



**PLANNING DIVISION
STAFF REPORT**

Board of Adjustment

May 5, 2021

CASE No.: BOA21-00245	CASE NAME: 732 E. Second Street Lot Split Variance
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Owner's Name:	Reigel Chris / Zimmerman John
Applicant's Name:	JEGreenman Consulting LLC.
Location of Request:	732 East Second Street
Parcel Nos:	138-23-016
Nature of Request:	Requesting a Variance from the minimum required lot width and area to allow the creation of two lots in the Single Residence-6 (RS-6) District
Zone District:	Single Residence 6 (RS-6)
Council District:	4
Site size:	9,017 square feet or 0.21± acres
Existing use:	Single residence
Staff Planner:	Jennifer Gniffke
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **February 1, 1946**, the Easton Place subdivision was recorded as a new 22-lot subdivision; the subject site is Lot 10.

On **December 6, 1948**, City Council annexed 2,420± acres, including the subject site, into the City of Mesa RS-6 (Ord. 228).

PROJECT DESCRIPTION

Background:

The applicant is requesting a variance to allow for a reduction in the minimum lot width and area to allow for the creation of two lots in the RS-6 zoning district. The subject site is a 9,000 square

foot, 100-foot-wide by 90-foot-deep lot in the Easton Place subdivision. The requested variance would allow the applicant to split the subject site into two 4,500 square feet, 50-foot-wide lots. Per Section 11-5-3 of the Mesa Zoning Ordinance (MZO), the minimum lot width in the RS-6 zoning district is 55 feet, and the minimum lot area is 6,000 square feet.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Neighborhood. 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 subject site is also located within a Neighborhood Maintenance area of the Temple/Pioneer Neighborhood of the Central Main Street Area Plan. The Plan describes the Temple-Pioneer Neighborhood as an urbanizing area, and the intent is to maintain the neighborhood and redevelop vacant parcels with new housing. Chapter 4 of the General Plan identifies the need to develop additional residential units in the 4-12 units per acre density range, also known as the “Missing Middle” housing. This density range offers housing to young families and other middle-income workers. The proposed lot split will create two lots that are at a density of 9.68 dwelling units per acre. The existing single residential use conforms to the goals of the General Plan.

Site Characteristics:

The subject property is a 9,000 square foot lot located on the north side of 2nd Street south of University Drive, just west of Horne. It is Lot 10 of Easton Place subdivision, which was originally platted with 22 lots. The subject property has been in its current configuration since the neighborhood was subdivided in 1946; however, most of the lots within the subdivision have been subdivided into smaller lots and now range in size from 4,500 square feet to over 14,000 square feet.

Surrounding Zoning Designations and Existing Use Activity:

Northwest RS-6 Single Residence	North RS-6 Single Residence	Northeast RS-6 Single Residence
West RS-6 Single Residence	Subject Property RS-6 Single Residence	East RS-6 Single Residence
Southwest (Across 2 nd St) RS-6 Single Residence	South (Across 2 nd St) RS-6 Single Residence	Southeast (Across 2 nd St) RS-6 Single Residence

Mesa Zoning Ordinance Requirements and Regulations:

Per Section 11-80-3 of the City of Mesa Zoning Ordinance, the Board of Adjustment shall find upon sufficient evidence when making a decision on variances that:

1. There are special circumstances applicable to the property, including its size, shape, topography, location, or surrounding;

The Easton Place subdivision was created prior to its annexation in 1958, and consisted of 22 lots. The lots within the Easton Place subdivision originally ranged in size from 9,000 square feet to 37,260± square feet. Based on Maricopa County historical aerials, the subdivision underwent significant transformation between the 1950s and 1970s with a majority of the lots undergoing further subdivision and the dedication of E. Park Place. The subdivision now contains 50 lots that range in size from 4,500 square feet to 14,000 square feet.

Properties north of 2nd Street were originally platted as 9,000 square foot lots, having 100-foot lot widths and 90-foot lot depths. Properties south of 2nd Street were platted with a minimum lot area of 33,000 square feet, having a lot width of 100 feet and lot depth of 330 feet. All of the lots south of 2nd Street have been further divided, four to five times. Only four lots, north of 2nd Street remain in their original condition, including the subject site.

The existing property is now relatively large in the context of the surrounding neighborhood. Despite its current RS-6 zoning, the subdivision is now configured more closely to a residential small lot development. The history of the subdivision and its transformation into its current configuration should be taken into account when considering this request.

The proposal meets this criteria.

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

The historical subdivision of the Easton Place subdivision and its transformation into a smaller lot residential neighborhood were not created by the property owner.

The proposal meets this criteria.

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.

Strict application of the zoning ordinance would require the existing lot to remain in its current configuration. As mentioned above, the majority of the surrounding properties have been divided into lots that are similar in size to the proposed lots.

The proposal meets this criteria.

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.

Most of the original lots in this subdivision have been divided, many of which are similar in size to the proposed lots. On May 19, 1998, the Zoning Administrator approved a variance request to allow a 4,650-square-foot lot at 640 East Park Place (ZA98-070). On March 13, 2001, the Board of Adjustment approved a variance request to allow a 50-ft wide lot at 669 East 2nd Street, just west of the subject property (BA01-012). Based on previous variance approvals within the neighborhood and within the same zoning district, approval of this variance request to allow reduced lot area and lot width does not grant special privileges inconsistent with the limitation upon other properties in the area and within the RS-6 district.

The proposal meets this criteria.

Findings:

- A. The recorded subdivision was created in 1946 prior to annexation into the City and prior to development of a modern Zoning Ordinance. Most of the lots in the subdivision have been further divided into lots similar in size to the ones proposed with this application.
- B. The special circumstance is pre-existing and not created by the property owner.
- C. On May 19, 1998 the Zoning Administrator approved a variance to allow a 4,650 square foot lot located west of the subject site at 640 East Park Place. On March 13, 2001, the Board of Adjustment granted a similar variance to allow a 50-foot wide lot located west of the subject site at 669 E 2nd Street. Multiple other lots within the Easton Place subdivision have been split into lots similar in size and width to the proposed lots. Strict application of the zoning ordinance will deprive the subject property of privileges enjoyed by other property within the same zoning district and within the same neighborhood.
- D. Based on previous approvals of similar variances within the neighborhood and within the RS-6 District, approval of this variance request to allow 50-foot-wide lots with 4,500 square feet of area does not grant special privileges inconsistent with the limitation upon other properties in the area or in the RS-6 District.

Neighborhood Participation Plan and Public Comments:

Seven letters of support from surrounding residents were submitted with the application materials. Two of the letters are from property owners and the other five letters were signed by tenants. In addition, 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 additional residents to express support or opposition to the request.

Staff Recommendation:

Based on the application received and preceding analysis, staff finds that the request for area reduced lot width and lot area in the RS-6 district meets the variance approval criteria of Section 11-80 of the MZO, and therefore recommends approval with the following conditions:

Conditions of Approval:

- 1. Compliance with all City Development Codes and regulations except as specified in this variance request.
- 2. Compliance with the lot line adjustment exhibit submitted with this request.

Exhibits:

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Justification Statement

Exhibit 4 – Site Plan

Exhibit 5 – Easton Place Subdivision Plat

Exhibit 6 – Easton Place Current Configuration

Exhibit 7 – Support Letters