



## YUMA COUNTY BOARD OF ADJUSTMENT MEETING PUBLIC NOTICE & AGENDA

**DATE:** October 20, 2015  
**TIME:** 1:00 P.M.  
**PLACE:** Aldrich Auditorium, 2351 West 26th Street, Yuma, Arizona

**MEMBERS:** Charles Saltzer, Chairman, Dist. 2  
Joe Harper, Vice-Chairman, Dist. 4  
Ron Rice, Dist. 1  
Neil Tucker, Dist. 3  
Tim Eisenmann, Dist. 5

**STAFF:** Maggie Castro, Planning Director  
Marilu Garcia, Associate Planner  
Kristen Davalos, Office Specialist II

**ADVISORS:** Diana Gomez, Director, County Health District  
Ed Feheley, Deputy County Attorney

1. **Call to Order and Roll Call.**
2. **Pledge of Allegiance.**
3. **Approval of the Board of Adjustment meeting minutes from August 18, 2015.**
4. **Variance Case No. 15-12:** Garrett Bair, agent for George and Florence Mezei, requests a variance from the Yuma County Zoning Ordinance, Section 1115.05 (B)—Wireless Communication Facilities Height and Setback Requirements, to allow a reduction of the required side yard setback to six feet on a parcel approximately 9,300 net square feet in size zoned General Commercial (C-2), Assessor's Parcel Number 694-20-005, located at 2868 South Avenue B, Yuma, Arizona .
5. **Variance Case No. 15-13:** Juan Mireles, agent for Judy and Gary Gormanson, requests a variance from the Yuma County Zoning Ordinance, Section 609.05 - Minimum Lot Width and Principal Buildings Setback Requirements, to allow a reduction of the required rear yard setback to five feet on a parcel 6,668 square feet in size zoned Recreational Vehicle Subdivision (RVS), Assessor's Parcel Number 700-02-055, located at 10296 South Monsoon Avenue, Yuma, Arizona.
6. Adjourn.

**Note:** For further information about this public hearing/meeting, please contact Maggie Castro, Planning Director, phone number (928) 817-5173; or e-mail [contactdds@yumacountyaz.gov](mailto:contactdds@yumacountyaz.gov) or TDD/TTY (Arizona Relay Service): call in 1-800-367-8939, call back 1-800-842-4681. Individuals with special accessibility needs should contact the individual indicated above before the hearing/meeting with special need requirements.

**Note:** The Board may vote to hold an Executive Session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda, pursuant to A.R.S. §38-431(A)

Yuma County  
Board of Adjustment

October 20, 2015

Item No. 3

## YUMA COUNTY BOARD OF ADJUSTMENT MEETING MINUTES

DATE: Tuesday, August 18, 2015

PLACE: Aldrich Auditorium, 2351 West 26th St., Yuma, AZ

**1. Call to Order the Regular Session of the Yuma County Board of Adjustment and roll call to verify quorum.**

Chairman Saltzer convened the Board of Adjustment meeting to order at 1:02 p.m. Members present were Charles Saltzer, Joe Harper, Tim Eisenmann, and Ron Rice.

**Others present:** Planning Director Maggie Castro, Associate Planner Marilu Garcia, Deputy County Attorney Ed Feheley and Office Specialist III Choo Kelly.

**2. Pledge of Allegiance.**

Chairman Saltzer led the Pledge of Allegiance.

**3. Approval of Board of Adjustment regular meeting minutes of July 21, 2015.**

Tim Eisenmann made a motion recommending approval of the revised Board of Adjustment regular meeting minutes of July 21, 2015. Joe Harper seconded the motion. The motion carried 4-0.

**4. Variance Case No. 15-11:** Alejandro and Yolanda Alvarez request a variance from the Yuma County Zoning Ordinance, Section 401.01 (A) — Manufactured Home Placement Permits, to allow the placement of a 1973 double-wide manufactured home on a parcel 21,630 square feet in size zoned Manufactured Home Subdivision-20,000 square feet minimum (MHS-20), Assessor's Parcel Number 719-24-096, located at 12695 South Drysdale Lane, Yuma, Arizona.

Marilu Garcia, Associate Planner, gave the staff report recommending approval of Variance Case No. 15-11 based on:

1. Approval of this request appears to not have an adverse effect on public health, safety, and welfare.
2. Staff finds granting this variance does not appear to confer a special privilege

If the Board approves this Variance, staff recommends the following conditions:

Board of Adjustment  
Regular Meeting Minutes – August 18, 2015

1. This Variance is valid for the time limits outlined in Section 403.07 of the Zoning Ordinance.
2. Installation and rehabilitation permits shall be obtained and all inspections completed prior to occupancy.

Staff received one comment from Leopoldo Montanez, Assessor's Parcel Number 719-24-109, on 8/17/2015 indicating no objection to this Variance.

Chairman Saltzer opened the public hearing.

Tim Eisenmann asked if there is legal access to the property since it's not indicated on the map. Marilu Garcia answered that the deed does indicate there is an eighteen (18) feet wide private access, but it's not indicated on the GIS map as currently GIS does not track private access easements. Ed Feheley, Deputy County Attorney, clarified that a series of private easements will constitute legal access as long as they are recorded easements and also that a lot of private easements are not shown on GIS maps.

Tim Eisenmann asked if the applicant's parcel was split at one time. Marilu Garcia confirmed that it was split in 1991.

Chairman Saltzer asked why the County has a requirement in place that if a mobile home is of a certain age it can't be placed without a variance and what is the rationale behind that. Maggie Castro, Planning Director, explained that the Yuma County Zoning Ordinance was amended to disallow manufactured or mobile homes built prior to 1976 and the reason for doing so was due to a determination that those manufactured or mobile homes were not built to HUD standards. Mr. Saltzer asked if it's due to functions regarding electrical wiring. Ms. Castro said there were several factors and she would need to contact the Chief Building Official to give more specific information. Joe Harper mentioned it was wiring and sewer system issues.

Ron Rice asked what is meant by installation and rehabilitation permit in staff recommendation conditions and what is expected from this recommendation. Maggie Castro said that all manufactured homes require that the applicant or the owner obtain a manufactured home installation permit in order for units to be placed and occupied. The installation permit ensures that the home was placed and installed in compliance with the Office of Manufactured Housing requirements.

Chairman Saltzer asked if any safety concerns were brought up by owners of neighboring parcels regarding this variance case. Maggie Castro replied that the case planner did not receive any negative comments or any comments in opposition from the Building Safety Division.

Chairman Saltzer closed the public hearing.

Chairman Saltzer said that this case is similar to a case previously brought forward to the Board which was approved in 2012. It will be a formality to reapprove a prior approval.

Board of Adjustment  
Regular Meeting Minutes – August 18, 2015

Joe Harper said in San Luis, Arizona they have the same ordinance, but they allow owners to bring units up to standard.

Ron Rice made a motion to approve Variance Case No. 15-11 subject to all the staff recommendations. Joe Harper seconded the motion. The motion carried 4-0.

**5. Adjourn.**

The meeting adjourned at 1:17 p.m.

These minutes were approved and accepted on this 20<sup>th</sup> day of October, 2015.

---

Witness:  
Charles Saltzer  
Chairman

---

Attest:  
Maggie Castro  
Planning Director

DRAFT

Yuma County  
Board of Adjustment

October 20, 2015

Item No. 4

**AIR-6576**

**BOA Agenda**

**Meeting Date:** 10/20/2015

**Submitted By:** Marilu Garcia

**Department:** Planning & Zoning Division - DDS

---

### **Information**

#### **1. REQUESTED ACTION:**

Variance Case No. 15-12: Garrett Bair, agent for George and Florence Mezei, requests a variance from the Yuma County Zoning Ordinance, Section 1115.05 (B)—Wireless Communication Facilities Height and Setback Requirements, to allow a reduction of the required side yard setback to six feet on a parcel approximately 9,300 net square feet in size zoned General Commercial (C-2), Assessor's Parcel Number 694-20-005, located at 2868 South Avenue B, Yuma, Arizona

#### **2. INTENT:**

The proposed wireless communication facility with a side yard (south) setback of six feet where 20 feet is required.

#### **3. For detailed analysis see attached staff report**

#### **4. STAFF'S RECOMMENDATION:**

**Staff recommends denial of Variance Case No. 15-12 based on:**

1. Staff finds approval of this variance may have an adverse effect on public health, safety, and welfare.
  2. Staff finds there is no hardship arising from conditions or circumstances unique to the development of this property.
  3. Staff finds the condition is self-imposed.
- 

### **Attachments**

V15-12 Staff Report

V15-12 Vicinity Map

V15-12 Plans

V15-12 Tower Information

V15-12 Applicant Justification

V15-12 MCAS Comments

V15-12 Airport Authority Comments

---

**STAFF REPORT**  
**Yuma County Planning and Zoning Division**

**Prepared for the Hearing of**  
**October 20, 2014**  
**Yuma County Board of Adjustment**

---

**CASE NUMBER:** Variance Case No. 15-12  
**OWNER:** George & Florence Mezei  
**CASE PLANNER:** Marilu Garcia, Associate Planner  
**DATE PREPARED:** September 16, 2015

---

**DESCRIPTION OF REQUEST:** Garrett Bair, agent for George and Florence Mezei, requests a variance from the Yuma County Zoning Ordinance, Section 1115.05 (B) Wireless Communication Facilities Height and Setback Requirements, to allow a reduction of the required side yard setback to six feet on a parcel approximately 9,300 net square feet in size zoned General Commercial (C-2), Assessor's Parcel Number 694-20-005, located at 2868 South Avenue B, Yuma, Arizona.

**THE APPLICANT S REASON FOR REQUESTING THIS VARIANCE:**

The proposed facility will provide wireless services, as required by Verizon Wireless' FCC license, to fill a significant "Gap in Service". This site is necessary due to technological advancements, growing number of customers, increased usage of data and increased voice calls. The coverage objective for this proposed facility is to provide/improve wireless service to the local retail, commercial, government and residential subscribers in the general vicinity as well as provide capacity offload to the surrounding Verizon Wireless communication facilities. This site is critical to maintain the quality of voice and data usage in the area.

**APPROVAL OF THIS REQUEST WOULD ALLOW:**

The proposed structure with the following deviations from the Zoning Ordinance:

- 1) A side yard (south) setback of six feet where 20 feet is required.

---

## BACKGROUND

The subject property is the location of G & T Locksmith Safe and Alarm Company. The office was established in 1979 through permit number 62-79. The subject property is zoned General Commercial (C-2) and is approximately 9,300 net square feet in size. Verizon Wireless intends to lease 500 square feet of the subject property to place a wireless communication facility. The proposed facility consists of a monopole, 75 feet in height, equipment cabinets and a standby emergency diesel driven generator. The facility is planned to be enclosed within a concrete masonry unit screen wall eight feet in height.

The agent, working in collaboration with Verizon Wireless, requests this variance to allow the placement of the wireless communication facility with a setback of six feet from the south property line where 20 feet is required. The agent indicated that a tall tree, 52 feet in height, is located southwest of the subject property and it would cause interference if a shorter tower were to be constructed. The tower is proposed to be 75 feet in height to reduce obstruction from the tree.

Wireless communication facilities are allowed by right in the C-2 zoning district. However, Section 1115.05(B) of the Yuma County Zoning Ordinance states as follows: *No tower shall exceed a height of one hundred fifty (150) feet from grade and wireless communication facilities shall be setback from each lot line at least one (1) foot for each foot of additional height above the height limit otherwise permitted in the zoning district in which the structure is located. The additional one foot above the zoning district height maximum is in addition to the normal building setback of the zoning district in which the proposed wireless communication facility is to be located in.*

The proposed wireless communication tower is intended to be 75 feet in height. The C-2 zoning district allows structures to be up to 60 feet in height. This indicates an excess in height of 15 feet. The required setback is calculated by adding the excess height and the normal building setback requirement for the particular zoning district. The following table indicates the required setbacks for the subject property:

	Tower Height	C-2 Height Limit	Excess Height	C-2 Setback	Required Setback
Side Setback	75'	60'	15'	5'	20'

Parcel 4 to the north is zoned C-2 and is the location of a business. Tuscan Medical and Professional Plaza is located to the east within the City of Yuma city limits and is zoned Limited Commercial (B-1). Parcel 6, adjacent to the south, is zoned C-2 and is owned by the owner of the subject property. Said property is used as a parking lot for the business located on the subject property. Parcel 3 to the west is zoned Suburban Ranch-3 acre minimum (SR-3) and is the location of a residence, a church and a large tree. The church is a pre-ordinance nonconforming use established since 1973. The church is located about 23 feet from the rear property line of the subject property. The tree canopy expands to about 15 feet from the rear property line of the subject property.

