



# COCHISE COUNTY COMMUNITY DEVELOPMENT

*"Public Programs...Personal Service"*

## MEMORANDUM

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Keith Dennis, Senior Planner  
**FOR:** Beverly J. Wilson, Deputy Director, Planning Division  
**SUBJECT:** Docket SU-12-15 (Peterson)  
**DATE:** November 5, 2012, for the November 10, 2012 Meeting

### APPLICATION FOR A SPECIAL USE

Applicants John and Betty Peterson seek Special Use authorization from the Planning and Zoning Commission for a Guest Lodging operation, per Section 607.01 of the Zoning Regulations. The intent is to offer the existing 4,245 square foot home, as well as up to six cabins in the future, as a weekend retreat center for fitness events, weddings, and family reunions, corporate, religious or social functions. The subject Parcel (203-17-006) is located at 3700 E. Moonlight Road, East of Willcox, AZ.

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

Parcel Size: 40.2 Acres  
 Zoning: Rural (RU-4)  
 Growth Area: Category D (Rural)  
 Plan Designation: Rural  
 Area Plan: None  
 Existing Uses: Single Family Residence and related structures

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Undeveloped Ranch Land
South	RU-4	Undeveloped Ranch Land
East	RU-4	Undeveloped Ranch Land
West	RU-4	Undeveloped Ranch Land

### II. PARCEL HISTORY

There is no record of any permit, violation, or any activity for this parcel. The Applicant constructed the home and other structures on the property without permits.

7

Cochise County adopted building code standards, and thereby began requiring building permits in 2006; prior to that time, zoning permits would have been required.



*The Peterson Residence, proposed as a Guest Lodging operation.*

### **III. NATURE OF REQUEST**

Mr. John Peterson is a residential builder by trade, and has built and added on to the home himself. The original home was 2,805 square feet, and was built in 1980. Through subsequent additions, the house is now 4,245 square feet.

Although the Applicant is a builder, and a preliminary inspection by the County Building Official revealed what appear to be professional construction methods and quality, the structures on the property were built without permits.

After having lived on the property for many years, the Applicant now intends to offer the property for short term rentals for functions such as family reunions and gatherings, weddings, wine tourism, corporate or fitness retreats. The main house will be made available for such functions, with the Applicant or designated on-site caretaker residing in a small casita nearby.

At a later date, the Applicant intends to construct up to six “rustic cabins” on the site for additional accommodations.

### **IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS (Section 1716.02)**

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, as submitted. If the conditions of approval recommended by staff and the modifications requested by the Applicant are applied, the project would comply with each of the eight applicable factors.



*Looking southeast at an outdoor gathering area on the property, immediately south of the home.*

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

Although, the project site is not within the boundaries of any area plans, the proposed use is compliant with various policies in the County's Comprehensive Plan

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

Section 601.05 of the Zoning Regulations specifies "recreational support services compatible with rural living" as land uses agreeable to the purpose of the Rural Districts.

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

The property takes access from Moonlight Road, a County-maintained, Rural Minor Collector Road.

**D. Traffic Circulation Factors: Complies (Subject to Condition #2)**

The property currently accesses County-maintained Moonlight Road through a driveway across private property, for which there is currently no easement in place.

There is an access easement for the property, but it is undeveloped and would access the property at the opposite end of the parcel from where the existing internal driveways and parking areas are located (see below). Mr. Peterson intends to develop a new road along this easement, complete with a new access onto Moonlight Road. This would require a right-of-way encroachment permit and construction of a driveway to the standard required by the County for rural minor access driveways. A land clearing permit would not be required, as the intent would be to clear approximately 33,000 square feet (less than one acre) in order to develop the road.

Condition #2 would ensure that the road and driveway access would be in place prior to issuance of a certificate of occupancy.



