

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 05/28/2024
Agenda Item: 3**

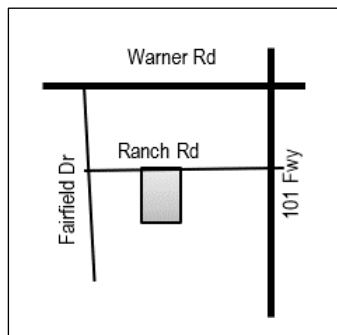
ACTION: Request a Use Permit to allow a second-story addition for **MCKENZIE RESIDENCE**, located at 2069 East Ranch Road. The applicant is Gayle McKenzie.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: **MCKENZIE RESIDENCE** (PL240089) is a single-family home within the Circle G Ranches 4, Unit 1, Subdivision, and is zoned AG, Agricultural zoning district. The request includes the following:

ZUP2400277 Use Permit to allow a second-story addition for an existing single-family residence.



Property Owner	MCKENZIE GAROLD D/ GAYLE R TR
Applicant	Gayle McKenzie
Zoning District	AG
Site Area	32,160 s.f.
Building Area	2,019 s.f. (detached storage, garage, and carport)
Lot Coverage	13% (25% max. allowed)
Building Height	16'-8" (30' max. allowed)
Building Setbacks	30' west side, 62' east side, 52' rear (20', 20', 35' min. required)
Vehicle Parking	3 spaces (2 min. required)

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Lily Drosos, Planner II (480) 350-8245

Department Director: Jeff Tamulevich, Community Development Director
 Legal review by: N/A
 Prepared by: Lily Drosos, Planner II
 Reviewed by: Michelle Dahlke, Principal Planner

COMMENTS

This property is located on Lot 10 of the Circle G Ranches 4, Unit 1 subdivision on the south side of Warner Road, to the east of McClintock Drive, and to the west of the Loop 101 Freeway. Building permits and a Certificate of Occupancy (BP201923) were issued by the City in 2020 for a detached garage, carport and storage area on the property. Subsequently, the applicant converted the rooftop of the carport to a patio deck and added both a 2-foot tall railing with wire mesh to the top of the carport roof area and a spiral staircase on the east side of the building. The applicant has indicated that they did not seek approval from the City to convert the rooftop of the carport to a patio deck.

The Architectural Control Committee of the Circle G Ranches 4 Homeowner's Association voted on April 15, 2024 to deny the applicant's request to repurpose the rooftop as a deck. At the time, the applicant had not obtained Use Permit approval for the second-story or building permits. This Use Permit application was filed in March, before the Architectural Control Committee's decision of denial. Note that the City is not obligated or authorized to enforce the covenants, conditions and restrictions of a homeowner's association. It is a property owner's responsibility to ensure compliance with any applicable homeowner's association rules and regulations.

PUBLIC INPUT

Since the writing of this report, staff has received one email inquiry from the Circle G Ranches 4 Homeowner's Association which expressed the Architectural Control Committee's denial (see attachments). Staff also received one call from a neighbor concerning privacy.

USE PERMIT

The proposed use requires a Use Permit to allow a second-story addition within the AG zoning district. [Section 3-420, Single-Family Residential Second Story Addition, Rebuild](#), has provisions that require a Use Permit for a second-story viewing deck.

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

1. *Any significant increase in vehicular or pedestrian traffic*; the home will remain a single-family residence with no expected increase in traffic, and the site is adequately parked.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions*; a Use Permit for a second-story deck is not expected to create nuisances at a level exceeding that of ambient conditions.
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*; ZDC Section 3-420 allows a second-story viewing deck subject to a Use Permit, therefore there is no expected contribution of deterioration of the neighborhood and property values.
4. *Compatibility with existing surrounding structures and uses*; the use is compatible with existing surrounding structures and uses, as there are other homes in the neighborhood that have a second-story.
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 use is intended for the single-family residence, therefore no nuisances are anticipated.

Section 3-420(C) Additional approval criteria for Use Permit for a second-story addition (*in italics*):

1. *The proposed second story is designed to be compatible with the architecture of the residence and compatible with the surrounding neighborhood*; the existing building footprint will remain the same, and the rustic finish of the railing and staircase addition is compatible with the design of the existing driveway gates.
2. *There are design considerations for privacy to adjacent properties and protection of existing solar appurtenances on adjacent lots*; the second-story deck would not invade the privacy of the property to the west, as there are trees located along the west property line. On the east side, the building is set back 62 feet from the property line. The structure is set back 51' from the rear property line.

