

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 9/14/21
Agenda Item: 5**

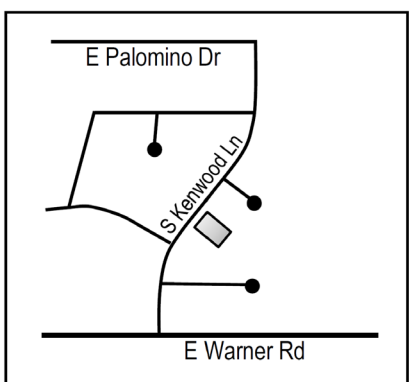
ACTION: Request a Use Permit Standard to allow a 20% reduction of the required side yard setback from seven (7) feet to five (5) feet seven (7) inches for the **ADAMS FAMILY GARAGE ADDITION**, located at 8661 South Kenwood Lane.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: The ADAMS RESIDENCE (PL210090) is requesting a Use Permit Standard to reduce the side yard setback for a new attached garage addition within the R1-7, Single-Family Zoning District. The 20% reduction will bring the required setback from 7 feet to 5 feet and 7 inches. The request includes the following:

ZUP210035 Use Permit Standard to (reduce the required side yard setback from 7' to 5'7").



Property Owner	Geoffrey Adams
Applicant	Geoffrey Adams
Zoning District	R1-7
Site Area	10,424 s.f.
Building Area	3,407 s.f.
Lot Coverage	32% (45% max.)
Garage Height	14'6" (30' max.)
Building Setbacks	25' front, 5'7" side (20' front, 7' side min. required)

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Dalton Guerra, Planner I (480) 350-8652

Department Director: Shelly Seyler, Interim Community Development Director

Legal review by: N/A

Prepared by: Steve Abrahamson, Principal Planner

Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

The applicant is submitting a new request for a new attached garage on the side of the existing home. An initial request for a use permit standard was heard and approved by the Development Review Commission on April 27, 2021. Since then, the applicant has increased the area of the garage from 300 s.f. to 397 s.f.. Additionally, the height has increased from 14'-0" to 18'-6". As the both the area and height exceed the original request by over 10%, a new use permit request must be submitted.

Corresponding to the original request, to accommodate the new garage, the applicant is requesting a 20% reduction in the required side yard setback. The proposed design meets the front setback, maximum height, and maximum lot coverage standards. They will be utilizing a decomposed granite driveway from the front of the property to access the garage.

PUBLIC INPUT

To date staff has not received any public input.

USE PERMIT STANDARD

The proposed design requires a Use Permit Standard to reduce the required side yard setback by 20% within the R1-7 zoning district.

Section 6-308 E Approval criteria for Use Permit (*in italics*):

1. *Any significant increase in vehicular or pedestrian traffic*; the property will remain a single-family use and the new garage will provide an extra off-street parking space.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions*; the driveway used to access the new garage will be a dust-proof surface (decomposed granite).
3. *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*; a 20% reduction in the side yard setback is permitted within the R1-7 district subject to a Use Permit approval.
4. *Compatibility with existing surrounding structures and uses*; the proposed design meets all standards for the R1-7 district except the side setback. The use will remain single-family, and the garage is expected to match the existing home in material and color.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public*; describe any part of the use applicable to conformance with this.

REASONS FOR APPROVAL:

Based on the information provided by the applicant, the public input received and the above analysis staff supports approval of the requested Use Permit Standard. This request meets the required criteria and will conform to the conditions.

SHOULD AN AFFIRMATIVE ACTION BE TAKEN ON THIS REQUEST, THE FOLLOWING NUMBERED CONDITIONS OF APPROVAL SHALL APPLY, BUT MAY BE AMENDED BY THE DECISION-MAKING BODY.

CONDITION(S) OF APPROVAL: (Non-standard conditions are identified in bold)

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

1. The Use Permit Standard is valid only after a Building Permit has been obtained, the required inspections have been completed and a Final Inspection has been passed. As part of the Building Permit process, on-site storm water retention may be required to be verified or accomplished on this Site.
2. The Use Permit Standard is valid for the plans as submitted within this application. Any additions or modifications may be submitted for review during the building plan check process.

