

**Mesa Council Chambers Lower Level – 57 E 1st St**

**Date: June 5, 2024 Time: 5:30 p.m.**

**MEMBERS PRESENT:**

Chair Alexis Wagner  
Vice Chair Shelly Allen  
Boardmember Nicole Lynam  
Boardmember Ethel Hoffman  
Boardmember Troy Glover

**MEMBERS ABSENT:**

Boardmember Chris Jones  
Boardmember Heath Reed

(\*Boardmembers and staff participated in the meeting through the use of audio conference equipment)

**STAFF PRESENT:**

Kelly Whittemore  
Evan Balmer  
Jennifer Merrill  
Chloe Durfee Daniel  
Kwasi Abebrese  
Emily Johnson  
Tulili Tuiteleleapaga-Howard  
Vanessa Felix

**OTHERS PRESENT:**

**1 Call meeting to order.**

Chair Wagner excused Boardmember Jones and Boardmember Reed and declared a quorum present, and the Public Hearing was called to order at 5:47 pm.

**2 Take action on all Consent Agenda items.**

A motion to approve the Consent Agenda was made by Boardmember Hoffman as read by Vice Chair Allen seconded by Boardmember Lynam.

**Items on the Consent Agenda**

**3 Approval of the following minutes from previous meeting:**

**\*3-a Minutes from May 1, 2024 Study Session and Public Hearing.**

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen– Lynam – Hoffman - Glover

NAYS – None

ABSENT – Jones – Reed

ABSTAINED – None

**4 Take action on the following cases:**

**\*4-c Case No.: BOA24-00221 (Approval with Conditions)**

Location: 7309 East Halifax Street

Subject: Requesting a Variance to allow an addition within the required street side and rear yards in the Single Residence 9 (RS-9) District.

Decision: Approval with conditions

Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA24-00221 was made by Boardmember Hoffman as read by Vice Chair Allen seconded by Boardmember Lynam.

**Conditions of Approval:**

1. Compliance with the final site plan as submitted, except as follows:
  - A. Remove the attached garage/shed from within the eight-foot-wide public utility easement adjacent to Augustine or obtain approval of an encroachment agreement by the City of Mesa City Engineer to allow the attached garage/shed to remain within the public utility easement.
  - B. Remove the 110 square foot detached accessory building located adjacent to the south property line.
2. Issuance of a building permit for the attached garage/shed.
3. Compliance with all City Development Codes and regulations.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen– Lynam – Hoffman - Glover

NAYS – None

ABSENT – Jones – Reed

ABSTAINED – None

- \*4-d Case No.: BOA24-00280 (Approval with Conditions)**  
Location: Within the 2300 block of East Brown Road (north side). Located east of Gilbert Road on the north side of Brown Road.  
Subject: Requesting an extension to an approved Development Incentive Permit in the Office Commercial Zoning District.  
Decision: Approval with conditions  
Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA24-00280 was made by Boardmember Hoffman as read by Vice Chair Allen seconded by Boardmember Lynam.

**Conditions of Approval:**

1. Compliance with the conditions of approval for BOA21-01146, DRB21-01111, and ZON21-01113.
2. The Board of Adjustment approval will expire on 6/4/2025 unless exercised or extended in accordance with Mesa Zoning Ordinance Section 11-67-9.
3. Compliance with all applicable City of Mesa Development Codes and Regulations.
4. Any proposed signage will require the review and approval of a separate building permit.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen– Lynam – Hoffman - Glover

NAYS – None

ABSENT – Jones – Reed

ABSTAINED – None

**\*4-e Case No.: BOA24-00282 (Approval with Conditions)**  
Location: 334 West 10th Place  
Subject: Requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP).  
Decision: Approval with conditions  
Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA24-00282 was made by Boardmember Hoffman as read by Vice Chair Allen seconded by Boardmember Lynam.

**Conditions of Approval:**

1. Compliance with the final sign package submitted.
2. The attached sign at the south side of the building shall not be illuminated between the hours of 11:00pm and sunrise.
3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
4. All signage to be reviewed and approved through a separate permit application.
5. All signs shall remain outside of the public domain including rights-of-way, Public Utility Easements and Public Utility Facility Easements.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen– Lynam – Hoffman - Glover

NAYS – None

ABSENT – Jones – Reed

ABSTAINED – None



- \*4-f Case No.: BOA24-00322 (Approval with Conditions)**  
Location: Within the 9000 block of East Elliot Road. Located west of Ellsworth Road and north of Elliot Road.  
Subject: Requesting a Special Use Permit (SUP) to allow a Comprehensive Sign Plan (CSP) for a service station in the Light Industrial zoning district with two Planned Area Development overlays (LI-PAD-PAD).  
Decision: Approval with conditions  
Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA24-00322 was made by Boardmember Hoffman as read by Vice Chair Allen seconded by Boardmember Lynam.

**Conditions of Approval:**

1. Compliance with the Comprehensive Sign Plan documents submitted.
2. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
3. All signage to be reviewed and approved through a separate permit application.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen– Lynam – Hoffman - Glover

NAYS – None

ABSENT – Jones – Reed

ABSTAINED – None

**\*4-h Case No.: BOA24-00328 (Approval with Conditions)**  
Location: 601 South Alma School Road.  
Subject: Requesting a Variance to exceed the maximum height of freestanding walls in the required street side setback in the Multiple Residence 4 (RM-4) District.  
Decision: Approval with conditions  
Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA24-00328 was made by Boardmember Hoffman as read by Vice Chair Allen seconded by Boardmember Lynam.

**Conditions of Approval:**

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen– Lynam – Hoffman - Glover

NAYS – None

ABSENT – Jones – Reed

ABSTAINED – None

- \*4-i Case No.: BOA24-00379 (Approval with Conditions)**  
Location: Within the 400 block of South Hobson (west side). Located east of Mesa Drive and south of Broadway Road on the west side of Hobson  
Subject: Requesting a Development Incentive Permit (DIP) to allow for the expansion of an existing multiple residence development in the Multiple Residence 2 (RM-2) zoning district  
Decision: Approval with conditions  
Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA24-00379 was made by Boardmember Hoffman as read by Vice Chair Allen seconded by Boardmember Lynam.

**Conditions of Approval:**

1. Compliance with the final site plan, elevations and landscape plan as submitted.
2. Compliance with all City development codes and regulations, except as identified in Table 1 of this report.
3. Compliance with all requirements of ZON23-00760 for site plan approval.
4. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Allen– Lynam – Hoffman - Glover

NAYS – None

ABSENT – Jones – Reed

ABSTAINED – None

- \*4-j Case No.: BOA24-00402 (Approval with Conditions)**  
Location: 1858 East Brown Road.  
Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards within the Office Commercial (OC) zoning district.  
Decision: Approval with conditions  
Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA24-00402 was made by Boardmember Hoffman as read by Vice Chair Allen seconded by Boardmember Lynam.

**Conditions of Approval:**

1. Compliance with the final site plan and landscape plan.
2. Compliance with all requirements of Zoning Case No. ZON23-00465.
3. Compliance with all City Development Codes and regulations, except as identified in Table 1 of this report.
4. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Jones - Reed – Hoffman - Glover

NAYS – None

ABSENT – Allen – Lynam

ABSTAINED – None

**Items not on the Consent Agenda**

**5 Act on the following case:**

- \*4-a Case No.: BOA24-00051 (Approval with Conditions)**  
Location: Within the 2400 to 2500 blocks of North Harris Drive (west side). Located north of McKellips Road and west of Gilbert Road.  
Subject: Requesting a Special Use Permit (SUP) to allow the aggregate area of all detached buildings to exceed the square footage of the primary residence within the Single Residence 43 (RS-43) District, a SUP to allow two non-resident employees working at a home occupation site in the RS-43 District, a Variance to exceed the maximum fence height in the required front yard setback in the RS-43 District, and a Variance to allow a detached building to be located between the principal dwelling and the front property line in the RS-43 District.  
Decision: Approval with conditions  
Summary: This item was discussed and voted on an individual basis

**Staff member Emily Johnson presented case BOA24-00051 to the Board.**

See attached presentation.

Boardmember Glover asked if two non-resident employees are permitted within the zoning district.

Staff member Johnson confirmed two non-resident employees are permitted within the zoning district.

Applicant Jessica Sarkissian, 1811 South Alma School Road – gave a presentation to the board.  
See attached presentation.

Ryan Sandstrom, 1655 East Menlo Street – expressed their opposition to this project.

Karen Sandstrom, 1655 East Menlo Street – expressed their opposition to this project.

Shane Buntrock, 1638 East Mallory Street – expressed their opposition to this project.

Chair Wagner asked if there was a way to verify the notification was sent out properly.

Staff member Balmer answered the city provides a list of residents within a 150 foot radius as required. This applicant notified neighbors within a 500 foot radius.

Applicant Sarkissian added as an applicant she was required to also mail a notification to the planning staff member. The planning staff member confirmed she received her notification letter by mail.

Boardmember Glover asked how many homes were on the mailing list.

Staff member Balmer answered there were 38 residents on the mailing list provided to the applicant.

Chair Wagner stated the property itself was also noticed with a sign.

Staff confirmed the property was also noticed with a sign.

Bruce Brown, 1625 East Mallory Street – expressed their opposition to this project.

Applicant Sarkissian presented her rebuttal to the board.

Boardmembers discussed the merits of the case.

A motion to approve case BOA24-00051 was made by Vice Chair Allen and seconded by Boardmember Glover.

**Conditions of Approval:**

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

Vote: 4-1

Upon tabulation of vote, it showed:

AYES –Wagner – Allen– Lynam – Glover

NAYS – Hoffman

ABSENT – Jones – Reed

ABSTAINED – None

**\*4-b Case No.: BOA24-00124 (Approval with Conditions)**  
Location: 462 East Lehi Road  
Subject: Requesting a Special Use Permit (SUP) to allow the aggregate area of all detached buildings to exceed the square footage of the primary residence within the Single Residence- 43 (RS-43) District.  
Decision: Approval with conditions  
Summary: This item was discussed and voted on an individual basis

**Staff member Emily Johnson presented case BOA24-00124 to the Board.**

See attached presentation.

Vice Chair Allen recused herself from case BOA24-00124.

Catherine Dragon, 417 East Lehi Road – expressed their opposition to this project.

Kim Van Riper, 565 East Lehi Road – expressed their opposition to this project.

Michelle McCroskey, 3021 North Chestnut Circle – expressed their opposition to this project.

Kim Warden, 424 East Lehi Road – expressed their opposition to this project.

Boardmember Hoffman asked for the need to have the building so high.

Applicant Roberts answered the building will be used to store the owner's boat, tractors and equipment. The building is 18 feet high on the sides and 27 feet high in the middle. Which are the requirements to have a 14-foot door.

Chair Wagner asked for clarification on the heritage overlay.

Staff member Balmer clarified the city recently established a Heritage Neighborhood overlay within the Lehi community. The Heritage Neighborhood is a ceremonial designation that identifies Lehi as a special place in the city.

Boardmembers discussed the merits of the case.

A motion to approve case BOA24-00124 was made by Boardmember Lynam and seconded by Boardmember Hoffman.

**Conditions of Approval:**

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

Vote: 4-0

Upon tabulation of vote, it showed:

AYES –Wagner – Lynam – Hoffman - Glover

NAYS – None

ABSENT – Jones – Reed

ABSTAINED – Allen

**\*4-g Case No.: BOA24-00327 (Approval with Conditions)**  
Location: 919 East Lehi Road  
Subject: Requesting a Special Use Permit (SUP) to allow the aggregate area of all detached buildings to exceed the square footage of the primary residence within the Single Residence 43 (RS-43) District.  
Decision: Approval with conditions  
Summary: This item was discussed and voted on an individual basis

**Staff member Tulili Tuiteleleapaga-Howard presented case BOA24-00327 to the Board.**

See attached presentation.

Chair Wagner confirmed moving the building 70 feet to the north and 13 feet to the west.

