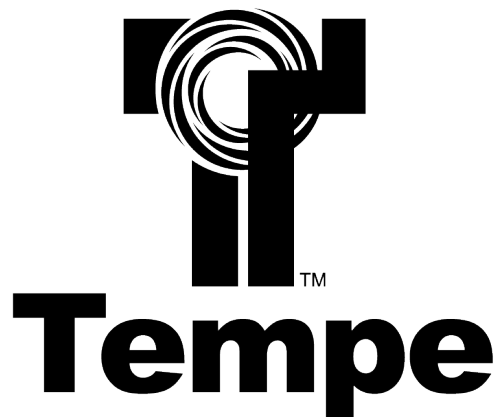


VARIANCE APPLICATION

COMMERCIAL + INDUSTRIAL + RESIDENTIAL + MIXED-USE

Variances grant deviation from development standards only if, 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 the property of privileges enjoyed by other property of the same classification in the same zoning district. Any variance granted is subject to conditions that 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 the property is located. Variances shall not be granted if the special circumstances applicable to the property are self-imposed by the property owner, make any changes in the uses and densities, or allow relief from any item expressly prohibited by the Zoning & Development Code.



Community Development Department

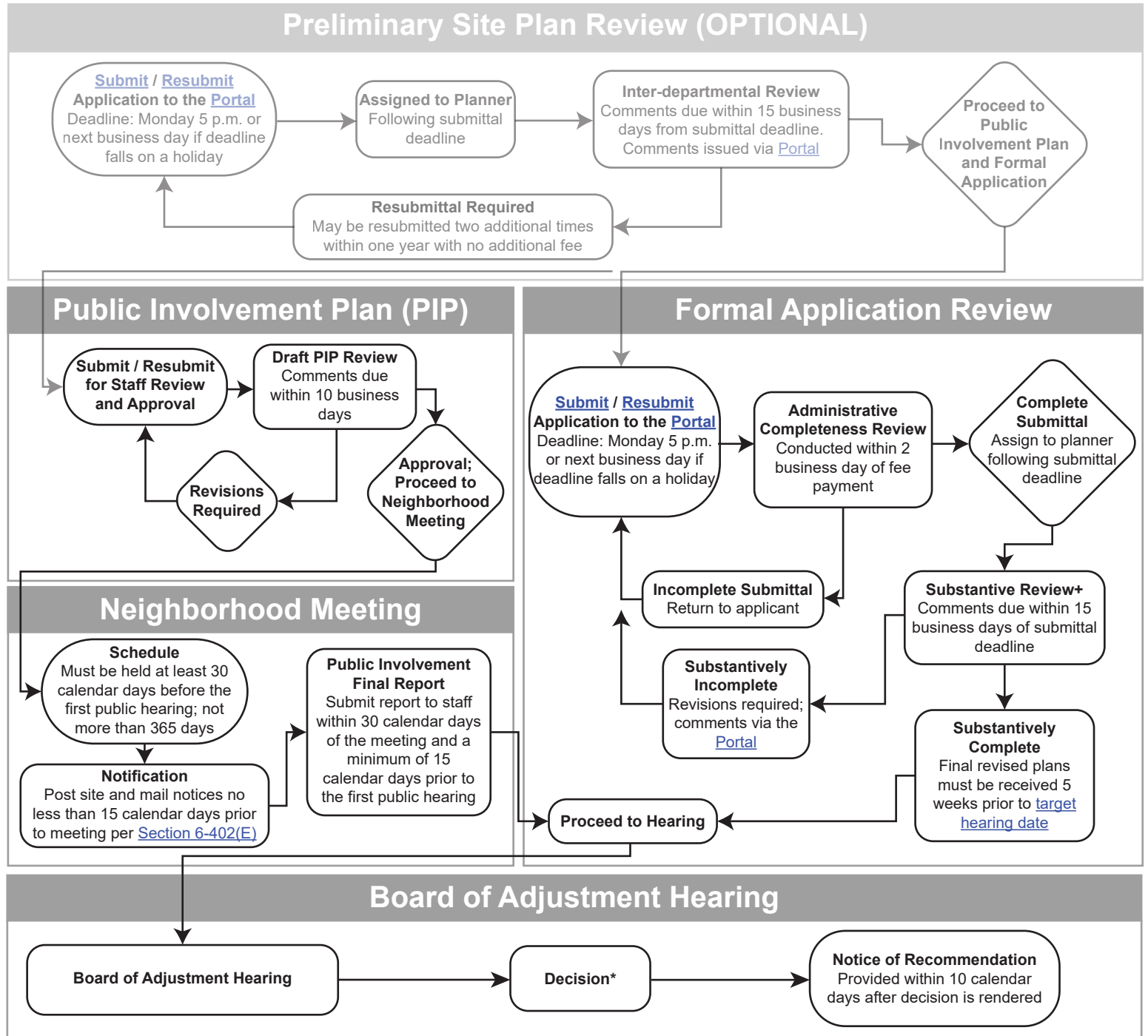
Planning Division

31 East 5th Street, Garden Level East Tempe, Arizona 85281 (480) 350-4311 or (480) 350-8400 TDD

Revised March 2, 2026

Variance Application Review & Hearing Process

City of Tempe
 Community Development Department
 31 East 5th Street, Garden Level, Tempe, Arizona 85281
 (480) 350-4311 Fax: (480)350-8677
 Planning Fax: (480) 350-8872
<http://www.tempe.gov/planning>



+Depending on scope of work

*Any appeal of a public meeting / hearing decision shall be filed pursuant to [Zoning and Development Code Part 6, Chapter 8, Appeals](#), no later than thirty (30) calendar days after the date on which the decision was rendered.

Variance Application Submittal Checklist



| | |
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| Provided | <p>SECTION A: Actions Required for a Complete Application <i>Applications with missing items from the checklist below will be deemed incomplete.</i></p> |
|-----------------|--|

| | |
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| <input type="checkbox"/> | <p>1. Correct Fee Payment(s) – Refer to Zoning and Development Fee Schedule <i>Application fees will be invoiced and made available for payment within (1) business day of initial submittal.</i></p> |
|--------------------------|---|

| | |
|--------------------------|--|