*A driveway with no easement accesses the west side of the property; an easement accessing the southeast corner of the property is undeveloped (See Condition #2).*

**E. Adequate Services and Infrastructure: Complies (Subject to Condition #3)**

This factor concerns the ability of the Applicant to provide for necessary street, water, sewer and utility services on the property. Most provisions will be made for services on site, as the property is served by a well and two septic systems. A new road is currently being developed to provide access to Moonlight Road. SSVEC provides electric power, and the Willcox Rural Fire Department will provide fire protection. Condition #3 is a standard condition requiring compliance with all applicable standards, permitting or other requirements as may be necessary.

**Significant Site Development Standards: Complies (Subject to Requested Modifications)**

The site is within a rural area East of Willcox, on a 40-acre parcel. The project can and does meet most site development standards as submitted.

The Applicant has requested modifications to development standards relative to the width of the driveway and surfacing requirements for the driveways and internal parking areas. He maintains that the sandy soils and sparse vegetation of parking areas will provide for ample parking on the site without the need for land clearing or surface treatments. As for the driveway, the Applicant's position is that a roadbed between 12 and 14 feet across will be sufficient to accommodate his business while maintaining as much vegetation and natural amenities as possible. Staff is supportive of the Modifications as requested.

**G. Public Input: Complies**

The Applicant completed the Citizen Review process and received no response.



*North view of one of two parking areas on the site.*

**H. Hazardous Materials: Not Applicable.**

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

The greatest potential for off-site impacts associated with the proposed business are traffic-related, but these are anticipated to be light, given the nature of the business proposed. The property is surrounded by large expanses of undeveloped land, and therefore, is unlikely to generate any noticeable off-site impacts.

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

As a non-residential development over one acre in size, the Comprehensive Plan (Section 102E) designates the use as a "major development," triggering a number of recommended water conservation measures as a matter of policy. These policies recommend drought tolerant landscaping, low-flow fixtures, and water harvesting measures where applicable.

The County building code requires low-flow water fixtures for new development. Condition #3, which is a standard condition recommended for all Special Uses, will insure that these requirements will be met for new development on the property.

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

The Department mailed notices to neighboring property owners within 1,500 feet of the subject property. Staff posted the property, and published a legal notice in the *Bisbee Observer* on October 4, 2012. To date, the Department has received no correspondence from neighboring property owners.

#### **VI. REQUESTED MODIFICATIONS**

The Applicant has requested the following site development standard modifications as part of this Docket, both of which are supported by staff:

1. A modification to the 24-foot two-way driveway standard for commercial uses; the Applicant maintains that a driveway wider than 12-feet but less than 24-feet would be adequate for the land use proposed;
2. A modification to the 2-inch deep gravel surface requirement. The native soil surface of the area is, according to the Applicant, sufficient for travel as is.

#### **VII. SUMMARY AND CONCLUSION**

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

1. The request complies with each of the eight applicable Special Use factors used by staff to analyze such requests;
2. The Rural Districts are established for such land use proposals (601.05); and
3. The land use would generate no appreciable off-site impacts other than a minimum of traffic along a sparsely-traveled rural roadway.

##### **Factor Against Allowing the Special Use**

1. The structures on the property were all built without permits.

#### **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 thirty (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. Prior to issuance of a certificate of occupancy, the Applicant shall:
  - A. Obtain a right-of-way encroachment in order to construct a driveway access to Moonlight Road; and
  - B. Construct the driveway access to Moonlight Road to County standards.
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 Modifications discussed above be applied to the land use as part of such approval.

Sample Motion: *Mr. Chair, I move to approve Special Use Docket SU-12-15, 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 Plans
- D. Agency Comments
- E. Requested Modifications
- F. Citizen Review and Public Comment



**COMMUNITY DEVELOPMENT DEPARTMENT**

Planning, Zoning & Building Safety  
1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240  
Fax 432-9278

Su 12-15

**COCHISE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE  
(TO BE PRINTED IN INK OR TYPED)**

TAX PARCEL NUMBER: 203-17-0060 ZONING DISTRICT 3

APPLICANT: JOHN & BETTY PETERSON

MAILING ADDRESS: P.O. Box 1022, Willcox, AZ 85644

CONTACT TELEPHONE NUMBER: 520-780-4646

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

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

DATE SUBMITTED: SEPTEMBER 2012

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 (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 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. Citizen Review Report, if special use.

