



# Cochise County

Development Services  
Planning Division

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

## APPLICATION FOR A VARIANCE

Applicant's Name: Allan Dewayne Davis

Name of All Property Owner(s) \_\_\_\_\_

Mailing Address:

3513 E. Navaho, Sierra Vista, AZ 85650

Street #	Town	State	Zip code
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Subject Property Address (if different than mailing address):

same

Street #	Town	State	Zip code
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Email Address: tamustang65@gmail.com

Phone Number: 928-208-8952

Tax Parcel Number: 10599101

Current Zoning Designation: SR-43

Area of Parcel (to the nearest tenth of an acre): 47112

Which provision(s) of the Zoning Regulations are you seeking a variance from? 20' set back  
from the left side of the property.

**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  
520-432-9300  
520-432-9278 fax  
planningandzoning@cochise.az.gov

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 house on the left side of my property is currently empty. The owner died, and it will be on the market soon. It also has a tall block wall that is blocking their house from my property, and quite a few trees so that my garage building would not be very visible. I also still have 10' between where I need to place my garage to the property line, so it is not taking the entire set back area. All the other houses in my neighborhood are a sizeable distance away from my property with large lots. My garage will not be close to any of those houses.

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.

I don't need to take up the entire 20' setback. I will still have 10' between my building and the block wall on the property line. Then there are many trees on the property inside the block wall on the adjacent property that is currently empty, and will be going on the market.

This will allow me to be able to access my garage by my front driveway, and easy access to my house, since we are elderly and have mobility issues. The other neighbors are not close.

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.

My house, and a carport on the right side of my house. I would need to place my metal garage building on the left side of my house, close to the existing driveway.

The property is long and narrow, with trees that block to the back portion of my property.

It is not feasible to have a garage in back of my house due to mobility issues.

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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.

I wish to place a 22' wide x 25' long metal building close to the front driveway for easier access, due to health and mobility issues.

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

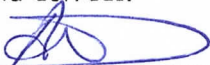
I still will have a 10' setback from the existing block wall. There are lots of other areas that only require 3' setbacks or 5' setbacks, whereas the county requires 20'. My land is narrow and long, so I have quite a bit of room to the front to stay back from the road and neighbors in the front and back of my property, but need to have my garage where it can be accessible, the empty house on that side of my property is well sheltered with the block wall and trees.

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.

The other parcels in my area are also narrow and long. Most the houses are not utilizing the space in the back, other than it spreads the homes out so they're not so close together.

In looking at google maps, it appears that one house close by put a garage in the back part of their property, but also that their house is situated on the property so the front door faces the side instead of the road, so it would be more feasible to have the garage that would be to the side of the driveway, instead of clear around the back of the house.

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

6-7-23

Date





