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May 3, 2006



CITY OF
TUCSON

DEVELOPMENT
SERVICES
DEPARTMENT

ZONING
ADMINISTRATION
DIVISION

Michael Hastings
7975 S. Farmbelt Drive
Tucson, AZ 85706

SUBJECT: 7975 S. Farmbelt Dr., SH: New Detached Accessory Garage
Land Use Code (LUC) Information

Dear Mr. Hastings:

Thank you for your letter and plot plan regarding the above referenced project. The property is addressed 7975 South Farmbelt Drive and zoned "SH" Suburban Ranch. The site (Parcel No. 140-44-1070) includes the east adjacent vacant lot addressed 7695 S. Farmbelt Drive (Parcel No. 140-44-1060). The site is developed with an existing 1,160 square foot single family dwelling. The project proposes to construct a new 2,400 square foot detached garage building to the east and rear of the dwelling. Given this information you are requesting zoning approval for the project.

The Zoning Administration Division has reviewed your letter, the project plot plan, and the LUC regulations applicable to accessory buildings. Staff notes that the desired size of the new accessory garage (the floor area) exceeds the limits set by the LUC for detached accessory buildings in residential zones. The design of a residential accessory structure is required to be both "incidental" and "subordinate" to that of the principal dwelling (LUC Sec. 3.2.5 et. seq.). The Zoning Administrator has interpreted these regulations as follows:

- Detached accessory structures, in addition to a 12' height limit, are further limited to a gross floor area (g.f.a.) of not more than 50% of the principal dwelling's g.f.a.,
- This g.f.a. limitation for detached accessory structures does not include tuff shed style structures less than 200 square feet in g.f.a., and finally
- All detached accessory structures regardless of g.f.a. count towards the property's lot coverage maximum.

Because the gross floor area proposed for the new garage will exceed the 50% limitation rule it cannot be approved for LUC compliance. Your LUC options available to you are; downsize the size of the new garage to meet the applicable regulations, to attach the new garage to the existing dwelling (thus the limiting regulations for detached structures would not apply), or to request a variance to

Handwritten notes and initials at the bottom right of the page.

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7975 S. Farmbelt Drive
05/03/06

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this floor area limitation from the Board of Adjustment. Please note, LUC Sec. 1.2.1 does state that an interpretation or determination made by the Zoning Administrator is appealable to the Board of Adjustment and thus provides you with another option. To file an appeal to this zoning interpretation you must submit your request in writing along with the appropriate fees and documentation, with the Zoning Administration Division, 2nd Floor, 201 North Stone Avenue within thirty (30) days of the date of this letter.

Complete Board of Adjustment appeal information, and variance information, can be obtained by contacting Russlyn Wells (ext. 1134) of the DSD Board of Adjustment Section at (520) 791-4541. And if you should require other LUC information from the Zoning Administration Division, you can contact William Balak (ext. 1168) or Wayne Bogdan (ext. 1116) also at (520) 791-4541.

Sincerely,



Walter Tellez
Zoning Administrator

s:zoning administration/zoning/2006/7975 s farmbelt.doc

Development Services Department (DSD) - 201 North Stone Avenue
P.O. Box 27210 - Tucson, AZ 85726-7210
Telephone: (520) 791-4541 - Fax: (520) 791-5852
Website: www.ci.tucson.az.us/dsd
Email: DSD_zoning_administration@tucsonaz.gov

2210

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From: David Rivera
To: Tellez, Walter; Thrall, Heather
Date: 02/14/2006 8:51:21 AM
Subject: Re: Fwd: Zoning Q

Thanks Walter.

>>> Walter Tellez 02/14/2006 8:50:41 AM >>>
Hi Heather,

To be a detached accessory structure, it has to be less than half (49% or less) the size of the principal structure/use. No limits if attached to the residence.

>>> Heather Thrall 02/14/2006 8:39:26 AM >>>

Good morning Walter. You may recall the gentleman in the SH zone in Greyhawk Ranch that proposed a garage larger than the residence on the site. Since we have been unable to reach him to obtain further information for a determination on accessory structure size, this example has come in and appears to need a similar review. I would like your advisement, please, on the following zoning inquiry. My concern is with regards to two aspects of the code and accessory structures/uses.

