



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

April

BAI-20-01
(Arnold)

Cochise
County

FEB 19 2020

Development
Services

APPLICATION FOR VARIANCE

DESIRING A VARIANCE FROM THE TERMS OF THE COCHISE COUNTY ZONING REGULATIONS:

TO THE HONORABLE BOARD OF ADJUSTMENT, DISTRICT 1

I (we), the undersigned, hereby petition the Cochise County Board of Adjustment, District 1

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: 104-47-015

2. Address of parcel: 10350 E RANCHO PEQUENOS
HEREFORD AZ 85615

3. Area of Parcel (to nearest tenth of an acre): 8.06 ACRES

4. Zoning District designation of Parcel: RU-4

5. Describe existing uses of the parcel and the size and location of existing structures and buildings on it.

PLEASE SEE ATTACHMENT 1 FOR
ITEMS 5 THRU 9

6. Describe all proposed uses or structures, which are ~~to be placed~~ on the property.

7. State the specific nature of the variance or variances sought.

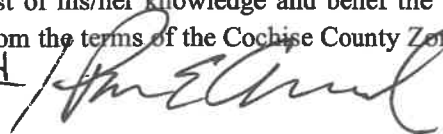
8. A variance may be granted only when, due to any peculiar situation surrounding a condition of a specific piece of property, including unusual geographic or topographic conditions, strict application of the Zoning Regulations would result in an unnecessary hardship to the property owner. In granting 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.

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.

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>Email</u>
PATRICK FAIMEE ARNOLD		SOAZHOME@GMAIL.COM
10350 E RANCHO PEQUEÑOS HEREFORD AZ 85615		


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.

Armin D. Arnold 

SIGNATURE OF PETITIONER

- ADDRESS

DATE

 10350 E. RANCHO PEQUEÑOS 2-19-2020
HEREFORD AZ 85615

APPLICANT'S PHONE NUMBER 520 266-1352 / 520 266-2630 SPOUSE

APPLICANT'S EMAIL ADDRESS SOA2BRO@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

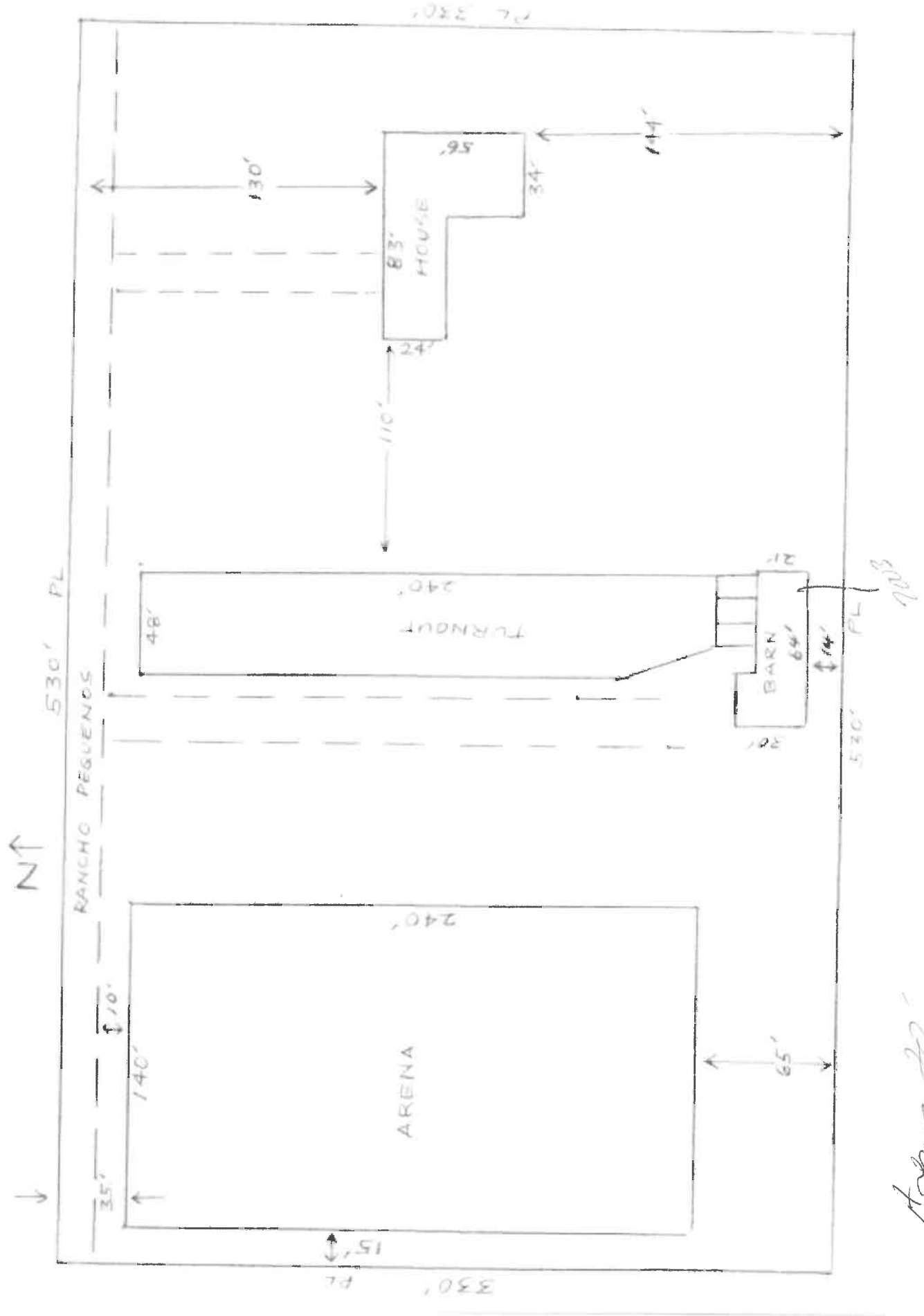
The Board of Adjustment may grant a variance from the terms of these Zoning Regulations when, owing to peculiar conditions, a strict interpretation would work an unnecessary hardship, if in granting such variance the general intent and purposes of the Zoning Regulations will be preserved. It shall be 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.

