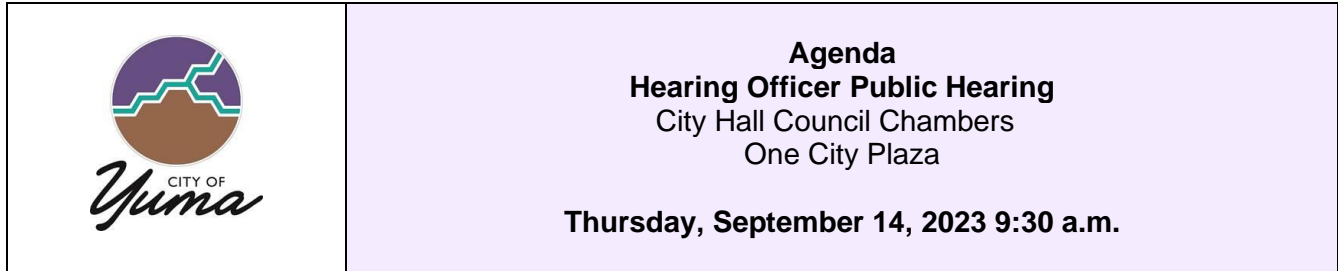


**Notice of Public Hearing of the
Hearing Officer of the City of Yuma**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the 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 Thursday, September 14, 2023 at 9:30 a.m. in City Hall Council Chambers, One City Plaza, Yuma, AZ.

The Agenda for the hearing is as follows:



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

- August 24, 2023

APPLICATIONS TO BE CONSIDERED

1. **TIMEX-41652-2023:** *This is a request by Jill Kaiser, on behalf of Circle K Stores, Inc., for a two year time extension to a previously approved conditional use permit, CUP-40457-2022, to demolish and rebuild a convenience store and motor fuel sales with an exception to reduce the landscape and building setback from 20' to 3', and to reduce parking spaces required from 21 to 17 spaces. The property is in the Limited Commercial (B-1) District, at 2398 S. Avenue B, Yuma, AZ.*
2. **VAR-41649-2023:** *This is a request by Core Engineering, on behalf of Elvira Hidalgo-Avalos, for a variance to reduce the front yard setback from 20 feet to zero feet to allow the required parking to be located within the front yard setback and for the increase in lot coverage from 35% to 43% in the Low Density Residential (R-1-6) District. The property is located at 905 W. Solana Drive, 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) 373-5149.

**Hearing Officer Meeting Minutes
August 24, 2023**

A meeting of the City of Yuma Hearing Officer was held on Thursday, August 24, 2023, at City Hall Council Chambers, One City Plaza, Yuma, Arizona.

HEARING OFFICER in attendance was Araceli Rodriguez.

CITY OF YUMA STAFF MEMBERS present included Jennifer Albers, Assistant Director of Planning; Zenia Fiveash, Assistant Planner; Emily Hart, Assistant City Attorney and Alejandro Marquez, Administrative Specialist.

Hearing Officer Araceli Rodriguez called the meeting to order at 9:30 a.m.

CONSENT CALENDAR

Hearing Officer Araceli Rodriguez approved the minutes of August 10, 2023.

PUBLIC HEARINGS

VAR-41572-2023: *This is a request by Dan Kenley, on behalf of Lucia Garcia, for a variance to reduce the front yard setback from 20 feet to zero feet to allow the required parking to be located within the front yard setback in the High Density Residential (R-3) District, for the property located at 2690 S. James Avenue, Yuma, AZ.*

Zenia Fiveash, Assistant Planner, summarized the staff report and recommended **Denial**.

QUESTIONS FOR STAFF

Hearing Officer Araceli Rodriguez referred to Attachment J, then asked if the highlighted homes were variances that had been approved. **Fiveash** replied yes. **Hearing Officer Araceli Rodriguez** then asked if the approvals were similar to this request. **Fiveash** replied no, that the approvals were for the side yard setbacks.

APPLICANT/APPLICANTS REPRESENTATIVE

Dan Kenley, 4028 S. Sunflower Dr., Yuma, AZ, stated that the garage had been converted before he had purchased the home. **Kenley** went on to say that there were other homes in the neighborhood that had closed off their garages without variances.

Hearing Officer Araceli Rodriguez asked for clarification if the applicant was in the process of getting permits for the garage, and permission to allow a different parking requirement. **Kenley** stated yes, because he wants the garage conversion and the parking to be legal through the City. **Hearing Officer Araceli Rodriguez** then asked if the variance for the parking requirement was not granted would the applicant not be able to convert the garage. **Kenley** answered that the variance for the parking requirement is the first step in the process to get the garage converted. **Kenley** then stated that every house in the neighborhood has at least two cars with no two car garages, and then asked if everyone parks one car in the garage and the other in the driveway wouldn't the second car encroach on the twenty-foot setback. **Hearing Officer Araceli Rodriguez** explained that each home should have an area on the property designated for parking, and then stated that the applicant is trying to convert the designated parking area into a living space which would leave zero designated parking. **Hearing Officer Araceli Rodriguez** went on to say that the reason for the variance is to get approval to use another area of the property as the designated parking requirement, and to approve said area as the parking requirement. **Kenley** stated that he would like to use the current driveway and the concreted area next to the driveway as the parking requirement, because the area to the north of the property would be difficult to convert to be used as parking.

