

**Notice of Public Hearing of the
Hearing Officer of The City of Yuma**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Hearing Officer of the City of Yuma and to the general public that the Hearing Officer will hold a hearing open to the public on July 14, 2022 at 9:30 a.m. in City Council Chambers, One City Plaza, Yuma, AZ.

The Agenda for the hearing is as follows:

	Agenda Hearing Officer Public Hearing City Hall Council Chambers One City Plaza Thursday, July 14, 2022 9:30 a.m.
---	--

City Hall Council Chambers will be open with limited public access.

Public comment regarding any **agenda** item can be provided in written format to the Hearing Officer Secretary 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

CONSENT CALENDAR – All items listed under the consent calendar will be approved by one motion. There will be no separate discussion of these items unless the Hearing Officer or a member of the audience wishes to speak about an item.

APPROVAL OF MINUTES

- June 23, 2022

CONTINUANCES –

1. **VAR-39987-2022:** This is a request by Andrea Plaza, on behalf of Miguel & Maria Gastelum, for a Variance to eliminate the requirement for on-site parking for a clothing retail store, Vlanco Boutique, in the General Commercial/Historic Overlay/Bed and Breakfast Overlay/Infill Overlay (B-2/H/BBO/IO) District, for the property located at 206 S. Orange Avenue, Yuma, Arizona. *(Continued to July 28, 2022).*

APPLICATIONS TO BE CONSIDERED

1. **VAR-39872-2022:** This is a request by Kerley Homes of Yuma, LLC on behalf of KDC of Yuma, LLC, for a Variance to reduce the front yard setback from 20' to 13' 2", to allow the construction of a single-family dwelling in the Low Density Residential (R-1-8) District, for the property located at 5842 E. 47th Street Yuma, Arizona.
2. **VAR-39977-2022:** This is a request by Cesar Durazo for a variance to reduce the side and rear yard setbacks from 5.5 feet (setback based on height of accessory structure) to a setback of 34.5 inches, in the Low Density Residential (R-1-8) District. The property is located at 3953 West 18th Street, Yuma, AZ.
3. **VAR-39981-2022:** This is a request by Sternco Engineers, Inc., on behalf of Nextgen Properties, LLC, for a variance to increase the maximum allowable density to allow the construction of a fourplex on a lot measuring 7,500 square feet in the High Density

Residential/Infill Overlay (R-3/IO) District, for the property located on the southeast corner of W. Colorado Street and N. 17th Avenue, Yuma, Arizona.

4. **VAR-39983-2022**: This is a request by Alberto Urias, on behalf of Sergio Castro, for a variance to reduce the rear yard setback from 20 feet to 3 feet to accommodate the expansion of a workshop, in the Low Density Residential (R-1-8) District. The property is located at 3929 West 18th Street, Yuma, AZ.

ADJOURN

A copy of the agenda for this meeting may be obtained at the office of the City Clerk at City Hall, One City Plaza, Yuma, Arizona, 85364, during business hours, Monday through Friday, 8:00 A.M. to 5:00 P.M. 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, PO Box 13012, Yuma, AZ 85366-3012; (928) 373-5125 or TTY (928) 373

Hearing Officer Meeting Minutes
June 23, 2022

A meeting of the City of Yuma's Hearing Officer was held on June 23, 2022, at City Hall Council Chambers, One City Plaza, Yuma, AZ.

HEARING OFFICER in attendance was Sonia Ramirez.

CITY OF YUMA STAFF MEMBERS present Emily Hart, Assistant City Attorney; Alyssa Linville, Assistant Director of Planning; Chad Brown, Associate Planner and Alejandro Marquez, Administrative Specialist.

Ramirez called the meeting to order at 9:30 a.m.

CONSENT CALENDAR

Ramirez approved the minutes of May 5, 2022.

PUBLIC HEARINGS

VAR-39341-2022: *This is a request by Arthur Patrick, subject property owner, for a variance to reduce the street side yard setback from 10' to 0' to accommodate the expansion of a garage space, in the Low Density Residential (R-1-6) District, for the property located at 2400 West 5th Street, Yuma, AZ.*

Chad Brown, Associate Planner, summarized the staff report and recommended **DENIAL**.

QUESTIONS FOR STAFF

Ramirez asked for clarification of the placement of the structure. **Brown** answered the structure was going to be on the right side of the home. **Ramirez** asked if the structure was going to be a garage. **Brown** replied yes. **Ramirez** asked for the distance between the garage and the street. **Brown** answered 20 feet. **Ramirez** then asked if staff had any concerns about the distance. **Brown** answered no. **Ramirez** went on to ask if the garage was going to be attached to the home. **Brown** answered yes. **Ramirez** then asked if the structure was a room addition instead of a garage would staff change their decision. **Brown** replied no. **Ramirez** asked would the structure cause any safety issues with the traffic. **Brown** said no.

APPLICANT/APPLICANTS REPRESENTATIVE

Arthur Patrick, 2400 W. 5th Street, Yuma, AZ, stated the garage could only be built on that side of the home because of the landscaping, and that the structure would not block the visibility of oncoming traffic. **Ramirez** asked if the structure was going to be a two car garage. **Patrick** replied yes. **Ramirez** then asked for the size of the garage, and could a smaller garage be built. **Patrick** stated yes he could build a smaller one, but there were similar sized garages in the area, and that there was no opposition from any neighbors about the size of this garage.

OPEN PUBLIC COMMENT

None

DECISION

Ramirez granted the variance, subject to the Conditions of Approval in Attachment A, finding that the four criteria of Yuma City Code §154-03.04(D) (1) had been met.

VAR-39750-2022: *This is a request by Sign Masters, on behalf of Sunset Community Health Center INC, for a variance to allow the placement of a monument sign with a zero foot setback, in the General Commercial (B-2) District. The property is located at 703 South Avenue B, Yuma, AZ.*

Chad Brown, Associate Planner, summarized the staff report and recommended **Denial**.

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANTS REPRESENTATIVE

Greg Villapando, 2205 W.12th Street, Yuma AZ, presented a handout that was not included in the staff report, then stated the reason for the new sign was to alert the public of the location of the clinic. **Villapando** also stated that the sign would not be a safety hazard to oncoming traffic. **Ramirez** asked for clarification of the location of the property. **Villapando** replied the clinic is located north of 8th St. on Avenue B after the new Administration Building. **Villapando** then stated that one of the reasons for the sign was to inform the public the difference of the two buildings. **Ramirez** then referred to a comment in the staff report that states there were other signs in the area with similar setbacks. **Ramirez** then asked **Villapando** if he was referring to the sign at Immaculate Conception Church. **Villapando** answered yes. **Ramirez** asked for the height of the proposed sign. **Villapando** replied 9 feet. **Ramirez** then asked if there was a different setback other than 0 feet that could be used. **Villapando** answered that the reason for a 0 foot setback was out of the concern for hitting an underground water pipe, but a 4 foot setback might work. **Ramirez** then asked if there already was a sign on the building. **Villapando** answered yes, but the sign faced south and it was not visible from Avenue B.

Ramirez asked **Brown** if Staff was made aware that the reason for the sign was to potentially prevent traffic accidents caused by the public turning into the property. **Brown** replied that public safety is one of the main reasons for setbacks for Monument Signs. **Brown** went on to say that according to the handout if the public made a left turn exiting the parking lot the sign would potentially block the view of oncoming traffic.

Alyssa Linville, Assistant Director of Planning, stated that there are concerns about visibility according to the handout that was provided, when turning south onto Avenue B it would be hard to see past the sign especially from inside of a vehicle, **Linville** then addressed the mention of similar signs in the area, stating the sign at Immaculate Conception Church was a Pole sign not a Monument sign, and Pole signs have different setbacks. **Ramirez** asked what would be the height of the sign if there was a 4 foot setback. **Linville** replied that if the sign was 4 feet it would call for a 2 foot setback if the sign was 6 feet it would be a 6 foot setback. **Ramirez** then asked what was the setback for a 7 foot sign. **Linville** replied 12 feet. **Ramirez** then asked did the parking lot allow a left turn onto south Avenue B. **Linville** answered yes.

Brown then added Immaculate Conception Church in the Transitional Zoning District different from the clinic, then clarified the location of the property and the entrance to the property.

Ramirez asked **Villapando** based on the information that was just discussed if there was anything more he would like to add. **Villapando** stated that because of the placement of a fire riser a shorter sign would be blocked. **Ramirez** then asked would he consider placing the sign at another location on the property. **Villapando** replied that is the only place the sign would fit.

OPEN PUBLIC COMMENT

None

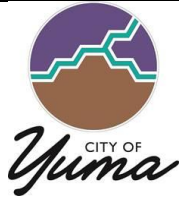
DECISION

Rodriguez denied the Variance to allow the placement of a monument sign with a zero foot setback, in the General Commercial (B-2) District, finding that the four criteria of Yuma City Code §154-03.04(D) (1) had not been met.

Rodriguez adjourned the meeting at 9:50 a.m.

Minutes approved and signed this _____ day of _____, 2022.

Hearing Officer



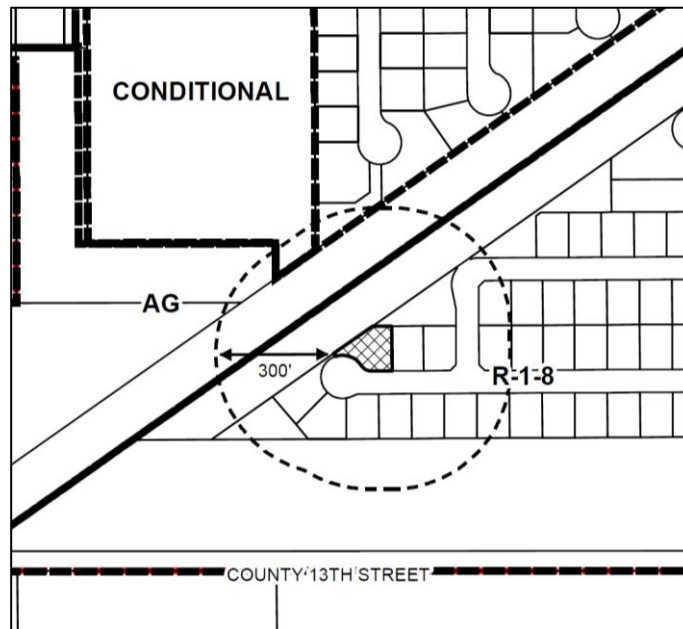
**STAFF REPORT TO THE HEARING OFFICER
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – VARIANCE
Case Planner: Amelia Griffin**

Hearing Date: July 14, 2022 **Case Number:** VAR-39872-2022

Project Description/Location: This is a request by Kerley Homes of Yuma, LLC on behalf of KDC of Yuma, LLC, for a Variance to reduce the front yard setback from 20' to 13' 2", to allow the construction of a single-family dwelling in the Low Density Residential (R-1-8) District, for the property located at 5824 E. 47th Street Yuma, Arizona.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Low Density Residential (R-1-8)	Undeveloped	Low Density Residential
North	Low Density Residential (R-1-8)	Undeveloped	Low Density Residential
South	Low Density Residential (R-1-8)	Undeveloped	Low Density Residential
East	Low Density Residential (R-1-8)	Undeveloped	Low Density Residential
West	Low Density Residential (R-1-8)	Undeveloped	Low Density Residential

Location Map:



Prior site actions: Annexation: Ord. O2008-43 (December 19, 2008); General Plan Amendment: GP2008-004; Subdivision: Villa Serena Unit No 1. (March 25, 2019)

Staff recommendation: Staff recommends **APPROVAL** of the request to reduce the minimum front yard setback from 20' to 13' 2", to allow the construction of a single-family dwelling in the Low Density Residential (R-1-8) District, subject to the conditions outlined in Attachment A, because it meets the criteria of §154-.03.04 of the Yuma City Code.

Have there been any other variance requests of a similar nature in the vicinity and zoning district? (If "YES", attach vicinity map showing locations of those variances)			Yes
Case #	Nature of Variance Requested	Staff Recommendation	ZBA/Hearing Officer Action
VAR-37500-2021	Reduce rear yard setback from 20' to 16'	APPROVAL	APPROVAL

Staff Analysis: The subject property is located at the end of a cul-de-sac within the Villa Serena Unit No. 1 Subdivision. The subject property is approximately 10,968 square feet. In addition, the property is zoned Low Density Residential (R-1-8) District and the required setbacks for the district are as follows: the front yard setback is 20' feet, the side yard setbacks are 7', and the rear yard setback is 20'.

