

TOWN OF TUSAYAN

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Requirements for Variance

Variations from the terms of the Zoning Ordinance shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

The power to grant variations does not extend to use regulations. Flexibility to the zoning regulations is provided in the conditional use provisions of the Zoning Ordinance.

The Town Hearing Officer may grant variations to certain zoning regulations in accord with the prescribed procedures. Variations may be granted from regulations regarding fences, walls, hedges, screening, and landscaping; site area, width, and depth; front, rear, and side yards; coverage, height of structures; distances between structures; usable open space; signs, off-street parking facilities, or frontage on a public street.

Application: Data and Maps to be Furnished

Application for a variance shall be filed with the Town and shall include the following data and maps:

1. Name and address of the applicant(s).
2. Statement that the applicant(s) is the plaintiff in any action in eminent domain to acquire the property or the owner or the authorized agent of the owner of the property on which the variance is being requested.
3. Address and legal description of the property.
4. Statement indicating the precise nature of the variance requested and the practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning regulations that would result from a strict or literal interpretation and enforcement of the specified regulations, together with any other data pertinent to the findings prerequisite to the granting of a variance.
5. An accurate scale drawing of the site and any adjacent property affected, showing, when pertinent, the contours at intervals of not more than two feet (2'), and all existing and proposed locations of streets, property lines, uses, structures, driveways, pedestrian walks, off-street parking facilities, and landscaped areas.
6. A list of all owners of property located within three hundred feet (300') of the exterior boundaries of the subject property; the list shall be keyed to a map showing the location of these properties.
7. The Town may require additional information or plans, if they are necessary to enable a determination as to whether the circumstances prescribed for the granting of a variance exist. The Town may authorize omission of any or all of the plans and drawings required by this Section if they are not necessary.

Refer to Section 20.7 of the Zoning Ordinance for additional information regarding Variations.