

# Staff Summary Report

Hearing Officer Hearing Date: April 3, 2007

Agenda Item Number: 7

**SUBJECT:** This is a public hearing for a request by the **HOH RESIDENCE (PL070097)** located at 1725 East Knox for one (1) variance.

**DOCUMENT NAME:** 20070403dssd02

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by the **HOH RESIDENCE (PL070097)** (Eric Hoh, applicant/property owner) located at 1725 East Knox Road in the R1-15, Single Family Residential District for:

**VAR07014** Variance to reduce the west yard setback from fifteen (15) feet to seven (7) feet for a garage addition.

**PREPARED BY:** Shawn Daffara, Planner II (480-858-2284)

**REVIEWED BY:** Steve Abrahamson, Senior Planner (480-350-8359)

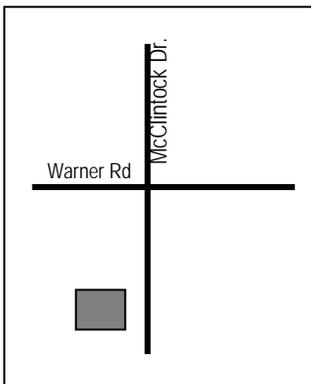
**FINAL REVIEW BY:** Lisa Collins, Planning Director (480-350-8989) 

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Denial subject to Conditions 1-2

**ADDITIONAL INFO:** The Hoh Residence is seeking a variance to reduce the west side yard setback from fifteen (15) to seven (7) feet for a 944 s.f. third car garage and game room addition. Staff recommends denial of the variance. To date, we have received one letter of support for the project.



**ATTACHMENTS:**

- 1 List of Attachments
  2. Comments; Reason(s) for Denial
  3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference
- 
- A. Location Map(s)
  - B. Aerial Photo(s)
  - C. Letter of Intent
  - D. Neighborhood Meeting Letter
  - E. Neighborhood Meeting Minutes
  - F. Site plan
  - G. Floor Plan
  - H. Elevations
  - I. Applicants Photograph(s)
  - J. Staff Photograph(s)
  - K. Letter of support

## COMMENTS:

The Hoh Residence is seeking a variance to reduce the west side yard setback from fifteen (15) to seven (7) feet for a 944 s.f. third car garage and game room addition. The site is located at 1725 East Knox Road, in the R1-15, Single-Family Residential District. The applicant's proposed addition will add a third car garage, family storage space, and a game room.

Staff notes that the Hearing Officer approved other side yard setback variances within the subject property's neighborhood. We cannot prove or disprove the criteria for which those variances were approved. Precedence is not a factor when evaluating a request for a variance. Each request is measured on its own merits. Staff recommends denial of the variance.

To date, we have received one letter of support for the project.

## Neighborhood Meeting

The neighborhood meeting was held on March 19, 2007. Three (3) neighbors attended and provided comments supporting the project. Minutes of meeting included in the attachments.

## Variance

The Zoning and Development Code requires that a variance be sought and obtained for an encroachment into a setback. A variance provides relief from the standards of the Zoning and Development Code where strict interpretation of the Code would deprive a property of privileges enjoyed by other properties of the same classification in the same zoning district R1-15, Single Family Residential District.

## Conclusion

Staff recommends denial of the variance

## REASON(S) FOR DENIAL:

1. There appear to be no special circumstances relating to the request other than those that are self-imposed.
2. The authorizing the variance is not necessary for the preservation and enjoyment of substantial property rights.
3. The authorizing the variance may be materially detrimental to persons residing in the vicinity, the adjacent property or to the neighborhood.

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

**CONDITION(S)  
OF APPROVAL:**

1. All required permits and clearances shall be obtained from the Building Safety Division.
2. The proposed accessory building shall compliment existing dwelling in design, color and material.

