



**BOARD OF ADJUSTMENT
WEDNESDAY, February 27, 2019
City Hall
Mayor and Council Chambers
255 W. Alameda Street**

LEGAL ACTION REPORT

Call to Order: 1:30 p.m.

C10-19-04 ANDRAUX RESIDENCE REMODEL AND NEW ADDITIONS / LUZ DIVINA ANDRAUX AND ABRAHAM ANDRAUX / 4150 EAST COOPER STREET, R-1

The applicant's property is an approximately 15,000 square foot lot zoned R-1 "Residential" and is developed with a single-family residence and attached carport. The applicant is seeking the necessary zoning approval to enclose the carport for habitable space and construct additions to the residence, including adding porches, a two car garage and an attached ramada. 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 and Section 6.4.5 and Table 6.3-2.A which provide the dimensional standards applicable to all principal and accessory structures. The applicant is requesting the following variance: **1)** Allow a reduced side street perimeter yard setback of 3', rather than 10', for construction of a new garage/ramada, as measured from the east lot line along Bryant Avenue, all as shown on the submitted plans.

DECISION: VARIANCE DENIED

C10-19-05 BABYLON MARKET SITE IMPROVEMENTS / LEE FAMILY PROPERTY MANAGEMENT LLP / 3954 EAST SPEEDWAY BOULEVARD, C-2

The applicant's property is an approximately .3 acre site developed with a retail use and is zoned C-2 "Commercial". The applicant has constructed a greater than twenty-five percent building expansion, which triggers full code compliance. Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.7.21 and Table 4.8-6 which provide the criteria for commercial development in the C-2 zone, and Section 7.6 which provides the landscape and screening standards for the development. The applicant is requesting the following variances: **1)** Eliminate the street landscape buffer along Speedway Boulevard and provide plant materials all as shown on the submitted plans, and **2)** Eliminate the street landscape buffer along

Longfellow Avenue and provide plant materials, all as shown on the submitted plans.

DECISION: VARIANCES 1 AND 2 GRANTED, WITH THE FOLLOWING CONDITION:

- A. Along Speedway Boulevard, considering site conditions, provide the 10' wide landscape border where possible, subject to approval by Tucson Department of Transportation (TDOT).
- B. Any landscape material installed in right of way shall be maintained by the property owner at no cost to the City.

C10-19-06 PI BETA PHI SORORITY HOUSE / ARIZONA ALPHA HOUSE CORPORATION OF PI BETA PHI / 1035 NORTH MOUNTAIN AVENUE, R-3

The applicant's property is an approximately 0.5 acre lot zoned R-3 "Residential" and is developed with a sorority house. The applicant is proposing to add a two-story addition to the existing building. 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, Sections 6.3.4, 6.4.5 and Table 6.3-2.A which provide the dimensional standards applicable to all principal and accessory structures; Section 7.4 and Table 7.4.4-1 which provides the required vehicle parking and maneuvering standards; and Section 7.8 which provides the criteria for pedestrian pathways. The applicant is requesting the following variances: 1) Allow a reduced front street perimeter yard setback from 32'2" to 10', as measured from the proposed building addition to the east property line; 2) Allow the number of required vehicle parking spaces to be reduced from 38 spaces to 12 spaces; 3) Allow use of the alley for maneuvering directly into or from any parking space; and 4) Allow the new pedestrian refuge area along the west side of the building to be surfaced with asphalt paving.

DECISION: VARIANCES 1, 2, 3, AND 4 GRANTED

C10-19-07 SIT STAY PLAY / JANET GALANTE / 302 SOUTH PLUMER AVENUE, I-1

The applicant's property is an approximately .65 acre site developed with two buildings and is zoned I-1 "Industrial". The applicant is proposing to redevelop the site with demolition of a building and construction of two new buildings, and to change the use to an animal service, which triggers full code compliance. Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.7.29 and Table 4.8-7 which provide the criteria for commercial development in the I-1 zone, Section 7.4, for required number of parking spaces, location of parking and maneuverability criteria, Section 7.15 regarding dumpster access and street maneuvering, Section 7.8, for pedestrian access requirements, Section 6.4.5. pertaining to building setbacks, Section 6.6.2 perimeter yard wall height and setback modifications, and Section 7.6 which provides the landscape and screening standards for the development. The applicant is requesting the following variances: **1)** In lieu of providing 18 parking spaces onsite, provide 12 parking spaces and short-term bicycle parking located in right-of-way and allow maneuvering directly into the street; **2)** Allow

dumpster access and maneuvering in the right-of-way; **3)** In lieu of concrete, allow existing asphalt surface material for sidewalks along 13th Street and Plumer Avenue, as shown on submitted plans; **4)** Eliminate and modify onsite pedestrian circulation between buildings, trash, bicycle parking and motor vehicle parking, and provide as shown on the submitted plans; **5)** Allow shade structure to be constructed with a side street building setback reduced from 10' to 0', as measured from the side street lot line of 13th Street; **6)** Allow new building to be constructed with a front street building setback reduced from 24' to 15', as measured from the front street lot line of Plumer Avenue; **7)** In lieu of a 10' wide street landscape border along 13th Street, provide planting areas as shown on the submitted plans; **8)** In lieu of a 10' wide street landscape border along Plumer Avenue, provide planting areas as shown on the submitted plans; and **9)** Modify the screening height requirement from 6' maximum, to allow the existing approximately 8' tall wall to remain and serve as the screen wall along Plumer Avenue and to allow construction of a matching 8' tall screen along 13th Street, all as shown on the submitted plans.

DECISION: VARIANCES 1, 2, 3, 4, 5, 6, 7, 8, AND 9 GRANTED, WITH THE FOLLOWING CONDITION:

- A. Landscape borders to be provided on 13th Street and Plumer Avenue, as shown on revised plans with the addition of appropriate trees per Code requirements.

Meeting Adjourned at 2:56 p.m.