



Variance

Requirement and Process Overview

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Important Note

Please note that all applications and fees must be submitted electronically via the City of Mesa's DIMES portal. To set up an account visit:

<http://mesaaz.gov/business/development-services/planning>

Click on the dimes logo to get started:



For an application to be accepted, the applicant must provide all of the required information described on the submittal checklist at the time of formal submittal. It shall be the responsibility of the applicant to ensure the accuracy and completeness of the request. Incomplete applications will NOT be accepted.

Step 1: Pre-Submittal Conference

A Pre-Submittal application is required prior to filling an application for a Variance.

- › City staff will review the proposal and provide preliminary feedback and comments.
- › Applicants will then have the option to attend a Pre-Submittal Conference to discuss the provided comments. At this meeting, Development Services staff will review the development options, planning issues, guidelines, and Code requirements with the applicant.
- › *Please note that a pre-submittal does not constitute a complete review nor guarantee the identification of all issues.*

Required Documents:

- Application – submitted through the DIMES portal:
<https://aca.accela.com/MESA/Default.aspx>
- Application Fee – consistent with the City of Mesa’s Fee Schedule
- Project Narrative – describing the proposed project and design intent
- Fully dimensioned site plan

Desired Documents:

The following checklist is a desired list of items to be reviewed at the Pre-Submittal stage.

- Building Elevations
- Landscape Plan
- Photometric Plan
- Site Details

Step 2: Formal Application Submittal

Application for a Variance may be submitted at any point after the Pre-Submittal Conference has been completed.

- › Complete applications shall be submitted, and applicable fees paid to the Development Services Department in accordance with these Variance application guidelines. *The applicant is responsible for the accuracy and completeness of all information submitted to the City.*
- › City staff will review the Variance application for compliance with all appropriate City standards, codes, specifications, and requirements.

Required Documents:

- Application – submitted through the DIMES portal:
<https://aca.accela.com/MESA/Default.aspx>
- Application Fee – consistent with the City of Mesa’s Fee Schedule
- Property Owner Authorization
- Project Narrative – describing the proposed project and design intent.
- Justification and compatibility Statement – addressing the request meets ALL of following required findings:
 - A. There are special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, and
 - B. That such special circumstances are pre-existing, and not created by the property owner or appellant; and
 - C. The strict application of the zoning Ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district; and
 - D. Any variance granted will assure that the adjustment 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 located.
- Citizen Participation Plan – describing the residents, neighborhoods and homeowners’ associations that may be impacted and how the applicant intends to inform and engage the public in their development plans

- Site Plan – fully dimensioned site plan showing the location and area of site development features building including but not limited to, buildings, structures, drive aisles, parking spaces, sidewalks, etc.
- Landscape Plan – showing the location, type, and size of all proposed landscaping. Provide a plant list, which includes the quantities of all proposed landscape material, common botanical names, and their square foot equivalencies according to Table 11-33-2-E (if applicable)
- Building Elevations – fully dimensioned, colored elevations showing sufficient detail to convey the architectural content for all proposed building and structures including building height, pitch of roof, percentage of openings, building materials and colors, and architectural elements OR Site Photos if no improvements are being proposed to the building (if applicable)
- Photometric Plan – including cut sheet details (If applicable)

Step 3: Public Notice

The applicant is responsible for providing written public notice for the Board of Adjustment Hearing. *Please note that the City may request a greater notification boundary due to public interest or physical conditions of the site.*

Notice Requirements:

- Citizen Participation Report. The applicant is responsible for submitting a report of the citizen outreach efforts, complete with minutes of neighborhood meetings, list of those contacted, and responses to all inquiries.
- City staff will post a sign on the subject property alerting citizens of the upcoming hearing at least 15 days prior to the hearing date.
- The applicant must provide written notice to property owners at least 15 days prior to the scheduled meeting.
 - › Any project involving a single residence, duplex, or single lot RV or manufactured home must provide public notice to property owners located within 150 feet of the exterior boundary of the property that is the subject of the application, based on the last assessment.

- › All other projects must provide public notice to property owners located within 500 feet of the exterior boundary of the property that is the subject of the application, based on the last assessment.

Step 4: Public Hearing

- › Staff reports will be available and posted to the case file within the DIMES system the Thursday prior to the Board Meeting.
- › Board of Adjustment hearings are typically held the first Wednesday of every month. For more information on Board of Adjustment Board processes and schedule please visit: <https://www.mesaaz.gov/government/advisory-boards-committees/board-of-adjustment>
- › All actions and or decisions made by the Board of Adjustment are final. Any appeal to the Board of Adjustment's decision must be made to Superior Court in accordance with A.R.S. § 9-462.06.K