



APPEAL

(Can be used for appeal of an Administrative Planning or Planning Commission Determination)

PROCESS GUIDE & APPLICATION

**City of Buckeye
Development Services Department**

945 N 215th Avenue
Suite 137
Buckeye, Arizona 85326

Phone: 623.349.6200
www.buckeyeaz.gov

Important Information:

- **The City of Buckeye now accepts all submittals/resubmittals and payments electronically. Please follow process on the Planning and Zoning Webpage.**
- Any person aggrieved can appeal either an Administrative Planning Determination by the Zoning Administrator or a Planning and Zoning Commission Determination. In either case, the process is identical and will be heard by the City Council acting as the Board of Adjustment.
- The appeal must be filed within 20 days of the contested action and will be heard at the first available City Council meeting dependent upon the proper notification being completed by the appellant.
- The fees for Appeals are listed on the Use Fee Worksheet found on the Planning and Zoning Website at <https://www.buckeyeaz.gov/business/development-services/planning-zoning> under the 'Updated Process Guides, Applications and Documents' drop-down under the 'Fee Worksheet' section.

SUBMITTAL CONTENT REQUIREMENTS (PDF FORMAT)

1. **Application** (completed and signed)
2. **Fee Worksheet** (completed and signed)
3. **Request Letter** – A letter describing the request in detail
4. **Public Notification** – Upon the scheduling of any public hearing and no later than fifteen (15) days prior to its occurrence, it is the responsibility of the applicant to give published and posted notice as described in Section 8.2.6 B & C of the Development Code. All notifications should contain, at minimum, the following information; description of the request, owner/applicant contact information, and public hearing time/date/location. Upon completion of the above-mentioned notification requirements, an Affidavit of Posting and Proof of Publication shall be submitted to the assigned Planner not less than ten (10) days prior to the public hearing. Failure to submit the requested information will result in the postponement of the public hearing item.

Appeal Submittal Checklist (PDF Format)

REQUIRED MATERIALS (IN PDF FORMAT)

	Applicant Checklist	Staff Verification
Application (8.5" x 11" PDF, completed and signed)	<input type="checkbox"/>	<input type="checkbox"/>
Fee Worksheet (8.5" x 11" PDF, completed and signed)	<input type="checkbox"/>	<input type="checkbox"/>
Request Letter (8.5" x 11" PDF)	<input type="checkbox"/>	<input type="checkbox"/>



DO NOT WRITE IN THIS AREA-OFFICIAL USE ONLY

Date: _____ Planner: _____ Case No: _____

PROPERTY INFORMATION:

Project Name: _____ Associated Cases: _____
Project Address/Location: _____
Current Zoning District: _____ Parcel Number(s): _____ Quarter Section: _____
Request: _____

CASE TYPE: Appeal Other: _____

**IMPORTANT
NOTE ABOUT
CONTACT(S):**

The property owner may designate an agent as the coordinator for the project. This person (the applicant) will receive any technical comments and decision letters and will communicate all case information to other parties as required. **All contact for this project will be made through the applicant listed below.**

APPLICANT/OWNER AUTHORIZED AGENT INFORMATION:

Name: _____
Company: _____
E-mail: _____
Business Phone: _____ Home Phone: _____
Mobile Phone: _____ Other Phone: _____
Fax: _____
Address: _____ City: _____
State: _____ Zip: _____ Address Type: Physical Mailing
Contact Preference: Email Business Phone Home Phone
 Mobile Phone Other Phone Address

SECONDARY APPLICANT CONTACT INFORMATION:

Name: _____
Company: _____
E-mail: _____
Business Phone: _____ Home Phone: _____
Mobile Phone: _____ Other Phone: _____
Fax: _____
Address: _____ City: _____
State: _____ Zip: _____ Address Type: Physical Mailing
Contact Preference: Email Business Phone Home Phone
 Mobile Phone Other Phone Address

OWNER INFORMATION:

Company: _____ **E-mail:** _____ **Business Phone:** _____
Home Phone: _____ **Mobile Phone:** _____ **Other Phone:** _____ **Fax:** _____
Address: _____ **City:** _____ **State:** _____ **Zip:** _____
Address Type: Physical Mailing **Preferred Contact Method:** Email Business Ph. Home Ph. Mobile Ph. Other Ph. Address

PROPERTY OWNER AUTHORIZATION

I (property owner) _____ authorize (owner's Agent) _____
To file this application on matters related to this request with the City of Buckeye. By signing this form as the property owner, I hereby agree to abide by any and all stipulations that may be assigned by the City of Buckeye as part of any approval of this request.

Owner Signature Date

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, 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 City of Buckeye as result of the filing of this application.

