

Staff Summary Report



Hearing Officer Hearing Date: March 4, 2008

Agenda Item Number: 4

SUBJECT: This is a public hearing for a request by **MATWICK RESIDENCE (PL080037)** located at 1733 East Louis Way for one (1) use permit.

DOCUMENT NAME: 20080304dsng01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **MATWICK RESIDENCE (PL080037)** (Michael Matwick, applicant/property owner) located at 1733 East Louis Way in the AG, Agricultural District for:

ZUP08021 Use permit to allow an accessory building.

PREPARED BY: Nick Graves, Planning Intern (480-350-8942)

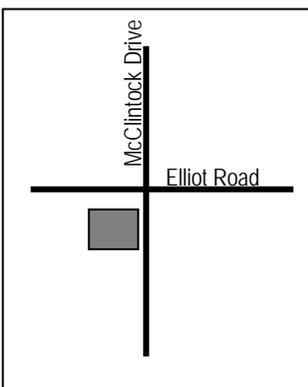
REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions 1 - 3

ADDITIONAL INFO: The applicant is requesting a use permit for a detached 1,960 sf. accessory building (pool house/game room) located behind the main residence along the south property line. Staff recommends approval of the use permit; it is compatible with the existing residence and complies with the approval criteria for a use permit. To date, no public input has been submitted for this request.



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. Floor Plan(s)
6. Elevations(s)
- 7-10. Staff Photograph(s)

COMMENTS:

The applicant is requesting a use permit for a detached 1,960 sf. accessory building (pool house/game room) to be located within the property lines in the rear yard. The Matwick residence is located at the southwest corner of McClintock Drive and Louis Way. The accessory building will be utilized as a pool house/game room, office space, and a music room. Currently the applicant works in the home and uses the guest bedrooms as offices. There are several other properties within this neighborhood that have accessory buildings located in the rear yard. According to the site plan, the proposed location of the accessory building provides adequate separation between the residence and accessory building. Staff recommends approval of the use permit; it is compatible with the existing residence and complies with the approval criteria for a use permit.

Use Permit

The Zoning and Development Code requires a use permit for a detached accessory building that exceeds eight (8) feet in height and/or two hundred (200) square feet in area. The applicant is proposing to construct a 1,960 sf. structure with a height of fifteen (15) feet and eleven and a half (11½) inches to the ridge. The accessory building lies within the property lines and meets all required setbacks.

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. The use is for a pool house/game room with office space and a music room and should not cause more traffic.
- 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 any nuisances.
- 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. There are also a number of existing accessory buildings within the neighborhood.
- 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, subject to conditions of approval.

REASONS FOR APPROVAL:

1. There will be no significant increase in vehicular or pedestrian traffic in adjacent areas. The use is for a pool house/game room with office and a music room space and should not cause more traffic.
2. This use should not create any nuisances.
3. 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. There are also a number of existing accessory buildings within the neighborhood.
4. The proposed use appears to be compatible with surrounding uses.

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. Detached structure to be compatible in design with main dwelling; colors to match existing dwelling.
3. The detached accessory building shall not be used as a separate living unit/guest quarters (no cooking facilities). Only one residential unit per lot is allowed in the AG agricultural zoning district.

HISTORY & FACTS:

- August 2001 Final inspection for a single family home.
- January 20, 2005 Zoning & Development Code was adopted.
- Zoning & Development Code as adopted repealed Zoning Ordinance No. 808 which allowed customary accessory buildings including guest quarters accessory to a residence in the AG – Agricultural District.
 - Section 3-411 Guest Quarters - is still reserved at this time.

