



Cochise County
Community Development
Development Services

Public Programs...Personal Service
www.cochise.az.gov

APPLICATION FOR VARIANCE

DESIRING A VARIANCE FROM THE TERMS OF THE COCHISE COUNTY ZONING REGULATIONS:
TO THE HONORABLE BOARD OF ADJUSTMENT, DISTRICT BA#1.

I (we), the undersigned, hereby petition the Cochise County Board of Adjustment, District _____
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: 10541002Z
2. Address of parcel: 2162 East Moon Rise Trail, Hereford, AZ 85615
3. Area of Parcel (to nearest tenth of an acre): 1.62 acres
4. Zoning District designation of Parcel: R-36
5. Describe existing uses of the parcel and the size and location of existing structures and buildings on it.

Residential parcel with a site-built home sized approximately 1,800 sq. ft., a site built 400 sq. ft. workshop, chicken coop, fire pit, and a small temporary storage structure

6. Describe all proposed uses or structures, which are to be placed on the property.
(1) A concrete pad approximately 31' x 42' to be used to emplace a (2) 12 by 30 storage shed and (3) 21' foot diameter above ground pool
7. State the specific nature of the variance or variances sought.

I am requesting a 3 foot set back variance from the current 20 foot set back distance for structures. The area in question abuts state land on the south, and private land on the east. It affects those areas for only a 42 foot segment to the south and 31 foot segment to the east.

Bisbee Office
1415 Melody Lane, Building E
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
1-877-777-7958
planningandzoning@cochise.az.gov

Highway and Floodplain
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9337 fax
1-800-752-3745
highway@cochise.az.gov
floodplain@cochise.az.gov

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.

The county specifies that permanent structures are set back 20 feet from property boundaries. Due to high excavation costs and the location of existing structures and creek areas, the most suitable location for the proposed structures require a distance variance. A reduction from the existing 20 foot set-back to allow a concrete pad to be built as close as 3 feet from the property boundaries would ameliorate excessive cost and placement challenges.

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.

The location of the proposed structures is hidden from view from the surrounding property owners due to existing trees and structures on our property. Two adjoining properties are also uninhabited: state land on the south, and private land to the east.

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

<u>PROPERTY OWNER</u>	<u>MAIL ADDRESS</u>
<u>AP Lenders LLC</u>	<u>23614 S. Rosecrest Drive, Sun Lakes, AZ 85248</u>
<u>Reece, Victor & Marie D.</u>	<u>6101 S Solla Sollew Ave., Hereford, AZ, 85615</u>
<u>Mendoza, Robert F Jr. Maria A.,</u>	<u>1010 N. Kevins PL. Coolidge, AZ, 85128</u>
<u>Chandler, Vernon E. & Martha</u>	<u>6110 S. Richter LN, Hereford, AZ, 85615</u>
<u>Richter, George H & Susan A</u>	<u>6116 S. Richter LN, Hereford, AZ, 85615</u>
<u>Kolar, Billy Joe & Donna L.</u>	<u>2120 E. Moon Rise Trail, Hereford, AZ, 85615</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>2120 E. Moon Rise Trail, Hereford, AZ, 85615</u>	

APPLICANT'S PHONE NUMBER 520-234-4436

APPLICANT'S EMAIL ADDRESS joeperez22@gmail.com

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.

