



Planning & Development
Department

VARIANCE



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Maricopa County Planning & Development Department



VARIANCE APPLICATION INSTRUCTIONS

-
- 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 SUBMITTALS WILL NOT BE ACCEPTED.
-

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.

2. TWO OFFICIAL RECORDED COPIES of the most CURRENT deed.

If the application is for a Variance for substandard lot area or width, a copy of the first OFFICIAL recorded instrument creating the parcel, must be submitted as well. 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. TEN COPIES (folded if 24" x 36") OF THE SITE/PLOT PLAN of the property, indicating the following:

- a) The site plan must be drawn to a recognizable scale, i.e. 1" = 20'.
- b) North arrow and scale (written and graphic scale) shown on plan.
- c) All property lines must be clearly shown and dimensions indicated.
- d) Location and dimensions of all existing and proposed structures (including fences, signs and pools) from property lines and distance between structures.

- e) Location and width of dedicated streets, recorded easements, (provide recording number) and patent easements on or adjacent to property (include names of streets if applicable).
- f) All existing and proposed structures must be shown and dimensioned on the site/plot plan, even if the structure is not a part of the variance requested.

4. TWO COPIES (folded if 24"x36") 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.). If the Variance is for lot coverage, a roof plan with exterior dimensions is also required.

5. A REDUCED COPY (8½"x11") of any site plan, floor plan and/or elevation is REQUIRED if plans are submitted on a sheet of any other size. No plans drawn on a sheet size larger than 24"x36" will be accepted.

6. PICTURES OF THE PROPERTY including:

- 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 Board of Adjustment in making their decisions.

Pictures should be formatted as follows:

- Digital photographs are preferred and may be submitted in disk or printed format.
- Conventional photographs are to be mounted on 8½"x11" sheets.
- Each photograph shall be labeled indicating which direction the picture faces and from what location the picture was taken.
- A site-plan or key map may also be used in conjunction with the pictures; please include the proper notations.

7. 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 subdivisions 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 (8½"x11" label 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, or on their website 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.

8. FEES:

Residential Variance fees are **\$250.00** for the first Variance request and **\$50.00** for each additional Variance request.

Non-residential Variance fees are **\$750.00** for the first Variance request and **\$100.00** for each additional Variance request.

VARIANCE FEES ARE DOUBLED IF THE VARIANCE IS THE RESULT OF A CODE VIOLATION CASE.

All applications are subject to a Drainage Plan Review fee of **\$150.00** and an Environmental Services Department fee of **\$25.00** in addition to the base Variance fee(s).

All applications are subject to an Addressing fee which will consist of either **\$10.00** to confirm an existing address or **\$50.00** to issue a new address.

All fees are non-refundable.

All fees must be paid in full by the applicant at time of application.

9. PRE-APPLICATION MEETING FORM.

A copy of the pre-application meeting form must be submitted as evidence that a pre-application meeting was held with staff prior to submission of the Variance application.

10. All information required must be complete and in order. INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED AND WILL BE RETURNED.

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 otherwise noted.
4. It is the applicant's responsibility to provide supporting information and/or evidence to the Board of Adjustment 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 VARIANCE APPLICATION

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



Is this subject property within an area of 15% or greater hillside slopes? 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.

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

Residential	\$250 + \$50/additional request
Non-Residential	\$750 + \$100/additional request
Blanket	\$750 + \$100/additional request
Continuance	\$250 per continuance
Drainage Fee	\$150 – Mandatory for all requests
Environmental Fee:	\$25 – Mandatory for all requests
Addressing Fee:	\$10 / \$50 – Mandatory for all requests



Planning & Development Department



BOARD OF ADJUSTMENT VARIANCE SUPPLEMENTAL QUESTIONNAIRE

Section 303.2.2. Allow upon application a Variance in the strict application of any of the regulations of this Ordinance where, by reason of any peculiar situation, surroundings or conditions of a specific property, or by reason of particular narrowness, shallowness or shape of a specific lot or record, or by reason of unusual topographical conditions, the strict application of any regulation of this Ordinance would result in practical difficulties or unnecessary hardship upon the owner of such property, provided such relief can be granted without substantially impairing the purpose of this Ordinance. In granting any Variance appropriate conditions in conformity with the purpose of this Ordinance shall be prescribed. Under no circumstances shall there be granted a Variance to allow a use of property not permitted by the regulations for the zoning district in which such a property is located or where such Variance is specifically prohibited within this ordinance.

*Additional sheets may be attached.

1. Explain why you wish to use the property without meeting the present 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, washes, vegetation, and 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.

