



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

DATE: July 15, 2025
TIME: 1:00 P.M.
PLACE: Aldrich Auditorium, 2351 West 26th Street, Yuma, Arizona

MEMBERS: Eric Saltzer, Chairman, Dist. 1
Joe Harper, Dist. 4
Mike Pancrazi, Vice-Chairman Dist. 5
Rosalie Lines, Dist. 2
Randall Ferguson, Dist. 3

STAFF: Maggie Castro, AICP, Planning Director
Roxanna Sanchez, Associate Planner
Amber Kelly, Associate Planner
Heidi Ramirez, PZ Commission Admin Specialist

ADVISORS: Minda Davy, 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 June 17, 2025.**
4. **Variance Case No. 24-15:** In accordance with the Yuma County Zoning Ordinance, Section 403.07(B), Chris Morris, agent for Sharpe Family Trust No. RLT 21-520M 7-23-2021, requests an extension of time for Variance Case No. 24-15 which allowed a building height of 36 feet on Assessor's Parcel Number 459-50-066, located at 11348 North Catfish Cove, Yuma, Arizona.

5. **Variance Case 25-10:** Chris Morris, agent for Michael and Rita Reed, requests a variance from the development standards of the Martinez Lake Resort Unit No.1 Planned Development to allow a building height of 36 feet on a parcel 1,355 square feet in size zoned Planned Development (PD), Assessor's Parcel Number 459-50-054, located at 11349 North Catfish Cove, 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).

Pursuant to A.R.S. §38-431.02(H), the public will have access to the meeting room at 12:30 p.m. Persons with disabilities may request reasonable accommodations by contacting Erica Lopez, Enterprise Risk Coordinator, at 928.373.1079 or by email at erica.lopez@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 June 17, 2025. The meeting was held at Aldrich Auditorium at 2351 West 26th Street, Yuma, Arizona.

CALL TO ORDER: At 1:00 p.m., Chairman Saltzer convened the Board of Adjustment meeting. Board members present: Eric Saltzer, Mike Pancrazi, and Randy Ferguson. Board members Rosalie Lines and Joe Harper were absent. Others present: Planning Director Maggie Castro, AICP; Deputy County Attorney Minda Davy, Associate Planner Amber Kelly, Associate Planner Roxanna Sanchez, and PZ Commission Administrative Specialist Heidi Ramirez.

PLEDGE OF ALLEGIANCE: Chairman Saltzer led the Pledge of Allegiance.

ITEM No. 3: Approval of the Board of Adjustment Regular meeting minutes of May 20, 2025.

MOTION (FERGUSON /PANCRAZI): Approve as presented.

ROLL CALL VOTE: Saltzer- AYE; Pancrazi- AYE; Ferguson- AYE

The motion carried 3-0.

ITEM No. 4: Variance Case No. 25-08: Dahl, Robins & Associates, agent for Five Management, LLC, requests a variance from the Yuma County Zoning Ordinance, Section 706.04-Noise Zones, to allow the construction of single family residences on parcels approximately 2 acres in size zoned Suburban Ranch-2 acre minimum (SR-2), Assessor's Parcel Numbers 754-31-012, -013, -014, 754-32-017, and -018, located at the southeast corner of the alignment of Avenue A 3/8 and County 16 7/8 Street, Somerton, Arizona; located in the 65-69 dB noise zone.

Roxanna Sanchez, Associate Planner, presented the staff report for Variance Case No. 25-08 recommending approval based on:

1. Granting this request would not be contrary to the public interest.
2. Granting this request would be in accordance with the spirit of the regulations and the Airport District.

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

1. This variance is valid for the time limits outlined in Section 710.08 if the zoning ordinance.
2. An Avigation Disclosure Statement shall be recorded by the owner/agent within 60 days of approval by the Board of Adjustment.

Chairman Saltzer opened the discussion to the public.

Mike Talbot, 16823 South Avenue A $\frac{1}{2}$, Somerton Arizona, member of the public, voiced concerns regarding the increase in traffic through the right-of-way between his and a neighbor's property and also expressed concern since the property was intended for agricultural use. Mr. Talbot noted that one of the reasons for purchasing his property was the quiet and solitude of the area. He mentioned existing noise issues from an event center and residences that would further disrupt the peace. Mr. Talbot stated he had not received information on whether the variance for the development has been approved and expressed frustration over

the lack of clarity and also pointed out that MCAS had raised concerns about the residential density near their operations and stressed that increase housing in the area would heighten the risk in the event of an aircraft accident.

