



COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning and Building Safety

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Carlos De La Torre, P.E., Director

MINUTES

TO: Board of Adjustment, District 3

FROM: Keith Dennis, Senior Planner

SUBJECT: Minutes of the Regular Meeting of January 10, 2012

DATE: February 15, 2012

MEMBERS PRESENT

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

STAFF PRESENT

Keith Dennis, Senior Planner

OTHERS PRESENT

Richard Searle, District 3 County Supervisor	Travis and Emily Martin
Steven Medeiros, BA3-12-01 Applicant	Mike Cox
Dan Bailey, Pomerene School District Superintendent	Jim Hays

The minutes for the BA3 meeting held on January 10, 2012 are complete only when accompanied by the memorandum for that meeting.

Vice-Chairman Brick called the meeting to order at 6:35 PM at the J.P. Courtroom at the Cochise County Regional Services Center in Benson, Arizona. Mr. Brick followed by calling the roll and a quorum was established with the presence of all three Board Members.

Mr. Wales moved to approve the minutes of the November 9, 2011 meeting.

Ms. Barnard seconded the motion, whereupon Chairman Brick offered a correction to the minutes. Mr. Wales amended his motion to include the correction, and the motion passed unanimously (3 – 0).

NEW BUSINESS

Mr. Brick called for the Docket, which was presented by Senior Planner Keith Dennis. Mr. Dennis presented the Docket on behalf of the Planning Director.

Docket BA3-12-01 (New Life Family Worship Center): The Applicant owns and operates New Life Family Worship Center in Pomerene, and seeks to legitimize the existing use through the following Variances and Waivers to site development standards: Screening along North, West and East property lines (Section 704.06); 40-foot required parking area setback along West side (1804.06.B); and to allow a changeable copy on-site advertising sign (1908.02).

The subject parcel (Parcel No. 208-44-009) is located at 642 E. Pomerene Road in Pomerene, AZ. The Applicant is Steven Medeiros of New Life Family Worship Center.

Senior Planner Keith Dennis presented the staff report for this Docket, explaining the facts of the case and history of the parcel. He explained to the Board that the site had been developed in the early 1950's by the LDS church, and had continued under the original religious use until the early 1990's, when the Pomerene School District purchased the property and converted the site for educational use. The resulting change of use meant that the legal-nonconforming status of the former church was lost, and that future uses had to meet current Zoning code. These circumstances precipitated the need to obtain the Variances now requested by the Applicant, in order to re-establish the religious use on the property.

Mr. Dennis explained the Docket using photos and the site plan provided by the Applicant. He then provided the factors in favor of approval, and recommended approval of each of the Variances and waivers as requested.

Mr. Wales then asked staff to clarify and briefly explain the nature of each of the Variances requested, which Mr. Dennis did, explaining in turn the sign, parking area setback and screening Variances.

Mr. Brick then opened the public hearing, and invited Mr. Steven Medeiros to speak. He offered considerable praise for the professionalism of the County staff, naming permit coordinator Dora Flores, building official Jack Holden, and planner Keith Dennis in particular. He further praised the front counter staff at the Planning Department, the Environmental Health Department, and the Board of Adjustment members for their service. He said he and his congregation intended to be good neighbors, and that they planned to improve and beautify the property.

Mr. Brick asked the Applicant to clarify that the Pomerene School District still owned the property. This fact was confirmed by the Applicant and Pomerene School Superintendent Dan Bailey, but that ownership may change hands in the future.

Mr. Bailey then spoke in favor of the Variance, and explained that the Pomerene School District had one of the smallest operating budgets of any school district in the state, and that, as such, maintenance costs for the subject property were burdensome. He indicated that the New Life Church had already made significant improvements to the building since occupying the property within the last several months.

Travis Martin, the closest neighbor immediately East, then spoke in favor of the Variance. He asked that, should the screening Variance not be granted, that the Applicant notify him of his plans with regard to the existing fence along the shared property line.

Mr. Medeiros indicated that, ideally, no site improvements such as screening would be made.

Mr. Brick then closed and asked for a motion. Vice-Chairman Wales moved to approve the Variances as requested, the factors in favor of approval being the findings in fact, and Ms. Barnard seconded the motion, which passed unanimously (3 – 0).

Mr. Dennis indicated that the Applicant and County staff would be notified in writing of the Board's decision.

Mr. Brick then informed the audience that the agenda item was concluded and that they were welcome to stay or leave.

DIRECTOR'S REPORT:

Mr. Dennis then provided the Director's Report, briefly informing the Board of the items on the Planning Commission agenda for the following night. He also informed the members that they would have regular meetings in February and March, with one item on each of the agendas.

Then Mr. Brick made the call to the public, inviting Supervisor Richard Searle to speak. Mr. Searle then informed those assembled of his pleasure at hearing the praise offered to staff and the Board by the Applicant a few minutes earlier. He also thanked each of the Board members in turn for their service.

Ms. Barnard moved to adjourn the meeting, Mr. Wales seconded the motion and the meeting adjourned at 6:55 p.m.