



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

APPLICATION FOR VARIANCE

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

TO THE HONORABLE BOARD OF ADJUSTMENT, DISTRICT THREE

I (we), the undersigned, hereby petition the Cochise County Board of Adjustment, District 3

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: 30312002B
2. Address of parcel: 2801 N ADKINS RD
SAN SIMON, AZ 85632
3. Area of Parcel (to nearest tenth of an acre): 40.7 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.
THERE ARE CURRENTLY NO STRUCTURES ON THIS PARCEL.
6. Describe all proposed uses or structures, which are to be placed on the property.
A GROUND-UP PISTACHIO PROCESSING PLANT CONSISTING OF A LARGE WAREHOUSE, SMALL OFFICE, AND SILOS
THE PROCESSING WILL OCCUR IN A 30' TALL METAL BUILDING (30' MAX HEIGHT ALLOWED PER ZONING CODE)
THE VARIANCE IS FOR (4) 57' TALL SILOS TO THE WEST OF THE NEW BUILDING
7. State the specific nature of the variance or variances sought.
THE (4) SILOS WILL BE 57' TALL AND THE CURRENT ALLOWABLE HEIGHT PER ZONING CODE IS 30'

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.

THE VARIANCE REQUESTED IS BASED ON THE REQUIRED HEIGHT OF THE SILOS PER EQUIPMENT SYSTEMS MANUFACTURER.

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.

**THE SILOS ARE PART OF A MUCH LARGER SYSTEM
AND ARE CENTRALLY LOCATED WITHIN A LARGE SITE.**

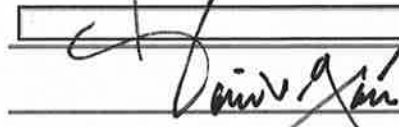
10. List the name and address of all owners of the Parcel(s) for which the variance is sought.

PROPERTY OWNER

MAIL ADDRESS

DAVID'S AGRIGOLD FARM LLC / 2035 GARRAUX RD NW ATLANTA, GA 30327

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.

SIGNATURE OF PETITIONER	ADDRESS	DATE
	22 E VENTURA ST TUCSON, AZ 85705	09/29/2020
APPLICANT'S PHONE NUMBER	(520) 545-7161	
APPLICANT'S EMAIL ADDRESS	RSTAHL@ONYXCREATIVE.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 four hundred dollars (\$400) payable to the Cochise County Treasurer. Return to the Cochise County Planning Department, 1415 Melody Lane, Building E, Bisbee, Arizona, 85603.