**HISTORY & FACTS:**

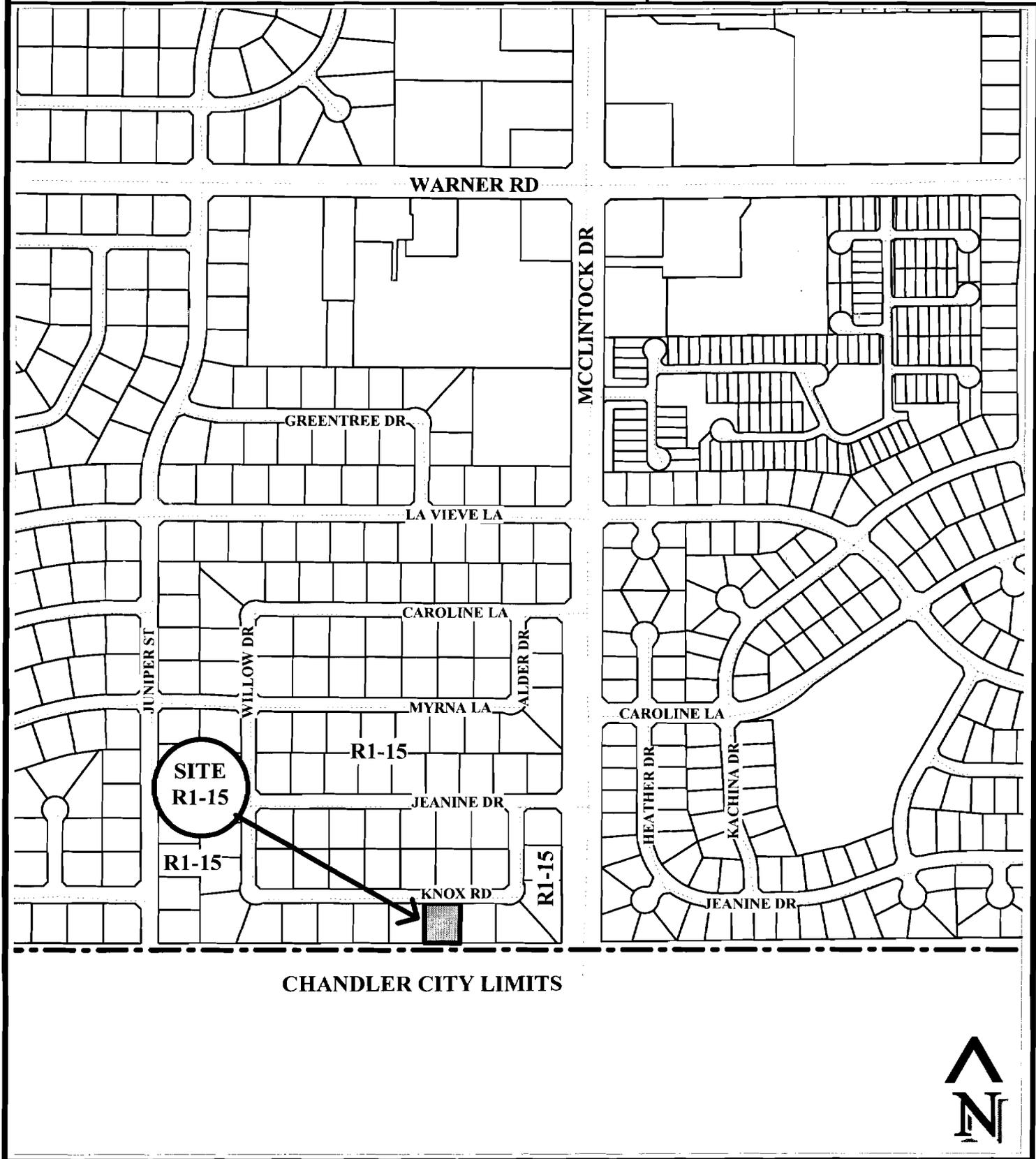
February 2, 1981                      Final inspection for the single family residence.

