

**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 **July 5, 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 A.M.**

1.       Application #:                       ZA-249-18-7  
          Existing Zoning:                DTC-Business Core  
          Location:                        201 East Washington Street Suite 104  
          Quarter Section:                10-28(F8)  
          Proposal:                        Use permit to allow outdoor liquor service as an accessory to a bar. Use permit required.  
  
          Ordinance Sections:            1204.D  
          Applicant:                       FA Whining Pig Bars 2, LLC  
          Representative:                Andrea Lewkowitz, Lewkowitz Law Office  
          Owner:                          City of Phoenix, Collier Center PT, LLC
  
2.       Application #:                       ZA-257-18-5  
          Existing Zoning:                R1-6  
          Location:                        3535 North 63rd Avenue  
          Quarter Section:                16-14(H5)  
          Proposal:                        Use permit to allow Public Assembly-Residential with vehicular access on a local or minor collector street. Use permit required.  
  
          Ordinance Sections:            608.E.6  
          Applicant:                       Nick and Kristen Schuerman, Victory Preschool Corporation  
          Representative:                Nick and Kristen Schuerman, Victory Preschool Corporation  
          Owner:                          Dennis Schuerman, DLS Investments, LLC

3.       Application #:                    ZA-264-18-3  
Existing Zoning:                    R1-10  
Location:                             1848 East Cinnabar Avenue  
Quarter Section:                   28-31(K9)  
Proposal:                            Variance to reduce the required rear yard setback (north) to 10 feet. Minimum 25 feet required.  
  
Ordinance Sections:               611.B.Table B  
Applicant:                           John Klee, Klee Design Collaborative  
Representative:                   John Klee, Klee Design Collaborative  
Owner:                               Eric Ubersax
  
4.       Application #:                    ZA-265-18-2  
Existing Zoning:                    C-2  
Location:                             20624 North Cave Creek Road  
Quarter Section:                   41-32(N9)  
Proposal:                            Variance to allow a veterinary hospital 60 feet from a residential district. Minimum 100 feet required.  
  
Ordinance Sections:               623.D.205.a  
Applicant:                           T. Arch Robertson, DVM Echo Drive Properties, LLC  
Representative:                   Stan J. Connick, Stan J. Connick and Associates  
Owner:                               T. Arch Robertson, DVM Echo Drive Properties, LLC
  
5.       Application #:                    ZA-266-18-2  
Existing Zoning:                    C-2, C-2 SP  
Location:                             20626 North Cave Creek Road  
Quarter Section:                   41-32(N9)  
Proposal:                            Time extension of ZA-235-17, a variance to reduce parking to 124 spaces. 174 spaces required.  
  
Ordinance Sections:               307  
Applicant:                           T Arch Robertson, Echo Drive Properties, LLC  
Representative:                   Stan J. Connick, Stan J. Connick and Associates-Architects  
Owner:                               101 Plaza North Office Condominium Assoc.
  
6.       Application #:                    ZA-267-18-3  
Existing Zoning:                    R1-8  
Location:                             3101 East Yucca Street  
Quarter Section:                   29-34(K10)  
Proposal:                            Variance to allow a closed projection to encroach into the rear yard setback for 100% of the width of the main structure for five feet.

