

**CITY OF TEMPE  
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 02/11/2020  
Agenda Item: 4**

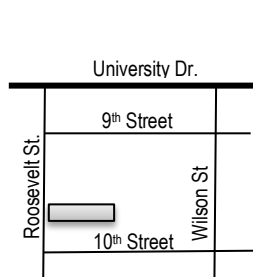
**ACTION:** Request a Use Permit to allow a second-story walk deck addition for a single-family residence for the **LEWIS RESIDENCE**, located at 921 S Roosevelt Street. The Applicant is Danny Niemela of ArDan Construction. **(PL190295)**

**FISCAL IMPACT:** N/A

**RECOMMENDATION:** Staff – Approval, subject to conditions

**BACKGROUND INFORMATION:** LEWIS RESIDENCE (PL190295) is a proposed single-family second-story walk deck addition on Lot 6 of the Goodwin Homes subdivision, located on the east side of South Roosevelt Street in the R-2, Multi-Family Residential District. The request includes the following:

ZUP190084 Use Permit to allow a second story walk deck addition for a single-family residence.



Property Owner	Lori B Lewis
Applicant	Danny Niemela of ArDan Construction
Zoning District(s)	R-2
Site Area	10,000 s.f.
Total Bedrooms	3
Total Bathrooms	2.75
Building Area	961 s.f.
New Addition	1,006 s.f.
Lot Coverage	27% (45% max. required)
Building Height	29'-3 3/8" (30'-0" maximum allowed)
Building Setbacks	30'-0" front, 3'-4" existing north side, 8'-0" existing south side, (20'-0",5'-0",5'-0"min. required)
Vehicle Parking	2 spaces (2 min. required)

**ATTACHMENTS:** Development Project File

**STAFF CONTACT(S):** Robbie Aaron, (480) 350-8096

Department Director: Chad Weaver, Community Development Director  
Legal review by: N/A  
Prepared by: Robbie Aaron, Planner II  
Reviewed by: Steve Abrahamson, Principal Planner

## COMMENTS

The ground floor of the residence includes a master bedroom with an ensuite bathroom and closet, two additional bedrooms, two bathrooms, a kitchen, storage areas, a laundry room, a living room, and a great room. The rooftop walk deck will consist of approximately 270 square feet of deck space on the southern portion of the rooftop.

At the January 14, 2020 Development Review Commission meeting the Commission passed a motion allowing a continuance of this case to allow the applicant to work with the surrounding neighbors to address their concerns.

As part of the additions to mitigate the concerns voiced at the January 14, 2020 DRC meeting, as well as in the public comments received the applicant has reduced the size of the proposed walk deck from approximately 511 square feet to approximately 270 square feet. The applicant has also included wood panels as part of the structure increasing the height of the wall around the proposed deck.

## PUBLIC INPUT

As of the January 14, 2020 DRC meeting staff had received 12 public comments in opposition to the proposed second story walk deck addition with a concern that privacy will be lost due to the applicant being able to peer into their backyard. Staff has since received an additional 3 comments in opposition to the walk deck which also state concerns that privacy will be lost and increased noise.

At the January 14, 2020 Development Review Commission meeting three people spoke in opposition to the proposed walk deck. The concerns raised at the meeting were a loss of privacy and additional noise as a result of the walk deck.

The applicant was able to meet with one (1) of the adjacent neighbors to discuss design changes for the project. The neighbor stated that the changes that are being made do not change the concerns of loss of privacy and increased noise.

## USE PERMIT

The proposed design and use require a Use Permit to allow a second-story walk deck addition to a single-story single-family residence within the R-2, Multi-Family Residential district.