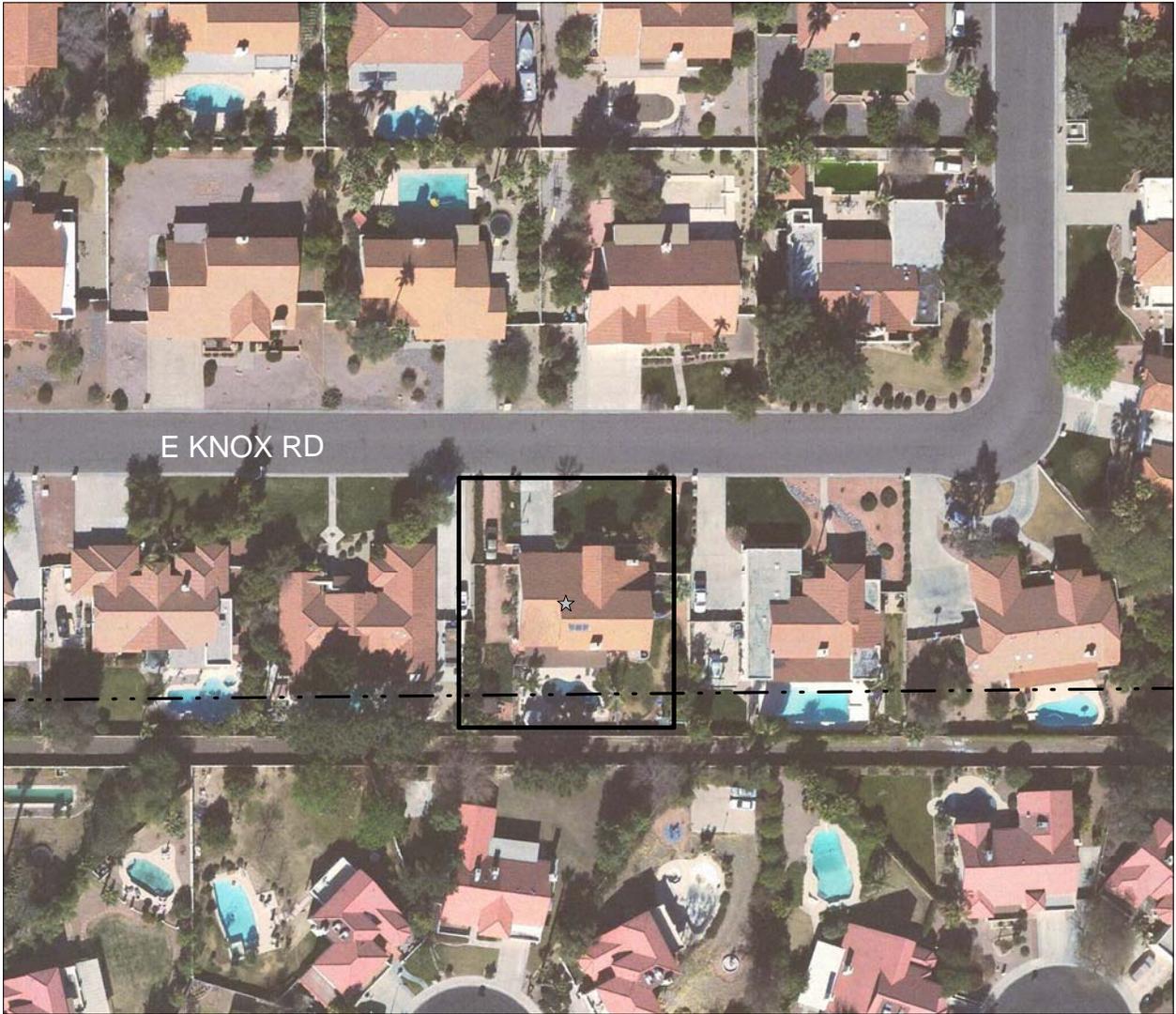
**DESCRIPTION:**

Owner – Eric Hoh  
Applicant – Eric Hoh  
Existing zoning – R1-15, Single Family Residential District  
Lot Size – 17,006 s.f. / .38 Acres  
Existing Home Area – 3,164 s.f.  
Proposed Building Addition - 312 s.f.  
Maximum Lot Coverage – 45%  
Proposed Lot Coverage – 29%  
Required Side Yard Setback - 15 feet  
Proposed Side Yard Setback - 7 feet

**ZONING AND  
DEVELOPMENT  
CODE REFERENCE:**

Part 4, Chapter 2, Section 202A- Development Standards for Residential District(s).  
Part 6, Chapter 3, Section 6-309 – Variances

**HOH RESIDENCE****PL070097****Location Map**



HOH RESIDENCE (PL070097)

1725 E Knox Rd  
Tempe, AZ 85284  
March 2, 2007

To: City of Tempe  
Development Services  
31 East Fifth St  
Tempe, AZ 85280

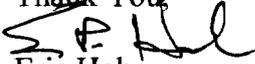
Re: Variance Request

The typical home in our subdivision has at a minimum a 3 car garage. Since we've lived in our home, for the last 5 years I have parked my truck on the driveway in front of my home where it has been exposed to the elements and vandalism because there isn't enough room in our existing 2(car) garage to shelter both of our full size (large) family vehicles. When most of the homes with similar floor plans in our subdivision were built in the early 1980's they were situated on the parcels such that the entire structure included a 3 garage within the setback limits. Our home was placed virtually in the center of the lot which did not allow for a reasonable future expansion on either side.