DESCRIPTION:

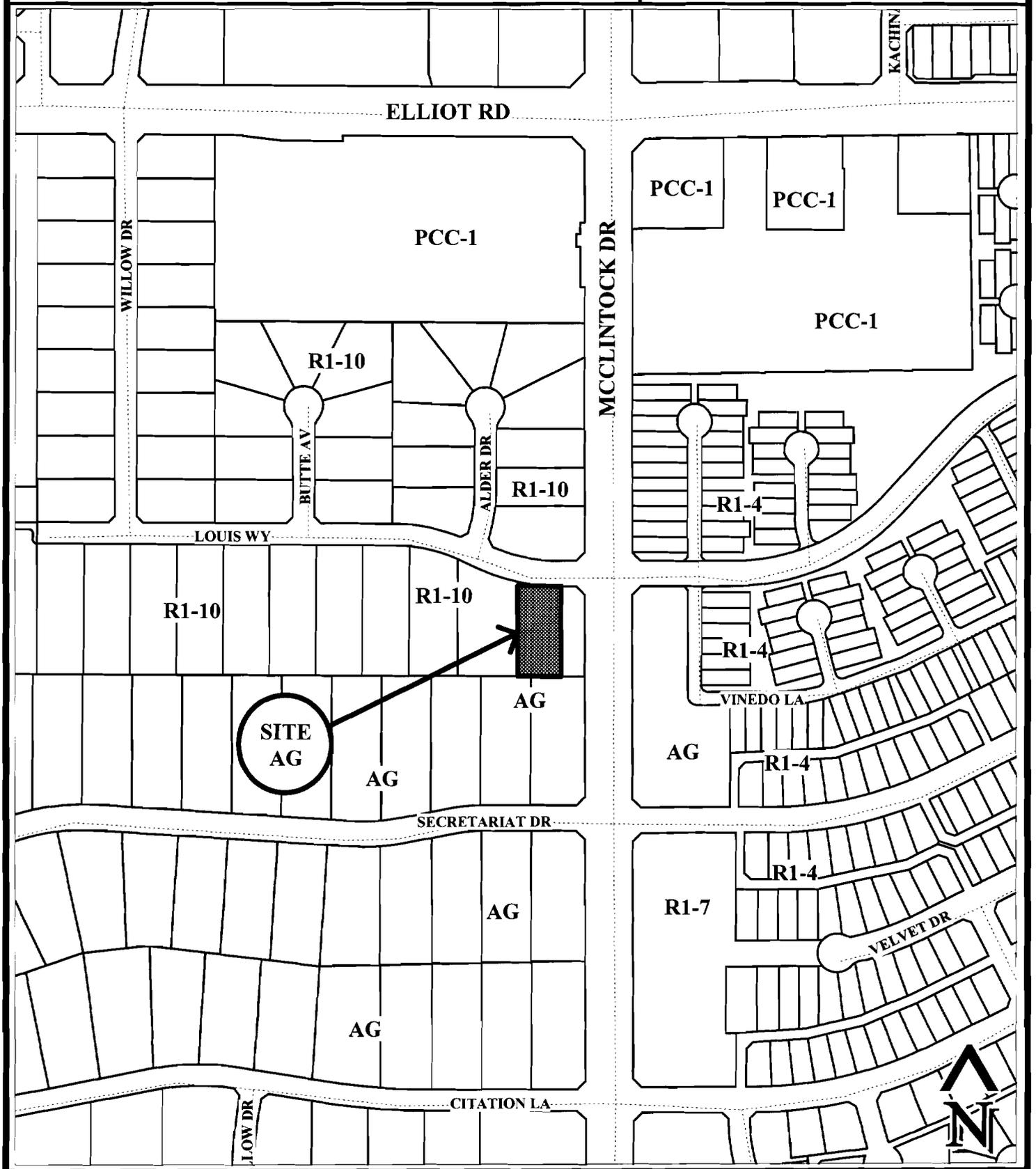
Owner – Michael Matwick
Applicant – Michael Matwick
Existing Zoning – AG, Agricultural District
Lot Size - 30,296 s.f. / .70 acres
Existing Home area - 5,585 s.f.
Proposed Accessory Bldg. Area - 1,960 s.f.
Existing Home Height - 17'
Proposed Accessory Bldg. Height - 15'- 11½"
Rear Yard Setback - 35 feet
Side Yard Setback - 20 feet
Existing Lot Coverage - 18.4%
Proposed Lot Coverage - 25%
Lot Coverage Allowed - 25%

