

Staff Summary Report



Hearing Officer Hearing Date: 2/21/12

Agenda Item Number: 9

SUBJECT: This is a public hearing for a request by the **YOUNG-BULL RESIDENCE** located at 117 East Loma Vista Drive for one (1) use permit.

DOCUMENT NAME: 20120221cdsl08 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the **YOUNGBULL RESIDENCE (PL120030)** (Cody Youngbull, applicant/property owner) located at 117 East Loma Vista Drive in the R1-10, Single Family Residential District for:

ZUP12013 Use permit to allow the increase of the wall height, located in the front yard setback, from 4 ft. to 6 ft.

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

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

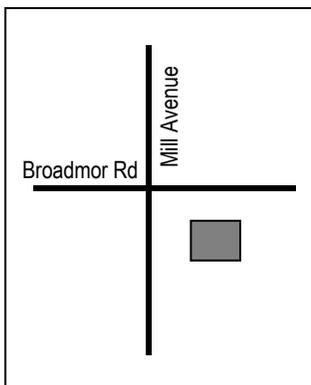
LEGAL REVIEW BY: N/A

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 applicant is requesting a use permit to increase the allowable fence height in the front yard setback from four (4) feet to six (6) feet. The Zoning and Development Code requires all walls or fences located in the front yard to obtain a use permit if they are over four (4) feet in height. The wall or fence height is measured from the highest adjacent surface of the ground, paving, or sidewalk within twenty (20) feet. The applicant is requesting approval of a six (6) foot high decorative wall with 2' cut outs located within the front yard setback. The wall will create a courtyard in the front yard and is part of an overall landscape upgrade to the applicant's front yard. Staff is in support of this use permit request with the finding that it meets the Zoning and Development Code criteria to warrant an approval. To date, staff has received no public input 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. Letter of Intent
4. Landscape site plan
5. Wall elevation

COMMENTS:

The Youngbull Residence is requesting a use permit to allow the maximum height for a wall in the front yard setback to be increased from 4 ft. to 6 ft. The wall will create a courtyard/patio area and is planned as part of an overall landscape upgrade to the front yard. Staff supports a courtyard/patio located in the front of a residence. The front yard is usually a passive inactive area; a courtyard in the front yard brings people closer to the street; fostering a greater sense of community and may serve as a crime deterrent by increasing awareness of activity on the street.

Use Permit

The Zoning and Development Code requires a use permit to increase the maximum allowable height of a wall in the front yard setback from 4' to 6'.

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 not be 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;
 - The proposed use should not create any nuisances.
- 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 area is in compliance with the General Plan and neighborhood intent.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed wall is intended to provide an aesthetic look and will not create a nuisance for the surrounding area.
- e. Adequate control of disruptive behavior both inside and outside the property, which may create a nuisance to the surrounding area or general public.
 - People presence at the street will aide in controlling disruptive behavior in the surrounding area.

Conclusion

Staff recommends approval of the use permit, subject to conditions.

REASON(S) FOR APPROVAL:

- 1 The authorizing of the use permit is necessary for the preservation and enjoyment of substantial property rights.
2. Authorization of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent properties, to the neighborhood or to the public welfare in general.
3. The wall in the front yard setback will provide a presence at the street.

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

**CONDITION(S)
OF APPROVAL:**

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.

HISTORY & FACTS:

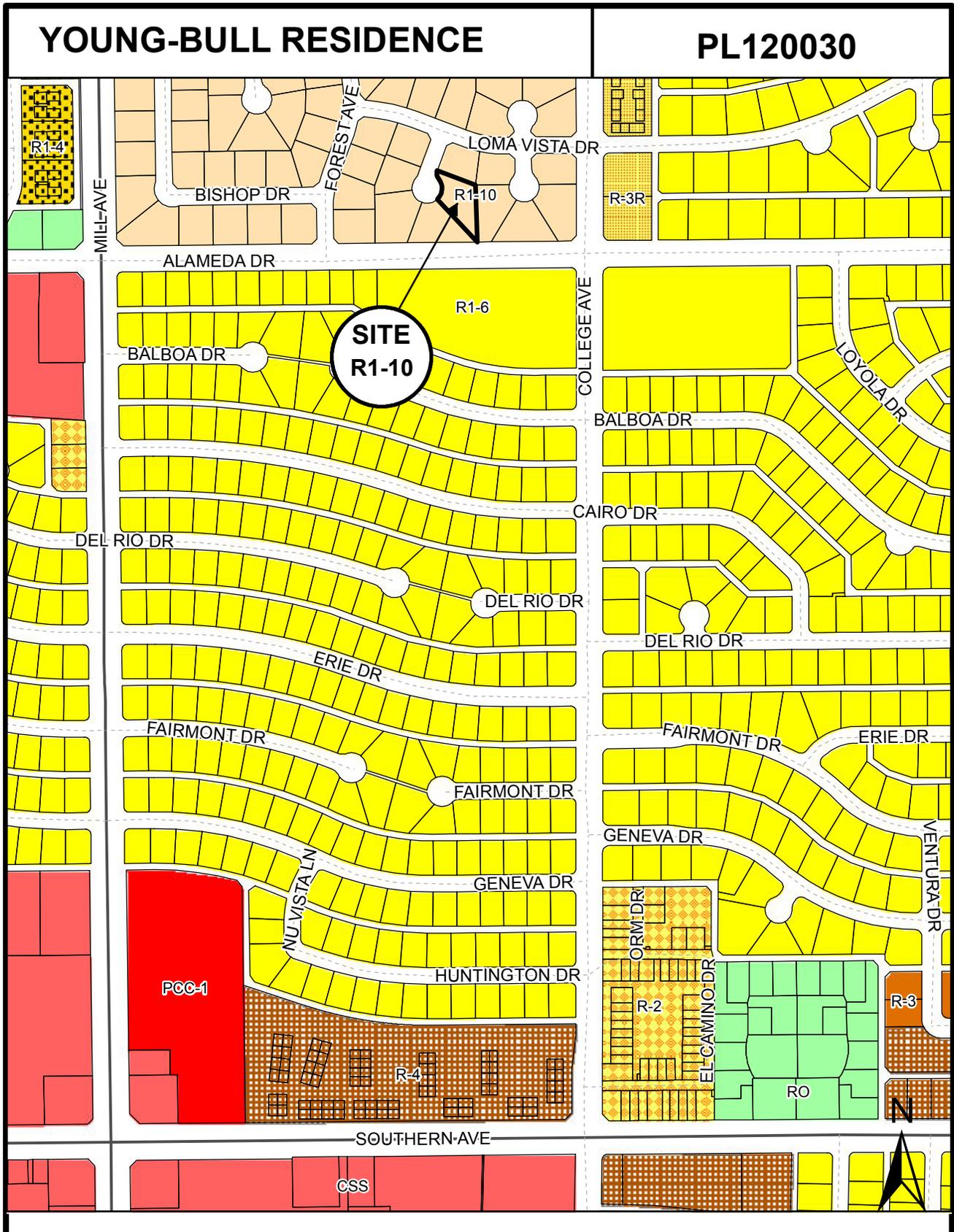
None pertinent to this case.

DESCRIPTION:

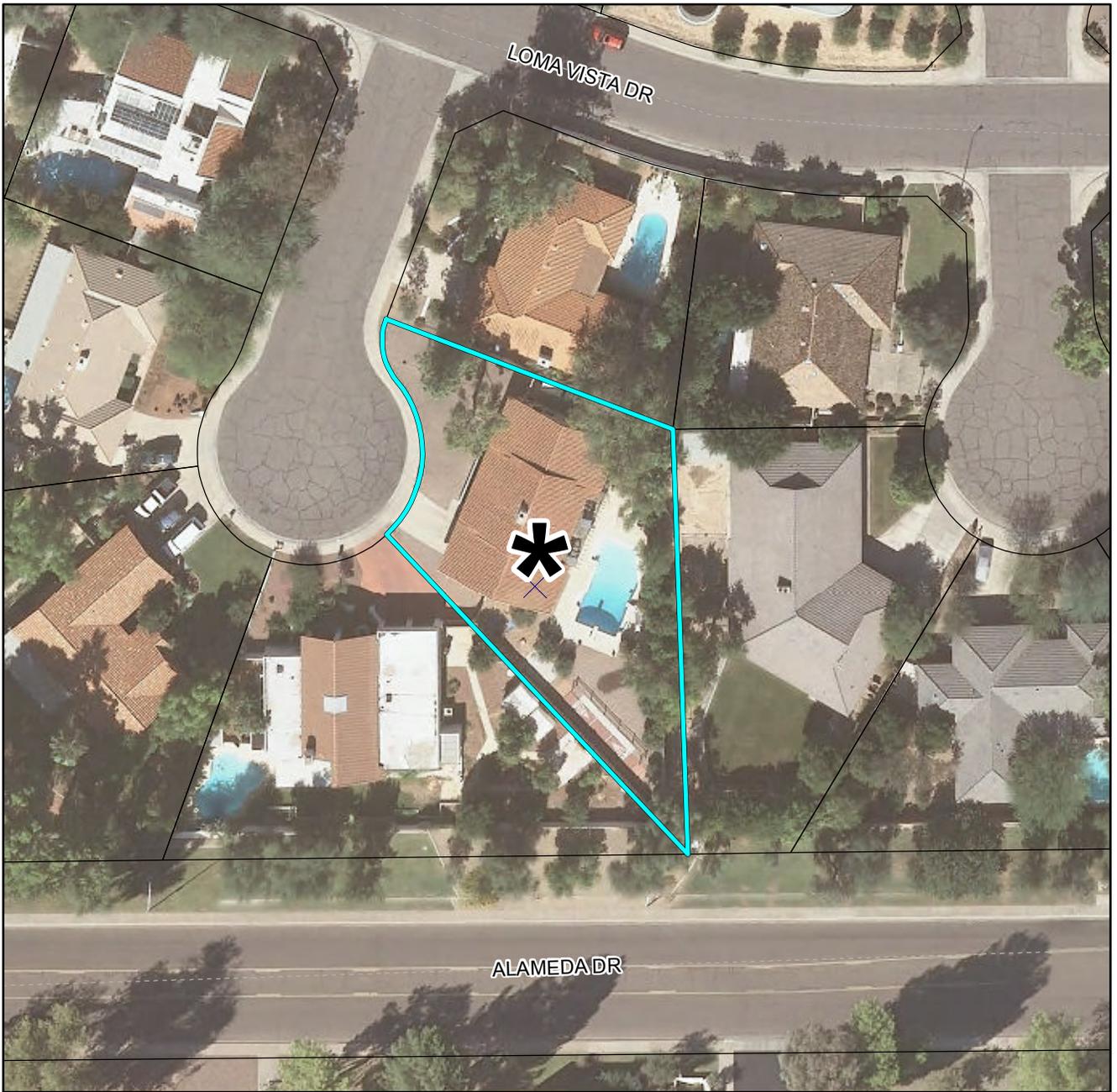
Owner – Mr. Cody Youngbull
Applicant – Mr. Cody Youngbull
Existing Zoning – R1-10, Single Family Residential District

**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Part 4, Chapter 7, Section 4-706A – General Fence and Wall Height Standards
Part 6, Chapter 3, Section 6-308 – Use Permit



