



Jordan Evan Greenman
1621 West Willetta Street
Phoenix, AZ 85007
Phone: 248.225.0428
jordan@greenmanlawfirm.com

September 20, 2024

Michelle McNulty
City of Flagstaff Planning Director
211 West Aspen Avenue
Flagstaff, AZ 86001
Michelle.McNulty@flagstaffaz.gov

Conditional Use Permit Narrative for PZ-24-00064 at 5015 East Lake Country Drive

Dear Ms. McNulty,

Introduction:

This project is a remodel and addition to an existing single-family residence, expanding the home to 17,413 square feet on approximately 1.46 acres in the Lakeside Acres community. The property is located at 5015 East Lake Country Drive (Lakeside Acres Lot 104) and is zoned RR Rural Residential, a single-family residential use. The remodel and addition are designed to accommodate the Hebets family, specifically expanding the residence to include 11 bedrooms and 11 bathrooms, with 2 additional half-baths.

Due to the number of bedrooms and sanitation facilities, the current zoning code classifies this as High Occupancy Housing (HOH). However, the primary purpose of the High Occupancy Housing ordinance is to regulate high-density apartments or mega-room single-family dwellings intended for student rentals or other large groups. This remodel and expansion, however, are solely for the Hebets family's personal use, and the home will continue to function as a private single-family residence. Greenman Law Firm, on behalf of the Hebets family, is requesting a Conditional Use Permit (CUP) in accordance with Section 10-40.60.175 of the zoning code. The criteria for approval are outlined and met as detailed below.

Findings for Granting a CUP:

The Planning and Zoning Commission may grant a Conditional Use Permit upon findings as described below and in accordance with Section 10-20.40.050.

1. That the conditional use is consistent with the objective of the Zoning Code and the purpose of the zone in which the site is located.

- a. **Response:** The Hebets family home is located in the high-end Lakeside Acres community. The remodel and expansion to 11 bedrooms and 11 bathrooms are consistent with the large custom-built homes typical of this area. The new design is fully compliant with setback requirements, and the building height remains below the maximum allowed. The proposed structure is designed as a single-family residence, not as High Occupancy Housing. This project is consistent with the intended use of the RR Rural Residential zoning district, ensuring it remains a family home for Mr. Hebets and his family.

2. **That granting the conditional use will not be detrimental to the public health, safety, or welfare. The factors to be considered in making this shall include, but not limited to:**
 - a. Property damage or nuisance arising from noise, smoke, odor, dust, vibration, or illumination.
 - i. **Response:** The expanded Hebets' family residence will generate no additional noise, smoke, odor, or dust beyond what is typical of a standard single-family home. The project complies with local regulations regarding light pollution and illumination levels.
 - b. Hazard to persons or property from possible explosion, contamination, fire, or flood.
 - i. **Response:** The residence presents no greater hazard than any other single-family home in the area. It has been designed to maintain existing water runoff patterns.
 - c. Impact on surrounding areas arising from unusual volume or character of traffic.
 - i. **Response:** The Hebets' family home includes five garage spaces and immense driveway space, which will accommodate the occupants without impacting surrounding traffic patterns. Many of the family members travel together, as families. Thus, traffic and car counts will stay low.
3. **That the characteristics of the conditional use, as proposed and conditioned, are reasonably compatible with the types of uses permitted in the surrounding area.**
 - a. Access and traffic: pedestrian, bicycle, and vehicular circulation.
 - i. **Response:** The residence has been designed with sufficient parking space for all vehicles within the property, minimizing any traffic disruptions or parking concerns in the area.
 - b. Adequacy of site and open space provisions, including site capacity and resource protection standards where applicable.
 - i. **Response:** The remodeled residence meets all setback requirements and height restrictions for the zoning district. The disturbed area remains well below the allowable threshold, maintaining adequate open space on the property.
 - c. Noise, light, visual, and other pollutants.
 - i. **Response:** The residence will produce no more noise than a standard single-family home and complies with local light pollution standards.
 - d. Proposed style and siting of structure, and relationship to the surrounding neighborhood.
 - i. **Response:** The remodel and expansion are designed to fit harmoniously within the Continental Lakeside Acres community. The size, style, and layout of the Hebets family home are consistent with other homes in the area and follow the established design guidelines of the neighborhood.
 - e. Landscaping and screening provisions.
 - i. **Response:** The project will meet all applicable landscaping and screening requirements set by the zoning code.
 - f. Impact on public utilities.

- i. **Response:** The residence will tie into the existing utility infrastructure, as detailed in the civil improvement plans for the property.
- g. Signage and outdoor lighting.
 - i. **Response:** No signage is proposed for this project, and outdoor lighting will comply with the city's dark sky regulations.
- h. Dedication and development of streets adjoining the property.
 - i. **Response:** The property is located in an established subdivision with existing street infrastructure. No further street development or dedications are necessary.
- i. Impact on historical, prehistoric, or natural resources.
 - i. **Response:** The remodel and expansion of the Hebets' family home comply with all applicable natural resource standards, and there is no known impact on historical or prehistoric resources.

This proposal for the remodel and addition of the Hebets family residence at 5015 East Lake Country Drive adheres to all criteria set forth by Section 10-20.40.050 of the City of Flagstaff Zoning Code. The home will remain a single-family residence, consistent with the character of the Lakeside Acres community, and will not negatively impact public health, safety, or welfare. Given the project's alignment with zoning objectives and its harmonious relationship with the surrounding area, the Conditional Use Permit should be approved as requested.

Thank you for your time and consideration.

Sincerely,



Jordan Evan Greenman
Greenman Law



