

NOTICE OF PUBLIC MEETING AND EXECUTIVE SESSION PINAL COUNTY BOARD OF ADJUSTMENTS AND APPEALS SUMMARY OF AGENDA FOR MEETING Thursday, April 24, 2025

9:30 AM - CALL TO ORDER

PINAL COUNTY ADMINISTRATIVE COMPLEX EMERGENCY OPERATIONS CENTER 301 E. 11TH ST 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) REGULAR ITEMS
 - A. CALL TO ORDER AND ROLL CALL OF BOARD MEMBERS
 - () KENNEDY, Chairman
 - () MARSH, Vice Chairman
 - () BEGEMAN, Member
 - () MAULLER, Member
 - () SANCHEZ, Member
 - B. PLANNING MANAGER REPORT (INFORMATION ITEM)
- (2) NEW CASES
 - A. **BA-004-25 PUBLIC HEARING/ACTION:** Timm Wainscott (applicant/agent), on behalf of landowner Russ Woodmansee, requesting a variance to **Section 2.30.020** and **Section 2.30.030** of the Pinal County Development Services Code (PCDSC), to allow a reduction in the minimum required lot area from 87,120 square feet (2± ac) to 43,560± square feet (1± ac) for a parcel in the Suburban Homestead Zone (SH); situated in south part of SW ¼ of Section 09, Township 01S, Range 09E of the Gila and Salt River Base and Meridian, Tax Parcel 104-60-1450, located east of intersection of E Del Monte Ave and E Sleepy Hollow Trl in Gold Canyon area, unincorporated Pinal County, AZ.

Valentyn Panchenko/Brent Billingsley

B. **BA-007-25** – **PUBLIC HEARING/ACTION:** Jarod Hadlock, landowner/applicant, requesting a variance to **Section 2.20.020 and 2.20.030** of the Page 1

Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 144,000 square feet (3.3 acres) to 142,005 +/- (3.26 acres) and applicable development standards, to allow a manufactured home on a 3.26 acre parcel in the Suburban Ranch Zone (SR), located within a portion of Section 17, Township 2 South, Range 8 East, Gila and Salt River Meridian, Pinal County, Arizona, Tax Parcel 104-24-018B, legal on file, located south of E Pima Rd and west of N Kenworthy Rd, 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.



AGENDA ITEM

April 24, 2025 ADMINISTRATION BUILDING A FLORENCE, ARIZONA

REQUESTED BY: Valentyn Panchenko/Brent Billingsley

Funds #:

Dept. #:		
Dept. Name:		
Director:		
BRIEF DESCRIPTION OF AGENDA	ITEM AND REQUESTE	ED BOARD ACTION:
Woodmansee, requesting a variance Services Code (PCDSC), to allow 43,560± square feet (1± ac) for a present Section 09, Township 01S, Range 0	te to Section 2.30.02 or a reduction in the moarcel in the Suburbando E of the Gila and S.	Wainscott (applicant/agent), on behalf of landowner – Russ 20 and Section 2.30.030 of the Pinal County Development inimum required lot area from 87,120 square feet (2± ac) to a Homestead Zone (SH); situated in south part of SW ¼ of alt River Base and Meridian, Tax Parcel 104-60-1450, located collow Trl in Gold Canyon area, unincorporated Pinal County,
BRIEF DESCRIPTION OF THE FISC.	AL CONSIDERATIONS	S AND/OR EXPECTED FISCAL IMPACT OF THIS AGENDA
BRIEF DESCRIPTION OF THE EXPE	ECTED PERFORMANO	CE IMPACT OF THIS AGENDA ITEM:
MOTION:		
History		
Time	Who	Approval
ATTACHMENTS:		
Click to download		
BA_004_25_Packet		
Support letter		



REPORT TO THE PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

CASE: 9963 Sleepy Hollow Variance Request

MEETING DATE: April 24, 2025

CASE NUMBER: BA-004-25

CASE COORDINATOR: Valentyn Panchenko, Planner

SUPERVISOR DISTRICT: District 5 Supervisor Serdy

Applicant: Timothy Wainscott

Owner: Woodmansee Russ & Cheryl Liv Trust

Request: A lot size of 43,560± square feet (1 acre) where 87,120 square feet (2 acres) is

the minimum allowed.

Site Location: APN 104-60-1450, 9963 E Sleepy Hollow Trail, east of intersection of E Del Monte

Ave and E Sleepy Hollow Trail in Gold Canyon area.

Site Size: 1 acre

Zoning: SH Suburban Homestead Zone

Current Use: Single Family Residence

Opposition/Support: To date, one supportive comment has been received, with no opposition

submitted. The commenter supports the variance request, provided no new structures are built at this time. They acknowledge historical inaccuracies in the original platting and lack of building permits during initial construction. They

believe the variance would not negatively impact the neighborhood's

environment.

Staff

Recommendation: Approval

Surrounding Zoning and Land Use:

North, East, West: Suburban Homestead Zoning (SH) - Single-Family Residence

South: Single Residence Zoning (CR-3) - Single-Family Residence

History: The subject parcel, identified as Lot 197 within the Mesa del Oro Estates Unit III Subdivision, is one of several similarly sized lots in the subdivision. The subdivision was approved and platted in May 1981 under the August 1974 Zoning Ordinance amendments (PZ-C-024-74), which allowed residential lots as small as 43,560 square feet (1 acre).

Pursuant to these regulations, the area was rezoned from Suburban Ranch (SR) to Suburban Homestead (SH) under case PZ-012-80, which at the time required a minimum lot size of 1 acre. Accordingly, this parcel was approved and platted as fully conforming to the zoning standards in effect during that period.

However, in December 1982, Pinal County adopted a new zoning ordinance that increased the minimum lot size in the SH zoning district from 1 acre (43,560± sq ft) to 2 acres (87,120± sq ft). This change rendered the subject parcel nonconforming under the updated SH zoning requirements.

Since the 1982 ordinance revision, the 2-acre minimum lot size for the SH zone has been retained in all subsequent versions of the County Code. As a result, the subject parcel remains nonconforming to current development standards, which prevents any additional development or improvements unless a variance is approved.

Additionally, the Board of Adjustment and Appeals has previously (2016-2024) approved ten (10) variance cases within the same area, all under similar conditions and rationale, demonstrating consistent support for such type of requests.

Site Conditions: The site is a rectangular-shaped lot measuring 225 feet in width and approximately 194 feet in depth. The subject site abuts and has frontage on E Sleepy Hollow Trail to the north. The site is currently developed with a single family residential structure and detached garage since 1997. The site is landscaped with mature trees and shrubs and grass areas.



Recent aerial view of the subject site and surrounding area

Plan Analysis:

This is a variance request to reduce the **minimum lot size requirement** of the **Suburban Homestead (SH) Zone** for a single parcel located in the **Mesa Del Oro Estates Unit III subdivision**, within the **unincorporated Gold Canyon area**. The 1-acre parcel was **platted in 1981**, prior to the **1982 zoning ordinance update**, which increased the minimum lot size from **1 acre to 2 acres** in the SH zone.

The residential house and detached garage was added to the property in 1996. County does not have any building permits on file. However, the residential property record card mentioned: "3-11-97 Permit CK — New SFR (Single Family Residential)". The applicant wishes to bring the property into conformance with the current code as well as to allow for the future addition of an accessory structure with development standards adjusted to reflect the actual lot size.

Due to the **reduced parcel size** in comparison to the **2-acre minimum required** in the Suburban Homestead (SH) zoning district, the applicant faces **limitations on available area** for constructing detached accessory buildings. In comparison, other zoning districts with similar lot sizes—such as **CR-1A Single Residence Zone** and **R-43 Single Residence Zoning District**—require a **minimum front setback of only 40 feet** for detached accessory structures, whereas the current SH requirement is **60 feet**.

Additionally, in Case BA-045-23, located one parcel to the east, a variance was granted allowing a reduction in the front setback to 40 feet. Given these precedents and the constraints of the lot, it is reasonable and justified to grant the applicant a reduced minimum front setback of 40 feet for detached accessory buildings.

Considering that the parcel became nonconforming in size as a result of direct County actions, and given the reasonable justification for the requested setback reduction, staff is supportive of this variance request.

Legal Description: Mesa Del Oro Estates #3 Lot 197, Gold Canyon in Pinal County.

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

Newspaper publish dates: 04/03/25 Mail-outs: 04/03/25 Site Posting: 04/07/25 Website: 04/08/25

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 of the Pinal County Development Services Code.

FINDINGS:

THE BOARD OF ADJUSTMENT AND APPEALS shall consider the following criteria in conditionally approving or denying a variance according to the PCDSC SECTION 2.155.040(C)(4).

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 consistent in size and shape with other lots within the Mesa del Oro Estates Unit III Subdivision created in 1981. However, its uniqueness lies in its legal

status—it became nonconforming due to a County-initiated amendment to the Zoning Ordinance in 1982, which increased the minimum lot size requirement for parcels zoned Suburban Homestead (SH) from 43,560 square feet (1 acre) to 87,120 square feet (2 acres). As a result of this change—not due to any action by the property owner—the subject parcel no longer meets current zoning standards, despite having been platted and approved in full compliance with the regulations in place at the time.

FINDING: There <u>do</u> appear to be special circumstances/conditions applicable to the property which do not prevail on other property in that zoning district. Due to the standards of the two-acre minimum in 1982, the subject property does not meet the current minimum lot size requirements within the Suburban Homestead 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.

ANALYSIS: As previously noted, the undersized nature of the subject parcel is not the result of any action by the applicant. The justification for special circumstances is based on the physical characteristics and legal status of the property, rather than any self-imposed condition. The special circumstance arises from a County-initiated amendment to the Zoning Ordinance, as outlined earlier in this report. This legislative change increased the minimum lot size requirements, resulting in the parcel's nonconforming status. These circumstances—created solely through County action—make strict compliance with the current development standards of the Suburban Homestead (SH) zoning district impractical and unattainable for the subject property.

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

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

ANALYSIS: The applicant intends to construct an accessory building, which is a permitted use by right within the existing zoning district. The hardship presented is non-financial in nature, as the inability to obtain a variance would effectively deny the applicant reasonable use of the property—preventing any development due to the current minimum lot size requirements. Strict application of current regulations would permanently restrict the property to a nonconforming status, limiting its utility and preventing the owner from realizing the intended and otherwise allowable use.

FINDING: Strict application of the current regulations would result in the property remaining in a permanent nonconforming status, imposing an <u>unnecessary</u>, <u>non-financial hardship</u> on the property owner.

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

ANALYSIS: The parcel was created and developed in full compliance with the zoning standards in place at the time of its subdivision. However, following the legally established platting, the County enacted changes to the development standards for the Suburban Homestead (SH) Zoning

District, rendering the property nonconforming through no fault of the owner. This variance request clearly demonstrates a legitimate need to preserve the property owner's rights. Approval of the variance would ensure the continued functionality and usability of the property for both the current and future owners, allowing for reasonable use consistent with the original intent of the subdivision.

FINDING: Staff finds sufficient justification to support the granting of the variance in order to preserve and uphold the substantial property rights of the landowner. Approval would allow the property to remain functional and usable for both the current and future owners.

e. That 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 has identified no elements of the subject property or this request that would pose an adverse impact to public health, safety, or welfare, nor be detrimental to the surrounding neighborhood or broader community. The parcel is approximately 1 acre—consistent in size with adjacent lots within the Mesa del Oro Estates Unit III subdivision. The proposed use is permitted within the SH Zoning District, and comparable in character and intensity to uses in similar zoning districts, such as the CR-1A Single Residence Zone. This report includes stipulations outlining adjusted development standards that are proportionate to the parcel size and aligned with the prevailing standards in the area. If the variance is approved, the resulting building setbacks will mirror those of surrounding properties, maintaining neighborhood compatibility. Any future construction will be required to comply with Pinal County development standards, the 2018 International Building Code (IBC), and any other applicable permitting conditions.

