



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

**DATE:** December 17, 2019  
**TIME:** 1:00 P.M.  
**PLACE:** Aldrich Auditorium, 2351 West 26th Street, Yuma, Arizona

**MEMBERS:** Eric Saltzer, Chairman, Dist. 1  
Neil Tucker, Vice-Chairman, Dist. 3  
Joe Harper, Dist. 4  
Rosalie Lines, Dist. 2  
Tim Eisenmann, Dist. 5

**STAFF:** Maggie Castro, AICP, Planning Director  
Tricia Ramdass, Associate Planner  
Amber Jardine, PZ Commission Admin Specialist

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

1. **Call to Order and Roll Call.**
2. **Pledge of Allegiance.**
3. **Approval of the Board of Adjustment meeting minutes from November 19, 2019.**
4. **Request for extension of time for Variance Case No. 18-15:** In accordance with the Yuma County Zoning Ordinance, Section 403.07(B), Maria Garibay requests an extension of time for Variance Case No. 18-15 for a parcel 2.5 gross acres in size zoned Suburban Ranch-2 acre minimum (SR-2), Assessor's Parcel Number 754-51-009, located at 3403 West County 17½ Street, Somerton, Arizona.
5. **Request for extension of time for Variance Case No. 18-16:** In accordance with the Yuma County Zoning Ordinance, Section 403.07(B), Tim Samuelson requests an extension of time for Variance Case No. 18-16 for two parcels 7,178 square feet in size each, zoned Low Density Residential-6,000 square feet minimum (R-1-6), Assessor's Parcel Numbers 664-01-156 and 664-01-157, located in the vicinity of 8th Street and Eleanor Avenue, Yuma, Arizona.

**6. Discussion by the Board members and Planning Director of events attended, current events, and the schedule for future Board of Adjustment meetings.**

**7. Adjourn.**

The Committee may vote to hold an Executive Session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda, pursuant to Arizona Revised Statute §38-431.03(A)(3).

Persons with disabilities may request reasonable accommodations by contacting Shannon Gunderman, ADA Coordinator at 928.373.1137 or by email at [shannon.gunderman@yumacountyaz.gov](mailto:shannon.gunderman@yumacountyaz.gov). Requests should be made as early as possible to allow time to arrange the accommodation.

# Yuma County Board of Adjustment

Item No. 3

The Yuma County Board of Adjustment met in a regular session on November 19, 2019. The meeting was held in Aldrich Auditorium at 2351 West 26th Street, Yuma, Arizona.

**CALL TO ORDER:** At 1:00 p.m., Vice Chairman Eric Saltzer convened the Board of Adjustment meeting. Board Members present: Tim Eisenmann, Eric Saltzer, and Rosalie Lines. Board Members Neil Tucker and Joe Harper were absent. Others present: Planning Director Maggie Castro, AICP; Associate Planner Tricia Ramdass; and PZ Commission Admin Specialist Amber Jardine.

**PLEDGE OF ALLEGIANCE:** Board Member Tim Eisenmann led the Pledge of Allegiance.

**ITEM No. 3:** Approval of the Board of Adjustment regular meeting minutes of October 15, 2019.

**MOTION (EISENMANN/LINES):** Approve as presented.

**ROLL CALL VOTE:** Eisenmann – AYE; Saltzer – AYE; Lines – AYE.  
The motion carried 3-0.

**ITEM No. 4:** Variance Case No. 19-14: DLG Contractors Inc., requests a variance from the development standards of Martinez Lake Resort Unit No. 1 Planned Development to allow a building height of 36 feet on one parcel 2,885 square feet in size zoned Planned Development (PD), Assessor's Parcel Number 459-50-117, located at 10380 East Blue Gill Lane, Yuma, Arizona.