3. *There is sufficient parking on site and on the street frontage to accommodate guests. Addition shall be required to meet current single-family parking standards pursuant to section 4-603, parking ratios; the site shall be adequately parked with three parking spaces; two in the garage and one in the carport.*

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.

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.
- All required Federal, State, County, and Municipal permits, licenses, and clearances shall be obtained, or the Use Permit is void.

SIGNS: Separate plan review process is required for signs in accordance with requirements of ZDC Part 4 Chapter 9 (Signs). Refer to www.tempe.gov/signs.

POLICE DEPARTMENT SECURITY REQUIREMENTS:

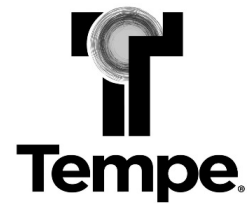
- If the development includes a use listed in [City Code Section 26-70\(c\)](#), the Owner is required to prepare a security plan with the Police Department. The architect should be involved to verify any modification that would require design revisions. To avoid revisions to permitted construction documents, initial meetings with the Police Department regarding the security plan are recommended before building permits are issued. At a minimum, the Owner shall contact the Police Department to begin security plan process approximately eight weeks prior to receipt of certificate of occupancy.

HISTORY & FACTS:

- May 15, 1979 A building permit was issued for a single-family residence located at 2069 East Ranch Road.
- January 9, 2021 A building permit was issued for a new detached garage, carport and storage area for a single-family residence located at 2069 East Ranch Road.
- April 26, 2022 A Final Certificate of Occupancy was issued for a new garage and storage area for the single-family residence located at 2069 East Ranch Road.
- March 6, 2024 The applicant filed a Use Permit application for a second-story addition.
- April 15, 2024 The Architectural Control Committee of Circle G Ranches Unit 4 Homeowner's Association denied the applicant's request to repurpose the rooftop as a viewing deck.
- May 28, 2024 This request is scheduled to be heard by the Development Review Commission.

ZONING AND DEVELOPMENT CODE REFERENCE:

- [Section 3-420, Single-Family Residential Second Story Addition or Rebuild](#)
[Section 4-202, Development Standards for Residential Districts](#)
[Section 6-308, Use Permit](#)



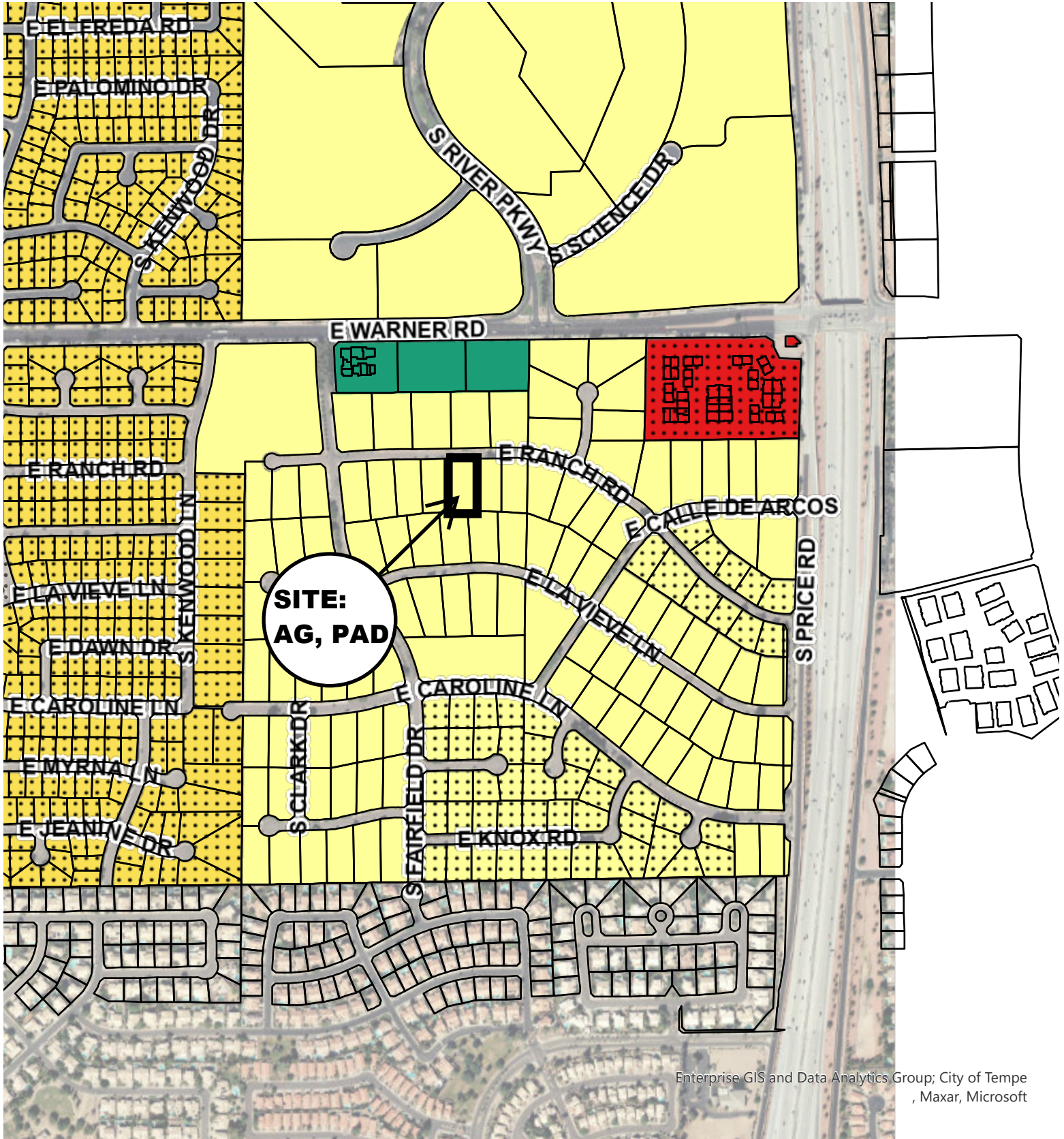
DEVELOPMENT PROJECT FILE
for
MCKENZIE RESIDENCE
(PL240089)

ATTACHMENTS:

1. Zoning Map
2. Aerial Map
- 3-4. Letter of Explanation
5. Site Plan
6. Elevations
7. Electrical Floor Plan
- 8-16. Site Context Photos
17. Circle G Ranches 4 HOA Denial Letter (for reference)

MCKENZIE RESIDENCE

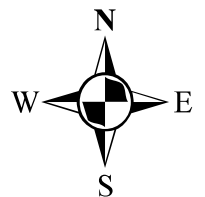
PL240089



Enterprise GIS and Data Analytics Group; City of Tempe
 , Maxar, Microsoft

- Planned Commercial Center Neighborhood (PCC-1)
- Residential/Office (RO)
- Agricultural (AG)
- Single-Family Residential (R1-15)
- Single-Family Residential (R1-7)

ATTACHMENT 1





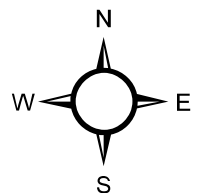
Tempe
PL240089

MCKENZIE RESIDENCE



Enterprise GIS and Data Analytics Group; City of Tempe
Maxar, Microsoft

Aerial Map



McKenzie Residence Use Permit Letter of Explanation

During 2020 and 2021, we did a major renovation to our residence in South Tempe. Included in that renovation was the addition of a carport and additional garage, to an existing garage. The carport has a flat roof with post supports. All improvements to this building were inspected and approved by the City of Tempe. At the time, we contemplated making the rooftop a deck as well but did not seek approval for that at the time. It was however, structurally designed and built to support being a deck. We since decided to complete that step and have added railing and a spiral staircase to access the deck. We are now being asked by our HOA to obtain City approval.

There are no changes to the footprint of the building, only the addition of a spiral staircase and metal decorative railing at the top. We do not believe it to be detrimental to our neighbors:

- a. No additional vehicular or pedestrian traffic as this is our private home and there is no direct access from the street or the bridal path behind the home.
- b. No nuisance arising from the emissions of light, odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions. There are very dim lights on the inside of the railing, which are not visible from ground level.
- c. No deterioration of the neighborhood property values as there are other homes in the neighborhood with flat roof carports and others with second story balconies off of the home.
- d. The decorative railing is compatible and complimentary to the other railings and fencings on the home which were approved by the HOA. There are also similar railings on neighboring homes. The spiral staircase is not visible from the street or bridle path.
- e. There will be control of any disruptive behavior as this is a private residence.

McKenzie Residence Use Permit Additional Information:

To clarify, the only physical changes made to the property are the addition of a spiral staircase and railing around the top of the carport. I did not provide a floorplan for the deck area as there is none. No furniture, no rooms – just an open area. The only time we access this deck is to occasionally view a beautiful Arizona sunset.

One of your comments is that this is unpermitted construction. The building itself was approved and permitted, but not as a deck. It is my understanding that the structure built so that it could function as a deck in the future.

