

Mesa Council Chambers Lower Level – 57 E 1st St

Date: October 5, 2022 Time: 5:00 p.m.

MEMBERS PRESENT:

Chair Alexis Wagner
Vice Chair Nicole Lynam
Boardmember Ethel Hoffman*
Boardmember Troy Glover

MEMBERS ABSENT:

Boardmember Chris Jones
Boardmember Adam Gunderson
Boardmember Heath Reed

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

STAFF PRESENT:

Evan Balmer
Sean Pesek
Samantha Brannagan
Alexis Jacobs

OTHERS PRESENT:

1 Call meeting to order.

Chair Wagner declared a quorum present and the Study Session was called to order at 5:04 p.m.

2 Staff Update: Principal Planner Evan Balmer introduced new Planning staff members

3 Review and discuss items listed on the Public Hearing agenda for October 5, 2022.

***3-a Case BOA22-00697 was withdrawn.**

***3-b Staff member Sean Pesek presented case BOA22-00709 to the Board.**

Staff member Sean Pesek: Good evening, Chair, this is BOA22-00709. This request is a Special Use Permit for a Comprehensive Sign Plan for an industrial development. The proposed development is located on the east side of South Sossaman Road and north of Elliot Road as shown on the vicinity map. The General Plan designation falls within Employment character area. This provides for a wide range of employment opportunities in high quality settings and the proposed signage will further the intent of the General Plan. The zoning is Light Industrial, and the proposed industrial use is allowed by-right. Here's a site photo looking east from Sossaman Road.

The proposed Comprehensive Sign Plan request is to increase the maximum aggregate attached sign area for front occupancies between 81-199 feet. Per code, the maximum aggregate sign area for this length is 160 square feet. The applicant is requesting an increase maximum sign area aggregate to 240 square feet. After review, the request meets the review criteria for a Comprehensive Sign Plan outlined in Section 11-43-6(D) of the MZO as well as the criteria for a

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Special Use Permit outlined in Section 11-70-5(E). Staff's recommendation is approval with conditions.

***3-c Staff member Sean Pesek presented case BOA22-00802 on behalf of Cassidy Welch to the Board.**

Staff member Sean Pesek: Good evening, Chair, this is BOA22-00802. This request is a Special Use Permit for a Comprehensive Sign Plan for an industrial development. The proposed development is located north of Elliot Road, west of Ellsworth Road, and east of Loop 202 as shown on the vicinity map. The General Plan designation falls within Employment character area. This provides for a wide range of employment opportunities in high quality settings and the proposed signage will further the intent of the General Plan. The zoning is Light Industrial with a Planned Area Development overlay, and the proposed industrial use is allowed by-right. Here's a site photo looking north from Elliot Road.

The proposed Comprehensive Sign Plan request is to increase the minimum attached sign area from 24 square feet to 50 square feet. The applicant is also requesting to increase the maximum frontage coverage (for attached signage) from 75% to 80%. After review, the request meets the review criteria for a Comprehensive Sign Plan outlined in Section 11-43-6(D) of the MZO as well as the criteria for a Special Use Permit outlined in Section 11-70-5(E). Staff's recommendation is approval with conditions.

***3-d Staff member Samantha Brannagan presented case BOA22-00824 to the Board.**

Staff member Samantha Brannagan: Thank you Chairman, Boardmembers. This is BOA22-00824. This request is a Special Use Permit to allow the maximum aggregate area of all the detached structures to exceed 100% of the area of the primary residence. And the purpose for this Special Use Permit is to build a new 3,240 square foot detached building for agricultural use. This location is east of North Stapley Drive and north of East Lehi Road. The General Plan for this area is Neighborhood. The Neighborhood character area is meant for safe places for people to live and enjoy the surrounding community, a wide range of housing options including accessory structures. The zoning is Single Residence-43, or RS-43. Single Family is consistent with this existing zoning. This lot is also within the Lehi Sub Area. You can see on the site plan it's a very long, very rectangular parcel. There is an existing residence and there's also an attached carport and attached cover patio to the rear of the property. Altogether, the existing roof area is 3,090 square feet. And then the existing detached structures, which include a garage, an animal run and a barn, have a total of 2,488 square feet, which is less than 100% of the roof area of the residence. The new structure will be 3,240 square feet. And altogether, all of the detached structures will be 5,728 square feet, or roughly 185% of the main residence.