Associate Planner Tricia Ramdass Presented the staff report recommending approval of Variance Case No. 19-14 based on:

1. Staff finds approval of this variance may not have an adverse effect on public health, safety and welfare.
2. Staff finds there are specific peculiar conditions applicable to this property to warrant granting of this variance.
3. Staff finds the approval of this request does not have a negative impact on the neighborhood.

**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.

Vice Chairman Eric Saltzer opened the public hearing.

There being not one to come forward, Vice Chairman Eric Saltzer closed public meeting.

Board Member Eisenmann requested to view the image of the property and noted that the property did not have any structures on it.

Associate Planner Tricia Ramdass stated the property was cleared in preparation for development.

MOTION (EISENMANN/LINES): Approve Variance Case No. 19-14 subject to the conditions outlined by the staff.

ROLL CALL VOTE: Eisenmann – AYE; Saltzer – AYE; Lines – AYE.  
The motion carried 3-0.

**ITEM No. 4: Discussion by the Board members and Planning Director of events attended, current events, and the schedule for future Board of Adjustment meetings.**

Board Members reviewed the 2020 Regular Meeting Schedule for the Board of Adjustment.

MOTION (LINES/EISENMANN): Approve as presented.

ROLL CALL VOTE: Eisenmann – AYE; Saltzer – AYE; Lines – AYE.  
The motion carried 3-0.

There being no further business to come before the Board, the Vice Chairman adjourned the meeting at 1:07 p.m.

Approved and accepted on this 17<sup>th</sup> day of December, 2019.

\_\_\_\_\_  
Neil Tucker, Chairman

ATTEST:

\_\_\_\_\_  
Maggie Castro, AICP, Planning Director

# Yuma County Board of Adjustment

## Item No. 4

**AIR-9480**

**4.**

**BOA Agenda**

**Meeting Date:** 12/17/2019

**Submitted For:** Maggie Castro

**Submitted By:** Tricia Ramdass

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

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### **Information**

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

**Request for extension of time for Variance Case No. 18-15:** In accordance with the Yuma County Zoning Ordinance, Section 403.07(B), Maria Garibay requests an extension of time for Variance Case No. 18-15 for a parcel 2.5 gross acres in size zoned Suburban Ranch-2 acre minimum (SR-2), Assessor's Parcel Number 754-51-009, located at 3403 West County 17½ Street, Somerton, Arizona.

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

The intent is to obtain an extension of time of one year for Variance Case No. 18-15 which was approved by the Board of Adjustment on December 18, 2018 and expires on December 18, 2019.

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

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

Staff recommends the Board of Adjustment grant an extension of time of one year for Variance Case No. 18-15.

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### **Attachments**

Staff Report

Request for Extension

Vicinity Map

Site Plan

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## MEMORANDUM

**TO:** Yuma County Board of Adjustment

**FROM:** Tricia Ramdass, Associate Planner

**RE:** Extension of time for Variance Case No. 18-15

**DATE:** November 25, 2019

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Maria Garibay requests an extension of time for Variance Case No. 18-15 which was approved by the Board of Adjustment on December 18, 2018. The expiration date is December 18, 2019. As of November 25, 2019, no permit applications have been submitted for installation of the mobile home on the subject property.

### **Background**

Variance Case No. 18-15 allowed the placement of a 1971 mobile home on a parcel 2.5 gross acres in size zoned Suburban Ranch-2 acre minimum (SR-2), Assessor's Parcel Number 754-51-009, located at 3403 West County 17½ Street, Somerton, Arizona. A condition of the variance was that the applicant/owner obtain a mobile home rehabilitation permit and certificate from the Arizona Department of Housing (ADOH) Manufactured Housing Division pursuant to Arizona Revised Statutes § 41-2195(C).

### **Current Status**

The expiration date for Variance Case No. 18-15 is December 18, 2019. As of November 25, 2019, substantial construction has not commenced on the subject property and building permits have not been obtained. The applicant has applied for a mobile home rehabilitation permit and certificate from the ADOH Manufactured Housing Division. The mobile home is still undergoing inspections and corrective work required from ADOH. An extension of time would allow the applicant to obtain the rehabilitation certificate and then apply for an installation permit from Yuma County Department of Development Services.