On April 2, 2015, Verizon Wireless applied for Building Permit No. PRM15-0535 for the construction of a monopalm tower 58 feet in height on Parcel 3 directly west of the subject property (2890 South Avenue B) which is location of the church. The status of the permit indicates it is under review. The leased section is about 100 feet southwest of subject property. The agent indicated that Verizon Wireless and the landlord were unable to come to an agreement and the subject property was chosen as the alternative. It was indicated that Verizon Wireless has no plans of building the tower on the adjacent property and the permit will be withdrawn. The nearest existing wireless communication facility within Yuma County is approximately 2.5 miles north of the subject property. It is specified as a monopole tower 55 feet in height for Verizon Wireless located at 1019 South Avenue B (Building Permit No. B14-0282). The nearest wireless tower within the City of Yuma is located at 1350 West 32nd Street about one mile southeast of subject property and is approximately 100 feet in height. The permit was issued on June 16, 2015 for Broken Arrow Communications.

---

## STAFF ANALYSIS

### Section 403.03 of the Zoning Ordinance:

- A. *Variiances under section 403.02 shall be granted only when, because of peculiar conditions applicable to the property, the strict application of the Zoning Ordinance deprives such property of privilege enjoyed by other property owners in the zoning district.*

Staff finds there are no peculiar conditions applicable to the subject property. However, the applicant proposes a wireless communication tower 75 feet in height to reduce interference/shadowing caused by a tall tree located on the adjacent parcel to the west.

- B. *Variiances are available only in cases where there is a hardship arising from conditions or circumstances unique to the development of a particular piece of land, not from personal considerations, personal convenience or financial hardships.*

Staff finds there is no hardship arising from conditions or circumstances unique to the development of this property. This variance emerged by the need to improve wireless communication services in this area and the decision to place the facility on the subject property. However, the applicant requests this variance to allow the placement of a tower 75 feet in height with a reduction of the south side yard setback to mitigate interference caused by a tall tree located on an adjacent parcel.

- C. *Any motion to grant a Variance by the Board of Adjustment shall include specific peculiar conditions applicable to the property, which exist to cause granting of a Variance.*

Staff finds there no specific a peculiar condition applicable to this property to warrant granting of a variance.

*D. A variance shall not be granted which will have an adverse effect on public health, safety and welfare.*

Staff finds approval of this variance may have an adverse effect on public health, safety, and welfare. The proposed tower will be located eight feet from the existing building on the subject property and ten feet from the south property line.

*E. A variance shall not be granted if, in granting the variances a special privilege not commonly enjoyed by others in the zoning district will be conferred, or have a negative impact on the neighborhood.*

Staff finds granting this variance to allow a reduction of the side yard setback appears to confer a special privilege not commonly enjoyed by others in the zoning district. Although properties within the C-2 zoning district may have zero lot lines if adjacent properties are also zoned C-2 and firewall regulations of the International Building Code are met, the setback requirements differ for wireless facilities to protect properties in the event the tower collapses. Approval of this request may have a negative impact on the neighborhood.

*F. The Board of Adjustment may require appropriate conditions or safeguards on any granted variances so that public health, safety and welfare are not compromised.*

Staff is recommending that if approved, this variance include the attached conditions as a means of addressing concerns of public health, safety, and welfare.

*G. Variances shall not be granted if the condition is self-imposed or if a reasonable use of the land can be made in an alternative development scheme without the variance.*

Staff finds the condition is self-imposed. A reasonable alternative is to combine the subject property and the parcel to the south to meet the required setbacks. The applicant could also place the tower on a different parcel that has sufficient space to meet setback requirements.

*H. The fact that there are non-conforming uses of neighborhood lands, structures or buildings, in the same zoning district shall not be considered grounds for issuance of a variance.*

Staff's recommendation is not based on non-conforming uses of neighborhood lands, structures or buildings in the same zoning district. The Board of Adjustments has heard three similar cases relating to wireless communication facilities since 2008.

- Variance Case No. 15-08 was requested to allow a wireless tower 190 feet in height with a front setback of 115 feet, east side setback of 20 feet, a west side setback of 30 feet and a rear yard setback of 20 on a parcel 9,000 square feet in size zoned Local Commercial (C-1). Staff recommended denial and the case was denied by the Board of Adjustment.

- Variance Case No. 15-10 was requested to allow a rear yard setback of 20 feet for a wireless tower 150 feet in height on a parcel 118,086 square feet in size lot zoned C-2. Staff recommended approval and the case was approved by the Board of Adjustment.
  - Variance Case No. 08-03 was requested to allow a rear yard setback of 6 feet and a side yard setback of 13 feet for a 22 foot extension of an existing 60 foot tower on a parcel 2,500 square feet in size zoned C-2. Staff recommended denial and the case was approved by the Board of Adjustment.
- 

### **ADDITIONAL COMMENTS:**

Paula Backs, MCAS Yuma: Our Operations Department and Communications Department have reviewed this request and do not object to the approval of a 75 tower located at the site. It is requested that the tower be lit according to Federal Aviation Administration (FAA) guidelines and that notification to the FAA be made. The Marine Corps Air Station uses the frequency band of 1710-1755 MHz and this frequency band should not be used at this time. If there are any changes to this proposal, it is requested that MCAS Yuma be given the opportunity to provide another review.

Gen Grosse, Yuma County Airport Authority: While the Yuma County Airport Authority does not object to the approval of a 75 tower located at the site, we strongly recommend that the tower be lit according to Federal Aviation Administration (FAA) guidelines and that notification to the FAA be made. If there are any changes to this proposal, it is requested that the YCAA be given the opportunity to provide another review.

---

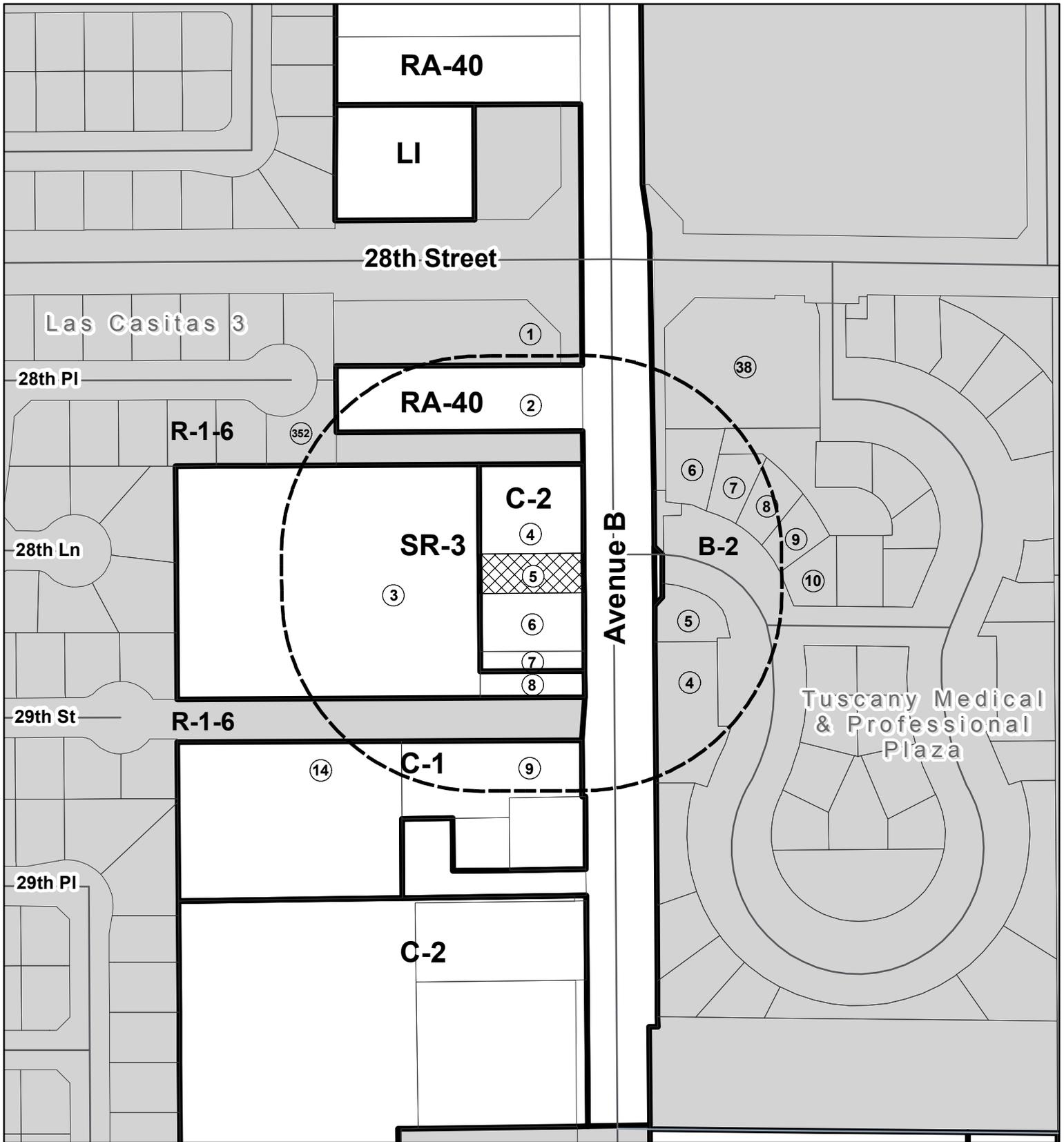
### **STAFF RECOMMENDATION**

#### **Staff recommends denial of Variance Case No. 15-12 based on:**

1. Staff finds approval of this variance may have an adverse effect on public health, safety, and welfare.
2. Staff finds there is no hardship arising from conditions or circumstances unique to the development of this property
3. Staff finds the condition is self-imposed.

#### **If the Board of Adjustment approves this Variance, staff suggests attaching the following conditions:**

1. This Variance is valid for the time limits outlined in Section 403.07 of the Zoning Ordinance.
2. All Federal Administration (FAA) and Federal Communications Commission (FCC) regulations must be complied with including marking, lighting, and notification requirements.
3. The approval of this Variance is based on the site plan submitted by the applicant. Any change from the site plan will require approval of a new variance by the Board of Adjustment.



**DEPARTMENT OF  
DEVELOPMENT  
SERVICES**  
PLANNING & ZONING DIVISION  
2351 W. 26TH STREET  
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

**CASE NO:** V15-12  
**LOCATION:** 2868 South Avenue B  
**APN:** 694-20-005

**Case Planner:** Marilu Garcia  
**Drawn:** 8/25/2015  
**Reviewed by:** Juan Leal Rubio

**SCALE**  
1" = 200'



**Legend**

-  Subject Property
-  300' Notification Area
-  City of Yuma



**LESSOR'S LEGAL DESCRIPTION**

PARCEL NO. 1:  
 THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 9 SOUTH, RANGE 23 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 6; THENCE SOUTH 0°49'15" EAST ALONG THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 505.9 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°16'25" WEST, A DISTANCE OF 200 FEET TO A POINT; THENCE NORTH 0°49'15" WEST, A DISTANCE OF 60 FEET TO A POINT; THENCE NORTH 89°16'25" EAST, A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTH 0°49'15" EAST ALONG THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 60 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT THE EAST 33 FEET THEREOF; AND EXCEPT THAT PORTION DEEDED TO THE STATE OF ARIZONA IN DOCKET 1631, PAGE 581, RECORDS OF YUMA COUNTY, ARIZONA.

PARCEL NO. 2:  
 THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 9 SOUTH, RANGE 23 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 6; THENCE SOUTH 0°49'15" EAST ALONG THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 594.40 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°16'25" WEST, A DISTANCE OF 200 FEET TO A POINT; THENCE NORTH 0°49'15" WEST, A DISTANCE OF 88.5 FEET TO A POINT; THENCE NORTH 89°16'25" EAST, A DISTANCE OF 200 FEET TO A POINT; THENCE SOUTH 0°49'15" EAST ALONG THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 88.5 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT THE EAST 33 FEET THEREOF; AND EXCEPT THAT PORTION DEEDED TO THE STATE OF ARIZONA IN DOCKET 1628, PAGE 291, RECORDS OF YUMA COUNTY, ARIZONA

**SCHEDULE B EXCEPTIONS**  
 8. AN EASEMENT FOR GAS AND ELECTRIC LINES AND INCIDENTAL PURPOSES THERETO, RECORDED DOCKET 761, PAGE 949.

**LESSEE ACCESS/UTILITY EASEMENT LEGAL DESCRIPTION**  
 A 14.00 FOOT WIDE STRIP OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 9 SOUTH, RANGE 23 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, LYING 7.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 6 FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 0° 22' 29" EAST, 2658.82 FEET; THENCE SOUTH 00°22'29" EAST ALONG THE EAST LINE OF SAID SECTION 6, 510.73 FEET; THENCE DEPARTING SAID EAST LINE SOUTH 89°41'59" WEST, 33.01 FEET TO THE WESTERLY RIGHT OF WAY OF AVENUE B ALSO BEING THE POINT OF BEGINNING.

THENCE CONTINUING SOUTH 89°41'59" WEST, 102.31 FEET TO THE POINT OF TERMINUS.