Location Map

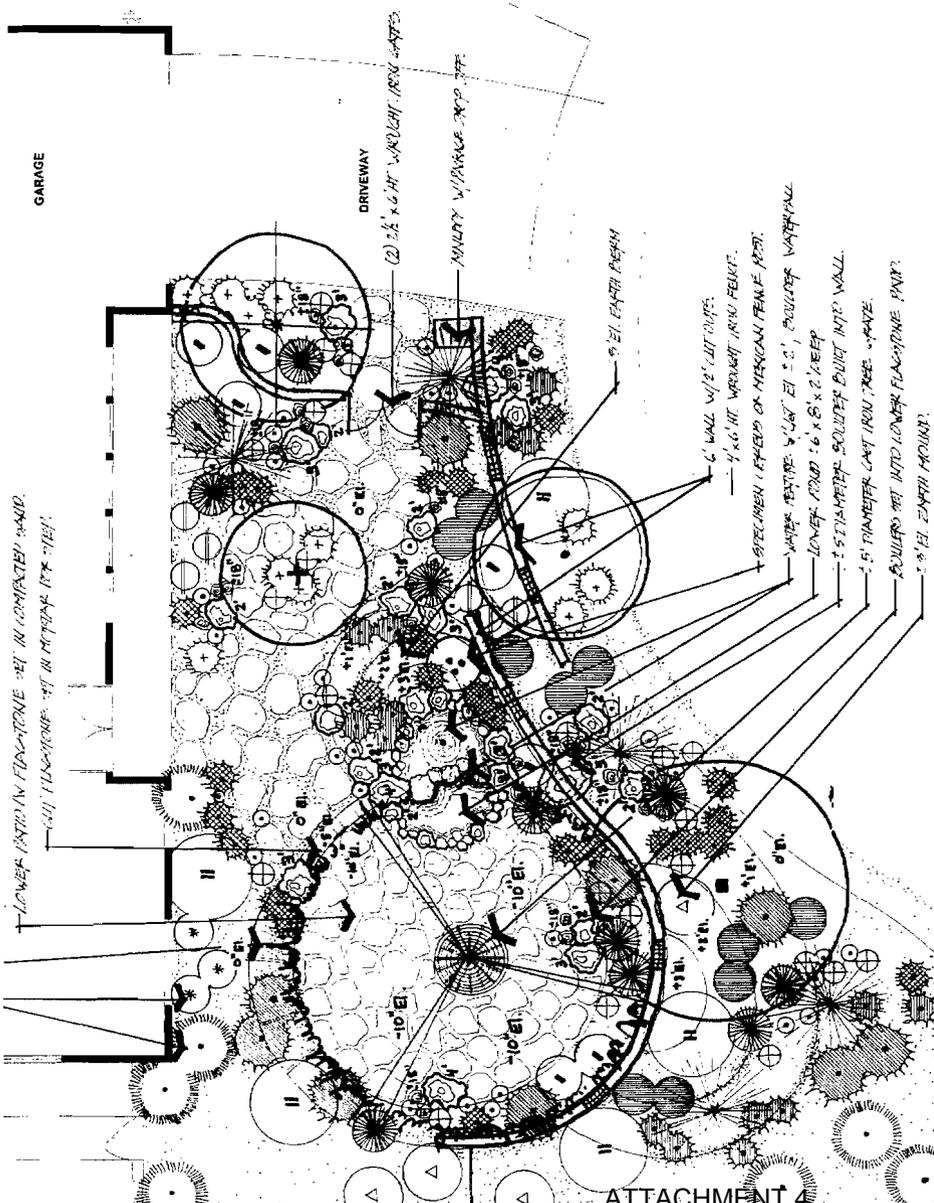


YOUNG-BULL RESIDENCE (PL120030)

Letter of Explanation

Youngbull Residence

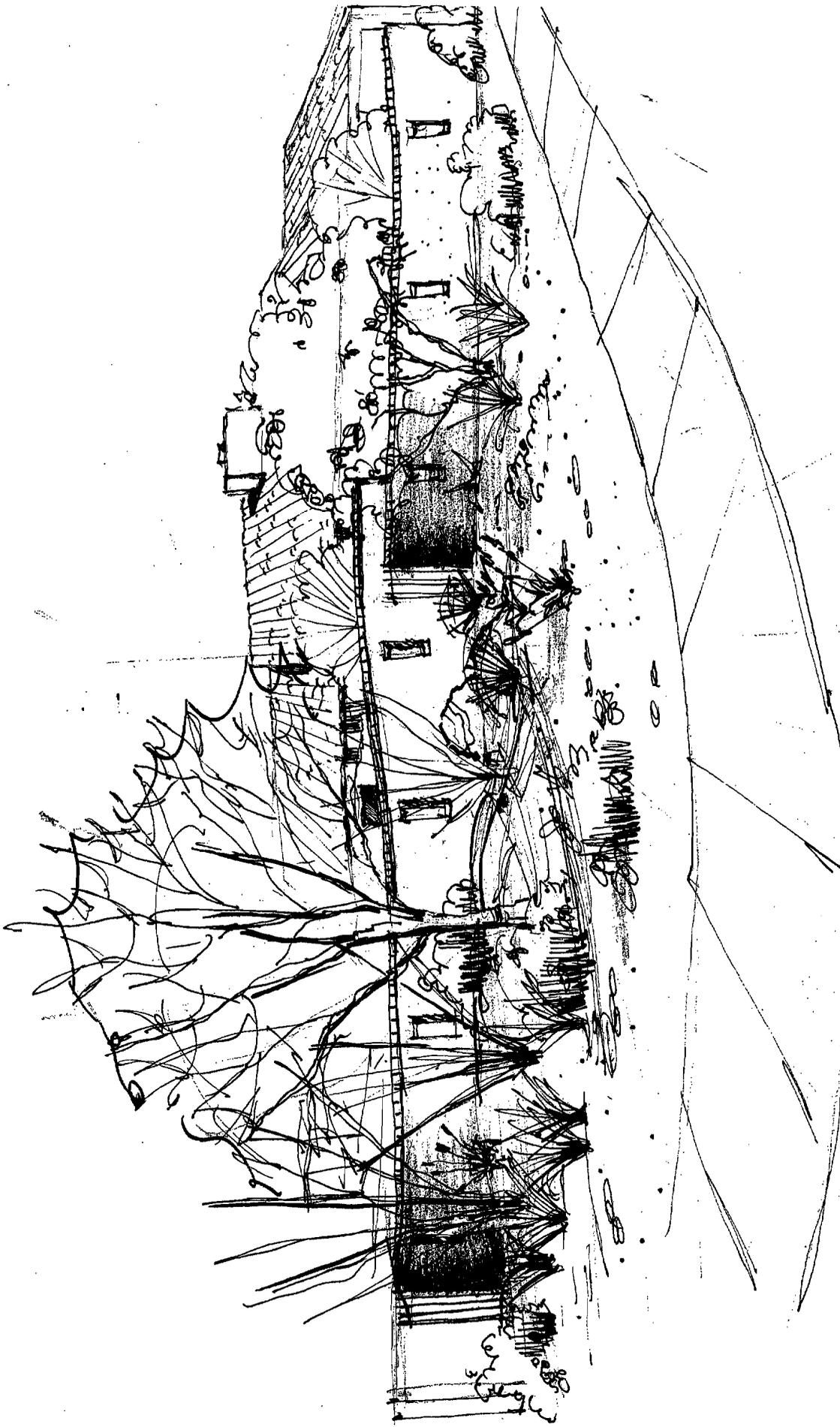
We are trying to create a courtyard in the front of our home. The space is meant to be open, welcoming and shade producing and in the same southwestern style fitting the home and other homes in our neighborhood. There are two walls called for in the plan, each at a different height. The tallest wall is meant to be 6' high with windows in it and supports an earthen berm coming to 3' up on the exterior of the wall. This tall curved wall does not contact any other wall or structures and surrounds a circular flat area that is recessed to create a sitting area around a tree planted in the center of the courtyard. The shorter wall is designed to 5' tall and will contain the gate as entry into the front of our home. The walls will be stuccoed and painted. Two large boulders extend through the wall to make the features look natural and preexisting. Up lighting will highlight the trees and boulders surrounding and within the wall. All the plantings are desert hearty and in the long term we would like to include a water feature and apply for certification as a wildlife habitat: "<http://www.nwf.org/Get-Outside/Outdoor-Activities/Garden-for-Wildlife/Create-a-Habitat.aspx?campaignid>".