The applicant is requesting to reduce the front setback from 20' to 13' 2" in order to construct a single-family residence. While the lot meets the Low Density Residential (R-1-8) District minimum lot size, the property is oddly shaped and is located at the end of a cul-de-sac, limiting total buildability within the required setbacks.

The provided site plan shows that in order to fit the home on this irregularly shaped lot, a variance would be required for a portion of the residence. The remaining frontage of the residence is able to meet the standard front yard setback of 20'. Overall, this request would not be harmful to the surrounding neighborhood, nor would it create for an unsightly product.

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: "The floor plan that the buyer would like is too large for the lot according to the setback parameters."

Staff Analysis: In reviewing the subject property, it was determined that a special circumstance does apply to the subject property, which does not apply to most other properties in the district. The subject property is located along a cul-de-sac, which affects the shape of the property, making development of the property more difficult.

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: *“The lots irregular shape is a special circumstance. Necessitation a Variance to build a home consistent with other homes in the development.”*

Staff Analysis: The special circumstance identified is the irregular shape of the lot; irregularly shaped due to the lot’s location at the end of a cul-de-sac.

C) “The granting of the variance 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: *“The granting of the variance is necessary to preserve the integrity, continuity, contingency and appearance of the subdivision.”*

Staff Analysis: The granting of the variance is necessary for the preservation of substantial property rights enjoyed by other property owners in the vicinity, under identical zoning designations. The applicant would be unable to utilize the property to the fullest extent without a reduction in the front yard setback in order to accommodate the single-family residence.

D) “The granting of the 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: *“The Variance will not impact any of the adjacent properties monetarily or loss of land. However, if the Variance is not granted it may have a negative impact monetarily.”*

Staff Analysis: The granting of this variance will not be material 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. The proposed setback reduction will allow a portion of the residence to encroach into the front yard setback.

2. Are any of the adjacent property owners opposed to this request? No.

Public Comments Received: None Received.

External Agency Comments: See Attachment D.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: 7/6/2022

Final staff report delivered to applicant on: 7/7/2022

Applicant agreed with all of the conditions of approval on: July 7, 2022

Attachments

A	B	C	D	E	F	G
Conditions of Approval	Site Plan	Agency Notifications	Agency Comments	Neighbor Notification List	Neighbor Postcard	Aerial Photo

Prepared By: *Amelia Griffin* **Date:** 7/7/2022
Amelia Griffin
Associate Planner Amelia.Griffin@yumaaz.gov (928)373-5000, x3034

Approved By: *Alyssa Linville* **Date:** 07/11/2022
Alyssa Linville,
Assistant Director Community Planning

**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:

Department of Planning and Neighborhood Services Comments: Alyssa Linville, Assistant Director (928) 373-5000, x 3037:

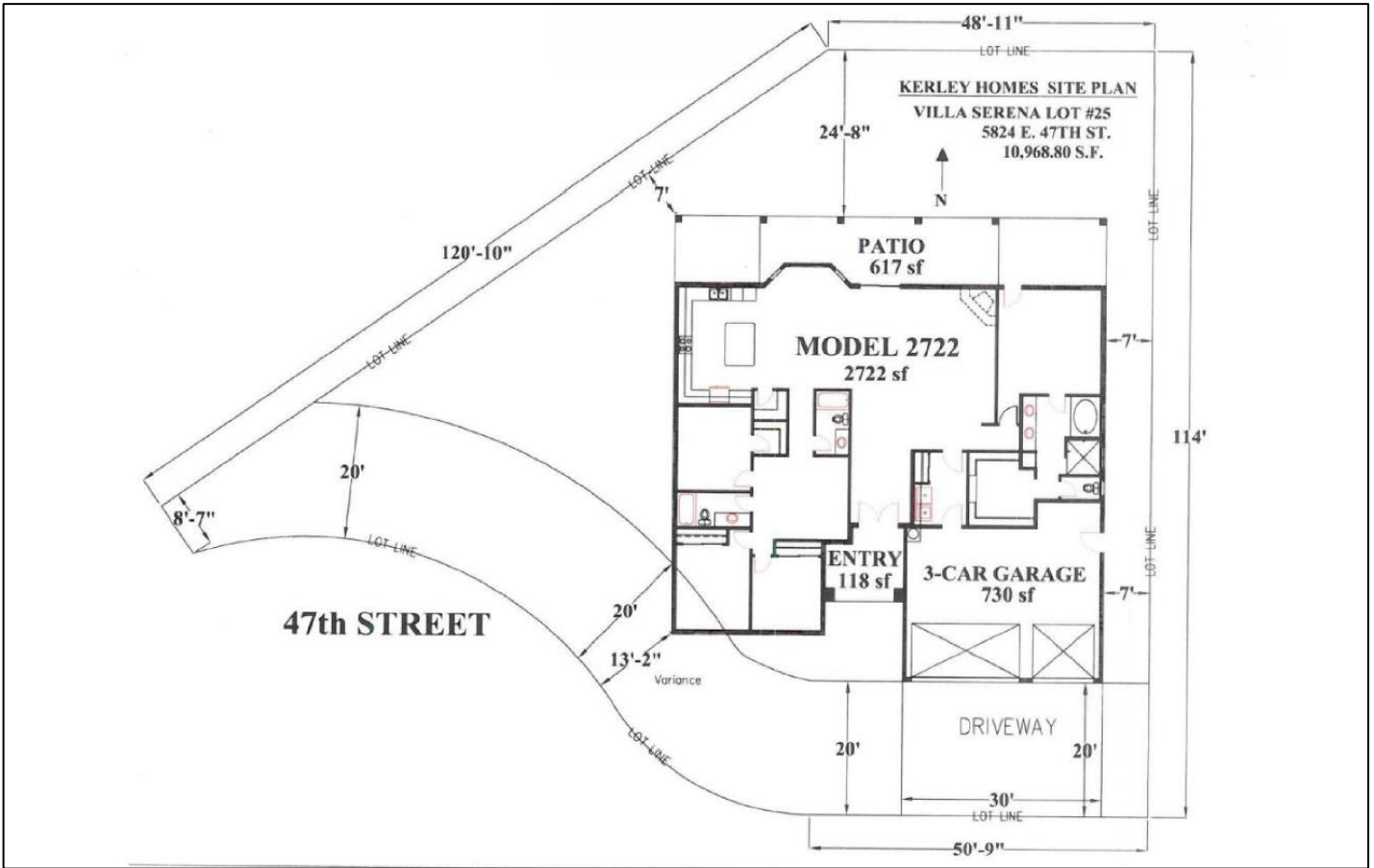
1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

Community Planning: Amelia Griffin, Associate Planner, (928) 373-5000 x3034

4. The conditions listed above shall be completed within one (1) year of the effective date of the approval of the Variance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for the property. In the event that the conditions are not completed within this time frame, the Variance shall be null and void.
5. In any case where a 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 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 B
SITE PLAN



**ATTACHMENT C
AGENCY NOTIFICATIONS**

- Legal Ad Published: The Sun (06/24/22)
- 300' Vicinity Mailing: (06/15/22)
- Site Posted on: (07/07/22)
- 34 Commenting/Reviewing Agencies Noticed: (06/15/22)
- Neighborhood Meeting Date: (N/A)
- Hearing Date: (07/14/22)
- Comments Due: (06/27/22)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	6/15/22	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	6/20/22	X		
Yuma County Planning & Zoning	YES	06/16/22		X	X
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	YES	6/15/22	X		
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	6/16/22	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineering	NR				
Fire	YES	6/15/22	X		
Building Safety	YES	6/21/22	X		
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	6/22/22	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT D
AGENCY COMMENTS

Revise the address, it seems to be wrong; it should be 5824. Advice applicant to check CC&Rs. The irregular shape of the lot does not allow proper front setback. The hardship is apparent.

DATE: 06-16-2022 NAME: Javier B. TITLE: S.P.
AGENCY: Yuma County; Department of Development Services: Planning & Zoning Division
PHONE: (928) 817-5000
RETURN TO: Amelia Griffin
Amelia.Griffin@YumaAZ.gov

ATTACHMENT E
NEIGHBOR NOTIFICATION LIST

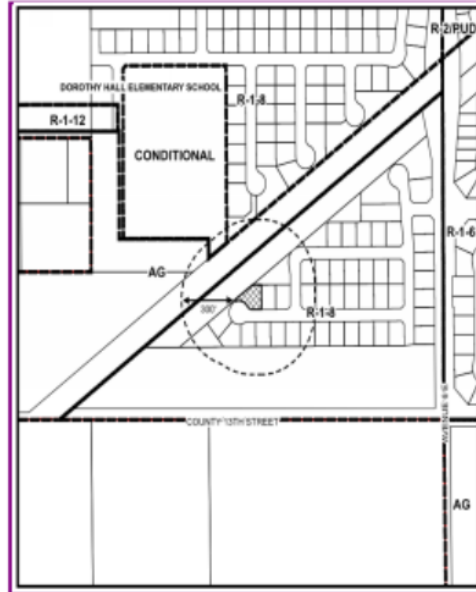
Property Owner	Mailing Address	City/State/Zip Code
KDC OF YUMA AZ LLC	4595 S VILLA SERENA DR	YUMA AZ 85365
AVENUE 6E LAND AZ LLC	3064 S AVENUE B	YUMA AZ 85364
YUMA'S DRIFTWOOD DEVELOPMENT LLC	3064 S AVENUE B	YUMA AZ 85364
YUMA ELEMENTARY SCHOOL DISTRICT #1	450 W 6TH ST	YUMA AZ 85364

**ATTACHMENT F
NEIGHBOR MAILING**

This is a request by Kerley Homes of Yuma, LLC on behalf of KDC of Yuma, LLC, for a Variance to reduce the front yard setback from 20' to 13' 2", to allow the construction of a single-family dwelling in the Low Density Residential (R-1-8) District, for the property located at 5842 E. 47th Street Yuma, Arizona.

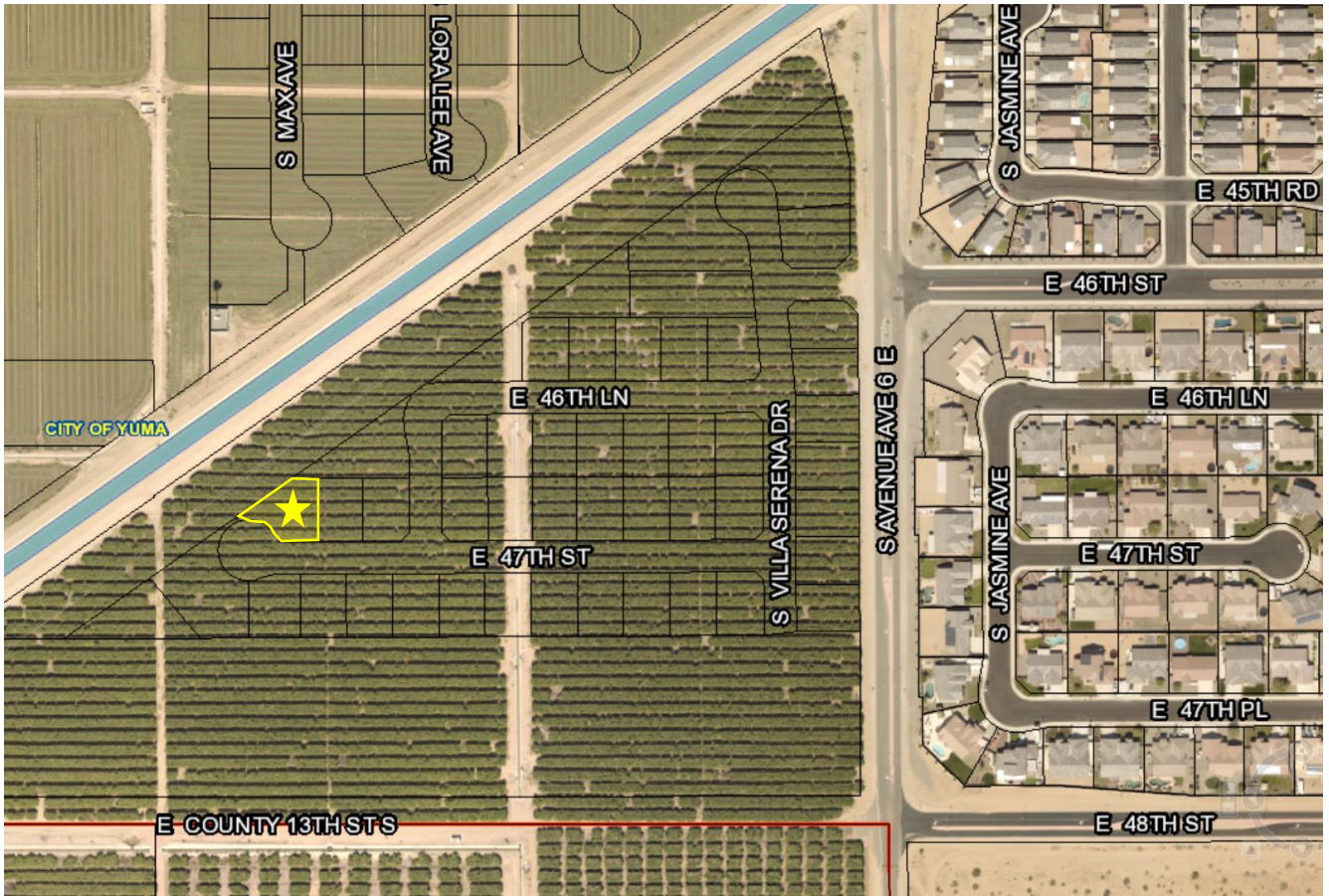
**MEETING DATE,
TIME & LOCATION
FOR CASE #
VAR-39872-2022**

