

The Yuma County Board of Adjustment met in a regular session on October 21, 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, Randy Ferguson, Joe Harper and Rosalie Lines arrived at 1:07 p.m. 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 September 16, 2025.

MOTION (PANCRAZI/ FERGUSON): Approve as presented.

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

The motion carried 4-0.

Item No. 7: Variance Case No. 25-19 was moved to be presented first due to the volume of members of the public present.

ITEM No. 7: Variance Case No. 25-19: Jacob Fletcher, agent for BCLS Investments LLC, requests a variance from the Yuma County Zoning Ordinance, Section 302.01-Transitional Buffer Yards and Screening, to allow buffer yard of five feet on a parcel 21,800 square feet in size zoned Local Commercial (C-1), Assessor's Parcel Number 701-52-225, located at 11666 South Foothills Boulevard, Yuma, Arizona.

Roxanna Sanchez, Associate Planner, presented Variance Case No. 25-19 recommending denial based on:

1. Staff finds there are no specific peculiar conditions applicable to this property to warrant granting of this variance.
2. Staff finds approval of this request does appear to confer a special privilege not commonly enjoyed by others in the C-1 zoning district.
3. Staff finds the condition is self-imposed.

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

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

Chairman Saltzer opened the discussion to the public.

Aaron Salyi, APN 728-07-001, Yuma Arizona, member of the public and representing the property owner and family, spoke in support of the request. Mr. Salyi requested that the buffer requirement remain at five feet, noting that the original site plan and special use permit previously approved by the Board of Supervisors reflected this distance. Mr. Salyi explained that the owner has already invested significant funds to bring the property into compliance, constructing walls and completing other improvements in accordance with the approved plan and stated that increasing the buffer to 20 feet would create a hardship and reduce usable space beyond the allowable 20% of the property.

Mr. Salyi further noted that the site meets parking requirements and is consistent with similar nearby developments, citing examples such as the Del Sol Market and a recently approved drive-through establishment. Mr. Salyi argued that the venue's C-1 zoning was intended for neighborhood scale commercial use and should not require the same level of separation as industrial or heavy commercial zones and concluded by suggesting that the buffer standards for C-1 zoning be reviewed and potentially reduced in the future.

Jack Vander Loop, 13362 East 49th Drive, Yuma Arizona, member of the public, spoke in support of the variance. He stated that the venue has made significant efforts to comply with all requirements set by the Planning Commission and the Board of Supervisors, including building walls and investing substantial funds in improvements. Mr. Vander Loop expressed that maintaining the five-foot setback would not negatively affect neighboring properties and would provide the business with needed space. He added that many nearby residents support the variance being granted.

Jay Meierdierck, 12540 South Colina Avenue, Yuma Arizona, member of the public, spoke regarding the variance request, noting that it appears to be "self-inflicted," with no natural features or hazards necessitating it. He expressed concerns with the site plan, including circulation and drainage, and suggested that primary access should be from side streets rather than Foothills Boulevard to avoid traffic impacts. Mr. Meierdierck noted that the seven foot wall may force pedestrians into the right-of-way and expressed concerns that the gravel parking lot could increase dust and affect air quality. He also pointed out limited landscaping and lack of details on lighting. Additionally, he raised concerns about the proposed stage near residential areas, noting potential noise impacts that could be mitigated by increasing the setback. Mr. Meierdierck spoke from his experience as a retired city planner and CAG member, emphasizing planning and safety considerations rather than personal objections.

Beth Kniple, 12235 East 37th Street Yuma Arizona, member of the public, spoke in support of the venue, noting that she enjoys visiting Fat Daddy's during the winter months as a snowbird. She expressed concern that increasing the wall setback by an additional 15 feet would reduce access and limit the ability for friends and community members to gather, potentially diminishing the appeal of the area for visitors.

Marlon Andrews, 1880 South Naples Avenue, Yuma Arizona, member of the public, spoke regarding the placement of the stage, noting that moving it away from the existing seven-foot wall would increase noise impacts. As a sound engineer, he explained that keeping the stage closer to the wall helps direct sound appropriately and reduces noise traveling toward nearby areas.