SIDELINES SHALL BE LENGTHENED OR SHORTENED TO FORM ONE CLOSED PARCEL.

**LESSEE LEASE AREA LEGAL DESCRIPTION**  
 A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 9 SOUTH, RANGE 23 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 6 FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 0° 22' 29" EAST, 2658.82 FEET; THENCE SOUTH 00°22'29" EAST ALONG THE EAST LINE OF SAID SECTION 6, 510.73 FEET; THENCE DEPARTING SAID EAST LINE SOUTH 89°41'59" WEST, 33.01 FEET TO THE WESTERLY RIGHT OF WAY OF AVENUE B; THENCE CONTINUING SOUTH 89°41'59" WEST, 102.31 FEET; THENCE NORTH 00°18'01" WEST, 7.00 FEET TO THE POINT OF BEGINNING.

THENCE NORTH 00°18'01" WEST, 5.00 FEET; THENCE NORTH 00°18'01" WEST, 11.67 FEET; THENCE NORTH 89°41'59" EAST, 30.00 FEET; THENCE SOUTH 00°18'01" EAST, 16.67 FEET; THENCE SOUTH 89°41'59" WEST, 30.00 FEET TO THE POINT OF BEGINNING.

**LESSEE UTILITY EASEMENT LEGAL DESCRIPTION**

A 10.00 FOOT WIDE STRIP OF LAND BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 9 SOUTH, RANGE 23 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:  
 COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 6 FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 0° 22' 29" EAST, 2658.82 FEET; THENCE SOUTH 00°22'29" EAST ALONG THE EAST LINE OF SAID SECTION 6, 510.73 FEET; THENCE DEPARTING SAID EAST LINE SOUTH 89°41'59" WEST, 33.01 FEET TO THE WESTERLY RIGHT OF WAY OF AVENUE B; THENCE CONTINUING SOUTH 89°41'59" WEST, 102.31 FEET; THENCE NORTH 00°18'01" WEST, 7.00 FEET; THENCE CONTINUING NORTH 00°18'01" WEST, 5.00 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 89°41'59" WEST, 64.68 FEET TO THE POINT OF TERMINUS.

SIDELINES SHALL BE LENGTHENED OR SHORTENED TO FORM ONE CLOSED PARCEL.

**PROJECT META DATA**

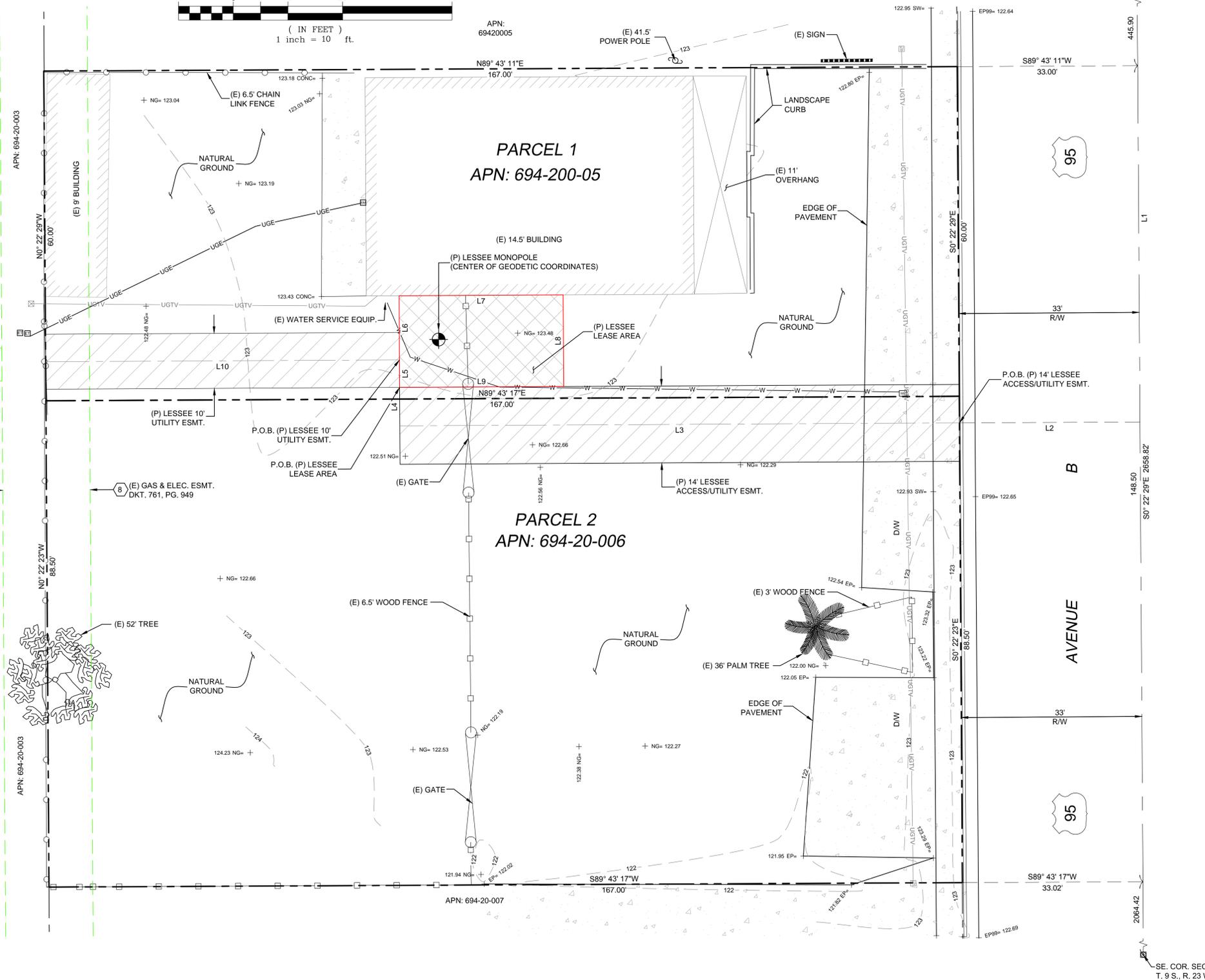
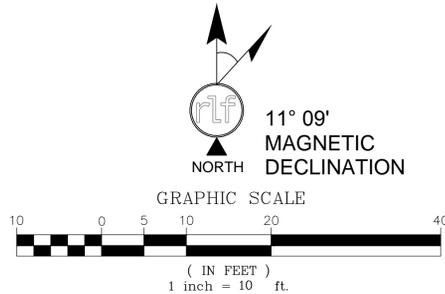
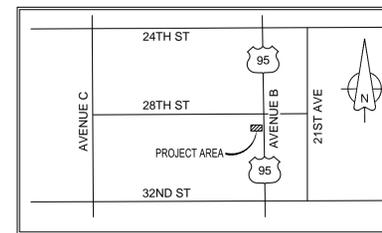
- ELEVATIONS SHOWN HEREON ARE REPRESENTED IN NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) ESTABLISHED FROM GPS DERIVED ELLIPSOID HEIGHTS, APPLYING GEOID 09 SEPARATIONS CONSTRAINING TO NGS CORS STATIONS PROVIDED IN THE "ONLINE POSITIONING USER SERVICE" (OPUS) SOLUTION FOR THIS SPECIFIC SITE.
- BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM ARIZONA STATE PLANE COORDINATE ZONE WEST, DETERMINED BY GPS OBSERVATIONS.
- FIELD WORK FOR THIS PROJECT WAS PERFORMED ON 06/25/15.

**SURVEYOR NOTES**

- ALL TITLE INFORMATION IS BASED UPON A COMMITMENT FOR TITLE INSURANCE PREPARED BY WESTERN REGIONAL TITLE AGENCY, ORDER NO.: 150309-04 EFFECTIVE DATE: 05/20/15.
- SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE.
- THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.
- SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT BLUE STAKE AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.

**POSITION OF GEODETIC COORDINATES**

LATITUDE 32° 40' 31.391" NORTH (NAD83)  
 LONGITUDE 114° 39' 02.369" WEST (NAD83)  
 ELEVATION @ GROUND= 123.5' (NAVD88)



**LEGEND**

- BRASS CAP IN HANDHOLE
- NATURAL GRADE
- BACK OF CURB
- RIGHT OF WAY
- ASPHALT
- ACCESS DRIVEWAY
- SIDEWALK
- CONCRETE
- SPOT ELEVATION
- ELECTRIC EQUIPMENT
- ELECTRICAL TRANSFORMER
- TELEPHONE PEDESTAL
- POWER POLE
- TELEVISION RISER
- WATER METER
- PALM TREE
- TREE
- BREAKLINE
- SCHEDULE B HEX
- POSITION OF GEODETIC COORDINATES
- PROPERTY LINE
- PROPERTY LINE (OTHER)
- CENTERLINE
- EASEMENT LINE
- CHAIN LINK FENCE
- WOOD OR IRON FENCE
- U/G ELECTRIC LINE
- WATER LINE
- WATER LINE

126 W. GEMINI DR.  
 TEMPE, AZ 85283

architecture / project management  
 10245 E. Via Linda, Scottsdale, AZ 85258  
 ph: 480 451 9609 fax: 480 451 9608  
 e mail: corp@ydcoffice.com

FIELD BY:	JMM
DRAWN BY:	JTJ
CHECKED BY:	RLF

REVISIONS		
NO.	DATE	DESCRIPTION
2	07/08/15	FINAL-ABM
1	07/02/15	PRELIMINARY

LAND SURVEY • MAPPING SOLUTIONS  
 124 N. STADEM DR. • TEMPE AZ 85281  
 WWW.RLFCONSULTING.COM • 480-445-0189

REUSE OF DOCUMENT  
 THE IDEAS & DESIGN INCORPORATED HEREON, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF RLF CONSULTING, LLC & IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT WRITTEN AUTHORIZATION OF RLF CONSULTING, LLC.

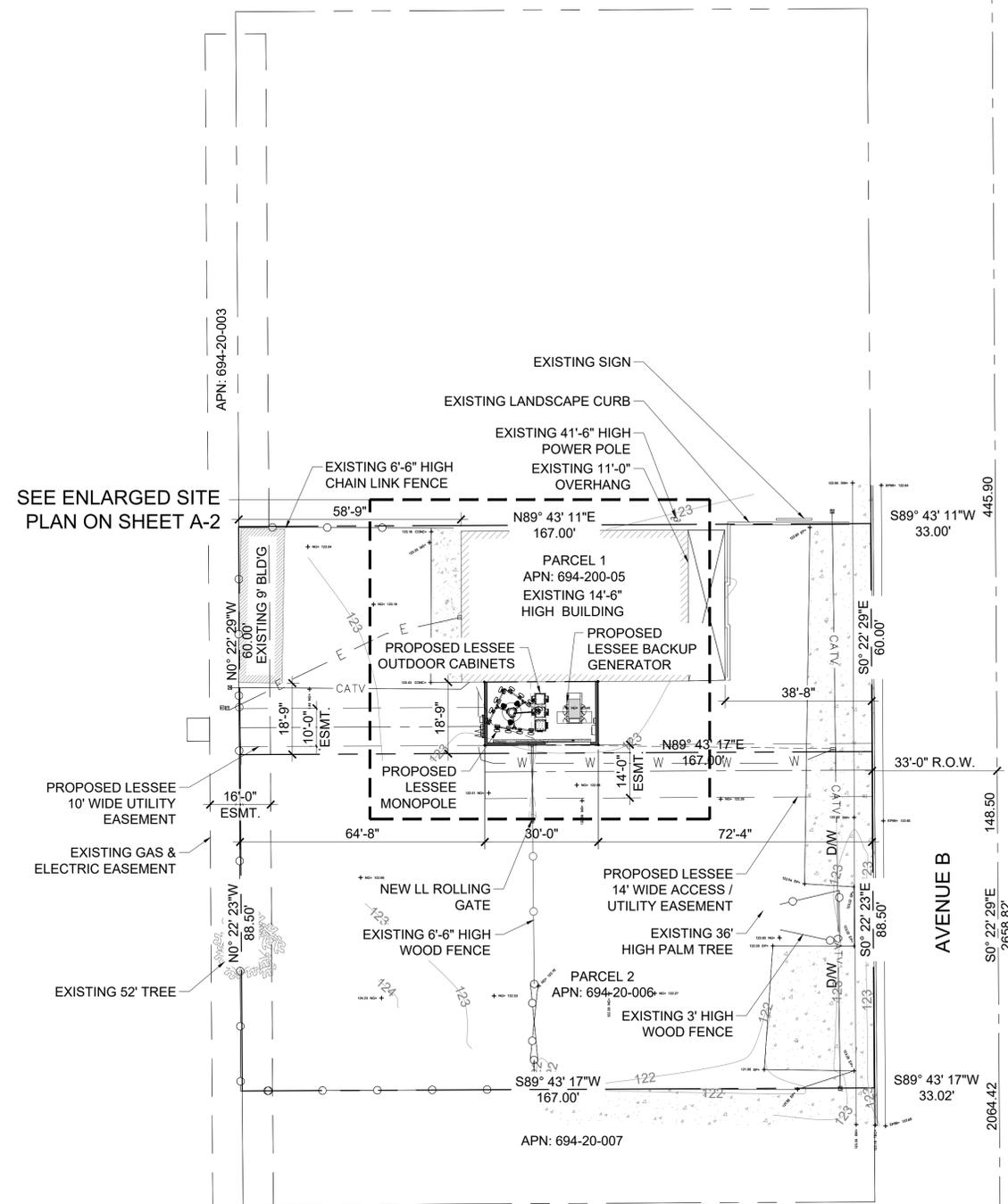
PROJECT No.  
**09006820**

SITE NAME:  
**AZ4 PONDERADO**

SITE ADDRESS:  
 2868 S AVENUE B  
 YUMA AZ, 85364

SHEET TITLE:  
**SITE SURVEY**

SHEET NO. <b>LS-1</b>	REVISION:
--------------------------	-----------



**NEW MONOPOLE SETBACKS TO PROPERTY LINE**

NORTH ± 49'-3"  
 SOUTH ± 10'-9"  
 WEST ± 71'-10"  
 EAST ± 95'-2"