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

1. *Any significant increase in vehicular or pedestrian traffic*; the proposed second-story use is not expected to increase vehicular or pedestrian traffic more than what is expected from a single-family owner-occupied use which is the intent of this application.
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 second-story use is intended for a walk deck and the home will remain an owner-occupied single-family residence. A single-family residence will not generate emissions greater than ambient conditions that would otherwise cause a nuisance to the neighborhood. Furthermore, the applicant plans add additional height to the wall surrounding the roof deck to mitigate any potential nuisance.
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 addition will provide additional indoor and outdoor living space and is expected to add value to not only the property itself but the surrounding neighborhood as well.
4. *Compatibility with existing surrounding structures and uses*; the surrounding neighborhood consists of mostly single-story homes with a few multi-story homes scattered throughout. This home will continue to appear as a single-story home.
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 second-story walk deck is intended for a single-family owner-occupied use and is not expected to cause any 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.

**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.

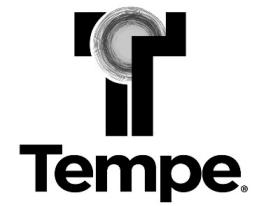
- The use permit approval shall be void if the use is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the use permit is granted or within the time stipulated by the decision-making body.
- Specific requirements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

**HISTORY & FACTS:**

1951 Building Permit issued for a single-family residence.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 3-102 Permitted Uses in Residential Districts  
Section 3-420 Single-Family Residential Second Story Addition or Rebuild  
Section 4-202 Development Standards for Residential Districts  
Section 6-308 Use Permit



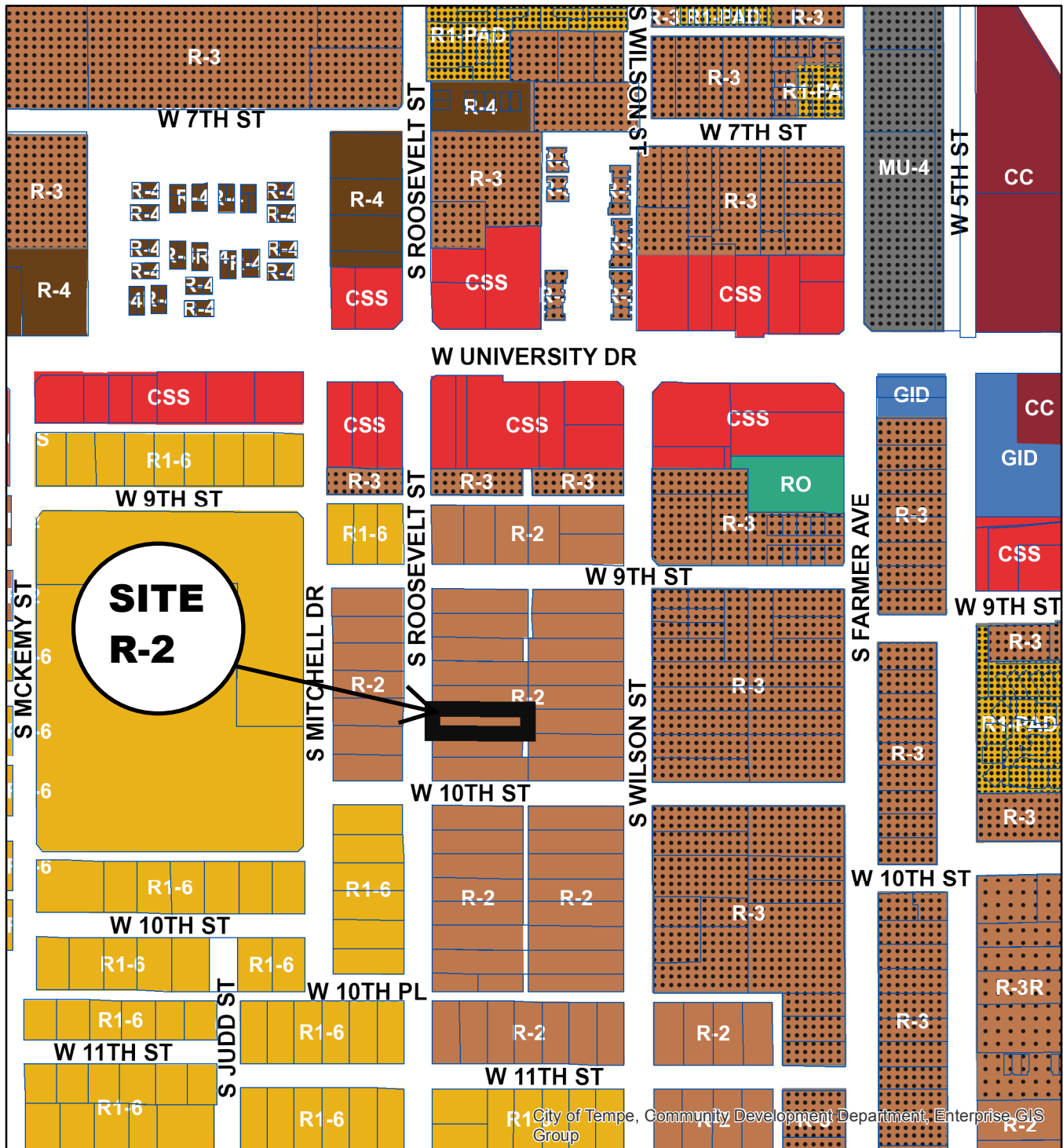
**DEVELOPMENT PROJECT FILE**  
for  
**LEWIS RESIDENCE**  
(PL190295)