2103.02 Variances

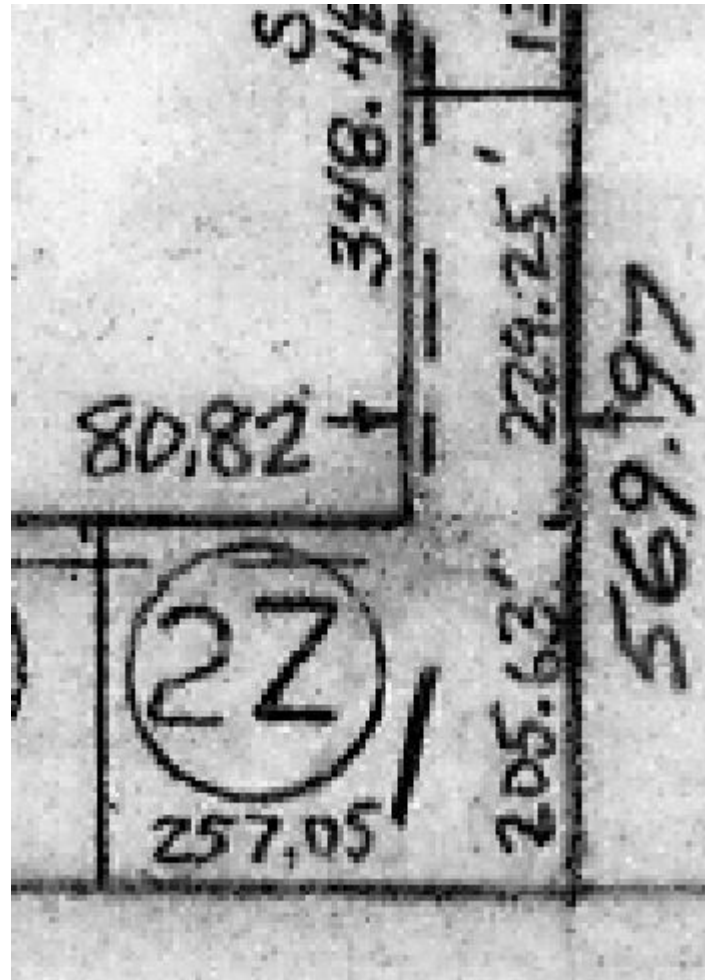
The Board of Adjustment may grant a variance from the terms of these Zoning Regulations when, owing to peculiar conditions, a strict interpretation would work an unnecessary hardship, if in granting such variance the general intent and purposes of the Zoning Regulations will be preserved. It shall be the responsibility of the applicant to submit any studies and/or data necessary to demonstrate the effectiveness of the alternative conditions.

