BOARD OF ADJUSTMENT Zoning Administration Division Planning and Development Services Department (PDSD) 201 North Stone Avenue, Tucson, Arizona 85701

*** NOTICE OF DECISION ***

DATE OF PUBLIC HEARING February 23, 2022

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J) & (K).

ACTIVITY NO. T22SA00029

CASE NO.

THE APPLICANT

C10-22-01 WILEY AND CALHOUN RESIDENCE SOLAR CARPORT / TECHNICIANS FOR SUSTAINABILITY / 1844 NORTH VINE AVENUE / NR-1

The applicant's property is an approximately 27,000 square-foot lot zoned NR-1 "Residential" and is developed with a single-family residence and four detached accessory structures. The applicant is proposing to replace the unpermitted existing carport with a new carport and a solar shade canopy. Tucson *Unified Development Code (UDC)* sections applicable to this project include, but are not limited to, Section 4.7.8 and Table 4.8-2 which provide the criteria for residential development in the NR-1 zone, Section 6.4.5 which provides standards specific to setbacks, and Section 6.6.3 which provides standards specific to accessory structures in a residential zone. The applicant is requesting the following variances: **1)** Allow a new solar panel carport to replace the existing carport with a reduced side street perimeter yard setback from 10' to 1' as measured to the south lot line, 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 residence, all as shown on the submitted plans.

DECISION: VARIANCES 1 and 2 GRANTED, SUBJECT TO THE FOLLOWING CONDITIONS:

- A. No motor vehicle parking in the area between the carport and the street.
- B. Carport shall not be enclosed.

[DECISION NOTE]

By UDC regulation, a building permit or development approval based upon a Board of Adjustment decision cannot be issued, until a minimum of fourteen (14) days after the Board's decision date.

IMPORTANT NOTICE

FOR VARIANCES OR DESIGN DEVELOPMENT OPTIONS (DDO) GRANTED BY THE ACTIONS OF THIS BOARD: IF A BUILDING PERMIT IS REQUIRED FOR THE PROJECT ASSOCIATED WITH THE VARIANCE OR DDO, IT MUST BE SECURED FROM THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT (PDSD) WITHIN 180 DAYS OF THE HEARING DATE.

VARIANCE AND DDO APPROVALS EXPIRE WITHIN 180 CALENDAR DAYS FROM THE DATE OF THIS MEETING. TWO ADDITIONAL (180 DAY) EXTENSIONS MAY BE GRANTED PROVIDED THERE IS GOOD CAUSE AND THE REQUEST IS MADE IN WRITING.

<u>UNLESS OTHERWISE NOTED</u>, BOARD OF ADJUSTMENT DECISIONS BECOME EFFECTUATED UPON OBTAINING BUILDING PERMITS (IF REQUIRED) AND FULL COMPLIANCE WITH ALL CONDITIONS OF THE BOARD'S DECISION.

THE 180 DAY TIME FRAME TO OBTAIN A BUILDING PERMIT DOES NOT APPLY WHEN THERE IS AN OUTSTANDING ZONING VIOLATION THAT PRECIPITATED THE VARIANCE OR DDO REQUEST FOR THE PROPERTY. THE APPLICANT OR PROPERTY OWNER MUST CONTACT THE ENVIRONMENTAL SERVICES DEPARTMENT (ESD): CODE ENFORCEMENT DIVISION FOR THE DATE THE ZONING VIOLATION MUST BE ABATED.

If you want further information, please email Mark Castro at DSD_Zoning_Administration@tucsonaz.gov or call 520-791-5550

for

Sue Montes, Secretary Board of Adjustment

s: zoning administration/ba/decision/2201