

**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 **November 2, 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-460-17-6
Existing Zoning: R1-10
Location: 5911 E Calle Del Paisano
Quarter Section: 16-41(H11)
Proposal: **1)** Time extension of ZA-551-16, a variance to allow an over height wall (7 feet, 9 inches) in the required rear yard. Maximum 6 feet permitted. **2)** Time extension of ZA-551-16, a variance to allow an over height wall (7 feet, 8 inches) in the required side yard (west). Maximum 6 feet permitted. **3)** Time extension of ZA-551-16, a variance to allow an over height wall (6 feet, 5 inches) in the required side yard (east). Maximum 6 feet permitted. **4)** Time extension of ZA-551-16, a variance to reduce the minimum percent open for walls adjacent to the Arizona Canal. Minimum 50 percent open required.

Ordinance Sections: 307 307 307 307
Applicant: Brennan Giggey
Representative: Brennan Giggey
Owner: Brennan Giggey

2. Application #: ZA-454-17-4
Existing Zoning: C-2
Location: 2632 West Indian School Road
Quarter Section: 17-23(H7)
Proposal: **1)** Use permit to allow for a carwash in an open building. Use permit required. **2)** Use permit to allow vacuums as an accessory to a car wash in an open building. Use permit required.

Ordinance Sections: 623.D.42 623.D.42
Applicant: Michael Clark, Identity Mutual, LLC
Representative: Michael Clark, Identity Mutual, LLC
Owner: Dharmesh Ahir Khodiyar LLC

3. Application #: ZA-455-17-4
Existing Zoning: C-2
Location: 2942 North 16th Street
Quarter Section: 15-30(G9)
Proposal: **1)** Variance to reduce the side yard setback (north) to zero feet. Minimum 15 feet required. **2)** Variance to reduce the side yard setback (south) to 8 feet. Minimum 50 feet required. **3)** Variance to reduce the streetscape landscape setback (east) along 16th Street to 2 feet. An average of 25 feet is required, minimum of 20 feet is permitted for up to 50 percent to of the frontage. **4)** Variance to reduce the landscape setback (north) for property line not adjacent to a street to zero feet. Minimum 10-foot landscape setback required. **5)** Variance to reduce the landscape setback (south) for property line not adjacent to a street to 8 feet. Minimum 10-foot landscape setback required.
- Ordinance Sections: 623.E.4.d 623.E.4.d 623.E.4.d 623.E.4.d 623.E.4.d
- Applicant: Lance Meinhold, Larson Associates Architects Inc.
Rod Jarvis, Earl, Curley & Lagarde, P.C.
- Representative: Rod Jarvis, Earl, Curley & Lagarde, P.C.
- Owner: Norma Chavez, Clean Freak Car Wash, LLC
4. Application #: ZA-457-17-3
Existing Zoning: R-3
Location: 1723 West Cholla Street
Quarter Section: 29-25(K7)
Proposal: **1)** Variance to eliminate the required loading space. 1 loading space required. **2)** Variance to reduce the front yard setback on the southwest side (17th Drive) to 16 feet, 10 inches. Minimum 20 feet required. **3)** Variance to reduce the required landscape area along the northeast side to 1 foot 9 inches. Minimum 5 feet required. **4)** Variance to reduce the building setback along the west property line and portions of the north, south and east property lines to 10 feet. Minimum 15 feet required.
- Ordinance Sections: 702.B.2 (table) 615.B Table B 703.B.3.b(3) 615.B.Table B
- Applicant: Dan Pierce, TRELIS
- Representative: Dan Pierce, TRELIS
- Owner: Dan Pierce, TRELIS

5. Application #: ZA-459-17-8
Existing Zoning: R-3 RI
Location: 1101 East Pierce Street
Quarter Section: 11-29(F8)
Proposal: **1)** Variance to allow required parking within the required front yard. Required spaces may not be allowed within the required front yard. **2)** Variance request to allow for no covered parking/garage for a single family residence. Minimum one parking place required in a garage or carport.
Ordinance Sections: 702.F.1.a 507 Tab A II.C.8.5.d
Applicant: Drew Scharnitzke
Representative: Drew Scharnitzke
Owner: Amir Ran
6. Application #: ZA-462-17-4
Existing Zoning: R-5
Location: 4201 and 4205 North 9th Street
Quarter Section: 17-29(H8)
Proposal: Use permit to reduce the required parking to 8 spaces for housing which serves special needs population. Minimum 24 spaces required.
Ordinance Sections: 702.E.6
Applicant: Brian Greathouse Burch & Cracchiolo, P.A.
Representative: Brian Greathouse Burch & Cracchiolo, P.A.
Owner: Joe Keeper Native American Connections, Inc.
7. Application #: ZA-470-17-8
Existing Zoning: C-2
Location: 3935 East Thomas Road
Quarter Section: 14-36(G10)
Proposal: Use permit to allow outdoor live music as an accessory to a restaurant within 500 feet of residential zoning. Use permit required.
Ordinance Sections: 623.D.157.c.
Applicant: Michael Conley, Helio Basin Brewing Company
Representative: Michael Conley, Helio Basin Brewing Company
Owner: Ed Redmond, SUR-COR, LLC
8. Application #: ZA-452-17-7
Existing Zoning: A-1
Location: 4301 West Buckeye Road
Quarter Section: 8-18(F6)
Proposal: Revocation of ZA-159-15-7, a use permit to allow

