

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 05/23/2023
Agenda Item: 04**

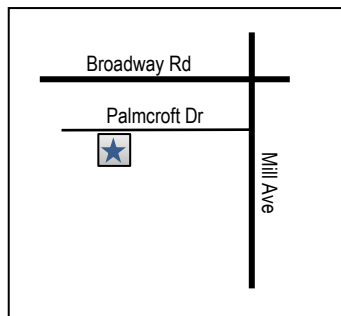
ACTION: Request for a Use Permit to allow required parking within the required front yard building setback for the **RICE RESIDENCE**, located at 103 West Palmcroft Drive. The applicant is Dwell Boldly.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions.

BACKGROUND INFORMATION: THE RICE RESIDENCE (PL230079) is located on lot 23 within the Date Palm Manor Historic District within the R1-6 Zoning District. The applicant is requesting a Use Permit to locate required parking within the required front building setback due to the proposed carport conversion to livable space and addition of a one-car garage. The request includes the following:

ZUP230019 Use Permit to allow required parking within the required front yard building setback.



Property Owner	Nicholas Tsontakis, Dwell Boldly
Applicant	R1-6
Zoning District	7,906 s.f.
Site Area	2,668 s.f.
Building Area	32% (45% max. allowed)
Lot Coverage	21' 11" front, 5' 10" west side & 5' 6" east side, 34' 10 1/2" rear (20', 5', 5', 15' min. required)
Building Setbacks	2 spaces (2 min. required, one located in garage)
Vehicle Parking	

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Ty Templeton, Planning Technician (480) 350-8690

Department Director: Jeff Tamulevich, Community Development Director

Legal review by: N/A

Prepared by: Ty Templeton, Planning Technician

Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

At the time of construction in the year 1956, the required parking for a single-family residence was one (1) parking space. Two (2) parking spaces are now required for homes with bedroom additions up to five (5) bedrooms. One space will be located in the new garage and the other in the front yard building setback. The carport conversion and bedroom addition will add approximately 270 square-feet of living space and 313 square-feet of garage space. The project was approved by the Historic Preservation Commission on April 19th, 2023.

PUBLIC INPUT

Staff has not received any public comments as of the publishing date of this staff summary report.

USE PERMIT

The proposed carport conversion to livable and a new garage requires a Use Permit to allow required parking within the front yard setback in the R1-6 zoning district.

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

1. *Any significant increase in vehicular or pedestrian traffic*; the shifting of required parking from the carport to the garage and driveway is not expected to increase vehicular or pedestrian traffic. The building addition is intended only for the single-family residence.
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 shifting of required parking from the carport to the garage and driveway is not expected to generate any emissions that would otherwise create a nuisance.
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*; parking on the driveway is not expected to downgrade property values. Additionally, the livable space and garage is expected to increase property values and benefit the neighborhood.
4. *Compatibility with existing surrounding structures and uses*; the design was approved by the Historic Preservation Commission on April 19th, 2023 and will be compatible to the existing home and neighborhood.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public*; the shifting of required parking from the carport to the driveway is not expected to create nuisance or disruptive behavior.

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. 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 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 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.
3. **The building design must comply with the conditions set forth by review and approval of Certificate of Appropriateness by the Historic Preservation Commission (HPO230002).**

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 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.

HISTORY & FACTS:

1956 – Home constructed in Date Palm Manor neighborhood.

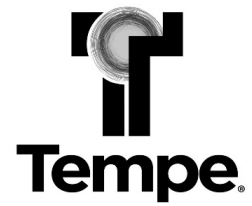
April 19th, 2023 – Exterior modifications approved through Certificate of Appropriateness from the Historic Preservation Commission.

ZONING AND DEVELOPMENT CODE REFERENCE:

[Section 3-102, Permitted Uses in Residential Districts](#)

[Section 4-202, Development Standards for Residential Districts](#)

[Section 6-308, Use Permit](#)

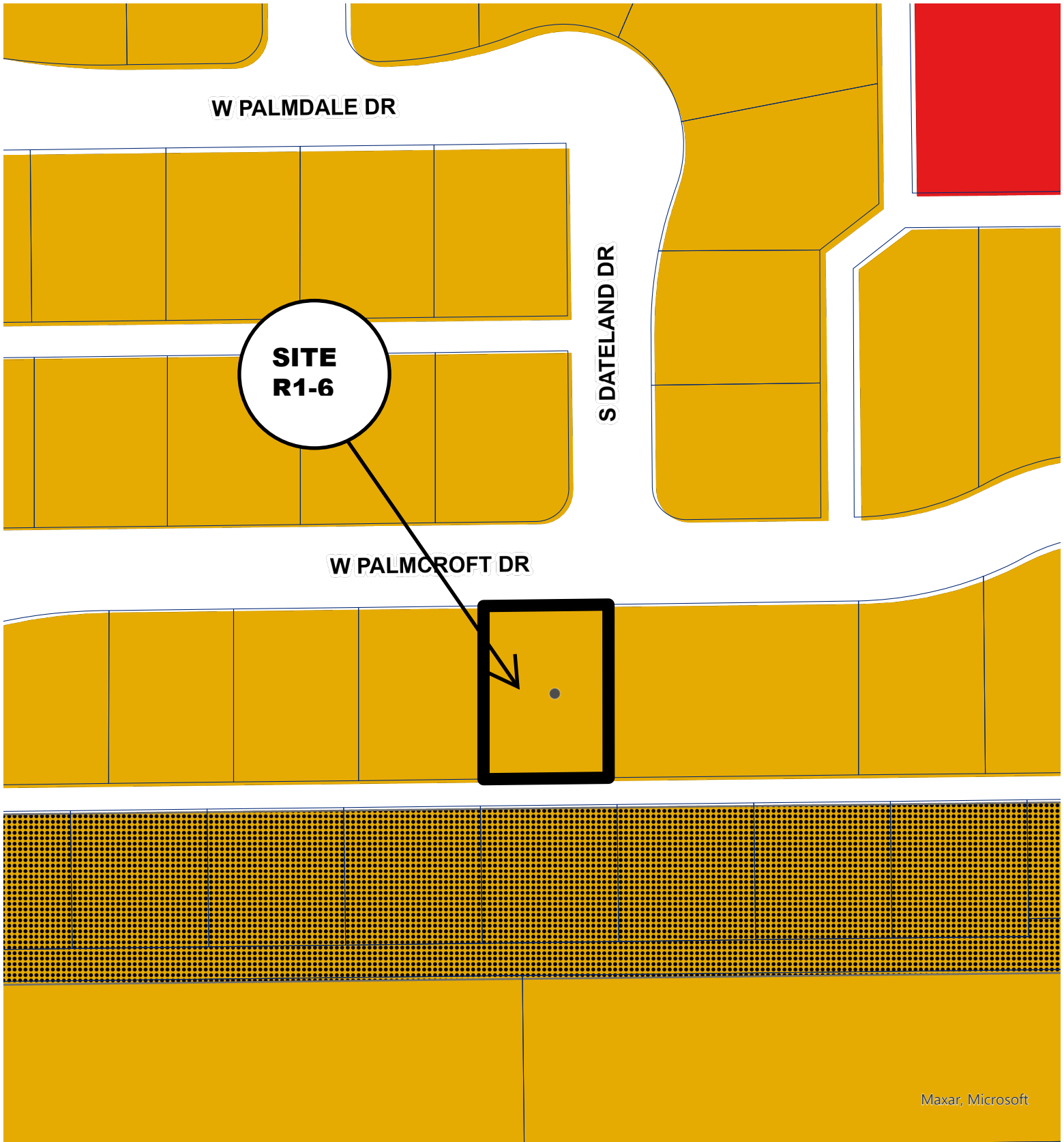


DEVELOPMENT PROJECT FILE
for
THE RICE RESIDENCE
(PL230079)

