

# Staff Summary Report



Hearing Officer Hearing Date: 11/16/10

Agenda Item Number: 5

**SUBJECT:** This is a public hearing for a request by the **BOYETT RESIDENCE** located at 8526 South Newberry Lane for one (1) use permit standard.

**DOCUMENT NAME:** 20101116cdr102 **PLANNED DEVELOPMENT (0406)**

**COMMENTS:** Request by the **BOYETT RESIDENCE (PL100332)** (Katrina Boyett, applicant/property owner) located at 8526 South Newberry Lane in the AG, Agricultural District for:

**ZUP10125** Use permit standard to reduce the required side yard setback by twenty percent (20%) from 20 ft. to 16 ft. for a garage addition.

**PREPARED BY:** Ryan Levesque, Senior Planner (480-858-2393)

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

**LEGAL REVIEW BY:** N/A

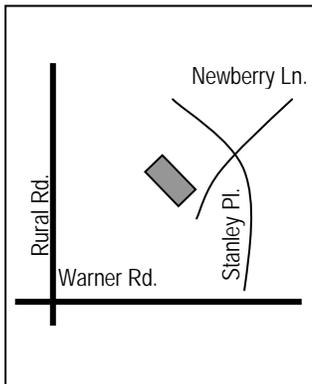
**DEPARTMENT REVIEW BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

**FISCAL NOTE:** There is no fiscal impact on City funds.

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

**ADDITIONAL INFO:**

The applicant is before the Hearing Officer to request approval of a use permit standard to reduce the required side setback from 20 ft. to 16ft. The addition will allow the resident to re-orient the two door garage facing the street instead of the side yard and provide additional space for an interior game room. There has been no public input to date regarding this request. Staff recommends approval 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(s)
2. Aerial Photo(s)
- 3-4. Letter of Intent
- 5-6. Existing/Proposed Site plan
- 7-8. Existing/Proposed Floor plan
- 9-10. Existing/Proposed Elevation
- 11-12. Staff Photographs

## COMMENTS:

The property is located northeast of Warner Road and Rural Road, within the Buena Vista Ranchos neighborhood. The site is accessible from Stanley Place off of Newberry Lane on the north side of the road. The site consists of a single family residence constructed in 1994. The property is accessed of a decomposed granite circular drive, with the drive extending on the northeast side of the property to a side accessed garage.

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### Use Permit

The Zoning and Development Code requires a use permit standard to reduce the setbacks for a single family residence by up to 20%. The property is zoned AG, Agricultural District. The single family zoning designation requires the greatest setbacks for a residential home, which may include uses for agricultural or horse keeping.

This use permit standard request meets all applicable tests in the following manner:

- 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. The garage addition will maintain access from the existing circular driveway and relocate the existing circulation from the adjacent neighbor's property.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
  - The garage addition will not cause any nuisances exceeding that of existing conditions.
- 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 addition would not contribute to neighborhood deterioration or downgrading of property values. The site will increase the total livable floor area, which in turn, will increase the value of the property. The proposed use is consistent with the City's adopted plans and supports reinvestment or revitalization into our existing neighborhoods through minor modifications of standards through a use permit process.
- d. Compatibility with existing surrounding structures and uses;
  - The proposed addition appears to be compatible with surrounding uses. Most garages in this neighborhood are oriented towards the street with multiple garage doors.
- e. Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public:
  - The proposed use will not create a nuisance. The design will also encourage parking within the garage with the additional space provided as a part of this addition.

### Conclusion

Staff recommends approval of the requested use permit standard with the proposed conditions of approval.

**REASON(S) FOR APPROVAL:**

1. The addition will be compatible with the surrounding areas.
2. The reduction in the standard setbacks is appropriate for this use.
3. The approval criteria for a use permit has been satisfied.

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

**CONDITION(S) OF APPROVAL:**

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit standard becoming effective.
2. The use permit standard is granted based on the plans as submitted for this request. The 16'-0" side setback is applicable only to the proposed garage addition.
3. The roof design shall be maintained, utilizing the existing "hip roof" detail for the addition.
4. Any intensification or expansion of use beyond that presented, including additional length along the new setback will require a new use permit standard.

