Pursuant to A.R.S. Section 38-431.02, notice is hereby given that the ZONING ADJUSTMENT HEARING OFFICER will hold a meeting open to the public on May 21, 2020, at 9:00 AM (Items 1-8) and 1:30 PM (Items 9-16).

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 297328583#
- 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/q.php?MTID=e5cf8dd85d04c69c5496ac64e29cc82f5

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-186-20-3
   Existing Zoning: R1-6
   Location: 1229 East Mission Lane
   Quarter Section: 27-30(J9)
   Proposal:
   - 1) Variance to allow a detached accessory structure 0 feet from the side yard (west) property line. Minimum 3 foot setback required.
   - 2) Use permit to allow a home occupation in a detached accessory structure. Use permit required.
   - 3) Use permit to allow a home occupation to generate traffic. Use permit required.
   - 4) Variance to allow a home occupation to have outside employees. No one outside the family residing the in the dwelling unit shall be employed.
Applicant: Riley Ries, 1229 East Mission Lane, LLC
Representative: Riley Ries, 1229 East Mission Lane, LLC
Owner: 1229 East Mission Lane, LLC

Existing Zoning: C-2
Location: 3415 West Glendale Avenue, Suite A5
Quarter Section: 22-21(I6)
Proposal: Variance to allow a tobacco oriented retailer within 1,320 feet of a school. Minimum 1,320 feet of separation required.
Ordinance Sections: 623.D.194.b
Applicant: Jeff D. Welker, Welker Development Resources
Representative: Jeff D. Welker, Welker Development Resources
Owner: Pros Ranch Market, LLC

3. Application #: ZA-188-20-4
Existing Zoning: C-2
Location: 5045 West Indian School Road
Quarter Section: 16-17(H5)
Proposal: 1) Variance to allow a tobacco oriented retailer to be located within 1,320 feet of a park. Minimum of 1,320 feet separation required. 2) Variance to allow a tobacco oriented retailer to be located within 1,320 of a school. Minimum of 1,320 feet separation required. 3) Variance to allow a tobacco oriented retailer to be located within 1,320 feet of a church. Minimum 1,320 feet separation required.
Applicant: Jeff D. Welker, Welker Development Resources
Representative: Jeff D. Welker, Welker Development Resources
Owner: Van Winkle II, LLC, Maryvale Strip, LLC

4. Application #: ZA-189-20-3
Existing Zoning: R1-14
Location: 5438 East Sweetwater Avenue
Quarter Section: 32-40(L11)
Proposal: 1) Variance to reduce the required side yard (west) setback to 5 feet. Minimum 10 feet required. 2) Variance to allow an accessory structure 26 feet in height in the required side yard (east) setback. Maximum of 8 feet in height allowed. 3) Use permit to allow a 20 foot tall accessory structure to be located in the rear yard (north) setback. Maximum of one story or 15 feet permitted.
Ordinance Sections: 606.B.3. 706.C. 706.G
Applicant: Jeff.D. Welker, Welker Development Resources
Representative: Jeff.D. Welker, Welker Development Resources
Owner: Jason R. Scott, Keri K. Amrhein - Scott Trust

5. Application #: ZA-191-20-6
Existing Zoning: R1-6
Location: 232 East Las Palmaritas Drive
Quarter Section: 25-28(J8)
Proposal: Time extension of ZA-515-19, use permit to allow a closed projection to encroach 7 feet into the required rear yard setback. Maximum 5 feet of encroachment permitted.

Ordinance Sections: 701.A.3.a.(2).d.
Applicant: Katherine Dudzik Smith, Volume & Void, LLC
Representative: Katherine Dudzik Smith, Volume & Void, LLC
Owner: Rowan and Katherine D. Smith

6. Application #: ZA-193-20-3
Existing Zoning: R1-18
Location: 5402 East Cholla Street
Quarter Section: 30-40(K11)
Proposal: Variance to allow an over height wall (6 feet) in the required front yard (west) setback. Maximum 40 inches permitted.

Ordinance Sections: 703.A.2.a
Applicant: Roni and Delia Prucz
Representative: Roni and Delia Prucz
Owner: Roni and Delia Prucz

7. Application #: ZA-194-20-8
Existing Zoning: R-4 RI
Location: Approximately 106 feet south of the southwest corner of 23rd Street and Fillmore Street
Quarter Section: 11-32(F9)
Proposal: 1) Variance to eliminate the landscape setback along the south property line to 0 feet. Minimum 5 feet required.

2) Variance to allow maneuvering in the right-of-way (alley). All maneuvering must be done on private property.

Ordinance Sections: 703.B.3.b.3 702.A.1.b
Applicant: Talmage Hansen, TallyHo Engineering
Representative: Talmage Hansen, TallyHo Engineering
Owner: Noel Weaver, Sustainable D., LLC

8. Application #: ZA-93-20-4 (Continued from April 2, 2020)
Existing Zoning: A-1
Location: 2960 Grand Avenue
Quarter Section: 15-22(G7)
Proposal: 1) Time extension for ZA-15-19, use permit to allow a medical marijuana cultivation facility. Use permit required.

2) Time extension for ZA-15-19, use permit to allow a medical marijuana infusion facility. Use permit required.

