

# Staff Summary Report



Hearing Officer Hearing Date: January 4, 2011

Agenda Item Number: 5

**SUBJECT:** This is a public hearing for a request by the **ANTES RESIDENCE** located at 1426 West Huntington Drive for one (1) use permit.

**DOCUMENT NAME:** 20110104cdng01 **PLANNED DEVELOPMENT (0406)**

**COMMENTS:** Request by the **ANTES RESIDENCE (PL100422)** (Carol Antes, applicant & property owner) located at 1426 West Huntington Drive in the R1-6, Single Family Residential District for:

**ZUP10159** Use permit to allow parking in the front yard setback.

**PREPARED BY:** Nick Graves, Planner (480-350-8690)

**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

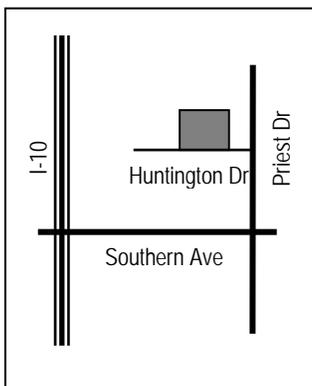
**LEGAL REVIEW BY:** N/A

**DEPARTMENT REVIEW BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval, subject to conditions

**ADDITIONAL INFO:** The applicant is requesting a use permit to allow parking in the front yard setback. The single family residence was originally built in 1963 with a double carport. In 1988 reconstruction was done on the home to repair some fire damage while converting the carport into a garage. The homeowner wishes to convert the existing garage into livable space. To date, staff has received no public input regarding this request. Staff recommends approval of the proposal as submitted, with conditions.



**PAGES:**

1. List of Attachments
2. Comments; Reasons for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

**ATTACHMENTS:**

1. Location Map
2. Aerial Photo
3. Letter of Intent
4. Site Plan
5. Floor Plan
6. Applicant Photos of Existing Garage Enclosures in Neighborhood

## COMMENTS:

The Antes Residence is requesting a use permit to allow parking in the front yard setback. The single family residence was originally built in 1963 with a double carport. In 1988 reconstruction was done on the home to repair some fire damage while converting the carport into a garage. The homeowner wishes to convert the existing garage into livable space. Currently, there is enough room in the double driveway to park two (2) cars in the front yard setback without hanging over into the right-of-way. Staff notes that the additional living space that would be added to the home is 324 square feet.

To date, staff has received no public input regarding this request. Staff recommends approval of the proposal as submitted, with conditions.

## Use Permit

The Zoning and Development Code requires a use permit to park in the front yard setback in the R1-6 Single Family Residential District.

Evaluating the use permit, the proposal appears to pass the use permit tests listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
  - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas. Parking in the front yard setback would take vehicles off of the street.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
  - There will not be any nuisance arising from the emission of odor, dust, gas, noise, vibration, and smoke as the driveway is paved and all parking is to occur on impervious surfaces.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
  - The proposal would not contribute to neighborhood deterioration or downgrade property values. The use permit is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area. The use permit to park in the front yard setback would allow for vehicles to be parked on private property.
- d. Compatibility with existing surrounding structures and uses;
  - The proposed use permit to park in the front yard setback is compatible with other single-family residences with carports that have been converted into living space.
- e) Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public;
  - Not applicable to this residential request.

## Conclusion

Staff recommends approval of the use permit, subject to the conditions of approval. This is a common use permit request for homes constructed during the 1950's through 1970's; these homes are typically smaller in livable space than newer constructed homes and the carport conversion is a viable option for increasing the livable area of the home.

**REASONS FOR APPROVAL:**

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
3. Traffic generated by this use should not be excessive.
4. The use appears to be compatible with the building, site and adjacent property.

**SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.**

**CONDITIONS OF APPROVAL:**

1. The required parking on-site shall be used for single family residential use only.
2. Parking shall take place on impervious surfaces only.
3. Obtain all necessary clearances from the Building Safety Division.
4. All vehicles parked on the premises must be actively registered and in operable condition at all times.
5. The carport enclosure shall be compatible with the main residence in color, form, texture, and material.
6. If there are any complaints arising from the use permit that are verified by a consensus of the complaining party and the City Attorney's office, the use permit will be reviewed by city staff to determine the need for a public hearing set to re-evaluate the appropriateness of the use permit.

**HISTORY & FACTS:**

June 6, 1963                      Final inspection of a single family home.

