

Staff Summary Report



Hearing Officer Hearing Date: January 19, 2010

Agenda Item Number: 6

SUBJECT: This is a public hearing for a request by the **KUITUNEN RESIDENCE (PL090482)** located at 1217 East Knight Lane for one (1) use permit.

DOCUMENT NAME: 20100119dsng01 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the **KUITUNEN RESIDENCE (PL090482)** (Jeff Pawlowski/PK Architects, applicant; Scott Kuitunen, property owner) located at 1217 East Knight Lane in the AG, Agricultural District for:

ZUP09183 Use permit standard to reduce the north front yard setback by twenty percent (20%) from forty (40) feet to thirty-two (32) feet for two (2) additions to the residence. *(Note: Side yard use permit not required per Sunburst Farm PAD.)*

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

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

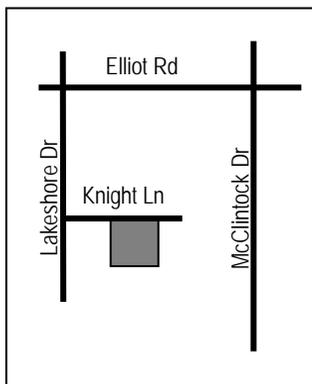
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO: The applicant is seeking a use permit standard to reduce the north front yard setback by twenty percent (20%) from forty (40) feet to thirty-two (32) feet for two (2) additions to the residence. The property is located at 1217 East Knight Lane in the AG, Agricultural District. Staff notes that per the Sunburst Farms Tempe PAD, a use permit standard to reduce the side yard setback is not required. Also, the front yard setback, per the PAD, is thirty-five (35) feet. The reduced front yard setback will allow for a proposed master bedroom addition and a proposed garage addition. Staff supports the use permit standard as proposed in this application. To date, staff has received one (1) email of inquiry regarding this request.



PAGES:

1. List of Attachments
2. Comments
3. Reasons for Approval; Conditions of Approval; History & Facts/Description
4. Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map
2. Aerial Photo
3. Letter of Intent
4. Site Plan
5. Floor Plan
6. Elevations
7. Detailed Floor Plan
8. Staff Photograph

COMMENTS:

The Kuitunen Residence is seeking a use permit standard to reduce the north front yard setback by twenty percent (20%) from forty (40) feet to thirty-two (32) feet for two (2) additions to the residence. The property is located at 1217 East Knight Lane in the AG, Agricultural District. Staff notes that per the Sunburst Farms Tempe PAD, a use permit standard to reduce the side yard setback is not required.

In 1973 the Tempe City Council approved a subdivision plat and a Planned Area Development (PAD) for Sunburst Farms Tempe, which defined building setback requirements for the entire subdivision. Side yard setbacks were set at fifteen (15) feet, rear yard setbacks were set at thirty (30) feet, and front yard setbacks were set at thirty-five (35) feet. Thus, this request to reduce the front yard setback to thirty-two (32) feet will actually only be reducing the front yard setback by three (3) feet, less than ten (10) percent.

The reduced front yard setback will allow for a proposed master bedroom addition and a proposed garage addition for an additional 602 s.f. This single family residence was built in 1978 without a garage. Currently the homeowners use the existing driveway on the west side of the house to park their cars, but have no place to store them. With a garage addition, a new driveway is proposed on the east side of the home. The existing tree is to be removed. To be in accordance with the Zoning and Development Code's ordinance of one (1) street access point per street frontage, the existing driveway will need to be removed. A similar tree is to be planted on the west side of the front yard to replace the existing tree.

Staff supports the use permit standard as proposed in this application. To date, staff has received one (1) email of inquiry regarding this request.

Use Permit

The Zoning and Development Code requires use permit to reduce a setback standard by twenty percent (20%) in the front yard in the AG, Agricultural District. 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 request with conditions.

REASONS FOR APPROVAL:

1. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
2. The use appears to be compatible with the building, site and adjacent properties.
3. There appears to be a demonstrated need for this use at the proposed location.
4. 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.

CONDITIONS OF APPROVAL:

1. Obtain all necessary clearances from the Building Safety Division.
2. Per Tempe City Code; improved paved areas shall not exceed 35% of the front and side areas visible from the street.
3. The proposed driveway shall be paved with asphalt or concrete; or alternatively, a dust proof, porous paving material (e.g. decomposed granite) may be used when approved by the Development Services Manager or designee, as part of a storm retention plan.
4. Obtain all necessary clearances from the Public Work Department for on-site retention for expansion of pavement in the front yard.
5. Remove existing driveway.
6. The building additions shall be compatible with the existing dwelling in form, color and materials.
7. Replace the existing tree to be removed with a similar tree to be placed on the west side of the front yard.