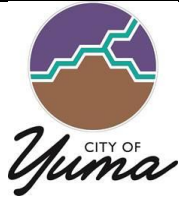
PUBLIC HEARING
07/14/2022 @ 9:30AM
City of Yuma Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of 5842 E. 47th Street Yuma, Arizona. you are invited to attend the public hearing to voice your comments. If you have questions or wish to submit written comments, please contact Amelia Griffin by phone at (928)373-5000 ext. 3034 or by email at Amelia.Griffin@YumaAz.gov

ATTACHMENT G
AERIAL PHOTO





**STAFF REPORT TO THE HEARING OFFICER
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – VARIANCE
Case Planner: Chad Brown**

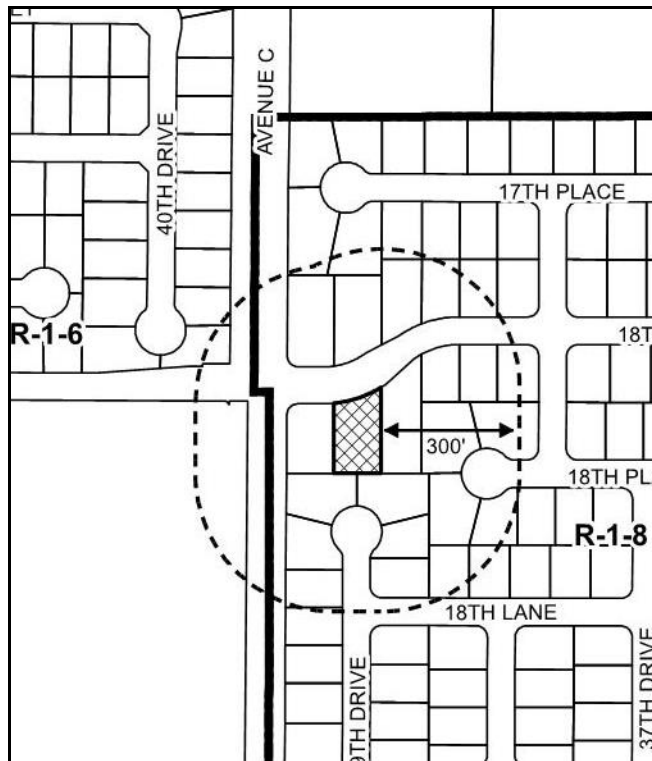
Hearing Date: July 14, 2022

Case Number: VAR-39977-2022

Project Description/Location: This is a request by Cesar Durazo for a variance to reduce the side and rear yard setbacks from 5.5 feet (setback based on height of accessory structure) to a setback of zero feet, in the Low Density Residential (R-1-8) District. The property is located at 3953 West 18th Street, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Low Density Residential (R-1-8)	Single-Family Residence	Low Density Residential
North	Low Density Residential (R-1-8)	Single-Family Residence	Low Density Residential
South	Low Density Residential (R-1-8)	Single-Family Residence	Low Density Residential
East	Low Density Residential (R-1-8)	Single-Family Residence </td <td>Low Density Residential</td>	Low Density Residential
West	Low Density Residential (R-1-8)	Single-Family Residence	Low Density Residential

Location Map:



Prior site actions: Annexation: July 21, 1984 (Ordinance No. 2212), Rezone: January 14, 1997 (Ordinance No. O97-14), Subdivision: June 25, 1998 (Falls Ranch Unit 1), Code Enforcement: May 25, 2021 (CODE-BS006591-2021).

Staff recommendation: Staff recommends **DENIAL** for a variance to reduce the side and rear yard setbacks from 5.5 feet (setback based on height of accessory structure) to a setback of zero feet, in the Low Density Residential (R-1-8) District, because it does not meet all four criteria for §154-03.04 of the City of Yuma Zoning Code. Although Staff is not recommending a variance for the aforementioned item, if a variance is granted Staff recommends that the variance be conditioned to include conditions listed in Attachment A.

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

Staff Analysis: The subject property is located near the southeast corner of Avenue C and 18th Street. The property was subdivided on June 25, 1998 as part of the Falls Ranch Unit 1 Subdivision. The subject property is located in the Low Density Residential (R-1-8) District, which requires a minimum lot size of 8,000 square feet, a 20’ front yard setback, 7’ side yard setbacks, a 10’ street side setback, and a 20’ rear yard setback.

The subject property is 16,938 square feet in size, and features a single-family home with 2,248 square feet of livable area, 483 square feet of porch area, and a 725 square foot garage.

The applicant is requesting to reduce the rear and side yard setbacks of 5.5 feet (setback based on height of accessory structure) to a setback of zero feet. The property is large enough and has enough building area to accommodate the desired square footage without a variance.

After analysis, staff has found no special circumstance that applies to the property. The zoning district requires a minimum lot size of 8,000 square feet, and the subject property is more than two times the size of the minimum requirement—illustrating ample room for expansion without the need for a variance. This variance application was requested based on a code enforcement case which identified a structure built without permits.

According to the Yuma City Code, accessory structures of a square footage greater than 200 square feet, are required to look similar and to be built similarly to the primary structure. The existing structure does not compliment the primary structure or the neighboring houses.

The neighbor to the south of the subject property, located at 1853 S.39th Drive, has expressed a clear lack of support for the proposal. The neighbor expressed concerns in regards to privacy, aesthetics, proximity of the structure to the property line, and worries of property value impacts.

The City Fire Department and Building Safety would require additional fire separation standards if the requested setback reduction was granted.

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: *“The special circumstance here at this property is that: the present location for this patio is the most suitable one, except, by installing the columns 6 feet away feet from the wall would give the backyard an odd look from the street, as the patio was built in parallel with the side property wall.”*

Staff Analysis: Staff was unable to identify a special circumstance. This lot is more than double the size required by the zoning district, and features a back yard space large enough to accommodate the proposed structures without the need for a variance.

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: *“I built that patio with the understanding that as long as this structure was not attached to the house, 3 feet from the wall was acceptable and no permit was required.”*

Staff Analysis: Staff was unable to identify a special circumstance.

C) ***“The granting of the variance 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: *“Due to the extreme heat, sun in Yuma AZ. Pretty much every property owner that enjoys outdoor activities, including barbequing, grilling, etc, especially after tending, mowing the back yard, would like to have a nice shade to hang around, this is what I had in mind when I built this patio shade, family gatherings, enjoying the looks of a back yard.”*

Staff Analysis: The granting of the variance is not necessary for the preservation of substantial property rights enjoyed by other property owners in the vicinity, under identical zoning designations. The subject property has ample space to accommodate the placement of the structure without the need of a variance.

D) ***“The granting of the 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: *“This structure is strictly for recreation use only, by recreation I mean barbecuing, pick nick and family gatherings.”*

Staff Analysis: The granting of the proposed variance could be materially detrimental to the property owners within the surrounding area. As mentioned previously, staff received a clear lack of support of the structure from the neighbor to the south, illustrating there may be materially detrimental impacts to the proposed variance.

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

Public Comments Received:

 Sat 6/18/2022 8:22 AM
Tony Steen <asteen59@gmail.com>
VAR: 39977 and 39983

To: Brown, Chad - Associate Planner
You replied to this message on 6/22/2022 8:36 AM.

CAUTION: External Email

Mr. Brown,
Thank you for taking the time to speak with me on Friday regarding the Variances and providing answers to my questions. It is very much appreciated.
I will send an additional email in the near future with a more detailed explanation of my concerns regarding the proposed variances and the negative impact it would have on the neighborhood.

As I explained on the phone, I am currently out of town and will be unable to attend the Neighborhood Meeting on June 21st at 5:00pm. However, I will have a proxy attend the Neighborhood Meeting on my behalf. In order to assist the proxy, can you explain how these Neighborhood Meetings work? Should those neighbors attending the meeting show up at the front door of the homes? Will there be an open gate to the backyard of the sites? Any information would be greatly appreciated.

I anticipate that I will also be out of town during the Public Hearing on the proposed variances to the setback requirements, but would appreciate attending via a conference call.

Very Respectfully,
Tony Steen
1853 South 39th Drive

This property owner shares a wall to the south of the subject property. The customer stated on the phone that he did not appreciate the aesthetics or proximity of the structure, he felt it impeded his family social outdoor space, and mentioned worries of property value impacts.



Wed 6/29/2022 8:09 AM

Tony Steen <asteen59@gmail.com>

Re: 39977 and 39983

To: Brown, Chad - Associate Planner

Hello Chad,

Thank you for the opportunity to provide comments regarding the requested variances (39977 and 39983).

As it is for most people, my home is the single most important and expensive investment I have ever made. My wife and I bought a home in Falls Ranch 22 years ago knowing it contained restrictions that protected our privacy, security, home value and a neighborhood with a uniform appearance. The building setback code was one of those restrictions which appealed to us most. An approval of the requested variances removes those factors not only for my family, but the entire neighborhood of families who purchased their homes for the same reasons. Below is a list of some of my concerns.

1. What is the "outstanding situation" for the homeowners requesting the variances, that prevents them from using their property in similar ways as other neighbors? My understanding is that there would need to be something unique about the property that would allow for a variance to be considered and build within the setback limits. Is there a river or pond on the property that necessitates building can only occur within the setback?
2. Both the requested variances would significantly violate the City of Yuma's building setback requirement. One to move the setback from twenty feet to three feet and the other less than three feet. Both of these are directly outside of, and restrict view and airflow of our family room, kitchen and backyard. I don't believe anyone, even the homeowners requesting the variances, would want that to happen to their own homes.
3. Setbacks are in place to protect privacy and provide a uniform neighborhood appearance. The requested variances would do anything but that.
4. The proximity of buildings with each other would be inherently dangerous. The requested variance buildings would be/are within feet of my home. Another reason for setback codes is to reduce the possibility of fire spreading from one home to the next should that occur. The noise factor is also a concern, especially with a variance request for a garage and carport well within the setback code.
5. These variances would reduce the value of my home. At some point, my wife and I may want or need to sell our home and would like it to sell for a full, expected value.
6. For one of the requested variances, the building has already been completed and was done so without a City of Yuma building permit. For reasons I am not familiar with, I'm not sure why a variance can be considered for a building that was not supposed to be erected in the first place.
7. Both homeowners requesting variances have more than enough property to complete their buildings that would not violate the setback code.

