

Board of Adjustment



Public Hearing Meeting Minutes

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

Date: August 6, 2025 Time: 5:30 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

(*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 Public Hearing was called to order at 5:31 p.m.

2 Take action on all Consent Agenda items.

A motion to approve the Consent Agenda as read by Vice Chair Allen was made by Boardmember Trendler and seconded by Boardmember Paul.

Consent Agenda Approved

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Barrera – Paul

NAYS – None

ABSENT – Reed – Glover

ABSTAINED – None

Items on the Consent Agenda

3 Approval of the following minutes from previous meeting:

***3-a** Minutes from July 2, 2025 Study Session and Public Hearing.

4 Take action on the following cases:

***4-a BOA25-00305 "Detached Garage,"** 0.5± acres located at 2328 North 64th Street. Requesting a Special Use Permit (SUP) to allow a detached structure to exceed the height of the primary building and a Variance to allow a detached structure to encroach into the required side and rear yard setbacks. **(District 5)**

Staff Planner: Emily Johnson

Recommendation: Continued to September 3, 2025

A motion to continue case **BOA25-00305** was made by Boardmember Trendler and seconded by Boardmember Paul.

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Barrera – Paul

NAYS – None

ABSENT – Reed – Glover

ABSTAINED – None

***4-b BOA25-00382 "Del Taco #806 Country Club,"** 0.7± acres located at 1864 South Country Club Drive. Requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP). **(District 4)**

Staff Planner: Tye Hodson

Recommendation: Continued to September 3, 2025

A motion to continue case **BOA25-00382** was made by Boardmember Trendler and seconded by Boardmember Paul.

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Barrera – Paul

NAYS – None

ABSENT – Reed – Glover

ABSTAINED – None

- *4-c BOA25-00390 "Del Taco #1038 Signal Butte,"** 0.7± acres located at 1842 South Signal Butte Road. Requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP). **(District 5)**

Staff Planner: Tye Hodson

Recommendation: Continued to September 3, 2025

A motion to continue case **BOA25-00390** was made by Boardmember Trendler and seconded by Boardmember Paul.

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Barrera – Paul

NAYS – None

ABSENT – Reed – Glover

ABSTAINED – None

- *4-d BOA25-00391 "Del Taco #861 Val Vista,"** 0.8± acres located at 3648 East Southern Avenue. Requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP). **(District 2)**

Staff Planner: Tye Hodson

Recommendation: Continued to September 3, 2025

A motion to continue case **BOA25-00391** was made by Boardmember Trendler and seconded by Boardmember Paul.

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Barrera – Paul

NAYS – None

ABSENT – Reed – Glover

ABSTAINED – None

- *4-f BOA25-00468 "Navona - Toll Bros,"** 19.25± acres located at 10141 East Williams Field Road. Requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP). **(District 6)**

Staff Planner: Sergio Solis

Recommendation: Approval with Conditions

A motion to approve case **BOA25-00468** was made by Boardmember Trendler and seconded by Boardmember Paul.

Conditions of Approval:

1. Compliance with the final documents as submitted with this application.
2. Compliance with all requirements of Planning and Zoning Case No. ZON22-00338.
3. Compliance with all the requirements of Design Review Case No. DRB22-00541.
4. Compliance with Development Unit 1 of the Avalon Crossing Community Plan dated 6.22.2022.
5. Compliance with all applicable City development codes and regulations.
6. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Barrera – Paul

NAYS – None

ABSENT – Reed – Glover

ABSTAINED – None

- *4-g BOA25-00479 "Setback Variance at 2012 N Olive,"** 0.35± acres located at 2012 North Olive. Requesting a Variance to allow a reduction to the required interior side yard setback. **(District 1)**

Staff Planner: Emily Johnson

Recommendation: Approval with Conditions

A motion to approve case **BOA25-00479** was made by Boardmember Trendler and seconded by Boardmember Paul.

Conditions of Approval:

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

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Barrera – Paul

NAYS – None

ABSENT – Reed – Glover

ABSTAINED – None

- *4-h BOA25-00489 "Ronnberg Addition,"** 0.12± acres located at 1025 North Cherry. Requesting a minor modification to an existing Planned Area Development Overlay (PAD) to allow for a reduction to the required side and rear setbacks and an increase to the maximum lot coverage and the maximum building coverage. **(District 3)**

Staff Planner: Emily Johnson

Recommendation: Continued to September 3, 2025

A motion to continue case **BOA25-00489** was made by Boardmember Trendler and seconded by Boardmember Paul.

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Barrera – Paul

NAYS – None

ABSENT – Reed – Glover

ABSTAINED – None

Items not on the Consent Agenda

5 Take action on the following case:

***3-a** Minutes from June 4, 2025 Study Session and Public Hearing.

A motion to approve the minutes from the June 4, 2025 Board of Adjustment Study Session and Public Hearing was made by Chair Wagner and seconded by Boardmember Trendler.

Vote: 4-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Barrera

NAYS – None

ABSENT – Reed – Glover

ABSTAINED – Paul

***4-e BOA25-00395 "Woodruff Residence,"** 0.95± acres located approximately 325 feet north of the northeast corner of North Lemon and East Kenwood Street. Requesting a Variance to allow for an increase to the maximum fence height in the required front yard. **(District 1)**

Staff Planner: Noah Bulson

Recommendation: Denial

Summary:

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

Applicant Aaron Hiram, 2901 East Highland Ave – summarized the proposed project.

Vice Chair Allen asked if all four criteria need to be met to approve the case.

Staff member Whittemore stated per the Mesa City Code, the Board of Adjustment must make all four findings. The Board can decide based upon the evidence that's either presented by the applicant or what was provided by staff. You can disagree with staff's decision and say, Yes, there was sufficient evidence to meet all four of those. If that is ultimately the decision of the

Board, then the recommendation will be approval with conditions, with some of our more standard conditions.

Vice Chair Allen asked if the streets are Private.

Applicant Hillam confirmed they are.

