

BOARD OF ADJUSTMENT  
APPLICATION PACKET FOR

APPEALS OF  
PDSD DIRECTOR SPECIAL  
EXCEPTION PROCEDURE  
(Non-Applicant)

Also online but not included with this application

- Fee Schedule
- BA & DRB Process Deadlines and Meeting Schedules
- Mailing Label Request Form
- Posting Requirements and Affidavit

## APPLICATION PROCESS SUMMARY

### 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 (PDSD) Director (designee) 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 2-1/2 to 3 months to complete from beginning to end.

### What Are The Steps?

1. [OPTIONAL but strongly recommended.] Obtain official Board of Adjustment mailing labels from PSDS Zoning Administration Staff, 2<sup>nd</sup> Floor Offices Public Works Building, 201 North Stone Avenue. Please contact Mark Castro at 837-4979 for assistance.
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 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 Requirements" assemble the required items for appeal application submittal.
8. Contact PSDS 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 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.*

**APPEAL SUBMITTAL REQUIREMENTS - FOR STAFF USE ON FILING DAY**

**Date Filed:** \_\_\_\_\_ **SE Number:** \_\_\_\_\_ **Case Number: C10-** - \_\_\_\_\_

**Reviewed by:** \_\_\_\_\_ **BA public hearing date:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_

**Project Address:** \_\_\_\_\_ **Zone:** \_\_\_\_\_

- SPECIAL EXCEPTION STAFF REPORT**  
(Copy of written comments prepared by PDSD staff for the Special Exception (SE) process)
- SE DECISION NOTICE**
- BOARD OF ADJUSTMENT APPEAL APPLICATION FORM**  
(Signed by the Appellant or Authorized Agent)
- APPELLANT'S ARGUMENT**  
(Written argument supporting appellant's claim that the SE is not in compliance with UDC Section 3.4.5. Findings. Additional documentation may be attached.)
- [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) each at 11"x17"** (The appellant is financially responsible for the cost of these copies.)
- BOARD OF ADJUSTMENT – SE APPEAL FEE.**

**SUBMITTAL COMMENTS BY STAFF: Case Number SE -** \_\_\_\_\_ - \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**T** \_\_\_\_\_ **SA** \_\_\_\_\_

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 PDSO, 2<sup>nd</sup> Floor north, Public Works Building, 201 North Stone Avenue. The submittal MUST INCLUDE all the items listed on the Board of Adjustment Submittal Requirements. Contact Mark Castro at 837-4979 to schedule an appointment.

(The application must be filled out completely, and be signed by the property owner or authorized agent.)

SPECIAL EXCEPTION CASE NUMBER: SE-\_\_ - \_\_\_\_\_

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):

\_\_\_\_\_

**[APPELLANT INFORMATION]**

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

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_ ZIP: \_\_\_\_\_

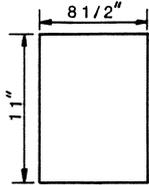
PHONE: ( ) \_\_\_\_\_ - \_\_\_\_\_ FAX: ( ) \_\_\_\_\_ - \_\_\_\_\_

**[SIGNATURE OF APPELLANT]:**

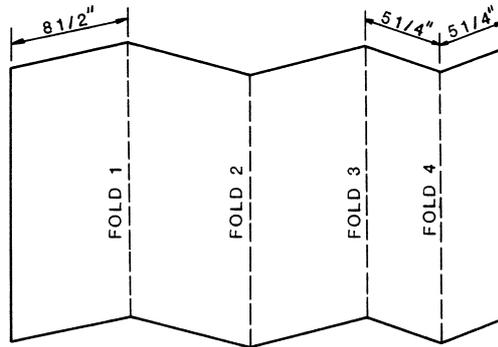
\_\_\_\_\_

### **STEP 1**

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



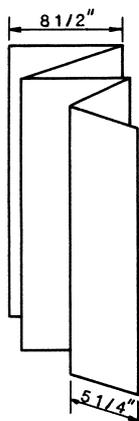
This instruction sheet is 8 1/2" X 11" size.



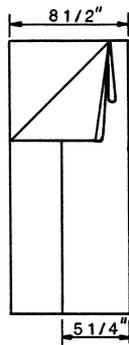
### **STEP 2**

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

### **STEP 3**

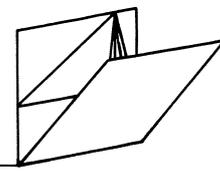
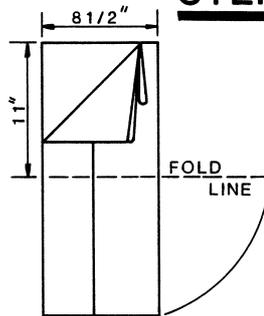


With the 5 1/4" fold to the right



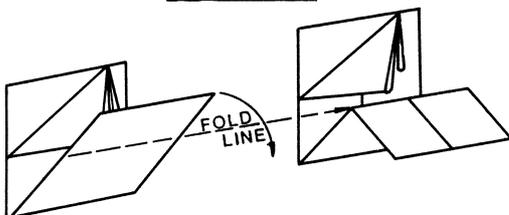
Fold down the corner, all but the last panel.

### **STEP 4**



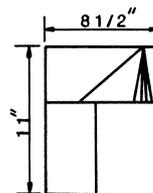
Fold the lower portion up.

### **STEP 5**



Fold the front part in half.

### **STEP 6**



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