INCLUDED: SITE PLAN
FACILITY PHOTOS
LETTER OF REFERENCE (ATTACHMENT 2)

SITE PLAN 10350 E, RANCHO PEQUENOS



Arena 20'
Corral 50'



ARENA FENCE SQ. TUBE DETAIL



TURNOUT FENCE GALVANIZED DETAIL



BARN VIEW (PARTIAL) NORTH SIDE



Application for Variance - Attachment 1

5. The parcel is used for residence, storage, equine training and maintenance of three horses. The house, garage, and carport total 2890 square feet. The barn, tack room, and storage area total 1290 square feet. The arena with custom steel rail fence is approximately 33,600 square feet. The turnout is approximately 11,520 square feet.
6. No new structures are planned.
7. The variance sought is to keep all fences and structures as is regardless of zoning regulation.
8. In order to achieve compliance with the 50 foot set back requirement of the county zoning regulations we would be required to move our barn, two sides of the custom fenced arena, and one end of the turnout fence line. The cost of replacing the barn with a barn of comparable size would be approximately \$30,000 @ \$25 per square foot. To replace two sides of the existing arena fence using square and rectangular tube steel is approximately \$5700 @ \$15 per linear foot. To replace the turnout fence at the North end would require approximately \$480 @ \$10 per linear foot. The stated costs to replace fence lines does not include labor costs. Consequently, the total costs to achieve the 50 foot set back requirement would be more than \$36,000. This seems like a very high cost since we meet the general intent and purpose of the zoning regulations with our exemplary manure management practices.
9. No rights of surrounding parcels have been impaired. We move newly accumulated piles of manure to our compost area twice daily. We have been using Aribco Fly Eliminators since horses were brought to the property. Between manure composting and use of Fly Eliminators, the fly population resulting from our livestock has been un-noticed by our neighbors for approximately 17 years. Please see Attachment 2, a letter of support from one of our neighbors with shared boundaries. Two additional letters of support are forthcoming from another current neighbor with a shared boundary and the previous neighbor who shared our Southern boundary.