

Staff Summary Report



Hearing Officer Hearing Date: February 16, 2010

Agenda Item Number: 2

SUBJECT: This is a public hearing for a request by the **KUITUNEN RESIDENCE (PL090482)** located at 1217 East Knight Lane for one (1) use permit.

DOCUMENT NAME: 20100216dsng01 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the **KUITUNEN RESIDENCE (PL090482)** (Jeff Pawlowski/PK Architects, applicant; Scott Kuitunen, property owner) located at 1217 East Knight Lane in the AG, Agricultural District for:

ZUP09183 Use permit standard to reduce the north front yard setback by twenty percent (20%) from forty (40) feet to thirty-two (32) feet for two (2) additions to the residence. *(Note: Side yard use permit not required per Sunburst Farm PAD.)*

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

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

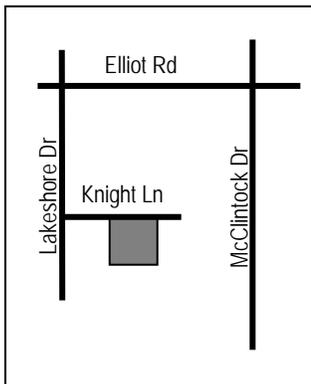
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO: The applicant is seeking a use permit standard to reduce the north front yard setback by twenty percent (20%) from forty (40) feet to thirty-two (32) feet for two (2) additions to the residence. The property is located at 1217 East Knight Lane in the AG, Agricultural District. Staff notes that per the Sunburst Farms Tempe PAD, the front yard setback is thirty-five (35) feet. The reduced front yard setback will allow for a proposed master bedroom addition and a proposed garage addition. Staff notes that this case was continued from the January 19 Hearing Officer agenda to allow more time to inform the surrounding neighbors. Staff supports the use permit standard as proposed in this application. To date, staff has received no public input regarding this request.



PAGES:

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

ATTACHMENTS:

1. Location Map
2. Aerial Photo
3. Letter of Intent
4. Site Plan
5. Partial Site Plan
6. Floor Plan
7. Elevations
8. Staff Photograph

COMMENTS:

The Kuitunen Residence is seeking a use permit standard to reduce the north front yard setback by twenty percent (20%) from forty (40) feet to thirty-two (32) feet for two (2) additions to the residence. The property is located at 1217 East Knight Lane in the AG, Agricultural District.

In 1973 the Tempe City Council approved a subdivision plat and a Planned Area Development (PAD) for Sunburst Farms Tempe, which defined building setback requirements for the entire subdivision. Side yard setbacks were set at fifteen (15) feet, rear yard setbacks were set at thirty (30) feet, and front yard setbacks were set at thirty-five (35) feet. Thus, this request to reduce the front yard setback to thirty-two (32) feet will actually only be reducing the front yard setback by three (3) feet, less than ten (10) percent.

On January 19, 2010 this case was continued by the Hearing Officer to allow more time to inform the surrounding neighbors of the changes being made. At that time, the Hearing Officer ordered that the applicant/property owner hold a neighborhood meeting to discuss the plans with neighbors. Since then, revised plans have been submitted to staff indicating changes to the layout of the garage addition, thereby eliminating the need for a use permit standard for that portion of the request. It was also determined that a neighborhood meeting no longer be needed, as the revised plans dealt with neighbors' concerns. However, the proposed master bedroom addition still encroaches into the front yard setback.

The reduced front yard setback will allow for a proposed master bedroom addition and a proposed garage addition for an additional 601 s.f. This single family residence was built in 1978 without a garage. Currently the homeowners use the existing driveway on the west side of the house to park their cars, but have no place to store them. With a garage addition, a new driveway is proposed on the east side of the home. The existing tree is to be removed. To be in accordance with the City of Tempe's City Code ordinance that states driveways and improved areas be no greater than thirty-five percent (35%) of the front and side areas visible from the street, a condition of approval is being added to address this matter.

Staff supports the use permit standard as proposed in this application. To date, staff has received no public input regarding this request.

Use Permit

The Zoning and Development Code requires use permit to reduce a setback standard by twenty percent (20%) in the front yard in the AG, Agricultural 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.
- 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 be no emission of odor, dust, gas, noise, vibration, and smoke from the two (2) building additions.
- 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, 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.

