

Staff Summary Report



Hearing Officer Hearing Date: May 19, 2010

Agenda Item Number: 7

SUBJECT: This is a public hearing for a request by the **DUPLEX AT THIRD STREET** located at 839 West 3rd Street for one (1) use permit.

DOCUMENT NAME: 20100519dssl03 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the **DUPLEX AT THIRD STREET (PL100119)** (Glenn Odegard/Nordic Builders Inc., applicant/property owner) located at 839 West 3rd Street in the R-3, Multi-Family Residential Limited District for:

ZUP10040 Use permit standard to reduce the north and south side yard setbacks by twenty percent (20%) from 10 ft to 8 ft.

NOTE: CURRENT ADDRESS OF 324 S CARNEY AVE WILL BE CHANGED TO 839 West 3rd Street IN THE NEAR FUTURE

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

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

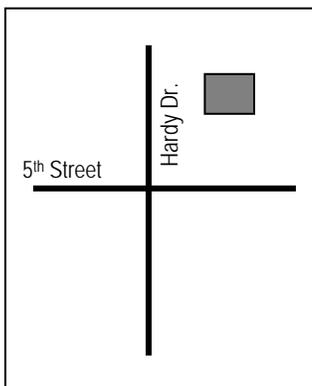
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:



The applicant is before the Hearing Officer to request a use permit to accommodate the construction of a second-story addition on an existing duplex. The proposed remodel of the duplex will enlarge the existing units with a second floor and additional bedrooms. This property is zoned multi-family which allows for two units. The use permit is to reduce the side yard setbacks by 20% from 10' to 8'; the reduced setback is for the second story support columns. Staff is recommending approval of the use permit; 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. Elevation
5. Floor Plan
6. Existing Elevation
7. Existing Floor Plan
8. Staff Photograph(s)

COMMENTS:

The property is located in the neighborhood northwest of the corner of Hardy Drive and 5th Street; it is a cul de sac lot with two adjoining properties. The surrounding properties are multi-family residential buildings. The Duplex @ 3rd Street is requesting a use permit allow for the construction of a second-story addition on an existing duplex. The new owner is remodeling the existing units by enlarging the livable space in each unit and increasing the number of bedrooms per unit. The proposed addition will require a separate development plan review approval for the design. To date, no public input has been received.

Use Permit

The Zoning and Development Code requires the setbacks for structures, in the R-3 Multi-Family Residence District, to be located ten (10) feet from the side property line. A use permit standard may be used to reduce the setback by 20% to eight (8) feet. The reduced setback to eight (8) feet is to accommodate the support structures for the proposed second story addition. The north side of the structure has a continuous eight (8) foot setback; the south side is reduced to eight (8) feet at the southwest corner of the building only.

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;
Will not create a nuisance from emission of odor, dust, gas, noise, vibration, smoke, heat or glare.
- 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 development 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, 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.
- 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 residential request.

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.
5. 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.

**CONDITION(S)
OF APPROVAL:**

1. Obtain a separate Development Plan Review approval for the design of the addition.
2. Obtain all necessary clearances and permits from the Building Safety and Engineering Divisions.

HISTORY & FACTS:

None pertinent to this case.

DESCRIPTION:

