



Board of Adjustment

Staff Report

CASE NUMBER: BA14-047 (PLN2014-00337)
STAFF PLANNER: Kim Steadman, RA
LOCATION/ADDRESS: 929 W. Inglewood Street
COUNCIL DISTRICT: Council District 1
OWNER/ APPLICANT: Gerald J. Hort

REQUEST: Requesting a Variance to allow a garage to encroach into the required side yard in the RS-9 zoning district.

SUMMARY OF APPLICANT'S REQUEST

The requested variance would allow an existing, single-car carport to be expanded and enclosed into a two-car garage that encroaches into the side yard setback. The new garage would also ignore the Code requirement that garages be set back from the face of the house.

STAFF RECOMMENDATION

Staff recommends approval of case BA14-047 with the following conditions:

1. Compliance with the site plan as submitted, except as modified by the conditions listed below.
2. Reduce the garage width to provide a 3' setback from the west property line.
3. Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.

SITE CONTEXT

CASE SITE:	Existing single residence	– zoned RS-9
NORTH:	(Across Inglewood St.) existing single residence	– zoned RS-9
EAST:	(Across Markdale) existing single residence	– zoned RS-9
SOUTH:	(Across an alley) existing single residence	– zoned RS-9
WEST:	Existing single residence	– zoned RS-9

STAFF SUMMARY AND ANALYSIS

Existing Conditions / Proposal:

The applicant wants to expand and enclose an existing single-car carport into a 22' wide garage. (Garage depth will vary due to an existing storage room at the back of the carport.) In order to accomplish this he proposes encroaching on the 7' side yard setback leaving only 1' of setback on the west side of the property. There is currently 11' clear between the existing house and the property line. Also, on the neighboring property, the house is 17' from the property line. The applicant's letter of justification notes that the proposed garage would be just 1' from the property line, but 18' from the neighboring house.

The existing front posts of the carport project 4' forward of the house. The garage will enclose these posts, placing the front of the garage closer to the street than the face of the house. This requires relief from the standard that garages be set back from the face of the house.

Other Options:

The yard to the east of the house would appear large enough for a garage, but the applicant hopes to install a pool in that location, and it would require the removal of a mature tree and cacti. Also, the addition of a driveway so close to the street corner is not desirable. A smaller yard to the southwest of the house, adjacent to the alley, does not work for the pool because of overhead electrical lines and is not ideal for the garage as the alleys are being gated. A tandem garage (one car parked behind the other) would require significant deconstruction of the structure supporting the existing roof.

Reconsidering the encroachment on the west side setback, the code already allows for certain elements of a house (bay windows, fireplaces, etc.) to encroach 2' to 3' on the side setback, without a variance. In any case a 2' setback must be left. A garage, of course, is larger than these point elements, and this makes it a subject for a variance request. If the applicant limited the width of the garage to the Code standard of 20' there would be 3' of setback remaining. This would allow passage from front to rear yards. It would also provide a worst-case separation of 10' from any future addition to the neighboring house (if the neighbor built to their 7' setback line.)

FINDINGS

1. In its current configuration the carport's dimensions meet the Code standard of 10' width and 20' depth. The property does not 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 proposed 22' interior width of the garage would be 2' wider than the required 20'.
4. The required side yard setback at the west side of the property is 7'.
5. The applicant is requesting a 6' encroachment on the setback.
6. A 4' encroachment would still provide the minimum garage width while leaving 3' of clear setback outside the garage.
7. The existing location of the front posts of the carport, along with the depth of the existing carport require the front of the enclosed garage to sit closer to the street than the front of the house. This does not conform to Code, but is needed to achieve the required garage depth.

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'
	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.

Zoning Ordinance, Chapter 80 Variances:

11-80-3: Required Findings

A variance shall not be granted unless the Zoning Administrator, when acting as a Hearing Officer, or Board of Adjustment shall find upon sufficient evidence make a determination:

- A. There are special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, and
- B. That such special circumstances are pre-existing, and not created by the property owner or appellant; and
- C. The strict application of the zoning Ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district; and
- D. Any variance granted will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

11-80-5: Conditions of Approval

In approving a variance, the Zoning Administrator, acting as a Hearing Officer, or Board of Adjustment may impose reasonable conditions necessary to insure that the variance shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and the zoning district in which the subject property is located, including but not limited to the following:

- A. Ensure that the project conforms in all significant respects with the General Plan and with any other applicable plans or policies adopted by the City;
- B. Achieve the general purposes of this Ordinance and the specific purposes of the zoning district in which the site is located;
- C. Protect the public health, safety, and general welfare; or
- D. Ensure operation and maintenance of the use in a manner compatible with existing and potential uses in the surrounding area.

