

# Staff Summary Report



Hearing Officer Hearing Date: 03/20/2012

Agenda Item Number: \_

**SUBJECT:** This is a public hearing for a request by the **CASA DE SMITH** located at 1703 South Ventura Drive for three (3) Use Permits

**DOCUMENT NAME:** HOr\_CasaDeSmith\_032012

**PLANNED DEVELOPMENT (0406)**

**COMMENTS:** Request by the **CASA DE SMITH (PL120053)** (W. Brent Armstrong, ISOS Architecture, Dave Smith, property owner) located at 1724 S. Ventura Drive in the R1-6, Single Family Residential District for:

**ZUP12021** Use Permit standard to reduce the rear yard setback by twenty percent (20%) from 15 feet to 12 feet (as measured from midpoint of alley).

**ZUP12022** Use Permit to allow a second story addition

**ZUP12023** Use Permit to increase the allowable wall height within the front yard setback from 4' to 6'

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

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

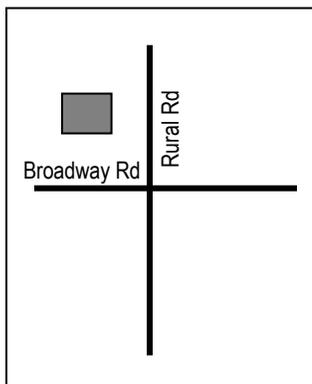
**LEGAL REVIEW BY:** N/A

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

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

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

**ADDITIONAL INFO:**



The applicant is seeking three (3) Use Permits to facilitate an addition/remodel of their residence. The Use Permits are to reduce the west rear yard setback by 20% from 15 ft to 12 ft (as measured from the midpoint of the alley); a Use Permit to allow a second story addition and a Use Permit to increase the allowable wall height in the front yard from 4' to 6'. Staff recommends approval of the three Use Permit requests with the finding that they meet the Zoning and Development Code criteria to warrant support of the requests. To date, staff has received many telephone inquiries, one letter in support and one letter in opposition.

**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-SP1
5. East Elevation
6. North Elevation
7. West Elevation
8. South Elevation
9. Northeast/Southeast View
10. Basement floor plan
11. First floor plan
12. Second floor plan
13. Sundeck plan

## COMMENTS:

Casa De Smith is located in the Daley Park Neighborhood on South Ventura Drive, one lot north of Broadway Road. The property owner is seeking three (3) Use Permits to facilitate construction of a garage with a second story addition above the garage, located adjacent to the alley. The proposed second story addition is for a bedroom and will allow access to the roof for a sun deck. All additions to the residence will have integral access to the main residence. They are also seeking a Use Permit to increase the allowable height of a wall in the front yard setback from 4' to 6'. The proposed wall will be located along the front property line on the south portion of their lot. It will be a screen for an area currently used as additional parking surface. It will not block the view of the front entrance.

### Public Input

To date, staff has received numerous telephone inquiries regarding their proposal. One email in opposition was received and one email in support.

### Use Permit

In the R1-6, Single Family Residence, the Zoning and Development Code allows through the Use Permit process a reduction of the rear yard setback, second story additions and wall to exceed four (4) feet in height in the front yard.

Evaluating the Use Permit, 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. This property is one lot north of Broadway Road. Access to the garage should have minimal impact to the surrounding area.
- 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.
  - This lot within the subdivision is larger than others within the neighborhood, as such; it can accommodate the proportion of addition without detriment to surrounding property values.
- d) Compatibility with existing surrounding structures and uses;
  - The proposed use appears to be compatible with surrounding uses. The second story addition is set to the back of the lot, similar to other second story additions previously approved in the neighborhood.
- 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 subject to conditions. To minimize the potential for creating nuisance to surrounding properties; staff will condition that the balcony on the second floor to be reoriented to another elevation not overlooking another property.

If located on the north elevation or east elevation; it would be at a substantial distance to minimize exposure to neighboring

properties. The location of the property line at street front must be verified by survey to ensure non encroachment into right of way. Staff recommends the addition of landscape material planted between the wall and the sidewalk to soften the appearance from the street. Finally, our records do not indicate any formal lot ties or subdivision plat to create the lot within the subdivision. This addition is a substantial improvement to warrant a formal subdivision plat be processed to legalize the lot.

**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.
2. Building addition to match existing residence in color, form and material.
3. Reoriented the second story balcony to either the north or east elevation.
4. Provide landscape between the wall and sidewalk at street front.
5. Wall to be located per a survey to determine the front property line.
6. Process a legal subdivision plat for this property prior to issuance of building permits

**HISTORY & FACTS:** None pertinent to this case.

**DESCRIPTION:** Owner – Dave Smith  
Applicant – W. Brent Armstrong- ISOS Architecture  
Existing Zoning – R1-6 Single Family  
Lot area-20343  
Lot Coverage- 15%  
Building Area- 5900 sf.

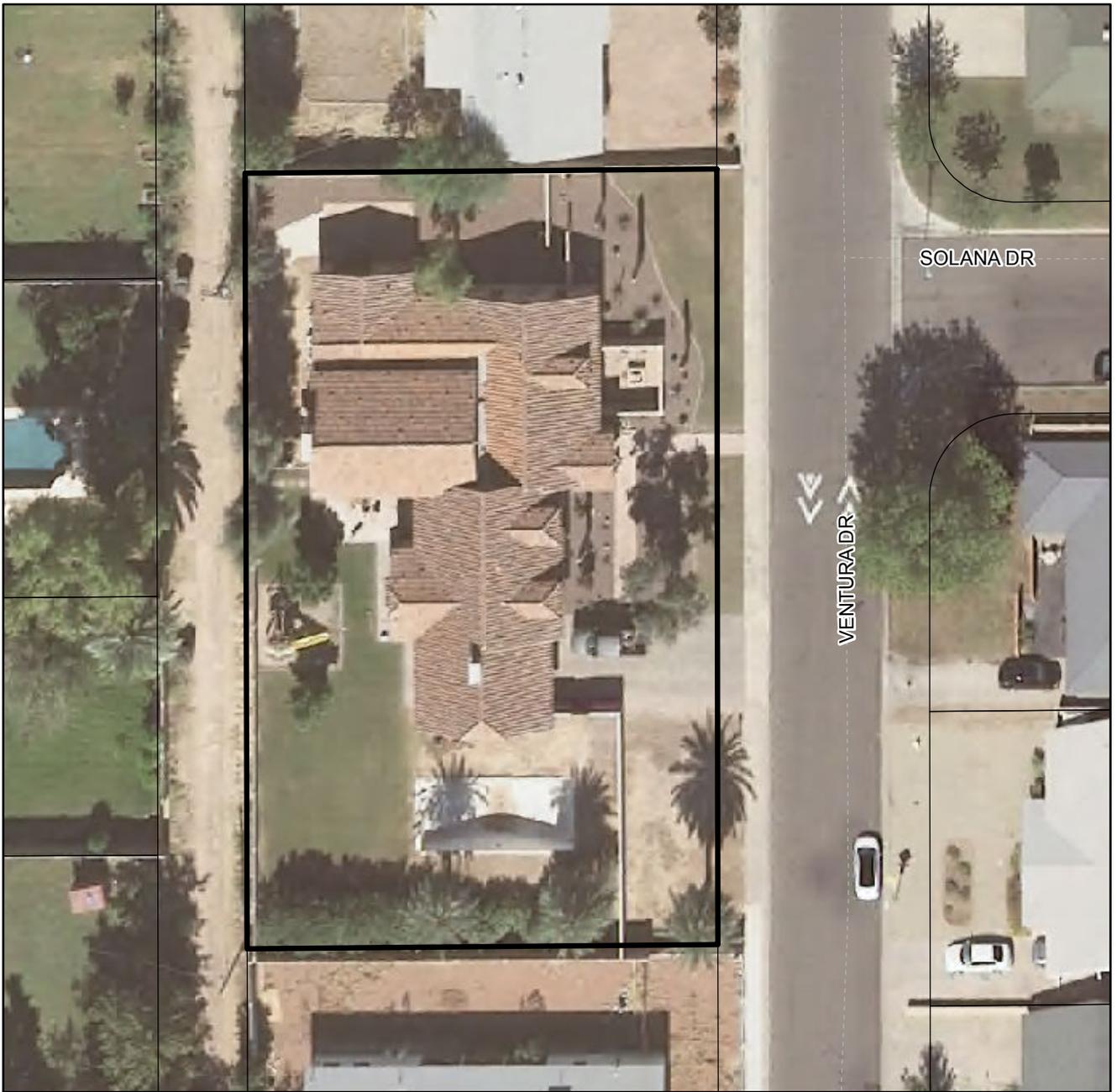
**ZONING AND DEVELOPMENT CODE REFERENCE:** Part3, Chapter 4, Section 3-420.  
Part 4, Chapter 2, Section 4-202.  
Part 4, Chapter 7, Section 4-706  
Part 6, Chapter 3, Section 6-308 – Use Permit

