



Cochise County
Community Development
 Planning, Zoning and Building Safety Division
Public Programs...Personal Service
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MEMORANDUM

TO: Cochise County Board of Adjustment, District 3
FROM: Robert Kirschmann, Planner II
FOR: Daniel Coxworth, AICP, Planning Director
SUBJECT: Docket BA3-19-05 (El Paso)
DATE: August 27, 2019 for the September 10, 2019 Meeting

APPLICATION FOR VARIANCE

Docket BA3-19-06 (El Paso):

The Applicant is requesting a variance to exceed the maximum height allowed by the RU-4 (Rural, one dwelling per four acres) Zoning District by twenty six feet. The overall height of the facility requested is fifty-six feet to allow adequate room and required clearances of the new compressor equipment. The existing facility is currently forty-four feet, ten inches tall.

The subject parcels, 305-32-024 and 305-55-037B, are located at 5800 East Arzberger Road south of Willcox, AZ. It is further described as being situated in Section 34 of Township 21 South, Range 23 East of the G&SRB&M, in Cochise County, Arizona. The Applicant is David Gard with Kinder Morgan.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Site Size: 61.55 acres
Zoning: RU-4 (Rural, one dwelling per 4 acres)
Growth Area: Category D (Rural)
Plan Designation: Rural
Area Plan: None
Existing Uses: Existing natural gas compressor facility
Proposed Uses: Same, with additional structures on the property

Surrounding Zoning and Uses

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Vacant
South	RU-10	Vacant
East	RU-4	Vacant
West	RU-10	Vineyard/Single Family Residences

Planning, Zoning and Building Safety
 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

II. SITE HISTORY

The site has been used as a compressor facility since around 1949.



Above: Location Map/Aerial Photo, Below: Existing facility

III. PROJECT DESCRIPTION

The existing facility has been operational since approximately 1949. The existing facility already exceeds the maximum height allowed per zoning at 44 feet, 10 inches. The new compressor building will be located in the northeastern portion of the property and have an overall height of 56 feet. No other variances are being requested.

The maximum height of structures located in the Rural Zoning district is 30 feet. Therefore, the applicant is requesting a variance of 26 feet.



IV. ANALYSIS OF IMPACTS

The existing neighborhood is characterized by large vacant lots, scattered single family homes, vineyards and other agricultural uses.

Impacts of the proposed addition will be minor for several reasons.

1. **Existing use.** The site has been in operation since approximately 1949 with minimal impacts to the neighbors.
2. **Height.** The existing structures on the site already exceed the maximum 30 feet in height and were constructed prior to zoning regulations. Additionally, as seen in the photo to the right there are existing agricultural structures



*Above: Agricultural structures over 30 feet,
Left: Example of surrounding area*



scattered around the area. These are exempt from our height requirements pursuant to Arizona Revised Statutes 11-812.

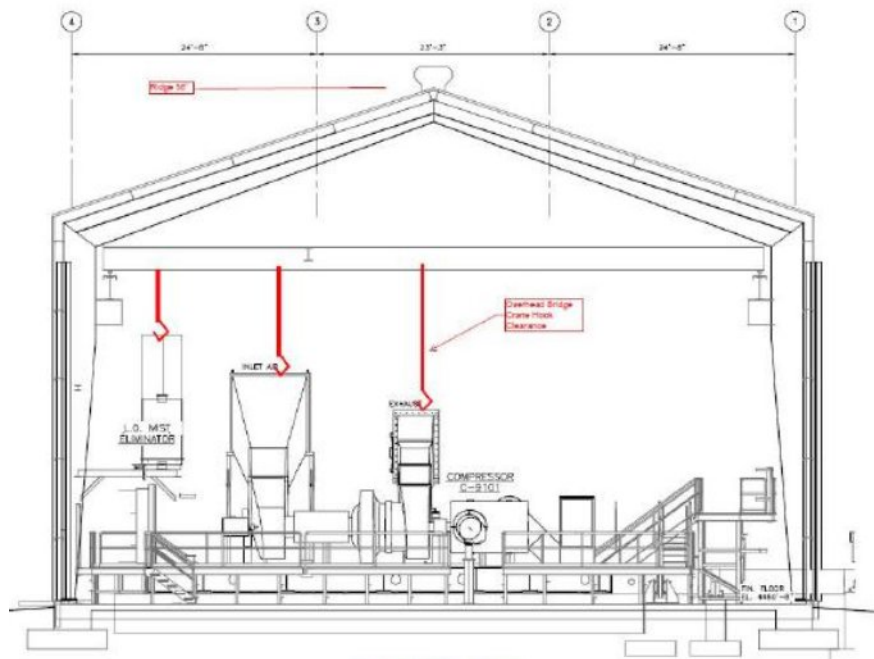
3. **Location.** The rural location, topography and vegetation combine to provide screening of the facility.