Kenley then asked for clarification if the side yard setback was seven or seventeen feet. **Fiveash** replied the setbacks are seven feet from the property line to the side of the home. **Kenley** then asked if the seven-foot pad next to the driveway could be used as the parking requirement. **Hearing Officer Araceli Rodriguez** replied that the parking requirement needed to be a ten by twenty-foot area, and if the seven-foot pad was to be used for parking a variance would be required. **Fiveash** stated that the area on the north side and the rear of the property had enough space to be designated as the parking requirement.

Hearing Officer Araceli Rodriguez if a variance application would be needed in these areas. **Fiveash** replied no, and that the seven-foot area where the applicant is requesting the parking to be is not wide enough. **Hearing Officer Araceli Rodriguez** confirmed that more concrete could not be added to the seven-foot pad. **Fiveash** replied correct, because it already is to the edge of the property line.

Hearing Officer Araceli Rodriguez asked the applicant if there were any other comments or questions.

Kenley referred to a statement in the staff report that reads “The purpose of a front yard setback is to ensure reasonable clear vision along the street for either the driver or a pedestrian to safely cross the sidewalk and safely enter into traffic without mishap”, and then asked how a car that is parked in a driveway would impede the vision of a car that is driving down the street. **Hearing Officer Araceli Rodriguez** deferred the question to staff. **Fiveash** replied if the garage was converted into a living space and the owner has two cars both would be parked in the driveway and could possibly block clear vision of oncoming traffic and pedestrians.

Hearing Officer Araceli Rodriguez referred to the photo on Attachment E, and asked if the black car was parked within the twenty-foot setback. **Fiveash** replied yes. **Kenley** stated he understood that if a vehicle was parked on the sidewalk it would impede vision, then stated that he owns a large truck and does not fit within the allowable area but does not block the sidewalk, and then asked how would that vehicle impede vision of pedestrians and cars. **Hearing Officer Araceli Rodriguez** stated that in this case the safety issue is more for pedestrians rather than vehicles. **Kenley** stated there is a thirty-four feet distance from the sidewalk to the garage and did not understand what the issue would be. **Hearing Officer Araceli Rodriguez** then stated that the request was to allow parking within the twenty-foot front yard setback.

Jennifer Albers, Assistant Director of Planning, stated that the parking requirement is for visibility and safety issues, then stated if a pedestrian is walking past cars that are parked in the driveway onto the sidewalk an oncoming vehicle would not see the pedestrian until they walked onto the street and the vehicle might not have enough time to react unless they have that extra twenty feet of visibility. **Albers** also stated if there are two cars parked in the driveway and one begins to pull out there might not be enough time for oncoming traffic to react to the car that is pulling out. **Albers** noted that this parcel setback is at the property line which is not the back of sidewalk and that for most subdivisions the back of sidewalk is the property line so there is some additional room for visibility because of the right-of-way located near the property.

PUBLIC COMMENT

None

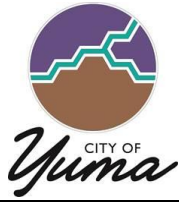
DECISION

Hearing Officer Araceli Rodriguez 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.

Hearing Officer Araceli Rodriguez adjourned the meeting at 9:51 a.m.

Minutes approved and signed this _____ day of _____, 2023.

Hearing Officer



**STAFF REPORT TO THE HEARING OFFICER
DEPARTMENT OF PLANNING AND NEIGHBORHOOD SERVICES
COMMUNITY PLANNING
CASE TYPE – CONDITIONAL USE PERMIT TIME EXTENSION
CASE PLANNER: BOB BLEVINS**