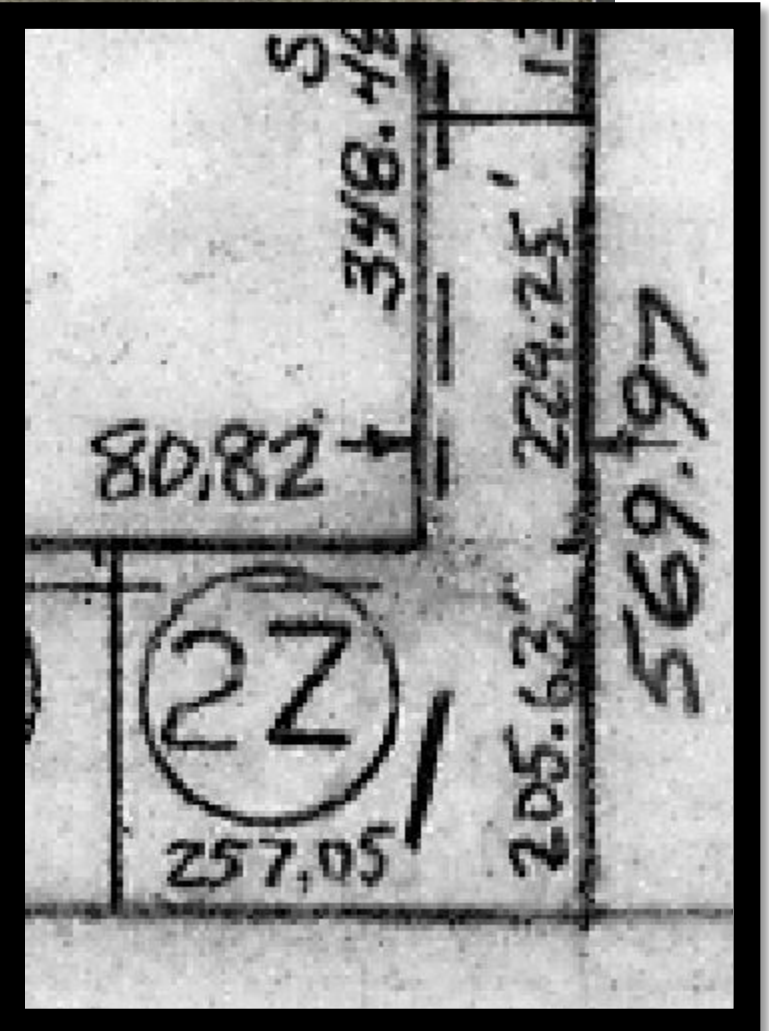
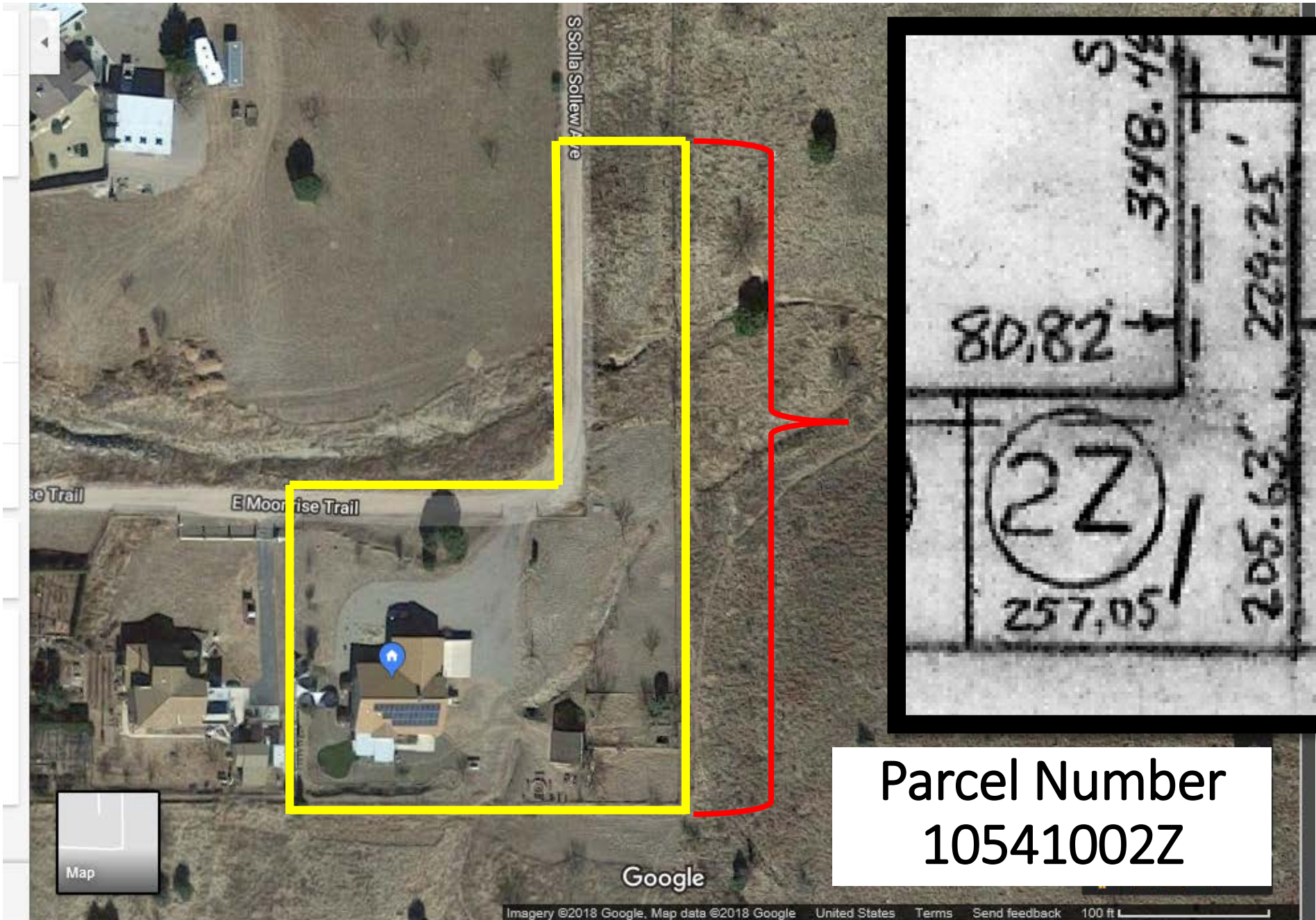
These zoning regulations are generally intended to yield results that are in compliance with all other applicable laws. A request for a "reasonable accommodation" in these regulations, pursuant to any federal or state housing law or other similar legislation, as may be necessary to afford an equal opportunity to housing under any such law, shall be considered to be an appropriate condition for a variance from the strict application of these zoning regulations. The Board of Adjustment is authorized to grant any such variance, to the extent that any such accommodation is required pursuant to any applicable state or federal law.

Any decision of the Board of Adjustment allowing a variance shall be considered for revocation by the Board of Adjustment if substantial construction, in accordance with the plans for which such variance was granted, has not been initiated within 12 months of the date of approval, building permit issuance, or if judicial proceeding to review the Board of Adjustment's decision has been instituted, 12 months from the date of entry of the final order in such proceedings, including appeals. Additionally, if any of the conditions of the variance approval are not complied with within 12 months or within the time period set by the Board, it shall be revoked after 30 days notice to the owner and applicant, unless a request for a review hearing before the Board of Adjustment is made by the applicant within this 30 day appeal period. The Board of Adjustment may grant reasonable extensions to the time limits upon a hearing pursuant to a timely written request by the applicant.

