

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 05/14/2019
Agenda Item: 6**

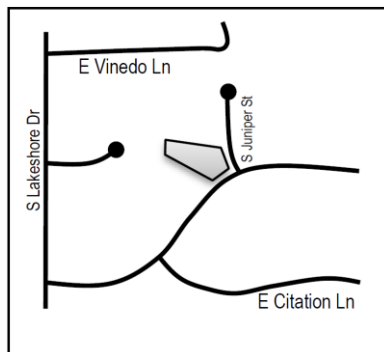
ACTION: Request approval for a Use Permit Standard to reduce the side yard setback by 20% from twenty (20) feet to sixteen (16) feet for the WULBRECHT-JOHNSON RESIDENCE, located at 7918 South Juniper Street. The applicant is the Pharmacy.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: The WULBRECHT-JOHNSON RESIDENCE (PL190062) is requesting a Use Permit Standard to reduce the side yard setback to accommodate additions being made to the existing single-family home within the AG, Agricultural District. The request includes the following:

ZUP190025 Use Permit Standard to (reduce the required rear yard setback from 15' to 12').



Property Owner	Brent Wulbrecht & Jody Johnson
Applicant	Tessa Jones-Dailey, the Phactory
Zoning District	AG
Site Area	41,334 s.f.
Building Area	6,469 s.f.
Lot Coverage	16% (25% max.)
Building Setbacks	42'-8" front, 16' sides, 230' rear (40' front, 20' side, 35' rear min. required)
Building Height	21'-4" (30' max.)

ATTACHMENTS: Development Project File

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

Department Director: Chad Weaver, Community Development Director
 Legal review by: N/A
 Prepared by: Dalton Guerra, Planner I
 Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

The Wulbrecht-Johnson Residence is requesting a Use Permit Standard to reduce the side yard building setback by 20% for additions to the north and south of the existing home. The garage addition to the south will be 21'-4" in height which is taller than the existing home at 15'-4". The AG Zoning District allows a thirty (30) foot maximum. The other additions to the home will match the existing building in height and design.

PUBLIC INPUT

To this date, no public input has been received.

USE PERMIT STANDARD

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

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

1. *Any significant increase in vehicular or pedestrian traffic*; the proposed design is for a single-family home and is not expected to create an increase in vehicular or pedestrian 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 additions are for a single-family use and is not expected to create a nuisance exceeding the existing 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*; a 20% reduction in the side yard setback is permitted within the AG Zoning District subject to a Use Permit Standard.
4. *Compatibility with existing surrounding structures and uses*; there are many large lots in the surrounding area with similar building footprints to the proposed design. Additionally, there have been six (6) entitlements approved for reductions in the side yard setback for neighboring properties.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public*; this is an addition to an existing single-family home and is not expected to create 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 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:

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

4. If there are any complaints arising from the Use Permit that are verified by a consensus of the complaining party and the City Attorney's office, the Use Permit will be reviewed by City staff to determine the need for a public hearing to re-evaluate the appropriateness of the Use Permit, which may result in termination of the Use Permit.
5. Any intensification or expansion of use shall require a new Use Permit.

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.

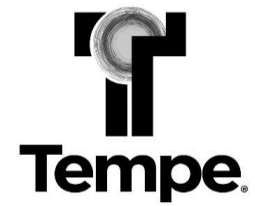
- The Use Permit is valid for the Wulbrecht-Johnson Residence and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- Specific requirements of the **Zoning and Development Code (ZDC)** are not listed as a condition of 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:

September 19, 2000	Hearing Officer approved (BA000254) a variance to reduce the side yard setback from 20' to 12' for the Keegan Residence, located at 1325 East Secretariat Drive within the AG, Agricultural District. (100 feet from the subject property)
January 24, 2002	Board of Adjustment approved (BA010330) a variance to reduce the side yard setback from 20' to 12' for a covered porch addition for the Harrison/Fewell Residence, located at 1710 East Secretariat Drive within the AG, Agricultural District. (1,170 ft. from subject property)
May 7, 2002	Hearing Officer approved (BA020078) two variances to reduce the side yard setbacks from 20' to 11'-6" and 20' to 19' for the Varhol Residence, located at 1317 East Secretariat Drive within the AG, Agricultural District. (200' from the subject property)
May 6, 2003	Hearing Officer approved (BA030084) a variance to reduce the side yard setback from 20' to 12' for the Keegan Residence, located at 1325 East Secretariat Drive within the AG, Agricultural District. (100 feet from subject property)
August 16, 2005	Hearing Officer approved (BA050121) a variance to reduce the side yard setback from 20' to 10' for the Owens Residence, located at 1309 East Secretariat Drive within the AG, Agricultural District. (350 feet from the subject property)
August 15, 2006	Hearing Officer approved (PL060368) a variance to reduce the side yard setback from 20' to 7'-6" for the Coady Residence, located at 1408 East Secretariat Drive within the AG, Agricultural District. (145 feet from subject property)

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 4-201A Use Permit Standard
 Section 4-202 Development Standards for Residential Districts
 Section 6-308 Use Permit



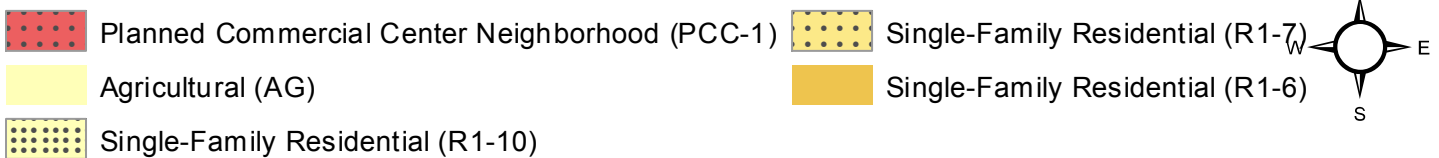
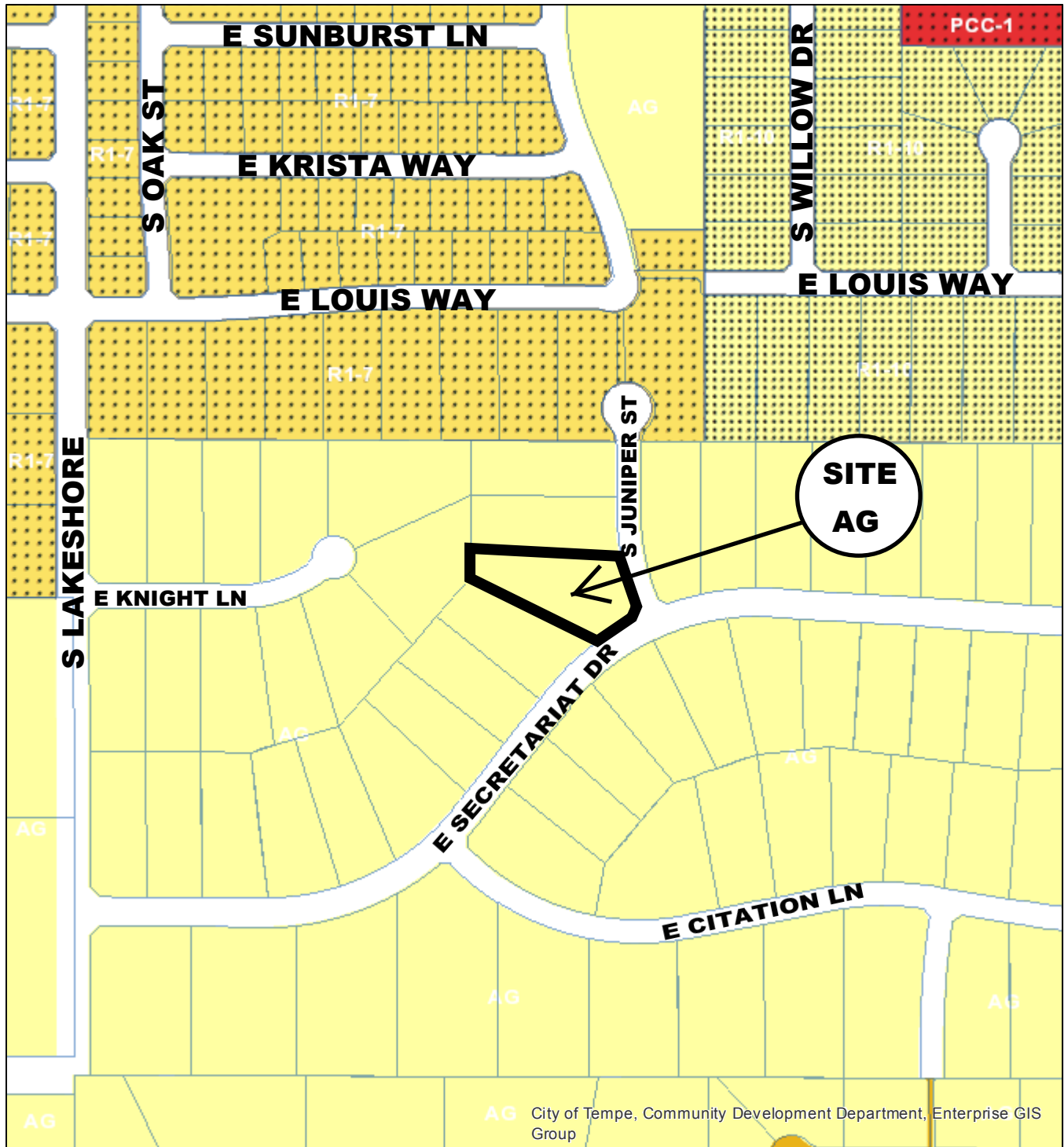
DEVELOPMENT PROJECT FILE
for
WULBRECHT-JOHNSON RESIDENCE
(PL190062)

