

Staff Summary Report



Hearing Officer Hearing Date: **April 3, 2007**

Agenda Item Number: 9

SUBJECT: This is a public hearing for a request by **W P HOMES LLC (PL070109)** located at 1616 South Roosevelt Street for one (1) use permit.

DOCUMENT NAME: 20070403dssl05

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by **W P HOMES LLC (PL070109)** (Mike Wingersky, applicant/property owner) located at 1616 South Roosevelt Street in the R1-6, Single Family Residential District for:

ZUP07035 Use permit to allow the rebuilding of two (2) two story homes in place of a single story structure.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

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

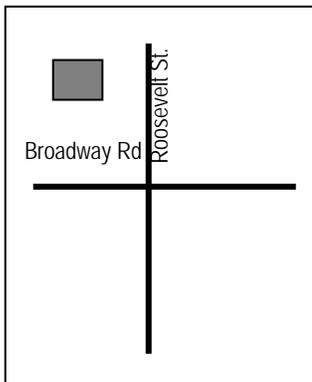
FINAL REVIEW BY: Lisa Collins, Planning Director (480-350-8989)

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

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

ADDITIONAL INFO: WP Homes is requesting a use permit to allow the rebuilding of two (2) story homes on a two (2) lots. The existing single story home will be demolished and the existing lot is in the process of subdivision into two (2) lots. Staff supports the use permit for the two-story structures. There are two-story structures located within the existing neighborhood to the east of Roosevelt Street. To date, staff has received telephone and e-mail inquiries regarding this request, and three (3) letters of opposition.



ATTACHMENTS:

- 1 List of Attachments
 2. Comments; Reason for Approval/Conditions of Approval; History & Facts/Description/ Zoning & Development Code Reference
-
- A. Location Map(s)
 - B. Aerial Photo(s)
 - C. Letter of Intent
 - D. Site plans
 - E. Building Elevations
 - F. Floor Plan
 - G. Staff Photograph(s)
 - H. Letters of Opposition

COMMENTS:

WP Homes is proposing to construct two (2) story homes on two (2) lots recently approved for subdivision from one (1) lot. The homes will be mirror image each other and will meet the required setbacks for the R1-6, Single Family District setbacks. A second floor outdoor balcony space is proposed for the street side elevation of the units. The architectural style of the homes shall complement the eclectic design of the homes in the area.

Use Permit

The Zoning and Development Code requires a use permit to rebuild a two story structure in place of an existing single story structure. The lot(s) for the proposed dwellings are separated by twenty (20) alleys on all sides from other neighboring properties; the second story windows will primarily be located on the rear elevations.

Conclusion

Staff recommends approval of the use permit. There are existing two story dwellings, either second story additions or original construction, within the surrounding neighborhood.

REASON(S) FOR APPROVAL:

1. The use appears to be compatible with the building, site and adjacent property.

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 Building Safety Division.
2. Obtain clearances from Traffic Engineering for location of driveways onto Roosevelt Street and separation between dwelling units.
3. Recordation of subdivision plat required prior to issuance of building permits.

HISTORY & FACTS:

August 17, 2006. City Council approved the subdivision of an existing lot into two (2) lots which meet the minimum size requirements of the R1-6 Single Family District.

DESCRIPTION:

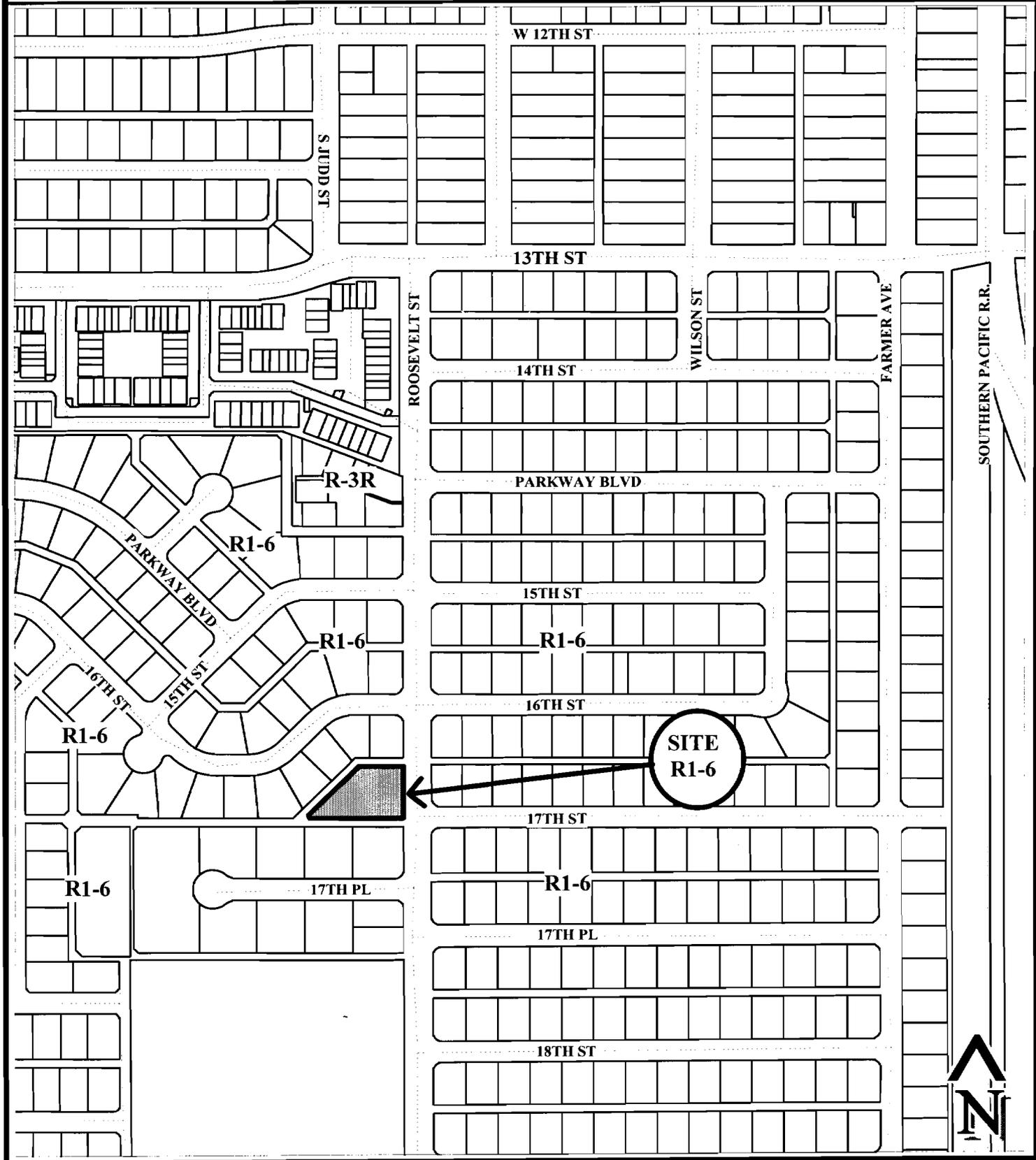
Owner – Mike Wingersky
Applicant – Mike Wingersky
Existing zoning – R1-6, Single Family Residential District

ZONING AND DEVELOPMENT

CODE REFERENCE: Part 3, Chapter 4, Section 3-420
Part 6, Chapter 3, Section 6-308

W P HOMES LLC

PL070109



Location Map



W P HOMES LLC (PL070109)

Letter of Intent

ATT: Hearing Officer,

3/06/07

Address: 1616 S.Roosevelt

Request: A use permit

W-P HOMES LLc. In accordance to Section 3-420, the existing property we are going to remove the old existing structure, at that point we are going to rebuild for two new single family residences for a second story addition per residence by doing a lot split as presented and making two separate parcels.

If you have any questions please feel free to contact me. Thank You.

