

Staff Summary Report



Hearing Officer Hearing Date: July 21, 2009

Agenda Item Number: 5

SUBJECT: This is a public hearing for a request by the **AUSTIN RESIDENCE (PL090228)** located at 1440 East Secretariat Drive for one (1) use permit.

DOCUMENT NAME: 20090721dssl01 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the **AUSTIN RESIDENCE (PL090228)** (Tessa Jones/the Phactory, applicant; Jon & Hiroko Austin, property owners) located at 1440 East Secretariat Drive in the AG, Agricultural District for:

ZUP09099 Use permit to allow an accessory building (pool house).

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

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

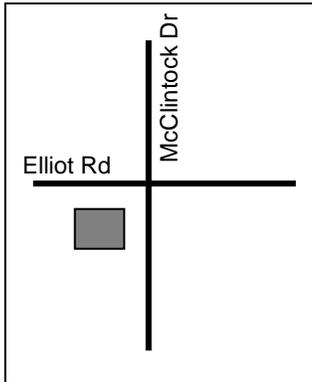
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:



The applicant is requesting a use permit to allow an accessory building (pool house/workshop). The freestanding structure is located at the west side of the lot with a building area of 1120 s.f. Staff supports the use permit request with the finding that the request meets the criteria for approval of a use permit. To date, staff has received no public input regarding 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. Site plan
5. Floor plan
6. Elevation
7. Elevation
8. Section
9. Staff Photograph(s)

COMMENTS:

The Austin Residence is proposing to construct a freestanding building on the west side of their property. The proposed structure is 1120 s.f. in area and nineteen feet 6 inches (19'-6") in height. This property is located in AG- Agricultural District. The proposed building design is a barn-like aesthetic to complement the area. The structure is located fifteen feet (15') from the west side yard property line and ninety-nine (99) feet from the north rear yard property line. The side yard setback in the AG District is twenty (20) feet; this property is located within the Sunburst Farms subdivision which has an overall side yard setback variance of fifteen (15) feet. 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, staff has received no public input.

Use Permit

The Zoning and Development Code requires a use permit for an accessory structure in the AG- Agricultural 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.
- 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.

REASON(S) 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.

