

Hearing Officer Meeting Minutes October 23, 2025

A meeting of the City of Yuma Hearing Officer was held on Thursday, October 23, 2025, at City Hall Council Chambers, One City Plaza, Yuma, Arizona.

HEARING OFFICER in attendance was Ray Urias.

CITY OF YUMA STAFF MEMBERS present included Jennifer Albers, Assistant Director of Planning; Zenia Fiveash, Assistant Planner; John LeSeuer, Assistant City Attorney and Alejandro Marquez, Administrative Specialist.

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

CONSENT CALENDAR

Hearing Officer Ray Urias approved the minutes of October 9, 2025.

ITEMS REQUIRING COMMISSION DISCUSSION AND ACTION

VAR-44509-2025: *This is a request by Whitey Wiles Construction on behalf of Raul & Esmeralda Estrada for a variance to allow an accessory structure height 4 feet 3 inches taller than the principal building of 11 feet 3 inches for the construction of a new garage/workshop in the Low Density Residential/Infill Overlay (R-1-6/IO) District, for the property located at 1220 S. 8th Avenue, Yuma, AZ.*

Zenia Fiveash, Assistant Planner, summarized the staff report and recommended **APPROVAL**

QUESTIONS FOR STAFF

Hearing Officer Ray Urias asked for confirmation on whether the variance request was only for the height deviation from the City's requirements. **Fiveash** replied yes. **Hearing Officer Urias** then went over the Four Criteria of the Yuma City Code and asked if criteria numbers one through three had not been met. **Fiveash** replied yes. **Hearing Officer Urias** then stated that criteria four had been met. **Fiveash** answered yes. **Hearing Officer Urias** stated that in order to grant the variance, he would need to find that criteria one through three are met.

Hearing Officer Urias commented that he toured the neighborhood and noticed that there are homes in the area that have pitched roofs and that the applicant's home did not. **Fiveash** replied that the home has a slightly pitched roof. **Hearing Officer Urias** then stated he does not agree with staffs analysis that the home is typical to other homes in the area. **Hearing Officer Urias** commented that he was in agreement with staff that accessory structures should match the height, size, and materials of the main building and neighborhood, and noted that the proposed project does not fit the character of the existing home. **Hearing Officer Urias** went on to say that the neighborhood is zoned residential and that the property's principal use is for a home and if a accessory structure is built on the property it should resemble the home.

Hearing Officer Urias stated that the home could possibly suffer from a unique hardship due to it having the flattest roof in the area and that the applicant did not cause that because he purchased the home that way. **Hearing Officer Urias** then stated that he was not confident enough to consider that a special circumstance or a unique hardship.

Hearing Officer Urias asked for confirmation that the applicant is asking for 4 foot 3 inches above the City's requirement for an accessory structure. **Fiveash** replied yes. **Hearing Officer Urias** then stated if the request for less of a difference he could possibly consider it a special circumstance.

Hearing Officer Urias asked if the height of the accessory structure was measured from the ground up. **Fiveash** replied yes. **Hearing Officer Urias** then asked if the applicant were to dig a hole that was 4 feet deep, which would make the accessory structure meet the height requirement, would that be allowed. **Jennifer Albers, Assistant Director of Planning** replied that the question may fall under building code requirements. **Albers** then noted that the height of a house is measured at the peak and that this structure is not located behind the peak of the house but rather behind the garage and that it will be made of metal and much larger than the existing garage.

APPLICANT/APPLICANTS REPRESENTATIVE

Bob Wiles, on behalf of Whitey Wiles Construction, introduced the homeowner **Raul Estrada** and stated that he would assist the homeowner with any specific questions.

Hearing Officer Urias asked for confirmation if the structure was to be made of metal. **Estrada** replied yes. **Hearing Officer Urias** then asked does it have to be a metal building. **Wiles** answered that in conventional construction, any structure over 12 feet in height would require a structural engineer to design it, where a pre-engineered metal building already includes the necessary design criteria. **Hearing Officer Urias** then asked if the structure could be less than 16 feet 3 inches. **Estrada** asked how much shorter would the structure need to be. **Hearing Officer Urias** replied around 13 feet. **Estrada** answered he would like to keep the size of the building. **Hearing Officer Urias** stated that he is trying to find a hardship because the house is shorter than others in the area.

Hearing Officer Urias stated that he was having difficulty finding that the structure met Criteria 3, noting that the applicant could construct other types of structures that would not need to be as tall. **Estrada** asked if it would be possible to lower the structure by 1 foot making it 15 feet tall. **Hearing Officer Urias** then stated that he noticed the garage would be approximately 800 square feet while the home is about 1,100 square feet, making the garage nearly the same size as the home. **Hearing Officer Urias** then added that the structure should be smaller in scale compared to the primary residence.

Hearing Officer Urias stated that he is trying to find a hardship because the house is smaller than others in the area. **Wiles** stated at the time the subdivision was built it was considered an average size home. **Albers** stated that when staff calculates the size of an accessory structure, they include all areas under the roof of the home, which would be inclusive of the garage area.

PUBLIC COMMENT

None

DECISION

Hearing Officer Ray Urias denied the request to allow an accessory structure height 4 feet 3 inches taller than the principal building of 11 feet 3 inches for the construction of a new garage/workshop in the Low Density Residential/Infill Overlay (R-1-6/IO) District, for the property located at 1220 S. 8th Avenue, Yuma, AZ.

Hearing Officer Ray Urias then stated that the applicant has the right to appeal the decision.

Hearing Officer Ray Urias adjourned the meeting at 9:55 a.m.

Minutes approved this 13th day of November, 2025.

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke, positioned above a horizontal line.

Hearing Officer