

**NOTICE OF PUBLIC HEARING
ZONING ADJUSTMENT HEARING
*REVISED 3/21/17**

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 **March 23, 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-57-17-2
Existing Zoning: RE-24
Location: 6201 East Aster Drive
Quarter Section: 31-42(K12)
Proposal: Variance to reduce the side yard setback (west) to 5 feet. Minimum 15 feet required.

Ordinance Sections: 606.B.3.a
Applicant: Phillip Griffin
Representative: Phillip Griffin
Owner: Phillip Griffin

2. Application #: ZA-71-17-2
Existing Zoning: C-2 PCD
Location: 7000 East Mayo Boulevard, Suite 18
Quarter Section: 39-43(M12)
39-44(M12)
Proposal: Use permit to allow a bar (Harkins Scottsdale 101 Theatres) with gross floor area exceeding 5,000 square feet and within 300 feet of a residential district. Use permit required.

Ordinance Sections: 623.D.156.e
Applicant: Richard Lustiger, Harkins Scottsdale 101 Cinemas, LLC
Representative: Andrea Lewkowitz, Lewkowitz Law Office
Owner: 101 & Scottsdale, LLC

3. Application #: ZA-74-17-6
Existing Zoning: R1-6 SPPSP
Location: 1810 East Oregon Avenue
Quarter Section: 19-31(I9)
Proposal: Variance to reduce the side yard (west) setback to 4 feet. 10 feet required.

Ordinance Sections: 613.Table B
Applicant: Jacqueline Alexander Soutus

- Representative: Jacqueline Alexander Soutus
Owner: Jacqueline Alexander Soutus
4. Application #: ZA-75-17-6
Existing Zoning: C-2 HGT/WVR, C-2 HGT/WVR SP
Location: Southwest corner of 44th Street and Indian School Road
Quarter Section: 16-37(H10)
Proposal: Use Permit to allow a 23% reduction in required parking based upon the shared parking model. Maximum 15% reduction allowed.
- Ordinance Sections: 702.E.2.c
Applicant: Rod Jarvis, Earl, Curley, and Lagarde, PC
Representative: Rod Jarvis, Earl, Curley, and Lagarde, PC
Owner: Brice Samuel, Las Cascadas Apartments
5. Application #: ZA-76-17-7
Existing Zoning: R-3 RSIOD
Location: 4031 South 6th Avenue
Quarter Section: 5-27(E8)
Proposal: Variance to reduce the side yard setback (south) to 6 feet. Minimum 10 feet required.
- Ordinance Sections: 615.B.Table B
Applicant: Elida Gates
Representative: Haydee Gates
Owner: Elida Gates
6. Application #: ZA-78-17-3
Existing Zoning: C-2
Location: 9310 North Central Avenue
Quarter Section: 27-27(J8)
Proposal: **1)** Variance to allow vehicle maneuvering in the public alley. Not allowed, all vehicle maneuvering to be done on private property. **2)** Variance to reduce the number of required parking spaces to 12. Minimum 15 parking spaces required.
- Ordinance Sections: 702.A.1.b 702.C
Applicant: Kevin Bain, Bain Architecture and Planning
Representative: Kevin Bain, Bain Architecture and Planning
Owner: Ventra, LLC Arizona chest and sleep medicine
- *7. Application #: ZA-81-13-8 (3-mth review for Use Permit only)
Existing Zoning: A-1
Location: 3303 South 40th Street
Quarter Section: 6-37(E10)
Proposal: **1)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana

- facility. Minimum 5,280 feet separation required. **2)** Use Permit to allow a medical marijuana cultivation facility. Use permit required.
- Ordinance Sections: 627.D.91.c. 627.D.91.a.
 Applicant: Arizona Natures Wellness
 Representative: Adam Baugh, Withey Morris PLC
 Owner: AMZ LLC
8. Application #: ZA-73-17-3
 Existing Zoning: C-2
 Location: 12620 North Cave Creek Road
 Quarter Section: 31-32(K9)
 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 facility. **3)** Variance to allow a medical marijuana dispensary within 500 feet of a residential district.
- Ordinance Sections: 623.D.122.a 623.D.122.e 623.D.122.f
 Applicant: Larry Lazarus, Lazarus, Silvyn and Bangs, PC
 Representative: Larry Lazarus, Lazarus, Silvyn and Bangs, PC
 Owner: Roseann Chiulli
- 1:30 PM**
9. Application #: ZA-62-17-6
 Existing Zoning: R1-18
 Location: 3502 East Equestrian Trail
 Quarter Section: 06-35(B10)
 Proposal: Variance to allow an over height (6 feet) wall in the required front yard (west) setback. Maximum 40 inches allowed.
- Ordinance Sections: 703.A.2.a
 Applicant: Joseph & Annamarie Kastl
 Representative: Joseph & Annamarie Kastl
 Owner: Joseph & Annamarie Kastl
10. Application #: ZA-79-17-3
 Existing Zoning: R-3
 Location: 11210 North 15th Avenue
 Quarter Section: 29-25(K7)
 Proposal: **1)** Variance to allow an over height wall/fence (7 feet) within the required front yard setback. Maximum 40 inches allowed. **2)** Variance to allow an over height wall/fence (7 feet) within the required side yard setback. Maximum 6 feet allowed.
- Ordinance Sections: 703.A.2.a 703.A.2.c

- Applicant: Gary W Fisher
 Representative: Gary W Fisher
 Owner: Gary W Fisher
11. Application #: ZA-81-17-8
 Existing Zoning: R-5 RI ACSBO
 Location: 907 East Roosevelt Street
 Quarter Section: 11-29(F8)
 Proposal: Variance to reduce the required side yard landscape setback (east) to 0 feet. Minimum 5 feet required.
 Ordinance Sections: 703.B.3.b(3)
 Applicant: Brian Greathouse, Burch & Cracchiolo, P.A.
 Representative: Brian Greathouse, Burch & Cracchiolo, P.A.
 Owner: Netanel Harat Mickolee, LLC
12. Application #: ZA-83-17-4
 Existing Zoning: R1-6 Coronado SPD
 Location: 1123 East Coronado Road
 Quarter Section: 13-29(G8)
 Proposal: **1)** Variance to reduce the side yard (east side) to 1 foot. Minimum 3 feet required. **2)** Variance to reduce the side yard (west side) to 8 feet. Minimum 10 feet required.
 Ordinance Sections: 613.B. Table B 613.B. Table B
 Applicant: Kevin Fulkerson, Cornerstone Design
 Representative: Kevin Fulkerson, Cornerstone Design
 Owner: Landon Mondragon, 303 Properties, LLC
13. Application #: ZA-84-17-3
 Existing Zoning: C-2
 Location: 2005 East Cactus Road
 Quarter Section: 30-32(K9)
 Proposal: **1)** Variance to reduce the setback for a visible wireless communication facility to less than 300 feet from a residentially zoned property. Minimum 300 feet setback required **2)** Variance to allow equipment enclosure to exceed 600 square feet. Maximum 600 square feet permitted.
 Ordinance Sections: 715.B.3.a(2)(a) 715.B.4.b(1)
 Applicant: Kent Flake, Crown Castle
 Representative: Kent Flake, Crown Castle
 Owner: Boa Sorte, LP, Viel Gluck, LP and Ben Fatt
14. Application #: ZA-86-17-2
 Existing Zoning: R1-18, S-1 Appr R-3A PCD
 Location: Approximately 200 feet west of the southwest corner of 68th Street and Mayo Boulevard

- Quarter Section: 37-43(M12)
38-43(M12)
39-43(M12)
- Proposal: Use Permit to allow an over height retaining wall (64 inches) within 50 feet of a subdivision perimeter (west).
Use Permit required.
- Ordinance Sections: 703.A.4.c
- Applicant: Zach Hilgart, Hilgart Wilson
- Representative: Zach Hilgart, Hilgart Wilson
- Owner: Patrick Brown, DR Horton
15. Application #: ZA-85-17-1
- Existing Zoning: C-2 MR
- Location: 20224 North 27th Avenue
- Quarter Section: 41-22(N7)
- Proposal: Use Permit to allow a medical marijuana dispensary.
Use Permit required.
- Ordinance Sections: 623.D.122.a
- Applicant: Curtis Devine, Devine Holdings
- Representative: Larry Lazarus, Lazarus, Silvyn & Bangs, P.C.
- Owner: Jatin Daas, AZE Real Estate, 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.

This publication can be made available in alternate format upon request. Contact Tamra Ingersoll at (602) 534-6648, TTY: use 7-1-1.

To request reasonable accommodations, please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

March 6, 2017