

Staff Summary Report



Hearing Officer Hearing Date: June 22, 2010

Agenda Item Number: 8

SUBJECT: This is a public hearing for a request by the **GIERON-WIDELKA RESIDENCE** located at 2421 East Cairo Drive for one (1) use permit.

DOCUMENT NAME: 20100622dsng02 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the **GIERON-WIDELKA RESIDENCE (PL100153)** (Robert Klob/Robert Klob Designs, applicant; Jan Gieron, property owner) located at 2421 East Cairo Drive in the R1-6, Single Family Residential District for:

ZUP10050 Use permit to allow vehicle parking in the front yard setback.

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

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

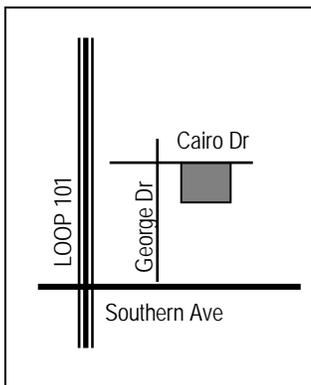
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO: The applicant is requesting a use permit to allow vehicle parking in the front yard setback. The property is located at 2421 East Cairo Drive in the R1-6, Single Family Residential District. The single family residence was originally built in 1971 with a two (2) car garage. The homeowner wishes to convert the garage into livable space. To date, staff has received three (3) phone calls of inquiry regarding this request. Staff recommends approval of the proposal as submitted, with conditions.



PAGES:

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

ATTACHMENTS:

1. Location Map
2. Aerial Photo
3. Letter of Intent
4. Site Plan
5. Floor Plan
6. North and West Elevations
7. South and East Elevations
8. Staff Photograph

COMMENTS:

The Gieron-Widelka Residence is requesting a use permit to allow vehicle parking in the front yard setback. The property is located at 2421 East Cairo Drive in the R1-6, Single Family Residential District. The single family residence was originally built in 1971 with a two (2) car garage. The homeowner wishes to convert the garage into livable space. Currently, there is enough room in the existing double driveway to park two (2) cars in the front yard setback without hanging over into the right-of-way. According to the applicant's letter of intent, it states "new landscaping to be included in front of the residence to enhance the architecture and neighborhood."

To date, staff has received three (3) phone calls of inquiry regarding this request. Staff recommends approval of the proposal as submitted, with conditions.

Use Permit

The Zoning and Development Code requires a use permit to park in the front yard setback in the R1-6 Single Family Residential 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. Parking in the front yard setback would take vehicles off of the street.
- 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 not be any nuisance arising from the emission of odor, dust, gas, noise, vibration, and smoke as the driveway is paved and all parking is to occur on impervious surfaces.
- 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. The use permit to park in the front yard setback would allow for vehicles to be parked on private property.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use permit to park in the front yard setback is compatible with other single-family residences with garages that have been converted into living space.

Conclusion

Staff recommends approval of the use permit, subject to the conditions of approval. This is a common use permit request for homes constructed during the 1950's through 1970's; these homes are typically smaller in livable space than newer constructed homes and the garage conversion is a viable option for increasing the livable area of the home.

REASONS 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 properties.

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

CONDITIONS OF APPROVAL:

1. Parking shall take place on impervious surfaces only.
2. Obtain all necessary clearances from the Building Safety Division.
3. All vehicles parked on the premises must be actively registered and in operable condition at all times.
4. The garage conversion shall match the main residence in color, form, texture, and material.
5. If there are any complaints arising from the use permit that are verified by a consensus of the complaining party and the City Attorney's office, the use permit will be reviewed by city staff to determine the need for a public hearing set to re-evaluate the appropriateness of the use permit.
6. Landscape shall be maintained as required per city code of Tempe (Chapter 21, Art. I – Nuisances, §§ 21-1—21-20).

