

## Board of Adjustment

### *Staff Report*

**CASE NUMBER:** BA16-057 (PLN2016-00426)  
**LOCATION/ADDRESS:** 2434 E Main St  
**COUNCIL DISTRICT:** 2  
**PLANNER:** Lisa Davis, Planner II  
**OWNER:** Deserama MHC LLC  
**APPLICANT:** Greg Duggan

**REQUEST:** *Requesting a Special Use Permit (SUP) for an alteration of an existing non-conforming single residence to allow a second residential unit in the LC zoning district.*

#### **SUMMARY OF APPLICANT'S REQUEST**

Requesting a Special Use Permit (SUP) for alteration of an existing non-conforming single residence, manager's quarters, to allow the 4-bedroom unit to be split into two 2-bedroom units within the Deserama Manufactured Home Community at 2434 E Main Street. The Mesa Zoning Ordinance (MZO) section 11-36-7 allows for alterations to non-conforming structures to include adding a second unit on a lot that contains a non-conforming single residence when it meets MZO requirements including parking with the approval of a Special Use Permit.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the SUP for the alternative compliance parking plan for case **BA16-057**, conditioned upon the following:

- 1. Compliance with the site plan submitted and alternative compliance parking plan submitted.*
- 2. Compliance with all requirements of the Development Services Division with regard to the issuance of permits.*

#### **SITE CONTEXT**

**CASE SITE:** Existing manufactured home park– zoned LC  
**NORTH:** Existing manufactured home park– zoned RM-4  
**EAST:** Existing manufactured home park– zoned RM-4  
**SOUTH:** (Across Main St.) Existing commercial – zoned GC  
**WEST:** Existing commercial– zoned GC

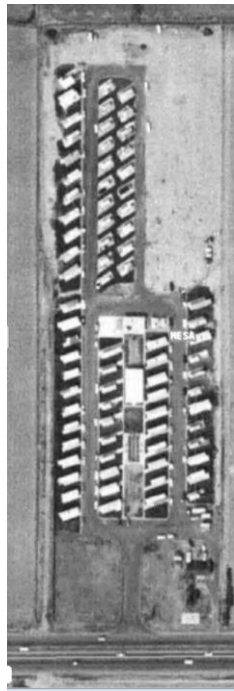
#### **PROJECT DESCRIPTION**

Development	Overall Commercial site
Site area	3± acres of LC
Livable are of existing structure area	1,791 SF
Code required minimum parking	2 spaces/unit-total of 4 spaces required
Parking provided	4 spaces

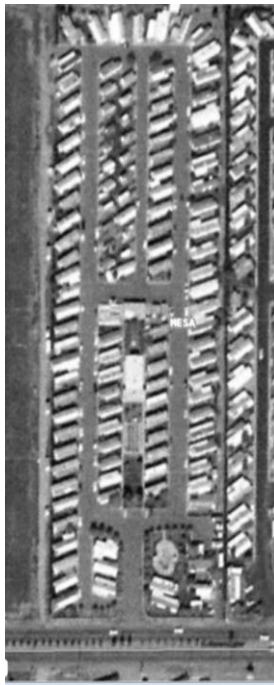
#### **STAFF SUMMARY AND ANALYSIS**

The RV park was annexed in 1963 with almost 400 acres of property. The overall manufactured home park is divided into two different zoning designations. The front three acres adjacent to Main Street are zoned LC-Limited Commercial and the larger portion, eight acres, to the north side is zoned RM-4. Reviewing historical

aerial photos, the rear eight acres did have the manufactured homes in 1959. The next aerial photo is 1969 and the front three acres shows placement of manufactured homes, the managers quarters and the pool. It is difficult to tell if it was developed prior to or after annexation.



1959 aerial



1969 aerial

The request to create a second unit within the existing non-conforming single unit residence. No square footage or area will be added to the existing structure. The MZO allows for a second unit to be developed on a lot that contains a non-conforming single residence as long as it is conformance with the ordinance including parking. There are two parking spaces provided under the existing covered carport. Additionally, there are 5 parallel parking spaces within close proximity to the dwelling unit to the north. This will meet the minimum 4 parking space requirement for the 2 dwelling units.

The existing manufactured home park is located within the Neighborhood manufactured home character area and Transit Corridor as identified in the Mesa 2040 General Plan. The existing manufactured home park with the manager's quarters is in conformance with the Mesa 2040 General Plan. The request is consistent with and will not be detrimental to the surrounding neighborhood

The proposed alteration to develop a second unit is generally consistent with the Ordinance. As justification for the development of the second unit the applicant has noted 1) There is ample parking available with the existing carport and adjacent paved parking to the north; 2) No square footage is proposed to be added to the existing structure; 3) There is no modification to the existing footprint of the house; 4) And, all work will be interior to the building.

### **FINDINGS**

- 1.1** The existing home was constructed in the mid 1960's.
- 2.1** The minimum 4 parking spaces are provided on site for the 2 dwelling units.
- 3.1** The area and footprint of the existing single residence will not be expanded to provide for the second unit. All work will be interior to the building.
- 4.1** The existing manufactured home park is identified in the Mesa 2040 General plan as within the Neighborhood manufactured home character and within the Transit Corridor. The proposed alteration to the existing non-conforming single residence to develop a second unit is in conformance with the intent of the MZO and the General Plan.
- 5.1** The proposed alterations to the non-conforming single residence to develop a second unit is compatible with, and not detrimental to, adjacent properties or the neighborhood in general

### **ORDINANCE REQUIREMENTS**

#### Zoning Ordinance, Section 11-19-5 – Definition of Terms:

*SPECIAL USE PERMIT (S.U.P.):* A discretionary authorization issued by the Zoning Administrator/Board of Adjustment only upon finding, through a public hearing, that the proposed activity permitted by such Special Use Permit is in conformance with the intent of this Code, the General Plan and/or other specified plans or Council policies; and will be compatible with, and not detrimental to, adjacent properties or the neighborhood in general; and may be limited by specific conditions, restrictions, terms or time periods.

#### 11-36-7: Alterations and Enlargements to Nonconforming Structures

Nonconforming structures may be enlarged, extended, structurally altered, or repaired in compliance with all applicable laws, subject to the following provisions.

- C. Alterations or enlargements up to 50 percent of floor area of a legal, nonconforming single residence or duplex residence may be made without providing any additional parking space or changes to an existing driveway, provided that such alterations do not increase the number of dwelling units on the lot and a Special Use Permit is approved.
- D. Notwithstanding the requirements of subsection C, a second unit in compliance with this Ordinance may be developed on a lot that contains a nonconforming single-residence. If the single residence is nonconforming because it does not meet current parking standards, the second unit may only be established when parking is provided to meet the applicable requirements of this Ordinance for both the primary dwelling and the second unit.