

Staff Summary Report



Hearing Officer Hearing Date: July 6, 2010

Agenda Item Number: 6

SUBJECT: This is a public hearing for a request by the **ROBERTS RESIDENCE** located at 902 South Maple Avenue for one (1) use permit and one (1) variance.

DOCUMENT NAME: 20100706dssl02 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the **ROBERTS RESIDENCE (PL100097)** (Don Roberts, applicant/property owner) located at 902 South Maple Avenue in the R-3, Multi-Family Residential Limited District for:

ZUP10031 Use permit to allow a single family residence to add a second story addition.

VAR10008 Variance to reduce the required on site driveway length and parking setback from 20 feet to 10 feet. (20 feet available driveway distance behind sidewalk)

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

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

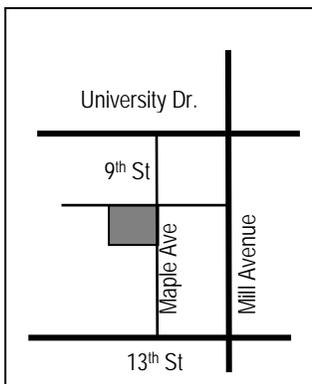
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:



The applicant is requesting approval of a use permit for a second story addition to the main residence. This property is zoned multi-family but is occupied as a single family residence thus requiring the use permit for a second story addition. A variance is also requested to reduce the parking setback and on-site driveway length from 20' to 10' for a third car addition. The driveway length will be twenty (20) feet behind sidewalk; ten (10) feet of depth located on the property and ten (10) feet in Right of Way. The new garage will align at the same setback as the existing garage. Staff is recommending approval of the use permit and variance. The applicant held a neighborhood meeting on May 31, 2010 and presented their project to the surrounding neighbors, approximately eight (8) neighbors attended and only one person expressed objection to their proposal. To date, staff has received one letter in opposition and three (3) phone calls from the public in opposition.

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(s)
2. Aerial Photo(s)
3. Site plan
4. Existing floor plan
5. New 1st floor plan
6. New 2nd floor plan
7. East and South Elevation
8. West and North Elevation
9. Summary of Neighborhood Meeting
10. Letter of Opposition
11. Staff Photograph(s)

COMMENTS:

The site is located in the neighborhood southwest of University Drive and Mill Avenue on Maple Avenue within the Maple Ash Neighborhood Association. The owner/resident is requesting a use permit for a second story addition. The proposed addition is located to the rear portion of the existing residence above the garage on the alley side of the property. The surrounding area is an eclectic mix of historic homes and new construction with both single story and two story structures. Staff reviewed the context of the main residence and its proposed addition. The materials proposed by the applicant include a wood frame construction. The exterior will match the existing residence. A third car garage is proposed at the same building setback as the existing garage and will be accessed from the 9th Street frontage.

Public Input

To date, staff received one letter in opposition and three telephone inquiries/opposition regarding this proposal. The applicant held a neighborhood meeting on May 31, 2010. They submitted a summary of the meeting. The telephone calls in opposition have expressed their concern for the number of college students that live in the residence and how the expansion will create more livable space to house students. They expressed concern for on site parking.

Use Permit

The Zoning and Development Code requires a use permit for single family residences to construct second story additions.

Evaluating the use permits, 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. The proposed addition will have minimal visual impact from the neighboring properties.
- 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.

Variance

The Zoning and Development Code Development Standards requires the parking setback and on site driveway length to be twenty (20) feet. The applicant is seeking a variance to reduce the parking setback and on site driveway length to ten (10) feet. The actual driveway length behind the sidewalk will be twenty (20) feet; with ten (10) feet of driveway provided on site and ten (10) feet in Right of Way. Staff supports the variance to reduce the parking setback and on site driveway length. The intent of the ordinance requirement is to provide a minimum twenty (20) foot driveway clearance from the garage door to the pedestrian walkway; the 20' foot clearance behind the sidewalk meets the intent. The garage location is aligned with the setback of the existing garage distance from the street. Analysis of this request, result in findings that there are special circumstances or conditions affecting this building, land, or use to warrant approval

of the variance. Authorizing the variance will not be detrimental to the surrounding area and will not negatively impact surrounding properties.

Conclusion

Staff recommends approval of the use permit and variance.

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 from the Building Safety Division.

HISTORY & FACTS:

May 31, 2010 Neighborhood Meeting was held.

