



## VARIANCE TO SUBDIVISION DESIGN STANDARDS (CC) APPLICATION

**I. PROJECT NAME** \_\_\_\_\_

**2. REQUEST:**

### 3. APPLICANT INFORMATION:

**4. PROPERTY OWNER INFORMATION:**

**OWNER AUTHORIZATION:**

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

STATE OF ARIZONA )  
 ) ss  
County of )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_ known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged that \_\_\_\_\_ executed the same.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

My commission expires:

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



Applicants may receive clarification regarding the specific steps included in processing this application as well as information regarding any code, regulation or policy relevant to the processing of this application by contacting one of the following Planning staff members:

**Jim Gagliardi** – [jim\\_gagliardi@casagrandeaz.gov](mailto:jim_gagliardi@casagrandeaz.gov); 520-421-8630, Ext. 3020

**Samuel Leonard** – [samuel\\_leonard@casagrandeaz.gov](mailto:samuel_leonard@casagrandeaz.gov); 520-421-8630, Ext. 3023

**Jaclyn Sarnowski** – [jaclyn\\_sarnowski@casagrandeaz.gov](mailto:jaclyn_sarnowski@casagrandeaz.gov); 520-421-8630, Ext. 3161

**Daniela Warren** – [daniela\\_warren@casagrandeaz.gov](mailto:daniela_warren@casagrandeaz.gov); 520-421-8630, Ext. 3107

### **Overview**

The City Council can authorize exceptions, or variances, to the subdivision regulations when it can be shown that in the case of a particular subdivision that strict compliance would cause undue hardship. The City Council may authorize a variance to these regulations provided that the general intent of these regulations is preserved, the public interest is protected, and that such variances do not have the effect of nullifying the intent and purpose of the general plan or the City's zoning or land development regulations. The granting of a variance shall be based upon findings by the City Council that:

1. The subdivider is proceeding in good faith.
2. There are unusual topographical or other special circumstances associated with the property which are not the result of any action of the subdivider, and which prohibit the use of the property in a manner similar to the use of adjacent or nearby properties.
3. The variance is necessary for reasonable development of the property in question and will alleviate a clearly demonstrable hardship.
4. The variance will not nullify the intent or purpose of these regulations.
5. Granting the variance will not be detrimental to the general public health, safety and welfare.
6. Any variance granted shall constitute the minimum adjustment necessary to alleviate the hardship.

All requests for variances shall be submitted in writing together with a preliminary plat and reviewed in the normal manner by the Planning Commission. The Planning and Commission may approve or deny the preliminary plat and variance request. Following the Planning Commission's action, the request for variance shall be referred to the City Council for consideration and action. The Council may consider comments from the Planning Commission, staff, the applicant, and the public. The Council may approve or deny the variance request. The request may not be tabled for more than two meetings.

If the subdivision variance is granted by the City Council, the subdivider may incorporate the provisions of the variance into the final plat to be submitted and reviewed in the normal manner at a subsequent meeting of the City Council. The final plat must, in all respects other than the variance, conform to the preliminary plat and any other conditions imposed by the Planning Commission.

### **Pre-Application Process**

Prior to the submittal of a Variance Application the applicant is required to hold a pre-application meeting with the Planner to review the application submittal requirements, processing step, and timelines.

**Public Notice**

- 1) Newspaper Notice- City staff will prepare the Notice of Public Hearing.
- 2) Sign Posting- The applicant must post a Notice of Public Hearing Sign at least fifteen (15) calendar days prior to the date of the public hearing. City Staff will provide the applicant with signposting instructions 21 days prior to the hearing. *Said sign must be removed from the site no later than 10 days after the last applicable public hearing. The city offers a sign removal service for a fee (if desired check the box below). For additional public notice sign posting instructions please reach out to the planner.*
- 3) Surrounding Property Owner Notification - City Staff will prepare and mail notices to surrounding property owners informing them of the proposed variance to the subdivision regulations.

