



NOTICE OF PUBLIC MEETING AND EXECUTIVE SESSION
PINAL COUNTY BOARD OF ADJUSTMENTS AND APPEALS
SUMMARY OF AGENDA FOR MEETING
Thursday, September 28, 2023

9:30 AM - CALL TO ORDER

PINAL COUNTY ADMINISTRATIVE COMPLEX
BOARD OF SUPERVISORS HEARING ROOM
135 N. PINAL STREET
FLORENCE, AZ 85132

Action means discussion, approval, disapproval on the following Planning Cases. (Numbers are shown for administrative convenience only. All interested persons should be aware that the cases may be heard in an order different than that shown on the agenda).

A work session is not a public hearing. For matters that are not listed as "public hearings" the public may attend and listen to the proceedings, but may only address the Board with its permission. Some members may participate telephonically.

(1) **CALL TO ORDER AND ROLL CALL OF BOARD MEMBERS:**

- () **KENNEDY, Chairman**
- () **MARSH, Vice Chairman**
- () **BEGEMAN, Member**
- () **MAULLER, Member**
- () **SANCHEZ, Member**

(2) **PLANNING MANAGER REPORT**

A. **PLANNING MANAGER UPDATE**

(3) **NEW CASES**

- A. **BA-012-23 – PUBLIC HEARING/ACTION:** Iplan Consulting Corporation – Greg Davis (applicant/agent), on behalf of landowner – GMC Associates LTD, requesting a reduction in the off street parking requirements of Section 2.140.020; to decrease the parking space requirement from forty-two (42) to seven (7), and Section 2.140.050 to decrease in the minimum loading space requirement from four (4) to one (1), as indicated on the site plan submitted for the proposed Ironwood Self-Storage facility extension, on a 2.16± acre parcel in the C-3 General Commercial Zoning District, situated in Section 17, Township 02S, Range 08E of the Gila and Salt River Meridian, Tax Parcel 104-24-003U: located south-east area of E Pima Road and N Ironwood Drive, in San Tan Valley, AZ.

Val Lujan/Brent Billingsley

- B. **BA-026-22 – PUBLIC HEARING/ACTION:** Kathy Passa, landowner/applicant,

requesting a variance to **Sections 2.40.020 & 2.40.030** of the Pinal County Development Services Code, to allow a home extension, a minimum lot size reduction from 1.25 acres (54,450 sq. ft.) to 0.183 acres (~8,000 sq. ft.), and applicable development standards on parcel 509-35-287A (legal on file) in the General Rural zone (GR) Zone, situated in Section 20, Township 05 South, Range 06 East Gila & Salt River Baseline & Meridian, located west of north Hualapai Dr and north of west Hopi Dr in the unincorporated area near Casa Grande.

LaRee Mason/Brent Billingsley

- C. **BA-031-23 – PUBLIC HEARING/ACTION:** Lawrence Kwiatkowski, landowner/applicant, requesting a variance to Section 2.30.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 87,120 square feet (2 acres) to 43,560 square feet (1 acre) and applicable development standards, to allow the construction of an accessory building on a 1 acre parcel in the Suburban Homestead Zoning District (SH), Lot 203 of Mesa Del Oro Estates Unit III, located in unincorporated Gold Canyon, Arizona, South of E. Sleepy Hollow Trail and West of S. Tum Tum Court in Section 09, Township 1 South, Range 9 East, of Pinal County. Tax Parcel 104-60-1510.
Val Lujan/Brent Billingsley
- D. **BA-036-23 – PUBLIC HEARING/ACTION:** Darryl Malone, landowner/applicant, requesting a variance to Section 2.70.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acres) to 6,534 square feet (0.15 acres), and applicable development standards, to allow the construction of a single-residence on a 0.15 acre parcel in the CR-3 Single Residence (CR-3) Zone, Lot 3, Block 135, Casa Grande West Unit Five (5) Subdivision, located in Section 32, Township 6 South, Range 5 East of the Gila and Salt River Meridian, Pinal County, Arizona: Tax Parcel 503-74-3330 - legal on file. Located south of W. Peters Road and west of S. Pepper Tree Lane.
Val Lujan/Brent Billingsley
- E. **BA-042-23 – PUBLIC HEARING/ACTION:** Pinal County Community Development Director, applicant, requesting a “Blanket Variance” to **Sections 2.40.020 & 2.40.030** of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.459 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels **401-31-017C, 021A, 027C, 025A, 401-29-0150, 0230, 0440, 0460, 0430, 045A, 0040** (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.
Ryan Green/Brent Billingsley
- F. **BA-043-23 – PUBLIC HEARING/ACTION:** Pinal County Community Development Director, applicant, requesting a “Blanket Variance” to **Sections 2.40.020 & 2.40.030** of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 7,000 sq. ft. (~0.16 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels **401-31-0550, 401-29-0970, 0960, 0950, 0940, 0930, 0920, 0910, 0900, 0860, 0780, 0750, 0730, 0720, 0710, 069E, 069D, 069B, 0770, 0760, 0740, 0240, 0210, 0180, 0250, 0600** (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.
Ryan Green/Brent Billingsley

Support documents for the above-listed matters are available at the Pinal County Community Development Office for the public inspection at least 48 hours prior to the meeting at the Pinal County Community Development Department, Pinal County Complex, 85 N. Florence Street, Florence, Arizona, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

NOTE: One or more members of the Board may participate in this meeting by telephonic conference call.

The Board may go into Executive Session for the purpose of obtaining legal advice from the County's Attorney(s) on any of the above agenda items pursuant to A.R.S. 38-431.03(A)(3).

In accordance with the requirement of Title II of the Americans with Disabilities Act (ADA), the Pinal County Board of Adjustment and Appeals does not discriminate against qualified individuals with disabilities admission to public meetings. If you need accommodation for a meeting, please contact the Community Development Department at (520) 866-6442, at least (5) five business days prior to the meeting (not including weekends or holidays) so that your request may be accommodated.

Posted this 22th day of September around 3 pm /s/ Todd Williams



AGENDA ITEM

September 28, 2023 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

BA-012-23 – PUBLIC HEARING/ACTION: Iplan Consulting Corporation – Greg Davis (applicant/agent), on behalf of landowner – GMC Associates LTD, requesting a reduction in the off street parking requirements of Section 2.140.020; to decrease the parking space requirement from forty-two (42) to seven (7), and Section 2.140.050 to decrease in the minimum loading space requirement from four (4) to one (1), as indicated on the site plan submitted for the proposed Ironwood Self-Storage facility extension, on a 2.16± acre parcel in the C-3 General Commercial Zoning District, situated in Section 17, Township 02S, Range 08E of the Gila and Salt River Meridian, Tax Parcel 104-24-003U: located south-east area of E Pima Road and N Ironwood Drive, in San Tan Valley, AZ.

Val Lujan/Brent Billingsley

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

History		
Time	Who	Approval

ATTACHMENTS:

Click to download

☐ [STAFF REPORT PACKET](#)

TO: PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

MEETING DATE: September 28, 2023

CASE NUMBER: BA-012-23

CASE COORDINATOR: Valerie Ann Lujan

Executive Summary:

This variance request is to reduce the required amount of parking spaces and loading zones from 47 spaces and 4 loading zones to 7 spaces and 1 loading zone.

If This Request is approved:

This parking reduction will allow an extension to the established Ironwood Self Storage facility as proposed on the parcel in the C-3 General Commercial Zoning District (C-3).

Staff Recommendation/Issues for Consideration/Concern:

Staff offers a recommendation of approval with stipulations.

BA-012-23: PUBLIC HEARING/ACTION: Iplan Consulting Corporation – Greg Davis (applicant/agent), on behalf of landowner – GMC Associates LTD, requesting a reduction in the off street parking requirements of Section 2.140.020; to decrease the parking space requirement from forty-two (42) to seven (7), and Section 2.140.050 to decrease in the minimum loading space requirement from four (4) to one (1), as indicated on the site plan submitted for the proposed Ironwood Self-Storage facility extension, on a 2.16± acre parcel in the C-3 General Commercial Zoning District, situated in Section 17, Township 02S, Range 08E of the Gila and Salt River Meridian, Tax Parcel 104-24-003U: located south-east area of E Pima Road and N Ironwood Drive, in San Tan Valley, AZ.

LEGAL DESCRIPTION: LOT 2 of Survey for MLD for APN:104-24-003N

TAX PARCELS: 104-24-003U

LANDOWNER/APPLICANT: GMC Associates LTD (landowner)
Greg Davis of Iplan Consulting (agent/applicant)

REQUESTED ACTION AND PURPOSE: Requesting a variance to **Section 2.140.020 & 2.140.050** to decrease the parking space requirement from forty-two (42) to seven (7), and decrease the minimum

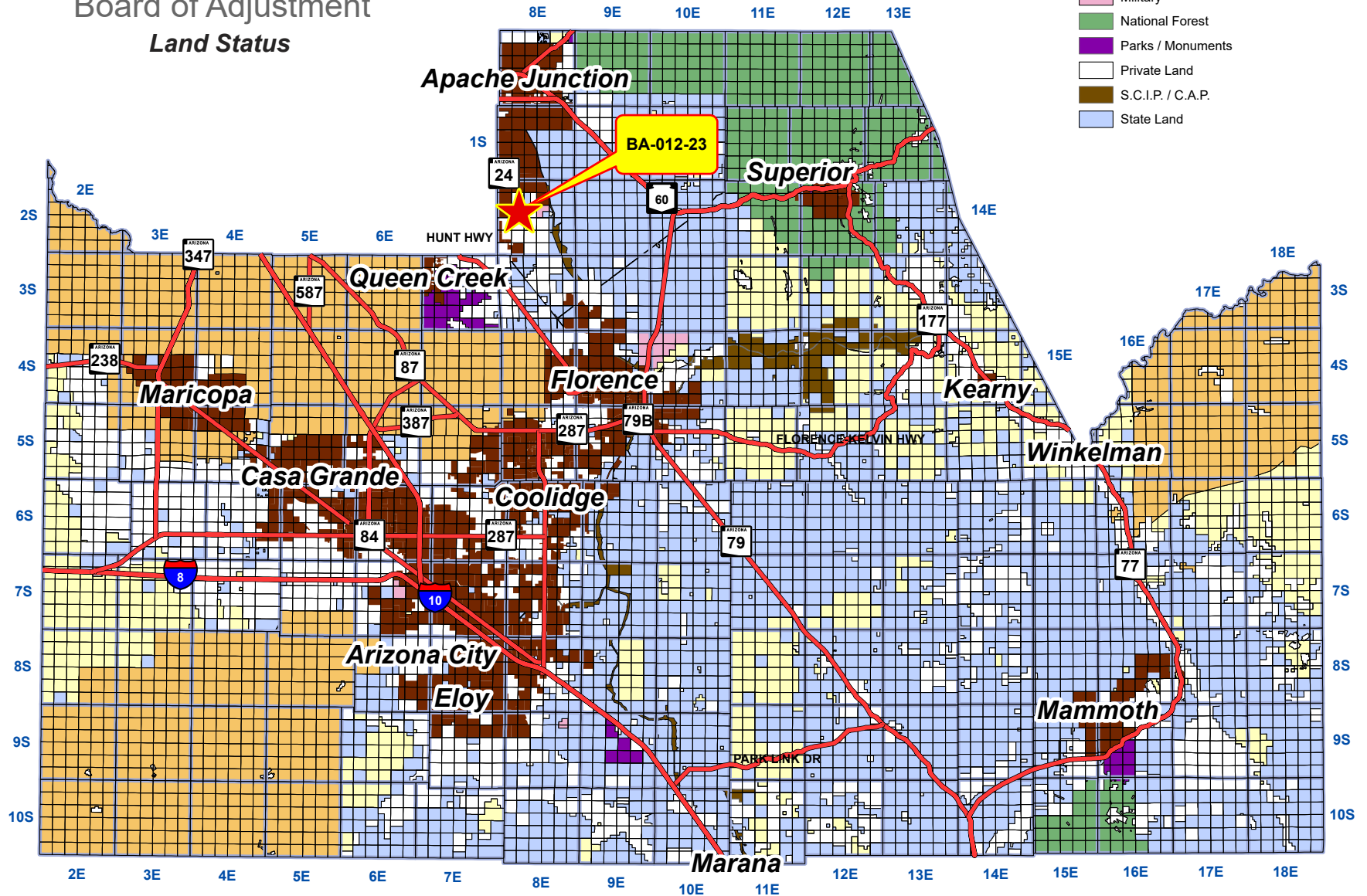


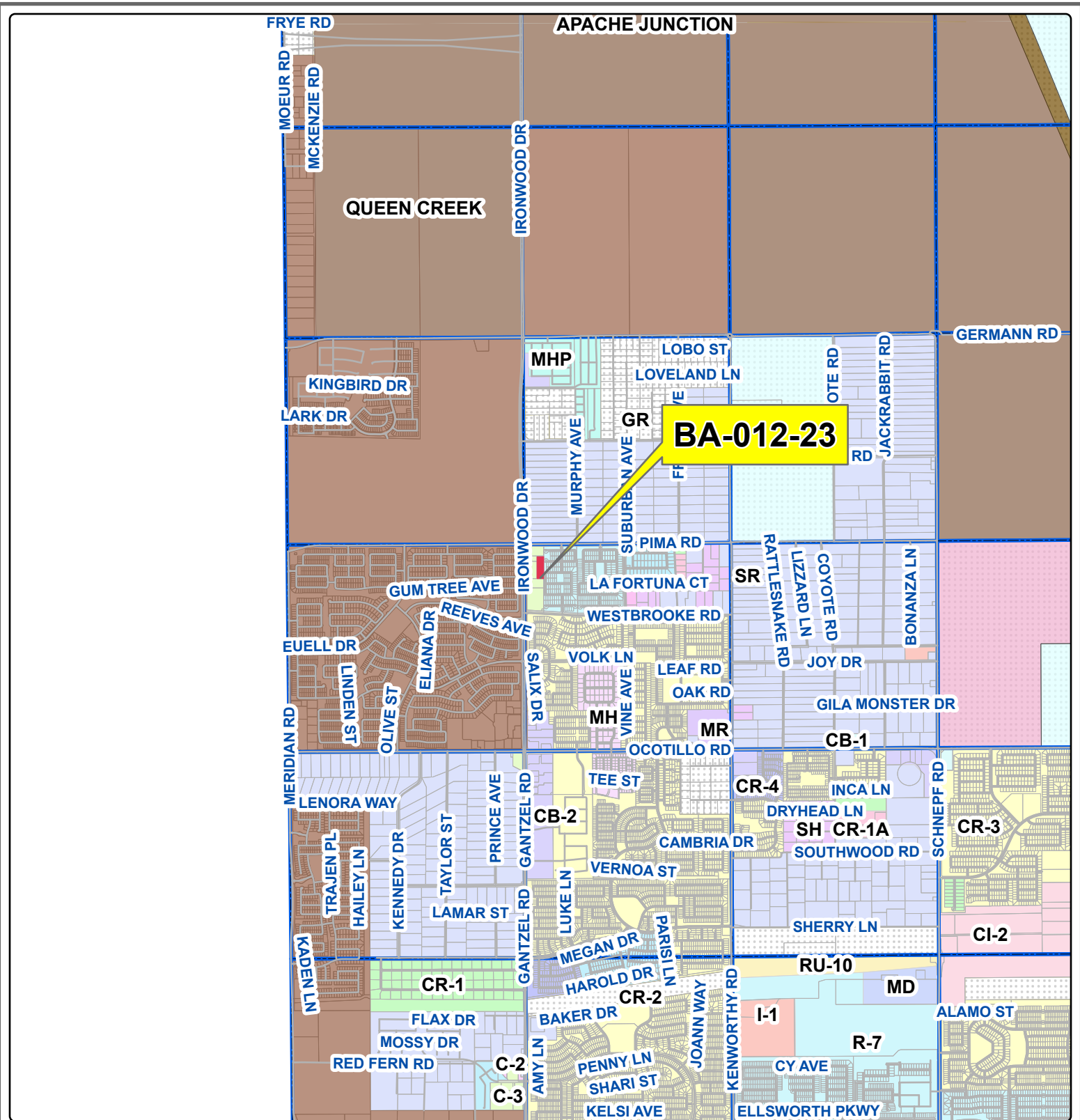
PINAL COUNTY
WIDE OPEN OPPORTUNITY

Board of Adjustment Land Status

Legend

- B.L.M.
- Indian Community
- Military
- National Forest
- Parks / Monuments
- Private Land
- S.C.I.P. / C.A.P.
- State Land





Board of Adjustment Community Development



PINAL COUNTY
WIDE OPEN OPPORTUNITY

Legal Description:

Situated in Section 17, Township 02S, Range 08E of the Gila and Salt River Meridian, Tax Parcel 104-24-003U: located south-east area of E Pima Road and N Ironwood Drive, in San Tan Valley, AZ.

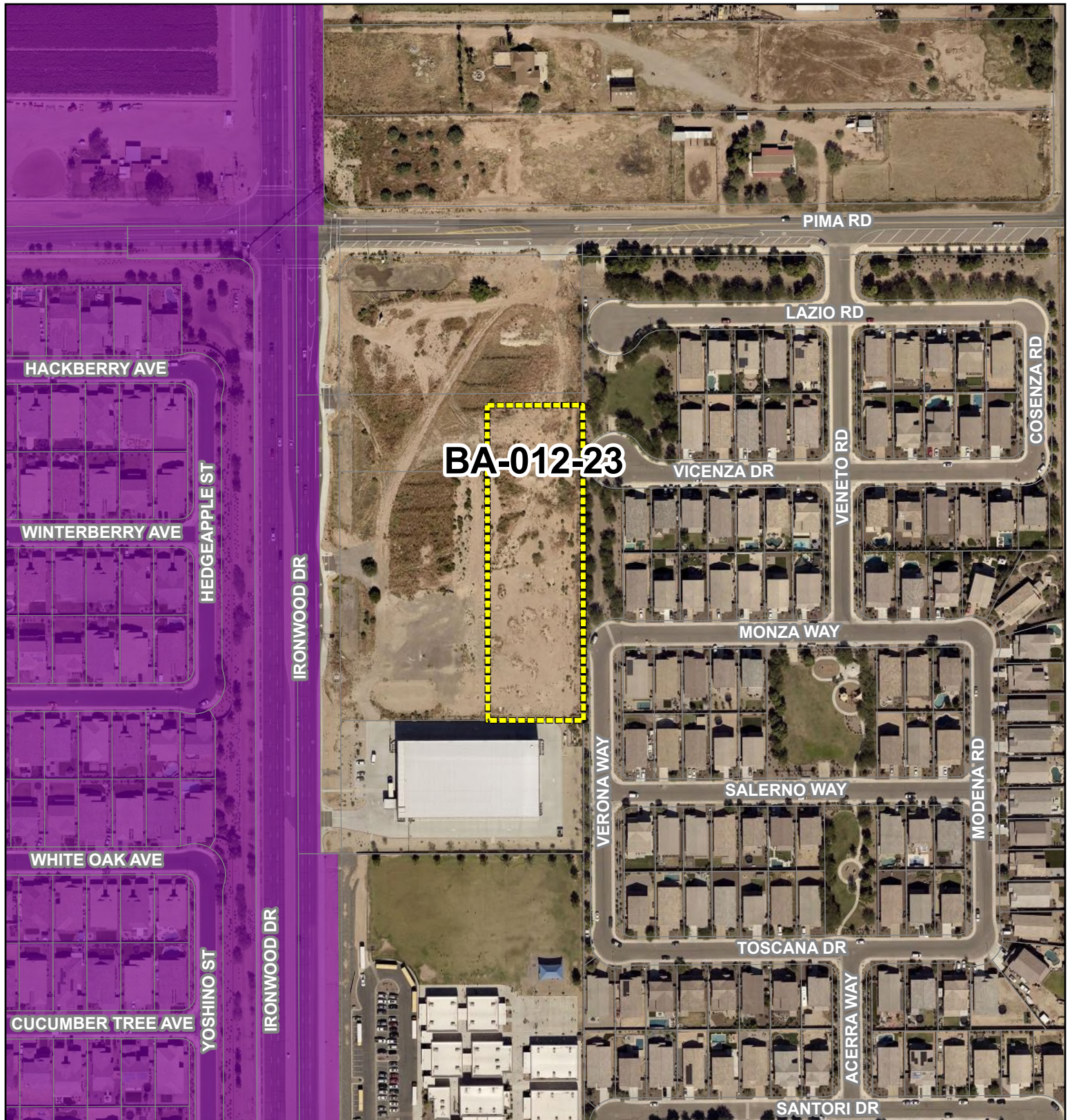
Page 7
SEC 17, T2N 02S, R8E 068E



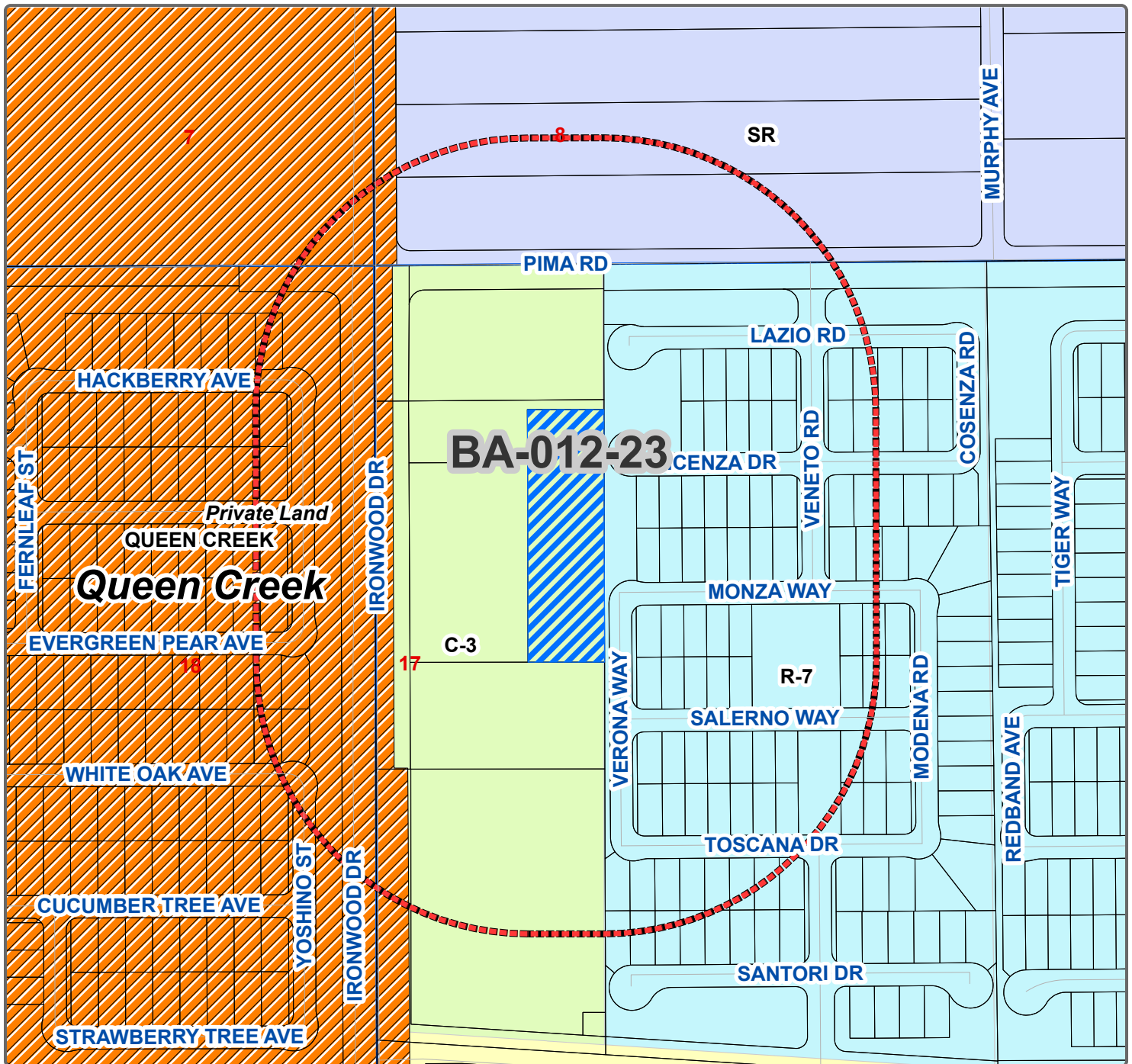
Sheet No.

1 of 1

Owner/Applicant: GMC ASSOCIATES LTD		
Drawn By: GIS / IT / RWH	Date: 08/29/2023	
Section 17	Township 02S	Range 08E
Case Number: BA-017-23		



Board of Adjustment



Board of Adjustment

BA-012-23 – PUBLIC HEARING/ACTION: Iplan Consulting Corporation – Greg Davis (applicant/agent), on behalf of landowner – GMC Associates LTD, requesting a reduction in the off street parking requirements of Section 2.140.020; to decrease the parking space requirement from forty-two (42) to seven (7), and Section 2.140.050 to decrease in the minimum loading space requirement from four (4) to one (1), as indicated on the site plan submitted for the proposed Ironwood Self-Storage facility extension, on a 2.16± acre parcel in the C-3 General Commercial Zoning District, situated in Section 17, Township 02S, Range 08E of the Gila and Salt River Meridian, Tax Parcel 104-24-003U: located south-east area of E Pima Road and N Ironwood Drive, in San Tan Valley, AZ.

Current Zoning: C-3

Requested Zoning: Board of Adjustment

Current Land Use: STV SAP



PINAL COUNTY
WIDE OPEN OPPORTUNITY

Legal Description:

Situated in Section 17, Township 02S, Range 08E of the Gila and Salt River Meridian, Tax Parcel 104-24-003U: located south-east area of E Pima Road and N Ironwood Drive, in San Tan Valley, AZ.

SEC 17, TWN 02S, RNG 08E



Owner/Applicant:

GMC ASSOCIATES LTD

Drawn By:

GIS / IT / RW

Date:

08/29/2023

Sheet No.
1 of 1

Section

17

Township

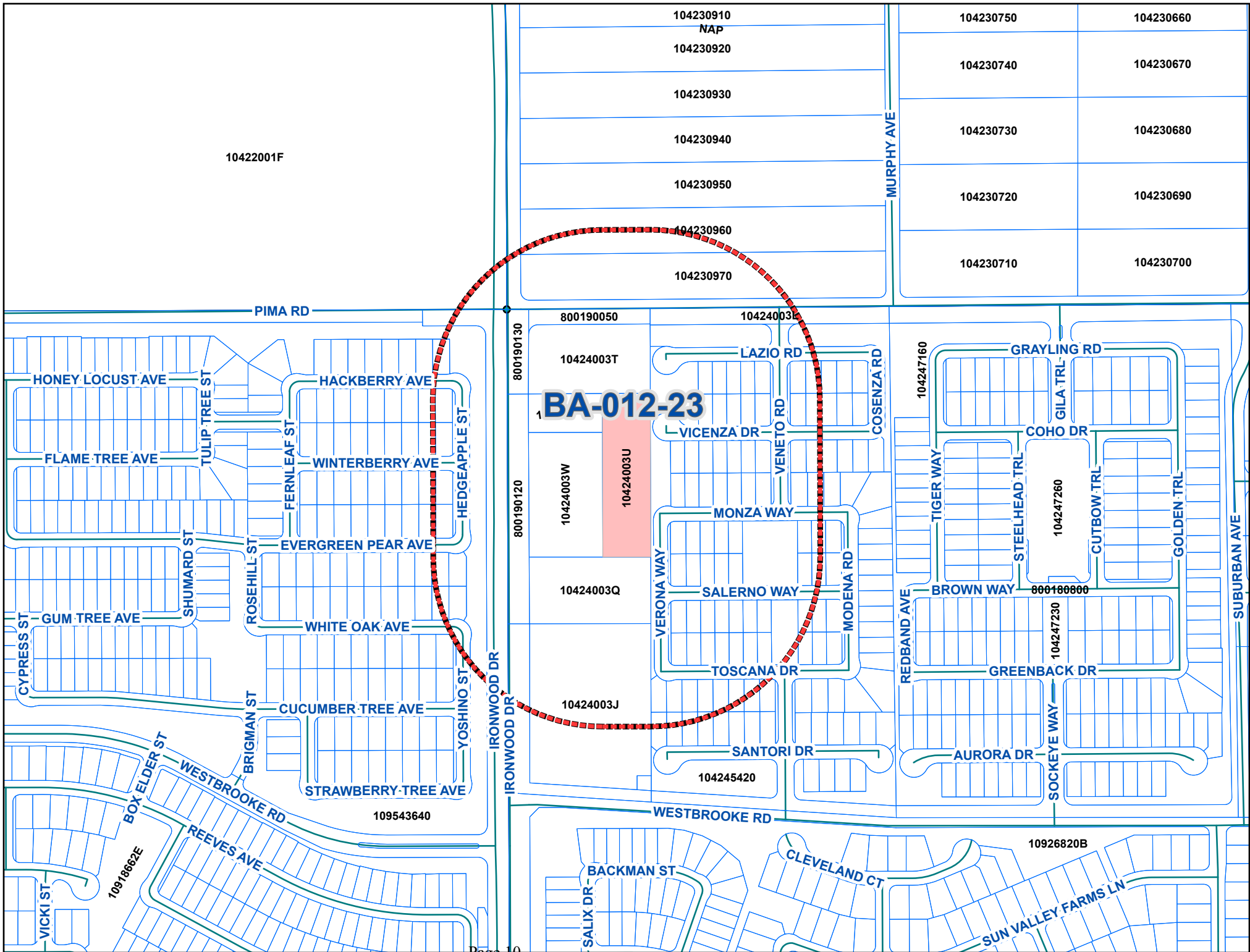
02S

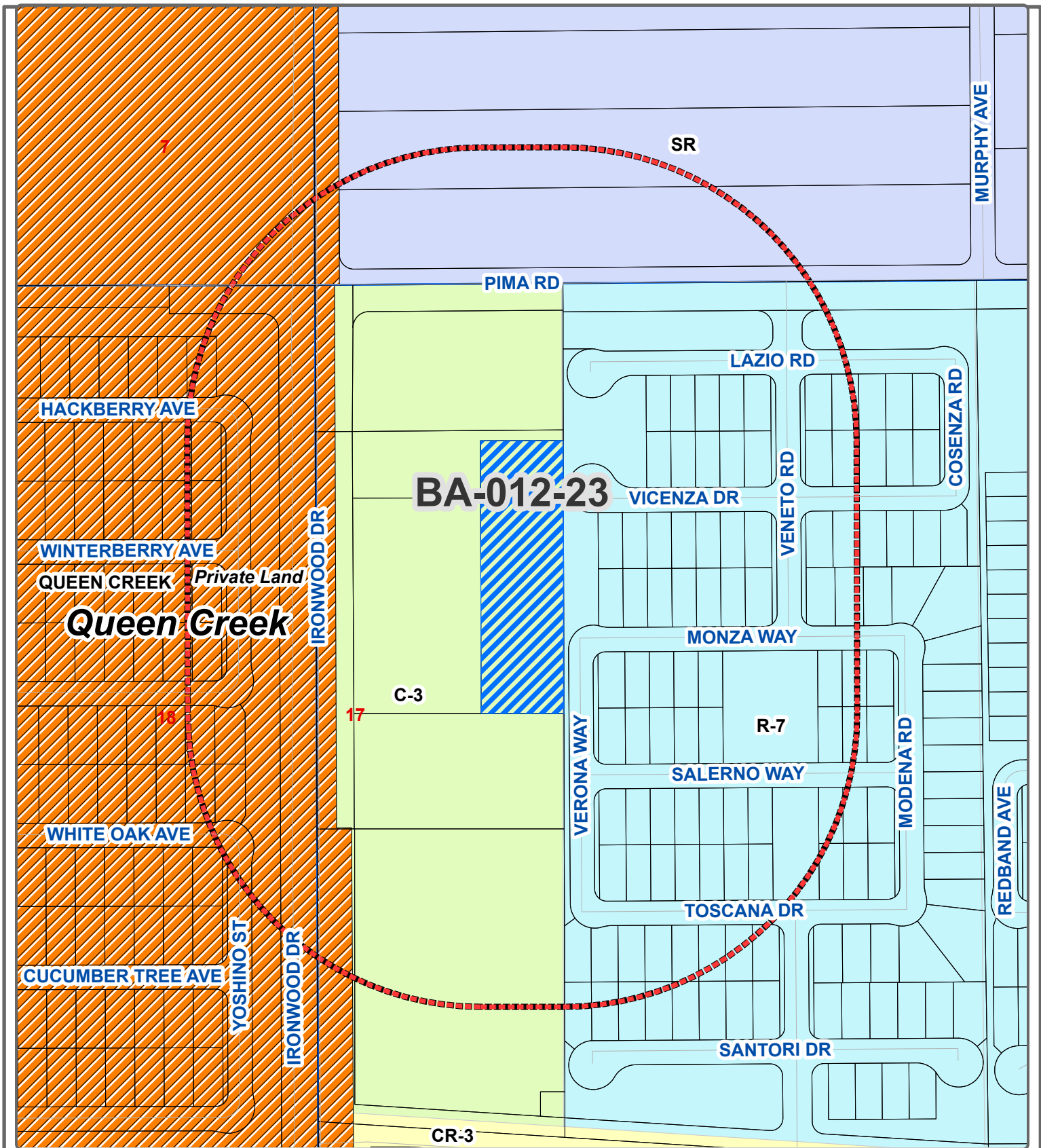
Range

08E



Case Number:

BA-012-23





Board of Adjustment

Owner/Applicant: GMC Associates LTD			Legal Description: Sited in Section 17, Township 02S, Range 08E of the Gila and Salt River Meridian, Tax Parcel 104-24-003U: located south-east area of E Pima Road and N Ironwood Drive, in San Tan Valley, AZ.	 Sheet No. 1 of 1	 PINAL COUNTY WIDE OPEN OPPORTUNITY	Current Zoning: C-3 Request Zoning: Board of Adjustment Current Land Use: STV SAP
GIS/IT - RWH		08/29/2023				
Section 17	Township 02S	Range 08E				
BA-012-23			SEC 17, TWN 02S, RNG 08E			

BA-012-23

loading space from four (4) to one (1) on a 2.16± acre parcel in the C-3 General Commercial Zoning District.

LOCATION: The subject property is located in the south-east area of E. Pima Road and N. Ironwood Drive in San Tan Valley, AZ.

SIZE: 2.16± acre

EXISTING ZONING AND LAND USE: C-3 General Commercial Zoning District / San Tan Valley Special Area Plan

SURROUNDING ZONING AND LAND USE:

North: C-3 General Commercial Zoning District / VACANT

South: C-3 General Commercial Zoning District / Existing Storage Facility

East: R-7 Single Residence Zoning District / Residences

West: Town of Queen Creek jurisdiction / Residences

HISTORY: County records indicates the earliest zoning associated with the subject site is that of General Rural (GR), which is considered the County's base zoning. In 1999, the subject area went through a successful Rezone associated with Case PZ-009-99 that converted the zoning to CB-1 Local Business Zoning District. The subject site had another favorable determination of rezoning through Case PZ-002-17 that resulted in the current zoning designation of C-3 General Commercial Zoning District. The subject site in context of its subject area has undergone a few iterations of splits through the Minor Land Division (MLD) process. Staff notes the most recent MLD (MLD-20-0237) is reflective of the true nature of the site, as it currently exists. The parcel immediately South is associated with the subject in that it serves as the first Phase of the development and functions as a self-storage facility. The subject site will serve as an extension to that, which is currently awaiting on Site Plan Review predicated on approval of this Variance.

ANALYSIS: The use of the subject property proves to be consistent with the current zoning. For the reasons described further in this report, Staff entertains the Variance request to afford the Property Owner optimal use of the property. Staff does not identify any negative impacts that would be imposed shall this Variance be granted.

To date, no comments have been received.

Staff's public participation and notification of the cases include:

Newspaper publish date: 8/28/2023

Mail-outs: 8/30/2023

Site Posting: 9/04/2023

Website: 8/31/2023

THE APPLICANT MUST SATISFY THE BOARD OF ADJUSTMENT AND APPEALS THAT THIS REQUEST MEETS THE NECESSARY CRITERIA TO QUALIFY FOR A VARIANCE AS STATED IN SECTION 2.155.050.C

EVIDENCE REQUIRED FOR VARIANCE:

- a. There are special circumstances or conditions applicable to the property which is the subject of the variance which do not prevail on other property in that zoning district.
- b. The special circumstances or conditions referred to in (a) are not self-imposed by the property owners within the subject area.
- c. The strict application of the regulations would work an unnecessary nonfinancial hardship.
- d. The granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights.
- e. The granting of such variance will not materially affect the health or safety of persons residing or working within the subject area and adjacent properties and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.
- f. The variance does not allow a use that is not permitted in the zone district where the property is located.

FINDINGS: Under Section 2.155.030.E of the Pinal County Development Service Code (Zoning Ordinance), the Board of Adjustment and Appeals shall hear and consider all evidence relating to the request and make findings as to the conformity of the request to the above Section.

THE BOARD OF ADJUSTMENT AND APPEALS shall consider the following criteria in conditionally approving or denying a variance.

- a. There are special circumstances or conditions applicable to the property which is the subject of the variance which do not prevail on other property in that zoning district.

ANALYSIS: The special circumstances for this site exists in its size in relation to the required parking minimum and the specific use. As a low traffic, self-storage facility does not necessitate the need for the excess parking requirements imposed by County Code.

FINDING: There do not appear to be special circumstances/conditions applicable to the property which do not prevail on other property in that zoning district.

- b. That the special circumstances or conditions referred to in subsection (a) of this section are not self-imposed by the property owners within the subject area.

ANALYSIS: Staff does not view the request to be self-imposed as the provided standards are requirements set by County Code, which do not align with the circumstances of the subject site. The applicant has the option to either incorporate parking per code to its fullest extent or request a reduction in requirements.

FINDING: The special circumstances referred to in (b) are not self-imposed.

- c. That the strict application of the regulations would work an unnecessary nonfinancial hardship.

ANALYSIS: Section 2.140.020 of County Code does not explicitly state self-storage facilities to account for parking requirements. Instead, Staff defaults to the most similar description, which is *storage of goods*. To that, the applicant would be required to provide one parking space per 1000 square feet, and a minimum loading space of one per 10,000 square feet; 42 spaces

and four loading zones would be required. Self-storage facilities are not exactly similar to that designation and therefore a Variance is sought so that standards may be imposed that give greater consideration to the true nature of the project. A comparative study conducted for parking of similar facilities for other jurisdictions is shown below:

PARKING:

Counties

Pinal: 1 parking /1,000 sq ft or 1/ 3 employees in largest working shift

Maricopa: Does not address Self-Storage, 1 parking/900 sq ft (Warehouse),

Pima: 1 parking/ 2000 sq ft

Cities

Queen Creek: Does not address Self-Storage, 1 parking/350 sq ft of gross floor area

Mesa: 4 parking/ + 2 for Manager's quarters

Gilbert: 8 parking + 2 per dwelling unit

Tempe: 1 parking/5000 sq ft

Phoenix: 1 parking/35 storage units

Above information with analysis shows that most jurisdictions, parking is less as compared to what Pinal County enforces. Requiring the applicant to meet County standards would result in the Applicant forfeiting the ability to maximize the use of the property, causing an unnecessary non-financial hardship.

FINDING: Staff finds that the strict application of the regulations would work an unnecessary nonfinancial hardship.

- d. The granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights.

ANALYSIS: Requiring the applicant to meet County standards would not only cause a financial hardship but would result in the loss of substantial property rights since the applicant would not be able to enjoy the site to its fullest potential.

FINDING: Staff finds that granting the variance is necessary for the preservation and enjoyment of substantial existing property rights of the landowner.

- e. The granting of such variance will not materially affect the health or safety of persons residing or working within the subject area and adjacent properties and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

ANALYSIS: Staff considered various aspects of the provided Site plan including the flow of traffic, anticipated usage, and points of ingress and egress. Staff does not identify that allowing this Variance to reduce parking requirements would result in a detrimental impact to the sites inhabitants, nor adversely affecting the immediate surroundings or broader public. The Variance strictly addresses the number of parking and loading zones. The project will still need to obtain

an approved Site Plan Review, which will further review any additional safety implications to which the applicant will need to mitigate shall such issues arise.

FINDING: The granting of this variance will not affect the health or safety of persons inhabiting or working within the subject area and adjacent properties, and will not be materially detrimental to the public safety & welfare.

- f. The variance does not allow a use that is not permitted in the zone district where the property is located.

ANALYSIS: In § 2.325.020 (X) this use is explicitly listed as a permitted use in the C-3 General Commercial Zoning District.

FINDING: Granting of the variance will not allow a use that is not permitted in the zone district where the property is located.

STAFF SUMMARY AND RECOMMENDATION: Factors considered for staff's recommendation are:

- a. Operational characteristics of storage facility: Parking does not need long periods but rather loading and unloading areas to which the drive widths provide. Nature of business does not trigger increased demand of parking over time.
- b. Current proposal of parking proves to be rational to the context of the use and is not identified to have harmful impacts.

All submittals, evidence presented, written documentation, public testimony, and Planning Case Staff Report (BA-012-23) are considered part of the record in this variance case. If the Board of Adjustments and Appeals can find sufficient evidence based upon the record, staff recommends the Board adopt the staff report and record as presented and approve the requested variance with the following recommended motion.

BOARD MOTION

Staff Recommendation to Approve:

I move to approve case BA-012-23, a variance to Section **2.140.020 & 2.140.050** of the PCDSC, allowing a reduction in the off street parking requirements from forty-two (42) to seven (7), and to decrease the minimum loading space requirement from four (4) to one (1), as indicated on the site plan based on the particular case, the peculiar nature of the building or premises, or the exceptional situation or condition, would mitigate the need for the parking spaces specified in PCDSC.

BA-012-23, through Resolution is held to the below Stipulations:

1. All State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained, including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, etc;

2. Minimum Off- Street Parking of seven (7) spaces & one (1) Loading Zone shall be provided as indicated in the provided site plan; and
3. Any change or expansion of use will render this Variance null and void.

To Deny:

I move to deny the variance case BA-012-23, a variance to Section **2.140.020 & 2.140.050** of the PCDSC, to allow a reduction in the off street parking requirements from forty-two (42) to seven (7), and to decrease the minimum loading space requirement from four (4) to one (1), finding that the condition is neither peculiar nor exceptional to mitigate the need for parking spaces specified by the PCDSC.

DATE PREPARED: 9/22/23 –VAL

DATE REVISED: 9/22/23 -VAL

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON **SEPTEMBER 28TH, 2023** AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A **VARIANCE** FOR THE UNINCORPORATED AREA OF PINAL COUNTY

BA-012-23 – PUBLIC HEARING/ACTION: Iplan Consulting Corporation – Greg Davis (applicant/agent), on behalf of landowner – GMC Associates LTD, requesting a reduction in the off street parking requirements of **Section 2.140.020**; to decrease the parking space requirement from forty-two (42) to seven (7), and **Section 2.140.050** to decrease in the minimum loading space requirement from four (4) to one (1), as indicated on the site plan submitted for the proposed Ironwood Self-Storage facility extension, on a 2.16± acre parcel in the C-3 General Commercial Zoning District, situated in Section 17, Township 02S, Range 08E of the Gila and Salt River Meridian, Tax Parcel 104-24-003U: located south-east area of E Pima Road and N Ironwood Drive, in San Tan Valley, AZ.

Information regarding the case can be found online at:

<https://www.pinal.gov/1233/Board-of-Adjustment-Agendas>

ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AT THE HEARING AT THE TIME AND PLACE DESIGNATED ABOVE, AND SHOW CAUSE, IF ANY, WHY THIS PETITION SHOULD NOT BE GRANTED. DOCUMENTS PERTAINING TO THIS CASE CAN BE REQUESTED AND ARE AVAILABLE FOR REVIEW FROM PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT PLEASE CALL (520) 866-6442 FOR MORE INFORMATION

DATED THIS 20th DAY OF **August, 2023**

TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT **MUST** CONTAIN THE FOLLOWING INFORMATION:

- 1) Planning Case Number (see above)
- 2) Your name, address, telephone number and property tax parcel number (**Print or type**)
- 3) A brief statement of reasons for supporting or opposing the request
- 4) Whether or not you wish to appear and be heard at the hearing

WRITTEN STATEMENTS MUST BE FILED WITH:

PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
P.O. BOX 2973 (85 N. Florence Street)
FLORENCE, AZ 85132

NO LATER THAN 4:00 P.M. ON WEDNESDAY SEPTEMBER 20, 2023

Contact for this matter: Val Lujan, Planner
E-mail Address: valerie.lujan@pinalcountyaz.gov
Phone: (520) 866-6442

PUBLISHED ONCE:

The Arizona Republic

FKH SFR PROPCO I LP
1850 PARKWAY PL SE STE 900
MARIETTA, GA 30067

ARRINGTON AMBER JO
281 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

KITE JENNIE
320 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

FOCHTMAN JACQUELINE
184 E SANTORI DR
SAN TAN VALLEY, AZ 85140

IRONWOOD CROSSING HOA
8360 E VIA DE VENTURA STE L-...
SCOTTSDALE, AZ 85258

PIMA CROSSING COMMUNITY ...
MAIL RETURN
,

HUDSON PATRICIA
202 E SANTORI DR
SAN TAN VALLEY, AZ 85140

HARDEN JAMES A & MICHELLE ...
57 W WHITE OAK AVE
QUEEN CREEK, AZ 85140

BROOKS KATHY L & JEFFREY I
183 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

CORONADO JARROD D & RAC...
218 E SANTORI DR
SAN TAN VALLEY, AZ 85140

BROOKS RANDY L & KUIERA
182 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

HUMPERT PRESTON
201 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

FERNANDEZ MICHELLE & RAFA...
234 E SANTORI DR
SAN TAN VALLEY, AZ 85140

FKH SFR PROPCO G LP
1850 PARKWAY PL SE STE 900
MARIETTA, GA 30067

AH4R PROPERTIES TWO LLC
23975 PARK SORRENTO STE 30...
CALABASAS, CA 91302

POLLARD CHARLES A & CARM...
195 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

WYMAN JEFFERY & LAUREN K ...
214 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

KILE JESSICA
2101 W KIMBERLY WAY
PHOENIX, AZ 85027

LUCERO DAVID & ANGELA
213 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

AUGE ERIC & RICHELLE
230 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

SALADO WALTER A III & ORALI...
245 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

ALCANTAR DRAYSON & PAMEL...
229 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

SOSA MICHAEL & ROCIO
246 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

SOLORIO STEVEN G
261 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

HALL ROBERT W & KATHLEEN ...
245 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

VIZCARRA BELKY
260 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

KEEGAN ROBERT
275 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

WORLEY CHRISTOPHER E & IV...
263 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

MAY NOEL & ANDREA
276 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

PIMA CROSSING COMMUNITY ...
MAIL RETURN
,

CRONK SARAH
317 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

ANGLE DONALD J & KATHRYN
330 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

STUTTING DAWSON T & CROW...
317 E MONZA WAY
SAN TAN VALLEY, AZ 85140

NARANJO ISMAEL ANDREW & ...
331 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

JACOBS APRIL E & WILLIAM A
79 W EVERGREEN PEAR AVE
QUEEN CREEK, AZ 85140

ZAKI MARIAM FAMILY TRUST
333 E MONZA WAY
SAN TAN VALLEY, AZ 85140

SABORI RAYMOND D & ROBB M...
60 W WHITE OAK AVE
QUEEN CREEK, AZ 85140

HUDSON ROY S SONIA
63 W EVERGREEN PEAR AVE
QUEEN CREEK, AZ 85140

WARE MICHAEL A & JANELLE D...
92 W EVERGREEN PEAR AVE
SAN TAN VALLEY, AZ 85140

WILSON TRISTON ALLEN
48 W WHITE OAK AVE
QUEEN CREEK, AZ 85140

PIMA CROSSING COMMUNITY ...
MAIL RETURN
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EULERT JASEN R & NICOLE M
70 W EVERGREEN PEAR AVE
SAN TAN VALLEY, AZ 85140

MEDLEY STEPHEN M & JULIE A...
184 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

NUNEZ-HAGIUS MARTHA E FA...
185 E MONZA WAY
SAN TAN VALLEY, AZ 85140

SCALES ADRIENNE & BERNAR...
194 E MONZA WAY
SAN TAN VALLEY, AZ 85140

JENSEN NICKOLAS PAUL & LIN...
200 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

MARTINEZ CHARLES & SILVIA
201 E MONZA WAY
SAN TAN VALLEY, AZ 85140

STIERS ELYSE VICTORIA
210 E MONZA WAY
SAN TAN VALLEY, AZ 85140

GUTIERREZ GUSTAVO & KARE...
218 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

PICKETT TAYLOR & GRAY MAC...
2045 E BOSTON ST APT 4068
GILBERT, AZ 85295

PAYNTER DERRAL G
226 E MONZA WAY
SAN TAN VALLEY, AZ 85140

LOLLING SUMMER
232 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

ABRAHAM THOMAS J IV
233 E MONZA WAY
SAN TAN VALLEY, AZ 85140

DO ANGELINA N
242 E MONZA WAY
SAN TAN VALLEY, AZ 85140

FOX CANDY LEANN
246 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

RICHEY TYLER & SHANNON
249 E MONZA WAY
SAN TAN VALLEY, AZ 85140

MILLER SCOTT & AMY
258 E MONZA WAY
SAN TAN VALLEY, AZ 85140

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DECHRISTINA ANASTASIA & JO...
229 E VICENZA DR
SAN TAN VALLEY, AZ 85140

VILLEDA JOSE ALFREDO & LUR...
246 E VICENZA DR
SAN TAN VALLEY, AZ 85140

ROBERTS SCOTT & JENNIFER
330 E MONZA WAY
SAN TAN VALLEY, AZ 85140

NOWAK ROBERT & HARTMAN ...
245 E VICENZA DR
SAN TAN VALLEY, AZ 85140

PAGAYA SMARTRESI F1 FUND ...
1950 E GREYHOUND PASS STE ...
CARMEL, IN 46033

IRONWOOD CROSSING HOA
8360 E VIA DE VENTURA STE L-...
SCOTTSDALE, AZ 85258

BAJIT ROLAND E & ESMERALD...
259 E VICENZA DR
SAN TAN VALLEY, AZ 85140

JOHNSEN ALLEN
274 E VICENZA DR
SAN TAN VALLEY, AZ 85140

CARBONE FRANK N & SANDRA ...
85 W WINTERBERRY AVE
SAN TAN VALLEY, AZ 85140

VIEIRA CANDIDA
275 E VICENZA DR
SAN TAN VALLEY, AZ 85140

DIAZ LUIS ANGEL
826 E ROSSI CT
SAN TAN VALLEY, AZ 85140

SCHRADER JOHN W & ARLENE...
67 W WINTERBERRY AVE
SAN TAN VALLEY, AZ 85140

SANTILLANA LIZETTE & AARON...
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SAN TAN VALLEY, AZ 85140

LAY JOANN
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SAN TAN VALLEY, AZ 85140

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PIMA CROSSING COMMUNITY ...
MAIL RETURN
,

BOOKHAMER ERIC & LORYN
86 W WINTERBERRY AVE
QUEEN CREEK, AZ 85140

NALLEY MITZI
77 W HACKBERRY AVE
SAN TAN VALLEY, AZ 85140

EBEL STEPHEN
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SAN TAN VALLEY, AZ 85140

MORTENSEN JANETTE
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SAN TAN VALLEY, AZ 85140

PHILLIPS JOSHUA & NICOLE
203 E VICENZA DR
SAN TAN VALLEY, AZ 85140

HYDE ALEXANDER M & TIFFAN...
216 E VICENZA DR
SAN TAN VALLEY, AZ 85140

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ELIAS JOEL & ALEJANDRA
215 E VICENZA DR
SAN TAN VALLEY, AZ 85140

MILLIRON JACQUELINE
232 E VICENZA DR
SAN TAN VALLEY, AZ 85140

PIMA CROSSING COMMUNITY ...
MAIL RETURN
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ADDO KIANDA
217 E LAZIO RD
SAN TAN VALLEY, AZ 85140

VV MERCY LLC
PO BOX 8069
TUMACACORI, AZ 85640

GMC ASSOCIATES LTD
2042 BUSINESS CENTER DR ST...
IRVINE, CA 92612

PARHAM SHARON & RICHARD
231 E LAZIO RD
SAN TAN VALLEY, AZ 85140

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MAIL RETURN
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PINAL COUNTY
PO BOX 827
FLORENCE, AZ 85132

DOYLE KEVIN & KELLIE
245 E LAZIO RD
SAN TAN VALLEY, AZ 85140

GRATTON HOLDING #2 LLC
202 E SOUTHERN AVE
MESA, AZ 85210

GSA IRONWOOD LP
2042 BUSINESS CENTER DR ST...
IRVINE, CA 92612

WOOD CHRISTOPHER & RHON...
259 E LAZIO RD
SAN TAN VALLEY, AZ 85140

PINAL COUNTY
PO BOX 827
FLORENCE, AZ 85132

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MIRANDA VICTOR LOPEZ
277 E LAZIO RD
SAN TAN VALLEY, AZ 85140

PINAL COUNTY
PO BOX 827
FLORENCE, AZ 85132

HUGER CASSANDRA J
167 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

SCHACHTE CHRISTI
315 E LAZIO RD
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GRAY JUSTIN T & GRAY LYNNE ...
331 E LAZIO RD
SAN TAN VALLEY, AZ 85140

PINAL COUNTY
PO BOX 827
FLORENCE, AZ 85132

BROWN ELIJAH JR & PATRICIA
179 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

SMITH BRIANNA & CORBIN
62 W HACKBERRY AVE
SAN TAN VALLEY, AZ 85140

COBBLESTONE PROPCO LLC
8900 E BAHIA DR STE 200
SCOTTSDALE, AZ 85260

ADAMS SAMUEL R JR
178 E MONZA WAY
SAN TAN VALLEY, AZ 85140

IRONWOOD CROSSING HOA
8360 E VIA DE VENTURA STE L-...
SCOTTSDALE, AZ 85258

,

PIMA CROSSING COMMUNITY ...
MAIL RETURN
,

VV MERCY LLC
PO BOX 8069
TUMACACORI, AZ 85640

UNDER THE SEA LLC
7011 S STAR DR
GILBERT, AZ 85298

IRONWOOD & PIMA HOLDINGS ...
7500 E MCDONALD DR STE 100...
SCOTTSDALE, AZ 85250

CHURCH OF JESUS CHRIST OF...
PO BOX 511196
SALT LAKE CITY, UT 84151

PINAL COUNTY
PO BOX 1348
FLORENCE, AZ 85132

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THE ARIZONA REPUBLIC

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AFFIDAVIT OF PUBLICATION

IPLAN CONSULTING
3317 S HIGLEY RD # 114-622
GILBERT, AZ 85297-5472

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Order # 0005808677 # of Affidavits 1

P.O #

Issues Dated:

08/28/23

STATE OF WISCONSIN } SS.
COUNTY OF BROWN }

I, being first duly sworn, upon oath deposes and says: That I am the legal clerk of the Arizona Republic, a newspaper of general circulation in the counties of Maricopa, Coconino, Pima and Pinal, in the State of Arizona, published weekly at Phoenix, Arizona, and that the copy hereto attached is a true copy of the advertisement published in the said paper in the issue(s) dated indicated.


