



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

DATE: December 16, 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
Amber Kelly, Associate Planner
Roxanna Sanchez, 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 November 18, 2025**
4. **Variance Case No. 25-24:** Juanita McBroom requests a variance from the Yuma County Zoning Ordinance, Section 609.05--Minimum Lot Width and Principal Buildings Setback Requirements, to allow a front yard setback of nine feet and nine inches on a parcel 6,600 square feet in size zoned Recreational Vehicle Subdivision (RVS), Assessor's Parcel Number 728-35-119, located at 12644 East 49th Street, Yuma, Arizona.

5. **Variance Case No. 25-25:** Michael and Brandie O’Hanlon request a variance from the Yuma County Zoning Ordinance, Section 1102.02 (E)--Setback Exceptions, to allow a side yard setback of one foot two inches on a parcel 8,910 square feet in size zoned Low Density Residential-6,000 square foot minimum (R-1-6), Assessor’s Parcel Number 700-15-269, located at 11642 East 27th Place, Yuma, Arizona.
6. **Variance Case No. 25-26:** Chris Morris, agent for Sharpe Family Trust No RLT 21-520M 7-23-2021, 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 1,710 square feet in size zoned Planned Development (PD), Assessor’s Parcel Number 459-50-113, located at 11416 North Mezquite Drive, Yuma, Arizona.
7. **Discussion by the Board members and Planning Director of events attended, current events, and the schedule for future Board of Adjustment meetings.**
8. **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 November 18, 2025. The meeting was held at Aldrich Auditorium at 2351 West 26th Street, Yuma, Arizona.

CALL TO ORDER: At 1:02 p.m., Chairman Saltzer convened the Board of Adjustment meeting. Board members present: Eric Saltzer, Mike Pancrazi, Randy Ferguson. Board members Joe Harper and Rosalie Lines 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 October 21, 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. 25-20: William Ferro, agent for Foothills Water & Sewer LLC, requests a variance from the Yuma County Zoning Ordinance, Section 1108.03--Fences, Walls and Hedges, to allow a chain link fence eight feet in height topped with barbed wire one foot in height for a total height of nine feet along the perimeter of the property on a parcel 1.91 acres in size zoned Recreational Vehicle Subdivision, Assessor's Parcel Number 701-57-900, located at the northeast corner of Avenue 12 E and 40th Street, Yuma, Arizona.

Roxanna Sanchez, Associate Planner, presented Variance Case No. 25-20 recommending approval based on:

1. Staff finds there are peculiar conditions applicable to the property to cause the granting of a variance.
2. Staff finds there is a hardship arising from conditions or circumstances unique to the development of this property.
3. Staff finds that the approval of this variance will not 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.

Chairman Saltzer opened the discussion to the public.

Eric Ott, 7885 39th Place, Yuma Arizona, General Manager for Foothills Utilities, stated that Foothills Utilities purchased Far West Utilities about three years ago and has since made significant improvements. The company currently operates 19,000 water connections and 9,000 wastewater connections, serving

approximately 30,000–35,000 residents. In the past two years, Foothills Utilities has invested \$30 million in infrastructure improvements and plans an additional \$40 million in improvements in the next two years. While many assets (like pipelines) are underground, the most vulnerable assets are above ground, including water pumping stations, water treatment plants, chemical storage areas and as these projects are upgraded, physical security improvements are also being made like barriers and fencing to meet federal EPA mandates. Utilities serving over 3,300 people must complete risk assessments and emergency response plans. Foothills meets this requirement and updates these plans every five years. Due to security requirements—both physical and cybersecurity—details cannot be publicly discussed. Foothills Utilities is requesting a variance to enhance physical barriers (such as fencing and barbed wire), which is directly tied to meeting federal security mandates.

William Ferro, 10371 South Del Rico, Yuma Arizona, Water Treatment Manager for Foothills Utilities, reported recent vandalism at the 40th Street site about a year ago. Individuals hopped on the existing fence and spray-painted both the facility walls and the storage tank. Mr. Ferro emphasized that these sites are critical infrastructure and therefore require stronger protection. Mr. Ferro also noted that the location at 40th Street and 12 E experiences high traffic and activity, increasing security risks and concluded that enhanced physical security measures, such as improved fencing or barriers, are necessary to deter future vandalism.

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

The motion carried 3-0.

ITEM No. 5: Variance Case No. 25-21: William Ferro, agent for Foothills Water & Sewer, LLC, requests a variance from the Yuma County Zoning Ordinance, Section 1108.03--Fences, Walls and Hedges, to allow a chain link fence eight feet in height topped with barbed wire one foot in height for a total height of nine feet along the perimeter of three adjacent properties totaling 5.37 acres in size zoned Rural Area- 10 acre minimum (RA-10) and Recreational Vehicle Subdivision (RVS), Assessor's Parcel Numbers 701- 42-143, -144, and 701-50-297, located at the southeast corner of Far West Avenue and 36th Street, Yuma, Arizona.

Roxanna Sanchez, Associate Planner, presented Variance Case No. 25-21 recommending approval based on:

1. Staff finds there are peculiar conditions applicable to the property to cause the granting of a variance.
2. Staff finds there is a hardship arising from conditions or circumstances unique to the development of this property.
3. Staff finds that approval of this variance will not 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.

Chairman Saltzer opened the discussion to the public.

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

The motion carried 3-0.

ITEM No. 6: Variance Case No. 25-22: Alfredo Bustos, Jr., requests a variance from the Yuma County Zoning Ordinance, 609.05--Minimum Lot Width and Principal Buildings Setback Requirements, to allow a front yard setback of zero feet on a parcel 6,600 square feet in size zoned Recreational Vehicle Subdivision (RVS), Assessor's Parcel Number 728-35-130, located at 12635 East 49th Street, Yuma, Arizona.

Amber Kelly, Associate Planner, presented Variance Case No. 25-22 recommending denial based on:

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

Alfredo Bustos, 12635 East 49th Street, Yuma Arizona, applicant, stated the awning was not built due to land or terrain hardship, but out of necessity due to extreme heat and medical reasons affecting him and his family. Mr. Bustos stated his medical concerns include his own sensitivity to sun exposure and history of kidney issues and heat exhaustion, low vitamin D levels, and has a child in the home with autism who needs shaded outdoor recreation and a daughter with Graves disease. Mr. Bustos emphasized the need for a shade to maintain health and allow safe outdoor time, especially for his children. He explained reducing the awning's length would significantly reduce the shaded area, especially since the sun shifts throughout the day, making the awning less effective. Mr. Bustos noted his property is small and is doing his best to maximize usable shade space.

