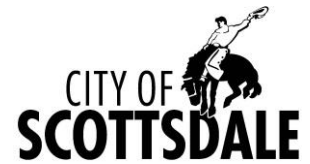


Board of Adjustment

General Information (BOA)



Information can also be found online at https://www.municode.com/library/az/scottsdale/codes/code_of_ordinances and search "1.801."

Purpose

The Board of Adjustment has the power to hear and decide on appeals from administrative decisions and variances from the provisions of the zoning requirements.

Zoning Ordinance Variances

Pursuant to Section 1.804 of the Zoning Ordinance, a variance from the provisions of this ordinance shall not be authorized unless the Board of Adjustment shall find upon sufficient evidence:

1. That because of special circumstances applicable to the property including its size, shape, topography, location, or surroundings, 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
2. That the authorization of the variance is necessary for the preservation of privileges and rights enjoyed by other property of the same classification in the same zoning district, and does 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; and
3. That the special circumstances applicable to the property were not self-imposed or created by the owner or applicant; and
4. That authorization of the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.

Appeals

The Board of Adjustment shall hear appeals from the:

1. Zoning Administrator's interpretation of the zoning ordinance or other decisions;
2. Planning and Development Services General Manager's interpretation of the land divisions ordinance; and
3. Planning and Development Services General Manager's decisions made on appeals under the land divisions ordinance.

Note

The Board consists of seven (7) members appointed by the City Council. A vote of at least four (4) of the members of the Board in attendance at a hearing shall be necessary to authorize any variance from the terms and conditions of the Zoning Ordinance. Any person aggrieved by a decision of the Board of Adjustment, or any taxpayer, city officer, or department affected by a decision of the Board, may appeal the Board's decision to the Superior Court at any time within thirty (30) days after the Board has rendered its decision.

*For more information on the Board of Adjustment process and procedures,
please call your project coordinator.*

Planning and Development Services

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