| <input type="checkbox"/> | <p>2. Online Submittal – All Attachments MUST be submitted to the Tempe Citizen Access Portal</p> <ul style="list-style-type: none"> <input type="checkbox"/> All documents and plans must be in Portable Document Format (PDF) compatible with Adobe Acrobat Pro DC <input type="checkbox"/> PDFs shall be flattened, first generation, vector-based file (direct conversion from AutoCAD, ArchiCAD, MS Word, etc.) and shall have security settings set to "Allowed" to allow plan reviewers to place comments on plans <input type="checkbox"/> If a plan has multiple required sizes, please submit 1 copy in each size <input type="checkbox"/> Sheets within each PDF shall be organized in the same order as listed on this application submittal checklist. <p>Complete submittals shall include the following attachments: Attachments with * are only required under specific conditions</p> <p>Section B: Documents – Submit as individual 8 ½" x 11" PDFs</p> <ul style="list-style-type: none"> • B1_ProjectName_PlanningApplicationt.pdf • B2_ProjectName_AffidavitofPublicNotification.pdf • B3_ProjectName_LetterOfExplanation.pdf • B4_ProjectName_ContextPhotos.pdf • B5_ProjectName_PublicInvolvementPlan.pdf <p>Section C: Plans – Submit as two separate PDF files with the same drawings of different sizes</p> <ul style="list-style-type: none"> • C_ProjectName_Plans8.5x11.pdf • C_ProjectName_Plans24x36.pdf <p>*Section D: Additional Items – Submit as individual 8 ½" x 11" PDFs</p> <ul style="list-style-type: none"> • D1_ProjectName_DevelopmentPlanReview.pdf • D2_ProjectName_TenantList.pdf |
|--------------------------|--|

| | |
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| Provided | <p>SECTION B: 8 ½" x 11" Documents Required for a Complete Application <i>Documents should be submitted in a single 8 ½" x 11" PDF named 1_ProjectName_Documents</i> <i>Applications with missing items from the checklist below will be deemed incomplete.</i></p> |
|-----------------|--|

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| <input type="checkbox"/> | <p>1. Planning Application with Property Owner Authorization <i>A written statement authorizing the applicant to file the application(s) may be provided in lieu of owners signature on the form. Project and applicant information provided on the form shall be consistent with the information provided for the Planning Project record in the Tempe Citizen Access portal.</i></p> |
|--------------------------|--|

| | |
|--------------------------|---|
| <input type="checkbox"/> | <p>2. Affidavit of Public Notification</p> |
|--------------------------|---|

