

Staff Summary Report



Hearing Officer Hearing Date: April 1, 2008

Agenda Item Number: 7

SUBJECT: This is a public hearing for a request by the **EVENSON RESIDENCE (PL080079)** located at 421 East Sunburst Lane for three (3) use permits.

DOCUMENT NAME: 20080401dsng01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **EVENSON RESIDENCE (PL080079)** (AI Evenson, applicant/property owner) located at 421 East Sunburst Lane in the R1-7, Single Family Residential District for:

ZUP08034 Use permit standard to reduce the rear yard setback by twenty percent (20%) from fifteen (15) feet to twelve (12) feet.

ZUP08035 Use permit standard to reduce the east side yard setback by twenty percent (20%) from seven (7) feet to five (5) feet six (6) inches.

ZUP08040 Use permit standard to reduce the east side yard setback by twenty percent (20%) from seven (7) feet to five (5) feet six (6) inches.

PREPARED BY: Nick Graves, Planning Intern (480-350-8690)

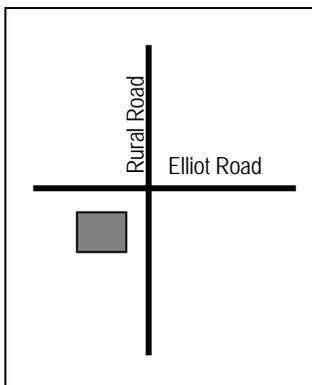
REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to Conditions 1-3

ADDITIONAL INFO: The Evenson Residence located at 421 East Sunburst Lane is requesting three (3) use permits to reduce the rear, east, and west side yard setbacks by twenty percent (20%); from fifteen (15) feet to twelve (12) feet for the rear yard and from seven (7) feet to five (5) feet six (6) inches for the east and west side yards. The reduced setbacks are being requested so the property owner can add a casita, a workshop, and a loggia, all attached to the main residence. The new additions would meet the proposed reduced setbacks on each side of the property. To date, staff has received two letters of opposition on this case. Staff recommends approval of this request subject to conditions of approval.



PAGES:

1. List of Attachments
2. Comments; Reason(s) for Approval; Conditions of Approval
3. History & Facts/Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site Plan
5. Floor Plan & Elevations w/ Additions
6. Casita Floor Plan & Elevations
7. Workshop & Loggia Floor Plan and Elevations
8. Applicant Photos 1 – Front/Street Views
9. Applicant Photos 2 – Workshop Location
10. Applicant Photos 3 – Courtyard/Loggia
- 11-12. Staff Photographs
- 13-14. Letters of Opposition

COMMENTS:

The Evenson Residence located in the Elliot Estates neighborhood is proposing to construct some additions to their home including a casita, a workshop, and a loggia. The proposed new 533 sf. casita will be attached to the front of the main residence on the east side and will meet the new requested reduced east side yard setback of five (5) feet six (6) inches. The proposed 329 sf. workshop will be attached to the rear of the house on the west side and will meet the new requested reduced rear yard setback of twelve (12) feet as well as the requested reduced west side yard setback of five (5) feet six (6) inches. The proposed new 105 sf. loggia will be attached to the east side of the house, just south of the courtyard. The design of the additions will match the existing residence in color, form, and material. To date, staff has received two letters of opposition on this case reflecting the concern of making the homes look too crowded due to the proposed reduced setbacks.

Use Permit(s)

The Zoning and Development Code requires a use permit for a deviation from the required rear yard setback of 15'-0", not to exceed 20% or 12'-0" in the R1-7, Single-Family Residential District. A use permit is also required for a deviation from the required side yard setbacks of 7'-0", not to exceed 20% or 5'-6" in the R1-7, Single-Family Residential District. These use permit requests meet 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.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - No potential nuisances.
- c. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with the surrounding uses.

Conclusion

Staff recommends approval of the use permit(s).

REASON(S) FOR APPROVAL:

- 1. The use appears to be compatible with the building, site, and adjacent property.

