

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 4/27/2021
Agenda Item: 8**

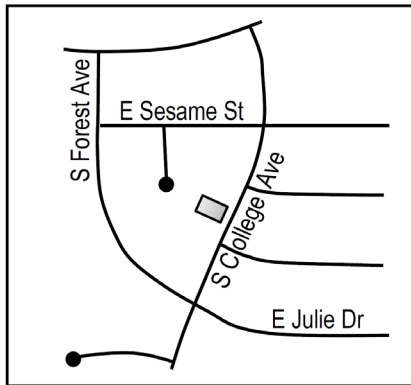
ACTION: Request a Use Permit to allow parking within the required front yard setback for the **CASTRO RESIDENCE**, located at 5818 South College Avenue.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: The CASTRO RESIDENCE (PL210059) is requesting a Use Permit to allow parking in the front yard setback within the R1-6, Single-Family Residential District. The request is a result of the property owner enclosing and converting the existing carport to livable space. The request includes the following:

ZUP210029 Use Permit to allow parking within the front yard setback.



Property Owner	Jose Castro
Applicant	Bernardo Ramirez
Zoning District	R1-6
Site Area	6,399 s.f.
Building Area	1,923 s.f.
Lot Coverage	30% (45% max.)

ATTACHMENTS: Development Project File

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

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

COMMENTS

The property owner is converting their existing carport to livable space. As a result, they are requesting to provide the required off-street parking within the front yard setback. The applicant is providing two (2) spaces within the existing driveway.

PUBLIC INPUT

To date, staff has not received any public input.

USE PERMIT

The proposed design requires a Use Permit to allow parking within the front yard setback within the R1-6 zoning district.

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

1. *Any significant increase in vehicular or pedestrian traffic*; the use of the property is going to remain single-family residential and is not expected to create an increase in 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 area is an existing concrete driveway.
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 within the front yard setback is permitted subject to a Use Permit within the R1-6 zoning district.
4. *Compatibility with existing surrounding structures and uses*; the property is surrounded by single-family residences and there are a number of residents that currently park 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*; the single-family use is not changing and is not expected to create a nuisance to the surrounding area.

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:

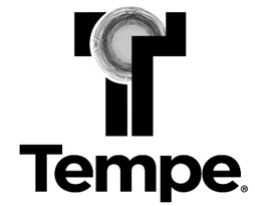
- The Use Permit is valid for the Castro Residence and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- The use permit approval shall be void if the use is not commenced or if an application for a building permit has 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.

HISTORY & FACTS:

None pertinent to this case.

