

Board of Adjustment



Study Session Minutes

Mesa City Council Chambers - Lower Level, 57 East 1st Street

Date: August 6, 2025 Time: 4:30 p.m.

MEMBERS PRESENT:

Chair Alexis Wagner
Vice Chair Shelly Allen
Boardmember Todd Trendler
Boardmember Gerson Barrera*
Boardmember Janice Paul

MEMBERS ABSENT:

Boardmember Heath Reed
Boardmember Troy Glover

Chair Alexis Wagner

(*Boardmembers and staff participated in the meeting through the use of audio conference equipment)

STAFF PRESENT:

Kelly Whittemore
Jennifer Merrill
Joshua Grandlienard
Emily Johnson
Sergio Solis
Noah Bulson
Vanessa Felix

OTHERS PRESENT:

1 Call meeting to order.

Chair Wagner excused Boardmember Reed and Boardmember Glover and declared quorum present, and the Study Session was called to order at 4:30 p.m.

2 Staff Update.

No update

3 Election of Board of Adjustment Officers:

a. **Chair** - Continued to September 3, 2025

b. **Vice Chair** - Continued to September 3, 2025

4 Review and discuss items on the agenda for the August 6, 2025 Board of Adjustment Hearing.

***4-a BOA25-00305 continued to September 3, 2025 Board of Adjustment meeting.**

***4-b BOA25-00382 continued to September 3, 2025 Board of Adjustment meeting.**

***4-c BOA25-00390 continued to September 3, 2025 Board of Adjustment meeting.**

***4-d BOA25-00391 continued to September 3, 2025 Board of Adjustment meeting.**

Boardmember Barrera joined the meeting at 4:44 pm.

***4-e Staff member Noah Bulson presented case BOA25-00395 to the Board.
See attached presentation.**

Boardmember Paul asked if the fence can be moved 6 inches to the other side of the setback.

Staff member Bulson answered that the fence is proposed several feet, if not more, off the front setback. The fence encroaches 10 feet into the required front setback.

Boardmember Trendler asked if a 6 foot fence is permitted

Staff member Bulson answered a 6 foot fence would be permitted if it is outside the required front yard. The fence proposed through this variance would allow the fence to exceed the maximum height allowance, which is 3 and a half feet high in a required front yard.

Boardmember Trendler asked if the Board had been given information regarding what the comments were from the HOA board.

Staff member Bulson answered the HOA has an Architectural Committee that has approved this plan.

Boardmember Trendler asked if the only issue was the height of the fence not the location.

Staff member Bulson confirmed that was correct.

***4-f Staff member Sergio Solis presented case BOA25-00468 to the Board.
See attached presentation.**

***4-g Staff member Emily Johnson presented case BOA25-00479 to the Board.
See attached presentation.**

Boardmember Allen asked if the adjacent property to the west is apartments.

Staff member Johnson confirmed the property to the west was another multi family development.

***4-h BOA25-00489 continued to September 3, 2025 Board of Adjustment meeting.**

***4-i Staff member Joshua Grandlienard presented case BOA25-00516 to the Board.
See attached presentation**

Boardmember Allen asked if the parking is dust proof and if the fields will still be accessible.

Staff member Grandlienard answered

5 Adjournment.

Vice Chair Allen motioned to adjourn the Study Session. The motion was seconded by Boardmember Paul.

Vote: 4-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Barrera – Paul

NAYS – None

ABSENT– Reed – Glover

ABSTAINED – None

The Study Session was adjourned at 5:12 p.m.

Respectfully submitted,

Chair Wagner



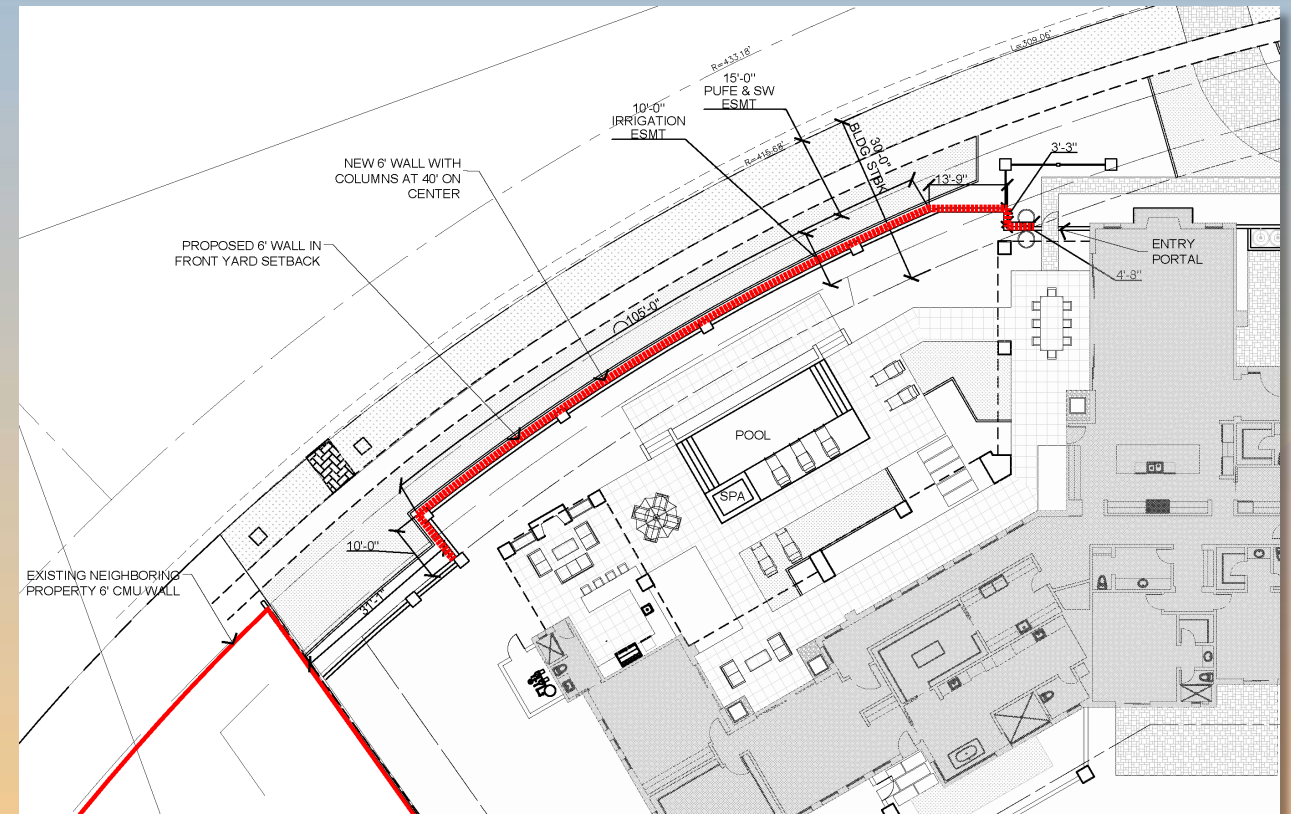
BOA25-00395

Noah Bulson, Planner I

August 6, 2025



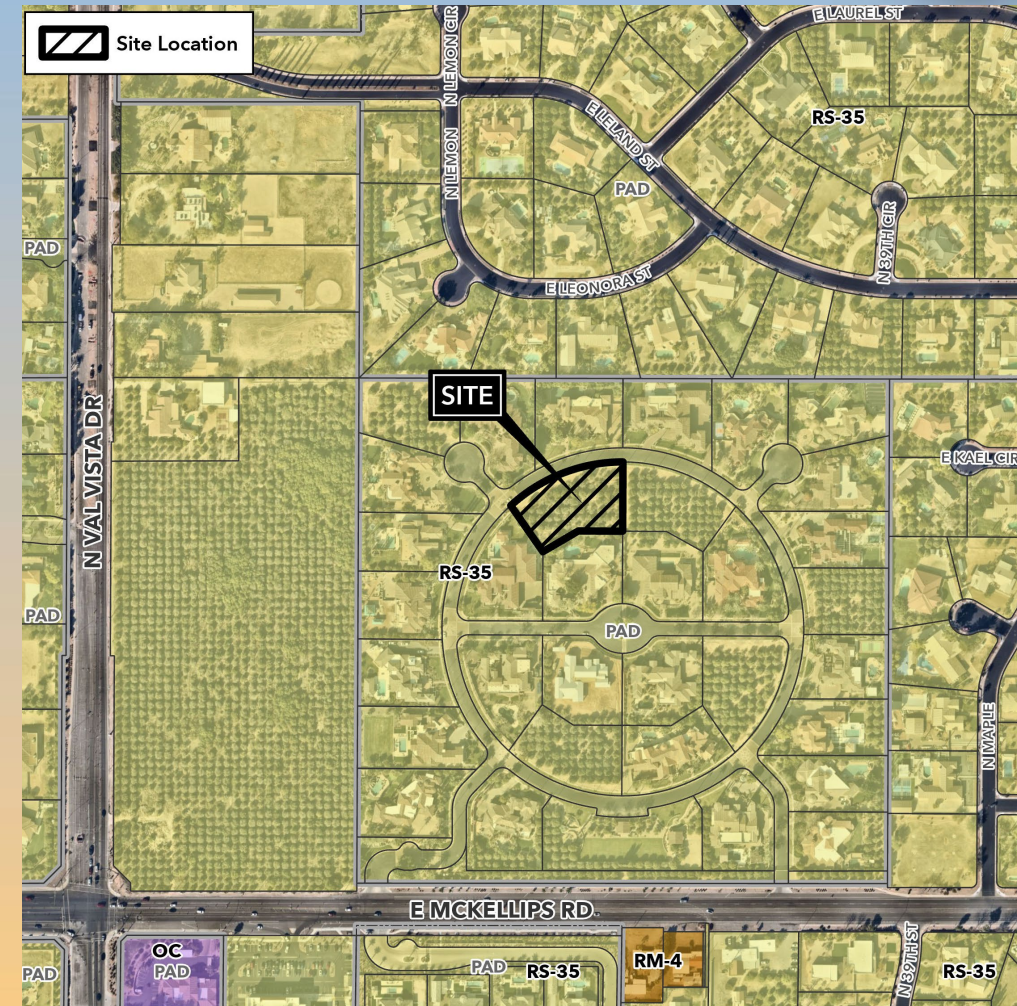
- Variance to allow for an increase to the maximum fence height in the required front yard.





