

Staff Summary Report

Hearing Officer Hearing Date: May 4, 2010

Agenda Item Number: 4

SUBJECT: This is a public hearing for a request by the **ARREDONDO RESIDENCE** located at 2310 South Gary Drive for one (1) use permit standard and one (1) use permit.

DOCUMENT NAME: 20100504dssl01 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the **ARREDONDO RESIDENCE (PL100089)** (Ruthann Arredondo, applicant/property owner) located at 2310 South Gary Drive in the R1-6, Single Family Residential District for:

ZUP10030 Use permit standard to reduce the front yard setback for an open structure by twenty percent (20%) from 15 ft to 12 ft.

ZUP10034 Use permit to allow the required parking to be located in the front yard setback.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

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

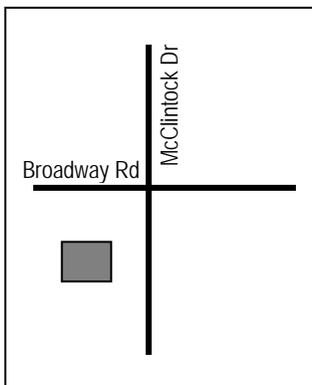
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:



The applicant is seeking a use permit standard to reduce the front yard setback, for an open structure, by 20% from fifteen (15) feet to twelve (12) feet. The structure is a double car carport to be placed over the existing driveway. Additionally, this application includes a use permit to allow the required parking in front yard setback. Staff is in support of these use permit requests with the finding that they meet the Zoning and Development Code criteria for approval of a use permit.

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)
- 3-5. Letter of Intent
6. Site
7. Floor Plan
8. Elevation
9. Staff Photograph

COMMENTS:

The Arrendondo Residence is seeking two use permits to facilitate a future home improvement. The use permits are for a reduction of the front yard setback for an open structure by 20% from fifteen (15) feet to twelve (12) feet and a use permit to allow the required parking spaces to be located in the front yard setback. The proposed structure is a double car carport attached to the main residence. The carport design complements the existing structure in color, form and material. To date, no public input has been received.

Use Permit

The Zoning and Development Code requires the setbacks for open structures, in the R1-6 Single Family Residence District, to be located fifteen (15) feet from the front property line. A use permit standard may be used to reduce the setback by 20% to twelve (12) feet. Additionally, a use permit is necessary for designating the on site required parking spaces to be located in the front yard setback.

Evaluating the use permits, the proposal appears to pass the use permit test 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;
Will not create a nuisance from emission of odor, dust, gas, noise, vibration, smoke, heat or glare.

- 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 proposed development 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.

- 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 permits.

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. Obtain all necessary clearances from the Building Safety Division.

HISTORY & FACTS:

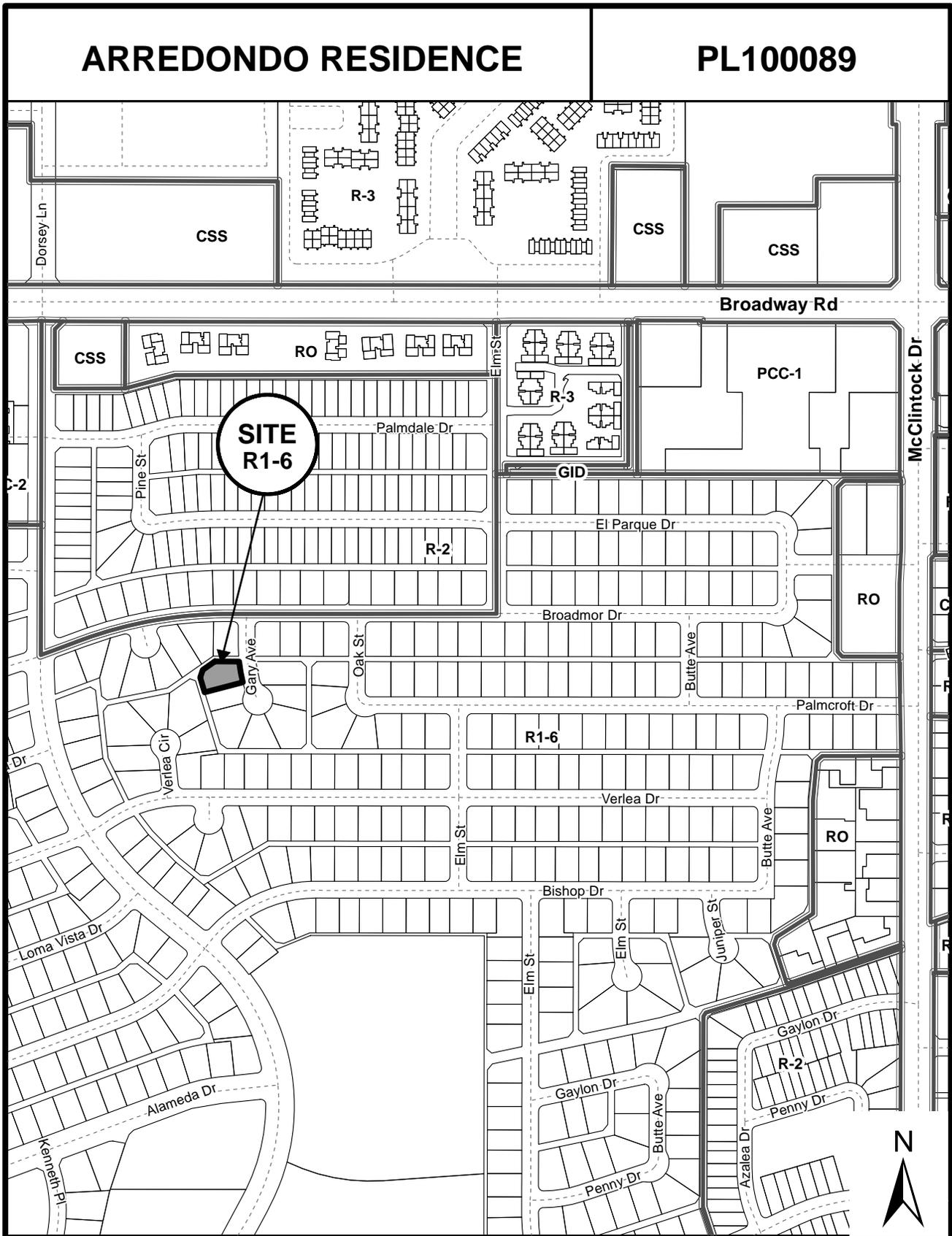
None pertinent to this case.

DESCRIPTION:

Owner – Ruthann Arredondo
Applicant – Ruthann Arredondo
Existing Zoning – R1-6, Single Family Residential District
Lot area- 8620 sf
Existing Structures- 2336 sf.
Proposed Carport- 404 sf
Total lot coverage- 31.8%