Mr. Bustos explained that the awning extends approximately 10 to 12 inches into the setback based on his measurements. He provided photos showing the awning posts relative to the setback line and referenced nearby properties with similar front-yard structures, including a ramada at Foothills Boulevard and 36th Street. Another awning down the street that appears close to or beyond setback limits. He described the stress caused by his health concerns and reiterated that shade is crucial for preventing further medical decline and allowing his family to be safe outdoors.

Vice-Chairman Pancrazi asked the applicant if the garage was empty except for the vehicles.

Mr. Bustos stated the garage was not empty, there were household items and two vehicles, and the other vehicles are parked under the awning, so they do not overheat and it's easier to adjust the temperature and travel, whereas they must be out in the sun.

Thor Toepfer, 12623 East 49th Street, Yuma Arizona, member of the public, responded to the applicant's testimony, calling it an emotional plea and stating that, in his view, the awning is primarily used to protect vehicles, not for personal or medical protection. He noted that he observed the children playing in the front yard unshaded, contradicting the claim that the awning is needed for outdoor recreation. Mr. Toepfer noted when Mr. Bustos approached him for a petition signature, he reportedly expressed concern only about shading his cars, not medical or personal needs. Mr. Toepfer expressed surprise that so many neighbors supported the petition, noting that many homes in the area are now rentals, which he believes might affect responses.

Mr. Toepfer stated his main concern is that approving the variance would set a dangerous precedent, encouraging others to build similar structures in violation of setback rules. He referenced that the neighborhood CC&Rs require a 20-foot setback, consistent with typical residential garage placement; however, enforcement is not possible because no homeowner's association was ever established and pointed out that a neighbor across the street attempted a similar awning but was issued a cease and desist because she did not have a permit. Mr. Toepfer stated that although the structure is not unattractive, it was built without a permit, which he believes would have prevented the issue and added that the awning blocks a view that was one of the reasons he purchased his home.

Mr. Bustos, applicant, stated that he collected signatures from neighbors within a 300-foot radius, and nearly everyone he spoke with who was home signed the petition. He noted that although the neighborhood has CC&Rs, several nearby properties have features, such as yard structures or awnings that do not fully comply with those CC&Rs. He clarified that when gathering signatures, he did not disclose his personal medical history, as he preferred to keep that private until presenting it to the Board. He affirmed his right to disclose medical information only to those he feels appropriate. Mr. Bustos explained that his grandchildren do play in the shaded area under the awning, though not always. When temperatures drop, they move vehicles and use the space for outdoor play. He also noted that Mr. Toepfer's own grandson plays outside, suggesting the shade could benefit multiple children. He emphasized that the purpose of the meeting is the variance itself, and his request remains simply to have the awning approved due to the circumstances he previously detailed.

Board member Ferguson asked the applicant if he hired a contractor to build the structure.

Mr. Bustos acknowledged that the awning was built without a permit and that he was unaware of the permit requirement and the need to use a licensed contractor. He clarified that although the person who built the awning is skilled, he is not a licensed contractor and stated that if the variance is approved, he understands he must hire an engineer to evaluate the structure and follow any professional recommendations to ensure the awning meets all structural and safety requirements. Mr. Bustos noted that the awning has proper footings and recently withstood a strong storm without any issues.

Mr. Bustos added that many properties throughout the Foothills area have similar awnings and shade structures, as it is a recreational community and stated that homeowners have the right to make improvements if they do so legally and request permission when required. He emphasized that he was unaware of the rules, not intentionally trying to bypass them and clarified that he is a homeowner, not a renter, addressing a comment raised earlier.

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

Vice-Chairman Pancrazi expressed concern about the awning being built without a permit and by someone who is not a licensed contractor and stated this same builder has constructed similar unpermitted awnings elsewhere in the area, and in past cases, those structures had to be taken down. He emphasized that the builder should already know the permitting requirements. Board member Pancrazi also noted that if shade for recreation is the purpose, there is additional yard space available on the property that could have been used without violating setback requirements.

Board member Saltzer also stated it did meet the size requirement, but it is off by 10 feet and the front setback flexibility is difficult.

They reiterated that their main issue is the lack of a permit and professional oversight, even if the awning appears well-built and meets size requirements.

MOTION (PANCRAZI/ SALTZER): Deny.

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

The motion carried 3-0.

ITEM No. 7: Variance Case No. 25-23: Mark Scalise requests a variance from the Yuma County Zoning Ordinance, Section 1106.00--Accessory Buildings, to allow an accessory structure before establishing the principal residential building on a parcel 6,115 square feet in size zoned Manufactured Home Subdivision 4,500 square feet minimum, Assessor's Parcel Number 685-35-109, located at 9236 Citrus Circle NW, Tacna, Arizona.

Amber Kelly, Associate Planner, presented Variance Case No. 25-23 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 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 condition:

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

Associate Planner Amber Kelly informed the Board the applicant was not present, but presented a hardship letter provided to Board members.

Chairman Saltzer inquired staff if there had been similar cases where there had been a structure before the primary home was built.

Associate Planner Amber Kelly stated there had been two cases. One approved and the other denied.

Chairman Saltzer asked if the case denied was because there was electricity on the structure.

Associate Planner Amber Kelly stated the case was denied due to the structure having electricity.

Vice Chairman Pancrazi asked staff whether allowing the variance now would limit the property owner's ability to build future structures such as an addition or new building and expressed concern whether the owner might later build up to the new edge created by the variance, potentially causing further setback issues and also questioned if there is any way to restrict future construction to prevent additional violations or complications.

Associate Planner Amber Kelly stated that when the applicant is ready to establish and submit the permit for the principal residence, it would be reviewed and staff would let him know of lot coverage.

Board member Ferguson asked staff if the structure was already built.

Associate Planner Amber Kelly stated the structure was already built.

Vice-Chairman Pancrazi asked if the applicant thought about acquiring a property adjacent to his property.

Associate Planner Amber Kelly stated the applicant had talked about looking into purchasing or different options.

Chairman Saltzer asked staff if the case was denied, would the applicant be required to remove the structure.

Associate Planner Amber Kelly stated that was correct.

Planning Director Maggie Castro, AICP, stated that the applicant would have to establish a principal dwelling.

Chairman Saltzer commented the applicant was required to establish a principal dwelling and it would push him to do so since it is a requirement of the property zoning.

Chairman Saltzer opened the discussion to the public.

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

Chairman Saltzer asked staff that if the applicant didn't have electricity for the principal dwelling, if it would or could be finalized.

Planning Director Maggie Castro, AICP, explained the applicant would have options like establishing a solar system or supplemental power.

MOTION (SALTZER/ FERGUSON): Deny.

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

The motion carried 3-0.

There being no further business to come before the Board, the Chairman adjourned the meeting at 1:37 p.m.

Approved and accepted on this 16th day of December, 2025.

Eric Saltzer, Chairman

ATTEST:

Maggie Castro, AICP, Planning Director

Yuma County Board of Adjustment

Item No. 4

AIR-14144

4.