DESCRIPTION:

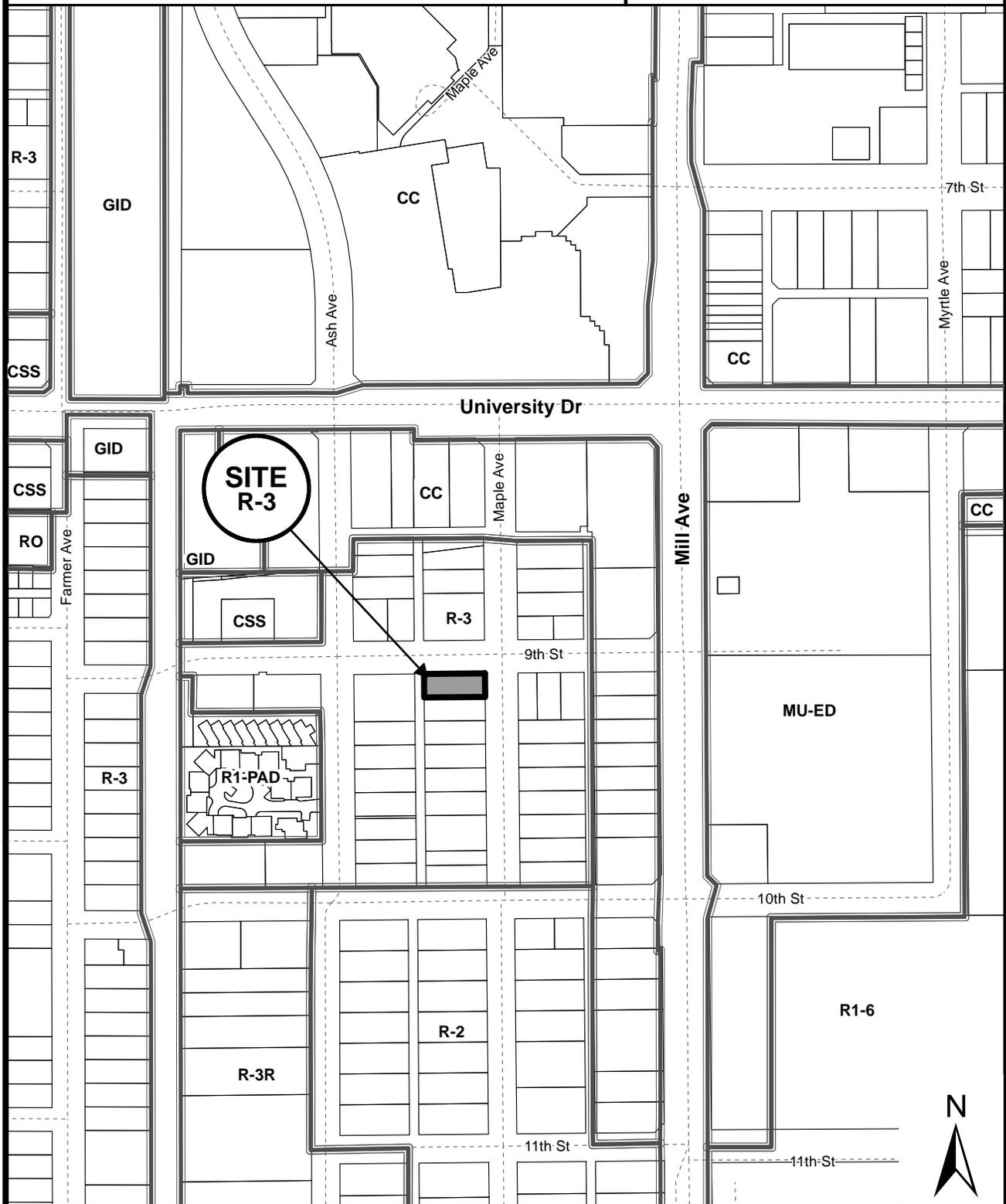
Owner – Don Roberts
Applicant – Don Roberts
Existing Zoning – R-3, Multi-Family Residential Limited District

ZONING AND DEVELOPMENT CODE REFERENCE:

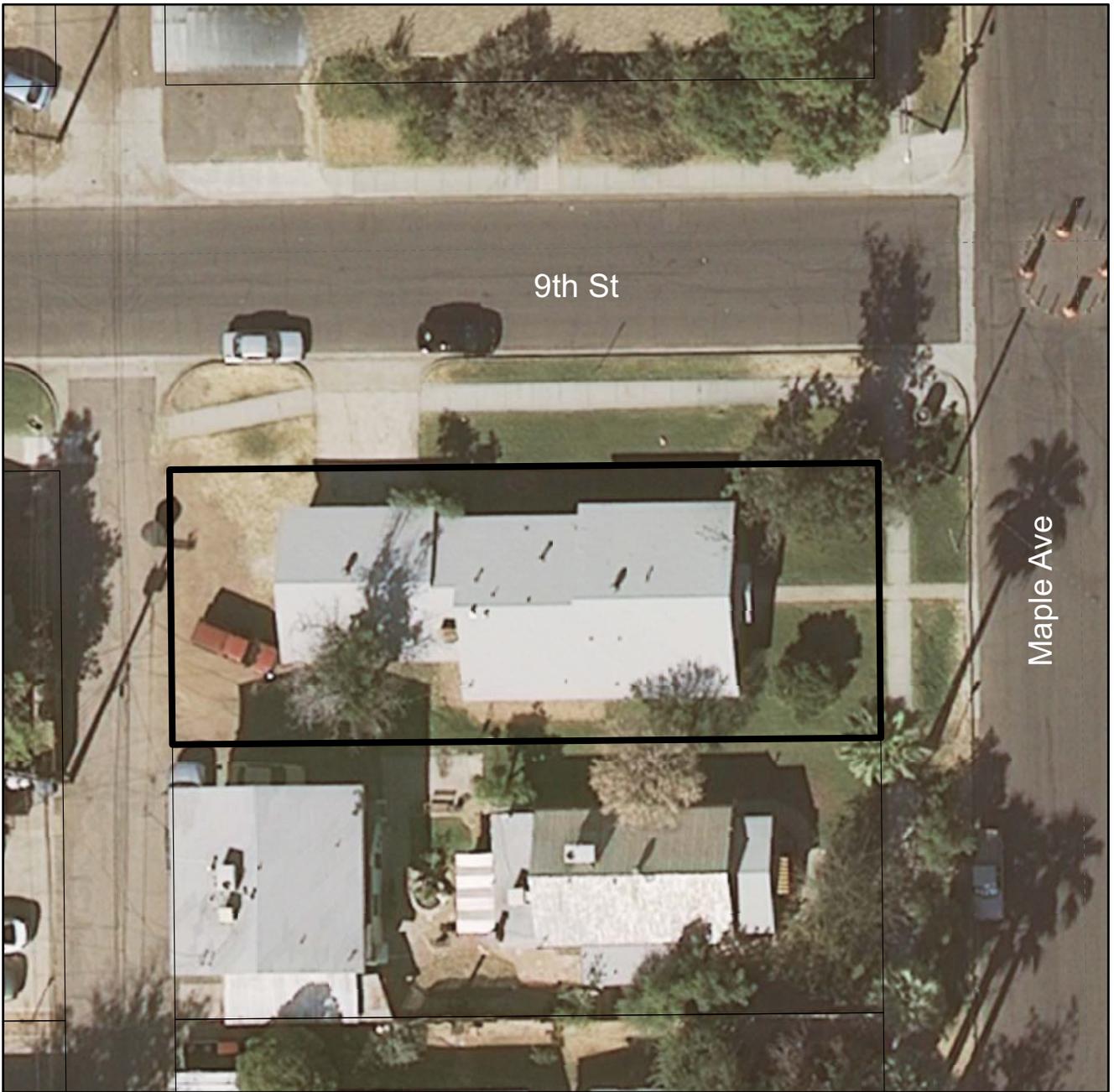
Part 4, Chapter 2, Section 4-202
Part 6, Chapter 3, Section 6-308
Part 6, Chapter 3, Section 6-309

