



# Board of Adjustment

## Staff Report

**CASE NUMBER:** BA15-035 (PLN2015-00289)  
**STAFF PLANNER:** Lisa Davis  
**LOCATION/ADDRESS:** 1039 East Broadway Road  
**COUNCIL DISTRICT:** Council District 4  
**OWNER:** Stephanie Heussner  
**APPLICANT:** Pew & Lake-Reese Anderson

**REQUEST:** *Requesting a Substantial Conformance Improvement Permit (SCIP) and Special Use Permit (SUP) to allow the use of a business and professional office in an existing detached residential house in the RM-4 zoning district.*

### SUMMARY OF APPLICANT’S REQUEST

This request for a Substantial Conformance Improvement Permit (SCIP) and Special Use Permit (SUP) will allow an existing detached residential house and property to be used as a business and professional office. The SCIP includes reductions of the front and side yard setbacks and the rear landscape setback adjacent to the RS-6 single residence and reductions in landscape material. This will allow for the property to be used for administrative support for the Huessner’s RV rental company. RV units will not be shown or stored at the site.

### STAFF RECOMMENDATION

Staff recommends approval of the SUP for the business and professional office and the SCIP for case BA15-035, *conditioned upon the following:*

1. *Compliance with the site and landscape plans submitted, except as modified by the conditions below.*
2. *Approval by the Zoning Administrator and City Engineer of the proposed alternative parking surface as required in section 11-32-2.C.1 of the Zoning Ordinance prior to the issuance of a Building Permit/Certificate of Occupancy. Should the alternative parking surface not be approved the parking and circulation area will be required to paved with asphalt, concrete, paving stone or masonry as outlined in the Code.*
3. *Compliance with operational plan within the Project Narrative. Minor changes to the operational plan can be approved through the Planning Director. Major changes would require an amendment to the SUP.*
4. *Additional shrubs and trees as indicated in the table of this report shall be required prior to the issuance of a Certificate of Occupancy.*
5. *Provide an average of 8’ landscaped setback at the south property line. A concrete curb shall be installed to separate the parking area from the landscape area as required by Section 1133-2 of the Code.*
6. *Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.*

### SITE CONTEXT

**CASE SITE:** Vacant office building – zoned RM-4  
**NORTH:** (Across Broadway Road) Existing single residence – zoned RM-4  
**EAST:** Vacant lot – zoned RM-4  
**SOUTH:** Existing single residence – zoned RS-6  
**WEST:** (Across Miller) Existing office – zoned RM-4

### STAFF SUMMARY AND ANALYSIS

Lot size: 10,406 SF  
Existing structure: 1,559 SF  
Required parking: 6 spaces  
Proposed parking: 6 spaces

#### ***Special Use Permit***

A business and professional office is allowed in an RM-4 zoning district with the approval of a Special Use Permit (SUP). Zoning Code further requires that an SUP can only be approved if the location is coterminous to an intersection of an arterial street with a local or collector street, and the aggregate maximum gross floor area is less than 2,000 square feet in floor area, exclusive of any residential uses. The existing RM-4 zoned lot is 10,406 square feet and the existing house is 1,559 square feet. The location and size of structure does meet this requirement.

Section 11-31-9 of the Zoning Ordinance expands on the SUP requirements for commercial uses in a residential district. This includes the submittal of an acceptable site plan, operational plan and addresses adverse impacts. The project narrative includes the operational plan and addresses the adverse impacts. The adverse impacts do take into consideration parking and circulation. The applicant is proposing to utilize decomposed granite in lieu of the required paving for the parking and circulation area at the rear of the lot. This request cannot be approved as part of the SCIP. This is required to be approved through a separate review by the Zoning Administrator and the City Engineer. The site across Miller Street also utilizes parking in the rear of the site and it has been paved. The Chiropractic office at 1059 E Broadway has also paved their parking at the rear of the site.

When the house was built the driveway was installed adjacent to Broadway Road. The office users will not use this driveway or curb cut as all parking is located in the rear of the site. Staff is concerned that should cars park into this area the cars would be required to back onto the arterial street. The applicant has proposed to mitigate parking here with the inclusion of three trees in a planting area created with the removal of some of the pavers. Not all pavers are proposed to be removed. The driveway curb cut adjacent to Broadway Road will be required to be removed in order to meet current Code standards. Any deviations from this requirement would require approval through Development Services.

The applicant has submitted 13 statements of support signed by surrounding neighbors. A copy of the letters and a map showing the location of the properties indicated on the letters is attached to this report.

#### ***Substantial Conformance Improvement Permit***

The applicant is requesting a Substantial Conformance Improvement Permit (SCIP) to allow the re-use of a previous residential house for a business professional office building. The applicant's proposal is to remodel the existing building and provide some landscape improvements at the perimeter of the site. There are existing Queen Palm trees adjacent to the north elevation. Although the symbol on the plan for the proposed trees within the pavers is the same as the Queen Palms, they will not be a Queen Palm. These trees are proposed to be the same as the trees currently planted adjacent to Miller Street. Perimeter landscape requirements include shrubs adjacent to Miller Street. There are none existing or proposed.

The table below is a summary of the landscape Code requirements, applicant’s proposal, and staff recommendation for the site.