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: The Suburban Homestead zoning district permits residential use which is the desired primary use for the subject property. Section 2.30.030 of the County Development Services Code establishes that and accessory building is permitted within the SH Zoning District

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

STAFF SUMMARY AND RECOMMENDATION: All submittals, presented evidence, written documentation, public testimony, and the Staff Report (BA-004-25) are hereby incorporated into the official record for this variance case. If the Board of Adjustment and Appeals finds sufficient evidence within the record, staff recommends that the Board adopt the staff report and supporting documentation as presented and approve the requested variance using the recommended motion.

However, if the Board determines that sufficient evidence does not exist to support approval, staff recommends denial of the request in accordance with the alternative motion outlined in the staff report.

BOARD MOTION:

Staff Recommendation to Approve:

- **(Staff recommends citing a minimum of three findings)
- ***(Suggested finding)

To Approve:

I move to conditionally approve case **BA-004-25**, a **variance** to **Section 2.30.020** and **Section 2.30.030** of the Pinal County Development Services Code (PCDSC), to allow a reduction in the minimum required lot area from 87,120 square feet ($2\pm$ ac) to $43,560\pm$ square feet ($1\pm$ ac) and applicable development standards, to allow the construction of an accessory buildings on the property in question (Parcel # 104-60-1450) located in the Suburban Homestead (SH) Zoning District. The move for approval is based on the findings of A through F -as presented in the staff report- 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, security lighting, fire protection, etc.
- That the owner of the property adhere to the site development standards of the Pinal County Development Services Code (Section 2.30.020. Site development standards) for this parcel, which are as follows:
 - A. Building height: maximum height of any structure shall be 30 feet.
 - B. Minimum lot area: 43,560 square feet (1± acre).
 - C. Minimum lot width: 100 feet.
 - D. Minimum area per dwelling unit: 43,560 square feet (1± acre).
 - E. Minimum front yard: 30 feet.
 - F. Minimum side yards: Ten feet.
 - G. Minimum rear yard: 40 feet.
 - H. Minimum distance between main buildings: 29 feet.
- 3. That the owner of the property adhere to the site development standards of the Pinal County Development Services Code (Section 2.30.030. - Detached accessory buildings) for this parcel, which are as follows:
 - A. Permitted coverage: One-third of the total area of the rear and side yards.
 - B. Maximum height: 20 feet.
 - C. Minimum distance to main building: Seven feet.
 - D. Minimum distance to front lot line: 40 feet.
 - E. Minimum distance to side and rear lot lines: Four feet if building is not used for poultry or animals; 50 feet if building is used for poultry or animals.
 - F. A structure having a roof supported by columns and used exclusively for the shading of livestock shall not be considered a building and shall not need to conform to setback requirements that apply to buildings used to house livestock.

4. If any change of use is requested - aside from the use stated within the (GR) zoning district - the variance shall be considered null and void.

To Deny:

I move to deny the variance case **BA-004-25**, a **variance** to **Sections 2.30.020** and **2.30.030** of the PCDSC, based on the finding that the condition is neither peculiar nor exceptional to adjust development standards specified by the PCDSC.

DATE PREPARED: 4/16/2025 - VP

REVISED: 4/17/2025 - VP

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON **APRIL 24TH, 2025** AT THE PINAL COUNTY EMERGENCY OPERATIONS CENTER, 311 E. 11TH STREET, FLORENCE, ARIZONA, TO CONSIDER AN APPLICATION FOR A VARIANCE FOR THE UNINCORPORATED AREA OF PINAL COUNTY.

BA-004-25 – PUBLIC HEARING/ACTION: Timm Wainscott (applicant/agent), on behalf of landowner – Russ Woodmansee, requesting a variance to **Section 2.30.020** and **Section 2.30.030** of the Pinal County Development Services Code (PCDSC), to allow a reduction in the minimum required lot area from 87,120 square feet (2± ac) to 43,560± square feet (1± ac) for a parcel in the Suburban Homestead Zone (SH); situated in south part of SW ¼ of Section 09, Township 01S, Range 09E of the Gila and Salt River Base and Meridian, Tax Parcel 104-60-1450, located east of intersection of E Del Monte Ave and E Sleepy Hollow Trl in Gold Canyon area, unincorporated Pinal County, AZ.

DOCUMENTS PERTAINING TO THIS CASE CAN BE FOUND ON THE NOTICE OF HEARING PAGE FOR THE BOARD OF ADJUSTMENT AND APPEALS 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) 866-6414 FOR MORE INFORMATION

DATED THIS **27**th DAY OF **MARCH**, **2025**, by Pinal County Community Development Department.

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:

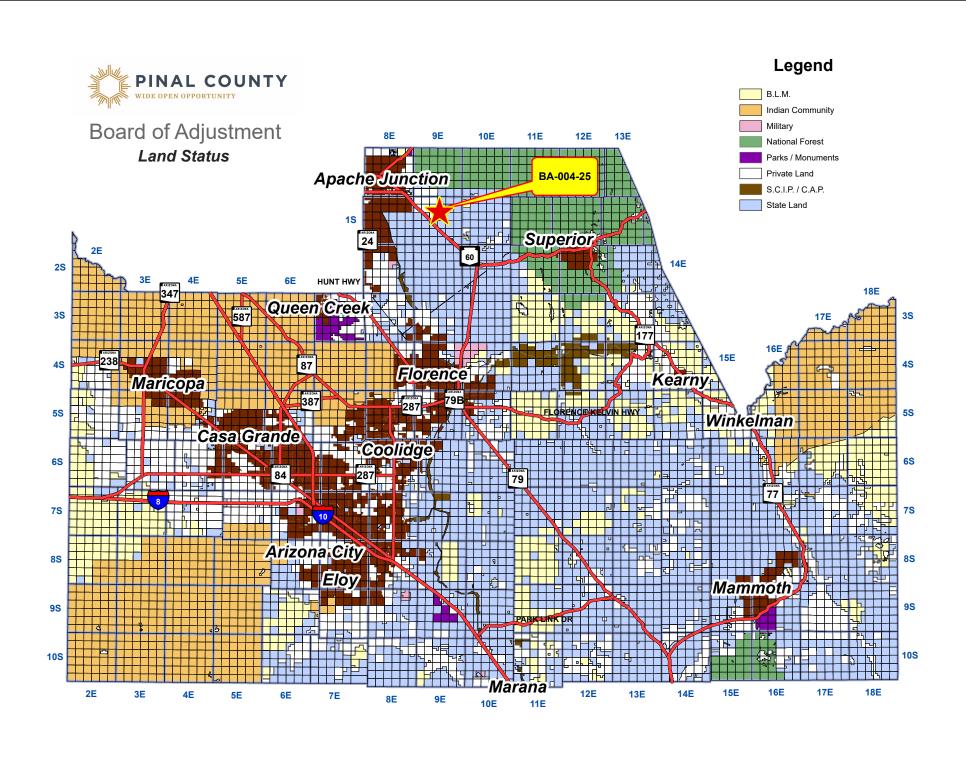
PINAL COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT P.O. BOX 749 (85 N. Florence Street) FLORENCE, AZ 85132

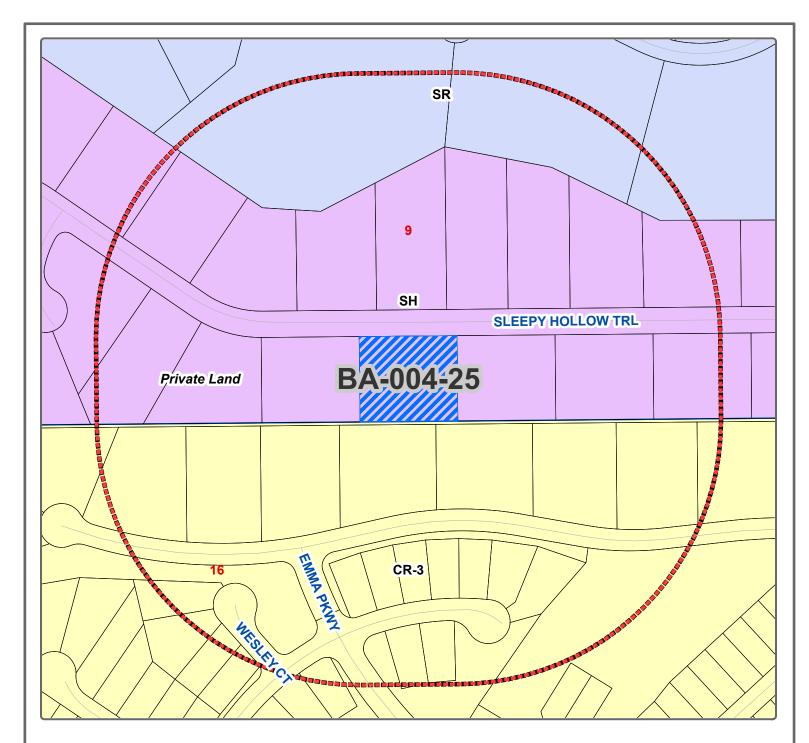
Contact for this matter: Valentyn Panchenko, Planner E-mail Address: Valentyn.Panchenko@pinal.gov

Phone: (520) 866-6414

[Anything below this line is not for publication.]

PUBLISHED ONCE: Pinal Central Dispatch





Board of Adjustment

BA-004-25 - PUBLIC HEARING/ACTION: Timm Wainscott (applicant/agent), on behalf of landowner - Russ Woodmansee, requesting a variance to Section 2.30.020 and Section 2.30.030 of the Pinal County Development Services Code (PCDSC), to allow a reduction in the minimum required lot area from 87,120 square feet (2± ac) to 43,560± square feet (1± ac) for a parcel in the Suburban Homestead Zone (SH); situated in south part of SW 1/4 of Section 09, Township 01S, Range 09E of the Gila and Salt River Base and Meridian, Tax Parcel 104-60-1450, located east of intersection of E Del Monte Ave and E Sleepy Hollow Trl in Gold Canyon area, unincorporated Pinal County, AZ.

Current Zoning: SH

Requested Zoning: Board of Adjustment

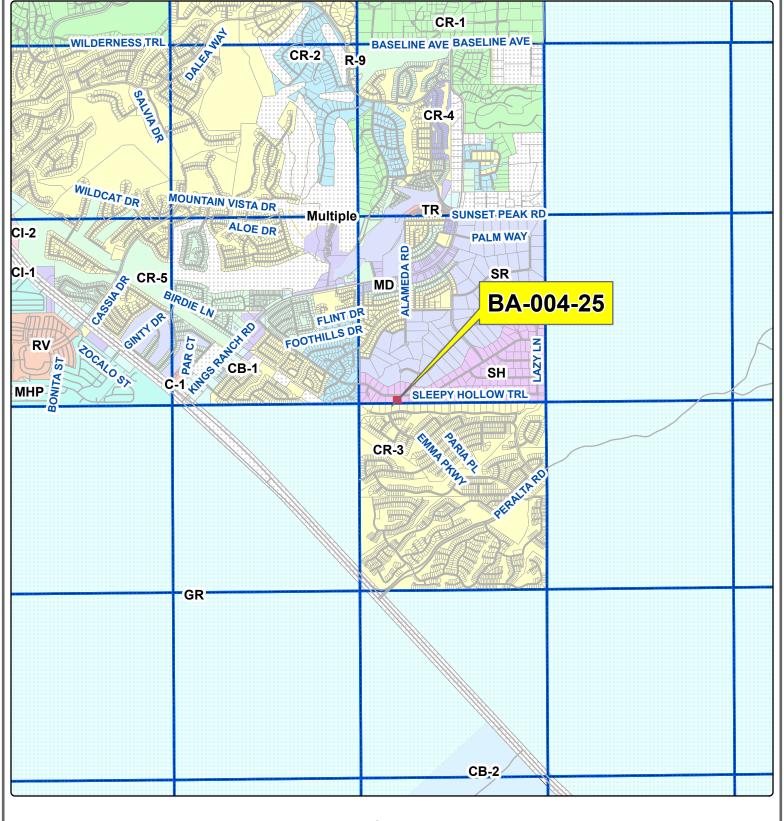
Current Land Use: MLDR

03/28/2025



Legal Description: Situated in south part of SW ¼ of Section 09, Township 01S, Range 09E of the Gila and Salt River Base and Meridian, Tax Parcel 104-60-1450, located east of intersection of E Del Monte Ave and E Sleepy Hollow Trl in Gold Canyon area, unincorporated Pinal County, AZ SEC 9, TWN 01S, RNG 09E