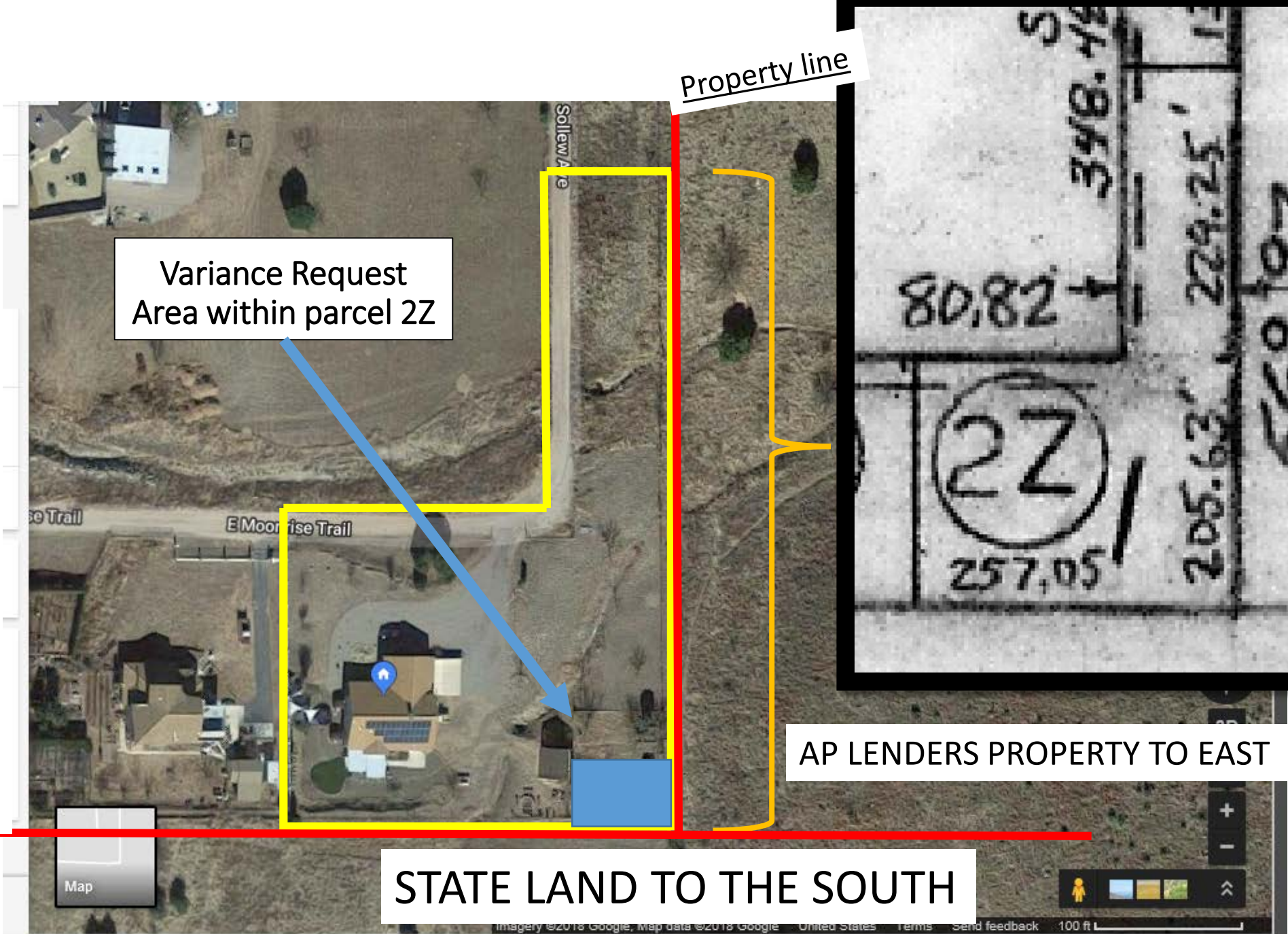
Variance Request Images for Perez Residence