Vice Chair Allen asked if the recommendation to move the structure was a request of the property owner or as request by a neighbor.

Staff member Tuiteleleapaga-Howard answered the adjacent resident to the east of the subject site requested to change the location of the structure.

Kim Warden, 424 East Lehi Road – expressed their opposition to this project.

Allen Brown, P.O. Box 21793 – expressed their support for this project.

Michelle McCroskey, 3021 North Chestnut Circle – expressed their opposition to this project.

Brent Gardner, 933 East Lehi Road – expressed their opposition to this project.

Stephen Word, 533 West Lehi Road – expressed their opposition to this project.

Applicant Doug Hancock, 4232 East Fox Street – stated his business is in Phoenix and is not coming to Mesa. His home was purchased to have a place for his children and grandchildren. He plans on making the property beautiful within two years. He knows Lehi is sacred, he raised an entire family in Lehi. He loves the place and will not take away from it.

Boardmembers discussed the merits of the case.

A motion to approve case BOA24-00327 was made by Vice Chair Allen and seconded by Boardmember Glover.

**Conditions of Approval:**

1. Compliance with the final site plan as submitted, with the proposed 4,000 sq. ft. garage relocated 70' north and 13' east.
2. Compliance with all City Development Codes and regulations.



Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Jones - Reed – Hoffman - Glover

NAYS – None

ABSENT – Allen – Lynam

ABSTAINED – None

**6 Adjournment.**

Vice Chair Allen moved to adjourn the Public Hearing and was seconded by Boardmember Hoffman. Without objection, the Public Hearing was adjourned at 7:50 p.m.

Respectfully submitted,

*Evan Balmer*

Evan Balmer,

On behalf of Zoning Administrator (Mary Kopaskie-Brown)



# BOA24-00051

Emily Johnson, Planner I

June 5, 2024



# Request

- Special Use Permit to allow for the aggregate area of all detached buildings to exceed the square footage of the primary residence
- Special Use Permit to allow two non-resident employees working at a home occupation site







# Request

- Variance to exceed the maximum fence height in the required front yard setback
- Variance to allow a detached building to be located between the principal dwelling and the front property line

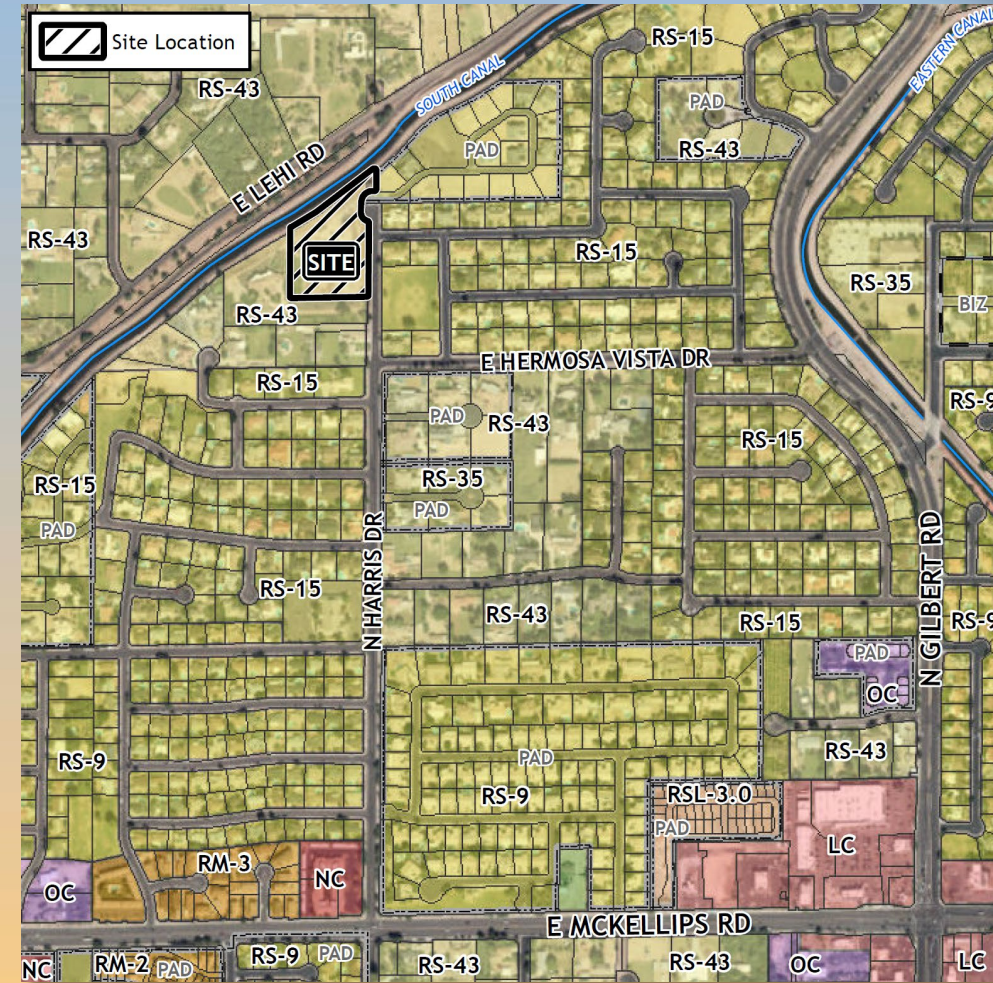






# Location

- North of McKellips Road and west of Gilbert Road
- Along N Harris Drive



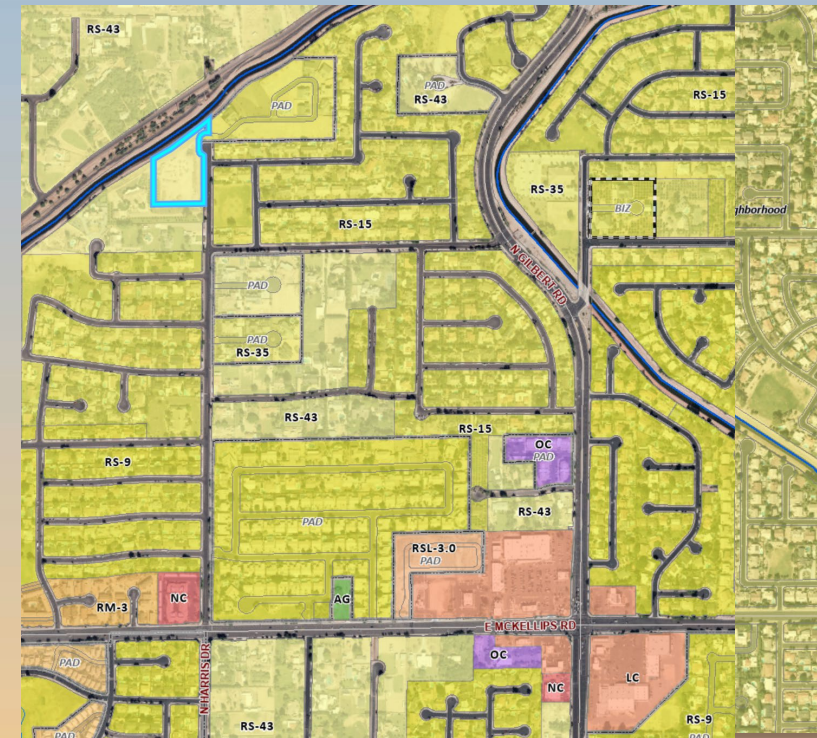




# General Plan

## Neighborhood Suburban Sub-Type

- Safe places for people to live with wide range of housing options allowed
- Primarily single residence in nature

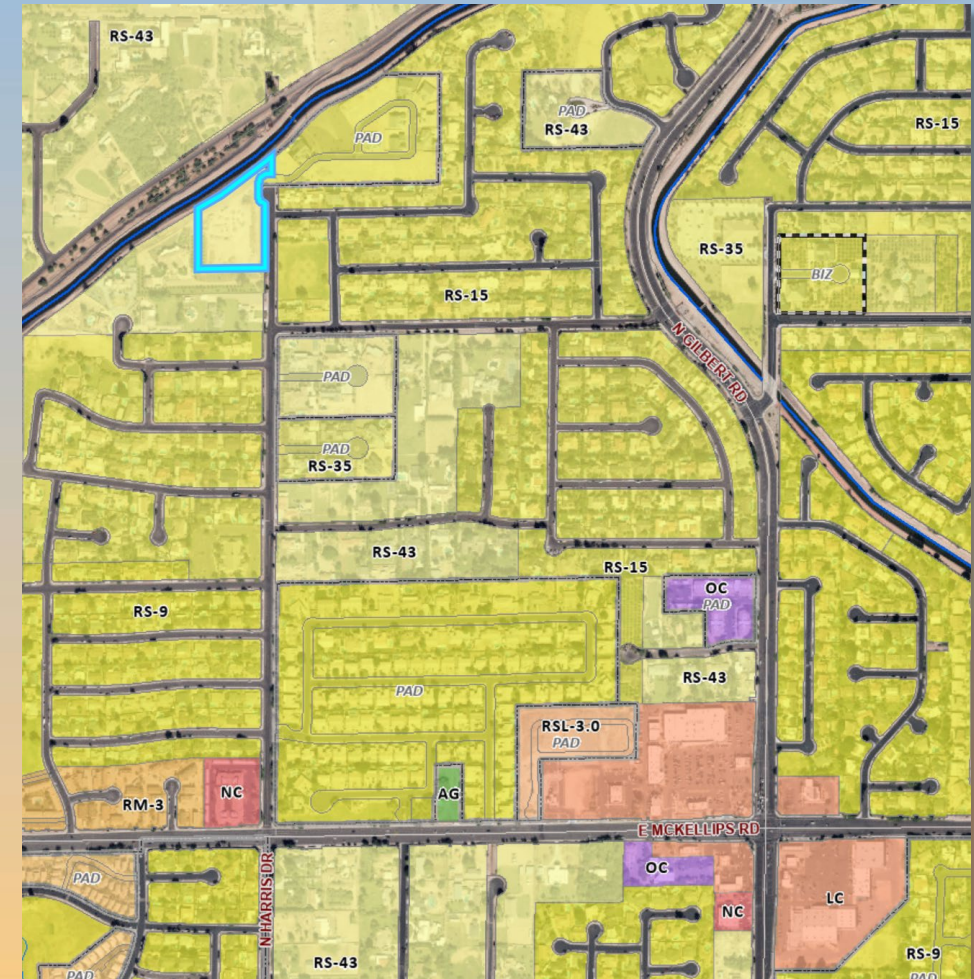






# Zoning

- Single Residence-43 (RS-43)







