

**CITY OF TEMPE  
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 05/10/2022  
Agenda Item: 6**

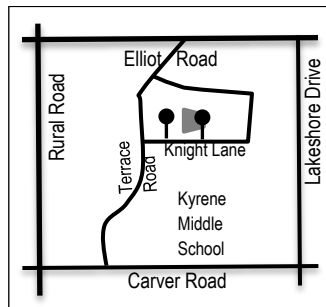
**ACTION:** Request a Use Permit Standard to reduce the side yard setback from 7' to 5'6" for an addition to an existing single-family residence for EDWARDS RESIDENCE, located at 7832 South Stanley Place. The applicant is Abigail Scheel Architectural Services.

**FISCAL IMPACT:** There is no fiscal impact on City funds.

**RECOMMENDATION:** Approve, subject to conditions

**BACKGROUND INFORMATION:** EDWARDS RESIDENCE (PL220040) is a single-family home proposing a 416 s.f. addition to the front of the residence to accommodate a fifth bedroom and third bathroom. The lot is located on a cul de sac and is an irregular wedge shape which narrows toward the street front. This resulting lot configuration impacts the side yard setbacks and reduces the building envelope with a non-standard area. To facilitate a desired addition to the residence, the applicant is seeking to reduce the south side yard setback by 20%. The request includes the following:

ZUP220022 Use Permit Standard to reduce the side yard setback from 7' to 5.5' for a 416 s.f. addition to the residence.



Property Owner	Dave and Nancy Edwards
Applicant	Abigail Scheel, Abigail Scheel Architectural Services
Zoning District	R1-7 single-family residential
Gross / Net site area	.2782 acres
Density / Number of Units	3.75 du/ac / 1 dwelling unit
Total Bedrooms	5 bedrooms (after addition)
Total Building Area	3,550 s.f. (after 416 s.f. addition)
Lot Coverage	29.5% (45% maximum allowed)
Building Height	17' (30' maximum allowed)
Building Setbacks	20' east street front, 15' west rear, 7' north side, 5.5' south side with use permit standard (20', 15', 7', 7' min.)
Vehicle Parking	3 spaces in garage (2 min. required)

**ATTACHMENTS:** Development Project File

**STAFF CONTACT(S):** Diana Kaminski, Senior Planner (480) 858-2391

Department Director: Shelly Seyler, Interim Community Development Director

Legal review by: N/A

Prepared by: Diana Kaminski, Senior Planner

Reviewed by: Steve Abrahamson, Principal Planner

**COMMENTS:**

This site is located between Elliot and Carver roads and Rural Road and Lakeshore Drive in the Sandahl Homes Tempe Subdivision and the Corona/South Tempe Character Area Eight. The existing home has four bedrooms and two and a half bathrooms and a three-car garage. The owners have designed an addition to the front of the house with another bedroom and bathroom. Due to the wedge-shaped lot configuration on a cul-de-sac, the south east corner of the new room encroaches by 1'6" into the side yard setback. The property has a pool in the rear yard which limits the location of where an addition may be built. The addition would comply with the 25' front yard setback which follows the curvature of the street. This request includes the following:

ZUP220022      Use Permit Standard to reduce the side yard setback from 7' to 5.5' for a 416 s.f. addition to the residence.

The applicant is requesting the Development Review Commission approve the requested Use Permit Standard.

**SITE PLAN REVIEW**

The original submittal was for a variance request for a slightly larger room that encroached closer to the property line. Through review of the project and the criteria, staff recommended reconfiguring the addition to comply with the use permit standards for a smaller deviation from the code. The applicant revised the drawings and submitted for a use permit standard request.

**PUBLIC INPUT**

- Neighborhood meeting was not required for this request; however the property owners did meet with neighbors to get early feedback prior to submitting to the city.
- At the completion of this report staff has received \_\_\_ calls of inquiry regarding this request.

**PROJECT ANALYSIS**

**GENERAL PLAN**

The site is designated as Residential land use with low-moderate density of up to 9 du/ac. The project invests in the home to provide long term livability meeting objectives of neighborhood revitalization and housing elements.

**CHARACTER AREA PLAN**

The Corona/South Tempe Character Area 8 desires lower density developments with options for multi-generational housing in single-family housing forms. The proposed addition allows flexibility for the owners to meet their family needs. The 1.5' encroachment into the setback does not alter the character of the neighborhood or of the home. The addition has been designed to blend with the existing architecture.

**ZONING**

Standard	R1-7	Use Permit Standard
Density (DU/Acre)	3.75	NA
Minimum Net Site Area (square feet) per Dwelling	7,000 sf	NA
Minimum Lot Width (feet)	70 ft	10%
Minimum Lot Length (feet)	100 ft	10%
Maximum Height (feet) (E) [Exceptions, see <a href="#">Section 4-205(A)</a> ]	30 ft	10%
Maximum Lot Coverage (% of net site area)	45%	10%
Setback (feet) (c): [Exceptions, see <a href="#">Section 4-205(B)</a> ]		
Front - Building	20 ft	20%
Front - Open Structures (e.g. porch, or trellis)	15 ft	20%
Side (f)	7 ft	20%
Rear (f)	15 ft	20%
Street Side (b)	10 ft	20%

The property is zoned R1-7 Single-family residential and complies to all development standards within the Zoning and Development Code. The proposed design is a small modification that does not exceed lot coverage or impact adjacent lots uses or views. The code provides allowances for deviations from the standards by different entitlement processes based on the criteria. The request would reduce the south side yard setback from 7' to 5.5' pursuant to Table 4-202A - Development Standards in Agricultural and Single-Family Districts for an allowed Use Permit Standard reduction of up to 20%.