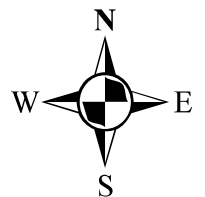
ATTACHMENTS:

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

RICE RESIDENCE



- Commercial Shopping and Services (CSS)
- Single-Family Residential (R1-6)
- Single-Family Residential Planned Area Dev (R1-PAD)





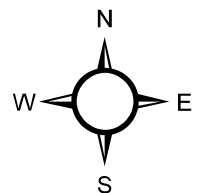
Tempe

PL230079

RICE RESIDENCE



Aerial Map





20 March 2023

Project: Rice Residence Addition and Remodel

Project Address: 103 W. Palmcroft Dr. Tempe, AZ 85283

Project Description: Demolishing an existing carport, extending the home 2'-6" to the east and 14'-8" to the north to allow for a new bedroom and single car garage.

Request: Use Permit to allow for parking in the front setback of the property.

Letter of Explanation:

Criteria: a. Any significant vehicular or pedestrian traffic in adjacent areas;

Response: The project will have no effect on vehicular or pedestrian traffic in adjacent areas.

Criteria: b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions;

Response: The project will not create a nuisance nor contribute to any negative emissions.

Criteria: c. Contribution to the deterioration of the neighborhood or to the downgrading of property values, which is conflict with the goals, objectives or policies of the city's adopted plans for General Plan;

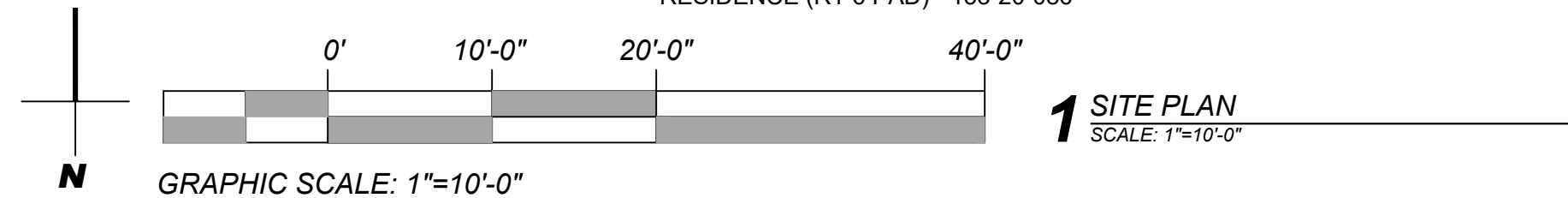
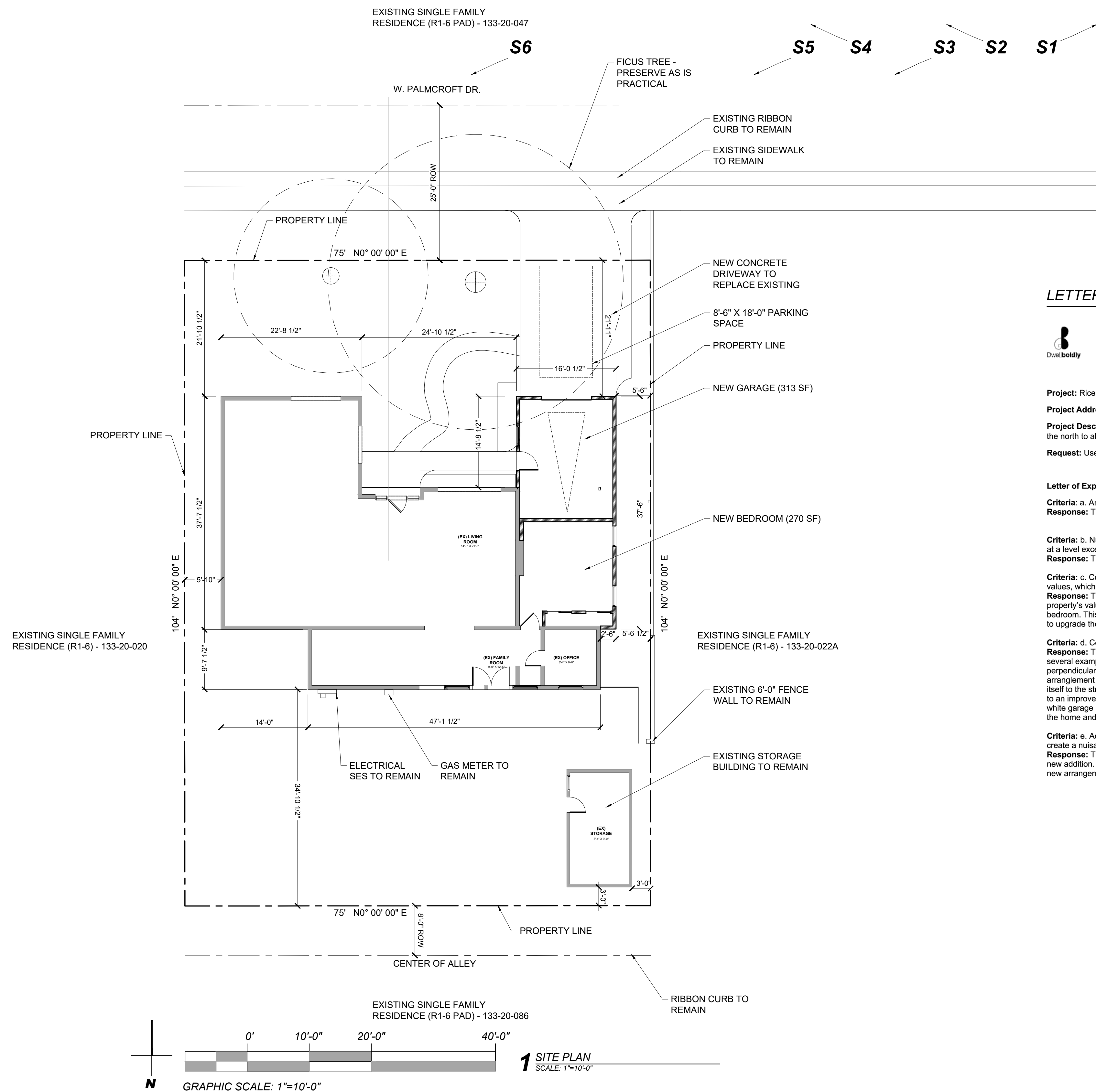
Response: The addition of a single car garage and additional bedroom will upgrade the subject property's value by offering a modern, highly desired amenity (enclosed garage) and an additional bedroom. This can contribute to the amelioration of the neighborhood by encouraging others in the area to upgrade their homes, making them more appealing for today's residents.

Criteria: d. Compatibility with existing surrounding structures and uses;

Response: The addition seeks to blend into the existing house and neighborhood fabric. There are several examples homes in the neighborhood that have smaller scale roofs, either hips or gables, that run perpendicular to an elongated main roof of house – those hips and gables face the street. This is like the arrangement of the new addition, where the new garage roof protrudes from the main roof to present itself to the street. This composition creates balance with the existing hip roof to the west and contributes to an improved curb appeal. In addition, there is a house immediately across the street with an unpainted, white garage door that faces the street. The subject property's garage door was chosen to suit the style of the home and is painted to blend in without looking as stark as the white garage door across the street.

