

# Staff Summary Report



Hearing Officer Hearing Date: January 20, 2009

Agenda Item Number: 6

**SUBJECT:** This is a public hearing for a request by the **FARLING RESIDENCE (PL080473)** located at 2046 South College Avenue for one (1) use permit.

**DOCUMENT NAME:** 20090120dsng01

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by the **FARLING RESIDENCE (PL080473)** (Brian Farling, applicant/property owner) located at 2046 South College Avenue in the R1-6, Single Family Residential District for:

**ZUP08193** Use permit to allow an accessory building (freestanding garage).

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

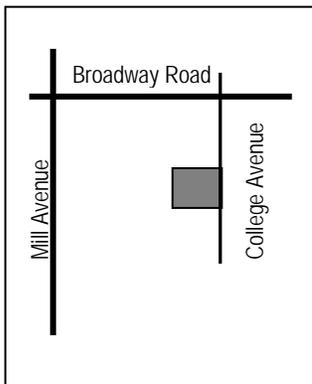
**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval subject to Conditions

**ADDITIONAL INFO:** The applicant is requesting a use permit to allow an accessory building (freestanding garage). This residence is located south of Broadway Road on College Avenue. The freestanding structure will be located at the southwest corner of the lot with a building area of 730 s.f. The applicant is looking to do improvements on the property and wishes to construct a garage off of the alley. Staff supports the use permit request with the finding that the request meets the 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
2. Aerial Photo
3. Letter of Intent
4. Site plan
5. Floor Plan
6. Elevations
- 7-8. Staff Photograph(s)

## COMMENTS:

The Farling Residence is proposing to construct a freestanding garage at the southwest corner of their property. The proposed structure is approximately 730 s.f. in area and ten feet (10') in height. The garage will complement the existing residence in design, color and material. The applicant states in his letter that he intends to demolish the existing carport and a seventy-five (75) s.f. utility shed. The proposed accessory building would be constructed five feet (5') from the west rear yard property line and would be on the south side yard property line. Per the Zoning and Development Code rear and side yard setbacks in the R1-6 zoning district are fifteen feet (15') and five feet (5') respectively; however, if the lot is adjacent to a dedicated public alley, both setbacks may be measured from the midpoint of the alley. The applicant's property is adjacent to a dedicated public alley to the south and to the west, therefore; the setback requirements may be measured from the centerline of the alley, which would place the proposed structure approximately fifteen feet (15') from the centerline for the west rear yard setback and ten feet (10') from the centerline for the south side yard setback. Staff recommends approval of the use permit as the structure meets the conditions set forth in the Zoning and Development Code for accessory buildings. To date, no public input has been received.

## Use Permit

The Zoning and Development Code requires a use permit for an outdoor accessory structure in the Single-Family, R1-6 zoning district. 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. The requested use permit will allow the applicant to manage a persistent dust problem that is a result of alley traffic by creating a structure that can be closed off to the alleys.
- 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.

## Conclusion

Staff recommends approval of the use permit.

## REASONS FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. The use appears to be compatible with the site and adjacent properties.
3. There appears to be a demonstrated need for this accessory building.

**SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.**

**CONDITIONS OF APPROVAL:**

- 1. Obtain all necessary clearances and permits from the Building Safety Division.
- 2. Accessory building (garage) to complement the main residence in color, form and material.
- 3. The new garage shall have address numbers on the west elevation, facing the alley. Address numbers to contrast with garage color.
- 4. The alley shall be maintained in a dust free condition per City Code, Chapter 29-3.

**HISTORY & FACTS:**

1956 Construction of a single family home.

January 21, 2003 BA020345 – The Hearing Officer approved a use permit request to allow a second story addition.