	Code Requirement	Applicant Proposed	Staff Recommended
<b>Building/Landscape Setbacks</b>			
Broadway Road	20'	0'	As proposed
Miller Street	20'	0'	As proposed
South Property Line	25' building setback 20' landscape setback	25' building setback unspecified	As proposed Average of 8'
East Property Line	5'	As shown	As proposed
<b>Landscape Quantities</b>			
Broadway Road	3 trees/18 shrubs	3 new trees/12 shrubs	As proposed
Miller Street	6 trees/23 shrubs	3 existing trees/0 shrubs	9 shrubs/vines
South Property Line	3 trees/0 shrubs	3 trees	As proposed
East Property Line	1 tree/8 shrubs	0 trees/0 shrubs	As proposed
<b>Foundation Base</b>			
North elevation	15' wide	0'-0"	As proposed
South elevation	10' wide	0'	As proposed
East elevation	5' wide	3' wide	As proposed
West elevation	5' wide	5' wide	As proposed

As shown in the above table, the requested SCIP would allow a reduction in the building and landscape setbacks and landscape material quantities adjacent to Miller Street and Broadway Roads, and would also allow reduced foundation base width around the building.

As justification for this request, the applicant has outlined the planned improvements to the site to: 1) install additional landscape material adjacent to Broadway Road and at the south property line; 2) Plant trees at within the existing unused driveway adjacent to Broadway Road to mitigate all parking; 3). the site will be used only for business/professional offices; 4.) the flood irrigation will be replaced with an automatic watering system; 5) the use is consistent with similar uses in the area.

The proposed improvements with the added conditions of approval constitute the greatest degree of compliance with current development standards without requiring demolition of the existing building or other significant improvements at the site. Deviations to current development standards are necessary to accommodate the re-use of this site with a viable use. The deviations requested will allow the redevelopment of the site in a manner consistent with development at other similar sites. The deviations will result in a development compatible with and not detrimental to, adjacent properties or neighborhoods

#### FINDINGS

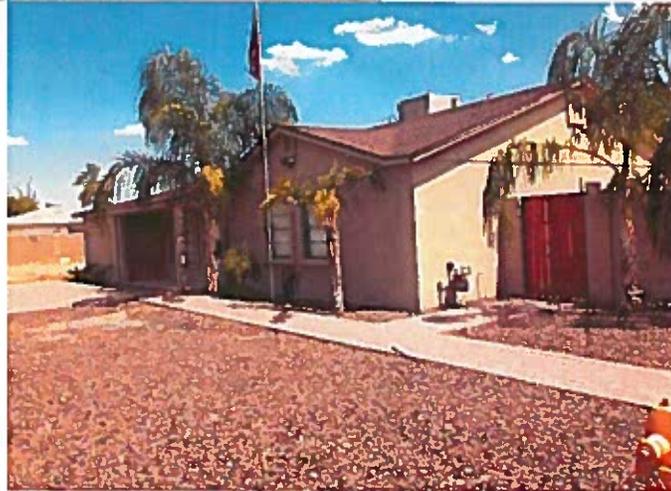
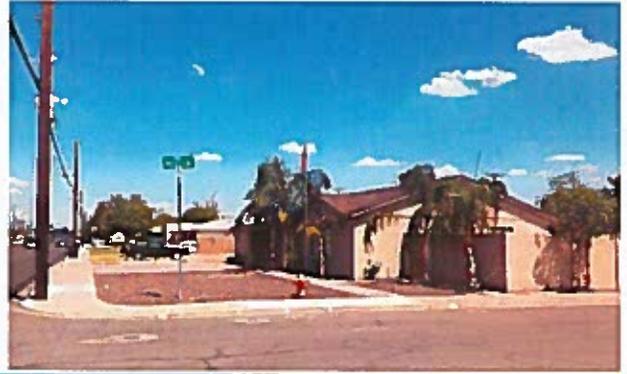
1. This request is for a SUP and a SCIP to accommodate the re-use of an existing single story house and property to be utilized as a business/professional office in the RM-4 district
2. The proposed re-use of the site invokes conformance with current development standards.
3. The site is located in the Neighborhood Character area as defined in the general plan. The request is consistent with the General Plan policies
4. The location of the project is coterminous to an intersection of an arterial street with a local or collector street, and the aggregate maximum gross floor area is less than 2,000 square feet in floor area in the existing RM-4 zoning district. This request will allow for re-use of an existing 1,559 square-foot single residence house.

5. There are existing palms trees adjacent to the north elevation of the building. There are existing trees adjacent to the 6' wall adjacent to Miller Street.
6. The proposed Foundation Base areas approach compliance to the greatest degree practicable.
7. The proposed development will be in substantial conformance with current code.
8. Full compliance with current Code development standards would require significant demolition of existing improvements.
9. The proposed improvements will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.
10. Requiring compliance with the current code would not allow the re-use of the site to occur.
11. The deviations requested are consistent with the degree of change requested and improve the site.
12. The proposed improvements with the recommended conditions of approval help bring the site into a closer degree of conformance with current standards.
13. The proposed use will not be detrimental to surrounding properties.





Miller Street view



#### ORDINANCE REQUIREMENTS:

##### 11-70-5: Special Use Permit

**E. Required Findings.** A SUP shall only be granted if the approving body determines that the project as submitted or modified conforms to all of the following criteria. If it is determined that it is not possible to make all of the required findings, the application shall be denied. The specific basis for denial shall be established in the record.