ATTACHMENTS:

1. Location Map
2. Aerial
3. Letter of Explanation
4. Site Plan
5. Floor Plan
6. Building Elevations
7. Public Input

WULBRECHT-JOHNSON RESIDENCE

PL 190062

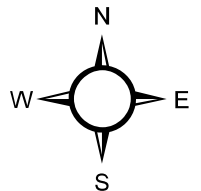


WULBRECHT-JOHNSON RESIDENCE

PL 190062



Aerial Map



the **PHACTORY**

**architecture
design
fabrication**

480.921.9500
2417 s. palm drive
tempe, arizona 85282
thephactory@cox.net

March 25, 2019

Project: Wulbrecht-Johnson Residence
7918 S. Juniper Street
Tempe, Arizona 85284

Use Permit Request:

Reduce the side yard setback by 20%, from 20' to 16'.

The owners are proposing an addition to their home to accommodate their family of 6. Due to the odd shape of the lot (pie shape), located on a corner lot & the location of the existing pool, the only areas for the addition are to the sides. With 4 kids, additional bedrooms & garage space are needed. We will be keeping the single story ranch style design with upgraded materials & porch to enhance the exterior elevations.

- a. **Any significant vehicular or pedestrian traffic in adjacent areas.**
The addition will make no changes to the amount of traffic in the area. The house will remain a single family home.
- b. **Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions.**
The addition will not produce any nuisance to surrounding properties. The home will remain a single family home.
- 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.**
The owners are investing a significant amount into their home. The addition will help to enhance property values and improve the aesthetic of the existing home.
- d. **Compatibility with existing surrounding structures and uses.**
The home will remain single family & single story ranch style which is in keeping with the neighborhood.
- e. **Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public.**
Granting the use permit will not cause any disruptive behavior. The home will remain single family.

