Staff Summary Report

Hearing Officer Hearing Date: October 20, 2009 Agenda Item Number: 3

SUBJECT: This is a public hearing for a request by the FLORES RESIDENCE (PL090345) located at 614 East Westchester Drive for one (1) use permit.

DOCUMENT NAME: 20091020dsdp01 PLANNED DEVELOPMENT (0406)

COMMENTS: Request by the FLORES RESIDENCE (PL090345) (Kerry McNeil/KLM Builders Inc., applicant; Fred Flores, property owner) located at 614 East Westchester Drive in the R1-6, Single Family Residential District for:

ZUP09131 Use permit standard to reduce the front yard setback for an open structure (carport addition) by twenty percent (20%) from fifteen feet (15') to twelve feet (12').

PREPARED BY: Derek Partridge, Planner I (480-350-8867)

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

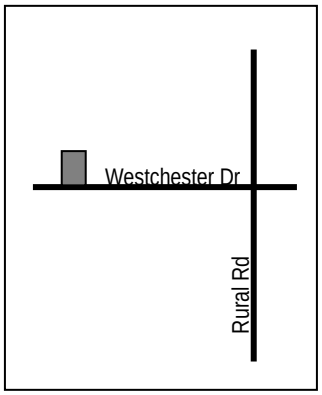
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO: The applicant is requesting a use permit standard to reduce the front yard setback for purposes of an open structure to be used as a carport. The applicant has provided detailed plans and elevations for the proposed addition. The proposed addition will match the design and construction of the existing residence. To date, no public input has been received on this request.



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. Site plan
4. Floor plan
5. Elevations
6. Staff Photograph(s)

COMMENTS:

The Flores Residence is requesting a use permit standard (20%) to reduce the front yard setback for an open structure from fifteen (15') feet to twelve (12') feet. The proposed carport structure is intended to park two (2) vehicles and would extend twenty (20') feet from the existing front of the home. The home was originally built in 1974, at which time the carport was converted to living space. The applicant has provided detailed plans and elevations for the proposed addition. The proposed addition will match the design and construction of the existing residence. To date, no public input has been received on this request.

Use Permits

The Zoning and Development Code requires a use permit for any setback reduction less than 20%. This use permit request meets all applicable tests in the following manner:

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 proposed carport will not cause nuisance.

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. 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.

d. Compatibility with existing surrounding structures and uses;
   - The proposed use appears to be compatible with surrounding uses; several other properties in this neighborhood also have carports. The homes on the south side of Westchester generally have garages; the homes on the north side of Westchester have carports.

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 request.

Conclusion

Staff recommends approval of the request subject to conditions

REASON(S) FOR APPROVAL:

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

2. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.

3. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.

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

CONDITION(S) OF APPROVAL:

1. The use permit is valid for the plans as submitted to and approved by the Hearing Officer.
2. All required permits and clearances shall be obtained from the Building Safety Division.
3. The construction and materials shall match the existing single family home.

HISTORY & FACTS:

1974	Construction of a single family residence.

DESCRIPTION:

Owner – Fred Flores
Applicant – Kerry McNeil/KLM Builders Inc.
Existing Zoning – R1-6, Single Family Residential District
Lot Coverage Proposed/Allowed – 39%/45%

ZONING AND DEVELOPMENT CODE REFERENCE:

Part 4, Chapter 2, Section 4-201 – Purpose and Applicability
Part 4, Chapter 2, Section 4-202 – Development Standards for Residential Districts
Part 6, Chapter 3, Section 6-308 – Use Permit