The Yuma County Zoning Ordinance, Section 403.07 states as follows:

- A. *A variance shall expire and shall be void one (1) year following the date on which the variance became effective unless, prior to the expiration of one (1) year, substantial construction is commenced. Substantial construction shall be defined as:*
- 1. Having submitted plans for construction,*

2. *Building permit issued and paid for,*
  3. *Having installed utilities such as electric, sewer, water and/or gas lines on the site,*
  4. *Having foundation or footings inspected and finished floor for at least the first floor of a building poured and laid, and,*
  5. *That no lapse of construction has occurred for more than sixty (60) days from any time point of the items 1-4 above.*
- B. A variance approval may be extended provided that, not earlier than thirty (30) days prior to the expiration date, a written request is made and presented at the next available Board of Adjustment meeting.*
- C. The Board of Adjustment may grant, deny, or modify an application for extension of a variance.*

**Staff Recommendation:**

Staff recommends the Board of Adjustment grant an extension of time of one year for Variance Case No. 18-15.

To whom it may concern,

Variance 18-15

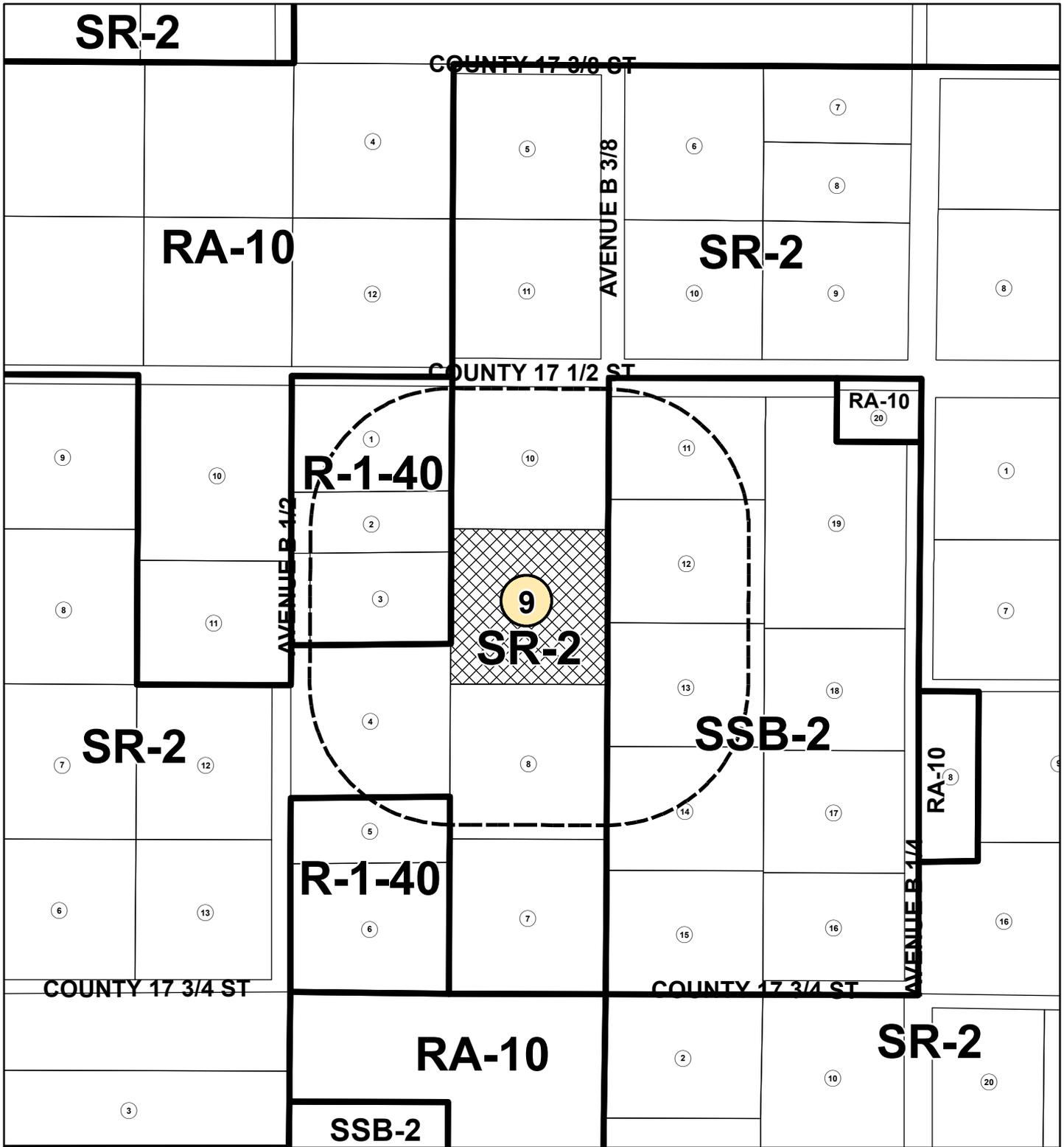
This letter is a request for an extension for the permit expiring on December 18 for the mobile home located at 3403 W County 17 1/2 St. There are multiple permits underway that are pending final approval, these include APS electric, a Rehabilitation Permit (#AZMH000236) and the final inspection with the state housing department. Due to being a seasonal worker and working night shift, a lot of the work for this home was done during my downtime. With the extension of a few months it'll be possible to finalize the current permits and finish remaining work for this mobile home.

