

Gila County Community Development Division  
Planning & Zoning Department

## **VARIANCE PROCEDURES**

Building site setbacks and other property development standards are defined by the Zoning Ordinance. A request for a 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.

A 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 a variance does not necessarily mean the variance will be approved. The request for a variance must meet the special circumstances for granting a 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 a variance the following need to be submitted:

- 1 A non-refundable application fee of \$300.00.
- 2 A completed application form.
- 3 A reproducible 8½" x 11" site plans (to scale) containing the items outlined on the application form.

Once the application is complete, the decision to approve or deny a variance is made at a public hearing by the Board of Adjustments and Appeals within 30 days.

Gila County Staff will write a staff report and make a recommendation on the variance request to the Board of Adjustment and Appeals. At least 7 days before this public hearing a notice of the request is sent to the applicant and surrounding properties within a 300 ft. radius, the hearing date is advertised in the paper, and the subject property is posted with a notice of the hearing. The applicant must attend the meeting to present their view and to answer any comments or questions regarding their request. If the variance is granted, the applicant may apply for a building permit.

An appeal to the Board of Adjustment's decision must be submitted within 30 calendar days of the decision, and must be made to the Superior Court.

**Gila County Community Development Division  
Planning & Zoning Department**

745 N Rose Mofford Way, Globe, AZ 85501  
(928) 402-8512 or 8514 FAX (928)425-0829

or

608 E Highway 260, Payson, AZ 85541  
928-474-0829, FAX 928-474-0802

**VARIANCE APPLICATION FORM  
BOARD OF ADJUSTMENT AND APPEALS**

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 Variance Request: \_\_\_\_\_

Applicant's Justification for a 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**

\$300.00 fee received: Check No. \_\_\_\_\_ Cash: \_\_\_\_\_ Date: \_\_\_\_\_

Inspector's Report and Pictures Done: \_\_\_\_\_

Date of Legal Publication: \_\_\_\_\_ Posting Date: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Appealed: \_\_\_\_\_