

**BOARD OF ADJUSTMENT**  
**Zoning Administration Division**  
**Planning and Development Services Department (PDSD)**  
**201 North Stone Avenue, Tucson, Arizona 85701**

**\*\*\* NOTICE OF DECISION \*\*\***

DATE OF PUBLIC HEARING **April 27, 2022**

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J) & (K).

ACTIVITY NO. **T21SA00163**

CASE NO. THE APPLICANT

**C10-22-03 LOPEZ RESIDENCE NEW CARPORTS AND STORAGE SHED / ANTONIO AND THERESA LOPEZ / 9024 EAST KIRKPATRICK CIRCLE / R-1**

The applicants' property is an approximately 8,466 square-foot lot zoned R-1 "Residential" and is developed with a single-family residence. The applicants constructed a carport and shed without prior zoning approval and are proposing to construct a second carport attached to the front of the residence. Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.78 and Table 4.8-2 which provide the use criteria applicable in the R-3 zone, Section 6.4.5 and Table 6.3-2 which provide the dimensional standards applicable to principal and accessory structures. The applicant is requesting the following variances: **1)** Allow an existing carport to remain with a reduced side perimeter yard setback from 6' to 0', as measured to the west lot line, **2)** Allow an existing storage shed to remain with a reduced side perimeter yard setback from 6' to 0', as measured to the east lot line, and **3)** Allow a new carport with a reduced front street perimeter yard setback from 20' to 4', as measured to the north lot line.

**DECISION: VARIANCES 1, 2, and 3 GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:**

- A. No motor vehicle parking in the area between the carport attached to the front of the residence and the street.**
- B. Carport at the front of the residence shall not be enclosed.**
- C. Existing carport on west side shall comply with the fire code in every aspect.**

**[DECISION NOTE]**

By UDC regulation, a building permit or development approval based upon a Board of Adjustment decision cannot be issued, until a minimum of fourteen (14) days after the Board's decision date.

**IMPORTANT NOTICE**


**FOR VARIANCES OR DESIGN DEVELOPMENT OPTIONS (DDO) GRANTED BY THE ACTIONS OF THIS BOARD: IF A BUILDING PERMIT IS REQUIRED FOR THE PROJECT ASSOCIATED WITH THE VARIANCE OR DDO, IT MUST BE SECURED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT (PDS) WITHIN 180 DAYS OF THE HEARING DATE.**

**VARIANCE AND DDO APPROVALS EXPIRE WITHIN 180 CALENDAR DAYS FROM THE DATE OF THIS MEETING. TWO ADDITIONAL (180 DAY) EXTENSIONS MAY BE GRANTED PROVIDED THERE IS GOOD CAUSE AND THE REQUEST IS MADE IN WRITING.**

**UNLESS OTHERWISE NOTED, BOARD OF ADJUSTMENT DECISIONS BECOME EFFECTUATED UPON OBTAINING BUILDING PERMITS (IF REQUIRED) AND FULL COMPLIANCE WITH ALL CONDITIONS OF THE BOARD'S DECISION.**

**THE 180 DAY TIME FRAME TO OBTAIN A BUILDING PERMIT DOES NOT APPLY WHEN THERE IS AN OUTSTANDING ZONING VIOLATION THAT PRECIPITATED THE VARIANCE OR DDO REQUEST FOR THE PROPERTY. THE APPLICANT OR PROPERTY OWNER MUST CONTACT THE ENVIRONMENTAL SERVICES DEPARTMENT (ESD): CODE ENFORCEMENT DIVISION FOR THE DATE THE ZONING VIOLATION MUST BE ABATED.**

For additional information please email [DSD\\_Zoning\\_Administration@tucsonaz.gov](mailto:DSD_Zoning_Administration@tucsonaz.gov) or call 520-791-5550



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**For Sue Montes, Secretary  
Board of Adjustment**