BOA Agenda

Meeting Date: 12/16/2025

Submitted For: Maggie Castro

Submitted By: Roxanna Sanchez

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Variance Case No. 25-24: Juanita McBroom requests a variance from the Yuma County Zoning Ordinance, Section 609.05--Minimum Lot Width and Principal Buildings Setback Requirements, to allow a front yard setback of nine feet and nine inches on a parcel 6,600 square feet in size zoned Recreational Vehicle Subdivision (RVS), Assessor's Parcel Number 728-35-119, located at 12644 East 49th Street, Yuma, Arizona.

2. INTENT:

To allow the following deviations from the Zoning Ordinance:

1. A front yard setback of nine feet and nine inches where 10 feet are required.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of Variance Case No. 25-24 based on:

1. Staff finds approval of this variance may not have an adverse effect on public health, safety, and welfare.
2. Staff finds approval of this request will not have a negative impact on the neighborhood.

Attachments

Staff Report V25-24

Vicinity Map

Site Plan

STAFF REPORT
Yuma County Planning and Zoning Division

Prepared for the Hearing of
December 16, 2025
Yuma County Board of Adjustment

CASE NUMBER: Variance Case No. 25-24
OWNER: Juanita McBroom Trust 6-6-2025
CASE PLANNER: Roxanna Sanchez, Associate Planner
DATE PREPARED: November 21, 2025

DESCRIPTION OF REQUEST: Juanita McBroom requests a variance from the Yuma County Zoning Ordinance, Section 609.05--Minimum Lot Width and Principal Buildings Setback Requirements, to allow a front yard setback of nine feet nine inches on a parcel 6,600 square feet in size zoned Recreational Vehicle Subdivision (RVS), Assessor's Parcel Number 728-35-119, located at 12644 East 49th Street, Yuma, Arizona.

THE APPLICANT'S REASON FOR REQUESTING THIS VARIANCE: To allow an attached awning to be placed in the front yard setback.

APPROVAL OF THIS REQUEST WOULD ALLOW:

The following deviations from the Zoning Ordinance:

1. A front yard setback of nine feet and nine inches where 10 feet are required.
-

BACKGROUND

The subject property is located within El Rancho Encantado subdivision Phase 2A. The property is located in the Foothills Planning Area of the 2030 Comprehensive Plan and is zoned Recreational Vehicle Subdivision (RVS). The purpose of this district is to provide orderly development of subdivisions accommodating recreational vehicles as well as manufactured homes.

The parcel is 6,600 square feet in size and is the location of a site-built home with an attached garage and an attached awning on front part of the home. The following permits are on file for the subject property: Permit number B19-0547 was approved for a site-built home with an attached garage. Permit number RESAPP25-0291 is currently in process for the installation of a roof mounted solar system. Zoning Violation Case Number HO25-0181 is currently open for having an attached awning constructed without permits and having it placed in the front yard setback. The awning was in the process of construction when the Yuma County Building Inspector placed a red tag on the project as it did not have

a permit to be installed at the time. Property owner contacted Yuma County immediately in an attempt to correct the violation. Results of this variance are pending for owner to proceed with the permitting process.

The following sections of the Yuma County Zoning Ordinance apply to this case:

- *609.05--Minimum Lot Width & Principal Buildings Setback Requirements; Minimum front yard setback of 10 feet for all principal buildings in the Recreational Vehicle Subdivision (RVS) district.*
-

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 property is flat terrain and is not unusual in shape. Staff received a red tag notification from our Building Safety Official as the structure was in the process of being built at the time of him conducting a site visit which lead to the zoning violation (HO25-0181). The need for this variance arose upon the customer coming in to the office to obtain information on how to apply for the permit, at which time it was determined that the awning was built within the required front yard setback without a building permit.

- 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 owner constructed the awning without an approved permit. The owner would like to maintain the structure and is requesting this variance to allow a reduction of the front yard setback requirement.

- 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 owner should have applied for the permit prior to building the awning and would have become aware of the front yard setback requirement. The awning may have been reduced to be in compliance and have the ability to obtain the permit. However, the awning has already been built. A contractor was hired for the installation of the awning and the owner entrusted the individual would meet all of the requirements to install the structure properly. No mention of any required permits was made at any time.

- 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 not have an adverse effect on public health, safety, and welfare. Approval of this request will allow the owner to obtain a permit for the awning.

- 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 approval of this request will confer a special privilege not enjoyed by others in the RVS zoning district. However, in this case, applicant is requesting a minor setback reduction of only three inches from the front yard setback. Staff finds approval of this request will not 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. The property owner began construction of the awning prior to obtaining the proper permit. However, the approval of this variance would bring the property into compliance.

- 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 following cases in a similar zoning district have been heard by the BOA:

- Variance Case No. 25-22 was a request to allow a front yard setback of zero feet where ten feet is the minimum setback required on APN 728-35-130 zoned RVS. The case was denied by the BOA.
- Variance Case No. 22-08 was a request to allow a front yard setback of three feet where ten feet is the minimum setback required and a side yard setback of one foot and six inches where three feet is required on APN 700-10-039 zoned RVS. The case was denied by the BOA.

ADDITIONAL COMMENTS:

No comments have been received at this time.