**CONDITION(S)
OF APPROVAL:**

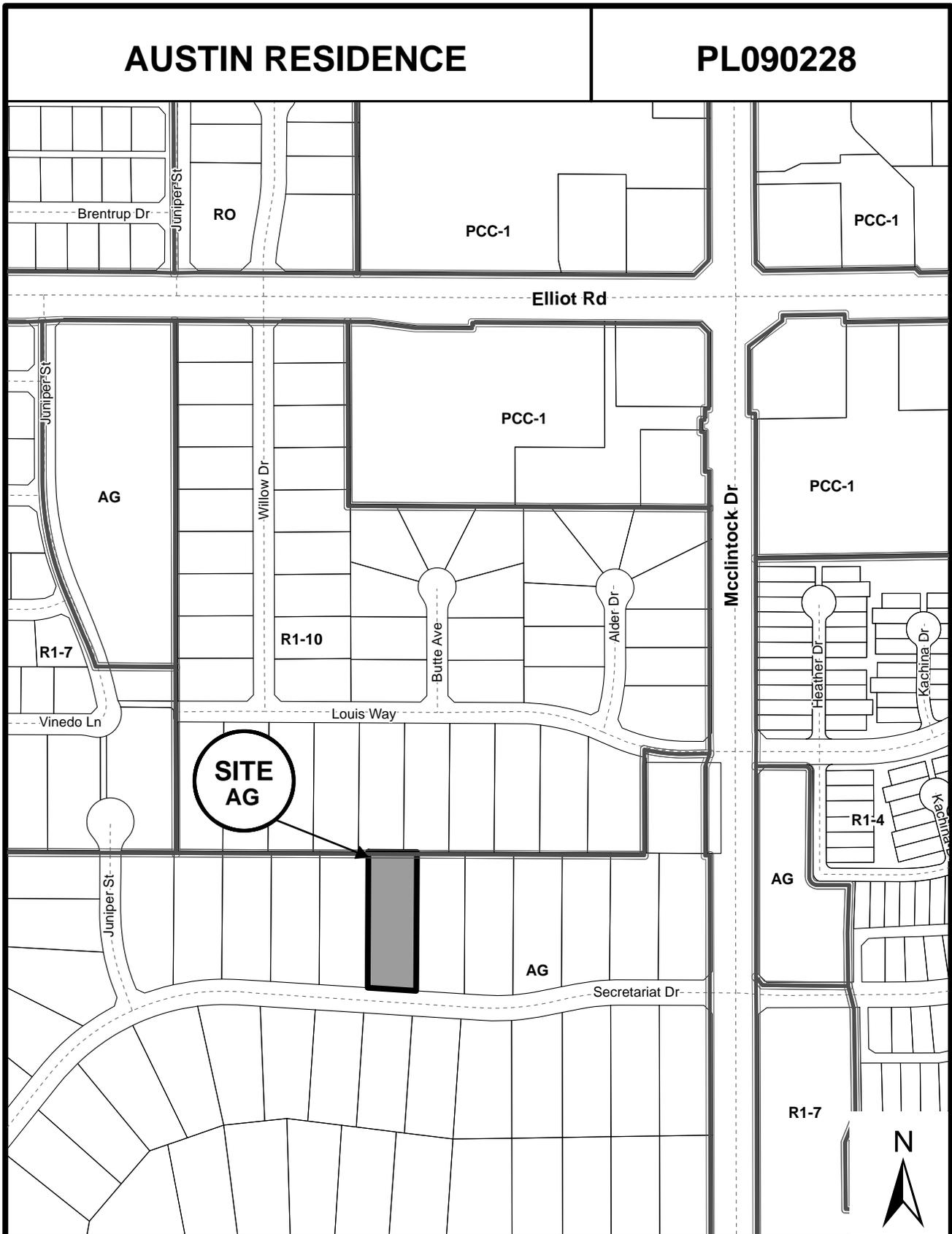
1. Obtain all necessary clearances and permits from the Building Safety Division.
2. Accessory building to complement the main residence in color, form and material.
3. Accessory building not be used for sleeping or living purposes and shall have no cooking facilities.
4. The accessory building not to be rented separately from the main residence as an office or accessory unit.
5. Provide a set of plans for the file with site data listing the height of existing dwelling and the proposed accessory building. The height of accessory building not to exceed the height of existing residence.

HISTORY & FACTS: None pertinent to this case.