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14

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? residential home

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2. What is the proposed use or improvement? residential home / retreat center

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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? meetings, seminars, retreats, workouts, weddings, dinners.

4. Describe all intermediate and final products/services that will be produced/offered/sold.

at this time - none

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)

stone/wood (residence) wood/stucco (new)

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.

Phase one - great room/bathrooms/kitchen  
Phase two - rustic cabins

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: 7 Hours (from 7<sup>00</sup> AM to 11<sup>00</sup> PM)

B. Number of employees: Initially: 0 Future: 2  
Number per shift Seasonal changes 0

C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site.  
average 5

(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?  
from driveway to Moonlight to Blue Sky to 186 S

(4) If more than one direction, estimate the percentage that travel in each direction  
90% in stated direction

(5) At what time of day, day of week and season (if applicable) is traffic the heaviest?  
Friday evenings/Sunday afternoons

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 50 per year 150,000

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	<i>Private well</i>	
Sewer/Septic	<i>Private System</i>	
Electricity	<i>SSVEC</i>	
Natural Gas	<i>N/A</i>	
Telephone	<i>Cell Service</i>	
Fire Protection	<i>Wilcox Rural Fire Dept</i>	

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

1. Describe any activities that will occur outdoors.

*meetings - walks*

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. \_\_\_\_\_

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18

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 / crushed aggregate

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, Planning, Zoning & Building Safety Department 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.

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

2. How many acres will be cleared? none - buildings in natural setting  
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.

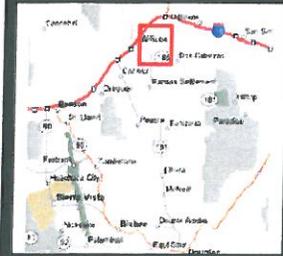
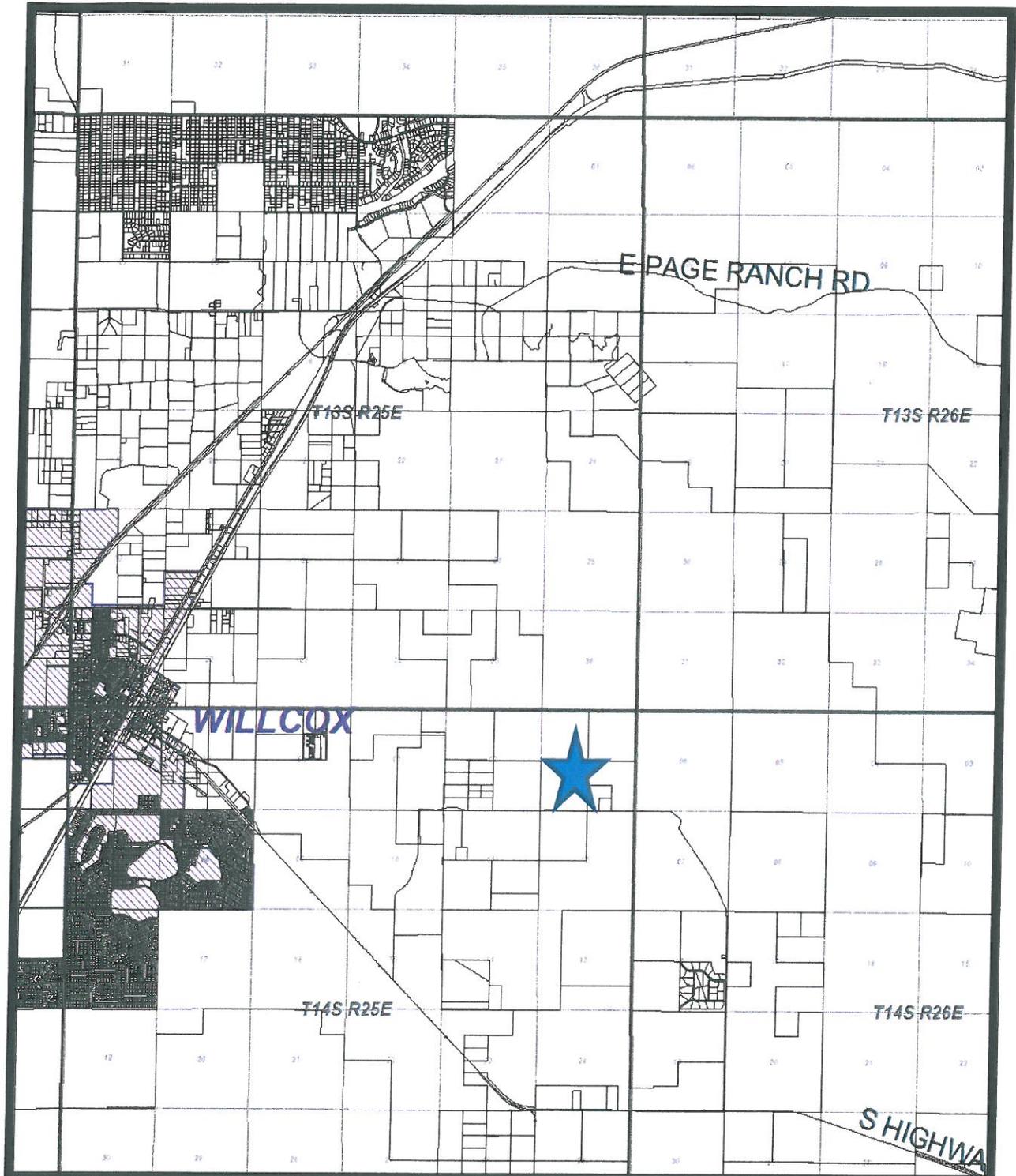
**Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research concerning the materials' impacts. The Arizona Department of Environmental Quality (ADEQ) Compliance Assistance Program can address questions about Hazardous 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 Betty L. Peterson