**ATTACHMENTS:**

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

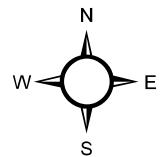
# LEWIS RESIDENCE

PL190295



- |  |   |
|--|---|
|  General Industrial District (GID)      |  Single-Family Residential Planned Area Dev (R1-PAD) |
|  City Center (CC)                       |  Multi-Family Residential (R-2)                      |
|  Mixed Use High (MU-4)                  |  Multi-Family Residential Restricted (R-3)           |
|  Commercial Shopping and Services (CSS) |  Multi-Family Residential Limited (R-3)              |
|  Residential/Office (RO)                |  Multi-Family Residential General (R-4)              |
|  Single-Family Residential (R1-6)       |   |

City of Tempe, Community Development Department, Enterprise GIS Group

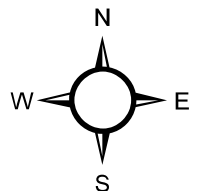


# LEWIS RESIDENCE

PL190295



Aerial Map



# LETTER OF EXPLANATION

## LEWIS RESIDENCE

921 S Roosevelt St Tempe AZ 85281

Danny Niemela · ArDan Construction · 602-614-0771 · danny@ardanllc.com

City of Tempe  
Community Development Department  
Planning Division  
31 E 5<sup>th</sup> St, Garden Level East  
Tempe AZ 85281

### DEAR DIVISION OF PLANNING,

This property is currently a single-family residence. Lori Lewis is planning on remodeling and updating the home to make it more functional and aesthetically pleasing. Part of the remodel is an addition to the home that will include a 2<sup>nd</sup> level walkdeck. The purpose of this walkdeck is to allow additional patio/seating area outdoors but still allows for an open and irrigated back yard.

This home is intended as a single family occupied property, and not as a multi-family or student housing.

This addition will not be detrimental to the persons residing or working in the vicinity, to adjacent properties, to the neighborhood, or the public welfare in general and will conform to the standards and Zoning and Development Code Criteria Section 6-308(e) as applicable.

There are a few other homes in the neighborhood that have 2<sup>nd</sup> levels including:

1135 S Roosevelt St Tempe AZ 85281

1136 S Roosevelt St Tempe AZ 85281

505 W Howe St Tempe AZ 85281

A few changes that we made to the plans to address some of the concerns we have heard are the following:

- Decrease square footage of the 2<sup>nd</sup> level walkdeck from 511 sq feet to 270 square feet, which also keeps the walkdeck to the furthest east (rear side) of the home
- We added metal and wood privacy screening to both the north and south sides of the walkdeck/balcony, as well as around the staircase landing. The overall height from the height of the walkdeck surface to the top of the screening will be approx 72".
- We are also willing to increase the height of the cinder block perimeter fence by 1 course (approx 8"). We understand that this does not change any viewpoint from

the 2<sup>nd</sup> story walkdeck, but we have observed when we are standing in Lewis's back yard, there is limited privacy in the neighboring yards (current height of the site wall is approx 60")

Thank You for your consideration.

