX PARCEL NUMBER: 102-31-0720 2 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, February 28, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Planner II  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

71 D

Special Use: Docket SU-14-03 (Marshall) COCHISE COUNTY

FEB 21 2014

YES, I SUPPORT THIS REQUEST

Please state your reasons:

PLANNING

Yes, I support this request  
I have known Steve Marshall for many, many years. I'm sure that he will keep the site clean as well as the horses.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Empty lines for 'NO' response)

(Attach additional sheets, if necessary)

PRINT NAME(S): MARIA Christina LaChane

SIGNATURE(S): Maria Christina LaChane

YOUR TAX PARCEL NUMBER: 102-33-215 (the eight-digit identification number found on the tax statement from the Assessor's Office) 102-33-215B

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received by our Department no later than 4 PM on Friday, February 28, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.

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1415 Melody Lane, Building E  
Bisbee, AZ 85603

Handwritten initials 'FL' and a 'D' in a box.

# Special Use: Docket SU-14-03 (Marshall)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

*I am fine with it.*

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

*William J. Schmidt*

SIGNATURE(S):

*William J. Schmidt*

YOUR TAX PARCEL NUMBER: \_\_\_\_\_ (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, February 28, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

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Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

*FB D*



# COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

## MEMORANDUM

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Peter Gardner, Planner I *PG*  
**FOR:** Beverly J. Wilson, Planning Director *bw*  
**SUBJECT:** Docket SU-14-04 (Kitko)  
**DATE:** February 26, 2014, for the March 12, 2014 Meeting

### APPLICATION FOR A SPECIAL USE

The Applicant requests Special Use authorization to use an existing 1,680-sq-ft. single-family dwelling for a short-term rental. The proposal requires a change of land use to Guest Lodging, requiring Special Use approval per Section 607.01 of the Zoning Regulations. The subject parcel (114-01-098F) is located at 11943 S. Elkhorn Road in Pearce. The Applicants are Stephen and Renee Kitko.

### I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 15.03-Acres  
Zoning: RU-4 (Rural; one dwelling per 4-acres)  
Growth Area: Category D (Rural)  
Comprehensive Plan Designation: Rural  
Area Plan: None  
Existing Uses: Rural Residential  
Proposed Use: Guest lodging

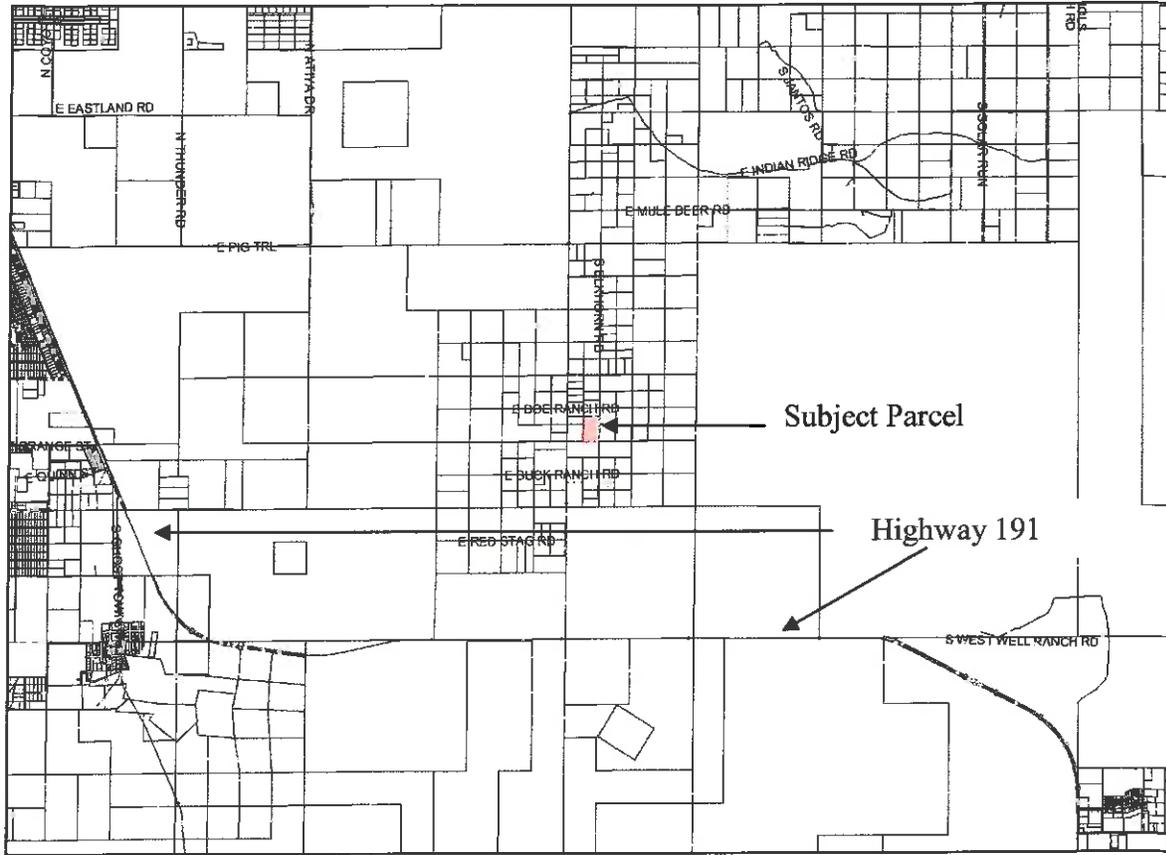
#### **Zoning/Use of Surrounding Properties**

