



CITY OF
TUCSON

PLANNING &
DEVELOPMENT
SERVICES
DEPARTMENT

ZONING
ADMINISTRATION
DIVISION

July 3, 2014

Leo Katz Architect
2415 East 7th Street
Tucson, Arizona 85719

SUBJECT: 2320 East Hampton Street
Pima County Tax Parcel Number: 123-05-3350
Zoning Administrator Determination Design Development Option
T14SA00193

Dear Mr. Katz,

Thank you for the letter and attachments dated June 11, 2014. The property, addressed 2320 East Hampton Street is an approximately 10,125 square foot lot and is zoned "R-1", a single-family residential zoning designation. The property is developed with a single-family dwelling and detached sleeping quarters. The project as described in your submitted documentation is to expand the sleeping quarters into the garage/storage portion of the detached structure. The existing detached structure does not conform to current setback requirements. You are requesting a refinement of the determination regarding the minimum 1'-0" setback dimension required for a Design Development Option (DDO) process.

The Zoning Administration Division has reviewed your letter with attachments. The proposed conversion of the garage/storage portion of the existing detached structure into expanded sleeping quarters triggers the requirement for compliance with Tucson Unified Development Code (UDC) Table 6.3-2.A. *Dimensional Standards for the R-1, R-2, R-3, MH-1, & MH-2 Zones*. As such, the minimum setback for the side and rear perimeter yard is 6'-0". The existing detached structure is 0'-8" as measured from the east lot line and 0'-5", as measured from the south lot line.

The DDO is an administrative process established to allow flexible design solutions that are within the intent of the regulation. Solutions may include modification of dimensional standards such as setbacks. A DDO may be approved only if the request meets all of the findings as listed in UDC Section 3.11.1.D. Per UDC Section 3.11.1.D.1.e, the requested modification shall not "result in deletion or waiver of a UDC requirement".

For the purpose of processing a DDO, the Zoning Administrator (ZA) was previously asked to establish a consistent minimum setback dimension that would not result in a deletion or waiver of a UDC requirement. The ZA determined that a setback dimension of 1'-0" versus a lesser dimension is a measurable dimension consistent with other minimum setback provisions in the UDC, and is sufficient in width to allow construction without footers encroaching into adjacent property.

You are requesting a refinement of this determination to allow an exception to the minimum 1'-0" dimension. Specifically, you are requesting a determination that authorizes use of the DDO process when a structure exists with a setback of less than 1'-0" and is proposed for conversion from non-habitable space to habitable space.

Planning & Development Services Department (PDSD) - 201 North Stone Avenue
P.O. Box 27210 - Tucson, AZ 85726-7210
Telephone: (520) 791-5550 - Fax: (520) 791-5852
Website: www.tucsonaz.gov/pdsd
Email: DSD_zoning_administration@tucsonaz.gov

From a zoning perspective, the general purpose of a building setback is to maintain an adequate supply of sunlight and air, to preserve privacy, and to reduce potential negative impacts to adjacent properties from increased noise and lighting.

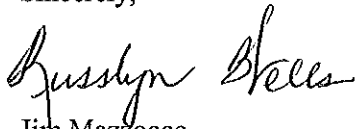
The supply of sunlight and air to an adjacent property is already established by the setback of an existing structure. However, when an existing non-habitable structure is proposed for conversion into habitable space, the change of use may negatively impact adjacent property through reduced privacy, increased noise, and increased lighting. These potential negative impacts can be mitigated by thoughtful placement of lighting and by minimizing door and window openings on the elevations with the minimal setback.

Per the documentation provided, the detached accessory structure at 2320 East Hampton Street has existed with the same building size and location, since 1947. The proposed project does not include an expansion of this structure or new openings in the building facades adjacent to the south and east lot lines.

It is my determination that the DDO process is an appropriate process to allow conversion of a permitted or nonconforming structure into habitable space, when the existing setback is less than 1'-0"; provided the proposal does not include an expansion to the building footprint or additional openings on the sides of the building that are located less than 1'-0".

Should you require further zoning information regarding this matter, please contact me at Russlyn.Wells@tucsonaz.gov or via telephone at (520) 837-4948.

Sincerely,


for Jim Mazzocco
Deputy Director / Zoning Administrator

s: zoning administration/zoning/2014/2320 E Hampton St.doc