



Subject: Co9-14-05

Page 1 of 1

FOR APRIL 14, 2015 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS
FROM: Arlan M. Colton, Planning Director
Public Works-Development Services Department-Planning Division
DATE: April 1, 2015

ORDINANCE FOR ADOPTION

Co9-14-05 **BOZZELLI - N. FORECASTLE AVENUE REZONING**
Owner: Louise Bozzelli
(District 1)

If approved, adopt ORDINANCE NO. 2015 - _____

OWNER: Louise Bozzelli
16470 North Forecastle Avenue
Tucson, AZ 85739

AGENT: None

DISTRICT: 1

STAFF CONTACT: Terrill Tillman

CP/TT/ar
Attachments

cc: Chris Poirier, Assistant Planning Director
Co9-14-05 File

ORDINANCE 2015-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA RELATING TO ZONING; REZONING APPROXIMATELY 1 ACRE OF PROPERTY (PARCEL CODE 222-10-0960) FROM THE GR-1 (RURAL RESIDENTIAL) ZONE TO THE SH (SUBURBAN HOMESTEAD) ZONE, IN CASE CO9-14-05 BOZZELLI – NORTH FORECASTLE AVENUE REZONING (LAGO DEL ORO ZONING PLAN), LOCATED APPROXIMATELY 240 FEET EAST OF THE FORECASTLE AVENUE AND STALLION LANE T-INTERSECTION, AMENDING PIMA COUNTY ZONING MAP NO. 519.

IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1. The 1 acre of land located approximately 240 feet east of the Forecastle Avenue and Stallion Lane T-Intersection and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Map No. 519, is rezoned from the GR-1 (Rural Residential) zone to the SH (Suburban Homestead) zone subject to the conditions in this ordinance.

Section 2. Rezoning Conditions.

1. The property owner shall:
 - A. Record the necessary development related covenants as determined appropriate by the various County agencies.
 - B. Provide development related assurances as required by the appropriate agencies.
 - C. Submit a title report (current within 60 days) to Development Services evidencing ownership of the property prior to the preparation of the development related covenants and any required dedications.
 - D. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
2. The property owner shall not further lot split or subdivide the land without the written approval of the Board of Supervisors.
3. Environmental Planning condition: Upon the effective date of the rezoning ordinance associated with this rezoning, the owner(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation shall transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the current or any future property owner. Prior to issuance of the certificate of compliance, the owner(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

4. The property owner shall adhere to the sketch plan as approved at public hearing. (Exhibit B)
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 and record a disclaimer regarding Proposition 207 rights. The disclaimer must read as follows: "The 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 the 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 3. Time limits of conditions. Conditions 1 through 6 of Section 2 shall be completed no later than August 9, 2019.

Section 4. The rezoning conditions of Section 2 may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code.

Section 5. The effective date of this Ordinance is the date the Chair of the Board of Supervisors signs this Ordinance.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this _____ day of _____, 2015.

Chair, Pima County Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

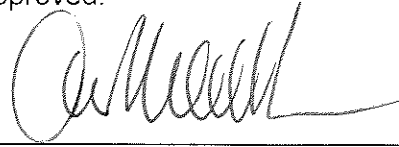
Approved As To Form:



Deputy County Attorney

MICHAEL LEBLANC

Approved:

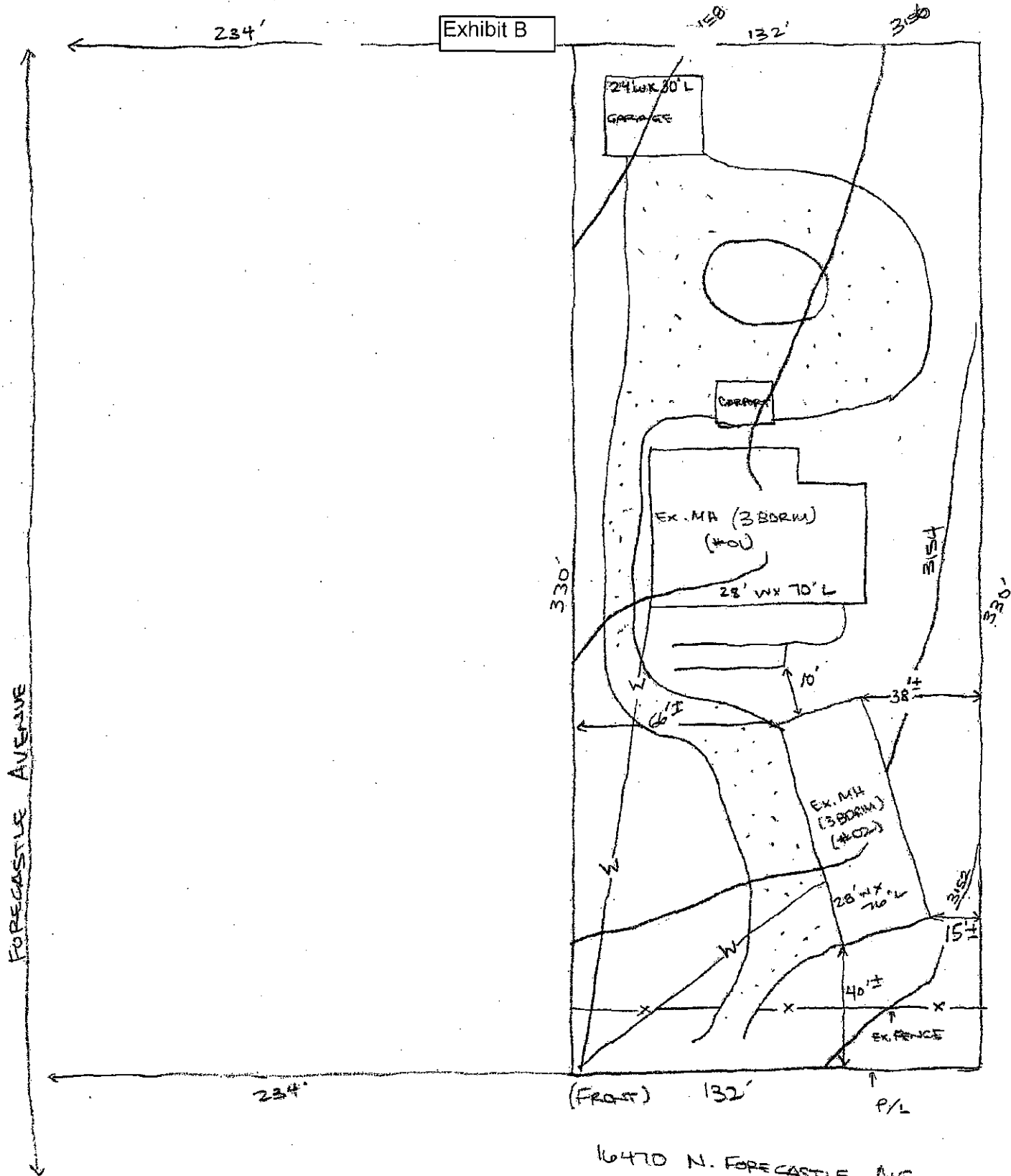


Executive Secretary,
Planning and Zoning Commission

AMENDMENT NO. _____ BY ORDINANCE NO. _____
TO PIMA COUNTY ZONING MAP NO. 519 TUCSON, AZ.
PARCEL 96 LOCATED IN THE SE 1/4 OF THE NE 1/4 OF
SEC. 4, T11S R14E.



Page 4 of 5



16470 N. FORECASTLE AVE
 PARCEL #222-10-0960
 AREA = 1.0 AC