Conclusion

Staff recommends approval of the use permit request with conditions.

REASONS FOR APPROVAL:

1. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
2. The use appears to be compatible with the building, site and adjacent properties.
3. There appears to be a demonstrated need for this use at the proposed location.
4. 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.

CONDITIONS OF APPROVAL:

1. Obtain all necessary clearances from the Building Safety Division.
2. The proposed driveway shall be paved with asphalt or concrete; or alternatively, a dust proof, porous paving material (e.g. decomposed granite) may be used when approved by the Development Services Manager or designee, as part of a storm retention plan.
3. Per Tempe City Code; both driveways combined shall not exceed 35% of the front and side areas visible from the street.
4. Obtain all necessary clearances from the Public Work Department for on-site retention for expansion of pavement in the front yard.
5. The building additions shall be compatible with the existing dwelling in form, color and materials.

HISTORY & FACTS:

- | | |
|--------------------|---|
| September 13, 1973 | Tempe City Council approved a subdivision plat and PAD defining building setback requirements, including side yard setbacks to be set at 15' from property lines and front yard setbacks to be set at 35' from property line. |
| October 3, 1978 | Final inspection for a Single Family Residence. |
| January 19, 2010 | <u>PL090482</u> – The Hearing Officer continued the request by the Kuitunen Residence. |

DESCRIPTION:

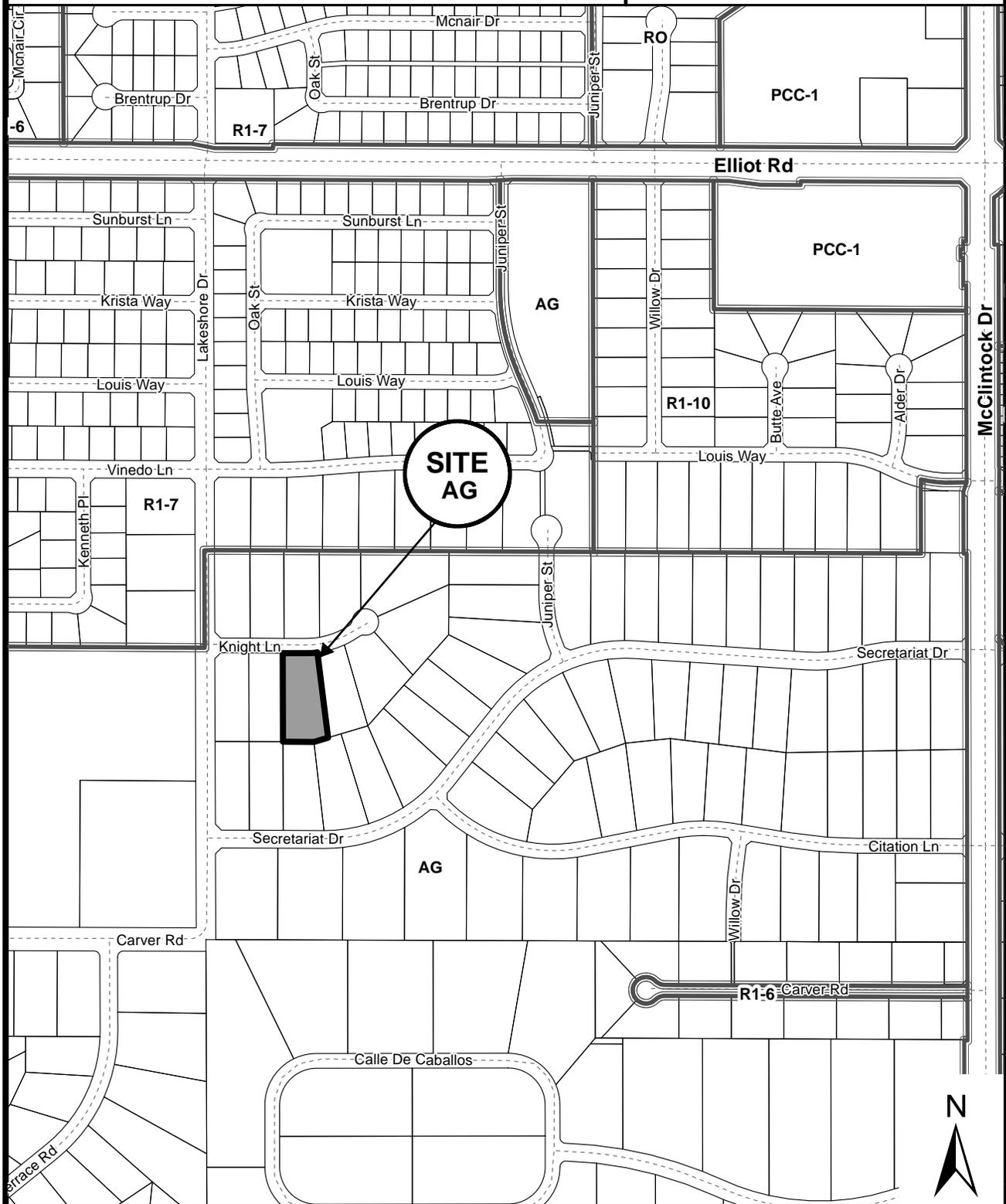
Owner – Scott Kuitunen
Applicant – Jeff Pawlowski/PK Architects
Existing Zoning – AG, Agricultural District
Front Yard Setback in AG – 40'
Front Yard Setback per Sunburst Farms Tempe PAD – 35'
Front Yard Setback Reduction Request – 20% to 32'
Lot Area – 40,572 s.f. / .931 acres
Existing Building Area – 3,165 s.f.
Proposed Building Area – 3,766 s.f.
Existing Lot Coverage – 7.80%
Maximum Lot Coverage – 25%
Proposed Lot Coverage – 9.28%