We are requesting that a variance be granted for the following reasons:

- A) Due to the positioning of the existing dwelling, in order to accommodate a new garage/addition that will meet our security and storage needs we are requesting the reduction of the allowable setback by approximately 8 feet from 15ft to 7ft. on the side (West) property line .
- B) Granting of the variance will allow us to protect all of our personal vehicles from the elements/vandalism/theft while providing an aesthetic benefit to the rest of the neighborhood by not having vehicles parked regularly in plain site near the street on the driveway.
- C) Should the proposed addition/improvement/variance be approved, our home will still be well within the "median" square footage/garage space for typical homes in the neighborhood. Approval of the requested variance will allow for a significant improvement to our property which will in turn positively impact the overall value of homes in the area. We've notified the neighbors on the adjoining property line where the variance is being requested. They have no objections to the proposed addition.

I'm requesting that the city of Tempe grant this variance as it will allow for the protection/storage of my personal property and tastefully improve the value of our home and other homes in the immediate area.

Thank You  
  
Eric Hoh

March 2, 2007

Hello Neighbors,

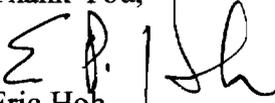
My name is Eric Hoh and I live at 1725 E Knox Road with my wife Jill and three children. I am writing to inform the local community of my plans to build a 3<sup>rd</sup> car garage / family room (directly behind the garage) / new patio cover to replace the existing patio cover in the rear of the house. The proposed addition will be set back from the front edge of the existing garage approximately 9feet. The addition will be approximately 19feet wide and 49 feet deep. A flat "parapet" style roof will cover the new structure and wrap around the back of the house for the new patio covering also.

The city of Tempe requires that I hold a neighborhood meeting two weeks prior to the public hearing that I must attend. The purpose of the neighborhood meeting is to address any concerns or questions that neighbors within 300 feet of our parcel may have with the building of this addition. The neighborhood meeting is the first step of the approval process.

At the public hearing, I need to acquire a variance to the zoning specifications (from 15 feet to 7 feet) from the western property line (garage side). If I cannot obtain a variance approval from the city, I will not be able to build the proposed addition.

The neighborhood meeting will be held at my residence on Monday March 19, from 7:00pm-8:00pm. If you have any questions or concerns or are just curious to see the design, I encourage you to attend. In this package please also find a parcel map of all neighbors within 300 feet of our property and a general floor plan for the new addition.

Thank You,



Eric Hoh  
480-820-2977

3/19/07

# Neighborhood Meeting

Variance # 07014 Garage Addition

RECEIVED

7:00pm – 8:00pm

1725 E Knox Rd Tempe

07 MAR 22 AM 7:12

Meeting called by: Eric Hoh

Type of meeting: Building Plan Review

Facilitator: Eric Hoh

Note taker: ERIC HOH  
TEMPERANCE ENCROACHMENT  
SERVICES DEPARTMENT

Timekeeper: Jill Hoh

- Attendees:
- 1) **Kent & Yavonne Crudup** 1711 E Knox Rd (adjacent neighbors on the subject property line)
  - 2) **Alan Margolis** 1701 E Knox Rd (next to Crudup residence above)
  - 3) **Vikram Shah** 1726 E Knox Rd (Residence directly across street from subject property)
  - 4) Eric & Jill Hoh

## Minutes

**Agenda item:** Description of Variance Process **Presenter:** Eric Hoh

**Discussion:** Explanation to neighbors of the variance request process and why a variance is needed for setback encroachment.

**Conclusions:** Attendees understood the necessity of obtaining variance due to proposed building plan

<b>Action items</b>	N/A All questions were answered satisfactorily. No further clarification requested.	<b>Person responsible</b>	<b>Deadline</b>
		Eric Hoh	N/A

**Agenda item:** Building Elevation and Floor Plan Review **Presenter:** Eric Hoh

**Discussion:** Front and Side Elevation Drawings were reviewed with attendees to present the orientation and design of the proposed addition. Overhead floor plan drawings were also presented.

