

Pursuant to A.R.S. 38-431.02, NOTICE IS HEREBY GIVEN, that the public will have physical access to the meeting room at 8:45 AM.



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NOTICE OF PUBLIC MEETING AND EXECUTIVE SESSION
PINAL COUNTY BOARD OF ADJUSTMENTS AND APPEALS
SUMMARY OF AGENDA FOR MEETING
Thursday, June 27, 2024

9:30 AM - CALL TO ORDER

PINAL COUNTY ADMINISTRATIVE COMPLEX
EMERGENCY OPERATIONS CENTER
301 E. 11TH 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**

(3) **CASES**

- A. **BA-011-24 - PUBLIC HEARING/ACTION:** Edgar and Veronica Bombela, landowners/applicants, requesting a variance to **Section 2.40.020 (B) & (D)** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to ±43,918 square feet (1.01 acres) and applicable development standards, to allow a mobile home and future accessory use on a 1.01 acre parcel in the General Rural Zoning District (GR); (legal on file); located south of W. Carefree Place and east of N. Desert Park Lane in Section 21, Township 06 South, Range 03 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona; Tax Parcel: 501-29-1020.

Patrick Roberts/Brent Billingsley

- B. **BA-013-24 – PUBLIC HEARING/ACTION:** Warren H. Schuler and Cynthia L. Schuler, landowner/applicant, requesting a variance to **Section 2.30.020 (B) and (D)** of the Pinal County Development Services Code, to allow a reduction in minimum required lot area from 87,120 square feet (2 acres) to ±46,173 square feet (1.06 acres)

and applicable development standards to allow a single family residence on a 1.06 acres parcel in the (SH) Suburban Homestead zoning district, 104610400 (legal on file), situated in Section 09, Township 01S South, Range 09 East Gila & Salt River Baseline & Meridian, located South of Breathless Drive and East of S Lazy Rd.

Kendall Riley/Brent Billingsley

- C. **BA-063-23 – PUBLIC HEARING/ACTION:** Jason Patterson, landowner/applicant, **requesting a variance** to Section 2.70.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acre) to $\pm 6,534$ square feet (0.15 acre) for a 0.15 acre parcel in the Single Residence Zoning District (CR-3); situated in Section 32, Township 06 South, Range 05 East of the Gila and Salt River Baseline and Meridian, tax parcel 503-74-5010 (legal on file), located north of W. Mercer Drive and west of S. Pepper Tree, Pinal County, Arizona.

Monika Smriti/Brent Billingsley

- D. **BA-005-24 – PUBLIC HEARING/ACTION:** Cecil E. and Alice J. Vickers, landowners/applicants, **requesting a variance** to Section 2.40.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to $\pm 32,670$ square feet (0.75 acres) for a 0.75 acres parcel in the General Rural Zoning District (GR); situated in Section 06, Township 01 North, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 100-14-014C (legal on file), located north of W. Kaniksu Street and east of N. Delaware Drive, Pinal County, Arizona.

Monika Smriti/Brent Billingsley

- E. **BA-006-24 – PUBLIC HEARING/ACTION:** Alba and Jesus Zamorano, landowners/applicants, **requesting a variance** to Section 2.30.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 87,120 square feet (2.0 acre) to $\pm 48,352$ square feet (1.11 acre) for a 1.11 acre parcel in the Suburban Homestead Zoning District (SH); situated in Section 28, Township 07 South, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 401-64-0520 (legal on file), located south of E. Pinto Drive and east of Shetland Road, Pinal County, Arizona.

Monika Smriti/Brent Billingsley

- F. **BA-017-24 – PUBLIC HEARING/ACTION:** Floyd Davis landowner/applicant, requesting a variance to Section 2.40.020 and Section 2.40.030 of the Pinal County Development Services Code (PCDSC), to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 ac) to $46,053 \pm$ square feet (1.06 \pm acres) and applicable development standards to allow the construction of a home on a 1.06 acre parcel in the General Rural Zone (GR), located within Section 18, T08S, R07E, Tax Parcel 408-07-186A (Lot 186 of Arizona City Estates Unit 3, legal on file) located northwest of Jewel Road and Naviska Dr., in Pinal County.

Glenn Bak/Brent Billingsley

ADJOURNMENT

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 Thursday between the hours of 7:00 a.m. and 5:30 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 day of June 20, 2024 around 5:00 pm



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

June 27, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY: Patrick Roberts/Brent Billingsley

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

BA-011-24 - PUBLIC HEARING/ACTION: Edgar and Veronica Bombela, landowners/applicants, requesting a variance to **Section 2.40.020 (B) & (D)** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to ±43,918 square feet (1.01 acres) and applicable development standards, to allow a mobile home and future accessory use on a 1.01 acre parcel in the General Rural Zoning District (GR); (legal on file); located south of W. Carefree Place and east of N. Desert Park Lane in Section 21, Township 06 South, Range 03 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona; Tax Parcel: 501-29-1020.

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
<input type="checkbox"/> Staff Report

TO: PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

MEETING DATE: JUNE 27, 2024

CASE NUMBER: BA-011-23

CASE COORDINATOR: PATRICK ROBERTS, SENIOR PLANNER

Executive Summary:

A variance request by Edgar and Veronica Bombela (landowner & applicant) for allowance of a reduction to the minimum lot size from $\pm 54,450$ (1.25 acres) to $\pm 43,918$ square feet (1.01 acre) to allow for a mobile home and future accessory use on parcel 501-29-1020.

If This Request is approved:

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

Staff Recommendation/Issues for Consideration/Concern:

Staff offers a recommendation of approval with stipulations.

BA-011-24 – PUBLIC HEARING/ACTION: Edgar and Veronica Bombela, landowners/applicants, requesting a **variance to Section 2.40.020 (B) & (D)** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to $\pm 43,918$ square feet (1.01 acres) and applicable development standards, to allow a mobile home and future accessory use on a 1.01 acre parcel in the General Rural Zoning District (GR); (legal on file); located south of W. Carefree Place and east of N. Desert Park Lane in Section 21, Township 06 South, Range 03 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona; Tax Parcel: 501-29-1020.

LEGAL DESCRIPTION: HIDDEN VALLEY ESTATES #7 LOT 102

TAX PARCELS: 501-29-1020

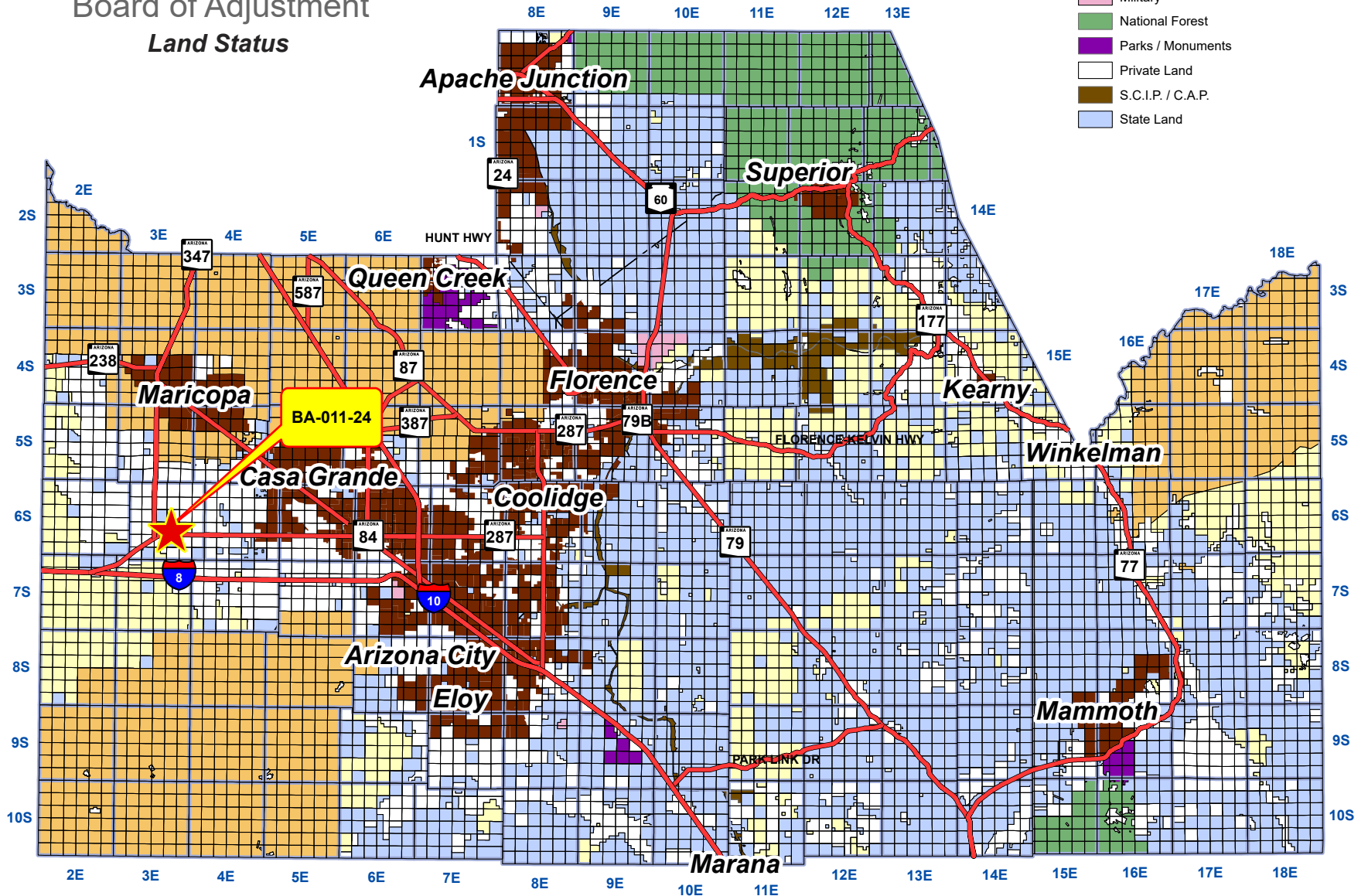
LANDOWNER/APPLICANT: Edgar and Veronica Bombela (landowner & applicant)

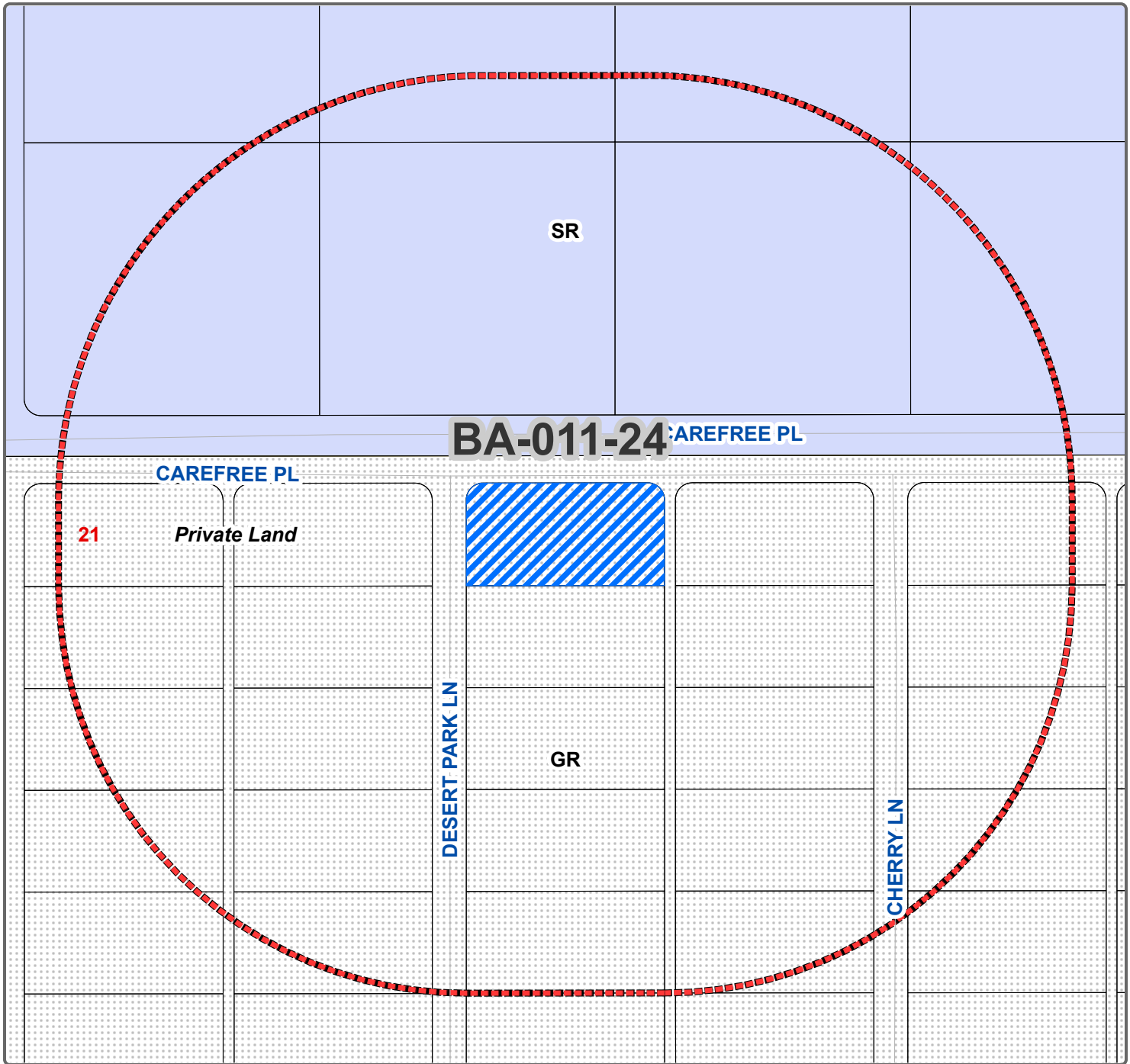
REQUESTED ACTION AND PURPOSE: Requesting a variance to Section 2.40.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from $\pm 54,450$ (1.25 acres) to $\pm 43,918$ square feet (1.01 acres).

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

BA-011-24 – PUBLIC HEARING/ACTION: Edgar and Veronica Bombela, landowners/applicants, requesting a variance to Section 2.40.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to ±43,918 square feet (1.01 acre) and applicable development standards, to allow a mobile home and future accessory use on a 1.01 acre parcel in the General Rural Zoning District (GR); legally described as HIDDEN VALLEY ESTATES #7 LOT 102; located south of W. Carefree Place and east of N. Desert Park Lane in Section 21, Township 06 South, Range 03 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona; Tax Parcel: 501-29-1020.

Current Zoning: GR

Requested Zoning: Board of Adjustment

Current Land Use: MLDR



Legal Description:

Situated south of W. Carefree Place and east of N. Desert Park Lane in Section 21, Township 06 South, Range 03 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona; Tax Parcel: 501-29-1020.

SEC 21, TWN 06S, RNG 03E



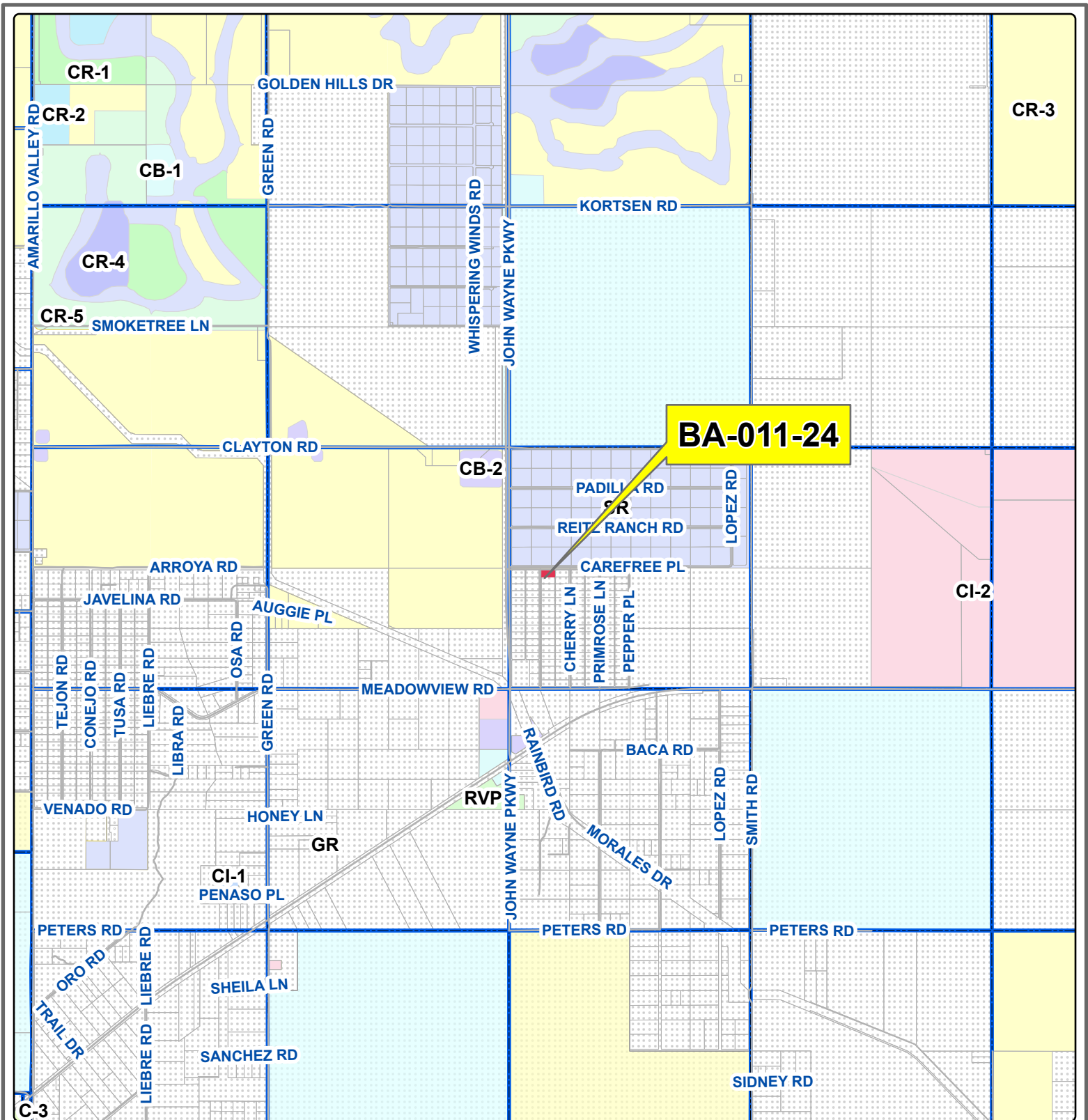
Owner/Applicant: EDGAR & VERONICA BOMBELA

Drawn By: GIS / IT /LJT Date: 05/30/2024

Sheet No. 1 of 1

Section 21 Township 06S Range 03E

Case Number: BA-011-24



Board of Adjustment
Community Development



Legal Description:

Situated south of W. Carefree Place and east of N. Desert Park Lane in Section 21, Township 06 South, Range 03 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona, Tax Parcel: 501-29-1020.



Owner/Applicant:
 EDGAR & VERONICA BOMBELA

Drawn By: GIS / IT / LJT **Date:** 05/30/2024

Sheet No. Section 21 Township 06S Range 06E

Case Number: BA-011-24

JOHN WAYNE PKWY

JOHN WAYNE PKWY

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BA-011-24

CAREFREE PL

CAREFREE PL

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501290630

501290400

DESERT PARK LN

CHERRY LN



Board of Adjustment

LOCATION: The subject property is located south of W. Carefree Place and east of N. Desert Park Lane; in an unincorporated portion of Pinal County west of Stanfield.

SIZE: ±1.01 acres

EXISTING ZONING AND LAND USE: The property is zoned General Rural (GR).

SURROUNDING ZONING AND LAND USE:

North: Suburban Ranch (SR undeveloped parcels, Scattered Residential)

South: General Rural (GR)

East: General Rural Zoning (GR developed residential parcels & some undeveloped parcels)

West: Single Residence Zone (CR-3 undeveloped parcels)

SITE DATA:

- 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”).
- Subject parcel is located in an area in which the sewage disposal method is identified as an *Individual Responsibility*). The septic area identified within the preliminary drawing appears adequate, but will be further reviewed upon submission of septic permit. If a septic permit is applied for, the system must meet requirements per Arizona Administrative Code R18-9-A312.C.

HISTORY: The subject parcel was originally recorded in the subdivision, Hidden Valley Estates #7. This parcel is lot 102 of this subdivision, platted as of April 25th, 1960. The property was originally platted per zoning standards as established by the 1954 zoning ordinance. This zoning category was classified as Residence A, and permitted single family dwellings on any lot, schools and churches, early descriptions of home offices, public and quasi-public uses, accessory buildings and servant’s quarters. The subject parcel was then held to the zoning requirements set forth in the changes established by the 1962 zoning ordinance. Under the 1962 code, the property classified as GR, General Rural, which at the time allowed residences on lots as small as 12,000 square feet. This standard remained in place until the ordinance was update in 1972, which established the modern standard for General Rural parcels to be sized at 1.25 acres. As a result of this progression of changes to county standards, the subject parcel is undersized and not in compliance to the current standards for General Rural zoning.

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

Newspaper publish dates:	6/06/2024
Mail-outs:	6/05/2024
Site Posting:	6/05/2024
Website:	5/23/2024

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 consistent with the surrounding area. The uniqueness of this site is held in it being a non-conforming size, by way of County action.

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: This parcel was platted by the County in 1960. Upon the adoption of the 1972 zoning code, standards that did not exist at time of platting were implemented. With these actions, the special circumstance of the parcel being undersized is not the fault of the applicant. Furthermore, justification of the undersized lot lies consequences of county initiated actions, and not for a reason that is considered self-imposed. The special circumstances applied to the property make a strict compliance to the development standards of Zoning District GR 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.

Development Services
Planning Division

ANALYSIS: It is the intention of the applicant to bring the parcel into compliance. The hardship presented is nonfinancial, in that if a variance is not granted it will deprive the applicant of substantial existing property rights, as no improvements to the site can be performed due to lot size restraints. 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 by the County in 1960 with subsequent amendments to the county zoning ordinance, specifically, of the minimum lot size requirement, resulting in the lot being found undersized. Without a variance, the property owner is unable to otherwise rectify this issue. It is clearly demonstrated that the need for this variance is necessary so that the 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 parcel proves to be consistent with adjacent parcels, as well as complying with an allowable use to the 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 2.40.010 of the County Development Services Code establishes that a one-family dwelling unit of conventional construction, manufactured home, or mobile home is permitted in the GR Zone. The applicant is pursuing permits for a manufactured home that would meet this portion of the Code and is seeking a Variance to bring the lot into compliance with permitted uses as defined in the code, albeit with altered standards.

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-011-24) 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 approve 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-011-24, Section 2.40.020 (B) & (D) of the PCDSC, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to 43,918 square feet (1.01 acres), and applicable development standards on parcel 402-27-0020, to allow a manufactured home on a 1.01 acre parcel in the GR 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: 43,918 square feet.
 - 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 main building: 7 feet.
 - d. Minimum distance to front lot line: 40 feet.
 - e. Minimum distance to side and rear lot lines: 4 feet.
4. 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-011-24, a variance to Section 2.40.020 (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: 6/18/24 –PR

DATE REVISED: 6/19/24 –PR

#24 Planning/BoAA/variance



Leo Lew
County Manager

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.: 501291020 2. Size (to the nearest 1/10th of an acre) 1.1

3. The legal description of the property: Hidden Valley Estates #7 Lot 102

4. Current zoning: residential 5. Septic or Sewer? Septic Sewer
Sewer District _____

6. The existing use(s) of the property: For a manufactured home that still needs work
and utilities.

7. The exact variance request and/or Section(s) of Code impacted: 2.40.020
modification to rules for undersize lot

8. Is there a zoning violation on the property for which the owner has been cited? If yes, zoning violation #
(CC/BCC) CC-0532-23

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 only change is that there is now a manufactured home on the property.
It is not vacant land anymore. I was told to apply for a variance.

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.

The properties have a good amount of space between my property. My property
is on the corner of the street. I'm in the process of getting an installation permit.
The properties adjacent from mine on the same street don't have homes.

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

The special circumstances and conditions are a great description and you can go and check to examine in person.

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.

The neighborhood will not have to worry about the grant of the application. The property is going to be fenced to not disturb neighbors. The property will always remain clean and respectful to anyone in the neighborhood.

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

This variance will not do anything else that is not permitted in the district. There will be no reason to break any law that will affect my property.

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.

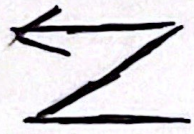
The strict application of the variance if not granted will affect my family's quality of life. My family has had plans for countless years to one day live on this property. My spouse and I plan living here for the rest of our lives. It will affect our lives tremendously if the variance is not granted.

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

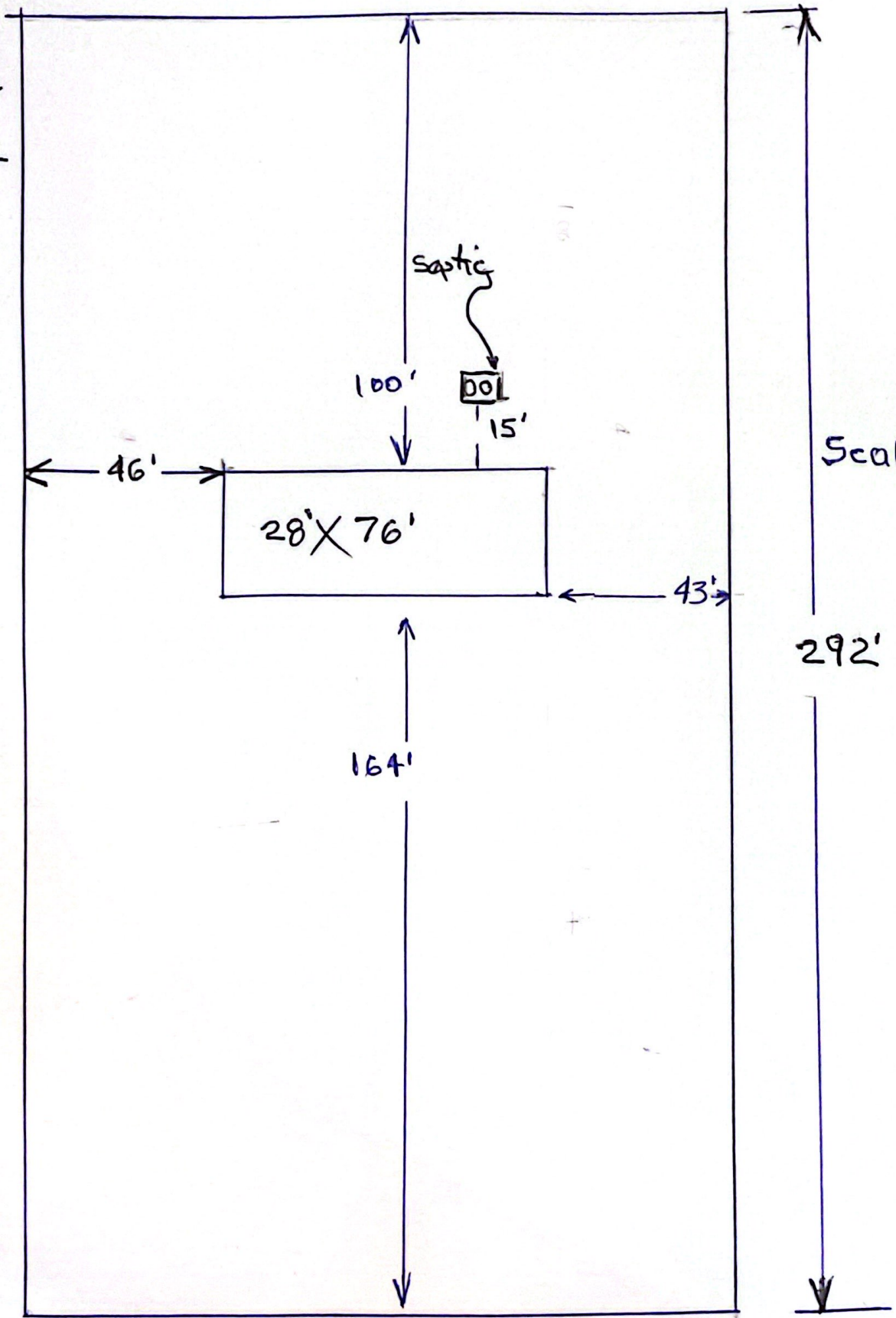
15. Site Plan Review or Building Permit Number: _____

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: _____



W. Carefree Pl



Scale 1=30

292'

164'

46'

28' X 76'

43'

165'

N. Desert Park Ln

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.

Edgar Bombela P.O. Box 696 Stanfield AZ 85172
Name of Applicant Address

EDGAR BOMBELA eth9898@g.mail.com - 520-3710280
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.

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.: 501530580
Name: Margarito Sierra Betancourt
Address: 44478 Carefree Pl
City/ST/Zip: Maricopa AZ 85138
P.O. Box 126 Stanfield AZ 85173

Parcel No.: 501291030
Name: Badilla Adriana
Address: 4425 W Park St
City/ST/Zip: Lawton AZ 85339

Parcel No.: 501290690
Name: Elizabeth Chavez and Filiberto Chavez
Address: 692 N. Cherry Ln.
City/ST/Zip: Maricopa AZ 85138

Parcel No.: 501291040
Name: Ferguson Vinson & Laurie
Address: 49431 W. Mayer Blvd.
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 501291010
Name: Valenzuela Naphy Eric Saraija Maria lve
Address: 43362 W. Arizona Ave
City/ST/Zip: Maricopa AZ 85138

Parcel No.: 501530570
Name: Nogroto Arturo & Florinda
Address: P.O BOX #6
City/ST/Zip: Stanfield AZ 85172

Parcel No.: 501291000
Name: Huerta Rigoberto Z. Rebecca O
Address: 607 N Desert park Ln
City/ST/Zip: Maricopa AZ 85139

Parcel No.: 501290710
Name: Garcia Armando Leon & Guadalupe Leon
Address: 606 N Cherry Ln
City/ST/Zip: Maricopa AZ 85138

Parcel No.: (~~Filiberto Chavez~~) 501290700
Name: Filiberto Chavez
Address: 650 N. Cherry Ln
City/ST/Zip: Maricopa AZ 85138

Parcel No.: 501291050
Name: Huerta Rigoberto Z & Rebecca O
Address: 584 N. Desert park Ln
City/ST/Zip: Maricopa AZ 85138

I hereby verify that the name list above was obtained on the 29th day of February, 2024, at the office of The UPS Store #5140 and is accurate and complete to the best of my knowledge.
(Source of Information)

On this 29th day of February, 2024, before me personally appeared Edgar Bombela (Name of signor)

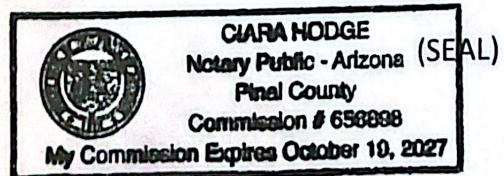
Signature EDGAR BOMBELA Date 2/29/24

State of Arizona)ss.

County of Pinal

My Commission Expires October 19th, 2027

Signature of Notary Public [Signature]



SEC. 21 SW, TN.6S RG.3E

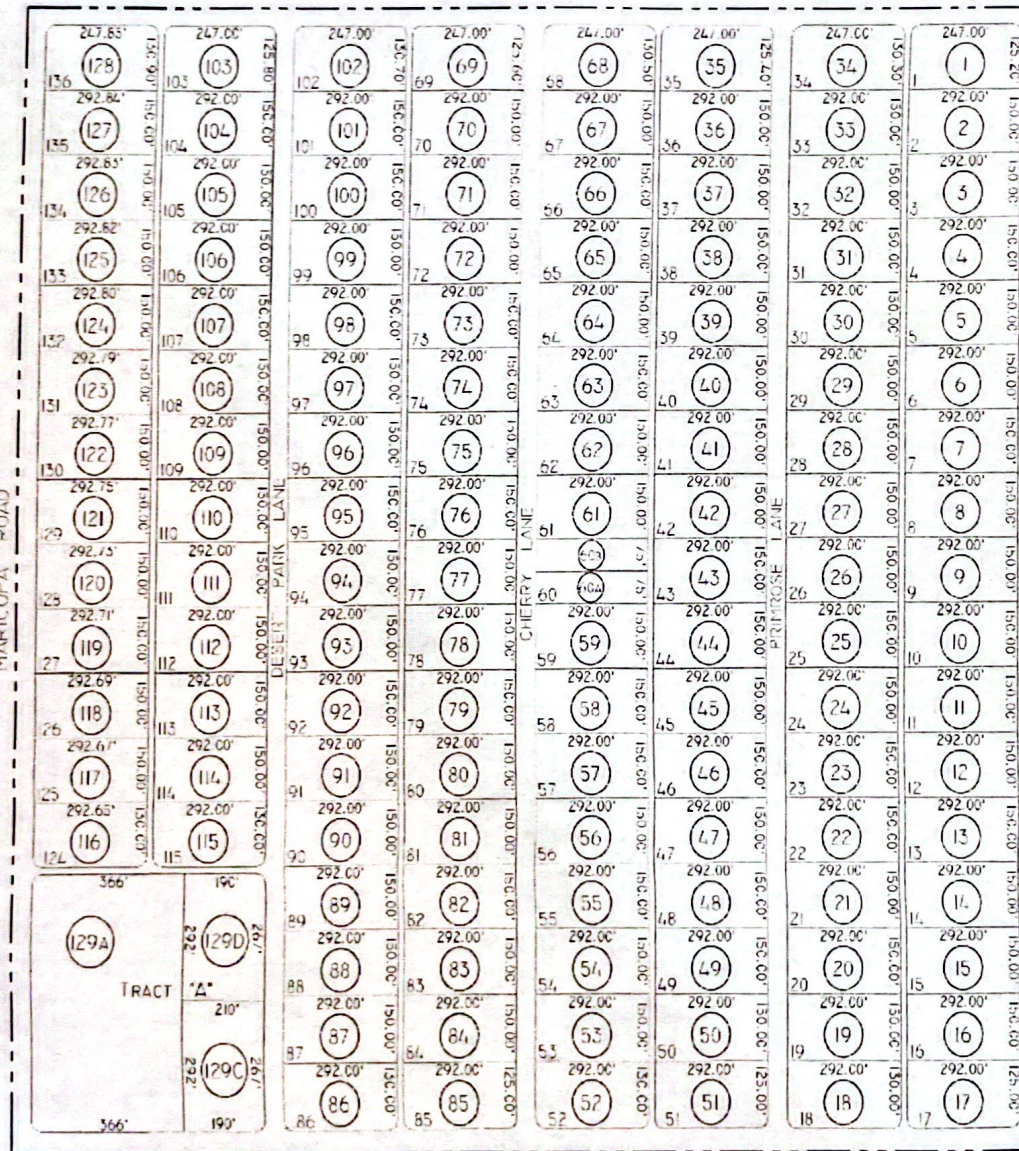
SEE MAP 501-53

501-29

THIS MAP IS FOR TAX PURPOSES ONLY.
THIS OFFICE WILL NOT ASSUME LIABILITY FOR
REPRESENTATION, MEASUREMENTS OR ACREAGE.

THE ORIGINAL PLAT OF THIS SUBDIVISION IS
ON FILE WITH THE PENAL COUNTY RECORDERS
OFFICE. FOR COMPLETE INFORMATION OF PLAT
AND C&R'S CALL (520) 868-7100.

CAREFREE PLACE



HIDDEN VALLEY ESTATES
UNIT 7
BK.09 - PG.46

SEE MAP 501-27

MARICOPA ROAD

DELEUR PARK LANE

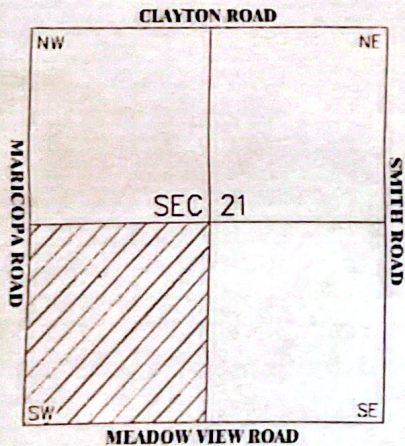
CHERYL LANE

PRIMROSE LANE

PEPPER PLACE

SEE MAP 501-28

VICINITY MAP



SCALE: 1" = 300'

07-02-2003

PENAL COUNTY ASSESSORS MAP

SEE MAP 501-34

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.pinalcountyyaz.gov/CitizenAccess/>)

Important:

If the application is incomplete or is not detailed enough, the case will not be presented to the Board of Adjustments.

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON **JUNE 27TH 2024** AT THE PINAL COUNTY EMERGENCY OPERATIONS CENTER, THE PINAL COUNTY EOC/PLANNING & ZONING BUILDING 301 E. 11TH STREET IN FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A **VARIANCE** FOR THE UNINCORPORATED AREA OF PINAL COUNTY.

BA-011-24 – PUBLIC HEARING/ACTION: Edgar and Veronica Bombela, landowners/applicants, requesting a variance to **Section 2.40.020 (B) & (D)** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to ±43,918 square feet (1.01 acres) and applicable development standards, to allow a mobile home and future accessory use on a 1.01 acre parcel in the General Rural Zoning District (GR); (legal on file); located south of W. Carefree Place and east of N. Desert Park Lane in Section 21, Township 06 South, Range 03 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona; Tax Parcel: 501-29-1020.