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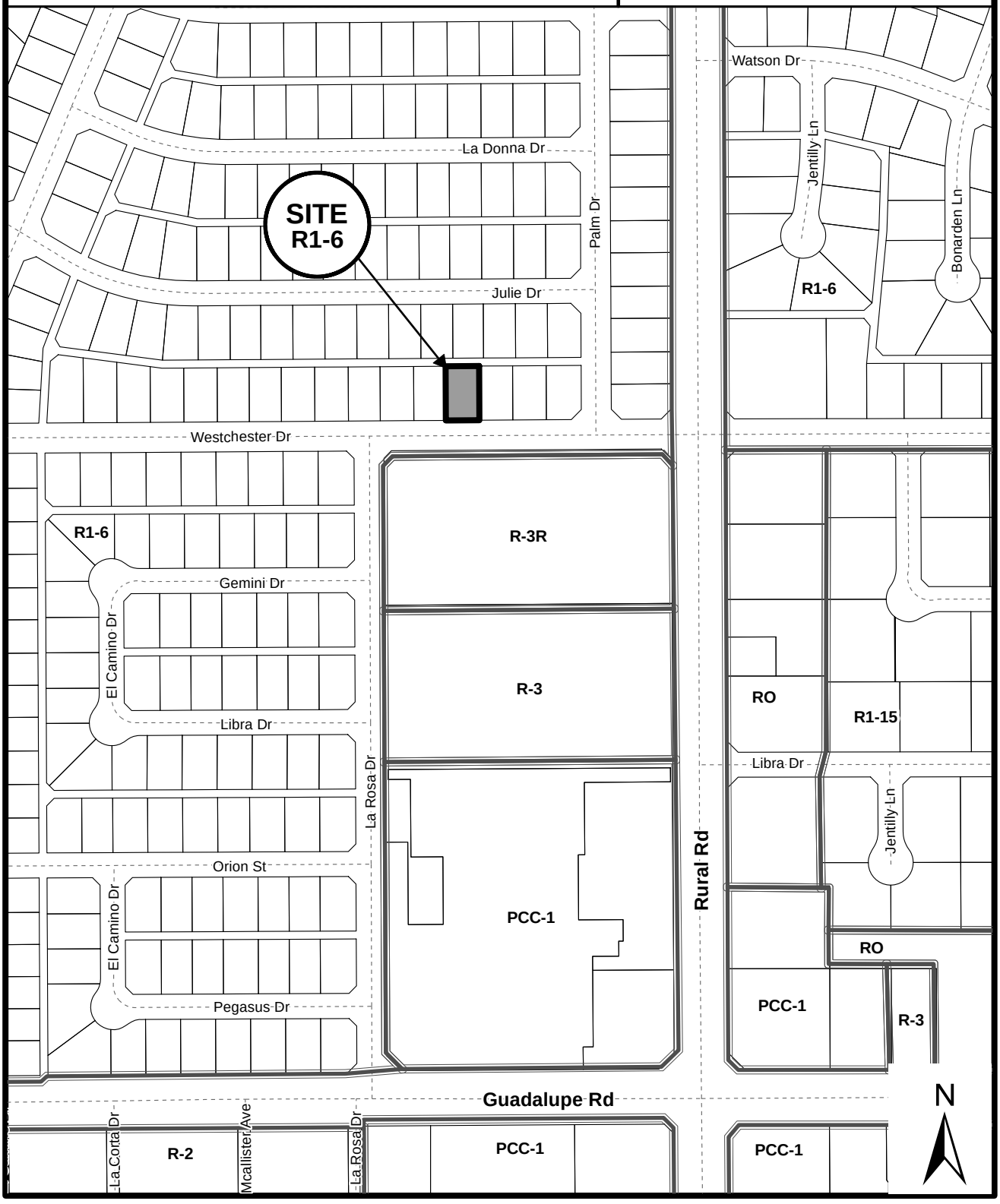