ZDC 3-420 C

1. Second story deck is on the roof of an existing carport, which is compatible with the architecture of the residence and other homes in our neighborhood. The flat roof carport was approved by the City of Tempe in 2020.
2. There are trees that block the view to adjacent properties. We have also planted an additional tree along our back fence to aid with screening.
3. The home has 4 bedrooms. The carport and garages at the back provide 3 covered parking spaces and there is additional parking available in the driveway. All structures are well within the setbacks for the lot.

I have attached revised pages as requested. Thank you for your time.

4/15/2024

Gayle McKenzie

Homeowner

Please upload revisions to the portal by Tuesday, May 7th at noon in order to be placed on the May 28th DRC agenda.

Property Information
 Project Type: Remodel & Garage Addition
 Owners: GAROLD D MCKENZIE
 Site Address: 2069 E RANCH RD TEMPE AZ 85284
 Legal Description: LOT 10, CIRCLE G RANCHES, 4 UNIT 1 LOT 1-85 PER BOOK 205 OF MAP'S PAGE 19, MCR
 Assessor Parcel Number: 301-63-025
 Zoning: AG
 CODES:
 2018 IBC WITH AMENDMENTS
 2018 IRC WITH AMENDMENTS
 2018 IPC WITH AMENDMENTS
 2018 IMC WITH AMENDMENTS
 2018 IECC WITH AMENDMENTS
 2018 FGC WITH AMENDMENTS
 2017 NEC WITH AMENDMENTS
 2018 IEBC WITH AMENDMENTS

SHEET INDEX	
ID	Name
G1	COVER SHEET
AS1	SITE PLAN
A1	FOUNDATION PLAN
A2	FLOOR PLAN
A3	ROOF FRAMING PLAN
A4	SECTIONS
A5	ELEVATIONS
A6	ELECTRICAL PLAN
SD1	DETAILS
A8	FOUNDATION PLAN
A9	FLOOR PLAN
A10	ROOF FRAMING PLAN
A11	SHRINK WALL PLAN
A12	SECTIONS
A13	ELEVATIONS
A14	ELECTRICAL & PLUMBING
SD2	DETAILS

Greens Home Design L.L.C.
 Architectural Drafting Service
 13821 S. 204th Ave., Buckeye, AZ 85326
 PH: (602) 326-4061

PROJECT: McKenzie
 LOCATION: TEMPE, AZ
 SHEET CONTENT: SITE PLAN

PROJECT NO.:
 DRAWN BY: LOREN GREEN
 DATE: 11/6/2020
 REVISIONS:
 Rev. DATE
 1
 2
 3
 4

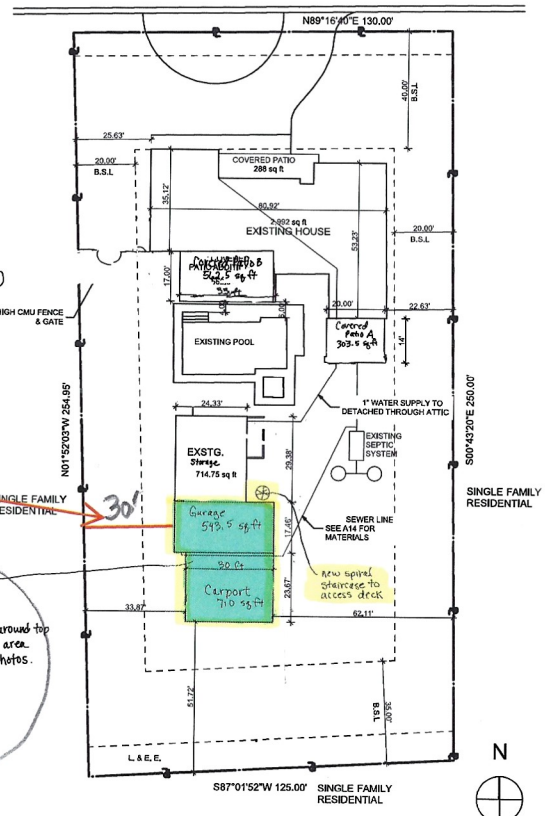
SHEET
AS1

The only change to the property since the city's last approval in 2011 is the addition of the spiral staircase and railing on top of the garage/carport area highlighted here.

