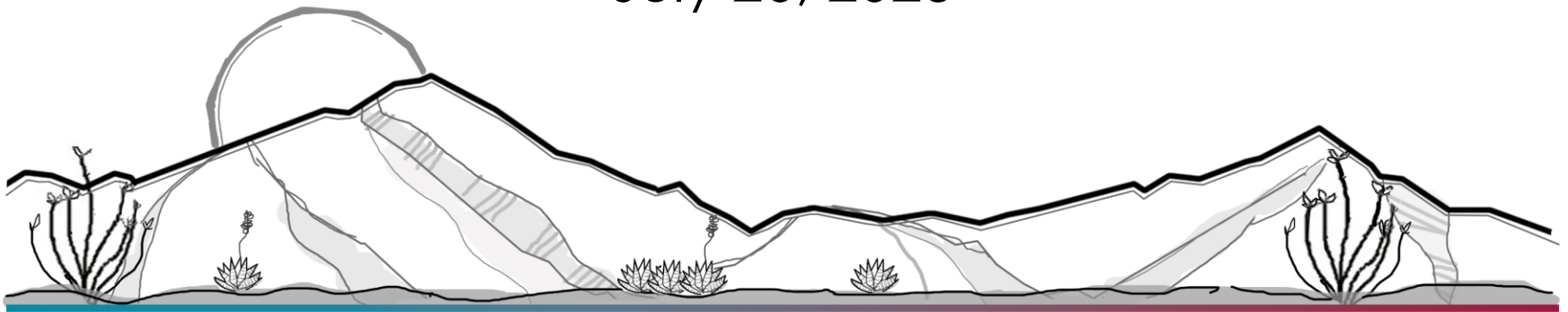


## VAR 23-06 (Navaho Setback)

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

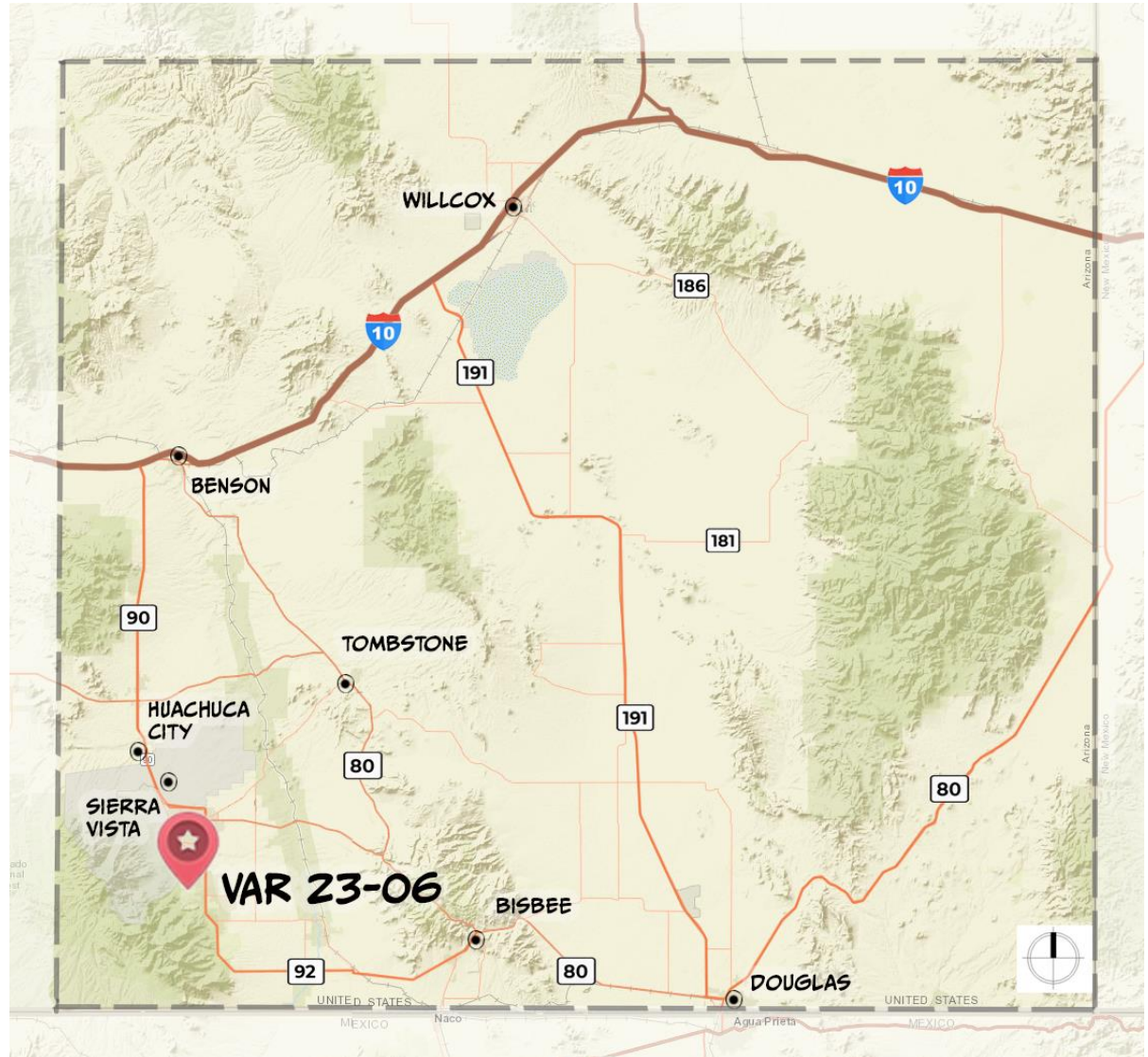
Board of Adjustment

July 26, 2023



