



A G E N D A

Town of Chino Valley
Board of Adjustment

December 6, 2023



Agenda
Board of Adjustment
Chino Valley Town Hall
202 N. State Route 89
December 6, 2023, 6:00 p.m.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. PUBLIC HEARINGS -

VAR-2023-01 - This is a request by Jonathan Funk, on behalf of the Funk Family Trust, for a Variance to waive Section 5.3.7(D), of the Town of Chino Valley Unified Development Ordinance (UDO), which requires that the depth to width ratio of a lot shall be no greater than three (3) to one (1) for Property located at the southeast corner of West Road 4 North and North Road 1 West in Chino Valley, APN#306-14-047B.

D. ADJOURN

Zoom Instructions: Please use the link to join the webinar: <https://us02web.zoom.us/j/87259196175>, or by phone: 1 888 788-0099 (Toll Free) or 1 877 853-5247 (Toll Free); Webinar ID: 872 5919 6175

A copy of the agenda packet is available for viewing 12 days prior to the Board of Adjustments Public Hearing date, at the Marion Lassa/Chino Valley Library, 1020 W. Palomino Road, Chino Valley, Arizona.

The Town endeavors to make all public meetings accessible to persons with disabilities. With 72 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call 636-2646 (voice) or use 711 (Telecommunications Arizona Relay Service) to request accommodation to participate in this meeting.



TOWN OF CHINO VALLEY
Board of Adjustments Staff Report
December 6, 2023
File Number VAR-2023-01
Variance

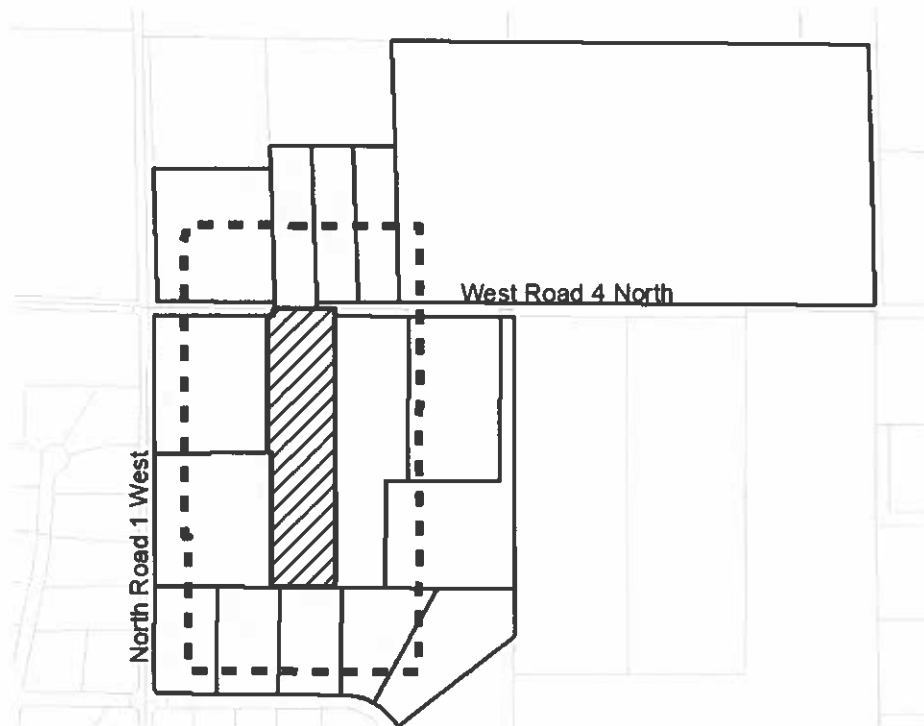
PROJECT DESCRIPTION

This is a request by Jonathan Funk, on behalf of the Funk Family Trust, for a Variance to waive Section 5.3.7(D), of the Town of Chino Valley Unified Development Ordinance (UDO), which requires that the depth to width ratio of a lot shall be no greater than three (3) to one (1) for Property located at the southeast corner of West Road 4 North and North Road 1 West in Chino Valley, APN#306-14-047B.

LOCATION DATA

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agricultural/Residential (AR-5)	Vacant	Rural Residential (1 du/ac)
North	Agricultural/Residential (AR-5)	Residential	Rural Residential (1 du/ac)
South	Single Family Residential (SR-1)	Appaloosa Meadows Phase 1	Rural Residential (1 du/ac)
East	Agricultural/Residential (AR-5)	Residential	Rural Residential (1 du/ac)
West	Agricultural/Residential (AR-5)	Vacant	Rural Residential (1 du/ac)

LOCATION MAP



ATTACHMENT A
CONDITIONS OF APPROVAL

STAFF RECOMMENDATION: Based on findings of facts noted below, Staff recommends the Board approve Variance# VAR-2023-01, a variance from UDO Section 5.3.7(D), and allow the lot to be developed for residential use, with conditions found in Attachment A.

SUGGESTED MOTION: Move to **APPROVE** Variance VAR-2023-01 as presented, subject to the staff report, Attachment A and information provided during this hearing.

SITE ANALYSIS/DISCUSSION: The subject property is located within an AR-5 (Agricultural/Residential) District. Records of metes and bounds containing this portion of land indicate the initial inception of the current configuration dating back to the year of 1989 with subsequent modifications from varying legal descriptions. The latest record of survey revealed that the subject property, represented as parcel "C", illustrates a lot depth of 1,006 feet and a width of 225 feet. As recorded with the Yavapai County Recorder's office, the parcel does not comply with the property design principles and development standards that are set forth under section 5.3.7(D) of the Town of Chino Valley Unified Development Ordinance (UDO), which requires that the depth to width ratio of useable area shall be no greater than three (3) to one (1). The property was recently acquired by the applicant's family; they were made aware that permits for any building would not be approved by the Town. As such the family is requesting a variance to address the 3:1 lot size ratio, to allow construction of a single-family residence for the lot that will otherwise comply with all other applicable regulations of the UDO.

FINDINGS OF FACT: Historical records show that the lot configuration was established in 1989, before the implementation of the Town's UDO in 2006, which introduced the 3:1 lot ratio rule. Following 2006, the property had several minor lot line adjustments, resulting in the loss of non-conforming status. It is worth noting that the applicant's request for an exemption from section 5.3.7(D) does not bestow any special privileges upon the property owners. The applicant is required to comply with all other state and local requirements for site development standards. In light of these circumstances, Staff believes that the requested variance is not only justified but also the most minimal and essential adjustment needed to facilitate a reasonable use of the property.

PREPARED BY:
JESSICA BARRAGAN – SENIOR PLANNER
JBARRAGAN@CHINOAZ.NET
928 636-3473

DATE:
NOVEMBER 6, 2023

APPROVED BY:



LAURIE LINEBERRY, AICP
DEVELOPMENT SERVICES DIRECTOR

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the variance for the site:

Development Services Comments: Laurie Lineberry, Director, 928-636-3471

1. The conditions listed below are in addition to Town codes, rules, fees, and regulations that are applicable to this action.
2. The Owner shall sign a Waiver of Claims form, which the Town will provide and record with the Yavapai County Recorder's Office.

Development Services Comments: Jessica Barragan, Senior Planner, 928-636-3473

3. All required building permits must be obtained prior to any construction on-site.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

**ATTACHMENT B
RECORD OF SURVEY**

Record of Survey Procured from Yavapai Recorders Office