Variance Application Submittal Checklist



SECTION B: Continued

3. Letter of Explanation

The letter must provide a brief statement identifying the project goals and objectives. The letter must also provide a project description, state the specific variance requested, and what special circumstances affect the property which makes it different from the nearby properties. The letter must include justification that demonstrates how the application conforms to Zoning and Development Code Criteria Section 6-309(D):

- a) That there are special circumstances or conditions applying to the property, including its size, shape, topography, location or surroundings; and
- b) The strict application of the Zoning and Development Code will deprive such property of privileges enjoyed by other properties of the same classification in the same zoning district; and Materials are of a superior quality, providing detail appropriate with their location and function while complementing the surroundings;
- c) 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; and
- d) A variance may not be granted if the special circumstances applicable to the property are self-imposed by the property owner.

Variances shall not:

- a) Make any changes in the uses and densities permitted in any zoning classification or zoning district, or
- b) Allow relief from any item expressly prohibited by this Code. The above criteria are used to evaluate the requested application.

4. Context Photos

- Provide photo location map cover sheet
- Photos are to be taken at the curb and along property boundaries to explain perimeter conditions
- Photos to be taken at each property corner and in each cardinal direction (north, south, east, west)
- Each photo shall be numbered to correspond with direction and location as identified in photo location map cover sheet
- Limit 6 photos per sheet

5. Public Involvement Plan

Staff must review and approve the Public Involvement Plan (PIP) prior to starting the public notification process. Each item listed below must be addressed in the PIP:

- Cover page with information such as the project name, address, general cross streets, and case number(s)
- Description of the proposed project, including the specific entitlement request(s)
- Draft copy of your notification letter and sign text in the plan for staff to review
- Describe the proposed format of the neighborhood meeting
- Assess whether language translation is needed for the notification and/or neighborhood meeting.
- Notification:
 - Notification area map and a list of the property owners who will be notified.
 - List any Registered Neighborhood and Homeowners' Associations, and their representatives, who will be notified.
 - Notification must occur a minimum of 15 days prior to the neighborhood meeting.
 - Prior to any notification being issued, confirm the date of the neighborhood meeting to ensure City Planning staff attendance
- Identify stakeholders affected by your proposal and concerns or issues these individuals may have
- State how individuals will be informed of any significant changes to the proposed development after the neighborhood meeting
- Schedule with estimated dates for completion of the Public Involvement Final Report.

Full instructions for creating a Public Involvement Plan and Public Involvement Final Report is provided in the [PIP Manual](#); Neighborhood Meeting Requirements are provided in the Zoning and Development Code Section 6-402: [Neighborhood Meetings](#).