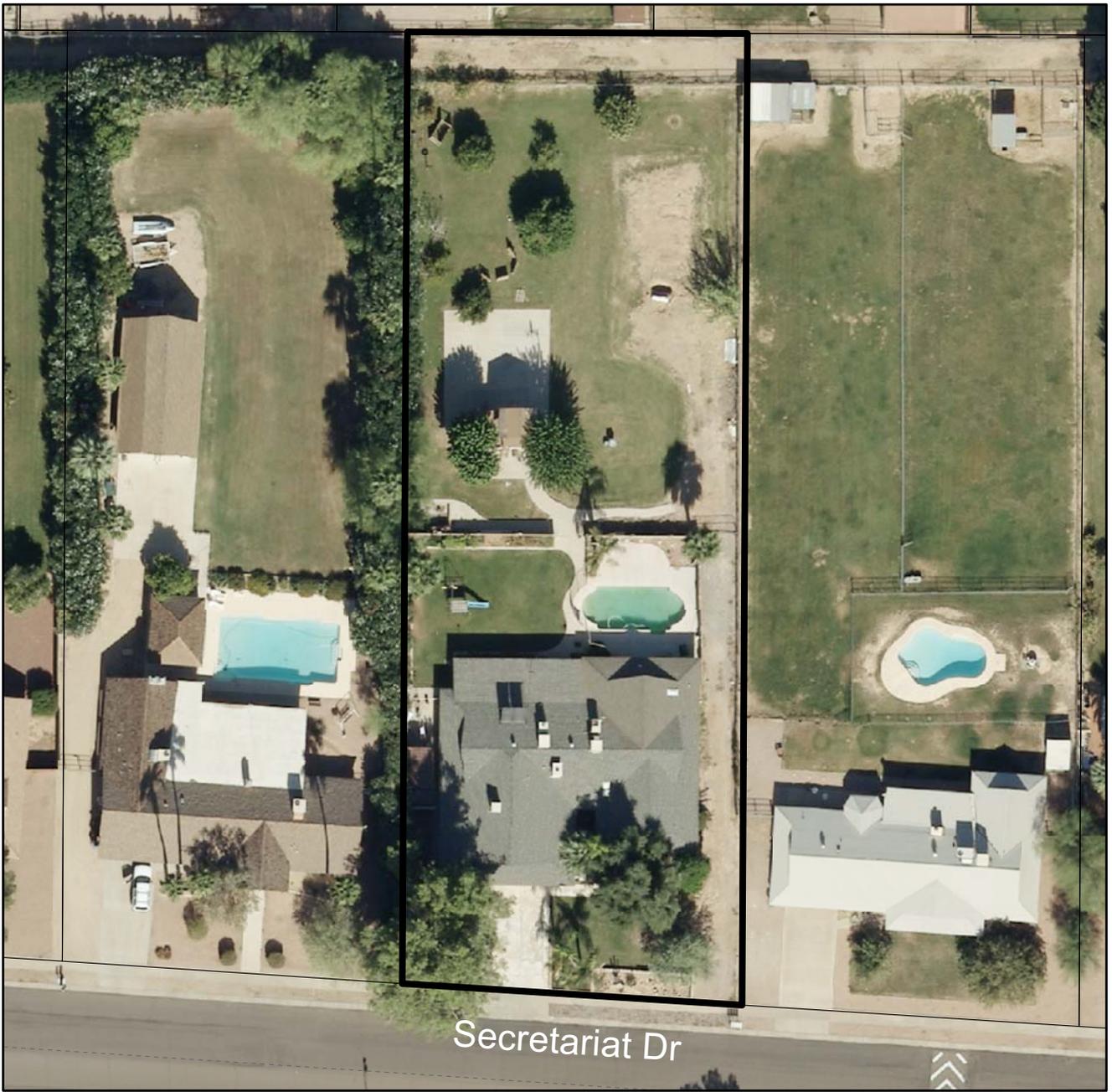
DESCRIPTION: Owner – Jon & Hiroko Austin
Applicant – Tessa Jones/The Phactory
Existing Zoning – AG, Agricultural District
Proposed building area- 1120 s.f.
Proposed side yard setback- 15'
Proposed rear yard setback 99'

**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



Location Map



AUSTIN RESIDENCE (PL090228)

the PHACTORY llc

architecture
design
fabrication

480.921.9500
2417 s. palm drive
tempe, arizona 85282
thephactory@cox.net

22 June 09

Project: **Austin Residence**
1440 E. Secretariat Drive
Tempe, AZ 85284

Letter of Explanation

This project consists of a pool house (1,120 s.f.) & ramada area (416 s.f.) on an existing residential property.