Gerald J & Janet R. Hort
1614 W Natal Avenue
Mesa, AZ 85202
Home: 480-838-6128, Cell: 480-338-0505
e-mail: jjhort@q.com

July 1, 2014

Board Of Adjustments
Mesa, AZ 85202

Re: Property located at 929 W Inglewood, Mesa, AZ

We are requesting the approval by the Board to allow for the conversion of a single carport into a 2 car garage, extending the existing roof line out by 10 feet to allow for a 22 feet wide by 20 feet deep garage. Circumstances for this variance are as follows:

1. Existing power lines currently run above the back alley wall preventing a pool from being placed in the back of the property. Therefore, the east side of the house has been planned for the placement of a pool with adequate space for a fence to ensure maximum safety for grandchildren who visit and leave the back available for play.
2. The Southwest corner would entail removing the patio and roof to make room for a garage which would not be feasible for Arizona weather.
3. By building a garage in the current carport area, the aesthetics of the property and the surrounding neighborhood would be maintained, improving the property value while enhancing and maximizing property use.
4. The add-on to the existing building would maintain an 18 foot distance from the neighboring home while keeping costs feasible.
5. Two additional properties on the current block appear to have been granted easements to extend buildings. One directly on the property line and another 2 1/2 feet from the property line. Therefore, the neighborhood would maintain its current aesthetics while continuing to improve the aging neighborhood.

We sincerely hope that you will grant this easement enabling future improvements to the property and thereby increasing neighborhood value.

Yours Truly,



Gerald Hort

BA14-047

RYAN D HORT

GERALD J HORT

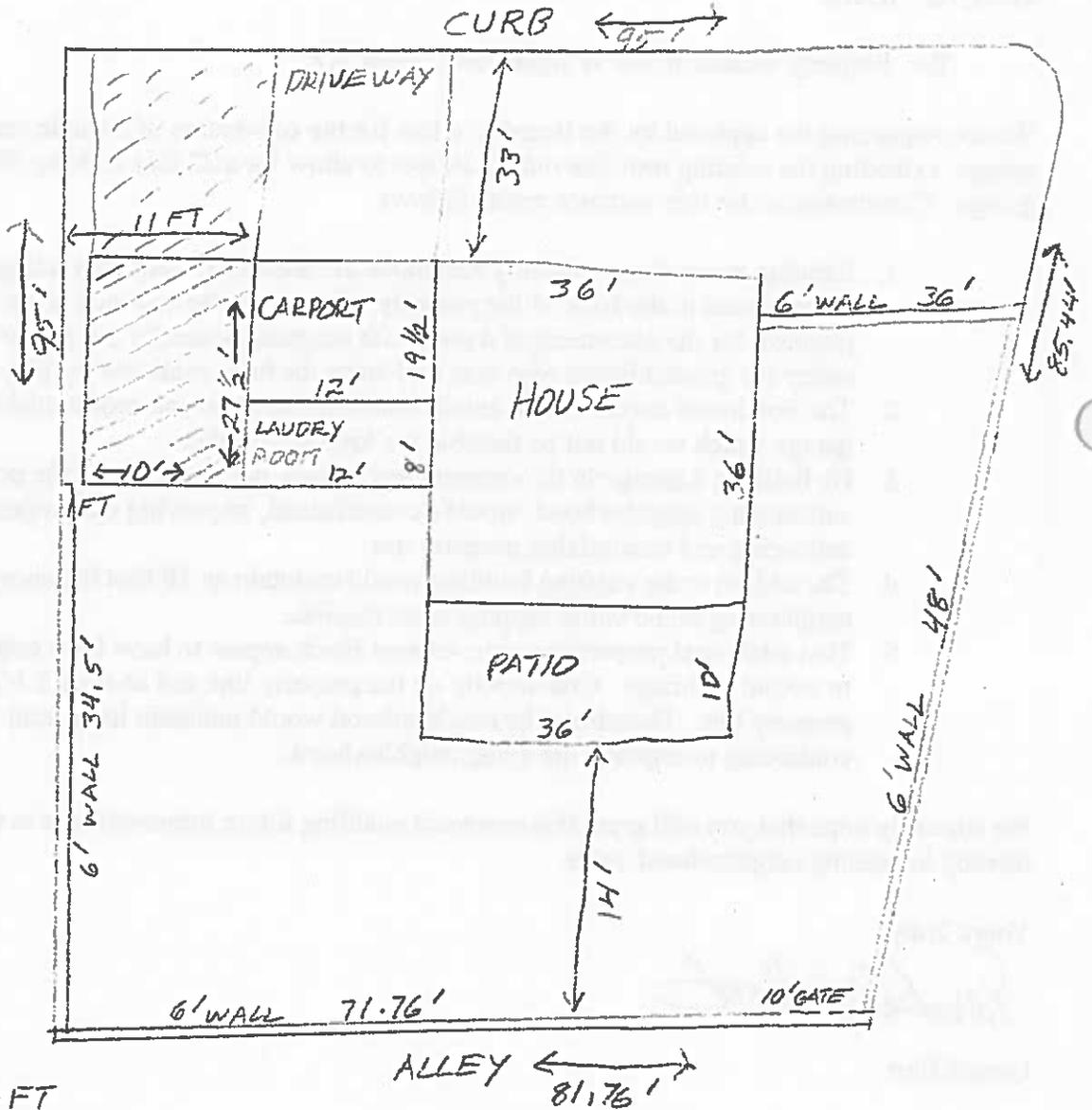
929 W. INGLEWOOD ST.

