



COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning and Building Safety

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

Fax 432-9278

Carlos De La Torre, P.E., Director

MEMORANDUM

TO: Cochise County Board of Adjustment, District 1
FROM: Keith Dennis, Senior Planner
For: Mike Turisk, Interim Planning Director
SUBJECT: Docket BA1-11-04 (Parrish)
DATE: August 15, 2011, for the August 24, 2011 Meeting

APPLICATION FOR VARIANCES

Docket BA1-11-04 (Parrish): The Applicant seeks to legitimize an existing structure for the establishment of a fabric printing and embroidery shop. In order to proceed with the establishment of the business at this location, the Applicant requests the following Variances and Waivers from the Cochise County Zoning Regulations:

1. A Waiver to Section 1804.06.D, which prohibits direct street access to off-street parking spaces;
2. A Waiver to Section 1804.06.F.1, which requires that access to parking areas from a street be limited to defined entry and exit driveways; and
3. A Variance to Section 1804.07.D, which requires that driveways, parking, and loading areas in a Category C Growth Area be improved with a 2-inch deep gravel surface.

The subject parcel (Parcel No. 104-45-009C) is located at 10356 South Riverside Street in Palominas, AZ. The Applicant is Charles Parrish of Brewery Avenue Designs.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Parcel Size: 15,839 Square Feet (0.36 acres)
Zoning: GB – General Business
Growth Area: Growth Category C
Plan Designation: Medium Density Residential
Area Plan: Southern San Pedro Valley Area Plan, Sierra Vista Sub-Watershed
Existing Uses: Vacant Retail/Warehouse Structure
Proposed Uses: Retail and Commercial Fabric Printing and Embroidery Shop

Surrounding Zoning

| Relation to Subject Parcel | Zoning District | Use of Property |
|----------------------------|-----------------|------------------------|
| North | GB | Undeveloped Land |
| South | GB | Undeveloped Land |
| East | GB | Leather and Lace Lodge |
| West | MH-72 | Undeveloped Land |

II. PARCEL HISTORY

2002 – Permit issued for construction of a 1,600 square foot metal building, for a Contract Construction Services land use;

2006 – Permit issued for change of use to auto repair, septic and fence. The fence was never completed;

2008 – Permit issued for construction of a 1,400 square foot concrete slab. The Parcel was split during this time.

2009 – Permit issued for accessory storage shed, also never completed;

There are no code enforcement actions or violations associated with the property.

III. PROJECT DESCRIPTION

The Applicant, Charles Parrish of Brewery Avenue Designs, intends to move the business from its location in Bisbee to an existing building on the subject property. The structure on the property was, until recently, in use as an automobile repair shop. The Applicant seeks to change the use to retail. Whenever there is a change of use on a parcel, the new use must meet current development standards. During the commercial permitting process, the County permitting staff identified three areas in which the new use would be deficient. These are discussed below, in Part IV of this Memo.