\* SETBACKS ARE DERIVED FROM A TOPOGRAPHIC SURVEY PERFORMED BY A REGISTERED LAND SURVEYOR



126 W. GEMINI DR.  
 TEMPE, AZ 85283

INTERNAL REVIEW	DATE
CONSTRUCTION SIGNATURE	
RF SIGNATURE	
FACILITIES SIGNATURE	
REAL ESTATE SIGNATURE	

PLANS PREPARED BY



architecture / project management  
 10245 E. Via Linda, Scottsdale, AZ 85258  
 ph: 480 451 9609 fax: 480 451 9608  
 e mail: corporate@ydcoffice.com

**SEAL**  
 This drawing is copyrighted and the property of Young Design Corporation (YDC) & produced solely by YDC and affiliates. reproduction or use of this drawing and/or the information contained hereon is forbidden without written permission by Young Design Corporation.



THIS DOCUMENT CONTAINS AN ELECTRONIC SIGNATURE PURSUANT TO A.R.S. TITLE 41 AND TITLE 44. IT IS A VIOLATION FOR ANY PERSON, UNLESS UNDER THE DIRECT SUPERVISION OF THE REGISTRANT, TO MODIFY THIS DOCUMENT IN ANY WAY.

PRELIMINARY UNLESS SIGNED

NO.	DATE	DESCRIPTION
1	7/7/2015	PRELIMINARY REVIEW ZD'S
2	8/5/2015	SUBMITTAL ZD'S

ARCHITECTS JOB NO.  
**YDC-6114**

PROJECT INFORMATION

**AZ4\_PONDERADO**

2868 S. AVENUE B  
 YUMA, ARIZONA, 85364

SHEET TITLE  
**SITE PLAN**

JURISDICTION APPROVAL

SHEET NUMBER  
**Z-1**

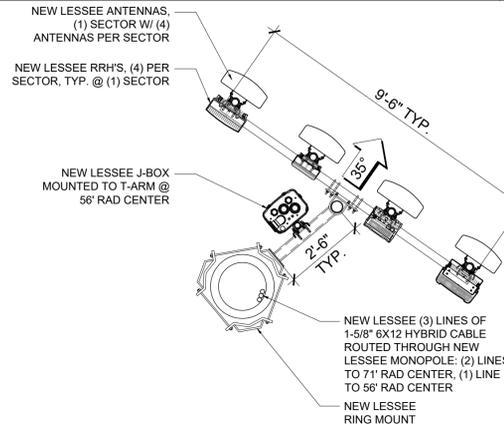
COAXIAL CABLE TABLE					
SECTOR	AZIMUTH	CENTERLINE	QTY.	SIZE	TYPE
ALPHA	35°	56'-0"	-	-	-
BETA	185°	71'-0"	-	-	-
GAMMA	295°	71'-0"	-	-	-
N/A	N/A	-	2	1-5/8"	6X12 HYBRID CABLE

NOTE:  
ALL AZIMUTHS ARE SHOWN RELATIVE TO TRUE NORTH,  
UNLESS NOTED OTHERWISE

\*IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO VERIFY  
AZIMUTHS DEPICTED HEREIN WITH RF DEPARTMENT PRIOR  
TO INSTALLING ANTENNAS.

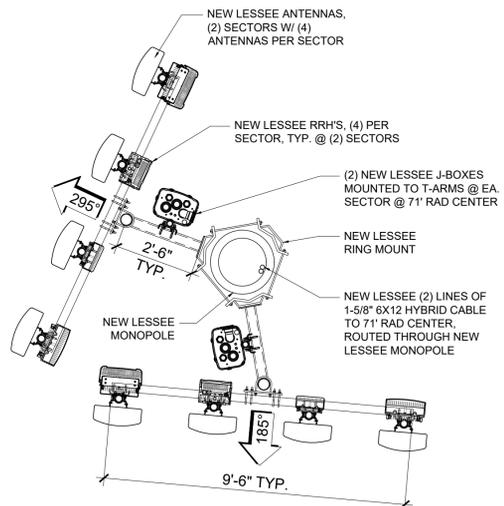
### COAX CABLE INFORMATION

7



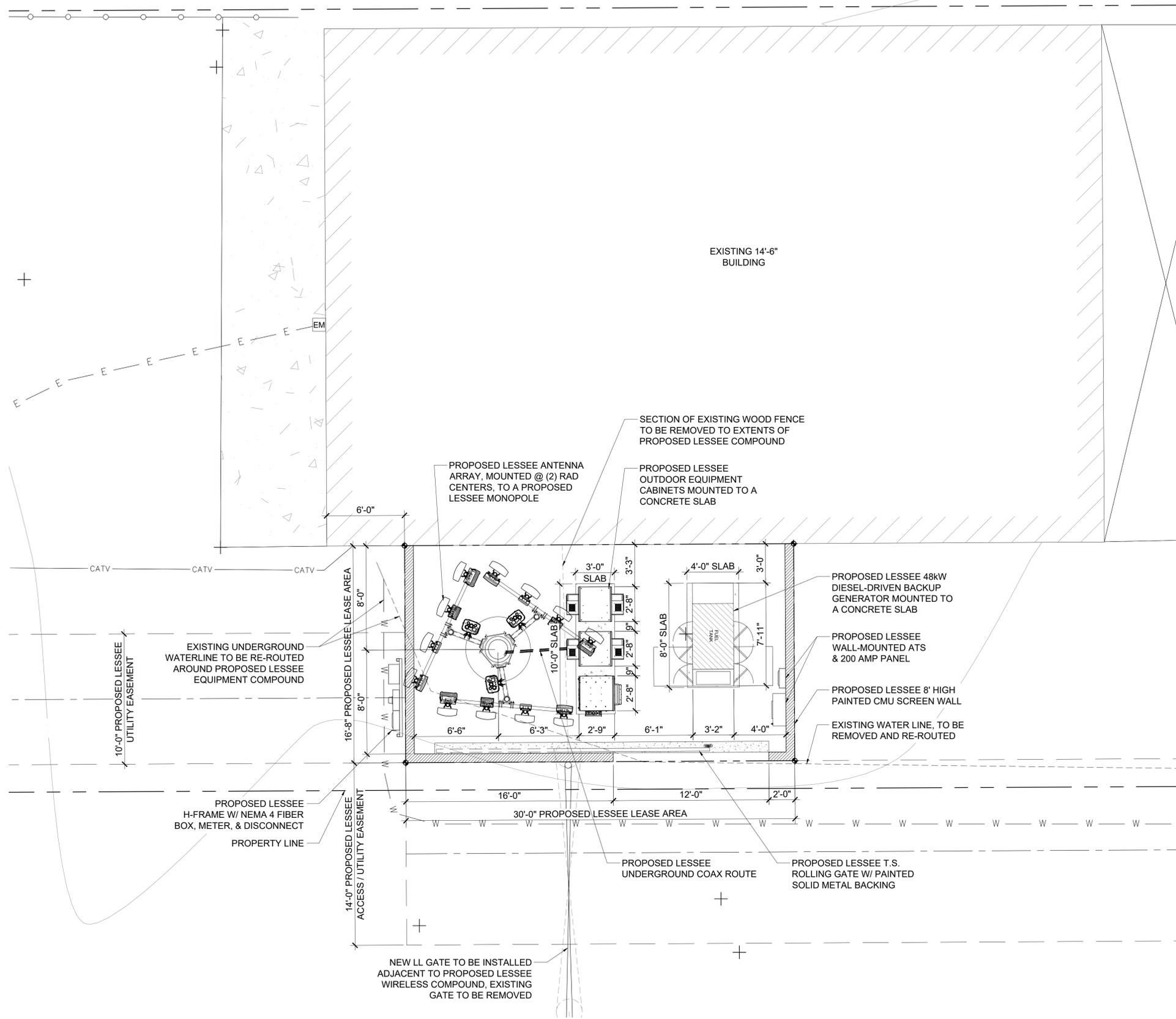
### NEW ANTENNA CONFIG. @ 56' RAD

6



### NEW ANTENNA CONFIG. @ 71' RAD

5



CLIENT

126 W. GEMINI DR.  
TEMPE, AZ 85283

INTERNAL REVIEW	DATE
CONSTRUCTION SIGNATURE	
RF SIGNATURE	
FACILITIES SIGNATURE	
REAL ESTATE SIGNATURE	

PLANS PREPARED BY

architecture / project management  
10245 E. Via Linda, Scottsdale, AZ 85258  
ph: 480 451 9609 fax: 480 451 9608  
e mail: corporate@ydcoffice.com

SEAL

THIS DOCUMENT CONTAINS AN ELECTRONIC SIGNATURE PURSUANT TO A.R.S. TITLE 41 AND TITLE 44. IT IS A VIOLATION FOR ANY PERSON, UNLESS UNDER THE DIRECT SUPERVISION OF THE REGISTRANT, TO MODIFY THIS DOCUMENT IN ANY WAY.

PRELIMINARY UNLESS SIGNED

NO.	DATE	DESCRIPTION
1	7/7/2015	PRELIMINARY REVIEW ZD'S
2	8/5/2015	SUBMITTAL ZD'S

ARCHITECTS JOB NO.  
YDC-6114

PROJECT INFORMATION

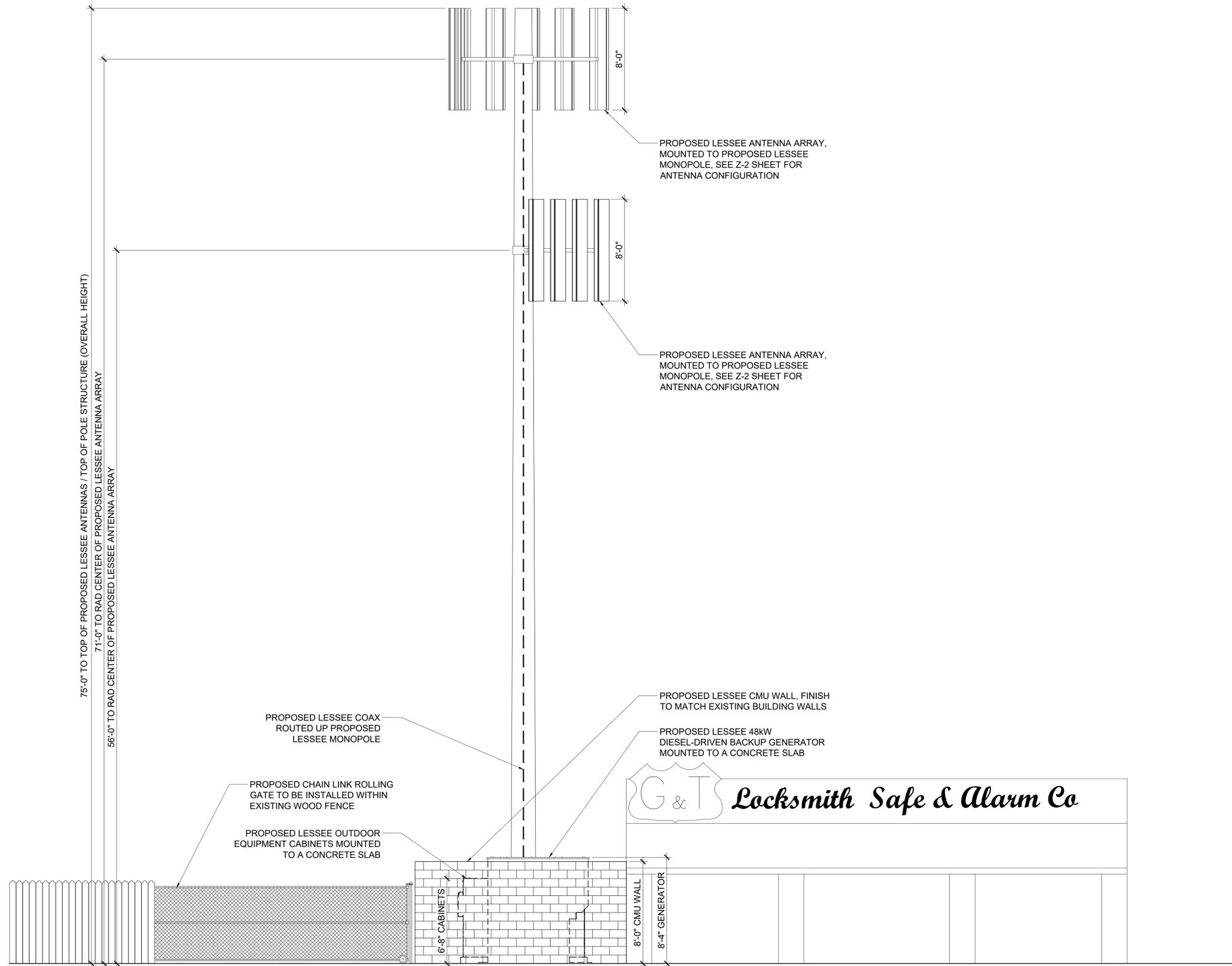
**AZ4\_PONDERADO**

2868 S. AVENUE B  
YUMA, ARIZONA, 85364

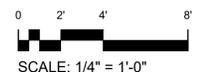
SHEET TITLE  
**ENLARGED SITE PLAN  
SITE DETAILS**

