

**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 **August 9, 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-321-18-5
 Existing Zoning: R1-6, R-5, C-1, R-4 SP, R-5 SP
 Location: 1610 West Glendale Avenue
 Quarter Section: 23-25(I7)
 Proposal: Use permit to use the PRD development option. Use permit required.

 Ordinance Sections: 613.B.Table B
 Applicant: Scott Mardian, Beatitudes Campus
 Representative: Mike Kolejka, Orcutt Winslow
 Owner: Beatitudes Campus
 2. Application #: ZA-328-18-6
 Existing Zoning: R1-18
 Location: 5854 North 42nd Street
 Quarter Section: 20-37(I10)
 Proposal: Variance to allow 37% lot coverage. Maximum 30% allowed

 Ordinance Sections: 610.B
 Applicant: Drew Nelson, ADN Drafting
 Representative: Patrick Corbin
 Owner: Patrick Corbin
 3. Application #: ZA-331-18-4
 Existing Zoning: C-1
 Location: 1832 East Thomas Road
 Quarter Section: 15-31(G9)
 Proposal: **1) Use permit to allow outdoor dining as an accessory use to a restaurant. Use permit**

required. **2)** Use permit to allow a drive-through facility within 300 feet of a residential district line. Use permit required. **3)** Variance to reduce the required street side building setback (east) to 15 feet. Minimum 25 feet required. **4)** Variance to reduce the required street side (east) landscaped setback to 15 feet. Average of 25 feet and minimum of 20 feet required.

Ordinance Sections: 622.D.150.d 622.D.150.e.(2) 622.E.4.d
622.E.4.e
Applicant: Jonathan Ammon, Jammonstudios, LLC
Representative: Jonathan Ammon, Jammonstudios, LLC
Owner: Aaron Klusman, Klusman Family Holdings

4. Application #: ZA-333-18-4
Existing Zoning: R-3
Location: 4221 North 20th Street
Quarter Section: 17-32(H9)
Proposal: **1)** Variance to reduce the street side (west) landscape setback to 0. Minimum 25 feet required. **2)** Variance to reduce the rear (east) landscape setback to 0. Minimum 5 feet required.

Ordinance Sections: 703.B.3.a 703.B.3.b
Applicant: Robert Lepore, RLeporeArchitecture, LLC
Representative: Robert Lepore, RLeporeArchitecture, LLC
Owner: 4221 20th Street, LLC

5. Application #: ZA-334-18-4
Existing Zoning: R-3
Location: Approximately 480 feet west of the northwest corner of North 18th Street and East Cheery Lynn Road
Quarter Section: 15-31(G9)
Proposal: Variance to eliminate the requirement for a minimum of trees every 20 feet on center in the required landscape setback. Minimum 20 feet on center or equivalent grouping required.

Ordinance Sections: 608.F.8.c.(4)
Applicant: MPD Cheery Lynn, LLC
Representative: MPD Cheery Lynn, LLC
Owner: MPD Cheery Lynn, LLC

6. Application #: ZA-336-18-4
Existing Zoning: R-3 RI, R-5 RI (Approved C-1)

Location: Southwest corner of 7th Street and Windsor Avenue
Quarter Section: 14-28(G8)
Proposal: **1)** Use permit to develop using the PRD standard. Use permit required. **2)** Variance to reduce the open space requirement to 4 percent. Minimum 5 percent required. **3)** Use permit to allow an ornamental entry feature exceeding 40 inches at the entrance of a new residential subdivision. Use permit required. **4)** Variance to allow lots that do not front onto a public street or private access way. Public street or private access way required. **5)** Variance to allow an over height wall (7 feet in height) in the required front yard. Maximum 40 inches allowed. **6)** Variance to allow an over height wall (7 feet in height) in the required side and rear yard setbacks. Maximum 6 feet allowed. **7)** Variance to reduce the building setback for individual lots for a PRD to zero feet. Minimum 10 feet required. **8)** Variance to reduce required landscape area to 0 feet along the south, west and east property lines. Minimum 5 feet required.

Ordinance Sections: 608.B 703.B.4.a.(1) 703.A.2.b
615.B.TableB(PRD)
703.A.2.a 703.A.2.c 615.B.TabelB(PRD)
703.B.3.b.3

Applicant: Virginia Senior, VIDA Architects
Representative: Virginia Senior, VIDA Architects
Owner: Forrest J. Paysnoe, J P 379 WINDSOR, LLC

7. Application #: ZA-337-18-2
Existing Zoning: R-3 (approved R-3 SP)
Location: 2624 East Greenway Parkway
Quarter Section: 35-33(L9)
Proposal: Time extension for ZA-260-17: **1)** Variance to allow an over-height fence (6 feet) in the required front yard (east). Maximum 40 inches allowed. **2)** Variance to reduce the perimeter standard adjacent to a public street to 15 feet. Minimum 20 feet required.