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 **21ST DAY OF MAY, 2024**

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

ANY WRITTEN STATEMENTS ARE ACCEPTED ON AN ONGOING BASIS, BUT WRITTEN STATEMENTS DESIRED TO BE A PART OF THE CASE PACKET FORWARDED TO THE BOARD OF ADJUSTMENTS IS REQUESTED TO BE PROVIDED TO STAFF BY THE TIMEFRAME SET BELOW:

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

Contact for this matter: Patrick Roberts, e-mail address: Patrick.Roberts@pinal.gov
Phone #: (520) 866-6442 / (520) 866-6409


[Anything below this line is not for publication.]

PUBLISHED ONCE:
Pinal Central Dispatch

CERTIFICATION OF POSTING

I hereby certify that the notice(s) shown below was/were posted on the property described in the notice on 6/5/24

COMMUNITY DEVELOPMENT DEPARTMENT

BY:  Patrick Roberts, Senior Planner DATED: 6/18/24
[signature] [print name and title]

NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:00 A.M., ON **DECEMBER 23, 2023** IN THE PINAL COUNTY COURTHOUSE FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A **VARIANCE** FOR THE UNINCORPORATED AREA OF PINAL COUNTY.

BA-011-24 – PUBLIC HEARING/ACTION: Edgar and Veronica Bombela, landowners/applicants, requesting a variance to **Section 2.40.020 (B) & (D)** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to ±43,918 square feet (1.01 acres) and applicable development standards, to allow a mobile home and future accessory use on a 1.01 acre parcel in the General Rural Zoning District (GR); (legal on file); located south of W. Carefree Place and east of N. Desert Park Lane in Section 21, Township 06 South, Range 03 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona; Tax Parcel: 501-29-1020.

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 **21st** DAY OF **MAY 2024**

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 St.)
FLORENCE, AZ 85132

Contact for this matter: Patrick Roberts
E-mail Address: Patrick.Roberts@pinal.gov
Phone: (520) 866-6409

Anything Below This Line Not For Publication

PUBLISHED ONCE:
Pinal Central Dispatch

NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M. ON THE 27TH DAY OF JUNE 2024, AT THE PINAL COUNTY EMERGENCY OPERATIONS CENTER, LOCATED NORTH OF 31 N. PINAL STREET, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A MAJOR COMPREHENSIVE PLAN AMENDMENT TO THE PINAL COUNTY COMPREHENSIVE PLAN.

BA-011-24 – PUBLIC HEARING/ACTION: Edgar and Veronica Bombela, landowners/applicants, requesting a variance to **Section 2.40.020 (B) & (D)** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to ±43,918 square feet (1.01 acres) and applicable development standards, to allow a mobile home and future accessory use on a 1.01 acre parcel in the General Rural Zoning District (GR); (legal on file); located south of W. Carefree Place and east of N. Desert Park Lane in Section 21, Township 06 South, Range 03 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona; Tax Parcel: 501-29-1020.

DOCUMENTS PERTAINING TO THIS CASE CAN BE FOUND ON THE NOTICE OF HEARING PAGE FOR THE P&Z COMMISSION 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 OR SHOULD NOT BE GRANTED. YOUR STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:

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

WRITTEN STATEMENTS FOR OR AGAINST THE PROPOSAL MUST BE FILED WITH: PINAL COUNTY COMMUNITY DEVELOPMENT DEPARTMENT PO BOX 749 (85 N.FLORENCE STREET) FLORENCE, AZ 85132, OR BY EMAIL TO THE CASE COORDINATOR INDICATED BELOW.

Contact for this matter: Patrick Roberts, Senior Planner
 e-mail address: Patrick.roberts@pinal.gov
 Phone # (520) 866-6409

Board of Adjustment

BA-011-24 – PUBLIC HEARING/ACTION: Edgar and Veronica Bombela, landowners/applicants, requesting a variance to Section 2.40.020 (B) & (D) of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to ±43,918 square feet (1.01 acre) and applicable development standards, to allow a mobile home and future accessory use on a 1.01 acre parcel in the General Rural Zoning District (GR), legally described as HIDDEN VALLEY ESTATES #7 LOT 102, located south of W. Carefree Place and east of N. Desert Park Lane in Section 21, Township 06 South, Range 03 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona, Tax Parcel: 501-29-1020.

Current Zoning: GR	Requested Zoning: Board of Adjustment	Current Land Use: MLDR
--------------------	---------------------------------------	------------------------

PINAL COUNTY
 WIDE OPEN OPPORTUNITY

EDGAR & VERONICA BOMBELA
 501-29-1020
 Section 21, Township 06 South, Range 03 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona, Tax Parcel: 501-29-1020

Board No. 1 of 1
 Issue Number: BA-011-24





PINAL COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT
P O BOX 749 (85 N FLORENCE ST, FIRST FLOOR)
FLORENCE, AZ 85123

«AddressBlock»

NOTICE OF PUBLIC HEARING

AFFIDAVIT OF PUBLICATION

State of Texas, County of Bexar, ss:

Yuade Moore, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Pinal Central Dispatch, a newspaper published at Casa Grande, Pinal County, Arizona, Thursday 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 1 issues. The publications thereof having been on the following dates:

PUBLICATION DATES:

Jun. 6, 2024

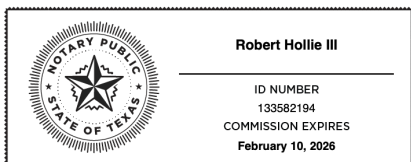
NOTICE ID: GqffxZ1uNQnz5SOmA3MH

NOTICE NAME: BA-011-24

(Signed) Yuade Moore

VERIFICATION

State of Texas
County of Bexar



Subscribed in my presence and sworn to before me on this: 06/06/2024



Notary Public
Electronically signed and notarized online using the Proof platform.

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING BY
THE BOARD OF ADJUSTMENT
AND APPEALS AT 9:30 A.M.,
ON JUNE 27th 2024 AT THE
PINAL COUNTY EMERGENCY
OPERATIONS CENTER, THE
PINAL COUNTY EOC/PLANNING
& ZONING BUILDING 301 E.
11TH STREET IN FLORENCE,
ARIZONA, TO CONSIDER AN
APPLICATION FOR A VARIANCE
FOR THE UNINCORPORATED
AREA OF PINAL COUNTY:
BA-011-24 – PUBLIC HEARING/
ACTION: Edgar and Veronica
Bombela, landowners/applicants,
requesting a variance to Section
2.40.020 (B) & (D) of the Pinal
County Development Services
Code, to allow a reduction in the
minimum required lot area from
54,450 square feet (1.25 acres) to
43,918 square feet (1.01 acres)
and applicable development
standards, to allow a mobile home
and future accessory use on a 1.01
acre parcel in the General Rural
Zoning District (GR); (legal on file);
located south of W. Carefree Place
and east of N. Desert Park Lane
in Section 21, Township 06 South,
Range 03 East of the Gila and Salt
River Baseline and Meridian, Pinal
County, Arizona; Tax Parcel: 501-
29-1020.
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 21ST DAY OF MAY,
2024
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
ANY WRITTEN STATEMENTS
ARE ACCEPTED ON AN
ONGOING BASIS, BUT WRITTEN
STATEMENTS DESIRED TO
BE A PART OF THE CASE
PACKET FORWARDED TO THE
BOARD OF ADJUSTMENTS IS
REQUESTED TO BE PROVIDED

TO STAFF BY THE TIMEFRAME
SET BELOW:
PINAL COUNTY DEVELOPMENT
SERVICES
P.O. BOX 749
FLORENCE, AZ 85132
Contact for this matter: Patrick
Roberts, Senior Planner, e-mail
address: Patrick.Roberts@pinal.
gov
Phone #: (520) 866-6442 / (520)
866-6409
No. of publications: 1: date of
publication: Jun 06, 2024



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

June 27, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY: Kendall Riley/Brent Billingsley

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

BA-013-24 – PUBLIC HEARING/ACTION: Warren H. Schuler and Cynthia L. Schuler, landowner/applicant, requesting a variance to **Section 2.30.020 (B) and (D)** of the Pinal County Development Services Code, to allow a reduction in minimum required lot area from 87,120 square feet (2 acres) to ±46,173 square feet (1.06 acres) and applicable development standards to allow a single family residence on a 1.06 acres parcel in the (SH) Suburban Homestead zoning district, 104610400 (legal on file), situated in Section 09, Township 01S South, Range 09 East Gila & Salt River Baseline & Meridian, located South of Breathless Drive and East of S Lazy Rd.

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
<input type="checkbox"/> Staff Report BA-013-24

TO: PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

MEETING DATE: JUNE 27, 2024

CASE NUMBER: BA-013-24

CASE COORDINATOR: KENDALL RILEY

Executive Summary:

This is a variance request to reduce the minimum lot size requirements of the Suburban Homestead (SH) zone for one parcel located in the unincorporated area in the Mesa Del Oro Estates Number 3 in the Gold Canyon vicinity. The property is presently developed, however the landowner wishes to construct additional structures.

If This Request is approved:

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

Staff Recommendation/Issues for Consideration/Concern:

Staff offers a recommendation of Approval with five stipulations.

BA-013-24 – PUBLIC HEARING/ACTION: Warren H. Schuler and Cynthia L. Schuler, landowner/applicant, requesting a variance to Section 2.30.020 (B) and (D) of the Pinal County Development Services Code, to allow a reduction in minimum required lot area from 87,120 square feet (two acres) to ±46,173 square feet (1.06 acres) and applicable development standards to allow a single family residence on a 1.06 acres parcel in the (SH) Suburban Homestead zoning district, 104610400 (legal on file), situated in Section 09, Township 01S South, Range 09 East Gila & Salt River Baseline & Meridian, located South of Breathless Drive and East of S Lazy Rd.

LEGAL DESCRIPTION: Mesa Del Oro Estates #3 Lot 120 Sec 9 Township 1 South, Range 9 East

TAX PARCEL: 104-61-0400

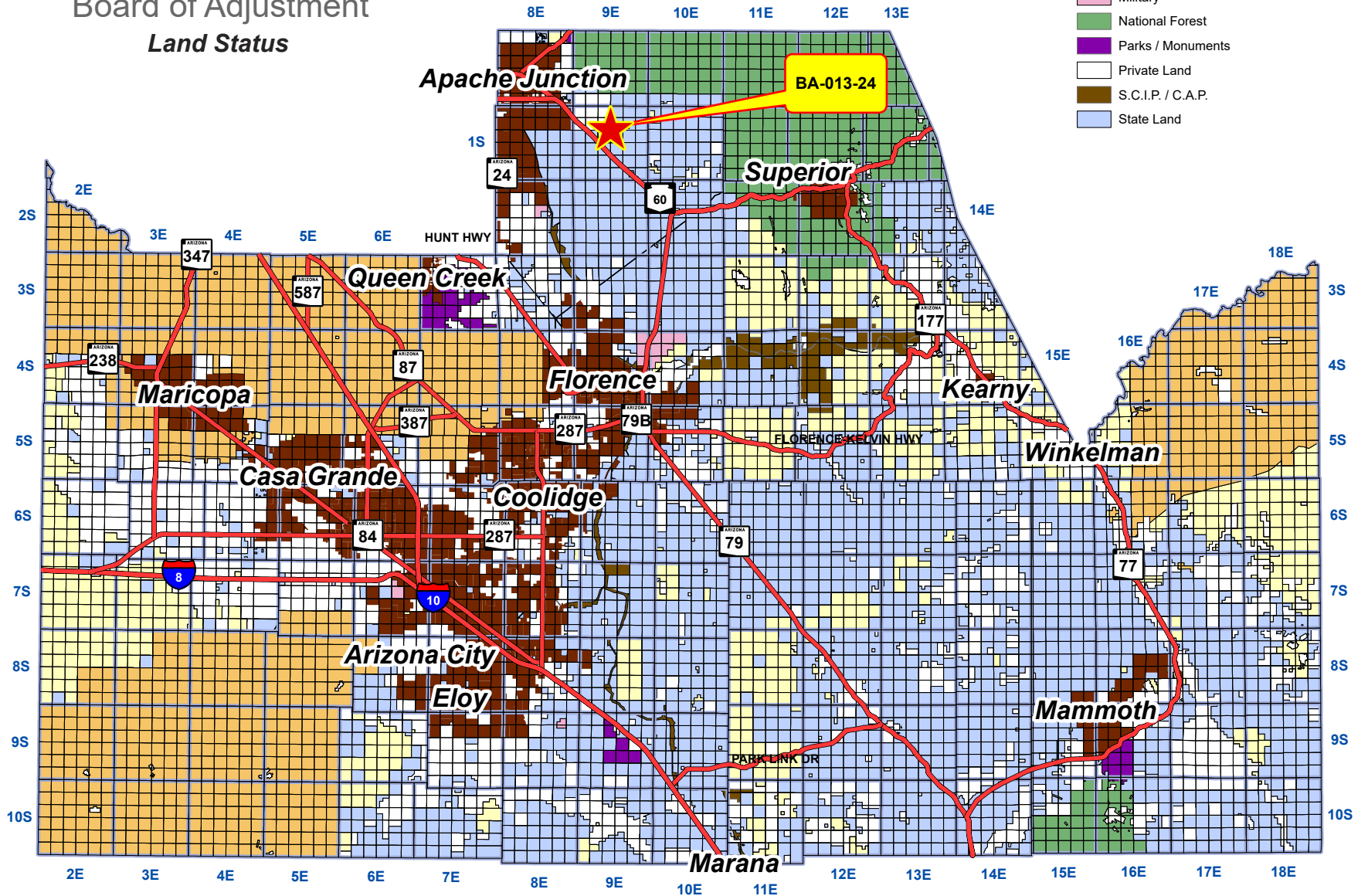
LANDOWNER/APPLICANT: Warren H. Schuler and Cynthia L. Schuler, landowner/applicant.

REQUESTED ACTION AND PURPOSE: The applicant is requesting a variance to Section 2.30.020B of the PCDS, to allow a reduction in the minimum required lot area from 87,120 square feet (two acres) to 46,174± square feet (1.06 acres) and applicable development standards to allow a single family residence on a 1.06± acre parcel in the Suburban Homestead (SH) zone.

Board of Adjustment
Land Status

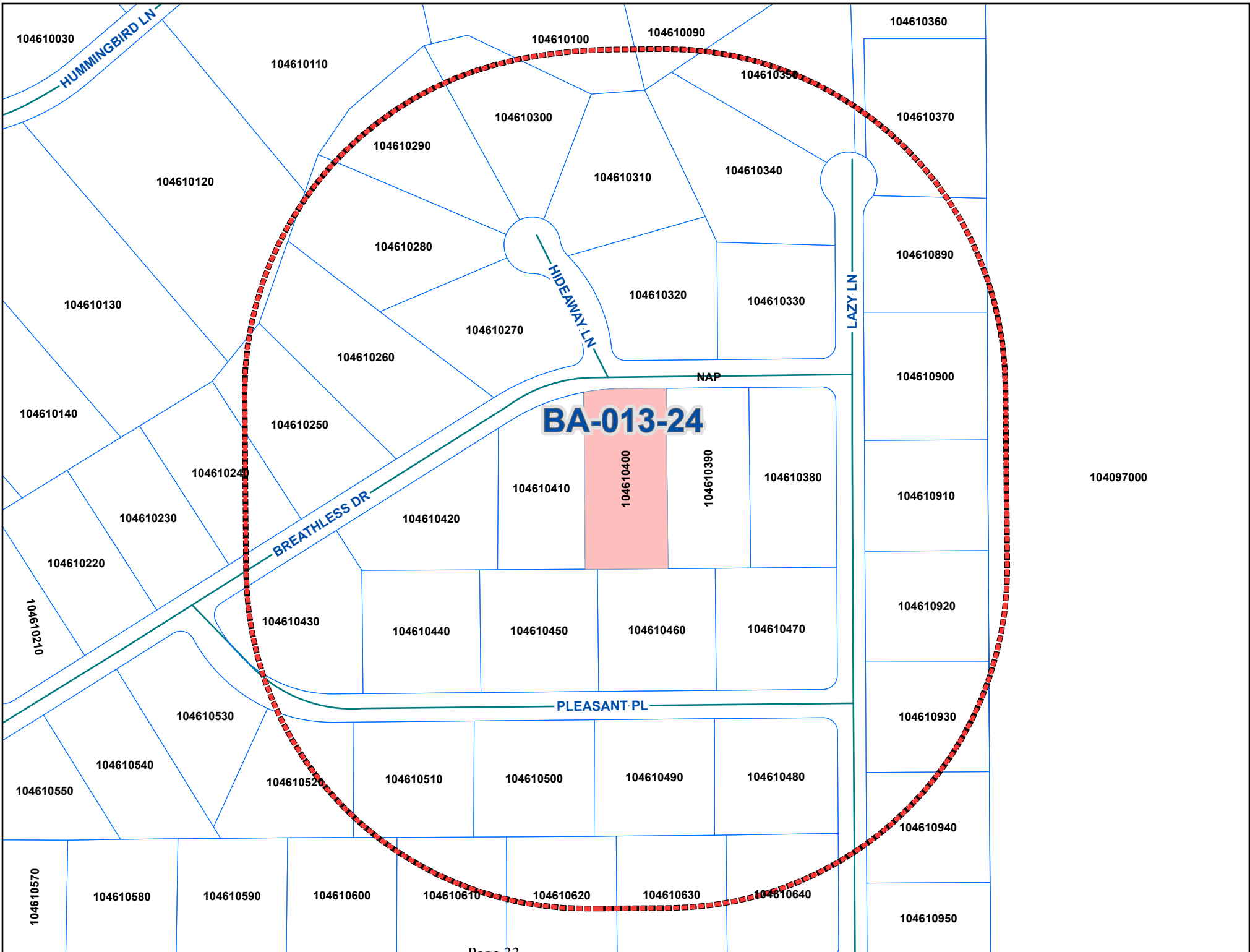
Legend

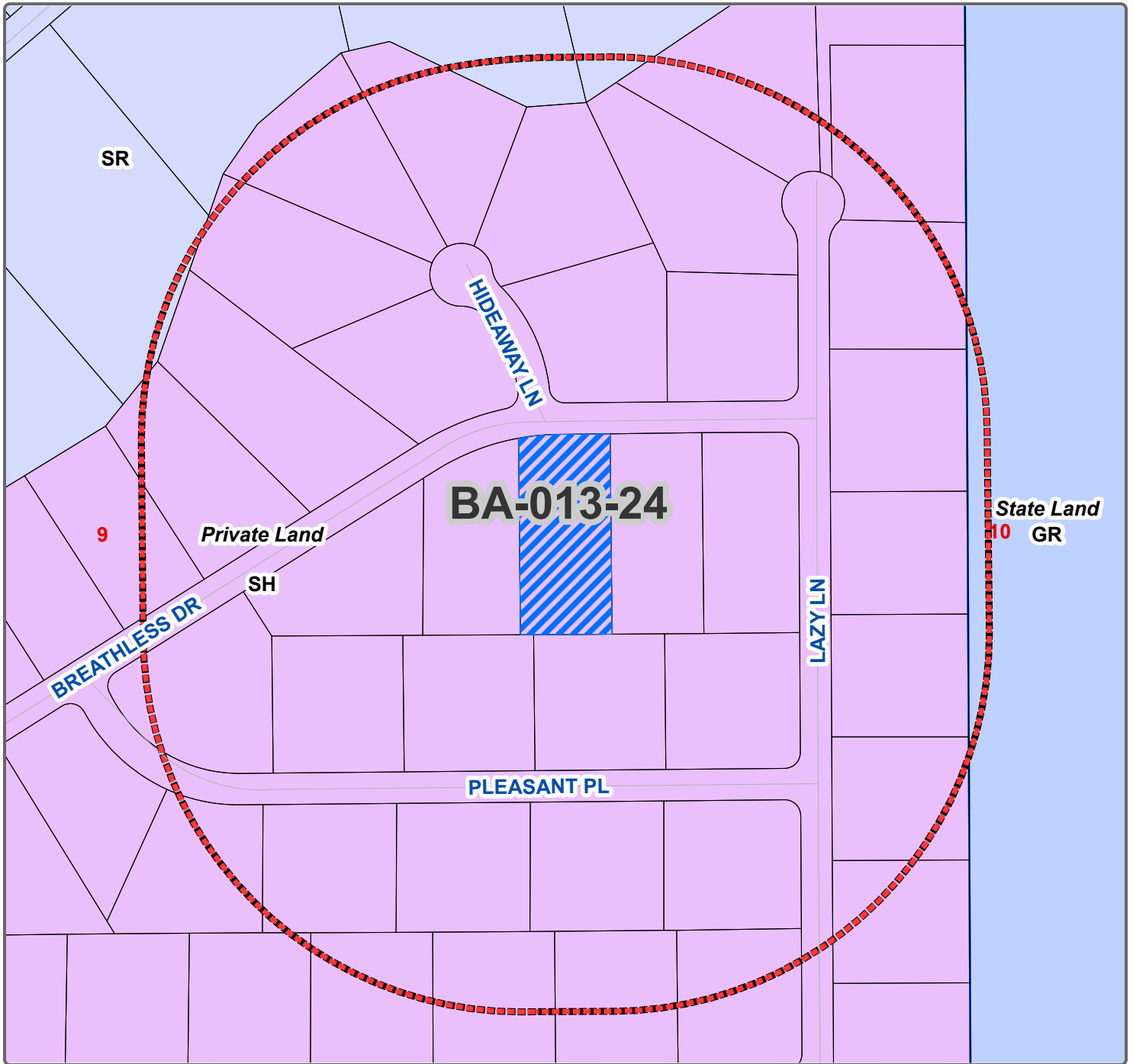
-  B.L.M.
-  Indian Community
-  Military
-  National Forest
-  Parks / Monuments
-  Private Land
-  S.C.I.P. / C.A.P.
-  State Land





Board of Adjustment





Board of Adjustment

BA-013-24 – PUBLIC HEARING/ACTION: Warren H. Schuler and Cynthia L. Schuler, landowner/applicant, requesting a variance to Section 2.30.020 of the Pinal County Development Services Code, to allow Single Family Residence, 104610400 (legal on file) in the Suburban Homestead zone (SH) Zone, situated in Section 09, Township 01S South, Range 09 East Gila & Salt River Baseline & Meridian, LOT 120 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, SLIDES 29 AND 30, located South of Breathless Drive and East of S Lazy Rd.

Current Zoning: SH

Requested Zoning: Board of Adjustment

Current Land Use: MLDR



Legal Description:
 Situated in Section 09, Township 01S South, Range 09 East Gila & Salt River Baseline & Meridian, LOT 120 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, SLIDES 29 AND 30, located South of Breathless Drive and East of S Lazy Rd.

SEC 9, TWN 01S, RNG 09E



Owner/Applicant: H. WARREN SCHULER & CYNTHIA L. SCHULER

Drawn By: GIS / IT /LJT Date: 05/23/2024

Sheet No. 1 of 1

Section 09 Township 01S Range 09E

Case Number: BA-013-24

LOCATION: The subject property is located south of East Breathless Drive and east of East S Lazy Rd. in the Gold Canyon area.

SIZE: 46,174± square feet, 1.06 acres

EXISTING ZONING AND LAND USE: The property is zoned Suburban Homestead (SH) zone and is presently developed.

SURROUNDING ZONING AND LAND USE:

- North: Suburban Homestead (SH), Residential
- South: Suburban Homestead (SH), Residential
- East: Suburban Homestead (SH), Residential
- West: Suburban Homestead (SH), Residential

SITE DATA:

- Flood Zone X, an area of minimal flood hazard
- Subject parcel is located in an area in which the sewage disposal method is identified as an **Individual Responsibility**. There is a septic permitted on site. If an additional septic permit is applied for any additional structures, the system must meet requirements per Arizona Administrative Code R18-9-A312.C

HISTORY: The subject property was platted in 1981 as the Mesa Del Oro Estates No. three Subdivision following the 1980 zoning ordinance which allowed residential lots as small as 43,560 square feet (one-acre) in area. Owing to the 1980 zoning ordinance, the Mesa Del Oro Estates area was rezoned (PZ-012-80) from Suburban Ranch (SR) to Suburban Homestead (SH). The subject property became Lot 120 of Mesa Del Oro Estates No. 3 totaling 1.06± acres in size. However, the 1982 zoning ordinance increased the minimum lot size for SH zoning from 43,560 square feet (one-acre) to 87,120 square feet (two-acres). Pinal County Assessor Records show that the subject site is currently developed.

ANALYSIS: The subject property is located within the Moderate Low Density Residential (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: 6/04/24
- Mail-outs: 5/30/24
- Site Posting: 5/29/24
- Website: 5/27/24

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, 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 was platted in 1981 in similar lot configurations. This was following the Pinal County Zoning Ordinance update of 1980. The 1980 development standards introduced the one acre minimum lot size for the Suburban Homestead (SH) zoning district. In 1982, the Pinal County Zoning Ordinance established the 87,120 square feet (two-acre) minimum lot size standard.

FINDING: A special circumstance/condition does apply to this property due to the standards of the two-acre minimum change in SR zoning in 1982. The subject property does not meet the current minimum lot size requirements within the Suburban Homestead 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: The zoning ordinance conversion in 1982 from the one-acre minimum lot size to the two-acre minimum lot size standard for the Suburban Homestead Zoning District resulted in the subject property being undersized.

FINDING: No actions by property owners created the undersized 1.06-acre property for Assessor's Parcel Number 104610400. County zoning code update of 1982 made the lot undersized for its zoning district.

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

ANALYSIS: The strict application of the regulations would not allow home-owners full enjoyment of the site as no other development could be permitted or built. This in turn would be a violation of property rights.

FINDING: The property being held in non-conforming status would prevent existing and new ownership from acquiring the necessary permits for routine alterations of the property's residential use.

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

ANALYSIS: The parcel was platted at the allowable size for Suburban Ranch zoning (SR) in 1981. This subdivision was legally established, but due to the 1982 zoning code update the parcel was non-conforming. This variance is necessary to preserve property rights.

FINDING: The granting of this variance request 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.

ANALYSIS: If this variance is granted, the building setbacks found in the attached stipulations would match those in the surrounding area. All new structures will be required to meet both the Pinal County development standards, the 2018 International Building Code (IBC), and all additional applicable conditions for permit approval.

FINDING: The granting of this 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 will not allow a use that is not permitted in the zoning district where the property is located.

ANALYSIS: The Suburban Homestead zoning district permits residential use which is the primary use for the subject property.

FINDING: Granting of the variance will not allow a use that is not permitted in the subject property's zoning district.

STAFF SUMMARY AND RECOMMENDATION:

All submittals, presented evidence, written documentation, public testimony, and Planning Case Staff Report (BA-013-24), 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-013-24, a variance to Section 2.30.020 (B) and (D) of the Pinal County Development Services Code, to decrease the overall minimum lot area requirement for a single-family dwelling and accessory structures from 87,120 square feet (2 acres) to 46,173 ± square feet (1.06 acres), as well as associated development standards in the Suburban Homestead (SH) Zone to allow the future construction of detached accessory structures, based on (please cite a minimum of three findings in a-f above) with the following conditions:

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: 43,560 square feet (one acre).
 - b. Minimum lot width: 100 feet.
 - c. Minimum front setback: 30 feet.
 - d. Minimum side setback: Ten feet each.
 - e. Minimum rear setback: 40 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:
 - a. 20 feet;
 - b. 25 feet when located in the main building buildable area;
 3. Minimum distance to main building: Seven feet;
 4. Minimum distance to front lot line: 40 feet;
 5. Minimum distance to side and rear lot lines: Four feet if not used to house poultry or small animals; 15 feet if used to house poultry or small animals; 30 feet if used to house livestock; and

6. A structure having a roof supported by columns, open on all sides, not enclosed in any manner, and used exclusively for the shading of livestock, feed or agricultural equipment and not used for housing livestock in any manner, shall not be considered a building and shall have a setback of 15 feet from side and rear lot lines.

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.

To Deny:

I move to deny case BA-013-24, a variance to Section 2.30.020 (B) and (D) of the PCDSC, based on the finding that the condition is neither peculiar nor exceptional to reduce minimum lot size requirement specified by the PCDSC.

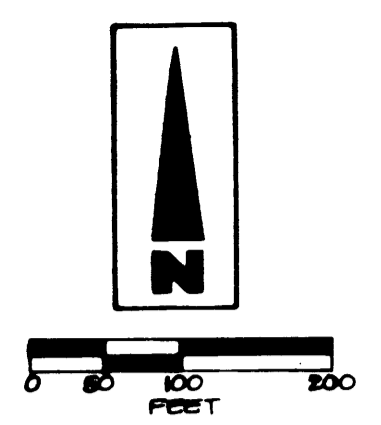
DATE PREPARED: 6/10/24

REVISED: 6/19/24

A-30

A-30 5-11-81

MESA del ORO ESTATES UNIT III



CURVE DATA

Curve No.	Delta	Radius	Tangent	Length
1	90°00'00"	25.00'	25.00'	39.27'
12	58°59'22"	250.00'	141.41'	257.39'
13	12°04'56"	1000.00'	105.83'	210.87'
14	90°41'54"	25.00'	25.31'	39.58'
15	58°17'58"	250.00'	139.41'	254.34'
16	31°42'32"	400.00'	113.60'	221.37'
17	26°39'44"	400.00'	94.79'	186.14'
18	05°02'48"	400.00'	17.63'	35.23'
19	84°37'08"	25.00'	22.76'	36.92'
20	84°15'39"	25.00'	22.61'	36.77'
21	52°14'57"	250.00'	122.61'	227.98'
22	51°19'04"	50.00'	24.02'	44.78'
23	35°11'02"	50.00'	15.85'	30.70'
24	261°37'56"	50.00'	228.32'	228.32'
25	41°24'35"	50.00'	18.90'	36.14'
26	262°49'09"	50.00'	24.90'	39.12'
27	89°46'16"	25.00'	24.90'	39.12'
28	90°13'44"	25.00'	25.10'	39.37'



SEE SHEET 1 MATCH LINE

UNSUBDIVIDED

SHT. 2 of 2
 Celli, Barr, Evans and Associates
 ENGINEERS - PLANNERS
 612 NORTH SEVENTH STREET • PHOENIX, ARIZONA 85014
 DRAWG. 4006.8-007

DRAWN VS. 7-18-80

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON **JUNE 27, 2024** AT THE PINAL COUNTY EMERGENCY OPERATIONS CENTER (EOC) HEARING ROOM, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A **VARIANCE** FOR THE UNINCORPORATED AREA OF PINAL COUNTY.

BA-013-24 – PUBLIC HEARING/ACTION: Warren H. Schuler and Cynthia L. Schuler, landowner/applicant, requesting a variance to **Section 2.30.020 (B) and (D)** of the Pinal County Development Services Code, to allow a reduction in minimum required lot area from 87,120 square feet (2 acres) to ±46,173 square feet (1.06 acres) and applicable development standards to allow a single family residence on a 1.06 acres parcel in the (SH) Suburban Homestead zoning district, 104610400 (legal on file), situated in Section 09, Township 01S South, Range 09 East Gila & Salt River Baseline & Meridian, located South of Breathless Drive and East of S Lazy Rd.

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 23rd DAY OF MAY, 2024

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 749 (85 N. FLORENCE, FIRST FLOOR)
FLORENCE, AZ 85132

Contact for this matter: Kendall Riley, Planner
E-mail Address: Kendall.riley@pinal.gov
Phone: (520) 866-6514

Anything below this line not for publication

PUBLISHED ONCE:

Pinal Central Dispatch

BEEMAN BOBBY L & LISA K TR...
11125 E PLEASANT PL
GOLD CANYON, AZ 85118

VALENTI ROSS & KIMBERLY M
10905 E BREATHLESS DR
GOLD CANYON, AZ 85118

SNOW FAMILY TRUST
10862 E SUGAR CREEK DR
GOLD CANYON, AZ 85118

BURNIS JAMES J
10869 E PLEASANT PL
GOLD CANYON, AZ 85118

BURKE MATTHEW J & LYNN E F...
11003 E BREATHLESS DR
GOLD CANYON, AZ 85118

DIMUZIO PIETRO JR TR
10950 E SUGAR CREEK DR
GOLD CANYON, AZ 85118

PARBERRY DANIELLE M SUPPL...
PO BOX 669
FERNDAL, WA 98248

SCHULER WARREN H & CYNTH...
11047 E BREATHLESS DR
GOLD CANYON, AZ 85118

JENNINGS DAVID CHARLES & J...
9670 W LA SALLE AVE
LAKEWOOD, CO 80227

GOFF RICHARD L & MELINDA M...
10938 E PLEASANT PL
GOLD CANYON, AZ 85118

CRANE STEVEN DANIEL & LIND...
11091 E BREATHLESS DR
GOLD CANYON, AZ 85118

CAVE DARRELL
3621 S MERIDIAN RD
APACHE JUNCTION, AZ 85120

PETERSON LARRY W & MARGA...
11000 E PLEASANT PL
GOLD CANYON, AZ 85118

SCHUMACHER JOSEPH H TRU...
222 S WALNUT ST
BYRON, IL 61010

VIG JOHN J SR & KATHY
11124 E SUGAR CREEK DR
GOLD CANYON, AZ 85118

PARSON GARY & CAROL REVO...
11022 E PLEASANT PL
GOLD CANYON, AZ 85118

ZARNOCH JEFFREY
10862 E BREATHLESS DR
GOLD CANYON, AZ 85118

MCBROOM EMMERTT G & BRI...
6743 LAZY LN
GOLD CANYON, AZ 85118

MOLL WIEGAND M & CYNTHIA ...
20139 S SOUTH END RD
OREGON CITY, OR 97045

KOBETSKY ROBERT L
40580 STATE HIGHWAY 32 SW
FERTILE, MN 56540

SETON WALTER P & GERALDIN...
10931 E PLEASANT PL
GOLD CANYON, AZ 85118

PARBERRY DANIELLE M SUPPL...
PO BOX 669
FERNDAL, WA 98248

LEUBNER SCOTT R & SARAH M
6497 S LAZY LN
GOLD CANYON, AZ 85118

EICHELBERGER JOSEPH & LIS...
12054 E SERENO RD
GOLD CANYON, AZ 85118

CURTIS KENNETH V TRUST
5630 COUNTY ROAD 146
SOUTH HAVEN, MN 55382

HULSEY TIMOTHY D
6460 S HIDE AWAY LN
GOLD CANYON, AZ 85118

LUNEBURG WALT
2169 BIRCH POINT RD
TOWER, MN 55790

PARBERRY DANIELLE M SUPPL...
PO BOX 669
FERNDAL, WA 98248

LE DUC RONALD JR
11126 E BREATHLESS DR
GOLD CANYON, AZ 85118

MAYER GARY R
10916 E BREATHLESS DR
GOLD CANYON, AZ 85118

HELTMACH RONALD A & CELIA ...
6382 S LAZY LN
GOLD CANYON, AZ 85118

PARROTT TREVOR H & CAROL ...
11070 E BREATHLESS DR
GOLD CANYON, AZ 85118

SCHULER GEORGE P & CONST...
6379 S LAZY LN
GOLD CANYON, AZ 85118

BAKER GAYLE R & ROBERT WE...
6445 S LAZY LN
GOLD CANYON, AZ 85118

SMITH LAWRENCE R & ELLEN ...
10973 E HUMMINGBIRD LN
GOLD CANYON, AZ 85118

MAYER GARY R
10916 E BREATHLESS DR
GOLD CANYON, AZ 85118

BURRIS RODGER M & JOANNE ...
11049 E HUMMINGBIRD LN
GOLD CANYON, AZ 85118

AMATO JOHN M & DIANE L TRS
6439 S HIDE AWAY LN
GOLD CANYON, AZ 85118

BEAM SUZAN L TRUST
6404 S LAZY LN
GOLD CANYON, AZ 85118

PARBERRY BRIAN & LISA
PO BOX 669
FERNDAL, WA 98248

RAEMAC INVESTMENTS LLC
MAIL RETURN

JOHNSTON ROBERT S & DENIS...
6419 S HIDEAWAY LN
GOLD CANYON, AZ 85118

ROZZINI PAUL J
10761 E HUMMINGBIRD LN
GOLD CANYON, AZ 85118

AFFIDAVIT OF PUBLICATION

State of Florida, County of Orange, ss:

Kevin Richman, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of 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 1 issues. The publications thereof having been on the following dates:

PUBLICATION DATES:

Jun. 4, 2024

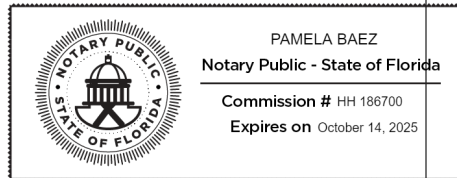
NOTICE ID: 42aHvQb1EFs9zygMIPFJ

NOTICE NAME: W Schuler Variance Public Notice

(Signed) Kevin Isaac Richman

VERIFICATION

State of Florida
County of Orange



Subscribed in my presence and sworn to before me on this: 06/10/2024

[Signature]

Notary Public
Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING BY
THE BOARD OF ADJUSTMENT
AND APPEALS AT 9:30 A.M.,
ON JUNE 27, 2024 AT THE
PINAL COUNTY EMERGENCY
OPERATIONS CENTER (EOC)
HEARING ROOM, FLORENCE,
ARIZONA, TO CONSIDER AN
APPLICATION FOR A VARIANCE
FOR THE UNINCORPORATED
AREA OF PINAL COUNTY.
BA-013-24 – PUBLIC HEARING/
ACTION: Warren H. Schuler and
Cynthia L. Schuler, landowner/
applicant, requesting a variance
to Section 2.30.020 (B) and (D)
of the Pinal County Development
Services Code, to allow a reduction
in minimum required lot area from
87,120 square feet (2 acres) to
±46,173 square feet (1.06 acres)
and applicable development
standards to allow a single family
residence on a 1.06 acres parcel
in the (SH) Suburban Homestead
zoning district, 104610400 (legal
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East Gila & Salt River Baseline
& Meridian, located South of
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Lazy Rd.
Information regarding the case can
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PLACE DESIGNATED ABOVE,
AND SHOW CAUSE, IF ANY, WHY
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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 MAY,
2024.
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
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YOUR STATEMENT MUST
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3) A brief statement of reasons for
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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 749 (85 N. FLORENCE,
FIRST FLOOR)
FLORENCE, AZ 85132
Contact for this matter: Kendall
Riley, Planner
E-mail Address: Kendall.riley@



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.: 104610400 2. Size (to the nearest 1/10th of an acre) 1.1

3. The legal description of the property: Lot 120, Mesa Del Oro Estates Unit III

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

6. The existing use(s) of the property: Residential

7. The exact variance request and/or Section(s) of Code impacted: Current minimum lot size to construct is 2 acres. Parcel size is 1.1 acre, therefore a variance is requested to build a detached garage & add a Bathroom.

