

**Hearing Officer Meeting Minutes
May 28, 2026**

A meeting of the City of Yuma Hearing Officer was held on Thursday, May 28, 2026, 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; Amelia Domby, Principal Planner; Guillermo Moreno-nunez, Associate Planner; Joshua Darrow, Assistant Planner; John LeSueur, Assistant City Attorney and Alejandro Marquez, Administrative Specialist.

Hearing Officer Ray Urias called the meeting to order at 9:31 a.m.

CONSENT CALENDAR

Hearing Officer Ray Urias approved the minutes of April 23, 2026.

ITEMS REQUIRING COMMISSION DISCUSSION AND ACTION

VAR-45166-2026: *This is a request by Skyler and Karen Poston for a variance to reduce the minimum required parking space depth dimension from 20 feet to 18 feet 1 inch in the Low Density Residential (R-1-8) District for the property located at 5630 E. 45th Street, Yuma, AZ.*

Joshua Darrow, Assistant Planner, summarized the staff report and recommended **DENIAL**

QUESTIONS FOR STAFF

Hearing Officer Ray Urias referred to Criteria No.1 of the Yuma City Code and asked Darrow if he had found a special circumstance unique to the property. **Darrow** replied no.

Hearing Officer Urias stated that, in evaluating variance requests, he looks for special circumstances directly related to the nature of the variance being requested, he then noted that the variance under consideration sought to reduce the required parking setback distance from 20 feet to 18 feet 1 inch.

Hearing Officer Urias asked whether the subject property was level. **Darrow** answered yes it was. **Hearing Officer Urias** then asked whether the lot was a standard rectangular lot. **Darrow** replied yes

Hearing Officer Urias further noted that the property included an angled cut due to its corner-lot configuration and asked whether the modification was required to accommodate the sight-visibility triangle established by engineering department standards. **Darrow** answered yes

Hearing Officer Urias then asked whether the angled cut was located on the side of the property where the applicant was requesting the parking setback reduction. **Darrow** replied that it was not.

Hearing Officer Urias asked whether there were any unusual right-of-way dedications on the property, such as those associated with power lines or underground utilities, that would affect the area where the parking setback reduction was proposed. **Darrow** responded no.

Hearing Officer Urias then inquired about staff's findings regarding Criteria No. 3. **Darrow** stated that staff found the criterion had not been met, as the requested reduction was not necessary to allow the applicant to accomplish the intended use of the property. **Hearing Officer Urias** noted that the applicant could achieve the desired outcome without reducing the required parking setback.

Hearing Officer Urias then asked whether Criteria No. 4 had been satisfied. Darrow replied yes.

Hearing Officer Urias inquired whether any opposition or concerns had been received from neighboring property owners. Darrow stated that no opposition had been received.

APPLICANT/APPLICANTS REPRESENTATIVE

Skyler Poston, 5630 E. 45th Street, Yuma, AZ, clarified that the request applies only to the rear portion of the existing three-car, L-shaped garage where the water heater is located, and not the entire structure. Poston then noted that the remaining space would still accommodate a full-size vehicle.

Hearing Officer Urias then asked staff, since the applicant clarified where the office would be located, does it change the special circumstance. Darrow noted that there will be a utility room next to the proposed game room per the site plan on page six of the staff report. Hearing Officer Urias then asked if the garage accommodates three vehicles. Darrow replied yes. Hearing Officer Urias then asked if the applicant was going to change one-third of the garage space. Darrow answered yes. Hearing Officer Urias then asked whether that information would change staff's opinion regarding the special circumstance requirement. Darrow replied no.

PUBLIC COMMENT

None

DECISION

Hearing Officer Ray Urias denied the request to reduce the minimum required parking space depth dimension from 20 feet to 18 feet 1 inch in the Low Density Residential (R-1-8) District for the property located at 5630 E. 45th Street, Yuma, AZ.

VAR-45199-2026: *This is a request by Leonard and Ana Manos for a variance to increase the allowable maximum size of a large accessory structure from 50 percent of the primary building to 94 percent of the primary building, to increase the allowable maximum height of a large accessory structure from the total height of the primary residence, 14 feet, to 18 feet, and reduce the side yard setback from 5 feet to 3 feet for a large accessory structure in the Low Density Residential (R-1-6) District for the property located at 1921 S. 6th Avenue, Yuma, AZ.*

Joshua Darrow, Assistant Planner, summarized the staff report and recommended **DENIAL** of the request for a variance to increase the allowable maximum size of a large accessory structure from 50 percent of the primary building to 94 percent of the primary building and to increase the allowable maximum height of a large accessory structure from 14 feet to 18 feet, and recommended **APPROVAL** of the request to decrease the side yard setback from 5 feet to 3 feet for a large accessory structure in the Low Density Residential (R-1-6) District for the property located at 1921 S. 6th Avenue, Yuma, AZ, subject to the Conditions of Approval in Attachment A.

QUESTIONS FOR STAFF

Hearing Officer Ray Urias asked for confirmation as to whether multiple variance requests were associated with the case and then asked for clarification regarding whether the requests included overall height, size, and setbacks, and noted that only the setback request had been found to meet all required criteria. Darrow replied yes.