Ordinance Sections: 307.A.12
Applicant: Sean Lake, Pew and Lake, PLC
Representative: Sean Lake, Pew and Lake, PLC

- Owner: Greenway Parkway, LLC
8. Application #: ZA-342-18-4
 Existing Zoning: C-2
 Location: 3501 North 43rd Avenue
 Quarter Section: 16-19(H6)
 Proposal: Use permit to allow patron dancing accessory to a bar. Use permit required.
 Ordinance Sections: 623.D.157.b.
 Applicant: Patricia Serrano, La Chamba
 Representative: Patricia Serrano, La Chamba
 Owner: Patricia Serrano, La Chamba
9. Application #: ZA-572-14-4 (1-year review)
 Existing Zoning: A-2
 Location: 3839 North 35th Avenue
 Quarter Section: 16-21(H6)
 Proposal: **1)** Use Permit to allow a medical marijuana cultivation facility. Use Permit required. **2)** Use Permit to allow a medical marijuana infusion facility. Use Permit required. **3)** Variance to allow a medical marijuana cultivation facility within 1-mile of a similar type of use. Minimum separation of 5,280 feet required. **4)** Variance to allow a medical marijuana infusion facility within 1-mile of a similar type of use. Minimum separation of 5,280 feet required. **5)** Variance to allow a medical marijuana cultivation facility within 1,000 feet of a residential zoning district. Minimum 1,000 feet separation required. **6)** Variance to allow a medical marijuana infusion facility within 1,000 feet of a residential zoning district. Minimum 1,000 feet separation required.
 Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b 627.D.91.d 627.D.93.c
 Applicant: Wayne Hansen, Medican Enterprises, Inc.
 Representative: Ryan Hurley, Rose Law Group
 Owner: James Scott, Pla2Win, LLC
- 1:30 PM**
10. Application #: ZA-340-18-1 (Sign)
 Existing Zoning: C-2 DVAO
 Location: 22403 North Black Canyon
 Quarter Section: 43-23(N7)
 Proposal: Use permit to rebuild an existing off-premise

- advertising sign from static to digital (north face). Use permit required.
Ordinance Sections: 705.2.G.4
Applicant: Tony Sawyer, Clear Channel Outdoor
Representative: Stephen Earl, Earl, Curley and Lagarde
Owner: LD Acquisition Company 15, LLC
11. Application #: ZA-341-18-7 (Sign)
Existing Zoning: A-1
Location: 5610 West Latham Street
Quarter Section: 12-15(G5)
Proposal: **1)** Variance to reduce the required separation between off-premise advertising structures to 700 feet. A minimum of 1,000 feet required. **2)** Use permit to allow a freeway off-premise advertising structure to be built to a height of 70 feet. Use permit required.
Ordinance Sections: 705.2.B.2 705.2.B.4
Applicant: Tony Sawyer, Clear Channel Outdoor
Representative: Stephen Earl, Earl, Curley and Lagarde
Owner: ADOT
12. Application #: ZA-346-18-8 (Sign)
Existing Zoning: Approved C-2 MR
Location: 148 North 48th Street
Quarter Section: 10-38(F11)
Proposal: Use permit for a major amendment to the Desert Schools Federal Credit Union Comprehensive Sign Plan. Use permit required.
Ordinance Sections: 705.E.2
Applicant: Steve Nelsen, Arizona Commercial Signs
Representative: Steve Nelsen, Arizona Commercial Signs
Owner: Cathy Graham, Desert Schools Federal Credit Union
13. Application #: ZA-338-18-7
Existing Zoning: DTC-BC
Location: 21 West Van Buren Street, Suite G4
Quarter Section: 10-27(F8)
Proposal: Use permit to allow outdoor dining and alcoholic beverage consumption accessory to a bar (Pizza Hut). Use permit required.
Ordinance Sections: 1204.D
Applicant: Hot Pizzas, LLC
Representative: Theresa Morse, A.G.A.T.E.

- Owner: USBC Real Estate, LLC
14. Application #: ZA-339-18-4
 Existing Zoning: C-1
 Location: 2024 North 7th Street
 Quarter Section: 13-28(G8)
 Proposal: **1)** Use permit to allow the sales of alcoholic beverages as an accessory to a restaurant (CitiFarms Café). Use permit required. **2)** Use permit to allow outdoor dining and alcoholic beverage consumption as an accessory to a restaurant (CitiFarms Café). Use permit required.
- Ordinance Sections: 622.D.150.a 622.D.150.d
 Applicant: Douglas J. Edgelow, Windsor Monte Vista, LLC
 Representative: Douglas J. Edgelow, Windsor Monte Vista, LLC
 Owner: Douglas J. Edgelow, Windsor Monte Vista, LLC
15. Application #: ZA-343-18-3
 Existing Zoning: RE-35
 Location: 3853 East Sahuaro Boulevard
 Quarter Section: 27-36(J10)
 Proposal: Variance to allow a 6-foot high wall/fence within the required front yard setback. Maximum height permitted is 40 inches high within the required front yard setback.
- Ordinance Sections: 703.A.2.a.
 Applicant: Jack DeBartolo 3, DeBartolo Architects
 Representative: Jack DeBartolo 3, DeBartolo Architects
 Owner: Pat Jager
16. Application #: ZA-345-18-2
 Existing Zoning: R1-8
 Location: 1007 West Kerry Lane
 Quarter Section: 39-26(M8)
 Proposal: Use permit to allow a projection greater than 5 feet (7 feet) into the rear yard. Maximum 5 feet allowed without use permit.
- Ordinance Sections: 701.A.3.a.(2).(d)
 Applicant: Tuan Dao
 Representative: Tuan Dao
 Owner: Tuan Dao

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 Angie Holdsworth at (602) 495-5622, TTY: use 7-1-1. To request reasonable accommodations, please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

July 18, 2018