- 1) Accessory structures are to be secondary to the principal dwelling/use in residential zones. The following described project would be secondary in size, but only slightly, to the principal dwelling.
- 2) The R-1 zone requires that of two possible units on a site, one unit is 25% smaller than the other. The following described project would not be a second unit - but, as an accessory structure, would greatly exceed the size requirement of a 2nd dwelling.

Thank you for your time Walter.

>>> Steve Bohn <SNSBohn@cox.net> 02/13/2006 3:46:15 PM >>>
Hi Heather-

I am doing a project and have several zoning Q's for you. The existing home is 1585 SF with 3 bedrooms, one bath, R-1 zoning. In the back (rear) we are adding a 1552 SF detached, large 2 car garage with workspace, storage and Study/bath/closet area. The detached addition will not be encroaching into any setbacks and the garage will be accessed from the front drive area (no rear or alley access is available). The structure will be used for personal hobby work, not business.

Do you foresee any zoning issues with this project?

Thanks so much for your time.

Steve Bohn

CC: Gehlen, Patricia; Gross, Craig

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From: Walter Tellez
To: Castro, Daniel; Gehlen, Patricia; Gross, Craig; McLaughlin, Peter; Rivera, David; St. Paul, Michael; Stevens, Terry; Thrall, Heather
Date: 12/21/2005 11:29:59 AM
Subject: Re: DDO for detached accessory structures converted to habitable spaces

I concur. This would also apply to new construction.

>>> David Rivera 12/21/2005 10:54:11 AM >>>
Walter,

I want to make sure we are all on the same page regarding the conversion of detached accessory structures such as sheds, workshops, carports, garages, ramadas into habitable spaces such as sleeping quarters (Guest house), or habitable spaces that could be considered as bedrooms based on the definition.

Several months ago there was a discussion about the conversion of the detached accessory structures into habitable spaces. At that time we were instructed to process any detached accessory structure that was to be converted into habitable space through the DDO process if the structure did not meet the minimum building setback. We only require the signature of the adjacent neighbor when the detached accessory structure does not meet the required building setbacks and is not a habitable space.

We have not been requiring a DDO for an existing accessory structure such as a shed, carport or garage when the accessory structure is converted to a habitable space and does not meet the minimum building setbacks, if the structure has been legally permitted and is attached to a principal structure.

Please clarify if this is what we should be doing.

David Rivera
Principal Planner
Development Services Department
(520) 791-5608 Ext. 1181
david.rivera@tucsonaz.gov

CC: Balak, William

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From: Wayne Bogdan
To: Joe Comella
Date: 10/26/2005 11:45:44 AM
Subject: Fwd: Re: Question relating to rear access to westmoreland garages

Hi Joe,
No problem...PS...consider "front line" interchangeable with "rear alley line" concerning garages...
Bogdan

>>> Joe Comella 10/25/2005 5:48:21 PM >>>
Thanks Wayne

>>> Wayne Bogdan 10/25/2005 10:41:16 AM >>>
Hi Joe,

I just talked to Walter...Per his direction if the garage is designed so as to be angled with the front lot line of the property you can average the front setback using the midpoint.

Wayne

>>> Joe Comella 10/25/2005 9:28:40 AM >>>
Wayne, were you able to find or produce something in regards to Walter's determination on angled garage setbacks?? We're getting ready to re-submit the tentative plat & need to reference something on this issue.
Thanks,
Joe

>>> Joe Comella 9/7/2005 9:48:55 AM >>>
Wayne, we do have another project in Menlo Park called "Westmoreland" that does have rear access garages. Jack & I met with Walter & Patricia Gehlen in Walter's office, & agreed on a design guideline for garage doors that are at an angle to the street, as follows;
"The distance to the centerline of the parking space as measured perpendicular to the street from the garage door must be 8' or less."
Walter was going to write something up, but I've never seen it - maybe Patricia knows something....
Joe

>>> Wayne Bogdan 9/7/2005 8:53:57 AM >>>
Hi Joe,
thanx but I think the letter walter is after is concerning another silverbell project...not this one...
wayne

>>> Joe Comella 09/07/2005 8:23:45 AM >>>
Hi Wayne,
Here's the email you sent regarding the Silverbell Subdivision. I never recieved an actual 'letter'.

