Print Form

COCHISE COUNTY
COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

Accessory Living Quarter/B&B/Administrative Lot Modification Project Application

Applicant's Certification & Acknowledgement

By signing below, I certify that:

1. I am the Owner or authorized Agent of the Owner of the property being developed.
2. I am applying for the meetings/ review(s) indicated below.
3. I have read and understand the information provided in this Application Guide.
4. This application is complete and accurate to the best of my knowledge. Submission of false information may constitute fraud, and may be punishable by fine, imprisonment, or both pursuant to A.R.S. §13-2310.
5. I hereby request all inspections necessary to process this application, and if the permit is issued I request all inspections necessary to monitor progress, and document completion, at all stages of the work related to this permit.

By signing below, I acknowledge that:

6. Incomplete or inaccurate submittals by the Owner, Applicant or any other representative may result in delays, return of submittals, or denial of this application.
7. The submittal is subject to an administrative review of 10-business days (5-business days initial review, 5-business days resubmittal review) at which time I will receive written or electronic notice if the application is complete or, in the case of an incomplete application, a list of deficiencies that need to be corrected. An application will not pass the review for administrative completeness until all deficiencies have been corrected.
8. If the County does not issue a written or electronic notice of administrative completeness within the 10-business days, the application will be deemed administratively complete and the substantive review process begins.
9. The overall review time is 50-business days.
10. The substantive review process is 40-business days.

By signing below, I acknowledge that:

11. A complete response to any correspondence will be submitted to Cochise County for any subsequent reviews.

12. The Applicant or Agent will be sent written or electronic notice of a license approval or denial within the substantive review period.

13. All required permits must be obtained prior to any construction and that failure to obtain permits may result in fines or other penalties.

14. The Applicant or Agent is responsible for all changes and additional time required to correct plans and/or development as a result of differences between the proposed use and what is permitted in the zoning district in which the property lies.

15. The project review process and timeframe is suspended when a project triggers the requirement for an application for approval by an Outside Agency, the Planning and Zoning Commission, and/or the Board of Supervisors or the requirement for Notification of Surrounding Property Owners. If the Planning and Zoning Commission or the Board of Supervisors approves the request contained in the application, or if the Surrounding Property Owners do not file written protest, then Community Development Department will resume the project review process. If the Board of Supervisors denies the request, then the Community Development Department will consider the project to be denied.

By signing below, I acknowledge that:

16. An appeal protesting any denial of an application may be made to Cochise County Community Development Department, Planning Division Deputy Director, Beverly Wilson, 1415 Melody Lane, Bldg. E. Bisbee, Arizona 85603. The appeal shall set forth all relevant facts pertaining to the denial, and must be in writing. It must be filed within ten-days from the date of the denial letter.

17. If the County does not issue to the Applicant the written or electronic notice granting or denying a license within the **overall** time frame or within the mutually agreed upon time frame extension, the county SHALL refund the Applicant all fees charged for reviewing the applications and SHALL excuse any fees not yet paid. The refund SHALL be made within 30-working days after the expiration of the agreed upon time frame pursuant A.R.S. § 11-1605(J).

Signature Date

Print Name/Firm Owner ☐ Agent ☐

Accessory Living Quarter/B&B/Administrative Lot Modification Project Guide

Effective January 1, 2013

Submittal Review Timelines

Overall review time will be 50-business days.

Administrative Review:	**10-business days**	
1st review	**5-business days**	**Accepted or Notice of deficiencies**
2nd review	**5-business days**	**Acceptance or Denial Letter**
Substantive Review:	**40-business days**	
1st review	**20-business days**	**Approved or Correction Letter**
2nd review	**20-business days**	**Approved or Denial Letter**

(Business days are defined as complete 8-hour working days.)

REMINDER: The project review process and timeframe is suspended when a project triggers the requirement for approval by an Outside Agency, the Planning and Zoning Commission, and/or the Board of Supervisors or the requirement for Notification of Surrounding Property Owners. If either the Planning and Zoning Commission or the Board of Supervisors approves the request contained in the application, then the Community Development Department will resume the project review process. If the Board of Supervisors denies the request, then the Community Development Department will consider the project to be denied.