1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the **General Plan** and any other applicable City plan and/or policies;
2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the **General Plan** and with any other applicable City plan or policies;
3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and
4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

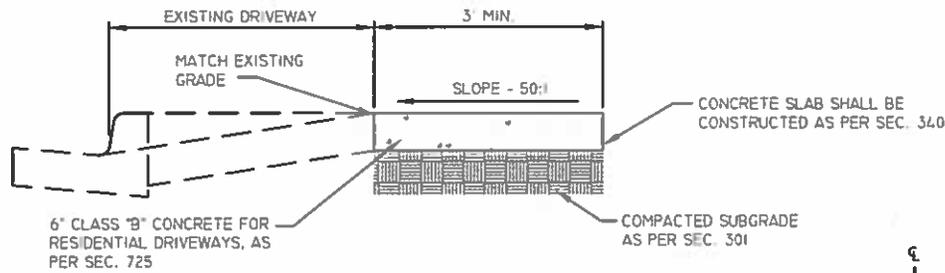
**11-31-9: Commercial Uses in Any Residence Districts**

Any Special Use Permit request for a commercial land use classifications in a residence district shall be reviewed in accordance with the following criteria:

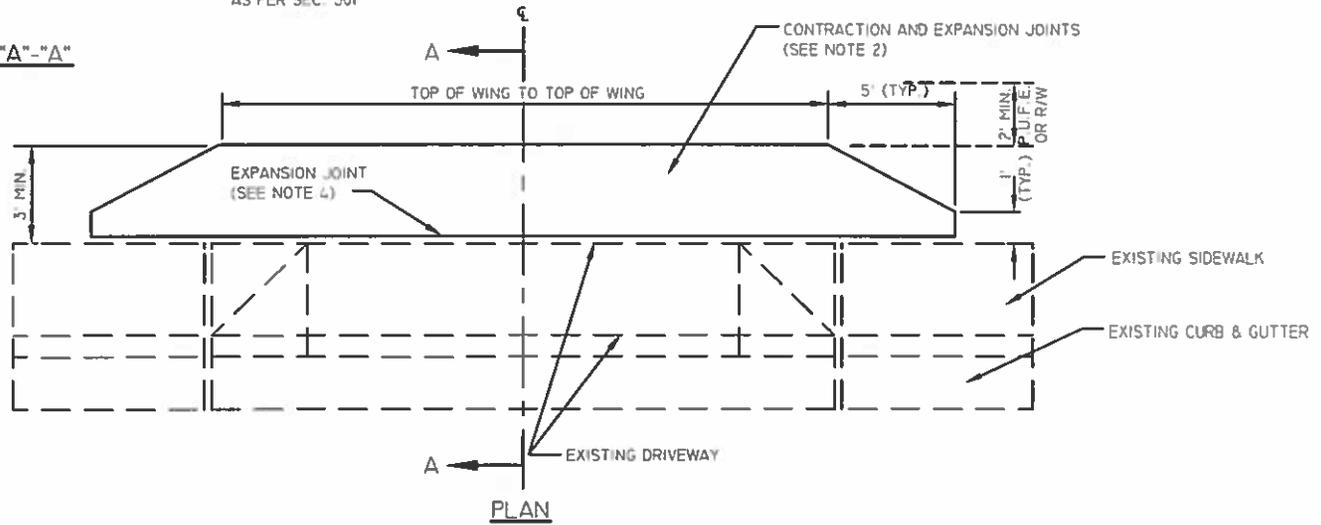
- A. **Applicable Policies.** The use is found to be in compliance with the General Plan, and with applicable Sub Area Plans, Neighborhood Plans and other recognized development plans or policies, and will be compatible with surrounding uses; and
1. **Site Plan.** A finding that an acceptable site plan has been submitted for review and consideration.
  2. **Operational Plan.** A finding that an acceptable operational plan in narrative form has been submitted for review and consideration, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses, Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and
  3. **Addresses Adverse Impacts.** Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.

**Zoning Ordinance, Sec. 11-13-2 (5) – Substantial Conformance Improvement Permits:**

1. Except in the Town Center Redevelopment Area, the Zoning Administrator may approve modifications to certain development provisions specified in this ordinance in conjunction with the expansion, enlargement, or replacement of non-conforming buildings, structures, and sites, through approval of a Substantial Conformance Improvement Permit (SCIP) in accordance with the procedures set forth in Section 11-18-4 (C) of this ordinance. Such SCIP shall be approved only upon a finding by the Zoning Administrator that the entire development site shall be brought into substantial conformance.
2. Substantial conformance shall mean physical improvements to the existing development site which constitute the greatest degree of compliance with current development provisions that can be attained without causing or creating any of the following conditions:
  - (a) The demolition or reconstruction of existing buildings or other significant structures (except signs).
  - (b) The cessation of the existing conforming use, or the preclusion of any other lawful, permitted use.
  - (c) The creation of new non-conformities such as decrease in the number of on-site parking spaces below the required minimum, diminution of the water retention areas to less than the minimum required, constriction in the required vehicular access or fire lanes, or reduction of handicapped accessibility.
3. Substantial conformance shall be achieved when the proposed improvements reflect the greatest possible degree of compliance for each specific requirement prescribed in this ordinance.
4. The improvements authorized by the permit shall result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.
5. Development requirements that may be modified by approval of the SCIP shall be limited to modifications to building setbacks, landscaping design, on-site parking, building height, right of way dedication, and other site development provision contained in Chapter 15 of this ordinance.



**SECTION "A"-"A"**



**PLAN**

**NOTES**

1. COM DETAIL M-40.03, "RESIDENTIAL DRIVEWAY ENTRANCE- RETROFIT ONLY" SHALL BE USED ONLY ON EXISTING DRIVEWAYS. REFER TO COM DETAILS M-40.01 AND M-40.02 FOR NEW RESIDENTIAL DRIVEWAY INSTALLATIONS.
2. CONTRACTION AND EXPANSION JOINTS SHALL ALIGN WITH EXISTING JOINTS IN DRIVEWAY.
3. REFER TO MAG DETAIL 230 FOR CONTRACTION AND EXPANSION JOINT DETAILS.
4. EXPANSION JOINT MATERIAL SHALL BE SECURED IN PLACE PRIOR TO POURING CONCRETE AND SHALL COMPLETELY SEPARATE THE DRIVEWAY SLAB FROM THE SIDEWALK, EXTENDING FROM THE SURFACE TO THE SUBGRADE. EXPANSION JOINT FILLER SHALL BE 1/2" BITUMINOUS TYPE PREFORMED EXPANSION JOINT FILLER A.S.T.M D-1754.
5. CONCRETE SHALL BE CLASS "B" SEC. 725.
6. THE BACK OF R/W OR PUFFE SHALL EXTEND 2' MINIMUM BEYOND THE BACK OF SIDEWALK BEHIND THE DRIVEWAY APPROACH, UNLESS OTHERWISE APPROVED BY THE CITY.

