

Staff Summary Report



Hearing Officer Hearing Date: July 17, 2007

Agenda Item Number: 6

SUBJECT: This is a public hearing for a request by the **ABER RESIDENCE (PL070230)** located at 2011 North Van Ness Avenue for two (2) use permits.

DOCUMENT NAME: 20070717dssa01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **ABER RESIDENCE (PL070230)** (Stephan Aber, applicant/property owner) located at 2011 North Van Ness Avenue in the R1-6, Single Family Residential District for:

ZUP07069 Use permit standard to reduce the front yard setback for an open structure (carport) by twenty percent (20%) from fifteen (15) feet to twelve (12) feet.

ZUP07084 Use permit to allow required parking in the front yard setback.

PREPARED BY: Steve Abrahamson, Planning and Zoning Coordinator (480-350-8359)

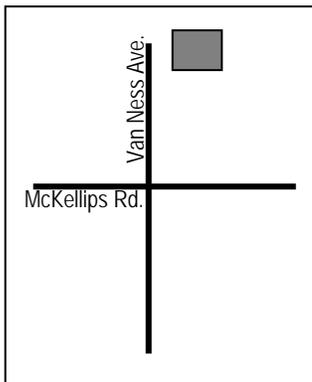
A handwritten signature in black ink, appearing to read 'SEA'.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval of both use permits subject to conditions (1 – 4).

ADDITIONAL INFO: The Aber Residence is seeking a use permit standard to reduce the front yard setback by 20% from 15 feet to 12 feet for an open structure (a carport) and a use permit to allow required parking in the front yard setback. They are making the requests to provide covered parking for the property where none currently exists. To date, there has been no public input on these requests. Staff recommends approval of both use permits.



PAGES:

1. List of Attachments
2. Comments; Reason(s) for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
- 3-4. Letter(s) of Intent
5. Site Plan
6. Floor Plan
- 7-14 Applicant's Photographs
15. Staff Photograph

COMMENTS:

The Aber residence is located mid-block on the east side of Van Ness Avenue just north of McKellips Road in the R1-6, Single-Family Residential District. The applicant is seeking a use permit standard to reduce the front yard setback by 20% from 15 feet to 12 feet for an open structure (a carport) and a use permit to allow required parking in the front yard setback. Both use permits will permit covered parking for the property where none currently exists. To date, there has been no public input on these requests.

Neighborhood Meeting

A neighborhood meeting is not a requirement for processing a use permit. To date, no public input has been received on these requests.

Use Permit

The Zoning and Development Code provides the use permit standard as a means for deviating from the district setbacks for projects that are a good design, in character with the neighborhood and appear to have neighborhood support. Staff believes a twenty percent (20%) reduction in the front yard setback for an open structure (carport) is supportable.

Section 4-602 of the Zoning and Development Code allows single-family uses and single-family dwellings to locate required parking spaces in the front or street side yard setbacks, subject to a use permit. Current provisions of the use permit to park in the front yard requires two (2) parking spaces. However, the home was constructed in 1961 with an existing single-car driveway and carport. This condition is legal non-conforming.

Conclusion

Staff recommends approval of these requests. This is common use permit request for homes constructed during the 1950's, 1960's and 1970's; these homes are typically smaller in livable space than newer constructed homes and the carport enclosure is a viable option for increasing the livable area of the home.

REASON(S) FOR APPROVAL:

1. The uses are compatible with the building, site and adjacent property.
2. There appears to be a demonstrated need for this use at the proposed location.

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.
2. Detached structure to be compatible in design with main dwelling; colors to match existing dwelling.
3. The improved parking areas located in the front and street side yard setbacks shall not be paved beyond 35% of the areas visible from the street per Tempe City Code.
4. 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 to this case.

