



Planning & Development
Department
**DRAINAGE REVIEW BOARD
VARIANCE**



SUBMITTAL FORMS INDEX

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Maricopa County Planning & Development
Department

**DRAINAGE REVIEW BOARD
APPLICATION INSTRUCTIONS**



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- APPLICATION SUBMITTAL DEADLINE IS **12:00 NOON** ON THE CLOSING DATE:
 - A PRE-APPLICATION MEETING IS REQUIRED PRIOR TO SUBMITTING THE APPLICATION. Please call **602-506-4181** to set up an appointment.
 - INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED. APPLICATION(S) DETERMINED TO BE INCOMPLETE SHALL NOT BE PROCESSED BY STAFF.
-

DOCUMENTATION REQUIRED FOR SUBMITTAL

- 1. ONE COPY OF THE COMPLETED APPLICATION AND SUPPLEMENTAL QUESTIONNAIRE:**
 - a) The application must be TYPED or PRINTED LEGIBLY IN BLACK INK. Additional information may be attached to the supplemental questionnaire as needed.
 - b) The application must be signed by the owner of the subject property as applicant, or accompanied by a Property Owner Authorization form at the time of submittal.
 - c) If the application is submitted for an Interpretation of the Drainage Regulations, a narrative report describing the requested interpretation must be submitted as part of the application.
- 2. TWO OFFICIAL RECORDED COPIES of the most CURRENT deed.** Copies of **patent or recorded easements** on the property must also be submitted, if applicable. Patent Easement information can be obtained through the Bureau of Land Management (B.L.M.) (602) 417-9200.
- 3. FINANCIAL RESPONSIBILITY – 1 copy**
- 4. TEN COPIES (folded if 24" X 36") OF THE GRADING AND DRAINAGE PLAN of the property, indicating the following:**
 - a) North arrow and scale (written and graphic to scale) shown on plan.
 - b) All property lines with dimensions shown.
 - c) Location and dimensions of all existing and proposed structures (including flood control features, retention basins, fences, signs and pools) from property lines and distance between structures.

DRAINAGE REVIEW BOARD APPLICATION INSTRUCTIONS

ALL STRUCTURES ON THE PROPERTY MUST BE SHOWN AND DIMENSIONED ON THE GRADING AND DRAINAGE PLAN, EVEN IF THE STRUCTURE IS NOT A PART OF THE VARIANCE REQUESTED.

- d) Location and width of dedicated streets, recorded easements and drainage easements (provide docket number), and patent easements on or adjacent to property (include names of streets if applicable).
 - e) Location of all existing wash features and floodplains.
5. **TWO COPIES (folded if 24" X 36") OF FLOOR PLAN AND ELEVATIONS** of all existing or proposed buildings or additions pertinent to the request. Include elevations of any other structures pertinent to the Variance (e.g., signs, fences, etc.).
6. Any site plan, floor plan and/or elevation submitted on a sheet size larger **than 8-1/2" x 11" must be accompanied by a REDUCED COPY 8 1/2" x 11"** of said plan. **NO plans drawn on a sheet size larger than 24" x 36" will be accepted.**
7. **PHOTOGRAPHS OF THE PROPERTY**, showing the following:
- a) Neighboring properties looking out from all sides of the property.
 - b) The subject property looking in from all sides of the property.
 - c) Provide any additional pictures that may assist the Drainage Review Board in making their decisions.

All pictures are to be mounted on 8-1/2" x 11" sheets. Digital photos are preferred. Each picture needs to be labeled indicating what direction the picture faces and in what location the picture is taken. A site plan or key map may also be used in conjunction with the pictures with notations showing what direction the picture faces and where it is taken.

8. **NOTIFICATION REQUIREMENTS TO SURROUNDING PROPERTY OWNERS.** The applicant must submit the names of the property owners within 300 feet of the boundary of the subject property. Properties located in platted subdivision may provide names of the property owners directly surrounding the subject property. The names of the surrounding property owners must be submitted on mailing labels (8 1/2" x 11" labels sheets preferred). A blank, stamped envelope for each surrounding property owner shall also be included. Also required is an Affidavit of Notification (provided by the County) which must be signed by the applicant and notarized.

The names of the surrounding property owners can be obtained from the Maricopa County Assessor's Office, located at 301 West Jefferson, first floor. This information can also be obtained through the Assessor's web site at:

<http://www.maricopa.gov/Assessor/GIS/map.html>.

Maricopa County will prepare a letter notifying the surrounding property owners of the type of request, the location, date and time of the hearing. The notification letter will be sent to the surrounding property owners using the labels/envelopes provided by the applicant.

