

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 02/27/2024
Agenda Item: 6**

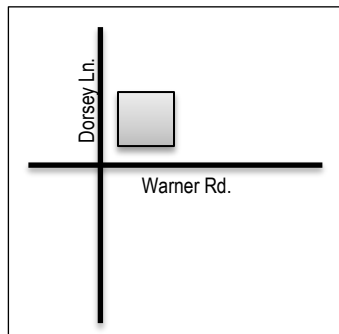
ACTION: Request a Use Permit Standard to reduce the street side yard setback from 20 feet to 16 feet for **SMITH RESIDENCE**, located at 1329 East Los Arboles Drive. The applicant is Design Development.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: SMITH RESIDENCE (PL230380) is located on the northeast corner of Dorsey Lane and Warner Road in the Warner Estates Neighborhood Association. The property is zoned R1-15 and has an existing single-family residence. The proposed project would add a 1,120 square foot attached garage west of the existing residence with a breezeway between the main building. The proposed addition is set back 16 feet from the property line, which requires a Use Permit Standard to reduce the required 20-foot setback by 20 percent. The request includes the following:

ZUP230089 Use Permit Standard to reduce the required street side yard setback from 20’ to 16’.



Property Owner	Dina Arbogast
Applicant	Terry Roach, Design Development
Zoning District	R1-15, Single-Family Residential
Site Area	23,988 s.f.
Building Area	3,776 s.f.
Lot Coverage	20 % (45% max. allowed)
Building Height (proposed garage)	11’ - 6” (30’ max. allowed)
Building Setbacks	35’ front, 15’ side, 16’ street side, 50’ rear (35, 15, 20, 30 min. required)
Vehicle Parking	5 spaces (2 min. required)

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Lucas Jensen, Planner I (480) 350-8023

Department Director: Jeff Tamulevich, Community Development Director

Legal review by: N/A

Prepared by: Lucas Jensen, Planner I

Reviewed by: Michelle Dahlke, Principal Planner

COMMENTS

The Smith Residence is located on the north side of Warner Road, east of Dorsey Lane, and south of Los Arboles Drive. The applicant is requesting a Use Permit Standard to reduce the street side yard setback to construct a 1,120 square foot 3-car garage on the west side of the property.

PUBLIC INPUT

Upon completion of this report staff has not received any public comments or inquiries regarding this request.

USE PERMIT STANDARD

The proposed design requires a Use Permit Standard to decrease the street side yard setback from 20' to 16' within the R1-15 zoning district.

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

1. *Any significant increase in vehicular or pedestrian traffic*; the proposed garage addition is intended for the current residents and not expected to increase pedestrian or vehicular traffic.
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 property is remaining a single-family use and there are no expected nuisances from the garage addition.
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*; the proposed garage addition and setback reduction is not expected to have a negative impact on property values.
4. *Compatibility with existing surrounding structures and uses*; the proposed garage addition is designed to be compatible with the architecture of the existing residence. The 4-foot setback reduction along Dorsey Lane reduces the setback to 16 feet, which is not expected to impact the neighborhood character.
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 single-family use in not expected to create any disruptive behavior and is screened by 6-foot masonry wall and landscaping.

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:

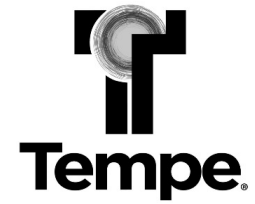
- The use permit approval shall be void if the use is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the use permit is granted or within the time stipulated by the decision-making body.
- The decision-making body, 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.

