



Board of Adjustment
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BOARD OF ADJUSTMENT

Meeting Notice

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Board of Adjustment and to the general public that the Board will hold the following meeting which will be open to the public on:

Wednesday, April 29, 2026, at 12:30 pm Study Session and Executive Session as authorized under A.R.S. Section 38-431-03.A.3

Doors will be open to the public at 12:15 PM
Mayor and Council Chambers, City Hall
255 West Alameda Street, Tucson, Arizona

NOTE: One or more member(s) of the Board of Adjustment may participate by telephonic, video or online communications. If a member of the public wishes to participate through the remote hybrid format, the hearing can be accessed here: <https://www.tucsonaz.gov/BOA> Click on "Click Here to Join Meeting."

You may also dial in using your phone at +1 213-293-2303,,353719675# United States, Los Angeles
Phone conference ID: 353 719 675#

- Anyone wishing to present information to the Board at the public hearing can notify staff of their intentions by e-mailing [DSD Zoning Administration@tucsonaz.gov](mailto:DSD_Zoning_Administration@tucsonaz.gov). Please provide your name, address, and phone number.

AGENDA

1. Call to Order/Roll Call

- () Bruce Dawson
- () Robert Valencia
- () Michael Marks
- () Erma Duran
- () Denise Bowls
- () Michael Schaff
- () Araceli Juarez

AT OR AFTER 1:30 P.M.

NEW CASES

2. **C10-26-02 ENCLAVES AT TUMAMOC LOTS 1-129 / KB HOME TUCSON INC TR / 1802 WEST SAINT MARY'S ROAD, R-1, O-3**

The appellant, Shana West, is appealing the Zoning Administrator's Determination (ZAD), TZ-CMP-1125-00197, issued January 22, 2026 regarding how the General Plan and applicable or neighborhood plans are treated when applied to Flexible Lot Developments (FLDs). The Zoning Administrator (ZA) determined General Plan and Area Plan policies should not be treated as binding zoning rules for FLDs, and under Arizona law, the General Plan and Area or Neighborhood Plans are not zoning laws, and finally, the Tucson Unified Development Code (UDC) is the City's enforceable land use law which provides FLDs flexibility as it applies to UDC dimensional and design standards. The appellant contends that the policies, guidelines, and "shall" statements within the General Plan and area plans are mandatory and enforceable as part of the zoning code. UDC Sections applicable to this appeal include, in part, but are not limited to the following: Section 8.7.3 which provides the standards for the FLD; Sections 4.7.8 and (15) and Tables 4.8-2 and (3) which provides criteria for residential development in the R-1 and O-3 zones; Section 1.5.1 which provides for the ZA to interpret the provisions of the UDC; Section 1.6.1 which provides resolution for conflicts of provisions within the UDC; and Section 3.10.2 which provides for the Board of Adjustment to hear and decide on appeals made to the Zoning Administrator's decision. The appellant is requesting reversal of the ZAD, issued January 22, 2026 and a reassessment of the issued development package for conformance to the General Plan and Tumamoc Area Plan.

3. **C10-26-03 LA INDITA RESTAURANT DINING PATIO / LIBERTY FEDERAL FUND LC/ 722 N STONE AV / C-3**

The applicant's property is an approximately 0.27-acre lot zoned C-3 (Commercial) and is currently developed with a restaurant. The applicant proposes constructing a new outdoor patio. Tucson Unified Development Code (UDC) sections applicable to this project include, but are not limited to, Section 4.7.22 and Table 4.8-4, which provide criteria for food service uses in the C-3 zone; Section 7.4.4, which provides the required number of motor vehicle parking spaces; Section 7.4.11, which provides the required number of electric vehicle supply equipment; and Section 7.6.4, which provides landscaping requirements. Additionally, applicable Technical Standards Manual (TSM) sections include Section 7-01.3.0, which provides requirements for pedestrian circulation, and Section 8-01, which provides requirements for solid waste collection. The applicant is requesting variances to modify the required number of parking spaces, electric vehicle spaces, landscaping, and solid waste enclosure requirements, all as shown on the submitted plans.

4. C10-26-04 FRAUSTO GARAGE ADDITION/ MARTIN FRAUSTO / 7682 EAST APPLE TREE DRIVE / R-2

The applicant's property is an approximately 1,530 square foot lot zoned R-2 and is developed with a single-family residence with an attached garage. The applicant is seeking zoning approval necessary to allow the garage to remain as constructed in the northeast portion of the residence. The Tucson Unified Development Code (UDC) sections applicable to this project include, but are not limited to, Sections 4.7.9 and Table 4.8-2 which provides the criteria for residential development in the R-2 zone, and Section 6.4.5 which provides the perimeter yard setback standards for principal and accessory structures. The applicant is requesting a variance to allow the garage to remain as constructed by eliminating the required setback to the east property line, all as shown on the submitted plans.

5. Adjournment

OTHER BUSINESS:

- A. Chairman, Opportunity to Speak on Scheduled Agenda Items
- B. Vice Chairman, Same Opportunity
- C. Members, Same Opportunity
- D. Staff, Same Opportunity
- E. Adjournment

Persons with a disability may request reasonable accommodation, such as a sign language interpreter, by contacting the (support staff/office information). Requests should be made as early as possible to allow time to arrange the accommodation.