Variance Application Submittal Checklist



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|---------------------------------|---|
| <p>Provided</p> | <p>SECTION C: 8 ½”x 11” and 24”x 36” Plans Required for a Complete Application</p> <p><u>Applications with missing items from the checklist below will be deemed incomplete.</u> Submit as two separate PDF files with the same drawings of different sizes</p> <ul style="list-style-type: none"> • C_ProjectName_Plans8.5x11.pdf • C_ProjectName_Plans24x36.pdf <p>DO NOT provide duplicate plan sets if a project requires multiple application types (i.e., Use Permit, Use Permit Standard, Variance, etc.). If a project requires concurrent applications, provide ONE SET OF PLANS for each required sheet size.</p> |
| <p><input type="checkbox"/></p> | <p>1. Site Plan</p> <p>Plans must include the following information in a project data table:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Contact name, address, phone, email <input type="checkbox"/> Project Title, Site Address, and Assessor Parcel Number or Legal Description <input type="checkbox"/> Existing General Plan Projected Land Use / Projected Density and Proposed General Plan Land Use / Density categories <input type="checkbox"/> Zoning (existing and proposed) <input type="checkbox"/> Net Site Area (and gross, if any portion of property is to be dedicated for right-of-way), in square feet and acres <input type="checkbox"/> Total net building area: breakout existing and proposed building areas <input type="checkbox"/> Square footage: for each building / tenant space and total <input type="checkbox"/> List of proposed uses and the square footage of each use <input type="checkbox"/> Required and Provided Development Standards for the Zoning District(s) and applicable Overlay District(s), which includes the following: <ul style="list-style-type: none"> <input type="checkbox"/> Density (du/ac); maximum allowed and proposed <input type="checkbox"/> Minimum Net Lot Area per Dwelling Unit (square feet) <input type="checkbox"/> Building Height (feet and inches); maximum allowed and proposed (taken from grade, meaning top of curb, or top of crown of a street where no curb exists, as established at the midpoint of the front of the lot; NOT finished floor) <input type="checkbox"/> Lot Coverage (percentage and square-footage); maximum and/or minimum required and proposed <input type="checkbox"/> Landscape (percentage and square-footage); minimum required and proposed. Provide a separate number for landscape area in rights-of-way (square-footage) <input type="checkbox"/> Building Setbacks (feet and inches); minimum and/or maximum required and proposed, measured from property lines <input type="checkbox"/> Vehicle Parking (required and provided); tabulate per use/unit type and net floor area, excluding thickness of exterior walls <input type="checkbox"/> Bicycle Parking (minimum required and proposed); tabulate per use/unit type and area, excluding thickness of exterior walls, and specify if site is in the bicycle commute area <input type="checkbox"/> Number and type (# of bedrooms) of residential units and total <input type="checkbox"/> Building Code related data: <ul style="list-style-type: none"> <input type="checkbox"/> Type of construction per Building Code <input type="checkbox"/> Occupancy Classification (if applicable) <input type="checkbox"/> Occupant Load per Occupancy (if applicable) <input type="checkbox"/> Separated Use OR Non-Separated Use <input type="checkbox"/> Sprinklers / Fire Alarms (provided or not provided) <p>Plans must provide the following detail and information:</p> <ul style="list-style-type: none"> <input type="checkbox"/> For larger projects, provide an overall site plan <input type="checkbox"/> Both graphic and numeric scales (use engineer’s scale) <input type="checkbox"/> North arrow oriented in the same direction as the plan, either up (preferred) or to the right on the sheet <input type="checkbox"/> Blackline location/vicinity map, oriented in the same direction as the plan <input type="checkbox"/> Property boundaries identified with dimensioned property lines <input type="checkbox"/> Identify adjacent land use types and zoning districts <input type="checkbox"/> Identify all adjacent structures, driveways, and streets <input type="checkbox"/> Show existing and proposed adjacent street and alley right-of-way widths <input type="checkbox"/> Location and width of all proposed and existing (to remain) easements, both public and private. Do not show easements that will be abandoned <input type="checkbox"/> Show existing (to remain) and proposed street and sidewalk improvements, dimensioned to centerline of the street <input type="checkbox"/> Dimension width of accessible routes from public way to building entrance(s) <input type="checkbox"/> Show and fully dimension all existing (to remain) and proposed buildings/structures <input type="checkbox"/> Identify locations of all first-floor exterior building entrances/exits and windows <input type="checkbox"/> Dimension distances between all buildings/structures and all property lines; do not show maximum building envelope <input type="checkbox"/> Show location of all walls/fences and note height, material, and finish <input type="checkbox"/> Show driveway locations, dimensions, and note city detail numbers <input type="checkbox"/> Identify all proposed pavement types (asphalt, brick/concrete pavers, stamped concrete, stabilized decomposed granite, etc.) <input type="checkbox"/> Show vehicle (standard & accessible) and bicycle parking areas, typical space dimensions and number of spaces for each row of parking, dimension of vehicle overhangs, drive aisle widths, and turn radii |

Variance Application Submittal Checklist



SECTION C: Continued

1. Site Plan (Continued)

Plans must provide the following detail and information:

- Location of light fixtures and fire hydrants, both on-site and off-site (if expected to serve the development)
- Location of electric service entrance section (S.E.S.), gas meter, transformer, water meter, and back flow prevention devices
- Location of refuse enclosure(s) for both trash and recycle per City of Tempe Public Works Department Detail DS-116; all drive aisles and turning radii used for ingress and egress must be marked on plans and fully dimensioned

2. Blackline Building Elevations

Required for exterior building modifications

- Elevations of all building sides
- A single material and finish schedule identifying all materials, manufacturers of materials, colors, and finishes, corresponding to notes on drawings.
- A separate set of keynotes for non-building elements, e.g. rooftop mechanical units beyond parapet, address numerals, and light fixtures.
- All patio materials and appliances (heaters, misters, fans, televisions, speakers, lights)
- Wall-mounted light fixtures
- Location of address numerals
- Dimensions of building height (taken from grade, meaning top of curb, or top of crown of a street where no curb exists, as established at the midpoint of the front of the lot; NOT finished floor)
- Dimension overall length of building on each elevation
- Show location of all rooftop mechanical equipment and proposed screening methods. Top of rooftop units shall be lower than the building parapet wall. All rooftop drains should be internally piped.
- Do not show shadows or simulated backgrounds (i.e. sky, terrain, adjacent buildings & structures, etc.)