**Fees**

Variance (CC)-Subdivision Design Standards: \$787.50 plus \$262.50 for each additional Technology Recovery Fee: 5% of Review Fee

☐ Sign Removal Fee (Optional): \$100

**Variance Submittal Package**

Each application for a Variance shall be accompanied by the following documents that will be reviewed by City Staff, Planning Commission and City Council in their consideration of the variance request:

Y N

- ☐ ☐ **Applicant Variance Justification**- The applicant must submit a written statement that justifies how the following required criteria are met:
- ☐ That there are unusual topographical or other special circumstances associated with the property which are not the result of any action of the subdivider and which prohibit the use of the property in a manner similar to the use of adjacent or nearby properties;
  - ☐ That the variance is necessary for reasonable development of the property in question and will alleviate a clearly demonstrable hardship;
  - ☐ That the variance will not nullify the intent or purpose of these regulations;
  - ☐ That granting of the variance will not be detrimental to the general public health, safety and welfare.
  - ☐ That the requested variance constitutes the minimum adjustment necessary to alleviate the hardship.

☐ ☐ **Proposed Preliminary Plat**

If you checked **NO** on a submittal Item, please list and provide explanation or reasoning for the exclusion.

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## ELECTRONIC SUBMITTALS

1. All applicants should email the application (form only, no required submittal material) to [cgplanning@casagrandeaz.gov](mailto:cgplanning@casagrandeaz.gov)
2. Following the application form submittal, we will send a link to a Google Drive folder for you to submit all required application and submittal materials.
3. Please call 520-421-8630 ext. 3350 to pay by credit card or e-check. Credit cards are subject to a 2.7% convenience fee and the e-check fee is \$3.

**Over-All Review Timeframes for Projects<sup>1,7,8</sup>**

<b>Project Classification</b>	<b>Administrative Completeness Review (CR) of Initial Submittal<sup>2</sup></b>	<b>Review of Initial Submittal and Staff Decision to Issue a Review Letter or Schedule for Public Hearing<sup>4,8</sup></b>	<b>CR Review of Re-Submittal</b>	<b>Review of Resubmittal<sup>5,7,8</sup> and Staff Decision to Issue a Review Letter or Schedule for Public Hearing</b>	<b>Over-All Review Timeframe<sup>6,7,8</sup></b>
Variance – (City Council)-Subdivision Design Standards <sup>9</sup>	5	30	5	30	70

<sup>1</sup>All times are maximum timeframes in business days (Mon-Fri.; excluding City Holidays). Shorter review times will be accomplished where possible.

<sup>2</sup>Completeness Review timeframes are calculated from date of application submittal to date of acceptance or rejection of the application as administratively complete.

<sup>3</sup>Substantive Review timeframes are calculated from date of acceptance of application for Substantive Review, or upon receipt of re-submittal of revised plans/reports, to the date of issuance of a comprehensive review letter, or final administrative decision.

<sup>4</sup> Review of initial submittal limited to determination of compliance with ordinances, codes, regulations or policy relevant to the specific permit or project application. The review comments on the initial submittal may be amended to address code/policy requirements that City staff failed to include in the 1<sup>st</sup> comprehensive review document.

<sup>5</sup> Review of resubmittal shall be limited to:

- Addressing 1<sup>st</sup> review comments that the applicant failed to adequately address in their resubmittal; or
- Addressing new review issues arising from modifications the applicant has made to the design and/or technical reports. In this case the City may issue an additional review letter addressing the new design.

<sup>6</sup>Over-All Review timeframe is the sum of the Completeness, Initial & Resubmittal Substantive Review timeframes.

<sup>7</sup> If an applicant requests significant changes, alterations, additions or amendments to an application that are not in response to the request for corrections, the City may make **one additional comprehensive written request for corrections (i.e., review of 2<sup>nd</sup> resubmittal)**. Said additional request for correction shall not exceed 50% of the Substantive Review time frame for the specific type of permit.

<sup>8</sup>The Substantive Review timeframe and the Overall Review timeframe may be extended by mutual consent of the applicant and the City. Said extension shall not exceed 50% of the Over-All timeframe.

<sup>9</sup>Indicates that the Project will require a public hearing and Board/Commission and/or City Council approval. For these Projects the Substantive Review period ends when staff schedules the application for the public hearing and Board/Commission/City Council action.



In accordance with the Regulatory Bill of Rights (ARS 9-835) the City of Casa Grande will typically make an administrative decision on each permit application after one (1) comprehensive staff review. However, from time to time a 2<sup>nd</sup> review is necessary to resolve code/policy compliance issues associated with a permit. In accordance with ARS 9-835.I., by mutual agreement, the applicant and the City may engage in a 2<sup>nd</sup> review of an application as long as said 2<sup>nd</sup> review does not exceed the over-all time frame by 50%. The specific 1<sup>st</sup> and 2<sup>nd</sup> and over-all review timeframes for this application are provided above. Applicants may sign below, consenting to a 2<sup>nd</sup> review if necessary, within the stated prescribed timeframe. Your consent is not required at time of application submittal. Applicants who do not sign below will be contacted by City staff if a 2nd review is determined to be necessary prior to making an administrative decision on this application. Applications denied after the completion of the review cycle are eligible for re-application to address the code/policy deficiencies which were the basis for the application denial with the payment of a fee equal to 25% of original application fee amount. Said re-application shall occur within 90 days of the application denial.