- Ordinance Sections: Maximum 50% allowed.  
 Applicant: 701.A.3.a.(2).(d)  
 Representative: Rhonda Keene, Liberty Rentals, LLC  
 Owner: Bryan Phillips, First Class Remodeling  
 Rhonda Keene, Liberty Rentals, LLC
7. Application #: ZA-67-13-8  
 Existing Zoning: A-2  
 Location: 4105 East Magnolia Street  
 Quarter Section: 7-37(E10)  
 Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another proposed medical marijuana facility. A medical marijuana cultivation facility shall not be located within 5,280 feet of another medical marijuana facility. **3)** Use permit to allow a medical marijuana infusion production facility. Use permit required. **4)** Variance to allow a medical marijuana infusion production facility within 5,280 feet of another proposed medical marijuana facility. A medical marijuana infusion production facility shall not be located within 5,280 feet of another medical marijuana facility.
- Ordinance Sections: 627.D.91.a. 627.D.91.c. 627.D.93.a.  
 627.D.93.b.  
 Applicant: Patrick Romo, Phoenix Relief Center Incorporated  
 Representative: Patrick Romo, Phoenix Relief Center Incorporated  
 Owner: Jenifer Corey, Zoning Strategies  
 Wade Smith, Smith Real Estate Investments LLC
8. Application #: ZA-92-13-8  
 Existing Zoning: A-2 RSIOD  
 Location: 2512 East Magnolia Street  
 Quarter Section: 7-33(E9)  
 Proposal: **1)** Use permit to allow medical marijuana cultivation. Use permit is required. **2)** Use permit to allow medical marijuana infusion. Use permit is required.
- Ordinance Sections: 627.D.91.a 627.D.91.b  
 Applicant: Banyan Cultivation Management, LLC c/o Ba  
 Representative: Kurt Merschman, Merschman Legal Group,

Owner: PLLC  
Draft Horse Holdings, LLC

**1:30 P.M.**

9. Application #: ZA-269-18-7(Sign)  
Existing Zoning: DTC-ECW ACSBO  
Location: 901 North 1st Street  
Quarter Section: 11-28(F8)  
Proposal: Use Permit to establish The Churchill Comprehensive Sign Plan. Use Permit required.  
Ordinance Sections: 705.E.2  
Applicant: Jason Shano, Associated Sign Company  
Representative: Jason Shano, Associated Sign Company  
Owner: Churchill, LLC
10. Application #: ZA-270-18-4(Sign)  
Existing Zoning: C-1,C-2HR, C-2HRSP, P-2, R-5  
Location: 350 West Thomas Road  
Quarter Section: 15-26(G8)  
15-27(G8)  
Proposal: Use Permit for a major amendment to the St. Joseph's Hospital & Medical Center Comprehensive Sign Plan. Use Permit required.  
Ordinance Sections: 705.E.2  
Applicant: Patrick Tenant, Smithcraft Signs  
Representative: Nicole Bergstrom, Smithcraft Signs  
Owner: Nick Tedesco, St. Joseph's Hospital & Medical Center
11. Application #: ZA-271-18-8(Sign)  
Existing Zoning: C-2, R-3 RSIOD  
Location: 2006 East Broadway Road  
Quarter Section: 5-31(E9)  
5-32(E9)  
Proposal: Use Permit to allow an electronic message display as part of a ground sign. Use Permit required.  
Ordinance Sections: 705.C.13  
Applicant: Amber Elliot, Summit West Signs  
Representative: Amber Elliot, Summit West Signs  
Owner: South Phoenix Baptist Church
12. Application #: ZA-273-18-7(Sign)

