

Staff Summary Report



Hearing Officer Hearing Date: 1/18/11

Agenda Item Number: 3

SUBJECT: This is a public hearing for a request by the **SHAKOOR RESIDENCE** located at 2035 East Myrna Lane for one (1) use permit.

DOCUMENT NAME: 20110118cdsl01 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the **SHAKOOR RESIDENCE (PL100424)** (Lonny Branhwaite/Rowland Luxury Homes, applicant; Ahtisham Shakoor, property owner) located at 2035 East Myrna Lane in the AG, Agricultural District for:

ZUP10167 Use permit to replace a single story residence with a two story residence.

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

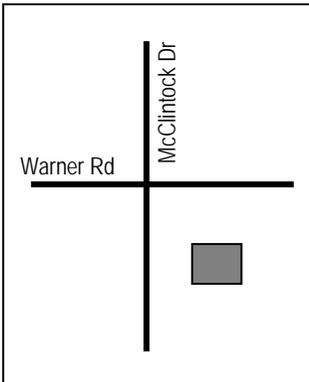
DEPARTMENT REVIEW BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

FISCAL NOTE: There is no fiscal impact to City funds.

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:

This request is for approval of a use permit to allow a two story residence in place of an existing single story residence for the Shakoor property located south of Warner Road and west of Price Road in the Circle G Ranch Subdivision. Staff supports this use permit request with the finding that they meet the Zoning and Development Code criteria for approval of a use permit. To date, one telephone inquiry was received regarding this request.



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. Letter of Intent
4. Site plan
5. Street side elevations
6. Interior lot elevations
7. Main level floor plan
8. Upper/lower level floor plans
9. Email from neighboring property
10. Staff Photograph(s)

COMMENTS:

This site is located in the Circle G Ranches Subdivision south of Warner Road and west of Price Road at the southwest corner of Myrna Road and Fairfield Drive. This request is for a use permit to allow a two story structure in place of an existing single story structure. The house was designed in character with a Tuscan motif featuring a courtyard, covered walkway, stucco exterior, stone accents, arched openings, and tile roof. The main residence and the guest house are in a semi "L" shape configuration on the lot with a covered walkway connecting the two structures. The parking will be located within garages attached to the main residence and the guest house; both accessible from the Fairfield Drive frontage.

PUBLIC INPUT

To date, staff received one telephone inquiry regarding this request. The caller was not in opposition to the request for a two story structure in place of the existing single story. They did express concern with the visibility of the proposed exterior spiral stair case leading to a second story outdoor balcony. They did not want to view the structures from either street frontage. They conveyed stipulations requesting that the elevations be reconfigured to move the second story balcony and spiral staircase to the interior of the lot; away from the street frontage view.

Use Permit

The Zoning and Development Code requires a use permit for a two story structure to replace a single story structure for single family residential uses.

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;
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 concerns for minimizing the view of the spiral staircase and second story outdoor area expressed by the neighbor of this property are appropriate items for consideration in review of this kind of use permit request. To protect the privacy of surrounding properties and minimize the impact of the proposed use; staff will impose conditions of approval for reconfiguration of the site plan and elevations to relocate the balcony and exterior staircase away from the view from either street frontage(s).
- 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.

Conclusion

Staff recommends approval of this request subject to conditions.

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. Redesign main dwelling to relocate exterior stair case and exposed second story patio from view from both street frontages; final details to be approved by staff prior to plan check submittal.

HISTORY & FACTS:

None pertinent to this request

DESCRIPTION:

Owner – Ahtisham Shakoor
Applicant – Lonny Branhwaite/Rowland Luxury Homes
Existing Zoning – AG, Agricultural District
Lot Size: 40,515 s.f.

