



MEMORANDUM

551
482

DATE: June 15, 2005

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 6.3.11, Used War Vehicles as JMV or Storage
Land Use Code: Zoning Administrator Determination

A used military tank is not considered a vehicle for LUC purposes if it is not licensed and registered as a motor vehicle. If other military vehicles were licensed through the government at one time, such as jeeps, flatbed trucks, etc., then they qualify as JMV's if not currently registered and licensed.

s:zoning administration/za determination/LUC 6.3.11.doc



551
483

MEMORANDUM

DATE: March 29, 2005

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 5.3.6a, Nonconforming Use, Business License
Land Use Code: Zoning Administrator Determination

Sonoran Environmental/B&R Materials wanted to use the issuance of City business license as evidence of a legal use on their property. Tucson Code Section 19-300.c states "The issuance of a privilege license by the tax collector shall in no way be construed as permission to operate a business activity in violation of any other law or regulation to which such activity may be subject." A City business license can not be used as evidence of a legal use.

s:zoning administration/za determination/LUC 5.3.6a.doc



551
484

MEMORANDUM

DATE: March 24, 2004

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 5.5.3, Violations, TC 16-31 Noise Ordinance, Liquor License Review TC Art. II-Sec 1(18).
Land Use Code: Zoning Administrator Determination

The granting of a liquor license “extended premises permit” does not exempt the permittee from the City’s noise and unruly gathering ordinances. The City Manager’s office and DSD do not “support” any variances to the Noise Ordinance.

s:zoning administration/za determination/LUC 5.5.3b.doc



MEMORANDUM

55'
485'

DATE: March 23, 2004

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 5.5.3, Signs on Undeveloped Portion of Site, Auto Mall
Land Use Code: Zoning Administrator Determination

The owners of lot 1 in the Tucson Auto Mall (Lexus) developed the northern portion of the lot with the southern portion remaining vacant and undeveloped. The request was for a sign on the undeveloped portion (south) .

Sign was denied based on TC 3-15(y) : Premises: All contiguous land used and occupied by an establishment, whether owned or leased from another. Craig Gross and Debbie Capple determined that the sign is not permitted because their "premise" does not include the adjacent vacant property that is not currently being used.

s:zoning administration/za determination/LUC 5.5.3a.doc



MEMORANDUM

551
488

DATE: November 6, 2003

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 5.5.1, Responsible Party for Zoning Violations
Land Use Code: Zoning Administrator Determination

The current owner and any tenant operating with permission of the owner are responsible for zoning violations on a property under LUC 5.5.1. LUC 5.5.1 can also be used for the person who actually created the violation even after transfer of ownership.

s:zoning administration/za determination/LUC 5.5.1.doc



551
482

MEMORANDUM

DATE: September 29, 2003

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 5.3.6, Nonconforming Status and Business Licenses
Land Use Code: Zoning Administrator Determination

The nonconforming status of a business is based upon valid approved building plans and permits, not on business licenses.

s:zoning administration/za determination/LUC 5.3.6.doc



MEMORANDUM

551
488

DATE: January 31, 2003

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 6.3.9, Girls Gone Wild Special Event
Land Use Code: Zoning Administrator Determination

The City cannot lawfully apply the existing LUC Restricted Adult Activities provisions to this one-time event.

s:zoning administration/za determination/LUC 6.3.9.doc



MEMORANDUM

551
989

DATE: January 31, 2003

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 6.3.8, Generator as Permanent Residential Power Source
Land Use Code: Zoning Administrator Determination

A generator in the yard as the sole power source for a residence is not a zoning violation but is not permitted under Tucson Code 16-11.c.1 as follows:

(1) All dwellings and dwelling units shall be provided with electrical service. If electrical power is available within three hundred (300) feet of any building used in whole or part as a dwelling, the building must be connected to that electrical power.

s:zoning administration/za determination/LUC 6.3.8.doc



MEMORANDUM

551
490

DATE: March 19, 2002

TO: Zoning Administration Division
DSD Zoning Review Section

FROM: Walter Tellez
Zoning Administrator

SUBJECT: LUC 5.5.3, Zoning Violation Case Complainant Information
Land Use Code: Zoning Administrator Determination

The City Attorney's office informed DSD that we are to decline to identify any complainant and if a request is made for the documents in zoning files, the names should be redacted from the copies that are provided to the person requesting the information.

s:zoning administration/za determination/LUC 5.5.3.doc