**ZONING AND
DEVELOPMENT:**

Part 4, Chapter 2, Section 4-202.
Part 6, Chapter 3, Section 6-308 – Use Permit



Location Map



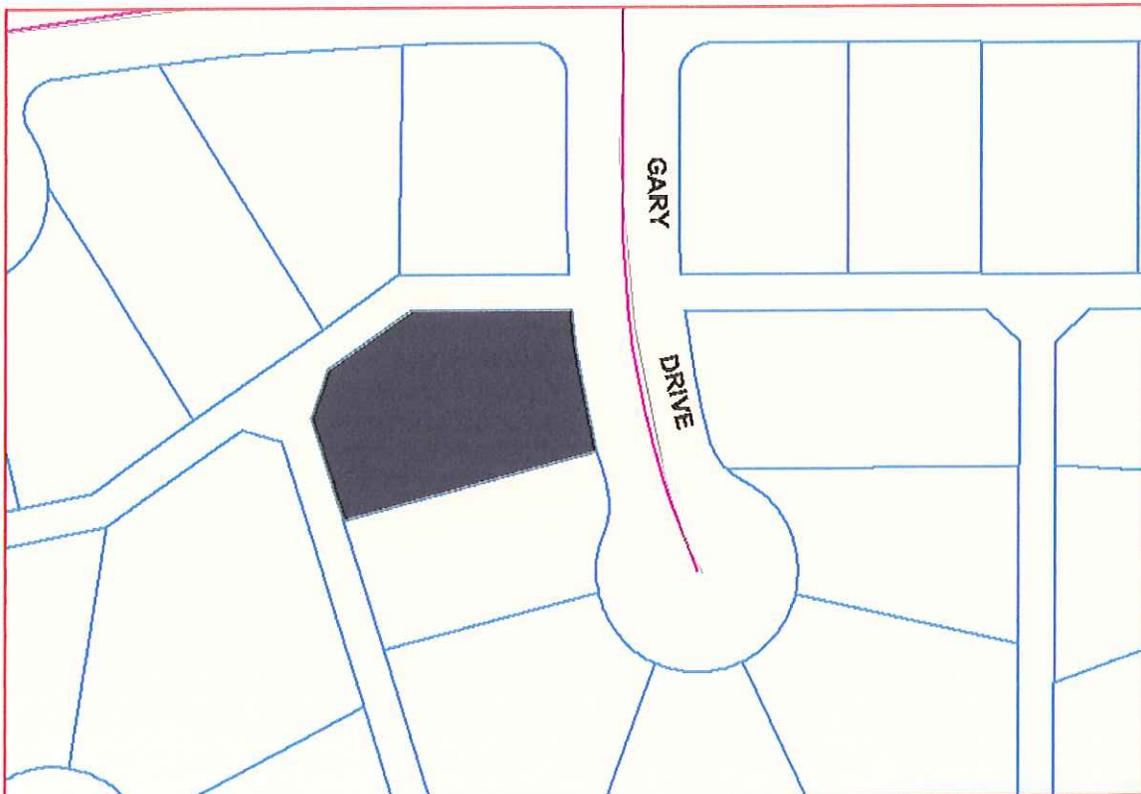
ARREDONDO RESIDENCE (PL100089)