Thank you for your kind consideration



Tessa Jones-Dailey



PROJECT DATA

Owner: BRENT WULBRECHT & JODY JOHNSON
 2383 W. MUSKET WAY
 CHANDLER, ARIZONA 85286
 TEL: 602.672.8773

Designer: THE PHACTORY, LLC
 2417 S. PALM DRIVE
 TEMPE, ARIZONA 85282
 CONTACT: TESSA JONES-DAILEY
 TEL: 480.282.1190

Parcel Number: 301-51-192

Zoning: AG

Legal Description: SUNBURST FARMS TEMPE - LOT #21

Lot Area: 41,334 S.F.

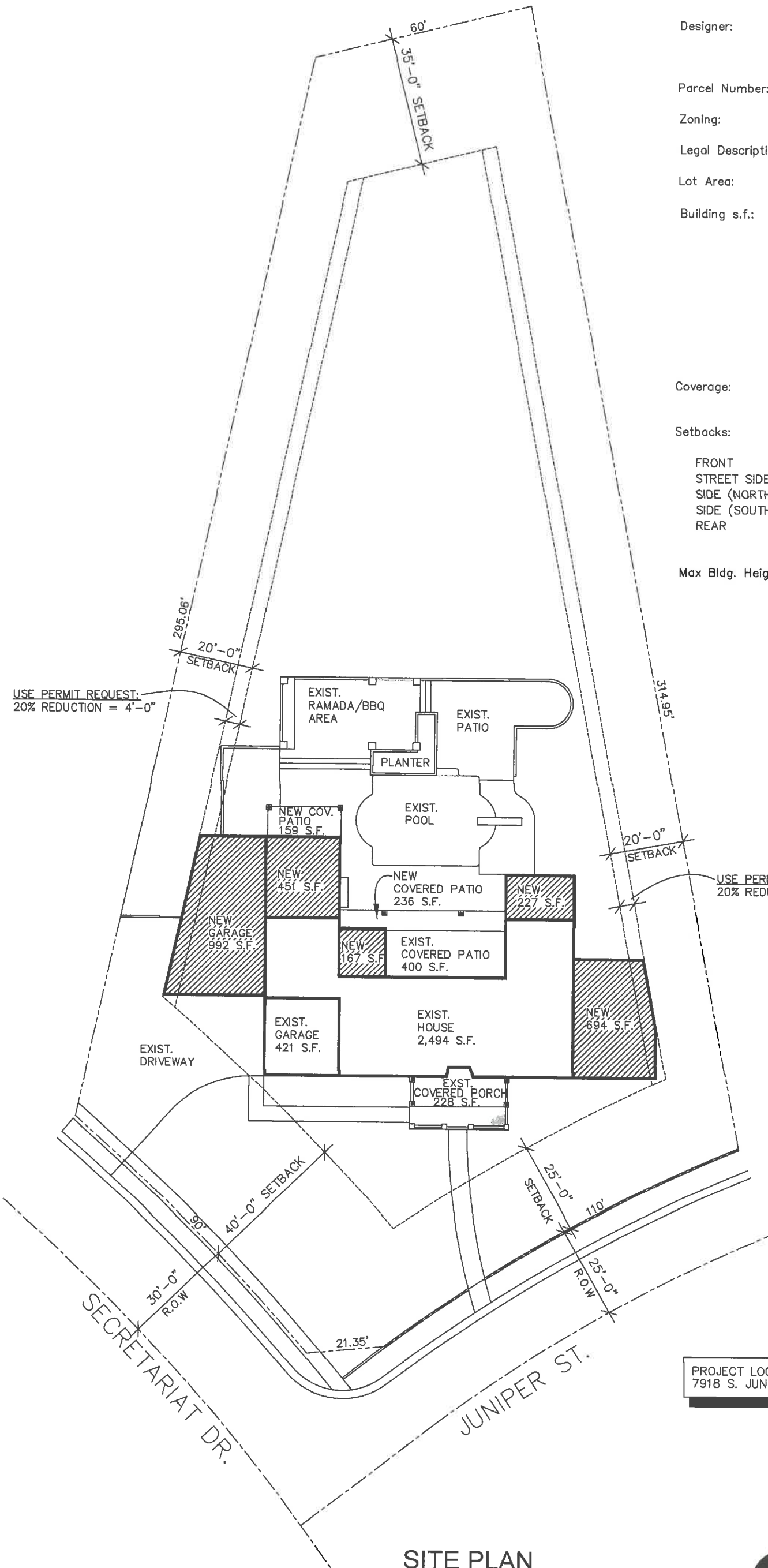
Building s.f.: EXIST. HOUSE: 2,494 S.F.
 NEW ADDITIONS: 1,539 S.F.
 4,033 S.F.

