

# Staff Summary Report



Hearing Officer Hearing Date: 10/04/11

Agenda Item Number: 4

**SUBJECT:** This is a public hearing for a request by the **CHUNG RESIDENCE** located at 1720 East Minton Drive for one (1) use permit.

**DOCUMENT NAME:** 20111004cdsl01 **PLANNED DEVELOPMENT (0406)**

**COMMENTS:** Request by the **CHUNG RESIDENCE (PL110327)** (Samuel Chung, applicant/property owner) located at 1720 East Minton Drive in the R1-6, Single Family Residential District for:

**ZUP11085** Use permit standard to allow a 15 ft. high accessory building (art studio/storage) at the R1-6 Zoning District allowed setback of 5 ft. from the east side yard property line.

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

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

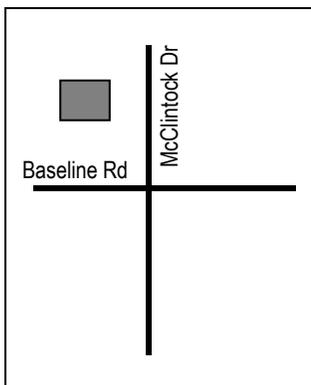
**LEGAL REVIEW BY:** N/A

**DEPARTMENT REVIEW BY:** 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 a use permit to allow a freestanding accessory building 15 ft. tall at the allowed setback for the R1-6, Single Family Residential District. The structure is for the support of the use permit request with the finding that they meet the Zoning and Development code, no public input has been received regarding this case.

**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. East Elevation
6. North Elevation
7. Electric/Floor Plan
8. Staff Photograph(s)

**COMMENTS:**

The Chung Residence is proposing to construct a freestanding building at the northeast corner of their property. The proposed structure is 600 s.f. in area with a height of fifteen (15) feet. This property is located in R1-6, Single Family Residential District. The proposed structure will be a private artist studio. The building placement is five feet (5 ft.) from the east side yard property line and one (1) foot from north rear yard property line (the required 9 ft. rear setback is measured from midpoint of the 16 ft. wide alley).

**PUBLIC INPUT**

To date, no public input has been received.

**Use Permit**

The Zoning and Development Code requires accessory buildings to be setback at least three (3) feet from all side and rear property lines. An additional one (1) foot setback is required for every additional foot in height above nine (9) feet, up to fifteen (15) feet in height. The distance requirement may be reduced to the minimum setback standards required in the district, which is five (5) feet in the R1-6 Single Family District, subject to approval of a Use Permit Standard.

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.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
  - This use, with conditions, should not create nuisances within the residential area.
- 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 accessory building would not contribute to neighborhood deterioration or downgrade property values.
- d. Compatibility with existing surrounding structures and uses;
  - The proposed accessory building use appears to be compatible with surrounding uses. The requested use permit will not be detrimental to the surrounding area.
- 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 this use permit.

