



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: March 20, 2018

Title: P17RZ00010 HAYMORE - W. SUNKIST ROAD REZONING

Introduction/Background:

The applicant requests a rezoning from SR (Suburban Ranch) to SR-2 (Suburban Ranch Estate) on 2.90 acres.

Discussion:

The rezoning will allow development of a single residence on a proposed 2.90-acre parcel. The 2.90-acre parcel is part of three parcel divisions proposed from a 9.51-acre parcel. The other two parcels will remain SR-zoned and meet the approximate 3.31-acre minimum lot size. The rezoning is required to obtain a third parcel and residence. The applicant indicates unsuccessful attempts to acquire additional property from adjacent owners in order to avoid the rezoning. Public comments have been made objecting to the rezoning, but favoring a site area variance. There are open space requirements associated with the LIU 0.3 plan designation and the Multiple Use Management Area CLS designation of the site. The applicant plans to preserve approximately 90% of the site. There is a minor air quality concurrency issue pertaining to Sunkist Road access, part of which is unimproved. There is a recommendation for partial chipseal (dust control) of the road easement to the site from Sunkist Road.

Conclusion:

The rezoning effectively represents a slight density increase to predominant SR zoning in the area, and the single residence proposed is compatible with other residential uses in the vicinity. There is a benefit with the recommended condition requiring natural open space associated with the Conservation Lands System. Rezoning of the site is the correct process to obtain a density increase. A Board of Adjustment variance to the minimum site area would be a self-imposed hardship based on the desire by the owner for three parcel divisions from the current parcel.

Recommendation:

Staff recommends approval of the rezoning with conditions. The Planning and Zoning Commission also recommends approval with conditions.

Fiscal Impact:

N/A

Board of Supervisor District:

1 2 3 4 5 All

Department: Development Services Department - Planning Telephone: 520-724-9000

Contact: David Petersen Telephone: 520-724-9000

Department Director Signature/Date: [Signature] 2/28/18

Deputy County Administrator Signature/Date: [Signature] 3/2/18

County Administrator Signature/Date: C. Duley 3/6/18



PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Ally Miller, Supervisor, District 1

FROM: Chris Poirier, Planning Official
Public Works-Development Services Department-Planning Division



DATE: February 26, 2018

SUBJECT: P17RZ00010 HAYMORE – W. SUNKIST ROAD REZONING

The above referenced Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, MARCH 20, 2018** hearing.

REQUEST: For a **rezoning** of approximately 2.90 acres from the SR (Suburban Ranch) zone to the SR-2 (Suburban Ranch Estate) zone, on property located approximately 336 feet south of W. Sunkist Drive and approximately 2,840 feet east of N. La Cholla Boulevard and approximately 2,000 feet west of N. La Canada Drive.

OWNERS: David and Barbara Haymore
1052 Turnberry Court
Midway, UT 84049-6457

AGENT: None

DISTRICT: 1

STAFF CONTACT: David Petersen

PUBLIC COMMENT TO DATE: As of February 26, 2018, staff has received four letters in opposition to the rezoning from area property owners and nine letters in support of what was originally a variance proposal to reduce the minimum site area per dwelling unit that is now this rezoning request. Two of the nine letters in support are from property owners that have subsequently provided written opposition to the rezoning. Rezoning precedent and density are cited as concerns in opposition, as well as negative impact to the natural environment. Three members of the public spoke in opposition to the rezoning at the Planning and Zoning Commission public hearing.

PLANNING & ZONING COMMISSION RECOMMENDATION: **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (5 – 2; Commissioners Gungle and Membrila voted Nay; Commissioners Bain and Tronsdal were absent).

STAFF RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located within the Multiple Use Management Area designation of the Maeveen Marie Behan Conservation Lands System (CLS).

TD/DP/ar
Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: P17RZ00010

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FOR MARCH 20, 2018 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Planning Official
Public Works-Development Services Department-Planning Division

DATE: February 26, 2018

ADVERTISED ITEM FOR PUBLIC HEARING

REZONING

P17RZ00010 HAYMORE – W. SUNKIST ROAD REZONING

Request of David and Barbara Haymore for a **rezoning** of approximately 2.90 acres from the SR (Suburban Ranch) zone to the SR-2 (Suburban Ranch Estate) zone, on property located approximately 336 feet south of W. Sunkist Drive and approximately 2,840 feet east of N. La Cholla Boulevard and approximately 2,000 feet west of N. La Canada Drive. The proposed rezoning conforms to the Pima County Comprehensive Plan which designates the property for Low Intensity Urban 0.3. On motion, the Planning and Zoning Commission voted 5-2 to recommend **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS** (Commissioners Gungle and Membrila voted Nay; Commissioners Bain and Tronsdal were absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS**.
(District 1)

Planning and Zoning Commission Public Hearing Summary (January 31, 2018)

Staff presented information from the staff report to the commission. Staff noted that dust control chipsealing of a portion of the dirt easement from Sunkist Road was recommended by the Transportation Department on page 4 of the staff report, but that the condition was not listed in the final set of recommended conditions found on pages 6 and 7 of the staff report. Staff recommended that the recommendation be condition #6.

Staff stated that four letters in opposition to the rezoning from area property owners had been received. Rezoning precedent and density were cited as concerns, as well as negative impact to the natural environment. Staff also stated that the applicant had submitted nine letters in support of what was originally a variance proposal to reduce the minimum site area per dwelling unit that is now this rezoning request. It was noted that two of the nine letters in support were from owners who have subsequently provided written protests to the rezoning.

Staff noted that the applicant had indicated that he was initially told to seek a variance, but was later advised by Planning staff to seek a rezoning which is the proper procedure to increase density. Staff stated that code variances should not be based on self-imposed hardship as would be the case with the desire to split the property into three lots without sufficient SR site area for all three. However, the actual proposed density increase resulting for the one proposed undersized parcel sought for rezoning is slight despite the SR-2 allowance for one dwelling per 72,000 square feet (approximately 1.65 acres). The proposed parcel is 2.90 acres. There is not enough site area to allow two dwellings under SR-2. Additionally, SR-2 is otherwise more restrictive than SR pertaining to nonresidential use allowances and the rezoning, as recommended, will provide a requirement for significant natural open space to be maintained, which is not required under the original SR zoning.

The applicant spoke in favor of the rezoning. He stated that the property was purchased in 2016. Right-of-way for Sunkist Road was ceded from it in 1958. He indicated that he had unsuccessfully sought to regain the right-of-way since this portion of Sunkist Road is not County-maintained. He also noted no success in seeking to acquire from adjacent property owners the four-tenths acre necessary to achieve three full-sized SR parcels. He noted the original approach to seek a variance, but upon application learned that the correct process would be to seek SR-2 zoning. He stated that this proposal is only a slight reduction to the full sized SR lot. He noted the benefit of the requirement to preserve open space with the SR-2 rezoning which would not be required under SR zoning (with a variance). His plan was to build a single story home between 2,500 and 3,500 square feet with ample setbacks for neighbors' privacy and less than 10% grading. He indicated that SR-2 is more restrictive pertaining to non-residential uses.

The hearing was opened to the public.

Speaker #1 spoke in opposition. He stated that he resides on property near the rezoning. He stated concern with opening a precedent for others to also rezone and split properties in the area. He advocated to maintain the SR density of the area.

Speaker #2 spoke in opposition. He stated that he shares the easement which serves the rezoning site. He indicated that he supported the variance request, but objected to the rezoning based on the precedent that would be established. He noted that 20 other parcels could do the same. He stated that SR-2 doubles the SR density.

Speaker #3 spoke in opposition. He stated that he resides on property near the rezoning. He indicated that a variance would be least intrusive, and that a rezoning would open the area to more rezonings. He wished to preserve the SR integrity of the area. He was not opposed to the three residences proposed that the variance would allow.

The applicant indicated appreciation for the neighbors' concerns. He said that the rezoning should be determined based on the merits of the request and not by fear of what others may do in the future. He was not trying to set a precedent.

The public hearing was closed.

A commissioner stated that the concerns expressed about setting a precedent were legitimate. Staff reports often cite whether zoning is consistent. He asked staff whether this request could be resolved short of rezoning. Staff indicated that the request is consistent with the LIU 0.3 comprehensive plan density and is not a doubling of the density mentioned. The right-of-way abandonment was not a solution. The variance approach is challenging with clear criteria for justification which this request would not achieve, namely creation of a self-imposed hardship with the desire for three lots, one being undersized. A variance could conceivably be approved, but the correct process is rezoning. The right-of-way acquisition did not create an undersized SR lot. Regarding the issue of precedent, each rezoning is evaluated on its own merits. Staff further indicated that the recommendation requires Board approval of any further lot splitting of the subject property, and there is a requirement for adherence to the site plan. The commission could add another condition for restricting the site to one residential unit to make it unequivocal.

A commissioner asked if the Board of Supervisors could overturn the conditions. Staff indicated that the final decision is with the Board.

A commissioner stated that adding the condition would communicate the intent of the rezoning approval. He did not think a future attempt to rezone in the area would not recognize the minor adjustment being made for density in this case. The owner has gone to a great extent, and the rezoning should pass.

Commissioner Matter made a motion to recommend approval of the rezoning subject to the standard and special conditions including condition #6 which calls for chipsealing as stated on page 4 of the report and the restriction to one dwelling as per the sketch plan.

Commissioner Becker gave second to the motion.

A commissioner indicated that he would vote against the motion out of recognition for the neighbors' concerns.

The commission voted to recommend **APPROVAL** of the rezoning (5-2, Commissioners Gungle and Membrila voted Nay; Commissioners Bain and Tronsdal were absent), subject to the following conditions:

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
2. Adherence to the sketch plan for one dwelling as approved at public hearing.
3.
 - A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (CLS) Conservation Guidelines for the Multiple Use Management Area designation, which calls for two conserved acres for each acre developed, by limiting the total amount of grading to no more than 42,108 square feet (.97 acres), or approximately one-third of the site.
 - B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and Pima County

The public hearing was closed.