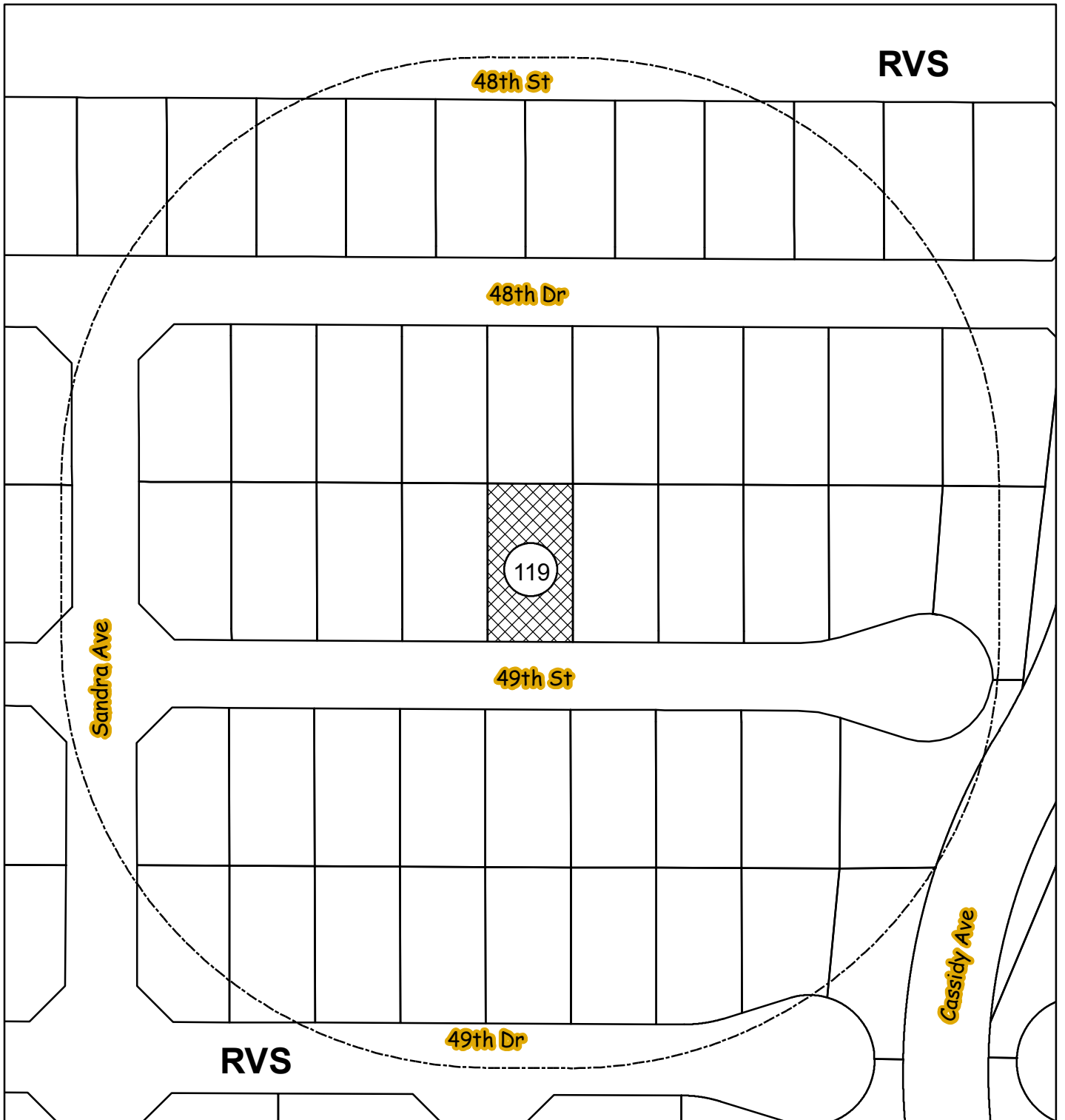
STAFF RECOMMENDATION

Staff recommends approval of Variance Case No. 25-24 based on:

1. Staff finds approval of this variance may not have an adverse effect on public health, safety, and welfare.
2. Staff finds approval of this request will not have a negative impact on the neighborhood.

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.





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

FOR INFORMATION ONLY - NO LIABILITY ASSUMED


CASE NO: VAR25-24
LOCATION: 12644 E 49th Street
PARCEL: 728-35-119


Case Planner: Roxanna Sanchez
 Drawn on: 11/20/25 by RS
 Reviewed by:


SCALE: 1"=100

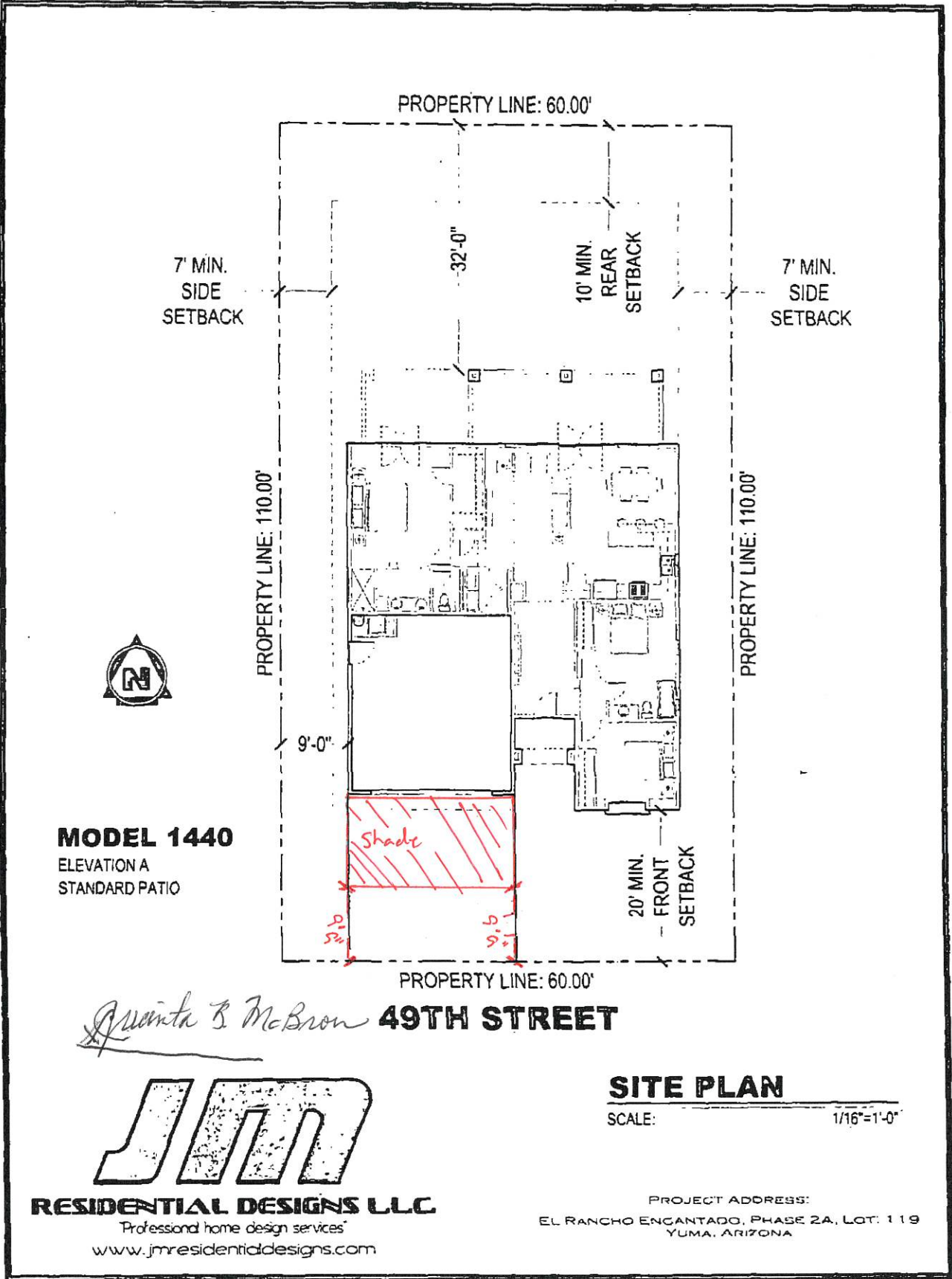


LEGEND

SUBJECT PROPERTY 

ZONING 

MUNICIPALITY 



MODEL 1440
 ELEVATION A
 STANDARD PATIO

Quanta B. McBron **49TH STREET**



RESIDENTIAL DESIGNS LLC
 Professional home design services
 www.jmresidentialdesigns.com

SITE PLAN

SCALE: 1/16"=1'-0"

PROJECT ADDRESS:
 EL RANCHO ENCANTADO, PHASE 2A, LOT: 119
 YUMA, ARIZONA

Yuma County Board of Adjustment

Item No. 5

AIR-14147

5.

