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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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MEMORANDUM

DATE: September 27, 2005

TO: Irene Ogata
Urban Landscape Manager
Administrator

FROM: Walter V. Tellez
Zoning

SUBJECT: Design Development Option (DDO)

This is in response to your memo dated September 14, 2005 and the discussions at the September 21, 2005 Landscape Advisory Committee Meeting. As you know the DDO (LUC 5.3.5) is an administrative process to allow parking space reductions and flexibility for landscape options. As we discussed, you will be contacted to meet with future DDO applicants to assist in reviewing their proposals. It is anticipated that your participation in the DDO process will help make it a more efficient.

In addition, the LAC felt that Land Use Code amendments were necessary to strengthen landscape requirements. Development Services Department is willing to meet and discuss future code amendments with Urban Planning and Design.

XX:irenememo

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MEMORANDUM

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DATE: September 22, 2005

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 5.1.7, Board of Adjustment, DDO Appeal Process; LUC 5.3.4, DDO
Land Use Code: Zoning Administrator Determination

The following modifications should be made to the DDO Notice of Decision and the DDO Appeal process to ensure consistency and to provide applicants the maximum time allowed to file an appeal to a DDO decision.

DECISION NOTICE

Decision is made the third day after the end of the public comment period.

Effective Date of the decision is the same day of the next week.

Intent to Appeal the decision must be filed by the same day plus one day the week following the Effective Date.

DDO APPEAL

The Full Notice procedure for neighborhood meeting is not applicable, just the public hearing provisions. Applicant has up to 30 days from the Effective Date of the decision to submit a complete application which is essentially the same materials submitted for the DDO including the B/A forms and the fees. The date when all the appeal materials have been filed, not the date of the notice of intent to appeal, is the date when the appeal is filed for the purpose of scheduling the BA public hearing.

s:zoning administration/za determination/LUC 5.1.7a.doc



MEMORANDUM

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DATE: September 7, 2005

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 5.3.4, DDO Partial Approvals
Land Use Code: Zoning Administrator Determination

A DDO (DDO-5-57) request for reduced setbacks on a front garage and a bedroom was denied due to protests on the garage setback. There were no protests on the bedroom setback. The applicant requested approval of the bedroom setback based on the lack of any protests.

The Zoning Administrator determined that a revised decision may be made to approve the bedroom setback while maintaining the denial of the garage setback. The decision would be a clarification of the decision and therefore should be titled as a "Clarification" of the decision.

s:zoning administration/za determination/LUC 5.3.4b.doc



MEMORANDUM

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DATE: July 27, 2005

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 5.3.4, DDO Extensions
Land Use Code: Zoning Administrator Determination

The LUC establishes two time frames, not one single time frame, with the first time frame of 180 days. Applicants may request an extension within the first 180 days for another 180 days. The total amount of time allowed for a DDO with a time extension is 360 days, not one year which would be 365 days.

s:zoning administration/za determination/LUC 5.3.4a.doc

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From: Wayne Bogdan
To: Michael Taku
Date: 06/10/2005 1:47:14 PM
Subject: RE: Neighborhood Ass. & DDO Processing Time Frame

Hi Michael,
The answer to that question....we want all ddo applicants to conduct their neighborhood notification and neighborhood association meeting prior to their application...its a must...they must submit their result to you or frank with their application...tell the applicants its Dept policy....
bogdan

>>> Michael Taku 06/08/2005 3:14:11 PM >>>
Hi:

The newly elected President of the Dunbar-Spring Neighborhood Association, Mr. Jim Cook spoke with me today. He noted that in many cases his Association would be unable to comment to DDO request because the time frame for receiving DDO notification and responding seemed too short. He noted that his association has monthly meetings, so, any DDO request for input/comments not received before scheduled monthly meeting is usually not reviewed. And, even if received but are due before the meeting date would also not reviewed. Mr. Cook wants to know if the time could be extended to give the association time to review DDO requests.

Staff explained to the President, (DDO) Limited Notice Procedure. Staff explained to Mr. Cook that per Sec.23A-40(3), the applicant is supposed to meet with the property owners who are entitled to notice of the application and the neighborhood association prior to submittal of the application to explain the proposed additions or new constructions that would not meet the building setbacks or wall height. If this was done by the applicant, the Association would easily comment without needing to adhere to meeting dates.

Mr. Cooks still wants time extension for neighborhood comment. What is a better response to him. Please, your advise.

Michael

CC: Frank Podgorski; 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
DLG
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MEMORANDUM

934
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DATE: July 6, 2004

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 5.3.4 LDO Notification Area
Land Use Code: Zoning Administrator Determination

Property owners outside of the area for the required notice do not have standing in terms of receiving notice or the right to appeal. However, to the extent that the comments raise issues related to the required findings, they should be considered by staff in reaching the determination on whether to grant or deny the LDO.

s:zoning administration/za determination/LUC 5.3.4.doc

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June 15, 2004



CITY OF
TUCSON
Zoning
Administration
DSD

Abe Turkin
9231 East Old Spanish Trail
Tucson, Arizona 85710

Dear Mr. Turkin:

Subject: Lot Development Option (LDO 03-93) Turkin-9231 East Old Spanish Trail, SR

Thank you for your letter in which you request an extension for more time regarding Lot Development Option (LDO 03-93). Unfortunately, we are unable to grant extensions to Lot Development Options by City of Tucson Land Use Code requirements.

If you wish to reapply for a new LDO, please present a copy of your site plan and elevation drawing to the Zoning Review counter, 1st Floor, Development Services Department, 201 North Stone Avenue, for comments. You will be referred to me and I will process your new LDO request in a timely manner. If you require additional assistance, please contact me at 791-4571 (x1145).

Sincerely,

Frank S. Podgorski
Senior Planner

FSP:0393

C: Walter Tellez, Zoning Administrator
Wayne Bogdan, Principal Planner
File copy

Attachment: LDO Application Form

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From: Russlyn Wells
To: Daniel Castro; David Rivera; Michael St. Paul; Patricia Gehlen; Peter McLaughlin
Date: 03/03/2004 1:45:31 PM
Subject: Backing out onto frontage road along a MS&R

Hello All,
Wanted to share the clarification I received from discussing this with Walter.

If a (dedicated, paved) frontage road exists along the MS&R, then that segment of the MS&R is considered a residential street and a variance would not be required to allow vehicular maneuvering directly onto the (frontage) street.

Russ

CC: Walter Tellez; Wayne Bogdan

16.7

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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

LDO 5.3.4
Accessory Structures
2.27.5
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MEMORANDUM

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DATE: July 18,2003

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 2.8.8, Setbacks in Historic Districts
Land Use Code: Zoning Administrator Determination

A property owner in any of the local Historic Preservation Zones (HPZ) does not need signatures or an LDO if the property owner can successfully demonstrate that other structures exist in his development zone that are built closer to or on the property line according to LUC 2.8.8.6.C.2.

s:zoning administration/za determination/LUC 2.8.8a.doc