Sworn to before me this

28 TH day of
AUGUST 2023

Notary Public

My Commission expires: 9/9/25

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON SEPTEMBER 28TH, 2023 AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A VARIANCE FOR THE UNINCORPORATED AREA OF PINAL COUNTY BA-012-23 - PUBLIC

HEARING/ACTION: Iplan Consulting Corporation - Greg Davis (applicant/agent), on behalf of landowner - GMC Associates LTD, requesting a reduction in the off street parking requirements of Section 2.140.020; to decrease the parking space requirement from forty-two (42) to seven (7), and Section 2.140.050 to decrease in the minimum loading space requirement from four (4) to one (1), as indicated on the site plan submitted for the proposed Ironwood Self-Storage facility extension, on a 2.16± acre parcel in the C-3 General Commercial Zoning District, situated in Section 17, Township 02S, Range 08E of the Gila and Salt River Meridian, Tax Parcel 104-24-003U, located south-east area of E Pima Road and N Ironwood Drive, in San Tan Valley, AZ.

Information regarding the case can be found online at: <https://www.pinal.gov/1233/Board-of-Adjustment-Agendas>

ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AT THE HEARING AT THE TIME AND PLACE DESIGNATED ABOVE, AND SHOW CAUSE, IF ANY, WHY THIS PETITION SHOULD NOT BE GRANTED. DOCUMENTS PERTAINING TO THIS CASE CAN BE REQUESTED AND ARE AVAILABLE FOR REVIEW FROM PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT PLEASE CALL (520) 866-6442 FOR MORE INFORMATION DATED THIS 20th DAY OF August, 2023

TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:

- 1) Planning Case Number (see above)
 - 2) Your name, address, telephone number and property tax parcel number (Print or type)
 - 3) A brief statement of reasons for supporting or opposing the request
 - 4) Whether or not you wish to appear and be heard at the hearing
- WRITTEN STATEMENTS MUST BE FILED WITH:
PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

P.O. BOX 2973 (85 N. Florence Street)
FLORENCE, AZ 85132
NO LATER THAN 4:00 P.M. ON WEDNESDAY SEPTEMBER 20, 2023
Contact for this matter: Val Luian, Planner

E-mail Address:
valerie.luian@pinalcountyaz.gov
Phone: (520) 866-6442
Pub: Aug 28, 2023

VICKY FELTY
Notary Public
State of Wisconsin



APPLICATION FOR VARIANCE OF REGULATIONS IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(All Applications Must Be Typed or Written in Ink) and submitted via the online portal site at
<https://citizenaccess.pinalcountyaz.gov/CitizenAccess/>

Variance Request & Property Information:

(Feel free to include answers and to these questions in a Supplementary Narrative, when doing so write see narrative on the space provided)

1. Tax Assessor Parcel No.: 10424003U 2. Size (to the nearest 1/10th of an acre)

3. The legal description of the property: See attached

4. Current zoning: C-3 5. Requested zoning (if applicable): n/a

6. The existing use(s) of the property is as follows: Vacant

7. The proposed use under this request and/or Section(s) of Code you are requesting a variance:

Personal property storage

8. Is there a zoning violation on the property for which the owner has been cited? If yes, zoning violation #
(CC/BCC) NO

9. Discuss any known changes in land use, street arrangement, or other physical conditions that have altered the character of your property or adjoining properties since the current zoning indicated above was adopted.

No zoning change is occurring

10. There are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property in that zoning district. Show that the physical characteristics of this property are unique and unlike other properties in the area. Self Storage uses require significantly less parking than the Code requires plus this is an expansion to an existing facility so does not require any administrative or employee parking areas.

INV#: AMT: DATE: CASE: Xref:

COMMUNITY DEVELOPMENT
Planning Division

85 N. Florence St., PO Box 2973, Florence, AZ 85132 T 520-866-6442 FREE 888-431-1311 F 520-866-6530
www.pinalcountyaz.gov

11. That the strict application of the regulations would work an unnecessary nonfinancial hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights. Show that all beneficial use and/or enjoyment of the land will be lost if the variance is not granted. Evidence from an appraiser, realtor or other professional may be required.

Again, the County Code does not adequately determine the real parking need for a facility such as the one proposed and since this is an expansion to an existinn facility, requires even less parking than a stand alone storage use.

12. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The proposed parking will sufficiently serve the needs of the project so as not to burden any adjacent property.

13. That the variance will not allow a use that is not permitted in the zoning district where the property is located. (Not required for parking reductions) n/a

13. That the special circumstances or conditions referred to item 10 above are not self-imposed.

The onerous parking requirement is an issue for every storage use in the County.

(The following are additional questions for reductions in parking requests only)

14. Site Plan Review or Building Permit Number: SPR-030-23

15. Required parking either in total number or ratio: 4¹ **16.** Requested (# or ratio) 7

17. Evidence to support a reduction, this may include codes and ordinance from other jurisdictions, structures with multiple building occupancy types and/or operational characteristics of the particular use that would warrant a reduction: No other jurisdiction in the area requires anywhere close to the amount of parkign the County does. Gilbert requires 4 spaces regardless of floor area. Mesa requires 4 regardless of floor area. Neither require a loading area for external accessible units. In practice, the 7 spaces provided will be more than sufficient for the demand ay all times.

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed. All notices will be sent to the applicant unless otherwise directed in writing.

Iplan Consulting	3317 S. Higley Rd. #114-622 Gilbert, AZ 85297
Name of Applicant	Address

	Greg@lplanconsulting.com	480-227-9850
Signature of Applicant	E-Mail Address	Phone Number

Iplan Consulting	3317 S. Higley Rd. #114-622 Gilbert, AZ 85297
Name of Agent/Representative	Address

	Greg@lplanconsulting.com	480-227-9850
Signature of Agent/Representative	E-Mail Address	Phone Number

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings. Please use attached Agency Authorization form, if applicable.

GMC Associates LTD	2042 Business Center Dr. #100 Irvine, CA 92612
Name of Landowner	Address

	John@landmark.net	480-305-7002
Signature of Landowner	E-Mail Address	Phone Number

If landowner is not the applicant, then applicant must submit a signed notarized consent form from the landowner with this application. Please use attached Consent to Permit form, if applicable.

AGENCY AUTHORIZATION

(To be completed by all landowners who do not represent themselves. Instructions for completing required information are in bold and brackets below lines. If applicant is a company, corporation, partnership, joint venture, trustee, etc., please use the corporate signature block and have the notary fill in the notarization section for corporations not individuals and cannot be submitted digitally)

TO: Pinal County Community Development
P.O. Box 2973
Florence, AZ 85232

GMC Associates LTD - an Arizona Company

[Insert Name -- If a Corporation, Partnership or Association, Include State of Incorporation]

Hereinafter referred to as "Owner," is/are the owner(s) of 2.16 acres located at
42039 N. Ironwood Rd. San Tan Valley, AZ 85140, and further identified

[Insert Address of Property]

As assessor parcel number 104-24-003U and legally described as follows:

[Insert Parcel Number]

Insert Legal Description Here OR Attach as Exhibit A

Said property is hereinafter referred to as the "Property."

Owner hereby appoints Iplan Consulting Corporation

[Insert Agent's Name. If the Agent Is a Company, Insert Company Name Only]

Hereinafter referred to as "Agent," to act on Owner's behalf in relation to the Property in obtaining approval from Pinal County for a minor land division and to file applications and make the necessary submittals for such approvals.

November 07, 2022

Mr. Brent Billingsley
Community Development Director
85 N. Florence St.
Florence, AZ 85132

Re: APN 104-24-003U - Guardian Storage Ironwood Facility Expansion

Mr. Billingsley,
This letter is to serve as notice that **Iplan Consulting Corporation** is authorized by GMC Associates LTD., the owner of the subject property, to act as their agent and submit documents to Pinal County for the purposes of obtaining a Specific Site Plan entitlement.

Thank you for your attention to this matter,



GMC Associates LTD

APN: 104-24-003U

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of ORANGE)

On MAY 18TH, 2023 before me, WILLIAM MATTHEW BRAUN - NOTARY PUBLIC
(insert name and title of the officer)

personally appeared JOHN MINAR
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~
subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in
his/~~her~~/~~their~~ authorized capacity(~~ies~~), and that by his/~~her~~/~~their~~ signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

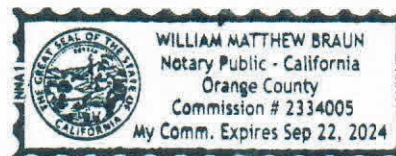
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



EPCOR WATER AZ INC
2355 W PINNACLE PEAK RD ST...
PHOENIX, AZ 85027

FKH SFR PROPCO I LP
1850 PARKWAY PL SE STE 900
MARIETTA, GA 30067

POLLARD CHARLES A & CARM...
195 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

PEREZ DAMARIZ & BAJO LUIS ...
110 W STRAWBERRY TREE AV...
SAN TAN VALLEY, AZ 85140

FOCHTMAN JACQUELINE
184 E SANTORI DR
SAN TAN VALLEY, AZ 85140

LUCERO DAVID & ANGELA
213 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

FEEZELL CELINE & MURPHY A...
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QUEEN CREEK, AZ 85140

HUDSON PATRICIA
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SAN TAN VALLEY, AZ 85140

ALCANTAR DRAYSON & PAMEL...
229 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

PHIPPS CLARK GARY & PENNY...
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ARRINGTON AMBER JO
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THURNMON RYAN K
119 W CUCUMBER TREE AVE
QUEEN CREEK, AZ 85140

ROBERTS RACHELLE
266 E SANTORI DR
SAN TAN VALLEY, AZ 85140

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319 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

OPENDOOR PROPERTY TRUST...
410 N SCOTTSDALE RD STE 1600
TEMPE, AZ 85281

FEATHER JAMES D BLACK & W...
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QUEEN CREEK, AZ 85140

CHAPMAN MARK R & KOLINA
83 W CUCUMBER TREE AVE
QUEEN CREEK, AZ 85140

DIX YVETTE ELLSWORTH & TR...
138 W CUCUMBER TREE AVE
QUEEN CREEK, AZ 85140

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SAN TAN VALLEY, AZ 85140

CORREA MONIQUE A
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QUEEN CREEK, AZ 85140

YOAKUM CATHERINE E
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SUISUN CITY, CA 94585

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SAN TAN VALLEY, AZ 85140

BROOKS KATHY L & JEFFREY I
183 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

ZHANG ZHENGHAO
245 E 44TH ST APT 21D
NEW YORK, NY 10017

FKH SFR PROPCO G LP
1850 PARKWAY PL SE STE 900
MARIETTA, GA 30067

HUMPERT PRESTON
201 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

AMMANN BRUCE T & MELADEE
66 W CUCUMBER TREE AVE
SAN TAN VALLEY, AZ 85140

WYMAN JEFFERY & LAUREN K ...
214 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

AH4R PROPERTIES TWO LLC
23975 PARK SORRENTO STE 300
CALABASAS, CA 91302

AUGE ERIC & RICHELLE
230 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

KILE JESSICA
2821 S COLE DR
GILBERT, AZ 85295

KIEFFER MARTHA & CARL
147 W WHITE OAK AVE
QUEEN CREEK, AZ 85140

SOSA MICHAEL & ROCIO
246 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

SALADO WALTER A III & ORALI...
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201 E MONZA WAY
SAN TAN VALLEY, AZ 85140

PRICE JOHN C & OCTAVIA K
78 W WHITE OAK AVE
SAN TAN VALLEY, AZ 85140

SHAHA KATHRYN R & CHARLE...
165 W EVERGREEN PEAR AVE
SAN TAN VALLEY, AZ 85140

PICKETT TAYLOR & GRAY MAC...
2045 E BOSTON ST APT 4068
GILBERT, AZ 85295

SABORI RAYMOND D & ROBB M...
60 W WHITE OAK AVE
QUEEN CREEK, AZ 85140

BAJAL CHRISTOPHER ANTHON...
149 W EVERGREEN PEAR AVE
SAN TAN VALLEY, AZ 85140

ABRAHAM THOMAS J IV
233 E MONZA WAY
SAN TAN VALLEY, AZ 85140

WILSON TRISTON ALLEN
48 W WHITE OAK AVE
QUEEN CREEK, AZ 85140

KUTSICK TIFFANY ANN
131 W EVERGREEN PEAR AVE
QUEEN CREEK, AZ 85140

RICHEY TYLER & SHANNON
249 E MONZA WAY
SAN TAN VALLEY, AZ 85140

MEDLEY STEPHEN M & JULIE A...
184 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

BEASON JOHN TIMOTHY & VIC...
113 W EVERGREEN PEAR AVE
QUEEN CREEK, AZ 85140

JENSEN NICKOLAS PAUL & LIN...
200 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

PELLEY JONATHAN & ALISA
95 W EVERGREEN PEAR AVE
SAN TAN VALLEY, AZ 85140

STUTTING DAWSON T & CROW...
317 E MONZA WAY
SAN TAN VALLEY, AZ 85140

GUTIERREZ GUSTAVO & KARE...
218 E SALERNO WAY
SAN TAN VALLEY, AZ 85140

JACOBS APRIL E & WILLIAM A
79 W EVERGREEN PEAR AVE
QUEEN CREEK, AZ 85140

ZAKI MARIAM FAMILY TRUST
333 E MONZA WAY
SAN TAN VALLEY, AZ 85140

SWINT LISA & DEON
162 W EVERGREEN PEAR AVE
SAN TAN VALLEY, AZ 85140

MILLER SCOTT & AMY
258 E MONZA WAY
SAN TAN VALLEY, AZ 85140

KIEFFER CARL JOSEPH & MAR...
144 W EVERGREEN PEAR AVE
SAN TAN VALLEY, AZ 85140

WALLACE CHRIS A
276 E MONZA WAY
SAN TAN VALLEY, AZ 85140

DANCE CHAD C & AMBER W
126 W EVERGREEN PEAR AVE
SAN TAN VALLEY, AZ 85140

THOMAS KYLE
314 E MONZA WAY
SAN TAN VALLEY, AZ 85140

EBEL STEPHEN
187 E VICENZA DR
SAN TAN VALLEY, AZ 85140

WEGELE MARK A
110 W EVERGREEN PEAR AVE
SAN TAN VALLEY, AZ 85140

ROBERTS SCOTT & JENNIFER
330 E MONZA WAY
SAN TAN VALLEY, AZ 85140

PHILLIPS JOSHUA & NICOLE
203 E VICENZA DR
SAN TAN VALLEY, AZ 85140

WARE MICHAEL A & JANELLE D...
92 W EVERGREEN PEAR AVE
SAN TAN VALLEY, AZ 85140

ELIAS JOEL & ALEJANDRA
215 E VICENZA DR
SAN TAN VALLEY, AZ 85140

EULERT JASEN R & NICOLE M
70 W EVERGREEN PEAR AVE
SAN TAN VALLEY, AZ 85140

BLED SOE GARNETT D & MARY ...
141 W WINTERBERRY AVE
SAN TAN VALLEY, AZ 85140

DECHRISTINA ANASTASIA & JO...
229 E VICENZA DR
SAN TAN VALLEY, AZ 85140

SCALES ADRIENNE & BERNAR...
194 E MONZA WAY
SAN TAN VALLEY, AZ 85140

ERICKSON NATHANIEL K
123 W WINTERBERRY AVE
SAN TAN VALLEY, AZ 85140

NOWAK ROBERT & HARTMAN ...
245 E VICENZA DR
SAN TAN VALLEY, AZ 85140

STIERS ELYSE VICTORIA
210 E MONZA WAY
SAN TAN VALLEY, AZ 85140

WALKER ANNA L TRS WALKER ...
105 W WINTERBERRY AVE
QUEEN CREEK, AZ 85140

BAJIT ROLAND E & ESMERALD...
259 E VICENZA DR
SAN TAN VALLEY, AZ 85140

PAYNTER DERRAL G
226 E MONZA WAY
SAN TAN VALLEY, AZ 85140

CARBONE FRANK N & SANDRA ...
85 W WINTERBERRY AVE
SAN TAN VALLEY, AZ 85140

VIEIRA CANDIDA
275 E VICENZA DR
SAN TAN VALLEY, AZ 85140

DO ANGELINA N
242 E MONZA WAY
SAN TAN VALLEY, AZ 85140

SCHRADER JOHN W & ARLENE...
67 W WINTERBERRY AVE
SAN TAN VALLEY, AZ 85140

SANTILLANA LIZETTE & AARON...
315 E VICENZA DR
SAN TAN VALLEY, AZ 85140

LAFEVER ROBERT L & BARBAR...
124 W WINTERBERRY AVE
SAN TAN VALLEY, AZ 85140

NALLEY MITZI
77 W HACKBERRY AVE
SAN TAN VALLEY, AZ 85140

GMC ASSOCIATES LTD
2042 BUSINESS CENTER DR ST...
IRVINE, CA 92612

HOPKINS RAYMOND L JR TR
104 W WINTERBERRY AVE
QUEEN CREEK, AZ 85140

MASON JERRY & KRISTI
59 W HACKBERRY AVE
SAN TAN VALLEY, AZ 85140

BOOKHAMER ERIC & LORYN
86 W WINTERBERRY AVE
QUEEN CREEK, AZ 85140

GSA IRONWOOD LP
2042 BUSINESS CENTER DR ST...
IRVINE, CA 92612

MORTENSEN JANETTE
PO BOX 52334
MESA, AZ 85208

GRATTON HOLDING #2 LLC
202 E SOUTHERN AVE
MESA, AZ 85210

HUGER CASSANDRA J
167 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

HYDE ALEXANDER M & TIFFAN...
216 E VICENZA DR
SAN TAN VALLEY, AZ 85140

BROWN ELIJAH JR & PATRICIA
179 E TOSCANA DR
SAN TAN VALLEY, AZ 85140

MILLIRON JACQUELINE
232 E VICENZA DR
SAN TAN VALLEY, AZ 85140

ADAMS SAMUEL R JR
178 E MONZA WAY
SAN TAN VALLEY, AZ 85140

VILLEDA JOSE ALFREDO & LUR...
246 E VICENZA DR
SAN TAN VALLEY, AZ 85140

PAGAYA SMARTRESI F1 FUND ...
1950 E GREYHOUND PASS STE ...
CARMEL, IN 46033

COBBLESTONE PROPCO LLC
8900 E BAHIA DR STE 200
SCOTTSDALE, AZ 85260

IRONWOOD & PIMA HOLDINGS ...
7500 E MCDONALD DR STE 100A
SCOTTSDALE, AZ 85250

JOHNSEN ALLEN
274 E VICENZA DR
SAN TAN VALLEY, AZ 85140

UNDER THE SEA LLC
7011 S STAR DR
GILBERT, AZ 85298

Guardian Storage – Ironwood Facility Expansion

REQUEST:

Guardian Storage is requesting Site Plan approval for an expansion proposed for their Ironwood Road personal storage facility located at 42039 N. Ironwood Road in the San Tan Valley area of Pinal County. The current facility is located on 3.58 acres (APN 104-24-003Q) and is zoned C-3. The proposed expansion parcel is 2.16 acres (APN 104-24-003U) and is also zoned C-3 which supports the proposed use, thus no change to the existing zoning is needed. The expansion parcel is planned to accommodate 41,330 square feet of indoor floor area space which joins the 101,200 square feet of indoor floor area of the existing facility.

Site Aerial

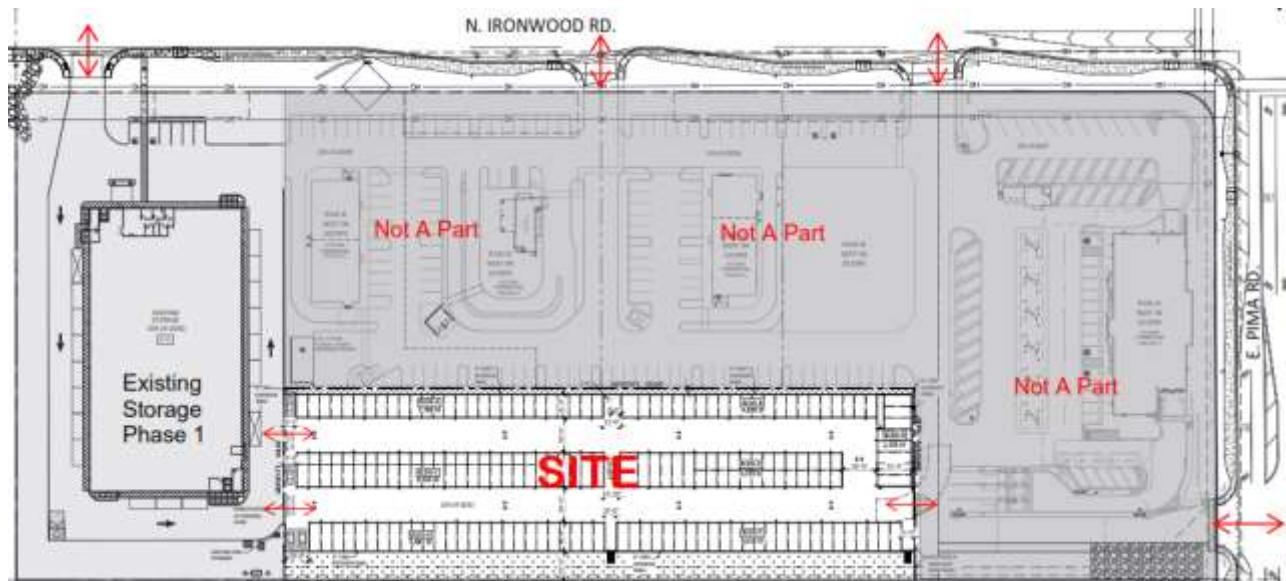


DESCRIPTION OF PROPOSAL:

The proposed expansion parcel is landlocked but connects to the existing Guarding Storage facility via 150-foot shared boundary. Two driveway easements cross the shared boundary allowing vehicular access to/from Ironwood Road via the existing access points of the main facility. The new expansion development will have a secondary point of egress (and emergency ingress) along the

north property boundary which ties into an existing commercial driveway network providing multiple additional points of access to Ironwood and Pima Roads.

Site Access Plan



A total of 41,330 square feet of new building area is proposed which will be primarily used for storage as since this proposal is an expansion to an existing facility, no additional rental office area is needed. The new buildings are accessed via two driveways from the existing facility via 30-foot wide cross access easements. At 30-feet wide, the circulation drives meet public safety requirements and are wide enough to permit short-term parking of vehicles to load/unload adjacent to their rental unit. Even so, four new pull-in parking spaces are also provided for any customers needing longer time period to access their unit.

The buildings are laid out along the perimeter of the parcel with a double row of buildings in the middle. The buildings feature a variety of different sized storage units, each with their own roll-up door which is accessible from the exterior of the building. The design of the buildings will be consistent with the existing storage building and consist of durable and attractive materials that will be compatible with the adjacent commercial uses.

ZONING:

As mentioned, the zoning of the property is C-3 which permits self-storage as a by-right use. The buildings have been designed to comply with the C-3 development standards which are described below. All County Zoning Code requirements are intended to be complied with.

DEVELOPMENT STANDARDS TABLE

Development Standard	C-3 Code	Proposed
Minimum Parcel Area	0 SF	94,900 SF
Minimum Front Setback (west)	20 Feet	21 Feet
Minimum Rear Setback (east)	25 Feet	25 Feet
Minimum Side Setback (north/south)	0 Feet	0 Feet
Minimum Landscaping ¹ (east)	15 Feet ¹	25 Feet
Minimum Distance Between Units	0 Feet	10 Feet
Maximum Building Height	40 Feet	18 Feet

Note 1 – C-3 Storage use requires a 15-foot landscape setback when adjacent to residential zoned land

In addition to all building setbacks being met, landscape tracts are provided along the east and west parcel boundaries. The east landscape tract is 25-feet wide and will be planted with wide canopy trees to provide a soft buffer between the storage use and the adjacent single-family residential neighborhood.

VARIANCE REQUEST:

The proposed use of Self-Storage Facility is subject to the Development Services Code Section 2.140 which covers the off-street parking space regulations. This use is covered under the manufacture, wholesale, warehouse, distribution, and storage of goods, which requires one space per 1,000 square feet of total floor area. Our expansion facility, at approximately 41,330 square feet of building area, would then need 41 parking spaces which is completely unnecessary for a minimally visited use such as self-storage. As such, a Variance is proposed to reduce the amount of required parking from 41 spaces to 4 spaces. The significant reduction in proposed parking is justified by the three reasons described below:

1. This proposal is an expansion to an existing facility with no new office space proposed, minimizing the parking demand for these new buildings. The existing facility includes 25 parking spaces which is more than sufficient to serve both parcels.
2. For a direct access unit product which is what is proposed for this expansion area, the only area that needs dedicated parking is the leasing office to accommodate potential renters on their first visit to the facility when they have to go into the office to fill out paperwork. The rest of the time, the users simply park adjacent to their rental unit to load/unload for the short time they are there. Since the leasing office is located in the existing facility, there is no need for dedicated parking in this expansion parcel.

3. The only other need for dedicated parking is for facility employees of which no more than three are ever on duty at the same time and all work in the office which is located in the existing facility building, eliminating any employee parking need for the expansion parcel.

For the above reasons, we believe the 4 new dedicated parking spaces is more than sufficient to meet the demand of the proposed expansion.



AGENDA ITEM

September 28, 2023 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name: Community Development

Director: Brent Billingsley

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

BA-026-22 – PUBLIC HEARING/ACTION: Kathy Passa, landowner/applicant, requesting a variance to **Sections 2.40.020 & 2.40.030** of the Pinal County Development Services Code, to allow a home extension, a minimum lot size reduction from 1.25 acres (54,450 sq. ft.) to 0.183 acres (~8,000 sq. ft.), and applicable development standards on parcel 509-35-287A (legal on file) in the General Rural zone (GR) Zone, situated in Section 20, Township 05 South, Range 06 East Gila & Salt River Baseline & Meridian, located west of north Hualapai Dr and north of west Hopi Dr in the unincorporated area near Casa Grande.

LaRee Mason/Brent Billingsley

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

History		
Time	Who	Approval

ATTACHMENTS:

Click to download

☐ [Staff Report](#)

TO: PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

MEETING DATE: September 28, 2023

CASE NUMBER: BA-026-22

CASE COORDINATOR: LaRee Mason

Executive Summary:

This is a variance request to reduce the minimum lot size requirements of the General Rural (GR) zone for one parcel located in the unincorporated area in the Deer Run Ranch Estates Subdivision in the Casa Grande vicinity. The subdivision was platted in 1957, which created 4,200 square feet lots. The 1972 zoning ordinance increased the minimum lot size to 54,450 square feet. The property is presently developed, however the landowner wishes to permit an existing addition.

If This Request is approved:

This variance will allow the continued and future use of one undersized General Rural zoned property with applicable development standards.

Staff Recommendation/Issues for Consideration/Concern:

Staff offers a recommendation of approval with four stipulations.

BA-026-22 – PUBLIC HEARING/ACTION: Charles A. and Kathryn L. Passa, landowners, requesting a variance to **Section 2.40.020(B)** of the PCDSC to allow a reduction in the minimum required lot area 54,450 square feet (1.25 acres) to 7,000 square feet (0.16 acres) and applicable development standards to permit an existing addition on a 0.19± acre parcel in the General Rural (GR) zone, situated within Deer Run Ranch Estates #2, Lots 6 & 7 in Block 40 Section 20, 05 South, 06 East of the Gila and Salt River Meridian, Pinal County, Arizona: Tax Parcel 509-35-287A, legal on file, located west of North Hualapai Drive and north of West Hopi Drive in the Casa Grande vicinity.

LEGAL DESCRIPTION: Deer Run Ranch Estates #2, Lots 6 & 7 in Block 40 Section 20, 05 South, 06 East

TAX PARCEL: 509-35-287A

LANDOWNER/APPLICANT: Charles A. and Kathryn L. Passa

REQUESTED ACTION AND PURPOSE: The applicant is requesting a variance to Section 2.40.020 of the PCDSC, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to

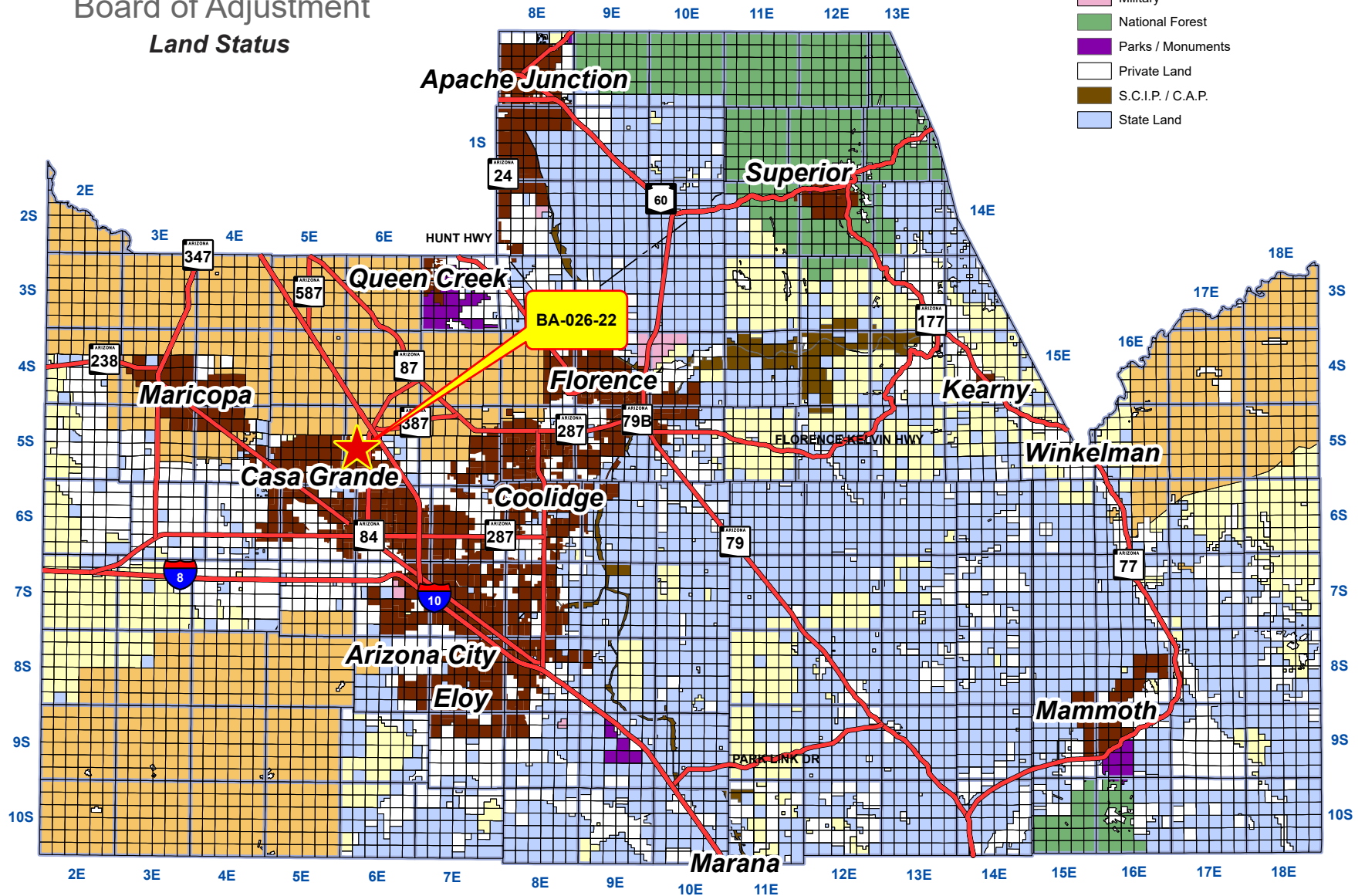


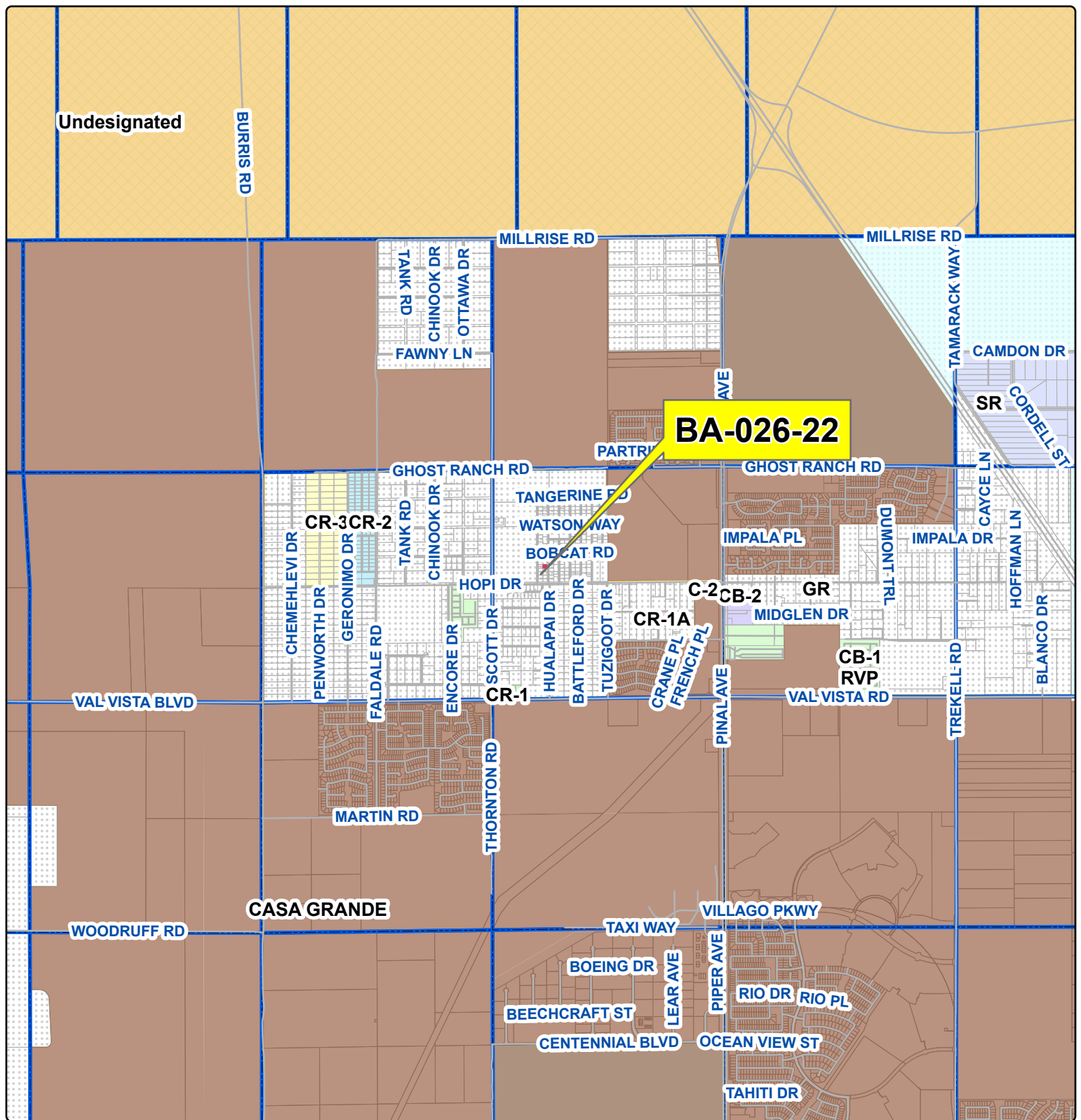
PINAL COUNTY
WIDE OPEN OPPORTUNITY

Board of Adjustment Land Status

Legend

- B.L.M.
- Indian Community
- Military
- National Forest
- Parks / Monuments
- Private Land
- S.C.I.P. / C.A.P.
- State Land





Board of Adjustment Community Development



PINAL COUNTY
WIDE OPEN OPPORTUNITY

Legal Description:

Situated in Section 20, Township 05 South, Range 06 East Gila & Salt River Baseline & Meridian, located west of north Hualapai Dr and north of west Hopi Dr in the unincorporated area near Casa Grande.

Page 43
SECTION 20, TWP 05S, RNG 06E



Owner/Applicant:

KATHY PASSA

Drawn By:

GIS / IT / LJT

Date: 09/12/2023

Sheet No.

1 of 1

Section 20

Township 05S

Range 06E

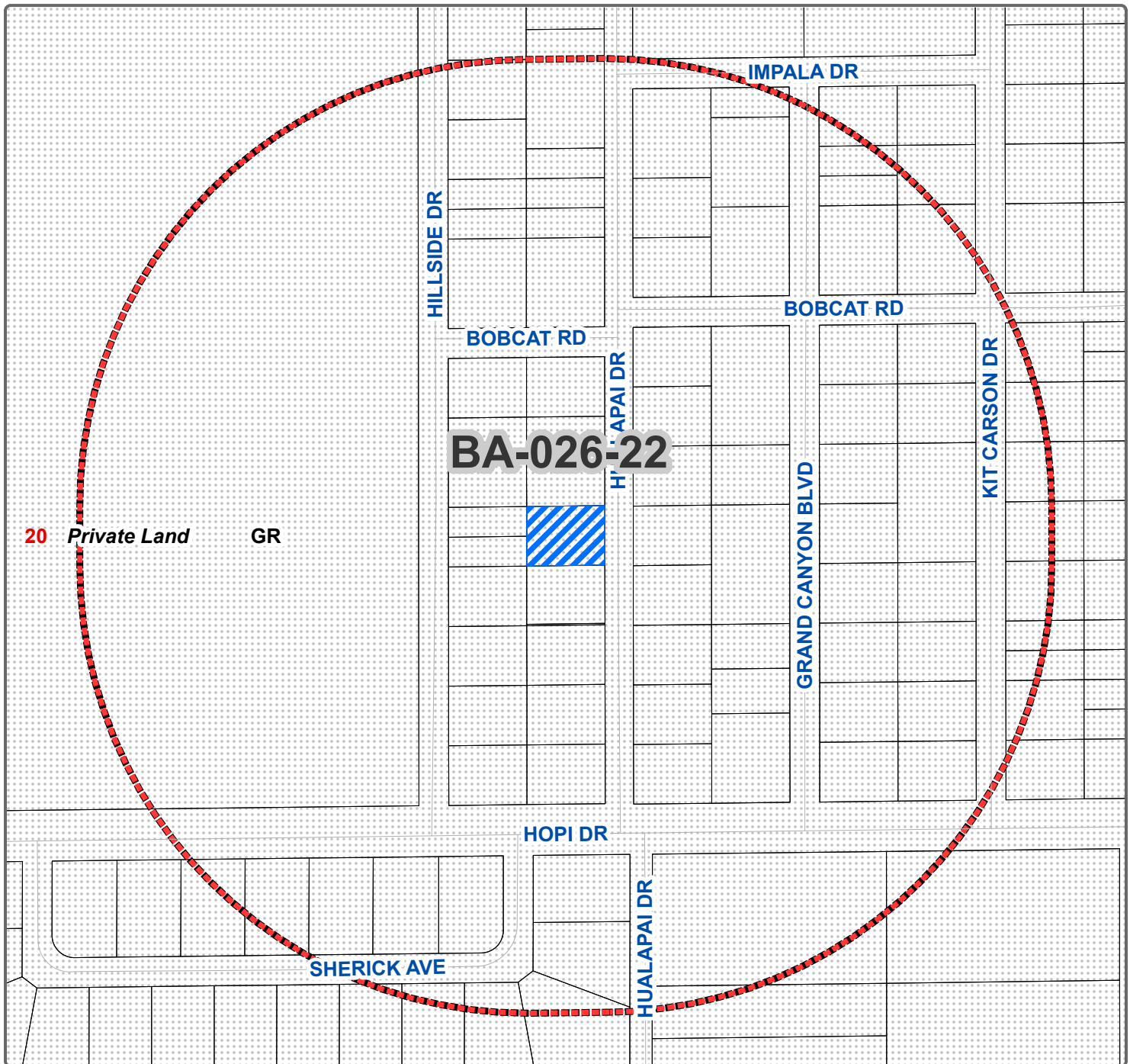
Case Number:

BA-026-22



Board of Adjustment





Board of Adjustment

BA-026-22 – PUBLIC HEARING/ACTION: Kathy Passa, landowner/applicant, requesting a variance to Sections 2.40.020 & 2.40.030 of the Pinal County Development Services Code, to allow a home extension, a minimum lot size reduction from 1.25 acres (54,450 sq. ft.) to 0.183 acres (~8,000 sq. ft.), and applicable development standards on parcel 509-35-287A (legal on file) in the General Rural zone (GR) Zone, situated in Section 20, Township 05 South, Range 06 East Gila & Salt River Baseline & Meridian, located west of north Hualapai Dr and north of west Hopi Dr in the unincorporated area near Casa Grande.

Current Zoning: GR

Requested Zoning: Board of Adjustment

Current Land Use: MLDR



Legal Description:

Situated in Section 20, Township 05 South, Range 06 East Gila & Salt River Baseline & Meridian, located west of north Hualapai Dr and north of west Hopi Dr in the unincorporated area near Casa Grande.

SEC 20, TWN 05S, RNG 06E



Owner/Applicant:

KATHY PASSA

Drawn By:

GIS / IT /LJT

Date:

09/12/2023

Sheet No.
1 of 1

Section

20

Township

05S

Range

06E

Case Number:

BA-026-22

7,000± square feet (0.16 acres) and applicable development standards to allow the addition to an existing addition on a 0.19± acre parcel in the Casa Grande area.

LOCATION: The subject property is located west of North Hualapai Drive and north of West Hopi Drive in the Casa Grande area.

SIZE: 8,400± square feet or 0.19± acres

EXISTING ZONING AND LAND USE: The property is zone General Rural (GR) zone and is presently developed. The subject property is located within the Moderate Low Density Residential (1-3.5 du/ac) of the Pinal County Comprehensive Plan.

SURROUNDING ZONING AND LAND USE:

North: General Rural (GR), Residential
 South: General Rural (GR), Residential
 East: General Rural (GR), Residential
 West: General Rural (GR), Residential

SITE DATA: Flood Zone X, an area of minimal flood hazard

HISTORY: The subject property was platted in 1957 under the Deer Run Ranch Estates No. 2 Subdivision. The property was initially platted as Lots 6 & 7 with each lot 0.096± acres in size. The Deer Run Ranch Estates No. 2 subdivision was amended in 1969 to show a right-of-way abandonment maintaining the 0.096 acre parcels. In 1962, the minimum lot size in the General Rural zone was 12,000 square feet and that number increased significantly when the 1972 Zoning Plan introduced the 54,450 square feet minimum to the GR zone. In 2007, Lots 6 & 7 were combined to create the existing legal description and current lot size of 8,400 square feet or 0.19 acres. Pinal County Assessor Records show that the subject site is currently developed.

To date, no public comments have been received.

Staff's public participation and notification of the case includes:

Newspaper publish dates:	September 14, 2023
Mail-outs:	September 12, 2023
Site Posting:	September 13, 2023
Website:	September 22, 2023

THE APPLICANT MUST SATISFY THE BOARD OF ADJUSTMENT AND APPEALS THAT THIS REQUEST MEETS THE NECESSARY CRITERIA TO QUALIFY FOR A VARIANCE AS STATED IN SECTION 2.155.050.C

EVIDENCE REQUIRED FOR VARIANCE:

- There are special circumstances or conditions applicable to the property which is the subject of the variance which do not prevail on other property in that zoning district.

- b. The special circumstances or conditions referred to in (a) are not self-imposed by the property owners within the subject area.
- c. The strict application of the regulations would work an unnecessary nonfinancial hardship.
- d. The granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights.
- e. The granting of such variance will not materially affect the health or safety of persons residing or working within the subject area and adjacent properties and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.
- f. The variance does not allow a use that is not permitted in the zoning district where the property is located.

FINDINGS: Under Section 2.155.030.E of the Pinal County Development Service Code (Zoning Ordinance), the Board of Adjustment and Appeals shall hear and consider all evidence relating to the request and make findings as to the conformity of the request to the above Section.

THE BOARD OF ADJUSTMENT AND APPEALS shall consider the following criteria in conditionally approving or denying a variance.

- a. There are special circumstances or conditions applicable to the property which is the subject of the variance which do not prevail on other property in that zoning district.

ANALYSIS: The subject parcel's undersized lot size is consistent throughout the Deer Run Ranch Estates #2 subdivision due to the General Rural minimum lot size increase introduced by the 1972 Pinal County Zoning Ordinance.

FINDING: A special circumstance does exist for the subject property as the subdivision was platted and approved as 4,200 square feet prior to the new minimum lot size of 54,450 square feet or 1.25 acres.

- b. That the special circumstances or conditions referred to in subsection (C) (4) (a) of this section are not self-imposed by the property owners within the subject area.

ANALYSIS: In 1958, the Deer Run Ranch Estates subdivision platted 4,200 lot size minimums. The Pinal County Zoning Ordinance of 1972 created a new minimum lot size of 54,450 square feet or 1.25 acres in the General Rural Zone.

FINDING: Staff finds that the 1972 Ordinance created a legal nonconforming parcel after raising minimum lot size requirements to 54,450 square feet or 1.25 acres.

- c. That the strict application of the regulations would work an unnecessary nonfinancial hardship.

ANALYSIS: The applicant purchased a legal nonconforming property unknowingly. As such, a nonfinancial hardship occurred when the applicant applied for building permits

FINDING: An approved variance would avoid the serious impairment of substantial property rights as outlined in 2.155.0309(E) of the Pinal County Development Services Code.

- d. The granting of such variance will not materially affect the health or safety of persons residing or working within the subject area and adjacent properties and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

ANALYSIS: Following the staff summary and recommendation portion of this report, development standards have been stipulated to consider neighboring properties. The existing addition will meet the proposed setbacks as stipulated in this report.

FINDING: The granting of this variance will not affect the health or safety of persons residing or working within the subject area and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

- e. The variance does not allow a use that is not permitted in the zoning district where the property is located.

ANALYSIS: Section 2.40.010 of the County Development Services Code establishes that a one-family dwelling unit – conventional construction, manufactured home, or mobile home as a permitted use in the GR zone. The applicant is seeking a variance to live on the subject parcel in a mobile home.

FINDING: Granting of the variance will not allow a use that is not permitted in the zone district where the property is located.

STAFF SUMMARY AND RECOMMENDATION: All submittals, presented evidence, written documentation, public testimony, and Planning Case Staff Report (BA-026-22), are considered part of the record in this variance case. If the Board of Adjustments and Appeals can find sufficient evidence based upon the record, staff recommends the Board adopt the staff report, record as presented, and approve the requested variance with the following recommended motion. If the Board cannot find sufficient evidence to approve the request, staff suggests approving the request with the following motion.

BOARD MOTION

Staff Recommendation to Approve:

I move to approve case BA-026-22, a variance to Section 2.40.020 of the PCDSC, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to 8,400 square feet (0.19 acres), and applicable development standards on parcel 509-35-287A Deer Run Ranch Estates #2: Lots 6 & 7 In Block 40, to make the property compliant and allow the landowner to obtain the necessary permits, as well as enjoy substantial existing property rights. The move for approval is based on the findings of A through F -as presented above- and is subject to the following stipulations:

1. All State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained, including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, etc.
2. Development Standards for the subject parcel shall be as follows:

- a. Minimum lot area: 7,000 square feet.
 - b. Minimum lot width: 50 feet.
 - c. Minimum front setback: 20 feet.
 - d. Minimum side and rear setback: Ten feet each.
 - e. Maximum building height: 30 feet.
3. Detached accessory building Development Standards shall be as follows:
 1. Permitted coverage: 33 percent of the total area of the rear and side setbacks;
 2. Maximum height: 20 feet;
 3. Minimum distance to main building: Seven feet;
 4. Minimum distance to front lot line: 60 feet; and
 5. Minimum distance to side and rear lot lines: Four feet.
 4. All commercial agricultural, livestock, horses, and dairy uses are prohibited.

To Deny:

I move to deny case BA-026-23, a variance to Section of the PCDSC, 2.40.020(B) of the PCDSC, finding(s)/special circumstances referred to in the subsection (C) (4) (a) of 2.155.040 in PCDSC are self-imposed.

DATE PREPARED: 9/20/23

REVISED:



PINAL COUNTY

WIDE OPEN OPPORTUNITY

Leo Lew
County Manager

APPLICATION FOR VARIANCE OF REGULATIONS IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(All Applications Must Be Typed or Written in Ink) and submitted via the online portal site at
<https://citizenaccess.pinalcountyz.gov/CitizenAccess/>

Variance Request & Property Information:

(Feel free to include answers and to these questions in a Supplementary Narrative, when doing so write see narrative on the space provided)

1. Tax Assessor Parcel No.: 509-35-287A
2. Size (to the nearest 1/10th of an acre) .19
3. The legal description of the property: on file
4. Current zoning: G-R
5. Requested zoning (if applicable): _____
6. The existing use(s) of the property is as follows: house
7. The proposed use under this request and/or Section(s) of Code you are requesting a variance: 2.410.020
8. Is there a zoning violation on the property for which the owner has been cited? If yes, zoning violation #
(CC/BCC) NO
9. Discuss any known changes in land use, street arrangement, or other physical conditions that have altered the character of your property or adjoining properties since the current zoning indicated above was adopted.

10. There are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property in that zoning district. Show that the physical characteristics of this property are unique and unlike other properties in the area. Deer Run Ranch #2

INV#: _____ AMT: _____ DATE: _____ CASE: _____ Xref: _____

COMMUNITY DEVELOPMENT
Planning Division

85 N. Florence St., PO Box 2973, Florence, AZ 85132 T 520-866-6442 FREE 888-431-1311 F 520-866-6530
www.pinalcountyz.gov

11. That the strict application of the regulations would work an unnecessary nonfinancial hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights. Show that all beneficial use and/or enjoyment of the land will be lost if the variance is not granted. Evidence from an appraiser, realtor or other professional may be required.

Property Value... Can't build a garage. Need a place to put stuff

12. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

No. Impr this is an improvement

13. That the variance will not allow a use that is not permitted in the zoning district where the property is located. (Not required for parking reductions) No

13. That the special circumstances or conditions referred to item 10 above are not self-imposed.

This subdivision was already approved

(The following are additional questions for reductions in parking requests only)

14. Site Plan Review or Building Permit Number: _____

15. Required parking either in total number or ratio: _____ 16. Requested (# or ratio) _____

17. Evidence to support a reduction, this may include codes and ordinance from other jurisdictions, structures with multiple building occupancy types and/or operational characteristics of the particular use that would warrant a reduction:

subdivision was approved with current lot sizes

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed. All notices will be sent to the applicant unless otherwise directed in writing.

Kathy Pan 10550 N. Hualapai Dr.
Name of Applicant Address

Signature of Applicant E-Mail Address Phone Number

Name of Agent/Representative Address

Signature of Agent/Representative E-Mail Address Phone Number

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings. Please use attached Agency Authorization form, if applicable.