A handwritten signature in blue ink, appearing to read "Danny Niemela".

Danny Niemela  
ArDan Construction  
February 4, 2020





VICINITY MAP



PROJECT DIRECTORY

**ESHA Architects**  
 1000 N. 24TH AVE, SUITE 200  
 PHOENIX, AZ 85016  
 PHONE: 480-208-4888  
 EMAIL: INFO@ESHAARCHITECTS.COM

**AREA CALC'S**  
 TOTAL LOT AREA: 10,000 SQ. FT.  
 TOTAL COVERED AREA: 1,000 SQ. FT.  
 TOTAL UNCOVERED AREA: 9,000 SQ. FT.

CONSTRUCTION	AREA (SQ. FT.)	PERCENTAGE
EXISTING RESIDENCE	1,000	10%
NEW LIVABLE ADDITION	1,000	10%
LANDSCAPE CONSERVATION	8,000	80%

PROJECT DATA

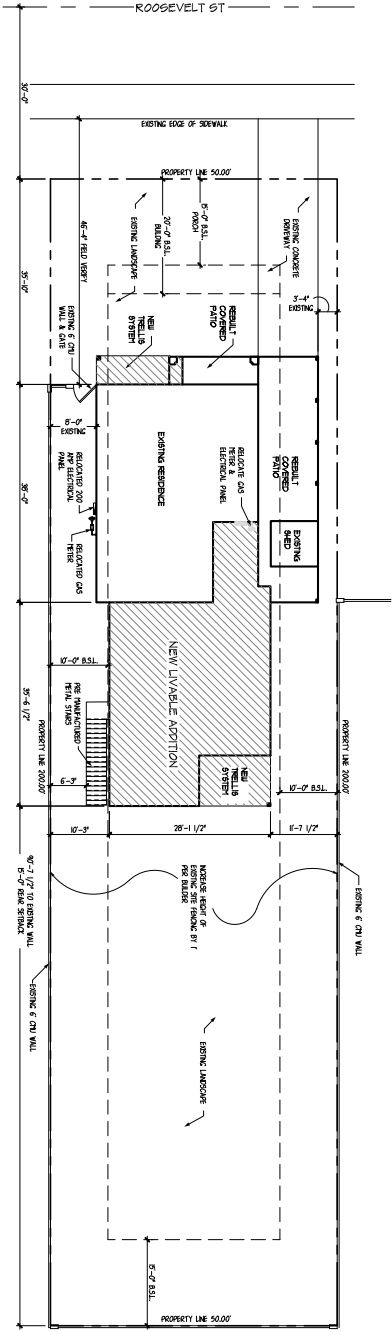
**BLDG. CODES:** 2018 INTERNATIONAL RESIDENTIAL CODE AND 2018 INTERNATIONAL ENERGY CONSERVATION CODE  
**PLUMBING CODE:** 2018 INTERNATIONAL PLUMBING CODE  
**Mechanical Code:** 2018 INTERNATIONAL MECHANICAL CODE  
**Electrical Code:** 2017 NATIONAL ELECTRICAL CODE

**PROJECT INFORMATION:**  
 PROJECT LOCATION: 921 S. ROOSEVELT ST., WILBURTON, AZ 85016  
 PROJECT NO.: 2024-001  
 SHEET NO.: 1/22/24

