

Staff Summary Report



Hearing Officer Hearing Date: May 1, 2007

Agenda Item Number: 3

SUBJECT: This is a public hearing for a request by the **AREVALOS RESIDENCE (PL070128)** located at 2041 East Don Carlos Avenue for one (1) use permit.

DOCUMENT NAME: 20070501dssa01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by the **AREVALOS RESIDENCE (PL070128)** (Juan Arevalos, applicant/property owner) located at 2041 East Don Carlos Avenue in the R1-6, Single Family Residential District for:

ZUP07044 Use permit to allow parking in the front yard setback.

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

REVIEWED BY: N/A

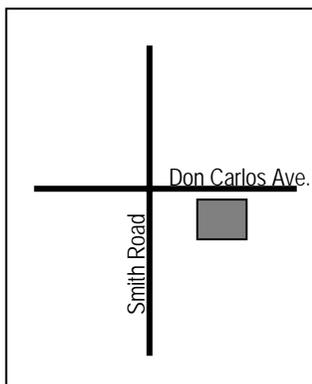
FINAL REVIEW BY: Lisa Collins, Planning Director (480-350-8989) *LC*

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions 1 – 4.

ADDITIONAL INFO: The Arevalos Residence is requesting a use permit to allow parking in the front yard setback of their existing single-family home property. The proposal includes the enclosure of the existing garage to allow for additional living space. To date, there has been no public input to the request. Staff recommends approval of this use permit as proposed with the attached conditions of approval.



ATTACHMENTS:

1. List of Attachments
 2. Comments; Reason 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. Applicant Photograph(s)

COMMENTS:

The Arevalos Residence is seeking approval of a use permit to allow the required parking to encroach into the front yard setback. The need for the use permit arises from the applicant's proposal to convert the garage to livable space (bedroom). In addition to the bedroom, the proposal includes dining, family and laundry rooms at the rear (south) side of the home.

It should be noted that the conversion of the garage to livable space has already occurred.

Similar use permits have been approved in the neighborhood in the past. To date, there has been no public input regarding this request.

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:

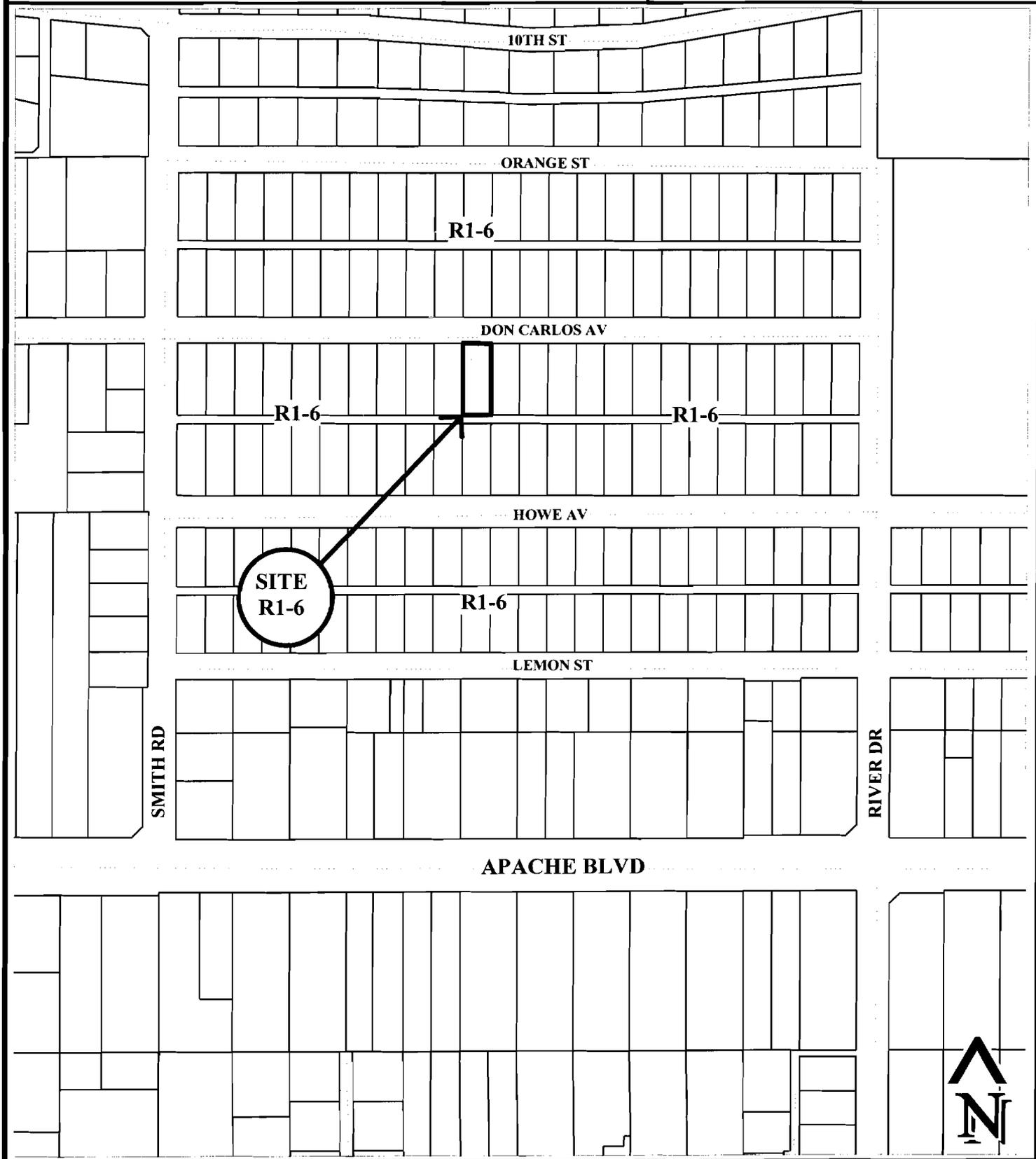
- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that 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 as proposed with the attached conditions of approval.