>>> Wayne Bogdan 7/20/2005 3:18:52 PM >>>
July 20, 2005

Joseph Comella
Chief Architect
Community Services Department

Subject: Silverbell Subdivision, DSD #S05-093: Zoning Determination: Rear Access Driveways

10/25/05 10:41:16 AM
10/25/05 9:28:40 AM
10/25/05 5:48:21 PM
2328

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Land Use Code (LUC) Information

Dear Mr. Comella:

This zoning determination is made in regards to the access issues you recently discussed with Sarah More of the Department of Urban Planning & Design in email dated June 1, 2005. Specifically, the "new urbanism" concept of using rear accessways in residential subdivisions, such as proposed in Silverbell Subdivision, DSD #S05-093. Per your information the first submittal of the tentative plat was made 6/8/2005 by Dan Elder of Landmark Engineering. Within the new subdivision there are to be 121 lots of about 47 feet x 94 feet in dimension. 106 lots are planned to be detached single family units. 58 lots will have rear access. The rear accessways will have a 24 foot rear access paving width, with bollards to break the accessways into segments serving not more than the 14 units. The plan shows that the longest rear accessway would serve 37 units. All lots with rear access are to have garages on the rear accessway. The garages should not be closer than 2 feet from the accessway, and should have a total of a 24 foot paved area to exit the garage (e.g. if the accessway paving is 16 feet, then the garage needs to be at least 8 feet from the accessway to allow adequate maneuvering room of 24 feet). Given this project information, you are requesting clarification on whether the rear accessways, as proposed by this subdivision design, will be considered acceptable types of access per LUC Sec. 3.2.8.2.

The Zoning Administrator has reviewed the project information and the LUC regulations applicable to access. For the purposes of LUC Sec. 3.2.8.2, the Zoning Administrator has determined that the rear accessways proposed for new Silverbell subdivision, designed to provide private access for local lot owner use and not for general traffic circulation purposes, can be considered the equivalent to secondary streets provided the accessways are paved to a minimum width of 20', are curbed and abut paved 5' wide pedestrian walkways. The abutting walkways can be eliminated from the rear accessway design if the lots within the Subdivision also have frontage on a public or private street that provide the pedestrian facilities per LUC Sec. 3.2.8.4. Those rear accessway designs that fail for whatever reason to comply with the secondary street standards set forth by this zoning determination must obtain DSMR approval. Detached garages and carports are allowed in the rear yard areas of the lots with setbacks of 8' or less as allowed per LUC Sec. 3.2.6.5.B.2. Those garages or carports that fail to comply with the street/sidewalk setbacks of this LUC regulation will require variance approval from the Board of Adjustment.

Please note, that a rear accessway 20' wide that is paved and curbed and abuts a 5' wide paved walkway is equivalent to a secondary street is a determination by the Zoning Administrator that is appealable to the Board of Adjustment provided the appeal is made in writing and filed, along with the appropriate fees, with the Zoning Administration Division, 2nd floor, 201 North Stone Avenue within 30 days of the date of this email. If you have any questions concerning this zoning matter, please contact either myself (ext. 1116) or Walter Tellez (ext. 1154) at (520) 791-4541.

Sincerely,

Wayne F. Bogdan
Principal Planner
for
Walter Tellez
Zoning Administrator
Development Services Department
City of Tucson

>>> John Siry 9/1/2005 11:27:23 AM >>>

Joe might have such a message. How soon do you need it? He is out until 9-7.

>>> Wayne Bogdan 9/1/2005 10:30:52 AM >>>

Good Morning Jack;

232B

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How goes it??? Got a strange question for you. Might you remember either Walter or I ever having sent you (or Joe Comella) a letter or email response regarding rear access to garages of those homes on westmoreland (offsilverbell). Walter seems to remember we did a while back but we cant find a copy of it. It would have been sometime earlier this year???

Wayne

CC: Patricia Gehlen; Walter Tellez

232c

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From: William Balak
To: Walter Tellez
Date: 09/07/2005 9:30:05 AM
Subject: Re: church

I talked with Craig Gross about the modulares. Craig said the modulares can remain on wheels (with other supports as required) with the setup reviewed and inspected by the State, not the City. The Land Use Code does not have any requirements for a slab, screening or for removing the wheels.

If a manufactured home (as opposed to a modular commercial building) was being installed then LUC requirements like the wheels removed, a solid screen wall for the base, etc. would have to be met.