DRAINAGE REVIEW BOARD APPLICATION INSTRUCTIONS

9. **FEES:** Appeal and variance fees are **\$1,000.00 for Commercial and Subdivisions, \$250.00 for all other sites.** There are also Environmental Services Department fees of **\$25.00**, Addressing Fees of **\$10.00** (verification) or **\$50.00** (new addresses) in addition to the base variance fee(s). All fees are non-refundable. FEES ARE DOUBLED IF THE VARIANCE IS THE RESULT OF A CODE VIOLATION CASE.

All information required for the application package must be complete and in order.

Incomplete applications will not be accepted.

DRAINAGE REVIEW BOARD PROCESS

Procedure for making application to the Drainage Review Board as provided in the Maricopa County Drainage Regulations (Chapter 5, Sections 502 and 503):

1. **Submit** the completed application package in person to the Planning and Development Department, located at:

**MARICOPA COUNTY PLANNING AND DEVELOPMENT DEPARTMENT
501 North 44th Street, Suite 200
Phoenix Arizona 85008**

Applications will not be accepted via mail.

2. **After it has been determined** that the application package is complete (see instructions for application package submittal requirements), the filing fee per Drainage Regulation requirement is to be paid by the applicant (**check should be made payable to "Maricopa County"**). A receipt will then be issued, a case number assigned, and a **tentative hearing date** before the Drainage Review Board established.
3. Applicants will be provided written notice of the time, date and place of hearing approximately five working days prior to the date of the hearing. The **Drainage Review Board meets at 9:30 a.m. in the Board of Supervisors' Auditorium at 205 West Jefferson Avenue**, unless notified otherwise.
4. It is the applicant's responsibility to provide supporting information and/or evidence to the Drainage Review Board explaining why a request should be granted. This information/evidence should be submitted as a part of the application. Additional information may also be presented at the Board's hearing on the matter.
5. A letter indicating the Board's action on the request will be sent to all applicants within one week after the Board's hearing on the matter.



**Planning & Development
Department
Drainage Review Board
APPLICATION**



APPLICATION MUST BE COMPLETED IN FULL
ALL FEES ARE DUE AT TIME OF APPLICATION AND ARE NON-REFUNDABLE

Is this subject property within a floodway or floodplain? Yes No

REQUEST:

Description of Request: _____
 Existing Use of Property: _____
 Existing Zoning District: _____
 Related Case Number(s): _____

PROPERTY INFORMATION:

Address (if known): _____
 General Location (include nearest city/town): _____
 Size in Acres: _____ Square Feet: _____
 Legal Description: _____ Section: _____ Township: _____ Range: _____
 Assessor's Parcel Number: _____
 Subdivision Name (if applicable): _____

APPLICANT INFORMATION:

Name: _____ Contact: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone #: _____ Fax #: _____ E-mail Address: _____

PROPERTY OWNER INFORMATION:

Name: _____ Contact: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone #: _____ Fax #: _____ E-mail Address: _____

PROPERTY OWNER AND APPLICANT AUTHORIZATION

I (property owner) _____ authorize (applicant's name) _____
 to file this application on all matters relating to this request with Maricopa County. By signing this form as the
 property owner I hereby agree to abide by any and all conditions that may be assigned by the Maricopa County
 Board of Supervisors, Maricopa County Planning and Zoning Commission, or Maricopa County Planning and
 Development Department staff as applicable, as part of any approval of this request, including stipulations,
 development agreements, and/or any other requirement that may encumber or otherwise affect the use of my
 property.

PROPOSITION 207 WAIVER

The property owner acknowledges that the approval being sought by this application may cause a reduction in the
 existing rights to use, divide, sell or possess the private property that is the subject of this application. The property
 owner further acknowledges that it is the property owner who has requested the action sought by the filing of this
 application. Therefore, with full knowledge of all rights granted to the property owner pursuant to A.R.S. §§12-1132
 through 1138, the property owner does hereby waive any and all claims for diminution in value of the property with
 regard to any action taken by Maricopa County as result of the filing of this application.

Property Owner Signature: _____ Date: _____



Planning & Development
Department



ADDENDUM: PERSONAL GUARANTEE OF FINANCIAL RESPONSIBILITY

I, _____, hereby absolutely, unconditionally and irrevocably
(print name)

guarantee to Maricopa County the prompt payment of any and all fees and charges in connection with this application, including any fees incurred if this application is withdrawn, and the property for which the application made, without the necessity of Maricopa County first seeking payment from the named applicant.

All outstanding fees and fines against a property owed to the Department must be current and paid in full before any application will be scheduled for hearing or administrative approval as applicable.