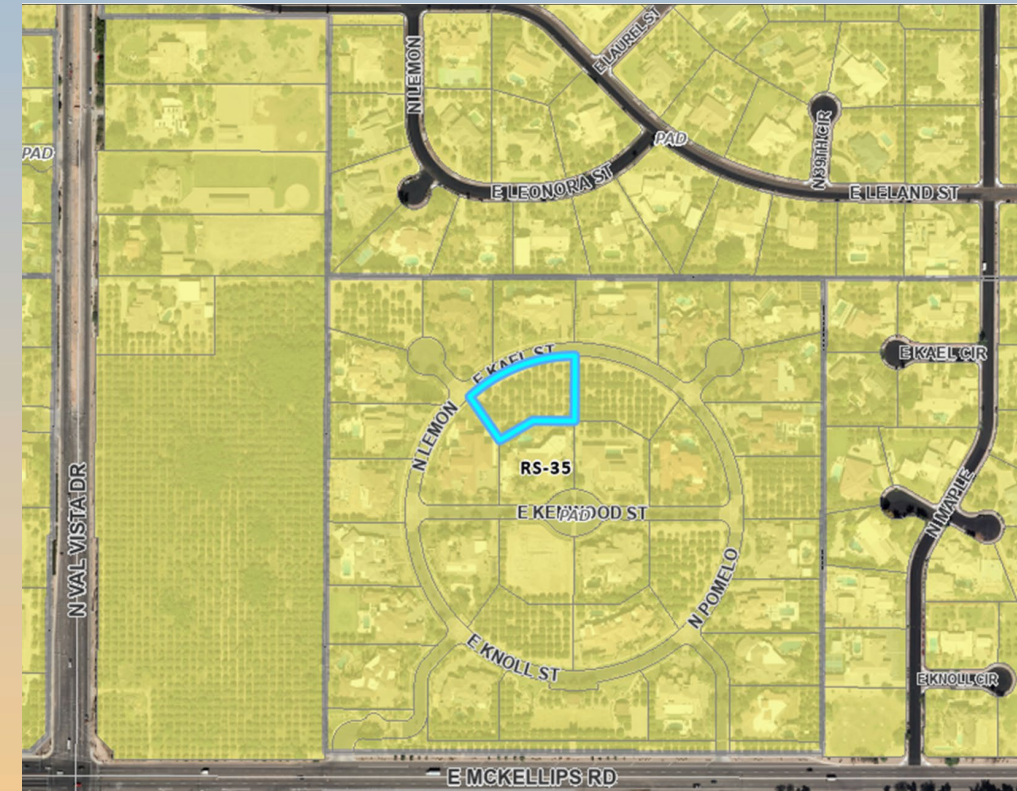
Location

- 3747 E Kael St
- East of N Val Vista Dr
- North of E McKellips Rd





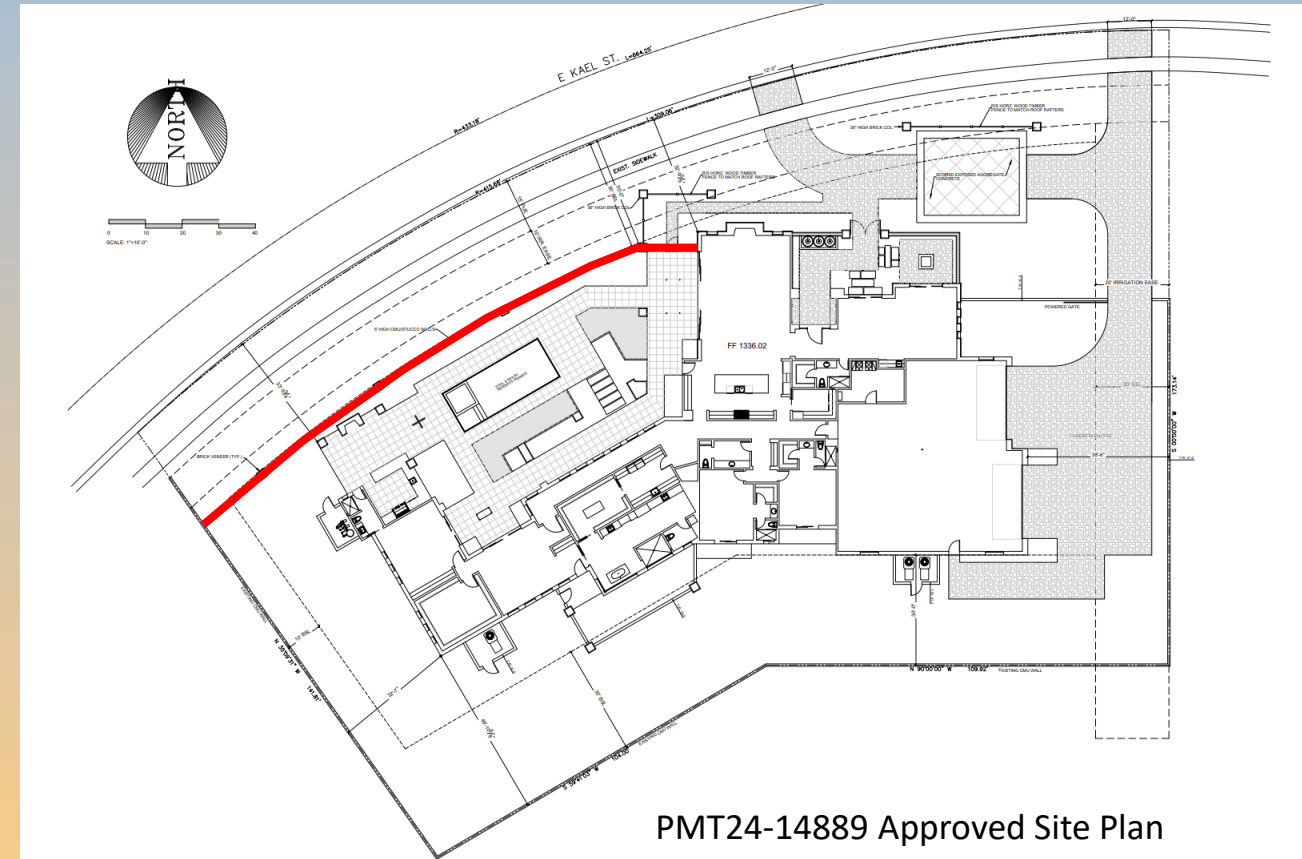
- Single Residence 35 with a Planned Area Development overlay (RS-35-PAD)





Approved Site Plan

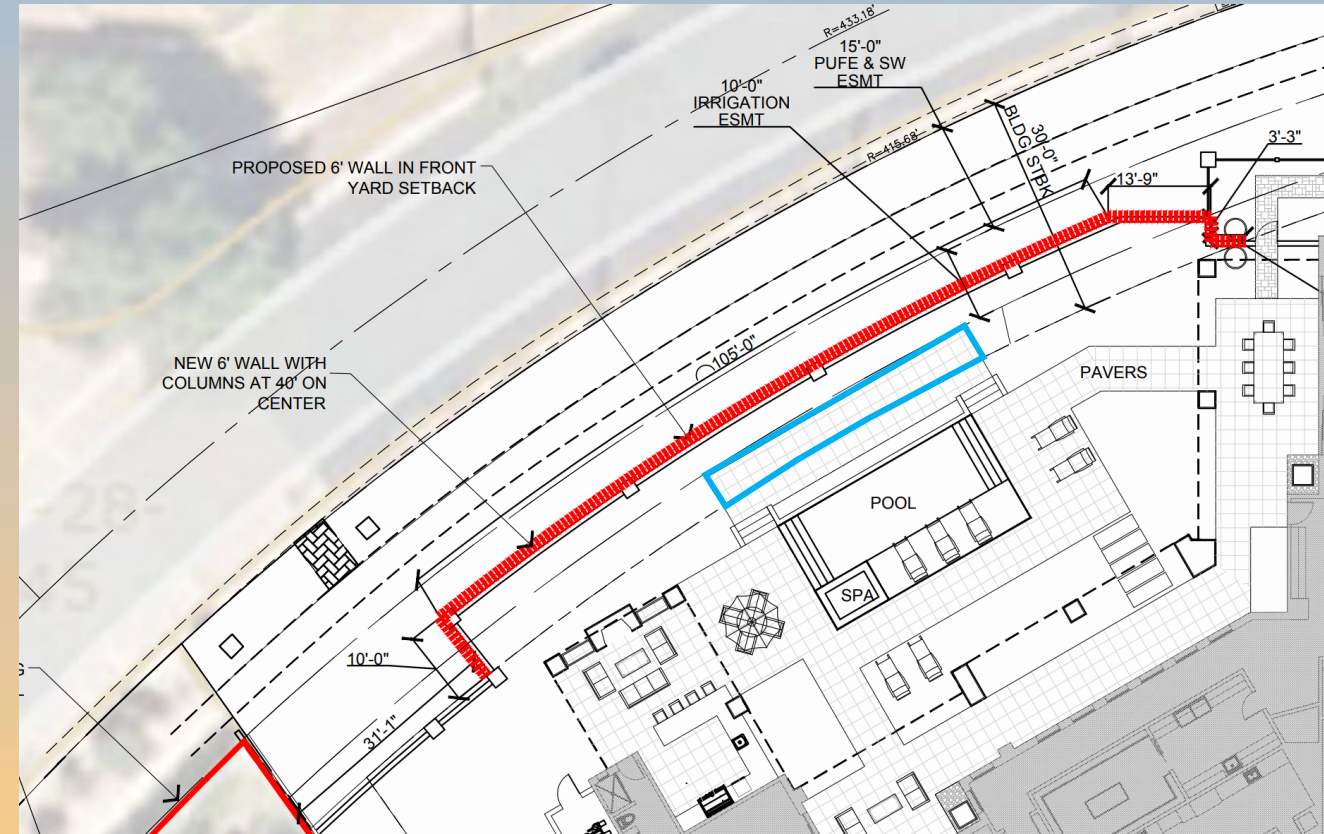
- A 6,568sf single residence home is currently being constructed on the subject property (PMT24-14889)
- The approved construction plans show a 6' tall wall along the front yard setback line, positioned in front of the proposed pool area (shown in red)
- The placement of this wall complies with current MZO fence/wall requirements





