

# STAFF REPORT

**DATE:** August 29, 2018

**TO:** Board of Adjustment

**FROM:** Zoning Administration  
Planning & Development  
Services Department

**ACTIVITY NO. T18SA00327**

**C10-18-16 SCHEOPNER RESIDENCE NEW GARAGE / JOSEPH M SCHEOPNER, ELVIA F AND ALFREDO F ESPINOZA / 5881 EAST GRAYHAWK RANCH ROAD, SH**

The applicants' property is an approximately 0.91 acre lot zoned SH "Suburban Homestead" and is developed with a single-family residence. The applicants are proposing to construct a new detached garage in the rear yard.

## **THE APPLICANTS' REQUEST TO THE BOARD**

The applicants are requesting the following variances:

- 1) Allow the detached garage to be constructed with a height of 14' as measured from design grade to the midpoint of the gable on the pitched roof, which exceeds the 12' height limit; and
- 2) Allow the combined total gross floor area 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.

## **APPLICABLE TUCSON ZONING CODE SECTIONS**

Tucson *Unified Development Code (UDC)* sections applicable to this project include, in part, the following:

Section 4.7.5 *Suburban Homestead Zone (SH)* and Table 4.8-1 *Permitted Uses – Rural and Suburban Residential Zones*, which provides the use criteria in the SH zone; and

Section 6.6.3 *Specifically Within Residential Zones*, which provides standards specific to accessory structures in a residential zone.

## **GENERAL DEVELOPMENT INFORMATION**

### **Zoning and Land Use**

**SITE: ZONED SH; (single-family residential)**  
North: Zoned SH; (single-family residential)  
South: Zoned SH; (single-family residential)  
East: Zoned SH; (single-family residential)

West: Zoned SH; (single-family residential)

### **RELATED PLAN REVIEWS**

#### **Engineering**

The Engineering Section of Planning and Development Services Department has no objections or adverse comments.

### **BOARD OF ADJUSTMENT FINDINGS**

The Board of Adjustment can hear and decide a variance request from the regulations listed in the Unified Development Code. The Board may grant a variance only if it finds the following:

1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.
2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property.
3. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.
4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC.
5. That the granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
6. That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood.
7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions which are in question.

### **ZONING ADMINISTRATION CONSIDERATIONS**

The applicants' property is an approximately 0.91 acre lot zoned SH "Suburban Homestead" and is developed with a single-family residence. The applicants are proposing to construct a new detached garage in the rear yard. The project triggers compliance with the Tucson *Unified Development Code (UDC)*.

#### **Detached Garage**

Per *UDC* Section 6.6.3, detached accessory structures shall not exceed 12' in height, unless attached to a principal structure. The applicant is requesting a

variance to allow the detached garage to be constructed with a height of 14' as measured from design grade to the midpoint of the gable on the pitched roof.

Per *UDC* Section 6.6.3, the total gross floor area (gfa) of all accessory structures, 200 square feet or larger shall not exceed 50% of the gfa of the principal structure. The gfa of the principal structure is 2,142 square feet. The applicant is requesting a variance to allow construction of the proposed 1,530 square feet garage to exceed 50% of the gfa of the principal structure. The garage exceeds 50% of the residence by 21%.

**Discussion**

The property is located in a neighborhood consisting of large lots developed primarily with manufactured homes. The applicants are proposing to construct a 1,530 square foot detached garage with a height of 14' in the rear yard. Rather than construct a smaller garage, only to add on or build more accessory buildings in the future, the applicants elected to build one structure and seek the necessary variances. As stated in the application, the garage will function as a place to work on personal vehicles, wood working projects and for storage. The size and height of the proposed garage is consistent with other detached accessory structures in the neighborhood.

**Conclusion**

Given that the proposed garage would not be out of character with the neighborhood and is consistent with how other properties are developed, staff has no objection to the requested variances.

**NEIGHBORHOOD CONTACT (BY APPLICANTS)**

See the attached neighborhood notification dated June 29, 2018, and the meeting sign-in sheet dated July 12, 2018.

**PLANNING & DEVELOPMENT SERVICES RECOMMENDATION**

PDSD staff has no objection to the applicant's requested variances.

It is staff's opinion that the proposal does not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and zone; and would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood; and is the minimum necessary to afford relief.

Mark Castro, Lead Planner  
for  
Russlyn Wells, Acting Zoning Administrator