I hereby consent to an extension of the stated Substantive Review timeframe for a maximum of \_\_\_\_\_ additional days.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Agreed to by City

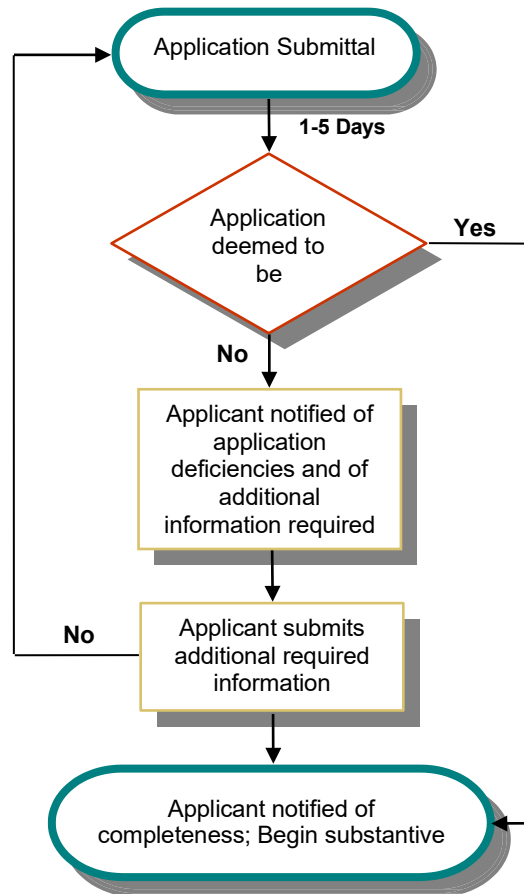
A. In any written communication between a city or town and a person, the city or town shall provide the name, telephone number and email address of the employee who is authorized and able to provide information about the communication if the communication does any of the following:

1. Demands payment of a tax, fee, penalty, fine or assessment.
2. Denies an application for a permit or license that is issued by the city or town.
3. Requests corrections, revisions or additional information or materials needed for approval of any application for a permit, license or other authorization that is issued by the city or town.

B. An employee who is authorized and able to provide information about any communication that is described in subsection A of this section shall reply within five business days after the city or town receives that communication.



