



Board of Adjustment

Staff Report

CASE NUMBER: BA14-068 (PLN2014-00629)
STAFF PLANNER: Wahid Alam, AICP
LOCATION/ADDRESS: 1755 North Old Colony
COUNCIL DISTRICT: Council District 1
OWNER/ APPLICANT: Christine Baldwin

REQUEST: *Requesting a Variance to allow encroachment into required front setback and allow the existing carport converted to garage, which does not meet the required minimum 3 feet setback behind the primary wall facing the street in the RS-9 zoning district.*

SUMMARY OF APPLICANT'S REQUEST

The requested variance would allow the applicant to enclose the car port and additional space at the entrance of the house by encroaching into the required 25-foot front setback in the RS-9 zoning district.

STAFF RECOMMENDATION

Staff recommends **approval** of case BA14-068 with the following conditions:

1. *Compliance with the site plan as submitted, except as modified by the conditions listed below.*
2. *Compliance with all requirements of the Development Services Division with regard to the issuance of permits.*
3. *Provide building materials in exterior of garage and front addition matching the house in color, material and texture.*

SITE CONTEXT

CASE SITE:	Existing home	– zoned RS-9
NORTH:	Existing home	– zoned RS-9
EAST:	(across alley) Existing home	– zoned RS-6
SOUTH:	Existing home	– zoned RS-9
WEST:	(Across Old Colony) Existing home	– zoned RS-9

STAFF SUMMARY AND ANALYSIS

Existing Conditions / Proposal:

The applicant wants to expand and enclose an existing car carport into a garage (21'x18'-6"). The existing car port has approximately 18' setback from the front property line/street right off way. The living area of the house is setback approximately 30' from the front property line. The existing carport is 12' in front of the primary wall of the house facing the street. The existing house is setback 20-ft from the rear property line, and the side yards are 7' on the south and 12' on the north. The proposed lot coverage is approximately 37% (2,949sqft. roof area on a 8,000 sqft lot).

Per Section 11-32-4: Parking Area Design, the Minimum Dimensions for Residential Enclosed Garages are as follows:

1. A single-car garage shall be at least 10 feet wide and 22 feet long.
2. A double-car garage shall be at least 20 feet wide and 22 feet long.
3. A garage for tandem parking shall be at least 10 feet wide and 44 feet long.

The existing car port dimension (18'-6"x 21') does not comply, but is close to the required 20' wide by 22' long/deep dimensions.

The present carport of the existing residence does not comply with the setbacks of the zoning code. The applicant wishes to enclose the carport into a garage, and in doing so, the new garage structure will not comply with the minimum interior dimensions for a garage. However, converting the carport to a garage as proposed will not significantly alter the foot print of the house and therefore will have minimum impact to the neighboring properties. Existing houses along Old Colony appear to have both garage locations close to the street and away from the front of the house. Therefore this request will not create a unique situation for the subdivision.

FINDINGS

1. In its current configuration the carport's dimensions does not meet the Code standard of 20' width and 22' depth. However the property does meet the Code requirement for two covered parking spaces. This is an "existing, nonconforming" condition.
2. The Code establishes the minimum dimensions for a two-car garage as 20' wide and 22' long.
3. The required side yard setbacks for this zoning district are 25' front and rear and sides 7' and 10'. The existing house setbacks are 18' in the front, 20' in the rear, 7' and 12' on sides.
4. The applicant is requesting a 7' encroachment into the 25' required front setback. Also the existing carport is 12' in front of the primary wall of the house, where the code requires the garage door to be 3' behind the primary wall of the house. This is an existing condition and the carport and the house was build prior to the current code update.
5. This variance request will allow encroachments into front and rear yards including the garage door being in front of the house.

ORDINANCE REQUIREMENTS:

Zoning Ordinance, Sec. 11-5-3 – Development Standards for the RS District:

RS-9 minimum yards:	Front – (enclosed livable areas. Porches)	15'
	Garages and Carports, front and side yards	25'
	Rear-	25'
	Interior side, minimum either side	7'
	Interior side, minimum aggregate of 2 sides	17'