**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Part 4, Chapter 2, Section 4-202 – Development Standards for Residential Districts
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

KUITUNEN RESIDENCE

PL090482



Location Map



KUITUNEN RESIDENCE (PL090482)



December 18, 2009

City of Tempe
Development Services
31 East Fifth Street
Tempe, AZ 85280-8400

Re: **Letter of Explanation** (for Use Permit)
Kuitunen Residence
PF 090500

To Whom It May Concern:

The purpose of the of request is to allow for the addition of a garage and a bedroom that will encroach not more than 8'-0" (20%) into the required 40'-0" front yard setback and approximately 3'-0" (14%) into the required 20'-0" side yard setback as show on the plans submitted.

- a. The addition will not cause any significant vehicular or pedestrian traffic as it only provides for vehicle storage and sleeping accommodations for the cars and residents that already occupy the property.
- b. The addition will not cause any nuisance exceeding that of already existing, ambient conditions, as it will only be used for vehicle storage/living area..
- c. The addition will not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City. Rather, it will provide for vehicle storage in a garage in lieu of the street.
- d. The addition will be compatible with existing surrounding structure in that most surrounding residences have a garage.
- e. The addition will not result in any disruptive behavior which may create a nuisance to the surrounding area or general public, as it will only be used for vehicle storage/living area.

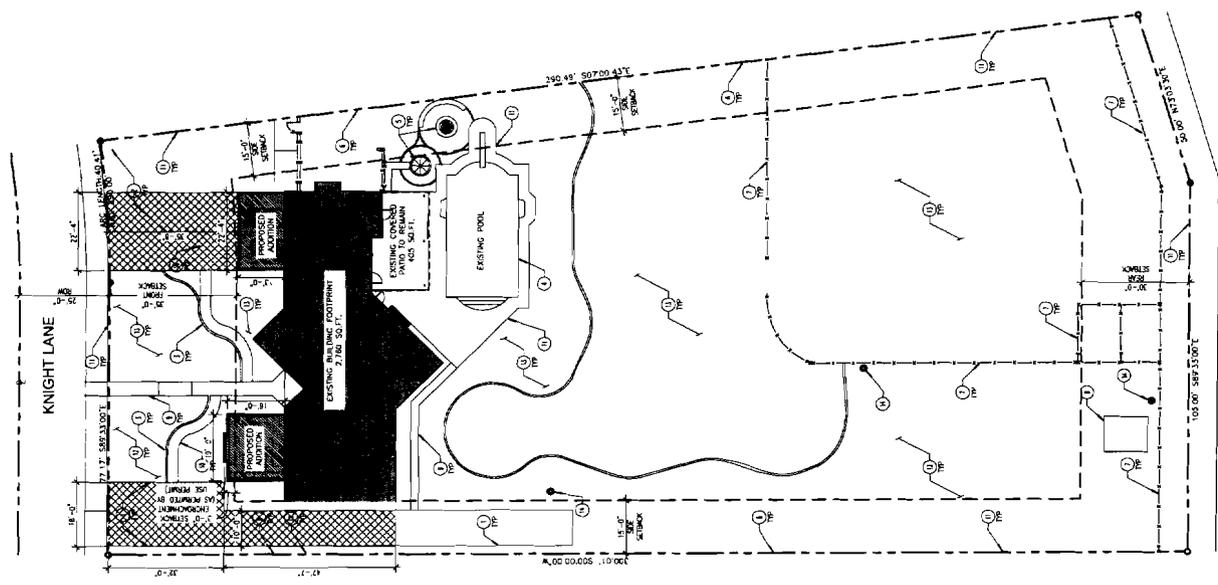
Please feel free to contact me should you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Kuitunen'.