E LOMA VISTA DR

PROPOSED PLANT MATERIALS

SYMBOL	COMMON/BOTANICAL NAME	SIZE	TYPE	QTY	USE
(C)	Crotalaria retusa "Crown Jewel" Palo Verde	4 1/2" Box	Tree	1	Shelter
(C)	Chippewa Insects Sage Willow	3 1/2" Box	Tree	1	Food
(C)	Pithecolobium paniculata Yucca Ebony	3 1/2" Box	Tree	1	Food, Shelter
(C)	Prosopis glandulosa Thomasia Texas Honey Mesquite	4 1/2" Box	Tree	1	Food, Shelter
(C)	Hydris emoryi Desert Lavender	1 Gallon	Shrub	1	Shelter
(C)	Larrea tridentata Creosote Bush	5 Gallon	Shrub	6	Shelter
(C)	Sphaeralcea ambigua Clobe Marlow	5 Gallon	Shrub	6	Food
(C)	Baccharis subulata Desert Marigold	1 Gallon	Perennial	24	Food, Shelter
(C)	Thlaspi spaldingii Prink Zinnia	1 Gallon	Perennial	21	Food
Recommended Plants for Hummingbirds and Wildlife Habitats					
(C)	Viburnum cassinii Chick Tree	3 1/2" Box	Tree	1	Food, Shelter
(C)	Calliandra californica Bass Fairy Duster	5 Gallon	Shrub	4	Shelter
(C)	Hemelia patens Firebush	5 Gallon	Shrub	7	Food, Shelter
(C)	Asclepias speciosa Mexican Monarda	5 Gallon	Shrub	7	Food, Shelter
(C)	Parsonsia bartramia Scarlet Penstemon	1 Gallon	Shrub	16	Food
(C)	Parsonsia triflora Hot Country Penstemon	1 Gallon	Shrub	14	Food
(C)	Larrea monblancii "Blood Red" Trailing Larrea	1 Gallon	Groundcover	11	Food
(C)	Hesperaloe parviflora Red Aloe	1 Gallon	Succulent	10	Food
(C)	Strophanthus greggii Mexican Organ Pipe	2 1/2" Box	Cactus	1	Food, Shelter
Recommended Plants for Butterfly, Nectar/Larval Plants and Wildlife Habitats					
(C)	Hemelia patens Firebush	5 Gallon	Shrub	7	
(C)	Muhlenbergia rigens Royal Palm Grass	5 Gallon	Grass	19	Food, Shelter
(C)	Muhlenbergia rigens Gold Palm Grass	5 Gallon	Grass	5	Food, Shelter
(C)	Muhlenbergia rigens Oat Grass	5 Gallon	Grass	10	Food, Shelter
(C)	Fouquieria splendens Ocotillo	Base Root	Cactus	3	Food, Shelter



FRONT WALL / LANDSCAPE