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 May 14, 2020, at 9:00 AM (Items 1-8) and 1:30 PM (Items 9-15).

Per the most recent guidelines from the federal government, the Zoning Adjustment Hearing Officer will be held virtually, via a video conferencing platform.

The public may listen to the live meeting by calling 602-666-0783 and following the below steps:

- Enter meeting access code 623120693#
- Press # again when prompted for the attendee ID

Members of the public may also observe the virtual meeting by visiting the following link and registering on the website - https://cityofphoenixpdd.webex.com/cityofphoenixpdd/onstage/g.php?MTID=e94429b275da606d065ab68e974839405

If you wish to provide a written comment or speak at the meeting, please submit a request to: zoning.adjustment@phoenix.gov at least 48 hours prior to the start of the hearing. Please indicate the item number you wish to speak on. Staff will provide you further instructions on the process for public comment during the virtual meeting. Staff will make every effort to accommodate requests to speak submitted beyond the 48-hour period. Due to the added demands of facilitating the virtual environment for the public, applicants and other staff members, we cannot consider any request less than six business hours before the start of the meeting / hearing.

Notes:
1. Agenda items may be taken out of order.
2. 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-267-15-3 (1-year review of use permit)
   Existing Zoning: C-2
   Location: 12620 North Cave Creek Road Suite #10
   Quarter Section: 31-32(K9)
   Proposal: Use permit to allow non-profit medical marijuana dispensary.
   Use permit required.
   Ordinance Sections: 623.D.122.a
   Applicant: Reggie Candelaria, Fort Consulting, LLC
   The Muv Dispensary
   Representative: Reggie Candelaria, Fort Consulting LLC, The Muv Dispensary
   Owner: Roseann Chiulli
2. Application #: ZA-107-20-8 (Continued from April 2, 2020)
   Existing Zoning: DTC-East Evans Churchill
   Location: 905 North 4th Street
   Quarter Section: 11-28(F8)
   Proposal: 1) Use permit to allow a bar. Use permit required. 2) Use permit to allow outdoor liquor services as an accessory to a bar. Use permit required.
   Ordinance Sections: 1204.D 1204.D
   Applicant: Jackson Kelly, Howard Kelly Concepts, LLC
   Representative: Jackson Kelly, Howard Kelly Concepts, LLC
   Owner: Daniel Bateman, Norm Fox

3. Application #: ZA-122-20-1 (Continued from April 9, 2020)
   Existing Zoning: RE-43
   Location: 3724 West Topeka Drive
   Quarter Section: 39-20(M6)
   Proposal: Variance to reduce the side yard setback (west) to 10 feet for a detached accessory structure. Minimum 30 feet required.
   Ordinance Sections: 605.B.3
   Applicant: Lori Shuman, Tuff Shed, Inc.
   Representative: Lori Shuman, Tuff Shed, Inc.
   Owner: Ginger Keska

4. Application #: ZA-176-20-7
   Existing Zoning: DTC-Roosevelt South HP
   Location: 822 North 6th Avenue
   Quarter Section: 11-27(F8)
   Proposal: 1) Time extension of ZA-92-18, use permit to allow a bar. Use permit required. 2) Time extension of ZA-92-18, use permit to allow outdoor liquor service as an accessory use to a bar. Use permit required.
   Ordinance Sections: 1204.D. 1204.D.
   Applicant: Christoph Kaiser, Kaiserworks, LLC
   Representative: Christina Lufkin, Kaiserworks, LLC
   Owner: Kim and Kevin Haasarud, Sixth Avenue Lab, LLC

5. Application #: ZA-178-20-8
   Existing Zoning: C-2, R1-6
   Location: 4221 and 4225 East Thomas Road
   Quarter Section: 14-37(G10)
   Proposal: Time extension of ZA-159-19, use permit to permit a 25-foot encroachment into a more restrictive district. Use permit required.
   Ordinance Sections: 307.A.8
   Applicant: Wendy Riddell, Berry Riddell, LLC
   Representative: Wendy Riddell, Berry Riddell, LLC
   Owner: Thomas Edgemont Properties, LLC

6. Application #: ZA-180-20-6
   Existing Zoning: R1-6
   Location: 4136 East Glenrosa Avenue
   Quarter Section: 17-37(H10)
Proposal: Variance to allow a closed projection to project 12 feet into the required front yard (south) setback for no more than one half the maximum width of the structure. Maximum 5 foot projection permitted.

Ordinance Sections: 701.A.3.a.(2).c
Applicant: Raleigh G. Hall, Raleigh George Hall Architect
Representative: Raleigh G. Hall, Raleigh George Hall Architect
Owner: Brett Barrad, Red Door Assets, LLC

7. Application #: ZA-183-20-5
Existing Zoning: RE-35
Location: 10659 West Missouri Avenue
Quarter Section: 19-3(H2)
Proposal: 1) Use Permit to allow detached structure at 19 feet in height within required rear yard. Maximum 15 feet permitted. 2) Variance to allow detached structure at 19 feet in height within required side yard. Maximum 8 feet permitted.