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 use permit approval is valid from the plans as submitted to and approved by the Hearing Officer.
- 3. The building additions shall match the existing residence in design, color and materials.

HISTORY & FACTS:

December 28, 2005 Final inspection for a single family home.

DESCRIPTION:

Owner – Al Evenson
Applicant – Al Evenson
Existing Zoning – R1-7, Single Family Residential District
Required Rear yard setback – 15'
Proposed Rear yard setback – 12'
Required Side yard setbacks – 7'
Proposed Side yard setbacks– 5'-6"
Lot Size – 12,570 sf./0.29 acres
Existing Residence building area – 4,408 s.f.
Proposed building area – 967 s.f.
Total building area (Proposed & Existing) – 5,375 sf.
Lot coverage allowed – 45%
Lot Coverage proposed – 43%

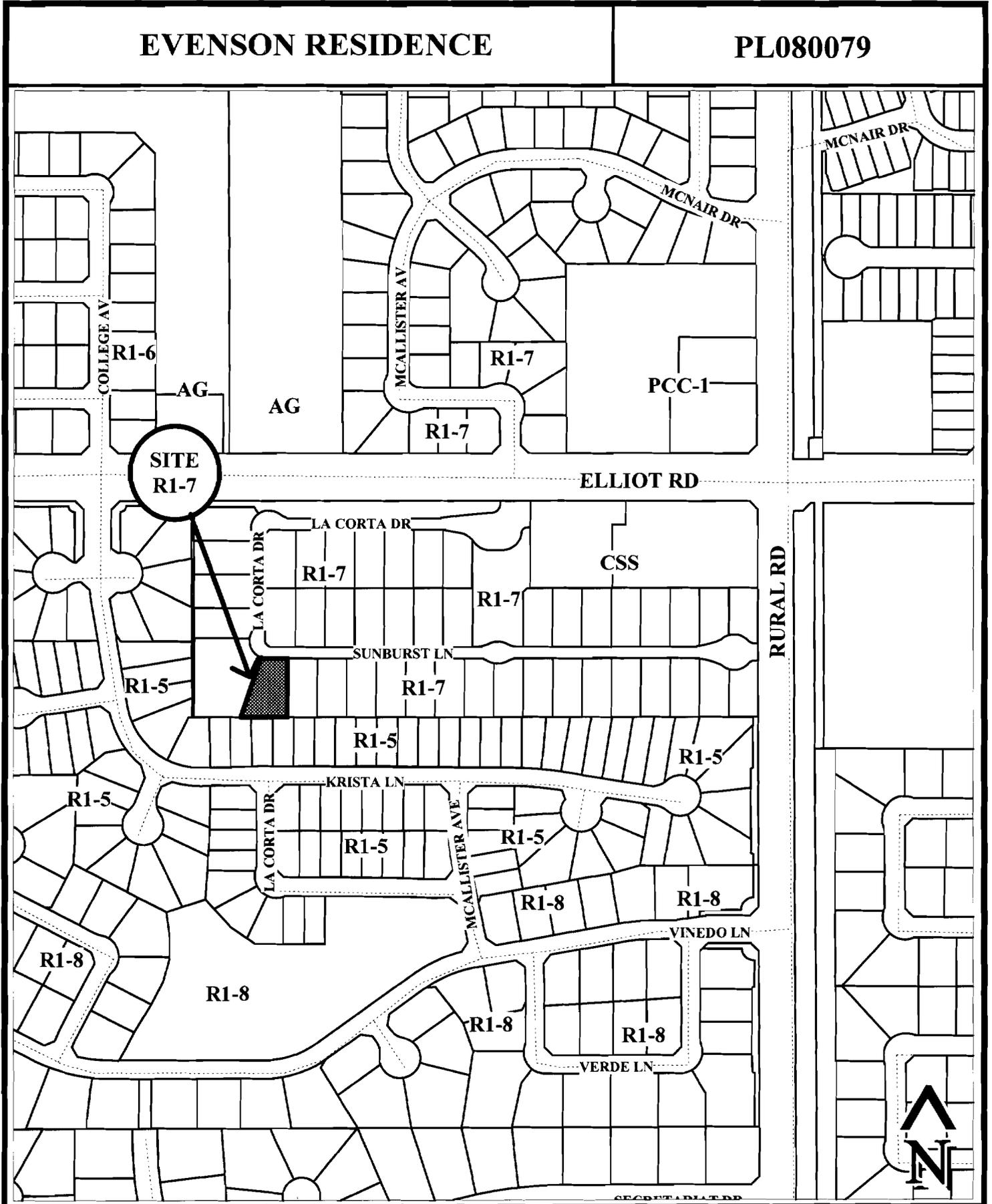
**ZONING AND
DEVELOPMENT**

CODE REFERENCE:

Part 4, Section 4-202 – Development Standards for Residential Districts
Part 6, Section 6-308 – Use Permits

EVENSON RESIDENCE

PL080079





EVENSON RESIDENCE (PL080079)

March 6, 2008

DEVELOPMENT SERVICES DEPARTMENT
City of Tempe
