



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

TO: Board of Adjustment, District 2
FROM: Keith Dennis, Senior Planner
SUBJECT: Minutes of the Special Meeting of July 9, 2012
DATE: July 20, 2012

Members Present:

Albert Young, Chairman
Gerald Eberwein, Member

Staff Present:

Keith Dennis, Senior Planner

Others Present:

Diego Dagnino, Applicant
Kyle and Mariel Jennings

These minutes are for the BA2 Special Meeting held on July 9, 2012. The Regular Meeting was to be held on July 2, 2012, but was postponed due to lack of a quorum. Memoranda for the July 9 Special Meeting therefore reflected the originally-intended July 2 date. These minutes are complete only when accompanied by the memoranda for the regular meeting dated July 2, 2012.

Call to Order / Roll Call:

Chairman Albert Young called the meeting to order at 6:00 p.m. at the Board of Supervisors' Executive Meeting Room at the County Complex in Bisbee. He explained the procedures of the meeting to those present, and noted that two members of the Board were present, establishing that the Board had a Quorum and could proceed.

Mr. Eberwein made a motion to approve the minutes of the April 4, 2012 regular meeting. Chairman Young seconded the motion, and the vote was 2-0 to approve the minutes of the meeting.

Chairman Young then called for new business.

NEW BUSINESS

Docket BA2-12-03 (Dagnino): The Applicant requests a Variance from Section 704.04 of the Cochise County Zoning Regulations, which requires that structures be set back no less than 20 feet from all property lines in an R-18 zoning district (Residential; minimum lot size 18,000 sq.-ft.). The Applicant seeks to complete a detached garage 10 feet from the north and west property lines. The subject parcel (#102-39-162) is located at 2344 S. Coleman Street in Bisbee, AZ. The Applicant is Diego Dagnino of the same address.

Mr. Dennis presented the Docket on behalf of the Department, using photos, maps, and other information to establish the facts of the case. He showed photos demonstrating the proximity of the half-constructed garage to nearby property lines and development.

Mr. Eberwein asked for clarification regarding the property lines as shown on the aerial photo, and staff provided the same.

Mr. Dennis concluded by listing factors in favor of and against approval, and offered a recommendation of approval, without condition.

Mr. Young then declared the public hearing open, and invited the Applicant to speak. Mr. Dagnino said he was not aware of the 20-foot setback, and that he should have first obtained a permit for the garage.

Mr. Young invited the public to speak. Mariel Jennings stated that the configuration of his property was such that, with the garage in its current location, one could drive a vehicle from the street straight back to the garage, and that this would not be possible if the garage observed a 20-foot setback.

Mr. Young then declared the public hearing closed. Mr. Eberwein asked if there might be a runoff concern from the roof, but the vegetation would likely absorb this water. It was suggested that a gutter might be employed later if runoff was a problem.

Mr. Young called for the recommendation. Mr. Dennis re-stated the recommendation of approval as requested.

Mr. Eberwein moved to approve the Variance as requested, with the factors in favor of approval being the findings in fact.

Mr. Young seconded the motion and it passed 2 – 0. Mr. Dennis informed the Applicant of the next steps in the permit process to complete the garage.

Planning Director's Report:

Mr. Dennis informed the Board as to an upcoming Docket for the September meeting.

Mr. Eberwein moved to adjourn the meeting, Mr. Young seconded, and the meeting was adjourned at 6:14 p.m.