

**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 **June 20, 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-546-17-4 (18-month review of use permit)  
          Existing Zoning:       C-2 TOD-1  
          Location:             400 and 444 West Camelback Road  
          Quarter Section:     19-27(H8)  
          Proposal:            **1)** Variance to allow maneuvering in an alley. All maneuvering shall be located entirely on private property. **2)** Variance to reduce the combined depth of the parking space and the aisle width to 60 feet for a double loaded aisle. Minimum 62 feet required for a double loaded aisle. **3)** Variance to reduce the minimum required parking spaces to 86. Minimum 126 spaces required. **4)** Variance to reduce the building frontage to 25%. Minimum 65% required. **5)** Variance to reduce the clear window requirement along the street frontage to 10%. Minimum 60% required. **6)** Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a bar/restaurant. Use permit required. **7)** Use permit to allow outdoor recreation as an accessory to a bar/restaurant. Use permit required.  
  
          Ordinance Sections:  702.A.1.b 702.B.2.b.(5) 702.C.Table 662.I.2.a.Table 2  
  662.I.2.a 662.F.1.d 662.F.1.e  
  
          Applicant:            Ben Patton, Ameris Construction  
          Representative:    Ben Patton, Ameris Construction  
          Owner:                Sam & Betty Legacy, LLC/400 W, LLC
  
2.       Application #:           ZA-233-19-8  
          Existing Zoning:       C-2  
          Location:             3015 East Thomas Road, Suite 14  
          Quarter Section:     14-34(G10)  
          Proposal:            Use permit to allow package liquor sales (Elegance Lifestyle Wine) within 300 feet of a residential zoning district. Use permit required.  
  
          Ordinance Sections:  622.D.102.a

- Applicant: Elegance Lifestyle Wine, Inc.  
 Representative: Jeffrey Miller, Arizona Liquor Industry Consultants  
 Owner: Lance Clodfelter, Thomas Place, LLC
3. Application #: ZA-237-19-1  
 Existing Zoning: R1-8  
 Location: 16630 North 38th Drive  
 Quarter Section: 36-20(M6)  
 Proposal: Variance to reduce the required front yard setback (south) to 10 feet. Minimum 20 feet required.  
 Ordinance Sections: 612.B.Table B  
 Applicant: Mohammed Akrum Ali  
 Representative: Mohammed Akrum Ali  
 Owner: Mohammed Akrum Ali
4. Application #: ZA-240-19-8  
 Existing Zoning: R-3 SPVTABOD  
 Location: 2845 East Tamarisk Avenue  
 Quarter Section: 4-34(E10)  
 Proposal: **1)** Variance to reduce the required perimeter setback (east) adjacent to property lines to 5 feet. Minimum 10 feet required. **2)** Variance to reduce the required perimeter setback (west) adjacent to property lines to 5 feet. Minimum 10 feet required. **3)** Variance to reduce the required perimeter setback (south) adjacent to property lines to 5 feet. Minimum 10 feet required. **4)** Variance to reduce the required perimeter setback (north) adjacent to right-of-way to 10 feet. Minimum 15 feet required. **5)** Variance to reduce the required landscape setback (north) to 0 feet. Minimum 10 feet required. **6)** Variance to reduce the required landscape setback (north) not abutting right-of-way to 0 feet. Minimum 5 feet required. **7)** Variance to reduce the required landscape setbacks (east) not abutting right-of-way to 0 feet. Minimum 5 feet required. **8)** Variance to reduce the required landscape setbacks (west) not abutting right-of-way to 0 feet. Minimum 5 feet required. **9)** Use permit to allow Single-Family Attached development option. Use permit required.  
 Ordinance Sections: 615.B.TableB 615.B.TableB 615.B.TableB 615.B.TableB 608.F.8.c.(1) 608.F.8.c.(3) 608.F.8.c.(3) 608.F.8.c.(3) 608.F.8  
 Applicant: Abdul and Samir Slatewala, Architecture All & Associates  
 Representative: Abdul and Samir Slatewala, Architecture All & Associates  
 Owner: Ali Iranmanesh, E and A Construction, Inc.
5. Application #: ZA-241-19-3  
 Existing Zoning: R1-8  
 Location: 2010 West Eugie Avenue  
 Quarter Section: 32-24(L7)  
 Proposal: **1)** Use permit for official approval of a home occupation (internet firearm sales). Use permit required.

- 2)** Use permit to allow a home occupation to generate traffic.  
 Use permit required.
- Ordinance Sections: 608.E.3.h.(5) 608.E.3.h.(1)  
 Applicant: Spring & Michael Stewart  
 Representative: Spring & Michael Stewart  
 Owner: Spring & Michael Stewart
6. Application #: ZA-242-19-4  
 Existing Zoning: R-5 TOD-1  
 Location: 30 West Highland Avenue  
 Quarter Section: 18-27(H8)  
 Proposal: Use permit to allow temporary parking for up to 36 months.  
 Use permit required.
- Ordinance Sections: 708.D.1  
 Applicant: George Pasquell III, Withey Morris, PLC  
 Representative: George Pasquell III, Withey Morris, PLC  
 Owner: Davis Enterprises, George Pasquell III, Withey Morris, PLC
7. Application #: ZA-238-19-7  
 Existing Zoning: A-1 CMOD  
 Location: 317 South 9th Avenue and 771 West Jackson Street  
 Quarter Section: 10-26(F8)  
 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 located less than 1,320 feet from a school and homeless shelter. Minimum 1,320 feet of separation required.
  - 4)** Variance to allow a medical marijuana infusion facility located less than 1,320 feet of school and homeless shelter. Minimum 1,320 feet of separation required.
  - 5)** Variance to allow a medical marijuana cultivation facility located less than 1,000 feet from a place of worship. Minimum 1,000 feet of separation required.
  - 6)** Variance to allow a medical marijuana infusion facility located less than 1,000 feet from a place of worship. Minimum 1,000 feet of separation required.
- Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.d 627.D.93.d 627.D.91.f  
 627.D.93.f  
 Applicant: Jenifer Corey, Zoning Strategies  
 Representative: Jenifer Corey, Zoning Strategies  
 Owner: Tokoph Descendants Trust
- 1:30 PM**
8. Application #: ZA-174-18-4(1 year review of use permit)  
 Existing Zoning: C-2 SAUMSO  
 Location: 4343 North 7th Avenue  
 Quarter Section: 17-27(H8)  
 Proposal: Use permit to allow outdoor alcoholic beverage consumption as an accessory use within 500 feet of a residential district.  
 Use Permit required.

- Ordinance Sections: 623.D.157.c  
 Applicant: Stacy Louis, Stacy's @ Melrose  
 Representative: Stacy Louis, Stacy's @ Melrose  
 Owner: Steven Rogers, Domain Properties, LLC
9. Application #: ZA-73-19-4  
 Existing Zoning: R-3  
 Location: 814 and 824 East Roma Avenue  
 Quarter Section: 17-29(H8)  
 Proposal: **1)** Use permit to use the Planned Residential Development option. Use permit required. **2)** Variance to reduce the perimeter building setbacks (north and west) to 8 feet. Minimum 15 feet required. **3)** Variance to reduce the perimeter building setback (east) to 10 feet. Minimum 15 feet required. **4)** Variance to reduce the required common areas to 0%. Minimum 5% required. **5)** Variance to reduce the surface parking lot landscape to 2%. Minimum 5% required. **6)** Variance to allow 56% lot coverage. Maximum 45% permitted. **7)** Variance to reduce the required parking to 34 spaces. Minimum 43 spaces required. **8)** Variance to reduce the interior landscape setbacks (east, west, north) to 0 feet. Minimum 5 feet required.
- Ordinance Sections: 615.B.Table B 615.B.Table B 615.B.Table B 615.B.Table B 507 Tab A.II.A.6.1.1 615.B.Table B 702.C. 703.B.3.b  
 Applicant: Metro 21 on Roma, LLC  
 Representative: David Cisiewski, Law Office of David Cisiewski, PLLC  
 Owner: Metro 21 on Roma, LLC
10. Application #: ZA-95-19-4 (Continued from April 25, 2019)  
 Existing Zoning: R-4  
 Location: 4202 North 2nd Drive  
 Quarter Section: 17-27(H8)  
 Proposal: **1)** Variance to reduce the front yard setback (east) to 8 feet. Minimum 20 feet required. **2)** Variance to reduce the rear yard setback (west) to 5 feet. Minimum 15 feet required. **3)** Variance to reduce the side yard setback (south) to 8 feet. Minimum 10 feet required. **4)** Variance to reduce the side yard setback (north) to 10 feet for a building height of 40 feet. Minimum 35 feet required. **5)** Variance to eliminate the open space requirement. Minimum 5% required. **6)** Variance to allow maneuvering in the right-of-way. All maneuvering must be located entirely on private property.
- Ordinance Sections: 617.B.Table B 617.B.Table B 617.B.Table B 617.B.Table B 617.B.Table B 702.A.1.b  
 Applicant: Edmir Dzidza, E-Project, LLC  
 Representative: Leonard Saguid, E-Project, LLC  
 Owner: Barrus Investment, LLC
11. Application #: ZA-156-19-4 (Continued from May 9, 2019)  
 Existing Zoning: R1-6