Hearing Date: September 14, 2023

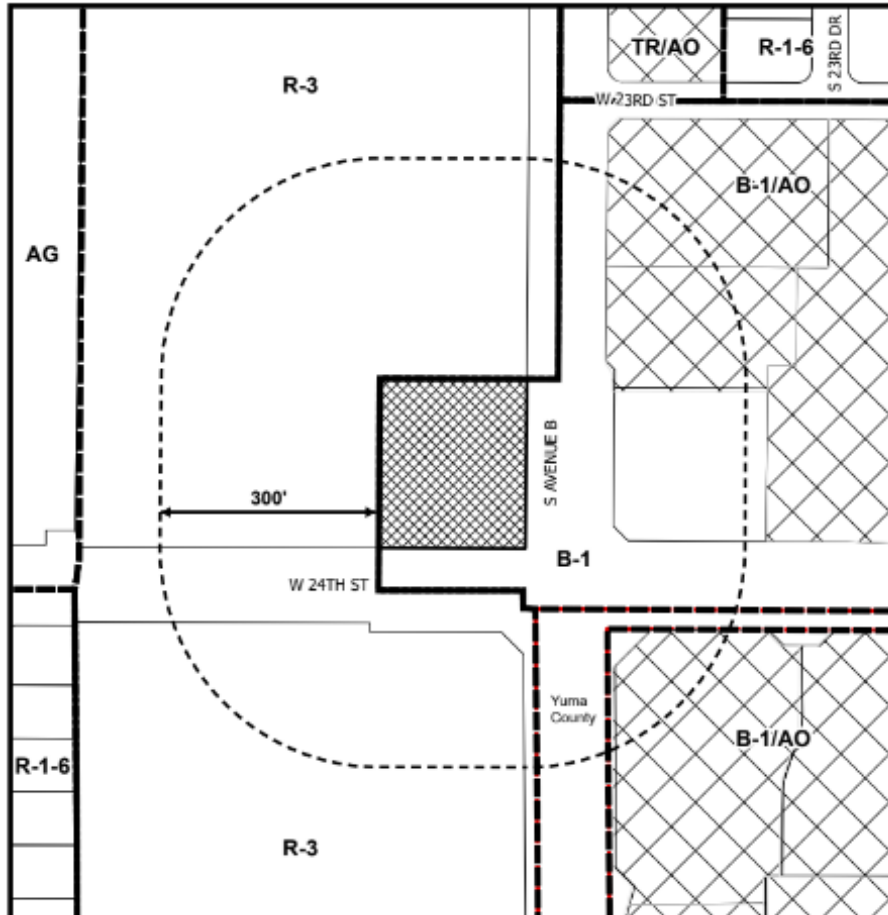
Case Number: TIMEX-41652-2023

Project Description/Location:

This is a request by Jill Kaiser, on behalf of Circle K Stores, Inc., for a two year time extension to a previously approved conditional use permit, CUP-40457-2022, to demolish and rebuild a convenience store and motor fuel sales with an exception to reduce the landscape and building setback from 20' to 3', and to reduce parking spaces required from 21 to 17 spaces. The property is in the Limited Commercial (B-1) District, at 2398 S. Avenue B, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Limited Commercial (B-1)	Circle K	Mixed Use
North	High Density Residential (R-3)	Regency Square Apartments	High Density Residential
South	High Density Residential (R-3)	River Park Apartments	High Density Residential
East	Limited Commercial (B-1)	Speedway	Mixed Use
West	High Density Residential (R-3)	Regency Square Apartments	High Density Residential

Location Map:



Prior site actions: Annexation: January 19, 1977 (Ord. #1531); Rezone: Z85-35 (Ord. #2306); CUP-40457-2022 (October 10, 2022).

Staff Recommendation: Staff recommends **APPROVAL** of the two year time extension for Conditional Use Permit case # CUP-40457-2022 to demolish and rebuild a convenience store and motor fuel sales, with an exception to reduce the landscape and building setback from 20' to 3', and to reduce parking spaces required from 21 to 17 spaces, subject to the conditions outlined in Attachment A, because the application for extension was filed with the appropriate fee prior to the expiration date of the original CUP approval and because there have been no changes in the circumstances, or in the vicinity of the property, or use, which would render the previously approved conditional use permit inappropriate.

Staff Analysis: The time extension is being requested as stated by the developer:

“An extension is being requested due to unforeseen challenges with site conditions. The site needed additional soil testing and engineering to incorporate the appropriate design elements, due to the high water table in the area. The additional design elements caused concern for the viability of the project. An additional cost analysis and Corporate Management approvals were required, which became a timely process.”

Project Background:

The 46,593 square foot lot was annexed into the City of Yuma in 1977. The site features an operating Circle K convenience store, plus office/retail suites on the north side.

The intent is to clear the entire site, and rebuild a larger Circle K, featuring new fuel pumps and larger canopy. The convenience store will be 5,200 square feet, with an increase in the available fuel pumps- from the present 4 to 10 dispensers. The north side office/retail suites will not be replaced.

Based on the size of the building, a 20' landscaped buffer is required along the western property line, which is adjacent to residentially-zoned property. In addition to the necessary setbacks, the project is required to provide 21 parking spaces based on the number of fuel pumps, and the square footage of the new convenience store.

With the 2022 CUP application, the City requested additional right-of-way along Avenue B, reducing the buildable area and restricting the proposed development of the property. Based on this, the applicant requested two exceptions from the zoning code: 1) to reduce the landscaping and western building setback from 20 feet to 3 feet; & 2) to reduce the number of parking spaces from 21 to 17. Those conditions and exceptions are still in effect.

The site layout and building square footages have not changed since the 2022 CUP site plan approval.

Public Comments Received: None Received.

External Agency Comments: None Received.

Neighborhood Meeting No Meeting Required.

Comments:

Discussions with Applicant/Agent: 11/05/20; 03/03/22; 07/05/23.

Proposed conditions delivered to applicant on: 08/28/23

Final staff report delivered to applicant on: 09/06/23

- Applicant agreed with all of the conditions of approval on: 08/28/23
- Applicant did not agree with the following conditions of approval: (list #'s)
- If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

ATTACHMENTS:

A	B	C
Conditions of Approval	Site Plan	Nieghbor Notification

Prepared By: *Robert M. Blevins* **Date:** **08/28/2023**
Robert M. Blevins
Principal Planner Robert.Blevins@yumaaz.gov (928) 373-5189

Approved By: *Jennifer L. Albers* **Date:** *8/28/23*
Jennifer L. Albers,
Assistant Director of Planning

**ATTACHMENT A
CONDITIONS OF APPROVAL**

The following conditions of approval are roughly proportionate to the impacts associated with the conditional use and expected development on the property.

