

# Staff Summary Report



Hearing Officer Hearing Date: October 6, 2009

Agenda Item Number: 3

**SUBJECT:** This is a public hearing for a request by the **FLORES RESIDENCE (PL090345)** located at 614 East Westchester Drive for one (1) use permit.

**DOCUMENT NAME:** 20091006dsdp01 **PLANNED DEVELOPMENT (0406)**

**COMMENTS:** Request by the **FLORES RESIDENCE (PL090345)** (Kerry McNeil/KLM Builders Inc., applicant; Fred Flores, property owner) located at 614 East Westchester Drive in the R1-6, Single Family Residential District for:

**ZUP09131** Use permit standard to reduce the front yard setback for an open structure (carport addition) by twenty percent (20%) from fifteen feet (15') to twelve feet (12').

**PREPARED BY:** Derek Partridge, Planner I (480-350-8867)

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

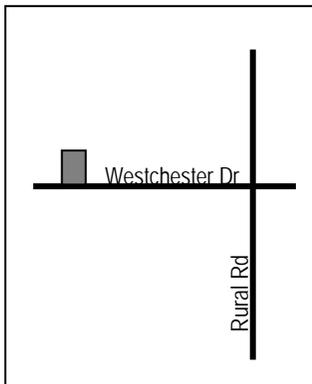
**LEGAL REVIEW BY:** N/A

**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 front yard setback for purposes of an open structure to be used as a carport. The applicant has provided detailed plans and elevations for the proposed addition. The proposed addition will match the design and construction of the existing residence. 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. Floor plan
5. Elevations
6. Staff Photograph(s)

## COMMENTS:

The Flores Residence is requesting a use permit standard (20%) to reduce the front yard setback for an open structure from fifteen (15') feet to twelve (12') feet. The proposed carport structure is intended to park two (2) vehicles and would extend twenty (20') feet from the existing front of the home. The home was originally built in 1974, at which time the carport was converted to living space. The applicant has provided detailed plans and elevations for the proposed addition. The proposed addition will match the design and construction of the existing residence. To date, no public input has been received on this request.

## Use Permits

The Zoning and Development Code requires a use permit for any setback reduction less than 20%. This use permit request meets all applicable tests in the following manner:

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 proposed carport will not cause nuisance.
- 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. 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.
- d. Compatibility with existing surrounding structures and uses;
  - The proposed use appears to be compatible with surrounding uses; several other properties in this neighborhood also have carports. The homes on the south side of Westchester generally have garages; the homes on the north side of Westchester have carports.
- 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 request.

## Conclusion

Staff recommends approval of the request subject to conditions

## REASON(S) FOR APPROVAL:

1. The use appears to be compatible with the building, site and adjacent property.
2. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
3. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.

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

**CONDITION(S)**

**OF APPROVAL:**

- 1. The use permit is valid for the plans as submitted to and approved by the Hearing Officer.
- 2. All required permits and clearances shall be obtained from the Building Safety Division.
- 3. The construction and materials shall match the existing single family home.