Scott Kuitunen, Architect
PK Architects, PC

revised drawing
 rec'd 1/26/10



SITE PLAN
 SCALE 1/16" = 1'-0"
 NORTH

PROJECT DESCRIPTION:
 GARAGE AND MASTER SUITE ADDITION AND REMODEL TO
 EXISTING RESIDENCE. EXISTING LANDSCAPE/HARDSCAPE TO
 REMAIN

SITE DATA:
 SITE LOCATION: 1217 E. KNIGHT LN.
 PROJECT ADDRESS: 1217 E. KNIGHT LN.
 MAP CORNER TO NE CORNER OF
 MARICOPA COUNTY ARIZONA

PERMITS REQUIRED:
 SUBMITTAL REQUIRED: 15' FRONT
 12' SIDE
 35' FRONT

SPACING REQUESTED:
 12' SIDE
 35' FRONT

SPACING:
 12' SIDE
 35' FRONT

SETBACKS:
 15' FRONT
 12' SIDE
 35' FRONT

EXISTING BUILDING FOOTPRINT:
 2,180' 50" x 27' 0"

EXISTING CONCRETE DRIVEWAY:
 15' 0" x 15' 0"

EXISTING CONCRETE CURB:
 15' 0" x 15' 0"

EXISTING CONCRETE SIDEWALK:
 15' 0" x 15' 0"

EXISTING POOL:
 15' 0" x 15' 0"

EXISTING LANDSCAPE/HARDSCAPE:
 15' 0" x 15' 0"

PROPOSED ADDITION:
 2,180' 50" x 15' 0"

TOTAL NEW LOT COVERAGE (INCLUDES ADDITION):
 3,360' 50" x 42' 0"

CONSTRUCTION TYPE:
 1.5x (1.5x/1.5x) 1.5x

PROPOSED TO CONFORM:
 1.5x (1.5x/1.5x) 1.5x

SUBMITTED BY:
 JEFF PARRONSKI
 1111 W. BROADWAY, 601, SUITE 1101
 TULSA, ARIZONA 74103
 TEL: 918-243-1131
 FAX: 918-243-1131
 GMAIL: jeffparronski@aol.com

OWNER:
 SCOTT WILSON
 1111 W. BROADWAY, 601, SUITE 1101
 TULSA, ARIZONA 74103
 TEL: 918-243-1131
 FAX: 918-243-1131
 GMAIL: scottwilson@aol.com

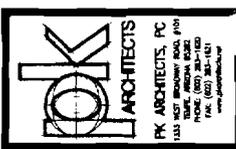
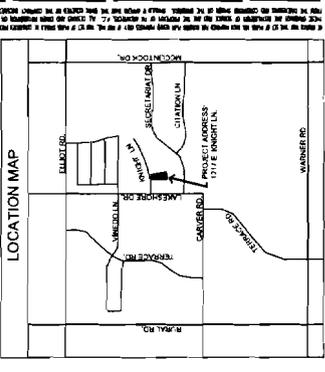
SHEET INDEX:
 A0-1 FLOOR PLAN
 A0-1 ELEVATIONS