NOT TO SCALE

# Substantial Conformance Improvement Permit

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## Special Use Permit

### Project Narrative - Revised

1039 E. Broadway  
Mesa, Arizona 85204

July 28, 2015

#### A. Requests

Pew & Lake, PLC (“Applicant”), on behalf of Stephenie Heussner (“Owner”), respectfully requests a Substantial Conformance Improvement Permit (SCIP) and Special Use Permit (SUP) that will allow the property located at 1039 E. Broadway Road (APN 139-21-026) to be used for the Owner’s current business operations and for future business/professional office uses in a RM-4 zoning district consistent with Table 11-5-2 and Section 11-31-9 of the Mesa Zoning Code.

The Property is currently zoned RM-4, which allows for, after the issuance of an SUP, the operation of a business/professional office per Table 11-5-2 of the Mesa Zoning Code, provided that the location is: (i) coterminus to an intersection of an arterial street with a local or collector street, and (ii) the aggregate maximum gross floor area is less than 2,000 square feet in floor area, exclusive of any residential uses. In the instance case, the Property is located on the SEC of Broadway Road and Miller Street. The lot size is 10,406 sq. ft. and the size of the building is approximately 1,559 sq. ft.; thus satisfying these requirements.

The SCIP request is to allow the existing conditions to remain as recognized deviations from the zoning code, while making strategic and specific improvements to satisfy substantial conformance with the City’s standard zoning code requirements. The approval of the SCIP is necessary and justified because: (a) the demolition or reconstruction of existing building on the Property will cause a significant and unreasonable financial hardship, (b) the cessation of the existing use/building would cause an unreasonable hardship and (c) the non-conformities, such as building and landscape setback requirements, do not impose unreasonable encroachments to surrounding properties and their uses.

Accordingly, the Applicant hereby requests a SCIP to address the following code requirements:

1. Deviation from the required 30 ft. front yard setback from the future ROW line for Broadway Road per Table 11-5-5 to allow the existing building to

remain at its current location, which meets or exceeds the applicable setback established when the building was originally constructed in 1950. As you can see on the submitted site plan, the full ROW for Broadway Road would essentially destroy the usable space on site and would certainly affect the existing structure.

2. Deviation from the required 20 ft. street side setback from Miller Street per Table 11-5-5 to allow an existing 6 ft. block wall to remain on the property line (but behind the “front plane” of the building). Please note that the existing building satisfies the 20 ft. street side setback. The location, type and style of the existing 6 ft. block wall is consistent other residential/commercial walls in this area.
3. Deviation from the required 5 ft. interior side setback (for single family detached) from the East property line per Table 11-5-5 to allow the existing building to remain at 3 ft. from the Property line.
4. Deviation from the requirement in 11-5-5(A), 11-6-3(A), and 11-33-3(B) that: (a) at least 20 ft. of the depth of the rear yard setback adjacent to an RS District must be landscaped consistent with the standards of Chapter 33, Landscaping, and shall remain free from parking areas that are not part of the landscaping design as shown on the site plan, and (b) that landscape areas be consistent with the areas and distances shown on the Site Plan approved as part of this Application.
5. Deviation from the required parking surface standards in 11-32-2(C.1) that: required parking, maneuvering areas, and driveways shall be paved with asphalt, concrete, paving stone, or masonry to a sufficient thickness to withstand repeated vehicular traffic. In order to preserve the historic onsite retention provided for on the Property, the Owner proposes to use a porous and compacted crushed rock dust-free parking surface that will facilitate percolation of accumulated storm water as shown of the Site Plan approved as part of this Application.

As noted above, the reason for these requests is to allow the continued use of the property for the Owner’s business operations. Also, the subject Property is zoned RM-4, but due to its size of 10,406 sq. ft., the Property does not allow for strict compliance of the building and landscape setback requirements without completely destroying the buildable and usable area on the Property.

The Property is approximately 71 ft. wide and 145 ft. deep. Therefore, strict adherence to the current zoning requirements would create a practical difficulty and unnecessary hardship to the Owner, especially because the site is already developed and operational.

#### **B. Existing and Surrounding Site Uses**

The existing use of the property is for administrative support for the Heussner’s RV Rental company. They do not rent or show any of the rental units from this Property. Rather, the property is used to perform administrative work related to operation of the business and administrative staff

are only on site a few times per week. RV's are stored at a facility in Gilbert, which is also the location where customers pick them up. The surrounding zoning and uses are as follows:

	<b>Existing Zoning</b>	<b>Current General Plan</b>	<b>Existing Use(s)</b>
North	Broadway Road and RM-4	Neighborhood Suburban	Broadway Road, Single Family Detached Homes and Businesses and Rising Star Pre-School @ 1044 E. Broadway
South	RS-6	Neighborhood Suburban	Single Family Detached
East	RM-4	Neighborhood Suburban	Vacant, Single Family Detached, Campbell Chiropractic Center @1059 E. Broadway
West	Miller Street and RM-4	Neighborhood Suburban	Miller Street, Star Insurance Co. @ 1027 E. Broadway, Pro-Glass Company @ 1023 E. Broadway

In addition to the foregoing businesses listed above, there are many other commercial/office properties to the immediate east and west that front onto Broadway. Given the lot sizes in the area (such being approximately 10,500 sq. ft.), it will take the consolidation of several properties to allow for a viable multi-family project consistent with the RM-4 district, or even an office type of a use that would not need as SCIP. Thus, until such consolidations occur there will continue to be a mix of single-family homes and professional offices fronting Broadway.