HISTORY & FACTS:

1986 A single-family home was built.

ZONING AND DEVELOPMENT CODE REFERENCE:

[Section 4-201\(A\), Use Permit Standard](#)



DEVELOPMENT PROJECT FILE

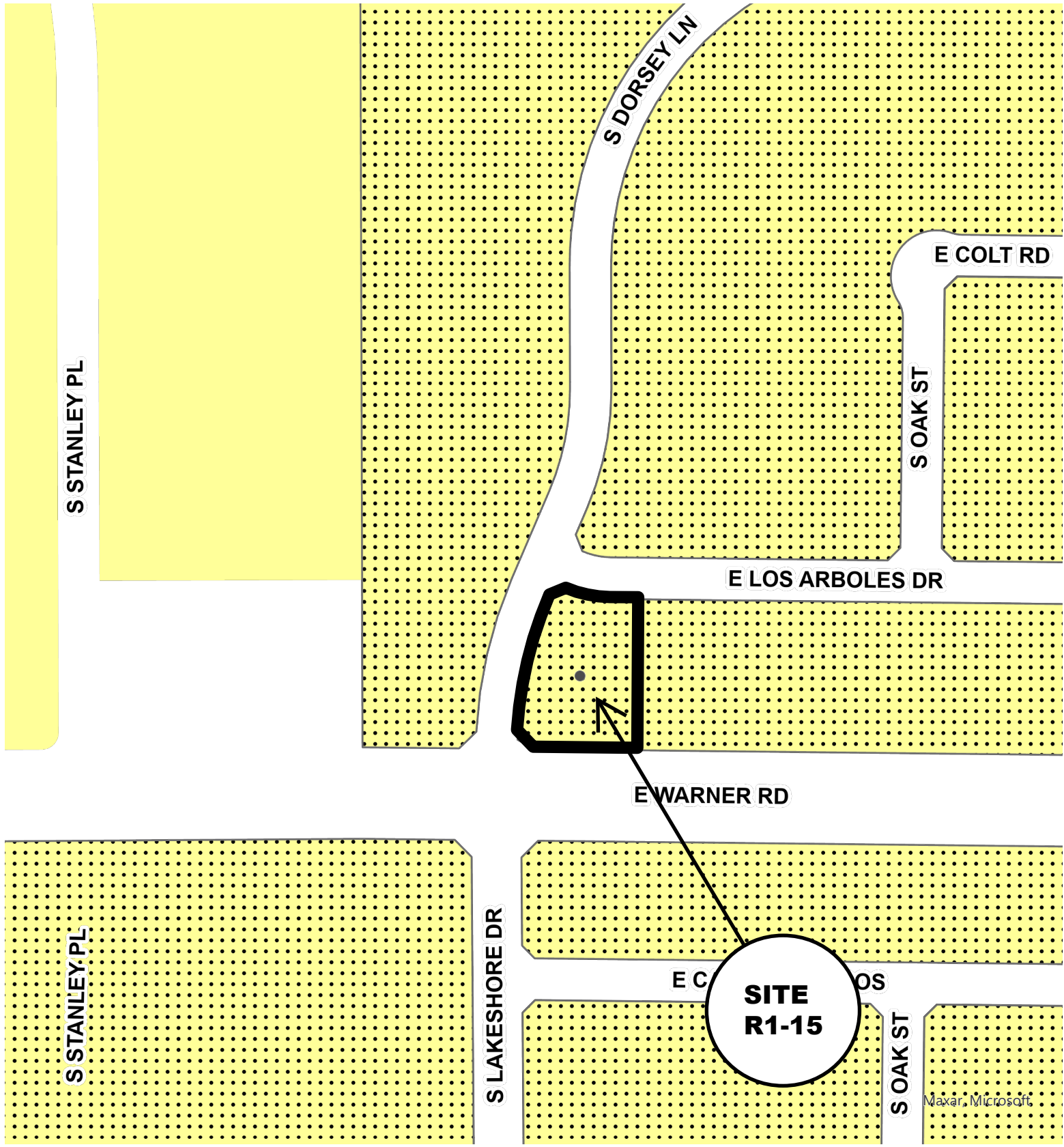
for

SMITH RESIDENCE
(PL230380)

