COCONINO COUNTY
BOARD OF ADJUSTMENT

AGENDA

Meeting of August 20, 2019- 3:00 P.M.
THOMAS AUDITORIUM
2500 N. Fort Valley Road, Building 1
Flagstaff, Arizona 86001

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Board of Adjustment and to the general public that, at this regular meeting, the Board of Adjustment may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the Board’s attorneys on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A) (3). Items may be taken out of the order listed below at the call of the Chair.

ROLL CALL

Dianne Patterson, Chairperson
Craig Bearcehall, Vice Chair
John McCartney

I. APPROVAL OF MINUTES

1. Minutes from the Meeting of February 19, 2019

II. UPDATE ON PROPOSED ZONING ORDINANCE CHANGES

1. Discussion on modification of Variance Findings

III. PUBLIC HEARING

2. Case No. VAR-19-003: A Variance is requested from Section 2.1.D.a.2 of the Zoning Ordinance to create an 8.55-acre parcel in lieu of the required 10 acre minimum parcel size where the existing original parcel is bisected by Forest Service Road 151. The subject property is 32.81 acres in size in the G (General, 10 acre minimum parcel size) Zone and located off N Hart Prairie Road/Forest Service Road 151. It is also identified as Assessor’s Parcel Number 300-29-006A.
Applicant: Ethan Aumack, Flagstaff, AZ
Owner: Timothy and Rhonda Snider Family Trust, Tucson, AZ
Supervisor District: (1) Art Babbott

3. Case No. VAR-19-004: A Variance is requested from Section 2.1.D.c of the Zoning Ordinance to create a two 2.119-acre parcels, a 2.2108 acre parcel, and a 2.207 acre parcel in the AR-2 ½ (Agricultural Residential, 2.5 acre parcel size minimum) Zone. The subject property is 4.5 acres in size and located at 2300 S River Valley Road in a County island within the Flagstaff City Limits in the southeast portion of the City.
Applicant: Madeline J Chapin, Sedona Arizona
Owner: Chapin Living Trust DTD 1-23-01, Sedona Arizona
Supervisor District: (2) Liz Archuleta
V. ADJOURNMENT
MINUTES
COCONINO COUNTY
BOARD OF ADJUSTMENT

Meeting of February 19th, 2019

Thomas Auditorium
2500 N. Fort Valley Road, Building 1
Flagstaff, Arizona

MEMBERS PRESENT
Dianne Patterson, Chairperson
John McCartney
Craig Bearchell

MEMBERS ABSENT
Martin Anaya

COUNTY STAFF PRESENT
Zach Schwartz, Senior Planner
Kendra Crawford, Recording Secretary

Chairperson Patterson called the meeting to order at 2:59PM.

The first item on the Agenda was approval of the Minutes of February 5th, 2019.

MOTION: Mr. Bearchell moved to approve the Minutes of February 5th, 2019 as written. The Motion was seconded by Mr. McCartney. The Minutes were approved 2-1, with Chairperson Patterson abstaining.

The second item on the Agenda was the approval of Consent items.

The Board and staff discussed a couple of the bylaws for clarification purposes; Notification within 48 hours does not include illness, Co-Chair Pro Temp can only occur when there are five members on the Board, Meetings should be held at Community Development for information and office machinery proximity, Executive Sessions do not apply to the Freedom of Information Act due to Attorney-Client privilege and are not public record unless they do a former request. If an applicant brings there case back after a denial, they need to wait a year and provide new information, the deletion of the second sentence in Article five, number seven, that states “Where such conditions are violated or not complied with, the application shall be deemed to have been denied” and if the Pledge of Allegiance should be performed at every meeting.

MOTION: Chairperson Patterson moved to approve the Consent Item with the deletion of the second sentence in Article five, number seven, that states “Where such conditions are violated or not
complied with, the application shall be deemed to have been denied”. The Motion was seconded by Mr. McCartney. The Motion was approved unanimously.

The next item on the Agenda was the Election of Officers.

The Board discussed who would like to be Chair and Vice-Chair. Mr. McCartney Nominated Chairperson Patterson for Chair and Mr. Bearchell as Vice-Chair.

**MOTION:** Mr. McCartney moved to approve Chairperson Patterson for another term of Chairperson and Mr. Bearchell as Vice-Chair. The Motion was seconded by Chairperson Patterson. The Motion was approved unanimously.