Criteria: e. Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public.

Response: The home presently allows for the same number of off-street parking spots as it does with the new addition. Disruptive behavior both inside and outside the premises will be similarly controlled in the new arrangement as it is currently under existing conditions



LETTER OF EXPLANATION

NICHOLAS TSONTAKIS, AIA
Dwellboldly
20 March 2023

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PROJECT DATA

PROPERTY OWNER AND ADDRESS:
JENNA AND NICHOLAS RICE
103 W. PALMCROFT DR.
TEMPE, AZ 85282

DESCRIPTION:
DATE PALM MANOR AMD
LOT
23

PARCEL #:
133-20-021

S/T/R:
27 1N 4E

ZONING:
R1-6 (LOCATED IN HISTORIC DISTRICT)

LOT AREA:
7,800 SF (0.18 ACRES)

LOT COVERAGE
ALLOWABLE: 45% (3,510 SF)
ACTUAL: 32% (2,468 SF / 7,800 SF X 100%)

BUILDING HEIGHT
ALLOWABLE: 30'-0"
ACTUAL: +/-14'-6"

OCCUPANCY:
R3, SINGLE-FAMILY DETACHED DWELLING

CONSTRUCTION TYPE:
V3

PARKING SPACES REQUIRED:
2

BUILDING SETBACKS
FRONT: 20'-0"
REAR: 15'-0" (FROM MIDPOINT OF ALLEY)
SIDE YARDS: 5'-0"

AREAS

BUILDING AREAS:	
EXISTING HOUSE	
LIVABLE AREA	1,885 SF
CARPORT (DEMO)	(291 SF)
DETACHED STORAGE	200 SF
ADDITION	
NEW LIVABLE	270 SF
NEW GARAGE	313 SF
TOTAL LIVABLE	2,155 SF
TOTAL GARAGE	313 SF
TOTAL STORAGE	200
TOTAL USED FOR LOT COVERAGE	2,668 SF

USE PERMIT REQUEST

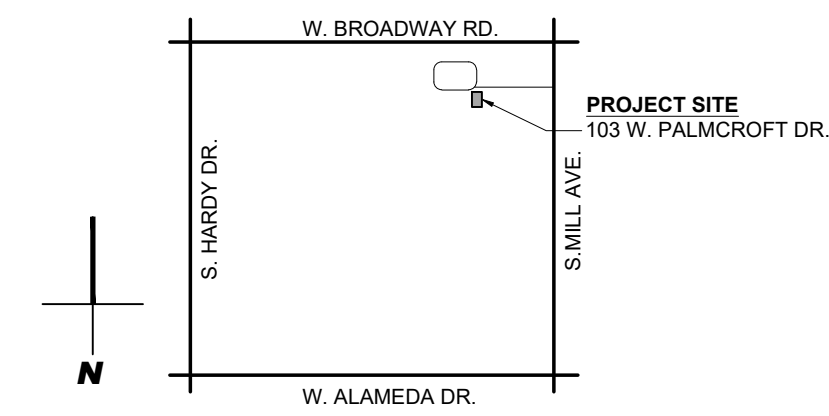
TO ALLOW FOR ONE OF THE TWO REQUIRED OFF-STREET PARKING SPACES TO BE LOCATED IN THE FRONT YARD SETBACK ON THE DRIVEWAY

PROJECT TEAM

OWNER
NICK AND JENNA RICE
103 W. PALMCROFT DR.
TEMPE, AZ 85282
PHONE: 602-697-0844
EMAIL: NICK@ELITEHOMEADVISORS.COM

ARCHITECT (APPLICANT)
DWELLBOLDLY
22020 N. 31ST PLACE
PHOENIX, AZ 85050
CONTACT: NICHOLAS TSONTAKIS, AIA
P: 602-370-3502
E: NICHOLAS@DWELLBOLDLY.COM

VICINITY MAP



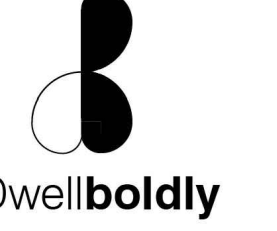
SITE PHOTOS (SEE ATTACHED ADDENDUM FOR ADDITIONAL SITE PHOTOS AT PROPERTY CORNERS)
SCALE: NTS



REVISIONS

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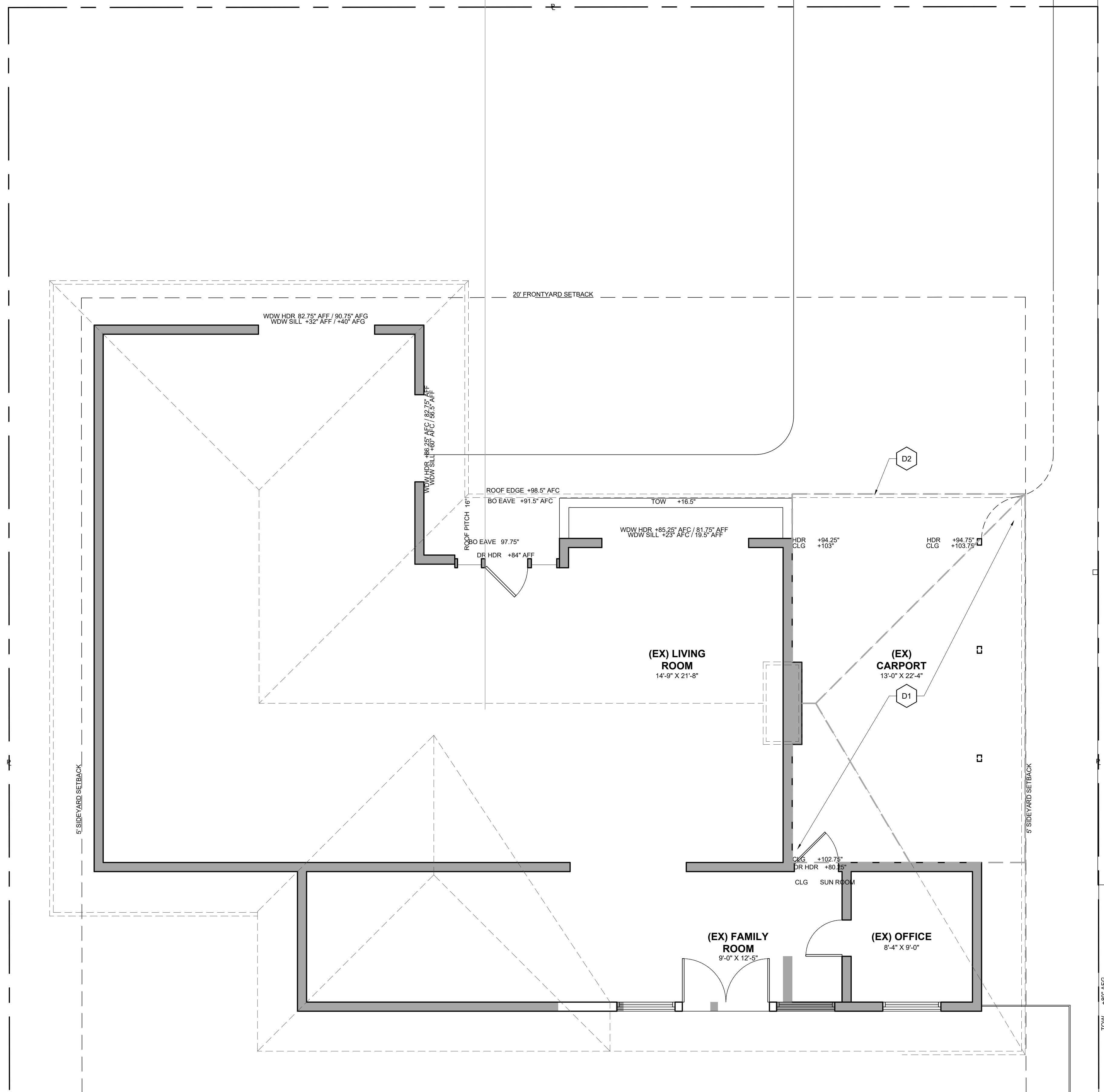
LOGO