Parcel Number: 10541002Z



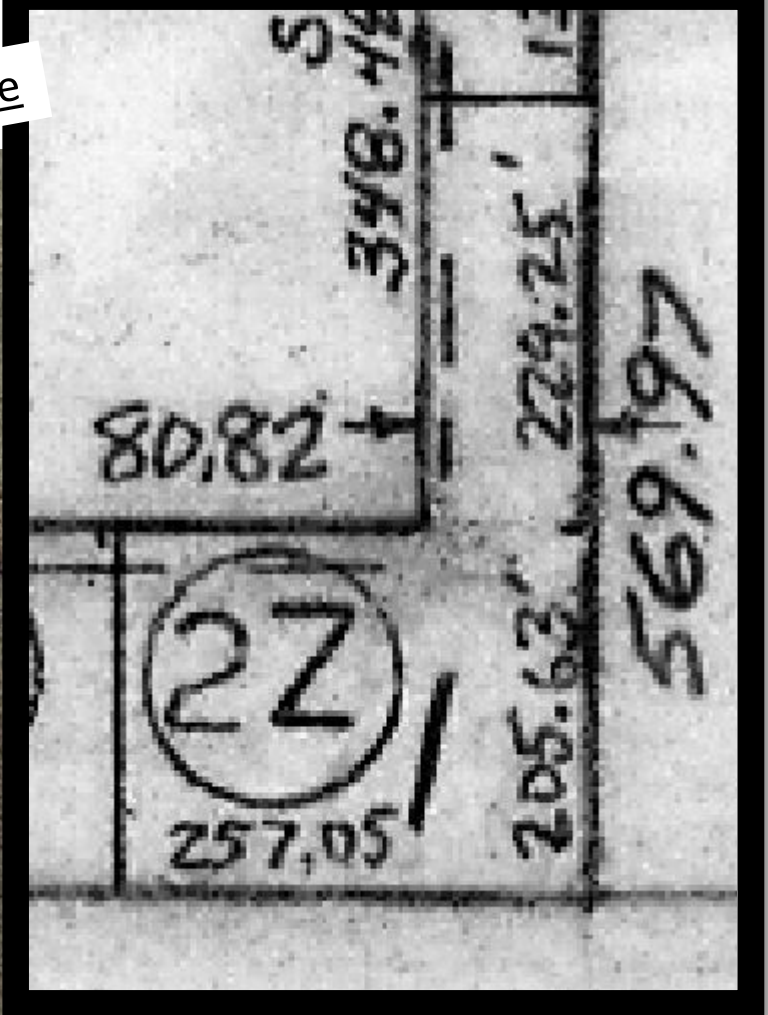


Parcel Number
10541002Z



Variance Request Area within parcel 2Z

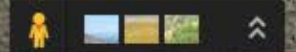
Property line



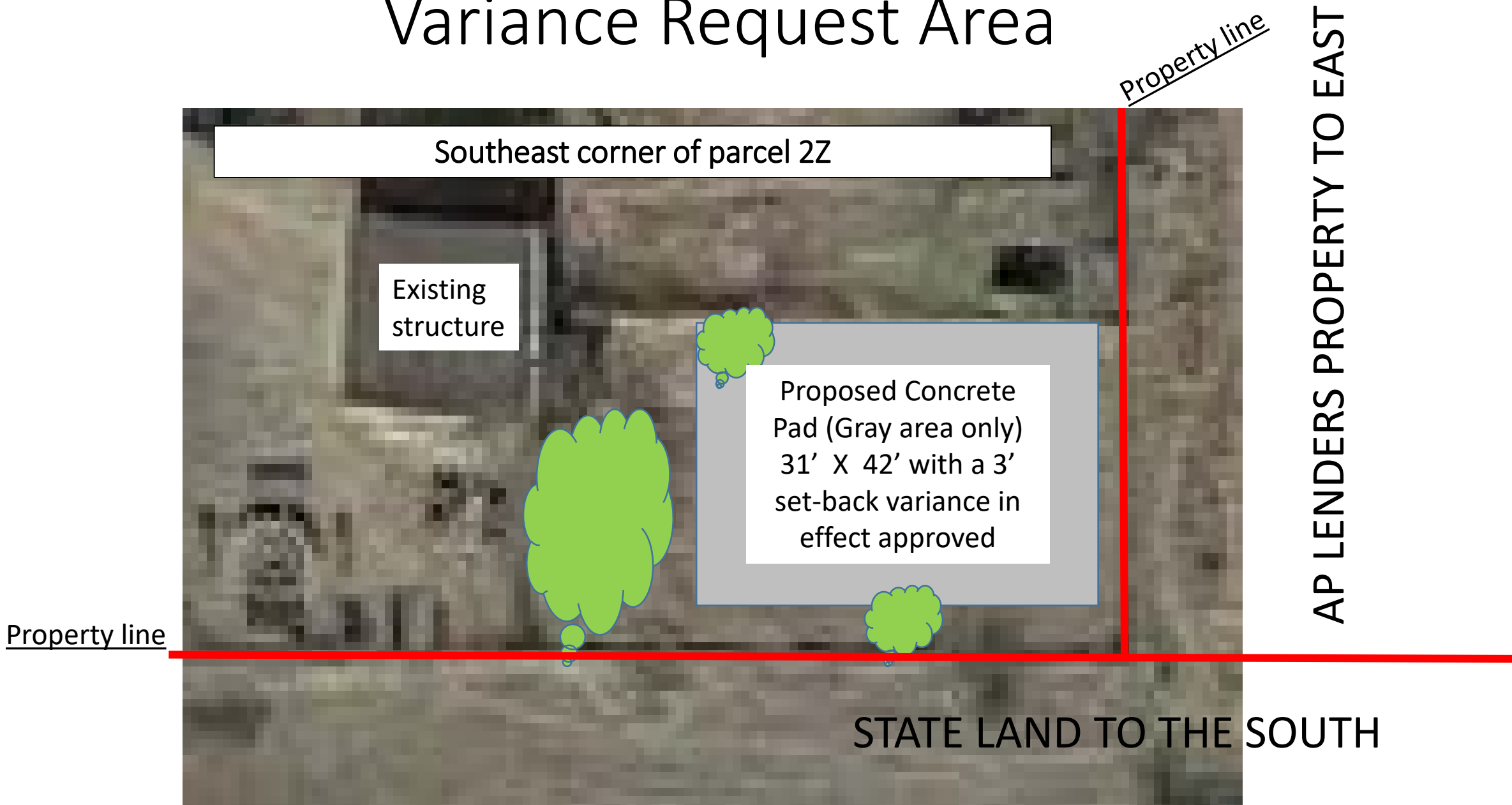
AP LENDERS PROPERTY TO EAST

