

# Staff Summary Report



Hearing Officer Hearing Date: June 27, 2007

Agenda Item Number: 5

**SUBJECT:** This is a public hearing for a request by the **OLNEY RESIDENCE (PL070225)** located at 408 East Julie Drive for one (1) use permit.

**DOCUMENT NAME:** 20070627dssd01

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by the **OLNEY RESIDENCE (PL070225)** (Gary Olney, applicant/property owner) located at 408 East Julie Drive in the R1-6, Single Family Residential District for:

**ZUP07068** Use permit to allow parking in the front yard setback.

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

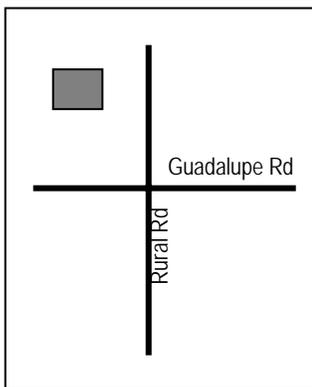
**REVIEWED BY:** Steve Abrahamson, Planning and Zoning Coordinator (480-350-8359) *SEA*

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval subject to Conditions 1-3

**ADDITIONAL INFO:** The applicant is before the Hearing Officer to request a use permit to allow the required parking in the front yard setback. The applicant is enclosing their carport for additional livable space and therefore needs to relocate the required parking to the front yard setback. To date, there has been no public input to the request. Staff supports the use permit as proposed in this application.



**ATTACHMENTS:**

1. List of Attachments
  2. Comments; Reason(s) for Approval
  3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference
- 
- A. Location Map(s)
  - B. Aerial Photo(s)
  - C. Letter of Intent
  - D. Site plan
  - E. Staff Photograph(s)

## COMMENTS:

The Olney Residence is before the Hearing Officer to request a use permit to allow the required parking in the front yard setback. The property is located at 408 East Julie Drive in the R1-6, Single Family Residential District. The applicant is enclosing their carport for additional livable space and therefore need to relocate the required parking in the front yard setback.

To date, there has been no public input to the request. Staff supports the use permit as proposed in this application.

## Use Permit

The Zoning and Development Code requires a use permit for vehicle parking located in the required front yard setback in the R1-6 Single Family Residential District.

Evaluating the use permit, the proposal appears to pass the use permit tests 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;
  - No potential 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 proposal 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.

## Conclusion

Staff recommends approval of the use permit.

## 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. The use permit is valid for the plans as submitted to and approved by the Hearing Officer.
- 2. All required permits and clearances shall be obtained from the Building Safety Division.
- 3. Provide a landscape plan of the front yard showing additional landscape material to screen cars on driveway. Plan to include at least one (1) 24" box tree; details to be approved by staff. Provide plan for use permit file.

HISTORY & FACTS: None pertinent for this case.

DESCRIPTION: Applicant – Gary Olney  
Owner – Gary Olney  
Existing zoning – R1-6, Single Family Residential District  
Lot Size – 6,989 s.f. / .16 Acres  
Building Area – 1,267 s.f.  
Carport to Livable Floor Area – 324 s.f.  
Proposed Total Floor Area of Home – 1,591 s.f.