In conclusion, our home is the biggest investment of our lives. The need to protect the privacy, safety, value and quality of life is paramount to all neighbors. There are City of Yuma codes already in place to protect those items and meet the core values of the city's Yuma Way.

Very Respectfully
Tony Steen

Agency Comments: See Attachment D.

Neighborhood Meeting Comments: See Attachment E.

Proposed conditions delivered to applicant on: July 5, 2022.

Final staff report delivered to applicant on: July 14, 2022.

- Applicant agreed with all of the conditions of approval on:
- Applicant did not agree with the following conditions of approval: (list #'s)
- Waiting for approval from the applicant.

Attachments

A	B	C	D	E	F	G	H	I
Conditions of Approval	Site Plan	Agency Notifications	Agency Comments	Neighborhood Meeting Comments	Site Photos	Neighbor Notification List	Neighbor Postcard	Aerial Photo

Prepared By: Chad Brown
Associate Planner
Date: Chad.Brown@yumaaz.gov (928)373-5000, x 3038

Approved By: *Alyssa Linville*
Alyssa Linville,
Assistant Director Community Planning
Date: 07/11/2022

**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:

Department of Planning and Neighborhood Services Comments: Alyssa Linville, Assistant Director (928) 373-5000, x 3037:

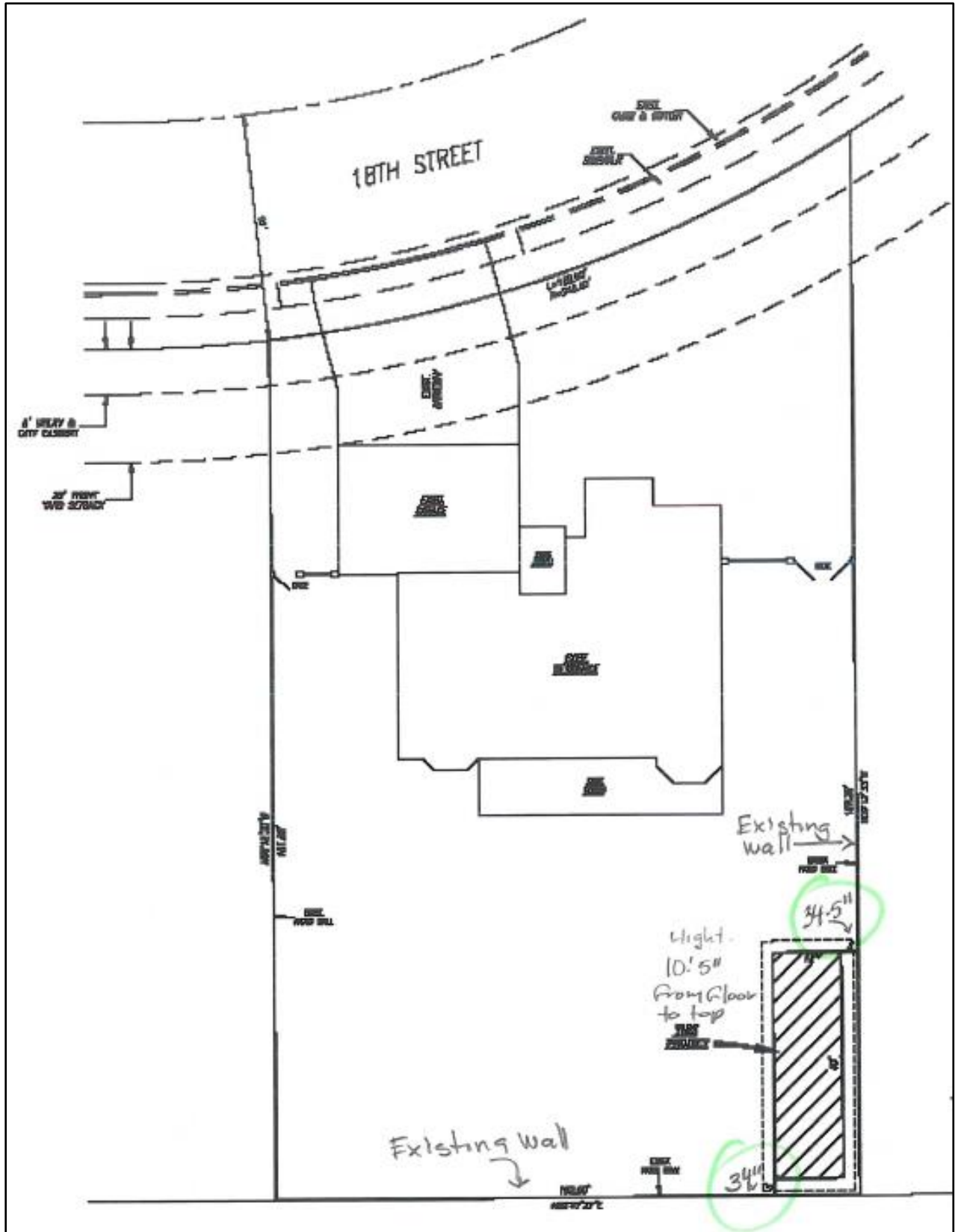
1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner 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: Chad Brown, Associate Planner, (928) 373-5000 x 3038

4. The conditions listed above shall be completed within one (1) year of the effective date of the approval of the Variance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for the property. In the event that the conditions are not completed within this time frame, the Variance shall be null and void.
5. In any case where a 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 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 B
SITE PLAN**



**ATTACHMENT C
AGENCY NOTIFICATIONS**

- Legal Ad Published: The Sun (06/24/22)
- 300' Vicinity Mailing: (06/15/22)
- Site Posted on: (06/14/22)
- 34 Commenting/Reviewing Agencies Noticed: (06/14/22)
- Neighborhood Meeting Date: (06/21/22)
- Hearing Date: (07/14/22)
- Comments Due: (06/27/22)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	6/15/22	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	6/20/22	X		
Yuma County Planning & Zoning	YES	6/16/22		X	X
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	YES	6/15/22	X		
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	6/16/22	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineering	NR				
Fire	YES	6/15/22			X
Building Safety	YES	6/21/22			X
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	6/22/22	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT D
AGENCY COMMENTS**

Condition(s)
 No Condition(s)
 Comment

Enter conditions here: **Setback distances of posts and overhang projectons to property lines for this unpermitted structure do not meet the minimum provisions of the 2018 IRC, Table R302.1(1). This structure is not exempt from a building permit and would need to be modified or relocated to comply with 2018 IRC building code.**

DATE: 6-21-2022 NAME: Alan Kircher TITLE: Deputy Building Official
 CITY DEPT: Building Safety
 PHONE: 928-373-5169
 RETURN TO: Chad Brown
 Chad.Brown@YumaAZ.gov

Condition(s)
 No Condition(s)
 Comment

Enter conditions here: **YFD will echo Building Safety comments/conditions**

DATE: 6/15/22 NAME: Kayla Franklin TITLE: Fire Marshal
 CITY DEPT: Fire
 PHONE: 928-373-4865
 RETURN TO: Chad Brown
 Chad.Brown@YumaAZ.gov

COMMENT
 NO COMMENT

Enter comments below:

The structure in question is existing and probably was constructed without a permit. Aerial imagery shows that the eves of the free standing shade are closer than the 34.5", the requested distance should be smaller; 34.5" is probably from the posts. This request is self-imposed, there is enough space to meet setback of 5.5'. There is no hardship.

DATE: 06-16-2022 NAME: Javier Barraza TITLE: S.P.
 AGENCY: Yuma County; Department of Development Services; Planning & Zoning Section.
 PHONE: (928) 817-5000
 RETURN TO: Chad Brown
 Chad.Brown@YumaAZ.gov

ATTACHMENT E
NEIGHBORHOOD MEETING COMMENTS

Date Held: 06/21/22

Location: Subject property, 3953 West 18th Street.

Attendees: Chad Brown; City of Yuma, Cesar Durazo; property owner, Shawn McKeown; neighboring property representative, Sergio Castro; neighboring property owner, Alberto Urias; neighboring property owner's agent.

SUMMARY OF ATTENDEE(S') COMMENTS RELATED TO THE PROJECT:

- **PROPERTY OWNER DESCRIBED SHADE STRUCTURE AND PROPOSED USE.**
- **SHAWN MCKEOWN, REPRESENTING THE OWNER TO THE SOUTH OF THE SUBJECT PROPERTY STATED THAT THAT OWNER DID NOT SUPPORT THE PROPOSED VARIANCE. THERE WAS WORRIES ABOUT PRIVACY, UNIFORM NEIGHBORHOOD APPEARANCE, FIRE DISTANCE PROBLEMS, AND POTENTIALLY NEGATIVE IMPACTS ON PROPERTY VALUES.**
- **PROPERTY OWNER TOOK THE MEETING ATTENDEES TO SEE THE STRUCTURE.**

**ATTACHMENT F
SITE PHOTOS**



View from within the applicant's property.



View looking north from the adjacent property located south.

ATTACHMENT G
NEIGHBOR NOTIFICATION LIST

Property Owner	Mailing Address	City/State/Zip Code
DURAZO CESAR E SR & MA DEL CARMEN CPWROS	1905 S 47TH DR	YUMA, AZ 85364
RICHARD JAY L & NICOLE E	1787 S 40TH DR	YUMA, AZ 85364
DONOVAN DENISE	1791 S 40TH DR	YUMA, AZ 85364
YOUSIF EMAD & MARIA	1888 S 39TH DR	YUMA, AZ 85364
MACIAS SERGIO & SANDRA JT	3835 W 18TH PL	YUMA, AZ 85364
MOLINA JOSEFA	PO BOX 3071	SAN LUIS, AZ 85349
STEEN ANTHONY JAY & RANAE LYNN JT	1853 S 39TH DR	YUMA, AZ 85364
LEE KATHLEEN O	3821 W 18TH PL	YUMA, AZ 85364
TAPIA FABIOLA DURON & RAUL R	3809 W 18TH PL	YUMA, AZ 85364
GOLDSBORO KLAUDIA JAN	1865 S 39TH DR	YUMA, AZ 85364
CASTRO SERGIO N & MONICA G JT	3929 W 18TH ST	YUMA, AZ 85364
COLEMAN RICHARD & BETTY	2578 S 34TH AVE	YUMA, AZ 85364
EVANGELISTA ADELBERT D & JEMYLENE R	3808 W 18TH PL	YUMA, AZ 85364
MORENO FRANCISCO S & MARIA C JT	3993 W 18TH ST	YUMA, AZ 85364
DAHL KEVIN A & ROXANNE M TRUST 12-7-99	3991 W 17TH PL	YUMA, AZ 85364
VEGA JOSE & ITHZA	3951 W 17TH PL	YUMA, AZ 85364
DIMAS ADAN A ETAL	3927 W 17TH PL	YUMA, AZ 85364
FLORES JORGE	3903 W 17TH PL	YUMA, AZ 85364
MERI BASEM & HIYAM JT	3928 W 18TH ST	YUMA, AZ 85364
FIGUEROA SABINO & THEBON	3904 W 18TH ST	YUMA, AZ 85364
MENDEZ JESUS & CLAUDIA	3832 W 18TH ST	YUMA, AZ 85364
WELCH ARRON L	3806 W 18TH ST	YUMA, AZ 85364
WILLIAM F & BARBARA R BOWLES LIVING TRUST	3992 W 18TH ST	YUMA, AZ 85364
RODRIGUEZ RIGOBERTO	3952 W 18TH ST	YUMA, AZ 85364
FULTON MARY LOU TRUST 10-25-04	940 E 2ND ST #21	LOS ANGELES , CA 90012
TRAN LAP & TAMMY TRUST 10-16-08	3833 W 18TH ST	YUMA, AZ 85364
MONTES JANNETT	3807 W 18TH ST	YUMA, AZ 85364
GUZMAN EDGAR & AMBER CPWROS	1866 S 39TH DR	YUMA, AZ 85364
SUAREZ RICHARD & ANA I JT	3836 W 18TH LN	YUMA, AZ 85364
FRANCE KARANDEEP & RILEY	3822 W 18TH LN	YUMA, AZ 85364
HAWKINS DARREN & SHELLEY TRUST 02-26-2021	1877 S 39TH DR	YUMA, AZ 85364
ZENDEJAS MIGUEL A & LILIANA A JT	1878 S 39TH DR	YUMA, AZ 85364
YUMA UNION HIGH SCHOOL DIST # 70	3150 S AVENUE A	YUMA, AZ 85364

