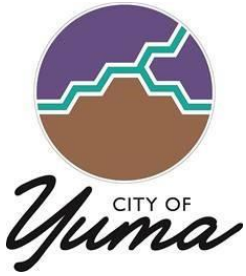


Notice of Public Meeting of the
Minor Variance Committee of
The City of Yuma

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Minor Variance Committee of the City of Yuma and to the general public that the Minor Variance Committee will hold a meeting open to the public on July 8, 2021 at 10:00 a.m. in Conference Room 245, Yuma City Hall, One City Plaza, Yuma, AZ.

 <p>The logo for the City of Yuma features a stylized mountain range in shades of purple and green, with a brown base representing the ground. Below the graphic, the words "CITY OF" are written in a small, sans-serif font, and "Yuma" is written in a large, elegant, cursive script.</p>	<p>Agenda Meeting of the Minor Variance Committee <i>Yuma City Hall Conference Room 245</i> One City Plaza Thursday, July 8, 2021, 10:00 a.m.</p>
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City Hall Conference Room 245 will be open with limited public access.

Public comment regarding any **agenda** item can be provided in written format to the Minor Variance Committee at email address planning@yumaaz.gov no later than 15 minutes prior to the start of the scheduled meeting. Comments received timely will be read into the record when the referenced agenda item is discussed.

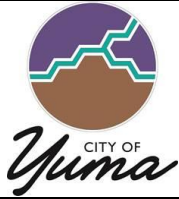
CALL TO ORDER

APPLICATIONS TO BE CONSIDERED

- 1. VAR-35844-2021:** *This is a request by Craig Colvin, on behalf of Santana 142 RE Holdings, LLC, for a variance to increase the maximum lot coverage from 35% to 42% in the Santana Subdivision, Phases 1 and 2, Yuma, AZ.*

ADJOURN

In accordance with the Americans With Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma 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 Yuma Human Resources Division, One City Plaza, Yuma, AZ 85364; (928) 373-5127 or TTY (928) 373-5149.



MINOR VARIANCE COMMITTEE
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – MINOR VARIANCE
CASE PLANNER: RICHARD MUNGUIA

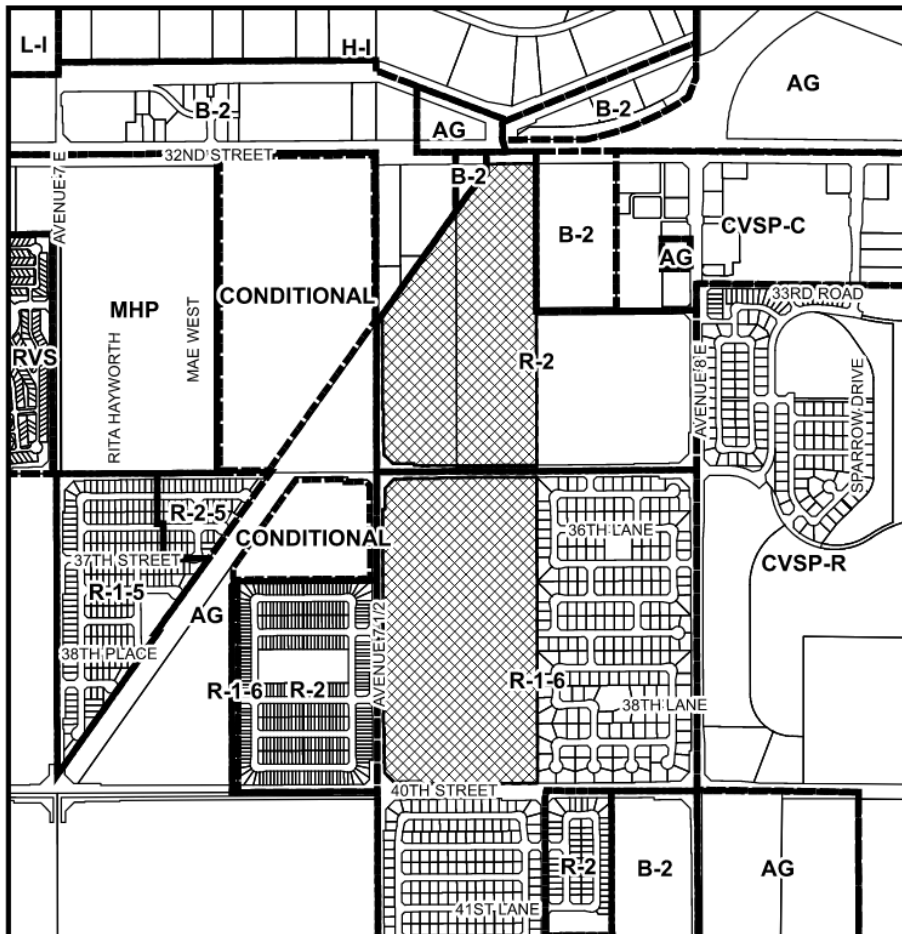
Hearing Date: July 8, 2021

Case Number: VAR-35844-2021

Project Description/Location: This is a request by Craig Colvin, on behalf of Santana 142 RE Holdings, LLC, for a variance to increase the maximum lot coverage from 35% to 42% in the Santana Subdivision, Units 1 and 2, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Medium Density Residential (R-2)	Undeveloped	Medium Density Residential
North	General Commercial (B-2)	Undeveloped	Commercial
South	Low Density Residential (R-1-6)	Single Family Residences	Low Density Residential
East	General Commercial / Medium Density Residential (B-2/R-2)	Undeveloped	Commercial / Medium Density Residential
West	Agriculture	Undeveloped	Public/Quasi-Public

Location Map



Prior site actions: Annexation: Ordinance #O99-29 (July 3, 1999); Rezone: Ordinance #O2005-79 (September 21, 2005), Ordinance #O2006-028 (April 19, 2006), Ordinance #O2006-31 (June 7, 2006); Subdivision: SUBD-33293-2020 – Santana Subdivision Units 1-4 Preliminary Plat (February 22, 2021).

