



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: Peter Gardner, Planner II
FOR: Daniel Coxworth AICP, Development Services Director
SUBJECT: Docket BA2-19-03 (Mullen)
DATE: July 10, 2019 for the July 18, 2019 Meeting

APPLICATION FOR VARIANCE

Docket BA2-19-03 (Mullen)

The Applicant is requesting the following variances:

1. In the R-18 Zoning District, all accessory structures must be subordinate in size to the principal dwelling. The proposed storage building will be larger than the existing 2,200 square foot home.
2. In the R-18 zoning district, all structures must be setback a minimum of twenty (20) feet from the property line. The applicant is requesting to construct a storage building approximately 16.5 feet from the north property line due to existing site constraints.

The subject parcel, 402-25-011, is located at 2375 S. Rock House Road in Portal, Arizona. The Applicant is William Mullen.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Site Size: 3.05 Acres
Zoning: R-18 (Residential; one dwelling per 18,000 square feet)
Growth Area: Category D - Rural
Plan Designation: Rural
Area Plan: None
Existing Uses: Single Family Home and Accessories
Proposed Uses: Same, with new storage building

Surrounding Zoning and Uses

Relation to Subject Parcel	Zoning District	Use of Property
North	R-18	Vacant
South	R-18	Portal Library
East	RU-4	Single Family Residence
West	R-18	Vacant

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

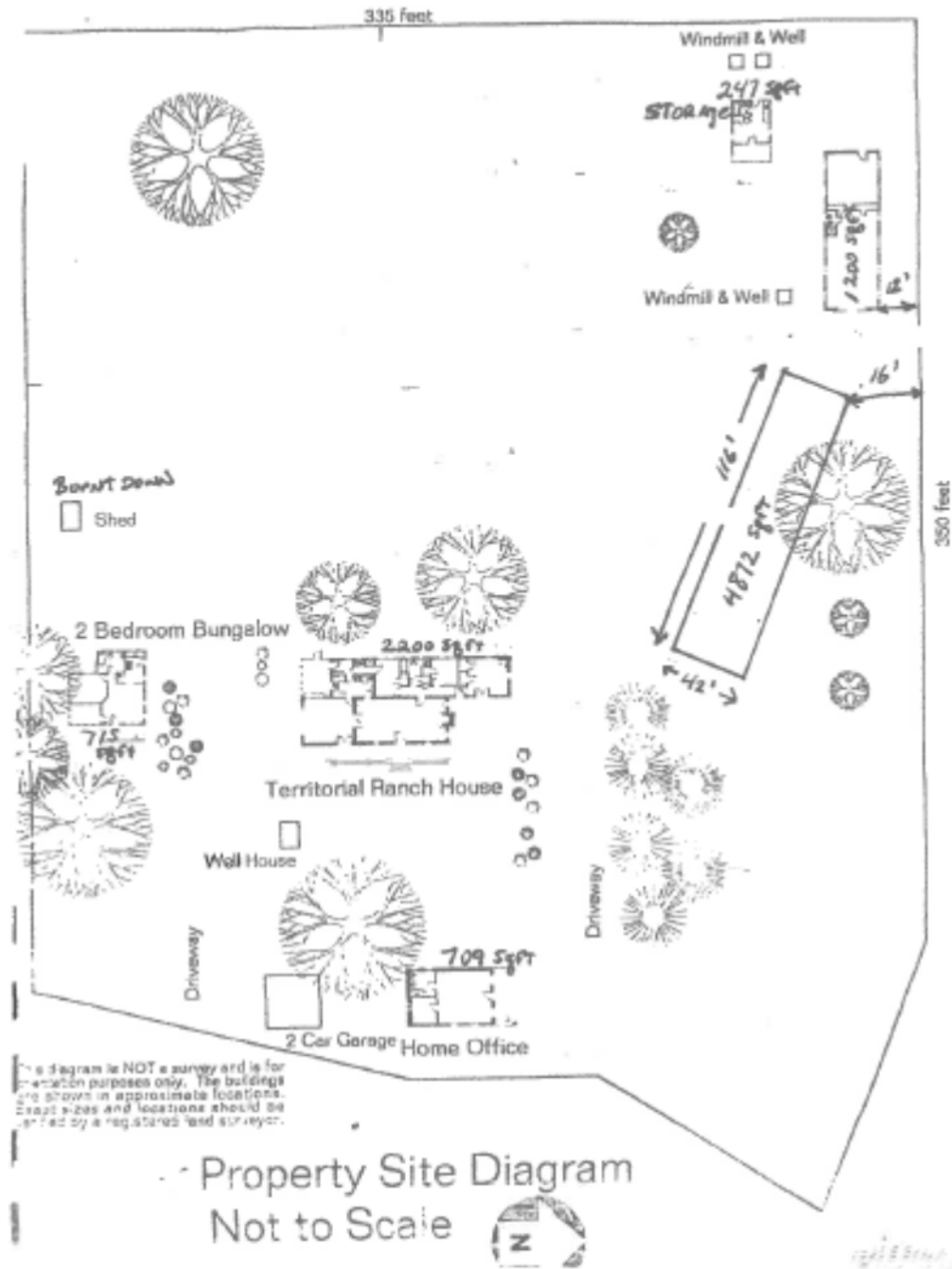


II. SITE HISTORY

Site developed agriculturally in 1918

III. PROJECT DESCRIPTION

The applicant is requesting construct a storage approximately sixteen feet from the north property line, due to constraints posed by the existing home, walls and septic area. The building is 4,812 square feet, which exceeds the size of the 2,200 square foot house. While this would be permitted in the RU zoning district to the east, it is not permitted in the R zoning district without a variance. The intention is to build one large building to consolidate existing storage, replacing existing buildings in various conditions.



IV. ANALYSIS OF IMPACTS

The project site is within a rural residential neighborhood, characterized by numerous attached and detached accessory structures. When zoning was adopted in 1975 S. Rock House Road was used as the dividing line between Rural zoning and Residential Zoning. If the property was zoned Rural, one of the requests would not be required. The subject property is also larger than most of the properties across Rock Springs Road, making the request more fitting than it would be on a Rural zoned property to the east. Regarding the setback, there is no development to the north, and the parcel is both set down and heavily wooded, concealing the building from most sightlines.

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 June 28, 2019. Staff posted the and published a legal notice. To date, the Department has received one letter in support.

VI. SUMMARY AND CONCLUSION

Factors in Favor of Approving the Variance

1. The proposed setback is consistent with the adjacent properties,
2. The existing septic system and placement of the house on the lot limits the area that a structure could be constructed,
3. One letter in support had been received, and
4. 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 BA2-19-03, granting the Variance as requested by the Applicant, the Factors in Favor of approval constituting the Findings of Fact.*