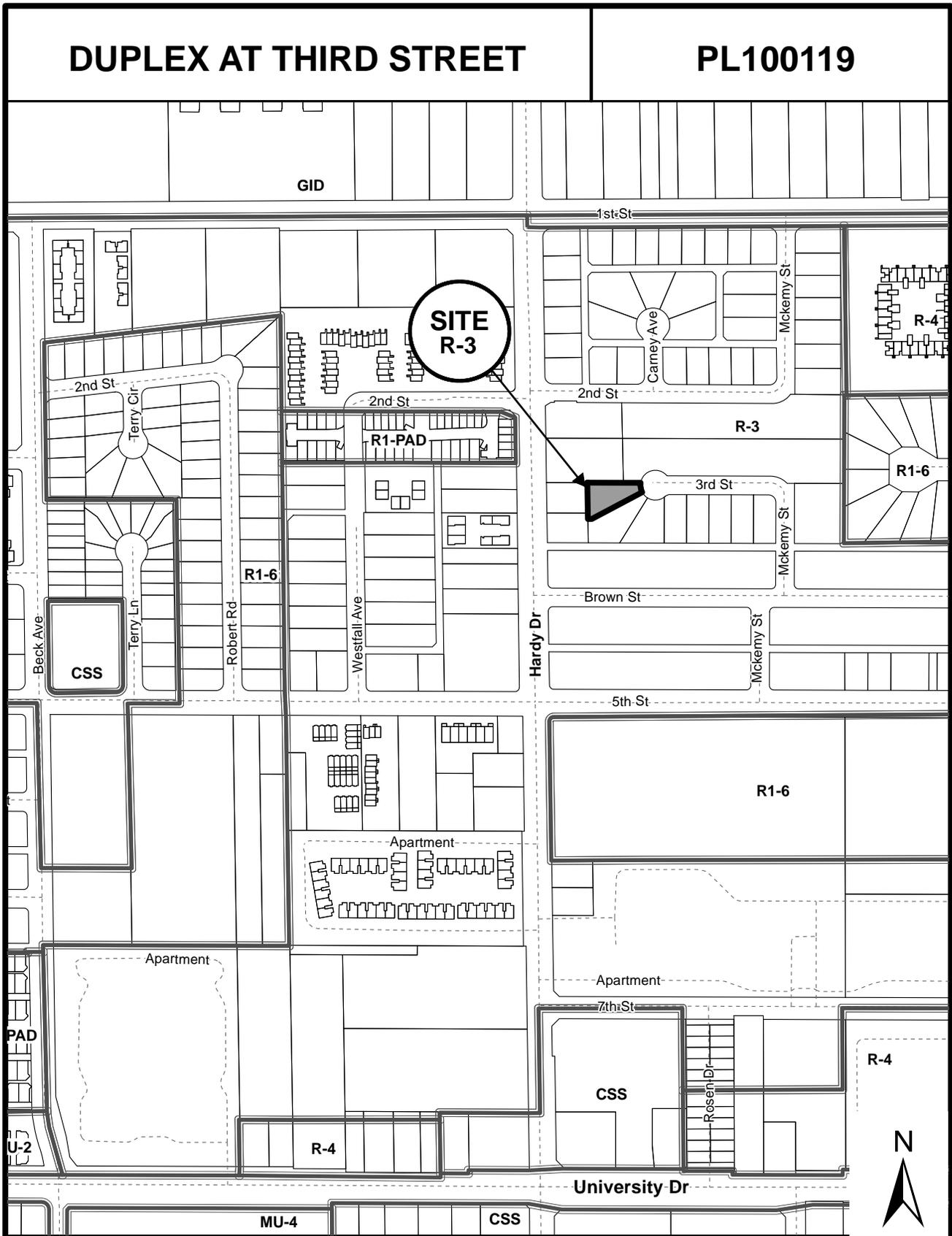
Owner – Glenn Odegard/Nordic Builders Inc.
Applicant – Glenn Odegard/Nordic Builders Inc.
Existing Zoning – R-3, Multi-Family Residential Limited District
Lot Size- 7573 s.f.
Existing building area- 1968 sf
Proposed livable area 4315 sf
Lot Coverage- 27 %
Parking Required- 6 spaces
Parking Provided- 6 spaces