SEAL

DRAWN BY	nnt
APPROVED BY	nnt
PROJECT NO.	230205
TITLE	SITE PLAN

SHEET NUMBER



LEGEND

- : EXISTING WALLS TO REMAIN
- : EXISTING WALLS TO BE REMOVED

DEMO KEYNOTES

- DEMO CARPORT COLUMNS, BEAMS, AND ROOF
- REMOVE ROOF - TYP. THICKENED LINE

GENERAL DEMO NOTES

1. CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS PRIOR TO BID
2. REMOVE FROM SITE AS SOON AS PRACTICABLE DEMOLISHED MATERIALS, DEBRIS, AND RUBBISH. DO NOT ACCUMULATE DEBRIS ON THE FLOOR OR AT THE SITE.
3. ALL BUILDING COMPONENTS AND FINISHES WHICH ARE TO REMAIN IN PLACE SHALL BE PROTECTED FROM DAMAGE.
4. PATCH AND REPAIR ALL EXISTING CEILINGS, PARTITIONS, AND FLOORS DISTURBED FOR NEW WORK AND FINISH.
5. EXISTING ROOF TO BE REMOVED

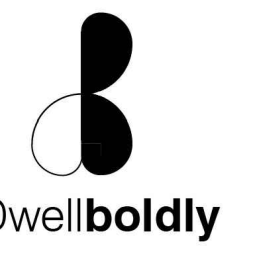
ABBREVIATIONS:
 WC: WATER CLOSET
 FF: FINISH FLOOR
 AFF: ABOVE FINISH FLOOR
 HDR: HEADER
 FXD: FIXED
 TEMP: TEMPERED
 (EX): EXISTING TO REMAIN
 (N): NEW
 (D): DEMO
 (R): REPLACE WITH LIKE FIXTURE
 U.N.O: UNLESS NOTED OTHERWISE

1 EXISTING/DEMO FLOOR PLAN
SCALE: 1/8" = 1'-0"

REVISIONS

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LOGO

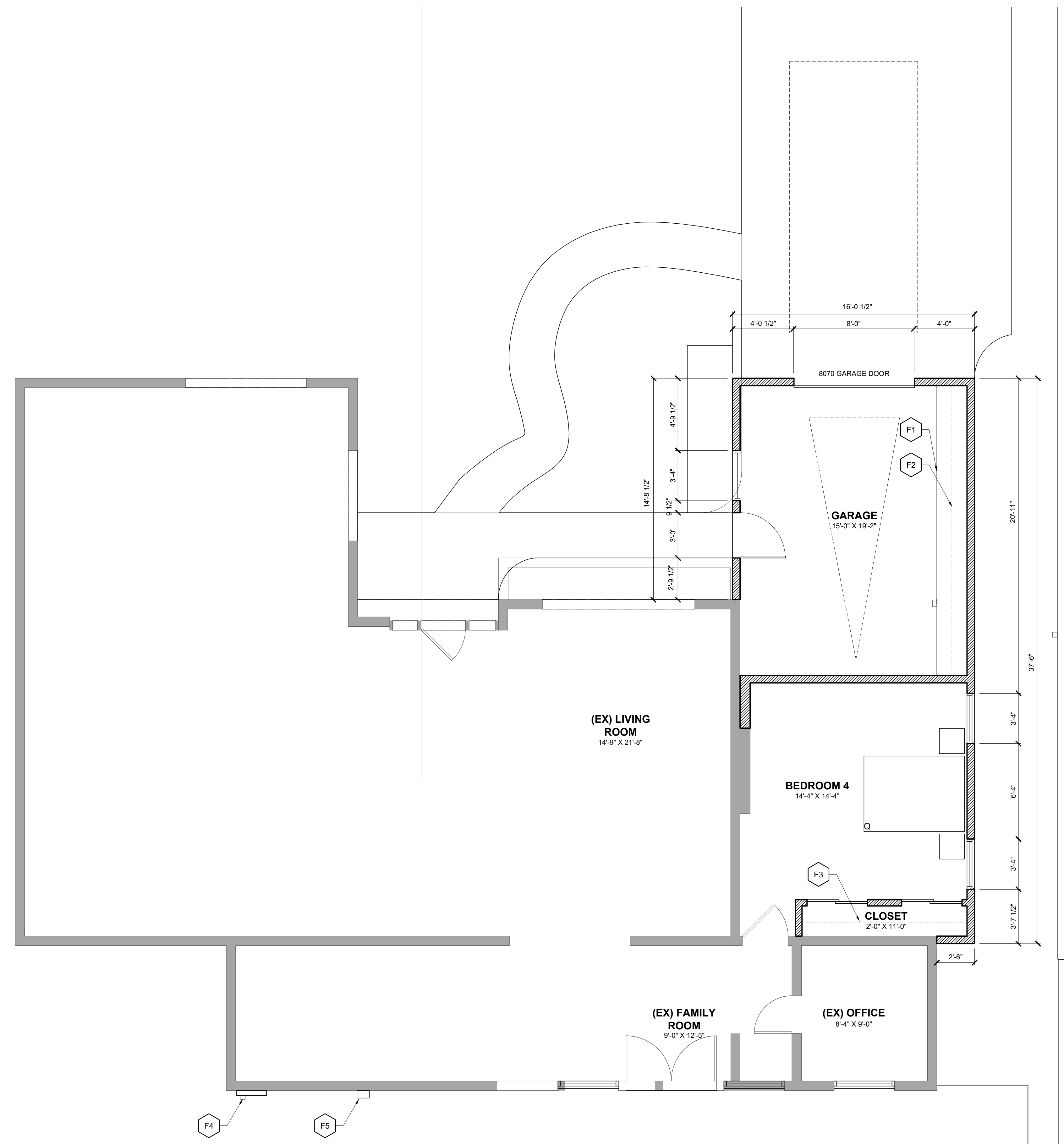


SEAL

DRAWN BY	nnt
APPROVED BY	nnt
PROJECT NO.	230205

TITLE
EXISTING/DEMO FLOOR PLANS

SHEET NUMBER



LEGEND

- : EXISTING WALLS TO REMAIN
- : NEW WALLS
- : GARAGE-HOUSE SEPARATION WALL - PROVIDE 3/4" TYPE X GYP. BD. OVER FRAMING BOTH SIDES

