## 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. T22SA00491

CASE NO.

#### THE APPLICANT

## C10-22-08 FERENCE RESIDENCE / NEW CARPORTS / ANTHONY FERENCE / 1700 EAST 9<sup>TH</sup> STREET / R-2

The applicant's property is an approximately 6,500 square-foot lot zoned R-2, a "Residential" zoning classification, and is developed with two detached, single-family dwellings. The previous owner constructed two carports without prior zoning approval. Tucson Unified Development Code (UDC) sections applicable to this project include, but are not limited to, Section 4.7.9 and Table 4.8-2 which provide the criteria for residential development in the R-2 zone; Section 6.4.5 and Table 6.3-2.A which provide the dimensional standards applicable to principal and accessory structures; and Section 6.6.3 which provides standards specific for accessory structures to a residential use. The applicant is requesting the following variances: 1) Allow the existing north detached carport to remain as constructed with a reduced front street perimeter vard setback from 20'-0" to 6'-1" as measured to the north lot line, 2) Allow the existing north detached carport to remain as constructed with a reduced side perimeter yard setback from 6'-0" to 4'-9" as measured to the east lot line, 3) Allow the existing north detached carport to remain as constructed in the building area between the principal building and the front street lot line, and 4) Allow the existing southwest carport to remain as constructed with a reduced side street perimeter yard setback from 10'-0" to 0'-0" as measured to the west lot line, all as shown on the submitted plans.

# DECISION: VARIANCES 1, 2, 3, AND 4 GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

- A. No motor vehicle parking in the area between the north detached carport and the curb.
- B. Carports shall not be enclosed.

# [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

for

Sue Montes, Secretary Board of Adjustment

s:zoning administration/ba/decision/2208