



Development Services Department  
 7501 E. Skoog Blvd.  
 Prescott Valley AZ 86314  
 Phone (928) 759-3050  
 Fax (928)759-5511  
 Email: devserv@prescottvalley-az.gov

## VARIANCE APPLICATION SUBMITTAL CHECKLIST

**Application #:** \_\_\_\_\_ **Site Address:** \_\_\_\_\_

**No application is to be submitted or accepted unless it is complete including, but not limited to, the following:**

- A mandatory pre-application meeting with the Code Enforcement Supervisor, or his representative, on (date) \_\_\_\_\_.
- Hearing application stating the request and the type of proposed development, the Assessor's Parcel #, application signed and dated, indicating whether the owner or the agent. If agent, include the name and address of the property owner, phone number, and a letter of authorization.
- A legal description of the property identified on the application; if too lengthy, please attach.
- A site layout, landscape plan, building elevations and other pertinent data as requested (see requirements).

<ul style="list-style-type: none"> <li>• North Arrow</li> </ul>	<ul style="list-style-type: none"> <li>• Street Names</li> </ul>
<ul style="list-style-type: none"> <li>• Lot Dimensions</li> </ul>	<ul style="list-style-type: none"> <li>• Topographic Characteristics</li> </ul>
<ul style="list-style-type: none"> <li>• Location of All Existing Building/Structures on Property, Including Dimensions</li> </ul>	<ul style="list-style-type: none"> <li>• Dimensions Between All Structures and Property Lines and/or Fences</li> </ul>
<ul style="list-style-type: none"> <li>• Dimensions Between All Structures on the Same Lot</li> </ul>	<ul style="list-style-type: none"> <li>• Location and Dimensions of Item for which Variance Is Requested</li> </ul>
<ul style="list-style-type: none"> <li>• Landscaping, Screening and Outdoor Lighting as Required by Article 13-26</li> </ul>	<ul style="list-style-type: none"> <li>• Off-Street Parking as Required by Article 13-24</li> </ul>
<ul style="list-style-type: none"> <li>• Vehicular Access Points</li> </ul>	<ul style="list-style-type: none"> <li>• Signs and Lighting, Including Location</li> </ul>
<ul style="list-style-type: none"> <li>• General Location and Estimated Size of Detention Areas</li> </ul>	<ul style="list-style-type: none"> <li>• Possible Utility Locations, if Known</li> </ul>
<ul style="list-style-type: none"> <li>• Additional Requirements/Items Requested by Staff</li> </ul>	

**NOTE:** Site plan does not have to be professionally prepared; however, it must be drawn to scale and adequately dimensioned.

- Property Directions and Permission to enter Property Statement signed and notarized.
- Photographs of the subject property (Optional).
- A filing fee in the amount of:
  - **Base Variance - Residential = \$214.00**
  - **Base Variance – Commercial = \$267.50**



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**PLANNING & ZONING DIVISION  
 BOARD OF ADJUSTMENT  
 VARIANCE APPLICATION**

<b>Project Address:</b>	<i>FOR OFFICE USE ONLY</i>		
<b>Owner's Name and Mailing Address:</b> _____ _____ _____ <b>Phone:</b> _____	Hearing Date:		
	HA#:		
	Application Date:		
	T :	R :	S :
<b>Agent's Name and Mailing Address (<u>Agent authorization letter must accompany application</u>):</b> _____ _____ _____ <b>Phone:</b> _____ <b>Fax:</b> _____ <b>Email:</b> _____	Zoning:		
	Fees & Charges:		
	Receipt No. & Date:		
	Taken by:		
<b>Request (detailed as follows):</b> _____ _____ _____ _____			
<b>Assessors Parcel Number:</b>	<b>Lot:</b>	<b>Unit:</b>	
<b>Subdivision Name:</b>			
<b>I hereby certify that the information submitted for this application is complete and accurate to the best of my knowledge; and that I am the applicant or the bonafide agent of same as stated in the attached documentation.</b>			
_____ <b>Signature</b>		_____ <b>Date</b>	
_____ <b>Please Print Name</b>			



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## VARIANCE APPLICATION PROCEDURES

A variance is a request to deviate from the established development standards in the Zoning Code. In order to be granted a variance, an applicant must prove four conditions exist on the subject property.

1. There are special circumstances or conditions applying to the land, building, or use referred to in the request; and
2. The granting of the variance is necessary for the preservation and enjoyment of substantial property rights; and
3. The granting of the variance will not materially be detrimental to persons, property, or to the public welfare of the community; and
4. The special circumstances applicable to the subject property were not self-imposed by the property owner or any previous owner of the property.

Prior to filing a request for a variance, the applicant must meet with zoning staff. An application and filing can then be filed with the Community Development Department.

All variances will be heard and decided upon by the Board of Adjustment. The Board consists of five (5) residents of the Town of Prescott Valley that are appointed by the Mayor and Town Council. The Board must find that all four conditions stated above exist on the property to rule favorably on a variance request.

**NOTE:** All Board members are required to visit the subject site individually prior to the public hearing, however, **no Board member may be approached in person, by telephone, or electronic e-mail by the applicant to discuss the variance.** Questions or concerns regarding the variance or public hearing process should be directed to Community Development Department Staff.

The Board of Adjustment meets on the fourth Monday of each month. All applications must be submitted four weeks prior to the meeting date. Variances which are granted by the Board shall be void if the variance is not commenced or a building permit has not been issued within six months of the Boards decision or within the time stipulated by the Board.

**Note: The applicant, or his representative, should be present at scheduled meetings to answer questions. If construction is planned, the applicants should obtain a Building Permit application and familiarize themselves with requirements. Any associated building permits will be issued after Public Hearing approvals.**

**VARIANCE JUSTIFICATION**  
**(Must be completed fully by the Applicant)**

The following questions are intended for the applicant to explain the variance requested meets the four conditions required in order for the Board of Adjustment to grant a variance. It is the burden of the applicant to prove his or her case to the Board.

1. Please explain what special circumstances or conditions apply to the land, building, or use referred to in the application, which do not apply to other similar properties in the same zoning district. Special circumstances or conditions would include, for example, an unusual lot size, shape, or topography. This condition is considered a property hardship and it must be a condition relating to the property that is so unique it cannot be replicated on any other similarly zoned property in the Town.

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2. Please state why the authorizing of this variance is necessary for the preservation and reasonable enjoyment of substantial property rights. In other words, without you being granted this variance, your property cannot be reasonably used. You will not be granted a variance if your property can be used, even if it is in a manner other than that desired by the owner or applicant.

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3. Please explain why authorizing this variance application will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or the public welfare in general. A variance that will not be compatible with the surrounding development or will create an adverse impact on other properties cannot be approved.

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4. Please provide information that proves the special circumstances on your property were not created by the owner, any previous owner, or applicant. The property hardship cannot be self-imposed. The Board cannot grant a variance for a self-imposed hardship.

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**NOTE:** Generally, hardships are situations that run-with-the-land (i.e. rocks, ditches, hills, washes, etc.), that would prevent enjoyment of property rights if strict interpretation of the Code were enforced, personal and/or self-imposed conditions or hardships are not grounds for a variance.

\_\_\_\_\_  
APPLICANT NAME (Please Print)

\_\_\_\_\_  
APPLICANT SIGNATURE

\_\_\_\_\_  
Date

# TOWN OF PRESCOTT VALLEY PLOT/SITE PLAN

PLEASE INDICATE NORTH

Hearing #: \_\_\_\_\_

APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

AFFIDAVIT

I/We certify that the proposed construction will conform to the dimensions and uses shown and that no changes will be made without first obtaining approval. All structures (including fences, walls and pads), correct setback distances, legal access and easements, cuts, fills, drainage and any water course on or adjacent to the property within 20 feet of any proposed or existing structure has been indicated.

\_\_\_\_\_  
Signature of owner or authorized representative      Date

**ALL SIDE YARD SETBACKS MEASURED TO ROOF DRIP LINE**

(Show roof drip line with dashed line and indicate side yard setback to roof drip line)

**SUGGESTED SCALE: 1 INCH EQUALS 20 FEET**

## SITE PLAN REQUIREMENTS

Prescott Valley Town Code **Article 13-03-050.C.** refers to site plans:

### **13-03-050.C. Site Plan.**

- C. Contents: The owner or owners of property proposed for development shall submit to the Town of Prescott Valley a Site Plan indicating precisely what is planned for the property, and may include the following information as determined necessary by the officer charged with administering this Chapter:
1. Lot dimensions;
  2. All buildings and structures existing and proposed (including dimensions); Indicate roof over-hang on the site plan with a dashed line;
  3. Yards and spaces between buildings from overhang and from wall; Setbacks;
  4. Landscaping, screening and outdoor lighting as required by Article 13-26 of the Zoning Chapter;
  5. Off-street parking as required by Article 13-24;
  6. Vehicular, pedestrian and service access;
  7. Signs and lighting, including location;
  8. Outdoor storage and activities;
  9. Location and name of adjacent rights-of-way;
  10. Sewer Connection Plan;
  11. Easement locations and size;
  12. Other data as may assist in determining the effect of the development on surrounding property.

**DEVELOPMENT SERVICES DEPARTMENT  
PROPERTY DIRECTIONS**

**Unit/Lot:** \_\_\_\_\_

**Assessor's Parcel #:** \_\_\_\_\_

**Applicant's Name:** \_\_\_\_\_

**Directions to the property:**





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### AUTHORIZATION TO ENTER PROPERTY

APPLICATION #: \_\_\_\_\_ Parcel #: \_\_\_\_\_ Unit/Lot #: \_\_\_\_\_

Legal Description (see attached): \_\_\_\_\_

APPLICANT(s): \_\_\_\_\_

Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

I, the undersigned, hereby give permission to the Prescott Valley Zoning Inspector (or any Deputy Inspector) in the discharge of his/her duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the enumerated application made under the terms of the Prescott Valley Town Code, or for any investigation as to whether or not any portion of such property, building or other structure is being placed, erected, maintained, constructed or used in violation of the Prescott Valley Town Code; or for any investigations for conditions, compliance and stipulations under the terms of the Prescott Valley Town Code and public hearings concerning this parcel. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer or renewal of the application. Such entry shall be limited between the hours of 7 A.M. and 6 P.M. MST. I understand that this permission to enter property is OPTIONAL and VOLUNTARILY GIVEN and may be withdrawn or revoked (either in writing or verbally) at any time.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(check one)

- Owner
- Agent for \_\_\_\_\_

STATE OF ARIZONA        )  
  ) ss  
COUNTY OF YAVAPAI    )

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ before me, the undersigned Notary Public, personally appeared who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal,

Notary Public: \_\_\_\_\_

Date Commission Expires: \_\_\_\_\_