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Rural Residential
South	RU-4	Vacant Land
East	RU-4	Rural Residential
West	RU-4	Vacant Land

### II. PARCEL HISTORY

1999 – Permit issued to install 1,680-sq. ft. manufactured home and septic system; and  
2003 – Permit issued to construct a detached garage.

*74*



**III. NATURE OF REQUEST**

The Applicants, Stephen and Renee Kitko, intend to use their existing house as a guest rental. The unit would be available for short-term stays for one party at a time. Because the proposed rental unit can only accommodate one party at a time, traffic would most often consist of one vehicle accessing the site. The driveway to the property is currently a gravel surface.

**IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS**

Section 1716.02 of the Zoning Regulations provides a list of 10 factors with which to evaluate Special Use applications. Staff uses these factors to help determine whether to recommend approval for a Special Use Permit, as well as to determine what Conditions and/or Modifications may be needed. Eight of the 10 criteria apply to this request. The project as submitted complies with seven of the eight applicable Special Use factors, as submitted. If the development standard Modification recommended by staff are applied, the project would comply with each of the eight applicable factors.

**A. Compliance with Duly Adopted Plans: Complies**

The property does not lie within an Area Plan, but one characteristic of the Rural plan areas is “developed or undeveloped recreational areas.” This project would comprise a developed recreational area near public lands.

75



*View of the proposed Guest Rental.*

**B. Compliance with the Zoning District Purpose Statement: Complies**

Section 601.05 of the Zoning Regulations encourages “recreational support services that are compatible with rural living.”

**C. Development Along Major Streets: Not Applicable**

The site is not located along any arterial roadway as S. Elkhorn Road runs parallel to S. Kansas Settlement Road, which provides access to Highway 191 approximately two miles to the south.

**D. Traffic Circulation Factors: Complies**

Compliance with this factor depends upon the ability of a proposed land use to utilize the existing transportation network in the manner in which it was designed. The project site accesses S. Elkhorn Road, a 60-foot wide, private access and utility easement. S. Elkhorn road connects to S. Kansas Settlement Road via E. Doe Ranch Road, another 60-foot wide easement. The road is a graveled, non-County maintained surface, and all driveways coming off it are likewise gravel or native surface. In light of the limited nature of the use, Staff is requesting that the standard requirement for a non-residential use on a non-county maintained road to enter into a private road maintenance agreement be waived.



*View of the existing driveway conditions.*

**E. Adequate Services and Infrastructure: Complies**

This factor concerns the ability of the Applicant to provide for necessary street, water, sewer and utility services on the property. The property is served by an on-site well and septic system and SSVEC provides electric power. Per the Applicant, the site is served by the Pearce Fire Department.

**F. Significant Site Development Standards: Complies (Subject to Requested Modification)**

As submitted, the project site complies with most applicable site development standards, with one exception. The site plan is deficient with regard to the standard requiring a 24-foot wide, two-way driveway on the property. Staff recommends that the Commission grant a Modification to permit the existing 12-foot wide native driveway to remain.