The final item on the Agenda was Case No. VAR-19-001.

Mr. Schwartz explained for the Board that staff noticed that the submittals did not include any survey, and especially considering that an existing structure might also be encroaching into the setback and needing a Variance, staff was not able to provide a proper analysis of the case. The applicant noted that a survey should have been ready by February 4, 2019, giving staff enough time to analyze the case or to write another notice to include other Variances. The applicant was not able to provide the survey for this hearing at that time and will provide it in a timely manner for the next hearing, March 19, 2019.

**MOTION:** Chairperson Patterson moved to continue Case No. VAR-19-001 until the meeting of April 16th, 2019. The Motion was seconded by Mr. Bearchell. The Motion was approved unanimously.

**MOTION:** Mr. McCartney moved to adjourn the meeting. Chairperson Patterson seconded the Motion. The Motion was approved unanimously.

The meeting adjourned at 3:19PM.

__________________________
Chairperson, Board of Adjustment

**ATTEST:**
Secretary, Board of Adjustment
MEMORANDUM

Date: August 20, 2019

To: Board of Adjustment

From: Community Development Department

Subject: Zoning Ordinance Update 2019 and Modifications to Variance Findings

Under direction from the Board of Supervisors to implement an Action Item from the 2015 Comprehensive Plan, in 2017 planning staff began working on updates to the County’s Zoning Ordinance. This effort has been a significant update of the entire zoning ordinance, focused on modernizing the code, land uses and standards to reflect the intent of the Comprehensive Plan. As part of this update staff reviewed Section 5.8, Variances, and is proposing changes to the Findings of Fact and other minor modifications related to this section. As this section is the purview of the Board of Adjustment, planning staff is seeking BOA review and comment on the proposed modifications to Section 5.8 of the zoning ordinance. These changes are shown in the following excerpt from Chapter 5, Administration with changes displayed in blue underline:

Excerpt from Zoning Ordinance Chapter 5, Administration
Section 5.8: Variances

Section 5.8.A: Purposes and Authorization

1a. Variances from the terms of the Zoning Ordinance shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Any Variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

2b. The power to grant Variances does not extend to Use regulations. Flexibility to the zoning regulations is provided in the Conditional Use provisions of this Ordinance.

3e. The Board of Adjustment may grant Variances to the regulations prescribed by this Section, in accord with the procedure prescribed in this Section, with respect to fences, walls,
hedges, screening, and landscaping; site area, width, and depth; front, rear, and side yard setbacks; coverage, height of structures or appurtenances; distances between structures; usable open space; signs, off-street parking facilities, minimum lot size and setbacks for animal keeping, or frontage on a public street.

Section 5.8.B: Administration

1. Investigation and Report

The Director of Community Development shall make an investigation of each application that is the subject of a public hearing and shall prepare a report thereon which shall be submitted to the Board of Adjustment and made available to the applicant prior to the public hearing.

2. Public Hearing

The Board of Adjustment shall hold a public hearing on an application for a Variance. The hearing shall be set and notice given as prescribed in Section 5.4 (Public Hearing Time and Notice). At a public hearing, the Board shall review the application, statements, and drawings submitted therewith and shall receive pertinent evidence concerning the Variance, particularly with respect to the findings prescribed in Section 5.8.B.4 (Findings).

3. Action by the Board of Adjustment

Within forty (40) days following the close of the public hearing on a Variance application, the Board of Adjustment shall act on the application. The Board may grant, by resolution, a Variance as the Variance was applied for or in modified form, or the application may be denied. A Variance may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the Board may prescribe. Upon failure to act within the prescribed forty (40) day period, an appeal may be taken to the Superior Court as prescribed inARS §11-807.

4. Findings of Fact

The Board of Adjustment may grant a Variance to a regulation prescribed by this Ordinance with respect to fences, walls, hedges, screening, or landscaping; site area, width, or depth; front, rear, or side yard setbacks; coverage, height of structures or appurtenances, distances between structures, usable open space, signs, off street parking facilities, minimum lot size and setbacks for animal keeping, or frontage on a public street, as the Variance was applied for or in modified form. If, on the basis of the application and the evidence submitted, the Board of Adjustment makes the following findings of fact that establish that the circumstances prescribed in paragraphs A, B, or C do apply.