Sheet No.	09	Township 01.S	09F
	GIS /	03/28/20 Range	
	Drawn By:	Date:	
_		RUSS W	OODMANSE
Λ	Owner/Applicant:	TIMM \	WAINSCOTT



Board of Adjustment

Community Development

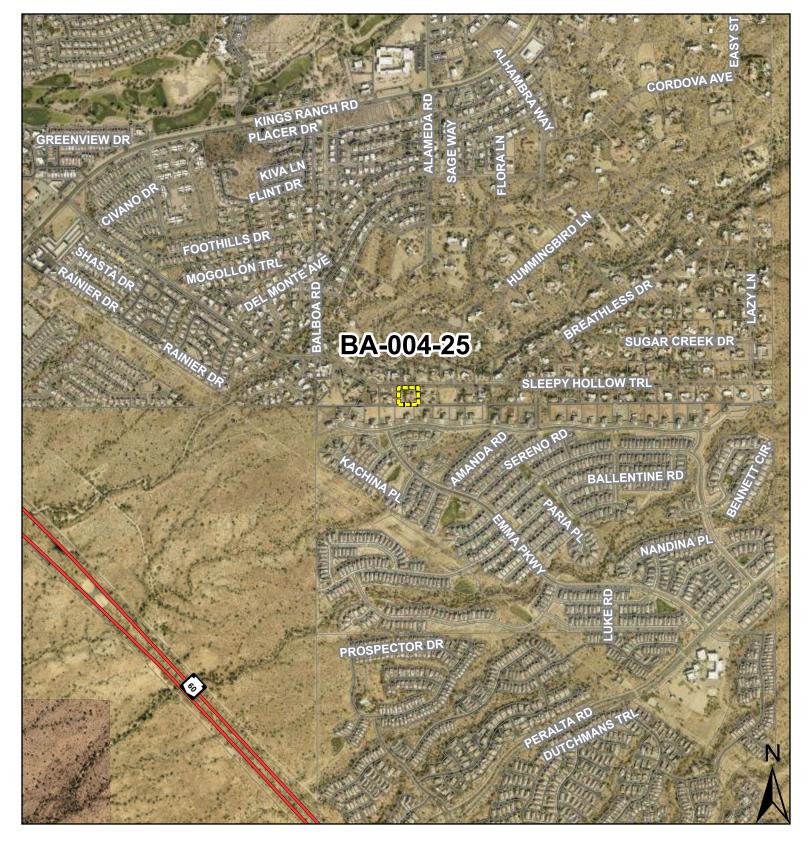


Legal Description:

Situated in south part of SW ½ of Section 09, Township 01S, Range 09E of the Gila and Salt River Base and Meridian, Tax Parcel 104-60-1450, located east of intersection of E Del Monte Ave and E Sleepy Hollow Tri in Gold Canyon area, unincorporated Pinal County, AZ.

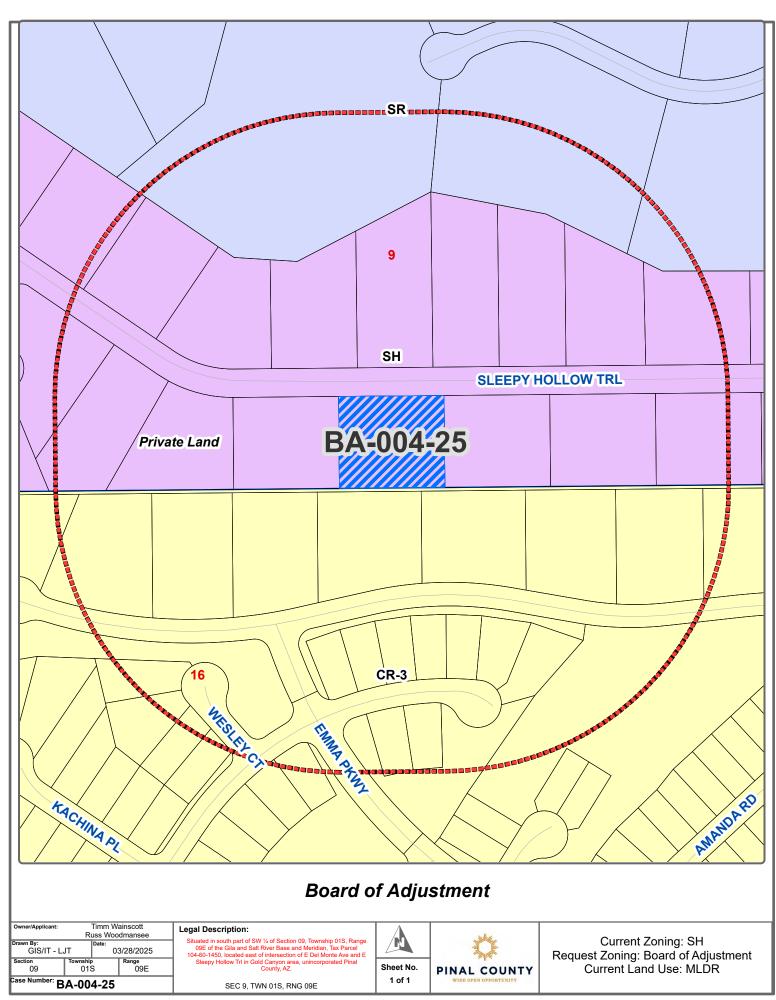
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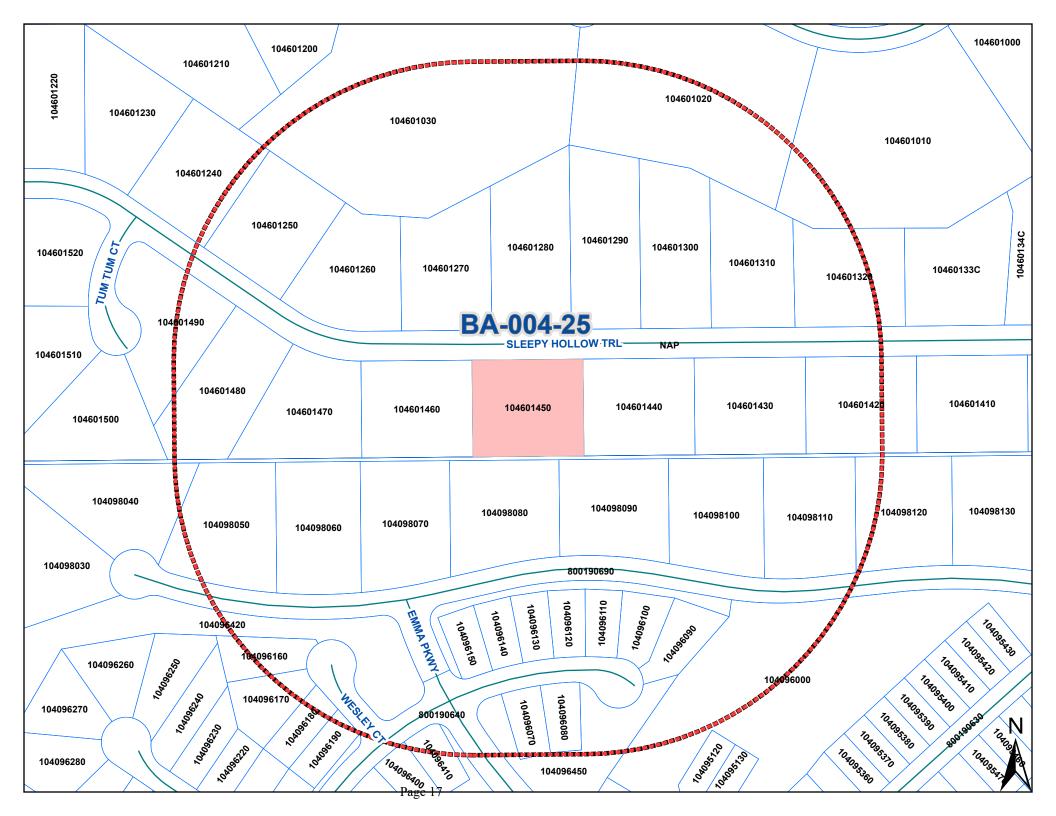
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1 of 1	Case N



Board of Adjustment







County Manager



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

(All Applications Must Be Typed or Written in lok) and submitted via the online portal site at https://citizenaccess.pinalcountysz.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 sprovided)	pace
1. Tax Assessor Parcel No.: 104-60-1450 2. Size (to the nearest 1/10th of an acre_/a	CEL
3. The legal description of the property: HOMESTERD (SH) ZONE	Villa Section
4. Current zening: (SH) ZUNE 5. Septic or Sewer? Septic X Sewer Sewer District	
6. The existing use(s) of the property: SINGLE PRINTLY RESIDENCE	
7. The exact variance request and/or Section(s) of Code impacted: VARIANCE FOR UNDERSIZED LOT AND DEVELOPMENT STANDARDS	>
8. Is there a zoning violation on the property for which the owner has been cited? If yes, zoning violation (CC/BCC) NO	H
9. Discust any known changes in land use, street arrangement, or other physical conditions that have alter the character of your property or adjoining properties.	red
_ N/A	
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 an unlike other properties in the area.	d
	er all

COMMUNITY DEVELOPMENT

48 M. Florence St., PQ Box 2873, Florence, AZ 89132 7 830-606-6432 FREE 688-631-1315 7 630-606-6330

	circumstances or conditions referred to question #10 are not self-imposed.
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And the same of th	r of this application will not materially affect the health or safety of persons residing rhood and how this variance will not be materially detrimental to the public welfare improvements in the neighborhood.
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Page 19

Monthly J. Wajascott 9765 B. GERRY HELINY PRINT GOLD CRIMEN, AZ BEIN Time statement to appeil Com (500) 759-215-5 Tring Ing Tr Wassest Name of Agriculture Properties THE E. Stary drive that and annual ar as he Time anies roll again Jose 500 709-21-50 The Approvementation has the authority in set on behalf of this innerence/applicant, which insteads agreeing to discussions. The agent dell he the postness person for Papering staff and must be present at all bearings. Places use attached Agency Atthorization form, if positicable. Russ & CHERYL Wagomanes Liveres Tours 50065; Golf Cango De Name of Landerson Golf Cango De Address Golf Cango De 1857/8 EWOOD 1353 Carrie | Comp. 602,799,525 8
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Maricopa County
Commission # 634489
My Comm. Expires Sep 3, 2026