MESA, AZ, 85201

(480) 838-6128

N ↑

W. INGLEWOOD ST



HOUSE ROOF 1296 SQ FT

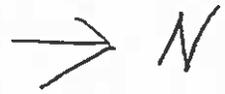
CARPORT 234 SQ FT

PATIO ROOF 360 SQ FT

ADDITION FOR

ORAGE CONU. 275 SQ FT

BA14-047

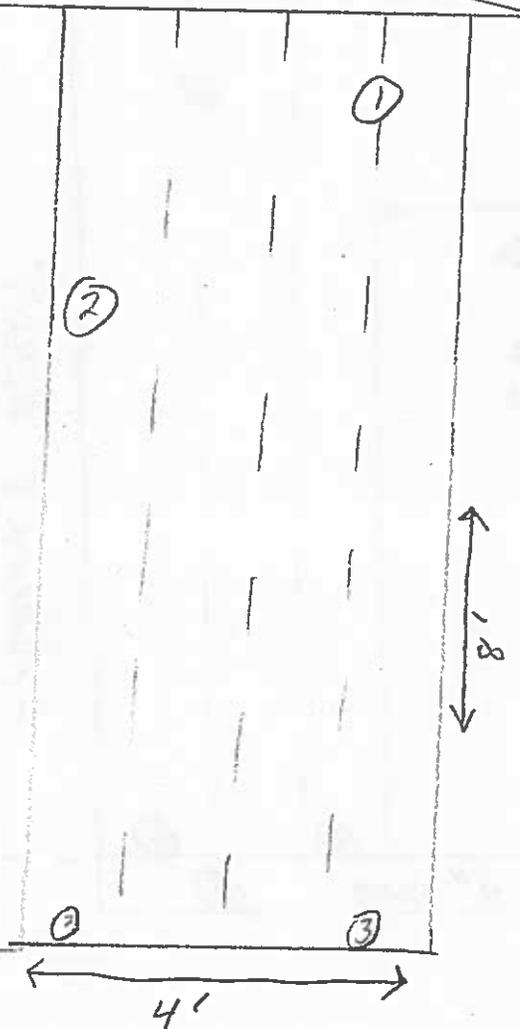


EXISTING
ROOF

EAST WALL

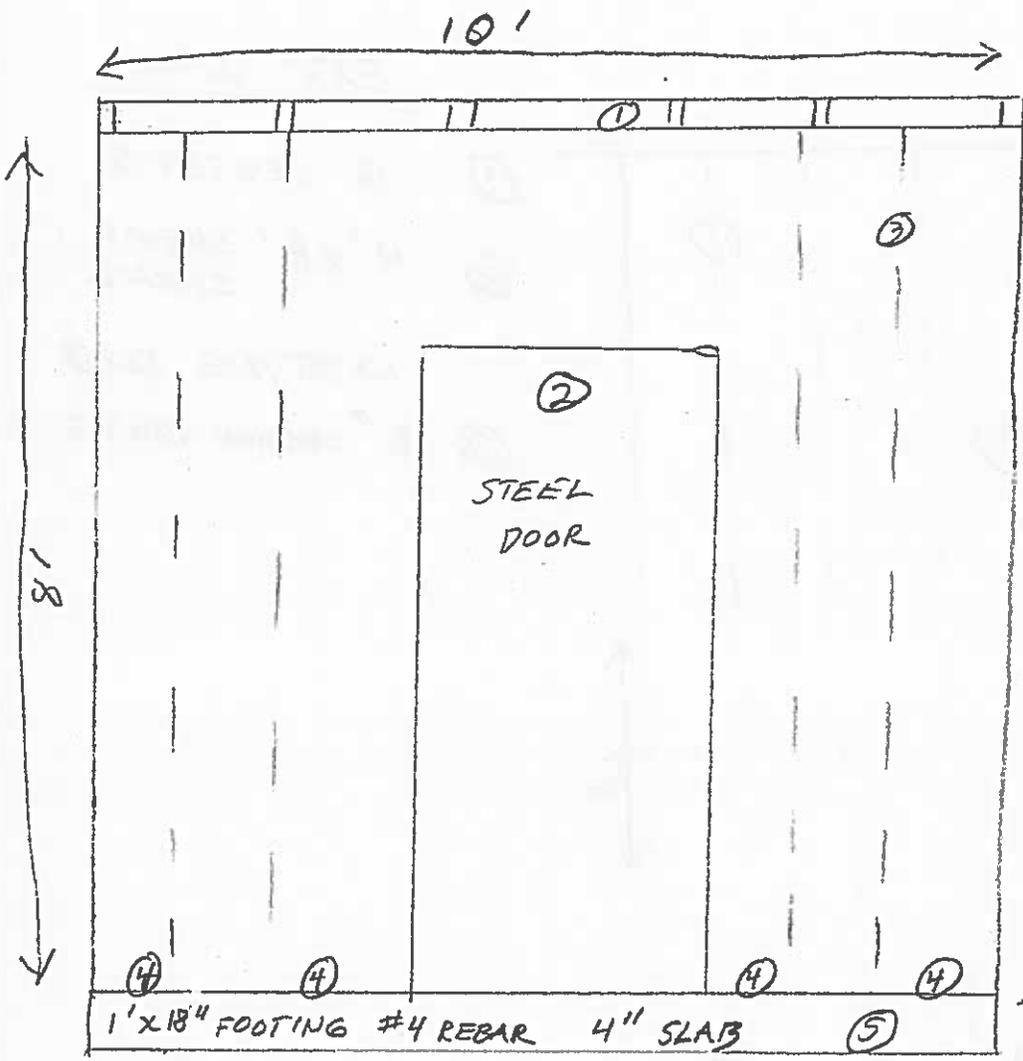
HOUSE

- ① 16' CENTERS
- ② 4' X 8' SHEET SIDING
- EXISTING SLAB
- ③ 1/2" ANCHOR BOLTS





SOUTH WALL