Proposed Site Layout

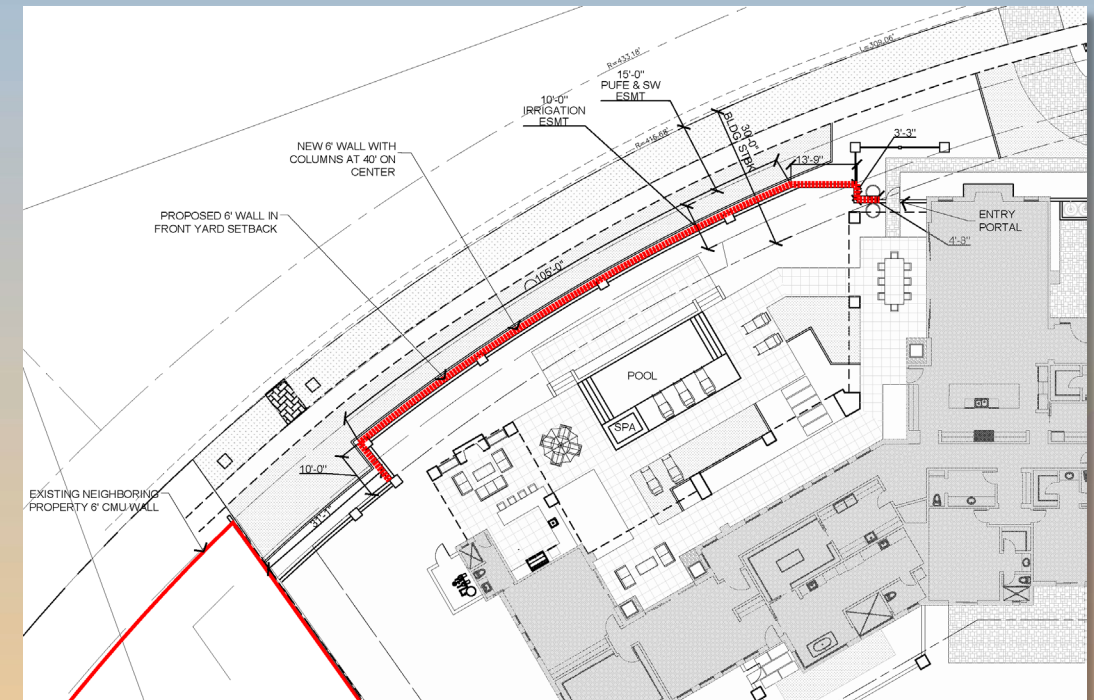
- Additional hardscape improvements surrounding the pool area have been incorporated into the project scope (shown in blue)
- As a result, the property owner proposes relocating part of the 6-foot-tall wall within the required front yard setback (shown in red)





Variance Request

- Required: Per MZO Section 11-30-4.A, no fence or wall within the required front yard shall exceed a height of 3.5 feet, or 4.5 feet with the topmost 1.5 feet being visually transparent and not opaque.
- Proposed: The applicant is requesting to allow a 6-foot-tall wall within the required 30-foot front setback.





Citizen Participation

- Notified property owners within 150 feet
- No feedback has been received





Required Findings

Section 11-80-3 Required Findings:

- ✓ There are special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, and
- ✓ That such special circumstances are pre-existing, and not created by the property owner or appellant; and
- x 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
- x 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.



Required Findings

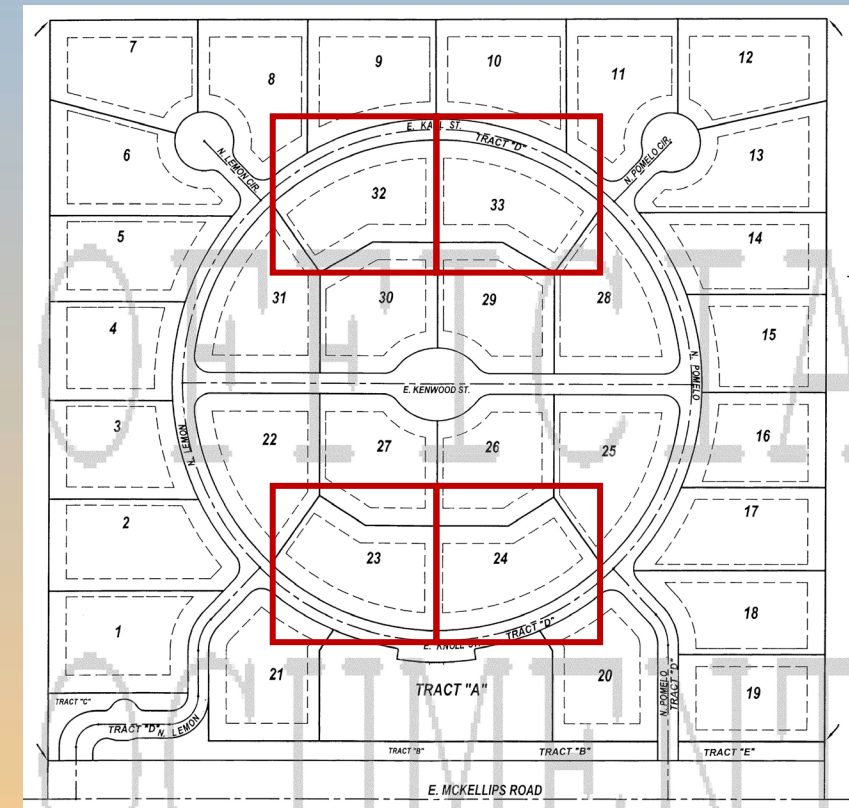
Staff Findings:

- ✓ Special Circumstances are Applicable to the Property
 - The subject property has a unique shape created by the circular lot layout within the subdivision. The entire front property line, which is approximately 310 feet in length, is curved, creating a unique relationship with the private road frontage.
 - Although a special circumstance that could justify a variance may generally exist, it is not the type of special circumstance that supports the variance requested by the applicant – specifically, it does not contribute to the need for additional fence height in the front yard. Also, the special circumstance is not unique to the subject lot within the subdivision. A total of four lots (Lots 23, 24, 32 & 33) share the same configuration within the Villa Tuscano subdivision, only one of which is developed, and that lot did not request relief from the MZO.



Subdivision Plat

- Highlighted with red boxes are the lots within the Villa Tuscano Subdivision that share the same configuration as the project site (Lot 32).





Required Findings

Staff Findings:

- ✓ The Special Circumstances are not Created by the Property Owner/Applicant
 - The property was platted in 2003, and the property was purchased by the current owner in 2025 in its original and current configuration.



Required Findings

Staff Findings:

- x Strict Application of the Zoning Ordinance Will Not Deprive the Property
 - Enforcing the fencing allowances as defined by the MZO would still allow the applicant to develop the property in a manner consistent with properties of the same classification in the same zoning district and would still allow the applicant to construct a fence in the required front yard, just not of the requested height. Even within the same subdivision, lot 24 has the same configuration and was developed without constructing a fence in the front setback.
 - Alternatives are available to the applicant to achieve the same goals within MZO requirements. The applicant can pull the fence back to the setback line to create a smaller private yard or use landscaping instead of a 6-foot fence to increase the yard's privacy.



Photo of Neighboring Site



County Aerial of 3810 E Knoll St (Lot 24)



Required Findings

Staff Findings:

x The Variance Would Constitute a Grant of Special Privileges.

- Approval of the variance will grant special privileges beyond those available to other properties in the same zoning district. Four lots (Lots 23, 24, 32 & 33) with the same configuration exist within the Villa Tuscano subdivision, and one of these has already been developed without requesting relief from the MZO.
- MZO requirements did not drive the decision to move the building to the rear of the lot. The request for variance was made after the permits for the home had been approved. A variance granted in this instance would ensure that this lot follows a pattern of development distinctly different than lots 23, 24, and 33, from what is otherwise allowed in the MZO, and from what has already proven to be a workable design standard for the one developed lot.



Recommendation

- x Does not meet the required findings for a Variance in Section 11-80-3 of the MZO

Based on the preceding analysis, Staff recommends denial of the requested variance.



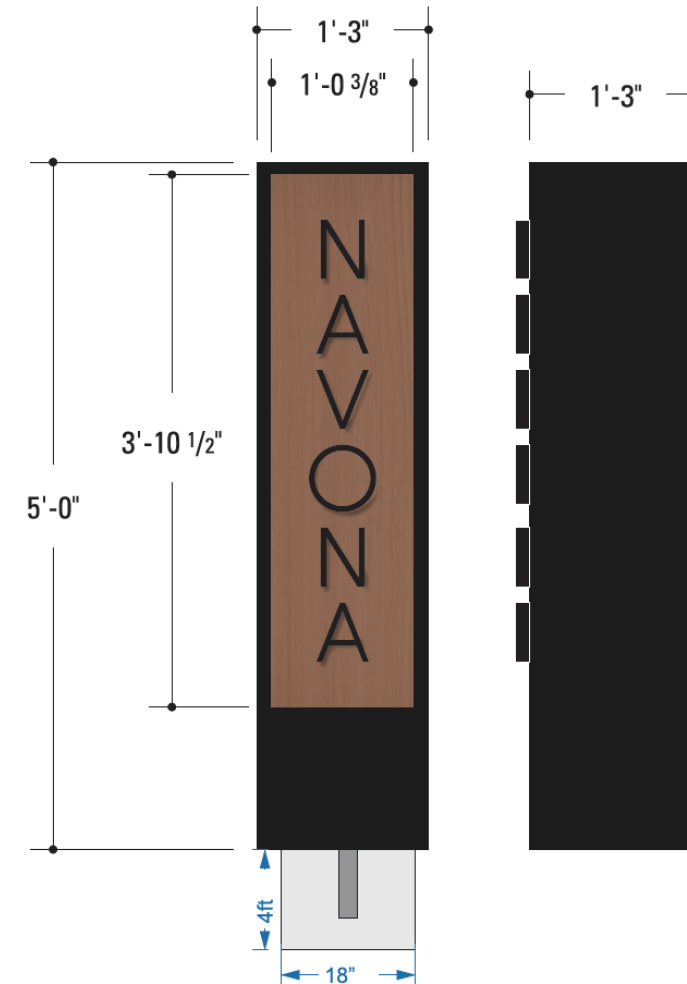
BOA25-00468

Navona - Toll Bros



Request

- Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP)



