



Cochise County Community Development

Development Services Department

Public Programs...Personal Service
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MEMORANDUM

TO: Cochise County Board of Adjustment, District 2
FROM: Robert Kirschmann, Planner II
FOR: Daniel Coxworth AICP, Development Services Director
SUBJECT: Docket BA2-19-02 (Maley)
DATE: March 21, 2019 for the April 3, 2019 Meeting

APPLICATION FOR VARIANCE

Docket BA2-19-02 (Maley)

The Applicant is requesting the following variance:

In the SR-22 zoning district, all structures must be setback a minimum of twenty (20) feet from the property line. The applicant is requesting to construct a shed approximately seven (7) feet from the north property line due to existing site constraints.

The subject parcel, 108-32-074, is located at 1527 N. Ringo Lane in unincorporated Tombstone, Arizona. It is further described as being situated in Section 31 of Township 19 South, Range 23 East of the G&SRB&M, in Cochise County, Arizona. The Applicant is Thomas Maley.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Site Size: .51 Acres
Zoning: SR-22 (Single-Household residential one dwelling per 22,000 square feet)
Growth Area: Category B
Plan Designation: Neighborhood Conservation
Area Plan: None
Existing Uses: Single Family Home
Proposed Uses: Same, with new shed

Surrounding Zoning and Uses

Relation to Subject Parcel	Zoning District	Use of Property
North	SR-22	Vacant/single family homes
South	SR-43	Vacant/single family homes
East	SR-43	Vacant
West	SR-43	Single family homes

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

SFR Built in 1976.

III. PROJECT DESCRIPTION

The applicant is requesting construct a shed approximately ten (10) feet from the north property line, due to constraints posed by the existing home, walls and septic area.

IV. ANALYSIS OF IMPACTS

The project site is within a residential neighborhood, characterized by numerous attached and detached accessory structures. Though most properties appear to comply with the required setbacks the adjacent neighbor has a shed within 10 feet of the property line and a swamp cooler to the property line. These two lots are also the smallest in the area.

The Applicant is requesting this location for two primary reasons. One is to allow access between the shed and the rear of the home and the other is because of constraints presented by the septic tank and leach field.

Staff finds that the proposed setback reduction will have minimal negative impacts on the neighborhood.



V. PUBLIC COMMENT

The Department mailed notices to neighboring property owners within 300-feet on March 7, 2019. Staff posted the property on March 7, 2019 and published a legal notice in the *Benson Range Sun-News* on March 13, 2019. To date, the Department has received one letter in support.

VI. SUMMARY AND CONCLUSION

Factors in Favor of Approving the Variance

1. The property directly to the north encroaches into the required setback,
2. The proposed setback is consistent with the adjacent properties,
3. The existing septic system and placement of the house on the lot limits the area that a structure could be constructed,
4. One letter in support had been received, and
5. The proposed request will not create negative impacts on the affected properties.

Factor Against Approving the Variance

None

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 BA2-19-02, granting the Variance as requested by the Applicant, the Factors in Favor of approval constituting the Findings of Fact.