Date signed Sept 18, 2012



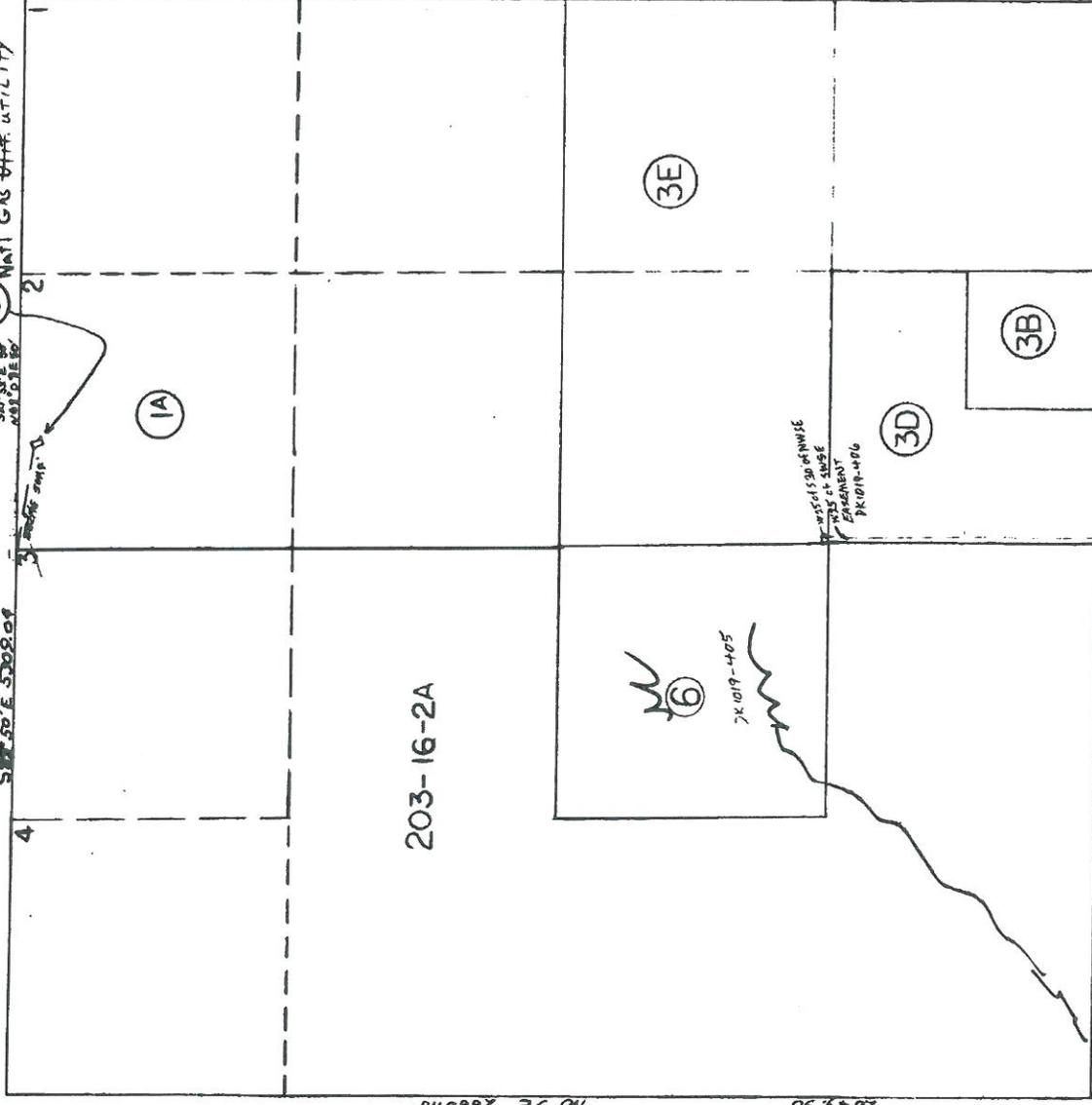
Docket SU-12-15  
(Peterson)  
Location Map