**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

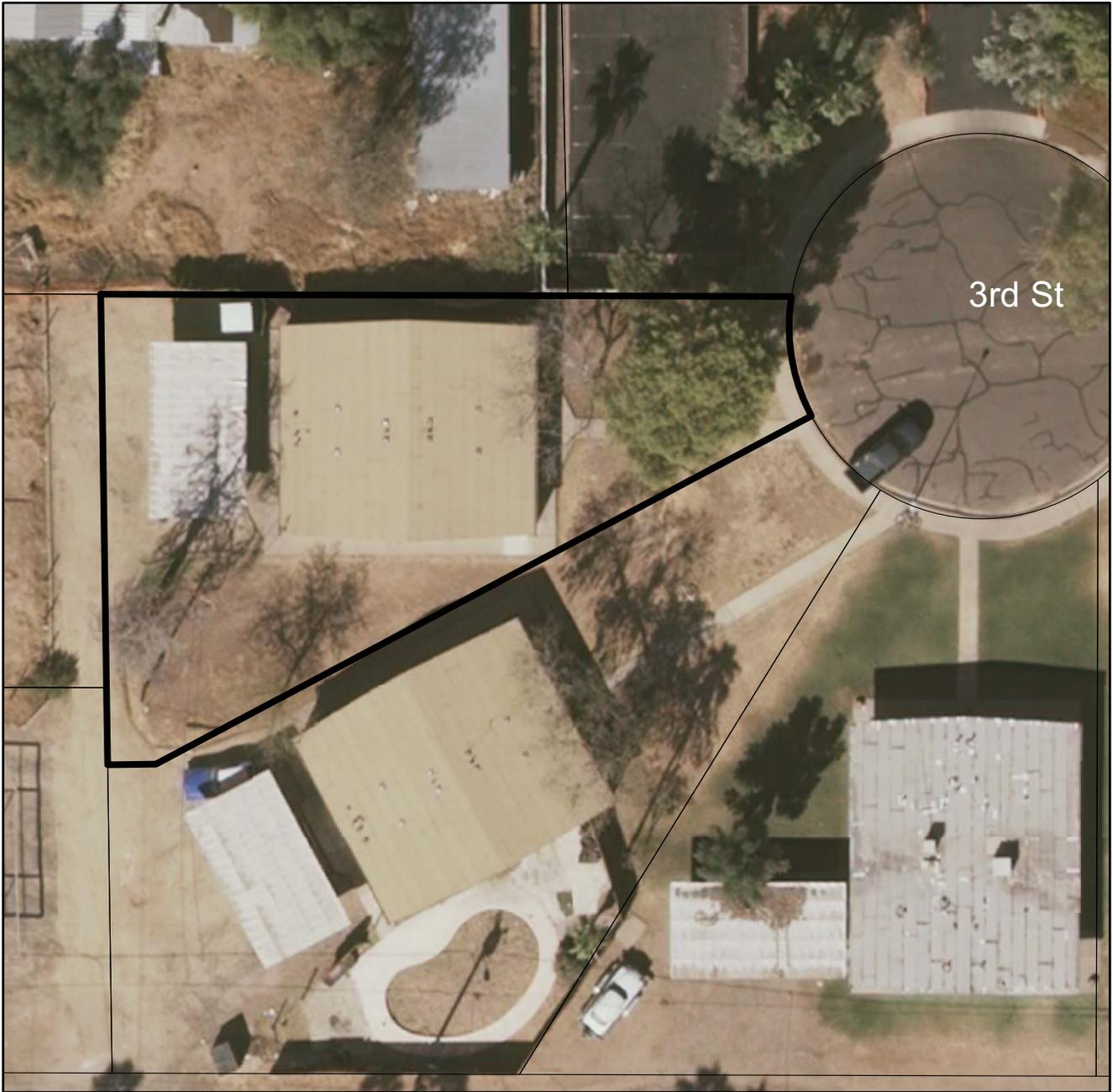
Part 4, Chapter 2, Section 4-202.
Part 6, Chapter 3, Section 6-308 – Use Permit

