



**Santa Cruz County
Community Development Department**

BOARD OF SUPERVISORS
CONDITIONAL USE PERMIT APPEAL
[Check List](#)

Appeals of a decision of the Planning and Zoning Commission regarding a Conditional Use Permit request are heard by the Board of Supervisors.

Please provide the following:

1. The completed Conditional Use Permit APPEAL application form, including the signature of all property owner's listed in the Appeal Form; or a signed statement from the property owner's authorizing an agent to act on their behalf.
2. A copy of the original Conditional Use Permit application submitted to the Planning and Zoning Commission, including any site plans, graphics or other material presented at the Commission hearing.

PLEASE NOTE: Only evidence presented at the Commission hearing may be submitted. No NEW evidence may be presented for review at the Appeal hearing.

3. A copy of the Action letter indicating the Commission decision.
4. Electronic pdf files of all documents.



**Santa Cruz County
Community Development Department**

CONDITIONAL USE PERMIT APPEAL APPLICATION

2150 N Congress Drive, Suite 215 ■ Nogales, AZ 85621 ■ 520-375-7930

office use only

CUP _____ - _____ - _____ **-AP** (_____)

APN _____ - _____ - _____

Property Owner Name(s) (attach additional sheets as needed)

Property Owner Address(s) (attach sheets as needed)

City _____

Phone _____

Email _____

office use only

date stamp here

Site Address

_____ City _____ Zip _____

Parcel Size (to nearest tenth of an acre) _____ **Zoning** _____

Date of the Planning and Zoning Commission Hearing _____

Commission Approved

Commission Denied

Grounds for the Appeal (add sheets if necessary)

BY SIGNATURE BELOW I HEREBY CONSENT TO STAFF SITE VISITS AT ANY TIME AND PERMIT PHOTOGRAPHS TO BE TAKEN OF THE SITE IN PREPARATION OF THE STAFF REPORT FOR THE BOARD OF SUPERVISORS MEETING, AND TO POST THE REQUIRED NOTIFICATION ON THE PROPERTY PURSUANT TO A.R.S. §§11-805, 11-813, 11-816, 11-829 AND/OR 11-831.

FURTHER, BY SIGNATURE BELOW I HEREBY CERTIFY AND DECLARE THAT TO THE BEST OF MY KNOWLEDGE THE INFORMATION PROVIDED ON AND ATTACHED TO THIS APPLICATION IS TRUE AND CORRECT.

Applicant Signature

Date

OR

I, _____ am the property owner of property in this application and I authorize my representative, indicated by name and address below, to apply for and be responsible for the processing of this application on my behalf.

Applicant Signature

Date

Representative

Representative Printed Name

Representative's Signature

Address _____ City _____ Zip _____

Representative's Phone _____ Email _____

For Office Use only

Transmitted to Clerk of the Board of Supervisors on: _____
(not later than fifteen (15) calendar days after the date of the appeal)

Santa Cruz County Code Article and Section pertinent to the Appeal request _____

Arizona Revised Statutes Title and Section pertinent to the Appeal request

**SANTA CRUZ COUNTY ZONING AND DEVELOPMENT CODE
ARTICLE 7**

SEC. 707 APPEAL OF A DECISION OF THE PLANNING AND ZONING COMMISSION

An appeal of a decision by the Planning and Zoning Commission regarding a Conditional Use Permit or Modification of a Conditional Use Permit shall be heard at a public hearing before the Board of Supervisors.

SEC. 708 APPEAL APPLICATION REQUIRED

An appeal of a decision for a Conditional Use Permit or Modification of a Conditional Use Permit shall be in writing on the Conditional Use Permit Appeal application form provided by the Planning and Zoning Department and shall specify the grounds upon which the application is based. An application for review of a Planning and Zoning Commission decision shall be filed with the Clerk of the Board of Supervisors not later than fifteen (15) calendar days after the date of the Planning and Zoning Commission action being appealed. The Clerk of the Board of Supervisors shall transmit a copy of the application to the Community Development Director and the adverse party within five (5) business days of the filing.

SEC. 709 RECORD FOR BOARD OF SUPERVISORS' REVIEW

The review shall be limited to the record of the Commission proceedings. No additional or new evidence shall be considered by the Board of Supervisors. The Record shall include all documents relating to the action appealed, all evidence presented at the Commission hearing, and minutes of the Commission hearing. If the Board of Supervisors' determine that a transcript of the audiotape of the hearing is required, the cost of transcript shall be at the appellant's expense. If there is no audiotape or transcript, the Board of Supervisors may, by unanimous vote, order a new hearing.

Upon receipt of the notice of application for appeal by the Community Development Director, the Clerk of the Planning and Zoning Commission shall, within five (5) business days, prepare and transmit the Record to the Clerk of the Board of Supervisors.

SEC. 710 NOTICE OF TIME SET FOR REVIEW OF DECISION

The Clerk of the Board of Supervisors shall set the date for the review of the decision at a public hearing before the Board of Supervisors within sixty (60) calendar days after receipt of the application for appeal. Notice shall be given by mail and/or electronic mail to the original applicant, the appellant, and the Community Development Director not less than fifteen (15) calendar days prior to the hearing date and shall include the date, place and time of the review hearing.

The party filing the application for appeal may request to withdraw the appeal by submitting a signed request in writing at any time prior to the public meeting of the Board of Supervisors.

SEC. 711 DECISION AND NOTICE OF DECISION BY THE BOARD OF SUPERVISORS

The Board of Supervisors may affirm, reverse, or modify, in whole or in part, the decision of the Planning and Zoning Commission for the Conditional Use Permit or Modification of a Conditional Use Permit being appealed. The Board of Supervisors shall issue a written decision no later than 30 days after the completion of the public hearing, and the original applicant, appellant and Zoning Inspector shall be notified by mail and/or electronic mail of the decision of the Board of Supervisors within ten (10) business days of the Board's decision.

The decision of the Board of Supervisors shall be final.

SEC. 712 JUDICIAL REVIEW OF FINAL DECISIONS OF BOARD OF SUPERVISORS

Judicial review of the final decisions the Board of Supervisors shall be pursuant to Title 12, Chapter 7, Article 6 § 12-901 et seq. of the Arizona Revised Statutes.