My Comm. Expires Sep 3, 2026

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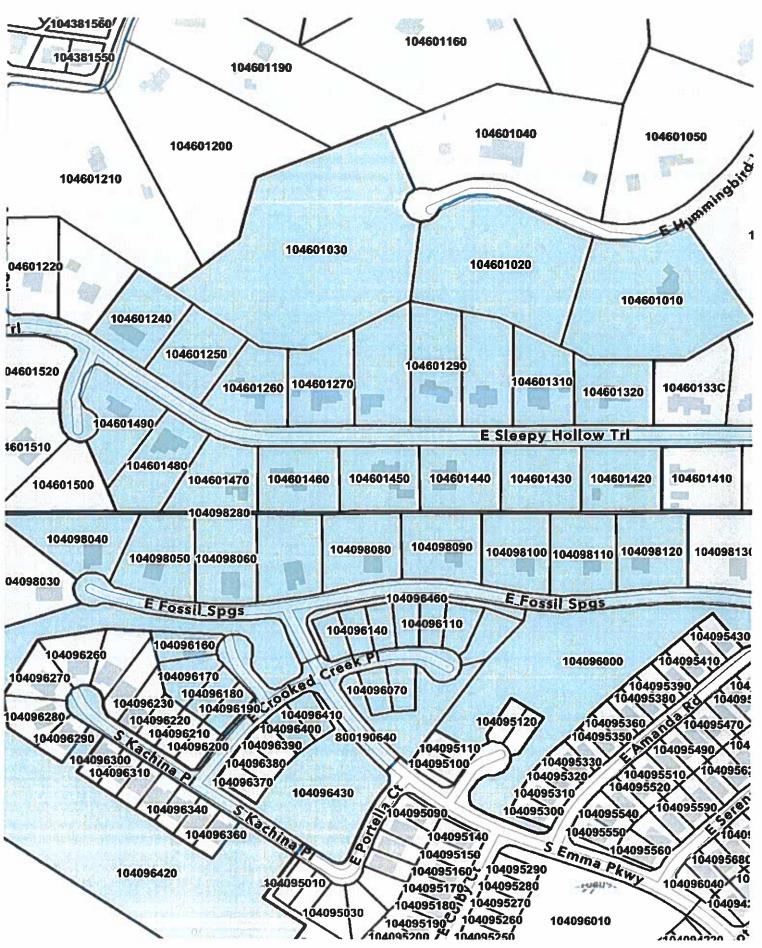
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Application Chec	kliet:
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Submit a	detailed site plan, at léast 804 X 11, but not larger than 11° X 17°. The site plan must including
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O Ad	te and shape of parcel; property dimensions; north arrow
pu	liacent streets; rights-of-way, easements and setbacks; indicate size; purpose and whether
a la	cation, size and use of all existing and proposed buildings; show sethacks from proposes
	undary lines and between structures iveways and parking areas, show access, dimensions and surface material
o Exi	sting and proposed utilities, show location of lines, size and serving company
o An	y other information as may be applicable – landscaping, natural features i.e.: washes, cavation sites, etc., floor plan
Submit the	8 "This Application Checklist" for the requested action.
Submit, or subject pro obtained v	request from the case planner assigned, a list of all property owners within 600' of the operty boundary showing name, mailing address and tax parcel numbers. This list must be within the 30 days prior to application submission.
Submit a n	nap of the area with the 600' boundary shown. (A Tax Assessor Parcel Map is acceptable)
Supmit the	non-refundable filing fee according to the fee schedule shown on coversheet of the . (The application is not considered filed until the fees are paid.)
A) Residen	ttal with 0-499 mail-outs \$500.00
B) Residen	tial with 500 or more mail-outs: \$500.00
D) Comme	rcial, industrial of transition with 0-499 mail-outs; \$2,084.00 rcial, industrial of transition with 500 of more mail-outs; \$2,399.00
The applica	ation and narrative in PDF format.
County star	nd that two newspaper publications must be advertised for this variance case per Pinal if instructions no later than 21 days before the hearing date as assigned. The applicant is e for all publication fees,
Submitted	application via online portal (https://citizenaccess.pinslpountyaz.gov/CitizenAccess/)
mportant:	
the application is djustments.	s incomplete or is not detailed enough, the case will not be presented to the Board of
A Williams	

Varion A/15/25

Page 14

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	Maricopa County Commission # 634489		
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Pinal County Mailing Notification

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104096170 SIPMA SHANE & TIFFANY 7174 S WESLEY CT GOLD CANYON , AZ 85118-8263

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104096100 KANIA HENRY K & JANINA 11794 E CROOKED CREEK PL GOLD CANYON, AZ 85118-8263

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104096150 DANKO DOUGLAS 11716 E CROOKED CREEK PL GOLD CANYON, AZ &5118--263 Pinal County Mailing Notification

104096090 LANGE STEVEN P & MARY C TRUST 11798 E CROOKED CREEK PL GOLD CANYON, AZ 85118-8263 104098040 PROCTOR CHRISTOPHER & PATRICIA ALIAS FAM TR 11498 E FOSSIL SPRINGS GOLD CANYON , AZ 85118-8511

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104098050 NOONAN KEVIN M & DAWN R 11540 E FOSSIL SPRINGS GOLD CANYON , AZ 85118-8511 104096000 PERALTA CANYON COMMUNITY ASSOC 1600 W BROADWAY RD STE 200 TEMPE, AZ 85282-2113

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104098110 PLATKE RONALD JAMES & DAWN WEST PO BOX 2092 WHITEFISH, MT 59937-7209

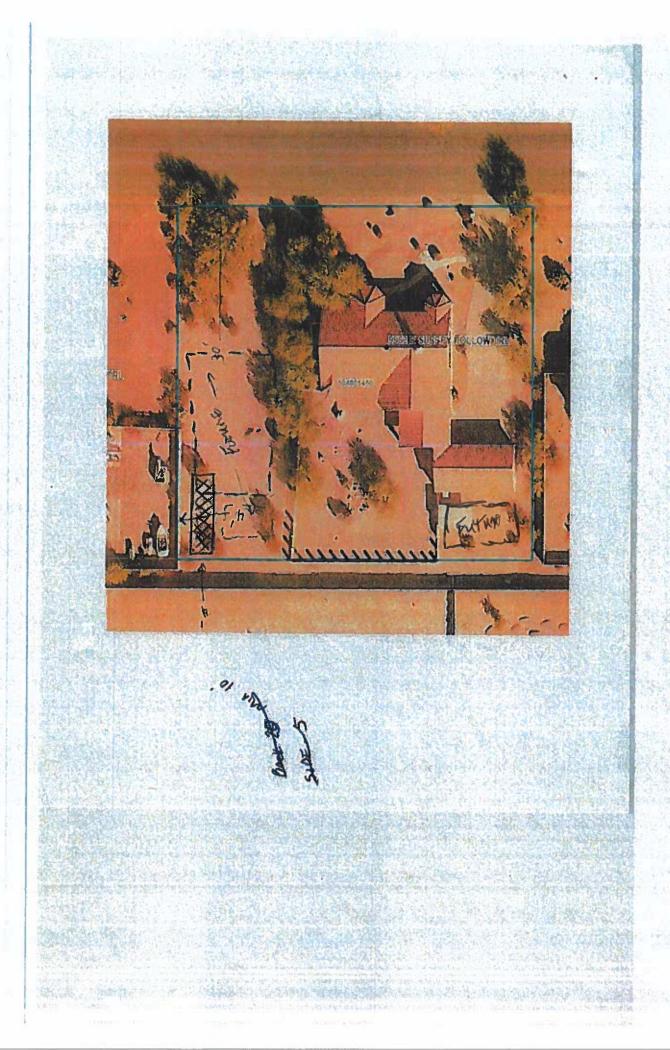
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PROPERTY OWNER/AGENT AUTHORIZATION FORM

Contractor:		pplication processing) Registered	Owner	Relative:
ROC#	Service:	Professional:	Builder:	Relation
To make app	olication to Pinal Cou	unty for the following (desc	cription of wor	k) <u>variante</u>
Assessor Pa	rcel Number:	4-60-1450		
Name of RV	/PM/MH Park (if app	licable):		
The Wall Bridge Sheet	# (if applicable):			
Physical Add	iress: <u>9943 F. s</u>	sleepy Hollow Trail		
City/Town:	old Canyon	State: AZ	Zip: 85	118
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8883888888888888888888888	FOR HER STATES AND STA
State/Commonwealth of Arilona	
County of Maricona	} ss.
On this the day of March	Month Year before me
Megan Heady Name of Notary Public	, the undersigned Notary Public
personally appeared Russ & Chu	
	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.
MEGAN HEADY Notary Public - Arizora Maricopa County Commission # 634489	WITNESS my hand and official seal. MJ H Signature of Notary Public
My Comm. Expires Sep 3, 2026	Exp: 913126
Place Notary Seal/Stamp Above	Any Other Required Information (Printed Name of Notary, Expiration Date, etc.)
	PPTIONAL ————————————————————————————————————
Completing this information can deter alte	performed in Arizona but is optional in other states. eration of the document or fraudulent reattachment on unintended document,
Description of Attached Document	
Title or Type of Document:	
	Number of Pages:
Signer(s) Other Than Named Above:	· ·
2023 National Notary Association	

Page 28

M1304-07 (09/23)
Used for states (AL, AZ, CO, CT, DE, GA, IA, ID, IL, IN, KS, KY, LA, MD, ME, MI, MN, MS, MT, NC, ND, NE, NH, NJ, NM, OK, OR, RI, SC, SD, TN, VA, VT, WV, WI, WY)

104-60-145 - 0

RESIDENTIAL PROPERTY RECORD CARD

Mesa del Oro Est //3 Lots: 197 Sec 9 18 9E (3) 43563. Sq. Ft.

DeBow, Robert E ½UI DeBow, Dolores S PR ½UI 9963 E Sleepy Hollow Tr Gold Canyon AZ 85219

05/18/01 022299 AREA CODE

4300 4300

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BASIS CODE UNITS

		AN	NUAL ASSESSMEN	NT			SUMN	MARY OF VALUES	,	
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Situs 9963 Appraiser Type & Use	Appraisal Date	Parcel No. 1/ - 04-60-145-0-0 Co. Book Map Parcel S C IMP. of Section of IPR Ownership data) City Gold Cangori Model No. 010-4 Year of Const 1996
Perimeter 2712 LF	12 AA FIN	Scale " = 30'
REMARKS:		*.,

BA-005-25

SIGN POSTING FOR PINAL COUNTY BOARD OF ADJUSTMENT PUBLIC HEARING APRIL 24, 2025

POSTED: APRIL 7, 2025





AFFIDAVIT OF PUBLICATION

State of Florida, County of Broward, ss:

India Johnston, 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:

Apr. 3, 2025

NOTICE ID: HkWFJUqyrTD2tPYl8A0P

NOTICE NAME: BA-004-25

India Johnston



VERIFICATION

State of Florida County of Broward

Subscribed in my presence and sworn to before me on this: 04/07/2025

Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARING NOTICE OF PUBLIC HEARING BY THE PINAL COUNTY BOARD OF AUJUSTMENT AND APPEALS AT 9:30 A.M., ON APRIL 24TH, 2025 AT THE PINAL COUNTY EMERGENCY OPERATIONS CENTER. 311 E. 11 th STREET, FLORENCE, ARIZONA, 10 CONSIDER AN APPLICATION FOR A VARIANCE FOR THE UNINCORPORATED AREA OF PINAL COUNTY. BA-004-25 - PUBLIC HEARING/ACTION: Timm Wainscott (applicant/agent), on behalf of landowner - Russ Woodmansee, 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 tot area from 87,120 square feet (2± ac) to 43,560± square feet (2± ac) to 43,560± square feet (1± ac) for a parcel in the Suburban Homestead Zone (SH); situated in south part of SW ¼ of Section 09, Township 015, Range 09E of the Gila and Satt River Base and Meridian, Tax Parcel 104-60-1450, located east of intersection of E Del Monte Ave and E Sleepy Hollow Til in Gold Canyon area. 1450, located east of intersection of E Del Monte Ave and E Sleepy Hollow Trl in Gold Carryon area, unincorporated Pinal County, AZ, DOCUMENTS PERTAINING TO THIS CASE CAN BE FOUND ON THE NOTICE OF HEARING

THIS CASE CAN BE FOUND ON THE NOTICE OF HEARING PAGE FOR THE BOARD OF ADJUSTMENT AND APPEALS AT: https://www.pinal.gov/236/Notice-of-Hearings ALL PERSONS INTERESTED IN THIS MATTER MAY APPEAR AT THE HEARING ATTHE 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) 866-6414 FOR MORE INFORMATION THE PROMISE OF THIS 27th DAY OF MARCH, 2025, by Pinal County Department, TO QUALIFY FOR FURTHER

MARCH, 2025, by Pinal County Community Development Department.
TO QUALIFY FOR FURTHER NOTIFICATION IN THIS LAND USE MATTER YOU MUST FILE WITH THE PLANNING DEPARTMENT A WRITTEN STATEMENT OF OPPOSITION TO THE SUBJECT APPLICATION. YOUR STATEMENT MUST CONTAIN THE FOLLOWING INFORMATION:

INF-OHMATION:

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

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 Street) FLORENCE, AZ 85132 Contact for this matter: Valentyn Panchenko, Planner E-mail Address: Valentyn. Panchenko@pinal.gov Phone: (520) 866-6414 No. of publications: 1: date of publication: Apr 03, 2025



Valentyn Panchenko <valentyn.panchenko@pinal.gov>

BA-004-25

1 message

Larry PATENAUDE <airstuff333@msn.com>

Thu, Apr 10, 2025 at 9:22 AM

To: Valentyn Panchenko <Valentyn.panchenko@pinal.gov>

This message is in support of the variance request to this property providing that no new structures be constructed on the property at this time. We realize that the original platting of properties in the Mesa del Oro neighborhood was often inaccurate and that no building permits were available at the time of the original home construction on this site. We feel that this variance as requested would not in any way alter the current neighborhood environment.