**HISTORY & FACTS:**

1974 Construction of a single family residence.

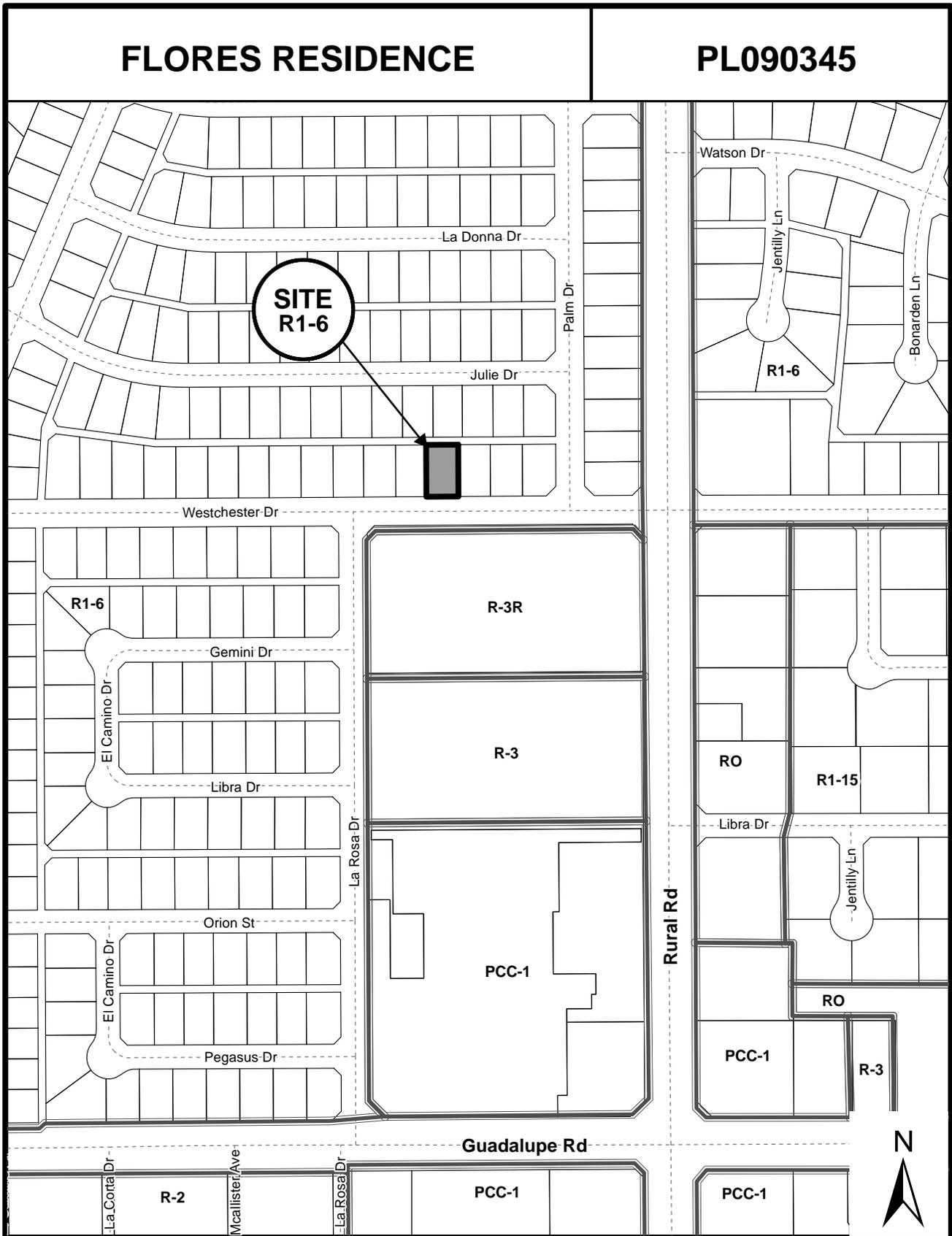
**DESCRIPTION:**

Owner – Fred Flores  
Applicant – Kerry McNeil/KLM Builders Inc.  
Existing Zoning – R1-6, Single Family Residential District  
Lot Coverage Proposed/Allowed – 39%/45%

**ZONING AND DEVELOPMENT**

**CODE REFERENCE:**

Part 4, Chapter 2, Section 4-201 – Purpose and Applicability  
Part 4, Chapter 2, Section 4-202 – Development Standards for Residential Districts  
Part 6, Chapter 3, Section 6-308 – Use Permit



**Location Map**



**FLORES RESIDENCE (PL090345)**

Alley 67'

# SITE PLAN

Zoning R1-6

Lot sq. ft. 7,236

Exist. House 2,020

Exist. Patio-Porch 420

Carport Add. 387

Street R/W 30'

Alley Width 20'