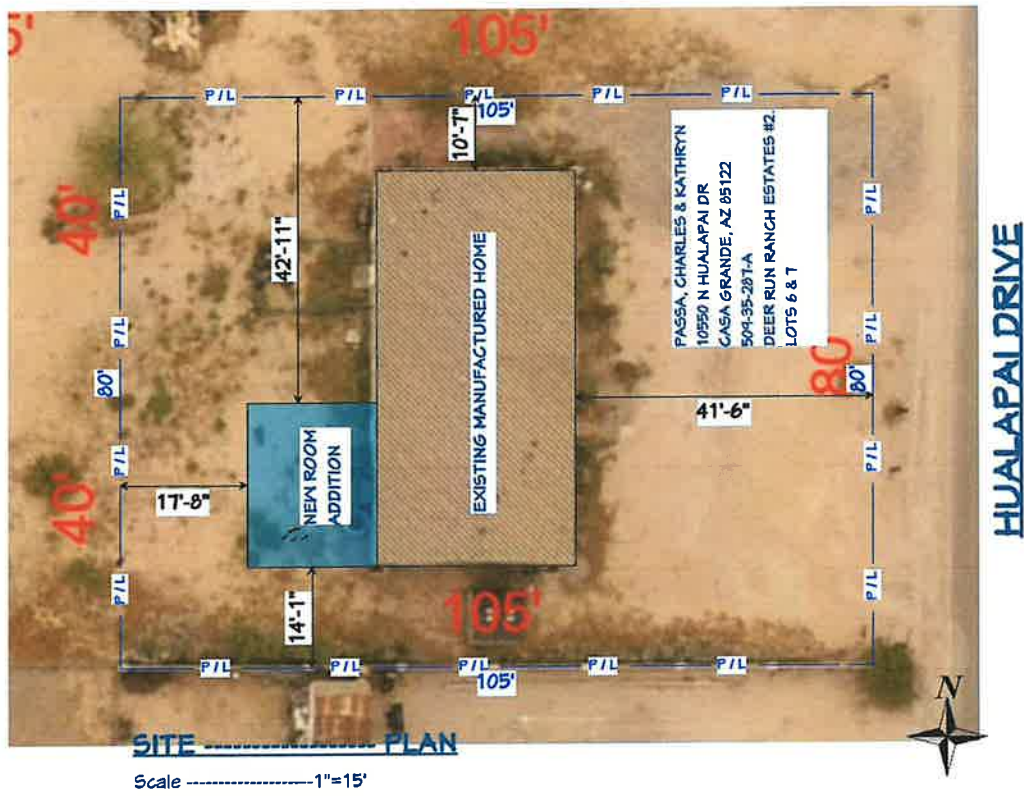
Kathy Pan 10550 N. Hualapai Dr.
Name of Landowner Address

Kathypassa@yahoo.com 520-705-1968
Signature of Landowner E-Mail Address Phone Number

If landowner is not the applicant, then applicant must submit a signed notarized consent form from the landowner with this application. Please use attached Consent to Permit form, if applicable.

Application Checklist:

- ☐ Submit a detailed site plan, at least 8½ X 11, but not larger than 11" X 17". The site plan must include the following:
 - Size and shape of parcel; property dimensions; north arrow
 - Adjacent streets; rights-of-way, easements and setbacks; indicate size; purpose and whether public or private
 - Location, size and use of all existing and proposed buildings; show setbacks from property boundary lines and between structures
 - Driveways and parking areas, show access, dimensions and surface material
 - Existing and proposed utilities, show location of lines, size and serving company
 - Any other information as may be applicable – landscaping, natural features i.e.: washes, excavation sites, etc., floor plan
- ☐ Submit the "This Application Checklist" for the requested action.
- ☐ Submit a list of all property owners within 600' of the subject property boundary showing name, mailing address and tax parcel numbers. This list must be obtained within the 30 days prior to application submission.
- ☐ Submit a map of the area with the 600' boundary shown. (A Tax Assessor Parcel Map is acceptable).
- ☐ Submit the non-refundable filing fee according to the fee schedule shown on coversheet of the application. (The application is not considered filed until the fees are paid.)
 - A) Residential with 0-499 mail-outs \$500.00
 - B) Residential with 500 or more mail-outs: \$500.00
 - C) Commercial, industrial or transition with 0-499 mail-outs: \$2,084.00
 - D) Commercial, industrial or transition with 500 or more mail-outs: \$2,399.00
- ☐ The application and narrative in PDF format.
- ☐ Understand that a newspaper publication must be advertised for this variance case per Pinal County staff instructions no later than 28 days prior to the hearing date as assigned. The applicant is responsible for all publication fees.



509370090
ALLEY JACKIE
18977 W SHERICK AVE
CASA GRANDE, AZ 85122

509370150
SAUCEDO FRANK V
18950 W SHERICK AVE
CASA GRANDE, AZ 85122

50932255A
CHAMBERLAIN WARREN B
10458 N GRAND CANYON BLVD
CASA GRANDE, AZ 85122

50936005B
HONEYBONE TIMOTHY & RACH...
10321 N HUALAPAI DR
CASA GRANDE, AZ 85122

509370140
SEILER CHANCE
18901 W SHERICK AVE
CASA GRANDE, AZ 85122

50935299A
MILLAN YESID
10469 N HILLSIDE DR
CASA GRANDE, AZ 85122

509370100
HOPPER JOAN E
369 S MOJO TRL
DEWEY, AZ 86327

509360040
POINT HOLDINGS LLC
1334 E CHANDLER BLVD STE 5-...
PHOENIX, AZ 85048

50935293A
SANCHEZ STEPHEN D
219 DONATELLA DR
GOOSE CREEK, SC 29445

509370110
BRISENO JOSE R
9959 N HUALAPAI DR
CASA GRANDE, AZ 85122

509360030
BENROTH CHARLES G & ROSE...
18731 W HOPI DR
CASA GRANDE, AZ 85122

50932260A
LEAL CHENEY V
10475 N HUALAPAI DR
CASA GRANDE, AZ 85122

509370120
FLORES MARIBEL & LILIANA
10350 N HUALAPAI DR
CASA GRANDE, AZ 85122

50935297A
SANCHEZ MARCO ANTONIO
18914 W HOPI DR
CASA GRANDE, AZ 85122

50932228A
PEREZ LOURDES
19585 W HOPI DR
CASA GRANDE, AZ 85122

509370130
HERBERT ROY C
10378 N HUALAPAI DR
CASA GRANDE, AZ 85122

50935295A
CARRANZA ALEXIS ECATERINA
1052 N COLORADO ST APT 2
CASA GRANDE, AZ 85122

50932220F
CAMPBELL RUDY JOHN NEIL
10480 N KIT CARSON DR
CASA GRANDE, AZ 85122

50937018C
LEMUS NEVADA WILLIAM
PO BOX 13022
CASA GRANDE, AZ 85130

50932258A
FORBES DONNA
10451 N HUALAPAI DR
CASA GRANDE, AZ 85122

50932197A
WORDEN DENNIS D & MELISSA...
18680 W HOPI DR
CASA GRANDE, AZ 85122

50937018B
DE SANTIAGO GABRIEL & LUPE...
19003 W HOPI DR
CASA GRANDE, AZ 85122

50932226A
OLIVAREZ RAMIRO & ELVIA M
10451 N GRAND CANYON BLVD
CASA GRANDE, AZ 85122

50932254A
HENRY CANDICE JEWEL
10500 N GRAND CANYON BLVD
CASA GRANDE, AZ 85122

509370170
SALAS HENRY G
18987 W HOPI DR
CASA GRANDE, AZ 85122

50932224A
HUFFINE SHERRY E & ROY M
10450 N KIT CARSON DR
CASA GRANDE, AZ 85122

509321980
DIAZ ANA LUISA
5887 E BLUE SKY DR
SCOTTSDALE, AZ 85266

509370160
CALICHE CREEK LLC
20101 E SILVER CREEK LN
QUEEN CREEK, AZ 85142

50932195A
WORDEN DENNIS & MELISSA
18680 W HOPI DR
CASA GRANDE, AZ 85122

50935301A
JOHNSON JOHN M
10503 N HILLSIDE DR
CASA GRANDE, AZ 85122

50935291A
ROSS SUE & PAUL D
10502 N HUALAPAI DR
CASA GRANDE, AZ 85122

50932262A
BILOUS MICHAEL A & CONNIE ...
10483 N HUALAPAI DR
CASA GRANDE, AZ 85122

50932252A
HENRY CANDICE JEWELL
10500 N GRAND CANYON BLVD
CASA GRANDE, AZ 85122

50935289B
THOMAS SUE
10502 N HUALAPAI DR
CASA GRANDE, AZ 85122

50932220C
AGUILAR CRISPIN
10499 N GRAND CANYON BLVD
CASA GRANDE, AZ 85122

50932220E
AGUILAR CRISPIN
10499 N GRAND CANYON BLVD
CASA GRANDE, AZ 85122

509321990
DIAZ ANA LUISA
5887 E BLUE SKY DR
SCOTTSDALE, AZ 85266

50935303A
BODINE ZACHARY B
10529 N HILLSIDE DR
CASA GRANDE, AZ 85122

50935289C
WORTHAM PAMELA M
10526 N HUALAPAI DR
CASA GRANDE, AZ 85122

50932265A
GAXIOLA JOSE & BOWLES WIN...
10511 N HUALAPAI DR
CASA GRANDE, AZ 85122

50932232A
STURGES NANCY H
15215 S 48TH ST STE 130
PHOENIX, AZ 85044

50932218A
LEE GILBERT LLC
9221 E BASELINE RD STE 109-2...
MESA, AZ 85209

509353040
CREAZZO JOSEPH & VICKY
18900 W BOBCAT RD
CASA GRANDE, AZ 85122

509353050
CREAZZO JOSEPH & VICKY
18900 W BOBCAT
CASA GRANDE, AZ 85122

50935287A
PASSA CHARLES A & KATHRYN...
10550 N HUALAPAI DR
CASA GRANDE, AZ 85122

50932266A
CREAZZO JOSEPH & VICKY
18900 W BOBCAT RD
CASA GRANDE, AZ 85122

50932250B
SANDOVAL JOSE M & MARTHA ...
10524 N GRAND CANYON BLVD
CASA GRANDE, AZ 85122

50932234A
STURGES NANCY H
15215 S 48TH ST STE 130
PHOENIX, AZ 85044

50932202D
ISHERWOOD VAN & PEGGY
4415 W DELGADO DR
ELOY, AZ 85131

50932269A
HUGHES THOMAS E
701 E PARKS HWY STE 202
WASILLA, AK 99654

50932246A
ALDRICH DALE V & NANCY K
9640 N SCOTT DR
CASA GRANDE, AZ 85122

50932236A
STURGES NANCY H
15215 S 48TH ST STE 130
PHOENIX, AZ 85044

50932214A
BONNIWELL CLARK G & MARCI...
10572 N KIT CARSON DR
CASA GRANDE, AZ 85122

50932204A
TURNER STEVEN J
139 E LAUREL AVE
GILBERT, AZ 85234

50935284A
GARCIA EFRAIN JR
4965 E BELL ST
COOLIDGE, AZ 85128

50932270A
CREAZZO JOSEPH & VICKY L
18900 W BOBCAT RD
CASA GRANDE, AZ 85122

50932239A
SCHRIEVER DENNIS
10601 N GRAND CANYON BLVD
CASA GRANDE, AZ 85122

50932212A
WATSON VERONICA M
702 E BRENDA DR
CASA GRANDE, AZ 85122

50932206A
MEJIA LAURA
10601 N KIT CARSON DR
CASA GRANDE, AZ 85122

50935309A
SHEETS SHARON K TRUST
42782 W OCEAN BREEZE DR
MARICOPA, AZ 85138

50935282A
MULLENBACH TERRY T
10608 N HUALAPAI DR
CASA GRANDE, AZ 85122

50932273A
CURTIS BRYANT
10631 N HUALAPAI DR
CASA GRANDE, AZ 85122

50932242A
CLARK MIRIAM J
10600 N GRAND CANYON BLVD
CASA GRANDE, AZ 85122

50932240A
LETHEM DAVID DEAN & KATHR...
10625 N GRAND CANYON BLVD
CASA GRANDE, AZ 85122

50932210A
WESSEL GLEN & DARLA NOEL
10626 E RAVEN RIDGE RD
COEUR D ALENE, ID 83814

50932209A
TERRY BRIANNA JACLYN
18685 W BOBCAT RD
CASA GRANDE, AZ 85122

50935017A
PETERSON ROGER K TR
18912 W BOBCAT RD
CASA GRANDE, AZ 85122

50935016B
CREAZZO JOSEPH & VICKY L
18900 W BOBCAT RD
CASA GRANDE, AZ 85122

50932009A
CAMPOY JOSE Y
2129 N SWEETWATER DR
CASA GRANDE, AZ 85122

509350200
WILDS BRIAN D & LYNDA G
127 DOVERCLIFFE WAY SE
CALGARY, AB

509350130
PEPIN RANDY R
10702 N HUALAPAI DR
CASA GRANDE, AZ 85122

50932005A
ABRAMS JANET A
10668 N GRAND CANYON BLVD
CASA GRANDE, AZ 85122

50932022A
RICHMOND DAVE & SHERRI
7603 N BRUCE RD
SPOKANE, WA 99217

50932019A
AMAR THOMAS C & GRETCH...
PO BOX 846
CHALLIS, ID 83226

509350210
WILDS BRIAN D & LYNDA G
127 DOVERCLIFFE WAY SE
CALGARY, AB

509350120
PEPIN RANDY R
10702 N HUALAPAI DR
CASA GRANDE, AZ 85122

50932010A
BIRDSONG WILLIAM H & WEND...
3750 E SYCAMORE LN
RIMROCK, AZ 86335

509320250
CURTIN BETTY RENEE & DANIE...
2076 N CORONADO CT
CASA GRANDE, AZ 85122

509320260
CURTIN BETTY RENEE & DANIE...
2076 N CORONADO CT
CASA GRANDE, AZ 85122

50932017A
HOLLIS BEVERLY K
10700 N KIT CARSON DR
CASA GRANDE, AZ 85122

50932004A
MYERS PATSY L
10700 N GRAND CANYON BLVD
CASA GRANDE, AZ 85122

50932014A
KOUTZ PETE
207 W STANDAGE DR
PAYSON, AZ 85541

509320010
KOUTZ CHARLES P
207 W STANDAGE DR
PAYSON, AZ 85541

50932027A
SALAS GEORGE III & GUADALU...
18761 W IMPALA DR
CASA GRANDE, AZ 85122

509350330
MMW PROPERTIES #2 LLC
4711 E FALCON DR STE 231
MESA, AZ 85215

NAP

50932200A
DIAZ ANA LUISA
5887 E BLUE SKY DR
SCOTTSDALE, AZ 85266

50935308A
BUEL STEVE
2208 E MEAD PL
CHANDLER, AZ 85249

50935023A
MAULLER JACK
32230 N SUNFLOWER TRL
SAN TAN VALLEY, AZ 85143

50935010A
SEDILLO SHERRY
PO BOX 12456
CASA GRANDE, AZ 85130

509350110
PEPIN RANDY R
10702 N HUALAPAI DR
CASA GRANDE, AZ 85122

50935025A
MAULLER JACK
32230 N SUNFLOWER TRL
SAN TAN VALLEY, AZ 85143

PINAL COUNTY
Community
Development
PO Box 2973
31 North Pinal Street
Florence, Arizona

Receipt



Receipt #: 532754

Payment Date: 9/9/2022 2:26:29 PM

Payor:
KATHY L PASSA

Application #: BA-026-22
Application Type: Planning\BoAA\Variance\Variance
Address:

Fee	Quantity	Amount Paid
BOA Application Residential and Appeals 0-499 mail-outs (Enter 1 to Activate)	1.00	\$500.00
	Total	\$500.00

Cashier: MARTHAD

Payment Method: Check

Reference #: 8167

Payment Comments: LMH

CASA GRANDE VALLEY NEWSPAPERS INC.
200 W. 2ND ST.
CASA GRANDE AZ 85122
(520)836-7461
Fax (520)836-2944

ORDER CONFIRMATION (CONTINUED)

Salesperson: CHRISTINA RODRIGUEZ

Printed at 09/13/23 09:06 by crodr

Acct #: 22054

Ad #: 180138

Status: New

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING
BY THE BOARD OF ADJUST-
MENT AND APPEALS AT 9:30
A.M., ON SEPTEMBER 28, 2023
AT THE PINAL COUNTY ADMIN-
ISTRATIVE COMPLEX, IN THE
BOARD OF SUPERVISORS
HEARING ROOM, 135 N. PINAL
STREET, FLORENCE, ARIZONA,
TO CONSIDER AN APPLICA-
TION FOR A VARIANCE FOR
THE UNINCORPORATED AREA
OF PINAL COUNTY.

BA-026-22 - PUBLIC
HEARING/ACTION: Kathy Passa,
landowner/applicant, requesting a
variance to Sections 2.40.020 &
2.40.030 of the Pinal County De-
velopment Services Code, to al-
low a home extension, a minimum
lot size reduction from 1.25 acres
(54,450 sq. ft.) to 0.183 acres
(~8,000 sq. ft.), and applicable de-
velopment standards on parcel
509-35-287A (legal on file) in the
General Rural zone (GR) Zone,
situated in Section 20, Township
05 South, Range 06 East Gila &
Salt River Baseline & Meridian, lo-
cated west of north Hualapai Dr
and north of west Hopi Dr in the
unincorporated area near Casa
Grande.

Information regarding the case
can be found online at:
[https://www.pinal.gov/236/Notice-
of-Hearings](https://www.pinal.gov/236/Notice-of-Hearings)

ALL PERSONS INTERESTED IN
THIS MATTER MAY APPEAR AT
THE HEARING AT THE TIME
AND PLACE DESIGNATED
ABOVE, AND SHOW CAUSE, IF
ANY, WHY THIS PETITION
SHOULD NOT BE GRANTED.
DOCUMENTS PERTAINING TO
THIS CASE CAN BE REQUEST-
ED AND ARE AVAILABLE FOR
REVIEW FROM PINAL COUNTY
PLANNING AND DEVELOP-
MENT SERVICES DEPART-
MENT PLEASE CALL (520) 866-
6442 FOR MORE INFORMATION
DATED THIS 6th DAY OF
SEPTEMBER, 2023

TO QUALIFY FOR FURTHER
NOTIFICATION IN THIS LAND
USE MATTER YOU MUST FILE
WITH THE PLANNING DEPART-
MENT A WRITTEN STATEMENT
OF SUPPORT OR OPPOSITION
TO THE SUBJECT APPLICA-
TION. YOUR STATEMENT
MUST CONTAIN THE FOLLOW-
ING INFORMATION:

- 1) Planning Case Number (see
above)
 - 2) Your name, address, telephone
number and property tax parcel
number (Print or type)
 - 3) A brief statement of reasons for
supporting or opposing the re-
quest
 - 4) Whether or not you wish to ap-
pear and be heard at the hearing
- WRITTEN STATEMENTS MUST
BE FILED WITH:
PINAL COUNTY PLANNING AND
DEVELOPMENT SERVICES DE-
PARTMENT
P.O. BOX 2973 (85 N. FLO-
RENCE, FIRST FLOOR)
FLORENCE, AZ 85132

NO LATER THAN 4:00 P.M. ON
SEPTEMBER 21, 2023
Contact for this matter: Planning
Division

E-mail Address: [planningdivi-
sion@pinal.gov](mailto:planningdivi-
sion@pinal.gov) Phone: (520) 866-
6442 Fax: (520) 866-6530
No. of publications: 1; date of
publication: Sep. 14, 2023.



AGENDA ITEM

September 28, 2023 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

BA-031-23 – PUBLIC HEARING/ACTION: Lawrence Kwiatkowski, landowner/applicant, requesting a variance to Section 2.30.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 87,120 square feet (2 acres) to 43,560 square feet (1 acre) and applicable development standards, to allow the construction of an accessory building on a 1 acre parcel in the Suburban Homestead Zoning District (SH), Lot 203 of Mesa Del Oro Estates Unit III, located in unincorporated Gold Canyon, Arizona, South of E. Sleepy Hollow Trail and West of S. Tum Tum Court in Section 09, Township 1 South, Range 9 East, of Pinal County. Tax Parcel 104-60-1510.

Val Lujan/Brent Billingsley

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

History	Who	Approval
Time		

ATTACHMENTS:

Click to download

☐ [STAFF REPORT PACKET](#)

TO: PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

MEETING DATE: September 28, 2023

CASE NUMBER: BA-031-23

CASE COORDINATOR: Valerie Ann Lujan

Executive Summary:

This case is a variance request by Lawrence Kwiatkowski (landowner/applicant) for allowance of a reduction to the minimum lot size to allow for the construction of an accessory building on parcel 104-60-1510; sized 1 acre, situated within the Suburban Homestead Zoning District (SH). The parcel currently exists with a single-dwelling residence.

If This Request is approved:

This variance will allow the applicant to deviate from the Suburban Homestead (SH) Development Standards, and develop their parcel within an alternative, yet reasonable development standard appropriate for its platted size, without additional variance requests.

Staff Recommendation/Issues for Consideration/Concern:

Staff offers a recommendation of approval with stipulations.

BA-031-23 – PUBLIC HEARING/ACTION: Lawrence Kwiatkowski, landowner/applicant, requesting a variance to Section 2.30.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 87,120 square feet (2 acres) to 43,560 square feet (1 acre) and applicable development standards, to allow the construction of an accessory building on a 1 acre parcel in the Suburban Homestead Zoning District (SH), Lot 203 of Mesa Del Oro Estates Unit III, located in unincorporated Gold Canyon, Arizona, South of E. Sleepy Hollow Trail and West of S. Tum Tum Court in Section 09, Township 1 South, Range 9 East, of Pinal County. Tax Parcel 104-60-1510.

LEGAL DESCRIPTION: LOT 203 OF MESA DEL ORO ESTATES UNIT III

TAX PARCELS: 104-60-1510

LANDOWNER/APPLICANT: Lawrence Kwiatkowski (landowner & applicant)

REQUESTED ACTION AND PURPOSE: Requesting a variance to Section 2.30.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 87,120

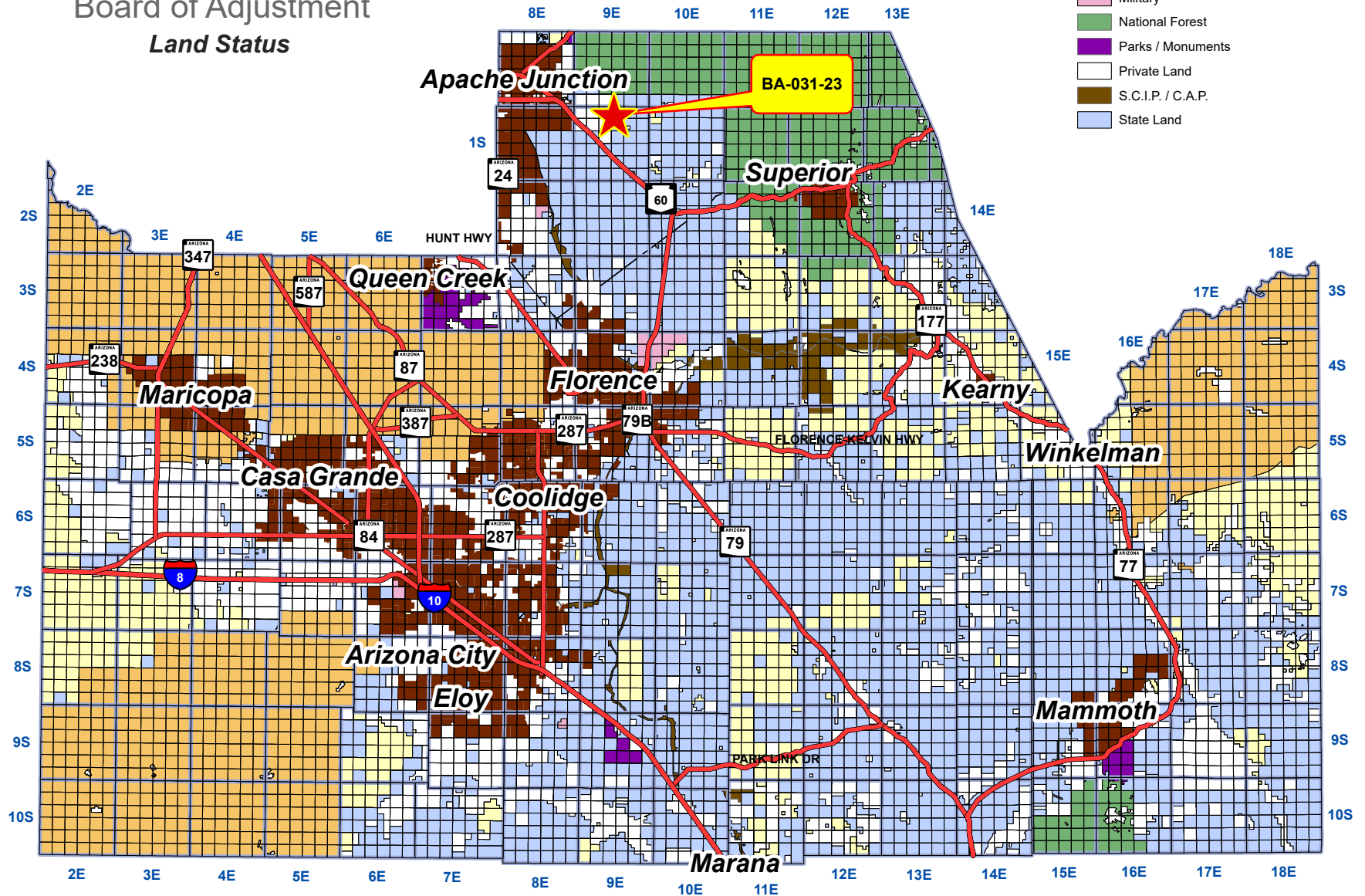


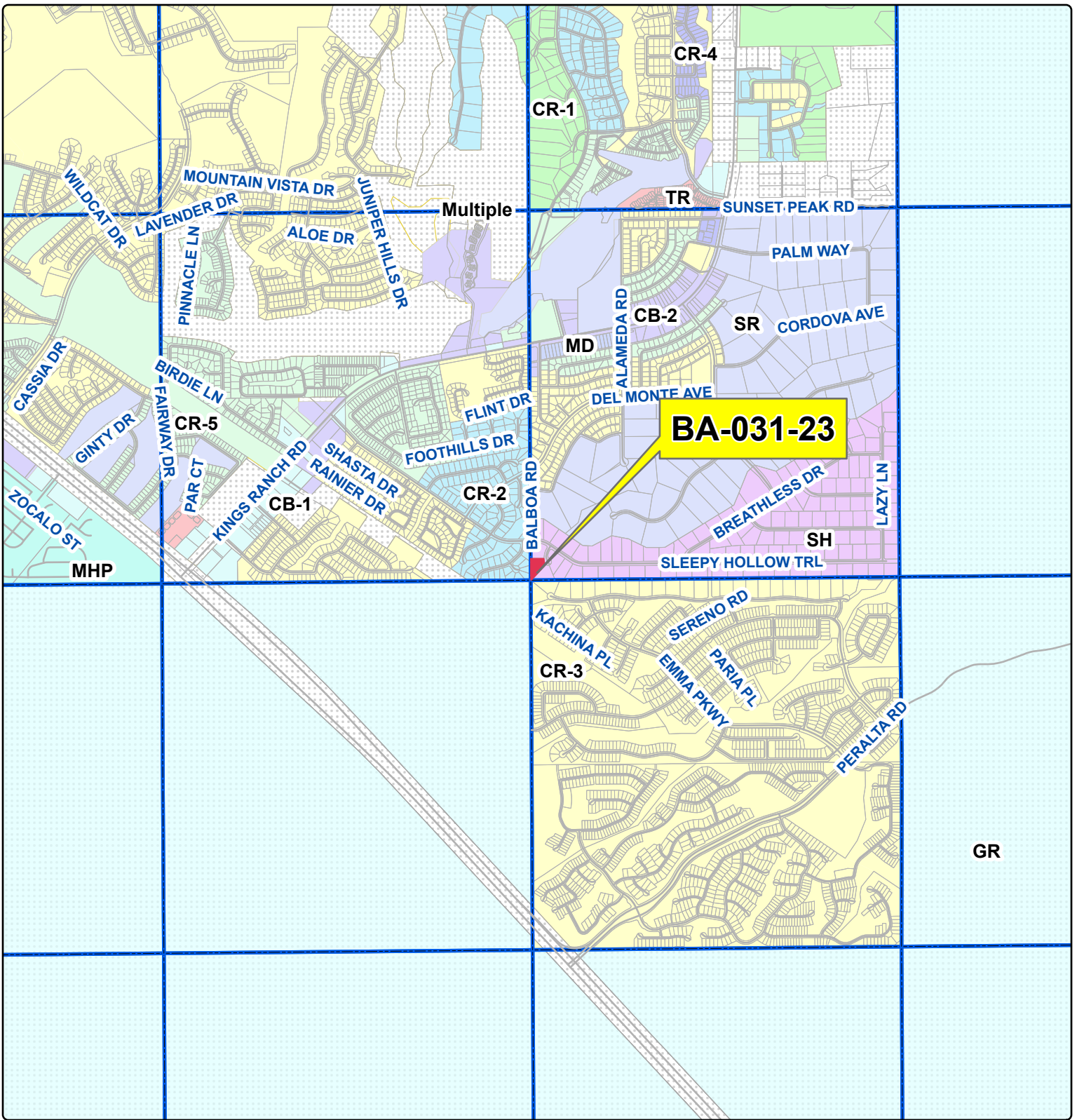
PINAL COUNTY
WIDE OPEN OPPORTUNITY

Board of Adjustment Land Status

Legend

- B.L.M.
- Indian Community
- Military
- National Forest
- Parks / Monuments
- Private Land
- S.C.I.P. / C.A.P.
- State Land





Board of Adjustment Community Development



PINAL COUNTY
WIDE OPEN OPPORTUNITY

Legal Description:

Located in unincorporated Gold Canyon, Arizona, South of E. Sleepy Hollow Trail and West of S. Tum Tum Court in Section 09, Township 1 South, Range 9 East, of Pinal County. Tax Parcel 104-60-1510.

Page 65
Section 09, TOWN 01S, RANGE 09E



Owner/Applicant: **LAWRENCE KWIATKOWSKI**

Drawn By: GIS / IT / LJT Date: 08/25/2023

Sheet No.

Section 09

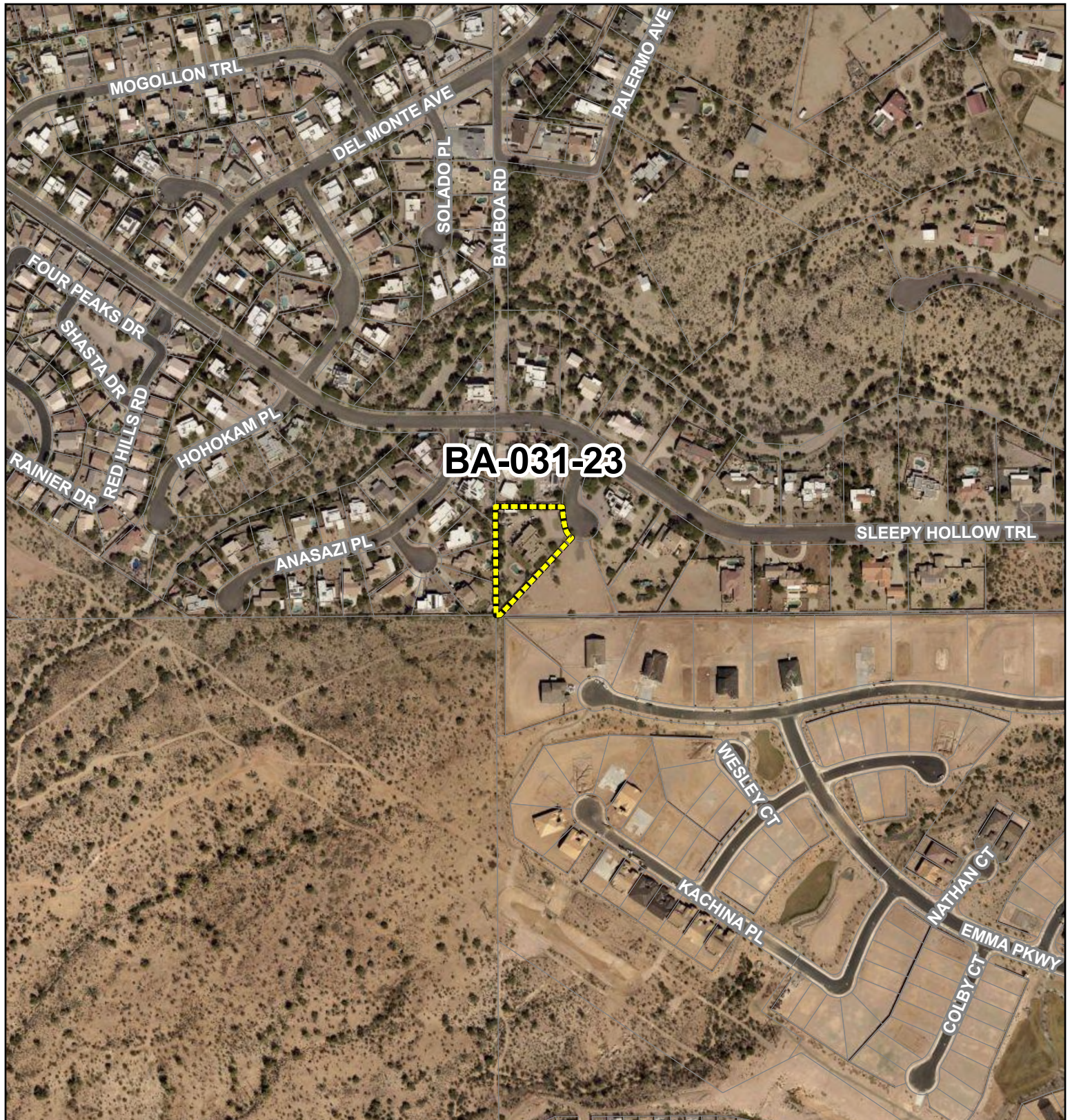
Township 01S

Range 06E

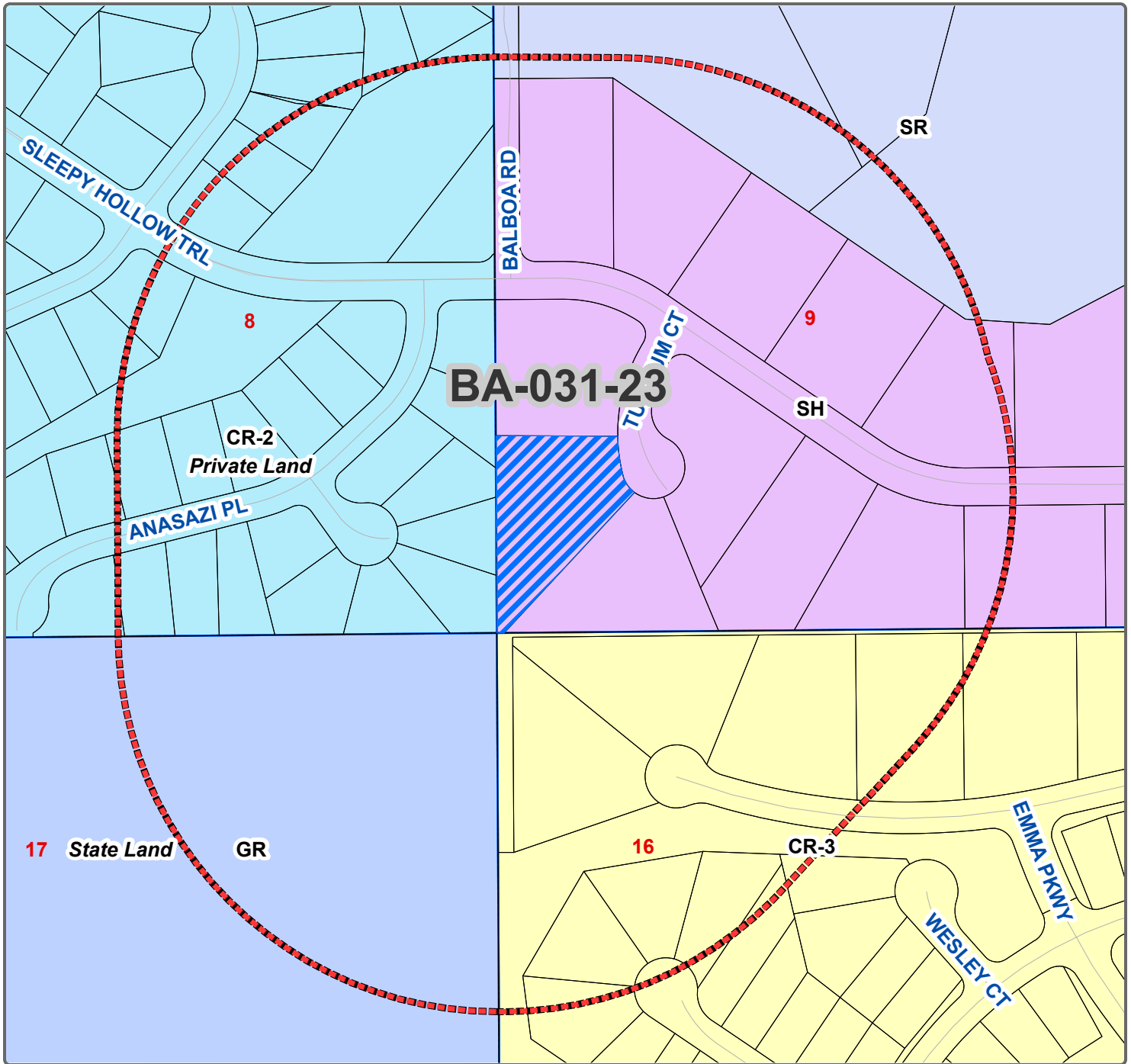
1 of 1

Case Number:

BA-031-23



Board of Adjustment



Board of Adjustment

BA-031-23 – PUBLIC HEARING/ACTION: Lawrence Kwiatkowski, landowner/applicant, requesting a variance to Section 2.30.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 87,120 square feet (2 acres) to 43,560 square feet (1 acre) and applicable development standards, to allow the construction of an accessory building on a 1 acre parcel in the Suburban Homestead Zoning District (SH), Lot 203 of Mesa Del Oro Estates Unit III, located in unincorporated Gold Canyon, Arizona, South of E. Sleepy Hollow Trail and West of S. Tum Tum Court in Section 09, Township 1 South, Range 9 East, of Pinal County. Tax Parcel 104-60-1510.

Current Zoning: SH

Requested Zoning: Board of Adjustment

Current Land Use: MLDR



Legal Description:

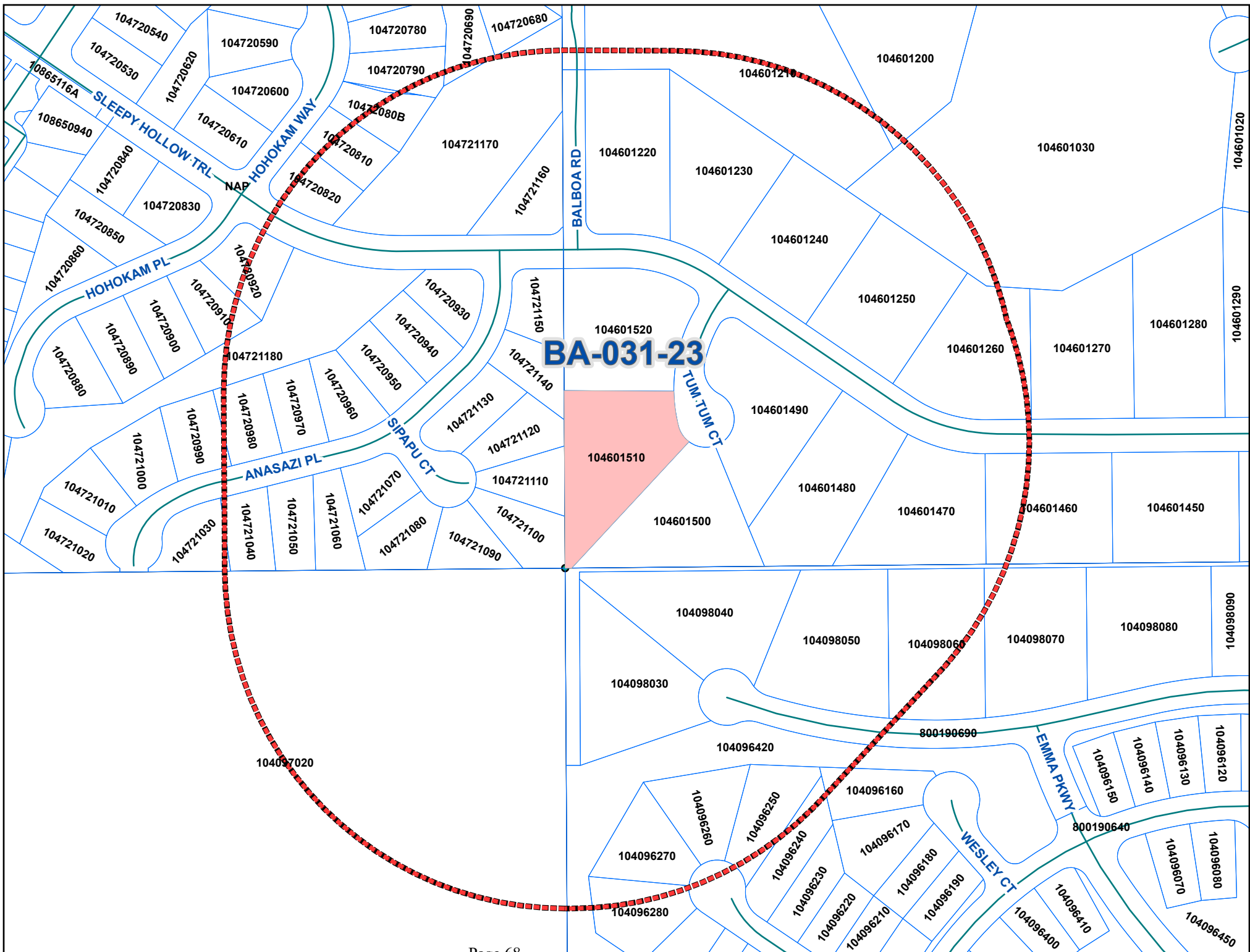
Located in unincorporated Gold Canyon, Arizona, South of E. Sleepy Hollow Trail and West of S. Tum Tum Court in Section 09, Township 1 South, Range 9 East, of Pinal County. Tax Parcel 104-60-1510.

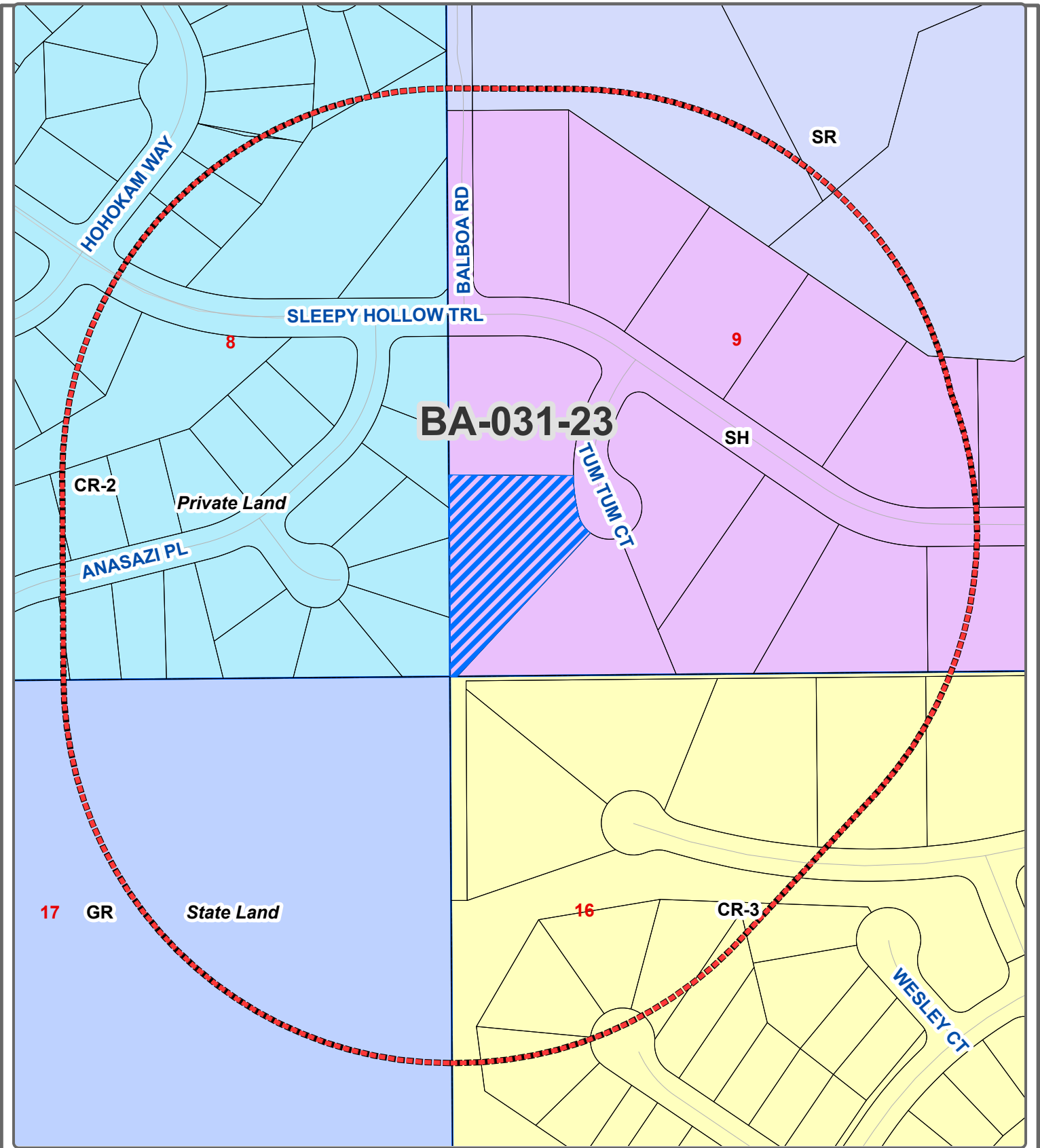
SEC091, TWN 01S, RNG 09E





Owner/Applicant: LAWRENCE KWIATKOWSKI		
Drawn By: GIS / IT /LJT	Date: 08/25/2023	
Section 09	Township 01S	Range 09E
Case Number: BA-031-23		

Sheet No.
1 of 1





Board of Adjustment

Lawrence Kwiatkowski			Legal Description: Located in unincorporated Gold Canyon, Arizona, South of E. Sleepy Hollow Trail and West of S. Tum Tum Court in Section 09, Township 1 South, Range 9 East, of Pinal County. Tax Parcel 104-60-1510.	 Sheet No. 1 of 1	 PINAL COUNTY WIDE OPEN OPPORTUNITY	Current Zoning: SH Request Zoning: Board of Adjustment Current Land Use: MLDR
GIS/IT - LJT		08/25/2023				
Section 09	Township 01S	Range 09E				
BA-031-23						

square feet (2 acres) to 43,560 square feet (1 acre), and applicable development standards on parcel 104-60-1510 to allow the construction of an accessory building.

LOCATION: The subject property is located south of E. Sleepy Hollow Trail and west of S. Tum Tum Court, in an unincorporated portion of Gold Canyon, Arizona in Pinal County.

SIZE: ± 1 acre

EXISTING ZONING AND LAND USE: The property is zoned Suburban Homestead Zoning District (SH).

SURROUNDING ZONING AND LAND USE:

North: Suburban Homestead Zoning District (SH); single-residence homes
South: Single Residence Zoning District (CR-3); single-residence homes
East: Suburban Homestead Zoning District (SH); single-residence homes
West: Single Residence Zoning District (CR-2); single-residence homes

SITE DATA:

- The Comprehensive Plan identifies the subject parcel within the moderate low density residential land use category.
- Site is situated in Flood Zone X – an area that is determined to be outside the 1% and 0.2% probability of flooding (formerly and commonly known as the “100-year floodplain”). No issues are apparent regarding Flood Control.

HISTORY: The parcel of subject is one of many within the subdivision known as Mesa del Oro Estates Unit III. The subdivision was approved and platted in 1981. At that date, the subdivision was governed to the standards set in the County Zoning Plan initially adopted by the Board of Supervisors in 1962-reflecting amendments set forth in February 1980. To that, the Suburban Homestead (SH) Zoning District conveyed a minimum lot size of 43,560 square feet (1 acre). Thus, the subject parcel was approved and platted at 1 acre. In December of 1982, the County Zoning Plan was again amended and resulted in the SH Zoning District having new development standards that included an increase of minimum lot size to 87,120 square feet (2 acres). In every iteration of County Code since the 1982 amendment SH has maintained the 2-acre lot size requirement, which makes the subject parcel non-conforming to today’s standards and consequentially not allowing any further development.

To date, three (3) formal comments have been received; two of which are in support of the case and one that raises some concerns. The two comments of support share the perspective that this request for a Variance is reasonable and practical; declaring that many other residences of the area are of similar size and have an accessory building. The letter of concern conveys that the subject parcel has conducted what is described as a business endeavor involving automobiles, to which the Variance may continue to promote if approved. The neighbor has concerns that operation as such causes noise and air pollution. Staff further explored County records for the parcel and found two Code Compliance cases (CC-0492-21 & CC-0067-22), which depicted similar concerns but have since been closed, as evidence was unfounded. Staff recognizes this concern and has communicated to the neighbor that a Variance does not allow any additional uses than what is already established per County Code for the SH Zoning District. More so, Staff explained that if this issue persists then the correct course of action

for raising this type of concern is through our Code Compliance Division, to which they are welcome to pursue in that event.

Staff's public participation and notification of the cases include:

Newspaper publish dates:	9/04/2023 & 9/07/2023
Mail-outs:	9/05/2023
Site Posting:	9/04/2023
Website:	week of 08/11/2023

THE APPLICANT MUST SATISFY THE BOARD OF ADJUSTMENT AND APPEALS THAT THIS REQUEST MEETS THE NECESSARY CRITERIA TO QUALIFY FOR A VARIANCE AS STATED IN SECTION 2.155.050.C

EVIDENCE REQUIRED FOR VARIANCE:

- There are special circumstances or conditions applicable to the property, which is the subject of the variance, which do not prevail on other property in that zoning district.
- The special circumstances or conditions referred to in subsection (C)(4)(a) of this section are not self-imposed by the property owners within the subject area.
- The strict application of the regulations would work an unnecessary nonfinancial hardship.
- The granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights.
- The granting of such variance will not materially affect the health or safety of persons residing or working within the subject area and adjacent properties and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.
- The variance does not allow a use that is not permitted in the zone district where the property is located.

FINDINGS: Under Section 2.155.030.E of the Pinal County Development Service Code (Zoning Ordinance), the Board of Adjustment and Appeals shall hear and consider all evidence relating to the request and make findings as to the conformity of the request to the above Section.

THE BOARD OF ADJUSTMENT AND APPEALS shall consider the following criteria in conditionally approving or denying a variance.

- There are special circumstances or conditions applicable to the property which is the subject of the variance which do not prevail on other property in that zoning district.

ANALYSIS: The subject property is insignificant in that its size and shape are similar to the subdivision in which it is situated – Mesa del Oro Estates Unit III. The uniqueness of this site is held in it being a non-conforming size, by way of County action due to an amendment to the Zoning Ordinance in 1982. This amendment significantly the minimum lot size of SH parcels to 87,120 square feet (2 acres).

FINDING: A special circumstance/condition does exist for this site, and in a way that does not prevail on other property in that zoning district.

- b. That the special circumstances or conditions referred to in subsection (C) (4) (a) of this section are not self-imposed by the property owners within the subject area.

ANALYSIS: As previously stated, a special circumstance for the subject parcel being undersized is not at fault of the applicant. The justification of special circumstances of the subject parcel is in relation to the physical aspect of the land, and not for a reason that is considered self-imposed. More so, the special circumstance exists by way of the County through the Zoning Ordinance amendment as previously described in this report. The special circumstance attached to the property make a strict compliance to the development standards of Zoning District SH impossible.

FINDING: The special circumstances referred to in subsection (C) (4) (a) are not self-imposed.

- c. That the strict application of the regulations would work an unnecessary nonfinancial hardship.

ANALYSIS: It is the intention of the applicant to erect an accessory building which is a *by right* use in the given zoning district. The hardship presented is nonfinancial, in that if a variance is not granted it will deprive the applicant of full enjoyment of the site, as no permitted use can be built due to size requirements. Staff notes that the Pinal County Board of Adjustment is authorized to grant a variance when if not doing so would result in impairment of substantial property rights, as articulated in Section 2.155.040 (C.4b) of County Code.

FINDING: Staff finds that the strict application of the regulations would cause an unnecessary, nonfinancial hardship and ultimately prohibit the applicant/owner of residing on the subject property.

- d. The granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights.

ANALYSIS: The parcel was created and developed in compliance to the then existing standards. After the legally established subdivision - by way of County action, development standards to the SH Zoning District changed resulting in the subject property being non-conforming. It is clearly demonstrated that the need for this variance is necessary to maintain property rights.

FINDING: Staff finds just reasoning for granting the variance to ensure the preservation and enjoyment of substantial existing property rights of the landowner.

- e. The granting of such variance will not materially affect the health or safety of persons residing or working within the subject area and adjacent properties and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

ANALYSIS: Staff does not identify any aspect in relation to the subject property, which would result in an adverse impact to the safety and welfare of the public, or be detrimental to its immediate and broader neighborhood. The subject property is approximately 43,560 square feet (1 acre), proving to be consistent in size to adjacent parcels within its subdivision, as well as complying with an allowable use in the SH Zoning District. Included in this report are stipulations that outline development standards that are rational to the subject parcel size and similar to other lots in the area.

FINDING: The granting of this variance will not affect the health or safety of persons residing or working within the subject area and adjacent properties, and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

- f. The variance does not allow a use that is not permitted in the zone district where the property is located.

ANALYSIS: Section 2.30.030 of the County Development Services Code establishes that and accessory building is permitted within the SH Zoning District.

