

**Minutes  
HEARING OFFICER  
JANUARY 6, 2009**

Minutes of the regular public hearing of the Hearing Officer, of the City of Tempe, which was held at the Council Chambers, 31 East Fifth Street, Tempe, Arizona.

**Present:**

David Williams, Hearing Officer  
Steve Abrahamson, Planning & Zoning Coordinator  
Sherri Lesser, Senior Planner

**Number of Interested Citizens Present: 5**

Meeting convened at 1:30 PM and was called to order by Mr. Williams. He noted that anyone wishing to appeal a decision made today by the Hearing Officer would need to file a written appeal to that decision within fourteen (14) days by January 20, 2009 at 3:00 PM to the Development Services Department.

1. Approval of the Hearing Officer Minutes for December 16, 2008 has been continued to the January 20, 2009 Hearing Officer hearing.  
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2. Request by the **HEMMINGS RESIDENCE (PL080432)** (David Ullrich/Cornerstone Remodeling Corporation, applicant; Shawn Hemmings, property owner) located at 5508 South El Camino Drive in the R1-6, Single Family Residential District for:

**ZUP08187** Use permit to increase the maximum allowable lot coverage by two percent (2%) from forty-five percent (45%) to forty-seven percent (47%).

**VAR08024** Variance to reduce the front yard setback for an open structure from fifteen (15) feet to seven (7) feet.

Mr. David Ulrich of Cornerstone Remodeling Corporation and Mr. Shawn Hemmings were present to represent this case. Mr. Ulrich noted that there were homes nearby with similar lot coverage/structures.

Sherri Lesser, staff planner, gave an overview of this case and stated that no additional public input information had been received since the staff report had been issued.

Mr. Williams questioned staff whether this applicant would be required to obtain a use permit should he change the existing garage into livable space. Ms. Lesser confirmed that a use permit would be required.

Mr. Hemmings explained that he currently uses the garage area for a workshop; there were no attendees at the neighborhood meeting and no letters of opposition have been received.

**DECISION:**

Mr. Williams approved PL080432/ZUP08187/VAR08024 subject to the following conditions:

1. Obtain all necessary clearances from the Building Safety Division.
2. The carport is to remain an open structure; a conversion to a garage is prohibited.

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3. Request by the **BOWERS RESIDENCE (PL080451)** (William Gordon/Desert Rose Architectural Engineering LLC, applicant; Judy Bowers, property owner) located at 902 South Farmer Avenue in the R-3, Multi-Family Residential Limited District for:

**ZUP08184** Use permit standard to reduce the west rear yard setback by twenty (20) percent from fifteen (15) feet to twelve (12) feet.

**ZUP08185** Use permit to reduce the on site parking setback from twenty (20) feet to sixteen (16) feet.

**VAR08027** Variance to reduce the on site driveway length from twenty (20) feet to sixteen (16) feet. (Twenty-two (22) feet available distance behind sidewalk.)

Ms. Judy Bowers was present to represent this case.

Sherri Lesser, staff planner, gave an overview of this case and stated that no additional public input information had been received since the staff report had been issued.

**DECISION:**

Mr. Williams approved PL080451/ZUP08184/ZUP08185/VAR08027 subject to the following conditions:

1. Obtain all necessary clearances from the Building Safety Division.
2. **The new construction shall match the existing structure in color, texture and materials. ADDED BY HEARING OFFICER**

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4. Request by the **GUILLEN RESIDENCE (PL080454)** (Larry Chouanard/LC Design & Drafting, applicant; Salvador Guillen, property owner) located at 2622 West Carson Road in the R1-6, Single Family Residential District for:

**ZUP08186** Use permit to allow required parking in the front yard setback.

Mr. Larry Chouanard of LC Design & Drafting and Mr. Salvador Guillen were present to represent this case.

Steve Abrahamson, staff planner, gave an overview of this case and stated that no additional public input information had been received since the staff report had been issued. One e-mail of opposition was received by staff regarding parking and this issue has been addressed in the Conditions of Approval.

**DECISION:**

Mr. Williams approved PL080454/ZUP08186 subject to the following conditions:

1. Obtain all necessary clearances from the Building Safety Division.
2. The converted carport shall be compatible with the principal residence in color, form, texture, and material.
3. The enclosed den shall not be converted into a separate living unit.

4. Driveway shall be paved with concrete, asphalt or a porous material approved by planning staff.
5. Driveway shall be no greater than thirty-five percent (35%) of the front and side areas visible from the street.
6. Parking shall only be on paved parking surfaces such as concrete, asphalt or a porous material approved by planning staff.

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The next Hearing Officer public hearing will be held on **Tuesday, January 20, 2009.**

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There being no further business the public hearing adjourned at 1:51 PM.

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Prepared by: Diane McGuire, Administrative Assistant II  
Reviewed by:



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Steve Abrahamson, Planning and Zoning Coordinator  
for David Williams, Hearing Officer

SA:dm