# Site Photos



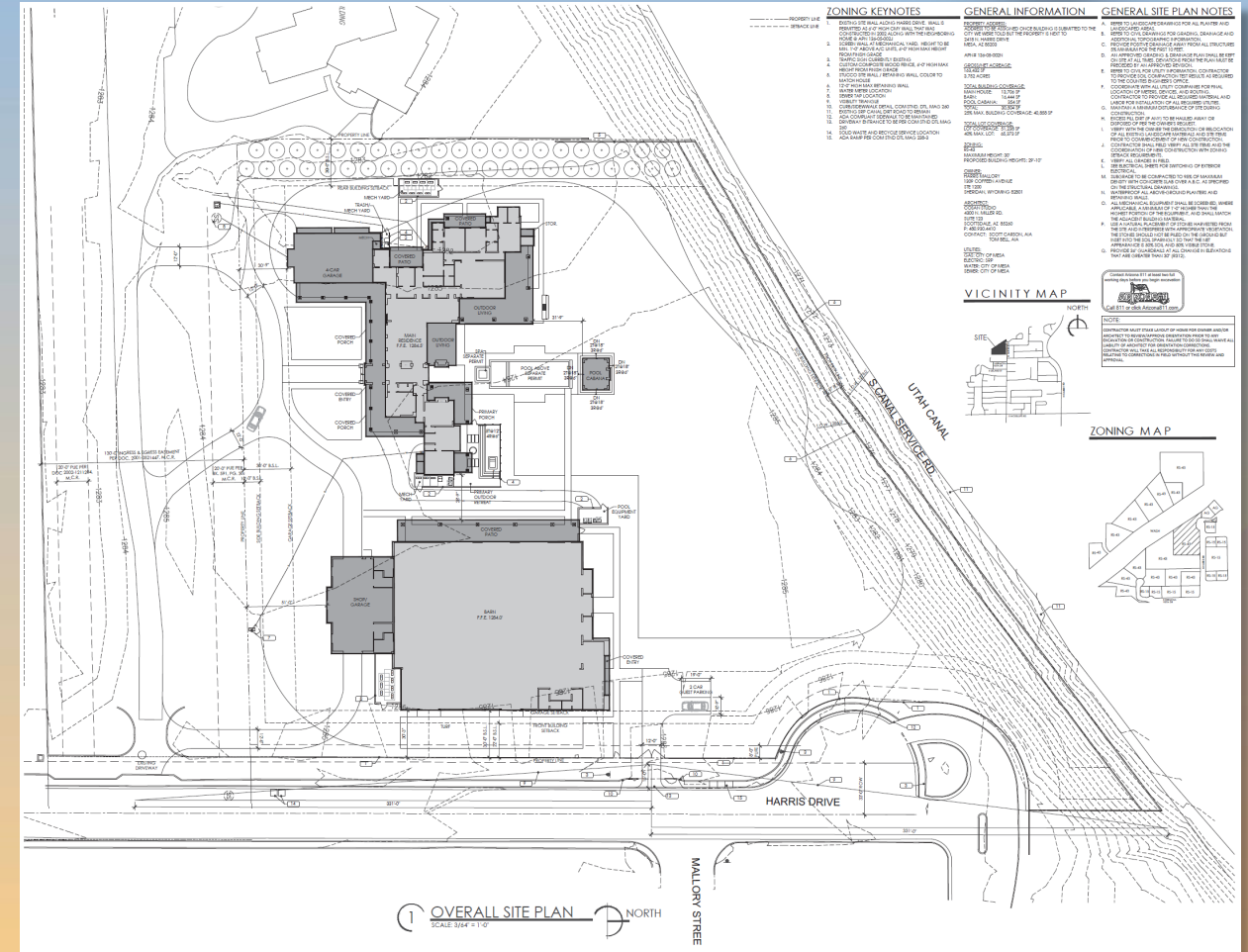
Looking northwest from N Harris Drive





# Site Plan

- Residence at 6,832 square foot in floor area
- Two detached structures including the Barn and pool cabana total 17,584 square feet in floor area
- Two paved parking spaces for non-resident employees









# Approval Criteria

## Section 11-70-5.E Special Use Permit Criteria

- ✓ #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 plans and/or policies;
- ✓ #2 The location, size, design, and operating characteristics of the proposed project are consistent with the purpose of the district where it is located and conform with the General Plan and any other applicable plans and/or policies;
- ✓ #3 The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, the greater neighborhood, or the general welfare of the City; and
- ✓ #4 Adequate public services, public facilities and public infrastructure are available to serve the proposed project





# Approval Criteria

## Section 11-80-3 Variance Criteria

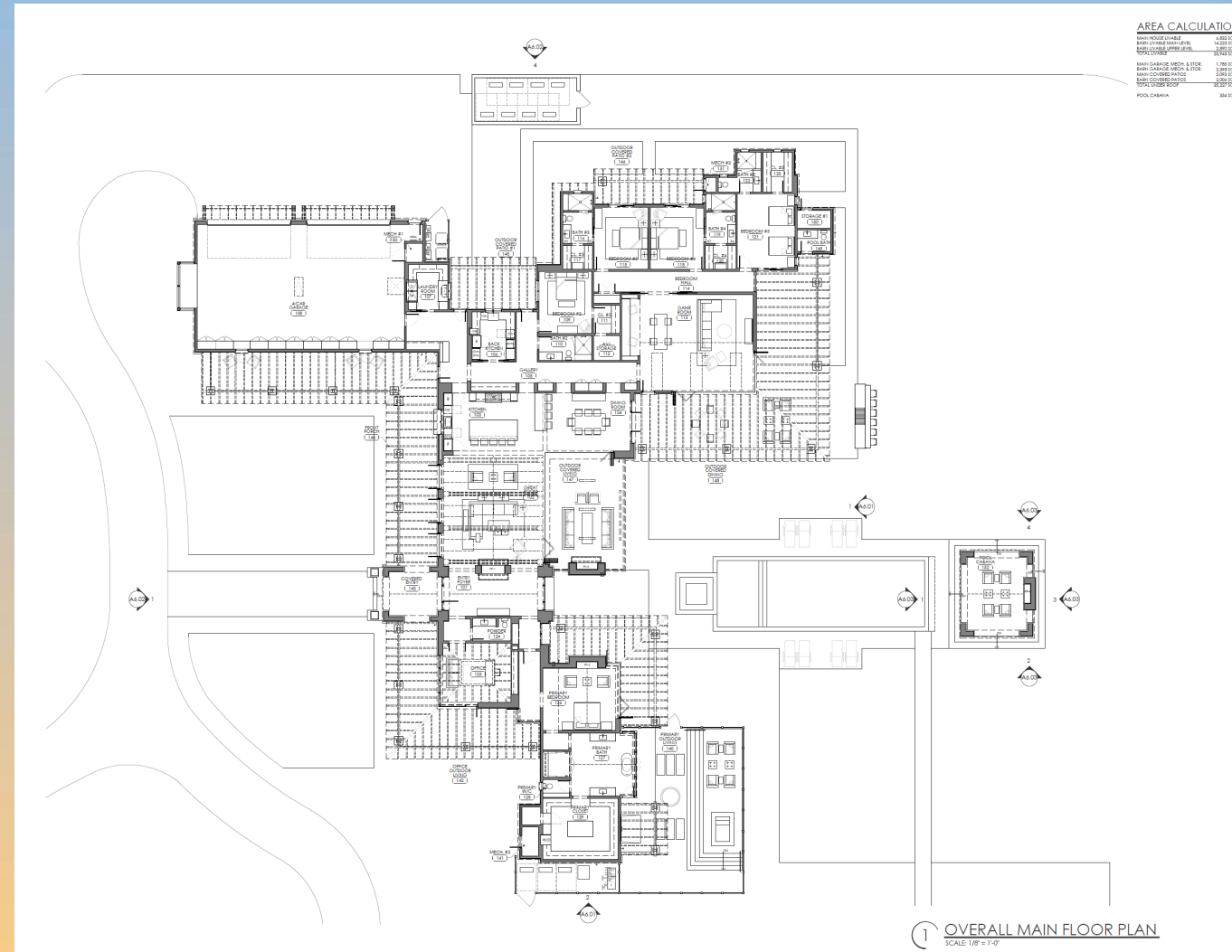
- ✓ There are special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, and
- ✓ That such special circumstances are pre-existing, and not created by the property owner or appellant; and
- ✓ The strict application of the Zoning Ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district; and
- ✓ 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.



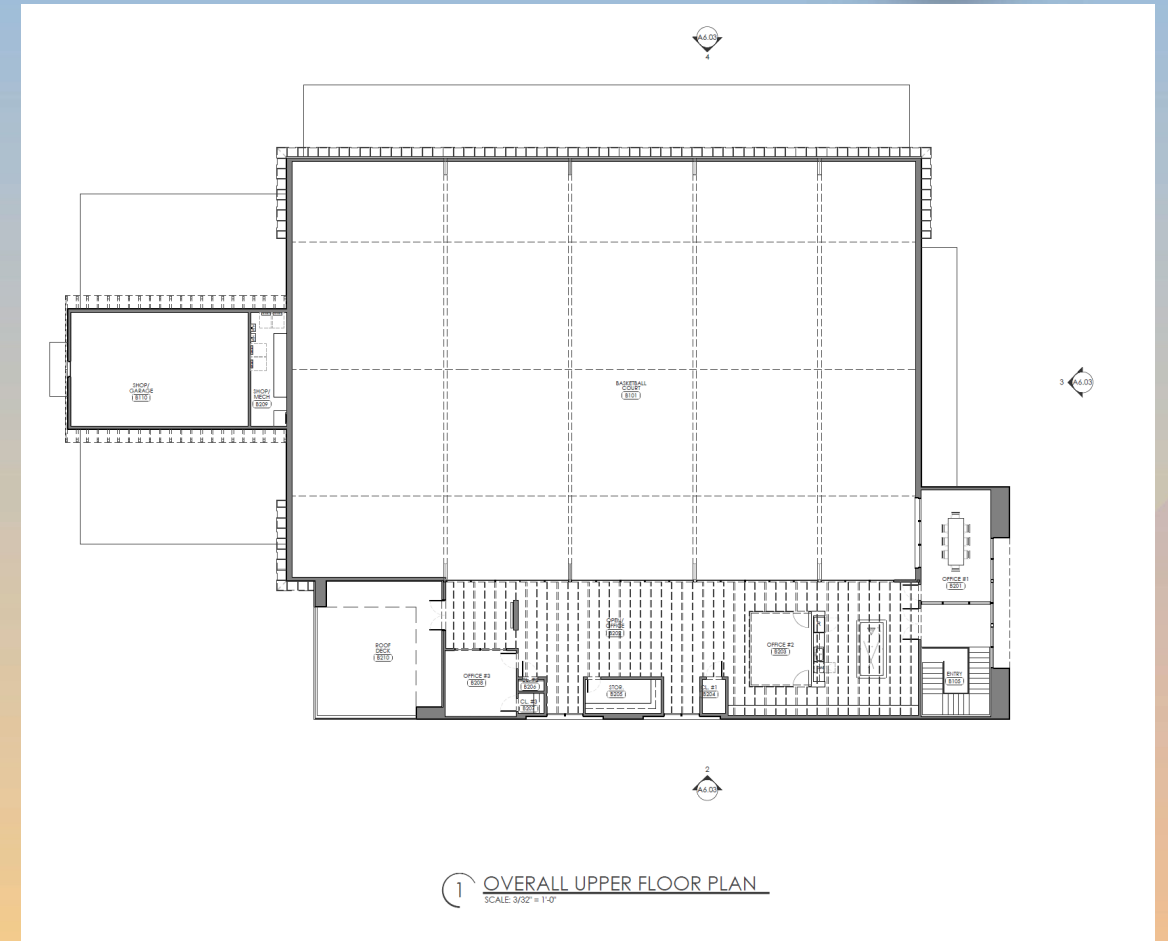
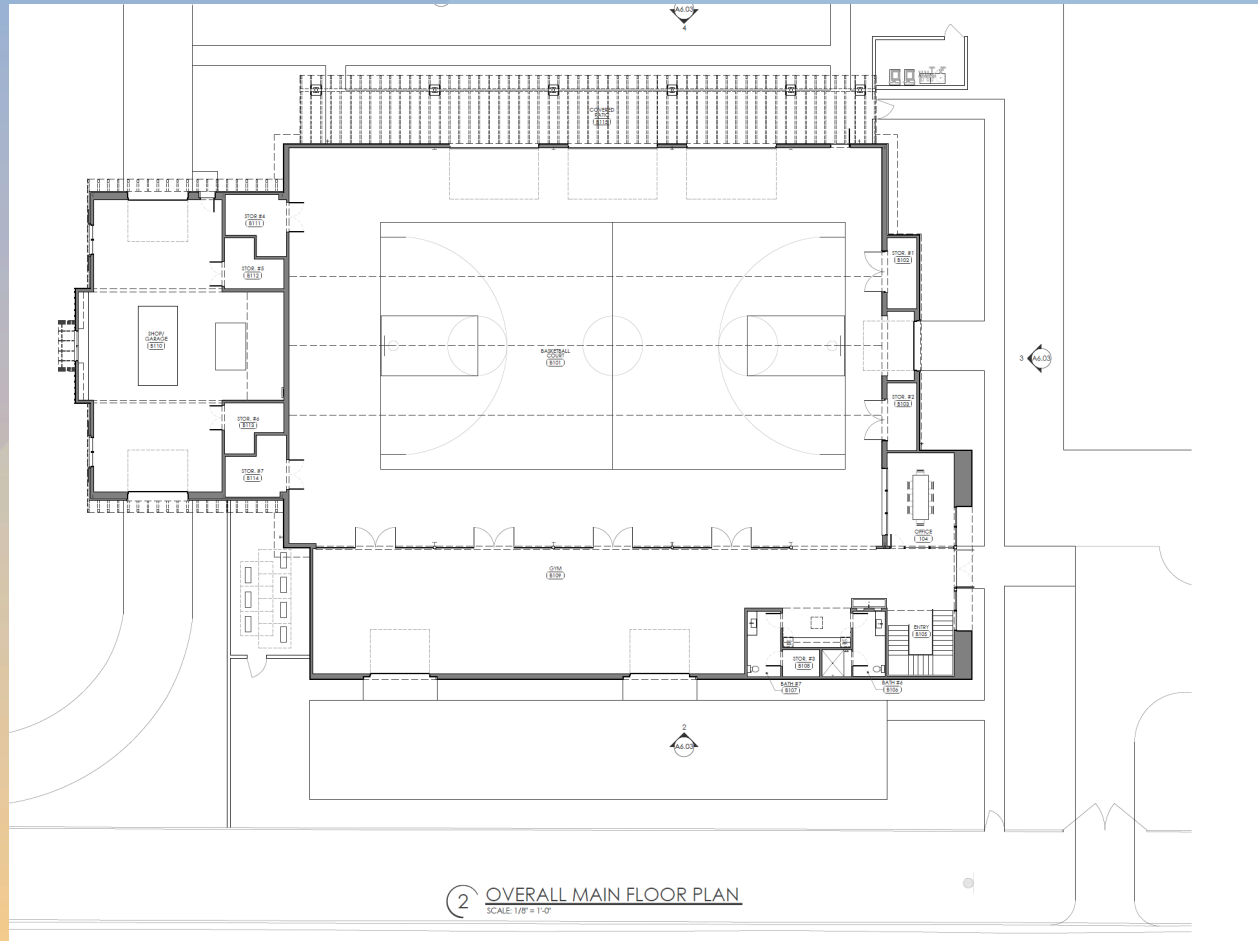
# Findings