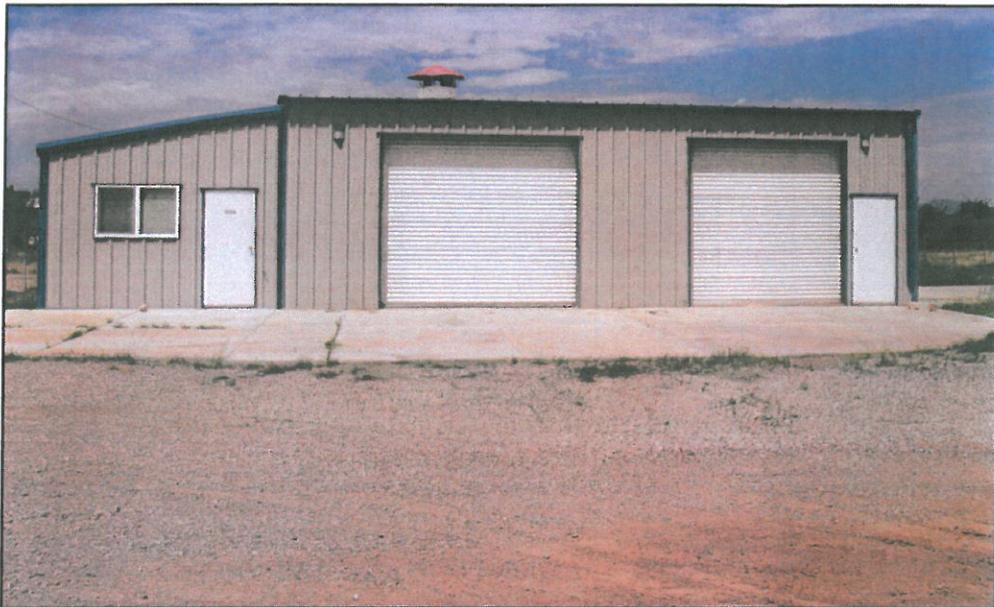
Looking North at the Riverside Street travelway. The proposed print shop is at left.

IV. ANALYSIS OF IMPACTS

The requested Variances are discussed below.

Parking and Access

1. A Waiver from Section 1804.06.D, which prohibits direct access from a street to parking spaces; and
2. A Waiver from Section 1804.06.F.1, which requires that driveways to a parking area from a street be limited to defined entry and exit driveways;



Looking West at the existing building and proposed parking area.

The project site takes direct access to Riverside Street, a private road with a 30-foot access easement that terminates just North of the property.

Along the East side of the building, there is a 40' x 20' concrete slab. The Applicant intends to use this to satisfy most of the parking requirements for the site, with an additional space along the North side of the slab providing the last required parking space (See Attachment C – Site Plan). This parking area is approximately 10 feet from the Riverside Street Travelway. Because the Cochise County parking area standards require at least 24 feet of backing space (drive aisle) behind each parking space, vehicles parked in this area would back into the easement when leaving the site. This circumstance, owing to a site-specific condition, would mean that a Waiver to Section 1804.06.D would be required for the business to use this area for parking.

The Applicant also requests a Waiver to the requirement, per Section 1804.06.F.1, that drive aisles be defined, so as promote an orderly and safe flow of traffic within a parking area. This is often accomplished by means of raised curbs or landscaped areas. In this case, it is established that there is essentially no drive aisle for which the Applicant could define an entry or exit.

Riverside Street is a small easement that does not see much through traffic. The easement does not connect to Olive Avenue to the North. Due to site-specific conditions including the width of

the Riverside Street travelway, staff does not anticipate any traffic conflicts, or off-site impacts, related to the parking and access standards under consideration.

Surfacing

3. A Variance from Section 1804.07.D, which requires that driveways, parking and loading areas in a Category C Growth Area be improved with a 2-inch deep gravel surface.

The Applicant has requested that the existing surfacing, which is a mixture of gravel and compacted AB over native material, be allowed to remain. The Riverside Street travelway is of a similar composition. Staff anticipates little if any off-site impacts relative to granting the Variance.

V. PUBLIC COMMENT

The Department mailed notices to neighboring property owners within 300 feet. Staff posted the property on August 8, 2011 and published a legal notice in the *Arizona Range News* on August 3, 2011. To date, the Department has received no response to the request.

VI. SUMMARY AND CONCLUSION

Factors in Favor of Allowing the Variance and Waivers

1. Granting the requested Waivers and Variances to the parking standard requirements would not produce or exacerbate any off-site impacts. The proposed use is sited along a dead-end road and sees a minimal amount of traffic.

Factor Against Approval

None Apparent.

VII. RECOMMENDATIONS

Based on the Factors in Favor of Approval as Findings of Fact, Staff recommends **approval** of the Variance and Waiver requests.

Mr. Chairman, I move to approve Docket BA1-11-04, granting each of the three Variances and Waivers requested by the Applicant, pertaining to parking area access, driveway definition and surfacing requirements; the factors in favor of approval being the findings in fact.