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.

None known.

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 is not any unique physical characteristics of this property. It is approximately the same size as other surrounding lots that have obtained variances to construct.

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. 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.

Construction of both the detached garage and attached bathroom will not affect any of the above concerns.

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

The detached garage and bathroom will be used for only personal use.

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 current house is a 4 bedroom 2 bath and would function better if an added bathroom is approved. The current garage is too small for the larger size of vehicles today. It would help in storing larger vehicles that don't fit inside the current garage. Original garage built in 2000.

(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: _____

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.

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.: 104610410
Name: Mathew & Lynn Burke
Address: 11003 E. Breathless Dr.
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610460
Name: Gary & Carol Parson
Address: 11022 E. Pleasant Pl
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610420
Name: Ross & Kimberly Valenti
Address: 10905 E. Breathless Dr
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610440
Name: Richard & Melinda Goff
Address: 10938 E. Pleasant Pl
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610430
Name: Kenneth Curtis
Address: 10856 E. Breathless Dr.
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610450
Name: Larry & Margaret Peterson
Address: 11060 E. Pleasant Pl
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610390
Name: Steven & Linda Crane
Address: 11091 E. Breathless Dr.
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610470
Name: Wiegand & Cynthia Moll
Address: 11126 E. Pleasant Pl
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610380
Name: Joseph Schumacher
Address: 6560 S. Lazy Ln
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610480
Name: Bobby & Lisa Beeman
Address: 11125 E Pleasant Pl
City/ST/Zip: Gold Canyon, AZ 85118

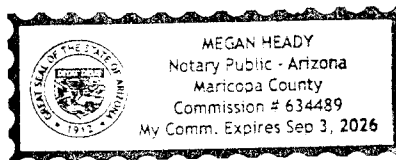
I hereby verify that the name list above was obtained on the 18th day of March, 2024, at the office of Pinal Co. Website and is accurate and complete to the best of my knowledge.
(Source of Information)

On this 20th day of March, 2024, before me personally appeared Warren Schuler
Signature Warren Schuler Date 3-20-24 (Name of signor)

State of Arizona ss.

County of Maricopa

My Commission Expires 9/3/20



(SEAL)

Signature of Notary Public Megan Heady

1 of 3

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.: 104610500
Name: Joseph & Lisa Eichelberger
Address: 10995 E. Pleasant Pl
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610890
Name: Robert & Gayle Baker
Address: 6445 S. Lazy Ln
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610490
Name: Walt Luneburg
Address: 11021 E. Pleasant Pl
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: Susan Beam
Name: 104610340
Address: 6404 S. Lazy Ln
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610510
Name: Walter & Geraldine Seton
Address: 10931 E Pleasant Pl
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610330
Name: Ronald LeDuc
Address: 11126 E. Breathless Dr
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610920 ¹⁰⁴⁶¹⁰⁹³⁰ ~~104610910~~
Name: Danielle Parberry
Address: 6621 S. Lazy Ln
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610320
Name: Trevor & Carol Parrott
Address: 11070 E. Breathless Dr
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610900
Name: Scott & Sarah Leubner
Address: 6497 S. Lazy Ln.
City/ST/Zip: Gold Canyon, AZ 85118

Parcel No.: 104610310
Name: John & Diane Amato
Address: 6439 S. Hideaway Ln
City/ST/Zip: Gold Canyon, AZ 85118

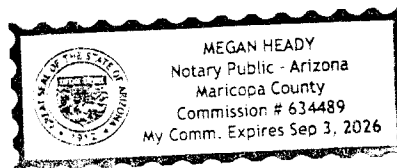
I hereby verify that the name list above was obtained on the 18th day of March, 2024, at the office of Pinal Co. Website and is accurate and complete to the best of my knowledge.
(Source of Information)

On this 20th day of March, 2024, before me personally appeared Warren Schuler
(Name of signor)

Signature Warren Schuler Date 3-20-24

State of Arizona)ss.

County of Maricopa



(SEAL)

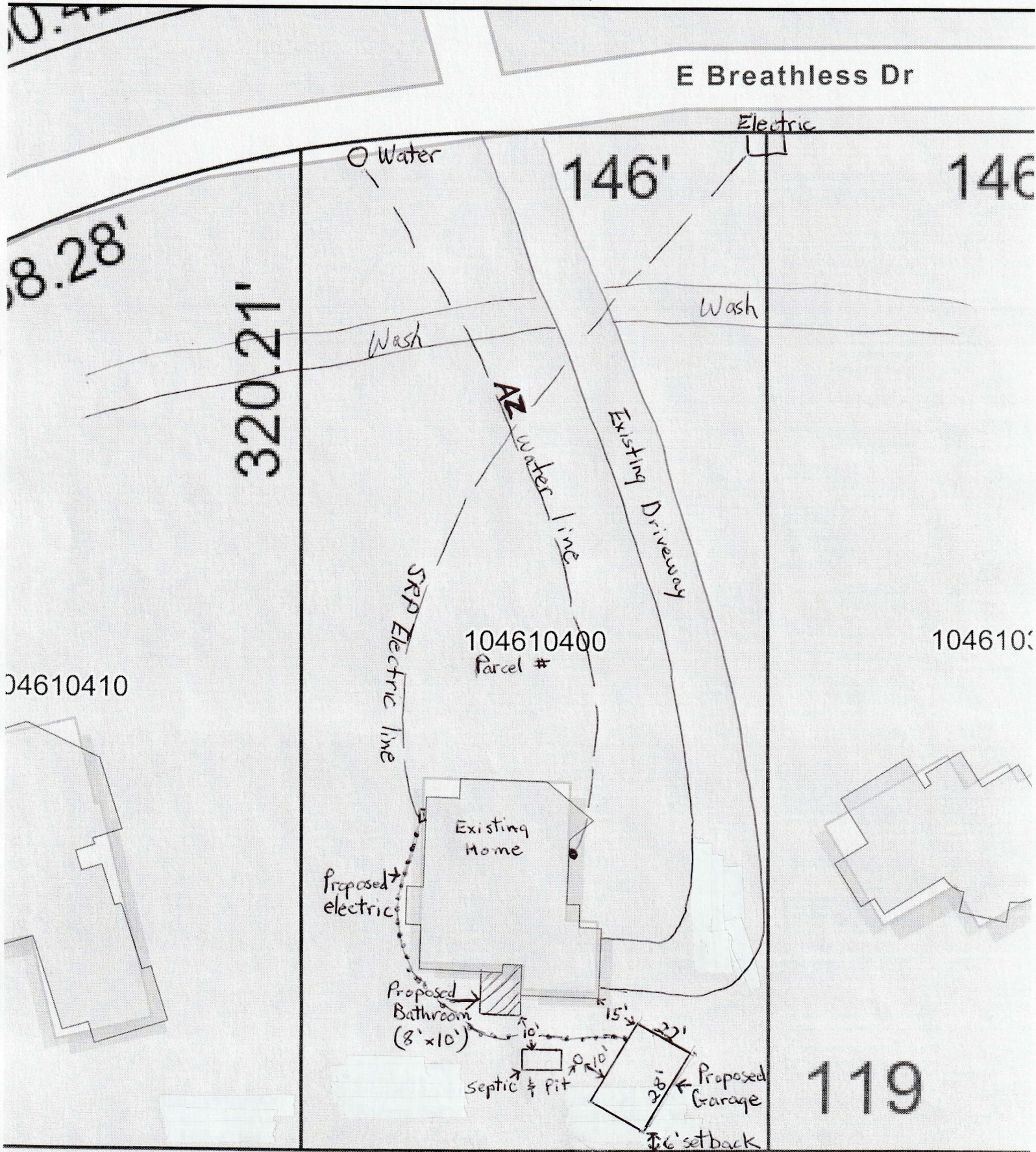
My Commission Expires 9/3/24

Signature of Notary Public [Signature]

All measurements meet setback requirements



Pinal County





PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

June 27, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY: Monika Smriti/Brent Billingsley

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

BA-063-23 – PUBLIC HEARING/ACTION: Mason Patterson, landowner/applicant, **requesting a variance** to Section 2.70.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acre) to ±6,534 square feet (0.15 acre) for a 0.15 acre parcel in the Single Residence Zoning District (CR-3); situated in Section 32, Township 06 South, Range 05 East of the Gila and Salt River Baseline and Meridian, tax parcel 503-74-5010 (legal on file), located north of W. Mercer Drive and west of S. Pepper Tree, Pinal County, Arizona.

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 BA-063-23](#)

MEETING DATE: JUNE 27, 2024

TO: PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

CASE NO.: **BA-063-23**

CASE COORDINATOR: MONIKA SMRITI, PLANNER

Executive Summary:

A Variance request by Jason Patterson (landowner & applicant) for allowance of a reduction to the minimum lot size from 7,000 square feet (0.16 acres) to $\pm 6,534$ square feet (0.15 acres) to allow for the construction of permitted uses of the Single Residence Zoning District (CR-3) on parcel 503-74-5010. The parcel is part of a subdivision plat described as Casa Grande West, Unit (5), originally platted in 1970 in conformance with development standards of Pinal County Zoning Ordinance 1962, section 1103, (CR-3) Zoning District, reflecting 1968 amendments. The parcel is currently vacant.

If This Request is approved:

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

Staff Recommendation/Issues for Consideration/Concern:

Staff offers a recommendation of approval with stipulations.

BA-063-23 – PUBLIC HEARING/ACTION: Jason Patterson, landowner/applicant, **requesting a variance** to Section 2.70.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acre) to $\pm 6,534$ square feet (0.15 acre) for a 0.15 acre parcel in the Single Residence Zoning District (CR-3); situated in Section 32, Township 06 South, Range 05 East of the Gila and Salt River Baseline and Meridian, tax parcel 503-74-5010 (legal on file), located north of W. Mercer Drive and west of S. Pepper Tree, Pinal County, Arizona.

LEGAL DESCRIPTION: CASA GRANDE WEST #5 LOT 3 BLK 191





TAX PARCEL: 503-74-5010

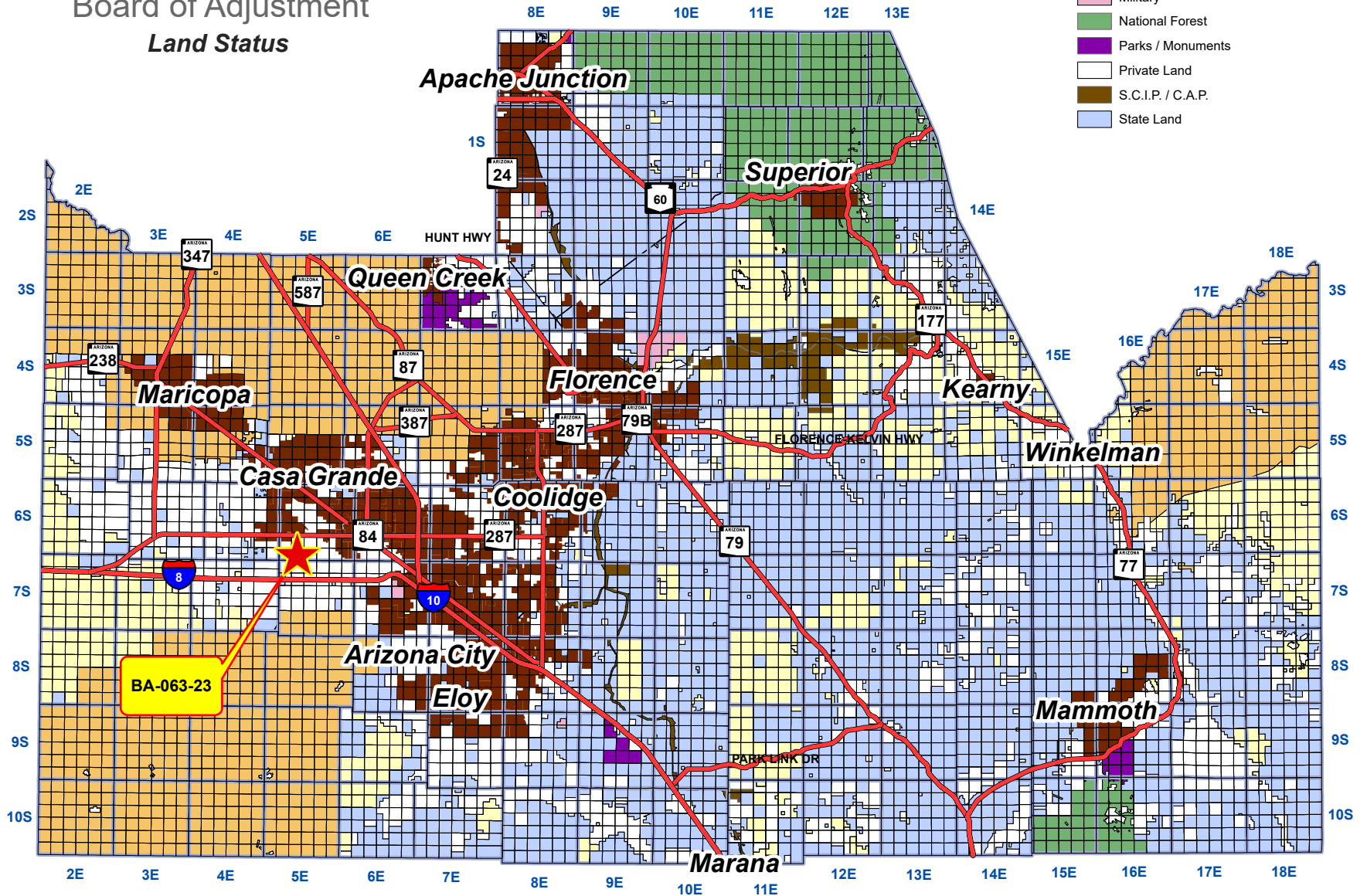
LANDOWNER/APPLICANT: Jason Patterson (landowner & applicant)

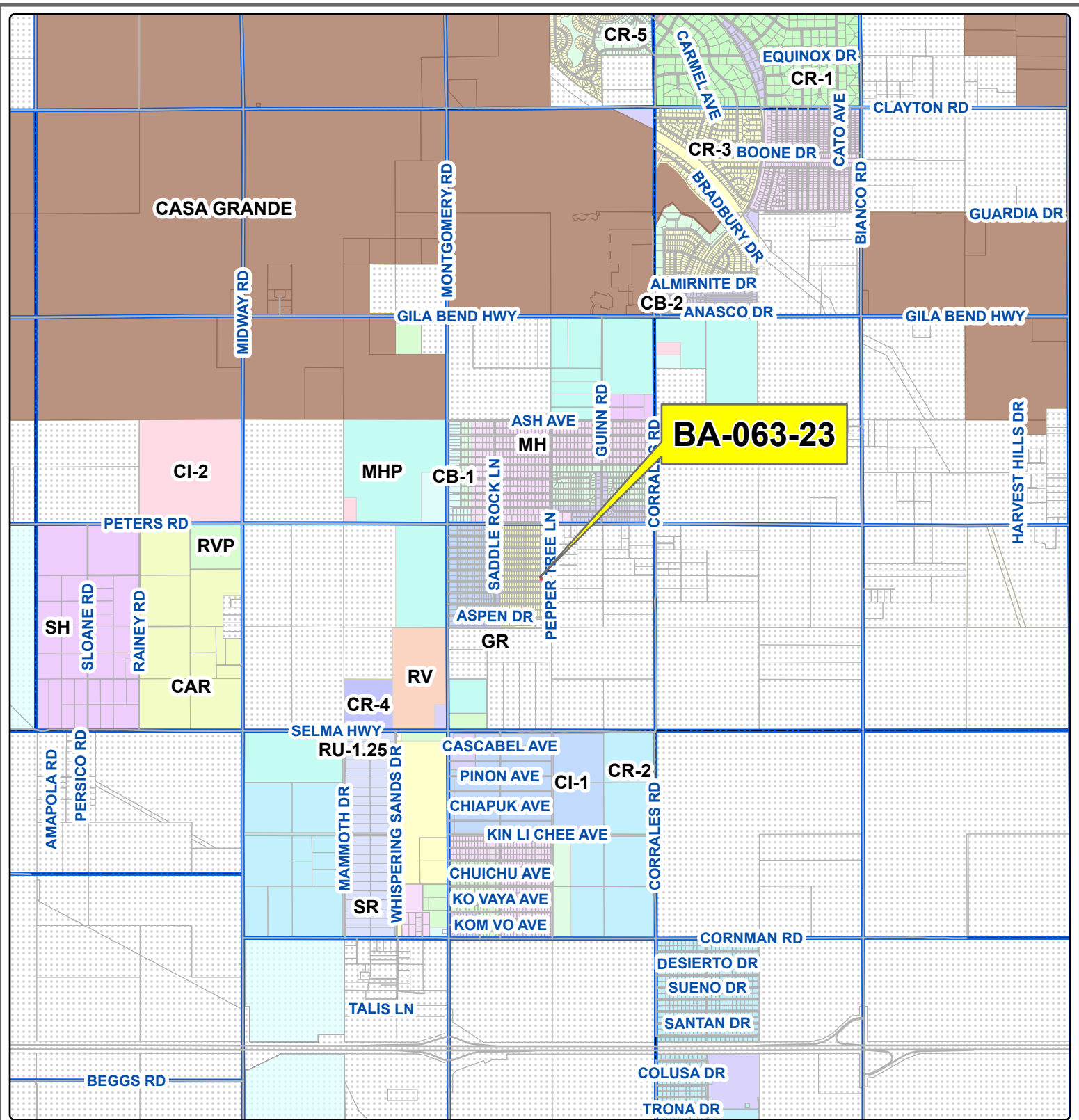
REQUESTED ACTION AND PURPOSE: Requesting a variance to Section 2.70.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acres) to $\pm 6,534$ square feet (0.15 acres) on parcel 503-74-5010 to allow the parcel to be developed per the permitted uses of (CR-3) zoning district.

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:
 Legally described as CASA GRANDE WEST #5 LOT 3 BLK 191; located north of W. Mercer Drive and west of S. Pepper Tree in Section 32, Township 06 South, Range 05 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona. Tax Parcel: 503-74-5010.

	Owner/Applicant: JASON PATTERSON		
	Drawn By: GIS / IT / RWH	Date: 02/29/2024	
	Section: 32	Township: 06S	Range: 05E
	Case Number: BA-063-23		



Board of Adjustment

503745990	503745600	503745570	503745180	503745150	503744760	503744730	503744340	503744310
503746000	503745610	503745580	503745190	503745160	503744770	503744740	503744350	503744320
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TONALEA DR

CHINLE DR

MERCER DR

CONGDON DR

BALSON DR

PEPPER TREE LN

BA-06323

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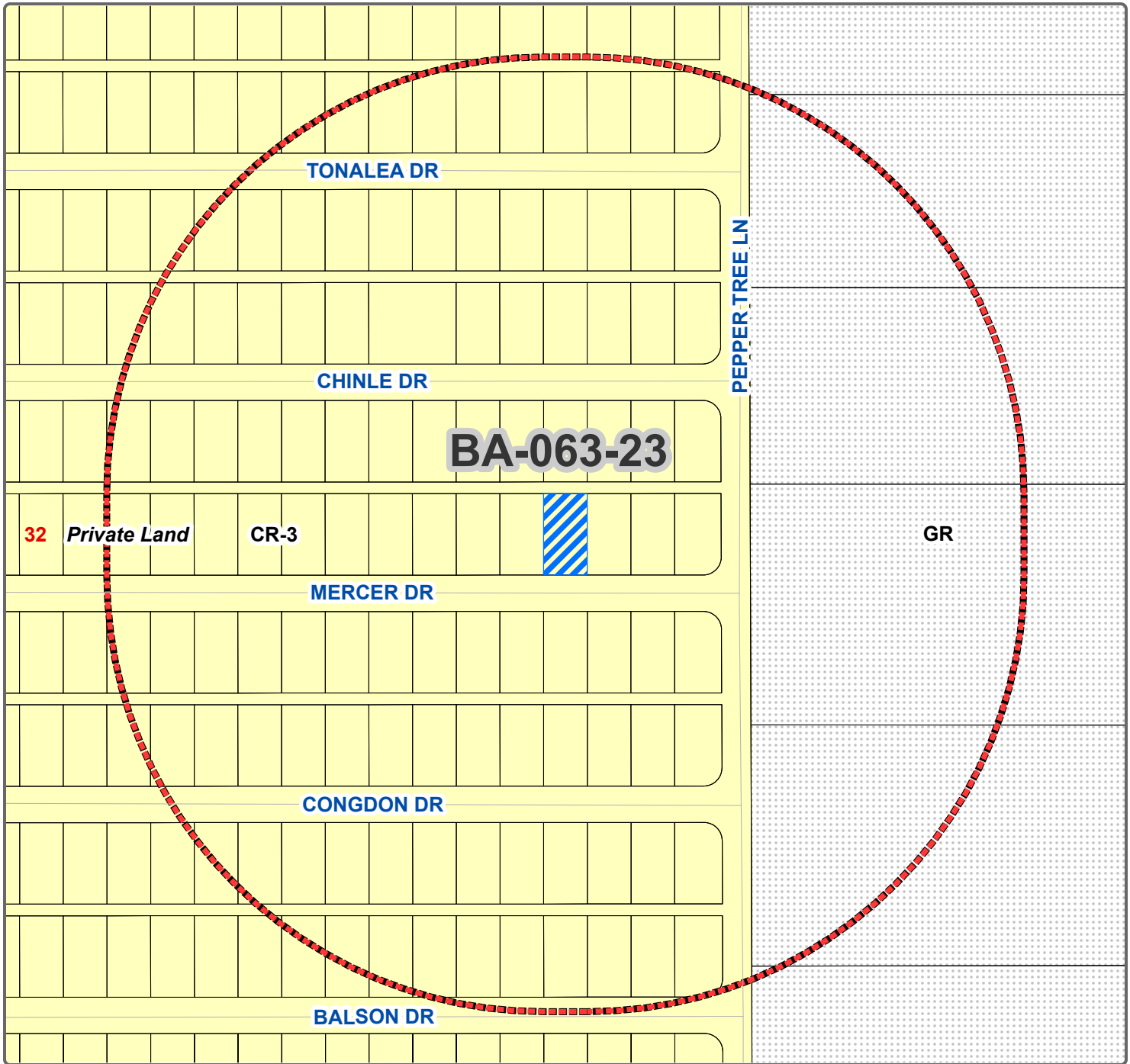
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Board of Adjustment

BA-063-23 – PUBLIC HEARING/ACTION: Jason Patterson, landowner/applicant, requesting a variance to Section 2.70.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acre) to ±6,534 square feet (0.15 acre) for a 0.15 acre parcel in the Single Residence Zoning District (CR-3); situated in Section 32, Township 06 South, Range 05 East of the Gila and Salt River Baseline and Meridian, tax parcel 503-74-5010 (legal on file), located north of W. Mercer Drive and west of S. Pepper Tree, Pinal County, Arizona.

Current Zoning: CR-3

Requested Zoning: Board of Adjustment

Current Land Use: MLDR



Legal Description:
 Legally described as CASA GRANDE WEST #5 LOT 3 BLK 191; located north of W. Mercer Drive and west of S. Pepper Tree in Section 32, Township 06 South, Range 05 East of the Gila and Salt River Baseline and Meridian, Pinal County, Arizona; Tax Parcel: 503-74-5010.

SEC 32, TWN 06S - RNG 05E



Owner/Applicant: JASON PATTERSON		
Drawn By: GIS / IT /RWH	Date: 02/29/2024	
Section 32	Township 06S	Range 05E
Case Number: BA-063-23		

Sheet No.
1 of 1

LOCATION: North of W. Mercer Drive and west of S. Pepper Tree, Pinal County, Arizona

SIZE: ±0.15 acres

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

SURROUNDING ZONING AND LAND USE:

North: Single Residence Zoning District (CR-3) – Vacant Land

South: Single Residence Zoning District (CR-3) – Vacant Land

East: Single Residence Zoning District (CR-3) – Vacant Land

West: Single Residence Zoning District (CR-3) – Vacant Land

SITE DATA:

- Site is situated in Flood Zone X – an area of minimal flood hazard.
- 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.
- Parcel access is from W. Mercer Drive, classified as a Rural Local by ADOT.

HISTORY: The subject parcel is one of many parcels within the subdivision known as Casa Grande West, Unit (5). 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 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.

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

Newspaper publish dates:	06/06/2024
Mail-outs:	week of 06/01/2024
Site Posting:	week of 06/01/2024
Website:	week of 06/01/2024

Staff has received one letter of opposition.

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 (5). 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), causing the property to become non-compliant.

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 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 establish a permitted use 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-063-23) 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-063-23, Section 2.70.020 of the PCDCS, 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 503-74-5010 Casa Grande West, Unit (5), Subdivision, to allow the permitted uses of the (CR-3) Zoning District on a 0.15 acre parcel. 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: 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: 7 feet;
 - iv. Minimum distance to front lot line: 60 feet; and
 - v. Minimum distance to side and rear lot lines: 4 feet.
3. All agricultural, livestock, horses, and dairy uses are prohibited.
4. If any change of use is requested - aside from use stated within this report - the variance shall be considered null and void.

To Deny:

I move to deny the variance case BA-063-23, a variance to Section 2.70.020 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: 06/18/24 – Monika S.

DATE REVISED: 06/20/24 - Monika S.

May 17 2024

PINAL COUNTY DEVELOPMENT SERVICES
PO BOX 749
FLORENCE AZ 85132

RECEIVED

JUN 20 2024

PUBLIC WORKS

Planning case number: BA-063-23

William G. Pawlak

[REDACTED]

[REDACTED]

Property tax No:
503-74-5070

I Oppose the request by Mr. Jason
Patterson to lower the minimum required lot area

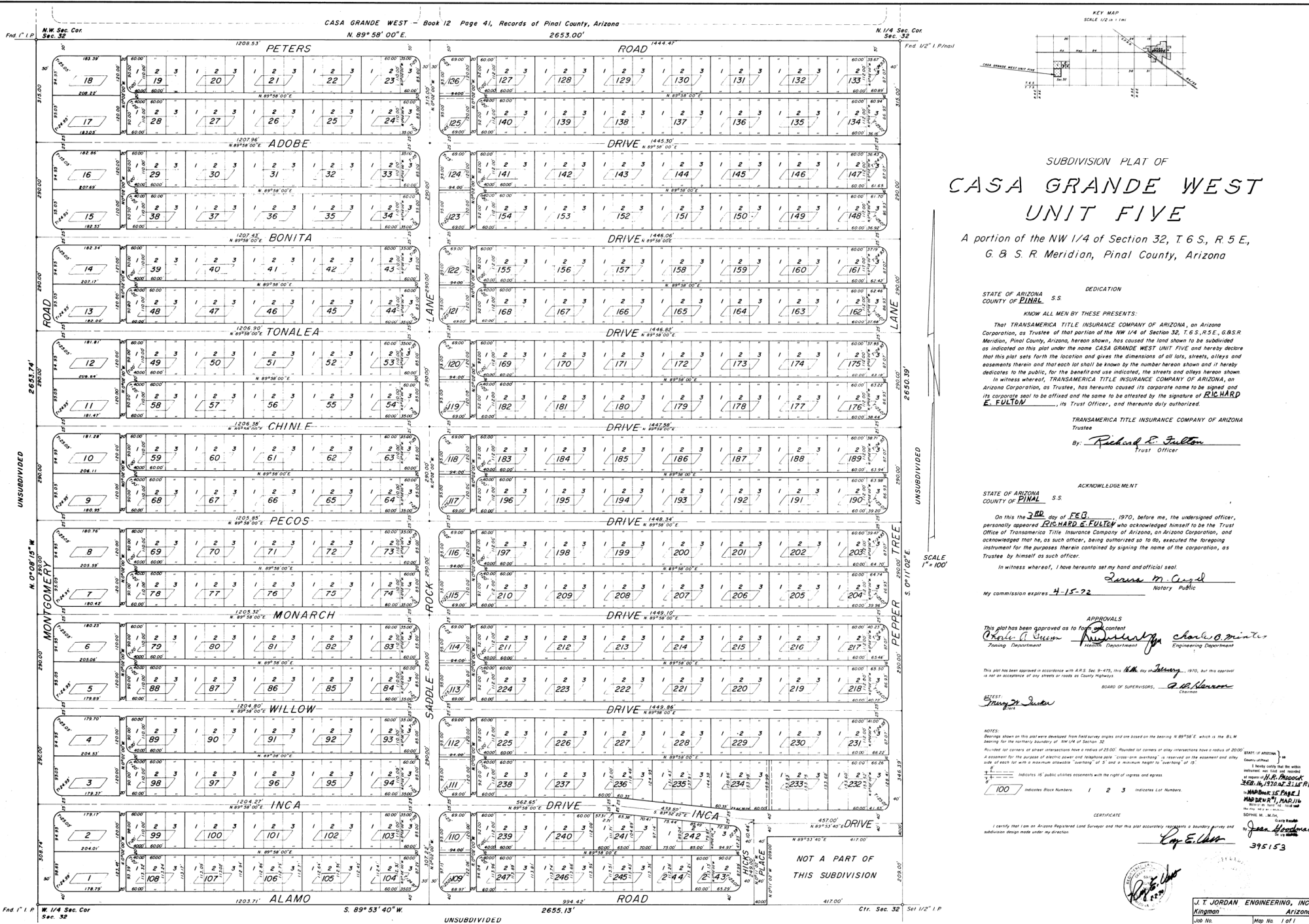
for tax parcel 503-74-5010.

Reducing minimum lot size lowers the
value of nearby lots and ultimately raises nearby property
taxes.

People are moving to Pinal County to
avoid overcrowded neighborhoods in older cities and towns.

I do NOT wish to appear and be heard at
the Hearing.


WILLIAM G. PAWLAK



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 DEDICATION
 COUNTY OF PINAL S.S.

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, hereinafter shown, has caused the land shown to be subdivided as indicated on this plat under the name CASA GRANDE WEST UNIT FIVE and hereby declare 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 hereto 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 ACKNOWLEDGMENT
 COUNTY OF PINAL S.S.

On this the 20th 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.
Lawrence M. Good
 Notary Public
 My commission expires 4-15-72

APPROVALS
 This plat has been approved as to form and content
Charles A. Smith *Charles A. Smith*
 Planning Department Health Department Engineering Department

This plat has been approved in accordance with A.R.S. Sec. 9-475, et seq. on this 15th day of January, 1970, but this approval is not an acceptance of any streets or roads as County Highways.

BOARD OF SUPERVISORS, *A. B. Spencer*

BY: *Henry M. Jordan*

NOTES:
 Bearings shown on this plat were developed from field surveying notes and are based on the bearing N 89°56'00" E which is the B.M. bearing for the northern boundary of the NW 1/4 of Section 32.
 Rounded lot corners at street intersections have a radius of 25.00'. Rounded lot corners at alley intersections have a radius of 20.00'.
 A statement for the purpose of defining street and easement width: "Cross street widening" is measured on the eastment and alley side of each lot with a maximum allowable "overhang" of 5' and a maximum height for "overhang" of 10'.
 "X" indicates public utilities easements with the right of ingress and egress.
 "100" 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 Goodman*
 395153

NOT A PART OF
 THIS SUBDIVISION



J. T. JORDAN ENGINEERING, INC.
 Kingman, Arizona
 Job No. Map No. 1 of 1
 Drawn by D.E.S. Approved by

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON **JUNE 27, 2024** AT THE PINAL COUNTY EMERGENCY OPERATIONS CENTER, 301 E. 11TH STREET IN FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A **VARIANCE** IN THE UNINCORPORATED AREA OF PINAL COUNTY.

BA-063-23 – PUBLIC HEARING/ACTION: Jason Patterson, landowner/applicant, requesting a variance to **Section 2.70.020** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 7,000 square feet (0.16 acre) to ±6,534 square feet (0.15 acre) for a 0.15 acre parcel in the Single Residence Zoning District (CR-3); situated in Section 32, Township 06 South, Range 05 East of the Gila and Salt River Baseline and Meridian, tax parcel 503-74-5010 (legal on file), located north of W. Mercer Drive and west of S. Pepper Tree, Pinal County, Arizona.

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 **21ST DAY OF MAY, 2024**

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

ANY WRITTEN STATEMENTS ARE ACCEPTED ON AN ONGOING BASIS, BUT WRITTEN STATEMENTS DESIRED TO BE A PART OF THE CASE PACKET FORWARDED TO THE BOARD OF ADJUSTMENTS IS REQUESTED TO BE PROVIDED TO STAFF BY THE TIMEFRAME SET BELOW:

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

Contact for this matter: Monika Smriti, e-mail address: monika.smriti@pinal.gov
Phone #: (520) 866-6294, Fax: (520) 866-6530

[Anything below this line is not for publication.]

