



# Planning & Development Department Department Directive



<b>DD Number:</b>	DD-2001- 04	<b>Initiator:</b>	Scott McCullough
<b>Supersedes:</b>	DD-2000-66	<b>Manager:</b>	Scott McCullough <i>SM</i>
<b>Date Initiated:</b>	02/02/01	<b>Director:</b>	Joy Rich <i>JR</i>
<b>Effective Date:</b>	Immediately	<b>Responsible Authority:</b>	Current Planning/Plan Review

**PURPOSE:** To clarify what takes precedence when there is a disagreement between the notes established upon a recorded subdivision's final plat and the underlying zoning district regulations. Also, to clarify when the Planning Department recognizes Affidavits of Correction to approved final plats.

**REFERENCE:** Maricopa County Attorney's Office  
David Benton, Deputy County Attorney

**POLICY/PROCEDURE:** Plat notes are often included/added to plats based on some site specific issue that warrants them. The Department recognizes that plat notes are legitimate in most instances as a way to regulate certain standards in a more restrictive way due to site specific conditions. Plat notes may be more restrictive than the underlying zoning standard but should never be less restrictive. Creating less restrictive standards is a function of rezoning and not of platting.

Therefore, per the Maricopa County Attorney's Office, when there is a disagreement between the notes included on an approved final plat and the regulations of the underlying zoning district, the disagreement will be analyzed on an individual basis taking into account the specific site conditions leading to the plat note and also determining which standard is more restrictive. The Director, in consultation with the Current Planning Manager and the County Attorney, shall decide which takes precedence and shall note such in the subdivision file.

There are often times when an approved plat includes minor mistakes or errors that are discovered after recording takes place. An Affidavit of Correction is a tool used by engineers and land surveyors to correct such errors without having to process a replat.

The Planning Department recognizes the need for such an Affidavit and therefore establishes the following policy. The Planning Department shall recognize only such Affidavits if the Department has reviewed such Affidavit and has signed the Affidavit as an interested party. The Current Planning Division shall be responsible for the review of such Affidavits and the Planning Manager shall sign the Affidavit as approved. The Current Planning Division shall make certain that copies of the Affidavits are placed in the subdivision file.

**SUPERCEDES 2000-66**