JURISDICTION APPROVAL

SHEET NUMBER  
**Z-2**



1 NEW EAST ELEVATION  
 Z-3 SCALE: 1/4" = 1'-0"



CLIENT

**verizon wireless**  
 126 W. GEMINI DR.  
 TEMPE, AZ 85283

INTERNAL REVIEW	DATE
CONSTRUCTION SIGNATURE	
RF SIGNATURE	
FACILITIES SIGNATURE	
REAL ESTATE SIGNATURE	

PLANS PREPARED BY

**young design corp**  
 architecture / project management  
 10245 E. Via Linda, Scottsdale, AZ 85258  
 ph: 480 451 9609 fax: 480 451 9608  
 e mail: corporate@ydcoffice.com

SEAL

19382  
 RONALD C. YOUNG  
 State of Arizona  
 No. 19382  
 Exp. 12/31/16

THIS DOCUMENT CONTAINS AN ELECTRONIC SIGNATURE PURSUANT TO A.R.S. TITLE 41 AND TITLE 44. IT IS A VIOLATION FOR ANY PERSON, UNLESS UNDER THE DIRECT SUPERVISION OF THE REGISTRANT, TO MODIFY THIS DOCUMENT IN ANY WAY.

PRELIMINARY UNLESS SIGNED

NO.	DATE	DESCRIPTION
1	7/7/2015	PRELIMINARY REVIEW ZD'S
2	8/5/2015	SUBMITTAL ZD'S

ARCHITECTS JOB NO.  
**YDC-6114**

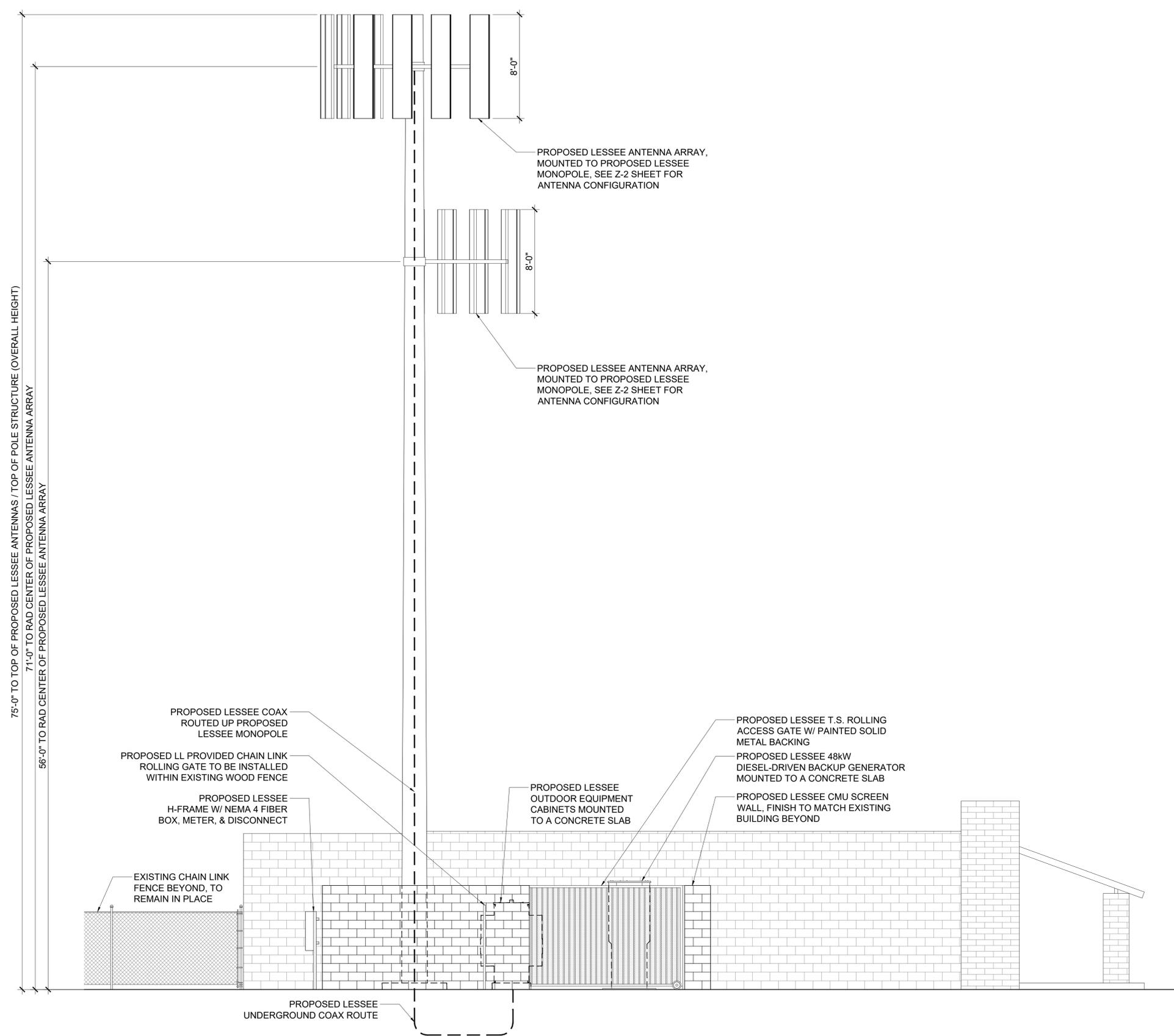
PROJECT INFORMATION

**AZ4\_PONDERADO**  
 2868 S. AVENUE B  
 YUMA, ARIZONA, 85364

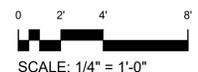
SHEET TITLE  
**ELEVATIONS**

JURISDICTION APPROVAL

SHEET NUMBER  
**Z-3**



1 NEW SOUTH ELEVATION  
Z-4 SCALE: 1/4" = 1'-0"



CLIENT

**verizon wireless**  
126 W. GEMINI DR.  
TEMPE, AZ 85283

INTERNAL REVIEW	DATE
CONSTRUCTION SIGNATURE	
RF SIGNATURE	
FACILITIES SIGNATURE	
REAL ESTATE SIGNATURE	

PLANS PREPARED BY

**young design corp**  
architecture / project management  
10245 E. Via Linda, Scottsdale, AZ 85258  
ph: 480 451 9609 fax: 480 451 9608  
e mail: corporate@ydcoffice.com

SEAL

19382  
RONALD C. YOUNG  
Professional Engineer  
STATE OF ARIZONA U.S.A.  
EXP. 12/31/16

THIS DOCUMENT CONTAINS AN ELECTRONIC SIGNATURE PURSUANT TO A.R.S. TITLE 41 AND TITLE 44. IT IS A VIOLATION FOR ANY PERSON, UNLESS UNDER THE DIRECT SUPERVISION OF THE REGISTRANT, TO MODIFY THIS DOCUMENT IN ANY WAY.

PRELIMINARY UNLESS SIGNED

NO.	DATE	DESCRIPTION
1	7/7/2015	PRELIMINARY REVIEW ZD'S
2	8/5/2015	SUBMITTAL ZD'S

ARCHITECTS JOB NO.  
**YDC-6114**

PROJECT INFORMATION

**AZ4\_PONDERADO**  
2868 S. AVENUE B  
YUMA, ARIZONA, 85364

SHEET TITLE  
**ELEVATIONS**

JURISDICTION APPROVAL

SHEET NUMBER  
**Z-4**

# TOWER REQUEST INFORMATION FOR MARINE CORPS AIR STATION (MCAS) YUMA

(MCAS Yuma protected frequency band 1710-1755 MHz)

1. Jurisdiction (city or county): Yuma County
2. Tower Name: AZ4 Ponderado
3. Tower Company: Verizon Wireless
4. Tower Owner: Verizon Wireless
5. Tower Point of Contact (POC): Michael Hoffman
6. POC Contact Information: 602-501-0061
7. POC Email information: Michael.Hoffman@VerizonWireless.com
8. Tower Location (Address): 2868 S Avenue B, Yuma, AZ 85364
9. Coordinates (Lats/Longs): 32° 40' 31.391"N 114° 39' 02.369"W
10. Coordinate Datum: NAD 83
11. Horizontal and Vertical Datum: NAVD 88 is 123.5' – Vertical AGL is 75'
12. Assessor Parcel Number (APN): 694-20-005
13. Type of Tower: Monopole
14. Height of Tower: 75'
15. Site Elevation: AMSL is 123.5'
16. Height of tower and elevation (MSL): 198.5'
17. Frequencies (Transmit, Receive, Output, etc.): See attached RF spreadsheet
18. Effective Isotropic Radiated Power (EIRP): See attached RF spreadsheet
  - Actual Power of transmitter w/cable line loss:
  - Transmitter power in watts:
  - Gain of antenna for transmit:
  - Gain of antenna for receive:
19. Is tower new construction? Yes
20. Antenna replacement or upgrade only? No
21. Is tower lighted? No
22. If no, is tower to be lit? No
23. Has FAA Form 7460-1, Notice of Proposed Construction of Alteration, been filed with FAA? No
24. Has FCC been notified? not applicable
25. If yes, FCC response:
26. Please attach maps, site plans and other information: See attached RF spreadsheet.