# CASA DE SMITH

# PL120053



## Location Map



**CASA DE SMITH (PL120053)**

21. Feb. 2012  
Casa de Smith  
1724 S. Ventura Drive  
Tempe, AZ 85281

Letter of Explanation  
Use Permit

We are requesting three (3) use permits for the property located at 1724 S. Ventura Drive, in Tempe, Arizona, a single family detached residence.

The first use permit is a request to decrease the rear yard setback to thirteen feet (13'0") from the required fifteen feet (15'0"), which is within the Use Permit Standard of twenty percent (20%) reduction per Table 4-202. The ground level addition at the rear setback is for a two-car garage, allowing the owners to park in a garage, which is not currently available on the property alleviating parking in the front yard. The garage is to be built with the same finish details of the main house including stucco and tiled roof with metal and wood accents. The request is similar to a nearby property, allowing access to the garage from the same existing twenty foot (20'0") alley located at 1715 S. Sierra Vista Dr.

The second Use Permit is to allow a second story addition above the new garage mentioned above, for a new master bedroom suite, per Section 3-420. The addition is within the required R1-6 height requirements of thirty feet (30'0"). This addition will also match the existing house details of stucco, stone and tiled roof with steel and wood details. The use is still single family residential, so there is no additional nuisance due to the use permits. The two-story use permit is also similar to the following nearby lots that also have a second story. Like most of these lots, our proposal is to locate the second story in the rear of the property, preserving the lower building elevations near the street. We also plan on placing the second story at the center of the lot, keeping the height as far from neighboring lots as possible. The addition of the second story adds views, live-able square footage, and preserves the lots open space. Additionally, the context of the existing neighborhood is not significantly impacted, as evidence by the following list of similar two story structures:

1715 S. Sierra Vista Dr.  
1731 S. Sierra Vista Dr.  
502 E. Vista del Cerro Dr.  
715 E. Granada Dr.  
718 E. Encanto Dr.

The third Use Permit is for the site wall in a front yard setback, requesting an increased height from the allowed four feet (4'0") to six feet (6'0") in height. The area that we are asking for the increased height is actually to the side of the house, not in front of it. The adjacent neighbor at 1736 S. Ventura Dr. has an existing four foot wall on the side yard (of a corner lot) which becomes our front yard. We would continue this wall along the front of our property until it reaches the house, where it will return to the house. We are proposing that we place the wall just inside the front yard setback, which gives us about four feet for planting landscape between the proposed wall and the existing sidewalk. The wall will have a stucco finish to match the house on both sides. The location of this wall will prevent parking in the front yard setback (with the garage parking mentioned above) which will enhance the overall look of the property. The property located at 410 E. Encanto Dr. has a similar six foot wall in the front and side (facing street) yards, also indicating that such examples already exist in the

**PROJECT INFORMATION**

**PROJECT NARRATIVE**  
 PROJECT: NEW 2-UNIT APARTMENT BUILDING  
 LOCATION: 1724 S. VENTURA DR., TEMPE, ARIZONA 85281

**PROJECT OWNER:**  
 THE HOME OWNER  
 1724 S. VENTURA DR.  
 TEMPE, ARIZONA 85281

**PROJECT CONTRACTOR:**  
 CURRENT ZONING: R-10  
 OCCUPANCY: RESIDENTIAL - SINGLE FAMILY

**USE:**  
 CONSTRUCTION TYPE: RESIDENTIAL - SINGLE FAMILY  
 MAX BUILDING HEIGHT ALLOWED: 16'-0" (NOT INCLUDING ROOF)

**MAX BUILDING HEIGHT ALLOWED:**  
 BUILDING HEIGHT PROVIDED: 16'-0" (NOT INCLUDING ROOF)

**NUMBER OF UNITS:**  
 BUILDING LOT COVERAGES: 20%  
 BUILDING SET AREA: 20%  
 DISTANCE TO FIRE HYDRANT: 150'-0"

**LANDSCAPING ON SITE %:**  
 FIRE SPRINKLER SYSTEMS REQUIRED: NONE  
 FIRE ALARMS PROVIDED: NONE

**USE PERMIT:**  
 THIS USE PERMIT IS VALID FOR 180 DAYS FROM THE DATE OF ISSUANCE.  
 ANY CHANGES TO THE PERMIT MUST BE APPROVED BY THE CITY ENGINEER.