**HISTORY & FACTS:**

March 1, 1994

Building Permits issued for the construction of a new single family residence at 8526 South Newberry Lane.

**DESCRIPTION:**

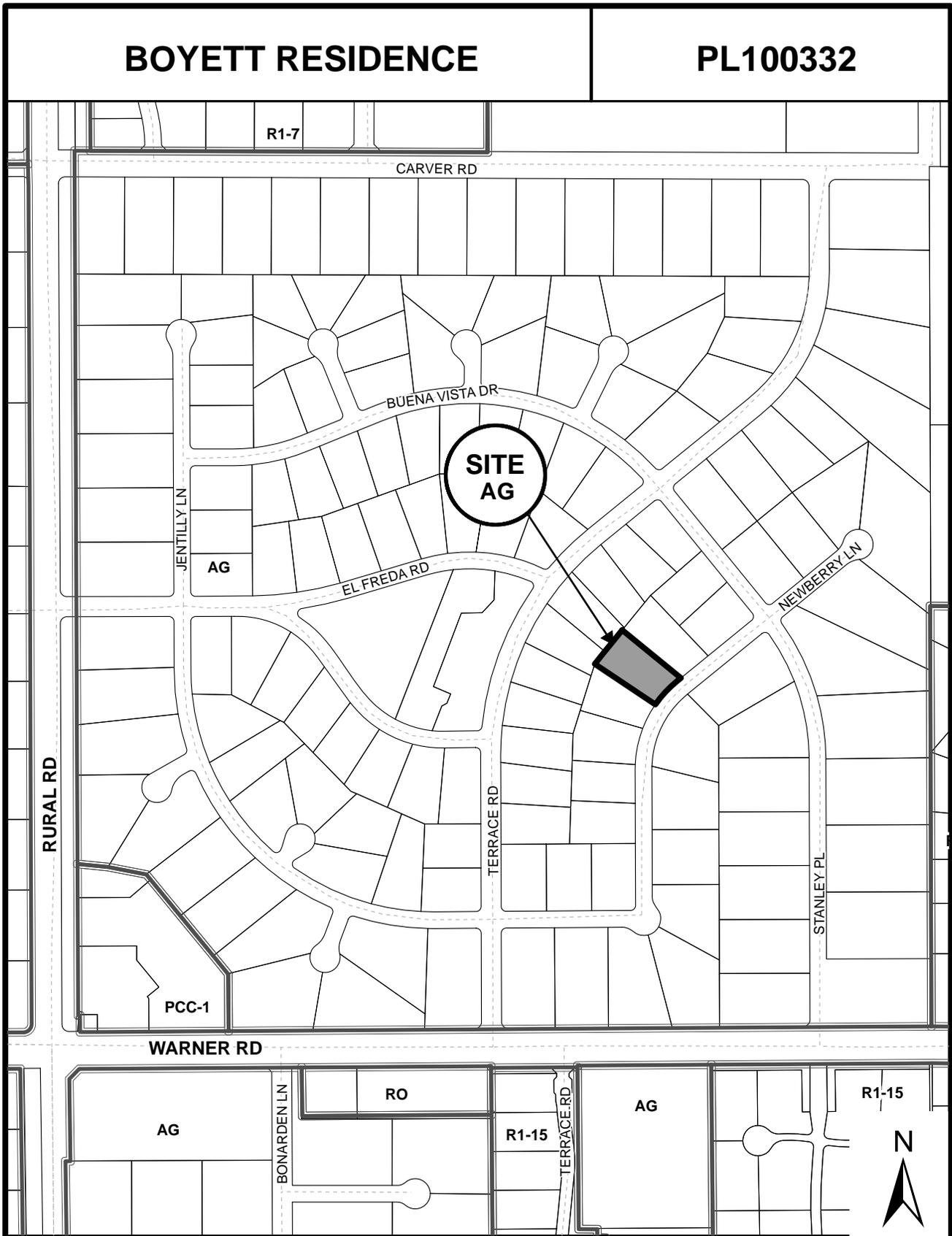
Owner – Katrina Boyett  
Applicant – Katrina Boyett  
Existing Zoning – AG, Agricultural District

