



Notice of Public Hearing of the Hearing Officer of the City of San Luis

AGENDA HEARING OFFICER MEETING SAN LUIS COUNCIL CHAMBERS 1090 E. Union Street San Luis, AZ 85349 Thursday, April 23, 2026 4:00 P.M.

Pursuant to A.R.S. §38-431.02, notice is hereby given to the general public that the Hearing Officer will hold a meeting open to the public on April 23, 2026, at 4:00 p.m. at the San Luis Council Chambers, 1090 E. Main Street.

Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the Hearing Officer are audio and/or video recorded, and as a result, proceedings in which children are present may be subject to such recording. Parents, in order to exercise their rights, may either file written consent to the Department of Development Services to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 has been waived.

1. CALL TO ORDER

2. ITEMS TO BE CONSIDERED – the Hearing Officer will be considering a vote or action on the following cases. Any vote or action will be considered separately for each case.

- 2. A.** Discussion and possible action on any and all matters regarding Minor Variance Case No. 2026-0003. A request from Jose Palencia, property owner, for a minor variance to reduce the front setback requirement from 20 feet to 18 feet in the Low Density Residential (R1-20) Zoning District, Assessor's Parcel #768-59-011 for the construction of a new single-family residence. The property is located at 1866 N. Quintero Avenue in San Luis, Arizona.

3. ADJOURNMENT

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of San Luis does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of San Luis Human Resources Department, 1090 E. Union Street, P. O. Box 1170, San Luis, AZ 85349; (928) 341-8520.



HEARING OFFICER AGENDA ITEM REVIEW FORM

Hearing Officer Agenda

2. A.

Meeting Date: 04/23/2026

Submitted By: Juan Tejeda, Acting Assistant Director of Development Services, Development Services, Planning & Zoning

ITEM:

Discussion and possible action on any and all matters regarding Minor Variance Case No. 2026-0003. A request from Jose Palencia, property owner, for a minor variance to reduce the front setback requirement from 20 feet to 18 feet in the Low Density Residential (R1-20) Zoning District, Assessor's Parcel #768-59-011 for the construction of a new single-family residence. The property is located at 1866 N. Quintero Avenue in San Luis, Arizona.

SUMMARY:

The property is located at Palencia Hills Subdivision. The lot has an area of 20,000 square feet. The reason for this request is that the applicant wants to build a new residence on the property at a distance of 18 feet from the front property line instead of the 20 feet required by the City Code.

The purpose of the minor variance procedure is to allow for up to a maximum twenty percent (20%) variation from a development standard or dimension requirement of the zoning code where a practical difficulty, unnecessary hardship, or a result inconsistent with the general purposes of the rezoning code would occur from its, and literal interpretation, and enforcement.

GENERAL PLAN:

This area is designated as Medium Density Residential in the City of San Luis 2040 General Plan. The Medium Density Residential land use supports R1-20 Zoning District, which allows the construction of single-family residential development.

AGENCY REVIEW:

City staff explained to the applicant the requirements and procedure of a Minor Variance. It was verified that the property owner would be able to request a Minor Variance and that it would not need to go before the Board of Adjustment.

As part of the review process, all land use cases are reviewed by various City and outside agencies. We have not received any comments.

ANALYSIS:

A variance is not a right, as it may be granted to an applicant only if the applicant establishes compliance with all of the hardship criteria established in A.R.S. §9-462.6 and in City Code §18.15.060 (C).

Pursuant to State Statutes, the Board may not:

1. Make any changes in the uses permitted in any zoning classification or zoning district.
2. Grant a variance in the special circumstances applicable to the property are self-imposed by the property owner.

The Zoning Administrator or Hearing Officer approves, approves with conditions or denies an application for minor variance filed pursuant these regulations any person may appeal that decision in writing, including any required appeal fee, within fifteen (15) days of the decision and request that the minor variance be placed on the agenda or the next regularly scheduled Board of Adjustment meeting.

In all cases, the review shall address all of the following hardship criteria:

1. There exist special circumstances or conditions regarding the land or building referred to in the application, which do not apply to other properties in the zoning district.

Staff does not find that there are any special circumstances or conditions relating to this request. The lot is in a squared shape and has a generous size to construct a single-family residence.

2. The above special circumstances or conditions are preexisting and are not created or self-imposed by the owner or applicant. There are no special circumstances or conditions.

There are no special circumstances or conditions. The conditions creating the request were created by the property owner.

3. The variance is necessary for the preservation of substantial property rights. Without a variance the property cannot be used for purposes otherwise allowed in the zoning district.