Mike Wingersky

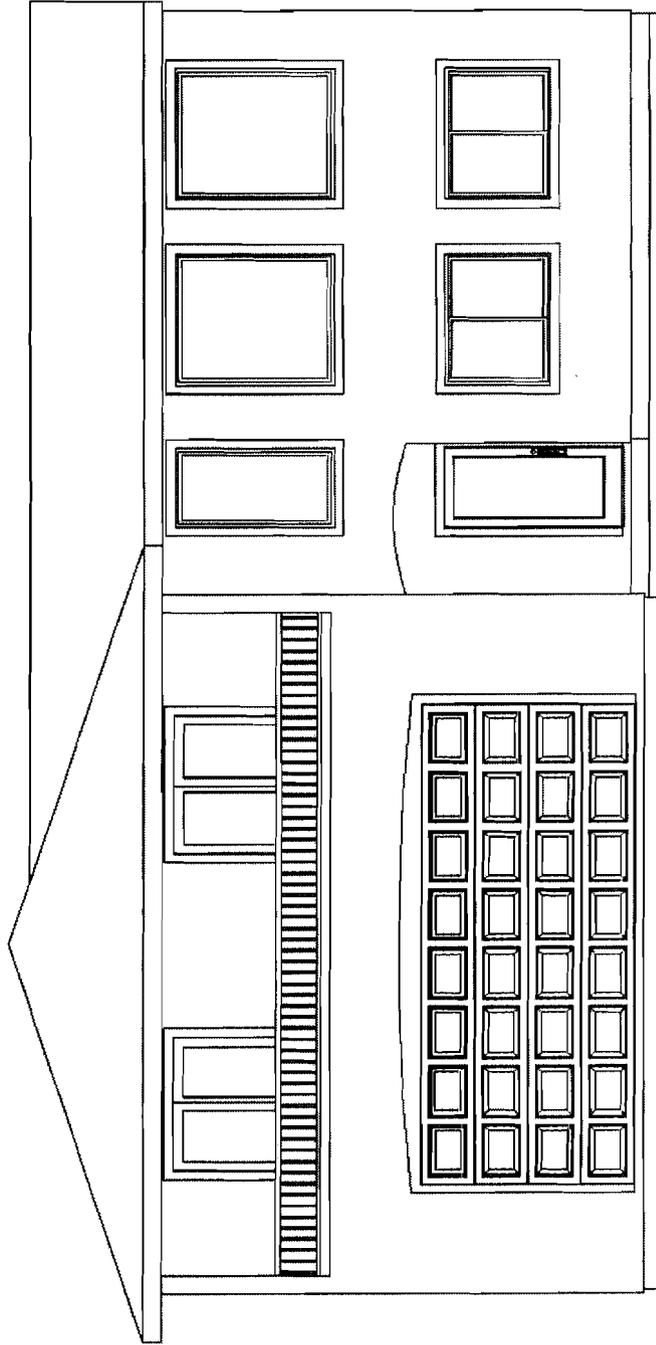
23'-0" TO RIDGE

17'-6" TOP

9'-6" 2nd FLOOR

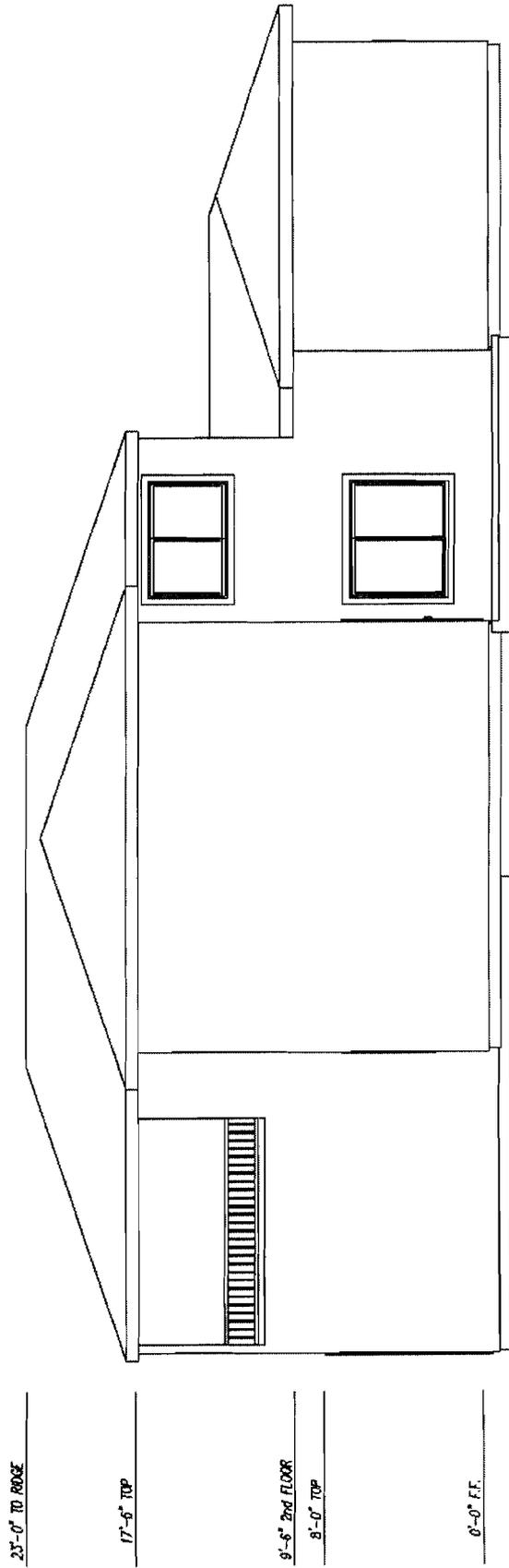
8'-0" TOP

0'-0" F.F.

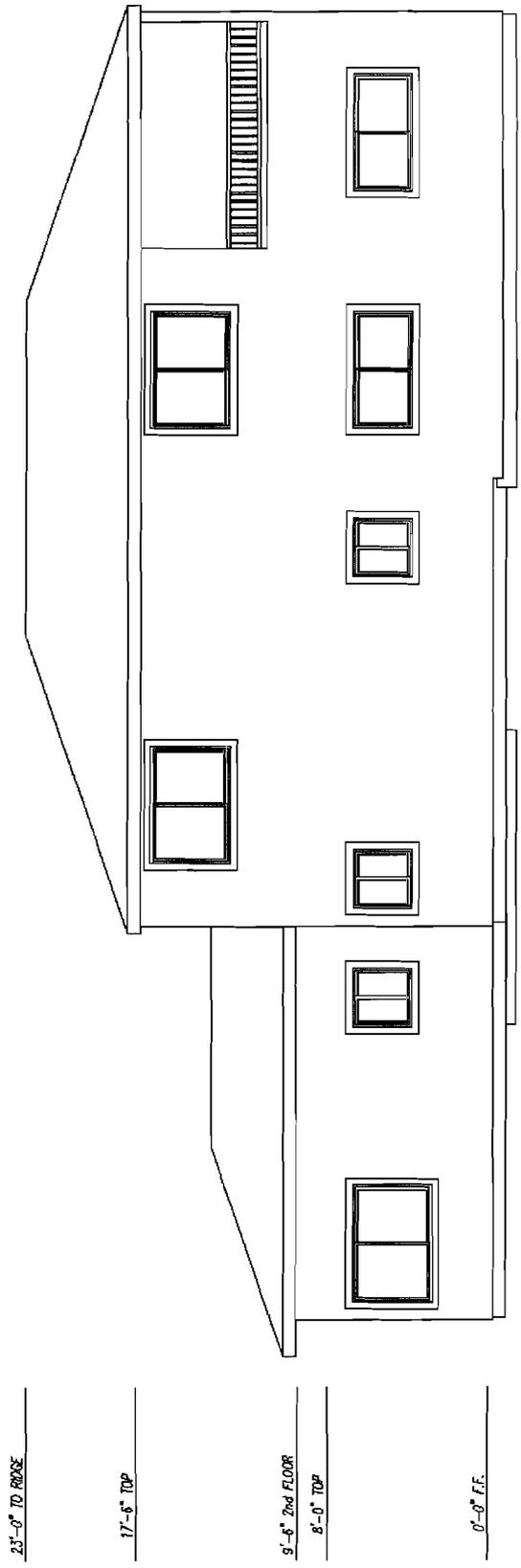


FRONT ELEVATION

SCALE 1/4" = 1'-0"



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



LEFT ELEVATION

SCALE 1/4" = 1'-0"

23'-0" TO ROOF

17'-6" TOP

9'-6" 2nd FLOOR

6'-0" TOP

0'-0" F.F.

