

Zoning Variance- Narrative

Date: 3/2/20

Project Information:

Jason Burgad & Valerie Nunez
149 W. 8th Pl, Mesa 85201
Zoning: RS-6

Project Overview:

The proposed project at 149 W. 8th Place involves removing an existing, deteriorating 10'x25' accessory structure and replacing it with a new, larger 20'x25' accessory structure situated in the same area.

The intended use for the structure is for working on personal projects, storage of tools & household maintenance equipment, and other personal possessions. As such the new building will be an insulated and conditioned structure.

Justification & Compatibility:

The reason for the variance application is because the massive property to the south of the subject property at 805 N GRAND MESA 8520 is highly unusual for the area. (see attached aerial image at the end of this document).

The lot size and front setback of the main structure places a restriction on several surrounding property owners due to zoning regulaton Section 11-30-17 (B6)- Detached Accessory Structures & Buildings:

- **B. Detached accessory buildings or structures** located on lots or parcels in AG, RS and RM districts are permitted subject to the following provisions. Detached accessory structures:
 - 6. Shall not be located in the required rear yard of a corner lot closer to the street than any dwelling on an adjacent key lot.

The existing accessory structure on the subject property has been present in it's current nonconforming position without causing any burden on the adjacent property, or creating any danger to the public. Removing this structure and replacing it with a modern structure would enhance the subject property as well as the neighborhood in general.

The footprint and position on the lot of the new structure on the subject property would present the same exact situation for the adjacent property owner at 805 N GRAND MESA 85201. They would see the same profile, only newer and more pleasing. The new structure on the subject property would enlarge towards the subject property at 149 W. 8th Pl.

The requirements for a Variance under MESA ZONING ORDINANCE Chapter 80- Variances, Section 11-80-3 are outlined here:

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.

The proposed structure meets the criteria listed in Section 11-80-3 in the following ways:

Section A: The subject property abutts a very large key lot with a dwelling situated at such a distance from the street that conformance with Section 11-30-17 (B6) is not possible for the subject property or the neighboring property.

Section B: The circumstances are existing and not created by the property owner or appellant.

Section C: Due to the unusually large lot and set back of the dwelling on the adjacent key lot, strict application of the zoning Ordinance would prohibit the subject property and the adjacent property to the east on W 8th place from building an accessory structure. Two properties are affected.

Section D: Other properties are permitted to have accessory structures that conform to the zoning Ordinance. This variance would allow the same ability to have or build an accessory structure that is suitable for the neighborhood and does not place a burden on any neighbors or present an unusual situation.

Additional Project Notes:

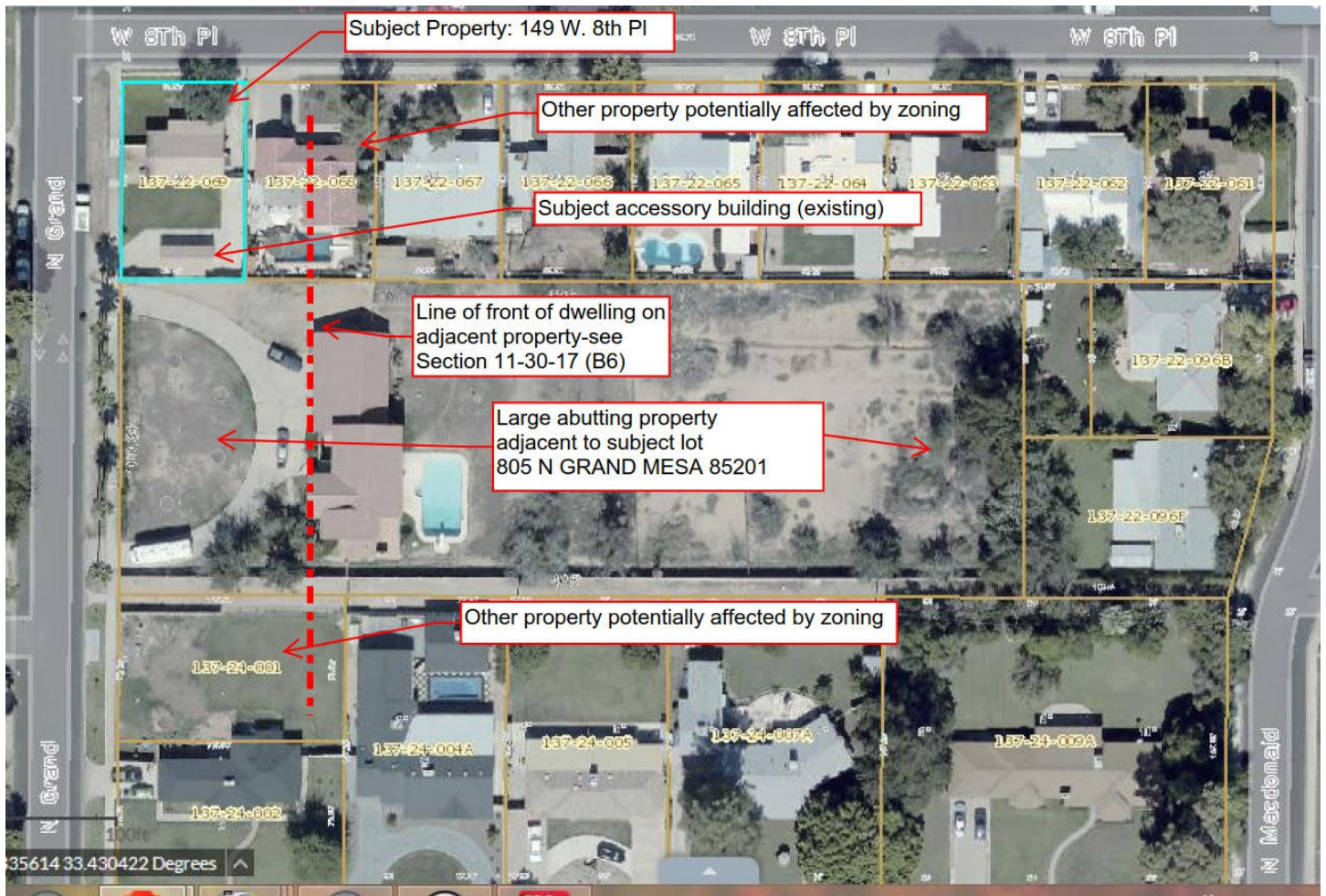
If approved, the structure will also meet the following as required:

- The structure will be located no closer to N Grand than the existing structure currently is (Per Charlotte Burgess with the planning dept.)
- Construction of the proposed structure will meet other zoning requirements and/or variance as required and approved.
- The proposed structure will meet all historic neighborhood requirements as required and approved.
 - The proposed finishes include a red metal roof and Hardie Panel Batten siding- Pending approval.
- The structure will meet all applicable building codes relating to it's position on the lot.

Thank you for your consideration in this matter.

Sincerely,

Robert Valenti
Project Construction LLC



Aerial Image of subject property, surrounding lots, and dwellings