4A. That the strict or literal interpretation and enforcement of the specified regulation is necessary for the preservation of substantial property rights and would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Ordinance.
2b. That there are preexisting exceptional or extraordinary circumstances or conditions applicable to the property, land or buildings involved, that were not created or self-imposed by the applicant, and which do not apply generally to other properties in the same zone.

3c. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zone.

4d. That the granting of the Variance as conditioned is the minimum that will accomplish this purpose and will not constitute the granting of a special privilege inconsistent with the limitations on other properties in the same zone.

5e. That the granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to the public or properties or improvements in the vicinity.

a. Signs - Additional Findings

   a. Signs. The Board of Adjustment may grant a Variance to a regulation prescribed in this Ordinance with respect to signs as the Variance was applied for or in modified form, if, on the basis of the application and the evidence submitted, the Board of Adjustment makes findings of fact that establish that the circumstances prescribed in Section 5.8.8.4 (Findings) apply and the following circumstances also apply.

   i. (1) That the granting of the Variance will not detract from the attractiveness or orderliness of the surrounding neighborhood or infringe on the similar rights of others.

   ii. (2) That the granting of the Variance will not create a hazard to public safety.

b. Parking - Additional Findings

The Board of Adjustment may grant a Variance to a regulation prescribed by this Ordinance with respect to off-street parking facilities as the Variance was applied for or in modified form, if, on the basis of the application and the evidence submitted, the Board of Adjustment makes findings of fact that establish that the circumstances prescribed in Section 5.8.8.4 apply and the following circumstances apply.

   i. (1) That neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation.

   ii. (2) That the granting of the Variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.
That the granting of the Variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance.

5. Appeals to Superior Court

A decision of the Board of Adjustment on a Variance may be appealed within thirty (30) days to the Superior Court by the applicant or any other aggrieved person as prescribed in ARS 11-807.

6. Effective Date of Variance

A decision of the Board of Adjustment on a Variance shall be final thirty (30) days after the date of the decision and upon receipt by the Department of Community Development of a signed agreement to the conditions of approval, unless an appeal has been filed.

7. Lapse of Variance

a. A Variance shall lapse and shall become void one year following the date on which the Variance became effective unless the Board of Adjustment grants a specific timeframe for obtaining a building permit or prior to the expiration of one year, a building permit is issued and construction is commenced and diligently pursued toward completion on the site which was the subject of the variance application, or a permit is issued authorizing occupancy of the site or structure which was the subject of the variance application, or the site is occupied if no building permit or Certificate of Occupancy is required.

b. A Variance may be renewed for an additional period of one year provided that prior to the expiration of one year from the date when the Variance or the renewal became effective, an application for renewal of the Variance is filed with the Director of Community Development.

c. A Variance shall also lapse if the use for which the Variance is approved is terminated for a period of one year. Recomencement of the use after the one year period of inactivity shall require filing a new Variance application according to the process and requirements listed in Sections 5.8.A through 5.8.B.10.

8. A Variance subject to expiration may be renewed, provided that prior to the expiration date, an application for renewal of the Variance is filed with the Board of Adjustment.

The Board of Adjustment may grant or deny an application for renewal of a Variance subject to the modification of existing conditions of approval and/or the addition of new conditions of approval. A primary consideration of renewal is compliance with conditions of approval.

9. Revocation

Failure to comply with any of the conditions of approval is a violation of the Zoning Ordinance and may result in the revocation of a Variance. Revocation shall require a public hearing before the Board of Adjustment Commission in accordance with public notice.
criteria. The Board of Adjustment shall hold a public hearing within ninety (90) days of
sending notice to both applicant and property owner, in accordance with the procedure
prescribed in Section 5.8.B.2 (Public Hearing). If not satisfied that the regulation, general
provisions, or conditions are being complied with, the Board may revoke the Variance or
take such action as may be necessary to ensure compliance with the regulation, general
provisions, or conditions. The decision may include time frames for ensuring compliance or
decommissioning the project.

10. New Application

Following the denial or revocation of a Variance application, no application for the same or
substantially the same Variance on the site or substantially the same site shall be filed
within one year from the date of denial or revocation of the Variance.

11. Variance Related to Plans Submitted

Unless otherwise specified at the time a Variance is granted, it shall apply only to the plans
and drawings submitted as part of the application.

Planning staff will report Board of Adjustment comments to the Planning and Zoning
Commission and the Board of Supvisors at upcoming public hearings, scheduled to begin
September 25, 2019 with the Planning and Zoning Commission hearing.