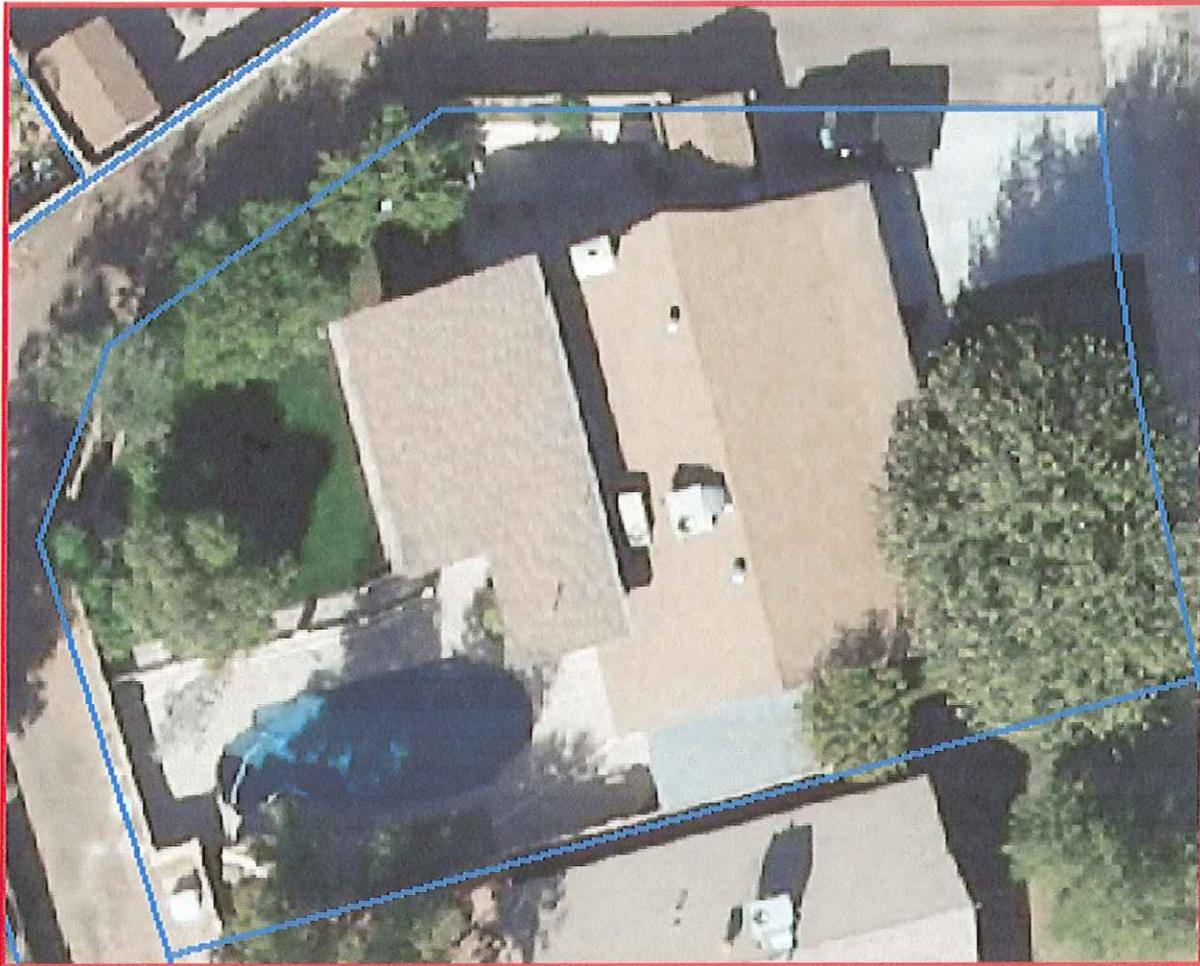
March 26th, 2010

Hearing Officer
City of Tempe
31 East 5th Street
Tempe, AZ 85281

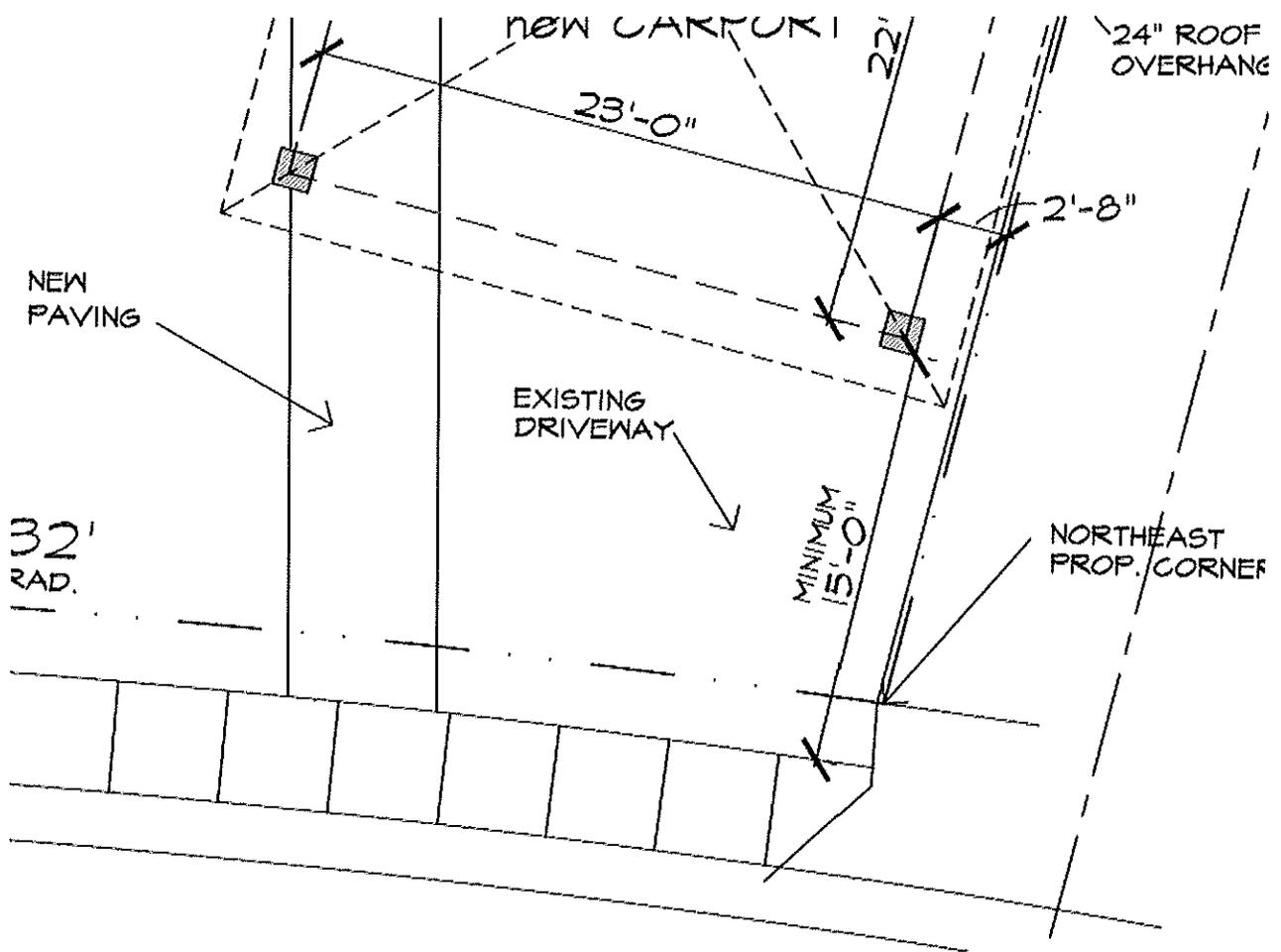
RE: Use Permit Request for 2130 South Gary Drive

The applicants are longtime Tempe residents and property owners who have chosen to reinvest in their home. The desire to upgrade the home includes plans to add a carport (an open, non-enclosed structure under the code). The home sits on a cul-de-sac with a curvilinear street and is adjacent to an alley. Accordingly, the front yard setback is not parallel to the home.