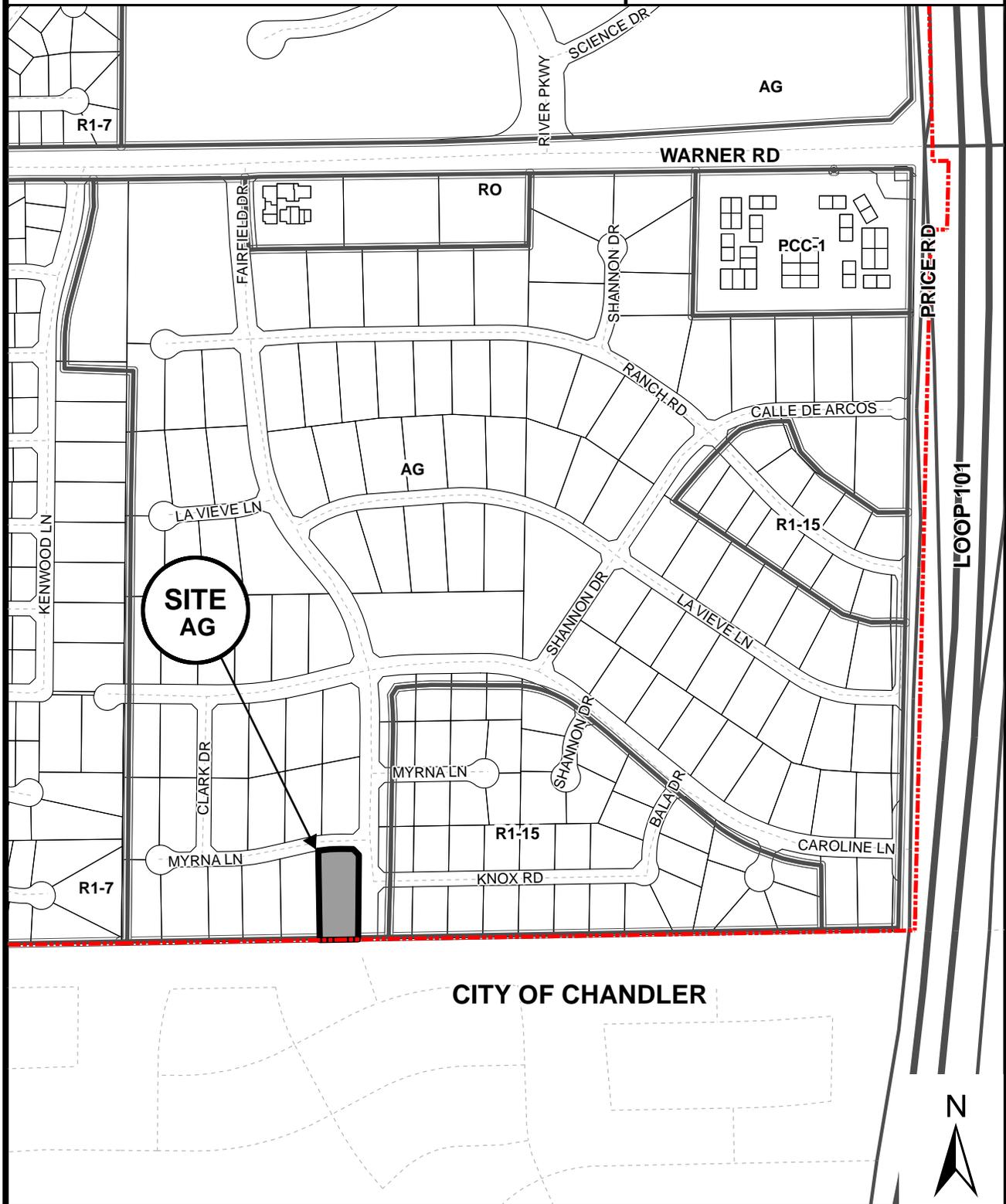
ZONING AND DEVELOPMENT

CODE REFERENCE:

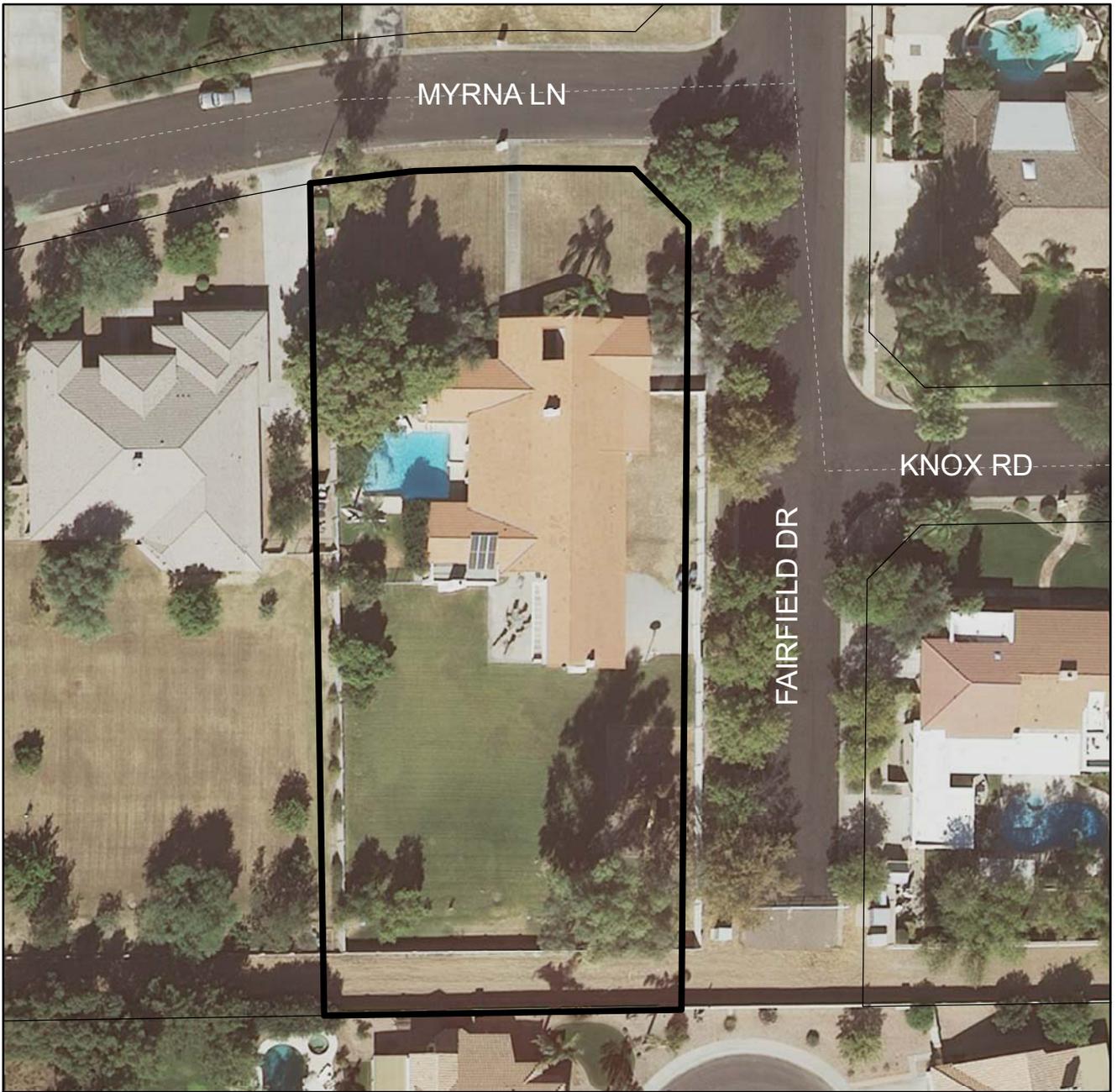
Part 3, Chapter 4, Section 3-420- Second Story in single family.
Part 6, Chapter 3, Section 6-308 – Use Permit

SHAKOOR RESIDENCE

PL100424



Location Map



SHAKOOR RESIDENCE (PL100424)

Architectural Concepts

14 December 2010

City of Tempe
Development Services
31 E. Fifth Street
Tempe, Arizona
85280.5002

RE: Letter of Explanation
Use Permit
2035 E. Myrna Lane

To Whom it May Concern,

The current owners of the lot located at 2035 E. Myrna Lane are proposing to demolish the existing residence and build a new 2 story residence in it's place.

