

**NOTICE OF PUBLIC HEARING
ZONING ADJUSTMENT HEARING**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given the **ZONING ADJUSTMENT HEARING OFFICER** and to the general public, that the **CITY OF PHOENIX ZONING ADJUSTMENT HEARING OFFICER** will hold a meeting open to the public on **July 24, 2014, at 9:00 a.m. located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona.**

The agenda for the meeting is as follows:

- 9:00 AM**
1. Application #: ZA-223-14-8
 Existing Zoning: C-2 MR, A-2, C-3 TOD-1
 Location: 44 North 44th Street
 Quarter Section: 10-37(F10)
 Proposal: **1)** Use permit to allow a commercial parking facility as a primary use in the transit overlay district. Use permit required. **2)** Variance to allow a maximum building setback of 57 feet. Maximum 6 feet setback allowed. **3)** Variance to allow a minimum building frontage of 32% as a percentage of lot frontage. Minimum of 75% building frontage is required. **4)** Variance to allow 100% of building space without doors and windows or non-parking use. At least 50% of the structure to have non-parking uses at the ground level where a structure abuts a station or transit street. **5)** Variance to allow 0% of sidewalk to be shaded. Minimum of 75% of the sidewalk to be shaded.

 Ordinance Sections: 662.F.1.g 662.I.1.a 662.I.2.a 662.L.4.(2)
 662.I.2.c

 Applicant: Larry Standlee, InterPark, LLC
 Representative: Heidi Short, Fennemore Craig, PC
 Owner: Larry Standlee, Urban Growth Limited Partnership

 2. Application #: ZA-224-14-8
 Existing Zoning: R1-6 BAPOD
 Location: 915 East Desert Drive
 Quarter Section: 02-29(C8)
 Proposal: **1)** Time extension for ZA-181-13 Use permit to allow a public assembly (church) in a residential district. Use permit is required.
 2) Time extension for ZA-181-13 Use permit to

- allow a child care facility for up to 12 dependents. Use permit is required.
- Ordinance Sections: 608.E.6, 608.F.1
 Applicant: Margaret Bardwell, The Full Gospel House of Prayer Church
 Representative: Margaret Bardwell, The Full Gospel House of Prayer Church
 Owner: Margaret Bardwell, The Full Gospel House of Prayer Church
3. Application #: ZA-225-14-8
 Existing Zoning: R1-6
 Location: 2915 East Flower Street
 Quarter Section: 15-34(G10)
 Proposal: Variance to reduce the required side yard setback for detached accessory structure to 0 feet. Minimum 3 feet required.
- Ordinance Sections: 706.B
 Applicant: Katherine Cook
 Representative: Frank Molinar
 Owner: Katherine Cook
4. Application #: ZA-231-14-6
 Existing Zoning: R1-6
 Location: 3439 North 38th Street Phoenix, AZ 85018
 Quarter Section: 16-36(H10)
 Proposal: Use permit to use PRD option of Section 613 Table B for development. Use permit required.
- Ordinance Sections: 613. Table B
 Applicant: Marc Nassos
 Representative: Marc Nassos
 Owner: Thomas Garetson
 Jan Ashford
 Derek Jaer, Done Deal Investments, LLC
5. Application #: ZA-232-14-6
 Existing Zoning: RE-35 Arcadia Camelback SPD
 Location: 4409 North 56th Street
 Quarter Section: 17-41(H11)
 Proposal: **1)** Variance to reduce the side setback (west side) to 10 foot. Minimum 20 foot is required.
2) Variance to reduce the rear setback (east side) to 20 foot. Minimum 40 foot is required.
- Ordinance Sections: 609.B.4 Table 609.B.4 Table
 Applicant: Chris Thody, Century Services (USA), Inc.
 Representative: Steve Simpson, Simpson Design Associates,

- Owner: LLC
Chris Thody, Century Services (USA), Inc.
6. Application #: ZA-246-14-3
Existing Zoning: R-2
Location: 4119 East Becker Lane
Quarter Section: 29-37(K10)
Proposal: **1)** Variance to allow an over height wall (8 feet high) along the required side yard (east). Maximum 6 feet permitted. **2)** Variance to allow an over height wall (8 feet high) along the required side yard (west). Maximum 6 feet permitted.