**DESCRIPTION:**

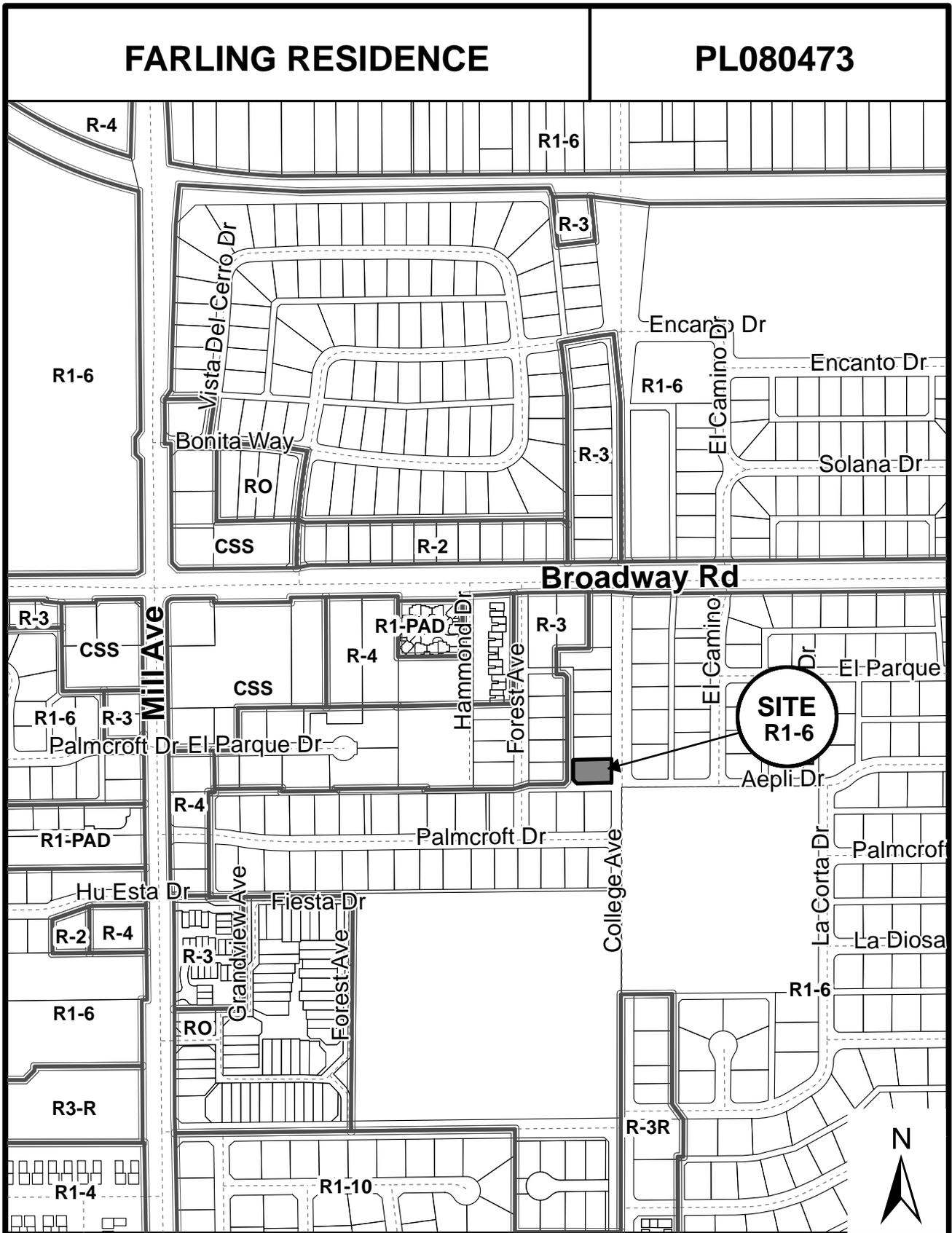
Owner – Brian Farling  
Applicant – Brian Farling  
Existing Zoning – R1-6, Single Family Residential District  
Lot Size – 9,023 s.f. / .21 acres  
Existing Residence Area – 2,400 s.f.  
New Accessory Building Area – 730 s.f.  
Existing Lot Coverage – 27%  
Proposed Lot Coverage – 35%