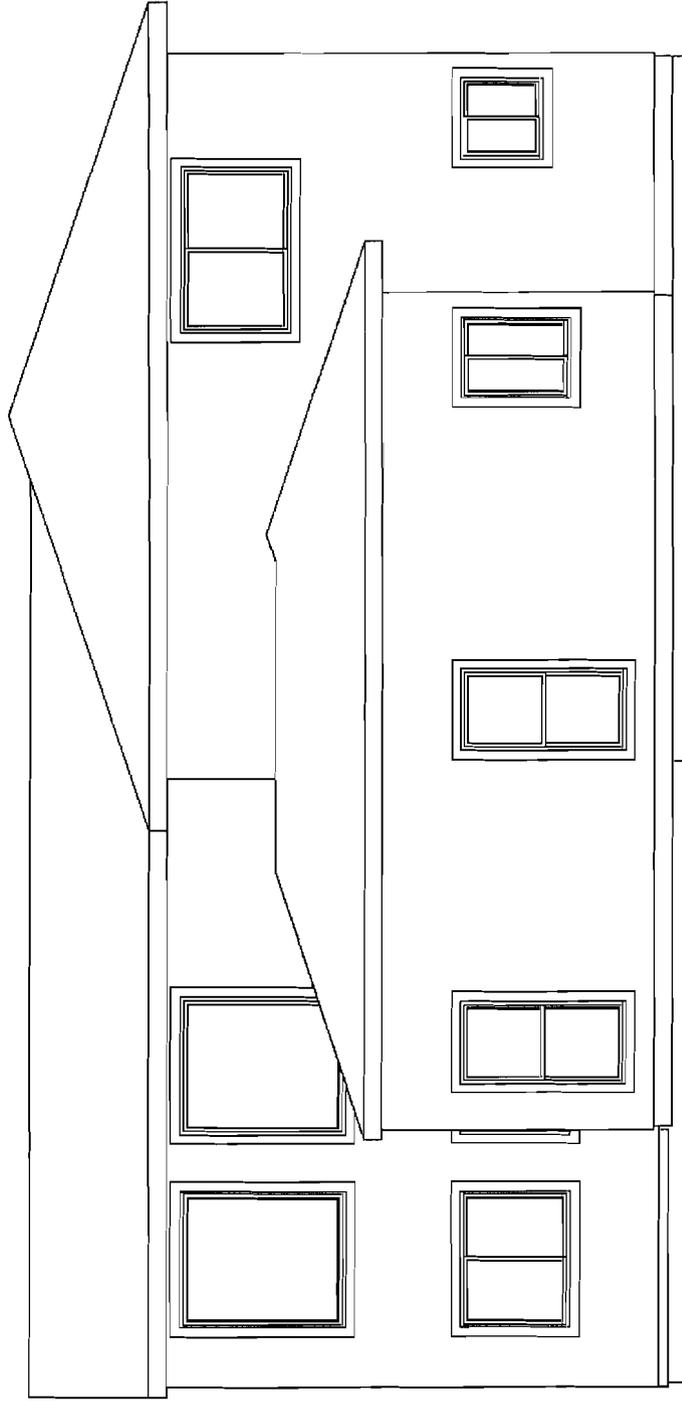
23'-0" TO RIDGE

17'-6" TOP

9'-6" 2nd FLOOR

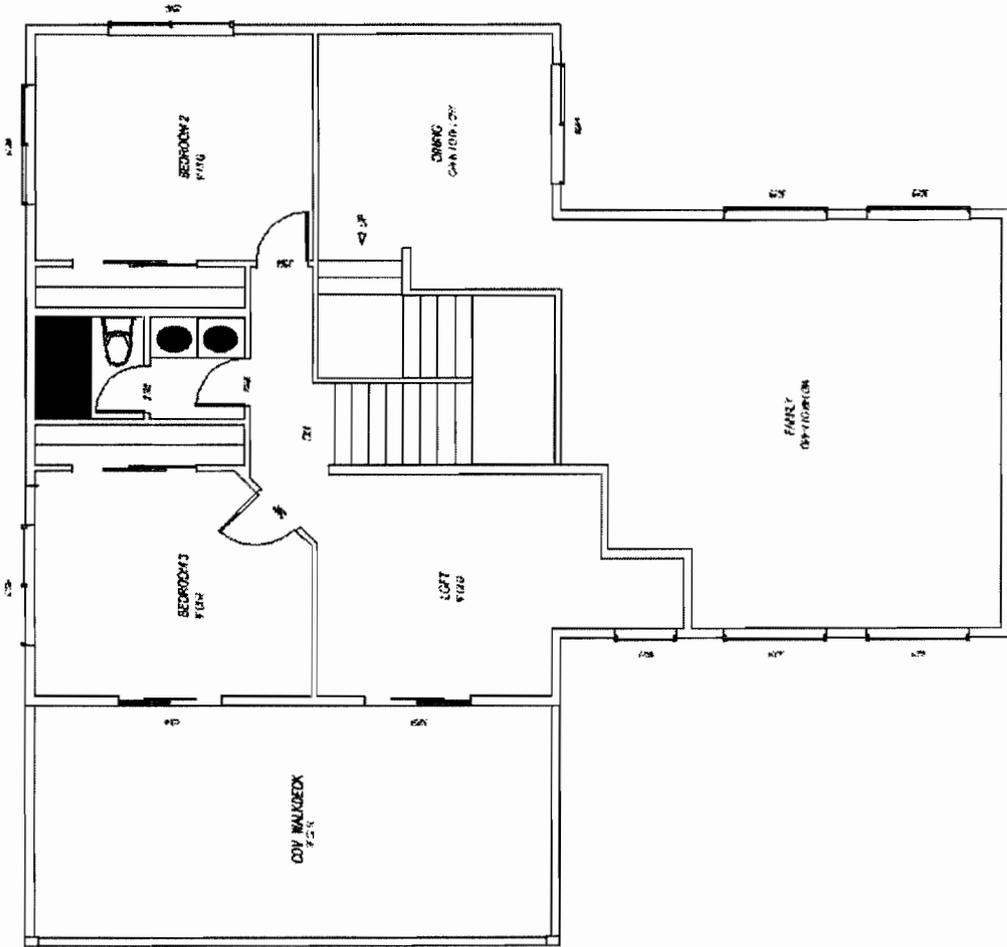
8'-0" TOP

0'-0" F.F.