ITEM	DESCRIPTION	UNIT	QUANTITY
1	CONCRETE	CU YD	10.0
2	REINFORCING BARS	TON	1.0
3	FORMWORK	SQ. YD	100.0

ITEM	DESCRIPTION	UNIT	QUANTITY
4	LANDSCAPE	SQ. YD	80.0
5	PAVING	SQ. YD	10.0

NO.	DESCRIPTION
10	COVER SHEET & SITE PLAN
11	GENERAL NOTES
12	EXISTING CONDITIONS
13	ERRORES CORRIGENDOS



SITE PLAN  
 SHEET 1 OF 13

A0

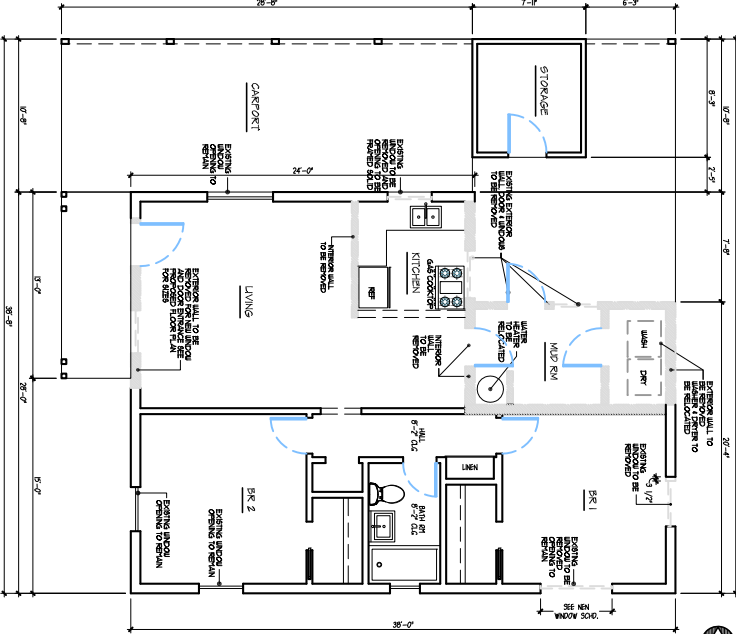
COVER SHEET & SITE PLAN

LEWIS ADDITION  
 921 S. ROOSEVELT ST.  
 TEMPE, AZ 85201

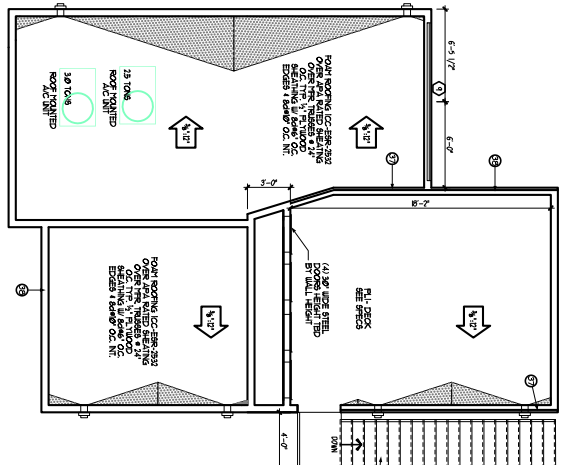


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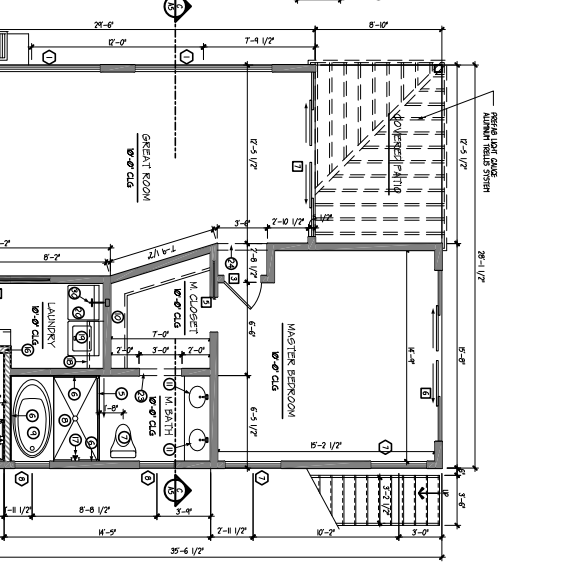
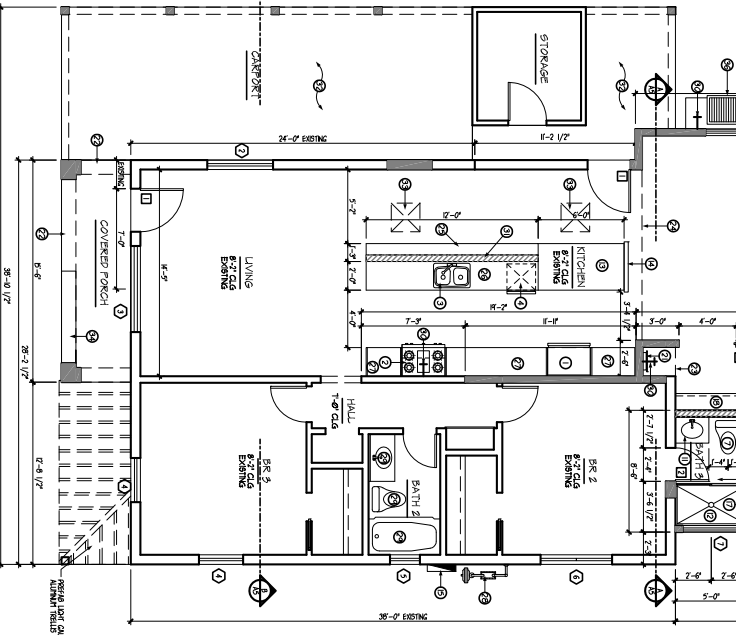
**EXISTING/DEMO FLOOR PLAN**  
SCALE 1/4" = 1'-0"



NO.	TYPE	SIZE	FUNCTION	MARK	NOTES
1	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
2	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
3	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
4	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
5	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
6	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
7	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
8	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
9	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
10	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
11	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
12	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
13	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
14	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
15	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
16	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
17	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
18	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
19	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
20	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
21	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
22	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
23	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
24	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
25	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
26	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
27	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
28	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
29	DOOR	3'-0" x 7'-0"	SWING	6'-0"	
30	DOOR	3'-0" x 7'-0"	SWING	6'-0"	



**NEW FLOOR PLAN**  
SCALE 1/4" = 1'-0"



NO.	DESCRIPTION
1	1. ALL WORK SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND NOTES.
2	2. INSULATION: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
3	3. FLOORING: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