This map is a product of the  
Cochise County GIS



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21





SCALE 1" = 600'

S 89° 59' E 5318.94'

E MOONLIGHT RD

S 89° 59' E 5308.04'

N 0° 9' E 2646.60' RANCH RD

N 0° 2' W 2651.22' S MARTIN

203-16-2A

W ⑥  
PK 1019-1105

WAS 1500 OF THIS  
EASEMENT FROM  
1106

E I PASS  
NATL GAS LINE UTILITY

SAVES BY  
ASSOCIATED

COCHISE COUNTY ASSESSOR  
THIS MAP CREATED AS A RECORD RECORD  
AND DOES NOT CONSTITUTE A SURVEY

THIS MAP CREATED AS A RECORD RECORD  
AND DOES NOT CONSTITUTE A SURVEY

23

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## Dennis, Keith

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**From:** Nikitas, Danny  
**Sent:** Wednesday, October 03, 2012 7:35 AM  
**To:** Dennis, Keith  
**Subject:** FW: Transmittal SU-12-15 (Peterson)  
**Attachments:** Transmittal SU-12-15 (Peterson).pdf

Environmental Health would require an operating permit for the lodging. EH also needs more information to ensure the septic system is adequate for the proposed use.

Thanks,

### Danny Nikitas, R.S.

Cochise County Environmental Health  
126 W. 5th St.  
Benson, AZ 85602  
(520) 586-8207 office  
(520) 366-6278 cell  
(520) 586-2153 fax  
[dnikitas@cochise.az.gov](mailto:dnikitas@cochise.az.gov)

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**From:** Wyatt, Tim  
**Sent:** Tuesday, October 02, 2012 4:26 PM  
**To:** Nikitas, Danny  
**Cc:** Dennis, Keith  
**Subject:** FW: Transmittal SU-12-15 (Peterson)