## USE PERMIT STANDARD

The proposed addition requires a use permit standard to reduce the south side yard setback from 7' to 5.5' to allow room to add 416 square feet for a bedroom and bathroom. The applicant has provided a letter of explanation for this request pursuant to Section 6-308 E Approval criteria for Use Permit (*in italics*):

1. *Any significant increase in vehicular or pedestrian traffic.* The existing residence had 4 bedrooms and 2.5 bathrooms and a three-car garage. The parking requirement for single family residences is 2 parking spaces, with the street front available for guests. The street front of this lot is limited due to the curve of the cul-de-sac and may only have room for one vehicle parked on the street front without blocking the driveway. The addition of another bedroom may result in more vehicles parked on site; however the site provides sufficient room with garage parking and use of the driveway for tandem spaces not required by code. The encroachment of 1.5' into the setback will not impact 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.* During construction, there may be temporary nuisances, however, the 1.5' encroachment into the south side setback for a permanent addition to the house will not cause nuisances exceeding the surrounding conditions.
3. *Contribution to the deterioration of the neighborhood or to the downgrading of property values, the proposed use is not 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 proposed investment in the residence with the addition will increase the value of this lot. The design meets the character area plan objectives and helps preserve the character of the neighborhood.
4. *Compatibility with existing surrounding structures and uses.* In evaluation of the 64 properties within 500' of this lot, the site is larger than the average lot size (11,873 s.f.) at 12,118 s.f. and in the top third of lot and home sizes. The addition will fit within the front of the home without adding width or height to the structure. The design is compatible with the existing architecture and upon completion should not be discernable as being an addition.
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 residence is owner occupied and responsible for behavior on or adjacent to the site. The addition of 1.5' of building wall will not change behavior of the occupants.

The manner of conduct and the building for the proposed use will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in full conformity to any conditions, requirement or standards prescribed therefore by this code.

## REASONS FOR APPROVAL:

1. The project meets the General Plan Projected Land Use and Projected Residential Density for this site.
2. The project will meet the development standards required under the Zoning and Development Code.
3. The proposed project meets the approval criteria for a Use Permit Standard.

Based on the information provided and the above analysis, staff recommends approval of the requested Use Permit Standard. This request meets the required criteria and will conform to the conditions.

## USE PERMIT CONDITIONS OF APPROVAL:

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

1. This 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.
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 EDWARDS 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.
- Any intensification or expansion of use shall require a new Use Permit.

**BASIS OF BUILDING HEIGHT:** Measure height of buildings from top of curb at a point adjacent to the center of the front property line.

**HISTORIC PRESERVATION:** State and federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of human or associated funerary remains). Contact the Historic Preservation Officer with general questions. Where a discovery is made, contact the Arizona State Historical Museum for removal and repatriation of the items.

**ZONING AND DEVELOPMENT CODE:**

- 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 [www.tempe.gov/zoning](http://www.tempe.gov/zoning) or purchase from Community Development.

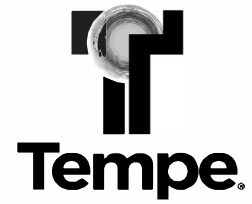
**DUST CONTROL:** Any operation capable of generating dust, include, but not limited to, land clearing, earth moving, excavating, construction, demolition and other similar operations, that disturbs 0.10 acres (4,356 square feet) or more shall require a dust control permit from the Maricopa County Air Quality Department (MCAQD). Contact MCAQD at <http://www.maricopa.gov/air/>.

**HISTORY & FACTS:**

1930-1986	Aerial photos indicate the site was part of a larger agricultural area.
1980	Sandahl Homes Tempe Subdivision Plat was approved and recorded.
1986	A single family residence was built.
1994	A room addition was permitted for the house.
May 10, 2022	Development Review Commission is scheduled to hear a request for a Use Permit Standard to reduce the south side yard setback by 20% from 7' to 5.5' for the addition of another room.

**ZONING AND DEVELOPMENT CODE REFERENCE:**

Section 6-308, Use Permit Standard



# DEVELOPMENT PROJECT FILE

for

EDWARDS RESIDENCE  
(PL220040)