CODE/ORDINANCE REQUIREMENTS:

THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

USE PERMIT:

- The Use Permit is valid for [Business Name] and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- The use permit approval shall be void if the use is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the use permit is granted or within the time stipulated by the decision-making body.
- The decision-making body, upon finding that the applicant has not taken corrective actions to resolve issues related to the permit/approval and that a continuation of the permit/approval is not in the interest of the public health, safety and general welfare, can revoke the permit/approval after providing written notice of its intentions to the holder of the permit.
- Specific requirements of the **Zoning and Development Code (ZDC)** are not listed as a condition of approval but will apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals, become familiar with the ZDC. Access the ZDC through <http://www.tempe.gov/zoning> or purchase from Development Services.
- Any intensification or expansion of use shall require a new Use Permit.
- Required off-street parking shall not be provided within the front yard setback without an approved Use Permit.

HISTORY & FACTS:

April 27, 2021 – Use Permit Standard approved for a 20% reduction in the required side yard setback

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-102 Permitted Uses in Residential Districts

Section 4-201, A Use Permit Standard

Section 4-202 Development Standards for Residential Districts

Section 6-312 Modify Approved Development Plan, Use Permit or Condition of Approval

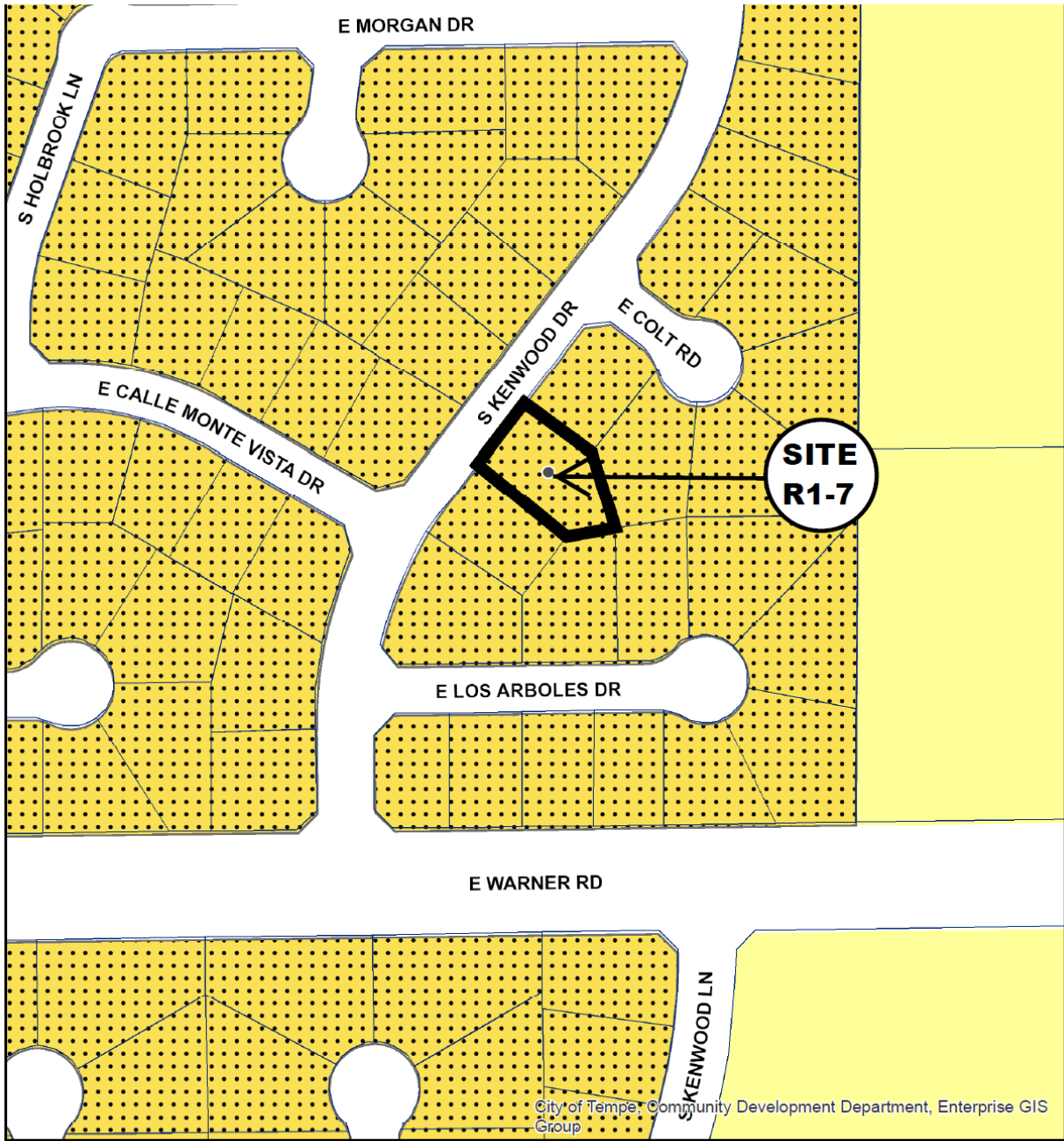
DEVELOPMENT PROJECT FILE
for
ADAMS FAMILY GARAGE ADDITION
(PL210090)



