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From: Craig Gross
To: Connor, Andrew; St. Paul, Michael
Date: 02/28/2006 2:36:42 PM
Subject: 1802 E. Prince T05CM03968

Per Walter Tellez, when an existing approved building encroaches into a future setback or landscape buffer we do not require a variance or a portion of the building to be removed to meet code. In this case the property has a future ROW of an additional 30 feet (75') that will extend to the leading edge of the existing building. No landscape buffer will be required in front of the building between the building and the future ROW. If additional room exists beside the building and behind the future ROW then a landscape buffer can be provided in that area. This does not apply for any new construction adjacent to the future ROW, only to existing development. Please come see me if you have additional questions.

Craig

CC: Linville, Joseph; Rivera, David; Tellez, Walter

... 3' 2
... 6-2.6'

326 504-003
R-1
188

From: Wayne Bogdan
To: cmartin@rickengineering.com
Date: 08/15/2005 4:40:45 PM
Subject: Setbacks: Paired Houses: Tres Pueblos

August 15, 2005

Chuck Martin, R.A.
Principal Project Planner
Rick Engineering Company, Inc.
1745 East River Road, Suite 101
Tucson, AZ 85718-7633

Subject: Tres Pueblos R.C.P.: Paired House Setbacks
Land Use Code (LUC) Information

Dear Mr. Martin:

Thank you for your letter dated August 3, 2005 requesting clarification on the perimeter setbacks to be required for the paired houses in Tres Pueblos. Attached with your letter were sample plot plans for the subdivision. Specifically, you want to know whether the paired houses in Tres Pueblos are to be considered "attached" single family units subject to the setback requirements of LUC Sec. 3.6.1.4.D.2.c, or "detached" single family units subject to the setback requirements of LUC Sec. 3.6.1.4.D.2.d?

The Zoning Administration Division has reviewed your letter, the subdivision plot plans, the applicable LUC regulations, and discussed this matter with the Zoning Compliance Plans Review Section. Based on this review, staff concurs with your opinion and considers the paired housing in Tres Pueblos to be "attached" single family dwellings subject to the requirements of LUC Sec. 3.6.1.4.D.2.c.

Please note, a copy of this letter is to be attached to the project's site plan when resubmitted to DSD, 1st Floor, 201 North Stone Avenue for the zoning compliance review process. If you should have any further questions concerning this zoning matter, please contact me at 791-4541 ext. 1116 or by email at: wayne.bogdan@tucsonaz.gov.

Sincerely;

Wayne F. Bogdan
Principal Planner
Zoning Administration Division
Development Services Department
City of Tucson

CC: Patricia Gehlen; RTWilliams@drhorton.com; Walter Tellez

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From: Ernie Duarte
To: Tellez, Walter
Date: 05/31/2005 11:01:25 AM
Subject: Re: Fwd: New two story LDO rule

thanks. I didn't know this. This still does not prevent them from applying does it?

>>> Walter Tellez 05/31/2005 10:59:41 AM >>>

I had directed LDO staff to explain to applicant's of two-story projects that it would be very difficult to have staff support for such applications. I felt that two-story setback variances would best be handled at the Board of Adjustment. This would insure greater notice to neighbors and neighborhood associations (Ruth Beaker mentioned at the Growth subcommittee that neighborhood association sometimes know better). This policy direction has been in affect since last year.

>>> Ernie Duarte 05/31/2005 10:46:19 AM >>>

are we sending out an inadvertent message indicating that LDO's for 2 story units won't be approved??????

CC: Bogdan, Wayne; Gehlen, Patricia; Podgorski, Frank; Taku, Michael

11/20/05
2/2/07
148

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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
3 2.5.2. D. 1/8.



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MEMORANDUM

DATE: February 22, 2005

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 5.3.3 Board of Adjustment Appeal, Westview Subdivision
retention/detention basin
Land Use Code: Zoning Administrator Determination

The Zoning Administrator's determination that a retention/detention basin is not a structure therefore does not have setback requirements was appealed by a neighbor to the Board of Adjustment but the appeal was not filed within the 30 day appeal period. The City Attorney's office concurred with the Zoning Administrator that the appeal could not apply to the Westview case because the appeal period had passed. The BofA could hear the case as an appeal of a general zoning issue but the findings would only apply to future plats. There is no legal requirement that the BofA has to hear a general interpretation question, the BofA hearing the case was based on legal precedent.

s:zoning administration/za determination/LUC 5.3.3.doc

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From: Walter Tellez
To: Gehlen, Patricia; Gross, Craig
Date: 06/28/2004 9:08:08 AM
Subject: Apartments at 605 E. 9th St.

No variances are needed to install a fire escape to the existing balcony.

CC: Ernie Duarte

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From: Patricia Gehlen
To: Tellez, Walter
Date: 03/15/2004 11:16:46 AM
Subject: Re: Keri Sillvan 629.4438

In areas that have been around for awhile and have no sidewalk, the ROW back of curb is generally wide enough to place sidewalk at least one (1) foot in front of property line so I let them measure 18 feet from property line. in newer subdivision this may not be the case but then they all have sidewalks.

>>> Walter Tellez 03/15/2004 8:51:34 AM >>>

Could you give her a call? She wants to know where to measure in 3.2.6.5.B.2 when there is no sidewalk. Let me also know.

Thanks.

2.5.10.0 - 15-P-3
30

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

3.0 S.D.C. FORMS ONLY STAND
3.0 S.D.C. FORMS ONLY STAND

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From: Walter Tellez
To: Gehlen, Patricia
Date: 3/14/02 8:39AM
Subject: Re: porches & carports

Hi Trish,
I would use 3.2.6.6.A and B to say the setback starts after you allow a 2 foot overhang.

>>> Patricia Gehlen 03/14/02 08:16AM >>>

Good Morning Walter,

If someone puts up a carport which has no support posts (cantelevered off the house) where do we measure the setback from?

Thanks Trish

CC: Gross, Craig; Rivera, David

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From: Walter Tellez
To: Gross, Craig
Date: 12/20/01 1:35PM
Subject: Re: Setback

The LUC only provides for "height" exception in a rezoning (3273.H). Change of use, with or without rez, has to meet setbacks (e.g. charter schools). If they have to dedicate R/W, the resulting setback does not need a variance.

>>> Craig Gross 12/20/01 01:22PM >>>

Don't we typically accept an existing setback on an existing structure that is rezoning? Especially when one of the conditions is that the rezoning is for the existing structures with no expansion?

CC: McCrory, Michael

12/20/01 1:34.6
53.0

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The Sunshine City •

CITY OF TUCSON

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

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

April 6, 1998

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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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