Boardmembers discussed the merits of the case.

A motion to approve case **BOA25-00395** was made by Boardmember Paul and seconded by Boardmember Trendler.

Conditions of Approval:

1. Compliance with the final site plan as submitted.
2. Compliance with the conditions of approval for Z02-024, except those modified through this approval.
3. Compliance with all applicable City development codes and regulations.

Vote: 4-1

Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Paul

NAYS – Barrera

ABSENT – Reed – Glover

ABSTAINED – None

- *4-I BOA25-00516 "Project Aspire,"** 13± acres located at 7236 East Warner Road. Requesting a Special Use Permit (SUP) for a parking reduction and a Special Use Permit for an alternative compliance parking plan. **(District 6)**

Staff Planner: Joshua Grandlienard

Recommendation: Approval with Conditions

Summary:

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

Boardmember Paul asked if the if the parking was 46 percent of the required parking.

Staff member Grandlienard answered that was correct on site parking.

Boardmember Paul asked if a condition of approval can be added for a shuttle.

Staff member Whittemore answered the board is allowed to add conditions, and they need to be conditions related directly to whatever the approval is. A shuttle is not one that she is familiar with.

Chair Wagner stated the shuttle is included in the parking agreement.

Applicant Alex Hayes, 2525 East Arizona Biltmore Circle – summarized the proposed project.

Boardmember Paul asked if parking was for employees.

Applicant Alex Hayes confirmed the parking was for employees.

Vice Chair Allen asked if the business was a 24-hour operation.

Applicant Alex Hayes answered there are multiple shifts, and the Applicant is currently looking for other offsite parking.

Boardmembers discussed the merits of the case.

A motion to approve case **BOA25-00516** was made by Vice Chair Allen and seconded by Boardmember Paul.

Conditions of Approval:

1. Compliance with all conditions of approval of Ordinance No. 5656, except as modified with this request.
2. Compliance with all requirements of Design Review Case No. DRB21-00929.
3. Compliance with all applicable City development codes and regulations.
4. Prior to the submittal of a building permit, obtain approval of a Site Plan Modification for any site changes proposed, including the addition of parking spaces within the truck court.
5. Recordation of the Off-site Parking Agreement prior to submittal of any building permit.
6. Maintain off-site parking at APN 304-30-031C as allowed by the Off-Site Parking Agreement which must be fully executed and remain materially in the form as provided to the Board of Adjustment in conjunction with case number BOA25-00516. If the requirements of Condition 6 are not met or the Off-Site Parking Agreement lapses or is no longer valid for any reason, then the Special Use Permit for an Alternative Compliance Parking Plan will expire and the applicant must apply for a new Special Use Permit for an Alternative Compliance Parking Plan.

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Barrera – Paul

NAYS – None

ABSENT – Reed – Glover

ABSTAINED – None

6 Adjournment.

Boardmember Paul motioned to adjourn the Public Hearing. The motion was seconded by Boardmember Trendler.

Vote: 5-0

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Upon tabulation of vote, it showed:

AYES –Wagner – Allen – Trendler – Barrera – Paul

NAYS – None

ABSENT – Reed – Glover

ABSTAINED – None

The public hearing was adjourned at 6:31 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alexis Wagner', written in a cursive style.

