

Board of Adjustment Minutes



City Council Chambers, Lower Level
January 09, 2007

Board members Present:

Dina Higgins, Chair
Mike Clement, Vice Chair
Randy Carter
Craig Boswell
Garrett McCray
Dianne von Borstel
Roxanne Pierson

Board members Absent:

(None)

Staff Present:

Gordon Sheffield
Jeff McVay
Lena Butterfield
John Wesley
Jim Hash

Others Present:

Nicole Marske
Tom Marske
Kathy Dickeinson
Chip Stauffer
Steve Bostic
Kamryn Hodson
Terri Sroka
Diane Dearmae
Reese Anderson
Karla Bos
Mark Schofield
Karin Rhead
Rebecca Garn
Wayne Holst
Barbara Holst

Davis Sroka
Dottie Gardner
Jim Rhead
John Berry
John Dunlop
James Gardner
Monica Christenson
Mark Christenson
Scott Partidge
Rick Miller
Sandy Miller
John Manross
Corey Bullock
Terry Worcester

The study session began at 4:30 p.m. The Public Hearing meeting began at 5:30 p.m. Before adjournment at 7:30 p.m., the following items were considered and recorded on Board of Adjustment Tape #357, and 358.

Study Session 4:30 p.m.

- A. The study session began at 4:30 p.m. The items scheduled for the Board's Public Hearing were discussed.

Public Hearing 5:30 p.m.

- A. Consider Minutes from the December 12, 2006 Meeting A motion was made to approve the minutes by Boardmember von Borstel and seconded by Boardmember Pierson. **Vote: Passed 7-0**
- B. Consent Agenda A motion to approve the consent agenda as read was made by Boardmember Boswell and seconded by Boardmember Carter. **Vote: Passed 7-0**

**Board of Adjustment Meeting
January 09, 2007**

Case No.: BA06-051

Location: 6035 East Hannibal Street

Subject: Requesting a variance to allow a shade cover addition to an existing single residence to encroach into the front yard in the R1-9 zoning district.

Decision: Continued to February 13, 2006.

Summary: This case was on the consent agenda and not discussed on an individual basis.

Motion: It was moved by Boardmember Boswell, seconded by Boardmember Carter to continue this case to February 13, 2006.

Vote: Passed 7-0

Finding of Fact: N/A

* * * * *

**Board of Adjustment Meeting
January 09, 2007**

Case No.: BA07-001

Location: 616 North Alma School Road

Subject: Requesting a variance to allow a fence to exceed the maximum height allowed in the R1-6 zoning district.

Decision: Approved with conditions

Summary: This case was on the consent agenda and not discussed on an individual basis.

Motion: It was moved by Boardmember Boswell, seconded by Boardmember Carter to approve this case with the following conditions:
1. Compliance with the site plan submitted.
2. No fence within the front setback shall exceed a height of five feet (5').
3. Fences within the front setback shall be constructed with a three-foot (3') masonry base with two feet (2') or wrought iron attached for a maximum height of five feet (5').

Vote: Passed 7-0

Finding of Fact:

- 1.1 The proposed fences will be constructed with a three-foot masonry block base with two-feet of decorative wrought iron above. This type of construction will not impair the vision of motorists utilizing the driveways on the properties and will allow passive surveillance by the police.
- 1.2 Alma School Road is a six (6) lane arterial street with a 45 mile and hour speed limit. The existence of residential properties fronting Alma School Road and the higher volume of vehicular traffic is a unique condition not created by the applicant that directly affects the use and benefit of front yards.
- 1.3 Due to the existing development along Alma School Road, the additional fence height will be compatible with and not detrimental to neighboring properties. The fence construction (masonry base with wrought iron top) will not impair the vision of motorist entering or exiting the parcels and will allow passive surveillance by the police.

* * * * *

**Board of Adjustment Meeting
January 09, 2007**

Case No.: BA07-002

Location: 933 North Lindsay Road

Subject: Requesting a Special Use Permit to allow development of athletic fields in conjunction with a place of worship in the R1-9 zoning district.

Decision: Continued to March 13, 2006.

Summary: Mr. Worcester, architect, presented the proposal to develop an athletic field complex at Central Christian Church. He explained that the project will develop the rear portion of the parcel that is currently a vacant lot. The complex will include softball and t-ball fields as well as soccer fields, and a special field specifically designed to accommodate the needs of handicapped children. Additionally, because of concerns with the neighborhood the church is willing to accept the changes to the site plan that have been recommended by staff.

Mr. Carter explained that the site plans need more detail regarding the location and numbers of trees that will be planted.

Mr. McCray explained that he would like to see the access that the neighborhood children use to cross the property in order to go to school remain.

Mr. Boswell explained that he would like to see more detail about where the fence will be located.

Mr. Marske, a neighbor and coach for children's sports, spoke in favor of the proposal. He further explained the importance of the fields as an outlet for children to play. He explained that he would like the property to remain open as a safe route for neighborhood children to get to school.

Mr. Dickenson, a neighbor, spoke in support of the project. Further explaining that Central Christian has been a good neighbor and the fields will be a benefit to the neighborhood.

Ms. Hodson, Miracle League of the East Valley coordinator, spoke in support of the project. She further explained that the special needs ball fields will be an asset for the entire community because of the number of special needs children in the East Valley.