**ZONING AND DEVELOPMENT**

**CODE REFERENCE:** Part 3, Chapter 1, Section 3-102 – Permitted Uses in Residential Districts  
Part 3, Chapter 4, Section 3-401 – Accessory Buildings, Uses and Structures  
Part 6, Chapter 3, Section 6-308 – Use Permit

**FARLING RESIDENCE**

**PL080473**



**Location Map**



College Ave

**FARLING RESIDENCE (PL080473)**

**Brian & Melissa Farling**

2046 S. College Ave. Tempe, AZ 85282 p. 480.829.1828 c. 480.231.1385 email brian@jonesstudioinc.com

**12.24.08**

**Hearing Officer/ Board of Adjustment**  
City of Tempe

We plan to demolish our existing carport and 75 sq.ft. utility shed on the south edge of our property. In its general location, but tight to the south property line, we would like to replace the existing carport with a new one that has a 2 operable overhead doors. The new structure would be secure to both alleys (south and west) and open to our property.

Our rationale for this proposed modification is 2-fold. First, by creating a structure that we can close off to the alleys, we are attempting to manage a persistent dust problem that is a result of alley traffic. The open carport as configured, actually collects dust as vehicles drive past. Second, by moving the new carport to the edge of the property, we will be better utilizing our small lot. We will have the ability to add a couple trees and connect our side yard to our back yard.

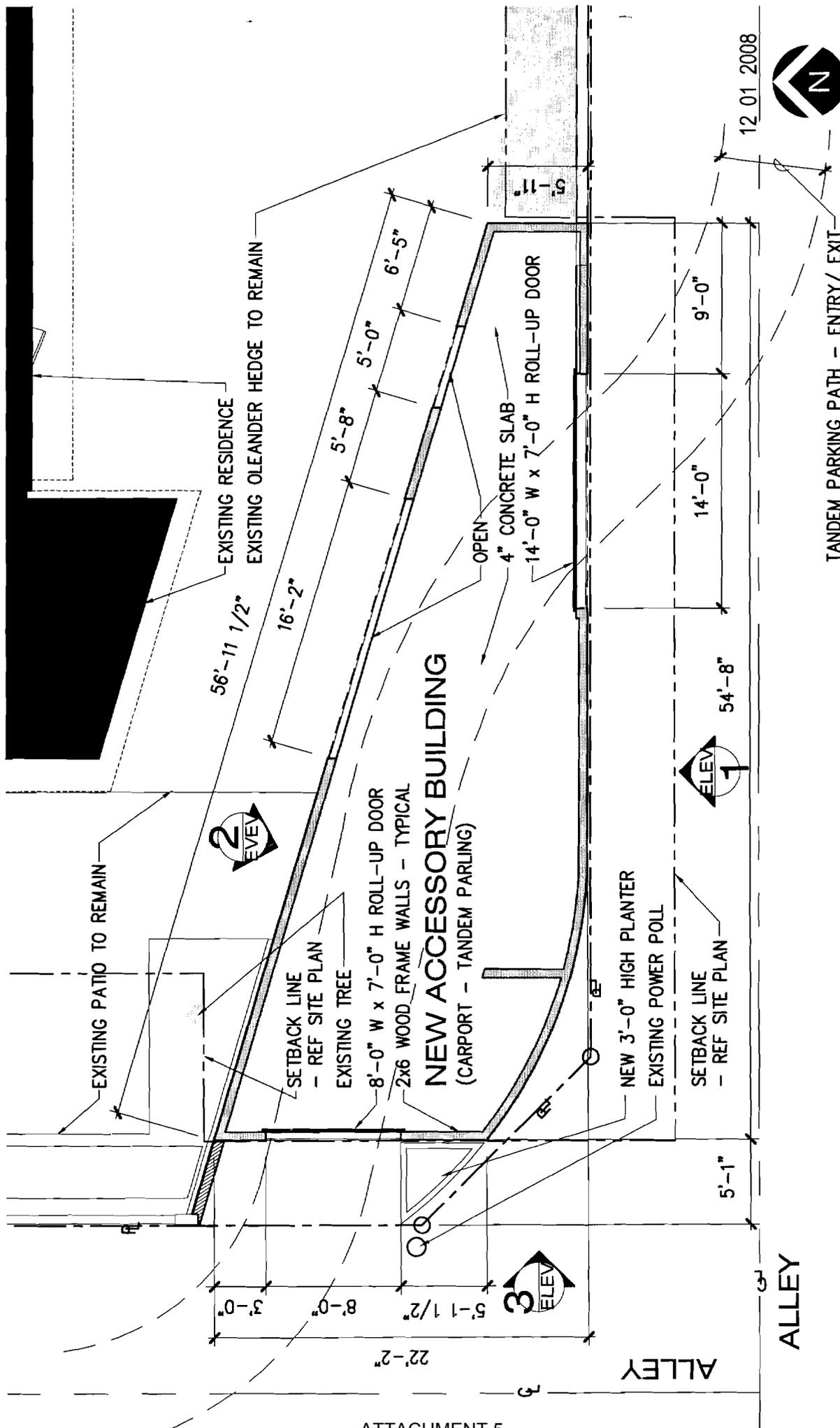
This small addition will not alter vehicular or pedestrian traffic in the area. It will not cause any nuisance. It will contribute to the overall quality and value of the neighborhood. It will be compatible with existing surrounding structures. And, it will not result in any disruptive behavior which may create a nuisance to the surrounding area.