Staff Recommendation: Staff recommends **APPROVAL** of the request to increase the maximum lot coverage from 35% to 42% in the Santana Subdivision, Phases 1 and 2, Yuma, AZ.

Have there been any other minor variance requests of a similar nature in the vicinity and zoning district?
No.

Staff Analysis: The subject properties were annexed into the City of Yuma on July 3, 1999 and rezoned to the Low Density Residential (R-1-6) District in 2005 and 2006, and rezoned to the Medium Density Residential (R-2) District in 2006. The subject properties are currently undeveloped and are intended to be Santana Subdivision, Units 1-4.

Santana Subdivision Units 1 and 2 will be Medium Density Residential (R-2), developed with approximately 203 single family homes, while Units 3 and 4 will be Low Density Residential (R-1-6) and developed with 258 single-family homes.

The applicant is requesting an increase in maximum lot coverage for Units 1 and 2 only. The request is to increase the maximum lot coverage from 35% to 42% in order to allow the applicant to offer all single level homes and to include garage and patio space large enough to be utilized by future owners and occupants of the development.

At this time, there are no variance request for Units 3 and 4 of the Santana Subdivision.

1. Does the proposed variance meet the criteria of §154-03.04(D)(1) of the Yuma City Code:

A) *“There is a special circumstance(s) or condition(s) that applies to the property, building, or use referred to in the application, that does not apply to most other properties in the district.”*

Is this statement correct for this application?

Yes **No**

Applicant Response: *“Units one and two is an irregular-triangular shaped property limiting overall lot yield. A portion of units one and two is bound on the west by an APS easement which is planned for future transmission line improvements. 75’ of each lot in the west/northwest portion of the plat(s) will be unusable property for these lots.”*

Staff Analysis: The subject property does contain a 75’ wide APS easement along the west-southwest portion of the property. Additionally, it is triangular at this point, and as such, creates difficulty in subdividing the property to obtain the highest lot yield.

B) *“The special circumstance was not created or caused by the property owner or applicant.”*

Is this statement correct for this application?

Yes **No**

Applicant Response: *“Actual lot count verse density allowed cannot be maximized due to the irregular shape of the property in units one and two along with the APS requested western easement for area transmission line improvements after our acquisition of the Santana property. A similar housing product and design that Elliott Homes constructed in Araby Crossing does not fit at Santana unit 1 and 2 due to the 35% maximum lot coverage requirements for the Santana property. Larger lots average 55X120 in units one and two as compared to Araby Crossing to fit similar proposed homes.”*

Staff Analysis: The special circumstance was not created by the property owner. The easement is an existing easement and the shape of the lot was influenced by the adjacent canal.

C) “The granting of the variance(s) is necessary for the preservation of substantial property rights enjoyed by other property owners in the vicinity, under identical zoning designations.”

Is this statement correct for this application?

Yes **No**

Applicant Response: *“If granted the minor variance request for increased maximum lot coverage it preserves the rights of surrounding properties who do not have the property constraints with in Santana unit one and two.”*

Staff Analysis: The property’s constraints are not present in Santana Subdivision Units 3 and 4. In order to allow property owners in Units 1 and 2 to have the same property rights as those in other subdivisions, a variance is required.

D) “The granting of this variance will not be materially detrimental to any person residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public health, safety and general welfare.”

Is this statement correct for this application?

Yes **No**

Applicant Response: *“If granted approval for increased lot coverage at Santana unit one and two will not cause to be materially detrimental for the residents of Santana, in the vicinity of the neighborhood or to the public health and safety. All zoning and building safety ordinances will be adhered to.”*

Staff Analysis: Granting this variance will not be materially detrimental to any person residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public health, safety, and general welfare.

2. Are any of the adjacent property owners opposed to this request?

No.

Discussions with Applicant/Agent:

June 30, 3031, July 1, 2021

Draft staff report delivered to applicant on:

July 7, 2021

- Applicant agreed with staff for approval on: (enter date)
- Applicant did not agree with staff: (list #'s)
- If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact. E-mailed applicant, awaiting reply.

Attachments

A	B	C
Conditions of Approval	Site Plan	Aerial Photo

Prepared By:
Richard Munguia
Senior Planner

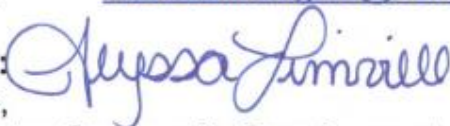


Richard.Munguia@YumaAZ.gov

Date: July 1, 2021

(928)373-5000, x3070

Approved By:
Alyssa Linville,
Assistant Director Community Development



Date: 07/06/2021

**ATTACHMENT A
CONDITIONS OF APPROVAL**

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed variance for the site:

Community Development Comments: Alyssa Linville, Assistant Director Community Development, (928) 373-5000, x 3037:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

Community Planning, Richard Munguia, Senior Planner, (928) 373-5000 x3070

4. The conditions listed above shall be completed within one (1) year of the effective date of the approval of the Minor Variance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this property. In the event that the conditions are not completed within this time frame, the Minor Variance shall be null and void.
5. In any case where a Minor Variance has not been used within one year after the granting thereof, it shall be null and void.
6. Prior to the expiration date of the Minor Variance, the applicant has the option to file for a one-year time extension.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT C
AERIAL PHOTO