2103.02 Variances

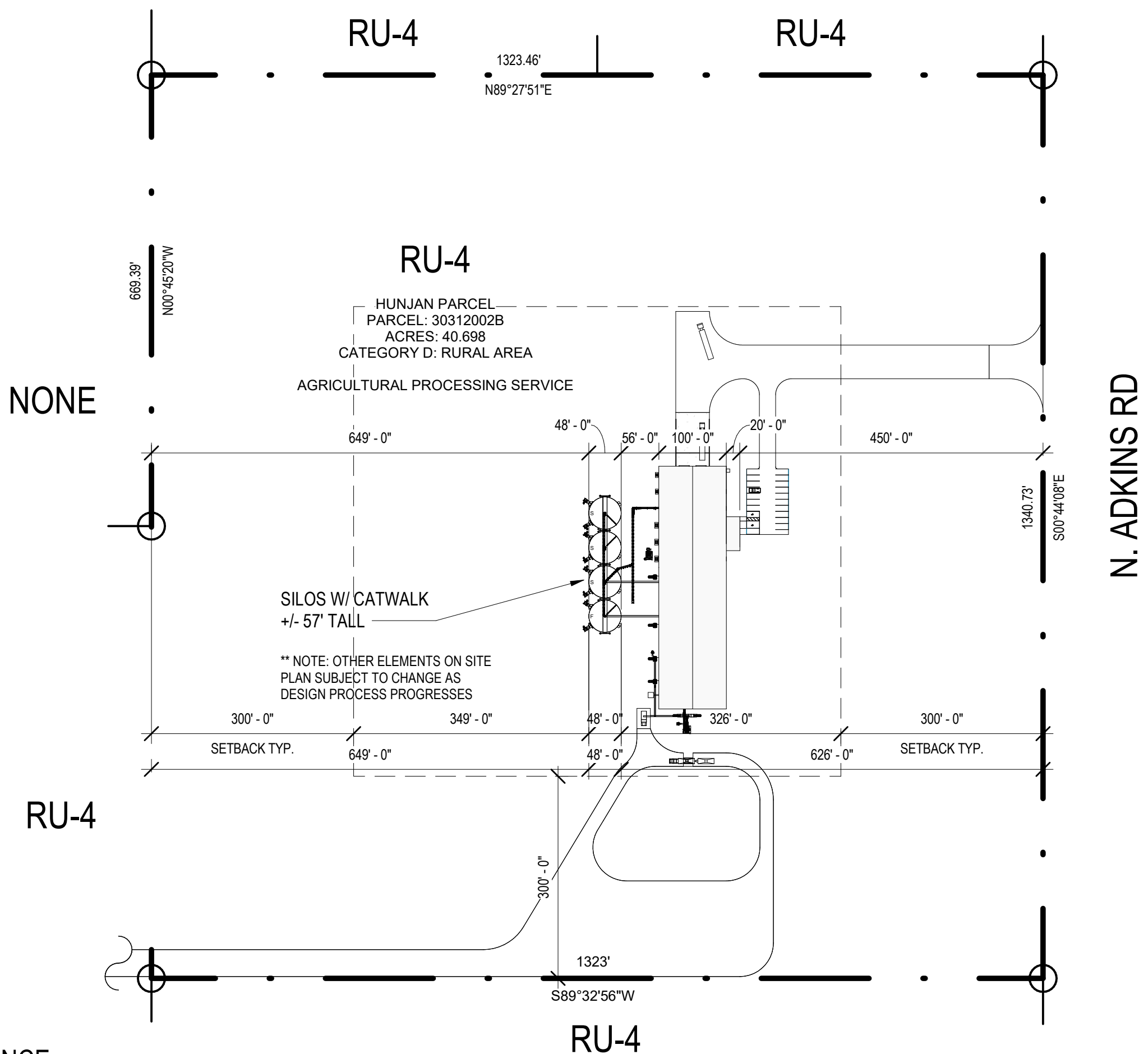
The Board of Adjustment may grant a variance from the terms of these Zoning Regulations when, owing to peculiar conditions, a strict interpretation would work an unnecessary hardship, if in granting such variance the general intent and purposes of the Zoning Regulations will be preserved. It shall be the responsibility of the applicant to submit any studies and/or data necessary to demonstrate the effectiveness of the alternative conditions.