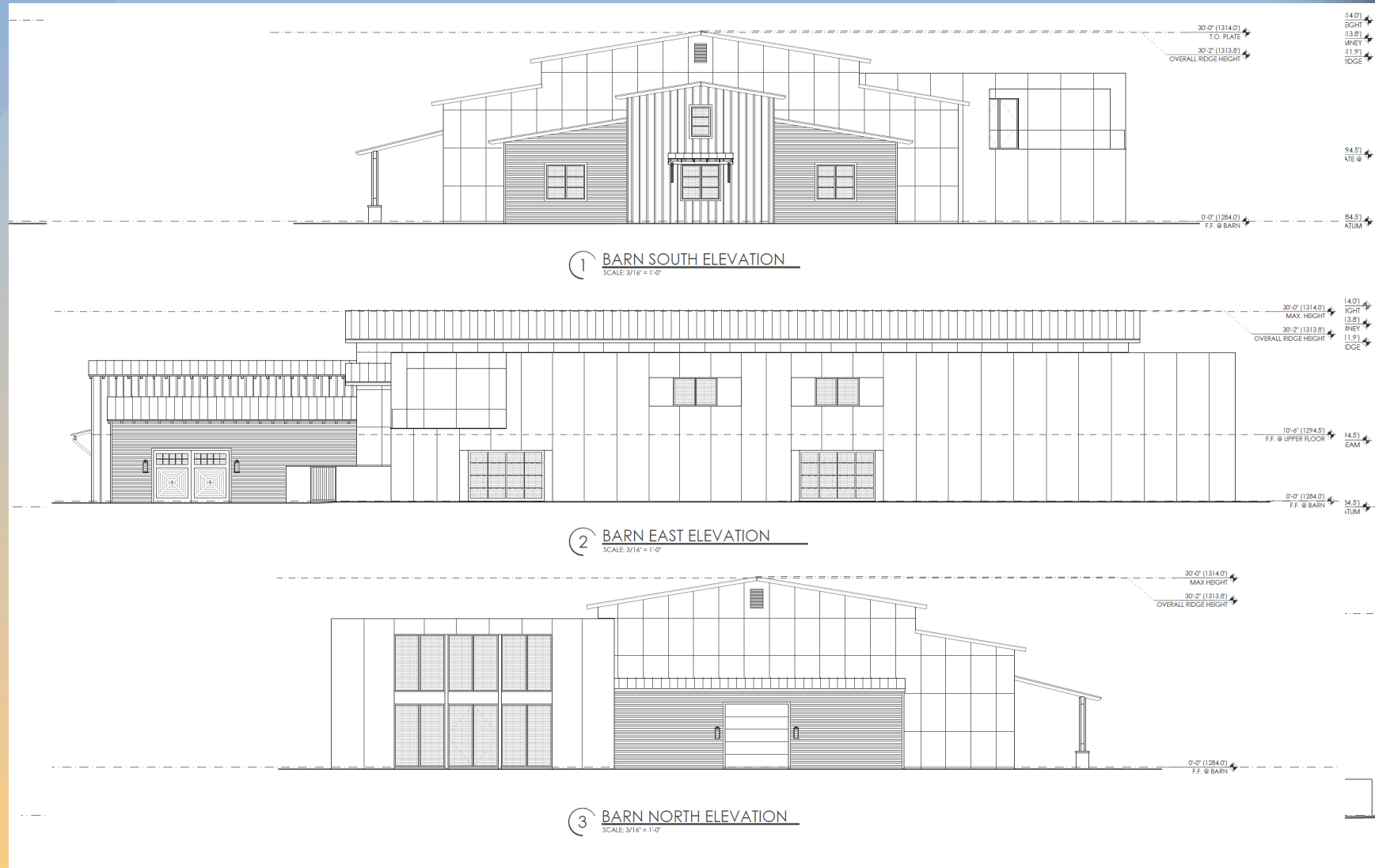
- ✓ Complies with the 2040 Mesa General Plan
- ✓ Meets required findings for a Special Use Permit in Section 11-70-5 of the MZO
- ✓ Meets required findings for a Variance in Section 11-80-3 of the MZO

*Staff recommends Approval with Conditions*

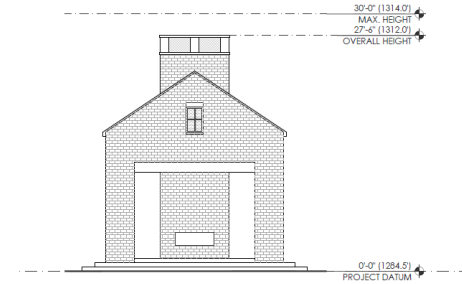




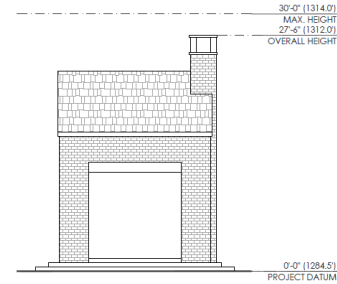




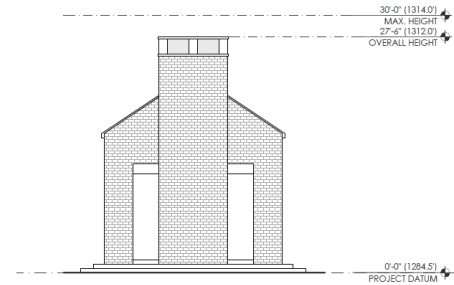




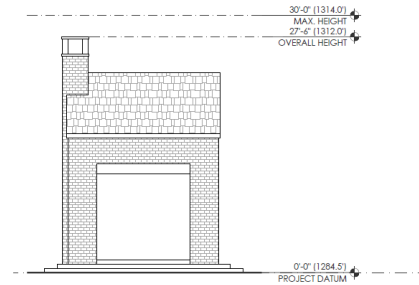
① **CABANA SOUTH ELEVATION**  
 SCALE: 3/16" = 1'-0"



② **CABANA NORTH ELEVATION**  
 SCALE: 3/16" = 1'-0"



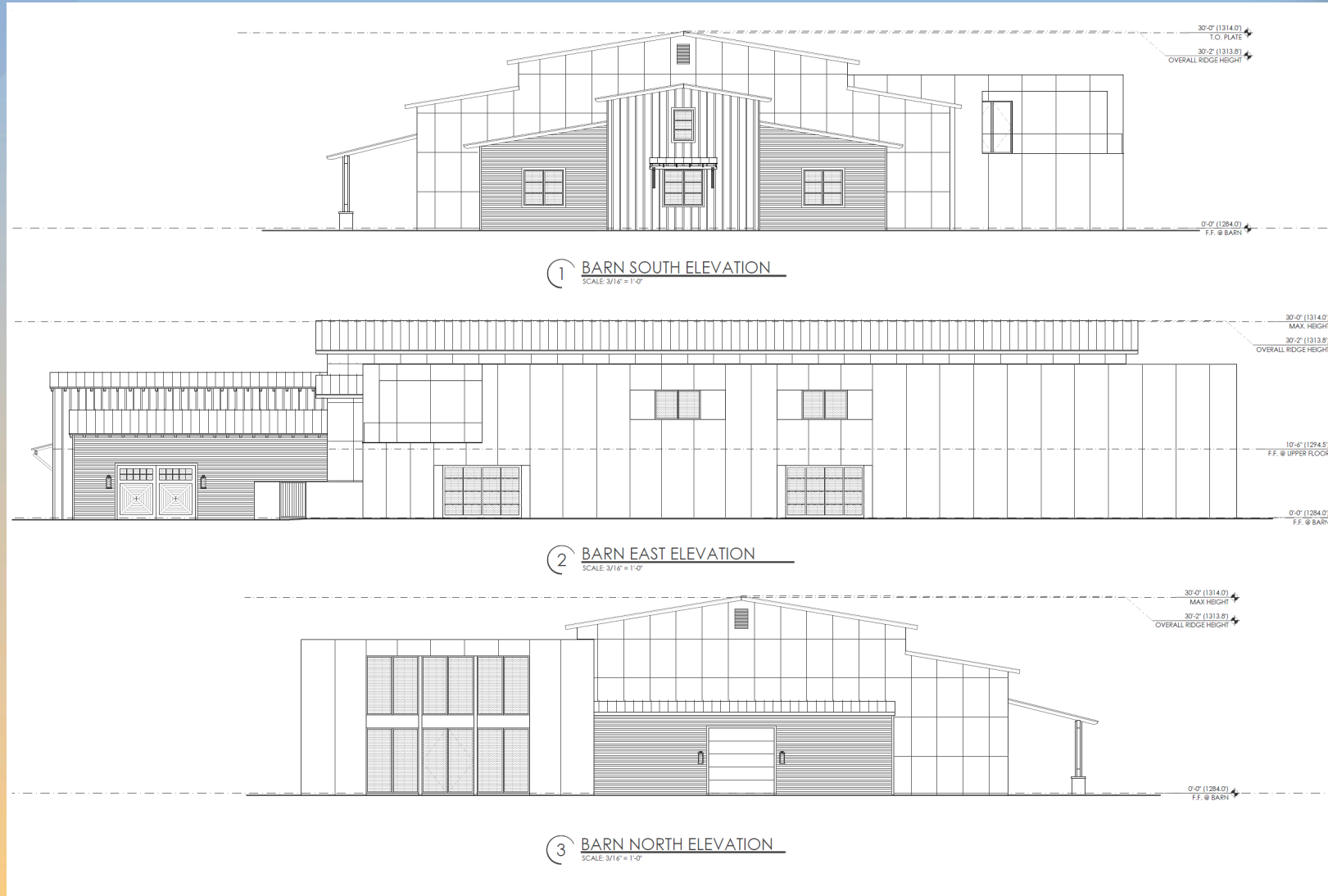
③ **CABANA EAST ELEVATION**  
 SCALE: 3/16" = 1'-0"