HISTORY & FACTS:

November 12, 1971 Certificate of Occupancy issued for a Single Family Residence

DESCRIPTION:

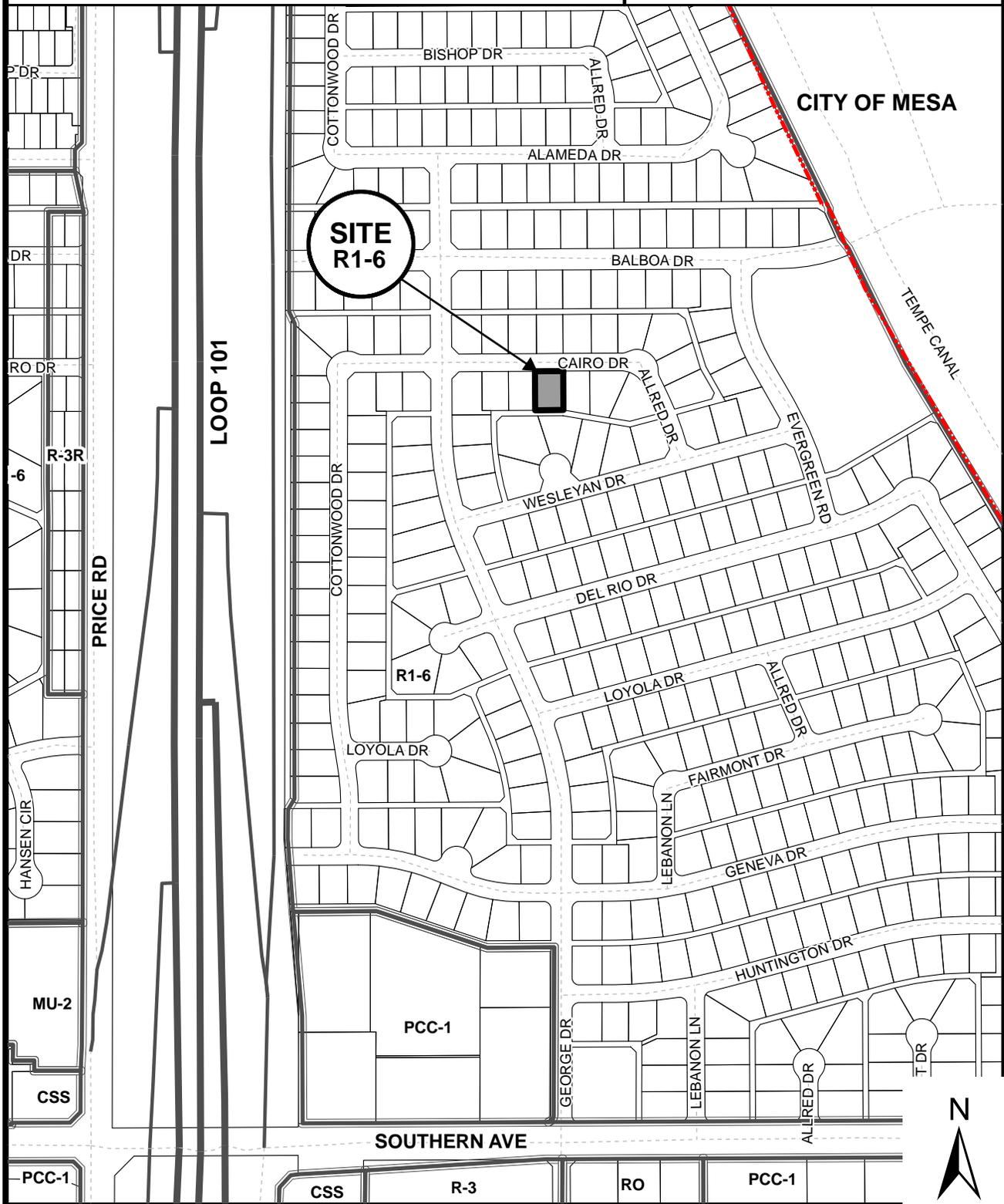
Owner – Jan Gieron
Applicant – Robert Klob/Robert Klob Designs
Existing Zoning – R1-6, Single Family Residential District
Lot Size – 8,799 s.f. / .202 acres
Existing Building Area – 1,779 s.f.
Proposed Total Building Area – 3,559 s.f.

ZONING AND DEVELOPMENT CODE REFERENCE:

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

GIERON-WIDELKA RESIDENCE

PL100153



Location Map



GIERON-WIDELKA RESIDENCE (PL100153)



May 21, 2010

City of Tempe
Planning Division
31 East 5th Street
Tempe, Arizona 85281

Re: Use Permit, 2421 E. Cairo Drive

Request for use permit to convert existing 2 car garage to livable/air conditioned space. Area of addition is approximately 413 s.f. Existing 2-car off-street parking shall remain on existing 18' wide x 25' deep concrete driveway. New landscaping to be included in front of the residence to enhance the architecture and neighborhood.