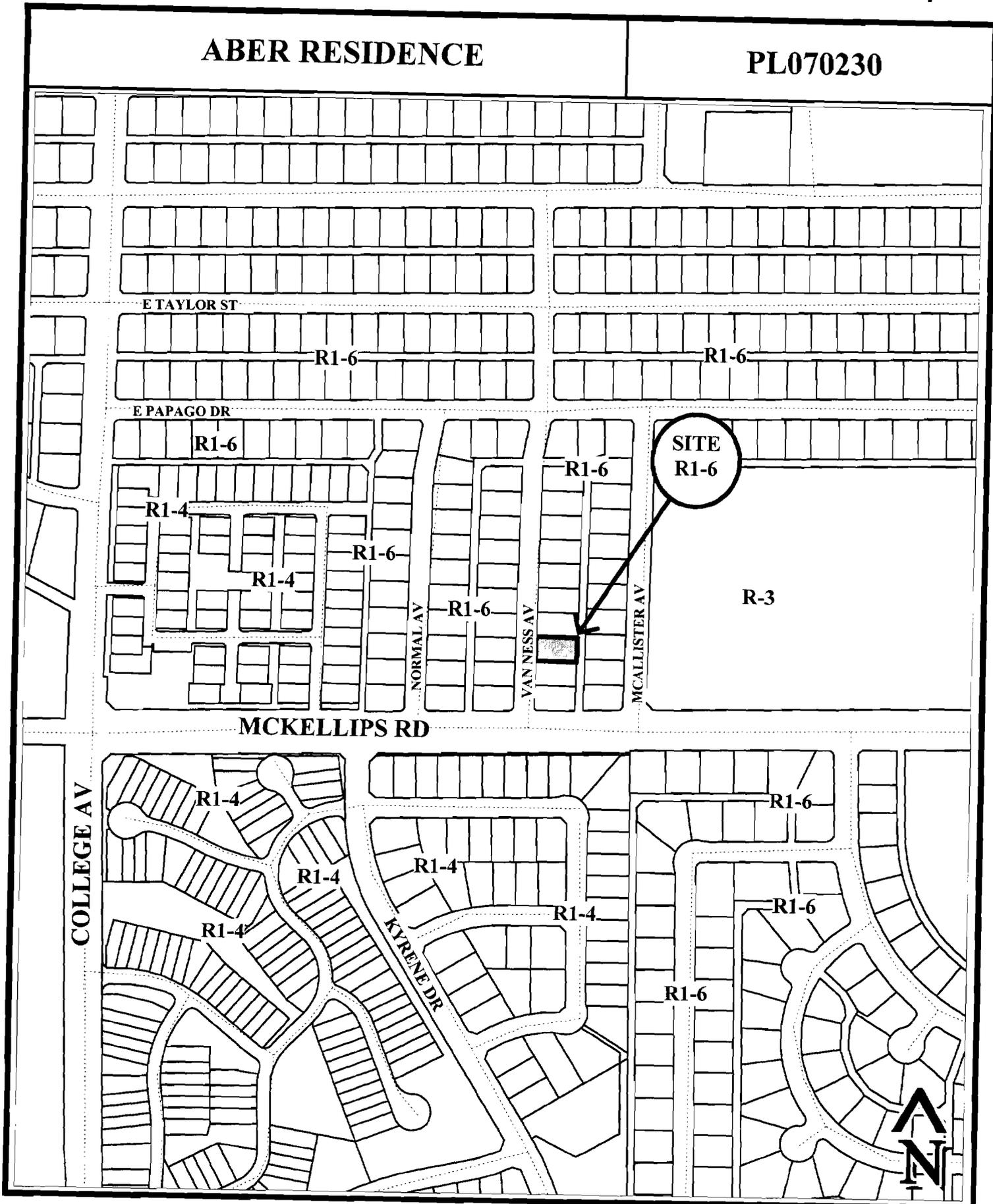
DESCRIPTION: Applicant – Stephan Aber
Owner – Stephan Aber
Existing zoning – R1-6, Single Family Residential District
Required Front Yard Setback for an Open Structure - 15'
Proposed Front Yard Setback for an Open Structure -12'
Lot Area – 5,990 s.f. / .14 acres
Building Area – 1,375 s.f.