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-308      Use Permit

**BOYETT RESIDENCE**

**PL100332**



**Location Map**



**BOYETT RESIDENCE (PL100332)**

October 15, 2010

City of Tempe Planning Department

Property Address: 8526 South Newberry Lane, Tempe, AZ 85284

Re: Use Permit and 20% Variance Request

### **Introduction and Background**

My name is Katrina Boyett and I am a lifelong Tempe resident (and 3<sup>rd</sup> generation Arizona Native).

My parents moved to Buena Vista Ranchos in 1973 and they still live in the same house on Stanley Place. I was raised in BVR, went through the Kyrene School system, then to Corona del Sol and then graduated from Arizona State University in 1991.

In 2007, I bought my own house in Buena Vista. I feel doubly blessed to not only to have been raised here as a child, but now to raise my son here with my family close.

In other words, this is my forever home☺

### **Current Garage**

The garage entrance is facing the NE property line. It was originally designed as a smallish three car garage with bays that have 15 feet deep of useable space and on the narrow side.

Best only for small vehicles, definitely *not* for pickups or Jeeps.

### **Proposed Garage and Game Room**

Two 36 foot deep garage bays facing Newberry Lane, each with an 8 x 8 decorative garage door. The remaining space from the current garage will be turned into a game room (tiled and air conditioned).

I would re-orient the direction of the garage entrances to face Newberry Lane.

### **Variance Request**

I am requesting a variance on the North East corner of my property that would allow me to build within 16 feet of the property line in order to build a 36 long bay. This would be a 20% reduction of the current 20 foot variance.

The neighbors next door are in agreement with the proposed addition.

**Proposed Building Material**

All building materials (slump block, roofing material, garage doors, and finishing touches) will be of the same style, quality, theme and design of the current home so that it will appear that the addition and modifications were original to the home. It will continue to have a classy, Territorial Style look.

The roof line will be extended to match the new configuration. All work will be done through a reputable General Contractor who follows all the City Permit and Building Code processes.

**Front Yard Changes**

The new bay would be built on what is now a concrete pad.

No new concrete will be added.

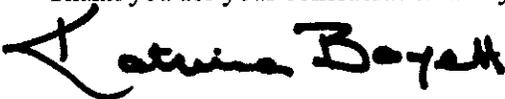
The driveway will continue to be the existing crushed granite.

One tree will need to be relocated.

I truly believe that this is a first class neighborhood and I value living here and have no intentions of ever moving away or selling this house.