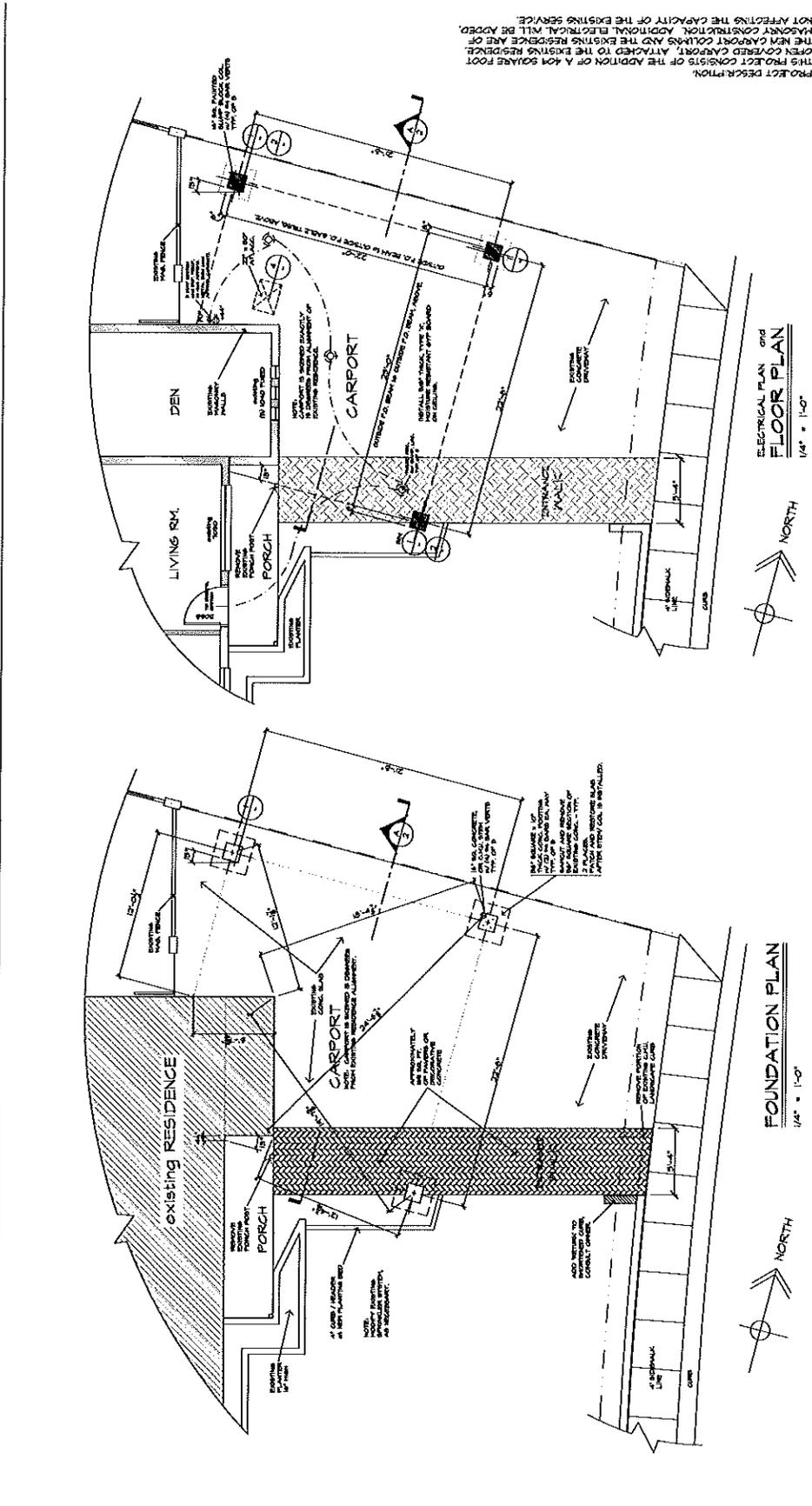
As planned, a small portion of the carport would sit within the setback of 15 feet. However, in this unique location, due to the angle created by the alley, the curvilinear street and the property line which is approximately 2'-6" behind the sidewalk, the structure would be within the perceived setback of 15' as measured to the back of the sidewalk. This design meets the intent of the code's 15' setback. Moreover, the code allows up to a 20% (or 3' in this case) encroachment into the front yard setback with a Use Permit (See Table 4-202A). The proposed structure will be up to 2'-6" beet into the actual setback but respects the 15' setback when measured from the property line to the face of the proposed structure.



The proposed encroachment into the front yard setback will not have a negative impact on any properties in the area. Instead, the reinvestment in the neighborhood will have a positive impact on the value of neighboring properties.

The approval of this use permit is respectfully requested.