Katie Platz, 13589 East 50th Street, Yuma Arizona, member of the public, spoke in support of Fat Daddy's, highlighting that it is a popular local venue offering good food and a safe place to gather without needing to drive at night. She noted that many other properties along Foothills Boulevard have walls set at similar

distances from the sidewalk and emphasized that the community values the venue, suggesting this should be considered in evaluating the variance request.

Judy Lee, 13189 East 50th Street, Yuma Arizona, spoke in support of Fat Daddy's, noting her personal connection as a snowbird and future Yuma resident. She highlighted the venue's welcoming, family-like atmosphere and described how the owners went above and beyond to support her family, including hosting her late husband's service at no charge. She emphasized the venue's positive contributions to the community and their efforts to comply with all requirements.

There being no one else to come forward, Chairman Saltzer closed the discussion to the public.

Chairman Saltzer requested staff to show the street view and inquired staff regarding the Board of Supervisors' prior approval of the project and whether there was any documentation or confirmation from engineering staff supporting the applicant's claims related to that approval.

Planning Director Maggie Castro, AICP, clarified that when the Board of Supervisors approved the special use permit, their action pertained only to the use of the property, not the site plan. The buffer yard issue was identified later during the building permit review process when it was determined that the site plan did not meet the required standards. Ms. Castro also explained that the purpose of the buffer yard requirement is to mitigate potential adverse impacts between the use on the subject property and adjacent residential areas.

Chairman Saltzer requested to view the satellite view and show the image with the red buffer.

Planning Director Maggie Castro, AICP, clarified what's on the screen was an aerial image of the subject property and the blue outline was just the perimeter of the subject property. She also explained that to comply with the buffer requirements of zoning ordinance, they would have to move all the structures over approximately 15 feet to the east.

Chairman Saltzer inquired as to how tall the wall was.

Planning Director Maggie Castro, AICP, stated the wall was seven feet.

Board member Pancrazi asked staff if it was a fire hazard area and was there a fire requirement if they approve it.

Planning Director Maggie Castro, AICP, stated the applicant would have to meet fire code requirements for the construction of those structures.

Chairman Saltzer opened the discussion to the public.

Aaron Salyi, APN 728-07-001, Yuma Arizona, member of the public and representing the property owner, clarified that the original staff letter outlined setback requirements of 20 feet from the front, five feet from each side, 10 feet from the rear, and 10 feet from the street. Those dimensions were used in the initial planning process, which was conducted jointly with staff. Mr. Salyi stated that the buffer issue arose late in the process, after most requirements had already been addressed, and emphasized that increasing the setback now would create a significant hardship by limiting available parking for the venue.

Board member Lines asked staff for clarification on whether the setback dimensions originally provided to the applicant were consistent with the current requirements, and if subsequent changes or additional interpretations of the code are what led to the property now being out of compliance.

Planning Director Maggie Castro, AICP, clarified that the existing structures were already in place at the time the special use permit was approved and when building permits were submitted. The request for a site plan was made to ensure compliance with the Yuma County Zoning Ordinance. While the ordinance allows a five-foot setback, a 20-foot buffer yard is required when a commercial property abuts residential uses.

Board member Harper asked staff if it was originally approved by the Board of Supervisors.

Planning Director Maggie Castro, AICP, confirmed that the site plan was submitted with the special use permit application and was reviewed by the Board of Supervisors at that time. They noted that the existing structures have been in place for multiple years, approximately four years, prior to the current discussion.

Board member Pancrazi commented that now because it's towards the residential area and, the fire restrictions are still going to go in place if they approve it, he doesn't see any hindrance on it.

There being no one else to come forward, Chairman Saltzer closed the discussion to the public.

MOTION (PANCRAZI/ HARPER): Approve as presented.

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

The motion carried 5-0.

Item No. 6: Variance Case No. 6 was moved to be presented due to the applicant having an emergency at the time of the meeting.

ITEM No. 6: Variance Case No. 25-18: Michael Miller, agent for Sedona Miller, requests a variance from the Yuma County Zoning Ordinance, Section 1102.02(E)-Setback Exceptions, to allow a side yard setback of 6 inches on a parcel 9,286 square feet in size zoned Low Density Residential-6,000 square foot minimum (R-1-6), Assessor's Parcel Number 701-25-080, located at 12191 East Via Loma Vista, Yuma, Arizona.

