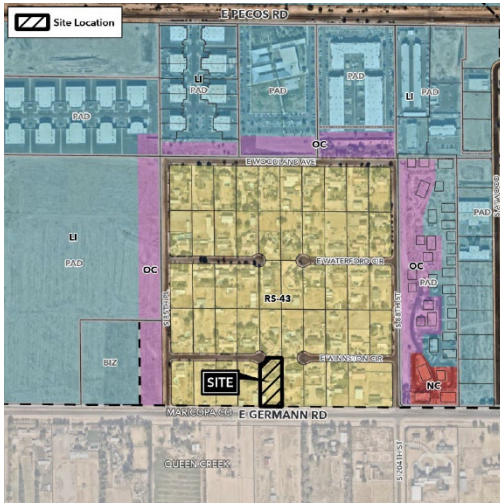




DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

Board of Adjustment Staff Report

June 4, 2025

Case No.	BOA25-00306	
Project Name	8645 E Winnston Circle	
Request	<ul style="list-style-type: none">• Variance to allow the gross floor area of a detached accessory building to exceed 100% of the gross floor area of the primary building; and• Special Use Permit (SUP) to exceed the height of the primary building	
Project Location	8645 E Winnston Circle	
Parcel No(s)	304-62-088	
Project Area	1± acres	
Council District	District 6	
Existing Zoning	Single Residential-43 (RS-43)	
General Plan Designation	Rural Residential	
Applicant	Dr. Kelley Shinn	
Owner	Ramsey Shinn	
Staff Planner	Tulili Tuiteleleapaga-Howard, Planner II	

Recommendation

Staff finds that the request meets the required findings for a Variance outlined in MZO Section 11-80-3 and the required findings for a Special Use permit outlined in MZO Section 11-70-5.

Staff recommends approval with conditions.

Project Overview

Request:

The applicant is requesting a variance to allow the gross floor area of a detached accessory building to exceed 100% of the gross floor area of the primary building, and a Special Use Permit (SUP) for the accessory building to exceed the height of the primary building (Proposed Project).

Site Context**General Plan:**

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

Zoning:

- The project site is zoned Single Residential-43 (RS-43).
- A detached accessory structure is a permitted use within the RS-43 District.

Surrounding Zoning & Use Activity:

The proposed detached accessory structure is compatible with surrounding land uses, which include single-family residential uses and vacant land.

Northwest RS-43 Single Family Residential	North RS-43 Single Family Residential	Northeast RS-43 Single Family Residential
West RS-43 Single Family Residential	Project Site RS-43 Single Family Residential	East RS-43 Single Family Residential
Southwest (Across Germann Rd.) Town of Queen Creek Rural Residential	South (Across Germann Rd.) Town of Queen Creek Rural Residential	Southeast (Across Germann Rd.) Town of Queen Creek Rural Residential

Site History:

- **December 18, 1989:** City Council annexed 3,346.5+ acres, including the project site, into the City of Mesa (Case No. A89-003; Ordinance No. 2473).
- **March 5, 1990:** City Council established comparable zoning districts on an annexed 3,331.1± acres, including the project site, into the City of Mesa from Maricopa County Rural 43, Rural -43 AD IV, Rural 43-AD V, Rural-43 AD VI, IND-2, AD I, AD II, and ADIII to City of Mesa Agricultural (AG), Agricultural with an Airfield Overlay (AG-AF), Suburban Ranch (SR), Suburban Ranch with an Airfield Overlay (SR-AF), and General Industrial (M-2). SR [equivalent to Single Residence-43 (RS-43)] was the established zoning district for the project site (Case No. Z90-007; Ordinance No. 2496).

Project/Request Details

Site Plan:

- **Building Design:** The primary building, located at the north end of the parcel, has a gross floor area of 2,873 square feet and a habitable area of 2,050 square feet. The 5,000 square foot detached accessory building will be a single-story structure situated on the southwestern portion of the site. The proposed building shall be approximately 22 feet in height. Approximately 1,000 square feet of the proposed building shall house an accessory dwelling unit (ADU), and the remaining area a detached accessory garage.
- **Access:** The primary residence is located within a cul-de-sac accessed from East Winston Circle, connected to East Germann Road from South 85th Place. The proposed detached accessory building shall be accessed from the western side yard.

Variance:

The applicant is requesting a variance to allow the gross floor area of a detached accessory building to exceed 100% of the gross floor area of the primary building.

Approval Criteria - Section 11-80-3:

- **Special Circumstances Applicable to the Property:** The subject property is located within the Queens Park neighborhood, a large-lot rural subdivision that is unique in that it has historically been used for equestrian-related properties which typically require large detached accessory buildings. Several lots within this subdivision have previously approved and permitted detached buildings that exceed the floor areas of their respective primary dwellings.
- **The Special Circumstances are not Created by the Property Owner/Applicant:** The existing development pattern within Queens Park consists of multiple large detached accessory buildings used for livestock and storage. The development pattern in Queens Park is pre-existing and not created by the property owner.
- **Strict Application of the Zoning Ordinance and its Impact:** The strict application of the Zoning Ordinance will deprive the subject property of privileges enjoyed by neighboring properties with existing large detached accessory buildings within the Queens Park subdivision.
- **The Variance will not Grant Special Privileges:** Approval of the variance will not grant special privileges beyond those available to other properties in the same zoning district. Queens Park is comprised of large-lot single family residence lots with large detached accessory buildings. The proposed building's size and height is consistent with other detached accessory buildings on similar lots within the rural residential subdivision.

Special Use Permit:

This request includes a Special Use Permit (SUP) for the detached accessory building to exceed the height of the primary building per Section 11-30-17-B(2)(D) of the MZO.

Approval Criteria - Section 11-70-5(E):

1. **Consistent with the General Plan and other Plan/Policies:** The proposed project complies with the General Plan by supporting sustained development and maturation of the existing rural residential neighborhood.
2. **Zoning District Intent:** The proposed project aligns with the zoning district's intent and is consistent with the vision of the RS-43 zoning district. Both the existing single family residence and the proposed accessory structure are permitted uses within the RS-43 zoning district.
3. **Project Impact:** The proposed project will not be injurious or detrimental to surrounding properties or the welfare of the city as it is consistent with the development pattern of the surrounding neighborhood.
4. **Adequate Public Facilities:** The proposed project shall not require any changes to the existing public services and infrastructure that service the neighborhood today.

Required Notification

The applicant notified surrounding property owners within 150 feet of the public hearing.

As of the writing of this staff report, Staff has received no feedback about the proposed project.

Conditions of Approval

Staff recommends **approval** of the proposed Variance and Special Use Permit (SUP), subject to the following conditions:

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

Exhibits

Exhibit 1 – Vicinity Map

Exhibit 2 – Project Narrative and Justification Statement

Exhibit 3 – Site Plan

Exhibit 4 – Elevation/Perspective Drawing

Exhibit 5 – Power Point Presentation