

Staff Summary Report



Hearing Officer Hearing Date: March 16, 2010

Agenda Item Number: 4

SUBJECT: This is a public hearing for a request by the **HIGHTOWER RESIDENCE** located at 8834 South Oak Street for one (1) use permit.

DOCUMENT NAME: 20100316dssl01 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the **HIGHTOWER RESIDENCE (PL100043)** (Vince Williams/Williams Designs Inc., applicant; Jon Hightower, property owner) located at 8834 South Oak Street in the R1-15, Single Family Residential District for:

ZUP10016 Use permit standard to reduce the east street side yard setback by twenty percent (20%) from twenty feet (20 ft) to sixteen feet (16 ft) for a garage addition.

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

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

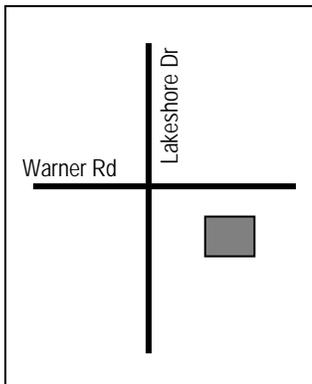
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: 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 street side yard setback by 20% from 20' to 16' to construct a 960 s.f. garage addition to their residence. The new garage will replace an existing garage addition in the same location with a minimal encroachment in the setback. Staff supports the use permit finding that the request meets the criteria for approval of use permit. To date, no public input has been received.

PAGES:

1. List of Attachments
2. Comments; Reasons 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
6. Elevation
7. Staff Photograph(s)

COMMENTS:

The Hightower Residence is seeking a use permit to reduce the street side yard setback by 20% from twenty (20) feet to sixteen (16) feet. The use permit is to accommodate a garage expansion in the front of the house. The future garage connects to the existing residence along the east property line. The addition will have an architecturally similar appearance to the existing residence. According to the applicant's letter, four feet at the outside corners of the new structure will encroach into the setback. The new garage is an expansion of an existing garage in the same location on the lot.

Use Permit

The Zoning and Development Code requires a use permit for a reduction of the street side setback up to 20%; the reduced setbacks will not create a nuisance or be detrimental to the surrounding area. The use permit complies with the approval criteria for a use permit.

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 will be no emission of odor, dust, gas, noise, vibration, and smoke from the two (2) building additions.
- 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

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.

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. Addition to match the main residence in design, color and materials.
3. Storage of refuse containers to be located behind rear yard wall or on the interior of garage.

HISTORY & FACTS: None pertinent to this case.

