

# COB - BOSAIR FORM

01/14/2026 12:42 PM (MST)

Submitted by Marianna.Kuglmeier@pima.gov



## BOARD OF SUPERVISORS AGENDA ITEM REPORT (BOSAIR)

\*All fields are required. Enter N/A if not applicable. For number fields, enter 0 if not applicable.\*

**Award Type:** Agenda Item

**Is a Board Meeting Date Requested?** Yes

**Requested Board Meeting Date:** 02/03/2026

**Project Title / Description:** P1200-160 Fairfield's River Estates Subdivision (Lot 24) Plat Note Waiver

### Agenda Item Report

**Introduction / Background:** The applicant requests a plat note waiver to reallocate 790 square feet of natural undisturbed open space on Lot 24 (0.38 acres) of the Fairfield's River Estates Subdivision (Bk. 56, Pg. 12) in order to expand backyard.

**Discussion:** The plat note waiver is requested to expand the backyard while maintaining the required natural undisturbed open space designated by the plat.

**Conclusion:** The reallocation of the 790 square feet of natural undisturbed open space will be an even exchange that will maintain the requirements designated by the plat.

**Recommendation:** Staff recommends APPROVAL subject to a condition.

**Fiscal Impact:** 0

**Support of Prosperity Initiative:** 1. Increase Housing Mobility and Opportunity

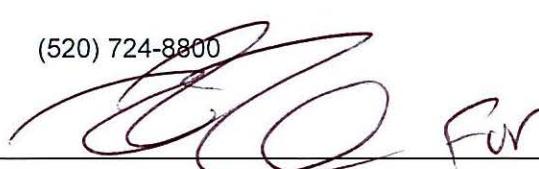
**Provide information that explains how this activity supports the selected Prosperity Initiative** This plat note waiver will allow the property owner to increase their backyard area and allow them to remain at their current residence.

**Board of Supervisor District:** • 1

**Department:** Development Services Planning

**Name:** MARIANNA KUGLMEIER

**Telephone:** (520) 724-8800

**Department Director Signature:**  For

Date: 1/15/20

Deputy County Administrator Signature: Cooper

Date: 1/16/2024

County Administrator Signature: Jr

Date: 1/24/2024



**TO:** Honorable Rex Scott, Supervisor, District 1

**FROM:** Thomas Drzazgowski, Deputy Director  
Public Works-Development Services Department-Planning Division

**DATE:** January 13, 2026

**SUBJECT:** P1200-160 FAIRFIELD'S RIVER ESTATES SUBDIVISION (LOT 24)



The above referenced **Plat Note Waiver** is within your district and is scheduled for the Board of Supervisors' **TUESDAY, FEBRUARY 3, 2026** hearing.

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**REQUEST:** For a plat note waiver of keynote #4 to reallocate 790 square feet of natural undisturbed open space on Lot 24 (0.38 acres) of the Fairfield's River Estates (Bk. 56, Pg. 12). The subject property is zoned CR-1 (Single Residence) and is located at the T-intersection of E. Camino Rio De Luz and N. Placita Rio Luna, addressed as **5362 E Camino Rio De Luz**. (District 1)

**OWNER/**  
**AGENT:** Timothy & Danielle Rhine  
5362 E Camino Rio De Luz  
Tucson, AZ 85718

**DISTRICT:** 1

**STAFF CONTACT:** Marianna Kuglmeier, Planner II

**PUBLIC COMMENT TO DATE:** As of January 13, 2026, staff has received one public comment recommending approval of the land swap.

**STAFF RECOMMENDATION:** **APPROVAL** subject to a condition.

**MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS:** The site is located outside the Maeveen Marie Behan Conservation Land System (CLS).

TD/MK/DS  
Attachments



## BOARD OF SUPERVISORS MEMORANDUM

SUBJECT: P1200-160

Page 1 of 2

### FEBRUARY 3, 2026 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Thomas Drzazgowski, Deputy Director  
Public Works-Development Services Department-Planning Division

DATE: January 13, 2026

A handwritten signature in black ink, appearing to read "T. Drzazgowski".