Mr. Anderson, a neighbor, spoke representing the following neighbors: Karin Rhead, Mark Schofield, Karla Bos, and Rebecca Garn. He explained that the neighborhood isn't against having sports fields on the vacant property, rather, they are concerned that the applicant has not provided enough information regarding mitigation of the impact from the fields. Additionally, he asked the Board to continue the case so that the applicant can work out some of the issues with the residents in the neighborhood. Mr. Partridge, Ms. Miller, and Mr. and Mrs. Holst are concerned with the noise from the sports fields.

The other neighbors that expressed concerns with noise, traffic, and the

**Board of Adjustment Meeting
January 09, 2007**

limited information provided by the applicant included: Rick Miller, Dotty Gardner, Jim Rhead, John Berry, John Dunlop, James Gardner, Monica Christenson, Mark Christenson, Terri Sroka, and Diane Deurmae.

Mr. Wooster addressed some of the issues expressed by the neighborhood. He explained that the wall will follow the property line. Additionally, there will be no lights or sound amplification.

The Board expressed concern with the number of people opposed to the case and recommended a 60 day continuance to allow the applicant to work with the neighborhood, and design a greater level of detail into the plans.

Motion: It was moved by Boardmember Boswell, seconded by Boardmember von Borstel to continue this case to the March 13, 2006 hearing.

Vote: Passed 7-0

Finding of Fact: N/A

* * * * *

**Board of Adjustment Meeting
January 09, 2007**

- Case No.:** BA07-003
- Location:** 4726 East McKellips Road
- Subject:** Requesting a variance to allow: 1) a fence to exceed the maximum height allowed within the required street side landscape areas along Falcon Drive and McKellips Road; and 2) deletion or reduction of foundation base requirements, both in conjunction with the development of aviation hangars in the M-1 zoning district
- Decision:** Approved with conditions
- Summary:** Mr. Manross, applicant, presented the variance request. He explained that the foundation base is not needed because a two-foot wide concrete apron will be constructed around the hangars to protect the buildings during asphalt maintenance.
Both Mr. Carter and Mr. Boswell explained that they agree with the applicant that 5 feet of foundation base is not needed in this case.
Mr. McVay, in response to a question, explained that the requested variances are associated with the development located within a secured area and not visible to the public. Additionally, in response to concern of setting precedence, it was noted that each request will be reviewed on its merits regardless of what the Board decides on this case.
Mr. Sheffield added that one of the reasons for foundation base is aesthetics. It prevents the appearance of asphalt ending at the edge of the building. The Board agreed that a two-foot (2') concrete apron around the hangars would be appropriate in this situation.
- Motion:** It was moved by Boardmember Boswell, seconded by Boardmember Pierson to approve this case with the following conditions:
1. Compliance with the site plan submitted, except as modified by the conditions below.
2. Provision of a minimum twenty-foot (20') landscape setback, measured from the future width right-of-way line for from McKellips Road.
3. Within the Airport secured area, a minimum two-foot (2') wide at-grade foundation base shall be provided adjacent to hangars 1-20, 24-42, and 49-70.
4. Within the Airport secured area, automobile parking spaces shall be separated from hanger buildings through the use of a minimum five-foot (5') wide at-grade or above-grade foundation base.
5. Compliance with all requirements of the Building Safety Division regarding the issuance of building permits.
- Vote:** Passed 7-0
- Finding of Fact:**
- 1.1** The proposed office/hanger complex is located within Falcon Field at the northwest corner of McKellips Road and Falcon Drive. The proposed site plan includes a request to reduce or eliminate foundation base and foundation base plant material

**Board of Adjustment Meeting
January 09, 2007**

requirements. Current Code requires the following in relation to foundation base: 1) 15 feet along to walls with a public entrance, 2) 10 feet along to walls adjacent to parking spaces, and 3) 5 feet along walls adjacent to drive aisles.

- 1.2 At the time of application, the project required a variance to allow screen walls to encroach 10 feet into the required 30-foot setback from McKellips Road. A 30-foot setback is required from 6-lane arterial streets. Since application, the Mesa Transportation Division has changed the functional classification of McKellips Road from 6-lane arterial to 4-lane arterial. The change in functional classification reduced the required setback to 20 feet,
- 1.3 As justification for the requested variance to foundation base requirements, the applicant has noted: 1) the unique condition of an office/hanger development that use aisle for use by airplanes, automobiles, and pedestrians; 2) the desire to maximize the building sizes on the site; 3) incompatibility of plants, type of development, and airplanes; and 3) the reduction would be behind a screen wall and within a secured area.
- 1.4 The elimination of foundation base plantings within the Airport secured area has been justified by the unique conditions related to the type of development, the incompatibility of airplanes with plantings, and screening of the reductions with the use of a screen wall. Foundation base plantings adjacent to the entrances of Office/hangers 21, 45, 46, and 48 within the Airport secured area will comply with Code requirements.
- 1.5 The reduction or elimination of some foundation base within the Airport secured area has been justified by the unique conditions related to the type of development and the use of a screen wall around the Airport secured area. Total elimination of foundation base has not been justified. The interior of the site would benefit from a two-foot wide, at-grade foundation base that will facilitate safer pedestrian circulation within an area shared by airplanes, cars, and pedestrians.
- 1.6 A five-foot wide at-grade foundation base that separates parking spaces from the buildings and adjacent to the hangers would not inhibit the intended use of the site while creating an overall improvement pedestrian circulation. The setback reduction from McKellips Road to 20 feet would allow modifications to site, accommodating the recommended foundation base without reducing building sizes.

* * * * *

Respectfully submitted,

Jeff McVay, AICP
Senior Planner

Minutes written by Lena Butterfield, Planning Assistant

G:Board of Adjustment/Minutes/2007/01 January