

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 7, 2016, 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-267-16-4
Existing Zoning: C-2, C-2 SP, C-3 TOD-1
Location: Southeast corner of 3rd Avenue and Indian School Road
Quarter Section: 16-27(H8)
Proposal: **1)** Time Extension for ZA-251-15, variance to increase the maximum setback to 27 feet. Maximum 12 feet allowed. **2)** Time Extension for ZA-251-15, Variance to provide a single row of trees on the south side of the sidewalk. Minimum double row of trees parallel on either side required.
Ordinance Sections: 662.I.1.a.Table 1 662.I.2.c(3)
Applicant: Evergreen-3rd & Indian School Land, LLC
Representative: Evergreen-3rd & Indian School Land, LLC
Owner: Evergreen-3rd & Indian School Land, LLC

2. Application #: ZA-263-16-3
Existing Zoning: C-2
Location: Northeast corner of 9th Street and Bell Road
Quarter Section: 37-29(M8)
Proposal: **1)** Use permit to allow outdoor dining as an accessory use to a restaurant within 500 feet of a residential district (west end). Use permit required. **2)** Use permit to allow outdoor alcohol consumption as an accessory use to a restaurant within 500 feet of a residential district (west end). Use permit required. **3)** Use permit to allow outdoor dining as an accessory use to a restaurant within 500 feet of a residential district (east end). Use permit required. **4)** Use permit to allow outdoor dining as an accessory use to a restaurant within 500 feet of a residential district (east end). Use permit required.
Ordinance Sections: 623.D.156.c 623.D.156.c 623.D.156.c 623.d.156.c
Applicant: Steve Russell, CCIM Evergreen Devco, Inc.

- Representative: Steve Russell, CCIM Evergreen Devco, Inc.
 Owner: Laura Ortiz, Evergreen, Devco
3. Application #: ZA-264-16-2
 Existing Zoning: RE-24
 Location: 6301 East Voltaire Avenue
 Quarter Section: 32-42(L12)
 Proposal: Variance to reduce the required rear setback for an accessory structure that includes sleeping and eating facilities to 17 feet. 30 foot setback required for sleeping or living purposes.

 Ordinance Sections: 606.A.9.c(1)
 Applicant: Michael DiNino
 Representative: Michael DiNino
 Owner: Dana DiNino
4. Application #: ZA-265-16-8
 Existing Zoning: R-5
 Location: 2921 East Monroe Street
 Quarter Section: 10-34(F10)
 Proposal: **1)** Variance to create 3 lots with Lot 1 to be reduced to a width of 52 feet. Required 60 foot minimum lot width. **2)** Variance to reduce the side (east) setback of Lot 1 to 3 feet. Minimum 10 foot required side setback. **3)** Variance to increase the lot coverage of Lot 1 to 51%. Maximum lot coverage allowed is 50%. **4)** Variance to create 3 lots with Lot 2 reduced to a width of 47 feet. Required 60 foot minimum lot width. **5)** Variance to create 3 lots with Lot 3 to have no frontage on a public street. Required 60 foot minimum lot width. **6)** Variance to reduce the lot depth of lot 3 to 37 feet. Required 94 foot minimum lot depth. **7)** Variance to reduce the rear (south) setback for Lot 3 to 10 feet. Required 15 foot rear setback.

 Ordinance Sections: 618.B Table B 618.B Table B 618.B Table B 618.B Table B
 Applicant: Jorge Toscano, Kontexture
 Representative: Daniel Istrate, Kontexture
 Owner: Vasile Creta
5. Application #: ZA-266-16-1
 Existing Zoning: R1-6
 Location: 3937 West Salter Drive
 Quarter Section: 42-19(N6)
 Proposal: Variance to reduce the combined front and rear

- setbacks to 29 feet. Minimum 35 feet required.
- Ordinance Sections: 613.B.Table A
 Applicant: David Coble Coe and Van Loo Consultants, Inc.
 Representative: David Coble Coe and Van Loo Consultants, Inc.
 Owner: Rick Tayrien Garrett-Walker Homes LLC
6. Application #: ZA-268-16-5
 Existing Zoning: C-2
 Location: 3524 West Glendale Avenue
 Quarter Section: 23-20(I6)
 Proposal: Use Permit to allow outdoor roasting of chilies accessory to a grocery store (Food City). Use Permit required.
- Ordinance Sections: 622.D.120.a
 Applicant: Brennan Ray Burch & Cracchiolo PA
 Representative: Brennan Ray Burch & Cracchiolo PA
 Owner: Mariane Owan, Primestor Development Inc.
7. Application #: ZA-269-16-5
 Existing Zoning: C-3 TOD
 Location: Southeast corner of Indianola and Central Avenues
 Quarter Section: 16-28(H8)
 Proposal: **1)** Use permit to allow outdoor dining with outdoor alcoholic beverage consumption as an accessory use to a restaurant (Macayo's). Use permit required. **2)** Use permit to allow outdoor live entertainment as an accessory use to a restaurant (Macayo's). Use permit required for outdoor recreation uses, including live entertainment. **3)** Variance to allow ground sign for a primary use in excess of 3 feet in height and 30 square feet in area located within the public street setback. Maximum height of 3 feet and maximum area of 30 square feet permitted.
- Ordinance Sections: 662.F.1.d 662.F.1.e 662.K.10
 Applicant: Macayo's Mexican Kitchen
 Representative: Manjula M. Vaz, Gammage & Burnham
 Owner: MAC Properties Limited Partnership
8. Application #: ZA-271-16-5
 Existing Zoning: R1-8 PCD
 Location: 10250 West Windsor Boulevard
 Quarter Section: 19-4(H2)
 Proposal: Use Permit to obtain an official approval of a home occupation (firearm sales). Use Permit required if an applicant desires an official approval of a home occupation.