Hearing Officer Urias asked whether the applicant was also requesting a reduction to the height requirement for a detached accessory structure. Darrow responded yes. Hearing Officer Urias then asked for confirmation that the structure was not to exceed the height of the primary residence. Darrow replied yes.

Hearing Officer Urias asked if the height of the home was measured at 14 feet. **Darrow** answered yes. **Hearing Officer Urias** then asked for confirmation that the applicant also proposed that the structure could be reduced to fourteen feet six inches. **Darrow** answered yes. **Hearing Officer Urias** asked would staff have an objection to that proposal. **Darrow** stated that the purpose of the height requirement is to ensure the accessory structures do not overwhelm the height of the primary residence, he then noted that at 14 feet 6 inches, he does not believe the proposed structure would do so.

Hearing Officer Urias referred to the request for a 94 percent maximum size variance and asked whether the applicant had made any proposed changes to this request. **Darrow** answered he was not aware of a change to this request.

Hearing Officer Urias clarified that Variance Criteria Nos. 1, 2, and 3 had not been met, and Criteria No. 4 had been met with some opposition by some of the neighbors. **Darrow** replied that some of the neighbors had submitted emails in opposition to the request which were provided at the beginning of the hearing.

Hearing Officer Urias asked whether the applicant had been made aware of the emails submitted in opposition to the request. **Darrow** replied that the applicant had not, as the emails had been received only recently. **Hearing Officer Urias** then provided the applicant with copies of the emails for review.

Hearing Officer Urias asked about the size of the primary residence and what size the accessory structure would need to be to comply with City Code requirements and noted that he understood the height of the home to be 14 feet and inquired about the maximum allowable size for the proposed structure. **Darrow** stated that the primary residence is 1,120 square feet and then stated that City Code would allow a detached accessory structure of up to 560 square feet, which represents 50 percent of the home's square footage. **Hearing Officer Urias** asked if the structure was less than 50 percent would the applicant only need a building permit. **Darrow** replied that was correct but noted that approval of the setback variances would still be required.

APPLICANT/APPLICANTS REPRESENTATIVE

Leonard Manos, 1921 S. 6th Avenue, Yuma, AZ, was available for questions.

Hearing Officer Urias asked whether the property was rectangular in shape. **Manos** replied yes, it was but noted that the lot is narrow and lacks sufficient access for ingress and egress. **Hearing Officer Urias** then asked whether the property is flat and level. **Manos** answered yes.

Hearing Officer Urias asked whether the applicant was aware of any underground utilities in the area where the structure would be constructed. **Manos** replied that the proposed structure had been shifted away from the home due to the presence of underground utilities.

Manos presented improvements made to the home and stated that he had previously inquired with City staff about the possibility of constructing a garage in front of the residence but was advised that it would not comply with City requirements. **Manos** then noted that other nearby properties have similar accessory structures, and that the proposed accessory structure would be located in the rear of the property and would not be visible from the front of the residence.

Manos stated that he could potentially reduce the height of the proposed structure to 14 feet, however, doing so would require an additional 1 foot added to the length to the building because of engineering to the door. **Manos** stated that adjustments could be made to the design to reduce the height, but the structure would need to be 49 feet in length.

Hearing Officer Urias stated that while he observed similar structures in the surrounding neighborhood during a site visit, each variance request must be evaluated on its own merits.

Hearing Officer Urias noted that there was some opposition from neighbors. **Manos** replied that he did not agree with the opposition emails that were filed by some of his neighbors.

Manos reiterated that he could reduce the height of the building to 14 feet, but he would need the extra space to be able to install roll up garage doors and then stated he would need 1 hour fire rating from the wall.

Hearing Officer Urias stated that the Code does not allow a structure to exceed the maximum permitted height or size, noting that the proposed structure exceeds the allowable size by approximately 45 percent.

Hearing Officer Urias then stated that he was attempting to identify a special circumstance to justify the variance but was unable to find one.

Hearing Officer Urias then asked if there was access to the home from the alley. **Manos** stated yes and that there is no other access to the back of the home only from the alley because the lot is so narrow and that the home takes up most of the width of the lot.

Manos noted that the home had no storage and stated that there is an existing garage at the rear of the property, however because it is below grade it fills with water during rainfall so nothing would be able to be stored inside of it.

Jennifer Albers, Assistant Director of Planning stated that the standard parking space is 10 feet by 20 feet, then noted that a 400 square foot garage would accommodate two vehicles.

PUBLIC COMMENT

None

DECISION

Hearing Officer Ray Urias denied the request for a variance to increase the allowable maximum size of a large accessory structure from 50 percent of the primary building to 94 percent of the primary building and to increase the allowable maximum height of a large accessory structure from 14 feet to 18 feet and approved the request for a variance to reduce the side yard setback from 5 feet to 3 feet, subject to the Conditions of Approval in Attachment A, finding that the four criteria of Yuma City Code §154-03.04(D)(1) had been met.

Hearing Officer Ray Urias adjourned the meeting at 10:23 a.m.

Minutes approved this 11 day of June, 2026.



Hearing Officer