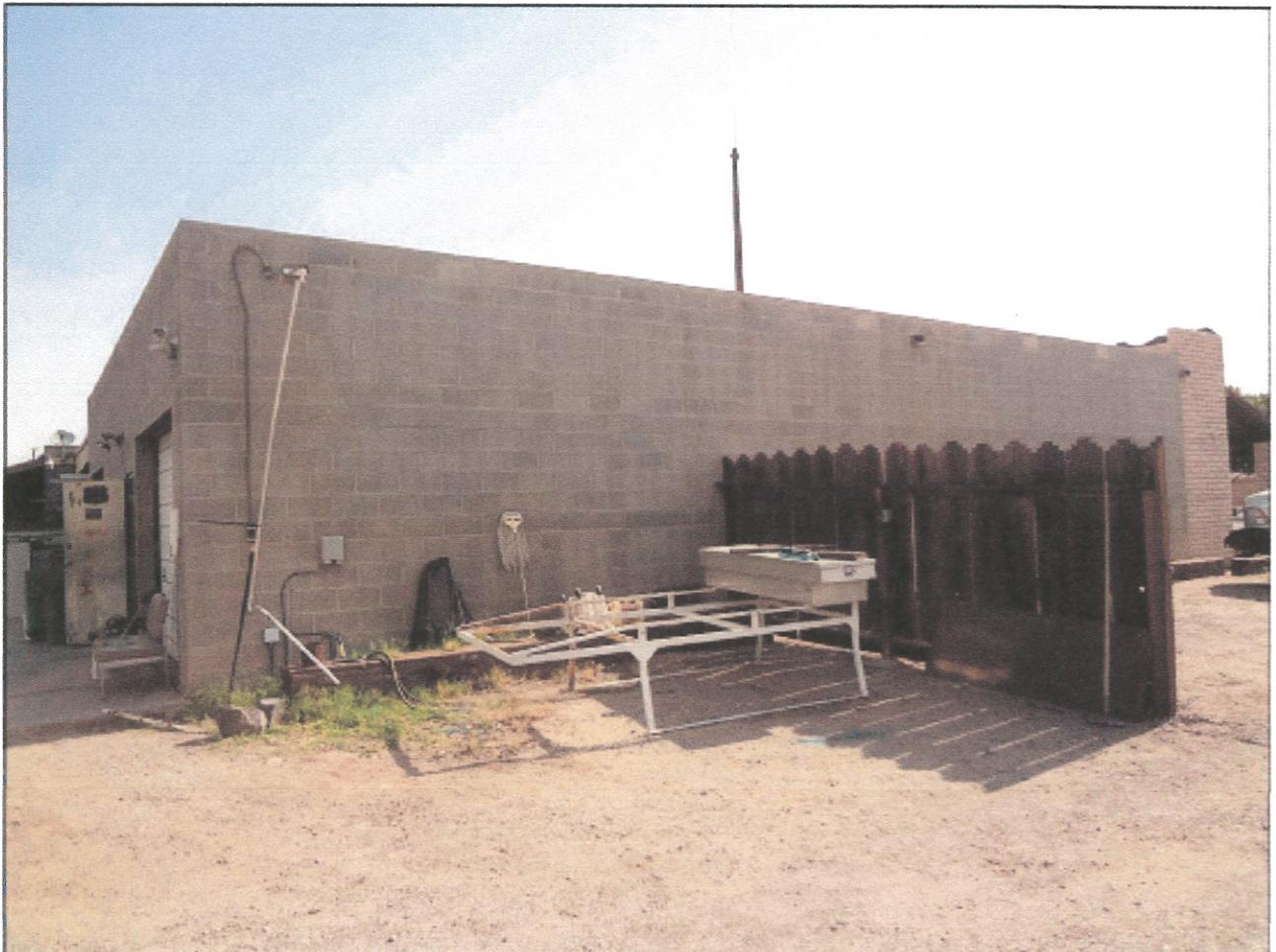
ANTENNA INFORMATION:														
#Antenna) SECTOR	Tx Frequencies (MHz)	Rx Frequencies (MHz)	Manufacturer	Model	Qty	Antenna Gain (dBd)	Azimuth	RAD Ctr (ft)	Power per cxr (Watts)	Cable Loss (dB)	Cxr Count	Max Power (Watts)	Effective Radiated Power (ERP)	FCC Max Legal ERP
#1) ALPHA (850 AB)	869-894	824-849	Commscope	SBNHH-1D45B	1	15.4	35°	56	20	1.5	16	320	487.56 Watts / cxr	500 Watts / cxr
#2) ALPHA (UNUSED)	N/A	N/A	Commscope	SBNHH-1D45B	1	16.4	35°	56	N/A	N/A	N/A	N/A	N/A	N/A
#3) ALPHA (future AWS A2B / UNUSED)	2115-2130	1715-1730	Commscope	SBNHH-1D45B	1	18.28	35°	56	90	0.5	2	180	799.72 Watts / Mhz	2000 Watts / MHz
#4) ALPHA (U700C LTE)	746-757	776-787	Commscope	SBNHH-1D45B	1	14.65	35°	56	60	0.4	2	120	354.76 Watts / Mhz	2000 Watts / MHz
#5) BETA (850 AB)	869-894	824-849	Commscope	SBNHH-1D45B	1	15.4	185°	71	20	1.64	16	320	472.10 Watts / cxr	500 Watts / cxr
#6) BETA (UNUSED)	N/A	N/A	Commscope	SBNHH-1D45B	1	16.4	185°	71	N/A	N/A	N/A	N/A	N/A	N/A
#7) BETA (future AWS A2B)	2115-2130	1715-1730	Commscope	SBNHH-1D45B	1	18.28	185°	71	90	0.5	2	180	799.72 Watts / Mhz	2000 Watts / MHz
#8) BETA (U700C LTE)	746-757	776-787	Commscope	SBNHH-1D45B	1	14.65	185°	71	60	0.4	2	120	354.76 Watts / Mhz	2000 Watts / MHz
#9) GAMMA (850 AB)	869-894	824-849	Commscope	SBNHH-1D45B	1	15.4	295°	71	20	1.64	16	320	472.10 Watts / cxr	500 Watts / cxr
#10) GAMMA (UNUSED)	N/A	N/A	Commscope	SBNHH-1D45B	1	16.4	295°	71	N/A	N/A	N/A	N/A	N/A	N/A
#11) GAMMA (future AWS A2B)	2115-2130	1715-1730	Commscope	SBNHH-1D45B	1	18.28	295°	71	90	0.5	2	180	799.72 Watts / Mhz	2000 Watts / MHz
#12) GAMMA (U700C LTE)	746-757	776-787	Commscope	SBNHH-1D45B	1	14.65	295°	71	60	0.4	2	120	354.76 Watts / Mhz	2000 Watts / MHz

**NOTE: Although AWS antennas #3, 7 and 11 will be installed, 1715-1730 frequencies will remain unused until obtaining approval from the Department of Defense (DoD). VZW Regulatory Group is currently engaged in negotiations with DoD regarding this matter.**



## Site Name: AZ4 Ponderado

2868 S. Avenue B  
Yuma, AZ 85364  
APNs: 694-20-005 and 694-20-006



Wavelength Management  
2200 E. Williams Field Rd.  
Suite 200  
Gilbert, AZ 85295

## Purpose of Request

Verizon Wireless is requesting a side yard setback reduction on the south property line from the required 20' to 6' for the installation of a wireless communication facility within the C-2 Zoning district. The proposed facility will provide wireless services, as required by Verizon Wireless' FCC license, to fill a significant "Gap in Service". This site is necessary due to:

- technological advancements
- growing number of customers
- increased usage of data
- increased voice calls

The coverage objective for this proposed facility is to provide/improve wireless service to the local retail, commercial, government and residential subscribers in the general vicinity as well as provide capacity offload to the surrounding Verizon Wireless communication facilities. This site is critical to maintain the quality of voice and data usage in the area.

## Description of Proposal

Verizon Wireless is proposing to develop a wireless communications facility located at 2868 S. Avenue B located in Yuma, Arizona. Verizon will lease approximately 500 square feet for this development. The subject parcel is approx. 0.21 acres in size and is located within the C-2 Zoning district. This location has been carefully sited to limit the visual impact in this area while accomplishing Verizon's need to provide a high quality and reliable service to their customers including: commuters, residents, businesses and *first responders*.

The proposed facility is consists of a new 75 ft. monopole, outdoor equipment cabinets and a standby emergency diesel driven generator. The proposed facility will be enclosed within a 8' high CMU screen wall painted to match adjacent building.

This is an unmanned facility that will be visited infrequently for maintenance. Verizon requires electric and telephone utilities. These utilities will be installed underground to the site. The radio frequency emissions from this site are within the FCC guidelines for a wireless communications facility.

## Criteria for Variance

***Variations under Section 403.02 shall be granted only when, because of peculiar conditions applicable to the property, the strict application of the Zoning Ordinance deprives such property of privilege enjoyed by other property owners in the zoning district.***

The peculiar conditions applicable to the subject property is the location and height of a very large tree measuring 52 ft. located on an adjacent parcel (APN: 694-20-003) to the west of our

Wavelength Management  
2200 E. Williams Field Rd.  
Suite 200  
Gilbert, AZ 85295

property owners land (see Exhibit A). If this tree didn't exist our property owner would be able to lease a portion of his south parcel APN: 694-20-006 to Verizon, Verizon would construct a 60 ft. tower and therefore would be in compliance with both the 60 ft. height requirement and side yard setback of 5 ft. within the C-2 Zoning district. The tree location and height of 52 ft. will cause significant interference/shadowing for a 60 ft. tower therefore it is necessary to increase the height of the tower by 15 ft. to a total height of 75 ft. We also researched the feasibility of locating the 75 ft. monopole on the south portion of APN: 694-20-006 while still maintaining the required setback of 20 ft. however it won't work because it is too close to the subject tree and will block the proposed 295° sector.

In addition to the above, as per Section 612.02 zero lot lines may be applied if adjacent parcel is also zoned commercial or industrial and firewall regulations of the International Building Code are met. The adjacent parcel to the south is zoned C-2 and is under the same ownership as the proposed development parcel. This parcel is currently being used as a parking lot for their business. There are existing buildings in the area that have been constructed to the property line therefore there is a precedence of zero lot lines enjoyed by others in the general area and the C-2 zoning district. In fact the building to the south of APN: 694-20-006 was constructed with a zero lot line (see Exhibit A).

***Variances are available only in cases where there is a hardship arising from conditions or circumstances unique to the development of a particular piece of land, not from personal considerations, personal convenience or financial hardships.***

See above explanation and Exhibit A.

***A variance shall not be granted which will have an adverse effect on public health, safety or welfare.***

The location this tower will not have an adverse effect on public health, safety or welfare. Locating the proposed wireless communication facility in this area will help improve the health, safety and general welfare for the community by improving wireless coverage in the surrounding areas and shorten the emergency response time in times of need. The facility will enhance public services such as police and fire protection.

Verizon will be operating this facility under licensed frequencies granted and governed by the US Federal Communications Commission (FCC). This site will operate at levels well below the safe exposure limits set by the FCC.

Wavelength Management  
2200 E. Williams Field Rd.  
Suite 200  
Gilbert, AZ 85295

***E. A variance shall not be granted if, in granting the variances a special privilege not commonly enjoyed by others in the zoning district will be conferred, or have a negative impact on the neighborhood.***

As per Section 612.02 zero lot lines may be applied if adjacent parcel is also zoned commercial or industrial and firewall regulations of the International Building Code are met. The adjacent parcel to the south is zoned C-2 and is under the same ownership as the proposed development parcel. This parcel is currently being used as a parking lot for their business. There are existing buildings in the area that have been constructed to the property line therefore there is a precedence of zero lot lines enjoyed by others in the general area and the C-2 zoning district. In fact the building to the south of APN: 694-20-006 was constructed with a zero lot line (see Exhibit A).

The proposed facility will not have a negative impact on the neighborhood any public infrastructure. The proposed wireless communication facility will not generate smoke, odor, dust, vibration, or illumination that will adversely affect surrounding properties. The site is unmanned with no loading or unloading of supplies or materials storage. The proposed facility will not use any water or generate any wastewater or solid waste. After the initial construction, the facility will not generate additional traffic in the neighborhood other than a technician visiting the site (approximately once a month) for needed repair and maintenance.

***G. Variances shall not be granted if the condition is self-imposed or if a reasonable use of the land can be made in an alternative development scheme without the variance.***

Due to the location and height of this large tree, there are no other options available on the subject parcels. As previously stated, we researched the feasibility of locating the 75 ft. monopole on the south portion of APN: 694-20-006 however it won't work because it is too close to the subject tree and will block the proposed 295° sector.

In addition, numerous alternative site locations were considered within the search ring and along S. Avenue B however many of the property owners either didn't respond to my calls or emails, weren't interested or would not commit to entering into a lease with Verizon. See Exhibit B which outlines all the alternative locations considered within the search ring and a brief description of why each is not feasible option.

Wavelength Management  
2200 E. Williams Field Rd.  
Suite 200  
Gilbert, AZ 85295

**Relationship to Surrounding Properties and Neighborhood Impact**

Adjoining properties:

North – C-2 (Commercial, Misc.)	East – B-2 (Office) across S. Ave B
South – C-2 (Commercial, Parking Lot)	West – SR-3 (Religious, Vacant Land)

**Hours of Operation**

The proposed site will operate twenty four hours a day, seven days a week, but is an unmanned facility with no personnel or regular hours of operation. The site will be connected to and monitored by a central switching center.

**Noise, Light, Nuisances and Other Environmental Considerations**

The proposed wireless communications facility will not use any water or generate any wastewater or solid waste. There will be a motion detecting exterior light over the shelter door. The proposed facility will not generate any noxious odors, sounds glare or vibrations affecting existing uses or surrounding areas. The site is unmanned with no loading or unloading of supplies or materials storage. The only noise generated will be the operation of standard cooling unit fans and infrequent use of a backup generator. While the generator is running it will produce sound within the range of 70dBA. The generator will run during a loss of local utility power to maintain wireless service in the area. Otherwise, the generator will cycle an average of twice per month as part of maintenance. The odor the generator produces can be compared to a diesel truck.

**Development Schedule** (phasing)

The overall development of the site will take approximately 45 days with the bulk of the work being accomplished in the first 4 weeks. The work will be accomplished during regular business hours and will require the use of standard grading equipment. During this time there may be multiple vehicles and laborers performing the work.

