

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 August 30, 2023

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).

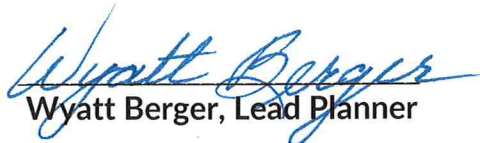
ACTIVITY NO. TZ-ZCA-0423-00001

CASE NO. THE APPLICANT

C10-23-06 POVERELLO HOUSE OF TUCSON / 267 EAST BLACKLIDGE DRIVE / R-2

The appellant, Laurie Clark, is appealing the Zoning Administrator's Determination (TZ-CMP-0223-00063), issued April 21, 2023, relating to the land use classification of the Poverello House as a "Home Occupation: Adult Day Care" use. Pursuant to the authority granted to the Zoning Administrator by Tucson *Unified Development Code (UDC)* Section 11.3.1.B, when a proposed use does not "conform to the wording of any Land Use Class description, the Zoning Administrator shall determine the most appropriate Land Use Class for that use." The appellant contends that the Poverello House fails to provide Adult Day Care services that can be licensed by the Arizona Department of Health Services and that the use cannot be classified as a Home Occupation as it involves a non-profit business conducting its operations within a residential house. The appellant is requesting reversal of the April 21, 2023, Zoning Administrator's Determination.

DECISION: UPHOLD THE ZONING ADMINISTRATOR'S DETERMINATION.


Wyatt Berger, Lead Planner