BA Case No.:

Staff Use only



**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



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

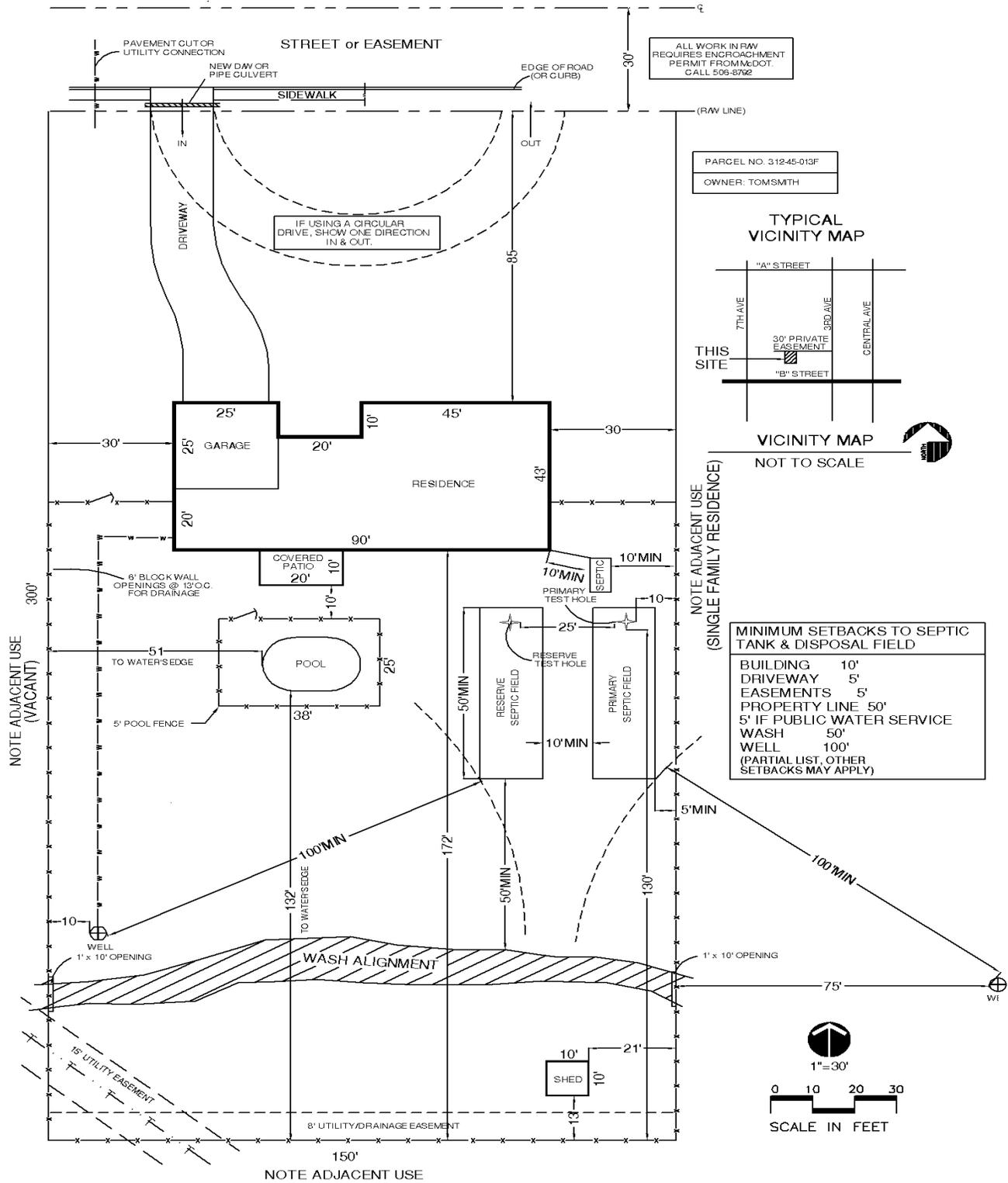
My Commission Expires: _____



Planning & Development Department



TYPICAL RESIDENTIAL SITE PLAN



SAMPLE ONLY (DRAWING SHOWN IS NOT TO SCALE)

ADDITIONAL DETAILED PLANS MAY BE REQUIRED.



**Planning & Development
Department
PLANNING ACTIVITY CHECKLIST**



PLEASE RETURN THIS FORM WITH ALL REQUESTED DOCUMENTS

VARIANCE

YES NO N/A

1. **Variance Application (including completed questionnaire)**
Comments: _____
2. **Ten (10) Site Plans - FOLDED**
Comments: _____
3. **One (1) Site Plan (8½" X 11")**
Comments: _____
4. **Two (2) Floor Plans with Elevations (optional - may be requested at later date)**
Comments: _____
5. **One (1) Floor Plan with elevations (8½" X 11") (optional-may be requested at later date)**
Comments: _____
6. **Two (2) Recorded Deeds (Proof of Ownership)**
Comments: _____
7. **Photographs (mounted on 8½" X 11" sheets with directional description)**
Comments: _____
8. **Affidavit of Notification (signed with notary seal)**
Comments: _____
9. **Mailing labels**
Comments: _____
10. **Envelopes (Stamped)**
Comments: _____
11. **Variance Fees (Planning, Drainage, Environmental, Violation, Addressing)**
Comments : _____
12. **Pre-application Meeting Form**
Comments: _____
13. **Other**
Comments: _____

RECEIVED BY: _____ DATE: _____