

Staff Summary Report



Hearing Officer Hearing Date: December 2, 2008

Agenda Item Number: 3

SUBJECT: This is a public hearing for a request by the **DOERING RESIDENCE (PL080421)** located at 8102 South College Avenue for two (2) use permits.

DOCUMENT NAME: 20081202dssd01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **DOERING RESIDENCE (PL080421)** (John & Jennie Doering, applicant/property owner) located at 8102 South College Avenue in the R1-10, Single Family Residential District for:

ZUP08172 Use permit standard to reduce the required front yard setback by twenty percent (20%) from thirty (30) feet to twenty-four (24) feet for a guest room addition.

ZUP08173 Use permit to allow an increase in fence height from four (4) feet to six (6) feet in the front yard setback.

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

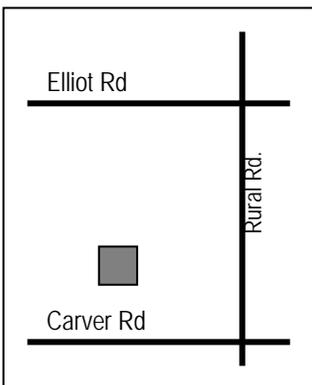
REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions

ADDITIONAL INFO: The Doering residence is requesting two (2) use permits, one to reduce the required front yard setback by twenty percent (20%) from thirty feet (30') to twenty-four feet (24') to allow for an addition to their home and a second use permit to allow an existing wall to exceed four (4) feet in the front yard setback. Staff recommends approval of the use permits as it meets the conditions set forth in the Tempe Zoning and Development Code



PAGES:

1. List of Attachments
2. Comments;
3. Reasons for Approval; 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. Site plan
6. Enlarged Site Plan
7. Floor Plan
8. Elevation(s)
- 9-10. Staff Photograph(s)

COMMENTS:

The Doering residence is requesting two (2) use permits, one to reduce the required front yard setback by twenty percent (20%) from thirty feet (30') to twenty-four feet (24') to allow for an addition to their home and a second use permit to allow an existing wall to exceed four (4) feet in the front yard setback.

The single family home faces north towards Citation Lane which is the required street side yard of this lot while the front property lot line is along College Avenue, thus the front yard setback would be required along the College Avenue frontage. The front of the Doering's home faces north towards Citation Lane, and the new room addition and the existing six (6) foot perimeter wall is located on the east side of the existing home, adjacent to College Avenue. If, College Avenue was the street side yard the new addition would fit within the R1-10 street side yard setback of fifteen (15) feet. Given that the home orientation faces north, the existing home has no fence between the front of the home and Citation Lane and allows natural surveillance between the street and the residence. The original intent behind a maximum four (4) foot wall in the front yard setback was to allow visual surveillance between the street and the home. Since the six (6) wall has existed since 1983 and the wall is located on the side of the existing residence, staff recommends approval of the use permits as they meet the criteria set forth in the Tempe Zoning and Development Code.

To date, staff has received no public input to this request.

Use Permit

The Zoning and Development Code requires use permits to reduce the front yard setback by twenty percent (20%) and to allow a wall exceeding four (4) feet in the front yard setback, in the R1-10 Single Family 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;
 - There is no apparent nuisance involved from this request.
- 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. The use permit 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 the use permit subject to conditions

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.
6. The addition is located on the side of the existing home.
7. The perimeter wall has existed since 1983, and is located in the side yard of the residence.

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. The new addition shall be compatible with the existing residence in color, form and material.

HISTORY & FACTS:

April 1983 Building Permits issued for a new single family home.

DESCRIPTION:

Owner – John & Jennie Doering
Applicant – John & Jennie Doering
Existing Zoning – R1-10, Single Family Residential District
Lot Area – 18,801 S.F./ .43 acres
Existing Residence S.F. – 2,638 S.F.
New Addition S.F. – 564 S.F.
Required front side yard setback – 30'
Proposed front yard setback – 24'
Maximum Lot Coverage – 45%
Proposed Lot Coverage – 22.6 %

ZONING AND DEVELOPMENT CODE REFERENCE:

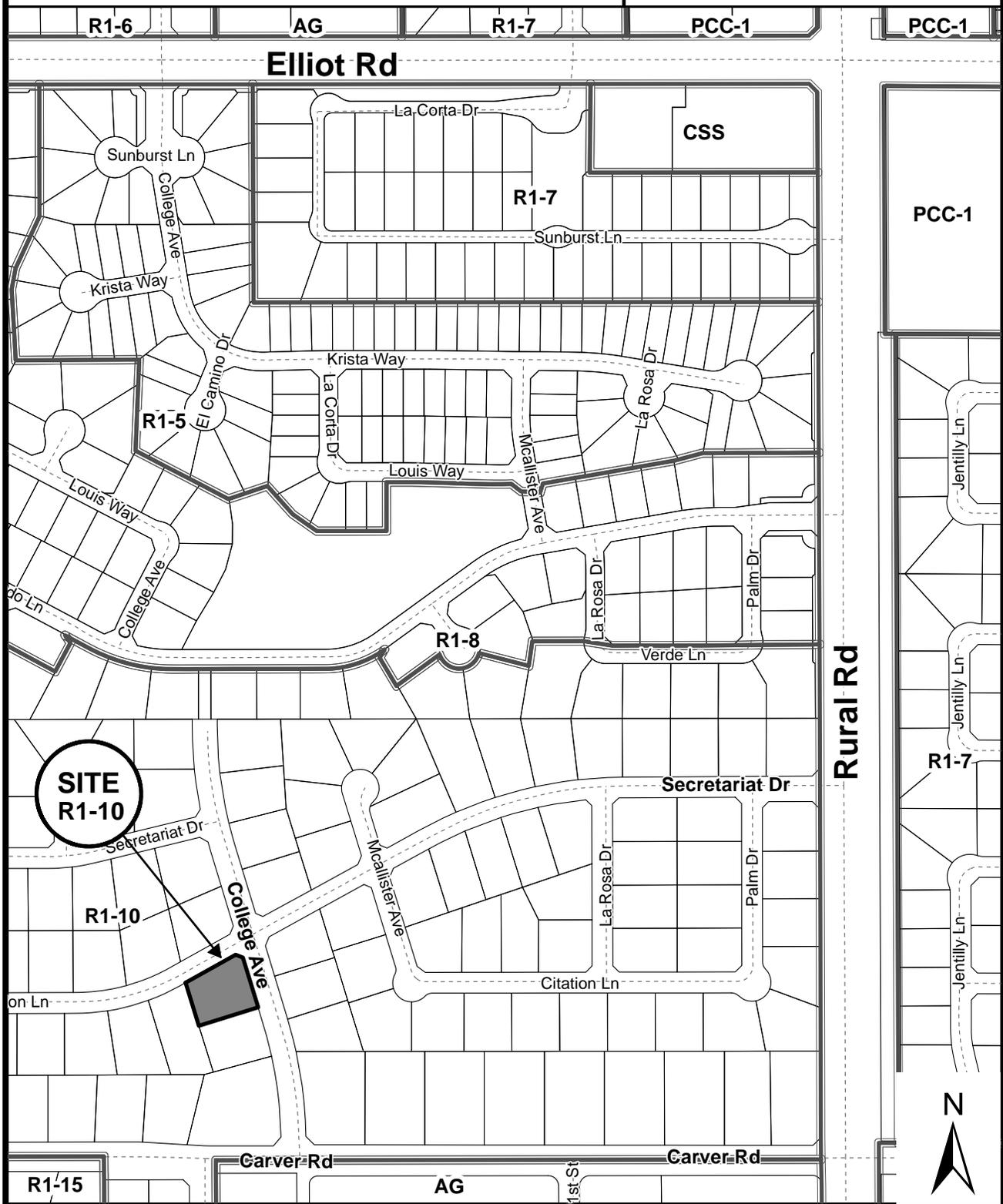
Part 4, Chapter 2, Section 4-202, Table 4-202A – Development Standards

Part 4, Chapter 7, Section 4-706 (A) – General Fence and Wall Height Standards

Part 6, Chapter 3, Section 6-308 – Use permits

DOERING RESIDENCE

PL080421



Location Map



DOERING RESIDENCE (PL080421)

Doering Family
8102 S. College Ave.
Tempe, AZ 85284
(480) 753-5924
jenspraydoe@cox.net

City of Tempe
Development Services
31 E. Fifth St.
Tempe, AZ 85280-5002

Dear City of Tempe Development Services:

Here is the Letter of Explanation regarding our request for a Use Permit.