PUBLISHED ONCE:
Pinal Central Dispatch

NAP , 	503745800 QUINTERO JOSE G 1715 N AGAVE ST CASA GRANDE, AZ 85122	503745740 AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297
50354004B STAUSS BEAR 16803 W SENNA CT SURPRISE, AZ 85387	503745810 DAVIES FRANK M 2872 HILL TOP RD SORRENTO, BC 	503745750 SHAFFER LIV TRUST 2500 N ROSEMONT BLVD APT 3... TUCSON, AZ 85712
503745900 MARTIN DIETER C & BARBARA ... 301 298 YORKTON AVE PENTICTON, BC 	503745820 DAVIES FRANK M 2872 HILL TOP RD SORRENTO, BC 	503745760 EBENOPSIS PROPERTIES LLC 520 W WARNER RD TEMPE, AZ 85284
503745910 MARTIN DIETER C & BARBARA ... 301 298 YORKTON AVE PENTICTON, BC 	503745670 AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297	503745770 OWENS DAVID J REVOCABLE L... 520 W WARNER RD TEMPE, AZ 85284
503745860 MOORE NANCY JEAN TRS 807 TASHA CT CEDAR PARK, TX 78613	503745680 AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297	503745780 OWENS DAVID J REVOCABLE L... 520 W WARNER RD TEMPE, AZ 85284
503745870 BENSON ROBERT MARTIN & PA... 215 BIG SUR DR CEDAR PARK, TX 78613	503745690 MIRANDA LIZETH 1213 W HARDING AVE COOLIDGE, AZ 85128	503745790 KERR RITA 1615 CASMI AVE PENTICTON, BC
503745880 MONTEILH ALAN 3021 E PORTLAND ST PHOENIX, AZ 85008	503745700 MIRANDA LIZETH 1213 W HARDING AVE COOLIDGE, AZ 85128	50354004C CONTRERAS AGUSTIN & MART... PO BOX 10085 CASA GRANDE, AZ 85130
503745830 MONTEILH ALAN 3021 E PORTLAND ST PHOENIX, AZ 85008	503745710 MASTERS WILLIAM A 401K PLA... PO BOX 11902 PHOENIX, AZ 85061	503745510 EBENOPSIS PROPERTIES LLC 520 W WARNER RD TEMPE, AZ 85284
503745840 OSORIO JHANNY AGUIRRE 1384 E ROLLS RD SAN TAN VALLEY, AZ 851...	503745720 AMERICA TOMORROW LLC 8837 E MONTANA AVE CHANDLER, AZ 85248	503745520 EBENOPSIS PROPERTIES LLC 520 W WARNER RD TEMPE, AZ 85284
503745850 OSORIO JHANNY AGUIRRE 1384 E ROLLS RD SAN TAN VALLEY, AZ 851...	503745730 YEPEZ JOSE L 21302 E PUESTA DEL SOL QUEEN CREEK, AZ 85142	503745470 PERSON JUDITH L 21223 SWEET GRASS WAY ASHBURN, VA 20147

503745480 nbsp;nbsp;
HEIM DENNIS
720 2ND ST NW
WATERTOWN, SD nbsp;57201

503745400 nbsp;nbsp;
ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ nbsp;85297

503745330 nbsp;nbsp;
EBENOPSIS PROPERTIES LLC
520 W WARNER RD
TEMPE, AZ nbsp;85284

503745490 nbsp;nbsp;
HEIM DENNIS
720 2ND ST NW
WATERTOWN, SD nbsp;57201

503745240 nbsp;nbsp;
EBENOPSIS PROPERTIES LLC
520 W WARNER RD
TEMPE, AZ nbsp;85284

503745340 nbsp;nbsp;
WILLIAM A MASTERS 401K PLA...
PO BOX 11902
PHOENIX, AZ nbsp;85061

503745440 nbsp;nbsp;
ROMANO DAN
264 SPRINGMERE WAY
CHESTERMERE, AB nbsp;

503745250 nbsp;nbsp;
AAA MASS REALTY LLC
4435 S SQUIRES LN
GILBERT, AZ nbsp;85297

503745350 nbsp;nbsp;
RIVERA JAYSON EDIEL
MAIL RETURN
, nbsp;

503745450 nbsp;nbsp;
AAA MASS REALTY LLC
4435 S SQUIRES LN
GILBERT, AZ nbsp;85297

503745260 nbsp;nbsp;
ONTIVEROS MONSERRAT
MAIL RETURN
, nbsp;

503745360 nbsp;nbsp;
JACKSON DARRIN LEROY
26519 W MERCER DR
CASA GRANDE, AZ nbsp;85193

503745460 nbsp;nbsp;
ESCOBAR ELEAZAR & IRMA AG...
38 W PRINCE RD UNIT 13
TUCSON, AZ nbsp;85705

503745270 nbsp;nbsp;
GOMEZ SEBASTIAN
3205 N CARRIAGE LN
CHANDLER, AZ nbsp;85224

503745370 nbsp;nbsp;
DAYBREAK CONSTRUCTION IN...
1917 S SIGNAL BUTTE RD STE ...
MESA, AZ nbsp;85209

503745410 nbsp;nbsp;
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GLENDALE, AZ nbsp;85302

503745280 nbsp;nbsp;
OWENS DAVID J REVOCABLE L...
520 W WARNER RD
TEMPE, AZ nbsp;85284

503745080 nbsp;nbsp;
SHELLEY DUNCAN J & LISA H
4365 W 3750 S
WEST HAVEN, UT nbsp;84401

503745420 nbsp;nbsp;
ADAMS KEVIN M
53443 W CENTURY RD
MARICOPA, AZ nbsp;85139

503745290 nbsp;nbsp;
OWENS DAVID J REVOCABLE L...
520 W WARNER RD
TEMPE, AZ nbsp;85284

503745090 nbsp;nbsp;
BLANKENSHIP ELVIA
1230 W SONORA ST
TUCSON, AZ nbsp;85745

503745430 nbsp;nbsp;
ADAMS RICHARD E
52746 W ORGAN PIPE RD
MARICOPA, AZ nbsp;85139

503745300 nbsp;nbsp;
OWENS DAVID J REVOCABLE L...
520 W WARNER RD
TEMPE, AZ nbsp;85284

503745100 nbsp;nbsp;
EBENOPSIS PROPERTIES LLC
520 W WARNER RD
TEMPE, AZ nbsp;85284

503745380 nbsp;nbsp;
DAVIES FRANK M
MAIL RETURN
, nbsp;

503745310 nbsp;nbsp;
OWENS DAVID J REVOCABLE L...
520 W WARNER RD
TEMPE, AZ nbsp;85284

503745050 nbsp;nbsp;
HOME EQUITY OPTIONS LLC
10401 VENICE BLVD # 283
LOS ANGELES, CA nbsp;90034

503745390 nbsp;nbsp;
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503745320 nbsp;nbsp;
BLUE CHRISTIE ELIZABETH AN...
3002 W SAHARA ST
TUCSON, AZ nbsp;85705

503745060 nbsp;nbsp;
ROUGEAU KATHLEEN D
412 SUNMILLS DR SE
CALGARY, AB nbsp;

503745070 PAWLAK WILLIAM G
11154 S CHRISTIANA AVE
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50354004D JADA ASAD M
2028 N 109TH AVE
AVONDALE, AZ 85392

503744910 AAA MASS REALTY LLC
4435 S SQUIRES LN
GILBERT, AZ 85297

503745020 OWENS DAVID J REVOC LIVIN...
520 W WARNER RD
TEMPE, AZ 85284

503744820 AAA MASS REALTY LLC
4435 S SQUIRES LN
GILBERT, AZ 85297

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GILBERT, AZ 85297

503745030 CHAU NGAN THI BICH
5922 N 78TH DR
GLENDALE, AZ 85303

503744830 LEPAGE EMMANUEL & LUCIE
PO BOX 6634
PEACE RIVER, AB

503744930 ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ 85297

503745040 REINER DEVELOPMENT LLC
2410 E MITCHELL DR
PHOENIX, AZ 85016

503744840 ARELLANO MANUEL ROMO
7907 E IRAN AVE
MESA, AZ 85209

503744940 BOSTWICK ELIZABETH B
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KNOXVILLE, TN 37923

503744990 MENDOZA MICHAEL
7555 E NIDO AVE
MESA, AZ 85209

503744850 BRANDON DENNY D
6236 S 16TH LN
PHOENIX, AZ 85041

503744950 AAA MASS REALTY LLC
4435 S SQUIRES LN
GILBERT, AZ 85297

503745000 JORDAN TRAVIS & PATRICIA
272100 INVERLAKE RD
ROCKY VIEW COUNTY, AB ...

503744860 LONGVIEW LAND SALES LLC
620 MAMARONECK AVE BOX 5
WHITE PLAINS, NY 10605

50354006E JADA ASAD M
2028 N 109TH AVE
AVONDALE, AZ 85392

503745010 PATTERSON JASON E & LISA R
12 COUNTY LN
STORY PLAIN, BC

503744870 PEREZ MANUELA
1060 S CORRALES RD
CASA GRANDE, AZ 85193

503744670 HILDEBRANDT ARTHUR & SIDR...
6545 CRANBROOK HILL RD
PRINCE GEORGE, BC

503744960 CROWN EQUITY INVESTMENT...
1441 HUNTINGTON DR # 110
SOUTH PASADENA, CA 9...

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1060 S CORRALES RD
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GILBERT, AZ 85297

503744970 NICHOLL MARILYN LOUISE
8363 ARBOUR PL
DELTA, BC

503744890 PEREZ MANUELA
1060 S CORRALES RD
CASA GRANDE, AZ 85193

503744630 BURDEN RONALD A
44075 E 128TH AVE
BENNETT, CO 80102

503744980 WILLIS LINDA B TR
PO BOX 994
APACHE JUNCTION, AZ 8...

503744900 PRIFTI HANNAH
1051 E COUNTRY CROSSING W...
SAN TAN VALLEY, AZ 851...

503744640 BURDEN RONALD A
26616 W CHINLE DR
CASA GRANDE, AZ 85193

503744650 nbsp;nbsp;
ZARATE MARIA S & DAVID M
1611 E CHRISTINA ST
CASA GRANDE, AZ nbsp;85122

503744420 nbsp;nbsp;
MARTIN HERBERT C & LADDIE
3432 110 ST NW
EDMONTON, AB nbsp;;

503744520 nbsp;nbsp;
REINER DEVELOPMENT LLC
2410 E MITCHELL DR
PHOENIX, AZ nbsp;85016

503744600 nbsp;nbsp;
BEGAY MONICA
MAIL RETURN
, nbsp;;

503744430 nbsp;nbsp;
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503744530 nbsp;nbsp;
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PHOENIX, AZ nbsp;85016

50374462A nbsp;nbsp;
ARREDONDO ABRIL & LUIS MA...
PO BOX 22
STANFIELD, AZ nbsp;85172

503744440 nbsp;nbsp;
VEINOT MERRILL L & CAROL G
5101 UPPER BRANCH RD RR4
NEW GERMANY, NS nbsp;;

50354006D nbsp;nbsp;
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AVONDALE, AZ nbsp;85392

503744570 nbsp;nbsp;
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PHOENIX, AZ nbsp;85061

503744450 nbsp;nbsp;
ZIMMERMAN BILLY & EVELIA GI...
2575 N VAL VISTA RD
APACHE JUNCTION, AZ nbsp;8...

503744220 nbsp;nbsp;
BENEDIX GERD GU
MAIL RETURN
, nbsp;;

503744580 nbsp;nbsp;
SWISTAK NORMAN & YVONNE
2206 HOPE ST
PORT MOODY, BC nbsp;;

503744460 nbsp;nbsp;
MOCK RONALD
419 E CHOLLA ST
CASA GRANDE, AZ nbsp;85122

503744230 nbsp;nbsp;
RAHAM JOHN EDWARD
302 1225 NELSON ST
VANCOUVER, BC nbsp;;

503744590 nbsp;nbsp;
SWISTAK NORMAN & YVONNE
2206 HOPE ST
PORT MOODY, BC nbsp;;

503744470 nbsp;nbsp;
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503744540 nbsp;nbsp;
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10468 RESTHAVEN DR
SIDNEY, BC nbsp;;

503744480 nbsp;nbsp;
KILLAM GLENN FREDERICK & K...
1944 LYNNOVER CRESCENT SE
CALGARY, AB nbsp;;

503744190 nbsp;nbsp;
ROBERTO ALMAGUER TRUCKI...
306 E 2ND AVE
CASA GRANDE, AZ nbsp;85122

503744550 nbsp;nbsp;
GARDINER ANDREW & ALLISO...
MAIL RETURN
, nbsp;;

503744490 nbsp;nbsp;
MENDOZA JOAQUINA
726 W 2ND AVE
MESA, AZ nbsp;85210

503744200 nbsp;nbsp;
RACKOW ELDON E & LUCILLE ...
435 E ELDORADO RD
ORANGEVILLE, IL nbsp;61060

503744560 nbsp;nbsp;
ELENES CG LANDS LLC
1063 E HOLLAND PARK DR
GILBERT, AZ nbsp;85297

503744500 nbsp;nbsp;
LONGVIEW LAND SALES LLC
620 MAMARONECK AVE BOX 5
WHITE PLAINS, NY nbsp;10605

503744150 nbsp;nbsp;
GORDON REGINALD DENNIS
LOT 31 321 YORKTON AVE
PENTICTON, BC nbsp;;

503744410 nbsp;nbsp;
BURNETT WILLIAM & DOLORES...
22994 JENNY LEWIS AVE
LANGLEY, BC nbsp;;

503744510 nbsp;nbsp;
TREADWELL LILIANNE STEFAN...
MAIL RETURN
, nbsp;;

503744160 nbsp;nbsp;
LLOYD CHRISS A
16657 E GUNSIGHT DR UNIT 16...
FOUNTAIN HILLS, AZ nbsp;852...

AFFIDAVIT OF PUBLICATION

State of Texas, County of Bexar, ss:

Yuade Moore, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Pinal Central Dispatch, a newspaper published at Casa Grande, Pinal County, Arizona, Thursday 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 1 issues. The publications thereof having been on the following dates:

PUBLICATION DATES:

Jun. 6, 2024

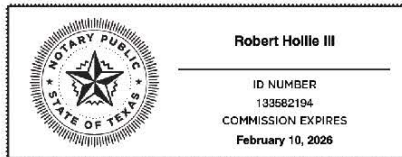
NOTICE ID: rpxp2e3RGkAJQssi8cwy

NOTICE NAME: BA-063-23

(Signed) Yuade Moore

VERIFICATION

State of Texas
County of Bexar



Subscribed in my presence and sworn to before me on this: 06/07/2024

[Signature]

Notary Public
Electronically signed and notarized online using the Proof platform.

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING BY
THE BOARD OF ADJUSTMENT
AND APPEALS AT 9:30 A.M.,
ON JUNE 27, 2024 AT THE
PINAL COUNTY EMERGENCY
OPERATIONS CENTER, 301 E.
11TH STREET IN FLORENCE,
ARIZONA, TO CONSIDER AN
APPLICATION FOR A VARIANCE
IN THE UNINCORPORATED
AREA OF PINAL COUNTY.
BA-063-23 – PUBLIC HEARING/
ACTION: Jason Patterson,
landowner/applicant, requesting
a variance to Section 2.70.020
of the Pinal County Development
Services Code, to allow a
reduction in the minimum required
lot area from 7,000 square feet
(0.16 acre) to ±6,534 square feet
(0.15 acre) for a 0.15 acre parcel
in the Single Residence Zoning
District (CR-3); situated in Section
32, Township 06 South, Range
05 East of the Gila and Salt River
Baseline and Meridian, tax parcel
503-74-5010 (legal on file), located
north of W. Mercer Drive and west
of S. Pepper Tree, Pinal County,
Arizona.
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 21ST DAY OF MAY,
2024.
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
ANY WRITTEN STATEMENTS
ARE ACCEPTED ON AN
ONGOING BASIS, BUT WRITTEN
STATEMENTS DESIRED TO
BE A PART OF THE CASE
PACKET FORWARDED TO THE
BOARD OF ADJUSTMENTS IS
REQUESTED TO BE PROVIDED
TO STAFF BY THE TIMEFRAME
SET BELOW:
PINAL COUNTY DEVELOPMENT
SERVICES
P.O. BOX 749

FLORENCE, AZ 85132
Contact for this matter: Monika
Smriti, e-mail address: monika.
smriti@pinal.gov
Phone #: (520) 866-6294, Fax:
(520) 866-6530
No. of publications: 1: date of
publication: Jun 06, 2024



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.: 503745010 2. Size (to the nearest 1/10th of an acre) 0.15

3. The legal description of the property: _____

4. Current zoning: CR-3 5. Requested zoning (if applicable): _____

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: Allowable use for CR-3

8. Is there a zoning violation on the property for which the owner has been cited? If yes, zoning violation # (CC/BCC) N/A

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 changes / undivided lot

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. No negative impact, lot is similar to surrounding lots

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.

Lot is now undersized due to County updates.

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

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)

use is ^{not} allowed within CR-3.

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

if variance is not approved there will be a loss of property rights

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

14. Site Plan Review or Building Permit Number: N/A

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

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: N/A

HEIM SYLVIA
720 2ND ST NW
WATERTOWN, SD 57201

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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WATERTOWN, SD 57201

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SORRENTO, BC

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CASA GRANDE, AZ 85130

LLOYD CHRISS A
16657 E GUNSIGHT DR UNIT 16...
FOUNTAIN HILLS, AZ 85268

	<p>QUINTERO JOSE G 1715 N AGAVE ST CASA GRANDE, AZ 85122</p>	<p>AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297</p>
<p>STAUSS BEAR 16803 W SENNA CT SURPRISE, AZ 85387</p>	<p>DAVIES FRANK M 2872 HILL TOP RD SORRENTO, BC</p>	<p>SHAFFER LIV TRUST 2500 N ROSEMONT BLVD APT 3... TUCSON, AZ 85712</p>
<p>MARTIN DIETER C & BARBARA ... 301 298 YORKTON AVE PENTICTON, BC</p>	<p>DAVIES FRANK M 2872 HILL TOP RD SORRENTO, BC</p>	<p>EBENOPSIS PROPERTIES LLC 520 W WARNER RD TEMPE, AZ 85284</p>
<p>MARTIN DIETER C & BARBARA ... 301 298 YORKTON AVE PENTICTON, BC</p>	<p>AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297</p>	<p>OWENS DAVID J REVOCABLE L... 520 W WARNER RD TEMPE, AZ 85284</p>
<p>MOORE NANCY JEAN TRS 807 TASHA CT CEDAR PARK, TX 78613</p>	<p>AAA MASS REALTY LLC 4435 S SQUIRES LN GILBERT, AZ 85297</p>	<p>OWENS DAVID J REVOCABLE L... 520 W WARNER RD TEMPE, AZ 85284</p>
<p>BENSON ROBERT MARTIN & PA... 215 BIG SUR DR CEDAR PARK, TX 78613</p>	<p>MIRANDA LIZETH 1213 W HARDING AVE COOLIDGE, AZ 85128</p>	<p>KERR RITA 1615 CASMI AVE PENTICTON, BC</p>
<p>MONTEILH ALAN 3021 E PORTLAND ST PHOENIX, AZ 85008</p>	<p>MIRANDA LIZETH 1213 W HARDING AVE COOLIDGE, AZ 85128</p>	<p>CONTRERAS AGUSTIN & MART... PO BOX 10085 CASA GRANDE, AZ 85130</p>
<p>MONTEILH ALAN 3021 E PORTLAND ST PHOENIX, AZ 85008</p>	<p>JAMES FREDERICK B & EUNIC... 3 HARRADEN AVE ROCKPORT, MA 01966</p>	<p>EBENOPSIS PROPERTIES LLC 520 W WARNER RD TEMPE, AZ 85284</p>
<p>OSORIO JHANNY AGUIRRE 1384 E ROLLS RD SAN TAN VALLEY, AZ 85143</p>	<p>AMERICA TOMORROW LLC 8837 E MONTANA AVE CHANDLER, AZ 85248</p>	<p>EBENOPSIS PROPERTIES LLC 520 W WARNER RD TEMPE, AZ 85284</p>
<p>OSORIO JHANNY AGUIRRE 1384 E ROLLS RD SAN TAN VALLEY, AZ 85143</p>	<p>YEPEZ JOSE L 21302 E PUESTA DEL SOL QUEEN CREEK, AZ 85142</p>	<p>PERSON JUDITH L 21223 SWEET GRASS WAY ASHBURN, VA 20147</p>

SKEFFINGTON JAMES W & JOA...
1917 ORO CT
CLEARWATER, FL 33764

FELTIS OWEN J
202 DOVE ST
LINCOLN, ND 58504

AAA MASS REALTY LLC
4435 S SQUIRES LN
GILBERT, AZ 85297

CRUZ SERGIO PEREZ
9656 E BARLEY RD
FLORENCE, AZ 85132

AAA MASS REALTY LLC
4435 S SQUIRES LN
GILBERT, AZ 85297

AAA MASS REALTY LLC
4435 S SQUIRES LN
GILBERT, AZ 85297

AAA MASS REALTY LLC
4435 S SQUIRES LN
GILBERT, AZ 85297

COATES MARLENE D
511 GUADALUPE DR
EL DORADO HILLS, CA 95762

TREMILLO CLAUDIA REYES
4307 N 55TH DR
PHOENIX, AZ 85031

HAMID MAZEN H
3948 W WOOD DR
PHOENIX, AZ 85029

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: _____
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Name: _____
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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 14th day of December, 2023, at the office of _____ and is accurate and complete to the best of my knowledge.
(Source of Information)

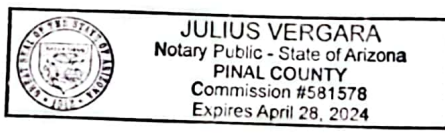
On this 15 day of Dec., 2023, before me personally appeared Lisa Patterson
(Name of signor)

Signature [Signature] Date Dec. 15 2023

State of AZ)ss.

County of PINAL

My Commission Expires 4/28/24



(SEAL)

Signature of Notary Public [Signature]



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

June 27, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY: Monika Smriti/Brent Billingsley

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

BA-005-24 – PUBLIC HEARING/ACTION: Cecil E. and Alice J. Vickers, landowners/applicants, **requesting a variance** to Section 2.40.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to ±32,670 square feet (0.75 acres) for a 0.75 acres parcel in the General Rural Zoning District (GR); situated in Section 06, Township 01 North, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 100-14-014C (legal on file), located north of W. Kaniksu Street and east of N. Delaware Drive, Pinal County, Arizona.

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
<input type="checkbox"/> Staff Report BA-005-24

MEETING DATE: JUNE 27, 2024

TO: PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

CASE NO.: **BA-005-24**

CASE COORDINATOR: MONIKA SMRITI, PLANNER

Executive Summary:

A Variance request by Cecil E. and Alice J. Vickers (landowner & applicant) for allowance of a reduction to the minimum lot size from 54,450 square feet (1.25 acres) to ±32,670 square feet (0.75 acres) to allow for the construction of permitted uses of the General Rural Zoning District (GR) on parcel 100-14-014C. The parcel was originally split in 1973 (10-15-1973 Dkt 723/608) from the parent parcel 100-14-014B in conformance with development standards of Pinal County Zoning Ordinance 1962, section 803, (GR) Zoning District, reflecting 1972 amendments. The parcel is currently being used as a single family residence with a manufactured home (Permit #MH-029-13) and a storage container (Permit #PER13-03209) installed on the subject parcel.

If This Request is approved:

This variance will allow the applicant to deviate from the development standards of the General Rural Zoning District (GR) and convert the parcel to become legally conforming within an alternative, yet reasonable development standard that is appropriate for its current size, without requiring additional variance requests.

Staff Recommendation/Issues for Consideration/Concern:

Staff offers a recommendation of approval with stipulations.

BA-005-24 – PUBLIC HEARING/ACTION: Cecil E. and Alice J. Vickers, landowners/applicants, requesting a variance to Section 2.40.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to ±32,670 square feet (0.75 acres) for a 0.75 acres parcel in the General Rural Zoning District (GR); situated in Section 06, Township 01 North, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 100-14-014C (legal on file), located north of W. Kaniksu Street and east of N. Delaware Drive, Pinal County, Arizona.

LEGAL DESCRIPTION: N-99.02' OF SW SW NW SE OF SEC 6-1N-8E .75 AC



TAX PARCEL: 100-14-014C

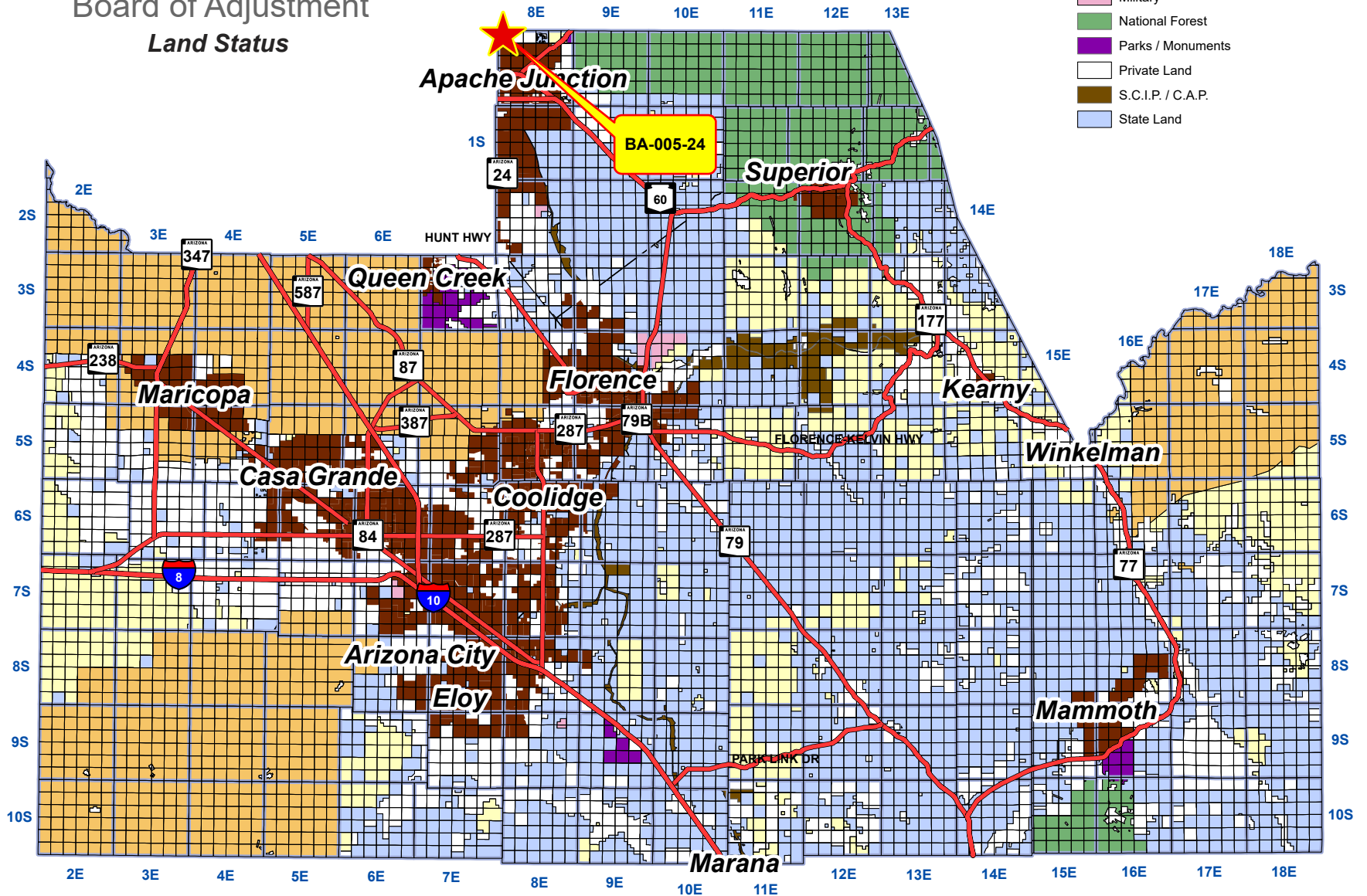
LANDOWNER/APPLICANT: Cecil E. and Alice J. Vickers (landowner/applicant)

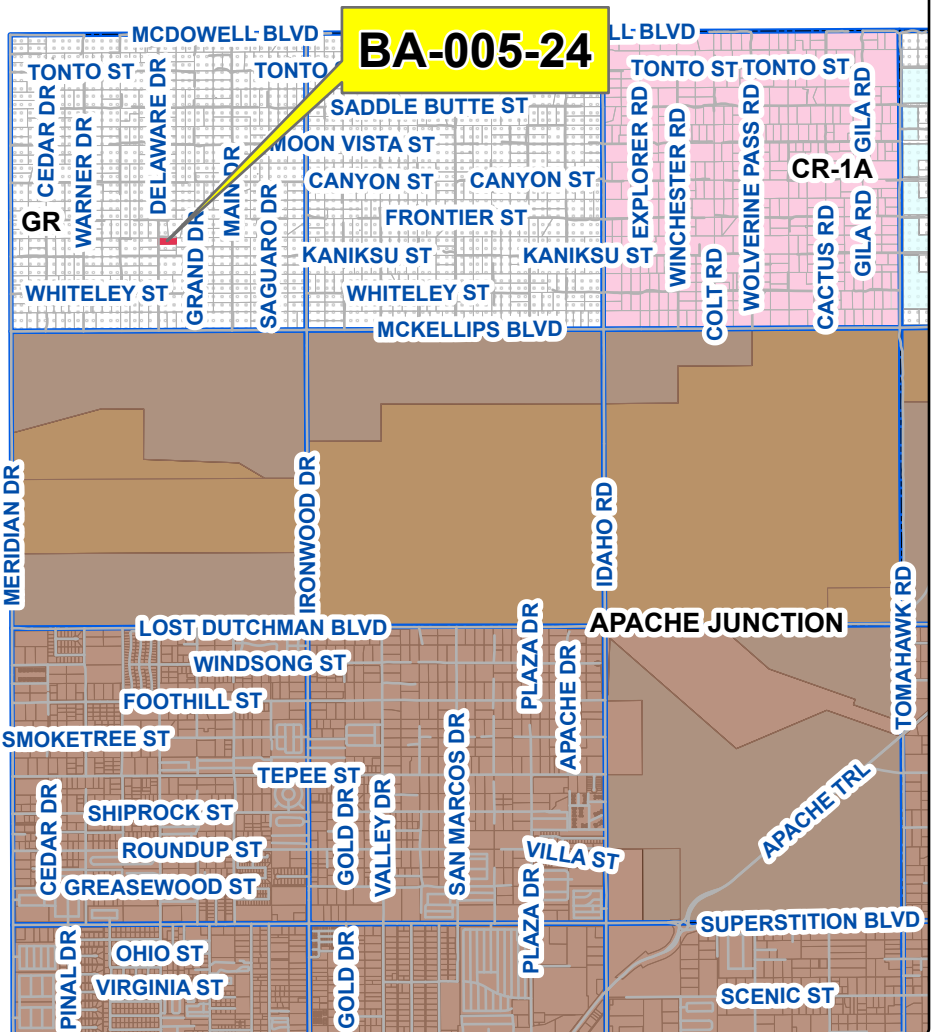


Board of Adjustment
Land Status

Legend

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

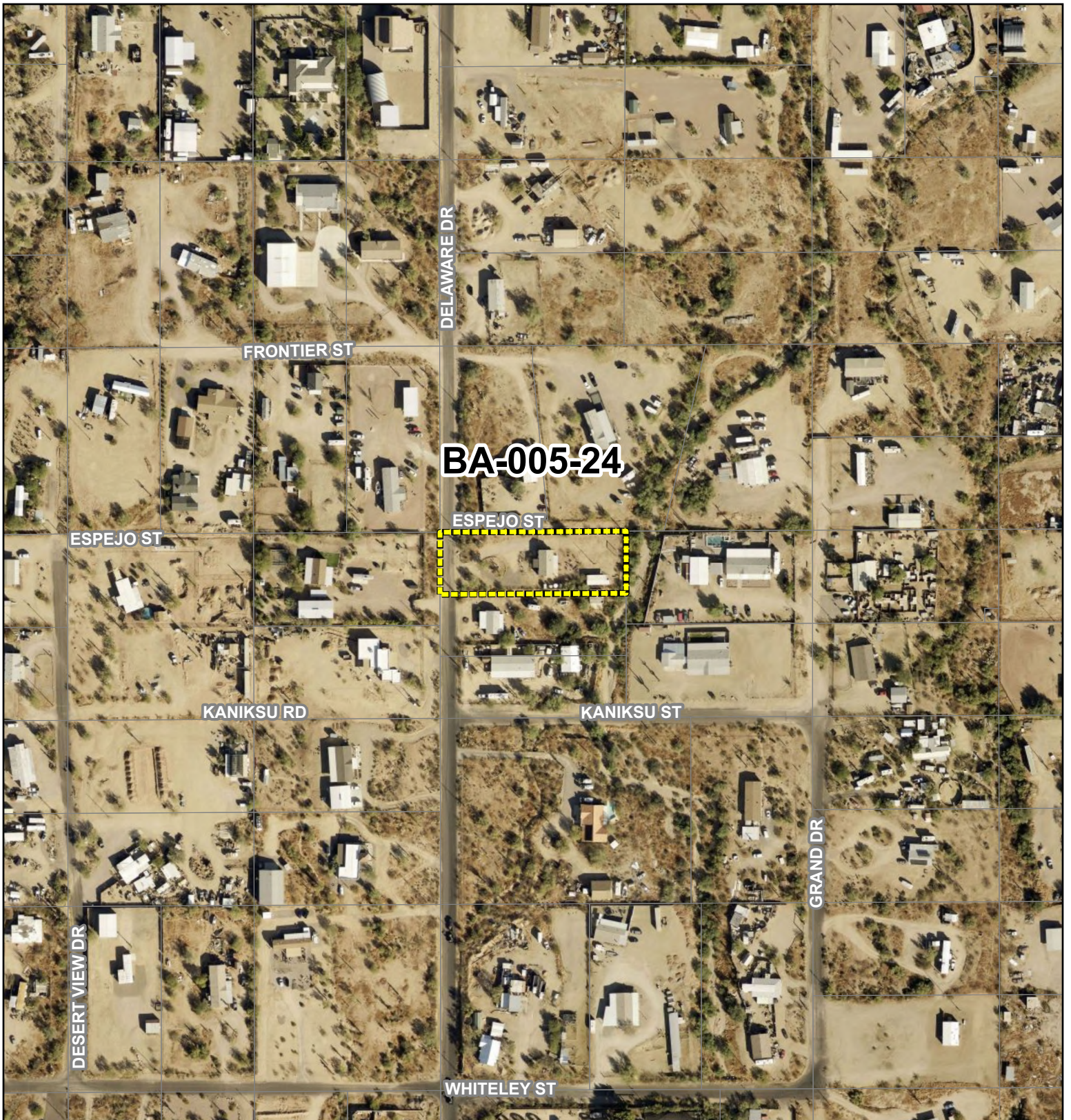




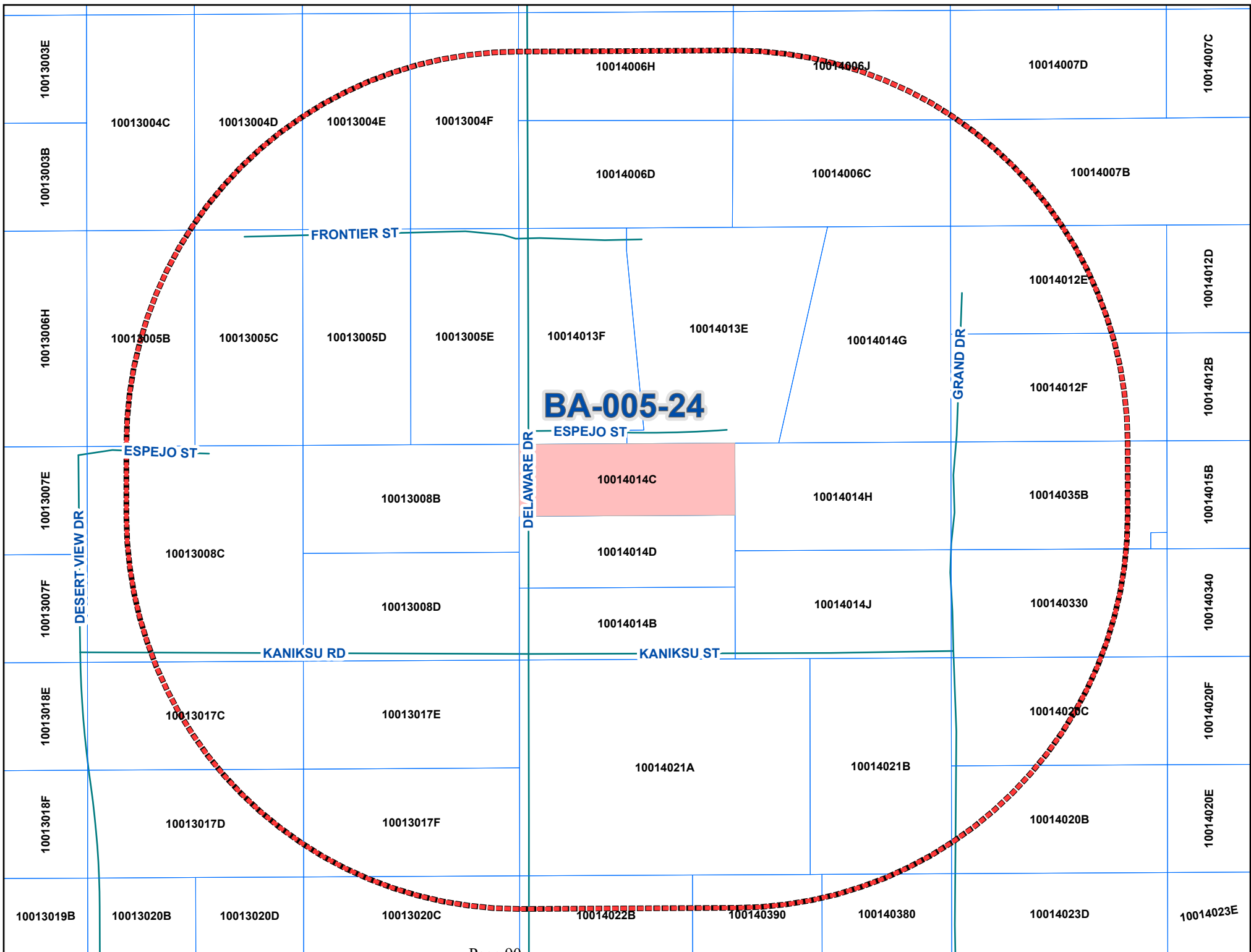
Board of Adjustment
Community Development



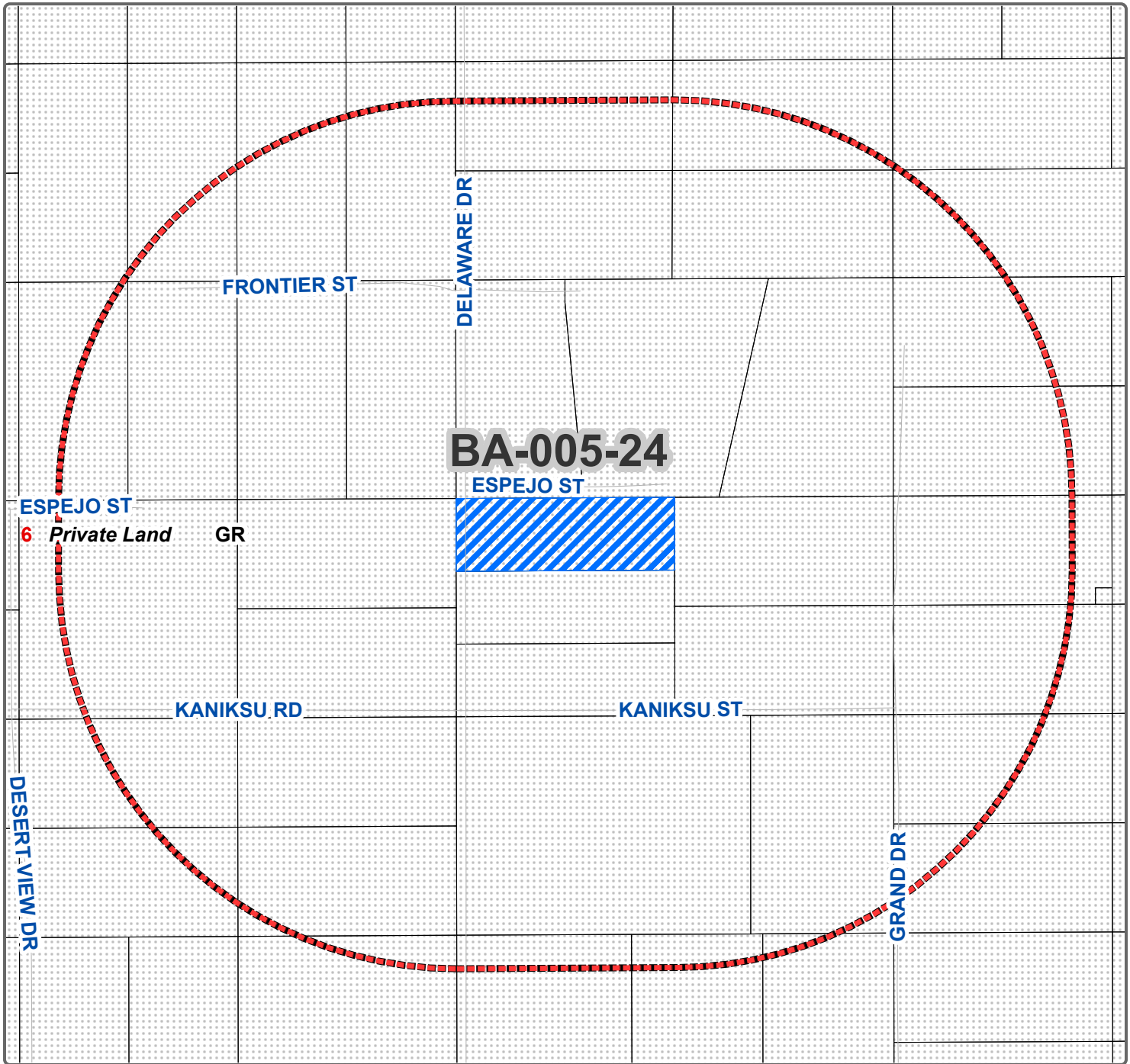
<p>Legal Description:</p> <p>Situated in Section 06, Township 01 North, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 100-14-014C (legal on file), located north of W. Kaniksu Street and east of N. Delaware Drive, Pinal County, Arizona.</p> <p align="center">Page 88 <small>SEC 06, TWN 01N, RNG 08E</small></p>		<p>Owner/Applicant: CECIL E. AND ALICE J. VICKERS</p>			
		<p>Drawn By: GIS / IT / RWH</p>	<p>Date: 01/25/2023</p>		
	<p>Sheet No. 1 of 1</p>	<p>Section 06</p>	<p>Township 01N</p>	<p>Range 08E</p>	
	<p>Case Number: BA-005-24</p>				



Board of Adjustment



BA-005-24



Board of Adjustment

BA-005-24 – PUBLIC HEARING/ACTION: Cecil E. and Alice J. Vickers, landowners/applicants, requesting a variance to Section 2.40.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to ±32,670 square feet (0.75 acres) for a 0.75 acres parcel in the General Rural Zoning District (GR); situated in Section 06, Township 01 North, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 100-14-014C (legal on file), located north of W. Kaniksu Street and east of N. Delaware Drive, Pinal County, Arizona.