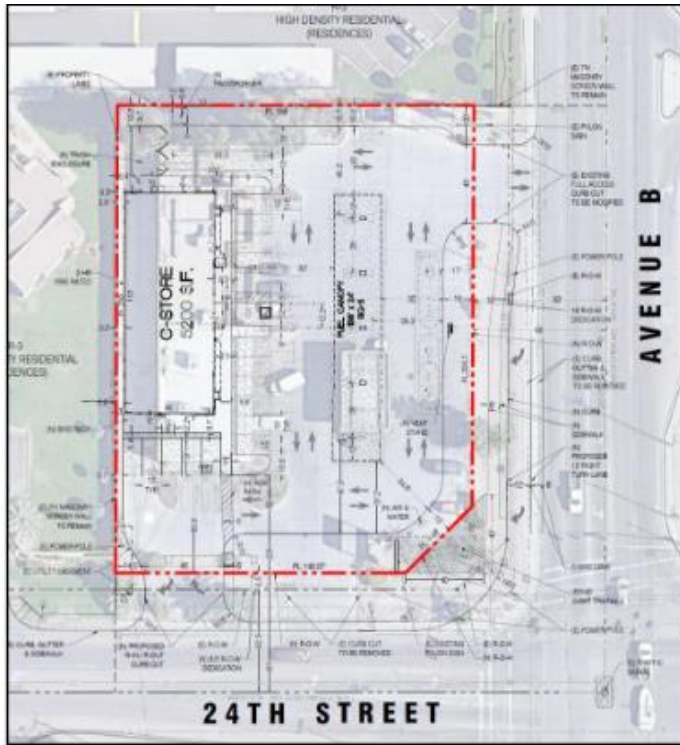
Community Development Comments: Alyssa Linville, Director, Planning and Neighborhood Services, (928) 373-5000, x 3037:

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.

Community Planning, Robert M. Blevins, Principal Planner (928) 373-5189:

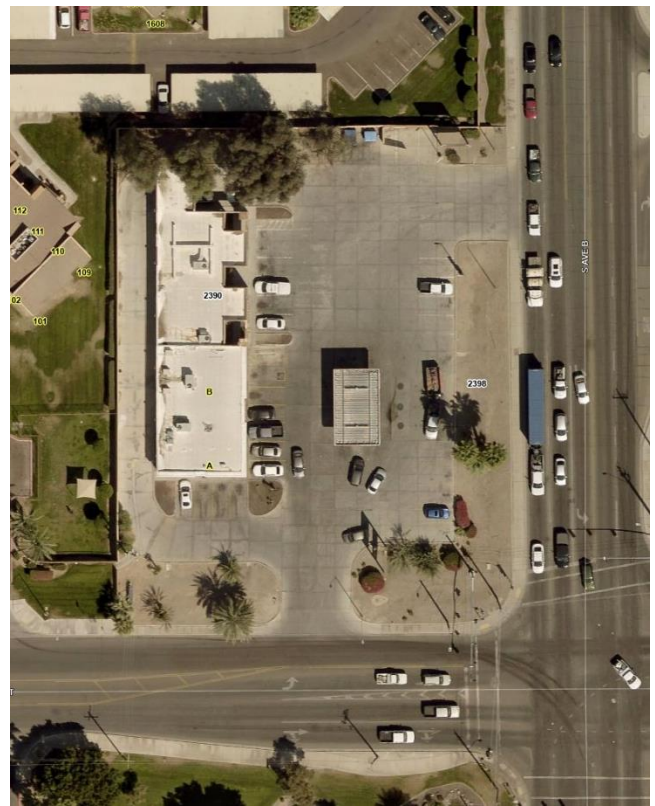
3. Any substantial modification to the overall site design as represented on the site plan will require a public hearing and be subject to the approval of the Planning and Zoning Commission. A substantial modification to the site plan would include, but not necessarily be limited to, the relocation of vehicular access, the modification of storm water retention or the relocation of a building or structure.
4. The conditions listed above shall be completed within two (2) years of the effective date of the approval of the Conditional Use Permit or prior to the issuance of any 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 Conditional Use Permit shall be null and void.
5. In any case where a Conditional Use Permit has not been used within two years after the granting thereof, it shall be null and void.

**ATTACHMENT B
SITE PLAN**



New development superimposed over existing.

Present Site.