Adrian Vega of Dahl, Robins & Associates, 1560 South 5th Avenue, Yuma Arizona, agent for Five Management LLC, clarified the property has both legal and physical access via County 16³/₄ Street and the documentation of the access had been submitted and review by staff. Mr. Vega also commented the property had already gone through the land division process and are zoned for two acre residential lots and the reason for the variance request was because the property lies within the military noise zone which requires additional approval for residential construction and MCAS has previously expressed support for residential use in the area.

Chairman Saltzer inquired if the easement would be widened to 30 feet.

Mr. Vega stated that an existing access road connects the site to Avenue A. Although the road is narrow, it meets the minimum access requirements after coordination with county staff and the building department. He also noted there are additional access points to the property, including one through Avenue A 3/8 and another from the north side. Mr. Vega pointed out those were not legal access for those properties, the access was southbound County 16³/₄ Street which was the actual legal and physical access for the future five houses.

Board member Ferguson inquired if there were any plans to improve the road in the future.

Mr. Vega clarified that no additional access improvements were required because the property was already zoned for residential use. The existing road is drivable by a two-wheel drive vehicle and had been reviewed by staff. Mr. Vega emphasized that the land division and zoning were approved previously and the zoning established around 2001. The current request is the final step needed to move the project forward.

Mike Talbot approached the Board and explained the road narrows to the point of where only one car can pass by and when he purchased the property, he was told the right-of-way was only for farming equipment. He stated there was no way two cars can pass by side to side.

Chairman Saltzer closed the discussion to the public.

Vice-Chairman Pancrazi asked staff if the county would widen the roads or if it was the developers' responsibility to upgrade the infrastructure.

Planning Director, Maggie Castro, AICP, clarified that when the property was rezoned in 2001, the property owner was not required to make access improvements. However, current easements exist and any necessary access improvements will now be the responsibility of the developer.

Vice-Chairman Pancrazi asked if there could be a stipulation placed for developer to improve the road.

Planning Director Maggie Castro, AICP, explained the variance is simply to allow residential development or the construction of single family residences in the airport district.

Chairman Saltzer commented that proposed development maintains low density with a two acre ranch minimum which aligns with the spirit of the agreement with the Marine Corps to avoid overpopulation areas near the base's Accident Potential Zone. He stated that although some areas are tight, the existing easements are satisfactory and the county does not plan to improve them since the infrastructure is deemed adequate for the low density plan, the county cannot afford to maintain all the roads in such developments.

Vice-Chairman Pancrazi questioned whether the lack of adequate road infrastructure would be reason enough to deny the variance and, if denied, could the developer come back in the future with improved infrastructure plans.

Planning Director, Maggie Castro, AICP, stated the developer would have to comply with fire codes for the access at the time of the building permit review, but it was not something that was required as part of the variance.

Chairman Saltzer re-opened the discussion to the public.

Adrian Vega, 1560 South 5th Avenue, Yuma Arizona, agent, clarified that although the road is narrow, it met the minimum 20 foot width requirement for emergency vehicle access, which is why the land division was approved. The road has been surveyed and confirmed to meet the standard. Mr. Vega also emphasized that it was not a high density or multifamily development, but a suburban ranch project with two acre parcels which complies with adequacy of the existing access.

Angie Talbot, 16823 South Avenue A $\frac{1}{2}$, Somerton Arizona, expressed concern about children walking along the narrow dirt easement where the school bus drops them off near her home. Ms. Talbot emphasized that the road is already tight and increased traffic from the proposed development could pose a safety risk for the children. She questioned whether any improvements would be made to ensure the safety of pedestrians, particularly children walking to and from their homes.

Chairman Saltzer closed the discussion to the public.

Chairman Saltzer stated that the variance was just for the noise zone and to allow buildings to be built and they do not have the authority to impose road improvements.

MOTION (PANCRAZI/ FERGUSON): Approve as presented.

ROLL CALL VOTE: Saltzer- AYE; Pancrazi- AYE; Ferguson- AYE

The motion carried 3-0.

ITEM No. 5: Variance Case No. 25-09: Michael Sayers requests a variance from the Yuma County Zoning Ordinance, Section 1106.01-Cargo Containers, to allow the use of a cargo container for human occupancy on a parcel 6,752 square feet in size zoned Manufactured Home Subdivision-4,500 square feet minimum (MHS-4.5), Assessor's Parcel Number 685-36-099, located at 9252 Citrus Circle NE, Tacna, Arizona.