SITE KEYNOTES:

- EXISTING DRIVEWAY TO REMAIN
- PROPOSED DRIVEWAY FOR GARAGE ADDITION
- EXISTING CONCRETE CURB TO REMAIN
- EXISTING POOL TO REMAIN
- EXISTING OUTDOOR LANDSCAPE TO REMAIN
- EXISTING CHAIN-LINK FENCE TO REMAIN
- EXISTING TUBE-STEEL FENCE TO REMAIN
- EXISTING STORAGE SHED TO REMAIN
- EXISTING CONCRETE SIDEWALK TO REMAIN
- NEW CONCRETE SIDEWALK
- EXISTING PROPERTY LINE
- EXISTING CONCRETE "MOOL-DECK" TO REMAIN
- EXISTING LANDSCAPE AREA TO REMAIN
- EXISTING TREE TO REMAIN

SITE LEGEND:

- EXISTING BUILDING FOOTPRINT
- EXISTING CONCRETE DRIVEWAY
- PROPOSED DRIVEWAY
- EXISTING CONCRETE CURB
- PROPOSED CONCRETE CURB
- EXISTING POOL
- PROPOSED POOL
- EXISTING LANDSCAPE/HARDSCAPE
- PROPOSED LANDSCAPE/HARDSCAPE
- EXISTING CHAIN-LINK FENCE
- PROPOSED CHAIN-LINK FENCE
- EXISTING TUBE-STEEL FENCE
- PROPOSED TUBE-STEEL FENCE
- EXISTING STORAGE SHED
- PROPOSED STORAGE SHED
- EXISTING CONCRETE SIDEWALK
- PROPOSED CONCRETE SIDEWALK
- NEW CONCRETE SIDEWALK
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- EXISTING CONCRETE "MOOL-DECK"
- PROPOSED CONCRETE "MOOL-DECK"
- EXISTING LANDSCAPE AREA
- PROPOSED LANDSCAPE AREA
- EXISTING TREE
- PROPOSED TREE