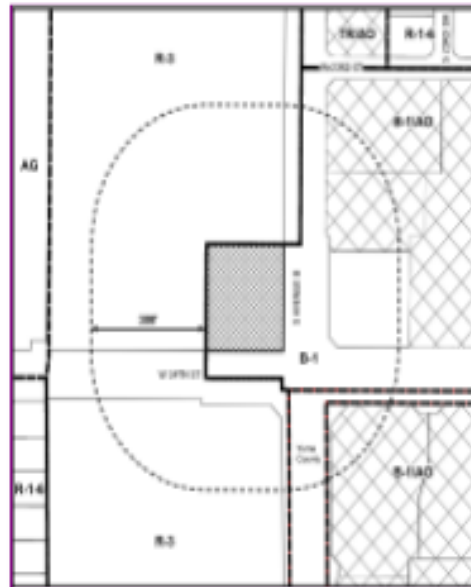
**ATTACHMENT C
NEIGHBOR NOTIFICATION**

66461079	ARTHUR BRUCE SIMON CA LLC	13437 CONTOUR DR	SHERMAN OAKS	CA	91423
66460004	AZ REGENCY SQUARE 1 LLC	1240 E 2100 S SUITE 300	SALT LAKE CITY	UT	84106
66460005	CIRCLE K STORES INC TX CORP	PO BOX 52085	PHOENIX	AZ	85072
69405023	PARK PALOMA LLC	PO BOX 1159	DEERFIELD	IL	60015
69404114	RIVER PARK OWNER LLC	645 E MISSOURI AVE SUITE 170	PHOENIX	AZ	85012
66461102	YUMA 2381 LLC	3805 E LAS CRUCES LN	YUMA	AZ	85365
66461080	ZEE PROPERTIES LLC	PO BOX 3839	KINGMAN	AZ	86402

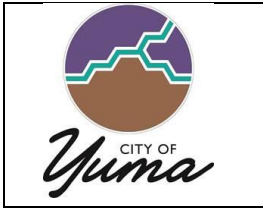
This is a request by Jill Kaiser, on behalf of Circle K Stores, Inc., for a two year time extension to a previously approved conditional use permit, CUP-40457-2022, to demolish and rebuild a convenience store and motor fuel sales with an exception to reduce the landscape and building setback from 20' to 3', and to reduce parking spaces required from 21 to 17 spaces. The property is in the Limited Commercial (B-1) District, at 2398 S. Avenue B, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION
FOR CASE #
TIMEX-41652-2023**

PUBLIC HEARING
9/14/2023 @ 9:30AM
City of Yuma Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of 2398 S. Avenue B 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 Robert Blevins by phone at (928)373-5189 or by email at Robert.Blevins@YumaAz.gov



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

Hearing Date: SEPTEMBER 14, 2023

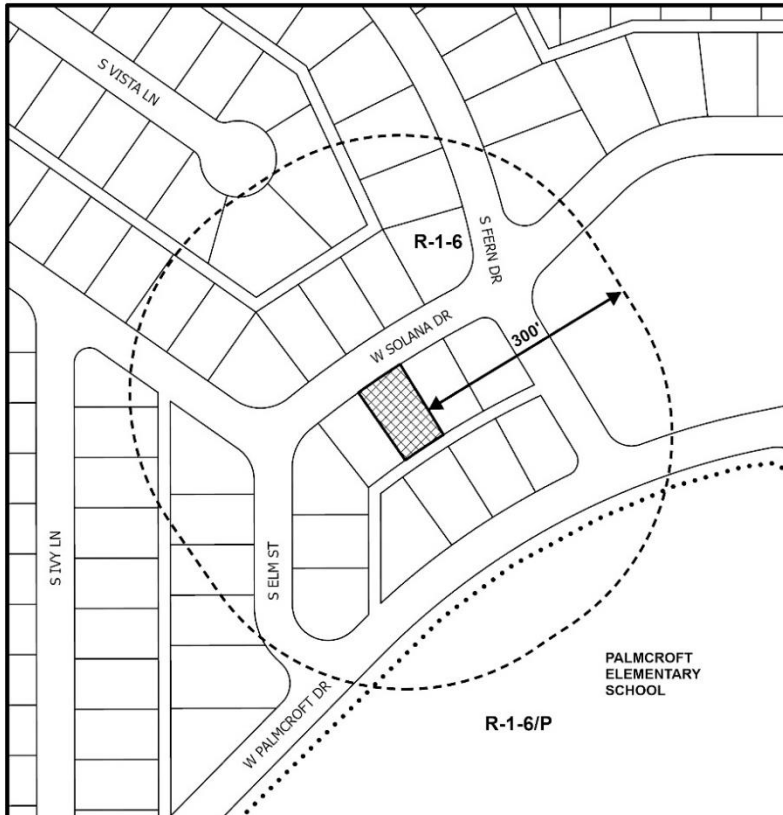
Case Number: VAR-41649-2023

Project Description/
Location:

This is a request by Core Engineering, on behalf of Elvira Hidalgo-Avalos, for a variance to reduce the front yard setback from 20 feet to zero feet to allow the required parking to be located within the front yard setback and for the increase in lot coverage from 35% to 43% in the Low Density Residential (R-1-6) District. The property is located at 905 W. Solana Drive, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Low Density Residential (R-1-6)	Single Family Residence	Low Density Residential
North	Low Density Residential (R-1-6)	Single Family Residence	Low Density Residential
South	Low Density Residential (R-1-6)	Single Family Residence	Low Density Residential
East	Low Density Residential (R-1-6)	Single Family Residence	Low Density Residential
West	Low Density Residential (R-1-6)	Single Family Residence	Low Density Residential

Location Map:



Prior site actions: Code Enforcement Case Code-BS007852-2022; Annexation: (July 21, 1956); Subdivision: Palm Croft Estates (March 14, 1952)

Staff recommendation: Staff recommends **DENIAL** of the request to reduce the front yard setback from 20 feet to 0 feet and the increase in lot coverage from 35% to 43% within the Low Density Residential (R-1-6) District. Although Staff is not recommending approval of the request, if a variance is granted Staff recommends that the variance be conditioned to include those conditions listed in Attachment A.