VIII. ATTACHMENTS

- A. Variance Application
- B. Location Map
- C. Site Plan



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(520) 432-9240
Fax 432-9278

*Paid Cash \$300
Receipt # 9343*

APPLICATION FOR VARIANCE

DESIRING A VARIANCE FROM THE TERMS OF THE COCHISE COUNTY ZONING REGULATIONS:

TO THE HONORABLE BOARD OF ADJUSTMENT, DISTRICT ONE.

I (we), the undersigned, hereby petition the Cochise County Board of Adjustment, District 1 to grant a variance from the terms of the Cochise County Zoning Regulations as follows:

(Note: Complete all the following items. If necessary, attach additional sheets.)

1. Tax Parcel Number: 104-45-009C
2. Address of Parcel: 10356 S. Riverside St. Hereford
85615
3. Area of Parcel (to nearest tenth of an acre): 15,681.6 #
4. Zoning district classification of parcel: GB
5. Describe existing uses of the parcel and the size and location of existing structures and buildings on it. EMPTY GARAGE WITH OFFICE 50 X 40

6. Describe all proposed uses or structures, which are to be placed on the property.
PROPOSE TO MOVE BREWERY AVE DESIGNS LOCATED @ 307
AZ ST. TO THE BUILDING @ HEREFORD

7. State the specific nature of the variance or variances sought, identifying the applicable section or sections of the Cochise County Zoning Regulations.

1804.06.D ACCESS TO PARKING FROM EASEMENT

1804.06.F.1 DEFINE DRIVEWAY

1804.07.D ALLOW EXISTING GAUGE TO DEFINE PARKING AREA

MAYBE IF NEEDED #1807.02.A LEGAL ACCESS TO NORTH OF PROPERTY
IF DETERMINED NOT TO NORTH SIDE

Terry C.
identified
legal
access
6-28-11

8. A variance may be granted only when, due to any peculiar situation surrounding a condition of a specific piece of property, including unusual geographic or topographic conditions, strict application of the Zoning Regulations would result in practical difficulties or unnecessary hardship to the property owner. In granting variances, however, the general intent & purpose of the Zoning Regulations will be preserved. (See Section 2103.02 on variances (attached) Describe the reasons for requesting the variance and attach any documents necessary to demonstrate compliance with the provisions cited in #7 above.

PREVIOUS OWNER SPLIT PARCEL NOT LEAVING REQUIRED BACK OUT

AREA + NOT ENOUGH ROOM TO ACCESS DRIVE WAY IF I

DEFINE IT. I DO NOT ANTICIPATE A HEAVY VOLUME OF TRAFFIC

9. State why the variance would not cause injury to or impair the rights of surrounding property owners. Identify conditions you propose, if any, to minimize the impact on surrounding properties. It shall be the responsibility of the applicant to submit any studies and/or data necessary to demonstrate the effectiveness of the alternative conditions.

BEING A DEAD END @ THE END OF PROPERTY IT WILL NO WAY
CAUSE ANY PROBLEM WITH NEIGHBORING BUSINESS OR OCCUPANTS.

IN FACT MAY INCREASE SALES FOR EXISTING BUSINESS KNOWN AS
LEATHER & LACE PET GROOMING + J.R.'S CABINETS

10. List the name and address of all owners of the parcel(s) for which the variance is sought.

| <u>PROPERTY OWNER</u> | <u>ADDRESS</u> |
|----------------------------|---|
| <u>ROBERT DREESZEN</u> | <u>P.O. Box 190391 ANCHORAGE, AK 99519</u> |
| <u>C/O CHARLES PARRISH</u> | <u>91 STEFFENS ST. SIERRA VISTA, AZ 85635</u> |