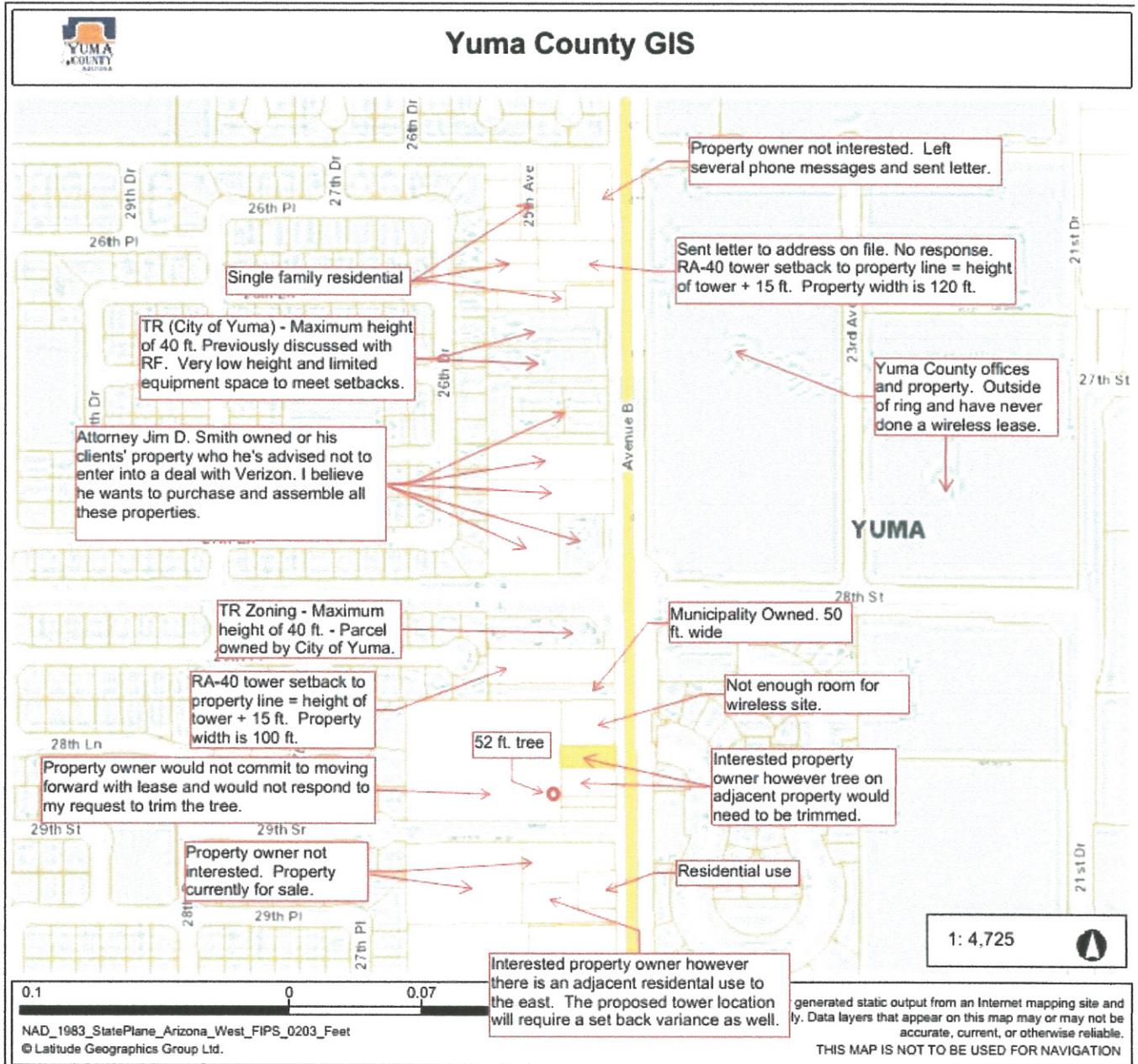
After the completion of development the site will only require general maintenance. Verizon anticipates the site will be visited on average a few times a month. General maintenance usually requires one work vehicle and can be accomplished 24/7.

**EXHIBIT A**  
**(Photos of Subject Tree and Adjacent Building to the South)**



Wavelength Management  
2200 E. Williams Field Rd.  
Suite 200  
Gilbert, AZ 85295

**EXHIBIT B  
(Alternative Site Locations Considered)**



Wavelength Management  
2200 E. Williams Field Rd.  
Suite 200  
Gilbert, AZ 85295



YUMA COUNTY  
Planning & Zoning Division  
REQUEST FOR COMMENTS

August 27, 2015

**CASE NUMBER: VARIANCE CASE NO. 15-12**

Attached for your consideration is a **Variance**. The Planning & Zoning staff would appreciate your review of this proposal and any comments you may have. Please check the applicable response below and return this form to me along with your comments (if applicable) by the deadline below. You may also provide your response and comments (if any) by e-mail. If you have no comment, please provide a no comment response. If you cannot respond by the deadline, please contact me.

**CASE SUMMARY: Variance Case No. 15-12:** Garrett Bair, agent for George and Florence Mezei, requests a variance from the Yuma County Zoning Ordinance, Section 1115.05 (B) Wireless Communication Facilities Height and Setback Requirements, to allow a reduction of the south side setback to six feet (6') where twenty feet (20') is required for a wireless communication facility on a parcel 9,300 net square feet in size zoned General Commercial, Assessor's Parcel Number 694-20-005, located at 2868 South Avenue B, Yuma, Arizona.

**The applicant submitted the following intended use in the application:** The proposed facility will provide wireless services, as required by Verizon Wireless' FCC license, to fill a significant "Gap in Service". This site is necessary due to technological advancements, growing number of customers, increased usage of data and increase voice calls. This site is critical to maintain the quality of voice and data usage in the area.

**PUBLIC HEARING:** October 20, 2015

**COMMENTS DUE:** September 3, 2015

COMMENT       NO COMMENT

Our Operations Department and Communications Department have reviewed this request and do not object to the approval of a 75 tower located at the site. It is requested that the tower be lit according to Federal Aviation Administration (FAA) guidelines and that notification to the FAA be made. The Marine Corps Air Station uses the frequency band of 1710-1755 MHz and this frequency band should not be used at this time. If there are any changes to this proposal, it is requested that MCAS Yuma be given the opportunity to provide another review. Thank you for the opportunity to comment.

DATE: 9/3/2015      NAME: Paula L. Backs, MCAS YUMA AZ

Please return your response by 9/3/2105 to: Marilu Garcia, Associate Planner, Department of Development Services, 2351 W. 26<sup>th</sup> Street, Yuma, AZ 85364 or by E-mail:

[Marilu.garcia@yumacountyaz.gov](mailto:Marilu.garcia@yumacountyaz.gov)



YUMA COUNTY  
Planning & Zoning Division  
REQUEST FOR COMMENTS

August 27, 2015

**CASE NUMBER: VARIANCE CASE NO. 15-12**

Attached for your consideration is a **Variance**. The Planning & Zoning staff would appreciate your review of this proposal and any comments you may have. Please check the applicable response below and return this form to me along with your comments (if applicable) by the deadline below. You may also provide your response and comments (if any) by e-mail. If you have no comment, please provide a “no comment” response. If you cannot respond by the deadline, please contact me.

**CASE SUMMARY: Variance Case No. 15-12:** Garrett Bair, agent for George and Florence Mezei, requests a variance from the Yuma County Zoning Ordinance, Section 1115.05 (B)—Wireless Communication Facilities Height and Setback Requirements, to allow a reduction of the south side setback to six feet (6') where twenty feet (20') is required for a wireless communication facility on a parcel 9,300 net square feet in size zoned General Commercial, Assessor's Parcel Number 694-20-005, located at 2868 South Avenue B, Yuma, Arizona.

**The applicant submitted the following intended use in the application:** The proposed facility will provide wireless services, as required by Verizon Wireless' FCC license, to fill a significant "Gap in Service". This site is necessary due to technological advancements, growing number of customers, increased usage of data and increase voice calls. This site is critical to maintain the quality of voice and data usage in the area.

**PUBLIC HEARING:** October 20, 2015

**COMMENTS DUE:** September 3, 2015

COMMENT

NO COMMENT

We appreciate the opportunity to review and comment on this case. While the Yuma County Airport Authority does not object to the approval of a 75' tower located at the site, we strongly recommend that the tower be lit according to Federal Aviation Administration (FAA) guidelines and that notification to the FAA be made. If there are any changes to this proposal, it is requested that the YCAA be given the opportunity to provide another review.

DATE: 9/3/15

NAME: Gen Grosse, Corporate Acct Manager, Yuma County Airport Authority

**Please return your response by 9/3/2105 to: Marilu Garcia, Associate Planner, Department of Development Services, 2351 W. 26<sup>th</sup> Street, Yuma, AZ 85364 or by E-mail:**

[Marilu.garcia@yumacountyaz.gov](mailto:Marilu.garcia@yumacountyaz.gov)

Yuma County  
Board of Adjustment

October 20, 2015

Item No. 5

**AIR-6577**

**BOA Agenda**

**Meeting Date:** 10/20/2015

**Submitted By:** Marilu Garcia

**Department:** Planning & Zoning Division - DDS

---

### **Information**

#### **1. REQUESTED ACTION:**

Variance Case No. 15-13: Juan Mireles, agent for Judy and Gary Gormanson, requests a variance from the Yuma County Zoning Ordinance, Section 609.05 - Minimum Lot Width and Principal Buildings Setback Requirements, to allow a reduction of the required rear yard setback to five feet on a parcel 6,668 square feet in size zoned Recreational Vehicle Subdivision (RVS), Assessor's Parcel Number 700-02-055, located at 10296 South Monsoon Avenue, Yuma, Arizona.

#### **2. INTENT:**

The existing storage building to remain with a rear yard setback of five feet where ten feet is required to allow the use as a RV support structure.

#### **3. For detailed analysis see attached staff report**

#### **4. STAFF'S RECOMMENDATION:**

**Staff recommends denial of Variance Case No. 15-13 based on:**

1. Staff finds there are no peculiar conditions applicable to the property to cause the granting of a variance.
  2. Staff finds there is no hardship arising from conditions or circumstances unique to the development of this property.
  3. Staff finds approval of this variance may have an adverse effect on public health, safety and welfare.
-

## **Attachments**

V15-13 Staff Report

V15-13 Vicinity Map

V15-13 Site Plan

V15-13 Building Safety Comments

---

**STAFF REPORT**  
**Yuma County Planning and Zoning Division**

**Prepared for the Hearing of**  
**October 20, 2014**  
**Yuma County Board of Adjustment**

---

**CASE NUMBER:** Variance Case No. 15-13  
**OWNER:** Gary & Judy Gormanson  
**CASE PLANNER:** Marilu Garcia, Associate Planner  
**DATE PREPARED:** September 16, 2015

---

**DESCRIPTION OF REQUEST:** Juan Mireles, agent for Judy and Gary Gormanson, requests a variance from the Yuma County Zoning Ordinance, Section 609.05 Minimum Lot Width and Principal Buildings Setback Requirements, to allow a reduction of the required rear yard setback to five feet on a parcel 6,668 square feet in size zoned Recreational Vehicle Subdivision (RVS), Assessor's Parcel Number 700-02-055, located at 10296 South Monsoon Avenue, Yuma, Arizona.

**THE APPLICANT S REASON FOR REQUESTING THIS VARIANCE:**

The current owner purchased the subject property not knowing that an existing structure, used as an RV support structures, was originally permitted as a storage building and does not meet principal building setback requirements. The applicant is in the process of constructing a new residence and is applying for the necessary permits to bring this property into compliance.

**APPROVAL OF THIS REQUEST WOULD ALLOW:**

The existing structure with the following deviations from the Zoning Ordinance:

- 1) A rear yard setback of five feet where ten feet is required.

---

## BACKGROUND

The subject property is located within The Seasons RV Village Unit 5 subdivision. The subdivision was recorded on December 31, 2003 and is zoned Recreational Vehicle Subdivision (RVS). The subject parcel is the location of a recreational vehicle (RV) support structure 192 square feet in size, a storage shed 100 square feet in size, a gazebo 100 square feet in size and a carport 200 square feet in size. The subject parcel is serviced by sewer and is 6,668 square feet in size.

Records indicate that the current property owners bought the subject property on February 11, 2014. The property owners applied for a residential permit to construct a dwelling on August 11, 2015. However, they were unaware that some structures did not receive the proper permits. To bring the property into compliance, the property owners have decided to apply for the necessary permits and remove one structure. Originally, the structure used as a RV support structure was issued permit number EB08-0230 in 2008 specified as a storage shed with electrical. They will apply for the necessary permits to convert the storage shed into the RV support structure if this variance is approved. Exempt permit number EB15-0139 was applied for the gazebo on September 9, 2015. The carport will be removed and if this variance is approved, the property owners will remove the storage shed, 100 square feet in size, or else they will apply for an exempt permit.