We are interested in contributing to and upgrading our home and our neighborhood. Due to a relatively small property, we feel reconfiguring our carport closer to the alley is an upgrade and a positive contribution to the neighborhood. Furthermore, the new carport is in the back half of the property - away from College avenue, so the overall scale of the street frontage will not be affected.

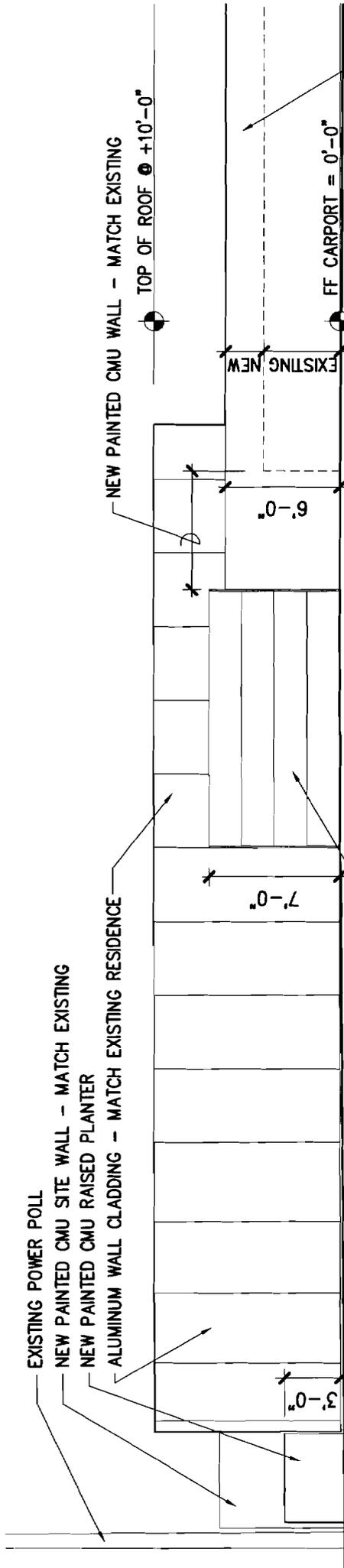
Sincerely,

A handwritten signature in black ink, appearing to read 'Brian & Melissa Farling', written in a cursive style.

