



**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 08/13/2024
Agenda Item: 4**

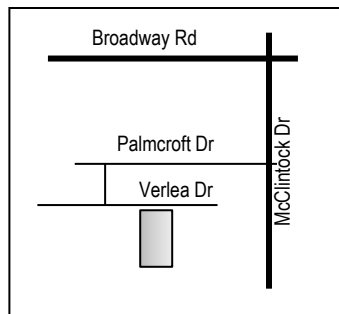
ACTION: Request a Use Permit to allow two (2) required parking spaces in the required front yard building setback for **VERLEA PROJECT** located at 1633 East Verlea Drive. The applicant is Kaycia Rajala.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: **VERLEA PROJECT** (PL240200) is a single-family home in the R1-6, Single-Family Residential Zoning District. A Use Permit is required to allow required parking spaces in the front yard building setback as a result of the garage being converted to a bedroom without the required building permits. The request includes the following:

ZUP240054 Use Permit to allow parking in the front yard building setback



Property Owner	Kaycia Rajala
Applicant	Kaycia Rajala
Zoning District	R1-6
Site Area	7,353 s.f.
Building Area	2,476 s.f.
Lot Coverage	34% (45% max. allowed)
Vehicle Parking	2 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 site is located on Lot 811 in the Hughes Acres Unit 7 subdivision which is situated south of Broadway Road and west of McClintock Road. The subject property is registered as a rental and the applicant has indicated that all the bedrooms on the property are leased. The applicant is requesting a Use Permit to allow two (2) required parking spaces to be located in the 20-foot front yard building setback as a result of the conversion of the garage by the previous property owner to create a fifth bedroom. The previous property owner did not obtain a building permit for the garage conversion before the conversion was completed.

In 1984, building permits were issued for an addition to the rear of the building which is labeled as a dining room in the current plans. Due to the size of the wall opening into the dining room, this addition is classified as a bedroom, bringing the total number of bedrooms in the home to six (6) and the required number of parking spaces to three (3). The site cannot accommodate three (3) parking spaces in the front yard building setback without violating City Code requirements. The applicant has modified the floor plans to show a proposed six (6) foot opening to the dining room which would remove the bedroom classification and would bring the bedroom total to five (5). Conditions of approval are included to reflect the proposed work that must be completed at the building permit stage in order for this Use Permit to be valid.

PUBLIC INPUT

There has been one (1) call of concern regarding neighborhood character and illegal parking for this project.

POLICE INPUT

There has been one (1) call for service from the Tempe Police Department in March 2024 involving a vehicle parked on the sidewalk. When Tempe Police visited the property, they did not issue any citations.

USE PERMIT

The proposed design requires a Use Permit to allow two (2) required parking spaces in the front yard building setback within the R1-6, Single-Family Residential zoning district.

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

1. *Any significant increase in vehicular or pedestrian traffic*; it is not anticipated that providing the two (2) required parking spaces within the front yard building setback will significantly increase vehicular or pedestrian traffic. The applicant has indicated that all five (5) bedrooms have been leased and if each tenant owns a vehicle, parking for three of the vehicles will need to be accommodated by on-street parking. This scenario would be the same if the house accommodated a family with five (5) vehicles.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions*; parking two (2) vehicles in the driveway is not expected to create a nuisance exceeding that of ambient conditions. The property owner will be responsible for monitoring the number of vehicles associated with the tenants of the home to ensure sufficient parking is provided for tenants and that any on-street parking of tenant vehicles conforms to City Code requirements related to parking on public streets. This staff report includes a specific Code/Ordinance requirement that all activity on site shall not violate Chapter 19 – Motor Vehicles and Multimodal Traffic of the Tempe City Code.
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 in the front yard building setback is permitted in the R1-6 zoning district, subject to a Use Permit. There has been one Use Permit approved to allow parking in the front yard building setback within 600 feet of the subject property. As discussed above, the property owner will be responsible for ensuring that vehicles belonging to tenants are parked in accordance with City Code requirements.
4. *Compatibility with existing surrounding structures and uses*; based on street view and aerial surveys, the majority of the properties in the immediate area have garages or carports used for their primary parking spaces. The character of the surrounding area is to provide garages for parking. However, one (1) property within the 600-foot notification radius has been approved for a Use Permit for parking in the front yard setback.