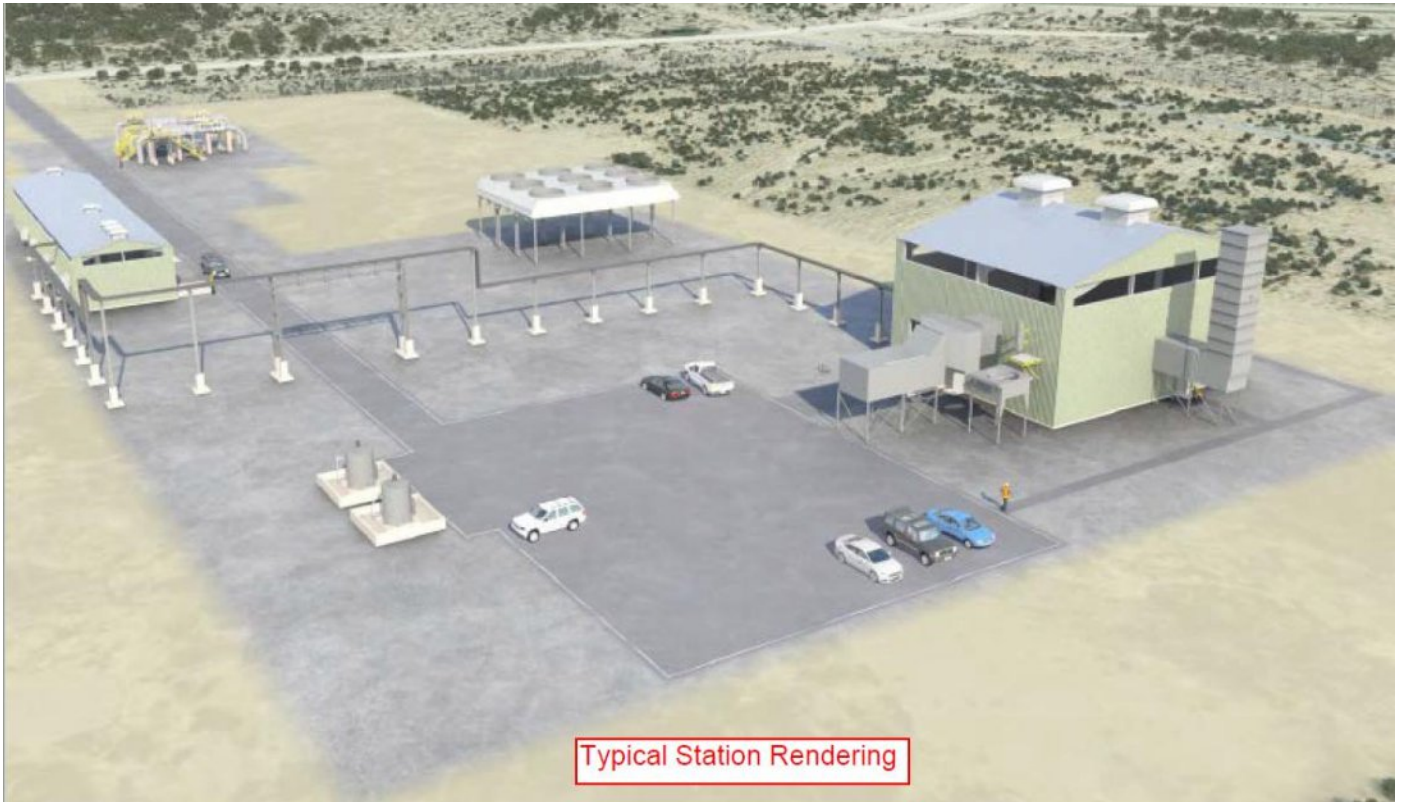
4. **Public Comments.** No public comments have been received as of the righting of the staff report.

V. Public Comment

The Department mailed notices to neighboring property owners within 300-feet. Staff posted the property and published a legal notice in the *Sierra Vista Herald*. The Department has not received any communication from any member of the public.

Right: Elevation of proposed building





Typical Station Rendering

VI. SUMMARY AND CONCLUSION

Factors in Favor of Approving the Variances

1. Approving the Variance would not unduly impact neighboring properties;
2. Approving the Variance will ease the installation of improved natural gas infrastructure;
3. No public comments have been received;
4. The facility has existed since approximately 1949.
5. Other agricultural facilities in the vicinity exceed the 30 feet height.

Factors Against Approving the Variances

None identified.

VII. RECOMMENDATION

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

Sample Motion: *Mr. Chairman, I move to approve Docket BA3-19-06, granting the Variance as requested by the Applicant, the Factors in Favor of approval constituting the Findings of Fact.*