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-1023-09066

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

C10-24-09 ANDERSON RESIDENCE ACCESSORY STRUCTURES / DAVID ANDERSON / 1 N TUCSON TER / R-2

The applicant's property is a 0.66-acre sized lot zoned R-2 "Residential" and is developed with a single-family residence and several accessory structures. The applicant is seeking zoning approval necessary to allow the accessory structures to remain as constructed in addition to constructing a new fence. Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.7.9 and Table 4.8-2, which provide the criteria for residential development in the R-2 zone, and Section 6.6.3 which provides the standards for accessory structures. The applicant is requesting the following variances: 1) Allow the cistern to remain in the front yard; 2) Allow the attached shade structure to remain with a front street perimeter yard setback reduced from 20' to 2' as measured to the south lot line; 3) Allow the attached shed to remain with a front street perimeter yard setback reduced from 20' to 6' as measured to the south lot line; 4) Allow the cistern to remain with a front street perimeter yard setback reduced from 20' to 0' as measured to the south lot line; and 5) Allow the privacy fence to be constructed along the west lot line at a height of 13', which exceeds the 6' maximum height, all as shown on the submitted plans.

DECISION: VARIANCES 1, 2, 3, 4, AND 5 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 Mark.Castro@tucsonaz.gov

Sonya Bermudez Sonya Bermudez, Secretary

Board of Adjustment

s:zoning administration/ba/decision/2409