Amber Kelly, Associate Planner, presented Variance Case No. 25-18 recommending denial based on:

1. Staff finds there are no peculiar conditions applicable to the property.
2. Staff finds there are no hardships 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. Approval of this variance is based on the site plan submitted. Any deviation from the site plan will require approval of a new variance by the Board of Adjustment.

Chairman Saltzer opened the discussion to the public.

Mike Miller, 12172 East Via Loma Vista Unit 19, Yuma Arizona, representing the property owner, spoke regarding the variance request. Mr. Miller noted that while the variance was self-imposed in terms of setbacks, the east side of the property is limited by the septic system, which restricts construction and parking. Mr. Miller emphasized that the owner intends to be fully compliant with health, safety, and zoning requirements, and has engineered plans ready for the shade structure. Mr. Miller noted similar variances in the area, stating that granting this variance would not constitute a special privilege. He confirmed that all contacted neighbors, including a letter from a neighbor across the street, support the variance. He reiterated that if any changes are required to meet permit requirements, they are willing to make those adjustments.

Board member Lines asked the applicant about when there is rainfall and drainage and potential runoff, and commented that a previous case where rainfall had caused issues on adjacent properties.

Mike Miller explained that the roof of the shade structure is slightly sloped and constructed with rib panel material designed to direct water along the slope toward the front and back of the structure. While some minor side runoff may occur, most of the rainfall will be properly directed, like the neighboring shade structure, which is built in the same manner. Mr. Miller also stated he didn't know of any other neighbors that have complained, but he did know of a person turning in a stack of complaints and understands the County does not actively police this and is personally in disagreement, but also understands the applicant is not in compliance and they are trying to be in compliance.

Board member Lines commented in the agenda packet, there had been numerous complaints received of different non-compliant structures around the Foothills area.

Jay Meierdierck, 12540 South Colina, Yuma Arizona, member of the public, commented that every item on the agenda involved a setback variance request, none of which appeared to result from natural or physical site hardships. He stated that applicants were simply trying to fit more structures onto limited lots and agreed with staff's recommendation to deny the variance. Mr. Meierdierck emphasized that such decisions should be based on factual site conditions rather than political considerations. He further suggested that if setback variances continue to appear frequently, the Commission should reevaluate the setback requirements themselves to prevent the practice of granting variances from becoming the norm.

Mitch Pena, 12242 East Paso Verano, Yuma Arizona, member of the public, stated that he lives in the neighborhood near the subject property. He commented that he did not see any reason why the variance should not be granted, as it did not appear to make a difference or negatively impact the area.

There being no one else to come forward, Chairman Saltzer closed the discussion to the public.

Board member Pancrazi asked about the site plan and "future" structures.

Associate Planner Amber Kelly explained the word "future" on the site plans was if the applicant wanted to build another structure in the future.

Mike Miller, agent, explained that the property's septic system requires a reserved area for a leach field to allow for 100% future expansion if it fails. Mr. Miller noted that this necessity limits how structures or amenities, such as a gazebo or swimming pool, can be situated on the property. Mr. Miller emphasized that there is no alternative location on the lot for these improvements without interfering with the required septic system area.

Board member Harper questioned what the circumstances would be if there was a fire.

Mike Miller, agent, commented that as far as the parking a vehicle, there wouldn't be any actual fire hazard didn't believe that the metal shade was the fire hazard.

Chairman Saltzer asked staff if the previous approved variance with similarities was included in the agenda packet.

Associate Planner Amber Kelly stated it was in the packet she delivered to them.

Chairman Saltzer inquired if staff had information if there were extenuating reasons as to why that variance was approved.

Associate Planner Amber Kelly stated staff did not have that information.

Board member Lines stated that she understood the reasoning behind zoning and safety spacing requirements but, in this case, the situation differs from others where drainage caused issues between neighbors. She mentioned that, unlike previous cases where runoff created conflicts, the neighbors in this situation are all supportive of the request and have similar structures on their properties. She also stated that it is unfortunate to see in the packet that numerous complaints have recently been submitted, indicating that many similar cases may come before the Board and acknowledged the emotional aspects involved in such situations, noting that in some cases, one variance approval can lead others to argue for the same treatment, saying, "They did it here, so I should get it too."