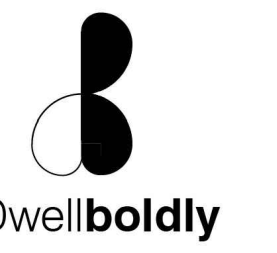
KEYNOTES

- F1 +36" COUNTER - COORDINATE BASE CABINET LOCATIONS WITH OWNER
- F2 UPPER CABINETS
- F3 ROD AND SHELF
- F4 ELECTRICAL SES TO REMAIN
- F5 GAS METER TO REMAIN

REVISIONS

1	

LOGO



SEAL

DRAWN BY	nnt
APPROVED BY	nnt
PROJECT NO.	230205
TITLE	PROPOSED FLOOR PLAN

SHEET NUMBER

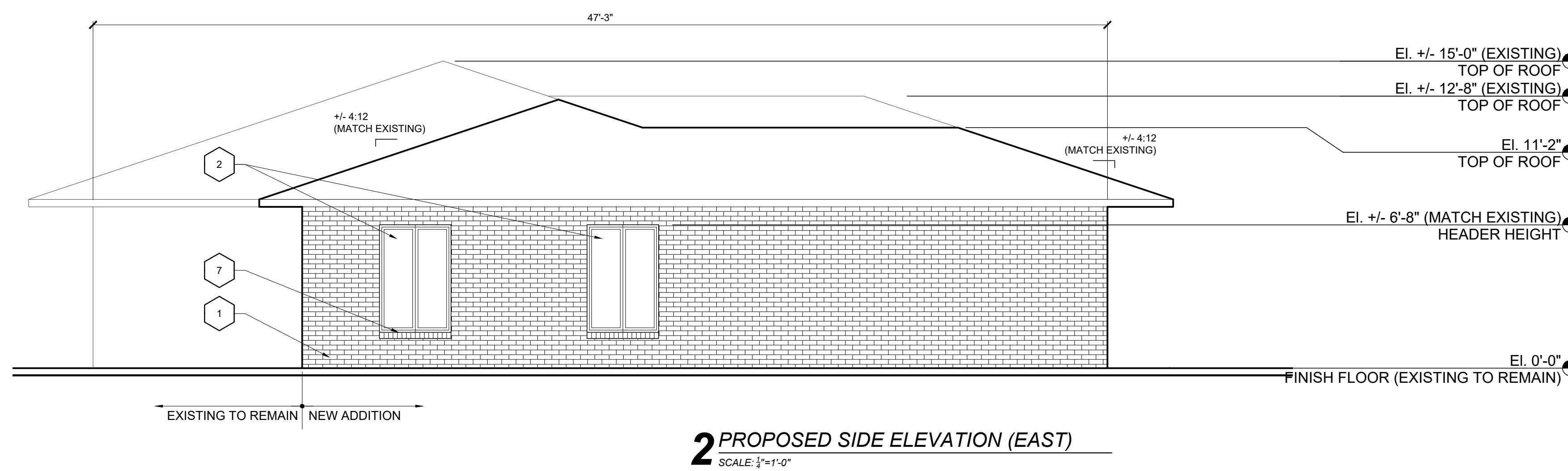
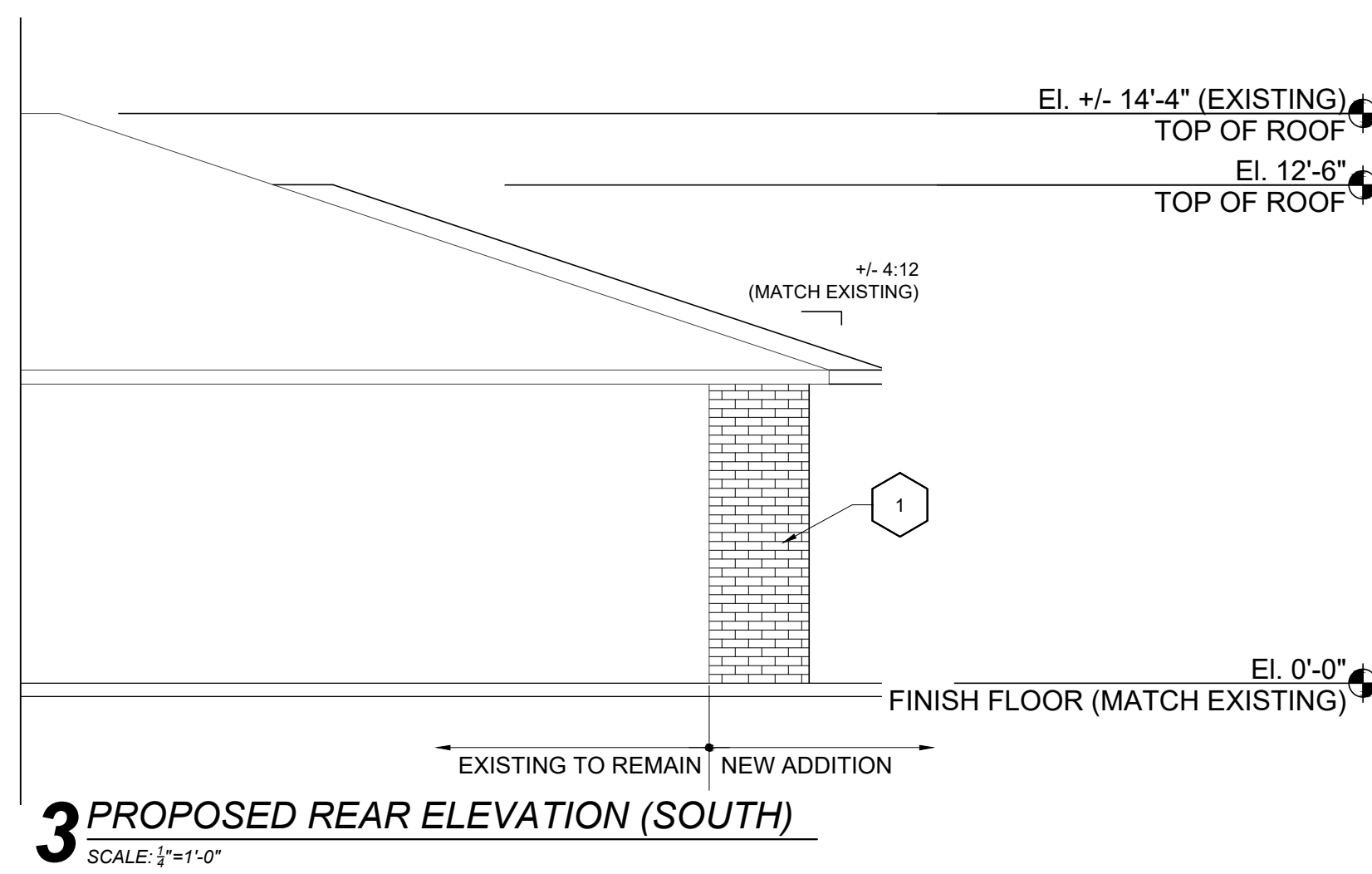
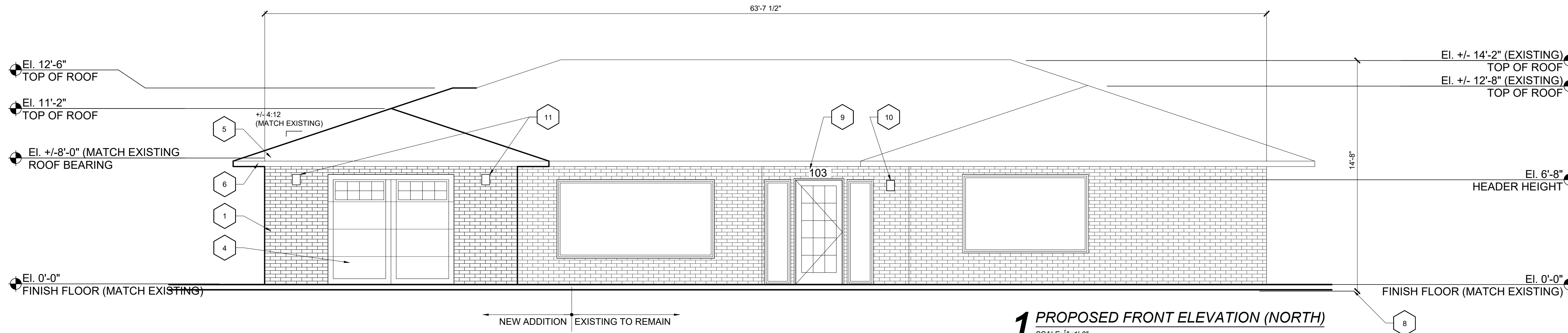
a2

