



PRE-APPLICATION INFORMATION

Zoning Administration Process Overview: A project may be subject to various reviews and criteria depending on the scope of work and the Unified Development Code (UDC). Please note that your projects may not be subject to review by all review authorities used in the table below. The Zoning Administration processes at Planning and Development Services Department (PDSD) include:

Review Process	Review Authorities	PDSD Planning Contact
Design Development Option (DDO) [UDC Section 3.11.1]	Design Review Board (DRB)	Mark Castro – (520) 837-4979
Flexible Lot Development (FLD) [UDC Section 8.7.3]	Design Professional	Carolyn Laurie – (520) 837-4953
Historic Preservation Zone (HPZ) [UDC Section 5.8]	1. Neighborhood Historic Advisory Board 2. Tucson-Pima County Historical Commission (T-PCHC) Plans Review Subcommittee (PRS)	Michael Taku – (520) 837-4963
Infill Incentive District (IID) [UDC Section 5.12]	1. Neighborhood Liaison 2. Design Professional 3. T-PCHC PRS 4. Design Review Committee (IID-DRC)	Carolyn Laurie – (520) 837-4953
Individual Parking Plan (IPP) [UDC Section 7.4.5.A]		Mark Castro – (520) 837-4979
Main Gate District (MGD) Design [MGD Policy]	1. Neighborhood Historic Advisory Board 2. T-PCHC PRS 3. Main Gate District Design Review Committee (MGD-DRC)	Carolyn Laurie – (520) 837-4953
Neighborhood Preservation Zone (NPZ) [UDC Section 5.10]	Design Professional	Carolyn Laurie – (520) 837-4953
Rio Nuevo Area (RNA) (formerly RND) [UDC Section 5.12.7]	1. T-PCHC PRS 2. Design Review Board (DRB)	Michael Taku – (520) 837-4963 Carolyn Laurie – (520) 837-4953
Variances [UDC Section 3.10.3]	Design Review Board (DRB) Board of Adjustment (B/A)	Mark Castro – (520) 837-4979 Russlyn Wells – (520) 837-4948

UDC Compliance Review: All projects must **FIRST** be submitted for compliance review at the PDSD 1st floor, 201 North Stone Avenue, (520) 791-5550. The UDC compliance comments for the project are generated by PDSD staff after completing their review of the detailed development package submitted for the project to ensure that all needed modifications are identified.

Pre-Application Meeting (if required): Once you have completed the following Application Form and obtained the Submittal Requirements. Applications for pre-submittal conferences must include a completed application form submitted by 4:30 PM, seven (7) working days prior to the requested conference date with the \$100 fee, payable to *The City of Tucson*. Staff will fill out the Case Information and advise applicants on any additional UDC requirements to complete the application package to initiate the review process.



BOARD OF ADJUSTMENT VARIANCE APPLICATION

Case Number: C10-_____ Activity Number: _____ Date Accepted: _____

PROPERTY LOCATION INFORMATION

Property Address: _____

Project Description: _____

Zoning: _____ Property Size (sqft): _____

Number of Existing Buildings: _____ Number of Stories: _____ Height: _____

Legal Description: _____

Pima County Tax Parcel Number/s: _____

APPLICANT INFORMATION (The person processing the application and designated to receive notices):

APPLICANT: _____

ADDRESS: _____

PHONE: () FAX: () EMAIL: _____

PROPERTY OWNER (If ownership in escrow, please note): _____

ADDRESS: _____

PHONE: () FAX: () EMAIL: _____

PROJECT TYPE (check all that apply):
 New building on vacant land
 New addition to existing building
 Existing building needs permits
 Landscaping / Screening substitution
 Change of use to existing building
 New building on developed land
 Modification to wall/fence height
 Other _____

Related Permitted Activity Number(s): _____

I hereby certify that all information contained in this application is complete and true to the best of my knowledge.

SIGNATURE OF OWNER/APPLICANT Date



BOARD OF ADJUSTMENT - PROJECT DESCRIPTION

Provide a description of the project including, but not limited to its lot area, square footage of proposed or existing structures, proposed use/s, is a multiphase project, etc. If this project is the subject of a rezoning or special exception request, HPZ review, or a zoning violation, please provide current status of that case.

Case Number: C10- _____ **Activity Number:** _____



BOARD OF ADJUSTMENT – REQUIRED FINDINGS

Arizona State Statutes and UDC Section 3.10.3.K. state that the Board may grant a variance only if the variance request complies with each and every one of these "Findings" in full. It is up to the applicant to explain to the Board how the request complies with each Finding. **Important Note:** Do not leave any "Finding" unanswered or marked "Not Applicable" or "N/A".

1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district;

2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property;

3. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located;

4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC;

Case Number: C10- Activity Number: _____



BOARD OF ADJUSTMENT – REQUIRED FINDINGS (CONTINUED)

- 5. That the granting of the variance shall not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;

- 6. That the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood; and,

- 7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions that are in question.

Case Number: C10- Activity Number: _____



Planning & Development Services Department
 201 N. Stone Avenue
 PO Box 27210
 Tucson, AZ 85726
 (520) 791-5550

Letter of Agency/Authorization

If the applicant is not the owner of record of the subject site, a Letter of Agency from the owner or the owner's authorized representative must be submitted which grants the applicant permission to submit an application for the requested entitlement(s).

