



PLANNING DIVISION  
STAFF REPORT

**Board of Adjustment**

**December 4, 2024**

CASE No.: <b>BOA24-00893</b>	PROJECT NAME: <b>Grad Garage Addition SUP</b>
Owner's Name:	Glen Grad
Applicant's Name:	Matt Bayles
Location of Request:	2221 East Dartmouth Street
Parcel No(s):	140-09-258
Nature of Request:	Requesting a Special Use Permit (SUP) to allow an addition that extends into a nonconforming yard in the Single Residence-9 (RS-9) District.
Zoning District:	Single Residence 9 (RS-9)
Council District:	1
Site Size:	0.2± acres
Existing Use:	Single Residence
Hearing Date(s):	December 4, 2024 / 5:30 p.m.
Staff Planner:	Tulili Tuiteleapaga-Howard, Planner I
Staff Recommendation:	Approval with Conditions

**HISTORY**

On **December 7, 1968**, the City Council annexed 1,395± acres of land, including the project site, into the City of Mesa (Ordinance No. 608).

**PROJECT DESCRIPTION**

**Background:**

The applicant is requesting a Special Use Permit (SUP) to allow an alteration to the primary dwelling that extends into a nonconforming side yard in the Single Residence 9 (RS-9) zoning district.

The project site is a corner lot located on the southwest corner of East Dartmouth Street and North 22<sup>nd</sup> Place within the Corona Del Rey Unit 3 Subdivision. The property fronts north onto East Dartmouth Street and has an existing garage facing east toward North 22<sup>nd</sup> Place. Per Section

11-5-3 of the Mesa Zoning Ordinance (MZO), garages and carports are subject to a 25-foot side yard setback in the RS-9 zoning district. The existing carport at this site currently encroaches into this side yard setback requirement, located 10 feet from the street-side property line. Although non-conforming in this nature, the required street-side yard setback imposed by Section 11-5-3 of the MZO in the RS-9 district is 10 feet. The project site is compliant with this MZO provision.

Driving this project request, the applicant is requesting the extension of the existing carport to the north, proposing an expansion of approximately 269 square feet, toward the front yard of the project site. The existing carport is 441 square feet in size; the subsequent expansion increases the size to 710 square feet and converts it into a garage. While the extension shall not encroach further into the required 10-foot street-side yard setback, the new garage will extend further into the non-conforming 25-foot side yard setback imposed for garages.

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

The Mesa 2040 General Plan character type designation on the property is Neighborhood. Per Chapter 7 of the General Plan, the primary focus of the Neighborhood character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Neighborhoods can contain a wide range of housing options and often have non-residential uses such as schools, parks, places of worship and local serving businesses.

Overall, the existing Single Residence and proposed request conform with the General Plan and the intent of the character area.

**Site Characteristics:**

The address of the subject property is 2221 E Dartmouth Street and is located on the southwest corner of East Dartmouth Street and North 22<sup>nd</sup> Place within the Corona Del Rey Unit 3 Subdivision. The subject lot is 0.22± acres and the existing Single Residence is 2,776± square feet in size. The applicant is proposing to construct a 269 square foot garage addition to the front of the house which is proposed to be consistent with the existing building setbacks. The proposed subsequent garage addition shall increase the site’s lot coverage from 32% to 35%, well within the requirements set forth in the MZO.

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

<b>Northwest</b> (Across Dartmouth St.) RS-9 Single Residence	<b>North</b> (Across Dartmouth St.) RS-9 Single Residence	<b>Northeast</b> (Across Dartmouth St. and 22 <sup>nd</sup> Pl.) RS-9 Single Residence
<b>West</b> RS-9 Single Residence	<b>Subject Property</b> RS-9 Single Residence	<b>East</b> (Across 22 <sup>nd</sup> Pl.) RS-9 Single Residence
<b>Southwest</b> RS-9 Single Residence	<b>South</b> RS-9 Single Residence	<b>Southeast</b> (Across 22 <sup>nd</sup> Pl.) RS-9 Single Residence

## **Mesa Zoning Ordinance Requirements and Regulations:**

### **Zoning Ordinance 11-36-7-B**

Per Section 11-36-7(B) of the Mesa Zoning Ordinance (MZO), alterations and enlargements that extend into a nonconforming yard may be approved through a Special Use Permit where the alteration would not: 1. Further reduce any existing nonconforming yard; 2. Exceed applicable building heights; 3. Further reduce existing nonconforming lot coverage or floor area ratio requirements; and 4. Increase the required number of off-street parking spaces unless parking is provided under current standards for the addition of the use only.

The requested garage addition shall not further reduce the existing nonconforming yard of 25 feet from North 22<sup>nd</sup> Place. The proposed addition shall be limited to approximately 12 feet in height, ensuring integration with the existing residence. Per Section 11-5-3 of the MZO, in the RS-9 zoning district, the minimum front yard to enclosed livable areas, porches and porte cocheres is 15 feet, and to garages and carports is 25 feet. The proposed addition does not extend into the required front yard. Also per this Section, the required lot coverage permitted within the RS-9 zoning district is limited to 60%. With the requested garage alteration, the subsequent lot coverage is proposed for 35%, well within compliance of the MZO. No additional off-street parking is proposed as part of this request.

### **Zoning Ordinance, Section 11-70-5 – Special Use Permit**

Per Section 11-70-5(E) of the MZO, the Board of Adjustment shall find upon sufficient evidence when making a decision on Special Use Permits that:

1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;

**The subject property is within the Neighborhood character area of the Mesa 2040 General Plan. The intent of the Neighborhood character area is to provide for a wide range of housing opportunities in various densities.**

***The proposal meets this criterion.***

2. The location, size, design, and operating characteristics of the proposed project 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;

**The property is located within the Single Residence 9 zoning district. Per Section 11-5-2 of the MZO, the existing single residence is a permitted use in the RS-9 zoning district. Additionally, the property is located within the Neighborhood character area of the Mesa 2040 General Plan, which identifies the RS-9 zoning district as a primary zoning district in the Neighborhood character area.**

***The proposal meets this criterion.***

3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and

**As the subject property is surrounded by other single residences with detached accessory structures, the proposal is not seen to be injurious or detrimental to the subject neighborhood or the general area of the City.**

***The proposal meets this criterion.***

4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

**The City of Mesa utilities and public infrastructure are existing and available to serve the residential expansion.**

***The proposal meets this criterion.***

Findings:

- A. The property was annexed into the City of Mesa in 1968.
- B. Approval of the requested additions to the subject property will advance the goals and objectives of the General Plan for the Neighborhood character area designation and any other applicable City plan and/or policies.
- C. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the RS-9 zoning district where it is located and conform with the General Plan.
- D. Adequate public services, public facilities and public infrastructure are existing and available to serve the proposed project.

**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 this report, staff has not been contacted by any citizens to express support or opposition to the request.

**Staff Recommendation:**

Based on the application received and preceding analysis, staff finds that the request complies with the Mesa 2040 General Plan and meets the approval criteria outlined in Section 11-70-5 of the MZO; therefore, staff recommends approval with the following conditions:

**Conditions of Approval:**

1. Compliance with the final site plan as submitted.
2. Compliance with all City Development Codes and regulations.

**Exhibits:**

Exhibit 1 – Staff Report

Exhibit 2 – Vicinity Map

Exhibit 3 – Narrative and Justification Statement

Exhibit 4 – Site Plan

Exhibit 5 – Power Point Presentation