5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public;* while the Police Department received a complaint regarding vehicular parking on the sidewalk in the past, and the Planning Division received a call regarding illegal parking, disruptive behavior is not anticipated as a result of allowing the parking of two (2) vehicles in the front yard setback. Any disruptive behavior associated with the property in general would be addressed through City noise and nuisance regulations. This staff report includes a specific Code/Ordinance requirement that all activity on site shall not violate Chapter 20 - Noise or Chapter 21 - Nuisance and Property Maintenance of the Tempe City Code.

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. **Modifications to the existing layout of the home shall be made such that the rear dining room does not meet the definition of a bedroom, resulting in five (5) total bedrooms within the home.**

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.
- Activity on site shall not violate the Tempe City Code, including, but not limited to, Chapter 19 – Motor Vehicles and Multimodal Traffic, Chapter 20 – Noise, Chapter 21 - Nuisance and Property Maintenance of the Tempe City Code.

HISTORY & FACTS:

- 1968 A single-family residence was built.
- April 20, 1984 Building Permit finalized for enlarging and enclosing the patio into a dining room.
- March 12, 2024 Building Safety issued a correction notice for conversion of the garage to livable space without Building Permits.
- May 14, 2024 Building Safety issued a final correction notice for conversion of the garage to livable space without Building Permits.
- June 5, 2024 Application for a Use Permit (this project) was submitted.

ZONING AND DEVELOPMENT CODE REFERENCE:

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



DEVELOPMENT PROJECT FILE

for

VERLEA PROJECT
(PL240200)

ATTACHMENTS:

1. Zoning Map
2. Aerial Map
- 3-5. Site Photos
6. Applicant's Letter of Explanation
7. Site Plan
8. Floor Plans
9. Use Permit Map



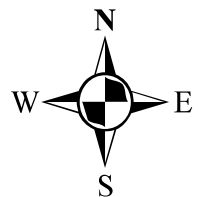
Verlea Project

PL240200



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

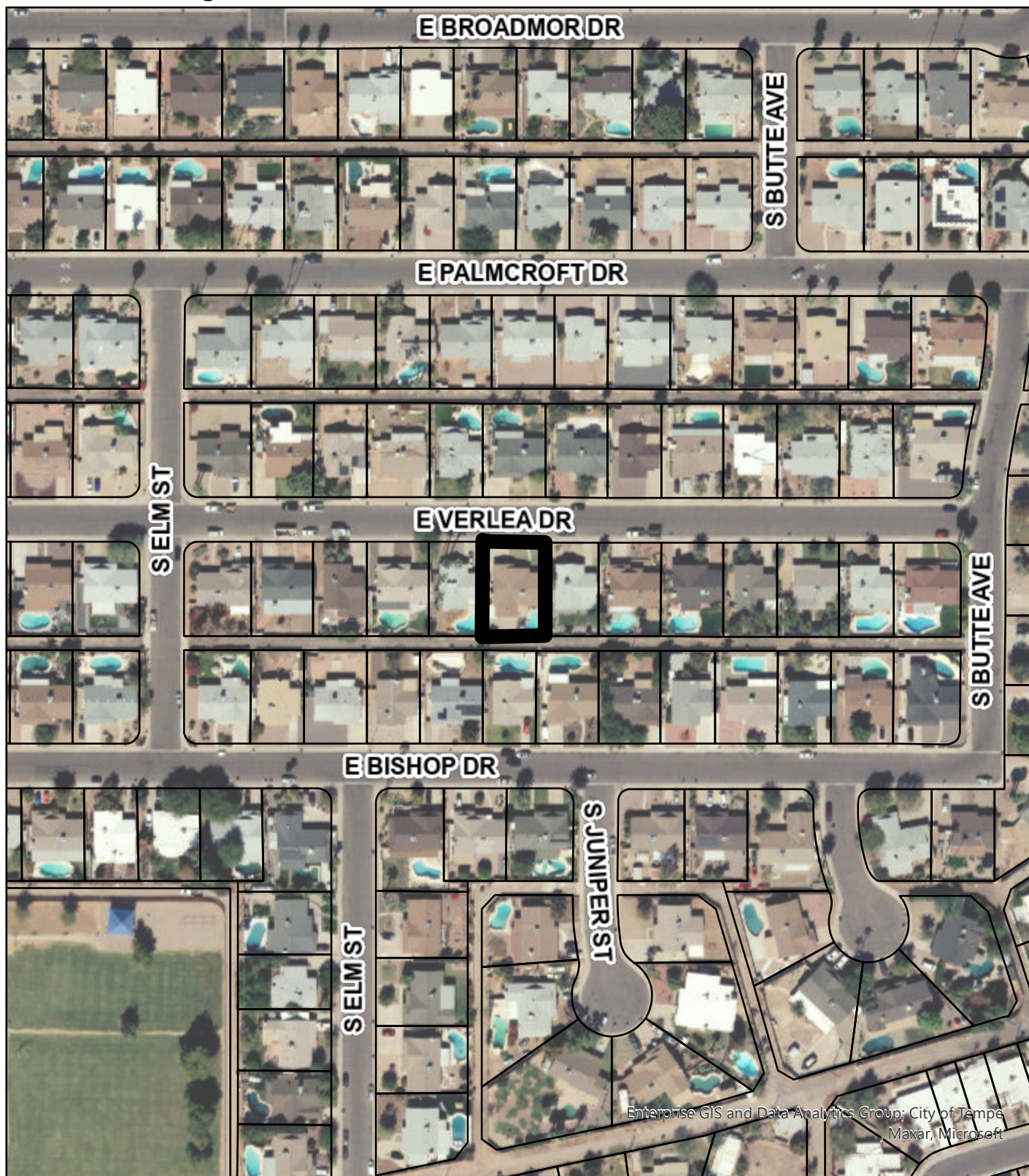
- Residential/Office (RO)
- Single-Family Residential (R1-6)
- Multi-Family Residential (R-2)



