

DRAFT

**PROCEEDINGS OF THE COCHISE COUNTY
BOARD OF ADJUSTMENT
REGULAR MEETING HELD ON Wednesday,
JUNE 26, 2024**

A regular board meeting of the Board of Adjustment was held on Wednesday, JUNE 26, 2024 at 5:00 p.m. in the Conference Room, Foothills Service Center, 4001 Foothills Drive, Sierra Vista, Arizona.

Present: Paul Brick, Chair; Clint Briseno, Member
Absent: John Pintek, Vice Chair
Staff Present: Christine McLachlan, Planning Division Manager
Matthew Taylor, Planner II
Attendees: Stephen Insalaco, Applicant (VAR24-03)
Mary Parker, Applicant (VAR 23-02)
David Ames, citizen
Karen Insalaco, Applicant (VAR24-03)
Carrie Ames, Citizen

Chairman Brick called the meeting to order at 5:00 p.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

CALL TO ORDER

ROLL CALL (Introduce Board members and explain quorum and requirements for taking legal action).

CALL TO THE PUBLIC – This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda

No one requested to speak during call to the public

Approval of the February 2024 Meeting Minutes

Motion by Member Clint Briseno, Second by Chair Paul Brick

Vote: 2 - 0 Approved

PUBLIC HEARING

1. Docket VAR24-02 (Gardner Setbacks): An applicant-initiated Variance request from Section 2.33.030 of the zoning regulations to reduce the minimum required forty (40) foot side yard setback along the east property line and twenty (20) front yard setback to one (1) foot for a detached residential carport. The property is located at 4153 E. Gardner Street.

Motion by Member Clint Briseno, Second by Chair Paul Brick
Case planner Taylor provided a presentation, which is preserved in the file. The applicant, Mark Parker, spoke during the applicant's statement.

Commission discussion: Member Briseno clarified the location of the carport. Chair Brick clarified the rationale for the request.

Case planner Taylor recommended conditional approval. Conditions recommended included water mitigation and requirement to keep the carport an open structure. Taylor explained that given the proximity of the structure to the road, he had some concern about visibility if the structure were enclosed.

Vote: 2 - 0 Approved

2. Docket VAR24-03 (Pinto Setbacks): An applicant-initiated Variance request from Section 2.18.040 of the zoning regulations to reduce the minimum required setbacks along the west property line from ten (10) feet to five (5) feet for an existing 120 square foot accessory structure and from twenty (20) feet to ten (10) feet for a 320 square foot accessory structure. The property is located at 3280 W. Pinto Place.

Motion by Member Clint Briseno, Second by Chair Paul Brick Chair Brick made a statement of disclosure that he had met the applicant while serving on the Benson Airport Board several years ago, but he did not feel it was a conflict of interest. Case planner Taylor provided a presentation, which is preserved in the file. The applicant, Stephen Insalaco, spoke during the applicant's statement and during the applicant's rebuttal. Carrie Ames, a neighbor, spoke in opposition to the request. She read a letter of opposition from Cindy Kontowicz, a neighbor that could not attend the meeting, which is preserved in the file. Davis Ames, also a neighbor, read a letter of opposition he had submitted to the board, which is preserved to the file. He referenced photos which were attached to his letter of opposition.

Commission discussion: Chair Brick asked for clarification about the request, which included setback variances to two accessory structures. Member Briseno asked for clarification whether the conex box was a temporary structure or an accessory. Chair Brick asked Case Planner Taylor to show photos of the conex box and property lines. The applicant clarified that some of the oleander shrubs were planted on the property line and extended onto his property 2-3 feet. The applicant also asked whether including electricity in the structure at a future date would be allowed and staff confirmed electrical service would be allowed.

Vote: 2 - 0 Approved

**PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE
AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS.**

CALL TO BOARD ON RECENT MATTERS.

ADJOURNMENT

Chairman Brick adjourned the meeting at 6:00 p.m.

APPROVED:

Paul Brick, Chairman

ATTEST:

Dan Coxworth, Development Services Director