Respectfully submitted,

Jess McNeely, AICP, Assistant Director/Planning and Zoning Manager

Prepared by Melissa Shaw, AICP, Long Range Planner
Case No. VAR-19-003: A Variance is requested from Section 2.1.D.a.2 of the Zoning Ordinance to create an 8.55-acre parcel in lieu of the required 10-acre minimum parcel size where the existing original parcel is bisected by Forest Service Road 151. The subject property is 32.81 acres in size in the G (General, 10-acre minimum parcel size) Zone and located off N Hart Prairie Road/Forest Service Road 151. It is also identified as Assessor’s Parcel Number 300-29-006A.

Applicant: Ethan Aumack, Flagstaff, AZ
Owner: Timothy and Rhonda Snider Family Trust, Tucson, AZ
Supervisor District: (1) Art Babbott
REQUEST

A Variance (of lot size) is requested from Section 2.1.D.a.2 of the Zoning Ordinance to create an 8.55-acre parcel in lieu of the required 10-acre minimum parcel size where the existing original parcel is bisected by Forest Service Road 151. The remaining portion of land would be split into two new parcels, each sized over 10 acres. The total splits allowed for the parcel with or without the Variance would be three.

SUBJECT PROPERTY AND SURROUNDING LAND USES

The subject property is 32.81 acres in size in the General Zone (10-acre minimum lot size). It is developed with a residence, and relatively flat with mature vegetation on site. Forest Road 151 also known as Hart Prairie Road bisects the property. The subject property is otherwise surrounded by similar residential properties and Forest Service land.
Aerial imagery showing Forest Road 151 (yellow line) bisecting the subject property to the east.

Photo looking south down Forest Road 151 on the subject property.
BACKGROUND

The existing residence was built in 2010. According to County records, the owner purchased and split the subject property in 2014. According to Assessor Parcel Maps, Forest Road 151 has existed in its current location, bisecting the property, since at least 1963. The Forest Service road does not lie within a dedicated easement to the best knowledge of the applicant’s surveyor.

ANALYSIS

The applicant is proposing to split the property into three pieces, one of which would be 8.55 acres and bounded by the Forest Service road. This split would be undersized for the General zone, which requires a minimum of 10 acres in size. The applicant’s narrative states the following:

"1) Proceeding with a sale of the smaller parcel that necessarily joins it to discontinuous acreage separated by FS151 would require the purchaser to acquire land that has no functional
use to them, and that the current owner part with land that is valuable only if it is continuous with the larger parcel. We see this as a hardship that a relatively minor variance would forego.  
2) The 0.45 deviation from the minimum is minimal. [Staff note: The applicant appears to be referring to an Administrative Adjustment of lot size which if approved would allow a 10% reduction, or a 9-acre parcel.]  
3) Splitting the east and west sides of the property would like 24.25 acres in the larger west side parcel. This larger parcel could only be split twice. As such granting a relatively minor variance here will not increase the total number of parcels permitted to be split out of the larger one.  
4) We believe this is a very unique situation. We are not aware of other parcels in the area that conform to these circumstances. As such, any precedent set would be extremely narrow.’’

Staff acknowledges the applicant’s unique situation and hardship created by FS151 bisecting the property. The subject parcel is sized at 32.81 acres and thus could be split into three parcels. If the requested Variance is approved, the parcel could still only be split into three parcels, so staff does not see that this Variance would grant the applicant a special privilege (specifically, the ability to gain more lot splits as a result of the Variance).

CITIZEN PARTICIPATION

Staff posted a sign on the lot and mailed notices about the request to neighbors within 300 feet of the subject property. Staff did not receive any contact.

FINDINGS OF FACT

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Section 5.8.B.4 of the Zoning Ordinance requires the Board of Adjustment to make certain Findings of Fact (above) in order to approve a Variance request. In order to approve the
Variance, the Board must make findings of fact that establish that the circumstances prescribed in paragraphs A, B or C and in D and E apply. Staff analysis of the Findings is as follows:

A. **Staff can make this Finding.** Splitting a property with a road crossing it has created an impractical difficulty for the applicant in that if the split-off parcel were to be full size, additional, unusable acreage would need to be split with it.