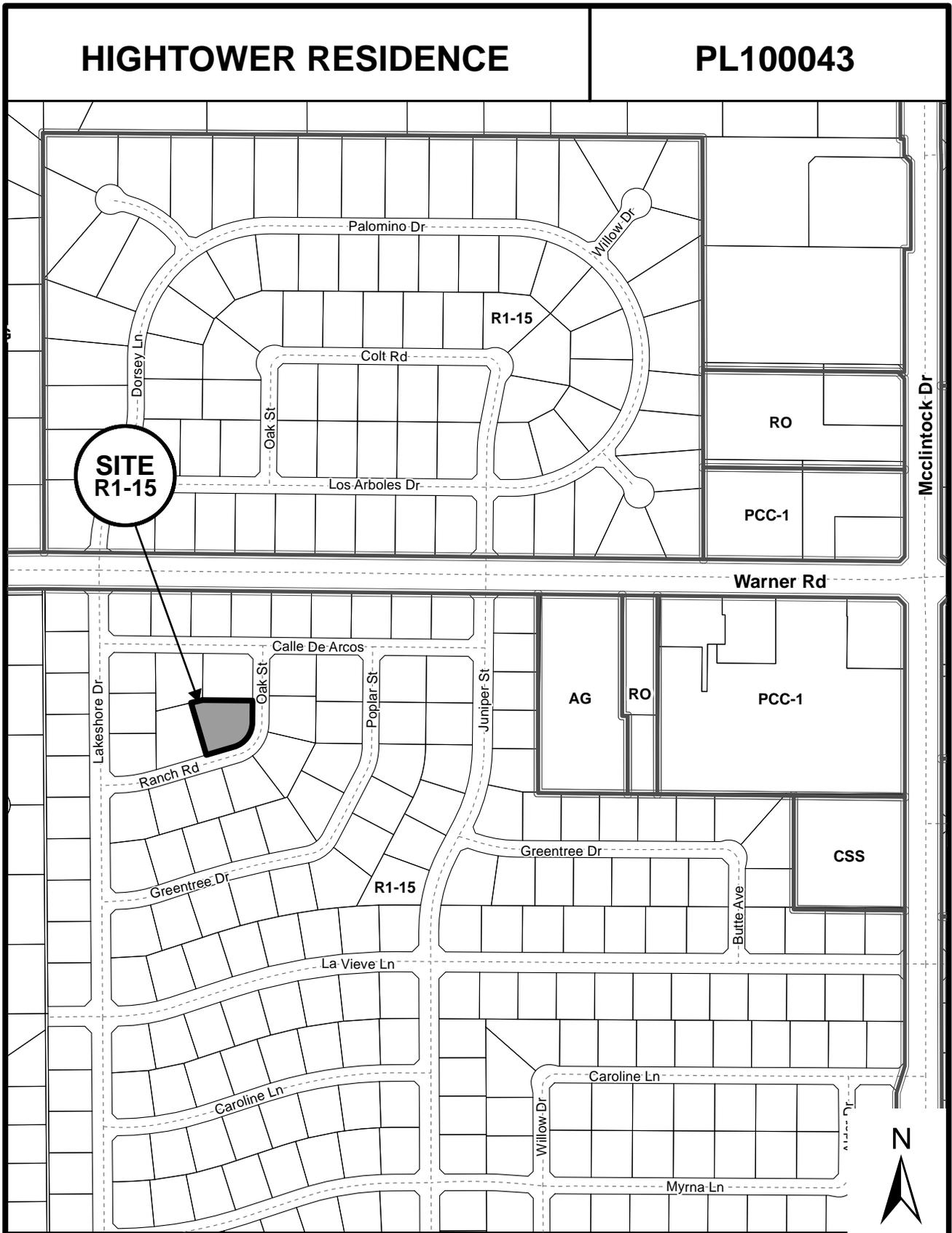
DESCRIPTION: Owner – Jon Hightower
Applicant – Vince Williams/Williams Designs Inc.
Existing Zoning – R1-15, Single Family Residential District
Required Side yard setback- 20'
Proposed Side yard setback- 16'