Staff does not find that the construction of this dwelling with reduced setback is necessary to the preservation of substantial property rights. A single-family residence can be constructed in the lot in compliance with the required setbacks.

4. The authorizing of the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, or to the neighborhood or the public welfare.

Any reduction of setbacks, even though some changes are minimal, increases the potential fire spread between structures. In this case, this potential hazard is reduced since the proposed reduced setback is in the front of the property abutting a street. As required by Zoning Code, written acknowledgment from each adjacent property to the notification of the requested minor variance is necessary. City staff requested a total of four (4) signatures of adjacent property owners and received three (3) signatures, the missing signature is from a lot owned by the applicant itself.

STAFF RECOMMENDATION:

The applicant has provided the information and material necessary for the review of the request.

Staff recommends DENIAL of Minor Variance Case No. 2026-0003, a request by Jose Palencia owner, for a minor variance to reduce the front minimum setback from 20 feet to 18 feet. This recommendation is based on the hardship criteria not being addressed successfully.

RECOMMENDED MOTION:

Findings and conclusions to be determined by the hearing officer.

Attachments

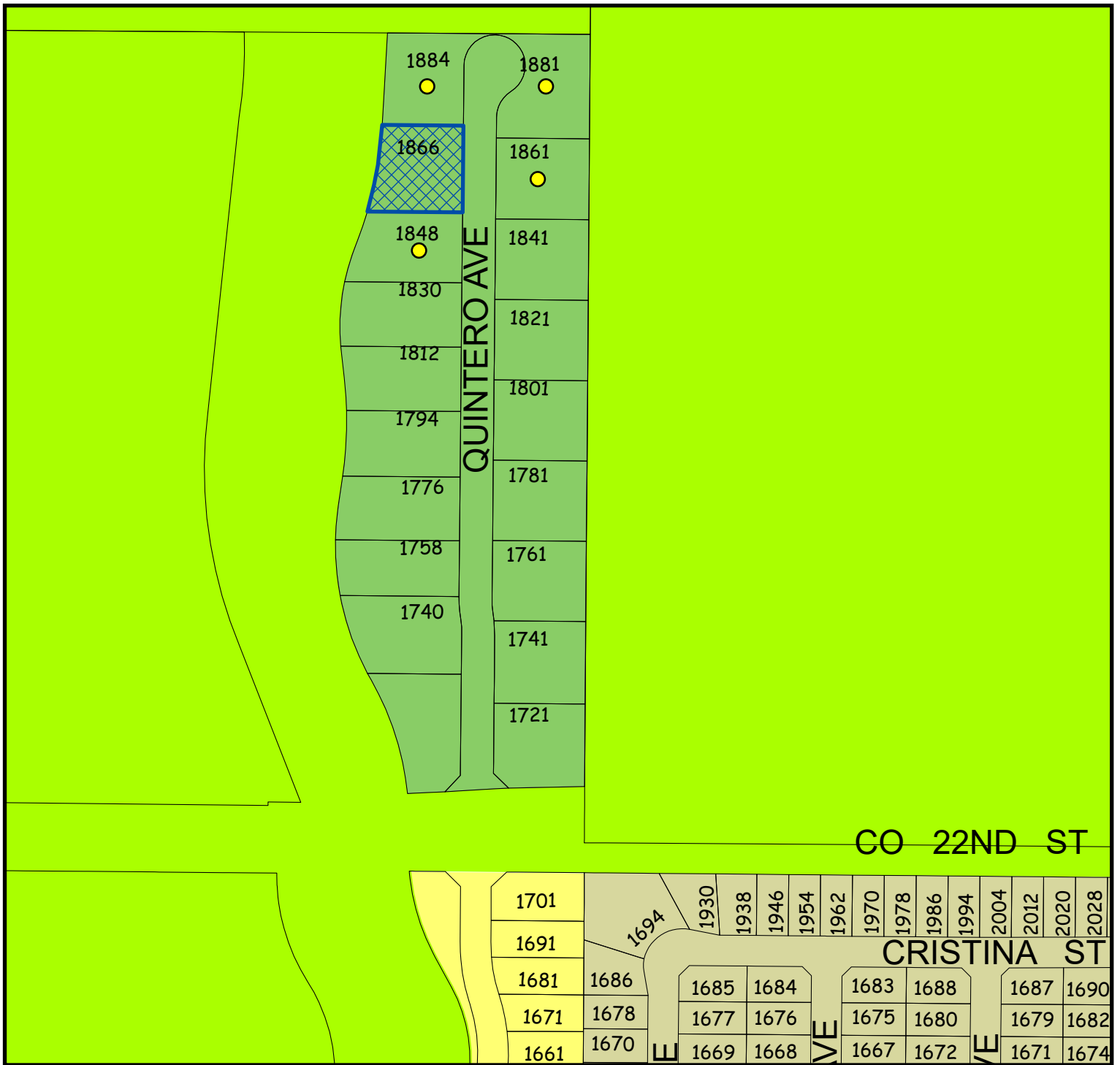
Location Map

Site Plan

Narrative Statement

Signatures from surrounding property owners

Existing site conditions



Location of Subject Property



1866 N Quintero Avenue

LOCATION MAP

- R-1-6
- R-2
- R-1-20
- RA-10

MINOR VARIANCE

CASE #

2026-0003

DATE:

04/02/2026

Development Services



GIS

CREATED BY:

ALEXIS I. GOMEZ

CHECKED BY:

JUAN TEJEDA

APPROVED BY:

JOSE A GUZMAN

R26-0000

PALENCIA RESIDENCE

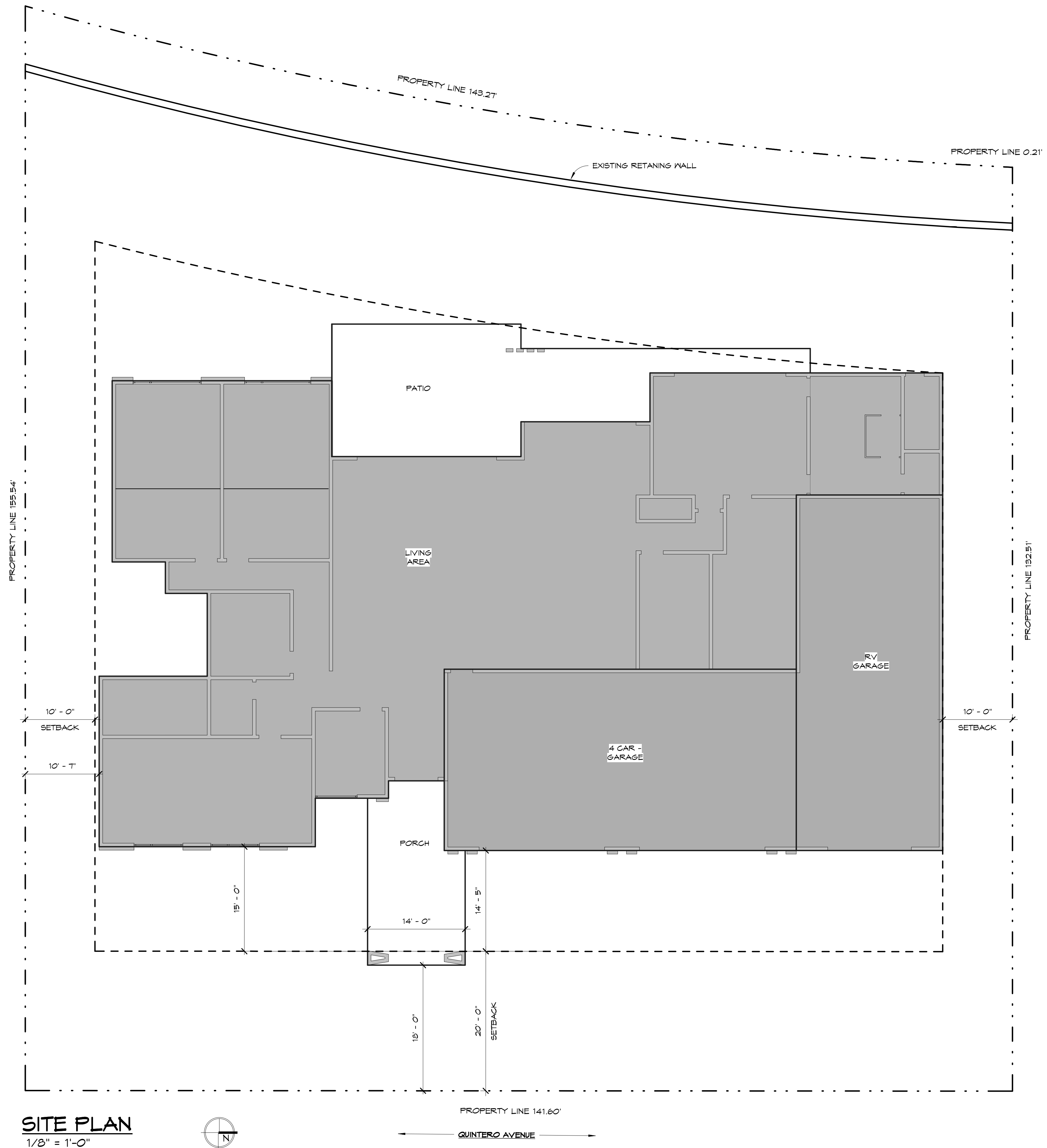
1866 N QUINTERO AVE
 SAN LUIS AZ, 85336
 APN: 768-59-011