Amber Kelly, Associate Planner, presented the staff report for Variance Case No. 25-09 recommending denial based on:

1. Staff finds there are no peculiar conditions applicable to the subject property.
2. Staff finds there is no hardship arising from conditions or circumstances unique to the development of this property.
3. Staff finds there are no specific peculiar conditions applicable to this property to warrant granting of this variance.

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

1. All required permits must be issued and finalized according to adopted Building and Fire Code requirements of Yuma County.
2. Within 60 days of Board of Adjustment approval, the owner/agent shall:
 - a. Record an Avigation disclosure statement
 - b. Record a range disclosure statement

Chairman Saltzer asked staff regarding whether there had been any changes in regulations concerning the use of shipping containers as habitable spaces or if any updates or modifications were being considered or implemented regarding the type of housing.

Associate Planner Amber Kelly stated Planning and Zoning staff put together a text amendment that would include allowing human occupancy for cargo containers as it is starting to be a trend, but it has not been approved and still going through the text amendment process since there were changes still to be made.

Chairman Saltzer commented there may be a change where shipping containers would be allowed to be used for human occupancy without a variance.

Planning Director Maggie Castro, AICP, explained that cargo containers intended for human occupancy currently requires approval through a variance and if the variance is granted, the applicant then must submit a building permit application including engineered plans showing how the container will be converted to meet the standards for human occupancy.

Chairman Saltzer opened the discussion to the public.

Michael Sayers, 4528 Upland Street, La Mesa, California, applicant, joined the meeting via phone call, explained he had initially reviewed county codes which mentioned manufactured homes and upon calling staff, he was told a container home could be a possibility if included with proper plans and met building standards so he went ahead and bought a container and submitted permit applications. However, the staff response stated that cargo containers were not allowed for habitable use which contradicted what he understood. Mr. Sayers stated the container was new, durable, and aesthetically fitting for the area and he is still trying to see if using the container home is a possibility. Mr. Sayers mentioned he could install a single wide manufactured home if the variance was denied, but preferred the container if possible.

Chairman Saltzer closed the discussion to the public.

Chairman Saltzer commented the Yuma County Board would amend the text to allow containers following building codes and engineering.

Planning Director Maggie Castro, AICP, clarified that there is no way of knowing the outcome of the proposed text amendment to the zoning ordinance and the amendment is still going through the process beginning with a hearing before the Planning and Zoning Commission and then it must be presented to the Board of Supervisors who would hold the final decision to approve or deny changes to the zoning ordinance.

Vice-Chairman Pancrazi referenced the information and noted the area is designated as a manufactured home subdivision intended for residential development and raised concern that allowing an alternative structure may not align with the existing character of the neighborhood and could require bigger changes to ensure the compatibility of the surrounding development.

Chairman Saltzer commented he felt like it was a new trend and as long as it followed the building codes it would be ok and solicited a motion to approve.

MOTION (SALTZER): Approve

Motion failed due to lack of a second

MOTION (FERGUSON/PAN CRAZI): Deny

ROLL CALL VOTE: Saltzer-AYE; Pancrazi-NAY; Ferguson-NAY

The motion carried 2-1.

There being no further business to come before the Board, the Chairman adjourned the meeting at 1:29 p.m.

Approved and accepted on this 15th day of July, 2025.

Eric Saltzer, Chairman

ATTEST:

Maggie Castro, AICP, Planning Director

Yuma County Board of Adjustment

Item No. 4

AIR-13824

4.

BOA Agenda

Meeting Date: 07/15/2025

Submitted For: Maggie Castro

Submitted By: Amber Kelly

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Variance Case No. 24-15: In accordance with the Yuma County Zoning Ordinance, Section 403.07(B), Chris Morris, agent for Sharpe Family Trust No. RLT 21-520M 7-23-2021, requests an extension of time for Variance Case No. 24-15 which allowed a building height of 36 feet on Assessor's Parcel Number 459-50-066, located at 11348 North Catfish Cove, Yuma, Arizona.

2. INTENT:

To allow an extension of time of one year for Variance Case No. 24-15 which was approved by the Board of Adjustment on July 16, 2024 and expires August 16, 2025.

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. 24-15.

