

**EXHIBIT F**



CITY OF  
TUCSON

DEVELOPMENT  
SERVICES  
DEPARTMENT

ZONING  
ADMINISTRATION  
DIVISION

December 4, 2006

Daniella Zepeda  
Facilities Director  
COPE Behavioral Services, Inc.  
82 South Stone Avenue  
Tucson, AZ 85701

Subject: 535 E. Drachman, R-2: COPE; Ocotillo Group Home Facility  
Land Use Code (LUC) Information – Nonconforming Status

Dear Ms. Zepeda:

Thank you for your letter dated November 6, 2006 and attachments regarding COPE's "Ocotillo Group Home" facility. The facility property is addressed 535 East Drachman and zoned "R-2" Residential. The property was purchased by COPE in 1997 for the Ocotillo facility's use but a Certificate of Occupancy permit (C of O) was never obtained. The Ocotillo facility provides short term residential services for seriously mental ill and general mental adult clients and has been licensed by the State since 1997. To obtain the required C of O permit, however, staff must confirm the current COPE use of the property is allowed.

The Zoning Administration Division has reviewed your information, the property's City and County history records, and the R-2 zoning regulations dating back to 1962. Review of City records verify that in 1962 the appropriate permits and approvals were issued for the property's group home development. Staff notes, in 1962, both group home and welfare related uses were permitted in the R-2 zone as authorized land uses. The Ocotillo facility which today is classified as a "Residential Care, Physical and Behavioral Health Service" would have been classified as a welfare use in 1962. Thus, the COPE use of the property for its Ocotillo facility does fall within the property's established nonconforming status and is allowed, as is, without the need for further zoning approval.

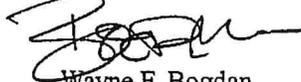
Please note, the property's nonconforming status restricts the COPE use as follows. The facility's clientele is limited to no more than fifteen (15) residents. The property's zoning status allowing welfare related uses does not include the Residential Care Service "Shelter Care". The nonconforming status limits the COPE facility to the property's existing building and lot configuration any expansion of the facility by either building or lot area could cause this status to be lost. As a final note, a copy of this letter must be attached to the project's site

535 E Drachman: COPE  
12/04/06

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plan when submitted to the Development Services Department, 1<sup>st</sup> Floor, 201 North Stone Avenue for the C of O review process. I hope you find this information helpful and should you require further information from the Zoning Administration Division, please contact me at (520) 791-4541 ext. 1116.

Sincerely



Wayne F. Bogdan  
Zoning Administration

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201 North Stone Avenue  
P.O. Box 27210 • Tucson, AZ 85726-7210  
Phone (520) 791-4541 • Fax (520) 791-5852  
Email: [DSD\\_Zoning\\_Administration@tucsonaz.com](mailto:DSD_Zoning_Administration@tucsonaz.com)  
Web Site: <http://www.tucsonaz.gov/dsd/index.html>



**COPE**

BEHAVIORAL  
SERVICES  
INCORPORATED

NOV 2006  
RECEIVED  
Zoning Admin.

November 6, 2006

Walter V. Tellez  
Zoning Administrator  
Development Services Department  
201 N. Stone Avenue  
Tucson, Arizona 85701

Re: Zoning Clarification Request for "Ocotillo Group Home"-535 E. Drachman

R-2  
115-02-227A

Dear Mr. Tellez,

Thank you for taking the time to meet with us last week, as we discussed, COPE Behavioral Services, Inc. is a 501 (C) 3 non-profit corporation who has been providing an array of services to priority populations in our community for over 30 years. COPE owns and manages several case management and residential properties around Tucson to provide such services. One of the residential properties, known as "Ocotillo, is located at 535 E. Drachman. This property was originally built and owned by Catholic Community Services of Arizona as a group home for the nuns. On 4.25/97, the home was placed on the real estate market and remained occupied until it was sold in 6/24/97 to COPE (see attachment A). Since purchasing the home, COPE has utilized this property for short term general mental health residential services for seriously mentally ill and general mental adult clients (see attachment B). As indicated in the program description, clients receive services there approximately 4-5 days and then return home or to an alternate placement.

In 1997, prior to providing services at the home, COPE obtained the required fire and sanitation inspection and behavioral health license issued by the Arizona Department of Health Services (see attachment C). Since that time, the fire inspection is conducted by the City of Tucson every three years; the sanitation and the behavioral health licensure inspections are conducted annually. The reports and licenses from interim years (1998-2005) are available for perusal upon your request. Enclosed are the most current

inspections and the most recent behavioral health license issued by the Arizona Department of Health Services (see attachment D).

In mid August, COPE received a notice of violation from Department of Neighborhood Resources listing the following (letter attached, E):

- 1) Current layout of the building does not match the last approved floor plan.
- 2) A Certificate of Occupancy has not been issued for "Ocotillo" group home.

COPE has hired an architect to address item 1 but is concerned about item number 2. The property is zoned R2 and the building code is also R2 which would allow for 17 persons to occupy the building, as specified by Christy D. Foreman from City of Tucson Development Services Department. COPE is licensed to provide services at this location for 15 people. Please advice on the necessary steps that COPE must take to ensure the appropriate Certificate of Occupancy is obtained.

Thank you in advance for your assistance and please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

  
Daniella Zepeda

Facilities Director

COPE Behavioral Services, Inc.

(520) 792-3293 Direct

(520) 370-3988 Cell