EXIST. GARAGE: 421 S.F.
 NEW GARAGE: 992 S.F.
 EXIST. PATIO/PORCH: 628 S.F.
 NEW PATIO: 395 S.F.
 TOTAL: 2,436 S.F.

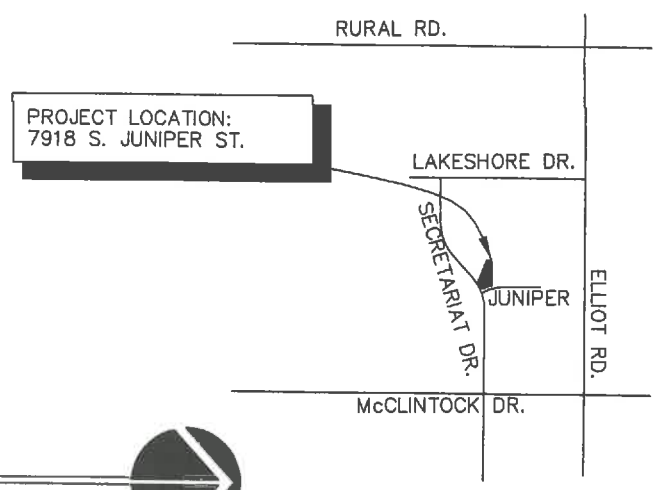
Coverage: ALLOWED 25% PROVIDED 6,469 S.F./41,334 S.F.= 16%

Setbacks: ALLOWED PROVIDED:
 FRONT 40' 42'-8" EXIST.
 STREET SIDE 25' 25'-11"
 SIDE (NORTH) 20' 16'-0" USE PERMIT
 SIDE (SOUTH) 20' 16'-0" USE PERMIT
 REAR 35' +203'-0"

Max Bldg. Height: ALLOWED 30' EXISTING 21'-4" (15'-4" EXIST.)



VICINITY MAP



SITE PLAN

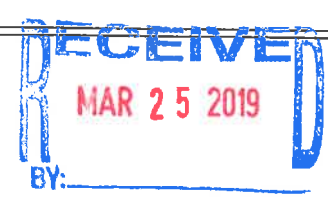
SCALE: 1"=30'-0"