Attachments

Staff Report

Vicinity Map

Extension Request



MEMORANDUM

TO: Yuma County Board of Adjustment

FROM: Amber Kelly, Associate Planner

RE: Extension of time for Variance Case No. 24-15

DATE: July 3, 2025

Chris Morris, agent for Sharpe Family Trust No. RLT 21-520M 7-23-2021 requests an extension of time for Variance Case No. 24-15 which was approved by the Board of Adjustment on July 16, 2024. The expiration date is August 16, 2025. As of July 3, 2025, substantial construction has not commenced on the subject property.

Background

Variance Case No. 24-15 allowed a building height of 36 feet on Assessor's Parcel Number 459-50-066, located at 11348 North Catfish Cove, Yuma, Arizona.

Current Status

The expiration date for Variance Case No. 24-15 is August 16, 2025. As of July 3, 2025, no applications for building permits have been submitted and substantial construction has not commenced on the subject property. The applicant stated that they were very close to submitting for permits, but need additional time. Granting the request for extension would provide the property owners with additional time to move forward with the project.

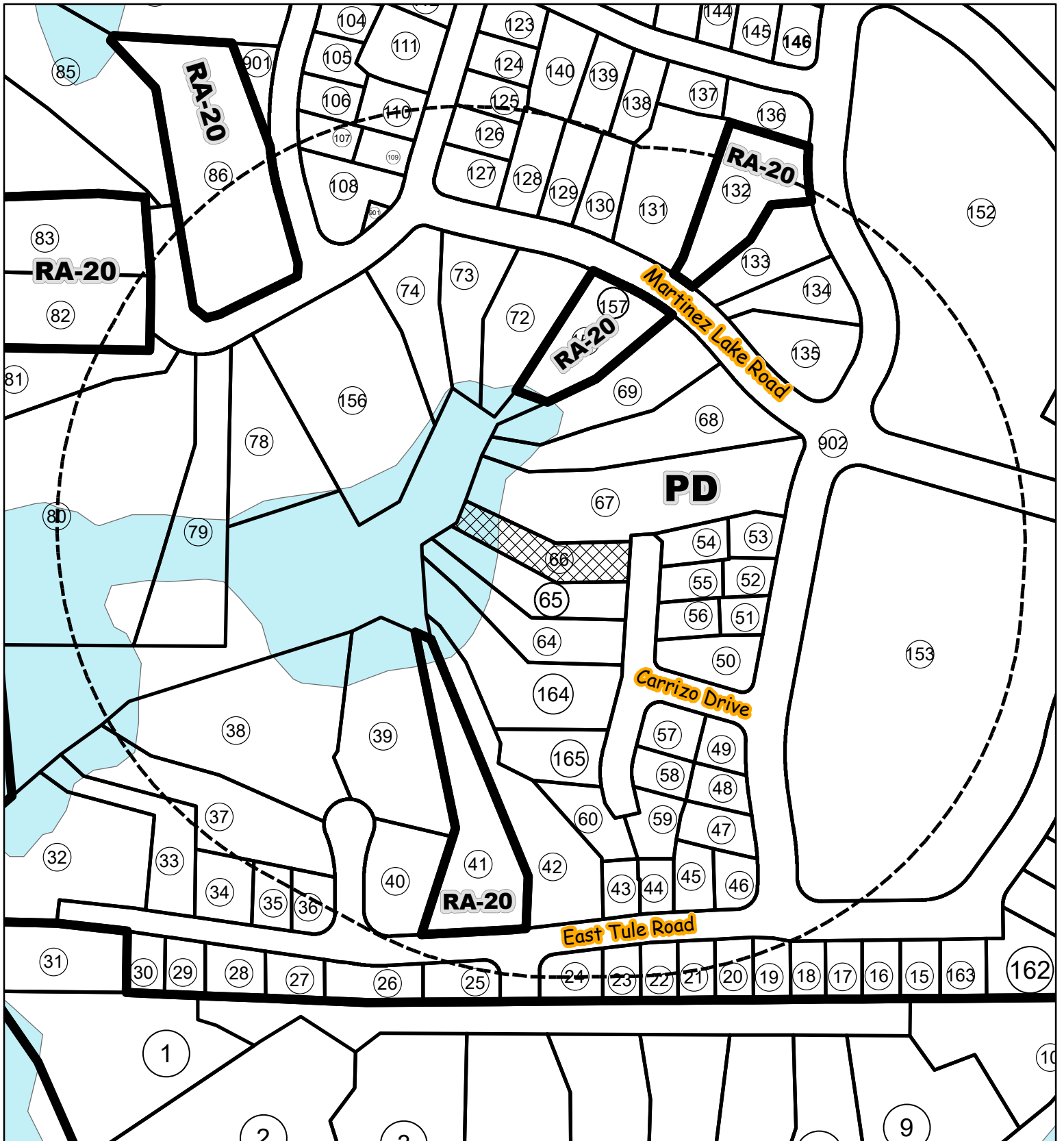
The Yuma County Zoning Ordinance, Section 403.07, states as follows:

- 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. 24-15.