**PROPOSED SITE PLAN:**  
 SCALE: 1/8" = 1'-0"

**NOT FOR CONSTRUCTION**

21 FEB 2012

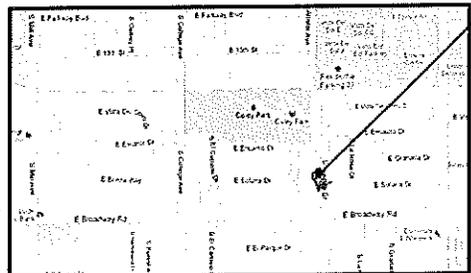
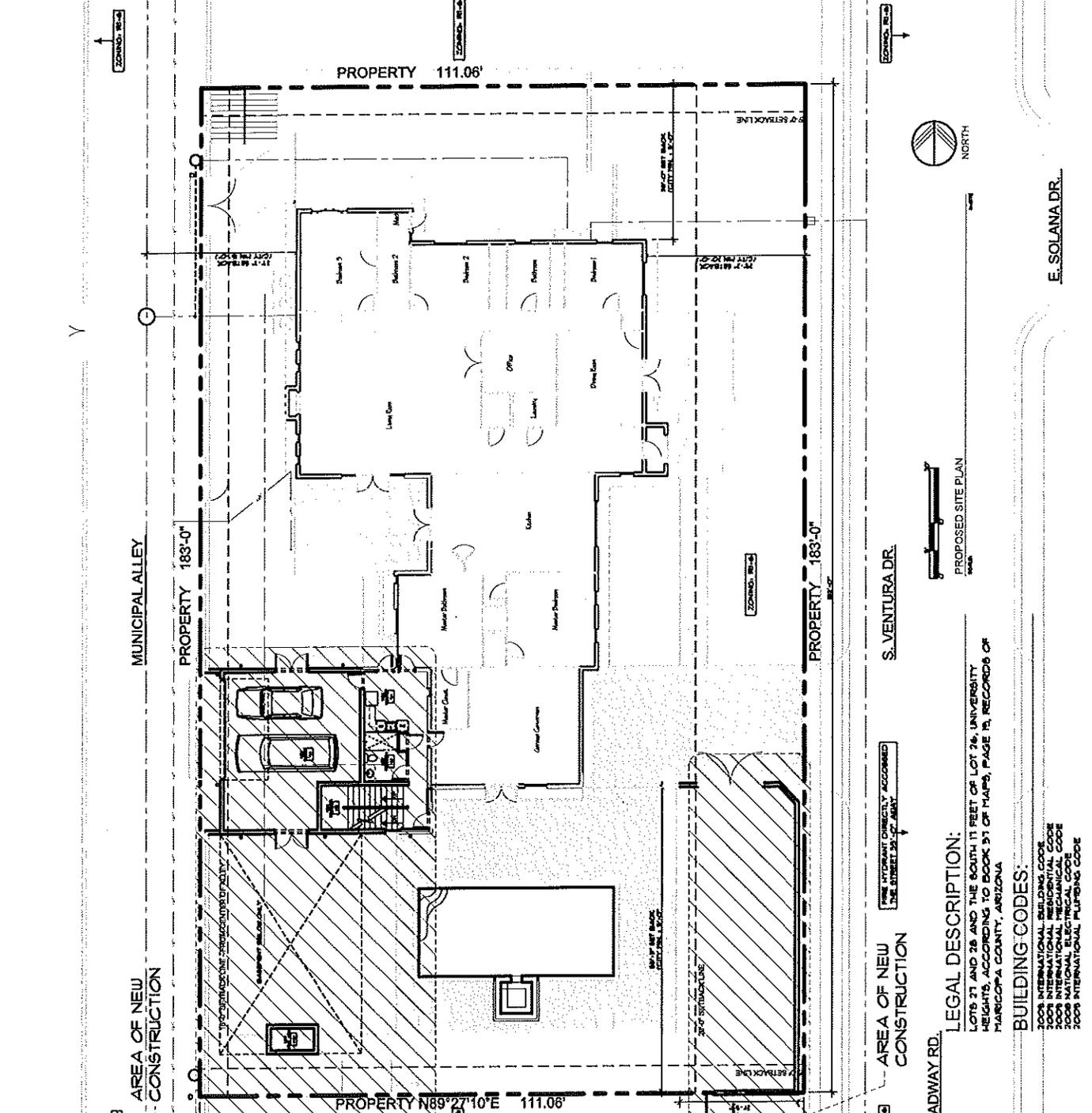
SP1.0

NORTH

1724 S. VENTURA DR., TEMPE, ARIZONA 85281

CASA DE SMITH

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 Rey Baqigiano 480 720 3070  
 Brent@brentarchitect.com  
 Rey@reyarchitect.com  
 www.brentarchitect.com  
 www.reyarchitect.com



**TENANT IMPROVEMENT:**  
 1724 S. VENTURA DR.  
 TEMPE, ARIZONA 85281

**LEGAL DESCRIPTION:**  
 LOTS 27 AND 28 AND THE SOUTH 11 FEET OF LOT 26, UNIVERSITY HEIGHTS, ACCORDING TO BOOK 51 OF MAPS, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA

**BUILDING CODES:**  
 2008 INTERNATIONAL BUILDING CODE  
 2008 INTERNATIONAL RESIDENTIAL CODE  
 2008 INTERNATIONAL MECHANICAL CODE  
 2008 INTERNATIONAL PLUMBING CODE

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architecture

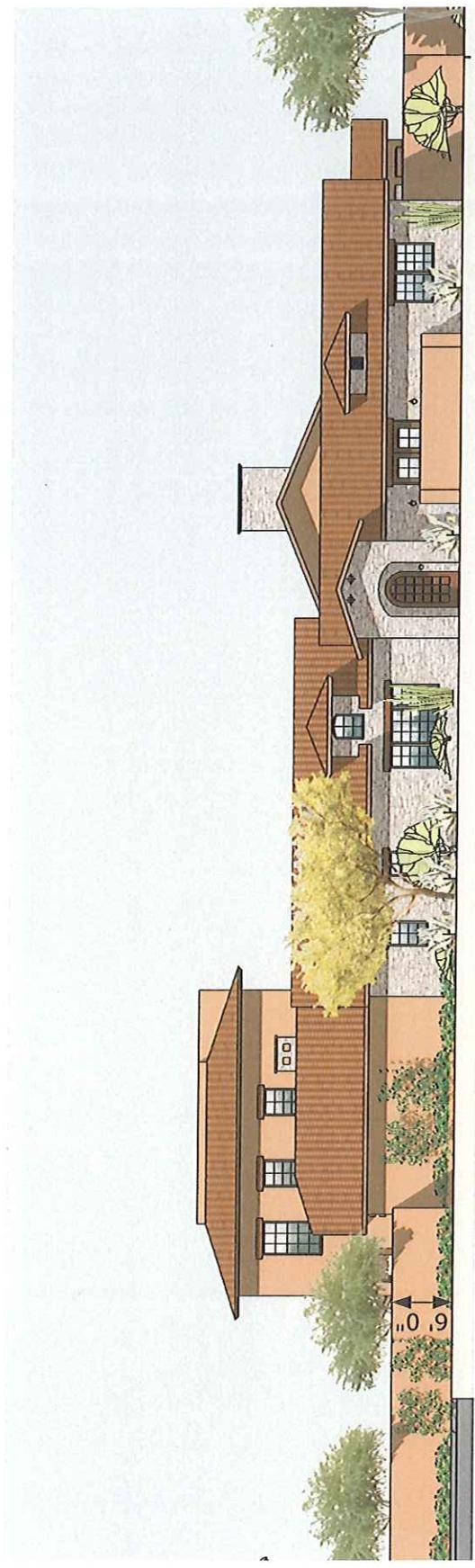
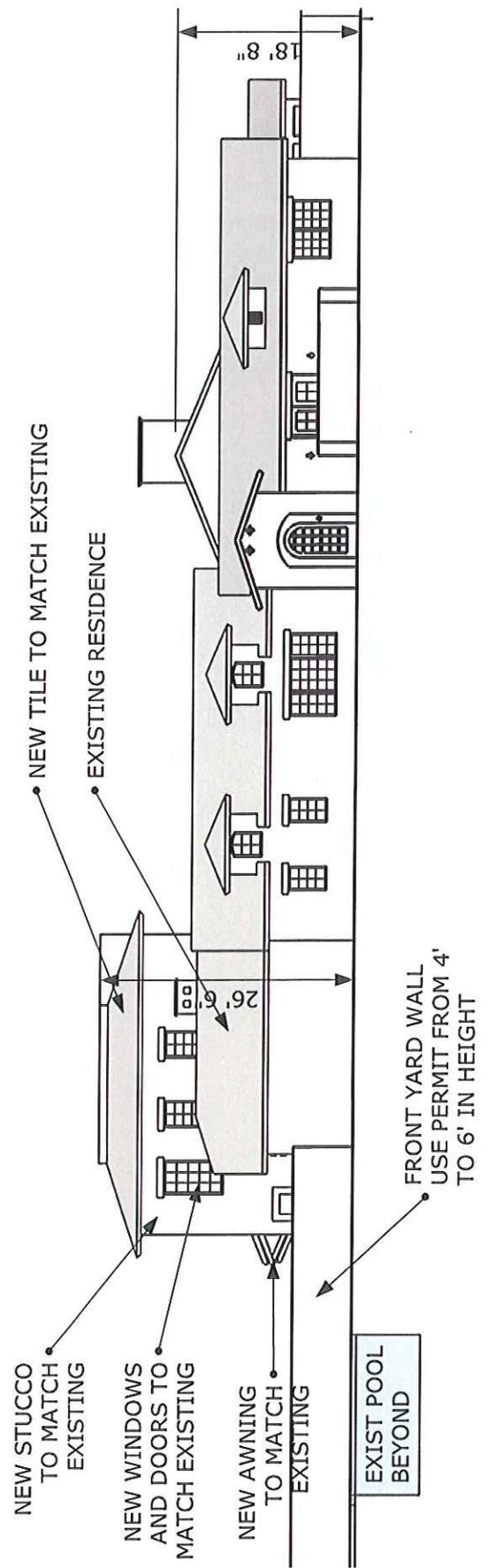
CASA DE SMITH  
 1724 S. Verlora Dr. Tempe, Arizona 85281