Wulbrecht-Johnson Residence

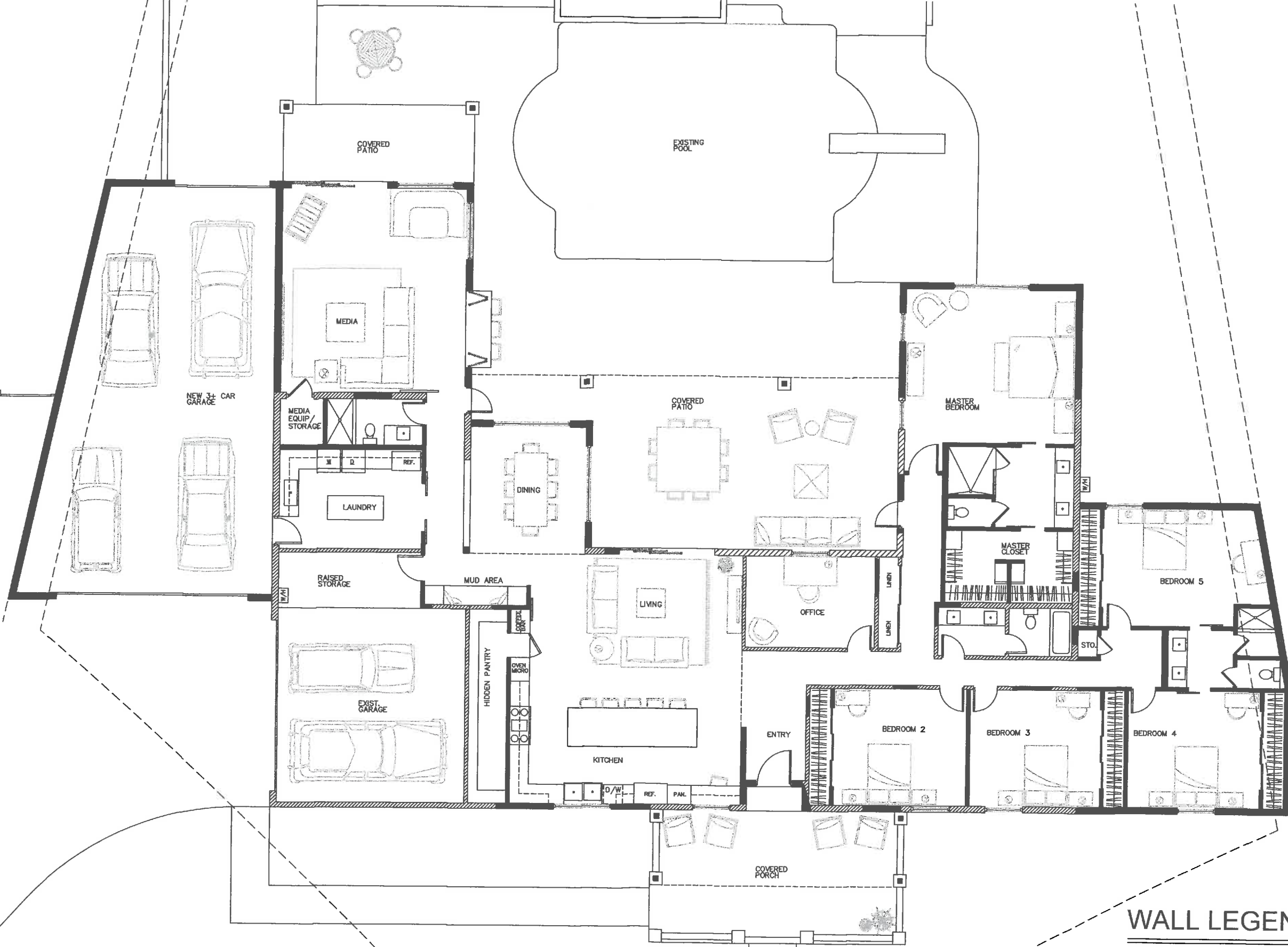
7918 S. Juniper Street, Tempe, Arizona 85284