Since the use will remain the same (residential), there will be no change in the amount of traffic, noise or any other factors that may cause concern to the neighborhood. This use is also compatible with the surrounding structures.

If there are any questions regarding this matter, please do not hesitate to call.

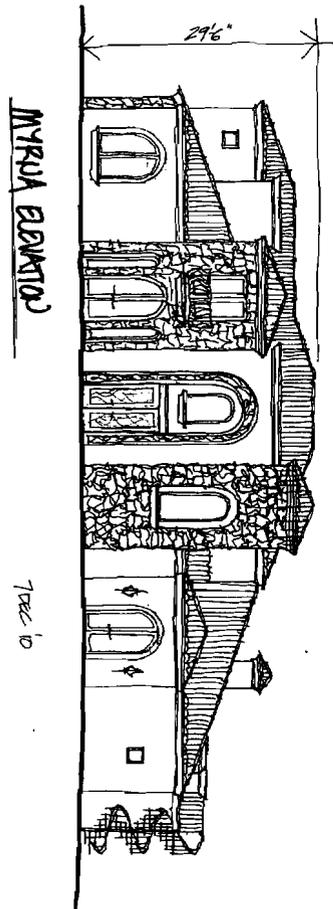
Sincerely,



William J. Schroeder
Agent for the Owner

P.O.Box 19958
Fountain Hills, Arizona
85269.9958

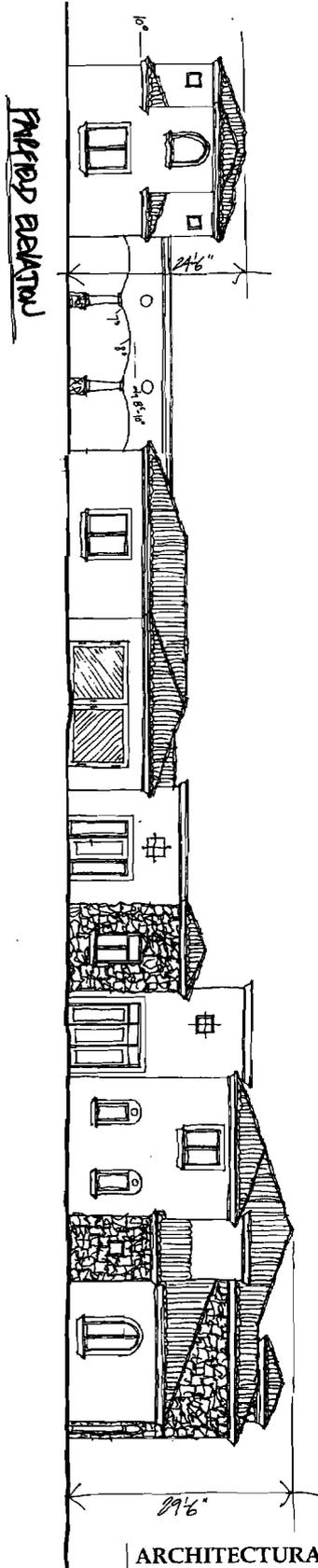
Phone: 480.734.1687
E-Mail: Bill@archconcepts.net



