



**ADMINISTRATIVE RELIEF
FROM
DEVELOPMENT STANDARDS**
Revised 08-26-2005

**ADMINISTRATIVE RELIEF
FROM
DEVELOPMENT STANDARDS**

PROCESS GUIDE AND APPLICATION

Town of Gilbert
Planning and Development Services Division
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APPLICATION PROCEDURES

ADMINISTRATIVE RELIEF FROM DEVELOPMENT STANDARDS

The following information is provided to assist in the preparation and submittal of an application for Administrative Relief from Development Standards for a minor deviation from the requirements of the Land Development Code (LDC), See Article 5.3.

The Director of Planning may grant administrative relief from development standards as authorized by the LDC where such deviations are necessary for the implementation of the LDC. Administrative relief may only be granted prior to construction. Such relief is not a variance.

The Director of Planning is authorized to grant administrative relief from dimensional requirements of the LDC not to exceed 10 percent of the requirement. Any relief granted will be the minimum required to implement the purposes of the LDC and improve the quality of development.

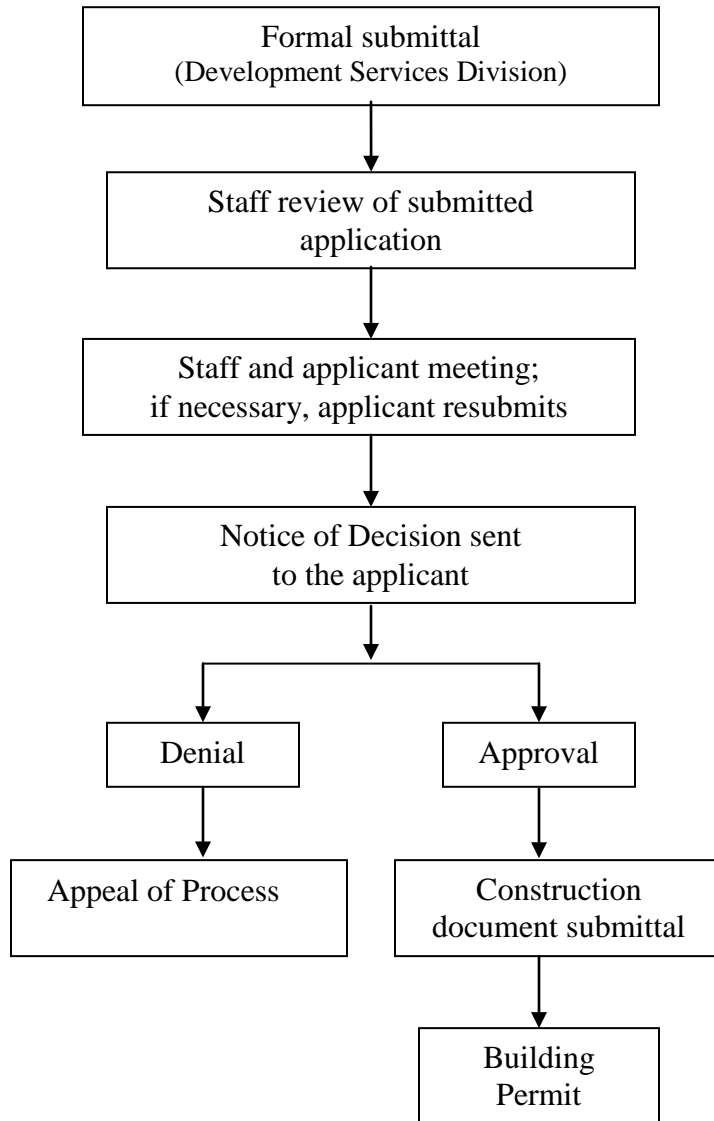
Any administrative relief authorized by the Director of Planning will be documented with findings to be filed with the appropriate Development Services division case files. The following findings will establish the rationale for the granting of relief:

1. Relief is necessary due to the physical attributes and conditions of the property and the proposed use or structure including, but not limited to, topography, noise exposure, irregular property boundaries, or other unusual circumstance;
2. There are no alternatives to the requested modification that could provide similar benefits with less potential detriment;
3. Granting the relief does not threaten the health or safety of the public or the occupants of the property or would create a change in land use or density that would be inconsistent with the requirements of this Code;
4. Granting the relief does not impose an undue financial or administrative burden on the Town;
5. There are no compelling public interests that justify the denial of the requested relief or the imposition of conditions;
6. The applicant's demonstrated need substantially outweighs any detriment to public needs and interests; and
7. If relief is being requested pursuant to the requirements of State or Federal law, the relief is necessary to reasonably accommodate the needs of an applicant pursuant to the specific requirements of State or Federal law.

Dimensional Standards are those standards listed in the LDC calling out specific dimensions including, but not limited to setbacks, height, length, or width. If the requested Relief conflicts with specific Conditions of Approval attached to a project then the Conditions of Approval govern.