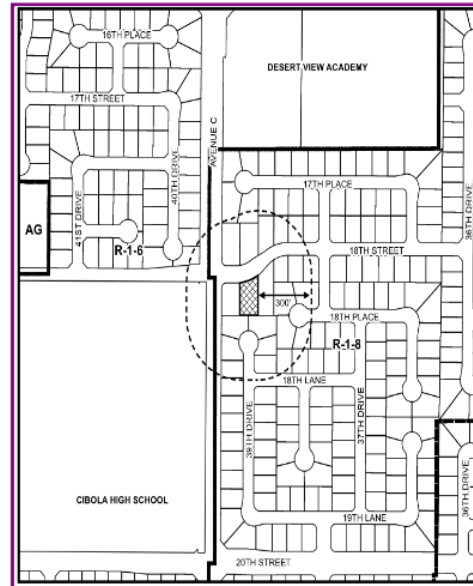
**ATTACHMENT H
NEIGHBOR MAILING**

This is a request by Cesar Durazo for a variance to reduce the side and rear yard setbacks from 5.5 feet (setback based on height of accessory structure) to a setback of 34.5 inches, in the Low Density Residential (R-1-8) District. The property is located at 3953 West 18th Street, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
VAR-39977-2022**

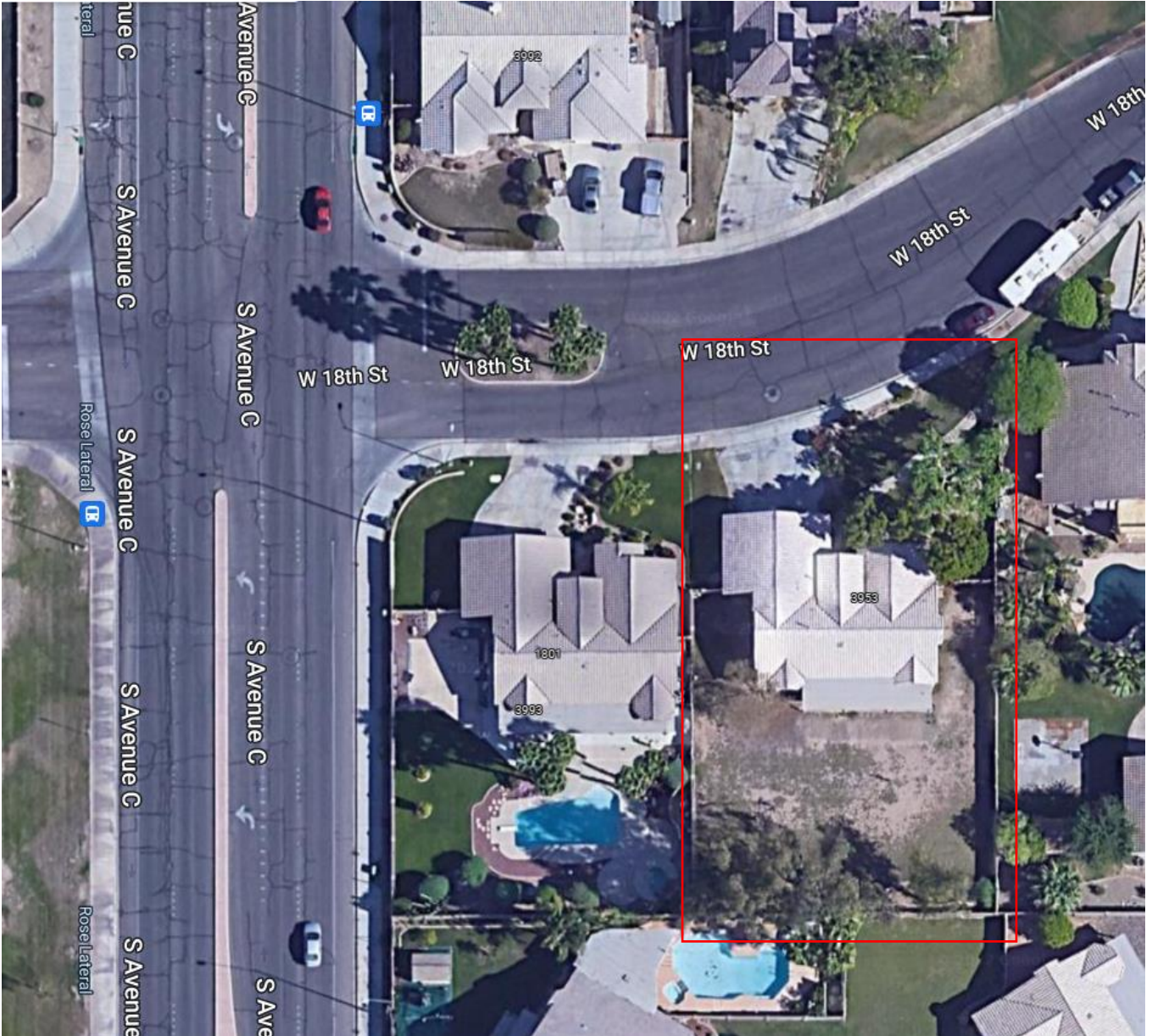
**NEIGHBORHOOD MEETING
06/21/2022 @ 5:00PM
ON-SITE**

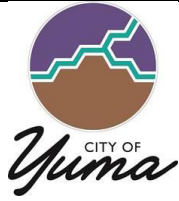
**PUBLIC HEARING
07/14/2022 @ 9:30AM
City of Yuma Council Chambers
One City Plaza, Yuma, AZ**



*Because you are a neighbor within 300' of 3953 West 18th Street, Yuma, AZ.
you are invited to attend the public hearing to voice your comments. If you have questions
or wish to submit written comments, please contact Chad Brown by phone at (928)373-
5000 ext. 3038 or by email at Chad.Brown@YumaAz.gov*

ATTACHMENT I
AERIAL PHOTO





**STAFF REPORT TO THE HEARING OFFICER
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – VARIANCE
Case Planner: Erika Peterson**

Hearing Date:

JULY 14, 2022

Case Number:

VAR-39981-2022

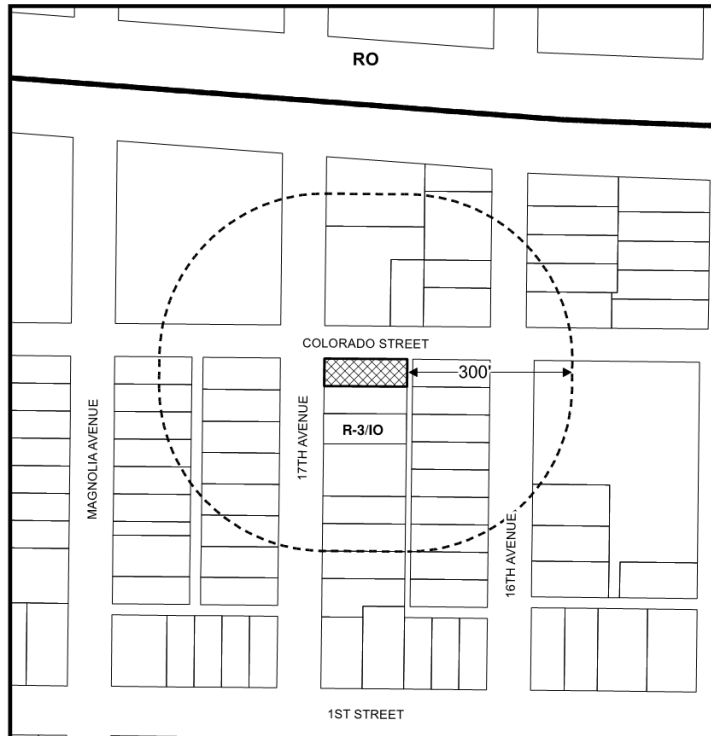
Project

Description/Location:

This is a request by Sternco Engineers, Inc., on behalf of Nextgen Properties, LLC, for a variance to increase the maximum allowable density to allow the construction of a fourplex on a lot measuring 7,500 square feet in the High Density Residential/Infill Overlay (R-3/IO) District, for the property located on the southeast corner of W. Colorado Street and N. 17th Avenue, Yuma, Arizona.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	High Density Residential/Infill Overlay (R-3-) District	Vacant	Low Density Residential
North	High Density Residential/Infill Overlay (R-3-) District	Residential	Low Density Residential
South	High Density Residential/Infill Overlay (R-3-) District	Residential	Low Density Residential
East	High Density Residential/Infill Overlay (R-3-) District	Residential	Low Density Residential
West	High Density Residential/Infill Overlay (R-3-) District	Residential	Low Density Residential

Location Map:



Prior site actions: Annexation: Ord. City Charter (1/12/1915); Pre-Development Meeting: PDM-35730-2021 (May 10, 2022)

Staff recommendation: Staff recommends **DENIAL** of the request to increase the maximum allowable density to allow the construction of a fourplex on a lot measuring 7,500 square feet in the High Density Residential/Infill Overlay (R-3/IO) District, because it does not meet §154-.03.04 of the Yuma City Code. Although Staff is not recommending a variance for the aforementioned items, if a variance is granted Staff recommends that the variance be conditioned to include the conditions listed in Attachment A.

Have there been any other variance requests of a similar nature in the vicinity and zoning district? (If "YES", attach vicinity map showing locations of those variances)	No
---	----

Staff Analysis: Located within the Yuma Townsite Subdivision, the subject property is located on the southeast corner of N. 17th Avenue and W. Colorado Street. Historically the property has been undeveloped with the surrounding area developed with a mixture of single-family homes, multi-family developments, and mobile home parks. The property measures approximately 7,500 square feet.

The property is located in the High Density Residential/Infill Overlay (R-3/IO) District and requires a minimum lot size of 6,000 square feet and 2,000 square feet of lot area for each one dwelling unit. The property is subject to the following development standards in the High Density Residential (R-3) District: 20' front yard setback, 7' side yard setbacks; 10' street side yard setback; and 10' rear yard setback.

The Infill Overlay (IO) District focuses on maximizing existing infrastructure means and strengthening existing neighborhoods by increasing density. In addition, parcels within the Infill Overlay (IO) District have flexible standards such as reduced setbacks, increased lot coverage, and reduced parking. As a result, the side and rear yard setbacks can be reduced to 5'.

The applicant is requesting to construct four residential units on-site. The requested variance is to increase the density and reduce the total minimum lot area required by 500 square feet. After further review of the request, it has been determined that a special circumstance does not exist in regards to the property. However, if approved the construction of the four units will help meet the residential needs of the community and meet the intent of the Infill Overlay (IO) District.

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 conditions(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: "Yes. Being this is an existing lot with existing zoning of R-3, the zoning seems to no correlate with the needed lot size. There is a mix of apartments and single family homes in the area. The contribution of our proposed (4) apartments is fitting

and complimentary to the area. This is a great infill project utilizing an existing lot and will enhance the neighborhood.”

Staff Analysis: After reviewing the subject property, it has been determined that there is no special circumstance that applies to the property that does not apply to most of the properties in the district. Although the subject property is not the largest within the neighboring area, it is comparatively similar to the size of many other lots. In addition, the lot is larger than the minimum required lot size for the High Density Residential (R-3) District and the construction of something smaller such as a triplex would meet the development standards of the zoning district without the need of a variance to increase the density.

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: *“No. This is an existing lot with existing zoning.”*

Staff Analysis: The subject property meets the minimum development standards of the High Density Residential (R-3) District. The property owner has the ability to construct something smaller, such as a duplex or triplex, on the property and still be within the minimum density development standards required.

C) “The granting of the variance 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: *“Yes. There are other examples of very similar development of 4 apartments built on 7,500sf and 7,000sf lots. We request the same.”*

Staff Analysis: The multi-family developments constructed within the area meet the minimum lot size and density standards of the High Density Residential (R-3) District. Many of these multi-family units are constructed on larger lots and also many of the other residential developments are single-family dwellings on similar sized lots.