## **ATTACHMENTS:**

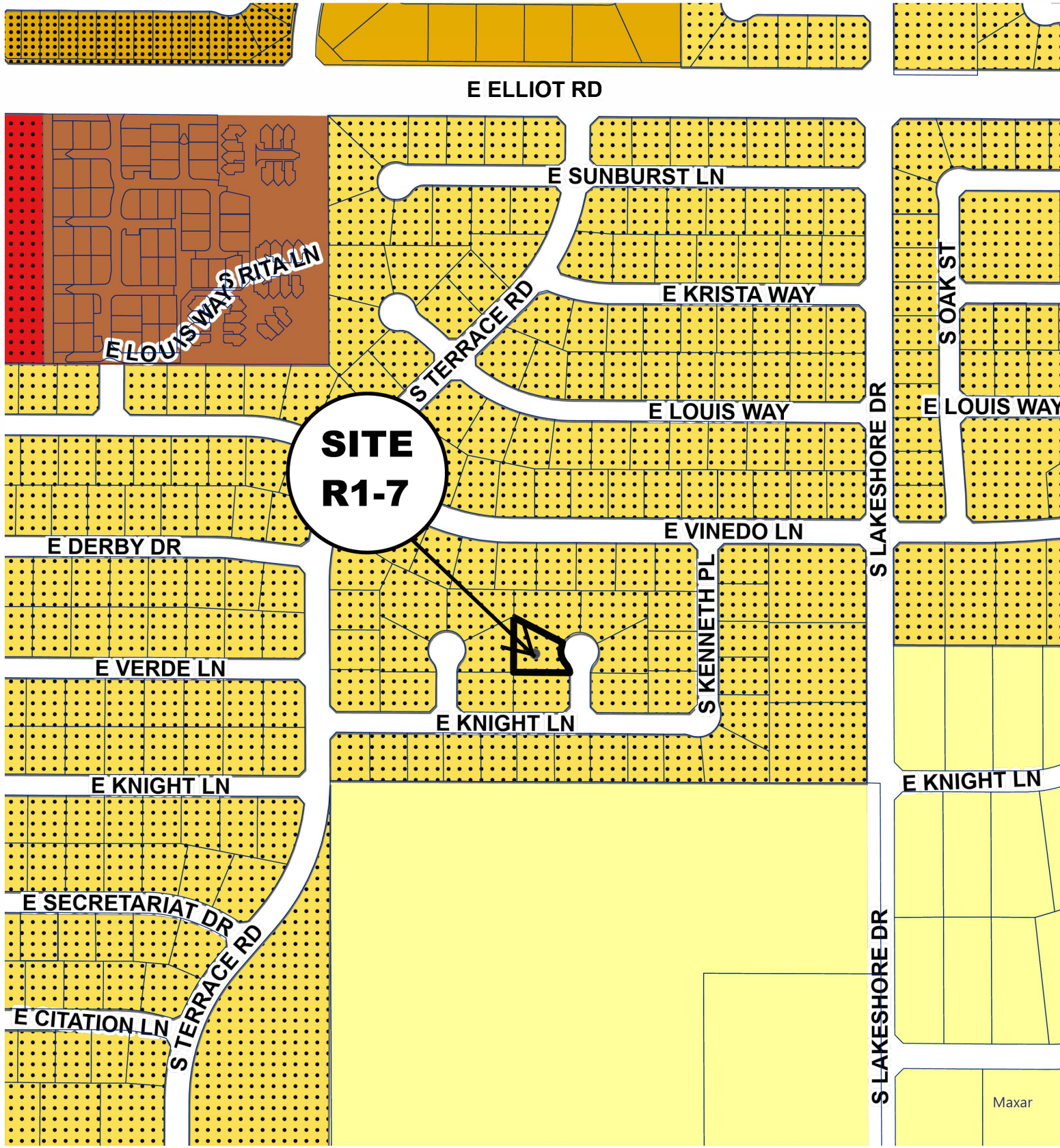
- 1-6. Site Context (Location Map, Aerial, Aerial with house overlay, Site Context Photos)
7. Applicant's Letter of Explanation
8. Site Plan
9. Building Design (Floor Plan and Blackline Elevations)



Tempe

PL220040

# EDWARDS RESIDENCE

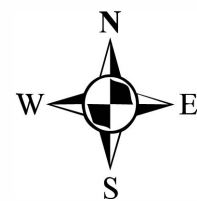


- Planned Commercial Center Neighborhood (PCC-1)
- Agricultural (AG)
- Single-Family Residential (R1-7)
- Single-Family Residential (R1-6)
- Single-Family Residential (R1-4)
- Multi-Family Residential (R-2)
- Override 1