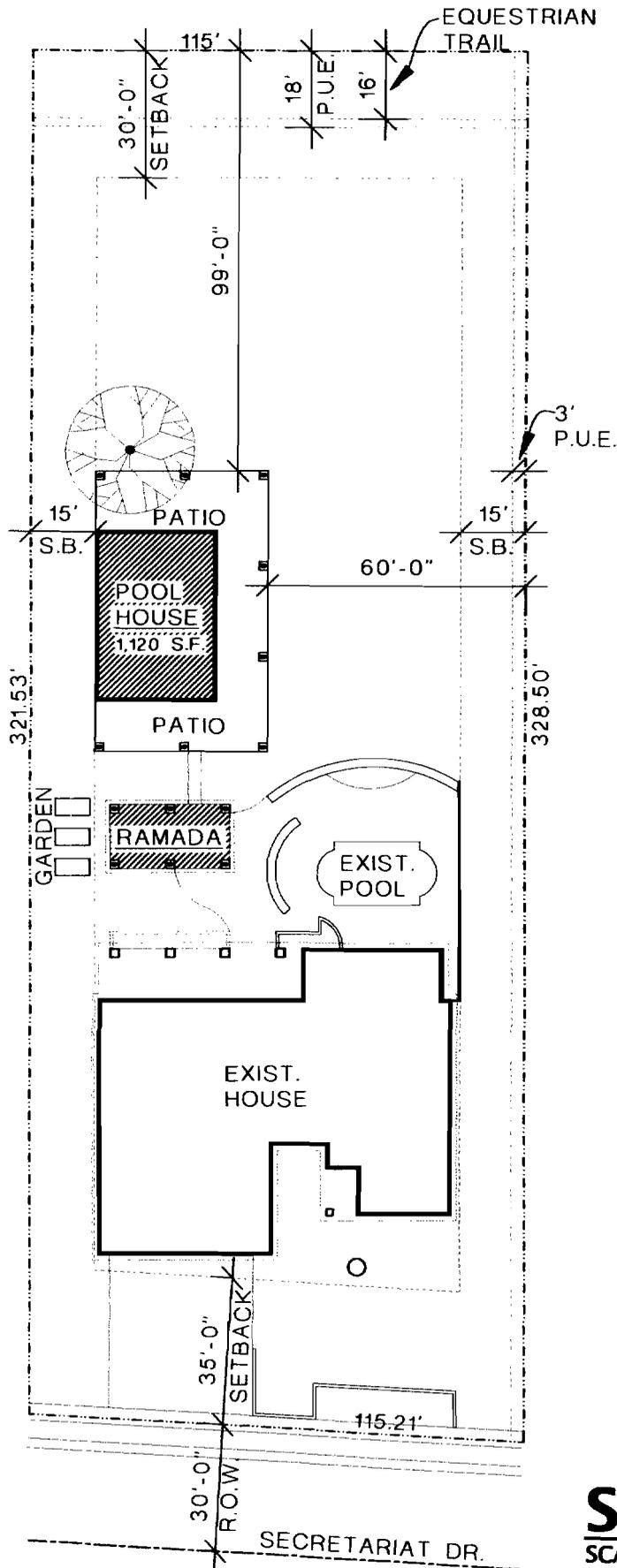
There are three generations of the Austin family living at this property. The Pool House will provide a place to gather, work on projects and provide a recreation area for the family. The large wrap around patio will provide a shaded area off of the pool. Grandpa has a love for working in his workshop & the three children have many of their own projects on going. This is a very active family. Having a place to pursue their hobbies will be a great addition to their property.

Many properties in this neighborhood have large outbuildings (see attached aerial). This is an agricultural property, therefore we are proposing that the Pool House take on a barn-like aesthetic.