Ordinance Sections: 703.A.2.c 703.A.2.c
Applicant: Marcus Nelson, Nelson and Associates
Representative: Marcus Nelson, Nelson and Associates
Owner: Cari Kost
7. Application #: ZA-247-14-1
Existing Zoning: C-2
Location: 3121 West Peoria Avenue Suite 107
Quarter Section: 28-21(K6)
Proposal: Use permit to allow outdoor dining accessory to a restaurant (Potbelly's Sandwich Works) within 500 feet of a residential district. Use permit required.

Ordinance Sections: 623.D.156.c
Applicant: Robert White Glaus, Pyle, Schomer, Burns & DEH, dba G
Representative: Tom Connor Glas, Pyle, Schomer, Burns & DEH, dba GDP
Owner: Tom Auther, Jacor Partners
8. Application #: ZA-250-14-2
Existing Zoning: S-1 DRSP
Location: 4725 East Mayo Boulevard
Quarter Section: 40-38(N11)
Proposal: Temporary use permit to allow music festival. Use permit required.

Ordinance Sections: 708.D.1
Applicant: April Solomon, Musical Instrument Museum
Representative: Jill Moore, Musical Instrument Museum
Owner: Musical Instrument Museum
- 1:30 PM**
9. Application #: ZA-141-14-2 (Continued from 6/12/14)

- Existing Zoning: R-3BAPOD
Location: 6235 South 8th Place
Quarter Section: 2-29(D8)
Proposal: Use permit to use PRD option of Section 613 Table B for development. Use permit required.
- Ordinance Sections: 613. Table B
Applicant: Manuel Inurriaga, M&M Civil Engineering
Representative: Manuel Inurriaga, M&M Civil Engineering
Owner: RERD 100,LLC
10. Application #: ZA-175-14-6 (Continued from 6/12/14)
Existing Zoning: R-4
Location: 3801 North 30th Street and 3020 East Clarendon Street
Quarter Section: 16-34(H10)
16-34(H10)
Proposal: **1)** Variance to reduce the required front yard setback to 14 feet. Minimum 20 feet required. **2)** Variance to allow a fence 8 feet in height in the required front yard setback. Maximum 40 inches allowed. **3)** Variance to allow a fence 6 feet, 6 inches in height in the required side yard (30th Street) setback. Maximum 6 feet allowed. **4)** Variance to allow a fence 8 feet, 6 inches in height on the east property line (3020 East Clarendon Street). Maximum 6 feet allowed. **5)** Variance to allow a fence 8 feet in height in the required rear yard setback. Maximum 6 feet allowed.
- Ordinance Sections: 617.B.Table B 703.A.2.a 703.A.2.c 703.A.2.c 703.A.2.c
Applicant: Steven C. Vondran, The Law Offices of Steven C. Vondran P.C
Representative: Steven C. Vondran, The Law Offices of Steven C. Vondran P.C
Owner: James Broderick
11. Application #: ZA-177-14-1 (Continued from 6/12/14)
Existing Zoning: R1-6
Location: 3941 West Ruth Avenue
Quarter Section: 26-19(J6)
Proposal: **1)** Variance to reduce side yard setback from 3 feet to 2 feet 8 inches (gazebo). Minimum 3 feet is required from property lines. **2)** Variance to reduce rear yard setback from 3 feet to 2 feet 5 inches (gazebo).

Minimum 3 feet is required from property lines. **3)** Variance to reduce setback between structures on same lot from 6 feet to 5 feet (gazebo). 6 feet is required between structures on the same lot.

Ordinance Sections: 706.B 706.B 706.B
Applicant: Radulfo/Jovita Salgado
Representative: Radulfo/Jovita Salgado
Owner: Radulfo/Jovita Salgado

12. Application #: ZA-192-13-5 (1-year review)
Existing Zoning: C-2
Location: 6108 North 27th Avenue
Quarter Section: 21-22(I7)
Proposal: **1)** Use permit to allow patron dancing as an accessory to a restaurant (Club Silverado & Restaurant). Use permit required. **2)** Use permit to allow stage and performance area that is 200 square feet. Maximum 80 square feet allowed. Use permit required.