- 1) Victor Shah asked how much the addition would add to the square footage of the existing structure. (answer given – approx 941 sq ft)
- 2) Kent Crudup asked for a measurement of the height of the new garage and where it would tie into the existing roof slope. (measurement taken and answer given – approx 9 feet set back from the front edge of the existing garage with a roof height of approximately 11 ft)

**Conclusions:** All questions asked by attendees were answered satisfactorily.

<b>Action items</b>	N/A All questions were answered satisfactorily.	<b>Person responsible</b>	<b>Deadline</b>
		Eric Hoh	N/A

**Special notes:** Attendees were given contact information for City of Tempe Planning and Development to email feedback regarding proposed addition





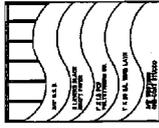
**ONE HOUR FIRE TESTS:**

**TECHNICAL DATA:**

1. I.C.B.O. 1037  
 2. I.C.B.O. 1038  
 3. I.C.B.O. 1039  
 4. I.C.B.O. 1040  
 5. I.C.B.O. 1041  
 6. I.C.B.O. 1042  
 7. I.C.B.O. 1043  
 8. I.C.B.O. 1044  
 9. I.C.B.O. 1045  
 10. I.C.B.O. 1046  
 11. I.C.B.O. 1047  
 12. I.C.B.O. 1048  
 13. I.C.B.O. 1049  
 14. I.C.B.O. 1050  
 15. I.C.B.O. 1051  
 16. I.C.B.O. 1052  
 17. I.C.B.O. 1053  
 18. I.C.B.O. 1054  
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 20. I.C.B.O. 1056  
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 57. I.C.B.O. 1093  
 58. I.C.B.O. 1094  
 59. I.C.B.O. 1095  
 60. I.C.B.O. 1096  
 61. I.C.B.O. 1097  
 62. I.C.B.O. 1098  
 63. I.C.B.O. 1099  
 64. I.C.B.O. 1100

**EXTERIOR WALL DESIGN**

1. ALL ONE-COAT STUCCO SYSTEM WALLS SHALL BE FINISHED WITH A FINISH SYSTEM AS APPROVED BY THE ARCHITECT.  
 2. ALL STUCCO SYSTEM WALLS SHALL BE FINISHED WITH A FINISH SYSTEM AS APPROVED BY THE ARCHITECT.  
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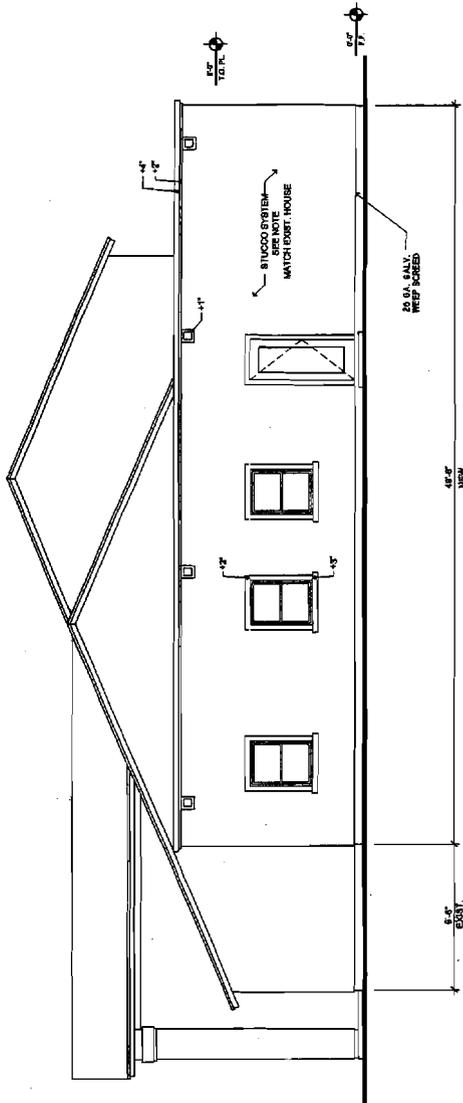