**G. Public Input: Complies**

The Applicant completed the Citizen Review process and received a positive response from one neighboring property owner. There was also one positive response to notification sent by staff.

*FA*



*View to the north.*

**H. Hazardous Materials: Not Applicable**

Per the Applicant, no hazardous materials are to be stored or utilized on site.

**I. Off-Site Impacts: Complies**

Off-site impacts are anticipated to be negligible for this project. The project is proposed as a “guest house” on a rural-residential site of 15-acres. All structures are set back over 100-feet from all property lines. No additional outdoor lighting is to be used. The guest house to be used for lodging would generate less traffic than if it were utilized as a full-time residence.

**J. Water Conservation: Complies**

As a business utilizing an existing site, the Applicant intends to use existing water fixtures in the existing home. The site is served by one well; if the property were split and built out as single-family residences, three homes could be built on the 15-acre property, with the potential for a different well serving each, and corresponding increased water usage.

**V. PUBLIC COMMENT**

The Department mailed notices to neighboring property owners within 1,500-feet of the subject property. Staff posted the property on February 12, 2014, and published a legal notice in the *Bisbee Observer* on February 20, 2014. In response to this mailing, the Department received one positive response from a neighbor.

*FB*

**VI. REQUESTED MODIFICATIONS**

Although the existing 12-foot wide driveway on the property does not accommodate simultaneous ingress and egress traffic, the driveway as it exists is sufficient for the volume and nature of traffic proposed. Staff therefore recommends a Modification to the 24-foot two-way driveway standard for commercial uses (Section 1804.06.F), to allow the existing 12-foot wide, gravel driveway and gate to remain as is. Staff also supports a waiver from Section 1807.02 requiring a private road maintenance agreement to be in place.

**VII. SUMMARY AND CONCLUSION**

**Factors in Favor of Approving the Special Use**

1. With the requested Modifications, the proposed use would comply with each of the eight applicable Special Use factors used by staff to analyze such requests;
2. Per Section 601.05 of the Zoning Regulations, the proposed use is appropriate in the Rural Districts and one that would not threaten the rural character of the area;
3. The proposed use would generate no appreciable off-site impacts;
4. The proposed use would use existing structures; and
5. One neighboring property owner has expressed support in writing for the project.

**Factor Against Allowing the Special Use**

1. None Apparent

**VIII. RECOMMENDATION**

Based on the factors in favor of approval, Staff recommends **Conditional Approval** of the Special Use request, subject to the following Conditions:

1. Within 30-days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicant shall apply for a building/use permit for the project within 12 months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards (except as modified) and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18 months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;
2. It is the Applicant's 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; and
3. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional Modification and approval by the Planning and Zoning Commission.

Staff also recommends that the driveway width and road maintenance agreement Modifications discussed above be applied to the land use as part of such approval.

Sample Motion: *Mdm. Chairman, I move to approve Special Use Docket SU-14-04, with the Conditions and Modifications to development standards recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*

**IX. ATTACHMENTS**

- A. Special Use Questionnaire
- B. Location Map
- C. Concept Plan
- D. Citizen Review and Public Comment

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# COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs... Personal Service"

## COCHISE COUNTY PLANNING DEPARTMENT COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE (TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER 114 01098 F #5

APPLICANT STEPHEN KITKO

ADDRESS 11943 SOUTH ELKHORN RD. PEARCE, AZ 85625

CONTACT TELEPHONE NUMBER 410-679-7918

EMAIL ADDRESS: pets.unlimited@comcast.net

PROPERTY OWNER (IF OTHER THAN APPLICANT) (SAME)

ADDRESS (MAILING) PO BOX 427 KINGSVILLE, MD 21087

DATE SUBMITTED 1/23/2014

Special Use Permit Public Hearing Fee (if applicable)	\$ _____
Building/Use Permit Fee	\$ _____
<b>Total paid</b>	\$ _____

### PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (6) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. (Please note that **nine (9) copies will be required for projects occurring inside the Uniform Building Code enforcement area. In addition, if the site plan is larger than 11 by 17 inches, please provide one reduced copy.**)
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
5. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)

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6. Hazardous or Polluting Materials Questionnaire, if applicable.

**OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT**

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report
6. Traffic Impact Analysis (TIA): **Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.**
7. Material Safety Data Sheets
8. Extremely Hazardous Materials Tier Two Reports
9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

**PART TWO - QUESTIONNAIRE**

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach separate pages if the lines provided are not adequate for your response.** Answer each question as completely as possible to avoid confusion once the permit is issued.

**SECTION A - General Description** (Use separate sheets as needed)

1. What is the existing use of the property? RESIDENTIAL HOUSE  
\_\_\_\_\_
2. What is the proposed use or improvement? SEASONAL VACATION RENTAL  
USING EXISTING HOUSE & PROPERTY - NO IMPROVEMENTS  
OR NEW CONSTRUCTION  
\_\_\_\_\_
3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? 2-4 PEOPLE STAYING  
IN HOME FOR SHORT-TERM VACATIONS  
\_\_\_\_\_
4. Describe all intermediate and final products/services that will be produced/offered/sold.  
N/A  
\_\_\_\_\_  
\_\_\_\_\_

82  
A

5. What materials will be used to construct the building(s)? (Note, if an existing building(s), please list the construction type(s), i.e., factory built building, wood, block, metal)

N/A

6. Will the project be constructed/completed within one year or phased? One Year \_\_\_\_\_  
Phased \_\_\_ if phased, describe the phases and depict on the site plan.

N/A

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: \_\_\_\_\_ Hours (from \_\_\_\_\_ AM to \_\_\_\_\_ PM)

B. Number of employees: Initially: \_\_\_\_\_ Future: \_\_\_\_\_  
Number per shift Seasonal changes \_\_\_\_\_

C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site.

1 OR 2 MAXIMUM

(2) Total trucks (e.g., by type, number of wheels, or weight)

NONE

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?

KANSAS SETTLEMENT RD TO EAST ON DOE RANCH TO SOUTH ON EULHORN

(4) If more than one direction, estimate the percentage that travel in each direction

N/A

(5) At what time of day, day of week and season (if applicable) is traffic the heavies

ESTIMATE 1 TRIP IN & OUT PER DAY RENTED - MAINLY

WINTER MONTHS

Circle whether you will be on public water system or private well. If private well, show the location on the site plan. COMMUNITY SHARED WELL (3 PROPERTIES SHARING CURRENTLY)

D. Estimated total gallons of water used: per day 25 per year 750

Will you use a septic system? Yes  No \_\_\_ If yes, is the septic tank system existing?

Yes  No \_\_\_ Show the septic tank, leach field and 100% expansion area on the site plan.

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G. Does your parcel have permanent legal access\*? Yes  No  if no, what steps are you taking to obtain such access?

\*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet. If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

H. For Special Uses only - provide deed restrictions that apply to this parcel if any.  
Attached \_\_\_\_\_ NA

8. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	COMMUNITY SHARED WELL	
Sewer/Septic	SEPTIC EXISTING	
Electricity	SS/EC	
Natural Gas	PROPANE TANK EXISTING	
Telephone	N/A	
Fire Protection	PEARCE	

**SECTION B - Outdoors Activities/Off-site Impacts**

1. Describe any activities that will occur outdoors.

WALKING/HIKING 15 ACRE PROPERTY (1 OR 2 PEOPLE MAXIMUM)

2. Will outdoor storage of equipment, materials or products be needed? Yes  No  if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties.

3. Will any noise be produced that can be heard on neighboring properties? Yes  No  if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties?

84

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4. Will any vibrations be produced that can be felt on neighboring properties? Yes \_\_\_ No  if yes; describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties? \_\_\_\_\_

5. Will odors be created? Yes \_\_\_ No  If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties? \_\_\_\_\_

6. Will any activities attract pests, such as flies? Yes \_\_\_ No  If yes, what measures will be taken to prevent a nuisance on neighboring properties? \_\_\_\_\_

7. Will outdoor lighting be used? Yes \_\_\_ No  If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications.

8. Do signs presently exist on the property? Yes \_\_\_ No  If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.

A. \_\_\_\_\_ B. \_\_\_\_\_ C. \_\_\_\_\_ D. \_\_\_\_\_

9. Will any new signs be erected on site? Yes \_\_\_ No  If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).

10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed? Yes \_\_\_ No

if yes, will storm water be directed into the public right-of-way? Yes \_\_\_ No

Will washes be improved with culverts, bank protection, crossings or other means? Yes \_\_\_ No

If yes to any of these questions, describe and/or show on the site plan.