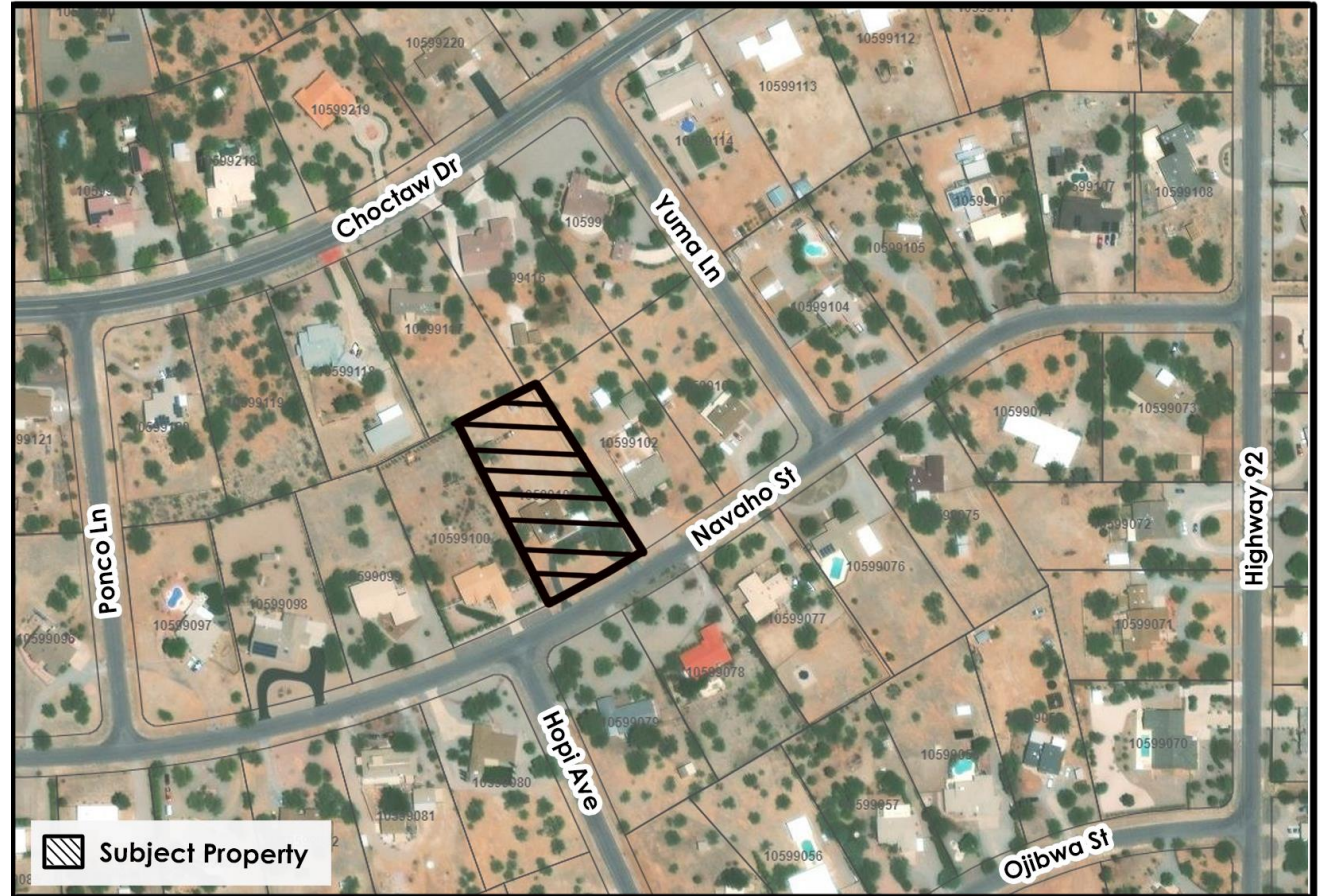
# DEVELOPMENT SERVICES

- Location:  
3513 E.  
Navaho,  
Sierra Vista,  
AZ (APN 105-  
99-101)
- Applicant:  
Mr. Allan  
Davis



