



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

TO: Board of Adjustment, District 2
FROM: Peter Gardner, Planner I
For: Beverly Wilson, Deputy Director, Planning Division
SUBJECT: Minutes of the Regular Meeting of April 3, 2013
DATE: June 20, 2013

Members Present:

Patrick Greene, Chairman
Albert Young
Andy Salaiz

Staff Present:

Peter Gardner, Planner I

Others Present:

None

These minutes for the BA2 meeting held on April 3, 2013, are complete only when accompanied by the memoranda for said meeting dated April 3, 2013.

Call to Order / Roll Call:

Chairman Patrick Greene called the meeting to order at 6:05 p.m. at the Board of Supervisors' Executive Meeting Room at the County Complex in Bisbee. He noted that all three members of the Board were present, establishing that the Board had a quorum and could proceed. Mr. Young made a motion to approve the minutes of the March 6, 2013 regular meeting. Chairman Greene seconded the motion, and the vote was 2-0 (with Mr. Salaiz abstaining) to approve the minutes of the March 6, 2013 meeting.

Chairman Greene explained the procedures of the meeting to those present.

NEW BUSINESS

Docket BA2-13-02 (Yesca): The Applicants are requesting a Variance from Section 1004.03 of the Cochise County Zoning Regulations which requires that structures in a MR-1 Zoning District be set back no less than 5-feet from all property lines. The Applicant intends to legitimize a second home built approximately 4-feet from the south property line. The subject parcel (102-57-338) is located at 3790 South Giesler Ave. in Naco.

Chairman Greene called for the Planning Director's presentation on the Docket. Peter Gardner, Planner I, delivered the report on behalf of the Planning Director, illustrating the facts of the case, as well as the staff recommendation, utilizing photos, maps and other visual aids. He explained the background of the case and the circumstances surrounding the Variance request under consideration. Mr. Gardner explained that a rezoning request from TR-9 to MR-1 had been approved by the Board of Supervisors on March 26 to facilitate the legitimization of the second dwelling. He concluded by offering factors in favor and against approval. As the Applicant was not yet present, Mr. Gardner gave Staff's recommendation of approval.

Chairman Greene noted that the Applicant was not present and opened Board discussion.

There was no further discussion and Chairman Greene noted Staff's recommendation of approval. Chairman Greene noted that the only reason to oppose the request was the failure of the Applicant to obtain a permit prior to construction.

Mr. Young made a motion to approve the Variance to allow the structure to stand in its current location, per the Applicant's submitted diagram. Mr. Salaiz seconded and the motion passed 3 – 0. Mr. Greene did ask Staff if the project was being done by a contractor or by the homeowner. Mr. Gardner explained that the project had been initiated by the homeowner, but due to the intent to rent the second dwelling licensed contractors would be required under state law.

Planning Director's Report:

Mr. Gardner noted that there were no dockets for the May meeting.

Mr. Young made a motion to adjourn. Chairman Greene seconded, and the meeting was adjourned at 6:25 p.m.