Thank you.  
Maria Garibay

*Maria Garibay*

RECEIVED  
NOV 22 2019

BY: *BE*




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

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

**CASE NO:** V18-15  
**LOCATION:** 3403 West County 17½ Street  
**APN(s):** 754-51-009

**CASE PLANNER:** TRICIA RAMDASS  
**DATE DRAWN:** 11-05-2018  
**REVIEWED BY:** FERNANDO VILLEGAS

**SCALE:** 1" = 300'



**Legend**

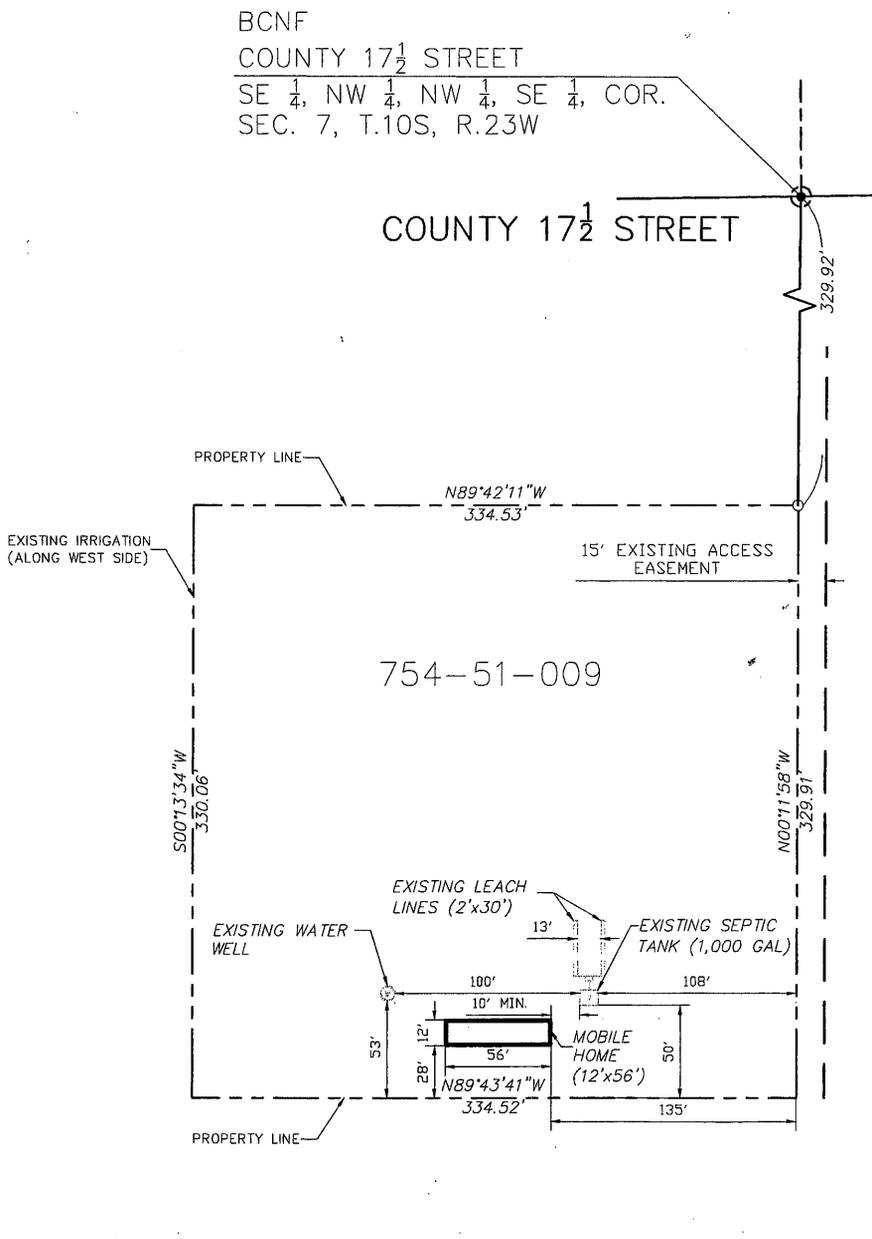
-  300' BUFFER
-  SUBJECT PROPERTY
-  Zoning Boundary

# SITE PLAN

Owner: MARIA GARIBAY  
 Description: 2.5 ACRE PARCEL  
 Parcel No.: 754-51-009  
 Current Zoning: SR-2  
 Street Address: \_\_\_\_\_

Exist. Parcel	Number	Area of Existing Parcel	
		Sq. Ft.	Acres
754-51-009	754-51-009	108,900	2.5

Calculations have been determined electronically from record documents and using AutoCAD.



Sketch of Parcel

Date: 10/19/2018

Sheet 1 of 1

Scale 1" = 10'

# Yuma County Board of Adjustment

Item No. 5

**AIR-9475**

**5.**

**BOA Agenda**

**Meeting Date:** 12/17/2019

**Submitted For:** Maggie Castro

**Submitted By:** Tricia Ramdass

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

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### **Information**

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

