

Staff Summary Report



Hearing Officer Hearing Date: February 3, 2009

Agenda Item Number: 3

SUBJECT: This is a public hearing for a request by the **RESIDENCE AT 16 EAST 15TH STREET (PL090003)** located at 16 East 15th Street for one (1) use permit.

DOCUMENT NAME: 20090203dssl01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **RESIDENCE AT 16 EAST 15TH STREET (PL090003)** (Charles Huellmantel, applicant) located at 16 East 15th Street in the R1-6, Single Family Residential District for:

ZUP09005 Use permit to allow a second story addition.

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

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

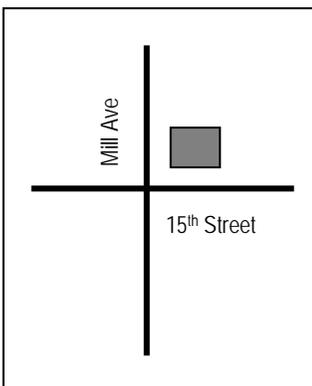
LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions

ADDITIONAL INFO:

The applicant is requesting a use permit to facilitate the remodel of their home. They are proposing to add a second story addition to their existing 2241 s.f. dwelling. Staff supports the use permit based on the finding that the request meets the criteria for approval of a use permit. To date, no public input has been received.



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
- 5-6. Elevations
7. Staff Photograph(s)

COMMENTS:

The residence located at 16 East 15th Street is proposing to construct a second story addition to their existing 2241 s.f. dwelling. The proposed second story addition will be primarily located above the west end of the existing residence. From the rendering submitted by the applicant; a majority of the fenestration will be located on the north and south elevations directed toward the street and backyard.

Use Permit

The Zoning and Development Code requires a use permit for second story additions in the Single-Family, R1-6 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 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 addition would not contribute to neighborhood deterioration or downgrade property values. The requested use permit will allow the applicant to remodel the home and potentially improve the surrounding area. .
- d. Compatibility with existing surrounding structures and uses;
 - The proposed second story addition will be compatible with surrounding uses. The surrounding neighborhood is a combination of one and two-story dwellings; a second story addition is in character with the neighborhood. The requested use permit will not be detrimental to the surrounding area.

Conclusion

Staff recommends approval of the use permit requested in this application. The surrounding neighborhood is a combination of one and two-story dwellings; a second story addition is in character with the neighborhood.

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 all necessary clearances and permits from the Building Safety Division.
2. Second story addition to complement the main residence in color, form and material.

HISTORY & FACTS:

November 15, 1988

The Hearing Officer approved a variance to reduce the required front yard setback for the location of the on-site parking area from 25' to 23', subject to conditions.

Note: this variance is no longer necessary due to reduction of the front yard setback to twenty (20) feet with the adoption of the Zoning and Development Code in 2005.

DESCRIPTION:

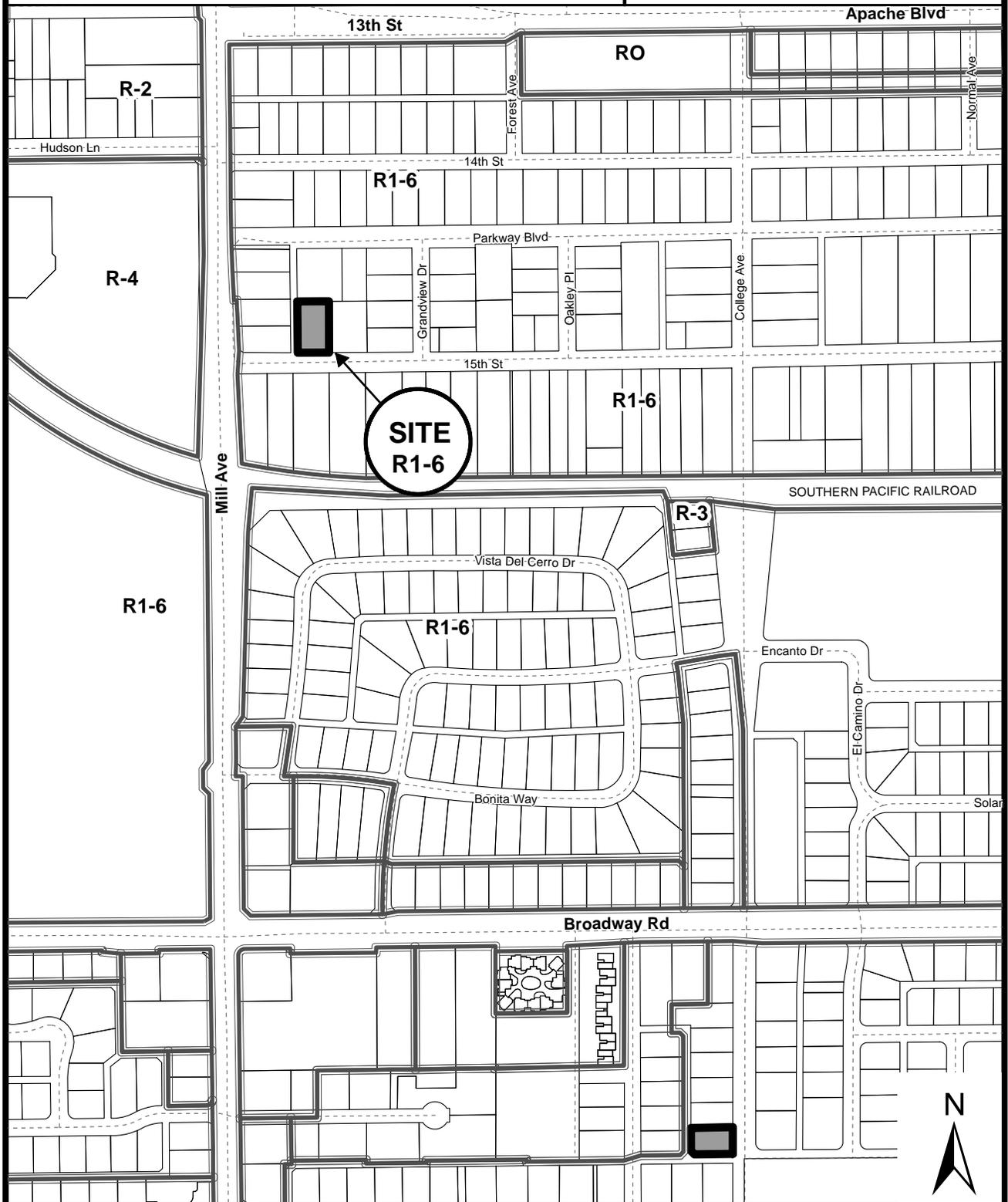
Applicant – Charles Huellmantel
Existing Zoning – R1-6, Single Family Residential District
Lot Size – 14012.5 s.f.
Existing Residence Area –2241 s.f.

**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Part 3, Chapter 3, Section 3-401.
Part 6, Chapter 3, Section 6-308

RESIDENCE AT 16 EAST 15TH ST

PL090003



Location Map



RESIDENCE AT 16 EAST 15TH STREET (PL090003)

HUELLMANTEL
& AFFILIATES
ATTORNEYS AT LAW

ADMITTED IN:
ARIZONA
DISTRICT OF COLUMBIA

January 7, 2009

Mr. Christopher J. Anaradian
Manager, Development Services Department
City of Tempe
31 East 5th Street
Tempe, Arizona 85281

Re: Use Permit to allow a second story addition to 16 15th Street

Dear Chris:

This application seeks a use permit to allow a second story above an existing single-story home at 16 15th Street. The home is about to undergo a major renovation.

The second story, if allowed, would not increase vehicular or pedestrian traffic as the lot will remain as one (1) single-family home. The permit will not allow additional dwellings on the property.

The proposed second story addition will not increase odor, dust, gas, noise, vibration, smoke, heat or glare from the property as the second story will be a residential structure above the existing home tucked into a heavily-landscaped yard. As stated above, the addition will not increase the number of dwelling units on the property.

The proposed second story addition is compatible with the neighborhood and will be designed in a way which will improve the appearance of the home. Many homes have already been renovated since the homes were first constructed in 1940. In fact, two homes on the south side of 15th Street within close proximity to this house have already been renovated to include a second story.

The area is heavily landscaped by mature trees and approximately 20' or taller oleanders, and a second story on the home would be only slightly visible from the street or other properties and would not look into any adjoining homes. A second story will allow the renovation of the home while allowing the mature landscaping on the site to remain intact.