**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:**

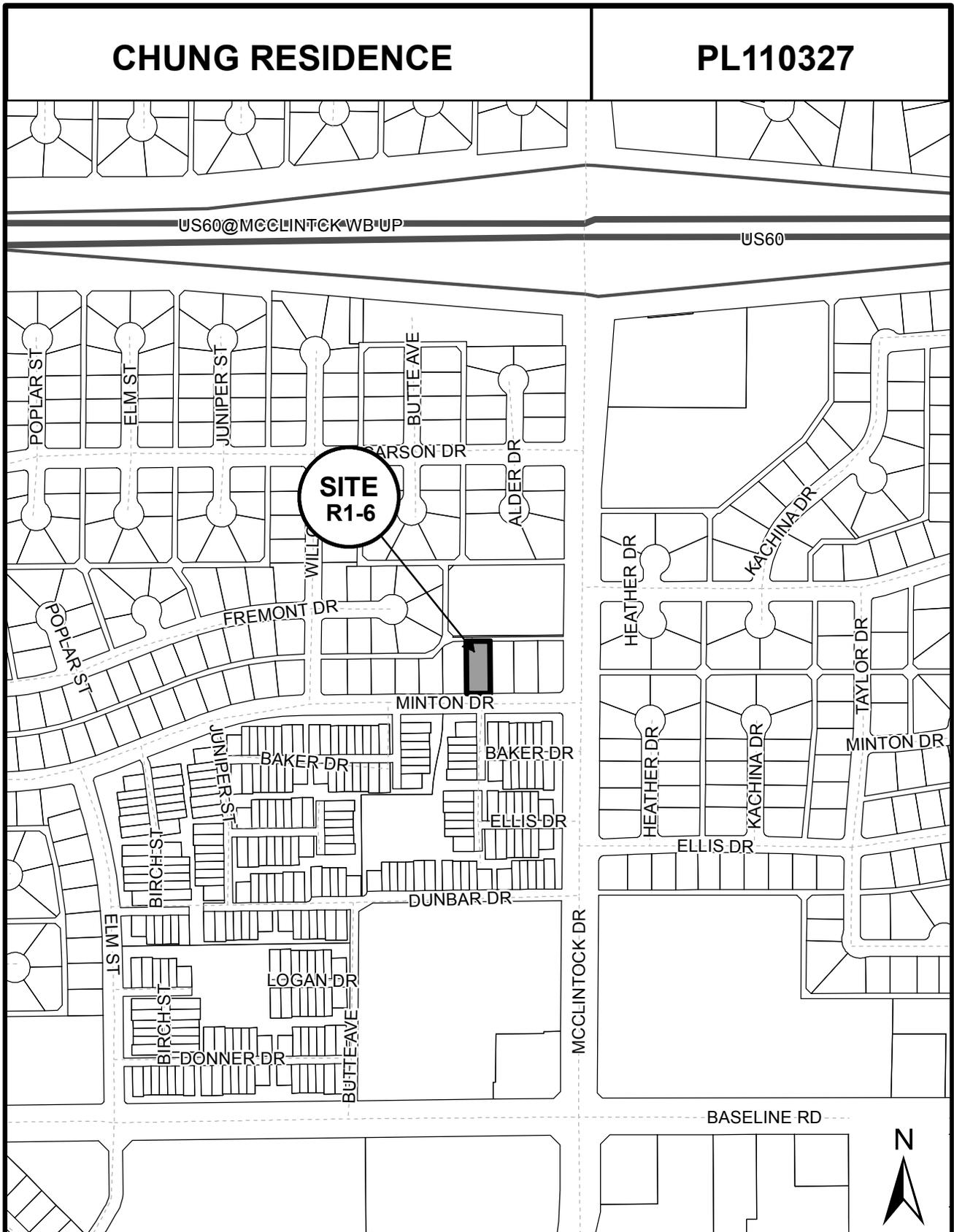
Owner – Samuel Chung  
Applicant – Samuel Chung  
Existing Zoning – R1-6, Single Family Residential District  
Required setback for 15' tall accessory bldg. - 9' side and rear  
Required setback for district- 5'  
Proposed setback for structure- 5'