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-401 – Accessory Buildings, Uses and Structures
Section 4-202 – Development Standards for Residential Districts
Section 6-308 – Use Permits

MATWICK RESIDENCE

PL080037





MATWICK RESIDENCE (PL080037)

To: City of Tempe Planning & Zoning

From: Michael R. Matwick

Re: Letter of Explanation for Use Permit at 1733 E. Louis Way

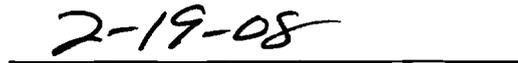
Date: February 19, 2008

After discussing our initial proposal for an accessory structure at our residence with Planning and Zoning staff, I am submitting these revised plans and letter of explanation of the project.

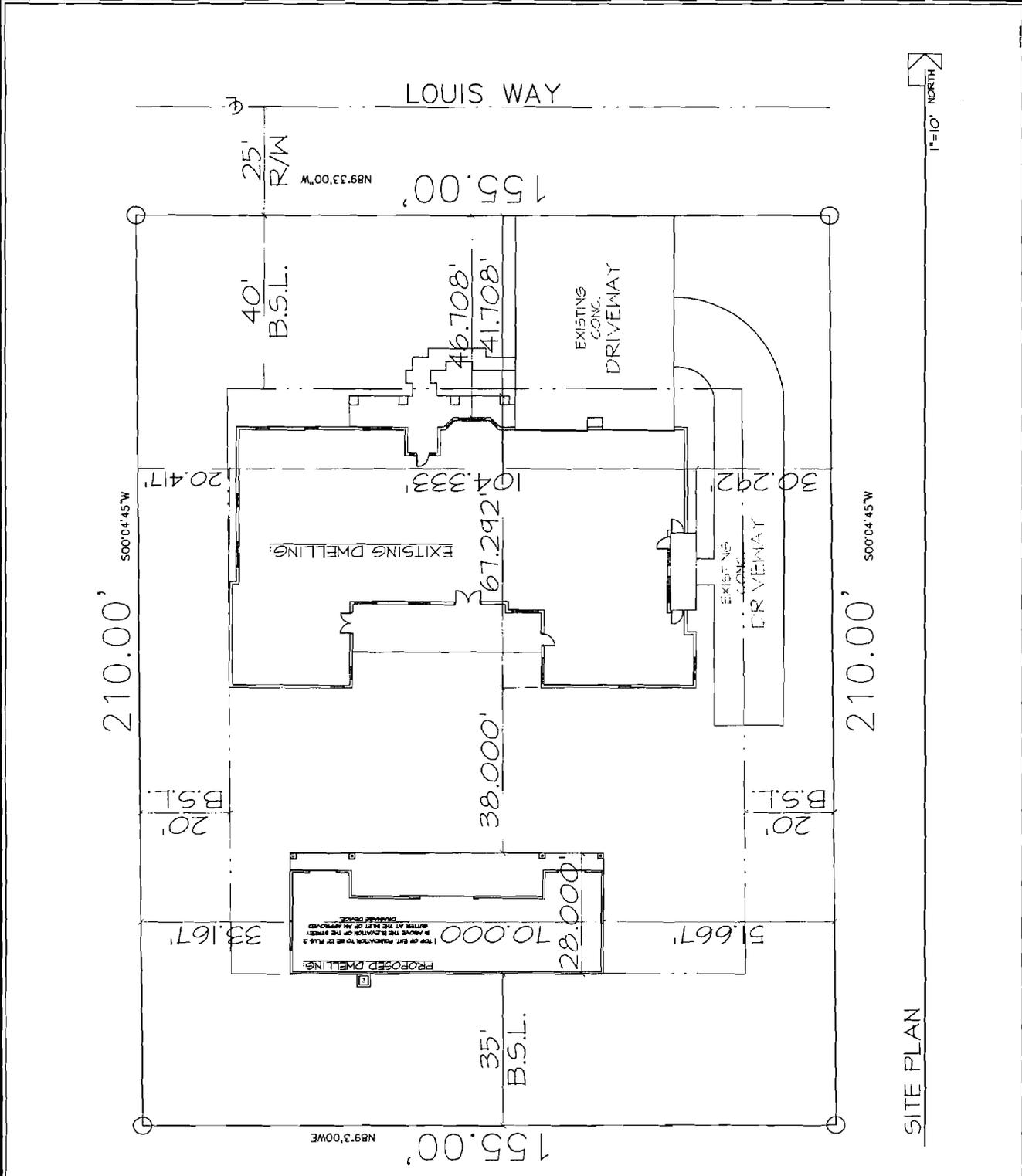
As I stated in the initial submittal, we have family from out of state who often visit for periods of 4-6 weeks at different times of the year. Currently, between myself, my wife and my daughter, we all work at home for significant portions of the week. This has caused us to use our bedrooms as offices, and to squeeze my wife's music room into part of her office. After the initial plan review indicated apprehension on the part of Planning and Zoning for the location of bedrooms in the accessory building, we have decided to use those spaces as the office and music room, which will free up room inside the residence for bedrooms. The revised plan submitted today reflects the changes discussed above.