HISTORY & FACTS:

September 13, 1973 Tempe City Council approved a subdivision plat and PAD defining building setback requirements, including side yard setbacks to be set at 15' from property lines and front yard setbacks to be set at 35' from property line.

October 3, 1978 Final inspection for a Single Family Residence.

DESCRIPTION:

Owner – Scott Kuitunen
Applicant – Jeff Pawlowski/PK Architects
Existing Zoning – AG, Agricultural District
Front Yard Setback in AG – 40'
Front Yard Setback per Sunburst Farms Tempe PAD – 35'
Front Yard Setback Reduction Request – 20% to 32'
Lot Area – 40,572 s.f. / .931 acres
Existing Building Area – 3,165 s.f.
Proposed Building Area – 3,767 s.f.
Existing Lot Coverage – 7.80%

Maximum Lot Coverage – 25%
Proposed Lot Coverage – 9.28%

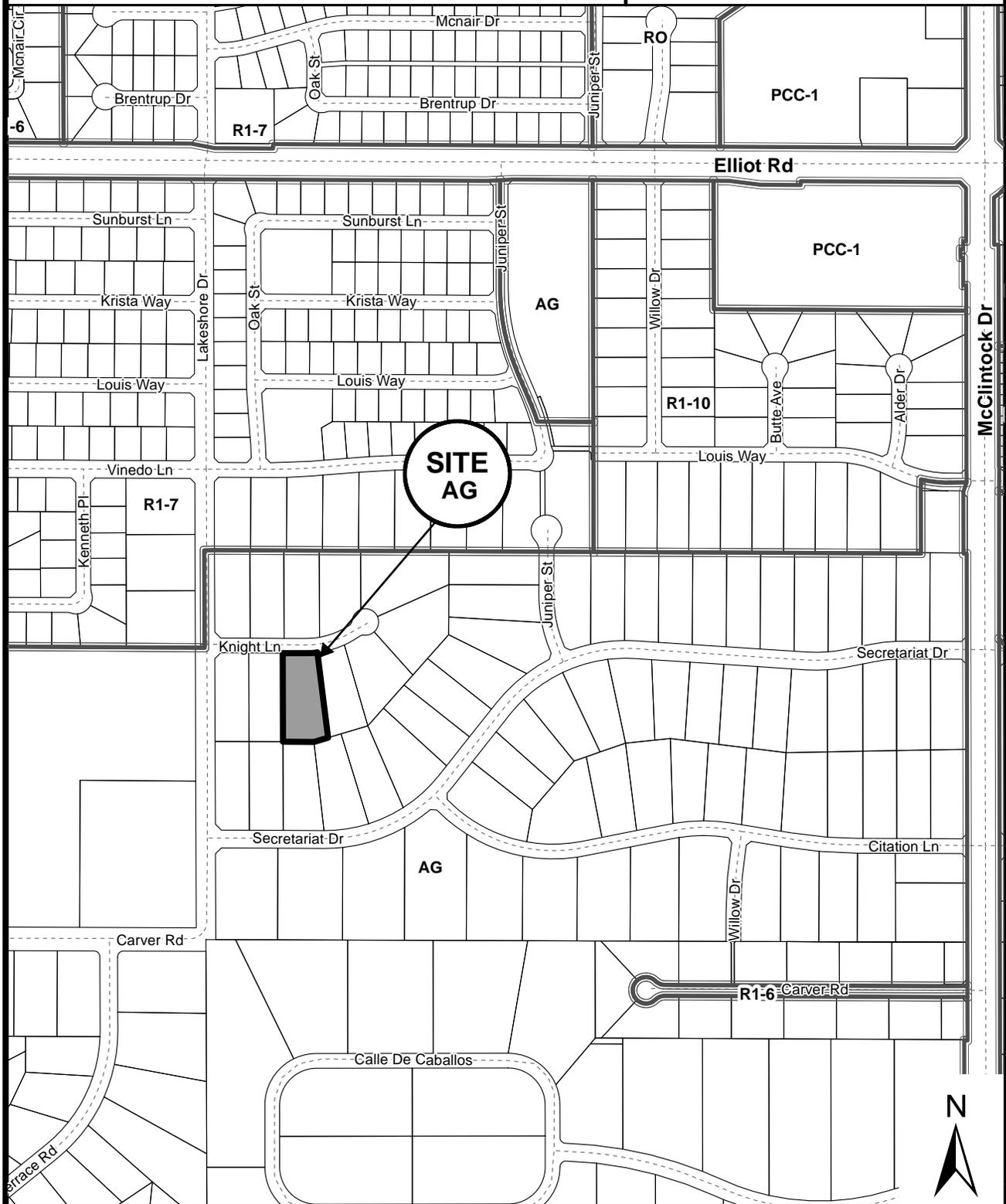
**ZONING AND
DEVELOPMENT**

CODE REFERENCE:

Part 4, Chapter 2, Section 4-202 – Development Standards for Residential Districts
Part 4, Chapter 5, Section 4-502 – Motor Vehicle Access and Circulation Standards
Part 4, Chapter 6, Section 4-602 – General Parking Standards
Part 6, Chapter 3, Section 6-308 – Use Permit

KUITUNEN RESIDENCE

PL090482



Location Map



KUITUNEN RESIDENCE (PL090482)



December 18, 2009

City of Tempe
Development Services
31 East Fifth Street
Tempe, AZ 85280-8400

Re: **Letter of Explanation** (for Use Permit)
Kuitunen Residence
PF 090500

To Whom It May Concern:

The purpose of the of request is to allow for the addition of a garage and a bedroom that will encroach not more than 8'-0" (20%) into the required 40'-0" front yard setback and approximately 3'-0" (14%) into the required 20'-0" side yard setback as show on the plans submitted.

- a. The addition will not cause any significant vehicular or pedestrian traffic as it only provides for vehicle storage and sleeping accommodations for the cars and residents that already occupy the property.
- b. The addition will not cause any nuisance exceeding that of already existing, ambient conditions, as it will only be used for vehicle storage/living area..
- c. The addition will not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City. Rather, it will provide for vehicle storage in a garage in lieu of the street.
- d. The addition will be compatible with existing surrounding structure in that most surrounding residences have a garage.
- e. The addition will not result in any disruptive behavior which may create a nuisance to the surrounding area or general public, as it will only be used for vehicle storage/living area.

Please feel free to contact me should you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Kuitunen'.

Scott Kuitunen, Architect
PK Architects, PC



PK ARCHITECTS, PC
 1331 WEST BROWARD ROAD, #101
 FORT LAUDERDALE, FL 33304
 PHONE: (954) 782-1500
 FAX: (954) 782-1501
 www.pkarchitects.com

KUHNEN RESIDENCE
 GARAGE & MASTER
 SUITE ADDITION
 1217 E KNIGHT LANE
 TEMPE, AZ 85282

PROJECT NO. 12-008-01
 DATE 12-08-2008
 DRAWN BY SK
 CHECKED BY SK

SHEET TITLE
 SITE PLAN

A0-1

NOTICE: THESE PLANS WERE PREPARED BY AN ARCHITECT OR ENGINEER REGISTERED IN THE STATE OF ARIZONA. THE ARCHITECT OR ENGINEER HAS REVIEWED THE PLANS AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ARIZONA ARCHITECTURAL AND ENGINEERING ACT. THE ARCHITECT OR ENGINEER DOES NOT WARRANT OR GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED ON THESE PLANS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE PLANS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR DAMAGES TO THE PROPERTY OR PERSONS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY VIOLATIONS OF ANY APPLICABLE LAWS, RULES, OR REGULATIONS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY DELAYS OR INTERUPTIONS IN THE CONSTRUCTION OF THE PROJECT. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY CHANGES TO THE PLANS WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT OR ENGINEER. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY UNAUTHORIZED REVISIONS TO THE PLANS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY UNAUTHORIZED ALTERATIONS TO THE PLANS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY UNAUTHORIZED COPIES OR REPRODUCTIONS OF THE PLANS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY UNAUTHORIZED DISTRIBUTION OF THE PLANS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY UNAUTHORIZED USE OF THE PLANS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY UNAUTHORIZED MODIFICATIONS TO THE PLANS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY UNAUTHORIZED ALTERATIONS TO THE PLANS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY UNAUTHORIZED COPIES OR REPRODUCTIONS OF THE PLANS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY UNAUTHORIZED DISTRIBUTION OF THE PLANS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY UNAUTHORIZED USE OF THE PLANS. THE ARCHITECT OR ENGINEER IS NOT RESPONSIBLE FOR ANY UNAUTHORIZED MODIFICATIONS TO THE PLANS.