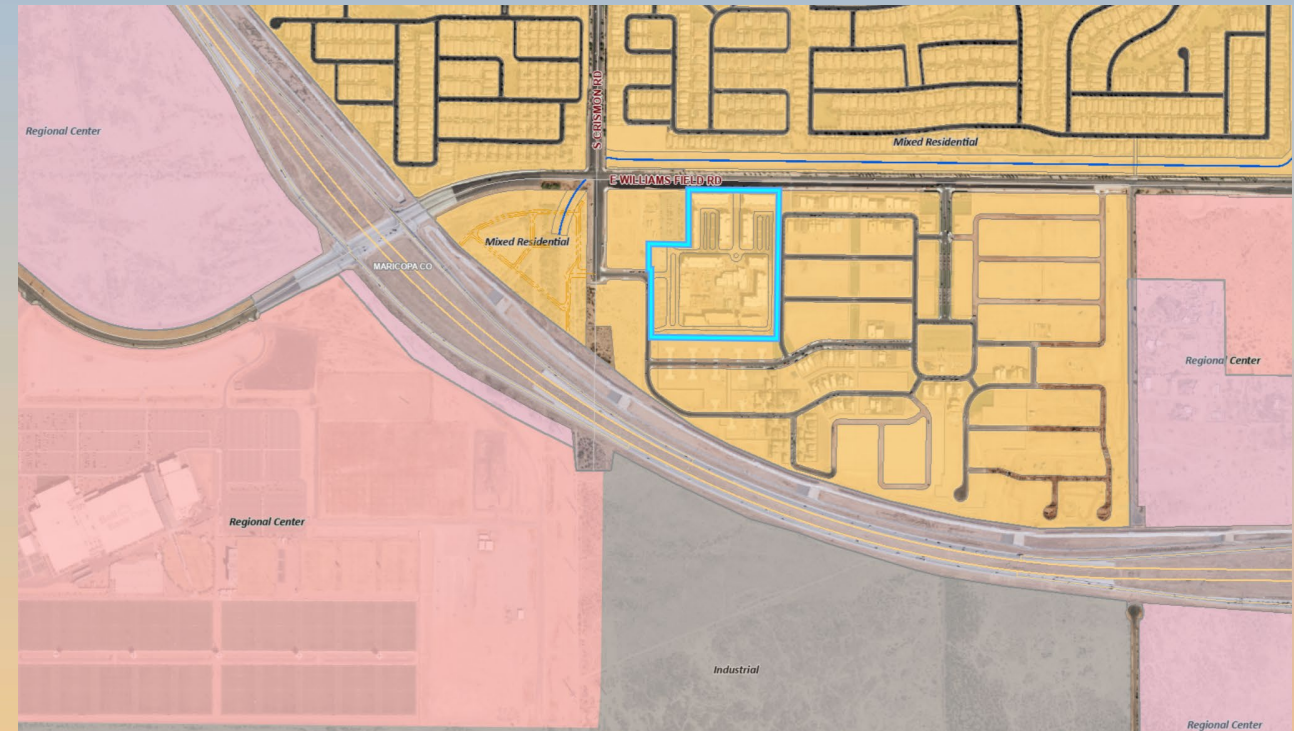




General Plan

Mixed Residential – Evolve

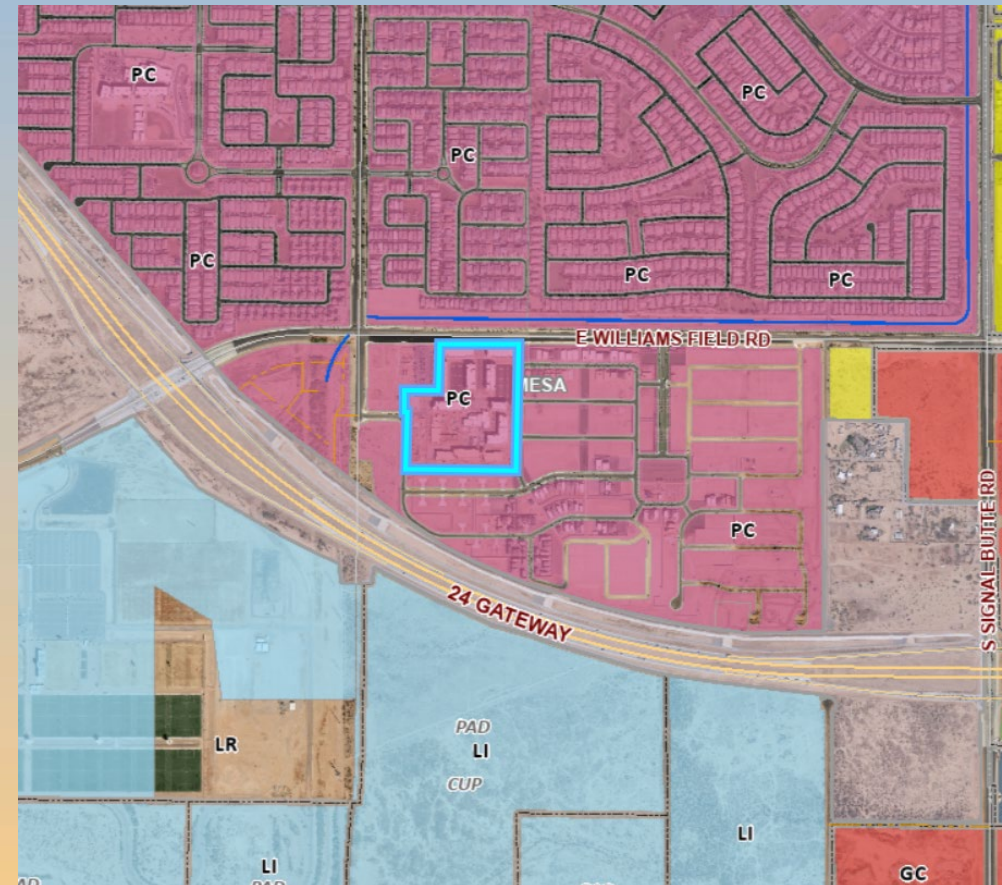
- Provide sustainability through the creation of a live/work/play community
- Multi-residential is a principal land use.





Zoning

- Planned Community (PC)
- Subject to Development Unit 1 of the Avalon Crossing Community Plan





Site Photo



Looking south towards the Navona Apartments (under construction)



(3) Proposed:

- [illegible]



Sign Plan Continued

- Meets the sign allowance criteria for Residential Multiple (RM) Districts per MZO Table 11-43-3-B

Table 11-43-3-B: Attached and Detached Sign Allowances per Development

Max. Number of Permitted Signs (1)	Sign Area Calculation	Max. Height	Additional Requirements
2 signs per street front, attached or detached	1 sq. ft. of sign area per 5-lineal feet of street frontage up to a max. of 32 sq. ft.	8-feet detached	Illumination is allowed if the sign is adjacent to an arterial or collector street. (2)



Attached Sign

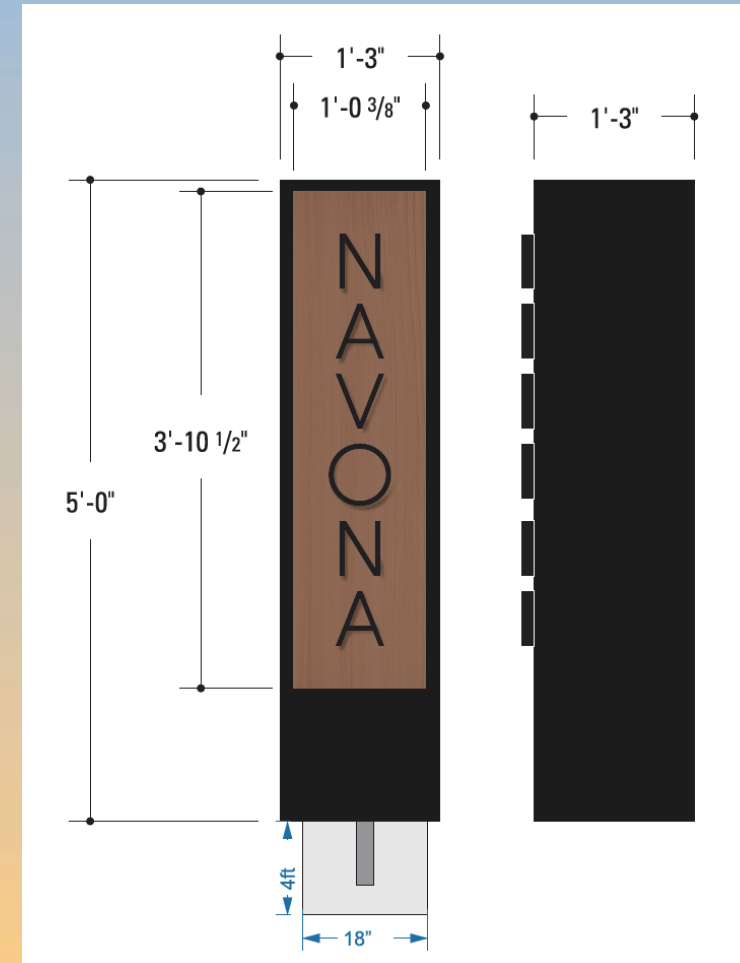
- One attached sign placed above clubhouse entry
- Illuminated LED
- 3" deep cabinet with individual letters





Detached Signs

- Two detached signs
 - 8' high adjacent to Williams Field Rd.
Primary
 - 5' high adjacent to Unity Ave.
Secondary





Sign Materials

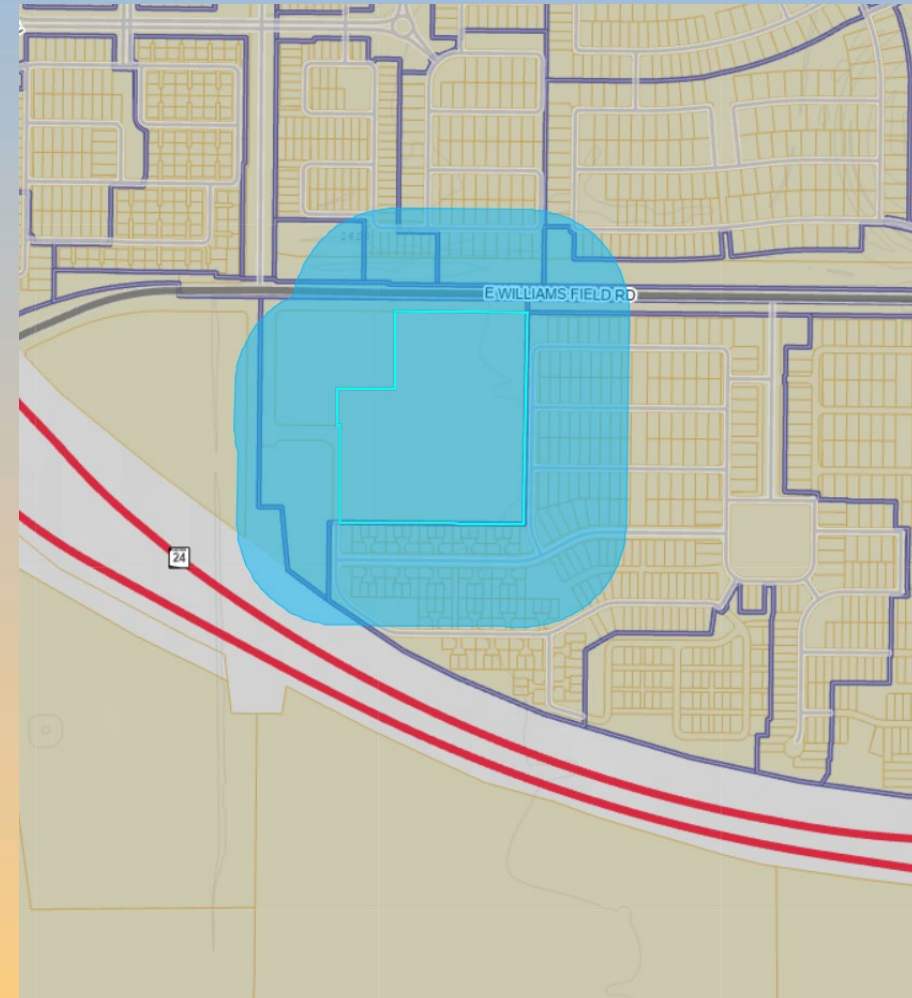
- Two detached signs
 - Aluminum construction
 - Sign face matte wood veneer
 - Letters and cabinets will have a satin black finish





Citizen Participation

- Notified property owners within 500 feet
- No comments received from neighboring property owners





Approval Criteria

Section 11-46-3(D) CSP Criteria

- ✓ The site contains unique or unusual physical conditions that would limit or restrict normal sign visibility.
- ✓ The development exhibits unique characteristics of land use, that represent a clear variation from conventional development.
- ✓ The proposed signage incorporates special design features that reinforce or are integrated with the building architecture.