Current Zoning: GR

Requested Zoning: Board of Adjustment

Current Land Use: VLDR



Legal Description:
 Situated in Section 06, Township 01 North, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 100-14-014C (legal on file), located north of W. Kaniksu Street and east of N. Delaware Drive, Pinal County, Arizona.

SEC 06, TWN 01N, RNG 08E



Owner/Applicant: CECIL E. AND ALICE J. VICKERS		
Drawn By: GIS / IT /RWH	Date: 05/22/2024	
Section 06	Township 01N	Range 08E
Case Number: BA-005-24		

Sheet No.
1 of 1

REQUESTED ACTION AND PURPOSE: Requesting a variance to Section 2.40.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to ±32,670 square feet (0.75 acres) on parcel 100-14-014C to allow the parcel to be developed per the permitted uses of (GR) zoning district.

LOCATION: north of W. Kaniksu Street and east of N. Delaware Drive, Pinal County, Arizona

SIZE: ±0.75 acres

EXISTING ZONING AND LAND USE: The property is located in General Rural Zoning District (GR). It is currently being used as a Single Family Residential.

SURROUNDING ZONING AND LAND USE:

- North: Suburban Homestead Zoning District (SH) – Vacant Land
- South: Multiple Residence Zoning District (CR-4) – Single Family Residential
- East: Suburban Homestead Zoning District (SH) – Vacant Land
- West: Suburban Homestead Zoning District (SH) – Vacant Land

SITE DATA:

- Site is situated in Flood Zone X – an area of minimal flood hazard.
- The subject parcel includes a Manufactured Home along with a 40 feet x 40 feet Storage container. The property is equipped with necessary utilities, including water, septic, and gas.
- Parcel access is from N. Delaware Drive, classified as an Urban Minor Collector by ADOT.

HISTORY: The subject parcel was created in 1973 from the parent parcel 100-14-014B. At that date, the parcel 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 October 1972. To that, (GR) General Rural Zone allowed a minimum lot size of 12,000 square feet (0.28 acres). Thus, the subject parcel was approved and split at ±32,670 square feet (0.75 acres). In November of 1974, the County Zoning Plan was again amended and resulted in the (GR) Zone having new development standards that included an increase of minimum lot size to 54,450 square feet (1.25 acres). In every iteration of County Code since the 1974 amendment, (GR) has maintained the 54,450 square feet lot size requirement, which makes the subject parcel non-conforming to today’s standards.

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

Newspaper publish dates:	06/06/2024
Mail-outs:	week of 06/01/2024
Site Posting:	week of 06/01/2024
Website:	week of 06/01/2024

To date, no oppositions have been received.

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 size and shape are similar to two other adjacent parcels split from the same parent parcel 100-14-014B in 1973. 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 1974. This amendment significantly increased the minimum lot size of (GR) parcels to 54,450 square feet (1.25 acres), causing the property to become non-compliant.

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 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 establish a permitted use 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 created in 1973, and developed in compliance to the then existing standards. After the legally established parcel - by way of County action, changes to the development standards of the (GR) 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 ±32,670 square feet (0.75 acres), proving to be consistent with two other adjacent parcels, as well as complying with an allowable use to the (GR) Zoning District. Included in this report are stipulations that outline development standards that are rational to the subject parcel size.

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 2.40.010 of the County Development Services Code establishes that One-family dwelling unit, conventional construction, manufactured home, or mobile home, certain commercial agricultural uses, accessory building use, etc., are permitted in (GR) Zone. The applicant is seeking a variance to continue using the subject parcel in a code compliant way.

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-005-24) 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-005-24, Section 2.40.020 of the PCDS, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to \pm 32,670 square feet (0.75 acres), and applicable development standards on parcel 100-14-014C, to allow the permitted uses of (GR) Zoning District on a 0.75 acre parcel. 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: 32,670 square feet (0.75 acre).
 - B. Minimum lot width: 50 feet.
 - C. Minimum front setback: 30 feet.
 - D. Minimum side setbacks: 10 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: 7 feet.
 - iv. Minimum distance to front lot line: 60 feet.
 - v. Minimum distance to side and rear lot lines: 4 feet.
3. All agricultural, livestock, horses, and dairy uses are prohibited.

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

To Deny:

I move to deny the variance case BA-005-24, a variance to Section 2.40.020 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: 06/18/24 – Monika S.

DATE REVISED: 06/19/24 - Monika S.

County of Pinal } ss.

I hereby certify that the within instrument was filed and recorded

In DOCKET DKT 723 PAGE 608 and indexed in deeds

Fee No. 477117

at the request of TRANSAMERICA TITLE INSURANCE COMPANY

OCT 15 1973 12:45p

When recorded, mail to:

Dorothy P. Ondrasik
P. O. Box 716
Apache Junction, AZ 85220

Witness my hand and official seal.

WILLIAM S. TRUMAN, County Recorder,

By Georgette Godfrey
Deputy Recorder

Compared Photostated Fee: 4.00

Escrow #21003232-9 G. Godfrey

WARRANTY DEED

For the consideration of Ten Dollars, and other valuable considerations,

OTIS J. SLATER, a single man

hereafter called the Grantor, whether one or more than one, hereby conveys to

DOROTHY P. ONDRASIK, wife of Martin Ondrasik, as her sole and separate property

the following real property situated in Pinal County, Arizona, together with all rights and privileges appurtenant thereto, to wit:

The North 99.02 feet of the Southwest quarter of the Southwest quarter of the Northwest quarter of the Southeast quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Six (6), Township One (1) North, Range Eight (8) East of the Gila and Salt River Base and Meridian;

EXCEPT all oil, gas and other mineral deposits, as set forth in the Patent to said land.

Subject to current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record, the Grantor warrants the title against all persons whomsoever.

Dated this 11th day of September, 1973

Otis J. Slater
Otis J. Slater

STATE OF Oregon }
County of Marion } ss.

This instrument was acknowledged before me this 10th day of October, 1973, by Otis J. Slater

My commission will expire 3-22-76

Georgette Godfrey
Notary Public

STATE OF _____ }
County of _____ } ss.

This instrument was acknowledged before me this _____ day of _____, 19____, by _____

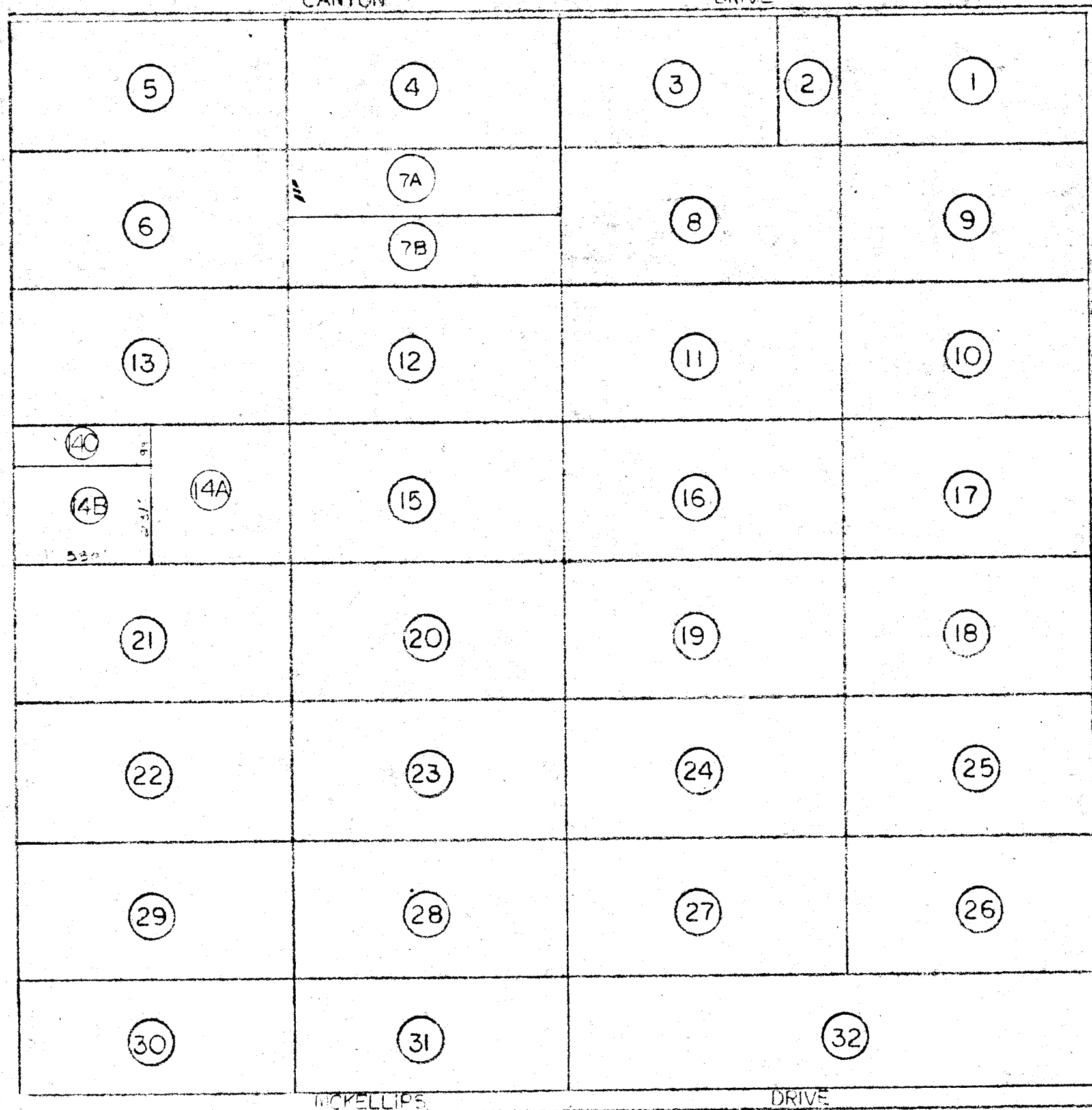
My commission will expire

Notary Public

SEE MAP 100-11

CANYON

DRIVE



SEE MAP 100-13

SEE MAP 100-09



SCALE 1"=300'

11-5-73

SEE MAP 100-12

McKELLIPS

DRIVE

100-14

100-14-019
 1/3/69
 3000
 19-1375
 46%

100-14-022
 8/25/69
 4750
 09-3000
 09-3785
 143%
 #386634

100-14-018
 12/28/70
 5500
 85-4000
 73%
 #409278

100-14007
 5-27-71
 5500
 85-4000
 73%

SEE MAP 100-11

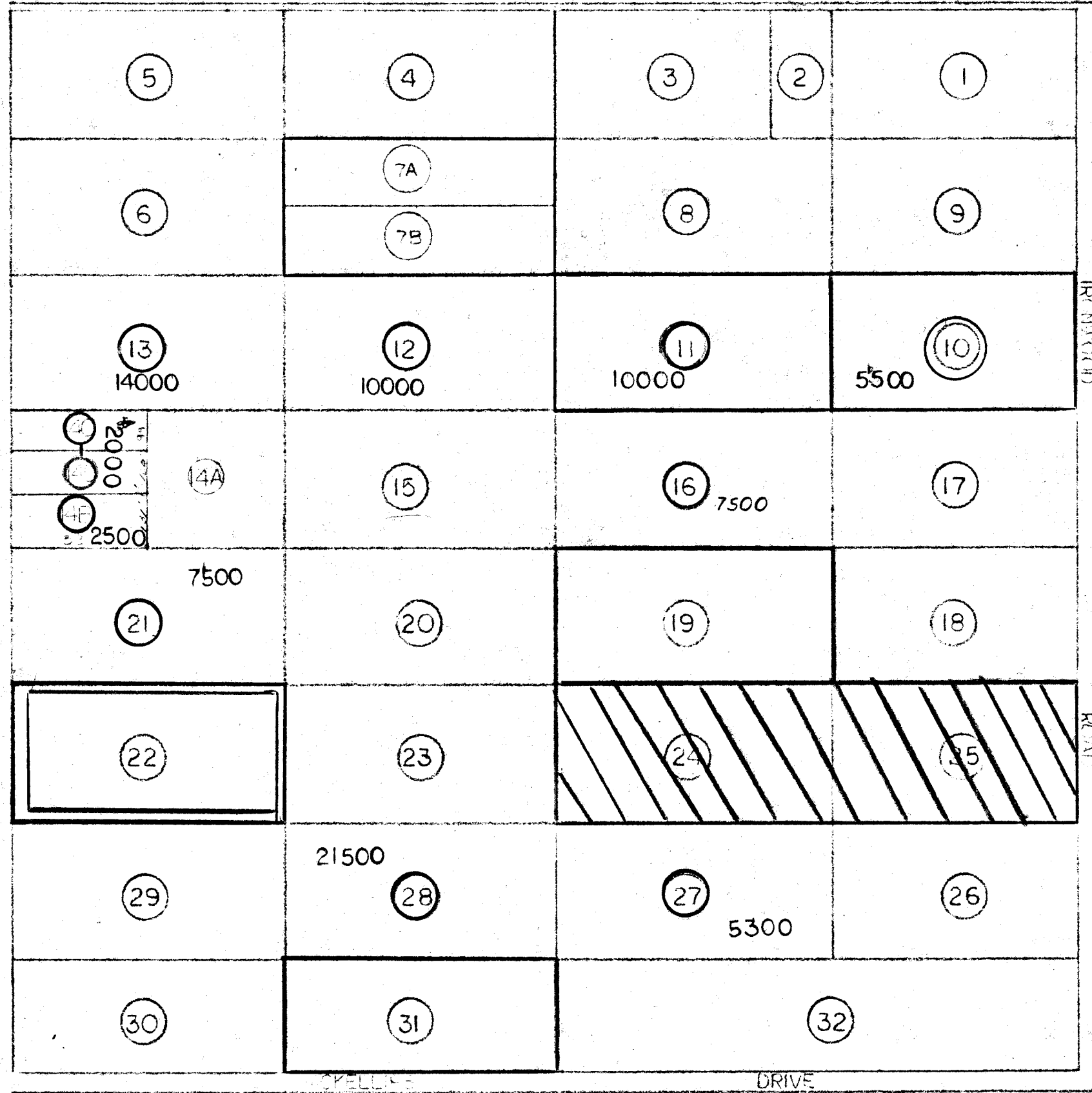
CANYON

DRIVE

SEE MAP 100-13

Roads to be built by
Coitany Electric Only

SEE MAP 100-09



SEE MAP 100-12

SCALE 1" = 300'

11-7-73





**PINAL COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES**

P.O. Box 2973, Florence, AZ 85132-2973
(520) 866-6442

PERMIT FEE \$220.00

**PERMIT EXPIRES on 10/09/2013
(6) MONTHS FROM DATE OF ISSUE**

**MOBILE / MANUFACTURED HOME INSTALLATION
PERMIT**

Name of Unit Owner: ALICE VICKERS
 Address: PO BOX 1 Phone: [REDACTED]
 City: YOUNG State: AZ Zip: 85554

ACTUAL LOCATION WHERE MOBILE/MANUFACTURED HOME WILL BE INSTALLED

Park Name: _____ Space #: _____
 Street/City/State/Zip: 4495 N DELAWARE DR 0001, APACHE JUNCTION, AZ 85120
 Tax Parcel # 10014014C Lot: _____ Map #: 006-06
 Section: 06 Township: 01N Range: 08E

UTILITY SERVICES & PROVIDER: Gas Type: _____ Waste Disposal: _____
 AC: _____ Electric: _____ Well: _____ Cooler: _____

SIZE OF ACCESSORIES: Patio: _____ Awning: _____ Skirting: _____
 Carport: _____ Porch: _____ Storage RM: _____ AZ RM: _____

UNIT IDENTIFICATION: Manufacturer: CAVCO
 Year: 2013 Model: _____ Size: 23X46
 Unit Serial Number: CAV110AZ13-12629AB Year Entered State: _____

Fee includes permit and three field inspections (two utility and one accessory). Any additional inspections will be charged at the rate of \$50.00 per inspection and pre-paid by owner or installer.

This permit authorizes the installation of the above described unit in the location given. It does not guarantee approval of said installation nor approval of any other permits that may be required by this or any other Department.

FOR OFFICE USE ONLY

PERMIT NUMBER: MH-029-13 DATE ISSUED: 4/9/2013 12:00:00 AM
 ISSUED BY: Jennie Bruninga SUPERVISOR DISTRICT: _____
 LICENSE NUMBER: 5956 I-10C FLOOD ZONE: _____
 INSTALLER'S NAME: TERRY GLEESON, GLEESON MOBILE HOME SERVICE
 ADDRESS: 931 E IMPALA AVE MESA, AZ, 85204
 HUD LABEL: Az 2 347054/57 FBB LABEL: _____

UTILITY	CONDITION of WORK	INSTALLER'S INSIGNIA No.	DATE	INSPECTOR'S INT.
Water	<i>Approved</i>	<i>Az I 000707</i>	<i>5-8-13</i>	<i>CDW</i>
Sewer	<i>Approved</i>	<i>H</i>	<i>5-8-13</i>	<i>CDW</i>
Gas	<i>Approved</i>	<i>.</i>	<i>5-8-13</i>	<i>CDW</i>
Electric	<i>Approved</i>	<i>Y</i>	<i>5-8-13</i>	<i>CDW</i>
Piers & Footings	<i>Approved</i>	<i>"</i>	<i>5-8-13</i>	<i>CDW</i>
Other				



PINAL COUNTY DEVELOPMENT SERVICES
MANUFACTURED HOME & PARK MODEL
RESIDENTIAL PERMIT APPLICATION

MH-029-13
For Office Use only

MANUFACTURED HOME PARK MODEL

1. HOME/UNIT OWNER Cecil and Alice Vickers PHONE [REDACTED]
MAILING ADDRESS PO Box 1 CITY Young ST AZ ZIP 85554

2. JOB/STREET ADDRESS: 4495 N. Delaware Dr

3. ASSESSOR'S PARCEL #: BOOK 100 MAP 14 PARCEL 014C

4. LEGAL DESCRIPTION: SECTION _____ TOWNSHIP _____ N/S, RANGE _____ E/W,

5. MOBILE/RV PARK _____ SPACE # _____

6. PROPERTY OWNER Cecil and Alice Vickers PHONE _____

MAILING ADDRESS PO Box 1 CITY Young ST AZ ZIP 85554

7. INSTALLER Gleason Mobile Home Svc. LICENSE # 5956 CLASS I-100 PHONE _____

MAILING ADDRESS _____ CITY _____ ST _____ ZIP _____

8. SETBACKS (FROM EAVES): FRONT 123 W LEFT SIDE 33 N RIGHT SIDE 29 S REAR 150 E

The setbacks should be measured from either the property line or future road right-of-way, whichever is more restrictive.

9. IS THERE A WASH/WATER COURSE ON THE PROPERTY? YES NO INITIAL AV

IF YES - DISTANCE FROM UNIT _____

10. UTILITIES: SEWER _____ SEPTIC GAS _____ LPG _____ ELEC WATER _____ WELL _____

11. EXISTING USE OF PROPERTY: MH PROPOSED USE: MH Replacement

12. TEMPORARY USE PERMIT _____ SPECIAL DENSITY PERMIT _____

13. MANUFACTURER: Carco SERIAL # CAV110AZ13-12629AB

SIZE: 46x23 Year: 2013

14. ACCESSORIES: AWNING/PATIO (SIZE) No CARPORT (SIZE) No

SKIRTING TYPE _____ STORAGE ROOM (SIZE) No NO. OF BEDROOMS 3

MANUFACTURED: THE \$150.00 FEE INCLUDES THE PERMIT AND THREE (3) FIELD INSPECTIONS: TWO UTILITY AND ONE ACCESSORY INSPECTION. ANY ADDITIONAL INSPECTION REQUIRED FOR COMPLIANCE WILL BE \$50.00 PER INSPECTION. COUNTY USE PERMITS AND STREET ADDRESSING FEES ARE EXTRA.

PARK MODELS: THE \$150.00 FEE INCLUDES THE PERMIT FOR THE PARK MODEL, AWNING & SHED, AND THREE (3) FIELD INSPECTIONS. ANY ADDITIONAL INSPECTION REQUIRED FOR COMPLIANCE WILL BE \$50.00 PER INSPECTION

I UNDERSTAND THAT THE MANUFACTURED HOME, PARK MODEL MAY NOT BE INSTALLED OR OCCUPIED PRIOR TO ISSUANCE OF THIS PERMIT. FURTHERMORE, I UNDERSTAND THAT APPROVAL OF THIS APPLICATION DOES NOT GUARANTEE APPROVAL OF THE INSTALLATION. FAILURE TO OBTAIN ALL NECESSARY PERMITS OR DISAPPROVAL OF IT MAY RESULT IN THE UNIT HAVING TO BE REMOVED FROM THE SITE.

I HEREBY CERTIFY THAT THIS APPLICATION AND ALL SUBMITTALS ARE TRUE AND CORRECT.

Alice Vickers
PRINT NAME

Alice Vickers
SIGNATURE OF OWNER/AGENT

4-3-13
DATE OF APPLICATION

SPECIAL CONDITIONS: 40-20-40

*****FOR OFFICE USE ONLY*****

AREA <u>N S E W</u>	NON-CONF _____	ZONING FEES <u>50</u> P/D <u>445616</u>
DISTRICT 1 <u>2 3</u>	ZONING <u>OR</u>	PERMIT FEE <u>150</u> P/D _____
INSPECTOR <u>TK</u>		ADDRESS FEES _____ P/D _____
IN HOUSE <u>97</u>		TOTAL _____ P/D _____
ZONING CLEARANCE FOR SEPTIC ISSUED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	Page 101	Pick up permit <input checked="" type="checkbox"/> A F CG O

**PINAL COUNTY PLANNING & DEVELOPMENT SERVICES
INSPECTION ENTRY STATEMENT**

PINAL COUNTY
wide open opportunity

Permit No. MH-029-13
 Inspection Date: 5-8-13 Time In: 11:20 Time Out: _____
 Property Owner: Vickers
 Installation Address: 41495 N. Delaware Pl.
 Installer: Gleeson MH Serv.
 License # & Class: _____ Phone No.: _____
 Manufacturer: _____ Year Built: _____ Insignia No.: A2I 000704
 Size: _____ HUD Label No.: A02 34705457 S.N.: _____

I acknowledge that I have read and understand the Inspection Rights on the back of this form.

 Print Name Property Owner _____ Owner's On-Site Representative _____
 [Check one of the above]

 Signature _____ No representative could be found whom to seek a signature
 _____ Contact refused to sign

INSPECTION REPORT

CODE SECTION VIOLATED	DESCRIPTION OF VIOLATION
	Approved under sewer (piping under house)
	Gas (h.p.)
	check / repair
	pieces / routing
	OK to skirt

INSPECTION FINDINGS

_____ Re-inspection fee DUE BEFORE NEXT INSPECTION
 _____ These Violations must be corrected by this date _____
 _____ Please call _____ between 8:00 & 9:00 a.m. at (520) 866-3442.

Gleeson
 Inspector's Name [PRINT]

 Inspector's Signature Date



**PINAL COUNTY
DEPARTMENT OF BUILDING SAFETY
BUILDING PERMIT**

1. TYPE OF PERMIT: Building/OWNER-BUILDER/RES/ADDITIONS PERMIT #: PER13-03209-N

2. JOB/STREET ADDRESS: 4495 N DELAWARE DR

3. ASSESSOR'S PARCEL #: BOOK 100 MAP 14 PARCEL 014-C SIZE OF PARCEL 0.75

4. LEGAL DESCRIPTION:

SUBDIVISION: _____ UNIT/BLOCK: _____ LOT: _____
TOWNSHIP: 01N RANGE: 08E SECTION: 06

5. PROPERTY OWNER(S):

ADDRESS: _____ CITY: _____ PHONE: _____
ST: _____ ZIP: _____

6. RENTER/TENANT:

ADDRESS: _____ CITY: _____ PHONE: _____
ST: _____ ZIP: _____

7. BUILDER/CONTRACTOR:

ADDRESS: _____ CITY: _____ PHONE: _____
ST: _____ ZIP: _____
CONTRACTOR STATE LICENSE #: _____ CLASS: _____

ACTUAL VALUATION

8. SETBACKS: FRONT 225 LEFT SIDE 6 RIGHT SIDE 90 REAR 28

(No. of feet from property lines to closest part of structures, including roof overhangs, awnings, eaves, etc.)

9. SQUARE FOOTAGE: LIVABLE 0 REMODEL 0 ACCESSORY 0 GARAGE 0 HEIGHT _____
CARPORT/PORCHES 0 TOTAL SQ.FT. 0 # OF STORIES _____ # OF BEDROOMS _____

10. UTILITIES: NO SELECTION, NO SELECTION

11. EXISTING USE: MH

12. PROPOSED USE: STORAGE CONTAINER

I hereby certify that this application and all submittals are true and correct. All laws and ordinances governing zoning, building, and health will be complied with whether specified herein or not. The granting of this permit does not presume to give authority to violate or cancel any other laws relating construction or the performance of same. It is the applicants responsibility that the structure on the property be located outside of any right of ways or easements and required setbacks from any right of ways or easement.

Alvin Vickers
SIGNATURE OF OWNER/AGENT

12/2/13
DATE OF ISSUE

Permit Expires 180 Days after Date of Issue or Date of Last Inspection

SPECIAL CONDITIONS:

(Certificate of Occupancy printed on request!)

Area	N	Plan CH Acct	\$0.00	Project No.	_____
Dist.	_____	Permit Fee:	\$0.00	Type Constr.	VB
Floodzone	_____	Other:	\$134.00	Occup. Class	R-3, U
Zoning	_____	Total:	\$134.00 402156	IFA Zone	001

PINAL COUNTY DEVELOPMENT SERVICES
BUILDING PERMIT APPLICATION

Building Permit #

Per 13-03209

TYPE OF APPLICATION: COMMERCIAL _____ RESIDENTIAL TENANT IMPROV _____ REMODEL/ADDITIONS _____ DEMO _____

JOB/STREET ADDRESS: 495 N. Delaware Dr.

ASSESSOR'S PARCEL #: BOOK 100 MAP 14 PARCEL 014C MLD# (IF APPLICABLE) _____

LEGAL DESCRIPTION: SUBDIVISION _____ UNIT/BLOCK _____ LOT _____

SECTION _____ TOWNSHIP _____ N/S, RANGE _____ E/W, SIZE OF PARCEL _____

PROPERTY OWNER(S)/RENTER/TENANT Cecil & Alice Vickers PHONE [REDACTED]

MAILING ADDRESS P.O. Box 1 CITY Young ST Az ZIP 86554

BUILDER/CONTRACTOR Self PHONE _____

MAILING ADDRESS _____ CITY _____ ST _____ ZIP _____

LICENSE # & CLASS _____

CLASS OF WORK: NEW _____ ALTERATION _____ ADDITION _____ ESTIMATED VALUE \$ _____

SETBACKS (FROM EAVES): FRONT 225 W LEFT SIDE 6' N RIGHT SIDE 90 S REAR 28 E

The setbacks should be measured from either the property line or future road right-of-way, whichever is more restrictive.

HEIGHT OF BUILDING 8' ARE THERE ANY OUTDOOR LIGHT FIXTURES ON BUILDING?? YES NO

IS THERE A WASH/ WATER COURSE ON THE PROPERTY? YES NO INITIAL AV

IF YES, WHAT IS THE DISTANCE FROM BUILDING? _____

A ONE TIME FEE OF \$20.00 MAY BE ASSESSED TO ALL PERMITS FROM THE PINAL COUNTY FLOOD CONTROL DISTRICT (FOR REVIEW OF WASHES, FLOOD PLAIN, FISSURES AND REGIONAL ROUTES) PAYABLE AT THE TIME OF PERMIT PICKUP.

RESIDENTIAL/COMMERCIAL SQUARE FOOTAGE: BASEMENT _____ 1ST FLOOR _____ 2ND FLOOR _____ GARAGE _____

CARPORIT/PORCHES _____ TOTAL SQUARE FOOTAGE _____ # OF STORIES _____ # OF BEDROOMS _____

ADDITIONS SQUARE FOOTAGE: LIVABLE _____ GARAGE _____ REMODEL _____ CARPORT/PORCHES/ENCLOSURES 320

UTILITIES: SEWER _____ SEPTIC _____ GAS _____ LPG _____ ELEC _____ WATER _____ WELL _____

SANITARY DIST/ CLEARANCE #: _____ GAS CO: _____ ELECTRIC CO: _____

EXISTING USE: MH PROPOSED USE: Storage Container

NOTE: (For FBB or temporary trailers, must provide Unit Serial# and FBB Insignia#) SERIAL# _____ INSIGNIA# _____

OFFICE WHERE YOU WANT TO PICK UP PERMIT: FLORENCE _____ CASA GRANDE _____ APACHE JCT _____ ORACLE _____

CONTACT PERSON (WHO DO WE CONTACT WHEN PERMIT IS READY FOR PICKUP AND/OR QUESTIONS?):

NAME _____ PHONE _____

I UNDERSTAND THAT APPROVAL OF THIS APPLICATION DOES NOT GUARANTEE APPROVAL OF THE ACTUAL CONSTRUCTION. I HEREBY CERTIFY THAT THE INFORMATION ON THIS APPLICATION AND ALL RELATED SUBMITTALS ARE TRUE AND CORRECT.

Alice Vickers
PRINT NAME PLEASE

X [Signature]
SIGNATURE OF OWNER/ AGENT

12/2/13
10/28/13
DATE OF APPLICATION

SPECIAL CONDITIONS: _____

FOR OFFICE USE ONLY

ADDRESS	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	ADDRESS FEES	P/D	TYPE OF CONSTR.	_____
AREA	<u>NO E W</u>	ZONING FEES	<u>50</u> P/D <u>455357</u>	OCCUP. CLASS	_____
DISTRICT	<u>103</u>	SUBMITTAL FEE	REC _____	PLANS EXAMINER	_____
FLOODZONE	_____	PLAN CHECK	REC _____	ACT. VALUATION	_____
NON-CONF	_____	PERMIT FEE	<u>84.00</u> REC <u>402156</u>	OCCUPANT LOAD	_____
ZONING	<u>OT2</u>			SPRINKLERED? Yes or NO	_____
INSPECTOR	<u>IK</u>			ECD:	<u>OTC</u>
IN-HOUSE	_____				
ZONING CLEARANCE FOR SEPTIC ISSUED	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>				

FIRE DISTRICT NOTIFICATION: _____

~~John~~

John. flumerfelt @ pinalcounty az . gov

PER 13-03209

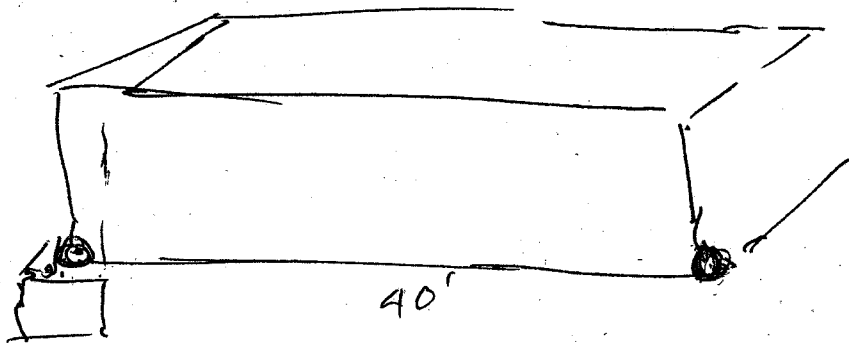
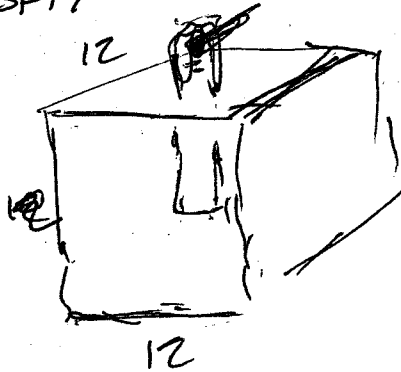
12/2/13

PLAN APPROVED

[Signature]
PINAL CO
BLDG SFTY

METAL STRAP
OR
BOLTS

BURIED
12"



REQUIRED FOR APPLICATION

A CONSIDERATION
OF FOUNDATION & HOLD DOWN

Hold down will be all four corners
in concrete buried 12" with ~~bolts~~
bolts and log chain.

AFTER RECORDING RETURN TO:

DL
Alice Vickers
4495 N. Delaware Dr.
Apache Junction, AZ 85120



OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
Dana Lewis

DATE/TIME: 03/11/2024 1028
FEE: \$30.00
PAGES: 3
FEE NUMBER: 2024-017304

THIS AREA RESERVED FOR COUNTY RECORDER

AFFIDAVIT OF AFFIXTURE

SEE INSTRUCTIONS ON REVERSE BEFORE COMPLETING

The legal description of the real property located in Pinal County, Arizona, to which the mobile home has been affixed is: N-99.02' of SW SW NW SE of SEC 6-1N - SE .75AC
(Attach copy if necessary)

Assessor's Parcel Number: 10014014C Check if mobile home is in Mobile Home Park:

PROPERTY TAXATION SECTION

The mobile home has has not been previously assessed or taxed in Arizona as personal property.

If previously assessed and taxed, give the account number [REDACTED] name and address of person(s) to whom the last tax statement was sent and the location of the mobile home when last taxed.

Name Alice J. Vickers Location Pinal County

Street Address 4495 N Delaware Drive

City Apache Junction State AZ ZIP 85120

Alice Juanita Vickers Print Complete Name (Seller) [REDACTED] Print Complete Name (Buyer or Owner)

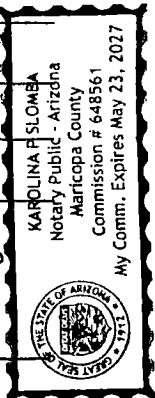
4495 N Delaware Drive Current Address [REDACTED] Current Address

Alice J. Vickers Signature [REDACTED] Signature

Signature [REDACTED] Signature [REDACTED]

The affiant (owner only) does hereby swear (or affirm) that the foregoing is a true and correct statement. Subscribed and sworn to before me this 22nd day of FEBRUARY, 2024.