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1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
2. Adherence to the sketch plan for one dwelling as approved at public hearing.
3. A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (CLS) Conservation Guidelines for the Multiple Use Management Area designation, which calls for two conserved acres for each acre developed, by limiting the total amount of grading to no more than 42,108 square feet (.97 acres), or approximately one-third of the site.

- B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and Pima County may enforce this rezoning condition against the property owner.

Invasive Non-Native Plant Species Subject to Control

- Ailanthus altissima Tree of Heaven
- Alhagi pseudalhagi Camelthorn
- Arundo donax Giant reed
- Brassica tournefortii Sahara mustard
- Bromus rubens Red brome
- Bromus tectorum Cheatgrass
- Centaurea melitensis Malta starthistle
- Centaurea solstitialis Yellow starthistle
- Cortaderia spp. Pampas grass
- Cynodon dactylon Bermuda grass (excluding sod hybrid)
- Digitaria spp. Crabgrass
- Elaeagnus angustifolia Russian olive
- Eragrostis spp. Lovegrass (excluding E. intermedia, plains lovegrass)
- Melinis repens Natal grass
- Mesembryanthemum spp. Iceplant
- Peganum harmala African rue
- Pennisetum ciliare Buffelgrass
- Pennisetum setaceum Fountain grass
- Rhus lancea African sumac
- Salsola spp. Russian thistle
- Schinus spp. Pepper tree
- Schismus arabicus Arabian grass
- Schismus barbatus Mediterranean grass
- Sorghum halepense Johnson grass
- Tamarix spp. Tamarisk

- 4. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "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.
- 5. 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.
- 6. Any common, private roadway/driveway serving more than one dwelling unit shall be paved (chip sealed) within six (6) months of the issuance of building permits.

TD/DP/ar
Attachments

cc: David and Barbara Haymore, 1052 Turnberry Court, Midway, UT 84049-6457
Tom Drzazgowski, Chief Zoning Inspector
P17RZ00010 File

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

HEARING January 31, 2018

DISTRICT 1

CASE P17RZ00010 Haymore – W. Sunkist Road Rezoning

REQUEST Rezone from SR (Suburban Ranch) to SR-2 (Suburban Ranch Estate) (2.90 acres)

OWNER David and Barbara Haymore
1052 Turnberry Court
Midway, UT 84049-6457

APPLICANT Same



APPLICANT'S PROPOSED USE
"Residential home"

APPLICANT'S STATED REASON
"Provide homes for three families (including two planned SR-zoned land divisions)"

COMPREHENSIVE PLAN DESIGNATION
The Pima County Comprehensive Plan designates the subject property as Low Intensity Urban 0.3 (LIU 0.3), which designates areas for low-density residential and other compatible uses at a maximum density of 0.3 residences per acre (RAC) or 0.7 RAC with 50 percent open space or 1.2 RAC with 65 percent open space.

SURROUNDING LAND USES/GENERAL CHARACTER
The area in general contains single residences on SR-zoned properties in a desert setting.

North:	SR	Undeveloped
South:	SR	Residence
East:	SR	Residence
West:	SR	Undeveloped

PREVIOUS REZONING CASES ON PROPERTY
None

PREVIOUS REZONING CASES IN GENERAL AREA
None

STAFF REPORT

Staff recommends **APPROVAL with conditions**. Staff supports the SR-2 (Suburban Ranch Estate) rezoning request because the proposed residential development is compatible with surrounding residential development and represents only a slight density increase. There is a minor air quality concurrency issue pertaining to use of Sunkist Road to access the rezoning site. Sunkist Road is unimproved for approximately one-half mile west of N. La Canada Drive. It is, however, improved for one-half mile east of N. La Cholla Boulevard. The easement to the site is approximately 3/16 of a mile east of the pavement end. Typically, the one additional residence that would result with this rezoning would have little impact regarding infrastructure concurrency. The Transportation Department recommends chipseal of the of the dirt easement from Sunkist Road which provides access to the site to the extent that it serves more than one dwelling.

The SR-2 rezoning is proposed to allow development of a single residence on 2.90 acres. This proposed 2.90-acre (126,183 square feet) parcel is part of three parcel divisions proposed from a 9.51-acre parcel. The other two parcels, also proposed for one residence each, will remain SR-zoned and meet the 144,000 square foot (approximately 3.31 acres) minimum lot size. The rezoning is required to obtain a third residence. The applicant indicates unsuccessful attempts to acquire additional property from adjacent owners in order to avoid the rezoning.

The rezoning conforms to the Low Intensity Residential 0.3 (LIU 0.3) comprehensive plan designation of the site and surroundings which allows a maximum density of 0.3 residences per acre (RAC) (or 0.7 RAC with 50 percent open space, or 1.2 RAC with 65 percent open space). The proposed lot size puts the density for the single dwelling at approximately 0.345 RAC, which therefore requires open space at 50 percent.

However, the site's location within the Multiple Use Management Area designation of the Maeveen Marie Behan Conservation Lands System (CLS) calls for a conservation to development ratio of 2:1 which can be satisfied on the site. The applicant states intent to comply with this policy correlating to 66 ⅔ percent conservation; and, staff recommends condition #6A limiting grading to 42,108 square feet which is approximately one-third of the site. The naturally vegetated site is currently undisturbed with possible exception of a portion of an existing graded dirt easement. The applicant indicates approximately 90 percent of the proposed lot will actually remain undisturbed. Mapped riparian Flood Control Resource Area in the southeast corner of the site will be avoided with the location of the building envelope northwest of this area per the rezoning sketch plan. Adherence to the sketch plan is recommended per condition #2 below. The site is relatively flat with mild slope toward the riparian drainage course.

The immediate vicinity of the site contains mostly low density residential uses. Town of Oro Valley jurisdiction is located one-eighth mile to the south and east. Higher density subdivisions within the Town of Oro Valley are located less than one-half mile to the south and east. La Cholla Airpark is located approximately three-fourths mile to the northwest. The nearest commercial services appear to be located over two miles to the east. The area lacks transit services. The site lacks a water service provider. A new well is proposed for water provision. Public sewerage is not available. On-site sewage (septic system)

disposal is proposed. An elementary school and a middle school within Amphitheater Unified School District are located approximately one mile to the southeast and southwest respectively. The school district did not provide comments. An apparent new private elementary school is located within a quarter mile to the east with gated access to Sunkist Road. Tucson Electric Power serves the area, but did not provide comments.

Concurrency of Infrastructure

Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
<i>Department/Agency</i>	<i>Concurrency Considerations Met: Yes / No / NA</i>	<i>Other Comments</i>
TRANSPORTATION	Yes	No objection
FLOOD CONTROL	Yes	No objection
WASTEWATER	N/A	No objection
PARKS AND RECREATION	Yes	No objection
WATER	N/A	Private well proposed
SCHOOLS		Amphitheater Unified School District has not provided comments
AIR QUALITY	Yes	Minor dust issue with partial dirt road access from Sunkist Road

TRANSPORTATION REPORT

The Pima County Department of Transportation has reviewed the rezoning request and has no objections. Concurrency considerations have been met as roadways in the vicinity of the rezoning site are functioning below capacity. The requested rezoning is for one lot of a three lot split. The applicant would like to take their lot and split it into three residential lots. Because their existing parcel is slightly undersized to split into three lots, they are requesting a rezoning of one of the proposed lots. This will result in three residential lots. The rezoning will result in an increase of 10 average daily trips. Access to the site is via Sunkist Road. Sunkist Road is maintained by Pima County from La Cholla Boulevard east approximately 1/2 mile, which is 600 feet to the west of the rezoning site. Adjacent to the rezoning site, Sunkist Road is a dirt road that is not maintained by the county.

Major roadways in the area include La Cholla Boulevard, La Canada Boulevard, and Tangerine Road, all of which are maintained by Oro Valley in the vicinity of this rezoning site, with the exception of La Cholla between Limewood Drive and Sunkist Road. The new

lots will be accessed via an existing access easement. The easement will need to be paved or chip sealed. The Department of Transportation requests the following condition:

- Any common, private roadway/driveway serving more than one dwelling unit shall be paved (chip sealed) within six (6) months of the issuance of building permits.

FLOOD CONTROL REPORT

The Regional Flood Control District has reviewed the rezoning request and has no objection.

WASTEWATER RECLAMATION REPORT

The Planning Section of the Pima County Regional Wastewater Reclamation Department (PCRWRD) has reviewed the rezoning request and offers the following comments for your use. This rezoning request is only for a portion of the subject parcel. The applicant proposes to split the entire parcel into three parcels (two SR-zoned parcels that are not part of the rezoning and the subject proposed SR-2 parcel, with one residence on each parcel split). The rezoning area is located approximately 2,300 feet northwest of the Tangerine Road/La Canada Drive intersection.

There is currently no public sewer in the vicinity of the rezoning area. The proposed homes will utilize private on-site sewage disposal systems.

The PCRWRD has no objection to the proposed rezoning, but adds the following comment:

The owner(s) must secure approval from the Pima County Department of Environmental Quality to use on-site sewage disposal system within the rezoning area at the time a development plan or request for building permit is submitted for review.

CULTURAL RESOURCES REPORT

The Office of Sustainability and Conservation – Cultural Resources has reviewed the request and offers no conditions.

NATURAL RESOURCES, PARKS AND RECREATION REPORT

NRPR has no comments pertaining to the rezoning request.

ENVIRONMENTAL PLANNING REPORT

SITE CONSERVATION VALUES

- The approximately 2.9-acre site lies entirely within the Maeveen Marie Beehan Conservation Land System (CLS) Multiple Use Management Area designation. The site is not within a Special Species Management Area.

- The subject property lies within the Priority Conservation Area (PCA) (Priority 1) for the cactus ferruginous pygmy-owl (CFPO); however, none have been detected in Northwest Tucson since 2006 when the last known CFPO was captured and placed in a captive breeding program.

- The subject property lies outside PCAs for the Lesser long-nosed bat (a federally-

endangered species), Western burrowing owl, Pima pineapple cactus, and needle-spined pineapple cactus.

- One small un-named wash crosses the southeast corner of the site. Disturbances to these resources are regulated by the Regional Flood Control District according to the Watercourse and Riparian Protection and Mitigation Requirements of Pima County Code Title 16.
- The subject property was not identified for acquisition under the 2004 Open Space Bond Program.