We are requesting a Use Permit to build a guest bedroom and bathroom on the east side of our house. It will definitely match the existing home and increase the value of our home and the appearance of our neighborhood. The area was used for RV parking by the previous owners and was never particularly developed nor landscaped, so this should be a lovely upgrade.

The Use Permit is needed because our lot is one of a few in the neighborhood which, when built (way before we owned it), had its front door designated the side of the house and the side (with ugly gravel and RV parking area) designated the front. As you can see from the plans, the area designated the 'side' is actually the landscaped front yard, very visible from the streets.

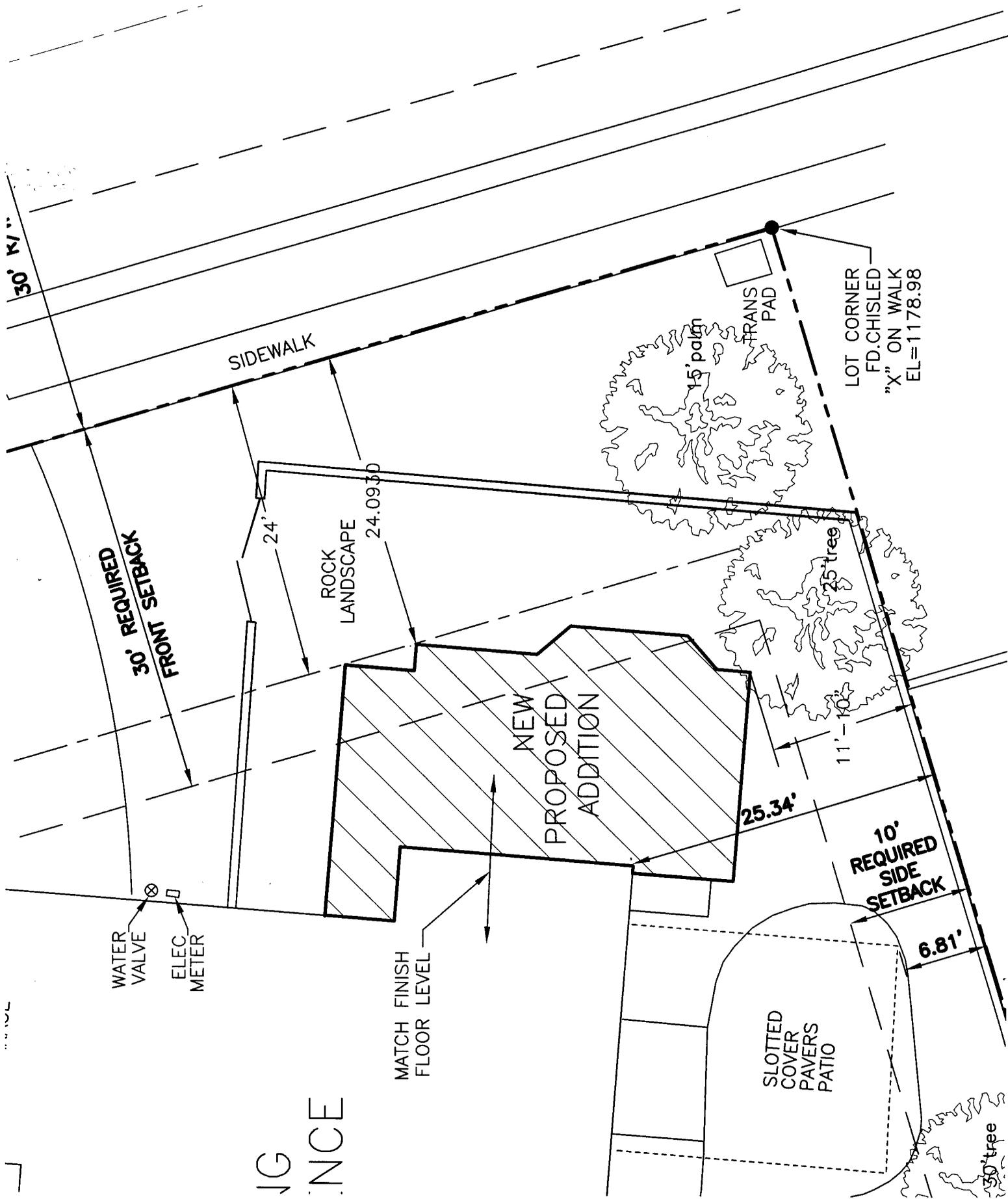
The area where we'd like to build is behind our wall, still removed from the street, and not in any way infringing on the walkways. In fact, we hope to increase the shade in the area when the building is complete.