### **C. Project Description**

As demonstrated on the Site Plan included with this application, the existing building will remain just as it exists today. Minor improvements will be made to the interior of the building where the professional and administrative offices will be located to comply with ADA Accessibility and Building code requirements. Specifically, these improvements consist of a widening a few doorways and completion of an ADA accessible bathroom.

There will also be work done to obtain "as-built" building permits for some of the additions that were completed to the home prior to the current Owner taking possession of the building in August, 2011, which permits will be applied for separately but part of this overall process. It

should be noted that the original home was built in 1950, but has been updated with an stucco exterior.

Please note that the exterior colors and materials will remain unchanged at this time, but may be touched up where needed with the same color of paint. Of course, business signage (if any) will be applied for in the normal course.

#### **D. Parking**

There is a front driveway to the building that is constructed of brick pavers. During the time the building was used as a residence, this driveway was used. Due to the proposal to use the building as a professional/business office, the owner is agreeable to a condition of approval that no employee or guest parking shall occur on the front driveway. Rather, all parking to the site, which is limited to only those employees utilizing the site for administrative purposes, will use the secure parking area in the rear of the lot with a 25 ft. rolling steel and wood gate (such being very similar to the insurance agency building directly across Miller Street to the West). Access to the site will be via Miller Street and the existing driveway. This parking is consistent with professional/business offices, "B" occupancies, and other existing businesses in this reach of Broadway Road. Because employees are not on site every day, and because sometimes a company vehicle (other than an RV) is left onsite overnight, the Owner needs a secured parking area. This is especially important considering that this property has been burglarized three times in the recent past. This secure arrangement of employee parking in the rear yard area is common in this neighborhood.

The existing driveway entrance on Broadway Road will be effectively blocked and parking access prohibited via the installation of three 30" diameter pots with 24" box trees spaced evenly across driveway on Broadway Road.

Hours of operation on the site are anticipated to be 9 AM to 7 PM, Monday through Friday, 9 AM to 6 PM on Saturday, and 11 AM to 4 PM on Sunday, but are subject to change. Depending on the day and time of the day, there could be anywhere between 2-5 employees; and with another type of professional office on the site, anywhere from 5 to 10 employees could be accommodated on site.

#### **E. Landscaping & Stormwater Retention**

The Owner has replaced the front and side yard (adjacent to Miller St.) landscaping with crushed stone/granite common to other commercial/office properties in this area with rock, shrubs and trees as demonstrated on the Site Plan. The prior flood irrigation has been replaced with an underground, automatic watering system. In addition, the existing concrete driveway in the front yard has been replaced with brick pavers that complement the site.

The Owner proposes to install three 30" diameter pots with 24" box trees on the Broadway Road frontage and supplement the existing trees along the west and south boundaries to create a pleasing visual buffer between this property and existing residences on Miller Street.

The Property was previously flood irrigated and these yard areas also provided stormwater retention capacity. This volume will be maintained via the use of porous landscape and parking surface materials as noted on the Site Plan.

#### **F. SCIP Requirements**

Full conformance with the current code requirements would cause or create:

- a) *The demolition or reconstruction of existing buildings or other significant structures; and*
- b) *The cessation of the existing conforming use (current applications pending for a Minor General Plan Amendment and Rezoning for the subject property to bring the use into conformance with the City Zoning Code).*

#### **G. SCIP Justification & Compatibility**

As previously mentioned, the existing use on the site is compatible with the surrounding neighborhood, despite the fact that it is located in an area zoned RM-4. The character of the neighborhood located on Broadway Road has changed over time with many of the homes in the immediate area being converted to businesses. It is anticipated that as redevelopment occurs in the area, many of the other adjacent properties will make similar requests for their properties to take advantage of the highest and best use for such properties.

#### **H. SUP Justification & Compatibility**

A SUP is a discretionary permit issued by the Zoning Administrator or Board of Adjustment and is approved by showing compliance with the criteria shown in §§ 11-31-9 and 11-70-5 of the Zoning Code. Section 11-31-9 requires that for any commercial uses in a residential district, that the owner shall obtain a SUP, which shall be reviewed in accordance with the following specific criteria:

1. *Applicable Policies.* The use is found to be in compliance with the General Plan, and with applicable Sub Area Plans, Neighborhood Plans and other recognized development plans or policies, and will be compatible with surrounding uses.

We believe this proposal is fully in compliance with the General Plan, all other recognized development plans, and is completely compatible with surrounding uses.

2. *Site Plan.* A finding that an acceptable site plan has been submitted for review and consideration.

Done.

3. *Operational Plan.* A finding that an acceptable operational plan in narrative form has been submitted for review and consideration, which includes, but is not limited

to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures.

As noted above, this is a professional office that will be used during normal business hours. Thus, it is very low impact and will not be a detriment to the neighborhood. The responsible person is Carson Heussner, who can be reached at 480-861-4857.

4. *Addresses Adverse Impacts.* Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.

As noted above, this is a professional office that will be used during normal business hours. Circulation is limited on site and there is sufficient parking as to not spill out onto Miller Street. There will not be any dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.

For the foregoing reasons, we believe that the proposed project squarely satisfies these criteria.