- 1 C.M.U. COLUMN FOUNDATION**
 $3/4" = 1' - 0"$
- 2 C.M.U. COLUMN OF BEAM**
 $3/4" = 1' - 0"$
- 3 EAVE OF BEAM**
 $3/4" = 1' - 0"$
- 4 ATTIC ACCESS**
 $3/4" = 1' - 0"$
- 5 STUBBED TRUSS TO WALL**
 $3/4" = 1' - 0"$
- 6 SABLE END, TIE / BRACE**
 $3/4" = 1' - 0"$



SPECIFICATIONS AND INSTRUCTIONS

CODES IN EFFECT FOR THE CITY OF TUCUMCARI, AZ
 2008 INTERNATIONAL BUILDING CODE
 2008 NATIONAL ELECTRICAL CODE

GENERAL:
 ALL CONSTRUCTION AND MATERIALS TO BE SPECIFIED IN THESE SPECIFICATIONS AND TO BE APPROVED BY THE CITY ENGINEER. THE CITY ENGINEER'S OFFICE IS THE AUTHORITY FOR ALL CONSTRUCTION AND MATERIALS TO BE SPECIFIED IN THESE SPECIFICATIONS AND TO BE APPROVED BY THE CITY ENGINEER. THE CITY ENGINEER'S OFFICE IS THE AUTHORITY FOR ALL CONSTRUCTION AND MATERIALS TO BE SPECIFIED IN THESE SPECIFICATIONS AND TO BE APPROVED BY THE CITY ENGINEER.

STRUCTURAL DESIGN DATA:
 LIVE LOADS: FLOOR - 40 PSF, ROOF - 20 PSF
 DEAD LOADS: FLOOR - 10 PSF, ROOF - 5 PSF
 WIND FORCE: AS PER LOCAL CODES
 SOIL BEARING CAPACITY: 1500 PSF, UNIFORM

CONCRETE FOUNDATIONS:
 ALL CONCRETE FOUNDATIONS SHALL BE REINFORCED WITH #4 BARS @ 12" O.C. AND SHALL BE SET ON A 6" MINIMUM THICKNESS OF COMPACTED GRANULAR FILL. ALL CONCRETE FOUNDATIONS SHALL BE SET ON A 6" MINIMUM THICKNESS OF COMPACTED GRANULAR FILL.

METALS:
 ALL METALS SHALL BE GALVANNEAL STEEL UNLESS OTHERWISE SPECIFIED. ALL METALS SHALL BE GALVANNEAL STEEL UNLESS OTHERWISE SPECIFIED. ALL METALS SHALL BE GALVANNEAL STEEL UNLESS OTHERWISE SPECIFIED.

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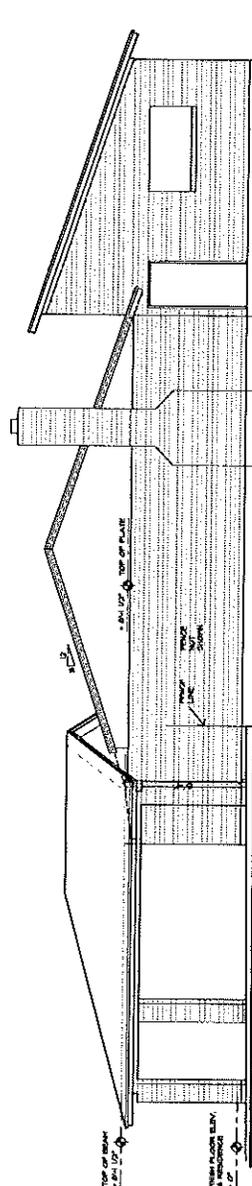
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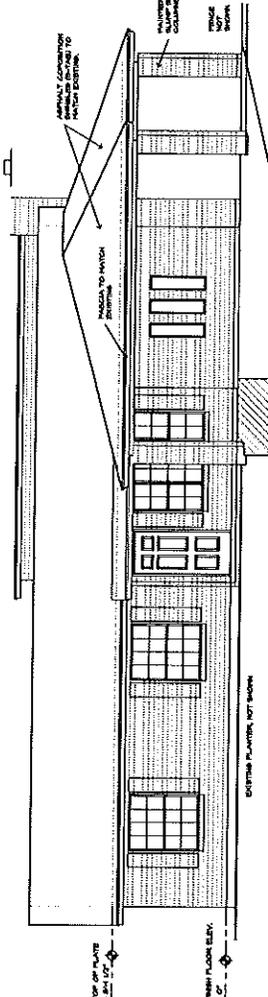
PLUMBING:
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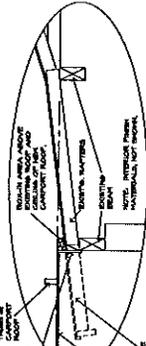
GENERAL NOTES:
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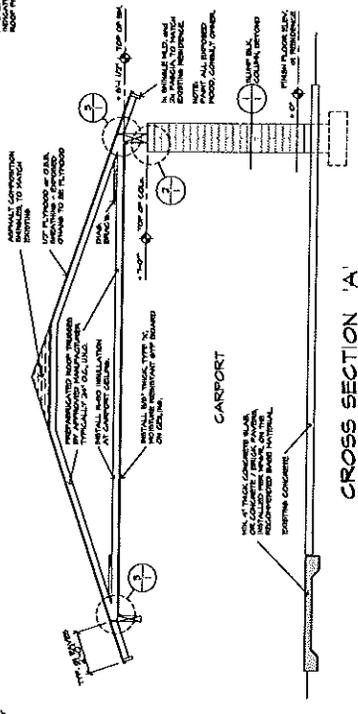
RIGHT SIDE ELEVATION
 1/4" = 1'-0"