The Yuma County Board of Supervisors approved an amendment to the Zoning Ordinance on December 4, 2000 that established a requirement that structures with plumbing fixtures, such as RV support structures, meet the setback requirements for the principal building. The Current Yuma County Zoning Ordinance defines Recreational Vehicle support structure as follows: *A single, detached structure in an RVS Zoning District, which is constructed with a minimum floor area of 120 square feet and has either of the following:*

- A. bath facilities including lavatory, toilet, shower or any combination thereof or;*
- B. laundry facilities including washing, drying, water heater or any combination thereof.*

*RV support structures must meet the setback requirements as set forth in Section 609.05 of the Yuma County Zoning Ordinance.*

---

## STAFF ANALYSIS

### **Section 403.03 of the Zoning Ordinance:**

- A. Variances under section 403.02 shall be granted only when, because of peculiar conditions applicable to the property, the strict application of the Zoning Ordinance deprives such property of privilege enjoyed by other property owners in the zoning district.*

Staff finds there are no peculiar conditions applicable to the property. The lot is flat terrain and the

topography is not unusual. However, the applicant purchased the property without knowing that the RV support structure did not have the necessary permits and did not meet rear yard setback requirements.

- B. Variances are available only in cases where there is a hardship arising from conditions or circumstances unique to the development of a particular piece of land, not from personal considerations, personal convenience or financial hardships.*

Staff finds there is no hardship arising from conditions or circumstances unique to the development of this property. The original structure met the required setbacks at the time of construction. However, the addition of plumbing triggers principal building setbacks including ten feet from the rear yard lot line.

- C. Any motion to grant a variance by the Board of Adjustment shall include specific peculiar conditions applicable to the property, which exist to cause granting of a variance.*

Staff finds there are no specific peculiar conditions applicable to this property to warrant granting of a variance. The property is not of unusual shape or topography. The need for a variance became apparent when the applicant submitted permits for a dwelling. The applicant was notified that the RV support structure did not have the proper permits since the structure had a different use and plumbing fixtures than originally permitted.

- D. A variance shall not be granted which will have an adverse effect on public health, safety and welfare.*

Staff finds approval of this variance may have an adverse effect on public health, safety, and welfare. However, the RV support structure will not be used as habitable space. There is a safety risk for the property adjacent to the west since it is the location of a manufactured home. The manufactured home is located 10 feet from the rear yard property line. The distance between the RV support structure and the manufactured home is 15 feet. The combined rear yard setback requirement for principal buildings is 20 feet.

- E. A variance shall not be granted if, in granting the variances a special privilege not commonly enjoyed by others in the zoning district will be conferred, or have a negative impact on the neighborhood.*

Granting this variance to allow a setback of five feet from the rear yard will confer a special privilege not enjoyed by others in the RVS zoning district. However, the current use of the structure as a RV support structure is already established and there is a need to bring this property into compliance with the zoning ordinance.

- F. The Board of Adjustment may require appropriate conditions or safeguards on any granted variances so that public health, safety and welfare are not compromised.*

Staff is recommending that if approved, this variance include the attached conditions as a means of

addressing concerns of public health, safety, and welfare.

*G. Variances shall not be granted if the condition is self-imposed or if a reasonable use of the land can be made in an alternative development scheme without the variance.*

Staff finds the condition is not self-imposed. The current property owner bought the property as is in 2014. The alternative is to remove the plumbing from the structure and keep it as detached storage building.

*H. The fact that there are non-conforming uses of neighborhood lands, structures or buildings, in the same zoning district shall not be considered grounds for issuance of a variance.*

Staff's recommendation is not based on non-conforming uses of neighborhood lands, structures or buildings in the same zoning district.

---

**ADDITIONAL COMMENTS:**

---

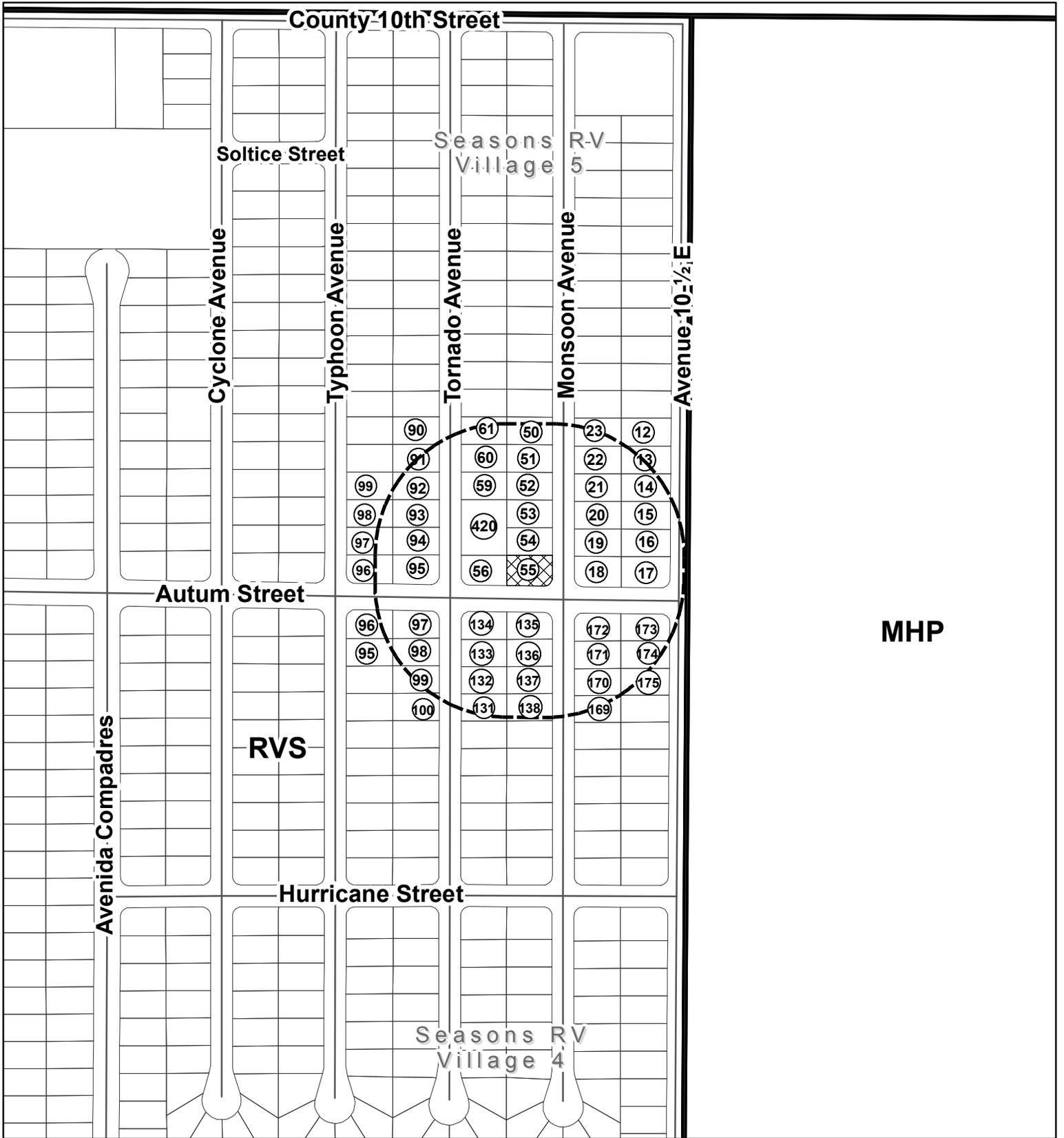
**STAFF RECOMMENDATION**

**Staff recommends denial of Variance Case No. 15-13 based on:**

1. Staff finds there are no peculiar conditions applicable to the property to cause the granting of a variance.
2. Staff finds there is no hardship arising from conditions or circumstances unique to the development of this property.
3. Staff finds approval of this variance may have an adverse effect on public health, safety and welfare.

**If the Board of Adjustment approves this Variance, staff suggests attaching the following conditions:**

1. This Variance is valid for the time limits outlined in Section 403.07 of the Zoning Ordinance.
2. Permits are required for the existing shed. All construction shall be verified to be in compliance with the 2012 International Residential Building Code.



MHP



**DEPARTMENT OF  
DEVELOPMENT  
SERVICES**  
PLANNING & ZONING DIVISION  
2351 W. 26TH STREET  
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

**CASE NO:** V15-13  
**LOCATION:** 10296 South Monsoon Ave  
**APN:** 700-02-055

**Case Planner:** Marilu Garcia  
**Drawn:** 9/10/15

**SCALE**  
1" = 300'



**Legend**

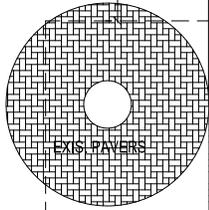
-  Subject Property
-  300' Notification Area
-  City of Yuma

**AUTMN STREET**

PROPERTY LINE: 84.77'

EXISTING GAZEBO  
OWNER TO APPLY FOR  
EXEMPT PERMIT

10' MIN.  
REAR  
SETBACK



10'-0" 2'-0" 16'-0" 2'-0" 10'-0" 3'-11"

PROPERTY LINE: 67.60'

EXIS. CONCRETE

EXIS. GAZEBO

EXIS. RV  
SUPPORT BUILDING

EXIS. SHED

EXISTING SHED TO BE  
DETERMINED ON OUTCOME  
OF VARIANCE OF REDUCED  
SETBACK ON SUPPORT  
BUILDING  
1. IF VARIANCE IS APPROVED  
SHED WILL BE REMOVED, IF  
IT IS DISSAPPROVED OWNER  
WILL APPLY FOR AN EXEMPT  
PERMIT.

EXIS. CARPORT TO BE  
REMOVED

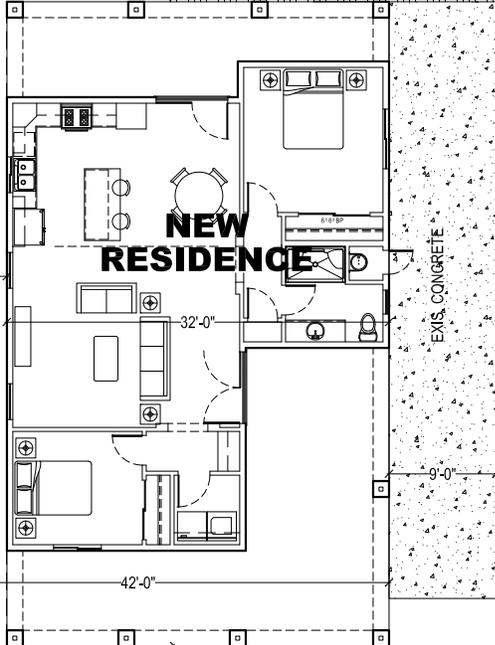
**NEW  
RESIDENCE**

10' MIN.  
SIDE  
SETBACK

7' MIN.  
SIDE  
SETBACK

PROPERTY LINE: 105.00'

50'-0"



EXIS. CONCRETE

42'-0"

24'-0"

10' MIN.  
FRONT  
SETBACK

EXIS.  
ELECTRICAL  
METER

PROPERTY LINE: 47.92'

**MONSOON AVENUE**



## SITE PLAN

SCALE:

1/16"=1'-0"



**RESIDENTIAL DESIGNS L.L.C.**

"Professional home design services"

[www.jmresidentialdesigns.com](http://www.jmresidentialdesigns.com)

## GORMANSON RESIDENCE

10296 SOUTH MONSOON AVENUE  
SEASONS RV VILLAGE, LOT: 605  
YUMA, ARIZONA  
APN: 700-02-055



YUMA COUNTY  
Planning & Zoning Division  
REQUEST FOR COMMENTS

September 10, 2015

Attached for your consideration is a **Variance**. The Planning & Zoning staff would appreciate your review of this proposal and any comments you may have. Please check the applicable response below and return this form to me along with your comments (if applicable) by the deadline below. You may also provide your response and comments (if any) by e-mail. If you have no comment, please provide a “no comment” response. If you cannot respond by the deadline, please contact me.

**CASE SUMMARY: Variance Case No. 15-13:** Gary Gormanson, property owner, requests a variance from the Yuma County Zoning Ordinance, Section 609.05 —Minimum Lot Width and Principal Buildings Setback Requirements, to allow the reduction of the required rear yard setback of ten feet (10') to five feet (5') on a parcel 6,668 square feet in size zoned Recreational Vehicle Subdivision (RVS). The Assessor's Parcel Number is 700-02-055, located at 10296 South Monsoon Avenue, Yuma, Arizona.

**Intent:** The applicant requests this variance to allow for a change of occupancy. The subject property is the location of an existing structure that is currently used as a Recreational Vehicle Support Structure. However, the existing structure was originally permitted as a storage building and does not meet principal building setbacks as required for RV Support Structures. The applicant is in the process of constructing a new residence and is applying for the necessary permits to bring this property into compliance.

**PUBLIC HEARING:** October 20, 2015

**COMMENTS DUE:** September 14, 2015

X\_COMMENT

\_\_\_NO COMMENT

Permits are required for the existing shed. All construction shall be verified to be in compliance with the 2012 International Residential Building Code

DATE: 9/10/15 NAME: \_\_\_\_\_

Please return your response to Marilu Garcia, Associate Planner, Department of Development Services, 2351 W. 26<sup>th</sup> Street, Yuma, AZ 85364 or by E-mail [Marilu.garcia@yumacountyaz.gov](mailto:Marilu.garcia@yumacountyaz.gov)