4	4. WALLS: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
5	5. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
6	6. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
7	7. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
8	8. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
9	9. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
10	10. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
11	11. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
12	12. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
13	13. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
14	14. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
15	15. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
16	16. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
17	17. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
18	18. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
19	19. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
20	20. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
21	21. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
22	22. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
23	23. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
24	24. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
25	25. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
26	26. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
27	27. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
28	28. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
29	29. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.
30	30. ROOF: MAINTAIN/IMPROVE: CERTAIN TYPED OR UNTYPED BATHS (BATH #1, BATH #2) FLOORING: R-10; CEILING: R-10; WALLS: R-10; ROOF: R-10.

PROJECT

**LEWIS ADDITION**  
921 S. ROOSEVELT ST.  
TEMPE, AZ 85281

**DIMENSIONED FLOOR PLAN**

THESE DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND SHALL BE KEPT IN CONFIDENCE. NO PART OF THESE DRAWINGS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER.

DESIGNER: **MFP**  
design-drafting-planning  
832 S. 34TH ST. SUITE 200, MESA, AZ 85204  
PHONE: 480-982-9124

DATE: 1/22/24

SHEET NO. **A1**

REVISIONS

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





NW



SW



NE



SE



NORTH PROPERTY LINE



BACK PATIO - NE CORNER STRUCTURE

THESE DRAWINGS ARE THE PROPERTY OF SERVICE DESIGN, DRAFTING & PLANNING. THEY ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF SERVICE DESIGN, DRAFTING & PLANNING.



design · drafting · planning  
832 S. 34TH ST. MESA, AZ 85204  
PHONE: 480-947-7474

PROJECT

LEWIS ADDITION  
921 S. ROOSEVELT ST.  
TEMPE, AZ 85281

EXTERIOR IMAGES

REVISIONS

PLOT DATE: 1/22/20  
SHEET NO.

A3