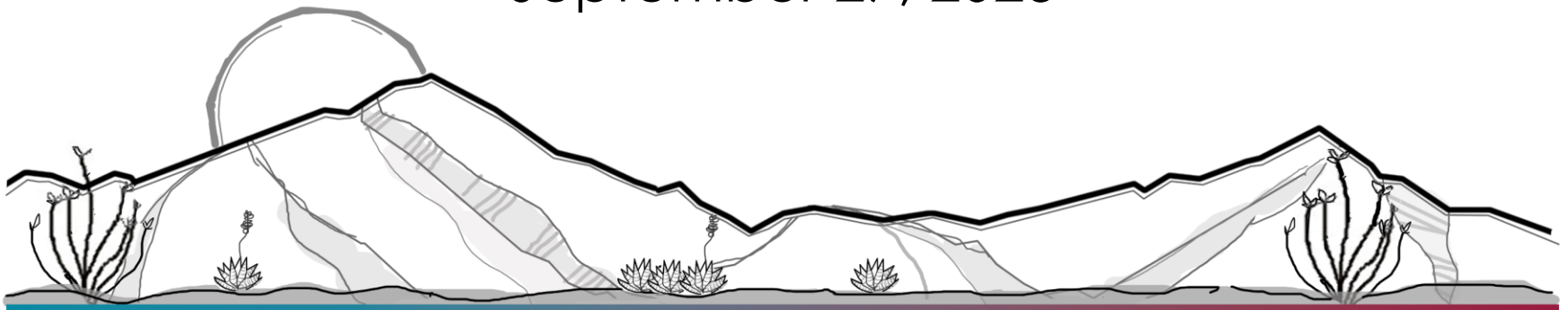


VAR 23-07 (Shawnee Setback)

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

Board of Adjustment
September 27, 2023



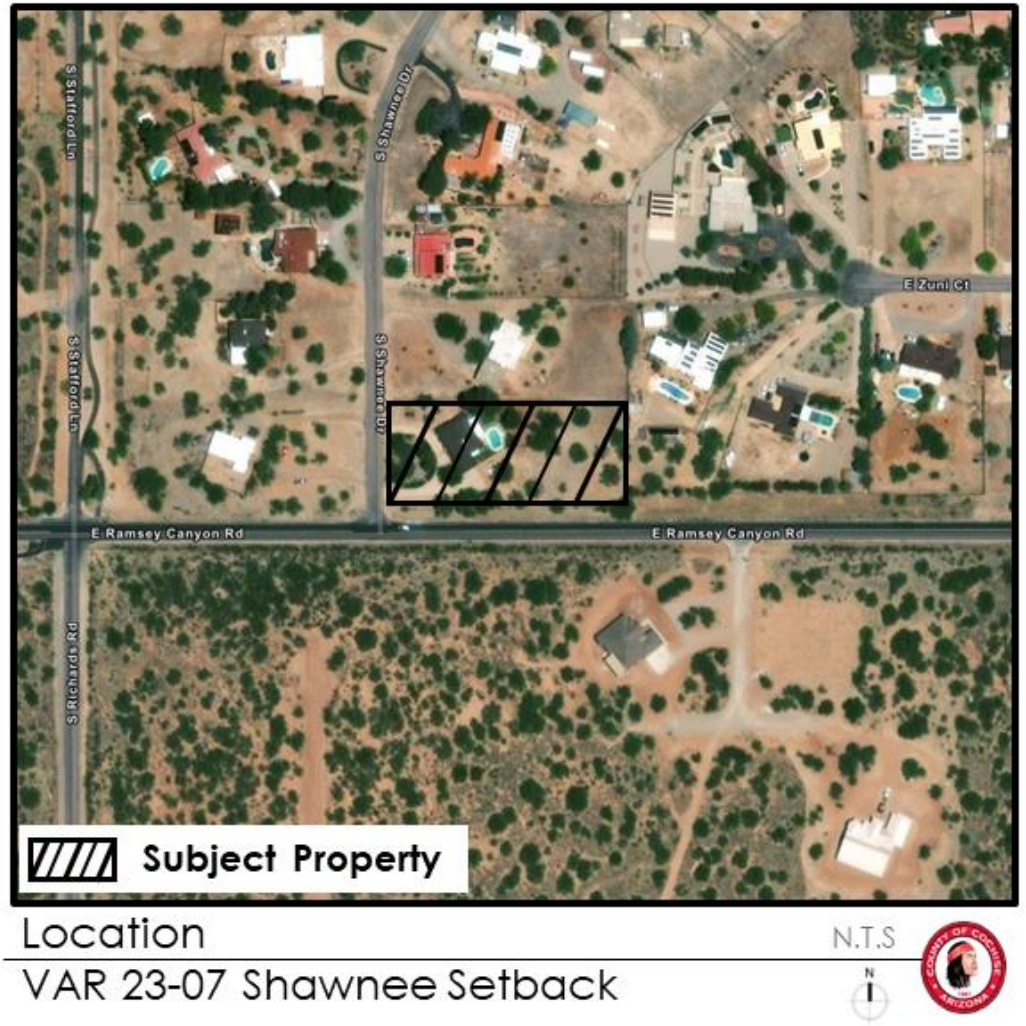
DEVELOPMENT SERVICES

- Location:
5555 S.
Shawnee
Drive, Sierra
Vista AZ (APN
105-94-166)
- Applicant:
Mr. Donald
Simpson