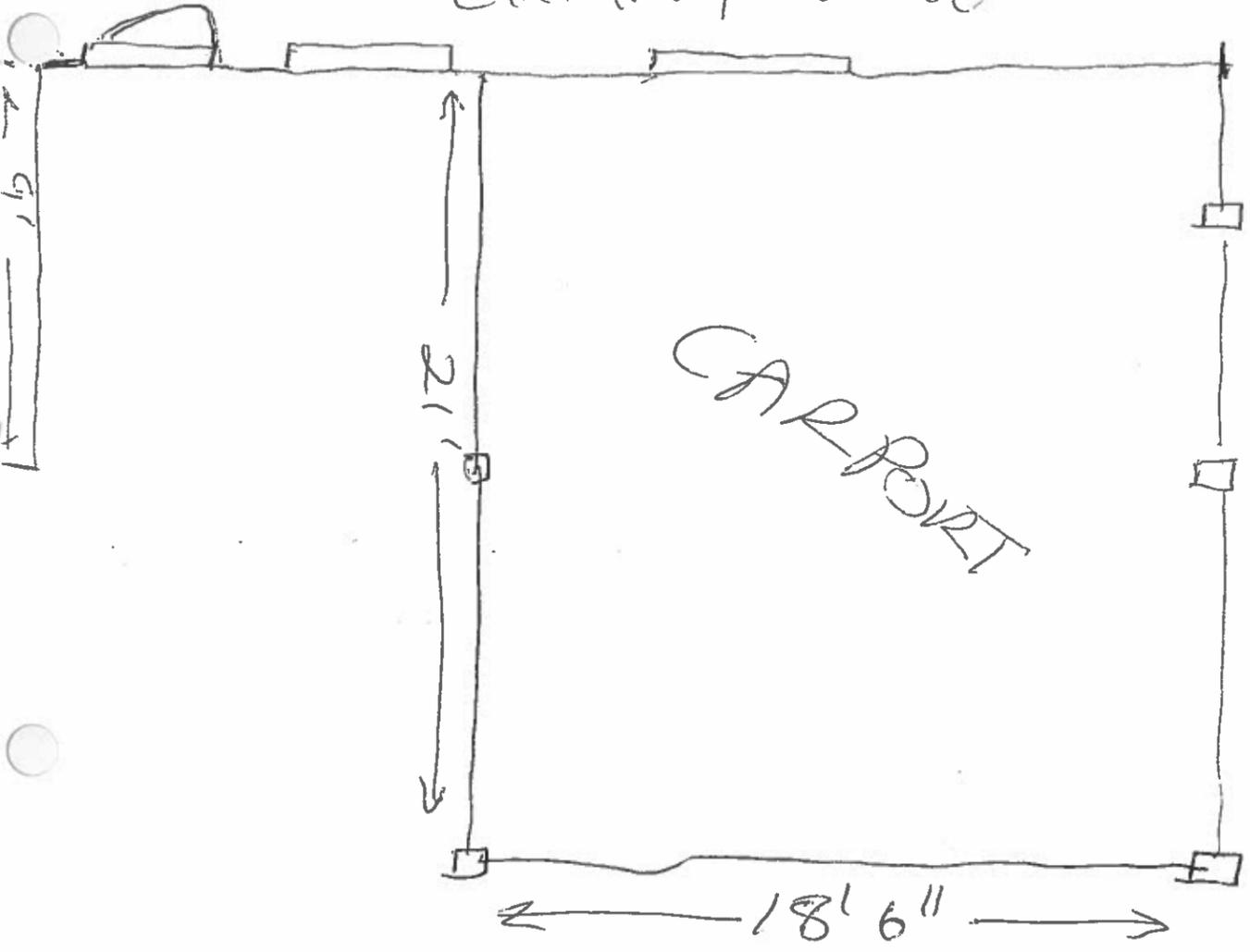
Maximum building coverage: 45%
(From table 11-5-3)

Zoning Ordinance, Sec. 11-5-7 Supplemental Standards Applicable to All Residential Districts:

A. Building projections into required yards. Building projections may extend into required yards, subject to the following standards:

- 1. No projection may extend closer than 2 feet to an interior lot line or into a public utility easement.**
- 3. Awnings, eaves, overhangs, or basement window wells may encroach up to 3 feet into any required yard.**
- 4. Vestibules, bay windows, nooks, chimneys, or similar wall projections with or without footings may encroach ... not more than 2 feet into any required side yard, provided the aggregate width of all such projections adjacent to any yard does not exceed 1/3 of the length of the building wall.**