Have there been any other variance requests of a similar nature in the vicinity and zoning district?			Yes
Case #	Nature of Variance Requested	Staff Recommendation	ZBA/Hearing Officer Action
BA85-015	Reduce front yard setback from 20' to 14' & side yard setback from 7' to 5'.	Denial	Approval

Staff Analysis: The subject property is located along Solana Drive, within the Palm Croft Estates Subdivision. The property features a single-family residence on a parcel which measures approximately 7,293 square feet, in the Low Density Residential (R-1-6) District. The said property is subject to the following setback requirements: front yard setback of 20', side yard setback of 7', and rear yard setback of 10'.

According to the Yuma City Code, all required parking shall be located outside of the required front yard setback as specified in the applicable zoning district. When the property was developed, the garage, located outside of this front yard setback, satisfied this requirement. The original garage has since been converted to living space. With this request, the applicant is seeking to legalize the existing carport and intends on utilizing the existing carport for their required parking area; reducing the required parking setback from 20 feet to zero feet.

The applicant is also requesting a variance to increase the maximum lot coverage to 43% to legalize this existing carport and a front porch on the property. The proposal being presented exceeds the 35% allowable lot coverage area for the residence, with a total of 3,098 square feet. The property has been developed over its maximum potential.

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 owner is proposing a zero front-yard building setback for the purpose of allowing a slightly modified version of their existing carport to remain. A majority of homes in the neighborhood have a covered parking option; however, this residence was constructed without a garage and set up against the 20’ front building setback line.”

Staff Analysis: There is no special circumstance or condition that applies to the property that

does not apply to most other properties in this district. After researching the property, staff was unable to identify a special circumstance that relates to the size, shape nor layout of the property which satisfies the need to recommend approval for this variance request.

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 home was not platted or constructed by the current homeowner. This carport was a family project that was unknowingly constructed in the building setback and was intended to remain outside of the Right-of-Way to provide vital shade during the hot Arizona summer. Should this variance be granted the carport will be modified to be shorter in length in order to not be in the public Right-of-Way.”*

Staff Analysis: According to staff’s analysis, the special circumstance is being created by the property owner. The property owner is seeking to reduce the front yard setback to legalize an existing carport and a front porch that was constructed by the current owner without proper building permits and setbacks. The site plan provided by the agent did not include the existing gazebo and shed also on the property. Totaling over the 35% of the lot coverage area, it is currently at 43% with the footprint of all structures.

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: *“A majority of homes in the neighborhood have a covered parking option in front of their homes; however, this residence was constructed without a garage and set up against the 20’ front building setback line. While the structure is in the building setback and currently exhibits a de minimis encroachment which will be rectified, this parcel is part of a legacy residential neighborhood. Based on the picture below, it is clear that the structure is set several feet back from the pedestrian sidewalk along a street that is unlikely to be widened.”*

Staff Analysis: While other property owners in the vicinity have attached carports or garages, the original design of this property included a garage; this garage was later converted into living space. In conclusion, 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 applicant, an alternative solution does present itself in the form of parking, accessed from the adjacent alleyway.

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 would not be materially detrimental to any person(s) residing, or working in the vicinity, to adjacent property, to the neighborhood or to the public health, safety and general welfare.”

Staff Analysis: The granting of this variance will lead to some detrimental effects on the neighbors and general public traveling near this property without the required clear vision of traffic. Since the 1952 creation of this subdivision, several property owners have converted there parking requirements to living spaces which increases the potential for visual impediments along Solana Drive.

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

Public Comments Received:

Name:	Jasmine D			Contact Information:	jasmontano@yahoo.com					
Method of Contact:	Phone		FAX		Email	X	Letter		Other	
<p>Hello, I am a neighbor of 905 W Solana Dr, and I am writing this email to express my opinion about our neighbor, and I believe he should be able to keep his Shade structure. It is on his property line and it is not bothering anyone. It is not Ugly or falling apart and is already built.</p> <p>Thank you Jasmine D 902 W Solana Dr.</p>										

External Agency Comments: See Attachment C

Neighborhood Meeting Comments: See Attachment D

Proposed conditions delivered to applicant on: August 16, 2023

Final staff report delivered to applicant on: August 30, 2023

- Applicant agreed with all of the conditions of approval on: August 18, 2023
- Applicant did not agree with the following conditions of approval: (list #'s)
- (If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.)

