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 JANUARY 29, 2025

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. TC-RES-0724-04100

<u>CASE NO.</u> <u>THE APPLICANT</u>

C10-24-10 CLARK RESIDENCE NEW SLEEPING QUARTERS AND SHED / BRUCE CLARK / 345 S IRVING AVE / R-1

The applicant's property is a 13,939 square foot lot zoned R-1 "Residential" and is developed with a single-family residence and accessory structures. The applicant is proposing to construct a new sleeping quarters and requesting zoning approval for a detached shed in the front yard. The Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.7.8 and Table 4.8-2 which provides the criteria for residential development in the R-1 zone, Table 6.3-2.A which provides the dimensional standards applicable to all principal and accessory structures, Sections 4.9.7.B.7 which provides the criteria for required parking in the R-1 zone, and 6.6.3 which provides the standards for accessory structures. The applicant is requesting the following variances:

1) Allow the four required parking spaces, based on a total of six bedrooms for the site, to be located in the front yard; 2) Allow the detached shed to remain in the front yard; and 3) Allow the sleeping quarters addition to be constructed with a reduced side perimeter yard setback from 6' to 4'-2" as measured to the north lot line, all as shown on the submitted plans.

<u>DECISION</u>: VARIANCES 1, 2, AND 3 GRANTED, SUBJECT TO THE FOLLOWING CONDITION:

A. For the entirety of the life of the shed located in the front yard, an opaque fence of a minimum 6' height shall remain to screen the shed from the street.

[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 Mark.Castro@tucsonaz.gov

Sonya Bermudez
Sonya Bermudez, Secretary

Board of Adjustment