

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 4, 2020, at 9:00 a.m. (Items 1-8) and 1:30 p.m. (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 628861399#**
- **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=e385d9bfd0f643721a0679a23fad089fe>

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. 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-162-20-6
Existing Zoning: R-4
Location: 540, 534, 528, 522 and 516 North Papago Street
Quarter Section: 11-40(F11)
Proposal: **1)** Variance to reduce the front (east) building setback to 15 feet. Minimum 20 feet required. **2)** Variance to reduce the front (west) building setback to 10 feet. Minimum 20 feet required. **3)** Variance to reduce the rear (west) building setback to 10 feet. Minimum 15 feet required. **4)** Variance to reduce the required number of guest parking spaces to 24 spaces. Minimum 49 parking spaces required.
Ordinance Sections: 617.B.Table B. (a) 617.B.Table B. (a) 617.B.Table B. (a) 702.C

- Applicant: Lorne Wallace, RAS Development, Inc.
 Representative: Alan Perry, USW CAT Construction
 Owner: Lorne Wallace, RAS Development, Inc.
2. Application #: ZA-168-20-6
 Existing Zoning: RE-35
 Location: 4836 East Red Rock Drive
 Quarter Section: 19-39(H11)
 Proposal: **1)** Variance to allow 100 percent vehicle parking and maneuvering within the required front yard setback of an area equal to the required front yard setback times the average lot width when the adjoining side property lines are not parallel. Maximum 45 percent allowed. **2)** Variance to allow over height retaining walls (19 feet) in the required front yard (south) setback. Maximum 40 inches permitted. **3)** Variance to allow over height fencing (48 inches) in the required front yard (south) setback. Maximum 40 inches permitted. **4)** Use permit to allow over height retaining walls (6 feet) within 50 feet of a subdivision perimeter. Maximum 40 inches permitted.
- Ordinance Sections: 702.F.1.b.2 703.A.4.d 703.A.2.c 703.A.4.c
 Applicant: Chris Colyer, Esq., Snell & Wilmer, LLP
 Representative: Chris Colyer, Esq., Snell & Wilmer, LLP
 Owner: Kraver & Jue Li Charles
3. Application #: ZA-213-20-7
 Existing Zoning: DTC-West Evans Churchill ACOD
 Location: 801 North 2nd Street
 Quarter Section: 11-28(F8)
 Proposal: **1)** Use permit to allow a bar (Cobra Arcade Bar). Use permit required. **2)** Use permit to allow outdoor liquor service accessory to a bar. Use permit required.
- Ordinance Sections: 1204.D.Table 1204.D.Table
 Applicant: Taylor C. Earl, Earl and Curley, P. C.
 Representative: Taylor C. Earl, Earl and Curley, P. C.
 Owner: Chuckie Duff, EQ Second and McKinley, LLC
4. Application #: ZA-219-20-6
 Existing Zoning: R1-6
 Location: 4840 North 31st Place
 Quarter Section: 18-34(H10)
 Proposal: **1)** Variance to reduce the front yard (north) setback to 10 feet. Minimum 20 feet required. **2)** Variance to reduce the rear yard (south) setback to 9 feet. Minimum 25 feet required.
- Ordinance Sections: 613.TableB 613.B.TableB
 Applicant: Joshua Richer
 Representative: Joshua Richer
 Owner: Joshua Richer
5. Application #: ZA-220-20-4
 Existing Zoning: R-5 TOD-1
 Location: 3660 North 3rd Street
 Quarter Section: 16-28(H8)

Proposal: **1)** Variance to reduce the streetscape landscape setback (east) to 10 feet. Minimum 10 feet required. **2)** Variance to reduce the interior property line landscape setback (west) to 0 feet. Minimum 5 feet required. **3)** Variance to reduce the side yard (east) setback to 3 feet. Minimum 10 feet required. **4)** Variance to reduce the open space to 0 percent. Minimum 5 percent required.

Ordinance Sections: 703.B.3.a 703.B.3.b.(3) 618.B Table B 618.B Table B

Applicant: Jerry Palmer, Palmer Architects, LTD

Representative: Jerry Palmer, Palmer Architects, LTD

Owner: 3660 N. 3rd St., LLC

6. Application #: ZA-223-20-3

Existing Zoning: R1-6

Location: 13219 North 18th Place

Quarter Section: 32-31(L9)

Proposal: Variance to reduce the rear yard setback (east) to 23 feet. Minimum 25 feet required.

Ordinance Sections: 613.B Table B

Applicant: Randy Y. Stevens

Representative: Randy Y. Stevens

Owner: Sweetwater Hill Venture 15, LLC

7. Application #: ZA-224-20-7

Existing Zoning: DTC-McDowell Corridor RNSPD

Location: 521 West McDowell Road

Quarter Section: 12-27(G8)

Proposal: Use permit to allow outdoor liquor service as an accessory use to a restaurant (Little O). Use permit required.

Ordinance Sections: 1204.D

Applicant: Roberto Barberio, Sixty First Place Architects

Representative: Brian Roerich, Little O's 7th Ave., LLC

Owner: Robert B. McGarey, 5th and McDowell Partners, LLC

8. Application #: ZA-225-20-6

Existing Zoning: R1-10

Location: 530 East Belmont Avenue

Quarter Section: 24-28(J8)

Proposal: Variance to allow an open projection (carport) less than 10 feet high in the required side yard setback (east). Minimum 10 feet in height required.