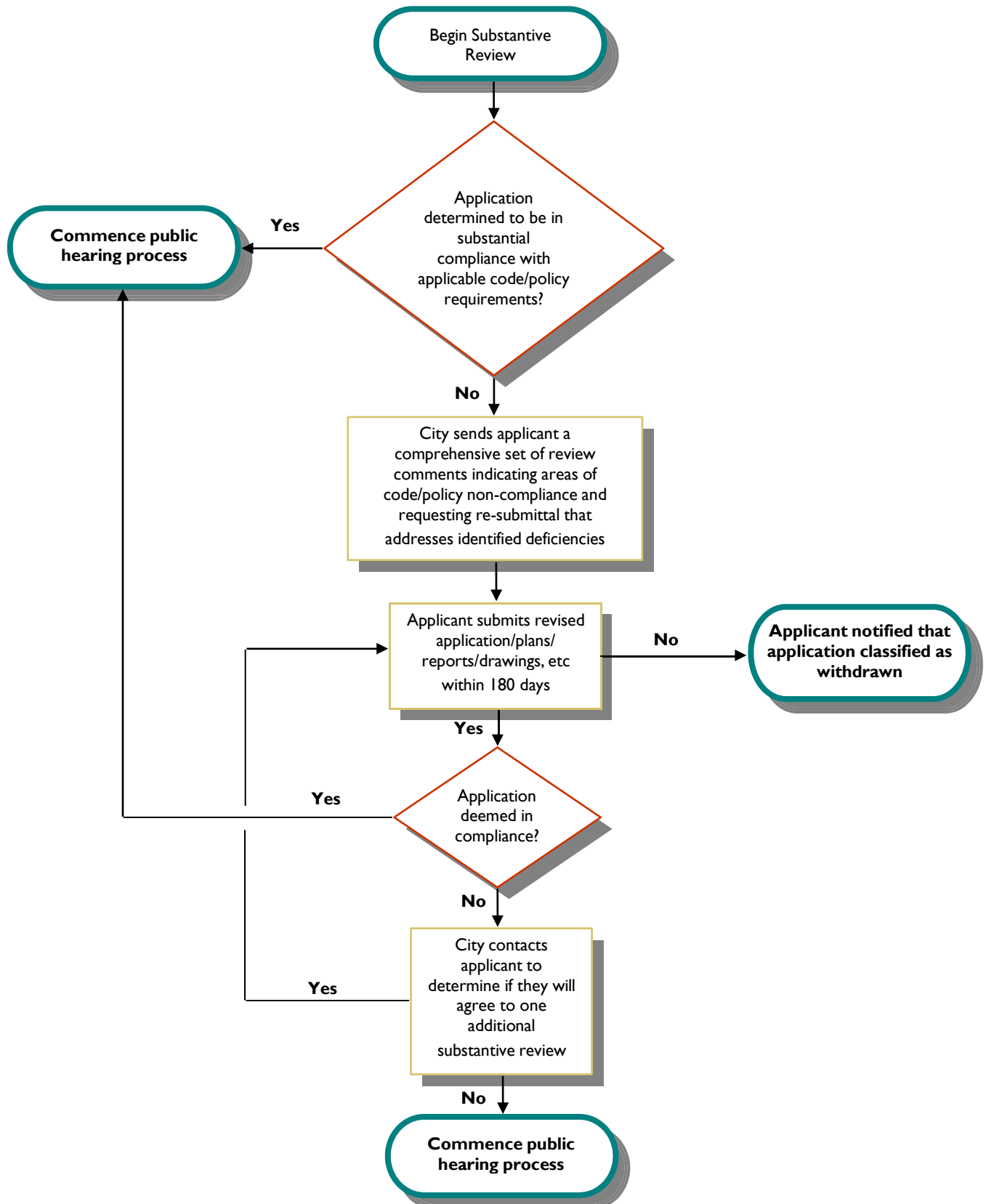
## Administrative Completeness Review Process