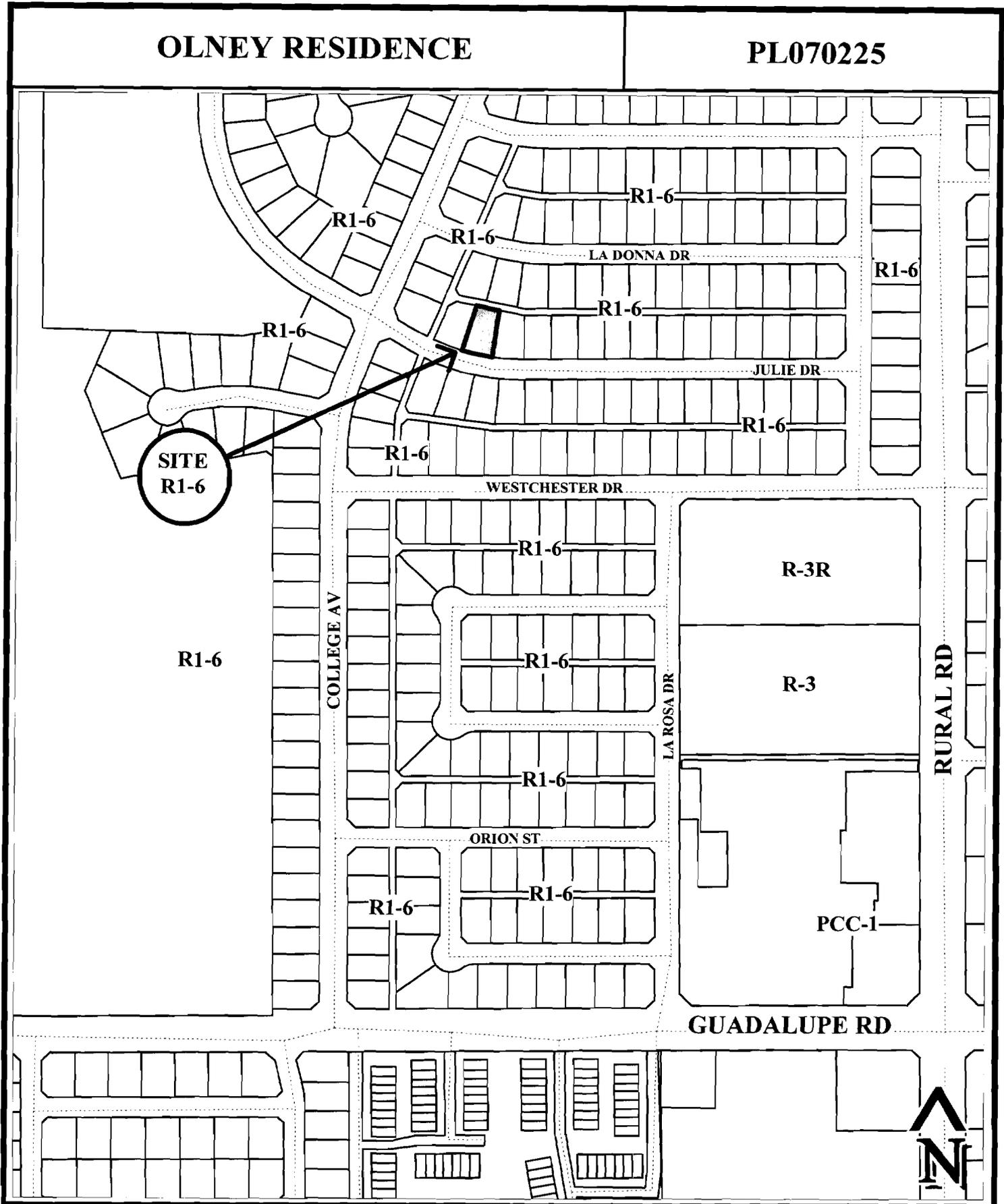
ZONING AND  
DEVELOPMENT  
CODE REFERENCE:

Part 4, Chapter 6, Section 4-602 (C):  
Required parking spaces may be located in the required front yard setback or street side yard setback subject to a use permit.

Part 6, Chapter 3, Section 6-308  
Use Permit.

**OLNEY RESIDENCE**

**PL070225**





OLNEY RESIDENCE (PL070225)

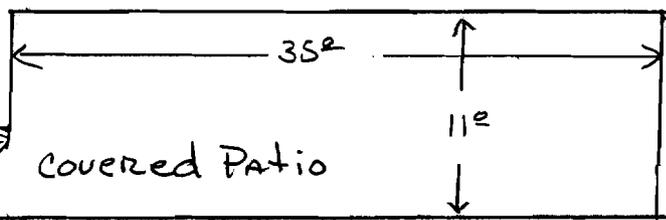
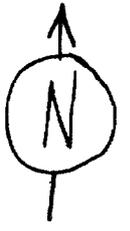
In January of 1994 Michele and I married,  
between the two of us we had 6 Boys  
ages 10-19. Looking to keep them  
close to home with all the friends,  
I inclosed the carport into a  
game Room (Ping Pong, Darts, Stereo, TV).  
This allowed us to keep a eye on  
the goings on of all, and with  
that none of the Boys were ever  
in any trouble. Michele and I  
now use the room for movies,  
family Christmas get together, and  
just Relaxing.

Thank you for your time.

