



Cochise County

Development Services

Public Programs...Personal Service
www.cochise.az.gov

MEMORANDUM

TO: Cochise County Board of Adjustment, District 3
FROM: Robert Kirschmann, Planner II
FOR: Daniel Coxworth AICP, Development Services Director
SUBJECT: Docket BA3-20-01 (Agrigold)
DATE: November 5 for the November 12, 2020 Meeting

APPLICATION FOR VARIANCE

Docket BA3- 20-01 (Agrigold)

The Applicant requests a variance to Section 604.02, maximum height. Specifically, the applicant is requesting to construct four (4) approximately 57' tall silos in conjunction with a proposed pistachio processing facility.

The subject property is located at 2801 N. Adkins Road in San Simon is identified as Parcel Number 303-12-002B. The Applicant is Mr. David Garcia.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Site Size: 40.59 Acres
Zoning: RU-4 (Rural; one dwelling per 4 acres)
Growth Area: Category D
Plan Designation: Rural
Area Plan: None
Existing Uses: Single Family
Proposed Uses: Same, with pistachio processing facility

Surrounding Zoning and Uses

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Vacant
South	RU-4	Vacant/nut trees
East	RU-4	Vacant
West	RU-4	Vacant/nut trees

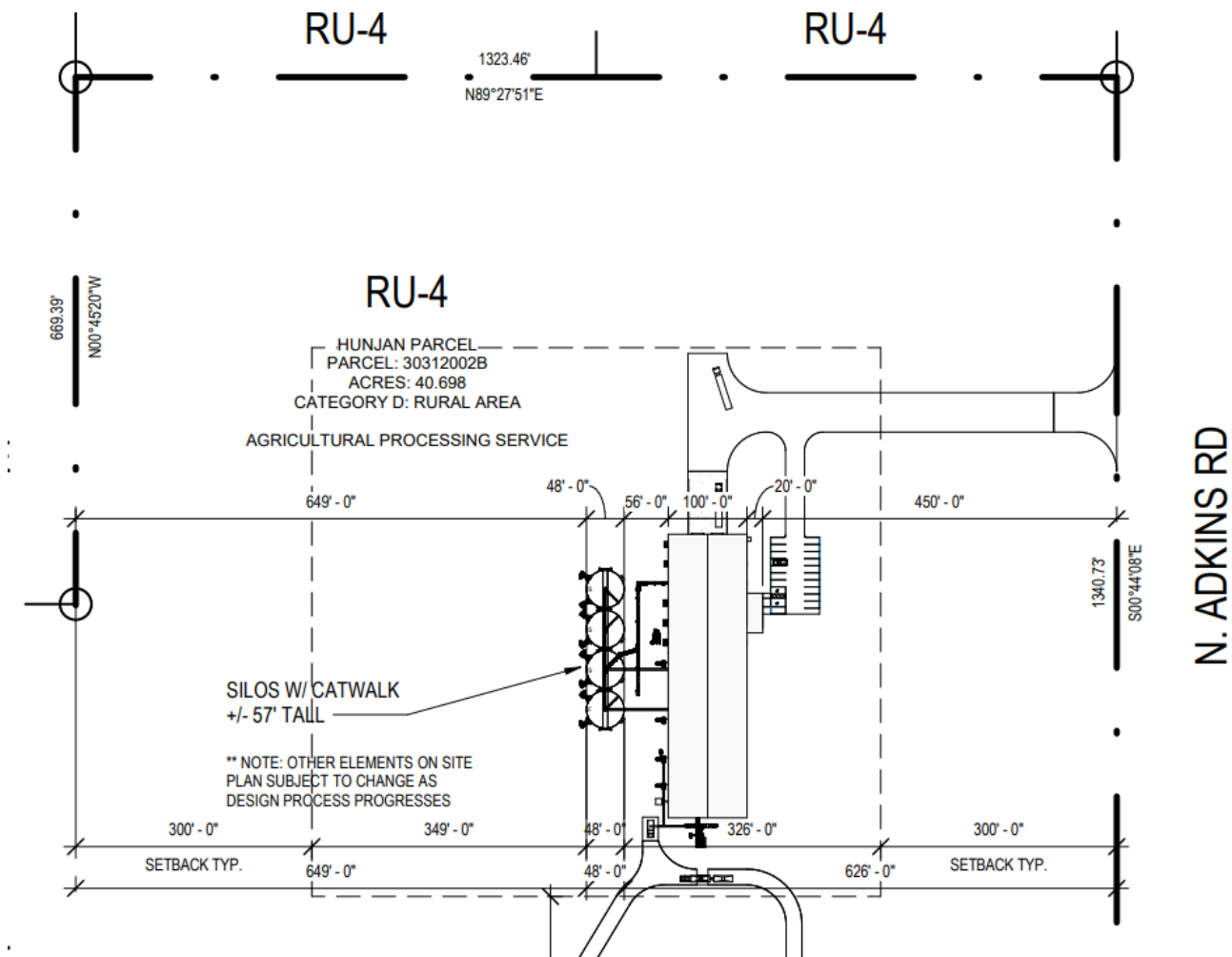
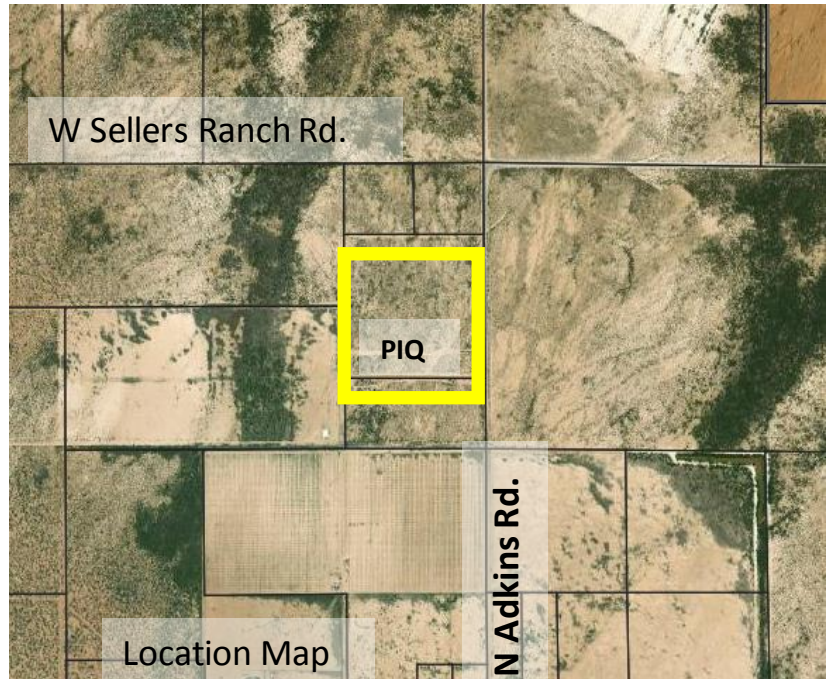
Planning, Zoning and Building Safety
1415 Melody Lane, Building F
Bisbee, Arizona 85603
520-432-9300
520-432-9278 fax
planningandzoning@cochise.az.gov