Chair Alexis Wagner



Board of Adjustment



BOA25-00395

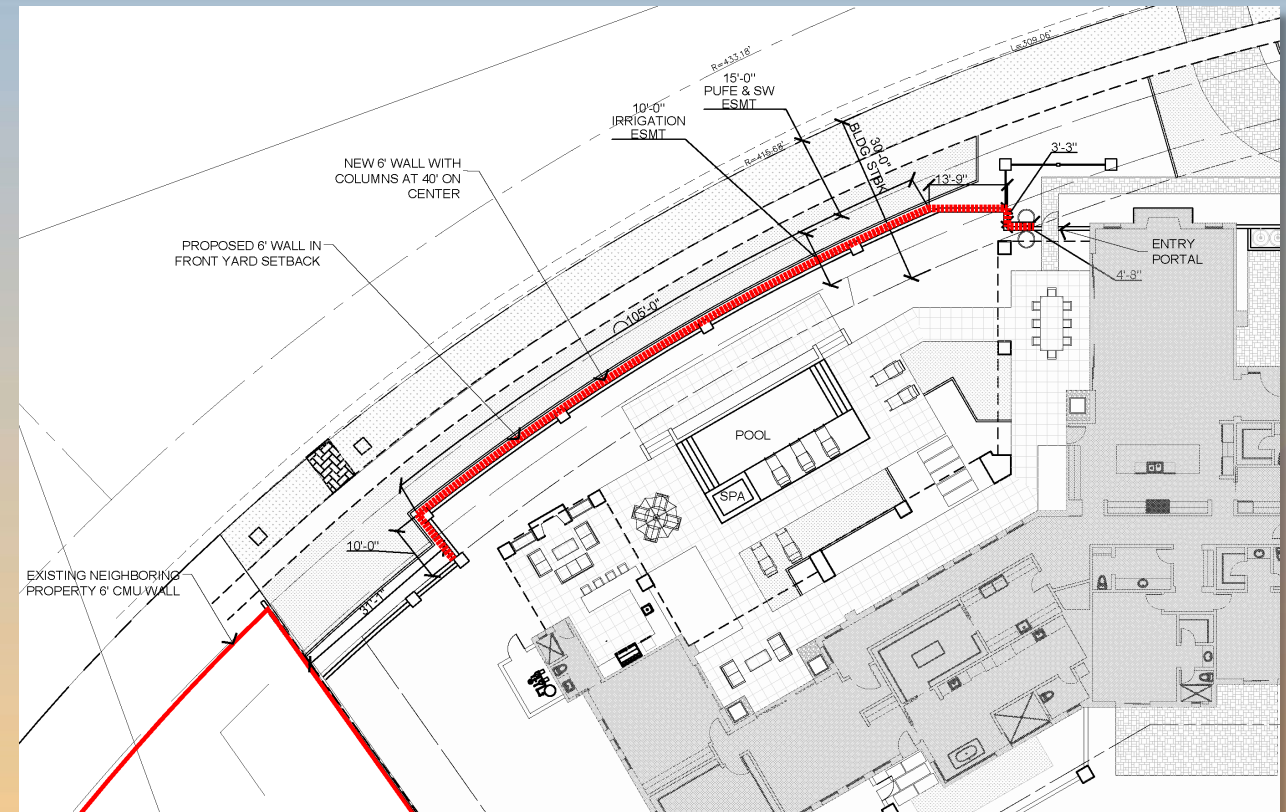
Noah Bulson, Planner I

August 6, 2025



Request

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





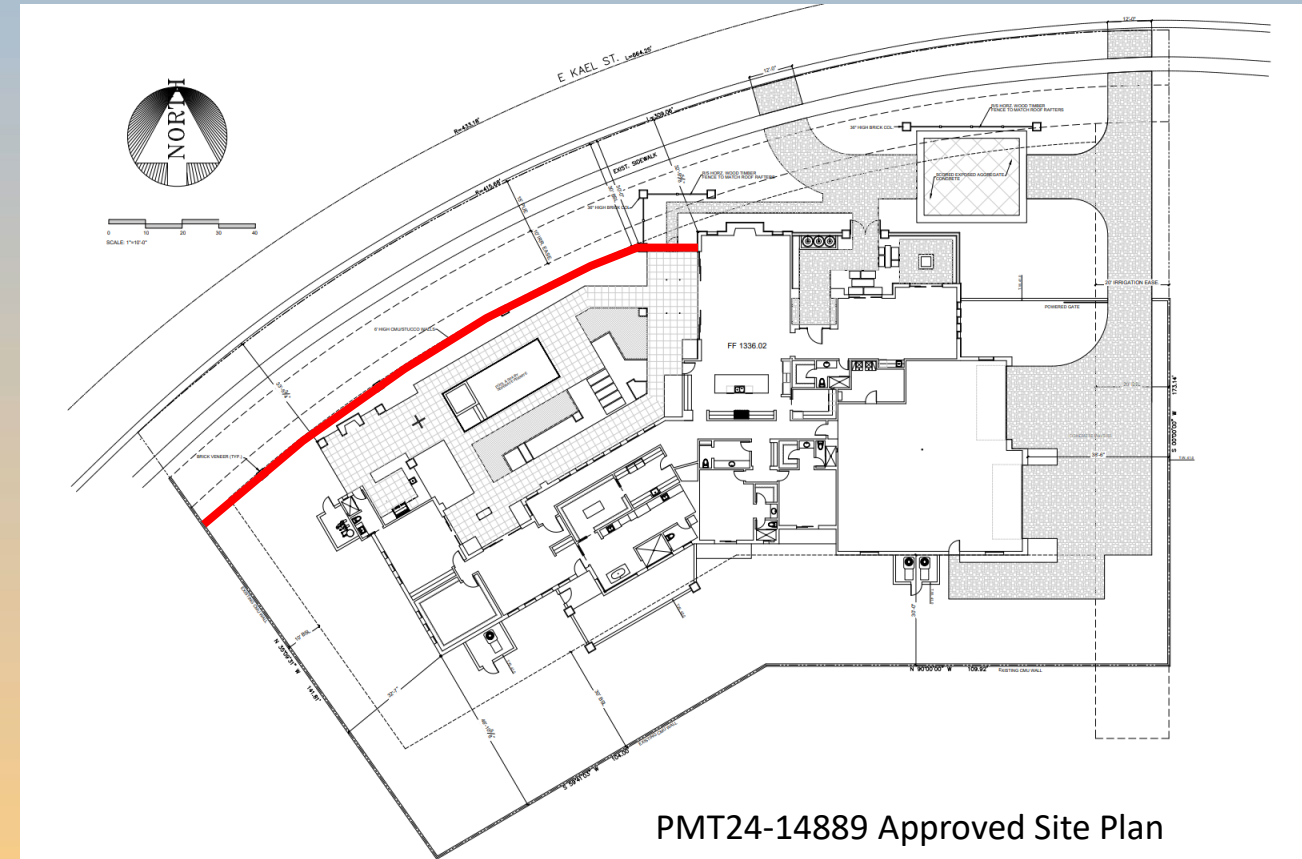
- Single Residence 35 with a Planned Area Development overlay (RS-35-PAD)