Since we will be using the space as a bedroom, primarily for guests (visiting Grandmas, especially), it will definitely:

- a. **not** cause any significant vehicular or pedestrian traffic in adjacent areas;
- b. **not** cause any nuisance exceeding that of ambient conditions (as stated, it should improve ambient conditions when completed);
- c. not only **not** contribute to the deterioration of the neighborhood but should **increase** the look of the neighborhood along College and the value of our home by increasing the square footage with attractive, quality construction;
- d. include coordinating tile features and matching-style windows to be completely compatible with existing surrounding structures; and
- e. in no way result in any disruptive or nuisance behaviors to the surrounding area or general public (unless you've met my Grandma, but that's not really an issue for the Use Permit. . .).

If you have any questions, please don't hesitate to contact us at any of the above addresses. Thank you very much for your time.

John and Jennifer Doering



30' REQUIRED
FRONT SETBACK

SIDEWALK

ROCK
LANDSCAPE
24.09

NEW
PROPOSED
ADDITION

TRANS
PAD

15' palm

25' tree

LOT CORNER
FD. CHISLED
"X" ON WALK
EL=1178.98

WATER
VALVE
ELEC
METER

MATCH FINISH
FLOOR LEVEL

25.34'

10'
REQUIRED
SIDE
SETBACK

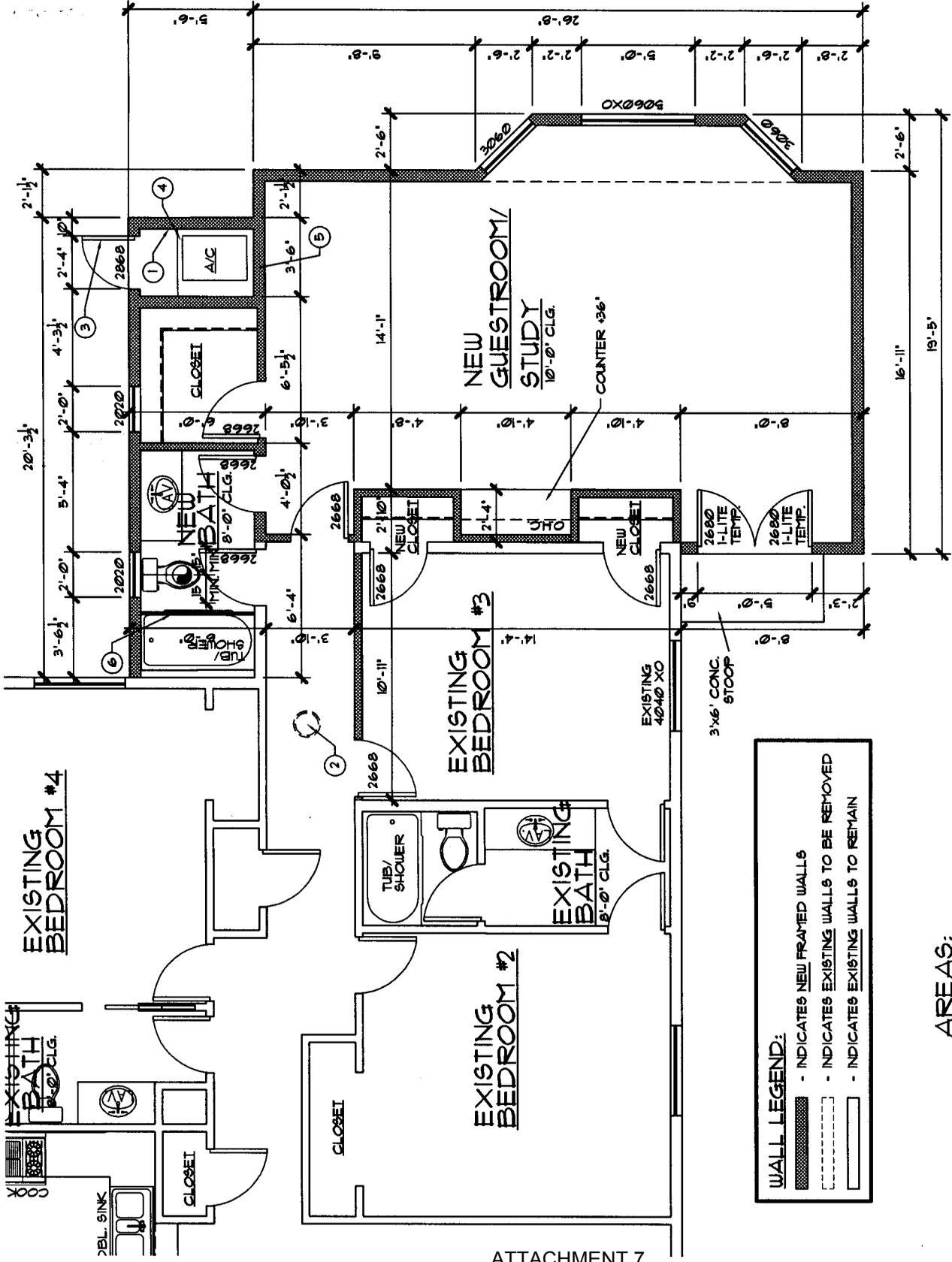
11'-10"