Variance Request

- Allow an accessory building 5' from the north property line
- 15' setback reduction requested (minimum 20' required)



DEVELOPMENT SERVICES



DEVELOPMENT SERVICES

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

Complies: 5 factors

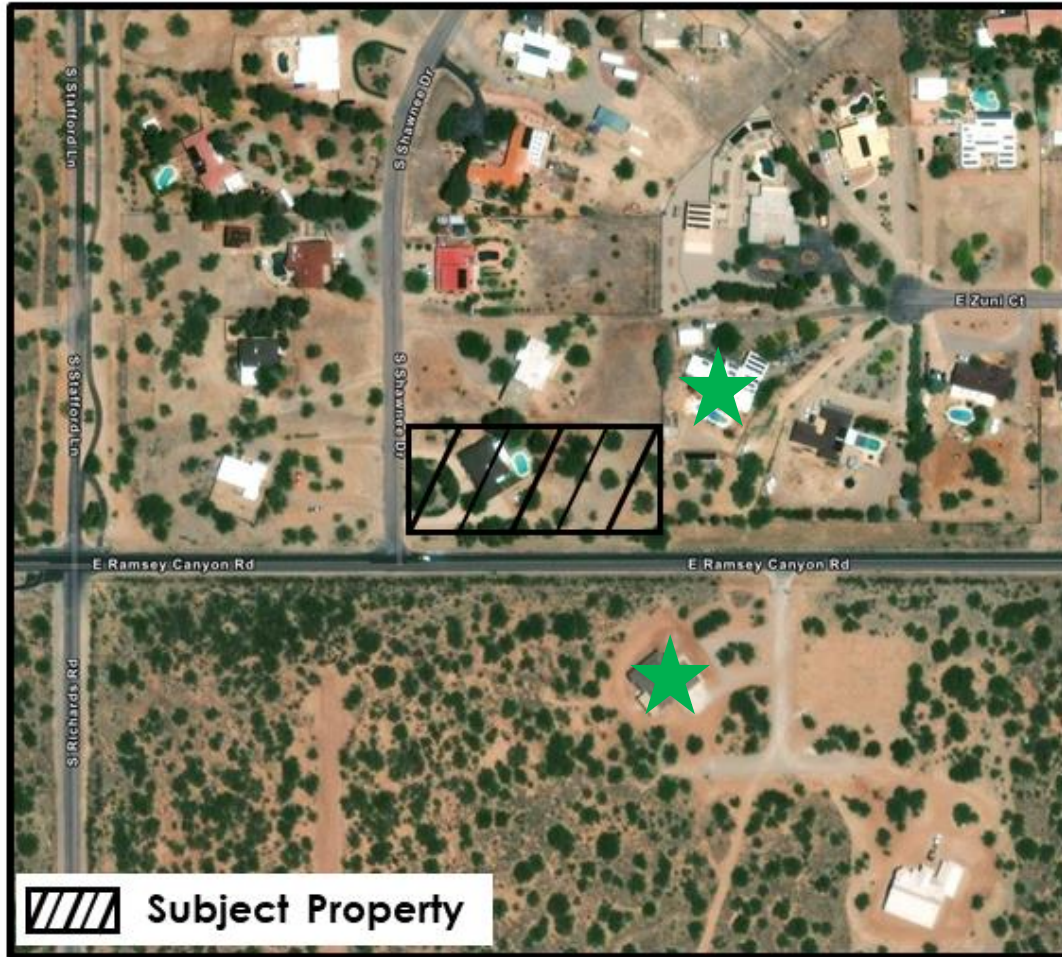
- Minimum degree of relief
- Permitted use
- No adverse impacts to surrounding properties
- General harmony with zoning regulations
- No violation of state or federal law

