



Cochise County Community Development

Development Services Department

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

MEMORANDUM

TO: Cochise County Board of Adjustment, District 2
FROM: Robert Kirschmann, Planner II
FOR: Daniel Coxworth AICP, Development Services Director
SUBJECT: Docket BA2-20-01 (Wood)
DATE: April 15, 2020 for the April 28, 2020 Meeting

APPLICATION FOR VARIANCE

Docket BA2-20-01 (Wood)

The Applicant requests a variance to Section 1815.01 of the Zoning Regulations which requires a minimum site area of 36,000 square feet to keep livestock. The Applicant currently has three (3) sheep on an approximately 24,250 square foot site. The property is located at 1925 W. Dominguez Street in Naco Arizona and is identified as APNs 102-57-105A and 107B. The Applicant is Mr. Jesse Wood.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Site Size: 24,250 square foot
Zoning: R-9 (Residential; one dwelling per 9,000 square feet) and GB (General Business)
Growth Area: Category C – Rural Community Areas
Plan Designation: High Density residential
Area Plan: Naco
Existing Uses: Single Family Home, three sheep and Accessories
Proposed Uses: Same

Surrounding Zoning and Uses

Relation to Subject Parcel	Zoning District	Use of Property
North	R-9	Single family residences
South	R-9/ GB	Well/Single family residences
East	R-9	Single family residences
West	R-9	Single family residences

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

Single family home built in 1954.

III. PROJECT DESCRIPTION

The Applicant requests a variance to Section 1815.01 of the Zoning Regulations which requires a minimum site area of 36,000 square feet to keep livestock. The Applicant currently has three (3) sheep on an approximately 24,250 square foot site. The property is located at 1925 W. Dominguez Street in Naco Arizona and is identified as APNs 102-57-105A and 107B. The Applicant is Mr. Jesse Wood.

In late January of 2020 the Code Compliance Department received an anonymous complaint on this property. The complaint stated that the applicant had three sheep on the property. After investigation it was determined that the property did in fact have three sheep, but the lots were only 24,250 square feet. Section 1815.01 of the Zoning Regulations require a minimum of 36,000 square feet to have livestock, a deficit of 11,750 square feet.

The owner, wishing to keep the sheep submitted this variance request.

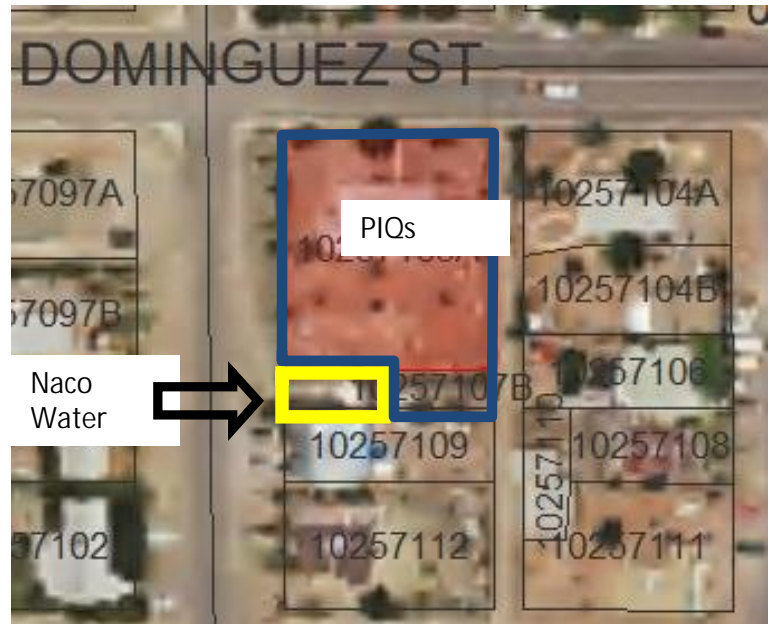


IV. ANALYSIS OF IMPACTS

The project site is within an established residential neighborhood in the unincorporated community of Naco. The zoning of the lots is primarily residential, 9,000 square foot minimums. The majority of the existing lots in the vicinity are in the 7,000 to 10,000 square foot range. During the field visit staff drove around the neighborhood and did not see any obvious signs of other livestock in the area.



The lot is larger than the majority of those surrounding it as seen in the aerial photos. The property is located on a corner lot which helps to buffer from surrounding neighbors. Additionally, there is an alley on the east side of the property that helps to buffer those residents. To the south, there is a small separate parcel with the Naco Water District well and a small parcel owned by Mr. Woods (included in the square footage). Neither of these parcels have the sheep located on them. These lots provide a buffer to the property to the south. Additionally, there is an area of dense vegetation (arundo) which screens the sheep.



Despite the issues listed above, staff is recommending denial of the request based on the following reasons:

1. Lot Size. The Zoning Regulations clearly require 36,000 square feet for the keeping of livestock. If this variance is granted, staff is concerned about the precedence this will set, not just for Naco but other small lot residential areas.
2. Public Input. Staff has received four letters from property owners within 300 feet, including the neighbor directly to the south. Neighbors expressed concern about the impact the animals could have on the water, citing a well is directly south of the property. They were also concerned about the precedent this could set for the neighborhood and the possibility of additional livestock being added in the future.

- 3. Neighborhood Compatibility. During a staff visit to the site and the surrounding area no other livestock were visible. The keeping of the sheep is not consistent with the established residential neighborhood.



V. PUBLIC COMMENT

The Department mailed notices to neighboring property owners within 300-feet on March 27, 2020. Staff posted and published a legal notice. To date, the Department has received four letters in opposition and are attached to the packet.

VI. SUMMARY AND CONCLUSION

Factor Against Approving the Variance

- 1. The Zoning Regulations clearly state that a minimum of 36,000 square feet is required for livestock
- 2. Letters of opposition were received from four property owners within 300 feet of the property.
- 3. The approval of this variance could establish a precedent in Naco and other residential neighborhoods throughout the county.

Factors in Favor of Approving the Variance

- 1. The sheep are kept on a well maintain property and with the existing streets, alleyway and properties/vegetation to the south the impacts to neighbors is reduced.

VII. RECOMMENDATION

Based on the Factors in Favor of Approval as Findings of Fact, Staff recommends Denial of the Variance as requested.

As is standard practice, the motion is written in the affirmative.

Sample Motion: *Mr. Chairman, I move to approve Docket BA2-20-01, granting the Variance as requested by the Applicant, the Factors in Favor of approval constituting the Findings of Fact.*