B. **Staff can make this Finding.** The fact that a road is bisecting a property is an unusual circumstance. While the G-zoned property to the south is in a similar situation, this is still uncommon throughout most of the county.

C. **Staff cannot make this Finding.** The applicant is allowed all typical privileges of the zone without the granting of this Variance. The applicant could, in fact, split the property with the full 10 acres to create an appropriately-sized lot for the General zone.

D. **Staff can make this Finding.** Approval of this Variance would not grant a special privilege to the applicant, seeing as it is uncommon for roads to bisect properties in the county. Approval of this request would not be granting a special privilege because of the uncommonness of the situation, as well as the fact that the applicant would have the ability to split into 3 lots regardless of Variance approval.

E. **Staff can make this Finding.** Approval of this case would not have a negative effect on community character or the neighborhood, nor would it affect public health or safety. The portion to be split off on the east side of the road is nearly 9 acres, which would be allowed with an approved Administrative Adjustment. Staff does not see negative impacts to any surrounding properties from approving this request.

**RECOMMENDATION**

Staff can make the necessary Findings to recommend approval of Case No. VAR-19-003. If the Board of Adjustment can make the Findings, staff recommends the following conditions:

1. A lot split according to the submitted survey be submitted to the Community Development department that delineates a clear access easement with legal description of said easement for the proposed New Parcel 1 at the far west of the subject property.

Respectfully submitted,

[Signature]

Jess McNeely, AICP, Assistant Director
*Prepared by Rachel Davis, Planner*
*Attached: Site Survey*
STAFF REPORT

DATE: August 8, 2019

TO: Board of Adjustment

FROM: Department of Community Development

SUBJECT: Case No. VAR-19-004: A Variance is requested from Section 2.1.D.c of the Zoning Ordinance to allow two 2.2119 acre parcels to be created by minor land division in lieu of the required 2.5 acre minimum parcel size for the zone. The subject property is 4.4238 acres in size in the AR-2 ½ (Agricultural Residential, 2.5 acre minimum parcel size) Zone.
Applicant: Madeline J Chapin- Sedona, AZ
Owner: Chapin Living Trust- Sedona, AZ
Supervisor District: (2) Liz Archuleta

LOCATION: The subject property is located at 2300 S River Valley Road in a County island within the Flagstaff City Limits and is also identified as Assessor’s Parcel Number 106-07-004.
SUBJECT PROPERTY AND SURROUNDING LAND USES

The subject property is approximately 4.4238 acres in the AR-2 ½ Zone. It is located within a narrow strip of County island properties inside of the municipal boundaries of the City of Flagstaff on the east side south of I-40. The subject property is heavily populated with mature Ponderosa Pine and has a minor slope downward from the southern to the northern portion of property.

Surrounding properties to the north and south are also located within the County island in the same zone and ranging from approximately two to five acres. Properties to the east and west are accessed from different City roads and have a much greater range of size from eighty acres to just under eight acres.

REQUEST

The applicant requests two parcels at 2.2119 acres in size in order to split their 4.4238 acre property into two pieces.

BACKGROUND

The applicant bought the property from the original owner of the County island. This parcel and the adjacent parcels to the north and south seem to have gone through some reconfigurations in the late 1980s and early 1990s ending up in the present configuration shown in the attached survey. The reconfigurations were not approved by the Community Development Department. It was during one of these reconfigurations, most likely in the 1980s, that the surveyor at the time incorrectly set the property corner pin that was meant to identify the northeast property corner.

This year the applicant hired a surveyor to write up new legal descriptions for a parcel split thinking that the subject property was 4.5 acres and that they would be able to split the property in half to 2.25 acres with an Administrative Adjustment (a minor staff approved Variance). The surveyor found on May 10, 2019 (see survey from packet) that there is a discrepancy between the northeast property corner and the legal description that appears on the applicant’s deed. The deed’s legal description notes the subject property as having its northeast corner boundary approximately 16.98’ north of where the pin is placed on the ground. This effectively reduced the property’s parcel size by 0.0762 acres.

The applicant applied for this Variance to allow for the reduced parcel size of the resulting parcels for their proposed split rather than to enter into negotiation or legal action against the neighboring property owner to the north.

ANALYSIS

The applicant’s request is fairly minor considering that an Administrative Adjustment would be
approved to allow it by staff if the property were 0.0762 acres larger. Furthermore, it is an extremely unique circumstance that the original survey would be so far off and even the applicant’s deed was noted as having the additional area. Adjacent parcels are a similar size to this request, so the character of the neighborhood would remain intact should this request be approved.

