

Scout Real Estate

224 S Mesa Dr, Mesa, AZ 85210

March 2024

City of Mesa Planning Department/Board of Adjustment

55 North Center Street Mesa, AZ 85201

Re: Board of Adjustment Submittal, Justification and Compatibility

Statement To Whom it May Concern:

This subject site is at **224 South Mesa Drive, Meza, AZ.** The scope of work involves the installation of a 6' wrought iron fence located adjacent to Mesa Drive. Per Section 11-30-4.A of the Mesa Zoning Ordinance (MZO), **"No fence or freestanding wall within or along the exterior boundary of the required front yard shall exceed a height of 3.5-feet."** Because this request is seeking to install a wall 6-foot high (7 feet with the curved pickets) we are seeking a Variance request.

Below are responses to the four (4) decision criteria for Variances found in Section 11-80-3 of the MZO:

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

The special circumstance and condition which apply to this property are the driveway throat between the property we own, and the south neighboring lot. This shared driveway is a setback for us to be able to extend the security fence and create a covered garage for the property. This circumstance and condition may not apply to other properties in this area or zoning district.

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B. That such special circumstances are pre-existing, and not created by the property owner or appellant; and

The neighbors to the north and south of the property already have these 6 or 7-foot high fences, which are built out of concrete blocks. We have appealed with the County to place a wrought iron fence which will allow semi-full visibility to the front facade of the building located in the lot.

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 3.

Strict compliance with the Zoning Ordinance would deprive our property of the same level of security that is available to the next door neighbors that share the same zoning district.

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.

This fence matches the height of the neighboring lots running along South Mesa Drive. This fence will improve the security of our property and the people that reside in it, without compromising visibility and connection to the right-of-way and sidewalk in front of the property. The small entry gate will be within our driveway, so there will also be no interference with the pedestrian traffic. The fence is consistent with the surrounding area and will not constitute a special privilege.