

**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 **October 25, 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. **DP22-0034**

CASE NO. THE APPLICANT

**C10-23-08 THE CROSSINGS ON ROGER / SIXTY ON ROGER DELAWARE BY
LEVELUP LLC / 1241 WEST ROGER ROAD / R-3**

The applicant's property is an approximately 2.20-acre property zoned R-3 "Residential" and is developed with a two-story apartment complex. The applicant is proposing to convert four storage rooms into four dwelling units. The Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.7.12 and Table 4.8-2 which provides the criteria for residential development in the R-3 zone, and Section 7.4.6 which provides the required vehicle maneuvering standards. The applicant is requesting the following variance: **1)** Allow the use of Roger Road right-of-way and the alleys for maneuvering directly into or from any parking space, all as shown on the submitted plans.

DECISION: VARIANCE GRANTED

[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

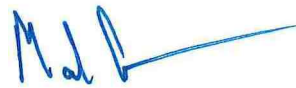
FOR VARIANCES OR DESIGN DEVELOPMENT OPTIONS (DDO) GRANTED BY THE ACTIONS OF THIS BOARD: IF A BUILDING PERMIT IS REQUIRED FOR THE PROJECT ASSOCIATED WITH THE VARIANCE OR DDO, IT MUST BE SECURED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT (PDSD) WITHIN 180 DAYS OF THE HEARING DATE.

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.

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 or call 520-791-5550



Mark Castro, Principal Planner