31 E. 5th St., Garden Level, Tempe, AZ 85281

ATTN: Nick Graves

RE: **LETTER OF EXPLANATION**
Application for Use Permits
Lot #6, Elliott Estates "Toscana"
421 E. Sunburst Lane
Tempe, AZ 85284

We are requesting approval of Use Permits to allow the reduction of existing side yard and rear yard setbacks in connection with the proposed construction of additions to our residence at 421 E. Sunburst Lane, including a Casita, a Workshop, and a Loggia.

The setback reductions requested are: Side Yard: to 5'-6" from the existing 7', and Rear Yard: to 12' from the existing 15'.

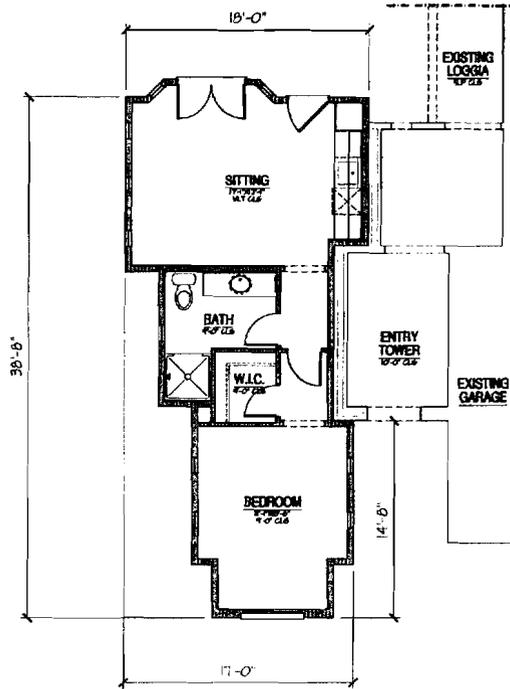
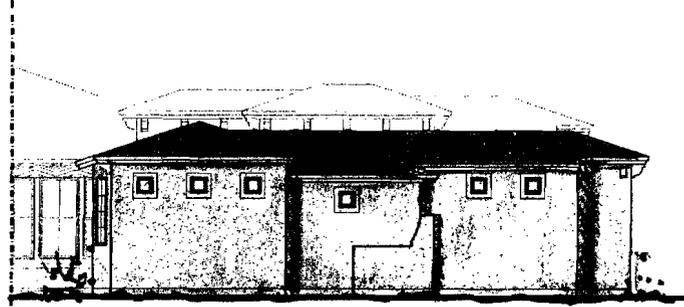
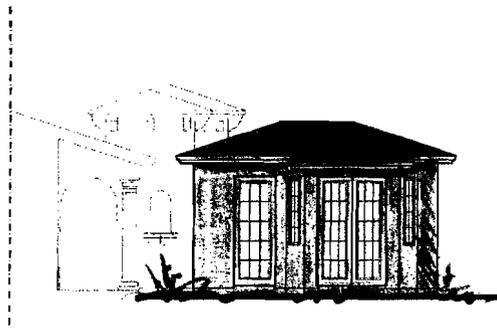
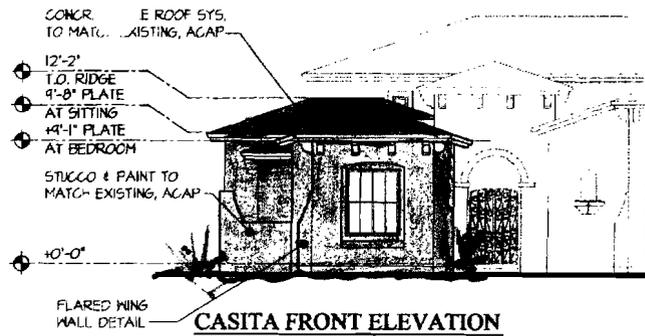
Due to being located on a "wedge-shaped" lot at a corner intersection, our house is sited at an angle to the property lines and the street. The resultant areas available between our house and the existing setbacks are too limited for construction of additions with properly sized rooms and work/storage areas. The requested setback reductions will correct that deficiency.

