

**Hearing Officer Meeting Minutes
November 12, 2015**

A meeting of the City of Yuma's Hearing Officer was held on Thursday, November 12, 2015, at City Hall Room 190, One City Plaza, Yuma, AZ.

HEARING OFFICER in attendance was Ray Urias.

CITY OF YUMA STAFF MEMBERS present included Andrew McGarvie, Assistant City Engineer; Bobette Bauermann, Principal Planner; Richard Munguia, Planning Technician; Rene Truax, Administrative Support Supervisor; Amelia Griffin, Administrative Assistant; Stephanie Guzman, Administrative Assistant.

Urias called the meeting to order at 9:30 a.m.

CONSENT CALENDAR

Urias continued the minutes of October 8, 2015 to the meeting of December 10, 2015.

PUBLIC HEARINGS

VAR-11540-2015: *This is a request by Jeremy White for a variance to reduce the rear yard setback from 10' to 7' to allow an Awning/Carport for parking in the Recreational Vehicle Subdivision (RVS) District. The property is located at 9732 E. 35th Street, Yuma, AZ.*

Bobette Bauermann, summarized the staff report, recommending **APPROVAL**.

QUESTIONS FOR STAFF

Urias asked if all four criteria have been met. **Bauermann** said yes.

APPLICANT/APPLICANTS REPRESENTATIVE

Jeremy White, 9732 E. 35th Street, Yuma, Arizona, was available for questions.

Urias asked if the applicant was in agreement with the Conditions of Approval. **White** said yes.

OPEN PUBLIC COMMENT

None

DECISION:

Urias granted the requested variance, subject to the Conditions of Approval in Attachment A, finding that the four criteria have been met.

VAR-11635-2015: *This is a request by Edward Montana for variances to increase the maximum lot coverage from 35% to 42% for a rear yard patio, and reduce the front yard setback from 16 feet to 0 feet in the Low Density Residential (R-1-6) District. The property is located at 128 W. 23rd Place, Yuma, AZ.*

Richard Munguia, Planning Technician, summarized staff report recommending **DENIAL** to reduce the front yard setback from 16' to 0', but is recommending **APPROVAL** to increase the maximum lot coverage from 35% to 42% for the rear yard Patio.

QUESTIONS FOR STAFF

Urias asked if all setback requirements were met for the rear yard patio. **Munguia** said yes. **Urias** asked if there was a special circumstance that applied to the property. **Munguia** said yes. **Urias** asked if the special circumstance was not created or caused by the property owner or applicant. **Munguia** said it was not created by the property owner or applicant. Also, stated the building of the patio would exceed the 35% lot coverage which is why the applicant is requesting to increase the maximum coverage from 35% to 42%.

Urias asked if the existing shade structure encroaches into the City right-of-way. **Munguia** said yes. **Urias** asked if he was authorized to give consent to build on City property. **Munguia** said no, and stated because the shade structure was illegally constructed at some point in the past the applicant would need to submit an encroachment permit application to the Engineering Department to allow the shade structure to remain on the City right-of-way. **Urias** asked if there was a special circumstance that applies to the property. **Munguia** said no.

APPLICANT/APPLICANTS REPRESENTATIVE

Nellie Montana, Yuma, Arizona, asked if they could come to an agreement to allow a carport in the front yard setback. **Urias** said no, and stated because of the request to enclose the carport and reduce the setback from 20 feet to 16 feet, which was approved in 1972 the applicant voluntarily removed the provided covered parking, creating the need for the request for covered parking in the front yard setback.

Andrew McGarvie, Assistant City Engineer, stated based on the setback requirements the property would not allow granting of the request.

OPEN PUBLIC COMMENT

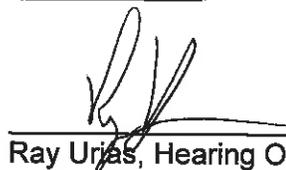
None

DECISION

Urias denied variance to reduce the front yard setback from 16 feet to 0 feet; however, a variance to increase the maximum lot coverage from 35% to 42% for a rear yard patio was approved, subject to the Conditions of Approval in Attachment A, finding that the four criteria have been met.

Urias adjourned the meeting at 10:12 a.m.

Minutes approved and signed this 10th day of December, 2015.



Ray Urias, Hearing Officer