

11/25/2019

Chet and Kristin Welch  
4230 E. Hale Street  
Mesa, AZ 85205

RE: Variance - PMT19-06189 located at  
4230 E. Hale Street Mesa, AZ 85205

To Whom it may concern:

Me, my wife, and our 6 children live at 4230 E. Hale Street in Mesa AZ. We have owned this home for approximately 12 years. We love our neighborhood, and the surrounding community. In fact, because we love this community so much that we made the decision to remodel our current home rather than move out of the neighborhood to a new home. This home renovation has been extremely expensive and time consuming.

We had some plans drawn up and contacted a local contractor to help us with the project, since this would be the first renovation project for both me and my wife. We do not have any experience in the construction industry.

So back in April 2019 we submitted our plans to the City of Mesa and applied for a building permit. After a lengthy review process the plan was approved and building permit PMT 19-06189 was issued on 06-20-2019 (See attached copy). We subsequently filed, and were approved for an additional electrical permit PMT19-10531 on 7/3/2019.

We immediately began construction. We had the new foundations poured and a city inspector came out and passed the foundation inspection. We had framers, and plumbers rough in the framing of the house. City inspectors came out and we passed the plumbing inspection. We put the trusses up for the new roof and began the rough-in electrical work. It was at this point that we were notified by an inspector that our new garage was only 5 feet from our eastern property line, instead of the mandatory 7 feet required for R-15 zoned properties.

We checked the dimensions on our blueprints, and compared them to the actual structure and everything was consistent. I honestly do not know where, or how, the mistake was made. But a mistake was made all the same. So here we are.

I was instructed that applying for a "variance" would be one means of addressing the issue. I personally believe that a Substantial Conformance Improvement Permit (SCIP) would be a more appropriate. I have included with this application for Variance a second application for an SCIP. I will defer to the Board to decide which mechanism is the most appropriate for this scenario.

The requirements for a variance require that I demonstrate 4 criteria be met. I will attempt to express to the best of my ability how our property meets those 4 requirements and that a variance should be granted.

Just to restate, we are applying for a variance of the 7 foot setback along the eastern boarder of my property. Our current garage encroaches 2 feet into that setback.

The requirements for a variance are:

1. Explain what special circumstances or conditions apply to this property that may not apply to other properties in this area or zoning district.
  - a. There are 2 main items that differentiate my property from others in the neighborhood.
    - i. First, there is a fire hydrant located on the SW corner of my property. The location of this fire hydrant has a significant impact on potential expansion of my home. Given its location and the additional setbacks that are applicable to my property there would not be enough room for me to build a 2 car garage on the West side of my house. There is simply not enough room. This is a significant restriction since there is not a single house in the neighborhood with a single car garage. It may be a requirement in our CC&R's. I am not sure, but I can say that there is not a single home in the neighborhood with only a 1 car garage and if we were to build one then we would definitely destroy the uniformity of the neighborhood. As a result of this unique circumstance, the only option for construction of a 2-car garage is on the east side of my house.
    - ii. The second distinguishing feature is the location of my home. My home is located on a corner lot which also restricts options for expansion of my home. Our home is located on the SE corner of E. Hale Street and North Ogden. East McLellan Rd immediately to the north is not a through street from Val Vista to Greenfield. It terminates in a cul-de-sac approximately 200 yards from Greenfield. As a result, all traffic must turn off of McLellan onto Ogden in order to pass through to Greenfield Rd. This causes a significant amount of traffic on Ogden road. It would be extremely dangerous to have my driveway on Ogden given that there are large trees all along both sides of the road turning off of McLellan onto Ogden. It would be a blind corner turning right into my driveway. As a father of 6 children who regularly play in my driveway, I feel like this would be a severe hazard.
2. Explain how the special circumstances or conditions cited in Question #1 originated. Are these conditions pre-existing and not self-imposed? Why or Why not?

- a. The first condition is pre-existing. I did not choose to have a fire hydrant in my yard, and I certainly did not choose to have the additional setbacks associated with having a hydrant.
  - b. The second condition is also pre-existing. While I would have some discretion about the location of my driveway, I would be unable to control the fact that McLellan is not a through street, and is a significant means of ingress and egress into all of the neighborhoods located within this square mile. As a result, all traffic passing from Val Vista to Greenfield, or any traffic leaving toward Greenfield road would pass in front of my driveway. Additionally, since I am not the property owner immediately on the corner of McLellan and Ogden, I do not have any right to obligate that the large trees making the corner a blind corner be trimmed.
3. Explain how strict compliance of the Zoning Ordinance would deprive the property of uses or development options available to other properties in the same zoning district.
  - a. As explained above. The increased setback requirements from the fire hydrant effectively prevent me from being able to build a garage on the West side of my house. That only leaves the east side of my home for expansion and additional development, and apparently the east side is also 2 feet too small for a two car garage. Strict compliance of the Zoning ordinance will effectively prevent me from being able to expand on my home by moving the garage in either direction. Other similarly situated homes in the neighborhood do not have this restriction because the fire hydrant setbacks are unique to my property.
4. Explain why the requested variance will not grant special privilege or unusual favor to this property over other sites with similar circumstances and zoning.
  - a. This variance will allow me to utilize the only option available to me to modify my current garage. Other properties would have the option to expand on either the east or the west of their home. I am limited to only one side for development, and without this variance even that side of will be too narrow for a 2 car garage. It will not be a special privilege or unusual favor for this property because granting this variance will allow me to add onto my home the same way that any other property owner would be able to, but for the additional setback from the fire hydrant. Granting this variance will be affording my property an equitable opportunity to be developed.

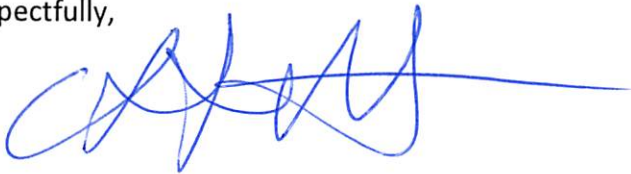
I understand that these rules and regulations exist to help keep neighborhoods beautiful and vibrant. I agree completely with that objective. I am attempting to add onto my residence in a way that will enhance my neighborhood, and contribute to the value of this community.

I have personally spoken with all of our surrounding neighbors, including extensive conversations with Mr. & Mrs. Peitzmeier, who own the property immediately east of my home. They have assured me that they have no issue with the slight encroachment. Their westernmost wall is still 38 feet from the new easternmost wall of my house.

We love this community and neighborhood. My family has become extremely close with all of the residents around the entire block. I have covered their irrigation when they are out of town, they have covered mine. We love each and every one of them, and would not want to do anything to detract from this wonderful community.

I respectfully request that the Board grant this variance and allow us to finish our construction on our home so that my family can move back in, hopefully by the end of the year. This has been an incredible learning experience, but I am ready to be home again. I beg of you to allow this project to move forward. I am grateful for your consideration, and cooperation. Thank you for your time.

Respectfully,

A handwritten signature in blue ink, appearing to be 'Chet and Kristin Welch', with a long horizontal line extending to the right.

Chet and Kristin Welch  
4230 E. Hale Street  
Mesa AZ, 85205  
480-229-6904



**Subject property -- 4230 East Hale**





**Subject property -- 4230 East Hale**





**4242 East Hale**





**Subject property -- 4230 East Hale**