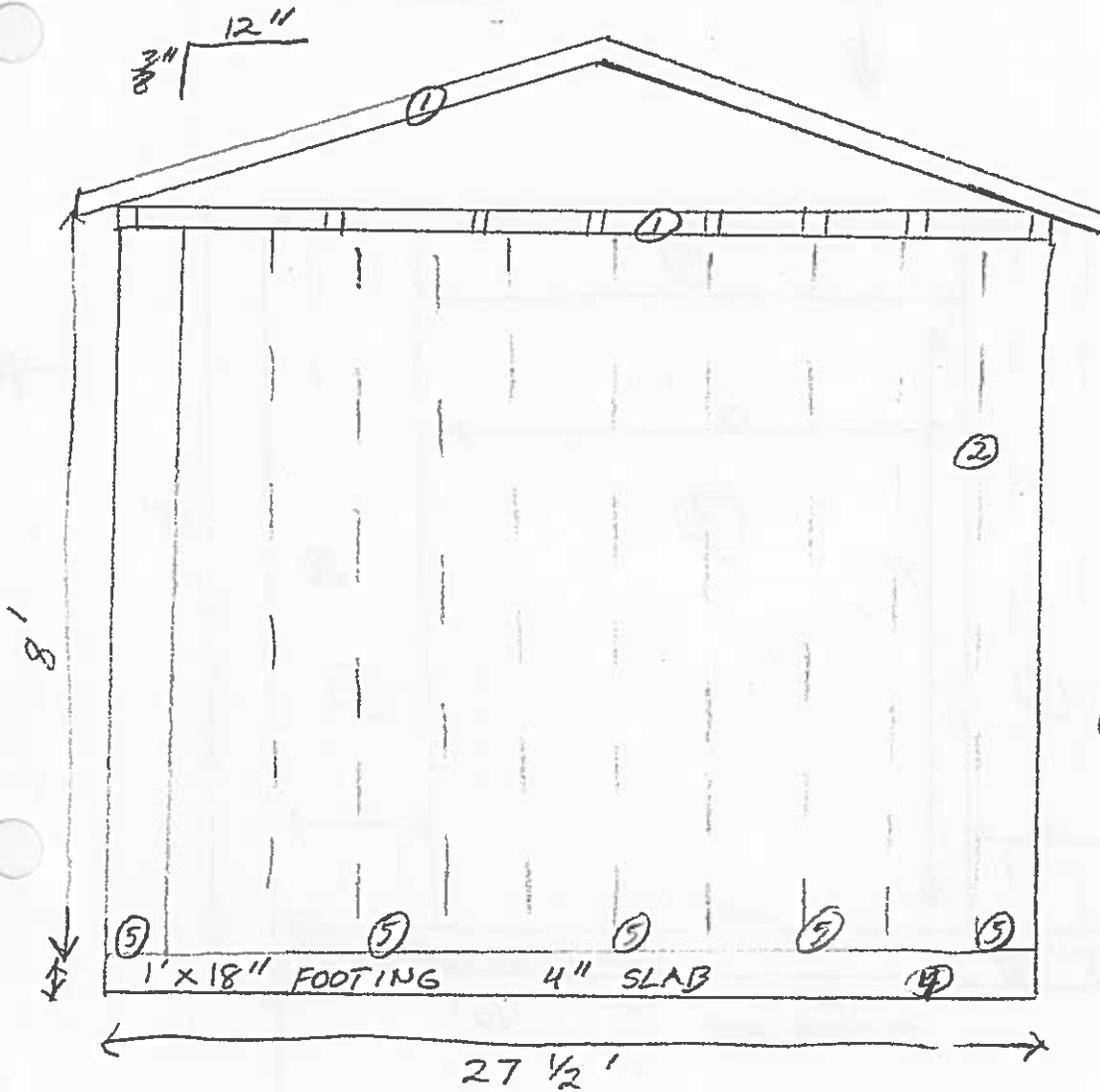


- ① RAFTERS 2" BY 6" 24" CENTERS
- ② DOOR 36" BY 80"
- ③ WALL STUDS 2" BY 4" 16" CENTERS
- ④ 1/2" x 10" ANCHOR BOLTS
- 4' x 8" SHEET SIDING
- ⑤ 1' WIDE 18" DEEP FOOTING 4" SLAB #4 REBAR