ROBERTS RESIDENCE

PL100097



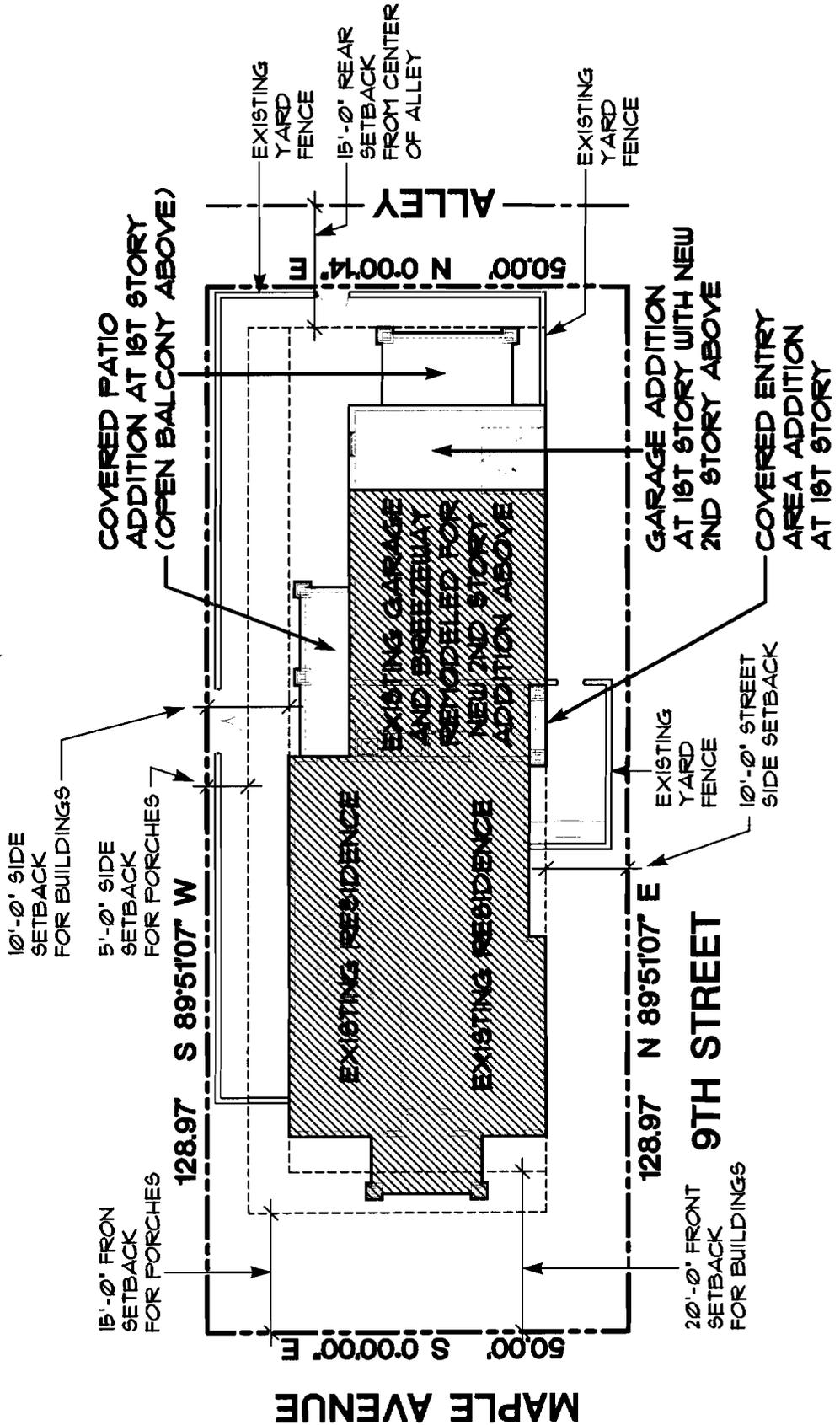
Location Map



ROBERTS RESIDENCE (PL100097)



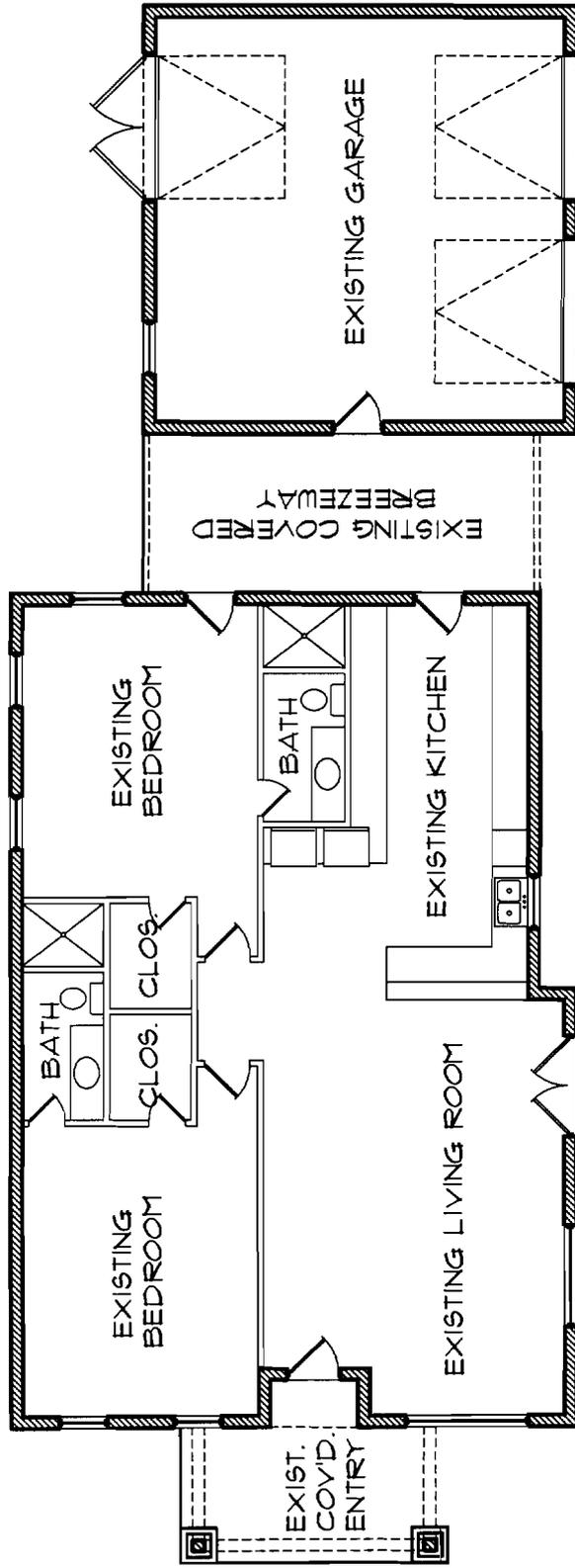
application for special use permit
for second story addition at
902 S. Maple Ave.



