

**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 **January 12, 2017, 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-546-16-4
 Existing Zoning: C-1
 Location: 3345 North 19th Avenue
 Quarter Section: 15-25(G7)
 Proposal: **1)** Use Permit to allow second hand/ used merchandise sales (N.A.N.A. Mart). Use Permit required. **2)** Variance to allow a Second Hand or Used Merchandise Sales (N.A.N.A Mart) within 1,320 feet of a similar use. Minimum 1,320 foot separation requirement.

 Ordinance Sections: 622.D.150.c. 622.D.150.b
 Applicant: Ramon Montoya, N.A.N.A
 Representative: Ramon Montoya, N.A.N.A
 Owner: Cheryl Ireland, Ireland Family Trust

 2. Application #: ZA-561-16-5
 Existing Zoning: R-3A
 Location: 2139 West Northern Avenue
 Quarter Section: 24-24(J7)
 Proposal: Variance to reduce the side yard setback (east) to 5 feet. Minimum 15 feet required.

 Ordinance Sections: 616.B.table b
 Applicant: Bill Spreitzer, Wescap Investments Inc.
 Representative: Jenifer Corey, Zoning Strategies LLC
 Owner: Bill Spreitzer, Northern Gardens/ Phoenix, LP

 3. Application #: ZA-562-16-6
 Existing Zoning: R1-14 ACSPD
 Location: 5415 East Calle Ventura
 Quarter Section: 16-40(H11)
 Proposal: Variance to reduce the street side setback along 54th Way to 10 feet. Minimum 15 feet required.

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| | Ordinance Sections: | 607.B.3 |
| | Applicant: | Angelyn Bayless |
| | Representative: | Angelyn Bayless |
| | Owner: | Angelyn Bayless |
| 4. | Application #: | ZA-563-16-2 |
| | Existing Zoning: | A-1 DVAOD |
| | Location: | 1175 East Lone Cactus Drive |
| | Quarter Section: | 42-29(N8) |
| | Proposal: | 1) Variance to allow for outdoor uses within 75 feet of a public street. No outdoor uses within 75 feet of a public street. 2) Variance to allow for open buildings or uses for side and rear yards adjacent to a residential district for a setback of one hundred fifty (150) feet. Minimum 150 feet required. |
| | Ordinance Sections: | 627.F.2.b(3) 627.F.2.b(2) |
| | Applicant: | Edward Chavez, Chavez AIA |
| | Representative: | Edward Chavez, Chavez AIA |
| | Owner: | EESHVAR, LLC. |
| 5. | Application #: | ZA-564-16-4 |
| | Existing Zoning: | R1-6 |
| | Location: | 2952 North 45th Drive |
| | Quarter Section: | 15-18(G6) |
| | Proposal: | Variance to reduce the required front yard setback to 10 feet. Minimum 20 feet required. |
| | Ordinance Sections: | 613.B.Table B |
| | Applicant: | Lance Boyjin, Boyjin Development, LLC |
| | Representative: | Lance Boyjin, Boyjin Development, LLC |
| | Owner: | Johnny Avina |
| 6. | Application #: | ZA-100-14-8 (review) |
| | Existing Zoning: | A-2 RSIOD ANIZO BCMFSP |
| | Location: | 2424 South 24th Street |
| | Quarter Section: | 7-32(E9) |
| | Proposal: | Time extension for ZA-242-13 (Use Permit and Variance for Medical marijuana cultivation facility). |
| | Ordinance Sections: | 307.A.12 |
| | Applicant: | Brig Burton, Agricann LLC |
| | Representative: | Adam Baugh, Withey Morris, PLC |
| | Owner: | Andrew & Linda Thompson |
| 7. | Application #: | ZA-543-14-8 (review) |
| | Existing Zoning: | A-1 |