**Request for extension of time for Variance Case No. 18-16:** In accordance with the Yuma County Zoning Ordinance, Section 403.07(B), Tim Samuelson requests an extension of time for Variance Case No. 18-16 for two parcels 7,178 square feet in size each, zoned Low Density Residential-6,000 square feet minimum (R-1-6), Assessor's Parcel Numbers 664-01-156 and 664-01-157, located in the vicinity of 8th Street and Eleanor Avenue, Yuma, Arizona.

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

The intent is to obtain an extension of time of one year for Variance Case No. 18-16 which was approved by the Board of Adjustment on December 18, 2018 and expires on December 18, 2019.

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

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

Staff recommends the Board of Adjustment grant an extension of time of one year for Variance Case No. 18-16.

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### **Attachments**

Staff Report

Request for Extension

Vicinity Map

Site Plan

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## MEMORANDUM

**TO:** Yuma County Board of Adjustment

**FROM:** Tricia Ramdass, Associate Planner

**RE:** Extension of time for Variance Case No. 18-16

**DATE:** November 21, 2019

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Tim Samuelson requests an extension of time for Variance Case No. 18-16 which was approved by the Board of Adjustment on December 18, 2018. The expiration date is December 18, 2019. As of November 21, 2019, no permit applications have been submitted and substantial construction has not commenced on the subject property.