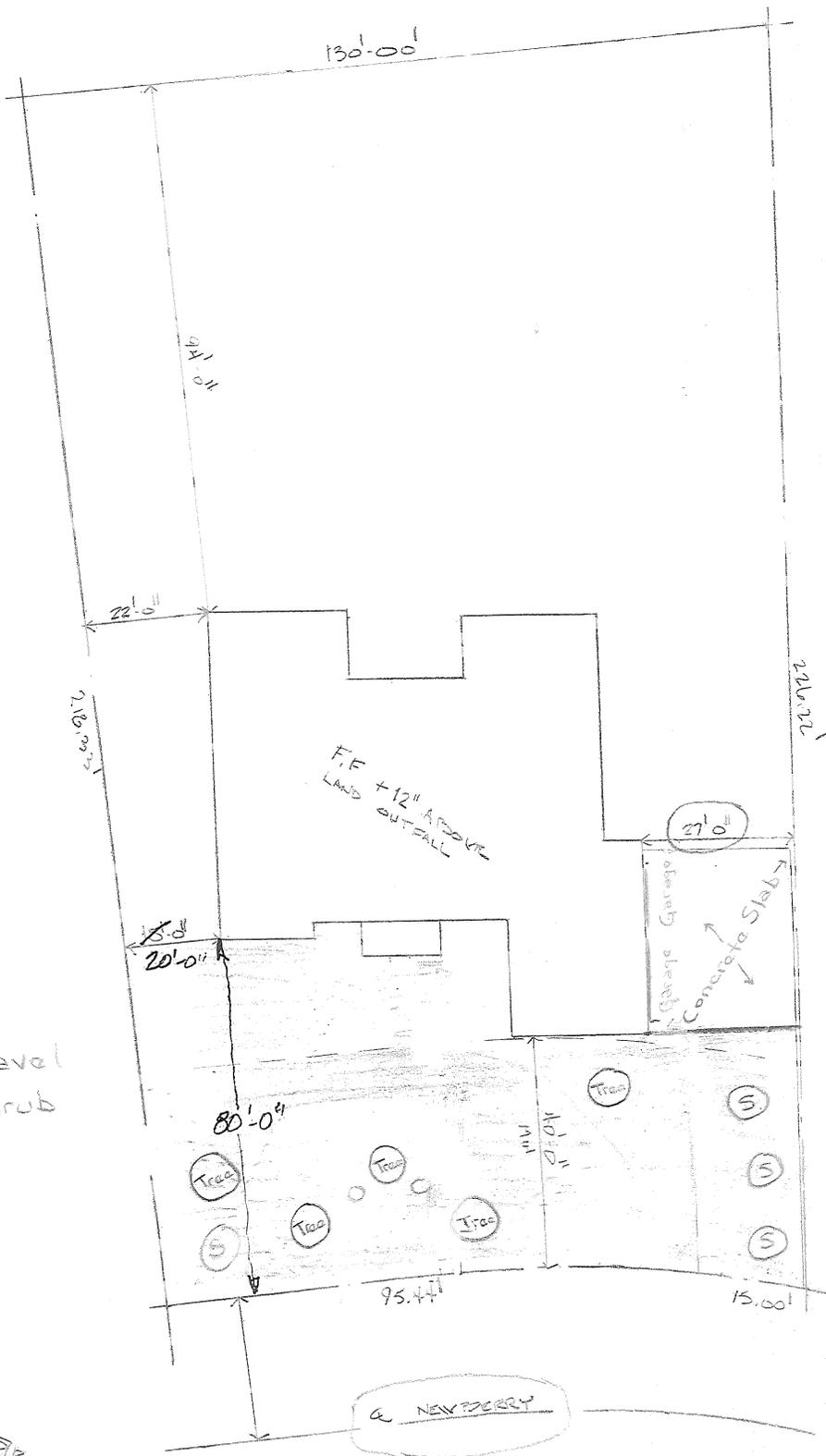
Any improvements I am authorized to make will be done with a forever, quality, and proud-to-own mindset on my part.

Thank you for your consideration and your ongoing efforts to keep our city lovely.