PROJECT DESCRIPTION:
 GARAGE & MASTER SUITE ADDITION
 EXISTING RESIDENCE, EXISTING LANDSCAPE/HARDSCAPE TO REMAIN

SITE DATA:
 SITE LOCATION: 1217 E. KNIGHT LANE
 LOT AREA: 10,140 SQ. FT.
 ACCORDING TO MAP 117 OF MARICOPA COUNTY, ARIZONA
 LOCAL OCCUPATION: RESIDENTIAL

STAKE REQUIRED	50' STAKES
STAKE REQUESTED	30' STAKES
STAKE SET BACK	30' FROM
NET SITE AREA	10,140 SQ. FT. (0.23 ACRES)
BUILDING HEIGHT	17' 0"
EXISTING BUILDING FOOTPRINT	2,750 SQ. FT.
EXISTING COVERED PATIO	400 SQ. FT.
TOTAL NET LOT COVERAGE (INCLUDES ADDITION)	3,150 SQ. FT.
PROPOSED LOT COVERAGE (3.78/10,140 SQ. FT.)	3.78%

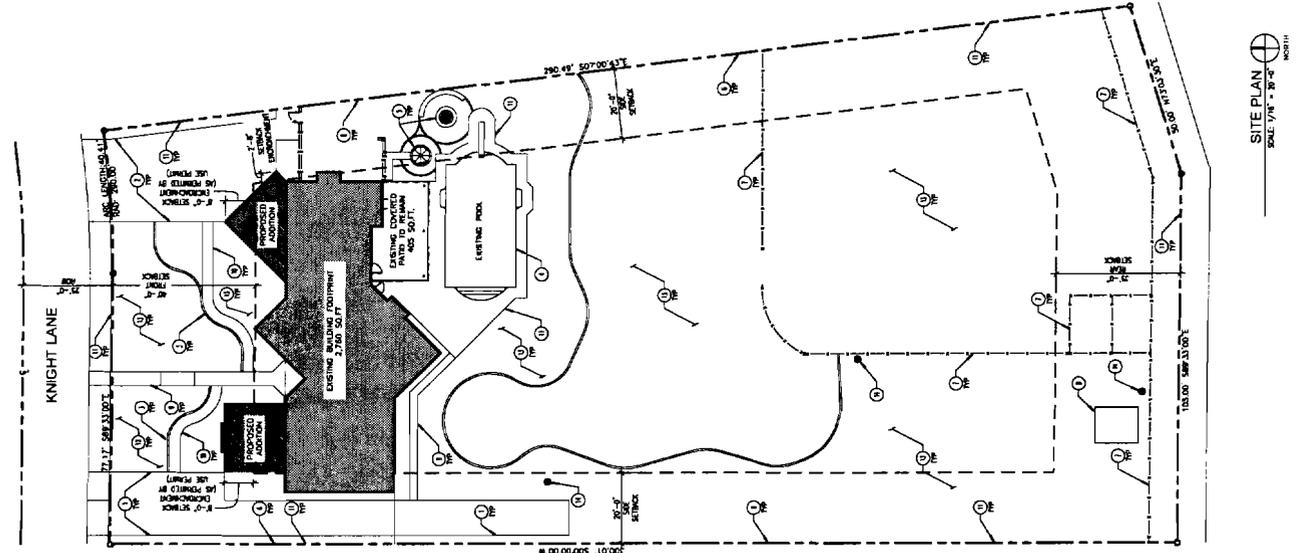
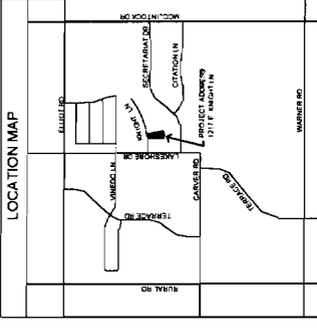
SUBMITTED BY:
 JEFF PAULOWSKI
 1331 WEST BROWARD ROAD, SUITE 101
 FORT LAUDERDALE, FL 33304
 PHONE: (954) 782-1500
 FAX: (954) 782-1501
 www.pkarchitects.com

OWNER:
 SCOTT KUHNEN
 1217 E. KNIGHT LANE, SUITE 101
 FORT LAUDERDALE, FL 33304
 PHONE: (954) 782-1500
 FAX: (954) 782-1501
 www.pkarchitects.com