### **Background**

Variance Case No. 18-16 allowed a lot width of 49.50 feet for two lots that were proposed to be rezoned to Low Density Residential-6,000 square feet minimum (R-1-6), which were previously part of Assessor's Parcel Number 664-01-061, located at 851 South Avenue C, Yuma, Arizona. On January 23, 2019, the Yuma County Board of Supervisors approved Rezoning Case No. 18-13 and the two lots were rezoned. Land Division Permit No. 19-01 was recorded on March 15, 2019 without deficiencies because the variance for lot widths had been approved through this variance. The parcels corresponding to the lots that are the subject of Variance Case No. 18-16 and Land Division Permit No. 19-01 are Assessor's Parcel Numbers 664-01-156 and 664-01-157.

### **Current Status**

The expiration date for Variance Case No. 18-16 is December 18, 2019. As of November 21, 2019, substantial construction has not commenced on the subject properties and building permits have not been obtained. The applicant has requested an extension because the properties are currently for sale and are tentatively set for closing in December of 2019. An extension of time would allow the future owners additional time needed to develop the properties.

The Yuma County Zoning Ordinance, Section 403.07 states as follows:

- A. *A variance shall expire and shall be void one (1) year following the date on which the variance became effective unless, prior to the expiration of one (1) year, substantial construction is commenced. Substantial construction shall be defined as:*

1. *Having submitted plans for construction,*
  2. *Building permit issued and paid for,*
  3. *Having installed utilities such as electric, sewer, water and/or gas lines on the site,*
  4. *Having foundation or footings inspected and finished floor for at least the first floor of a building poured and laid, and,*
  5. *That no lapse of construction has occurred for more than sixty (60) days from any time point of the items 1-4 above.*
- B. *A variance approval may be extended provided that, not earlier than thirty (30) days prior to the expiration date, a written request is made and presented at the next available Board of Adjustment meeting.*
- C. *The Board of Adjustment may grant, deny, or modify an application for extension of a variance.*

**Staff Recommendation:**

Staff recommends the Board of Adjustment grant an extension of time of one year for Variance Case No. 18-16.

**From:** [Serra 85](#)  
**To:** [Tricia Ramdass](#)  
**Subject:** Re: Variance Case 18-16 - Samuelson - Courtesy Notice of Expiration  
**Date:** Thursday, November 21, 2019 10:09:20 AM

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Please request extension of variance case 18-16 for parcel 66401157 and 66401156 due to additional time needed to develop property.

Current property sale tentatively set for closing in December.

Timothy J. Samuelson  
Heritage Wealth Managers  
Independent Financial Group  
858-245-2890

Securities offered through Independent Financial Group, LLC FINRA/SIPC  
Heritage Wealth Managers and  
IFG companies are unaffiliated and is an outside business.  
Trading instructions via email may not be honored. CA lic #OC24407

The text of this communication is confidential, and use by any person who is not the intended recipient is prohibited. Any person who receives this communication in error is requested to immediately destroy the text of this communication without copying or further dissemination.

Please be advised that communications regarding trades in your account are for informational purposes only. You should rely on confirmations and statements received from the custodian of your assets.

**From:** [Tricia Ramdass](#)  
**Sent:** Thursday, November 21, 2019 8:45 AM  
**To:** [Serra85@san.rr.com](mailto:Serra85@san.rr.com) ; [Adrian Vega](#)  
**Subject:** Variance Case 18-16 - Samuelson - Courtesy Notice of Expiration

Good morning,

As I have been unsuccessful in reaching you by phone, I am sending this e-mail as a courtesy notification that the variance obtained for lot width will expire on December 18, 2019. This expiration is pursuant to YCZO Section 403.07 which was listed as condition #1 on the variance certificate.