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.

AREVALOS RESIDENCE**PL070128**



AREVALOS RESIDENCE (PL070128)

LETTER OF EXPLANATION

April 16, 2007

I am requesting a use permit for the construction of a master bedroom, bathroom, laundry room, family room and dining room to accommodate my still growing family.

The construction will not affect the current appearance of our home from Don Carlos Avenue. The proposed use will:

- a. not cause any significant vehicular or pedestrian traffic in adjacent areas;
- b. not cause any nuisance (odor, dust, gas, noise, vibration, smoke, heat, or glare, etc.) exceeding that of ambient conditions;
- c. not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives, and policies of the City;
- d. be compatible with existing surrounding structures;
- e. not result in any disruptive behavior which may create a nuisance to the surrounding area or general public;

The addition of these rooms to the existing structure will not have any impact on any of the open space in front of my home and will not affect the set back or side yards. As shown in the plans I have submitted and in the attached photos, the front area of the home currently contains a driveway that accommodates two vehicles and a landscaped area that contains two (2) trees. Although I don't believe that, an additional tree will improve the appearance of the front of home and may not be feasible, given the nature of the landscaping, I am willing to plant another tree if this will be necessary gain approval.

This project is critically important to the well being of me and my family and our ability to continue living in our home in Tempe. Please advise me whether you will additional information or pother changes will be needed.

Sincerely,

JUAN MANUEL AREVALOS.

Juan Manuel Arévalos
2041 East Don Carlos Avenue
Tempe, Arizona 85282
(480) 921-3686.

RECEIVED
07 APR 18 PM 12:53
TEMPERANCE DEPARTMENT
SERVICES DEPARTMENT

JUAN MANUEL AREVALOS CITY OF TEMPE

FAMILY ROOM AND DINING ADDITION

GENERAL NOTES:

- ALL CONSTRUCTIONS SHALL COMPLY WITH THE FOLLOWING CODES FOR MARICOPA COUNTY, ARIZONA.
 - ALL DISCREPANCIES, OMISSIONS, OR REQUESTS FOR CLARIFICATIONS SHALL BE REPORTED TO THE ENGINEER, ARCHITECT, OR GENERAL CONTRACTOR.
 - ALL WORK AND EQUIPMENT NECESSARY TO COMPLETE THIS PROJECT SHALL COMPLY WITH ALL APPLICABLE BUILDING CODES, STATE LAWS AND REGULATIONS, THE OCCUPATIONAL SAFETY AND HEALTH ACT AND ANY OTHER APPLICABLE PROVISIONS OF FEDERAL AND STATE GOVERNMENT AGENCIES.
 - CONTRACTORS AND SUBCONTRACTORS SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT PUBLIC AND ADJACENT PROPERTY FROM DAMAGE, FOR THE DURATION OF THE CONSTRUCTION.
 - CONTRACTORS AND SUBCONTRACTORS SHALL TAKE ALL MEASURES TO KEEP THE PROJECT SITE IN A NEAT AND ORDERLY MANNER, AND FREE FROM ACCUMULATED DEBRIS AND GARBAGE.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTIONS STAKING, INCLUDING THE LOCATION OF ALL PROPERTY LINE AND SETBACKS.