>>> Carol West 09/06/2005 4:17:15 PM >>>

I will forward your comments to our code people for their interpretation. Carol

>>> "DiAnne Cannella" <horseczy2@msn.com> 09/02/2005 9:49:50 PM >>>

I spoke with Phil today. The modulares are going to be exactly where they are now. It truly amazes me that the city is allowing them. Throughout the many years I was a Real Estate Broker, modulares were defined as pre-fabricated buildings that were set up or assembled on a concrete slab onsite, much like a regular constructed home would be.....they did not have wheels (or wheels that were allowed to remain on the building). Those with wheels were considered mobile homes, or onsite construction trailers or sales trailers....all of which were only permitted during construction. Per Phil, the wheels are remaining on the buildings, and will have dirt piled around them to hide them. Go figure.

DiAnne

----- Original Message -----

From: Carol West<<mailto:Carol.West@tucsonaz.gov>>
To: horseczy2@msn.com<<mailto:horseczy2@msn.com>>
Cc: Kathy Dixon<<mailto:Kathy.Dixon@tucsonaz.gov>>
Sent: Friday, September 02, 2005 11:24 AM
Subject: Re: church

I don't think the modulares are going to be placed where they are now. I don't know of any zoning violations. Kathy would have to speak to that.

Carol

>>> "DiAnne Cannella" <horseczy2@msn.com<<mailto:horseczy2@msn.com>>> 09/01/2005 5:09:39 PM

>>>

Hi Carol

thank you for replying. Did you go onsite when you met with Phil? Did you see the so-called screening plants? Kathy had said she was told that there were some zoning violations but did not know what they were. I would like to know.

Regarding the modulares, I don't care what they are going to be used for....they are an eyesore, period! They look like a shanty town, plus their placement is in plain view from my house and porch.....so inconsiderate.

DiAnne

----- Original Message -----

From: Carol West<<mailto:Carol.West@tucsonaz.gov><<mailto:Carol.West@tucsonaz.gov>>>
To: horseczy2@msn.com<<mailto:horseczy2@msn.com>><<mailto:horseczy2@msn.com>><<mailto:horseczy2@msn.com>><<mailto:horseczy2@msn.com>>>

Go 3.4 10 - Civic Use? Parcel
3 2.5.2 - Access - 11/10/05
234A

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Cc: Kathy Dixon<<mailto:Kathy.Dixon@tucsonaz.gov><<mailto:Kathy.Dixon@tucsonaz.gov>>>
Sent: Thursday, September 01, 2005 2:30 PM
Subject: Re: church

This is not a rezoning, so I cannot require some of the things you desire. However, I did meet with the pastor today and asked him to contact you re. the fence. The modulars are to be located on the site, installed and repainted and will be used for Sunday School classes.

Carol

>>> "DiAnne Cannella"

<horseczy2@msn.com<<mailto:horseczy2@msn.com><<mailto:horseczy2@msn.com><<mailto:horseczy2@msn.com>>>>>

09/01/2005 12:35:45 PM >>>

I would greatly appreciate it if you would inform me as to what is going on with this monster next door! What is the status of those old,

⇒ 8445 E Tanager Verde

ugly modular structures? It has been a month and a half since I asked

for your help....they are now removing the construction fence as I write.....is anything being done? Yes, I am very frustrated! This pastor continues to lie! He just told us he "doesn't remember" promising a fence along my house area! The elevation of the church, facing my home, is not as it was presented to us. The "so called" screening plants are so tiny they will never screen, nor will the ocotillas that are placed some 30 feet apart. Do I not have any

rights

or protection??

DiAnne Cannella

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234B

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From: Wayne Bogdan
To: dburns@burnswald.com
Date: 08/03/2005 10:45:55 AM
Subject: 2450 E Ft Lowell, Westminster Pres. Church: New 14' High Columbarium

August 2, 2005

Holly Damerell
Project Architect
c/o Dave Burns
Burns Wald-Hopkins
261 North Court Avenue
Tucson, AZ 85701

Subject: 2450 E Ft Lowell, Westminster Pres. Church: New 14' High Columbarium
Land Use Code (LUC) Information

Dear Ms. Damerell:

Thank you for your letter dated July 6, 2005 and the attached copies of the project's site and elevation plans. Please accept my apology for the delay in our response. The project is the proposed new Memorial Prayer Garden and Columbarium for the Westminster Presbyterian Church at 2450 East Ft. Lowell Road, zoned C-1, R-2, R-1. Of concern to you are the zoning compliance review comments received on the project that classify the new structure as "accessory" and subject to the 12' high height limitations per LUC Sec. 3.2.5.3.B:

3.2.5.3.B "Specifically Within Residential Zones. The structures used for an accessory use within a residential zone shall comply with the following". Accessory structures shall not exceed twelve (12) feet in height, unless attached to a principal structure. If attached to the principal structure, maximum height permitted is the same as for the principal structure.

