



**FOR SITES REQUIRING A GRADING WAIVER OVER 35% OF HILLSIDE AREA OF LOT  
(BEYOND ROOFLINE):**

*Sites on hillsides with plans to grade more than 35% of the hillside area may be appealed through a public hearing process. The City Manager's Representative for Grading Waivers can hear your request by following the process outlined below.*

1. DSD staff/Central Log-In provides customer with Appeals Packet - Development Review Application for Hillside Grading Waiver, Hillside Grading Submittal Requirements and Hillside Grading Waiver Process and sample letter format for notification letter.
2. Prior to Grading Waiver submittal, applicant obtains a listing of property owners within 300 feet of the property from City Clerk, Property Records Office, 4<sup>th</sup> floor of Phoenix City Hall.
3. Applicant submits three sets of required submittal documents (see Appeal Application form) with completed application and application (see Development Services fee schedule) to Central Log-In, Development Services Department, Phoenix City Hall, 2nd Floor.
4. DSD staff reviews the application/plans and, if necessary, requests a public hearing with the City Manager's Representative for Hillside Grading Waivers.
5. Hearings are scheduled approximately 21-30 days in advance, normally on Thursdays at 3:00 p.m.
6. DSD staff provides notification to the applicant of the date scheduled for waiver request hearing, the balance of the appeal fees are due within 48 hours prior to the hearing date.
7. Applicant sends notification letters to surrounding property owners by certified mail and provides Post Office receipts (white slips) to the Secretary III (602-262-6647). Letters must be sent 15 days prior to the date of the hearing in order for the appeal hearing to be held. Receipts of certified mailings are due no later than 48 hours prior to the appeal hearing date.
8. A report summarizing the applicant's request and staff recommendations is created by DSD staff.
9. DSD staff posts the property with a public notice fifteen days prior to the hearing day.
10. The hearing is conducted by the City Manager's Representative for Grading Waivers. The meeting consists of the following:
  - DSD staff presents the request and the staff recommendation.
  - The applicant may comment on their request and the staff recommendation.
  - Any public attendees are welcome to comment.
  - A discussion is held with the City Manager's Representative.
  - A decision may be rendered at this time.
11. Following the hearing, a letter with the final decision of the City Manager's Representative for Hillside Grading Waivers is sent to the applicant.
13. If the City Manager's Representative approves the application, staff signs off on the plans; or the customer revises the plans to meet the any requirements stipulated at the hearing.
14. Customer fulfills stipulations of the approval.
15. DSD staff verifies the completion of the work.

***Parties disagreeing with the decision of the hearing officer may appeal to the Development Advisory Board within ten (10) days of the appeal decision date.***