Regards, Gretchen Wheeler Laurent Patenaude ttee for Patenaude-Wheeler Family Trust 104601250



Valentyn Panchenko <valentyn.panchenko@pinal.gov>

BA-004-25

Larry PATENAUDE <airstuff333@msn.com>
To: Valentyn Panchenko <Valentyn.panchenko@pinal.gov>

Thu, Apr 10, 2025 at 9:36 AM

This message is in support of the variance request to this property providing that no new structures be constructed on the property at this time. We realize that the original platting of properties in the Mesa del Oro neighborhood was often inaccurate and that no building permits were available at the time of the original home construction on this site. We feel that this variance as requested would not in any way alter the current neighborhood environment.

We will not be able to appear at the hearing on April 24.

Regards, Gretchen Wheeler Laurent Patenaude ttee for Patenaude-Wheeler Family Trust 104601250 5202334542



AGENDA ITEM

April 24, 2025 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-007-25 – **PUBLIC HEARING/ACTION**arod Hadlock, landowner/applicant, requesting a variance to **Section 2.20.020 and 2.20.030** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 144,000 square feet (3.3 acres) to 142,005 +/- (3.26 acres) and applicable development standards, to allow a manufactured home on a 3.26 acre parcel in the Suburban Ranch Zone (SR), located within a portion of Section 17, Township 2 South, Range 8 East, Gila and Salt River Meridian, Pinal County, Arizona, Tax Parcel 104-24-018B, legal on file, located south of E Pima Rd and west of N Kenworthy Rd, 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:

BRIEF DESCRIPTION OF THE EXPECTED PERFORMANCE IMPACT OF THIS AGENDA ITEM: MOTION: Approve as presented with one stipulation History Time Who Approval ATTACHMENTS: Click to download powerpoint powerpoint powerpoint Packet

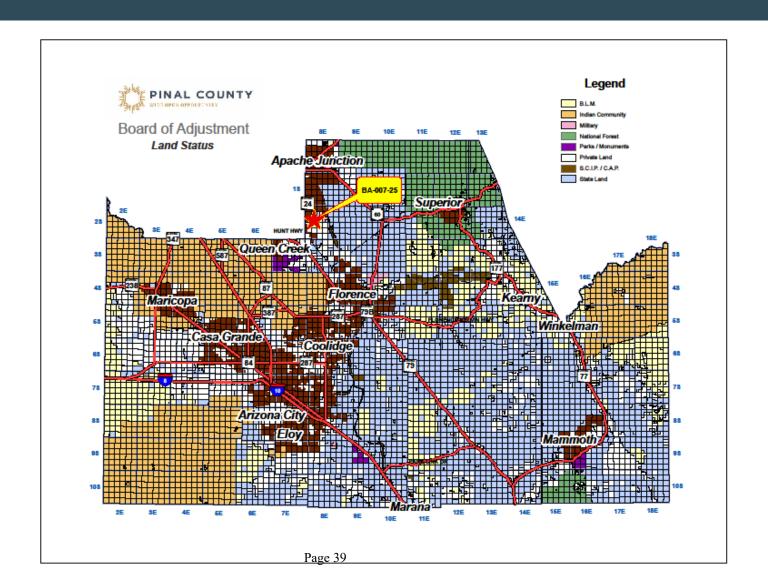




- Proposal: The request is a reduction in the minimum lot area requirement from 144,000 square feet to 142,005 square feet in the Suburban Ranch Zone (SR).
- Location: Northwest of Kenworthy and Westbrooke, in Pinal County.
- Owner/Applicant: Jarred Hadlock

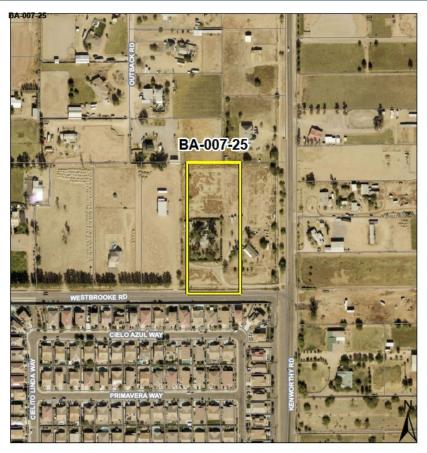
County Map





Aerial Map

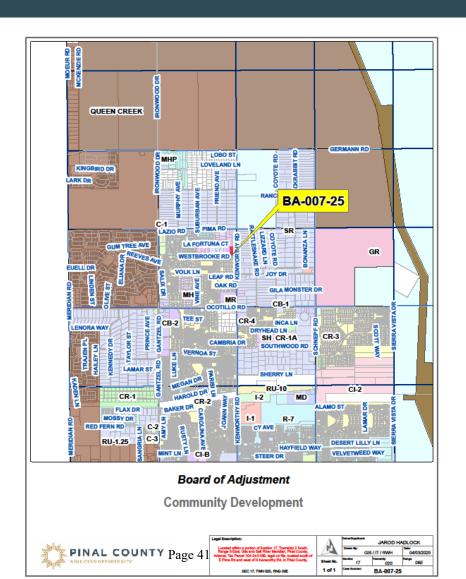




Board of Adjustment

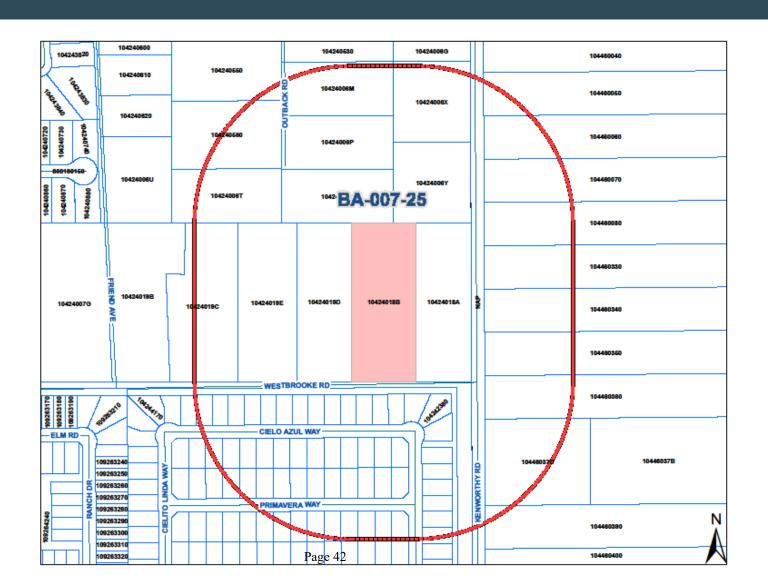
Area Map





Notice Area

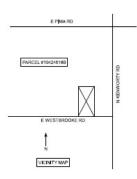


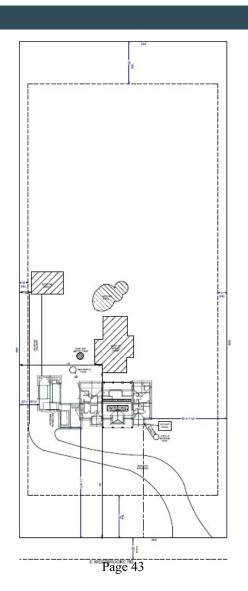


Site Plan









GOVERNING CONSTRUCTION CODES

2018 International Building Code 2019 International Residential Code 2019 International Residential Code 2019 International Mechanical Code 2015 International Plambling Code 2018 International Fuel Code Code 2018 International Fuel Code Code 2018 International Fuel Code Code 2018 International Property Maintenance Code 2018 Energy Code

No Deferred Items

OWNER: JARED HADLOCK 1720 E WESTBROOKE RD PARCEL 104-24-018B SAN TAN VALLEY, AZ 85140 SUN VALLEY FARMS II

LOT AREA: 142,740 SQ FT JURISDICTION: PINAL COUNTY ZONING: SUBURBAN RANCH G & D AND LOT RETENTION TO REMAIN UNCHANGED

LOT COVERAGE

LOT AREA: 142,740 SQ FT
EXISTING LIVABLE MOBILE HOME: 1,948 SQ FT
EXISTING SHED: 1,091 SQ FT
NEW LIVABLE: 3,378 SQ FT
GARAGES: 1,436 SQ FT
PORCHES: 571 SQ FT
TOTAL: 8,424 SQ FT
6% COVERAGE

SITE PLAN SCALE 1" = 30'





Items to consider:

- The lot was created in 1994 as a result of a parcel split. While there are several other lots in the nearby area that are the same zoning district, there are also a number of other lots in the area zoned to allow smaller lots.
- Per available records, the site has been developed since 1979 with the addition of a mobile home. The applicant intends to make site improvements and install a manufactured home. As per zoning requirements, the parcel size has been non-conforming since 1994, rendering the property unusable.
- 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.



- □ Items to consider (cont.):
 - Property has legal access and meets other SR zoning requirements.
 - This request came about when the owner sought a permit (PER25-01014) to remove the existing manufactured home and construct a new site built home on the subject site.



- Staff Recommends <u>approval</u> with one stipulation.
- □ 1. All State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained, including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, etc.