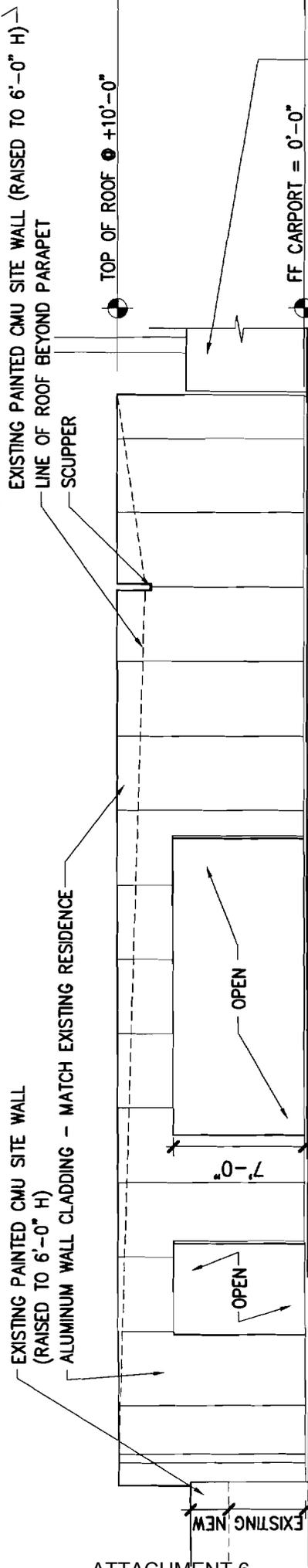




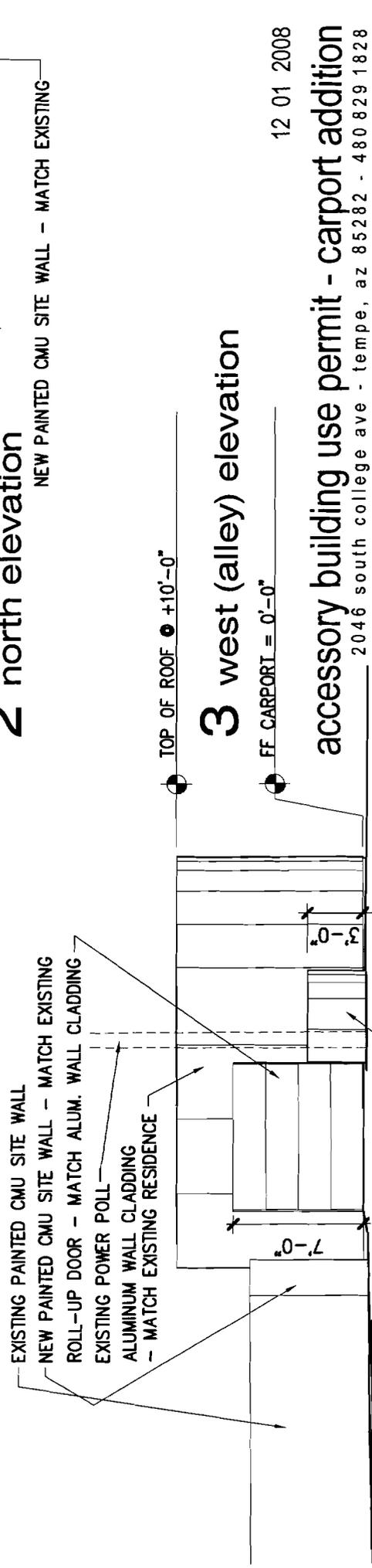
accessory building use permit - carport addition  
 2046 south college ave - tempe, az 85282 - 480 829 1828  
**floor plan**  
 1" = 8'-0"



# 1 south (alley) elevation



# 2 north elevation



# 3 west (alley) elevation

12 01 2008

accessory building use permit - carport addition  
2046 south college ave - tempe, az 85282 - 480 829 1828

elevations  
1" = 8'-0"