Section 11-70-5(E) provides the required findings for an SUP, which shall only be granted if the approving body determines that the project as submitted or modified conforms to all of the following criteria:

1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies.

The proposed project advances the goals of the city by allowing the adaptive re-use of a residential home on a busy arterial street as a professional office without causing substantial and unnecessary costs to the owner.

2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies.

The size of the existing single story structure (home) will not change with this proposal. Thus, the size, scale and operating characteristics are consistent with the surrounding neighborhood and applicable City policies.

3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City.

As noted above, this is a professional office. Thus, this use will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will be injurious or detrimental to the neighborhood or to the general welfare of the City.

4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

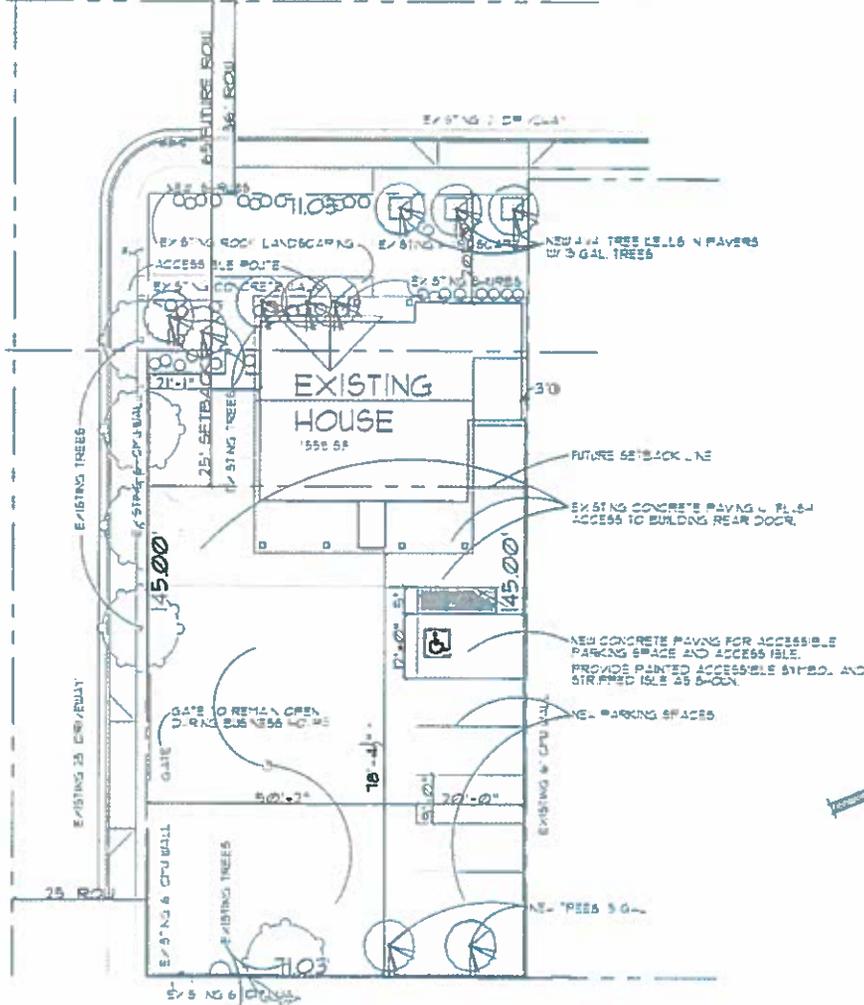
There are adequate public services to the site.

## **I. Conclusion**

The subject property meets all the requirements for a Special Use Permit and a Substantial Conformance Improvement Permit and the granting of this permit will not create conditions detrimental to any surrounding properties. The existing use is appropriate for the subject site and is consistent the surrounding zoning context and existing character of the uses in the area. The improvements that have been done and will be done to the property have improved the entire area and it is anticipated that further redevelopment of the neighborhood will continue.

# EAST BROADWAY ROAD

# SOUTH MILLER STREET



## PROJECT INFORMATION

**OWNER:** HEUSSNER PROPERTY, INC.  
**DATE:** 1/15/15  
**PROJECT NO.:** BA15-035

**PROJECT LOCATION:**  
 1555 EAST BROADWAY ROAD  
 MESA, ARIZONA

**PROJECT DESCRIPTION:**  
 REPAIR & CONFORMANCE IMPROVEMENTS TO EXISTING HOUSE & DRIVEWAY AT EXISTING RESIDENTIAL PROPERTY AND A RELATED DRIVEWAY

**PROJECT SCOPE:**  
 THE EXISTING 30' x 10' DRIVEWAY WILL BE REPAIRED AS REQUIRED TO COMPLY WITH THE REQUIREMENTS OF THE CITY OF MESA. THE EXISTING DRIVEWAY WILL BE REPAIRED TO MEET THE CITY OF MESA REQUIREMENTS FOR THE NEW OCCUPANCY.

A NEW PARKING AREA WILL BE PROVIDED AS PART OF THE PROJECT. THE NEW PARKING AREA WILL BE PROVIDED AS PART OF THE PROJECT. THE NEW PARKING AREA WILL BE PROVIDED AS PART OF THE PROJECT.

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- NOTES:**
1. Deviate from the required 10 ft front setback from Broadway Road per Table 9-5-3 to allow the existing building to remain 15 ft from the front property line to allow the driveway to remain 10 ft from the front property line and to allow the driveway to remain 10 ft from the front property line.
  2. Deviate from the required 10 ft street side setback from the existing driveway to allow the existing driveway to remain 10 ft from the front property line.
  3. Deviate from the required 5 ft rear side setback for the existing driveway from the 30 ft property line to allow the driveway to remain 10 ft from the front property line.
  4. Deviate from the requirement for 5 ft, 5 ft, 5 ft, and 5 ft setbacks at least 10 ft of the extent of the rear yard setback to allow the driveway to remain 10 ft from the front property line.
  5. Deviate from the required 5 ft setback for the existing driveway from the 30 ft property line to allow the driveway to remain 10 ft from the front property line.