KEYNOTES

- 1 BRICK VENEER TO MATCH EXISTING
INSTALL OVER WOOD FRAME PER
ESR-1215
- 2 ANODIZED ALUMINUM WINDOWS WITH
LOW 'E' TINTED GLASS, TYP. MAX
SHGC: 0.25, MAX U-FACTOR 0.40
(TEMPERED WHERE SHOWN) -
MULLION COLOR: MATCH EXISTING
- 3 FINISH FLOOR
- 4 CLOPAY GRAND HARBOR OVERHEAD
GARAGE DOOR, SEE CUT SHEETS
BELOW. DESIGN 11 W SQ24 TOP.
SANDTONE COLOR
- 5 CONCRETE TILE ROOF TO MATCH
EXISTING. INSTALL PER ESR-1759
APPROVED EQUIVALENT MAY BE
SUBSTITUTED.
- 6 NEW ROOF FASCIA TO MATCH
EXISTING
- 7 BRICK SILL TO MATCH EXISTING
- 8 GRADE LINE - 6" BELOW FINISH FLOOR
- 9 ADDRESS MARKER
- 10 EXISTING LIGHT TO REMAIN
- 11 NEW LIGHT TO MATCH EXISTING

GENERAL NOTES

ELEVATIONS CALLED OUT FROM
EXISTING FINISH FLOOR - NEW FINISH
FLOOR TO MATCH EXISTING FINISH
FLOOR ELEVATION
T: TEMPERED



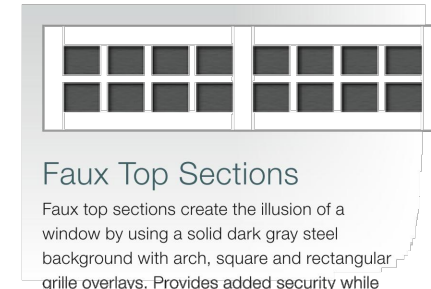
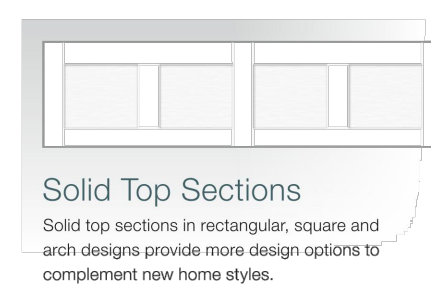
for LESS

Grand Harbor® Garage Doors

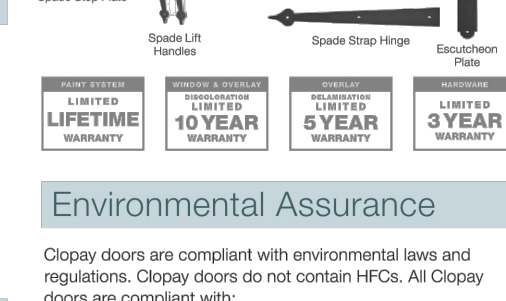
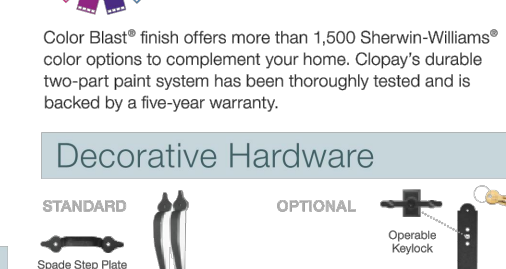
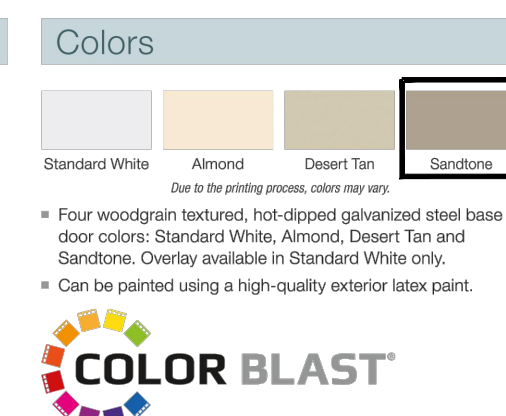
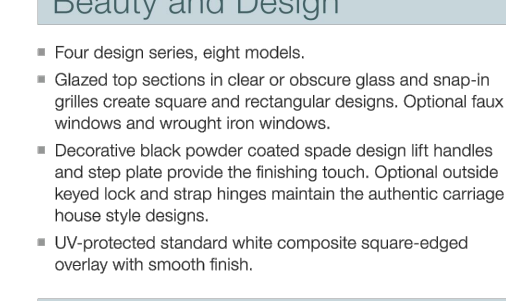
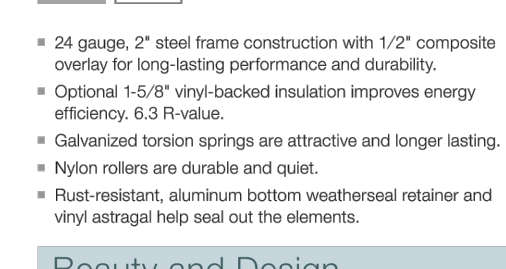
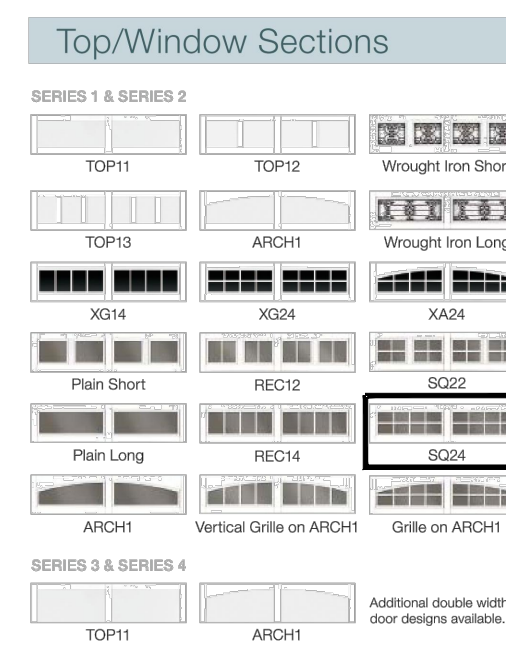
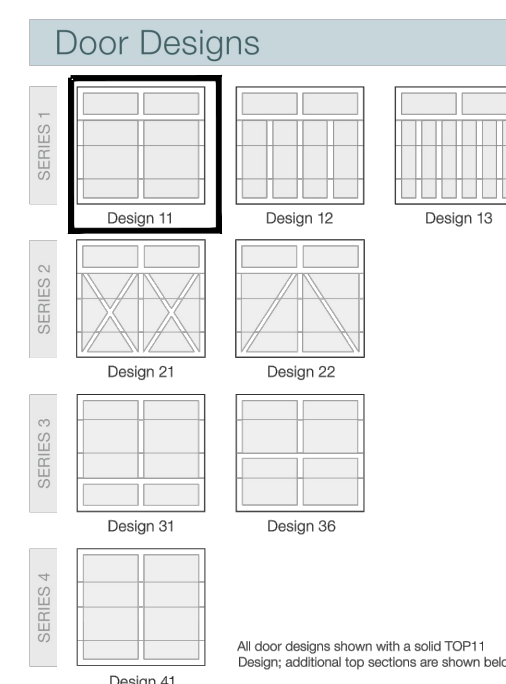
Enhance the classic details of your home without breaking your budget.