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|-----|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | Existing Zoning:    | DTC-Downtown Gateway                                                                                                                                                                                                                                                                                                                        |
|     | Location:           | 1505 North Central Avenue                                                                                                                                                                                                                                                                                                                   |
|     | Quarter Section:    | 12-28(G8)                                                                                                                                                                                                                                                                                                                                   |
|     | Proposal:           | <b>1)</b> Variance to allow a wall sign on the north elevation to be built to a height of 58 feet 4 inches. Maximum of 15 feet allowed. <b>2)</b> Variance to allow a wall sign on the south elevation to be built to a height of 58 feet 4 inches. Maximum of 15 feet allowed.                                                             |
|     | Ordinance Sections: | 705 Table D-1 705 Table D-1                                                                                                                                                                                                                                                                                                                 |
|     | Applicant:          | Julie Kulka, Airpark Signs & Graphics                                                                                                                                                                                                                                                                                                       |
|     | Representative:     | Julie Kulka, Airpark Signs & Graphics                                                                                                                                                                                                                                                                                                       |
|     | Owner:              | Dan Tilton, Phoenix Central Owner, LLC                                                                                                                                                                                                                                                                                                      |
| 13. | Application #:      | ZA-189-18-6                                                                                                                                                                                                                                                                                                                                 |
|     | Existing Zoning:    | R1-10                                                                                                                                                                                                                                                                                                                                       |
|     | Location:           | 1822 and 1826 East Palmyra Avenue                                                                                                                                                                                                                                                                                                           |
|     | Quarter Section:    | 23-31(I9)                                                                                                                                                                                                                                                                                                                                   |
|     | Proposal:           | <b>1)</b> Variance to increase fence height on the north side of both lots to 7 feet 8 inches. Maximum 6 feet allowed. <b>2)</b> Variance to increase fence height between parcels to 7 feet. Maximum 6 feet allowed. <b>3)</b> Variance to increase fence height on south property line (lot 2 only) to 6 feet. Maximum 40 inches allowed. |
|     | Ordinance Sections: | 703.A.2.c 703.A.2.c 703.A2.a                                                                                                                                                                                                                                                                                                                |
|     | Applicant:          | Cameron Cooke, MKC Builders Corporation                                                                                                                                                                                                                                                                                                     |
|     | Representative:     | Cameron Cooke, MKC Builders Corporation                                                                                                                                                                                                                                                                                                     |
|     | Owner:              | Cameron Cooke, MKC Builders Corporation                                                                                                                                                                                                                                                                                                     |
| 14. | Application #:      | ZA-268-18-6                                                                                                                                                                                                                                                                                                                                 |
|     | Existing Zoning:    | R1-14                                                                                                                                                                                                                                                                                                                                       |
|     | Location:           | 5533 East Flower Street                                                                                                                                                                                                                                                                                                                     |
|     | Quarter Section:    | 15-40(G11)                                                                                                                                                                                                                                                                                                                                  |
|     | Proposal:           | <b>1)</b> Variance to allow a 33 percent lot coverage. Maximum of 30 percent lot coverage permitted for all structures under 20 feet in height and 1 story. <b>2)</b> Variance to reduce the side yard setback (west) 6 feet. Minimum 10 feet required.                                                                                     |
|     | Ordinance Sections: | 606.B.5 606.B.4                                                                                                                                                                                                                                                                                                                             |
|     | Applicant:          | Rob Pankow, Pankow Construction, Inc.                                                                                                                                                                                                                                                                                                       |
|     | Representative:     | Rob Pankow, Pankow Construction, Inc.                                                                                                                                                                                                                                                                                                       |
|     | Owner:              | Curt Pankow                                                                                                                                                                                                                                                                                                                                 |
| 15. | Application #:      | ZA-272-18-3                                                                                                                                                                                                                                                                                                                                 |

Existing Zoning: R1-14  
Location: 13219 North 26th Place  
Quarter Section: 32-33(L9)  
Proposal: Variance to allow an over height fence 6 feet in the required front yard. Maximum 40 inches permitted.  
  
Ordinance Sections: 703.A.2.a  
Applicant: Peter Nearman  
Representative: Peter Nearman  
Owner: Peter Nearman

16. Application #: ZA-274-18-5  
Existing Zoning: C-2  
Location: 7532 West Indian School Road  
Quarter Section: 17-10(H4)  
Proposal: **1)** Use permit to allow outdoor alcoholic beverage consumption accessory to a restaurant (La Playa Mar y Tierra). Use permit required if located within 500 feet of a residential district. **2)** Use permit to allow outdoor dining accessory to a restaurant (La Playa Mar y Tierra). Use permit required if located within 500 feet of a residential district.  
  
Ordinance Sections: 623.D.157.c 623.D.157.c  
Applicant: Delia Martinez, EXA Architects  
Representative: Delia Martinez, EXA Architects  
Owner: Deal Point, Merrill, LLC

**ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBALY  
PLANNER: EDWARD KEYSER, PLANNER II**

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](mailto:zoning@phoenix.gov). This electronic mail address will not accommodate zoning enforcement/violation complaints.

For reasonable accommodations, call Angie Holdsworth at Voice/602-495-5622 or the City TTY/602-534-5500 as early as possible to coordinate needed arrangements.

June 13, 2018