Michael R. Matwick



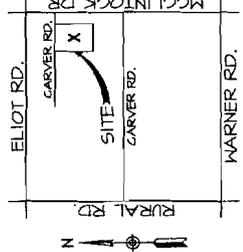
Date



PROJECT INFORMATION:
 PARCEL NUMBER: 204-14-006
 LOT DESCRIPTION:
 ADDRESS: 1895 E. LOUIS WAY TERRE, AZ 85284
 EXISTING BUILDING SIZE: 3,540 SQ. FT.
 EXISTING LOT SIZE: 1,160 SQ. FT.
 LOT SIZE: 23,244 SQ. FT.
 LOT COVERAGES: 75-6892344 + 23-28
 CITY OF TERRELL, AZ

- SITE:**
- 5-1 FINISH FLOOR SHALL BE A MINIMUM OF 6" ABOVE ADJACENT GRADE.
 - 5-2 THE PROPERTY SHALL BE FOR A DRIVEWAY OF 10' TO 14' WIDE AND SHALL BE CONCRETE.
 - 5-3 THERE SHALL BE A SIGNATURE AND SHALL BE IDENTIFIED BY THE CITY FOR PUBLIC RECORDS REQUIRED.
 - 5-4 PROVIDE TERRACE AND DECAY PROTECTION WITH MINIMUM 3" TREAD HIGHT.

NOTES:
 1. PROPERTY LINE FENCING REQUIRES A SEPARATE 2. FOOT ADDRESS ON EXTERIOR OF STRUCTURE. (PER RC201)



