BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: July 6, 2021

Title: ORDINANCE: P20RZ00013 BORK - N. TOMAHAWK TRAIL REZONING

Introduction/Background:

The Board of Supervisors approved this rezoning on March 16, 2021. The rezoning conditions were requested to be modified within a March 12, 2021 memorandum requesting removal of rezoning condition #4. "The owner(s) shall dedicate a Non-Motorized Trail easement to Pima County and construct the Tanque Verde Road single track trail in accordance with the Pima County Standards". Due to this memorandum request, a correction to the March 16, 2021 minutes demonstrating that the condition was removed is necessary.

Discussion:

The rezoning was for approximately 3.3 acres from the SR (Suburban Ranch) to the CR-1 (Single Residence) zone to allow for two lots with each lot containing one single-family residence. The action taken by the Board of Supervisors did not include the condition for the Non-motorized Trail easement.

Conclusion:

The Ordinance 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, Planner Telephone: 520-724-9513

Department Director Signature/Date: 6/14/21

Deputy County Administrator Signature/Date: 6/14/2021

County Administrator Signature/Date: C. Richelberg 6/14/21

PIMA COUNTY
DEVELOPMENT SERVICES

Subject: P20RZ00013

JULY 6, 2021 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: June 15, 2021

ORDINANCE FOR ADOPTION

P20RZ00013 BORK – N. TOMAHAWK TRAIL REZONING
Owner: Jeffrey Bork & Jasmine Daneri Bork
(District 4)

If approved, adopt ORDINANCE NO. 2021 - _____

OWNERS: Jeffrey Bork & Jasmine Daneri Bork
2840 N. Tomahawk Trail
Tucson, AZ 85749

AGENT: Same

DISTRICT: 4

STAFF CONTACT: Donna Spicola, Planner

STAFF RECOMMENDATION: APPROVAL.

TD/DS
Attachments

c: Jeffrey Bork & Jasmine Daneri Bork
Tom Drzazgowski, Chief Zoning Inspector
P20RZ00013 File

ORDINANCE 2021-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 3.3 ACRES OF PROPERTY (ADDRESSED AS 2840 N. TOMAHAWK TRAIL), FROM THE SR (SUBURBAN RANCH) ZONE TO THE CR-1 (SINGLE RESIDENCE) ZONE, IN CASE P20RZ00013 BORK - N. TOMAHAWK TRAIL REZONING, LOCATED AT THE NORTHEAST CORNER OF E. GLENN STREET AND N. TOMAHAWK TRAIL, AND AMENDING PIMA COUNTY ZONING MAP NO.'S 52 AND 85.

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

Section 1. The 3.3 acres located at the northeast corner of E. Glenn Street and N. Tomahawk Trail and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zonings Map No.'s 52 and 85, is rezoned from the SR (Suburban Ranch) zone to the CR-1 (Single Residence) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions.

1. There shall be no further lot splitting or subdividing of residential development without the written approval of the Board of Supervisors.
2. Flood Control Condition: Floodplain limits and erosion hazard setbacks shall be determined at the time of development, and a Floodplain Use Permit is required.
3. Cultural Resources condition: A caution must be noted concerning human burials. In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.
4. Adherence to the sketch plan as approved at public hearing (Exhibit B).
5. The maximum number of lots is two.
6. 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.
7. 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(I)."

8. Maximum height is limited to 24 feet and one story.

Section 3. Time limits of conditions. Conditions 1 through 8 of Section 2 shall be completed no later than March 16, 2026.

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 _____, 2021.

_____
Chair, Pima County Board of Supervisors

ATTEST:

_____
Clerk, Board of Supervisors

APPROVED AS TO FORM:

_____
Deputy County Attorney
Lesley M. Lukach

APPROVED:

_____
Executive Secretary
Planning and Zoning Commission

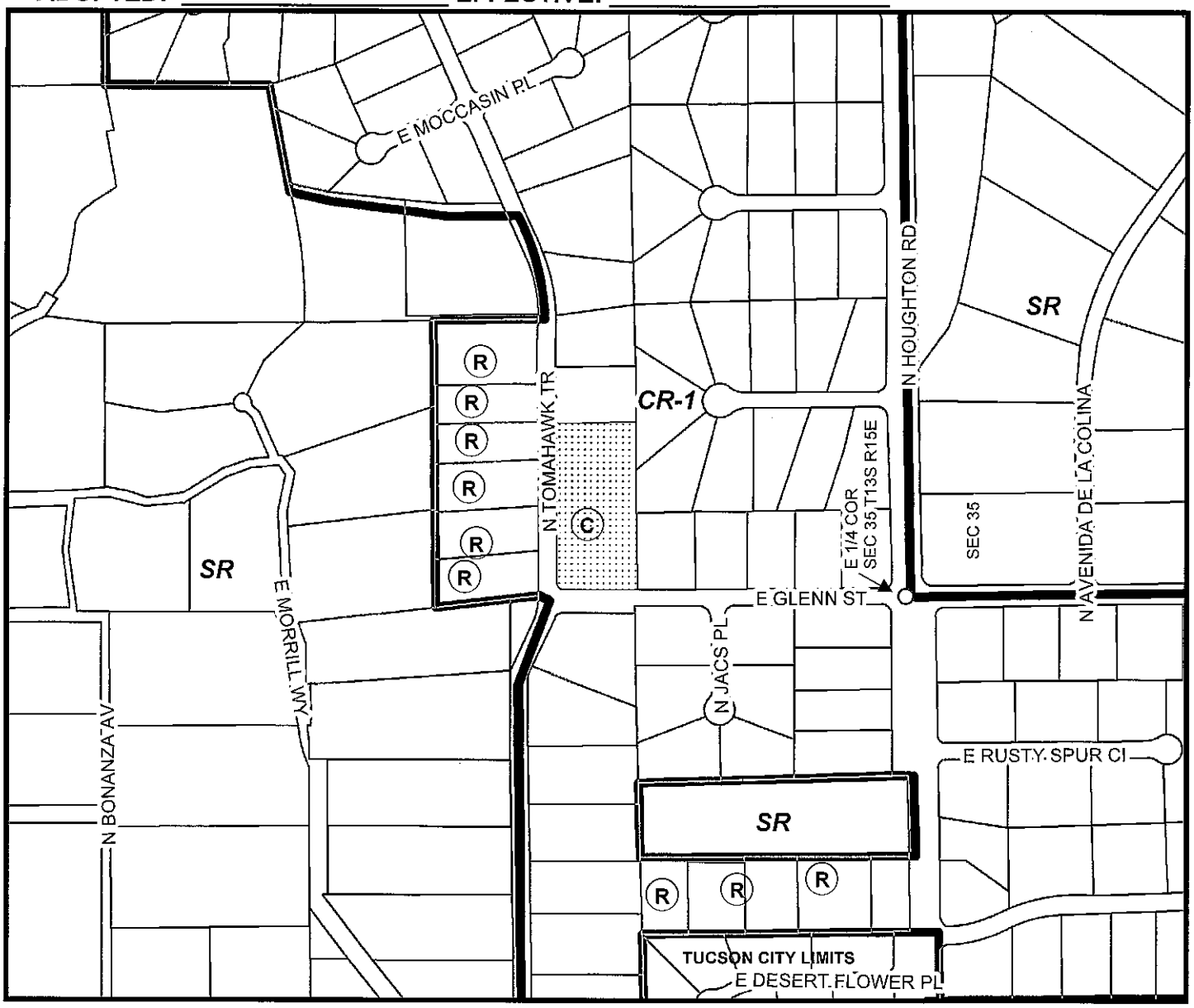
EXHIBIT A

AMENDMENT NO.'S_____ BY ORDINANCE NO._____
TO PIMA COUNTY ZONING MAP NO.'S 52, 85 TUCSON AZ. BEING A PART OF INDIAN HILL NO. 3, LOT 9 LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 35 OF T13S R15E.

N
W E
S

0 125 250 500 Feet

ADOPTED: _____ EFFECTIVE: _____



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

(C) NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE
FROM SR 3.3 ac
ds-June 2, 2021

