

Staff Summary Report



Hearing Officer Hearing Date: 11/02/11

Agenda Item Number: 7

SUBJECT: This is a public hearing for a request by the **FALDUTO RESIDENCE** located at 218 East Garfield Street for one (1) use permit.

DOCUMENT NAME: 20111102cdsl06 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the **FALDUTO RESIDENCE (PL110358)** (J. M. Kuhstoss/Stardust Construction, applicant; Brad Falduto, property owner) located at 218 East Garfield Street in the R1-6, Single Family Residential District for:

ZUP11094 Use permit to allow required parking in the front yard setback.

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

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

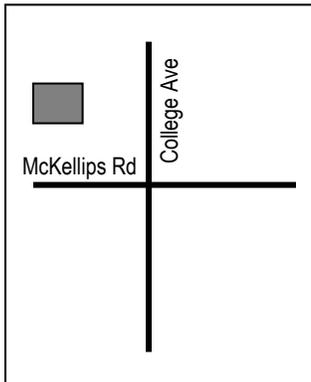
LEGAL REVIEW BY: N/A

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 Falduto Residence is requesting a use permit to allow the required parking in front yard setback. They are enclosing the existing carport into livable space (playroom). They will construct a double car carport over the existing driveway within the allowable open structure setbacks. Staff is in support of this use permit request with the finding that it meets the Zoning and Development Code criteria for approval of a use permit. To date, no public input has been received.

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. Floor plan
6. Elevation

COMMENTS:

The Falduto Residence is seeking a use permit to facilitate a future home improvement. The use permit is to allow the required parking spaces to be located in the front yard setback. They are proposing to construct a double car carport attached to the main residence; within the allowed open structure setbacks. To date, no public input has been received.

Use Permit

The Zoning and Development Code requires, in the R1-6 Single Family Residence District, a use permit for designating the on-site required parking spaces to be located in the front yard setback.

Evaluating the use permits, 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;
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.
- d) Compatibility with existing surrounding structures and uses;
The proposed use appears to be compatible with surrounding uses.
- 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 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

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 carport is to remain an open structure; a conversion to a garage or an enclosure of any side or the addition of storage space or the storage of materials other than vehicles is prohibited.
3. Color scheme of carport to complement the main dwelling color.

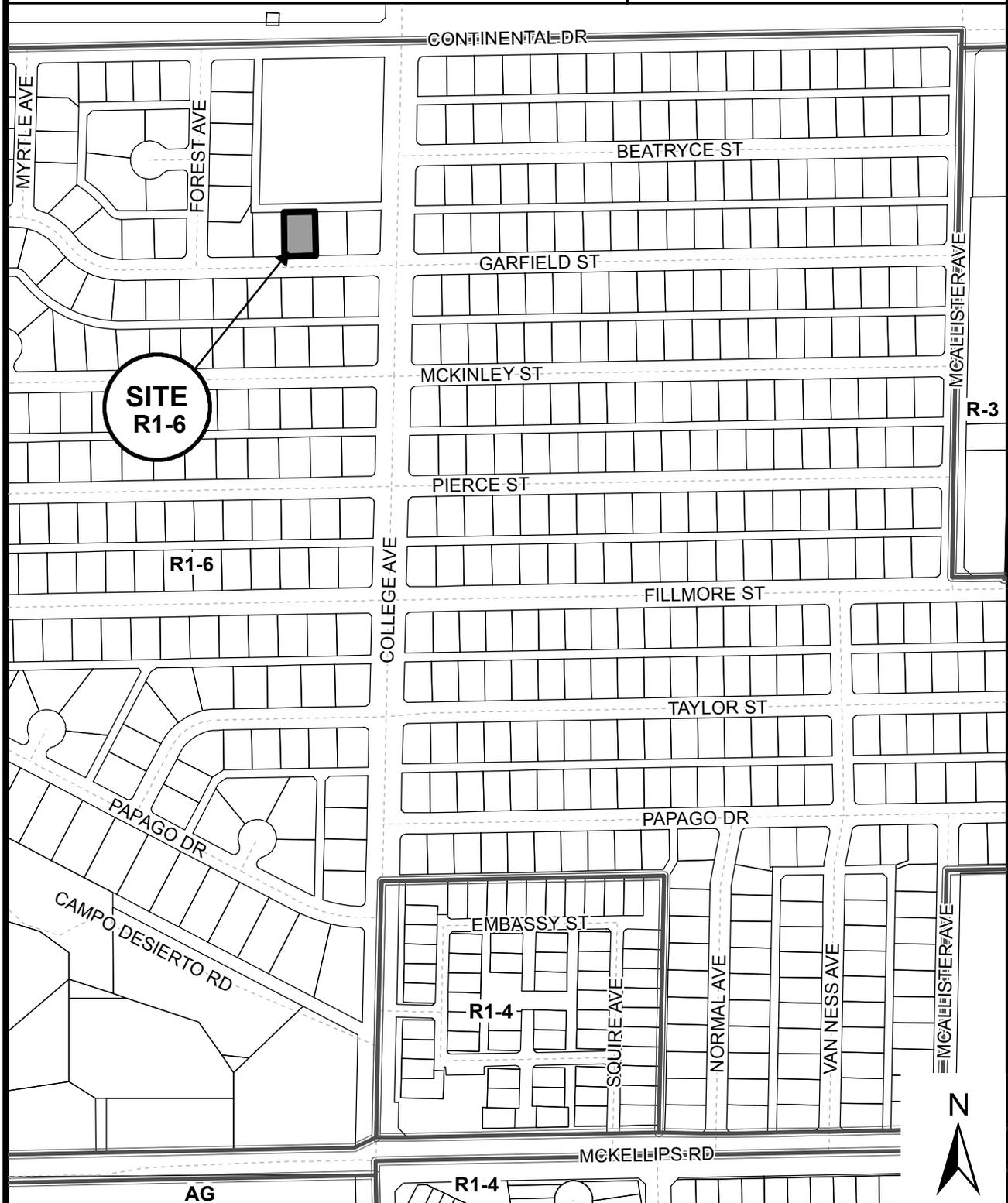
HISTORY & FACTS: None pertinent to this case

DESCRIPTION: Owner – Brad Falduto
Applicant – J. M. Kuhstoss/Stardust Construction
Existing Zoning – R1-6, Single Family Residential District

**ZONING AND
DEVELOPMENT
CODE REFERENCE:** Part 4, Chapter 6, Section 4-602 (C)-Parking
Part 6, Chapter 3, Section 6-308 – Use Permit

FALDUTO RESIDENCE

PL110358



Location Map



FALDUTO RESIDENCE (PL110358)

To: Whom it may concern

**Homeowner is in the process of obtaining a building permit to enclose carport
To livable space (Playroom). The home owner is requesting permission to build A
(19'0" x 20'0") carport cover on over the existing driveway within the allowable Setbacks.
This will allow them to park there (2) cars under roof cover from the elements.**

Thank you