**SITE PLAN - SCIP**  
 NORTH 1" = 10'

**RECEIVED**  
 JUL 28 2015  
 City of Mesa Planning



**HEUSSNER PROPERTY** BA15-035

PROJECT NO. BA15-035  
 DATE: 1/15/15  
 OWNER: HEUSSNER PROPERTY, INC.  
 PROJECT LOCATION: 1555 EAST BROADWAY ROAD, MESA, ARIZONA  
 PROJECT DESCRIPTION: REPAIR & CONFORMANCE IMPROVEMENTS TO EXISTING HOUSE & DRIVEWAY AT EXISTING RESIDENTIAL PROPERTY AND A RELATED DRIVEWAY  
 PROJECT SCOPE: THE EXISTING 30' x 10' DRIVEWAY WILL BE REPAIRED AS REQUIRED TO COMPLY WITH THE REQUIREMENTS OF THE CITY OF MESA. THE EXISTING DRIVEWAY WILL BE REPAIRED TO MEET THE CITY OF MESA REQUIREMENTS FOR THE NEW OCCUPANCY.  
 A NEW PARKING AREA WILL BE PROVIDED AS PART OF THE PROJECT. THE NEW PARKING AREA WILL BE PROVIDED AS PART OF THE PROJECT. THE NEW PARKING AREA WILL BE PROVIDED AS PART OF THE PROJECT.  
 THE EXISTING DRIVEWAY AND DRIVEWAY WILL BE REPAIRED AS REQUIRED TO COMPLY WITH THE REQUIREMENTS OF THE CITY OF MESA. THE EXISTING DRIVEWAY AND DRIVEWAY WILL BE REPAIRED AS REQUIRED TO COMPLY WITH THE REQUIREMENTS OF THE CITY OF MESA.  
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STATEMENT OF SUPPORT

**BA15-035 1039 E. BROADWAY ROAD**

Stephanie Heussner is the owner of the existing residence located at 1039 E. Broadway Road (APN 161-31-053). She has filed an application with the City of Mesa for a Substantial Conformance Improvement Permit (SCIP) and Special Use Permit (SUP) that will allow the property to be used as a business/professional office consistent with Table 11-5-2 and Section 11-31-9 of the Mesa Zoning Code.

As a property owner and neighbor in the vicinity 1039 E. Broadway Road, I have discussed and understand the SCIP and SUP being requested. By my signature below, I support the Heussner's request and endorse the proposed change of use.

NAME (Signature): Maria Jose Vazquez

NAME (Print): Maria Jose Vazquez

ADDRESS: 1032 E Broadway Mesa AZ 85204

PHONE: 480 255-5206      DATE: 07-21-15

E-MAIL ADDRESS: \_\_\_\_\_

APN 136-15-133

**STATEMENT OF SUPPORT**

**BA15-035 1039 E. BROADWAY ROAD**

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As a property owner and neighbor in the vicinity 1039 E. Broadway Road, I have discussed and understand the SCIP and SUP being requested. By my signature below, I support the Heussner's request and endorse the proposed change of use.

NAME (Signature): Natalia J. Pagnia

NAME (Print): Natalia Pagnia

ADDRESS: 1051 E. Broadway Rd Mesa 85204

PHONE: 480 567-8658      DATE: JULY 21 2015

E-MAIL ADDRESS: \_\_\_\_\_

APN: 139.21.028

**STATEMENT OF SUPPORT**

**BA15-035 1039 E. BROADWAY ROAD**

Stephanie Heussner is the owner of the existing residence located at 1039 E. Broadway Road (APN 161-31-053). She has filed an application with the City of Mesa for a Substantial Conformance Improvement Permit (SCIP) and Special Use Permit (SUP) that will allow the property to be used as a business/professional office consistent with Table 11-5-2 and Section 11-31-9 of the Mesa Zoning Code.

As a property owner and neighbor in the vicinity 1039 E. Broadway Road, I have discussed and understand the SCIP and SUP being requested. By my signature below, I support the Heussner's request and endorse the proposed change of use.

NAME (Signature): DAVID AGUIRRE

NAME (Print): DAVID AGUIRRE

ADDRESS: 1026 E. BROADWAY RD

PHONE: 480 326-2600      DATE: 7/21/2015

E-MAIL ADDRESS: \_\_\_\_\_

APN: 138-15-131A

**STATEMENT OF SUPPORT**

**BA15-035 1039 E. BROADWAY ROAD**

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As a property owner and neighbor in the vicinity 1039 E. Broadway Road, I have discussed and understand the SCIP and SUP being requested. By my signature below, I support the Heussner's request and endorse the proposed change of use.

NAME (Signature): 

NAME (Print): Jeff Sharp

ADDRESS: 427 S. Miller

PHONE: 480 969 8929      DATE: 7-21-15

E MAIL ADDRESS: \_\_\_\_\_

APN: 139-21-042

STATEMENT OF SUPPORT

**BA15-035 1039 E. BROADWAY ROAD**

Stephanie Heussner is the owner of the existing residence located at 1039 E. Broadway Road (APN 161-31-053). She has filed an application with the City of Mesa for a Substantial Conformance Improvement Permit (SCIP) and Special Use Permit (SUP) that will allow the property to be used as a business/professional office consistent with Table 11-5-2 and Section 11-31-9 of the Mesa Zoning Code.