Approval Criteria

Section 11-70-5(E) Special Use Permit Criteria

- ✓ Project will advance the goals and objectives of the General Plan and other City plan and/or policies;
- ✓ Location, size, design, and operating characteristics are consistent with the purposes of the district where it is located and conform with the General Plan and any other applicable City plan or policies;
- ✓ Project will not be injurious or detrimental to the surrounding properties, the neighborhood, or to the general welfare of the City; and
- ✓ Adequate public services, public facilities and public infrastructure are available.



Findings

- ✓ Complies with the 2050 Mesa General Plan
- ✓ Meets the CSP criteria of Section 11-46-3(D) of the MZO
- ✓ Meets the SUP findings of Section 11-70-5(E) of the MZO

Staff recommends Approval with Conditions



BOA25-00479

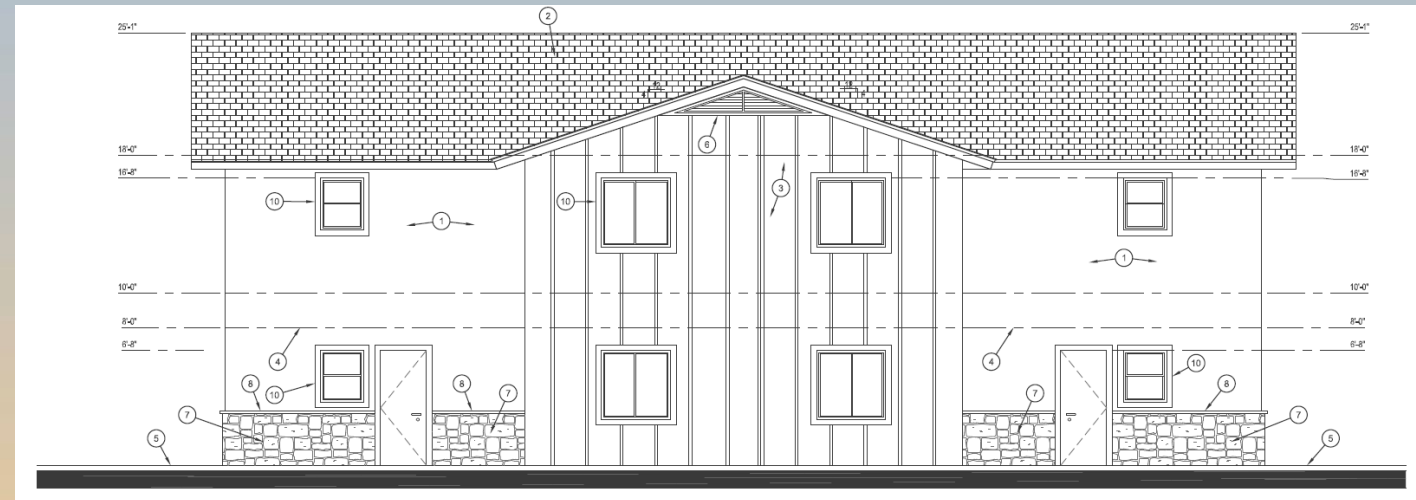
Emily Johnson, Planner II

August 6, 2025



Request

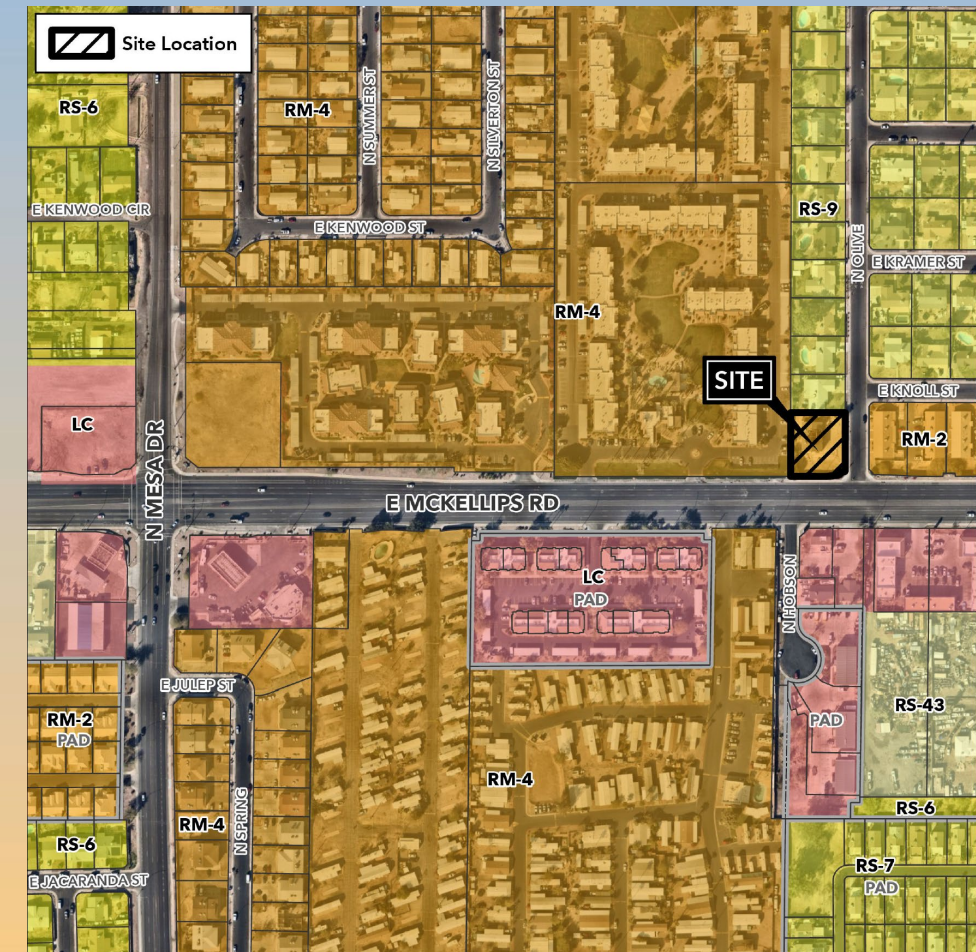
- Variance to allow a reduction to the required interior side yard setback





Location

- 2012 North Olive
- North of McKellips Road
- East of Mesa Drive





Zoning

- Existing: Multiple Residence-2 (RM-2)





Site Photos

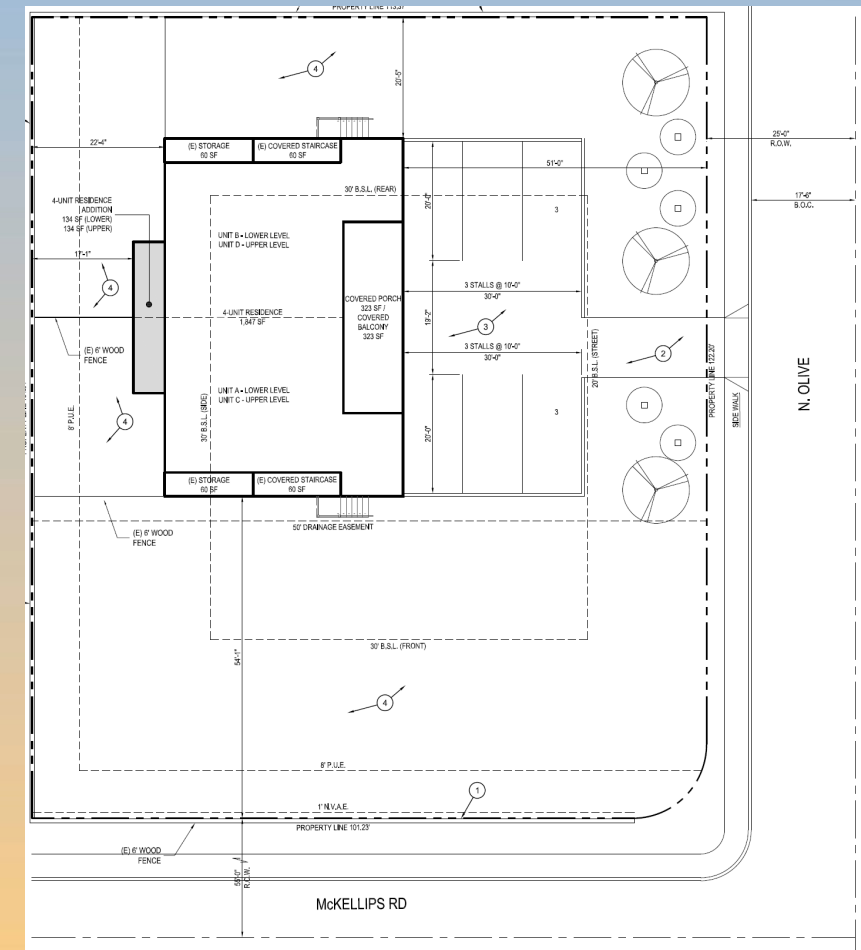


Looking west from N. Olive



Site Plan

- 2-story, 4-unit apartment building with the main entrance facing east
- Current interior side setback is 22'-4"
- With the proposed addition on the west elevation, the new setback will be 17'-1"