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### UNADVERTISED ITEM FOR PUBLIC HEARING

#### PLAT NOTE WAIVER

P1200-160

#### Fairfield's River Estates Subdivision (Lot 24) Plat Note Waiver

Tim Rhine requests a **plat note waiver** of keynote #4 to reallocate 790 square feet of natural undisturbed open space on Lot 24 (0.38 acres) of the Fairfield's River Estates (Bk. 56, Pg. 12). The subject property is zoned CR-1 (Single Residence) and is located at the T-intersection of E. Camino Rio De Luz and N. Placita Rio Luna, addressed as **5362 E Camino Rio De Luz**. Staff recommends **APPROVAL** subject to a condition. (District 1)

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#### STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the plat note waiver on Lot 24 to reallocate 790 square feet of the approximately 2,500 square feet of natural undisturbed open space, subject to the following condition:

1. Revegetate land added to Natural Undisturbed Open Space easement.

#### REQUEST OF APPLICANT

The applicant requests a plat note waiver to reallocate 790 square feet of private natural undisturbed open space (N.U.O.S.) to expand their backyard while still maintaining the overall N.U.O.S required by the plat. The adjustment will allow the expansion of the flatter area of the property.

#### STAFF REPORT:

The subject property, Lot 24, of the Fairfield's River Estates is approximately .38 acres. It is currently developed with a residence and has approximately 2,500 square feet of natural undisturbed open space to conform to the cluster option plat requirements. The cluster option: 18.09.040 is defined as open space, either natural or functional, provided to compensate for lot size reductions from minimum lot area requirements in the applicable zone. Keynote #4 provides a "Private Natural Undisturbed Open Space (N.U.O.S.) easement to Fairfield's River Estates Homeowner's Association by this plat".

The applicant provided a letter from the River Estates Homeowners Association which granted approval subject to Pima County approval, of the change in boundary for the natural open space easement.

Staff supports the reallocation of 790 square feet of the private natural open undisturbed open space easement on Lot 24 due to an even exchange of property that will maintain the cluster requirements.

The parcel is located outside the Maeveen Marie Behan Conservation Lands System (CLS).

The owners should note that a property owner within the subdivision may privately enforce plat notes, even if the Board of Supervisors grants a modification.

Public notice is being sent to all property owners within the subdivision and within 300 feet of the boundaries of the subdivision.

TD/MK/DS

c: Tim Rhine



Case #: P1200-160  
Case Name: FAIRFIELD'S RIVER ESTATES - LOT 24  
Tax Code(s): 109-23-1260



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**



Notes:

Plate Note Waiver



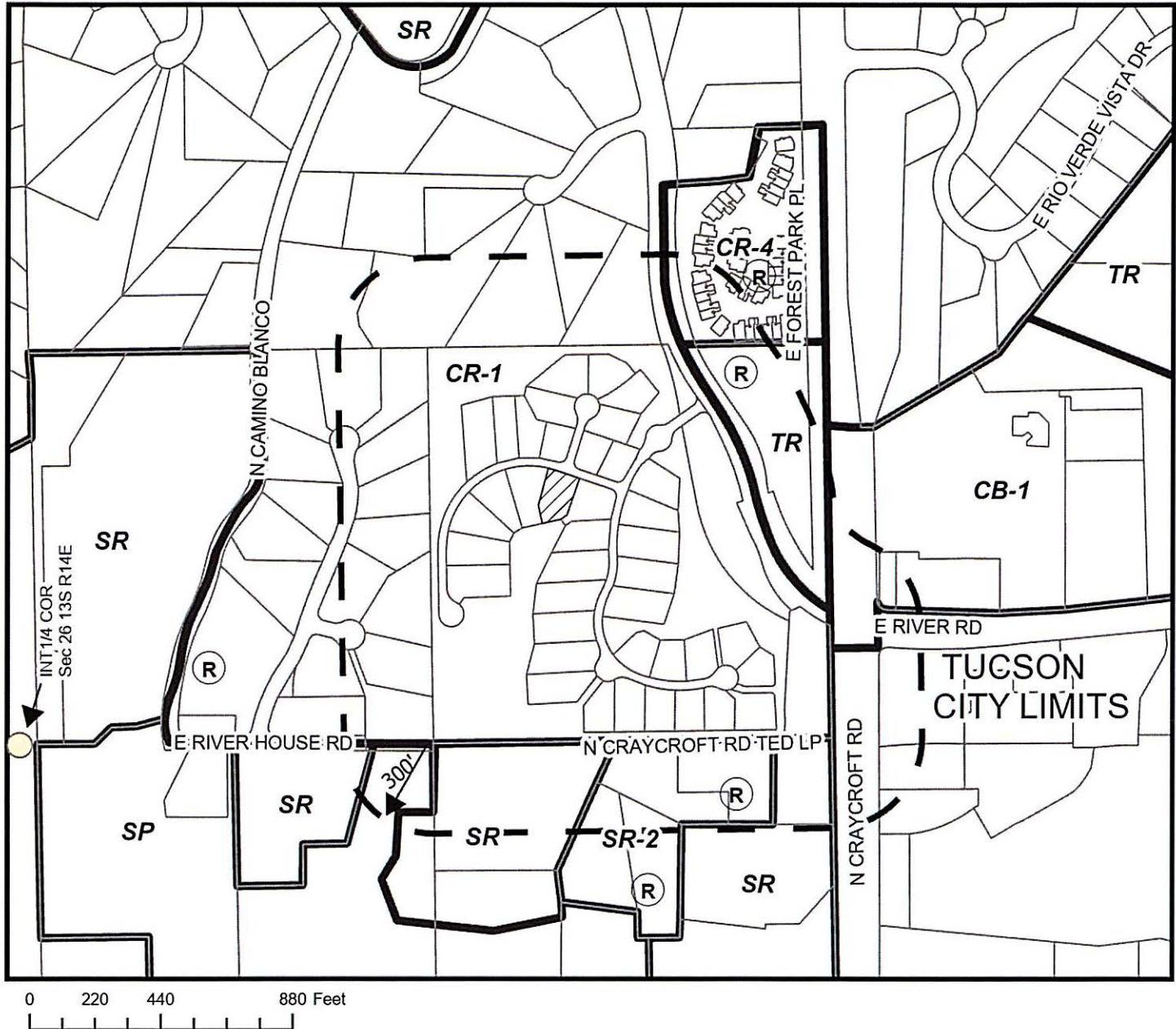
Ref Case #: P25SA00008

Map Scale: 1:6,000

Map Date: 1/12/2026 - ds

**Case #: P1200-160**  
**Case Name: FAIRFIELD'S RIVER ESTATES - LOT 24**  
**Tax Code(s): 109-23-1260**

-  Zoning Boundary
-  300' Notification Area
-  Subject Parcel



**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**



## Notes:

### Plate Note Waiver

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10

Board of Supervisors Hearing: February 3, 2026