4/24/25

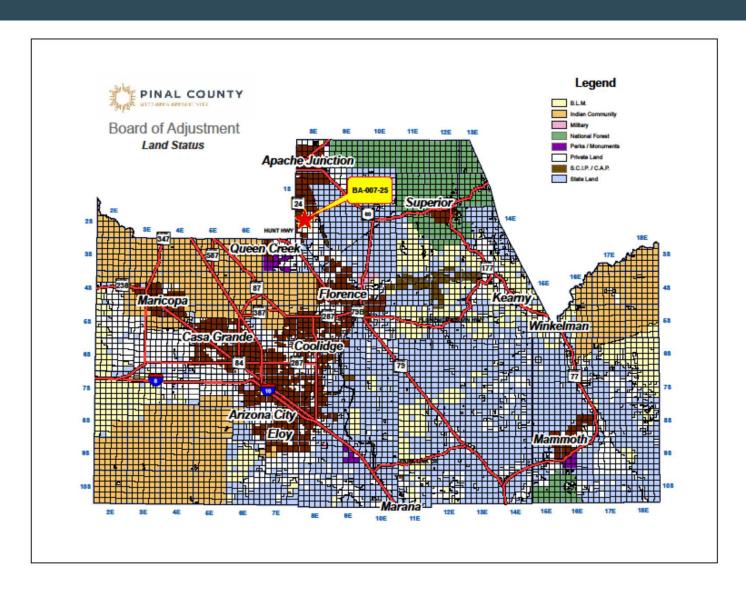
Community Development Department



- Proposal: The request is a reduction in the minimum lot area requirement from 144,000 square feet to 142,005 square feet in the Suburban Ranch Zone (SR).
- Location: Northwest of Kenworthy and Westbrooke, in Pinal County.
- Owner/Applicant: Jarred Hadlock

County Map





Aerial Map



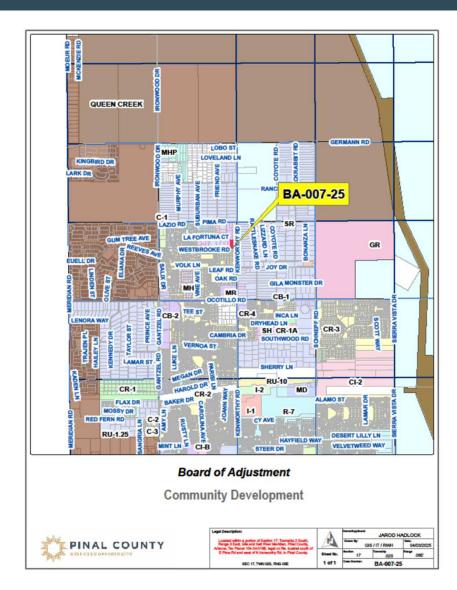


Board of Adjustment



Area Map

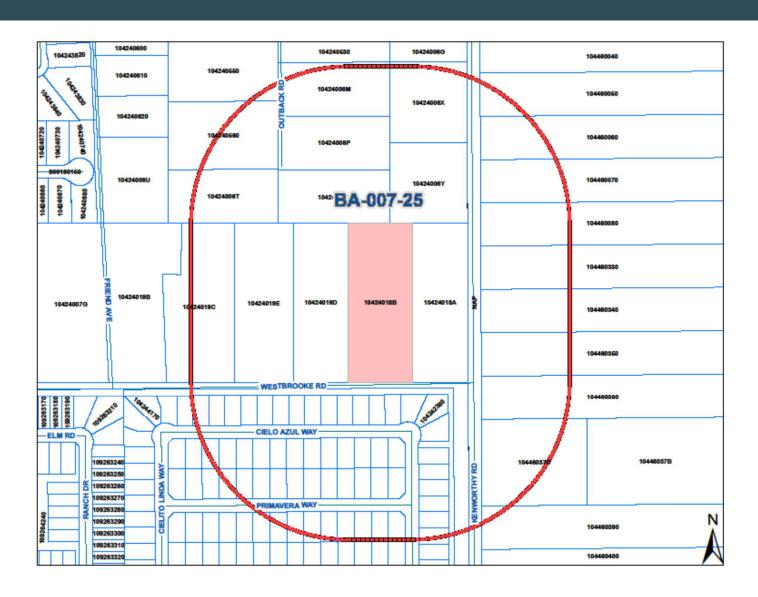




5

Notice Area

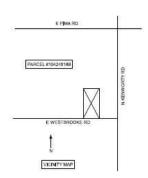




Site Plan

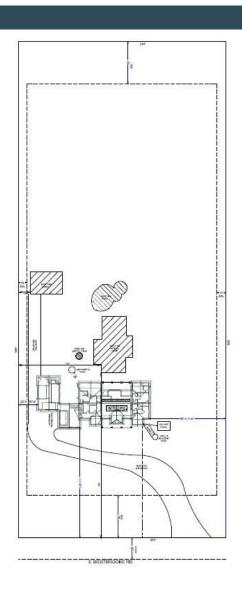






SITE PLAN

SCALE 1" = 30'



GOVERNING CONSTRUCTION CODES

2016 International Building Code 2018 International Residential Code 2018 International Residential Code 2019 International Mechanical Code 2019 International Plannishing Code 2019 International Treat Gos Code 2019 International Treat Gos Code 2019 International Treatmy Maintenance Code 2019 International Treatmy Maintenance Code 2019 International Treatmy Maintenance Code

No Deterred home

OWNER: JARED HADLOCK 1720 E WESTBROOKE RD PARCEL 104-24-018B SAN TAN VALLEY, AZ 85140 SUN VALLEY FARMS II

LOT AREA: 142,740 SQ FT JURISDICTION: PINAL COUNTY ZONING: SUBURBAN RANCH G & D AND LOT RETENTION TO REMAIN UNCHANGED

LOT COVERAGE
LOT AREA: 142,740 SQ FT
EXISTING LIVABLE MOBILE HOME: 1,948 SQ FT
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NEW LIVABLE: 3,378 SQ FT
GARAGES: 1,436 SQ FT
PORCHES: 571 SQ FT
TOTAL: 8,424 SQ FT
6% COVERAGE





Items to consider:

- The lot was created in 1994 as a result of a parcel split. While there are several other lots in the nearby area that are the same zoning district, there are also a number of other lots in the area zoned to allow smaller lots.
- Per available records, the site has been developed since 1979 with the addition of a mobile home. The applicant intends to make site improvements and install a manufactured home. As per zoning requirements, the parcel size has been non-conforming since 1994, rendering the property unusable.
- 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.

8



- □ Items to consider (cont.):
 - Property has legal access and meets other SR zoning requirements.
 - This request came about when the owner sought a permit (PER25-01014) to remove the existing manufactured home and construct a new site built home on the subject site.



- Staff Recommends <u>approval</u> with one stipulation.
- □ 1. All State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained, including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality permit, security lighting, fire protection, etc.



REPORT TO THE PINAL COUNTY BOARD OF ADJUSTMENT AND APPEALS

CASE: Hadlock Variance Request

MEETING DATE: April 24, 2025

CASE NUMBER: BA-007-25

CASE COORDINATOR: Glenn Bak, Senior Planner

SUPERVISOR DISTRICT: District 2 Supervisor Goodman

Applicant/Owner: Jared Hadlock

Request: A lot size of 142,005 +/- square feet (3.26 acres) where 144,000 square feet (3.3

acres) is the minimum allowed.

Site Location: APN 104-24-018B, 1720 E Westbrooke Road, Northwest of Kenworthy and

Westbrooke.

Site Size: 3.26 acres

Zoning: SR Suburban Ranch

Current Use: Single Family Residence/Manufactured Home

Opposition/Support: None received at the time this report was written

Staff

Recommendation: Approval

Surrounding Zoning and Land Use:

North: Suburban Homestead Zoning (SH) - Single-Family Residence South: Single Residence Zoning (CR-3) - Single-Family Residence East: Suburban Ranch Zoning (SR) - Single-Family Residence

West: Suburban Homestead Zoning (SH) - Single-Family Residence

History: Available records show the property first being developed in 1979 with the addition of an affixed mobile home. In 1994 a lot split was completed wherein the parent parcel (104-24-01800) was split to create the subject parcel. This occurred prior to the county requiring lot splits to be done via the Minor Land Division process since 2006, thus available records are more limited. On July 12, 2024 the current

owner took possession of the subject parcel via a Warranty Deed recorded under Fee Number 2024-052823.

Site Conditions: The site is a rectangular-shaped lot measuring 244 feet in width and approximately 585 feet in depth for a total area of 142,740 -sq. ft. or 3.26 acres. The subject site abuts and has frontage on E Westbrooke Road to the south. The site is currently developed with a manufactured home and shed. The site is landscaped with mature trees and shrubs and grass areas.



Recent aerial view of the subject site and surrounding area

Plan Analysis: This is a request for a variance to reduce the minimum lot size from 144,000 square feet (3.3 acres) to 142,005 +/- (3.26 acres) to allow a manufactured home and any future development on a parcel within the Suburban Ranch (SR) Zone. This request came about when the owner sought a permit (PER25-01014) to remove the existing manufactured home and construct a new site built home on the subject site. In reviewing the permit application, staff was unable to approve the permit due to the lot being slightly below the minimum required area. The applicant submitted a request for the lot being 3.26 acres, as shown by the Assessors, which translates to 142,005 square feet. However, the site plan shows the parcel to be slightly larger at 142,740 square feet. The Pinal County Development Services Code states the minimum lot area for the SR zoning district is 144,000 square feet (3.3 acres). The square footage for 3.3 acres is 143,748 square feet. Given these findings, it seems prudent to first apply the

actual square footage shown in the site plan which was 142,740 square feet, which is slightly less than the 143,748 square feet as required by the Code. Thus, based upon available records, it is reasonable to conclude that the lot is 1,008 square feet below the minimum required. This equates to an underage of .007%, which can be reasonably be considered de minimis. Staff also considered the history of the lot's creation, noting that the split apparently creating the current condition occurred in 1994, some 12 years before the County required a Minor Land Division (MLD) for such a split. This becomes relevant when it is considered that had the lot been split thorough that process, staff would have likely informed the then owner that the lot could not be split so as to leave it under the required minimum. However, it should also be noted that the MLD Ordinance contains a provision allowing a lot to split to occur if the lot is within 1% of required minimum, if approved by the planning director.

In considering the size of the lot as compared to the overall immediate area, staff noted that within the immediate area there exist quite a few different zoning districts, and most notably, there are smaller lots developed to the south across Westbrooke Road, as well as in proximity to the northwest. Given these considerations, staff is supportive of this request.

Legal Description: A portion of Parcel 5 of Sun Valley Farms Unit II Section 17, T 02S, R 08E G&SRB&M, in Pinal County.

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

Newspaper publish dates: Week of 4/5/25

Mail-outs: 4/7/2025 Site Posting: 4/7/2025 Website: 4/8/2025

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 of the Pinal County Development Services Code.

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 Services 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-referenced Section of the Code.

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 lot was created in 1994 as a result of a parcel split. While there are several other lots in the nearby area that are the same zoning district, there are also a number of other lots in the area zoned to allow smaller lots.

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

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

ANALYSIS: The "Hardship" must be related to the physical aspects of the land and not a personal or self-imposed hardship. Hardship in this variance case was created when the lot was split in 1994 by a previous owner, and in the chain of title, leaving it slightly under the minimum required lot area.

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

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

ANALYSIS: Per available records, the site has been developed since 1979 with the addition of a mobile home. The applicant intends to make site improvements and install a manufactured home. As per zoning requirements, the parcel size has been non-conforming since 1994, rendering the property unusable.

FINDING: The strict application of the regulations <u>would</u> work an unnecessary nonfinancial hardship

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

ANALYSIS: As mentioned earlier, the 1994 lot split left the lot slightly under the minimum required area, which makes the lot unbuildable. Not granting the variance would cause an "undue hardship." Undue hardship, means a problem created by some feature of the land rather than a misunderstanding of the zoning ordinance by the applicant.

FINDING: Staff finds that granting the variance <u>does</u> appear 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: The lot size is consistent with other properties in the area, and if approved with the attached stipulations the present residential use would have to be in compliance with all current applicable construction codes. Staff has included stipulations that outline development standards that would be consistent with other development in the area and lots of this 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: Single family residential is an allowed use in the SR zone.