Property line

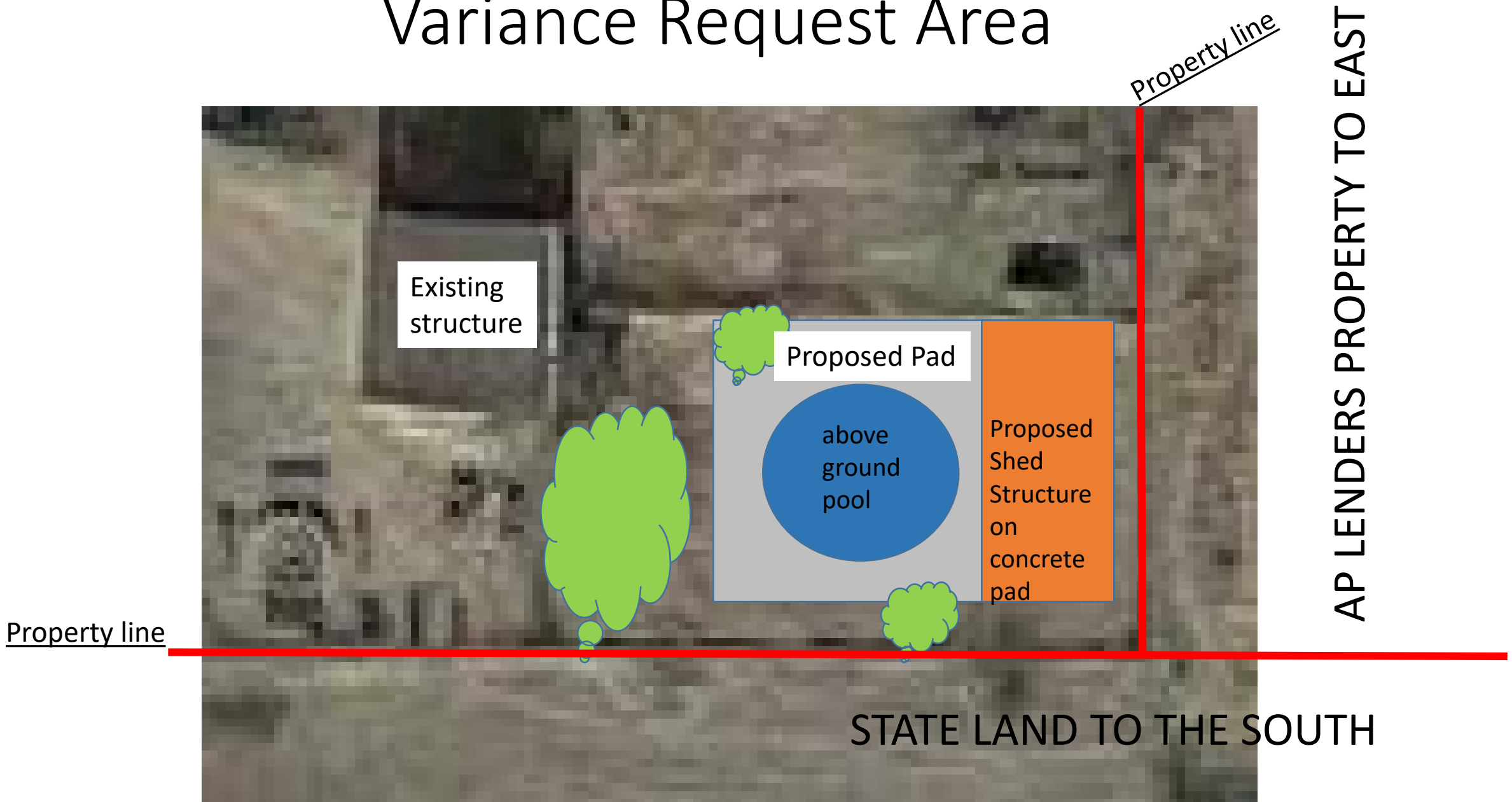
STATE LAND TO THE SOUTH



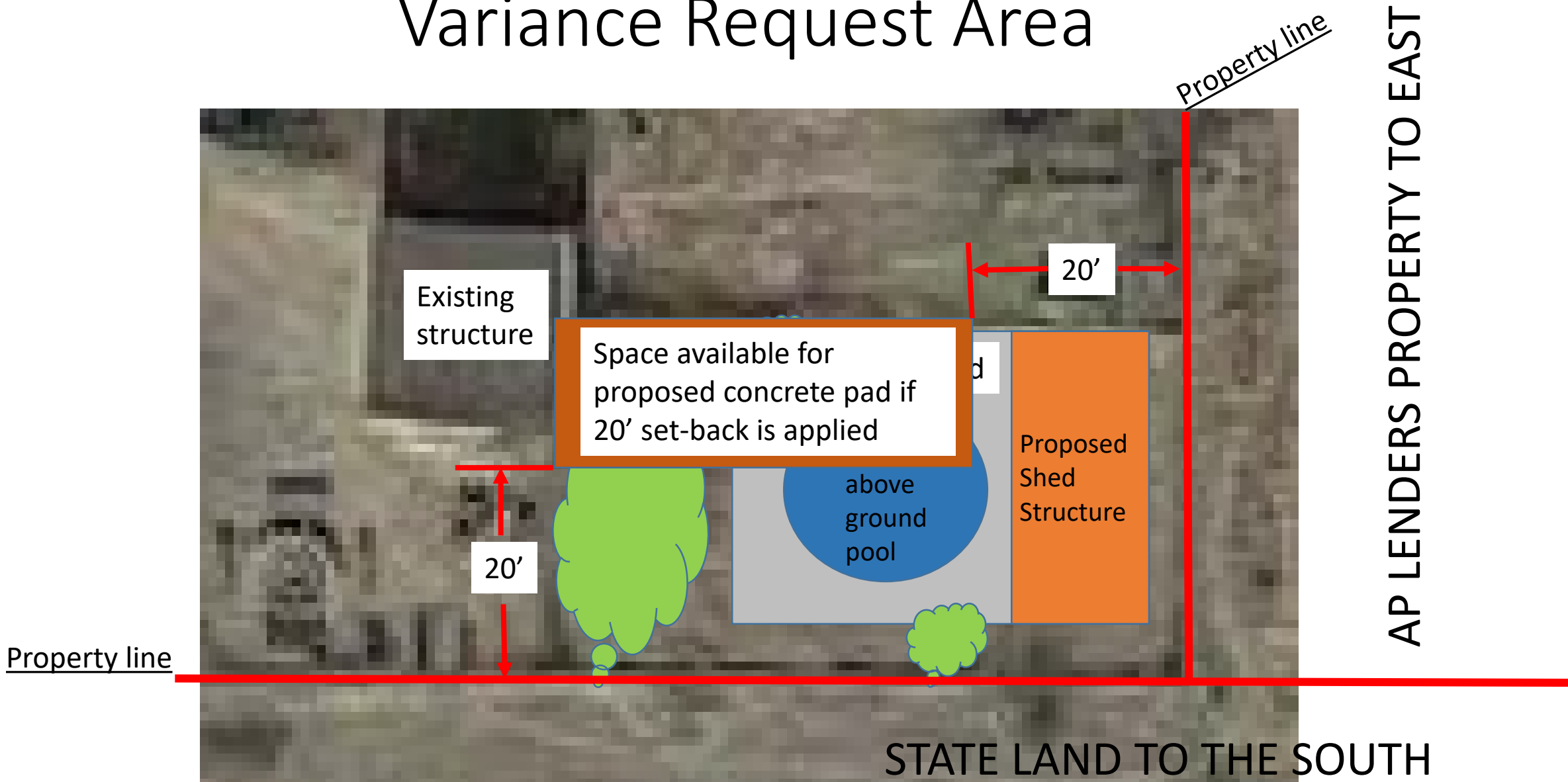
Variance Request Area



Variance Request Area



Variance Request Area





E Moonrise Trail

E Moonrise Trail

S Richter Ln

S Richter Ln