BOA Agenda

Meeting Date: 12/16/2025

Submitted For: Maggie Castro

Submitted By: Amber Kelly

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Variance Case No. 25-25: Michael and Brandie O'Hanlon request a variance from the Yuma County Zoning Ordinance, Section 1102.02 (E)--Setback Exceptions, to allow a side yard setback of one foot two inches on a parcel 8,910 square feet in size zoned Low Density Residential-6,000 square foot minimum (R-1-6), Assessor's Parcel Number 700-15-269, located at 11642 East 27th Place, Yuma, Arizona.

2. INTENT:

To allow the following deviation from the Zoning Ordinance:

1. A side yard setback of 1 foot and 2 inches where 3 feet is required.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

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

1. Staff finds there are hardships arising from conditions or circumstances unique to the development of this property.
 2. Staff finds there are specific peculiar conditions applicable to this property to warrant granting of a variance.
 3. Staff finds approval of this variance may not have an adverse effect on public health, safety, and welfare.
-

Attachments

Staff Report

Vicinity Map

Site Plan

STAFF REPORT
Yuma County Planning and Zoning Division

Prepared for the Hearing of
December 16, 2025
Yuma County Board of Adjustment

CASE NUMBER: Variance Case No. 25-25
OWNER: Michael and Brandie O’Hanlon
CASE PLANNER: Amber Kelly, Associate Planner
DATE PREPARED: November 24, 2025

DESCRIPTION OF REQUEST: Michael and Brandie O’Hanlon request a variance from the Yuma County Zoning Ordinance, Section 1102.02 (E)--Setback Exceptions, to allow a side yard setback of one foot two inches on a parcel 8,910 square feet in size zoned Low Density Residential-6,000 square foot minimum (R-1-6), Assessor’s Parcel Number 700-15-269, located at 11642 East 27th Place, Yuma, Arizona.

THE APPLICANT’S REASON FOR REQUESTING THIS VARIANCE: The owner constructed an attached awning without obtaining a permit. Their intent is to allow the awning to remain within the current side yard setback.

APPROVAL OF THIS REQUEST WOULD ALLOW:

The following deviations from the Zoning Ordinance:

1. A side yard setback of 1 foot and 2 inches where 3 feet is required.
-

BACKGROUND

The subject property is located within Estrella at Mesa Del Sol No. 2 subdivision. The property is located in the Foothills Planning Area of the 2030 Comprehensive Plan and is zoned Low Density Residential-6,000 square foot minimum (R-1-6). The purpose of this district is to provide areas for low density single-family residential. Only those additional uses that are permitted which are complimentary and subordinate to, and can exist in harmony with, a residential neighborhood.

The parcel is 8, 910 square feet in size and is the location of a site-built home with an attached garage, a shed, a pool, and an awning. The following permits are on file for the subject property: Permit number B05-0856 was approved for a site-built home with an attached garage; EB25-0061 was approved for a shed 8 feet by 10 feet in size; and permit number B11-0327 was approved for a pool. Zoning Violation Case Number HO25-0160 is currently open for having an attached awning constructed without permits.

A building permit application is pending the results of this variance request. During the review of the building permit staff noticed a portion of the awning encroaches into the allowed setbacks due to the lot shape. Therefore, a variance application was submitted by the applicant.

The following sections of the Yuma County Zoning Ordinance apply to this case:

- *1102.02 - Setback Exceptions; Every part of a principal building or its attachments shall meet the required setbacks of the district in which they rest, except as follows: (E) Terraces, patio covers, awnings, carports, platforms and ornamental features may project into any required side yard, provided such features shall be distant at least three feet (3') from any lot line or setback line.*

STAFF ANALYSIS

Section 403.03 of the Zoning Ordinance:

- A. *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.*

Staff finds there are peculiar conditions applicable to the property. The property is flat terrain and meets the minimum parcel size requirements. However, the shape of the parcel is a trapezoid shape in which the front of the property is wider than the rear of the property. Only a portion of the awning encroaches into the side yard setback.

- B. *Variations 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 are hardships arising from conditions or circumstances unique to the development of this property. The parcel meets the minimum lot size for the R-1-6 zoning district. The awning meets side yard setback along a portion of the side yard. However, due to the trapezoid shape in which the front of the property is wider than the rear of the property portion, the awning encroaches about one and a half feet into the side yard setback.

- 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 a variance. Due to its trapezoid shape, a portion of the awning encroaches into the required side yard setback about one and a half feet.

- 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 not have an adverse effect on public health, safety, and welfare. The adjacent property on the west side does not have any structures. Therefore, the

separation between the awning and any adjacent structure will be about nine 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.

Staff finds approval of this request will confer a special privilege not enjoyed by others in the R-1-6 zoning district.

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 property owner constructed the awning prior to obtaining the required permit. Approval of this variance will bring the property into compliance.

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 following cases in a similar zoning district have been heard by the BOA:

- Variance Case No. 08-11 was a request to allow a side yard setback of seven inches for an awning structure on APN 700-13-043 zoned R-1-6. The case was approved by the BOA.
- Variance Case No. 23-12 was a request to allow a side yard setback of zero feet for an attached awning on APN 701-09-041 zoned R-1-8. The case was denied by the BOA.
- Variance Case No. 24-19 was a request to allow a side yard setback of zero feet for an attached awning on APN 700-15-172 zoned R-1-6. The case was denied by the BOA.
- Variance Case No. 25-18 was a request to allow a side yard setback of zero feet for an attached awning on APN 701-25-080 zoned R-1-6. The case was denied by the BOA.

