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 November 30, 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. T22SA00478

CASE NO.

THE APPLICANT

C10-22-09 MOSS RV GARAGE / BRANDON AND DUSTY MOSS / 11001 E OLD SPANISH TR / SR

The applicant's property is an approximately 3.76-acre, residential lot zoned SR "Suburban Ranch". The applicant is proposing to construct a new RV garage. The Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.7.4 and Table 4.8-3 which provides the criteria for residential development in the SR zone, and 6.6.3. which provides the criteria for detached accessory structures in a residential zone. The applicants are requesting the following variances: 1) Allow the detached garage to be constructed with an increased height from 12' to 18'-8" as measured from design grade to the midpoint between the eave and ridge of the roof; and 2) Allow the combined total gross floor area of all accessory structures (200 square feet or larger) to exceed 50% of the combined total gross floor area of the principal structure, all as shown on the submitted plans.

<u>DECISION</u>: VARIANCES 1 AND 2 GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

- A. An NPPO waiver shall be submitted along with the resubmittal of the plans.
- B. Prior to issuance of a building permit, an approved grading plan shall be required.
- C. The entire garage shall be painted to match the gray roof of the existing residence.
- D. At a minimum, plant five 15-gallon native desert trees along the southeasterly and south side of the new garage.

[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 (PDSD) 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.

<u>UNLESS OTHERWISE NOTED</u>, 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 or call 520-791-5550

Sue Montes, Secretary Board of Adjustment

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