Approved Site Plan

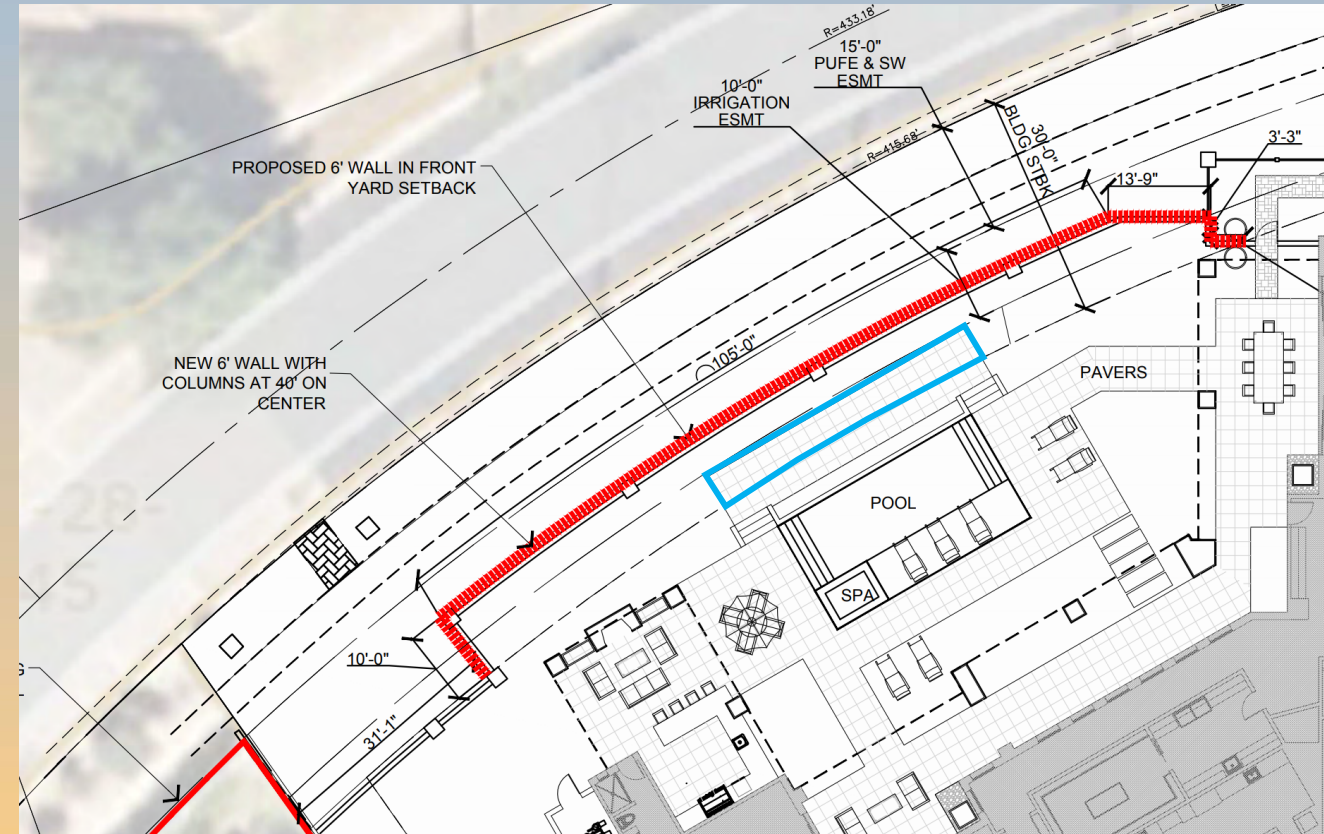
- A 6,568sf single residence home is currently being constructed on the subject property (PMT24-14889)
- The approved construction plans show a 6' tall wall along the front yard setback line, positioned in front of the proposed pool area (shown in red)
- The placement of this wall complies with current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





Proposed Site Layout

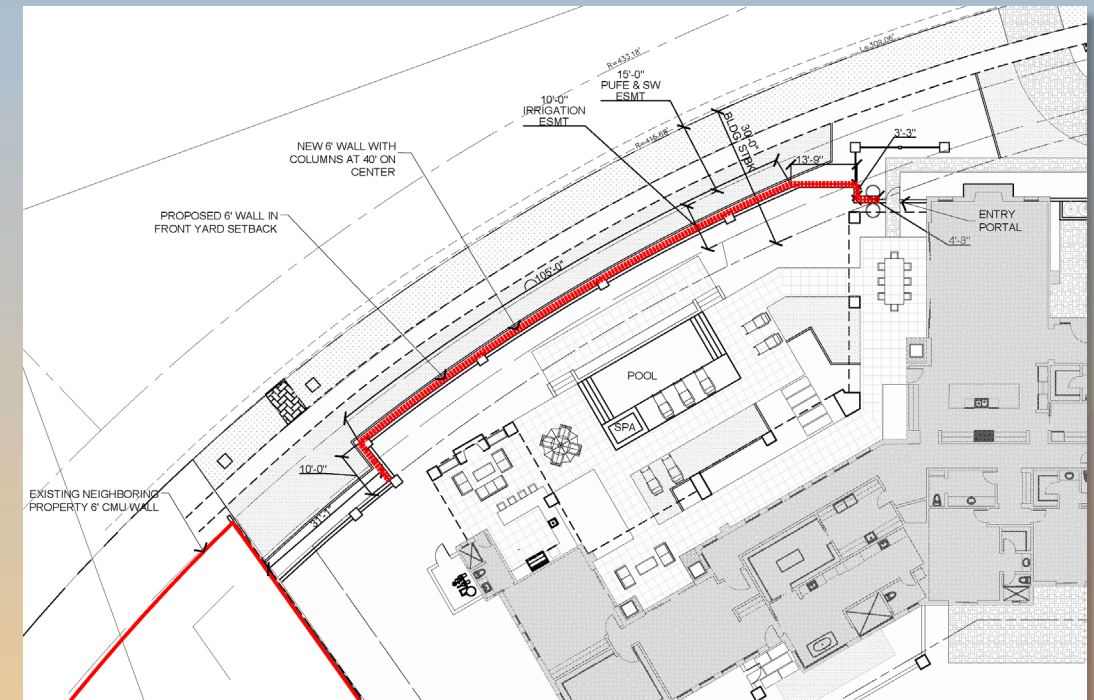
- Additional hardscape improvements surrounding the pool area have been incorporated into the project scope (shown in blue)
- As a result, the property owner proposes relocating part of the 6-foot-tall wall within the required front yard setback (shown in red)





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.