FINDING: Granting of the variance will not allow a use that is not permitted in the zone district where the property is located.

STAFF SUMMARY AND RECOMMENDATION: All submittals, evidence presented, written documentation, public testimony, and Planning Case Staff Report (BA-031-23) are considered part of the record in this variance case. If the Board of Adjustments and Appeals can find sufficient evidence based upon the record, staff recommends the Board adopt the staff report and record as presented and approve the requested variance with the following recommended motion. If the Board cannot find sufficient evidence to approve the request, staff suggests denying the request with the following motion.

BOARD MOTION

Staff Recommendation to Approve:

I move to approve case BA-031-23, Section 2.30.020 (B) & (D) of the PCDSC, to allow a reduction in the minimum required lot area from 87,120 square feet (2 acres) to 43,560 square feet (1 acre) and applicable development standards, to allow the construction of an accessory building on parcel 104-60-1510 located in the Suburban Homestead (SH) Zoning District. The move for approval is based on the findings of A through F -as presented above- and is subject to the following stipulations:

1. All State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained - including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of wastewater, air quality permit, etc.
2. Development Standards for the subject parcel shall be as follows:
 - a. Minimum lot area: 43,560 square feet (one acre).
 - b. Minimum lot width: 100 feet.
 - c. Minimum front setback: 30 feet.
 - d. Minimum side and rear setback: 10 feet & 40 feet, respectively
 - e. Maximum building height: 30 feet.
3. Detached accessory building Development Standards shall be as follows:
 - a. Permitted coverage: 33 percent of the total area of the rear and side setbacks.
 - b. Maximum height: 20 feet.
 - c. Minimum distance to home: 7 feet.
 - d. Minimum distance to front lot line: 40 feet.
 - e. Minimum distance to side and rear lot lines: 4 feet.
4. All commercial agricultural, livestock, horses, and dairy uses are prohibited.

5. If any change of use is requested - aside from use stated within this report - the variance shall be considered null and void.

I move to deny the variance case BA-031-23, a variance to Section 2.30.020 (B) & (D) of the PCDSC, findings(s)/special circumstances referred to in the subsection (C)(4)(a) of 2.155.040 in PCDSC are self-imposed.

DATE PREPARED: 9/20/23 –val

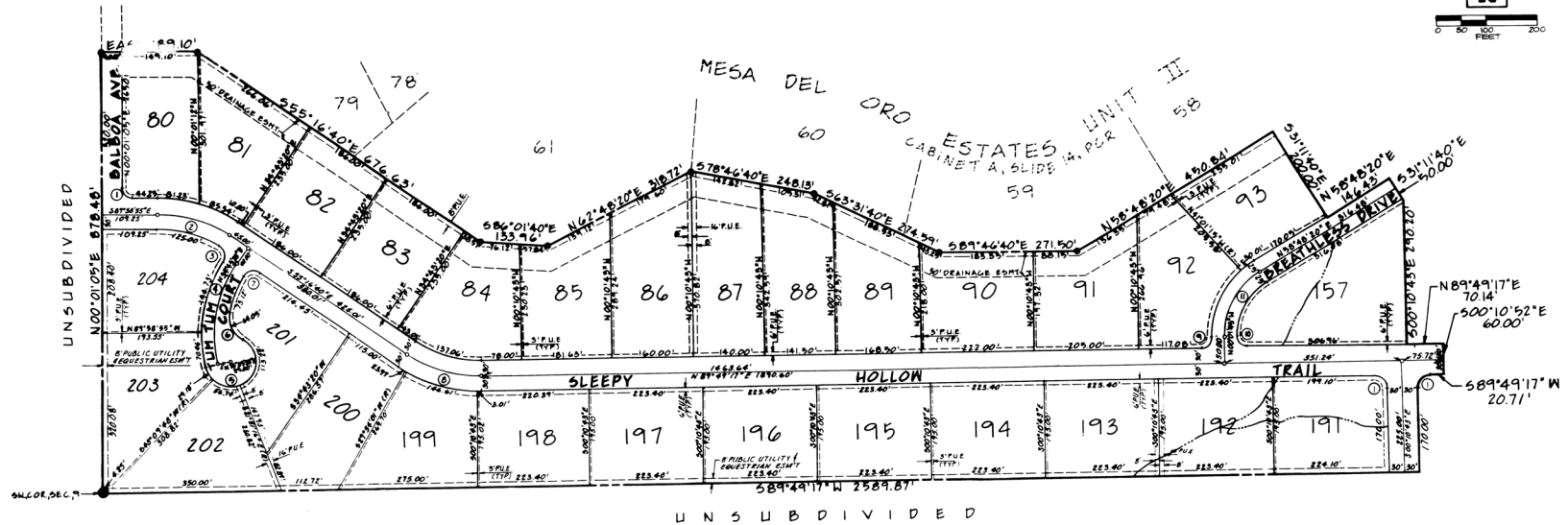
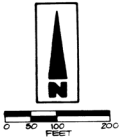
DATE REVISED: 9/22/34 -val

29

MESA del ORO ESTATES UNIT III

A SUBDIVISION OF A PORTION OF SECTION 9, T1S, R9E,
G. & S.R.B. & M., PINAL COUNTY, ARIZONA

A-29 5-11-81



STATE OF ARIZONA
County of Maricopa

KNOW ALL MEN BY THESE PRESENTS, that the Title Insurance Company of Minnesota, a Minnesota corporation, as Trustee, has subdivided under the name of MESA DEL ORO ESTATES UNIT III, a portion of Section 9, T1S, R9E, G&S.R.B. & M., Pinal County, Arizona, and hereby declares that said plat sets forth the location and shows the dimensions of the lots and streets, and that the plat is a true and correct copy of the original plat and that the Title Insurance Company of Minnesota, as Trustee, hereby certifies that the plat is a true and correct copy of the original plat and that the Title Insurance Company of Minnesota, as Trustee, hereby certifies that the plat is a true and correct copy of the original plat.

IN WITNESS WHEREOF, the Title Insurance Company of Minnesota, a Minnesota corporation, as Trustee, has caused this plat to be signed by its duly authorized officer, and the same to be attested by its duly authorized officer, and the same to be attested by its duly authorized officer, and the same to be attested by its duly authorized officer.

TITLE INSURANCE COMPANY OF MINNESOTA
a Minnesota corporation, as Trustee

By Lynd L. Merrill
Trust Officer

ACKNOWLEDGMENT

STATE OF ARIZONA
County of Maricopa

On this 30th day of April, 1981, before me, the undersigned officer, appeared Robert K. Merrill, a duly authorized officer of the Title Insurance Company of Minnesota, a Minnesota corporation, and acknowledged that as such officer, being duly authorized to do so, executed the foregoing instrument, and that the same is a true and correct copy of the original plat and that the Title Insurance Company of Minnesota, as Trustee, hereby certifies that the plat is a true and correct copy of the original plat.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

By Mary E. Hester
Notary Public

"Commission Expires:
1-27-85"

Trustee named herein states that pursuant to the provisions of ARS 31-401, an affidavit has been recorded in the office of the County Recorder in the above county in Book/Roll 1611, Page 287. Document (fee) No. 632675.

APPROVALS
This plat has been approved as to form and content by:

By James L. Smith 5-6-81
Pinal County Health Department
By Charles A. Gunn 5-6-81
Pinal County Health Department
By Charles A. Gunn 5-6-81
Pinal County Engineering Dept.

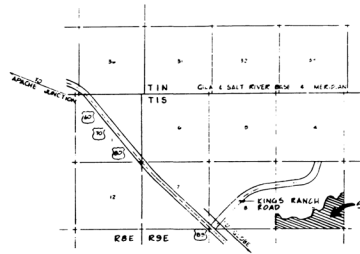
This plat has been approved as to form in accordance with A.R.S., Sec. 9-475, this 11th day of May, 1981.

By James L. Smith Attest Charles A. Gunn
Pinal County Board of Supervisors
Chairman Clerk

Insurance Notation

Satisfactory attestation in the form of an irrevocable letter of credit from the State of Arizona in the amount of \$122,400.00 has been provided to guarantee streets, water, sewerage, flood control, electricity, telephone, natural gas, staking and monument improvements will be the responsibility of the developer.

Pinal County Board of Supervisors
By James L. Smith Attest Charles A. Gunn
Chairman Clerk



VICINITY MAP

STATE OF ARIZONA
COUNTY OF PINAL } SS 676798

I hereby certify that the within instrument is filed in the official records of this County in Book/Roll 1611, Page 287.
Date: 1030 11 MAY 81
Request of DYNAMATEX, Inc
Witness my hand and official seal
WILLIAM S. TRUMAN, Pinal County Recorder
By: John Smith Deputy



CURVE DATA				
Curve No.	Delta	Radius	Tangent	Length
1	90°00'00"	25.00'	25.00'	39.27'
2	34°42'15"	245.00'	74.95'	144.40'
3	86°31'02"	25.00'	24.96'	3.84'
4	48°07'42"	250.00'	111.64'	210.00'
5	228°11'23"	50.00'	-----	199.13'
6	73°23'54"	98.88'	31.27'	64.05'
7	74°15'04"	25.00'	26.75'	41.15'
8	34°54'03"	250.00'	80.16'	155.85'
9	88°34'03"	25.00'	24.38'	38.44'
10	92°42'58"	25.00'	26.21'	40.44'
11	58°59'03"	150.00'	84.84'	154.42'

LEGEND
● Found G.L.O. brass cap
● Corner of Mesa del Oro Estates Unit II.
● Found 1/2" iron bar
○ Set survey monument
(R) Radial bearing
PUE Public utility easement
○ Curve number
--- Center-line of 30' Drainage Easement

Basis of Bearings
Bearings are based on the south boundary of Mesa del Oro Estates Unit II as recorded in Cabinet A, Slide 14, P.C.R.

CERTIFICATION
I, Robert K. Landis, hereby certify that I am a registered civil engineer of the State of Arizona; that this map consisting of two sheets, correctly represents a survey made under my supervision during the month of June, 1980; that the survey is true and complete as shown; that all of the monuments shown actually exist or will be set as shown; that their positions are correctly shown and that said monuments are sufficient to enable a survey to be retraced.



MESA DEL ORO ESTATES
UNIT III
FINAL PLAT

Colin, Barr, Evans and Associates
ENGINEERS & PLANNERS
200 NORTH GILBERT AVENUE • PHOENIX, ARIZONA 85012

DRWG. 40068-006

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON **SEPTEMBER 28TH, 2023** AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A **VARIANCE** FOR THE UNINCORPORATED AREA OF PINAL COUNTY.

BA-031-23 – PUBLIC HEARING/ACTION: Lawrence Kwiatkowski, landowner/applicant, requesting a variance to **Section 2.30.020 (B) & (D)** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 87,120 square feet (2 acres) to 43,560 square feet (1 acre) and applicable development standards, to allow the construction of an accessory building on a 1 acre parcel in the Suburban Homestead Zoning District (SH), Lot 203 of Mesa Del Oro Estates Unit III, located in unincorporated Gold Canyon, Arizona, South of E. Sleepy Hollow Trail and West of S. Tum Tum Court in Section 09, Township 1 South, Range 9 East, of Pinal County. Tax Parcel 104-60-1510.

Information regarding the case can be found online at:
<https://www.pinal.gov/1233/Board-of-Adjustment-Agendas>

ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AT THE HEARING AT THE TIME AND PLACE DESIGNATED ABOVE, AND SHOW CAUSE, IF ANY, WHY THIS PETITION SHOULD NOT BE GRANTED. DOCUMENTS PERTAINING TO THIS CASE CAN BE REQUESTED AND ARE AVAILABLE FOR REVIEW FROM PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT PLEASE CALL (520) 866-6442 FOR MORE INFORMATION

DATED THIS **23RD DAY OF AUGUST, 2023**

TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT **MUST** CONTAIN THE FOLLOWING INFORMATION:

- 1) Planning Case Number (see above)
- 2) Your name, address, telephone number and property tax parcel number (**Print or type**)
- 3) A brief statement of reasons for supporting or opposing the request
- 4) Whether or not you wish to appear and be heard at the hearing

WRITTEN STATEMENTS MUST BE FILED WITH:

PINAL COUNTY DEVELOPMENT SERVICES
P.O. BOX 749
FLORENCE, AZ 85132

NO LATER THAN 4:00 P.M. ON WEDNESDAY SEPTEMBER 20, 2023

Contact for this matter: Val Lujan, e-mail address: valerie.lujan@pinal.gov
Phone #: (520) 866-6442 / (520) 866-6528

[Anything below this line is not for publication.]

PUBLISHED ONCE:
Arizona Republic

ELLIOTT JERALD & SALLY
7024 S SIPAPU CT
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6887 S HOHOKAM PL
GOLD CANYON, AZ 85118

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19090 LOS HERMANOS RANCH ...
VALLEY CENTER, CA 92082

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GOLD CANYON, AZ 85118

,

NOACK JEFFREY D TRUST
19965 WATERFORD CT
SHOREWOOD, MN 55331

WEEKS STANLEY E
9593 E ANASAZI PL
GOLD CANYON, AZ 85118

DEDOES SETH
6873 S HOHOKAM PL
GOLD CANYON, AZ 85118

KNAUER STEVEN & PAMILA
6515 62ND AVENUE CT NW
GIG HARBOR, WA 98335

MILLER TIMOTHY E
10242 S COUNTY ROAD 200 E
WALTON, IN 46994

PATENAUDE-WHEELER FAMILY ...
9786 E SLEEPY HOLLOW TRL
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GOLD CANYON, AZ 85118

GILBERT DOROTHY A REV TRU...
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GOLD CANYON, AZ 85118

ASSID JOEL ABRAHAM & KARA ...
6831 S HOHOKAM WAY
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SCHWETER JEFFREY W & DEB...
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SAYLER JODY
9844 E SLEEPY HOLLOW TRL
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HARGRAVES DOUGLAS & ACO...
MAIL RETURN
,

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GOLD CANYON, AZ 85118

HOLOHAN SUSAN L TRUST
9584 E ANASAZI PL
GOLD CANYON, AZ 85118

BARLEEN JEFFREY L & CAROL...
6811 S HOHOKAM WAY
GOLD CANYON, AZ 85118

CHISM THOMAS F LIVING TRUS...
6793 S HOHOKAM WAY
GOLD CANYON, AZ 85118

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7215 S KACHINA PL
GOLD CANYON, AZ 85118

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6781 S HOHOKAM WAY
GOLD CANYON, AZ 85118

OSINSKI MARK
7007 S SIPAPU CT
GOLD CANYON, AZ 85118

KALSOW JILL J REV LIV TRUST
7212 S KACHINA PL
GOLD CANYON, AZ 85118

MARWIN FAMILY TRUST
9668 E SLEEPY HOLLOW TRL
GOLD CANYON, AZ 85118

KWIATKOWSKI LAWRENCE & N...
6950 S TUM TUM CT
GOLD CANYON, AZ 85118

PRIORE GREGORY K & DENISE...
MAIL RETURN
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GOLD CANYON, AZ 85118

MULCHANDANI KAMAL P
9895 E SLEEPY HOLLOW TRL
GOLD CANYON, AZ 85118

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GOLD CANYON, AZ 85118

HERMOSA HILLS HOMEOWNER...
6499 S KINGS RANCH RD STE 6...
GOLD CANYON, AZ 85118

SCHRINER DAVID A & CATHY L
9801 E SLEEPY HOLLOW TRL
GOLD CANYON, AZ 85118

ARMES JAMES L & CAROL A TR...
11495 E FOSSIL SPRINGS
GOLD CANYON, AZ 85118

KOENCK PAUL M JR & TERESA ...
607 W COLDEN ST
POLO, IL 61064

GRASS WILLIAM R & MARY LYN...
7172 S WESLEY CT
GOLD CANYON, AZ 85118

PROCTOR CHRISTOPHER & PA...
11498 E FOSSIL SPRINGS
GOLD CANYON, AZ 85118

TOFFALES CAROL A
21 MOTTS HOLLOW RD
PORT JEFFERSON, NY 11777

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7219 S KACHINA PL
GOLD CANYON, AZ 85118

NOONAN KEVIN M & DAWN R
11540 E FOSSIL SPRINGS
GOLD CANYON, AZ 85118

ASHBECK THOMAS
9685 E PALERMO AVE
GOLD CANYON, AZ 85118

HAAVIG PAUL
7213 S KACHINA PL
GOLD CANYON, AZ 85118

MUNSON DAVID WARREN & SA...
11666 E FOSSIL SPRINGS
GOLD CANYON, AZ 85118

THOMAS DEBORAH HOLLY REV...
9739 E PALERMO AVE
GOLD CANYON, AZ 85118

D ONOFRIO GERALD ELLISON ...
7211 S KACHINA PL
GOLD CANYON, AZ 85118

,

PERALTA CANYON COMMUNITY...
1600 W BROADWAY RD STE 20...
TEMPE, AZ 85282

PINAL COUNTY
PO BOX 827
FLORENCE, AZ 85132

PINAL COUNTY
PO BOX 827
FLORENCE, AZ 85132

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THE ARIZONA REPUBLIC

PO Box 194, Phoenix, Arizona 85001-0194

Phone 1-602-444-7315

Fax 1-877-943-0443

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PNI-Arizona Republic

AFFIDAVIT OF PUBLICATION

LAWRENCE KWIATKOWSKI
6950 S. TUM TUM COURT
GOLD CANYON, AZ 85118

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Order # 0005814584 # of Affidavits: 1

P.O # BA-031-23

Issues Dated:

09/04/23, 09/07/23

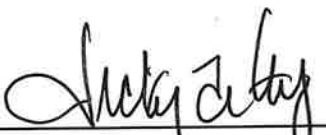
STATE OF WISCONSIN
COUNTY OF BROWN

} SS.

I, being first duly sworn, upon oath deposes and says: That I am the legal clerk of the Arizona Republic, a newspaper of general circulation in the counties of Maricopa, Coconino, Pima and Pinal, in the State of Arizona, published weekly at Phoenix, Arizona, and that the copy hereto attached is a true copy of the advertisement published in the said paper in the issue(s) dated indicated.

Sworn to before me this

7 TH day of
SEPTEMBER 2023


Notary Public

My Commission expires: 9/19/25

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING BY
THE BOARD OF ADJUSTMENT AND
APPEALS AT 9:30 A.M., ON SEPTEMBER 28TH, 2023 AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A VARIANCE FOR THE UNINCORPORATED AREA OF PINAL COUNTY.
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TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:

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 - 2) Your name, address, telephone number and property tax parcel number (Print or type)
 - 3) A brief statement of reasons for supporting or opposing the request
 - 4) Whether or not you wish to appear and be heard at the hearing
- WRITTEN STATEMENTS MUST BE FILED WITH: PINAL COUNTY DEVELOPMENT SERVICES, P.O. BOX 749 FLORENCE, AZ 85132. NO LATER THAN 4:00 P.M. ON WEDNESDAY SEPTEMBER 20, 2023
Contact for this matter: Val Lujan, e-mail address: valerie.lujan@pinal.gov
Phone #: (520) 866-6442 / (520) 866-6528
Pub: Sept 7, 2023

VICKY FELTY
Notary Public
State of Wisconsin



PINAL COUNTY
WIDE OPEN OPPORTUNITY

APPLICATION FOR VARIANCE OF REGULATIONS IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(All Applications Must Be Typed or Written in Ink) and submitted via the online portal site at
<https://citizenaccess.pinalcountyaz.gov/CitizenAccess/>

Variance Request & Property Information:

(Feel free to include answers and to these questions in a Supplementary Narrative, when doing so write see narrative on the space provided)

1. Tax Assessor Parcel No.: 104601540 2. Size (to the nearest 1/10th of an acre) 1.1

3. The legal description of the property: Mesa Del Oro Estates #3 L27203

4. Current zoning: SH 5. Septic or Sewer? Septic ☒ Sewer ☐
Sewer District _____

6. The existing use(s) of the property: Singl family, residential

7. The exact variance request and/or Section(s) of Code impacted: Undersized lot
Zone Code SH, Permission To put up a storage shed

8. Is there a zoning violation on the property for which the owner has been cited? If yes, zoning violation #
(CC/BCC) NO

9. Discuss any known changes in land use, street arrangement, or other physical conditions that have altered the character of your property or adjoining properties.

Just the SH Zoning

10. State any special circumstances or conditions about the property that do not negatively impact other properties in that zoning district. Also state any physical characteristics of this property that are unique and unlike other properties in the area.

There are none

COMMUNITY DEVELOPMENT
Planning Division

11. State how the special circumstances or conditions referred to question #10 are not self-imposed.

N/A

12. State how the granting of this application will not materially affect the health or safety of persons residing or working in the neighborhood and how this variance will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Shed to be in back of property, not affecting any neighbor property

13. State how the variance will only allow permitted uses in the zoning district in which the property is located.

Must have 2 acres for added out buildings

14. State how the strict application of the current regulations would work an unnecessary nonfinancial hardship and how the granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights. Show how all beneficial uses and/or enjoyment of the land will be lost if the variance is not granted. Evidence from an appraiser, realtor or other professionals can be useful.

All paint and tools stored outside, under tarps. Weather is ruining some. Want to move all to a protected storage shed and out of sight

(The following are additional questions for reductions in parking requests only)

15. Site Plan Review or Building Permit Number: _____

16. Required parking either in total number or ratio: _____ 17. Requested (# or ratio) _____

18. Evidence to support a reduction, this may include codes and ordinance from other jurisdictions, structures with multiple building occupancy types and/or operational characteristics of the particular use that would warrant a reduction: _____

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed. All notices will be sent to the applicant unless otherwise directed in writing.

Lawrence Kwiatkowski
Name of Applicant Address

[Signature] chrger66@aol.com (805) 358-2329
Signature of Applicant E-Mail Address Phone Number

None
Name of Agent/Representative Address

Signature of Agent/Representative E-Mail Address Phone Number

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings. Please use attached Agency Authorization form, if applicable.

Lawrence Kwiatkowski 69505. Tula Terrace Gold Canyon AZ 85118
Name of Landowner Address

[Signature] chrger66@aol.com (805) 358-2329
Signature of Landowner E-Mail Address Phone Number

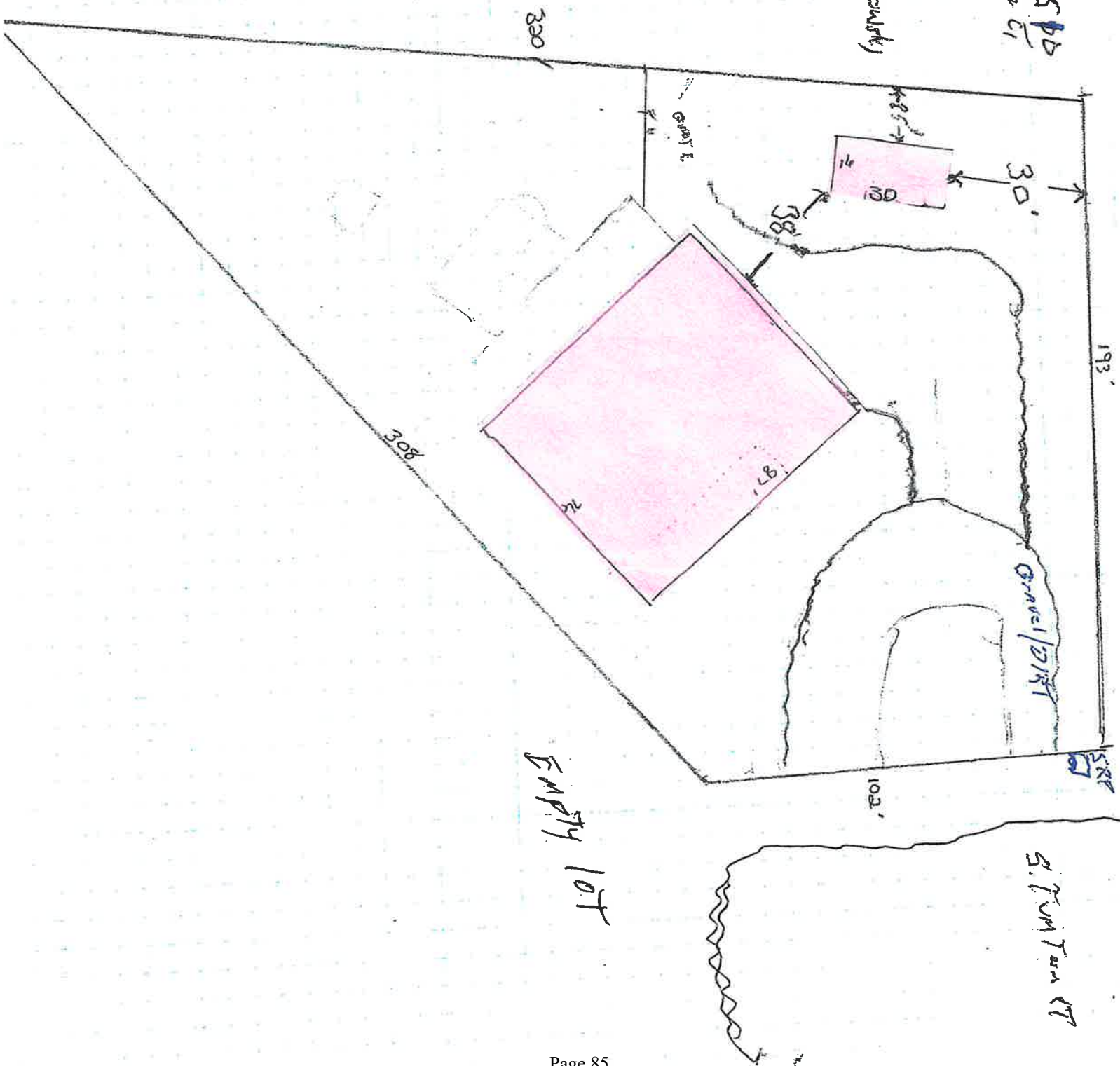
If the landowner is not the applicant, then the applicant must submit a signed and notarized agency authorization form from the landowner with this application.

Application Checklist:

- ☐ Submit a detailed site plan, at least 8½ X 11, but not larger than 11" X 17". The site plan must include the following:
 - Size and shape of parcel; property dimensions; north arrow
 - Adjacent streets; rights-of-way, easements and setbacks; indicate size; purpose and whether public or private
 - Location, size and use of all existing and proposed buildings; show setbacks from property boundary lines and between structures
 - Driveways and parking areas, show access, dimensions and surface material
 - Existing and proposed utilities, show location of lines, size and serving company
 - Any other information as may be applicable – landscaping, natural features i.e.: washes, excavation sites, etc., floor plan
- ☐ Submit the "This Application Checklist" for the requested action.
- ☐ Submit a list of all property owners within 600' of the subject property boundary showing name, mailing address and tax parcel numbers. This list must be obtained within the 30 days prior to application submission.
- ☐ Submit a map of the area with the 600' boundary shown. (A Tax Assessor Parcel Map is acceptable).
- ☐ Submit the non-refundable filing fee according to the fee schedule shown on coversheet of the application. (The application is not considered filed until the fees are paid.)
 - A) Residential with 0-499 mail-outs \$500.00
 - B) Residential with 500 or more mail-outs: \$500.00
 - C) Commercial, industrial or transition with 0-499 mail-outs: \$2,084.00
 - D) Commercial, industrial or transition with 500 or more mail-outs: \$2,399.00
- ☐ The application and narrative in PDF format.
- ☐ Understand that a newspaper publication must be advertised for this variance case per Pinal County staff instructions no later than 28 days prior to the hearing date as assigned. The applicant is responsible for all publication fees.

6950 S. 10th Ave
Cody, WY

Larry & Mary (St. Louis)



PROPERTY OWNERSHIP LIST

(Required for filing all applications)

Instructions: Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 600 feet of the subject parcel boundary. Feel free to attach a separate list if generated digitally. Please see "How to use the Buffer Tool" on our FAQ's page if you are generating the list.

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

I hereby verify that the name list above was obtained on the 30th day of August, 2023 at the office of Bank of America and is accurate and complete to the best of my knowledge.
(Source of Information)

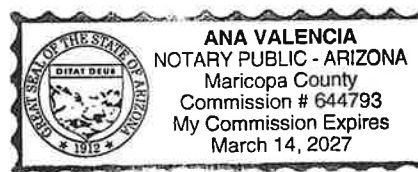
On this 30th day of August, 2023 before me personally appeared Lawrence A. Kwiatkowski
(Name of signor)

Signature [Signature] Date 08/30/2023

State of Arizona)ss.

County of Maricopa

My Commission Expires March 14, 2027



(SEAL)

Signature of Notary Public

[Signature: Ana Valencia]

ELLIOTT JERALD & SALLY
7024 S SIPAPU CT
GOLD CANYON, AZ 85118

ROSSEAU KARA & PUTT LESL...
9462 E ANASAZI PL
GOLD CANYON, AZ 85118

KUPPENS RONALD ANDREW & ...
PO BOX 7417
MAMMOTH LAKES, CA 93546

COTTLE RAYE JEAN
9421 E ANASAZI PL
GOLD CANYON, AZ 85118

BARNHILL ARIZONA W & REGIN...
6979 S SIPAPU CT
GOLD CANYON, AZ 85118

LITTLE MARK & TAMMY SUE
PO BOX 210
TOUTLE, WA 98649

COTEAU PROPERTIES III LLC
3072 LAKE FRONT DR SE
JAMESTOWN, ND 58401

LUNDBLAD BRUCE & KELLY
9492 E ANASAZI PL
GOLD CANYON, AZ 85118

KLAMM JOHN
6887 S HOHOKAM PL
GOLD CANYON, AZ 85118

MAAS JO ANN L SEPARATE PR...
19090 LOS HERMANOS RANCH ...
VALLEY CENTER, CA 92082

BAKER DANIEL A & MARIA A
9522 E ANASAZI PL
GOLD CANYON, AZ 85118

NOACK JEFFREY D TRUST
19965 WATERFORD CT
SHOREWOOD, MN 55331

WEEKS STANLEY E
9593 E ANASAZI PL
GOLD CANYON, AZ 85118

DEDOES SETH
6873 S HOHOKAM PL
GOLD CANYON, AZ 85118

KNAUER STEVEN & PAMILA
6515 62ND AVENUE CT NW
GIG HARBOR, WA 98335

MILLER TIMOTHY E
10242 S COUNTY ROAD 200 E
WALTON, IN 46994

PATENAUDE-WHEELER FAMILY ...
9786 E SLEEPY HOLLOW TRL
GOLD CANYON, AZ 85118

LUOMA BENJAMIN C JR TRUST
6994 S SIPAPU CT
GOLD CANYON, AZ 85118

KWIATKOWSKA GRACE
6951 S TUM TUM CT
GOLD CANYON, AZ 85118

GUSTAFSON TIMOTHY
9736 E SLEEPY HOLLOW TRL
GOLD CANYON, AZ 85118

RUCHTY BARRY & HEINZEN-RU...
6999 S SIPAPU CT
GOLD CANYON, AZ 85118

GILBERT DOROTHY A REV TRU...
9568 E ANASAZI PL
GOLD CANYON, AZ 85118

ASSID JOEL ABRAHAM & KARA ...
6831 S HOHOKAM WAY
GOLD CANYON, AZ 85118

SCHWETER JEFFREY W & DEB...
34125 328TH WAY SE
ENUMCLAW, WA 98022

SAYLER JODY
9844 E SLEEPY HOLLOW TRL
GOLD CANYON, AZ 85118

HARGRAVES DOUGLAS & ACO...
MAIL RETURN

FISCHER JOANN
9434 E ANASAZI PL
GOLD CANYON, AZ 85118

HOLOHAN SUSAN L TRUST
9584 E ANASAZI PL
GOLD CANYON, AZ 85118

BARLEEN JEFFREY L & CAROL...
6811 S HOHOKAM WAY
GOLD CANYON, AZ 85118

CHISM THOMAS F LIVING TRUS...
6793 S HOHOKAM WAY
GOLD CANYON, AZ 85118

THOMAS DEBORAH HOLLY REV...
9739 E PALERMO AVE
GOLD CANYON, AZ 85118

D ONOFRIO GERALD ELLISON ...
7211 S KACHINA PL
GOLD CANYON, AZ 85118

FYE BENJAMIN ROBERT JR OR...
6781 S HOHOKAM WAY
GOLD CANYON, AZ 85118

LOPEZ VICTOR M & TAMARA C
7215 S KACHINA PL
GOLD CANYON, AZ 85118

MARWIN FAMILY TRUST
9668 E SLEEPY HOLLOW TRL
GOLD CANYON, AZ 85118

OSINSKI MARK
7007 S SIPAPU CT
GOLD CANYON, AZ 85118

KALSOW JILL J REV LIV TRUST
7212 S KACHINA PL
GOLD CANYON, AZ 85118

HALL RICHARD C
9702 E SLEEPY HOLLOW TRL
GOLD CANYON, AZ 85118

KWIATKOWSKI LAWRENCE & N...
6950 S TUM TUM CT
GOLD CANYON, AZ 85118

PRIORE GREGORY K & DENISE...
MAIL RETURN
,

FYE BENJAMIN ROBERT JR OR...
6781 S HOHOKAM WAY
GOLD CANYON, AZ 85118

MULCHANDANI KAMAL P
9895 E SLEEPY HOLLOW TRL
GOLD CANYON, AZ 85118

HERMOSA HILLS HOMEOWNER...
6499 S KINGS RANCH RD STE 6...
GOLD CANYON, AZ 85118

MATTHYS RONALD R & MARIAN...
PO BOX 123
LA RIVIERE, MB

SAY ADRIAN U & JOYCE A
11602 E FOSSIL SPRINGS
GOLD CANYON, AZ 85118

KENNEDY LAILA OLSON LIV TR...
6737 S SOLADO PL
GOLD CANYON, AZ 85118

SCHRINER DAVID A & CATHY L
9801 E SLEEPY HOLLOW TRL
GOLD CANYON, AZ 85118

ARMES JAMES L & CAROL A TR...
11495 E FOSSIL SPRINGS
GOLD CANYON, AZ 85118

KOENCK PAUL M JR & TERESA ...
607 W COLDEN ST
POLO, IL 61064

GRASS WILLIAM R & MARY LYN...
7172 S WESLEY CT
GOLD CANYON, AZ 85118

PROCTOR CHRISTOPHER & PA...
11498 E FOSSIL SPRINGS
GOLD CANYON, AZ 85118

TOFFALES CAROL A
21 MOTTS HOLLOW RD
PORT JEFFERSON, NY 11777

PACHECO DAVID E & JEANNE R...
7219 S KACHINA PL
GOLD CANYON, AZ 85118

NOONAN KEVIN M & DAWN R
11540 E FOSSIL SPRINGS
GOLD CANYON, AZ 85118

ASHBECK THOMAS
9685 E PALERMO AVE
GOLD CANYON, AZ 85118

HAAVIG PAUL
7213 S KACHINA PL
GOLD CANYON, AZ 85118

MUNSON DAVID WARREN & SA...
11666 E FOSSIL SPRINGS
GOLD CANYON, AZ 85118

PERALTA CANYON COMMUNITY...
1600 W BROADWAY RD STE 20...
TEMPE, AZ 85282

PINAL COUNTY
PO BOX 827
FLORENCE, AZ 85132

PINAL COUNTY
PO BOX 827
FLORENCE, AZ 85132



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
Virginia Ross
Electronically Recorded

DATE/TIME: 01/28/2020 1525
FEE: \$30.00
PAGES: 3
FEE NUMBER: 2020-008010

FIRST ARIZONA TITLE AGENCY

Recording Requested by:
First Arizona Title Agency, LLC

When recorded mail to:
Lawrence Kwiatkowski and Nancy Kwiatkowski
6950 S. Tum Tum Court
Gold Canyon, AZ 85118

WARRANTY DEED

File No. 14-198091 (DM) 112

For the consideration of TEN AND NO/100 DOLLARS, and other valuable considerations, I or we,

Dusty L. Knox and Deimar D. Knox, wife and husband, the GRANTOR does hereby convey to

Lawrence Kwiatkowski and Nancy Kwiatkowski, husband and wife, the GRANTEE

the following described real property situated in Maricopa County, Arizona:

LOT 203, OF MESA DEL ORO ESTATES UNIT III, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF PINAL COUNTY, ARIZONA, RECORDED IN CABINET A, SLIDE 29 AND 30;

EXCEPT 1/16TH OF ALL OIL, GAS, OTHER HYDROCARBON SUBSTANCES, HELIUM OR OTHER SUBSTANCES OF A GASEOUS NATURE, COAL, METALS, MINERALS, FOSSILS, FERTILIZER OF EVERY NAME AND DESCRIPTION, TOGETHER WITH ALL URANIUM, THORIUM, OR ANY OTHER MATERIALS WHICH MAY BE DETERMINED TO BE PARTICULARLY ESSENTIAL TO THE PRODUCTION OF FISSIONABLE MATERIALS AS PROVIDED BY ARS 37-231, AS RESERVED IN THE PATENT FROM THE STATE OF ARIZONA RECORDED IN DOCKET 1076 PAGE 564.

Subject To: Existing taxes, assessments, covenants, conditions, restrictions, rights of way, easements and all other matters of record.

And the GRANTOR does warrant the title against all persons whomsoever, subject to the matters set forth above.

Sun, Sep 10, 2:15 PM (12 days ago)

to me ▼

To Val Lujan, Planner

Please find the following required information in support of Lawrence Kwiatkowski's application, tax parcel 104-60-1510, requesting a variance to Section 2.30.020 (B) and (D) of the Pinal County Development Services Code. We will be unable to attend the hearing scheduled for 9:30am on September 28,2023 and therefore, have sent this email.

- Planning Case BA-031-23
- [REDACTED] cell phone
- [REDACTED] property tax parcel number [REDACTED]
- Brief Statement supporting: We support approval of this variance. This lot is visible from [REDACTED] due to the elevation of our property. The lots in this area are 1-2 acres and having an accessory building present is practical for this size lot and does not appear out of place. Our home resides on 1 acre and we erected a separate garage-sized structure on our property on the east side for additional storage after obtaining HOA approval. Adding an accessory building is a reasonable use of the lot and its size.

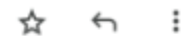
Thank you for the notice of this public hearing. We appreciate the opportunity to voice our thoughts on this matter.

Sincerely,



to me ▾

Sun, Sep 10, 1:24 PM (12 days ago)



To Val Lujan, Planner

Please find the following required information in support of Lawrence Kwiatkowski's application, tax parcel 104-60-1510, requesting a variance to Section 2.30.020 (B) and (D) of the Pinal County Development Services Code.

- Planning Case BA-031-23
- [REDACTED] cell phone [REDACTED], property tax parcel number [REDACTED]
- Brief Statement supporting: We support approval of this variance. This lot is visible from [REDACTED] due to the elevation of our property. This variance fits in well with the neighborhood on Sleepy Hollow Trl. Adding an accessory building to this 2 acre lot would not appear out of place with the surrounding properties. Our home resides on a one acre property, and our Peralta Canyon HOA rules allow for addition of an auxiliary building such as a garage on our existing single acre. If we build a 2 car garage on the north side of our existing house, that accessory building would be visible from the property included in BA-031-23. Adding an accessory building seems to be a reasonable use of the lot.
- We do not plan to attend the hearing scheduled for 9:30 am on September 28, 2023.

Thank you for the notice of this public hearing. We appreciate the opportunity to weigh in.

Kind regards,

[REDACTED]

Property Tax Parcel [REDACTED]

We as homeowners are writing to express our opposition to the request of a variance to allow the construction of an accessory building on lot 203 of the Mesa Del Oro Estates Unit III.

This landowner already has numerous vehicles parked in various states of repair at this address. We believe there is a car repair business being run at this residence. On a weekly basis the owner is seen on Sleepy Hollow hauling vehicles to and from his residence.

Allowing the construction of this building we fear will only increase the number of vehicles on the property.

We do not wish to appear, but would like our objections noted at the hearing.

We do not wish to appear, but would like our objections noted at the hearing.

[REDACTED]

ATTENTION:
PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
MS. VAL LUJAN

RE:
BA-031-23

While we, as the neighboring property to 6950 S. Tum Tum Court, Lot 203, cannot prohibit the erection of an accessory building on this property, we do wish that the board be made aware this property has conducted business for profit over the past several years, in the form of car engine and exhaust work, with multiple cars in and out of the property, at all times of the day and night, creating distress to us with the engine noise they generate.

While we have expressed our concern over the revving and long idling of engines to the neighbors, and the noise and air pollution this causes, and even though they have made attempts to lessen the engine noises on their property (including when they drive in and out of the property, testing the engine by shifting gears, and revving the motors), we are anxious that a new garage--which is to be erected on the property--will only contribute to more volume of cars being worked on and tested, creating even more noise pollution in our quiet, residential community.

We ask that you be aware of this dynamic, and with this concern raised by us now, that should we encounter work for profit on this property, that we have the opportunity to request an investigation by the county.

Thank you for your attention,

[REDACTED]



AGENDA ITEM

September 28, 2023 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

BA-036-23 – PUBLIC HEARING/ACTION: Darryl Malone, landowner/applicant, requesting a variance to Section 2.70.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acres) to 6,534 square feet (0.15 acres), and applicable development standards, to allow the construction of a single-residence on a 0.15 acre parcel in the CR-3 Single Residence (CR-3) Zone, Lot 3, Block 135, Casa Grande West Unit Five (5) Subdivision, located in Section 32, Township 6 South, Range 5 East of the Gila and Salt River Meridian, Pinal County, Arizona: Tax Parcel 503-74-3330 - legal on file. Located south of W. Peters Road and west of S. Pepper Tree Lane.

Val Lujan/Brent Billingsley

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

History	Who	Approval
Time		

ATTACHMENTS:

Click to download

☐ [STAFF REPORT PACKET](#)

TO: PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

MEETING DATE: September 28, 2023

CASE NUMBER: BA-036-23

CASE COORDINATOR: Valerie Ann Lujan

Executive Summary:

This case is a variance request by Darryl Malone (landowner & applicant) for allowance of a reduction to the minimum lot size from 7,000 square feet (0.16 acres) to 6,534 square feet (0.15 acres) to allow for the construction of a single-residence on parcel 503-74-3330. The parcel currently exists with halted fence construction & without a constructed dwelling.

If This Request is approved:

This variance will allow the applicant to deviate from the CR-3 Single Residence Zoning District (CR-3) Development Standards, and develop the parcel within an alternative, yet reasonable development standard appropriate for its platted size, without additional variance requests.

Staff Recommendation/Issues for Consideration/Concern:

Staff offers a recommendation of approval with stipulations.

BA-036-23 – PUBLIC HEARING/ACTION: Darryl Malone, landowner/applicant, requesting a variance to Section 2.70.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acres) to 6,534 square feet (0.15 acres), and applicable development standards, to allow the construction of a single-residence on a 0.15 acre parcel in the CR-3 Single Residence (CR-3) Zone, Lot 3, Block 135, Casa Grande West Unit Five (5) Subdivision, located in Section 32, Township 6 South, Range 5 East of the Gila and Salt River Meridian, Pinal County, Arizona: Tax Parcel 503-74-3330 - legal on file. Located south of W. Peters Road and west of S. Pepper Tree Lane.

LEGAL DESCRIPTION: Lot 3, Block 135, Casa Grande West Unit Five (5) Subdivision

TAX PARCELS: 503-74-3330

LANDOWNER/APPLICANT: Darryl Malone (landowner & applicant)

REQUESTED ACTION AND PURPOSE: Requesting a variance to Section 2.70.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000

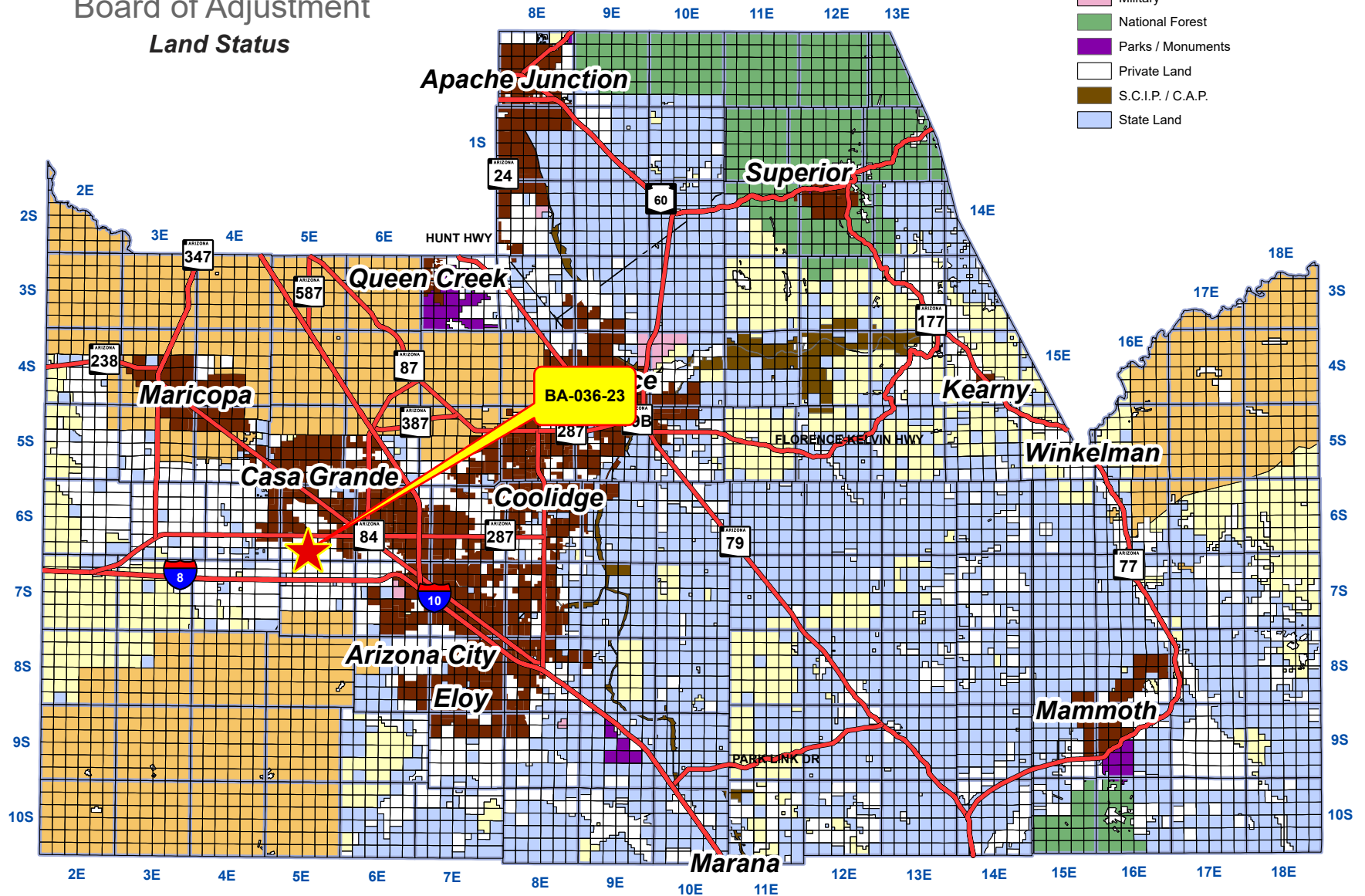


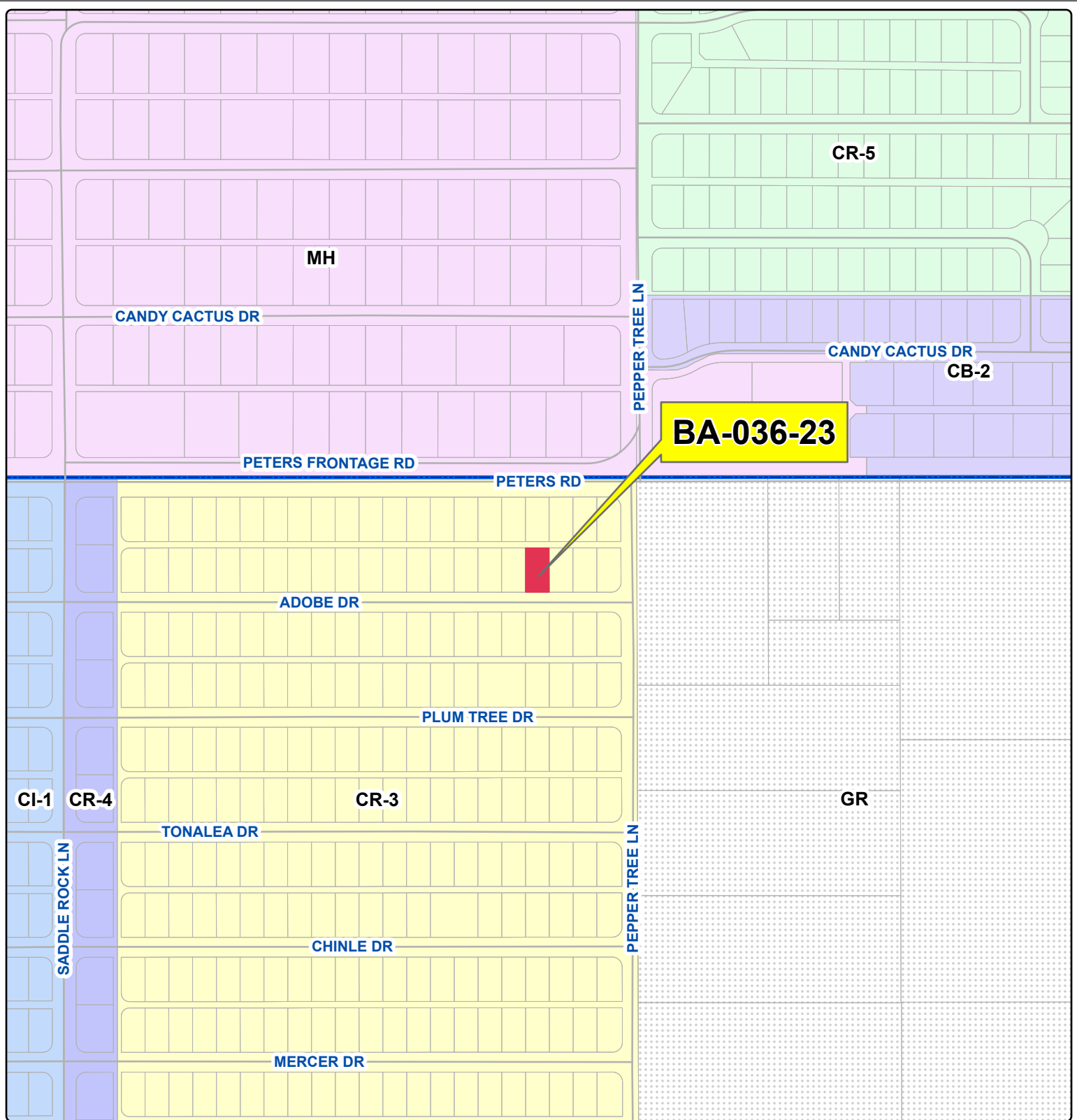
PINAL COUNTY
WIDE OPEN OPPORTUNITY

Board of Adjustment Land Status

Legend

- B.L.M.
- Indian Community
- Military
- National Forest
- Parks / Monuments
- Private Land
- S.C.I.P. / C.A.P.
- State Land





Board of Adjustment **Community Development**

Legal Description:

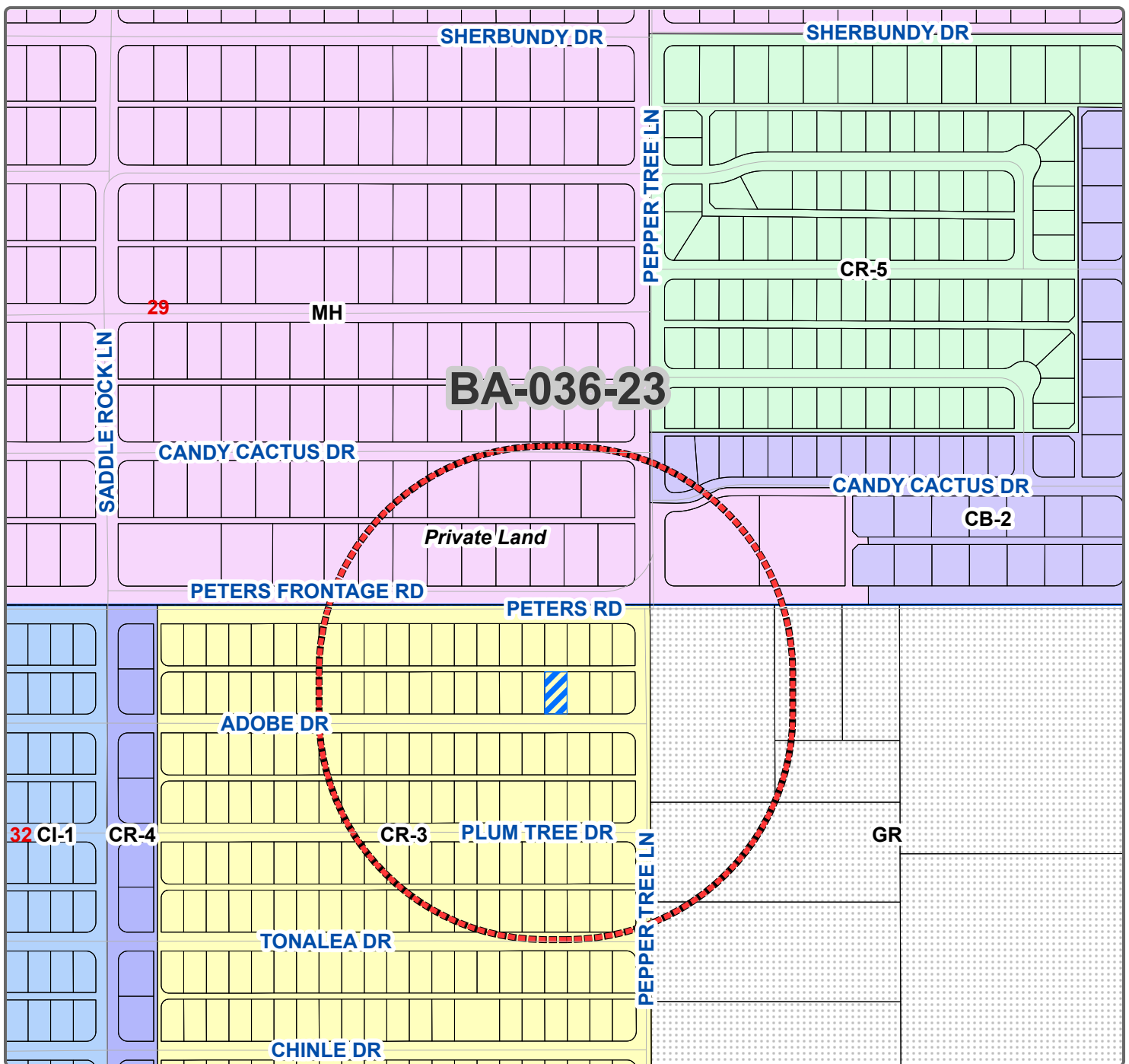
Located in Section 32, Township 6 South, Range 5 East of the Gila and Salt River Meridian, Pinal County, Arizona: Tax Parcel 503-74-3330 - legal on file. Located south of W. Peters Road and west of S. Pepper Tree Lane.