DUPLEX AT THIRD STREET

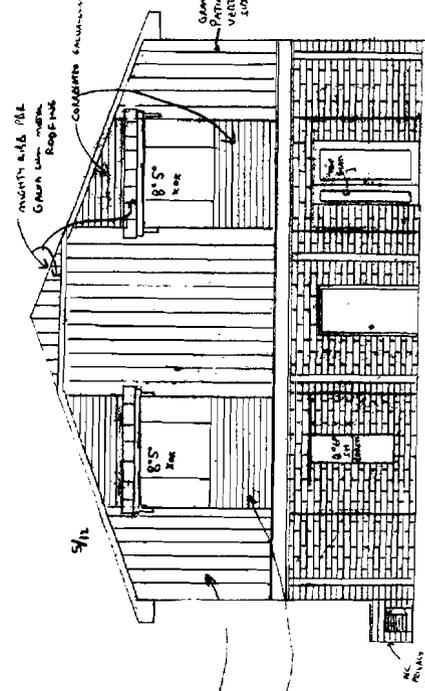
PL100119



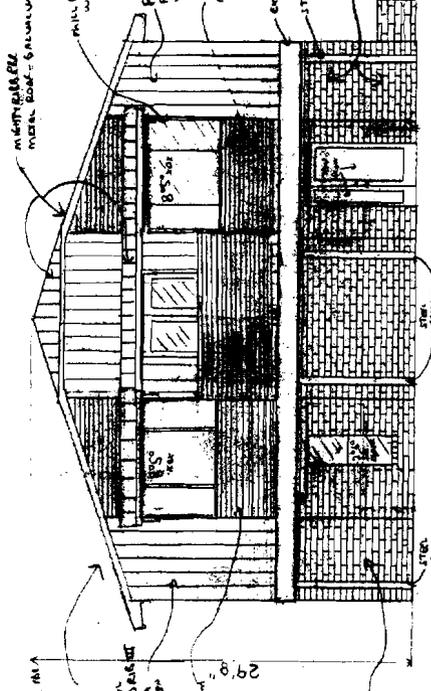
Location Map



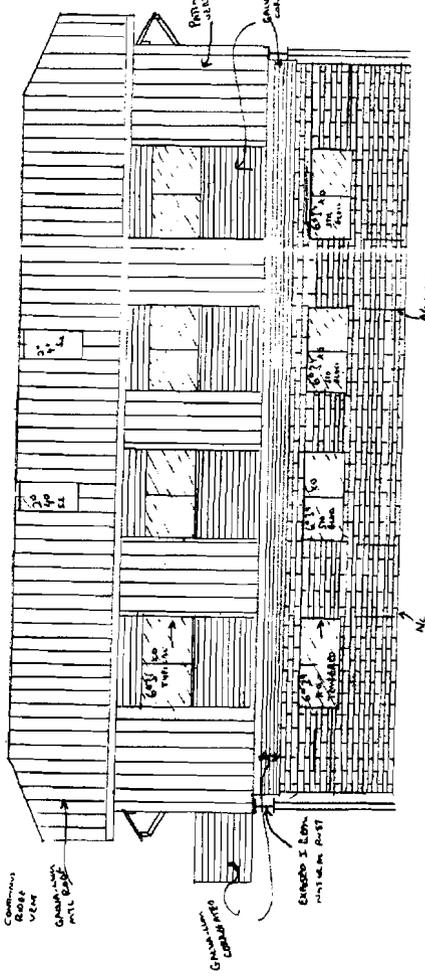
LEMON MIXED USE DEVELOPEMENT (PL080499)



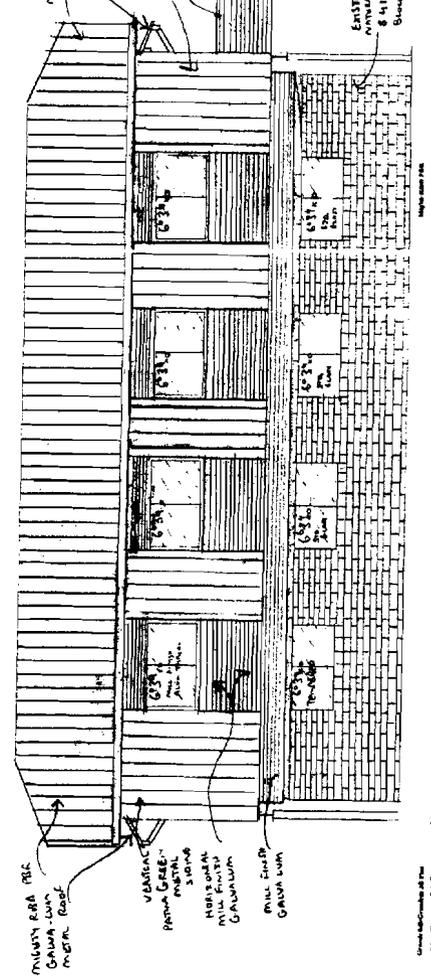
WEST ELEVATION - NEW $\frac{1}{4}'' = 1'-0''$



