

EXPANDED AGENDA
Board of Adjustment, District 2
October 3, 2012, 6 P.M.
Board of Supervisors' Conference Room
1415 Melody Lane, Building G
Bisbee, Arizona 85603

6:00 P.M. Call to Order

Roll Call (Introduce Board members, and explain quorum)

(Also explain procedure for public hearing, i.e., after Planning Director's Report, Applicant will be allowed 10 minutes; other persons will each have 5 minutes to speak and Applicant can have 5 minutes for rebuttal at end, if appropriate.)

Determination of Quorum

Approval of Previous Minutes

NEW BUSINESS

Item 1 - Introduce Docket and advise public who the applicants are.

Public Hearing, Docket BA2-12-05 (Zamora): The Applicant requests a Variance from Section 704.03 of the Cochise County Zoning Regulations, which requires that structures in a TR-18 Zoning District be set back no less than 20-feet from all property lines and/or road travelways. The Applicant intends to build a carport 15-feet from the South property line, and zero feet from a 15-foot access easement traversing the southern portion of the property. The subject parcel (403-23-001L) is located at 10429 N. Highway 191 in Elfrida, AZ.

Applicant: Raul Zamora.

- Call for PLANNING DIRECTOR'S PRESENTATION
- Declare PUBLIC HEARING OPEN
 1. Call for APPLICANT'S STATEMENT
 2. Call for COMMENT FROM OTHER PERSONS (either in favor or against)
 3. Call for APPLICANT'S REBUTTAL (if appropriate)
- Declare PUBLIC HEARING CLOSED
- Call for BOARD DISCUSSION (may ask questions of applicant)
- Call for PLANNING DIRECTOR'S SUMMARY AND RECOMMENDATION
- Call for MOTION
- Call for DISCUSSION OF MOTION
- Call for QUESTION
- ANNOUNCE ACTION TAKEN (with Findings of Fact)

Item 2 - Call for Planning Director's Report

Item 3 - Call to the Public

ADJOURN



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MEMORANDUM

TO: Cochise County Board of Adjustment, District 2
FROM: Dora V Flores, Permit and Customer Service Coordinator
FOR: Beverly Wilson, Deputy Director, Planning Division
SUBJECT: Docket BA2-12-05 (Zamora)
DATE: September 24, 2012, for the October 3, 2012 Meeting

REQUEST FOR A VARIANCE

Docket BA2-12-05 (Zamora): The Applicant requests a Variance from Section 704.03 of the Cochise County Zoning Regulations, which requires that structures in a TR-18 Zoning District be set back no less than 20-feet from all property lines and/or road travelways. The Applicant intends to build a carport 15-feet from the South property line, and zero feet from a 15-foot access easement traversing the southern portion of the property. The subject parcel (403-23-001L) is located at 10429 N. Highway 191 in Elfrida, AZ. It is further described as being situated in Section 15 of Township 20, Range 26 East of the G&SRB&M, in Cochise County, Arizona. The Applicant is Raul Zamora.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Parcel Size: .61 acre
Zoning: TR-18 (Residential; one dwelling per 18,000 square feet)
Growth Area: Growth Category C
Plan Designation: Developing
Area Plan: None applicable
Existing Uses: Single-family home
Proposed Uses: Same, with a 609-sq. ft. carport