Please note that due to the angular orientation of our home, only certain corners of the proposed additions will be 5'-6" or 12' from the property lines. Also please note the orientation provides opportunities for the very articulated elevations we have designed. The result is there will be no long, blank walls located on the requested setbacks.

Please contact us with any questions or if additional information is required.

Thank you.

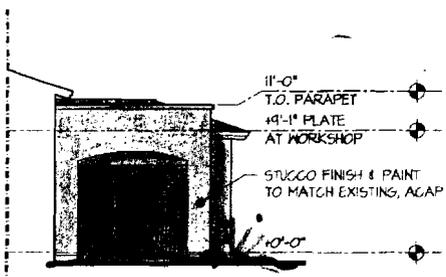
Al Evenson
421 East Sunburst Lane
Tempe, AZ 85284



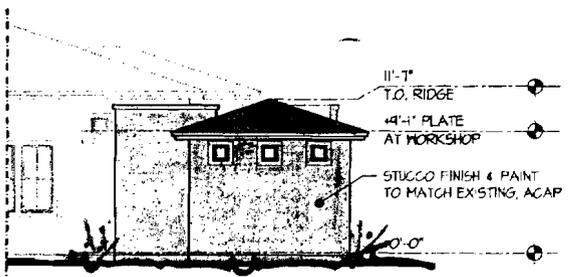
CASITA FLOOR PLAN

**SCHEMATIC DESIGN PROGRESS SET
NOT FOR CONSTRUCTION 02.26.08**

**EVENSON RESIDENCE
TEMPE, ARIZONA**



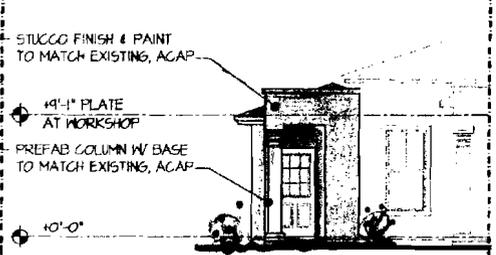
WORKSHOP FRONT ELEVATION



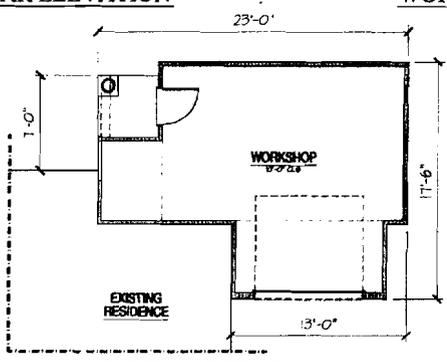
WORKSHOP RIGHT ELEVATION



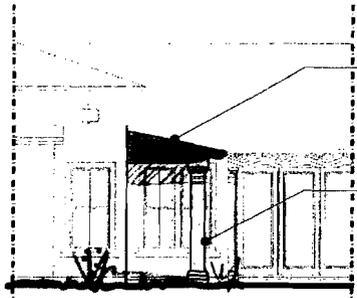
WORKSHOP REAR ELEVATION



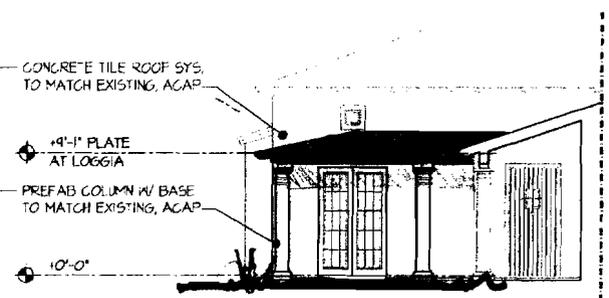
WORKSHOP LEFT ELEVATION



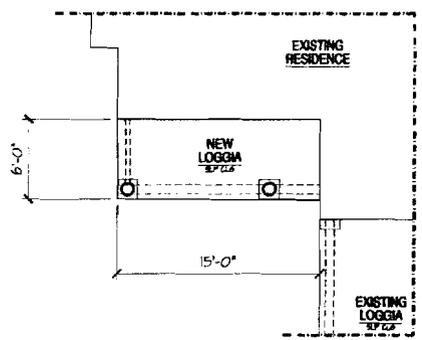
WORKSHOP FLOOR PLAN



LOGGIA LEFT ELEVATION



LOGGIA COURTYARD ELEVATION



LOGGIA FLOOR PLAN

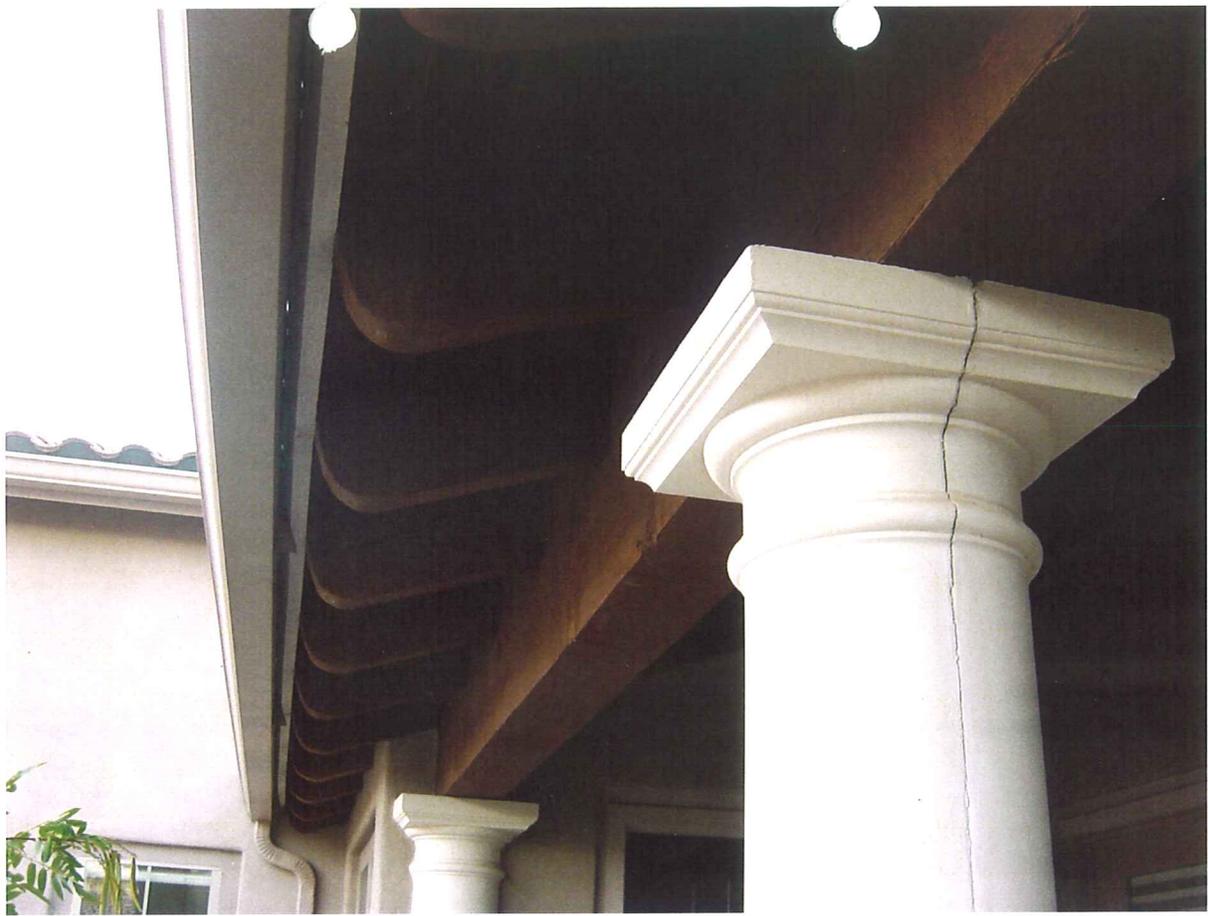
SCHEMATIC DESIGN PROGRESS SET
NOT FOR CONSTRUCTION 02.26.08

