



ZONING APPROVAL APPLICATION REQUEST REVIEW

July 8, 2021

APPLICANT INFORMATION

Case: PZ21-05-15
Owner/Applicant: Jesse Ramirez
Agent: Matthew Rubel / Southwest Buildings
Request (s): Conditional Use Permit / Detached Garage

PROPERTY INFORMATION

Parcel(s): 501-44-022F
Address: 12744 W. Desert Cove Road
Property History: Single Family Residential
Land Area: 2.88 ac.
Building Area: 4,731 sq. ft.

ZONING / LAND USES

Existing Zoning/Land Use: Rural Area / Single Family Residential
Proposed Zoning/Land Use: Rural Area / Single Family Residential
ARS 28-8481 Zone: 75 LDN
Flood Zone: N/A

SURROUNDING PROPERTY

North: Rural Area / Single Family Residential
East: Rural Area / Single Family Residential
South: Rural Area / Single Family Residential
West: Rural Area / Single Family Residential

COMMUNITY SERVICES

Water: El Mirage
Sewer: El Mirage
Electric: APS
Police: 2.5 Miles
Fire: 1.5 Miles

ACCESS

Road: Desert Cove Road
Class: Local
Improvements: Good
Condition: Good

SCHOOLS

District: Dysart Unified School District
Elementary: Dysart Elementary School
High School: Dysart High School

STAFF REPORT

Compliance with General Plan:

The 2010 General Plan designates this area as part of the Neighborhoods Planning Area and is compatible with the General Plan Land Use Plan but requires an action and recommendation from the Planning Commission Board and a final action from Council for the project to continue with its development.

City Zoning/Land Use

Per Zoning Code §154.098.D. lots one acre or larger, the maximum floor area for an accessory buildings or garages shall not exceed 1,200 square feet without a conditional use permit. The applicant is requesting a conditional use permit for a 5,000 sq. ft. detached garage.

Considerations:

The 2.88-acre low density property is located on Desert Cove Road between 127th Ave and 129th Ave. The applicant would like to build a 5,000 sq. ft. (50' x100') detached building to be used as a garage to store vehicles. The building will be constructed of pre-engineered metal and will be placed at the northeast corner of the 125,335 sq/ft lot situated 130 feet south of the north property line and 15 feet west of the east property line. Access to the structure will be provided from the north end of the property. The proposed building location is currently on an un-improved section of the property on a flat dirt area. There are no plans, in the scope of this project, to include sewer, water, electricity, internal framing, or air conditioning.

City Staff Review

Staff has reviewed the zoning application and has no objections to the request but has the following stipulations.

Stipulations:

1. The applicant shall address the review comments stated in the June 2, 2021, Memorandum with the submittal of construction and civil plans.
2. The applicant and/or property owner shall consent in writing to the follow Conditional Use Permit conditions:
 - a. The right to a use and occupancy permit shall be contingent upon the fulfillment of all general and special conditions imposed by the Conditional Use Permit procedure.
 - b. All the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his or her successors or assigns.
 - c. All conditions specifically stated under any conditional use listed in Zoning Code Chapter

154 shall apply and be adhered to by the owner of the land, his or her successors or assigns.

- d. All the special conditions shall be consented to in writing by the applicant.
- e. The proposed Detached Garage shall not generate noise, vibrations, and odors that may become a nuisance to the general public.
- f. The detached accessory building shall not be used as a dwelling or industrial use.
- g. No expiration date of the Conditional Use Permit is being proposed by staff; however, failure to meet and maintain these stipulations will result in revoking the Conditional Use Permit.

Planning Commission

Recommended approval with a 4-0 vote at the June 8, 2021, Public Hearing.

Council

Staff is seeking a final action.

Attachment

Application Packet