*\* All time frames are listed as business*



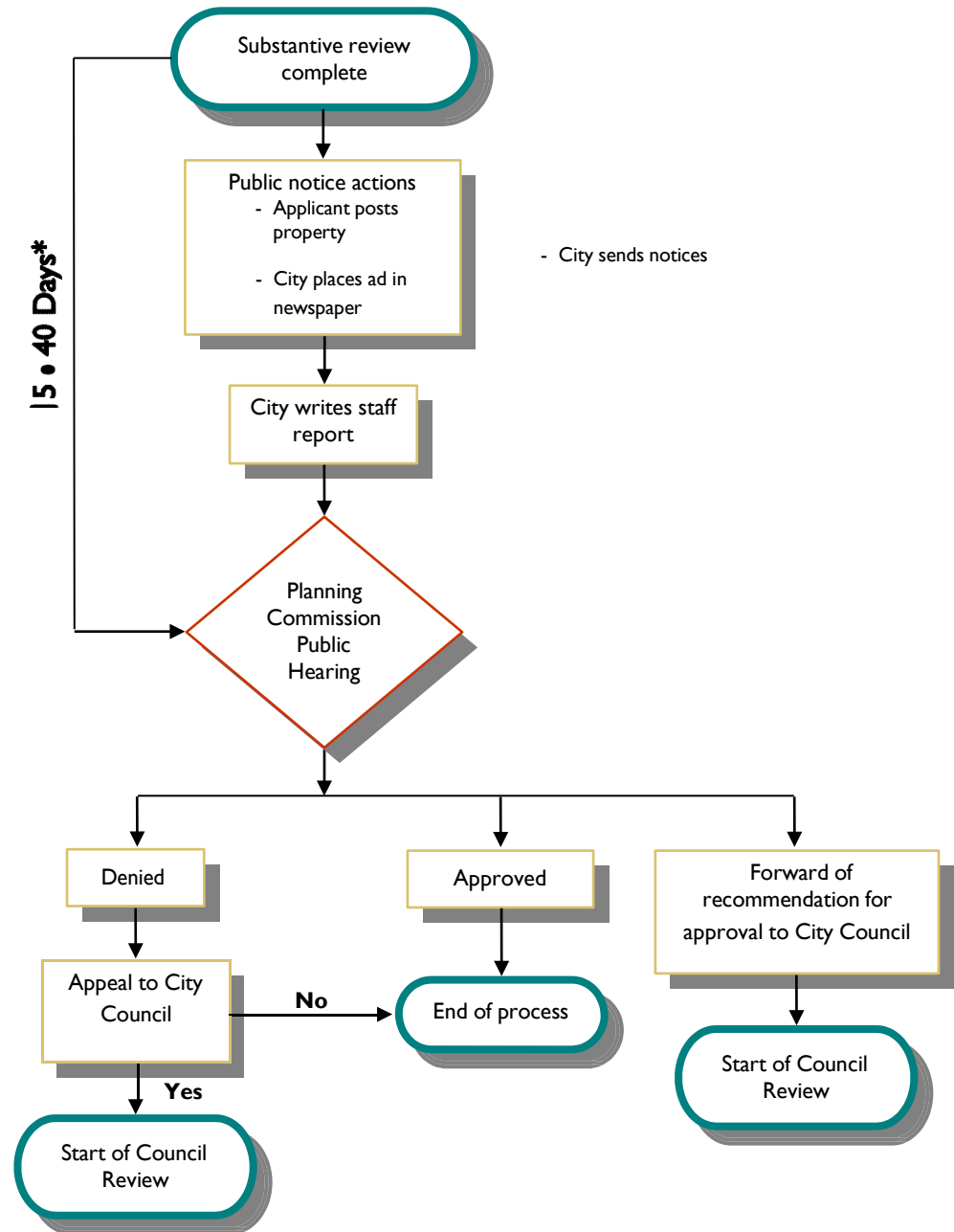
## Substantive Review Process







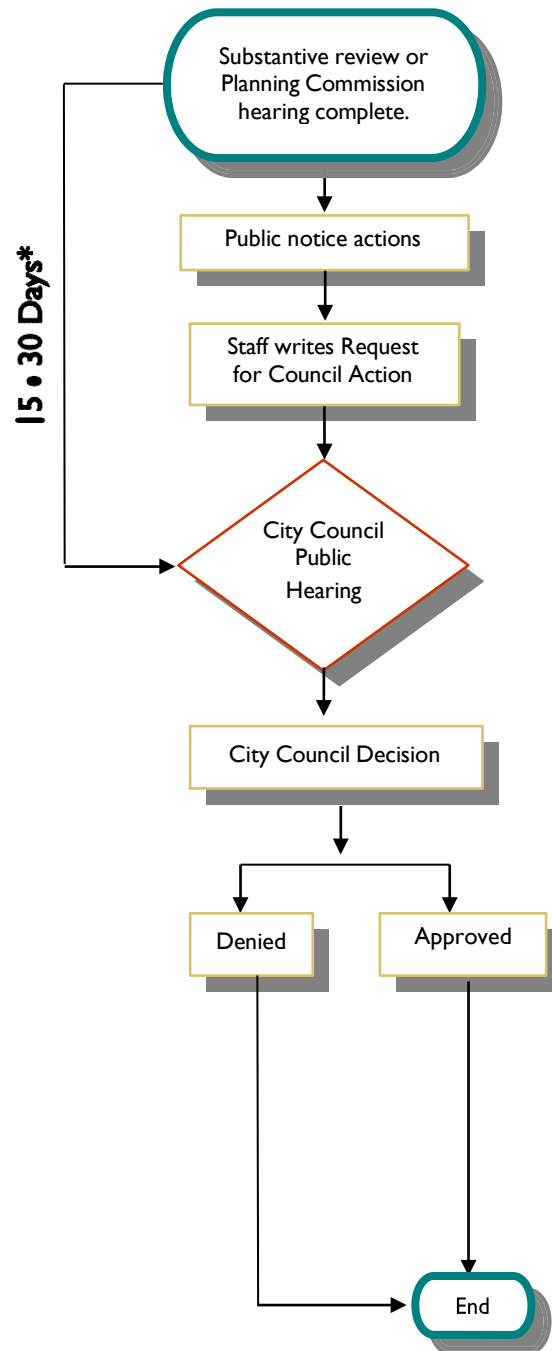
## Planning Commission Public Hearing Process



\* All times frames are listed as business days.



### City Council Public Hearing Process



*\* All times frames are listed as business days.*