P20RZ00013
114550650

PIMA COUNTY
DEVELOPMENT SERVICES

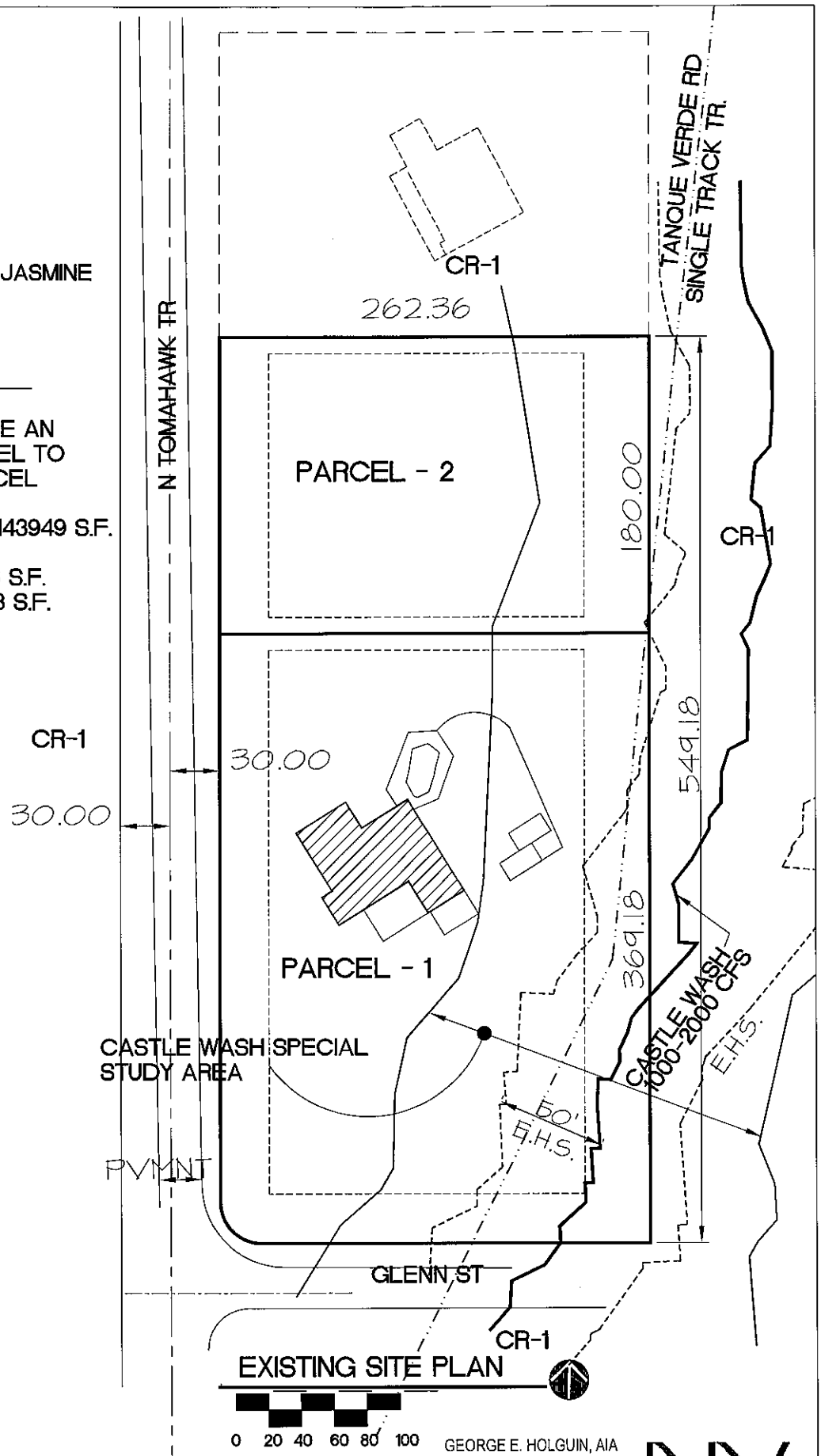
Exhibit B

OWNERS:
APN 114-55-0650
BORK JEFFREY + DANERI JASMINE
2840 N TOMAHAWK TRL
TUCSON AZ 85749-9529

NOTES:

1. PROPOSAL IS TO REZONE AN EXITING 'SR' ZONED PARCEL TO 'CR-1' SPLITTING THE PARCEL INTO TWO PARCELS.
2. CURRENT 'SR' PARCEL: 143949 S.F.
3 PROPOSED PARCELS:
PARCEL 1: 96726 S.F.
PARCEL 2: 47223 S.F.

* Maximum Two Lots



PROPOSED SITE PLAN

GEORGE E. HOLGUIN, AIA
ADC west, LLC
architects and planners
11100 E SUNDANCE DR
Tucson, Arizona 85749
520-751-4355 off
520-307-4101 cell
g.holguin@adcarchitects.org

American Design Consultants