

**OVERVIEW:**

17.62.110 Hardship criteria.

- A. An applicant whose certificate of appropriateness for a proposed alteration has been denied may apply for relief on the grounds of hardship.
- B. An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply for relief on the grounds of hardship.
- C. In order to prove the existence of hardship, the applicant shall establish that:
 1. The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
 2. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which could result in a reasonable return; and
 3. Efforts have been made to find a purchaser interested in preserving the property.

17.62.120 Hardship application procedure.

- A. After receiving written notification from the Commission of the denial of a certificate of appropriateness, an applicant may commence the hardship process.
 1. Application shall be made in writing and submitted to the Commission within 45 days after receipt of written denial.
 2. No building permit or demolition permit shall be issued unless the Commission makes a finding that a hardship exists.
- B. The Commission shall hold a public hearing on the hardship application within 21 days after receiving written notification, at which an opportunity will be provided for proponents and opponents of the application to present their views.
- C. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property.
- D. All decisions of the Commission shall be in writing.
 1. A copy shall be sent to the applicant by registered mail.
 2. A copy shall be filed with the City Clerk's Office for public inspection.
 3. The Commission's decision shall state the reasons for granting or denying the hardship application.

**Public Notice** *(Certificate of Appropriateness only)*

- 1) City Staff will provide the applicant the following notification items 21 days prior to the hearing:
 - a) Sign Posting Instructions
- 2) Notice of the Paper- City staff will prepare the Notice of Public Hearing.
- 3) Sign Posting- The applicant must post a Notice of Public Hearing Sign at least fifteen (15) calendar days prior to the date of the public hearing subject to the Casa Grande Public Notice Sign Posting Instructions.
(<http://casagrandeaz.gov/dept/planning/planning-division/devforms/>)
- 4) Notice to Property Owners - City Staff will prepare and mail the Notice of Public Hearing.



Over-All Review Time-Frames for Projects ^{1,7,8}

Project Classification	Administrative Completeness Review (CR) of Initial Submittal ²	Review of Initial Submittal and Staff Decision to Approve or Issue a Review Letter ^{4,8}	CR Review of Re-Submittal	Review of Resubmittal ^{5,7,8} and Staff Decision to Approve/Deny	Over-All Review Timeframe ^{6,7,8}
Hardship Relief	5	20	5	20	50

¹All times are maximum timeframes in business days (Mon-Fri.; excluding City Holidays). Shorter review times will be accomplished where possible.

²Completeness Review timeframes are calculated from date of application submittal to date of acceptance or rejection of the application as administratively complete.

³Substantive Review timeframes are calculated from date of acceptance of application for Substantive Review, or upon receipt of re-submittal of revised plans/reports, to the date of issuance of a comprehensive review letter, or final administrative decision.

⁴ Review of initial submittal limited to determination of compliance with ordinances, codes, regulations or policy relevant to the specific permit or project application. The review comments on the initial submittal may be amended to address code/policy requirements that City staff failed to include in the 1st comprehensive review document.

⁵ Review of resubmittal shall be limited to:

- a) Addressing 1st review comments that the applicant failed to adequately address in their resubmittal; or
- b) Addressing new review issues arising from modifications the applicant has made to the design and/or technical reports. In this case the City may issue an additional review letter addressing the new design.

⁶Over-All Review timeframe is the sum of the Completeness, Initial & Resubmittal Substantive Review timeframes.

⁷ If an applicant requests significant changes, alterations, additions or amendments to an application that are not in response to the request for corrections, the City may make **one additional comprehensive written request for corrections (i.e., review of 2nd resubmittal)**. Said additional request for correction shall not exceed 50% of the Substantive Review time frame for the specific type of permit.

⁸The Substantive Review timeframe and the Overall Review timeframe may be extended by mutual consent of the applicant and the City. Said extension shall not exceed 50% of the Over-All timeframe.

⁹Indicates that the Project will require a public hearing and Board/Commission and/or City Council approval. For these Projects the Substantive Review period ends when staff schedules the application for the public hearing and Board/Commission/City Council action.

In accordance with the Regulatory Bill of Rights (ARS 9-835) the City of Casa Grande will typically make an administrative decision on each permit application after one (1) comprehensive staff review. However, from time to time a 2nd review is necessary to resolve code/policy compliance issues associated with a permit. In accordance with ARS 9-835.I., by mutual agreement, the applicant and the City may engage in a 2nd review of an application as long as said 2nd review does not exceed the over-all time frame by 50%. The specific 1st and 2nd and over-all review timeframes for this application are provided above. Applicants may sign below, consenting to a 2nd review if necessary, within the stated prescribed timeframe. Your consent is not required at time of application submittal. Applicants who do not sign below will be contacted by City staff if a 2nd review is determined to be necessary prior to making an administrative decision on this application. Applications denied after the completion of the review cycle are eligible for re-application to address the code/policy deficiencies which were the basis for the application denial with the payment of a fee equal to 25% of original application fee amount. Said re-application shall occur within 90 days of the application denial.