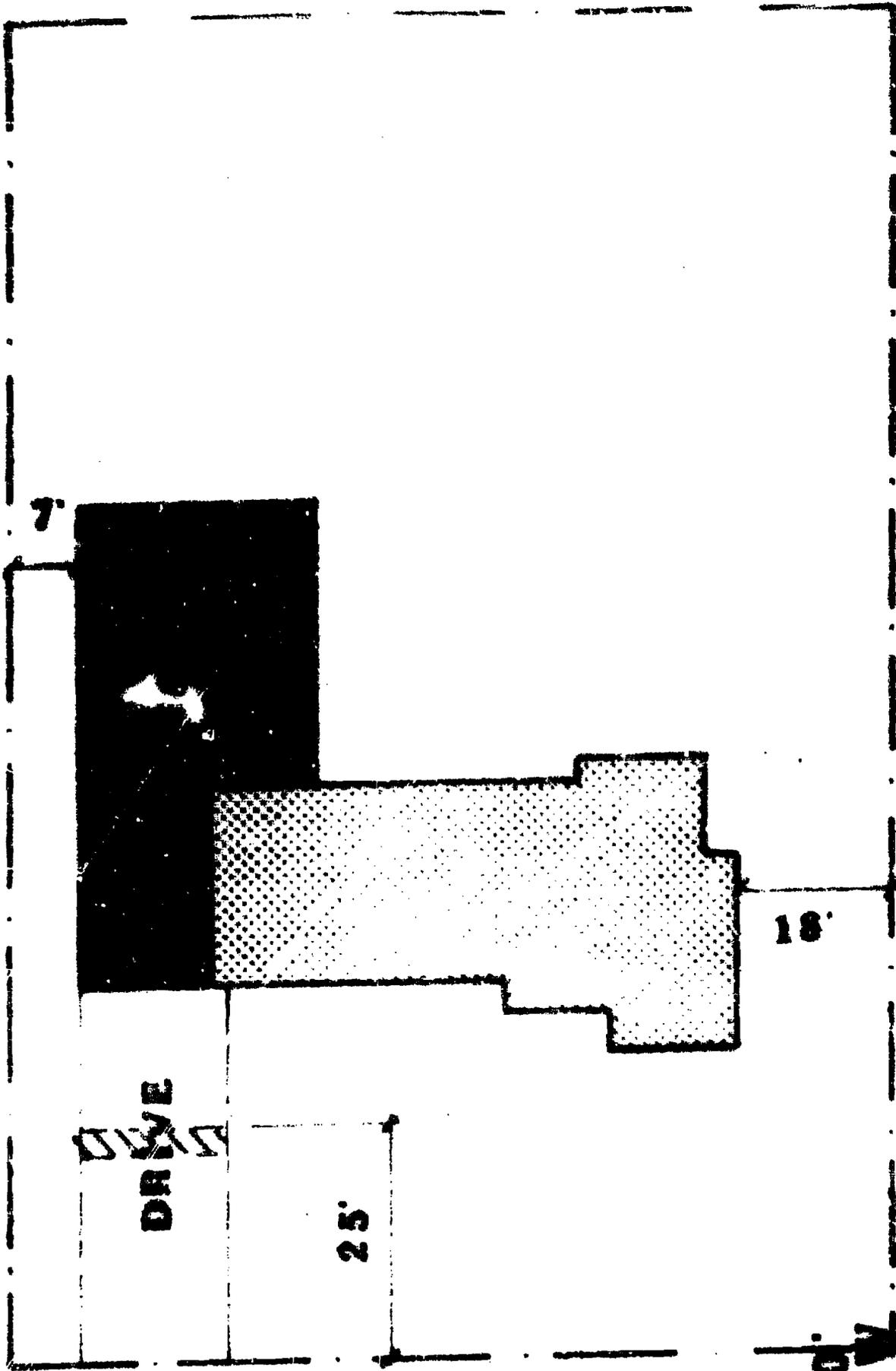
The renovation of the home, as well as maintaining the existing mature landscaping, will improve the neighborhood, not detract from it. We seek approval of the use permit as the proposed renovation and expansion will improve the area without causing any negative impact on the surrounding property.

Thank you for your consideration of this matter.

Sincerely,


Charles Huellmantel

Enclosures



7'

18'

DRIVE

25'

30'
R/W

15TH

ST







RESIDENCE AT 16 EAST 15TH STREET

16 EAST 15TH STREET

PL090003

FRONT OF RESIDENCE