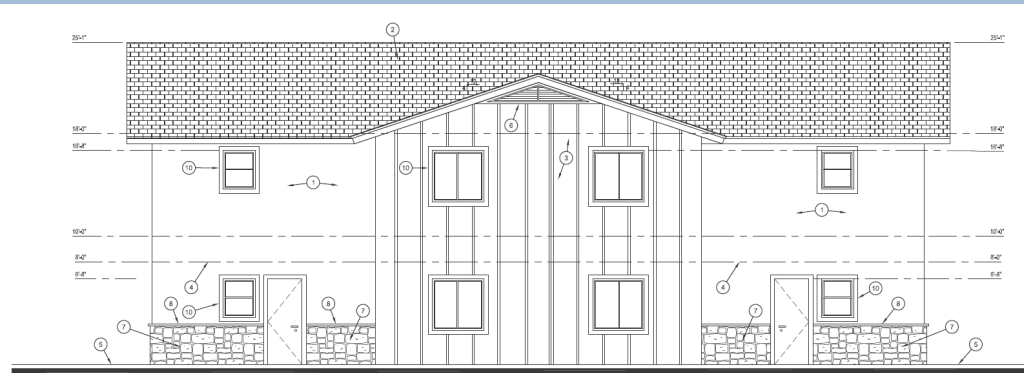


Elevations



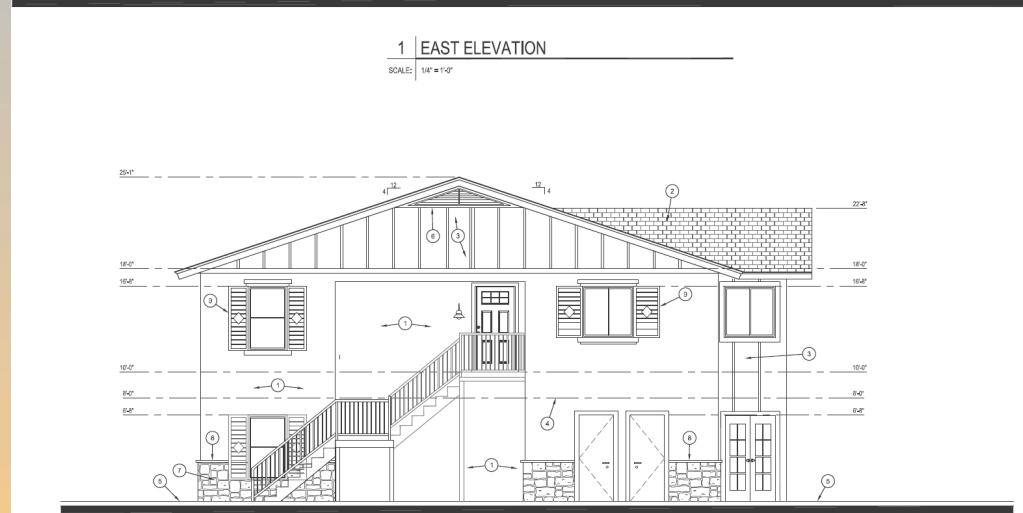
1 | EAST ELEVATION

SCALE: 1/4" = 1'-0"



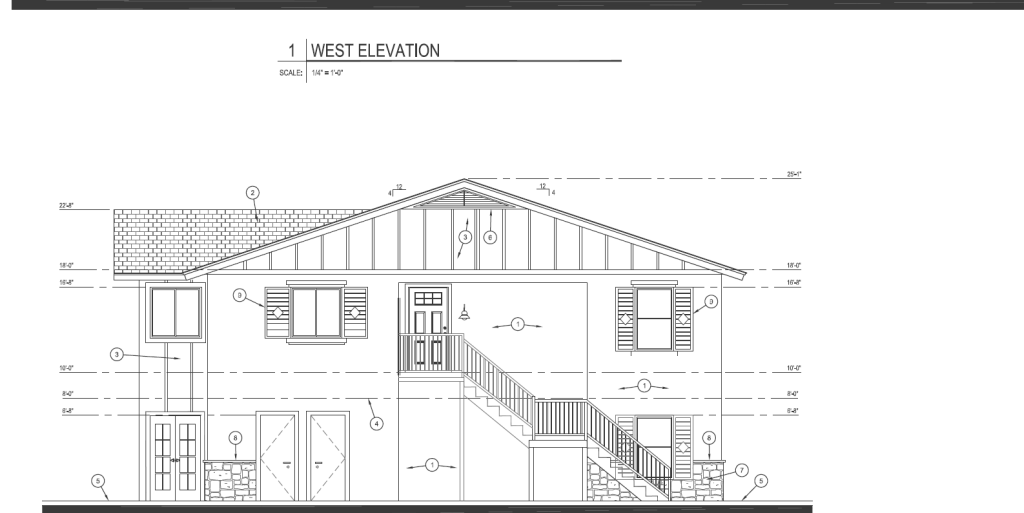
1 | WEST ELEVATION

SCALE: 1/4" = 1'-0"



2 | NORTH ELEVATION

SCALE: 1/4" = 1'-0"



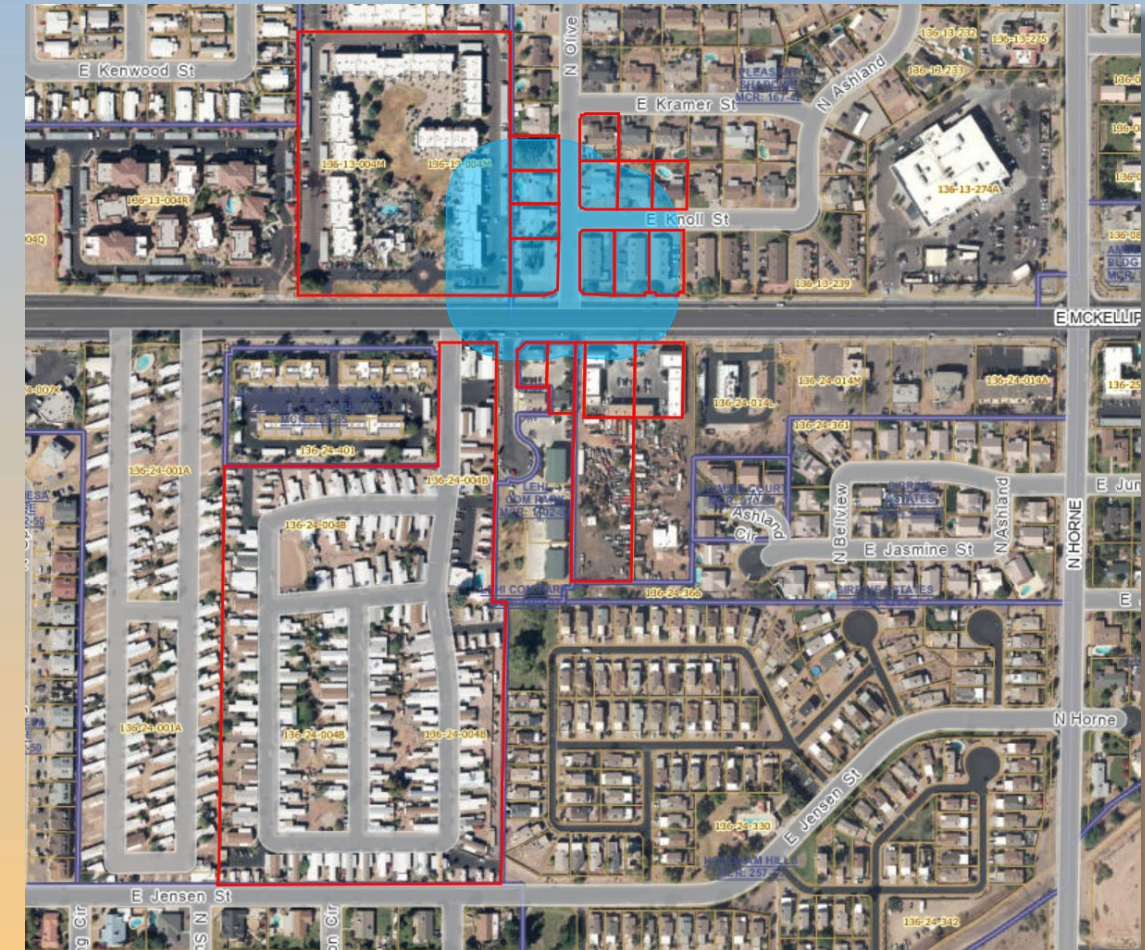
2 | SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



Citizen Participation

- Notified property owners within 500 feet
- No feedback was received





Approval Criteria

Section 11-80-3 Variance Criteria

- ✓ There are special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, and
- ✓ That such special circumstances are pre-existing, and not created by the property owner or appellant; and
- ✓ 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
- ✓ 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.



Findings

- ✓ Complies with the 2050 Mesa General Plan
- ✓ Meets required findings for a Variance in Section 11-80-3 of the MZO

Staff recommends Approval with Conditions



BOA25-00516

Project Aspire



Request

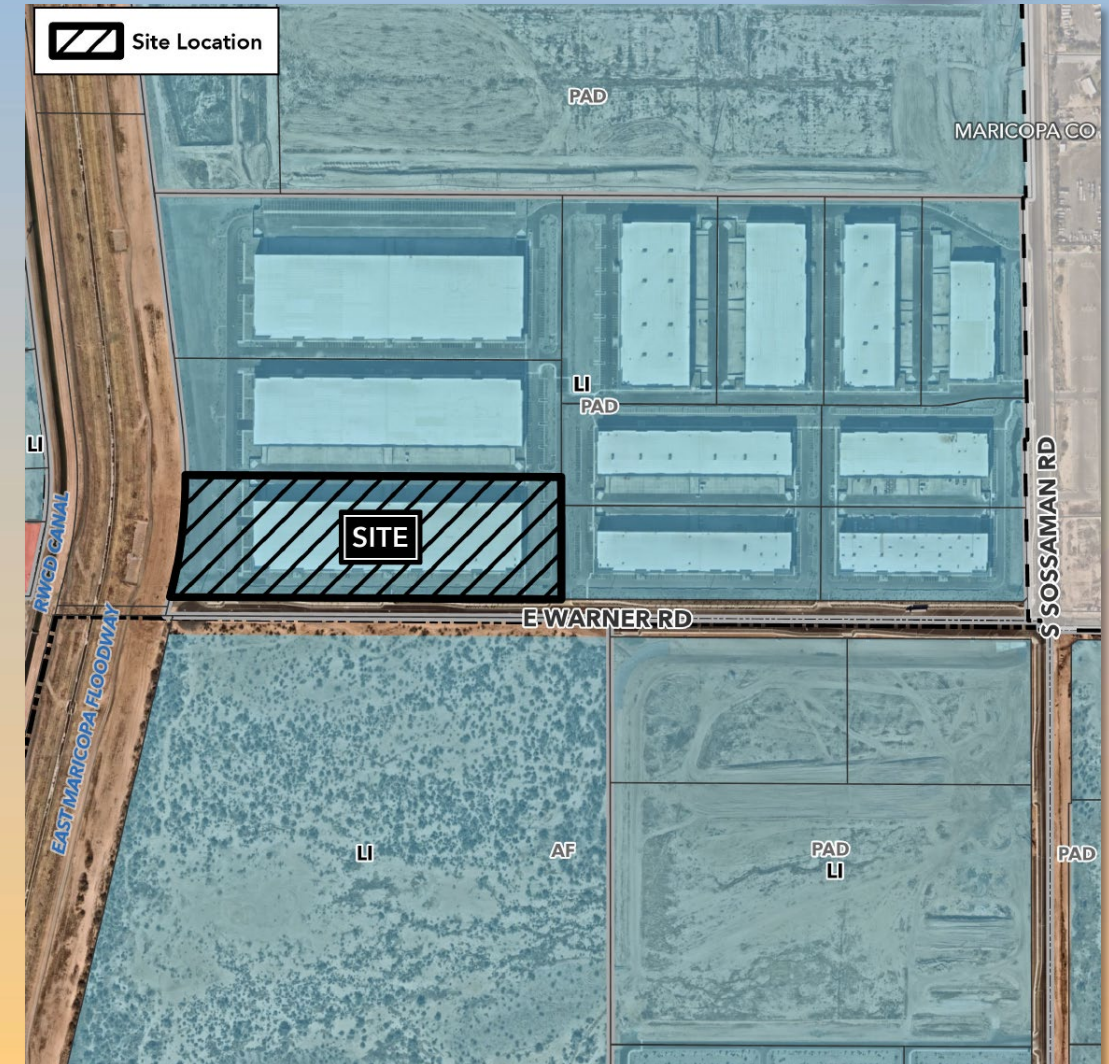
- Special Use Permit for a Parking Reduction and a Special Use Permit for Alternative Compliance for Offsite Parking