In your letter, you request staff review the attached plans and determine whether the structure might qualify for the height exemption provided by this regulation that reads "*unless attached to a principal structure*" ?.

The Zoning Administration Division has reviewed your letter, the attached plans and the LUC regulations applicable to structure heights (both principal and accessory). Based on the plans, staff does not consider the columbarium structure to be "attached" to the church (the principal structure) for the purposes of LUC Sec. 3.2.5.3.B. Thus, the proposed columbarium is considered to be an accessory structure and its proposed heights of 14' (measured to the mid point of its highest gable) will require Board of Adjustment variance approval. Information on the variance process can be obtained by contacting Russlyn Wells of the DSD Zoning Administration Division at (520) 791-4541 ext. 1134 or by email: russlyn.wells@tucsonaz.gov.

Please note, a copy of this email must be attached to the project's site plans when resubmitted to DSD, 1st floor, 201 North Stone Avenue for the zoning compliance review process. If you should require further information on this zoning matter, please contact me by return email or by phone at (520) 791-4541 ext. 1116.

Sincerely,

Wayne F. Bogdan
Principal Planner
Zoning Administration Division

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Development Services Department
City of Tucson

CC: Daniel Castro; Russlyn Wells; Walter Tellez

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From: Walter Tellez
To: Gross, Craig
Date: 07/27/2005 3:49:22 PM
Subject: Re: Fwd: Ormsby Park 899 W. 24th Street

Park is the principal use, I would think all structures ok for principal height.

>>> Craig Gross 07/27/2005 3:40:11 PM >>>
what do you think? a City Manager waiver or should we worry about it?

>>> Mary Muszynski 07/26/2005 3:52:14 PM >>>

Craig,
The contractor has told me that the sun shade structure is taller than the R1 height allowance. The structure is 27' at the high point.
What is needed to apply for a waiver?
Thank you,
Mary

Mary Muszynski
Landscape Architect
Capital Development & Planning Unit
Parks and Recreation Department
791-4873 x 223

CC: Duarte, Ernie

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From: William Balak
To: Juan Valdez; Rick Mendoza; Zoning Enforcement Staff
Date: 05/09/2005 8:45:01 AM
Subject: JMV's as Storage

Walter Tellez, Zoning Administrator, made a zoning determination in a September 17, 2004 letter to Thomas D'Angelo, 8037 E. 18th Placethat junk motor vehicles (JMV's) are residential storage and per his previous interpretation of residential storage requirements, personal residential items must be screened from view behind a customary fence in side or rear yards. In addition, residential storage counts toward the 25% maximum permitted lot coverage of a residential property. It was furthermore his determination the keeping of a junk motor vehicle on residential property is considered residential storage, which is required to comply with the above mandates.

The two points to remember are:

- 1) For a vehicle to be excluded from being considered a JMV, it must be running, licensed and registered.
- 2) JMV's are considered residential storage therefore must be kept in the side or rear yards, screened from view, and counted towards the 25% maximum permitted lot coverage for residential storage on a residential property.

CC: Walter Tellez

5.11.05
JMV's

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From: William Balak
To: Richard Diaz
Date: 04/26/2005 9:22:21 AM
Subject: Goats in the City

We have a complaint about a person keeping 6 angora goats in their backyard. Richard has been out there and the goats and yard are clean but the neighbor is complaining about the smell. We can enforce the setbacks from the property line for a structure for the animals (50 feet), fence or corral (10 feet), and under the Tucson Code (20 feet from a dwelling). There is nothing in the Tucson Code or LUC that regulates the number of animals but we have been saying that 2 animals at a residence, other than cats, dogs or fowl can be considered pets and any more are considered a agriculture use.

CC: Viola Romero; Walter Tellez

Set Backs
32.52.D.1.G.

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From: Patricia Gehlen
To: ALL_DSD_STAFF.DSPO2.CHDOM2@tucsonaz.gov; Desk, Zone1
Date: 04/21/2005 9:00:19 AM
Subject: Re: block walls

\$27 and they start at the Ambassador desk

>>> Zone1 Desk 04/21/2005 8:52:19 AM >>>

How much does it cost and where do they start (application from Ambassador)? We get these questions frequently.