- Location: 4116 East Superior Avenue
Quarter Section: 6-37(E10)
Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. A medical marijuana cultivation facility shall not be located within 5,280 feet of another medical marijuana facility.
- Ordinance Sections: 627.D.91.a 627.D.91.c
Applicant: Theodore C. Pappas, N & A Enterprises
Representative: David Dow, David Dow Law Office
Owner: Superior Industrial Center
8. Application #: ZA-339-15-1 (review)
Existing Zoning: C-2 BCMFSP
Location: 2841 West Thunderbird Road
Quarter Section: 32-22(L7)
Proposal: Use Permit to allow a medical marijuana dispensary. Use Permit required.
- Ordinance Sections: 623.D.122.a
Applicant: Carsten Loelke, NRC Inc
Representative: Carsten Loelke, NRC Inc
Owner: Thunder 17, LLC
- 1:30 PM**
9. Application #: ZA-568-16-8 (Sign)
Existing Zoning: R-5
Location: 901 East Van Buren Street
Quarter Section: 10-29(F8)
Proposal: Variance to reduce the minimum spacing between ground signs to 83 feet. Minimum 150-foot spacing required between ground signs for multi-family residential land uses.
- Ordinance Sections: 705.D
Applicant: Jason Shano, Associated Sign Company
Representative: Jason Shano, Associated Sign Company
Owner: Camden USA
10. Application #: ZA-510-16-4 (Continued from 12/8/16)
Existing Zoning: C-1
Location: Northwest corner of 18th Place and Thomas Road
Quarter Section: 15-31(G9)
Proposal: **1)** Use Permit to allow a drive-through facility

within 300 feet of a residential district. Use Permit required. **2)** Use Permit to allow outdoor dining accessory to a restaurant. Use Permit required. **3)** Variance to delete the landscape setback along the east side. Minimum 25 feet required.

Ordinance Sections: 622.D.146.e 622.D.146.d 622.E.4.e
Applicant: Aaron Klusman, Klusman Family Holdings
Representative: Jonathan Ammon, Design-build collaborative, LLC
Owner: Aaron Klusman, Klusman Family Holdings

11. Application #: ZA-565-16-5
Existing Zoning: R1-6
Location: 4705 North 75th Avenue
Quarter Section: 18-11(H4)
Proposal: Use permit to use the PRD development option. Use permit required.

Ordinance Sections: 613.B. Table A
Applicant: Steve Bargeloh D&M Engineering
Representative: Steve Bargeloh D&M Engineering
Owner: Sheri Ranger

12. Application #: ZA-566-16-4
Existing Zoning: C-2 HRI TOD-1
Location: Southeast corner of Central Avenue and Virginia Avenue
Quarter Section: 14-28(G8)
Proposal: **1)** Use Permit to increase setback for outdoor seating and patio dining where ground level retail uses occur to 12 feet. Use Permit required for setback greater than 6 feet. **2)** Use Permit to allow the outdoor consumption of alcoholic beverages as an accessory to a restaurant. Use Permit required. **3)** Variance to increase setback (west) to 10 feet. Maximum 6-foot setback allowed. **4)** Variance to increase setback (north) to 28 feet. Maximum 6-foot setback allowed. **5)** Variance to reduce building frontage to 40%. Minimum 50% building frontage required. **6)** Variance to allow vehicle access from pedestrian-oriented streets where other reasonable access is available. Vehicle access from pedestrian streets is prohibited. **7)** Variance to reduce the number of required parking spaces to 19 spaces.

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| Ordinance Sections: | Minimum 65 spaces required. 662.I.1.a(1) 662.E.3.a. 662.I.1.Table 1 662.I.1.Table 1 662.I.2.Table 2 662.L.5.a 702.C |
| Applicant: | Jason Morris, Withey Morris PLC |
| Representative: | Jason Morris, Withey Morris PLC |
| Owner: | Gordon Keig, Pennant Virginia, LLC |
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| Application #: | ZA-567-16-2 |
| Existing Zoning: | PCD NBCCPOD |
| Location: | 2750 West Dove Valley Road |
| Quarter Section: | 57-23(R7) |
| Proposal: | Use permit to allow a drive through as an accessory to a restaurant (Burger King) within 300 feet of residential. Use permit required. |
| Ordinance Sections: | 624.D.112.d.(2) |
| Applicant: | Brad Flahiff, Barnett Management Company |
| Representative: | Scott Phillips, Carefree Partners Investments, LLC |
| Owner: | Canyon Crossroads Retail, 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.

December 20, 2016