90" CAP
30# FELT
1/2" OSB BOARD



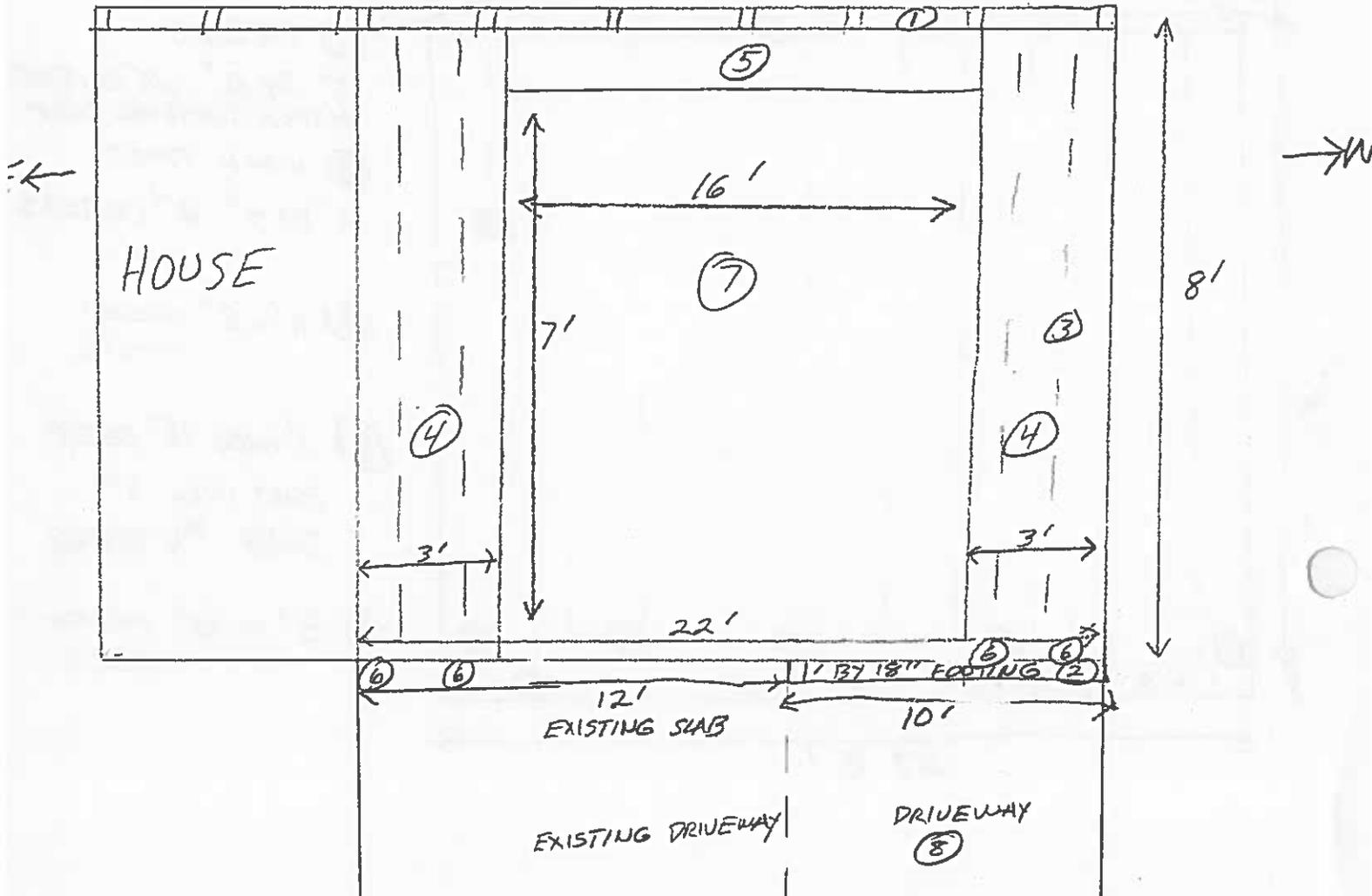
WEST WALL



- ① RAFTERS
2" BY 6" 24" CENTER:
MATCH EXISTING ROOF
- ② WALL STUDS
2" BY 4" 16" CENTERS
- ③ 4' X 8' SHEET
SIDING
- ④ 1' WIDE 18" DEEP
FOOTING 4"
SLAB #4 REBAR
- ⑤ 1/2" BY 10" ANCHOR
BOLTS