## Variance Request

- Permit an accessory building, 10' from the western property line.
- 10' setback reduction requested (min 20' req)

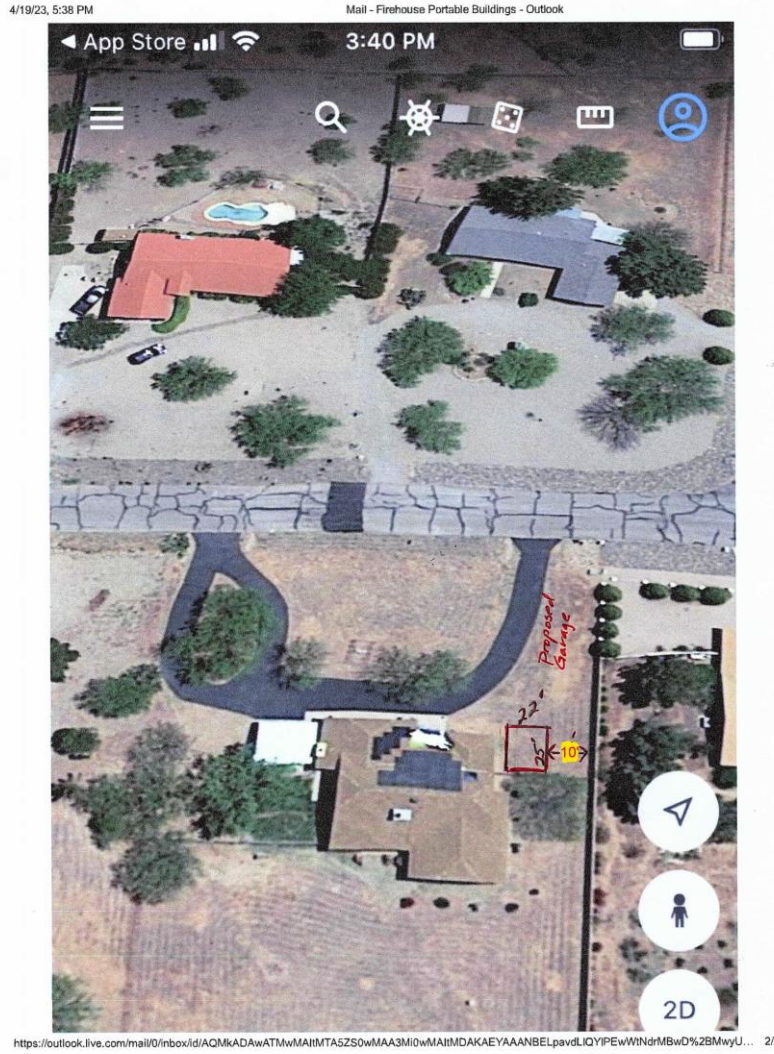


Location  
VAR 23-06 Navajo Setback

N.T.S.