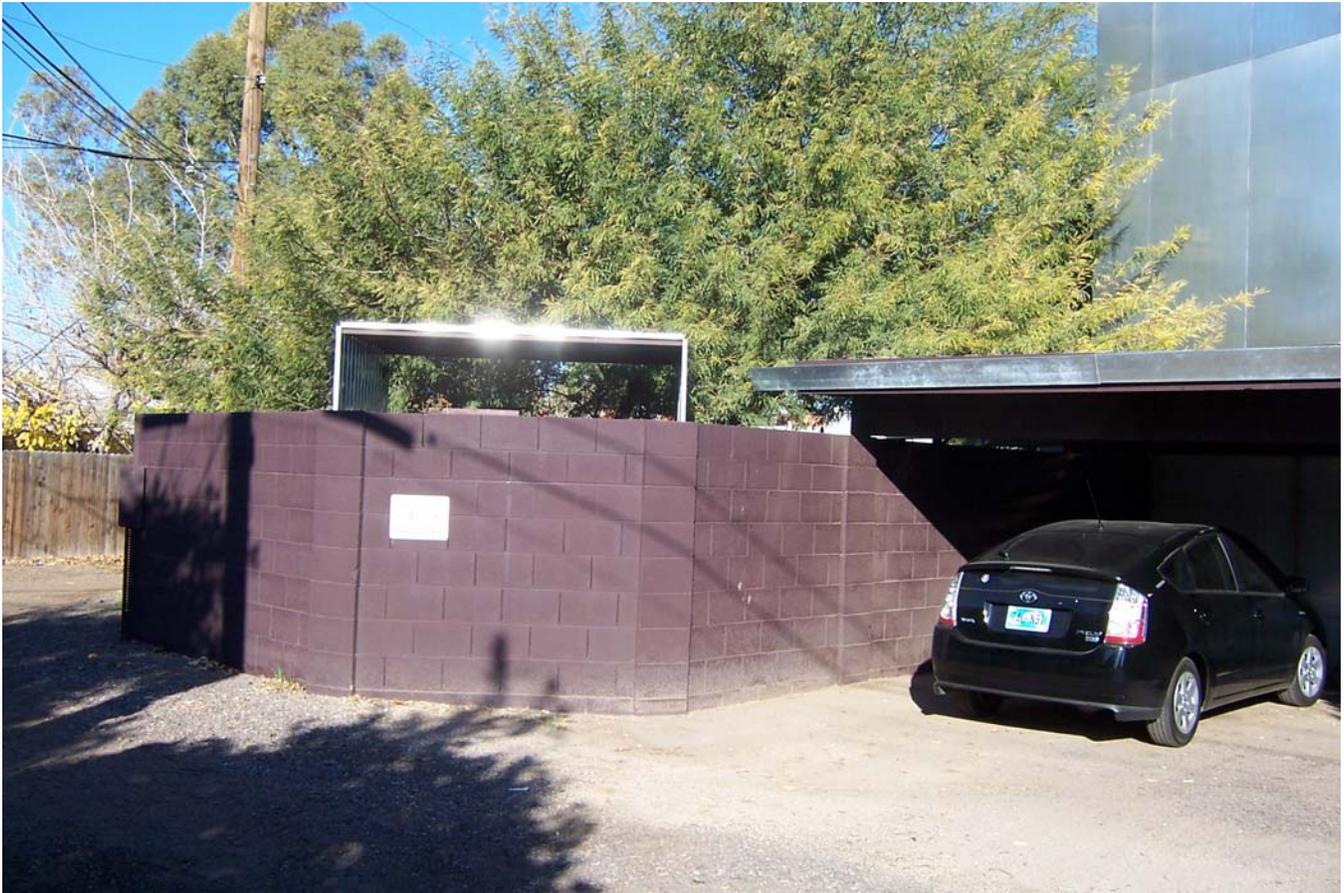
# **FARLING RESIDENCE**

**2046 SOUTH COLLEGE AVENUE**

**PL080473**

**FRONT OF RESIDENCE**





# **FARLING RESIDENCE**

**2046 SOUTH COLLEGE AVENUE**

**PL080473**

**SIDE OF RESIDENCE – LOCATION OF  
PROPOSED ACCESSORY BUILDING**