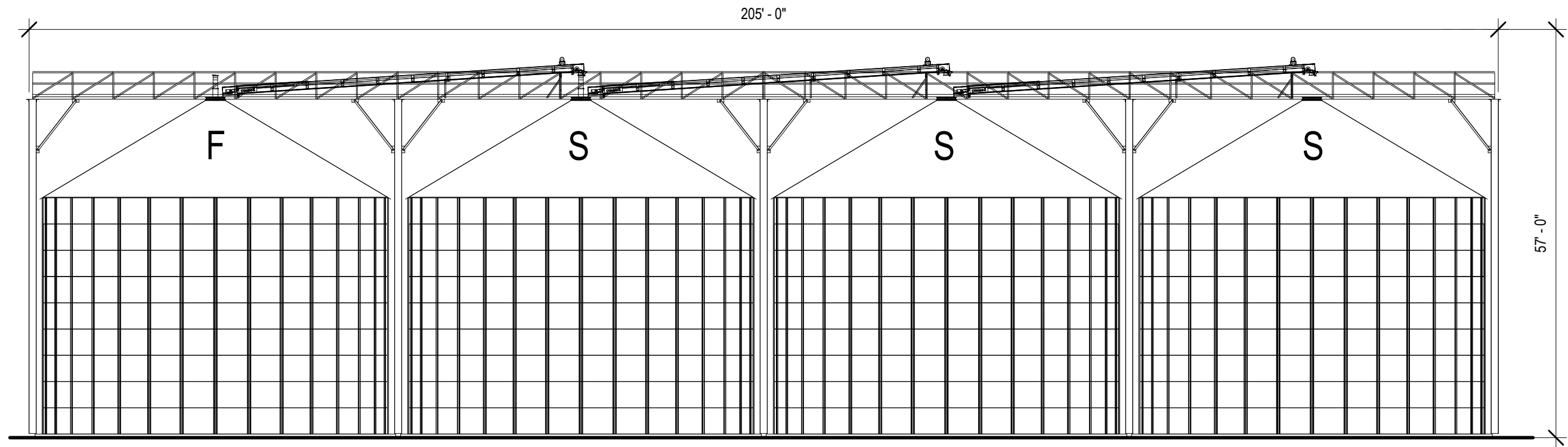
These zoning regulations are generally intended to yield results that are in compliance with all other applicable laws. A request for a "reasonable accommodation" in these regulations, pursuant to any federal or state housing law or other similar legislation, as may be necessary to afford an equal opportunity 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.

1 | SITE PLAN VARIANCE

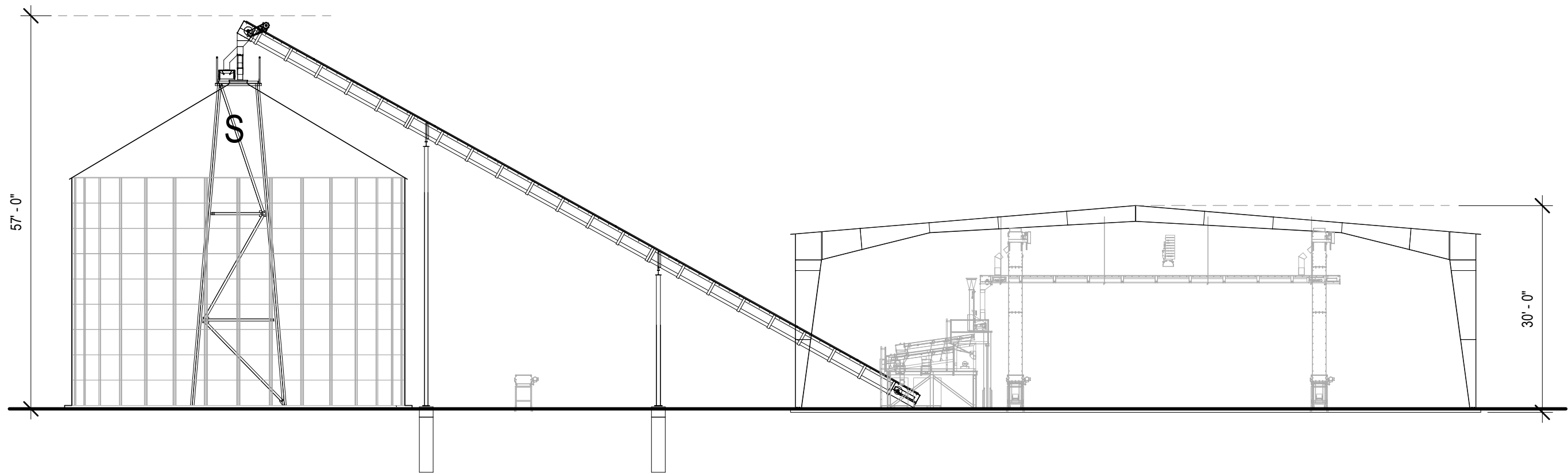
1" = 160'-0"





1 | SILO ELEVATION

1/16" = 1'-0"



2 | SILO SECTION

1/16" = 1'-0"