As a property owner and neighbor in the vicinity 1039 E. Broadway Road, I have discussed and understand the SCIP and SUP being requested. By my signature below, I support the Heussner's request and endorse the proposed change of use.

NAME (Signature): 

NAME (Print): Lizett Reine

ADDRESS: 1027 E. Broadway Rd

PHONE: 480.634.5772      DATE: 7/21/15

E-MAIL ADDRESS: \_\_\_\_\_

APN: 139-21-094

STATEMENT OF SUPPORT

**BA15-035 1039 E. BROADWAY ROAD**

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As a property owner and neighbor in the vicinity 1039 E. Broadway Road, I have discussed and understand the SCIP and SUP being requested. By my signature below, I support the Heussner's request and endorse the proposed change of use.

NAME (Signature): Tyler Williams

NAME (Print): Tyler Williams

ADDRESS: 422 S. Miller St Mesa, AZ 85204

PHONE: 602-317-2265      DATE: 7-21-15

E-MAIL ADDRESS: \_\_\_\_\_

APN: 139-21-012

STATEMENT OF SUPPORT

**BA15-035 1039 E. BROADWAY ROAD**

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As a property owner and neighbor in the vicinity 1039 E. Broadway Road, I have discussed and understand the SCIP and SUP being requested. By my signature below, I support the Heussner's request and endorse the proposed change of use.

NAME (Signature): 

NAME (Print): Frank Beggs

ADDRESS: 4485 Miller St Mesa AZ 85204

PHONE: 623 383 5823

DATE: 7-22-15

E-MAIL ADDRESS: \_\_\_\_\_

~~APN~~: 139-21-014

STATEMENT OF SUPPORT

**BA15-035 1039 E. BROADWAY ROAD**

Stephanie Heussner is the owner of the existing residence located at 1039 E. Broadway Road (APN 161-31-053). She has filed an application with the City of Mesa for a Substantial Conformance Improvement Permit (SCIP) and Special Use Permit (SUP) that will allow the property to be used as a business/professional office consistent with Table 11-5-2 and Section 11-31-9 of the Mesa Zoning Code.

As a property owner and neighbor in the vicinity 1039 E. Broadway Road, I have discussed and understand the SCIP and SUP being requested. By my signature below, I support the Heussner's request and endorse the proposed change of use.

NAME (Signature): Juan Manuel Garcia

NAME (Print): Juan Manuel Garcia

ADDRESS: 453 Miller St

PHONE: (480) 295-6872 DATE: 07/21/15

E-MAIL ADDRESS: \_\_\_\_\_

APN: 139-21-014

STATEMENT OF SUPPORT

**BA15-035 1039 E. BROADWAY ROAD**

Stephanie Heussner is the owner of the existing residence located at 1039 E. Broadway Road (APN 161-31-053). She has filed an application with the City of Mesa for a Substantial Conformance Improvement Permit (SCIP) and Special Use Permit (SUP) that will allow the property to be used as a business/professional office consistent with Table 11-5-2 and Section 11-31-9 of the Mesa Zoning Code.

As a property owner and neighbor in the vicinity 1039 E. Broadway Road, I have discussed and understand the SCIP and SUP being requested. By my signature below, I support the Heussner's request and endorse the proposed change of use.

NAME (Signature): 

NAME (Print): Sergio Lopez

ADDRESS: 469 S Millers

PHONE: (480) 300-3091      DATE: 7-21-15

E-MAIL ADDRESS: \_\_\_\_\_

APN: 139-21-018

STATEMENT OF SUPPORT

**BA15-035 1039 E. BROADWAY ROAD**

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As a property owner and neighbor in the vicinity 1039 E. Broadway Road, I have discussed and understand the SCIP and SUP being requested. By my signature below, I support the Heussner's request and endorse the proposed change of use.

NAME (Signature):



NAME (Print):

Devin Flynn

ADDRESS:

436 S. Miller St.

PHONE:

(480) 751-8560

DATE:

7/21/15

E-MAIL ADDRESS:

APN: 139-21-014

STATEMENT OF SUPPORT

**BA15-035 1039 E. BROADWAY ROAD**

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As a property owner and neighbor in the vicinity 1039 E. Broadway Road, I have discussed and understand the SCIP and SUP being requested. By my signature below, I support the Heussner's request and endorse the proposed change of use.

NAME (Signature): 

NAME (Print): MIGUEL A REYES

ADDRESS: 428 S MILLER ST

PHONE: 480 844-3761      DATE: 7/21/15

E-MAIL ADDRESS: \_\_\_\_\_

APN: 129-21-013

STATEMENT OF SUPPORT

**BA15-035 1039 E. BROADWAY ROAD**

Stephanie Heussner is the owner of the existing residence located at 1039 E. Broadway Road (APN 161-31-0S3). She has filed an application with the City of Mesa for a Substantial Conformance Improvement Permit (SCIP) and Special Use Permit (SUP) that will allow the property to be used as a business/professional office consistent with Table 11-5-2 and Section 11-31-9 of the Mesa Zoning Code.

As a property owner and neighbor in the vicinity 1039 E. Broadway Road, I have discussed and understand the SCIP and SUP being requested. By my signature below, I support the Heussner's request and endorse the proposed change of use.

NAME (Signature) 

NAME (Print): Andrew Silvas Jr.

ADDRESS: 503 S. Miller St.

PHONE: 480-343-2684

DATE: 7-21-2015

E-MAIL ADDRESS: \_\_\_\_\_

APN: 139.21 077

Property located across Miller Street to the west of 1039 E. Broadway Road