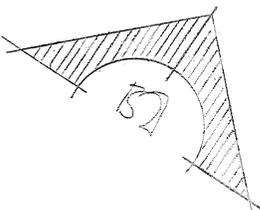


Katrina Boyett  
8526 South Newberry Lane  
Tempe, AZ 85284

602 620 4464  
Katrinagirl@cox.net

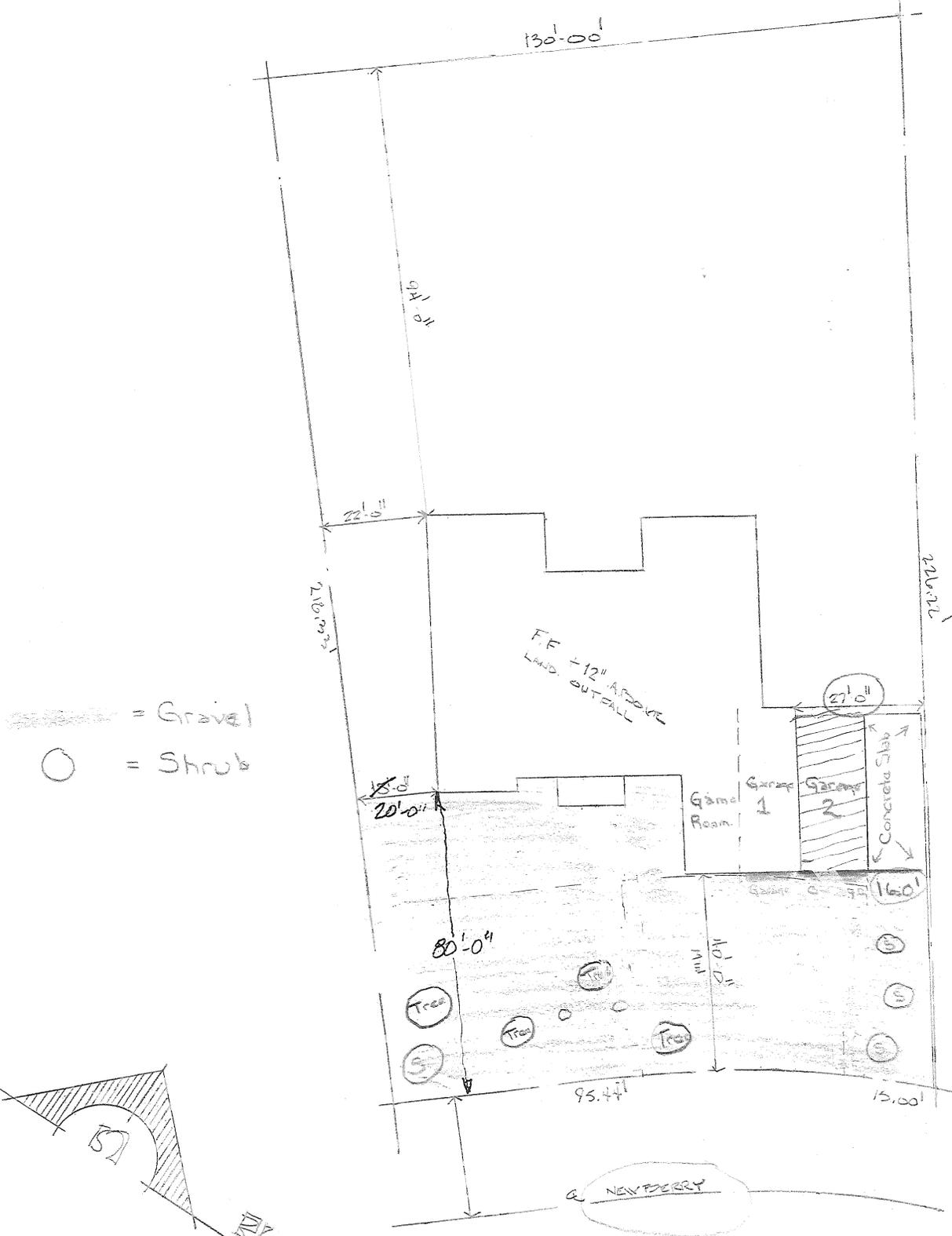


 = Gravel  
 = Shrub

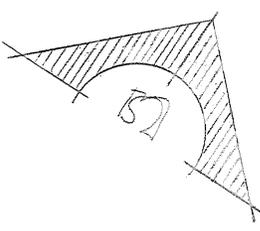


**PLOT PLAN**  
 V102-1-01  
 OWNER: MICHAEL MIKE HUBBARD  