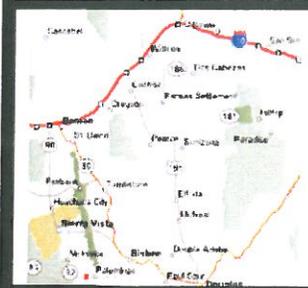
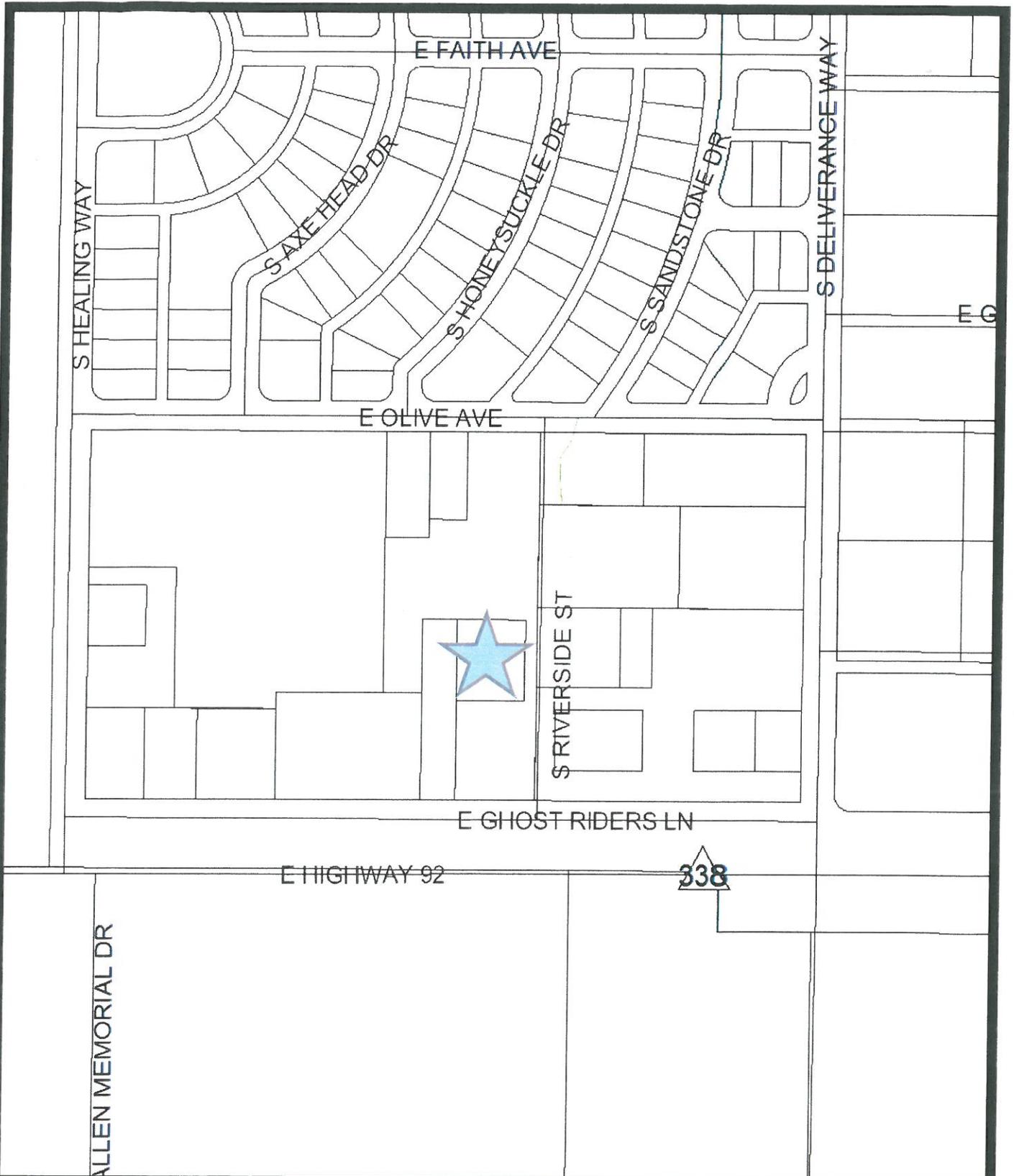
The undersigned hereby certifies and declares that to the best of his/her knowledge and belief the data submitted on and attached to this application for a variance from the terms of the Cochise County Zoning Regulations are true and correct.