LANDSCAPE CONTEXT

The site is in northwest Tucson, just west of La Canada and north of Tangerine. Existing land uses in the immediate vicinity are predominantly residential, with adjacent properties to the north, south, east, and west all zoned SR for low-density rural residential uses. Oro Valley town boundaries are less than 1,000 ft. to the east and south of the subject property, and land use intensities generally increase within the town limits.

The subject property does not occur within or near any CLS Critical Landscape Connection; it lies just outside the eastern edge of the Tortolita Fan to Canada del Oro Wildlife Movement Area identified by the Arizona Game and Fish Dept. The closest County-owned properties managed for conservation in the area are the Honey Bee Biological Corridor, which is approximately 2.5 miles east of the subject property, and Tortolita Mountain Park, which is almost 3 miles northwest of the subject property. Landscape connectivity is fairly limited to the east, beyond the immediate vicinity of the subject property, due to more intensive land uses within Oro Valley. Generally, there is some connectivity to the north and west within unincorporated Pima County due to the predominately rural residential land uses, which may allow for some wildlife movement towards Tortolita Mountain Park.

POTENTIAL IMPACT TO BIOLOGICAL RESOURCES AND CLS

According to the Rezoning Application, the gross acreage to be rezoned is approximately 2.9 acres, of which the applicant intends to disturb only 10%, leaving the vast majority of the site undisturbed.

According to the Rezoning Impact Statement, there are no ironwoods on-site. There are six saguaros over eight feet in height, and one saguaro under eight feet that has an existing cavity; the applicant plans to preserve protected vegetation in-place or transplant it on-site. The applicant also intends to avoid the small wash in the southeast corner.

Given the site's on-site resources, landscape context, and the proposed on-site set-aside of natural open space in conjunction with the recommend Special Conditions under #3 below, this project is not expected to significantly alter the condition or integrity of biological resources in the area or the viability of the CLS.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT

While the proposed rezoning maintains what should still be suitable habitat for foraging endangered lesser long-nosed bats, we do recommend, if the County approves this rezoning request, that the landowners preserve in place, transplant on-site, or replace at a 3:1 ratio any saguaros that may be impacted by the proposed construction of the three residences. Saguaros provide forage for lesser long-nosed bats.

SCHOOL DISTRICT REPORT

As of the writing of this report, staff has not received any written comments from Amphitheater Unified School District.

FIRE DISTRICT REPORT

As of the writing of this report, staff has not received any written comments from Golder Ranch Fire District.

PUBLIC COMMENT

As of the writing of this report, staff has not received any written public comments.

IF THE DECISION IS MADE TO APPROVE THE REZONING, THE FOLLOWING STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

Completion of the following requirements within five years from the date the rezoning request is approved by the Board of Supervisors:

1. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
2. Adherence to the sketch plan as approved at public hearing.
3.
 - A. The property owner/developer shall achieve compliance with the Maeveen Marie Behan Conservation Lands System (CLS) Conservation Guidelines for the Multiple Use Management Area designation, which calls for two conserved acres for each acre developed, by limiting the total amount of grading to no more than 42,108 square feet (.97 acres), or approximately one-third of the site.
 - B. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove invasive non-native species from the property, including those below. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and Pima County may enforce this rezoning condition against the property owner.

Invasive Non-Native Plant Species Subject to Control
 Ailanthus altissima Tree of Heaven
 Alhagi pseudalhagi Camelthorn
 Arundo donax Giant reed
 Brassica tournefortii Sahara mustard
 Bromus rubens Red brome
 Bromus tectorum Cheatgrass
 Centaurea melitensis Malta starthistle
 Centaurea solstitialis Yellow starthistle
 Cortaderia spp. Pampas grass

Cynodon dactylon Bermuda grass (excluding sod hybrid)
Digitaria spp. Crabgrass
Elaeagnus angustifolia Russian olive
Eragrostis spp. Lovegrass (excluding E. intermedia, plains lovegrass)
Melinis repens Natal grass
Mesembryanthemum spp. Iceplant
Peganum harmala African rue
Pennisetum ciliare Buffelgrass
Pennisetum setaceum Fountain grass
Rhus lancea African sumac
Salsola spp. Russian thistle
Schinus spp. Pepper tree
Schismus arabicus Arabian grass
Schismus barbatus Mediterranean grass
Sorghum halepense Johnson grass
Tamarix spp. Tamarisk

4. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "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. § 12-113.
5. 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.

Respectfully Submitted,



David Petersen, AICP
Senior Planner



c: David and Barbara Haymore, 1052 Turnberry Court, Midway, UT 84049-6457

Case #: P17RZ00010
 Case Name: HAYMORE - W. SUNKIST ROAD REZONING
 Tax Code(s): Portion of 219-47-002A







0 220 440 880 Feet

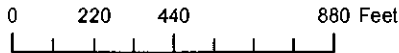
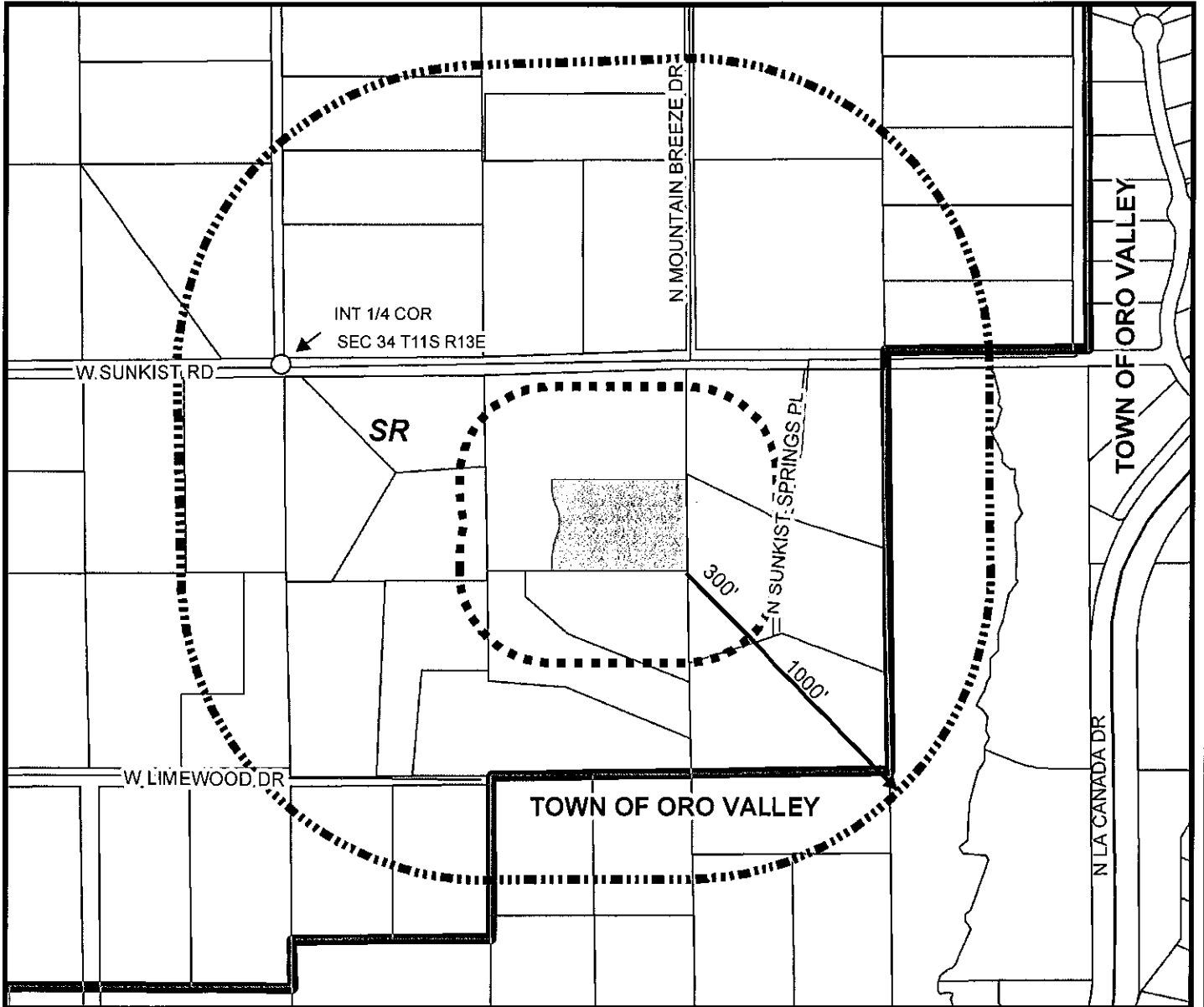
**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION**

	Notes:		
	PIMA COUNTY COMPREHENSIVE PLAN C07-13-10		
			Map Date: 1/4/2018 - ds

Case #: P17RZ00010
 Case Name: HAYMORE - W. SUNKIST ROAD REZONING

Tax Code(s): Portion of 219-47-002A

-  300' Notification Area
-  Subject Site
-  1000' Notification Area
-  Zoning Boundary



Area of proposed rezoning from SR to SR-2



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
 PLANNING DIVISION

Notes:

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Planning & Zoning Hearing: 01/31/18

Board of Supervisors Hearing: March 20, 2018

Base Map(s): 280

Map Scale: 1:6,000

Map Date: 2/8/2018 - ds



November 7, 2017

Pima County Planning Division
130 W Congress St.
Tucson, AZ 85701

Dear Pima County Planning Division,

We request rezoning for a portion of Parcel 219-47-002A known as "Parcel 3" which is shown on the rezoning exhibit from SR to SR-2. We wish to keep Parcels 1 and 2 unchanged in SR. The rezoning exhibit for this request shows Parcel 3 as 126,183 S.F.

