

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 06/11/2019
Agenda Item: 8**

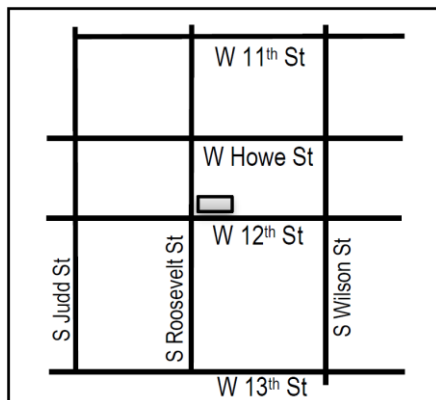
ACTION: Request a Use Permit to allow required parking within the required front yard building setback for the ROSEN RESIDENCE, located at 1137 South Roosevelt Street. The applicant is Urban Rural Residential Properties, LLC.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: The ROSEN RESIDENCE (PL190089) is proposing two (2) required parking spaces within the required front yard building setback for a new single-family home within the R1-6, Single -Family Residential Zoning District. The request includes the following:

ZUP190036 Use Permit to allow required parking within the front yard building setback.



Property Owner	Robert Rosen
Applicant	Robert Rosen, Urban Rural Residential Properties, LLC
Zoning District	R1-6
Site Area	6,382 s.f.
Building Area	2,483 s.f.
Lot Coverage	38.9% (45 % max.)
Building Setbacks	20' front, 5' side, 10' street side, 15' rear (20' front, 5' side, 10' street side, 15' rear min. required)
Building Height	15'-9" (30' max.)
Vehicle Parking	2 spaces (2 min. required)

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: Suparna Dasgupta, Principal Planner

COMMENTS

The applicant is proposing two required parking spaces in the required front yard building setback for a new single-family home being built in the R1-6 zoning district. There is no garage or carport proposed for the new home, and therefore a Use Permit is required to allow parking within the front yard setback. Based on historical aerial photos, the lot has been vacant since 2007. The proposed design meets all development standards set in table 4-202A of the zoning code.

PUBLIC INPUT

To date, no public input has been received.

USE PERMIT

The proposed design requires a Use Permit to allow required off-street parking within the required front yard 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*; providing off-street parking within the front yard setback of a single-family home will not 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 proposed parking spots will be on an improved surface.
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*; providing parking within the front yard setback for a single-family home is permitted within the R1-6 zoning district subject to a Use Permit.
4. *Compatibility with existing surrounding structures and uses*; this site is surrounded by existing single-family homes, many of which park vehicles within 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*; providing off-street parking within the front yard setback 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. 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 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. 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.

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 Rosen 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.
- Any intensification or expansion of use shall require a new Use Permit.
- All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the Use Permit becoming effective.

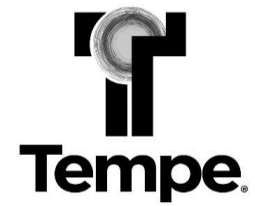
HISTORY & FACTS:

June 25, 1963 Building Permit was issued to construct a single-family home at 1137 South Roosevelt Street.

October 29, 2006 Demolition Permit was issued to demo an existing single-family home.

