



# Cochise County

## Development Services

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### MEMORANDUM

**TO:** Cochise County Board of Adjustment, District 1  
**FROM:** Robert Kirschmann, Planner II  
**SUBJECT:** Docket V21-000001 (Brunelle)  
**DATE:** Wednesday February 17, 2021 for the Wednesday February 24, 2021 Meeting

#### APPLICATION FOR VARIANCE

##### Docket V21-000001 (Brunelle):

The Applicant is requesting a Variance to Section 904.03 of the Zoning Regulations, which requires a minimum setback of 20-feet from the property lines for all structures. The Applicant is proposing to construct a new 580 square foot accessory structure ten (10) feet from the north and south property lines.

The subject parcel (Parcel # 105-99-114) is located at 3520 E Choctaw Drive, Sierra Vista, AZ 85650. It is further described as being situated in Section 25 of Township 22 South, Range 20 East of the G&SRB&M, in Cochise County, Arizona. The Applicant is Mr. Emile Brunelle.



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

**Site Size:** 1.01 acre  
**Zoning:** SR-43 (Single Household Residential, one dwelling per 43,000 square feet)  
**Growth Area:** Category A (Urban Growth Area)  
**Plan Designation:** Neighborhood Conservation  
**Area Plan:** N/A  
**Existing Uses:** Single family residence  
**Proposed Uses:** Same with a 580 square foot garage

#### Surrounding Zoning and Uses

Relation to Subject Parcel	Zoning District	Use of Property
North	SR-43	Single Family Residences
South	SR-43	Single Family Residences
East	SR-43	Single Family Residences
West	SR-43	Single Family Residences

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

1415 Melody Lane, Building F  
Bisbee, Arizona 85603  
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**II. SITE HISTORY**

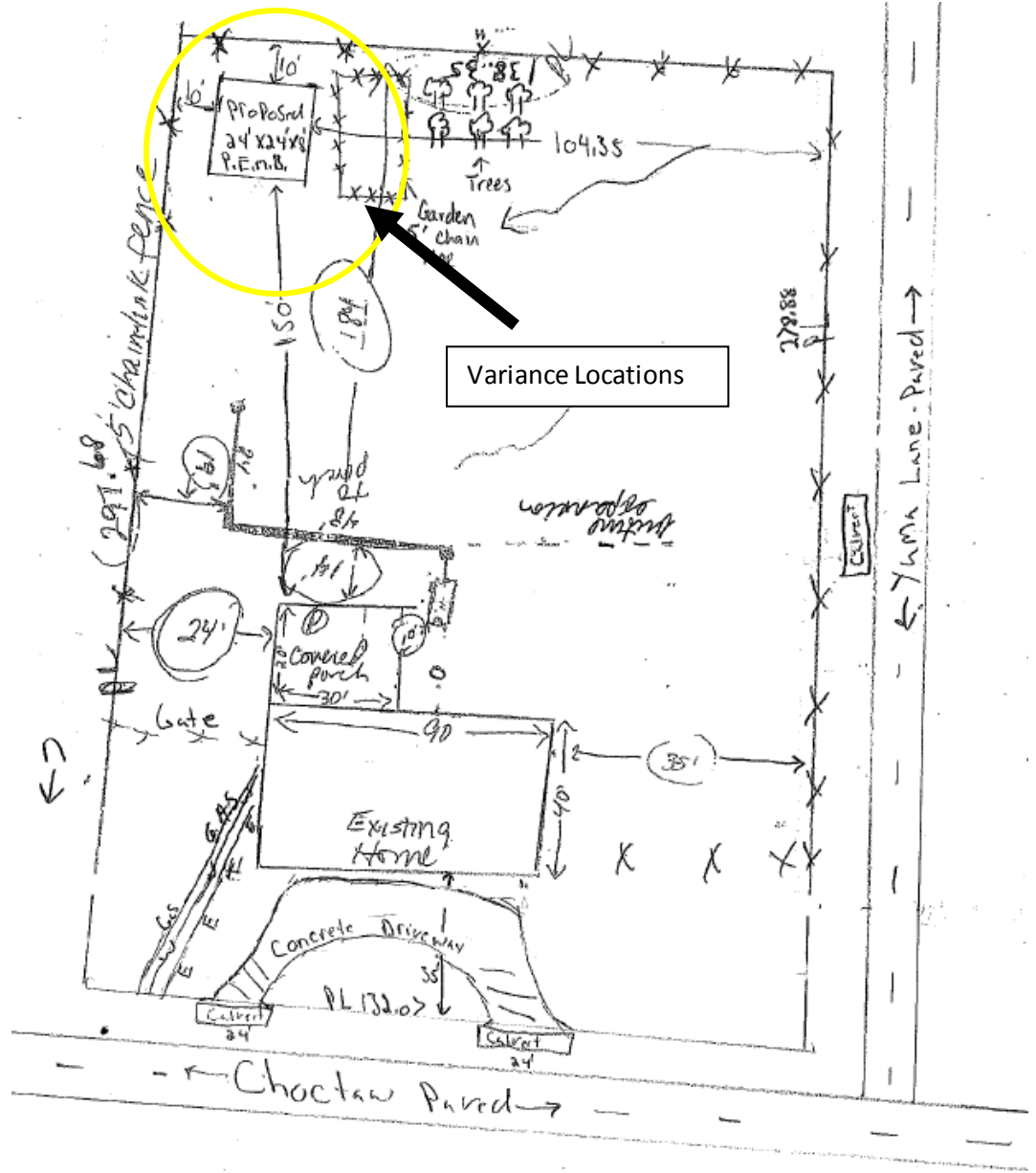
1992 New SFR  
2017 New AC and remodel  
2018 30 by 20 porch

**III. PROJECT DESCRIPTION**

The Zoning of the property (SR-43) allows for one home per 43,000 square feet. This parcel contains a total of 44,065 square feet. The Zoning requires all structures to be setback a minimum of 20 feet from all property lines. The applicant is requesting a variance to the north and south propoert lines to allow a 10 foot encroachment. The reason for the request is to avoid disturbance to existing improvements in the yard including a lawn, children play equipment, raised garden beds, etc.

**IV. ANALYSIS OF IMPACTS**

The parcel directly to the South had a lot modification (administrive variance) to the rear setback in 2012. This allowed for a five (5) encoracment into the 20 foot setback. The property to the north/east also has a garage with in five (5) feet of the property line. Staff is unable to locate a permit or variance for this structure but it appears to have been there for many years.



Location of Approved Lot Modification

In addition to the the two (2) adjecnt properties there are several others in the neighborhood that have sheds or garages encroaching into the setbacks. Therefore, the request is not out of character with the area.

Staff sent notices to all property owners within 300 feet, posted a notice in front of the property and advertised in the Sierra Vista Herald. Staff received no written correpondsncne on the proposed variance.

**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 received no written communication on the request.

**VI. SUMMARY AND CONCLUSION**

**Factors in Favor of Approving the Variances**

1. The proposed setbacks are consistent with surrounding properties;
2. Allowing the Variance does not compromise safety or quality-of-life for area residents.;
3. No comments in opposition were received;
4. County government has been engaged in an ongoing effort to make government operations, administration of Zoning and other regulations, and permitting requirements more “customer friendly.” Allowing the Variance would reinforce this effort without compromising safety or quality-of-life for area residents;.



**Factors Against Approving the Variances**

None identified

**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 V21-000001 (Brunelle), granting the Variance as requested by the applicant on parcel 105-99-114, the Factors in Favor of approval constituting the Findings of Fact.*