



Board of Adjustment Report

Date	June 3, 2026	
Case No.	BOA26-00182	
Project Name	Spilsbury Future Site	
Request	<ul style="list-style-type: none"> • Special Use Permit to allow the combined gross floor area of all detached accessory buildings or structures to exceed 100% of the gross floor area of the primary building. • Special Use Permit for a detached structure to exceed the height of the primary building in the Single Residence 43 (RS-43) District. 	
Project Location	521 East Lehi Road	
Parcel No(s)	136-13-283	
Project Area	1.8± acres	
Council District	District 1	
Existing Zoning	Single Residence 43 (RS-43)	
General Plan Designation	Rural Residential	
Applicant	Kempton Fuller	
Owner	MAX AND STEPHANIE SPILSBURY LIVING TRUST	
Staff Planner	Sergio Solis, Planner I	

Recommendation

Staff finds that the requested Special Use Permits meets the required findings outlined in Mesa Zoning Ordinance (MZO) Section 11-70-5.

Staff recommends approval with conditions.

Project Overview

Request:

The applicant is requesting a Special Use Permit (SUP) to allow the combined gross floor area of all detached accessory buildings or structures to exceed 100% of the gross floor area of the primary building in the Single Residence 43 (RS-43) District, as well as a second SUP to allow an accessory structure to exceed the height of the primary residence.

The existing primary residence contains approximately 4,608 square feet of gross floor area, while the proposed detached accessory structures would total approximately 9,924 square feet in combined gross floor area. In addition, the proposed RV garage will reach a height of approximately 22'-4", which is 1'-10" taller than the primary residence.

Site Context

General Plan:

- The Placetype for the project site is Rural Residential and the Growth Strategy is Conserve.
- Single-family residential is identified as a principal land use in the Rural Residential Placetype.

Planning Sub Area:

The property is also within the Lehi Sub-Area. Goals for future development in this sub-area include preservation of the historic and rural character of the area. Per the Lehi Sub-Area Plan, future development is intended to be communities of semi-rural residential and agricultural uses. The existing residence complies with the Lehi Sub-Area Plan's intent for semi-rural residential and agricultural uses to be maintained without conflict from commercial, industrial, or high-density residential development.

Zoning:

- The project site is zoned Single Residence 43 (RS-43).

Surrounding Zoning & Use Activity:

The proposed project is compatible with surrounding land uses, which includes low-intensity rural development.

Northwest (Across Lehi Rd.) RS-43 Residence	North (Across Lehi Rd.) RS-43 Residence	Northeast (Across Lehi Rd.) RS-43 Residence
West RS-43 Residence	Project Site RS-43 Residence	East RS-43 Residence
Southwest RS-6 Residence	South RS-6 Residence	Southeast RS-6 Residence

Site History:

- November 16, 1974:** City Council annexed 1,394± acres, including the project site, into the City of Mesa and subsequently established Single Residence 43 (RS-43) zoning (Ordinance No. 672).
- February 3, 2026:** Development Services Department staff issued approval of a building permit that included a new 1,217 square foot attached RV garage, new 362 square foot front covered patio, and removal of an existing 558 square foot sunroom on the rear of the residence and replacement with a new 1,286 square foot rear patio (Building Permit No. PMT25-23363).

Project/Request Details

Site Plan:

- Building Design:** The proposed project consists of three pre-engineered metal buildings located in the rear yard. The applicant proposes a 50'x150' RV garage, a 25'x60' carport, and 20'x40' BBQ ramada. The scale, placement, and design of these structures are consistent with development patterns commonly found within the Lehi area, which is characterized by rural residential properties with larger accessory structures and outdoor storage amenities.
- Building Size:** Per MZO Section 11-30-17(A)(4) of the MZO, the combined gross floor area of all detached accessory buildings or structures, shall not exceed 100% of the gross floor area of the primary building, unless approved by a Special Use Permit. Per the site plan submitted, the applicant is requesting that all detached structures on the property not exceed a total of 215% of the gross floor area of the primary building.
- Building Height:** The existing primary building (single-residence) has a height of 20'-6". The proposed RV garage will have an overall height of 22'-4", exceeding the height of the home by 1'-10".

Special Use Permit No. 1:

The first SUP request is to allow the combined gross floor area of all detached accessory buildings or structures to exceed 100% of the gross floor area of the primary building in the RS-43 District.