 ADDRESS:  
 LOT: 51  
 LEGAL: POLINA VISTA TRACT

**Bozett  
 Current  
 Plot Plan and  
 Landscape**

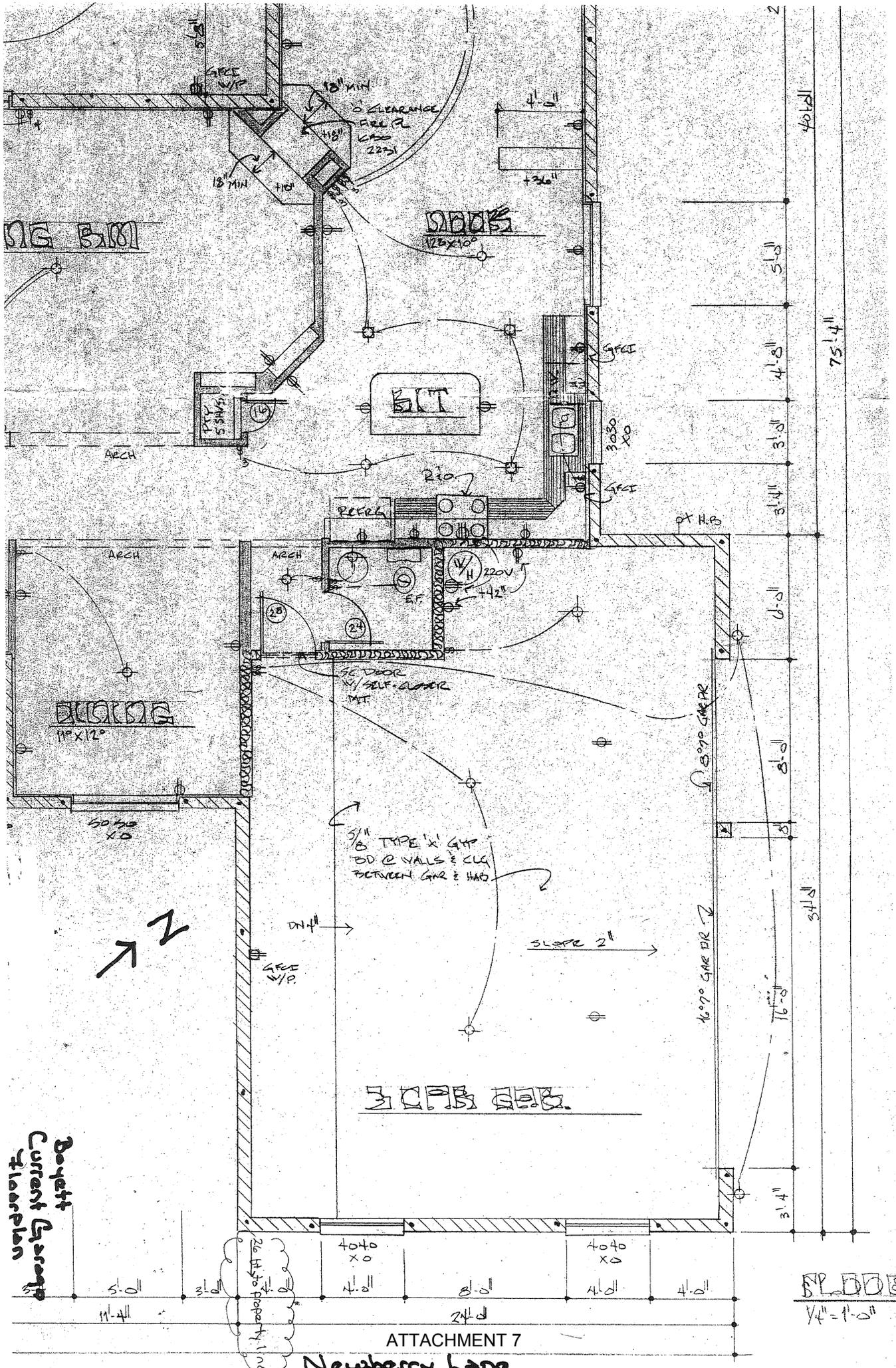


[Hatched Area] = Gravel  
 ○ = Shrub



**PLOT PLAN**  
 SCALE: 1" = 1'-0"  
 OWNER: KRISTEN MIKE HUBBARD  
 ADDRESS: LOT 51  
 LEGAL: ZULENA VISTA TRAIL

Boyett  