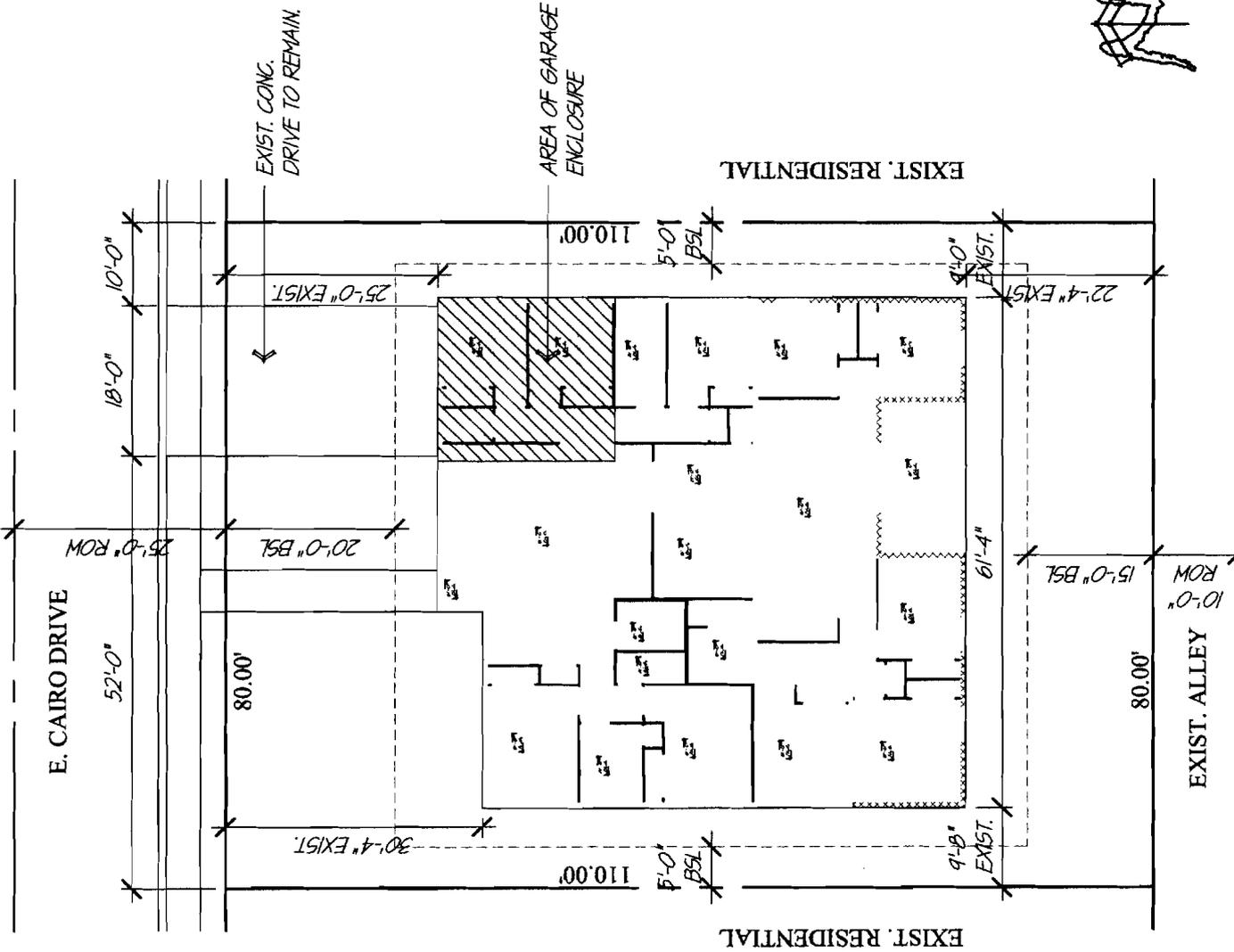
Please do not hesitate to contact me should you have any questions regarding this proposal.

Thank you,

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a long horizontal line that curves slightly upwards at the end.