EXTERIOR ELEVATION  
 1/16" = 1'-0"

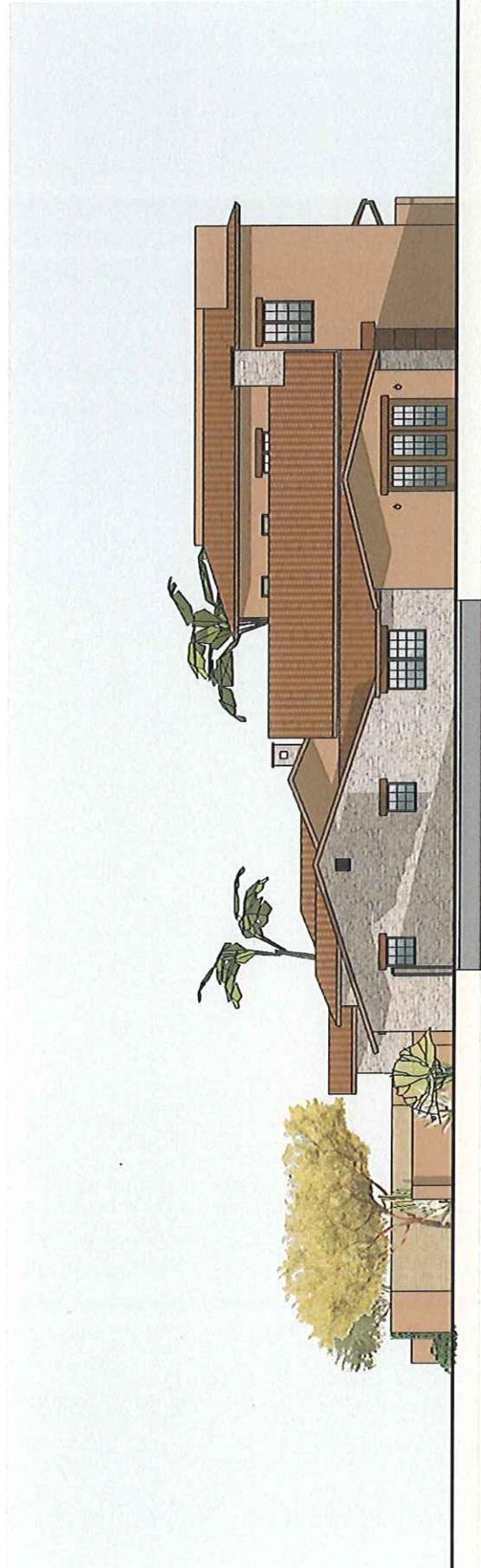
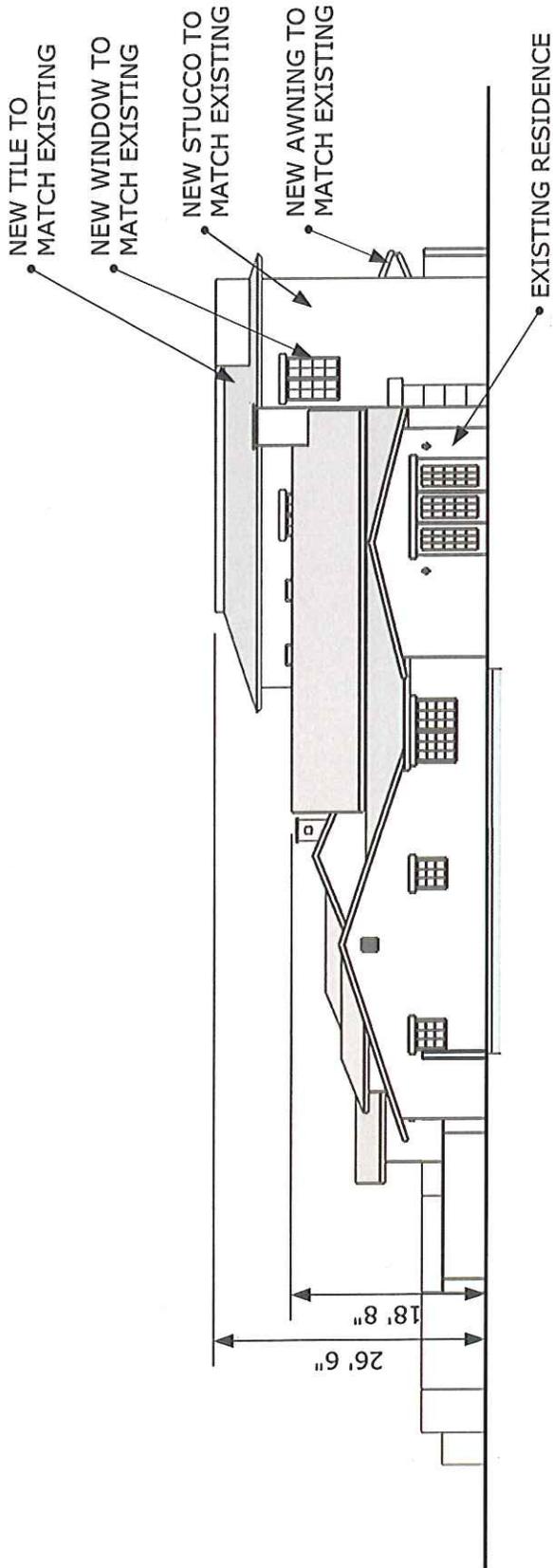
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21.FEB.2012