 Proposed  
 Plot Plan and

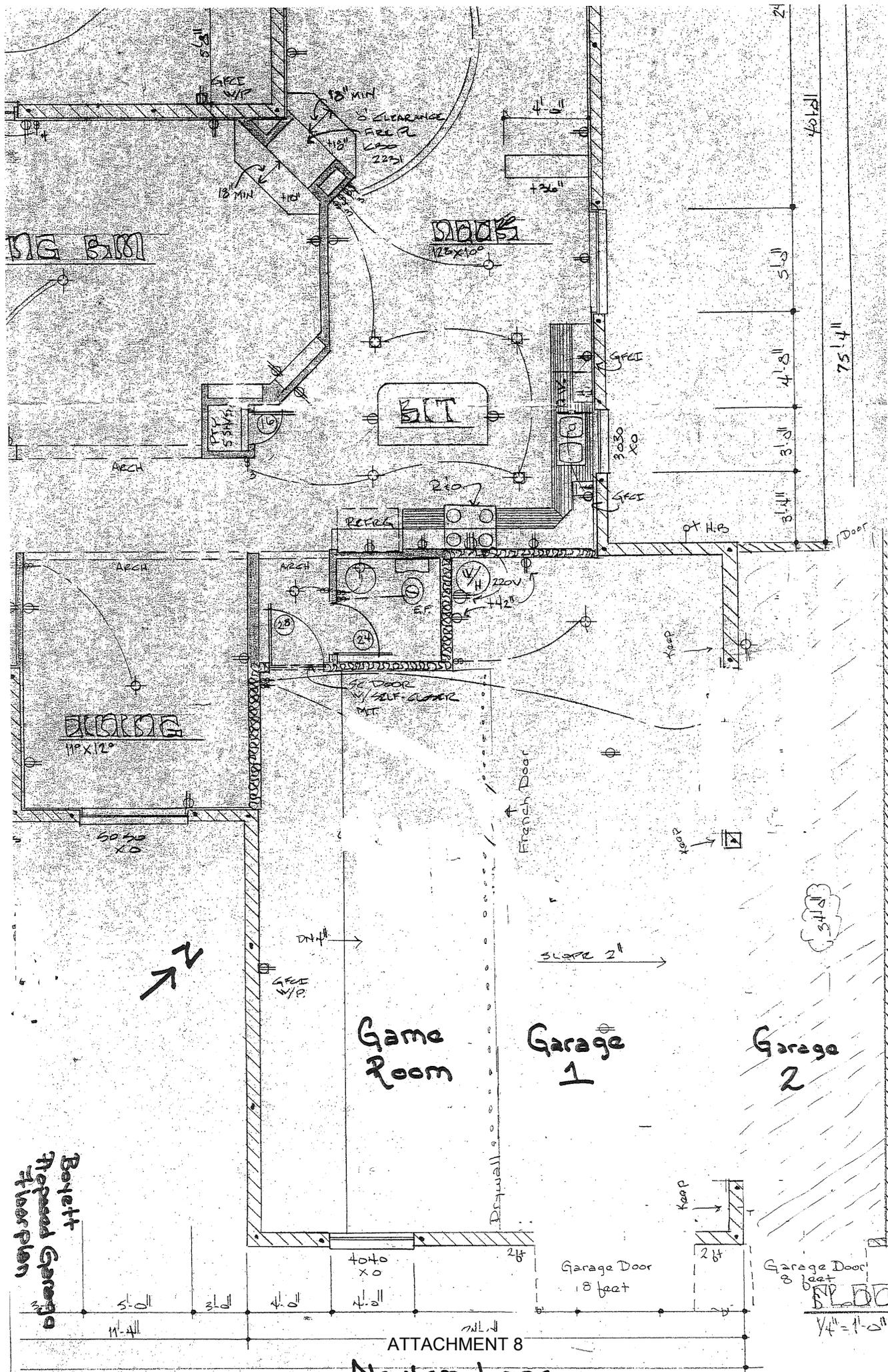


Bayette  
 Current Garage  
 Floorplan

ATTACHMENT 7

Newberry Lane

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



Boylett  
Proposed Garage  
Floor Plan

ATTACHMENT 8

Newberry Lane

Garage Door  
8 feet  
8'00

1/4" = 1'-0"

