

**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 **January 17, 2019, 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-595-18-5  
              Existing Zoning:       R-3  
              Location:            2345 West Hayward Avenue  
              Quarter Section:    24-23(J7)  
              Proposal:            **1) Use permit to allow development using the PRD option. Use permit required. 2) Variance to allow 20% of improved open space. Minimum 34% required.**  
  
              Ordinance Sections: 615.B.Table B 608.I.2.b.(2)  
              Applicant:           David Schmitt, David Schmitt Architect  
              Representative:    David Schmitt, David Schmitt Architect  
              Owner:              Diamenti Family Investments
  
2.           Application #:           ZA-633-18-8  
              Existing Zoning:       R-3, R-4  
              Location:            3213 and 3215 East Flower Street  
              Quarter Section:    15-35(G10)  
              Proposal:            Use permit to allow SFA (Single Family Attached) option. Use permit required.  
  
              Ordinance Sections: 608.F.6  
              Applicant:           Leodra Bowdell, Phoenix Permit Services  
              Representative:    Leodra Bowdell, Phoenix Permit Services  
              Owner:              AJM Ventures, LLC
  
3.           Application #:           ZA-634-18-4  
              Existing Zoning:       R1-6

Location: 3201 North 51st Avenue  
Quarter Section: 15-17(G5)  
Proposal: Use Permit to allow a concealed wireless communication facility on a residentially zoned property that is designated or used for public or quasi-public space (Maryvale Church of Nazarene). Use permit required.  
Ordinance Sections: 715.B.1.a.(1)  
Applicant: Declan Murphy, Coal Creek Consulting for T-Mobile/APC  
Representative: Declan Murphy, Coal Creek Consulting for T-Mobile/APC  
Owner: Maryvale Church of the Nazarene

4. Application #: ZA-630-18-8  
Existing Zoning: A-1  
Location: 801 South 16th Street  
Quarter Section: 9-31(F9)  
Proposal: **1)** Use permit to allow medical marijuana cultivation facility. Use permit required. **2)** Use permit to allow a medical marijuana infusion facility. Use permit required. **3)** Use permit to allow a medical marijuana dispensary. Use permit required. **4)** Variance to allow a medical marijuana dispensary within 1,320 feet of a place of worship. **5)** Variance to allow a medical marijuana cultivation facility within 1,320 feet of a place of worship. **6)** Variance to allow a medical marijuana infusion facility within 1,320 feet of a place of worship.  
Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.92.a 627.D.92.g 627.D.91.f 627.D.93.e  
Applicant: New River Alliance  
Representative: New River Alliance  
Owner: City of Phoenix
5. Application #: ZA-21-16-8 (1 year review of use permit)  
Existing Zoning: A-2 RSIOD ANIZO  
Location: 2340 East University Drive  
Quarter Section: 7-32(E9)  
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 5,280 feet of another medical marijuana facility.

Minimum 5,280 feet separation required. **4)** Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet separation required.

Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b  
Applicant: Patrick Kimbrough  
Representative: Adam Baugh, Withey Morris, PLC  
Owner: Verdes Family Investment Partnership, LP

6. Application #: ZA-64-16-8 (1 year review of use permit)  
Existing Zoning: C-3  
Location: 3155 East McDowell Road  
Quarter Section: 12-34(G10)  
Proposal: Use permit to allow a medical marijuana dispensary facility. Use permit is required.

Ordinance Sections: 623.D.122.a  
Applicant: 32 MC Property, LLC  
Representative: Walter Gilbert, Gilbert Bird Law  
Owner: South Central Building, LLC

7. Application #: ZA-68-16-1 (1 year review of use permit)  
Existing Zoning: C-2  
Location: 4244 West Dunlap Avenue  
Quarter Section: 27-19(J6)  
Proposal: **1)** Use permit to allow a medical marijuana dispensary facility. Use permit is required. **2)** Variance to allow a medical marijuana dispensary within 1320 feet of a preschool. Minimum of 1320 feet of separation required.

Ordinance Sections: 623.D.122.a 623.D.122.g  
Applicant: DRH Enterprises  
Representative: Withey Morris, PLC  
Paul Conant, Conant Law Offices  
Owner: Angal Dunlap Properties, LLC

**1:30 PM**

8. Application #: ZA-638-18-4 (SIGN)  
Existing Zoning: C-2  
Location: 5045 West Indian School Road  
Quarter Section: 16-17(H5)  
Proposal: Use permit to establish the Corner @ Maryvale Comprehensive Sign Plan. Use Permit required.

Ordinance Sections: 705.E.2  
Applicant: Andy Gibson, Bootz & Duke Sign Co.