SHEET INDEX:
 A-1 SITE PLAN
 A-1-1 FLOOR PLAN
 A-1-1 ELEVATIONS

- SITE KEYNOTES:**
- 1) EXISTING DRIVEWAY TO REMAIN
 - 2) PROPOSED DRIVEWAY FOR GARAGE ADDITION
 - 3) EXISTING CONCRETE CURB TO REMAIN
 - 4) EXISTING POOL TO REMAIN
 - 5) EXISTING OUTDOOR HARDSCAPE TO REMAIN
 - 6) EXISTING CHAIN-LINK FENCE TO REMAIN
 - 7) EXISTING TUBE-STEEL FENCE TO REMAIN
 - 8) EXISTING STORAGE SHED TO REMAIN
 - 9) EXISTING CONCRETE SUBGRADE TO REMAIN
 - 10) NEW CONCRETE SUBGRADE
 - 11) EXISTING PROPERTY LINE
 - 12) EXISTING CONCRETE "POCK-LOCK" TO REMAIN
 - 13) EXISTING LANDSCAPE AREA TO REMAIN
 - 14) EXISTING TREE TO REMAIN

- SITE LEGEND:**
- EXISTING BUILDING FOOTPRINT
 - EXISTING COVERED PATIO TO REMAIN
 - PROPOSED BUILDING ADDITION





PK ARCHITECTS, PC
 ARCHITECTS
 1333 WEST BROADWAY AVENUE, SUITE 100
 PHOENIX, ARIZONA 85007
 PHONE: (602) 242-1000
 FAX: (602) 242-1001
 www.pkarchitects.com



KUNTUNEN RESIDENCE
 GARAGE & MASTER
 SUITE ADDITION
 1217 E KNIGHT LANE
 TEMPE, AZ 85282

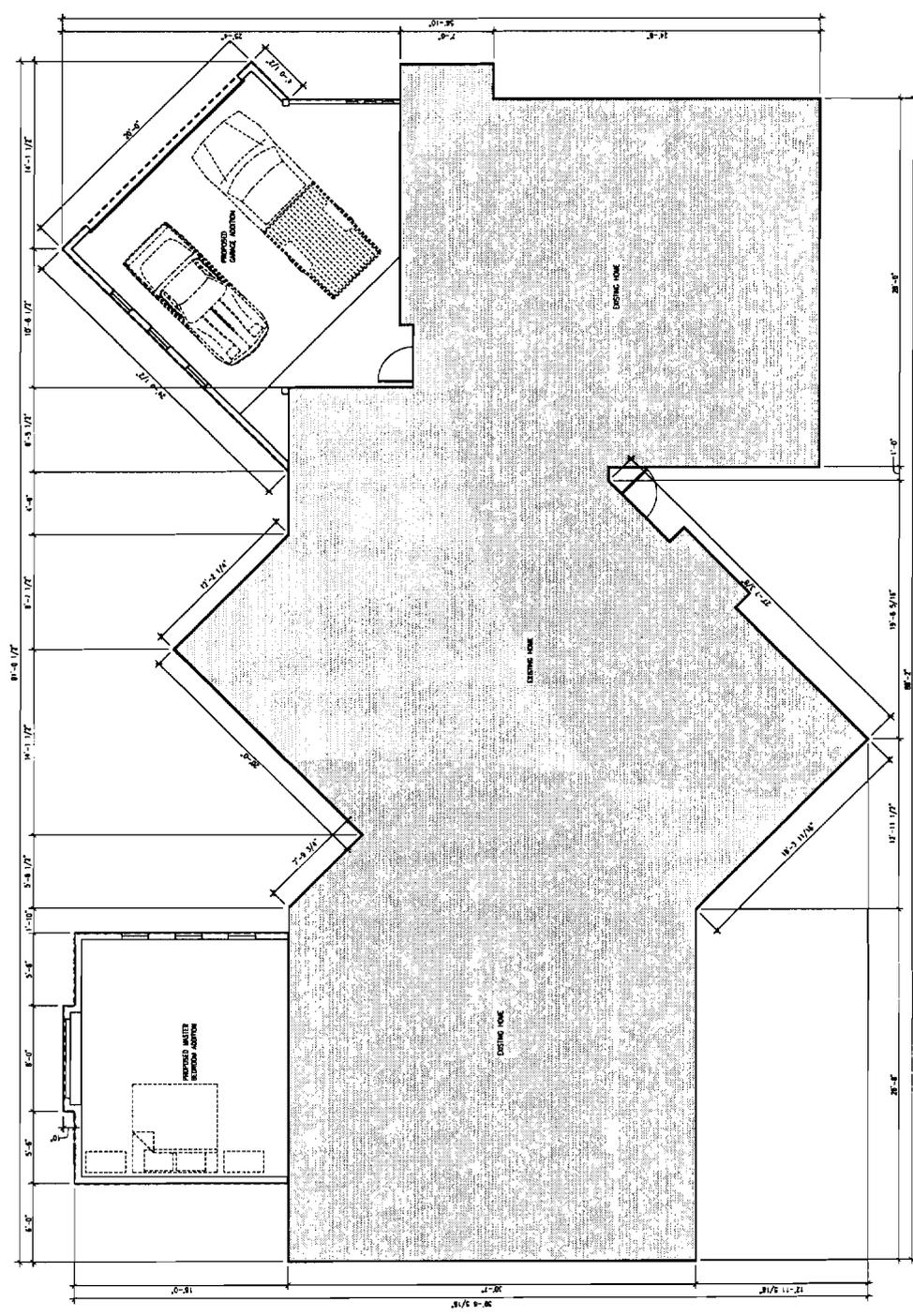
PROJECT NO.	12199-0000
DATE	12-19-2009
PROJECT NAME	DK
DESIGNED BY	DK