- Twelve Point**  
CenterlineSubType
- ADOT
  - Canal
  - Monument
  - Private

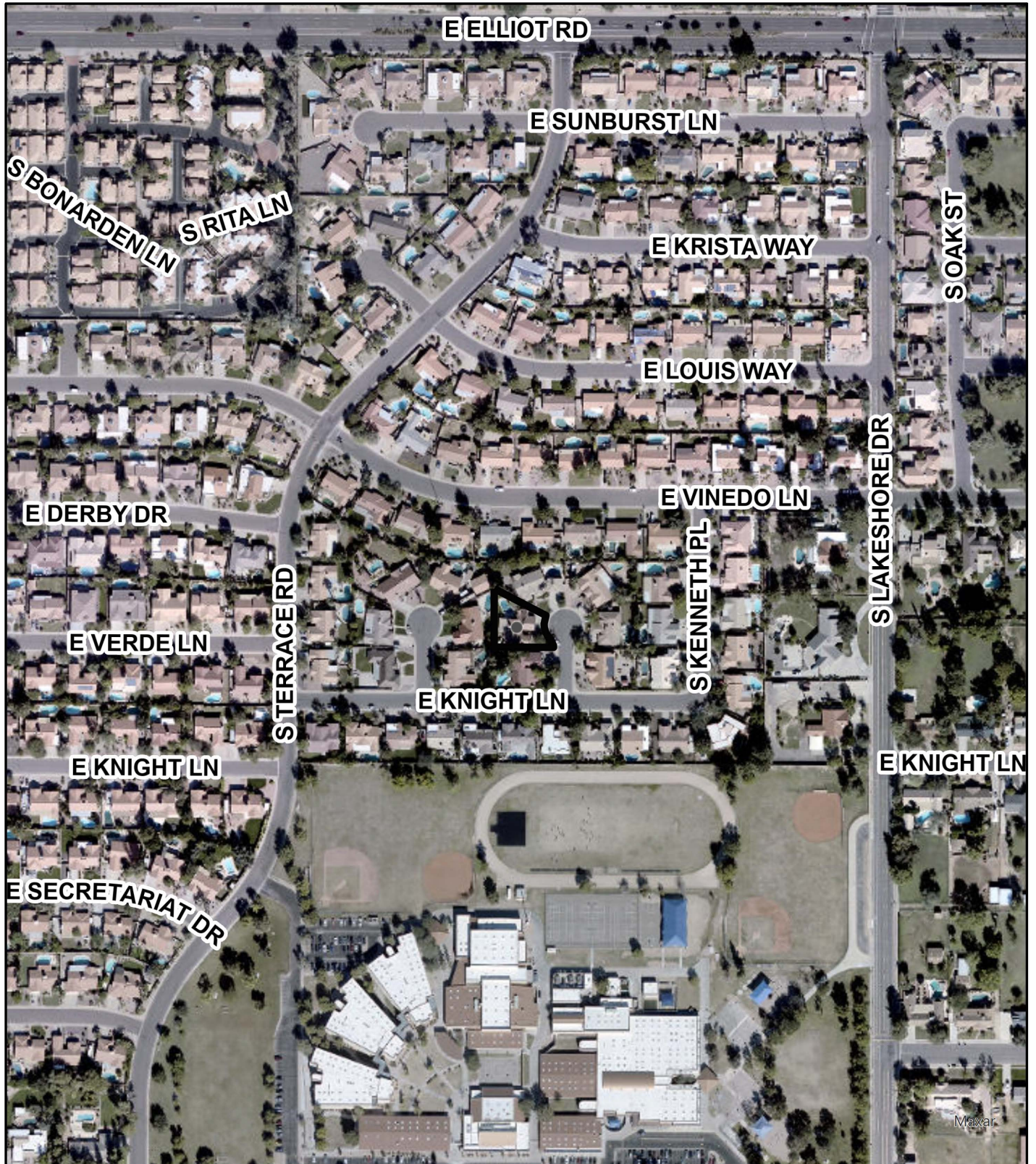
ATTACHMENT 1

- Railroad
  - Street
  - <all other values>
- Zoning District**
- Light Industrial District (LID)
  - General Industrial District (GID)
  - Heavy Industrial District (HID)