>>> Patricia Gehlen 04/21/2005 8:27:59 AM >>>

Effective Immediately....all walls of any height must have a compliance review. The compliance review consists of Zoning and Engineering. Permits and inspections are required once the wall is 6 feet or more. The web page and process manual are being changed and we will post some signs around DSD. Please let me know if you have any questions.

Patricia Gehlen
CDRC/Zoning Manager
Development Services Department
City of Tucson
(520) 791-5608 ext 1179
(520) 879-8010 Fax

Residential Inspections
3-25-211
St. 5/1/11
143 A

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212

From: Walter Tellez
To: Bogdan, Wayne; Gehlen, Patricia
Date: 03/29/2005 7:10:25 AM
Subject: Re: Fwd: temp permit for storage containers sams club tucson

If it is storage for the contractor, does not need TUP.

>>> Wayne Bogdan 03/28/2005 4:31:52 PM >>>
yeah i agree but walter seems to think it may be construction related...i best call for more info...thanx

>>> Patricia Gehlen 03/28/2005 4:31:00 PM >>>
Actually sounds like storage to me (not construction offices). I leave it up to guys though.

>>> Wayne Bogdan 03/28/2005 4:26:31 PM >>>
Hi Trish,

your thoughts...this sounds like typical "construction activity" not needing a tup....

bog

>>> "Andrew Bauer" <abauer@harrislights.com> 03/25/2005 1:37:11 PM >>>
Wayne Bogdan,

I am the project manager for Harris Manufacturing. We coordinating the efforts for the Lighting Upgrade to take place at Sams Club #6692. The facility is located at 4701 N. Stone Avenue. In order to complete the project, I need to place 2 containers (apprx 40' each) to be utilized for storage of lighting product and materials. My understanding is that we are required to have permits to drop containers for a temporary timeframe of 30 days. Please inform me of the correct procedure to do so. It is important to have guidelines and permit in place as soon as possible. You can reach me directly via the cell number listed, as well as email.

Thank You

Andrew Bauer
Project Manager
Harris Lighting-Facility Service Group
904.284.8311 office
904.622.6847 cell
abauer@harrislights.com

SEARCHED

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From: William Balak
To: BJ Viestenz; Frank Podgorski; Gina Dalton-Soltelo; Glenn Moyer; Heather Thrall; Patricia Krausman; Richard Diaz; Russlyn Wells; Zone1 Desk
Date: 03/09/2004 3:51:14 PM
Subject: Re: Wall/Fence Site Review (Residential)

Please add to your files:

All residential walls or fences over 30 inches high must have a site plan review at DSD. The DSD review staff will determine if a permit is required. All commercial walls or fences require site plan review at DSD. (as discussed with P. Gehlen).

CC: Walter Tellez; Wayne Bogdan

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From: William Balak
To: BJ Viestenz; Heather Thrall; Patricia Krausman; Richard Diaz
Date: 12/10/2003 2:44:03 PM
Subject: Right-of-Way

We recently had cases with a wall or fence extending into the right-of-way. The following information may help you deal with such cases.

The owner of the fence/wall that is built into the public right-of-way has the choice of to buy the strip of land from the City or remove the fence/wall. Jim Rossi is the contact person in the City's Real Estate Section who handles such sales. The City does not issue permits for permanent structures(including fences/walls) in the right-or-way; either the City agrees to sell the strip of land or the fence/wall goes (landscaping is considered temporary and is allowed in the right-of-way but requires a site plan and permit from Transportation).

The width from the curb to the property line varies from street to street and sometimes varies on the same block. The City requires sidewalks for new residential subdivisions and for new infill residential property if there is an existing sidewalk on either side of the new development. All commercial uses must install sidewalks along the streets. The Development Standards require public sidewalks to be a minimum of 4 feet wide except along a Major Street or Route which requires a sidewalk to be a minimum of 6 feet wide.

CC: Walter Tellez

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From: Russlyn Wells
To: Joseph Linville; Patricia Gehlen
Date: 10/09/2003 10:04:55 AM
Subject: Southside Headstart Playground 23rd St & 9th Ave

Patricia and Joseph,
Walter reviewed the site plan and elevation of the custom play structure and concluded the play structure, as shown on the plans submitted, can be considered playground equipment and therefore is not subject to the location and setback requirements applicable to detached accessory structures. I hope this provides the necessary clarification to complete your review of the project. If you need additional information or a more formal reply, let me know.