FLOOR PLAN



THIS DOCUMENT IS THE PROPERTY OF PK ARCHITECTS, PC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF PK ARCHITECTS, PC. THE USER OF THIS DOCUMENT AGREES TO HOLD PK ARCHITECTS, PC HARMLESS FROM AND AGAINST ALL LIABILITY, INCLUDING REASONABLE ATTORNEY'S FEES, FOR ANY AND ALL DAMAGES, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE INCURRED BY THE USER OF THIS DOCUMENT AS A RESULT OF THE USER'S USE OF THIS DOCUMENT. THE USER OF THIS DOCUMENT AGREES TO HOLD PK ARCHITECTS, PC HARMLESS FROM AND AGAINST ALL LIABILITY, INCLUDING REASONABLE ATTORNEY'S FEES, FOR ANY AND ALL DAMAGES, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE INCURRED BY THE USER OF THIS DOCUMENT AS A RESULT OF THE USER'S USE OF THIS DOCUMENT.

FLOOR PLAN LEGEND:
 - - - - - INDICATES PROPOSED BUILDING ADDITION
 - - - - - INDICATES EXISTING BUILDING OUTLINE



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



LOK ARCHITECTS
 PK ARCHITECTS, PC
 1333 WEST BROADWAY ROAD, #100
 TEMPE, AZ 85282
 PHONE: (480) 708-7400
 FAX: (480) 708-1607
 WWW.LOKARCHITECTS.COM