**ZONING AND DEVELOPMENT CODE REFERENCE:**

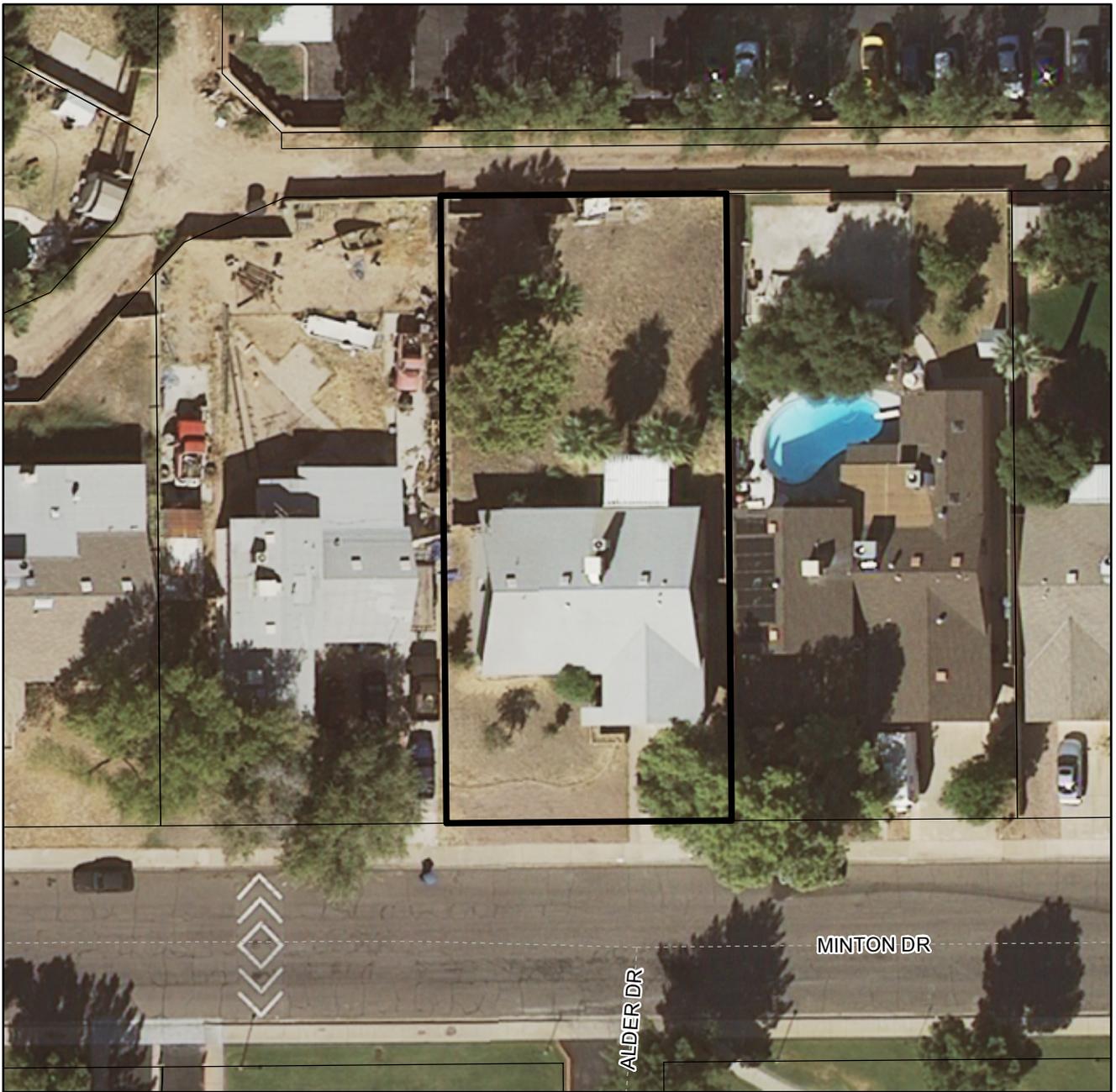
Part 4, Chapter 2, Section 4-202.  
Part 3, Chapter 3, Section 3-401: Accessory Buildings, Uses, and Structures.  
Part 6, Chapter 3, Section 6-308 – Use Permit

**CHUNG RESIDENCE**

**PL110327**



**Location Map**



**CHUNG RESIDENCE (PL110327)**

Letter of Explanation – Sam Chung  
Use permit for Accessory Building  
1720 E. Minton Dr.  
Tempe, AZ 85282

9/12/11

The proposed accessory building is a 600 sq. ft art studio to be built for my personal use. As a ceramics professor at ASU, I need a space to create artwork in ceramics. I will be using this structure to create and finish ceramic art, store ceramic objects, photograph my artwork, and package my ceramic work for shipment.