## DEVELOPMENT SERVICES

Ref Case #: P25SA00008

Map Scale: 1:6,000

Map Date: 1/12/2026 - ds





## Land Use Legend and Map

### **Low Intensity Urban (LIU)**

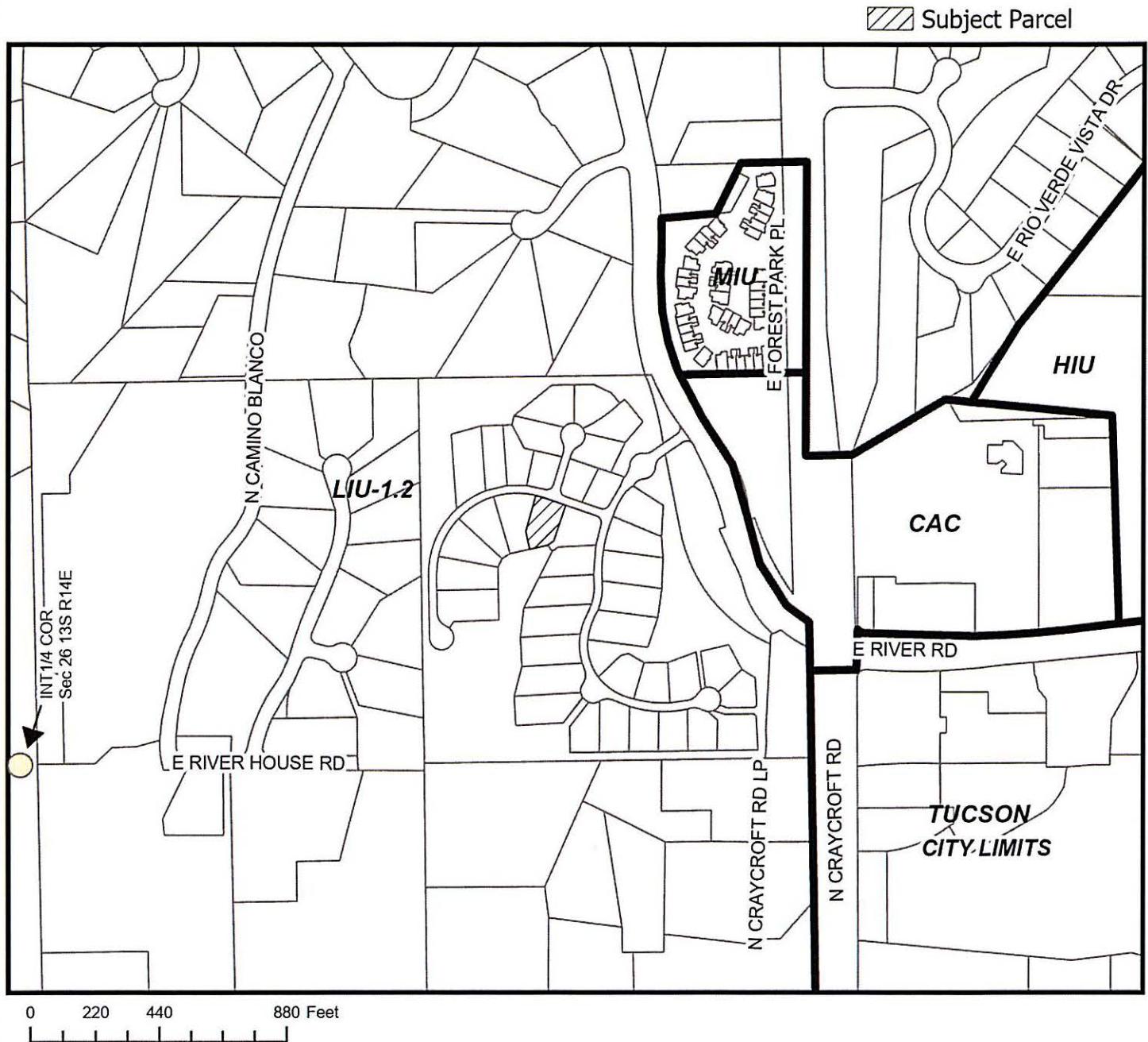
Low Intensity Urban includes four land use categories designations ranging from a maximum of 3 RAC stepped down to 0.3 RAC. The Low Intensity Urban categories are LIU3.0, LIU1.2, LIU0.5, and LIU-0.3.

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 be contiguous with other dedicated natural open space and public preserves.