Danny, I believe this is your area. Tim

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**From:** Dennis, Keith  
**Sent:** Tuesday, October 02, 2012 4:04 PM  
**To:** Lamberton, Karen; Couchenour, Terry E.Jr; Flores, Dora; [packerson@vtc.net](mailto:packerson@vtc.net); [firecaptain\\_56@yahoo.com](mailto:firecaptain_56@yahoo.com); [jstoddard@willcoxcity.org](mailto:jstoddard@willcoxcity.org); Holden, Jack; Rothrock, Rod; Wyatt, Tim  
**Cc:** 'jvmartzke@powerc.net'; [arbor\\_solutions@yahoo.com](mailto:arbor_solutions@yahoo.com); Gary Brauchla; Vlahovich, Jim; Searle, Richard; Wilson, Beverly; Turisk, Mike  
**Subject:** Transmittal SU-12-15 (Peterson)

Keith Dennis - Senior Planner  
Cochise County Planning Department  
1415 Melody Lane  
Bisbee, AZ 85603  
520-432-9240

"Public Programs - Personal Service"  
[www.CochiseCounty.com](http://www.CochiseCounty.com)

**From:** Couchenour, Terry E. Jr  
**Sent:** Monday, October 15, 2012 8:37 AM  
**To:** Dennis, Keith  
**Cc:** Cratsenburg, Diane; Lamberton, Karen  
**Subject:** RE: Transmittal SU-12-15 (Peterson)

Hello Keith,

Right-of-way staff has no comment regarding the need for right-of-way dedication for our maintained roads. The subject parcel does derive access from a maintained road (Moonlight Rd #1298) via a long driveway. However the subject parcel does not adjoin the maintain road, does not own the neighboring parcel, and is unable to donate right-of-way.

On a side note the subject parcel appears to derive physical access across 203-16-002A. Based upon Special Warranty Deed 070310161, I did not find an easement for this physical access. I did notice a 25' wide easement across 203-17-003E and 203-17-003D as described on the Special Warranty Deed and the Assessor Plat map. I highly recommend that the applicant either perfect legal access for their existing driveway or establish a new driveway on their easement. If they establish a new driveway I am sure they would need to talk with Diane about a right-of-way permit for the new driveway access on Moonlight Rd.

Terry Edward Couchenour  
Right of Way Agent II  
Highway and Floodplain

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**From:** Dennis, Keith  
**Sent:** Tuesday, October 02, 2012 4:04 PM  
**To:** Lamberton, Karen; Couchenour, Terry E. Jr; Flores, Dora; [packerson@vtc.net](mailto:packerson@vtc.net); [firecaptain\\_56@yahoo.com](mailto:firecaptain_56@yahoo.com); [jstoddard@willcoxcity.org](mailto:jstoddard@willcoxcity.org); Holden, Jack; Rothrock, Rod; Wyatt, Tim  
**Cc:** 'jvmartzke@powerc.net'; [arbor\\_solutions@yahoo.com](mailto:arbor_solutions@yahoo.com); Gary Brauchla; Vlahovich, Jim; Searle, Richard; Wilson, Beverly; Turisk, Mike  
**Subject:** Transmittal SU-12-15 (Peterson)

Keith Dennis - Senior Planner  
Cochise County Planning Department  
1415 Melody Lane  
Bisbee, AZ 85603  
520-432-9240

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[www.CochiseCounty.com](http://www.CochiseCounty.com)

25  
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# COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

## MEMORANDUM

**Date:** 10/29/12  
**To:** Keith Dennis, Senior Planner  
**From:** Karen L. Lamberton, AICP, County Transportation Planner  
**Subject:** Peterson Guest Home and Retreat Center: CP 12-15/Parcel #203-17-006

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The applicant is applying for a Special Use Authorization to develop a guest room in their existing residential unit and to plan for a potential cluster of six cabins designed for short retreats. Access is taken from Blue Sky Rd. to Moonlight Rd. both of which are county-maintained as primitive rural minor access roadways, native surfaced, with 20-foot cross-sections. Primitive roadways are typically bladed about twice a year. The applicant is advised that there are no current plans to improve either of these roads in the near future.