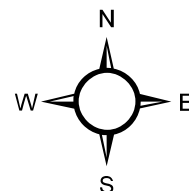


Verlea Project

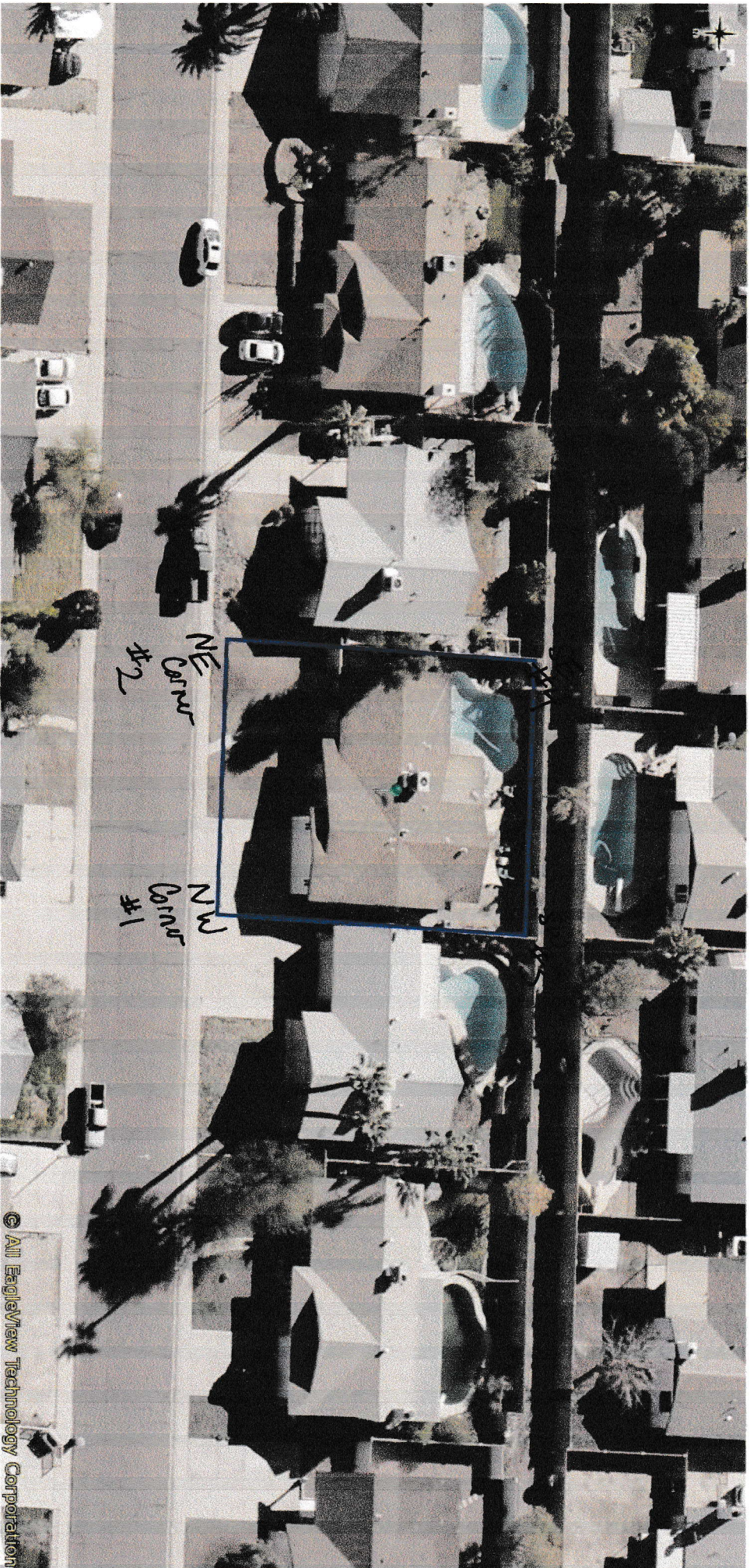
PL240200



Aerial Map



1633 E Verlea Aerial



© All EagleView Technology Corporation

1633 E Verlea Pictures from location 1 (NW Corner of lot)

North



East



South



West



1633 E Verlea Pictures from location 1 (NE Corner of lot)

North



East



South



West



Tempe Use Permit
Letter of Explanation

To Whom it May Concern,

We purchased 1633 E Verlea Dr in October 2023. At the time of purchase the garage had already been enclosed and was being used as a bedroom and separate laundry room. In April of 2024 we were notified that the area needed to be permitted to continue to use it as living space. Then we were notified that we had to file a use permit to be allowed to park in our driveway. This is the application for our use permit.

This is for 1633 E Verlea Dr., a single family home. This "change" will have no new impact on the neighborhood. From what we can tell the garage was converted probably 20-30 years ago (old tile matches the rest of the house, etc) and the residents of this home have been parking in the driveway the whole time.