Ordinance Sections: 701.A.3.a.(1).(b).(i)

Applicant: Paul Shannon

Representative: Paul Shannon

Owner: Paul Shannon

1:30 PM

9. Application #: ZA-198-20-1 (SIGN) (Continued from May 21, 2020)

Existing Zoning: PSC

Location: 4123, 4201, 4241, and 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

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| | Applicant: | Tammy Garbutt, Arizona Commercial Signs |
| | Representative: | Tammy Garbutt, Arizona Commercial Signs |
| | Owner: | Arizona Partners |
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| 10. | Application #: | ZA-226-20-3 (SIGN) |
| | Existing Zoning: | PCD |
| | Location: | 2001 West Phelps Road |
| | Quarter Section: | 36-24(M7) |
| | Proposal: | Use Permit to establish the Bell 17 Business Center Comprehensive Sign Plan. Use Permit required. |
| | Ordinance Sections: | 705.E.2 |
| | Applicant: | Ana Jones, Trademark Visual |
| | Representative: | Ana Jones, Trademark Visual |
| | Owner: | Sunbelt Land Holdings |
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| 11. | Application #: | ZA-601-19-3 (Continued from April 23, 2020) |
| | Existing Zoning: | R1-10 |
| | Location: | 12041 North 30th Street |
| | Quarter Section: | 30-34(K10) |
| | Proposal: | Variance to allow an over height fence (6 feet) in the required front yard setback (west). Maximum 40 inches permitted. |
| | Ordinance Sections: | 703.A.2.a |
| | Applicant: | Sam W Abraham, XL Refunds, LLC |
| | Representative: | Sam W Abraham, XL Refunds, LLC |
| | Owner: | Sam W Abraham, XL Refunds, LLC |
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| 12. | Application #: | ZA-218-20-1 |
| | Existing Zoning: | C-2 |
| | Location: | 12801 North 28th Drive |
| | Quarter Section: | 31-22(K7) |
| | Proposal: | 1) Variance to allow over height fence (6 feet) in the street side (west) setback. Maximum 40 inches permitted.
2) Variance to allow over height fence (6 feet) in the street side (south) setback. Maximum 40 inches permitted. |
| | Ordinance Sections: | 703.A.3.a 703.A.3.a |
| | Applicant: | Chris Blauvelt, Diamond Iron, LLC |
| | Representative: | Jeff Muckerman, Diamond Iron, LLC |
| | Owner: | Arizona Christian Ministries Charitable |
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| 13. | Application #: | ZA-228-20-4 |
| | Existing Zoning: | R1-6 HP |
| | Location: | 301 West Wilshire Drive |
| | Quarter Section: | 14-27(G8) |
| | Proposal: | Variance to allow an over height wall (8 feet) in the required rear yard (south). Maximum 6 feet permitted. |
| | Ordinance Sections: | 703.A.2.c |
| | Applicant: | Dennis & Laura Wipf |
| | Representative: | Dennis & Laura Wipf |
| | Owner: | Dennis & Laura Wipf |
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| 14. | Application #: | ZA-222-20-6 |
| | Existing Zoning: | C-2 |
| | Location: | 6107 North 7th Street |

	Quarter Section:	21-29(I8)
	Proposal:	1) Use permit to allow a medical marijuana dispensary facility. Use permit required. 2) Variance to allow a medical marijuana dispensary facility within 960 feet of a place of worship. Minimum 1,320 feet of separation required. 3) Variance to allow a medical marijuana dispensary facility within 960 feet of a school. Minimum 1,320 feet of separation required. 4) Variance to allow a medical marijuana dispensary facility within 193 feet of a residential zoning district. Minimum 500 feet of separation required.
	Ordinance Sections:	623.D.124.a 623.D.124.h 623.D.124.g 623.D.124.f
	Applicant:	Reggie Candelaria, 7th Street Shoppes, LLC
	Representative:	Jenifer Corey, Zoning Strategies, LLC
	Owner:	7th Street Shoppes, LLC
15.	Application #:	ZA-227-20-8
	Existing Zoning:	A-2 RSIOD
	Location:	951 West Watkins Street
	Quarter Section:	7-26(E8)
	Proposal:	1) Time extension for ZA-517-18, use permit to permit a medical marijuana cultivation facility. Use permit required. 2) Time extension for ZA-517-18, use permit to allow a medical marijuana infusion facility. Use permit required. 3) Time extension for ZA-517-18, variance to permit a medical marijuana cultivation facility within 5,280 feet from another medical marijuana use. Minimum separation of 5,280 feet from another medical marijuana use required. 4) Time extension for ZA-517-18, variance to permit a medical marijuana infusion facility within 5,280 feet of another medical marijuana use. Minimum separation of 5,280 feet from another medical marijuana use required.
	Ordinance Sections:	627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.93.b.
	Applicant:	Tom Frenkel, 951 W. Watkins, LLC
	Representative:	David Dow, David Dow Law Office
	Owner:	640 S Smith, LLC nka 951 W. Watkins, 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 20, 2020