Does not comply or partially complies: 3 factors

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



DEVELOPMENT SERVICES



Location

VAR 23-07 Shawnee Setback

N.T.S



Factors in Favor of Request

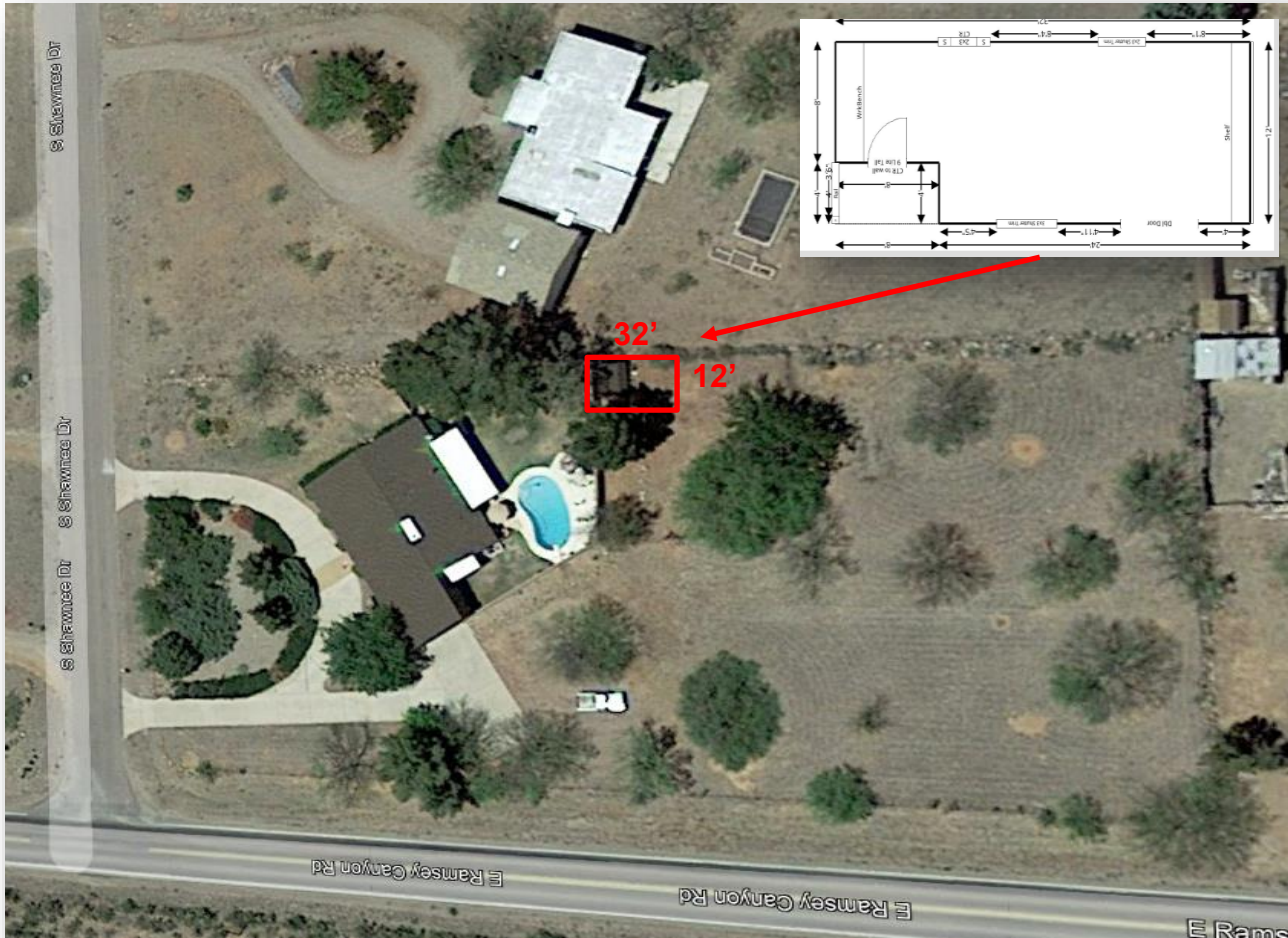
1. This variance request is consistent with five of the eight criteria used by staff to help determine the suitability of a given variance request.
2. The applicant has health and mobility issues. Section 504 of the Americans with Disabilities Act, which is federal law, mandates a reasonable accommodation requirement to avoid discrimination.
3. The case planner did not receive opposition from property owners within 300'.

Factors Against Approving the Request

1. This variance request is not fully consistent with three of the eight criteria used by staff to help determine the suitability of a given variance request.



Applicant Presentation/Discussion



Recommendation & Sample Motion

Based on the Factors in Favor of Approval as Findings of Fact, Staff recommends **Approval** of the Variance with the following condition:

- The new storage building shall not be serviced with utilities, e.g., electrical, mechanical, or plumbing.

Sample Motion: Mr. Chairman, I move to approve Docket VAR 23-07, located at 5555 S. Shawnee Drive, Sierra Vista, AZ (APN 105-94-16), granting the Variance as requested by the Applicant, the Factors in Favor of approval constituting the Findings of Fact.