For the Special Use Permit, there's four criteria; the first criteria is approval will advance the goals and objectives and is consistent with the policies of the General Plan. This Special Use Permit is consistent with the General Plan as far as the Neighborhood character area as well as the Lehi Sub Area. The second criteria is the location, size, design, and operating characteristics will be

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consistent with the purpose of the district where it is located, which is RS-43, and conform with the General Plan and other applicable plans and policies. This is where the Lehi Sub Area comes into play. Generally, this RS-43 zoning requires a minimum of 43,560 square feet, or one acre. Per the Maricopa County Assessor, this parcel is about 1.7 acres. So, it exceeds that minimum requirement. And then the Lehi Sub Area plan is meant for the larger areas and a continuation of agricultural uses. Per the narrative, the new building at the rear of their lot will be for agricultural storage, which meets the intent of the Lehi Sub Area. The third criteria is that the proposed project will not be detrimental to the adjacent surrounding properties. This parcel is surrounded by other RS-43 lots. This new building is also proposed in the rear of the of the lot and won't be visible from the street. The fourth criteria is adequate public services, facilities and infrastructure, and the existing resident is connected to those. Overall, our findings are that it complies with the General Plan and also meets the Special Use Permit criteria of section 11-70-5 of the MZO. Staff recommends approval and I'd be happy to answer any questions.

Chair Wagner: Thank you so much. Are there any questions tonight?

Boardmember Glover: Samantha, was there any outreach to the neighbors, the adjoining neighbors, especially on that back portion of the parcel where they are, but this parcel?

Staff member Samantha Brannagan: I haven't heard any response. But included in the staff report was an attachment; where the property owner supplied photos of existing lots that had structures in the rear, but you couldn't see them from the street, just to compare it to this lot.

Boardmember Glover: So, the neighbors were contacted, but you've received nothing back?

Staff member Samantha Brannagan: Correct. It went out for public notice. And we did not receive any comments.

Chair Wagner: Are they meeting all of their setbacks?

Staff member Samantha Brannagan: Yes, they meet all of their setbacks.

***3-e Case BOA22-00840 was continued to November 2, 2022.**

***3-f Staff member Samantha Brannagan presented case BOA22-00878 to the Board.**

Staff member Samantha Brannagan: The request for this case is a Variance to the internal side yard setback, and the purpose is to allow an existing carport to remain that is within the required five-foot side setback. This location is north of Glencove Street and west of North Stapley Drive. The General Plan is Neighborhood, which is intended to provide safe places for people to live with a wide range of housing options. This lot is within the Single Residence-7, or RS-7 zone. The single residence and accessory structures are consistent with the zoning.

Here is the overall site plan. Per Section 11-5-3 of the MZO, the required setback is five feet, and the existing carport is encroaching in that setback. The structure itself has eight supporting columns. The existing carport is 517 square feet and has three columns on the western side of the building.

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Two columns encroach into that five-foot setback. Here are the site photos that the applicants provided. One is from Street View, and then one is within the property showing its existing and its relative distance from that wall. There are four approval criteria for the variance. Number one, there are special circumstances applicable to the property including size, shape, topography, location, or surroundings. As you can see from the site plan, the topography is a bit strange based on the size of the property and the angle of the property lines. The second criteria is the special circumstances are preexisting and will not be created by the owner. This was existing prior to their buying the property and they did not realize at the time that it did not meet the setbacks. The third criteria is strict application of the zoning ordinance will deprive privileges enjoyed by other property owners. I'm sure you are aware in residential districts, a lot of lots have detached structures or attached like carports and garages. Other lots in that area are more rectangular in shape and it would be a bit easier to meet that property line, whereas this one is angled on the west line. And the fourth criteria is the granting of the variance will not be a grant of special privileges inconsistent with other properties in the area. And that goes back to condition number three that I mentioned. Allowing that carport to exist is not a special privilege, because many of those surrounding lots also have carports. So, our finding is that this proposal complies with the Mesa 2040 General Plan and meets the variance criteria in Section 11-80-3 of the MZO. And staff is recommending approval with conditions.

Chair Wagner: Thank you. Are there any questions from the board on this case tonight?

Boardmember Glover: Do we know approximately how long that carport has existed?

Staff member Samantha Brannagan: I believe 2012.

4 Adjournment.

Boardmember Gunderson moved to adjourn the Study Session and was seconded by Boardmember Hoffman. Without objection, the Study Session was adjourned at 5:27 p.m.

Respectfully submitted,

Evan Balmer

Evan Balmer,
On behalf of Zoning Administrator (Dr. Nana Appiah)