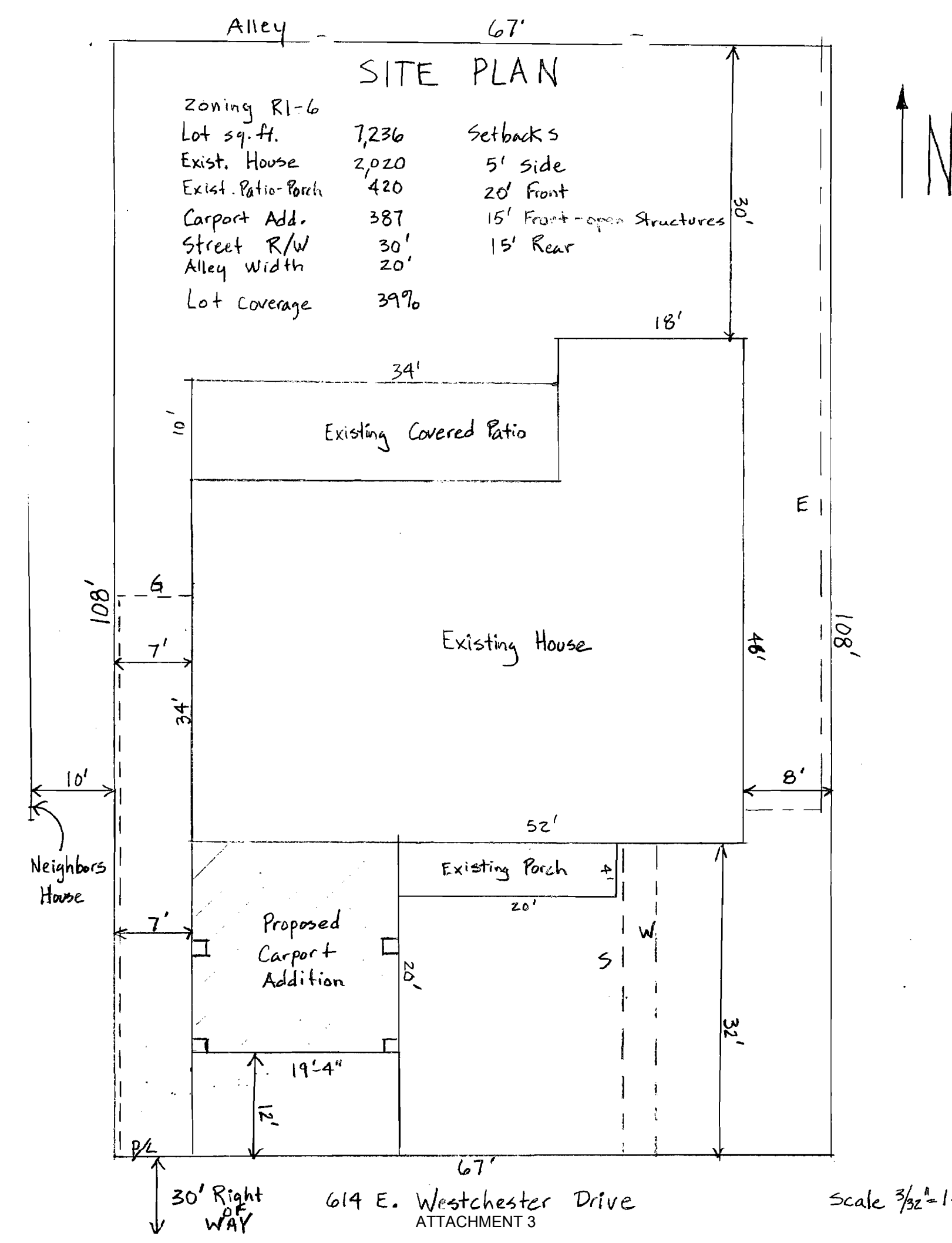
FLORES RESIDENCE

