

**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 APRIL 29, 2026

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-0123-02407

CASE NO.

THE APPLICANT

C10-26-04

FRAUSTO GARAGE ADDITION/ MARTIN FRAUSTO / 7682 EAST  
APPLE TREE DRIVE / R-2

The applicant's property is an approximately 7,742 square foot lot zoned R-2 "Residential" and is developed with a single-family residence with an attached garage. The applicant is seeking zoning approval necessary to allow the garage to remain as constructed in the northeast portion of the residence. Tucson *Unified Development Code (UDC)* section applicable to this project includes, but is not limited to, Table 6.3-2.A., which provides the perimeter yard setback standards for principal and accessory structures. The applicant is requesting the following variance: 1) Allow the garage to remain as constructed by eliminating the required setback to the east property line, all as shown on the submitted plans.

**DECISION: VARIANCE 1 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 [Olga.Salazar@tucsonaz.gov](mailto:Olga.Salazar@tucsonaz.gov)

*Sonya Bermudez*  
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Sonya Bermudez, Secretary  
Board of Adjustment