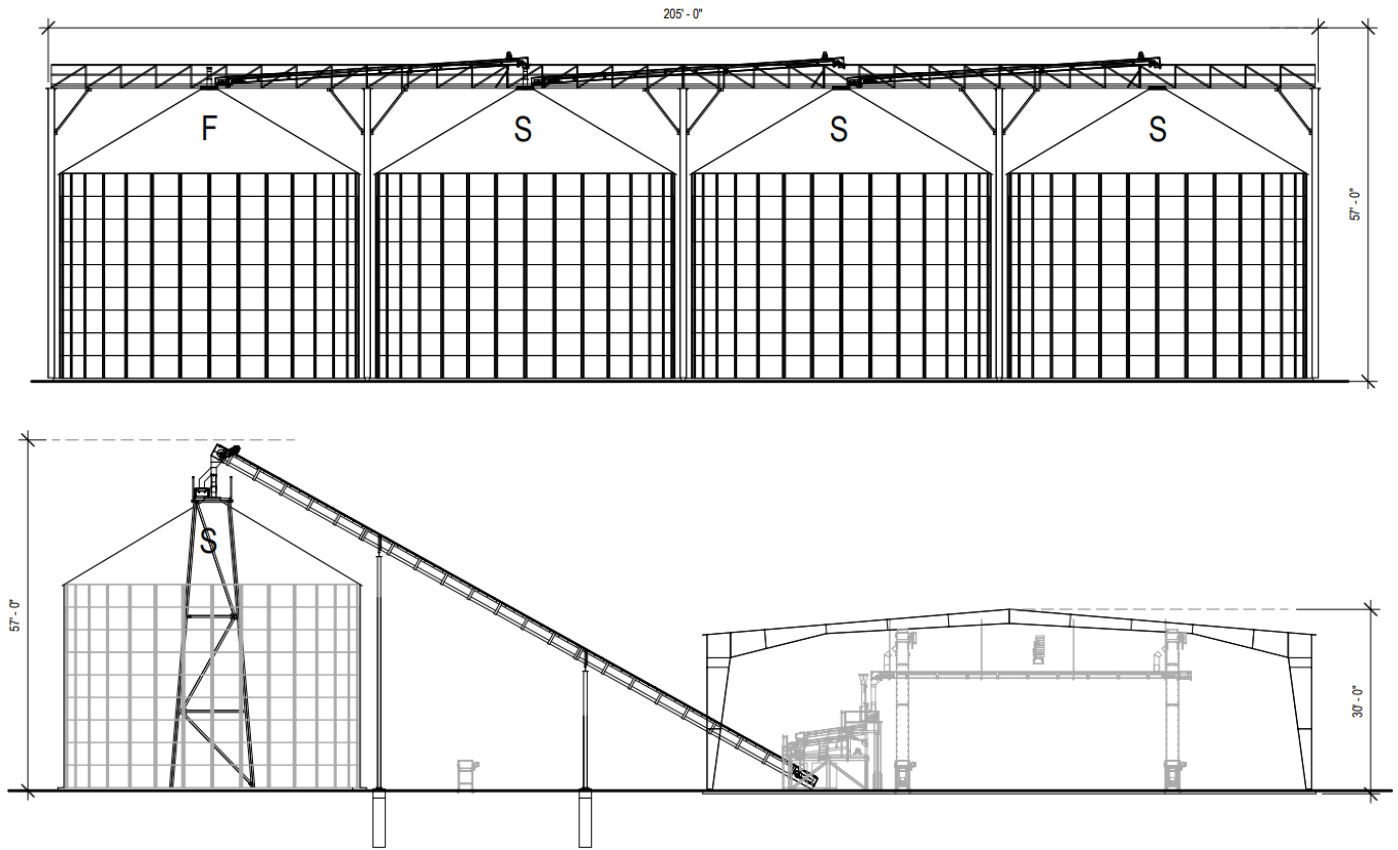
II. SITE HISTORY

Variance, BA3-04-11 was approved at the September 14, 2004 meeting allowing a 42 foot tall structure.

III. PROJECT DESCRIPTION

The applicant is proposing to construct a pistachio processing facility on the parcel. The primary facility will be 30 feet in height and does not require a variance, however, the applicant is requesting a variance to install four (4) silos that are approximately 57 feet.





IV. ANALYSIS OF IMPACTS

The project site is within an area of expanding agricultural, in particular pistachio trees. New groves have been planted south and west of this property. Since these properties are exempt from zoning and building code regulations, they could easily build structure of this height or more without any consideration of neighbors. As there is not an existing agricultural use on the property the applicant is required to comply with county zoning and building code requirements.

Due to the flat topography of the area, the silos will be visible from some distance, however this would not necessarily be out of character with an agricultural area. The area is sparsely populated. During the posting of the property staff met a nearby neighbor who expressed concern over the company and not necessarily over the variance request. No written responses were ever received on this project

Staff finds that the proposed height increase will have minimal negative impacts on the neighborhood.



V. PUBLIC COMMENT

Notice was sent to surrounding property owners, a notice posted in front of the residence and a notice placed in the newspaper. Staff had a conversation with on neighbor, as preciously mentioned but no letters in support or option were received.

VI. SUMMARY AND CONCLUSION

Factors in Favor of Approving the Variance

1. Approving the Variance would not unduly impact neighboring properties;
2. No public comments have been received;
3. Other agricultural facilities in the vicinity could exceed the 30 feet height without approval required.



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 BA3-20-01, on parcel 303-12-002B, granting the Variance as requested by the Applicant, the Factors in Favor of approval constituting the Findings of Fact.*