Owner/Applicant: DARRYL MALONE		
Drawn By: GIS / IT / SAH	Date: 08/25/2023	
Section 32	Township 06S	Range 05E
Case Number: BA-036-23		



Board of Adjustment



Board of Adjustment

BA-036-23 – PUBLIC HEARING/ACTION: Darryl Malone, landowner/applicant, requesting a variance to Section 2.70.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acres) to 6,534 square feet (0.15 acres), and applicable development standards, to allow the construction of a single-residence on a 0.15 acre parcel in the CR-3 Single Residence (CR-3) Zone, Lot 3, Block 135, Casa Grande West Unit Five (5) Subdivision, located in Section 32, Township 6 South, Range 5 East of the Gila and Salt River Meridian, Pinal County, Arizona: Tax Parcel 503-74-3330 - legal on file. Located south of W. Peters Road and west of S. Pepper Tree Lane.

Current Zoning: CR-3

Requested Zoning: Board of Adjustment

Current Land Use: MLDR



Legal Description:

Located in Section 32, Township 6 South, Range 5 East of the Gila and Salt River Meridian, Pinal County, Arizona: Tax Parcel 503-74-3330 - legal on file. Located south of W. Peters Road and west of S. Pepper Tree Lane.

SEC32, TWN 06S, RNG 05E



Owner/Applicant: DARRYL MALONE

Drawn By: GIS / IT /SAH

Date: 08/25/2023

Sheet No.
1 of 1

Section 32

Township 06S

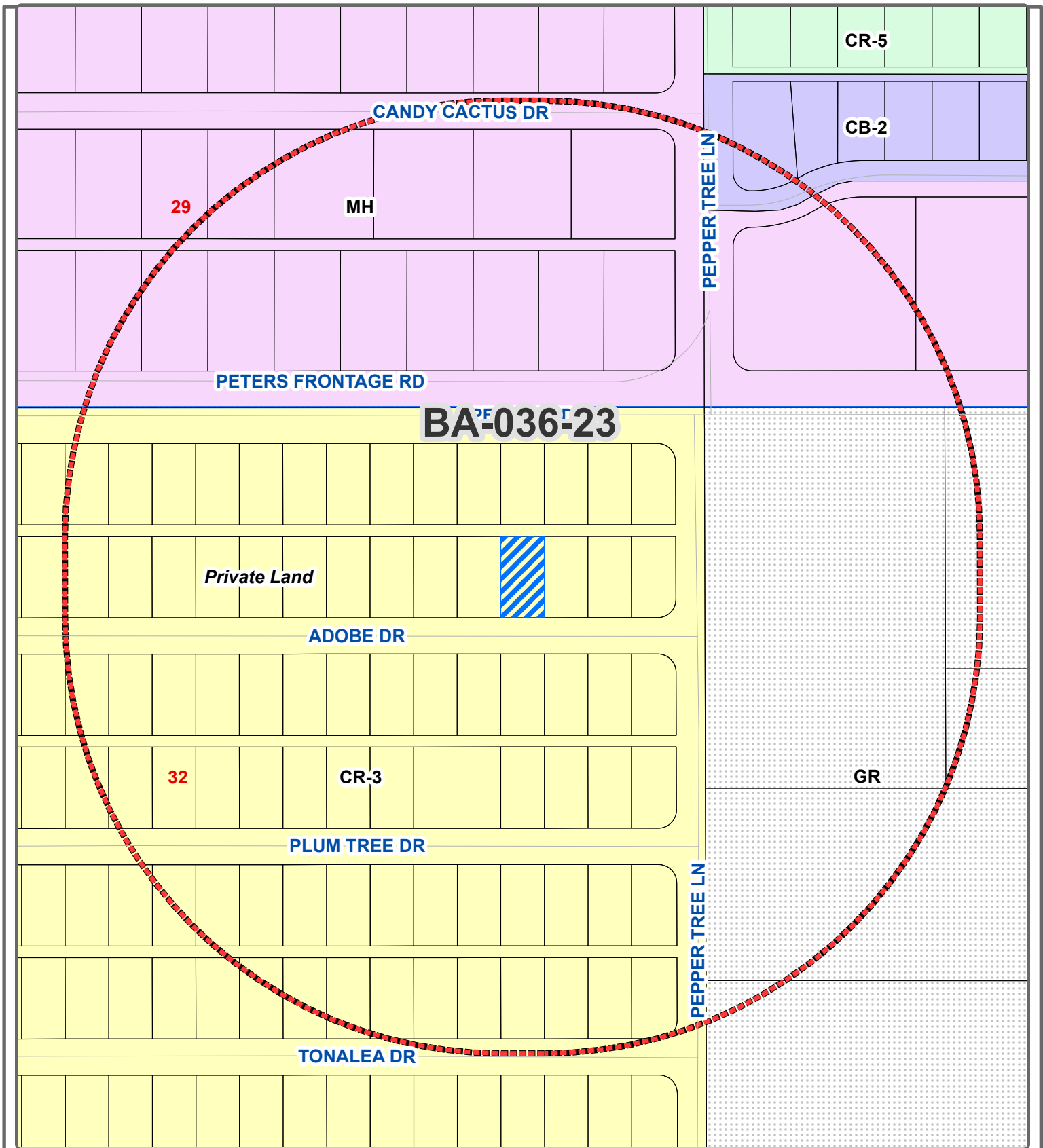
Range 05E

Case Number:



BA-036-23

The map displays a residential subdivision with the following details:

- Streets:** PEPPER TREE LN (left and right boundaries), CANDY CACTUS DR (top and bottom boundaries), PETERS RD (central horizontal road), TONALEA DR, PLUM TREE DR, ADOBE DR, and PETERS FRONTAGE RD.
- Lot Addresses:** The map shows numerous lots with addresses. A red dashed line highlights a specific path through the subdivision, starting from the top left, curving around the center, and ending at the bottom right. The highlighted path includes lots with addresses such as 503744330, 503744340, 503744350, 503744360, 503744370, 503744380, 503744390, 503744400, 503744410, 503744420, 503744430, 503744440, 503744450, 503744460, 503744470, 503744480, 503744490, 503744500, 503744510, 503744520, and 503744530.
- Other Lot Addresses:** Other lots shown include 503743000, 503743010, 503743020, 503743030, 503743040, 503743050, 503743060, 503743070, 503743080, 503743090, 503743100, 503743110, 503743120, 503743130, 503743140, 503743150, 503743160, 503743170, 503743180, 503743190, 503743200, 503743210, 503743220, 503743230, 503743240, 503743250, 503743260, 503743270, 503743280, 503743290, 503743300, 503743310, 503743320, 503743330, 503743340, 503743350, 503743360, 503743370, 503743380, 503743390, 503743400, 503743410, 503743420, 503743430, 503743440, 503743450, 503743460, 503743470, 503743480, 503743490, 503743500, 503743510, 503743520, 503743530, 503743540, 503743550, 503743560, 503743570, 503743580, 503743590, 503743600, 503743610, 503743620, 503743630, 503743640, 503743650, 503743660, 503743670, 503743680, 503743690, 503743700, 503743710, 503743720, 503743730, 503743740, 503743750, 503743760, 503743770, 503743780, 503743790, 503743800, 503743810, 503743820, 503743830, 503743840, 503743850, 503743860, 503743870, 503743880, 503743890, 503743900, 503743910, 503743920, 503743930, 503743940, 503743950, 503743960, 503743970, 503743980, 503743990, 503744000, 503744010, 503744020, 503744030, 503744040, 503744050, 503744060, 503744070, 503744080, 503744090, 503744100, 503744110, 503744120, 503744130, 503744140, 503744150, 503744160, 503744170, 503744180, 503744190, 503744200, 503744210, 503744220, 503744230, 503744240, 503744250, 503744260, 503744270, 503744280, 503744290, 503744300, 503744310, 503744320, 503744330, 503744340, 503744350, 503744360, 503744370, 503744380, 503744390, 503744400, 503744410, 503744420, 503744430, 503744440, 503744450, 503744460, 503744470, 503744480, 503744490, 503744500, 503744510, 503744520, 503744530, 503744540, 503744550, 503744560, 503744570, 503744580, 503744590, 503744600, 503744610, 503744620, 503744630, 503744640, 503744650, 503744660, 503744670, 503744680, 503744690, 503744700, 503744710, 503744720, 503744730, 503744740, 503744750, 503744760, 503744770, 503744780, 503744790, 503744800, 503744810, 503744820, 503744830, 503744840, 503744850, 503744860, 503744870, 503744880, 503744890, 503744900, 503744910, 503744920, 503744930, 503744940, 503744950, 503744960, 503744970, 503744980, 503744990, 503745000, 503745010, 503745020, 503745030, 503745040, 503745050, 503745060, 503745070, 503745080, 503745090, 503745100, 503745110, 503745120, 503745130, 503745140, 503745150, 503745160, 503745170, 503745180, 503745190, 503745200, 503745210, 503745220, 503745230, 503745240, 503745250, 503745260, 503745270, 503745280, 503745290, 503745300, 503745310, 503745320, 503745330, 503745340, 503745350, 503745360, 503745370, 503745380, 503745390, 503745400, 503745410, 503745420, 503745430, 503745440, 503745450, 503745460, 503745470, 503745480, 503745490, 503745500, 503745510, 503745520, 503745530, 503745540, 503745550, 503745560, 503745570, 503745580, 503745590, 503745600, 503745610, 503745620, 503745630, 503745640, 503745650, 503745660, 503745670, 503745680, 503745690, 503745700, 503745710, 503745720, 503745730, 503745740, 503745750, 503745760, 503745770, 503745780, 503745790, 503745800, 503745810, 503745820, 503745830, 503745840, 503745850, 503745860, 503745870, 503745880, 503745890, 503745900, 503745910, 503745920, 503745930, 503745940, 503745950, 503745960, 503745970, 503745980, 503745990, 503746000, 503746010, 503746020, 503746030, 503746040, 503746050, 503746060, 503746070, 503746080, 503746090, 503746100, 503746110, 503746120, 503746130, 503746140, 503746150, 503746160, 503746170, 503746180, 503746190, 503



Board of Adjustment

Darryl Malone			Legal Description: Located in Section 32, Township 6 South, Range 5 East of the Gila and Salt River Meridian, Pinal County, Arizona: Tax Parcel 503-74-3330 - legal on file. Located south of W. Peters Road and west of S. Pepper Tree Lane.	 Sheet No. 1 of 1	 PINAL COUNTY WIDE OPEN OPPORTUNITY	Current Zoning: CR-3 Request Zoning: Board of Adjustment Current Land Use: MLDR
GIS/IT - SAH		08/25/2023				
Section 32	Township 06S	Range 05E				
BA-036-23						
SEC 32, TWN 06S, RNG 05E						

square feet (0.16 acres) to 6,534 square feet (0.15 acres) on parcel 503-74-3330 to allow the construction of a single-residence.

LOCATION: The subject property is located south of W. Peters Road and west of S. Pepper Tree Lane, in an unincorporated portion of Pinal County within the vicinity of the City of Casa Grande.

SIZE: ±0.15 acres

EXISTING ZONING AND LAND USE: The property is zoned CR-3 Single Residence Zoning District (CR-3).

SURROUNDING ZONING AND LAND USE:

North: CR-3 Single Residence Zoning (CR-3 [undeveloped parcel])
South: CR-3 Single Residence Zoning (CR-3 [undeveloped parcel])
East: CR-3 Single Residence Zoning (CR-3 [undeveloped parcel])
West: CR-3 Single Residence Zoning (CR-3 [undeveloped parcel])

SITE DATA:

- The Comprehensive Plan identifies the subject parcel within the moderate low density residential land use category.
- Site is situated in Flood Zone X – an area that is determined to be outside the 1% and 0.2% probability of flooding (formerly and commonly known as the “100-year floodplain”). No issues are apparent regarding Flood Control.
- Subject parcel is located in a subdivision in which the sewage disposal method is identified as an *Individual Responsibility*. A septic system will be required shall a residence be established, and if a sewer connection is not available. Applicant is aware of this, and understands that this is a separate permitting process and has requirements per Arizona Administrative Code R18-9-A312.C. Applicant wishes to proceed with variance process.

HISTORY: The parcel of subject is one of many parcels within the subdivision known as Casa Grande West Unit Five. The subdivision was approved and platted in 1970. At that date, the subdivision was governed to the standards set in the County Zoning Plan initially adopted by the Board of Supervisors in 1962-reflecting amendments set forth in May 1968. To that, CR-3 Single Residence (CR-3) Zone allowed a minimum lot size of 6,000 square feet (0.13 acres). Thus, the subject parcel was approved and platted at 6,534 square feet (0.15 acres). In October of 1972, the County Zoning Plan was again amended and resulted in the CR-3 Zone having new development standards that included an increase of minimum lot size to 7,000 square feet (0.16 acres). In every iteration of County Code since the 1972 amendment, CR-3 has maintained the 7,000 square feet lot size requirement, which makes the subject parcel non-conforming to today’s standards and consequentially not allowing development.

To date, two letters of opposition have been received. The first letter expressed an opposition to the minimum lot size citing that there will be consequences to the surrounding area as homes in this area already exists on multiple lots. Staff notes the concern and upon further research of the area has found that undeveloped parcels in this area are of similar size to the subject site. Furthermore, there are no records of development that currently exists on multiple lots having undergone the County Minor Land

Division process to properly combine and legally record such combination; making these lots non-compliant. It is Staff's perspective that the applicant is taking the correct action to allow development on the subject parcel, and does not have the authority to require the applicant to purchase an additional parcel to meet the minimum lot requirement. The second letter of opposition expresses that the reduction of minimum lot size may allow mobile & manufactured homes. Staff acknowledges the concern and notes that CR-3 only allows residences of conventional construction and that Variance requests do not allow for consideration of additional uses other than what is established per the zoning district. Staff has verified the intent of the build with the applicant and was assured that a mobile or manufactured home is not being considered. Staff has confirmed with the Division of Building Safety that for the subject parcel -under PER-23-04726 - the applicant has submitted plans that convey a conventionally constructed residence.

Staff's public participation and notification of the cases include:

Newspaper publish dates:	8/31/2023
Mail-outs:	8/28/2023
Site Posting:	9/01/2023
Website:	week of 9/04/2023

THE APPLICANT MUST SATISFY THE BOARD OF ADJUSTMENT AND APPEALS THAT THIS REQUEST MEETS THE NECESSARY CRITERIA TO QUALIFY FOR A VARIANCE AS STATED IN SECTION 2.155.050.C

EVIDENCE REQUIRED FOR VARIANCE:

- a. There are special circumstances or conditions applicable to the property, which is the subject of the variance, which do not prevail on other property in that zoning district.
- b. The special circumstances or conditions referred to in subsection (C)(4)(a) of this section are not self-imposed by the property owners within the subject area.
- c. The strict application of the regulations would work an unnecessary nonfinancial hardship.
- d. The granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights.
- e. The granting of such variance will not materially affect the health or safety of persons residing or working within the subject area and adjacent properties and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.
- f. The variance does not allow a use that is not permitted in the zone district where the property is located.

FINDINGS: Under Section 2.155.030.E of the Pinal County Development Service Code (Zoning Ordinance), the Board of Adjustment and Appeals shall hear and consider all evidence relating to the request and make findings as to the conformity of the request to the above Section.

THE BOARD OF ADJUSTMENT AND APPEALS shall consider the following criteria in conditionally approving or denying a variance.

- a. There are special circumstances or conditions applicable to the property which is the subject of the variance which do not prevail on other property in that zoning district.

ANALYSIS: The subject property is insignificant in that its size and shape are similar to the subdivision in which it is situated – Casa Grande West Unit Five. The uniqueness of this site is held in it being a non-conforming size, by way of County action due to the most recent amendment of the Zoning Ordinance in 1972. This amendment significantly increased the minimum lot size of CR-3 parcels to 7,000 square feet (0.16 acres).

FINDING: A special circumstance/condition does exist for this site, and in a way that does not prevail on other property in that zoning district.

- b. That the special circumstances or conditions referred to in subsection (C) (4) (a) of this section are not self-imposed by the property owners within the subject area.

ANALYSIS: As previously stated, a special circumstance for the subject parcel being undersized is not at fault of the applicant. The justification of special circumstances of the subject parcel is in relation to the physical aspect of the land, and not for a reason that is considered self-imposed. More so, the special circumstance exists by way of the County through the Zoning Ordinance amendment as previously described in this report. The special circumstance attached to the property make a strict compliance to the development standards of Zoning District CR-3 impossible.

FINDING: The special circumstances referred to in subsection (C) (4) (a) are not self-imposed.

- c. That the strict application of the regulations would work an unnecessary nonfinancial hardship.

ANALYSIS: It is the intention of the applicant to build a residence on the subject parcel. The hardship presented is nonfinancial, in that if a variance is not granted it will deprive the applicant of full enjoyment of the site, as no permitted use can be built due to size requirements. Staff notes that the Pinal County Board of Adjustment is authorized to grant a variance when if not doing so would result in impairment of substantial property rights, as articulated in Section 2.155.040 (C.4b) of County Code.

FINDING: Staff finds that the strict application of the regulations would cause an unnecessary, nonfinancial hardship and ultimately prohibit the applicant/owner of residing on the subject property.

- d. The granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights.

ANALYSIS: The parcel was platted in 1970 and developed in compliance to the then existing standards. After the legally established subdivision - by way of County action, changes to the development standards of the CR-3 Zoning District resulted in the subject property being non-conforming. It is clearly demonstrated that the need for this variance is necessary so that the rightful landowner can maintain property rights.

FINDING: Staff finds just reasoning for granting the variance to ensure the preservation and enjoyment of substantial existing property rights of the landowner.

- e. The granting of such variance will not materially affect the health or safety of persons residing or working within the subject area and adjacent properties and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

ANALYSIS: Staff does not identify any aspect in relation to the subject property, which would result in an adverse impact to the safety and welfare of the public, or be detrimental to its immediate and broader neighborhood. The subject property is approximately 6,534 square feet (0.15 acres), proving to be consistent with adjacent parcels within its subdivision, as well as complying with an allowable use to the CR-3 Zoning District. Included in this report are stipulations that outline development standards that are rational to the subject parcel size and similar to other lots in the area.

FINDING: The granting of this variance will not affect the health or safety of persons residing or working within the subject area and adjacent properties, and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

- f. The variance does not allow a use that is not permitted in the zone district where the property is located.

ANALYSIS: Section 2.70.010 of the County Development Services Code establishes that a one-family dwelling unit of conventional construction is permitted in CR-3 Zone. The applicant is seeking a variance to live on the subject parcel in a conventionally constructed home.

FINDING: Granting of the variance will not allow a use that is not permitted in the zone district where the property is located.

STAFF SUMMARY AND RECOMMENDATION: All submittals, evidence presented, written documentation, public testimony, and Planning Case Staff Report (BA-036-23) are considered part of the record in this variance case. If the Board of Adjustments and Appeals can find sufficient evidence based upon the record, staff recommends the Board adopt the staff report and record as presented and approve the requested variance with the following recommended motion. If the Board cannot find sufficient evidence to approve the request, staff suggests denying the request with the following motion.

BOARD MOTION

Staff Recommendation to Approve:

I move to approve case BA-036-23, Section 2.70.020 (B) & (D) of the PCDSC, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acres) to 6,534 square feet (0.15 acres), and applicable development standards on parcel 503-74-3330 Casa Grande West Unit Five (5) Subdivision, to allow the construction of single-residence on a 0.15 acre parcel in the CR-3 Zoning District. The move for approval is based on the findings of A through F -as presented above- and is subject to the following stipulations:

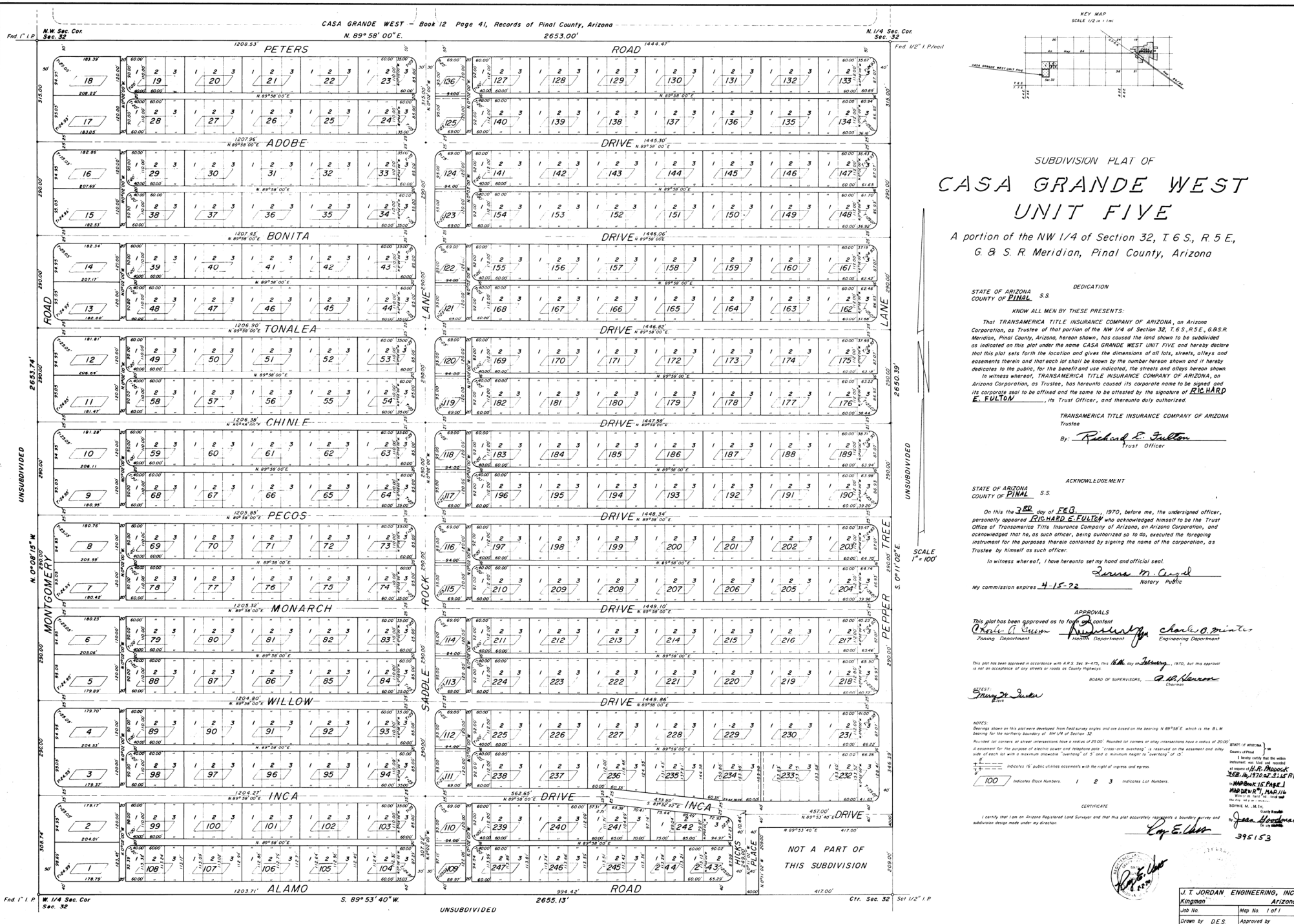
1. All State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained - including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of wastewater, air quality permit, etc.
2. Development Standards for the subject parcel shall be as follows:

- a. Minimum lot area: 6,534 square feet.
 - b. Minimum lot width: 60 feet.
 - c. Minimum front setback: 20 feet.
 - d. Minimum side and rear setback: 8 feet & 25 feet, respectively.
 - e. Maximum building height: 30 feet.
3. Detached accessory building Development Standards shall be as follows:
 - a. Permitted coverage: 33 percent of the total area of the rear and side setbacks.
 - b. Maximum height: 20 feet.
 - c. Minimum distance to main building: 7 feet.
 - d. Minimum distance to front lot line: 60 feet.
 - e. Minimum distance to side and rear lot lines: 4 feet.
4. All agricultural, livestock, horses, and dairy uses are prohibited
5. If any change of use is requested - aside from use stated within this report - the variance shall be considered null and void.

I move to deny the variance case BA-036-23, a variance to Section 2.70.020 (B) & (D) of the PCDSC, findings(s)/special circumstances referred to in the subsection (C)(4)(a) of 2.155.040 in PCDSC are self-imposed.

DATE PREPARED: 9/20/23 –val

REVISED: 9/22/23- val



SUBDIVISION PLAT OF CASA GRANDE WEST UNIT FIVE

A portion of the NW 1/4 of Section 32, T 6 S, R 5 E,
G & S R Meridian, Pinal County, Arizona

STATE OF ARIZONA S.S.
COUNTY OF PINAL

KNOW ALL MEN BY THESE PRESENTS:

That TRANSAMERICA TITLE INSURANCE COMPANY OF ARIZONA, an Arizona Corporation, as Trustee of that portion of the NW 1/4 of Section 32, T 6 S, R 5 E, G & S R Meridian, Pinal County, Arizona, hereon shown, has caused the land shown to be subdivided as indicated on this plat under the name CASA GRANDE WEST UNIT FIVE and hereby declares that this plat sets forth the location and gives the dimensions of all lots, streets, alleys and easements therein and that each lot shall be known by the number hereon shown and it hereby dedicates to the public, for the benefit and use indicated, the streets and alleys hereon shown. In witness whereof, TRANSAMERICA TITLE INSURANCE COMPANY OF ARIZONA, an Arizona Corporation, as Trustee, has hereunto caused its corporate name to be signed and its corporate seal to be affixed and the same to be attested by the signature of **RICHARD E. FULTON**, its Trust Officer, and thereunto duly authorized.

TRANSAMERICA TITLE INSURANCE COMPANY OF ARIZONA
Trustee

By: Richard E. Fulton
Trust Officer

STATE OF ARIZONA S.S.
COUNTY OF PINAL

On this the 30th day of FEB, 1970, before me, the undersigned officer, personally appeared **RICHARD E. FULTON** who acknowledged himself to be the Trust Officer of Transamerica Title Insurance Company of Arizona, an Arizona Corporation, and acknowledged that he, as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation, as Trustee by himself as such officer.

In witness whereof, I have hereunto set my hand and official seal.

James M. Gould Notary Public
My commission expires 4-15-92

APPROVALS
This plat has been approved as to form and content
Chris A. Grier Planning Department
Charles A. Miller Health Department
Charles A. Miller Engineering Department

This plat has been approved in accordance with A.R.S. Sec. 9-475, in that the plat is not an acceptance of any streets or roads or County Highways.

BOARD OF SUPERVISORS, John A. Henson

Henry M. Grier

NOTES:
Bearings shown on this plat were developed from field survey notes and are based on the bearing N 89°58'00" E which is the B.M. bearing for the northern boundary of the NW 1/4 of Section 32.

Round lot corners at street intersections have a radius of 25.00'. Round lot corners at alley intersections have a radius of 20.00'. Round lot corners at alley intersections have a radius of 20.00'. Round lot corners at alley intersections have a radius of 20.00'.

Indicates the public utilities easements with the right of way and easements.

Indicates Block Numbers 1 2 3 Indicates Lot Numbers

Indicates Block Numbers 1 2 3 Indicates Lot Numbers

CERTIFICATE
I certify that I am an Arizona Registered Land Surveyor and that this plat accurately represents a boundary survey and subdivision design made under my direction.

Ray E. Lister John A. Henson
395153

NOT A PART OF
THIS SUBDIVISION



MEMORANDUM FROM AQUIFER PROTECTION PROGRAM

DATE: AUGUST 7, 2023
TO: BOARD OF ADJUSTMENTS AND APPEALS
FROM: AQUIFER PROTECTION DIVISION
RE: BA-036-23, APN 503-74-333, MALONE-SFR

On-Site Wastewater Facility (Septic) Requirement

This parcel is located within the Casa Grande West # 5. The sewage disposal method for this area is an Individual Responsibility. The applicant shall ensure that the required septic setback distances will be met for any proposed structures as per Title 18 of the Arizona Administrative Code, Chapter 9, R18-9-A312. C. See the attached sheet.

COMMUNITY DEVELOPMENT
Aquifer Protection Division

85 North Florence Street, First Floor, PO Box 2973, Florence, AZ 85132 T 520-866-6442 FREE 888-431-1311 F 520-866-6007

www.pinalcountyaz.gov

Features Requiring Setbacks	Setback For An On-Site Wastewater Treatment Facility, Including Reserve Area (In Feet)	Special Provisions
1. Building	10	Includes porches, decks, and steps (covered or uncovered), breezeways, roofed patios, carports, covered walks, and similar structures and appurtenances.
2. Property line shared with any adjoining lot or parcel not served by a common drinking water system* or an existing drinking water well	50	A person may reduce the setback to a minimum of 5 feet from the property line if: <ul style="list-style-type: none"> a. The owners of any affected undeveloped adjacent properties agree, as evidenced by an appropriately recorded document, to limit the location of any new well on their property to at least 100 feet from the proposed treatment works and primary and reserve disposal works; and b. The arrangements and documentation are approved by the Department. * A common drinking water system" means a system that currently serves or is under legal obligation to serve the property and may include a drinking water utility, a well-sharing agreement, or other viable water supply agreement.
3. All other property lines.	5	None
4. Public or private water supply well.	100	None
5. Perennial or intermittent stream	100	Measured horizontally from the high water line of the peak stream flow from a 10-year, 24-hour rainfall event.
6. Lake, reservoir, or canal	100	Measured horizontally from the high water line from a 10-year, 24-hour rainfall event at the lake or reservoir.
7. Drinking water intake from a surface water source (includes an open water body, down slope spring or a well tapping streamside saturated alluvium)	200	Measured horizontally from the on-site wastewater treatment facility to the structure or mechanism for withdrawing raw water such as a pipe inlet, grate, pump, intake or diversion box, spring box, well, or similar structure.
8. Wash or drainage easement with a drainage area more than 20 acres	50	Measured horizontally from the nearest edge of the defined natural channel bank or drainage easement boundary. A person may reduce the setback to 25 feet if natural or the appropriate floodplain administrator approves constructed erosion protection.
9. Water main or branch water line	10	None
10. Domestic service water line	5	Measured horizontally between the water line and the wastewater pipe, except that the following are allowed: <ul style="list-style-type: none"> a. A water line may cross above a wastewater pipe if the crossing angle is between 45 and 90 degrees and the vertical separation distance is 1 foot or more. b. A water line may parallel a wastewater pipe with a horizontal separation distance of 1 foot to 5 feet if the bottom of the water line is 1 foot or more above the top of the wastewater pipe and is in a separate trench or on a bench in the same trench.
II Down slopes or cut banks greater than 15 percent, culverts, and ditches from:		
a. Treatment works components	10	Measured horizontally from the bottom of the treatment works component to the closest point of daylighting on the surface.
b. Trench, bed, chamber technology, or gravelless trench with:		Measured horizontally from the bottom of the lowest point of the disposal pipe or drip lines, as applicable, to the closest point of daylighting on the surface.
i. No limiting subsurface condition specified in R18-9-A310(D)(2),	20	
ii. A limiting subsurface condition.	50	
c. Subsurface drip lines.	3	Measured horizontally from the bottom of the lowest point of the disposal pipe or drip lines, as applicable, to the closest point of daylighting on the surface.
12. Driveway	5	Measured horizontally to the nearest edge of an on-site wastewater treatment facility excavation. A person may place a properly reinforced and protected wastewater treatment facility, except for disposal works, at any location relative to a driveway if access openings, risers, <i>and</i> covers carry the design load and are protected from inflow.
13. Swimming pool excavation	5	Except if soil loading or stability concerns indicate the need for a greater separation distance.
14. Easement (except drainage easement)	5	None
15. Earth fissures	100	None

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON **SEPTEMBER 28TH, 2023** AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A **VARIANCE** FOR THE UNINCORPORATED AREA OF PINAL COUNTY.

BA-036-23 – PUBLIC HEARING/ACTION: Darryl Malone, landowner/applicant, requesting a variance to **Section 2.70.020 (B) & (D)** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acres) to 6,534 square feet (0.15 acres), and applicable development standards, to allow the construction of a single-residence on a 0.15 acre parcel in the CR-3 Single Residence (CR-3) Zone, Lot 3, Block 135, Casa Grande West Unit Five (5) Subdivision, located in Section 32, Township 6 South, Range 5 East of the Gila and Salt River Meridian, Pinal County, Arizona: Tax Parcel 503-74-3330 - legal on file. Located south of W. Peters Road and west of S. Pepper Tree Lane.

Information regarding the case can be found online at:
<https://www.pinal.gov/1233/Board-of-Adjustment-Agendas>

ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AT THE HEARING AT THE TIME AND PLACE DESIGNATED ABOVE, AND SHOW CAUSE, IF ANY, WHY THIS PETITION SHOULD NOT BE GRANTED. DOCUMENTS PERTAINING TO THIS CASE CAN BE REQUESTED AND ARE AVAILABLE FOR REVIEW FROM PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT PLEASE CALL (520) 866-6442 FOR MORE INFORMATION

DATED THIS **23rd DAY OF AUGUST, 2023**

TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT **MUST** CONTAIN THE FOLLOWING INFORMATION:

- 1) Planning Case Number (see above)
- 2) Your name, address, telephone number and property tax parcel number (**Print or type**)
- 3) A brief statement of reasons for supporting or opposing the request
- 4) Whether or not you wish to appear and be heard at the hearing

WRITTEN STATEMENTS MUST BE FILED WITH:

PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 2973 (85 N. Florence St.)
FLORENCE, AZ 85132
NO LATER THAN 4:00 P.M. ON SEPTEMBER 20, 2023

Contact for this matter: Val Lujan, e-mail address: Valerie.Lujan@pinal.gov
Phone #: office: (520) 866-6528 / main: (520) 866-6442

[Anything below this line is not for publication.]

PUBLISHED ONCE:
Casa Grande Dispatch

,	GORDON REGINALD DENNIS LOT 31 321 YORKTON AVE PENTICTON, BC	AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297
,	LLOYD CHRISS A 16657 E GUNSIGHT DR UNIT 16... FOUNTAIN HILLS, AZ 85268	GUANG RU MAIL RETURN ,
,	SKEFFINGTON JAMES W & JOA... 1917 ORO CT CLEARWATER, FL 33764	MASTERS WILLIAM A 401K PLA... PO BOX 11902 PHOENIX, AZ 85061
,	FELTIS OWEN J 202 DOVE ST LINCOLN, ND 58504	AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297
JADA ASAD M 2028 N 109TH AVE AVONDALE, AZ 85392	AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297	AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297
BENEDIX GERD GU MAIL RETURN ,	CRUZ SERGIO PEREZ 9656 E BARLEY RD FLORENCE, AZ 85132	AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297
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MELENDREZ ADAM 709 E 9TH ST CASA GRANDE, AZ 85122	BONDAR DOROTHY E 1505 WALBURN RD KELOWNA, BC	TREMILLO CLAUDIA REYES 4307 N 55TH DR PHOENIX, AZ 85031
ROBERTO ALMAGUER TRUCKI... 306 E 2ND AVE CASA GRANDE, AZ 85122	EBENOPSIS PROPERTIES LLC 520 W WARNER RD TEMPE, AZ 85284	EBENOPSIS PROPERTIES LLC 520 W WARNER RD TEMPE, AZ 85284
RACKOW ELDON E & LUCILLE ... 435 E ELDORADO RD ORANGEVILLE, IL 61060	NELSON FRED 18916 94 AVE EDMONTON, AB	HAMID MAZEN H 3948 W WOOD DR PHOENIX, AZ 85029

LA GRANGE JOHN ROBERT & L...
3685 41 AVE
RED DEER, AB

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PO BOX 994
APACHE JUNCTION, AZ 85117

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CALGARY, AB

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11920 W COAST RD
JORDAN RIVER, BC

STANFIELD POTTERS FIELD CE...
MAIL RETURN
,

LEDFORD JOHN & GINA
2400 W QUAIL SPRINGS RANC...
COTTONWOOD, AZ 86326

ING CYRIL ARTHUR & DONNA ...
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ALLISTON, ON

BERMEJO FELIX P & AURORA T...
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PO BOX 12334
CASA GRANDE, AZ 85130

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520 W WARNER RD
TEMPE, AZ 85284

ACOSTA JAMIE
MAIL RETURN
,

EBENOPSIS PROPERTIES LLC
520 W WARNER RD
TEMPE, AZ 85284

REID ELLA L
1890 BYRNS RD
KELOWNA, BC

REGAL LION INVESTMENTS IN...
1911 DOUGLAS BLVD STE 85-16...
ROSEVILLE, CA 95661

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

LEVERAGED LANDS CO LLC
PO BOX 10160
CASA GRANDE, AZ 85130

BERTOLINI ELIZABETH
527 PILGRIMS HARBOR
WALLINGFORD, CT 06492

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

EBENOPSIS PROPERTIES LLC
520 W WARNER RD
TEMPE, AZ 85284

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1063 E HOLLAND PARK DR
GILBERT, AZ 85297

PYPER DAVID & YVONNE
104 FAIRGREEN CLOSE
CAMBRIDGE, ON

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

SCHUETTE CELIA J
2636 GATEWAY AVE APT 202
BISMARCK, ND 58503

PALSULICH SHARON ANNE
2330 RIDGEVIEW WAY
BOISE, ID 83712

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

HAMID MAZEN H
3948 W WOOD DR
PHOENIX, AZ 85029

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

HALL MARK AUSTIN & CHRISTI...
26357 W PETERS RD
CASA GRANDE, AZ 85193

MALONE DARRYL
27077 W CHANGRA
CASA GRANDE, AZ 85193

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

ARIZONA WATER COMPANY
3805 N BLACK CANYON HWY
PHOENIX, AZ 85015

THOMPSON JAMES A & LOIS E
BOX 308
CLINTON, BC

MELENDRES ALVARO A
26621 W PETERS RD
CASA GRANDE, AZ 85193

BARTRAM GEORGIA
4900 JULIAN RD SW
AMANDA, OH 43102

ROSS DARREN
1172 E TONTO ST
APACHE JUNCTION, AZ 85119

JARA JOSE C
26555 W CANDY CACTUS DR
CASA GRANDE, AZ 85193

ALBRIGHT NATALIE P
26590 W PETERS RD
CASA GRANDE, AZ 85193

BORTHICK MADELINE KAY
26635 W CANDY CACTUS DR
CASA GRANDE, AZ 85193

ROSE RICK ALLEN
52657 W ROAN RD
MARICOPA, AZ 85139

BORTHICK MADELINE KAY
26635 W CANDY CACTUS DR
CASA GRANDE, AZ 85193

GONZALES NATHAN M
26650 W PETERS RD
CASA GRANDE, AZ 85193

PAWLAK SLAVEK
26671 W CANDY CACTUS DR
CASA GRANDE, AZ 85193

MANUEL JULIE
PO BOX 11
STANFIELD, AZ 85172

NANEZ GUILLERMO OLAVEZ & ...
26731 W CANDY CACTUS DR
CASA GRANDE, AZ 85193

TREJO JUAN ZARRAGA
26700 W PETERS RD
CASA GRANDE, AZ 85193

RAIMONDI NINO M
9718 E ADOBE RD
MESA, AZ 85207

MEDEL JOSEFA
33755 W SOLANO AVE
STANFIELD, AZ 85172

CAGUE ROBERT L
PO BOX 1151
PAROWAN, UT 84761

CAGUE ROBERT L
PO BOX 1151
PAROWAN, UT 84761

ACEVES MARC
26525 W CANDY CACTUS DR
CASA GRANDE, AZ 85193

} SS.

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING
BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON SEPTEMBER 28TH, 2023 AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A VARIANCE FOR THE UNINCORPORATED AREA OF PINAL COUNTY.

BA-036-23 - PUBLIC HEARING/ACTION: Darryl Malone, landowner/applicant, requesting a variance to Section 2.70.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acres) to 6,534 square feet (0.15 acres), and applicable development standards, to allow the construction of a single-residence on a 0.15 acre parcel in the CR-3 Single Residence (CR-3) Zone, Lot 3, Block 135, Casa Grande West Unit Five (5) Subdivision, located in Section 32, Township 6 South, Range 5 East of the Gila and Salt River Meridian, Pinal County, Arizona: Tax Parcel 503-74-3330 - legal on file. Located south of W. Peters Road and west of S. Pepper Tree Lane.

Information regarding the case can be found online at:

<https://www.pinal.gov/1233/Board-of-Adjustment-Agendas>

ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AT THE HEARING AT THE TIME AND PLACE DESIGNATED ABOVE, AND SHOW CAUSE, IF ANY, WHY THIS PETITION SHOULD NOT BE GRANTED. DOCUMENTS PERTAINING TO THIS CASE CAN BE REQUESTED AND ARE AVAILABLE FOR REVIEW FROM PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT PLEASE CALL (520) 866-6442 FOR MORE INFORMATION DATED THIS 23rd DAY OF AUGUST, 2023

TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:

- 1) Planning Case Number (see above)
 - 2) Your name, address, telephone number and property tax parcel number (Print or type)
 - 3) A brief statement of reasons for supporting or opposing the request
 - 4) Whether or not you wish to appear and be heard at the hearing
- WRITTEN STATEMENTS MUST BE FILED WITH:
PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 2973 (85 N. Florence St.)
FLORENCE, AZ 85132

NO LATER THAN 4:00 P.M. ON SEPTEMBER 20, 2023

Contact for this matter: Val Lujan,
e-mail address: Valerie.Lu-

jan@pinal.gov Phone #: office:
(520) 866-6528 / main: (520) 866-6442
No. of publications: 1; date of publication: Aug. 31, 2023.

Affidavit of Publication

Kara K. Cooper, first being duly sworn deposes and says: That he/she is a native born citizen of the United States of America, over 21 years of age, that I am an agent and/or publisher of the Casa Grande Dispatch, a newspaper published at Casa Grande, Pinal County, Arizona, Tuesday, Thursday, and Saturday of each week; that a notice, a full, true and complete printed copy of which is hereunto attached, was printed in the regular edition of said newspaper, and not in a supplement thereto, for ONE issue. The publications thereof having been on the following date:

08/31/2023

CASA GRANDE DISPATCH

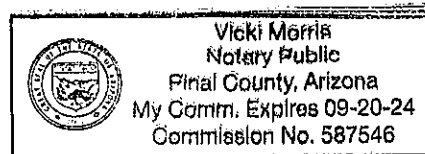
By [Signature]
agent and/or publisher of the Casa Grande Dispatch

Sworn to before me this 5th

day of Sept. A.D., 2023

Vicki Morris

Notary Public in and for the County
Of Pinal, State of Arizona





Leo Lew
County Manager

APPLICATION FOR VARIANCE OF REGULATIONS IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(All Applications Must Be Typed or Written in Ink) and submitted via the online portal site at
<https://citizenaccess.pinalcountyyaz.gov/CitizenAccess/>

Variance Request & Property Information:

(Feel free to include answers and to these questions in a Supplementary Narrative, when doing so write see narrative on the space provided)

1. Tax Assessor Parcel No.: 503-74-3330 2. Size (to the nearest 1/10th of an acre) .15

3. The legal description of the property: LOT 3, BLOCK 135, CASA GRANDE WEST UNIT FIVE (5) SUBDIVISION

4. Current zoning: CR-3 5. Requested zoning (if applicable):

6. The existing use(s) of the property is as follows: VACANT LOT

7. The proposed use under this request and/or Section(s) of Code you are requesting a variance:

REQUESTING A VARIANCE TO SECTION 2.70.020 OF THE PCDS TO ALLOW REDUCTION IN THE MIN. REQUIRED LOT AREA FROM 7,000 S.F. (+/- .16 ACRES) TO 6,720 S.F. (.15+/- ACRES) AND APPLICABLE DEVELOPMENT STANDARDS TO ALLOW USE FOR SINGLE FAMILY RESIDENTIAL DWELLING ON .15 +/- ACRE PARCEL IN THE CR-3 ZONE.

8. Is there a zoning violation on the property for which the owner has been cited? If yes, zoning violation # (CC/BCC)

9. Discuss any known changes in land use, street arrangement, or other physical conditions that have altered the character of your property or adjoining properties since the current zoning indicated above was adopted.
N/A

10. There are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property in that zoning district. Show that the physical characteristics of this property are unique and unlike other properties in the area. LOT IS NOW TOO SMALL DUE TO ZONING ORDINANCE CHANGE THAT INCREASED MINIMUM LOT SIZE TO 7,000 S.F.. LOT CANNOT BE DEVELOPED DUE TO MIN. LOT SIZE REQUIREMENT

INV#: AMT: DATE: CASE: Xref:

COMMUNITY DEVELOPMENT
Planning Division

85 N. Florence St., PO Box 2973, Florence, AZ 85132 T 520-866-6442 FREE 888-431-1311 F 520-866-6530
www.pinalcountyyaz.gov

11. That the strict application of the regulations would work an unnecessary nonfinancial hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights. Show that all beneficial use and/or enjoyment of the land will be lost if the variance is not granted. Evidence from an appraiser, realtor or other professional may be required.

OWNER PURCHASED SAID PROPERTY (UNKNOWINGLY ABOUT ZONING REVISIONS) TO CONSTRUCT NEW SINGLE FAMILY RESIDENCE FOR HIS PERSONAL RESIDENCE, IF THE VARIANCE IS TO BE DENIED THE FAMILY WILL NOT BE ABLE TO RESIDE ON THE PROPERTY AND WILL REMAIN VACANT LOT

12. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

WILL NOT AFFECT CURRENT RESIENCE IN NEIGHBORHOOD

13. That the variance will not allow a use that is not permitted in the zoning district where the property is located. (Not required for parking reductions) NO

13. That the special circumstances or conditions referred to item 10 above are not self-imposed.

NOT SELF IMPOSED AS THIS WAS A CONSTRAINT PLACED BY PINAL COUNTY

(The following are additional questions for reductions in parking requests only)

14. Site Plan Review or Building Permit Number: _____

15. Required parking either in total number or ratio: _____ **16.** Requested (# or ratio) _____

17. Evidence to support a reduction, this may include codes and ordinance from other jurisdictions, structures with multiple building occupancy types and/or operational characteristics of the particular use that would warrant a reduction: _____

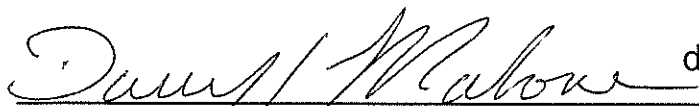
I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed. All notices will be sent to the applicant unless otherwise directed in writing.

DARRYL MALONE

27077 W. SHANGRA LA, CASA GRANDE, AZ 85193

Name of Applicant

Address



darryllmalone64@gmail.com 773-992-7554

Signature of Applicant

E-Mail Address

Phone Number

Name of Agent/Representative

Address

Signature of Agent/Representative

E-Mail Address

Phone Number

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings. Please use attached Agency Authorization form, if applicable.

DARRYL MALONE

27077 W. SHANGRA LA, CASA GRANDE, AZ 85193

Name of Landowner

Address



darryllmalone64@gmail.com 773-992-7554








Signature of Landowner

E-Mail Address

Phone Number

If landowner is not the applicant, then applicant must submit a signed notarized consent form from the landowner with this application. Please use attached Consent to Permit form, if applicable.

Application Checklist:

-  Submit a detailed site plan, at least 8½ X 11, but not larger than 11" X 17". The site plan must include the following:
 - Size and shape of parcel; property dimensions; north arrow
 - Adjacent streets; rights-of-way, easements and setbacks; indicate size; purpose and whether public or private
 - Location, size and use of all existing and proposed buildings; show setbacks from property boundary lines and between structures
 - Driveways and parking areas, show access, dimensions and surface material
 - Existing and proposed utilities, show location of lines, size and serving company
 - Any other information as may be applicable – landscaping, natural features i.e.: washes, excavation sites, etc., floor plan
-  Submit the "This Application Checklist" for the requested action.
-  Submit a list of all property owners within 600' of the subject property boundary showing name, mailing address and tax parcel numbers. This list must be obtained within the 30 days prior to application submission.
-  Submit a map of the area with the 600' boundary shown. (A Tax Assessor Parcel Map is acceptable).
-  Submit the non-refundable filing fee according to the fee schedule shown on coversheet of the application. (The application is not considered filed until the fees are paid.)
 - A) Residential with 0-499 mail-outs \$500.00
 - B) Residential with 500 or more mail-outs: \$500.00
 - C) Commercial, industrial or transition with 0-499 mail-outs: \$2,084.00
 - D) Commercial, industrial or transition with 500 or more mail-outs: \$2,399.00
-  The application and narrative in PDF format.
-  Understand that a newspaper publication must be advertised for this variance case per Pinal County staff instructions no later than 28 days prior to the hearing date as assigned. The applicant is responsible for all publication fees.



**OFFICIAL RECORDS OF
PINAL COUNTY RECORDER**

Dana Lewis

Electronically Recorded

DATE/TIME: 09/16/2022 0936

FEE: \$30.00

PAGES: 2

FEE NUMBER: 2022-099047

RECORDING REQUESTED BY

Security Title Agency, Inc.

ESCROW NO.: 67220294 - 067 - RM0

AND WHEN RECORDED MAIL TO:

**DARRYL MALONE
27077 W CHANGRA LOT
CASA GRANDE, 85193**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**Disclaimer Deed
EXEMPT ARS 11-1134 B-3**

THIS DISCLAIMER DEED is made by
Pamela Malone, spouse of Darryl Malone

("Undersigned") to

Darryl Malone

("Spouse").

WHEREAS:

1. Spouse has acquired title to the following described property ("Property") situated in Pinal County, State of ARIZONA, to-wit:

Lot 3, Block 135, Casa Grande West Unit Five (5) subdivision, according to the Plat Map in Book 15 of Maps, Page 1, on file in the office of the County Recorder of Pinal County, Arizona.

2. The Property is the sole and separate property of the Spouse having been purchased with separate funds of the Spouse.

3. Undersigned has no present right, title, interest, claim or lien of any kind or nature in, to or against the Property. This instrument constitutes a waiver, by the Undersigned, in favor of any mortgagee, deed of trust beneficiary or deed of trust trustee of any right to file a declaration or claim of homestead affecting the Property.

4. This instrument is executed not for the purpose of making a gift to Spouse, but solely for the purpose of clearly showing of record that the Undersigned has and claims no interest in and to the Property, the undersigned expecting third persons to rely on this disclaimer.

NOW, THEREFORE, in consideration of the premises, Undersigned disclaims, remises, releases and quitclaims unto Spouse and to the heirs and assigns of Spouse forever, all right, title, interest, claim and demand which Undersigned might appear to have in and to the Property.

Dated: September 9, 2022


Pamela Malone

PROPERTY OWNERSHIP LIST

(Required for filing all applications)

Instructions: Print Name, Address, City, State, Zip Code and Tax Parcel Number for each property owner within 600 feet of the subject parcel boundary. Feel free to attach a separate list if generated digitally. Please see "How to use the Buffer Tool" on our FAQ's page if you are generating the list.

Parcel No.: SEE ATTACHED LIST
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
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Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

Parcel No.: _____
Name: _____
Address: _____
City/ST/Zip: _____

I hereby verify that the name list above was obtained on the 27TH day of JULY, 2023, at the office of DARRYL MALONE and is accurate and complete to the best of my knowledge.

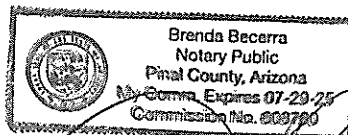
(Source of Information)

On this 28 day of July, 2023 before me personally appeared Darryl Malone
Signature Darryl Malone Date 7/28/23 (Name of signor)

State of Arizona

County of Pinal)ss.

