

BOARD OF ADJUSTMENT
APPLICATION PACKET FOR

DDO APPEALS

(Non-Applicant)

UNIFIED DEVELOPMENT CODE
(UDC)

Available online, 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

APPLICATION PROCESS SUMMARY FOR DDO APPEAL BY NON-APPLICANTS

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 appeal process takes from 1-1/2 to 2 months to complete from beginning to end. The application processing time does not include the time PDSZ Zoning Review Staff needs to generate the final *Unified Development Code (UDC)* compliance review comments required for your appeal application submittal. Please contact PDSZ Zoning Review Staff at 791-5550 to obtain this information.

What Are The Steps?

1. [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.
2. [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 applicants.

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.

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: _____

- BOARD OF ADJUSTMENT APPLICATION FORM – DDO APPEAL**
(Signed by the Appellant and/or the authorized representative of the Appellant)
- DDO APPEAL ARGUMENT – BASED ON DDO FINDINGS ‘a-j’ & ‘a-e’ ”**
(Why the DDO should have been denied - All DDOs must show compliance with the DDO Findings. The appeal argument must demonstrate which of the Findings the DDO application failed to meet.)
- [OPTIONAL] PROOF OF APPELLANT’S MAIL NOTICE AND MEETING**
(Proof of mailing - Copy of letter to neighbors - Cover letter of meeting results with sign-in sheet)
- 15 COPIES EACH OF APPLICABLE PLANS (SITE, ELEVATION, FLOOR) plus one each at 11”x17”**
- BOARD OF ADJUSTMENT – DDO APPEAL FEE**

----- DDO Appeal submittals must also file for the Design Review Board -----

- DRB SUBMITTAL ITEMS (DRB-__-_____ for: _____.)**
Case Number Meeting Date
- DRB FILING FEES**
- DRB APPLICATION FORM.**
- DDO APPEAL ARGUMENTS (Copy of argument to the Board of Adjustment)**
- 8 COPIES OF SITE PHOTOS (Areas of proposed modifications)**
- 8 COPIES EACH OF APPLICABLE PLANS (SITE, ELEVATION, FLOOR), plus one each at 11”x17”**

SUBMITTAL COMMENTS BY STAFF: Case Number DDO -__- _____

Case Number Issued: C10-__-_____

BOARD OF ADJUSTMENT APPEAL APPLICATION

Submittals must be filed in person by appointment and will be accepted ONLY by Zoning Administration Staff at PDS&D, 2nd Floor north, Public Works Building, 201 North Stone Avenue. The submittal MUST INCLUDE all the items listed on the Board of Adjustment Submittal Checklist. Contact Board of Adjustment staff at 791-5550. (The application must be filled out completely, and be signed by the property owner or authorized agent.)

DESIGN DEVELOPMENT OPTION CASE NUMBER: DDO-__-_____
(DDO Case subject to this appeal)

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: _____ (For example: R-1, C-2, I-1 or R-1/C-1 Authorized, etc.)

PROPERTY OWNER/S NAME (If ownership in escrow, please note):

[AGENT FOR APPELLANT INFORMATION]

AGENT (The person processing the application and who staff will send mailings to):

NAME: _____

ADDRESS: _____

_____ ZIP: _____

PHONE: () _____ - _____ FAX: () _____ - _____

[APPELLANT INFORMATION]

NAME: _____

ADDRESS: _____

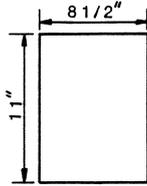
_____ ZIP: _____

PHONE: () _____ - _____ FAX: () _____ - _____

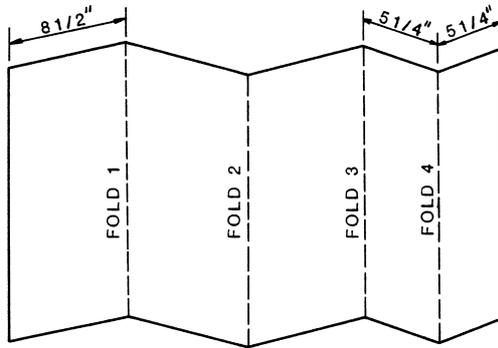
[SIGNATURE OF APPELLANT]:

STEP 1

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



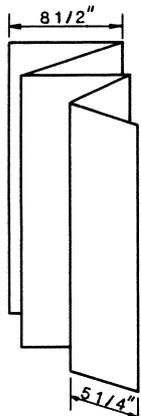
This instruction sheet is 8 1/2" X 11" size.



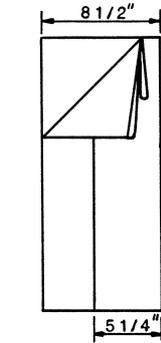
STEP 2

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

STEP 3

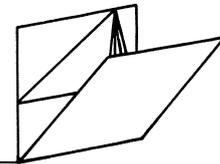
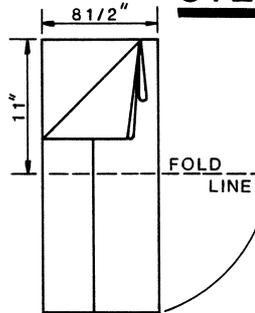


With the 5 1/4" fold to the right



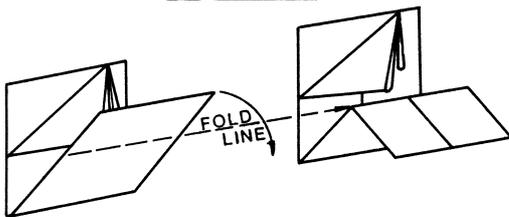
Fold down the corner, all but the last panel.

STEP 4



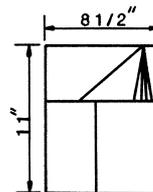
Fold the lower portion up.

STEP 5



Fold the front part in half.

STEP 6



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