Russlyn

CC: i:waltrogers@theacaciagroupinc.com; Walter Tellez

3.2 S.D.C. Accessory Structure
1.1.1.1.

67

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216

From: Walter Tellez
To: Bogdan, Wayne; Gross, Craig; Howlett, Roger; McCrory, Michael; Moyer, Glenn; Podgorski, Frank
Date: 09/10/2003 9:14:12 AM
Subject: Re: Williams Center

C10-95-128 Doucette Homes, SP-1. December, 1995 B/A approved variances to developing area setbacks. It seems that LUC applications within PADs can request B/A variances.

>>> Craig Gross 09/05/03 01:20PM >>>

The developer of the recently completed building for KB Homes in Williams Center is requested approval for some parking covers. In reviewing the plan I do not find a separate setback for carports or accessory structures, only for a structure. Do any of you know anything about accessory structures in Williams Center? Have we ever done an LDO or variance? Would a reduced setback from a PAD requirement need M&C? Would it be a change of condition? I'm sure we must have done carports in Williams Center before.

APL 262
2003-09-10 11:17
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From: James Maurer
To: Walter Tellez
Date: 09/03/2003 12:25:19 PM
Subject: Re: Multiple meters

Thank you.

>>> Walter Tellez 09/03/03 12:20PM >>>

The interpretation was one meter per allowed dwelling. 10,000 foot lots could have two dwellings, two meters. Would not allow one of the dwellings to have 2 meters to have a total of 3. 7000 foot lots with one dwelling could only have one meter. In the past, requests for a separate meter to a hot tub have been approved. So I review the requests now. Have only had the one request.

>>> James Maurer 09/03/03 11:39AM >>>

Walter:

During a meeting this morning, a clarification was asked as to whether two separate dwellings on a single R-1 10,000 square foot lot could have separate meters. I understood your interpretation to mean that if someone asked for multiple meters for a single dwelling then you need to see the plans. In the example you sent over, it was stated that the meter was for a separate dwelling, but the lot size did not support a separate dwelling (insufficient lot size), and the letter accompanying the plot plan indicated the second "dwelling" was a detached bedroom structure, even though the plan showed a kitchen. Is that interpretation or your interpretation correct? Please let me know before tonight's PC meeting. Thanks

Jim

CC: Michael McCrory; Sarah More

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US

From: Walter Tellez
To: Gross, Craig
Date: 7/16/03 8:45AM
Subject: Re: accessory structure

It would be considered equivalent to site built structure and meet LUC. We said the same for cargo containers.

>>> Craig Gross 07/16/03 08:36AM >>>

Always something new. A lady in the Iron Horse area (not a City Historic District) bought a caboose that has been converted into an artist studio. She wants to put it in her back yard for her artsy-craftsy use. I don't see any problem as long as it meets setbacks, height, lot coverage, etc.? Your opinion please.

CC: McCrory, Michael

2-2-5
135

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219

From: Walter Tellez
To: Gehlen, Patricia; Gross, Craig
Date: 5/16/03 11:26AM
Subject: Additional Utility Meters

Me and Michael Mc. have discussed the issue of multiple utility meters being requested for single family dwellings. I have determined that requests for more than one meter (per utility) for a single family dwelling must be approved by me. The applicant can submit a letter to me explaining the need for the additional meter.

CC: Balak, William; Bogdan, Wayne; Ernie Duarte; McCrory, Michael

sent. ab
231

325
220

From: Wayne Bogdan
To: Frank Podgorski
Date: 1/27/03 1:59PM
Subject: LDO Elevations - Carports

** Confidential **

Hi Frank,
Regarding LDO submittals involving reduced side yard setbacks for carports.

From now on, please ensure the building elevations submitted with the LDO applications show the required fire wall.

I noticed on those carport cases going to the Board, including LDO appeals...that the applicants are unaware of the fire wall requirement for their carport. Apparently staff is not giving them this informaton when they initially submit for permit information downstairs.

This is a critical oversight because while most neighbors dont object to the carport...they usually strongly object to a carport with a 10' high wall constructed along its side.

Thanx,
Bogdan

CC: Craig Gross; Patricia Gehlen; Walter Tellez

110. 5.3.4
Accessory Structure
3.2.5
125

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221

From: Walter Tellez
To: Craig Gross; GEHLEN, Patricia
Date: 11/27/01 11:27AM
Subject: 2nd kitchen for home occupation

Just a reminder that a second kitchen for commercial purposes at a residence is not allowed. I told the individual that for Health Dept. purposes he can use an existing restaurant as his commissary. He will also look for commercial property to build one. Told him C-2 and above ok.