3) Time extension for ZA-15-19, variance to allow a medical marijuana cultivation facility less than 5,280 feet from another medical marijuana facility. Minimum 5,280 feet of separation required. 4) Time extension for ZA-15-19, variance to allow a medical marijuana infusion facility less than 5,280 feet from another medical marijuana facility. Minimum 5,280 feet of separation required.

Applicant: Thomas Galvin, Rose Law Group
Representative: Thomas Galvin, Rose Law Group
Owner: Creater Century Holdings, LLC
9. Application #: ZA-198-20-1 (SIGN)
   Existing Zoning: PSC
   Location: 4025-4259 West Thunderbird Road
   Quarter Section: 32-19(L6)
   Proposal: Use Permit to establish the Deer Valley Center Comprehensive Sign Plan. Use Permit required.
   Ordinance Sections: 705.E.2
   Applicant: Tammy Garbatt
   Representative: Tammy Garbatt
   Owner: Arizona Commercial Signs

10. Application #: ZA-190-20-6
    Existing Zoning: R1-6
    Location: 5318 North 33rd Street
    Quarter Section: 19-35(H10)
    Proposal: Variance to reduce the required side yard setback (south) to 5 feet. Minimum 10 feet required.
    Ordinance Sections: 613.B.Table B.
    Applicant: Justin Novak, NVK Design
    Representative: Justin Novak, NVK Design
    Owner: Stephanie La Loggia

11. Application #: ZA-192-20-5
    Existing Zoning: R1-10
    Location: 1619 West Frier Drive
    Quarter Section: 24-25(J7)
    Proposal: Variance to allow an over height wall (6 feet) in the required front yard setback (north). Maximum 40 inches permitted.
    Ordinance Sections: 703.A.2.a
    Applicant: Matthew Stevens
    Representative: Jeff Muckerman
    Owner: Matthew Stevens

12. Application #: ZA-195-20-6
    Existing Zoning: R1-10
    Location: 5202 East Whitton Avenue
    Quarter Section: 16-40(H11)
    Proposal: Variance to allow an 8 foot high wall within or bounding the rear yard. Maximum 6 foot high wall permitted within or bounding the rear yard.
    Ordinance Sections: 703.A.2.c.
    Applicant: Wendy Riddell, Berry Riddell, LLC
    Representative: Wendy Riddell, Berry Riddell, LLC
    Owner: Benjamin Hartman

13. Application #: ZA-196-20-7
    Existing Zoning: A-1
    Location: 3240 West Sherman Street
    Quarter Section: 9-21(F6)
Proposal:

1) Variance to permit outdoor storage within 17 feet of a public street (33rd Avenue). No storage is permitted within 75 feet of a public street.  
2) Variance to permit open storage to be 16 feet in height. Maximum 6 feet in height, plus 1 foot in height for every additional 3 feet of setback from a property line.  
3) Variance to allow maneuvering in the right-of-way (33rd Avenue). All maneuvering must be done on private property.  
4) Variance to allow maneuvering in the right-of-way (Sherman Street). All maneuvering must be done on private property.

Ordinance Sections: 627.F.2.b.(3) 627.F.2.c.(2)(b)(i) 702.A.1.b 702.A.1.b  
Applicant: Kevin Fulkerson, Cornerstone Design Group LLC.  
Representative: Kevin Fulkerson, Cornerstone Design Group, LLC  
Owner: Johnny Van Sickle Rev. Trust

14. Application #: ZA-199-20-4  
Existing Zoning: R-3  
Location: 1050 and 1056 East Fairmount Avenue  
Quarter Section: 16-29(H8)  
Proposal: Variance to reduce the required landscape setback (east) to 0 feet. Minimum 5 feet required.  
Ordinance Sections: 703.B.3.a  
Applicant: Elizabeth Singleton, Tiny House Developers  
Representative: Elizabeth Singleton, Tiny House Developers  
Owner: Fairmount Avenue, LLC

15. Application #: ZA-98-19-7 (1-year review of use permit) (Continued from April 9, 2020)  
Existing Zoning: C-2  
Location: 2175 North 83rd Avenue  
Quarter Section: 13-9(G3)  
Proposal: Time extension of ZA-34-18, use permit to allow a medical marijuana dispensary facility. Use permit required  
Applicant: Steve Cottrell, CLF AZ Management, LLC  
Representative: Heather Dukes, Lazarus, Silvyn & Bangs, PC  
Owner: Gilbert Bird Law Firm

16. Application #: ZA-197-20-8  
Existing Zoning: C-3 ANIZO EBROD  
Location: 702 East Buckeye Road  
Quarter Section: 9-29(F8)  
Proposal:

1) Use permit to allow a medical marijuana dispensary. Use permit required.  
2) Variance to allow a medical marijuana dispensary within 1,320 feet of a park. Minimum 1,320 feet separation required.  
3) Variance to allow a medical marijuana dispensary within 1,320 feet of a place of worship. Minimum 1,320 feet separation required.  
Applicant: Patricia Yee, HPMTK  
Representative: David Dow, Dow Law Office  
Owner: HPMKT, 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.

May 6, 2020