MYRNA BANKTOP

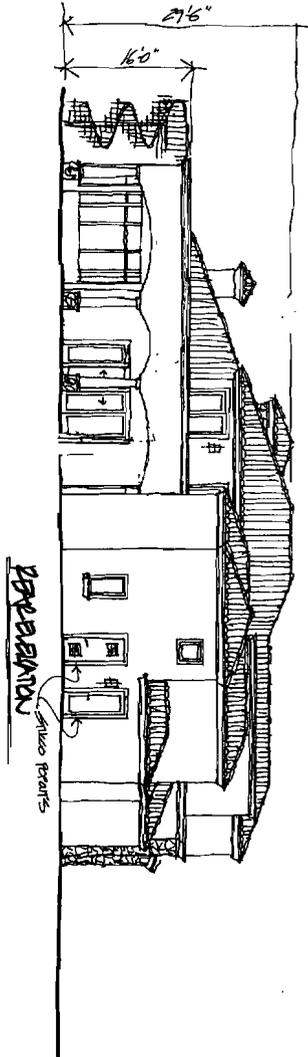
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SHAKOOR RESIDENCE
 2035 E. Myrna Lane
 Tempe, Arizona

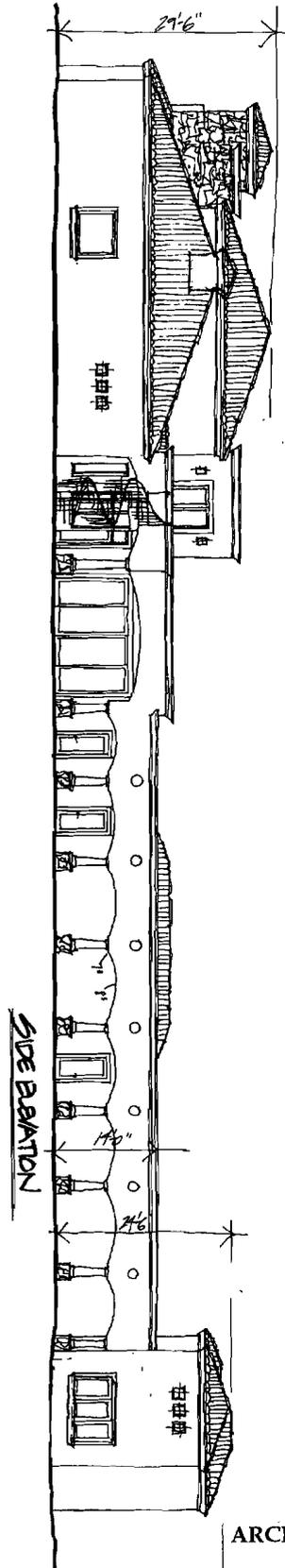


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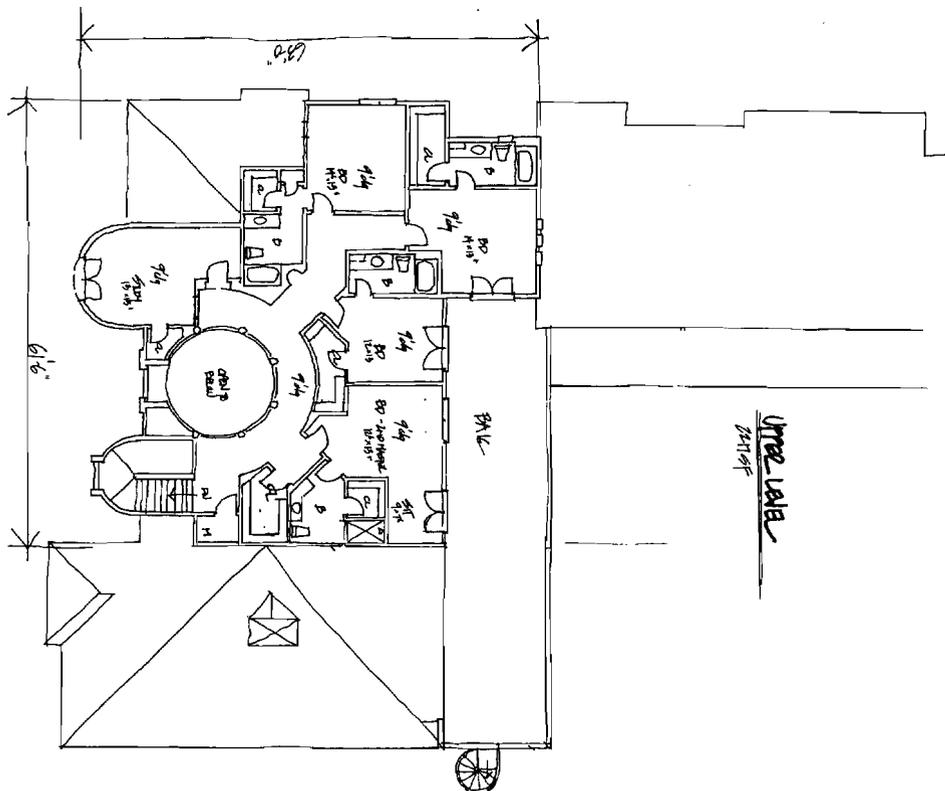
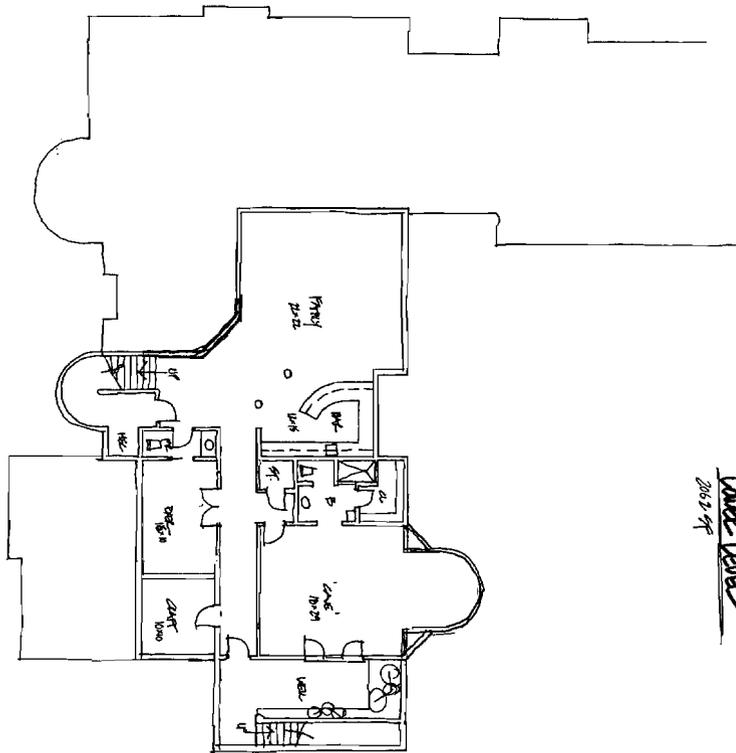
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Lesser, Sherri

From: Mike Chamberlain [mailto:Mike.Chamberlain@tempe.gov]
Sent: Monday, January 10, 2011 1:27 PM
To: Lesser, Sherri
Subject: RE:

Hi Sherri,

Per our conversation today we are ok with the use permit, with the following stipulations needed :

1. External stair case coming from top floor, on west side as shown on front elevation, be moved as not to be seen from Fairfield or Myrna Lane.
2. That the elevated area that stair well is servicing cannot be seen from the same street.
3. The applicant must have all plans approved but Circle G Architectural control committee before city plan approval, to be complete with landscaping plans.

Thank you
Mike and Judy Chamberlain
2036 E Myrna Lane
Tempe Az 85284

From: Lesser, Sherri [mailto:sherri_lesser@tempe.gov]
Sent: Monday, January 03, 2011 4:24 PM
To: Mike Chamberlain
Subject:



SHAKOOR RESIDENCE

2035 EAST MYRNA LANE

PL100424

FRONT OF RESIDENCE