FINDING: Granting of the variance <u>will not</u> 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-007-25) 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:

- **(Staff recommends citing a minimum of three findings)
- ***(Suggested finding)

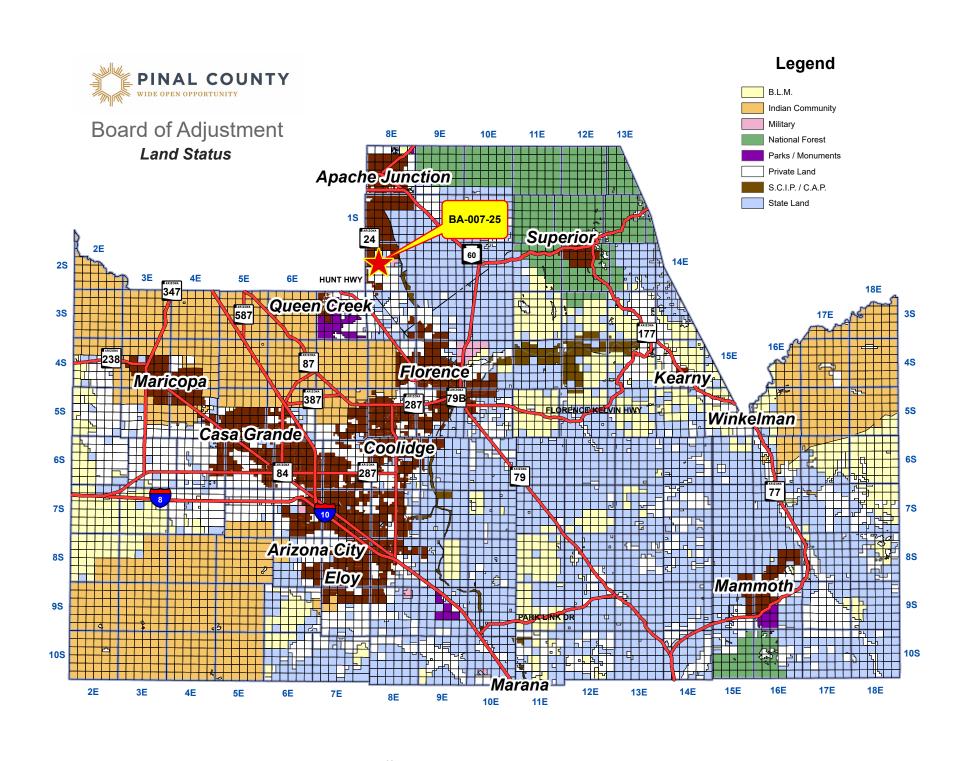
I move to approve case BA-007-25, Section 2.20.020 and Section 2.20.030 of the PCDSC, to allow a reduction in the minimum required lot area from 144,000 square feet (3.3 ac) to 142,005 \pm square feet (3.26 \pm acres) and applicable SR <u>District</u> development standards to allow the construction of a manufactured home on a 3.26 acre parcel in the Suburban Ranch Zone (SR), and approve findings citing a minimum of three findings from a. thru f. as set forth in the above-referenced findings in the staff report. Subject to the following stipulation:

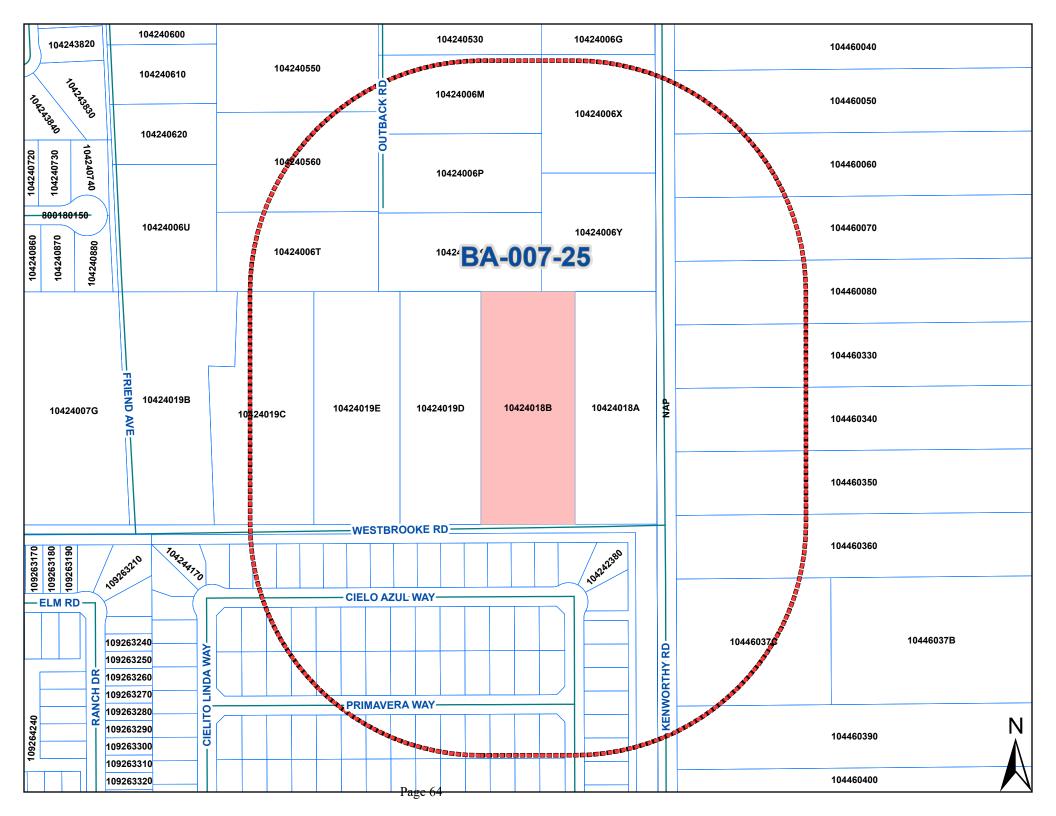
1. All State and County regulations shall be adhered to and all required approvals, plans, submittal documents and permits be submitted and obtained, including but not limited to, planning clearance, building, sewage disposal, right-of-way use permit, handling and disposal of waste water, air quality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

To Deny:

I move to deny the variance case BA-007-25, a variance to Section 2.20.020 (B) and Section 2.20.030 of the PCDSC, due to the findings(s)/special circumstances referred to in the subsection (C)(4) of 2.155.040 in the PCDSC are self-imposed.

DATE PREPARED: 4/2/2025 - GB

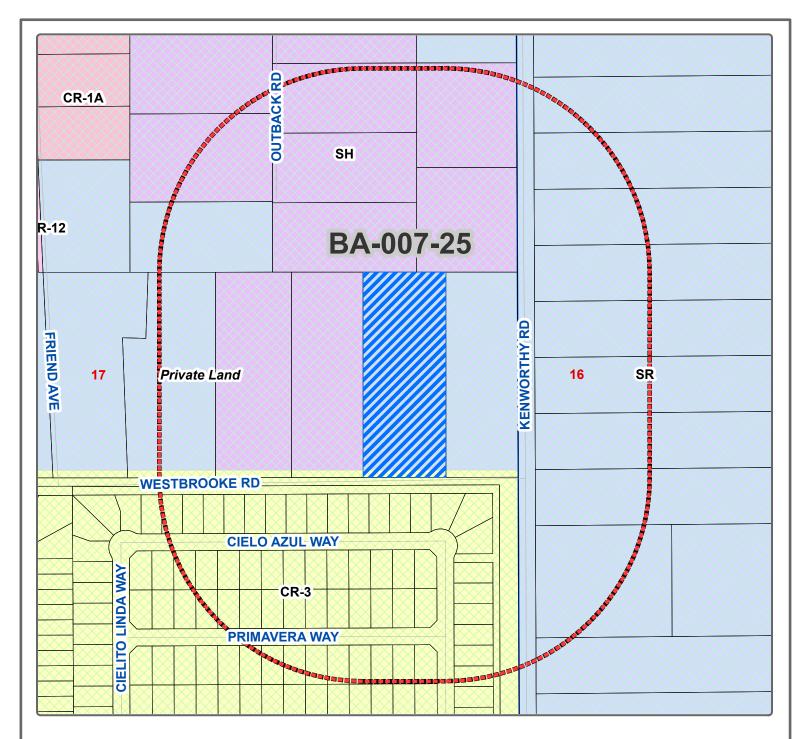






Board of Adjustment





Board of Adjustment

BA-007-25 – PUBLIC HEARING/ACTION: Jarod Hadlock, landowner/applicant, requesting a variance to Section 2.20.020 and 2.20.030 of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 144,000 square feet (3.3 acres) to 142,005 +/- (3.26 acres) and applicable development standards, to allow a manufactured home on a 3.26 acre parcel in the Suburban Ranch Zone (SR), located within a portion of Section 17, Township 2 South, Range 8 East, Gila and Salt River Meridian, Pinal County, Arizona, Tax Parcel 104-24-018B, legal on file, located south of E Pima Rd and west of N Kenworthy Rd, in Pinal County.

Current Zoning: SR Requested Zoning: Board of Adjustment Current Land Use: SAN TAN VALLEY SAP



Legal Description:

Located within a portion of Section 17, Township 2 South, Range 8 East, Gila and Salt River Meridian, Pinal County, Arizona, Tax Parcel 104-24-018B, legal on file, located south of E Pima Rd and west of N Kerworthy Rd, in Pinal County.

Sheet No. 1 of 1

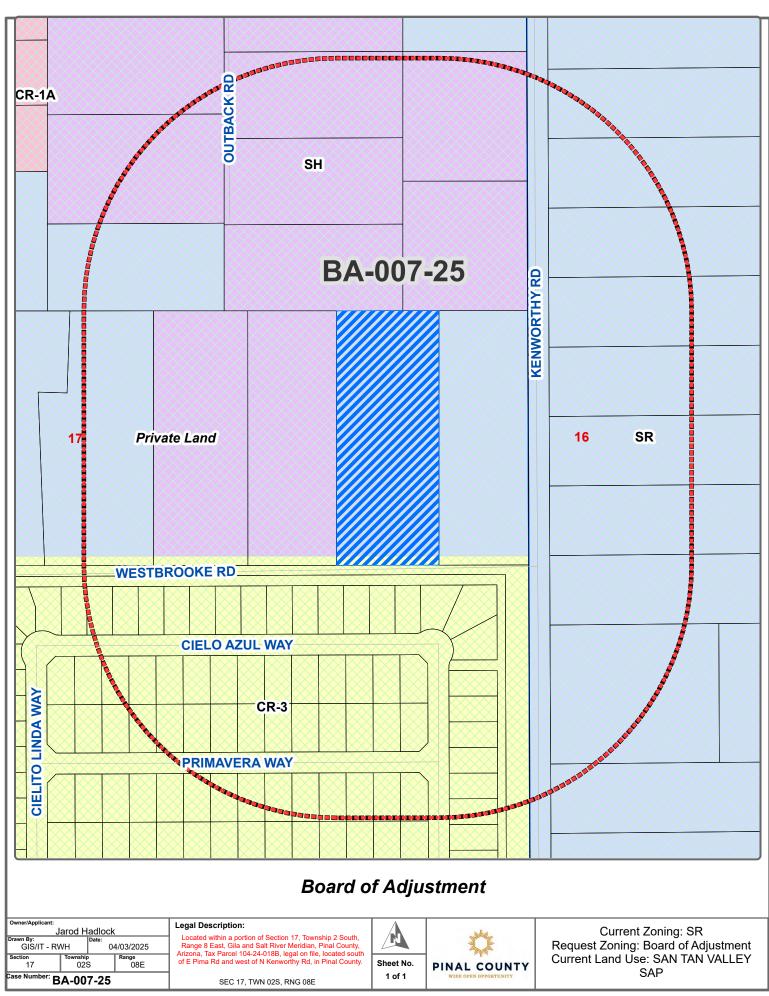
 Owner/Applicant:
 JAROD HADLOCK

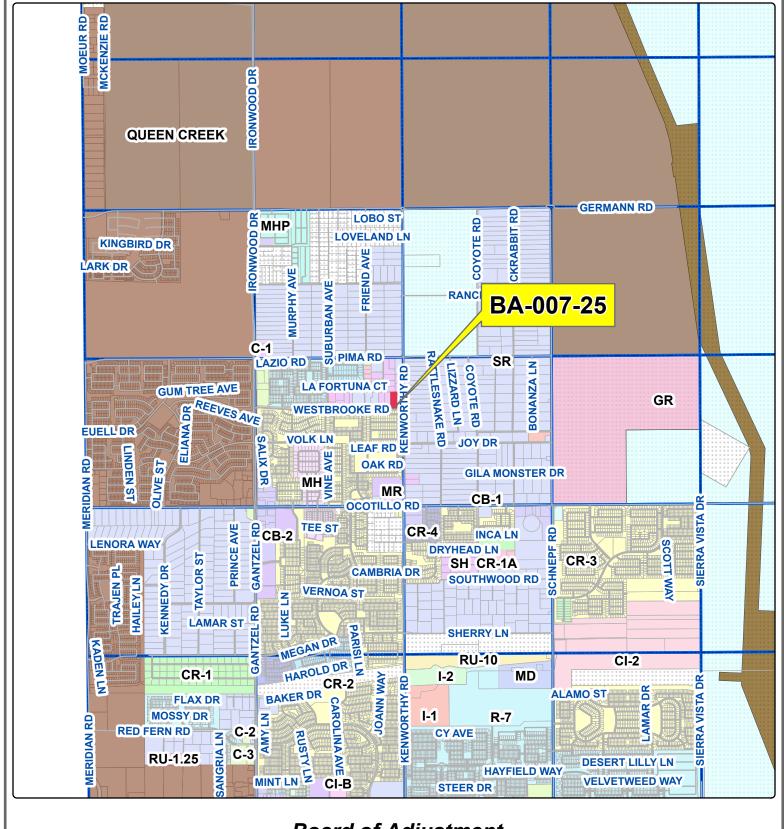
 Drawn By:
 GIS / IT /RWH
 Date: 04/03/2025