**KURTENEN RESIDENCE
 GARAGE & MASTER
 SUITE ADDITION
 1217 E. KNIGHT LANE
 TEMPE, AZ 85282**

**PROJECT NO. SK-2009-01
 DATE 12-08-2009
 PROJECT NAME GAR
 PROJECT # SK**

**SHEET NO. 1
 SHEET TITLE
 SHEET NO.**

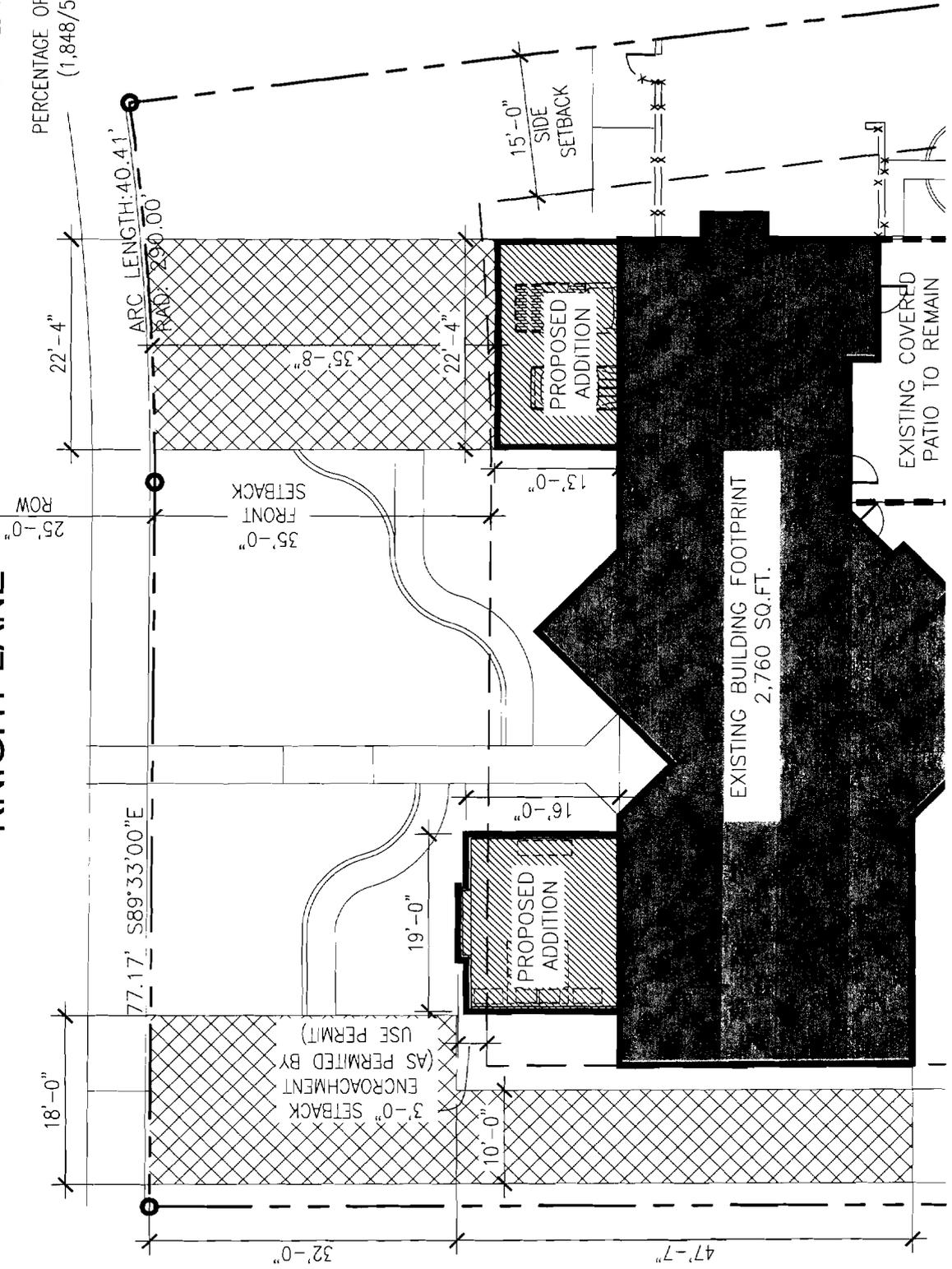
SITE PLAN

A0-1

revised drawing
rec'd 1/26/10

PAVED AREA STATISTICS
TOTAL VISIBLE FRONT YARD = 5,787 SQ.FT.
TOTAL PAVED AREA PROPOSED = 1,848 SQ.FT.
PERCENTAGE OF PAVED AREA = 32%
(1,848/5,787 = .3193 OR 32%)

