



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

TO: Board of Adjustment, District 3
FROM: Peter Gardner, Planner I
FOR: Beverly Wilson, Planning Director
SUBJECT: Final Minutes of the Regular Meeting of January 14, 2014
DATE: January 29, 2014

Members Present:

Paul Brick, Chairman
Shawn Wales, Vice-Chair
Helen Barnard, Member

Staff Present:

Peter Gardner, Planner I

Others Present:

Heather Anderson - Applicant

These minutes for the BA3 meeting held on January 14, 2014 are complete only when accompanied by the memoranda for said meeting dated January 14, 2014.

Call to Order / Roll Call / Election:

Chairman Paul Brick called the meeting to order at 6:30 p.m. at the J.P. Courtroom at the County Service Center in Benson. He explained the procedures of the meeting to those present, and noted that all members of the Board were present and that as such, a quorum was established and business could proceed.

Mr. Wales made a motion to approve the minutes of the September 11, 2013 regular meeting. Ms. Barnard seconded the motion, and the vote was 3-0 to approve the minutes of the September 11, 2013 meeting.

Ms. Barnard made a motion to maintain the existing Officers, which Mr. Wales seconded. The motion passed unanimously.

NEW BUSINESS

Docket BA3-14-01 (Anderson): The Applicant proposes to change the use of an existing auto repair facility to a car sales lot, and requests Variances from the following Sections of the Cochise County Zoning Regulations; 1804.06.F.3 (Minimum Driveway Width); and 1804.07.C.1 (Substitution of gravel for DBST in driveways and parking areas). The subject parcel, 106-16-039, is located at 86 E. Redwing Drive, in Huachuca City, AZ.

Chairman Brick called for the Planning Director's presentation of the Docket. Mr. Peter Gardner

delivered the report, illustrating the facts of the case utilizing photos, maps and other visual aids. He explained the proposed project and the nature of the requested Variances. Mr. Gardner explained the limited nature of the Applicant's proposal, and Staff's concerns if the use expanded. He concluded by offering factors in favor and against approval.

Chairman Brick invited The Applicant to speak. Ms. Anderson explained the scope of the project and the nature of her business. She explained that her sales were internet based, but state law required her to have a site to be open for legal purposes. Mr. Wales asked Mr. Gardner for further explanation of a statement regarding the existing paving driving the requirement for the DBST rather than gravel. Mr. Wales expressed concern about the County requirements regarding driveway and parking surfaces. Ms. Barnard expressed support for the flexibility to revisit the issue if the Applicant's business expanded.

Chairman Brick declared the Public Hearing open, but there being no one wishing to speak, he closed the Public Hearing and called for Staff Summation and Recommendation. Mr. Gardner explained that Staff recommended Conditional Approval of the requested Variances, with the Condition that an expansion of the use would trigger a reanalysis of the driveway. Ms. Barnard asked if the Board wanted to define the expansion threshold. Mr. Gardner asked Ms. Anderson how many cars she sold per month on average. Ms. Anderson stated that her average monthly sales was about three or four cars. Mr. Gardner stated that Staff was comfortable with a ten-fold increase before any new analysis was required. He also stated that an expansion to full time hours, or a new owner would also trigger a reanalysis.

Chairman Brick called for a motion. Mr. Wales made a motion to grant the Variance, with the condition recommended by Staff citing the factors in favor. Ms. Barnard seconded the motion and Mr. Brick called for a vote. There was no further discussion.

The vote was 3-0 to approve the motion.

Planning Director's Report:

Mr. Gardner offered a brief Director's Report, informing the Board that there was one Docket for the next month. The proposed Zoning Regulations changes were discussed as well.

Ms. Barnard made a motion to adjourn. Mr. Wales seconded, and the meeting was adjourned at 7:14 p.m.