Board member Pancrazi expressed concern regarding the fire separation and the space in between structures and it being an issue in the long run.

Board member Ferguson asked staff if the structure was done by a contractor or the homeowner.

Associate Planner Amber Kelly responded it was done by the homeowner.

MOTION (FERGUSON/ HARPER): Deny.

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

The motion carried 4-1.

ITEM No. 4: Variance Case No. 25-16: Clifford Lee Goodlett requests a variance from the Yuma County Zoning Ordinance, Section 1102.02(E)--Setback Exceptions, to allow a side yard setback of 6 inches on a parcel 6,807 square feet in size zoned Medium Density Residential (R-2), Assessor's Parcel Number 700-24-117, located at 11733 East Calle Gaudi, Yuma, Arizona.

Amber Kelly, Associate Planner, presented Variance Case No. 25-16 recommending denial based on:

1. Staff finds there are no peculiar conditions applicable to the property.
2. Staff finds there is no hardship arising from conditions or circumstances unique to the development of this property.
3. Staff finds the conditions self-imposed.

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

1. Approval of this variance is based on the site plan submitted. Any deviation from the site plan will require approval of a new variance by the Board of Adjustment.

Chairman Saltzer opened the discussion to the public.

Clifford Goodlett, 11733 East Calle Gaudi, Yuma Arizona, applicant, explained that he hired a licensed contractor who failed to inform him about the need for a building permit or the required three-foot setback, noting that he took responsibility for trusting the contractor. He stated there were no complaints from neighbors and that 12 of them, including three who provided letters, support the structure. He acknowledged the lack of a permit and setback compliance, but said his only options now are to tear it down or request a variance. He referenced a prior case in which the Board approved a variance on the basis of safety and welfare, arguing that his situation is similar and should receive the same consideration. He expressed willingness to obtain a permit and meet any necessary requirements.

Board member Lines commented that no one is entitled to a variance, conditions and the desire for variance is case by case.

Clifford Goodlett, applicant, added that by addressing health, safety, and welfare concerns specifically by filling the metal poles with concrete, any potential fire hazard is eliminated, even though the structure is only six inches from the wall. He stated that, according to his engineer in the previously approved case, the same reasoning should apply to his situation, as there would be no fire risk for his variance either.

Boar member Lines asked the applicant what exactly was approved and when.

Clifford Goodlett, applicant, stated the variance was approved April 28th of the present year and it was a shaded structure just like his.

Chairman Saltzer asked staff if they had the information of the case mentioned.

Planning Director Maggie Castro, AICP, stated staff did not know which case it was, therefore they had no information at the moment, and staff would have to research it.

Board member Pancrazi expressed concern as to how a fire truck would have access to the house in case of a fire and how the fire department would have access to the back of the house.

Clifford Goodlett, applicant, asked if no one could have a carport on their property and if three feet would really make a difference.

Board member Harper stated it didn't make a difference if it was three feet or less, they had to follow what is required in the ordinance.

Clifford Goodlett, applicant, questioned the reasoning behind setback requirements, noting that in the previous Fat Daddy's case, the buffer was increased from five feet to twenty feet for fire considerations. He asked why a 20 foot setback would be necessary if a three foot distance was deemed sufficient for fire safety in other cases.

Chairman Saltzer clarified that each variance request is considered on a case-by-case basis. They explained that fire department access is evaluated individually, considering site conditions such as poles and structures that may obstruct. The purpose of setback requirements was to reduce permanent structures and ensure safe access for emergency responders.

Clifford Goodlett, applicant, asked if no one gets a variance if it was under three feet.

Chairman Saltzer further explained that variance requests are reviewed on a case-by-case basis, as each property has unique circumstances such as lot size and structure placement. He noted that if new variances are presented in advance, staff can review them thoroughly, but without prior submission, the evaluation is limited. He emphasized that certain areas, like Martinez Lake, present additional challenges, and standard home subdivisions may have different considerations.

Board member Harper stated the Board was giving an opinion and there were other ways the applicant might be able to be heard like Board Supervisors or somewhere else.