Robert J. Klob
President

Cc: file, owner



GIERON/WIDELKA RESIDENCE

TEMPE, ARIZONA

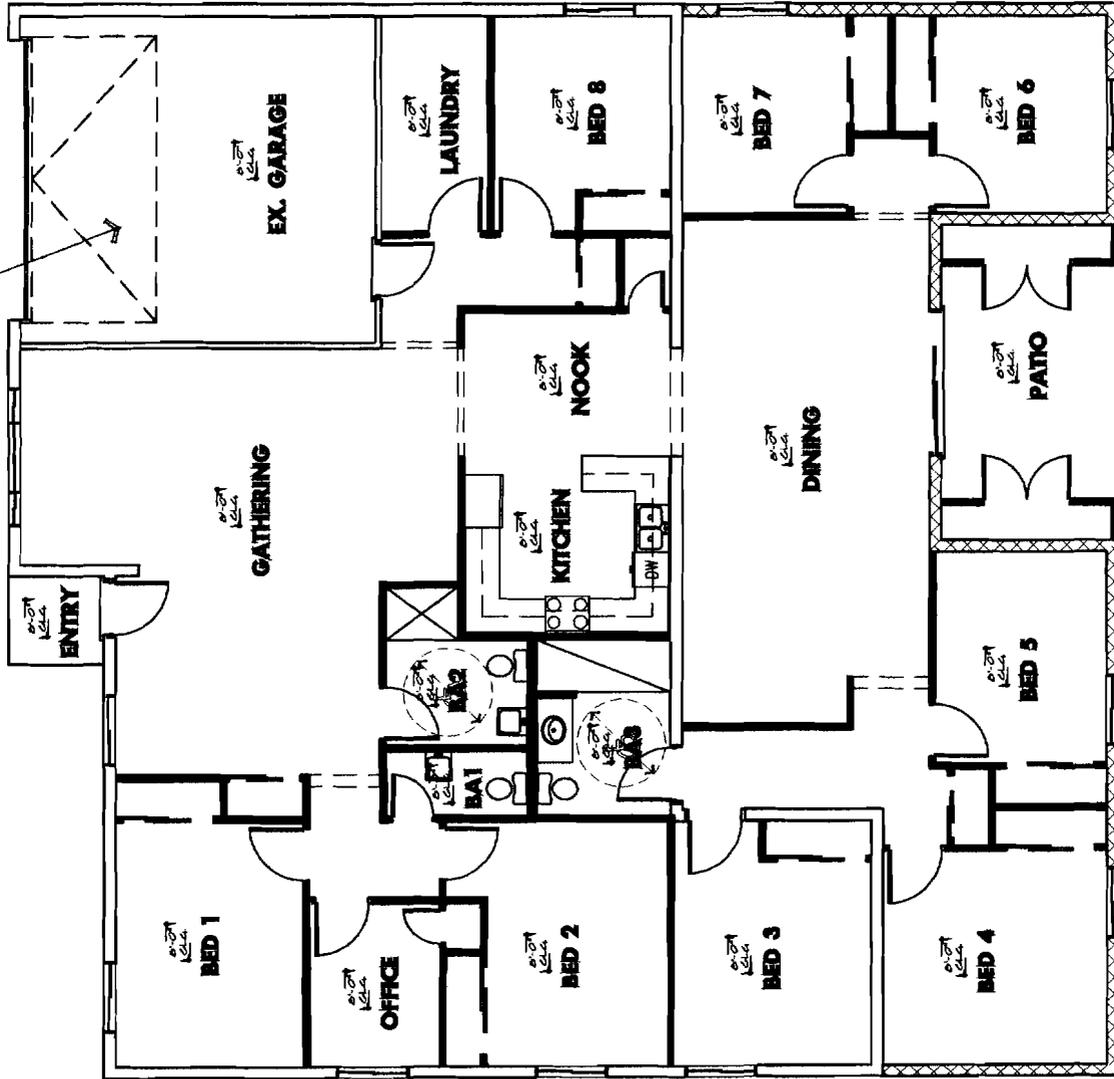
SCALE: 1"=20'-0"

5/30/10

2421 E. CAIRO DR.

Robert Klob Designs
 2895 S. Rural Rd. Ste. 107 Tempe, AZ 85283
 480.968.2474 rkb@rkdms.com www.rkdms.com

PROPOSED - CONVERT GARAGE TO LIVABLE



SQUARE FOOTAGE CALCULATIONS	
AREA DESIGNATION	FLOOR AREA
EXISTING LIVABLE	1,779.00 SQ. FT.
LIVABLE ADDITION	1,159.00 SQ. FT.
PROPOSED GARAGE ENCL.	413.00 SQ. FT.
TOTAL LIVABLE	3,351.00 SQ. FT.
EXIST. FRONT PORCH	27.00 SQ. FT.
REAR PATIO	133.00 SQ. FT.
REAR STORAGE 1	24.00 SQ. FT.
REAR STORAGE 2	24.00 SQ. FT.
	0.00 SQ. FT.
	0.00 SQ. FT.
TOTAL UNDER ROOF	3,559.00 SQ. FT.
GROSS SITE AREA	8,799.00 SQ. FT.