**legal description:**

SECTION 35 1N 4E  
PARCEL NO. 133-39-

**address:**

1720 EAST WINTON DR  
TEMPE, ARIZONA 85284

**owner:**

SAMUEL CHUNG  
1720 EAST WINTON DR  
TEMPE, ARIZONA 85284

**zoning:**

RI-6 PER 2008 CITY

**project description:**

RESIDENTIAL DETACH

**square footage:**

RESIDENTIAL DETACH  
ACC. BLDG. TOTAL  
COVERED PATIO  
PROJECT TOTAL

**lot area:**

11082 SQ. FT. / .25  
EX. RESIDENCE & GAR  
FLOOR AREA RATIO

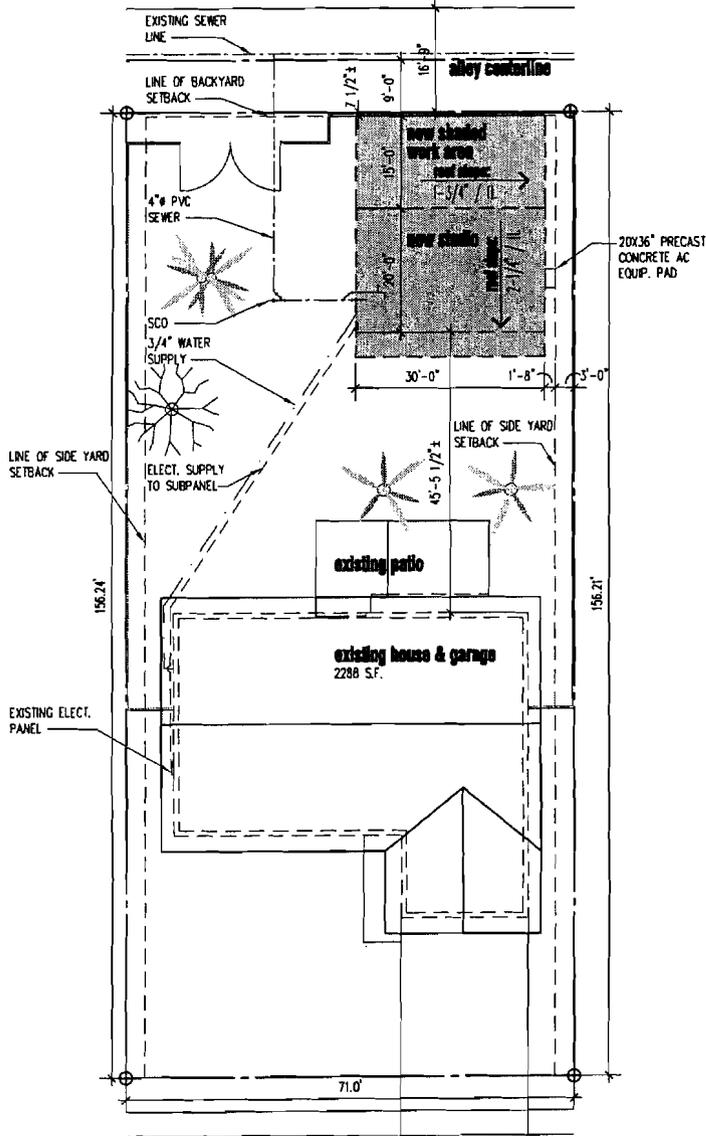
**codes:**

TEMPE ADMINIS  
2006 INTERNATIONAL  
2006 INTERNATIONAL  
2006 INTERNATIONAL  
2006 INTERNATIONAL  
2008 NATIONAL ELEC  
2006 INTERNATIONAL  
2006 INTERNATIONAL  
2006 INTERNATIONAL