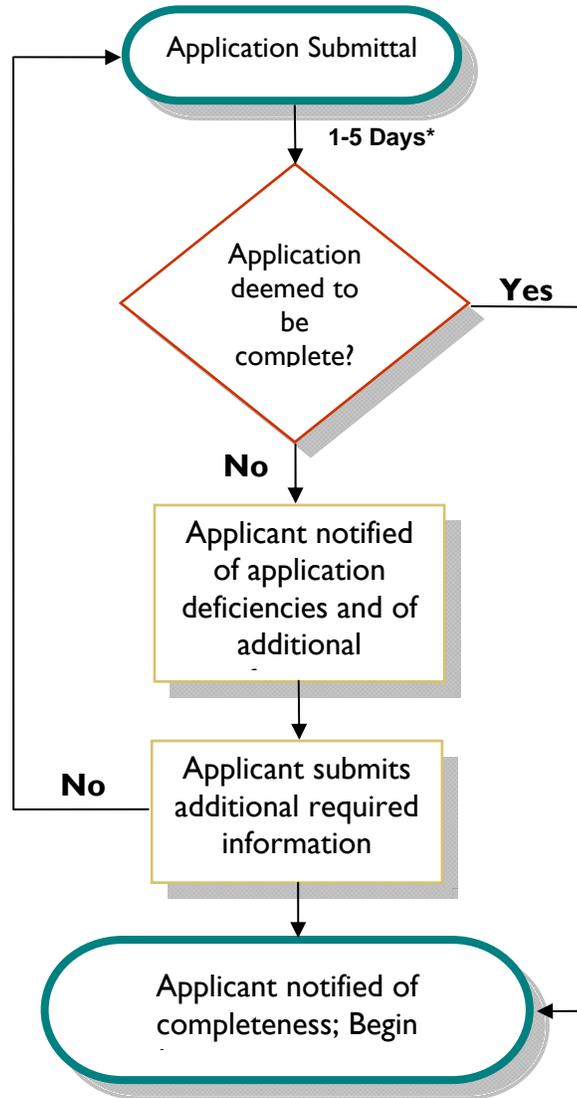
I hereby consent to an extension of the stated Substantive Review timeframe for a maximum of _____ additional days.

Applicant

Agreed to by City



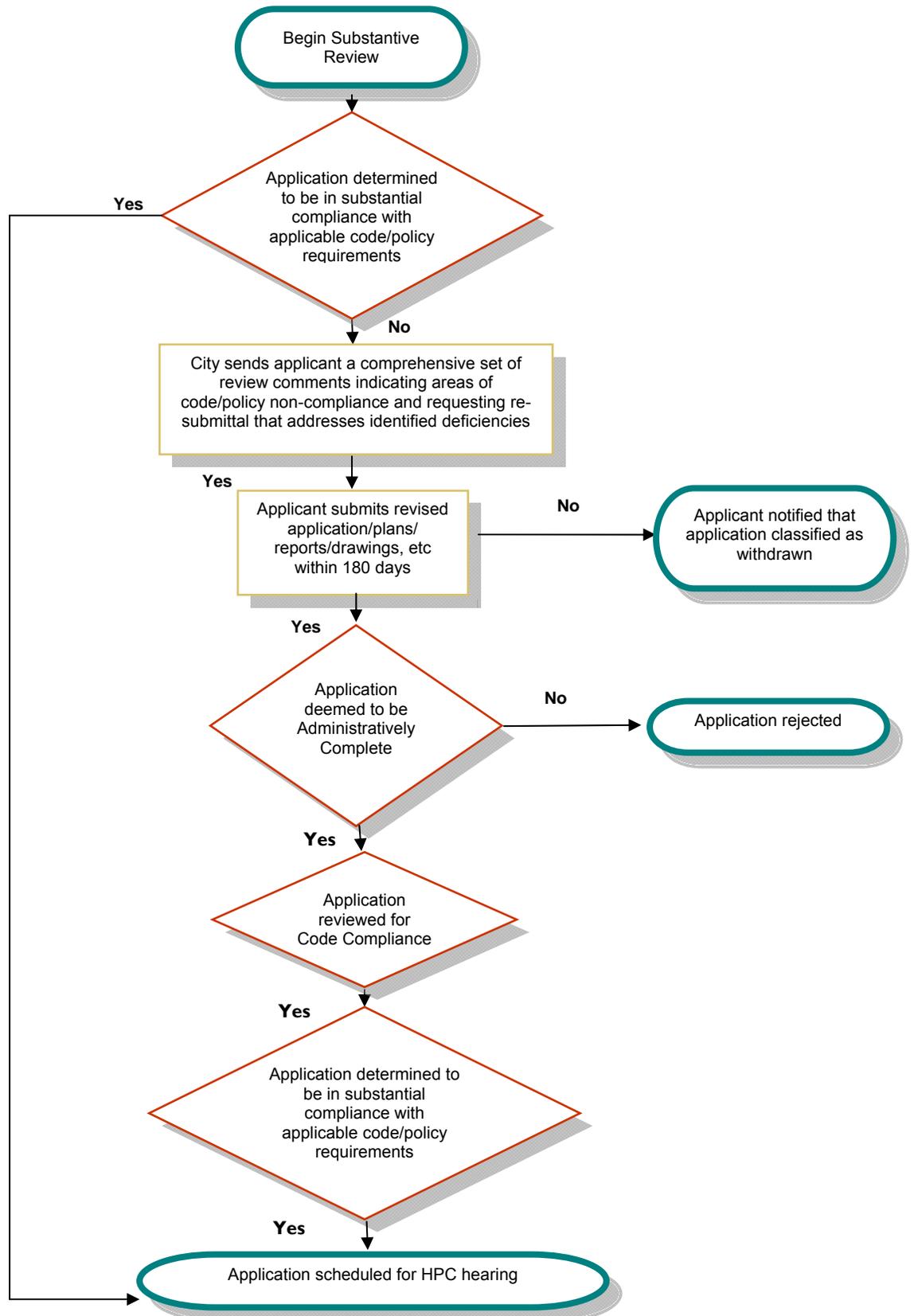
Administrative Completeness Review Process



