



**PLANNING DIVISION
STAFF REPORT**

Board of Adjustment

July 3, 2024

CASE No.: BOA24-00421	CASE NAME: Raths Project
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Owner's Name:	Paul and Wendy Raths
Applicant's Name:	Scott Bring, STB Construction
Location of Request:	5001 East Main Street, Lot 910
Parcel Nos:	140-74-072
Nature of Request:	Requesting a minor modification to an existing Planned Area Development (PAD) overlay to allow for a reduction to the required front yard setback in a manufactured home subdivision in the Multiple Residential 2 district with a Planned Area Development overlay (RM-2-PAD) District.
Zone District:	Multiple Residence-2 with a Planned Area Development overlay (RM-2 PAD)
Council District:	2
Site size:	0.05± acres
Existing use:	Single Residence
Hearing date(s):	July 3, 2024 / 5:30 p.m.
Staff Planner:	Chloe Durfee Daniel
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **April 18, 1983**, the City Council approved the annexation of the project site as part of a larger 139± acre area (Ord. No. 1698).

On **June 25, 1984**, the City Council approved a rezoning from Maricopa County Rural - S.U.P. and C-3 to Restricted Multiple Residence [equivalent to RM-2] with a Planned Area Development overlay (R-2-PAD) and General Commercial (C-3) for 120± acres including (RM-2-PAD) for the project site, for an existing RV subdivision (Case No. Z84-080; Ord. No. 1847).

On **April 23, 1997**, the City Council approved a modification to an existing PAD to change side yard setbacks at Venture Out mobile home park to address existing conditions. (Case No. Z97-004, Ord. No. 3311).

PROJECT DESCRIPTION

Background:

The applicant is requesting a Minor Modification to the Venture Out Planned Area Development overlay (PAD) to allow for a reduction to the required front setback of a corner lot for a mobile home subdivision within the RM-2-PAD district.

The request is to allow for a four-foot front setback for a corner lot. This request would be applicable only to the project site and would allow it to match other parcels in the rest of the subdivision.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan character area designation on the property is Neighborhood within the 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. The request conforms to the goals of the Neighborhood character area.

Site Characteristics:

The Venture Out PAD covers approximately 139± acres along Main Street, Higley Road, Broadway Road, and 48th Street and was built in the 1970s, including the project site. The front setback for most properties within the PAD is four feet except for corner lots, which have a required setback of 20 feet. This PAD modification application is the first step in modifying the larger PAD to allow for all lots to have a four-foot front setback.

Surrounding Zoning Designations and Existing Use Activity:

Northwest LC and RM-4 Commercial Uses and Multiple Residence	North (Across Main Street) LC and GC Commercial Uses	Northeast (Across Main Street and Higley Road) RM-4 and LC Multiple Residence and Commercial Uses
West (Across 48 Street) RM-3 PAD Multiple Residence	Subject Property RM-2 PAD Mobile Home Subdivision	East (Across Higley Road) RM-4 Multiple Residence
Southwest (Across Broadway Road) RS-6 PAD Single Residences	South (Across Broadway Road) RS-6 PAD, OC, RM-4 PAD, RM-4, NC	Southeast (Across Broadway Road and Higley Road) LC

	Single Residences, Commercial Uses, and Multiple Residence	Commercial Uses
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Mesa Zoning Ordinance Requirements and Regulations:

The purpose and intent of a PAD Overlay District is to allow for innovative design and flexibility in the application of MZO development standards to provide creative, high-quality development. The Venture Out PAD allowed for a Maricopa County Mobile Home Subdivision to keep the same standards that it was allowed when it was originally approved.

Per Section 11-22-5(E) of the MZO, Conformance with Approved Plan – Modification after Initial Construction: When a project has been completed, the use of the land and the construction, modification, or alteration of any buildings or structures within the development is required to remain in conformance with the approved development plan except that any minor extension, alteration, or modification of an existing building or structure 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.

Allowing a reduction to the front-yard setback for a corner lot is consistent with the purpose and intent of the Venture Out approved development plan.

Findings:

- A. The existing Venture Out property was developed in Maricopa County in the 1970s; it was annexed into the City of Mesa in 1983 and zoned RM-2-PAD in 1984.
- B. In 1997, the side yard setbacks were changed to bring the whole development into conformance.
- C. Allowing a reduction of the required front setback for a corner lot will allow the parcel to develop to the same standards other non-corner lots use.
- D. The request is consistent with the purpose and intent of the Venture Out approved development plan and is the first step in updating the Venture Out PAD for all corner lot front setbacks.

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 has not been contacted by any residents to express support for or opposition to the request.

Staff Recommendation:

Based on the application received and preceding analysis, staff finds that the request to modify an existing Planned Area Development (PAD) to allow a reduction to the required front setback in a manufactured home subdivision in the Multiple Residential 2 district with a Planned Area Development overlay (RM-2-PAD) meets the modification criteria of 11-22-5(E) of the MZO, and therefore recommends approval with the following conditions:

Conditions of Approval:

1. Compliance with the Venture Out PAD as approved by Z84-080 and Z97-004, except as modified by the request.
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