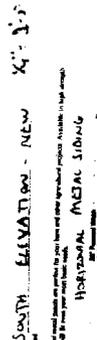
EAST ELEVATION - NEW $\frac{1}{4}'' = 1'-0''$



NORTH ELEVATION - NEW $\frac{1}{4}'' = 1'-0''$



SOUTH ELEVATION - NEW $\frac{1}{4}'' = 1'-0''$

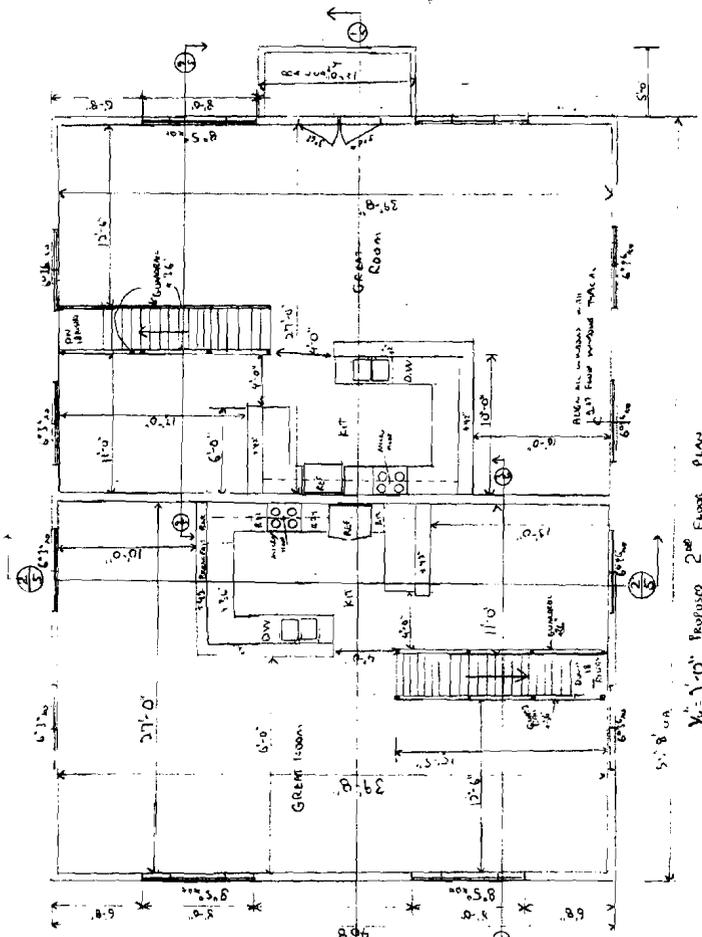


- General Notes:
- 1. All work shall be in accordance with the 2018 International Residential Code (IRC) and the 2018 International Building Code (IBC).
 - 2. All materials shall be of the highest quality and shall be installed in accordance with the manufacturer's instructions.
 - 3. All work shall be completed in a timely manner and shall be subject to inspection by the local building department.
 - 4. The contractor shall be responsible for obtaining all necessary permits and for paying all associated fees.
 - 5. The contractor shall be responsible for protecting all existing work and for restoring any damaged areas.
 - 6. The contractor shall be responsible for maintaining the site in a safe and clean condition at all times.
 - 7. The contractor shall be responsible for providing all necessary safety equipment and for ensuring that all workers are properly trained and supervised.
 - 8. The contractor shall be responsible for providing all necessary materials and labor for the completion of the project.
 - 9. The contractor shall be responsible for providing all necessary drawings and specifications for the project.
 - 10. The contractor shall be responsible for providing all necessary communication and coordination with the owner and other project participants.