ATTACHMENTS:

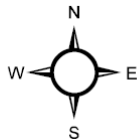
1. Location Map
2. Aerial
3. Letter of Explanation
4. Site Plan
5. Floor Plan
6. Elevation
- 7-11. Context Photos

ADAMS FAMILY GARAGE ADDITION

PL210252

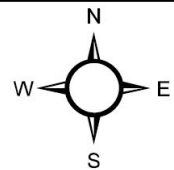


-  Agricultural (AG)
-  Single-Family Residential (R1-7)





Aerial Map



Adams Family Garage Addition Use Permit Modification Request



8661 S Kenwood Lane Tempe, AZ 85284

Community Development,

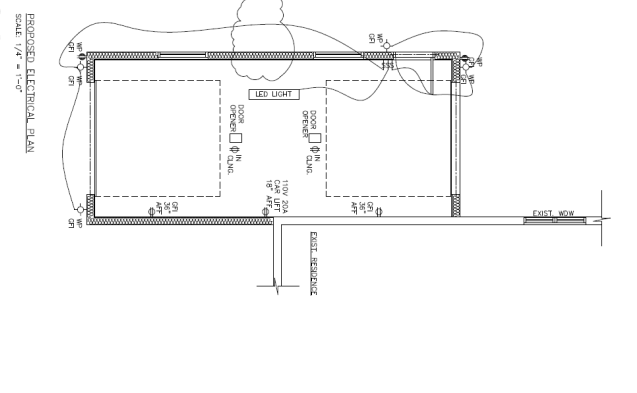
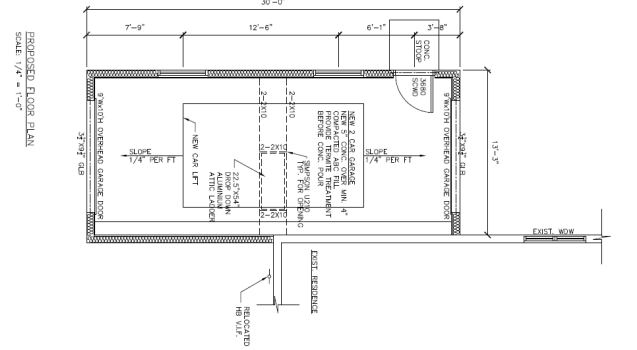
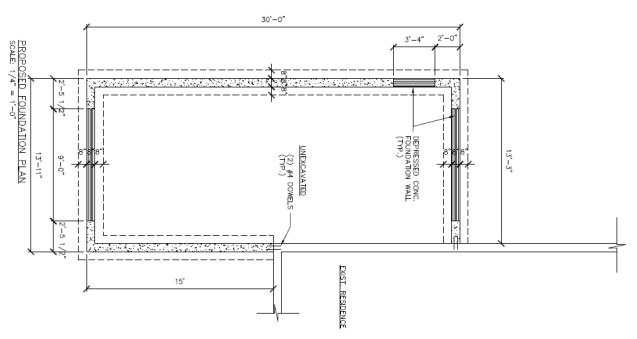
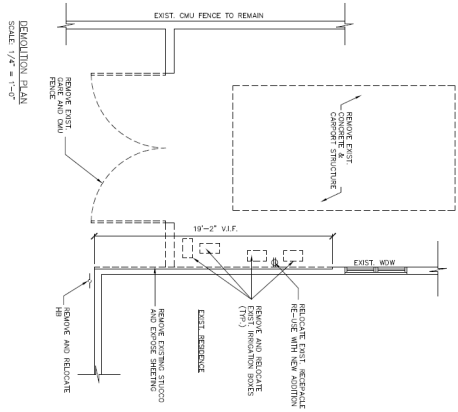
We are building an attached garage to replace our RV tent. Between the wall of the new garage and the fence we were seeking approval to reduce the 7 foot setback by 20% and we were approved for this new setback. After taking the plans to Building Safety for final approval, they recommended I hire a professional to draw up the plans and I followed their guidance. The new plans require a new pitch to the roof, slightly higher roof height, and a larger footprint that includes the new setback shown in the plans. I respectfully request a re-approval with these updated plans.