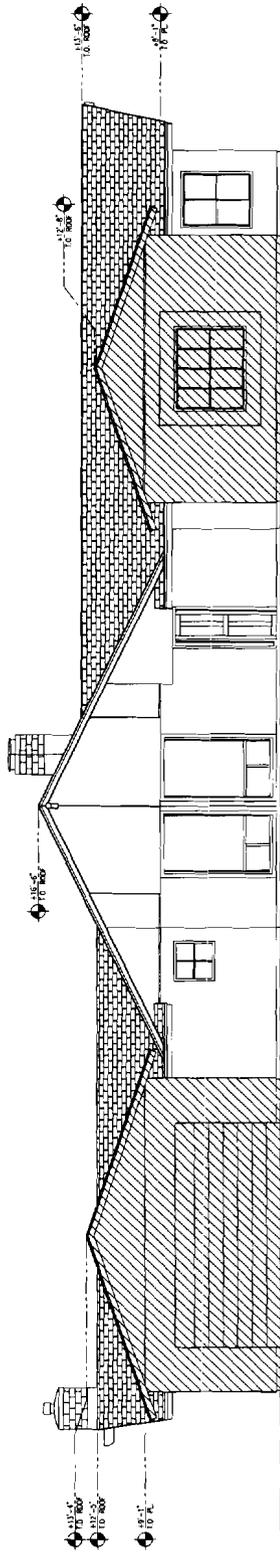
KNIGHT LANE



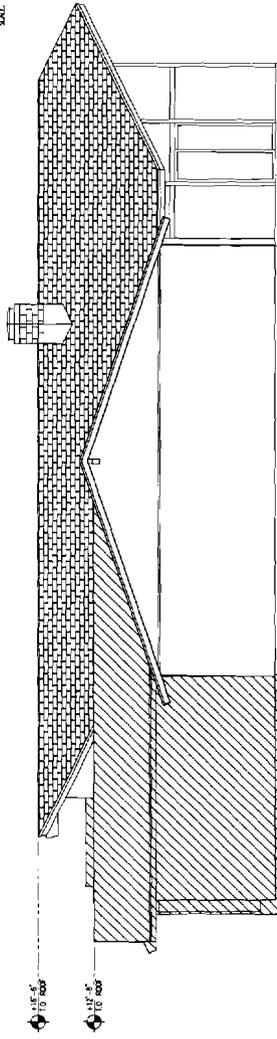
SITE PLAN LEGEND
PROPOSED PAVED AREAS

PARTIAL SITE PLAN
SCALE: 1/16" = 1'-0"
NORTH

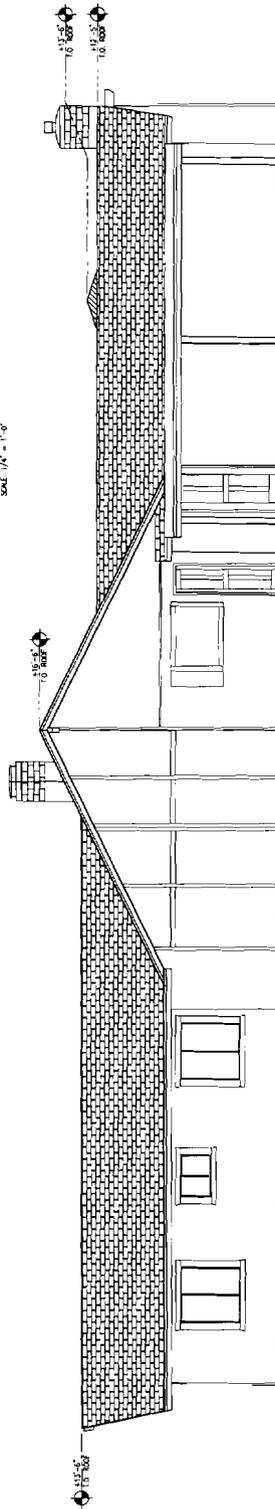
Revised drawing
rec'd 1/26/10



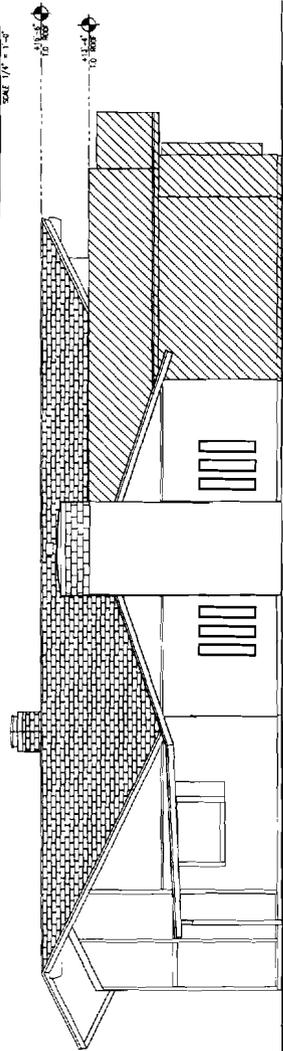
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"

ELEVATION LEGEND:
▨ INDICATES PROPOSED BUILDING ADDITION

GENERAL NOTES:
① BUILDING ADDITIONS SHALL BE FINISHED WITH THE EXISTING EXTERIOR FINISH, COLOR, TEXTURE AND MATERIALS

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PROJECT NO. 12345
DATE: 1/26/10
DRAWN BY: JKL
CHECKED BY: MNO

KUTUNEN RESIDENCE
GARAGE & MASTER
SUITE ADDITION
1217 E. KNIGHT LANE
TEMPE, AZ 85282

PROJECT NO. 12345
DATE: 1/26/10
DRAWN BY: JKL
CHECKED BY: MNO

ELEVATIONS

A3-1



KUITUNEN RESIDENCE

1217 EAST KNIGHT LANE

PL090482

FRONT OF RESIDENCE