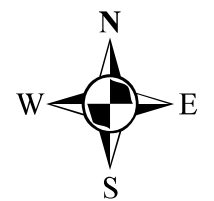
ATTACHMENTS:

1. Location Map
2. Aerial Map
3. Site Photos
4. Applicant's Letter of Explanation
5. Site Plan & Floor Plans
6. Blackline Elevations

SMITH RESIDENCE



- Agricultural (AG)
- Single-Family Residential (R1-15)



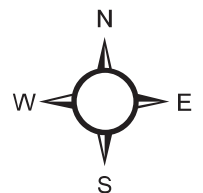


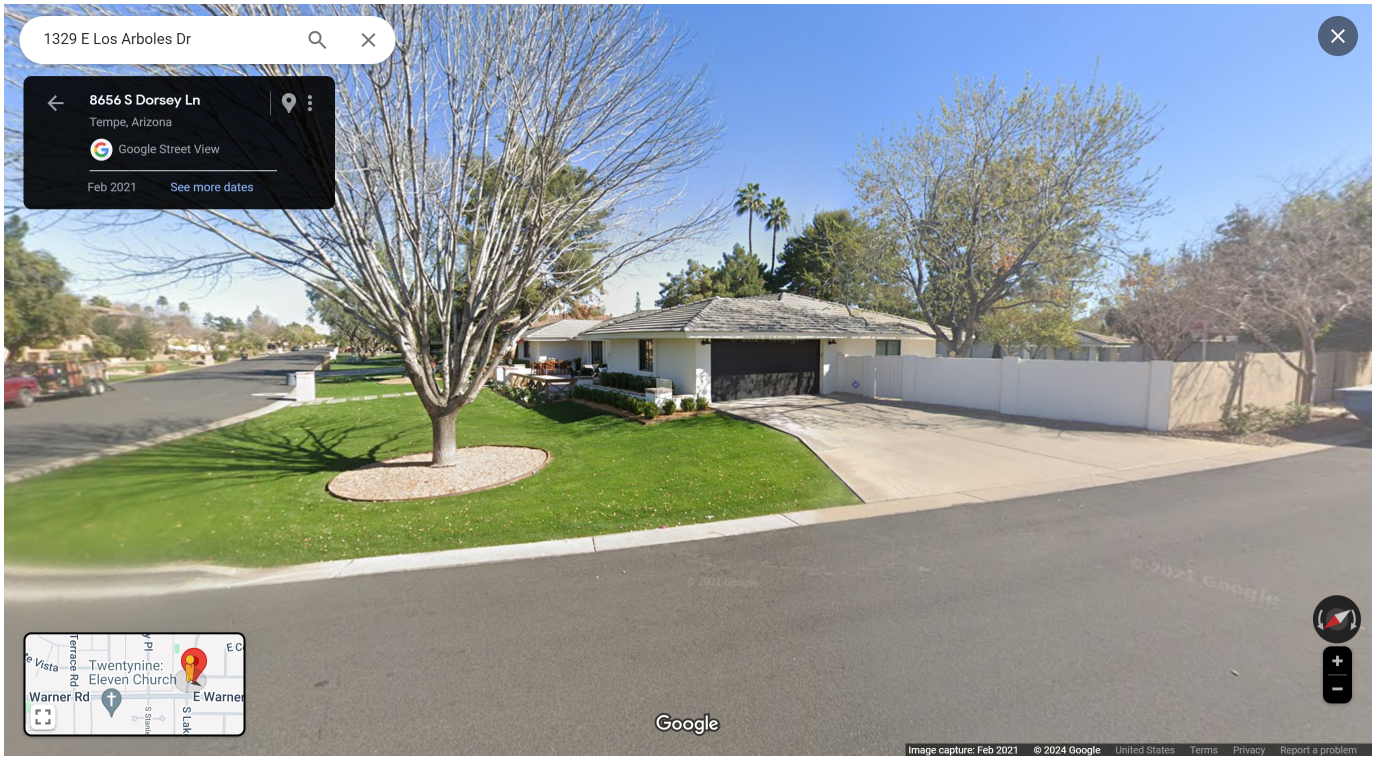
Tempe
PL230380

SMITH RESIDENCE



Aerial Map





CITY OF TEMPE

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION USE PERMIT AND USE PERMIT STANDARD APPLICATION

01.19.2024

TO WHOM IT MAY CONCERN,

PL-PROJECT NO.: PL230380 LETTER OF EXPLANATION

WITH REGARDS TO THE EXISTING SINGLE FAMILY RESIDENCE
LOCATED AT 1329 E. ARBOLES TEMPE, AZ 85284

A NEW PROPOSED GARAGE ADDITION TO BE USED FOR A GROWING FAMILY AND TO BE USED FOR ADDITIONAL PARKING AND REDUCE PARKING CONGESTION. THE NEW ADDITION WILL ENHANCE THE EXISTING COMMUNITY.