11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other) EXISTING CRUSHED STONE - DRIVEWAY ONLY

12. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)

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13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?  
Yes \_\_\_ No  If yes, show details on the site plan. **Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.**

**SECTION C - Water Conservation and Land Clearing**

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Planning Department has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

EXISTING SITE OF HOUSE IS LESS THAN ONE ACRE

2. How many acres will be cleared? NO ADDITIONAL CLEARING  
If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used (Show on site plan if appropriate.) \_\_\_\_\_

**SECTION D - Hazardous or Polluting Materials**

Some businesses involve materials that can contaminate the soil, air, water, waste disposal system or environment in general. Precautions must be taken to protect the environment when such products are distributed to or from the site, stored, manufactured, processed, disposed of, or released as raw materials, products, wastes, emissions, or discharges (When sold or incorporated in a product these materials are required to have Material Safety Data Sheets (MSDS) supplied by the manufacturer.) Examples of such products include but are not limited to paint, solvents, chemicals and chemical wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, biological wastes etc.

Does the proposed use have any activities involving such materials?

Yes \_\_\_ No  If yes, complete the attached *Hazardous or Polluting Materials Use Questionnaire*.

**Note:** Depending on quantities, this question does not apply to ordinary household or office products or wastes such as cleansers, waxes or office supplies. Answer YES only if the materials are involved in the commercial or special use process or if landscaping or maintenance chemicals (pesticides, fertilizers, paints, etc.) will be present in quantities greater than 50 pounds (solids) or 25 gallons (liquids).

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If you answer NO to this question but in the County's experience, the type of business proposed typically uses such materials, you will be asked to complete the *Hazardous or Polluting Materials Questionnaire* prior to processing this Commercial Use/ Building/ Special Use Permit.

**Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research. The Arizona Department of Environmental Quality Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333).**

**SECTION E - Applicant's Statement**

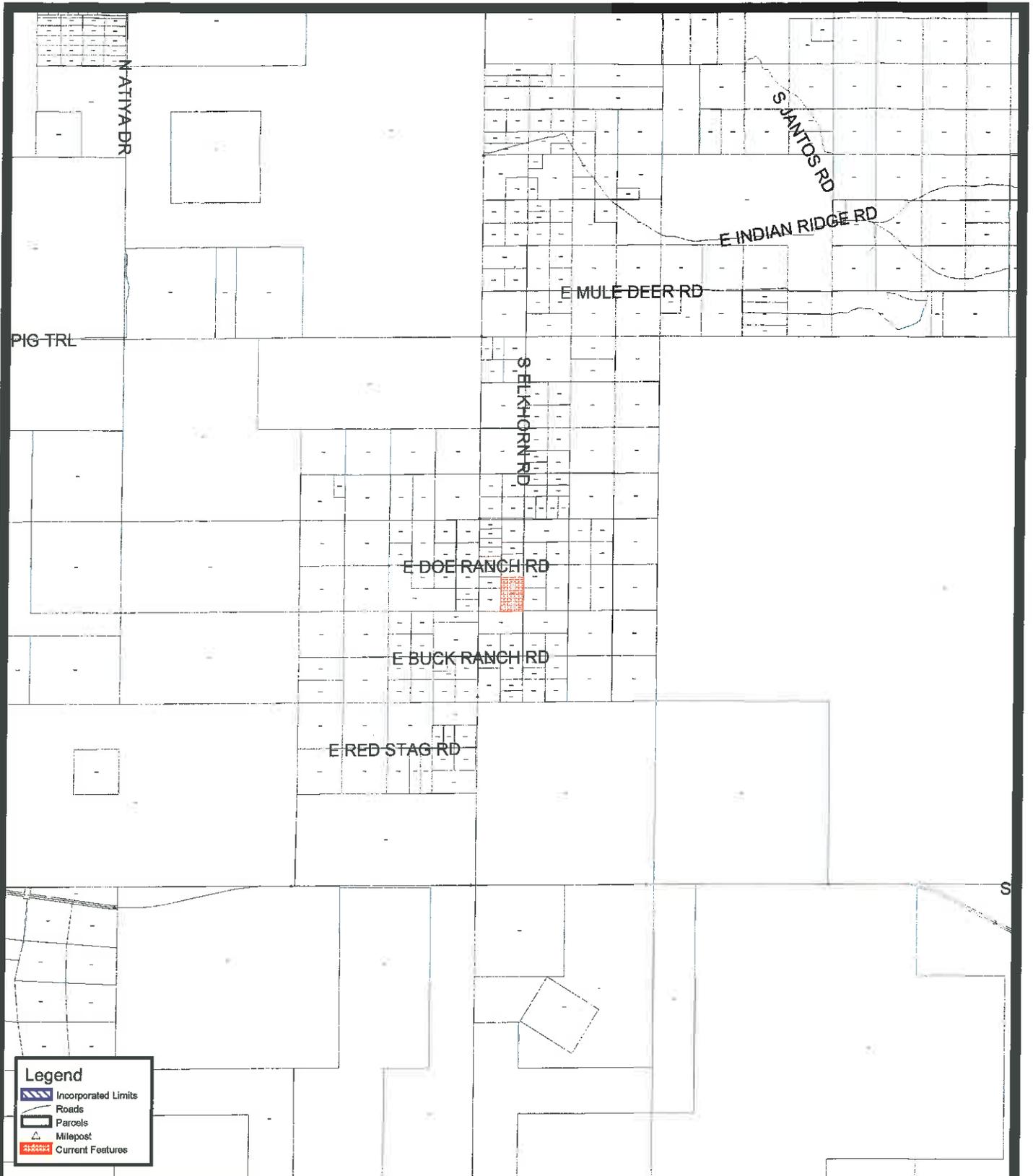
I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature Stephen Kitko