The reason for this rezoning is not for profit or to flip houses. It is to provide residences for three Haymore families who would love to be neighbors. They are: the current owners of the parcel, David and Barbara Haymore, 1052 Turnberry Ct, Midway, UT 84049 (and a Tucson home at 784 W. Clear Creek Way, Tucson, AZ); Bruce (David's brother) and Michele Haymore of 10770 N. Summer Moon Place, Oro Valley; and Andrew Haymore (David and Barbara's son) who resides at 8475 N. Snowdrop Drive, Tucson.

After several visits to Pima County for advice, we tried to increase the parcel size without a rezoning:

Land Purchases--We have made dedicated and friendly efforts over the past year to buy portions of neighbors' land to achieve the minimum SR lot size for the proposed Parcel 3 which the rezoning exhibit/survey shows as 126,183 S.F which is 17,817 below the SR minimum. Three of our neighbors have square footage above the SR minimums (Duperret, Roach and Hartman) that could help us increase Parcel 3 to/above the SR minimums, but they have courteously declined to sell land for two reasons: concern that their mortgage holders would object to decreasing the size of their land and that purchases of slivers of their land would create oddly shaped "dog-leg" parcels.

Abandonment of Public Right-of-Way--This parcel originally was large enough for three full size SR lots. In 1958, 30 feet of the north border was ceded to Pima County for the road. Another 30 feet from parcels to our north was also ceded to equal 60 feet. Since the road is not maintained by the county, we hoped that the

County would abandon the public right-of-way. At the Transportation Department, we learned that 45 feet is needed for the road and they could not abandon the right-of-way at just our property which would create a jog in the road and make the road width less than the required 45 feet.

A rezoning is our only remaining chance to build our three houses together. We are prepared financially to start construction immediately. Please permit this rezoning to reduce the minimum lot size for Parcel 3 so that the three families listed above can build tasteful homes on this beautiful land, and to be good neighbors to those around us.

We were originally directed to seek a variance and that is how we proceeded. We visited our neighbors and found them in support of the variance and have letters from them. After submitting the variance paper work, we were told that a rezoning was much more likely to achieve our goal. We have not been back to visit the neighbors with this change, but we will let them know and we are confident they will support a rezoning since our site plan is unchanged from the variance proposal.

The required setbacks of building on Parcel 3 would be followed, the structures would be tasteful, first class and appropriate to the area. Of particular note is that the building envelope on Parcel 3 would be set over 100 feet from the south property line and over 200 feet from the east property line. This position is necessitated by a natural flood plain anyway and would enhance the privacy of our neighbors and the spacious sense of the properties.

Thank you for your time and consideration,

David and Barbara Haymore
Bruce and Michele Haymore
Andrew Haymore

November 15, 2017

Mr. David Petersen, AICP
Senior Planner
Planning Division
Pima County Development Services Department,

Though not explicitly noted on the survey plan, my intent with this rezoning application is consistent with the policy requirements of the MUMA CLS for the potential requirement for 66 & 2/3% NOS set aside on Parcel 3 of the survey plan and the 50% open space requirement for the LIU 0.3 plan designation. I welcome the rezoning conditions that would mandate these preservation requirements.

Sincerely,

A handwritten signature in black ink that reads "David Haymore". The signature is written in a cursive style with a long horizontal flourish at the end.

David Haymore

**PIMA COUNTY PLANNING DIVISION
APPLICATION FOR REZONING
FOR PROJECTS NOT REQUIRING A SITE ANALYSIS**

David & Barbara
Haymore

1052 Turnberry Ct.
Midway, UT 84049

520-954-4452

db.haymore@comcast.net

Owner

Mailing Address

Email Address/Phone daytime / (FAX)

Same

Applicant (if other than owner)

Mailing Address

Email Address/Phone daytime / (FAX)

Legal description / property address

Portion of unsplit parcel 219-47-002A
D.P.

Tax Parcel Number

2.8968

SR

SR-2

Multiple Use Management Area

Acreage

Present Zone

Proposed Zone

Comprehensive Plan Subregion / Category / Policies

The following documentation must be attached:

1. Assessor's map showing boundaries of subject parcel and Assessor's Property Inquiry (APIQ) printout showing current ownership of subject parcel. **DEEDS AND/OR TITLE REPORTS WILL NOT BE ACCEPTED.** If the applicant is not shown as the owner of the subject parcel a letter of authorization with a **signature** matching the APIQ must accompany the application at the time of submittal. For example, if the APIQ indicates ownership in a numbered trust such as Chicago Title and Trust #700, a **signature** of the Trust Officer is required along with a disclosure of the beneficiaries of the trust. If the APIQ indicates ownership to be in an LLC, LP, corporation or company, a **signature** from an officer with his/her title is required along with a disclosure of the officers of the entity.
2. Submit a sketch plan in accordance with **Chapter 18.91.030.E.1.a. & b** of the Pima County Zoning Code. Submit a detailed description of the proposed project, including existing land uses, the uses proposed and to be retained, special features of the project and existing on the site (e.g., riparian areas, steep slopes) and a justification for the proposed project. Include any necessary supporting documentation, graphics and maps (all documentation should be legible and no larger than 8.5" X 11").
3. Submit three (3) copies of the Biological Impact Report.
4. Submit the entire rezoning fee.

This application is true and correct to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application.

November 3, 2017

Date

David Haymore

Signature of Applicant

FOR OFFICIAL USE ONLY

Haymore - W. Sunbird Road

Co9- P17R200010

Case name

SR

SR-2

280

\$3000⁰⁰ fee

1

Rezoning from

Rezoning to

Official Zoning Base Map Number

Fee

Supervisor District

Conservation Land System category

Multiple Use Mgmt. Area

Cross reference: Co9-, Co7-, other

Co7-13-10 Update

To P17R200010 / None

Comprehensive Plan Subregion / Category / Policies

Received by

TT

Date

11/8/17

Checked by

D.P.

Date

11/14/17

PIMA COUNTY
REZONING IMPACT STATEMENT

Please answer the following questions **completely**; required hearings may be delayed if an adequate description of the proposed development is not provided. Staff will use the information to evaluate the proposed rezoning. Additional information may be provided on a separate sheet.

NAME (print) David H. Haymore

NAME OF FIRM (if any) _____

INTEREST IN PROPERTY owner

SIGNATURE David Haymore DATE November 3, 2017

A. PROPOSED LAND USE

Rezone Parcel 3 only;

1. Describe the proposed use of the property.
Residential Home - No rezoning for Parcels 1 and 2,

2. State why this use is needed.
Parcel 3 - David & Barb Haymore
Parcel 2 - Bruce & Nichole Haymore
Parcel 1 - Andrew Haymore
Provide homes for 3 families:
(We hope to do minor land divisions; Parcels 1 and 2 to remain SR)

3. If the proposed use is residential, how many **total residential units** would there be on the property to be rezoned? Will these be detached site-built homes, manufactured homes, or another type?

Total units: 1 Type: Detached site Home

4. Will the subject property be split into additional lots? YES NO (circle one)

5. How many **total lots** are proposed to be on the property to be rezoned, and what size in acres will each lot be?

One; 2.8968

6. If more than **one** lot would be created by this rezoning, how will all-weather access be provided to these lots from a dedicated public road? (e.g. direct access, existing easement, new easement, etc.)

Stick to existing easement to driveway to home on Parcel 3

7. What is the maximum proposed building height?

22 feet and 1 stories

8. Provide an estimate of when proposed development will be started and completed.

Starting date: Sept 1, 2017
Completion date: Aug 31, 2018

9. If the proposed development is commercial or industrial: NA

- a. How many employees are anticipated? _____
- b. How many parking spaces will be provided? _____
- c. What are the expected hours of operation? _____

- d. Will a separate loading area be provided? _____
 - e. Approximate size of building (sq. feet)? _____
10. a. For commercial or industrial developments, or residential developments of three residences per acre or greater, state which bufferyards are required, according to Chapter 18.73 (Landscape Standards) of the Zoning Code.

b. Describe the buffer choice that would be provided (e.g.: buffer width, use of walls, or type of plant material) to meet the Code requirement. Refer to Chapter 18.73 of the Zoning Code.

11. If the proposed development is an industrial project, state the industrial wastes that will be produced and how they will be disposed of. (Discuss the means of disposal with the Wastewater Management Department at 740-6500 or the Department of Environmental Quality at 740-3340.)
- _____

B. SITE CONDITIONS - EXISTING AND PROPOSED

1. Are there existing uses on the site? YES NO

a. If yes, describe the use, stating the number and type of dwelling unit, business, etc.

b. If no, is the property undisturbed, or are there areas that have been graded?

undisturbed

2. If the proposed rezoning is approved, will the existing use be removed, altered, or remain as is?

Remain as is - Residential

3. Are there any existing utility easements on the subject property? YES NO

If yes, state their type and width, and show their location on the sketch plan.

None on the Parcel 3, but Powerline from Southwest (underground) and Transformer on West border

4. Describe the overall topography of the subject property, and note whether any slopes of greater than 15% are present on the property. Note any rock outcropping or unusual landforms or features.

Flat with a drainage area at SE corner

5. Note any areas of heavy vegetation on the sketch plan and describe its type and general density.

The vegetation is evenly dispersed, medium density consistent with Sonoran Desert

6. Conservation Land System (CLS):

a. Is the subject property within the MMB Conservation Land System (see Attachment A)?

Yes No

b. If so, which of the following does the subject property fall within, and if more than one, provide the approximate percentage of the site within each?

Important Riparian area, Biological Core, Multiple Use, Special Species Management area, or Recovery Management area, or Existing Development within the CLS.

7. How has the plan for the rezoning met the conservation standard for the applicable category area?

More than 66% of Parcel 3 will be undisturbed

8. Are there any natural drainageways (washes) on the subject property? YES NO

If yes, state whether these natural drainage patterns would be altered by the proposed development, and what type of alteration is proposed.

SE corner of Parcel. Proposed building envelope avoids it.

(NOTE: For information regarding flood control requirements, call the Regional Flood Control District, 243-1800.)

