

BOARD OF ADJUSTMENT APPLICATION
PACKET FOR

APPEAL OF DESIGN
DEVELOPMENT OPTION
(DDO) DECISION

UNIFIED DEVELOPMENT CODE
(UDC)

Available but not included with this application

- Fee Schedule
- BA & DRB Process Deadlines and Meeting Schedules
- Mailing Label Request Form
- Posting Requirements and Affidavit
- Design Review Board Application – also necessary when applying for DDO Appeal applications

FREQUENTLY ASKED QUESTIONS

Who Considers The Appeal?

The Board of Adjustment is a semi-judicial body comprised of lay people appointed by Mayor and Council to hear and decide appeals to decisions made by the Planning & Development Services Department Director (designee) on applications for a Design Development Option (DDO) to certain design criteria of the *Unified Development Code (UDC)*. Decisions by the Board of Adjustment (B/A) can be appealed to the Pima County Superior Court. Given the legal nature of this zoning process it is important that each applicant reads and follows the submittal steps exactly as provided in this packet.

How Long Does This Process Take?

The typical Board of Adjustment application process takes from 2-1/2 to 3 months to complete from beginning to end. The B/A application processing time does not include the time PDSZ Zoning Review Staff needs to review a project plan and generate the final *Unified Development Code (UDC)* compliance review comments required for your application submittal.

What Are The Steps?

1. Obtain final not preliminary *Unified Development Code (UDC)* compliance review comments for your project from the City of Tucson Planning & Development Services Department (PDSZ), 1st Floor City/County Public Works Building, 201 North Stone Avenue. The UDC comments written on the site plans submitted with the DDO application must be transferred to a memo, letter, permit card or other separate written document. This application process assumes you already have these formal comments written separately.
2. [OPTIONAL but strongly recommended.] Obtain official Board of Adjustment mailing labels from PDSZ Zoning Administration Staff, 2nd Floor Offices Public Works Building, 201 North Stone Avenue 791-5550.
3. [OPTIONAL but strongly recommended.] Using these official mailing labels, per full notice requirements, mail to all affected parties a notice letter, which includes a description of your project and DDO request(s), an offer to meet onsite, and information about the Board of Adjustment hearing. Don't forget to get "proof of mailing" when you mail the letters.
6. [OPTIONAL but strongly recommended.] Hold your onsite meeting with those affected parties interested in the application. Provide a sign-in sheet and prepare a summary of what was discussed.
7. Referring to the "Submittal Checklist" assemble the required items for appeal application submittal.
8. Contact PDSZ Zoning Administration Staff to schedule an appointment for submittal of the appeal application. **Applications may not be dropped off.** You must be present to answer staff questions. Please allow up to 30 minutes for staff to review the application for completeness and acceptance.
9. Attend the DRB meeting and Board of Adjustment hearing.

Poorly prepared or incomplete submittals will not be processed and will be returned to the applicant.

For Zoning and Subdivision review, the Unified Development Code (UDC) applies to this application. If you feel the Land Use Code (LUC) should apply, please consult with Zoning review staff. Applicable timeframes can be provided at your request or found in Administrative Manual Sec. 3-02 or found on our website at <http://cms3.tucsonaz.gov/pdsd>. For information about applications or applicable policies and ordinance, please contact Mark Castro at 791-5550.

By state law, we cannot initiate a discussion with you about your rights and options, but we are happy to answer any questions you might have.

**DESIGN DEVELOPMENT OPTION (DDO) APPEAL SUBMITTAL REQUIREMENTS
FOR STAFF USE ON FILING DAY**

Date Filed: _____ Case Number: C10-___ - _____

Reviewed by: _____ BA public hearing date: _____

Project Name: _____

Project Address: _____ Zone: _____

- APPEAL APPLICATION FORM**
(Signed by the Appellant or Authorized Agent - include letter of authorization)
- DDO FINDINGS ATTACHMENT**
(All Findings must be answered in full)
- APPLICANT'S DDO LIST TO THE BOARD AND PROJECT DESCRIPTION**
(Numbered list indicating UDC regulation - What this regulation requires - What is actually provided and narrative description of project)
- DDO DECISION LETTER AND COPY OF EACH PROTEST LETTER**
- FINAL ZONING COMPLIANCE REVIEW COMMENTS**
- PROOF OF APPELLANT'S MAIL NOTICE AND MEETING [OPTIONAL]**
(Proof of mailing - Copy of letter to neighbors - Summary of onsite meeting with sign-in sheet)
- 15 FOLDED COPIES OF PROJECT SITE PLAN**
- 15 FOLDED COPIES OF PROJECT BUILDING ELEVATION AND/OR FLOOR PLANS**
(If applicable to the project's DDO request - Ask Zoning Admin staff at PDSO if unsure)
- 15 FOLDED COPIES OF PROJECT LANDSCAPE PLAN**
(If applicable to the project's DDO request - Ask Zoning Admin staff at PDSO if unsure)
- IF FULL SIZE PLANS ARE PROVIDED ALSO INCLUDE ONE (1) EACH AT 11" x 17"**
- PIMA COUNTY ASSESSOR'S PROPERTY PRINTOUT(S)**
- PIMA COUNTY ASSESSOR'S LOT AND BLOCK MAP**
- OTHER:** _____
- BOARD OF ADJUSTMENT DDO APPEAL FILING FEES**

APPEAL OF A DDO APPLICATION FOR MODIFICATIONS TO BUILDING SETBACK/PATIO WALL HEIGHT must also file an application for DRB review. Prepare a separate submittal packet that includes the following:

DRB SUBMITTAL ITEMS (DRB-___ - _____ for: _____).
Case Number Meeting Date

- DRB FILING FEES**
- DRB APPLICATION FORM**
- FINAL ZONING COMPLIANCE REVIEW COMMENTS**
- APPLICANT'S DDO LIST TO THE BOARD**
- PROJECT INFORMATION ATTACHMENT**
- 8 SETS OF PROPERTY PHOTOS**
- 8 SETS OF PROJECT SITE AND/OR BUILDING ELEVATION PLANS**
- 8 SETS OF PROJECT LANDSCAPE PLANS**
- IF FULL SIZE PLANS ARE PROVIDED ALSO INCLUDE ONE (1) EACH AT 11" X 17"**
- PIMA COUNTY ASSESSOR'S PROPERTY PRINTOUT(S)**
- PIMA COUNTY ASSESSOR'S LOT AND BLOCK MAP**
- OTHER:** _____

SUBMITTAL COMMENTS BY STAFF: _____

BOARD OF ADJUSTMENT APPEAL APPLICATION

PROPERTY INFORMATION

PROJECT NAME: _____
(For example: Al's Bar & Grill, Freimen residence carport addition, or Palo Verde Shopping Center, etc.)

PROJECT ADDRESS: _____
(Note: If the site is vacant ask Pima Co. Addressing, 201 N. Stone, for an Administrative Address)

ZONING OF PROPERTY e.g. R-1, C-2, O-3, I-1 Authorized, etc: _____

PROJECT TYPE (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> New building on vacant land | <input type="checkbox"/> New building on developed land |
| <input type="checkbox"/> New addition to existing building | <input type="checkbox"/> Change of Use to existing building |
| <input type="checkbox"/> Existing building needs permits | <input type="checkbox"/> Other _____ |

RELATED APPLICATIONS (check all that apply and provide case numbers):

- | | |
|---|---|
| <input type="checkbox"/> Board of Adjustment C10- _____ | <input type="checkbox"/> HPZ _____ |
| <input type="checkbox"/> DDO _____ | <input type="checkbox"/> Rezoning C9- _____ |
| <input type="checkbox"/> SE _____ | <input type="checkbox"/> Other _____ |

LIST ALL RELATED DP AND PERMIT ACTIVITY NUMBER/S _____

AGENT/APPELLANT (The person processing the application and to whom staff will send mailings):

NAME: _____

ADDRESS/ZIP: _____

BUSINESS EMAIL: _____

BUS. PHONE: () _____ - _____ **FAX:** () _____ - _____

PROPERTY OWNER INFORMATION, IF DIFFERENT FROM ABOVE:

NAME: _____

MAILING ADDRESS: _____

_____ **ZIP:** _____

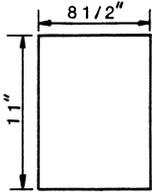
[SIGNATURE OF APPELLANT OR ATTACH LETTER OF AUTHORIZATION FOR AGENT]:

(NOTE: REQUIRED BY BOARD RULES)

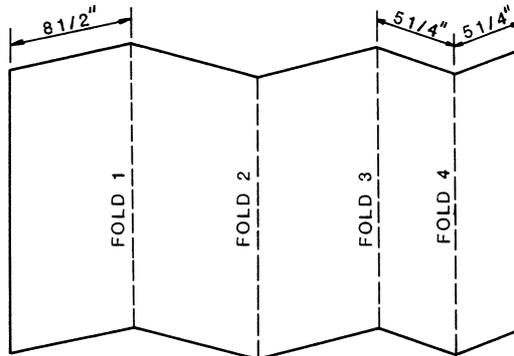
B/A CASE NUMBER: C10- ____ - _____ **ACTIVITY NUMBER:** _____

STEP 1

Using an 8 1/2" X 11" size sheet of paper as a guide, make folds 1, 2, and 3.



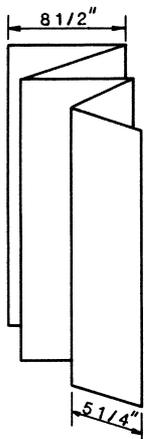
This instruction sheet is 8 1/2" X 11" size.



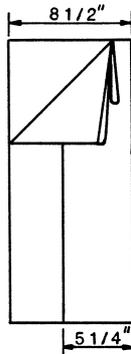
STEP 2

Fold the remaining 10 1/2" in half; this completes fold number 4.

STEP 3

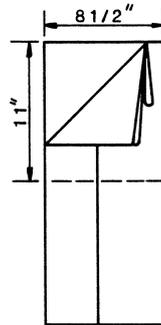


With the 5 1/4" fold to the right

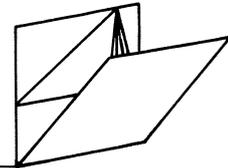


Fold down the corner, all but the last panel.

STEP 4

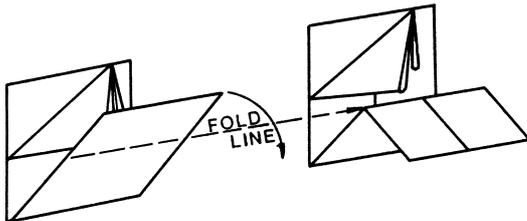


FOLD LINE



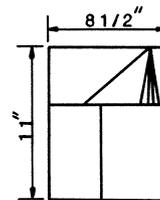
Fold the lower portion up.

STEP 5



Fold the front part in half.

STEP 6



The folded print should be 8 1/2" X 11".