



# BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 5/16/2023

\*= Mandatory, information must be provided

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

**\*Title:**

RESOLUTION: Co9-70-40 AULDRIDGE – CAROL AVENUE REZONING

**\*Introduction/Background:**

The Board of Supervisors approved a modification (substantial change) of rezoning condition #2 subject to modified standard and special conditions on December 20, 2022.

**\*Discussion:**

The rezoning conditions contained in Rezoning Ordinance 1971-84 may be modified by resolution.

**\*Conclusion:**

The resolution reflects the Board of Supervisors' approval.

**\*Recommendation:**

Approval

**\*Fiscal Impact:**

0

**\*Board of Supervisor District:**



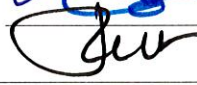
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Department: Development Services - Planning

Telephone: 520-724-8800

Contact: Donna Spicola, Senior Planner

Telephone: 520-724-9513

Department Director Signature: 	Date: 4/13/23
Deputy County Administrator Signature: 	Date: 4/28/2023
County Administrator Signature: 	Date: 4/28/23



Subject: Co9-70-40

Page 1 of 1

**MAY 16, 2023 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS

**FROM:** Chris Poirier, Deputy Director  
Public Works-Development Services Department-Planning Division

**DATE:** April 25, 2023

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**RESOLUTION FOR ADOPTION**

**Co9-70-40**    **AULDRIDGE – CAROL AVENUE REZONING**  
Owner: Victor Gonzalez  
(District 3)

**If approved, adopt RESOLUTION NO. 2023 - \_\_\_\_\_**

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**OWNER:** Victor Gonzalez  
6711 W. Illinois St.  
Tucson AZ 85735

**AGENT:** Natalie & Jessica Pacheco  
5575 S. Masterson Av, #14  
Tucson, AZ 85706

**DISTRICT:** 3

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

**STAFF RECOMMENDATION:** APPROVAL

TD/DS  
Attachments

c: Natalie & Jessica Pacheco

RESOLUTION 2023-\_\_\_\_\_

A RESOLUTION OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; IN CASE Co9-70-40 AULDRIDGE – CAROL AVENUE REZONING; LOCATED WEST OF S. CAROL AVENUE BETWEEN W. ILLINOIS STREET AND W. MISSOURI STREET, AMENDING REZONING CONDITIONS SET FORTH IN SECTION 2 OF ORDINANCE NO. 1971-84.

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

1. On July 21, 1971, in rezoning case Co9-10-03, the Pima County Board of Supervisors approved the rezoning of approximately 2.26 acres located west of S. Carol Avenue between W. Illinois Street and W. Missouri Street, as shown on Exhibit A, from SR (Suburban Ranch) to the SH (Suburban Homestead) zone, subject to standard and special conditions.
2. On August 17, 1971, the Pima County Board of Supervisors adopted rezoning Ordinance 1971-84, recorded in Bk 4072 Pg 405, rezoning the approximate 2.26 acres described in rezoning case Co9-70-40 and memorializing the standard and special conditions.
3. The owner of the rezoning site applied for a modification (substantial change) of rezoning condition #2 which states, "Recording a covenant agreeing to no more than one mobile home on this piece of property".
4. On December 20, 2022, the Pima County Board of Supervisors approved a modification (substantial change) of rezoning condition #2 subject to modified standard and special conditions.
5. Section 2 of Ordinance No. 1971-84, 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 1971-84, are restated and modified as follows:

1. ~~Provide adequate legal access to the property.~~
2. ~~Recording a covenant agreeing to no more than one mobile home on this piece of property.~~
3. ~~A suitable arrangement with the Pima County Department of Sanitation regarding sanitary facilities.~~
4. ~~Recording a covenant holding Pima County harmless in the event of flooding.~~
1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Transportation condition: Each lot shall be limited to one (1) access point onto Illinois

Street.

3. Adherence to the sketch plan as approved at public hearing (Exhibit B).
4. One residential unit shall be allowed per lot.
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. 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)."