KUTUNEN RESIDENCE
 GARAGE & MASTER
 SUITE ADDITION
 1217 E. KNIGHT LANE
 TEMPE, AZ 85282

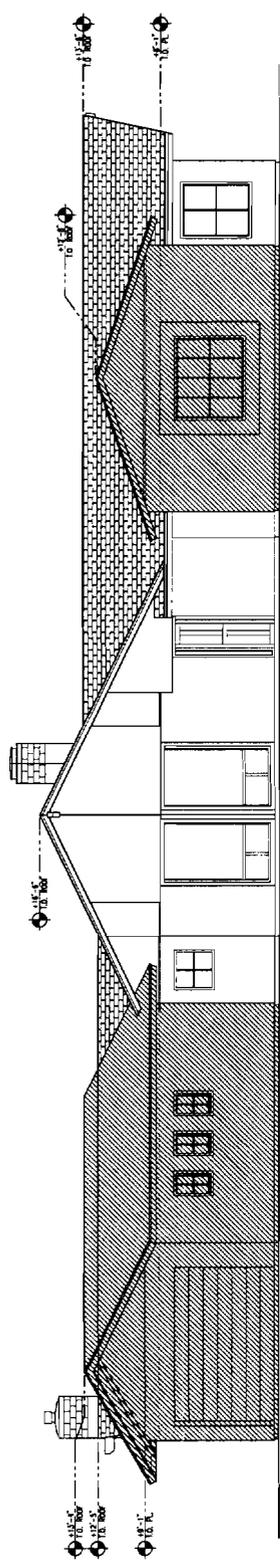


PROJECT No. 12-008-011
 DATE 12-08-2008
 DRAWN BY GJK
 CHECKED BY GJK

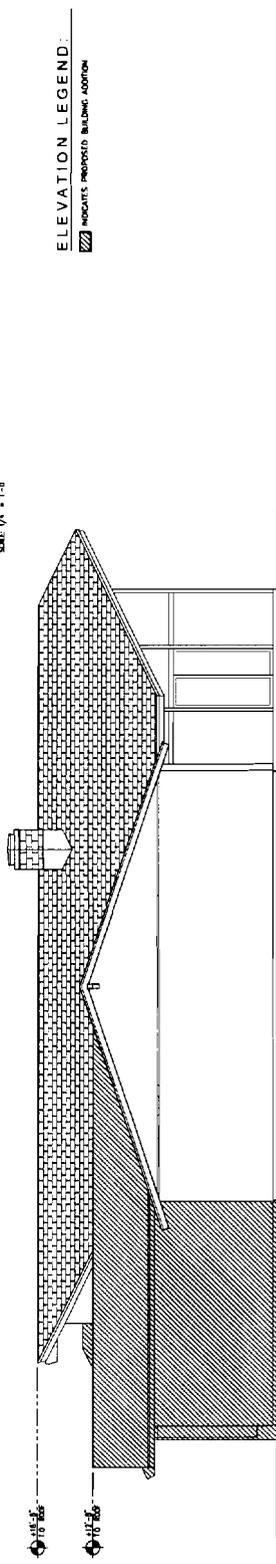
ELEVATIONS

A3-1

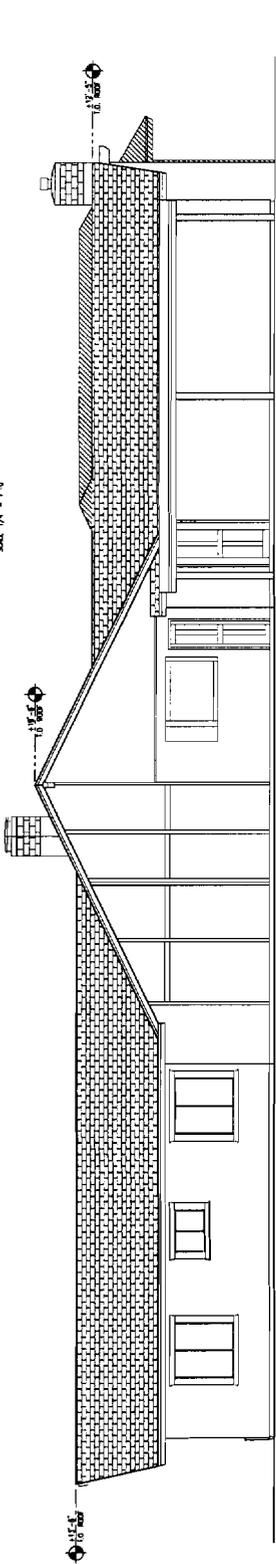
THIS DOCUMENT IS THE PROPERTY OF LOK ARCHITECTS, PC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THIS DOCUMENT. ANY REUSE OR MODIFICATION OF THIS DOCUMENT WITHOUT THE WRITTEN CONSENT OF LOK ARCHITECTS, PC IS STRICTLY PROHIBITED. THE USER ASSUMES ALL LIABILITY FOR ANY DAMAGE OR INJURY RESULTING FROM THE USE OF THIS DOCUMENT. LOK ARCHITECTS, PC DOES NOT WARRANT THE ACCURACY OR COMPLETENESS OF THE INFORMATION CONTAINED HEREIN. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. LOK ARCHITECTS, PC SHALL NOT BE HELD RESPONSIBLE FOR ANY SUCH PERMITS AND APPROVALS. THIS DOCUMENT IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF LOK ARCHITECTS, PC.



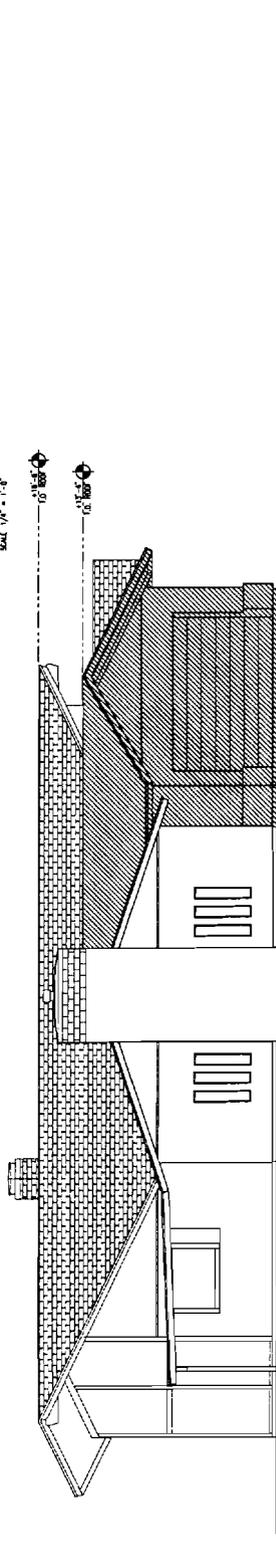
NORTH ELEVATION
 SCALE: 1/4" = 1'-0"