Date: _____

To:
 City of Tucson
 Planning & Development Services Department
 Zoning Administration Division
 PO Box 27210
 Tucson, AZ 85726

Planning & Development Services Department:

I, the undersigned legal owner of record, hereby grant permission to:

Applicant:

Phone: _____

Applicant's Address:

To submit a Board of Adjustment variance application on my behalf.

The subject property located at:	
Assessor's Parcel Number:	
Printed Name of Owner of Record:	
Address of Owner of Record:	
Phone Number of Owner of Record:	
Signature of Owner of Record: <i>(must be original signature)</i>	

Case Number: C10-_____ Activity Number: _____



SUBMITTAL REQUIREMENTS

A complete Board of Adjustment Variance submittal must contain all of the items listed below. Please review this checklist to make sure your submittal is complete. Incomplete and poorly prepared submittals will be returned to the applicant.

PLEASE PROVIDE THE FOLLOWING MATERIALS IN THIS ORDER:

1.	Application form (signed by the Property Owner or Authorized Agent – include letter of authorization).
2.	Related UDC process decision or recommendation letters (Historic Plans Review Subcommittee, Special Exception, SCZ, Rezoning, etc.)
3.	Final UDC compliance review comments (obtained at the 1 st floor).
4.	Proof of applicant’s mail notice and meeting (Proof of mailing – Copy of letter to neighbors – Summary of onsite meeting with sign-in sheet)
5.	3 folded copies* of project site plan (Detailed plan that was submitted to PDSD for final UDC compliance review comments)
6.	3 folded copies* of project building elevation and/or floorplans (If applicable to the project’s variance request – Ask Zoning Admin staff at PDSD if unsure)
7.	3 folded copies* of project landscape plan (If applicable to the project’s variance request – Ask Zoning Admin staff at PDSD if unsure)
8.	If full size (24"x36") plans are provided, then also include one each at 11"x17"
9.	Pima County Assessor Parcel Detail (http://www.asr.pima.gov/index.aspx)
10.	Pima County Assessor Record Map
11.	(Other)
12.	Board of Adjustment Filing Fees

Applications to the B/A that include **LANDSCAPE, SCREEN or SCENIC ROUTE** variances or **APPEALS** must also submit an application for Design Review Board (DRB) review.

* Copies of plans to be provided in 11"x17" size

Additional application materials may be required at the time of your meeting with staff.

Refer to Supplemental Information per review process for material instructions, etc.

For Zoning and Subdivision review, the Unified Development Code (UDC) applies to this application. 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 us at (520) 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.



SUPPLEMENTAL INFORMATION

Who Approves The Variances?

The Board of Adjustment is a quasi-judicial body comprised of lay people appointed by Mayor and Council to hear and decide variance requests. 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 read and follow the submittal steps 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 and Development Services Department (PDSZ), 1st Floor City/County Public Works Building, 201 North Stone Avenue. This application process assumes you already have these formal comments. ***Schedule a pre-application conference with PDSZ Zoning Administration Staff. Contact Mark Castro 837-4979 or Russlyn Wells 837-4948 to schedule an appointment.***
2. Related *UDC* application processes (e.g. Special Exception, Scenic Corridor Zone, Historic Preservation Zone, etc.) must be completed prior to submittal to the Board of Adjustment.
3. Obtain official Board of Adjustment mailing labels from PDSZ Zoning Administration Staff, 3rd Floor North, 201 North Stone Avenue.
4. Using these official mailing labels, per requirements, mail a notice letter to all affected parties. This notice should include a description of your project and variance 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.
5. 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.
6. Referring to the variance "*Submittal Requirements*" assemble the required items for application submittal.
7. Contact PDSZ Zoning Administration Staff, Mark Castro 837-4979 or Russlyn Wells 837-4948, to schedule an appointment for submittal of the 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.
8. Post the site and submit the Public Notice Posting Affidavit and attachments to staff.
9. Attend the DRB meeting and/or Board of Adjustment hearing.

***Pre-application conference is required prior to submittal of the application.**

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



INSTRUCTIONS FOR OBTAINING UDC COMPLIANCE REVIEW COMMENTS

1. **Submit the plans for site plan review.** Staff will review your project for compliance with applicable Codes and generate the first round of review comments. For the purpose of this application, these are considered to be preliminary comments.
2. **Make the necessary corrections to the plans and respond to staff review comments.** Indicate in your response which items will be addressed through the variance process.
3. **Re-submit the revised plans and written response to comments.** Typically, this next round of zoning review comments will be the final UDC compliance review comments necessary for the variance application process, assuming you have addressed all of the prior comments. You may initiate the variance application process once you have received final UDC comments. Please note: Failure to fully address the preliminary review comments may result in the need for more than one resubmittal to obtain comments for this application process.

Please allow sufficient time to make corrections and resubmit to get final UDC comments. Review Staff is unable to take your resubmittal out of turn or hurry up your review for the sake of meeting a Board of Adjustment filing deadline.