**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

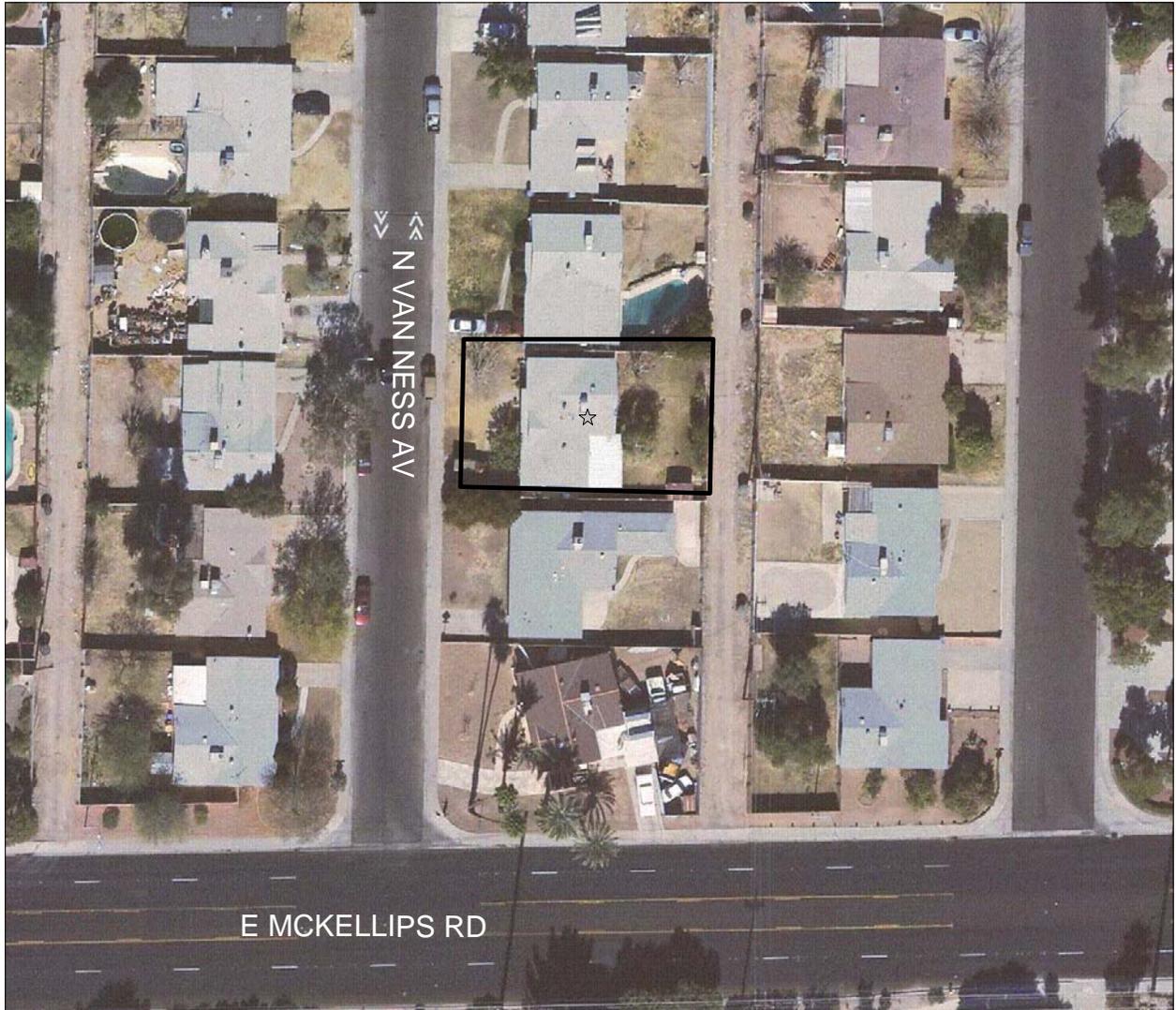
Part 4, Chapter 2, Section 4-202 – Development Standards for Residential Districts.
Part 4, Chapter 6, Section 4-602 – General Parking Standards
Part 6, Chapter 3, Section 6-308 – Use Permits

ABER RESIDENCE

PL070230



Location Map



ABER RESIDENCE (PL070230)

June 29, 2007

To Whom it May Concern:

Last month I had submitted an application for one use permit to extend the roof out six feet at the front of the house for a twenty-two foot setback and to make an extension for a carport that will extend sixteen feet forward for a twelve foot setback. I respectfully request a use permit for parking to coincide with the use permit we requested to build a carport. Please call at 480-688-9296 or 480-367-1824 if you have any questions.

Respectfully,

Stephan Scott Aber

RECEIVED
07 JUN 29 PM 2:31
TEMPLE DEVELOPMENT
SERVICES DEPARTMENT

May 21, 2007

To Whom it May Concern:

I am requesting a Use Permit for the house located at 2011 N. Van Ness to extend the roof out six feet and add a carport. The extension will provide covered entry to the house, shade the front of the house to keep it a little cooler, and will have a better overall appearance to the front of the home. The carport will provide shade to the vehicles parked there and protect them from the trees of the next door neighbor (and the poop from the birds).

