



PLANNING & DEVELOPMENT DEPARTMENT

ADMINISTRATIVE ACTIONS AND APPEAL

SUBMITTAL FORMS INDEX

PROCEDURES FOR APPEALING AN ADMINISTRATIVE COUNTY ACTION
APPEAL PROCESS FLOWCHART
APPEAL FORM & SUPPLEMENTAL INFORMATION

***Note: As of December 31, 2012, All Appeal applications are subject to ARS §11-1605.**

- As of September 13, 2013 all Residential uses are excluded per ARS §11-1605 M.2



PLANNING & DEVELOPMENT DEPARTMENT

APPEAL PROCEDURES

SECTION 307. ADMINISTRATIVE ACTIONS AND APPEAL

- 307.1 Requests for uses by right subject to conditions, requests for a reasonable accommodation under Article 1207.3.7, and other requests not subject to a legislative process as required by the provisions of this Ordinance or state law may be processed administratively as set forth in the provisions of this Ordinance.
- 307.2 Applications subject to administrative approval shall be submitted to the Planning and Development Department on an official form provided by the Department. The application shall satisfy the submittal requirements as well as all pertinent ordinances and regulations. The application shall request sufficient information for the Department to determine if the proposal satisfies the requirements of all applicable ordinances, rules and regulations.
- 307.3 Department Staff shall review applications for administrative approval in accordance with all applicable ordinances, rules and regulations. If staff determines that the proposal is consistent with all applicable ordinances, rules and regulations, then staff shall grant approval and may impose conditions necessary to ensure that the proposal does not negatively impact the health, safety or general welfare of the citizens of Maricopa County. If Staff finds that the application cannot be administratively granted, the application shall be denied.
- 307.4 A respondent may file an appeal of the decision of Zoning Inspector or their designee by submitting an Appeal Form. Such an appeal must be received by Planning and Development no later than 5:00 p.m. thirty (30) days following a decision on an application subject to an administrative action.
- 307.5 A respondent shall completely and accurately fill out an Appeal Form and may provide supplemental information if so desired, except that the supplemental information shall be in summary and limited to a one page narrative.
- 307.6 The Appeal Form may be submitted electronically to the Zoning Inspector or their designee in the manner as specified by the Zoning Inspector on the Appeal Form.
- 307.7 Staff will review the Appeal Form for administrative completeness. An appeal of the Zoning Inspector's decision will be scheduled for hearing before a Hearing Officer hired by Maricopa County pursuant to A.R.S. § 11-815 (E) within thirty (30) days after filing the appeal. The Appeal Form and supplemental information shall be transmitted to the Hearing Officer for review at least one week prior to hearing.
- 307.8 All appeals of the same administrative action shall be consolidated and presented to the Hearing Officer as a single matter.

- 307.9 The Hearing Office shall reverse the decision of the Zoning Inspector only upon a finding that the decision was arbitrary, capricious, unreasonable or was not supported by the evidence presented to the Zoning Inspector by the appellant.
- 307.10 The decision of the Hearing Officer shall be provided to Staff within five business days following the hearing. Upon delivery to Staff, the decision shall become final and effective. Staff shall provide a copy of the hearing officer's decision to the applicant within five business days of receipt from the hearing officer. If the Hearing Officer rules in favor of the applicant, the permit or license shall be issued by the Zoning Inspector or their designee within fourteen (14) business days.
- 307.11 If the respondent does not agree with the determination of the Hearing Officer, the respondent may file an appeal pursuant to A.R.S. § 11-816(D).

Are there fees associated with an Administrative Actions & Appeal?

There are no fees associated with an appeal to administrative action or reasonable accommodation.

Items needed for Filing an Administrative Actions & Appeal:

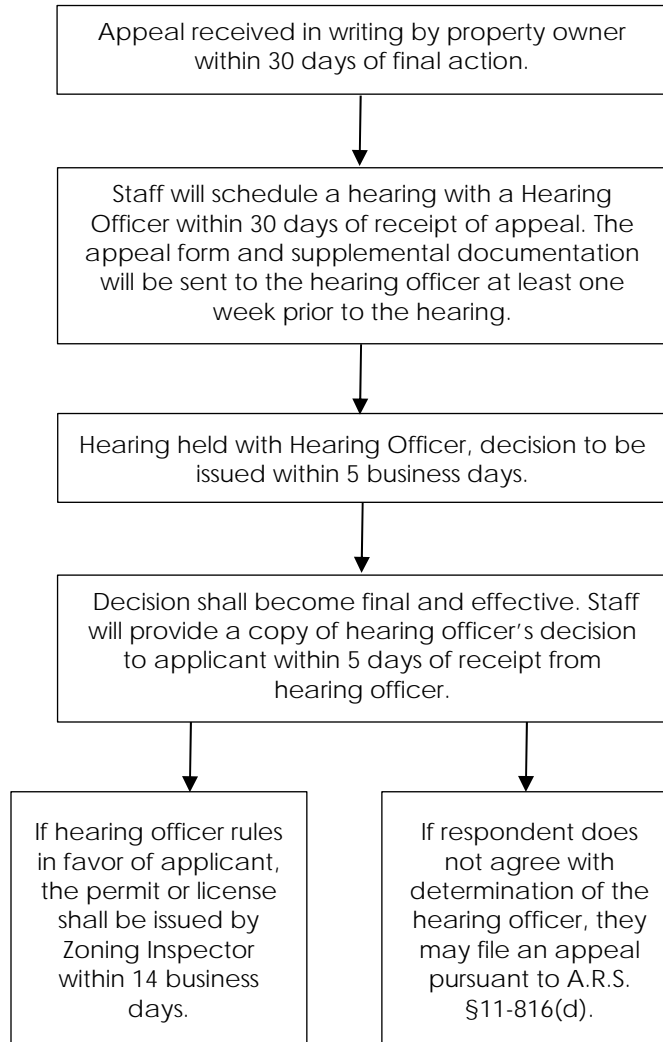
- Completed application Form & supplemental information

The above listed items, shall be mailed to or submitted via e-mail:

Maricopa County Planning and Development Department
Planning Services Branch
301 W. Jefferson St., 1st Floor Suite 170
Phoenix, AZ 85003

Rachel.Applegate@maricopa.gov

APPEAL PROCESS FLOWCHART





**MARICOPA COUNTY
PLANNING & DEVELOPMENT
DEPARTMENT**

ADMINISTRATIVE ACTIONS AND APPEAL FORM

ADMINISTRATIVE ACTIONS AND APPEAL (Select type of appeal)		
<input type="checkbox"/> Administrative Decision: <input type="checkbox"/> Approval - list case number _____ <input type="checkbox"/> Denial - list case number _____		
<input type="checkbox"/> Request for reasonable accommodation – list case number _____		
<input type="checkbox"/> Other – Specify: _____		
RESPONDENT INFORMATION		
Name: _____		
Address: _____		
City: _____	State: _____	Zip: _____
Phone #: _____	Fax #: _____	
E-mail Address: _____		
Respondent Signature: _____		Date: _____
<i>PLEASE DESCRIBE REASONING OF APPEAL FOR EACH CONDITION/DETERMINATION BELOW</i>		