- Location: 4225 North 34th Avenue  
Quarter Section: 17-21(H6)  
Proposal: Variance to allow an open projection (carport) less than 10 feet high in the required side yard setback (south). Minimum 10 feet in height required.
- Ordinance Sections: 701.A.3.a.(1).(b).i  
Applicant: Gregg Brune, Gregg Brune Design  
Representative: Gregg Brune, Gregg Brune Design  
Owner: Sandra Montero De Huerta
12. Application #: ZA-235-19-8  
Existing Zoning: R1-10 BAOD  
Location: 1802 East Dobbins Road  
Quarter Section: 02-31(C9)  
Proposal: Time Extension of ZA-235-19-8, variance to reduce the required lot width to 20 feet. Minimum 80 feet required.
- Ordinance Sections: 611.B.Table B  
Applicant: Ted McClure  
Representative: Ted McClure  
Owner: Ted McClure
13. Application #: ZA-244-19-7  
Existing Zoning: A-1  
Location: 3939 West Buckeye Road  
Quarter Section: 8-19(F6)  
Proposal: Use permit to allow temporary parking and storage for 36 months. Use permit required.
- Ordinance Sections: 708.D.1.  
Applicant: Justen Cassidy, Cawley Architects  
Representative: Justen Cassidy, Cawley Architects  
Owner: Tom Smith, 40th Avenue and Buckeye, LLC
14. Application #: ZA-245-19-7  
Existing Zoning: C-2  
Location: 3624 West Baseline Road  
Quarter Section: 1-20(D6)  
Proposal: Use permit to allow outdoor dining accessory to a restaurant (Mimi Forno Italiano) within 500 feet of a residential district. Use permit required if located within 500 feet of a residential district.
- Ordinance Sections: 623.D.157.c.  
Applicant: David Garcia, Gardel Engineering  
Representative: David Garcia, Gardel Engineering  
Owner: HH-Laveen, LLC
15. Application #: ZA-243-19-5  
Existing Zoning: C-2  
Location: 2601 West Dunlap Avenue  
Quarter Section: 26-23(J7)

Proposal: **1)** Variance to allow a nonprofit medical marijuana dispensary within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet separation required. **2)** Variance to allow a nonprofit medical marijuana dispensary within 500 feet of a residentially zoned district. Minimum 500 feet separation required. **3)** Use Permit to allow a nonprofit medical marijuana dispensary. Use Permit required.

Ordinance Sections: 623.D.124.e 624.D.124.f 624.D.124.a  
Applicant: BC Retail Development, LLC  
Representative: Benjamin Tate, Withey Morris, PLC  
Owner: MP Dunlap, Inc.

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.

June 5, 2019