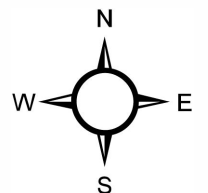


# EDWARDS RESIDENCE

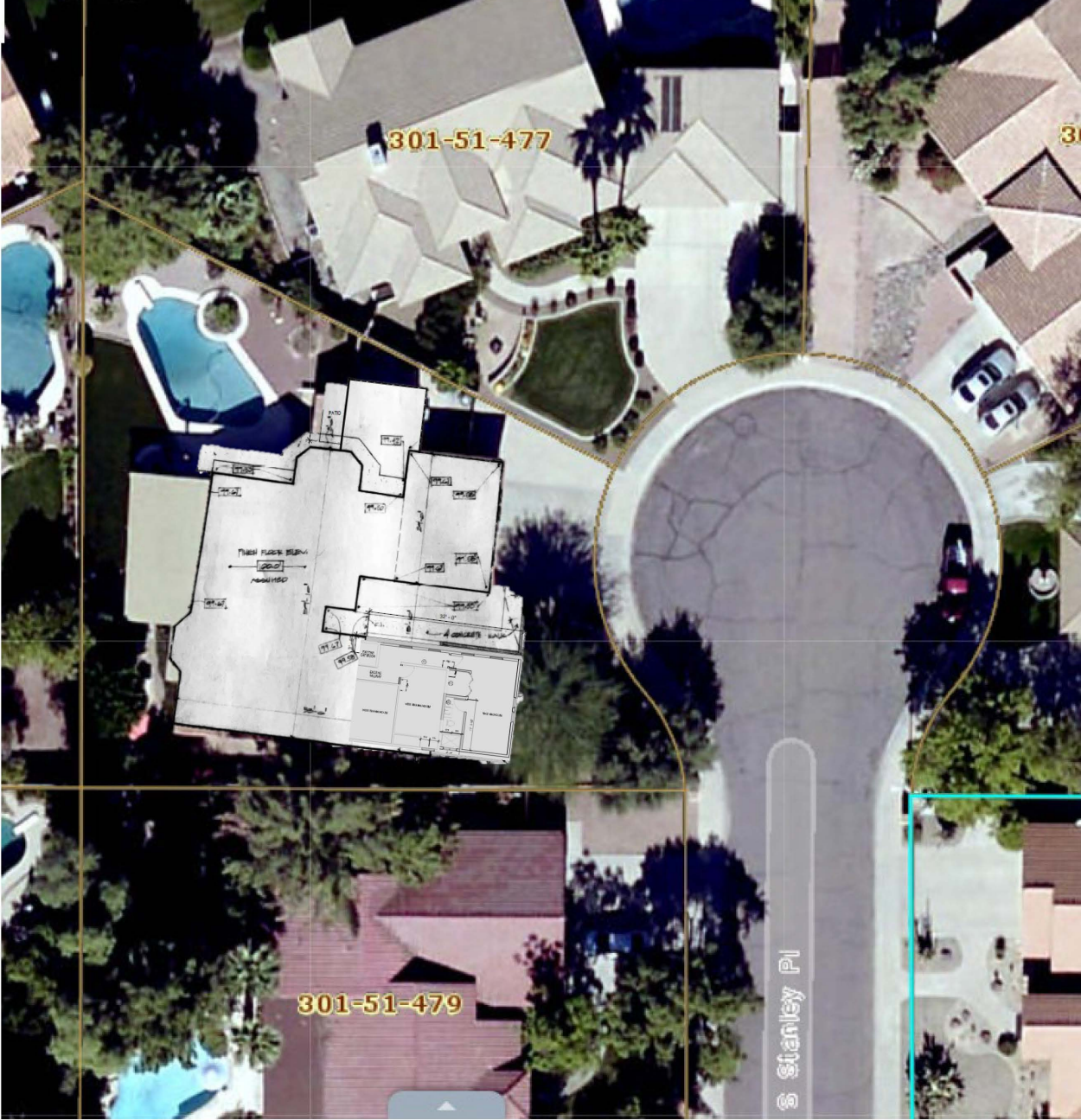
PL220040



## Aerial Map

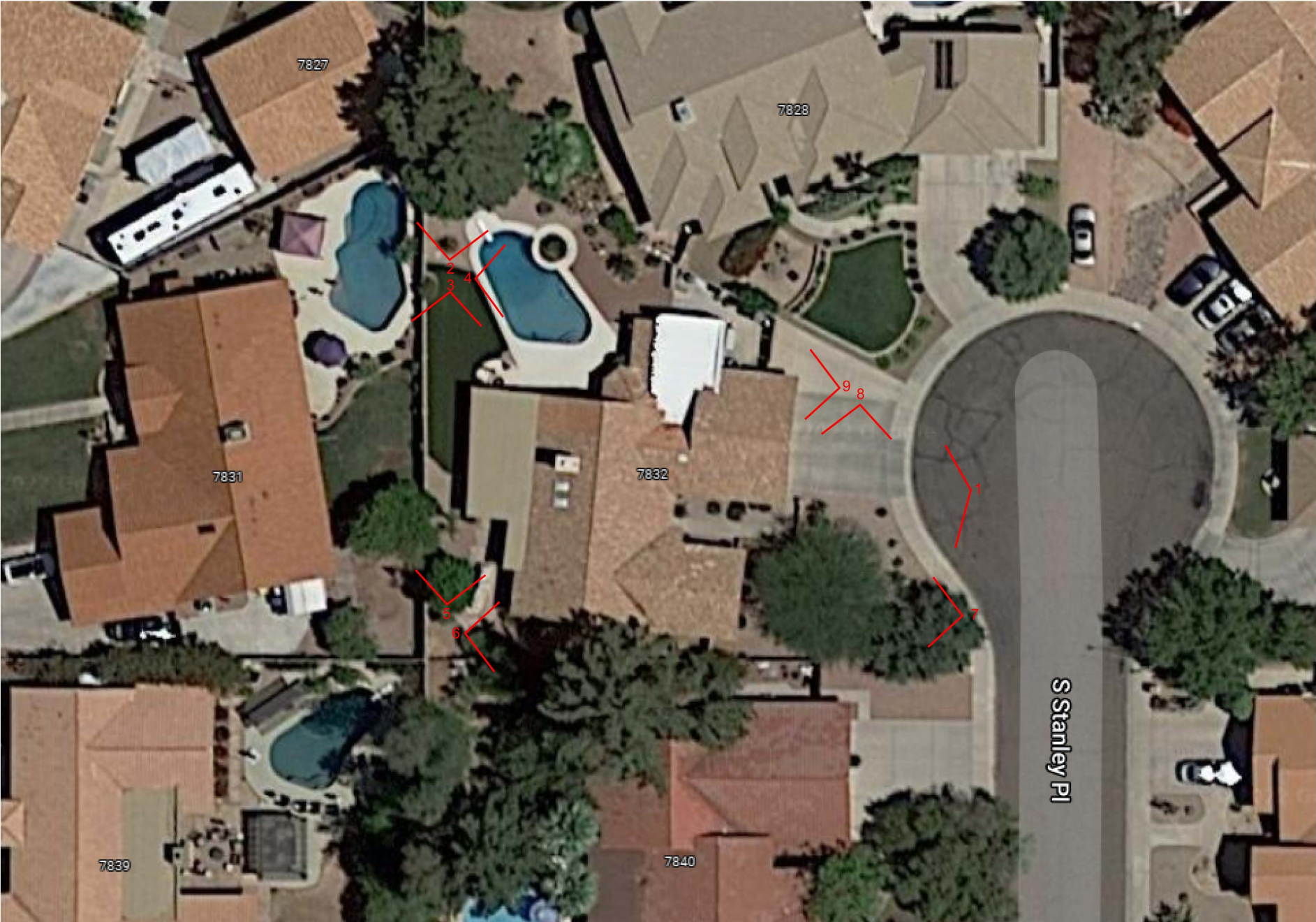


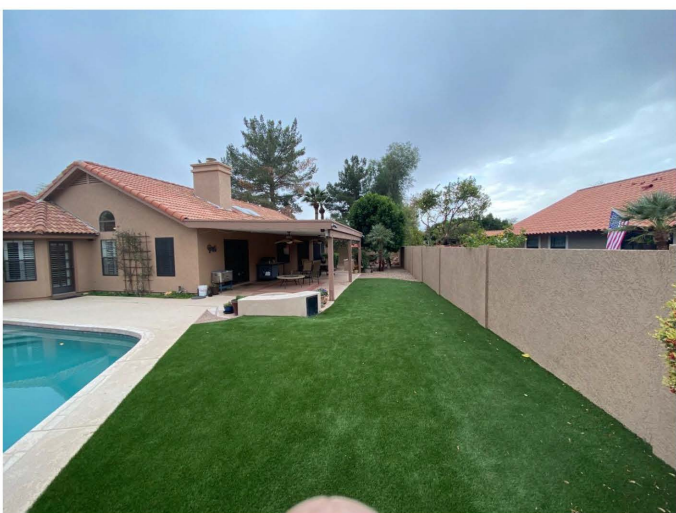
**SITE PLAN OVER AERIAL OF EDWARDS RESIDENCE ADDITION**





Context Photos and Photo Map







## Letter of Explanation

To whom it may concern,

This letter is being written in regard to a use permit standard to reduce the required side setback on the south side of 7832 S Stanley Place in Tempe from 7' to 5'-9" for a small addition. This project is a small addition to the front of the house which will consist of a bedroom, a full bathroom, and a hallway to connect it to the rest of the house.