SITE PLAN

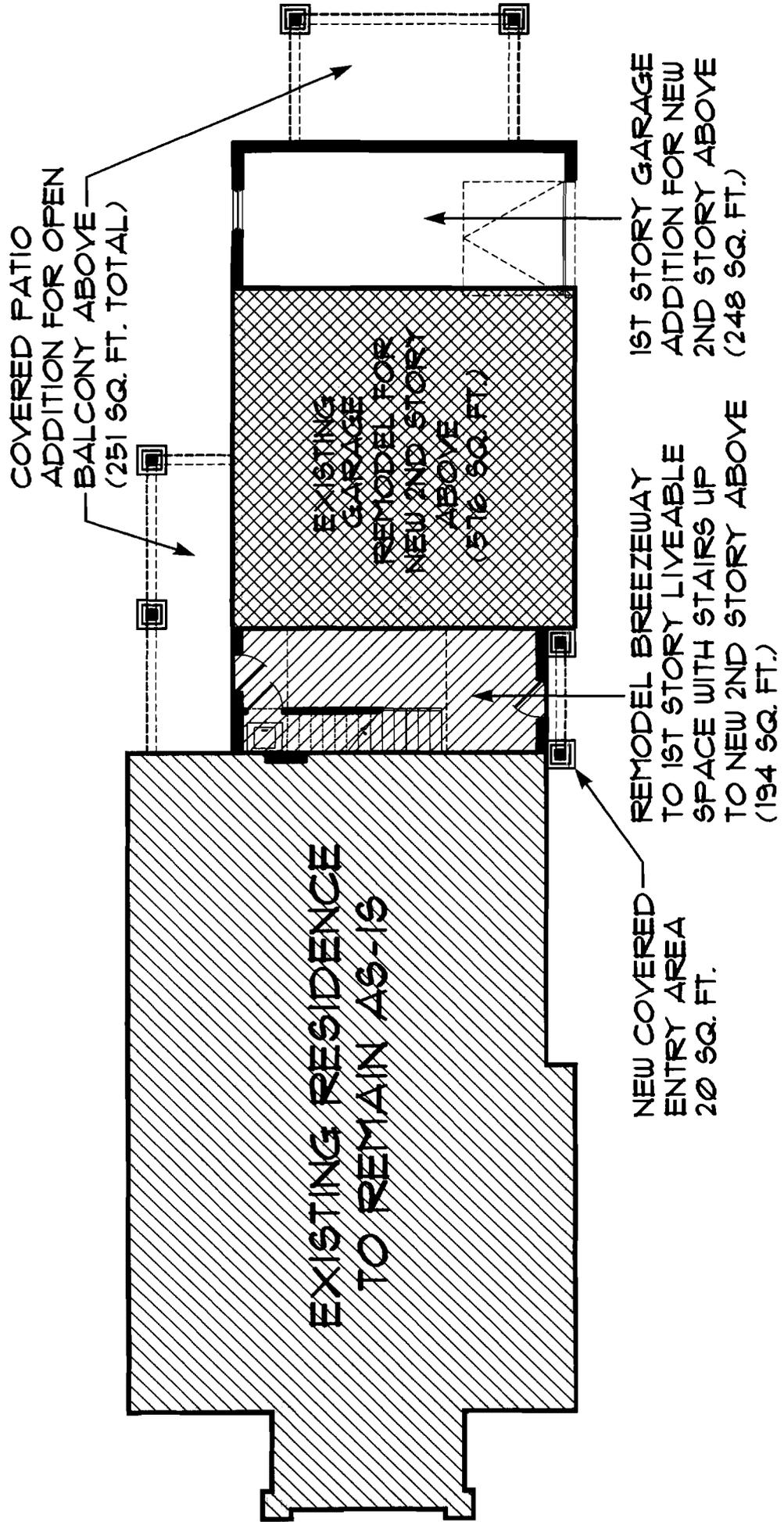
SCALE 1"=20'-0"

application for special use permit
for second story addition at
902 S. Maple Ave.