Thank you for your consideration,



Tessa Jones
the Phactory



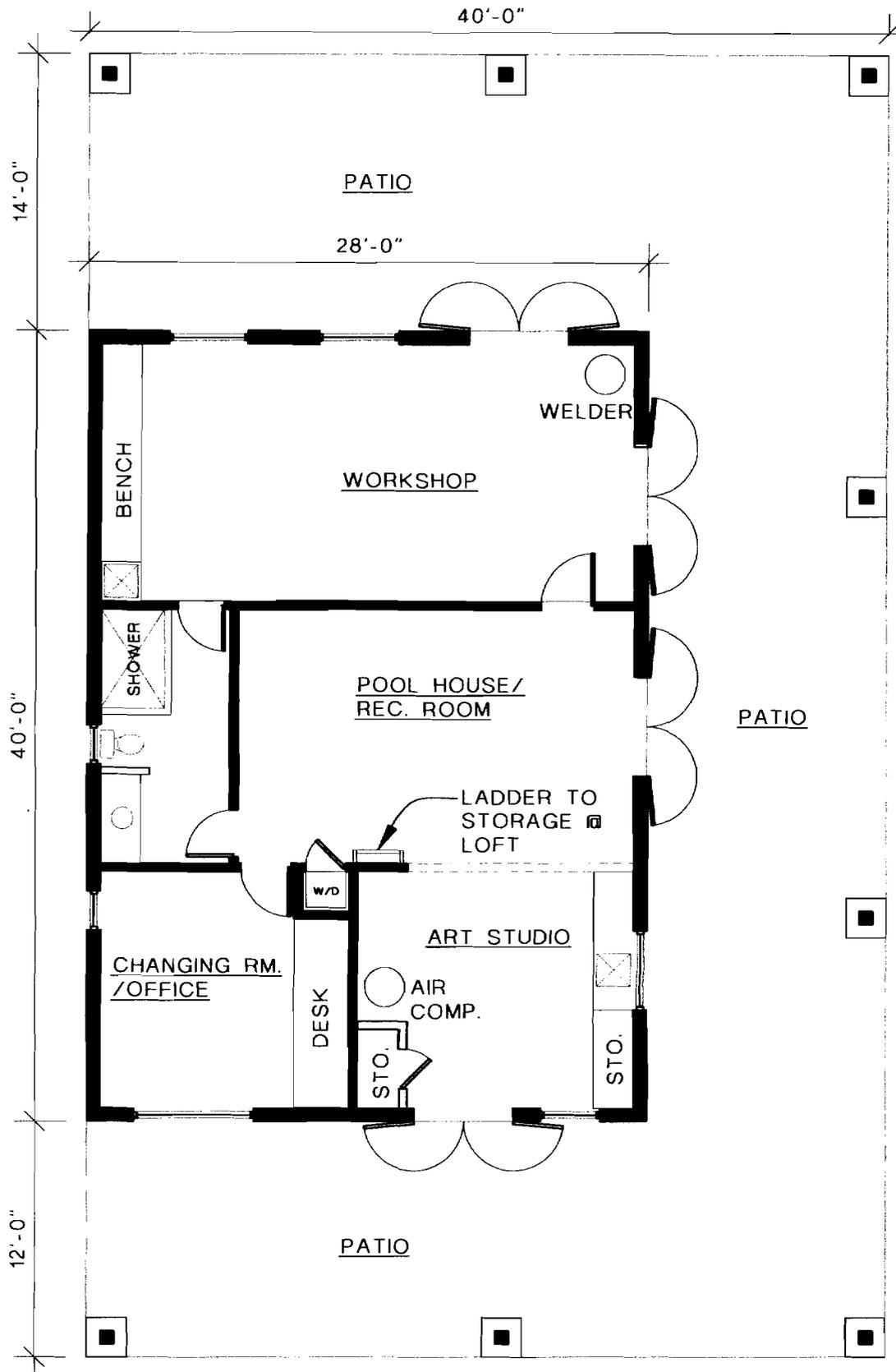
SITE PLAN

SCALE: 1"=40'-0"

AUSTIN RESIDENCE

1440 E. Secretariat Drive, Tempe, Arizona 85284

22 JUNE 09
the Phactory



FLOOR PLAN

1,120 S.F.