1. *Application Filing* – Applications must be submitted to the Development Services division. 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.
2. *Staff Review* – Upon receiving a complete application, the submitted application will be routed to Town staff and affected agencies for review and comments. After this review is completed, the comments are consolidated and returned to the applicant within thirty (30) days of submission. The applicant is responsible for addressing staff comments and submitting revised plans or information.
3. *Notice of Decision* – The Planning Director may approve, approve with modifications and/or conditions, or deny the application and will set forth the findings and decision on a Notice of Administrative Decision.
4. *Appeal Process* – Any decision to grant relief from the provisions of this Code may be appealed to the Planning Commission pursuant to Section 5.2011: Procedures for Appeals. The appeal must be filed within ten (10) days of signing the decision.
5. *Building Permits* – Only after the project has received all approvals through the Town processes can construction documents be submitted for review. All construction documents for a project must conform to the findings established by The Director of Planning. Permits may not be issued until the ten day appeal period has expired
6. *Inactive Cases* – All applications must be actively pursued to a decision. If no applicant activity has occurred on an application for 180 days, the application will be determined to be inactive. Thirty (30) days prior to that date the planning staff must notify the applicant in writing that the application will become inactive. If the applicant requests in writing that the Director extend the 180-day period, such request must be accompanied by an explanation for the period of inactivity. The Director may grant an extension for up to 180 days for good cause if there is a reasonable belief that the application will be actively pursued during the extension period. If an extension is not approved, the application will be deemed withdrawn and the file will be closed.

Administrative Relief from Development Standards



SITE PLAN CONTENT REQUIREMENTS

1. Site Plan

- Vicinity Map;
- Scale, north arrow, and dimensions;
- Lot Area/Net acres;
- Required building setbacks;
- Existing zoning on site and adjacent properties within 50 feet;
- Property lines, easements, alleys, private streets, and adjacent rights-of-way and easements showing existing and future improvements, access points, signals, etc.;
- Location of required building setbacks and spaces between buildings with dimensions;
- Location and size of any existing/proposed building(s), structure(s), or land uses; and
- Adjacent lot lines and/or structures within 50 feet;

2. Elevations (if applicable)

- All elevations of each building proposed for the project;
- Exterior dimensions;
- Materials proposed; and
- Location and type of lighting fixtures proposed.

3. Signs (if applicable)

- Location and dimensions of existing signs; and
- Location and dimensions of proposed signs.



ADMINISTRATIVE RELIEF FROM DEVELOPMENT STANDARDS

Received By:

Project Name: _____

Address or Location _____

Request: _____

Zoning Classification: _____

Tax Parcel Number(s): _____

General Plan Character Area: (if applicable) [] Santan [] Gateway [] Heritage District [] Morrison Ranch

Overlay Zoning District: [] Santan Freeway Corridor [] Williams Gateway Airport

Property Owner:

Name (print): _____ E-mail: _____
Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____

Signature*: _____ Date: _____

* Property Owner's signature certifies that the property that is the subject of the proposed project is in compliance with Town codes. A letter of authorization from the property owner is required if the application is not signed by the owner.

Applicant/Contact:

Company:
Contact Name: _____ E-mail: _____
(print)
Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____

Signature: _____ Date: _____

Table with 2 columns and 3 rows for staff use only, including fields for Submittal Date, Fee Paid, Receipt Number, Case Number, EDEN Permit Number, and EDEN Permit Type (PPAR).

Received By:

Date:

Administrative Relief Checklist

(Waiver of any of the following submittal requirements must be documented by Town Staff in the Town’s Customer Agreement Binder)

REQUIRED MATERIALS (All applications)	Applicant Checklist	Staff Verification
Application	<input type="checkbox"/>	<input type="checkbox"/>
Fee (see Planning fee schedule).....	<input type="checkbox"/>	<input type="checkbox"/>
Narrative (address required findings)	<input type="checkbox"/>	<input type="checkbox"/>
Optional Information (i.e. letters from adjoining property owners, photos, sketches or letters of approval from Owner’s Association).....	<input type="checkbox"/>	<input type="checkbox"/>
Site Plan (Single Family Residential):		
• 3 copies – (8.5” x 11”).....	<input type="checkbox"/>	<input type="checkbox"/>
Site Plan (Multi-Family and Non-Residential):		
• 3 copies – Blueline or blackline prints (24” x 36”) folded to approximately (9” x 12”).....	<input type="checkbox"/>	<input type="checkbox"/>
• 1 copy – (8.5” x 11”) laser print or photo reduction (photocopy of color rendered plan not acceptable)	<input type="checkbox"/>	<input type="checkbox"/>
Elevations (if applicable):		
• 3 copies – Blueline or blackline prints (24” x 36”) folded to approximately (9” x 12”).....	<input type="checkbox"/>	<input type="checkbox"/>
• 1 copy – (8.5” x 11”) laser print or photo reduction (photocopy of color rendered plan not acceptable)	<input type="checkbox"/>	<input type="checkbox"/>