WEST ELEVATION
 SCALE: 1/4" = 1'-0"

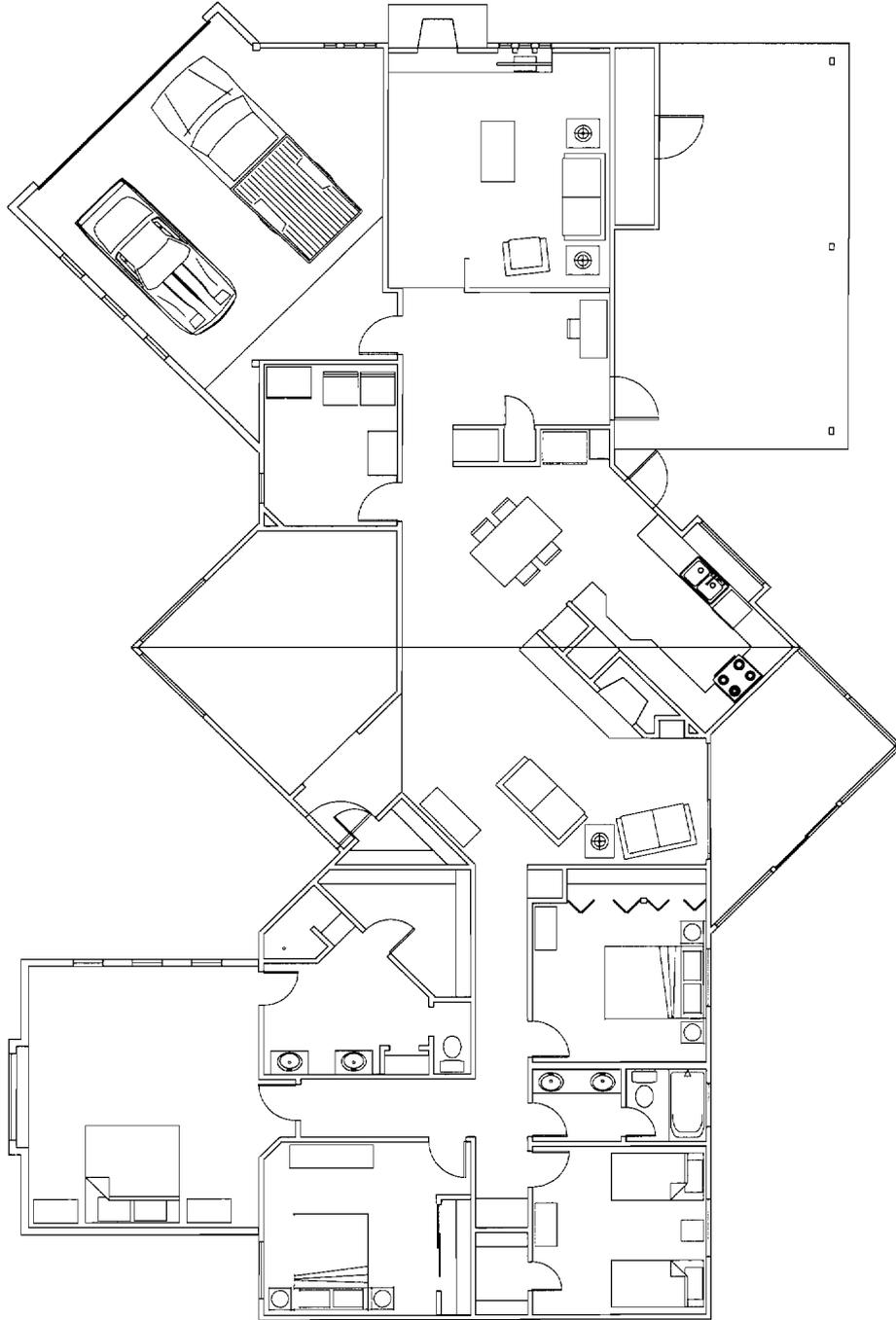
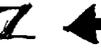


SOUTH ELEVATION
 SCALE: 1/4" = 1'-0"



EAST ELEVATION
 SCALE: 1/4" = 1'-0"

ELEVATION LEGEND:
 INDICATES PROPOSED BUILDING ADDITION



FLOOR PLAN



KUITUNEN RESIDENCE

1217 EAST KNIGHT LANE

PL090482

FRONT OF RESIDENCE