My Commission Expires 7/29/25



(SEAL)

Signature of Notary Public Brenda Becerra

,	GORDON REGINALD DENNIS LOT 31 321 YORKTON AVE PENTICTON, BC	AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297
,	LLOYD CHRISS A 16657 E GUNSIGHT DR UNIT 16... FOUNTAIN HILLS, AZ 85268	GUANG RU MAIL RETURN ,
,	SKEFFINGTON JAMES W & JOA... 1917 ORO CT CLEARWATER, FL 33764	MASTERS WILLIAM A 401K PLA... PO BOX 11902 PHOENIX, AZ 85061
,	FELTIS OWEN J 202 DOVE ST LINCOLN, ND 58504	AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297
JADA ASAD M 2028 N 109TH AVE AVONDALE, AZ 85392	AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297	AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297
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520 W WARNER RD
TEMPE, AZ 85284

REID ELLA L
1890 BYRNS RD
KELOWNA, BC

REGAL LION INVESTMENTS IN...
1911 DOUGLAS BLVD STE 85-16...
ROSEVILLE, CA 95661

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

LEVERAGED LANDS CO LLC
PO BOX 10160
CASA GRANDE, AZ 85130

BERTOLINI ELIZABETH
527 PILGRIMS HARBOR
WALLINGFORD, CT 06492

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

EBENOPSIS PROPERTIES LLC
520 W WARNER RD
TEMPE, AZ 85284

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

REGAL LION INVESTMENTS IN...
1911 DOUGLAS BLVD STE 85-16...
ROSEVILLE, CA 95661

ELENES CG LANDS LLC
MAIL RETURN
,

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

REGAL LION INVESTMENTS IN...
1911 DOUGLAS BLVD STE 85-16...
ROSEVILLE, CA 95661

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

PYPER DAVID & YVONNE
104 FAIRGREEN CLOSE
CAMBRIDGE, ON

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

SCHUETTE CELIA J
2636 GATEWAY AVE APT 202
BISMARCK, ND 58503

PALSULICH SHARON ANNE
2330 RIDGEVIEW WAY
BOISE, ID 83712

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

HAMID MAZEN H
3948 W WOOD DR
PHOENIX, AZ 85029

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

HALL MARK AUSTIN & CHRISTI...
26357 W PETERS RD
CASA GRANDE, AZ 85193

MALONE DARRYL
27077 W CHANGRA
CASA GRANDE, AZ 85193

ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

ARIZONA WATER COMPANY
3805 N BLACK CANYON HWY
PHOENIX, AZ 85015

THOMPSON JAMES A & LOIS E
BOX 308
CLINTON, BC

MELENDRES ALVARO A
26621 W PETERS RD
CASA GRANDE, AZ 85193

BARTRAM GEORGIA
4900 JULIAN RD SW
AMANDA, OH 43102

ROSS DARREN
1172 E TONTO ST
APACHE JUNCTION, AZ 85119

JARA JOSE C
26555 W CANDY CACTUS DR
CASA GRANDE, AZ 85193

ALBRIGHT NATALIE P
26590 W PETERS RD
CASA GRANDE, AZ 85193

BORTHICK MADELINE KAY
26635 W CANDY CACTUS DR
CASA GRANDE, AZ 85193

ROSE RICK ALLEN
52657 W ROAN RD
MARICOPA, AZ 85139

BORTHICK MADELINE KAY
26635 W CANDY CACTUS DR
CASA GRANDE, AZ 85193

GONZALES NATHAN M
26650 W PETERS RD
CASA GRANDE, AZ 85193

PAWLAK SLAVEK
26671 W CANDY CACTUS DR
CASA GRANDE, AZ 85193

MANUEL JULIE
PO BOX 11
STANFIELD, AZ 85172

NANEZ GUILLERMO OLAVEZ & ...
26731 W CANDY CACTUS DR
CASA GRANDE, AZ 85193

TREJO JUAN ZARRAGA
26700 W PETERS RD
CASA GRANDE, AZ 85193

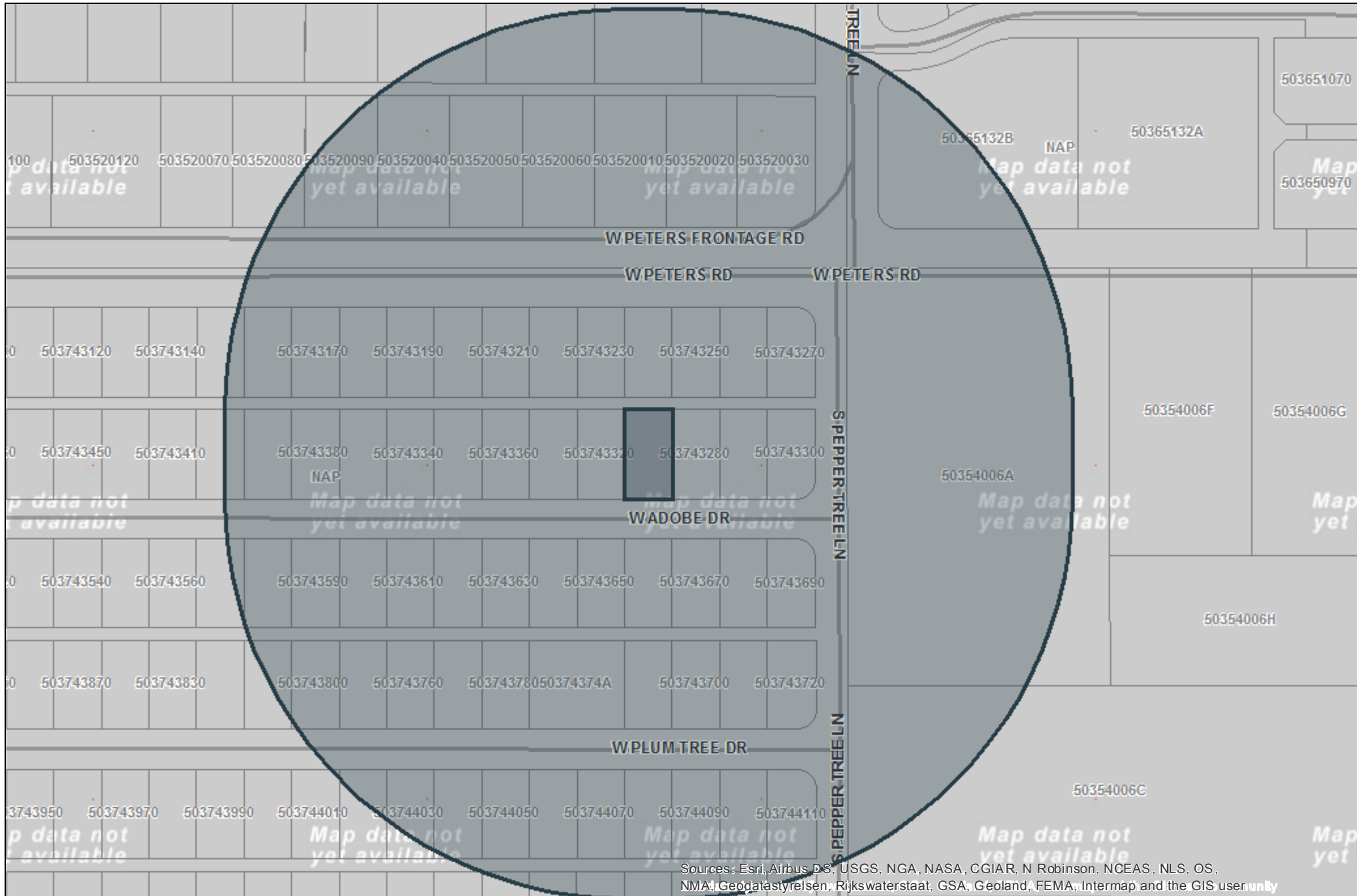
RAIMONDI NINO M
9718 E ADOBE RD
MESA, AZ 85207

MEDEL JOSEFA
33755 W SOLANO AVE
STANFIELD, AZ 85172

CAGUE ROBERT L
PO BOX 1151
PAROWAN, UT 84761

CAGUE ROBERT L
PO BOX 1151
PAROWAN, UT 84761

ACEVES MARC
26525 W CANDY CACTUS DR
CASA GRANDE, AZ 85193

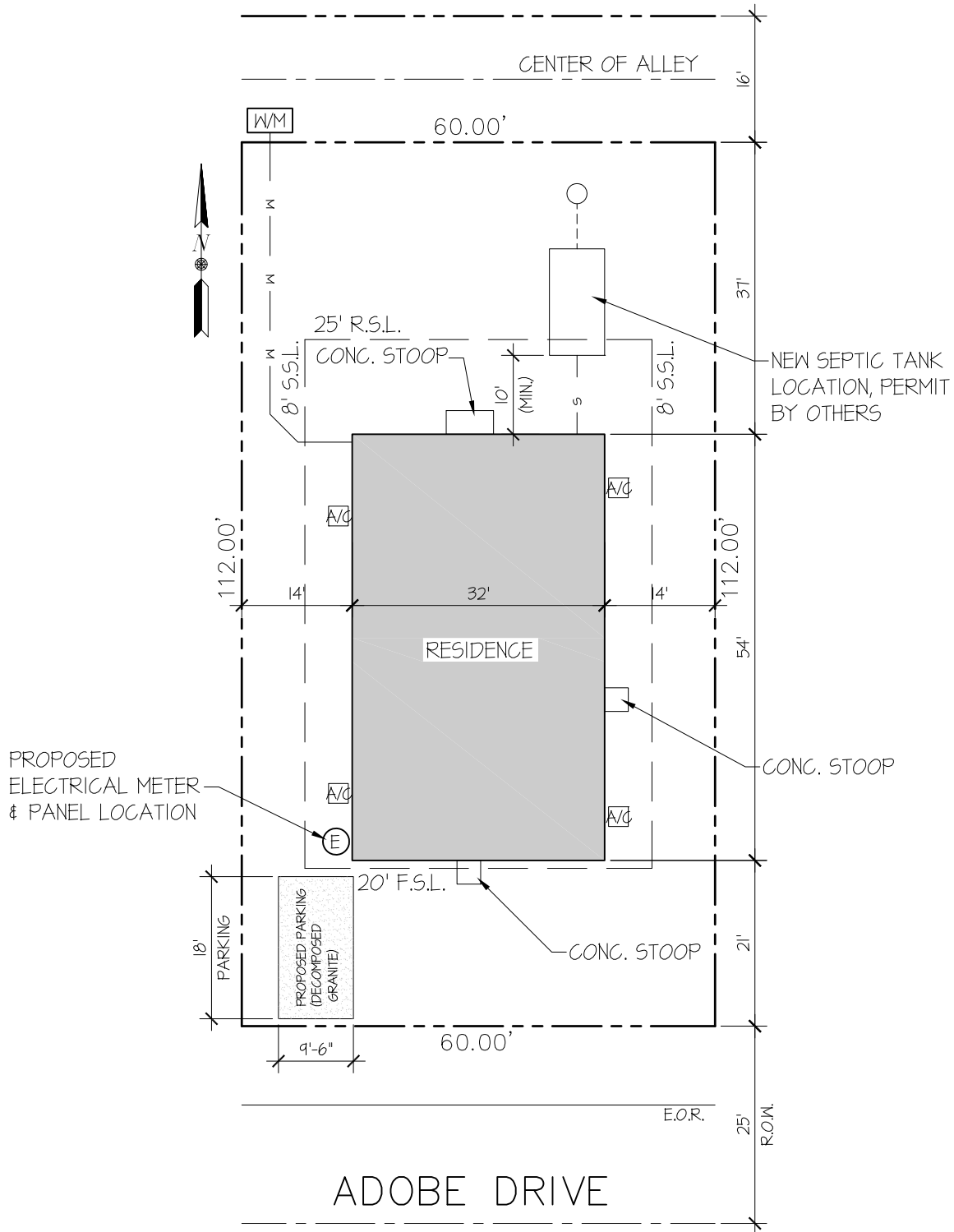


Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastylelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

SITE ADDRESS: T.B.D. ADOBE DR.
 CASA GRANDE, AZ 85193
 PARCEL: 503-74-3330, ZONING: CR-3
 SUBDIVISION: CASA GRANDE WEST UNIT FIVE
 LOT: 3 (BLOCK 135)
 SECTION TOWNSHIP RANGE: 32 06S 05E

JURISDICTION: PINAL COUNTY
 LOT SIZE: 6,720 S.F. (.15 ACRES)
 MAX BUILDING HEIGHT: 30'
 MAX LOT COVERAGE: 40%
 ELECTRIC ONLY LOT

SQUARE FOOTAGE	
<u>LIVABLE</u>	
RESIDENCE.....	1,728 S.F.
TOTAL COVERED AREA.....	1,728 S.F.
TOTAL AREA (FOR LOT COV.).....	1,728 S.F.
LOT COVERAGE.....	1/6,720 S.F. = 25.7%



1 SITE PLAN
 1" = 20'-0"

BA-036-23

Parcel [REDACTED]

[REDACTED]
COTTONWOOD AZ 86326

[REDACTED] CASA GRANDE AZ

I OPPOSE THE REQUEST. THIS WOULD
CHANGE THE MINIMUM LOT REQUIREMENT AND
HAVE NEGATIVE CONSEQUENCES TO THE ESTABLISHED
HOMES IN THE AREA THAT ARE ON MULTIPLE LOTS
FOR THIS REASON. THEY KNEW THE PARCEL SIZE
BEFORE PURCHASE. I AM AGAINST ALLOWING
A REDUCTION IN LOT SIZE. I DO NOT
WISH TO APPEAR.

[REDACTED]

[REDACTED]
[REDACTED]
Casa Grande, Az. 85193
[REDACTED]
[REDACTED] (Lot number) _____

Pinal County
Community Develop. Dept.
Public Hearing Notice

BA-036-23 Public Hearing Action
Planning Division:

We, [REDACTED]

OPPOSE the reducing of the
lot dimension: we don't want
mobile/manufactured homes on
these lots:

We wish to be at the hearing.

[REDACTED]
9-17-2023

over _____



AGENDA ITEM

September 28, 2023 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #: 1060

Dept. Name: Community Development

Director: Brent Billingsley

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

BA-042-23 – PUBLIC HEARING/ACTION Pinal County Community Development Director, applicant, requesting a “Blanket Variance” to **Sections 2.40.020 & 2.40.030** of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.459 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels **401-31-017C**, 021A, 027C, 025A, **401-29-0150**, 0230, 0440, 0460, 0430, 045A, 0040 (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

Ryan Green/Brent Billingsley

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

approval

History		
Time	Who	Approval

ATTACHMENTS:

Click to download

- ☐ [Board Packet](#)
- ☐ [Staff Presentation](#)
- ☐ [Neighborhood meeting sign in sheet](#)
- ☐ [Notarized Affidavit](#)

TO: PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

MEETING DATE: September 28, 2023

CASE NUMBER: BA-042-23

CASE COORDINATOR: Ryan Green

Executive Summary: *This county initiated blanket variance case is for a reduction in the minimum lot area requirements from 54,450 sq. ft. (1.25 acres) to 20,000 sq. ft. (~0.459 acres) and setbacks to allow dwellings and primary uses on 11 lots of the platted Randolph area. This is phase two of three for the platted Randolph area and will aid in Salt River Project's (Utility company) contribution in infrastructure.*

If This Request is approved: This reduction in the minimum lot area requirements and size requirements will allow a portion of the platted Randolph area to come into compliance and develop.

Staff Recommendation/Issues for Consideration/Concern:

Staff offers a recommendation of approval.

BA-042-23 – PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a “Blanket Variance” to **Sections 2.40.020 & 2.40.030** of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.459 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels **401-31-017C, 021A, 027C, 025A, 401-29-0150, 0230, 0440, 0460, 0430, 045A, 0040** (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

LEGAL DESCRIPTIONS: (Legals on file)

TAX PARCELS: 11 parcels

LANDOWNER/APPLICANT: Landowners; Several. Applicant; Pinal County Development Services Director

REQUESTED ACTION AND PURPOSE: Requesting a variance to **Sections 2.40.020 & 2.40.030** to modify the minimum lot size requirement from 54,450 sq. ft. to 20,000 sq. ft. in the GR – General Rural Zone and applicable development standards.

LOCATION: North of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

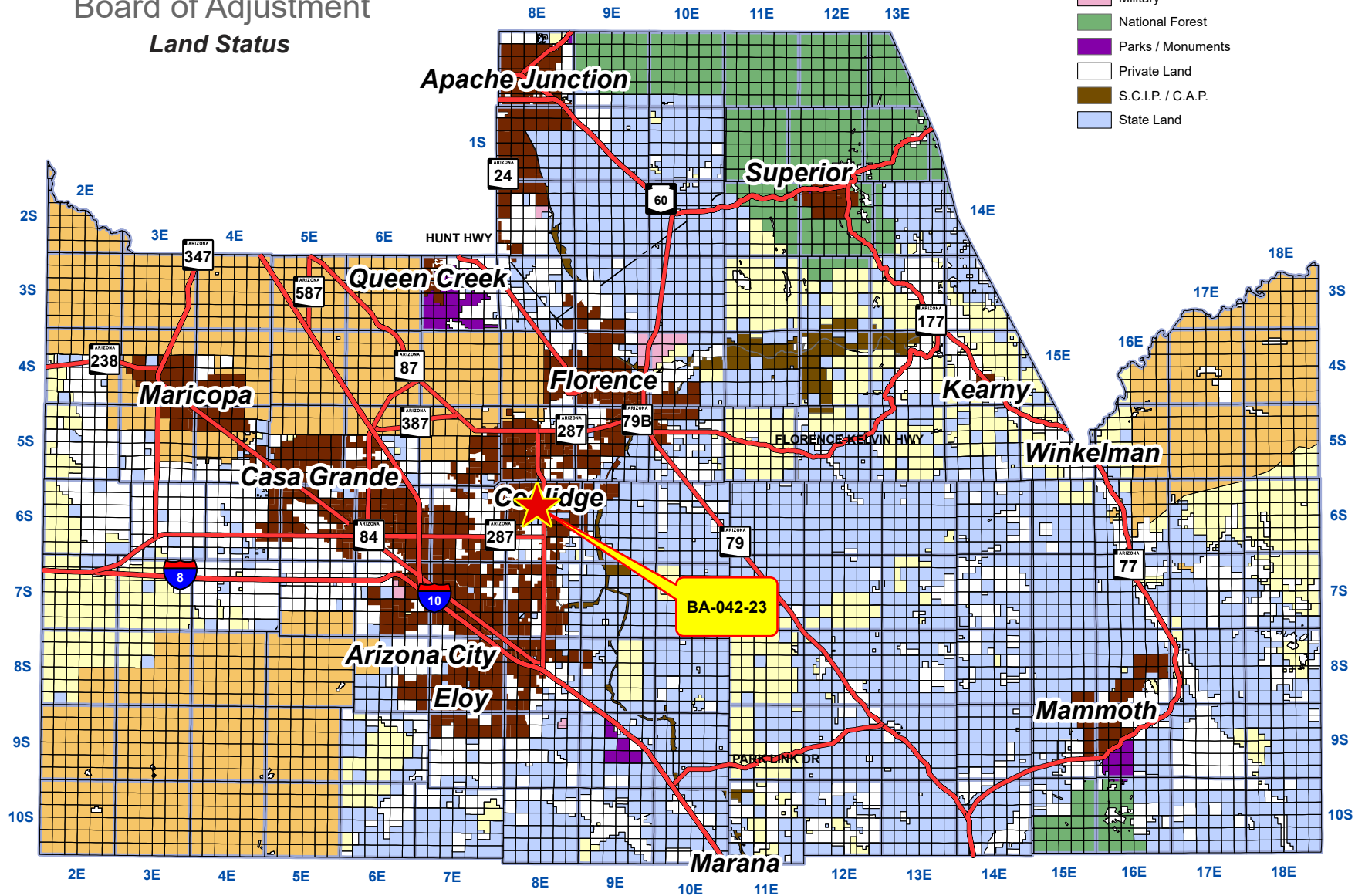


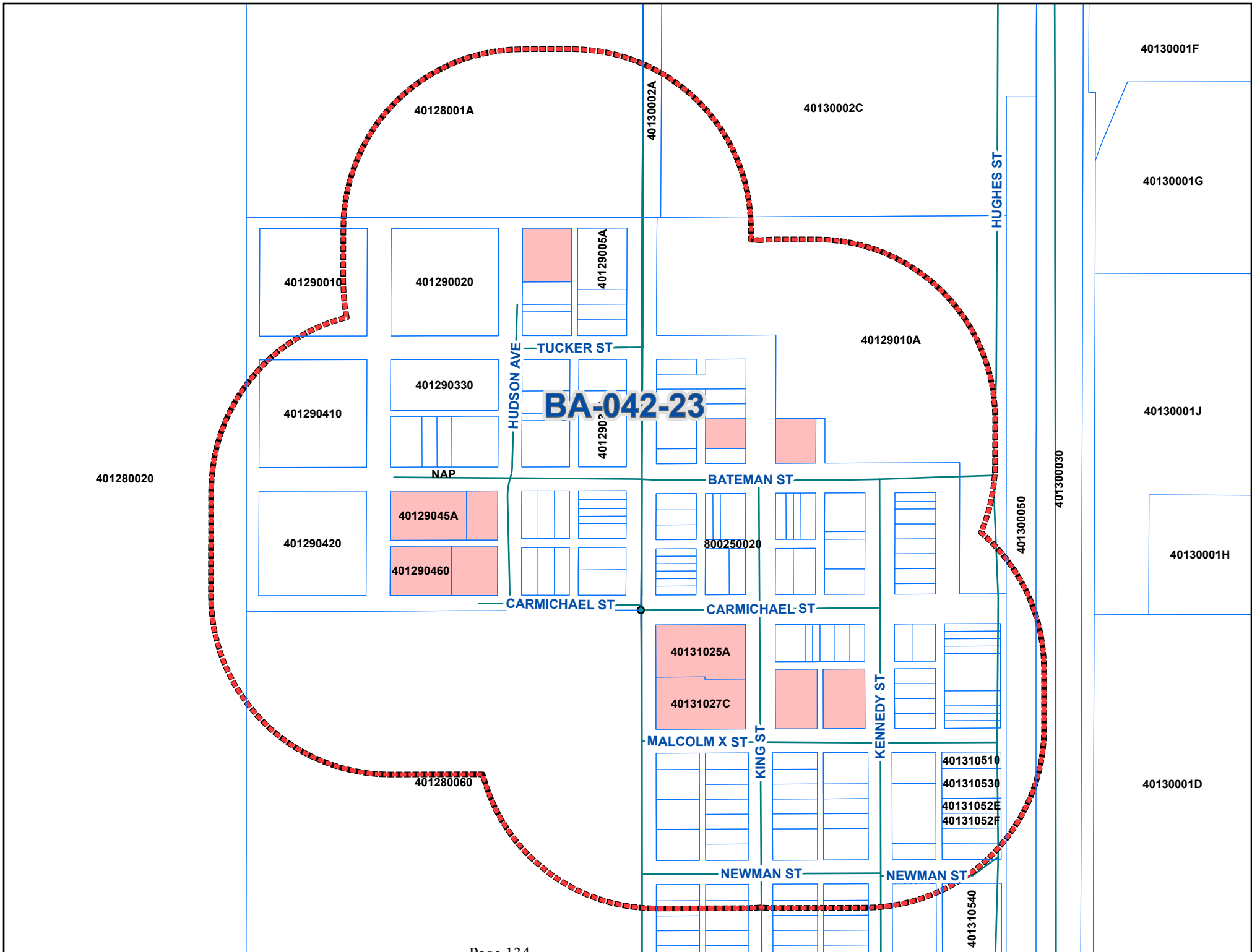
PINAL COUNTY
WIDE OPEN OPPORTUNITY

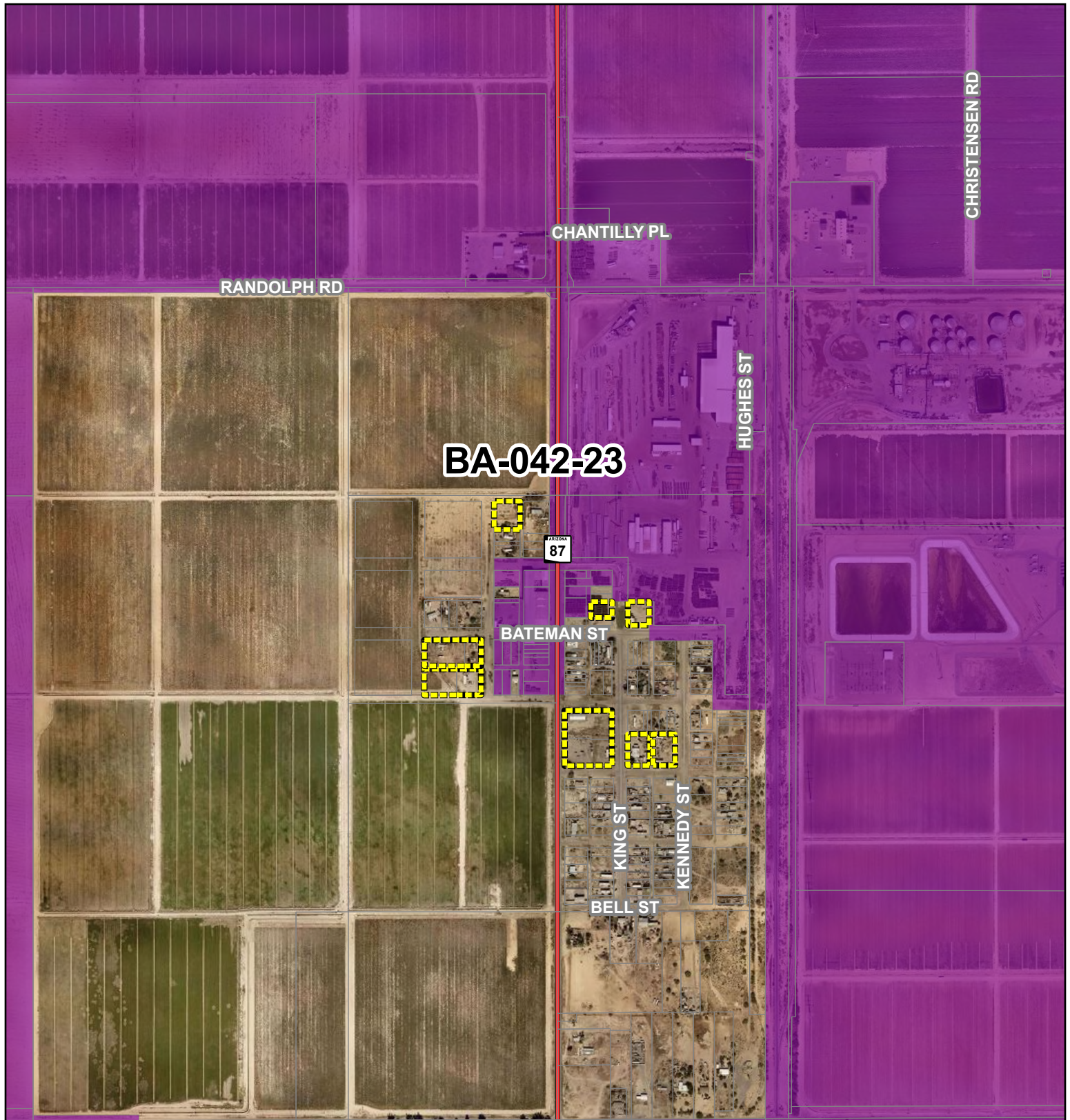
Board of Adjustment Land Status

Legend

- B.L.M.
- Indian Community
- Military
- National Forest
- Parks / Monuments
- Private Land
- S.C.I.P. / C.A.P.
- State Land





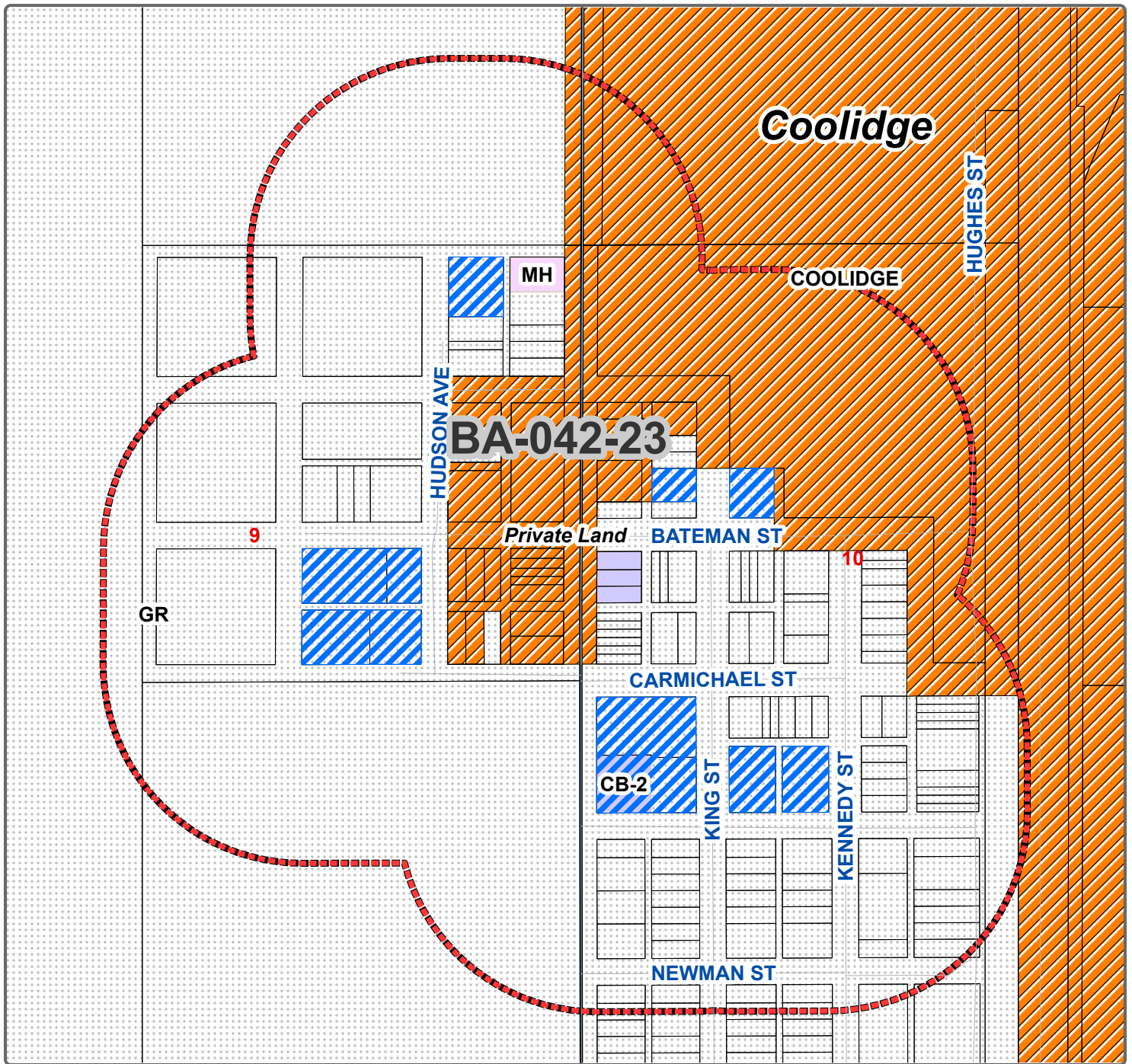


Board of Adjustment



PINAL COUNTY
WIDE OPEN OPPORTUNITY

BA-042-23



Board of Adjustment

BA-042-23 – PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a “Blanket Variance” to Sections 2.40.020 & 2.40.030 of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.459 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels 401-31-017C, 021A, 027C, 025A, 401-29-0150, 0230, 0440, 0460, 0430, 045A, 0040 (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

Current Zoning: GR

Requested Zoning: Board of Adjustment

Current Land Use: MLDR



Legal Description:

Situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

SEC 9 & 10, TWN 06S, RNG 08E



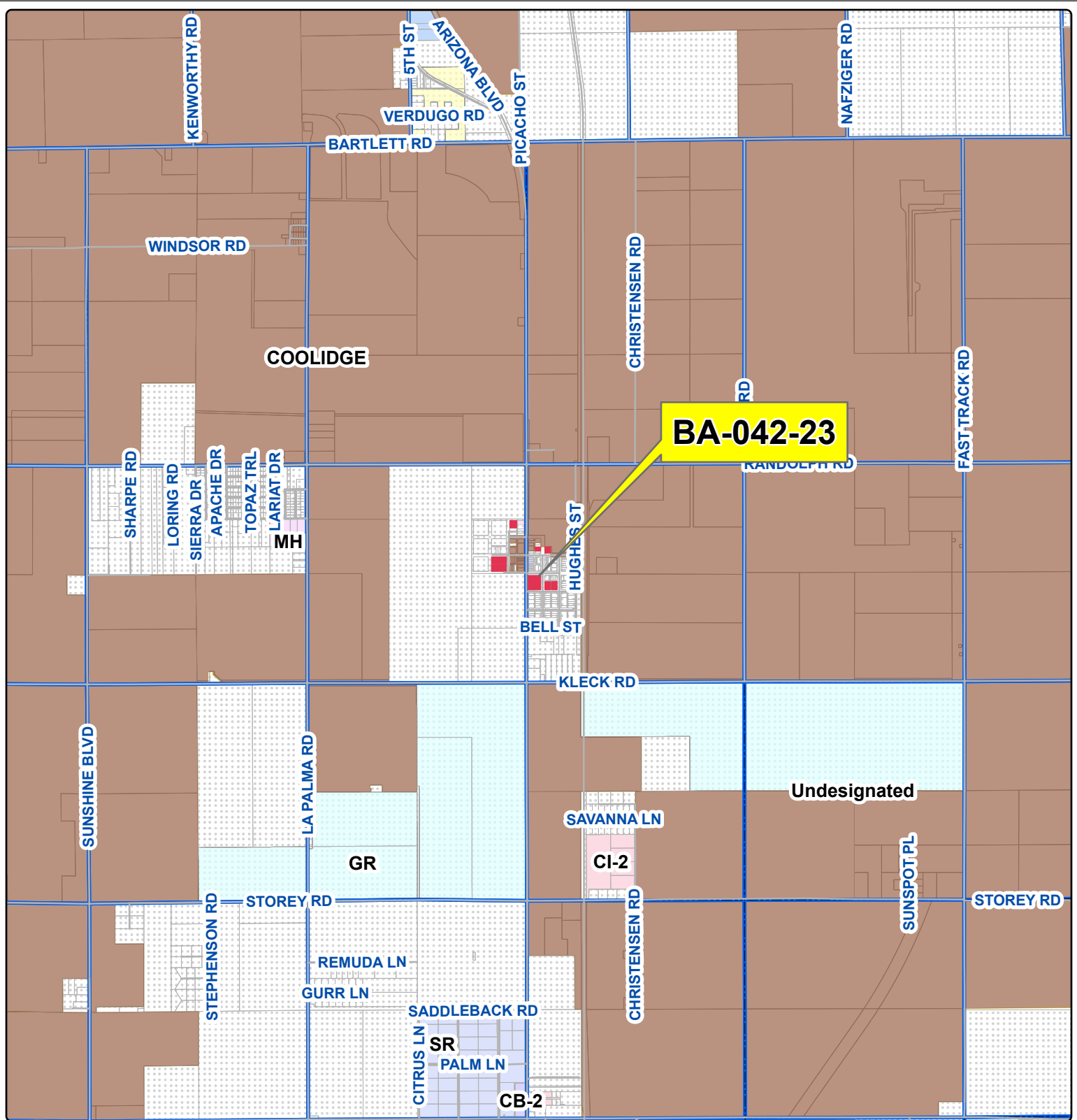
Owner/Applicant: PINAL COUNTY COMMUNITY DEVELOPMENT DIRECTOR

Drawn By: GIS / IT /LJT Date: 09/12/2023

Sheet No.
1 of 1

Section 9 & 10 Township 06S Range 08E

Case Number: BA-042-23



Board of Adjustment **Community Development**

Legal Description:

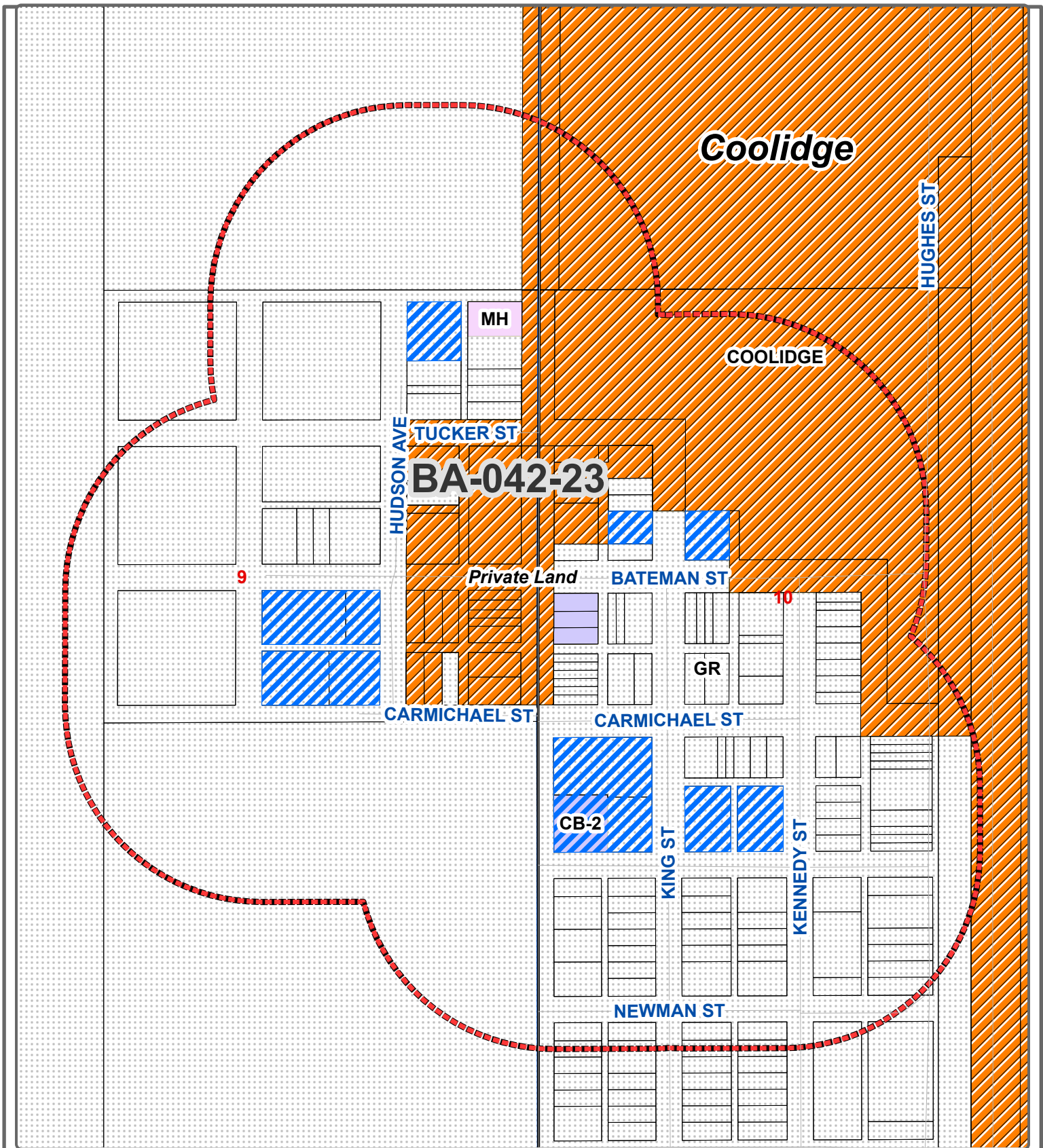
Situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.





Sheet No.

1 of 1

Owner/Applicant: PINAL COUNTY COMMUNITY DEVELOPMENT DIRECTOR		Date: 09/12/2023
Drawn By: GIS / IT / LJT		
Section 9 & 10	Township 06S	Range 08E
Case Number: BA-042-23		



Board of Adjustment

Pinal County Community Development Director			Legal Description: Situating in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area. SEC 9 & 10, TWN 06S, RNG 08E	 Sheet No. 1 of 1	 PINAL COUNTY WIDE OPEN OPPORTUNITY	Current Zoning: GR Request Zoning: Board of Adjustment Current Land Use: MLDR	
GIS/IT - LJT		09/12/2023					
Section 9 & 10	Township 06S	Range 08E					
BA-042-23							

AVG. LOT SIZE: 20,000 sq. ft. (0.459 acers)

EXISTING ZONING AND LAND USE: GR – General Rural Zone. Some properties have dwellings and some are vacant.

SURROUNDING ZONING AND LAND USE:

North: City of Coolidge

South: General Rural (GR) zoning. Several dwellings

East: City of Coolidge

West: General Rural (GR) zoning. Farmland

SITE DATA: Flood zone X, area of minimal flood hazard.

PHASING PLAN: This is the second of three variance cases staff has planned for the platted Randolph area. This phase covers ~8% of the lots in Randolph.

HISTORY: The Randolph area was platted in 1925 and created lots as small as 3,050 sq. ft. (0.07 acres). The County's first zoning ordinance was created in 1954 and allowed lots as small as 3,000 sq. ft. in the D-3 District. In the 1962 ordinance, the GR-General Rural Zone was created and rezoned a large portion of the County GR-General Rural, including the platted Randolph area. The 1962 zoning ordinance had a minimum size requirement of 12,000 sq. ft. This made a portion of the platted Randolph area undersized for the GR-General Zone. The 1972 zoning ordinance increased the minimum size requirement to 54,450 sq. ft. (1.25 acres), the current GR-General Rural size requirement, making the entire platted Randolph area undersized.

ANALYSIS: The subject property is located within the Moderate Low Density designation (1 – 3.5 du/ac) of the Pinal County Comprehensive Plan.

To date, no public comments have been received.

Staff's public participation and notification of the case includes:

Newspaper publish dates: 9/1/23

Mail-outs: 9/13/23

Neighborhood meeting: 9/14/23

Site Posting: 9/13/23

Website: 9/13/23

THE APPLICANT MUST SATISFY THE BOARD OF ADJUSTMENT AND APPEALS THAT THIS REQUEST MEETS THE NECESSARY CRITERIA TO QUALIFY FOR A VARIANCE AS STATED IN SECTION 2.155.050.C

EVIDENCE REQUIRED FOR VARIANCE:

- a. There are special circumstances or conditions applicable to the property which is the subject of the variance which do not prevail on other property in that zoning district.

- b. The special circumstances or conditions referred to in (a) are not self-imposed by the property owners within the subject area.
- c. The strict application of the regulations would work an unnecessary nonfinancial hardship.
- d. The granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights.
- e. The granting of such variance will not materially affect the health or safety of persons residing or working within the subject area and adjacent properties and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.
- f. The variance does not allow a use that is not permitted in the zoning district where the property is located.

FINDINGS: Under Section 2.155.030.E of the Pinal County Development Service Code (Zoning Ordinance), the Board of Adjustment and Appeals shall hear and consider all evidence relating to the request and make findings as to the conformity of the request to the above Section.

THE BOARD OF ADJUSTMENT AND APPEALS shall consider the following criteria in conditionally approving or denying a variance.

- a. There are special circumstances or conditions applicable to the property which is the subject of the variance which do not prevail on other property in that zoning district.

ANALYSIS: The platted Randolph area was created before the 1962 & 1972 zoning ordinances that have increased the minimum size requirements to 12,000 sq. ft. and 54,450 sq. ft. in the GR-General Rural zone. Before these changes, the platted Randolph area was in compliance. Property lines are regular, some parcels have been combined, and there are no flood control issues or any known geologic constraints.

FINDING: There does appear to be special circumstances/conditions, caused by the county, that are applicable to the property that do not negatively affect other properties in that zoning district. This makes the platted Randolph area a blanket variance candidate.

- b. That the special circumstances or conditions referred to in subsection (a) of this section are not self-imposed by the property owners within the subject area.

ANALYSIS: The platted Randolph area was created prior to the 1962 and 1972 amendments that increased the minimum lot size of the GR zone to 12,000 sq. ft. and then 54,450 sq. ft. These increases in lot size requirements were caused by the County, so the landowners/applicant could not have caused the change in requirements.

FINDING: The special circumstances are not self-imposed because the circumstances were caused by the County.

- c. That the strict application of the regulations would work an unnecessary nonfinancial hardship.

ANALYSIS: The strict application of the regulations would not allow a new residence on the parcel and would cause an unnecessary nonfinancial hardship by not allowing construction of any permitted use.

FINDING: Staff finds that the strict application of the regulations would cause an unnecessary nonfinancial hardship and would deprive the owner of a new residence.

- d. The granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights.

ANALYSIS: Being within a platted subdivision, the parcels were created legally through the plat process of the time. With the county lead changes to the zoning ordinances in 1962 & 1972, the platted Randolph area has been placed in non-conformance by county action. Granting of the variance would ensure enjoyment of substantial existing property rights by allowing the landowner to all permitted uses.

FINDING: Staff finds that granting the variance is necessary for the preservation and enjoyment of substantial existing property rights of the landowner.

- e. The granting of such variance will not materially affect the health or safety of persons residing or working within the subject area and adjacent properties and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

ANALYSIS: Currently, there are some dwellings in the subject area. Approval of this variance will allow an additional dwellings and development in a portion of the platted Randolph area.

FINDING: The granting of this variance will not negatively affect the health or safety of persons residing or working within the subject area and adjacent properties, and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

- f. The variance does not allow a use that is not permitted in the zoning district where the property is located.

ANALYSIS: Single-family residences are allowed by right within the GR zoning district and the applicant intends to allow single family residences.

FINDING: Granting of this variance will only allow a use that is permitted in the zoning district where the property is located.

STAFF SUMMARY AND RECOMMENDATION: Factors considered for staff's recommendation are:

- The platted Randolph area was created prior to the 1962 & 1972 amendments that increased the minimum lot size from 12,000 sq. ft. then to 54,450 sq. ft. in the GR zone
- Some lots in the site area have dwellings and other lots are unable to build due to being undersized
- Hardship, preservation, and enjoyment of substantial existing property rights by the owner.

All submittals, presented evidence, written documentation, public testimony, and Planning Case Staff Report (BA-042-23), are considered part of the record in this variance case. If the Board of Adjustments and Appeals can find sufficient evidence based upon the record, staff recommends the Board adopt the staff report, record as presented, and approve the requested variance with the following recommended

motion. If the Board cannot find sufficient evidence to approve the request, staff suggests approving the request with the following motion.

BOARD MOTION

Staff Recommendation to Approve:

*** (Suggested finding)

I move to approve case BA-042-23, a blanket variance to **Sections 2.40.020 & 2.40.030** of the PCDSC, to allow a portion of the platted Randolph area to develop, based on the following conditions A thru F.

1. All State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained, including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, etc.
2. All commercial agriculture, livestock and dairy uses are prohibited. Other uses are allowed as described in the GR-General Rural zoning ordinance.
3. Lots may not be split to create smaller parcels than the original platted size.
4. No survey shall be required to combine lots to meet the minimum lot area requirement, if complete lots are being combined in this variance, BA-042-23.
5. Any decrease in development standards shall require a new blanket variance to all lots listed in this variance, BA-042-23.
6. The sewage disposal method for the lots in this variance, BA-042-23, is an Individual responsibility. A septic system will be required if a residence is established and a sewer connection is not available. All required septic setback distances must be met per Title 18 of the Arizona Administrative Code, Chapter 9. R18-9-A312. C.
7. The development standards are as follows for new primary uses:
 - a) Minimum lot area: 20,000 square feet.
 - b) Minimum lot width: 50 feet.
 - c) Minimum front setback: 25 feet.
 - d) Minimum side setbacks: Ten feet each.
 - e) Minimum rear setback: 25 feet.
 - f) Maximum building height: 30 feet.
 - g) Detached accessory buildings.
 - i. Permitted coverage: 33 percent of the total area of the rear and side setbacks;
 - ii. Maximum height: 20 feet;
 - iii. Minimum distance to main building: Seven feet;

- iv. Minimum distance to front lot line: 60 feet; and
- v. Minimum distance to side and rear lot lines: Four feet.

To Deny:

I move to deny case BA-042-23, a blanket variance to **Sections 2.40.020 & 2.40.030** of the PCDSC, to allow a portion of the platted Randolph area to develop, based on the finding that the condition is neither peculiar nor exceptional as specified by the PCDSC.

DATE PREPARED: 9/13/23-RG

REVISED:

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON **SEPTEMBER 28, 2023** AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER TWO APPLICATIONS FOR **BLANKET VARIANCES** FOR AN UNINCORPORATED AREA OF PINAL COUNTY.

BA-042-23 – PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a “Blanket Variance” to **Sections 2.40.020 & 2.40.030** of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.459 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels **401-31-017C**, 021A, 027C, 025A, **401-29-0150**, 0230, 0440, 0460, 0430, 045A, 0040 (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

BA-043-23 – PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a “Blanket Variance” to **Sections 2.40.020 & 2.40.030** of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.16 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels **401-31-0550**, **401-29-0970**, 0960, 0950, 0940, 0930, 0920, 0910, 0900, 0860, 0780, 0750, 0730, 0720, 0710, 069E, 069D, 069B, 0770, 0760, 0740, 0240, 0210, 0180, 0250, 0600 (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

Information regarding the case can be found online at:

<https://www.pinal.gov/236/Notice-of-Hearings>

ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AT THE HEARING AT THE TIME AND PLACE DESIGNATED ABOVE, AND SHOW CAUSE, IF ANY, WHY THIS PETITION SHOULD NOT BE GRANTED. DOCUMENTS PERTAINING TO THIS CASE CAN BE REQUESTED AND ARE AVAILABLE FOR REVIEW FROM PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT PLEASE CALL (520) 866-6442 FOR MORE INFORMATION

DATED THIS 28th DAY OF AUGUST

TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT **MUST** CONTAIN THE FOLLOWING INFORMATION:

- 1) Planning Case Number (see above)
- 2) Your name, address, telephone number and property tax parcel number (**Print or type**)
- 3) A brief statement of reasons for supporting or opposing the request
- 4) Whether or not you wish to appear and be heard at the hearing

WRITTEN STATEMENTS MUST BE FILED WITH:

PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
P.O. BOX 2973 (85 N. FLORENCE, FIRST FLOOR)
FLORENCE, AZ 85132

NO LATER THAN 4:00 P.M. ON SEPTEMBER 21, 2023

Contact for this matter: Ryan Green, Planner
E-mail Address: Ryan.Green@pinal.gov
Phone: (520) 866-6294 Fax: (520) 866-6530

PUBLISHED ONCE: AZ Republic



APPLICATION FOR VARIANCE OF REGULATIONS IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(All Applications Must Be Typed or Written in Ink) and submitted via the online portal site at
<https://citizenaccess.pinalcountyz.gov/CitizenAccess/>

Variance Request & Property Information:

(Feel free to include answers and to these questions in a Supplementary Narrative, when doing so write see narrative on the space provided)

1. Tax Assessor Parcel No.: See attched sheet 2. Size (to the nearest 1/10th of an acre) N/A

3. The legal description of the property: A portion of the platted Randolph Subdivision

4. Current zoning GR-General Rural 5. Septic or Sewer? Septic X Sewer
Sewer District

6. The existing use(s) of the property: Residential and vacant

7. The exact variance request and/or Section(s) of Code impacted: 2.40.020 & 2.40.030

8. Is there a zoning violation on the property for which the owner has been cited? If yes, zoning violation #
(CC/BCC)

9. Discuss any known changes in land use, street arrangement, or other physical conditions that have altered the character of your property or adjoining properties.

The county ordinances have changed since 1925

10. State any special circumstances or conditions about the property that do not negatively impact other properties in that zoning district. Also state any physical characteristics of this property that are unique and unlike other properties in the area.

Many lots are undersized and do not meet the ordinance.

COMMUNITY DEVELOPMENT
Planning Division

85 N. Florence St., PO Box 2973, Florence, AZ 85132 T 520-866-6442 FREE 888-431-1311 F 520-866-6530
www.pinalcountyz.gov

11. State how the special circumstances or conditions referred to question #10 are not self-imposed.

Only the county can change the ordinance, so it cannot have been self imposed.

12. State how the granting of this application will not materially affect the health or safety of persons residing or working in the neighborhood and how this variance will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Granting the variance will not have negative impacts of people. It will only allow reasonable deveopment standards for primary uses similar to the R-20 zone.

13. State how the variance will only allow permitted uses in the zoning district in which the property is located.

Dwellings are allowed by right in the GR zone. The variance will only allow a lot size reduction to allow dwellings.

14. State how the strict application of the current regulations would work an unnecessary nonfinancial hardship and how the granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights. Show how all beneficial uses and/or enjoyment of the land will be lost if the variance is not granted. Evidence from an appraiser, realtor or other professionals can be useful.

The strict application of the current regulations will not allow any use to be built on the site, deeming it useless.


(The following are additional questions for reductions in parking requests only)

15. Site Plan Review or Building Permit Number: _____

16. Required parking either in total number or ratio: _____ **17.** Requested (# or ratio) _____

18. Evidence to support a reduction, this may include codes and ordinance from other jurisdictions, structures with multiple building occupancy types and/or operational characteristics of the particular use that would warrant a reduction: _____

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed. All notices will be sent to the applicant unless otherwise directed in writing.

Name of Applicant		Address	
			
Signature of Applicant	E-Mail Address	Phone Number	

Name of Agent/Representative		Address	
Signature of Agent/Representative	E-Mail Address	Phone Number	

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings. Please use attached Agency Authorization form, if applicable.

Name of Landowner		Address	
Signature of Landowner	E-Mail Address	Phone Number	

If the landowner is not the applicant, then the applicant must submit a signed and notarized agency authorization form from the landowner with this application.