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



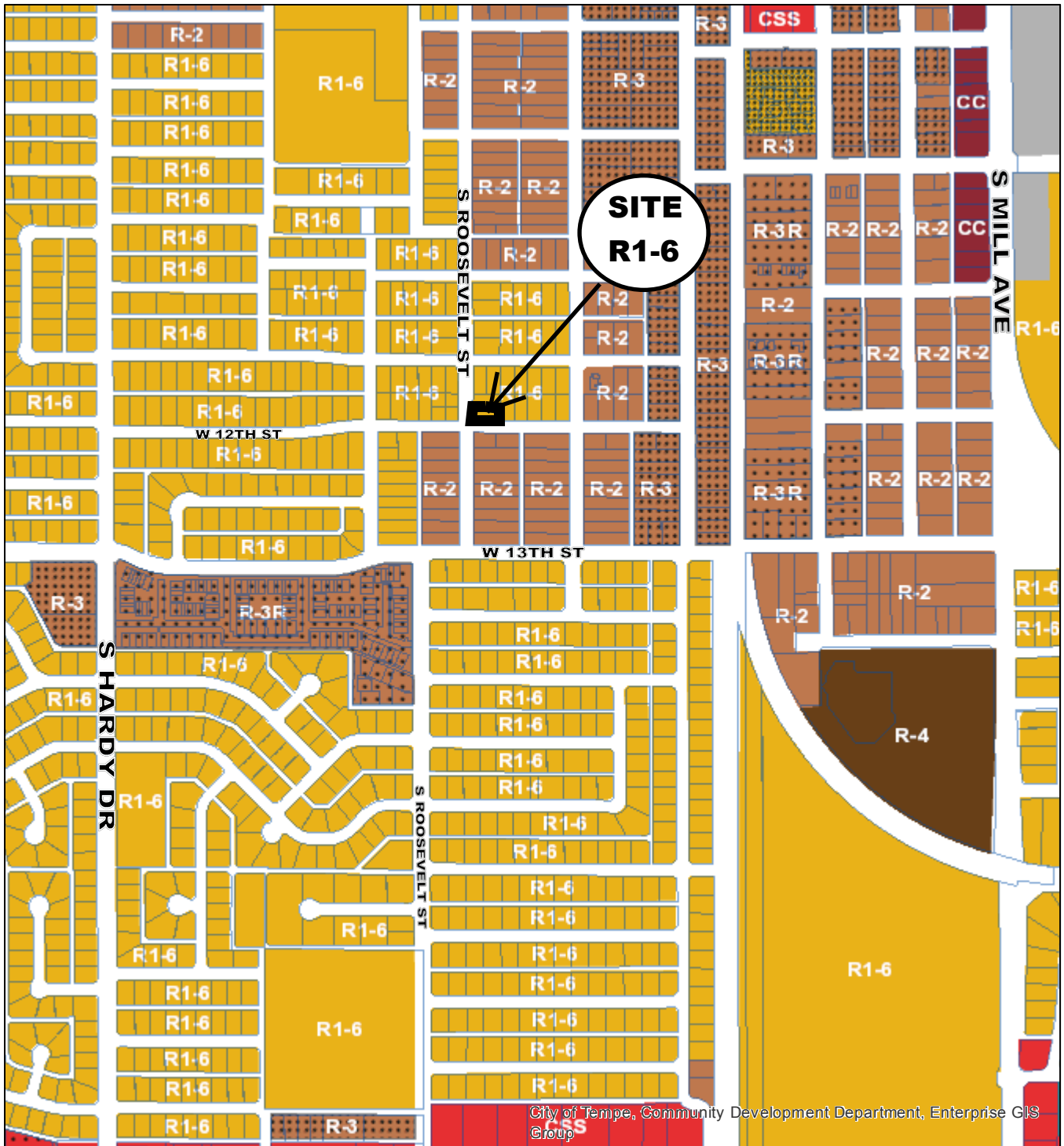
DEVELOPMENT PROJECT FILE
for
ROSEN RESIDENCE
(PL190089)

ATTACHMENTS:

1. Location Map
2. Aerial
3. Letter of Explanation
4. Site Plan
5. Floor Plans
6. Building Elevations
7. 3D Renderings

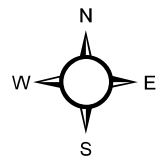
ROSEN RESIDENCE

PL 190089



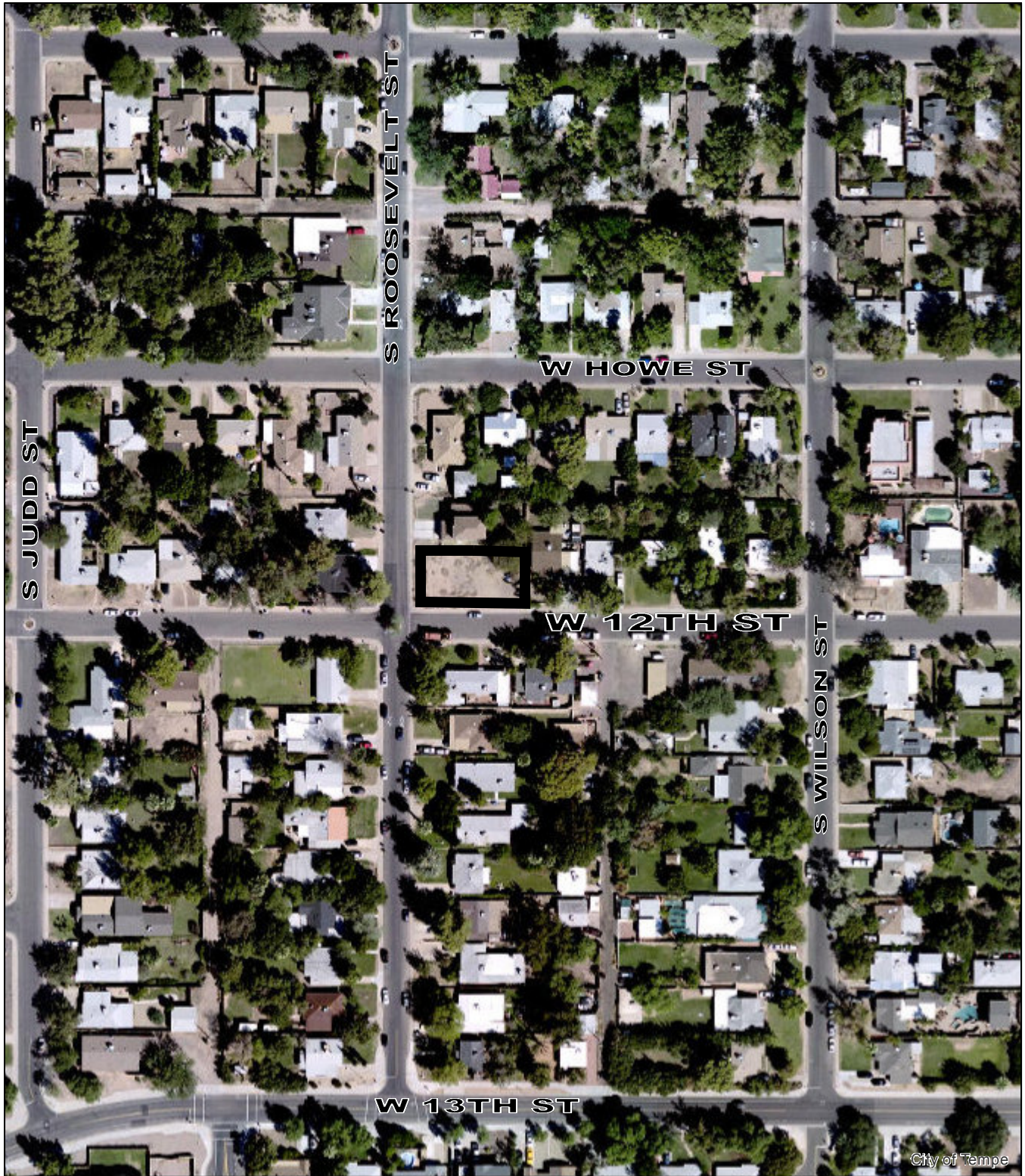
City of Tempe, Community Development Department, Enterprise GIS Group