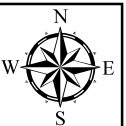
**DEPARTMENT OF
DEVELOPMENT
SERVICES**
PLANNING & ZONING DIVISION
2351 W. 26TH STREET
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED





CASE NO: VAR24-15
LOCATION: 11348 NORTH CATFISH COVE
APN: 459-50-066

Case Planner: Amber Kelly
Drawn by : Amber Kelly
Reviewed: Amber Kelly

SCALE
1"=100'



Legend

-  Subject Property
-  300' NOTIFICATION AREA
-  water
-  Zoning Boundary

Amber Kelly

From: Nora Morris <nora@calculateddesigns.com>
Sent: Friday, June 6, 2025 10:17 AM
To: Roxanna Sanchez
Cc: Esteban Lopez; Amber Kelly
Subject: Re: Amber Kelly

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside Yuma County.

Do not click on links or open attachments unless you recognize the sender and know the contents are safe.

Received. Thank you very much!

We will get to working on this. Have a great weekend.

Nora M.

On Fri, Jun 6, 2025 at 10:15 AM Roxanna Sanchez <Roxanna.Sanchez@yumacountyaz.gov> wrote:

Thank you Nora, information has been received.

Your Variance case was effective August 16th 2024, as per the attached.

If no substantial construction has commenced on the project, please provide a written request to Amber requesting the variance extension.

We will need to prepare the case for the extension request to present the case to the Board for approval in July, as required by the Yuma County Zoning Ordinance.

Yuma County Zoning Ordinance Section 403.07--Time Limit on Variance

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:

Yuma County Zoning Ordinance

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 hearing.

C. The Board of Adjustment may grant, deny, or modify an application for extension of a variance.

Please let me know if you have any additional questions.

Thank you,



Roxanna Sanchez

Associate Planner/ Deputy Zoning Inspector

Yuma County Department of Development Services

Office: 928-817-5074

Roxanna.Sanchez@yumacountyaz.gov

From: Nora Morris <nora@calculateddesigns.com>
Sent: Friday, June 6, 2025 9:57 AM
To: Esteban Lopez <Esteban.Lopez@yumacountyaz.gov>
Cc: Roxanna Sanchez <Roxanna.Sanchez@yumacountyaz.gov>
Subject: Re: Amber Kelly

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Esteban,

I thank you so very much for your time!

This is the information I have. I apologize I just started here with Chris so I am learning the ropes.

Case Number: 24-0015

LARRY SHARPE

11348 N CATFISH COVE
YUMA, AZ
Parcel Number 459-50-066

Thank you so much to the both of you!

Nora Morris

On Fri, Jun 6, 2025 at 9:51 AM Esteban Lopez <Esteban.Lopez@yumacountyaz.gov> wrote:

Good Morning Nora,

I am putting you in contact with Roxanna Sanchez, the planner on duty for today, if you can provide her with the case number so she can look into it for you.

Thank you,

Esteban D. Lopez, Permit Services Supervisor

esteban.lopez@yumacountyaz.gov // Direct: (928)-817-5066 Main Office: (928)-817-5000

Yuma County Department of Development Services// Permitting Services

2351 W 26th St Yuma, AZ 85364



From: Nora Morris <nora@calculateddesigns.com>
Sent: Friday, June 6, 2025 9:21 AM
To: Esteban Lopez <Esteban.Lopez@yumacountyaz.gov>
Subject: Amber Kelly

CAUTION: This email originated from outside Yuma County.

Do not click on links or open attachments unless you recognize the sender and know the contents are safe.

Good Morning Esteban,

My name is Nora Morris. I am Chris's wife. I hope you are doing well.

I am very sorry to bother you. I was hoping you could help me please. Is there someone who is taking Amber Kelly's place while she is out of the office?

I would like to request an extension on a Variance Hearing and would like to know who to contact.

Thank you so much in advance for your help,

Nora Morris

Calculated Designs

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Nora Morris, Calculated Designs

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Yuma County Board of Adjustment

Item No. 5

AIR-13822

5.

BOA Agenda

Meeting Date: 07/15/2025

Submitted For: Maggie Castro

Submitted By: Roxanna Sanchez

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Variance Case 25-10: Chris Morris, agent for Michael and Rita Reed, requests a variance from the development standards of the Martinez Lake Resort Unit No.1 Planned Development to allow a building height of 36 feet on a parcel 1,355 square feet in size zoned Planned Development (PD), Assessor's Parcel Number 459-50-054, located at 11349 North Catfish Cove, Yuma, Arizona.

2. INTENT:

To allow a building height of 36 feet where a maximum height of 32 feet is allowed.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of Variance Case No. 25-10 based on:

1. Staff finds there are specific peculiar conditions applicable to this property to warrant granting of this variance.
2. Staff finds there is hardship arising from conditions or circumstances unique to the development of this property.
3. Staff finds approval of this request will not have adverse effects on public health, safety, and welfare.

Attachments

Staff Report V25-10

Vicinity Map

Site Plan

Applicant's Narrative

STAFF REPORT
Yuma County Planning and Zoning Division

Prepared for the Hearing of
July 15, 2025
Yuma County Board of Adjustment

CASE NUMBER: Variance Case No. 25-10

OWNER: Michael and Rita Reed

CASE PLANNER: Roxanna Sanchez, Associate Planner

DATE PREPARED: June 26, 2025

DESCRIPTION OF REQUEST: Chris Morris, agent for Michael and Rita Reed, requests a variance from the development standards of the Martinez Lake Resort Unit No.1 Planned Development to allow a building height of 36 feet on a parcel 1,355 square feet in size zoned Planned Development, Assessor's Parcel Number 459-50-054, located at 11349 North Catfish Cove, Yuma, Arizona.

THE APPLICANT'S REASON FOR REQUESTING THIS VARIANCE: To build a residence 36 feet in height.

APPROVAL OF THIS REQUEST WOULD ALLOW:

The following deviation from the Martinez Lake Resort Unit No. 1 Planned Development:

1. A building height of 36 feet where 32 feet is the maximum height allowed.
-

BACKGROUND

The subject property is located within Martinez Lake Resort Unit No. 1 Planned Development (PD) consisting of 140 single family residential lots and 21 tracts. The property is located in the Martinez Lake Planning Area of the 2030 Comprehensive Plan. The property was rezoned to PD with Rezoning Case No. 17-01 approved by the Board of Supervisors on June 5, 2017. The purpose of the PD district is to encourage imaginative and innovative planning, particularly with respect to diversification in the land use and flexibility in site designs, respect to various features, including, but not limited to, spacing, heights, density, open space, circulation, preservation of natural features, and innovative development that results in the availability of a variety of residential/commercial/industrial opportunities. Martinez Lake Resort Unit No. 1 subdivision was rezoned to PD due to the unusual shape, topography, and configuration of the lots. The development standards allow for development of the lots with a setback of zero feet in the side and rear yards provided construction of dwelling units complies with the adopted fire code.

The Yuma County Zoning Ordinance, Section 616.07, states that any minor extensions, alterations or modifications of existing buildings, structures or elements of the plan may be authorized by the Planning Director if they are consistent with the purposes and intent of the plan. All other changes in the Development Plan must be approved under the procedures authorized by the 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 peculiar conditions applicable to the subject property. The development standards of the PD allow for development of the lots with a maximum height of 32 feet which does not accommodate adequately for the construction of the proposed home. The subject parcel is approximately 1,355 square feet in size (30 feet wide by 57 feet long on the north and 47 feet long on the south). This area will be required to accommodate four parking spaces on the ground floor. Allowing an increase in the maximum height to 36 feet will permit flexibility in the construction of the upper level of the home that will be used as living area.

- 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 hardship arising from conditions or circumstances unique to the development of this property. The development standards of the PD limit development of the properties to units with parking on the ground floor and the dwelling area above the parking. However, the maximum height of 32 feet limits the construction options above the lower floor parking area. Increasing the maximum height to 36 feet will allow additional construction options to the upper level of the home dedicated to habitable space.