I have attached the here the following:

- Completed Planning Application Form with Property Owner Authorization
- Site Plan
- Building Elevations
- Floor Plans
- Context Photos

Sincerely,

Geoff Adams
Home Owner
602-740-8428
Geoff@AgentCollective.com



NOTE: EXISTING PANEL AND SEPARAL DO NOT HAVE NUMBERS

MANUFACTURER	QUANTITY	UNITS
LED LIGHT	1	3600
3 WAY SWITCH (48" AFF)	4	1125

ITEM	QTY	UNIT	DESCRIPTION
CONCRETE	20A	50A	EXIST
NEW CONCRETE	20A	50A	EXIST
NEW LIFT	20A	50A	NEW
NEW LIFT	20A	50A	NEW
NEW LIFT	20A	50A	NEW

ELECTRICAL LEGEND

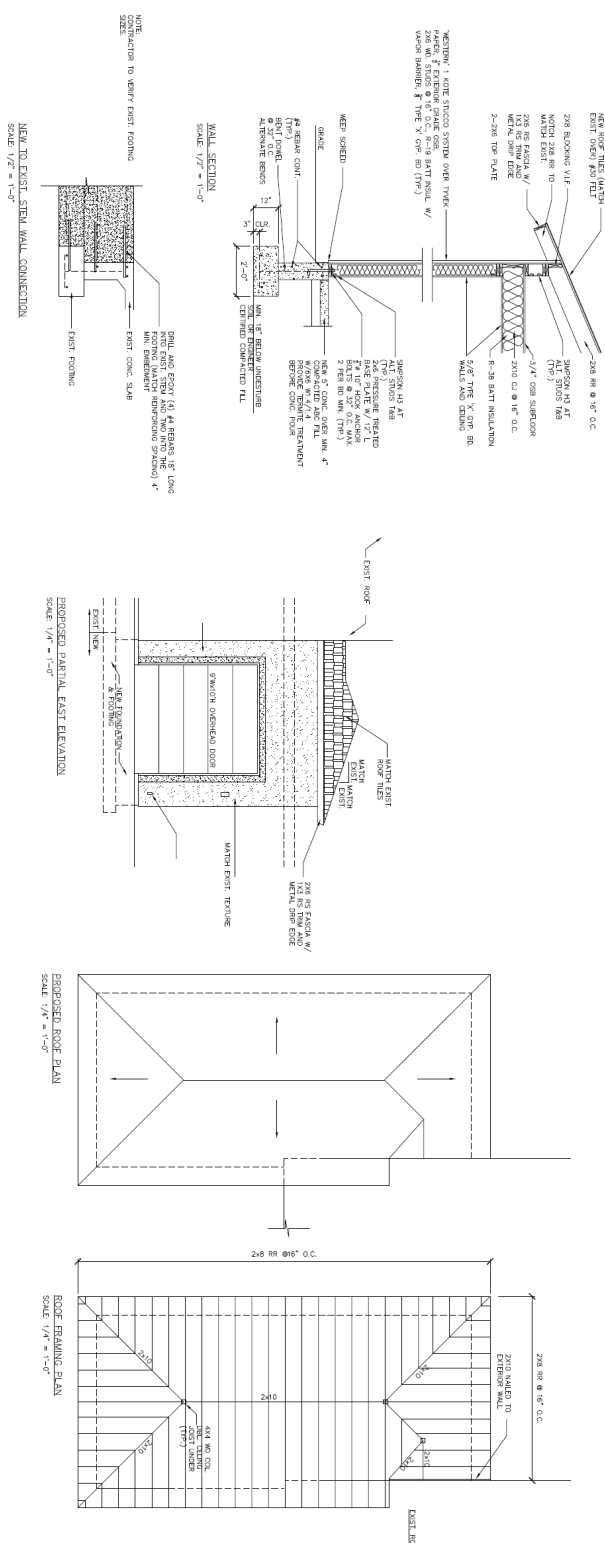
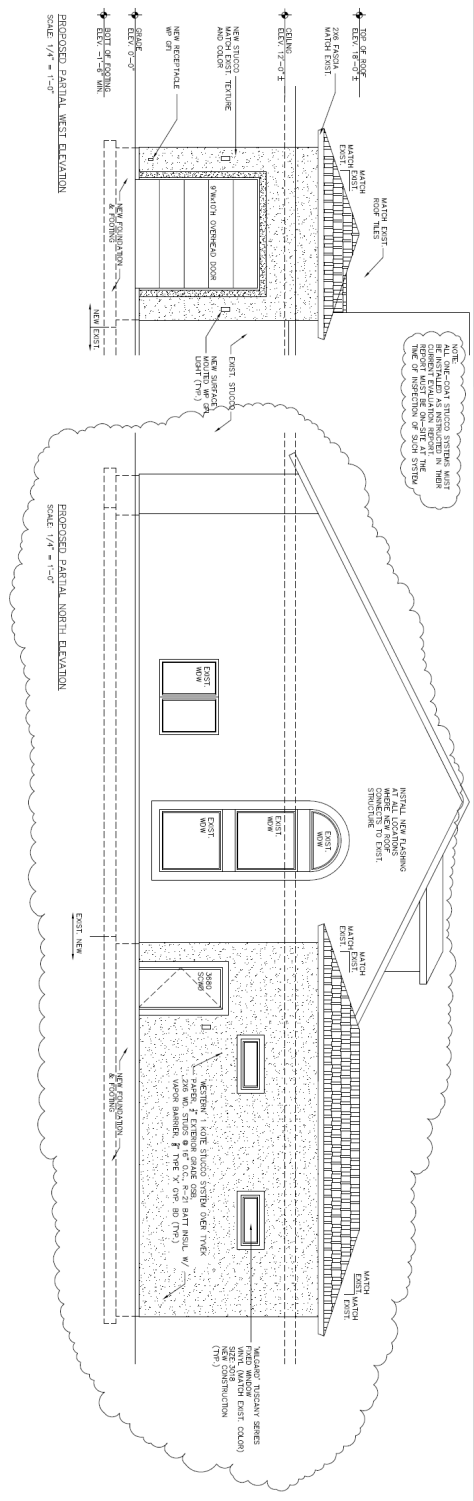
- ◊ SURFACE MOUNTED LIGHT
- ⊕ OUTLET (12" AFF)
- ⚡ SINGLE POLE SWITCH (48" AFF)
- ⊕ INTERIOR OUTLET
- ⚡ 3 WAY SWITCH (48" AFF)
- ⊕ GROUND FAULT INTERRUPTER