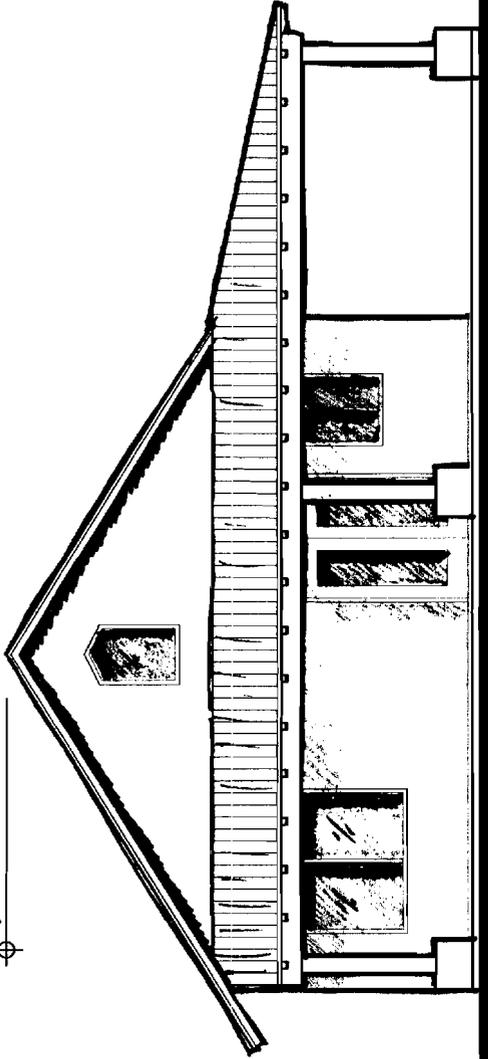
SCALE: 1/8"=1'-0"

AUSTIN RESIDENCE

1440 E. Secretariat Drive, Tempe, Arizona 85284

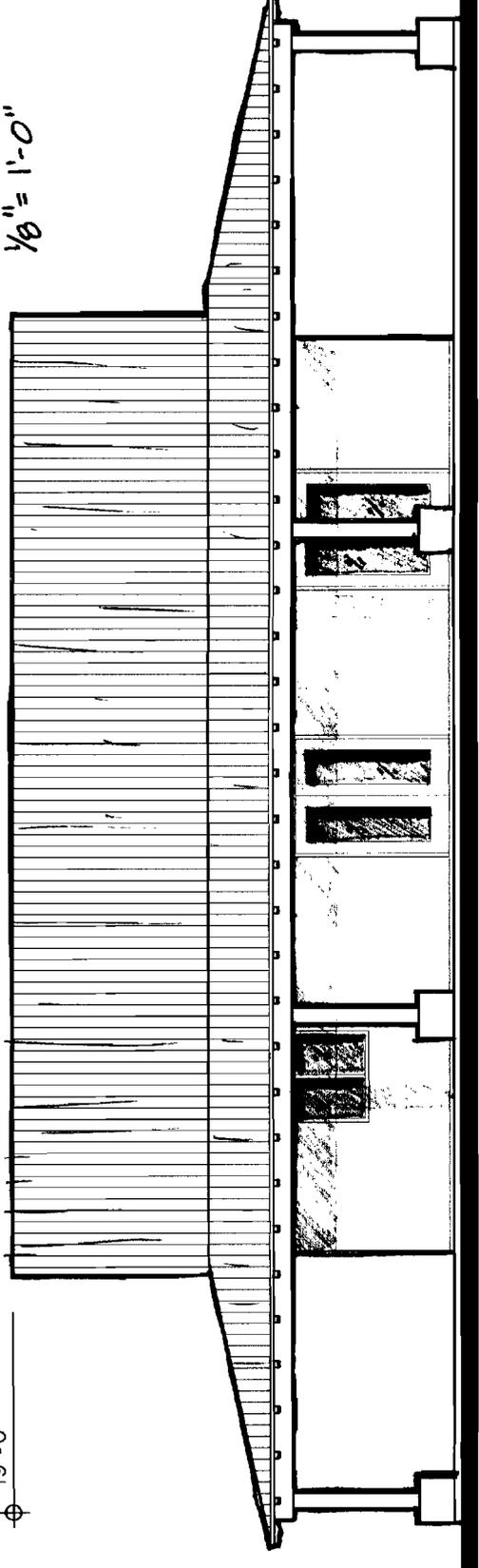
22 JUNE 09
the Phactory

19'-6"



