

**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 19, 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-570-16-8 (Sign)
Existing Zoning: CP/GCP A-1 & C-2 M-R, A-1
Location: 4575 - 4635 East Elwood Street
Quarter Section: 5-38(E11)
Proposal: Use Permit for a major amendment to the Hohokam 10 Comprehensive Sign Plan (Sky Harbor Towers).
Use Permit required.

Ordinance Sections: 705.E.2.
Applicant: Rick Markum. Design Farm Studio
Representative: Rick Markum. Design Farm Studio
Owner: Rich Fragapane. HM Sky Harbor. LLC

2. Application #: ZA-542-16-2 (Sign) (Continued from 12/22/16)
Existing Zoning: PCD, approved CP/GCP
Location: 16430 North Scottsdale Road
Quarter Section: 36-44(M12)
Proposal: Use Permit for a major amendment to the Kierland Comprehensive Sign Plan (Kierland One). Use Permit required.

Ordinance Sections: 705.E.2.
Applicant: Alissa Felker, SmithCraft
Representative: Alissa Felker, SmithCraft
Owner: Michelle Brown, KO Scottsdale

3. Application #: ZA-569-16-3
Existing Zoning: R1-10
Location: 11257 North 37th Street
Quarter Section: 29-36(K10)
Proposal: Variance to reduce the rear yard setback (north) to 13 feet. Minimum 25 feet required.

Ordinance Sections: 611.B. Table B.
Applicant: Brian Stole, BDS Design
Representative: Brian Stole, BDS Design
Owner: David Scatchard, Scatch 38, INC

4. Application #: ZA-571-16-6
Existing Zoning: C-2
Location: 4017 East Indian School Road
Quarter Section: 16-37(H10)
Proposal: **1)** Use permit to allow outdoor dining accessory to a restaurant (The Porch) within 500 feet of a residential district zoning line. Use permit required.
2) Use permit to allow outdoor alcoholic beverage consumption accessory to a restaurant (The Porch) within 500 feet of a residential district zoning line. Use permit required.
Ordinance Sections: 623.D.156.c. 623.D.156.c.
Applicant: John Dolan, Drake Investments
Representative: Jason Allen, Skyline Consultants, LLC
Owner: Ryan Francisco, Jayhawk Partners, LLC
5. Application #: ZA-573-16-2
Existing Zoning: S-1, Approved R1-18 PRD
Location: Approximately 300 feet East of the Northeast corner of 40th street and Lone Mountain Road.
Quarter Section: 55-37(R10)
55-37(R10)
55-37(R10)
55-37(R10)
55-37(R10)
Proposal: **1)** Variance to reduce the required front yard setback to 10 feet. Minimum 25 feet required.
2) Variance to reduce perimeter street setback to 18 feet along Lone Mountain Road. 20 feet required.
3) Variance to increase lot coverage to 40 percent for primary structure and 10 percent shade structure, total 50 percent lot coverage. 25 percent primary structure, total, 30 percent allowed.
Ordinance Sections: 610.B. 610.B. 610.B.
Applicant: Adam Baugh, Withey Morris, PLC
Representative: Adam Baugh, Withey Morris, PLC
Owner: LM Communities, LLC
6. Application #: ZA-574-16-6
Existing Zoning: C-2
Location: 3125 East Indian School Road
Quarter Section: 16-34(H10)
Proposal: Use permit to allow outdoor dining as an accessory use to a restaurant (Dickey's Barbecue Pit) within 500 feet of a residential zoning district line. Use

Ordinance Sections: permit required.
623.D.156.c.
Applicant: Mark Peterson, FM Group
Representative: Glenn I. Ross, FM Group
Owner: Matt Morrell 32nd Street & Indian School Investors

7. Application #: ZA-572-16-8
Existing Zoning: A-1
Location: 201 South 36th Street
Quarter Section: 10-36(F10)
10-36(F10)
Proposal: **1)** Use permit to allow medical marijuana cultivation facility. Use permit required. **2)** Variance to allow a medical marijuana cultivation facility to be located within 5,280 feet of same type of use. Minimum 5,280 feet required from another facility.
Ordinance Sections: 627.D.91.A. 627.D.91.C.
Applicant: Carsten Loelke JJ Empire
Representative: Guy Filippelli JJ Empire
Owner: Carsten Loelke JJ Empire

8. Application #: ZA-575-16-4
Existing Zoning: A-2
Location: 3028 West Virginia Avenue
Quarter Section: 14-22(G7)
Proposal: **1)** Time extension for ZA-501-15, use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Time extension for ZA-501-15, use permit to allow a medical marijuana infusion facility. Use permit required. **3)** Time extension for ZA-501-15, Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum separation of 5,280 feet required. **4)** Time extension for ZA-501-15, Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum separation of 5280 feet required.
Ordinance Sections: 627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.93.b.
Applicant: Michael Morrow, Valley of the Sun Medical Dispensary INC
Representative: Larry Lazarus, Lazarus, Silvyn & Bangs, P.C.
Owner: Melvin R. Martin, MRM Investments, LLP

1:30 PM

9. Application #: ZA-394-14-5 (Continued from 12/15/16)

Existing Zoning: C-2, C-3
Location: 4240 West Camelback Road
Quarter Section: 19-19(H6)
Proposal: Use permit to allow outdoor uses as an accessory use to a public assembly hall. Use permit is required.

Ordinance Sections: 623.D.9.b.
Applicant: Vanessa Montes, Legends Event Center
Representative: Vanessa Montes, Legends Event Center
Owner: AMERCO Real Estate Company, Inc.

10. Application #: ZA-528-16-8 (Continued from 12/15/16)
Existing Zoning: R-3 SPVTABOD
Location: 2801 East Wier Avenue
Quarter Section: 4-34(E10)
Proposal: **1)** Use permit to utilize the PRD development option. Use permit required. **2)** Variance to reduce the common area to 0%. Minimum 5% of gross area required. **3)** Variance to reduce the common landscape setback adjacent to perimeter streets to 0 feet. Minimum 10 feet with an average of 15 feet required. **4)** Variance to allow on-lot retention for individual lots less than 8,000 square feet. Common retention required for lots less than 8,000 square feet. **5)** Variance to allow a lot without street frontage. No structure may be built on a lot which does not front on a street.

Ordinance Sections: 615.B. Table A. 615.B. Table A. 615.B. Table A. 615.B. Table A. 608.H.1.
Applicant: David Bohn, Westwood Partners
Representative: David Bohn, Westwood Partners
Owner: TGME, LLC Matrixx Management

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