The neighborhood surrounding the house does not have significant vehicle or pedestrian traffic that would affect this home and the parking situation. The home is remaining a single family home, so there will not be additional cars using this address from what it has been in the past. There will not be any additional traffic or negative impacts on the surrounding area. There will not be any disruptive behavior caused by parking in the driveway since it is not changing from where they have been parking for the last 30 years. Parking in the driveway is compatible with the surrounding structures, since there are other homes in the area with converted garages.

Thank you for your help in getting us through this process as quickly as possible.

Sincerely,

Kaycia L Rajala
Owner
816-522-8780



Feature Information

(1 of 2)

Clear ?

133-31-092

Owner Information

Owner: RAJALAKAGCIA
 Name: L/CHRISTOPHER A
 In Care Of:
 Property: 1633 E VERLEA DR TEMPE
 Address: 85282
 Mailing: 2033 S 33RD ST LINCOLN
 Address: NE USA 68506
 Deed Number: 20230541741
 Sale Date: 09/01/2023
 Sale Price: \$500000

Property Information

Lat/Long: 33.403227, -111.912319
 S/T/R: 26 1N 4E
 Jurisdiction: TEMPE
 PUC: 0131
 Lot Size (sq ft): 7,353
 MGR #: 116-42
 Subdivision: HUGHES ACRES UNIT 7
 Lot #: 811
 Tract/Block: /
 Floor: 1
 Construction Year: 1968
 Living Space (sq ft): 1,996

Valuation Information

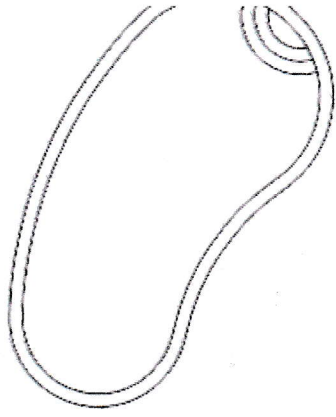
Tax Year: 2025 2024
 FCV: \$434,800 \$469,700
 LPV: \$241,380 \$229,885
 Legal Class: 4.2 4.2