SECURITY:

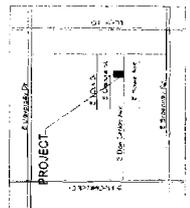
- EXTERIOR WINDOWS SHALL BE CONSTRUCTED AND INSTALLED SO AS TO PROHIBIT SLIDING, RAISING, OR REMOVAL OF THE MOVING SECTIONS WHILE IN CLOSED OR LOCKED POSITIONS. WINDOW SHALL HAVE WEATHER STRIP MOLDING OR GLAZING BEAD WHICH IS NOT EASILY REMOVED FROM THE OUTSIDE. AN AUXILIARY LOCK SHALL BE INSTALLED ON ALL WINDOW TRACKS TO PREVENT SLIDING. SLEEPING ROOM WINDOWS MAY NOT HAVE LOCKS WHICH REQUIRES SPECIAL KNOWLEDGE OR EFFORT TO UNLOCK.

LUMBER/FRAMING:

- ALL LUMBER MUST BEAR AN APPROVED GRADING STAMP.
- STRESS GRADE LUMBER SHALL CONFORM TO THE NATIONAL DESIGN SPECIFICATIONS FOR STRESS GRADE LUMBER AND ITS FASTENINGS. NAIL JOINTS SHALL HAVE A FIBRE STRESS IN BENDING (F_b) OF 1,250 PSI. ENGINEERS WITH E=1,700,000 DOUGLAS FIR-LARCH #2 (V=95 PSI).
- USE METAL CONNECTORS FOR CONNECTING JOISTS TO HEADERS (SAME OR EQUAL).

INSULATIONS:

- INSULATION PROVIDED R-11 WALL INSULATION WITH VAPOR BARRIER TO ROOM SIDE. PROVIDE R-12 INSULATION AT CEILING WITH VAPOR BARRIER TO ROOM SIDE. BATTIS OR BLOWN IN AS NECESSARY. PROVIDE EXPANDING FOAM POLYURETHANE ONE AT PERIMETER OF ALL EXTERIOR SEAL, OPENING AND MECHANICAL OPENINGS.



VICINITY MAP
(NO SCALE)

OWNER/BUILDER:

JUAN MANUEL AREVALOS
(714) 921-3686

PROJECT ADDRESS:

2041 E DON CARLOS AVE
TEMPE AZ 85281

LEGAL DESCRIPTION:

SUBDIVISION NAME: LEE PARK 11/20/143-166
LOT #: 59
PARCEL #: 132-70-059

SETBACKS:

FRONT YARD: 34'-0"
SIDE YARD: 7'-0" RIGHT 4'-6" LEFT
SEAR YARD: 57'-0"
BUILDING HEIGHT: 13'-0"

HOUSE SIZE:

- LIVABLE: 806 SQ. FT.
- GARAGE: 288 SQ. FT.
TOTAL: 1,094 SQ. FT.

- FAMILY ROOM ADDITION: 153 SQ. FT.
- DINING ROOM ADDITION: 67 SQ. FT.
- DINING ADDITION: 208 SQ. FT.
TOTAL UNDER ROOF: 1,317 SQ. FT.