When budget is the deciding factor, this low-maintenance, insulation-optional steel frame carriage house style garage door combines clean lines and classic charm to provide a popular style at a great value.

Accented with decorative black wrought iron hardware, these doors have the appearance of a swing-out door, but offer the convenience of modern overhead operation.



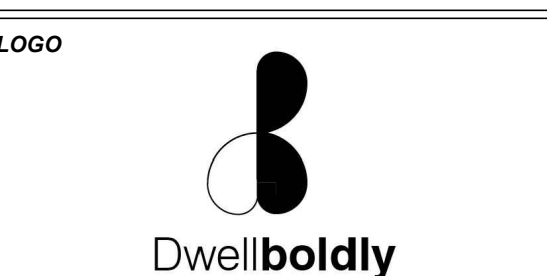
Glazed top sections (windows) NOT available in 10'0" and 10'6" width doors.
Note: All glazed top sections available up to 10'0" x 10'0" only. Short glazed top sections, 5'0" x 10'0", 6'0" x 10'0" and wrought iron (WIS) available up to 10'0" x 10'0".
Additional charges for obscure glass apply.
Contact your local dealer for door width restrictions.
Acrylic windows require special cleaning. Please use products not contain ammonia or petroleum products to clean acrylic. Please visit www.clopay.com for complete details.



5 GARAGE SPECS AND PHOTO INSPIRATION
SCALE: NTS

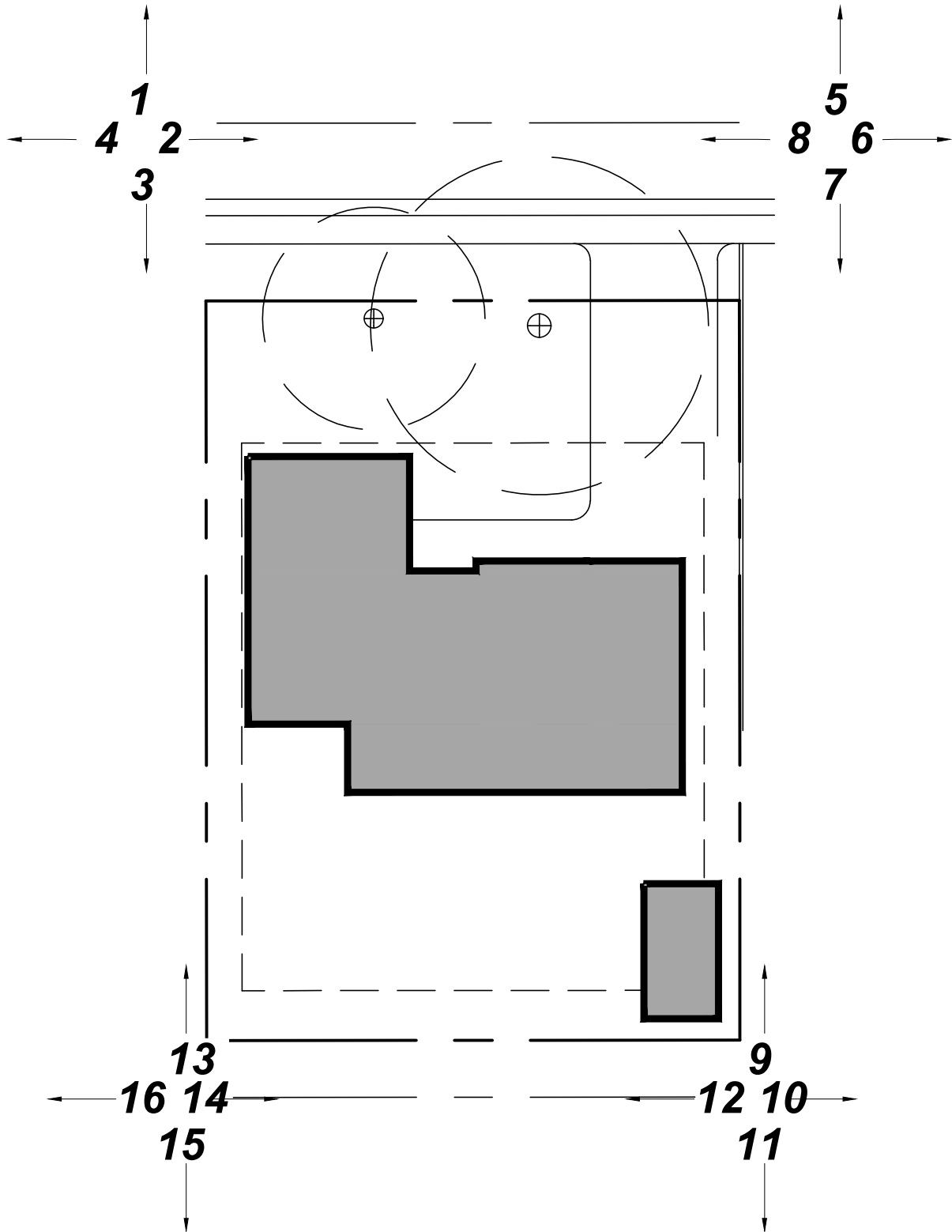
4 3D VIEWS
SCALE: NTS

REVISIONS	
1	



SEAL	
DRAWN BY	nnt
APPROVED BY	nnt
PROJECT NO.	230205
TITLE	ELEVATIONS

SHEET NUMBER	a3
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RICE RESIDENCE REMODEL AND ADDITION
 103 W. PALMCROFT DR. TEMPE, AZ 85282