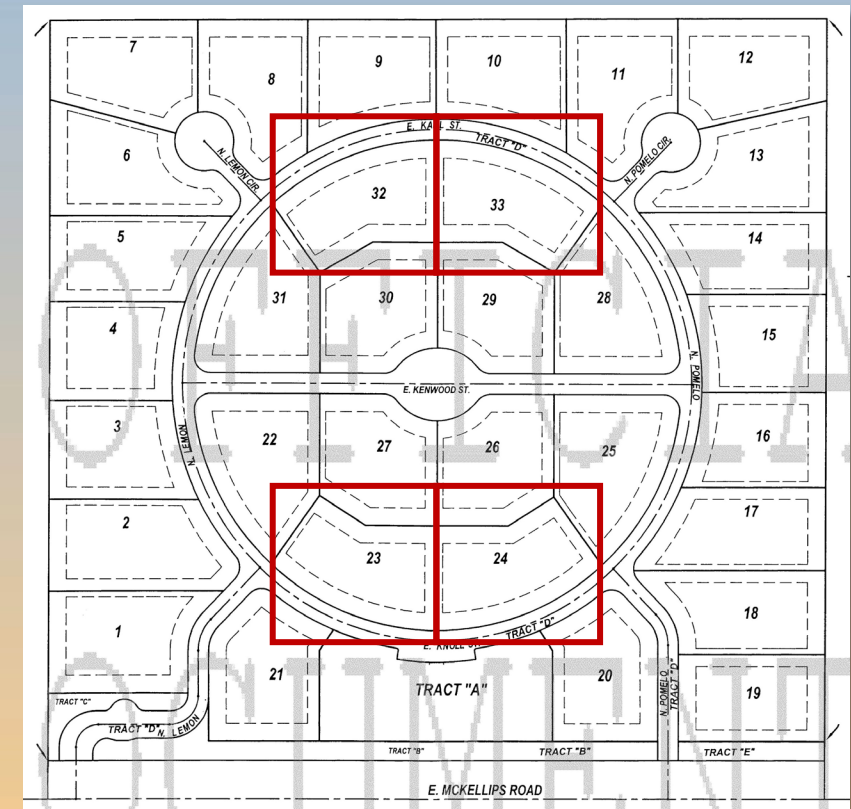
Required Findings

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.



- 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.



Board of Adjustment



Board of Adjustment



BOA25-00516

Project Aspire

Josh Grandlienard, Senior Planner

August 6, 2025



Request

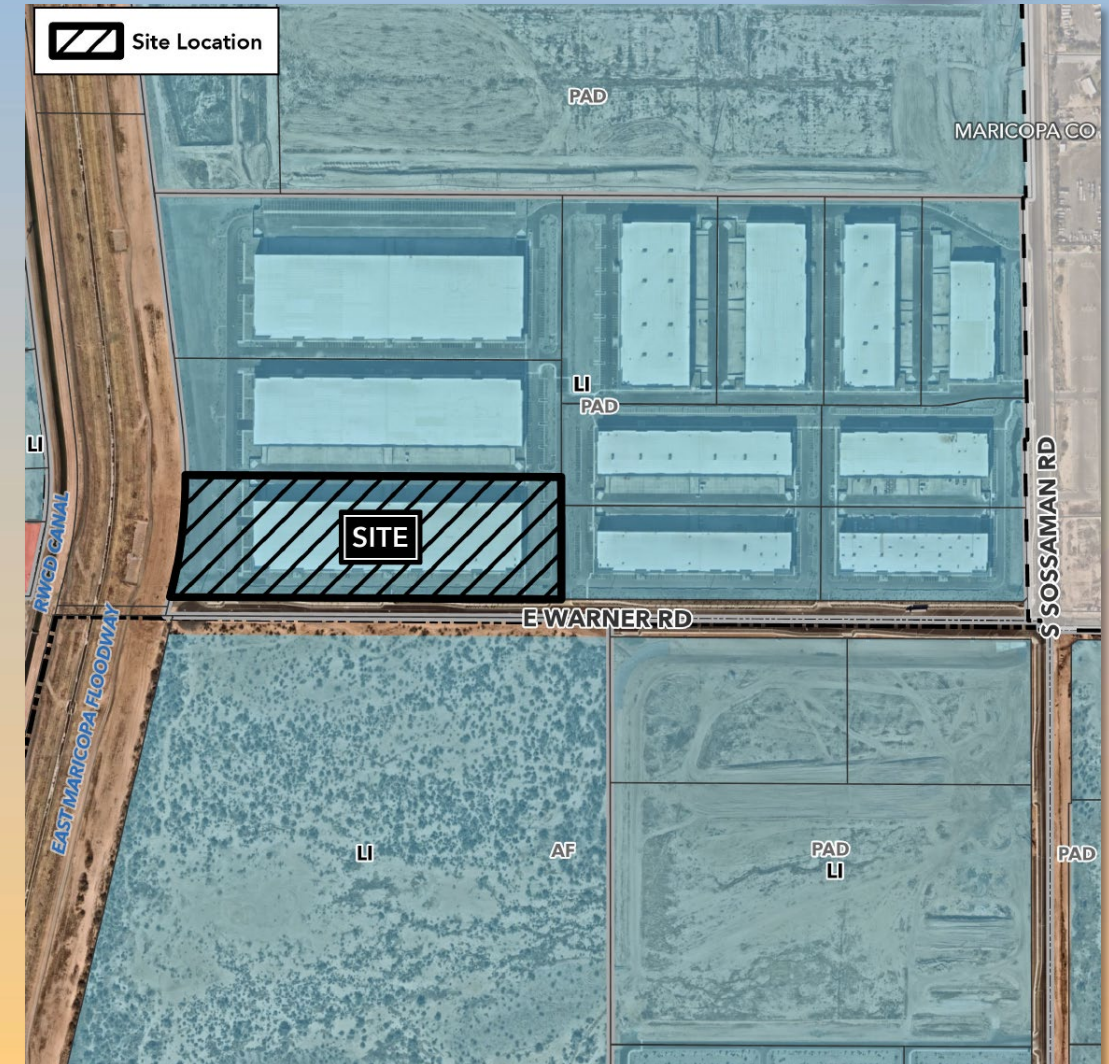
- Special Use Permit for a Parking Reduction and a Special Use Permit for Alternative Compliance for Offsite Parking