By adding this addition will not cause any significant vehiclular or pedestrian traffic. It will not cause any nuisance exceeding that of ambient conditions. It will add some homeowner's pride to the neighborhood and not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives, and policies of the City. The addition will be compatible with surrounding structures. This will not result in any disruptive behavior or create a nuisance to the area.

Thank you,

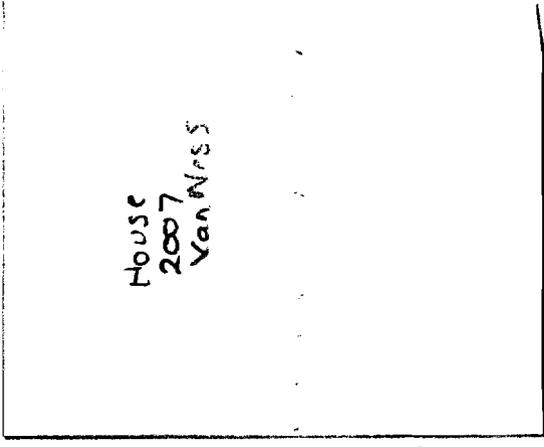
A handwritten signature in cursive script that reads "Stephan Scott Aber".

Stephan Scott Aber

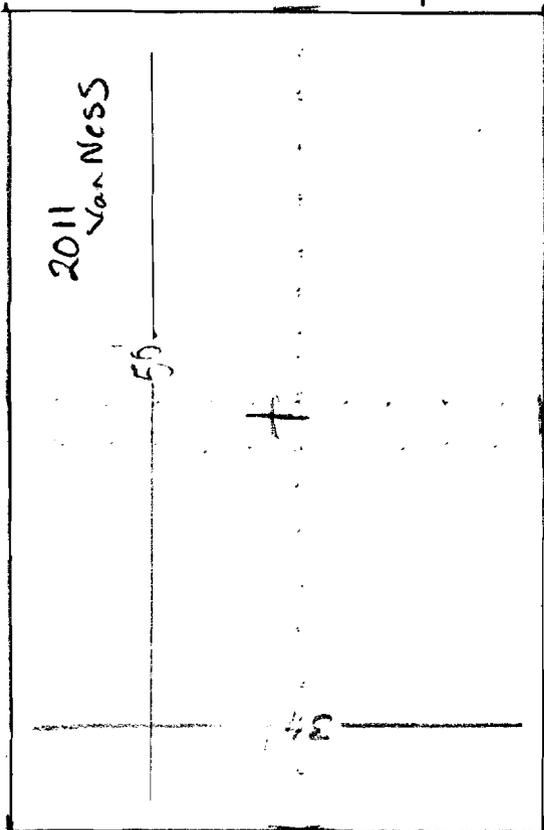
Each sq = 3 feet

Alley

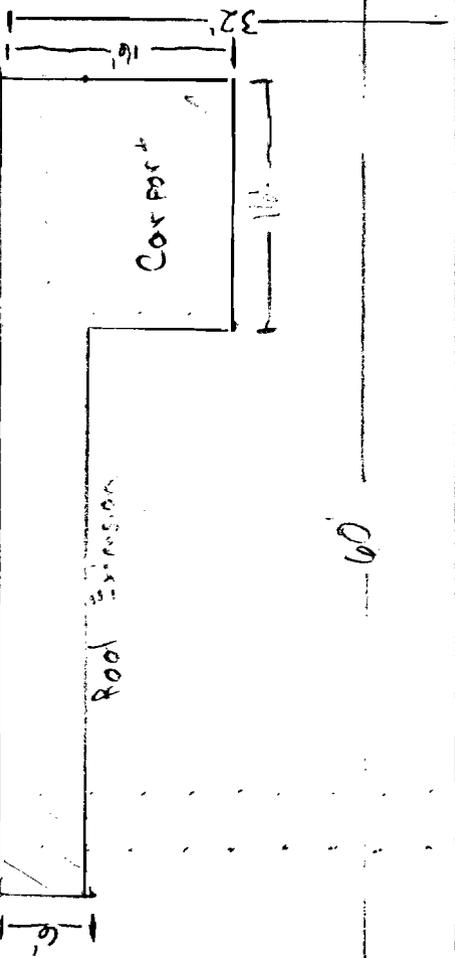
21'



