

RESOLUTION #FCD 13-___

AUTHORIZING THE GRANTING OF A VARIANCE FROM COCHISE COUNTY FLOODPLAIN REGULATIONS TO ALLOW ADDITION TO BE ELEVATED LESS THAN THE MINIMUM TWO FEET

WHEREAS, there has been presented to the Board of Directors of the Cochise County Flood Control District, a formal request praying for relief from the requirements of the Cochise County Floodplain Regulations, specifically to allow an addition to be less than the two foot elevation requirement on APN 119-03-005M, address of 957 W SUN DOG CIRCLE – COCHISE AZ 85606; more particularly described as follows:

NWSENE & THAT POR OF SWSENE LYING NWLY OF
A STRGHT LINE RUNNING FROM SW COR OF
SWSENE TO NE COR OF SWSENE SEC 5-17-24

WHEREAS, the Cochise County Flood Control District as authorized in § 48-3603, Powers, duties and immunities of district and board; exemptions, is a political taxing subdivision of this state and has all the powers, privileges and immunities granted generally to municipal corporations by the constitution and laws of this state including immunity of its property and bonds from taxation; and

WHEREAS, in accordance with A.R.S. §§ 48-3603.C.16 and -3609, the Board can allow variances from the Floodplain regulations adopted pursuant to this article to the extent permitted by Section 48-3609.B.7 if a) special circumstances, such as size, shape, topography, location or surroundings of the property, would cause the strict application of the regulations to deprive the property of privileges enjoyed by similar property in the floodplain, b) owing to peculiar conditions, a strict interpretation would work an unnecessary hardship, c) the variation will not result in danger or damage to persons or property in the floodplain; and d) in granting the variance the general intent and purposes of this article and the regulations will be preserved; and

WHEREAS, the Cochise County Flood Control District Board of Directors having considered all comments regarding this request at their meeting held May 20, 2008, and having determined that the requirements for granting a variance from the Floodplain Regulations have been met,

RESOLUTION #FCD 13-__

Re: Authorizing The Granting Of A Variance From Cochise County Floodplain Regulations To Allow Addition To Be Elevated Less Than The Minimum Two Feet

Page 2

NOW, THEREFORE, IT IS HEREBY RESOLVED that we, the Cochise County Flood Control District Board of Directors, do hereby grant a variance from the Floodplain Regulations elevation requirement, and allow the addition to be less than the two foot requirement on APN 119-03-005M.

IT IS FURTHER RESOLVED that as required in Section 6.2.D of the Cochise County Floodplain Regulations, the owner is notified that by the recording of this resolution, the land upon which the variance is granted is ineligible for exchange of state land pursuant to the flood relocation and land exchange program.

IT IS FURTHER RESOLVED that this resolution shall be recorded so it appears in the chain of title of said property.

PASSED AND ADOPTED by the Cochise County Flood Control District Board of Directors, this ____ day of August, 2013.

Ann English, Chairperson
Cochise County Flood Control District
Board of Directors

ATTEST:

APPROVED AS TO FORM

James E. Vlahovich,
Interim Clerk of the Board



Britt Hanson,
Chief Civil Deputy County Attorney