

**Hearing Officer Meeting Minutes  
May 5, 2022**

A meeting of the City of Yuma's Hearing Officer was held on May 5, 2022, at City Hall Council Chambers, One City Plaza, Yuma, AZ.

**HEARING OFFICER** in attendance was Araceli Rodriguez.

**CITY OF YUMA STAFF MEMBERS** present Kenneth Scott McCoy, Assistant City Attorney; Alyssa Linville, Assistant Director of Planning; Chad Brown, Associate Planner; Erika Peterson, Associate Planner and Alejandro Marquez, Administrative Specialist.

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

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**CONSENT CALENDAR**

**Rodriguez** approved the minutes of December 9, 2021.

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**PUBLIC HEARINGS**

**TIMEX-39125-2022:** *This is a request by Anne-Marie Mirante and Richard Fay for a one-year time extension to a previously approved variance (VAR-33872-2021) to reduce the side setbacks from 7' to 3'5", the rear yard setback from 10' to 4'7", and increase the allowable height for accessory structures from 15' to 18' for two RV shade structures and two storage trailers in the Recreational Vehicle Subdivision (RVS) District, for the property located at 9732 E. 38<sup>th</sup> Lane, Yuma, Arizona*

**Erika Peterson, Associate Planner**, summarized the staff report and recommended **APPROVAL**.

**QUESTIONS FOR STAFF**

**Rodriguez** asked if the comment in Attachment D was also in opposition to the request. **Peterson** replied it was from the original variance.

**APPLICANT/APPLICANTS REPRESENTATIVE**

**Richard Fay and Anne-Marie Mirante, 9732 E. 38<sup>th</sup> Lane, Yuma, AZ**, were present and available for questions. **Mirante** went on to explain why the project was delayed.

**Rodriguez** asked for the deadline of the original variance. **Mirante** replied April 8th, 2022. **Rodriguez** then asked the applicants who was doing the work. **Mirante** stated that some of the work was done by a contractor, and they were doing some themselves. **Rodriguez** then asked how much of the project was completed. **Fay** replied it was about 65 to 75 percent done. **Rodriguez** asked for the cost of the project. **Fay** answered the final cost would be about 16,000 dollars.

**OPEN PUBLIC COMMENT**

None

**DECISION**

**Rodriguez** granted the time extension for the previously approved 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.

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**VAR-39102-2022:** This is a request by Deborah G Ybarra on behalf of Shannon Gonzalez, for a variance to reduce the side yard setbacks from 10' to 7' to accommodate the placement of a new single-family home, in the Residential Estate (RE-12) District, for the property located at 8334 E. Adobe Ridge Road, Yuma, AZ.

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

**QUESTIONS FOR STAFF**

Rodriguez asked for clarification of staff's use of the word frontage on page one of the Staff Report. Brown replied frontage refers to the part of the property that faced the street. Rodriguez asked for the direction of the front of the property. Brown replied that the front of the property was facing south. Rodriguez then asked if the back of the property was located at the wider part of the parcel. Brown answered yes.

**APPLICANT/APPLICANTS REPRESENTATIVE**

Deborah Ybarra, 10516 E. 37<sup>th</sup> Street, Yuma, AZ, stated the request for the variance was to allow the home to fit on the odd shaped lot, and to comply with the Architectural requirements of the Covenants, Conditions & Restrictions (CC&R).

Rodriguez asked for the square footage of the home, and the size of the lot Ybarra replied the home was supposed to be no less than 3,000 square feet, and the size of the lot was .51 acres.

**OPEN PUBLIC COMMENT**

Justin Haile, 4745 W. 27<sup>th</sup> Place, Yuma, AZ, stated that he was the owner of the lot located on the west side of the proposed project, and he would like the side setbacks to remain at 10 feet.

**DECISION**

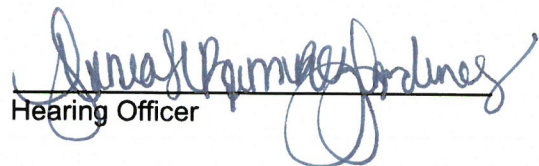
Rodriguez granted the Variance subject to the Conditions of Approval in Attachment A, Yuma City Code §154-03.04(D) (1) had been met specifically finding the following regarding the four criteria; Criteria #1: The shape of the property created a special circumstance; Criteria # 2: The property shape was not created by the property owner; Criteria # 3: Because of the contractual requirements of the CC&Rs to have structures be 3,000 square feet, and the odd shape of the lot, this variance is necessary; Criteria # 4: The reduction of three feet will not be detrimental to any property owners.

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

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Minutes approved and signed this 23<sup>rd</sup> day of June, 2022.

  
Hearing Officer