Attachments

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

Prepared By: *Zenia Fiveash*

Zenia Fiveash
Assistant Planner

Zenia.Fiveash@yumaaz.gov

Date: **August 30, 2023**

(928)373-5000, x3040

Approved By: *Jennifer L. Albers*

Jennifer L. Albers
Assistant Director of Planning

Date: **8/30/23**

**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, Director (928) 373-5000, x 3037:

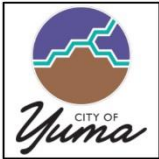
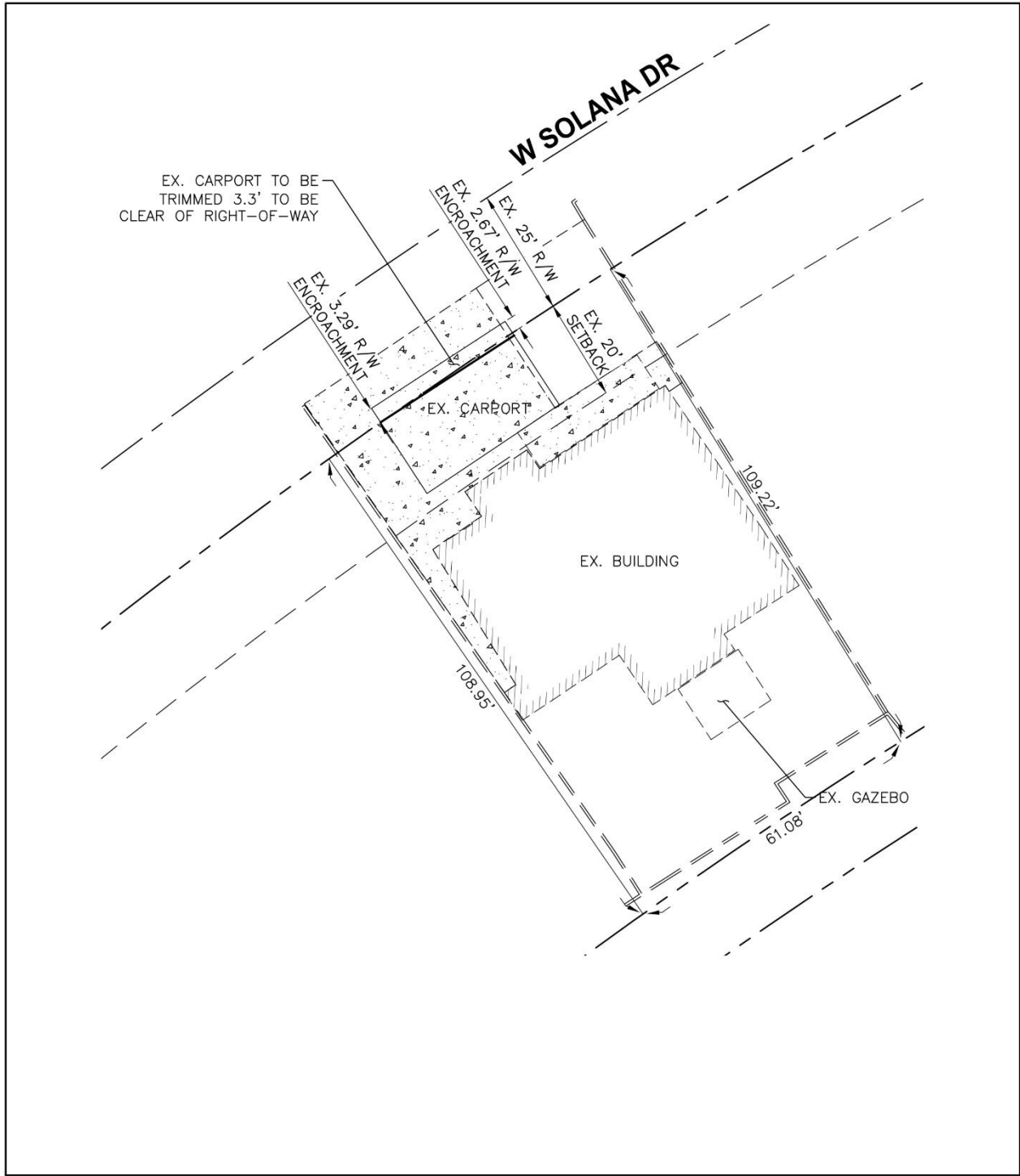
1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action shall constitute a waiver of any claims for diminution in value pursuant to A.R.S. § 12-1134.

Community Planning: Zenia Fiveash, Assistant Planner, (928) 373-5000 x3040

3. 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.
4. In any case where a Variance has not been used within one year after the granting thereof, it shall be null and void.
5. 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**



Prepared by:
DG
Date:
7/28/2023

VAR-41649-2023
Site Plan

Plan/Case:
41649



**ATTACHMENT C
AGENCY NOTIFICATIONS**

- Legal Ad Published: The Sun (08/21/23)
- 300' Vicinity Mailing: (08/10/23)
- Site Posted on: (08/15/23)
- 34 Commenting/Reviewing Agencies Noticed: (08/15/23)
- Neighborhood Meeting Date: (08/22/23)
- Hearing Date: (09/14/23)
- Comments Due: (08/28/23)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	8/15/23		X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	8/15/23		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.	NR				
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	8/16/23		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	8/16/23		X		
Building Safety	8/15/23				X
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	8/22/23		X		
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT D
AGENCY COMMENTS**

Condition(s)

No Condition(s)

Comment

Enter conditions here: Comment only. Subject to approval of the variance, design and permitting will be required for the carport shade structure.