**project**

**architect:**

ERIC WEBER ARCHITE  
820 EAST DAYA DR  
TEMPE, ARIZONA 85  
480.491.0680 FAX



**1 site plan**  
1" = 20'

ral grid

n detail key

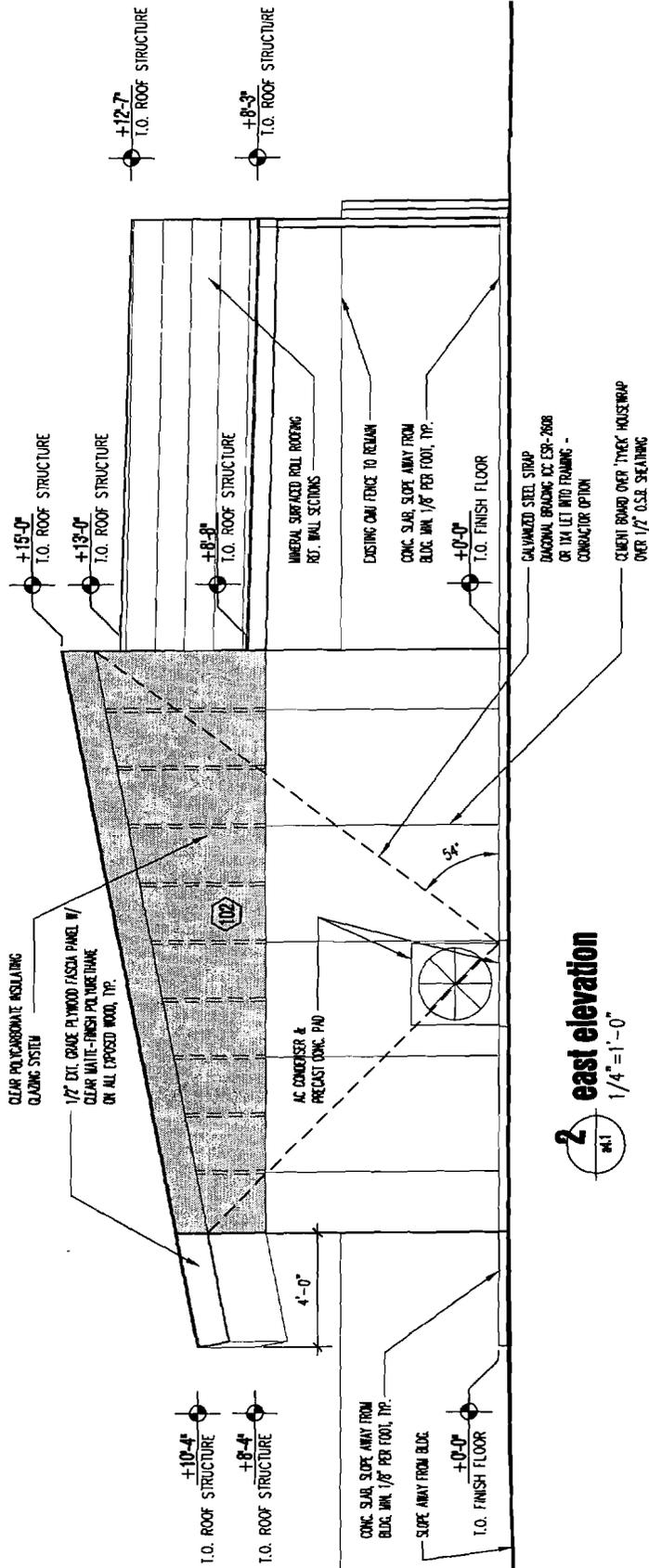
ion key

n key

r elevation key

key

MACINTOSH ROAD



**2** east elevation  
 1/4" = 1'-0"

3F STRUCTURE

ESP & PAO

CLEAR POLYCARBONATE INSULATING  
GLAZING SYSTEM  
ROOF SLOPE: 1-3/4" PER FOOT

WALL BEAMS & COLUMNS w/  
CLEAR MATTE-FINISH POLYURETHANE  
ON ALL EXPOSED WOOD, TYP.

+13'-0"  
T.O. ROOF STRUCTURE

+0'-0"  
T.O. FINISH FLOOR

SLOPE AWAY FROM BLDG.