← 12'6" → EXISTING WALL



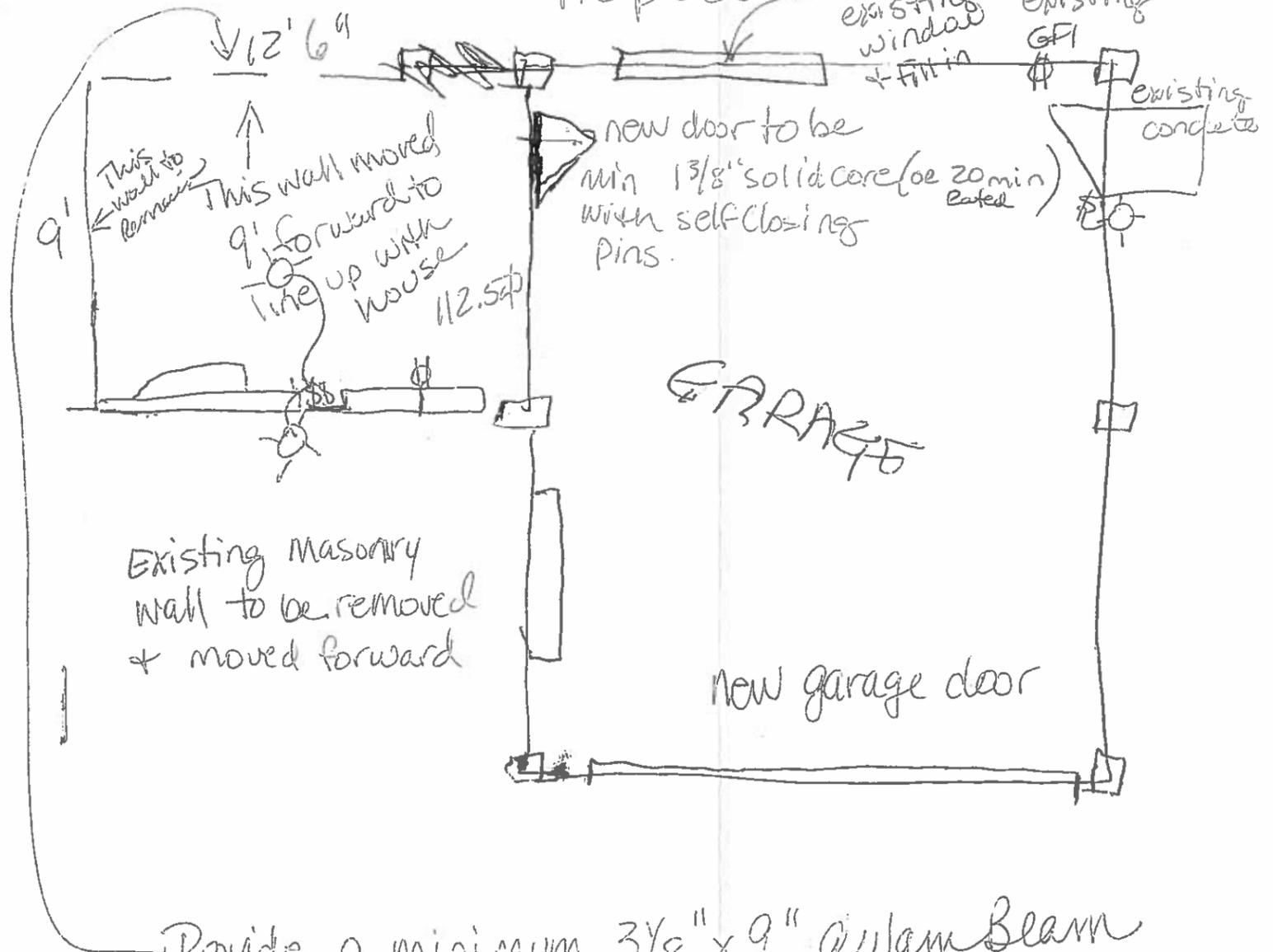
CARPORT

← N

FRONT VIEW



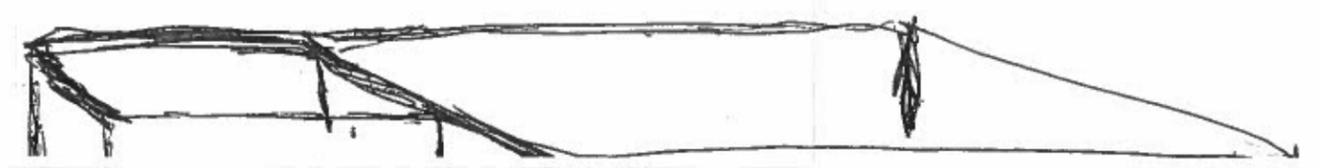
Proposed Kitchen



GARAGE

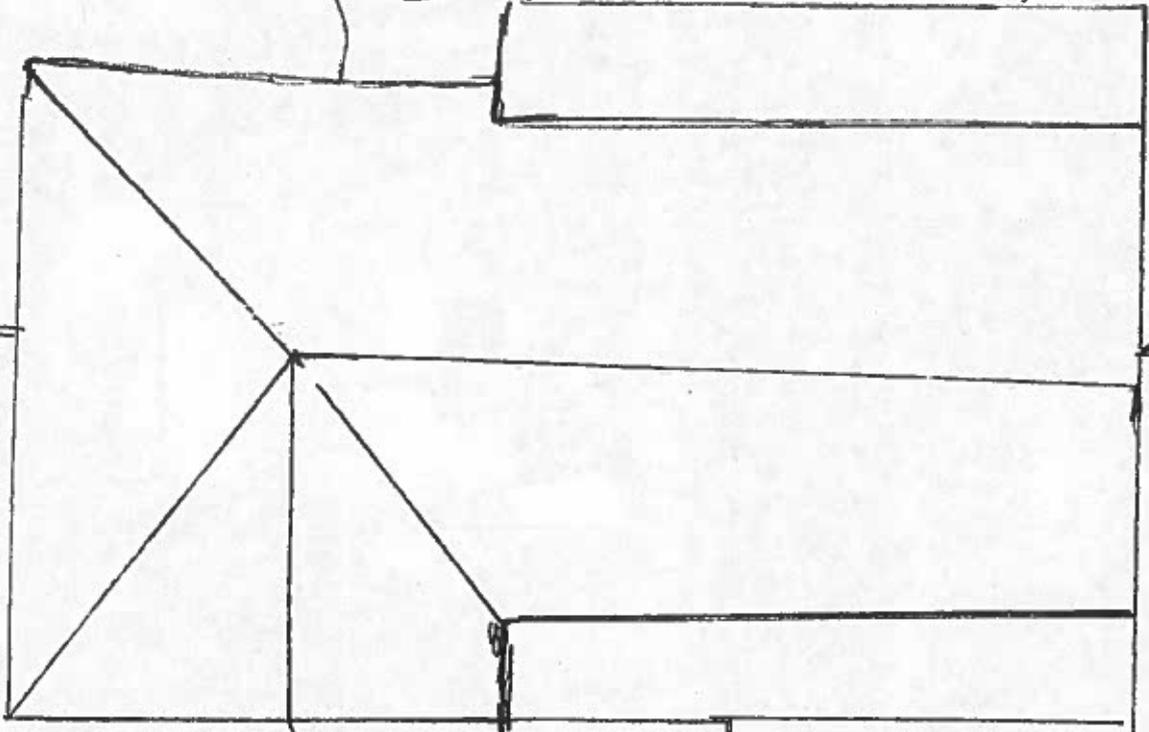
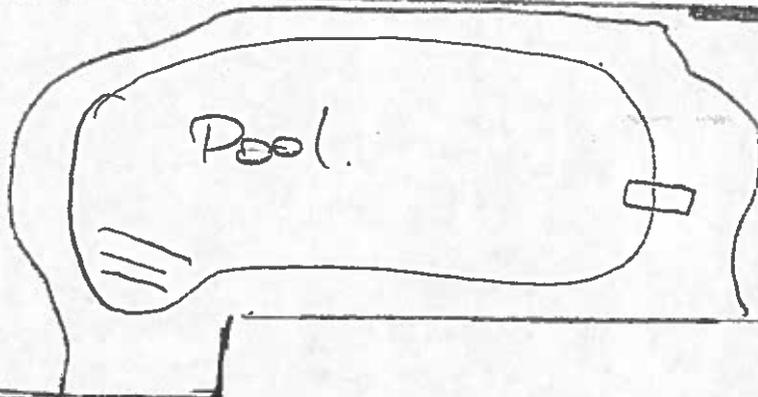
Existing masonry wall to be removed + moved forward

Provide a minimum 3 1/8" x 9" glulam beam in place of bearing wall.

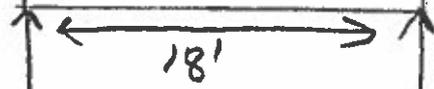


N

80'



EXISTING CARPORT.



22'

25'

SET BACK

PROPERTY LINE

1755 N OLD Colony.
MESA AZ