Application Checklist:

- ☐ Submit a detailed site plan, at least 8½ X 11, but not larger than 11" X 17". The site plan must include the following:
 - Size and shape of parcel; property dimensions; north arrow
 - Adjacent streets; rights-of-way, easements and setbacks; indicate size; purpose and whether public or private
 - Location, size and use of all existing and proposed buildings; show setbacks from property boundary lines and between structures
 - Driveways and parking areas, show access, dimensions and surface material
 - Existing and proposed utilities, show location of lines, size and serving company
 - Any other information as may be applicable – landscaping, natural features i.e.: washes, excavation sites, etc., floor plan
- ☐ Submit the "This Application Checklist" for the requested action.
- ☐ Submit, or request from the case planner assigned, a list of all property owners within 600' of the subject property boundary showing name, mailing address and tax parcel numbers. This list must be obtained within the 30 days prior to application submission.
- ☐ Submit a map of the area with the 600' boundary shown. (A Tax Assessor Parcel Map is acceptable).
- ☐ Submit the non-refundable filing fee according to the fee schedule shown on coversheet of the application. (The application is not considered filed until the fees are paid.)
 - A) Residential with 0-499 mail-outs \$500.00
 - B) Residential with 500 or more mail-outs: \$500.00
 - C) Commercial, industrial or transition with 0-499 mail-outs: \$2,084.00
 - D) Commercial, industrial or transition with 500 or more mail-outs: \$2,399.00
- ☐ The application and narrative in PDF format.
- ☐ I understand that two newspaper publications must be advertised for this variance case per Pinal County staff instructions no later than 21 days before the hearing date as assigned. The applicant is responsible for all publication fees.
- ☐ Submitted application via online portal (<https://citizenaccess.pinalcountyz.gov/CitizenAccess/>)

Important:

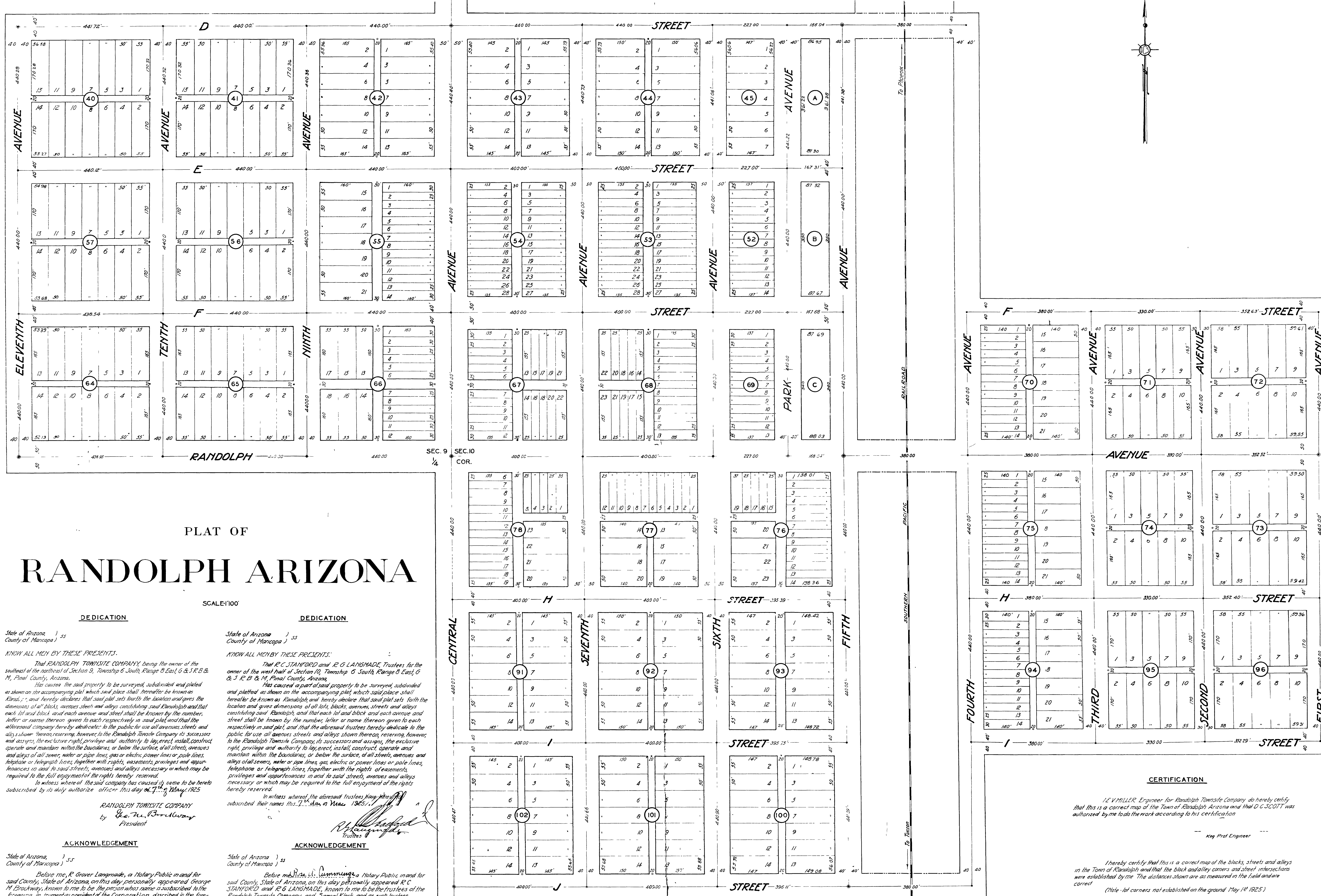
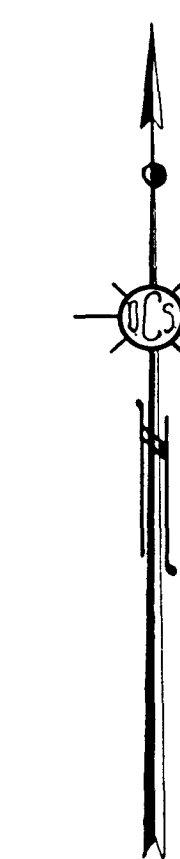
If the application is incomplete or is not detailed enough, the case will not be presented to the Board of Adjustments.

Randolph, AZ was platted in 1925 and has seen many zoning ordinance changes that have place many parts of the plat in non-compliance. This is the second of three blanket variances that staff, with approval of the director, will use to remedy the situation and bring Randolph, AZ into compliance. (11 parcels)

These parcels will be included in this Blanket Variance:

- **40131017C**
- **40131021A**
- **40131027C**
- **40131025A**
- **401290150**
- **401290230**
- **401290440**
- **401290460**
- **401290430**
- **40129045A**
- **401290040**

T.6S. R.8E. G.&S.R.B.&M. ARIZONA.



PLAT OF RANDOLPH ARIZONA
SCALE 1/100

DEDICATION
State of Arizona) ss
County of Maricopa)
I, R. G. LANGMADE, a Notary Public in and for said County, State of Arizona, on this day personally appeared George M. Brockway, known to me to be the person whose name is subscribed to the foregoing instrument, and as such president of the Randolph Township Company, and as such trustees acknowledged to me that they executed the same for the purposes and considerations therein expressed, as its free act and deed, and by him voluntarily executed.
Given under my hand and seal of office this day of May, 1925.

ACKNOWLEDGEMENT
State of Arizona) ss
County of Maricopa)
I, R. G. LANGMADE, a Notary Public in and for said County, State of Arizona, on this day personally appeared R. C. STANFORD and R. G. LANGMADE, known to me to be the trustees of the Randolph Township Company, and as such trustees acknowledged to me that they executed the same for the purposes and considerations therein expressed, as their free act and deed, and by them voluntarily executed.
Given under my hand and seal of office this day of May, 1925.

DEDICATION
State of Arizona) ss
County of Maricopa)
I, R. G. LANGMADE, a Notary Public in and for said County, State of Arizona, on this day personally appeared R. C. STANFORD and R. G. LANGMADE, known to me to be the trustees of the Randolph Township Company, and as such trustees acknowledged to me that they executed the same for the purposes and considerations therein expressed, as their free act and deed, and by them voluntarily executed.
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Given under my hand and seal of office this day of May, 1925.

CERTIFICATION
I, V. MILLER, Engineer for Randolph Township Company do hereby certify that this is a correct map of the Town of Randolph, Arizona and that D. G. SCOTT was authorized by me to do the work according to this certification.
Key Prof Engineer
Thereby certify that this is a correct map of the blocks, streets and alleys in the Town of Randolph and that the block and alley corners and street intersections were established by me. The distances shown are as measured in the field and are correct.
(Note - lot corners not established on the ground May 19, 1925.)
Donald C. Scott
Key Prof Engineer
ENGINEERING OFFICE OF DONALD C. SCOTT
PHOENIX, ARIZONA

PINAL COUNTY- COMMUN
PO BOX 1348
FLORENCE AZ 85132--302

<u>Account</u>	<u>AD#</u>	<u>Order Amount</u>	<u>Tax Amount</u>	<u>Total Order</u>	<u>Payment Method</u>	<u>Order Payment Amount</u>	<u>Order Amount Due</u>
472021	0005812318	\$712.86	\$0.00	\$712.86	Invoice	\$0.00	\$712.86

Sales Rep: FGrade Order Taker: FGrade Order Created 08/28/2023

<u>Product</u>	<u># Ins</u>	<u>Column</u>	<u>Lines</u>	<u>Start Date</u>	<u>End Date</u>
PNI-Arizona Republic	1	1.00	109	09/01/2023	09/01/2023
PNI-AZCentral.com	1	1.00	109	09/01/2023	09/01/2023

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON SEPTEMBER 28, 2023 AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER TWO APPLICATIONS FOR BLANKET VARIANCES FOR AN UNINCORPORATED AREA OF PINAL COUNTY.

BA-042-23 - PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a "Blanket Variance" to Sections 2.40.020 & 2.40.030 of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.459 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels 401-31-017C, 021A, 027C, 025A, 401-29-0150, 0230, 0440, 0460, 0430, 045A, 0040 (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

BA-043-23 - PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a "Blanket Variance" to Sections 2.40.020 & 2.40.030 of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.16 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels 401-31-0550, 401-29-0970, 0960, 0950, 0940, 0930, 0920, 0910, 0900, 0860, 0780, 0750, 0730, 0720, 0710, 069E, 069D, 069B, 0770, 0760, 0740, 0240, 0210, 0180, 0250, 0600 (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

Information regarding the case can be found online at:
<https://www.pinal.gov/236/Notice-of-Hearings>

ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AT THE HEARING AT THE TIME AND PLACE DESIGNATED ABOVE, AND SHOW CAUSE, IF ANY, WHY THIS PETITION SHOULD NOT BE GRANTED. DOCUMENTS PERTAINING TO THIS CASE CAN BE REQUESTED AND ARE AVAILABLE FOR REVIEW FROM PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT PLEASE CALL (520) 866-6442 FOR MORE INFORMATION DATED THIS 28th DAY OF AUGUST TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:

- 1) Planning Case Number (see above)
- 2) Your name, address, telephone number and property tax parcel number (Print or type)
- 3) A brief statement of reasons for supporting or opposing the request
- 4) Whether or not you wish to appear and be heard at the hearing

WRITTEN STATEMENTS MUST BE FILED WITH:
PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

P.O. BOX 2973 (85 N. FLORENCE, FIRST FLOOR)
FLORENCE, AZ 85132
NO LATER THAN 4:00 P.M. ON SEPTEMBER 21, 2023

Contact for this matter: Ryan Green, Planner

E-mail Address: Ryan.Green@pinal.gov
Phone: (520) 866-6294 Fax: (520) 866-6530

Pub: Sep. 1, 2023



PINAL COUNTY
WIDE OPEN OPPORTUNITY

BA-042-23

9/28/23

Community Development Department
Page 153

■ Proposal:

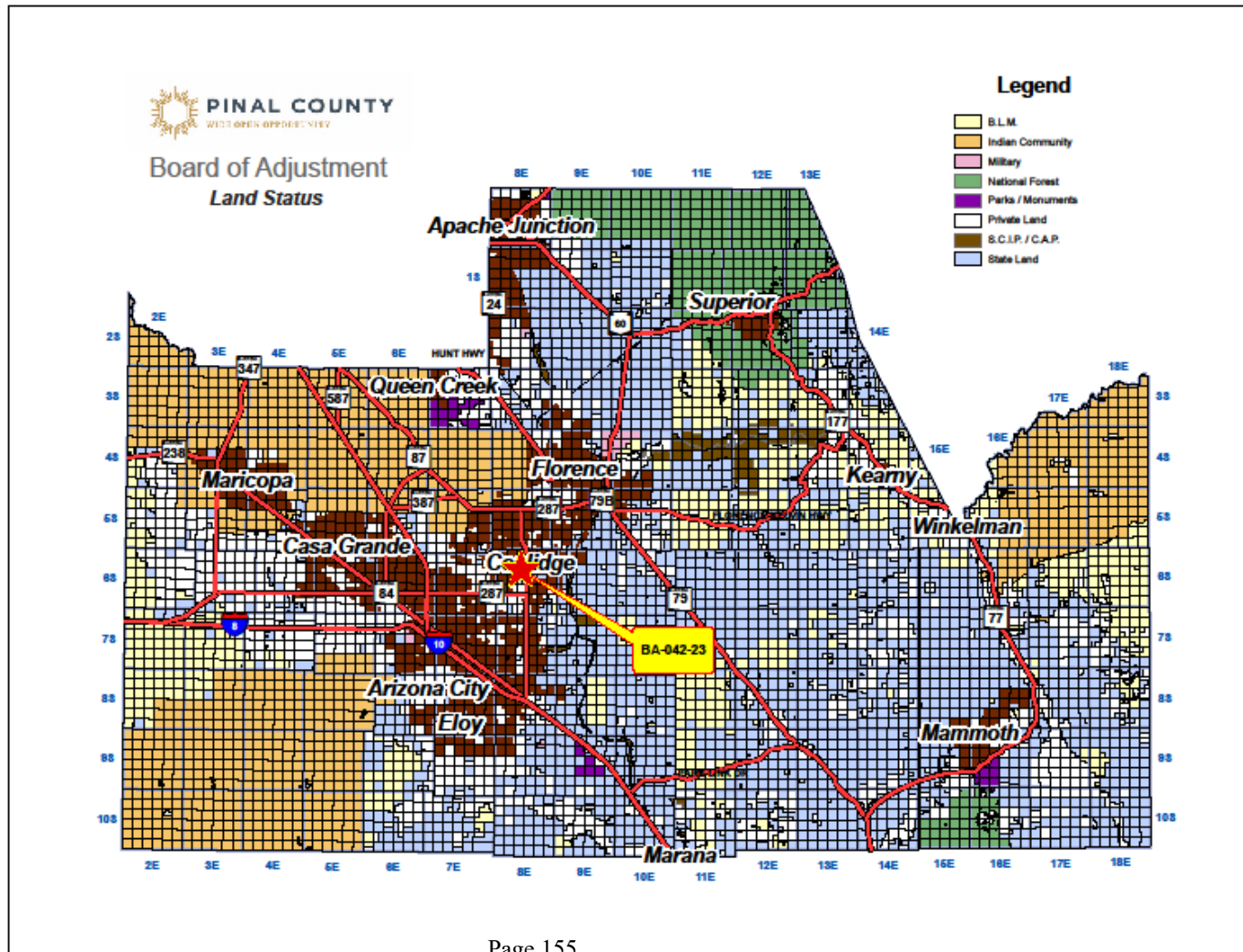
- Variance to **Sections 2.40.020 & 2.40.030** to modify the minimum lot requirements from 54,450 sq. ft. (1.25 acres) to 20,000 sq. ft. (~0.459 acres) to allow a portion of the platted Randolph area to develop
- **Location:** North of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.
- **Owner/Applicant:** Landowners; Several. Applicant; Pinal County Development Services Director

County Map



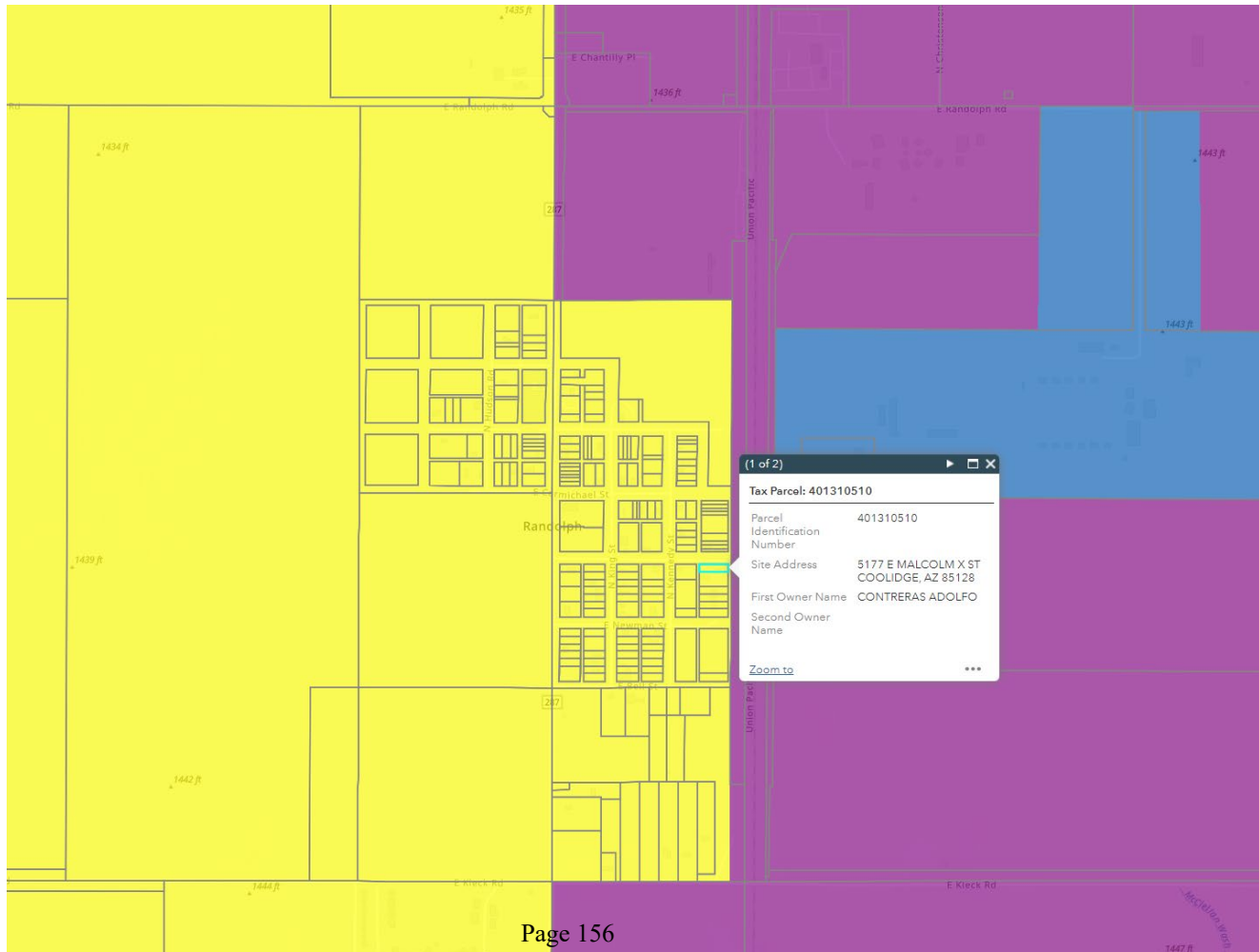
PINAL COUNTY

WIDE OPEN OPPORTUNITY



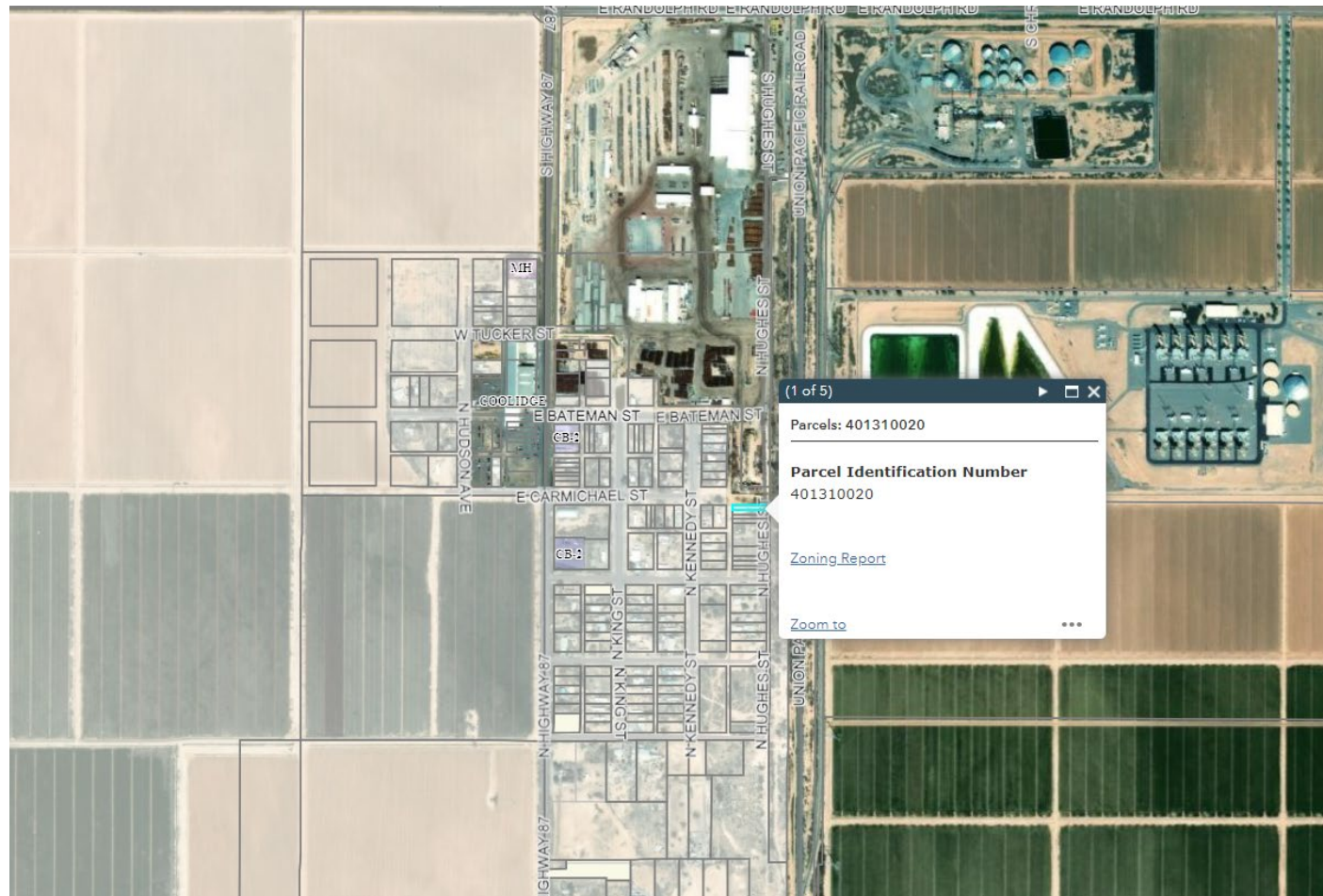
Comprehensive Plan

Comprehensive Plan: Moderate Low Density Residential (1-3.5) du/ac

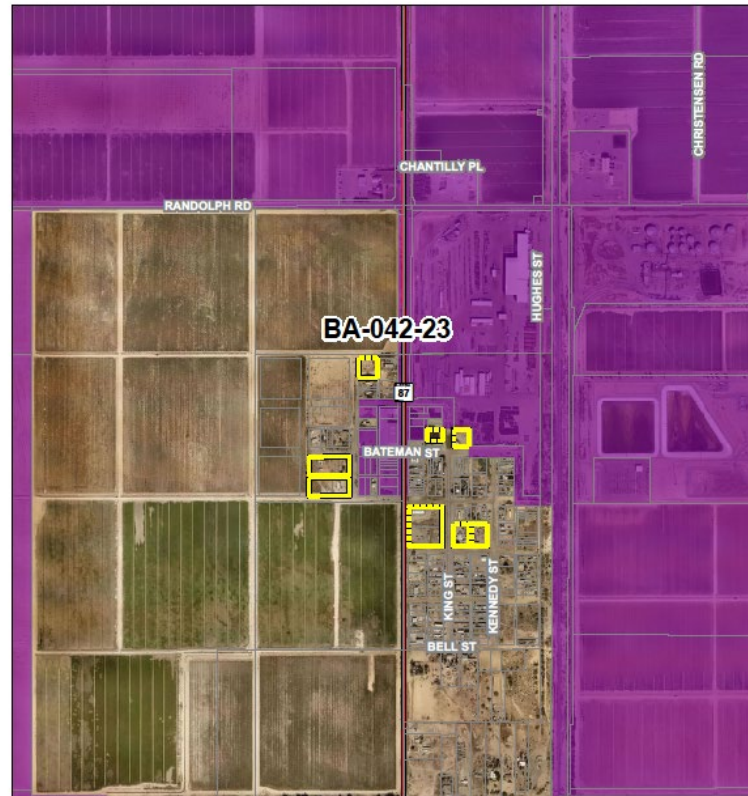


Area Map/Existing Zoning

Zoning District: General Rural (GR)



BA-042-23



Board of Adjustment



South (onto a lot)





West



PINAL COUNTY

WIDE OPEN OPPORTUNITY



Posting Sign



□ **Key Issues:**

- The platted Randolph area was created prior to the 1962 & 1972 amendments that increased the minimum lot size from 12,000 sq. ft. then to 54,450 sq. ft. in the GR zone
- Some lots in the site area have dwellings and other lots are unable to build due to being undersized
- Hardship, preservation, and enjoyment of substantial existing property rights by the owner.

- Recommendation:
 - ▣ Approval
 - ▣ 7 stipulations

Phasing Plan



PINAL COUNTY
WIDE OPEN OPPORTUNITY



- Blue Phase 1 - 9,000sq. Ft.
- Red Phase 2 - 20,000 sq. ft.
- Yellow Phase 3 - 7,000 sq.ft.

Stipulation #1

- All State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained, including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, etc.

Stipulation #2

- All commercial agriculture, livestock and dairy uses are prohibited. Other uses are allowed as described in the GR-General Rural zoning ordinance.

Stipulation #3

- Lots may not be split to create smaller parcels than the original platted size

Stipulation #4

- No survey shall be required to combine lots to meet the minimum lot area requirement, if complete lots are being combined in this variance, BA-042-23.

Stipulation #5

- Any decrease in development standards shall require a new blanket variance to all lots listed in this variance, BA-042-23.

Stipulation #6

- The sewage disposal method for the lots in this variance, BA-042-23, is an Individual responsibility. A septic system will be required if a residence is established and a sewer connection is not available. All required septic setback distances must be met per Title 18 of the Arizona Administrative Code, Chapter 9. R18-9-A312. C.

Stipulation #7

Development Standards

- A. Minimum lot area: 20,000 square feet.
- B. Minimum lot width: 50 feet.
- C. Minimum front setback: 25 feet.
- D. Minimum side setbacks: 10 feet
- E. Minimum rear setbacks: 25 feet each.
- F. Maximum building height: 30 feet.
- G. Detached Accessory Buildings:
 - 1. Permitted coverage: 33 percent of the total area of the rear and side setbacks;
 - 2. Maximum height: 20 feet;
 - 3. Minimum distance to main building: 7 feet;
 - 4. Minimum distance to front lot line: 60 feet;
 - 5. Minimum distance to side and rear lot lines: 4 feet;

Comments, Questions, Concerns?



Sign in Sheet 9/14/23
6pm - 6:39pm

Name

Address

Harvey Rushing Sr.

P.O. Box 31 Coolidge, AZ 85128

KYLE MULBROW

3780 N. KING ST. Coolidge 85128

Sign in Sheet 9/14/23
6pm - 6:39pm

Name

Address

Harvey Rushing Sr.

P.O. Box 31 Coolidge, AZ 85128

KYLE MULBROW

3780 N. KING ST. Coolidge 85128

THE ARIZONA REPUBLIC

PO Box 194, Phoenix, Arizona 85001-0194

Phone 1-602-444-7315

Fax 1-877-943-0443

This is not an invoice

PNI-Arizona Republic

AFFIDAVIT OF PUBLICATION

**PINAL COUNTY- COMMUN
PO BOX 1348
FLORENCE, AZ 85132-3027**

This is not an invoice

Order # 0005812318 # of Affidavits 1

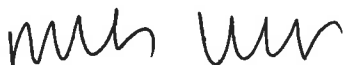
P.O # 249811

Issues Dated:

09/01/23

**STATE OF WISCONSIN
COUNTY OF BROWN } SS.**

I, being first duly sworn, upon oath deposes and says: That I am the legal clerk of the Arizona Republic, a newspaper of general circulation in the counties of Maricopa, Coconino, Pima and Pinal, in the State of Arizona, published weekly at Phoenix, Arizona, and that the copy hereto attached is a true copy of the advertisement published in the said paper in the issue(s) dated indicated.



Sworn to before me this

1 ST day of
SEPTEMBER 2023



Notary Public

My Commission expires:

8-21-26

**NICOLE JACOBS
Notary Public
State of Wisconsin**

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON SEPTEMBER 28, 2023 AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER TWO APPLICATIONS FOR BLANKET VARIANCES FOR AN UNINCORPORATED AREA OF PINAL COUNTY.

BA-042-23 - PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a "Blanket Variance" to Sections 2.40.020 & 2.40.030 of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.459 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels 401-31-017C, 021A, 027C, 025A, 401-29-0150, 0230, 0440, 0460, 0430, 045A, 0040 (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

BA-043-23 - PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a "Blanket Variance" to Sections 2.40.020 & 2.40.030 of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.16 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels 401-31-0550, 401-29-0970, 0960, 0950, 0940, 0930, 0920, 0910, 0900, 0860, 0780, 0750, 0730, 0720, 0710, 069E, 069D, 069B, 0770, 0760, 0740, 0240, 0210, 0180, 0250, 0600 (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

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PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
P.O. BOX 2973 (85 N. FLORENCE, FIRST FLOOR)
FLORENCE, AZ 85132
NO LATER THAN 4:00 P.M. ON SEPTEMBER 21, 2023
Contact for this matter: Ryan Green, Planner
E-mail Address: Ryan.Green@pinal.gov
Phone: (520) 866-6294 Fax: (520) 866-6530
Pub: Sep. 1, 2023



AGENDA ITEM

September 28, 2023 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY:

Funds #:

Dept. #: 1060

Dept. Name: Community Development

Director: Brent Billingsley

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

BA-043-23 – PUBLIC HEARING/ACTION Pinal County Community Development Director, applicant, requesting a “Blanket Variance” to **Sections 2.40.020 & 2.40.030** of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 7,000 sq. ft. (~0.16 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels **401-31-0550, 401-29-0970, 0960, 0950, 0940, 0930, 0920, 0910, 0900, 0860, 0780, 0750, 0730, 0720, 0710, 069E, 069D, 069B, 0770, 0760, 0740, 0240, 0210, 0180, 0250, 0600** (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

Ryan Green/Brent Billingsley

BRIEF DESCRIPTION OF THE FISCAL CONSIDERATIONS AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA ITEM:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM:

MOTION:

approval

History	Who	Approval
Time		

ATTACHMENTS:

Click to download

- ☐ [Board Packet](#)
- ☐ [Presentation](#)
- ☐ [Neighborhood meeting sign in sheet](#)
- ☐ [Notarized Affidavit](#)

TO: PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

MEETING DATE: September 28, 2023

CASE NUMBER: BA-043-23

CASE COORDINATOR: Ryan Green

Executive Summary: *This county initiated blanket variance case is for a reduction in the minimum lot area requirements from 54,450 sq. ft. (1.25 acres) to 7,000 sq. ft. (~0.16 acres) and setbacks to allow dwellings and primary uses on 26 lots of the platted Randolph area. This is phase three of three for the platted Randolph area and will aid in Salt River Project's (Utility company) contribution in infrastructure.*

If This Request is approved: This reduction in the minimum lot area requirements and size requirements will allow a portion of the platted Randolph area to come into compliance and develop.

Staff Recommendation/Issues for Consideration/Concern:

Staff offers a recommendation of approval.

BA-043-23 – PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a “Blanket Variance” to **Sections 2.40.020 & 2.40.030** of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 7,000 sq. ft. (~0.16 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels **401-31-0550, 401-29-0970, 0960, 0950, 0940, 0930, 0920, 0910, 0900, 0860, 0780, 0750, 0730, 0720, 0710, 069E, 069D, 069B, 0770, 0760, 0740, 0240, 0210, 0180, 0250, 0600** (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

LEGAL DESCRIPTIONS: (Legals on file)

TAX PARCELS: 26 parcels

LANDOWNER/APPLICANT: Landowners; Several. Applicant; Pinal County Development Services Director

REQUESTED ACTION AND PURPOSE: Requesting a variance to **Sections 2.40.020 & 2.40.030** to modify the minimum lot size requirement from 54,450 sq. ft. to 7,000 sq. ft. in the GR – General Rural Zone and applicable development standards.

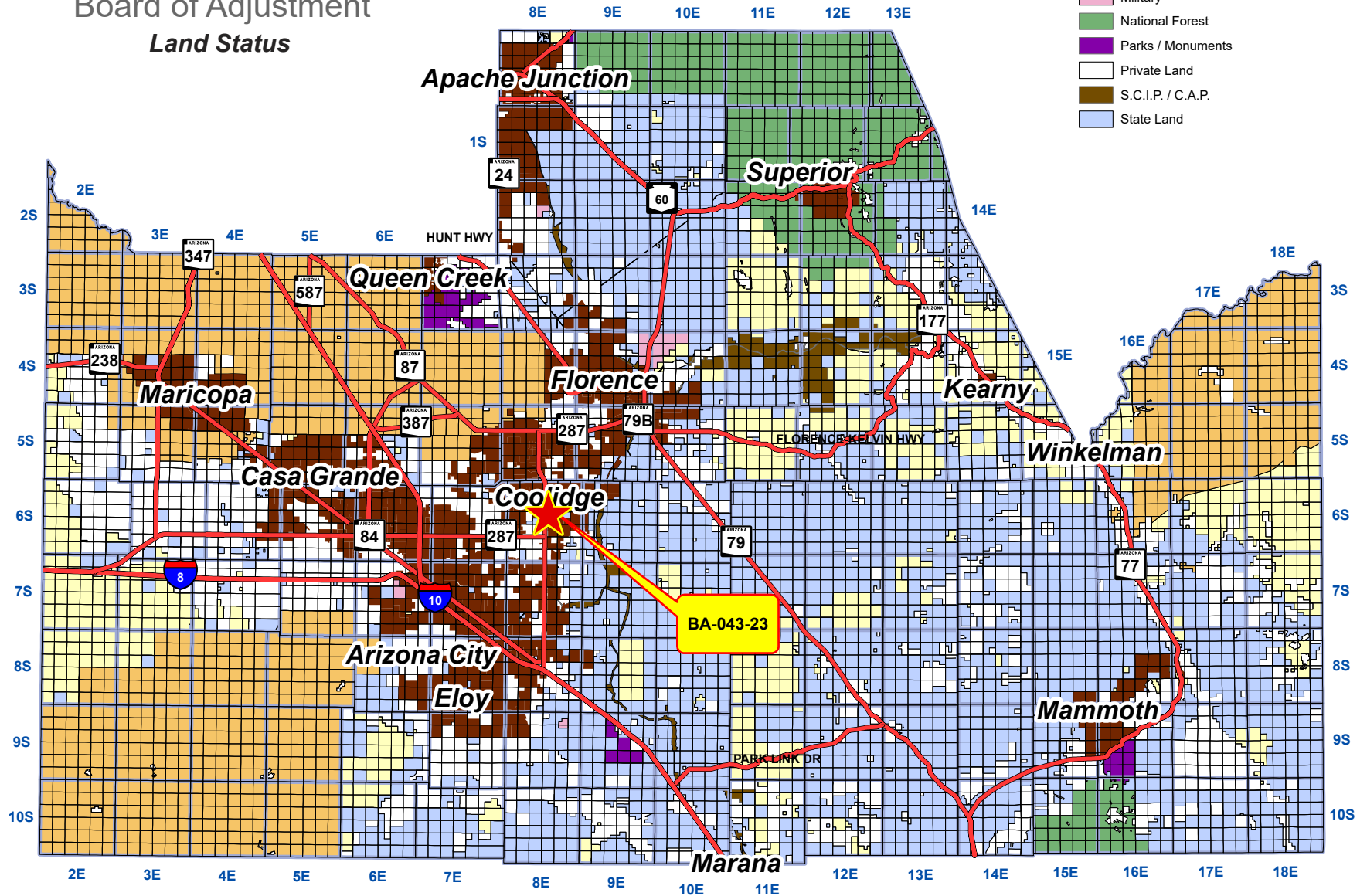


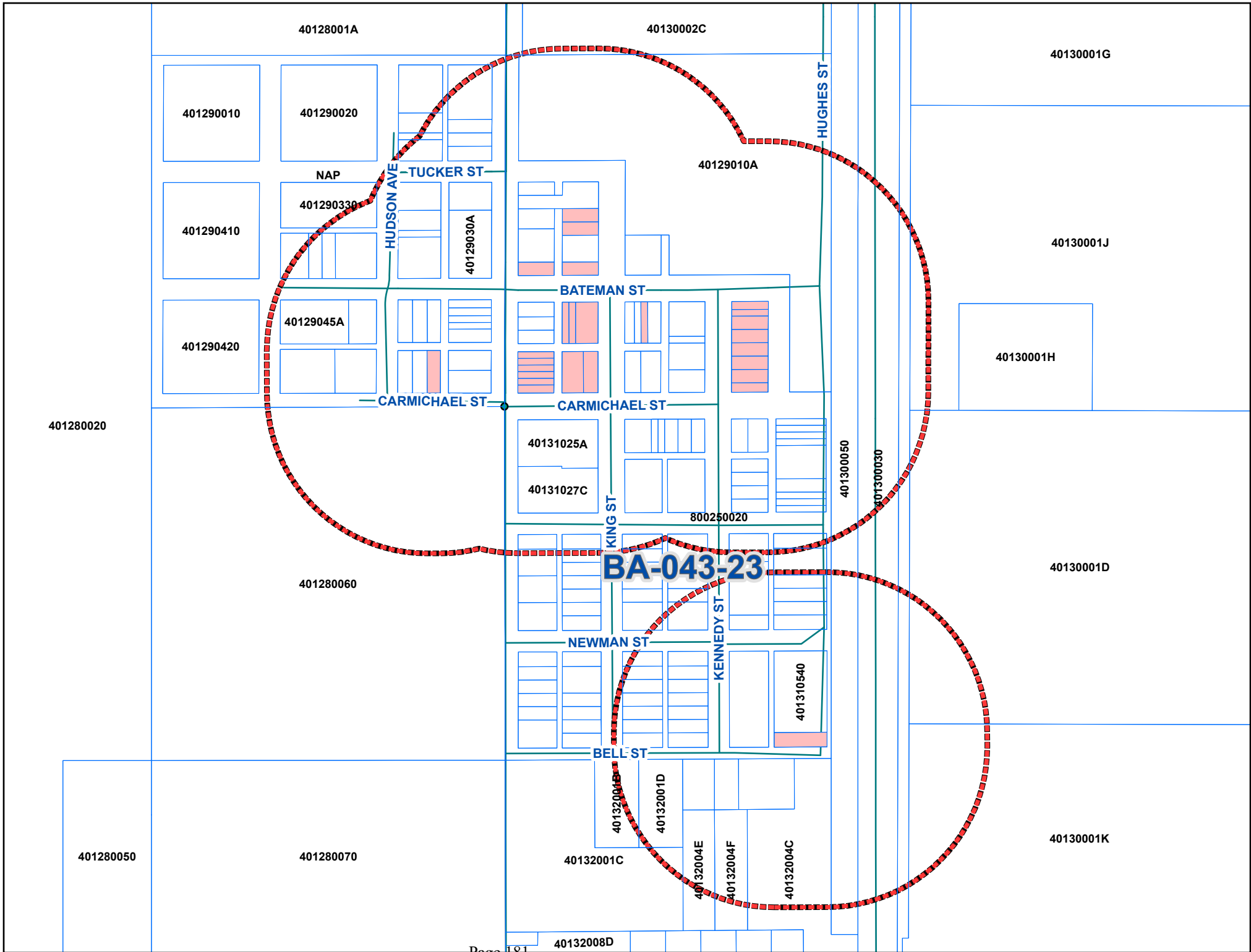
PINAL COUNTY
WIDE OPEN OPPORTUNITY

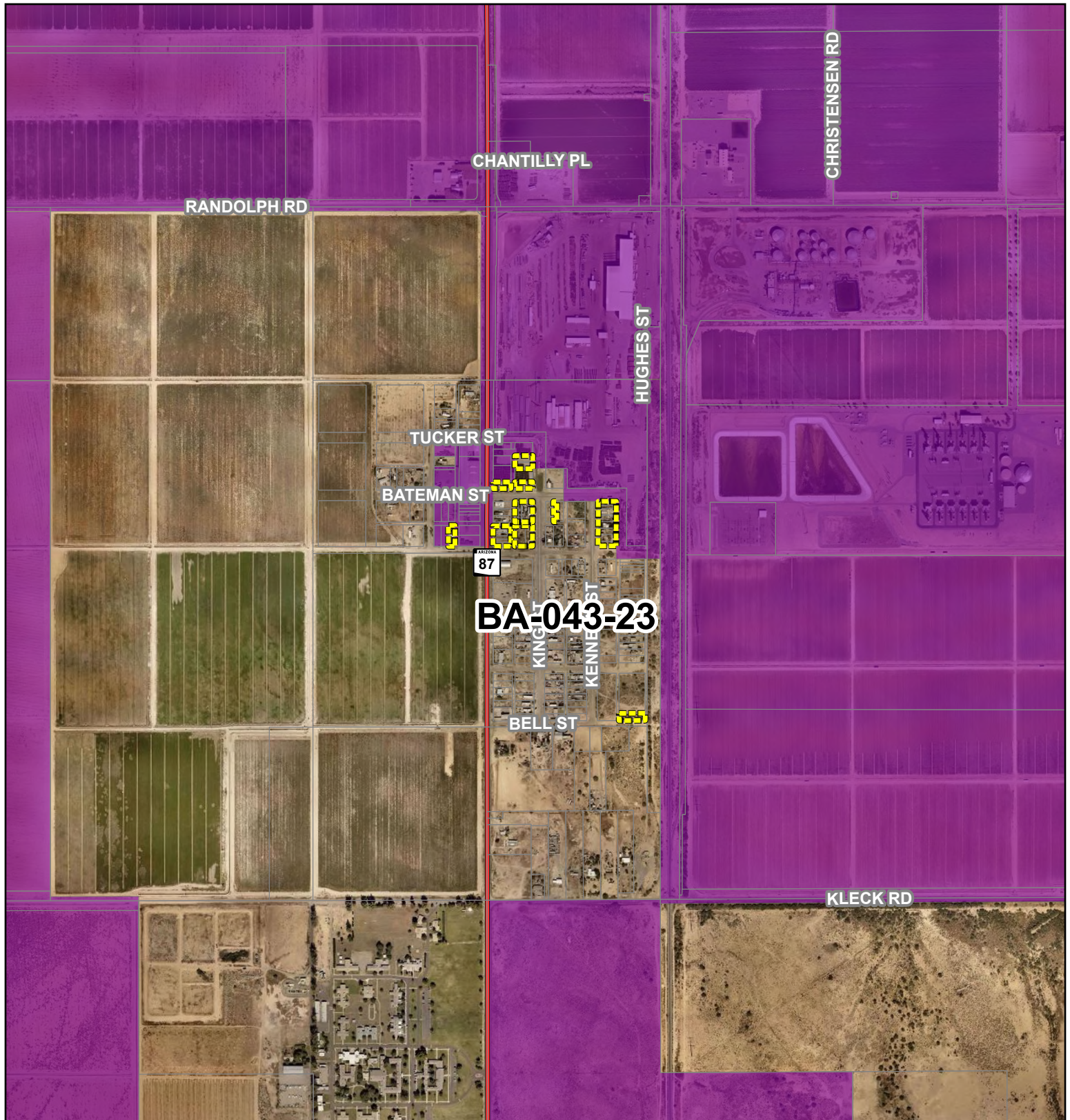
Board of Adjustment Land Status

Legend

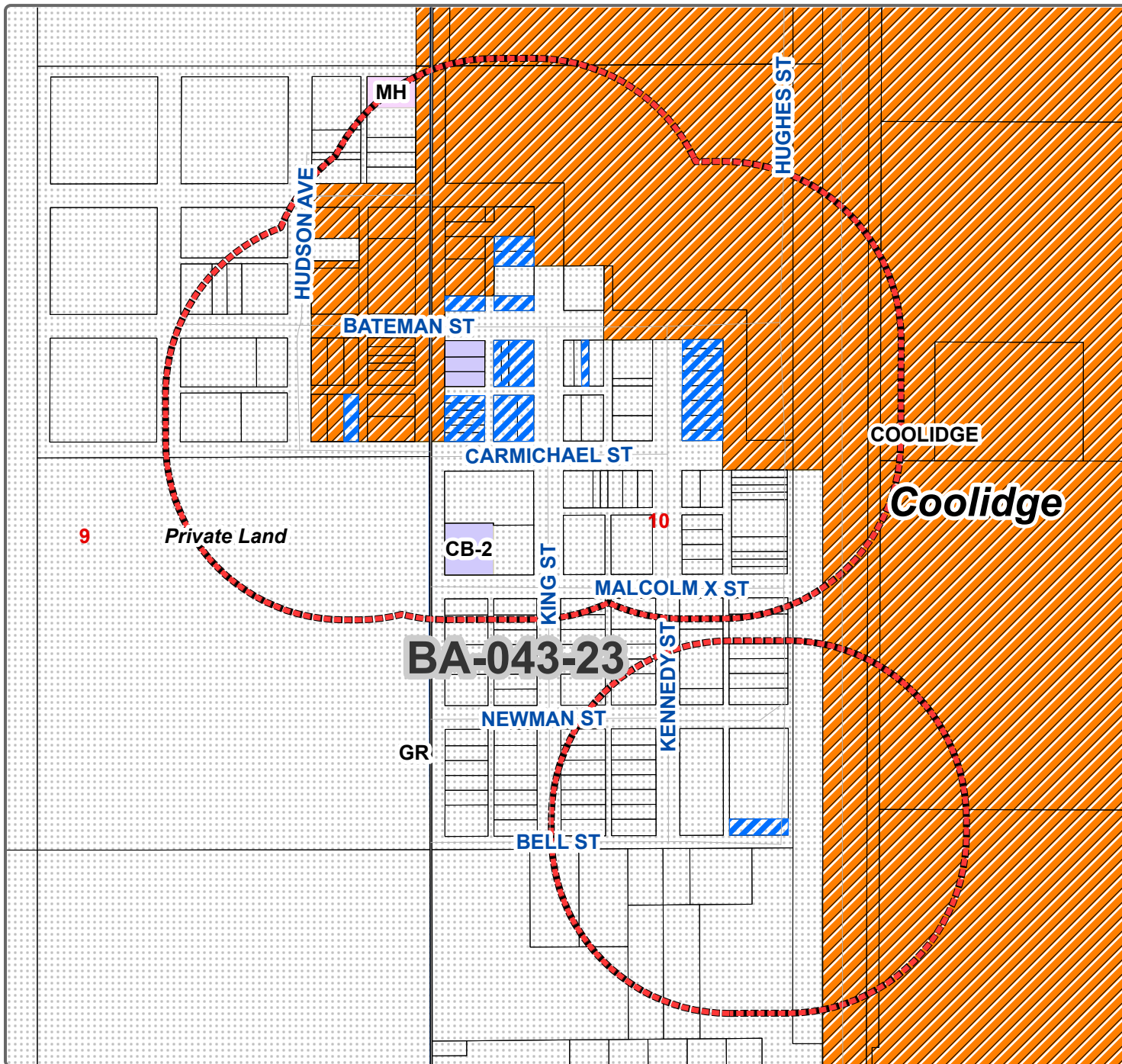
- B.L.M.
- Indian Community
- Military
- National Forest
- Parks / Monuments
- Private Land
- S.C.I.P. / C.A.P.
- State Land







Board of Adjustment



Board of Adjustment

BA-043-23 – PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a “Blanket Variance” to Sections 2.40.020 & 2.40.030 of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.16 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels 401-31-0550, 401-29-0970, 0960, 0950, 0940, 0930, 0920, 0910, 0900, 0860, 0780, 0750, 0730, 0720, 0710, 069E, 069D, 069B, 0770, 0760, 0740, 0240, 0210, 0180, 0250, 0600 (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

Current Zoning: GR

Requested Zoning: Board of Adjustment

Current Land Use: MLDR



Legal Description:

Situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

SEC 9 & 10, TWN 06S, RNG 08E



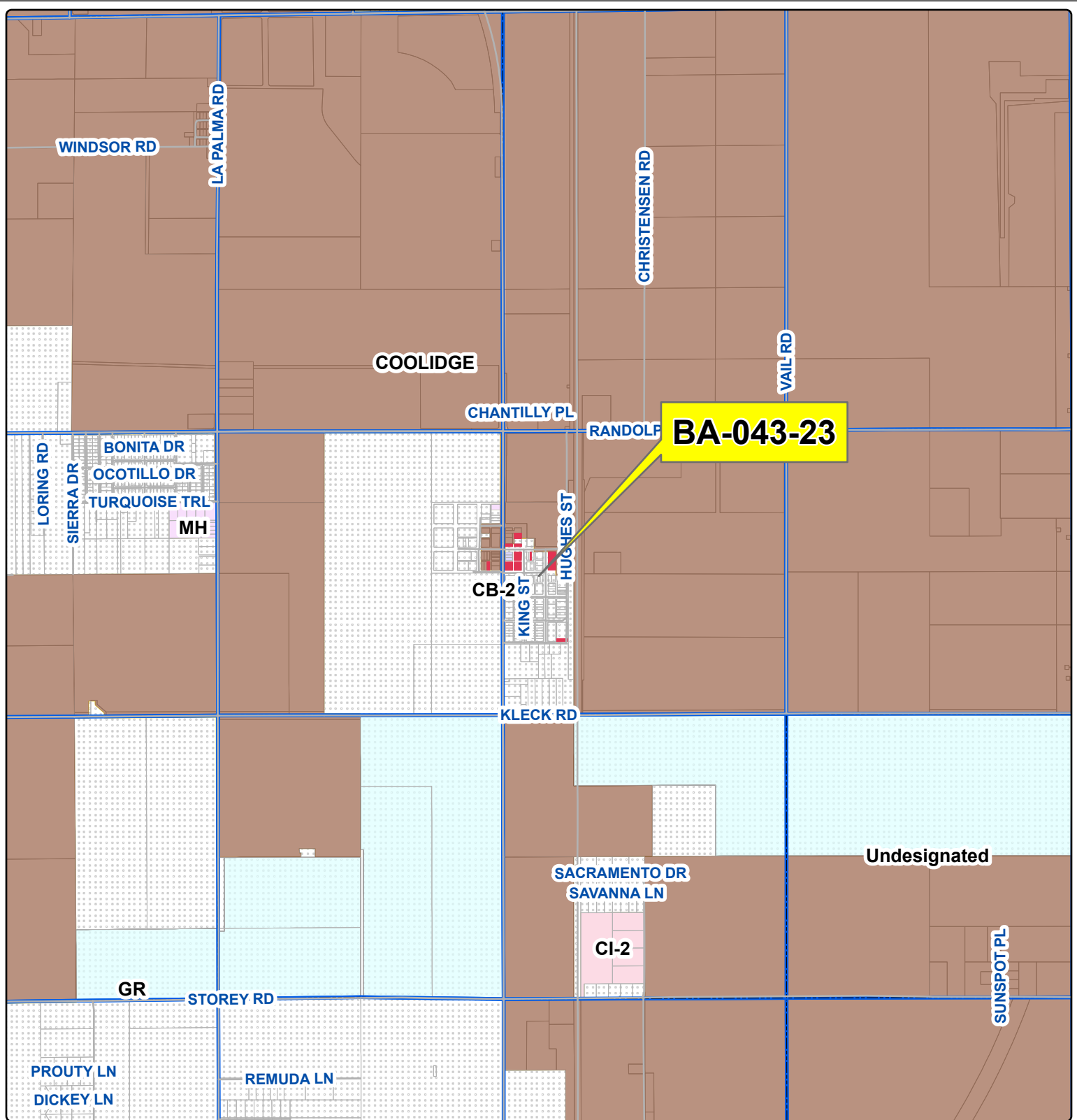
Owner/Applicant: PINAL COUNTY COMMUNITY DEVELOPMENT DIRECTOR

Drawn By: GIS / IT /LJT Date: 09/12/2023

Sheet No.
1 of 1

Section 9 & 10 Township 06S Range 08E

Case Number: BA-043-23



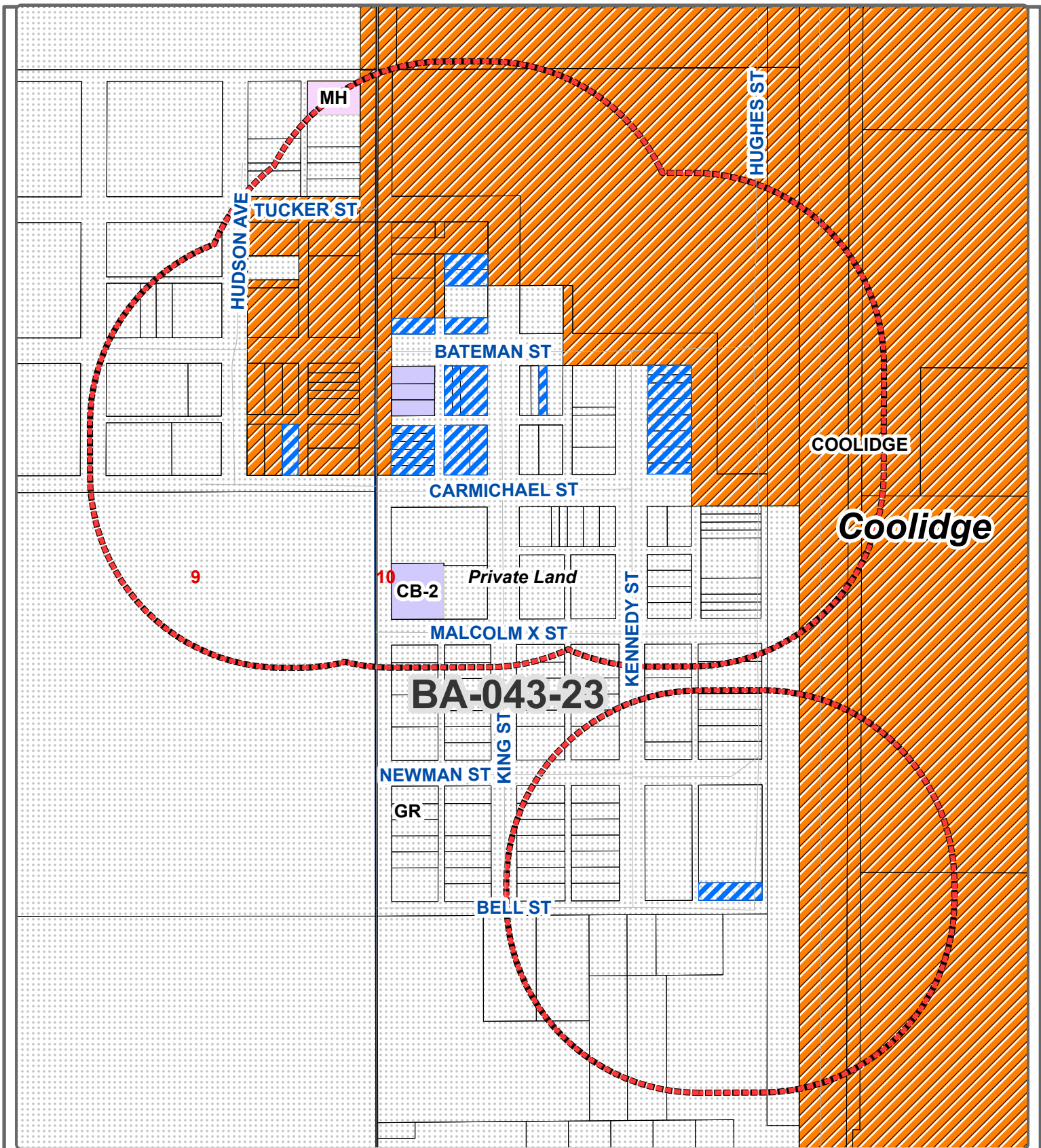
Board of Adjustment **Community Development**

Legal Description:

Situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.