9. Approximately how much of the subject property is proposed to be graded, including areas where most vegetation will be cleared? 2.89 Acres, or 10 percent of the land area. How much of this area is currently graded? zero is currently graded

10. Describe any revegetation proposal in areas where development would require removal of natural vegetation.

Protected vegetation will be preserved and replanted on the parcel 3

11. For rezonings larger than 3.3 acres (144,000 square feet) or for more than one residential unit per 3.3 acres: This is smaller than 3.3 Acres, but the information

a. Is the subject property elevation less than 4,000 feet? is included anyway

NO YES

b. Are there any saguaros on the subject property that are eight feet or taller or that contain a woodpecker cavity? If yes, how many?

NO YES Number: Over 8 feet: 6 under 8 feet with cavity: 1

c. Are there any mesquite trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

NO YES Number: 3

d. Are there any Palo Verde trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

NO YES Number: 5

e. Are there any ironwood trees on the subject property with trunks six inches or greater in diameter as measured four feet above ground? If yes, how many?

NO YES Number: _____

f. Have any Cactus Ferruginous Pygmy Owls been found on the subject property or within 1,500 feet of the proposed development project as a result of an Owl Habitat Survey?

- 1) No survey has been done.
- 2) No owls were found as a result of a survey performed on _____ (date).
- 3) _____ (Number of) owls were found as a result of a survey performed on _____ (date).

11. Will a septic system or public sewer be used for the proposed development?

SEPTIC SEWER

If septic is to be used, state whether one currently exists on the property and, if so, whether additions to that system will be needed for this development. (NOTE: For information on septic system requirements, call the Department of Environmental Quality at 740-3340.)

No septic system currently exists

12. How will water be supplied to the property? If a water company, state which one.

New private well to be installed near junction of parcels 1, 2 and 3

C. SURROUNDING LAND USE

Describe in detail adjacent and nearby existing land uses within approximately 500 feet of the subject property in all directions.

NORTH: Residential

SOUTH: Residential

EAST: Residential

WEST: Residential



MEMORANDUM

DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION

DATE: November 14, 2017

TO: United States Fish and Wildlife Service
201 N. Bonita Ave., Suite 141
Tucson, AZ 85745

FROM: David Peterson, Senior Planner

SUBJECT: New Rezoning Request for your review and comments
Case: P17RZ00010 W. Sunkist Road Rezoning

USFWS

Reviewer: Scott Richardson
Address: 201 N. Bonita Ave., Suite 141 Tucson, AZ 85745
Phone: (520) 670-6144 x 242
E-mail: scott_Richardson@fws.gov

- No Concerns relating to the subject property
- Yes Concerns relating to the subject property

Description of species impacted, concerns and suggested mitigation measures:

While the proposed rezoning maintains what should still be suitable habitat for foraging endangered lesser long-nosed bats, we do recommend, if the County approves this rezoning request, that the landowners preserve in place, transplant on-site, or replace at a 3:1 ratio any saguaros they may be impacted by the proposed construction of the three residences. Saguaros provide forage for lesser long-nosed bats.

Pima County Comprehensive Plan
Tortolita Planning Area
Plan Designation: Low Intensity Urban 0.3 (LIU 0.3) with
Flood Control Resource Area (FCRA)



LIU 0.3

W. Sunkist Road

LIU 0.3

Site

FCRA

W. Limestone Drive

FCRA

FCRA

Town of
Oro Valley

Town of
Oro Valley

N. La Canada Drive

Low Intensity Urban (LIU)

Low Intensity Urban includes four land use categories designations ranging from a maximum of 3 RAC stepped down to 0.3 RAC. The Low Intensity Urban categories are LIU3.0, LIU1.2, LIU0.5, and LIU-0.3.

- a. Objective: To designate areas for low-density residential and other compatible uses and to provide incentives for residential conservation subdivisions to provide more natural open space. Density bonuses are offered in exchange for the provision of natural and/or functional open space. Natural open space must be set aside, where applicable, to preserve land with the highest resource value and to be contiguous with other dedicated natural open space and public preserves.

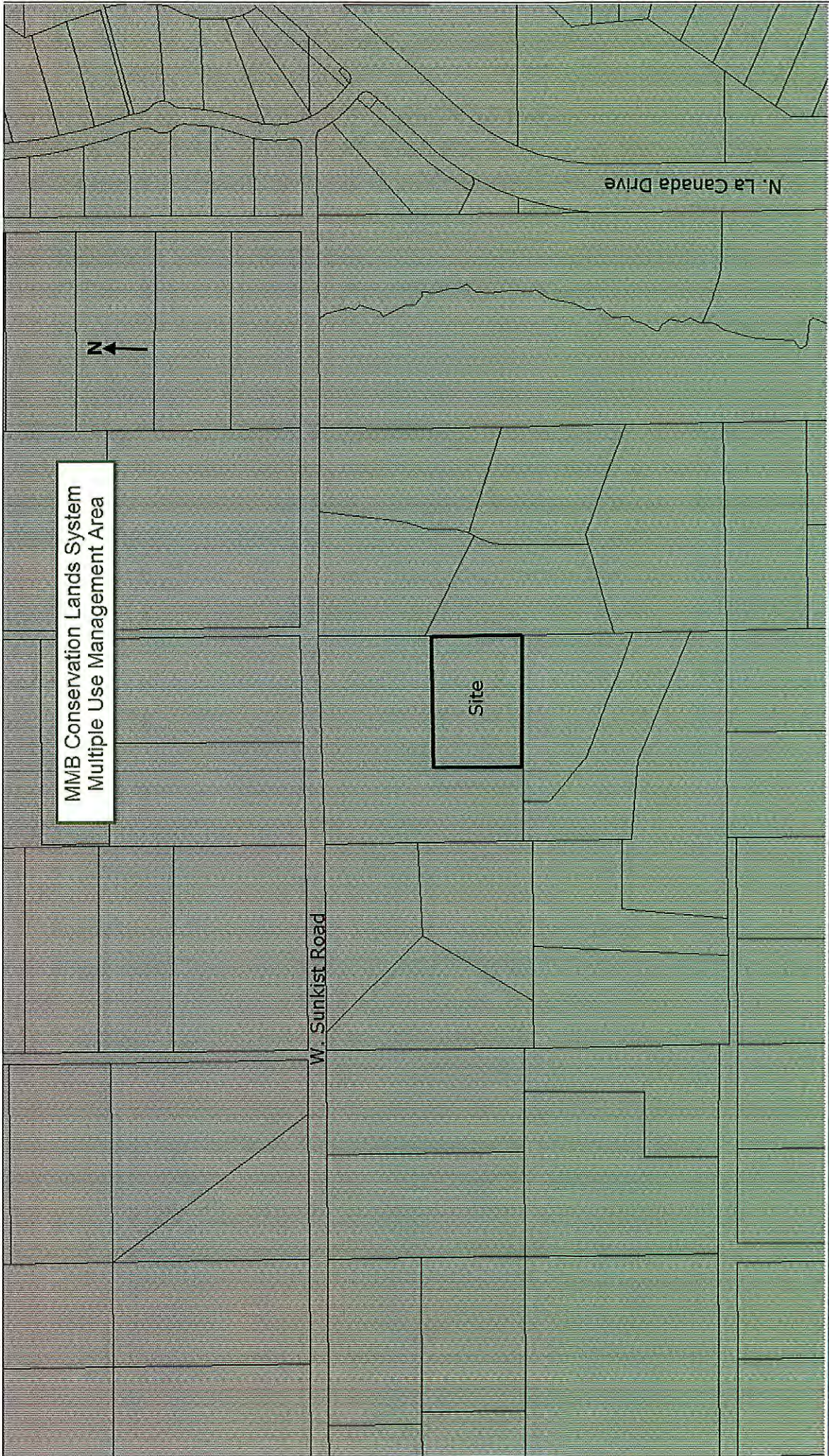
Low Intensity Urban 0.3 (LIU-0.3)

a) Residential Gross Density:

- i) Minimum – none
- ii) Maximum – 0.3 RAC. The maximum gross density may be increased in accordance with the following options:
 - a) Gross density of 0.7 RAC with 50 percent open space;
 - or
 - b) Gross density of 1.2 RAC with 65 percent open space.

b) Residential Gross Densities for Developments Using Transfer of Development Rights (TDRs): Projects within designated Receiving Areas utilizing TDRs for development shall conform to the following density requirements:

- i) Minimum density – none
- ii) Maximum – 0.3 RAC. The maximum gross density may be increased in accordance with the following option:
 - a) Gross density of 0.7 RAC with 60 percent open space.



MMB Conservation Lands System
Multiple Use Management Area



W. Sunkist Road

Site

N. La Canada Drive

Policy 6: The following Conservation Guidelines apply to Multiple Use Management Areas:

a. Across the entirety of the CLS landscape at least 66 ⅔ percent of the total acreage of lands within this designation shall be conserved as undisturbed natural open space;

b. Land use and management goals within these areas focus on balancing land uses with conservation, restoration, and enhancement of native biological communities and must:

1. Facilitate the movement of native fauna and pollination of native flora across and through the landscape;

2. Maximize retention of on-site conservation values; and

3. Promote landscape integrity.

c. Projects subject to this policy within this designation will yield two conserved (mitigation) acres for each acre developed:

1. Mitigation acres may be provided on-site, off-site, or in combination;

2. The preference is for mitigation acres to be within Multiple Use Management Areas, any more protective category of the CLS, or Habitat Protection Priority Areas;

3. For purposes of this policy, Habitat Protection Priority Areas are those areas referenced and mapped as part of the 2004 Conservation Bond Program or any subsequent conservation bond program;