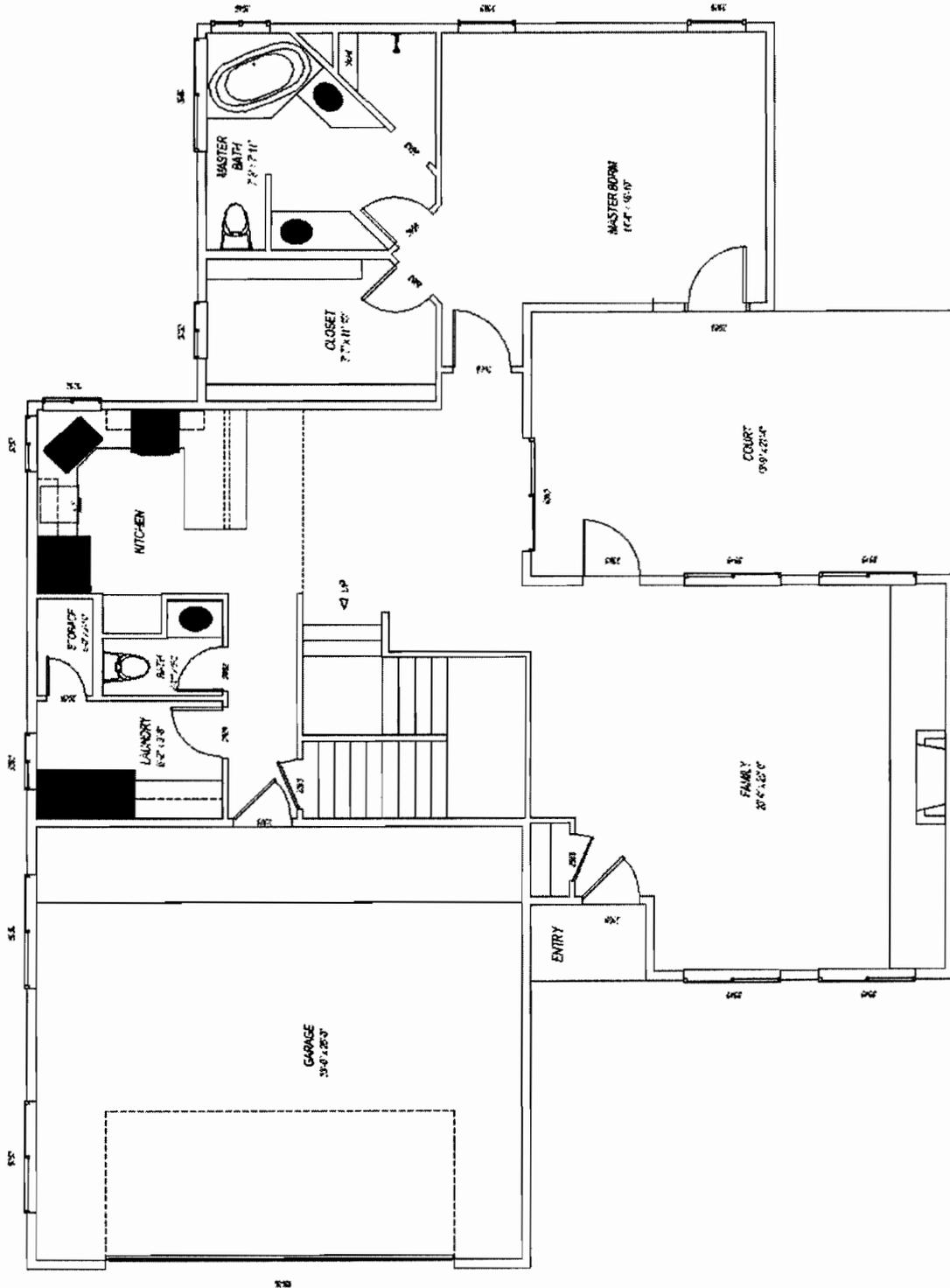
REAR ELEVATION

SCALE 1/4" = 1'-0"



SECOND FLOOR PLAN

SCALE 1/8" = 1'-0"



FIRST FLOOR PLAN

SCALE 1/8" = 1'-0"



WP HOMES LLC

1616 S. ROOSEVELT ST.

PL070109

**FRONT OF LOT: VIEW TO SOUTHWEST
(HOUSE TO BE DEMOLISHED)**

City of Tempe
Planning Division
31 east 5th Street
Tempe, AZ. 85281

RECEIVED
07 MAR 28 PM 3:17
TEMPE DEVELOPMENT
SERVICES DEPARTMENT

March 28, 2007

RE: ZUP07035

Attn: Hearing Officer,

I am writing today to voice my strong opposition to the plans submitted for redevelopment of 1616 South Roosevelt.

This house has been an on-going problem in our neighborhood since it was sold to Mr. Davidoff, Selective Marketing & Investments, Mr. Wingersky and WP homes.

It appears that their intention from the beginning was "Demolition by Neglect", to let a house fall into such disrepair that the only option is demolition. The Tempe police department were notified several times of the house being vacant with the windows left open and the fence around the back yard (with pool) falling down. Code enforcement fielded numerous complaints by neighbors. The complete disregard for the immediate community should be addressed. The lack of a neighborhood meeting and the lack communication from the investors to the community they are affecting needs to be addressed as well.

If these developers had contacted the neighbors, they would have found a community working for the future. We are making plans for our neighborhood; A master plan for Clark Park, Traffic calming with landscaping and public art for Roosevelt and the preservation of OUR NEIGHBORHOOD. I understand that the existing home will be destroyed either by permit of neglect, that is certain.

I am sure that these investors will argue about their "Monetary Investment" they made when they purchased this single family home. Please take into account our communities "Monetary Investments" in our homes as well as the investment of time spent living in our neighborhood. We live here, this is our home. This is a neighborhood, not Wal-Mart for investors.

I would hope that this commission would take into consideration the 2030 plan adopted by the Tempe city council in 2003. It identifies this area as a "*Cultural Resource Area*" and is "*Considered culturally significant to the character of Tempe based on the 2001 post World War II subdivision study. It is desirable to maintain the character of these areas*".

The NWTCP (in process) identifies this area as "*Classic Suburban Character Area*" with a vision "*To promote the existing single family residential use*" and that redevelopment "*Should reflect the current single family character*".

The plan(s) submitted do not fit into the character of the existing neighborhood. Our area is primarily single story ranch homes. There are only a handful of 2 story homes in the area and only two in the Marilyn Ann neighborhood. The neighbors on all sides of this site will lose their privacy both in their homes and in their back yards. The tenants of the new houses will have a view of the alley and of their neighbor's lives. The plans

submitted for this parcel are not appropriate for our neighborhood and will not enhance the character of our community.