Owner/Applicant: PINAL COUNTY COMMUNITY DEVELOPMENT DIRECTOR			
Drawn By:	GIS / IT / LJT	Date:	09/12/2023
Sheet No.	Section 9 & 10	Township 06S	Range 08E
1 of 1	Case Number: BA-043-23		



Board of Adjustment

Pinal County Community Development Director		
GIS/IT - LJT	09/12/2023	
Section 9 & 10	Township 06S	Range 08E
BA-043-23		

Legal Description:
Situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.
SEC 9 & 10, TWN 06S, RNG 08E

Sheet No. 1 of 1



Current Zoning: GR
Request Zoning: Board of Adjustment
Current Land Use: MLDR

LOCATION: North of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

AVG. LOT SIZE: 7,000 sq. ft. (0.16 acers)

EXISTING ZONING AND LAND USE: GR – General Rural Zone. Some properties have dwellings and some are vacant.

SURROUNDING ZONING AND LAND USE:

North: City of Coolidge

South: General Rural (GR) zoning. Several dwellings

East: City of Coolidge

West: General Rural (GR) zoning. Farmland

SITE DATA: Flood zone X, area of minimal flood hazard.

PHASING PLAN: This is the second of three variance cases staff has planned for the platted Randolph area. This phase covers ~19% of the lots in Randolph.

HISTORY: The Randolph area was platted in 1925 and created lots as small as 3,050 sq. ft. (0.07 acres). The County's first zoning ordinance was created in 1954 and allowed lots as small as 3,000 sq. ft. in the D-3 District. In the 1962 ordinance, the GR-General Rural Zone was created and rezoned a large portion of the County GR-General Rural, including the platted Randolph area. The 1962 zoning ordinance had a minimum size requirement of 12,000 sq. ft. This made a portion of the platted Randolph area undersized for the GR-General Zone. The 1972 zoning ordinance increased the minimum size requirement to 54,450 sq. ft. (1.25 acres), the current GR-General Rural size requirement, making the entire platted Randolph area undersized.

ANALYSIS: The subject property is located within the Moderate Low Density designation (1 – 3.5 du/ac) of the Pinal County Comprehensive Plan.

To date, no public comments have been received.

Staff's public participation and notification of the case includes:

Newspaper publish dates: 9/1/23

Mail-outs: 9/13/23

Neighborhood meeting: 9/14/23

Site Posting: 9/13/23

Website: 9/13/23

THE APPLICANT MUST SATISFY THE BOARD OF ADJUSTMENT AND APPEALS THAT THIS REQUEST MEETS THE NECESSARY CRITERIA TO QUALIFY FOR A VARIANCE AS STATED IN SECTION 2.155.050.C

EVIDENCE REQUIRED FOR VARIANCE:

- a. There are special circumstances or conditions applicable to the property which is the subject of the variance which do not prevail on other property in that zoning district.
- b. The special circumstances or conditions referred to in (a) are not self-imposed by the property owners within the subject area.
- c. The strict application of the regulations would work an unnecessary nonfinancial hardship.
- d. The granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights.
- e. The granting of such variance will not materially affect the health or safety of persons residing or working within the subject area and adjacent properties and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.
- f. The variance does not allow a use that is not permitted in the zoning district where the property is located.

FINDINGS: Under Section 2.155.030.E of the Pinal County Development Service Code (Zoning Ordinance), the Board of Adjustment and Appeals shall hear and consider all evidence relating to the request and make findings as to the conformity of the request to the above Section.

THE BOARD OF ADJUSTMENT AND APPEALS shall consider the following criteria in conditionally approving or denying a variance.

- a. There are special circumstances or conditions applicable to the property which is the subject of the variance which do not prevail on other property in that zoning district.

ANALYSIS: The platted Randolph area was created before the 1962 & 1972 zoning ordinances that have increased the minimum size requirements to 12,000 sq. ft. and 54,450 sq. ft. in the GR-General Rural zone. Before these changes, the platted Randolph area was in compliance. Property lines are regular, some parcels have been combined, and there are no flood control issues or any known geologic constraints.

FINDING: There does appear to be special circumstances/conditions, caused by the county, that are applicable to the property that do not negatively affect other properties in that zoning district. This makes the platted Randolph area a blanket variance candidate.

- b. That the special circumstances or conditions referred to in subsection (a) of this section are not self-imposed by the property owners within the subject area.

ANALYSIS: The platted Randolph area was created prior to the 1962 and 1972 amendments that increased the minimum lot size of the GR zone to 12,000 sq. ft. and then 54,450 sq. ft. These increases in lot size requirements were caused by the County, so the landowners/applicant could not have caused the change in requirements.

FINDING: The special circumstances are not self-imposed because the circumstances were caused by the County.

- c. That the strict application of the regulations would work an unnecessary nonfinancial hardship.

ANALYSIS: The strict application of the regulations would not allow a new residence on the parcel and would cause an unnecessary nonfinancial hardship by not allowing construction of any permitted use.

FINDING: Staff finds that the strict application of the regulations would cause an unnecessary nonfinancial hardship and would deprive the owner of a new residence.

- d. The granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights.

ANALYSIS: Being within a platted subdivision, the parcels were created legally through the plat process of the time. With the county lead changes to the zoning ordinances in 1962 & 1972, the platted Randolph area has been placed in non-conformance by county action. Granting of the variance would ensure enjoyment of substantial existing property rights by allowing the landowner to all permitted uses.

FINDING: Staff finds that granting the variance is necessary for the preservation and enjoyment of substantial existing property rights of the landowner.

- e. The granting of such variance will not materially affect the health or safety of persons residing or working within the subject area and adjacent properties and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

ANALYSIS: Currently, there are some dwellings in the subject area. Approval of this variance will allow an additional dwellings and development in a portion of the platted Randolph area.

FINDING: The granting of this variance will not negatively affect the health or safety of persons residing or working within the subject area and adjacent properties, and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

- f. The variance does not allow a use that is not permitted in the zoning district where the property is located.

ANALYSIS: Single-family residences are allowed by right within the GR zoning district and the applicant intends to allow single family residences.

FINDING: Granting of this variance will only allow a use that is permitted in the zoning district where the property is located.

STAFF SUMMARY AND RECOMMENDATION: Factors considered for staff's recommendation are:

- The platted Randolph area was created prior to the 1962 & 1972 amendments that increased the minimum lot size from 12,000 sq. ft. then to 54,450 sq. ft. in the GR zone
- Some lots in the site area have dwellings and other lots are unable to build due to being undersized
- Hardship, preservation, and enjoyment of substantial existing property rights by the owner.

All submittals, presented evidence, written documentation, public testimony, and Planning Case Staff Report (BA-043-23), are considered part of the record in this variance case. If the Board of Adjustments and Appeals can find sufficient evidence based upon the record, staff recommends the Board adopt the staff report, record as presented, and approve the requested variance with the following recommended motion. If the Board cannot find sufficient evidence to approve the request, staff suggests approving the request with the following motion.

BOARD MOTION

Staff Recommendation to Approve:

*** (Suggested finding)

I move to approve case BA-043-23, a blanket variance to **Sections 2.40.020 & 2.40.030** of the PCDSC, to allow a portion of the platted Randolph area to develop, based on the following conditions A thru F.

1. All State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained, including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, etc.
2. All commercial agriculture, livestock and dairy uses are prohibited. Other uses are allowed as described in the GR-General Rural zoning ordinance.
3. Lots may not be split to create smaller parcels than the original platted size.
4. No survey shall be required to combine lots to meet the minimum lot area requirement, if complete lots are being combined in this variance, BA-043-23.
5. Any decrease in development standards shall require a new blanket variance to all lots listed in this variance, BA-043-23.
6. The sewage disposal method for the lots in this variance, BA-042-23, is an Individual responsibility. A septic system will be required if a residence is established and a sewer connection is not available. All required septic setback distances must be met per Title 18 of the Arizona Administrative Code, Chapter 9. R18-9-A312. C.
7. The development standards are as follows for new primary uses:
 - a) Minimum lot area: 7,000 square feet.
 - b) Minimum lot width: 50 feet.
 - c) Minimum front setback: 20 feet.
 - d) Minimum side setbacks: Ten feet each.
 - e) Minimum rear setback: 25 feet.
 - f) Maximum building height: 30 feet.
 - g) Detached accessory buildings.

- i. Permitted coverage: 33 percent of the total area of the rear and side setbacks;
- ii. Maximum height: 20 feet;
- iii. Minimum distance to main building: Seven feet;
- iv. Minimum distance to front lot line: 60 feet; and
- v. Minimum distance to side and rear lot lines: Four feet.

To Deny:

I move to deny case BA-043-23, a blanket variance to **Sections 2.40.020 & 2.40.030** of the PCDSC, to allow a portion of the platted Randolph area to develop, based on the finding that the condition is neither peculiar nor exceptional as specified by the PCDSC.

DATE PREPARED: 9/13/23-RG

REVISED:

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON **SEPTEMBER 28, 2023** AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER TWO APPLICATIONS FOR **BLANKET VARIANCES** FOR AN UNINCORPORATED AREA OF PINAL COUNTY.

BA-042-23 – PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a “Blanket Variance” to **Sections 2.40.020 & 2.40.030** of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.459 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels **401-31-017C, 021A, 027C, 025A, 401-29-0150, 0230, 0440, 0460, 0430, 045A, 0040** (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

BA-043-23 – PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a “Blanket Variance” to **Sections 2.40.020 & 2.40.030** of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.16 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels **401-31-0550, 401-29-0970, 0960, 0950, 0940, 0930, 0920, 0910, 0900, 0860, 0780, 0750, 0730, 0720, 0710, 069E, 069D, 069B, 0770, 0760, 0740, 0240, 0210, 0180, 0250, 0600** (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

Information regarding the case can be found online at:

<https://www.pinal.gov/236/Notice-of-Hearings>

ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AT THE HEARING AT THE TIME AND PLACE DESIGNATED ABOVE, AND SHOW CAUSE, IF ANY, WHY THIS PETITION SHOULD NOT BE GRANTED. DOCUMENTS PERTAINING TO THIS CASE CAN BE REQUESTED AND ARE AVAILABLE FOR REVIEW FROM PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT PLEASE CALL (520) 866-6442 FOR MORE INFORMATION

DATED THIS 28th DAY OF AUGUST

TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF SUPPORT OR OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT **MUST** CONTAIN THE FOLLOWING INFORMATION:

- 1) Planning Case Number (see above)
- 2) Your name, address, telephone number and property tax parcel number (**Print or type**)
- 3) A brief statement of reasons for supporting or opposing the request
- 4) Whether or not you wish to appear and be heard at the hearing

WRITTEN STATEMENTS MUST BE FILED WITH:

PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
P.O. BOX 2973 (85 N. FLORENCE, FIRST FLOOR)
FLORENCE, AZ 85132

NO LATER THAN 4:00 P.M. ON SEPTEMBER 21, 2023

Contact for this matter: Ryan Green, Planner
E-mail Address: Ryan.Green@pinal.gov
Phone: (520) 866-6294 Fax: (520) 866-6530

PUBLISHED ONCE: AZ Republic



APPLICATION FOR VARIANCE OF REGULATIONS IN AN UNINCORPORATED AREA OF PINAL COUNTY, ARIZONA

(All Applications Must Be Typed or Written in Ink) and submitted via the online portal site at
<https://citizenaccess.pinalcountyz.gov/CitizenAccess/>

Variance Request & Property Information:

(Feel free to include answers and to these questions in a Supplementary Narrative, when doing so write see narrative on the space provided)

1. Tax Assessor Parcel No.: See attthcd sheet 2. Size (to the nearest 1/10th of an acre) N/A

3. The legal description of the property: A portion of the platted Randolph Subdivision

4. Current zoning: GR-General Rural 5. Septic or Sewer? Septic X Sewer
Sewer District

6. The existing use(s) of the property: Residential and vacant

7. The exact variance request and/or Section(s) of Code impacted: 2.40.020 & 2.40.030

8. Is there a zoning violation on the property for which the owner has been cited? If yes, zoning violation # (CC/BCC)

9. Discuss any known changes in land use, street arrangement, or other physical conditions that have altered the character of your property or adjoining properties.

The county ordinances have changed since 1925

10. State any special circumstances or conditions about the property that do not negatively impact other properties in that zoning district. Also state any physical characteristics of this property that are unique and unlike other properties in the area.

Many lots are undersized and do not meet the ordinance.

COMMUNITY DEVELOPMENT
Planning Division

85 N. Florence St., PO Box 2973, Florence, AZ 85132 T 520-866-6442 FREE 888-431-1311 F 520-866-6530
www.pinalcountyz.gov

11. State how the special circumstances or conditions referred to question #10 are not self-imposed.

Only the county can change the ordinance, so it cannot have been self imposed.

12. State how the granting of this application will not materially affect the health or safety of persons residing or working in the neighborhood and how this variance will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

Granting the variance will not have negative impacts of people. It will only allow reasonable deveopment standards for primary uses similar to the R-7 zone.

13. State how the variance will only allow permitted uses in the zoning district in which the property is located.

Dwellings are allowed by right in the GR zone. The variance will only allow a lot size reduction to allow dwellings.

14. State how the strict application of the current regulations would work an unnecessary nonfinancial hardship and how the granting of the variance is necessary for the preservation and enjoyment of substantial existing property rights. Show how all beneficial uses and/or enjoyment of the land will be lost if the variance is not granted. Evidence from an appraiser, realtor or other professionals can be useful.

The strict application of the current regulations will not allow any use to be built on the site, deeming it useless.

(The following are additional questions for reductions in parking requests only)

15. Site Plan Review or Building Permit Number: _____

16. Required parking either in total number or ratio: _____ **17.** Requested (# or ratio) _____

18. Evidence to support a reduction, this may include codes and ordinance from other jurisdictions, structures with multiple building occupancy types and/or operational characteristics of the particular use that would warrant a reduction: _____

I certify the information included in this application is accurate, to the best of my knowledge. I have read the application and I have included the information, as requested. I understand if the information submitted is incomplete, this application cannot be processed. All notices will be sent to the applicant unless otherwise directed in writing.

Name of Applicant

Address



Signature of Applicant

E-Mail Address

Phone Number

Name of Agent/Representative

Address

Signature of Agent/Representative

E-Mail Address

Phone Number

The Agent/Representative has the authority to act on behalf of the landowner/applicant, which includes agreeing to stipulations. The agent will be the contact person for Planning staff and must be present at all hearings. Please use attached Agency Authorization form, if applicable.

Name of Landowner

Address

Signature of Landowner

E-Mail Address

Phone Number

If the landowner is not the applicant, then the applicant must submit a signed and notarized agency authorization form from the landowner with this application.

Application Checklist:

- ☐ Submit a detailed site plan, at least 8½ X 11, but not larger than 11" X 17". The site plan must include the following:
 - Size and shape of parcel; property dimensions; north arrow
 - Adjacent streets; rights-of-way, easements and setbacks; indicate size; purpose and whether public or private
 - Location, size and use of all existing and proposed buildings; show setbacks from property boundary lines and between structures
 - Driveways and parking areas, show access, dimensions and surface material
 - Existing and proposed utilities, show location of lines, size and serving company
 - Any other information as may be applicable – landscaping, natural features i.e.: washes, excavation sites, etc., floor plan
- ☐ Submit the "This Application Checklist" for the requested action.
- ☐ Submit, or request from the case planner assigned, a list of all property owners within 600' of the subject property boundary showing name, mailing address and tax parcel numbers. This list must be obtained within the 30 days prior to application submission.
- ☐ Submit a map of the area with the 600' boundary shown. (A Tax Assessor Parcel Map is acceptable).
- ☐ Submit the non-refundable filing fee according to the fee schedule shown on coversheet of the application. (The application is not considered filed until the fees are paid.)
 - A) Residential with 0-499 mail-outs \$500.00
 - B) Residential with 500 or more mail-outs: \$500.00
 - C) Commercial, industrial or transition with 0-499 mail-outs: \$2,084.00
 - D) Commercial, industrial or transition with 500 or more mail-outs: \$2,399.00
- ☐ The application and narrative in PDF format.
- ☐ I understand that two newspaper publications must be advertised for this variance case per Pinal County staff instructions no later than 21 days before the hearing date as assigned. The applicant is responsible for all publication fees.
- ☐ Submitted application via online portal (<https://citizenaccess.pinalcountyz.gov/CitizenAccess/>)

Important:

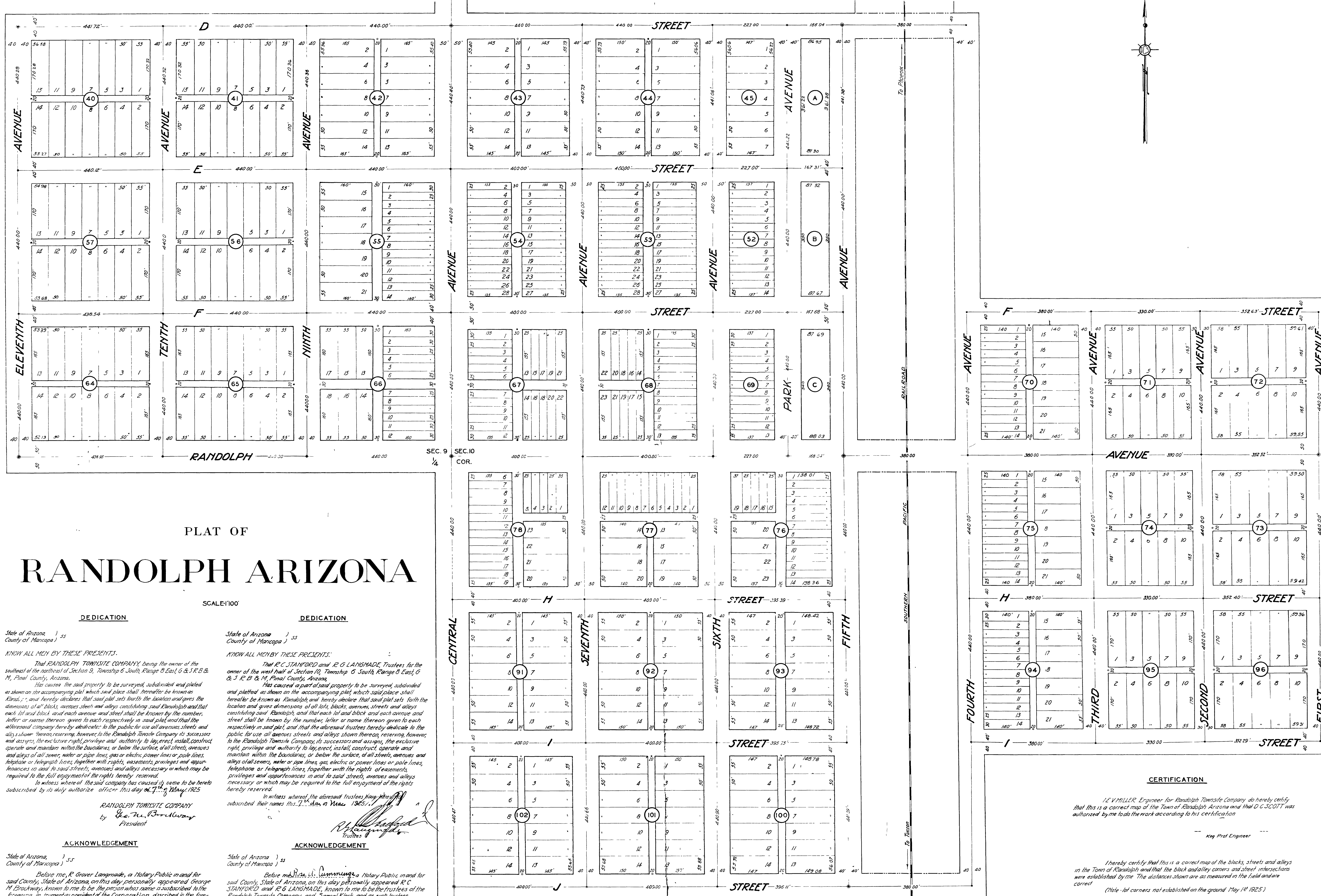
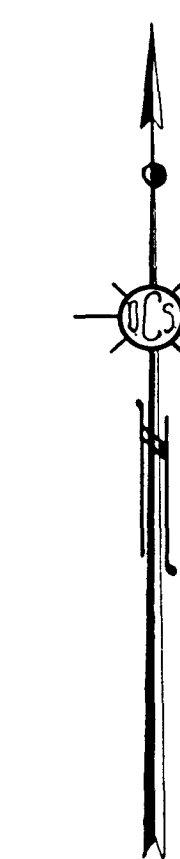
If the application is incomplete or is not detailed enough, the case will not be presented to the Board of Adjustments.

Randolph, AZ was platted in 1925 and has seen many zoning ordinance changes that have place many parts of the plat in non-compliance. This is the third of three blanket variances that staff, with approval of the director, will use to remedy the situation and bring Randolph, AZ into compliance. (26 parcels)

These parcels will be included in this Blanket Variance:

- 401310550
- 401290970
- 401290960
- 401290950
- 401290940
- 401290930
- 401290920
- 401290910
- 401290900
- 401290860
- 401290780
- 401290750
- 401290730
- 401290720
- 401290710
- 40129069E
- 40129069D
- 40129069B
- 401290770
- 401290760
- 401290740
- 401290240
- 401290210
- 401290180
- 401290250
- 401290600

T.6S. R.8E. G.&S.R.B.&M. ARIZONA.



DEDICATION

State of Arizona) ss
County of Maricopa)

KNOW ALL MEN BY THESE PRESENTS:

That RANDOLPH TOWNSHIP COMPANY, being the owner of the southeast of the northeast of Section 9, Township 6 South, Range 8 East, G & S R B & M, Final County, Arizona,

Has caused the said property to be surveyed, subdivided and plotted as shown on the accompanying plat, which said plat shall hereafter be known as "Randolph," and hereby declares that said plat and the location and gives the dimensions of all blocks, avenues, streets and alleys constituting said Randolph and that each lot and block and each avenue and street shall be known by the number, letter or name thereon given to each respectively in said plat, and that the aforesaid company hereby dedicates to the public for use all avenues, streets and alleys shown thereon, reserving, however, to the Randolph Township Company, its successors and assigns, the exclusive right, privilege and authority to lay, erect, install, construct, operate and maintain within the boundaries, or below the surface, of all streets, avenues and alleys of all sewer, water or pipe lines, gas or electric power lines or pole lines, telephone or telegraph lines, together with the rights of easements, privileges and appurtenances in and to said streets, avenues and alleys necessary or which may be required to the full enjoyment of the rights hereby reserved.

In witness whereof the said company has caused its name to be hereunto subscribed by its duly authorized officer this day of May, 1925.

RANDOLPH TOWNSHIP COMPANY
By *George M. Brockway*
President

ACKNOWLEDGEMENT

State of Arizona) ss
County of Maricopa)

Before me, R. Grover Langmade, a Notary Public in and for said County, State of Arizona, on this day personally appeared George M. Brockway, known to me to be the person whose name is subscribed to the foregoing instrument, and as such president of the Randolph Township Company, and as such trustees acknowledged to me that he executed the same for said corporation, for the purpose and consideration therein expressed, as its free act and deed, and by him voluntarily executed.

Given under my hand and seal of office this day of May, 1925.

R. Grover Langmade
Notary Public
(My Commission expires Dec. 9, 1928)

State of Arizona) ss
County of Maricopa)

KNOW ALL MEN BY THESE PRESENTS:

That R. C. STANFORD and R. G. LANGMADE, Trustees for the owner of the west half of Section 10, Township 6 South, Range 8 East, G & S R B & M, Final County, Arizona,

Has caused a part of said property to be surveyed, subdivided and plotted as shown on the accompanying plat, which said plat shall hereafter be known as "Randolph," and hereby declares that said plat sets forth the location and gives dimensions of all lots, blocks, avenues, streets and alleys constituting said Randolph, and that each lot and block and each avenue and street shall be known by the number, letter or name thereon given to each respectively in said plat, and that the aforesaid trustees hereby dedicate to the public for use all avenues, streets and alleys shown thereon, reserving, however, to the Randolph Township Company, its successors and assigns, the exclusive right, privilege and authority to lay, erect, install, construct, operate and maintain within the boundaries, or below the surface, of all streets, avenues and alleys of all sewer, water or pipe lines, gas, electric or power lines or pole lines, telephone or telegraph lines, together with the rights of easements, privileges and appurtenances in and to said streets, avenues and alleys necessary or which may be required to the full enjoyment of the rights hereby reserved.

In witness whereof the aforesaid trustees have hereunto subscribed their names this day of May, 1925.

R. C. Stanford
Trustee

ACKNOWLEDGEMENT

State of Arizona) ss
County of Maricopa)

Before me, R. Grover Langmade, a Notary Public in and for said County, State of Arizona, on this day personally appeared R. C. STANFORD and R. G. LANGMADE, known to me to be the trustees of the Randolph Township Company, and as such trustees acknowledged to me that they executed the same for the purpose and consideration therein expressed, as their free act and deed, and by them voluntarily executed.

Given under my hand and seal of office this day of May, 1925.

R. Grover Langmade
Notary Public
(My Commission expires Dec. 9, 1928)

State of Arizona) ss
County of Maricopa)

Before me, R. Grover Langmade, a Notary Public in and for said County, State of Arizona, on this day personally appeared R. C. STANFORD and R. G. LANGMADE, known to me to be the trustees of the Randolph Township Company, and as such trustees acknowledged to me that they executed the same for the purpose and consideration therein expressed, as their free act and deed, and by them voluntarily executed.

Given under my hand and seal of office this day of May, 1925.

R. Grover Langmade
Notary Public
(My Commission expires Dec. 9, 1928)

CERTIFICATION

I, V. MILLER, Engineer for Randolph Township Company do hereby certify that this is a correct map of the Town of Randolph, Arizona and that D. G. SCOTT was authorized by me to do the work according to this certification.

Key Prof Engineer

Thereby certify that this is a correct map of the blocks, streets and alleys in the Town of Randolph and that the block and alley corners and street intersections were established by me. The distances shown are as measured in the field and are correct.

(Note - lot corners not established on the ground May 19, 1925.)

Donald C. Scott
Key Prof Engineer

ENGINEERING OFFICE OF DONALD C. SCOTT
PHOENIX, ARIZONA

PINAL COUNTY- COMMUN
PO BOX 1348
FLORENCE AZ 85132--302

<u>Account</u>	<u>AD#</u>	<u>Order Amount</u>	<u>Tax Amount</u>	<u>Total Order</u>	<u>Payment Method</u>	<u>Order Payment Amount</u>	<u>Order Amount Due</u>
472021	0005812318	\$712.86	\$0.00	\$712.86	Invoice	\$0.00	\$712.86

Sales Rep: FGrade Order Taker: FGrade Order Created 08/28/2023

<u>Product</u>	<u># Ins</u>	<u>Column</u>	<u>Lines</u>	<u>Start Date</u>	<u>End Date</u>
PNI-Arizona Republic	1	1.00	109	09/01/2023	09/01/2023
PNI-AZCentral.com	1	1.00	109	09/01/2023	09/01/2023

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON SEPTEMBER 28, 2023 AT THE PINAL COUNTY ADMINISTRATIVE COMPLEX, IN THE BOARD OF SUPERVISORS HEARING ROOM, 135 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER TWO APPLICATIONS FOR BLANKET VARIANCES FOR AN UNINCORPORATED AREA OF PINAL COUNTY.

BA-042-23 - PUBLIC HEARING/ACTION: Pinal County Community Development Director, applicant, requesting a "Blanket Variance" to Sections 2.40.020 & 2.40.030 of the Pinal County Development Services Code, to bring a portion of the platted Randolph platted area into compliance by adjusting the minimum lot size to 20,000 sq. ft. (~0.459 acres) from 54,450 sq. ft. (1.25 acres), on tax parcels 401-31-017C, 021A, 027C, 025A, 401-29-0150, 0230, 0440, 0460, 0430, 045A, 0040 (legals on file) in the General Rural zone (GR), situated in both Sections 9 & 10, Township 06 South, Range 08 East Gila & Salt River Baseline & Meridian, located north of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.

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WRITTEN STATEMENTS MUST BE FILED WITH:
PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

P.O. BOX 2973 (85 N. FLORENCE, FIRST FLOOR)
FLORENCE, AZ 85132
NO LATER THAN 4:00 P.M. ON SEPTEMBER 21, 2023

Contact for this matter: Ryan Green, Planner

E-mail Address: Ryan.Green@pinal.gov
Phone: (520) 866-6294 Fax: (520) 866-6530

Pub: Sep. 1, 2023



PINAL COUNTY
WIDE OPEN OPPORTUNITY

BA-043-23

9/28/23

Community Development Department
Page 200

■ Proposal:

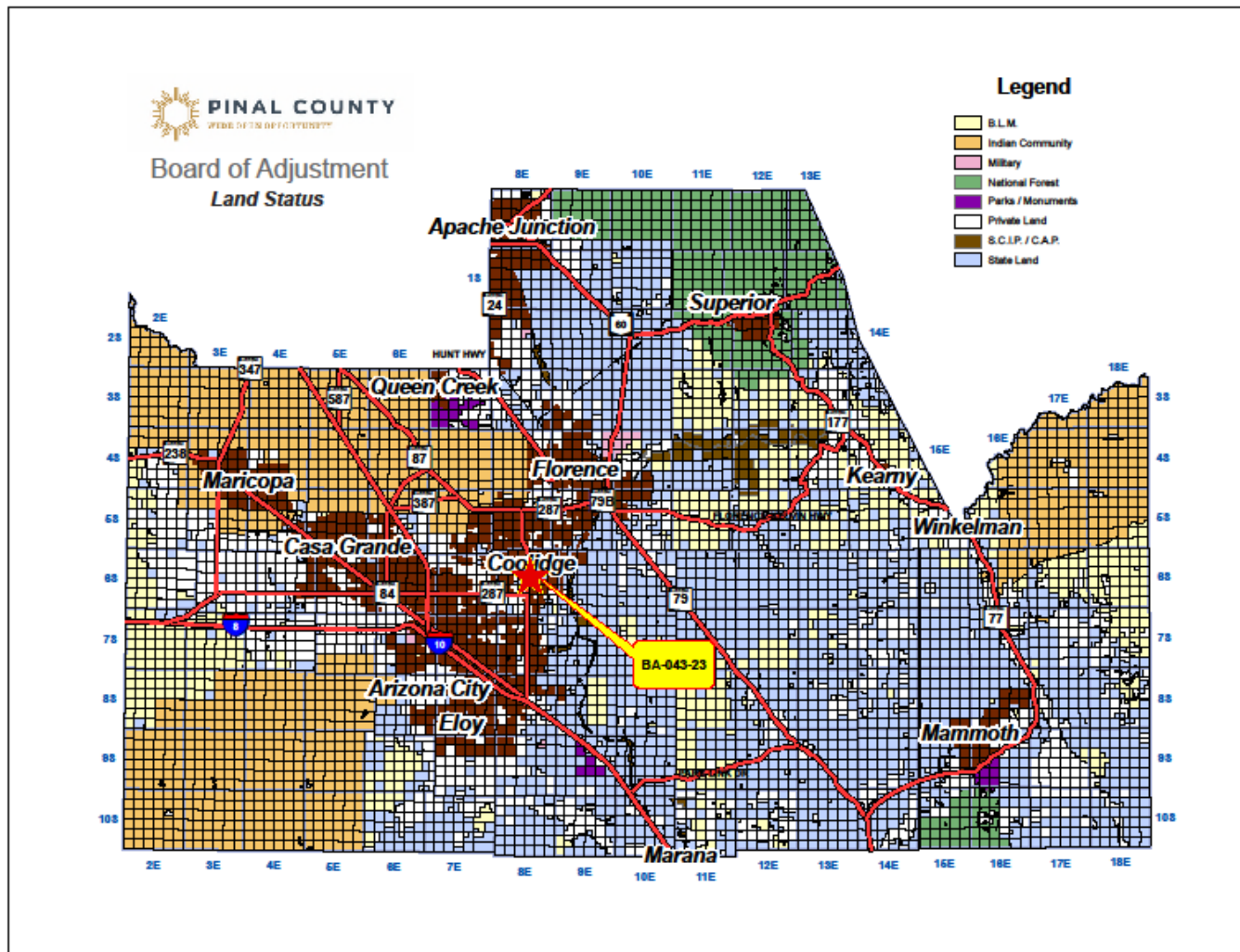
- Variance to **Sections 2.40.020 & 2.40.030** to modify the minimum lot requirements from 54,450 sq. ft. (1.25 acres) to 20,000 sq. ft. (~0.459 acres) to allow a portion of the platted Randolph area to develop
- **Location:** North of east Kleck Rd, south of east Randolph Rd, and on both sides of north Highway 87, near Coolidge, AZ in the unincorporated area.
- **Owner/Applicant:** Landowners; Several. Applicant; Pinal County Development Services Director

County Map



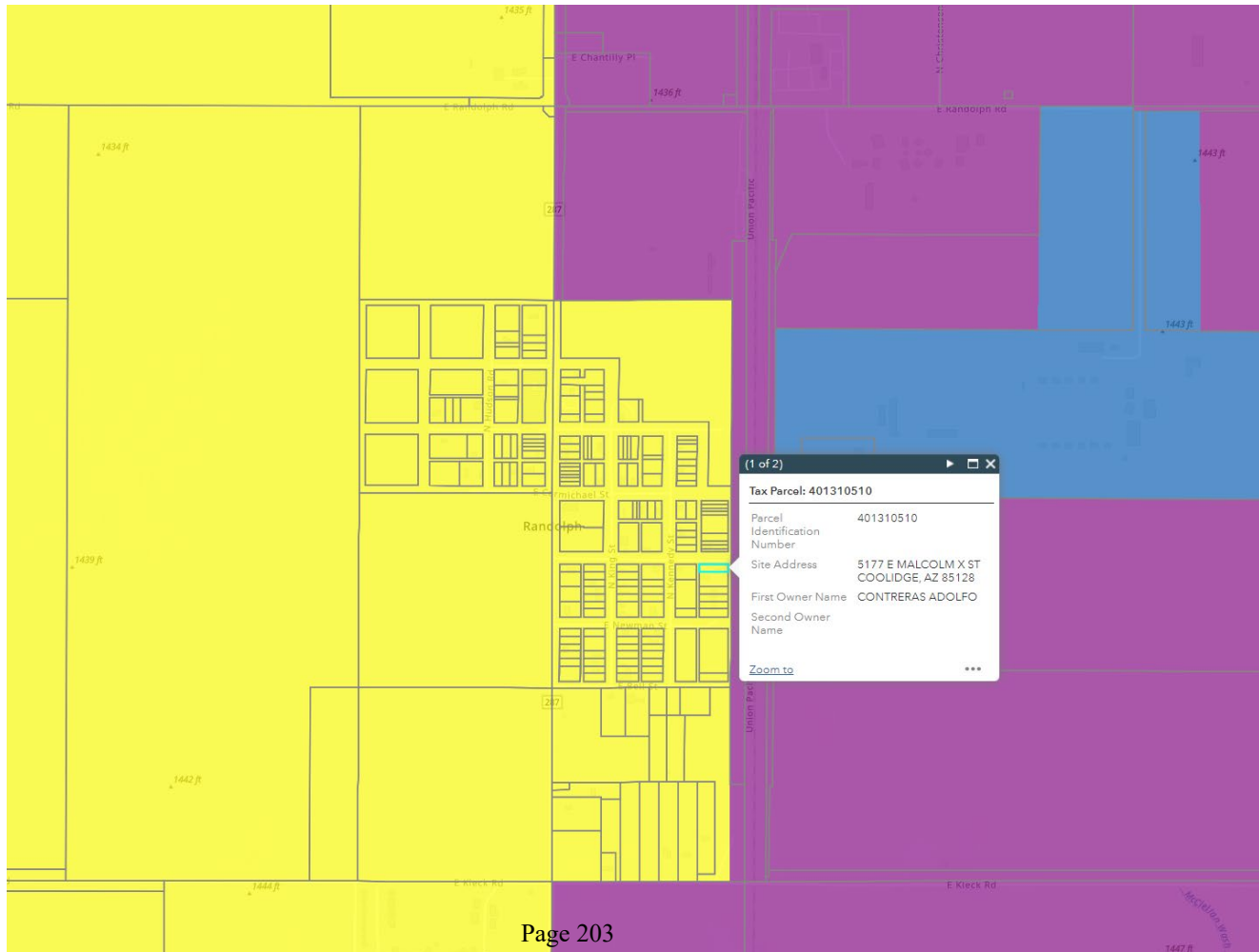
PINAL COUNTY

WIDE OPEN OPPORTUNITY



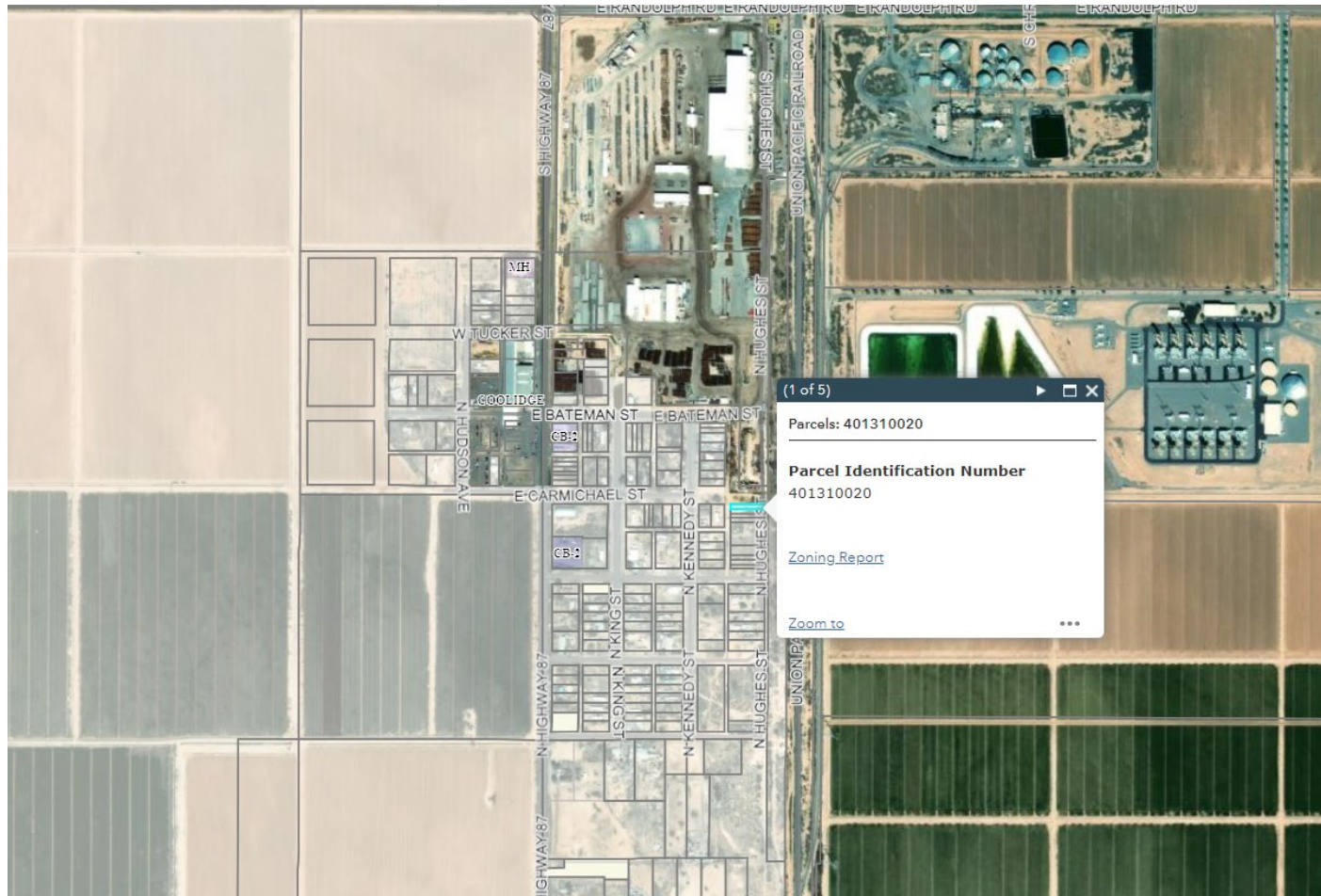
Comprehensive Plan

Comprehensive Plan: Moderate Low Density Residential (1-3.5) du/ac

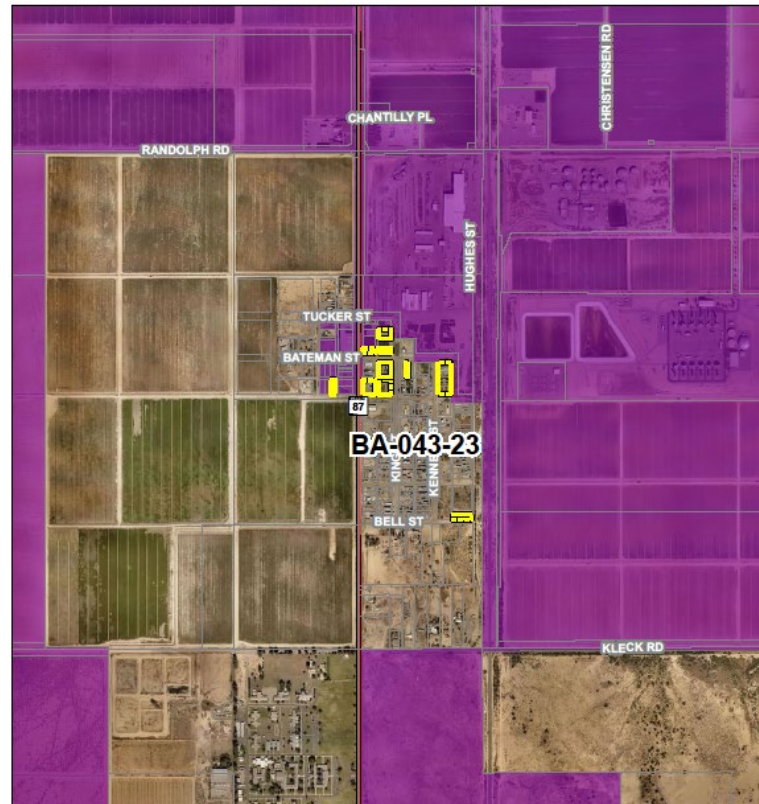


Area Map/Existing Zoning

Zoning District: General Rural (GR)



BA-043-23



Board of Adjustment

North



PINAL COUNTY

WIDE OPEN OPPORTUNITY



South (onto a lot)







Posting Sign



□ **Key Issues:**

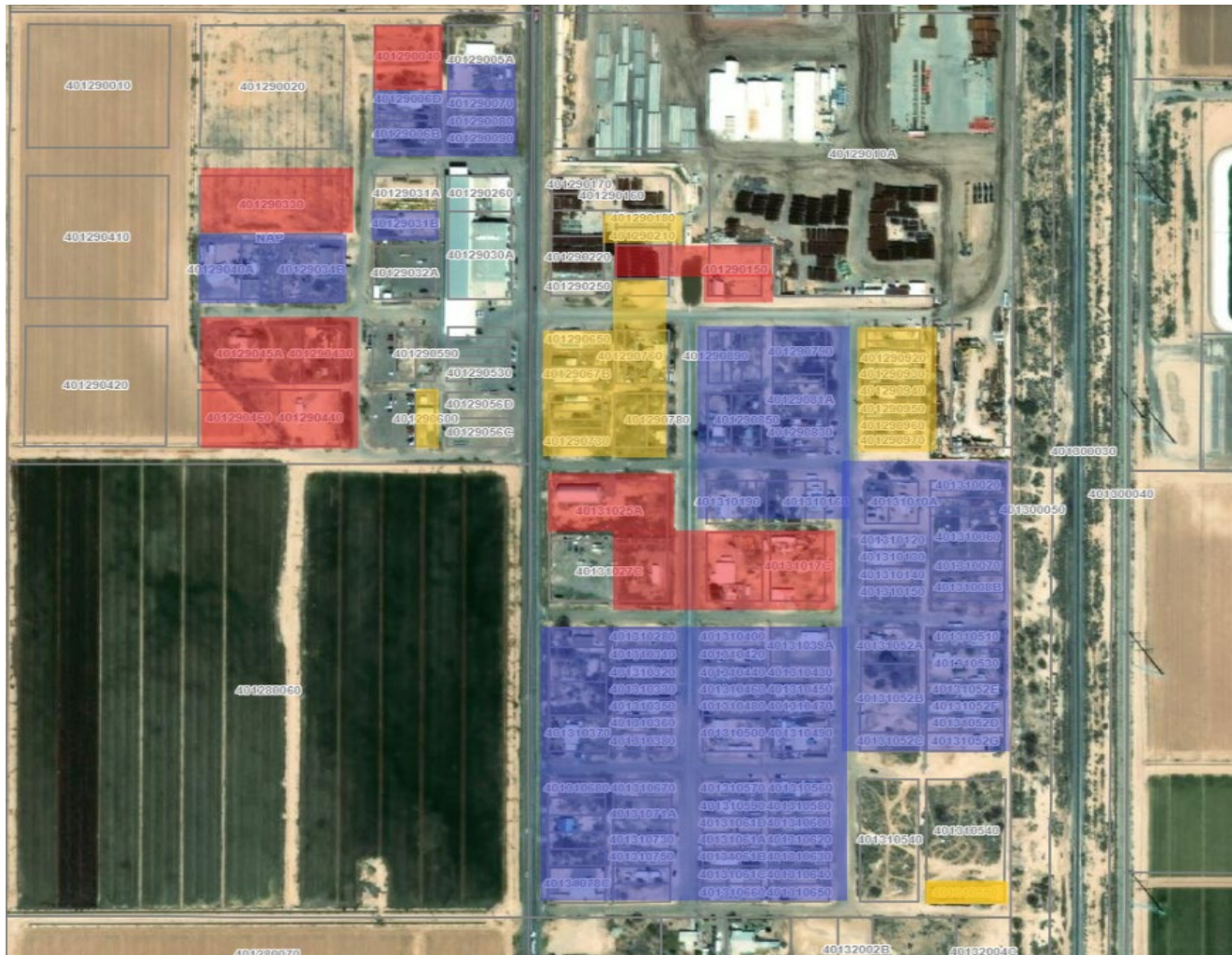
- The platted Randolph area was created prior to the 1962 & 1972 amendments that increased the minimum lot size from 12,000 sq. ft. then to 54,450 sq. ft. in the GR zone
- Some lots in the site area have dwellings and other lots are unable to build due to being undersized
- Hardship, preservation, and enjoyment of substantial existing property rights by the owner.

- Recommendation:
 - ▣ Approval
 - ▣ 7 stipulations

Phasing Plan



PINAL COUNTY
WIDE OPEN OPPORTUNITY



- Blue Phase 1 - 9,000sq. Ft.
- Red Phase 2- 20,000 sq. ft.
- Yellow Phase 3- 7,000 sq. ft.

Stipulation #1

- All State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained, including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, etc.

Stipulation #2

- All commercial agriculture, livestock and dairy uses are prohibited. Other uses are allowed as described in the GR-General Rural zoning ordinance.

Stipulation #3

- Lots may not be split to create smaller parcels than the original platted size

Stipulation #4

- No survey shall be required to combine lots to meet the minimum lot area requirement, if complete lots are being combined in this variance, BA-042-23.

Stipulation #5

- Any decrease in development standards shall require a new blanket variance to all lots listed in this variance, BA-042-23.

Stipulation #6

- The sewage disposal method for the lots in this variance, BA-042-23, is an Individual responsibility. A septic system will be required if a residence is established and a sewer connection is not available. All required septic setback distances must be met per Title 18 of the Arizona Administrative Code, Chapter 9. R18-9-A312. C.

Stipulation #7

Development Standards

- A. Minimum lot area: 7,000 square feet.
- B. Minimum lot width: 50 feet.
- C. Minimum front setback: 20 feet.
- D. Minimum side setbacks: 10 feet
- E. Minimum rear setbacks: 25 feet.
- F. Maximum building height: 30 feet.
- G. Detached Accessory Buildings:
 - 1. Permitted coverage: 33 percent of the total area of the rear and side setbacks;
 - 2. Maximum height: 20 feet;
 - 3. Minimum distance to main building: 7 feet;
 - 4. Minimum distance to front lot line: 60 feet;
 - 5. Minimum distance to side and rear lot lines: 4 feet;

Comments, Questions, Concerns?



Sign in Sheet 9/14/23
6pm - 6:39pm

Name

Address

Harvey Rushing Sr.

P.O. Box 31 Coolidge, AZ 85128

KYLE MULBROW

3780 N. KING ST. Coolidge 85128

Sign in Sheet 9/14/23
6pm - 6:39pm

Name

Address

Harvey Rushing Sr.

P.O. Box 31 Coolidge, AZ 85128

KYLE MULBROW

3780 N. KING ST. Coolidge 85128

THE ARIZONA REPUBLIC

PO Box 194, Phoenix, Arizona 85001-0194

Phone 1-602-444-7315

Fax 1-877-943-0443

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PNI-Arizona Republic

AFFIDAVIT OF PUBLICATION

**PINAL COUNTY- COMMUN
PO BOX 1348
FLORENCE, AZ 85132-3027**

This is not an invoice

Order # 0005812318 # of Affidavits 1

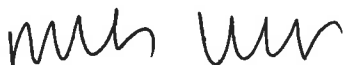
P.O # 249811

Issues Dated:

09/01/23

**STATE OF WISCONSIN } SS.
COUNTY OF BROWN }**

I, being first duly sworn, upon oath deposes and says: That I am the legal clerk of the Arizona Republic, a newspaper of general circulation in the counties of Maricopa, Coconino, Pima and Pinal, in the State of Arizona, published weekly at Phoenix, Arizona, and that the copy hereto attached is a true copy of the advertisement published in the said paper in the issue(s) dated indicated.



Sworn to before me this

1 ST day of
SEPTEMBER 2023



Notary Public

My Commission expires:

8-21-26

**NICOLE JACOBS
Notary Public
State of Wisconsin**

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Pub: Sep. 1, 2023