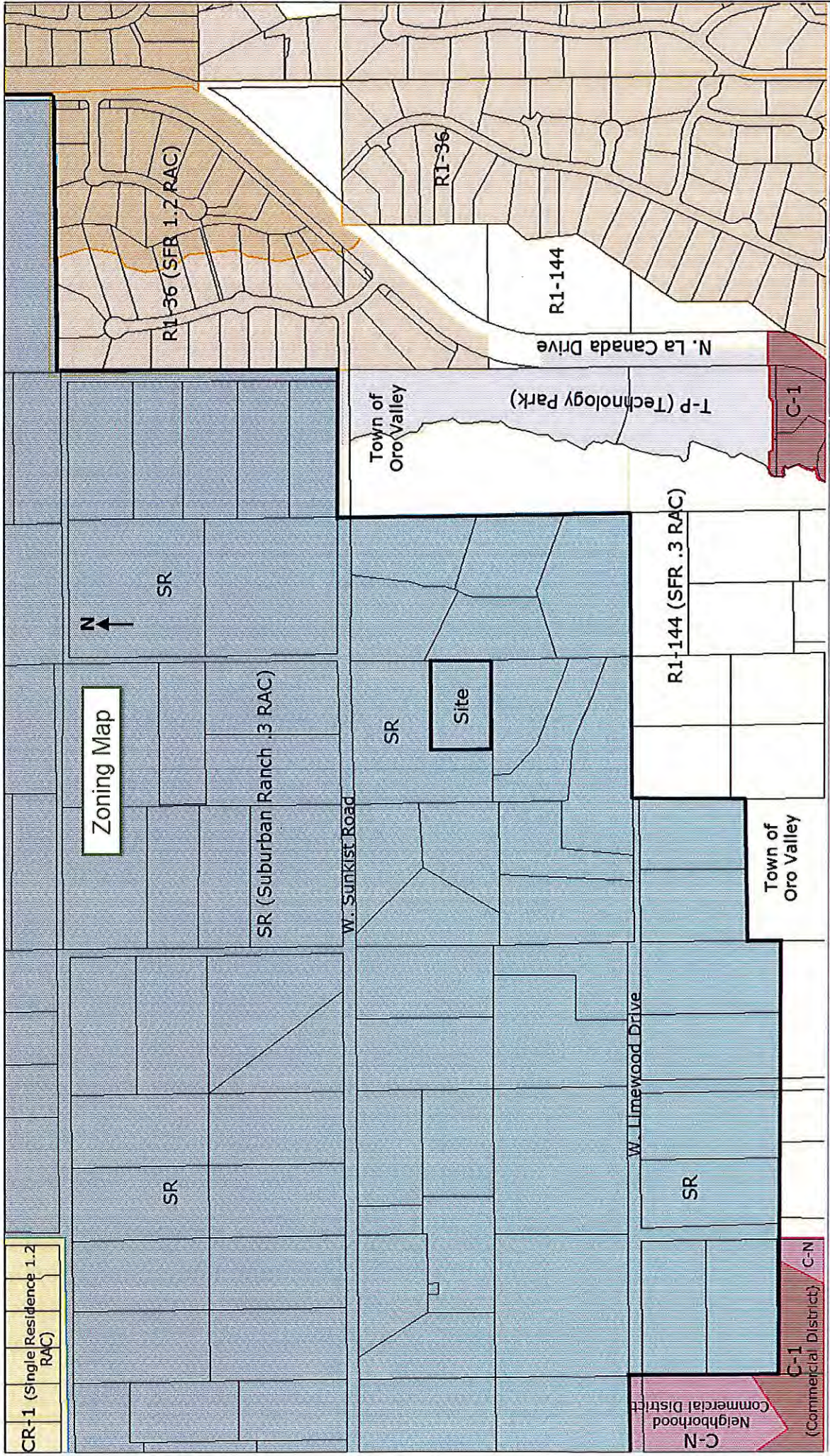
4. The 2:1 mitigation ratio will be calculated according to the extent of impacts to the total surface area of that portion of any parcel designated as Multiple Use Management Areas;

5. Development shall be configured in the least sensitive portion(s) of the property;

6. On-site mitigation area(s) of undisturbed natural open space will maximize conservation values and facilitate the movement of native fauna and pollination of native flora across and through the landscape;

7. Additional conservation exceeding 66⅔ percent will be encouraged through the use of development-related incentives and may utilize undisturbed natural open space on individual lots; and

8. A Transfer of Development Rights (TDR) may be used in order to secure lands utilized for mitigation, restoration, and/or enhancement purposes.



22 January 2018

Pima County Development Services Department, Planning Division
201 N Stone Avenue
Tucson, AZ 85701

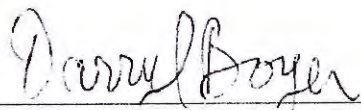
Dear Pima County,

We are protesting the variance requested for Parcel 219-47-002A which borders our property (Case #: P17RZ00010). The owners who requested the variance approached us at our home last year with their proposal for three buildings on three proposed parcels within 219-47-002A with one of the buildings on a portion that is on 126,183 S.F. instead of what the existing zoning requires (i.e., one residence per 144,000 S.F.). We were also requested to consider signing a letter approving the variance. In the letter, it was stated that the reason for the variance is to provide residences for three family members including the current owners of the parcel, David and Barbara Haymore and that it is not for profit or flipping houses. We of course were interested in their proposal and would not know or consider their intent other than the statement in their proposed letter. As for us, we purchased our property in February 2016 and paid a premium price for it based on the notion that development in the area would follow existing zoning.

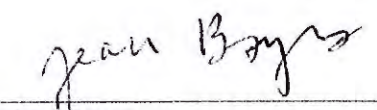
Of concern to us is a statement in the Haymore's proposed note stating, "I do not think it will negatively impact my property". We want to be clear to you that we *do* believe having three houses versus two does negatively impact us and so we did not sign their proposed letter. We are also concerned that an increase in the number of homes in the area has a negative impact to biologically/environmentally sensitive areas including the wash on our property and the proposed rezoned property (see two attached color GIS images). We have observed desert tortoises near us (see picture of desert tortoise below, taken on nearby road) as well as bobcat, javelina, deer and quail that we have seen on our property. This wildlife will lose more habitat from this and other development. Other considerations we have are the impact of creating variances within existing zoning at a time when there is extreme pressure to develop this area that will often include many attempts to get variations in zoning in order to increase the number of homes on an existing lot and we think such owners do not take the existing zoning seriously and ought to be aware when purchasing a property and planning its use that they should not expect a variance to be granted as a matter of course.

We believe for the reasons stated herein that the county and our neighbors should follow existing zoning very closely.

Sincerely,



Darryl Boyer
12351 N Sunkist Springs PL
Tucson, AZ 85755



Jean Boyer



PimaMaps - Main

I want to...

Parcels

2100270004

HAYMOORE DAVID H & BARBARA G & PERS

[More Information](#) [Oblique Aerial Photos](#)

[View Additional Details](#)



Wash

Wash

Haymoore Property Highlighted

PimaMaps - Main

I want to...

Parcels

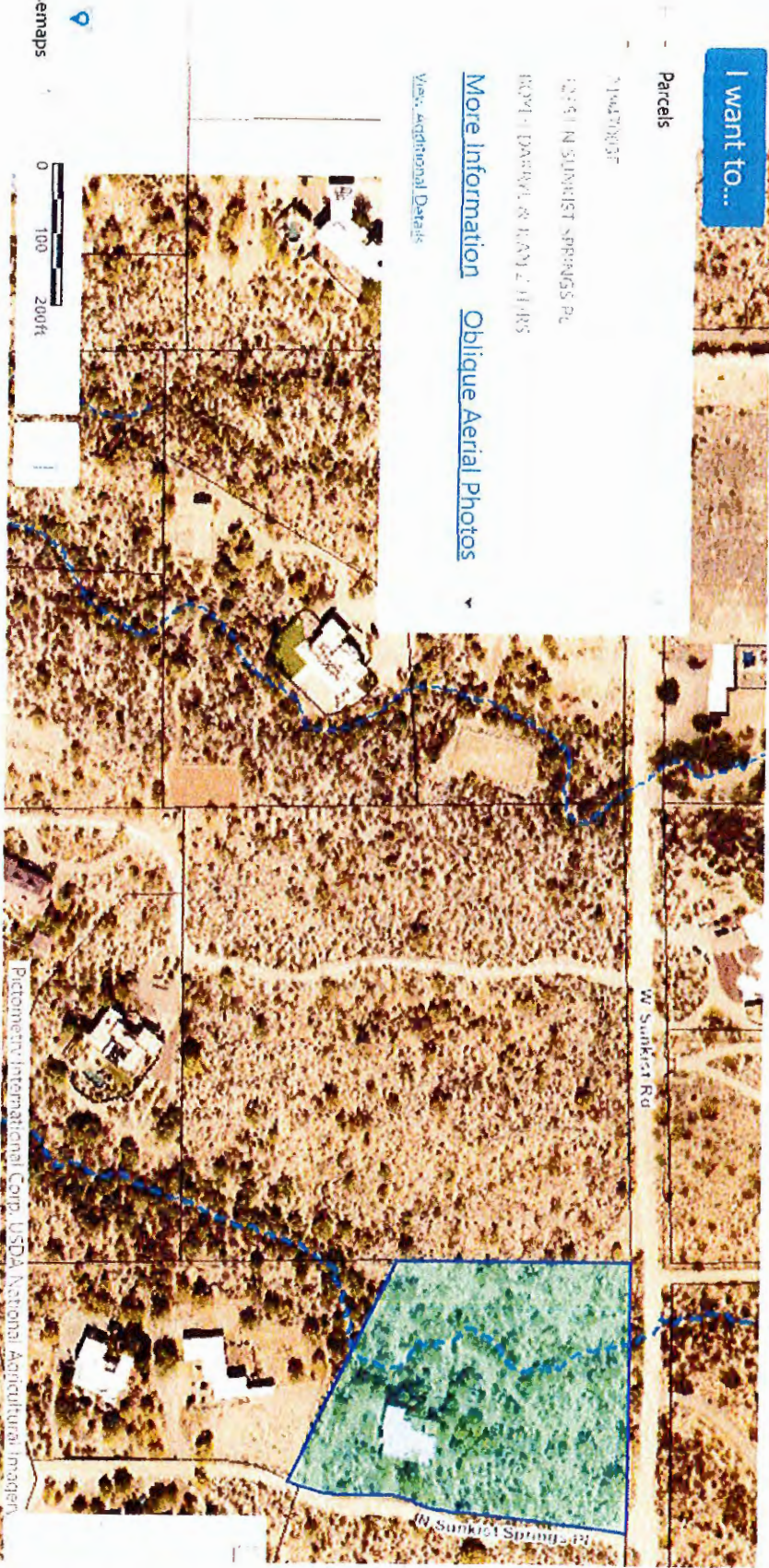
214470037

2021 IN SUNNIST SPRINGS, AZ

MAP - PARCEL & LAND PLANS

[More Information](#) [Oblique Aerial Photos](#)