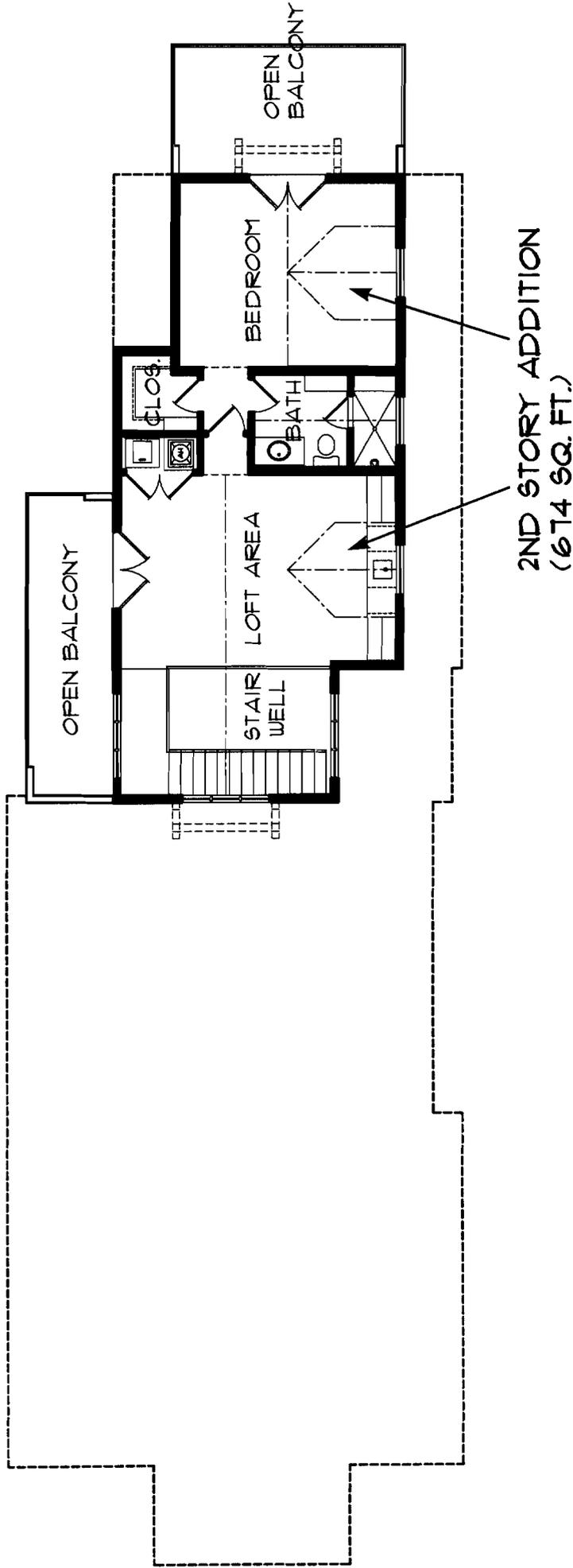
EXISTING FLOOR PLAN

application for special use permit
for second story addition at
902 S. Maple Ave.



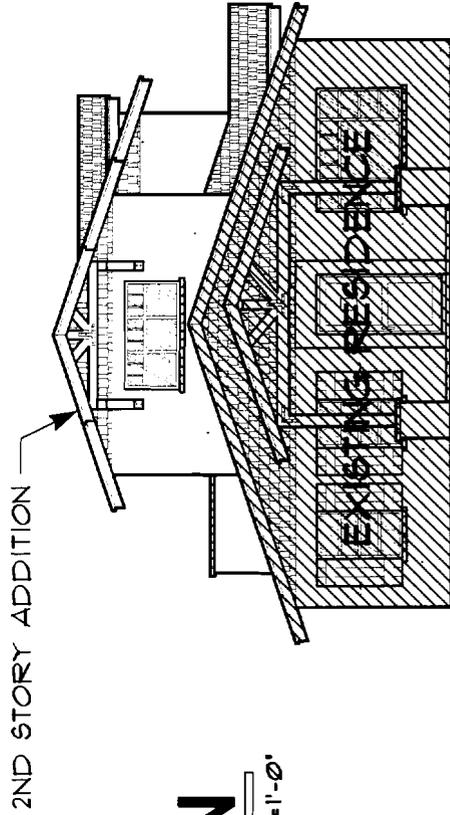
1ST STORY ADDITION/REMODEL FLOOR PLAN

application for special use permit
for second story addition at
902 S. Maple Ave.



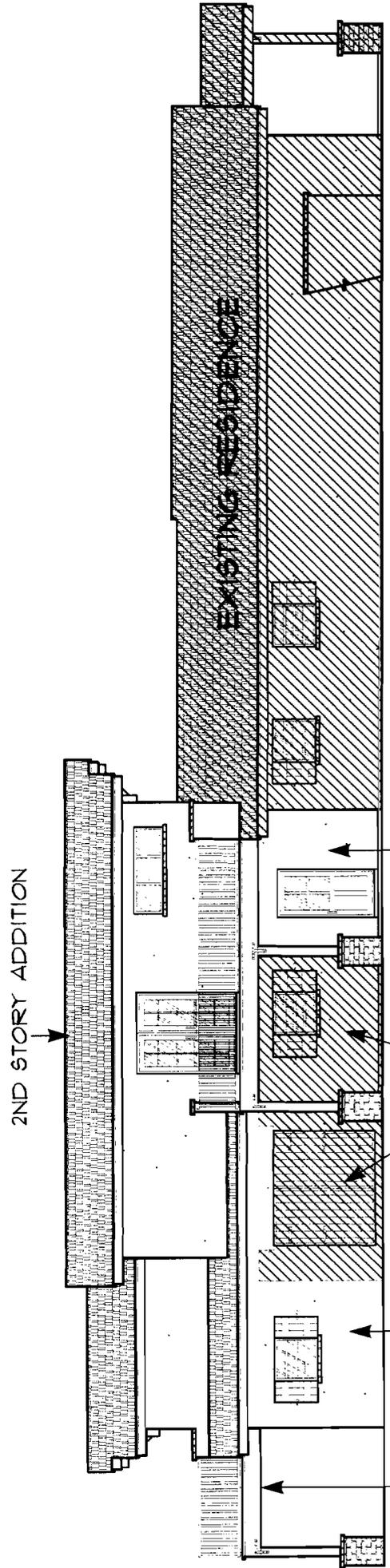
2ND STORY ADDITION FLOOR PLAN

application for special use permit
for second story addition at
902 S. Maple Ave.



EAST ELEVATION

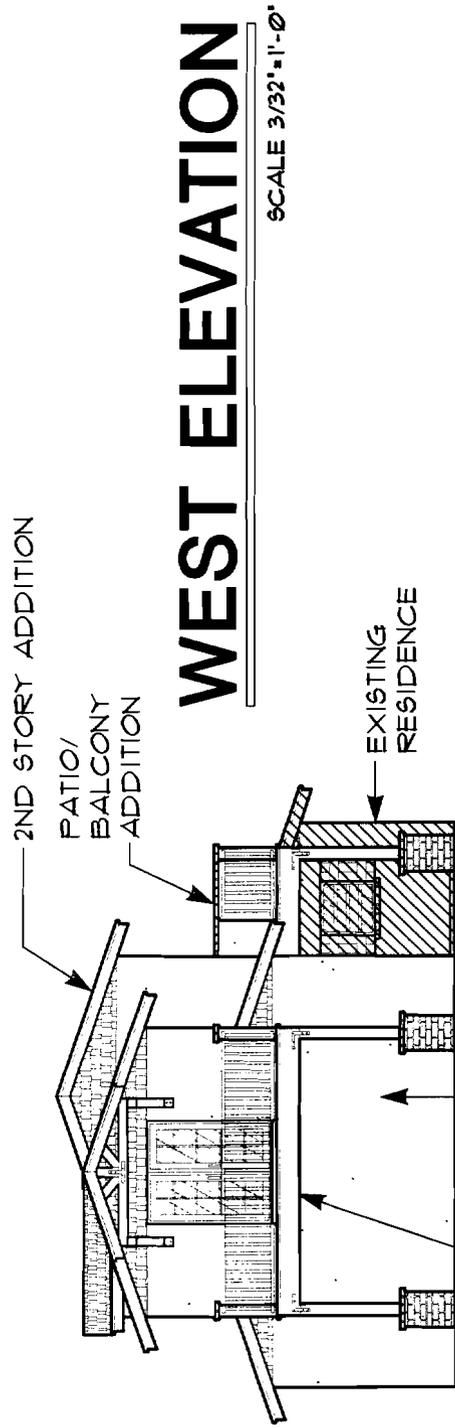
SCALE 3/32" = 1'-0"