Ordinance Sections: 706.G 706.C
Applicant: Perry Vincent
Representative: Perry Vincent
Owner: Perry Vincent

8. Application #: ZA-185-20-1
Existing Zoning: R1-6
Location: 3545 West Cholla Street
Quarter Section: 29-20(K6)
Proposal: 1) Use permit to receive official approval of a home occupation (Federal Firearms License). 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: Martin K. Enloe
Representative: Martin K. Enloe
Owner: Martin K. Enloe

1:30 PM

9. Application #: ZA-68-16-1 (1-year review of use permit)
Existing Zoning: C-2
Location: 4244 W 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
Owner: Paul Conant, Conant Law Offices

10. Application #: ZA-149-20-8 (SIGN)
Existing Zoning: C-O
Location: 701 North 44th Street
Quarter Section: 11-38(G11)
Ordinance Sections: 705.1.E.2
Applicant: Andy Jochums, Beus Gilbert McGroder, PLLC
Representative: Paul Gilbert, Beus Gilbert McGroder, PLLC
Owner: 701, LLC
11. Application #: ZA-181-20-1 (SIGN)
Existing Zoning: R-3A, A-1
Location: 24025 North 23rd Avenue
Quarter Section: 45-24(O7)
Proposal: Variance to increase wall sign height to 25 feet. Maximum 15 feet permitted.
Ordinance Sections: Sec. 705 Table D-1
Applicant: Taylor Earl, Early & Curley
Representative: Taylor Earl, Early & Curley
Owner: Erin Conway, Continental 481 Fund, LLC
12. Application #: ZA-174-20-3
Existing Zoning: R1-10
Location: 3233 East Cholla Street
Quarter Section: 29-35(K10)
Proposal: 1) Variance to reduce the required front yard (north) setback to 10 feet. Minimum 25 feet required. 2) Variance to allow an over height wall (6 feet) in the required front yard (north). Maximum 40 inches permitted.
Ordinance Sections: 611.B.Table B. (a) 703.A.2.a
Applicant: Robert Guiles
Representative: Jeff Muckerman
Owner: Robert Guiles and Jessie Guiles
Existing Zoning: R1-8
Location: Approximately 50 feet west of the southwest corner of 7th Avenue and Utopia Road
Quarter Section: 39-26(M8)
Proposal: 1) Variance to allow a minimum lot width (Lot No. 2) of 57 feet. Minimum lot width of 70 feet required. 2) Variance to allow a minimum lot width (Lot No. 3) of 65 feet. Minimum lot width of 70 feet required. 3) Variance to allow a rear yard setback of 10 feet (Lot No. 2). Minimum rear yard setback of 25 feet required.
Ordinance Sections: 612.B.Table B.(a) 612.B.Table B.(a) 612.B.Table B.(a)
Applicant: David Cisiewski, Esq., Law Office of David Cisiewski, PLLC
Representative: David Cisiewski, Esq., Law Office of David Cisiewski, PLLC
Owner: Art Erb, Sunrise United Methodist Church
Existing Zoning: C-2
Location: 6501 North 19th Avenue and 1840 West Maryland Avenue
Quarter Section: 22-25(I7)
Proposal:
1) Variance to reduce the street side building setback along 19th Avenue to 17 feet. An average of 25 feet is required, minimum of 20 feet permitted for up to 50 percent of structure, including projections. 2) Variance to reduce the streetscape landscape setback along 19th Avenue to 7 feet. An average of 25 feet is required, minimum of 20 feet permitted for up to 50 percent of the frontage. 3) Variance to reduce the streetscape landscape setback along Maryland Avenue to 10 feet. An average of 25 feet is required, minimum of 20 feet permitted for up to 50 percent of the frontage. 4) Variance to allow a 0 foot setback (north) from a property zoned R-5. Minimum 15 foot setback required. 5) Variance to allow a 0 foot landscape setback (north) not adjacent to a street. Minimum 10 foot landscape setback required.

Applicant: Benjamin Graff, Quarles & Brady, LLP
Representative: Benjamin Graff, Quarles & Brady, LLP
Owner: HP Phoenix, LLC

15. Application #: ZA-175-20-1
Existing Zoning: C-2
Location: 10040 North Metro Parkway Way
Quarter Section: 28-22(K7)
Proposal: 1) Time Extension of ZA-67-19, use permit to allow a medical marijuana dispensary. Use permit required. 2) Time Extension of ZA-67-19, variance to allow a medical marijuana dispensary within 5,280 feet of the same type of use. Minimum 5,280 feet separation required. 3) Time Extension of ZA-67-19, variance to allow a medical marijuana dispensary within 500 feet of a residentially zoned district. Minimum 500 feet separation required. 4) Time Extension of ZA-67-19, variance to allow a medical marijuana dispensary within 1,320 feet of a school. Minimum 1,320 feet separation required.

Applicant: Metro Meds
Representative: Lindsay C. Schube, Gammage and Burnham, PLC
Owner: 10040 N Metro Parkway W, LLC

For further information, please call Eric Morales, Planner II, Planning and Development Department at 602-262-7927, or contact via electronic mail at zoning.adjustment@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.

April 29, 2020