Lot Coverage 39%

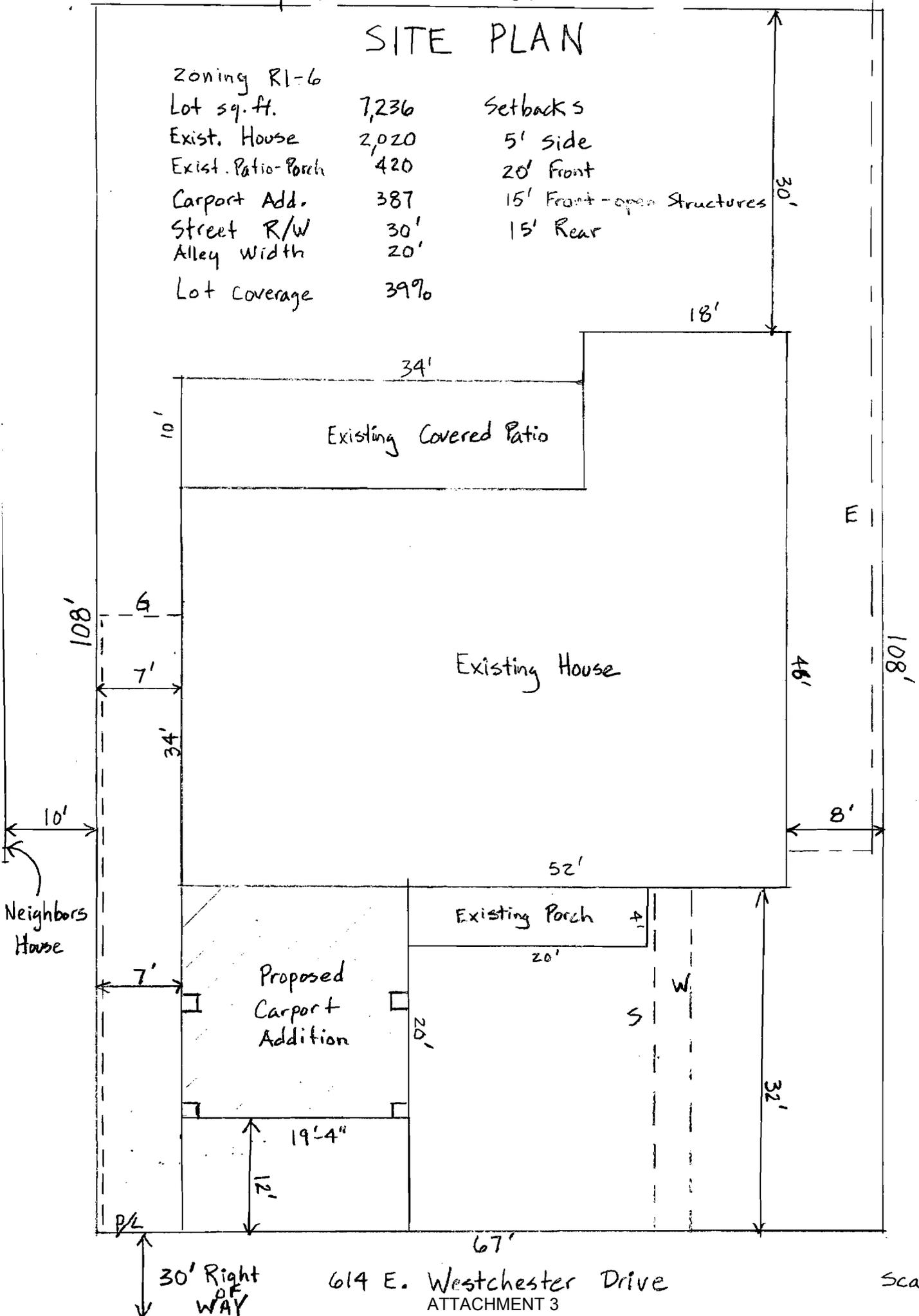
Setbacks

5' Side

20' Front

15' Front - open Structures

15' Rear



614 E. Westchester Drive  
ATTACHMENT 3

Scale 3/32" = 1'

# FLOOR PLAN

Existing Family Room  
22' x 20'

Existing Dining Room  
10' x 20'

Exist.  
Walk

Exist.  
30'