D) “The granting of the 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: *“No. The project will clean up and put to use an existing vacant lot.”*

Staff Analysis: 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. The granting of this variance will allow the development of four residential units on a undeveloped 7,500 square foot lot, which will help aid the need

for housing and meet the intent of the Infill Overlay (I-O) District. The construction of the four units will not be out of character for the surrounding area.

2. Are any of the adjacent property owners opposed to this request? No.

External Agency Comments: See Attachment D.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: 7/5/2022

Final staff report delivered to applicant on:

- Applicant agreed with all of the conditions of approval on:
- Applicant did not agree with the following conditions of approval: (list #'s)
- Conditions of approval were emailed to the applicant and a response has not been received.

Attachments

A	B	C	D	E	F	G	H
Conditions of Approval	Site Plan	Agency Notifications	Internal Comments	Site Photos	Neighbor Notification List	Neighbor Postcard	Aerial Photo

Prepared By: *Erika Peterson* **Date:** 7/8/2022
 Erika Peterson
 Associate Planner Erika.Peterson@YumaAZ.Gov (928)373-5000, x3071

Approved By: *Alyssa Linville* **Date:** 07/11/2022
 Alyssa Linville,
 Assistant Director Community Planning

**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:

Department of Planning and Neighborhood Services Comments: Alyssa Linville, Assistant Director (928) 373-5000, x 3037:

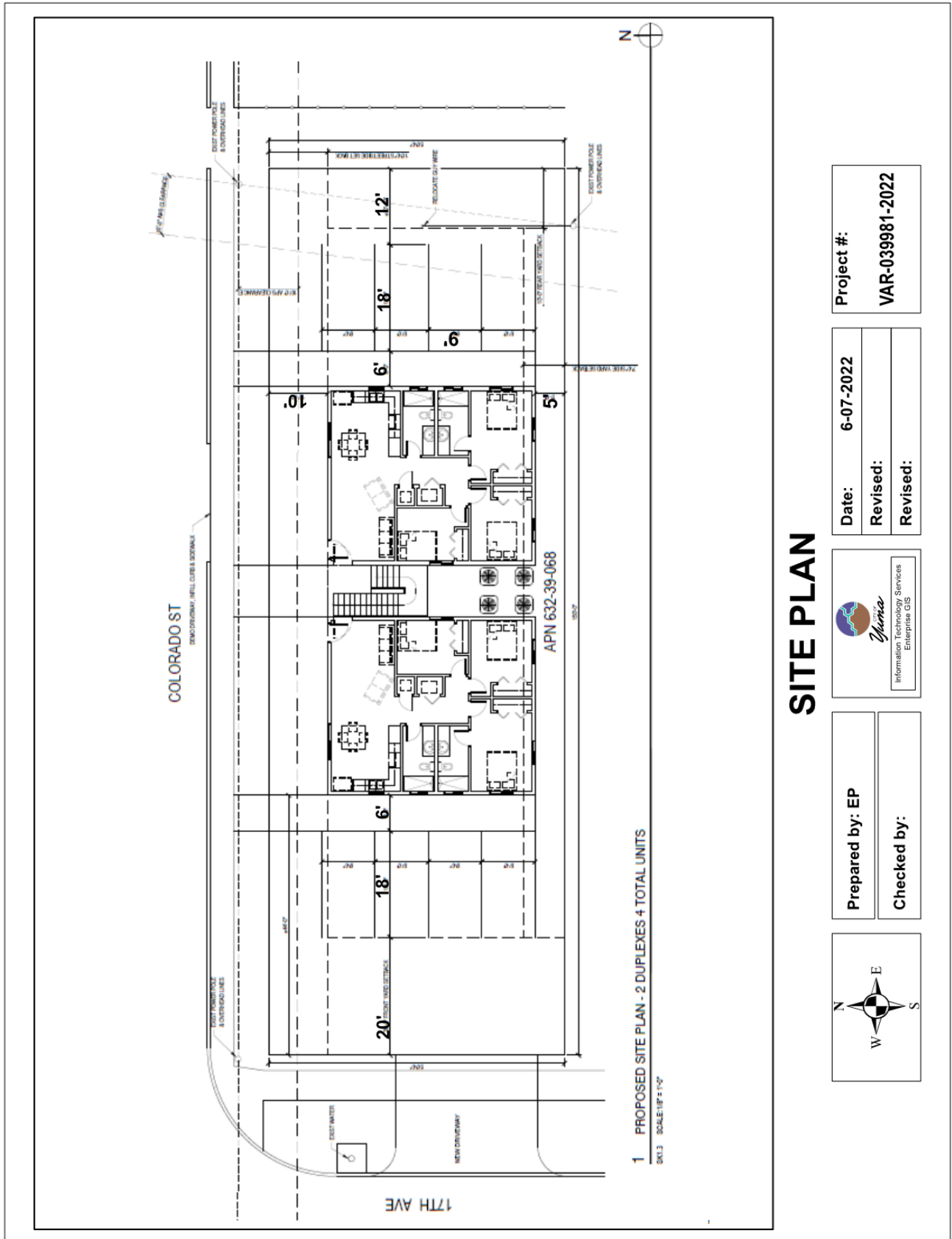
1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner 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: Erika Peterson, Associate Planner, (928) 373-5000 x3071

4. The conditions listed above shall be completed within one (1) year of the effective date of the approval of the Variance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for the property. In the event that the conditions are not completed within this time frame, the Variance shall be null and void.
5. In any case where a 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 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 B
SITE PLAN**



**ATTACHMENT C
AGENCY NOTIFICATIONS**

- Legal Ad Published: The Sun 06/24/2022
- 300' Vicinity Mailing: 06/15/2022
- Site Posted on: 6/22/2022
- 34 Commenting/Reviewing Agencies Noticed: 6/15/2022
- Neighborhood Meeting Date: None Required.
- Hearing Date: 07/14/2022
- Comments Due: 06/27/2022

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	6/15/2022	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	6/15/2022	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	YES	6/15/2022	X		
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	6/16/2022	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineering	NR				
Fire	YES	6/15/2022	X		
Building Safety	YES	6/21/2022	X		
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	6/22/2022	X		
Utilities	YES	6/22/2022			X
Public Works	NR				
Streets	NR				

**ATTACHMENT D
INTERNAL COMMENTS**

From: McCall, Jeremiah (Jeremy) - Director of Utilities <Jeremiah.McCall@yumaaz.gov>
Sent: Wednesday, June 22, 2022 10:34 AM
To: Marquez Jr. Alejandro - Administrative Specialist <Alejandro.MarquezJr@YumaAz.Gov>
Cc: McCall, Jeremiah (Jeremy) - Director of Utilities <Jeremiah.McCall@yumaaz.gov>
Subject: RE: Request for Conditions VAR-39981-2022

Alejandro,

The parcel is served by a 2-inch water line. Higher density development may have difficulties in achieving water supply and fire flow requirements.

-Jeremy McCall

ATTACHMENT E
SITE PHOTOS



**ATTACHMENT F
NEIGHBOR NOTIFICATION LIST**

Property Owner	Mailing Address	City/State/Zip Code
CRUZ JUAN CARLOS & SONIA JT	1377 ALISAL ST SP 13	SALINAS, CA 93905
HOUSING AMERICA NON PROFIT AZ CORP	PO BOX 600	SOMERTON, AZ 85350
ANDERSON JERRY DEAN	235 N 16TH AVE	YUMA, AZ 85364
HOFF MICHAEL & KERRY S	225 N 16TH AVE	YUMA, AZ 85364
BARRY PATTERSON FAMILY LTD PARTNERSHIP	8000 W BROKEN KNEE TRAIL	PRESCOTT, AZ 86305
ALMODOVA JOE J TRUST 12-17-2014	1624 W COLORADO ST	YUMA, AZ 85364
LARSON PAUL W	340 W 32ND ST #504	YUMA, AZ 85364
ATONDO OSCAR	234 N 16TH AVE	YUMA, AZ 85364
GARCIA CYNTHIA	204 N 16TH AVE	YUMA, AZ 85364
MAIDEN SIDNEY HOWARD	200 N 16TH AVE	YUMA, AZ 85364
NEXTGEN PROPERTIES LLC	3378 W 17TH PL	YUMA, AZ 85364
GORDOA TRUST 3-3-97	177 N 17TH AVE	YUMA, AZ 85364
PONCE GILBERT R & ESTELLA C JT	165 N 17TH AVE	YUMA, AZ 85364
HURTADO ELISEO &	153 N 17TH AVE	YUMA, AZ 85364
ORONA FRANCISCO G	149 N 17TH AVE	YUMA, AZ 85364
HUNTER ALICE FAY	141 N 17TH AVE	YUMA, AZ 85364
MARTINEZ LUCIA	133 N17TH AVE	YUMA, AZ 85364
ANDRADE ROSA	140 N 16TH AVE	YUMA, AZ 85364
QUIROZ JOSE &	152 N 16TH AVE	YUMA, AZ 85364
JARAMILLO JOSE LUIS & VERONICA JT	158 N 16TH AVE	YUMA, AZ 85364
MEZA FELIPE & VIRGINIA JT	162 N 16TH AVE	YUMA, AZ 85364
CARVAJAL ALFONSO E	8392 YAVAPAI LN	YUMA, AZ 85364
EDWARDS SURVIVORS TRUST	13320 ORLANDO RD	YUMA, AZ 85365
OLVERA LORENZO & MANRIQUEZ MARIA JT	192 N 16TH AVE	YUMA, AZ 85364
ZARAGOZA ESPERANZA	116 S 13TH AVE	YUMA, AZ 85364
MONTOYA ROSIE I	179 N MAGNOLIA AVE	YUMA, AZ 85364
MONTOYA TOMAS GABRIEL JR &	177 N MAGNOLIA AVE	YUMA, AZ 85364
GUTIERREZ DEIDA	12212 STONEWOOD DR	GRAND TERRACE, CA 92313
ARIAS ALFREDO R & FELIPA JT	157 N MAGNOLIA AVE	YUMA, AZ 85364
MEDINA YOLANDA M	142 N 17TH AVE	YUMA, AZ 85364
ALVAREZ AURELIO	152 N 17TH AVE	YUMA, AZ 85364
SLATON WHALEN & JANET L JT	2554 W 16TH ST PMB 421	YUMA, AZ 85364
ESTUPINAN BENNIE & GEORGIA TRUST 4-11-2014	168 N 17TH AVE	YUMA, AZ 85364
AMADO FAMILY TRUST 4-29-2016	180 N 17TH AVENUE	YUMA, AZ 85364
MTMM LLC	3434 W 18TH PL	YUMA, AZ 85364
MILLER MICHAEL & TAWNEE CPWROS	10210 S AVENIDA LA PRIMERA	YUMA, AZ 85367

**ATTACHMENT G
NEIGHBOR MAILING**

This is a request by Sternco Engineers, Inc., on behalf of Nextgen Properties, LLC, for a variance to increase the maximum allowable density to allow the construction of a fourplex on a lot measuring 7,500 square feet in the High Density Residential/Infill Overlay (R-3/IO) District, for the property located on the southeast corner of W. Colorado Street and N. 17th Avenue, Yuma, Arizona.

**MEETING DATE,
TIME & LOCATION**
FOR CASE #
VAR-39981-2022

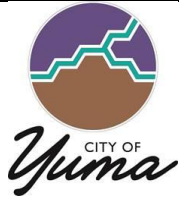
PUBLIC HEARING
07/14/2022 @ 9:30AM
City of Yuma Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of W. Colorado Street and N. 17th Avenue, Yuma Arizona, you are invited to attend the public hearing to voice your comments. If you have questions or wish to submit written comments, please contact Erika Peterson by phone at (928)373-5000 ext. 3071 or by email at Erika.Peterson@YumaAZ.gov

ATTACHMENT I
AERIAL PHOTO





**STAFF REPORT TO THE HEARING OFFICER
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING DIVISION
CASE TYPE – VARIANCE
Case Planner: Chad Brown**

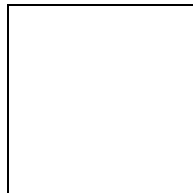
Hearing Date: July 14, 2022

Case Number: VAR-39983-2022

Project Description/Location: This is a request by Alberto Urias, on behalf of Sergio Castro, for a variance to reduce the rear yard setback from 20 feet to 3 feet to accommodate the expansion of a workshop, in the Low Density Residential (R-1-8) District. The property is located at 3929 West 18th Street, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Low Density Residential (R-1-8)	Single-Family Residence	Low Density Residential
North	Low Density Residential (R-1-8)	Single-Family Residence	Low Density Residential
South	Low Density Residential (R-1-8)	Single-Family Residence	Low Density Residential
East	Low Density Residential (R-1-8)	Single-Family Residence	Low Density Residential
West	Low Density Residential (R-1-8)	Single-Family Residence	Low Density Residential

Location Map:



Prior site actions: Annexation: July 21, 1984 (Ordinance No. 2212), Rezone: January 14, 1997 (Ordinance No. O97-14), Subdivision: June 25, 1998 (Falls Ranch Unit 1).