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



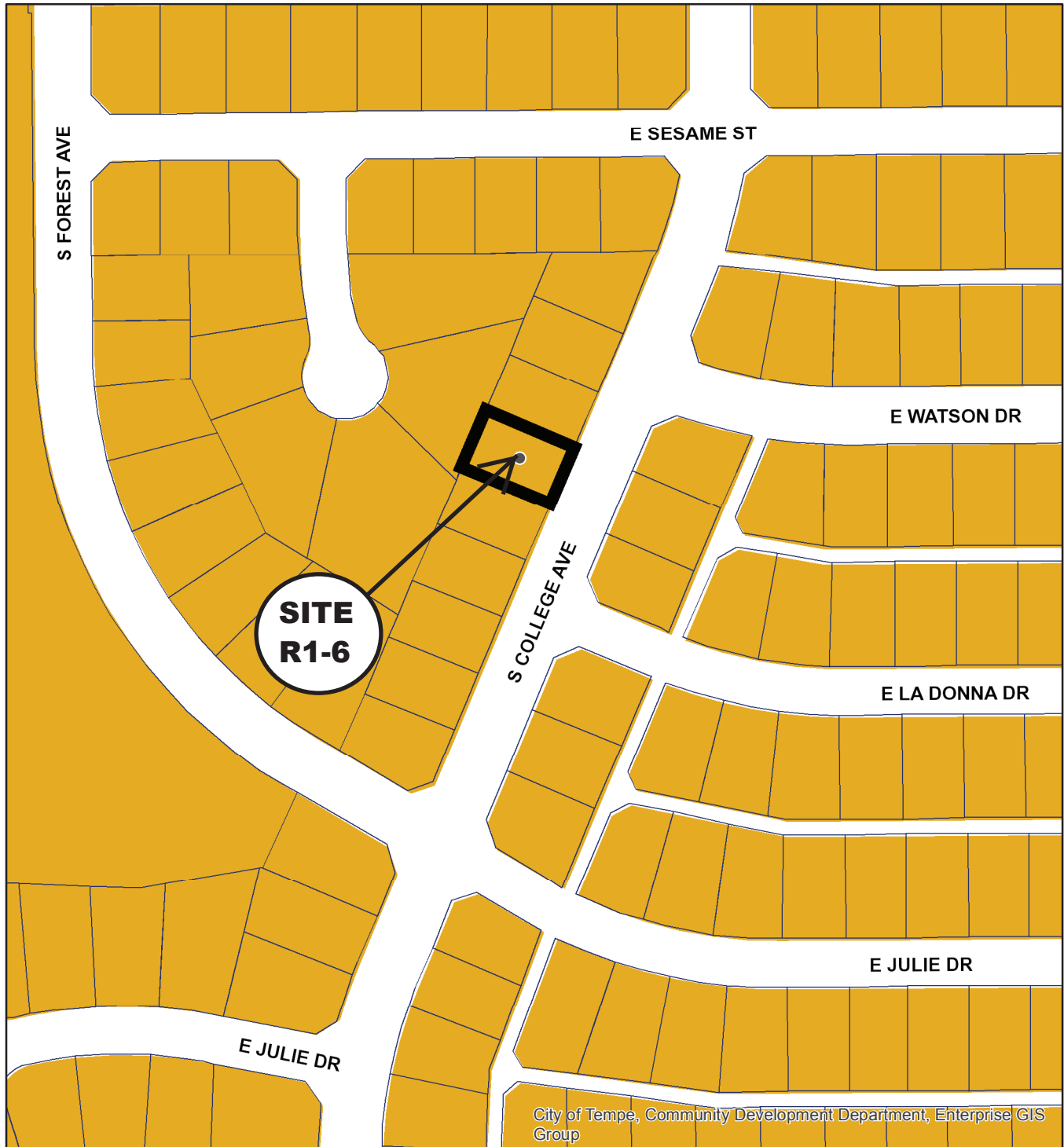
DEVELOPMENT PROJECT FILE
for
CASTRO RESIDENCE
(PL210059)

ATTACHMENTS:

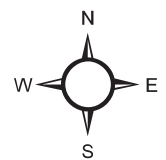
1. Location Map
2. Aerial
3. Letter of Explanation
4. Site Plan
5. Floor Plan
6. Elevations
- 7-9. Context Photos

CASTRO RESIDENCE

PL210059



City of Tempe, Community Development Department, Enterprise GIS Group



 Single-Family Residential (R1-6)

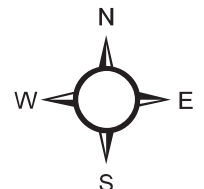
CASTRO RESIDENCE

PL210059



City of Tempe, Enterprise GIS and Data Analytics Group

Aerial Map



Reference: PL210059
5818 S. College Ave.
Tempe, Az. 85283

Letter of Explanation:

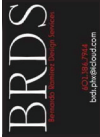
We are requesting to expand our home by adding the Garage Enclosure as living space.

Thank you,
Jose and Isela Castro
l.castro22@hotmail.com

COLLEGE AVE REMODEL

5818 S COLLEGE AVE

TEMPE ARIZONA 85283



DATE: 06-24-2020
 P.L.P.: BRDS-20-10
 P.O.S.: AS NOTED

PROJECT SITE DATA

MCR # 15625
 Description: UNIVERSITY ROYAL UNIT TWO
 Lat/Long 33.36900599 | -111.93281703
 Lot Size 6,399 sq ft.
 Zoning R1-6
 Lot # 492
 High School District TEMPE UNION #213
 Elementary School District TEMPE ELEMENTARY SCHOOL DISTRICT
 Local Jurisdiction TEMPE
 S/T/R 3 1S 4E
 Market Area/Neighborhood 02/007
 Subdivision (323 Parcels) UNIVERSITY ROYAL UNIT 2