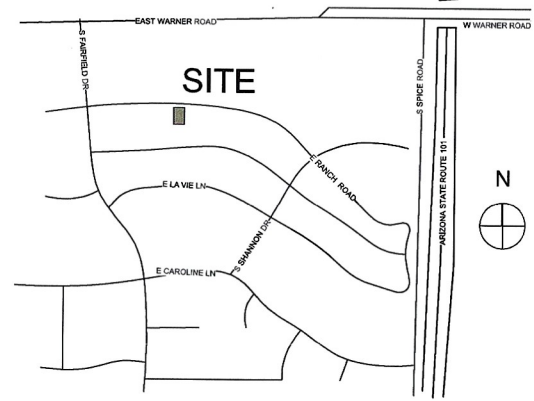
Provide missing dimension from the property line to the building

Carport depth = 30'
 Overall bldg. length = 70.51' including garage + carport.
 Garage 35' x 17.46'

New Deck on top of existing carport and garage.
 New 2-ft high railing around top perimeter of this area as shown in photos.



Lot Area			32,160 SF
Parking Spaces - 3			
EXISTING HOUSE			2,992 SF
EXSTG. COVERED PORCH			288 SF
EXSTG. Storage (DETACHED)			715 SF
EXSTG. GARAGE (DETACHED)			594 SF
EXSTG. COVERED PATIO A			563 SF
EXSTG. COVERED PATIO B			304 SF
EXSTG. CARPORT			710 SF
New Deck Above Carport			130 SF
TOTAL		4,466 SF	7470 SF
Enclosed areas		4301 SF	137
Total Lot Coverage	32,160 / 6.166	4301 SF	137



2 SITE PLAN
 SCALE: 1" = 20'

1 LOCATION PLAN
 NOT TO SCALE

Materials for railing -
 see McKenzie ABE
 Ironworks Specs

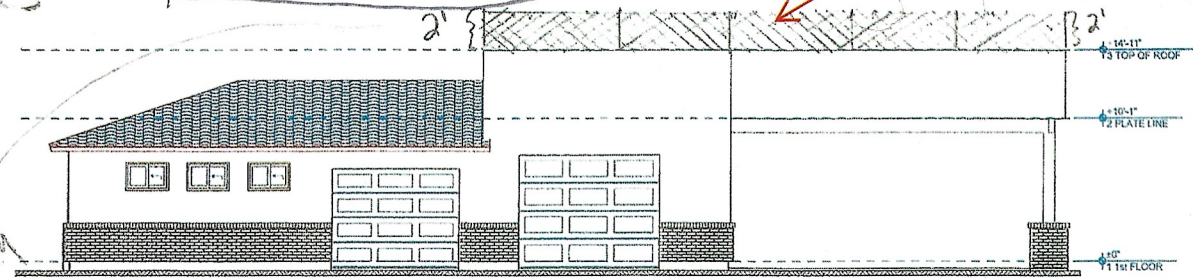
1 1/2" metal frame
 2" diagonal wire mesh
 Rustic finish

Identify the material
 of the railing

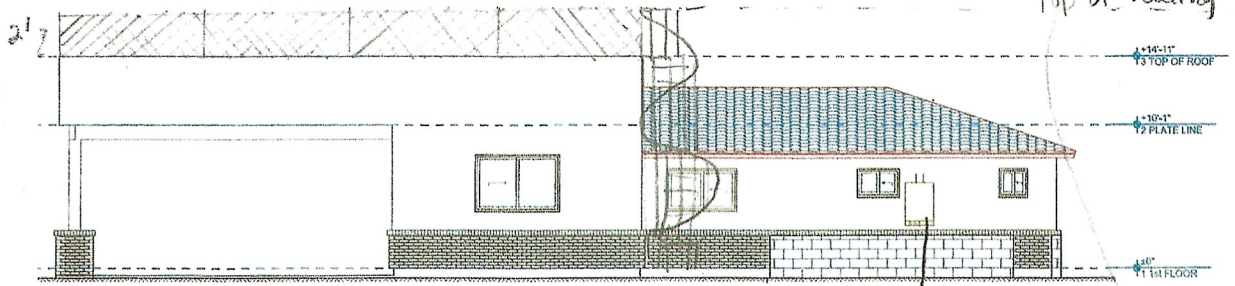
Dimension the depth of the
 carport, overall bldg length, and
 garage

only change
 made was
 the addition
 of railings
 + spiral
 staircase.

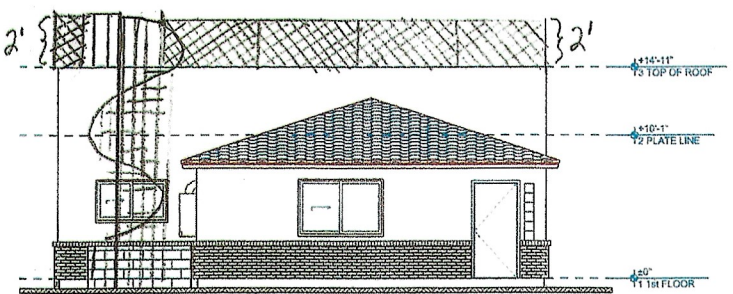
about 16' from
 the railing



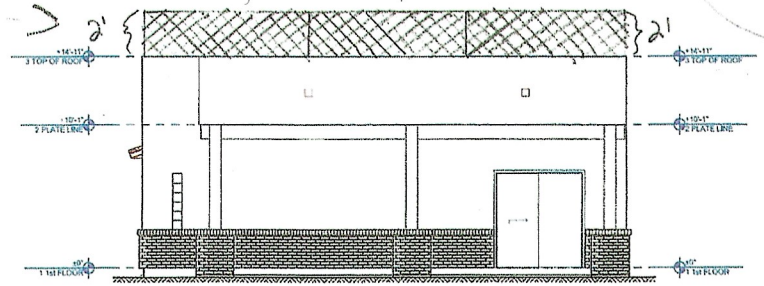
1 WEST ELEVATION
 SCALE 1/4" = 1'-0"



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



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



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

top of railing 16'8"

to driveway level

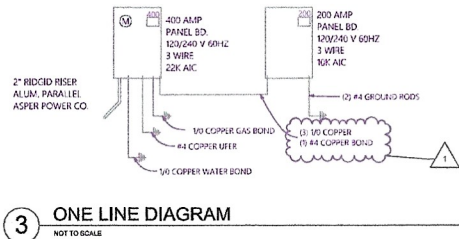


Greens Home Design L.L.C.
 Architectural Drafting Service
 1821 S. 204th Ave., Buckeye, AZ 85326
 PH: (602) 336-4051

PROJECT: McKenzie
 LOCATION: TEMPE, AZ
 SHEET CONTEXT: ELEVATIONS

PROJECT NO.
 DRAWN BY: LOREN GREEN
 DATE: 1/18/2020
 PLANS

A13



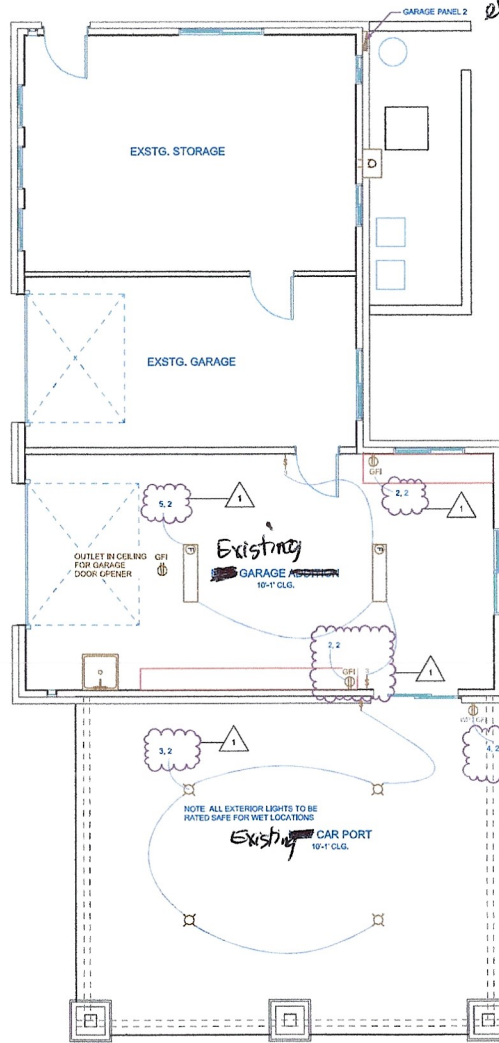
3 ONE LINE DIAGRAM
NOT TO SCALE

Panel Name:		GARAGE 2		Panel Amperage:		200	
Voltage & Phase:		120/240-1Ø		Panel A.I.C. Rating:		1Ø/AC	
Mounting:	Flush	Other:	MCB /	Brk	Description		
POOL PUMP	2011	1	A	2	2011	RECEPTACLES	
LIGHTING	1511	3	B	4	2011	RECEPTACLES	
LIGHTING	1511	5	A	6	502	POOL HEATER	
		7	B	8	---		
		9	A	10			
		11	B	12			
		13	A	14			
		15	B	16			
		17	A	18			
		19	B	20			
		21	A	22			
		23	B	24			

2 PLUMBING ISO
SCALE: 1/4" = 1'-0"

SUPPLY TO BE PER
DRAWING & WASTE TO BE ABS SCH 40

no floor plan
necessary for
deck - no
furniture
or rooms.