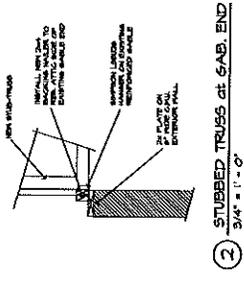
FRONT ELEVATION
 1/4" = 1'-0"



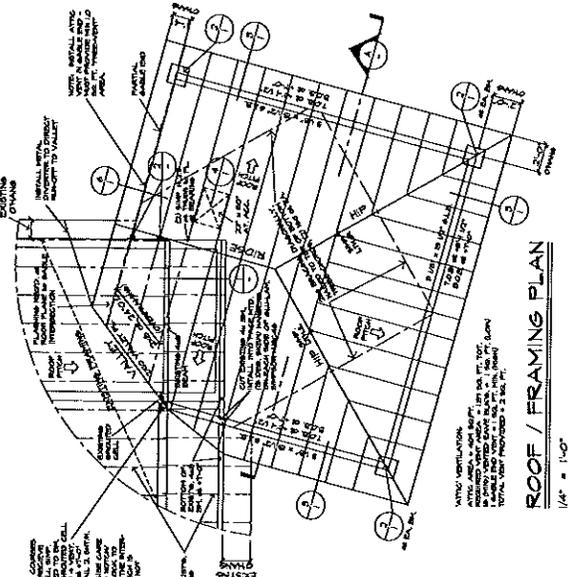
1) CARPORT CL.G. at EXIST'G. FRONT WALL of DEN
 3/8" = 1'-0"



CROSS SECTION 'A'
 3/8" = 1'-0"



2) STUBBED TRUSS at GAB. END
 3/4" = 1'-0"



ROOF / FRAMING PLAN
 1/4" = 1'-0"

CDZOOKS
 DRAWINGS PREPARED BY: [Name]
 REGION: [Region]
 DATE: [Date]
 PROJECT LOCATION: [Location]
 CARPORT ADDITION TO EXISTING RESIDENCE
 CROSS SECTION 'A'
 FRONT and RIGHT SIDE EXTERIOR ELEVATIONS
 ROOF / FRAMING PLAN
 FILE NUMBER: [Number]
 DATE BY: [Name]
 2-B-D-2000 MARKS
 PLAN CARPORT
 SHEET 2 OF 2



ARREDONDO RESIDENCE

2310 SOUTH GARY DRIVE

PL100089

FRONT OF RESIDENCE