[Signature] Notary Public My commission expires: MAY 23, 2027



ADOT RECEIPT FOR SURRENDERED MOBILE HOME DOCUMENTS

Year _____ Make _____ Manufacturer _____

List Price \$ _____ Size _____

MSO Number(s) _____ Title Number(s) _____ Film Number(s) _____

VIN _____
VIN _____
VIN _____
VIN _____

Dates Documents Issued _____

Lienholder Name _____

Lienholder Address _____

Lienholder Name _____

Lienholder Address _____

Received by: _____ Date: _____

ADOT/Motor Vehicle Division Agent

County

Our True North: Safely Home



Katie Hobbs, Governor
Jennifer Toth, Director
Wayde Webb, Deputy Director, MVD and Compliance
Eric R. Jorgensen, Division Director

ADOT RECEIPT FOR SURRENDERED MOBILE HOME DOCUMENTS

VIN CAV110AZ1312629A	Year 2013	Make CAVCO INDUSTRIES	Model CAVCO	Style MH
Factory List Price 18694	Manufacturer CAVCO INDUSTRIES INC	Length 46	Width 12	
Additional VINs CAV110AZ1312629B		Lien Holders		
Recieved By Maricopa County		Date 03/01/2024		

The surrender of the documents is subject to the regulations of the Department of Transportation, Motor Vehicle Division. If the mobile home has not been titled previously, the dealer must provide the list price.

ARIZONA DEPARTMENT OF TRANSPORTATION

Exhibit C

The North 99.02 feet of the Southwest quarter of the Southwest quarter of the Northwest quarter of the Southeast quarter of Section Six (6), Township One (1) North, Range Eight (8) East of the Gila and Salt River Base and Meridian.

EXCEPT all oil, gas and other mineral deposits as reserved in the Patent to said land recorded in Docket 259, page 157

WORLD'S

Exhibit C

The North 99.02 feet of the Southwest quarter of the Southwest quarter of the Northwest quarter of the Southeast quarter of Section Six (6), Township One (1) North, Range Eight (8) East of the Gila and Salt River Base and Meridian.

EXCEPT all oil, gas and other mineral deposits as reserved in the Patent to said land recorded in Docket 259, page 157

ACCEPTANCE OF COMMUNITY PROPERTY

(Grantee)

KNOWN ALL MEN BY THESE PRESENTS:

THAT **Cecil E Vickers and Alice J Vickers, husband and wife**

each being first duly sworn upon oath each for himself or herself and jointly but not one for the other deposes and says:

THAT I am one of the Grantees named in that certain Deed which is dated ~~February 25~~ ^{March 4,}, 2013, and executed by **Lisa Thompson, an unmarried woman** as Grantor, and **Cecil E Vickers and Alice J Vickers, husband and wife** as Grantee, and which instrument concerns the following described property:

The North 99.02 feet of the Southwest quarter of the Southwest quarter of the Northwest quarter of the Southeast quarter of Section Six (6), Township One (1) North, Range Eight (8) East of the Gila and Salt River Base and Meridian.

EXCEPT all oil, gas and other mineral deposits as reserved in the Patent to said land recorded in Docket 259, page 157

THAT we are acquiring our interest as Community Property with Right of Survivorship.

THAT each of us individually and jointly hereby assert and affirm, that it is our intention to accept said interest as community property with right of survivorship and to acquire any interest in, or any proceeds arising out of said property, not as tenants in common and not as joint tenants, but as Community Property with Right of Survivorship.

Cecil E Vickers
Cecil E Vickers Buyer

Alice J Vickers
Alice J Vickers Buyer

STATE OF ARIZONA)
) SS.
COUNTY OF Maricopa)

This instrument was acknowledged before me this 4 day of March, 2013 by:
Cecil E Vickers and Alice J Vickers, husband and wife

My Commission Expires: 3/10/16

[Signature]
Notary Public



AFFIDAVIT OF PROPERTY VALUE

1. ASSESSOR'S PARCEL IDENTIFICATION NUMBER(S)

Primary Parcel:	100-14-014C			
	BOOK	MAP	PARCEL	SPLIT

Does this sale include any parcels that are being split / divided?

Check one: Yes No

How many parcels, other than the Primary Parcel, are included in this sale? _____

Please list the additional parcels below (attach list if necessary):

(1) _____ (2) _____
 (3) _____ (4) _____

2. SELLER'S NAME AND ADDRESS:

Lisa Thompson
 8333 N 149th Drive
 Thornton, CO 80602

3. (a) BUYER'S NAME AND ADDRESS:

Cecil E. Vickers
 P.O. Box 1
 Young, AZ 85554

(b) Are the Buyer and Seller related? Yes No
 If Yes, state relationship: _____

4. ADDRESS OF PROPERTY:

4495 N Delaware Drive
 Apache Junction, AZ 85120

5. MAIL TAX BILL TO:

Cecil E. Vickers
 P.O. Box 1
 Young, AZ 85554

6. PROPERTY TYPE (for Primary Parcel): NOTE: Check Only One Box

- a. Vacant Land
- b. Single Family Resident
- c. Condo or Townhouse Home
- d. 2-4 Plex
- e. Apartment Building
- f. Commercial or Industrial Use
- g. Agricultural
- h. Mobile or Manufactured Home
- i. Other Use; Specify: _____

7. RESIDENTIAL BUYER'S USE: If you checked b, c, d or h in Item 6 above, please check one of the following:

- To be used as a primary residence.
- To be rented to someone other than a "family member."

See reverse side for definition of a "primary residence" or "family member."

8. If you checked e or f in Item 6 above, indicate the number of units:

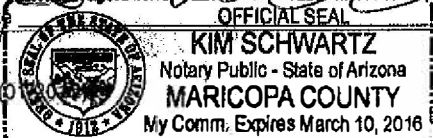
For Apartments, Motels / Hotels, Mobile Home / RV Parks, etc.

9. TYPE OF DEED OR INSTRUMENT (Check Only One Box):

- a. Warranty Deed
- b. Special Warranty Deed
- c. Joint Tenancy Deed
- d. Contract or Agreement
- e. Quit Claim Deed
- f. Other: _____

THE UNDERSIGNED BEING DULY SWORN, ON OATH, SAYS THAT THE FOREGOING INFORMATION IS A TRUE AND CORRECT STATEMENT OF THE FACTS PERTAINING TO THE TRANSFER OF THE ABOVE DESCRIBED PROPERTY.

Signature of Seller / Agent _____
 State of Arizona County of Maricopa
 Subscribed and sworn to before me on this 13 day of March, 2013
 Notary Public _____
 Notary Expiration Date _____



FOR RECORDER'S USE ONLY

PINAL COUNTY
DATE/TIME: 03/07/2013 0920
FEE NUMBER: 2013-018632

10. SALE PRICE: \$ 30,000.00 00

11. DATE OF SALE (Numeric Digits): 3/13
 Month / Year

12. DOWN PAYMENT \$ 30,000 00

13. METHOD OF FINANCING:
- a. Cash (100% of Sale Price)
 - b. Barter or trade
 - c. Assumption of existing loan(s)
 - d. Seller Loan (Carryback)
 - e. New loan(s) from financial institution:
 - (1) Conventional
 - (2) VA
 - (3) FHA
 - f. Other financing; Specify: _____

14. PERSONAL PROPERTY (see reverse side for definition):
- (a) Did the Sale Price in Item 10 include Personal Property that impacted the Sale Price by 5 percent or more? Yes No
- (b) If Yes, provide the dollar amount of the Personal Property:
- \$ 00 AND _____
- briefly describe the Personal Property: _____

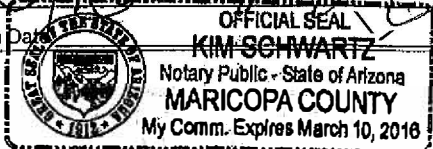
15. PARTIAL INTEREST: If only a partial ownership interest is being sold, briefly describe the partial interest: _____

16. SOLAR / ENERGY EFFICIENT COMPONENTS:
- (a) Did the Sale price in Item 10 include solar energy devices, energy efficient building components, renewable energy equipment or combined heat and power systems that impacted the Sale Price by 5 percent or more? Yes No
- If Yes, briefly describe the solar / energy efficient components: _____

17. PARTY COMPLETING AFFIDAVIT (Name, Address, Phone Number):
- SELLER AT ADDRESS ABOVE _____
 BUYER AT ADDRESS ABOVE _____
 PHONE: _____

18. LEGAL DESCRIPTION (attach copy if necessary):
SEE "LEGAL DESCRIPTION" ATTACHED HERETO.

Signature of Buyer Agent _____
 State of Arizona County of Maricopa
 Subscribed and sworn to before me on this 13 day of March, 2013
 Notary Public _____
 Notary Expiration Date _____



LEGAL DESCRIPTION

The North 99.02 feet of the Southwest quarter of the Southwest quarter of the Northwest quarter of the Southeast quarter of Section Six (6), Township One (1) North, Range Eight (8) East of the Gila and Salt River Base and Meridian.

EXCEPT all oil, gas and other mineral deposits as reserved in the Patent to said land recorded in Docket 259, page 157

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON **JUNE 27, 2024** AT THE PINAL COUNTY EMERGENCY OPERATIONS CENTER, 301 E. 11TH STREET IN FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A **VARIANCE** IN THE UNINCORPORATED AREA OF PINAL COUNTY.

BA-005-24 – PUBLIC HEARING/ACTION: Cecil E. and Alice J. Vickers, landowners/applicants, requesting a variance to **Section 2.40.020** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 acres) to ±32,670 square feet (0.75 acres) for a 0.75 acres parcel in the General Rural Zoning District (GR); situated in Section 06, Township 01 North, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 100-14-014C (legal on file), located north of W. Kaniksu Street and east of N. Delaware Drive, Pinal County, Arizona.

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 **21ST DAY OF MAY, 2024**

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

ANY WRITTEN STATEMENTS ARE ACCEPTED ON AN ONGOING BASIS, BUT WRITTEN STATEMENTS DESIRED TO BE A PART OF THE CASE PACKET FORWARDED TO THE BOARD OF ADJUSTMENTS IS REQUESTED TO BE PROVIDED TO STAFF BY THE TIMEFRAME SET BELOW:

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

Contact for this matter: Monika Smriti, e-mail address: monika.smriti@pinal.gov
Phone #: (520) 866-6294, Fax: (520) 866-6530

[Anything below this line is not for publication.]

PUBLISHED ONCE:
Pinal Central Dispatch

10013020C nbsp;nbsp;
EWERT JESSICA & KARL
2490 W WHITELEY ST
APACHE JUNCTION, AZ nbsp;8...

10014021B nbsp;nbsp;
O NEIL DONALD P TRUST
24930 GOLDCREST DR
BONITA SPRINGS, FL nbsp;341...

10014014H nbsp;nbsp;
O BRIEN RHONDA & AARON
4476 N GRAND DR
APACHE JUNCTION, AZ nbsp;8...

10014022B nbsp;nbsp;
DEATHERAGE BRIGID
2380 W WHITELEY ST
APACHE JUNCTION, AZ nbsp;8...

10014020C nbsp;nbsp;
WALK JAMES EDWARD
4375 N GRAND DR
APACHE JUNCTION, AZ nbsp;8...

10014035B nbsp;nbsp;
DRAPPO RICHIE & BETTY REV ...
1817 N 92ND ST
MESA, AZ nbsp;85207

100140390 nbsp;nbsp;
RICH RYAN
PO BOX 1141
APACHE JUNCTION, AZ nbsp;8...

10014014B nbsp;nbsp;
YAKEL CHRISTOPHER L
4455 N DELAWARE DR
APACHE JUNCTION, AZ nbsp;8...

10014012F nbsp;nbsp;
ESCAMILLA MARIA L
MAIL RETURN
, nbsp;8...

100140380 nbsp;nbsp;
KOHLER BRUCE & CYNTHIA
2256 W WHITELEY ST
APACHE JUNCTION, AZ nbsp;8...

10013008D nbsp;nbsp;
TALANCON CANDELARIO MEDI...
2610 N COUNTRY CLUB DR
SCOTTSDALE, AZ nbsp;85256

10013005B nbsp;nbsp;
LATIMER STEPHANIE
725 S POWER RD APT 217
MESA, AZ nbsp;85206

10013017D nbsp;nbsp;
TIDWELL KEITH & KATHLEEN
1922 N 66TH PL
MESA, AZ nbsp;85205

10014014J nbsp;nbsp;
JAMES BRUCE & SHAWNA L
2268 W KANIKSU ST
APACHE JUNCTION, AZ nbsp;8...

10013005C nbsp;nbsp;
FRONTIER GROUP
2525 W FRONTIER ST
APACHE JUNCTION, AZ nbsp;8...

10013017F nbsp;nbsp;
BELOVED'S INFINITE HOLDING...
4250 N DELAWARE DR
APACHE JUNCTION, AZ nbsp;8...

100140330 nbsp;nbsp;
VUKOVICH THOMAS & SARAI
4403 N GRAND DR
APACHE JUNCTION, AZ nbsp;8...

10013005D nbsp;nbsp;
MAGGARD BRION J & BUFFY A...
2477 W FRONTIER ST
APACHE JUNCTION, AZ nbsp;8...

10014020B nbsp;nbsp;
COLEMAN PAUL H & WANDA L
4357 N GRAND DR
APACHE JUNCTION, AZ nbsp;8...

10014014D nbsp;nbsp;
KNIGHT NICOLA N
4250 N MAIN DR
APACHE JUNCTION, AZ nbsp;8...

10013005E nbsp;nbsp;
HALL RUSTY
4528 N DELAWARE DR
APACHE JUNCTION, AZ nbsp;8...

10013017C nbsp;nbsp;
DOONAN JAMES KEITH & MELI...
4353 N DESERT VIEW DR
APACHE JUNCTION, AZ nbsp;8...

10013008C nbsp;nbsp;
PINKHAM JEANNETTE
4481 N DESERT VIEW DR
APACHE JUNCTION, AZ nbsp;8...

10014014G nbsp;nbsp;
MOORE BRANDON
5720 E MOCKINGBIRD ST
APACHE JUNCTION, AZ nbsp;8...

10013017E nbsp;nbsp;
RACHWITZ DEAN & LISA L LVIN...
4368 N DELAWARE DR
APACHE JUNCTION, AZ nbsp;8...

10013008B nbsp;nbsp;
WALKER IRVEN & SUSAN LIVIN...
1137 RIVER RD W
PLAINS, MT nbsp;59859

10014012E nbsp;nbsp;
MORRISON DAVID
1986 W HALF MOON CIR
QUEEN CREEK, AZ nbsp;85142

10014021A nbsp;nbsp;
ELMORE STEVEN P CO TRS
4377 N DELAWARE DR
APACHE JUNCTION, AZ nbsp;8...

10014014C nbsp;nbsp;
VICKERS ALICE J
4495 N DELAWARE DR
APACHE JUNCTION, AZ nbsp;8...

10014006D nbsp;nbsp;
WILSONCROFT RANDI
4607 N DELAWARE DR
APACHE JUNCTION, AZ nbsp;8...

10014006C nbsp;
WILSONCROFT RANDI
4607 N DELAWARE DR
APACHE JUNCTION, AZ 8...

10014013F nbsp;
WURTENBERG JOHN
PO BOX 5006
APACHE JUNCTION, AZ 8...

10014007B nbsp;
MIKESELL KATHY
7756 510TH ST
MENOMONIE, WI 54751

10013004C nbsp;
MAC CALLUM SCOTT
PO BOX 1174
APACHE JUNCTION, AZ 8...

10013004D nbsp;
MACCALLUM SCOTT D
PO BOX 1174
APACHE JUNCTION, AZ 8...

10013004E nbsp;
CNC TRUST
2474 W FRONTIER ST
APACHE JUNCTION, AZ 8...

10013004F nbsp;
CNC TRUST
2440 W FRONTIER ST
APACHE JUNCTION, AZ 8...

10014006H nbsp;
BRANDT BEAU
4671 N DELAWARE DR
APACHE JUNCTION, AZ 8...

10014006J nbsp;
VANDONSEL WILLIAM & MARILY...
6162 MATT STAFF RD
EAST HELENA, MT 59635

10014007D nbsp;
LEGGETT ELLEN
MAIL RETURN
, nbsp;

10014013E nbsp;
SMITH PATRICIA LYNN & DAVID ...
2301 W FRONTIER ST
APACHE JUNCTION, AZ 8...

AFFIDAVIT OF PUBLICATION

State of Texas, County of Bexar, ss:

Yuade Moore, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Pinal Central Dispatch, a newspaper published at Casa Grande, Pinal County, Arizona, Thursday 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 1 issues. The publications thereof having been on the following dates:

PUBLICATION DATES:

Jun. 6, 2024

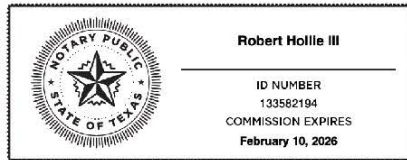
NOTICE ID: H2ckWiyg4X6sMCWteuG1

NOTICE NAME: BA-005-24

(Signed) Yuade Moore

VERIFICATION

State of Texas
County of Bexar



Subscribed in my presence and sworn to before me on this: 06/06/2024

[Signature]

Notary Public
Electronically signed and notarized online using the Proof platform.

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING BY
THE BOARD OF ADJUSTMENT
AND APPEALS AT 9:30 A.M.,
ON JUNE 27, 2024 AT THE
PINAL COUNTY EMERGENCY
OPERATIONS CENTER, 301 E.
11TH STREET IN FLORENCE,
ARIZONA, TO CONSIDER AN
APPLICATION FOR A VARIANCE
IN THE UNINCORPORATED
AREA OF PINAL COUNTY.
BA-005-24 – PUBLIC HEARING/
ACTION: Cecil E. and Alice J.
Vickers, landowners/applicants,
requesting a variance to Section
2.40.020 of the Pinal County
Development Services Code, to
allow a reduction in the minimum
required lot area from 54,450
square feet (1.25 acres) to ±32,670
square feet (0.75 acres) for a 0.75
acres parcel in the General Rural
Zoning District (GR); situated in
Section 06, Township 01 North,
Range 08 East of the Gila and Salt
River Baseline and Meridian, tax
parcel 100-14-014C (legal on file),
located north of W. Kaniku Street
and east of N. Delaware Drive,
Pinal County, Arizona.
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 21ST DAY OF MAY,
2024
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
ANY WRITTEN STATEMENTS
ARE ACCEPTED ON AN
ONGOING BASIS, BUT WRITTEN
STATEMENTS DESIRED TO
BE A PART OF THE CASE
PACKET FORWARDED TO THE
BOARD OF ADJUSTMENTS IS
REQUESTED TO BE PROVIDED
TO STAFF BY THE TIMEFRAME
SET BELOW:
PINAL COUNTY DEVELOPMENT
SERVICES
P.O. BOX 749

FLORENCE, AZ 85132
Contact for this matter: Monika
Smriti, e-mail address: monika.
smriti@pinal.gov
Phone #: (520) 866-6294, Fax:
(520) 866-6530
No. of publications: 1; date of
publication: Jun 06, 2024

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.

Nothing will change

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

N/A

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.

This is an improvement to property

(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: ¹_____ **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.

Alice Vickers 4495 N Delaware Drive
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.

Alice Vickers 4495 N Delaware Drive, Apache Junction, AZ
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.

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 _____ day of _____, 20____, at the office of _____ and is accurate and complete to the best of my knowledge.
(Source of Information)

On this _____ day of _____, 20____, before me personally appeared _____
(Name of signor)

Signature _____ Date _____

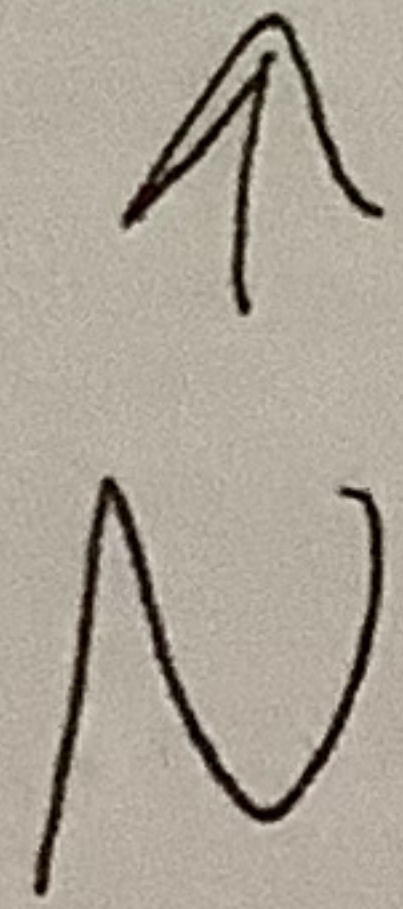
State of _____)ss.

(SEAL)

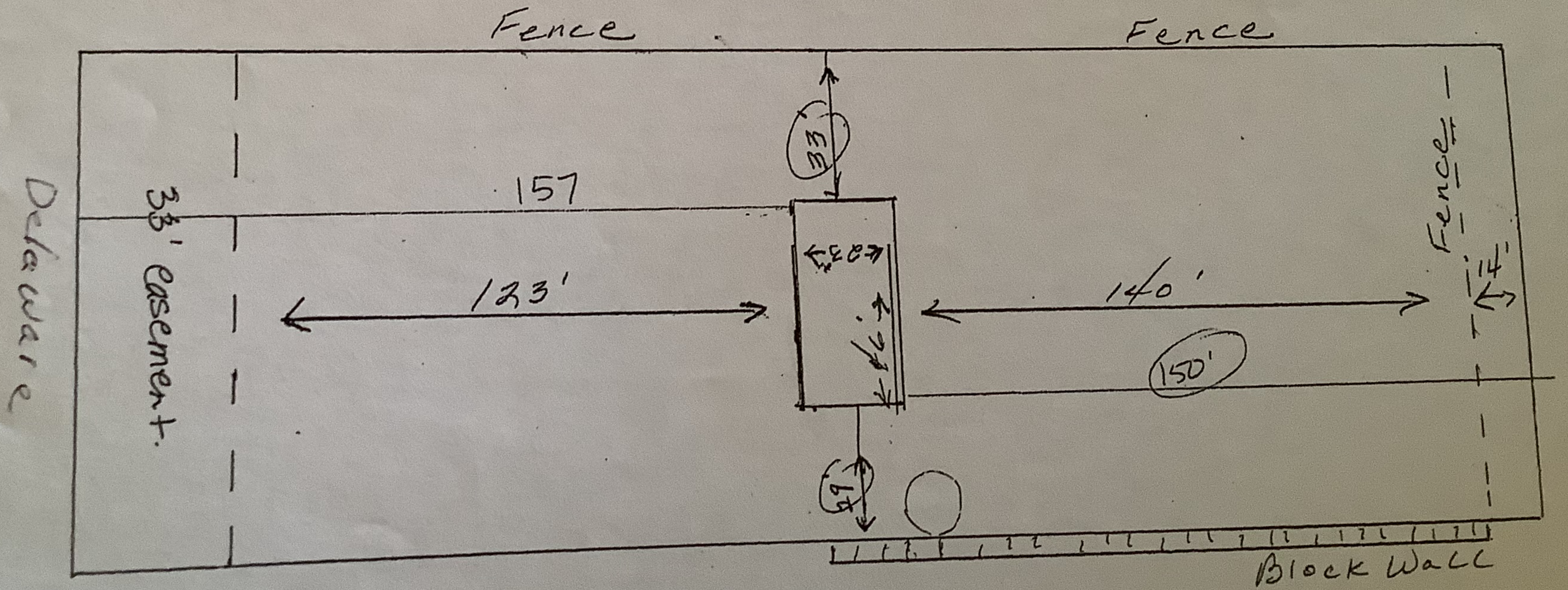
County of _____

My Commission Expires _____

Signature of Notary Public _____



Scale 1" = 40'



EWERT JESSICA & KARL
2490 W WHITELEY ST
APACHE JUNCTION, AZ 85120

O NEIL DONALD P TRUST
24930 GOLDCREST DR
BONITA SPRINGS, FL 34134

ESCAMILLA MARIA L
PO BOX 8001
APACHE JUNCTION, AZ 85178

DEATHERAGE BRIGID
2380 W WHITELEY ST
APACHE JUNCTION, AZ 85120

WALK JAMES EDWARD
4375 N GRAND DR
APACHE JUNCTION, AZ 85120

LATIMER STEPHANIE
725 S POWER RD APT 217
MESA, AZ 85206

RICH RYAN
PO BOX 1141
APACHE JUNCTION, AZ 85117

YAKEL CHRISTOPHER L
4455 N DELAWARE DR
APACHE JUNCTION, AZ 85120

FRONTIER GROUP
2525 W FRONTIER ST
APACHE JUNCTION, AZ 85120

KOHLER BRUCE & CYNTHIA
2256 W WHITELEY ST
APACHE JUNCTION, AZ 85120

TALANCON CANDELARIO MEDI...
2610 N COUNTRY CLUB DR
SCOTTSDALE, AZ 85256

MAGGARD BRION J & BUFFY A...
2477 W FRONTIER ST
APACHE JUNCTION, AZ 85120

TIDWELL KEITH & KATHLEEN
1922 N 66TH PL
MESA, AZ 85205

JAMES BRUCE & SHAWNA L
2268 W KANIKSU ST
APACHE JUNCTION, AZ 85120

HALL RUSTY
4528 N DELAWARE DR
APACHE JUNCTION, AZ 85120

BELOVED'S INFINITE HOLDING...
4250 N DELAWARE DR
APACHE JUNCTION, AZ 85120

VUKOVICH THOMAS & SARAI
4403 N GRAND DR
APACHE JUNCTION, AZ 85120

MORRISON DAVID
1986 W HALF MOON CIR
QUEEN CREEK, AZ 85142

COLEMAN PAUL H & WANDA L
4357 N GRAND DR
APACHE JUNCTION, AZ 85120

KNIGHT NICOLA N
4250 N MAIN DR
APACHE JUNCTION, AZ 85120

MIKESELL KATHY
7756 510TH ST
MENOMONIE, WI 54751

DOONAN JAMES KEITH & MELI...
4353 N DESERT VIEW DR
APACHE JUNCTION, AZ 85120

PINKHAM JEANNETTE
4481 N DESERT VIEW DR
APACHE JUNCTION, AZ 85120

MAC CALLUM SCOTT
PO BOX 1174
APACHE JUNCTION, AZ 85117

RACHWITZ DEAN & LISA L LVIN...
4368 N DELAWARE DR
APACHE JUNCTION, AZ 85120

WALKER IRVEN & SUSAN LIVIN...
1137 RIVER RD W
PLAINS, MT 59859

MACCALLUM SCOTT D
PO BOX 1174
APACHE JUNCTION, AZ 85117

ELMORE STEVEN P CO TRS
4377 N DELAWARE DR
APACHE JUNCTION, AZ 85120

DRAPPO RICHIE & BETTY REV ...
1817 N 92ND ST
MESA, AZ 85207

CNC TRUST
2474 W FRONTIER ST
APACHE JUNCTION, AZ 85120

CNC TRUST
2440 W FRONTIER ST
APACHE JUNCTION, AZ 85120

WURTENBERG JOHN
PO BOX 5006
APACHE JUNCTION, AZ 85178

BRANDT BEAU
4671 N DELAWARE DR
APACHE JUNCTION, AZ 85120

VANDONSEL WILLIAM & MARILY...
6162 MATT STAFF RD
EAST HELENA, MT 59635

LEGGETT ELLEN
MAIL RETURN

VICKERS CECIL E & ALICE J
4495 N DELAWARE DR
APACHE JUNCTION, AZ 85120

O BRIEN RHONDA & AARON
4476 N GRAND DR
APACHE JUNCTION, AZ 85120

WILSONCROFT RANDI
4607 N DELAWARE DR
APACHE JUNCTION, AZ 85120

MOORE BRANDON
5720 E MOCKINGBIRD ST
APACHE JUNCTION, AZ 85119

WILSONCROFT RANDI
4607 N DELAWARE DR
APACHE JUNCTION, AZ 85120

SMITH PATRICIA LYNN & DAVID ...
2301 W FRONTIER ST
APACHE JUNCTION, AZ 85120



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

June 27, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY: Monika Smriti/Brent Billingsley

Funds #:

Dept. #:

Dept. Name:

Director:

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

BA-006-24 – PUBLIC HEARING/ACTION: Alba and Jesus Zamorano, landowners/applicants, **requesting a variance** to Section 2.30.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 87,120 square feet (2.0 acre) to ±48,352 square feet (1.11 acre) for a 1.11 acre parcel in the Suburban Homestead Zoning District (SH); situated in Section 28, Township 07 South, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 401-64-0520 (legal on file), located south of E. Pinto Drive and east of Shetland Road, Pinal County, Arizona.

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
<input type="checkbox"/> Staff Report BA-006-24

MEETING DATE: JUNE 27, 2024

TO: PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

CASE NO.: **BA-006-24**

CASE COORDINATOR: MONIKA SMRITI, PLANNER

Executive Summary:

A Variance request by Alba and Jesus Zamorano (landowner & applicant) for allowance of a reduction to the minimum lot size from 87,120 square feet (2.0 acres) to ±48,352 square feet (1.11 acres) to allow for the construction of permitted uses of the Suburban Homestead Zoning District (SH) on parcel 401-64-0520. The parcel is part of a subdivision plat described as Villa Grande Rancheros, Unit 2, Replatted Lot 127, originally platted in 1973 and re-platted in 1976 in conformance with development standards of Pinal County Zoning Ordinance 1962, section 703, (SH) Zoning District, reflecting 1972 amendments. The parcel is currently vacant.

If This Request is approved:

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

Staff Recommendation/Issues for Consideration/Concern:

Staff offers a recommendation of approval with stipulations.

BA-006-24 – PUBLIC HEARING/ACTION: Alba and Jesus Zamorano, landowners/applicants, requesting a variance to Section 2.30.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 87,120 square feet (2.0 acre) to ±48,352 square feet (1.11 acre) for a 1.11 acre parcel in the Suburban Homestead Zoning District (SH); situated in Section 28, Township 07 South, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 401-64-0520 (legal on file), located south of E. Pinto Drive and east of Shetland Road, Pinal County, Arizona.



LEGAL DESCRIPTION: VILLA GRANDE RANCHEROS UNIT 2 REPLATTED LOT 127

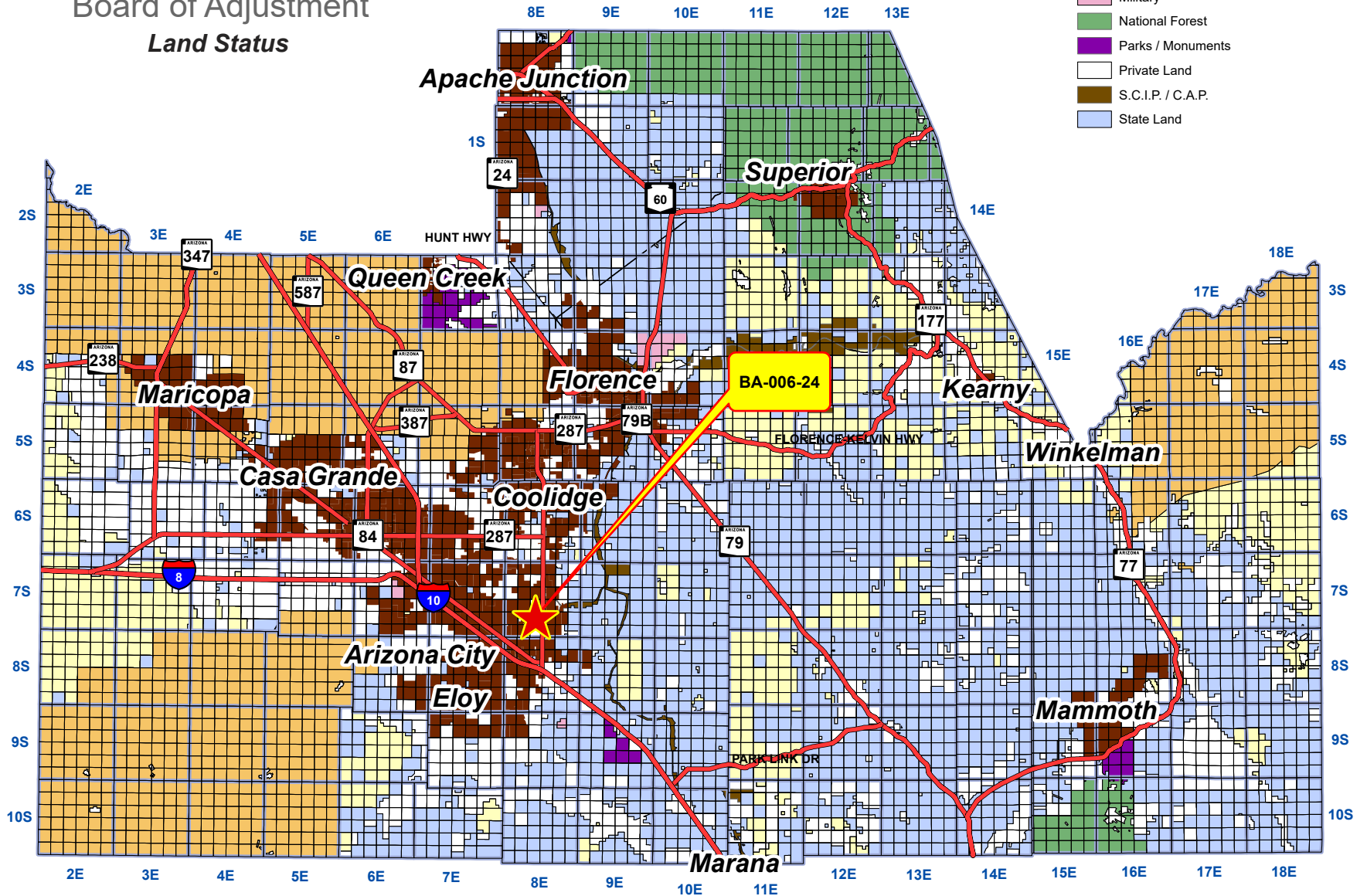
TAX PARCEL: 401-64-0520

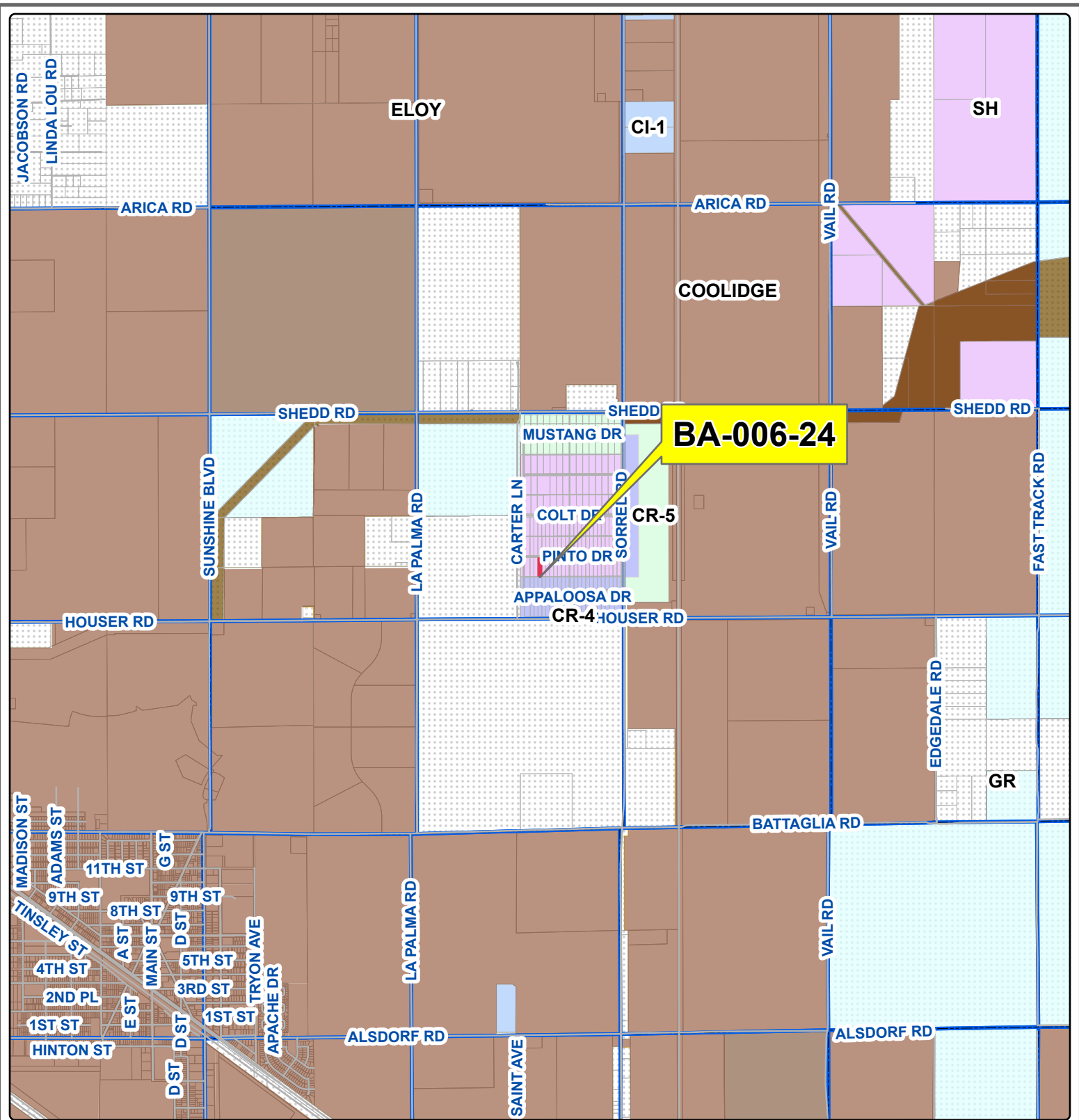
LANDOWNER/APPLICANT: Alba and Jesus Zamorano (landowner/applicant)

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:

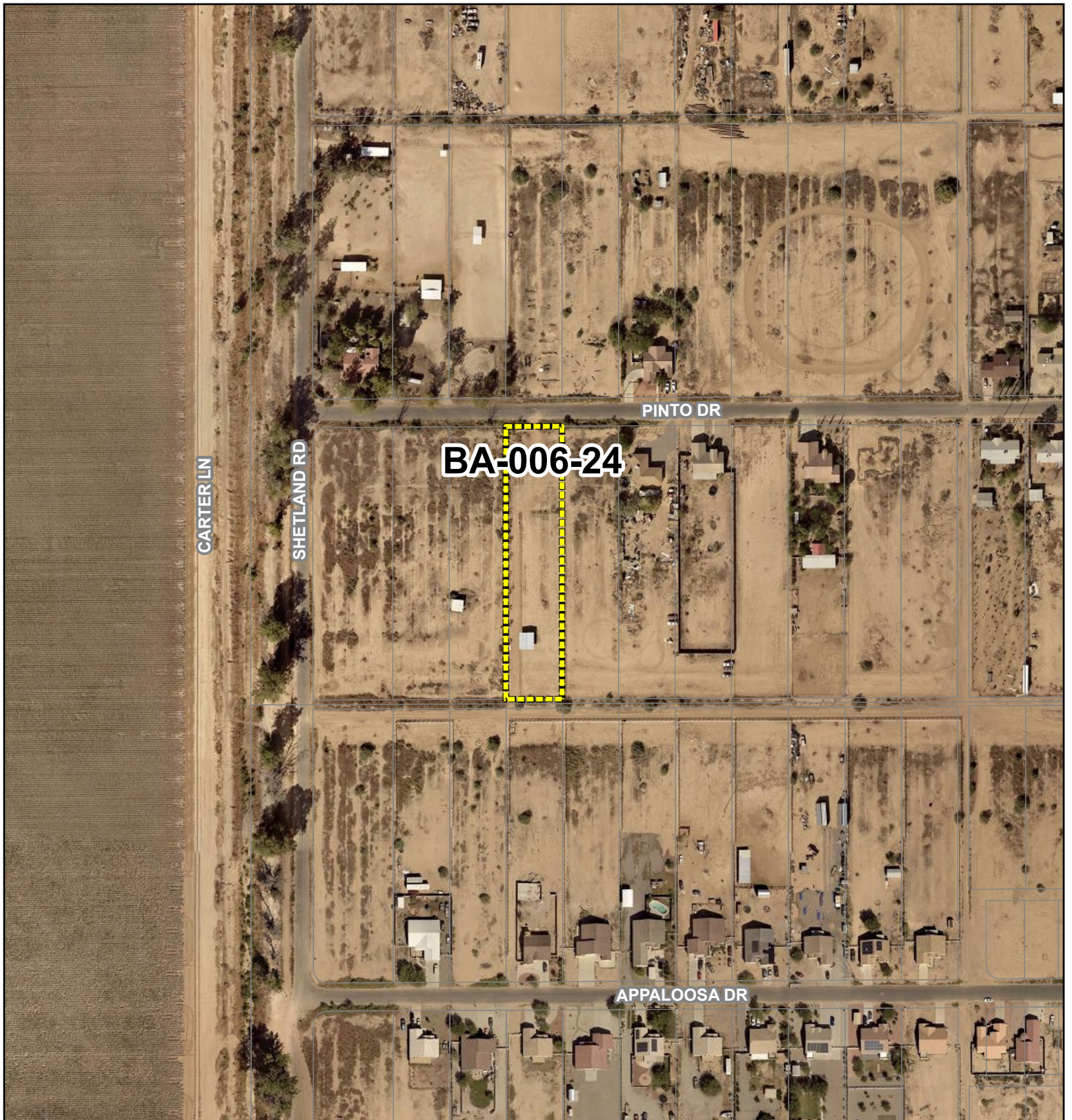
Situated in Section 28, Township 07 South, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 401-64-0520 (legal on file), located south of E. Pinto Drive and east of Shetland Road, Pinal County, Arizona.