1 ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

ELECTRICAL LEGEND

	TELEVISION(COXIAL), PHONE CAT 5 & WIRE
	CEILING FAN
	EXHAUST FAN
	FLUORESCENT LIGHTS
	SMOKE & CARBON MONOXIDE DETECTORS
	SMOKE DETECTOR
	110 V OUTLET
	220 V OUTLET
	SWITCH, 3-WAY SWITCH
	RECESS CAN LIGHT
	CEILING MOUNTED LIGHT
	WALL MOUNTED LIGHT
	DISCONNECT BOX
	SUPPLY AIR VENT
	RETURN AIR VENT

NOTES:

- TWO OR MORE 20 AMP SMALL APPLIANCE CIRCUITS SHALL BE PROVIDED TO SERVE THE KITCHEN BREAKFAST NOOK AND DINING ROOM. SMOCK CIRCUITS SHOULD HAVE NO OTHER OUTLETS
- ONE OR MORE 20 AMP BRANCH CIRCUITS SHALL BE INSTALLED TO SERVE THE LAUNDRY ROOM AND THE CIRCUIT SHALL HAVE NO OTHER OUTLETS
- OUTLET BOXES IN THE WALLS BETWEEN THE GARAGE AND DWELLING SHALL BE METAL OR UL APPROVED FIRE RESISTANCE PLASTIC. BOXES IN THE GARAGE CEILING SHALL BE METAL
- LIGHT FIXTURES IN CLOSETS MUST MAINTAIN 18" CLEARANCE FROM SHELVES TO INDICATE THE FIXTURE AND 4" CLEARANCE FOR RECESSED AND FLUORESCENT FIXTURES
- INCANDESCENT FIXTURES WITH OPEN OR PARTIAL VENTILATED LAMP, PENDANT FIXTURES, LAMP HOLDERS, ARE NOT PERMITTED IN CLOSETS
- RECEPTACLES MUST BE PROVIDED IN HALLWAYS 15' OR MORE IN LENGTH
- AT KITCHEN COUNTER LOCATE RECEPTACLES 48" O.C. MAX. ANY POINT ALONG COUNTER TOP SPACE SHALL BE LOCATED WITHIN 24" MEASURED HORIZONTALLY FROM RECEPTACLE
- RECEPTACLES WITHIN SIX FEET OF ANY SINK, WASH BASIN, TUB OR SHOWER MUST BE GFCI PROTECTED, 2011 NEC 210.8
- ISLAND OR PENINSULA COUNTERTOPS 12' OR WIDER SHALL HAVE AT LEAST ONE RECEPTACLE FOR EACH 48" OF COUNTERTOP
- SMOKE DETECTORS TO BE PERMANENTLY WIRED AND INTERCONNECTED AND BACKED UP WITH BATTERY
- PROVIDE G.F.C.I. OUTLET FOR WHIRLPOOL TUB PUMP AS PER N.E.C. SEC. 680-72.73
- BOXES FOR CEILING FANS TO BE ALL LISTED FOR FAN MOUNTING
- ALL WORKMANSHIP AND MATERIALS TO CONFORM WITH THE N.E.C. 2011 ED.
- PROVIDE 20 LINEAR FEET OF COPPER WIRE AT FOOTING FOR UPFEAR
- ALL EXTERIOR OUTLETS, BATHROOM OUTLETS, AND GARAGE OUTLETS SHALL BE EQUIPPED WITH G.F.C.I., EXTERIOR OUTLETS TO BE WEATHER PROOF
- ALL BRANCH CIRCUITS THAT SUPPLY 120 VOLT SINGLE PHASE, 15 AND 20 AMP RECEPTACLE OUTLETS INSTALLED IN FAMILY ROOMS, DINING ROOM, LIVING ROOMS, PARLORS, LIBRARIES, DEN, BEDROOMS, SUN ROOMS, RECREATION ROOMS, CLOSETS, HALLWAYS, AND SIMILAR ROOMS SHALL BE PROTECTED BY A COMBINATION TYPE AIR-CIRCUIT INTERRUPTOR TO PROVIDE PROTECTION TO THE BRANCH CIRCUIT
- GFI PROTECTION FOR PERSONNEL SHALL COMPLY WITH 2011 NEC SEC. 210-9 FOR ALL OCCUPANCIES
- ONE 20 AMP BRANCH CIRCUIT SHALL BE INSTALLED TO SERVE THE REFRIGERATOR AND THIS CIRCUIT SHALL HAVE NO OTHER OUTLETS
- 75% OF ALL NEW BULBS TO BE HIGH EFFICACY BULBS
- ALL EXTERIOR FIXTURES TO BE WEATHER PROOF/WATERPROOF
- NO ALUMINUM ELECTRICAL CONDUCTORS OR COPPER CLAD ALUMINUM WIRES ARE PERMITTED ON 120V CIRCUITS
- ALL 110V 15 AND 20 AMP RECEPTACLES TO BE TAMPER RESISTANT