3. Building Sections

Required for modifications to the building area

- A minimum of two (2) cross-sections per building, taken in opposite directions.
- Dimension the following, measured from grade: maximum building height; penthouse or roof structures for elevators and stairs; towers; chimneys; fire walls; spires; crosses; clock towers, and other architectural features.
- Dimension length of building wall; floor to ceiling heights; distance awnings, balconies and arcades project from building walls; height of balcony walls/railings.
- Show HVAC and other rooftop mechanical equipment, dimension height above roof and screening method

4. Floor Plans

Required for modifications to the building area

- Show complete floor layout and label the use of each room
- Dimension buildings, individual rooms, and balconies
- Locations of windows and doors
- Location of all electrical equipment including SES, panels, transformers etc.
- Location and dimensions of restroom facilities
- Location, dimensions and details of bar/dining seating, sales/service counters, etc.
- Furnishing layout, including patio furniture (umbrellas, fire pits, heaters, etc.)
- Identify location and direction of building sections

Variance Application Submittal Checklist



| <i>Provided</i> | <p>SECTION D: Additional Items Contingent on Scope of Work</p> <p><i>Items from the checklist below are only required under certain conditions</i></p> | | | | | | | | | | | | | | | | | | | | |
|--------------------------|---|---------------|---------|-------|-------|-----|--------------------|--------------------------|-------|----|-------|---------------|--------------------------|-------|----|-------|---------------|---------------------|-------|----|-------|
| <input type="checkbox"/> | <p>1. <u>Development Plan Review Application</u></p> <p><i>For any commercial, industrial, multi-family, or mixed-use project new or existing, where modifications are made to the exterior of the building or the site, a Development Plan Review is also required. The Variance request will be processed with the proposed Development Plan Review, when possible, to expedite the entitlement process.</i></p> | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | <p>2. Tenant List</p> <p><i>Applicable when the site proposed for the variance has multiple owners or tenants on site</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> List to include all tenants within the boundary of the subject property(ies); if a part of a commercial or industrial center, list must include tenants of the entire center. Provided in both an 8 1/2 " x 11" PDF and Excel Spreadsheet. <input type="checkbox"/> Submit tenant's name, address, suite number, city, state and zip code <input type="checkbox"/> Font should be all CAPS <input type="checkbox"/> 5-digit ZIP code required, 9-digit ZIP code optional <input type="checkbox"/> Street and State designation abbreviations acceptable <input type="checkbox"/> Submit an electronic spreadsheet in Microsoft Word or Excel. See example below: <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>BUSINESS NAME</th> <th>ADDRESS</th> <th>CITY</th> <th>STATE</th> <th>ZIP</th> </tr> </thead> <tbody> <tr> <td>JOHN'S SHOE REPAIR</td> <td>111 S MCCLINTOCK DR #101</td> <td>TEMPE</td> <td>AZ</td> <td>85281</td> </tr> <tr> <td>SANDWICH SHOP</td> <td>111 S MCCLINTOCK DR #102</td> <td>TEMPE</td> <td>AZ</td> <td>85281</td> </tr> <tr> <td>NAILS BY MARY</td> <td>113 S MCCLINTOCK DR</td> <td>TEMPE</td> <td>AZ</td> <td>85281</td> </tr> </tbody> </table> | BUSINESS NAME | ADDRESS | CITY | STATE | ZIP | JOHN'S SHOE REPAIR | 111 S MCCLINTOCK DR #101 | TEMPE | AZ | 85281 | SANDWICH SHOP | 111 S MCCLINTOCK DR #102 | TEMPE | AZ | 85281 | NAILS BY MARY | 113 S MCCLINTOCK DR | TEMPE | AZ | 85281 |
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| NAILS BY MARY | 113 S MCCLINTOCK DR | TEMPE | AZ | 85281 | | | | | | | | | | | | | | | | | |