EXTERIOR WALL DESIGN

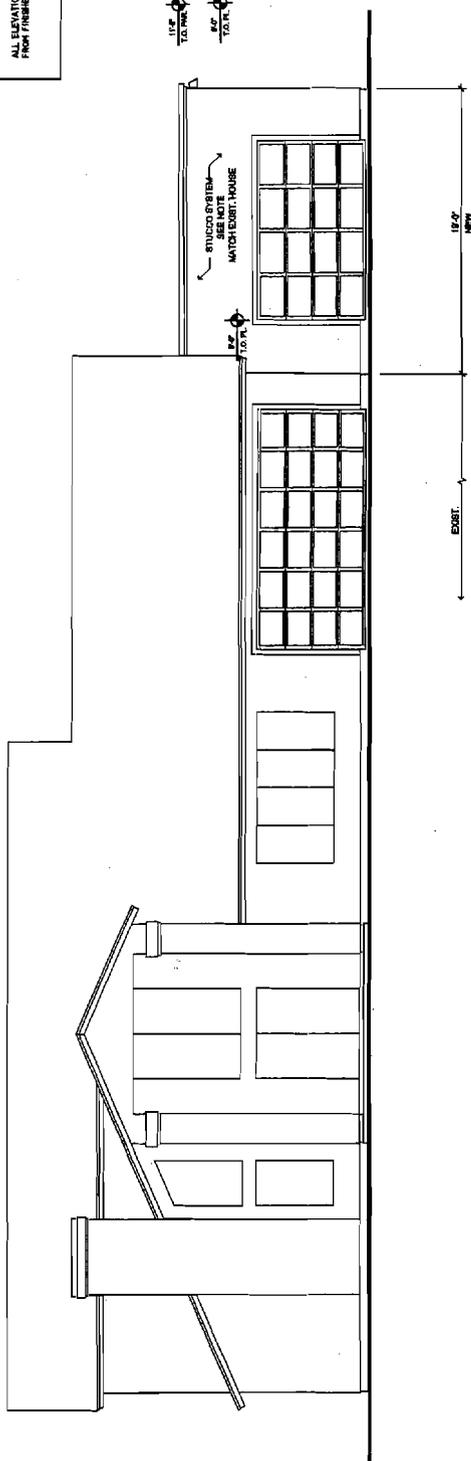
STUCCO SYSTEM SHALL BE WESTERN ONE-COAT STUCCO SYSTEM AS APPROVED EQUAL AND INSTALLED IN ACCORDANCE WITH I.C.B.O. #107

**REFERENCE ELEVATIONS**

ALL ELEVATIONS SHOWN ARE REFERENCED FROM FINISHED FLOOR TO 0'



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



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



1725  
E. KNOX



1711  
E. KNOX



1440  
E. KNOX



1739  
E. KNOX



1726  
E. KNOX



1445  
E. KNOX



1712  
E. KNOX



1702  
E. KNOX



1543  
E.KNOX



1701  
E.KNOX



1544  
E. KNOX



**HOH RESIDENCE**

**1725 E. KNOX RD.**

**PL070097**

**FRONT OF HOME: VIEW TO SOUTH**



**HOH RESIDENCE**

**1725 E. KNOX RD.**

**PL070097**

**FRONT OF HOME( WEST SIDE): VIEW TO SOUTH  
(PROPOSED LOCATION OF 3<sup>RD</sup> CAR GARAGE)**

**Daffara, Shawn**

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**From:** Lesser, Sherri  
**Sent:** Wednesday, March 21, 2007 10:28 AM  
**To:** Daffara, Shawn  
**Subject:** FW: Variance # 07014

-----Original Message-----

From: Alan Margolis [mailto:margolis@pipeline.com]  
Sent: Tuesday, March 20, 2007 9:35 PM  
To: Lesser, Sherri  
Cc: Jill  
Subject: Variance # 07014

To: City of Tempe Planning and Development Department  
Re: VAR#07014

To Whom it may concern.

I am a neighbor in the immediate vicinity (within 300 feet) of the Hoh's 1725 E Knox Rd residence. I live at 1701 E Knox Rd, 1 house away. My wife and I approve of their plans communicated and presented to us for the proposed garage addition at the neighborhood meeting held on 3/19/2007 requesting a side yard setback variance.

We believe their house upgrade is consistent with spirit of neighborhood improvement program which the city has been supporting for the last couple of years. Tempe has provided support in the way of grants to improve our entrance and land along McClintock Rd.

The Hoh's have been both monetary contributors as well as sweat equity contributors during both phases of the neighborhood appearance improvement program. Eric personally helped remove tons of dead trees and garbage during these improvement phases as well as contributed financially as I did to match Tempe's investment in our community.

His interest in improving the appearance and appeal of his house is in the best interest of our neighborhood and Tempe in general.

Thanks for taking our feedback into consideration of his request.

Sincerely,  
Alan Margolis  
1701 E Knox Rd  
Tempe AZ 85284  
480-345-2960