



July 23, 2024

Mario Polanco, *Appellant*
963 S. Latisha Way
Yuma, Arizona 85364

Re: Appeal of Denial of Request for Variance
Case No.: VAR-42764-2024

Dear Mr. Polanco,

The City of Yuma's Department of Planning and Neighborhood Services has received your notice of appeal in the above-referenced matter. Appeals of variance requests are regulated by Yuma City Code (Y.C.C.) § 154-02.02(C) and Arizona Revised Statutes (A.R.S.) § 9-462.06(A). Please review that code and statute and the applicable laws cited in the denial of your request for a variance.

Your appeal is scheduled to be heard before the City Council as a quasi-judicial body on Wednesday, **September 18, 2024**. The City Council will receive the written materials that were presented to the Hearing Officer in this case. The parties may supplement those materials as follows:

- Appellant Polanco may submit any additional material to Lynda Bushong, City Clerk for the City of Yuma, at clerk@yumaaz.gov on or before **4:00 PM on August 12, 2024**.
- Appellee City of Yuma may submit its Brief or Reply to any additional material submitted by Appellant Polanco on or before **4:00 PM on August 22, 2024**.

Any additional material will be shared with both parties and made part of the record submitted to the City Council.

During the appeal hearing on **September 18, 2024**. Each side will be allotted ten (10) minutes to present their case. Appellant Polanco will present first, followed by Appellee City of Yuma. Because Appellant Polanco has the burden of persuasion, Appellant Polanco may opt to reserve two (2) to three (3) minutes of Appellant's allotted ten (10) minutes for final reply.

You have the right to be represented by an attorney. If you will be represented by an attorney in this appeal, please instruct your attorney to enter his or her appearance as counsel of record with the City Clerk without delay.

The City of Yuma prohibits discrimination based on race, color, sex, national origin, age or disability in its programs and activities. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the City of Yuma's ADA Coordinator at (928) 373-5125 or TTY (928) 373-5149.

Finally, if you wish to withdraw your appeal of the Hearing Officer decision, please inform the City Clerk and the Department of Planning and Neighborhood services in writing so the matter may be removed from the agenda.

Sincerely,
Guillermo Moreno-nunez

Guillermo Moreno-nunez,
Assistant Planner