MECHANICAL NOTES:

- HEAT PUMPS, AIR HANDLERS, SUPPLY DUCTS, CEILING DIFFUSERS, REGISTER, AND AIR RETURNS TO BE SIZED BY MECHANICAL SUBCONTRACTOR.
- HEATING TO PROVIDE A MIN. OF "10-F" AT 3'-0" ABOVE FINISH FLOOR.
- DRYER VENT
 - MOISTURE EXHAUST DUST MUST TERMINATE ON THE OUTSIDE OF THE BUILDING
 - DUCT MUST NOT EXCEED TOTAL COMBINED HORIZONTAL AND VERTICAL LENGTH OF 30'-0" MAXIMUM LENGTH TO BE REDUCED FOR FITTINGS PER MIS2.A.1.1
 - DUCT MUST BE A MINIMUM OF 4" IN DIAMETER OF SMOOTH INTERIOR FINISH.
- MECHANICAL VENTILATION SYSTEMS MUST BE CONNECTED DIRECTLY TO THE OUTSIDE AND CAPABLE OF PROVIDING 5 AIR CHANGES PER HOUR.
- ALL WORKMANSHIP AND MATERIALS TO CONFORM WITH THE U.M.C. 2012 ED.
- AL DUCT WORK TO BE RIGID METAL & FLEX.

WIRE SIZES

VOLT	AMP	WIRE
220	60	#6
220	30	#8
220	20	#10
110	20	#12
110	15	#14



Greens Home Design L.L.C.
Architectural Drafting Service
13621 S. 204th Ave., Buckeye, AZ 85326
PH: (602) 326-1081

ATTACHMENT 7
PROJECT: McKenzie
LOCATION: TEMPE, AZ
SHEET CONTENT: ELECTRICAL & PLUMBING

PROJECT NO:

REV.	DATE
1	
2	
3	
4	

DESIGNER:
A14

















The structure features a white stucco upper level with a metal mesh railing. The lower level is an open-air space supported by four wooden posts, each resting on a stone base. Inside the lower level, there is a green riding lawn mower, a utility vehicle, and a trailer. A large grey metal cabinet is positioned on the left side of the lower level. The structure is surrounded by trees and a clear blue sky.

A large, mature pine tree with dense green needles, standing to the left of the structure. Its trunk is thick and textured, and its branches spread out against the blue sky.

A large, mature tree with bright green, feathery foliage, standing to the right of the structure. Its canopy is full and vibrant, contrasting with the clear blue sky.

A portion of a neighboring house with a tiled roof and a covered patio area, visible in the background on the left side of the image.

A portion of a neighboring house with a tiled roof and a covered patio area, visible in the background on the right side of the image.



CIRCLE G RANCHES 4
c/o VISION Community Management
16625 S. Desert Foothills Parkway
Phoenix, AZ 85048
phone: 480-759-4945 fax: 480-759-8683
circlegranches4@wearevision.com

April 15, 2024

APPLICATION DENIED

GAROLD D AND GAYLE R MCKENZIE
2069 E RANCH RD
TEMPE, AZ 85284

Circle G Ranches 4 Lot #: 10 / 2069 E Ranch Rd / Tempe, AZ 85284

Dear Garold D and Gayle R McKenzie,

Please be advised that the Architectural Control Committee of Circle G Ranches 4 HOA has met and voted unanimously that the repurposing of your roof as a rooftop deck and the addition of railing and fencing to enclose the entirety of a section of your flat roof are not harmonious or consistent with the architecture of your single story home, are visible from the street and visible to all adjacent neighbors and significantly reduces the privacy due to adjacent homeowners and thereby reduces their home values.

You were notified in the Fall of 2023 by the ACC and Vision that this structure and change of use was not submitted nor approved by the ACC. You have met with the ACC in late 2023, but unfortunately you still did not submit any plan for approval. You have been receiving violations and fines for several months now for an unapproved addition/project.

The ACC wants to make it clear that a rooftop deck will not be approved. The railing and metal staircase must be immediately removed. The ACC has made its final decision.

Please advise Vision of the date by which the railing and staircase will be removed. If these unapproved items are expeditiously removed, the ACC will recommend to the Board to remove all violations.

Sincerely,

Circle G Ranches 4 Architectural Control Committee.