## Site Plan



# **DEVELOPMENT SERVICES**

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

## **Complies: 5 factors**

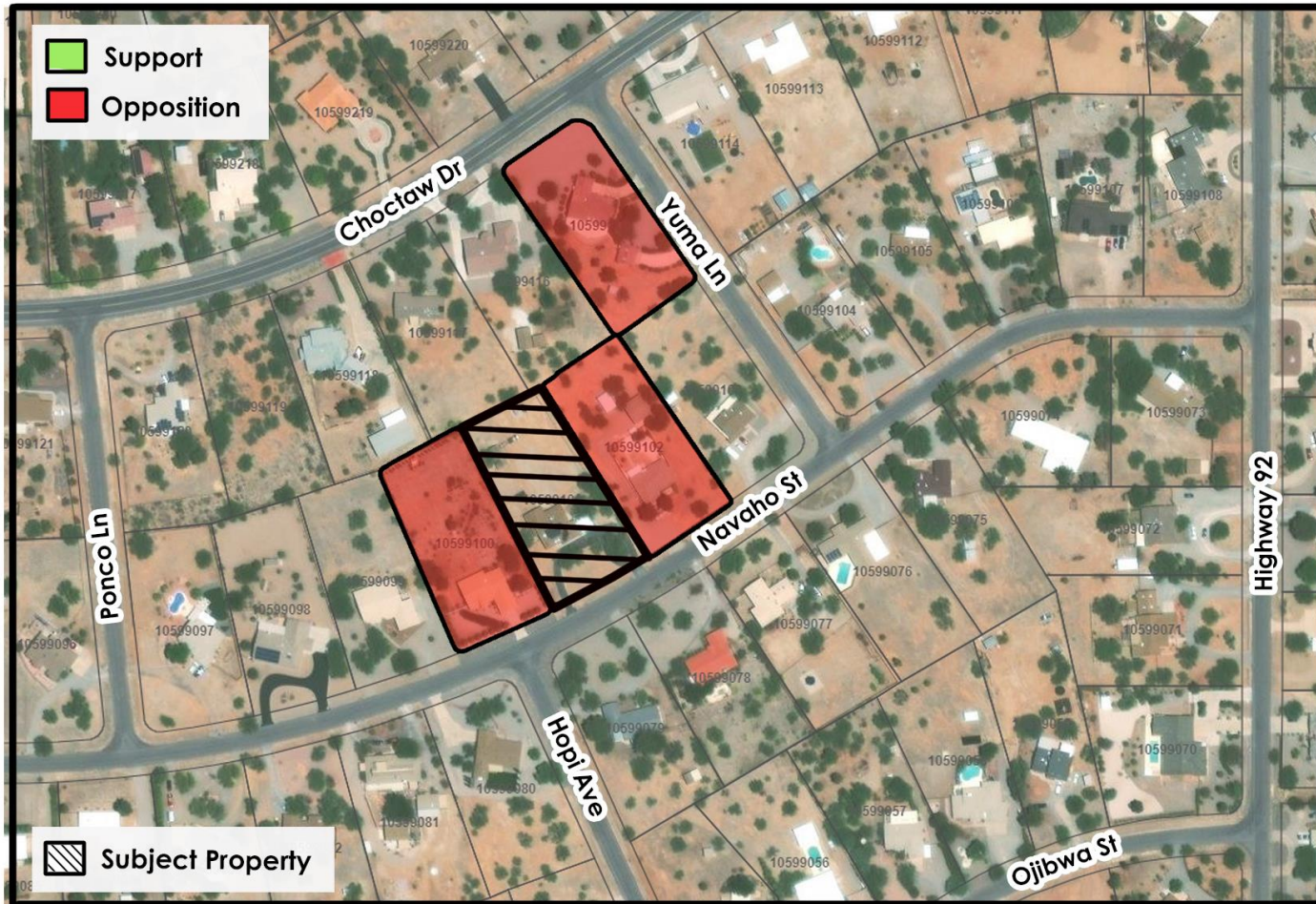
- Minimum degree of relief
- Permitted use
- No adverse impacts to surrounding property
- General harmony with zoning regs
- No violation of state or federal law

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

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



# DEVELOPMENT SERVICES



Public Input  
VAR 23-06 Navajo Setback

N.T.S



# DEVELOPMENT SERVICES



## Factors in Favor of Request

1. This variance request is consistent six of the eight criteria used by staff to help determine the suitability of a given variance request.
2. The applicant has health and mobility issues. Section 504 of the Americans with Disabilities Act, which is federal law, mandates a reasonable accommodation requirement to avoid discrimination.

## Factors Against Approving the Request

1. This variance request is not fully consistent with two of the eight criteria used by staff to help determine the suitability of a given variance request. (Unnecessary hardship created by zoning/factor 1, Peculiar site conditions present/factor 2)
2. The case planner received one letter of opposition from neighbor within 300'.



## 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 23-06 (Navaho Setback), located at 3513 E. Navaho Street, Sierra Vista, AZ (APN 105-99-101), granting the Variance as requested by the Applicant, the Factors in Favor of approval constituting the Findings of Fact.*