Ex. 6"5" x 0x

Ex. 6"5" x 0x

Exist. 8" masonry wall

Existing Porch

Ex. masonry column

Carport Addition

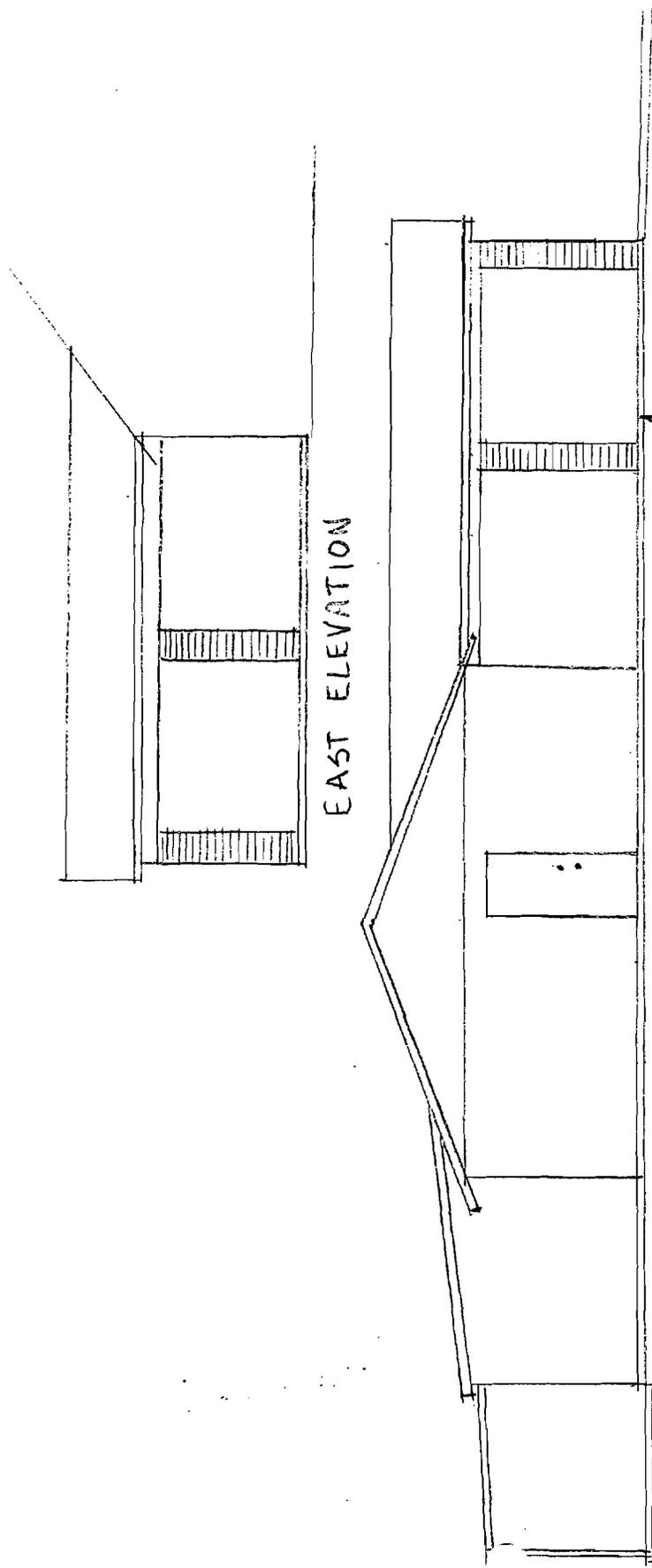
16" x 16" CMU

20'

19'-4"

Existing Drive

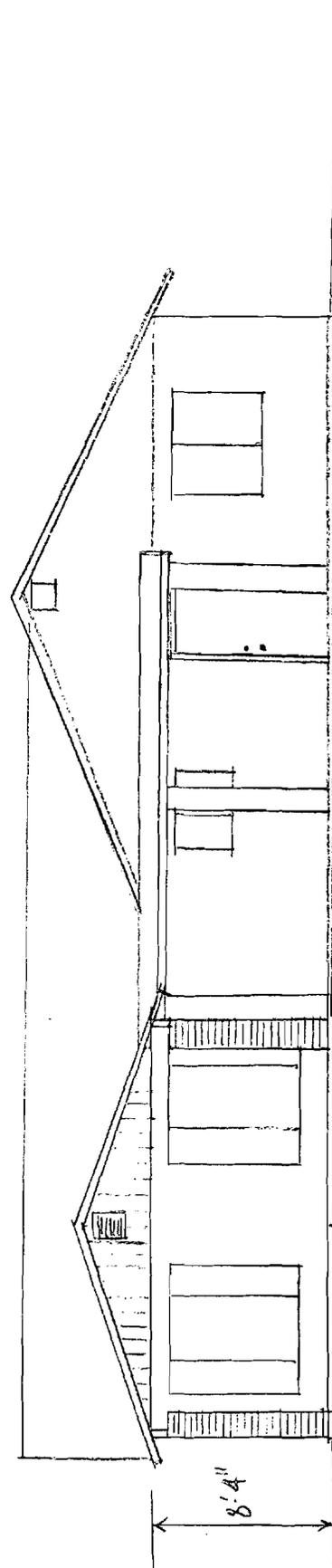
Scale  
1/4" = 1'-0"



EAST ELEVATION

WEST ELEVATION

Proposed Carport Addition



FRONT ELEVATION

Proposed Carport Addition

8'4"

Scale 1/8" = 1'-0"



# **FLORES RESIDENCE**

**614 EAST WESTCHESTER DRIVE**

**PL090345**

**FRONT OF RESIDENCE**