④ **CABANA WEST ELEVATION**  
 SCALE: 3/16" = 1'-0"



⑤ **WEST ELEVATION**  
 SCALE: 3/16" = 1'-0"





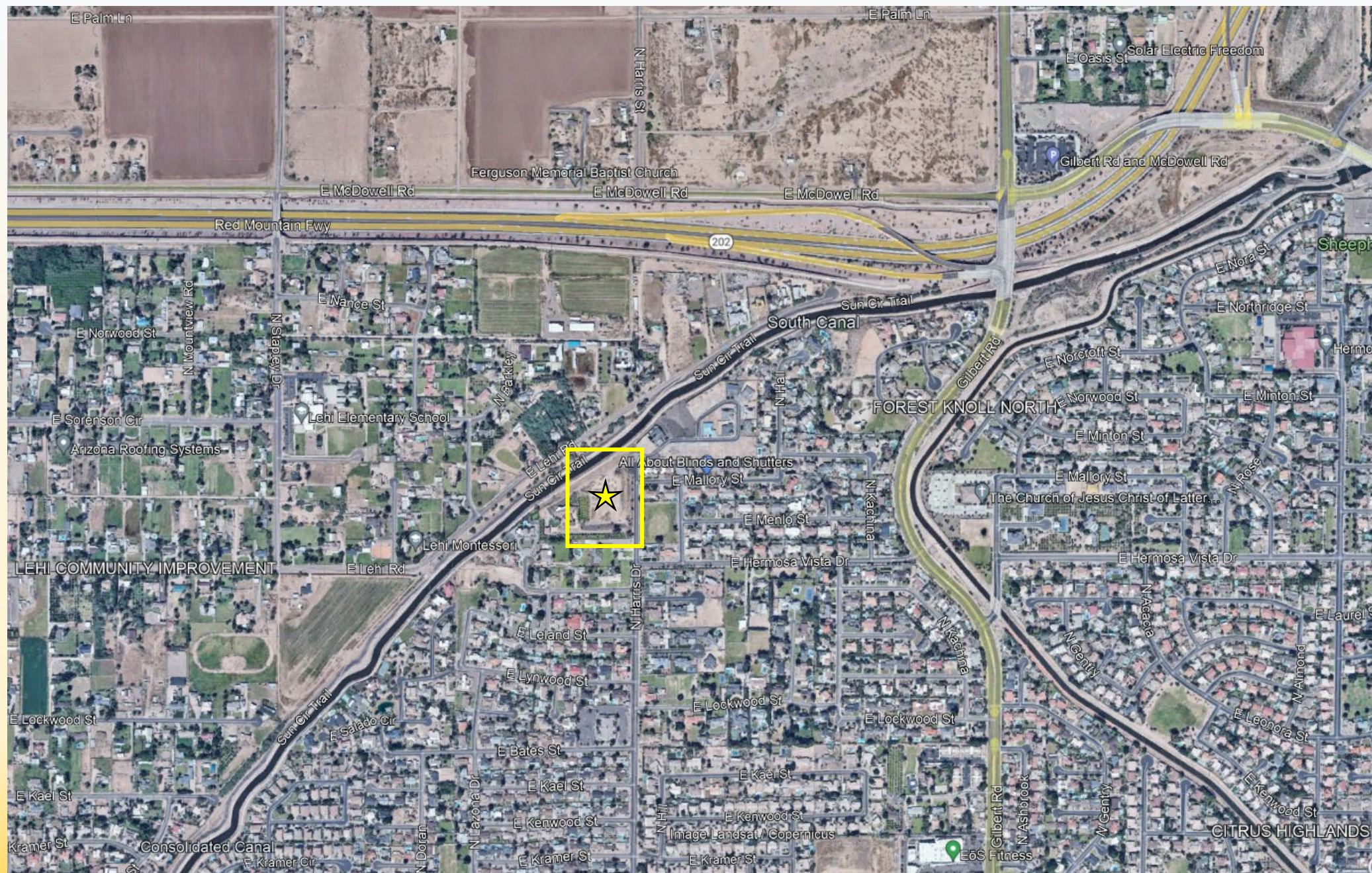






**BOA24-00051**











**Case No.:** BOA24-00051

**Proposal:** For the construction of a new built single family home with accessory structure.

Variance Requests:

- a. This first variance request is to allow the existing freestanding block wall located along Harris Drive to exceed the maximum 3.5-foot height in the front yard.
- b. The second variance request is to allow a detached accessory building to be located between the principal dwelling and the front property line.

Special Use Permit Requests:

- a. The first special use permit (SUP) request is to allow for no more than 2 non-resident employees to work on the site as per Mesa Zoning Ordinance Section 11-31-33 which requires an approval of a special use permit in the existing RS-43 zoning district.
- b. The second special use permit (SUP) request is to allow the aggregate area of the accessory structure to exceed the square footage of the primary structure.



**Current Zoning:** RS-43

**Proposal:** Single Family detached home.





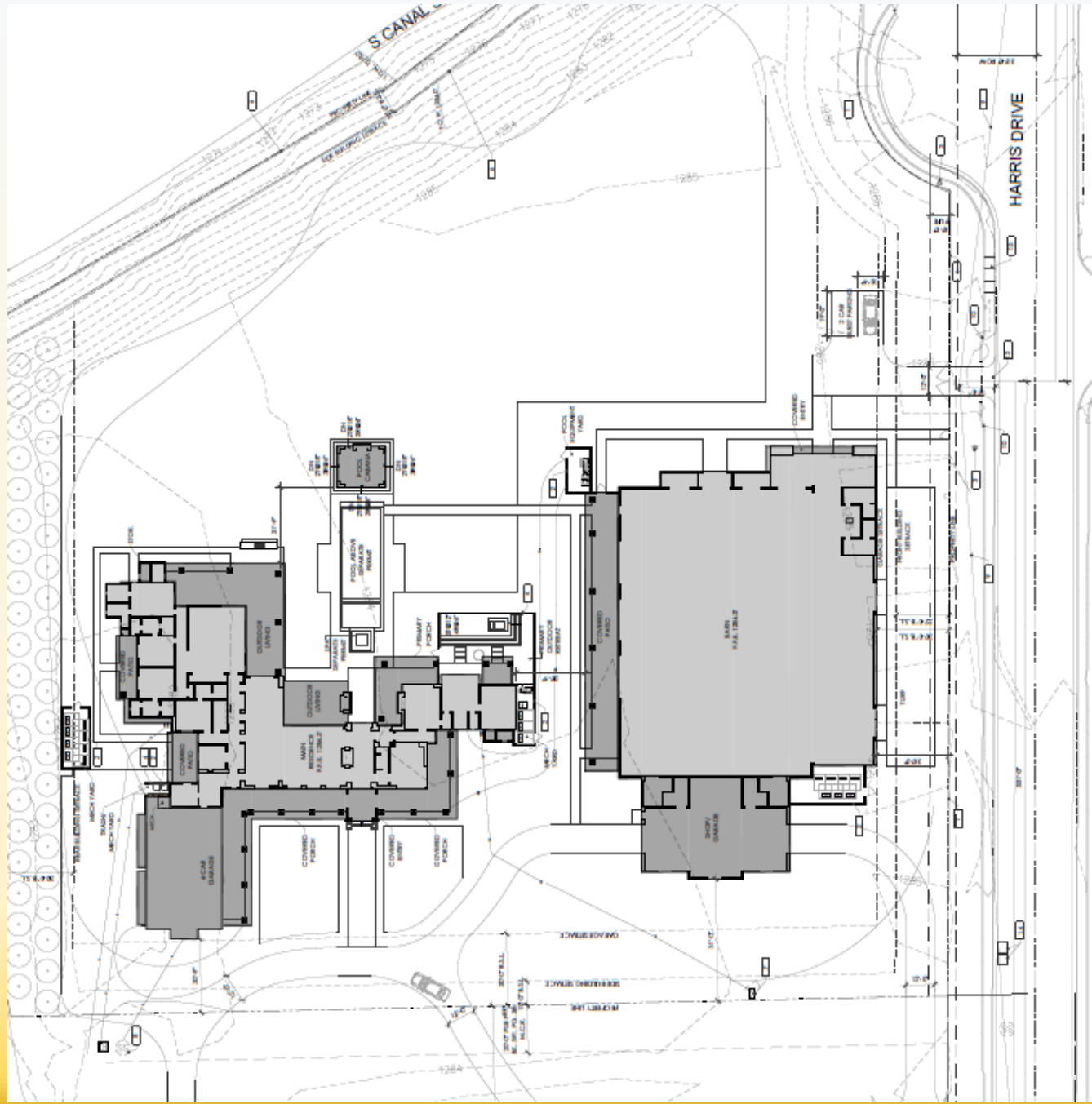




















## **Variance Findings of Fact:**

- a. This first variance request is to allow the existing freestanding block wall located along Harris Drive to exceed the maximum 3.5-foot height in the front yard.
- b. The second variance request is to allow a detached accessory building to be located between the principal dwelling and the front property line.

### **1. There are special circumstances applicable to the property, including its size, shape, topography, location, or surroundings.**

a. The fence height request is due to the fact that when the parcel was initially split it was built as a 6' tall fence along with the sidewalk, curb and landscaping per the City request when the property to the west was developed to enclose the property from the roadway visibility and traffic along Harris. This request is to leave that wall in place per how it was built and required by the City.

b. The property is situated just south of the Canal and is an odd shaped parcel given the adjacent northern cul-de-sac area and the way in which the house directly to the west was oriented when built in 2002. Because of the way the residential property to the west was built fronting the access road to the south instead of Harris Drive, it further solidifies that it would be most appropriate and similar to the other residences along Harris Drive which also do not orient and directly front onto Harris Drive but utilize it as a side yard.

## **Variance Findings of Fact:**

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

a. At the time of the western house's construction, a 6' tall block wall was required by the City to be placed along Harris Drive, along with landscaping, curb and sidewalk which is what is currently there today and assists in minimizing traffic of Harris Drive onto the site. The owner wishes to leave the existing fence and improvements existing in place.

b. This parcel was originally part of a larger parcel which included the house to the west. In 2002 the adjacent property owner split the site and built their residence on the western side utilizing a non-dedicated access road connection to Harris Drive from the west. The western (directly adjacent) residence fronts the non-dedicated roadway on the south, despite the legal front being considered along Harris Dr. This eastern property owner also wishes to have his house front that same access to the south and not utilize Harris Drive as a front yard in line with the development of the surrounding community as well as causing the least impact onto the adjacent properties but placing the accessory structure closer to Harris Street as opposed to near his neighbor's property.



## **Variance Findings of Fact:**

**3. 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;**

a. In following the direct application of the zoning code where the zoning ordinance only recognizes the front yard of a property as the side which fronts the publicly dedicated street, only Harris Drive is able to be front yard and it creates difficulties with the perimeter fencing height along Harris, whereas the true front yard will be built on the south side. The owner wishes to retain the existing freestanding permitted fence along Harris at 6' in height to maintain privacy to their property as adjacent properties have as well.

b. The homeowner has a large irregular shaped lot adjacent to a cul-de-sac and canal which the owner is wishing to build a house and a detached accessory structure on but with orientation different that the code recognizes due to the difference between dedicated and non-dedicated public roadways. Because the zoning ordinance recognizes the front yard of a property as the side which fronts the publicly dedicated street, only Harris Drive is able to be front yard under the strict application of the code, despite the house utilizing the access road to the south for its primary access.

The proposed residence will be in line with the existing surrounding homes and community and appear as the others due located along Harris Road and directly to the west.

## **Variance Findings of Fact:**

**4. 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.**

a. & b. These variances will allow for the development of the vacant parcel and will be in line with the surrounding community with large estate type lots and accessory uses and not be an exception to how other properties nearby and in the community have developed. As mentioned earlier, orienting the house to the south vs. Harris Dr. and allowing the block wall 6' fence to remain is similar to the adjacent properties in the community and is not a special privilege.

