



**PLANNING DIVISION
STAFF REPORT**

Board of Adjustment

April 7, 2021

CASE No.: BOA21-00114	CASE NAME: Lahr PAD Modification
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Owner's Name:	Larry and Carol Lahr
Applicant's Name:	Larry and Carol Lahr
Location of Request:	928 South 80 th Street
Parcel Nos:	218-62-020
Nature of Request:	Requesting a modification to an existing Planned Area Development (PAD) front yard setback requirement to allow for an addition to an existing single residence.
Zone District:	Single Residence (RS-6) Planned Area Development (PAD) Age - Specific Overlay (AS) Airfield Overlay (AF)
Council District:	5
Site size:	7,052 square feet or .16± acres
Existing use:	Single Residence
Staff Planner:	Charlotte Bridges
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **June 5, 1985**, the property was annexed into the City of Mesa as part of a 598± acre annexation and subsequently zoned RS-6-PAD-AS-AF (Ord No. 1942 and Case No. Z86-048).

In **1978**, according to the applicant, the existing home was constructed.

PROJECT DESCRIPTION

Background:

The applicant is requesting to modify an existing Planned Area Development (PAD) to reduce the required front yard setback in order to enlarge and enclose a carport, converting it into a garage.

Initially approved under the jurisdiction of Maricopa County, the Fountain of the Sun master planned community was annexed into the City of Mesa in 1985, and the development standards for this unique, retirement-oriented, age specific, development were adopted by the City through the approval of a Planned Area Development (PAD) Overlay District. The PAD development standards approved for this property indicate the required front yard setback to a carport/garage is 20 feet. Approval of this request would allow for an 18-foot, six inches wide by five-foot long (18'6" X 5') addition to the south side of an existing home allowing for the conversion of the carport into a garage. The proposed addition would be 16 feet from the front property line and would result in an enclosed garage with the interior dimensions of 18 feet, six inches (18'6") wide by 23 feet long.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Neighborhood with a 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. These neighborhoods are often age restricted to persons over the age of 55 and include amenity areas for the benefit of the residents. The existing single-residence conforms with the General Plan's Neighborhood Character Area and Manufactured Home Sub-type designation for the property.

Site Characteristics:

The subject property is in the Fountain of the Sun Planned Area Development, which is bounded by East Broadway along the north, South Hawes Road on the east, East Southern Avenue on the south and South Sossaman Road on the west. The subdivision plat for Fountain of the Sun 3B, 144 lots, was approved in 1972 by Maricopa County. Most of the homes in the subdivision were constructed in the late 1970's and early 1980's. The subject lot is 7,052 square feet, and its shape is similar to other lots within this Fountain of the Sun subdivision. The site plan submitted with this request shows that the setbacks to the existing home meet RS-6-PAD-AS-AF District requirements.

Surrounding Zoning Designations and Existing Use Activity:

Northwest RS-6-PAD-AS-AF Single Residence	North RS-6-PAD-AS-AF Single Residence	Northeast (Across 80th Street) RS-6-PAD-AS-AF Single Residence
West RS-6-PAD-AS-AF Single Residence	Subject Property RS-6-PAD-AS-AF Single Residence	East (Across 80th Street) RS-6-PAD-AS-AF Single Residence
Southwest RS-6-PAD-AS-AF Single Residence	South RS-6-PAD-AS-AF Single Residence	Southeast (Across 80th Street) RS-6-PAD-AS-AF Single Residence

Mesa Zoning Ordinance Requirements and Regulations:

Per Section 11-22-5(E) of the MZO, Conformance with Approved Plan – Modification after Initial Construction: When a project has been completed, modification, or alteration of any buildings 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 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.

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 Fountain of the Sun master planned community includes a variety of housing type designed around a golf course and other recreational amenities to create a unique and sustainable, development catering to a retirement-oriented, age specific community. Many of the single residences within Fountain of the Sun were constructed with a double-car carport that if enclosed into a garage would not accommodate the length of a standard vehicle or meet Section 11-32-3(F)(2) of the MZO, which requires the interior dimensions of a double-car garage to be 20-feet wide by 22-feet long. Allowing an 18-foot, six inches wide by five-foot long (18'6" X 5') addition to the existing carport of the subject property to facilitate the enclosure of the carport into a garage long enough to accommodate the homeowner's vehicles improves the security of the residence, adds value to the property and contributes to the sustainability of the Fountain of the Sun PAD.

Findings:

- A. The existing home was constructed in 1978 and meets the required RS-6-PAD-AS-AF District front yard setback of 20 feet.
- B. The existing home was constructed with an 18 feet, six-inches wide by 18 feet long (18'6" X 18") double-car carport complied with the development standards at the time of construction but does not conform to the current development standards of Section 11-32-4(E) of the MZO.
- C. Construction of an addition to the carport to facilitate a garage enclosure, which meets the minimum required length of Section 11-32-4(F)(2) of the MZO for a double-car garage, is not possible without the granting a modification to the PAD to allow the addition within the required RS-6-PAD-AS-AF District front yard setback of the 20 feet.
- D. Enclosure of the existing carport into a garage with a length that complies with the minimum length required under present standards is consistent with the purpose and intent of the adopted plan for Fountain of the Sun since it improves the security of the residence, adds value to the subject property and contributes to the sustainability a unique, development catering to a retirement-oriented, age specific community.

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 resident to express support 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 reduce the required front yard setback in order to enlarge and enclose a carport within the RS-6-PAD-AS-AF District 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 final site plan as submitted.
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
- Exhibit 5 – Construction Drawings