Per Section 11-70-5(E) of the City of Mesa Zoning Ordinance, the Board of Adjustment shall find the following criteria are met for approval of a SUP:

1. **Advances the Goals and Objectives of and Consistency with the General Plan and other Plan/Policies:** The proposed accessory buildings are consistent with the Rural Residential Placetype identified in the Mesa 2050 General Plan, which supports larger residential lots with low-density development patterns, detached structures, and rural character. The request allows for accessory structures that are common to rural residential properties, including storage, hobby, workshops, and accessory structures that support the functional use of larger residential lots. The proposed project maintains the low-intensity residential character envisioned by the General Plan and is compatible with surrounding RS-43 development patterns where detached accessory buildings are common. The request does not increase residential density or introduce commercial or incompatible land uses.
2. **Consistency with the Zoning District Purposes:** The proposed increase in accessory building area conforms to the goals and purposes of the Single Residence District and is consistent with the development standards of the RS-43 zoning designation. The property is large enough to accommodate the detached structures without reducing setbacks, open space, or separation between buildings. The accessory structures remain secondary to the primary residence and do not change the rural residential character of the property.
3. **Project Impact:** The proposed accessory buildings and structures are appropriately scaled and located in compliance with all applicable development setback standards and are not expected to appear overbearing within the rural residential context.
4. **Adequate Public Facilities:** The City of Mesa utilities and public infrastructure are available to serve the proposed project.

Special Use Permit No. 2:

The second SUP request is to allow a detached accessory structure to exceed the height of the primary building in the RS-43 District.

Per Section 11-70-5(E) of the City of Mesa Zoning Ordinance, the Board of Adjustment shall find the following criteria are met:

1. **Advances the Goals and Objectives of and Consistency with the General Plan and other Plan/Policies:** The proposed height increase for the detached accessory structure is consistent with the Rural Residential Placetype and the Mesa 2050 General Plan, which encourage development patterns that preserve rural character and allow flexibility for larger residential properties. Taller detached accessory structures, including workshops, garages, RV storage buildings, and agricultural-style buildings, are common within the Lehi Sub-Area and are characteristic of the area's established rural residential development pattern. The request supports the functional use of the property while maintaining the low-density residential character envisioned by the General Plan and reflected throughout the Lehi Sub-Area.
2. **Consistency with the Zoning District Purposes:** The proposed 22'-4" accessory structure is consistent with the RS-43 District. Although the request would allow the

accessory structure to exceed the height of the primary residence, the proposed structure remains below the maximum permitted building height of 30 feet for primary structures in the RS-43 District. Taller detached accessory structures, including workshops, garages, RV storage buildings, and agricultural-style buildings, are common within the Lehi Sub Area and reflect the area's established rural residential character.

3. **Project Impact:** The proposed accessory buildings and structures are appropriately scaled and located in compliance with all applicable development setback standards and are not expected to appear overbearing within the rural residential context.
4. **Adequate Public Facilities:** The City of Mesa utilities and public infrastructure are available to serve the proposed project.

Required Notification

The applicant provided notification letters to surrounding property owners within 150 feet of the project site, informing them of the public hearing.

Staff received two phone calls and an email in opposition to the Proposed Project. One caller expressed concern that the sports field identified on the site plan could potentially be utilized as a motor track. A second caller also emailed and expressed concern over the overbearing size of pre-engineered buildings and commencement of construction prior to Board approval.

Conditions of Approval

Staff recommends **approval** of the Special Use Permits, subject to the following conditions:

1. Compliance with the final site plan as submitted.
2. Compliance with all applicable City development codes and regulations.

Section 11-70-5 of the MZO allows for a revocation process if any condition, stipulation, or term of the approval of the SUP has been violated. In addition to the conditions of approval above, approval of the SUPs is conditioned on the information provided by the applicant at the public hearing and in the application (including any accompanying narrative and other supplemental materials) not being false or materially misleading at the time of approval.

Exhibits

Exhibit 1 – Vicinity Map

Exhibit 2 – Project Narrative & Justification Statement

Exhibit 3 – Site Plan

Exhibit 4 – Elevations

Exhibit 5 – Emails from Neighbor

Exhibit 6 – Power Point Presentation