Page 133
SEC 28, TWN 07S, RNG 08E

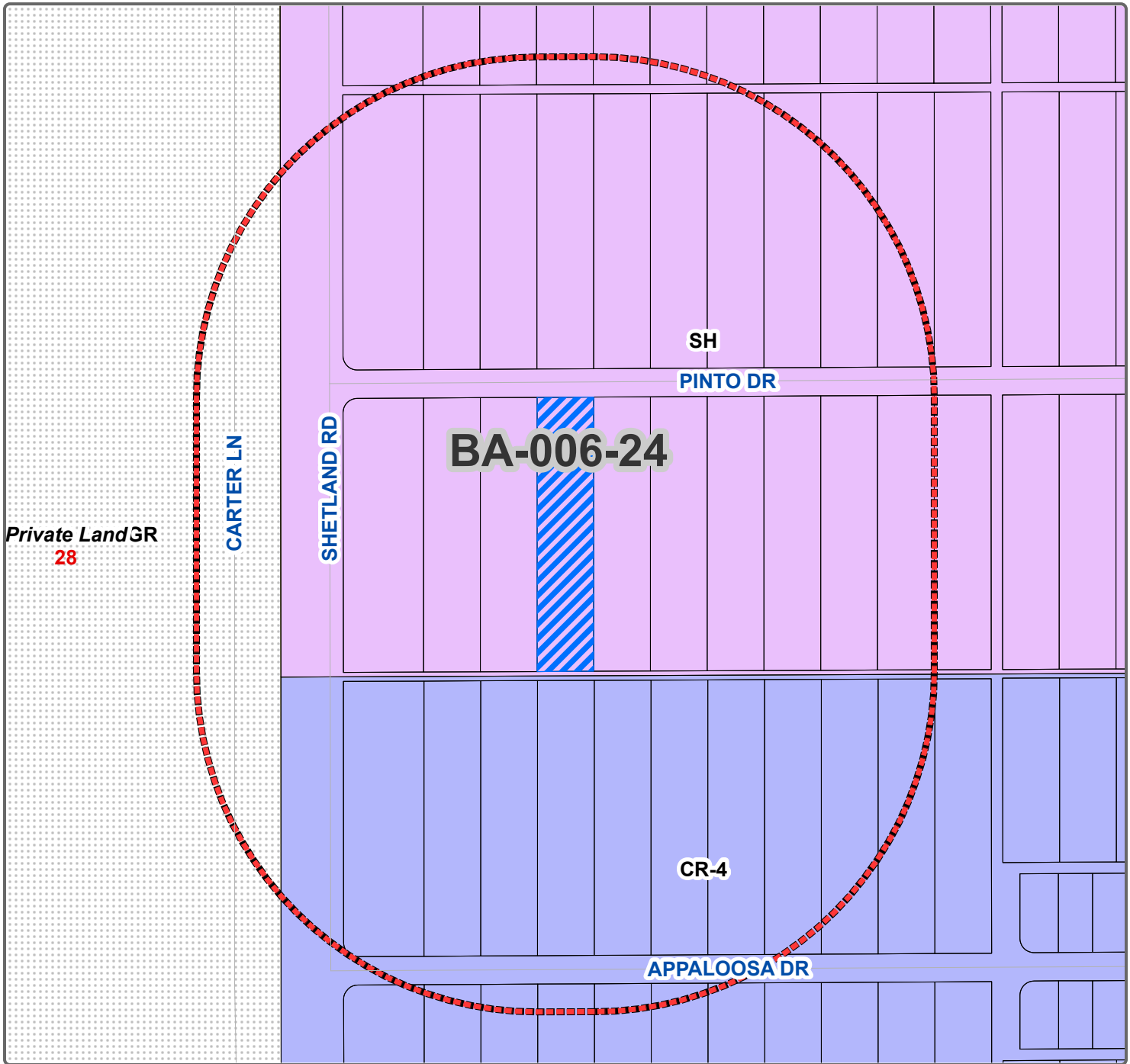


Owner/Applicant: ALBA AND JESUS ZAMORANO		
Drawn By: GIS / IT / RWH	Date: 05/22/2024	
Section 28	Township 07S	Range 08E
Case Number: BA-006-24		

Sheet No.
1 of 1



Board of Adjustment



Board of Adjustment

BA-006-24 – PUBLIC HEARING/ACTION: Alba and Jesus Zamorano, landowners/applicants, requesting a variance to Section 2.30.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 87,120 square feet (2.00 acre) to ±48,352 square feet (1.11 acre) for a 1.11 acre parcel in the Suburban Homestead Zoning District (SH); situated in Section 28, Township 07 South, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 401-64-0520 (legal on file), located south of E. Pinto Drive and east of Shetland Road, Pinal County, Arizona.

Current Zoning: SH Requested Zoning: Board of Adjustment Current Land Use: EMPLOYMENT



Legal Description:
 Situated in Section 28, Township 07 South, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 401-64-0520 (legal on file), located south of E. Pinto Drive and east of Shetland Road, Pinal County, Arizona.

SEC 28, TWN 07S, RNG 08E



Owner/Applicant: ALBA AND JESUS ZAMORANO		
Drawn By: GIS / IT /RW/ H	Date: 05/22/2024	
Section 28	Township 07S	Range 08E
Case Number: BA-006-24		

Sheet No.
1 of 1

REQUESTED ACTION AND PURPOSE: Requesting a variance to Section 2.30.020 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 87,120 square feet (2.0 acres) to ±48,352 square feet (1.11 acres) on parcel 401-64-0520 to allow the parcel to be developed per the permitted uses of (SH) zoning district.

LOCATION: South of E. Pinto Drive and East of Shetland Road, Pinal County, Arizona

SIZE: ±1.11 acres

EXISTING ZONING AND LAND USE: The property is located in the Suburban Homestead Zoning District (SH). It is currently vacant.

SURROUNDING ZONING AND LAND USE:

North: Suburban Homestead Zoning District (SH) – Vacant Land
South: Multiple Residence Zoning District (CR-4) – Single Family Residential
East: Suburban Homestead Zoning District (SH) – Vacant Land
West: Suburban Homestead Zoning District (SH) – Vacant Land

SITE DATA:

- Site is situated in Flood Zone X – an area of minimal flood hazard.
- 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.
- Parcel access is from E. Pinto Drive, classified as a Rural Local by ADOT.

HISTORY: The subject parcel is one of many parcels within the subdivision known as Villa Grande Rancheros, Unit (2), Replatted. The subdivision was approved and platted in 1973 and re-platted in 1976. 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 October 1972. To that, (SH) Suburban Homestead Zone allowed a minimum lot size of 43,560 square feet (1.10 acres). Thus, the subject parcel was approved and platted at ±48,352 square feet (1.11 acres). In December of 1982, the County Zoning Plan was again amended and resulted in the (SH) Zone having new development standards that included an increase of minimum lot size to 87,120 square feet (2.0 acres). In every iteration of County Code since the 1982 amendment, (SH) has maintained the 87,120 square feet lot size requirement, which makes the subject parcel non-conforming to today's standards and consequentially not allowing development.

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

Newspaper publish dates:	06/06/2024
Mail-outs:	week of 06/01/2024
Site Posting:	week of 06/01/2024
Website:	week of 06/01/2024

To date, no oppositions have been received.

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 – Villa Grande Rancheros, Unit 2, Replatted. 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 1982. This amendment significantly increased the minimum lot size of (SH) parcels to 87,120 square feet (2.0 acres), causing to property to become non-compliant.

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.

Development Services
Planning Division

- 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 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 establish a permitted use 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 utilizing 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 1973, re-platted in 1976, 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 (SH) 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 ±48,352 square feet (1.11 acres), proving to be consistent with adjacent parcels within its subdivision, as well as complying with an allowable use to 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 2.30.010 of the County Development Services Code establishes that One-family dwelling unit, conventional construction, manufactured home, or mobile home, certain commercial agricultural uses, guest ranch in accordance with the guest ranch regulations, etc., are permitted in (SH) Zone. The applicant is seeking a variance to use the subject parcel in a code compliant way.

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-006-24) 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-006-24, Section 2.30.020 of the PCDCS, to allow a reduction in the minimum required lot area from 87,120 square feet (2.0 acres) to ±48,352 square feet (1.11 acres), and applicable development standards on parcel 401-64-0520 Villa Grande Rancheros, Unit 2, Replatted, Subdivision, to allow the permitted uses of (SH) Zoning District on a 1.11 acre parcel. 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 setbacks: 10 feet.
 - E. Minimum rear setback: 40 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: 7 feet.
- iv. Minimum distance to front lot line: 40 feet.
- v. Minimum distance to side and rear lot lines: Four feet if not used to house poultry or small animals; 15 feet to side and rear lot lines if used to house poultry or small animals; 20 feet to side and rear lot lines if used to house livestock; and
- vi. A structure having a roof supported by columns, open on all sides, not enclosed in any manner, and used exclusively for the shading of livestock, feed or agricultural equipment and not used for housing livestock in any manner, shall not be considered a building and shall have a setback of 15 feet from side and rear lot lines.

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

To Deny:

I move to deny the variance case BA-006-24, a variance to Section 2.30.020 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: 06/18/24 – Monika S.

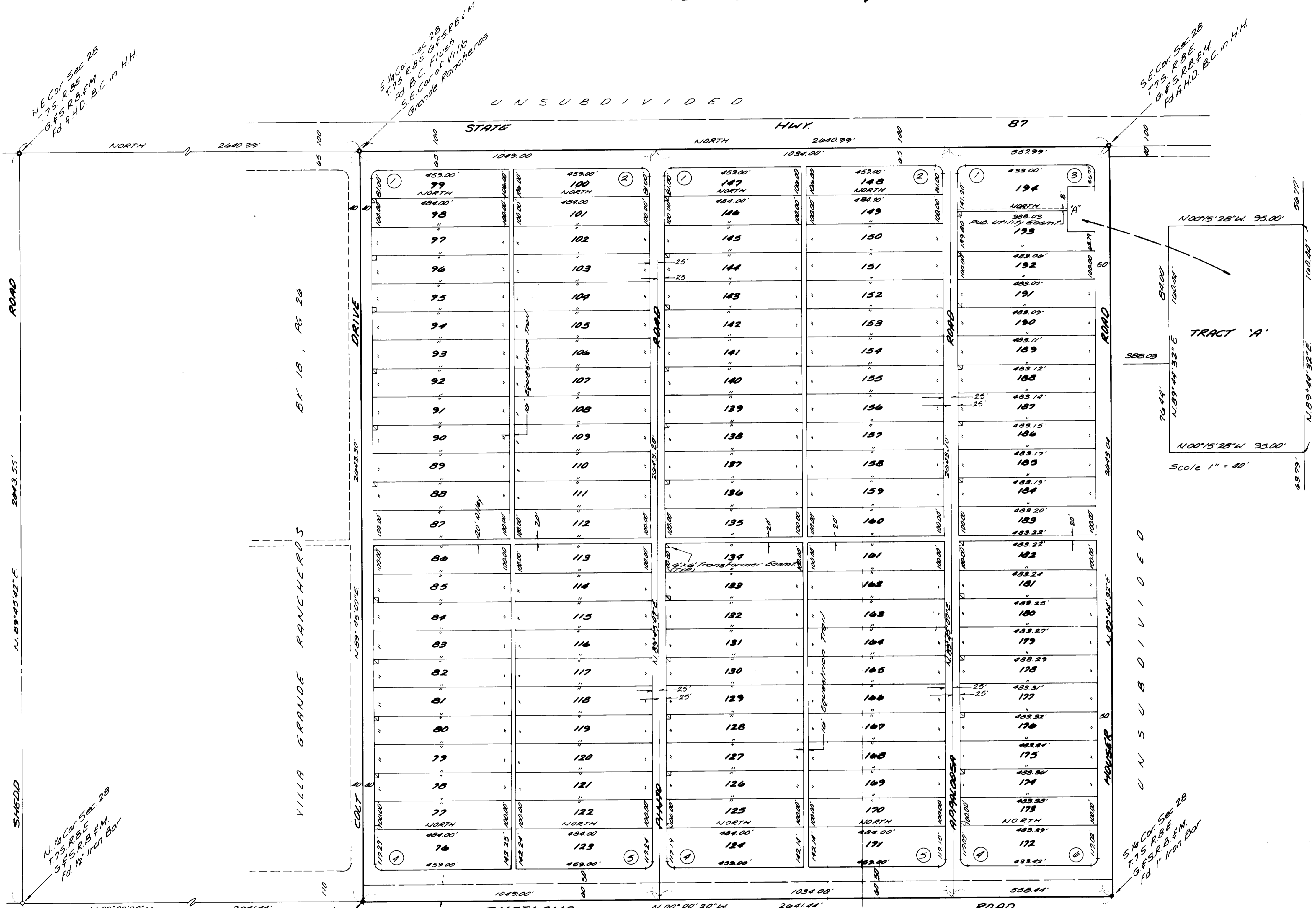
DATE REVISED: 06/19/24 - Monika S.

VILLA GRANDE RANCHEROS UNIT TWO REPLATTED

19-15

S.E. 1/4 Section 28, T.7S. R.8E. G. & S.R.B. & M. Pinal County, Ariz.
A Resubdivision of Villa Grande Rancheros Unit Two as
recorded in Bk. 19 Pg. 2 P.C.R.

STATE OF ARIZONA
County of Pinal
I hereby certify that the within
Instrument was filed and recorded
at request of Robert S. Johnson
Mar 2, 1977 2:50 PM
In Map Bk. 19 Page 15
Map Drawn 4 Map No. 16
Witness my hand and official seal
this day and year aforesaid.
M. LAM S. TRUMAN
County Recorder
Robert S. Johnson
Deputy Recorder
311-533802



DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That Continental Service Corporation, an Arizona Corporation as Trustee, has resubdivided under the name of Villa Grande Rancheros Unit Two replatted, Villa Grande Rancheros Unit Two as recorded in Book 19 Page 2 Records of Pinal County, Arizona as shown and plotted hereon, and hereby publishes this plat as and for the plat of Villa Grande Rancheros Unit Two replatted and hereby declares that said plat sets forth the location and gives the dimensions of the lots, streets, alleys, equestrian trails, and tract constituting same, and that each lot, street, and tract shall be known by the number, name or letter given to each respectively on said plat and that the Continental Service Corporation, as Trustee, hereby dedicates to the public, for use as such, the streets, alleys, and equestrian trails shown on said plat. Casesments are provided to the public for the uses shown. IN WITNESS WHEREOF, Continental Service Corporation, as Trustee and not personally, primarily, Transamerica Title Company, an Arizona Corporation, has hereunto caused its Corporate name to be signed and its Corporate seal to be affixed by the undersigned Trust Officer thereto duly authorized.

By: Kathryn Carnahan
Trust Officer

ACKNOWLEDGEMENT

State of Arizona
County of Maricopa
On this, the 22nd day of December, 1975 before me the undersigned officer personally appeared Kathryn Carnahan who acknowledged himself to be Trust Officer for Continental Service Corporation an Arizona Corporation and acknowledged that he, as such Trust Officer, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the Corporation as Trustee, by himself as such Trust Officer.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public Cheryl J. Woodmansee
My commission expires April 24, 1977

APPROVALS

Charles A. Guinn 2-20-77 Robert S. Johnson 2/23/76
County Zoning County Map Ass
Robert S. Johnson 2-26-75
County Engineer

DIRECTOR OF HIGHWAYS

Approved by the Board of Supervisors of Pinal County, Arizona, on this the 1st day of March, 1976.

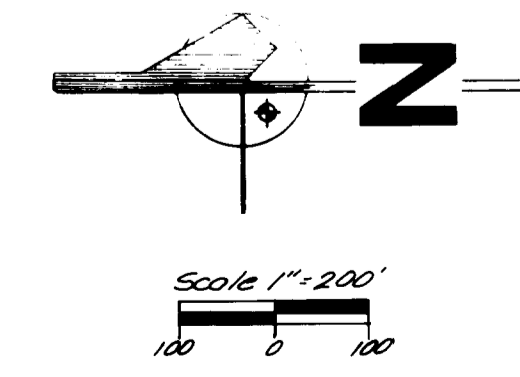
By: A. D. Hansen Attest Virginia Walver
Chairman Clerk

CERTIFICATION

This is to certify that the survey and subdivision of the premises described and plotted hereon was made under my direction during the month of December 1975. All control points were found as shown, or set with 1/2" iron bars. All lot corners were set with 1/2" iron bars.

Robert S. Johnson
Reg. Civil Engineer #6391

NO.	Δ	R	L	T
1	90° 44' 53"	24.89'	39.21'	25.00'
2	89° 45' 01"	25.11'	39.33'	25.00'
3	89° 44' 32"	25.11'	39.16'	25.00'
4	89° 45' 21"	25.11'	39.33'	25.00'
5	90° 44' 33"	24.89'	39.21'	25.00'
6	90° 45' 08"	24.89'	39.33'	25.00'



Col lines
6" x 6" Transformer Easement
(Do not fence or obstruct in any way.)



ASSOCIATED ENGINEERS
Civil Consultants
Phoenix Arizona

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON **JUNE 27, 2024** AT THE PINAL COUNTY EMERGENCY OPERATIONS CENTER, 301 E. 11TH STREET IN FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A **VARIANCE** IN THE UNINCORPORATED AREA OF PINAL COUNTY.

BA-006-24 – PUBLIC HEARING/ACTION: Alba and Jesus Zamorano, landowners/applicants, requesting a variance to **Section 2.30.020** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 87,120 square feet (2.00 acre) to ±48,352 square feet (1.11 acre) for a 1.11 acre parcel in the Suburban Homestead Zoning District (SH); situated in Section 28, Township 07 South, Range 08 East of the Gila and Salt River Baseline and Meridian, tax parcel 401-64-0520 (legal on file), located south of E. Pinto Drive and east of Shetland Road, Pinal County, Arizona.

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 MAY, 2024**

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

ANY WRITTEN STATEMENTS ARE ACCEPTED ON AN ONGOING BASIS, BUT WRITTEN STATEMENTS DESIRED TO BE A PART OF THE CASE PACKET FORWARDED TO THE BOARD OF ADJUSTMENTS IS REQUESTED TO BE PROVIDED TO STAFF BY THE TIMEFRAME SET BELOW:

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

Contact for this matter: Monika Smriti, e-mail address: monika.smriti@pinal.gov
Phone #: (520) 866-6294, Fax: (520) 866-6530

[Anything below this line is not for publication.]

PUBLISHED ONCE:
Pinal Central Dispatch

NAP , 	401640960 EVANS SEAN H 4160 E APPALOOSA DR ELOY, AZ 85131	401640500 GALAVIZ-HERRERA KARISSA 1105 N PALO VERDE ST ELOY, AZ 85131
NAP , 	401640950 LARGIN STEVEN 14348 KNAPPER RIDGE COVE HERRIMAN, UT 84096	401640510 GALAVIZ-HERRERA KARISSA 1105 N PALO VERDE ST ELOY, AZ 85131
401640980 ELK SPRINGS PROPERTIES LL... 580 W VIA DE PALMAS SAN TAN VALLEY, AZ 851...	401640940 FROST AUSTIN & TIFFANY M 4218 E APPALOOSA DR ELOY, AZ 85131	401640520 ZAMORANO ALBA & FELIPE 4035 N PALM CIR ELOY, AZ 85131
401640990 CZAPLEWSKI SHAWN 4161 E APPALOOSA DR ELOY, AZ 85131	401640930 TRUEBA MARGARET A 4248 E APPALOOSA DR ELOY, AZ 85131	401640530 SALAZAR NORBERTO URIBE MAIL RETURN ,
401641000 BRANT DIANNE & GREGGORY 4187 E APPALOOSA DR ELOY, AZ 85131	401640920 VAN EN DAVID & RYAN-VAN EN ... 4278 E APPALOOSA DR ELOY, AZ 85131	401640540 GARCIA JOE-MANUEL 4279 E PINTO DR ELOY, AZ 85131
401641010 MEJIA ANA MARIA 673 W CENTAL AVE COOLIDGE, AZ 85128	401640910 CARBAJAL RENE 413 E CHOLLA ST CASA GRANDE, AZ 85122	401640550 TELLEZ MARTIN ESEQUIEL & R... 4309 E PINTO DR ELOY, AZ 85131
401641020 RUTZ CHAZI BERTRAM 4249 E APPALOOSA DR ELOY, AZ 85131	401640900 CHRISTENSEN DAVID & HOLLI ... 4338 E APPALOOSA DR ELOY, AZ 85131	401640560 VALENZUELA DELIA AMPARO 10280 W ROSEMEAD DR CASA GRANDE, AZ 85194
401641030 CASTILLO ANISSA C 4279 E APPALOOSA DR ELOY, AZ 85131	401640890 MEZA EDUARDO VIDAL II 4368 E APPALOOSA DR ELOY, AZ 85131	401640570 PEREZ LEOPLDO MENDOZA 4369 E PINTO DR ELOY, AZ 85131
401641040 ABNEY JANET DEVONNE & JAM... 4309 E APPALOOSA DR ELOY, AZ 85131	401640880 ANDERSON SEAN 4400 E APPALOOSA DR ELOY, AZ 85131	401640580 FONSECA JUAN GERMAN ACO... MAIL RETURN ,
401640970 GONZALEZ LINDA Y 4369 E APPALOOSA DR ELOY, AZ 85131	401640490 MCCLEVE JOHN P & YVETTE 9633 E OSAGE AVE MESA, AZ 85212	401640590 CASTILLO ANISSA CELESTE 4279 E APPALOOSA DR ELOY, AZ 85131

401640480 nbsp;
WILSON CLIFFORD G TR
4120 E PINTO DR
ELOY, AZ nbsp;85131

401640010 nbsp;
FLOWERS VINCENT
4121 E COLT DR
ELOY, AZ nbsp;85131

401640470 nbsp;
WILSON CLIFFORD G TR
4120 E PINTO DR
ELOY, AZ nbsp;85131

401640020 nbsp;
KERN DANIEL R & PINE VICTO...
4161 E COLT DR
ELOY, AZ nbsp;85131

401640460 nbsp;
WILSON CLIFFORD G TR
4120 E PINTO DR
ELOY, AZ nbsp;85131

401640030 nbsp;
HARRIS CATHLEEN A
4187 E COLT DR
ELOY, AZ nbsp;85131

401640450 nbsp;
WILSON CLIFFORD G TR
4120 E PINTO DR
ELOY, AZ nbsp;85131

401640040 nbsp;
HARRIS CATHLEEN A
4187 E COLT DR
ELOY, AZ nbsp;85131

401640440 nbsp;
WILSON CLIFFORD G TR
4120 E PINTO DR
ELOY, AZ nbsp;85131

401640050 nbsp;
HERRERA KELSEA NICOLE
4279 E COLT DR
ELOY, AZ nbsp;85131

401640430 nbsp;
NEVAREZ RAY JR & AURORA
4278 E PINTO DR
ELOY, AZ nbsp;85131

401640060 nbsp;
HERRERA KELSEA NICOLE
4279 E COLT DR
ELOY, AZ nbsp;85131

401640420 nbsp;
VILLA PAULINO RIOS
PO BOX 925
QUEEN CREEK, AZ nbsp;85142

401640070 nbsp;
HOLLAND ALLEN G
4309 E COLT DR
ELOY, AZ nbsp;85131

401640410 nbsp;
SALAZAR LASARO U
248 N 85TH ST
MESA, AZ nbsp;85207

401480400 nbsp;
BOOL PROPERTIES LP
49 TREEHAVEN DR
SAN RAFAEL, CA nbsp;94901

401640400 nbsp;
SALAZAR LASARO U
248 N 85TH ST
MESA, AZ nbsp;85207

401640390 nbsp;
SALAZAR LASARO U
248 N 85TH ST
MESA, AZ nbsp;85207

AFFIDAVIT OF PUBLICATION

State of Texas, County of Bexar, ss:

Yuade Moore, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Pinal Central Dispatch, a newspaper published at Casa Grande, Pinal County, Arizona, Thursday 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 1 issues. The publications thereof having been on the following dates:

PUBLICATION DATES:

Jun. 6, 2024

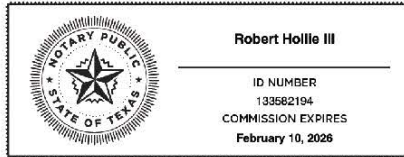
NOTICE ID: rpxp2e3RGkAJQssi8cwy

NOTICE NAME: BA-063-23

(Signed) Yuade Moore

VERIFICATION

State of Texas
County of Bexar



Subscribed in my presence and sworn to before me on this: 06/07/2024

[Signature]

Notary Public
Electronically signed and notarized online using the Proof platform.

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING BY
THE BOARD OF ADJUSTMENT
AND APPEALS AT 9:30 A.M.,
ON JUNE 27, 2024 AT THE
PINAL COUNTY EMERGENCY
OPERATIONS CENTER, 301 E.
11TH STREET IN FLORENCE,
ARIZONA, TO CONSIDER AN
APPLICATION FOR A VARIANCE
IN THE UNINCORPORATED
AREA OF PINAL COUNTY.
BA-063-23 – PUBLIC HEARING/
ACTION: Jason Patterson,
landowner/applicant, requesting
a variance to Section 2.70.020
of the Pinal County Development
Services Code, to allow a
reduction in the minimum required
lot area from 7,000 square feet
(0.16 acre) to ±6,534 square feet
(0.15 acre) for a 0.15 acre parcel
in the Single Residence Zoning
District (CR-3); situated in Section
32, Township 06 South, Range
05 East of the Gila and Salt River
Baseline and Meridian, tax parcel
503-74-5010 (legal on file), located
north of W. Mercer Drive and west
of S. Pepper Tree, Pinal County,
Arizona.
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 21ST DAY OF MAY,
2024.
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
ANY WRITTEN STATEMENTS
ARE ACCEPTED ON AN
ONGOING BASIS, BUT WRITTEN
STATEMENTS DESIRED TO
BE A PART OF THE CASE
PACKET FORWARDED TO THE
BOARD OF ADJUSTMENTS IS
REQUESTED TO BE PROVIDED
TO STAFF BY THE TIMEFRAME
SET BELOW:
PINAL COUNTY DEVELOPMENT
SERVICES
P.O. BOX 749

FLORENCE, AZ 85132
Contact for this matter: Monika
Smriti, e-mail address: monika.
smriti@pinal.gov
Phone #: (520) 866-6294, Fax:
(520) 866-6530
No. of publications: 1: date of
publication: Jun 06, 2024

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

None _____

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.

This is an undersized lot and we just want to build a single family residence. _____

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

New single family home built to Pinal County standards. _____

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.

This lot is located in a platted subdivision known as Villa Grande Rancheros, that was previously approved by Pinal County. There will be more lots that need variances as more people choose to build homes on these lots. If the variance is not granted to build a residence, the property is greatly hindered. Single family home is the highest beneficial use for this lot. _____

(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.

JESUS ZAMORANO 4219 E PINTO DR ELOY AZ 85131
Name of Applicant Address

 [Redacted] [Redacted]
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.

Alba Zamorano 4219 E PINTO DR ELOY AZ 85131
Name of Landowner Address

 [Redacted] [Redacted]
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.



PINAL COUNTY

WIDE OPEN OPPORTUNITY

AGENDA ITEM

June 27, 2024 ADMINISTRATION BUILDING A
FLORENCE, ARIZONA

REQUESTED BY: Glenn Bak/Brent Billingsley

Funds #:

Dept. #: 1030

Dept. Name: Community Development

Director: Brent Billingsley

BRIEF DESCRIPTION OF AGENDA ITEM AND REQUESTED BOARD ACTION:

BA-017-24 – PUBLIC HEARING/ACTION: Floyd Davis landowner/applicant, requesting a variance to Section 2.40.020 and Section 2.40.030 of the Pinal County Development Services Code (PCDSC), to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 ac) to 46,053 ± square feet (1.06 ± acres) and applicable development standards to allow the construction of a home on a 1.06 acre parcel in the General Rural Zone (GR), located within Section 18, T08S, R07E, Tax Parcel 408-07-186A (Lot 186 of Arizona City Estates Unit 3, legal on file) located northwest of Jewel Road and Naviska Dr., in Pinal County.

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:

Approve per staff report

History	Who	Approval
Time		

ATTACHMENTS:

Click to download

- [Packet](#)
- [powerpoint](#)

TO: PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

MEETING DATE: JUNE 27, 2024

CASE NUMBER: BA-017-24

CASE COORDINATOR: GLENN BAK, SENIOR PLANNER

SUPERVISOR DISTRICT: 3 MILLER

Executive Summary: This variance case is for a reduction in the minimum lot area requirements from 54,450 sq. ft. (1.25 acres) to 46,053 sq. ft. (1.06 acres). The property is vacant and the lot remains non-conforming and currently un-buildable.

If This Request is approved: This reduction in the minimum lot area requirements will bring the site into compliance in the General Zone (GR).

Staff Recommendation/Issues for Consideration/Concern:

Staff offers a recommendation of approval.

BA-017-24 – PUBLIC HEARING/ACTION: Floyd Davis landowner/applicant, requesting a variance to Section 2.40.020 and Section 2.40.030 of the Pinal County Development Services Code (PCDSC), to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 ac) to 46,053 ± square feet (1.06 ± acres) and applicable development standards to allow the construction of a home on a 1.06 acre parcel in the General Rural Zone (GR), located within Section 18, T08S, R07E, Tax Parcel 408-07-186A (Lot 186 of Arizona City Estates Unit 3, legal on file) located northwest of Jewel Road and Naviska Dr., in Pinal County.

LEGAL DESCRIPTION: Lot 186 of Arizona City Estates Unit 3

TAX PARCEL: 408-07-186A

LANDOWNER/APPLICANT: Floyd Davis

REQUESTED ACTION AND PURPOSE: Requesting a variance to Section 2.40.020 and Section 2.40.030 of the PCDSC, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 ac) to 46,053± square feet (1.06 ± acres) and applicable development standards to allow the construction of a on a 1.06 acre parcel.

LOCATION: Northwest of Jewel Road and Naviska Drive in unincorporated Pinal County, south of Casa Grande, AZ

SIZE: 46,053 sq. ft. (1.06 acres)

EXISTING ZONING AND LAND USE: GR – General Rural zone. The site is currently vacant.

SURROUNDING ZONING AND LAND USE:

North: General Rural (GR) Zoning. Vacant

South: General Rural (GR) Zoning. Vacant

East: General Rural (GR) Zoning. Vacant

West: General Rural (GR) Zoning. Vacant

SITE DATA: Flood zone X, area of minimal flood hazard.

HISTORY: The site was zoned residential in the 1954 zoning ordinance, then rezoned GR-General Rural and platted in 1964 in accordance with the 1962 zoning ordinance. The size requirement at the time of platting in the GR-General Rural zone was 12,000 sq. ft. Then, in the 1972 zoning ordinance, the minimum lot size for the GR-General Rural zone was changed to the current standard of 54,450 sq. ft., placing the lot in non-conformance. A house currently exists on the property and staff is unable to find permits for this property. In addition, there is an open code compliance case for building an addition to the dwelling without a permit.

To date, no public comments have been received.

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

Newspaper publish dates: 6/6/24 & 6/13/24

Mail-outs: 6/10/24

Site Posting: 6/5/24

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 parcel that is part of Arizona City Estates Unit 3, was platted prior to the 1972 amendment that changed the minimum lot size requirements for the site from 12,000 sq. ft. to 54,450 sq. ft. Before this change, the lot was in conformance per the 1962 zoning ordinance. Property lines are regular and there are no flood control issues or any known geologic constraints. Neighboring lots are of similar size; below the GR required 54,450 square feet lot size.

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 Arizona City Estates Unit 3 subdivision 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 parcel was created prior to the 1972 amendment that increased the minimum lot size of the site from 12,000 sq. ft. to 54,450 sq. ft. This increase in lot size requirement was caused by the county, so the 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 the house to exist and it would not allow the owner to obtain a building permit to come into zoning compliance.

FINDING: Staff finds that the strict application of the regulations would cause an unnecessary nonfinancial hardship and would deprive the owner of a replacement 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, this parcel was created legally through the plat process of the time. With the county lead changes to the zoning ordinance in 1972, the lot 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 a permitted use and allowing the parcel to come into compliance.

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 dwellings on similar-sized parcels in the subject area. Approval of this variance will allow an additional dwelling in the neighborhood on a similar-sized parcel.

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 bring the dwelling into compliance by obtain the required building permits.

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 parcel was created prior to the 1972 amendment that increased the minimum lot size from 12,000 sq. ft. to 54,450 sq. ft. in the GR zone
- The parcel is currently vacant
- Similar sized parcels in the area have single family dwellings.
- Hardship, preservation, and enjoyment of substantial existing property rights by the owner.
- 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. Due to size of parcel, some challenges may arise to meet septic requirements. Requirements per Arizona Administrative Code R18-9-A312.C. must be adhered to.

All submittals, presented evidence, written documentation, public testimony, and Planning Case Staff Report (BA-017-24), 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 denying the request.