## **Special Use Permit (SUP) Findings of Fact:**

- a. The first special use permit (SUP) request is to allow for no more than 2 non-resident employees to work on the site as per Mesa Zoning Ordinance Section 11-31-33 which requires an approval of a special use permit in the existing RS-43 zoning district.
- b. The second special use permit (SUP) request is to allow the aggregate area of the accessory structure to exceed the square footage of the primary structure.

### **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;**

- a. The proposed use of the home occupation for this site is in line with the RS-43 zoning category and is expressly listed as such in the zoning ordinance section 11-31-33 as a possible use with a SUP. The use will remain large lot residential and provide home occupation opportunities for the family businesses. The use is in line with the community character of the large lot agrarian feel neighborhood and the buildings architecture will further that intent.
- b. The accessory use is larger than the primary home as it is proposed to have a couple offices for the home-based business, so as to not locate them within the house as well as it includes a large gymnasium for their personal use, as one of their businesses is sports marketing and they are avid sports enthusiast and wish to have a personal indoor court on their property without it being attached to their living area.



## Special Use Permit (SUP) Findings of Fact:

**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 with any other applicable City plan or policies;**

- a. The building which will provide the 2 non-resident employees will be in line with the proposed house and the house shall function as such with no exterior visibility that it will be operating as a home occupation with two additional employees. The home occupation will have no exterior signage, no commercial storage or outdoor fabrication on the site.
- b. The location, size, design and how the site operates will remain residential and also as a residential home with residential design, landscaping and access upon its development and the owner residing on site. The buildings will meet all the requirements for setbacks, lot coverage of the existing RS-43 zoning district and will match the architecture of the proposed home so it also looks to function as one cohesive property.

The home occupation and parking requirements meet section 11-31-33 of the Mesa Code for setbacks, matching architecture and design and being on the same water provider as the main building. The site also is in line with Chapter 87 describing the intent of home occupations to be clearly still a residential use with no exterior signage or outdoor commercial storage, is subordinate to the main use of the property, located on the same lot, includes business uses which will be conducted entirely indoors and does not negatively affect the surrounding properties.

## **Special Use Permit (SUP) Findings of Fact:**

**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;**

a. The proposal to have up to 2 non-resident employees work at the home will be negligible and unnoticeable from surrounding properties and is in line with the RS-43 zoning code. The site is setback from the roadways, enclosed with fencing and will also provide onsite parking areas for the residents, guests and 2 separately accessible dustproofed parking spaces for the 2 non-resident employees so there will be no impact to adjacent properties.

b. The proposed accessory structure will not be detrimental to the surrounding properties or neighborhood as the same required setbacks, lot coverage and height for the site shall be met in line with the adjacent properties. Additionally, the design and architecture of the accessory building will be the same quality and design as the primary residence and be an attractive accessory structure which is custom designed. The nearest adjacent property owner to the west has submitted their support for the request and is attached as part of this application.

## **Special Use Permit (SUP) Findings of Fact:**

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

a. & b. This use is served by the City of Mesa for gas, water and sewer and SRP for electricity.



# Questions?



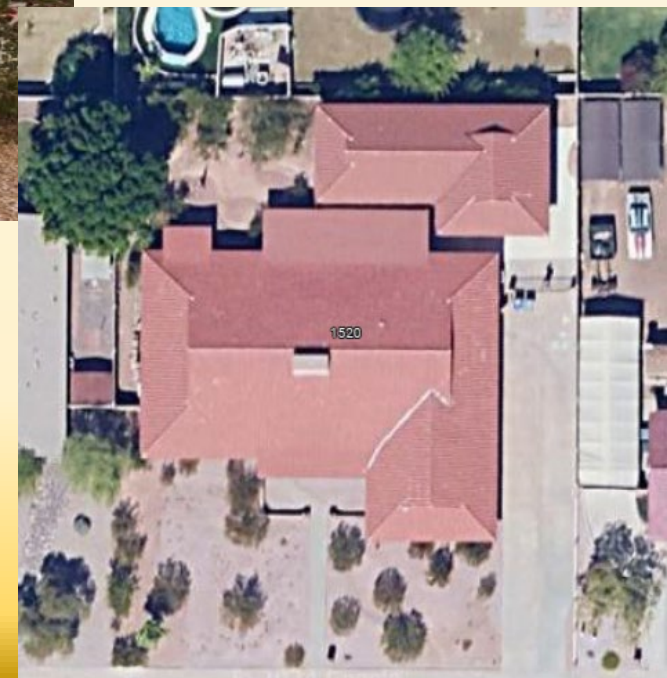




Over 2,780 sq ft accessory building not including attached covered patio ; 5' off of side yard  
House is 3,466 sq. ft.







Over 1,300 sq ft accessory building; 5'  
off of rear yard; 10' off side yard





@15' setback along Harris

@17' setback along Harris

30' setback along Harris

20' setback along Harris

60' setback along Harris

25' tract setback along Harris

@15' setback along Harris

25' tract setback along Harris

@17' setback along Harris









# BOA24-00124

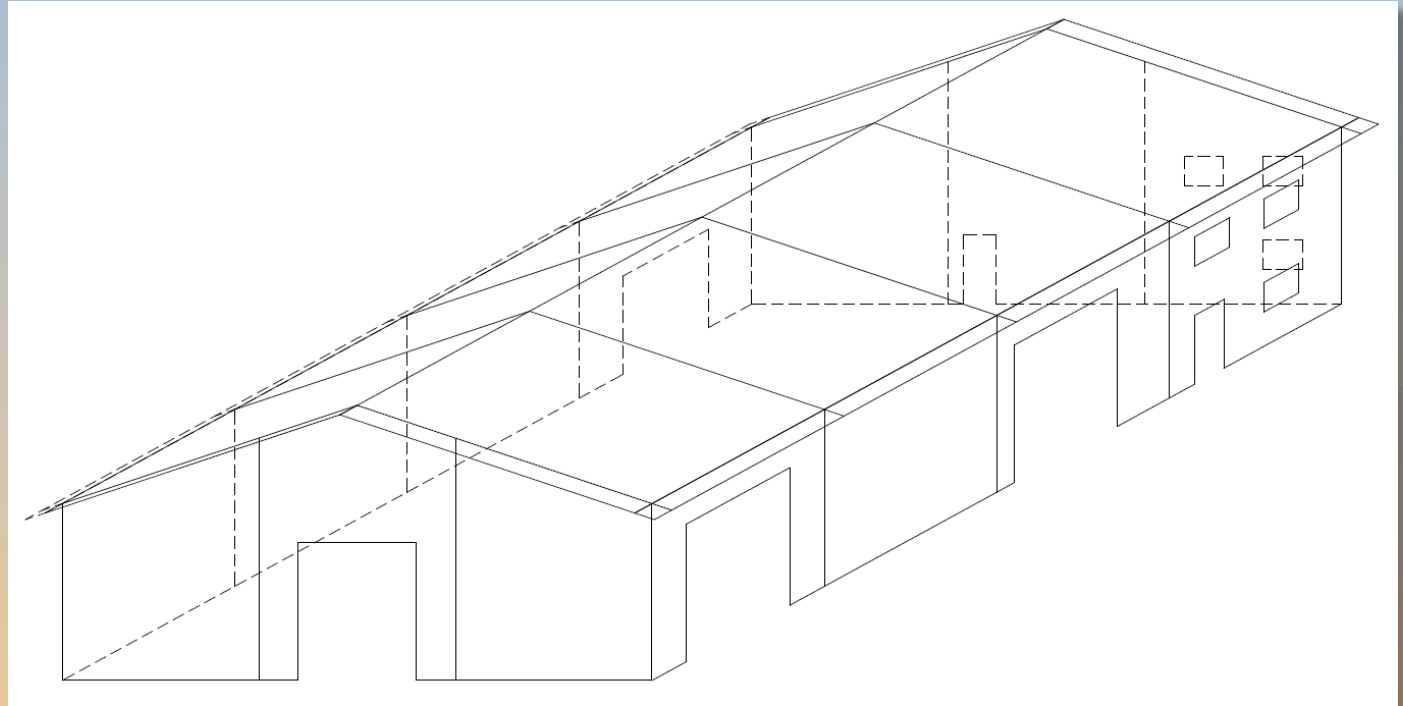
Emily Johnson, Planner I

June 5, 2024



# Request

- Special Use Permit to allow for the aggregate area of all detached buildings to exceed the square footage of the primary residence.

