

STAFF REPORT

DATE: JUNE 24, 2026

TO: Board of Adjustment

FROM: Zoning Administration
Planning & Development
Services Department

ACTIVITY NO. TP-MOD-0526-000056

C10-26-06 BOOHER GARAGE ADDITION / DANIEL BOOHER/ 5915 EAST 5TH STREET / R-1

The applicant's property is an approximately 12,200 square-foot lot zoned R-1, a "Residential" zoning classification, and is developed with a single-family residence with an attached garage. The property is located on the northeast corner of 5th Street, a collector street identified on the Major Streets and Routes Plan map, and Sahuara Avenue. The applicant is proposing to construct a addition to the existing attached garage.

THE APPLICANT'S REQUEST TO THE BOARD

The applicant is requesting the following variances:

- 1) Allow the construction of a garage addition with a reduced front street perimeter yard setback from 20'-0" to 16' as measured to the south property line, 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 4.7.8 *Residence Zone (R-1)* and Table 4.8-2, *Permitted Uses –Urban Residential Zones* which provide the use criteria applicable in the R-1 zone;

Section 6.3.4 *Dimensional Standards and Exceptions Tables* and Table 6.3-2.A *Dimensional Standards for the R-1, R-2, R-3, MH-1, and MH-2 Zones*, which provide the dimensional standards applicable to principal and accessory structures; and,

Section 6.4.5.C.1 *Street Perimeter Yard*, which provide the street perimeter yard setbacks applicable to the proposed construction.

GENERAL DEVELOPMENT INFORMATION

Zoning and Land Use

SITE: ZONED R-1; (single-family residential)

North: Zoned R-1; (single-family residential)

South: Zoned R-1; (single-family residential)
East: Zoned R-1; (single-family residential)
West: Zoned R-1; (single-family residential)

RELATED PLAN REVIEWS

City Engineer (CE)

The Engineering Section of Planning and Development Services Department has no objection 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 that are in question.

ZONING ADMINISTRATION CONSIDERATIONS

The applicant's property is an approximately .3-acre lot zoned R-1, a "Residential" zoning classification, and is developed with a single-family residence and attached garage. The property is located on the northeast corner of 5th Street, a collector street

identified on the Major Streets and Routes Plan map, and Sahuara Avenue. The applicant is proposing to construct an expansion to the existing attached garage. The proposed construction triggers compliance with Tucson *Unified Development Code (UDC)* sections applicable to the new construction.

Perimeter Yard Setbacks

Per UDC Section 6.3.4 and Table 6.3-2.A, perimeter yard setbacks are required for principal and accessory structures in the R-1 zone. The current site plan shows a setback of 1' from the west property line. This will be confirmed by survey and, if relief is needed, addressed separately through a DDO request.

East Fifth Street is identified by as a street subject to Major Streets and Routes setback review. The applicant is requesting to reduce the required front street perimeter yard setback from 20'-0" to 16'-0" along East Fifth Street.

Discussion

The subject property is located at the northeast corner of 5th Street and Sahuaro Avenue in the Thunderbird Heights/Wilmot Desert Estates neighborhood. According to the Pima County Assessor's Office, the effective date of construction of the residence is 1954.

The property is developed with a single-family residence and an attached garage. The existing garage is located on the west side of the residence, with garage access oriented toward East 5th Street. The proposed garage addition extends to the west and south of the existing garage and would provide additional workshop and vehicle storage space. The addition is not proposed to add livable square footage or change the existing single-family residential use of the property. Because the addition is tied to the existing garage, there are limited options for placing the addition elsewhere on the site without significantly changing the existing layout of the residence and garage. An existing 20-foot alley is located along the rear of the property. The applicant states that the rear of the property is used for trash, recycling, and utility access, which limits the ability to place the garage addition at the rear of the lot

Conclusion

Given there are physical constraints such as the location of the existing attached garage, vehicular access and parking; and special circumstances such as the principal structure predates the regulations associated with the Major Streets and Routes Map and that such special circumstances were not self-imposed; and that the variance requested do not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone, staff has no objection to the granting of the requested variance.

NEIGHBORHOOD CONTACT (BY APPLICANT)

See the attached neighborhood notification dated May 7, 2026, and meeting summary dated May 17, 2026.

PLANNING & DEVELOPMENT SERVICES RECOMMENDATION

PDSD staff has no objections to the applicant's requested variance.

It is the opinion of staff that there are special circumstances applicable to the property; that granting of the variances will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and that the variance requested is the minimum needed to afford relief and the least modification possible of those *UDC* provisions which are in question.

Georgia Pennington, Lead Planner
for
Christopher Poirer
Zoning Administrator

CP:mc.gp:s/zoning administration/ba/2606