SOUTH ELEVATION
1/8" = 1'-0"

19'-6"

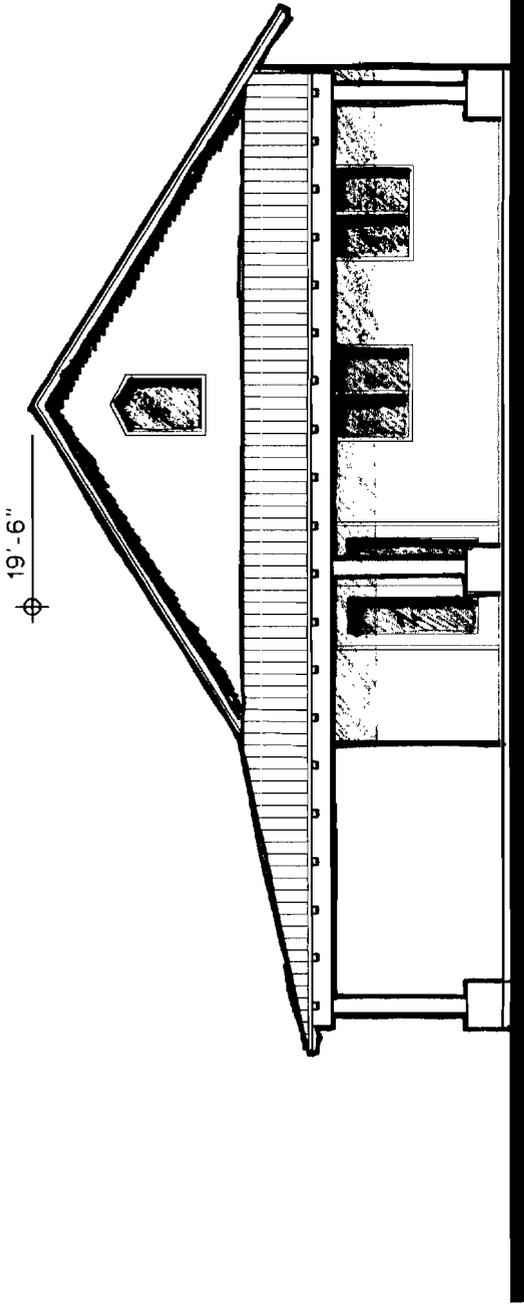


EAST ELEVATION
1/8" = 1'-0"