[View Additional Details](#)



Bayer Property Highlighted

David Petersen

From: Angie Rangel
Sent: Monday, January 29, 2018 11:19 AM
To: David Petersen
Subject: FW: Regarding case #P17RZ00010

From: John Ritchie [mailto:jritchie63@yahoo.com]
Sent: Sunday, January 28, 2018 4:19 PM
To: Angie Rangel <Angie.Rangel@pima.gov>
Cc: Kevin Hartman <hartman_k@msn.com>
Subject: Regarding case #P17RZ00010

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Dear Pima County Planning and Zoning Commission

My name is John Ritchie. My wife and I live on a 3.3 acre parcel that is south of a 9.5 acre parcel recently purchased by the Haymore family. I am writing concerning a request by the Haymore family to have a portion of their property that is zoned SR changed to SR2. I previously signed off on a letter that requested a "variance" for this property. My understanding was that a variance would be a one time change that would permit one of the three portions of this property to be smaller than the 3.3 acres required for SR zoning. The variance would be a one time change that would be specific to this property and would not provide the opportunity for other properties in the area to make similar changes that would be in violation of the SR designation. I still would support a variance for this property. However, the request for a variance has apparently been withdrawn and has been replaced by the request for re-zoning for a portion of that property. I do not support the request for re-zoning. My concern is that if the re-zoning request is granted that this will provide the opportunity for other property owners in the area to seek similar re-zoning which, in my opinion, will not maintain the integrity of the SR designation for all of the properties in this area. As I'm sure you have heard from others, the people who live in the area live there because they sought some of the benefits of life style that SR zoning provides.

Please know, that I have no problem with trying to find a solution so that the Haymores can have three residences on the aforementioned property. The solution just needs to be one that maintains the integrity of the area as an SR zoned area.

Sincerely,
John Ritchie

David Petersen

From: Angie Rangel
Sent: Monday, January 29, 2018 11:19 AM
To: David Petersen
Subject: FW: rezoing case P17RZ00010

From: kevin Hartman [mailto:Hartman_k@msn.com]
Sent: Saturday, January 27, 2018 3:47 PM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: rezoing case P17RZ00010

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

regarding case # P17RZ00010

I am protesting the proposed zoning change to the Haymore property.

I previously supported a variance but at the time I instructed the Haymore's that I would not support a Zoning change.

SR2 would better serve as a transitional Zoning between SR and an adjacent higher density zoning. What they are asking for is to change the Zoning for a parcel in the center of Existing SR properties.

Staff's comment to approve states only a slight density increase is short sighted. SR2 zoning allows for double the density of SR zoning.

On the surface it is a 50% increase in density to what the original 9.5 acres purchased by the Haymores would allow, and 100% increase to the current SR zoning for the surrounding properties.

The impact of a zoning change such as this is far reaching into the future for any/all other properties in the vicinity.

This opens the door to any adjacent properties to request the same SR2 zoning sighting the precedent of prior approval.

We all purchased our properties, including the Haymores, knowing and wanting the SR zoning. I personal wish to maintain the integrity and beauty of the area we purchased and live in. This would require keeping the existing zoning for our property and properties around me intact.

Sincerely,
Kevin Hartman
1665 W. Sunkist Road
Tucson Az. 85755

David Petersen

From: Carrie Gilchrist <carrie@mpaaz.org>
Sent: Tuesday, January 30, 2018 12:55 PM
To: Angie Rangel
Cc: David Petersen; Chris Poirier
Subject: Regarding Case # P17RZ00010 PROTEST

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Regarding Case # P17RZ00010
I am protesting the proposed Zoning - Haymore - W Sunkist Road Rezoning.

Pima County Planning and Zoning Commission

My name is Carrie Gilchrist. My husband Frank Rust and I live on 3.3 acres a few parcels to the south of the Haymore –W Sunkist Road Rezoning property Case #: P17RZ00010. Our address is: 1611 W Limewood Dr. Oro Valley, AZ 87577.

I am familiar with the previous “Variance” for this property that was withdrawn. **We totally protest this being changed now to a REZONING!** Our concern is that if this rezoning is approved or granted, it will set precedence for future properties in the area to seek similar rezoning. This would affect the integrity of our current SR (Suburban Ranch) neighborhood that we all chose to purchase our homes and raise our families in. We all live here for the ranch lifestyle it provides us. I understand development and finding Common Ground, however, this is not the answer to the Haymore request. I encourage you to reconsider, not allowing this rezoning to take place in our neighborhood. I also understand a proper process to this request would be to offer or conduct a neighborhood meeting. I am unaware this has even been attempted. Please consider our protest to this case and do not approve this rezoning! We want to preserve our lifestyle of Ranch living.

Thank you for your time.

Sincerely,

Frank Rust and Carrie Gilchrist

1611 W Limewood Dr

Oro Valley, AZ 87577

520-203-3520

January 22, 2018

Dear Neighbor,

We wanted to update you on the progress of our property next to you. After doing quite a bit of work, Pima County suggested to us that a variance was not the best way to go. They instead recommended that we apply for SR-2 zoning for the slightly undersized Parcel 3. We wanted to let you know that we are working on that instead. We are doing this to provide residences for three Haymore families who would love to be neighbors.

Parcels 1 and 2 will remain SR (see enclosed map) and there will never be more than one home on Parcel 3 because:

1. It is mathematically impossible. SR-2 (Suburban Ranch Estate) requires 72,000 square feet of land per home. Parcel 3 has 126,183 square feet meaning it doesn't have enough land for more than one home.
2. We are not developers or house flippers, we just want three homes for David and Barbara Haymore, Bruce and Michele Haymore and Andrew Haymore
3. We are in the Multiple Use Management Area which requires at least two thirds of the land be undisturbed.

Thank you again for listening to our efforts. We believe that SR-2 zoning for Parcel 3 will not impact your property value or your views. The future house will be single story. The site plan shows what we will adhere to. On January 31, 2018, Pima County Planning and Zoning Commission will host a public meeting with this on the agenda. We would love to have your support at this meeting. We won't ask you for a letter this time unless you want to send one. Since it is the same result as the variance, we hope you would be in favor.

Sincerely,

David and Barbara Haymore

Bruce and Michele Haymore

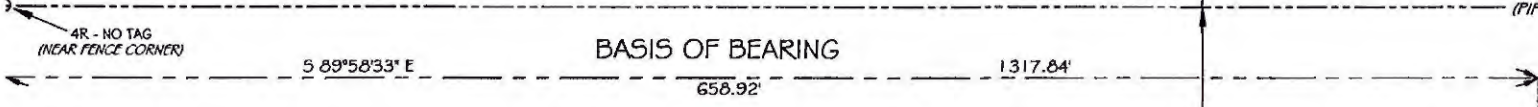
Andrew Haymore

PARCEL 3 PROPOSED ZONING SR-2

QUARTER CORNER
DETAIL A)

SUNKIST ROAD

(30-FOOT WIDE RIGHT OF WAY
ACQUIRED BY PIMA COUNTY
THROUGH VARIOUS DEEDS)



25-FOOT WIDE INGRESS, EGRESS &
UTILITY EASEMENT
(PER DOCKET 10120 PAGE 1306)
(SCRIVENER'S ERROR IN SEQUENCE
NUMBER 20111810441)



Andrew

PARCEL 1
144,001 S.F.
3.3058 ACRES
(MORE OR LESS)
ZONING IS SR



Bruce and Michele

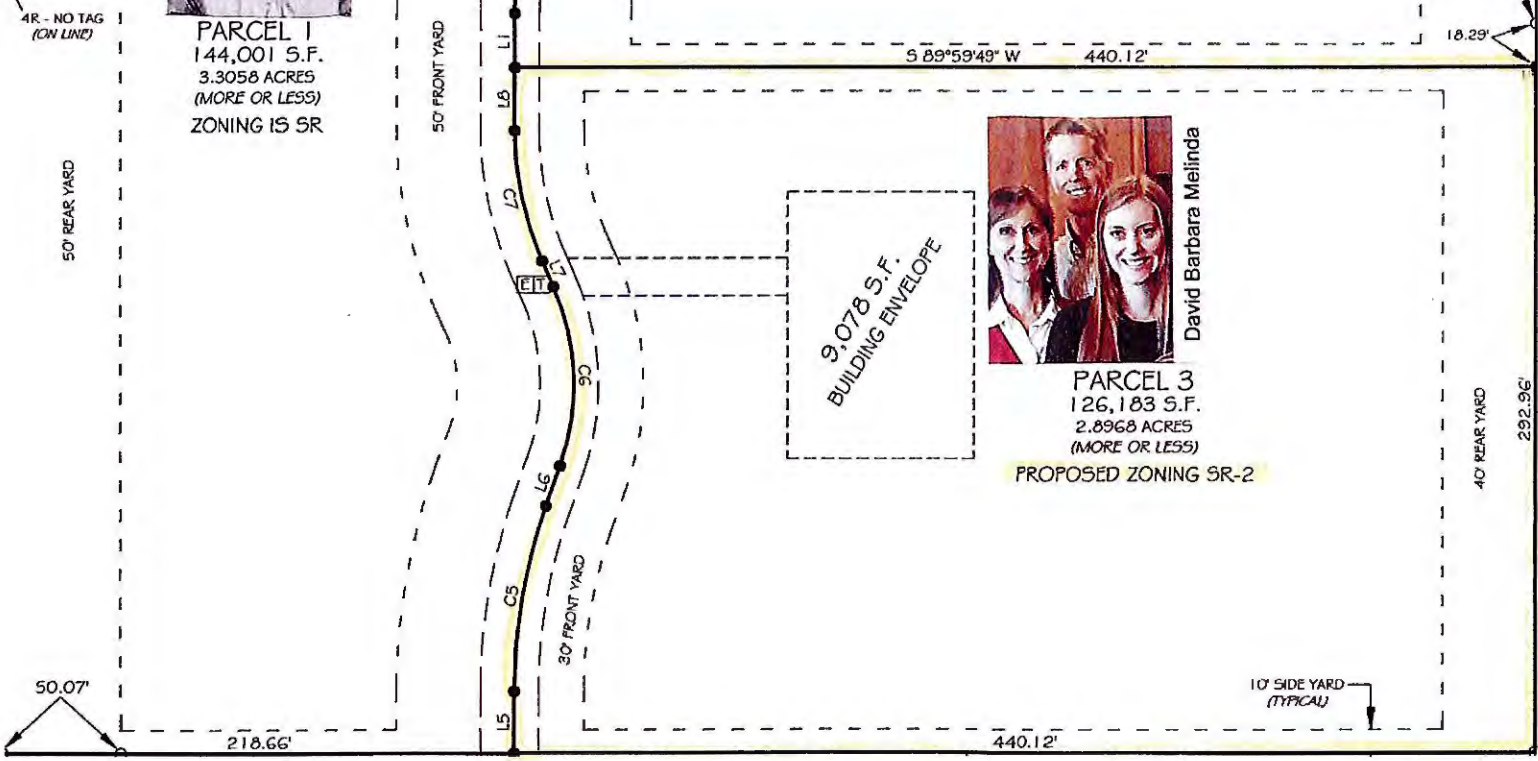
PARCEL 2
144,002 S.F.
3.3058 ACRES
(MORE OR LESS)
ZONING IS SR



