

REFERENCE TITLE: county boards of adjustment; qualifications

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

## **HB 2209**

Introduced by  
Representatives Carruthers, Huffman, Senator Guenther: Representatives  
Allen, Cannell, Miranda

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 property an unnecessary  
23 hardship is being inflicted on him. The appeal shall state whether it is a  
24 plea for an interpretation or a variance and the grounds for the appeal.

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