**DESCRIPTION:**

Owner – Carol Antes  
Applicant – Carol Antes  
Existing Zoning – R1-6, Single Family Residential District  
Lot Size – 6011 s.f.  
Existing Building Area- 1170 s.f.

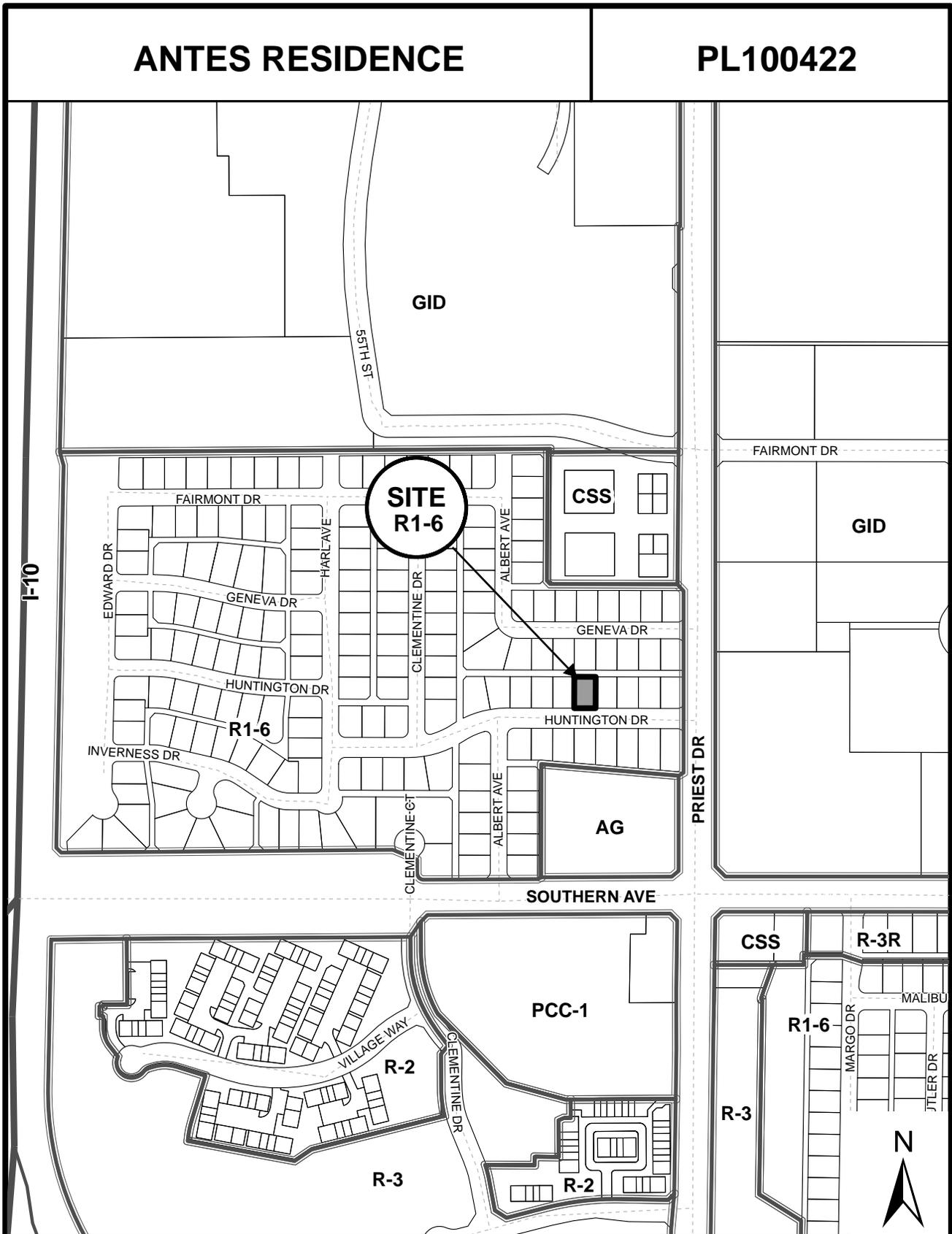
**ZONING AND DEVELOPMENT**

**CODE REFERENCE:**

Part 4, Chapter 5, Section 4-502 – Motor Vehicle Access and Circulation Standards  
Part 4, Chapter 6, Section 4-602 – General Parking Standards  
Part 6, Chapter 3, Section 6-308 – Use Permit