 Section 17
 Township 02S
 Range 08E

 Case Number:
 BA-007-25

SEC 17, TWN 02S, RNG 08E





Board of Adjustment

Community Development



Legal Description:
Located within a portion of Section 17, Township 2 South, Range 8 East, Gila and Salt River Meridian, Pinal County, Arizona, Tax Parcel 104-24-018B, legal on file, located south of E Pima Rd and west of N Kenworthy Rd, in Pinal County.
Page 68 17, TWN 02S, RNG 08E



NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE BOARD OF ADJUSTMENT AND APPEALS AT 9:30 A.M., ON **APRIL 24, 2025** 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-007-25 – PUBLIC HEARING/ACTION: Jarod Hadlock, landowner/applicant, requesting a variance to **Section 2.20.020 and 2.20.030** of the Pinal County Development Services Code, to allow a reduction in the minimum required lot area from 144,000 square feet (3.3 acres) to 142,005 +/- (3.26 acres) and applicable development standards, to allow a manufactured home on a 3.26 acre parcel in the Suburban Ranch Zone (SR), located within a portion of Section 17, Township 2 South, Range 8 East, Gila and Salt River Meridian, Pinal County, Arizona, Tax Parcel 104-24-018B, legal on file, located south of E Pima Rd and west of N Kenworthy Rd, 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 27th DAY OF MARCH, 2025

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 749 (85 N. Florence St.) FLORENCE, AZ 85132

Contact for this matter: Glenn Bak, e-mail address: glenn.bak@pinal.gov

Phone #: (520) 866-6444

[Anything below this line is not for publication.]

PUBLISHED ONCE:

Pinal Central Dispatch, AZ Republic

PINAL COUNTY

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 spa provided)					
	1. Tax Assessor Parcel No.: 104-24-018B 2. Size (to the nearest 1/10th of an acre 3.26				
	3. The legal description of the property: SUN VALLEY FARMS II: POR OF LT 5 BEG AT NE COR OF LT 5; TH W-243.9' TO POB; TH CONT W-243.9' TH S-585.43'; TH E-243.9' TH N-585.43' TO TPOB SEC 17-25-8E 3.26 AC				
	4. Current zoning: SR 5. Septic or Sewer? Septic X Sewer Sewer District				
	6. The existing use(s) of the property: Manufactured home that includes a home of 1728				
	he <u>exact</u> variance request and/or Section(s) of Code impacted: The minimum acreage for SR zoning is 3.3 Acres				
	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				
Upon pur	the character of your property or adjoining properties. chasing this property with the intent to remove the existing manufactured home and build a permanent residence, the building permit was denied based on the parcel size being 3.26 acres a difference of only **0.04 acres as a difference of only **0.04				
	records indicate the property was part of a larger parcel, which was split in **1993** when the previous owner's mother added a new manufactured home. This configuration has remained unchanged for over **32 year				
Annual pr	operty taxes paid without dispute from the county. Additionally, neighboring properties along Westbrooke Rd. have similar parcel sizes under the 3.3-acre requirement. This suggests the zoning standards have been				
applied in	consistentyl or have evolved without consideration of long-established property divisions.				
Moreover.	a **Quit Claim Deed was recorded in 2006**, reinforcing that this parcel has been legally recognized in its current configuration for decades. These facts indicate that this situation is not a result of recent land change				
or self-imp	posed alterations, but rather a longstanding and accepted land division. 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 lot siz	te descrepancy is minor (3.26 vs. 3.3 acres). There are multiple lots along Westbrooke Rd. under 3.3 acres, demonstrating that this is not an isolated or unique issue.				
Based on	my own measurements and those displayed in teh Assessor Parcel Viewer, my lot appears to meet or be extremely close to teh 3.3 acre requirement.				
The prope	erty located at **1440 F. Westbrooke Rd ** has a calculated parcel size of 3.22 acres yet it is zoned SR. This demonstrates precedent for granting SR zoning to lots under 3.3 acres				

COMMUNITY DEVELOPMENT
Planning Division

These circumstances illusrate that my property is **not uniquely non-confroming**, but rather consistent with other nearby properties that have been approved for SR Zoning

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

- g perm	it. The long-term recognition of this parcel, including tax records and legal deeds, suggest that this issue was not raised or enforced by Pinal County previously.
this is r	tot a self-imposed hardship but rather a situation created by historical land divisions and changes in zoning enforcement over time.
or v	State how the granting of this application will not materially affect the health or safety of persons residing vorking in the neighborhood and how this variance will not be materially detrimental to the public welfare njurious to property or improvements in the neighborhood.
iting of ti	nis variance does not create any health or safety concerns for residents or neighboring properties. The property already exists as a recognized, legal lot with taxes paid for decades without issue.
	e of 0.04 acres is negligible and does not materially impact setbacks, infrastructure, or environmental concerns. Several other lots in the immediate area have already been allowed to maintain SR zo er 3.3 acres
this var	iance simply allows for a reasonable and consistent application of zoning laws without any detrimental effect on the neighborhood.
13. loca	State how the variance will only allow permitted uses in the zoning district in which the property is ted.
haro exis	State how the strict application of the current regulations would work an unnecessary nonfinancial diship and how the granting of the variance is necessary for the preservation and enjoyment of substantial ting property rights. Show how all beneficial uses and/or enjoyment of the land will be lost if the variance of granted. Evidence from an appraiser, realtor or other professionals can be useful.
This	variance does not request any use outside of what is already permitted in SR zoning. The request is purely to recognize the existing parcel
	ompliant with the zoning standard so that a home can be built. Granting this variance does not alter or expand allowable uses but rather ensures consistency with existing zoning intentions.
-	
<u>(The</u>	following are additional questions for reductions in parking requests only)
15. :	Site Plan Review or Building Permit Number:
	Required parking either in total number or ratio:
16.	

Page | 2

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.

Jared Hadlock	1720 E Westbrooke Road, San Tan Valley AZ., 85140		
Name of Applicant	Address		
1 DHM	jaredhadlock@live.com	480-205-1571	
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 authori agreeing to stipulations. The agent will be hearings. Please use attached Agency Aut	the contact person for Planning staff and		
None of London	Address		
Name of Landowner	Address		

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.

Narrative for Variance Application

To: Pinal County Planning Department

From: Jared Hadlock

Date: March 11, 2025

Subject: Variance Application (BA-007-25) for 1720 E Westbrooke Rd. San Tan Valley, AZ

Introduction

I am writing to request a variance for my property located at Parcel Number 104-24-018B. The purpose of this variance is to allow for the construction of a permanent residence on a parcel that is currently classified as non-conforming due to its size of 3.26 acres, which is slightly below the required 3.3 acres for SR zoning. This narrative addresses the specific context for my request.

In May 20245, we purchased this property with the intent to remove the existing manufactured home and build a permanent residence. My building permit was denied based on the parcel size being 3.26 acres instead of the required 3.3 acres—a difference of only **0.04 acres**. Historical records indicate that the property was part of a larger parcel, which was split in **1993** when the previous owner's mother added a new manufactured home. This configuration has remained unchanged for over **32 years**, with annual property taxes paid without dispute from the county. Additionally, neighboring properties along Westbrooke Rd. have similar parcel sizes under the 3.3-acre requirement, suggesting that the zoning standards in this area have been applied inconsistently or have evolved without consideration of long-established property divisions. A **Quit Claim Deed recorded in 2006** reinforces that this parcel has been legally recognized in its current configuration for decades.

The lot size discrepancy is minor (3.26 acres vs. 3.3 acres). There are multiple other lots along Westbrooke Rd. under 3.3 acres, demonstrating that this is not an isolated or unique issue. Based on my own measurements and those displayed in the Assessor Parcel Viewer, my lot appears to meet or be extremely close to the 3.3-acre requirement. The property located at **1440 E Westbrooke Rd.** has a **calculated parcel size of 3.22 acres**, yet it is zoned SR, demonstrating precedent for granting SR zoning to lots under 3.3 acres. These circumstances illustrate that my property is **not uniquely non-conforming**, but rather consistent with other nearby properties that have been approved for SR zoning.

As noted, this **parcel was legally split over 30 years ago**, long before I purchased the property. I did not create the subdivision of the land, nor was I aware of any zoning discrepancy until applying for a building permit. The long-term recognition of this parcel, including tax records and legal deeds, suggests that this issue was not raised or enforced by Pinal County previously. Therefore, this is not a self-imposed hardship but rather a situation created by historical land divisions and changes in zoning enforcement over time.

The granting of this variance does not create any health or safety concerns for residents or neighboring properties. The property already exists as a recognized, legal lot with taxes paid for decades without issue. The size difference of 0.04 acres is negligible and does not materially impact setbacks, infrastructure, or environmental concerns. Several other lots in the immediate area have already been allowed to maintain SR zoning despite being under 3.3 acres. Granting this variance simply allows for a

reasonable and consistent application of zoning laws without any detrimental effect on the neighborhood.

This variance does not request any use outside of what is already permitted in SR zoning. The request is purely to recognize the existing parcel as compliant with the zoning standard so that a home can be built. Granting this variance does not alter or expand allowable land uses but rather ensures consistency with existing zoning intentions.

If this variance is denied, it would create an unnecessary hardship by preventing me from using the property for its intended and reasonable use—building a home. This hardship is not financial but rather one of fundamental property rights. Additionally, the enforcement of the 3.3-acre rule without considering the long-standing land division and existing similar lots would be inconsistent and unfair. The difference of 0.04 acres is immaterial in terms of land use, yet it arbitrarily restricts the property's use in a manner that does not align with historical precedent. Without this variance, the property's beneficial use would be severely impacted, creating an undue burden on an otherwise legitimate residential lot.

In conclusion, I respectfully request approval of this variance for the following reasons:

- 1. Acknowledge the long-standing legal recognition of this parcel, avoiding the imposition of new zoning restrictions on an existing, historically accepted lot.
- 2. Ensure fairness and consistency, as other nearby lots under 3.3 acres have been granted SR zoning.
- 3. Not impact public welfare, safety, or surrounding properties, given the negligible size difference.
- 4. Allow for the reasonable enjoyment of the property, ensuring that an existing lot is not rendered unusable by rigid enforcement of a minor technicality.

Thank you for considering my request. I look forward to your favorable response.

Sincerely,

Jared Hadlock 480-205-1571

jaredhadlock@live.com

unless otherwise directed in writing.			
Jared Hadlock	1720 E Westbrooke Road, San	1720 E Westbrooke Road, San Tan Valley AZ., 85140	
Name of Applicant	Address		
And Hulls	jaredhadlock@live.com	480-205-1571	
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 author agreeing to stipulations. The agent will be hearings. Please use attached Agency Aut	the contact person for Planning staff an		
Jared Hadlock	1720 E west brooke	Road, San Tan Valley AZ.	
Name of Landowner	Address	185140	
An D Hules	jard hadlock @liv(, c	Com (480) 205-1571	
Signature of Landowner	E-Mail Address	Phone Number	

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