Surrounding Zoning and Uses

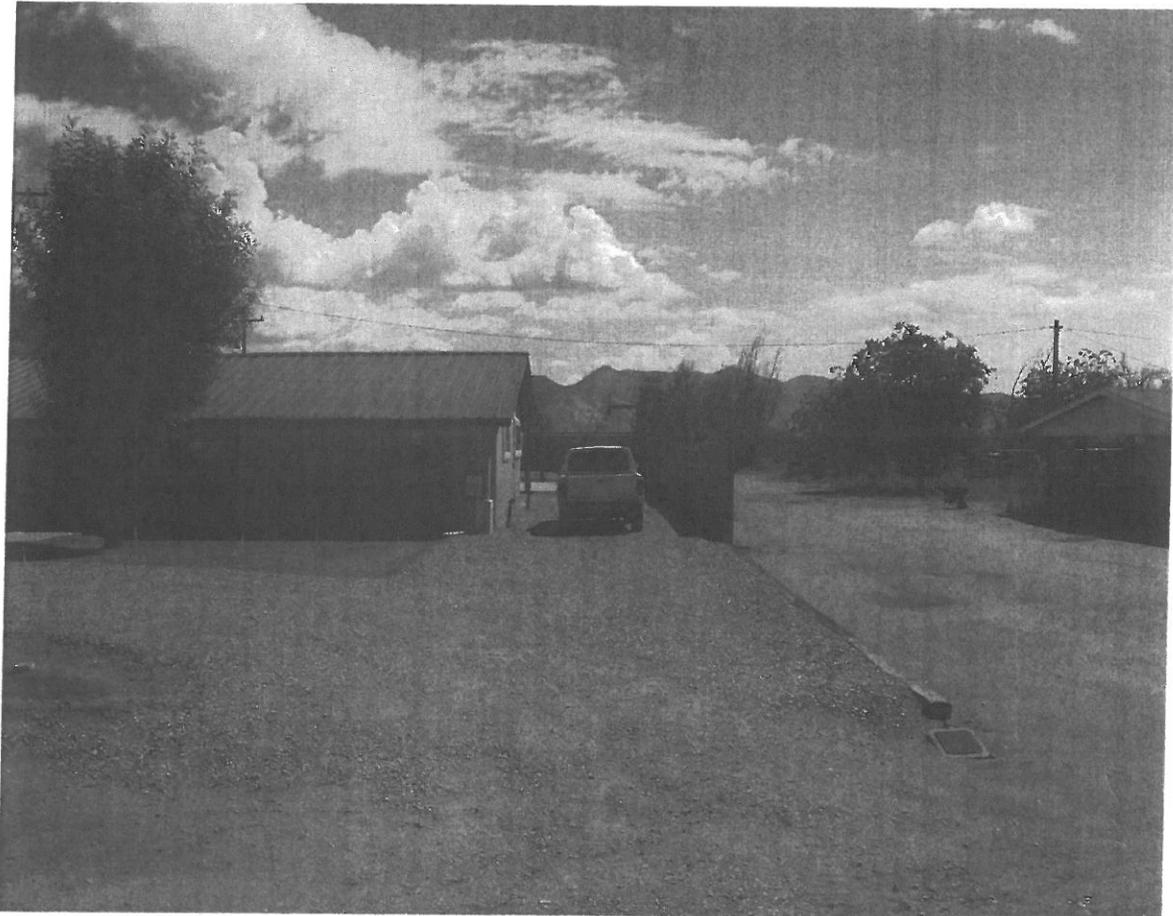
Relation to Subject Parcel	Zoning District	Use of Property
North	TR-18	Single Family Residential
South	TR-18	Single Family Residential
East	TR-18	Vacant Undeveloped Land
West	State Highway– GB/TR-36	Highway 191– Vacant Undeveloped Land-Single Family Residential

II. PARCEL HISTORY

- 1964 – The residence was built per the Assessor’s records.
- November 2007 – A permit was issued to remodel the existing residence.
- 2011 - Stop Work Order issued for building a patio without a permit.
- June 2011 – A permit was issued for a 238-sq. ft. patio.

III. NATURE OF REQUEST

Structures in a TR-18 Zoning Districts are required to be setback no less than 20-feet from all property lines and/or road travelways, per Section 704.03. The proposed 609-sq. ft. carport would be located zero-feet from the travelway, and 15-foot from the south property line if the Variance is granted.



Above: East view of the subject area from Highway 191 (the carport would cover the area between the house and the block wall)

IV. ANALYSIS OF IMPACTS

While the 15-foot easement is on the Applicant's property, it appears to be more of a driveway to parcel 403-23-001H to the southeast (see the photo below). It is unlikely that this easement will be upgraded or expanded. The small easement does not seem to have much through-traffic and it does not connect to any other roads. Due to site-specific conditions of this easement, staff does not anticipate any traffic conflicts or off-site impacts.

Staff has not received any correspondence from the abutting neighbor south of the Applicant for or against the request.

Staff's position is that the impact on neighboring properties would be minimal and would not block or diminish light, air or privacy to the parcel to the South.