This proposed use is estimated to generate, at full build out and full occupancy, a range of trips from 27 to 62 per day per the ITE Manual, 8<sup>th</sup> ed. Peak hour impacts will likely be negligible; most trips would occur on the weekends and would likely be easily absorbed into the typical traffic pattern. The first phase (one guest bedroom) would not increase the trip generation for this site beyond that of a typical residential unit and, once built-out with the proposed six, small rustic overnight cabins, would not likely increase the trip generation for this site beyond what would be allowed under current zoning for this parcel.

### Recommendations

The applicant is advised that at the Commercial Permit stage adequate legal access should be established to the site via a public or private easement. The current access point to the county-maintained roadway at Moonlight Rd. appears to be adequate for access onto a native-surfaced primitive roadway but should be formally established via an informational Right-of-Way/Encroachment Permit with the Highway Dept. If a new driveway is established on a new easement that access point should also be formally established prior to clearing the new point of entry onto Moonlight Rd. and appropriate design standards obtained from the Highway Dept.

Given the minimal traffic impacts anticipated from this use no other off-site improvements would be required. Given the rural nature of the site and the proposed use this department would support a waiver to parking and driveway surface requirements to allow native or gravel surfaces. The applicant may also wish to obtain a waiver from minimum (24-foot) driveway widths to allow the existing width, that varies along the driveway route, to remain.

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The applicant is also advised that a more detailed site plan will be needed at the Commercial Permit stage. Although the applicant site plan is adequate for describing their conceptual plan for the Special Use Authorization process at the time of Commercial Permitting all of the required elements of a site plan, described in the County's Zoning regulations should be addressed. These specifically include the addition of dimensions (e.g. driveway widths and access aprons at Moonlight Rd.) and sight triangles (at the access driveways). These detailed dimensions will also be needed for the requested ROW/Encroachment Permits for the access points onto the county-maintained roadway. It is noted that handicapped parking areas are identified: these will need to meet current ADA and County design standards and would need to include a cement/hard-surface even if the general parking area surfacing requirements are waived (ADA is a federal standard).

cc: Docket SU12-15

**From:** John Peterson [azjohnpeterson@gmail.com]  
**Sent:** Monday, October 29, 2012 6:04 PM  
**To:** Dennis, Keith  
**Subject:** Re: modifications

We request that the County waive the 2 inch gravel requirement on the access road to and from our business. Additionally, we ask that the driveway width is allowed to be less than 24 feet in some places.

John and Betty Peterson

Sent from my iPad

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September 19, 2012

Dear Park Seung Weon and Seong Dai,

First of all we would like to introduce ourselves. We live at 3700 E. Moonlight and that is located to the west of your property. We are in the middle of Tom Martin's lower summer pasture and about forty acres northwest of John Gates. We built our own home and have lived at this location since 1979 and owned the property since 1975. Our children grew up here.

As we consider what to do with our home as we age, we have decided to build a rustic retreat center and as part of the process to obtain the necessary county building permits, we need to formally inform you of our building project. The reason we must do this is that the zoning will change for part of our land.

Our intent is to create a rustic retreat center for both religious and fitness oriented groups. Needless to say, we know our location is special and part of that uniqueness and peacefulness is created by the relationship we have with our neighbors and our surroundings. Our intent is to no way violate that bond.

We plan to have a central room where people can meet, and several small rustic cabins to accommodate overnight guests. We anticipate groups coming to work on either a fitness project or a religious retreat. Respecting and enjoying the natural environment will be an integral part of the project. The central room and adjacent patios could also be a wedding site or meeting site. There will be a commercial kitchen. It is important for you to know that we will continue to live in our home.

Our plans will be presented to the County Planning and Zoning Commission at the November 14<sup>th</sup> meeting in Bisbee. The meeting is held at 4:00 PM at 1415 Melody Lane, Board of Supervisors Room, Building G. At that time we hope they will approve the special use permit for our property. Please contact us beforehand with any questions or concerns you may have.

Please stop and visit with us on your next trip to Arizona. We would like to meet you and show you first hand what we are doing.

Sincerely,

  
John and Betty Peterson

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