

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. TP-DDO-0323-00001

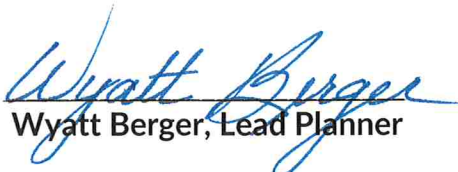
CASE NO. THE APPLICANT

C10-23-04 AGAVE SUN LLC NEW MULTIFAMILY DEVELOPMENT / 4441-4459 EAST BELLEVUE STREET / R-2

The appellant, Lois Pawlak, is appealing the Planning and Development Services Director's decision to approve Design Development Option (DDO) Case DDO-23-08. The appellant is requesting a reversal of the Planning and Development Services Director's decision to approve DDO-23-08 which is a DDO request by the property owners to allow the following modifications:

- 1) DDO approval to allow the front street perimeter yard setback to be reduced from (31'-3") to (13'-0"), measured from the buildings to the south lot line;
- 2) DDO approval to allow the side perimeter yard setback to be reduced from (14'-9") to (5'-1"), measured from the buildings to the east lot line;
- 3) DDO approval to allow the side perimeter yard setback to be reduced from (14'-9") to (5'-1"), measured from the buildings to the west lot line;
- 4) DDO approval to allow the side perimeter yard setback to be reduced from (10'-0") to (1'-6"), measured from the buildings to the east lot line; and
- 5) DDO approval to allow the side perimeter yard setback to be reduced from (10'-0") to (1'-6"), measured from the buildings to the west lot line, all as shown on the submitted plans.

DECISION: UPHOLD THE PLANNING AND DEVELOPMENT SERVICES DIRECTOR'S DECISION ON MODIFICATION REQUEST 1 AND REVERSE THE DIRECTOR'S DECISION ON MODIFICATION REQUESTS 2 THROUGH 5.


Wyatt Berger, Lead Planner