the Phactory

25 MARCH 19

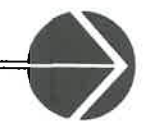


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MAR 25 2019
BY: _____





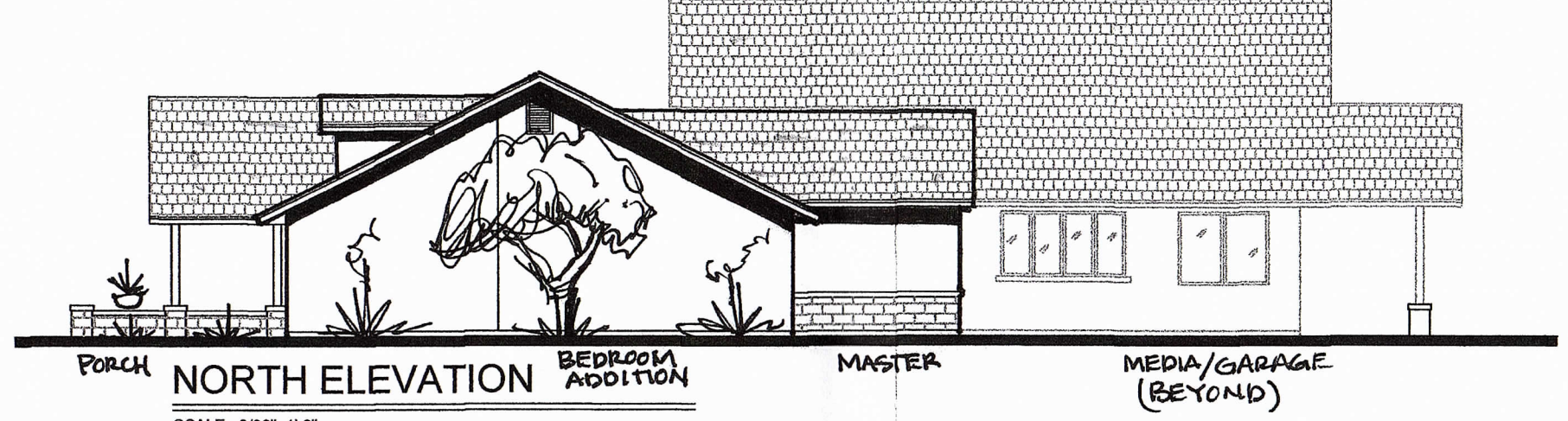
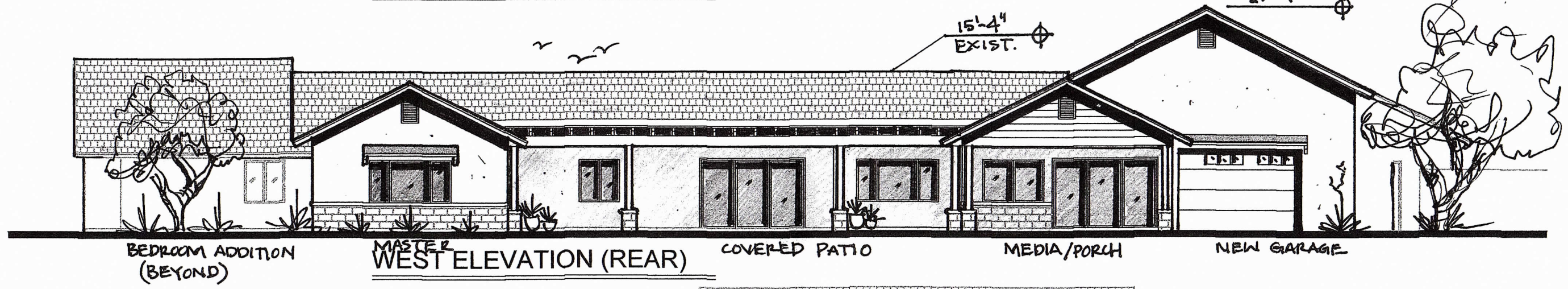
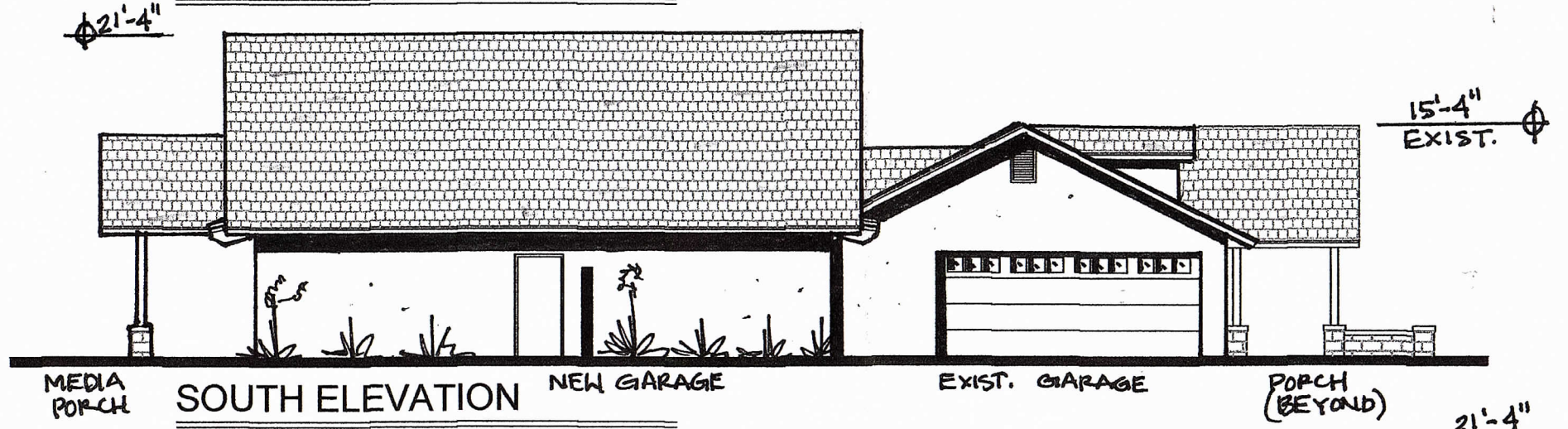
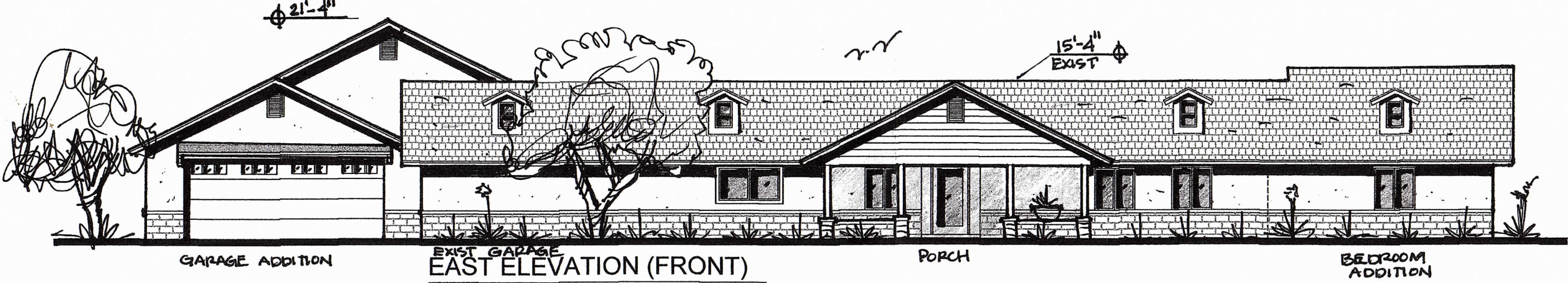
FLOOR PLAN

