



Planning & Development
Department
APPEAL AND INTERPRETATION



SUBMITTAL FORMS INDEX

APPEAL APPLICATION INSTRUCTIONS	518
APPEAL APPLICATION	511
APPEAL SUPPLEMENTAL QUESTIONNAIRE	513
AFFIDAVIT OF NOTIFICATION	505
BOARD OF ADJUSTMENT HEARING DATES	515
INTERPRETATION CHECKLIST	500-I



Planning & Development Department

APPEAL AND INTERPRETATION PROCEDURES AND REQUIREMENTS



- SUBMITTAL DEADLINE IS **12:00 NOON** ON THE CLOSING DATE.
 - A PRE-APPLICATION MEETING IS REQUIRED PRIOR TO THE CLOSING DATE.
Please call 602-506-4181 to set up an appointment.
 - INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED.
-

INTERPRETATION AND APPEAL:

Procedure for making an application for an Appeal, as provided in the Maricopa County Zoning Ordinance Section 303, Article 302.2.1:

An appeal to the Board of Adjustment concerning the interpretation or administration of this Ordinance may be taken by any person aggrieved or by any officer, department, board or agency of Maricopa County affected by any decision of the Zoning Inspector. Such appeal shall be taken within a reasonable time, not to exceed 60 days or such lesser period as may be provided by the rules of the Board of Adjustment, by filing with the Director and with the Board of Adjustment, a notice of appeal specifying the grounds thereof.

An application for an Appeal, the application fee, and all supporting materials listed below shall be submitted to the Maricopa County Department of Planning and Development.

Should the Appeal be approved, you are required to obtain a Zoning Clearance and/or Building Permit prior to any construction or use of the property, if applicable.

INFORMATION REQUIRED FOR SUBMITTAL:

1. **APPLICATION:** The application is to be completed in full. Staff will only accept a completed application form. The application must be signed by the appellant, or the applicant shall provide a letter of authorization at the time the application is made.
2. **TEN NARRATIVE REPORTS/LETTERS:** detailing the request for the Interpretation or Appeal.
3. **COMPLETED SUPPLEMENTAL QUESTIONNAIRE** (attached).
4. **FILING FEES:** \$300.00 per Interpretation/Appeal
\$150.00 Drainage Review fee
\$25.00 Environmental Services fee
\$10.00/\$50.00 Addressing fee (if applicable)

5. COPY OF PRE-APPLICATION MEETING FORM

6. SUPPORTING MATERIALS:

- Any additional information deemed necessary by the applicant or staff.

BOARD OF ADJUSTMENT PROCESS

Procedure for making application to the Board of Adjustment as provided in the Maricopa County Zoning Ordinance (Chapter 3, Article 303.4 and 303.5):

1. Submit the completed documentation to the Maricopa County Planning and Development Department, located at:

501 North 44th St., Suite 200
Phoenix, AZ 85008

2. After it has been determined that the submittal is complete, the filing fee per Zoning Ordinance requirement is to be paid by the applicant (checks should be made payable to "Maricopa County"). A receipt will then be issued, a case number assigned, and a tentative hearing date before the Board of Adjustment 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 Board of Adjustment 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 Board of Adjustment explaining why an appeal or interpretation 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
APPEAL AND INTERPRETATION
APPLICATION
APPLICATION MUST BE COMPLETED IN FULL**



ALL FEES ARE DUE AT TIME OF APPLICATION AND ARE NON-REFUNDABLE

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.

PROPOSITION 207 WAIVER

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. Also by signing I waive claim for diminution in value due to enforcement of any stipulations of the approval.

Property Owner Signature: _____ Date: _____

CASE INACTIVITY

Cases which are not active within six (6) months will be considered inactive and closed by staff. A letter addressing the inactivity will be sent to the applicant or property owner with notification of the case to be closed within thirty (30) days. To pursue entitlement after the closing of the case, a new application and associated fees will need to be filed.

FEES

Application Fees: \$300.00/request
 Drainage Fees: \$150.00
 Environmental Fees: \$ 25.00
 Addressing Fees: \$ 10.00/\$50.00 (if applicable)



**Planning & Development
Department
BOARD OF ADJUSTMENT
APPEAL OF ADMINISTRATIVE
DETERMINATION / INTERPRETATION
SUPPLEMENTAL QUESTIONNAIRE**



Section 303.2.1. Interpret upon appeal the terms of this Ordinance when the meaning of any work, phrase, or regulation is in doubt, when there is dispute between the appellant and the Zoning Inspector or when the location of a zoning district boundary is in doubt.

1. Identify difficulties or problems that would result from complying with the present Administrative Determination.

2. Identify the Ordinance sections under which you feel that your interpretation/appeal would be justified.

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

4. List all attached information.

BA Case No.:
Staff Use only



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



BOARD OF ADJUSTMENT DRAINAGE REVIEW BOARD	
Variance, Interpretation, and Appeal of Staff Decision	
Appeals of Temporary Use Permits	
Hearing dates are tentative.	
Held in the Board of Supervisors Auditorium, 205 West Jefferson, Phoenix, AZ 85003	
Application Deadline 12:00 Noon	Board Hearing Date
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



Planning & Development
Department
PLANNING ACTIVITY CHECKLIST

PLEASE RETURN THIS FORM WITH ALL REQUESTED DOCUMENTS



INTERPRETATION and APPEAL

YES NO N/A

- 1. **Appeal Application**
Comments: _____
- 2. **Ten (10) Narrative Reports**
Comments: _____
- 3. **Completed Supplemental Questionnaire**
Comments: _____
- 4. **Supporting Materials**
Comments: _____
- 5. **Appeal Fee**
Comments : _____
- 6. **Drainage Fees:** _____
- 7. **Environmental Fees:** _____
- 8. **Addressing Fees:** _____
- 9. **Pre-application Form:** _____
- 10. **Other**
Comments: _____

RECEIVED BY: _____ DATE: _____