This addition is to an existing 4 bedroom house with a 3 car garage and 3 car tandem parking in the driveway. The addition is owner occupied for use by family members and will not cause additional parking requirements. After construction, this addition will not change or add nuisances to the neighborhood. The new construction is compatible with the existing house and neighborhood and will not deteriorate the value of the house or property. This project has been discussed with neighbors on the block by the property owner and has their support. Because this addition is owner occupied, it is still subject to all rules set by the community.

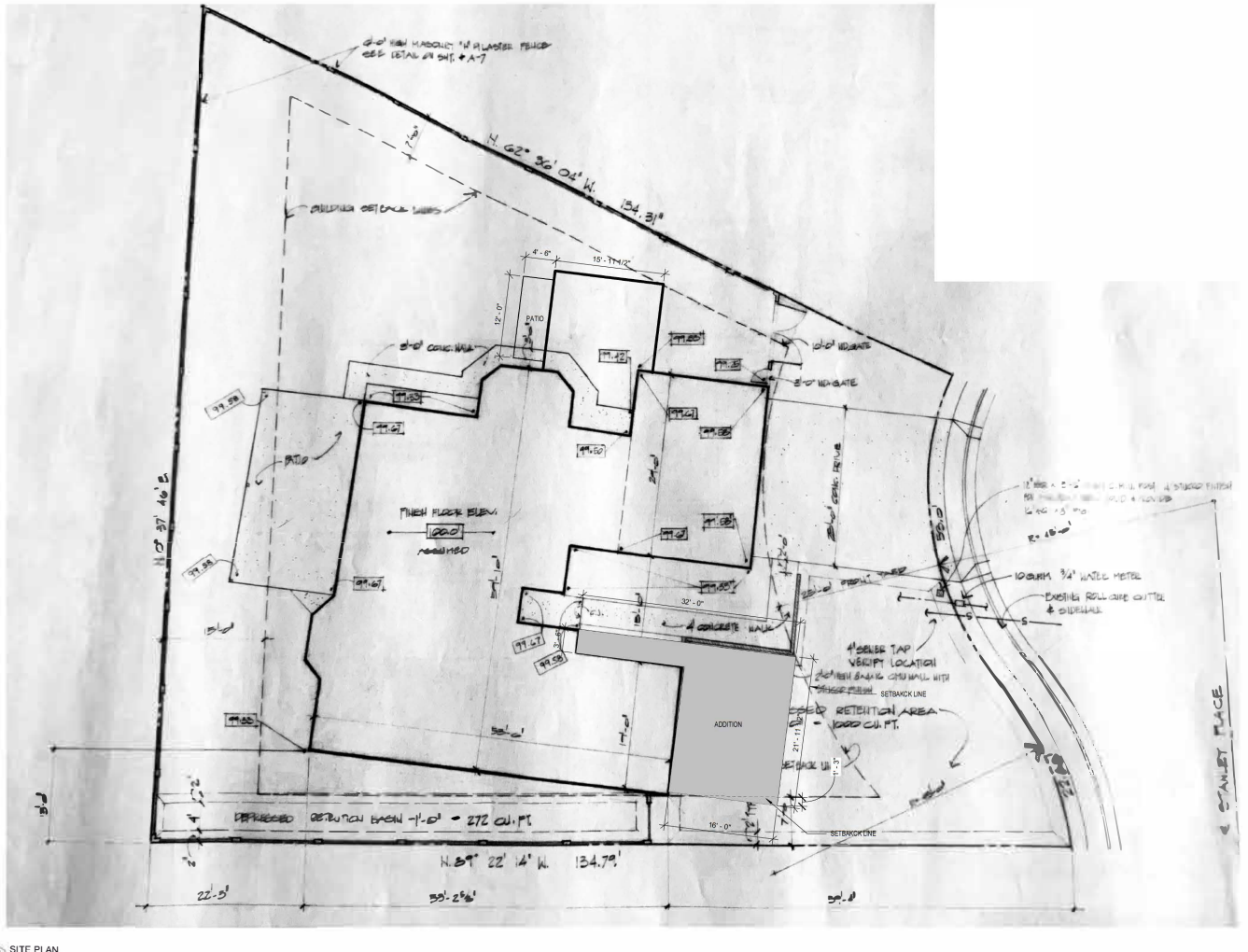
This request will not be detrimental to the adjacent properties or neighborhood and will conform to the following standards as follows:

- A. There will be no significant increase in vehicular or pedestrian traffic because this is an owner-occupied addition. It will also not affect or impede any of the existing pedestrian or vehicular routes on the property or in the area.
- B. This addition is being built with the same use, construction type, and materials as the existing house and neighborhood, therefore there will be no additional noise or pollution once construction is completed.
- C. This addition will not deteriorate the existing value of the house or neighborhood and will likely increase the value of the property by adding additional living space to the existing home.
- D. The addition does not differ in use, construction type, or materials and will act as an extension of the existing house, thus will blend seamlessly into the existing structure and the neighborhood.
- E. All rules and regulations are set by the community and thus the occupants of the addition are still subject to these rules. The occupants will be the owners of the home, and owner's family and will not cause any additional nuisance either inside or outside the residence.

We believe this project will satisfy the needs of the property owner while blending seamlessly into the existing neighborhood.

Sincerely,

Abigail Scheel  
Use Permit Standard Applicant



1 SITE PLAN  
 1/8" = 1'-0"

**PROJECT INFORMATION**

PROJECT OWNER: DAVE AND NANCY EDWARDS  
 7832 S STANLEY PL  
 TEMPE, AZ 85284

PROJECT CONTACT: ABIGAIL SCHEEL  
 387 N 2ND AVE 1A  
 PHOENIX, AZ 85003  
 PHONE: (602) 901-5015  
 EMAIL: SCHEEL\_A@OUTLOOK.COM

PROJECT TITLE: EDWARDS RESIDENCE MASTER BEDROOM ADDITION

DESCRIPTION: MASTER BEDROOM ADDITION,  
 SIDE SETBACK USE PERMIT STANDARD REQUEST

SITE ADDRESS: 7832 S STANLEY PL  
 TEMPE, AZ 85284  
 LOT 100 SANDHAL HOMES, TEMPE

ZONING: R1-7 (EXISTING AND PROPOSED)

LOT SIZE: 12,118 SF

BUILDING SF: EXISTING: 3,134 SF  
 ADDITION: 418 SF  
 TOTAL: 3,550 SF

BUILDING HEIGHT: 17 FT (EXISTING AND PROPOSED)  
 MAXIMUM ALLOWED: 30 FT

LOT COVERAGE: PROPOSED: 23.5%  
 MAXIMUM ALLOWED: 45%

SETBACKS: PROPOSED:  
 FRONT: 20 FT REAR: 15 FT SIDE: 5'-9" FT  
 MIN. REQUIRED  
 FRONT: 20 FT REAR: 15 FT SIDE: 7 FT

PARKING REQUIRED: 2 SPACES  
 PARKING PROVIDED: 3 SPACES

**VICINITY MAP**



**PRELIMINARY NOT FOR  
 CONSTRUCTION**

Revisions		
No.	Date	Description

Project Information			
Project No.	Project Number	PIG/AIC	Issue Date

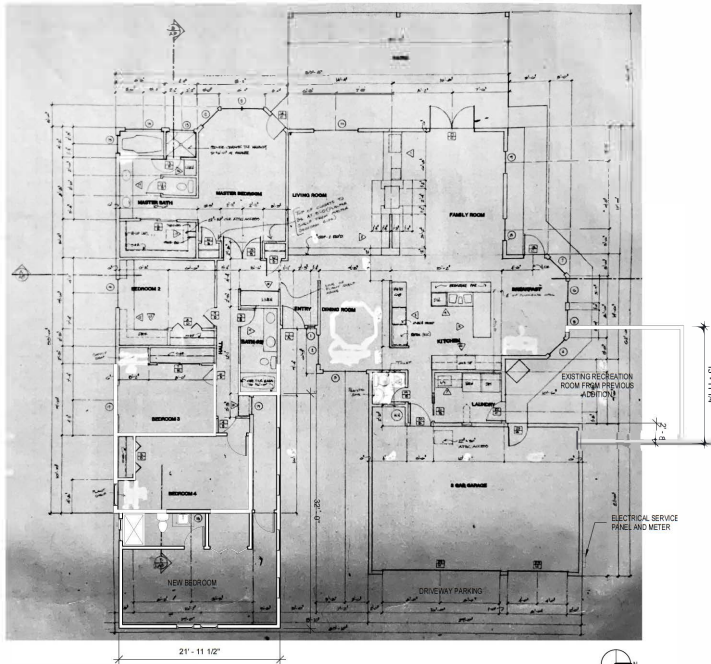
Edward Residence Master Bedroom Addition

