



Cochise County

Development Services
Planning Division

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

APPLICATION FOR A VARIANCE

Applicant's Name: Fátima Terrell

Name of All Property Owner(s) Hector Moreno

Mailing Address:

800 West Demuro Drive Douglas, Arizona 85607

Street # Town State Zip code

Subject Property Address (if different than mailing address):

Street # Town State Zip code

Email Address: fatimaterrell@seaverfranks.com

Phone Number: 520.795.4000

Tax Parcel Number: 407-60-028

Current Zoning Designation: L1

Area of Parcel (to the nearest tenth of an acre): 2.91

Which provision(s) of the Zoning Regulations are you seeking a variance from? _____

Parking Variance

Variance is defined in the Cochise County Zoning Regulations as a deviation from the terms of the Cochise County 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.

The 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

Bisbee Office

1415 Melody Lane, Building F
Bisbee, Arizona 85603
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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.

It shall be the responsibility of the Applicant to submit any studies and/or data necessary to demonstrate the effectiveness of the alternative conditions. 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-calendar 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-calendar 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.

Appeal procedures: Any person aggrieved by a decision of the Board of Adjustment may at any time within 30-calendar days of such decision appeal to the Superior Court, and the matter shall be heard in like manner as appeals from courts of justices of the peace.

To qualify for a variance, the property must demonstrate that owing to peculiar conditions, a strict interpretation would work an unnecessary hardship and if in granting the variance the general intent and purposes of the zoning ordinance will be preserved.

Required Submittals

1. This application
2. A site plan - see our website for an example site plan: <https://www.cochise.az.gov/development-services/variance>
3. Processing Fee

Describe all **existing** structures/uses present on the subject parcel. Note: the size and location of existing structures must be shown on the accompanying site plan.

The existing structure is approximately 23,791 square feet and its intended use is a
warehouse for distribution purposes and a small administrative area.

Describe all **proposed** structures/uses on the parcel that to be placed on the parcel. Note: the size and location of proposed structures must be shown on the accompanying site plan.

The proposed structure is approximately 26,169 square feet and its intended use is an
addition to the existing building which shall be a warehouse for distribution purposes.

What is the reason for this request (select one):



There is a special circumstance associated with my property - such as its size, shape, topography, location, or surroundings - that deprives the property of privileges enjoyed by other property of the same classification in the same zoning district.



I wish to appeal the interpretation of a zoning regulation, by the zoning administrator or other County official (please submit an "Appeal to the Board of Adjustment Application").

Describe how this request brings you to parity with property owners within your zoning district and does not provide an advantage or special privilege over and beyond what is provided to other lots in the same zoning designation.

The parking variance request does not provide an advantage or special privilege over the other lots in the same zoning designation, because even though the building is growing in size with its addition the amount of people / traffic shall remain the same. The addition is a warehouse to store more products, and the same number of employees to help distribute these products.

It is the responsibility of the applicant to submit any studies and/or data necessary to demonstrate the effectiveness of the alternative conditions. Generally, the variance, if granted, should be the minimum variance that will afford relief and it should provide the least possible modification of the zoning regulations provisions that are in question. State any potential impacts caused by the application of your variance and how you intend to minimize these impacts on neighboring properties.

Please find attached the "Velcro USA Parking Reduction Request Letter" stating how the

buildings shall have a maximum of 20 people at a time (per shift). Inferring that if each person shall commute to the project, then there shall be at most 20 vehicles parked at the site at any given moment. The existing parking lot can accommodate 35 parking spaces; therefore, providing a surplus of 15 spaces.


State how the proposed variance is consistent with the general **intent and purpose** of the Zoning Regulations.

The proposed variance is consistent with the general intent of the Zoning Regulations
because the existing parking shall still serve the employees who work at the building and,
as it stands, it has a surplus of 15 additional parking spaces. Since the facility is closed to
the public, there will always be more than enough parking in the property for individuals
who visit the site.

Describe, in detail, the special circumstances that are associated with, and unique to, your property that do not allow it to develop in the same manner as other properties within the same zoning district.

As previously stated, the facility is closed to the public. The number of employees shall not
increase since the expansion shall be intended only for storage purposes. Consequently, the
existing parking is more than adequate for the new expansion. In case overflow parking is ever
needed, vehicles can park north of the new expansion in the gravel area. The current design:
can reduce the amount of impervious area and proposed storm water runoff, as well as,
eliminate additional unnecessary heat island to the area.

The undersigned hereby certifies that to the best of his/her knowledge and belief the data submitted on the attached application for a variance from the terms of the Cochise County Zoning Regulations are true and correct.


Applicant Signature

FOR SEAVER FRANKS ARCHITECTS

04-12-2022

Date