DATE: 8-15-2023 NAME: Alan Kircher TITLE: Building safety Manager
CITY DEPT: Building Safety
PHONE: 928-373-5169
RETURN TO: Zenia Fiveash
ZeniasFiveash@YumaAZ.gov

ATTACHMENT E
NEIGHBORHOOD MEETING COMMENTS

Attendees:

Neighbor: Audencio Molina, Alejandro Garcia, Minerva Sarabia, Benjamin Castro, Davani Romero, & Hector Garcia

Applicant: Jon Klein, Elvira Hidalgo & Arturo Avalos

Staff: Zenia Fiveash

Summary of Attendee(s') Comments Related to the Project:

- Elvira Hidalgo – She just wants to keep her carport.
- Audencio Molina – No opposition to the applicant's request
- Alejandro Garcia – No opposition to the applicant's request
- Minerva Sarabia– No opposition to the applicant's request
- Benjamin Castro– No opposition to the applicant's request
- Davani Romero– No opposition to the applicant's request
- Hector Garcia– No opposition to the applicant's request

**ATTACHMENT F
SITE PHOTOS**



ATTACHMENT G
NEIGHBOR NOTIFICATION LIST

Property Owner	Mailing Address	City/State/Zip Code		
AVALOS ELVIRA HIDALGO	7639 N 46TH CIR	GLENDAL	AZ	85301
BAUMGARNER JENNIFER & TIMOTHY S	2961 S ELM ST	YUMA	AZ	85364
CASTRO AURELIO JR	2971 S ELM ST	YUMA	AZ	85364
CASTRO SERGIO & VERONICA JT	904 W SOLANA DR	YUMA	AZ	85364
CAZARES ADELELMO R & YOLANDA L JT	908 W PALMCROFT DR	YUMA	AZ	85364
DAMMEYER FRED A III	2846 S FERN DR	YUMA	AZ	85364
DORSEY RANDALL W	2949 S IVY LN	YUMA	AZ	85364
GARCIA ALEJANDRO F	932 W SOLANA DR	YUMA	AZ	85364
GARCIA HECTOR R & NORA MONGE	907 W SOLANA DR	YUMA	AZ	85364
GARCIA PEDRO L & NESLY	900 W PALMCROFT DR	YUMA	AZ	85364
GORDON PHYLLIS LOUISE	13133 E 45TH LN	YUMA	AZ	85364
HAYES RILDA M	2809 S FERN DR	YUMA	AZ	85364
HERNANDEZ DANIEL J & ELIZABETH	900 W SOLANA DR	YUMA	AZ	85364
HERNANDEZ SUSAN ELAINE	1001 W SOLANA DR	YUMA	AZ	85364
LIMKE DREW ALLEN	2878 S VISTA LN	YUMA	AZ	85364
LIPUSZ KURT JOSEPH &	2875 S VISTA LN	YUMA	AZ	85364
LOPEZ SILVESTRE B & ANA MA JT	1012 W SOLANA DR	YUMA	AZ	85364
MADRIGAL MELANIE M	2962 S ELM ST	YUMA	AZ	85364
MENDEZ BRENDA	PO BOX 5874	YUMA	AZ	85366
MOLINA ALEX P	901 W SOLANA DR	YUMA	AZ	85364
MOLINA AUDENCIO G	903 W SOLANO DR	YUMA	AZ	85364
MORNINGSIDE BAPTIST CHURCH	2900 S 8TH AVE	YUMA	AZ	85364
NAVARRO JOHN CHRISTOPHER & MARIA CHRISTINA	2939 S IVY LN	YUMA	AZ	85364
PADILLA ANA P	942 W SOLANA DR	YUMA	AZ	85364
PONDER DENIS & HANNAH	2888 S VISTA LN	YUMA	AZ	85364
PRECIADO JUAN M	PO BOX 1171	YUMA	AZ	85366
RIVERA EDUARDO	2952 S ELM ST	YUMA	AZ	85364
ROMERO CHRISTIAN	902 W SOLANA DR	YUMA	AZ	85364
SANDOVAL CLEMENTE LUGO	1002 W SOLANA DR	YUMA	AZ	85364
SWEENEY JOHN D & HEATHER M JT	912 W PALMCROFT DR	YUMA	AZ	85364
TREVINO MARY Z	2972 S ELM ST	YUMA	AZ	85364
WILHELM TRUST 11-24-2021	2951 S ELM ST	YUMA	AZ	85364
YUMA ELEMENTARY SCHOOL DISTRICT #1	450 W 6TH ST	YUMA	AZ	85364

**ATTACHMENT H
NEIGHBOR MAILING**

This is a request by Core Engineering, on behalf of Elvira Hidalgo-Avalos, for a variance to reduce the front yard setback from 20 feet to zero feet to allow the required parking to be located within the front yard setback and for the increase in lot coverage from 35% to 43% in the Low Density Residential (R-1-6) District. The property is located at 905 W. Solana Drive, Yuma, AZ.

**MEETING DATE,
TIME & LOCATION**
FOR CASE #
VAR-41649-2023

NEIGHBORHOOD MEETING
8/22/2023 @ 5:00PM
ON-SITE

PUBLIC HEARING
9/14/2023 @ 9:30AM
City of Yuma Council Chambers
One City Plaza, Yuma, AZ



Because you are a neighbor within 300' of 905 W. Solana Dr., 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 Zenia Fiveash by phone at (928)373-5000 ext. 3040 or by email at Zenia.Fiveash@YumaAz.gov

**ATTACHMENT I
AERIAL PHOTO**



**ATTACHMENT J
NEIGHBORING PROPERTY PHOTOS**

1041 W. Solana Drive



2961 S. Elm Street



810 W. 28th Street