Drawing Package

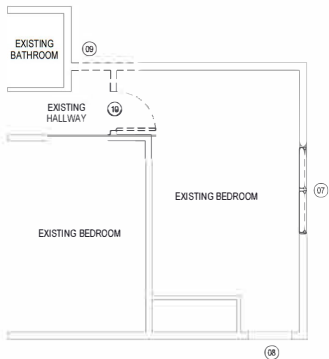
Sheet Title  
**SITE PLAN/PROJECT  
 INFORMATION**

Sheet Number \_\_\_\_\_ Current Revision \_\_\_\_\_

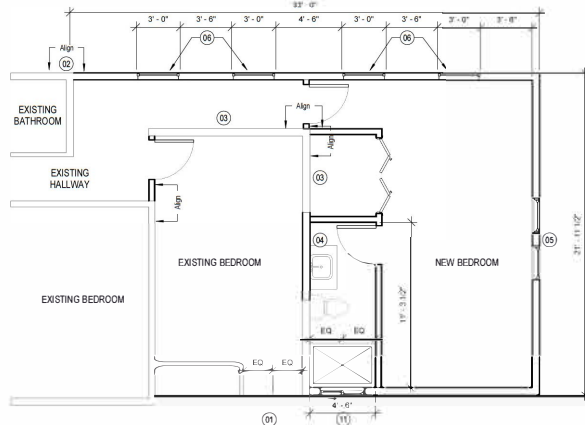
**A-01**



1 OVERALL FLOOR PLAN  
1/8" = 1'-0"

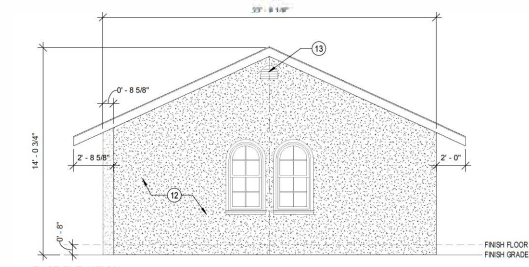


2 DEMO PLAN  
1/4" = 1'-0"

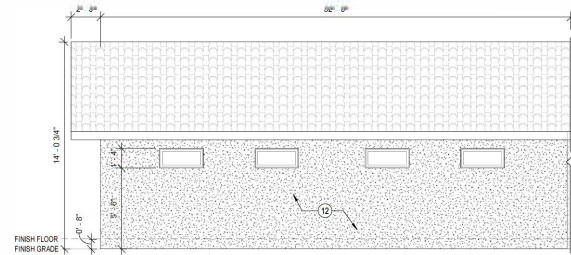


3 ADDITION FLOOR PLAN  
1/4" = 1'-0"

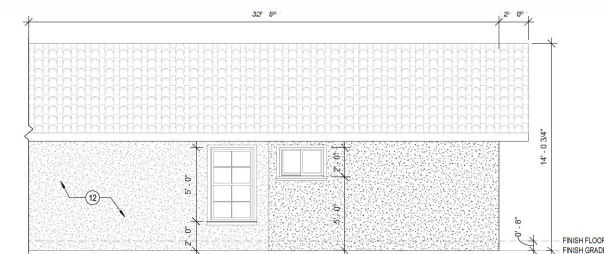
_KEYNOTE - A-02	
Sheet Note Number	Description
01	NEW 3'X5' DOUBLE HUNG WINDOW R.O. AS REQ'D
02	ALIGN FINISH FACE OF NEW STUCCO WALL WITH FINISH FACE OF EXISTING WALL
03	STRIP STUCCO AND SHEATHING OFF EXISTING WALL AND FINISH WITH GYP
04	FILL IN DEMOED EXISTING WINDOW WITH FRAMING AND FINISH WITH GYP
05	NEW LOCATION FOR REMOVED WINDOW AND TRIM, CENTERED ON WALL
06	NEW 3'X1'-4" WINDOWS R.O. AS REQ'D
07	REMOVE WINDOW, TRIM, AND LOCKING DEVICE FOR RE-USE
08	DEMO R.O. FOR ADDED WINDOW
09	DEMO R.O. FOR NEW DOOR
10	REMOVE DOOR, FRAME, AND HARDWARE FOR RE-USE
11	NEW 3'X2' DOUBLE SLIDING WINDOW R.O. AS REQ'D
12	STUCCO TO MATCH EXISTING
13	RELOCATED EXISTING ATTIC VENT



4 EAST ELEVATION  
1/4" = 1'-0"



5 NORTH ELEVATION  
1/4" = 1'-0"



6 SOUTH ELEVATION  
1/4" = 1'-0"

**Abigail Scheel**  
**Architectural Services**  
387 N 2nd Ave #1A Phoenix, AZ 85003  
(602)901-5015

**PRELIMINARY NOT FOR CONSTRUCTION**

Revisions		
No.	Date	Description

**Project Information**

Project No.	Project Number	PIG / A/C	Date	Issued Date

Edward Residence Master Bedroom Addition

Drawing Package

Sheet Title  
**ARCHITECTURAL PLANS AND ELEVATIONS**

Sheet Number \_\_\_\_\_ Current Revision \_\_\_\_\_

**A-02**