PUBLIC PARTICIPATION

Staff mailed notices about the request to neighbors within 300 feet of the subject property and did not receive any contact.

FINDINGS OF FACT

Section 5.8.B.4 of the Zoning Ordinance requires the Board of Adjustment to make certain Findings of Fact in order to approve a Variance request. In order to approve the Variance, the Board must make findings of fact that establish that the circumstances prescribed in paragraphs A, B or C and in D and E apply. The Findings are as follows:

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Staff makes Findings B, D, and E, which is enough to support approval of the request:

A. **The Board of Adjustment may make this Finding.** There is no physical hardship associated with this request, but the Board may consider an impractical difficulty in splitting the lot.

B. **Staff can make this Finding.** The surveying error causing the need for this request is an exceptional circumstance involved with the property.

C. **Staff cannot make this Finding.** The applicant would still be allowed all typical privileges of the zone without granting of this Variance.

D. **Staff can make this Finding.** Other properties in the zone are able to split to a size less
than a tenth of an acre larger than the applicant’s request.

E. **Staff can make this Finding.** Other properties in this area are a similar size, so this request would not create any parcels that are out of the neighborhood’s character.

**RECOMMENDATION**

If the Board of Adjustment is able to make the required Findings of Fact, staff recommends approval of Case No. VAR-19-004 subject to the following conditions:

1. The minimum parcel sizes shall be 2.2119 as shown on the submitted survey.

2. A Land Division Permit shall be submitted to and approved by the Community Development Department within one year of approval or this Variance will lapse.

Respectfully submitted,

Jess McNeely, AICP, Assistant Director
Prepared by Zach Schwartz, Senior Planner
Parcel Synopsis:

This map reflects the original parcels split off of 106-07-0018 (parent parcel) that was purchased from Harold and the legend below briefly explains the legal, recording information and date. There have been subsequent reconfigurations, split, etc that are not shown on this map. The problem is with the East line as I believe Corner "A" was set erroneously by the original surveyor and corner "B" was set from corner "A." Parcels 106-07-0743 and 106-07-0744 were split using a subsequent legal and the corners were found and accepted per that legal which was recorded in Docket 849, Page 297. My Client was under the impression that he was buying 9 acres, as was shown on Assessor's Map dated 12-31-78 and his deed, but due to the existing monumentation he physically had 8.8457 acres. He wanted to split 106-07-005A in half to give to 2 of his owners, but in order to the 10% rule as he is at 11.8% of his underlay, it is very close and the intent is 4.5 acres. It seems a shame that he should have to suffer for a survey mistake made 40 years ago and due to the fact that he and all of his neighbors appear to be relying on the existing corners although erroneous, furtherments as these are old fences that reasonably fit the existing corners it seems to me that moving all of the property corners on that East line would be impractical and I feel wrong. One more point is that there is precedent for allowing this split as the parcel to the South (A.P.N. 106-07-0018W) is 2 acres, but that parcel is not shown on this map as it was one of the subsequent splits mentioned earlier in the narrative.

Note: The dimensions on the "inside" of the parcels refer to the deed, the dimensions on the "outside" of the parcels are measured from corner to corner.

APN 106-07-001B
Docket 636, Page 566
Harold conveys to Yates
South 2092.0 ft estl
July 1, 1977 at 2:30 P.M.

APN 106-07-001K & -001L
Docket 713, Page 76
Yates conveys to Shaffery
North 1188.5' of South 2025.5' estl
December 8, 1978 at 2:00 P.M.

APN 106-07-001K
Docket 713, Page 81
Shaffery conveys to Shaffery
North 330' of South 2025.5' estl
December 8, 1978 at 2:50 P.M.

APN 106-07-001L
Docket 713, Page 330
Yates conveys to McNeal
South 330' estl
December 7, 1978 at 12:15 P.M.

APN 106-07-001M
Docket 713, Page 235
Yates conveys to Clayburn
North 694 of South 604' estl
December 7, 1978 at 12:15 P.M.

Northland Exploration Surveys, Inc.
Situated in the West half of Section 23, Township 21 North, Range 7 East, Gila and Salt River Meridian, Coconino County, Arizona.

Analysis of Several Parcels' Legal Description

May 10, 2019