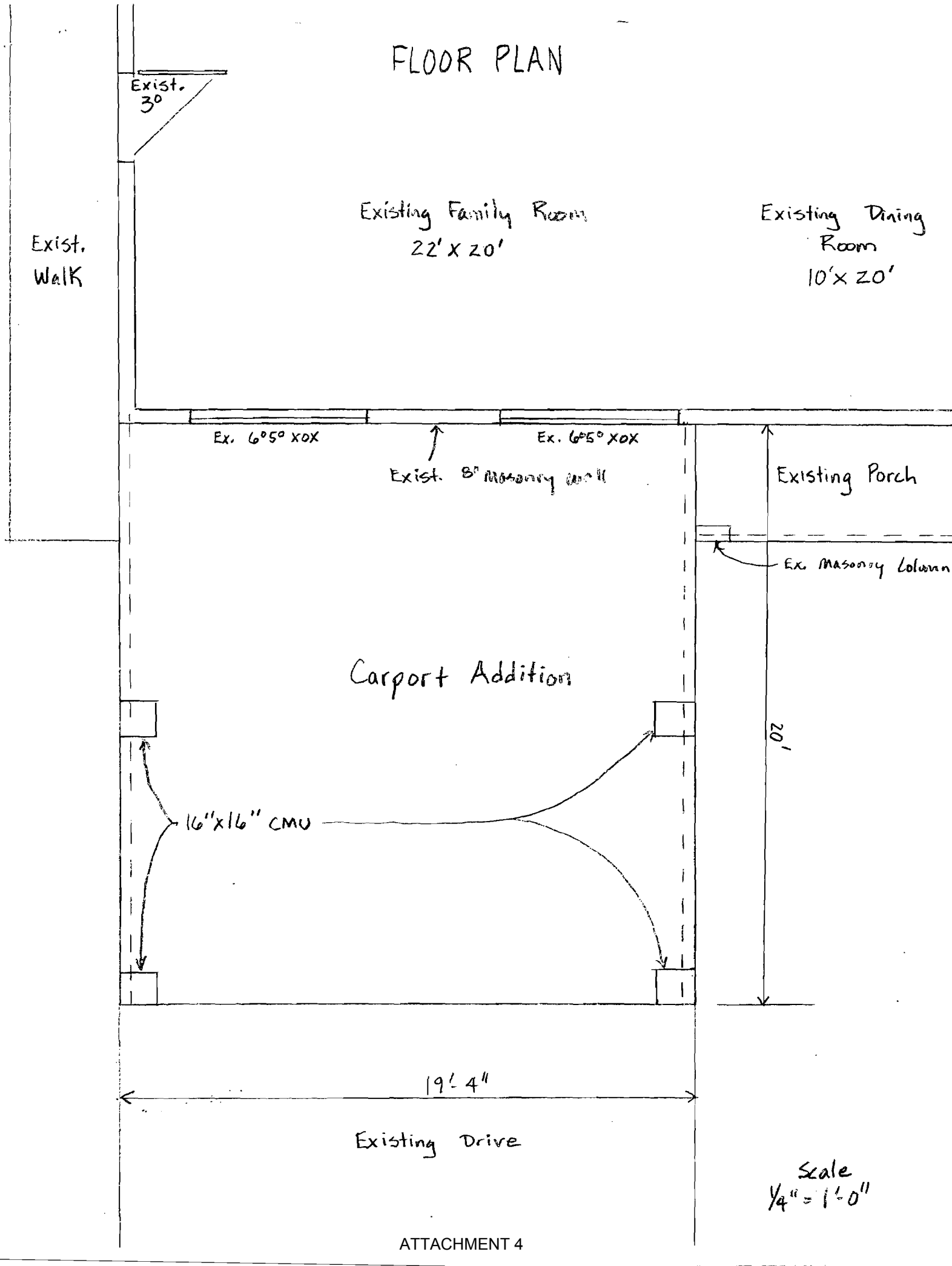
PL090345

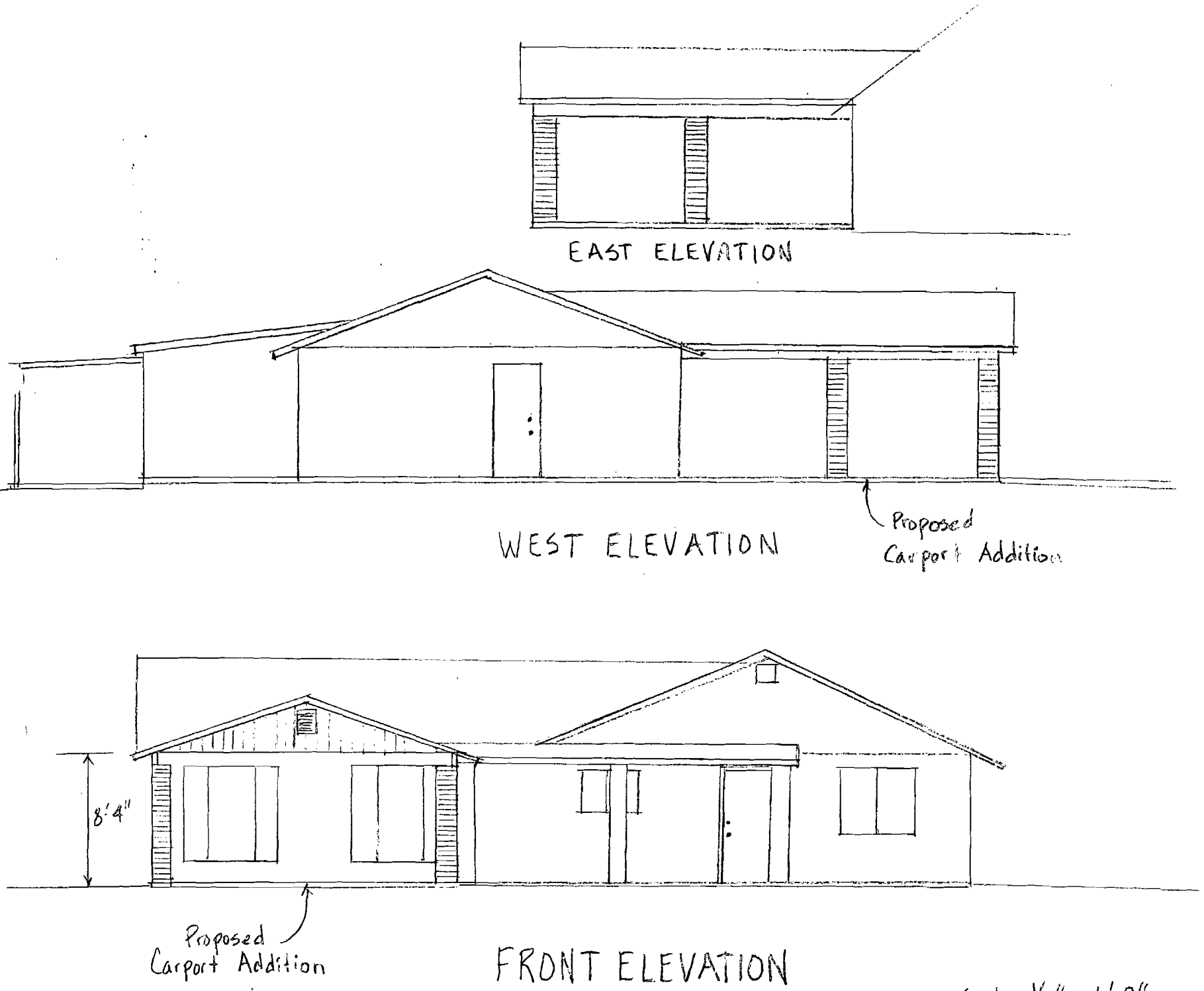


Location Map

FLORES RESIDENCE (PL090345)


Alley
67'
SITE PLAN
Zoning R1-6
Lot sq. ft. 7,236
Exist. House 2,020
Exist. Patio-Porch 420
Carport Add. 387
Street R/W 30'
Alley Width 20'
Lot Coverage 39%
Setbacks
5' side
20' Front
15' Front - open Structures
15' Rear
30'
18'
34'
10'
Existing Covered Patio
E
108'
6
7'
34'
Existing House
46'
108'
10'
8'
52'
Neighbors House
Existing Porch
20'
7'
Proposed Carport Addition
20'
W
S
32'
19'-4"
12'
P/L
67'
30' Right OF WAY
614 E. Westchester Drive
Scale 3/32"=1
ATTACHMENT 3


FLOOR PLAN
Exist. 3°
Existing Family Room 22' x 20'
Existing Dining Room 10' x 20'
Exist. Walk
Ex. 6°5° XOX
Exist. 8" Masonry wall
Ex. 6°5° XOX
Existing Porch
Ex. Masonry Column
Carport Addition
20'
16"x16" CMU
19'-4"
Existing Drive
Scale 1/4" = 1'-0"



ATTACHMENT 5

FLORES RESIDENCE

614 EAST WESTCHESTER DRIVE

PL090345

FRONT OF RESIDENCE