Location

- 7236 East Warner Road
- North of Warner Road
- West of Sossaman Road

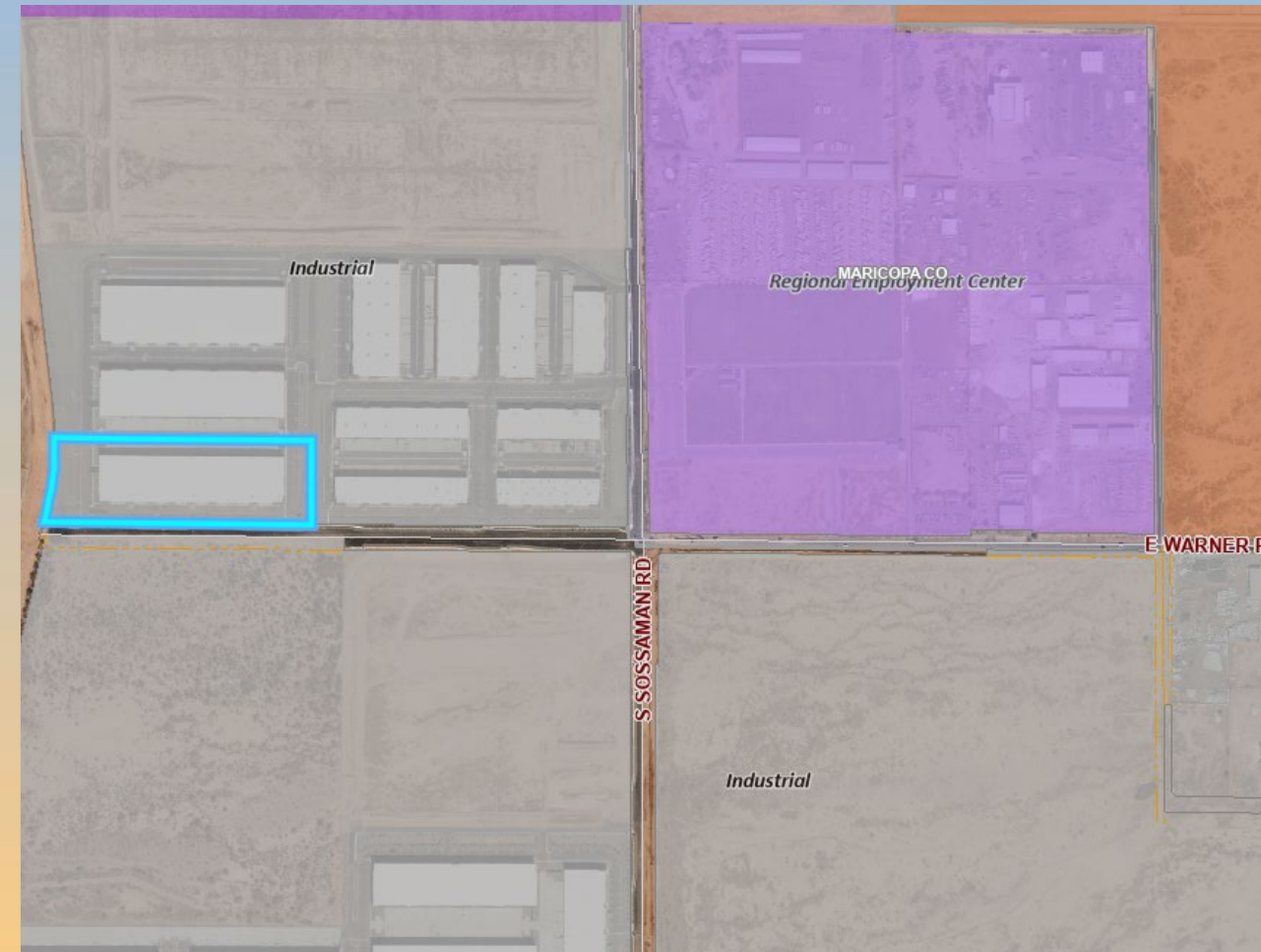




General Plan

Industrial– Evolve

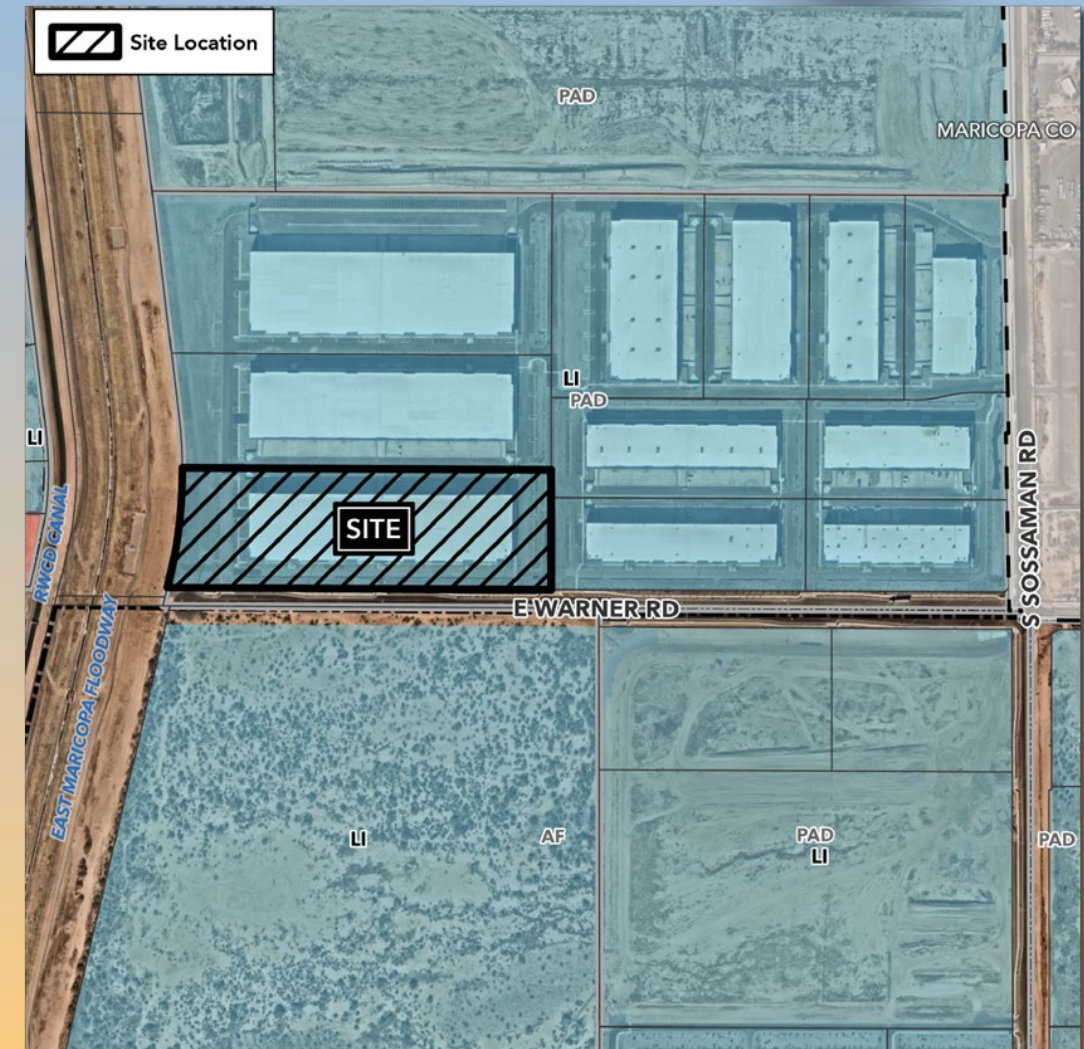
- Intended for high-intensity industrial activities such as manufacturing
- Principal land uses include Light Industrial





Zoning

- Light Industrial with a Planned Area Development (LI-PAD)
- Use is allowed by right