**ZONING AND
DEVELOPMENT**

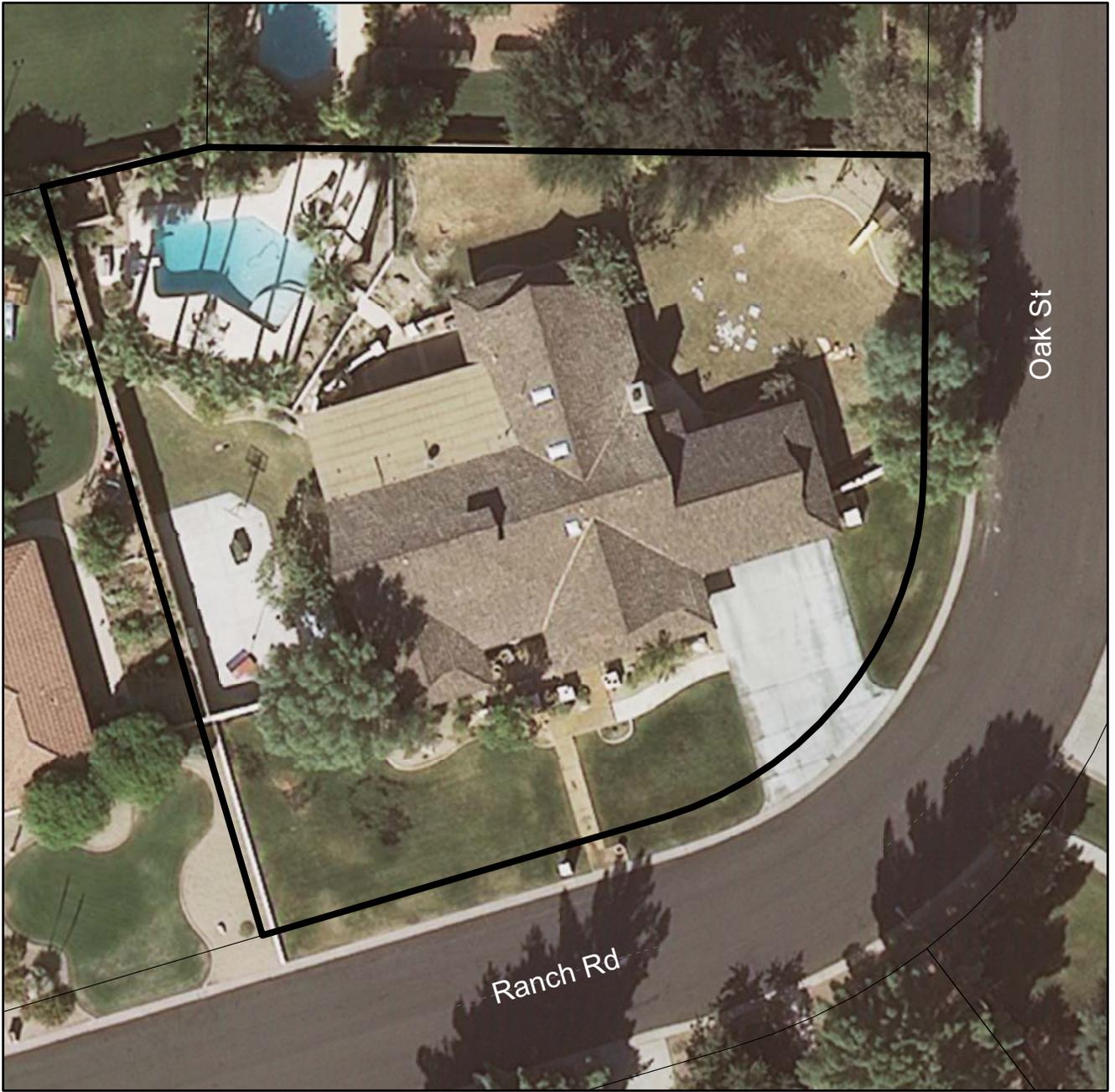
CODE REFERENCE: **Citations of Code Requiring Use Permit(s):**
Part 4, Chapter 2, Section 4-202.
Part 6, Chapter 3, Section 6-308

HIGHTOWER RESIDENCE

PL100043



Location Map



HIGHTOWER RESIDENCE (PL100043)



February 12, 2010

City of Tempe
Development Service
31 East Fifth Street
Tempe, AZ 85280-5002
480-350-8331

**RE: Use Permit, Letter of Explanation
Hightower Residence
8834 South Oak Street**

The objective of this request is to increase the overall size of the occupants existing private garage. The proposed expansion will remain as secondary use (U) private garage, for a (R3) residential building. As such use, the proposed addition shall not introduce any additional vehicular or pedestrian traffic to the area, nor will such addition cause nuisances exceeding that of ambient conditions or result in disruptive behavior to the surrounding area or general public.

The proposed addition will encroach into the established street-side yard by twenty percent or four feet. However due to the orientation of the existing structure, the proposed addition will only project four feet into the street-side yard at two outside corners. From which the encroachment is significantly reduced at any point measured away from the infringing corners.

Compatibility of the proposed addition shall be achieved by using like or identical materials with colors and finishes that match those found within the existing structure. The architectural ranch design of the existing structure shall also be carried through to the proposed expansion while utilizing key elements to link the project together. Acknowledging the existing building does not contribute to the deterioration of the neighborhood, the proposed addition will follow suite as the objective is only to expand what was previously constructed. As well, the City of Tempe's objectives, goals and policies are in accordance by maintaining the allowed use(s) and by applying to obtain a use permit for elements that exceed development standards of the residing R1-15 zoning district.

