

**NOTICE OF PUBLIC HEARING
ZONING ADJUSTMENT HEARING**
**Revised Location Updated*

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 16, 2020, at 9:00 a.m. Located in Conference Room 10E, Phoenix City Hall, 200 West Washington Street, 10th 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-621-19-2 (SIGN)
 Existing Zoning: R1-10 and R-2
 Location: 17150 North 52nd Street
 Quarter Section: 37-39(M11)
 Proposal: Variance to increase to increase the sign area on a ground sign to 60 square feet. Maximum 16 square feet permitted.

 Ordinance Sections: 705.D. Table D-1
 Applicant: Patrick Brown, DR Horton
 Representative: Thomas Durant, Anderson Baron
 Owner: Patrick Brown, DR Horton

2. Application #: ZA-607-19-4
 Existing Zoning: C-1
 Location: 392 and 396 East Palm Lane
 Quarter Section: 13-28(G8)
 Proposal: **1)** Use permit to allow outdoor dining as an accessory to a restaurant. Use permit required. **2)** Use permit to allow a queuing lane for a drive-through facility less than 300 feet from a residential zoning district line. Use permit required.

 Ordinance Sections: 622.D.150.d 622.D.150.e.(2)
 Applicant: George Pasquell III, Withey Morris, PLC
 Representative: George Pasquell III, Withey Morris, PLC
 Owner: Ali Fakih, 2000 North 7th, LLC

3. Application #: ZA-608-19-6
 Existing Zoning: R1-6
 Location: 1702 East Rancho Drive

Quarter Section: 20-31(19)
Proposal: **1)** Variance to allow a detached accessory structure (pergola) within the required front yard (south) setback. Detached accessory structures not permitted within the required front yard setback. **2)** Variance to allow required parking spaces within the required front yard setback (south). Required parking not permitted within the front yard setback.
Ordinance Sections: 706.A. 702.F.1.a.
Applicant: Camille Monroe-Nelson
Representative: Rey Palmer Nelson III,
Camille Monroe-Nelson
Owner: Rey Palmer Nelson III

4. Application #: ZA-613-19-6
Existing Zoning: RE-35
Location: 4971 East Palomino Road
Quarter Section: 18-39(H11)
Proposal: **1)** Use permit to allow an over height tennis court fence (10 feet) in the required rear yard (south) setback. Use permit required. **2)** Use permit to allow an over height tennis court fence (10 feet) in the required side yard (east) setback. Use permit required. **3)** Use permit to allow tennis court lights. Use permit required.
Ordinance Sections: 608.G.5 608.G.5 608.G.5
Applicant: Ken Brown Jr., Ken Brown Designs, LLC
Representative: Ken Brown Jr., Ken Brown Designs, LLC
Owner: William W. Horsley

5. Application #: ZA-617-19-2
Existing Zoning: R-2, R1-10
Location: 17150 North 52nd Street
Quarter Section: 37-39(M11)
Proposal: **1)** Use permit to allow an ornamental entry to be up to 29 feet in height. Use permit required to exceed 40 inches. **2)** Variance to allow an over height wall (9 feet) in a residential subdivision. Maximum 6 feet permitted.
Ordinance Sections: 703.A.2.b. 703.A.2.c.
Applicant: Dan Bonow / Patrick Brown, DR Horton
Representative: Thomas Durant, Anderson Baron
Owner: Dan Bonow / Patrick Brown, DR Horton

6. Application #: ZA-619-19-4
Existing Zoning: R1-6
Location: 2302 West Osborn
Quarter Section: 16-23(H7)
Proposal: Variance to reduce the required rear yard setback (west) to

Ordinance Sections: 10 feet. Minimum 25 feet required.
613.B. Table B.
Applicant: Reza Farrokh, Farco, PLLC, Design-Builders
Representative: Reza Farrokh, Farco, PLLC, Design-Builders
Owner: Alicia Sanchez

7. Application #: ZA-616-19-7
Existing Zoning: A-1
Location: 5436 West Latham Street
Quarter Section: 12-16(G5)
Proposal: **1)** Use Permit to allow a medical marijuana cultivation facility in the A-1 zoning district. Use permit required. **2)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of an existing medical marijuana facility. Minimum 5,280 feet separation required. **3)** Variance to allow a medical marijuana cultivation facility within 1,000 feet of a residentially zoned property. Minimum 1,000 feet separation required.

Ordinance Sections: 627.D.91.a 627.D.91.c 627.D.91.d
Applicant: 5436 West Latham Street, LLC
Representative: Benjamin Tate, Withey Morris, PLC
Owner: 5436 West Latham Street, LLC

1:30 PM

8. Application #: ZA-561-19-7 (SIGN) (Continued from December 12, 2019)
Existing Zoning: A-1
Location: 2439 West McDowell Road
Quarter Section: 12-23(G7)
Proposal: Use Permit to allow an electronic message board. Use permit required.

Ordinance Sections: 705.C.13
Applicant: Jason Gilbert, Associated Signs
Representative: Jason Gilbert, Associated Signs
Owner: Susan Mobley, AMMA, LLC

9. Application #: ZA-609-19-7 (SIGN)
Existing Zoning: DTC-Warehouse HP
Location: 27 West Madison Street
Quarter Section: 10-27(F8)
Proposal: **1)** Variance to allow 70 square feet of signage where the maximum allowed is 47 square feet. **2)** Variance to allow tenant signage to be installed not over the leased space. Variance required.

Ordinance Sections: 1222.B.7.a.(3).(A) 1222.B.7.a, 705.D.3.b
Applicant: Anthony Chumita, Christy Signs
Representative: Anthony Chumita, Christy Signs

- Owner: Rajan Hansji, Hansji Corporation
10. Application #: ZA-611-19-4 (SIGN)
Existing Zoning: C-2 SP
Location: 2601 West Camelback Road
Quarter Section: 18-23(H7)
Proposal: Use Permit to rebuild a nonconforming off-premise sign to digital. Use permit required.
Ordinance Sections: 705.2.G.4
Applicant: Eleven/Twenty-Four Trust
Representative: William Lally, Tiffany & Bosco, PA
Owner: Eleven/Twenty-Four Trust
11. Application #: ZA-610-19-8
Existing Zoning: PUD
Location: 4040 East McDowell Road
Quarter Section: 13-37(G10)
Proposal: Variance to allow a disguised wireless communication facility 85 feet in height. Maximum 65 feet permitted.
Ordinance Sections: 715.B.2.a.(1)
Applicant: Mikhaill Allayev, Real Estate & More, LLC
Representative: Robert Klob, RKD INC
Owner: Mikhaill Allayev, Real Estate & More, LLC
12. Application #: ZA-612-19-6
Existing Zoning: R1-6
Location: 4302 East Devonshire Avenue
Quarter Section: 17-37(H10)
Proposal: **1)** Variance to allow 45 percent lot coverage. Maximum 40 percent lot coverage permitted. **2)** Variance to reduce the rear yard setback (east) to 5 feet. Minimum 25 feet required.
Ordinance Sections: 613.B.Table B 613.B.Table B
Applicant: Louie Rocha, Interior Innovations, LLC
Representative: Louie Rocha, Interior Innovations, LLC
Owner: Jeremy & Megan Livengood
13. Application #: ZA-615-19-6
Existing Zoning: R1-6
Location: 4238 East Whitton Avenue
Quarter Section: 16-37(H10)
Proposal: **1)** Variance to reduce the required side yard setback (east) to 4 feet. Minimum 10 feet required. **2)** Variance to allow a 42% lot coverage. Maximum 40% lot coverage permitted.
Ordinance Sections: 613.B.Table B 613.B.Table B
Applicant: Michael Gilson, Accurate Estimating Services
Representative: Michael Gilson, Accurate Estimating Services
Owner: Nicholas and Casey Hensley

14. Application #: ZA-618-19-6
Existing Zoning: R1-6
Location: 4740 East Windsor Avenue
Quarter Section: 14-38(G11)
Proposal: Variance to reduce the required side yard setback (east) to 3 feet. Minimum 10 feet required.
Ordinance Sections: 613.B.Table B.
Applicant: Tim Rasnake, Archicon, AAI, LC
Representative: Jere Planck, Archicon, AAI, LC
Owner: Jere W. & Mary Christine Planck Family R
15. 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' of another medical marijuana facility. Minimum 5,280' separation required. **4)** Variance to allow a medical marijuana infusion facility within 5,280' of another medical marijuana facility. Minimum 5,280' 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

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. 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 6, 2020