### **Low Intensity Urban 1.2 (LIU-1.2)**

- Residential Gross Density: Minimum- none; Maximum- 1.2 RAC; 2.5 RAC with 45 percent open space; or 4 RAC with 60 percent open space
- Residential Gross Densities for TDR Receiving Areas: Minimum- none; Maximum- 1.2 RAC; 2 RAC with 50 percent open space

Case #: P1200-160  
Case Name: FAIRFIELD'S RIVER ESTATES - LOT 24  
Tax Code(s): 109-23-1260



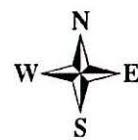
PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION



Notes:

Plate Note Waiver

PIMA COUNTY COMPREHENSIVE PLAN CO7-13-10



Ref Case #: P25SA00008

Map Scale: 1:6,000

Map Date: 1/12/2026 - ds



201 N. Stone Avenue, Tucson, AZ 85701

(520) 724-9000

[www.pima.gov/developmentservices](http://www.pima.gov/developmentservices)

## BIOLOGICAL IMPACT REPORT

*(Not applicable for rezonings that require a site analysis)*

The Biological Impact Report assists staff in assessing a proposed project's potential to impact sensitive biological resources and is required by the Pima County Zoning Code Chapter 18.91. A project's design should conserve these important resources.

The report will include information provided by both Pima County Planning staff (Part I) and the Applicant (Part II).

**INSTRUCTIONS FOR SAVING FORM:** 1) Download form to computer. 2) Fill out form as applicable. 3) Save completed form to computer. 4) Submit completed form to Pima County Development Services. **If you fill out the form before you download it, the info you entered will not be saved.**

**Project ID (case no., APN no., address, or other identifying info):**

P25SA00008, APN: 109231260, 5362 E CAMINO RIO DE LUZ

### **Part I. Information Provided by Pima County Staff**

Pima County Planning staff will provide the following information for the project site, as applicable:

1. Is the project located within any Maeveen Marie Behan Conservation Lands System (CLS) designation(s)? (Hold SHIFT for multiple selections) **NA**  
 Important Riparian Area  
 Biological Core  
 Multi-Use Management Area
2. Is the project within a CLS Special Species Management Area? No
3. Is the project in the vicinity of any of the six Critical Landscape Linkages? No
4. Is the project designated for acquisition as a Habitat Protection or Community Open Space property? No
5. Is the project located within a Priority Conservation Area for any of the following species?
  - a. Cactus ferruginous pygmy-owl: No
  - b. Western burrowing owl: No
  - c. Pima pineapple cactus: No
  - d. Needle-spined pineapple cactus: No

**Part II. Information Provided by the Applicant**

The Applicant will provide the following information to the best of their knowledge, as applicable:

1. Has the owner of the project site had any communications with County staff about Pima County potentially acquiring the property? No  
If yes, provide a summary of those communications:
  
2. The following species are of particular interest to Pima County conservation efforts; please fill out the following table to the best of your knowledge:

Species	Ever found on project site?	If yes, date of last observation/survey?	Future surveys planned?
Cactus ferruginous pygmy owl	No		No
Western burrowing owl	No		No
Pima pineapple cactus	No		No
Needle-spined pineapple cactus	No		No

Questions about this form?  
Contact the Office of Sustainability and Conservation at (520) 724-6940.

Timothy and Danielle Rhine  
5362 East Camino Rio de Luz  
Tucson, AZ 85718  
[tim.rhine@kimley-horn.com](mailto:tim.rhine@kimley-horn.com)  
(520) 820-3540

August 17, 2025

Pima County Development Services  
201 N Stone Ave 1st Floor  
Tucson, AZ 85701

Subject: Land Swap Request for Relocation of NUOS Area on Parcel 109-23-1260 at River Estates

Pima County Development Services and Honorable Members of the Pima County Board of Supervisors,

I hope this letter finds you well. My name is Timothy Rhine, and I am a resident and property owner in Pima County District 1, located at 5362 East Camino Rio de Luz in the River Estates Homeowners Association. I am writing to formally request a land swap that would allow me to reallocate a portion of my land designated in a Natural Undisturbed Open Space (NUOS) easement to a different section of my parcel (Parcel No. 109-23-1260).

I previously discussed this proposal with Elva Aguilera, a former planner at Development Services, who indicated that this would be the appropriate step to take.