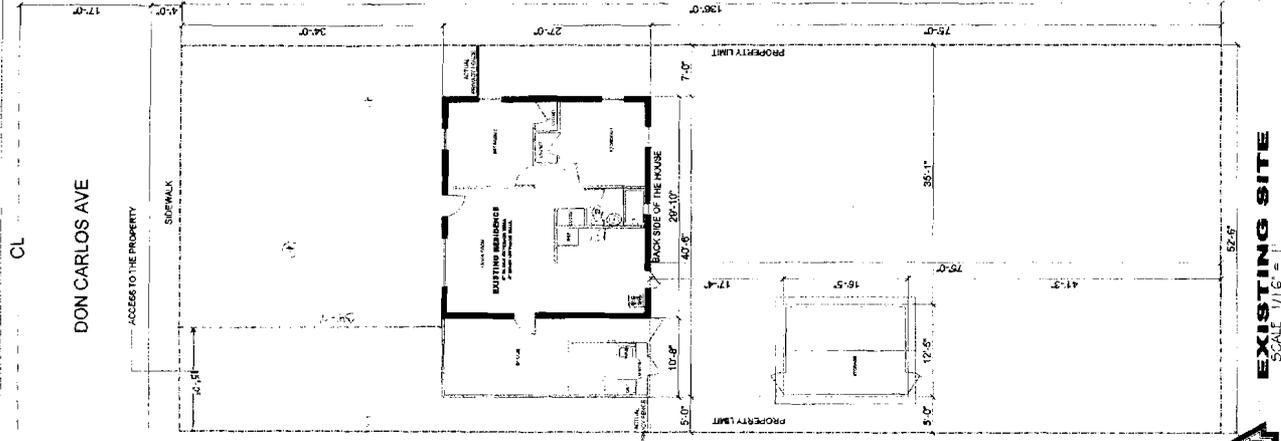
LOT DESCRIPTION:

LOT DIMENSION 'S: 52'-6" WIDTH, 136' DEPTH
LOT AREA: 7,140 SQ. FT.
LOT COVERAGE: 21%

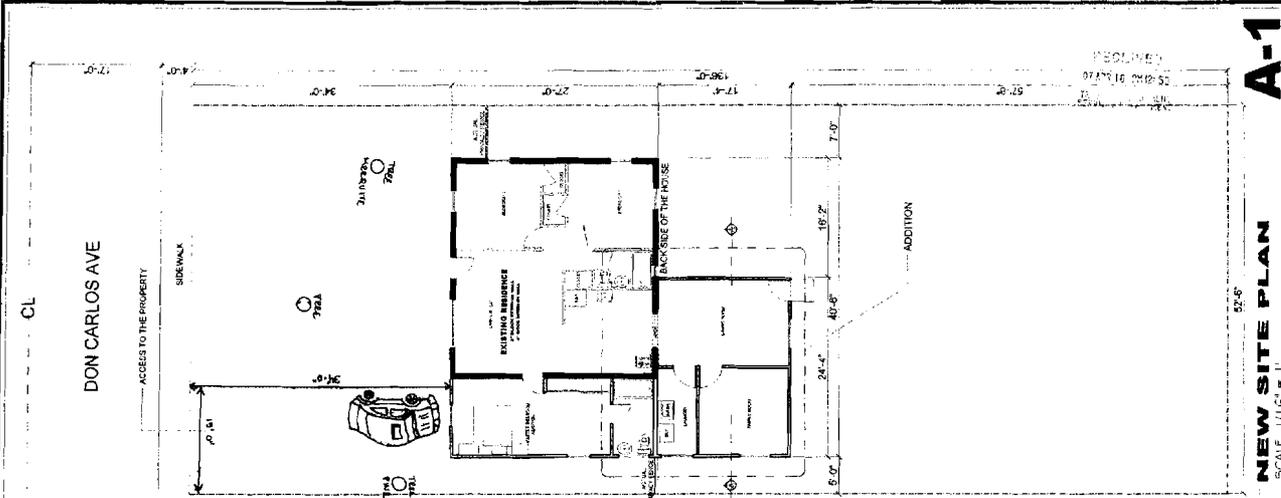
INDEX

- A-1 INFORMATION/SITE
- A-2 MAIN FLOOR PLAN
- A-3 FOUNDATION PLAN
- A-4 ROOF FRAMING PLAN
- A-5 ELECTRICAL PLAN/WASTE/VENT ISOMETRIC

- NEW 4" WOOD WALLS
- EXISTING EXTERIOR 8" BLOCK WALLS
- EXISTING INTERIOR 4" WOOD WALLS



EXISTING SITE
SCALE: 1/16" = 1'



NEW SITE PLAN
SCALE: 1/16" = 1'