| <u>SIGNATURE OF PETITIONER</u> | <u>ADDRESS</u> | <u>DATE</u> |
|--------------------------------|---|----------------|
| <u>Charles Parrish</u> | <u>91 STEFFENS ST. SIERRA VISTA, AZ</u> | <u>6/20/11</u> |

APPLICANT'S PHONE NUMBER 520-678-0041

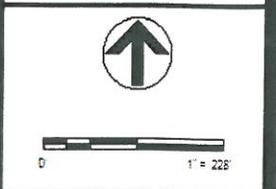
APPLICANT'S EMAIL ADDRESS AINPAR@cox.net

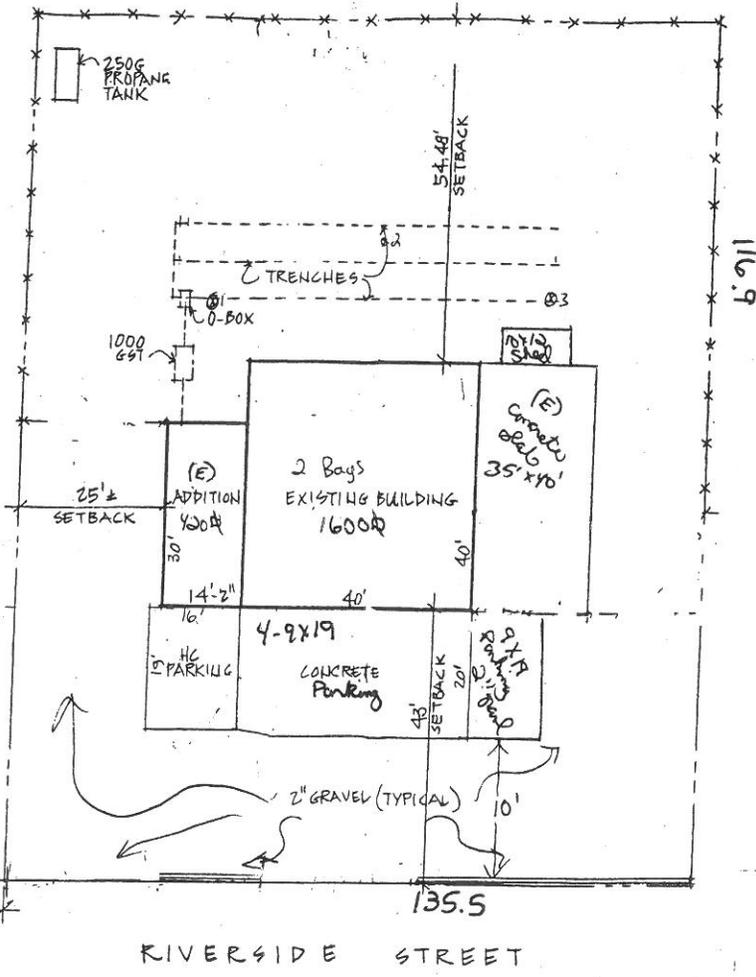
Note: Each application shall be accompanied by an accurate site plan showing the parcel of land and the existing and proposed structures and buildings on it, and shall be accompanied by a check in the amount of three hundred (\$300) payable to the Cochise County Treasurer. Return to the Cochise County Community Development Department, 1415 Melody Lane, Building E, Bisbee, Arizona, 85603.



Docket BA1-11-04
(Parrish)
Location Map

This map is a product of the Cochise County GIS





No washes w/in 300'
 No fencing

SITE PLAN

→ 104-45-009C