Clifford Goodlett, applicant, asked if the three feet setback was pertaining to the structures or the poles.

Chairman Saltzer noted that they are not fire safety experts and rely on guidance from the fire department, which enforces its standards that the county complies with. The Board acknowledged that while the structures in question are well-built, similar issues occur throughout the county and represent ongoing challenges that must be addressed on a case by case basis.

Planning Director Maggie Castro, AICP, stated that even if it's a cantilever structure, it still has to be a setback of three feet from the property line.

Patty Spencer, 11725 East Calle Gaudi, Yuma Arizona, member of the public, spoke in support of the applicant's variance request. She addressed the fire safety concern, noting that a fire hydrant is located directly across the street and that emergency vehicles can access the property from multiple points, including

the back street via Via Canada. She stated that she submitted a letter of support and emphasized that while the structure was self-imposed, the applicant took responsibility, and the contractor should have informed him of permit requirements. She expressed that she hopes a solution can be reached such as concrete filled poles, like a previous case without requiring the structure to be torn down.

John Da Costa, 11705 Calle Gaudi, Yuma Arizona, member of the public and neighbor three houses down, expressed support for the applicant's variance request. He noted that several other homes in the neighborhood have similar structures without variances and felt that the applicant's structure is better maintained than many others. He questioned whether the shade structure is considered permanent, noting that although it is screwed into concrete and could be removed. He emphasized that he hopes the structure does not have to be removed, as it is one of the better-maintained structures in the neighborhood.

Planning Director Maggie Castro, AICP, confirmed that it is classified as a permanent structure.

Jay Meierdierck, 12540 South Colina, Yuma Arizona, member of the public, reiterated that setback and variance issues should be addressed on a community wide basis rather than case by case, noting that many similar requests appear on the agenda and that granting individual variances sets precedents. Mr. Meierdierck expressed support for staff's recommendation and suggested that the Board or staff look into a broader approach to managing these issues consistently across the community.

There being no one else to come forward, Chairman Saltzer closed the discussion to the public.

MOTION (SALTZER/ HARPER): Deny.

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

The motion carried 4-1.

ITEM No. 5: Variance Case No. 25-17: Axel Sanchez, agent for Robert U. and Lucinda A. Carrasco, requests a variance from the Yuma County Zoning Ordinance, Section 601.05-Minimum Lot Width & Principal Buildings Setback Requirements, to allow a rear yard setback of 29 feet 8 inches on a parcel 0.38 acres in size zoned Rural Area-10 acre minimum (RA-10), Assessor's Parcel Number 747-52-028, located at 15620 South Avenue 3 E, Yuma, Arizona.

Roxanna Sanchez, Associate Planner, presented Variance Case No. 25-17 recommending approval 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 granting this variance will not confer a special privilege not commonly enjoyed by others in the RA-10 district.

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

1. Approval of this variance is based on the site plan submitted. Any deviation from the site plan will require of a new variance by the Board of Adjustment.

Chairman Saltzer opened the discussion to the public.

Jay Meierdierck, 12540 South Colina, Yuma Arizona, member of the public, commented that in a large-lot subdivision, issues like minor setback reductions may be better addressed through a zoning change rather than individual variances. He noted a lack of clarity on the specific hardship justifying the requested reduction for example from 30 to 28 feet and stated that, without that information, he would recommend not granting the variance.

Robert Carrasco, 15620 South Avenue 3 E, Yuma Arizona, applicant, explained that the purpose of building a patio in the back of his property is to provide shade for three sliding doors, citing Yuma's intense summer heat as the primary hardship justifying the request.

Board member Pancrazi asked the applicant how wide was the patio.

Roberto Carrasco, applicant, stated the patio was 60 feet wide and 12 feet long with the overhang.

There being no one else to come forward, Chairman Saltzer closed the discussion to the public.

MOTION (FERGUSON/ PANCRAZI): Approve as presented.

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

The motion carried 5-0.

There being no further business to come before the Board, the Chairman adjourned the meeting at 2:10 p.m.

Approved and accepted on this 18th day of November, 2025.


Eric Saltzer, Chairman

ATTEST:



Maggie Castro, AICP, Planning Director