Staff recommendation: Staff recommends **DENIAL** of the request to the rear yard setback from 20 feet to 3 feet to accommodate the expansion of a workshop, in the Low Density Residential (R-1-8) District, because it does not meet all four criteria for §154-03.04 of the City of Yuma Zoning Code. Although Staff is not recommending a variance for the aforementioned item, if a variance is granted Staff recommends that the variance be conditioned to include conditions listed in Attachment A.

Have there been any other variance requests of a similar nature in the vicinity and zoning district? (If “YES”, attach vicinity map showing locations of those variances)	No.
---	-----

Staff Analysis: The subject property is located near the southeast corner of Avenue C and 18th Street. The property was subdivided on June 25, 1998 as part of the Falls Ranch Unit 1 Subdivision. The subject property is located in the Low Density Residential (R-1-8) District, which requires a minimum lot size of 8,000 square feet, a 20’ front yard setback, 7’ side yard setbacks, a 10’ street side setback, and a 20’ rear yard setback.

The subject property is 19,521 square feet in size, and features a single-family home with 1,823 square feet of livable area on the first floor, 592 square feet of porch area, a 752 square foot attached garage, and an existing accessory structure with 900 square feet of garage space. There is also multiple storage sheds on the site and a BBQ structure.

The applicant is requesting to reduce the rear yard setback from 20 feet to three feet, as the applicant would like to add an additional 510 square feet of garage space. The resulting expansion would create a property featuring 2,162 square feet of garage space if the variance were approved. The property is large enough and has enough buildable area to accommodate the desired square footage without the need for a variance.

After analysis, staff has found no special circumstance that applies to the property. The zoning district requires a minimum lot size of 8,000 square feet, and the subject property is more than two times the size of the minimum requirement—illustrating ample room for expansion without the need for a variance.

The neighbor to the south of the subject property, located at 1853 S.39th Drive, has expressed a clear lack of support for the proposal. The neighbor expressed concerns in regards to privacy, aesthetics, proximity of the structure to the property line, and worries of property value impacts.

The City Fire Department and Building Safety would require additional fire separation standards if the requested setback reduction was granted.

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 conditions(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: "Due to the fact that the lot is on an on-site storm water retention subdivision, the proposed location for the new workshop give us the chance to use the lower areas of the property as water retention. In addition, the west side of the existing garage that could be used for the new building has trees of significant size and age that we would like to preserve."

Staff Analysis: Staff was unable to identify a special circumstance. This lot is more than double the size required by the zoning district, and the back yard has additional room for development.

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: "This situation is due to the zoning, engineering requirements and preservation of existing greenery and not created by the homeowner."

Staff Analysis: Staff was unable to identify a special circumstance.

C) "The granting of the variance 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: "This variance will be necessary for the owner to have a detached structures on the property as other properties in the area currently have."

Staff Analysis: The granting of the variance is not necessary for the preservation of substantial property rights enjoyed by other property owners in the vicinity, under identical zoning designations. The subject property has ample space to accommodate the placement of the structure without the need of a variance.

D) "The granting of the 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: "The granting of this variance will not affect the other properties in the area."

Staff Analysis: The granting of the proposed variance could be materially detrimental to the property owners within the surrounding area. As mentioned previously, staff received a clear lack of support of the structure from the neighbor to the south, illustrating there may be materially detrimental impacts to the proposed variance.


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


Public Comments Received:

Sat 6/18/2022 8:22 AM

 Tony Steen <asteen59@gmail.com>
VAR: 39977 and 39983

To: Brown, Chad - Associate Planner

 You replied to this message on 6/22/2022 8:36 AM.

 **CAUTION:** External Email

Mr. Brown,
Thank you for taking the time to speak with me on Friday regarding the Variances and providing answers to my questions. It is very much appreciated.
I will send an additional email in the near future with a more detailed explanation of my concerns regarding the proposed variances and the negative impact it would have on the neighborhood.

As I explained on the phone, I am currently out of town and will be unable to attend the Neighborhood Meeting on June 21st at 5:00pm. However, I will have a proxy attend the Neighborhood Meeting on my behalf. In order to assist the proxy, can you explain how these Neighborhood Meetings work? Should those neighbors attending the meeting show up at the front door of the homes? Will there be an open gate to the backyard of the sites? Any information would be greatly appreciated.

I anticipate that I will also be out of town during the Public Hearing on the proposed variances to the setback requirements, but would appreciate attending via a conference call.

Very Respectfully,
Tony Steen
1853 South 39th Drive

This property owner shares a wall to the south of the subject property. The customer stated on the phone that he did not appreciate the aesthetics or proximity of the structure, he felt it impeded his family social outdoor space, and mentioned worries of property value impacts.



Wed 6/29/2022 8:09 AM

Tony Steen <asteen59@gmail.com>

Re: 39977 and 39983

To: Brown, Chad - Associate Planner

Hello Chad,

Thank you for the opportunity to provide comments regarding the requested variances (39977 and 39983).

As it is for most people, my home is the single most important and expensive investment I have ever made. My wife and I bought a home in Falls Ranch 22 years ago knowing it contained restrictions that protected our privacy, security, home value and a neighborhood with a uniform appearance. The building setback code was one of those restrictions which appealed to us most. An approval of the requested variances removes those factors not only for my family, but the entire neighborhood of families who purchased their homes for the same reasons. Below is a list of some of my concerns.

1. What is the "outstanding situation" for the homeowners requesting the variances, that prevents them from using their property in similar ways as other neighbors? My understanding is that there would need to be something unique about the property that would allow for a variance to be considered and build within the setback limits. Is there a river or pond on the property that necessitates building can only occur within the setback?
2. Both the requested variances would significantly violate the City of Yuma's building setback requirement. One to move the setback from twenty feet to three feet and the other less than three feet. Both of these are directly outside of, and restrict view and airflow of our family room, kitchen and backyard. I don't believe anyone, even the homeowners requesting the variances, would want that to happen to their own homes.
3. Setbacks are in place to protect privacy and provide a uniform neighborhood appearance. The requested variances would do anything but that.
4. The proximity of buildings with each other would be inherently dangerous. The requested variance buildings would be/are within feet of my home. Another reason for setback codes is to reduce the possibility of fire spreading from one home to the next should that occur. The noise factor is also a concern, especially with a variance request for a garage and carport well within the setback code.
5. These variances would reduce the value of my home. At some point, my wife and I may want or need to sell our home and would like it to sell for a full, expected value.
6. For one of the requested variances, the building has already been completed and was done so without a City of Yuma building permit. For reasons I am not familiar with, I'm not sure why a variance can be considered for a building that was not supposed to be erected in the first place.
7. Both homeowners requesting variances have more than enough property to complete their buildings that would not violate the setback code.

In conclusion, our home is the biggest investment of our lives. The need to protect the privacy, safety, value and quality of life is paramount to all neighbors. There are City of Yuma codes already in place to protect those items and meet the core values of the city's Yuma Way.

Very Respectfully
Tony Steen

Agency Comments: See Attachment E.

Neighborhood Meeting Comments: See Attachment F.

Proposed conditions delivered to applicant on: July 5, 2022.

Final staff report delivered to applicant on: July 13, 2022.

- Applicant agreed with all of the conditions of approval on:
- Applicant did not agree with the following conditions of approval: (list #'s)
- Waiting for approval from the applicant.

Attachments

A	B	C	D	E	F	G	H	I	J
Conditions of Approval	Site Plan	Proposed Elevations	Agency Notifications	Agency Comments	Neighborhood Meeting Comments	Site Photos	Neighbor Notification List	Neighbor Postcard	Aerial Photo

Prepared By: Chad Brown
 Associate Planner
Date: Chad.Brown@yumaaz.gov (928)373-5000, x 3038

Approved By: *Alyssa Linville*
 Alyssa Linville,
 Assistant Director Community Planning
Date: 07/11/2022

**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:

Department of Planning and Neighborhood Services Comments: Alyssa Linville, Assistant Director (928) 373-5000, x 3037:

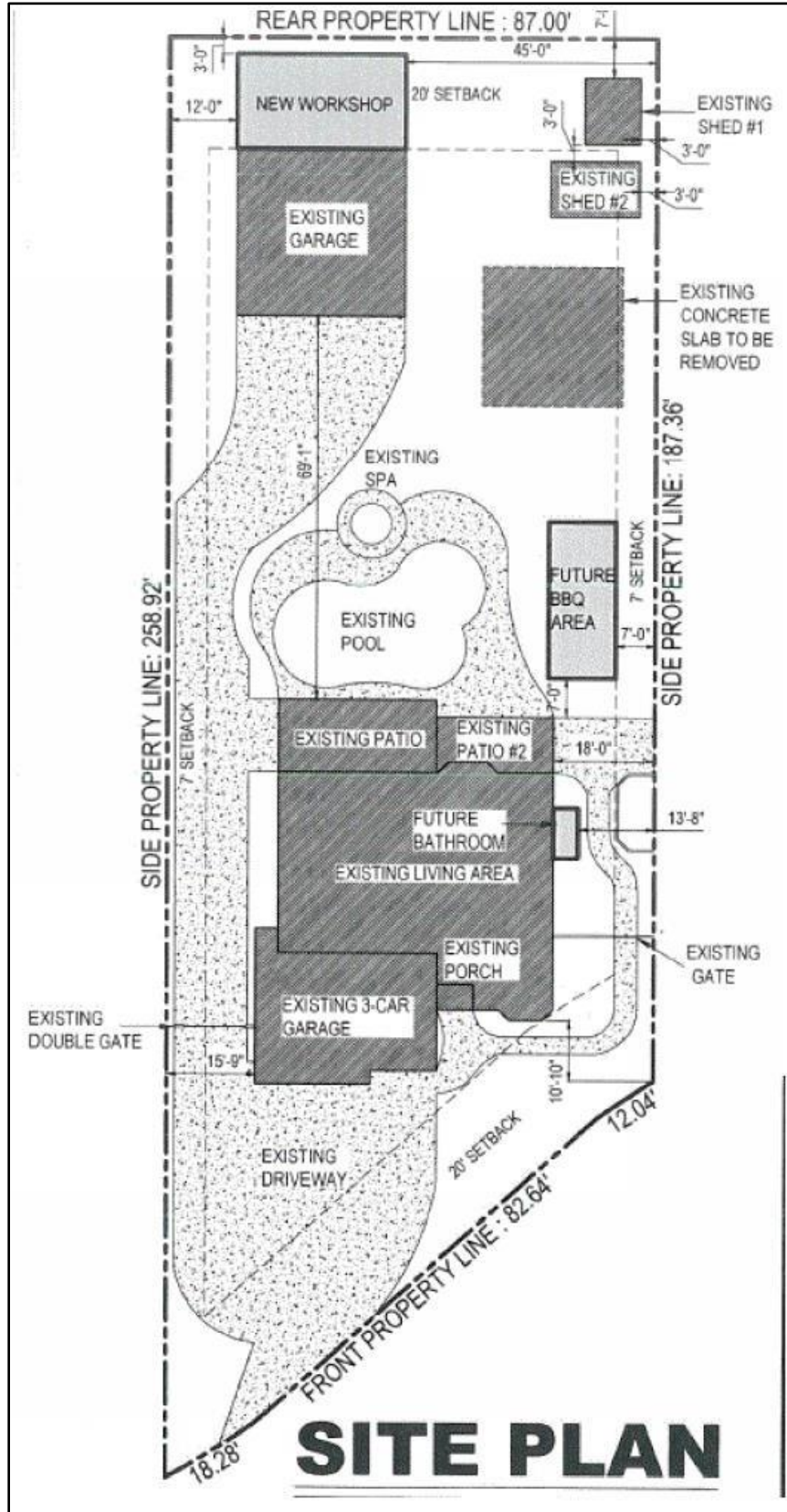
1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.
3. The Owner 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: Chad Brown, Associate Planner (name), (Title), (928) 373-5000 x 3038