SCALE: 3/32"=1'-0"



WALL LEGEND

-  EXISTING WALL
-  NEW WALL



SCALE: 3/32"=1'-0"

Attachment 6

the **PHACTORY**

architecture
design
fabrication

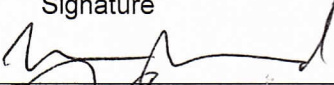
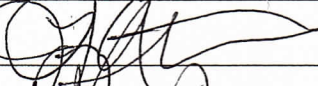

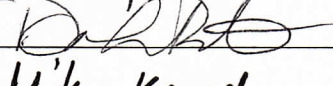
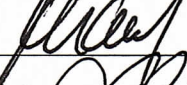
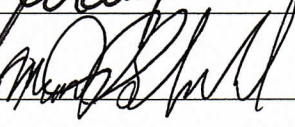

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Project: **Wulbrecht-Johnson Residence**
7918 S. Juniper Street
Tempe, Arizona 85284

Use Permit:

1. To reduce the side yard setback by 20% from 20'-0" to 16'-0".

I have reviewed the drawings and I am in support of the project.

Name	Signature	Address
Kevin Atwood		1442 E. Citation Lane
Dynna Atwood		1442 E. Citation Lane
Wendy Atwood		1442 E. Citation Ln
	Donna Prante	1217 E. Knight Ln.
Mike Knaack		7910 S. Juniper
Matt Schmehl		1326 E. SECRETARIAT DR.
Nancy Schmehl		1326 E. Secretariat Dr.