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EAST ELEVATION- STREET



NORTH ELEVATION

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laosa  
 architecture

1724 S. Veverka Dr. Tempe, Arizona 85281  
**CASA DE SMITH**

EXTERIOR ELEVATION  
 1/16" = 1'-0"

DATE: 02/21/2012  
 DRAWN BY: DR. PHILLIPS

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21.FEB.2012  
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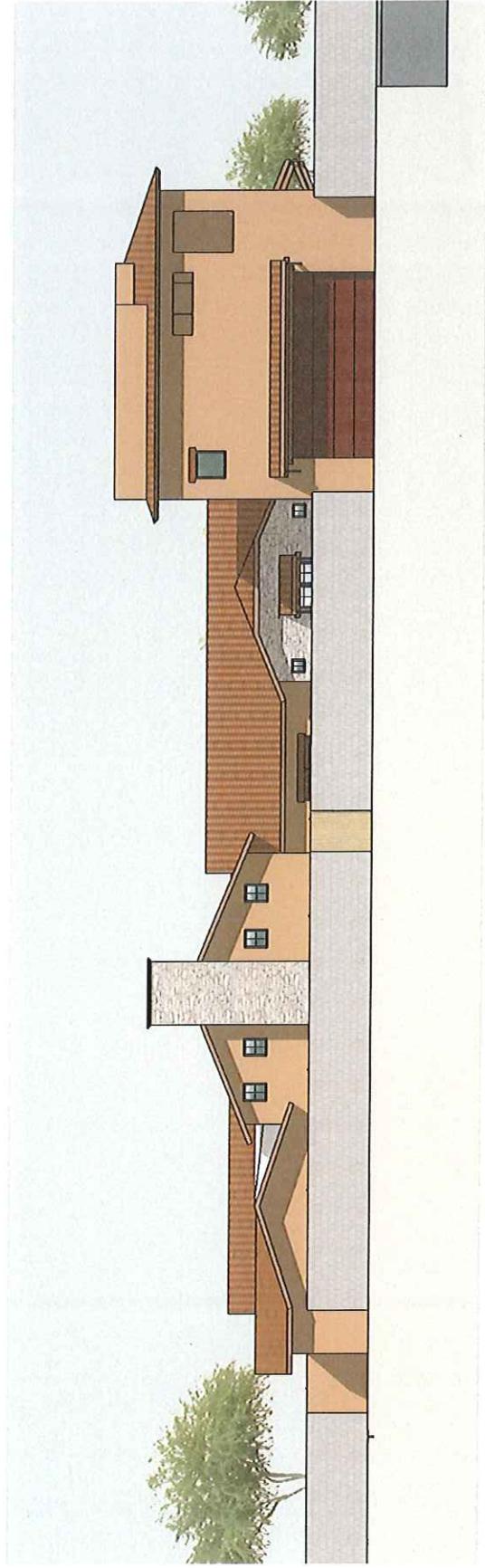
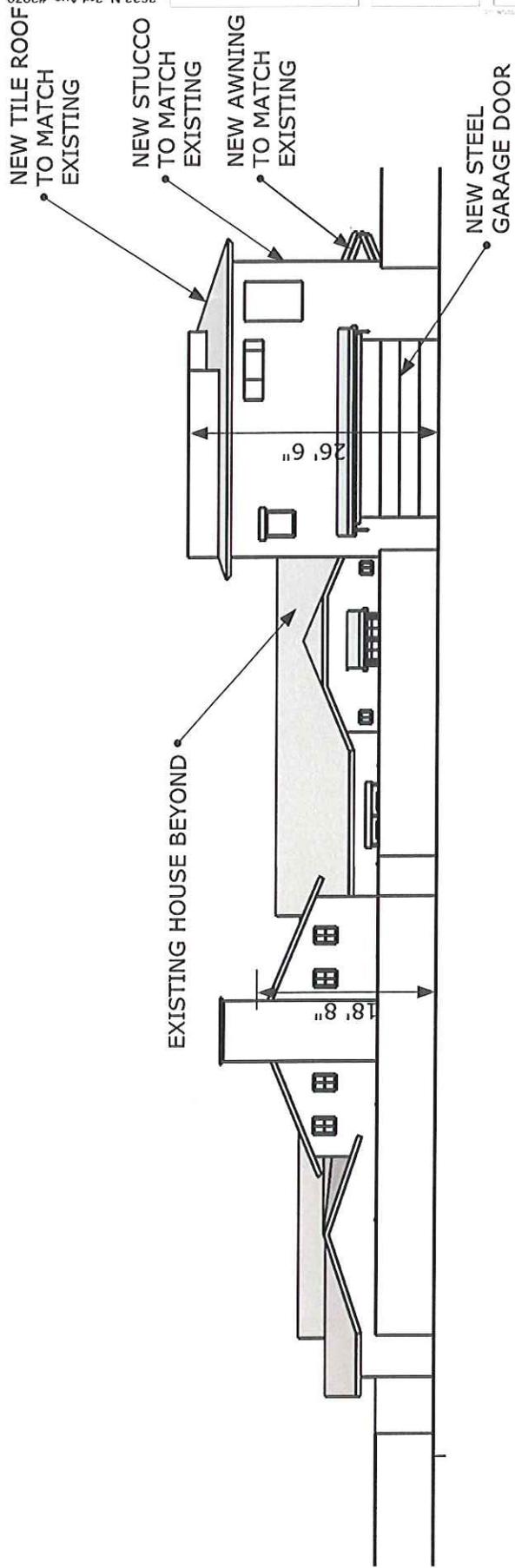
PROJECT  
**CASA DE SMITH**  
 1724 S. Verdura Dr. Tempe, Arizona 85281

EXTERIOR ELEVATION  
 1/16" = 1'-0"