The purpose of this request is to enable further development of my backyard. This proposed adjustment would maintain the overall NUOS area for the River Estates community but relocate it to a Hillside Development Zone (HDZ) on my property that presents more significant development challenges being that it is on a steep slope, as seen in the attached exhibit. This adjustment would facilitate optimized use of my property by allowing expansion of our backyard into the flatter graded area of our parcel, while maintaining the integrity and intent of the NUOS designation.

Attached to this letter is the site plan illustrating the current and proposed NUOS areas, demonstrating our commitment to preserving natural undisturbed space in accordance with County regulations.

I believe this reallocation aligns with the County's guidelines and promotes responsible and efficient land use. I am also prepared to provide an updated legal description of the NUOS modification from a licensed land surveyor upon request, as I was advised to do this after the Board of Supervisors review from previous conversations.

I look forward to collaborating with your office to ensure all requirements are met for a smooth approval process.

Thank you for considering my request. Please do reach out to me with any comments or questions about this proposed change at your next availability.

Respectfully,

Timothy Rhine, P.E., PTOE



*Timothy Rhine*

Danielle Rhine



E CAMINO RIO DE LUZ

LINE TABLE		
LINE	BEARING	LENGTH
L1	S15°25'18"W	1.81
L2	S12°32'35"E	14.05
L3	S71°12'13"E	42.23
L4	N54°16'51"E	14.05
L5	N53°14'38"W	14.58
L6	N62°43'49"W	9.40
L7	N77°08'14"W	34.41
L8	N65°13'26"W	0.41

LOT 24  
FAIRFIELDS RIVER ESTATES  
M/P 56/12  
APN 109-23-1260

*N15°25'18"E 127.72' (RECORD)  
125.91'*

*S18°47'45"W 128.50' (RECORD)  
115.58'*

Area to be removed from  
N.U.O.S. (790+/- SF)

Area to be added to  
N.U.O.S. (790+/- SF)

PRIVATE NATURAL UNDISTURBED  
OPEN SPACE (N.U.O.S.) EASEMENT TO  
FAIRFIELD'S RIVER ESTATES  
HOMEOWNER'S ASSOCIATION AS  
PLATTED.

LINE TABLE		
LINE	BEARING	LENGTH
L9	S18°47'45"W	12.92
L10	S54°27'11"E	19.34
L11	N27°48'22"E	10.68
L12	N53°14'38"W	25.65
L13	S72°03'03"E	4.59
L14	N32°58'43"E	14.26
L15	S72°26'53"E	19.54
L16	S67°50'53"E	15.85



#### LEGAL DESCRIPTION EXHIBIT DRAWING

REMOVAL AND ADDITIONS TO THE PRIVATE  
NATURAL UNDISTURBED OPEN SPACE (N.U.O.S.)  
EASEMENT TO FAIRFIELD'S RIVER ESTATES  
HOMEOWNER'S ASSOCIATION AS PLATTED FOR  
LOT 24 OF FAIRFIELDS RIVER ESTATES  
SUBDIVISION, M/P BK 56/PG 12 PCR, PIMA  
COUNTY, ARIZONA.

# LEGAL DESCRIPTION

## 'EXHIBIT A'

### AREA TO BE REMOVED FROM N.U.O.S. FOR EXTENSION OF BACKYARD

That portion of Lot 24 of "Fairfield's River Estates" Subdivision as recorded in maps and plats book 56, at page 12 of the Pima County Recorder's Office and situated in the Northeast Quarter of Section 26, Township 13 south, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona, Described as follows;