**ANTES RESIDENCE**

**PL100422**



**Location Map**



**ANTES RESIDENCE (PL100422)**

**December 14, 2010**

**Craig and Carol Antes**

**1426 West Huntington Drive**

**Tempe, AZ 85282**

**480-695-4001**

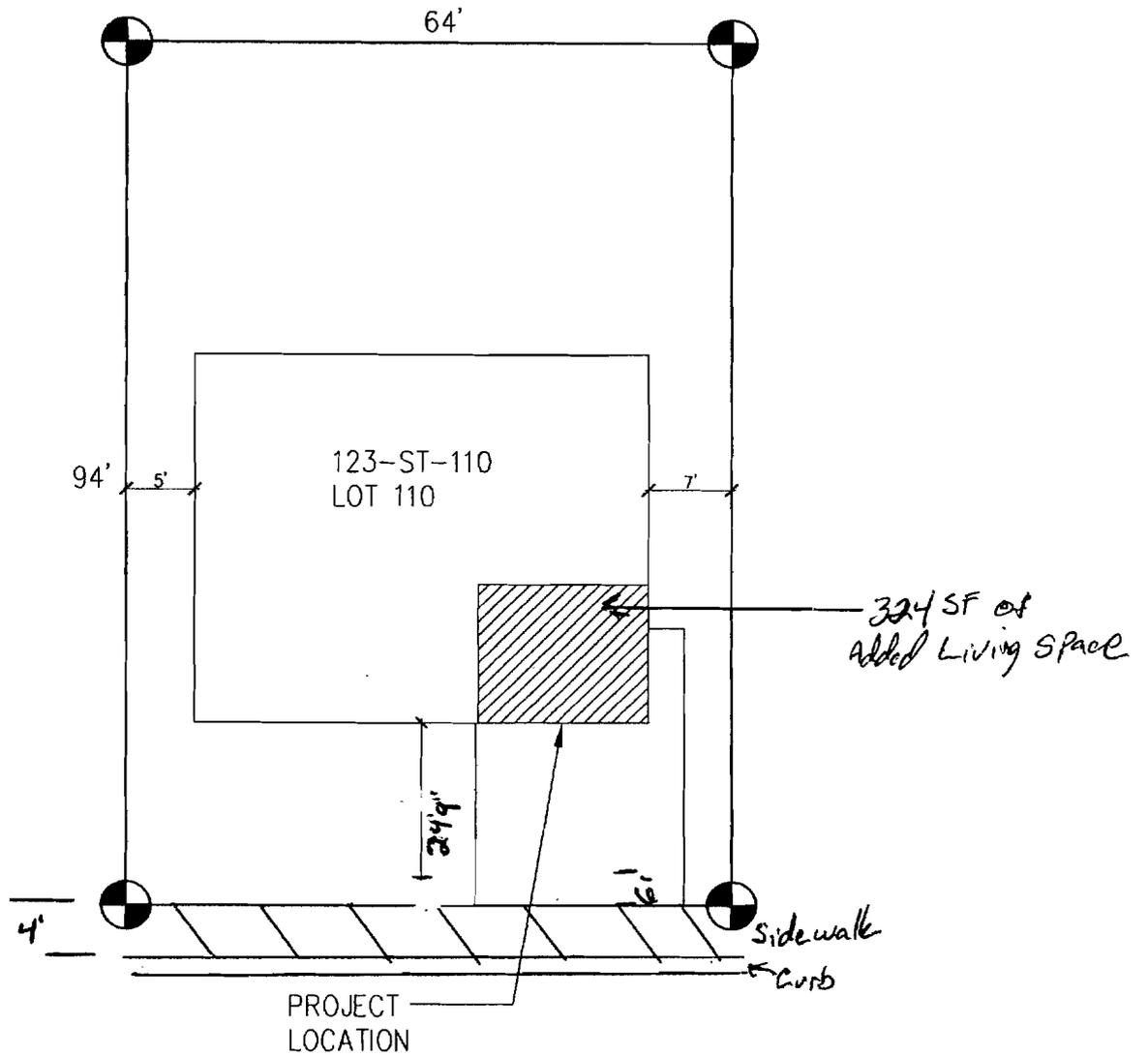
**To Whom It May Concern;**

**We are in the process of converting our garage to living space. We are requesting a use permit to park in our driveway. We feel we meet all the requested requirements. This will be an upgrade to our home and blend well with the look of the neighborhood.**

**Attached are floor plans, site plans and photos of enclosed garages in the neighborhoods for your review.**

**Thank you for your consideration.**

**Craig and Carol Antes**



# SITE PLAN

SCALE: 1"=20'-0"