Location

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

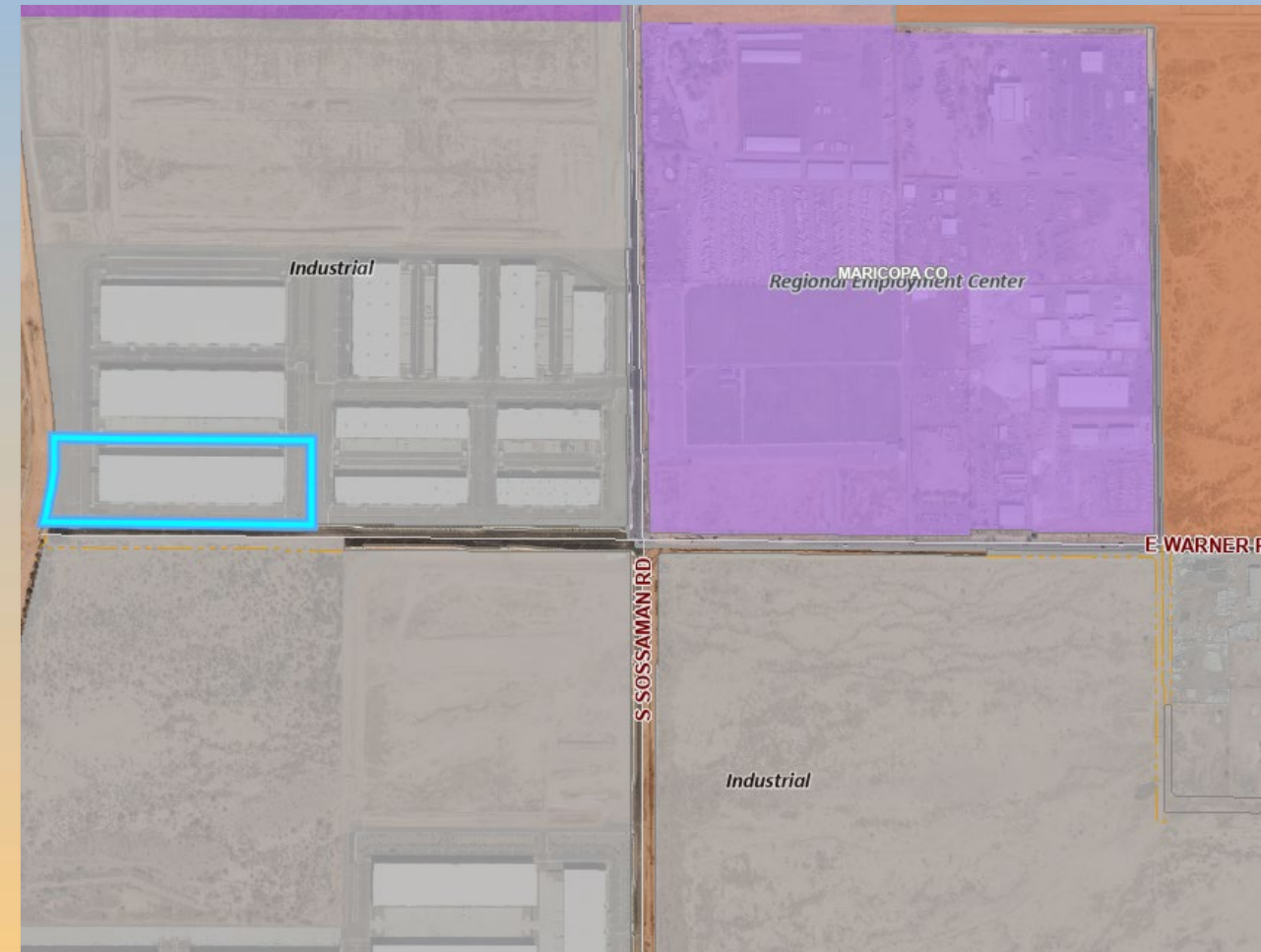




General Plan

Industrial– Evolve

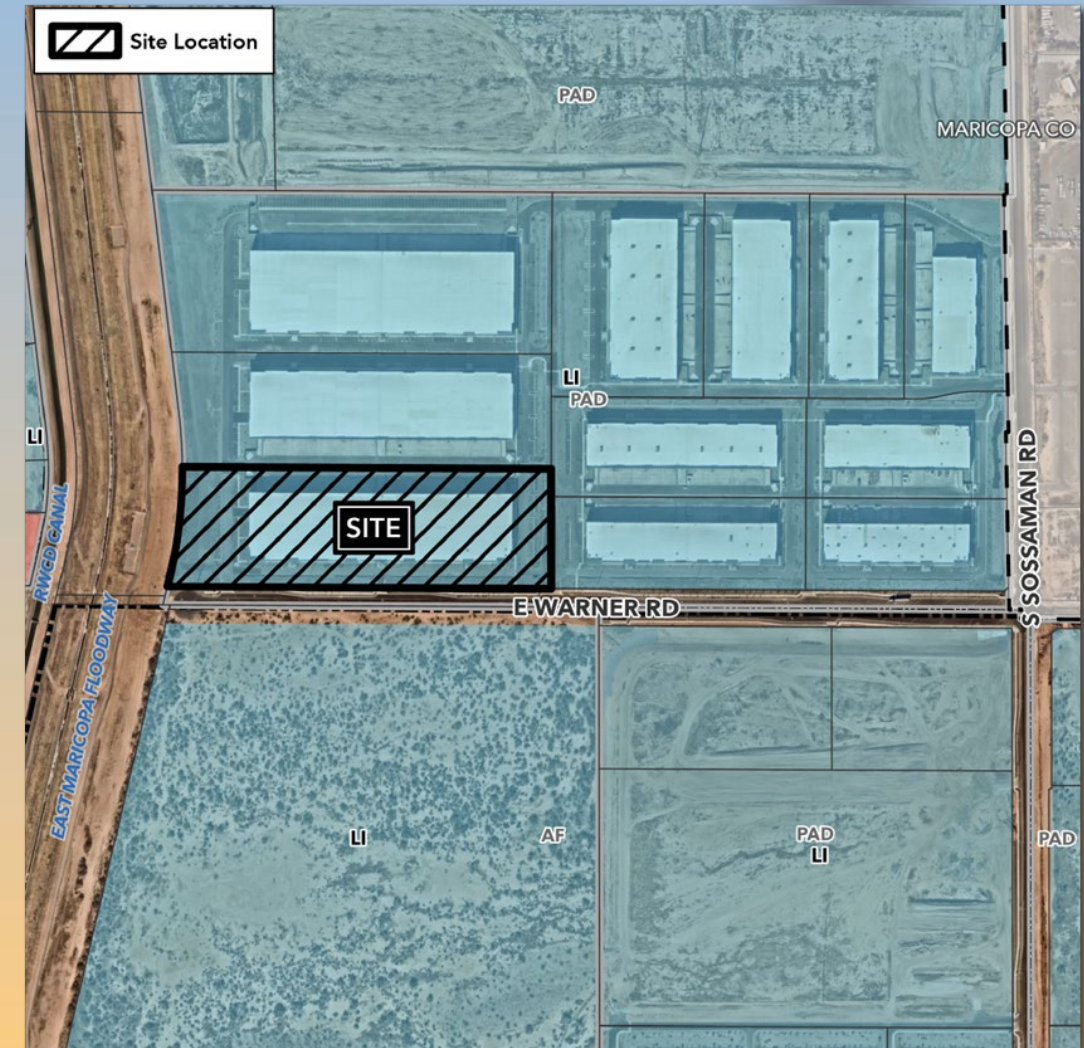
- Intended for high-intensity industrial activities such as manufacturing
- Principal land uses include Light Industrial





