



# BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 4/5/2022

*\*= Mandatory, information must be provided*

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

**\*Title:**

RESOLUTION: Co9-62-84 VALLEY VIEW ACRES SUBDIVISION REZONING (LOT 63)

**\*Introduction/Background:**

The Board of Supervisors approved a modification of rezoning condition (non-substantial change) on August 16, 2021 to allow Lot 63 to be split into two residential lots subject to modified standard conditions.

**\*Discussion:**

The rezoning conditions contained in Rezoning Ordinance 1997-66 may be modified by resolution.

**\*Conclusion:**

The Resolution reflects the Board of Supervisors' approval.

**\*Recommendation:**

Approval

**\*Fiscal Impact:**

0

**\*Board of Supervisor District:**

1    2    3    4    5    All

Department: Development Services - Planning

Telephone: 520-724-8800

Contact: Donna Spicola, Senior Planner

Telephone: 520-724-9513

Department Director Signature: \_\_\_\_\_

Date: \_\_\_\_\_

3/14/22

Deputy County Administrator Signature: \_\_\_\_\_

Date: \_\_\_\_\_

3/15/2022

County Administrator Signature: \_\_\_\_\_

Date: \_\_\_\_\_

3/16/2022



Subject: Co9-62-84

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**APRIL 5, 2022 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS  
**FROM:** Chris Poirier, Deputy Director *Tom Drzazgowski*  
Public Works-Development Services Department-Planning Division  
**DATE:** March 15, 2022

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**RESOLUTION FOR ADOPTION**

**Co9-62-84 VALLEY VIEW ACRES SUBDIVISION REZONING (LOT 63)**

Owners: Donald and Dessie Adams  
(District 3)

**If approved, adopt RESOLUTION NO. 2022 - \_\_\_\_\_**

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**OWNERS:** Donald and Dessie Adams  
12450 W. Hilltop Road  
Tucson, AZ 85736-1630

**AGENT:** Susan Adams  
12450 W. Hilltop Road  
Tucson, AZ 85736-1630

**DISTRICT:** 3

**STAFF CONTACT:** Donna Spicola, Senior Planner

**STAFF RECOMMENDATION: APPROVAL**

TD/DS  
Attachments

c: Susan Adams

RESOLUTION 2022-\_\_\_\_\_

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; TAX CODE (301-22-0630) IN CASE Co9-62-84 VALLEY VIEW ACRES SUBDIVISION REZONING (LOT 63); LOCATED ON THE NORTH SIDE OF W. HILLTOP ROAD, APPROXIMATELY 660 FEET EAST OF S. FULLERTON ROAD, ADDRESSED AS 12450 W. HILLTOP ROAD; AMENDING REZONING CONDITIONS SET FORTH IN SECTION 2 OF ORDINANCE NO. 1997-66.

The Board of Supervisors of Pima County, Arizona finds that:

1. On February 19, 1963, in rezoning case Co9-62-84, the Pima County Board of Supervisors approved the Valley View Acres Subdivisions Rezoning, located east and west of Fullerton Road between Hilltop Road and Castle Drive, from the RH (Rural Homestead) and SR (Suburban Ranch) zones to the SH (Suburban Homestead) zone.
2. On August 18, 1997, the Pima County Board of Supervisors adopted rezoning Ordinance 1997-66 (Exhibit A), recorded in Sequence No. 97138318, memorializing a portion of the rezoning of approximately 4.77 acres (Lot 63) from the RH (Rural Homestead) to the SH (Suburban Homestead) zone subject to standard conditions described in rezoning case Co9-62-84.
3. On August 16, 2021, the Pima County Board of Supervisors approved a modification of rezoning condition (non-substantial change) to split Lot 63 into two equal-sized lots with one manufactured or mobile home on each lot for approximately 4.77 acres, subject to modified standard conditions.
4. Section 3 of Ordinance No. 1997-66 allows the Board of Supervisors to amend the rezoning conditions by resolution.

NOW, THEREFORE, IT IS RESOLVED:

Section 1: The rezoning conditions in Section 2 of Ordinance 1997-66, are restated and modified as follows:

1. ~~The owner shall record restrictive covenants against the use of more than two trailers (or manufactured or mobile homes) on Lot 63.~~
2. ~~Owner shall record restrictive covenants against disturbance of natural drainage without approval from the Board of Supervisors.~~
  1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
  2. The owner shall adhere to the sketch plan as approved at public hearing with a maximum of one dwelling unit per parcel (Exhibit B).
  3. The property owner shall execute the following disclaimer regarding the Private Property Rights Protection Act: "Property Owner acknowledges that neither the rezoning of the

Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. §12-1134(I)."

4. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.

Section 2. The rezoning conditions may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

Passed and adopted, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Chair, Pima County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk, Board of Supervisors

APPROVED AS TO FORM:

APPROVED:

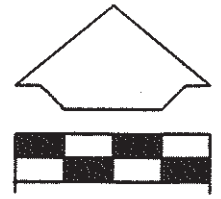


\_\_\_\_\_  
Deputy County Attorney  
Lesley M. Lukach

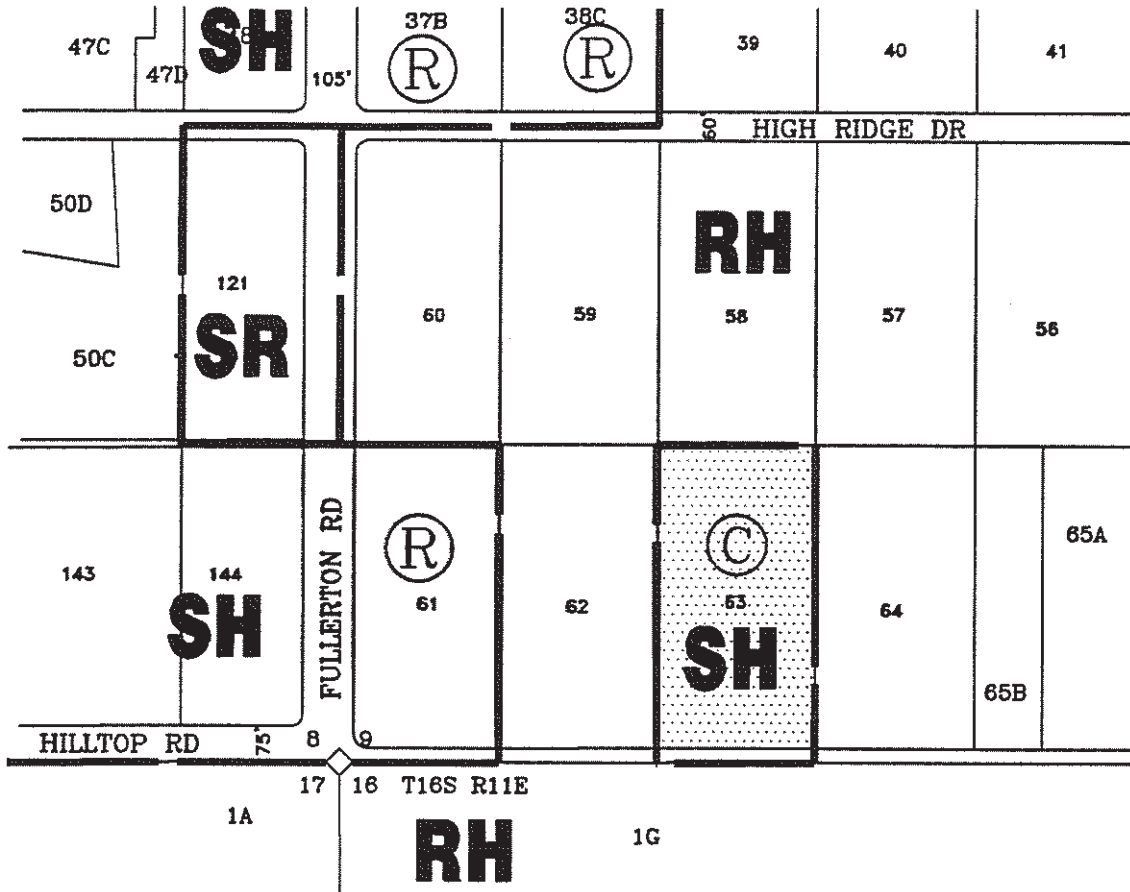
\_\_\_\_\_  
Executive Secretary  
Planning and Zoning Commission

**Exhibit A**

AMENDMENT NO. 32 BY ORDINANCE NO. 1997-66  
 TO PIMA COUNTY ZONING MAP NO. 196 TUCSON, AZ.  
 LOT 63 OF VALLEY VIEW ACRES BEING A PART OF THE  
 SW 1/4 OF SEC 9, T16S R11E.