Signature of Guarantor: _____

Date: _____



Planning & Development
Department



DRAINAGE REVIEW BOARD
VARIANCE SUPPLEMENTAL QUESTIONNAIRE

Section 503.2.: Before granting a variance the Drainage Review Board shall find that each of the following criteria are met:

- a. The grant will not result in an increase in the 100-year peak flow or discharge; and
- b. By reason of special physical circumstances, location or surroundings of the property, strict application of the Regulation would deprive the property of privileges enjoyed by similar property; and
- c. The variance would not constitute a grant of special privilege inconsistent with the limitations on similar property; and
- d. The variance request is the minimum necessary, considering the flood hazard, to afford relief; and
- e. There is a showing of good and sufficient cause; and
- f. Failure to grant the variance would result in exceptional hardship to the applicant; and
- g. Granting the variance will not result in additional threats to public safety, health, welfare, or extraordinary public expense, create a nuisance, the victimization of or fraud on the public and that the variance does not conflict with existing local laws or ordinances.

1. Explain why you wish to use the property without meeting the present drainage requirements.

2. Identify and explain all unique and peculiar circumstances on your property in regard to the following areas (slope, narrowness, shallowness, irregular shape, location, floodplain, washes, and drainage easements, etc.)

3. Identify and explain any peculiar conditions in the surrounding area which would support your request.

4. Attach any additional comments regarding your request that you would like to provide.

5. List all attached information.

DRB Case No.:
Staff Use only



Planning & Development
Department
DRAINAGE REVIEW BOARD
DRAINAGE VARIANCE
CHECKLIST



Procedure for making an application for a Drainage Variance, as provided in the Maricopa County Drainage Regulations, Chapter 5, Section 503.

A general application for a variance to the Drainage Regulations, the application, fee, and all supporting materials listed below shall be submitted to the Maricopa County Planning & Development Department.

INFORMATION REQUIRED FOR SUBMITTAL

1. **APPLICATION:** The application is to be completed in full. Staff will only accept a completed application form.
2. **COPY OF OFFICIAL RECORDED DEED** (proof of ownership).
3. **TEN SITE PLANS** (24" X 36") folded.
4. **TWO COPIES OF FLOOR PLANS AND ELEVATIONS** (if applicable) folded.
5. **REDUCED COPY (8-1/2" X 11") OF SITE PLANS, FLOOR PLANS AND ELEVATIONS** (if applicable)
6. **SUPPLIMENTAL QUESTIONNAIRE**
7. **PROPERTY OWNER AUTHORIZATION**
8. **FILING FEES:**
Application Drainage Review: \$1,000 (commercial & subdivisions) or \$250 (all other sites)
Environmental: \$25.00
Addressing: \$10.00 verification \$50.00 new address
9. **PHOTOGRAPHS OF THE SITE**
10. **SUPPORTING MATERIALS:** Any information deemed necessary by staff.
11. **PRE-APPLICATION FORM**
12. **FINANCIAL RESPONSIBILITY**



Planning & Development
Department



PROPERTY OWNER AUTHORIZATION

FORM MUST BE COMPLETED IF THE APPLICANT IS NOT THE PROPERTY OWNER

Date: _____

I hereby authorize: (name) _____
(address) _____
(city, state, zip) _____

to file this application on my behalf, and to act on my behalf on all matters relating to this request with Maricopa County. By signing this property owner authorization form, I also agree to abide by any and all conditions that may be assigned by the Maricopa County Board of Supervisors, Maricopa County Planning and Zoning Commission, or Maricopa County Planning and Development Department staff as applicable, as part of any approval of this request, including stipulations, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.

Property Owner Signature: _____

Printed Name: _____

Date: _____

DEPARTMENT USE ONLY

Tracking Number: _____

Project Name: _____



Planning & Development
Department



AFFIDAVIT OF NOTIFICATION

Date: _____

I, _____, being the owner or authorized applicant for the Maricopa County planning case referenced below, do hereby affirm that the attached listing of names and addresses accurately reflects the ownership of property within 300 feet of the subject planning case/project, according to current Maricopa County Assessor Records.

Applicant's/Owner's Signature: _____

SUBSCRIBED AND SWORN before me this _____ day of _____, _____.

Notary Public

My Commission Expires: _____



**Planning & Development
Department**

2009 FILING DEADLINES AND HEARING DATES



DRAINAGE REVIEW BOARD	
Variance, Interpretation, and Appeal of Staff Decision	
Hearing dates are tentative.	
Held in the Board of Supervisors Auditorium, 205 West Jefferson, Phoenix, AZ 85003	
Application Deadline 12:00 Noon	Drainage Review Board Hearing
December 2, 2008	January 7, 2009
January 6, 2009	February 18, 2009
February 3, 2009	March 11, 2009
March 3, 2009	April 8, 2009
April 7, 2009	May 13, 2009
May 5, 2009	June 10, 2009
June 2, 2009	July 8, 2009
July 7, 2009	August 12, 2009
August 4, 2009	September 9, 2009
September 1, 2009	October 14, 2009
October 6, 2009	November 11, 2009
November 3, 2009	December 9, 2009
December 1, 2009	January 13, 2010*

*January date is tentative