CURRENT ZONING IS R1-15 AND QUALIFIES FOR STREET SIDE SET BACK
TO BE REDUCED FROM 20' TO 16'

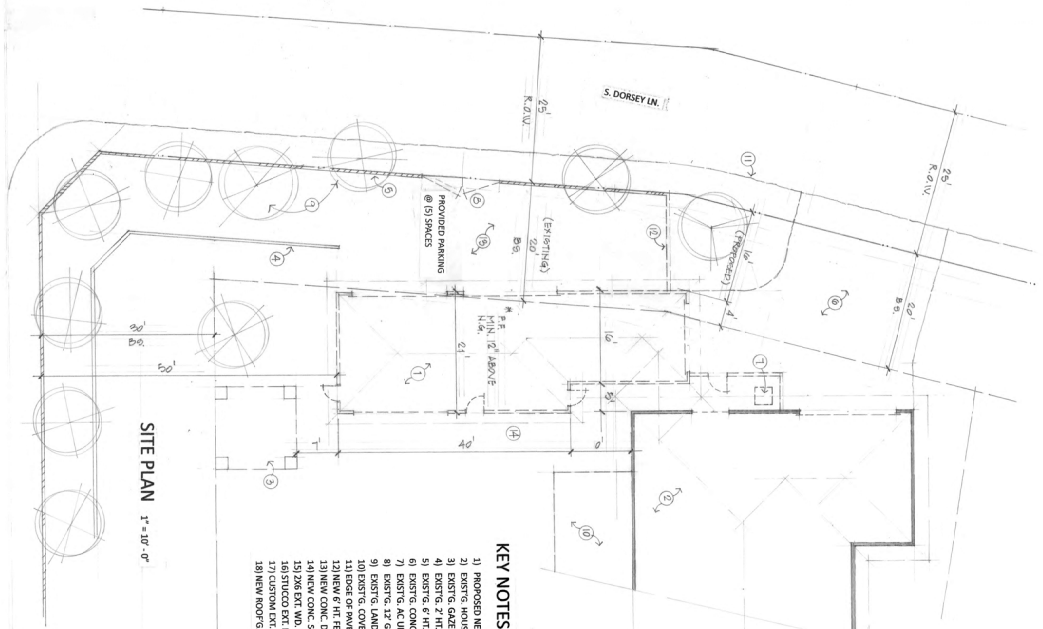
- A.) THE NEW GARAGE ADDITION WILL NOT INCREASE ANYMORE TRAFIC IN THE NEIGHBORHOOD, A 6' HT. MASONRY WALL SEPARATING THE STREET.
- B.) THERE WILL NOT BE ANY TYPE OF NUISANCE ARISING FROM EMISSIONS ODOR, DUST, GAS, NOISE, VIBRATION, SMOKE, HEAT, OR GLARE AT A LEVEL EXCEEDING AMBIENT CONDITIONS.
- C.) THE 5 BDRM. SINGLE FAMILY USE TO REMAIN AND THE NEW ADDITION HAS BEEN DESIGNED TO INHANCE THE NEIGHBORHOODS PROPERTY VALUES.
- D.) THE PROPOSED GARAGE ADDITION HAS BEEN DESIGNED WITH COMPATIBILITY TO KEEP UP TO DATE WITH SIMILAR RESIDENCES IN THE NEIGHBORHOOD.
- E.) THERE IS EXISTING ADEQUATE CONTROL OF ANY DISRUPTIVE BEHAVIOR BOTH INSIDE AND OUTSIDE THE PREMISSES, 6' HT. MASONRY FENCE WALL AND MATURE LANDSCAPING.

