



Zoning Administrator Hearing
Minutes

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

Draft

John S. Gendron
Hearing Officer

DATE September 18, 2007

TIME 1:30 P.M.

Staff Present

Jeff McVay
Jim Hash
Katrina Rodgers
Constance Bachman

Others Present

Bill Petrie
Rodger Understiller
Linda Madrid
Tana Nichols

CASES

Case No.: ZA07-095TC

Location: 527 North Lewis

Subject: Requesting a variance to allow reduced side setbacks in the R-2 zoning district.

Decision: Approved

Summary: The proposed two-story single family home will be built on a vacant lot located in the Escobedo neighborhood, north of University and east of Center Street. The Escobedo neighborhood consists mainly of smaller adobe homes of vernacular and transitional ranch architecture. Most homes in the Escobedo neighborhood are single story, however there are at least two other existing two-story homes already located on Lewis Street. One of them is located directly

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adjacent to the vacant lot on which the new home is proposed. The other one is located just two lots to the south of this project. For this reason, staff believes the new two-story home is not a detriment to the neighborhood and does not create an undesirable precedence.

Finding of Fact:

The Habitat for Humanity, Valley of the Sun, has applied for a variance to reduce the side setbacks for a proposed single family home at 527 N. Lewis Street. The property is zoned R-2 which allows both single and multi-family uses. Section 11-15-2(A)3 (footnote 5) states that developments in multiple residence districts, consisting of one or two dwelling units, shall provide a side yard setback of at least ten feet (10'). Habitat for Humanity is requesting a variance to allow a reduction of the side setbacks to five feet (5'). Both the front and rear setbacks have been met.

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Case No.: ZA07-096

Location: 2425 North Greenfield Road

Subject: Requesting variances to allow: 1) a reduction in foundation base and foundation base landscape requirements; 2) parking and service areas to encroach into the setback from Greenfield Road; and 3) utilization of chain link perimeter fencing all in conjunction with the development of a hanger in the M-1 zoning district.

Decision: Approved with conditions

Staff recommends **approval** of case ZA07-096 (*Conditioned upon the following:*)

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

Finding of Facts:

- The proposed site is located on City of Mesa property, within Falcon Field Airport, and leased to General Aviation Services of Arizona. The site is within the Falcon Field sub area, with frontage along Greenfield Rd. The applicant has provided a letter of support from the Airport Director.
- Due to the size of the lease lot, strict compliance with current development standards would preclude the development of this hanger with sufficient building area and on-site parking, while complying with current setback requirements. The applicant is requesting relief from full development standards due to proximity to the airport and FAA requirements.

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- The size of the parcel would not allow the reasonable development of the site consistent with other hangers located at falcon field while complying with current Code development standards.
- The requested deviations from current Code development standards are reasonable and will allow development of a reasonable sized hanger. The proposed 3,051 sf hanger is compatible with, and not detrimental to adjacent properties or neighborhoods.
- The hanger still requires the review and approval of the Design Review Board. The case has been presented to the Design Review Board at a work session and received a favorable initial response.

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Case No.: ZA07-097

Location: 1608 North Greenfield Road

Subject: Requesting a Substantial Conformance Improvement Permit to allow an office/showroom addition to an existing nonconforming site in the M-1 zoning district.

Decision: **Staff recommends this case be tabled.**

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Case No.: ZA07-098

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Location: 3941 North Higley Road

Subject: Requesting a Substantial Conformance Improvement Permit to allow expansion of an existing industrial building in the M-1 zoning district.

Decision: Approved With Conditions

Staff recommends **approval** of case ZA07-098, *conditioned upon the following:*

1. *Compliance with the site plan submitted.*
2. *Compliance with all requirements of the Design Review Board.*
3. *The chain link fence along the north and east property lines shall be replaced with wrought iron or masonry fencing.*
4. *A minimum seven-foot (7') wide, at grade foundation base consisting of ground treatment and temporary landscaping shall be provided along the east building elevation.*
5. *Paved areas identified on the site plan with pavement striping (pedestrian route, handicap accessible landing) shall utilize stamped concrete, brick pavers, or other material approved by the Design Review Board.*
6. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Finding of Fact:

- The SCIP is being requested to provide relief from the current development standards regarding setbacks, landscaping, and foundation base requirements. The applicant is also proposing that the existing Chain-Link fence be permitted to remain along the interior property lines until such time that development occurs on those adjacent Properties, which is also owned by Burdette Cabinets.
- The existing outbuildings, currently located east of the existing shop, will be removed as part of the expansion; this will allow the development of the proposed buildings to follow the same elevation line as the existing buildings.
- Strict Compliance with current development standards would require the demolition of the existing shop building as well as the incorporation of foundation base requirement along the east side of the proposed addition, which the applicant is requesting relief from due, to future expansion.

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- The size of the parcel will not allow the reasonable development of the site in conformance while complying with current Code development standards.
- To provide additional compliance with current development standards, staff recommends existing chain link fencing along the north and east property lines be replaced with wrought iron fencing. Further, staff recommends the provisions of a minimum seven-foot wide at grade foundation base, consisting of ground treatment and temporary plantings, along the east building elevation.
- The site plan provided, together with the staff recommended conditions of approval, includes deviations from current Code development standards that are reasonable and will allow expansion of the existing site consistent with the intent of current development standards. Additionally, the proposed elevations and site plan provide a level of architecture and site design that blends with that of the existing development.
- The proposed 26,618 sf expansion is commensurate with the general plan and is compatible with, and not detrimental to adjacent properties or neighborhoods.

Case No.: ZA07-099

Location: 2015 West Nopal Avenue

Subject: Requesting a minor modification of a Planned Area Development to allow construction of a detached ramada in the required rear setback in the R-2-DMP-PAD zoning district.

Decision: Approved With Conditions

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Staff recommends **approval** of case ZA07-099, *conditioned upon the following:*

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.*

Finding of Fact:

- The requested variance would allow for the addition of a 30'x15' open covered Ramada/patio to encroach 6 ft 11 in into the required rear yard. The structure will be separated from the main dwelling unit by a distance of 8'-3/4", which has been verbally confirmed by the property owner through Building Safety to not be in violation of any fire restrictions.
- The applicant has received approval from both of the Home Owners Associations; Laguna Village and Dobson Ranch.
- The original PAD established for Laguna Village subdivision of Dobson Ranch set the rear setback at 15 feet along with zero lot line setbacks on the common wall side of the joined units. The home is relatively small and has a southern exposure. The addition of the covered patio would provide relief from the heat radiating on the home.
- The Modification to the PAD is consistent with the surrounding neighborhood, and while the encroachment into the rear setback is six feet-eleven inches the impact is minor due to the adjacent commercial use to the south.
- The proposed modification is consistent with the intent of the approved PAD and will result in a addition that is compatible with, and not detrimental to, adjacent properties in the neighborhood.

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There being no further business to come before the Zoning Administrator, the hearing adjourned at 02:20 p.m.

The cases for this hearing were recorded on Zoning Administrator Flash Card, Track 1.

Respectfully submitted,

Gordon Sheffield
Hearing Officer

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