



PLANNING DIVISION  
STAFF REPORT

Board of Adjustment

June 2, 2021

CASE No.: <b>BOA21-00320</b>	CASE NAME: <b>Evensen PAD Modification</b>
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Owner's Name:	Gary Evensen
Applicant's Name:	Gary Evensen
Location of Request:	8311 E. Fay Avenue
Parcel Nos:	218-62-461
Nature of Request:	Requesting a modification to an existing Planned Area Development (PAD) front yard setback requirement to allow for an addition to an existing single residence.
Zone District:	Single Residence (RS-6) Planned Area Development (PAD) Age - Specific Overlay (AS) Airfield Overlay (AF)
Council District:	5
Site size:	8,965 square feet or .20± acres
Existing use:	Single Residence
Staff Planner:	Sean Pesek
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **June 5, 1985**, the property was annexed into the City of Mesa as part of a 598± acre annexation and subsequently zoned R1-6-PAD-AS (Ord No. 1942 and Case No. Z86-048).

The existing home was constructed in **1979** according to the Maricopa County Assessors Office.

**PROJECT DESCRIPTION**

**Background:**

The Applicant is requesting to modify an existing Planned Area Development (PAD) to reduce the required front yard setback for carports and garages from 20 feet to 15 feet, 10 inches.

Initially approved under Jurisdiction of Maricopa County in 1970, the subject property was annexed into the City of Mesa in 1985 and zoned single residence (R1-6) with an age specific (AS) and PAD overlay. Per the approved PAD standards, the minimum front yard setback to a carport/garage is 20 feet. Approval of this request would allow for a 19-foot-wide by 6-foot-long (19' X 6') addition to the existing carport to facilitate a garage enclosure. Per the submitted plans, the enclosed garage will be approximately 24 feet in length and 19 feet in width and located approximately 15 feet, 10 inches (15'10") from the front property line, which results in a front yard setback encroachment of approximately 4 feet, 2 inches (4'2").

**General Plan Character Area Designation and Goals:**

The Mesa 2040 General Plan Character Area designation on the property is Neighborhood with a Manufactured Home Sub-type. Per Chapter 7 of the General Plan, the focus of the Neighborhood Character Area is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. The Manufactured Home Sub-type includes areas of at least 80 contiguous acres comprised of one or more recreational vehicle or manufactured home parks or subdivisions. These neighborhoods are often age restricted to persons over the age of 55 and include amenity areas for the benefit of the residents. The existing single residence conforms with the General Plan’s Neighborhood Character Area and Manufactured Home Sub-type designation for the property.

**Site Characteristics:**

The subject property is in the Fountain of the Sun Planned Area Development, which is bounded by E. Broadway Road to the north, S. Hawes Road to the east, E. Southern Avenue to the south, and S. Sossaman Road to the west. The rectangular-shaped property is approximately 8,965 square feet in size (0.20 acres), with maximum overall dimensions of approximately 124 feet in length and 63 feet in width. The site is developed with a 1,474 square-foot single-residence and attached double-car carport with overall dimensions of 19 feet in length and 19 feet in width.

**Surrounding Zoning Designations and Existing Use Activity:**

<b>Northwest</b> RS-6-PAD-AS-AF Single Residence	<b>North</b> RS-6-PAD-AS-AF Single Residence	<b>Northeast</b> RS-6-PAD-AS-AF Single Residence
<b>West</b> RS-6-PAD-AS-AF Single Residence	<b>Subject Property</b> RS-6-PAD-AS-AF Single Residence	<b>East</b> RS-6-PAD-AS-AF Single Residence
<b>Southwest</b> RS-6-PAD-AS-AF Single Residence	<b>South</b> RS-6-PAD-AS-AF Single Residence	<b>Southeast</b> RS-6-PAD-AS-AF Single Residence

**Mesa Zoning Ordinance Requirements and Regulations:**

Per Section 11-22-5(E) of the MZO, when a project has been completed, modification or alteration of any building within the development shall remain in conformance with the approved development plan except that any minor extension, alteration, or modification of an existing building may be reviewed and approved by the Board of Adjustment if the request is found to be consistent with the purpose and intent of the approved development plan.

The purpose and intent of a PAD Overlay District is to provide creative, high-quality development through innovative design and flexibility in the application of MZO development standards. The Fountain of the Sun master planned community includes a variety of housing types and recreational amenities to create a unique development that caters to a retirement-oriented (age specific) community. However, a large percentage of single residences within Fountain of the Sun were constructed with a double-car carport, that, if enclosed into a garage, would not accommodate larger vehicles. Allowing a 19-foot-wide by 6-foot-long (19' X 6') addition to the existing home to facilitate an enclosed garage improves the security of the residence, adds value to the property and contributes to the sustainability of the Fountain of the Sun PAD.

Findings:

- A. The existing home was constructed in 1979 and meets the required RS-6-PAD District front yard setback of 20 feet for carports and garages.
- B. The Applicant has requested to modify the existing PAD to reduce the required front setback for carports and garages from 20 feet to 15 feet, 10 inches (15'10") to allow for a 19-foot-wide by 6-foot-long (19' X 6') addition to the existing carport. If approved, the Applicant intends to convert the enlarged carport into a garage.
- C. Construction of an addition to the existing carport to facilitate a garage enclosure is consistent with the purpose and intent of the adopted plan for Fountain of the Sun as it improves the security of the residence, adds value to the subject property and contributes to the sustainability a unique, development catering to a retirement-oriented, age specific community.

**Neighborhood Participation Plan and Public Comments:**

The applicant sent the required notification letters to all property owners within 150 feet of the site. As of writing this report, staff was contacted by David Luna of 8260 E. Farmdale Drive in Mesa, Arizona, who expressed his support for the request.

**Staff Recommendation:**

Based on the preceding findings and conclusions, staff finds that the the request to modify an existing Planned Area Development to reduce the required front yard setbacks for carports and garages from 20 feet to 15 feet, 10 inches complies with the modification criteria of Section 11-22-5(E) of the MZO, and therefore recommends approval with the following conditions:

**Conditions of Approval:**

- 1. Compliance with the final site plan as submitted.
- 2. Compliance with all applicable City of Mesa Development Codes and regulations.
- 3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits

**Exhibits:**

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Justification Statement

Exhibit 4 – Site Plan

Exhibit 5 – Construction Drawings