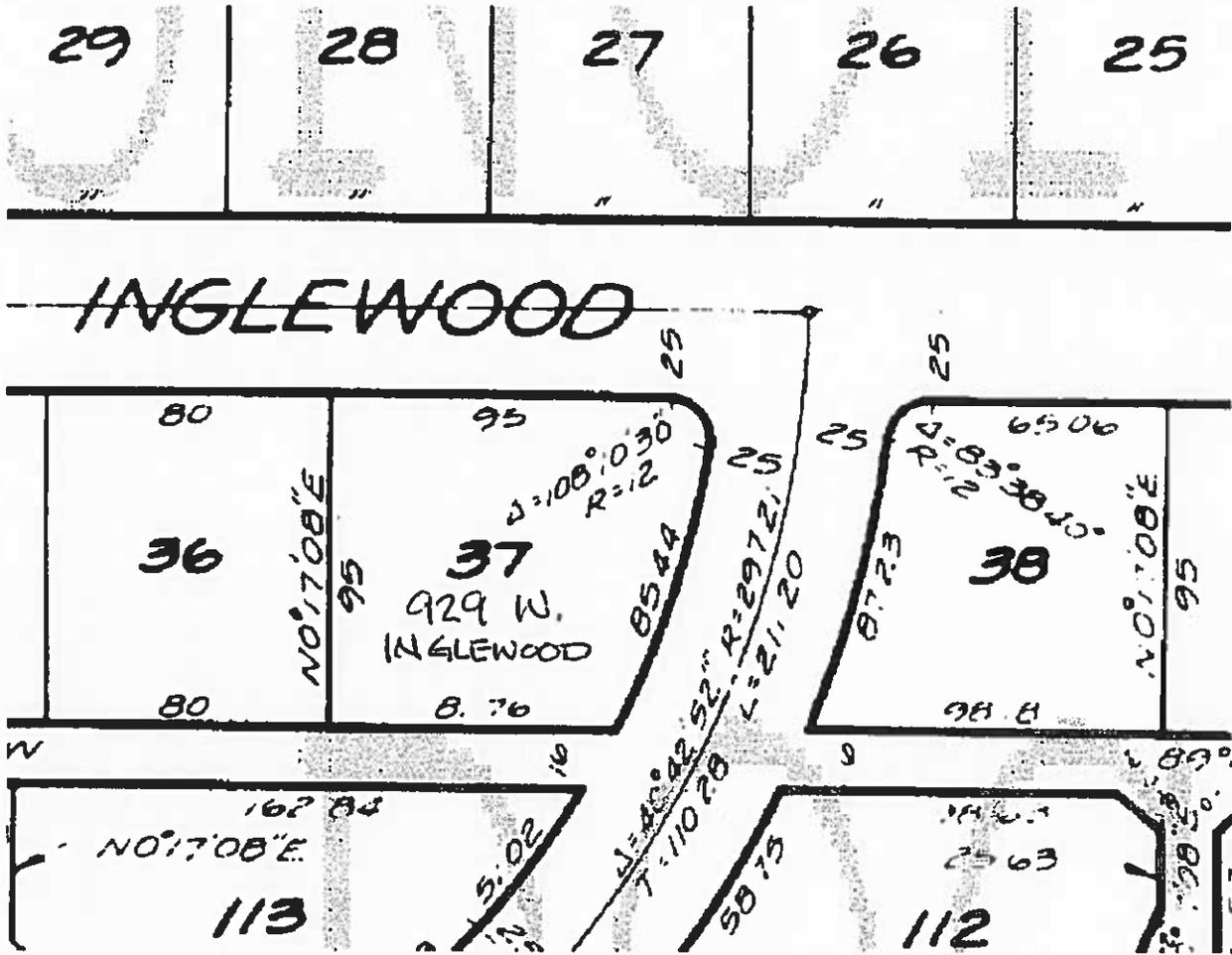


NORTH WALL



- ① 2" BY 6" RAFTERS MATCHING EXISTING ROOF
 - ② 1' BY 18" FOOTING 4" SLAB
 - ③ 2' BY 4" WALL STUDS 16" CENTERS
 - ④ 4' BY 8' SHEET SIDING
 - ⑤ 4" BY 12" 16' HEADER
 - ⑥ 1/2" ANCHOR BOLTS
 - ⑦ 7' BY 16' GARAGE DOOR
 - ⑧ DRIVEWAY 4" SLAB
- BALK-DW

929 W. Inglewood St.



BA14-047