1633 E VERLEA DR, TEMPE, 85282

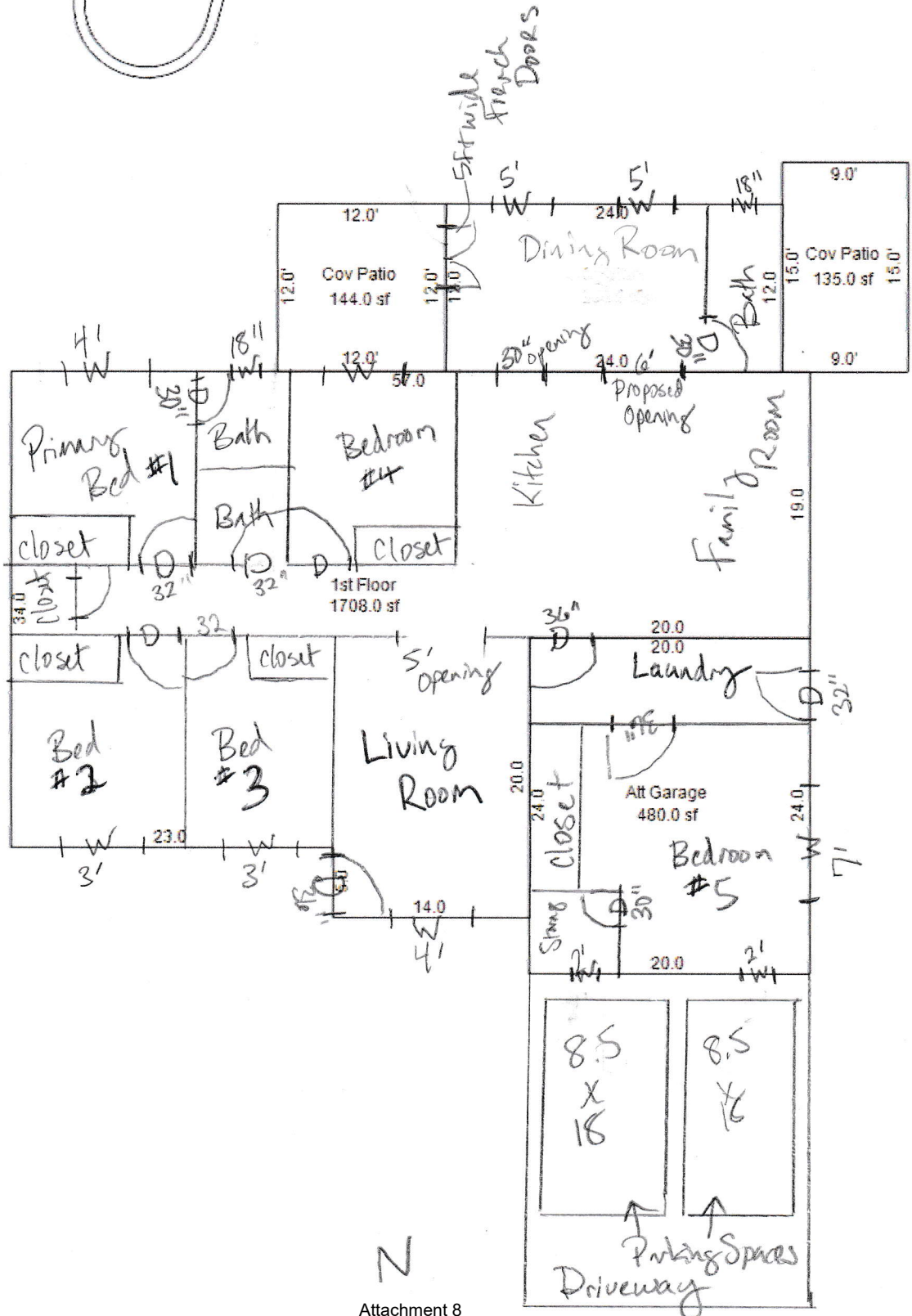
Show search results for 1633 E VERLE...