V. PUBLIC COMMENT

The Department mailed notices to neighboring property owners within 300-feet of the subject parcel. Staff posted a legal notice on the property on September 13, 2012, and published a legal notice in the *Bisbee Observer* on September 13, 2012. To date, the Department has received two letters from neighboring properties supporting the request.

BAZ-12-05



COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning, and Building Safety
1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240
Fax 432-9278

APPLICATION FOR VARIANCE

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

TO THE HONORABLE BOARD OF ADJUSTMENT, DISTRICT 22

I (we), the undersigned, hereby petition the Cochise County Board of Adjustment, District 22 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. Parcel Number: 40323001L
2. Address of parcel: 10429 N. Hwy 191
 Elfrida AZ 85610
3. Area of Parcel (to nearest tenth of an acre): 40323001L
4. Zoning District designation of Parcel: Residential
5. Describe existing uses of the parcel and the size and location of existing structures and buildings on it.
 Building would be a carport for
 residential use only
 "see attached sheet"
6. Describe all proposed uses or structures, which are to be placed on the property.
 CARPORT For vehicles
 Other Property of value

7. State the specific nature of the variance or variances sought.

See Attached Sheet

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 an unnecessary hardship to the property owner. In granting variances, however, the general intent & purpose of the Zoning Regulations will be preserved (See attached Section 2103.02 on variances). Describe the reasons for requesting the variance and attach any documents necessary to demonstrate compliance with the provisions cited above.

To Preserve Value of Vehicles
and or other Property Value.

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.

Will bring up Property Value.
All will be on my own Property
Will not be an impact on one's way
of Property.

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

PROPERTY OWNER

MAIL ADDRESS

Raul Zamora

10709 N Hwy 191

Elfrida AZ 85610

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.

SIGNATURE OF PETITIONER

ADDRESS

DATE

+ Raul Zamora

10429 N Hwy 191

7-31-12

Elfrida AZ 85610

APPLICANT'S PHONE NUMBER

520-940-2581

APPLICANT'S EMAIL ADDRESS

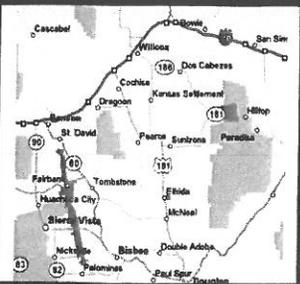
N/A

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 dollars (\$300) payable to the Cochise County Treasurer. Return to the Cochise County Planning Department, 1415 Melody Lane, Building E, Bisbee, Arizona, 85603.



Legend

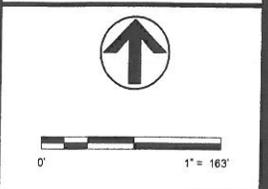
- Townships
- Sections
- Incorporated Limits
- Roads
- Driveway
- Parcels
- Milepost
- Address
- Current Features
- Search Polygon



BA2-12-05 (Zamora)

403-23-001L

This map is a product of the Cochise County GIS



Variance: Docket BA2-12-05 (Zamora) SEP 10 2012

PLANNING

YES, I SUPPORT THIS REQUEST
Please state your reasons:

we are the Zamora's neighbors and have
no problem with their building their carport
as proposed. we don't feel that it would interfere
with anything.

NO, I DO NOT SUPPORT THIS REQUEST:
Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): Allon Owen, Janice Owen

SIGNATURE(S): Janice Owen
Allon C. Owen

YOUR TAX PARCEL NUMBER: 403-20-006 C (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Board of Adjustment Dist 2. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. To ensure adequate review time by members of the Board, this form is due to our Department by Friday, September 16, 2012.

RETURN TO: Dora Flores, Permit & Customer Service Coordinator
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

Variance: Docket BA2-12-05 (Zamora)

YES, I SUPPORT THIS REQUEST

Please state your reasons:

Raul Zamora - has made many improvements on his property through the years and looks really good. Good deal to him. There is also a right of way on the south side that leads to property in the back of them.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S): MARION PELLEGRINO

SIGNATURE(S): Marion Pellegrino

YOUR TAX PARCEL NUMBER: 403-23-001A 9 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Board of Adjustment Dist 2. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. To ensure adequate review time by members of the Board, this form is due to our Department by Friday, September 16, 2012.

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COCHISE CO.

SEP 20 2012

PLANNING