LEGEND

- EXIST WALLS TO BE DEMOLISHED
- EXIST WALLS TO REMAIN
- NEW FOUNDATION WALL
- SEE PLAN FOR SIZES
- NEW EXTERIOR WALL - ATTACH OVER PAW OVER LIGHT, SEE STAIRS AND O.C. W/ R-2 WALL, 5/8" EPS, 30'

NEW ATTACHED GARAGE ADDITION 8661 S KENWOOD LN TEMPE AZ	OWNER: GEOFF ADAMS	 THI DESIGN LLC 800 W GROVE PARKWAY TEMPE, AZ 85283 PHONE: 734.974.0162 WWW.THIDESIGNLLC.COM	DATE: PROJECT NO.: SCALE: REVISIONS:
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<p>THI DESIGN LLC 500 W GROVE PARKWAY TEMPE, AZ 85283 PHONE: 480-755-1000 WWW.THIDESIGNLLC.COM</p>	<p>OWNER: GEOFF ADAMS</p>	<p>PROJECT: NEW ATTACHED GARAGE ADDITION 8661 S KENWOOD LN TEMPE AZ</p>	<p>DATE: 08/11/2011</p> <p>PROJECT NO.: 247000</p> <p>SCALE: 1/4" = 1'-0"</p>
	<p>REVISIONS:</p>	<p>DATE: 08/11/2011</p> <p>SCALE: 1/4" = 1'-0"</p>	<p>PROJECT NO.: 247000</p> <p>SCALE: 1/4" = 1'-0"</p>

Context Photos