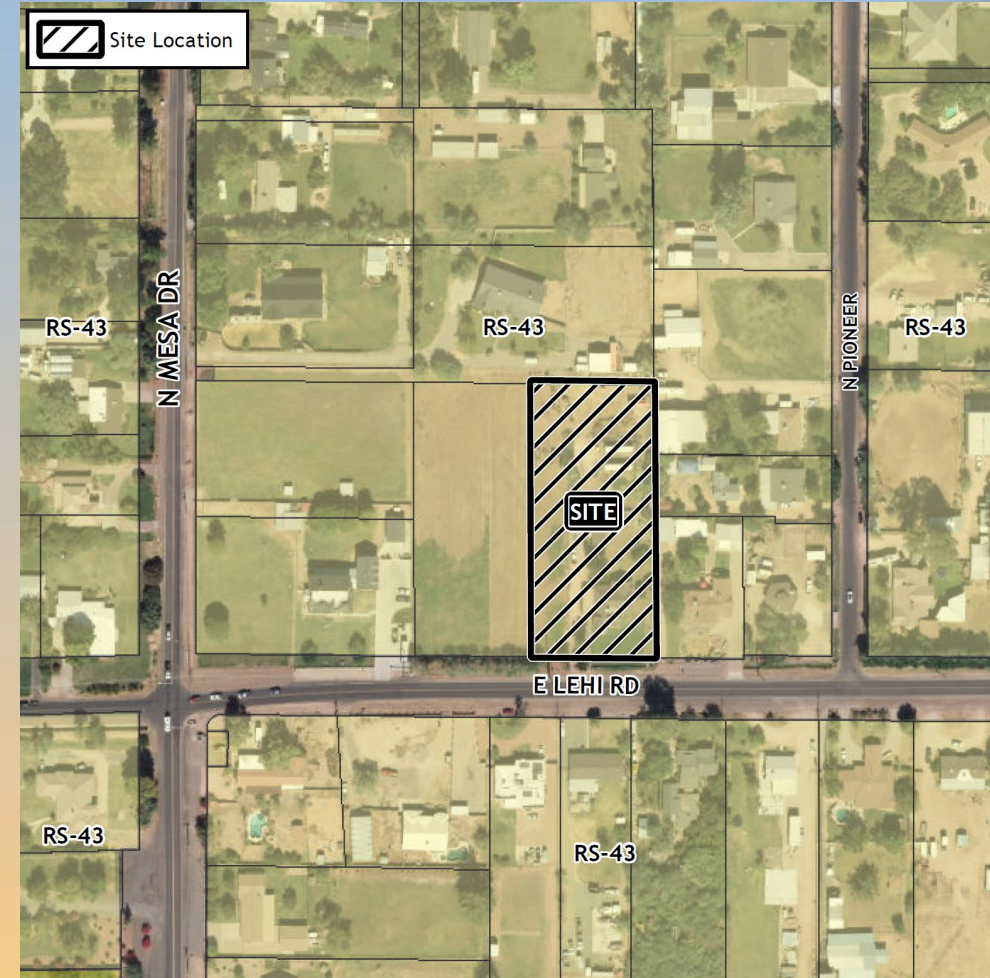






# Location

- 462 East Lehi Road
- North of Lehi Road and east of Mesa Drive







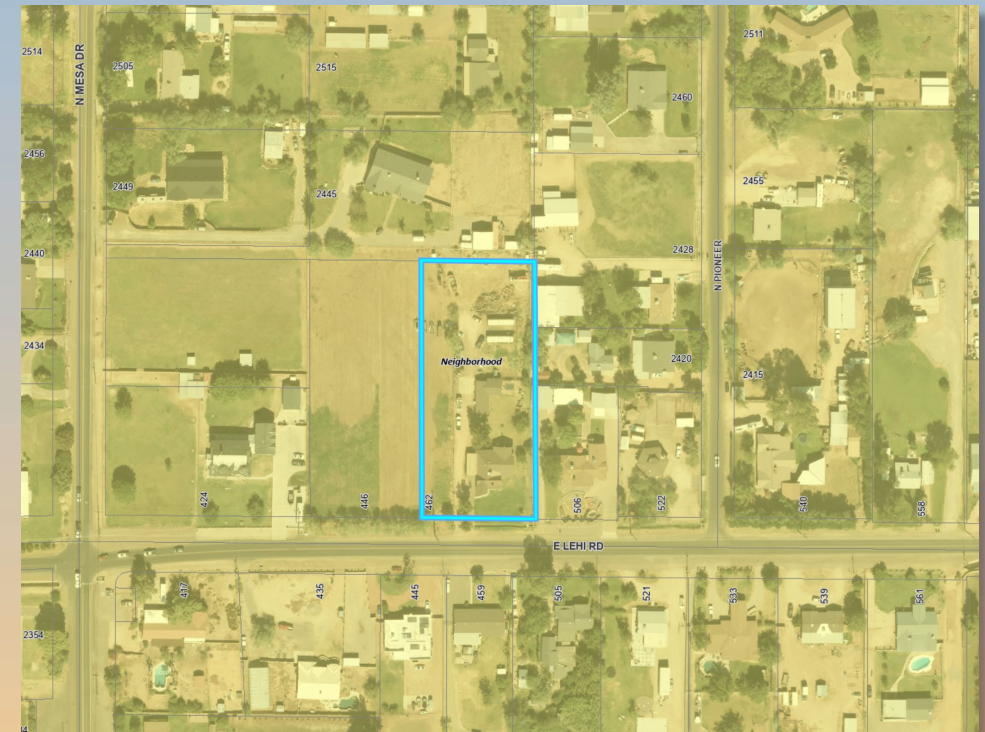
# General Plan

## Neighborhood Agricultural Sub-Type

- Safe places for people to live with wide range of housing options allowed
- Out buildings, arenas, stables, etc. are more common

### Lehi Sub-Area

- Preserve historic and rural character of the area







# Zoning

- Single Residence-43 (RS-43)







# Site Photos



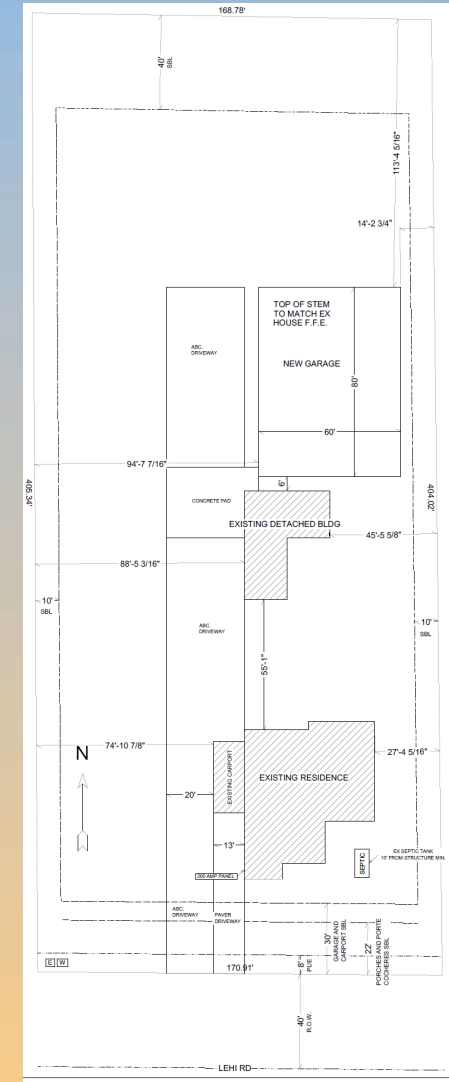
Looking north from E Lehi Road





# Site Plan

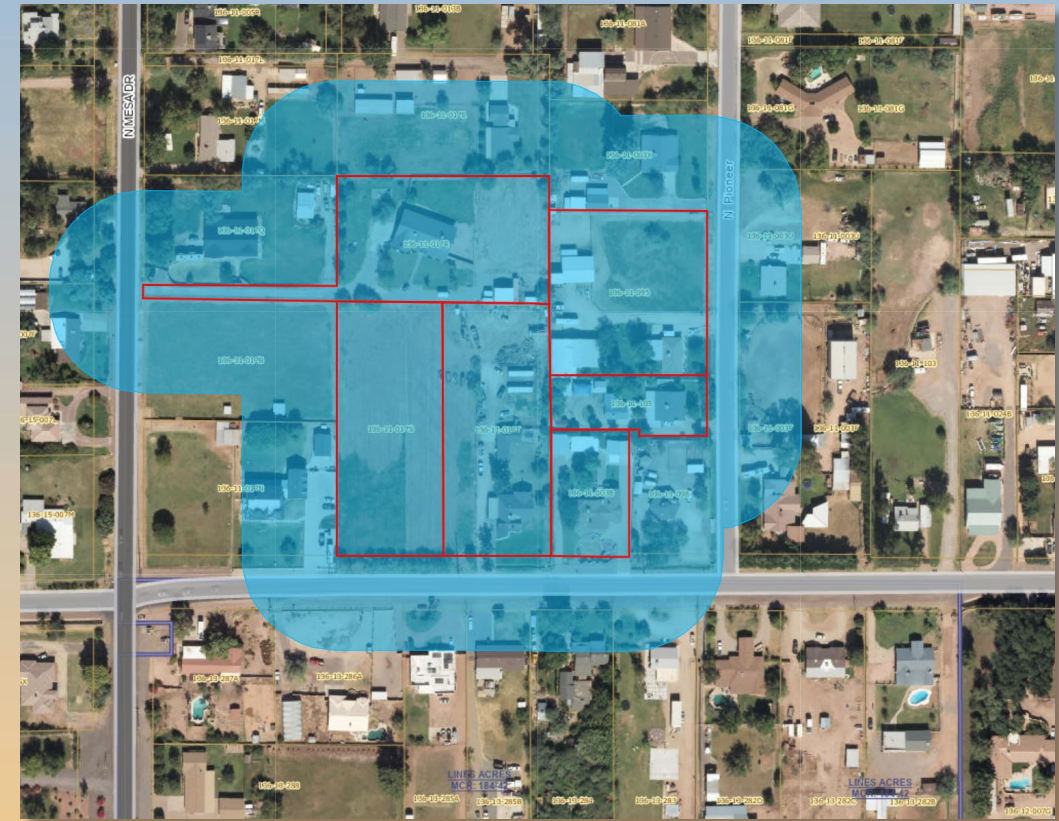
- Proposed storage garage is 4,800 square feet and will be in the rear half of the lot
- Existing 1,188 square foot detached structure
- Floor area of primary residence is 2,932 square feet





# Citizen Participation

- Notified property owners within 150 feet
- Staff has received opposition from neighbors about the size, height, material, and belief of home occupations







# Approval Criteria

## Section 11-70-5 Special Use Permit Criteria

- ✓ #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 plans and/or policies;
- ✓ #2 The location, size, design, and operating characteristics of the proposed project are consistent with the purpose of the district where it is located and conform with the General Plan and any other applicable plans and/or policies;
- ✓ #3 The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, the greater neighborhood, or the general welfare of the City; and
- ✓ #4 Adequate public services, public facilities and public infrastructure are available to serve the proposed project



# Findings

- ✓ Complies with the 2040 Mesa General Plan
- ✓ Meets required findings for a Special Use Permit in Section 11-70-5 of the MZO

*Staff recommends Approval with Conditions*









# BOA24-00327





# Request

- Special Use Permit to allow detached structures to exceed the square footage of the primary residence
- MZO Section 11-30-17(B)(8)
- Total aggregate area of all detached structures to equal 473% of the roof area of primary dwelling







# Location

- 919 E Lehi Road
- Located East of North Horne Road
- South of East Lehi Road



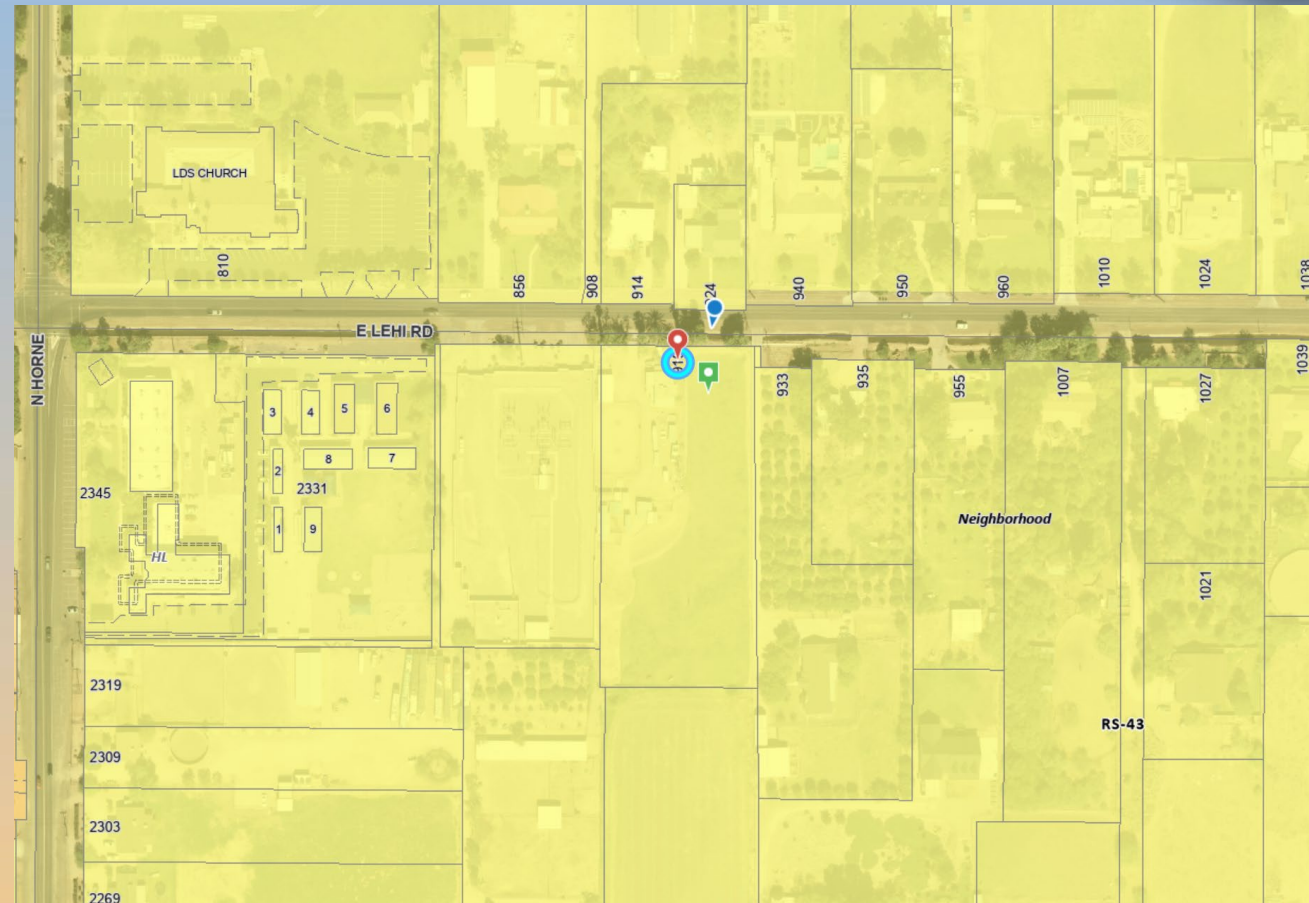




# General Plan Neighborhood

- To provide safe places for people to live where they can feel secure and enjoy their surrounding community

