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. TP-DDO-1124-00008 (DDO-24-81)

<u>CASE NO.</u>

THE APPLICANT

C10-24-07 TAYLOR RESIDENCE DETACHED WORKSHOP AND SHED / 3438 N WILSON AV, RX-2

The appellant, Maureen Pollack, is appealing the Planning and Development Services Director's (PDSD) decision to approve Design Development Option (DDO) Case DDO-24-81. Case DDO-24-81 is a request by property owner, Dan Taylor, to allow an existing workshop and shed, constructed without prior zoning approval, to remain with reduced side and rear perimeter yard setbacks. The property owner filed a Design Development Option (DDO) application with the Planning and Development Services Department requesting the zoning approval necessary to allow the construction to remain with reduced building setbacks, as measured from the north, and east property lines. The DDO application was approved by the PDSD Director, finding the project in compliance with all required DDO General and Specific Findings of Tucson *Unified Development Code (UDC)* Section 3.11.1.D.1&2. The appellant is requesting a reversal of the Planning and Development Services Director's decision to approve DDO-24-81.

DECISION: UPHOLD THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT DIRECTOR'S DECISION TO APPROVE DDO CASE DDO-24-81.

[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 <u>Mark.Castro@tucsonaz.gov</u>

Sonya Bermudez

Sonya Bermudez, Secretary Board of Adjustment

s: zoning administration/ba/decision/2407