6.81'

SLOTTED
COVER
PAVERS
PATIO

30' tree

ING
INCE



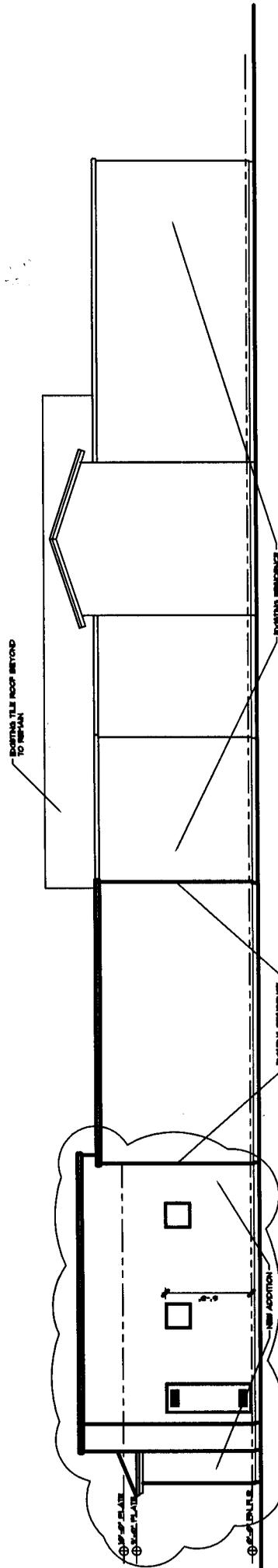
WALL LEGEND:

- INDICATES NEW FRAMED WALLS
- INDICATES EXISTING WALLS TO BE REMOVED
- INDICATES EXISTING WALLS TO REMAIN

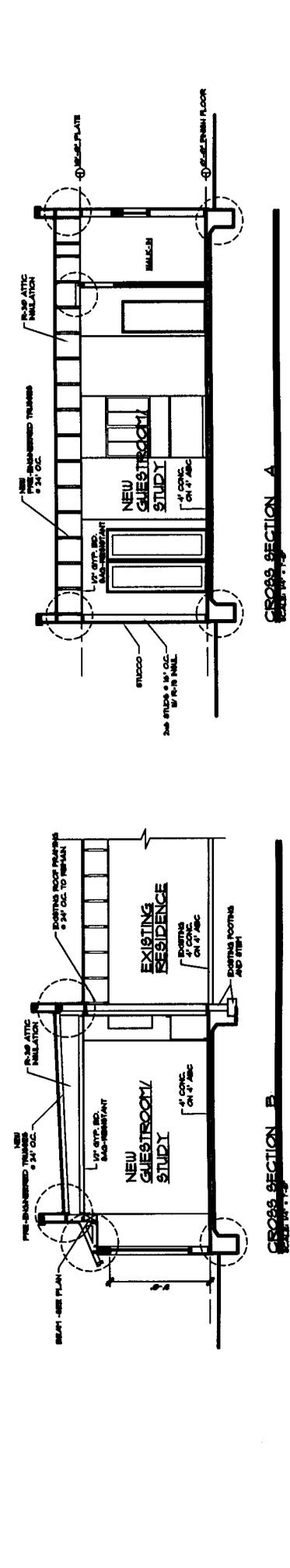
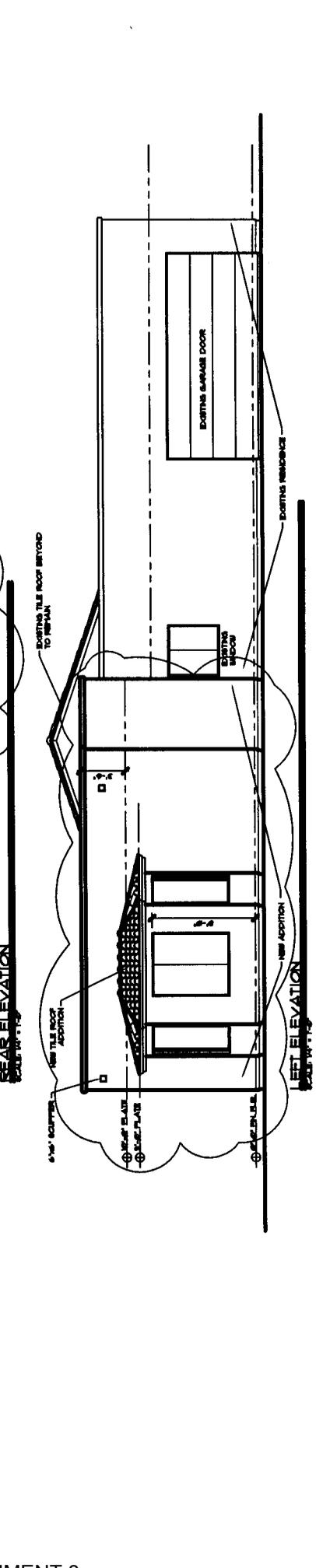
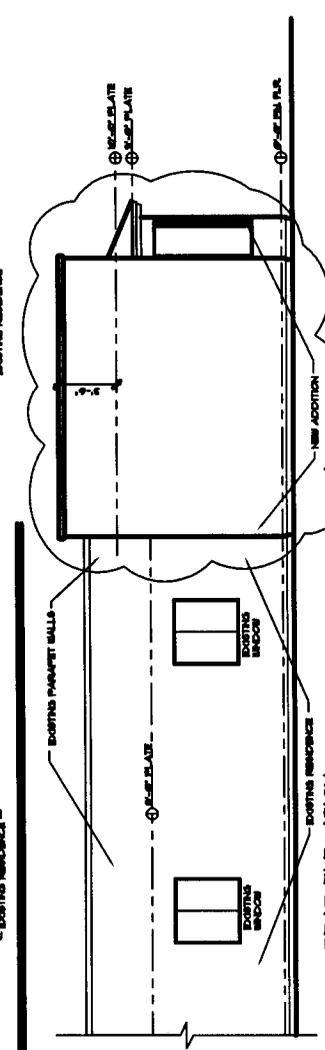
AREAS:

EXISTING LIVABLE ADDITION:	2638 SQ. FT.	EXISTING TOTAL UNDER ROOF:	3664 SQ. FT.
NEW LIVABLE ADDITION:	564 SQ. FT.	NEW TOTAL UNDER ROOF:	4248 SQ. FT.
NEW TOTAL LIVABLE:	3202 SQ. FT.	LOT:	19193 SQ. FT.
NEW MECH. STORAGE:	20 SQ. FT.	LOT COVERAGE:	22.6%
REMODELED EXISTING:	44 SQ. FT.		

NEW FLOOR PLAN
SCALE: 1/4" = 1'-0"



CONCRETE ROOF TILE.
 3/4\"/>





DOERING RESIDENCE

8102 S. COLLEGE AVE

PL080421

FRONT OF RESIDENCE



DOERING RESIDENCE

8102 S. COLLEGE AVE

PL080421

**SIDE OF RESIDENCE, LOCATION OF
NEW ADDITION**