

Zoning Administrator Hearing **Minutes**



Mizner Conference Room
Mesa City Plaza Building, Suite 130
20 East Main Street
Mesa, Arizona, 85201

John S. Gendron
Hearing Officer

DATE January 30, 2007

TIME 1:30 P.M.

Staff Present

Gordon Sheffield
Jeff McVay
Jim Hash
Lena Butterfield

Others Present

Jann Peterson
Margraret Peterson
Brian R Johnson
Joan Matheny
Chuck Matheny

CASES

Case No.: ZA07-003

Location: 2239 North Lema Drive

Subject: Requesting a minor modification to a Planned Area Development (PAD) to allow an addition to exceed the maximum lot coverage allowed in the R1-7-PAD zoning district.

Decision: Approved with conditions

Summary: Mr. Peterson explained that in order to meet the lot coverage requirements and add the additional square footage they would have to turn their garage into a carport.
Mr. Hash explained that the Apache Wells subdivision is unique it was partially built in the County prior to being annexed into the City in the 1970's. Additionally, the request will not affect the footprint of the home and staff is recommending approval of the case with conditions.
Mr. Gendron approved the case with the following conditions:

1. *Compliance with the site plan submitted.*
2. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

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3. The maximum roof coverage allowed shall be three thousand two hundred and eighty five (3285) square feet.

Finding of Fact:

- 1.1** The requested PAD modification would result in a lot coverage of 55%. The approved PAD allows lot coverage of 45% for enclosed structures and total lot coverage of 55% including open patios.
- 1.2** The existing homes presents unique conditions related to the original construction of the home. The home was developed with an open-air swimming pool in the center of the home.
- 1.3** The enclosure of this atrium will not result in increased lot coverage outside of the existing structure, will not increase the impact on neighboring properties, and will not apply to any other parcels within the Apache Wells subdivision.

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Case No.: ZA07-004

Location: 1515 East Indigo Street

Subject: Requesting a variance to allow an addition to encroach into the required front yard in the R1-9 zoning district.

Decision: Approved per revised site plan

Summary: Mr. Matheny explained that the garage will not fit within the front setbacks because of the curve in the lot. He then provided an updated site plan showing the garage with an 18 foot setback from the property line.
Mr. Hash explained that the shape of the lot prohibits the property owner from building a garage within his setbacks on his property. Additionally, the new site plan is a good compromise to come into substantial conformance with the Code.

Finding of Fact:

- 1.1 The applicant has proposed a garage addition that would result in a 16.5-foot front setback where a 25-foot setback is required. Based on discussions with staff, the applicant has revised the site plan to provide a minimum 20-foot front setback.
- 1.2 The front line of the subject parcel is at an angle and adjacent to Indigo Road which curves at this location. The shape of the parcel and the curve of the road constitute a unique condition not created by the applicant. The affect of the lot shape and curved road justify deviation to Code requirements to allow reasonable construction that matches the existing home.
- 1.3 As modified by the applicant and staff recommended conditions of approval, approximately 65 square feet of the proposed garage would encroach into the front setback by no more than five feet.

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There being no further business to come before the Zoning Administrator, the hearing adjourned at 1:45 p.m.

The cases for this hearing were recorded on Zoning Administrator Flash Card 2, Track 22.

Respectfully submitted,

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John S. Gendron
Hearing Officer

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G:ZA/Minutes/ZAM