Construction Year 1974
 Weighted Age 1976
 Improvement Quality R-3 (Average)
 Pool No
 Living Area 1,489 sq ft.
 Patio(s) Covered: 0 | Uncovered: 0
 Exterior Wall Type 8" Painted Block
 Roof Type Asphalt Shingle
 Bath Fixtures 6

LOT SIZE 6,399 SQFT
 (E)LIVABLE 1489 SQFT
 (N)LIVABLE 434.5 SQFT

TOTAL LIVABLE BLDG SQ FT: 1,923.50 SQFT
 TOTAL UNDER ROOF: 1,923.50 SQFT.
 MAX HEIGHT: 2 STORY - 30'
 LOT COVERAGE: 26.79% (40% ALLOWED)

DESIGNER:

BERNARDO RAMIREZ
 PH: (480) 365-8355
 BRDS.PHX@ICLOUD.COM

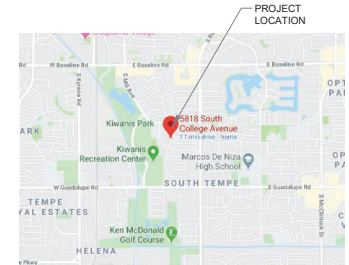
BUILDING CODE

BUILDING CODE:
 2018 INTERNATIONAL RESIDENTIAL CODE
 2018 INTERNATIONAL MECHANICAL CODE
 2018 INTERNATIONAL PLUMBING CODE
 2018 UNIFORM PLUMBING CODE
 2017 NATIONAL ELECTRICAL CODE
 2018 INTERNATIONAL FIRE CODE
 2018 INTERNATIONAL ENERGY CONSERVATION CODE
 2018 INTERNATIONAL FUEL GAS CODE
 AND ALL CITY OF TEMPE AMENDMENTS

SCOPE OF WORK

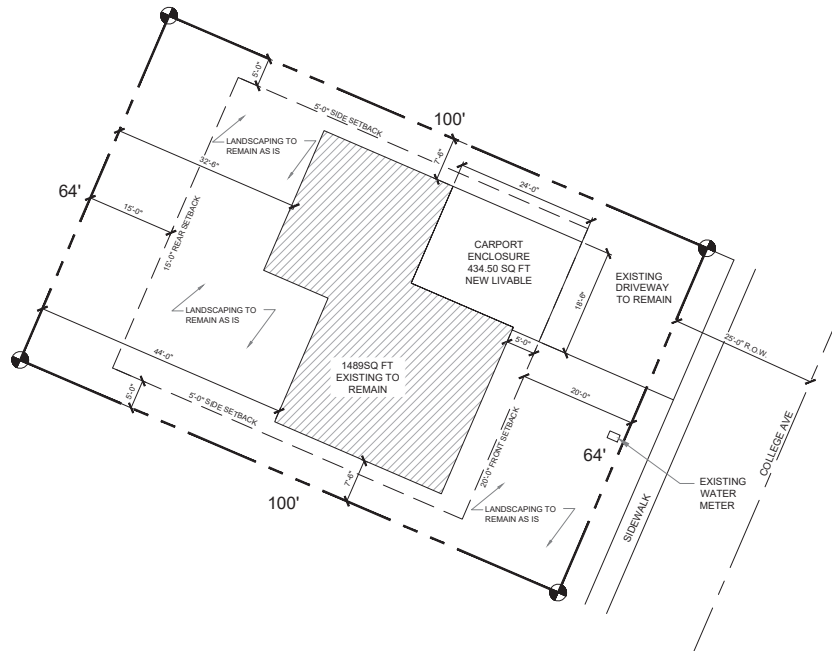
1. ADDITION TO FRONT OF HOUSE AND NEW GARAGE.