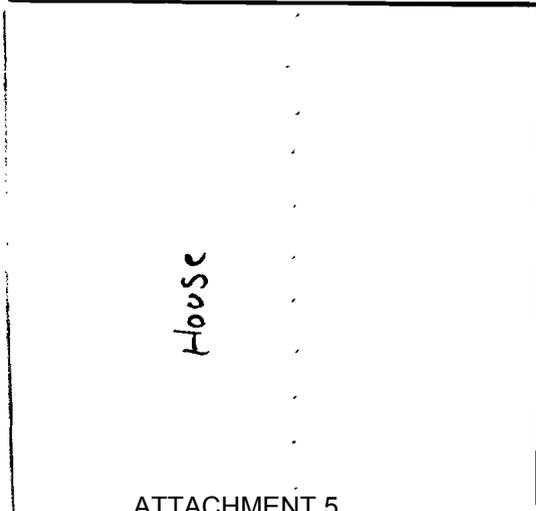
6'



6'



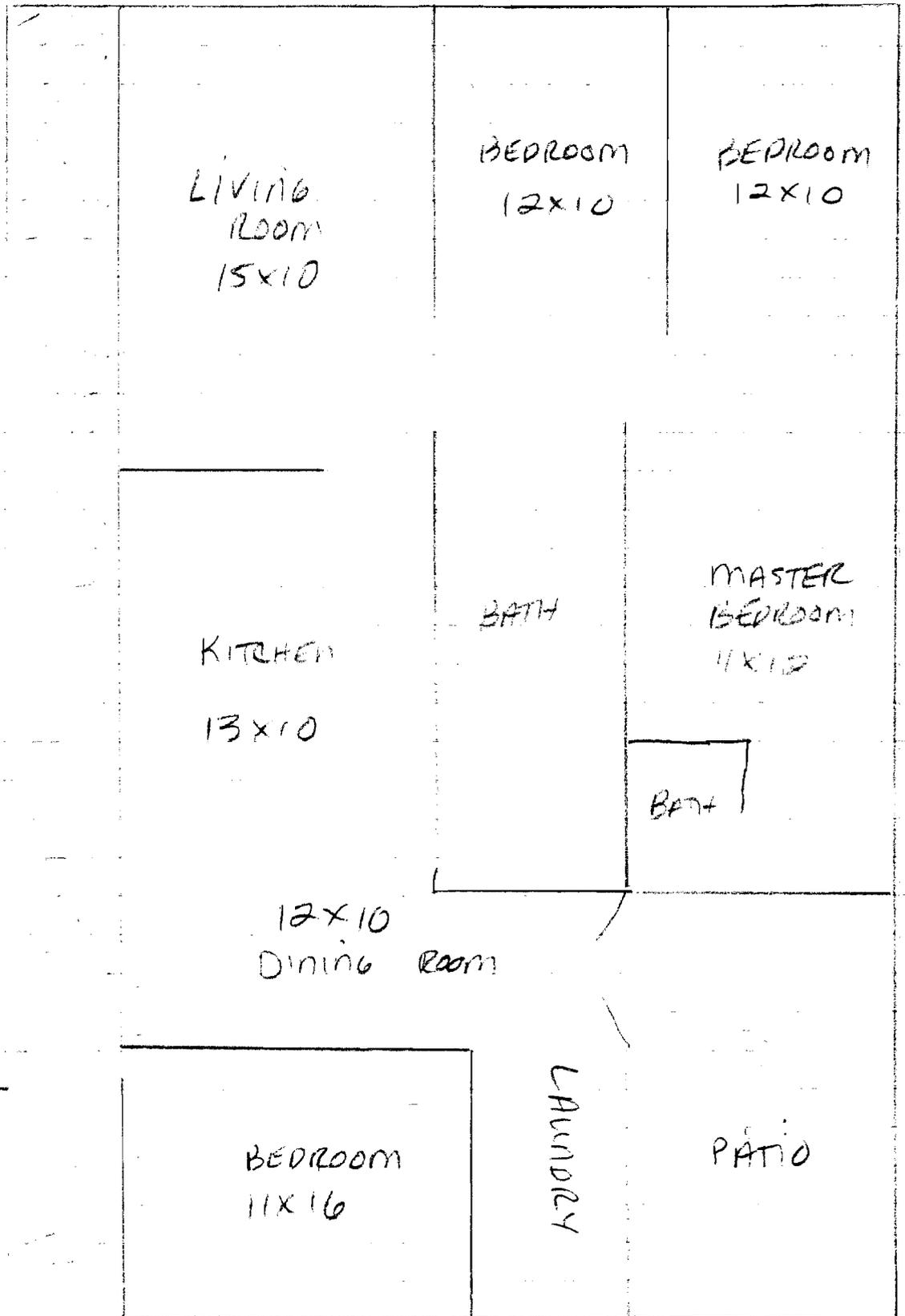
6'



