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 **August 28, 2019**

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. **T19SA00245**

CASE NO. THE APPLICANT

C10-19-11 BOWERS RESIDENCE DETACHED SLEEPING QUARTERS AND GARAGE / JEREMY BOWERS / 2331 EAST 8TH STREET / R-1

The applicant's property is an approximately 6,758 square foot lot zoned R-1 "Residential" and is developed with a single-family residence. The applicant is proposing to construct a two-story detached accessory structure that consists of a garage on the first floor and sleeping quarters on the second floor. 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 criteria for residential development in the R-1 zone, and Sections 6.3.4, 6.4.5 and Table 6.3-2.A which provide dimensional standards applicable to all principal and accessory structures, and 6.6.3, which provides standards for accessory structures in a residential zone. The applicant is requesting the following variances: **1)** Allow construction of the two-story detached accessory structure with a side perimeter yard setback reduced from 12'-10" to 7'-6" as measured to the west lot line; **2)** Allow construction of the two-story detached accessory structure with a rear perimeter yard setback reduced from 13'-6" to 7' as measured to the north lot line; **3)** Allow construction of the two-story detached accessory structure with a side perimeter yard setback reduced from 13'-6" to 5' as measured to the east lot line; **4)** Allow the detached accessory structure to be constructed with a building height of 20'-6" as measured from design grade to the highest point of the flat roof and with a height of 18'-7" as measured from design grade to the midpoint of the pitched roof, which exceeds the 12' height limit; and **5)** Allow the combined total gross floor area (gfa) of all accessory structures (200 square feet or larger) to exceed 50% of the combined total gross floor area of the principal structure, 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.

If you want further information, please email Mark Castro at DSD_Zoning_Administration@tucsonaz.gov or call 520-791-5550

Sue Montes, Secretary
Board of Adjustment

s: zoning administration/ba/decision/1911