Zoning

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





Site Photo



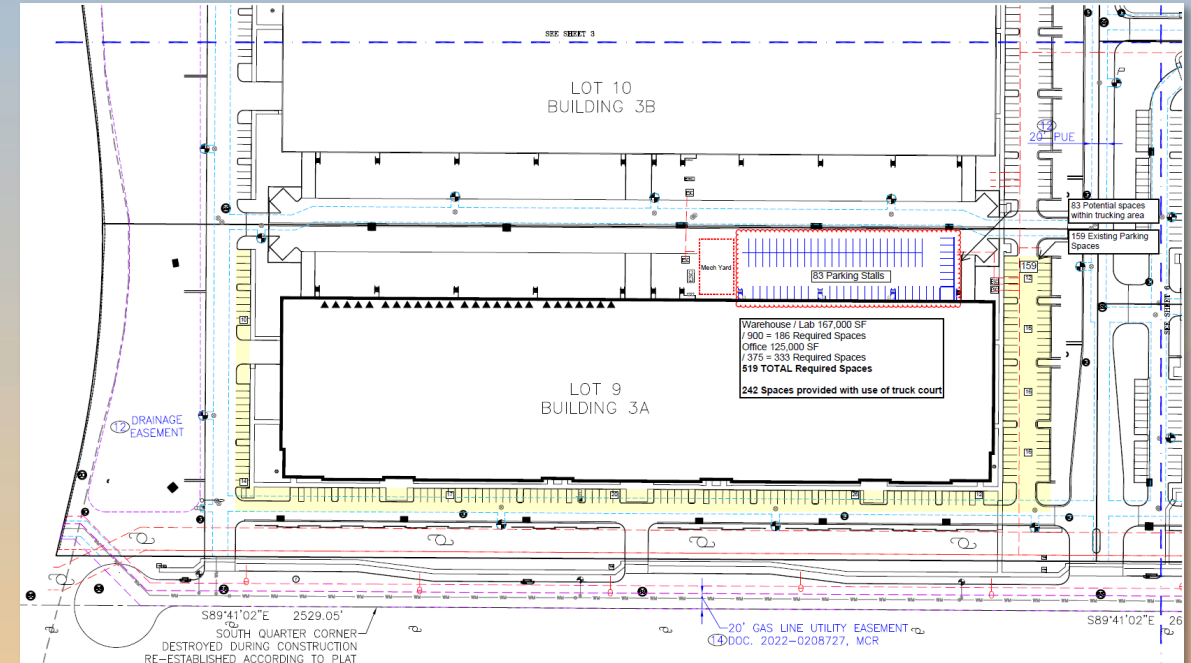
Looking northwest towards the site from the intersection of Warner and Sossaman



