

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 **March 8, 2018, at 9:00 a.m. located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona.**

Notes:

1. Agenda items may be taken out of order.
2. Anyone wishing to address an agenda item must complete a speaker card.
3. Comments may be limited due to time constraints and to ensure all viewpoints are heard.

The agenda for the meeting is as follows:

9:00 AM

1. Application #: ZA-28-18-6 (Sign)
Existing Zoning: A-2
Location: 802 South 56th Street
Quarter Section: 9-40(F11)
Proposal: Variance to increase the height of an off-premise sign to 80 feet. Maximum of 70 is allowed with a Use Permit.

Ordinance Sections: 705.2.B.4.b
Applicant: Joseph White, Becker Boards Small, LLC
Representative: William Lally, Tiffany and Bosco
Owner: SRP
2. Application #: ZA-38-18-4 (Sign)
Existing Zoning: C-2 HRI TOD-1; P-1 HRI TOD-1
Location: 2603 North Central Avenue
Quarter Section: 14-28(G8)
Proposal: **1)** Variance to increase the maximum letter / logo height for a wall sign on the west elevation to 42 inches. Maximum 12 inches permitted for building fronts 30 feet in height or less. **2)** Variance to allow a wall sign on the west elevation to extend closer than the vertical height of the letters to the roofline. Walls signs shall extend no closer than half the vertical height of the letters employed to a building corner or to a roofline. **3)** Variance to increase the maximum letter / logo height for a wall sign on the east elevation to 144 inches. Maximum 12 inches permitted for building fronts 30 feet in height or less. **4)** Variance to increase the wall sign area on the east elevation to 240 square feet.

- Signs painted on the building surface or letters mounted directly to the building surface shall be a maximum of one square foot of signage for each linear foot of building elevation (48.5 square feet) to a maximum of 100 square feet for each business.
- Ordinance Sections: 662.K.1.b 662.K.1.c 662.K.1.b 662.K.1.a
 Applicant: Erice Peterson, Switch
 Representative: Jeff Kendall, Elite Signs
 Owner: Michael Dye, DR Virginia, LLC
3. Application #: ZA-27-18-3
 Existing Zoning: R1-18
 Location: 5457 East Lupine Avenue
 Quarter Section: 30-40(K11)
 Proposal: Variance to allow a maximum of 28% lot coverage for the primary structure and total lot coverage of 32%. Maximum of 25% for primary structure and total lot coverage of 30% permitted.
- Ordinance Sections: 610.B.Table
 Applicant: William Allison, Withey Morris, PLC
 Representative: William Allison, Withey Morris, PLC
 Owner: Edward Muhlenfeld, Muhlenfeld Family Revocable Living Trust
4. Application #: ZA-29-18-4
 Existing Zoning: R-3
 Location: 1641 East Cheery Lynn Road
 Quarter Section: 15-31(G9)
 Proposal: **1)** Use Permit to use the Single-Family Attached (SFA) development option. Use Permit required. **2)** Variance to reduce perimeter setback requirement (east) to 6 feet. Minimum 10 feet required. **3)** Variance to reduce perimeter setback requirement (west) to 6 feet. Minimum 10 feet required. **4)** Variance to allow an over height fence (6 feet) within the required front yard setback. Maximum 40 inches permitted.
- Ordinance Sections: 608.F.6 615.B.Table B 615.B.Table B 608.F.6.h
 Applicant: Jim Morgan, MPD Cheery Lynn, LLC
 Representative: Jim Morgan, MPD Cheery Lynn, LLC
 Owner: Jim Morgan, MPD Cheery Lynn, LLC
5. Application #: ZA-37-18-6
 Existing Zoning: PSC CEPCSP
 Location: 1743 East Camelback Road
 Quarter Section: 18-31(H9)
 Proposal: Use Permit to allow the sale of alcoholic beverages

- Ordinance Sections: accessory to a restaurant (IHOP). Use Permit required.
622.D.149.a
Applicant: Thomas Robert Aguilera, Romulus Restaurants, LLC
Representative: Thomas Robert Aguilera, Aguilera Law Group, PC
Owner: Camelback Colonnade SPE, LLC
6. Application #: ZA-40-18-6
Existing Zoning: R1-6
Location: 4124 East Patricia Jane Drive
Quarter Section: 18-37(H10)
Proposal: Use permit to allow a closed projection to project 15 feet into the required rear yard (north) setback for no more than one half the width of the structure. Maximum 5-foot projection permitted.

Ordinance Sections: 701.A.3.a.(2).d
Applicant: David Ross, Ross Design Group, LLC
Representative: David Ross, Ross Design Group, LLC
Owner: Justin Green
7. Application #: ZA-269-12-4 (2-year review)
Existing Zoning: C-3
Location: 2300 West Indian School Road
Quarter Section: 17-23(H7)
Proposal: Use permit to allow a neighborhood collection center.
Use permit required.

Ordinance Sections: 624.D.91.a
Applicant: Fortunato S. Beltran, DSYMAS
Representative: Fortunato S. Beltran, DSYMAS
Owner: Combined Commercial, LLC
8. Application #: ZA-319-12-7 (3-month review)
Existing Zoning: C-2
Location: 6260 South 35th Avenue
Quarter Section: 2-20(D6)
Proposal: **1)** Variance to allow a Medical Marijuana dispensary to be located within 1,320 feet from a preschool, kindergarten, elementary, secondary or high school (Sun Valley Charter). Medical Marijuana dispensary shall not be located within 1,320 feet from a preschool, kindergarten, elementary, secondary or high school
2) Variance to allow a Medical Marijuana dispensary to be located within 250 feet from a residentially zoned district. Medical Marijuana dispensary shall not be located within 250 feet from a residentially zoned district. **3)** Variance to allow a Medical Marijuana dispensary to be located within 5,280 feet of the same

type of use. Medical Marijuana dispensary shall not be located within 5,280 feet from the same type of use. **4)** Use permit to allow a medical marijuana dispensary. Use permit required.