Thank you,
Vince Williams

Williams Designs, Inc.
17534 West Hope Drive
Goodyear, Arizona. 85338
602-466-3456 /602-466-3457 fax

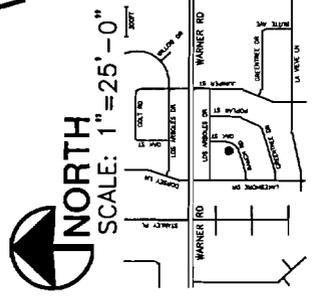
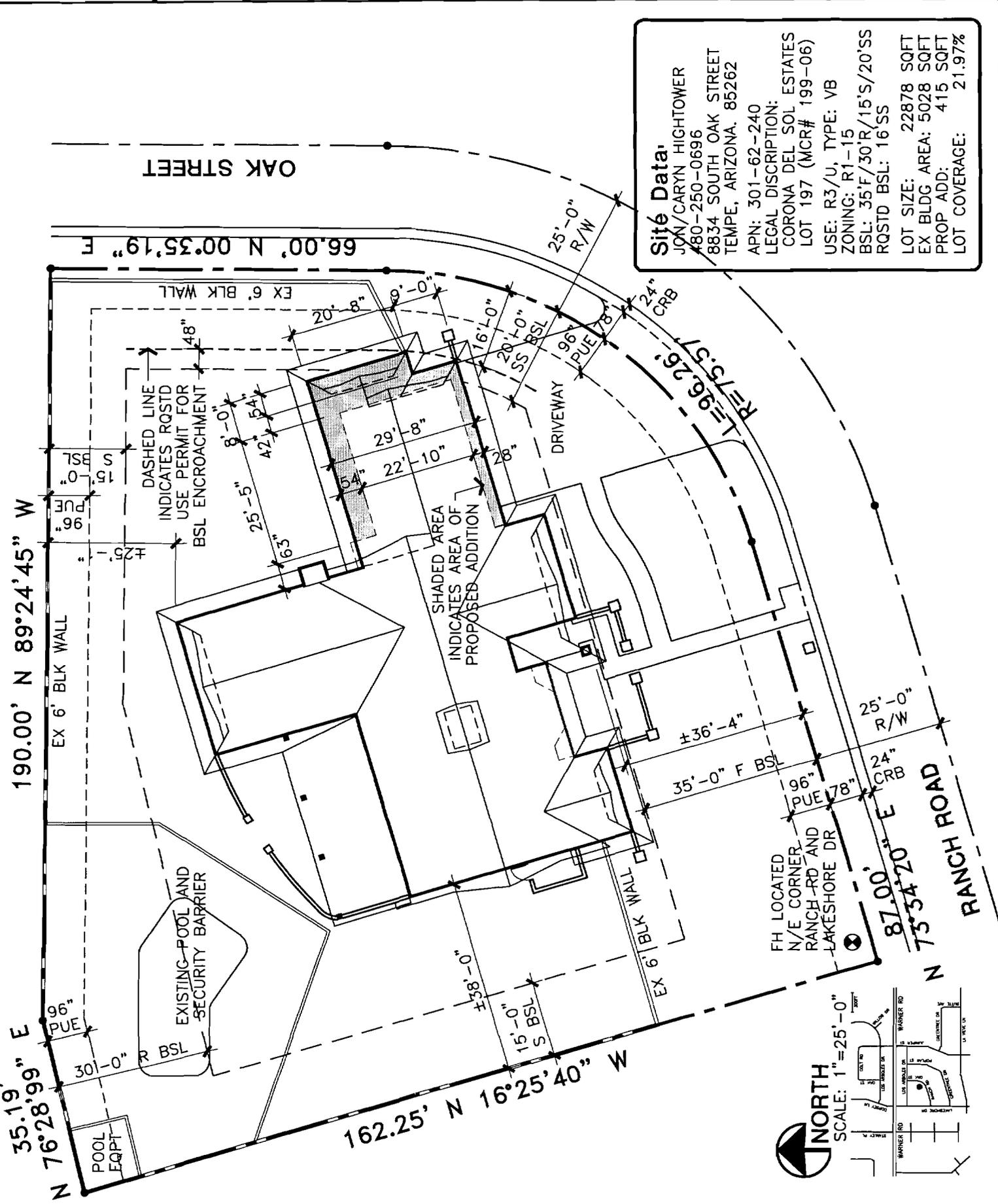
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Use Permit For The
 HIGHTOWER RESIDENCE
 8834 South Oak Street
 Tempe, AZ. 85284
 SITE PLAN EXHIBIT