NEW TOTAL HEIGHT OF GARAGE UP TO 13', EXISTING 6' HT. MASONRY FENCE WALL ALONG STREET SIDE TO REMAIN, EXISTING TREES AND LANDSCAPING TO REMAIN, NEW GARAGE ADDITION WILL MATCH THE EXISTING BUILDING STYLE & ARCHITECTURE

YOUR CONSIDERATION FOR APPROVAL WILL BE GREATLY APPRECIATED AND WE ARE READY FOR BUILDING SAFETY SUBMITTAL FOR PLANS REVIEW & APPROVALS.

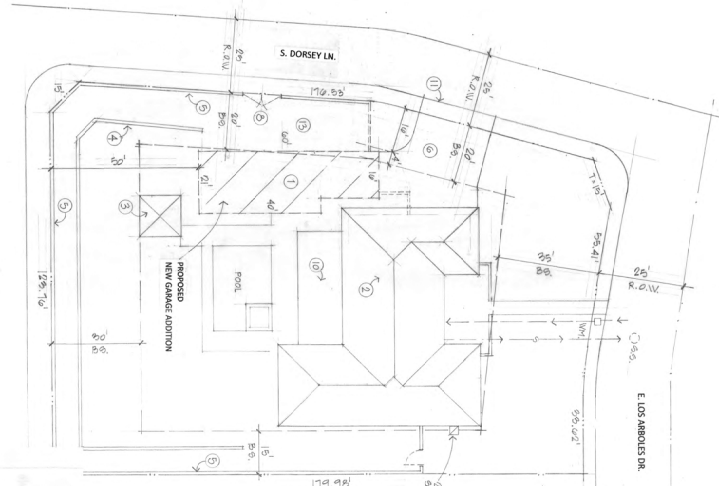
THANK YOU
SINCERELY

DESIGN DEVELOPMENT ASSOCIATES
TERRY ROACH 602-435-3769 / troach2011@live.com



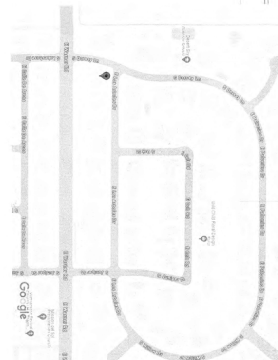
SITE PLAN 1" = 10' - 0"

- KEY NOTES:**
- 1) PROPOSED NEW GARAGE
 - 2) EXIST'G. HOUSE
 - 3) EXIST'G. GARAGE
 - 4) EXIST'G. GARAGE PARTIAL WALL
 - 5) EXIST'G. 6" HT. AND 1/2" THICK WALL
 - 6) EXIST'G. CONC. DRIVEWAY
 - 7) EXIST'G. AC UNIT
 - 8) EXIST'G. 1" GATES
 - 9) EXIST'G. 1" GATES
 - 10) EXIST'G. COVERED PATIO
 - 11) EDGE OF PAVEMENT
 - 12) NEW 6" HT. FENCE WALL
 - 13) NEW CONC. DRIVEWAY
 - 14) NEW CONC. DRIVEWAY
 - 15) 2X8 EXT. W/O. FRAME CONCT.
 - 16) STUCCO EXT. FINISH TO MATCH EXIST'G.
 - 17) CUSTOM EXT. GARAGE DOORS
 - 18) NEW ROOF'G. SYSTEM TO MATCH EXIST'G.