Ordinance Sections: 623.D.156.b 623.D.156.a.(1)
Applicant: Lorena Carbajal, Club Silverado & restaurant
Representative: Theresa Morse
Owner: Lang Tang

13. Application #: ZA-244-14-3
Existing Zoning: RE-35
Location: 4919 East Poinsettia Drive
Quarter Section: 30-39(K11)
Proposal: Variance to reduce side (west) yard setback to 3 feet. 7 feet required by ZA-201-71

Ordinance Sections: 609.B
Applicant: James & Nicole Burkhead
Representative: James & Nicole Burkhead
Owner: James & Nicole Burkhead

14. Application #: ZA-252-14-8
Existing Zoning: C-3
Location: 1831 South Central Avenue
Quarter Section: 7-28(E8)
Proposal: Variance to increase the street side fence height to 8 feet high. Maximum height of the fence in the street side setback is 40 inches.

Ordinance Sections: 703.A.3
Applicant: Martin Sandino
Representative: Martin Sandino

- Owner: Hami Armin
15. Application #: ZA-254-14-2
Existing Zoning: S-1 DRSP
Location: Southwest corner of Pinnacle Peak Road and Tatum Boulevard
Quarter Section: 44-39(O11)
Proposal: **1)** Use permit to allow for retaining wall heights up to 72 inches within 50 feet of a subdivision perimeter. Use permit required over 40 inches. **2)** Variance to allow for retaining wall heights up to 72 inches with the front or street side yard. Maximum 40 inches allowed.
Ordinance Sections: 703.A.4.c. 703.A.4.d
Applicant: Nguyen Lam, Hilgartwilson, LLC
Representative: Nguyen Lam, Hilgartwilson, LLC
Owner: Jeff Deason, Taylor Morrison, Inc.
16. Application #: ZA-260-14-8
Existing Zoning: C-3, R-3
Location: Northwest corner of South 11th Ave and West Buckeye Road
Quarter Section: 9-26(F8)
Proposal: **1)** Variance to allow an over height fence of 8 feet along 11th Avenue. Maximum 40 inches allowed. **2)** Variance to reduce the required building setback along Buckeye Road to 20 feet. Minimum 20 feet permitted for up to 50% of structure. **3)** Variance to allow an over height fence of 8 feet along Tonto Street. Maximum 40 inches allowed. **4)** Variance to reduce the required building setback along 11th Avenue to 20 feet. Minimum 20 feet permitted for up to 50% of structure. **5)** Variance to allow an over height fence of 8 feet along Buckeye Road. Maximum 40 inches allowed. **6)** Variance to allow 100% of required trees to be minimum 2 inch caliper along Buckeye Road. 50% 2 inch, 25% 3 inch, and 25% 4 inch trees required. **7)** Variance to reduce the required landscape setback along Buckeye Road to 12 feet. Average 25 feet required. **8)** Variance to allow 100% of required trees to be minimum 2 inch caliper along 11th Avenue. 50% 2 inch, 25% 3 inch, and 25% 4 inch trees required **9)** Variance to

reduce the required landscape setback along
11th Avenue to 8 feet. Average 25 feet
required.

Ordinance Sections: 703.A.3.a 624.E.4.d 703.A.2.a 624.E.4.d
703.A.3.a 624.E.4.e 624.E.4.e
624.E.4.e 624.E.4.e

Applicant: Anthony Davis, Tonto Church of Christ
Representative: Michael Hudson, Deutsch Architecture Group
Owner: Anthony Davis, Tonto Church of Christ

For further information, please call Ed Keyser, Planner II, Planning and Development Department at 602-495-0382, or contact via electronic mail at zoning@phoenix.gov. This electronic mail address will not accommodate zoning enforcement/violation complaints.

For reasonable accommodations, call Nici Browe at Voice/602-495-0256 or the City TTY/602-534-5500 as early as possible to coordinate needed arrangements.

June 24, 2014