SOUTH ELEVATION

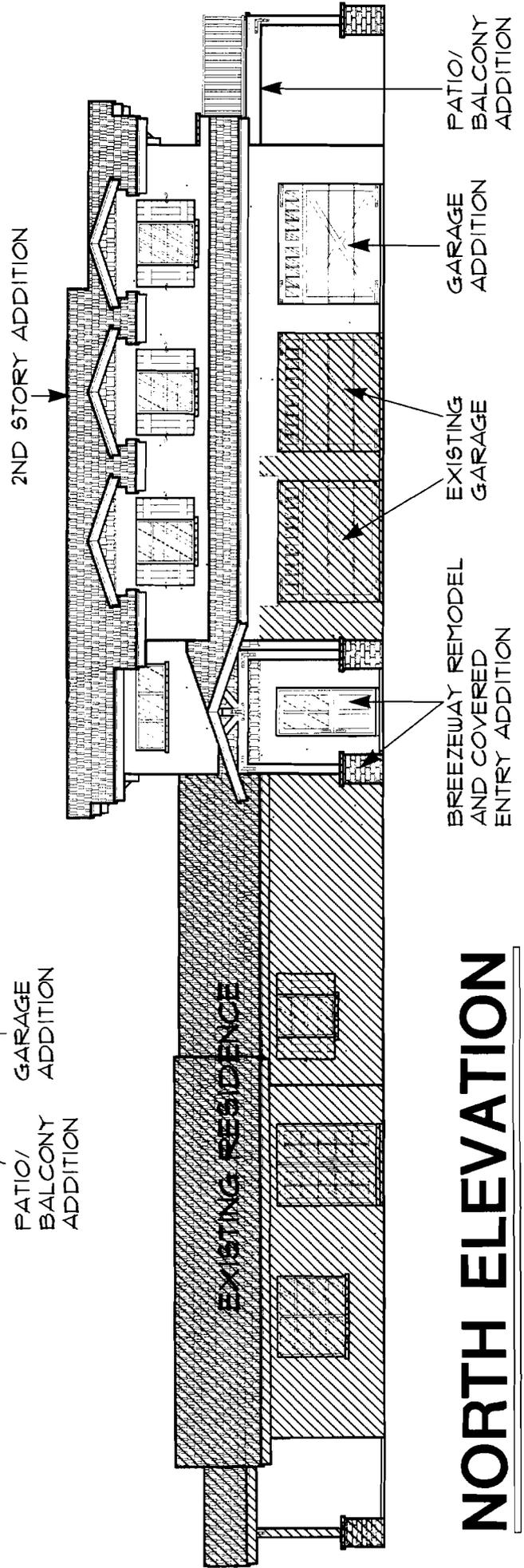
SCALE 3/32" = 1'-0"

application for special use permit
 for second story addition at
 902 S. Maple Ave.



WEST ELEVATION

SCALE 3/32" = 1'-0"



NORTH ELEVATION

SCALE 3/32" = 1'-0"

Lesser, Sherri

From: Jennifer Johnstad [jjohnstad@cox.net]
Sent: Wednesday, June 09, 2010 5:18 PM
To: Lesser, Sherri
Subject: 902 S. Maple

Hi Sherri,

I spoke with Bill White yesterday and I wanted to get back with you with some feedback from the Neighborhood Meeting we held on May 31st. There was a relatively good turn out, with approximately 8 neighbors in total stopping by. We felt things went really well. 99% of the neighbors we spoke with were very supportive and approved on the design. We only had 1 person who was in objection of a second story being added, stating "he didn't want to look at it." Since the structure isn't even visible from the front of his home or when standing in his back yard it seemed a bit strange.

What we would like to have approved under the special use permit is the 2nd story and additional garage being permitted to align with the existing garage structure. This will architecturally give the most appealing overall appearance to the addition. With the garage and addition at the existing set back, it allows plenty of drive way to park a large SUV without hindering the sidewalk traffic. Due to the length of the existing driveway, we will not be requesting for any additional curb to be removed to accommodate the additional garage. Without cutting any additional curb, it will still be possible to access this bay.

Thank you for all of your help and input with this process.

Regards,

Jennifer Johnstad

June 18, 2010
831 S. Ash Avenue
Tempe, AZ 85281

Sherri Lesser,

Due to a work conflict, I am unable to attend the June 22 Hearing in regards to Case Number 100097. For the past 12 years, I have resided at 831 S. Ash Avenue, just a couple of Houses away from this planned second story addition.

I am writing this letter because I am opposed to any vertical expansion, second story addition. The number one reason is that it does not conform to this Historical Neighborhood. The addition will stick out like a sor thumb, plus it will devalue my property.

The second reason, I am against this addition is that it will pack more ASU students into a house that was designed for a single family residence. If you care to check there are no adults living there just teenagers and we know what that leads to loud music, parties and parking problems. Just like what happened at the yellow house, at 928 S. Maple. I'm sorry, I can't live with this request. I have contacted a lawyer, and he informed me to start off with this letter and to seek his assistance if needed.

Thank you,

A handwritten signature in black ink that reads "Vic Mathis". The signature is written in a cursive, slightly slanted style.

Vic Mathis



ROBERTS RESIDENCE

902 SOUTH MAPLE AVENUE

PL100097

FRONT OF RESIDENCE