S Richter Ln

S Solla Sollew Ave

S Solla Sollew Ave

S Solla Sollew Ave

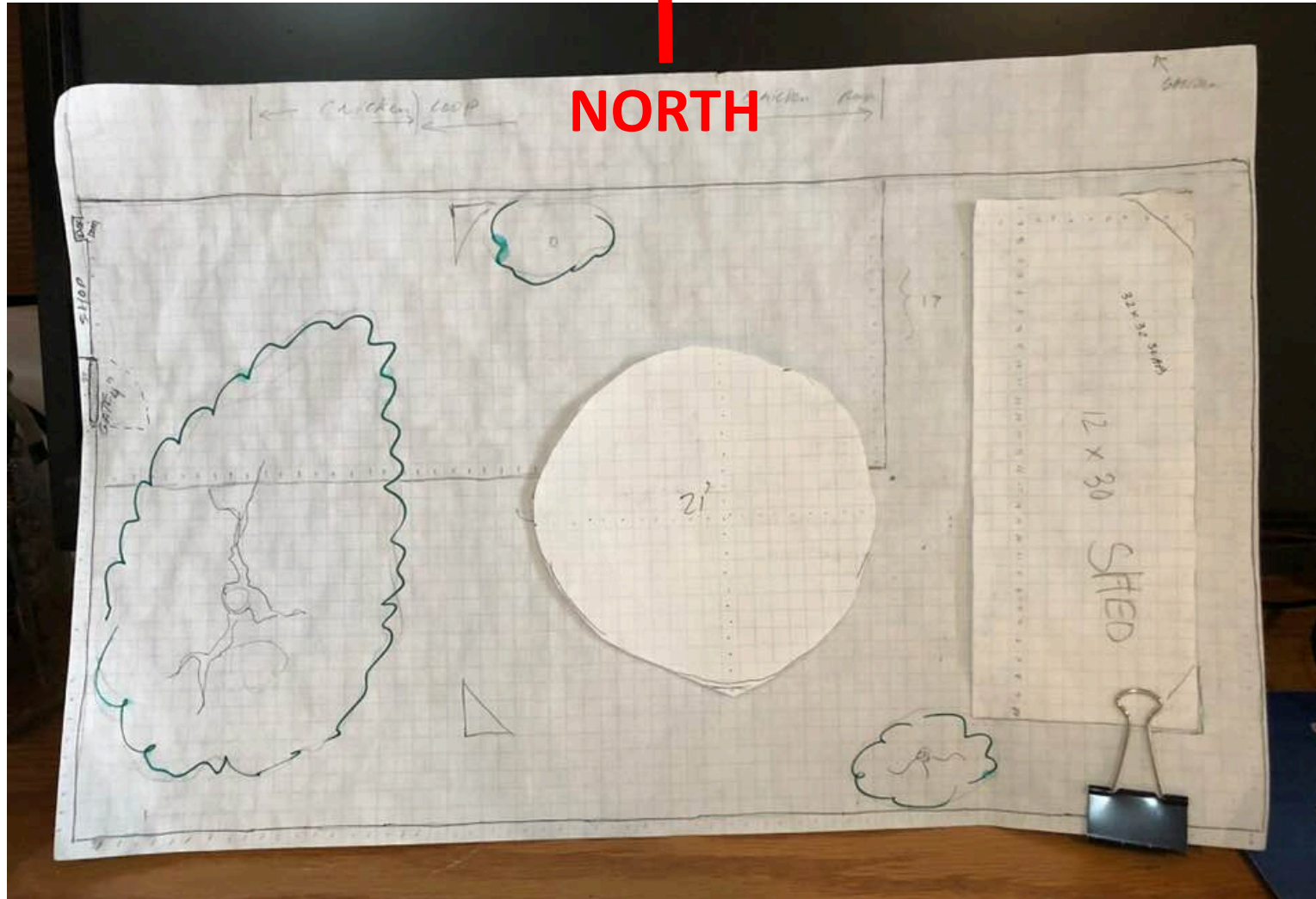
E Apache Pointe Rd

NORTH

Google

Map

Variance Request Area Sketch



Factors for Requesting Variance for Parcel Number 10541002Z

- Additional hardship incurred if strict interpretation of zoning is followed, in the form of:
 - Additional substantial excavation costs
 - Limited space options for proposed structure anywhere on property
- Reasonable accommodation would result in no impact to neighboring properties