

**NOTICE OF PUBLIC MEETING
BOARD OF ADJUSTMENT**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the **BOARD OF ADJUSTMENT** and to the general public, that the **BOARD OF ADJUSTMENT** will hold a meeting open to public on **Thursday, November 2, 2017, at 12:00 p.m. located in City Council Chambers, 200 West Jefferson Street, Phoenix, Arizona.**

(One or more members may participate by telephone conference call.)

The agenda of the meeting is as follows:

A. Approval of Minutes

Approval of October 5, 2017 minutes.

B. Approval of Agenda

C. Requests for Continuance and/or Withdrawal

D. Items for Consideration

1. Application #: **ZA-291-17-6 (Continued from October 5, 2017)**
Existing Zoning: R1-6
Location: 2540 East Roma Avenue
Quarter Section: 17-33(H9)
Proposal: Variance to increase height of perimeter fence to 8 feet in side and rear yards. Maximum 6 feet allowed.

Ordinance Sections: 703.A.2.c.
Applicant: Antoni Penev
Representative: Kirby Mayberry
Owner: Antoni Penev
Appellant: Antoni Penev

2. Application #: **ZA-326-17-8**
Existing Zoning: A-1
Location: 4201 East University Drive
Quarter Section: 6-37(E10)
Proposal: Variance to extend the operating hours of a medical marijuana dispensary to 10:00 PM. No later than 7:00 PM for operating hours allowed.

Ordinance Sections: 627.D.92.h.
Applicant: Patient Alternative Relief Center

Representative: David W. Dow Dow Law Office
Owner: Ash Mountain, LLC
Appellant: David W. Dow Dow Law Office

3. Application #: **ZA-377-17-8**
Existing Zoning: R-3 RI (Pending R1-6)
Location: 702 North 11th Street
Quarter Section: 11-29(F8)
Proposal: **1)** Variance to allow an open projection to project 6 feet into the required front yard setback (Lot 1). Maximum 5-foot projection permitted.
2) Variance to allow an open projection to project 6 feet into the required front yard setback (Lot 2). Maximum 5-foot projection permitted.
3) Variance to reduce the rear yard setback to 15 feet (Lot 1). Minimum 25 feet required.
4) Variance to reduce the rear yard setback to 15 feet (Lot 2). Minimum 25 feet required.
5) Variance to reduce the required lot width to 51 feet (Lot 1). Minimum 60 feet required.
6) Variance to increase lot coverage to 61% (Lot 1). Maximum 40% permitted.
7) Variance to increase lot coverage to 47% (Lot 2). Maximum 40% permitted.
- Ordinance Sections: 701.A.3.a.(1).(a) 701.A.3.a.(1).(a) 613.B. Table B. 613.B. Table B. 613.B. Table B. 613.B. Table B. 613.B. Table B
- Applicant: Shelly Chen, Trellis
Representative: Shelly Chen, Trellis
Owner: Trellis
Appellant: Shelly Chen, Trellis

4. Application #: **ZA-286-17-7**
Existing Zoning: A-1
Location: 1801 South 35th Avenue
Quarter Section: 8-21(F6)
Proposal: **1)** Use permit to allow a homeless shelter closer than 1,320 feet from a residential district. Minimum 1,320 feet separation required.
2) Variance to allow an over height wall (6 feet) in the required street side setback (north). Maximum 40 inches allowed.
3) Variance to allow an over height wall (6 feet) in the required street side setback (west). Maximum 40 inches allowed.
- Ordinance Sections: 627.D.1. 703.A.3.a. 703.A.3.a.

Applicant: Wendy Riddell, Berry Riddell LLC
Representative: Wendy Riddell, Berry Riddell LLC
Owner: Jay Cory, Phoenix Rescue Mission
Appellant: Dan Mardian

E. Other Business

5. Update on December Board of Adjustment agenda.
6. Update on pending appeals of the Board of Adjustment.
7. Q & A: Procedure and Process - Board of Adjustment case law.
8. The Board may vote to go into Executive Session pursuant to A.R.S Section 38-431.03.A.3. for the purpose of receiving legal advice regarding any of the above Items A-E.

F. Adjournment

For further information, please call Mary L. Brown, Secretary to the Board, in the Planning and Development Department at 602-495-7029, or contact us 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. To request a reasonable accommodation, please contact Tamra Ingersoll at 602.534.6648, TTY: Use 7-1-1.

October 18, 2017