BOARD OF ADJUSTMENT APPLICATION PACKET FOR

APPEAL OF A ZONING ADMINISTRATOR’S DETERMINATION

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

Revised 6/14
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 on appeals to a determination or interpretation made by the Zoning Administrator. Decisions by the Board of Adjustment can be appealed to the Pima County Superior Court. Given the legal nature of this zoning process it is important that each applicant read and follow 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 DSD 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 a copy of the formal written ZA determination subject to the appeal from the Zoning Administration Division (if you don’t have a copy.)
2. [OPTIONAL but strongly recommended.] Obtain official Board of Adjustment mailing labels from PDSD Zoning Administration Staff, 2nd Floor Offices Public Works Building, 201 North Stone Avenue 837-4948 or 837-4949.
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, 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 notices.
4. [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.
5. Referring to the “Submittal Checklist” assemble the required items for the appeal application submittal.
6. Contact PDSD 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.
7. Attend the 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](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 OF A ZONING ADMINISTRATOR’S DETERMINATION 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)

[ ] ZONING ADMINISTRATOR’S (ZA) DETERMINATION
   (A copy of the ZA’s formal determination letter)

[ ] ATTACHMENTS TO DETERMINATION REQUEST
   (A copy of each document submitted with the request for a ZA determination)

[ ] APPELLANT’S APPEAL ATTACHMENT
   (Arguments and documents in support of appeal)

[ ] PROOF OF APPELLANT’S MAIL NOTICE AND MEETING [OPTIONAL]
   (Provide copy of notice, proof of mailing and summary of meeting)

[ ] 10 COPIES OF SUBJECT PROPERTY SITE PLAN OR TENTATIVE PLAT, FOLDED
   (If applicable to the Zoning Administrator’s Determination)

[ ] One (1) 11” x 17” COPY OF SUBJECT PROPERTY SITE PLAN OR TENTATIVE PLAT

[ ] OTHER: _____________________________________________________________________

[ ] BOARD OF ADJUSTMENT ZA APPEAL FILING FEES

[ ] PIMA COUNTY ASSESSOR’S PROPERTY PRINTOUT
   (For the subject property)

[ ] PIMA COUNTY ASSESSOR’S LOT AND BLOCK MAP
   (For the subject property)

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):
( ) New building on vacant land  ( ) New building on developed land
( ) New addition to existing building  ( ) Change of Use to existing building
( ) Existing building needs permits  ( ) Other _________________________

RELATED APPLICATIONS (check all that apply and provide case numbers):
( ) Board of Adjustment C10- _________________  ( ) HPZ _________________________________
( ) DDO _________________________________  ( ) Rezoning C9-___________________________
( ) SE _________________________________  ( ) 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 the lower portion up.

**STEP 5**
Fold the front part in half.

**STEP 6**
The folded print should be 8 1/2" x 11".