

Staff Summary Report



Hearing Officer Hearing Date: January 15, 2008

Agenda Item Number: 7

SUBJECT: This is a public hearing for a request by **APOLONIO RESIDENCE (PL070543)** located at 2057 East 10th Street for one (1) use permit.

DOCUMENT NAME: 20080115dssd03

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **APOLONIO RESIDENCE (PL070543)** (Francisco Apolonio, applicant/property owner) located at 2057 East 10th Street in the R1-6, Single Family Residential District for:

ZUP07204 Use permit to allow parking in the front yard setback.

PREPARED BY: Shawn Daffara, Planner II (480-858-2284)

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

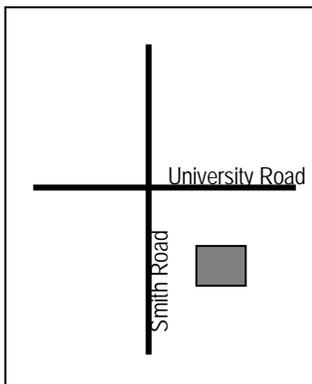
A handwritten signature in black ink, appearing to read 'SEA'.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to conditions of approval 1-4

ADDITIONAL INFO: The Apolonio Residence is before the Hearing Officer to request a use permit to allow the required parking to be located in front yard setback. The property's previous owner had enclosed the carport into livable space without a use permit to allow to park in the required front yard setback therefore, the present owner is requesting the use permit. To date, no opposition has been received to the request. Staff supports the use permit as proposed in this application



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(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Elevations
6. Staff Photograph(s)

COMMENTS:

The Apolonio Residence is located on the south side of 10th street, West from River Drive and East of Smith Road. The original carport and house was built in 1958. The family has grown and requires additional living space; they are planning on converting the carport to livable space. The existing driveway is thirty foot, ten inches (30'-10") in length. If the parking is approved, the property still exceeds the minimum driveway length of twenty (20') feet.

Use Permit

The Zoning and Development Code requires a use permit for vehicle parking located in the required 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.
- b) Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - No potential nuisances.
- 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. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d) Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding uses

Conclusion

Staff recommends approval of this request. This is common use permit request for homes constructed during the late 1950's and 1970's; these homes are typically smaller in livable space than newer constructed homes and the carport enclosure is a viable option for increasing the livable area of the home. This home was built in 1958.

REASON(S) 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.
5. Approval of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

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

**CONDITION(S)
OF APPROVAL:**

1. The use permit is valid for the plans as submitted to and approved by the Hearing Officer.
2. All required permits and clearances shall be obtained from the Building Safety Division.
3. The enclosed carport area shall match the existing home in color, form, and material.
4. The property owner shall plant one (1) shade canopy tree, near the driveway. Details to be worked out with planning staff.

HISTORY & FACTS:

Home built in 1958

DESCRIPTION:

Owner – Francisco Apolonio
Applicant – Francisco Apolonio
Existing Zoning – R1-6, Single Family Residential District
Existing Home Area –1,032 s.f.
Enclosed carport Area – 282 s.f.
Required front yard setback – 20 feet

