

Cochise County Flood Control District Board of Directors

RESOLUTION #FCD 15-___

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

WHEREAS, Mr. Gary Truschke 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 a shed to be less than the two foot elevation requirement on APN 20239052, address of 463 N. Taylor Road – Willcox, AZ 85643; more particularly described as follows:

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N205' E222.75' TO POB SEC 34 13 24 1.048AC

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 §§ 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 January 27, 2015, and having determined that the requirements for granting a variance from the Floodplain Regulations have been met.

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 20239052.

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.

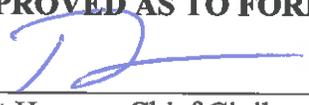
PASSED AND ADOPTED by the Cochise County Flood Control District Board of Directors, this ____ day of January, 2015.

Pat Call, Chairman
Cochise County Flood Control District
Board of Directors

ATTEST:

Arlethe Rios,
Clerk of the Board

APPROVED AS TO FORM:



Britt Hanson, Chief Civil
Deputy County Attorney