Site Photo



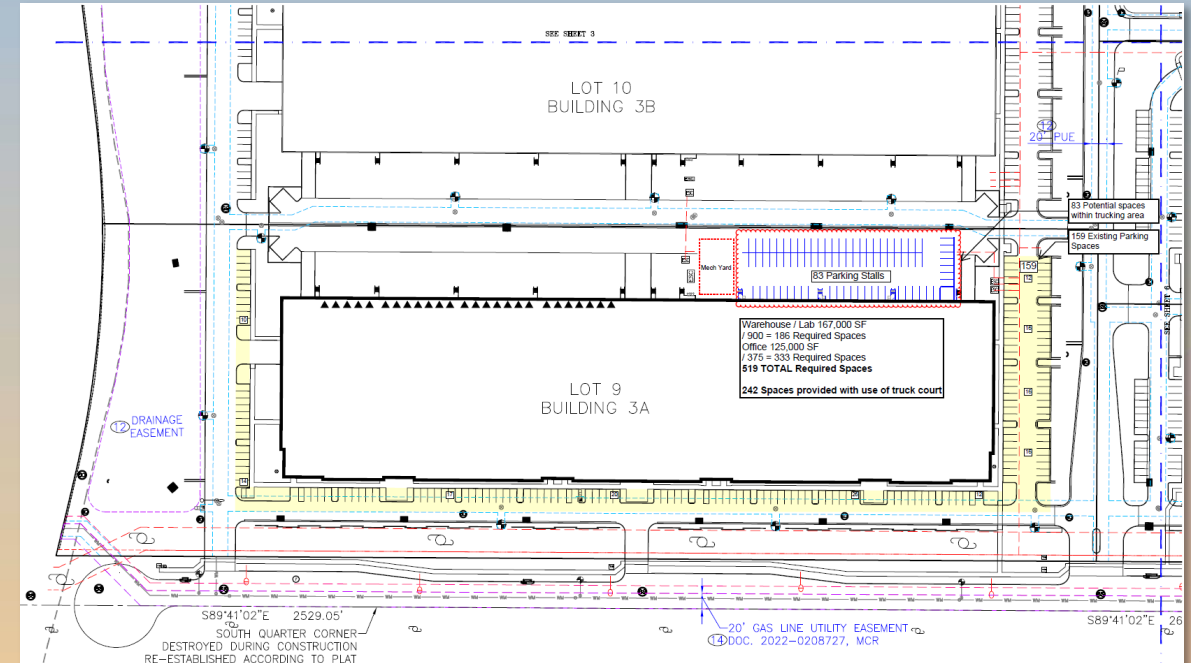
Looking northwest towards the site from the intersection of Warner and
Sossaman



Site Plan

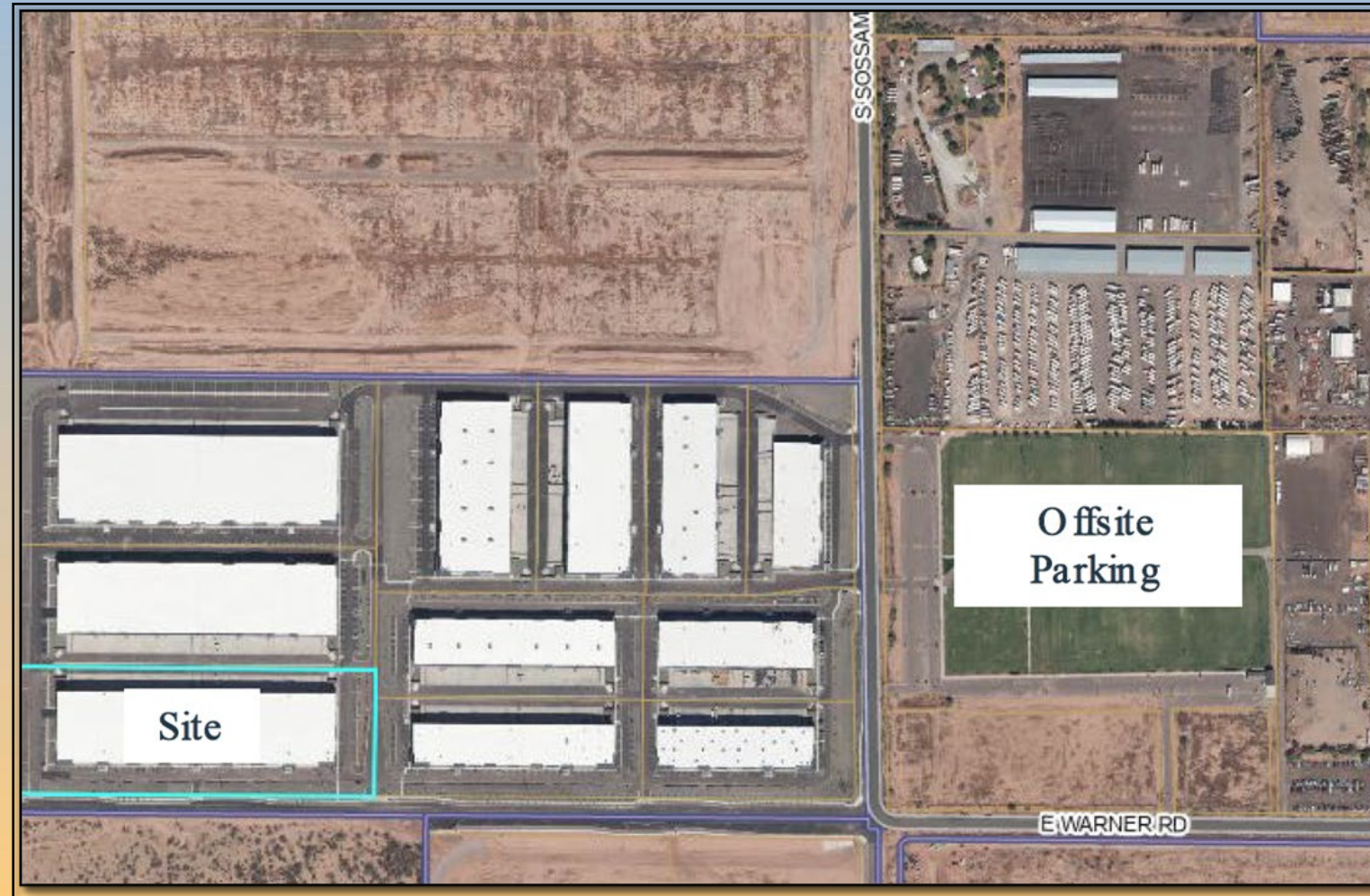
Parking Reduction:

- Reduction from 519 total parking on site to 159 required parking on site
- 470 Parking spaces available via a shared parking agreement with the Sports Complex Located at the Northeast corner of Sossaman and Warner Roads
- 83 additional parking spaces located within the screened truck court





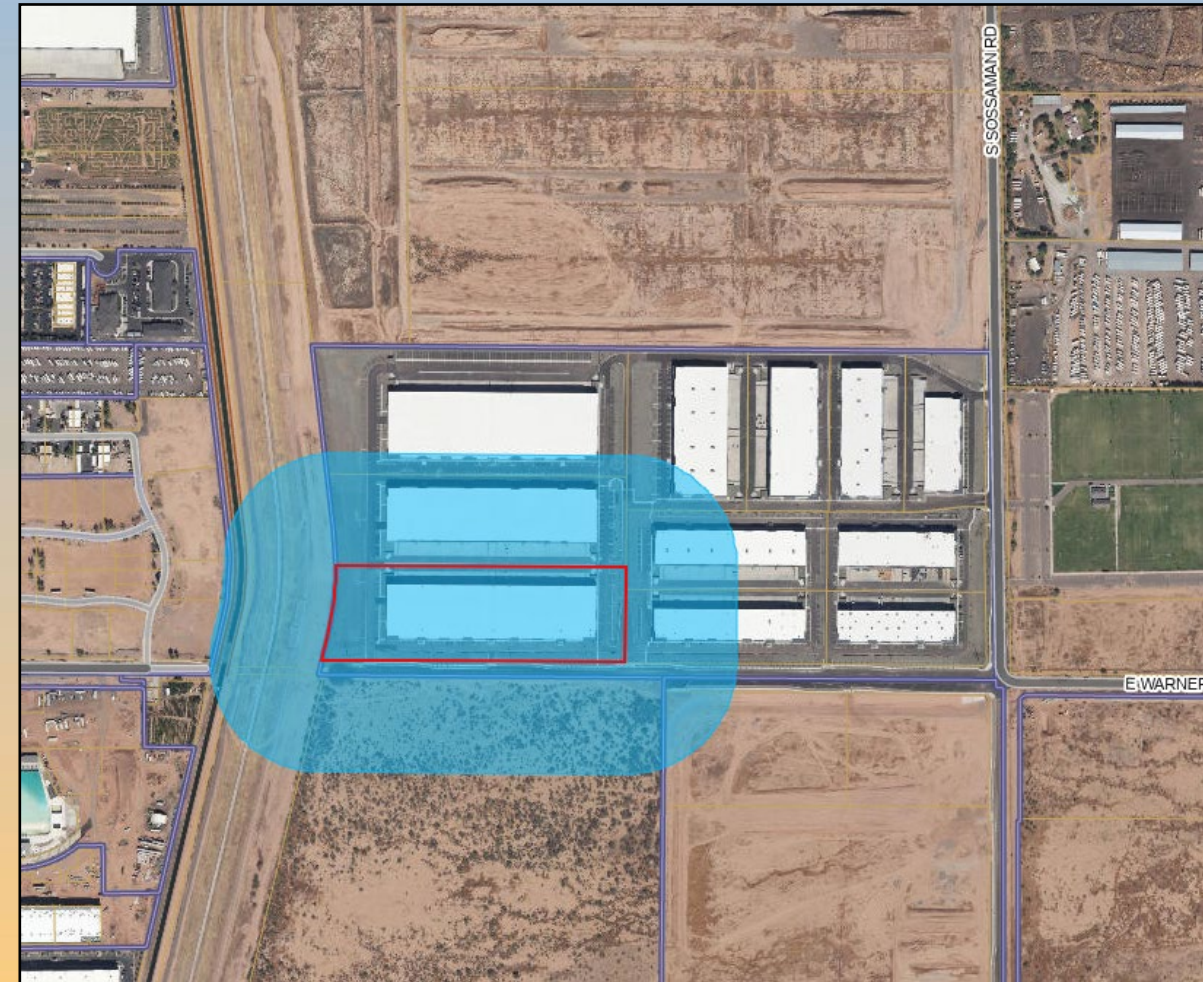
Offsite Parking Location





Citizen Participation

- Notified property owners within 500 feet
- No comments received from neighboring property owners





Approval Criteria

Section 11-70-5(E) Special Use Permit Criteria

- ✓ Project will advance the goals and objectives of the General Plan and other City plan and/or policies;
- ✓ Location, size, design, and operating characteristics are consistent with the purposes of the district where it is located and conform with the General Plan and any other applicable City plan or policies;
- ✓ Project will not be injurious or detrimental to the surrounding properties, the neighborhood, or to the general welfare of the City; and
- ✓ Adequate public services, public facilities and public infrastructure are available.



Approval Criteria

Section 11-32-6 Parking Reduction Criteria

- ✓ Special conditions—including but not limited to the nature of the proposed operation
- ✓ The use will adequately be served by the proposed parking
- ✓ Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area



Findings

- ✓ Complies with the 2050 Mesa General Plan
- ✓ Meets the SUP criteria of Section 11-32-6 of the MZO
- ✓ Meets the SUP findings of Section 11-70-5(E) of the MZO
- ✓ Meets the Alternative Compliance findings of Section 11-32-7 of the MZO

Staff recommends Approval with Conditions