EVENSON RESIDENCE
TEMPE, ARIZONA



Workshop Location

ATTACHMENT 8



Courtyard/Loggia

ATTACHMENT 9



Front/Street Views

ATTACHMENT 10



EVENSON RESIDENCE

421 E SUNBURST LANE

PL080079

FRONT OF RESIDENCE



EVENSON RESIDENCE

421 E SUNBURST LANE

PL080079

FRONT OF RESIDENCE

RECEIVED

08 MAR 25 PM 12:30

TEMPE DEVELOPMENT
SERVICES DEPARTMENT

March 22, 2008

Hearing Officer
PO Box 5002
Tempe, AZ 85280-5002

Dear Sirs

Regarding the request by the EVENSON RESIDENCE (PL080079). 421 E Sunburst Lane

We strongly object to ZUP08034, to reduce the rear yard setback by twenty percent from fifteen feet to twelve feet.

We were promised in our original meeting with Elliott Homes and the City that the houses that back up to our yard would be no closer than fifteen feet to our back wall and we expect our City to honor that commitment as well by making no exceptions. Granting this exception would set a precedent that would negatively affect our property value and quality of life.

We have been citizens of Tempe for 34 years plan to remain in this home for the rest of our lives, so this is very important to us.

Thank you



Gerald R Powers
Jean Anne Powers
562 E Krista Way
Tempe, AZ 85284
480-838-1929
jajp@cox.net

Alex & Barbara Erhart
7637 S. La Corta Dr.
Tempe, AZ 85284

RECEIVED
08 MAR 25 PM 12:30
TEMPE DEVELOPMENT
SERVICES DEPARTMENT

March 24, 2008
Re: Evenson Residence (PL 080079)

Tempe Hearing Office:

We received the public hearing notice in the mail. We are unable to attend the hearing but wanted to write to you to present our views on this since we live in the Toscana neighborhood and will be affected by the decision that you make.

We are opposed to the use permits to reduce the setbacks (ZUP08034, ZUP08035, ZUP08040). We are concerned that it will make the homes look too crowded and that it will impair the privacy of the neighboring lots. We believe the setbacks are already pretty tight and do not want to support any changes that do not conform to the setbacks that have been established for the entire neighborhood. The second reason that we oppose the use permits to change the setback is that we are concerned about drainage. We believe that every lot needs to have at least 20' in the rear and 7' on each side to facilitate proper drainage.

Thank you for taking our views into consideration. We appreciate your public service.

Sincerely,



Alex & Barb Erhart