



# Cochise County

## Development Services

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### MEMORANDUM

**TO:** Cochise County Board of Adjustment, District 1  
**FROM:** Daniel Coxworth, AICP, Planning Director  
**SUBJECT:** Docket BA1-20-01 (Arnold)  
**DATE:** June 24, 2020

#### APPLICATION FOR VARIANCE

#### Docket BA1-20-01 (Arnold):

The applicant is requesting a variance to permit an existing barn and horse corrals to encroach into the minimum property setbacks. The property is zoned RU-4, and Section 1815.03 requires barns and animal corrals setback a minimum of 50 feet from all property lines. The applicant is requesting a setback of 14 feet for the existing barn to the south property line and setback the corral 15 feet from the west property line and 10 feet from the north property. The subject parcel, 104-47-015, is located at 10350 E Rancho Peuenos, Hereford. The applicants are Patrick and Aimee Arnold.

#### I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

**Site Size:** 8.07 acres  
**Zoning:** R-4 (Rural; One dwelling per 4 acres)  
**Growth Area:** Category D (Rural Area)  
**Plan Designation:** Rural Residential  
**Area Plan:** N/A  
**Existing Uses:** Single Family Residence with accessory structures  
**Proposed Uses:** Same

#### **Surrounding Zoning and Uses**

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

#### **Planning, Zoning and Building Safety**

1415 Melody Lane, Building F  
Bisbee, Arizona 85603  
520-432-9300  
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## **II. SITE HISTORY**

- Site Built Home 2001 ([Link to Permit Docs](#))

The barn was constructed on the property over 12 years ago without permits. Permits are not required for the horse corrals; however, they are required to be setback 50 feet from all property lines. This variance request is a result of a neighbor dispute between the Arnold family and the Chandler family, each reporting piles of manure, flies, and odors near the property boundary. The Arnold violation remains open as a result of the barn and horse corrals encroaching in the required 50-foot setbacks.

### **III. PROJECT DESCRIPTION**

The applicant is requesting to reduce the fifty-foot setback for the barn to 14 feet from the south property line, 15 feet from the west property line and 10 feet from the north property line for the corral. If approved, this will allow the structures and corrals to remain.

### **IV. ANALYSIS OF IMPACTS**

The existing neighborhood is characterized by rural residential development with horses.

The property owner to the south is most directly impacted by the barn. The property owners to the north and west are most directly impacted by the horse corrals.



*Figure 1: Barn*



*Figure 2: Horse Corral*

### **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 received one letter in opposition and two in support.

## **VI. SUMMARY AND CONCLUSION**

### **Factors in Favor of Approving the Variances**

1. Approving the Variance would not change the conditions on the property that have existed for over 12 years;
2. Allowing the Variance does not compromise safety or quality-of-life for area residents. The property is kept clean, and piles of manure cleaned up to reduce the negative off-site impacts.
3. One neighboring property owner has expressed support in writing.

### **Factors Against Approving the Variances**

One letter in opposition

## **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 BA1-20-01, granting the Variance as requested by the applicant, the Factors in Favor of approval constituting the Findings of Fact.*