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

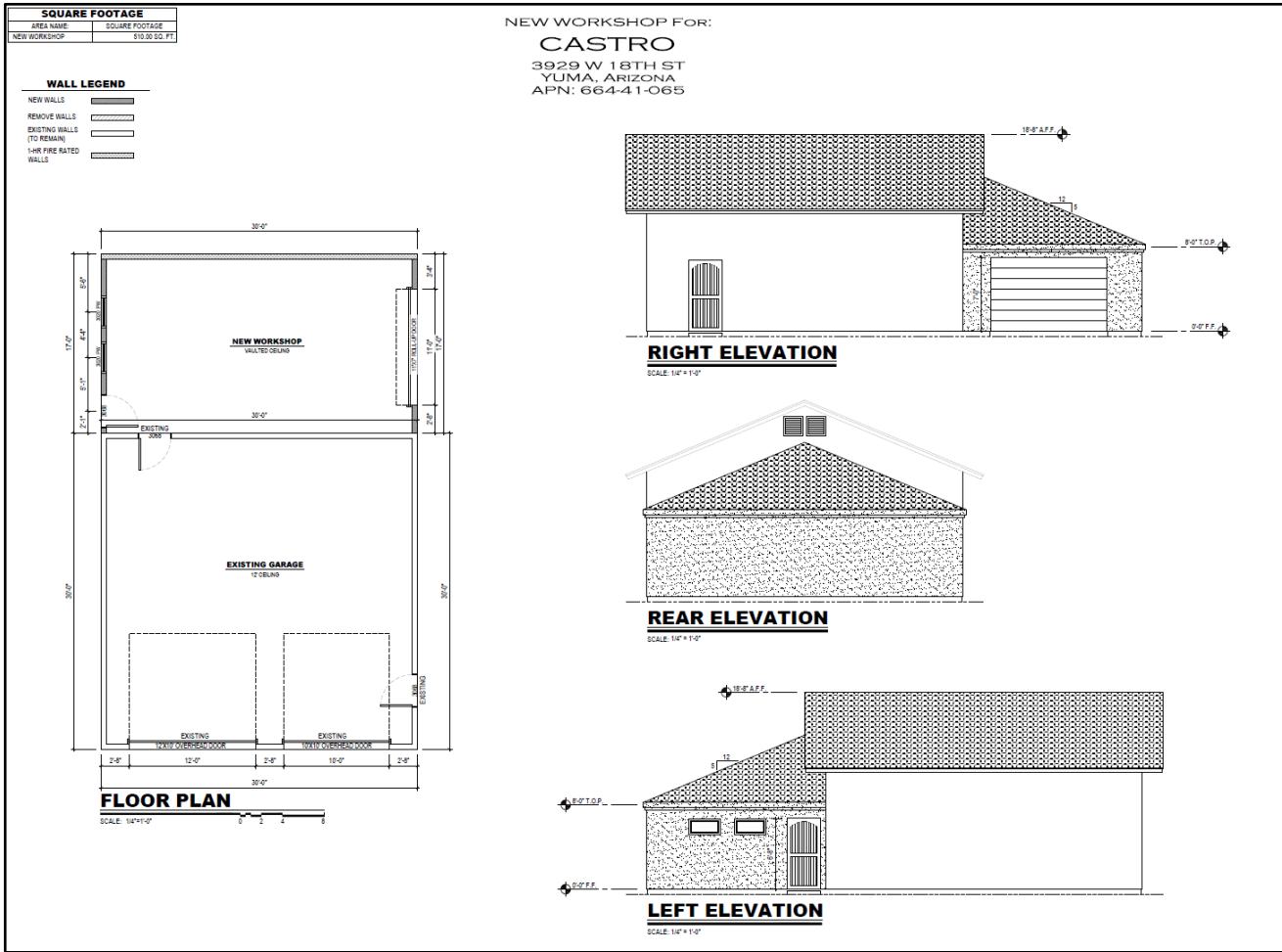
Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

**ATTACHMENT B
SITE PLAN**



SITE PLAN

ATTACHMENT C PROPOSED ELEVATIONS



**ATTACHMENT D
AGENCY NOTIFICATIONS**

- Legal Ad Published: The Sun (06/24/22)
- 300' Vicinity Mailing: (06/15/22)
- Site Posted on: (06/14/22)
- 34 Commenting/Reviewing Agencies Noticed: (06/14/22)
- Neighborhood Meeting Date: (06/21/22)
- Hearing Date: (07/14/22)
- Comments Due: (06/27/22)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	6/15/22	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	6/15/22	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	YES	6/22/22	X		
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	NR				
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineering	NR				
Fire	YES	6/15/22			X
Building Safety	YES	6/21/22			X
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	6/22/22	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT E
AGENCY COMMENTS**

<input type="checkbox"/> Condition(s)	<input type="checkbox"/> No Condition(s)	<input checked="" type="checkbox"/> Comment	
Enter conditions here: If variance is approved, the building construction for this new workshop must meet fire-resistive wall construction/exterior opening provisions of the 2018 IRC Building Code, Table R302.1(1).			
DATE:	6-21-2022	NAME: Alan Kircher	TITLE: Deputy Building Official
CITY DEPT:	Building Safety		
PHONE:			
RETURN TO:	Chad Brown Chad.Brown@YumaAZ.gov		

<input type="checkbox"/> Condition(s)	<input type="checkbox"/> No Condition(s)	<input checked="" type="checkbox"/> Comment	
Enter conditions here: YFD will echo Building Safety comments/conditions			
DATE:	6/15/22	NAME: Kayla Franklin	TITLE: Fire Marshal
CITY DEPT:	Fire		
PHONE:	928-373-4865		
RETURN TO:	Chad Brown		

ATTACHMENT F
NEIGHBORHOOD MEETING COMMENTS

Date Held: 06/21/22

Location: Subject property, 3929 W. 18th Street

Attendees: Chad Brown; City of Yuma, Sergio Castro; property owner, Shawn McKeown; neighboring property representative, Cesar Durazo; neighboring property owner, Alberto Urias; property owner's agent

SUMMARY OF ATTENDEE(S)' COMMENTS RELATED TO THE PROJECT:

- **PROPERTY OWNER DESCRIBED SHADE STRUCTURE AND PROPOSED USE.**
- **SHAWN MCKEOWN, REPRESENTING THE OWNER TO THE SOUTH OF THE SUBJECT PROPERTY STATED THAT THAT OWNER DID NOT SUPPORT THE PROPOSED VARIANCE. THERE WAS WORRIES ABOUT PRIVACY, UNIFORM NEIGHBORHOOD APPEARANCE, FIRE DISTANCE PROBLEMS, AND POTENTIALLY NEGATIVE IMPACTS ON PROPERTY VALUES.**
- **PROPERTY OWNER TOOK THE MEETING ATTENDEES TO SEE THE STRUCTURE.**

**ATTACHMENT G
SITE PHOTOS**



Top picture: Illustrates the rear view of existing conditions—the proposal is to expand the structure seventeen feet further south. Bottom picture: Front view of the garage that is proposed to expand in the back.

**ATTACHMENT H
NEIGHBOR NOTIFICATION LIST**

Property Owner	Mailing Address	City/State/Zip Code
CASTRO SERGIO N & MONICA G JT	3929 W 18TH ST	YUMA, AZ 85364
MACIAS SERGIO & SANDRA JT	3835 W 18TH PL	YUMA, AZ 85364
MOLINA JOSEFA	PO BOX 3071	SAN LUIS, AZ 85349
STEEN ANTHONY JAY & RANAE LYNN JT	1853 S 39TH DR	YUMA, AZ 85364
LEE KATHLEEN O	3821 W 18TH PL	YUMA, AZ 85364
TAPIA FABIOLA DURON & RAUL R	3809 W 18TH PL	YUMA, AZ 85364
BERRY BUDDY J & PAMELA KAY LACHCIK JT	3789 W 18TH PL	YUMA, AZ 85364
GOLDSBORO KLAUDIA JAN	1865 S 39TH DR	YUMA, AZ 85364
DURAZO CESAR E SR & MA DEL CARMEN CPWROS	1905 S 47TH DR	YUMA, AZ 85364
COLEMAN RICHARD & BETTY	2578 S 34TH AVE	YUMA, AZ 85364
EVANGELISTA ADELBERT D & JEMYLENE R	3808 W 18TH PL	YUMA, AZ 85364
MORENO FRANCISCO S & MARIA C JT	3993 W 18TH ST	YUMA, AZ 85364
DAHL KEVIN A & ROXANNE M TRUST 12-7-99	3991 W 17TH PL	YUMA, AZ 85364
VEGA JOSE & ITHZA	3951 W 17TH PL	YUMA, AZ 85364
DIMAS ADAN A ETAL	3927 W 17TH PL	YUMA, AZ 85364
FLORES JORGE	3903 W 17TH PL	YUMA, AZ 85364
DE LA TORRE ANA	3831 W 17TH PL	YUMA, AZ 85364
HOURLANI ABDULKADIR & LYNN C JT	3805 W 17TH PL	YUMA, AZ 85364
MERI BASEM & HIYAM JT	3928 W 18TH ST	YUMA, AZ 85364
FIGUEROA SABINO & THEBON	3904 W 18TH ST	YUMA, AZ 85364
MENDEZ JESUS & CLAUDIA	3832 W 18TH ST	YUMA, AZ 85364
WELCH ARRON L	3806 W 18TH ST	YUMA, AZ 85364
WILLIAM F & BARBARA R BOWLES LIVING TRUST	3992 W 18TH ST	YUMA, AZ 85364
RODRIGUEZ RIGOBERTO	3952 W 18TH ST	YUMA, AZ 85364
FULTON MARY LOU TRUST 10-25-04	940 E 2ND ST #21	LOS ANGELES , CA 90012
TRAN LAP & TAMMY TRUST 10-16-08	3833 W 18TH ST	YUMA, AZ 85364
MONTES JANNETT	3807 W 18TH ST	YUMA, AZ 85364
GUZMAN EDGAR & AMBER CPWROS	1866 S 39TH DR	YUMA, AZ 85364
SUAREZ RICHARD & ANA I JT	3836 W 18TH LN	YUMA, AZ 85364
FRANCE KARANDEEP & RILEY	3822 W 18TH LN	YUMA, AZ 85364
AULT KENNETH A & BRENDA K TRUST 2-27-2020	3810 W 18TH LN	YUMA, AZ 85364
HAWKINS DARREN & SHELLEY TRUST 02-26-2021	1877 S 39TH DR	YUMA, AZ 85364
ZENDEJAS MIGUEL A & LILIANA A JT	1878 S 39TH DR	YUMA, AZ 85364
YUMA UNION HIGH SCHOOL DIST # 70	3150 S AVENUE A	YUMA, AZ 85364

**ATTACHMENT I
NEIGHBOR MAILING**

This is a request by Alberto Urias, on behalf of Sergio Castro, for a variance to reduce the rear yard setback from 20 feet to 3 feet to accommodate the expansion of a workshop, in the Low Density Residential (R-1-8) District. The property is located at 3929 West 18th Street, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
VAR-39983-2022**

**NEIGHBORHOOD MEETING
06/21/2022 @ 5:00PM
ON-SITE**

**PUBLIC HEARING
07/14/2022 @ 9:30AM
City of Yuma Council Chambers
One City Plaza, Yuma, AZ**



Because you are a neighbor within 300' of 3929 West 18th Street, Yuma, AZ, you are invited to attend the public hearing to voice your comments. If you have questions or wish to submit written comments, please contact Chad Brown by phone at (928)373-5000 ext. 3038 or by email at Chad.Brown@YumaAz.gov

ATTACHMENT J
AERIAL PHOTO