WILLIAMS
 DESIGN INC
 17834 WEST HOPKINS DRIVE
 GODYEAR, ARIZONA 85228
 602-488-3488 FAX 602-488-3487

1/3 SHEET
 DATE: JAN10
 JOB: 1001

Site Data:
 JON/CARYN HIGHTOWER
 #80-250-0696
 8834 SOUTH OAK STREET
 TEMPE, ARIZONA. 85262
 APN: 301-62-240
 LEGAL DESCRIPTION:
 CORONA DEL SOL ESTATES
 LOT 197 (MCR# 199-06)
 USE: R3/U, TYPE: VB
 ZONING: R1-15
 BSL: 35'F/30'R/15'S/20'SS
 RQSTD BSL: 16 SS
 LOT SIZE: 22878 SQFT
 EX BLDG AREA: 5028 SQFT
 PROP ADD: 415 SQFT
 LOT COVERAGE: 21.97%

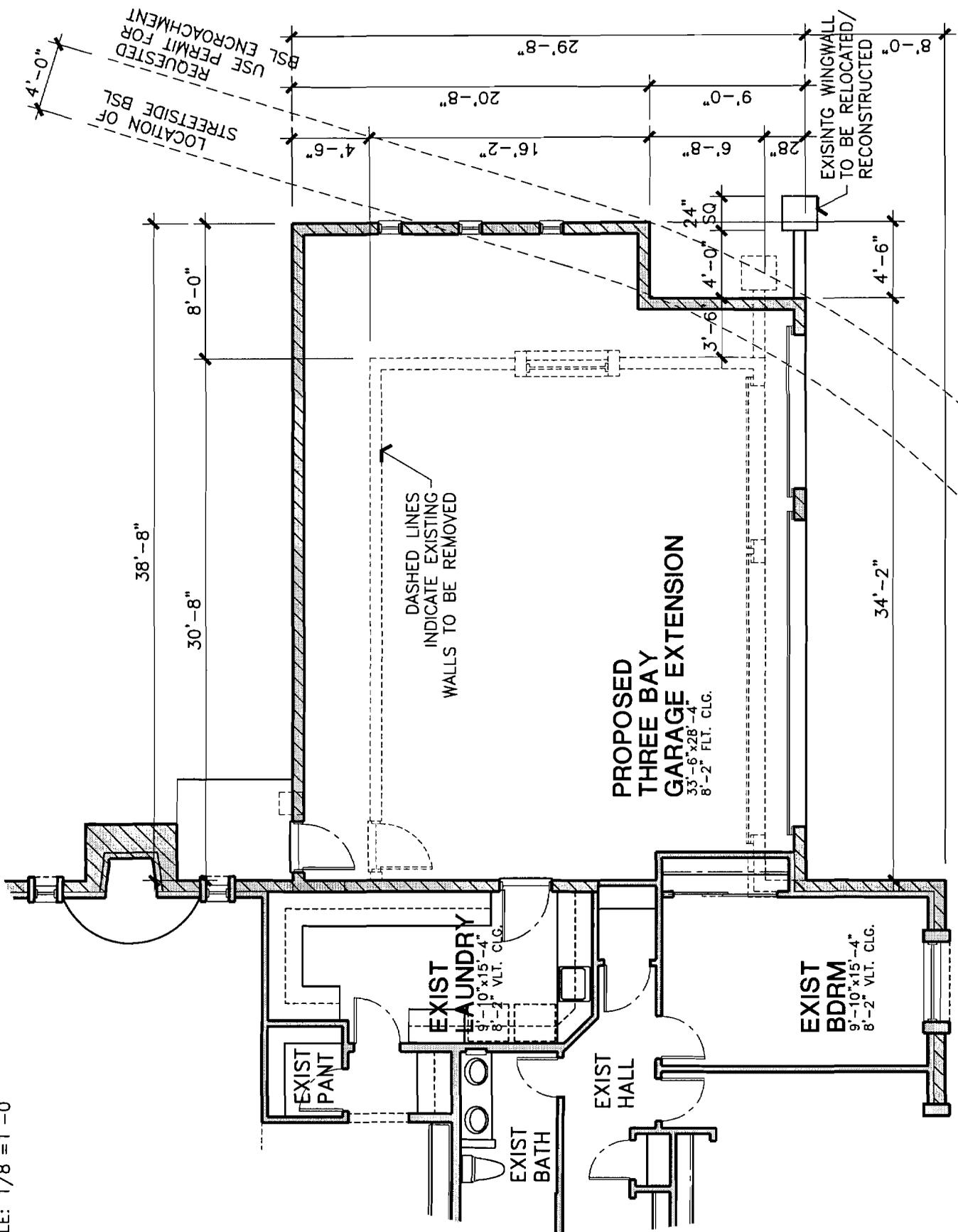


Use Permit For The
 HIGHTOWER RESIDENCE
 8834 South Oak Street
 Tempe, AZ, 85284
 FLOOR PLAN EXHIBIT

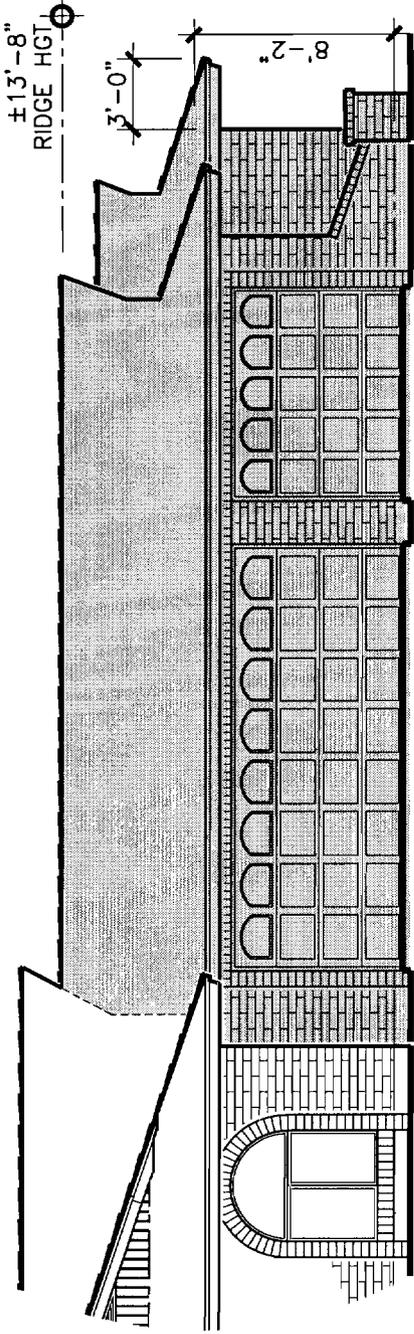
WILLIAMS
 DESIGNS INC
 17634 WEST MARICOPA DRIVE
 85041-4411 PHOENIX, ARIZONA 480-3457
 602-468-3468 FAX 602-468-3457

