

Gila County Community Development Division
Planning & Zoning Department

ADMINISTRATIVE VARIANCE PROCEDURES

Building site setbacks and other property development standards are defined by the Zoning Ordinance. A request for an administrative variance is a request to modify these development standards and requirements for a particular lot or parcel under special circumstances only. These special circumstances relate to the applicant's property not the person. Examples of special circumstances are extreme topographic conditions such as a property that has a steep grade which makes a part of the site unbuildable, or adhering to the setback requirements would cause an unnecessary destruction of significant vegetation. An administrative variance cannot grant a modification that exceeds 50% of the required minimum yard and under no circumstance shall a yard be less than three feet.

An administrative variance may be granted only where there are special circumstances applicable to the subject property. A personal hardship does not justify a variance. A variance is not granted for a hardship which has been intentionally created. The need for an "adequate financial return" is not a legitimate reason for a variance. Please note that because a person applies for an administrative variance does not necessarily mean the administrative variance will be approved. The request for an administrative variance must meet the special circumstances for granting an administrative variance while preserving the general intent and purposes of the Zoning Ordinance. It is recommended that you discuss your request with Gila County staff before you apply.

To apply for an administrative variance the following need to be submitted:

1. A non-refundable application fee of \$75.00.
2. A completed application form.
3. A reproducible 8½" x 11" to scale site plan containing the items outlined on the application form.

The decision to approve or deny an administrative variance is made by the Community Development Director or Deputy Director after a Gila County Building Inspector inspects the property and reports their findings. Notice of the decision of the Director or Deputy Director shall be sent by certified mail to the applicant and owners of adjacent property. An appeal of an administrative variance must be filed in writing, stating the grounds for the appeal, at the Gila County Community Development office. An appeal must be submitted within 15 working days following the date of mailing of the notice of the decision. The decision of the Director or Deputy Director shall become effective at the expiration of the fifteen-day appeal period, provided that no appeals have been filed.

If the administrative variance is granted and no appeals have been filed, the applicant may apply for a building permit.

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Gila County Community Development Division
Planning & Zoning Department
745 N Rose Mofford Way, Globe, AZ 85501
(928) 402-8512
FAX: (928) 425-0829
or
608 E Highway 260, Payson, AZ 85541
(928) 474-9276
FAX: 928-474-0802

ADMINISTRATIVE VARIANCE APPLICATION

Date: _____ Case File No.: _____

Applicant Name: _____ Phone No.: _____
Mailing Address: _____
Signature: _____

Owner's Name: _____ Phone No.: _____
Mailing Address: _____
Signature: _____

(If the applicant is not the owner of the subject property, the owner must sign the application authorizing the applicant to apply.)

Property Address: _____
Property Parcel No.: _____ Legal Description: _____
Zoning of Property: _____
Applicant's Description of Administrative Variance Request: _____

Applicant's Justification for an Administrative Variance _____

Attach a reproducible 8 1/2" x 11" site plan showing: scale; north arrow; all lot dimensions; adjacent streets and names; all existing and proposed buildings and structures, driveways, alleys, easements, water and utility services, septic tanks and leach fields, fences, and drainage ditches; significant trees and vegetation; and, extreme topographical conditions. Show all dimensions of existing and proposed buildings and structures, and distances between buildings. Label property lines (i.e. front, rear, side) and show the dimensions of the setbacks. Show the proposed feature which is the subject of the variance request.

FOR OFFICE USE ONLY

\$75 Fee Paid _____ Check No.: _____ Cash: _____ Date: _____
Inspector's Report and Pictures Done: _____
Approved: _____ Denied: _____
Directors Signature: _____
Date: _____
Date notices mailed to Applicant & Adjacent Property Owners: _____

Appeal Due Date: _____ Appealed: _____