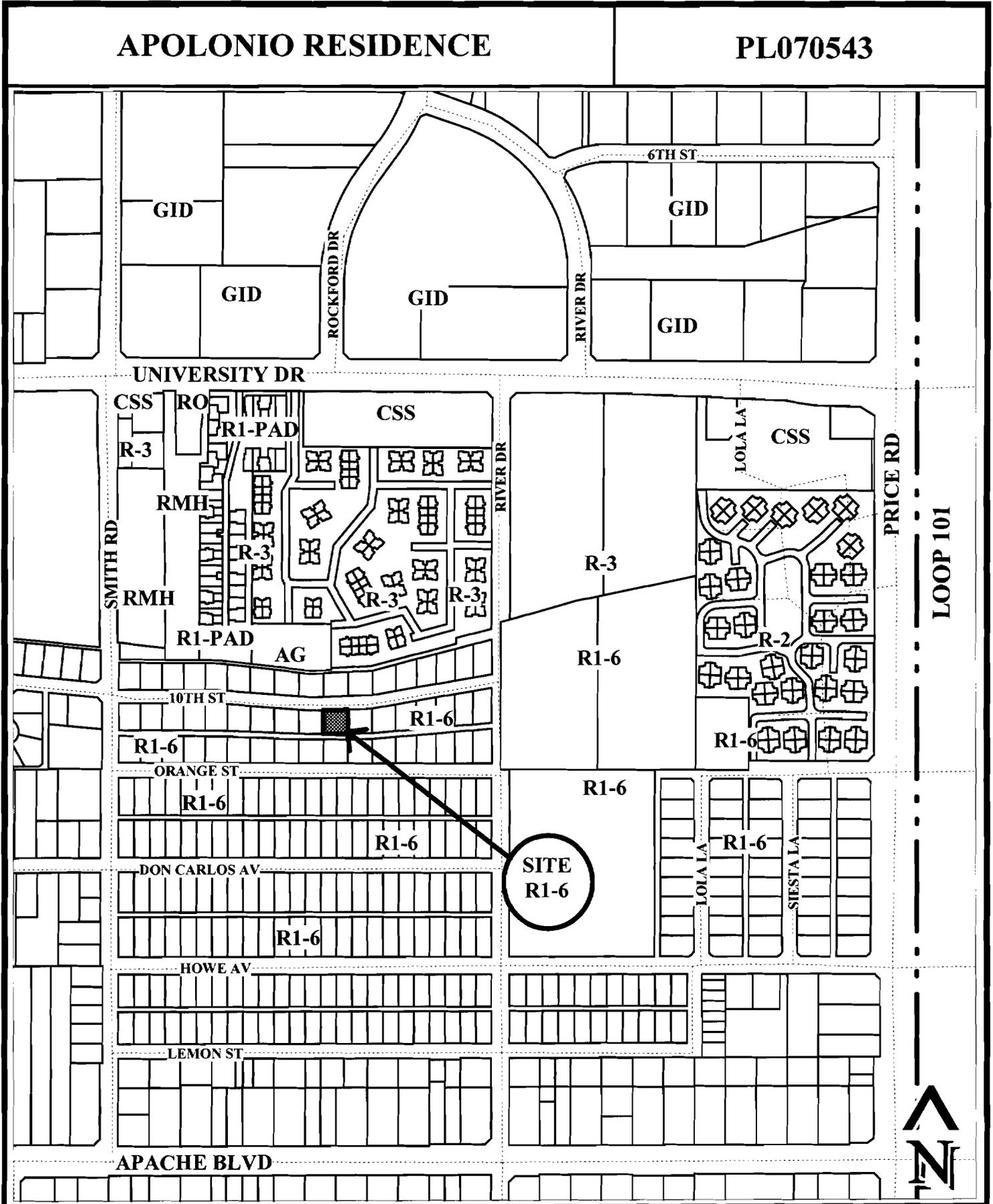
**ZONING AND
DEVELOPMENT**

CODE REFERENCE:

Zoning and Development Code, Part 6, Section 6-308
Zoning and Development Code, Chapter 6, Section 4-602- B

APOLONIO RESIDENCE

PL070543





APOLONIO RESIDENCE (PL070543)

12-19-2007

To Whom It May Concern:

This letter of explanation required by the city of Tempe in Arizona is to explain the enclosure of a carport to be made into an extra bedroom at the 2057 e. 10th st, Tempe, Az 85281 residences. The enclosure of the 374 sqft carport will be closed to provide our growing family with an extra bedroom and a bathroom.

Sincerely

Francisco Apolonio



REVISIONS
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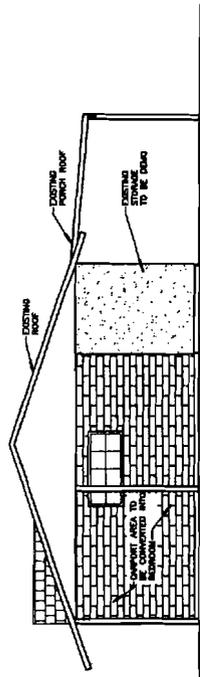
APOLONIO ADDITION

TEMPLE AZ

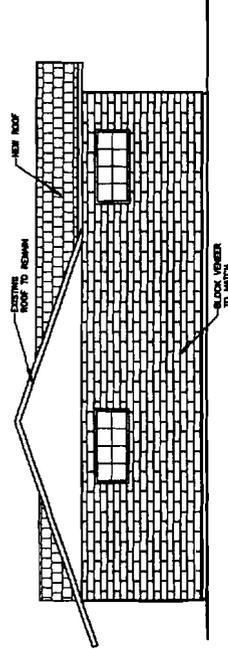
APOLONIO FRANCISCO
 ADDITION
 2828-65-8828
 2827 N 107TH ST
 TEMPE, AZ 85281

DRAWN BY:
 PROJ. MGR.
 JOB NO.: ROOM AND
 DATE: 12/17/07
 SCALE: AS NOTED
 ELEVATION
 SHEET

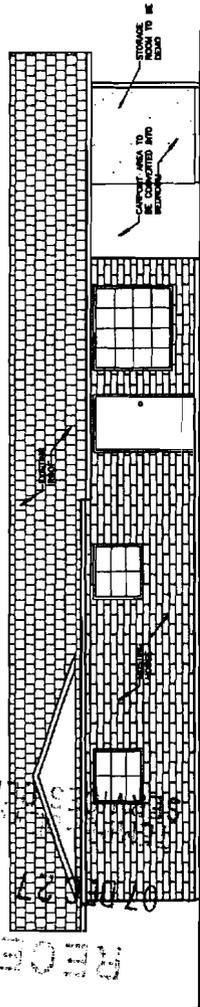
A1



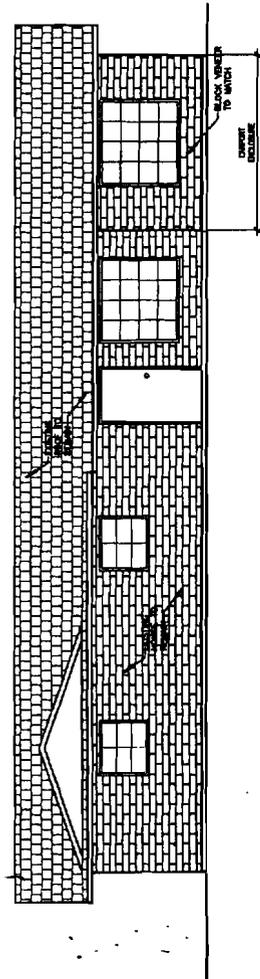
WEST EXISTING ELEVATION
 SCALE: 1/8" = 1'-0"



WEST PROPOSED ELEVATION
 SCALE: 1/8" = 1'-0"



SOUTH EXISTING ELEVATION
 SCALE: 1/8" = 1'-0"



SOUTH PROPOSED ELEVATION
 SCALE: 1/8" = 1'-0"

RECEIVED
 07/08/08 PM 2:51
 PLANNING DEPARTMENT



APOLONIO RESIDENCE

2057 E 10TH ST

PL070543

FRONT OF RESIDENCE