

Skinner Residence

2632 N. Hall Circle

Variance Narrative

Submitted by:

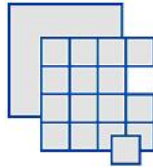
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Submitted to:

City of Mesa

55 N. Center Street

Mesa, AZ 85201

On Behalf of:

Skinner Family Revocable Trust

March 30, 2023

I. Introduction

Pew & Lake, PLC, on behalf of the Skinner Family Revocable Trust, is pleased to submit this project narrative and related exhibits for the approximately 1.8-acre property (78,772 sq. ft.) located at 2632 N. Hall Circle at the end of the cul-de-sac. The subject site is further identified on the Maricopa County Assessor's Map as APN 136-04-135 and as Lot 1A of a replat of North Ridge Hills Unit 2 subdivision, MCR 1416-412 (the "Property" or "Lot" interchangeably, see the Site Aerial below). The purpose of this request is to support the construction of a garage/storage building, future shed and horse corral, and accessory buildings on an irregularly shaped lot with challenging topographical constraints.

During the design of the accessory structures, special consideration has been given to the City's variance criteria and the site's unique features. To that end, the proposed garage building is located on the lower slope of the Property behind the principal residence where it will be screened and obscured from view from surrounding properties. The finished floor is much lower than the surrounding properties; only the top few 6-10 feet of the garage will be visible, and it is tucked into the steep slope that crosses through the Property. Similarly, the shed and horse corral will be located in the lower slope area and will have minimal impact to surrounding properties. The single variance request contained in this application is to allow the total amount of accessory buildings to be 100% of the size of the primary residence. It is worth noting at this time that if the 1.8-acre Property was more appropriately zoned RS-43, a variance would not be required. The RS-43 district allows accessory uses to be up to 100% of the residence, making this request reasonable and compatible with the surrounding 1-acre properties.

Figure 1 – Site Aerial



II. Location and Existing Conditions

Location – The Property is located at the end of cul-de-sac and has a steep slope that cuts through the middle of the site. As a result of the platting and topography, the Lot has a unique shape comprising an irregular polygon, a curved front lot line, and a point at the back of the Property.

Primary Residence – The principal residence was built in 1991, prior to the adoption of the current zoning ordinance. The residence was built to accommodate the topography of the site-- the house rests on the top of the slope facing the southwest. The back windows of the home and rear yard face the northeast with views across steep slopes and a depression in the land.

Rather than backfill the yard to be level with the home, the rear yard improvements include an extensive network of retaining walls and steps that follow the declining terrain. The house is placed at 1,288 feet above sea level (ASL), while the location of the proposed garage is 22 feet lower than the home, at 1,266 ASL.

Acre Lots – The subject property 1.8 acres and surrounded on 3 sides by .5 to 1.2 acre properties. Specifically, the adjacent lots have square footages that range from 23,500 to 53,800. The zoning is RS-15, which typically features 15,000 square foot lots. But the size of most of the adjacent lots are consistent with the RS-43 zoning. It is noted that RS-43 zoning is located to the north of the Property and nearby to the south.

III. General Plan and Zoning Designations

In the Mesa General Plan, the Property's Character Area designation is Neighborhood, and the Property is zoned RS-15 (See Figure 4 below). Existing improvements are consistent with these residential designations.

Figure 2 -Zoning Map



IV. Relationship to Surrounding Properties

Surrounding lots developed with single-family homes adjoin the Property's boundaries to the east, south, southeast, and west. The South Canal borders the northern boundary, across which sits Lehi Road, a single family home, and ADOT right-of-way. Table 1 below summarizes the existing land uses and designations. The surrounding context demonstrates that the proposed buildings will not have a deleterious effect on existing development and will be compatible with the surrounding environment.

Table 1 – Existing and Surrounding Land Use Context

Direction	General Plan	Existing Zoning	Existing Use
Project Site	Neighborhoods	RS-15	SFR
North/NW	Neighborhoods	RS-43	Canal, Street, ADOT ROW, SFR
East	Neighborhoods	RS-15	SFR
South/SW	Neighborhoods	RS-15	SFR
West	Neighborhoods	RS-15	SFR

V. Project Description

The variance requested in this application is:

- (1) To allow an approximately 4,610 square foot accessory building and other accessory structures that collectively amount to 100% of the size of the 7,388 square foot principal residence, where 50% is allowed in the RS-15 zone (11-30-17.B.9).

As shown on the Site Plan provided in the application materials, a new garage building is proposed in the southeast corner of the Property. A new private driveway that complies with development standards will access the new building. To develop the garage building and driveway, existing structures will be relocated, including a shed and horse corral. Many of the backyard retaining walls and improvements will remain in place.

As previously noted, a variance request would not be necessary if this 1.8-acre lot was more appropriately zoned RS-43, a zoning district that would be more consistent with the Property's area of 1+ acres. In RS-43, a garage like the one proposed could be 100% of the area of the residence. Accordingly, the proposed garage is no bigger than would be expected on a property of this size. It is also noted that the adjacent lots to the east and south are also larger than 43,560 square feet. Therefore, the proposed garage is sized appropriately for the unique size and location of the Property. Also, the proposed corral and shed will have minimal impact and be appropriately scaled to the size of the lot.

Due to the Property's unique topography, the proposed improvements will be minimally visible from the nearest neighbors to the south and east. From the west, there will be

practically zero visibility from the front of the home. Finally, from the north, the canal and Lehi Road create a large distance to the closest northern properties. Additionally, there are trees in this area that will screen the new building from the northern properties.

The site has been designed with sensitivity to the surrounding structures and uses, and will result in a sophisticated Property that will bring value to the neighborhood.

VI. Variance Criteria

As shown on the Site Plan provided in this request, this application complies with the City of Mesa Zoning Ordinance's variance criteria, outlined in Section 11-80-3, as follows:

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

Response: The Property has a unique shape and complicated topography with steep slopes that cut into the Property. The residence was constructed on a relatively flat piece of land. But towards the back portion of the house, the terrain drops precipitously for 22 feet to the proposed garage building pad. More than half of the Property lies below the highest and flattest portion of the Property.

The Property's location and surroundings are also different from all other properties in the area. The Property is surrounded on three sides by lots that are more than 1 acre in size. A canal is located to the north. Only one property that is near the RS-15 lot size is located to the west.

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

RESPONSE: The topographical conditions existed before the applicant owned the Property. The unique topography with the steep slopes that extend to the south are conditions that were present before the entire neighborhood was developed. Further, the Property's irregular configuration is a response to that topography, as a way of maintaining the natural terrain to the greatest extent possible. The homes in the neighborhood have been sited to accommodate the topographical differences.

- C. *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.*

RESPONSE: As noted previously, a significant challenge to development on the Property is created by the steep slopes that crosses the middle of the Property. This topographical feature is like a gorge on the edge of a "Mesa." No other site in the immediate area has similar sloping conditions, which in this case, make it more challenging to comply with the City's zoning standards than properties

without steep slopes. Extensive retaining walls that were built with the original home are evidence of the extraordinary measures needed to develop backyard improvements for the residential use.

The unique configuration of the Property boundary also poses limitations not present on other lots in the same zoning district. The Lot is created with multiple line segments and is also at the end of a cul-de-sac. The configuration of the cul-de-sac lot, coupled with the topographical challenges presents limited opportunities to locate the residence and accessory buildings onsite. These constraints are not present on other sites in the RS-15 zone.

Finally, a review of the City of Mesa's Planning and Zoning interactive Planning map indicates that during the development history of this neighborhood, variances have been granted to allow property owners in the RS-15 zoning district to develop their properties in an aesthetically pleasing manner, without impact to adjacent properties.

- D. 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.*

RESPONSE: As noted previously, there have been a number of variances granted in the RS-15 zoning district in this part of Mesa. Approval of the proposed request will not constitute special privileges, and is only requested as a result of the unique site conditions. The proposed buildings will not impose an unreasonable impact on adjacent properties. The building will be located below the topography of the surrounding homes and behind the principal residence where it will be obscured from view.

Under the current zoning, the proposed development meets all but one of the dimensional development standards, making this variance request a necessary part of ensuring the quality development of the proposed garage. While the total area of the proposed buildings is 100% of the principal residence, the lot coverage, at 18%, is well below the maximum allowed 40% building coverage.

VII. Conclusion

The proposed variance demonstrably meets the criteria outlined in the City of Mesa Zoning Ordinance. The proposed garage and related improvements will not detract from the character of the area and will allow full and fair use of the property rights enjoyed by others in the neighborhood. Located on a less visible and more compatible location on the Lot, this request will continue to preserve a significant portion of the Property in an open state and enhance the neighborhood, as is envisioned in the goals and policies set forth in the General Plan and Zoning Ordinance.