** All time frames are listed as business days.*

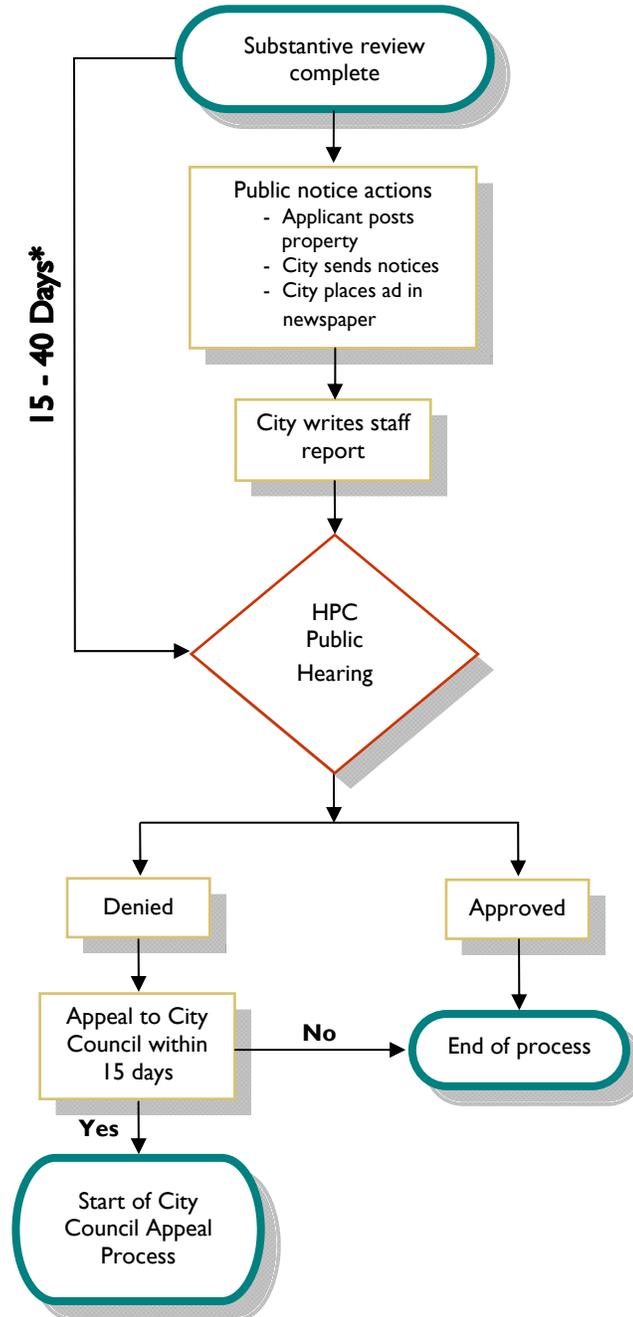


Substantive Review Process – Hardship Relief





Historic Preservation Commission (HPC) Public Hearing Process For Hardship Relief



* All times frames are listed as business days.



APPLICATION COMPLETENESS REVIEW CHECKLIST

- 1) **Project Narrative** _____ **Planner**
- 2) **CD containing all submittal Documents** _____
- *(1 CD with all documents in PDF format)*