APPLICATION FOR ACCESSORY LIVING QUARTERS

Applicant's Name: _____

Mail Address: _____
Street # Town State Zip code

Email Address: _____

Phone Number: _____

Tax Parcel Number: _____

Accessory Living Quarters (ALQ) definition: An attached or detached structure that is used either as a guesthouse or as quarters for the ill, elderly or disabled, or their caretaker. Accessory living quarters must be incidental and subordinate in size, impact and purpose to a principal dwelling. Detached accessory living quarters are limited to one kitchen per unit.

The structure shall be no more than 75% of the size of the principal dwelling, including exterior wall dimensions. The area calculation shall include all attached areas, except carports and patios, and enclosed attached garages. The combined square footage of a detached accessory living quarter and the total square footage of a garage attached to the accessory living quarters shall be subordinate in size to the principal dwelling.

A Special Use Permit is required for ALQs 1) larger than 75% of the size of the principal dwelling, 2) with a separate utility meter and/or address, and 3) to be used as a rental unit. ALQs shall not be used for commercial purposes other than a home occupation. Recreational vehicles, other than park models, shall not be permitted as accessory living quarters in any zoning district. Manufactured homes, rehabilitated mobile homes, mobile homes with the State Office of Manufactured Housing Rehabilitation Insignia of Approval, and park models may be permitted as accessory living quarters in those Zoning Districts that allow mobile or manufactured homes as permitted structures.

Guesthouse – Accessory living quarters that provide temporary accommodations for guests of the principal household. A guesthouse may include a kitchen but, except for parcels zoned Rural and in the absence of a special use permit, cannot have separate utility meters.

Quarters for the Ill, Elderly or Disabled – Accessory living quarters used by an ill, elderly or disabled person in need of special care or supervision; or a care provider for any such person if the person in need

of such care is a resident on the site. Accessory living quarters for the ill, elderly or disabled, or their caretaker, may include a kitchen.

To qualify as an accessory living quarters, the structure must meet the definition above and:

- Be on a property with an existing home;
- Meet all site development standards such as setbacks from the property boundaries; and
- Be zoned RU, or R-36, or SM-36, 87,174, 10-acres, 18-acres or 36-acres, or SR-43, 87,174, 10-acres, 18-acres or 36-acres.

Describe the purpose of the Accessory Living Quarters: _____

Required Submittals

1. This application;
2. Joint permit application; and
3. Building/use permit fee made out to Cochise County Treasurer. $_____

How an Accessory Living Quarters Application is processed

1. Property owners within 300 feet of your property are notified of the application by mail.
2. They are given 15 days from the date of the mailing of the notice (postmarked date of envelope) to file a written protest.
3. This notification will include the application and a site plan showing existing buildings and the proposed accessory living quarter's structure. It will also describe the procedure for appealing the request.
4. If **no** protest is received, the Accessory Living Quarters meets the size limitation and all site development standards are met, the Zoning Inspector will issue the permit in the manner of a residential building permit.
5. **If a protest is received** and/or if the Accessory Living Quarters is requested to: 1) exceed 75% of the size of the principal dwelling, 2) be allowed to be rented, or 3) have a separate address or utility meter, then the application will be processed as a Special Use permit. The Planning and Zoning Commission at a public hearing will consider the Special Use permit. It usually takes approximately 8 weeks to process a Special Use permit. The fee is $300. A handout is available that describes the Special Use process.
6. Prior to issuance of a permit for an Accessory Living Quarters, the Applicant shall sign and the Zoning Inspector shall record a notice that specifically identifies the location of the structure on the property, indicate that the subject structure is an accessory living quarters, and state that the property owner or tenant has agreed to comply with all County Zoning Regulations applicable to accessory living quarters.

Signature_____

Date_____