If you wish to request an extension, I must have the request **no later than Monday, November 25, 2019** so that it can be placed on the Agenda. Otherwise, the variance will expire and you will need to obtain a new variance for the lots before permits can be approved. Per Planning Director Maggie Castro, AICP, if you do not obtain an extension, then you must record a deficiency for each lot as an

addendum to the land division permit so that future owners are aware that the lot width does not meet the minimum lot width required by the zoning district.

Thank you,  
Tricia

***Tricia Ramdass, Associate Planner/Deputy Zoning Inspector***

**Planning & Zoning Division**

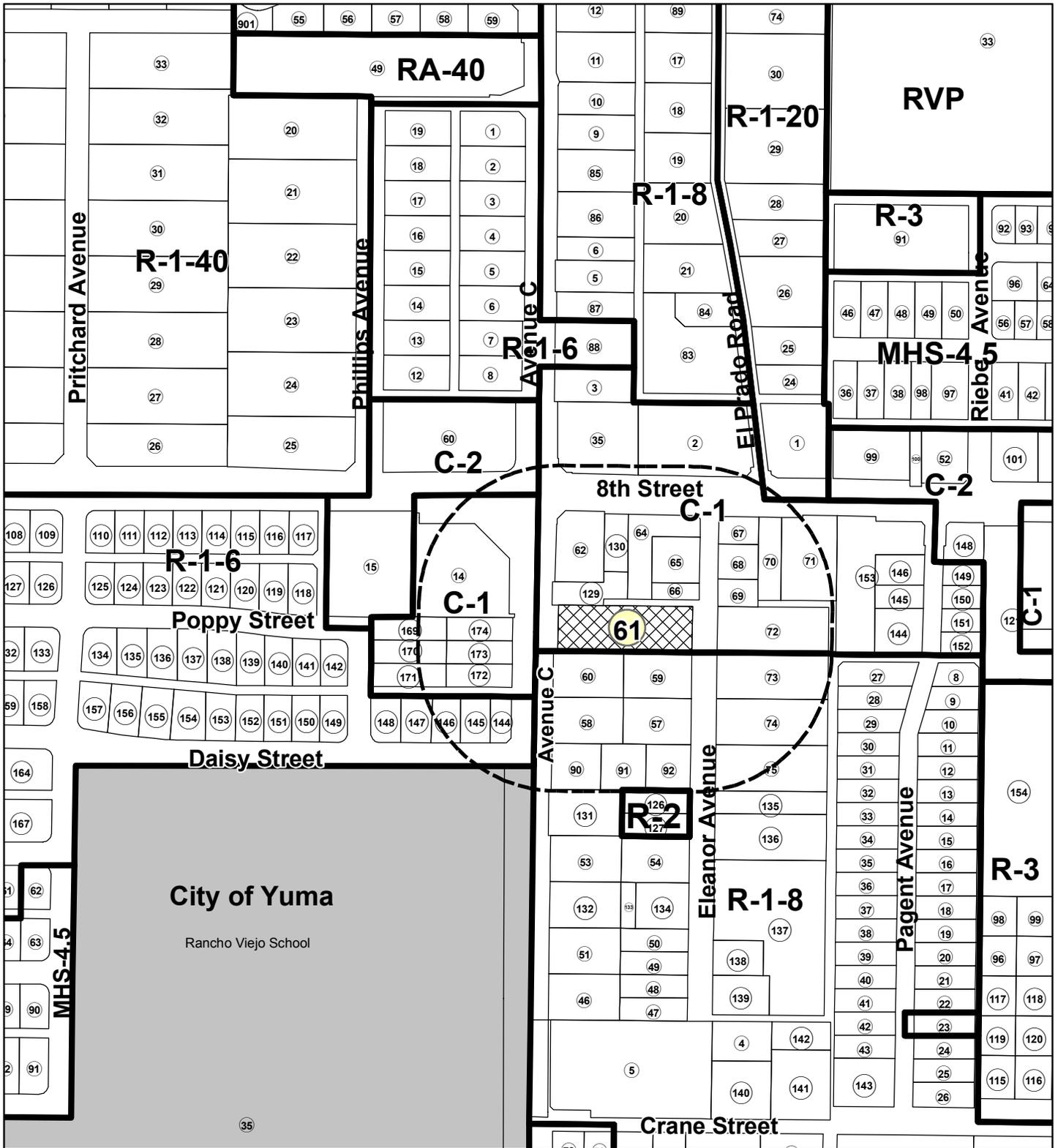
**Department of Development Services**

2351 W. 26<sup>th</sup> Street Yuma, AZ 85364

(928) 817-5072 | Fax (928) 817-5020

[Tricia.Ramdass@yumacountyaz.gov](mailto:Tricia.Ramdass@yumacountyaz.gov)

*If you would like to provide comments regarding the service you received, please click the following link: [Yuma County: Customer Survey](#)*



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

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

**CASE NO:** V18-16  
**LOCATION:** 851 South Avenue C  
**APN(s):** 664-01-061

**CASE PLANNER:** Tricia Ramdass  
**DATE DRAWN:** 11-05-18  
**Reviewed by:** Juan Leal-Rubio

**SCALE:** 1" = 300'



**Legend**

- 300' BUFFER
- SUBJECT PROPERTY