Site Plan

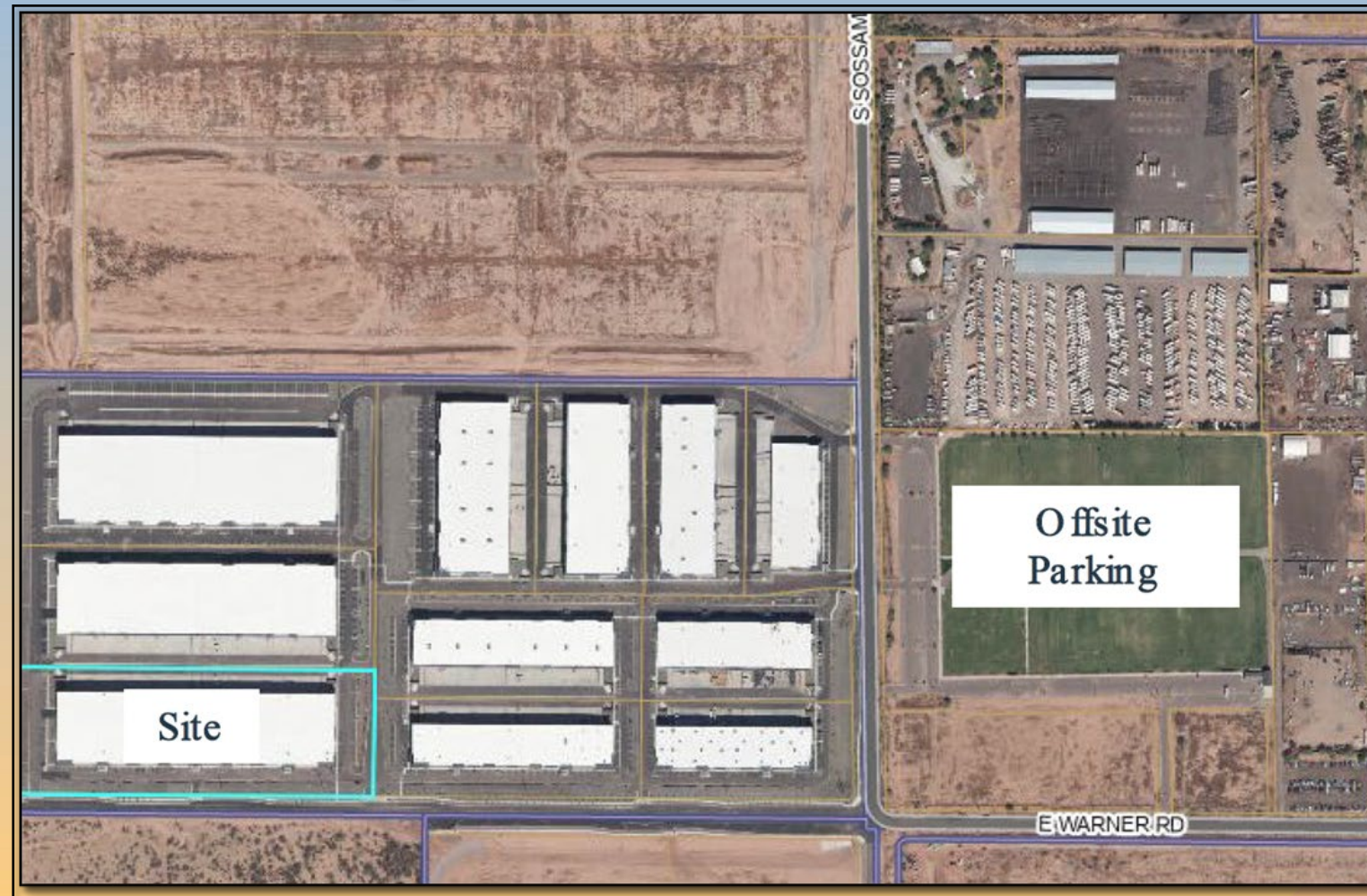
Parking Reduction:

- 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





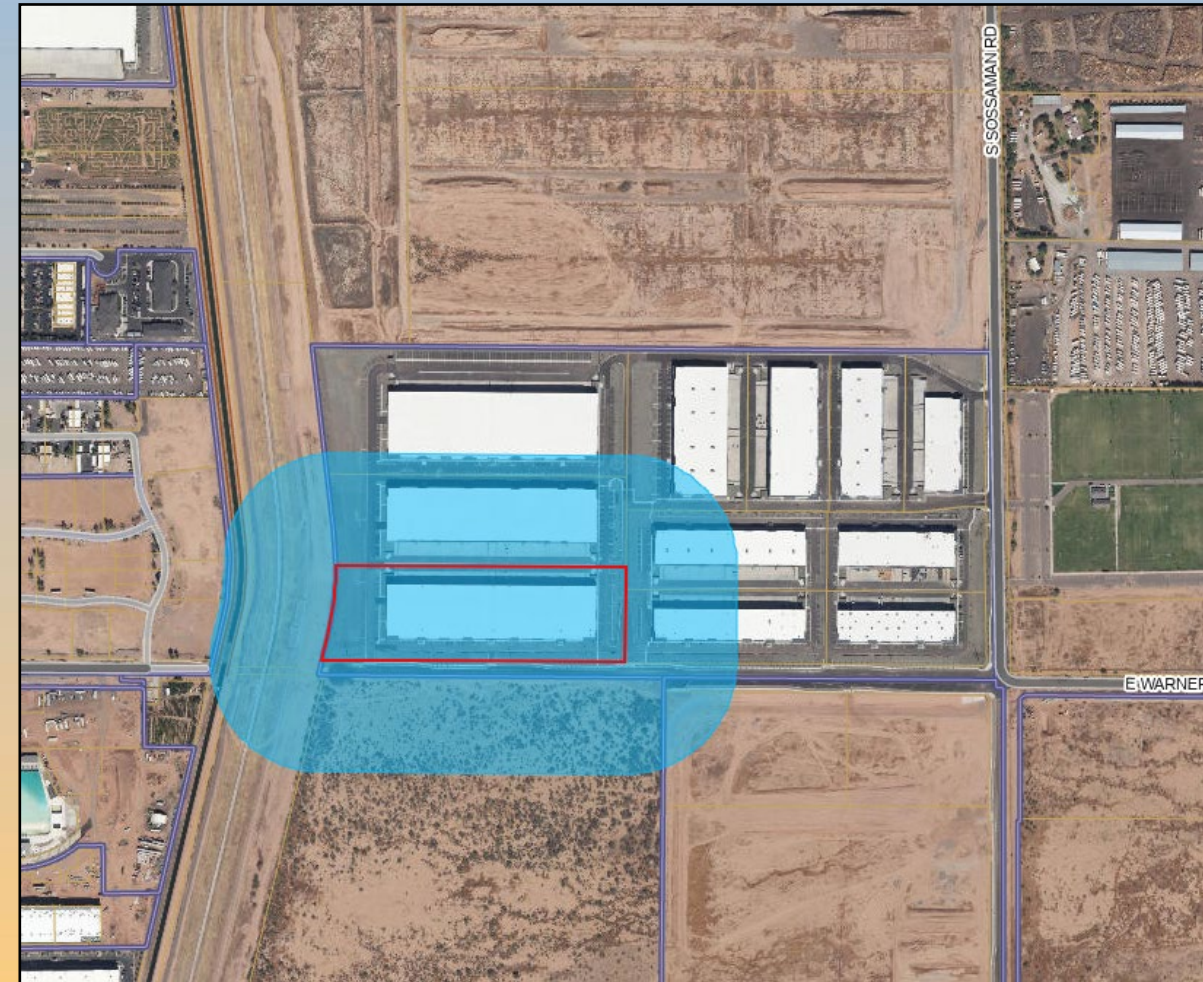
Offsite Parking Location





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



Board of Adjustment