Ordinance Sections: medical marijuana cultivation and infusion.
307.A.7.g
Applicant: MSCP, LLC
Representative: Jenifer Corey, Zoning Strategies, LLC
Owner: MSCP, LLC

1:30 PM

9. Application #: ZA-464-17-8
Existing Zoning: R1-6
Location: 2535 North 28th Place
Quarter Section: 14-34(G10)
Proposal: Time extension for ZA-470-16, variance to reduce the minimum lot width to 50 feet. Minimum 60 feet required.

Ordinance Sections: 613.B.Table B
Applicant: Aaron Wallace, TSALM Services, LLC
Representative: Nick Labadie, Rose Law Group, PC
Owner: Aaron Wallace, TSALM Services, LLC

10. Application #: ZA-463-17-6
Existing Zoning: C-2 CEPCSP
Location: 2375 East Camelback Road
Quarter Section: 18-32(H9)
Proposal: **1)** Use permit to allow outdoor dining within 500 feet of a residential district zoning line. Use permit required. **2)** Use permit to allow outdoor alcoholic beverage consumption within 500 feet of a residential district zoning line

Ordinance Sections: 623.D.157.c 623.D.157.c
Applicant: Clayton Moizo, Scramble 4, LLC
dba Scramble A Breakfast
Representative: Jeffrey Craig, Miller Arizona Liquor Industry Consultants
Owner: Hines VAV III, 2375 East Camelback Road, LLC

11. Application #: ZA-466-17-1
Existing Zoning: R-5
Location: 3333 West Dunlap Avenue
Quarter Section: 26-21(J7)
Proposal: **1)** Variance to allow a 10-foot-high wrought iron fence on the west perimeter line. Maximum 6 feet allowed. **2)** Variance to allow a 10 foot wrought iron fence on the south perimeter line. Maximum 6 feet allowed.

Ordinance Sections: 703.A.2.c 703.A.2.c
Applicant: Brian Greathouse, Burch & Cracchiolo, PA
Representative: Brian Greathouse, Burch & Cracchiolo, PA
Owner: Brock Danielson

3333 Dunlap Associates, LLC H Street Pl.

12. Application #: ZA-402-17-6 (Continued from 9/28/17)
Existing Zoning: RE-24
Location: 39 Biltmore Estates
Quarter Section: 20-33(19)
Proposal: Variance to allow an over height wall/fence (8 feet) in the required front yard. Maximum 40 inches permitted.
Ordinance Sections: 703.2.a
Applicant: Mike March, Modern Architects
Representative: Mike March, Modern Architects
Owner: Robert and Linda Glassman Living Trust
13. Application #: ZA-398-17-7 (Continued from 9/28/17)
Existing Zoning: A-2
Location: 2 North 35th Avenue
Quarter Section: 10-20(F6)
Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit is required. **2)** Use permit to allow a medical marijuana infusion facility. Use permit is required. **3)** Variance to allow a medical marijuana cultivation facility within 1,000 feet of a residentially zoned district. 1,000 feet separation is required between cultivation facility and residentially zoned districts. **4)** Variance to allow a medical marijuana cultivation facility within 1,320 feet of a church. Minimum separation of 1,320 feet required. **5)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum separation of 5,280 feet required. **6)** Variance to allow a medical marijuana infusion facility within 1,000 feet of a residentially zoned district. 1,000 feet is required between infusion facility and residentially zoned districts. **7)** Variance to allow a medical marijuana infusion facility within 1,320 feet of a church. Minimum separation of 1,320 feet required. **8)** Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum separation of 5,280 feet required.
Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.d 627.D.91.f
627.D.91.c 627.D.93.c 627.D.93.e
627.D.93.b
Applicant: 35th Avenue Investments LLC
Representative: Jesse R. Callahan, May, Potenza, Baran & Gillespie, P.C.
Owner: 35th Avenue Investments, 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.

October 3, 2017