

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

HOUSE BILL 2209

AN ACT

AMENDING SECTION 11-807, ARIZONA REVISED STATUTES; RELATING TO COUNTY BOARDS OF ADJUSTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-807, Arizona Revised Statutes, is amended to
3 read:

4 11-807. Boards of adjustment; powers; appeals

5 A. There shall be one or more boards of adjustment composed of not
6 less than three nor more than five members each, one of which shall be
7 appointed in and shall have jurisdiction in each supervisorial district in
8 which the zoning ordinance has been applied. The members of each board shall
9 be appointed for staggered terms of four years each. They shall be residents
10 and taxpayers ~~of the unincorporated area~~ of the district from which
11 appointed.

12 B. The board of adjustment may:

13 1. Interpret the zoning ordinance when the meaning of any word, phrase
14 or section is in doubt, when there is dispute between the appellant and
15 enforcing officer, or when the location of a district boundary is in doubt.

16 2. Allow a variance from the terms of the ordinance when, owing to
17 peculiar conditions, a strict interpretation would work an unnecessary
18 hardship, if in granting such variance the general intent and purposes of the
19 zoning ordinance will be preserved.

20 C. Appeals to an adjustment board may be taken by any person who feels
21 that there is error or doubt in the interpretation of the ordinance or that
22 due to unusual circumstances attaching to ~~his~~ THE PERSON'S property an
23 unnecessary hardship is being inflicted on ~~him~~ THE PERSON. The appeal shall
24 state whether it is a plea for an interpretation or a variance and the
25 grounds for the appeal.

26 D. Any person aggrieved in any manner by an action of a board of
27 adjustment may within thirty days appeal to the superior court, and the
28 matter shall be heard de novo as appeals from courts of justices of the
29 peace.