



Planning & Development
Department
DRAINAGE WAIVER



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Planning & Development
Department
**DRAINAGE WAIVER
APPLICATION INSTRUCTIONS**



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. ONE OFFICIAL RECORDED COPY 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. FIVE COPIES (folded if 24" x 36") OF THE GRADING AND DRAINAGE PLAN of the property, including 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.
- 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.



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5. 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 Administrator in making decisions.

All pictures are to be mounted on 8-½" 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.

- 6. FEES:** Appeal and Waiver 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 waiver fee(s). All fees are non-refundable. FEES ARE DOUBLE IF THE WAIVER IS THE RESULT OF A CODE VIOLATION CASE.

IN THE EVENT THE DRAINAGE ADMINISTRATOR'S DECISION IS APPEALED TO THE DRAINAGE REVIEW BOARD, THE FOLLOWING INFORMATION MUST BE SUBMITTED:

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 a 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 ½" 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 website at:

[http:// www.maricopa.gov/Assessor/GIS/map/html](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.

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



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DRAINAGE WAIVER PROCESS

Procedure for making application for a Drainage Waiver as provide in the Maricopa County Zoning Ordinance Article 1205.6.

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. The filing fee per adopted fee schedule(s) is to be paid by the applicant (**check should be made payable to "Maricopa County"**). A receipt will then be issued and a case number will be assigned.
3. Applications will be routed to the following County Agencies for review and comment:
 - a. Maricopa County Environmental Services Department
 - b. Maricopa County Planning & Development Engineering Plan Review
 - c. Maricopa County Panning & Development Addressing
 - d. Other agencies as may be applicable
4. It is the applicant's responsibility to provide supporting information and/or evidence to the Drainage Administrator explaining why a request should be granted. This information/ evidence should be submitted as a part of the application.
5. A letter indicating the administrator's action on the request will be sent to all applicants after the posting period is complete and the Administrator's decision is made on the matter.



**Planning & Development
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DRAINAGE WAIVER
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 flood way 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 #: _____ E-mail Address: _____

PROPERTY OWNER INFORMATION:

Name: _____ Contact: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone #: _____ 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 of 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: _____



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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 and the property for which the application made, including any fees incurred if this application is withdrawn, 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
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DRAINAGE WAIVER
SUPPLEMENTAL QUESTIONNAIRE**



MCZO 1205.6.2.: Before granting a drainage waiver, the Drainage Administrator shall verify that 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 waiver request is the minimum necessary, considering the flood hazard, to afford relief; and
- d. There is a showing of good and sufficient cause; and
- e. Granting the waiver 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.)



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3. Identify and explain any peculiar conditions in the surrounding area 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 WAIVER CHECKLIST



Procedure for making an application for a Drainage Waiver, as provided in the Maricopa County Zoning Ordinance, Article 1205.6.

A general application for a waiver to the Drainage Provisions, 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. **FIVE GRADING & DRAINAGE PLANS** (24" X 36") folded.
4. **SUPPLEMENT QUESTIONNAIRE**
5. **PROPERTY OWNER AUTHORIZATION**
6. **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
7. **PHOTOGRAPHS OF THE SITE**
8. **SUPPORTING MATERIALS:** Any information deemed necessary by staff.
9. **PRE-APPLICATION FORM**
10. **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: _____