Ordinance Sections: 608.E.3.h(5)
Applicant: John McCreary, Premier Impact Forces
Representative: John McCreary, Premier Impact Forces
Owner: John McCreary, Premier Impact Forces

9. Application #: ZA-98-16-7 (Continued from 6/2/16)
Existing Zoning: R-3 CMOD
Location: 9 South 20th Avenue
Quarter Section: 10-24(F7)
Proposal: **1)** Variance to create a lot with a minimum lot depth of 40 feet. Minimum 94 feet is required. **2)** Variance to create a lot with a minimum lot depth of 70 feet. Minimum 94 feet is required. **3)** Variance to reduce the rear setback (east) for the southern lot to 0 feet. Minimum 15 feet is required. **4)** Variance to reduce the side yard setback (south) for the southern lot to 2 feet. Minimum 3 feet required. **5)** Variance to reduce the front yard setback (west) for the southern lot to 7 feet.

Ordinance Sections: 615.B.Table B 615.B.Table B 615.B.Table B
615.B.Table B
615.B.Table B
Applicant: Sam Habbo
Representative: Sam Habbo
Owner: Sam Habbo

1:30 PM

10. Application #: ZA-539-15-4 (6-month review)
Existing Zoning: C-1 CNSPD
Location: 2229 North 7th Street
Quarter Section: 13-29(G8)
Proposal: **1)** Use permit to allow a pet care facility. Use permit required. **2)** Variance to allow an outdoor animal exercise area within 5 feet of a residential district. Minimum 100 feet required. **3)** Variance to allow a pet care facility within 5 feet of a residential district. Minimum 100 feet required.

Ordinance Sections: 622.D.127.a 622.D.127.d 622.D.127.d
Applicant: Jamie Harper, Rockstar Rescue
Representative: Jamie Harper, Rockstar Rescue
Owner: La Russa Family Foundation

11. Application #: ZA-273-16-6
Existing Zoning: PAD-6
Location: 5727 North 25th Street

- Quarter Section: 20-33(I9)
 Proposal: Variance to reduce the side yard setback (northwest) to five feet. Ten feet required.
- Ordinance Sections: 710.C.2.Table1
 Applicant: Erik Peterson, PHX Architecture
 Representative: Erik Peterson, PHX Architecture
 Owner:
12. Application #: ZA-274-16-4
 Existing Zoning: R1-6 HP SNSPD
 Location: 1338 West Lynwood Street
 Quarter Section: 12-26(G8)
 Proposal: Variance to reduce the side yard setback for a detached accessory structure to 0. Minimum 3 feet required.
- Ordinance Sections: 706.B
 Applicant: Patricia Tuli
 Representative: David Stanton, Stanton Advantage, LLC
 Owner: Patricia Tuli
13. Application #: ZA-275-16-2
 Existing Zoning: C-2
 Location: 6850 East Chauncey Lane
 Quarter Section: 38-44(M12)
 Proposal: **1)** Use permit to allow live stage or performance area greater than 80 square feet. Use permit is required. **2)** Use permit to allow outdoor dining as an accessory use to a restaurant. Use permit is required. **3)** Use permit to allow outdoor alcohol consumption as an accessory use to a restaurant. Use permit is required.
- Ordinance Sections: 623.D.156.a.(1) 623.D156.c 623.D.156
 Applicant: Life Time Fitness
 Representative: Arizona Liquor Industry Consultants
 Owner: LTF Real Estate Company Inc.
14. Application #: ZA-258-16-2
 Existing Zoning: A-1
 Location: 1720 East Deer Valley Drive
 Quarter Section: 43-31(N9)
 Proposal: Use permit to allow a medical marijuana dispensary facility. Use permit required
- Ordinance Sections: 627.D.93.a
 Applicant: Curtis Devine
 Representative: Curtis Devine
 Owner: Lawrence Martin Landmark Group LLC

15. Application #: ZA-272-16-4
Existing Zoning: G7
Location: 2937 West Thomas Road
Quarter Section: 14-22(G7)
Proposal: **1)** Use permit to allow a medical marijuana dispensary facility. Use permit required. **2)** Variance to allow a medical marijuana dispensary facility within 5,280 feet of another medical marijuana dispensary facility. Minimum 5280 feet separation required.
Ordinance Sections: 627.D.92.a 627.D.92.d
Applicant: Jenifer Corey, Zoning Strategies, LLC
Representative: Jenifer Corey, Zoning Strategies, LLC
Owner: Canyon Wellness Group, LLC

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 Elaine Noble at Voice/602-495-0256 or TTY use 7-1-1 as early as possible to coordinate needed arrangements.

June 21, 2016