S Proposed 1633 E Verlea Floorplan



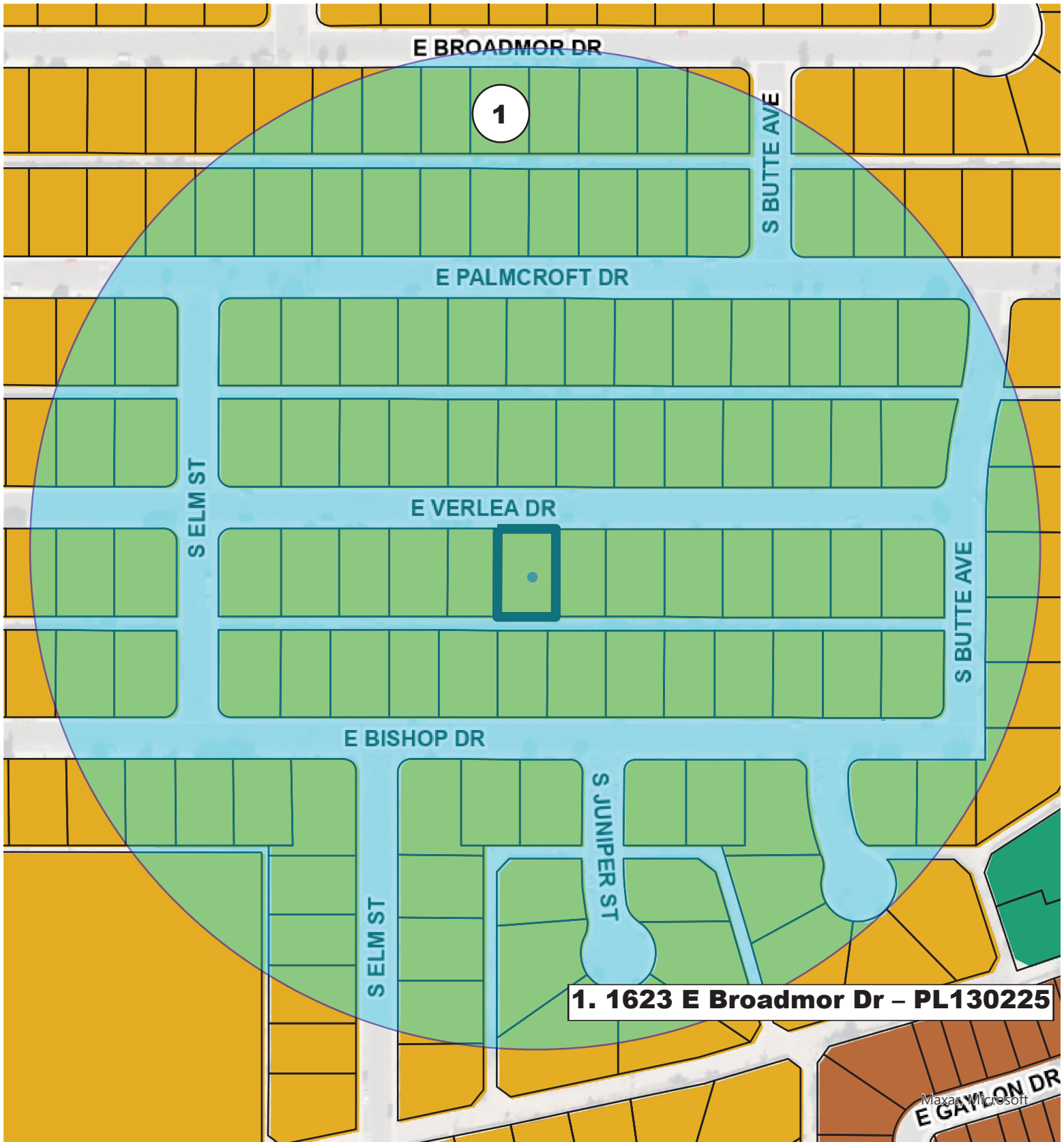
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USE PERMITS FOR PARKING IN FRONT YARD SETBACK WITHIN 600 FEET OF 1633 EAST VERLEA DRIVE



- Residential/Office (RO)
- Single-Family Residential (R1-6)
- Multi-Family Residential (R-2)