LOT COVERAGE THIS SITE	
40%	
Zoning Type	R1-6
Lot Coverage Maximum	45%
Front Setback	20.00
Rear Setback	15.00
Side Setback	5.00

Parcel Number	134-41-298
MCR	13550
Property Description	Tempe Royal Palms 10
Section, Township, Range	S-30, T-1N, R-5E
Subdivision Name	Tempe Royal Palms 10
Lot Number	295



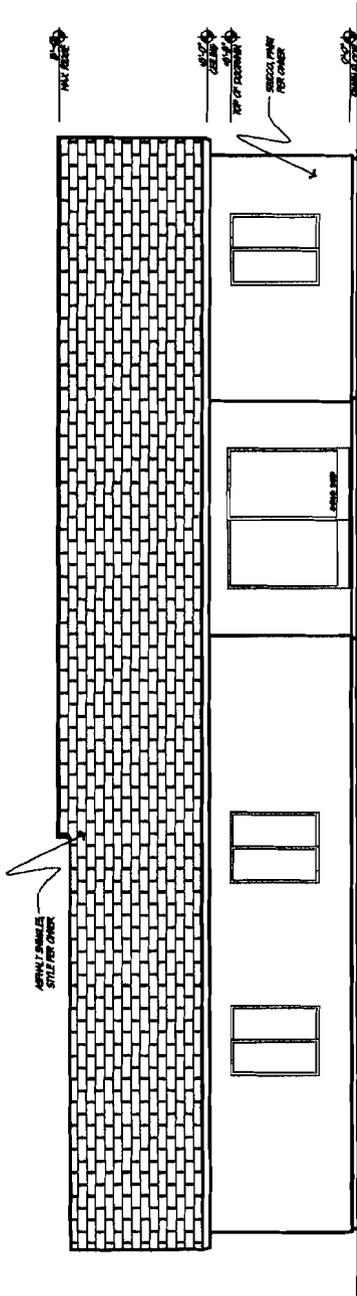
Robert Knob Designs
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480-968-2174 rknob@rkd.com www.rkd.com

GIERON/WIDELKA RESIDENCE

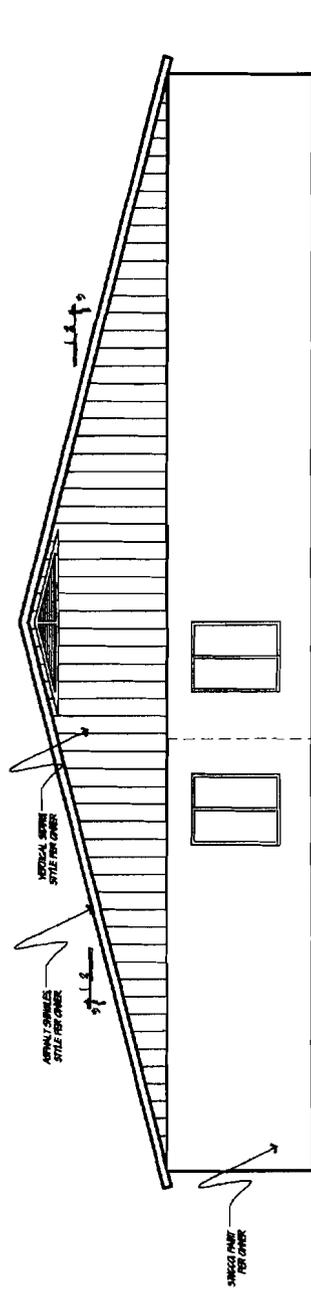
5/10/10

SCALE: 9/9 2" = 1'-0"

TEMPE, ARIZONA



SOUTH REAR ELEVATION



EAST SIDE ELEVATION



GIERON-WIDELKA RESIDENCE

2421 EAST CAIRO DRIVE

PL100153

FRONT OF RESIDENCE