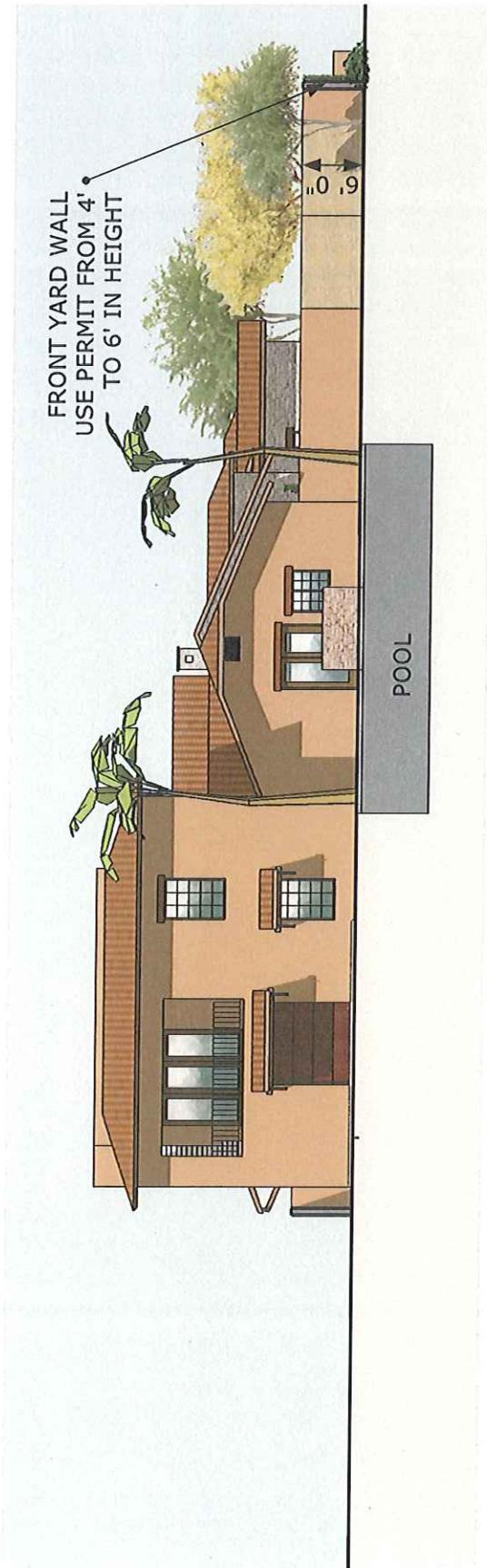
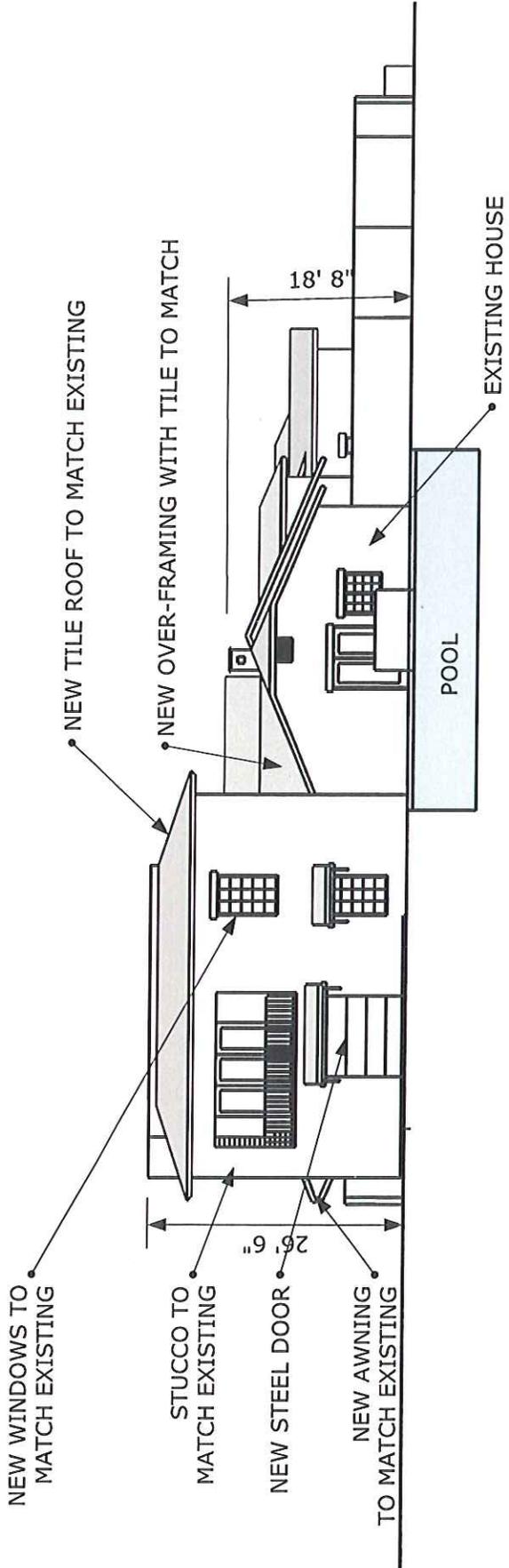
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 CITY: PHOENIX

**NOT FOR CONSTRUCTION**

21.FEB.2012  
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WEST ELEVATION - ALLEY



SOUTH ELEVATION



NORTHEAST VIEW

SOUTHEAST VIEW

21.FEB.2012

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NOT FOR CONSTRUCTION

EXTERIOR PERSPECTIVE  
NTS

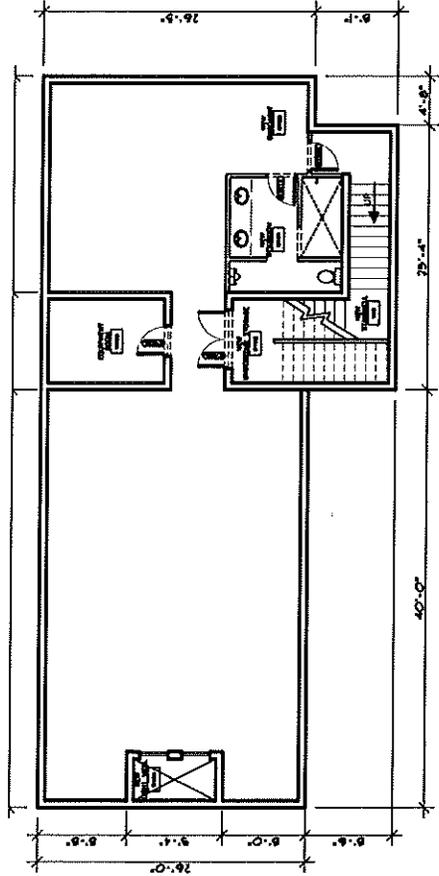
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BY: [signature]

CASA DE SMITH  
1724 S. Ventura Dr. Tempe, Arizona 85281

architecture

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NOTE:  
ALL SCREENED ELEMENTS INDICATE  
EXISTING CONSTRUCTION TO REMAIN.



**SYMBOLS LEGEND:**  
 INDICATES ROOM NAME AND NUMBER  
 INDICATED DOOR NUMBER

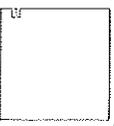
BASEMENT FLOOR PLAN  
 SCALE: 1/8" = 1'-0"



**WALL LEGEND**

- EXISTING EXTERIOR WALL CONSTRUCTION TO REMAIN
- EXISTING INTERIOR WALL CONSTRUCTION TO REMAIN
- EXISTING GLAZING SYSTEM TO REMAIN
- NEW TYPICAL WOOD STUD WALL WITH 3/8" GYP DO 4 ACoustIC FIBER BATT INSULATION
- NEW CTU EXTERIOR WALL WITH STUCCO FINISH AND PAINT TO MATCH EXISTING BUILDING

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1724 S. VICTORIA DRIVE, AVONDALE 85311  
**CASA DE SMITH**