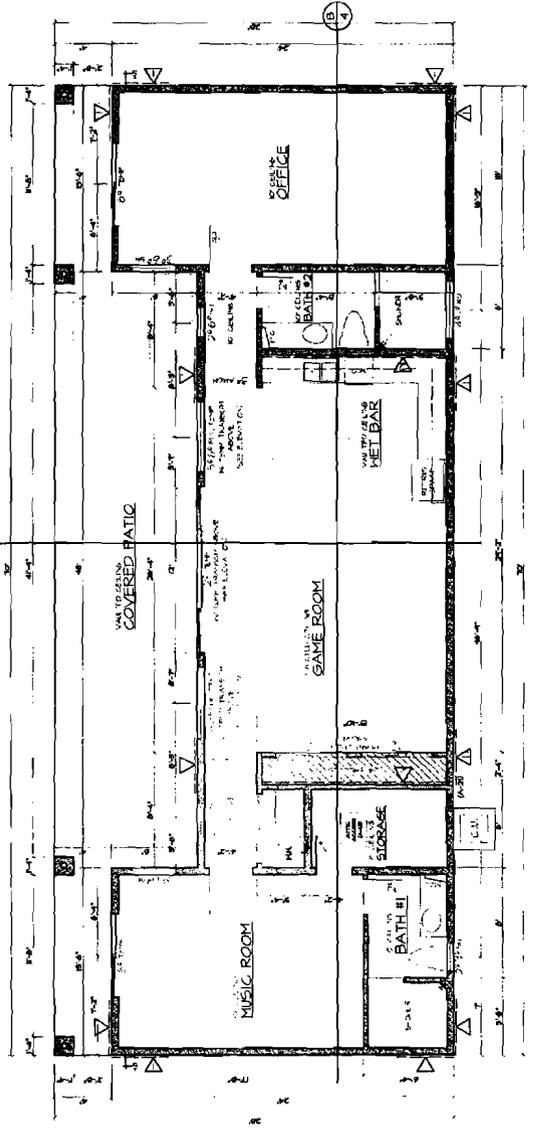
VICINITY MAP:
 NO SCALE

BUILDING CODES
 CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING CODES AND ORDINANCES FOR THE JURISDICTION:
 2003 INTERNATIONAL RESIDENTIAL CODE (IRC)
 2003 INTERNATIONAL BUILDING CODE (IBC)
 2003 INTERNATIONAL PLUMBING CODE (IPC)
 2003 INTERNATIONAL MECHANICAL CODE (IMC)
 2003 INTERNATIONAL ELECTRICAL CODE (IEC)
 2003 INTERNATIONAL FIRE CODE (IFC)
 2003 INTERNATIONAL ENERGY CODE (IECC)
 2003 INTERNATIONAL SWEET'S BOOKS AND MANUFACTURERS' CATALOGS FOR THE SUPPLY AND MANUFACTURE OF PRODUCTS AND MATERIALS.
 MATERIALS REQUIRED TO BE LISTED BY OTHER NATIONAL RECOGNIZED TESTING AGENCIES.

FLOOR PLAN
 A1 FLOOR OF GARAGE SHALL BE FINISHED AND LEVEL FLOOR IN REAR HALF WITH 1/2" OVERLAP BOARD JOIST JOISTS PER IRC R 502.1.1.1.
 A2 FLOOR SHALL BE FINISHED WITH 1/2" OVERLAP BOARD JOIST JOISTS PER IRC R 502.1.1.1.
 A3 FLOOR SHALL BE FINISHED WITH 1/2" OVERLAP BOARD JOIST JOISTS PER IRC R 502.1.1.1.
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AREAS:

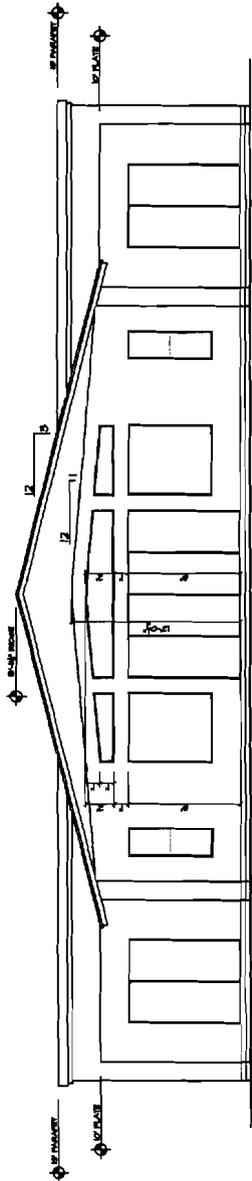
FLOOR LIVING	1422
TOTAL LIVING	1422
PATIO	350
TOTAL NON-LIVING	350
TOTAL SQ. FT.	1460



