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.

LOT DEVELOPMENT ADMINISTRATIVE MODIFICATION FORM

A. Purpose

Section 1715 of the Cochise County Zoning Regulations (Lot Development Administrative Modifications), allows for minor modifications to some site development standards. The purpose of this process is as follows:

- ✓ To allow flexibility in how some of the site development standards are applied to individual lots, but not to larger developments such as subdivisions;
- ✓ To provide flexibility in site development and building code standards that may be appropriate to facilitate improvements in Neighborhood Rehabilitation (NR) and Enterprise Redevelopment (ER) areas.
- ✓ To minimize procedural delays and ensure due process in the review of unique and exceptional development situations.
- ✓ To provide administrative relief from zoning requirements that do not affect adjacent properties and the nearby area; and
- ✓ To encourage originality, flexibility and innovation in site planning and architectural design.
- ✓ To address any site-specific characteristics or constraints that may warrant the modification(s).

B. Eligible Lot Development Standards

The following site development standards may be eligible for a reduction of up to 25 percent: minimum setbacks, maximum site coverage, maximum building/structure height and minimum required parking spaces. The minimum site area may be reduced as follows:

- ✓ For any lots that are in a zoning district with a minimum site area of one acre or smaller, the minimum site area may be reduced up to 10 percent.
- ✓ For any lots that are in a zoning district with a minimum site area of more than one acre, the site area may be reduced up to 4 percent.

C. Application

Please describe the specific site development modification that you are requesting. Specific justification for the modification request must be included below in addition to providing an accurate site plan of the subject property (attach additional sheets if necessary).

Upon submittal of the above requested items, the County Zoning Inspector will review the application for compliance and completeness. If there are deficiencies, the Inspector shall notify the applicant.

D. Notice to Affected Property Owners

If the application is complete, a notice will be mailed to the surrounding property owners within 300 feet of the subject parcel. The notice shall contain a copy of the application and shall state that all comments concerning the proposed request must be forwarded to the Community Development Department in writing within 15 days from the date the notice was mailed.

E. Action on Application

Based upon staff comments and those from affected property owners, the County Zoning Inspector shall review the proposed development and requested modification(s) of the standard(s) and shall either approve, approve subject to conditions, or deny the application within 7 working days from the end of the 15-day comment period.

The Zoning Inspector shall use the following criteria to evaluate the proposal:

- ✓ The proposed modification will not violate any provisions of the Comprehensive Plan, area plans, duly adopted master plans or other provisions of the Zoning Regulations.
- ✓ The proposed modification(s) will be considered in light of the surrounding community, including scale and character with existing neighboring land uses, and shall not negatively impact adjacent property owners.
- ✓ The proposed modification(s) will not substantially reduce the amount of privacy currently enjoyed by nearby property owners if the development were located as specified by the Cochise County Zoning Regulations.
- ✓ The proposed modification(s) will not adversely impact traffic or traffic circulation, drainage, water conservation measures, sewage treatment systems and other such systems.
- ✓ The modification(s) does not create a situation where the proposed use of the property will create a hazard or nuisance.

The Zoning Inspector shall, via certified mail, provide the applicant with a notice of disposition and written statement of the decision and reasons therefore, and any conditions of approval. Notice shall also be sent to the surrounding property owners within 300 feet of the site and shall include information on how to appeal the decision made by the Zoning Inspector and the appeal deadline (See Article 21 and Section 2103).

F. Appeals

The decision of the County Zoning Inspector may be appealed to the Board of Adjustment in accordance with the provisions of Article 21 of the Cochise County Zoning Regulations.

G. Fees

Applications for a Lot Development Administrative Modification shall be accompanied by a fee of $75 payable to the Cochise County Treasurer.

Applicant's Name _____

Address _____
Street Town State Zip code

Tax Parcel # _____

Signature _____ **Date** _____

For Departmental Use Only

1. Has a complete application form been submitted to include the specific modification requested, a detailed justification for the modification, an accurate site plan of the subject parcel and $75 appeal fee? **Y or N.**
2. If yes, note date that complete application was accepted: _____ Initials: _____
3. Date that notice and application was mailed to surrounding property owners: _____
4. Date that comments are due back from surrounding property owners: _____
5. Date and decision of the Zoning Inspector: _____
6. Date that notice of the Zoning Inspector's decision was sent to applicant and to surrounding property owners: _____
7. Has an appeal of the Zoning Inspector decision been filed with the applicable Board of Adjustment? **Y or N.** If yes and appeal has been processed, list action of the Board of Adjustment: _____