CONTEXT PHOTO KEY PLAN

cp0



RICE RESIDENCE REMODEL AND ADDITION
103 W. PALMCROFT DR. TEMPE, AZ 85282

CONTEXT PHOTOS

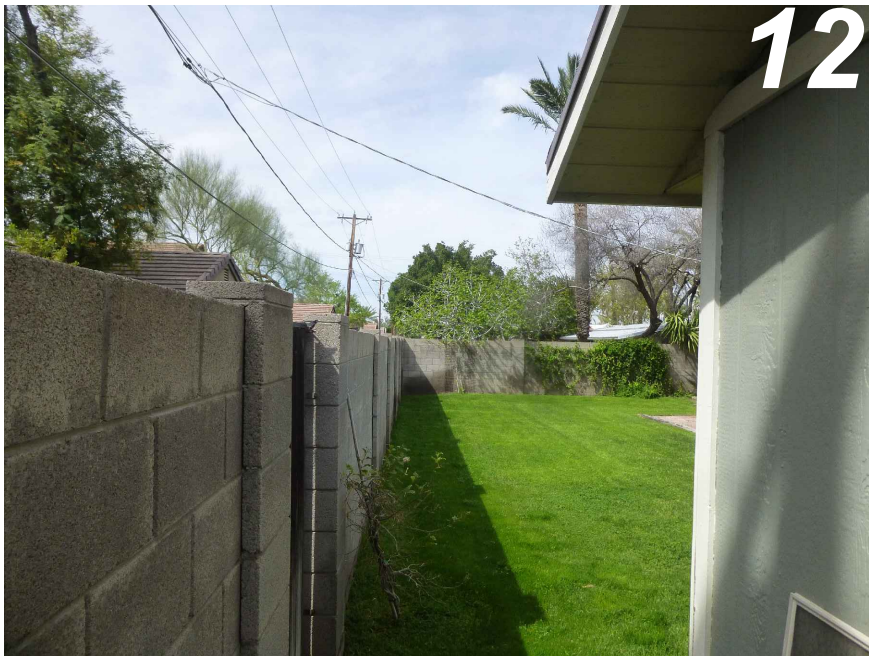
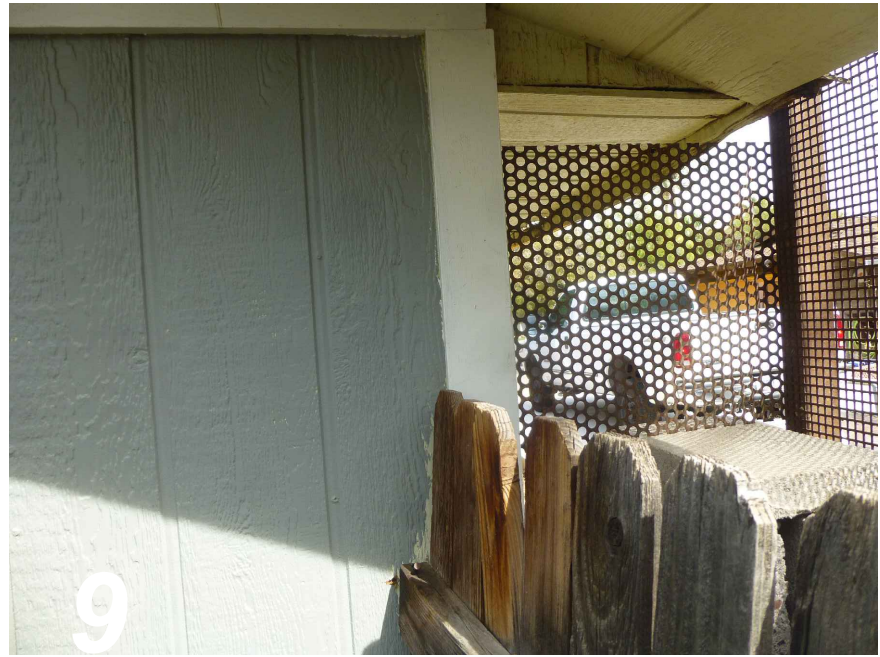
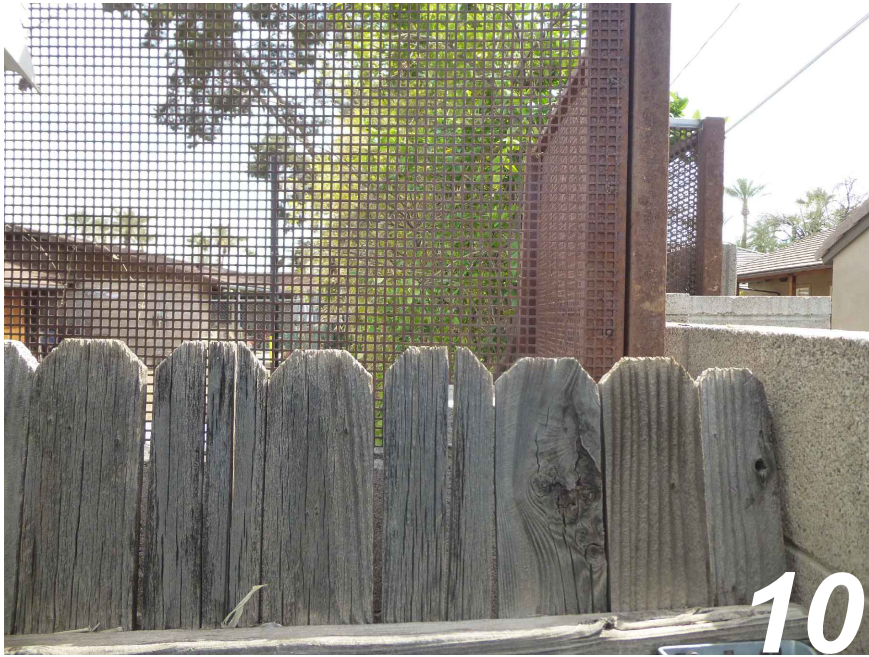
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RICE RESIDENCE REMODEL AND ADDITION
103 W. PALMCROFT DR. TEMPE, AZ 85282

CONTEXT PHOTOS

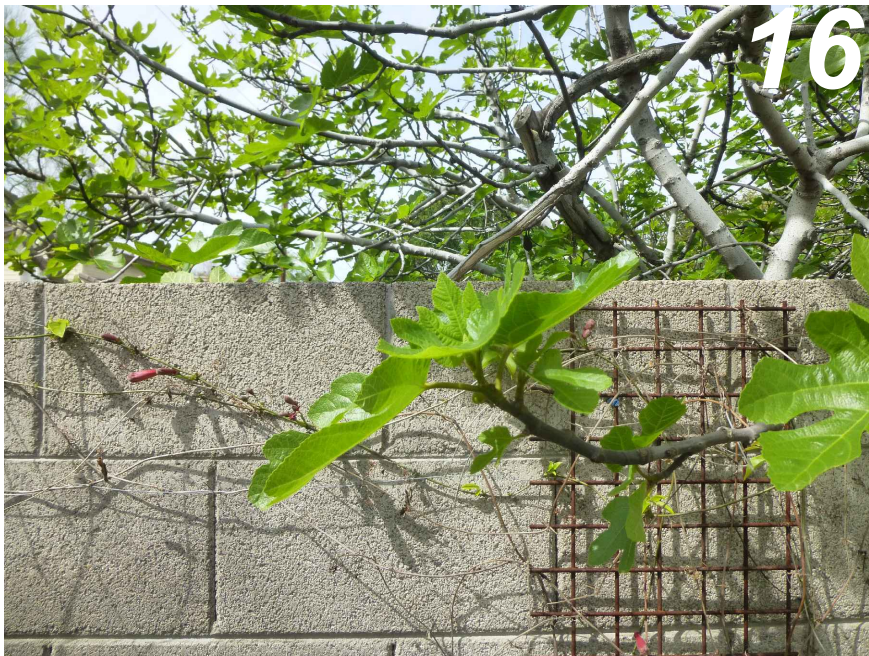
cp2



RICE RESIDENCE REMODEL AND ADDITION
103 W. PALMCROFT DR. TEMPE, AZ 85282

CONTEXT PHOTOS

cp3



RICE RESIDENCE REMODEL AND ADDITION
103 W. PALMCROFT DR. TEMPE, AZ 85282

CONTEXT PHOTOS

cp4