



MEMORANDUM

August 12, 2022

John DeMatteo
PO Box 203
Elfrida, AZ 85610
Transmitted Via email

RE: Docket SU-22-15 (Rooster Ridge Guest Lodging) Parcel No 403-15-005A

Dear Mr. DeMatteo,

As you are aware, on Wednesday, August 10, 2022, the Cochise County Planning and Zoning Commission (Commission) voted 7-0 to conditionally approve your request to establish guest lodging.

Note: As a reminder, the Commission's action was to authorize you to apply for the appropriate permits for your requested use; this permission does not relieve you of the obligation to apply for and obtain all required permits such as a County Planning and Zoning Department Use Permit and Building Permit, a Land Clearing Permit, and/or other permits as may be applicable. You should contact the Planning Department if you have any questions on what types of permits you need to obtain.

Also, per Section 1716.03 (Procedures for Issuance of a Special Use Authorization) of the Zoning Regulations,

- 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 18-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 24-months of the Special Use approval. Otherwise, the Special Use may be deemed void upon 30-day notification to the Applicant;
- 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, in addition, all standards and requirements of the County Health Services District shall be met, and all permits or licenses shall be obtained prior to operation;
- Any changes to the approved Special Use shall be subject to review by the Planning Division and may require additional modification and approval by the Planning and Zoning Commission;

The Commission imposed the following conditions of approval on these applicable permits:

1. No site shall be used or occupied for permanent residential living purposes. This is defined as more than 30-days without a 14-day break;

2. No more than five tents, generally positioned to the rear of the property as indicated by the concept plan, shall be permitted;
3. The property owner shall be responsible for maintaining the property in a clean and orderly state, free of any uncontrolled garbage. All solid waste shall be disposed at an authorized disposal facility; and
4. The commission grants a waiver to Section 1804.07 of the Zoning Regulations (Parking and Loading Area Improvements), which requires a two-inch thick gravel surface for every parking and loading area and all driveways. The applicant may continue to use their existing hard-packed dirt driveway and parking area for residential and non-residential use.

If you or anyone disagrees with the action taken by the Commission, the Zoning Regulations allows for an appeal of the action to the Board of Supervisors. Such appeal must be filed within fifteen (15) calendar days of the Commission's action on August 10, 2022. If you have any questions, please feel free to call me at (520) 432-9266 or email me at cmclachlan@cochise.az.gov.

Sincerely,

Christine McLachlan
Christine McLachlan, Planner II

**Acceptance of Conditions:
Special Use Approval, Docket No. SU-22-15 (Rooster Ridge Guest Lodging)**

I, the undersigned, am the owner of Parcel No. 403-15-005A, located in Elfrida, Arizona. This parcel is the subject property for Docket SU-22-15, being a request for Special Use Authorization to construct guest Lodging on an 8.9-acre property. On August 10, 2022, the Cochise County Planning and Zoning Commission conditionally approved Docket SU-22-15, subject to the following conditions of approval, to which I agree to adhere:

- 1. No site shall be used or occupied for permanent residential living purposes. This is defined as more than 30-days without a 14-day break;*
- 2. No more than five tents, generally positioned to the rear of the property as indicated by the concept plan, shall be permitted;*
- 3. The property owner shall be responsible for maintaining the property in a clean and orderly state, free of any uncontrolled garbage. All solid waste shall be disposed at an authorized disposal facility; and*
- 4. The commission grants a waiver to Section 1804.07 of the Zoning Regulations (Parking and Loading Area Improvements), which requires a two-inch thick gravel surface for every parking and loading area and all driveways. The applicant may continue to use their existing hard-packed dirt driveway and parking area for residential and non-residential use.*

Owner's Signature

Date

ACCEPTANCE OF CONDITIONS/WAIVER FOR DIMINUTION OF VALUE

(Property owned by one or more entities)

I, the undersigned, am the owner of Parcel No. 403-15-005A, located in Elfrida, Arizona. This parcel is the subject property for Docket SU-22-15, being a request for Special Use Authorization to construct guest lodging on an 8.9-acre property.

By signing this document, I, the undersigned property owner, waive any right to compensation for diminution in value pursuant to Arizona Revised Statutes §12-1134 that may now or in the future exist as a result of the approval of Docket # SU-22-15.

Dated this _____ day of _____, _____.

OWNER(s): [Entity name and descriptions]

By: _____

Print Name

Sign Name

Its: _____

[Title]

STATE OF ARIZONA)

County of Cochise) ss

The foregoing instrument was acknowledged before me on _____, 20 by.

Notary Public

My commission expires:

(TO BE RECORDED BY PLANNING DEPARTMENT)