PROJECT NAME  
**BASEMENT FLOOR PLAN**

DATE  
 02/21/2012  
 DRAWN BY  
 GUY/ML

**NOT FOR CONSTRUCTION**

21 FEB 2012  
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architects

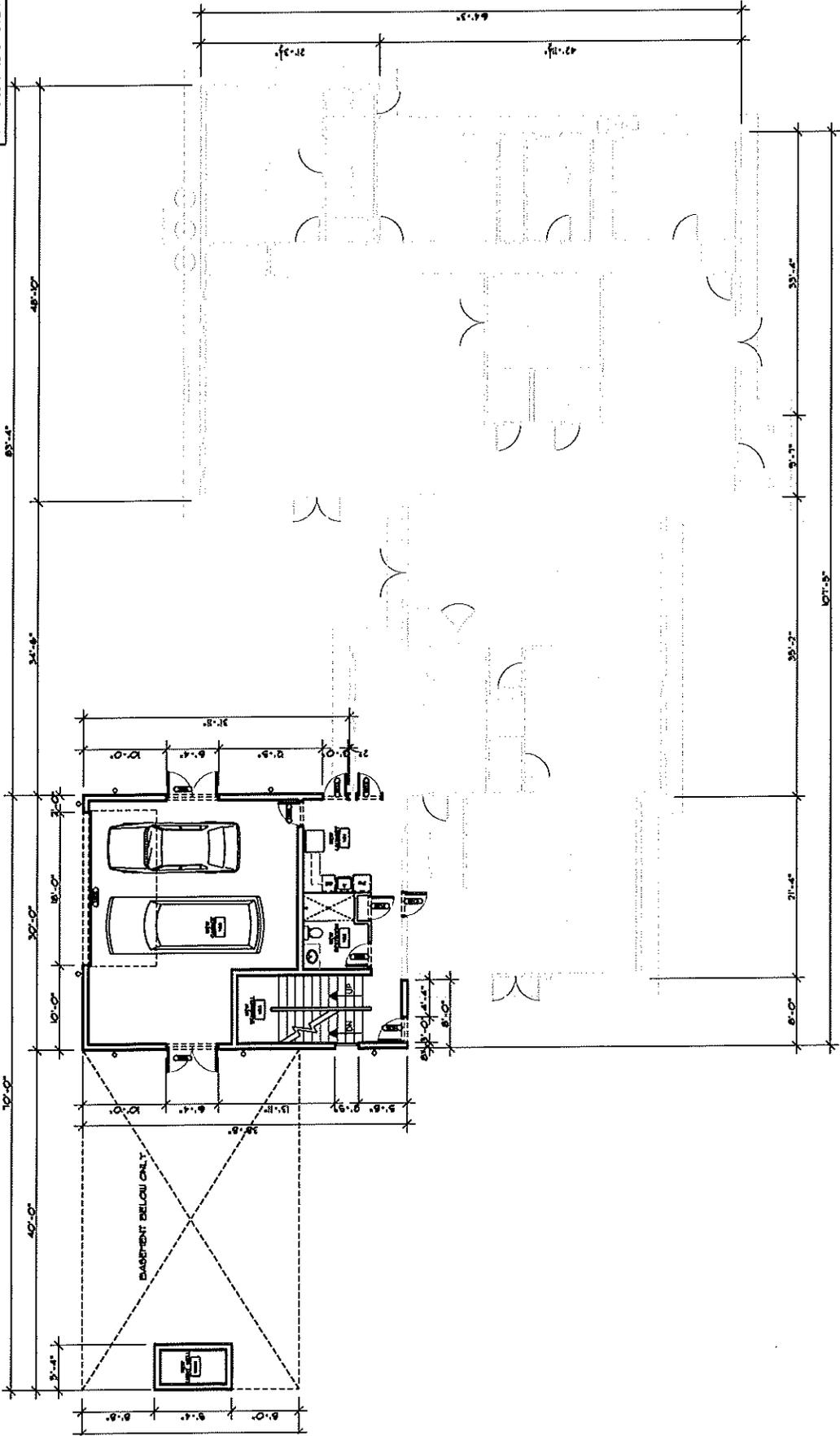
CASA DE SMITH  
 1721 S. Weber Dr. Tempe, Arizona 85281

FIRST FLOOR PLAN  
 1/8" = 1'-0"

NOT TO SCALE  
 21 FEB 2012

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NOTE: UNFINISHED SUBFLOOR LOCATE EXISTING CONSTRUCTION TO REMAIN



WALL LEGEND

- EXISTING EXTERIOR WALL CONSTRUCTION TO REMAIN
- EXISTING INTERIOR WALL CONSTRUCTION TO REMAIN
- EXISTING GLAZING SYSTEM TO REMAIN
- NEW TYPICAL WOOD STUD WALL WITH 5/8" GYP BO #
- ACQUISITE FIBER BATT INSULATION
- NEW GYU EXTERIOR WALL WITH STUCCO FINISH AND PAINT TO MATCH EXISTING BUILDING