## Lehi Sub Area Plan



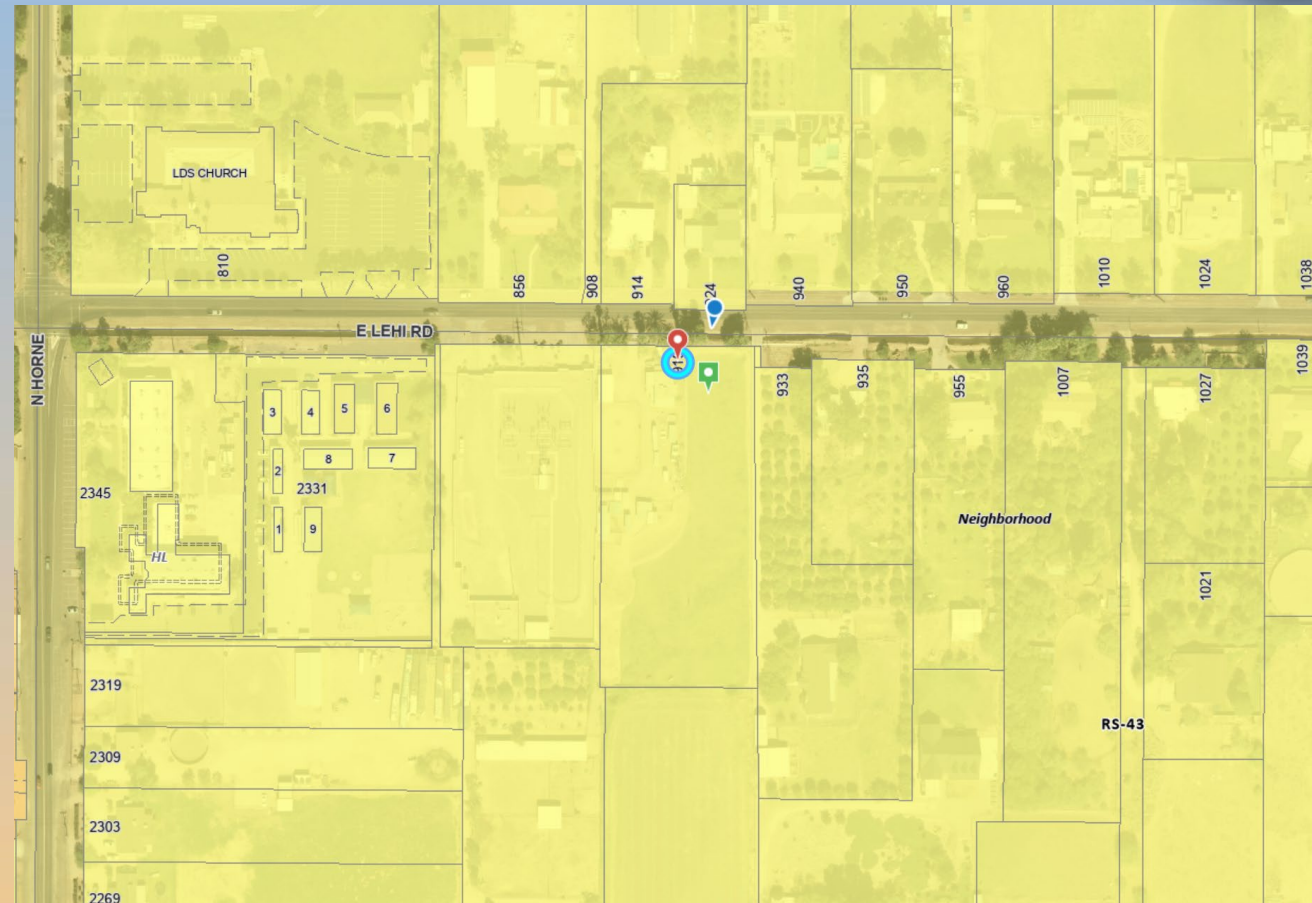


# Zoning

Single Residence-43 (RS-43)

Lot size: 97,820 sq. ft.

Existing livable: 1,010 sq. ft.







# Site Photos



Looking south towards the site from East Lehi Road





# Site Photos



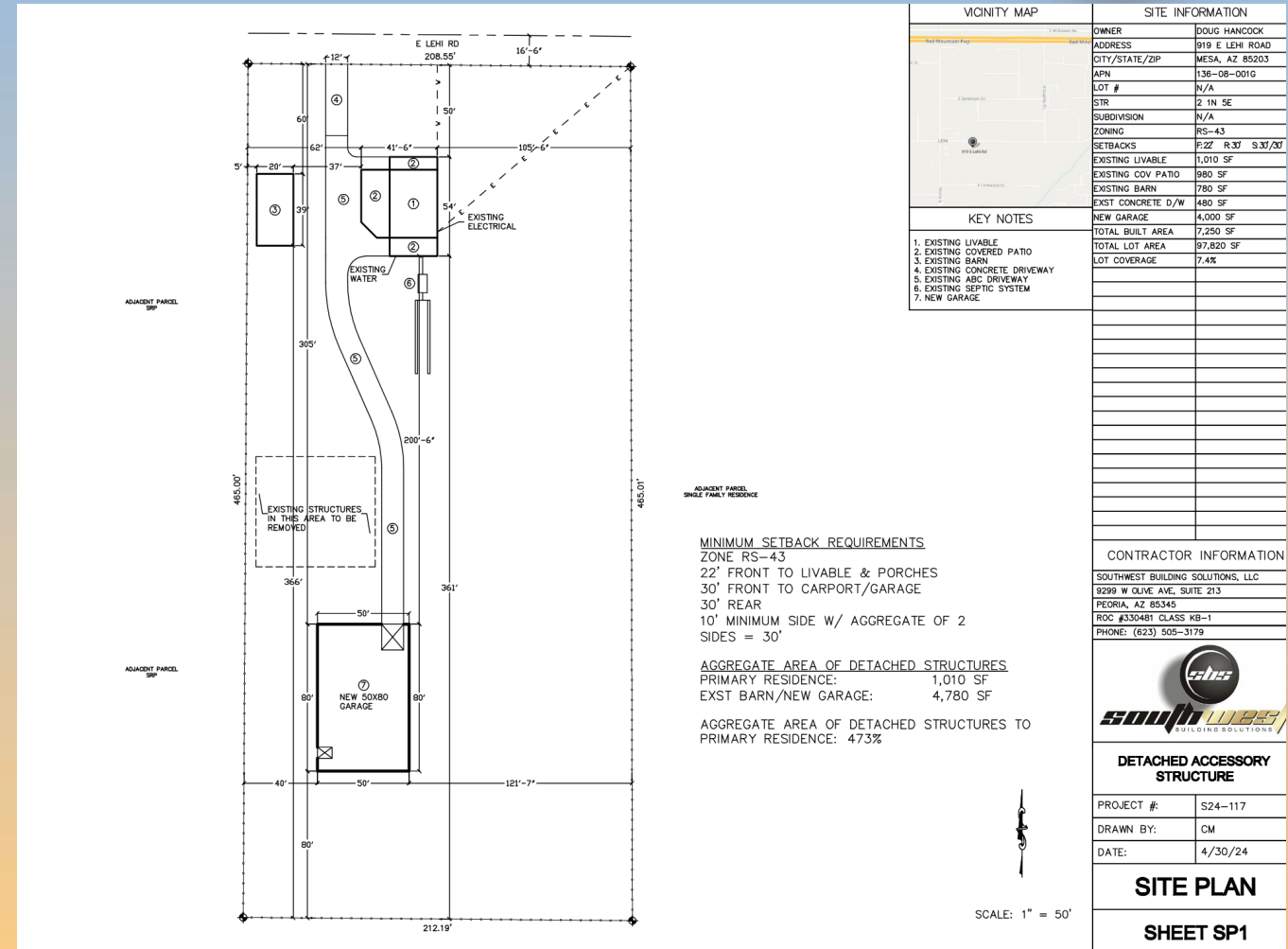
Looking north east towards the site





# Site Plan

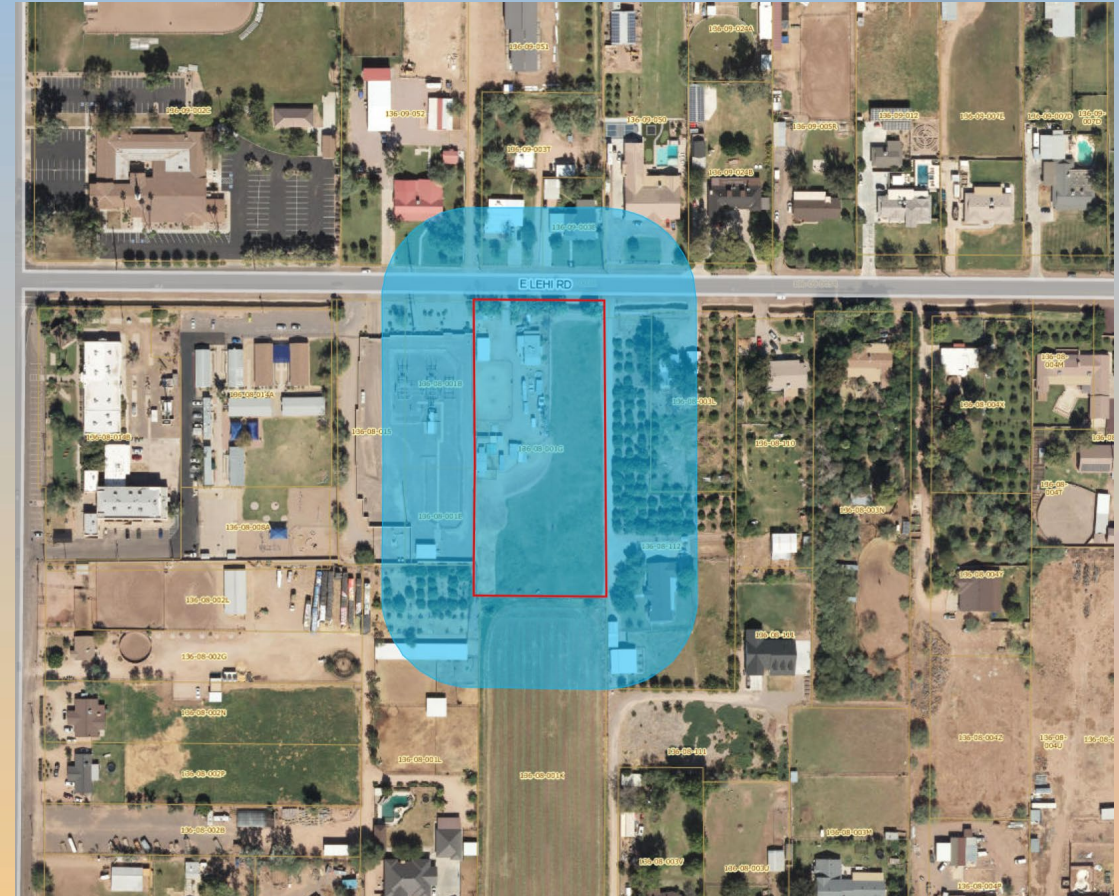
- Existing primary residence: 1,010 sq. ft.
- Existing detached barn: 780 sq. ft.
- Proposed detached garage: 4,000 sq. ft.
- 473% of the primary dwelling
- Proposed lot coverage:  $\pm 7\%$
- Maximum lot coverage for RS-43: 40%





# Citizen Participation

- Property owners located within 150 feet of the subject site were notified
- Staff has received correspondence from the Lehi Neighborhood expressing concerns about the proposed garage size.







# 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.



# Findings

- ✓ Complies with the 2040 Mesa General Plan
- ✓ Meets required findings for Section 11-70-5.E of the MZO

***Staff recommends Approval with Conditions***