VICINITY MAP



SHEET INDEX

SHEET	NAME
CS	COVER SHEET / STANDARD PLAN DATA
GN	GENERAL NOTES
A1.0	CARPOT ENCLOSURE PLANS
A2.0	ELEVATIONS AND SECTIONS
A3.0	DETAILS



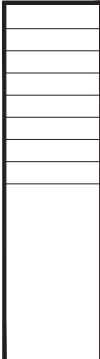
EXISTING WATER AND SEWER LINE TO BE VERIFIED BY CONTRACTOR

IF A POOL IS TO BE ADDED AT A LATER TIME, ALL DOORS AND WINDOWS ACCESSING THE POOL AREA MUST COMPLY WITH IRC AG 105.1 POOL BARRIERS - AMEND. IRC309.4 ITEM 5 AND CITY OF TEMPE POOL BARRIER ORDINANCE.



ARCHITECTURAL SITE PLAN

SCALE: 1"=10'

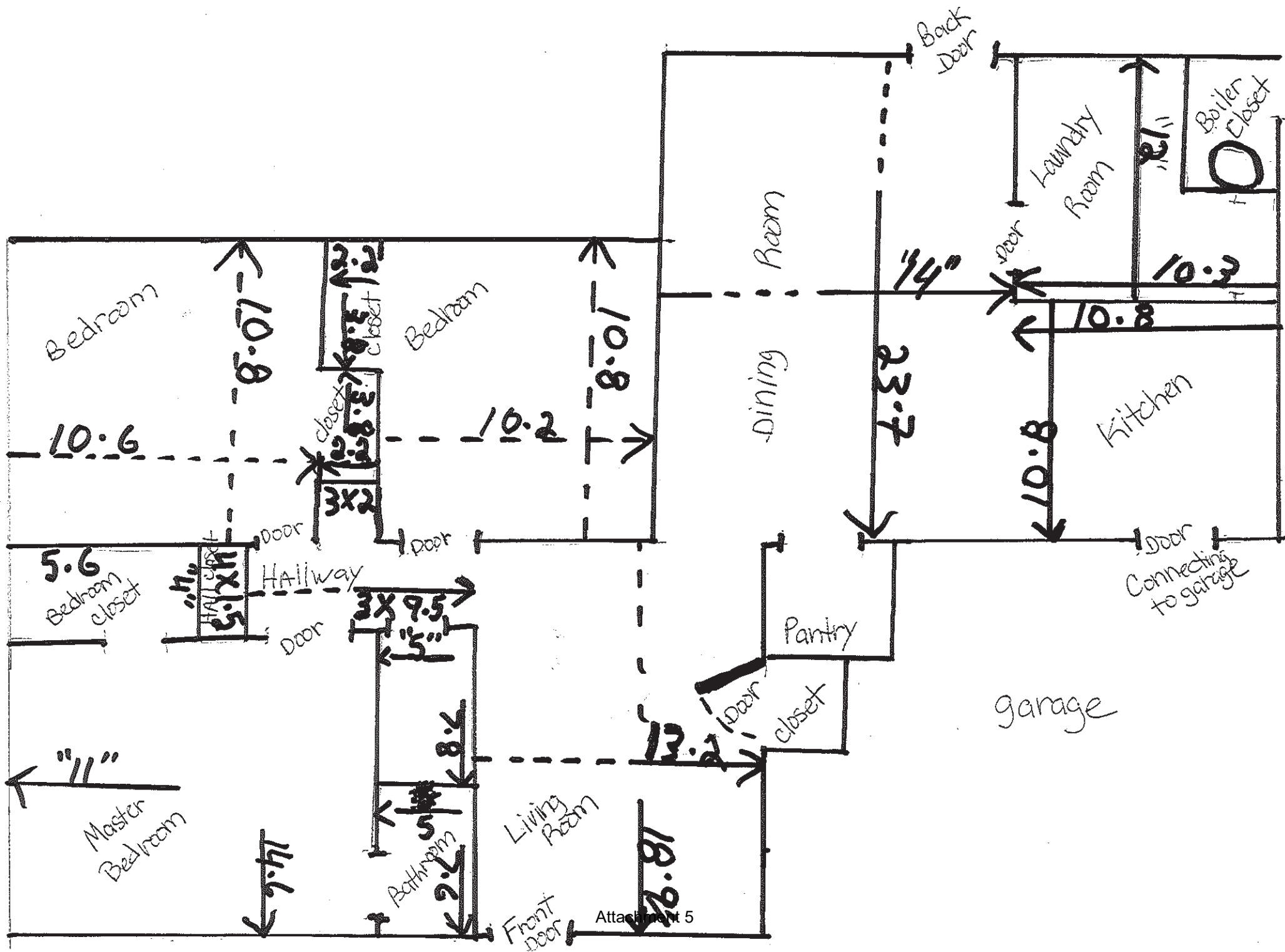


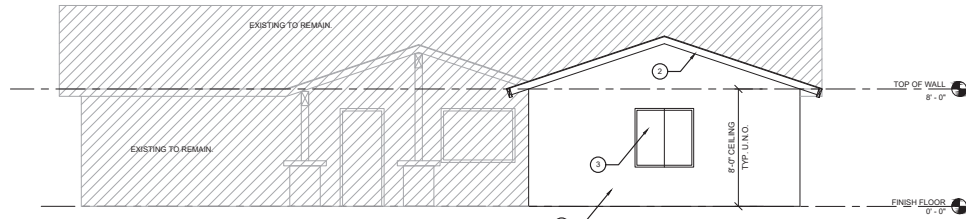
PROJECT: **CARPOT ENCLOSURE**
 5818 S COLLEGE AVE
 TEMPE, ARIZONA 85283

COVER SHEET

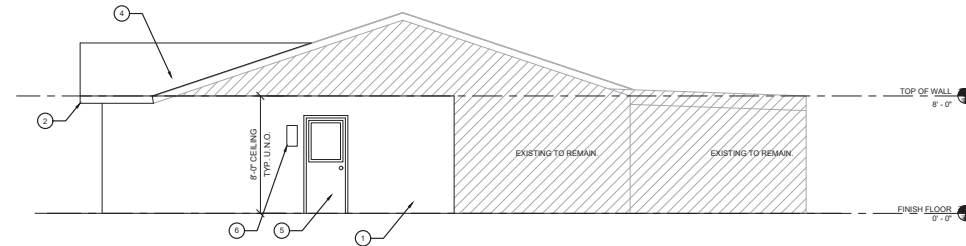
SHEET

CS

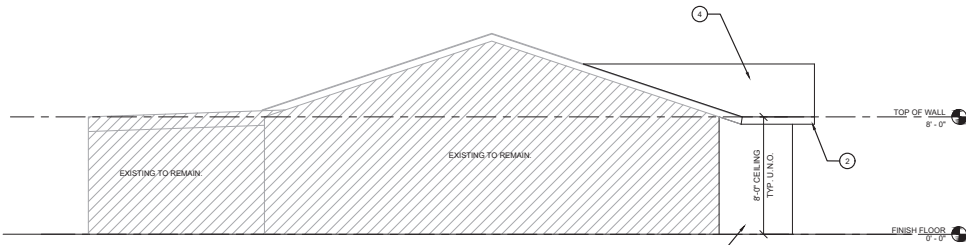




1 FRONT ELEVATION
SCALE: 1/4"=1'-0"



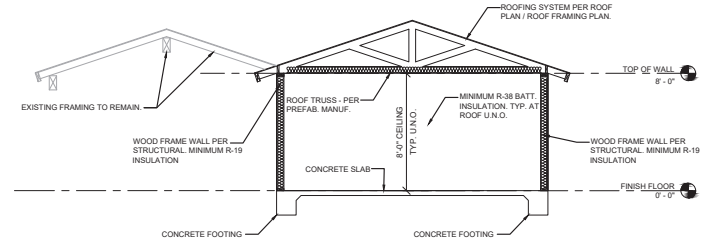
2 SIDE ELEVATION
SCALE: 1/4"=1'-0"



3 SIDE ELEVATION
SCALE: 1/4"=1'-0"

BUILDING ELEVATION KEYNOTES:

1. WESTERN 1-KOTE STUCCO SYSTEM IAPMO ER-382, OVER 1" RIGID FOAM (OVER O.S.B. SHEATHING AT SHEAR WALL) APPLY PER MANUFACTURERS SPECIFICATIONS.
2. 2x6 FASCIA W/METAL DRIP EDGE.
3. WINDOWS - PER PLAN AND SCHEDULE.
4. ROOF SHINGLES - SEE ROOF PLAN FOR TYPE AND ADDITIONAL INFORMATION NOT SHOWN.
5. DOOR - SEE FLOOR PLAN AND SCHEDULE.
6. DECORATIVE LIGHT PER ELECTRICAL.



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

CONNECTION	FASTENING	LOCATION
JOIST TO SILL OR GIRDER	(3) 8d COMMON (2, 1/2"x0.131") (3) 3"x0.131" NAILS	TOENAIL
BRIDGING TO JOIST	(2) 8d COMMON (2, 1/2"x0.131") (2) 3"x0.131" NAILS	TOENAIL EACH END
SILL PLATE TO JOIST OR BLOCKING	16d (3 1/2"x0.135") AT 16" O.C. 3"x0.131" NAILS AT 8" O.C.	TYPICAL FACE NAIL
TOP PLATE TO STUD	(2) 16d COMMON (3 1/2"x0.162") 3"x0.131" NAILS	END NAIL
STUD TO SILL PLATE	(4) 8d COMMON (3, 1/2"x0.131") (4) 3"x0.131" NAILS	TOENAIL
STUD TO SILL PLATE	(2) 16d COMMON (3 1/2"x0.162") (3) 3"x0.131" NAILS	END NAIL
BUILT-UP STUDS	16d (3 1/2"x0.135") AT 12" O.C. 3"x0.131" NAILS AT 8" O.C.	FACE NAIL
DOUBLE TOP PLATES	16d (3 1/2"x0.135") AT 16" O.C. 3"x0.131" NAILS AT 12" O.C.	TYPICAL FACE NAIL
BLOCKING BETWEEN JOISTS OR RAFTERS TO TOP PLATE	(3) 8d COMMON (2, 1/2"x0.131") (3) 3"x0.131" NAILS	TOENAIL
HW JOIST TO TOP PLATE	8d (2 1/2"x0.131") AT 6" O.C. 3"x0.131" NAIL AT 6" O.C.	TOENAIL
TOP PLATES, LAPS AND INTERSECTIONS	(2) 16d COMMON (3 1/2"x0.162") (3) 3"x0.131" NAILS	FACE NAIL
CONT. HEADER, TWO PIECES	16d COMMON (3 1/2"x0.162")	16" O.C. ALONG EDGE
CONT. HEADER TO STUD	(4) 8d COMMON (2, 1/2"x0.131")	TOENAIL
WOOD JOIST TO PLATE	(3) 8d COMMON (2, 1/2"x0.131") (3) 3"x0.131" NAILS	TOENAIL
BUILT-UP CORNER STUDS	16d COMMON (3 1/2"x0.162") 3"x0.131" NAILS	24" O.C. 16" O.C.
BUILT-UP GIRDER AND BEAMS	20d COMMON (4"x0.192"), 32" O.C. 3"x0.131" NAIL AT 24" O.C. (2) 20d COMMON (4"x0.192") (3) 3"x0.131" NAILS	FACE NAIL AT TOP AND BOTTOM STAGGERED ON OPPOSITE SIDES FACE NAIL AT ENDS AND AT EACH SPLICE

NOTES:
 1. COMMON OR BOX NAILS ARE PERMITTED TO BE USED EXCEPT WHERE OTHERWISE STATED.
 2. STAPLES SHALL HAVE A MINIMUM CROWN OF 7/16".
 3. FASTENING SCHEDULE APPLIES U.N.O., WHERE DIFFERENCES OCCUR, GREATER REQUIREMENT GOVERNS.

TYPICAL WOOD FASTENING



Attachment 7



Attachment 8



Attachment 9