ADDITIONAL COMMENTS:

STAFF RECOMMENDATION

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

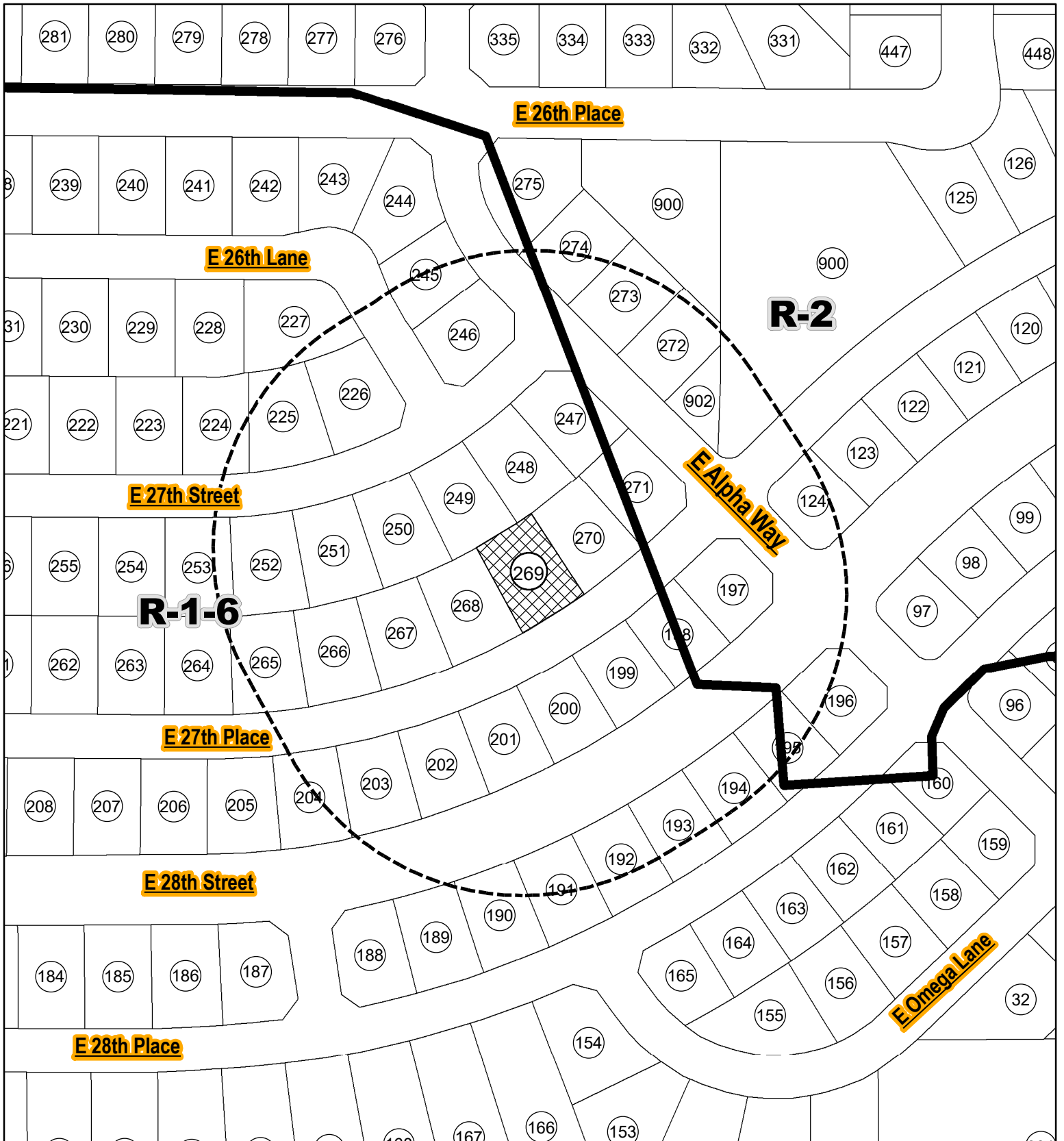
1. Staff finds there are hardships arising from conditions or circumstances unique to the

development of this property.

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

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.



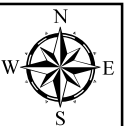
**DEPARTMENT OF
DEVELOPMENT
SERVICES**
PLANNING & ZONING DIVISION
2351 W. 26TH STREET
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED





CASE NO: VAR25-25
LOCATION: 11642 E. 27th Place
APN: 700-15-269

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

SCALE
1"=150'



Legend

-  Subject Property
-  300' NOTIFICATION AREA
-  City of Yuma
-  Zoning Boundary

SQUARE FOOTAGE CALCULATIONS

NEW RV SHADE	643.50 SF
EXISTING LIVING AREA	1642.25 SF
EXISTING GARAGE	529.00 SF
EXISTING COVERED PORCH	78.75 SF
EXISTING COVERED PATIO	240.00 SF
TOTAL COVERED AREA	3133.50 SF

NOTE:

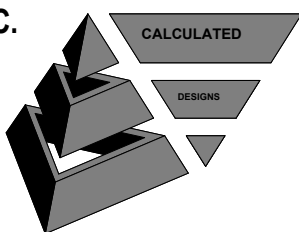
ALL OUTDOOR ILLUMINATING DEVICES SHALL BE INSTALLED IN CONFORMANCE WITH THE PROVISIONS OF THE YUMA COUNTY ZONING ORDINANCE, AND ANY APPLICABLE BUILDING CODES. WHERE ANY PROVISION OF ANY OF THE ARIZONA REVISED STATUTES, OR ANY FEDERAL LAW, OR ANY RELATED YUMA COUNTY REGULATION CONFLICTS WITH THE REQUIREMENTS OF THIS SECTION (623.00), THE MOST RESTRICTIVE SHALL GOVERN.



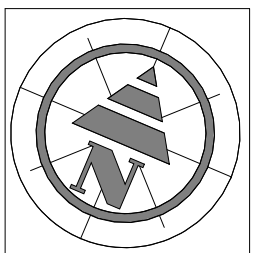
SITE PLAN

1" = 10'-0"

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



PROJECT	NEW RV SHADE
JOB NUMBER:	25-0140
NAME:	OHANLON
ADDRESS	11642 E 27 TH PL, YUMA, AZ 85364
APN#	700-15-269



Yuma County Board of Adjustment

Item No. 6

AIR-14145

6.

BOA Agenda

Meeting Date: 12/16/2025

Submitted For: Maggie Castro

Submitted By: Roxanna Sanchez

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Variance Case No. 25-26: Chris Morris, agent for Sharpe Family Trust No RLT 21-520M 7-23-2021, 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 1,710 square feet in size zoned Planned Development (PD), Assessor's Parcel Number 459-50-113, located at 11416 North Mezquite Drive, Yuma, Arizona.