Austin Residence

1440 E. Secretariat Drive, Tempe, Arizona 85284

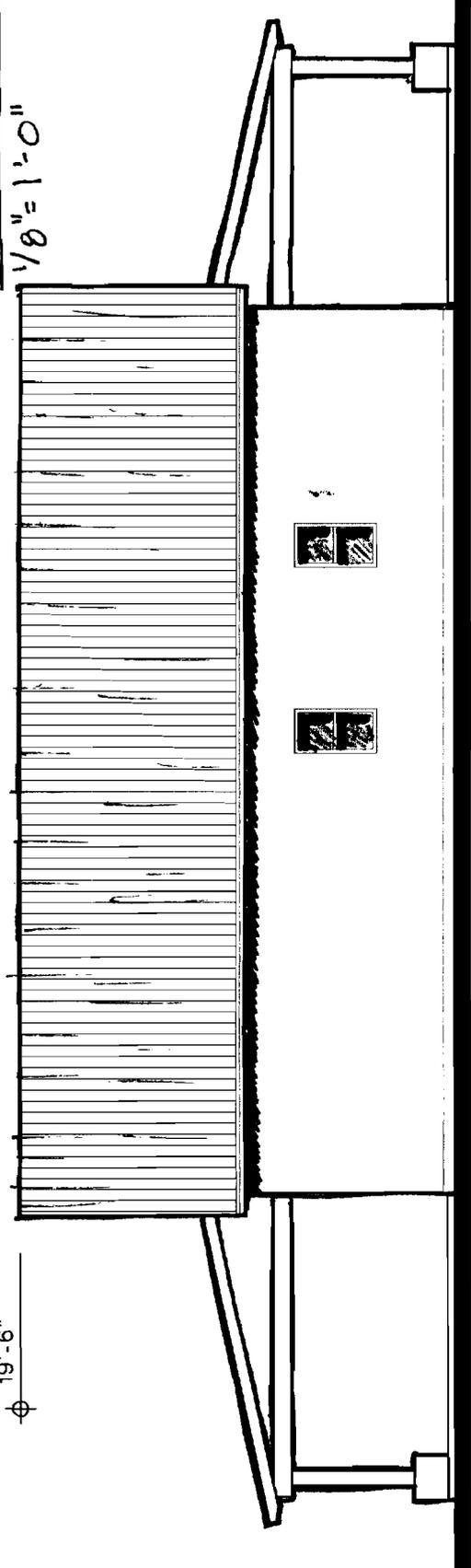
26 MAY 09
the Phactory



NORTH ELEVATION
 $\frac{1}{8}'' = 1'-0''$

19'-6"

ATTACHMENT 7

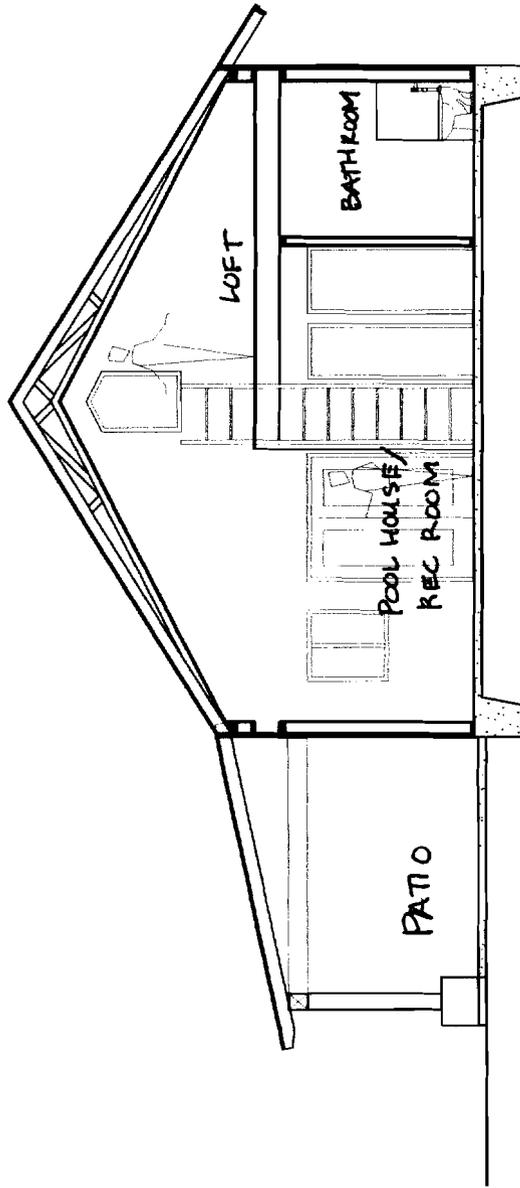


WEST ELEVATION
 $\frac{1}{8}'' = 1'-0''$

Austin Residence

1440 E. Secretariat Drive, Tempe, Arizona 85284

22 JUNE 09
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SECTION

SCALE: 1/8"=1'-0"

Austin Residence

1440 E. Secretariat Drive, Tempe, Arizona 85284

26 MAY 09
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AUSTIN RESIDENCE

1440 EAST SECRETARIAT DRIVE

PL090228

FRONT OF RESIDENCE