SHEET
 2/3
 DATE: JAN 10
 JOB: 1001

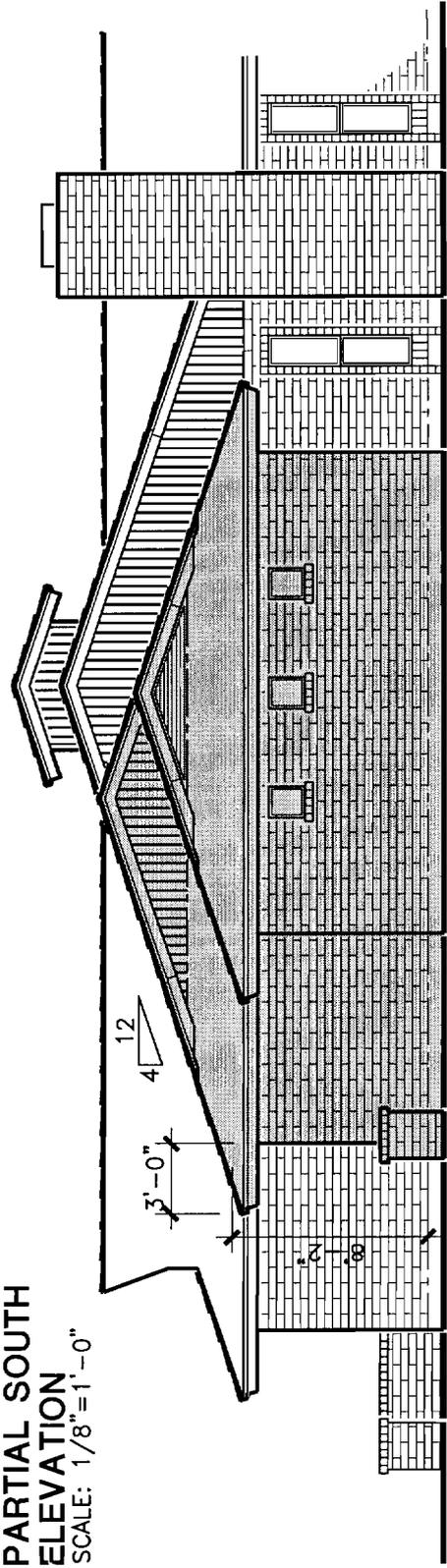
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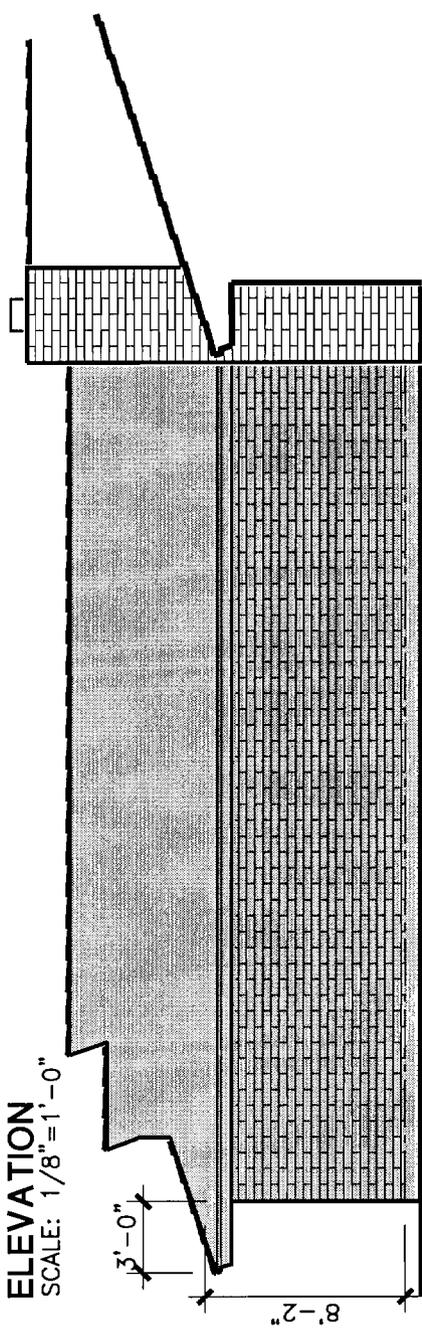
PARTIAL DEMO/
 FLOOR PLAN
 SCALE: 1/8" = 1'-0"



FRONT
PARTIAL SOUTH
ELEVATION
SCALE: 1/8"=1'-0"



RIGHT
PARTIAL EAST
ELEVATION
SCALE: 1/8"=1'-0"



REAR
PARTIAL NORTH
ELEVATION
SCALE: 1/8"=1'-0"

Elevation Notes:
ALL MATERIALS USED FOR PROPOSED CONSTRUCTION SHALL BE OF IDENTICAL OR LIKE COLOR AND FINISH TO MATCH EXISTING MATERIALS
SHADED AREA INDICATES AREA OF PROPOSED CONSTRUCTION

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Use Permit For The
HIGHTOWER RESIDENCE
8834 South Oak Street
Tempe, AZ, 85284
EXTERIOR ELEVATION EXHIBIT

WILLIAMS
DESIGNS INC
17834 WEST HOPE DRIVE
85745 BLAKE AVE. PHOENIX, AZ 85038
602-488-3458 / FAX 602-488-3457

DATE: JAN10
JOB: 1001
3/3



HIGHTOWER RESIDENCE

8834 SOUTH OAK STREET

PL100043

FRONT OF RESIDENCE