ADOPTED 8-18-97 EFFECTIVE 8-18-97



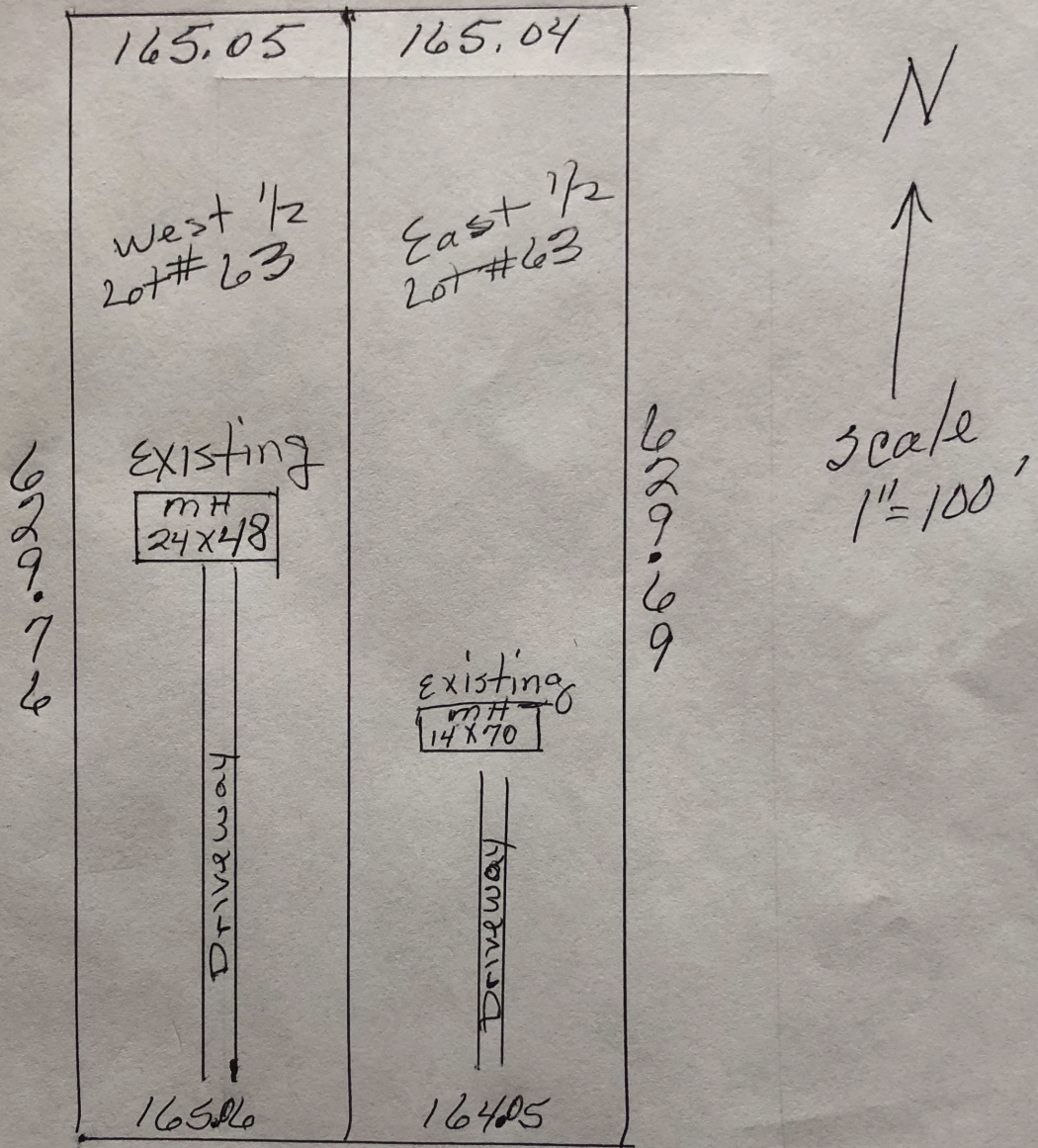
*[Handwritten Signature]*  
 EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
 FROM RH 4.77 ac±  
 sp-JULY 30, 1997

CO9-62-84  
 CO13-69-2  
 301-22-0630  
 BK 14 PG 84(ref)

10619 297

*[Handwritten mark]*



Owner:  
Donald and  
Dessie Adams

12450 W. Hilltop Rd  
Tucson, AZ 85736

Tax Code: 301-22-0630