- CITY OF YUMA

NW CORNER SECTION 30  
FOUND USRS BRASS CAP IN HANDHOLE

N 1/4 CORNER SECTION  
FOUND BRASS CAP IN HANDHOLE "LS 2276

8TH STREET

N 89°58'42" E (M) 2587.87' (M)  
N 89°59'15" E (R1)

NOT-A-PART  
APN 664-01-129  
ZONING C-1

NOT-A-PART  
APN 664-01-064  
ZONING C-1

NOT-A-PART  
APN 664-01-066  
ZONING C-1

AVENUE C

ELEANOR AVENUE



231.90'  
99.00'  
33.00'  
4.27' (M)(R2)  
EX 33' ROW  
N 00°09'30" E (M)(R1) 2662.06' (M)  
N 01°09'55" E (M) 99.02' (M)  
N 01°09'21" E (R2)  
2.53' (M)(R2)  
33.00'

EX ROW  
FEE # 2003-10631, YCR

N 89°59'15" E (R1)  
N 89°58'42" E (M) 328.20' (M)(R1)

EX 14' CANAL ROW  
(R1)

165.93'

145.00'

EX 40' ROW  
(R1)

EX 14' CANAL ROW  
(R1)

EX SEPTIC SYSTEM

EX HOUSE

EX LEACH LINE  
TO BE RELOCATED

EX CMU WALL

EX STORAGE  
TO BE DEMOLISHED

**PARCEL B**  
7,178 SQUARE FEET  
0.1648 ACRES  
CURRENT ZONING C-1  
PROPOSED ZONING R-1-6

**PARCEL A**  
14,533 SQUARE FEET  
0.3336 ACRES  
CURRENT ZONING C-1  
PROPOSED ZONING R-1-8

EX HOUSE

EX SEPTIC SYSTEM

**LOT 9**  
**AMENDED PLAT OF EDEN ACRES**  
**BK. 3 OF PLATS, PG. 24, YCR**  
**APN 664-01-061**

**PARCEL C**  
7,178 SQUARE FEET  
0.1648 ACRES  
CURRENT ZONING C-1  
PROPOSED ZONING R-1-6

NOT-A-PART  
APN 664-01-060  
ZONING R-1-8

NOT-A-PART  
APN 664-01-059  
ZONING R-1-8

N 89°58'42" E (M) 328.20' (M)(R1)  
N 89°59'15" E (R1)

167.67'

145.00'

49.50'  
49.50'  
N 00°09'30" E (M)(R1) 99.00' (M)(R1)