David Barbara Melinda

PARCEL 3
126,183 S.F.
2.8968 ACRES
(MORE OR LESS)

PROPOSED ZONING SR-2





August 30, 2017

Dear Pima County Board of Adjustment,

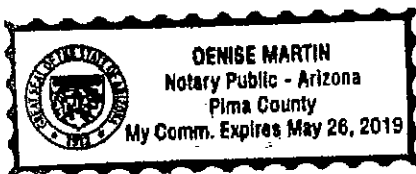
As property owners of Parcels # 219-45-007G, H, J, K we have no objections to the proposed variance for Parcel #219-47-002 to be split into three Suburban Ranch parcels.

If you have any additional questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Ayers', written over a large, faint, textured watermark of the 'gapministries' logo.

Greg Ayers
President/Founder



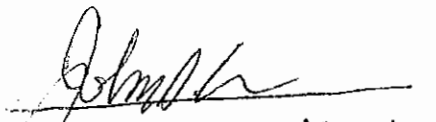
State of Arizona
County of Pima

Denise Martin 8/30/17


Dear Pima County Board of Adjustment,

I understand there is a proposed variance for Parcel 219-47-002A which borders my property. The variance exhibit for this proposal would have two building parcels of 144,001 and 144,002 S.F. and a third building parcel of 126,183 S.F. I understand the reason for this variance is to provide residences for three family members including the current owners of the parcel, David and Barbara Haymore, that it is not for profit or flipping houses. The required setbacks of buildings on all three parcels would be followed, the structures would be tasteful, first class and appropriate to the area. This would also allow the parcel west of the driveway easement, perhaps the finest of the three, to be utilized full width rather than to be cut through the middle as it would with just two parcels. Of particular note is that the building envelope on Parcel 3 would be set over 100 feet from the south property line and over 200 feet from the east property line. This position is necessitated by a natural flood plain and would enhance the privacy of neighbors and the spacious sense of the properties. I give my approval for this variance proposal. I do not think it will negatively impact my property.

Sincerely,


John D. Ritchie

7/11/2017
date


April Ritchie

7/11/2017

Dear Pima County Board of Adjustment,

I understand there is a proposed variance for Parcel 219-47-002A which borders my property. The variance exhibit for this proposal would have two building parcels of 144,001 and 144,002 S.F. and a third building parcel of 126,183 S.F. I understand the reason for this variance is to provide residences for three family members including the current owners of the parcel, David and Barbara Haymore, that it is not for profit or flipping houses. The required setbacks of buildings on all three parcels would be followed, the structures would be tasteful, first class and appropriate to the area. This would also allow the parcel west of the driveway easement, perhaps the finest of the three, to be utilized full width rather than to be cut through the middle as it would with just two parcels. Of particular note is that the building envelope on Parcel 3 would be set over 100 feet from the south property line and over 200 feet from the east property line. This position is necessitated by a natural flood plain and would enhance the privacy of neighbors and the spacious sense of the properties. I give my approval for this variance proposal.

Sincerely, *Paul Fetherholt*
1672 W. Limestone - Call if questions arise -
Dated: *7/15/17* *520-444-7035*

Dear Pima County Board of Adjustment,

I understand there is a proposed variance for Parcel 219-47-002A which borders my property. The variance exhibit for this proposal would have two building parcels of 144,001 and 144,002 S.F. and a third building parcel of 126,183 S.F. I understand the reason for this variance is to provide residences for three family members including the current owners of the parcel, David and Barbara Haymore, that it is not for profit or flipping houses. The required setbacks of buildings on all three parcels would be followed, the structures would be tasteful, first class and appropriate to the area. This would also allow the parcel west of the driveway easement, perhaps the finest of the three, to be utilized full width rather than to be cut through the middle as it would with just two parcels. Of particular note is that the building envelope on Parcel 3 would be set over 100 feet from the south property line and over 200 feet from the east property line. This position is necessitated by a natural flood plain and would enhance the privacy of neighbors and the spacious sense of the properties. I give my approval for this variance proposal.

Sincerely,





Dated:

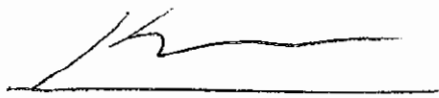
8/5/2017

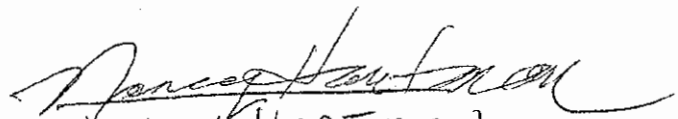
8/5/2017

Dear Pima County Board of Adjustment,

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Sincerely,


KEVIN HARTMAN
1665 W SUNKIST RD
TUCSON AZ
85755


NANCY HARTMAN

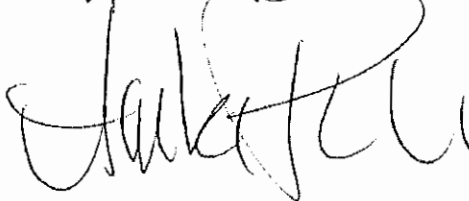
Dear Pima County Board of Adjustment,

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Sincerely,



von peterman

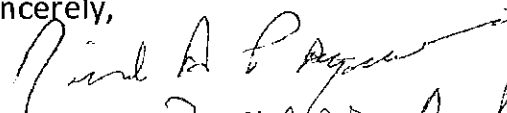


amber peterman

Dear Pima County Board of Adjustment,

I understand there is a proposed variance for Parcel 219-47-002A which borders my property. The variance exhibit for this proposal would have two building parcels of 144,001 and 144,002 S.F. and a third building parcel of 126,183 S.F. I understand the reason for this variance is to provide residences for three family members including the current owners of the parcel, David and Barbara Haymore, that it is not for profit or flipping houses. The required setbacks of buildings on all three parcels would be followed, the structures would be tasteful, first class and appropriate to the area. This would also allow the parcel west of the driveway easement, perhaps the finest of the three, to be utilized full width rather than to be cut through the middle as it would with just two parcels. Of particular note is that the building envelope on Parcel 3 would be set over 100 feet from the south property line and over 200 feet from the east property line. This position is necessitated by a natural flood plain and would enhance the privacy of neighbors and the spacious sense of the properties. I give my approval for this variance proposal.

Sincerely,


Dated: RICHARD A. PAQUETTE
1600 WEST SUE KRIST RD
TULSA, AZ
AUG 27-2017

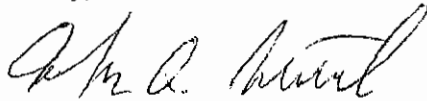
July 24, 2017

Pima County Board of Adjustment
Pima County Administration Building
1st Floor Hearing Room
130 W. Congress St.
Tucson, AZ 85701


To whom it may concern,

I understand that there is a proposed variance for Parcel 219-47-002A, which borders on my property. The variance exhibit for his proposal would have two building parcels of 144,001 and 144,002 S.F., and a third building parcel of 126,183 S.F. I understand the reason for this variance is to provide residences for three family members, including the current owners of the parcel, David and Barbara Haymore, that does not include for-profit services or house flipping. The required setbacks of buildings on all three parcels would be followed, the structures would be tasteful and appropriate to the area. This would also allow the parcel west of the driveway easement, perhaps the finest of the three, to be utilized full-width rather than to be cut through the middle as it would with just two parcels. Of particular note is that the building envelope on Parcel 3 would be set over 100 feet from the south property line and over 200 feet from the east property line. This position is necessitated by a natural flood plain and would enhance the privacy of neighbors and a more spacious sense of the properties. I give my approval for this variance proposal and do not think that it will negatively impact my property.

Sincerely,



NOLAN Q. REIDHEAD



SCOTTIA R. REIDHEAD

08/08/17 10:00 AM
08/08/17 10:00 AM

Dear Pima County Board of Adjustment,

I understand there is a proposed variance for Parcel 219-47-002A which borders my property. The variance exhibit for this proposal would have two building parcels of 144,001 and 144,002 S.F. and a third building parcel of 126,183 S.F. I understand the reason for this variance is to provide residences for three family members including the current owners of the parcel, David and Barbara Haymore, that it is not for profit or flipping houses. The required setbacks of buildings on all three parcels would be followed, the structures would be tasteful, first class and appropriate to the area. This would also allow the parcel west of the driveway easement, perhaps the finest of the three, to be utilized full width rather than to be cut through the middle as it would with just two parcels. Of particular note is that the building envelope on Parcel 3 would be set over 100 feet from the south property line and over 200 feet from the east property line. This position is necessitated by a natural flood plain and would enhance the privacy of neighbors and the spacious sense of the properties. I give my approval for this variance proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "David Haymore", written over a large, loopy scribble.

Dated:

8/27/17