



Development Services

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1415 Melody Ln, Bdg F
Bisbee, Arizona 85603

Variance Application

Zoning regulations regulate land use, control the types of structures allowed, and maintain a certain level of consistency within a community. These regulations are intended to apply equally to all properties. However, in some circumstances a particular property is unfairly burdened by the general rules, creating an unnecessary hardship for the owner. In Cochise County, the Board of Adjustment considers all variance requests. A zoning variance, if granted by the Board of Adjustment, allows a property owner to use their land or property in a way that deviates from the established zoning regulations.

Applicant Info	
Name:	Damien & Melissa Avant
Address:	3901 S. Abernathy Court, Sierra Vista, AZ 85650
Phone:	
Email:	
Describe your relationship to this application (select one):	
<input checked="" type="checkbox"/> Property owner (skip next question)	<input type="checkbox"/> Authorized agent
By typing their name below, the undersigned, registered property owner of the property subject to this application, hereby grants the authorized agent noted above to act on their behalf and take all actions necessary for the processing, issuance and acceptance of this permit or application.	
Signature:	Date:
Property Info	
Property Owner Name(s):	same as above
Parcel Number (APN):	107-60-027
Parcel Size (in acreage or square feet):	3.32
Parcel Zoning Designation:	RU-4

Processing Fee

\$400. Applicants may pay online with a credit card or mail a check to the Development Services Department at 1415 W Melody Ln, Building F, Bisbee, AZ 85603, payable to the Cochise County Treasurer.

Required Submittals



This application



A concept plan



A non-refundable processing fee

Supplemental Questions

1. State which specific regulation within the Zoning Regulations from which you are seeking relief.

We are seeking relief from the zoning regulation that limits Accessory Dwelling Units (ADUs) or Additional Living Quarters (ALQs) to a maximum of 1,000 square feet on properties zoned for single-family residential use. Our proposed manufactured home is 1,026 square feet, which slightly exceeds this limit. Given the recent changes in Arizona law expanding ADU allowances +

2. Explain how the provision of the Zoning Regulations that you seek relief from has caused an undue hardship to you.

The zoning regulation limiting ADUs or ALQs to 1,000 square feet has created an undue hardship because the manufactured home we already own and intend to place on our property is 1,026 square feet — just 26 square feet over the allowable limit. This small overage prevents us from legally placing the unit on our property without seeking a variance, even though the structure complies in all other respects (including setbacks, height, and use).

This causes a financial and logistical burden, as we would either have to significantly modify the home, which is not feasible due to its manufactured design, or abandon its use entirely. +

3. Describe any specific physical conditions, unique to your property, that do not allow it to develop in the same manner as other properties within the same zoning district.

These limitations make it more practical and efficient to place a 1,026-square-foot manufactured home, which fits well within the existing clear space and meets all other zoning requirements except for the slight overage in square footage.

Because of these physical characteristics, strict enforcement of the 1,000-square-foot limit creates a disproportionate impact on our ability to develop the property in a manner consistent with others in the district.

Supplemental Questions

4. State any potential impacts caused by the application of your variance and how you intend to minimize these impacts on neighboring properties.

The potential impact of our variance request — allowing a 1,026-square-foot manufactured home instead of the 1,000-square-foot maximum — is minimal. The 26 additional square feet will not significantly alter the appearance, scale, or footprint of the unit in a way that would negatively affect neighboring properties. The unit will still comply with all applicable zoning requirements, including height limits, setbacks, lot coverage, and utility access.

To further minimize any potential impacts, we will: +

5. Justify how what is proposed by this request is the minimum variance that will afford relief.

The requested variance — to allow a 1,026-square-foot manufactured home where 1,000 square feet is the maximum — is the minimum necessary to afford relief. We are only asking for a 26-square-foot increase, which is a 2.6% deviation from the allowed size. This is the smallest possible variance that would allow us to use the home we already own without needing to modify or replace it, which would be cost-prohibitive and impractical due to its manufactured design.

We are not seeking to exceed any other zoning standards such as height, setbacks, or density. The unit fits well within the buildable area of our property, complies with all applicable codes, and maintains the residential character of the neighborhood. +

6. Is there anything you, or the previous owner, could have reasonably done to prevent the need for this variance?

No, there was nothing we — or the previous owner — could have reasonably done to prevent the need for this variance. The manufactured home in question was already built to a standard size of 1,026 square feet, which is a common and modest size for such units. At the time of its selection or purchase, the slight difference of 26 square feet was not known to be an issue, especially in light of recent state-level changes supporting ADUs.

Additionally, the zoning limitation of 1,000 square feet does not account for the practical constraints of factory-built homes, which are not easily modified without compromising +

Acknowledgment

By typing their name below, the applicant certifies that all information in this application and on the site plan is true accurate. They understand that if any information is false, it may be grounds for denial or future revocation of this permit.

Signature: Melissa Avant

Date: 8/19/25

Acknowledgments Continued, Prop 207 Waiver

By typing their name below, the property owner acknowledges that the approval being sought by this application may cause a reduction in the existing rights to use, divide, sell or possess the private property that is the subject of this application. The property owner further acknowledges that it is the property owner who has requested the action sought by the filing of this application. Therefore, with full knowledge of all rights granted to the property owner pursuant to A.R.S. §12-1132 through 1138, the property owner does hereby waive any and all claims for diminution in value of the property with regard to any action taken by Cochise County as result of the filing of this application.

Signature (Property Owner): Melissa Avant

Date: 08/19/25



 Proposed ALQ position