Owner Signature Date

Development Services Department

530 East Monroe Ave, Buckeye AZ 85326 Phone 623.349.6211 Fax 623.349.6222

PUBLIC HEARING NOTIFICATION REQUIREMENTS

Prior to the public hearing, the applicant shall be responsible for completing a minimum 15 day notification of the public hearing including:

1. A public hearing notice to be published in a newspaper of general circulation within the City of Buckeye; and
 2. A public hearing notice to be posted on the property.
- The applicant shall secure a public hearing date from the Development Services Department and shall complete the notice of public hearing by filling in the blanks of a standard Development Services Department form and delivering the public hearing notice to the newspaper within their time frame so that the public hearing notice is published at least 15 days prior to the public hearing date.
 - Proof of publication shall be supplied by the applicant to the Development Services Department prior to the public hearing date.
 - The applicant shall secure the names and addresses of all property owners within 300 feet of all property lines of the subject application property either through a title company or the Maricopa County Assessor's web site and shall send the public hearing notice to each said owner no less than 15 days prior to the public hearing date.
 - The applicant shall provide a notarized Affidavit of the mailing list and said mailing to the Development Services Department prior to the public hearing date.
 - The applicant shall post the property per the City of Buckeye Development Services Site Posting Requirements.
 - The applicant shall submit a notarized Affidavit of Posting and photographs of the posting (see next page) to the Development Services Department prior to or on the fifteenth day prior to the public hearing date. Failure to provide such documentation in a timely manner will result in continuance of the case to the next available public hearing date.
 - The signs must be maintained and updated with amended information until after the final public hearing.
 - The signs must be removed and disposed of within 10 days after the final public hearing.
 - You may use a sign vendor of your choice

Public Hearing Notice Sign Specifications

- The sign shall be a minimum of 3ft x 3ft in size.
- The sign shall be constructed of laminated coroplast, laminated plywood, or other suitable construction material.
- The sign shall have a white background with black lettering. The least expensive process is laminated direct printing.
- The minimum lettering size shall be 1/2 inch for lowercase and 1 inch for upper case.
- The words "Public Hearing" shall be a minimum of 2 inches in size. (Sign lettering should be formatted to match the example below).
- The content of the sign shall match the example below and include specific case details.
- The sign shall be securely fastened to wooden or metal stakes.
- The applicant is responsible for maintaining the integrity and accuracy of the sign.
- The height of the sign shall be at least 4 ft from finished grade to top of sign and shall not be obstructed from view.

<p style="text-align: center;">City of Buckeye</p> <p style="text-align: center;">PUBLIC HEARING</p> <p style="text-align: center;">City Council: [Date and Time]</p> <p style="text-align: center;">LOCATION OF HEARINGS:</p> <p style="text-align: center;">REQUEST:</p> <p style="text-align: center;">PROPOSAL:</p> <p style="text-align: center;">GENERAL LOCATION:</p> <p style="text-align: center;">SIZE:</p> <p style="text-align: center;">CASE #:</p> <p style="text-align: center;">APPLICANT/CONTACT:</p> <p style="text-align: center;">PHONE #:</p> <p style="text-align: center;">Development Services Department: 623-349-6211</p> <p style="text-align: center;">Posting Date:</p>
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Format for Publication

City of Buckeye

NOTICE IS HEREBY GIVEN that the City of Buckeye City Council Commission will hold a public hearing on (day of week), (month) (date), 20 to be held at the City Council Chambers, located at 530 E Monroe Avenue at 6:00 p.m., for the purpose of hearing all persons for or against the following request:

Case No. _____(insert case number): Request by (name of applicant) for the approval of a (name of application type and general description) located at (general location of subject property by street location and brief township/range/section legal description).

For additional information, please contact the Development Services Department at (623) 349-6211

Affidavit of Sign Posting

Case Number: _____

Project Name: _____

**Applicant
Name:** _____

Location: _____

In order to assist in providing adequate notice to interested parties and to meet Arizona State Statute, the **applicant** for public hearings in the City of Buckeye shall post signs as prescribed by the "City of Buckeye Site Posting Requirements." **It shall be the responsibility of the applicant to erect and to maintain the sign on the subject property and to update the hearing information on the sign until the final disposition of the case. It shall also be the responsibility of the applicant to remove the sign within ten (10) days after the final disposition of the case.**

I confirm that the site has been posted as detailed by the City of Buckeye Site Posting Requirements for the case above and the site was posted at least fifteen (15) days prior to the public hearing.

See attached date stamped photo exhibit of posted signs.

Applicant's / Representative's signature: _____

SUBSCRIBED AND SWORN before me this _____ day of _____, 20____,
by:

Notary Public

My Commission Expires:
