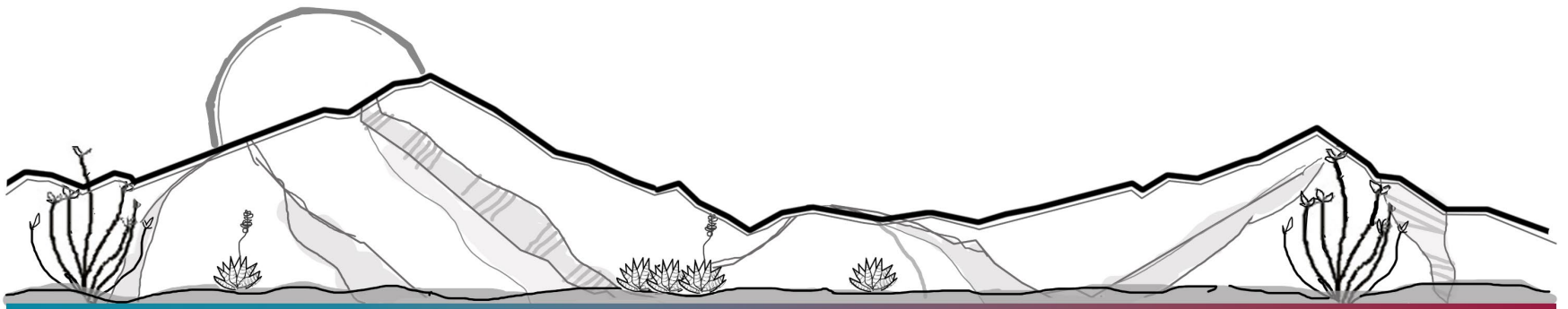


## VAR 23-05 (Estaca Setback)

Variance application to encroach into  
the setback of a residential-zoned  
property

Board of Adjustment

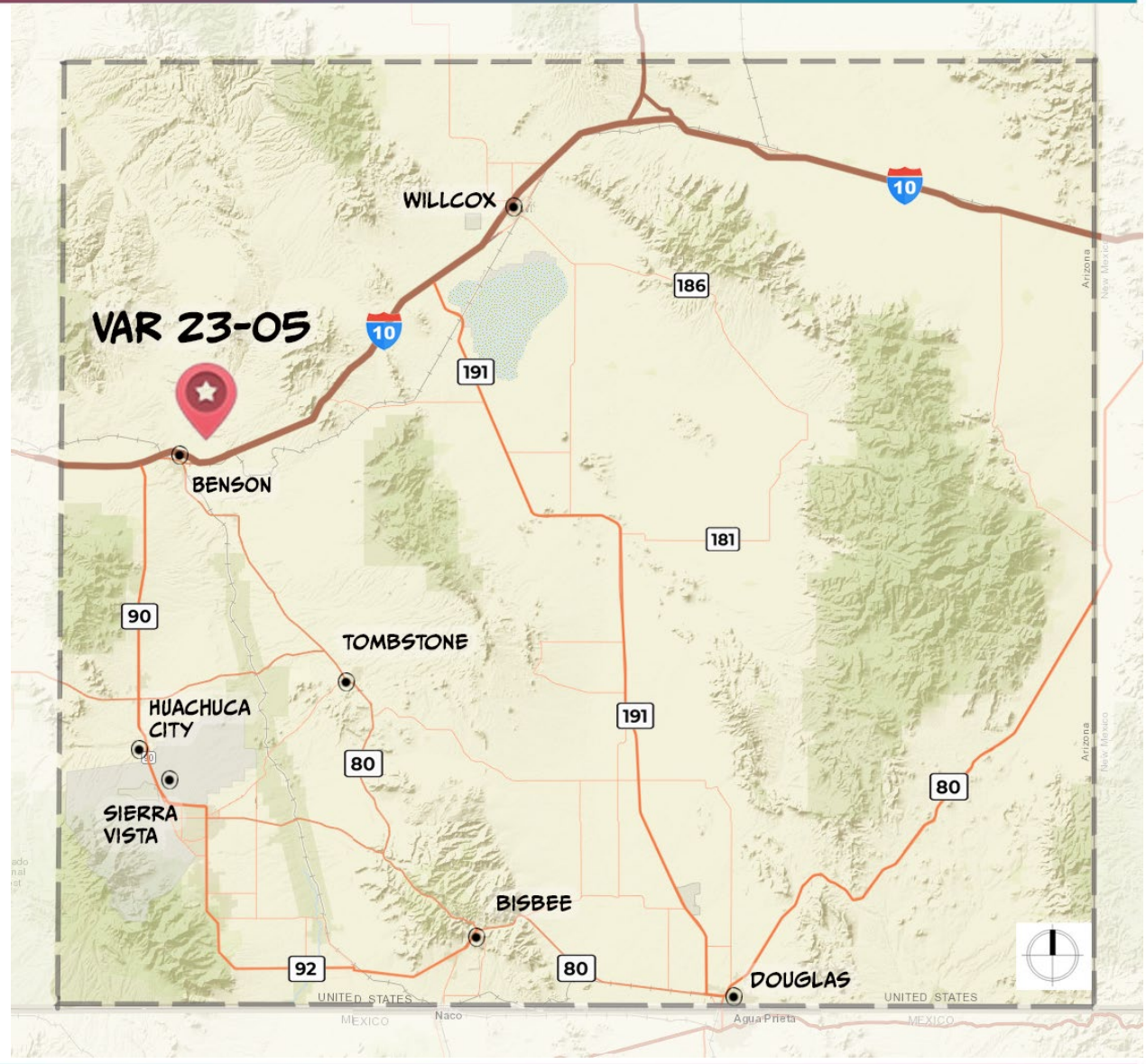
June 28, 2023



# DEVELOPMENT SERVICES

- Location:  
1332 East Via Estaca  
Benson, AZ  
(APN 123-25-002X)

- Applicant:  
Phil Schultz



## Variance Request

- Permit an existing accessory building, 9.5' from the eastern property line.
- 10.5' setback reduction requested (min 20' req)

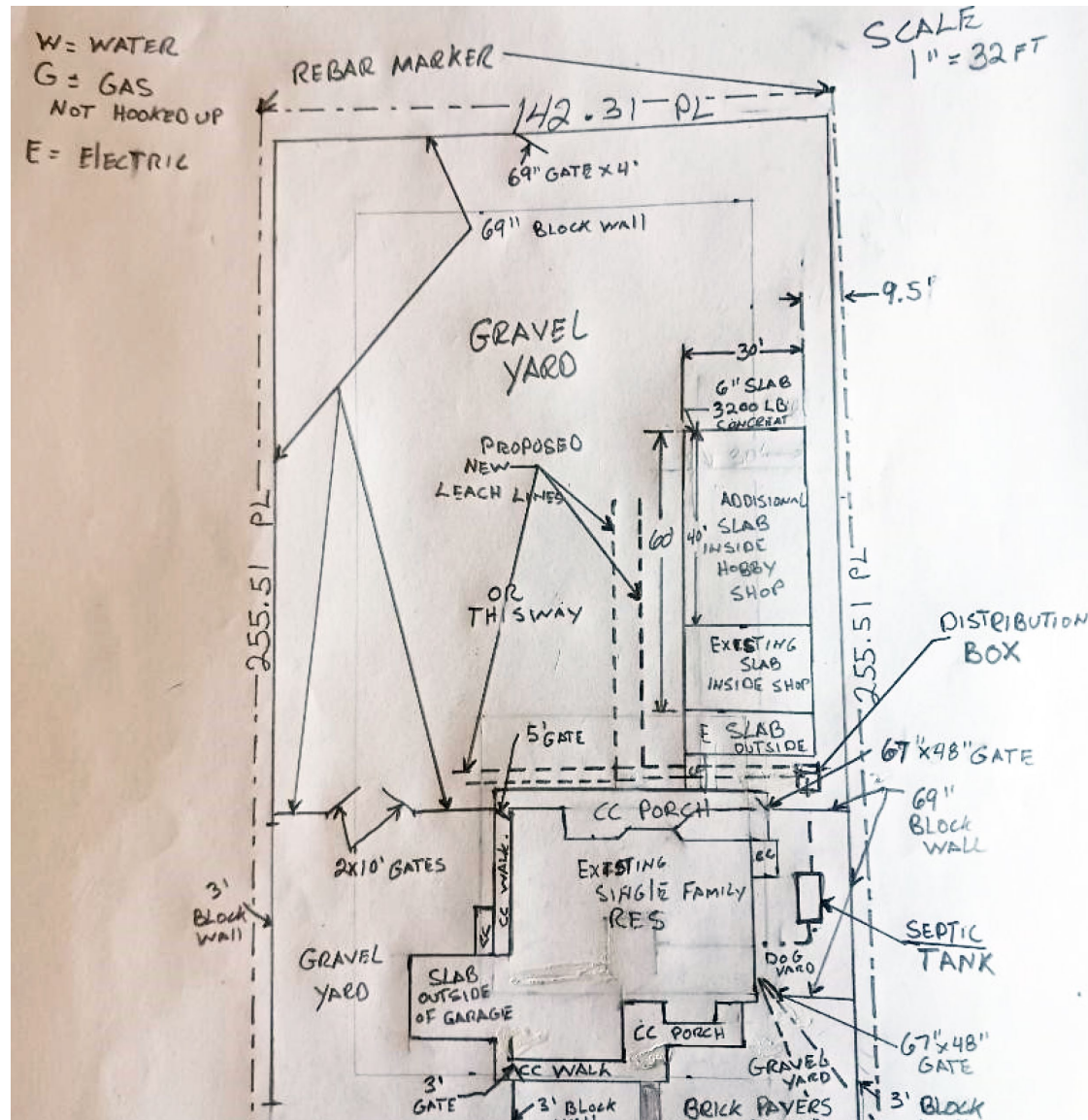


Location  
VAR 23-05 Estaca Setback

N.T.S



## Site Plan



# **DEVELOPMENT SERVICES**

---

**There are 8 factors used to evaluate all variance proposals. As submitted, the application:**

## **Complies: 5 factors**

- Minimum degree of relief
- Permitted use
- No adverse impacts to surrounding property
- General harmony with zoning regs
- No violation of state or federal law

## **Does not comply: 3 factors**

- Unnecessary hardship created by zoning
- Peculiar site conditions
- Not self-created



# DEVELOPMENT SERVICES



## Factors in Favor of Request

1. This variance request is consistent five of the eight criteria used by staff to help determine the suitability of a given variance request.
2. There are several other examples of large accessory buildings in the neighborhood, some very near property lines.



## Factors Against Approving the Request

1. This variance request is not consistent with three of the eight criteria used by staff to help determine the suitability of a given variance request. (Not unnecessary hardship by zoning/factor 1, There are no peculiar site conditions present/factor 2, This is a self-created hardship/factor 3)



## Applicant Presentation/Discussion



## Recommendation & Sample Motion

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 VAR 23-05 (Estaca setback), 1332 East Via Estaca Benson, AZ (APN 123-25-002X, granting the Variance as requested by the Applicant, the Factors in Favor of approval constituting the Findings of Fact.*