CEMENT BOARD OVER "TYNEX"  
HOUSEWRAP OVER 1/2"  
O.S.B. SHEATHING

PAINT-FINISH STEEL  
DOORS - REF. DOOR SCHEDULE

GALVANIZED STEEL STRAP  
DIAGONAL BRACING ACC. ESR-2608  
OR T&E LET INTO FRAMING -  
CONTRACTOR OPTION

**1** north elevation  
1/4" = 1'-0"

MINERAL SURFACED ROLL ROOFING  
REF. WALL SECTIONS  
CLEAR POLYCARBONATE INSULATING  
GLAZING SYSTEM

1/2" EXT. GRADE PLYWOOD FASCIA PANEL w/  
CLEAR MATTE-FINISH POLYURETHANE  
ON ALL EXPOSED WOOD, TYP.

+15'-0"  
T.O. ROOF STRUCTURE

+13'-0"  
T.O. ROOF STRUCTURE

+8'-4"  
T.O. ROOF STRUCTURE

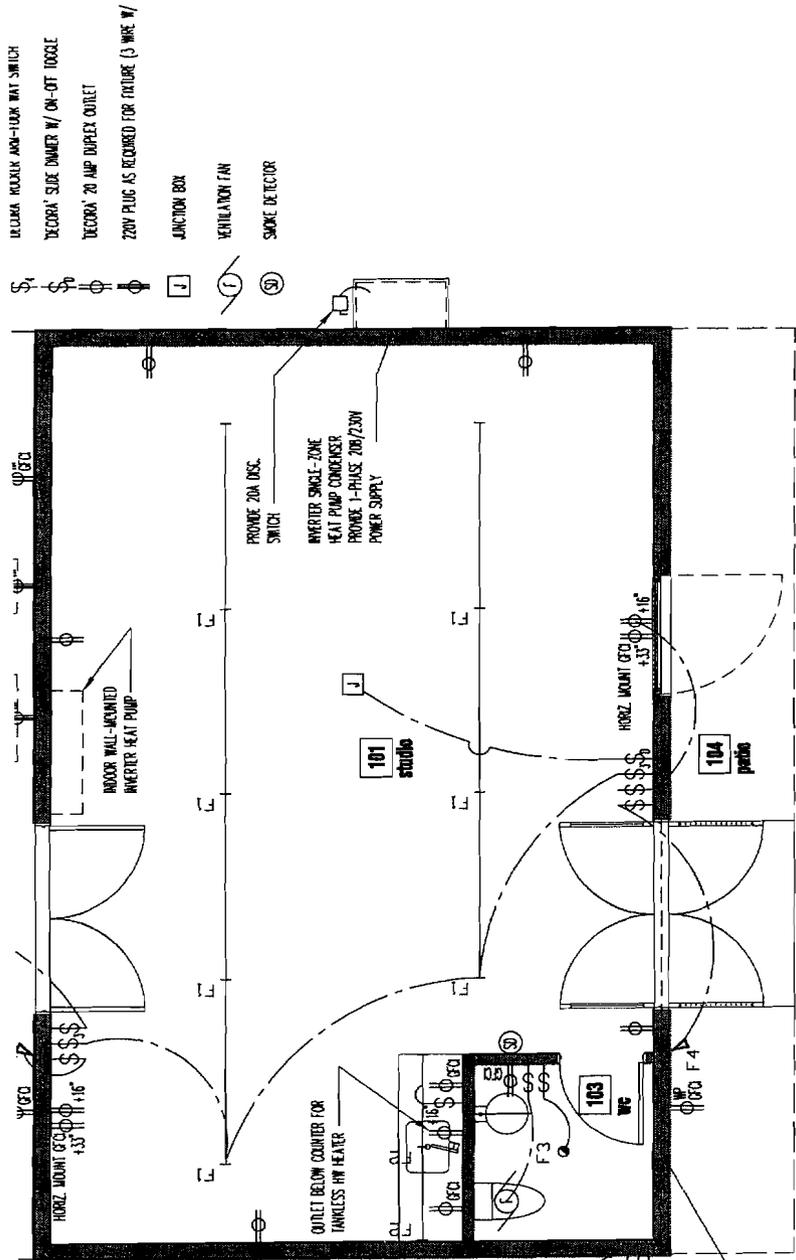
+0'-0"