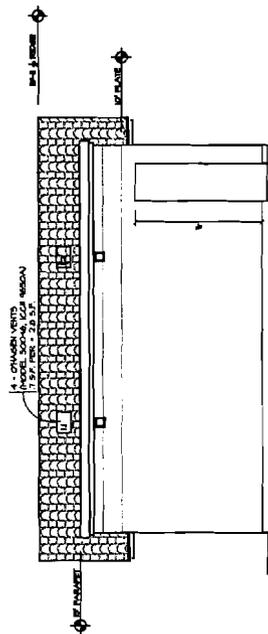
FLOOR PLAN

ATTIC VENTILATION:

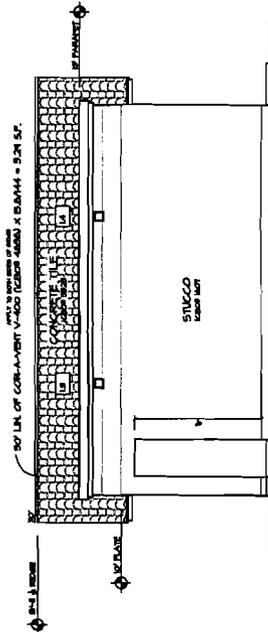
1. REQUIRED: 12000 CFM @ 12 FPM
 PROVIDED: 12000 CFM @ 12 FPM
 DOWNCHAMBER: 2,260 S.F.
 TOTAL = 6,091 S.F.
 2. REQUIRED: 564750 @ 3.48 S.F.
 PROVIDED: 564750 @ 3.48 S.F.
 TOTAL = 5,336 S.F.
 3. REQUIRED: 364490 @ 2.48 S.F.
 PROVIDED: 364490 @ 2.48 S.F.
 TOTAL = 5,336 S.F.
- FLAT ROOF VENTERS BEYOND CEILING PLANE



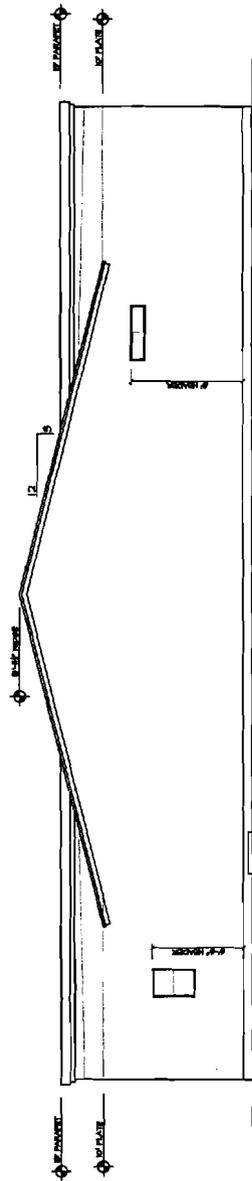
FRONT ELEVATION
 1/4"=1'-0"



LEFT ELEVATION
 1/4"=1'-0"



RIGHT ELEVATION
 1/4"=1'-0"



REAR ELEVATION
 1/4"=1'-0"



MATWICK RESIDENCE

1733 E LOUIS WAY

PL080037

**ACCESSORY BUILDING ON THE PROPERTY TO
THE SOUTH IN THE AG ZONING DISTRICT
ALONG WITH ADJACENT BRIDAL PATH**



MATWICK RESIDENCE

1733 E LOUIS WAY

PL080037

REAR YARD OF RESIDENCE



MATWICK RESIDENCE

1733 E LOUIS WAY

PL080037

FRONT OF RESIDENCE



MATWICK RESIDENCE

1733 E LOUIS WAY

PL080037

**ACCESSORY BUILDING ON THE PROPERTY TO
THE WEST IN THE R1-10 ZONING DISTRICT**