Representative: Andy Gibson, Bootz & Duke Sign Co.  
Owner: Tim Dollander, Van Winkle II, LLC and Maryvale Strip, LLC

9. Application #: ZA-549-18-3 (Continued from December 6, 2018)  
Existing Zoning: C-2  
Location: 2150 East Sweetwater Avenue  
Quarter Section: 32-32(L9)  
Proposal: Revocation of ZA-364-17-3, a use permit to allow a car wash in an open building.  
Ordinance Sections: 307.A.h.  
Applicant: City of Phoenix  
Representative: City of Phoenix  
Owner: Sean Campbell, Campbell's Carwash
10. Application #: ZA-635-18-6  
Existing Zoning: RE-35 ACSPD  
Location: 5655 East Wonderview Road  
Quarter Section: 18-41(H11)  
Proposal: **1)** Use permit to allow retaining walls up to 14 feet within 50 feet of a property line. Maximum 40 inches allowed. **2)** Use permit to allow retaining walls up to 12 feet within 50 feet of a property line. Maximum 40 inches allowed. **3)** Variance to allow a retaining wall to exceed 6 feet in height within the interior side yard. Maximum 6 feet allowed. **4)** Variance to decrease the separation between retaining walls to 0 feet. Minimum 3 feet of separation required. **5)** Variance to reduce the front (north) yard setback to 10 feet. Minimum 40 feet required. **6)** Variance to allow 3 stories. Maximum 2 stories allowed.  
Ordinance Sections: 703.A.4.c. 703.A.4.c. 703.A.4.e. 703.A.4.b. 609.B Table 609.B Table  
Applicant: Drew Bausom, The Construction Zone, LTD  
Representative: Drew Bausom, The Construction Zone, LTD  
Owner: Tyson & Teri Kelley
11. Application #: ZA-636-18-6  
Existing Zoning: C-1  
Location: 3249 and 3301 East Indian School Road  
Quarter Section: 16-35(H10)  
Proposal: **1)** Variance to allow vehicle maneuvering in an alley. All maneuvering to be on private property. **2)** Variance to reduce rear landscape setback to 0. Minimum 10 feet required.

Ordinance Sections: 702.A.1.b 622.E.4.e Table  
Applicant: Lance D Baker, AIA, Syntec Design, Inc  
Representative: Lance D Baker, AIA, Syntec Design, Inc  
Owner: Neil Moran, NGM Properties, LLC

12. Application #: ZA-639-18-8  
Existing Zoning: A-2 RSIOD  
Location: 2626 East Elwood Street  
Quarter Section: 6-33(E9)  
Proposal: Time extension of ZA-359-18, a use permit to allow development within 500 feet of the Rio Salado Habitat Restoration Project. Use permit required.

Ordinance Sections: 307.A  
Applicant: Mike Hills, Phnx-Design, LLC  
Representative: Mike Hills, Phnx-Design, LLC  
Owner: Lloyd Miller, Ran-Mil Elwood, LLC, Alliance Plumbing

13. Application #: ZA-640-18-8  
Existing Zoning: R-3  
Location: 3350 East Pinchot Avenue  
Quarter Section: 15-35(G10)  
Proposal: **1)** Use permit to utilize the Planned Residential Development option. Use permit required. **2)** Variance to reduce the required perimeter setback (north) to 10 feet. Minimum 15 feet required. **3)** Variance to reduce the required perimeter setback (south) to 15 feet. Minimum 20 feet required. **4)** Variance to reduce the required perimeter setback (east) to 10 feet. Minimum 20 feet required. **5)** Variance to allow 47 % lot coverage. Maximum 45 % permitted.

Ordinance Sections: 615.B.Table B 615.B.Table B 615.B.Table B 615.B.Table B 615.B.Table B  
Applicant: Jason Elrod, Elegance Communities  
Representative: Ron Harris, Norris Design  
Owner: Jason Elrod, Pinchot 34, LLC

14. Application #: ZA-641-18-8  
Existing Zoning: C-1, C-3  
Location: 326 North 48th Street  
Quarter Section: 11-38(F11)  
Proposal: Use permit to allow sales of alcoholic beverages as an accessory use to a restaurant (Phoenix Slice House). Use permit required.

Ordinance Sections: 622.D.150.a  
Applicant: Melissa Heath, D2M3 Pizza, LLC  
Representative: Jared Repinski, AATF  
Owner: John Yee, J & H Yee Living Trust

15. Application #: ZA-642-18-4  
Existing Zoning: R-3 HP  
Location: 102 West Granada Road  
Quarter Section: 13-27(G8)  
Proposal: Variance to allow an over height wall (8 feet) in the required rear yard (north). Maximum 6 feet permitted.
- Ordinance Sections: 703.A.2.c  
Applicant: Scott and Chelsea Hesla  
Representative: Scott and Chelsea Hesla  
Owner: Scott and Chelsea Hesla

For further information, please call Eric Morales, Planner II, Planning and Development Department at 602-262-7927, or contact via electronic mail at [zoning@phoenix.gov](mailto: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 the Planning and Development Department at 602.534-6648, TTY: Use 7-1-1.

January 2, 2019