103

101a

A

45° TP



**2** electrical plan / floor plan  
 21  
 1/4" = 1'-0"

**electrical notes cont:**

17. IN KITCHEN AND DINING ROOMS, A RECEPTACLE OUTLET SHALL BE INSTALLED AT EACH WALL COUNTER SPACE 12 INCHES OR MORE SO THAT NO POINT ALONG THE WALL IS MORE THAN 24 INCHES FROM A RECEPTACLE OUTLET.
18. PROVIDE AT LEAST ONE RECEPTACLE OUTLET ON THE WALL WITHIN 36 INCHES OF THE OUTSIDE EDGE OF EACH LAVATORY BASIN IN BATHROOMS. ALL RECEPTACLES LOCATED IN BATHROOMS SHALL BE GFCO PROTECTED.
19. ALL 125 VOLT, SINGLE PHASE, 15 AND 20 AMPERE RECEPTACLES THAT SERVE COUNTERTOP SURFACES IN KITCHENS OR ARE LOCATED WITHIN 6 FEET OF THE OUTSIDE EDGE OF A BAR SINK SHALL BE GFCO PROTECTED.
20. ALL SUSPENDED LIGHT FIXTURES SHALL BE INSTALLED WITH POWER SUPPLY CABLING OF SUFFICIENT LENGTH TO ALLOW FOR FUTURE HEIGHT ADJUSTMENT. CABLES SHALL NOT BE MOUNTED VERTICALLY TO

**electrical notes cont:**

7. TEST ALL CIRCUITS AFTER INSTALLATION OF THE SERVICE, INCLUDING DIMMERS, WALL OUTLETS, REFRIGERATORS, ETC. AND REPAIR AS REQUIRED.
8. MOUNT TOP OF ALL WALL DUPLEXES AT 16" A.F.T. MOUNT TOP OF ALL SWITCHES AT 44" A.F.T. UNLESS NOTED OTHERWISE.
9. ALL SWITCHES, DIMMERS, TELEPHONE JACKS, CABLE JACKS, DUPLEX OUTLETS, ETC. SHALL BE TROPICOL COLOR GRAY WITH GRAY COVERS/PLATES. (S.S. COVERS/PLATES OPTIONAL)
10. COORDINATE SECURITY MOUNT, CUSTOM SOUND AND AUTOMATION SYSTEMS WITH OWNER PRIOR TO COMMENCING ESTIMATE FOR ELECTRICAL.
11. ALL LIGHT FIXTURES SHALL BE LAMPED. COORDINATE LAMP WATTAGE, ETC. WITH OWNER.
12. PROVIDE A ONE YEAR WARRANTY CONTRACT FOR ALL PARTS AND LABOR TO REPAIR AND/OR REPLACE ANY DEFECTIVE ELECTRICAL EQUIPMENT AT NO COST TO THE OWNER.

**electrical notes:**

1. THE ELECTRICAL INSTALLATION SHALL BE IN ACCORDANCE WITH THE CITY OF TULSA ELECTRICAL CODE.
2. THE ELECTRICAL CONTRACTOR SHALL COORDINATE THE POINT OF SERVICE FOR POWER, TELEPHONE AND CABLE TV SYSTEMS WITH THE SERVING UTILITY REPRESENTATIVES AND FURNISH ALL TRENCHING, CONDUIT, CABLEING AND BACKFILL AS SPECIFIED BY THEIR CONSTRUCTION SPECIFICATIONS.
3. FURNISH AND INSTALL ALL LIGHT FIXTURES IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND PROVIDE OVERCURRENT PROTECTION FOR THE LOW VOLTAGE LIGHTING CIRCUITS WHERE REQUIRED BY CODE OR AS SPECIFIED BY THE MANUFACTURER. PROVIDE ALL LOW VOLTAGE DIMMERS FOR SOLID STATE FLUORESCENT AND INCANDESCENT LIGHTS RECOMMENDED BY THE MANUFACTURER. DIMMERS AND UNDIMMED SWITCHES SHALL BE GANGED IN SINGLE ENCLOSURE. INCREASE DIMMER WATTAGE TO COMPENSATE