2. INTENT:

To 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.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends approval of Variance Case No. 25-26 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 V25-26

Vicinity Map

Site Plan

Elevation Plan

STAFF REPORT
Yuma County Planning and Zoning Division

Prepared for the Hearing of
December 16, 2025
Yuma County Board of Adjustment

CASE NUMBER: Variance Case No. 25-26

OWNER: Sharpe Family Trust No RLT 21-520M 7-23-2021

CASE PLANNER: Roxanna Sanchez, Associate Planner

DATE PREPARED: November 24, 2025

DESCRIPTION OF REQUEST: Chris Morris, agent for Sharpe Family Trust No RLT 21-520M 7-23-2021, 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 1,710 square feet in size zoned Planned Development (PD), Assessor’s Parcel Number 459-50-113, located at 11416 North Mezquite Drive, 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 1,710 square feet in size (30 feet wide by 59 feet long on the north and 55 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 above the parking area. 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)
- Variance Case No. 25-10 (07/15/2025)

ADDITIONAL COMMENTS:

- No comments
-

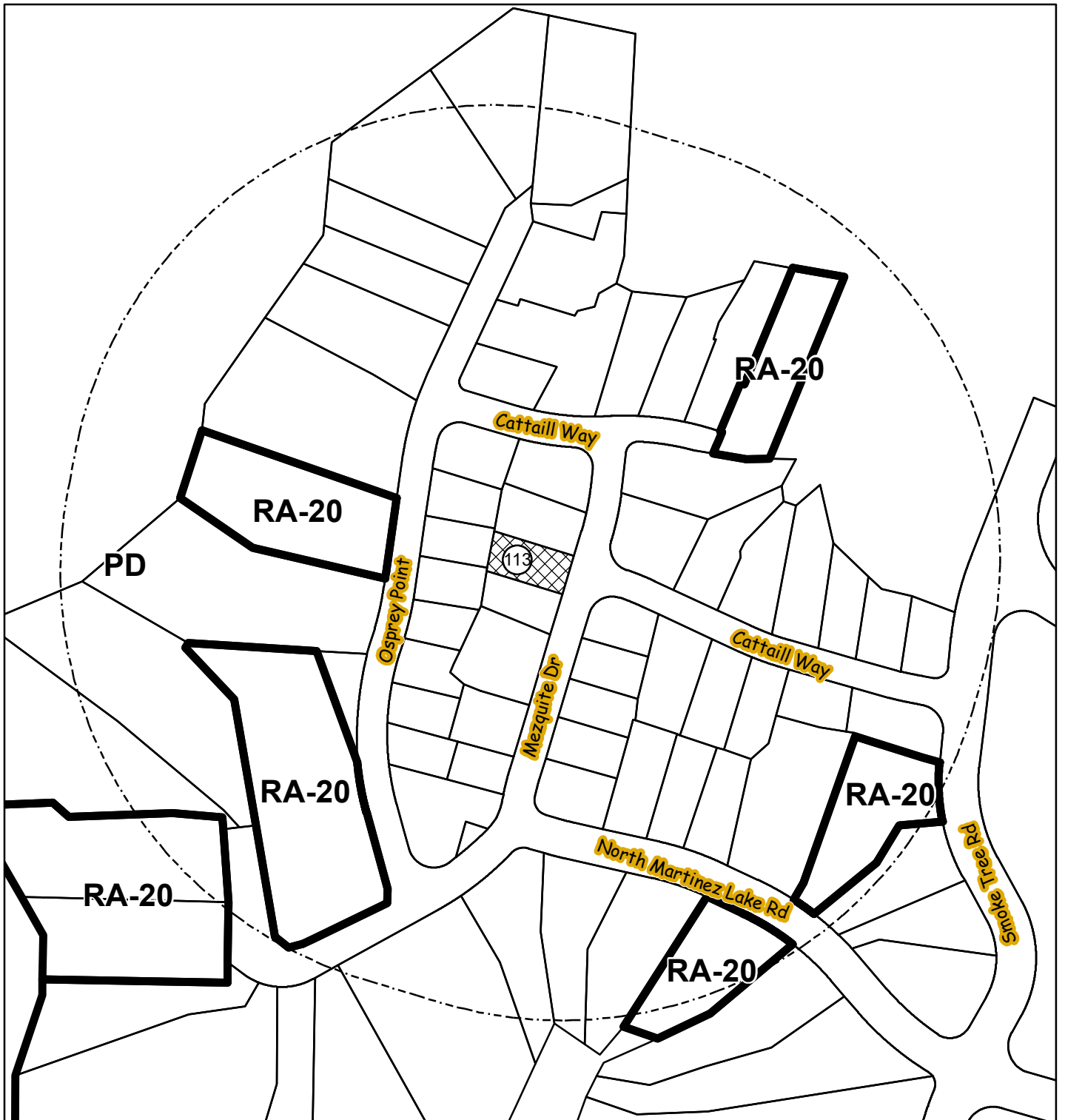
STAFF RECOMMENDATION

Staff recommends approval of Variance Case No. 25-26 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: VAR25-26
LOCATION: 11416 N Mezquite Dr
PARCEL: 459-50-113


Case Planner: Roxanna Sanchez
 Drawn on: 11/20/25 by RS
 Reviewed by:


SCALE: 1" = 100



LEGEND

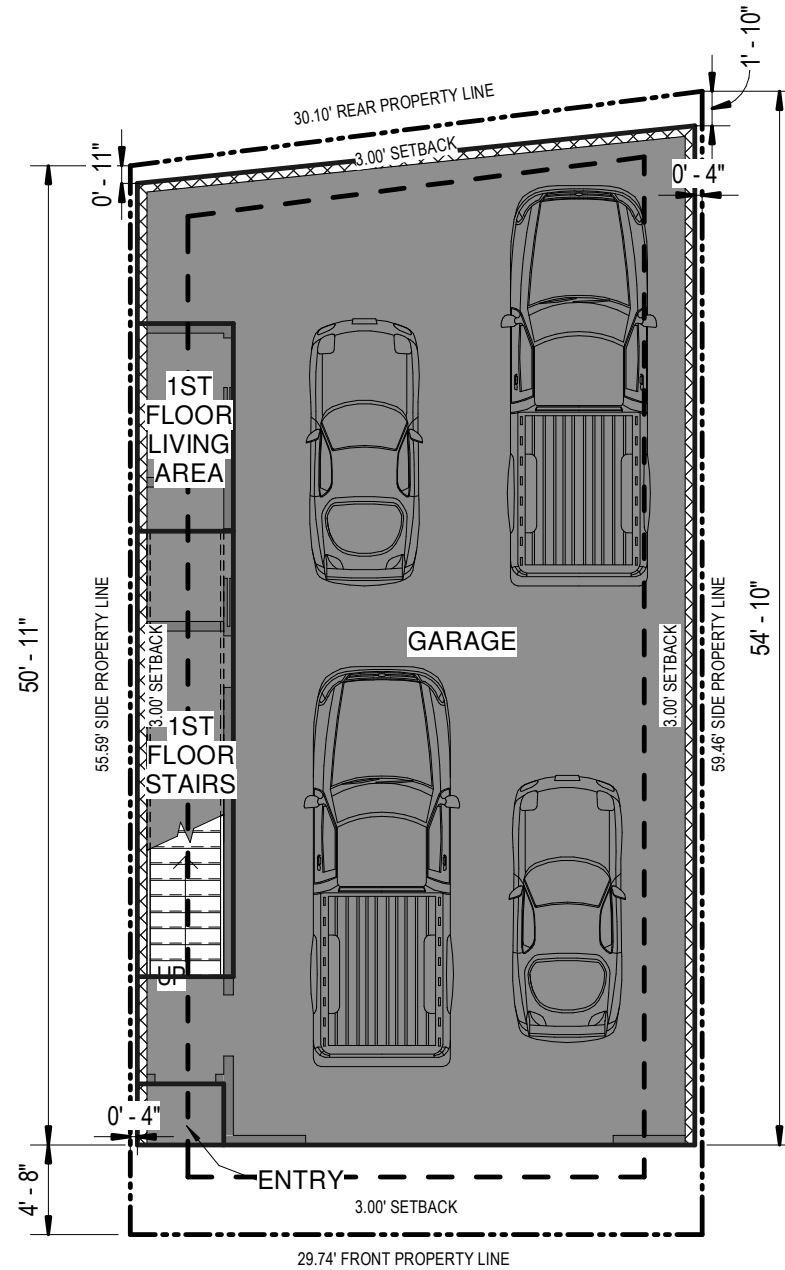
SUBJECT PROPERTY 

ZONING 

MUNICIPALITY 

SQUARE FOOTAGE CALCULATIONS

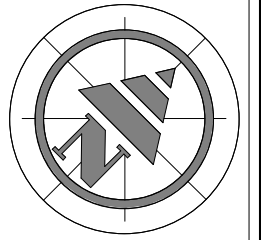
1ST FLOOR LIVING AREA	54.00 SF
2ND FLOOR LIVING AREA	1139.00 SF
3RD FLOOR LIVING AREA	577.58 SF
ENTRY	14.25 SF
GARAGE	1309.41 SF
2ND FLOOR FRONT BALCONY	174.00 SF
1ST FLOOR STAIRS	115.83 SF
2ND FLOOR STAIRS	50.00 SF
TOTAL COVERED AREA	3434.08 SF



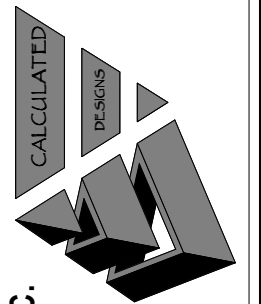
MEZQUITE DR

SITE PLAN

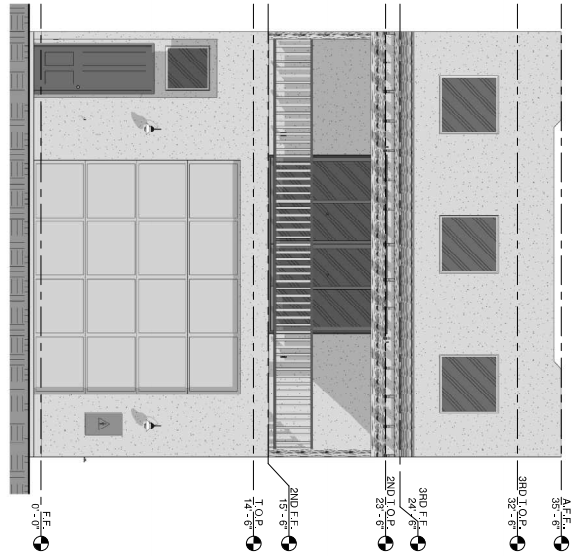
1" = 10'-0"



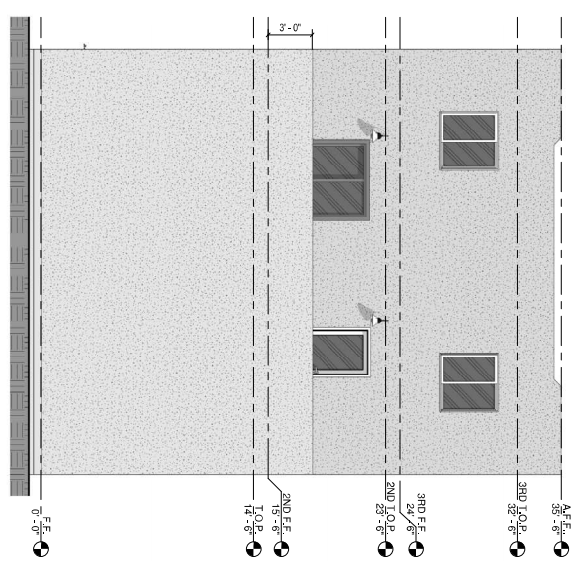
PROJECT	NEW RESIDENCE
JOB NUMBER:	25-0113
NAME:	LOT 107 LARRY SHARPE
ADDRESS	11416 N MEZQUITE DR, MARTINEZ LAKE, AZ 85365
APN#	459-50-113



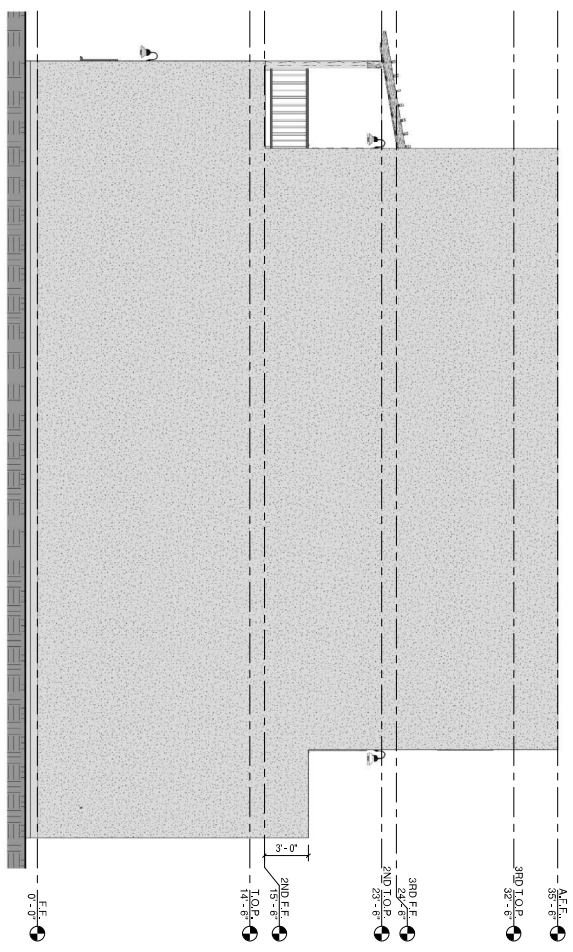
CALCULATED DESIGNS LLC.
 291 S. MAIN ST. STE. E1
 PHONE: 928.726.4600



FRONT ELEVATION
1/4" = 1'-0"



REAR ELEVATION
1/4" = 1'-0"



RIGHT ELEVATION
1/4" = 1'-0"