PRELIMINARY

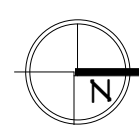
SHEET LIST

- A0.0 COVER & SITE PLAN
- A1.0 FLOOR PLAN
- A1.1 PERSPECTIVES
- A1.2 PERSPECTIVES

PROJECT INFORMATION		
JURISDICTION: CITY OF SAN LUIS ZONING: R1-20 MAX LOT COVERAGE: 40% SETBACKS: FRONT = 25' GARAGE = 20' SIDES = 10' REAR = 30' STREET SIDE = 15' MAX BUILDING HEIGHT: 30'		
SQUARE FOOTAGE		
AREA NAME	AREA	
LIVING AREA	4960.95 SF	
4 CAR - GARAGE	1319.00 SF	
RV GARAGE	1071.00 SF	
PATIO	790.34 SF	
PORCH	332.71 SF	
TOTAL COVER AREA	8468.01 SF	
LOT COVERAGE		
TOTAL AREA	35% OF AREA	50% OF AREA
19999.49 SF	6999.82 SF	9999.75 SF
19999.49 SF	6999.82 SF	9999.75 SF
NOTE: INSURE LOT DOES NOT DRAIN TO ADJOINING LOTS.		



SITE PLAN
 1/8" = 1'-0"



SHEET NAME
 COVER & SITE PLAN

PROJECT
PALENCIA RESIDENCE
 1866 N QUINTERO AVE
 SAN LUIS AZ, 85336
 APN: 768-59-011

INNOV-R
 ARCHITECTURE + ENGINEERING + CONSTRUCTION
 650 E. 92ND ST., SUITE 11
 YUMA, AZ 85665
 928.850.4058
 info@innov-r.com

REVISIONS

#	DATE	DESCRIPTION

DRAWN BY: A.P.
 JOB #: R26-0000
 PRELIMINARY

SHEET No.

A0.0

I am requesting a variance to reduce the required front yard setback from twenty (20) feet to eighteen (18) feet for a single-family residence on Lot 11 in Palencia Hills. This lot uniquely limits the buildable area and creates challenges for proper driveway alignment and safe vehicle access. The requested variance is necessary to allow proper placement of the home and to ensure that vehicles, including larger trucks and SUVs, can safely enter and exit the property given the turning radius required by the curve. Granting this minimal two-foot reduction will not be materially detrimental to adjacent properties, the neighborhood, or the public welfare, as it will not impact safety, visibility, or the overall character of Palencia Hills.



Minor Variance Acknowledgment Form

As provided in section 18.15.090 (B)(4) "Written acknowledgment to the notification of the requested minor variance(s) from each adjacent property owner, even if separated by a public right of way." The adjacent property owners must sign that they understand the variance request.

I, Jose Palencia, own the property located at 1866 N Quintero Ave. I am requesting a Minor Variance for the following: Reduce front yard setbacks to accommodate front entrance pillars & driveway configuration.

A site plan is attached for review by the adjacent property owners.

Adjacent Property Owners
We the undersigned adjacent property owners understand the variance requested by Jose Palencia as described above.

Name: Luis Carlos Valencia Address: 1848 N Quintero Ave Comments: <u>approved</u> Date: <u>03-23-26</u> Signature: _____	Name: Nieves Riedel Address: 1884 N Quintero Ave Comments: <u>approved</u> Date: <u>3-20-26</u> Signature: <u>Nieves Riedel</u>
Name: <u>Jose Palencia</u> Address: _____ <u>1861 N Quintero Ave</u> Comments: <u>approved</u> Date: <u>3/20/2026</u> Signature: <u>[Signature]</u>	Name: _____ Address: _____ Comments: _____ Date: _____ Signature: _____
Name: _____ Address: _____ Comments: _____ Date: _____ Signature: _____	Name: _____ Address: _____ Comments: _____ Date: _____ Signature: _____

I, Jose Palencia, verify that I have discussed this proposal with my neighbors, above, and that they acknowledge this request.

[Signature]
Signature

3/20/2026
Date