- 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 specific peculiar conditions applicable to this property to warrant granting of this variance. The unique characteristics in the Martinez Lake Resort Unit No. 1 PD require that four parking spaces to be provided on the first level of each unit thereby limiting the number of floors that can be used for habitable area. Increasing the maximum height to 36 feet will provide additional construction options dedicated to habitable space above the parking area.

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

Staff finds approval of this request will not have adverse effects on public health, safety, and welfare. The increase in the maximum height will allow development of the property with three floors.

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 does not appear to confer a special privilege since increasing the maximum height to 36 feet will facilitate the construction of a unit with the ground floor used for parking and the upper level for habitable living space.

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. The alternative is to amend the entire Martinez Lake Resort Unit No.1 Planned Development to allow a maximum height of 36 feet in the entire development.

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 Adjustment approved the following variances allowing a height of over 32 feet in the Martinez Lake Resort PD subdivision:

- Variance Case No. 17-06 (05/16/2017)
- Variance Case No. 18-03 (03/20/2018)
- Variance Case No. 18-10 (07/17/2018)
- Variance Case No. 18-13 (08/21/2018)
- Variance Case No. 19-11 (10/15/2019)
- Variance Case No. 19-12 (10/15/2019)
- Variance Case No. 19-14 (11/19/2019)
- Variance Case No. 20-04 (05/04/2020)
- Variance Case No. 20-10 (06/16/2020)
- Variance Case No. 20-12 (08/18/2020)
- Variance Case No. 21-02 (03/16/2021)
- Variance Case No. 21-13 (06/20/2021)
- Variance Case No. 21-18 (10/19/2021)
- Variance Case No. 21-21 (11/16/2021)
- Variance Case No. 23-14 (11/17/2023)
- Variance Case No. 24-13 (06/18/2024)
- Variance Case No. 24-15 (07/16/2024)

ADDITIONAL COMMENTS:

- No Comments
-

STAFF RECOMMENDATION

Staff recommends approval of Variance Case No. 25-10 based on:

1. Staff finds there are specific peculiar conditions applicable to this property to warrant granting of this variance.
2. Staff finds there is hardship arising from conditions or circumstances unique to the development of this property.
3. Staff finds approval of this request will not have adverse effects on public health, safety, and welfare.

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

1. All required permits must be issued and finalized according to adopted Building and Fire Code requirements of Yuma County.



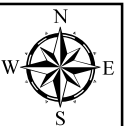
**DEPARTMENT OF
DEVELOPMENT
SERVICES**
PLANNING & ZONING DIVISION
2351 W. 26TH STREET
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED





CASE NO: VAR25-10
LOCATION: 11349 N. CATFISH COVE
APN: 459-50-054

Case Planner: Roxanna Sanchez
Drawn by : Roxanna Sanchez
Reviewed: Amber Kelly

SCALE
1"=100'