Ordinance Sections: 623.D.121.g 623.D.121.f 623.D.121.e 623.D.121.a
Applicant: Patrick B. Romo
Representative: Larry Lazarus, Lazarus, Silvyn & Bangs, P.C
Owner: Dennis Johnson, PWDAF 35th and Southern, LLC

1:30 PM

9. Application #: ZA-41-18-6 (Sign)
Existing Zoning: C-2
Location: 5836 North 7th Street
Quarter Section: 20-28(I8)
Proposal: **1)** Use Permit to establish the Luna Square Comprehensive Sign Plan. Use Permit required.
2) Use Permit to allow an electronic message display as part of a ground sign. Use Permit required.

Ordinance Sections: 705.E.2 705.C.13
Applicant: Brent VanDeman, Bootz & Duke Sign Co.
Representative: Brent VanDeman, Bootz & Duke Sign Co.
Owner: Joe Micatrotto, Jr, KR-7th & Bethany Home, LLC

10. Application #: ZA-39-18-2
Existing Zoning: R-3A PCD
Location: 28575 North Black Canyon Highway
Quarter Section: 51-22(P7)
Proposal: Variance to reduce required landscape area to 0 feet for approximately 320 feet along the south property line. Minimum 5 feet required.

Ordinance Sections: 703.B.3.b.3
Applicant: Dynamite Apartments 1, LLC, BC Dynamite Apartments
Representative: Mark Highlen, Dynamite Apartments I, E.T.A.L.
Owner: Dynamite Apartments 1, LLC, BC Dynamite Apartments

11. Application #: ZA-42-18-6
Existing Zoning: R1-10
Location: 7050 North Wilder Road
Quarter Section: 23-27(I8)
Proposal: Use permit to allow an over height accessory structure (18 feet) within the required rear yard setback. Maximum 15 feet allowed.

Ordinance Sections: 706.G
Applicant: Jeremy Granger
Representative: Jeremy Granger
Owner: Richard Jackman

12. Application #: ZA-43-18-4
Existing Zoning: C-2
Location: 4819 North 27th Avenue
Quarter Section: 18-23(H7)
Proposal: Use Permit to allow a tattoo shop. Use Permit required.
Ordinance Sections: 623.D.187
Applicant: Pete Ortiz, Bully Dome Tattoo, LLC
Representative: Pete Ortiz, Bully Dome Tattoo, LLC
Owner: Highland Sky, LLC
13. Application #: ZA-44-18-3
Existing Zoning: RE-43
Location: 10320 North 37th Street
Quarter Section: 28-36(K10)
Proposal: Variance to reduce the required street frontage to 164 feet. Minimum 165 required.
Ordinance Sections: 605.B.1
Applicant: Paul T. Delaney, Macarco IV, LLC
Representative: Will Lehman
Owner: Paul T. Delaney, Macarco IV, LLC
14. Application #: ZA-45-18-4
Existing Zoning: C-2
Location: 1350 North 43rd Avenue
Quarter Section: 12-18(G6)
Proposal: **1)** Variance to reduce the landscape setback on 43rd Avenue to 10 feet minimum and 10 feet average. Minimum 25 feet and average 30 feet required. **2)** Variance to reduce the landscape setback on the I-10 frontage to 14 feet minimum and 14 feet average. Minimum 25 feet and average 30 feet required. **3)** Variance to reduce the required building setback to 14 feet minimum and 14 feet average along the south property line. Minimum 20 feet permitted for up to 50% of the structure and average of 30 feet required.
Ordinance Sections: 623.E.4.e 623.E.4.e 623.E.4.d
Applicant: Kevin Kelly, Planet Fitness
Representative: Stephen Earl, Earl, Curley and Lagarde
Owner: Southwest Regional Council of Carpenters
15. Application #: ZA-46-18-2
Existing Zoning: C-2 PCD
Location: 2605 West Carefree Highway
Quarter Section: 58-23(R7)

- Proposal: Use permit to allow a temporary use for up to 36 months for outdoor entertainment for a restaurant/bar (Connolly's Sports Grill). Use permit required.
- Ordinance Sections: 708.D.1
- Applicant: Brian Cavender, Connolly's Sports Grill
- Representative: Brian Cavender, Connolly's Sports Grill
- Owner: Mark Villalpando, North Canyon Village, LLC
16. Application #: ZA-47-18-5
- Existing Zoning: C-2
- Location: 6024 North 23rd Avenue
- Quarter Section: 21-23(17)
- Proposal: **1)** Variance to allow a drive-through window for sale of alcohol within 161 feet of a residential district and no primary accesses from a major arterial or arterial street. Minimum 300 feet required and access from a major arterial or arterial street. **2)** Use permit to allow package liquor sales within 300 feet of a residential zoning district. Use permit required.
- Ordinance Sections: 622.D.100.b 622.D.100.a
- Applicant: Chris Doran, SDS Consulting
- Representative: Chris Doran, SDS Consulting
- Owner: Angelina Abdeen, In & Out Convenience

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.

February 12, 2018