I ask that the plan submitted be denied. Until a plan can be made that contributes to the existing character of our neighborhood, a design that enhances the "*Classic Suburban Character*" I will remain in opposition.

I would be happy to invite the investors to meet with the community to reach a design compromise.

Thank you for your time,

Lisa Roach
Chairperson Clark Park Neighborhood Association
534 W 15th St
Tempe, AZ 85281
(480)220- 6643

RECEIVED
07 MAR 28 PM 3:17
TEMPERANCE DEVELOPMENT
SERVICES DEPARTMENT

Jeff McMahon
624 W. 17th Place
Tempe, AZ 85281-6519
(480) 557-9363
jeffmcm@earthlink.net

Development Services Dept.
Planning, City of Tempe
POB 5002
31 E. 5th St.
Tempe, AZ 85280-5002
March 25, 2007

RECEIVED
07 MAR 28 AM 10:13
TEMPE DEVELOPMENT
SERVICES DEPARTMENT

FILE COPY

Dear Hearing Officer:

I am writing as a property owner and resident to object to the plans by WP Homes LLC (PL0070109) Mike Wingersky, to demolish the single family home at 1616 S. Roosevelt in the R1-6, Single Family Residential District, and replace it with two, two-story homes. This is a single family area, with existing problems regarding density and quality of life issues, caused partially by extensive numbers of student rentals in the area. Replacing a single story private home with two, two-story houses is compounding a problem, resulting in increased density, change of residential character, and decreased privacy for neighbors. On our own block, just around the corner from the site in question, we already have one home that has received a variance for building a two-story structure, and to allow for two more would be very bad precedent.

The house at 1616 S. Roosevelt has sat vacant for quite a while, causing me to suspect that the owner has done this intentionally in order to receive a "demolition by neglect" order. In a very tight and expensive housing market, this kind of behavior should not be encouraged by allowing for a variance.

I hope that you will not allow this. As a member of the Clark Park Neighborhood Association, I am particularly concerned about this issue, and expect that you will see the folly of granting this variance.

Yours,


Jeff McMahon

cc: Clark Park Association

David M. Hanson
543 w. 15th Street
Tempe, Arizona 85281
480 921 9394

RECEIVED
07 MAR 28 AM 10:14
TEMPE-DEVELOPMENT
SERVICES DEPARTMENT

FILE COPY

Development Services Dept.
Planning, City of Tempe
PO Box 5002
31 E. 5th St.
Tempe, AZ 85280-5002
March 26, 2007

RE: WP Homes LLC (PL0070109) Mike Wingersky

Dear Hearing Officer:

People generally say that arguing with a logical base is the only way to address the government. Yet many issues are quite emotionally charged, and the pathos of an event should not be ignored or denied.

Much of the image that Tempe presents is one of raising a family - an image that I have literally bought into. To this end, I have attended countless meetings and served on various taskforces. So now I have to take time away from my wife and children and try once again to communicate with the City of Tempe.

I am writing as a property owner and a Tempe resident to strongly object to the plans by WP Homes LLC (PL0070109) Mike Wingersky, to demolish the single family home at 1616 S. Roosevelt in the R1-6, Single Family Residential District, and replace it with two, two-story homes.

I am trying to raise a family - trying to maintain an area where kids can have a yard, or a place where kids can safely meet in the street with other friends. I'm trying to maintain a decent neighborhood - as so many others are around here.

This is a single-family area of primarily older homes. Mike Wingersky came into this neighborhood, bought a home and let it go to hell. Many people called the city over and over again complaining about the landscape and the house falling to neglect. We lost a huge, beautiful Pine tree because WP Homes refused to maintain the house and yard. This is what we know of the man - the ethics of the man and company: His actions have demonstrated a complete lack of respect for everyone who has had to live here and watch the house fall to its current state of deterioration.

It was once a nice house on a nice size lot - but no way is the lot big enough for two houses - let alone two, two story houses. If you look at the shape of the lot, it's really not that big. But the locals had no say in that measure and the city should have known and respected the general concern of those who live here and put a stop to the split. Well perhaps Tempe can at least put a stop this two-story density nightmare.

Cordially,


David M. Hanson

RECEIVED

07 MAR 28 AM 10:14

TEMPER DEVELOPMENT
SERVICES DEPARTMENT