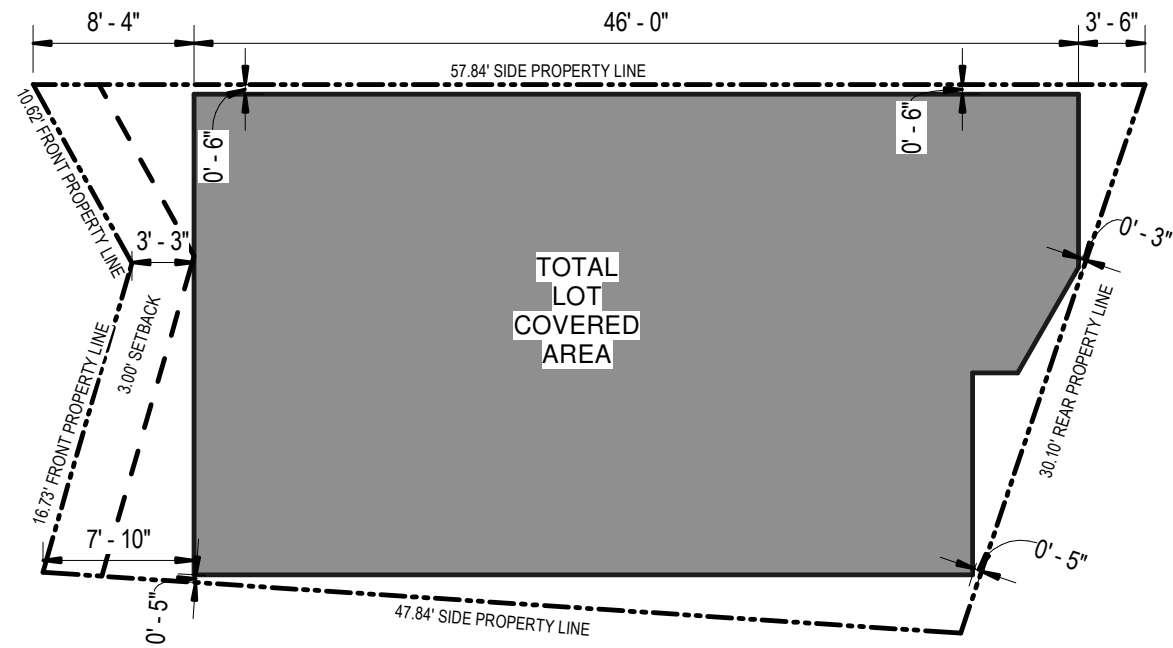


Legend

-  Subject Property
-  300' NOTIFICATION AREA
-  water
-  Zoning Boundary

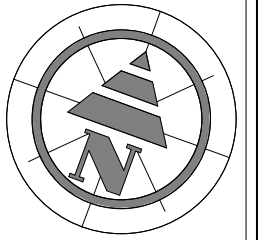
SQUARE FOOTAGE CALCULATIONS

TOTAL LOT COVERED AREA	1083.55 SF
TOTAL COVERED AREA	1083.55 SF

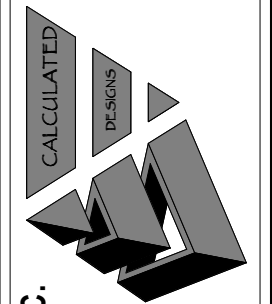


SITE PLAN

1" = 10'-0"



PROJECT	NEW RESIDENCE
JOB NUMBER:	25-0082
NAME:	REED
ADDRESS	11349 N CATFISH COVE YUMA, AZ 85365
APN#	459-50-054



CALCULATED DESIGNS LLC.
 291 S. MAIN ST. STE. E1
 PHONE: 928.726.4600

Roxanna Sanchez

From: Christopher Morris <chris@calculateddesigns.com>
Sent: Wednesday, July 2, 2025 2:10 PM
To: Roxanna Sanchez
Subject: Re: Variance Case #VAR25-0010- Maximum Building Height from 32" to 36"

CAUTION: This email originated from outside Yuma County.

Do not click on links or open attachments unless you recognize the sender and know the contents are safe.

Variance Narrative – Request for Building Height Increase to 36'-0"

Project Location: Martinez Lake, Yuma County

We are submitting this variance request to allow for an increase in the maximum permitted building height to 36'-0" for a proposed residential structure at Martinez Lake. This request is being made due to specific site and zoning requirements that impact the overall building design.

The zoning for this property requires that four (4) designated parking spaces be located on the lot. In order to meet this requirement, the entire first floor of the proposed structure must be utilized for enclosed garage space. As a result, all habitable living areas must be constructed above the garage level, which necessitates additional building height to accommodate a functional and livable second and third level.

This type of variance is common in the Martinez Lake area, where site constraints and zoning requirements frequently create a need for increased vertical space. Approval of this request would allow us to maintain consistency with other nearby properties and support the intended use of the lot without compromising on safety, aesthetics, or community standards.

At this time, we are in the early stages of design and only have a preliminary site plan prepared. Building elevations have not yet been developed, as the overall form and style of the structure are still being finalized. This is typical for projects in this area, as elevation designs are often refined following preliminary zoning input and variance approvals.

We respectfully ask that the Planning and Zoning Department approve this request for increased building height to support a viable and code-compliant design solution.

On Thu, Jun 26, 2025 at 6:13 PM Roxanna Sanchez <Roxanna.Sanchez@yumacountyaz.gov> wrote:

Good Afternoon,

My name is Roxanna and I am your Case Planner for your Variance Case. I am currently working on the staff report and I was curious if you could provide me with a proposed Elevation plan and a summary of some specifications of why you are in need of the variance request and why you need the increase in the height.

I would like to be as detailed as possible to the Board members in my staff report.

Please let me know if you have any questions.

Thank you,



Roxanna Sanchez

Associate Planner/ Deputy Zoning Inspector

Yuma County Department of Development Services

Office: 928-817-5074

Roxanna.Sanchez@yumacountyaz.gov

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Respectfully,
Chris Morris