Print Applicant's Name STEPHEN KITKO

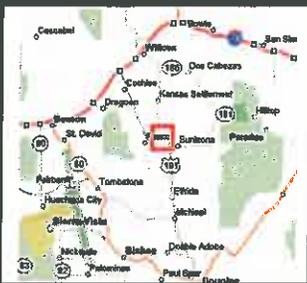
Date signed 1/23/2014

87  
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**Legend**

- Incorporated Limits
- Roads
- Parcels
- Milepost
- Current Features



SU-14-04 (Kitko)  
114-01-098F

B

This map is a product of the  
Cochise County GIS

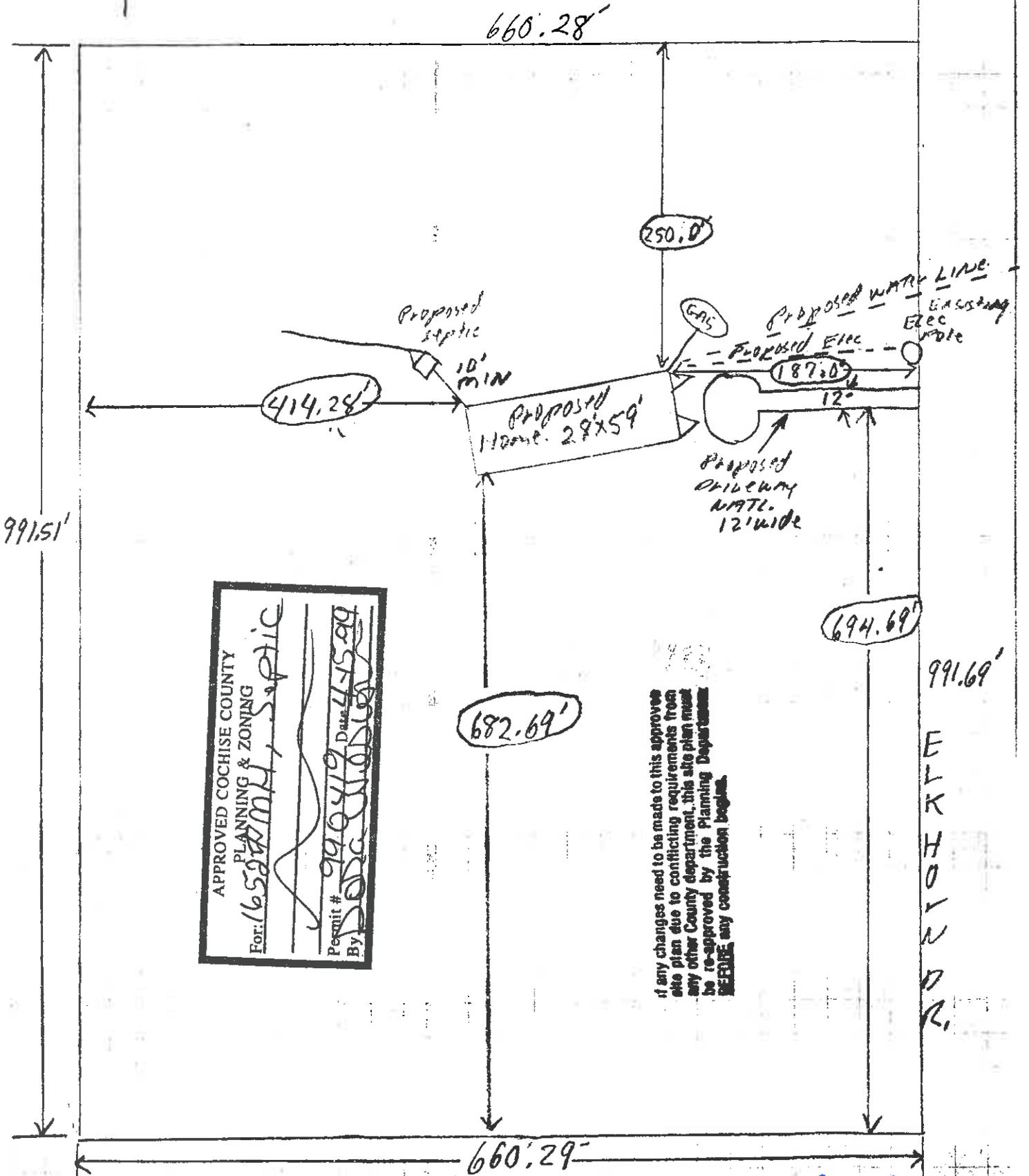


*Handwritten initials*



RICHARD CHENTFANT  
TAX PARCEL # 114-01-98F

EXISTING  
WELL  
SHOWN



APPROVED COCHISE COUNTY  
PLANNING & ZONING  
For: 1650 W. M. H., Septic  
Permit # 9909419 Date 4/5/09  
By: [Signature]

if any changes need to be made to this approve  
site plan due to conflicting requirements from  
any other County department, this site plan must  
be re-approved by the Planning Department  
**BEFORE** any construction begins.

991.69'  
E L K H O N D R.

C 89

Jan 10, 2014

Dear Neighbor,

We have owned the property at 11943 South Elkhorn Road in Deer Haven Ranches now for over 1 year. As we have fixed the property up from its original state, we would like to have more people visiting to keep it look lived in, since we live in Maryland. This would be a good thing. We plan on moving within a few years permanently to Arizona. Until then, we were considering using the property as a short term vacation rental. We don't want a permanent rental since we come out every 2 months to work on the property. Some of the neighbors close to our home already have met us and know us from our many visits to the property for fix up.

If you have any questions or concerns, please contact us by phone or email at any time.

Renee & Stephen Kitko  
PO Box 427  
Kingsville, MD 21087

[pets.unlimited@comcast.net](mailto:pets.unlimited@comcast.net)

410-679-7918

90 D

Special Use: Docket SU-14-04 (Kitko)

FEB 20 2014

PLANNING

YES, I SUPPORT THIS REQUEST

Please state your reasons:

THE KITKOS OWN THE LAND AND HOME AND SHOULD BE ABLE TO RENT IT OUT. AS LONG AS THEY PAY THEIR SHARE OF THE WATER BILL, I DON'T SEE A PROBLEM.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

THOMAS CURRIN  
Thomas Currin

SIGNATURE(S):

YOUR TAX PARCEL NUMBER: \_\_\_\_\_ (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, February 28, 2014 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Planner II  
Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

9/ D