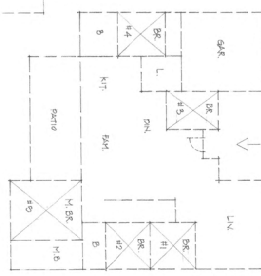
SITE PLAN 1" = 20' - 0"

VICINITY MAP
1329 E. Los Arboles Dr



SITE DATA:

OWNER:
CONSTANTINA ARBORET
1329 E. ARBOLES DR. TEMPE, AZ 85284
LOT#2 WARNER ESTATES
APN# 301-51-1335
ZONING: R1 1S
LOT AREA: 23,988 S.F.
ALLOWABLE LOT COVERAGE: 45% OR 10,794 S.F.
SET BACKS: REAR=30'
FRONT=35' EAST SIDE=15'
STREET SIDE=20'
EXIST'G. LIVABLE: 3,126 S.F.
GARAGE: 480 S.F.
TOTAL EXIST'G. = 3,606 S.F.
NEW GARAGE ADDITION: 1,120
NEW TOTAL LOT COVERAGE: 4,726 S.F. / 23,988 S.F. = 19.90%

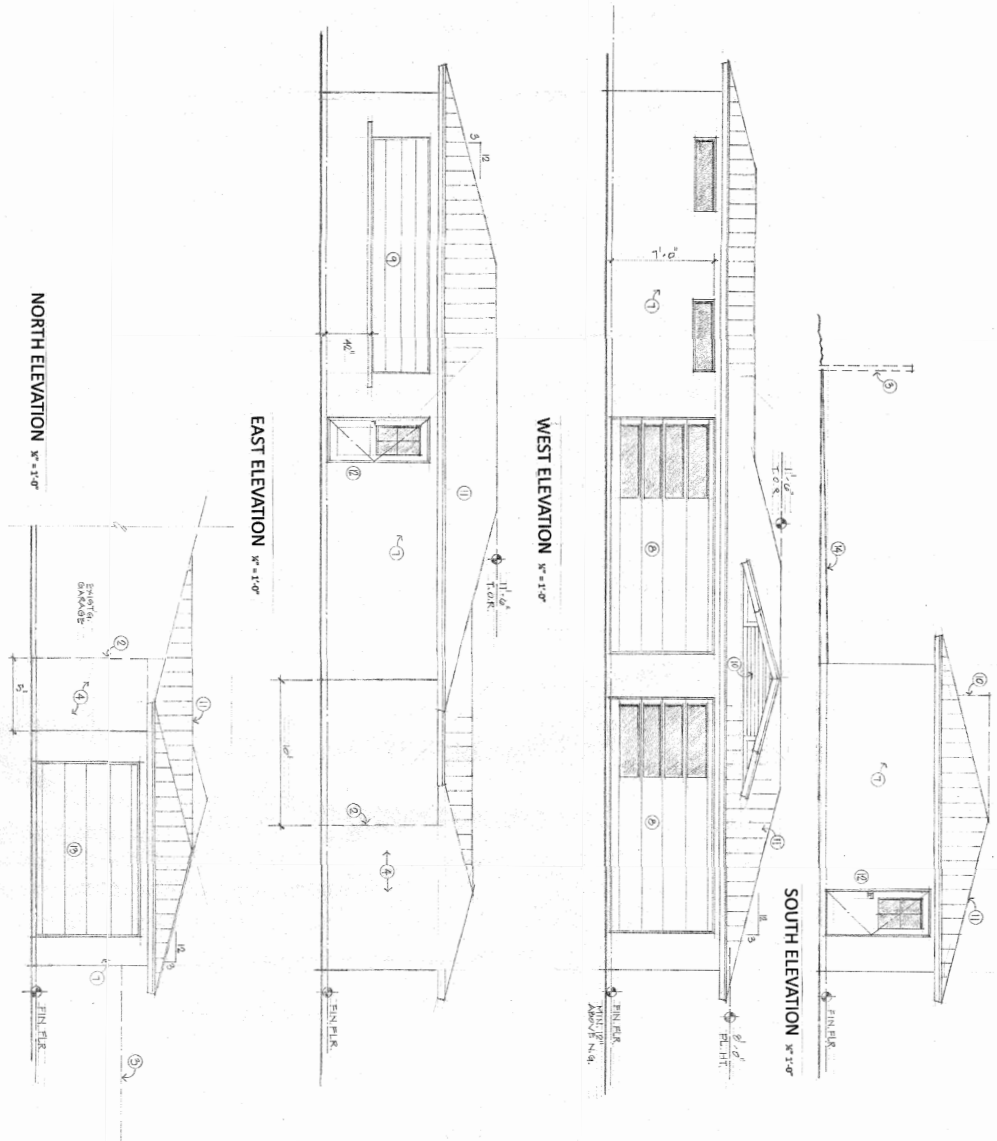


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DESIGN DEVELOPMENT ASSOCIATES

Architectural Planning & Design
Scottsdale Arizona / 602-435-3769 /

A NEW PROPOSED
GARAGE ADDITION LOCATED AT