- | | |
|--|---|
| City Center (CC) | Single-Family Residential Planned Area Dev (R1-PAD) |
| Mixed Use Educational (MU-ED) | Multi-Family Residential (R-2) |
| Commercial Shopping and Services (CSS) | Multi-Family Residential Restricted (R-3R) |
| Planned Commercial Center Neighborhood (PCC-1) | Multi-Family Residential Limited (R-3) |
| Residential/Office (RO) | Multi-Family Residential General (R-4) |
| Single-Family Residential (R1-6) | |

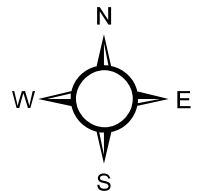


ROSEN RESIDENCE

PL 190089



Aerial Map



4.16.2019

LETTER OF EXPLANATION

Owner/ applicant: Bob & Meta Rosen
Proposed Residence: 1137 S. Roosevelt St.
Tempe, Az. 85281

To: City of Tempe Planning
31 East Fifth Street
Tempe, AZ 85281

Re: Application for Use Permit

To whom it may concern:

We propose to build our home on the lot we own and will reside in located at 1137 South Roosevelt Street. We are building the home as the permanent residence for the two of us. We have provided additional bedrooms and bath for occasional guests and what may be used by a future caregiver.

The home is only 2483 sq. ft. and occupies less than the allowable square footage. We deliberately designed our proposed residence as a one story since in the future, stair climbing may pose a hardship for us. The character of the neighborhood is primarily one level.

Consequently, we are short on area to park two cars totally behind the front yard setback. We are asking for a use permit to allow us to park two cars off street as shown on the Site Plan. There are many homeowners in the neighborhood who currently park in the front yard setback, as we propose to do.

The parking area will be completely permeable- composed of stabilized granite- as shown on the site plan. This will integrate with and contribute to our planned landscape of native vegetation acting as habitat for pollinators and tree canopy growth to decrease urban heat-island effects.

This letter will serve as our ' Letter of Explanation' and is respectfully submitted to you for your review and consideration.

Sincerely,



Bob Rosen
480.215.2131
BobRosen53@gmail.com

4.16.2019

LETTER OF EXPLANATION

Owner/ applicant: Bob & Meta Rosen
Proposed Residence: 1137 S. Roosevelt St.
Tempe, Az. 85281

To: City of Tempe Planning
31 East Fifth Street
Tempe, AZ 85281

Re: Application for Use Permit

To whom it may concern:

We propose to build our home on the lot we own and will reside in located at 1137 South Roosevelt Street. We are building the home as the permanent residence for the two of us. We have provided additional bedrooms and bath for occasional guests and what may be used by a future caregiver.

The home is only 2483 sq. ft. and occupies less than the allowable square footage. We deliberately designed our proposed residence as a one story since in the future, stair climbing may pose a hardship for us. The character of the neighborhood is primarily one level.

Consequently, we are short on area to park two cars totally behind the front yard setback. We are asking for a use permit to allow us to park two cars off street as shown on the Site Plan. There are many homeowners in the neighborhood who currently park in the front yard setback, as we propose to do.

The parking area will be completely permeable- composed of stabilized granite- as shown on the site plan. This will integrate with and contribute to our planned landscape of native vegetation acting as habitat for pollinators and tree canopy growth to decrease urban heat-island effects.

This letter will serve as our 'Letter of Explanation' and is respectfully submitted to you for your review and consideration.

Sincerely,

A handwritten signature in black ink, consisting of the letters 'BR' enclosed in a circular scribble.

Bob Rosen
480.215.2131
BobRosen53@gmail.com