Commencing at the Northwest Corner of said Lot 24;  
THENCE upon the West Line of said Lot 24, South 15°25'18"West, a distance of 125.91 feet to the POINT OF BEGINNING;  
THENCE continuing upon said West Line, South 15°25'18"West, a distance of 1.81' feet to the Western most corner of Said Lot 24;  
THENCE continuing upon said West Line, South 12°32'35"East, a distance of 14.05' feet  
THENCE upon a line parallel to and 12 feet south of Lot 24's Private Open Space Easement to Fairfield's River Estates Homeowner's Association, South 71°12'13"East, a distance of 42.23 feet;  
THENCE North 54°16'51"East, a distance of 14.05 feet to the Private Natural Undisturbed Open Space (NUOS) Easement as defined on the aforementioned plat of record;  
THENCE upon said Easement, North 53°14'38"West, a distance of 14.58 feet;  
THENCE continuing upon said Easement, North 62°43'49"West, a distance of 9.40 feet;  
THENCE continuing upon said Easement, North 77°08'14"West, a distance of 34.41feet;  
THENCE continuing upon said Easement, North 65°13'26"West, a distance of 0.41feet to the POINT OF BEGINNING;

containing 790 sq ft +/-



# LEGAL DESCRIPTION

## 'EXHIBIT A'

### AREA TO BE ADDED TO N.U.O.S.

That portion of Lot 24 of "Fairfield's River Estates" Subdivision as recorded in maps and plats book 56, at page 12 of the Pima County Recorder's Office and situated in the Northeast Quarter of Section 26, Township 13 south, Range 14 East, Gila and Salt River Meridian, Pima County, Arizona, Described as follows;

Commencing at the Northeast Corner of said Lot 24;

THENCE upon the East Line of said Lot 24, South 18°47'45"West, a distance of 115.58 feet to the POINT OF BEGINNING;

THENCE continuing upon said East Line, South 18°47'45"West, a distance of 12.92' feet to an angle point upon the East Line of Said Lot 24;

THENCE continuing upon said East Line, South 54°27'11"West, a distance of 19.34' feet to the Private Natural Undisturbed Open Space (NUOS) Easement as defined on the aforementioned plat of record;

THENCE upon said Easement, North 27°48'22"West, a distance of 10.68 feet;

THENCE continuing upon said Easement, North 53°14'38"West, a distance of 25.65 feet;

THENCE South 72°03'03"East, a distance of 4.59 feet;

THENCE North 32°58'43"East, a distance of 14.26 feet;

THENCE South 72°26'53"East, a distance of 19.54 feet;

THENCE South 67°50'53"East, a distance of 15.85 feet to the POINT OF BEGINNING;

containing 790 sq ft +/-



RIVER ESTATES HOMEOWNERS  
ASSOCIATION  
7301 E. 22nd St.  
Tucson, Arizona 85710

Timothy & Danielle Rhine  
5362 E. Camino Rio de Luz  
Tucson, AZ 85718

RE: Land swap approval for relocation of NUOS area on parcel # 109-20 3-12 60, lot #24, River Estates subdivision.

Dear Mr. and Mrs. Rhine,

We acknowledge the detailed application you have submitted and the accompanying site plan illustrating the current and proposed Natural Undisturbed Open Space (NUOS) areas lying within the above referenced parcel and lot numbers.

After careful consideration, the Board is pleased to grant approval of the change in boundaries for the open space easements provided by the subdivision map (P1200-160).

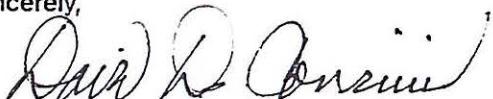
This approval is subject to Pima County approval and compliance with all ordinances and regulations relating to the NUOS, the Hillside Development Zone (HDZ), drainage requirements and any other County requirements applicable.

Prior to any property improvements, you must submit an application to the River Estates HOA Architectural Review Committee and meet the requirements set out in the HOA CC&Rs.

It is our understanding that the proposed adjustment maintains the overall NUOS area for the River Estates community while relocating it to the HDZ on your property. We appreciate your commitment to preserving the natural undisturbed space in accordance with County regulations and we recognize the challenges presented by the steep slope in the HDZ.

If you have any questions, please do not hesitate to contact any member of the River Estates HOA Board.

Sincerely,



For River Estates HOA Board:  
David DeConcini  
Terry Mann  
Greta Vietor