1329 E. LOS ARBOLES DR. TEMPE AZ 85284

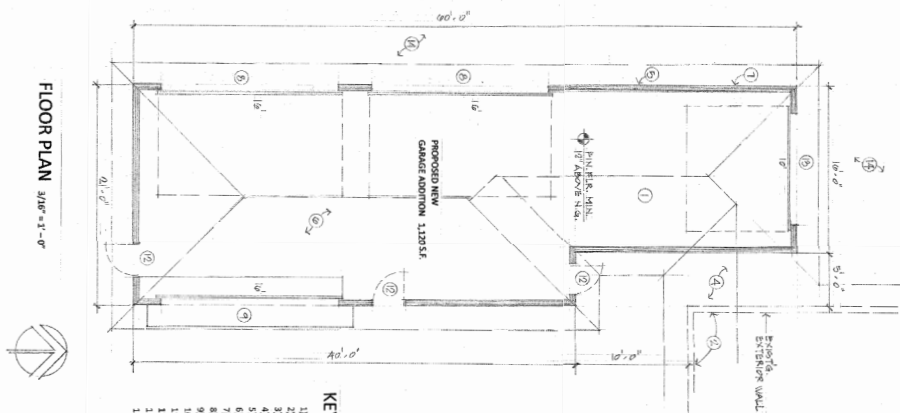


NORTH ELEVATION 1/4" = 1'-0"

EAST ELEVATION 1/4" = 1'-0"

WEST ELEVATION 1/4" = 1'-0"

SOUTH ELEVATION 1/4" = 1'-0"



FLOOR PLAN 1/8" = 1'-0"

KEY NOTES:

- 1) PROPOSED NEW GARAGE
- 2) EXIST'G HOUSE
- 3) EXIST'G 6" FT. MASONRY FINITE WALL
- 4) BRICKWORK TO MATCH EXIST'G
- 5) NEW 4" CONC. SLAB ON 4" FINE FILL
- 6) STUCCO ETC. FINISH TO MATCH EXIST'G
- 7) 3/4" CUSTOM GARAGE DOORS
- 8) 3/4" CUSTOM GARAGE DOORS
- 9) CENTRAL PASTRY TRIM ROLLUP DOOR
- 10) NEW ROOFING SYSTEM TO MATCH EXIST'G
- 11) 3/4" CONC. DRIVEWAY
- 12) 3/4" CONC. DRIVEWAY
- 13) 3/4" CONC. DRIVEWAY
- 14) 4" CONC. DRIVEWAY

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