BOARD MOTION

Staff Recommendation to Approve:

** (Staff recommends please cite a minimum of three findings)

*** (Suggested finding)

I move to approve case BA-017-24, Section 2.40.020 and Section 2.40.030 of the PCDSC, to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 ac) to 50,530 ± square feet (1.06 ± acres) and applicable development standards to allow the construction of a home on a 1.06 acre parcel in the General Rural Zone (GR), also to approve findings (s) (please cite a minimum of three findings in a-f) as set forth in the staff report. Subject to the following 2 stipulations:

1. Development Standards for the 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 setback: Ten feet each
 - E. Minimum rear setback: 40 feet
 - F. Maximum height: 30 feet
 - G. Detached Accessory Buildings.
 1. Permitted Coverage: 33 % of the total lot area
 2. Maximum height:
 - a. 20 feet;
 - b. 25 feet when located in the main building buildable area;
 3. Minimum distance to the main building: 7 feet
 4. Minimum distance to the front lot line: 40 feet
 5. Minimum distance to side and rear lot lines: 4 feet if not used to house poultry or small animals; 15 feet to side and rear lot lines if used to house poultry or similar small animals; 30 feet to side and rear lot lines if used to house livestock; and
 6. A structure having a roof supported by columns, open on all sides, not enclosed in any manner, and used exclusively for the shading of livestock, feed or agricultural equipment and not used for housing livestock in any manner, shall not be considered a building and shall have a setback of 15 feet from side and rear lot lines.
2. 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.

To Deny:



I move to deny case BA-017-24, a variance to Section of the PCDSC, to bring the lot into compliance by addressing the size issue, based on, based on the finding that the condition is neither peculiar nor exceptional to reduce the rear setback requirement specified by the PCDSC.

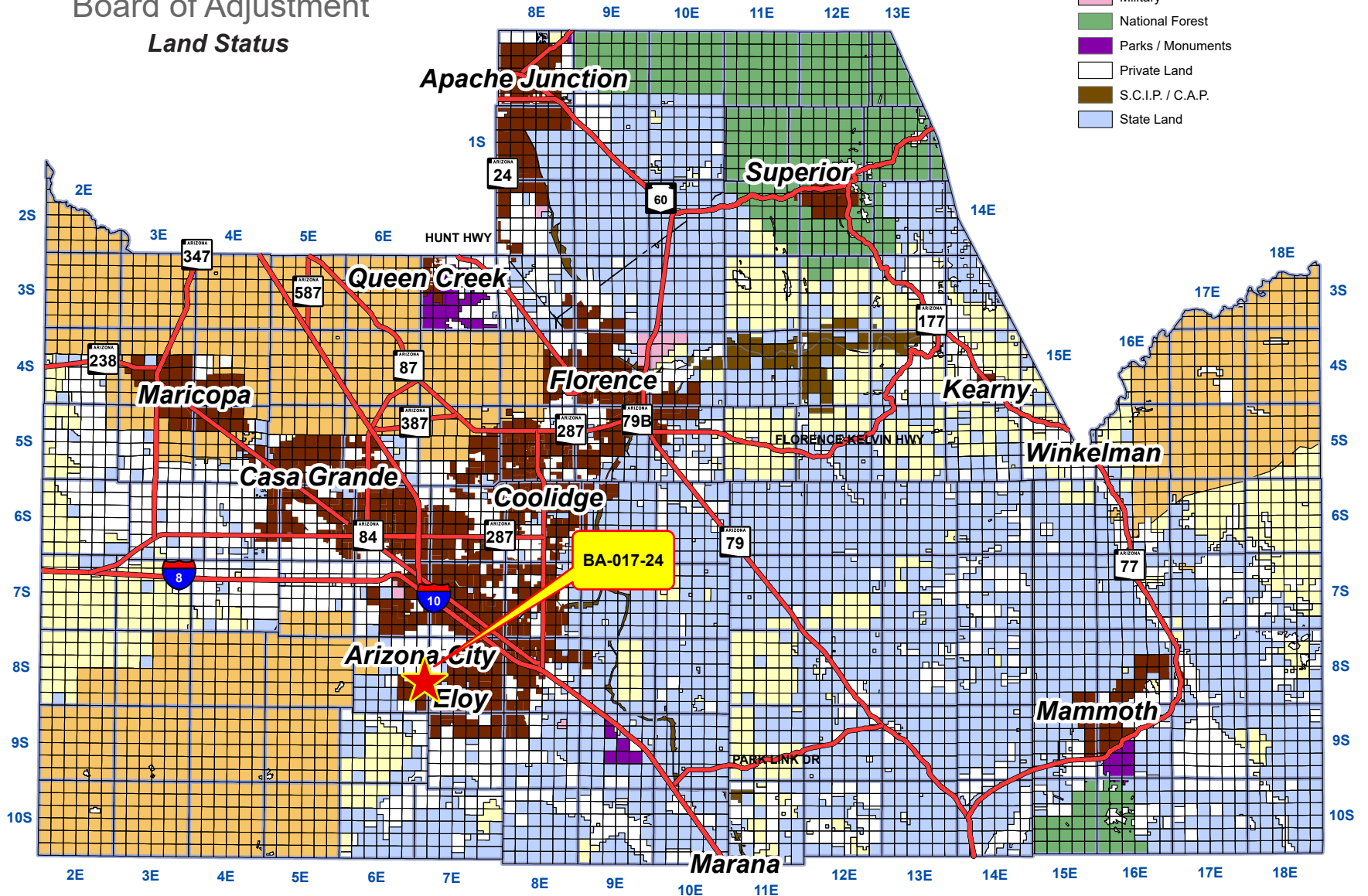
DATE PREPARED: 6/13/24

REVISED: 6/20/24

Board of Adjustment
Land Status

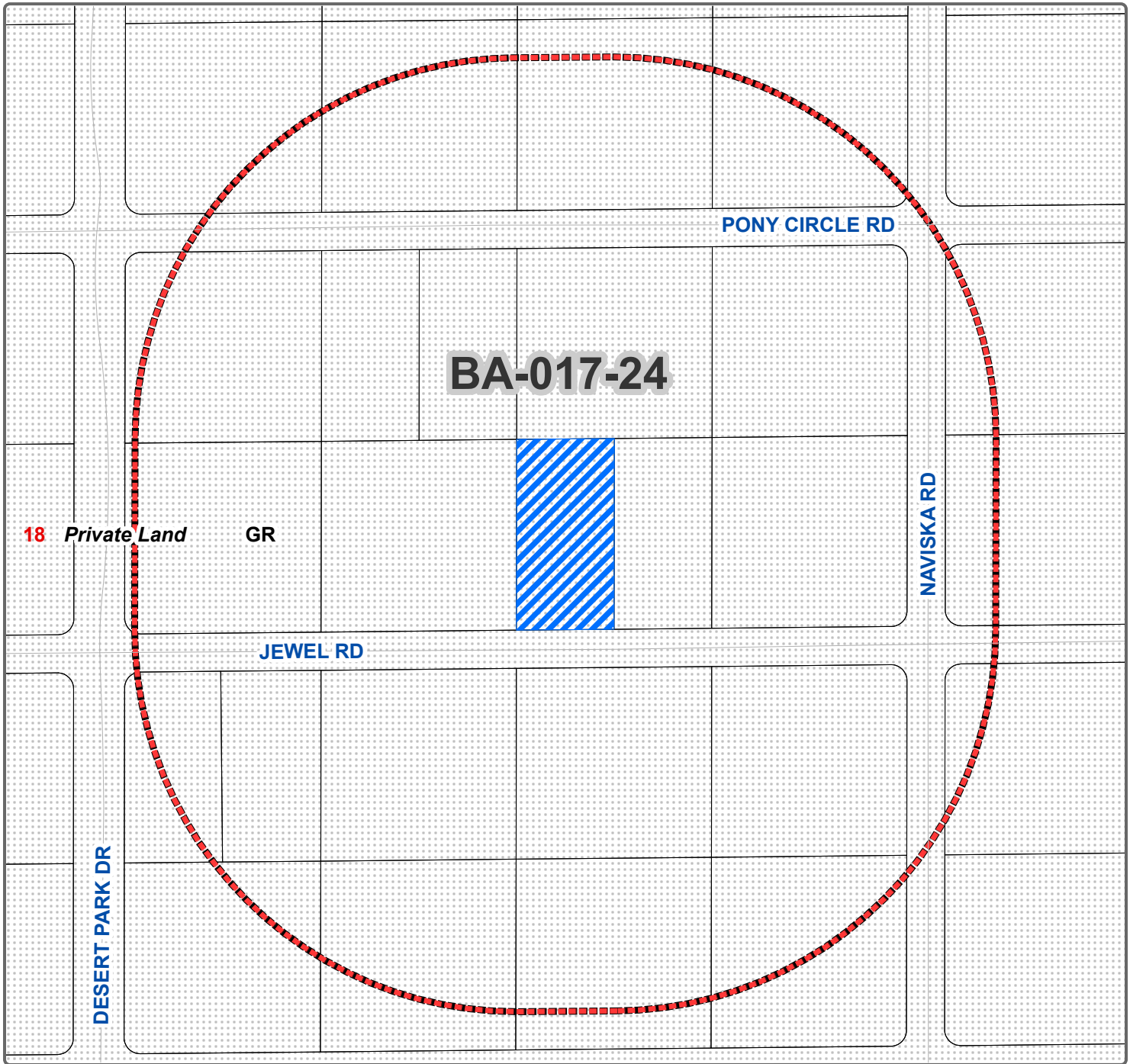
Legend

-  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-017-24 – PUBLIC HEARING/ACTION: Floyd Davis landowner/applicant, requesting a variance to Section 2.40.020 and Section 2.40.030 of the Pinal County Development Services Code (PCDSC), to allow a reduction in the minimum required lot area from 54,450 square feet (1.25 ac) to 46,053 ± square feet (1.06 ± acres) and applicable development standards to allow the construction of a home on a 1.06 acre parcel in the General Rural Zone (GR), located within Section 18, T08S, R07E, Tax Parcel 408-07-186A (Lot 186 of Arizona City Estates Unit 3, legal on file) located northwest of Jewel Road and Naviska Dr., in Pinal County.

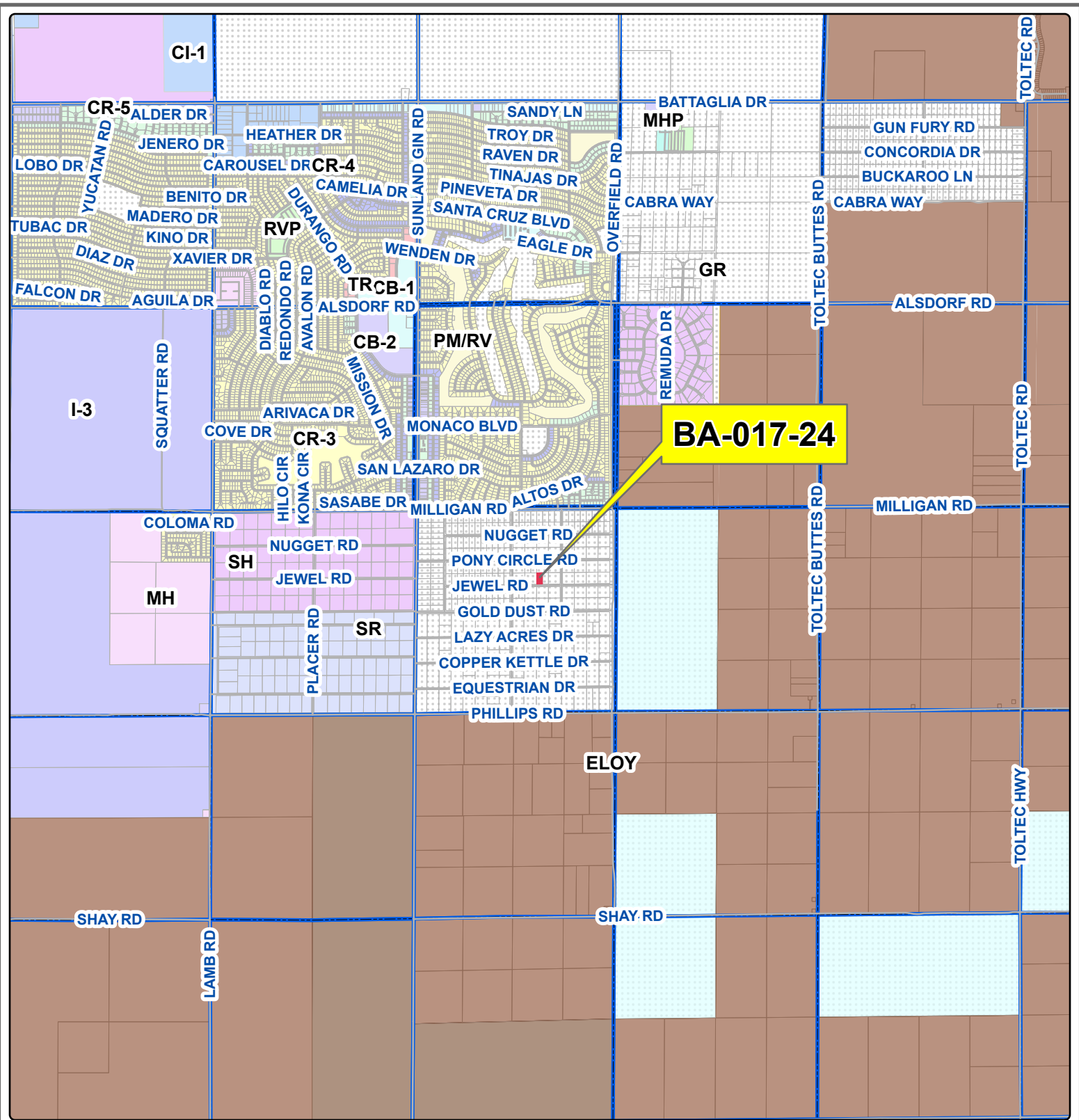
Current Zoning: GR

Requested Zoning: Board of Adjustment

Current Land Use: MLDR



Legal Description: Situated within Section 18, T08S, R07E, Tax Parcel 408-07-186A (Lot 186 of Arizona City Estates Unit 3, legal on file) located northwest of Jewel Road and Naviska Dr., in Pinal County.			Owner/Applicant: FLOYD DAVIS		
	Drawn By: GIS / IT /LJT	Date: 05/30/2024		Section 18	Township 08S
Sheet No. 1 of 1	Case Number: BA-017-24				
SEC 18, TWN 08S, RNG 07E					



Board of Adjustment
Community Development



Legal Description:

Situated within Section 18, T08S, R07E, Tax Parcel 408-07-186A (Lot 186 of Arizona City Estates Unit 3, legal on file) located northwest of Jewel Road and Naviska Dr., in Pinal County.

Page 161
 SEC 18, TWN 08S, RNG 07E



Owner/Applicant:

FLOYD DAVIS

Drawn By:

GIS / IT / LJT

Date:

05/30/2024

Sheet No.

1 of 1

Section

18

Township

08S

Range

07E

Case Number:

BA-017-24



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.: 408-07-186A 2. Size (to the nearest 1/10th of an acre) 1.06

3. The legal description of the property: Arizona City Estates #3, W2 of Lot 186

4. Current zoning: General Rural 5. Septic or Sewer? Septic Sewer
Sewer District _____

6. The existing use(s) of the property: vacant

7. The exact variance request and/or Section(s) of Code impacted: undersized lot per general rule.

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.

None.

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.

None.

COMMUNITY DEVELOPMENT
Planning Division

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

all setbacks will be abided by to allow the neighboring
lots to build without issue as well

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

The land is to be used for a single family home.

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.

We purchased this property with the intent to build
a home, with out the ability to build on the
property we would have no use for it

(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.

Floyd Davis 9422 W Madero Dr #4520 AZ city 85123
Name of Applicant Address

 FDavisPlumber@gmail.com 520-858-4334
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.

Floyd Davis 9422 W Madero Dr #4520 AZ city 85123
Name of Landowner Address

 FDavisPlumber@gmail.com 520-858-4334
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.

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.: 408071870
Name: Kristopher Gale
Address: 6005 S Legend dr
City/ST/Zip: Gilbert AZ 85298

Parcel No.: 408071760
Name: Rogelio Yezpez / Maria Guadalupe
Address: 25518 S 199th St
City/ST/Zip: Queen Creek AZ 85142

Parcel No.: 408071880
Name: Sam Suzzaman Hague
Address: 4504 Canterwood Dr NW
City/ST/Zip: Gig Harbor WA 98332

Parcel No.: 40807174B
Name: Rick Hilpiro
Address: PO Box 1421
City/ST/Zip: Oracle AZ 85623

Parcel No.: 408071730
Name: Grace Gomez
Address: 8831 W pony circle rd
City/ST/Zip: Casa Grande AZ 85122

Parcel No.: 40807186B
Name: Howard & Celia Acton
Address: PO Box 295
City/ST/Zip: Hayden AZ 85135

Parcel No.: 40807174A
Name: Noe Lopez
Address: 5251 W Novak way
City/ST/Zip: Laveen AZ 85339

Parcel No.: 408071850
Name: Leadright consulting PC LLC
Address: 7614 N 72nd Dr
City/ST/Zip: Cotendale AZ 85203

Parcel No.: 408071750
Name: James Carvalho / Anne Dominic
Address: 2811 S Kenneth Pl
City/ST/Zip: Tempe AZ 85282

Parcel No.: 408071720
Name: Cayetano Yezpez
Address: 25424 S 199th st
City/ST/Zip: Queen Creek AZ 85142

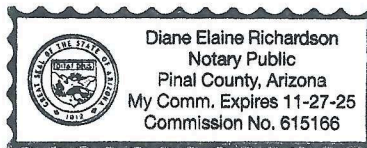
I hereby verify that the name list above was obtained on the 2 day of April, 2024 at the office of Ivory Towers Realty and is accurate and complete to the best of my knowledge.
(Source of Information)

On this 2 day of April, 2024 before me personally appeared Floyd Davis
(Name of signor)

Signature [Signature] Date 4/2/24

State of Arizona)ss.

County of Pinal



(SEAL)

My Commission Expires 11-27-25

Signature of Notary Public Diane Elaine Richardson

408071710

Mary Campbell

1210 S 5th St

Prairie Du Chem WI 53821

408071700

Thelma Greenman

11612 17 14th St E

Puyallup WA 98374

408071690

Asif Manzur

19942 Cannes Memorial Dr

Houston TX 77043

408071770

Soliz Family Trust

17285 W Morning Glory St

Good Year AZ 85338

408071840

Scott Harvey

8350 E McKellips Rd Lot 177

Scottsdale AZ 85257

408071930

Andrea & Jose Luis Vazquez
N/A

408071920

Isaiah Woodson
N/A

408072010

Maurilio & Delia Yezpez
25414 S 199th St
Queen Creek AZ 85142

408072020

David & Soledad Chacon
2646 E Bartlett Pl
Chandler AZ 85249

408072030

Susanne Theresa Horn
15700 Harrison St
Crown Point IN 46037

408072040

John Broutzas
156 Hyperion Ct
Oshawa ON

40807189A

Wanda Hisel
2903 N 80th St
Kansas City KS 66109

40807189B

Robert & Debra Bradley
1025 N Bayberry
Greenwood AR 72936

408071900

Eduardo & Erica Burbolla
8558 W Milton Ave
Peoria AZ 85381

408071910

Gloria Long
934 S Jefferson St
Batavia IL 60510

INDIVIDUAL ACKNOWLEDGMENT

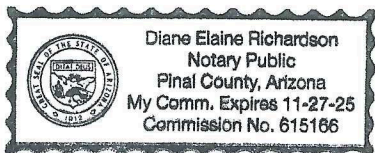
State/Commonwealth of Arizona }
County of Pinal } ss.

On this the 2 day of April, 2024, before me,
Diane Elaine Richardson, the undersigned Notary Public,
Name of Notary Public
personally appeared Floyd Davis,
Name(s) of Signer(s)

- personally known to me – OR –
- 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 for the purposes therein stated.

WITNESS my hand and official seal.



Diane Elaine Richardson
Signature of Notary Public

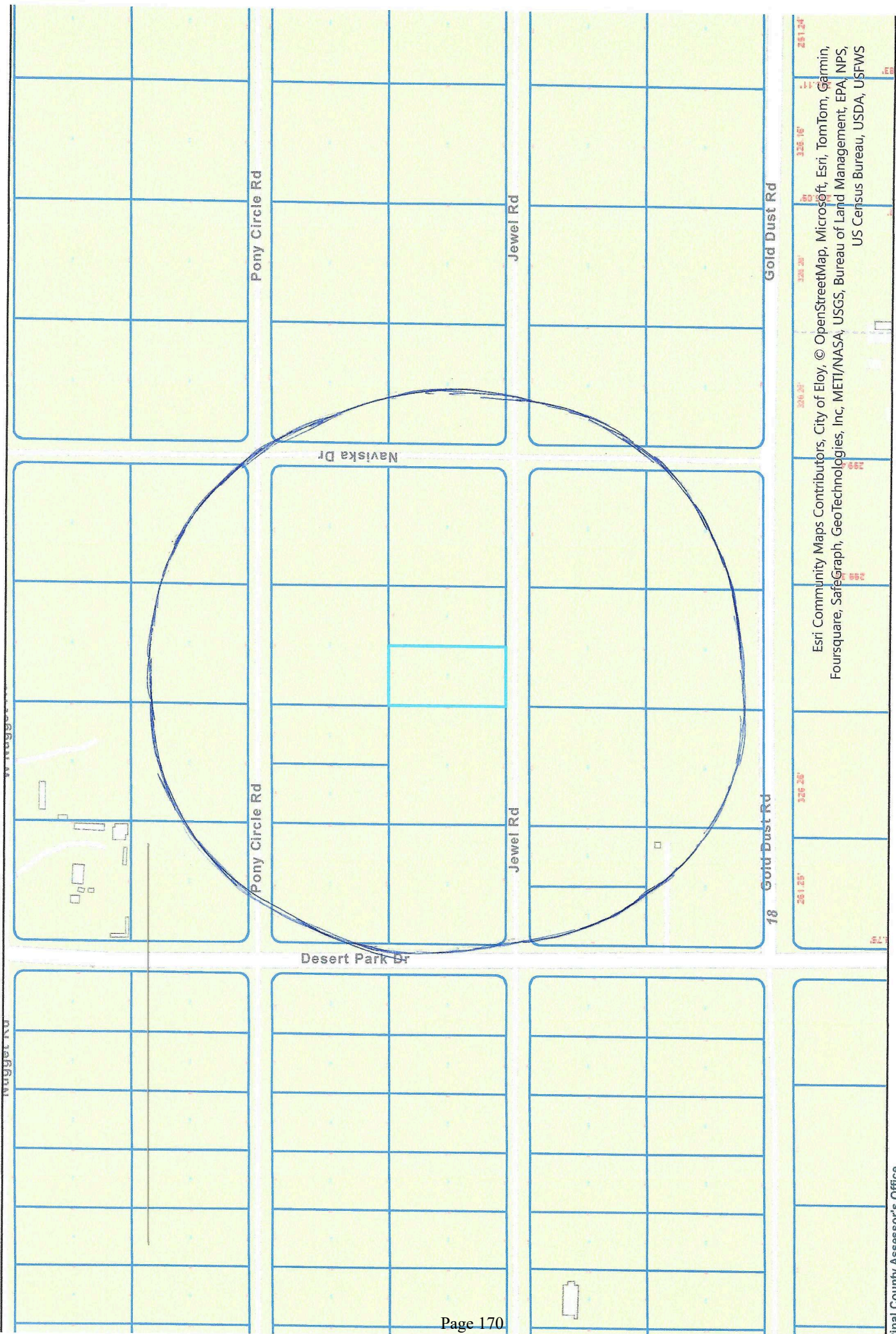
Place Notary Seal/Stamp Above

Any Other Required Information
(Printed Name of Notary, Expiration Date, etc.)

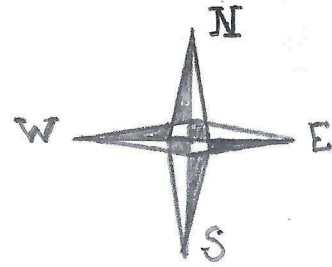
INFORMATION IN AREAS 1-4 REQUIRED IN ARIZONA. OPTIONAL IN OTHER STATES.

Description of Any Attached Document

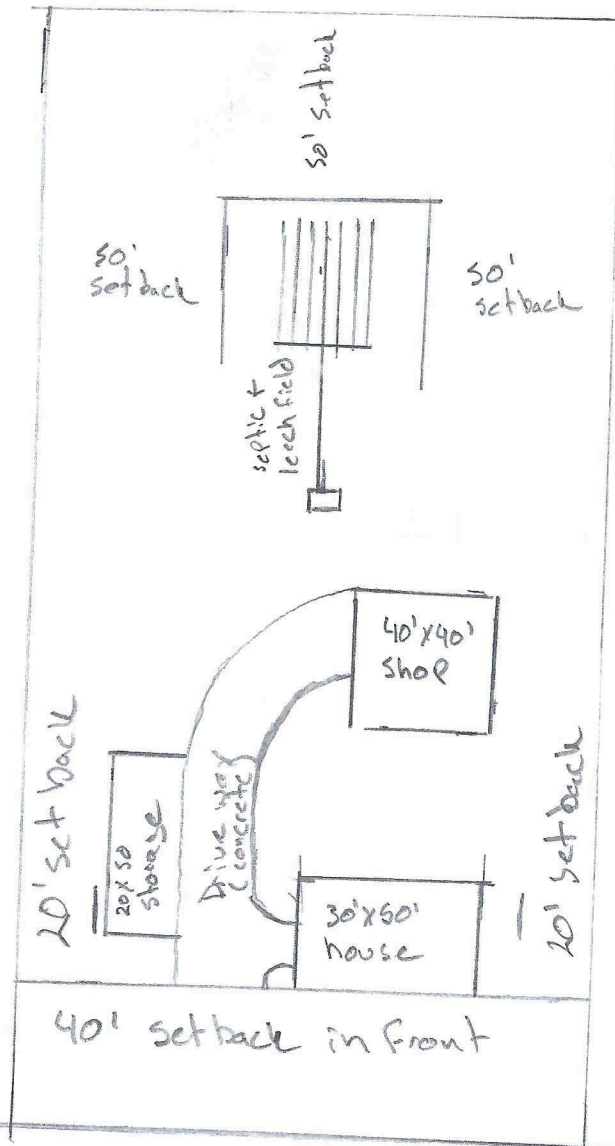
- 1 Title or Type of Document: List of Parcel Number & Owners
- 2 Document Date: April 2, 2024 3 Number of Pages: 3
- 4 Signer(s) Other Than Named Above: [Signature] 4/2/24



261.25'	326.26'	326.26'	326.16'	251.24'
18	Gold Dust Rd			
Esri Community Maps Contributors, City of Eloy, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, Foursquare, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS				



154 ft



50'
1mm/2ft
Scale

Jewel RD

Narrative for Variance Application

I am submitting this application to build a single family 3 bedroom and 2 bathroom home with a detached garage/ shop on the land I purchased. I used my family's savings to purchase this land for the sole intent on building a home. If I cannot build on our land my family would have no use for the land.

I plan to abide by all setbacks so that any neighboring lands can build as well. I intend for the property to be on septic, hauled water, and solar panels with generator back up. The plans show a concreted drive way that goes from the home to the garage/ shop. The home size would be about 30 feet by 50 feet and the garage or shop would be about 40 feet by 40 feet in size. On the plans I also show all set backs included.

My family and I have planned our dream home and ideas for many years and without this being approved we would have to start over. We put time, money and effort into this idea for a better life for us.

AFFIDAVIT OF PUBLICATION

State of Florida, County of Duval, ss:

David Goolcharran, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Pinal Central Dispatch, a newspaper published at Casa Grande, Pinal County, Arizona, Thursday 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 2 issues. The publications thereof having been on the following dates:

PUBLICATION DATES:

Jun. 6, 2024

Jun. 13, 2024

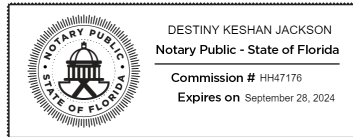
NOTICE ID: kwe9g3zPxQ6zt466gcom

NOTICE NAME: Notice of Hearing BA-017-24

(Signed) David Goolcharran

VERIFICATION

State of Florida
County of Duval



Subscribed in my presence and sworn to before me on this: 06/14/2024

Destiny K. Jackson

Notary Public
Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARING
NOTICE OF PUBLIC HEARING BY
THE BOARD OF ADJUSTMENT
AND APPEALS AT 9:30 A.M., ON
JUNE 27, 2024 AT THE PINAL
COUNTY EOC / PLANNING &
ZONING BUILDING, 301 E. 11TH
STREET, FLORENCE, ARIZONA,
TO CONSIDER AN APPLICATION
FOR A VARIANCE FOR AN
UNINCORPORATED AREA OF
PINAL COUNTY.
BA-017-24 - PUBLIC HEARING/
ACTION: Floyd Davis landowner/
applicant, requesting a variance
to Section 2.40.020 and Section
2.40.030 of the Pinal County
Development Services Code
(PCDSC), to allow a reduction
in the minimum required lot area
from 54,450 square feet (1.25 ac)
to 46,053 + square feet (1.06 ±
acres) and applicable development
standards to allow the construction
of a home on a 1.06 acre parcel
in the General Rural Zone (GR),
located within Section 18, T08S,
R07E, Tax Parcel 408-07-186A
(Lot 186 of Arizona City Estates
Unit 3, legal on file) located
northwest of Jewel Road and
Naviska Dr., in Pinal County.
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 29th DAY OF MAY,
2024
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
Contact for this matter: Glenn Bak,
e-mail address: glenn.bak@pinal.gov
Phone #: (520) 866-6444
No. of publications: 2; date of
publication: Jun 06, 13, 2024



PINAL COUNTY
WIDE OPEN OPPORTUNITY

BA-017-24

6/27/24

Community Development Department

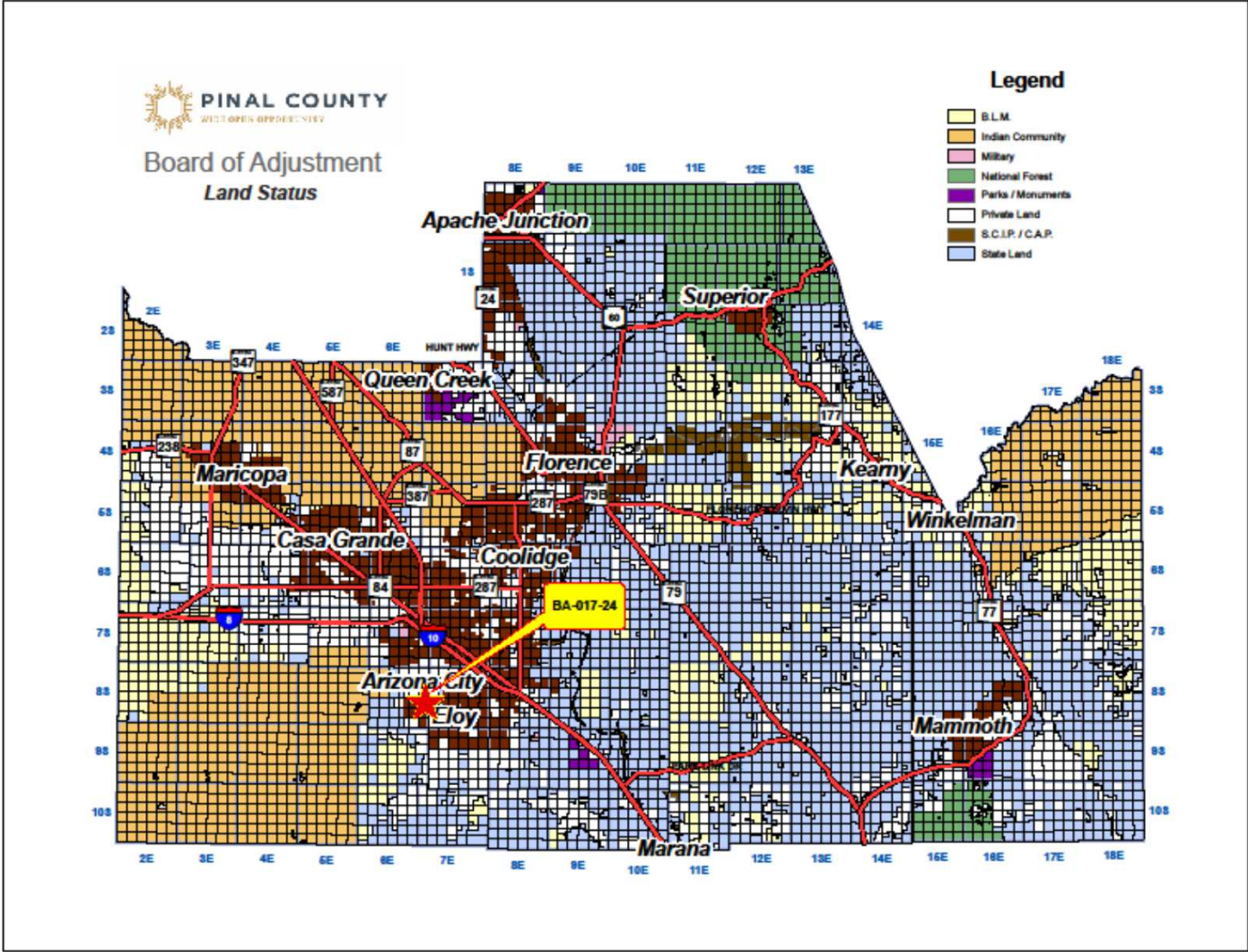
BA-017-24

- **Proposal:** Variance to decrease the overall minimum lot area requirement for a one-family dwelling from 54,450 square feet (1.25 acres) to 46,053 square feet (1.06 acres) and the development standards for a parcel in the General Rural (GR) Zone.
- **Location:** Northwest of Jewel Road and Naviska Dr, in Pinal County.
- **Owner/Applicant:** Floyd Davis

County Map



PINAL COUNTY
WIDE OPEN OPPORTUNITY

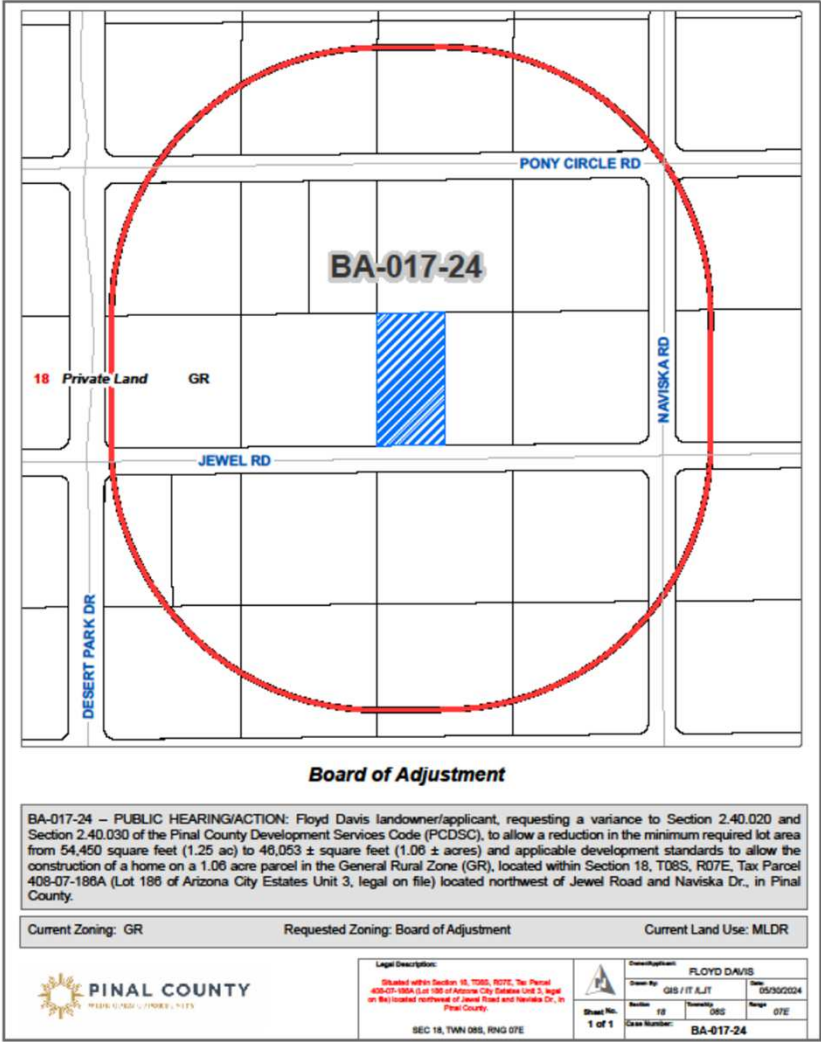


Aerial Map



Board of Adjustment

Case Map





NOTICE

PLANNING & ZONING PINAL COUNTY PUBLIC HEARING

Any person who is interested may file written comments, in favor or in opposition, with Community Development Department in Pinal County or appear in person at the hearing.

Date Posted: 6/5/24
POST COPY OF ACTUAL NOTICE BELOW.

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING IN THE BOARD OF ADJUSTMENT AND APPEALS AT 9:00 A.M. ON TUESDAY, JUNE 11, 2024 AT THE PINAL COUNTY COURthouse, 1000 W. WASHINGTON, PHOENIX, AZ 85003. AN APPLICANT FOR A VARIANCE FOR AN UNDESIGNATED AREA OF PINAL COUNTY.

BA-017-24

Board of Adjustment

PINAL COUNTY

June 05, 2024 3:20 PM

East



South



PINAL COUNTY
WIDE OPEN OPPORTUNITY



June 05, 2024 3:20 PM

West



BA-017-24

- Items to consider:
 - ▣ The subject property was platted in 1964 in accordance with the 1962 zoning ordinance.
 - ▣ In 1972, the Zoning Ordinance was amended to increase the minimum lot area for the GR zoning district from 12,000 square feet to 54,450 square
 - ▣ Many lots in the same area are undersized for today's standards.

BA-017-24

- Staff Recommends **approval** with two (2) stipulations contained within the staff report.