CC: Balak, William; Bogdan, Wayne

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222

From: Walter Tellez
To: GEHLEN, Patricia
Date: 8/14/01 10:26AM
Subject: Re: above ground tanks for sale of propane to the public

Hi Trish, propane tanks at gasoline stations and equipment rental sites for filling of small tanks and cylinders are not subject to 3.5.10. review as any other accessory structure.

>>> Patricia GEHLEN 08/14/01 09:58AM >>>

Walter,

When I read section 3.5.10.2 of the code I get a little confused. Secion 3.5.10.2.A.1.a states that if propone is used for consumptive use on the site this section is not applicable. Since the tanks are to sell propane to the public this section applies. The next section, 3.5.10.2.A.2.a states that tanks may only be used for the purpose of servicing vehicles used or serviced in connection with principal use. This would imply that tanks for retail sale are not permitted. Please clarify. We have been approving these tanks on a regular basis. Should we continue or should we stop?

Patricia

CC: Gross, Craig



The Sunshine City •

CITY OF TUCSON

CITY HALL
P.O. BOX 27210
TUCSON, ARIZONA 85726-7210

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223

DEPARTMENT OF PLANNING
791-4505
791-4571
791-4541
FAX (520) 791-4130 or 791-266

April 6, 1998

Dr. Theodore E. Downing
Public Relations Office
American Radio Relay League
1402 E. Kleindale Road
Tucson, Arizona 857

Dear Mr. Downing:

This letter is to clarify the City of Tucson's position on the allowable heights for amateur radio (Ham Operator's) antennae/towers. This issue was discussed in our meeting on March 4, 1998. Information from the Federal Communication Commission was presented to staff. I have discussed this information with other staff, including the City Attorney's office.

It is my determination that the City will accept Pima County's code requirements that exempts amateur radio antenna heights of 100 feet or less from special regulations (Pima County 18.07.030). The Planning Department will incorporate into its work program a Code amendment to specifically address amateur radio antennas. We will contact your group for additional input at that time.

Please let me know if you have any further concerns regarding this issue.

Sincerely,


Walter V. Tellez
Zoning Administrator

WVT:walter/s/hamop2

cc: William Vasko, Director, Planning Department
Michael McCrory, City Attorney's Office



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TUCSON, ARIZONA 85726-7210

DEPARTMENT OF PLANNING
791-4506
791-4571
791-4541
FAX (520) 791-2665

May 29, 1996

Robert Bowers
10015 East Lorian Street
Tucson, Arizona 85748

Subject: Zoning violation 96-250, 10015 East Lorian Street

Dear Mr. Bowers:

This letter is in response to your correspondence dated May 11, 1996. Upon review of your letter, the building plans for the residential addition on your property dated May 31, 1994, and the conversation you had with the planner, Diane Foray, it appears that you have two residential units on your property. Your property is zoned RX-1 which allows one unit per lot. As you described to Diane Foray over the phone on May 23, 1996, the addition has a kitchen with a range and the original portion of the house has a kitchen with a gas cooktop.

In order for the addition to not be considered a residential unit, the addition is limited to having a refrigerator that can fit below a sink counter, a wet bar sink, and no cooking facilities. The plan for the addition shows no kitchen facilities and was therefore approved as a room addition in 1994. To abate the current zoning violation you must either remove the kitchen facilities in the addition or you must rezone the property to a suitable zone that allows two residential units on one property. For information and assistance with the rezoning process, please contact Sarah More or Tim DeNiro at 791-4571.

You are advised that my determination in this matter is subject to appeal, within thirty (30) days, by any person aggrieved to the City of Tucson Board of Adjustment. Their decision is appealable to the Mayor and Council and to the Superior Court of Pima County. Board of Adjustment appeal fees and process information can be obtained by calling Ceci Cruz or Aline Bertelsen at 791-4541.

Please contact Diane Foray by June 14, 1996, to inform her of your intentions to abate the current violation. Thank you for your cooperation.

Sincerely,

Walter Tellez
Zoning Administrator

DF@s:\dianef\zv96250

Upheld by Board of Adjustment on 10.4.96
and Mayor and Council 11.18.96 R.C.

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