4'

Side walk 4' wide

N ↑



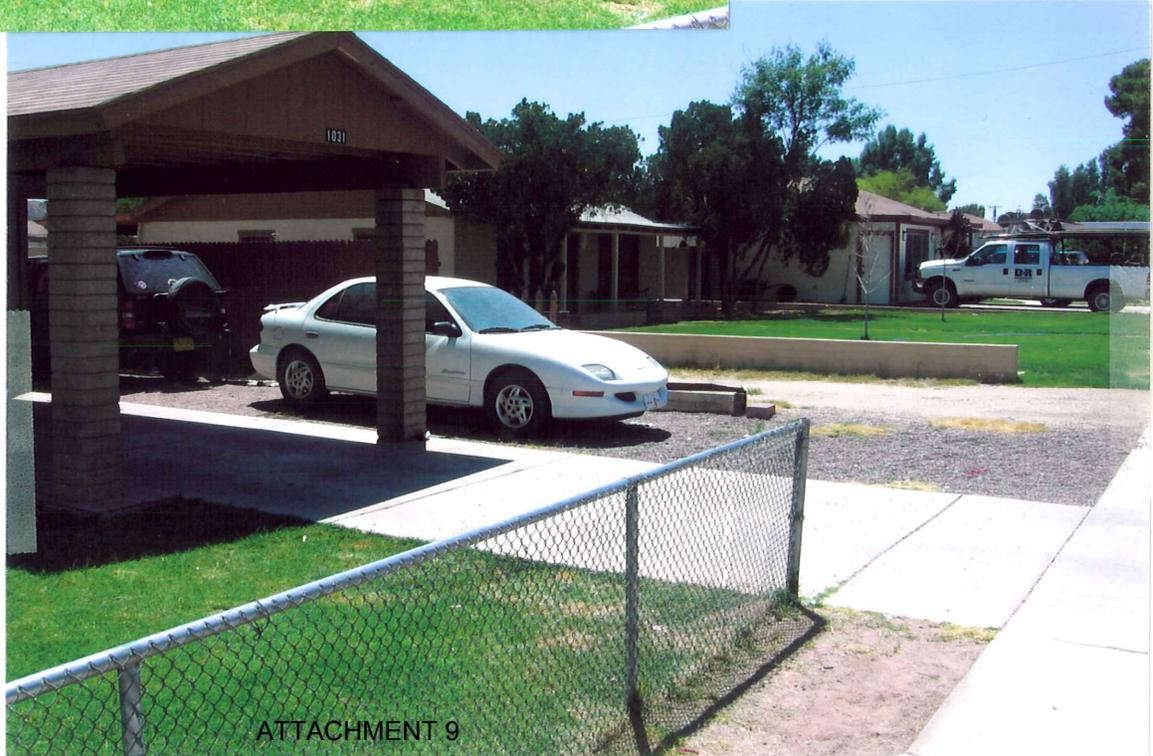
PROPERTY LOCATED AT 2011 N. VAN NESS AVE
(PROPOSED PROPERTY)



PROPERTY LOCATED AT 2011 N. VAN NESS AVE.
(PROPOSED PROPERTY)



HOUSE WITH EXTENDED CARPORT IN NEIGHBORHOOD



HOUSE WITH EXTENDED CARPORT IN NEIGHBORHOOD



HOUSE WITH EXTENDED CARPORT IN NEIGHBORHOOD



HOUSE WITH EXTENDED CARPORT IN NEIGHBORHOOD



EXAMPLE OF FLAT ROOF CARPORT



EXAMPLE OF ROOF EXTENSION



EXAMPLE OF PROPERTY PROXIMITY IN NEIGHBORHOOD





ABER RESIDENCE

2011 N. VAN NESS AVE

PL070230

FRONT OF PROPERTY: VIEW TO THE EAST