Gary Orrey

56.57

15' set Back



Covered Patio

7'0"

8'2"

5'0" set Back

5'0" set Back

3'6"

18'

18'

32'

9'8"

31'

7'

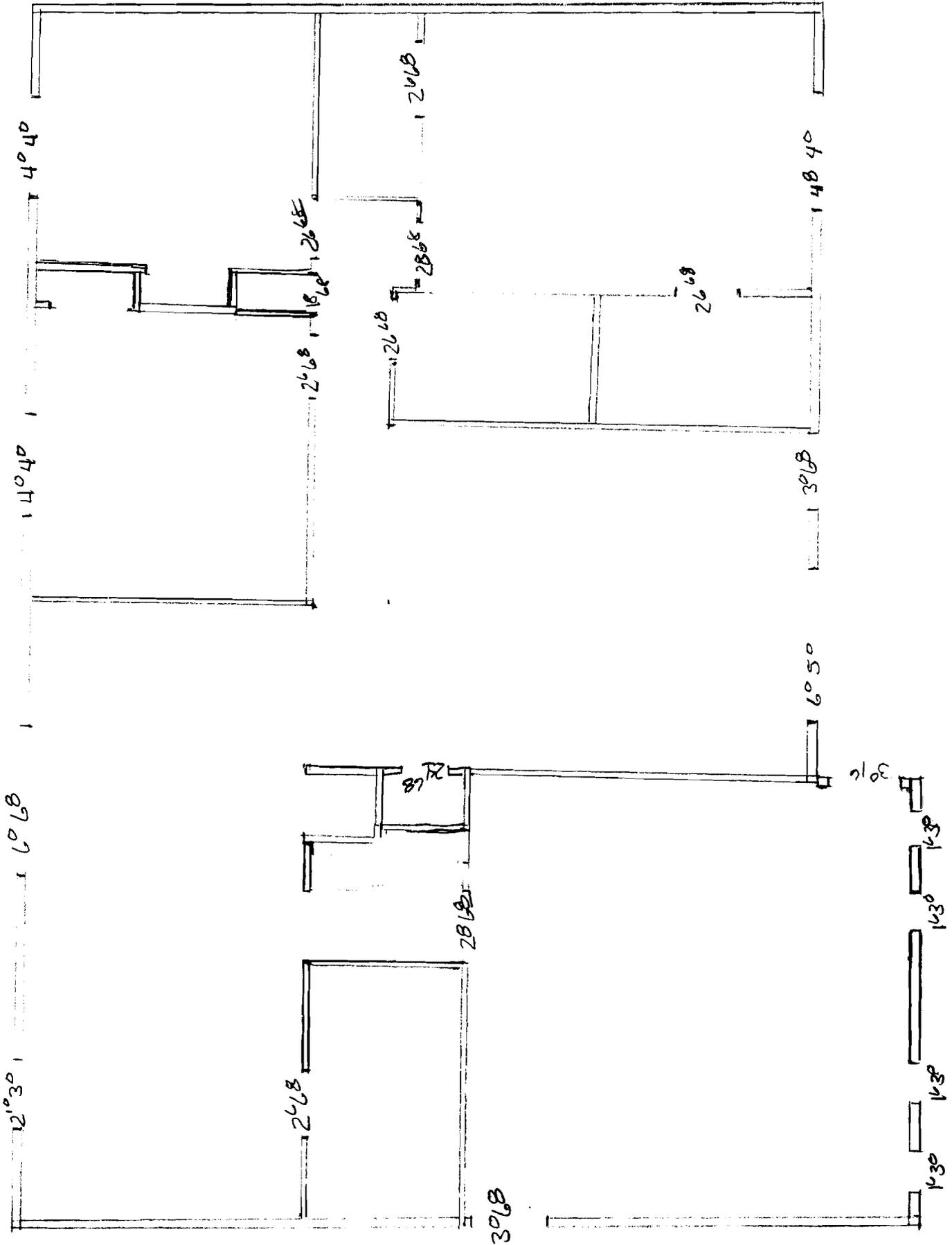
30'9"

20' set Back

114'

18'5"

D1 75'





## **OLNEY RESIDENCE**

**408 E. JULIE DR.**

**PL070225**

**FRONT OF HOME: VIEW TO THE NORTH**