

March 16, 2024

Shane Madsen, c/oSierra Mining
8665 S. Alvernon Way
Tucson, AZ 85756

Dear Mr. Madsen:

Your recent letter of March 6, 2024, brings to mind the commercial/industrial type operation you have been conducting on your property during the past few months. Neighbors up and down Ocotillo Rd. have noted and discussed that commercial activity, some questioning its propriety and legality with the zoning of your property. We assume that responsible parties in Cochise County government have been looking into that matter.

With regard to your intent to seek rezoning of designated tax parcels from RU-4 to Heavy Industrial as specified in your letter, there are some serious concerns based on the following factors:

1. Use of your property for Industrial purposes would constitute a radical difference from the nature and uses of our surrounding residential properties. The revision would enable and invite activities that would degrade and pollute our residential environment and seriously devalue our investments therein.
2. The degradation and/or pollution factors certainly include intolerable noise; airborne dust/particulate matter and odors; various substances going into the soil and our underground water supply (all of us have wells in this same aquifer); downhill runoff of various substances from industrial activities; heavy truck traffic on an already deficient roadway with promise of even more damage to the road surface.
3. The recently observed commercial/industrial operation at your property, including ingress of heavy trucks and egress of those trucks carrying heavy loads of material on an all-day basis, has been dirty, bothersome and cautionary as warning regarding future behavior.

In closing, I request your response to two issues associated with your letter.

1. It is difficult to understand the meaning and implications of your statement that you also are “requesting a land use amendment” for an area “designated D-Rural Residential” to a category “D-Rural”. What is the boundary of the specific “area” that would be re-designated by such proposed action? Kindly identify the parcel numbers that would be included in such re-designation.
2. Has your recent gravel/hauling operation been in compliance with the current zoning requirements and restrictions for your property?

Your answers to these questions will be much appreciated, and I trust that this reply is in keeping with the purpose of your letter of notice.