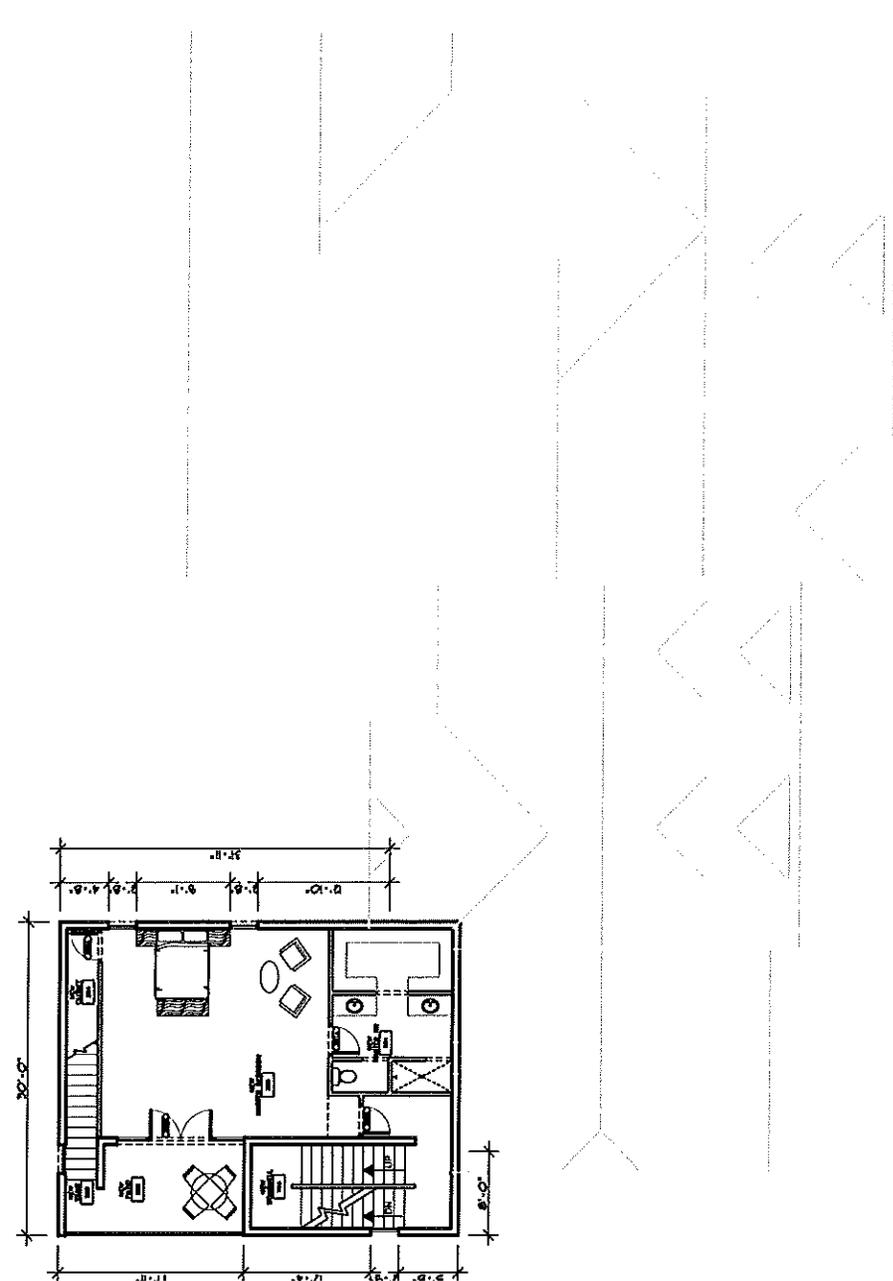


FIRST FLOOR PLAN  
 SCALE: 1/8" = 1'-0"

SYMBOLS LEGEND:

- RECEIPT. INDICATES ROOM NAME AND NUMBER
- 101
- INDICATES DOOR NUMBER

NOTE:  
ALL SCREENED ELEMENTS INDICATE  
EXISTING CONSTRUCTION TO REMAIN.



**WALL LEGEND**

- EXISTING EXTERIOR WALL CONSTRUCTION TO REMAIN
- EXISTING INTERIOR WALL CONSTRUCTION TO REMAIN
- EXISTING GLAZING SYSTEM TO REMAIN
- NEW TYPICAL WOOD STUD WALL WITH 5/8" GYP BO & ACoustIC FIBER BATT INSULATION
- NEW ORL EXTERIOR WALL WITH STUCCO FINISH AND PAINT TO MATCH EXISTING BUILDING

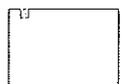


2ND FLOOR PLAN  
SCALE

**SYMBOLS LEGEND:**

- RECEPT. 101 INDICATES ROOM NAME AND NUMBER
- 000000 INDICATES DOOR NUMBER

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**CASA DE SMITH**  
1724 S. Ventura Dr. Tempe, Arizona 85283

SECOND FLOOR PLAN  
1/8" = 1'-0"

Sheet No.	1
Date	1/27/12
Drawn	CS/MLP
Checked	

**NOT FOR CONSTRUCTION**

21.FEB.2012

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**CASA DE SMITH**  
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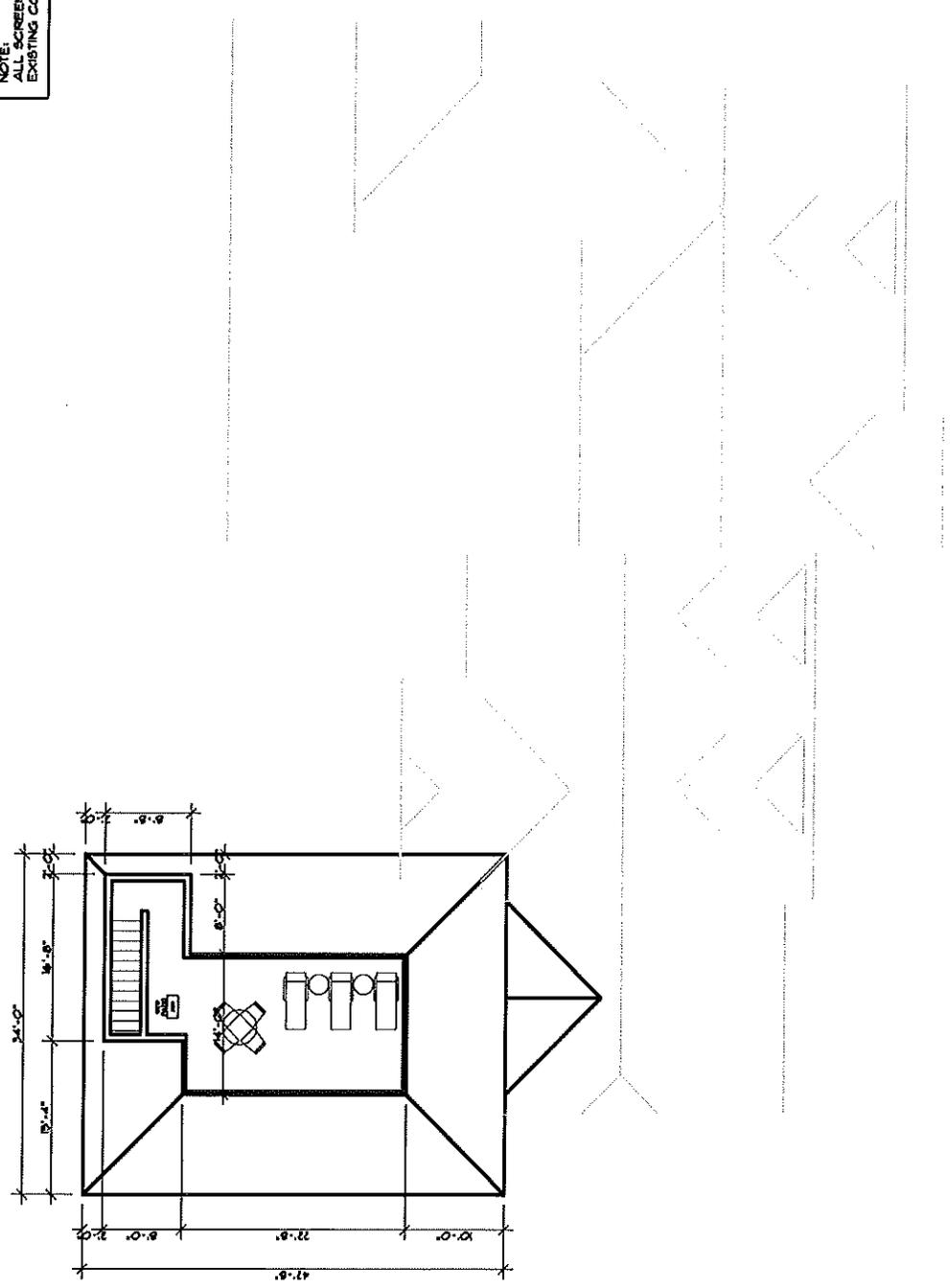
ROOF PLAN  
 Scale: 1/8" = 1'-0"

NOT FOR CONSTRUCTION

21.FEB.2012

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NOTE:  
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 EXISTING CONSTRUCTION TO REMAIN.



**WALL LEGEND**

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- NEW TYPICAL WOOD STUD WALL WITH 5/8" GYP BO 4  
ACoustic FIBER BATT INSULATION
- NEW CMU EXTERIOR WALL WITH STUCCO FINISH AND  
PAINT TO MATCH EXISTING BUILDING



**ROOF PLAN**  
 SCALE

- SYMBOLS LEGEND:**
- INDICATES ROOM NAME AND NUMBER
  - INDICATES DOOR NUMBER