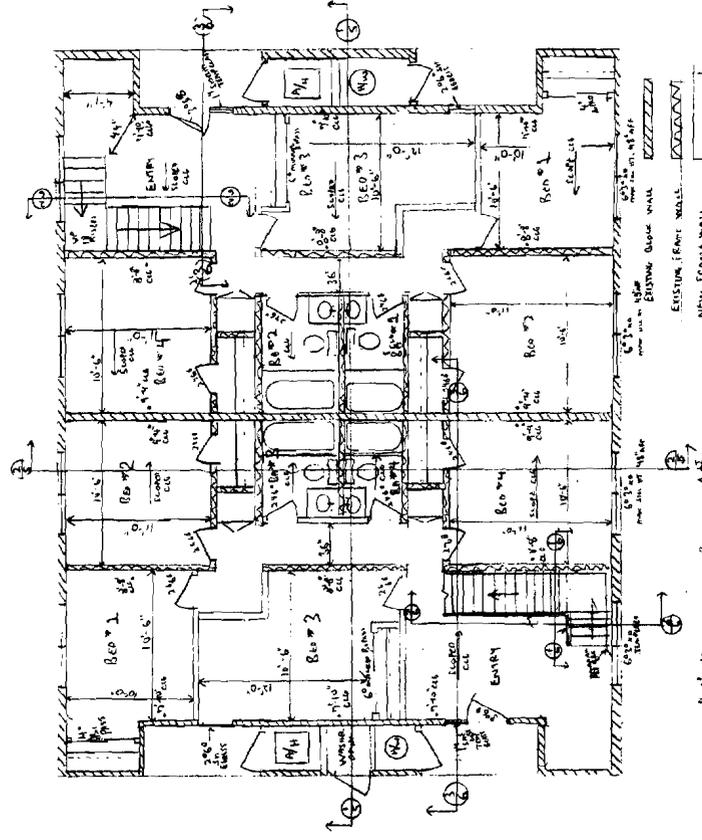
339 W. 3rd Street, Tempe, AZ
 (Former address 324 S. Cairney)

Owner: Nordic Properties, LLC
 General Contractor: Nordic Properties, Inc. (480) 852-0803
 Email: nordic@nordicproperties.com WWW.NORDICPROPERTIES.COM

ELEVATIONS
 SHEET 8 OF 11



41'-0" PROPOSED 2ND FLOOR PLAN

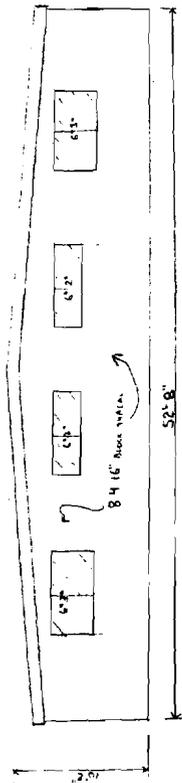


41'-0" EXISTING - PROPOSED 1ST FLOOR PLAN

839 W. 1ST STREET, TEMPE, AZ
 (Former address 324 S. Carney)

Owner: Nordic Properties, L.L.C.
 General Contractor: Nordic Builders, Inc. (480) 862-0603
 Email: nordicbuilders@gmail.com WWW.NORDICBUILDERS.COM

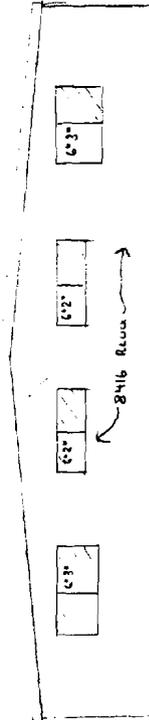
1ST & 2ND FLOOR PLAN
 SHEET 3 OF 11



EXISTING SOUTH ELEVATION $1/4" = 1'-0"$



EXISTING EAST ELEVATION $1/4" = 1'-0"$



EXISTING NORTH ELEVATION $1/4" = 1'-0"$



EXISTING WEST ELEVATION $1/4" = 1'-0"$

839 W. 3rd Street, Tempe, AZ
 (Former address 324 S. Carney)

Owner:
 Nordic Properties, L.L.C.
 General Contractor: Nordic Builders, Inc. (480) 822-0603
 Email: nordicbuilders@gmail.com *NSB0325258153821

EXISTING ELEVATIONS
 SHEET 10 OF 11



DUPLEX AT THIRD STREET

839 WEST 3RD STREET

PL100119

FRONT OF BUILDING