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 \_\_\_\_\_, 2023.

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

ATTEST:

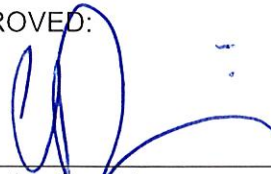
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Clerk, Board of Supervisors

APPROVED AS TO FORM:



\_\_\_\_\_  
Deputy County Attorney  
Jacob Kavkewitz

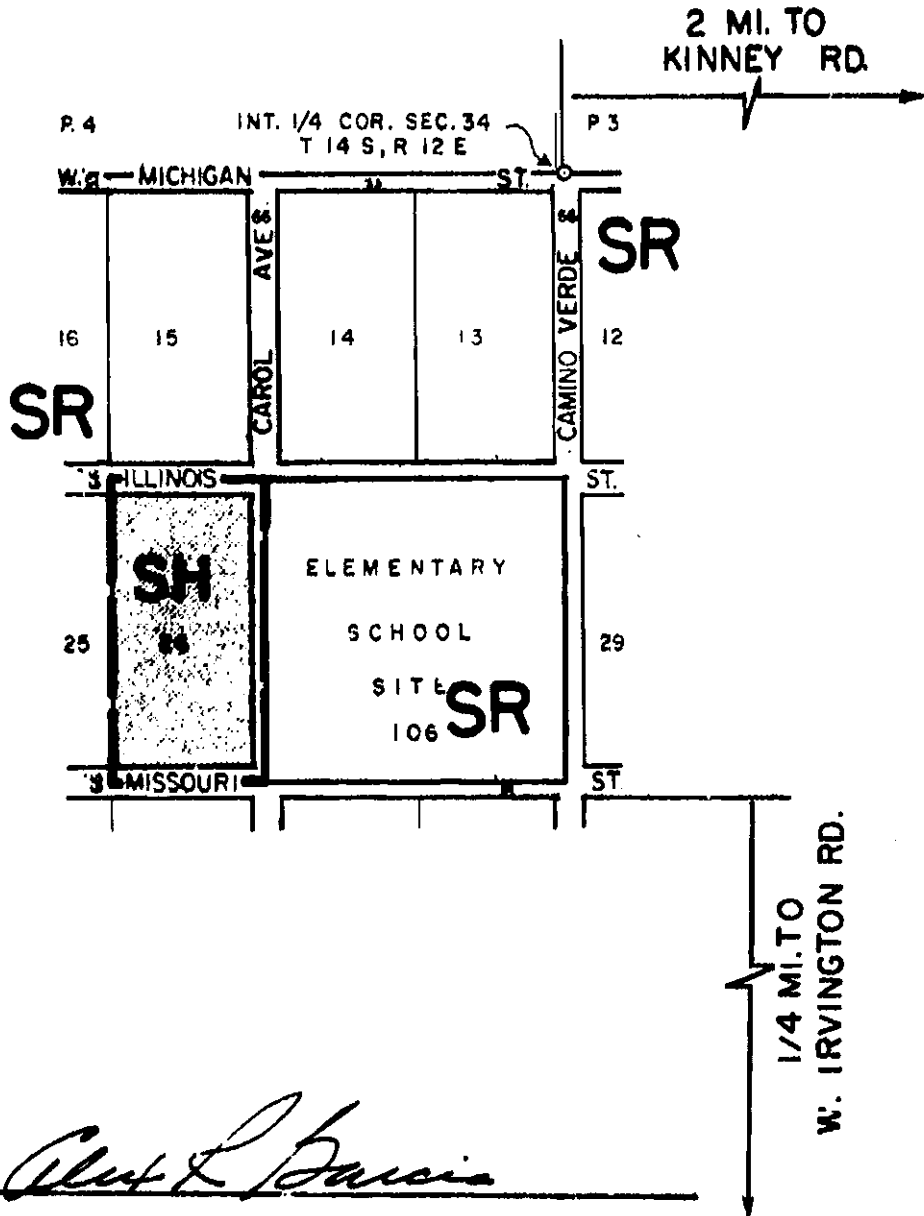
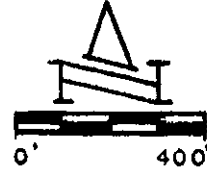
APPROVED:



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

EXHIBIT A

AMENDMENT NO. 13 BY ORDINANCE NO. 1971-84  
TO PIMA COUNTY ZONING MAP NO. 38 TUCSON, ARIZONA  
PARCEL 26, BEING PART OF  
NE. 1/4 S.W. 1/4 OF SEC. 34, T14S, R12E  
ADOPTED 8-17-71



*Alfred R. Garcia*

EXEC SECY COUNTY PLANNING & ZONING COMM.

*[Handwritten initials]*

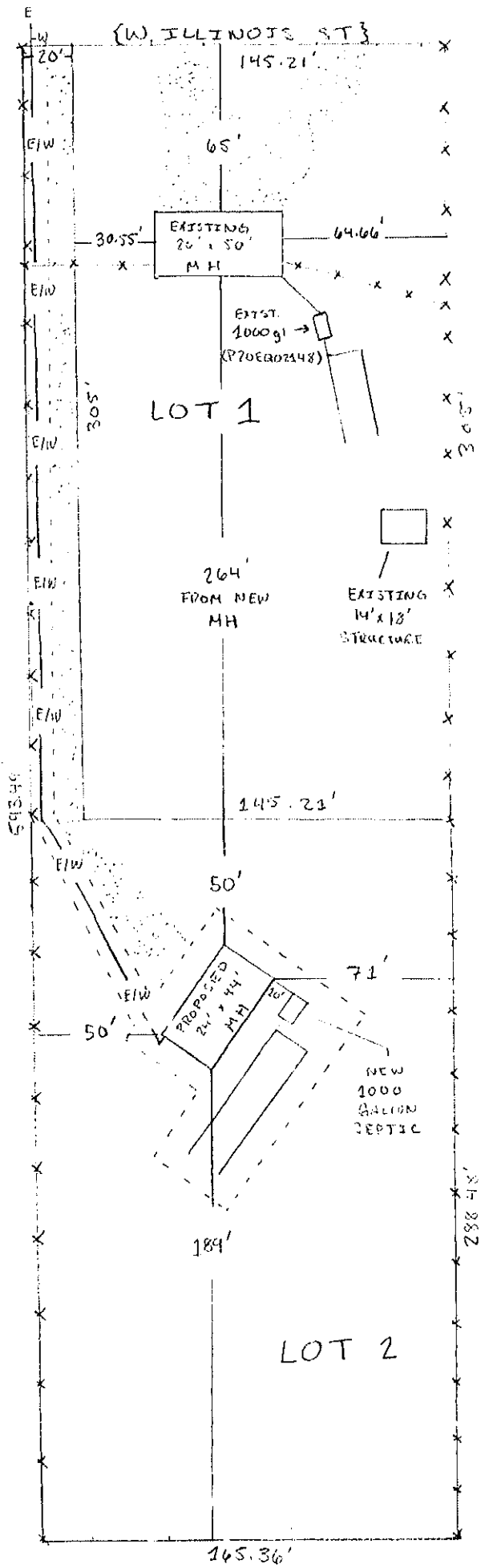
B.L. 8/5/71

BOOK 4072 PAGE 406

C09/70/40

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EXHIBIT B



GONZALEZ

6711 W ILLINOIS ST  
TULLOCH, AB 8735

APN: 212-45-033A  
98046.2 sq ft.  
2.25 acres

o LOT 1: 1.02 acres  
44287.6 sq ft.  
\* NO GRADING BEING DONE

o LOT 2: 1.23 acres  
53758.6 sq ft.  
\* 9461 sq ft. OF PROPOSED  
GRADED AREA