

NOTICE OF PUBLIC MEETING ZONING ADJUSTMENT HEARING

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of 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 **August 13, 2020, at 9:00 a.m. (Items 1-8) and 1:30 p.m. (Items 9-15)**

Per the most recent social distancing guidelines from the federal government, no residents will be allowed to attend the meeting in-person.

OPTIONS TO ACCESS THE MEETING

- **Call-in to listen** to the live meeting: Dial **602-666-0783**, Enter meeting access code **1261470514#**, and press # again when prompted for the attendee ID
- **Observe the live meeting virtually**, by clicking on the following link and registering to join the meeting online:
<https://cityofphoenixpdd.webex.com/cityofphoenixpdd/onstage/g.php?MTID=eacdaca2930e40c699a66d52dd973f4f>
- **Submit a comment** on an agenda item:
 - At: zoning.adjustment@phoenix.gov
 - Indicate: Item Number and Case Number
- **Register to speak** on an agenda item:
 - At: zoning.adjustment@phoenix.gov
 - By: **48 hours prior to the start of the hearing**. 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 6 business hours before the start of the meeting / hearing.
 - Indicate: Item Number and Case Number

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-323-20-8
Existing Zoning: R-5 RI HP ACOD
Location: 742 East McKinley Street
Quarter Section: 11-29(F8)
Proposal: **1) Variance to reduce the rear yard (north) setback to 10 feet. Minimum 15 feet required. 2) Variance to reduce the landscape setback (west) to 3 feet. Minimum 5 feet required.**

Ordinance Sections: 618.B.TableB 703.B.3.b.(3)
Applicant: Brett and Cory Bonime
Representative: William Erwin, Erwin A&D
Owner: Brett and Cory Bonime

2. Application #: ZA-325-20-3
Existing Zoning: R1-8
Location: 3526 East Dahlia Drive
Quarter Section: 31-35(K10)
Proposal: Variance to reduce the required side yard (east) setback to 0 feet. Minimum 10 feet required.

Ordinance Sections: 612.B.Table B.
Applicant: Zana Ritter Beckwith
Representative: Zana Ritter Beckwith
Owner: Zana Ritter Beckwith

3. Application #: ZA-326-20-4
Existing Zoning: R-3
Location: 4123 North 21st Street
Quarter Section: 17-32(H9)
Proposal: Use Permit to use the Single-Family Attached (SFA) Development Option. Use Permit required.

Ordinance Sections: 608.F.8
Applicant: Edmir Dzudza, E-Project, LLC
Representative: Leonard Saguid, E-Project, LLC
Owner: Biltmore Villas Investments, LLC

4. Application #: ZA-327-20-4
Existing Zoning: C-2 HGT/WVR SP
Location: 4810 and 4820 North Black Canyon Highway
Quarter Section: 18-23(H7)
Proposal: **1)** Variance to reduce the street side building setback along Mariposa Street (north) to 14 feet. Average of 30 feet is required, minimum 20 feet permitted for up to 50 percent of structure, including projections. **2)** Variance to reduce the street side building setback along Black Canyon Highway (east) to 8 feet. Average of 30 feet is required, minimum 20 feet permitted for up to 50 percent of structure, including projections. **3)** Variance to allow a 60-foot building setback adjacent to R-3 zoning district (west). Minimum 100 feet required. **4)** Variance to reduce the streetscape landscape setback along Mariposa Street (north) to 14 feet. An average of 30 feet for structures exceeding two stories or 30 feet, minimum 20 feet permitted for up to 50 percent of the frontage. **5)** Variance to reduce the streetscape landscape setback along Black Canyon Highway (east) to 8 feet. An average of 30 feet for structures exceeding two stories or 30 feet, minimum 20 feet permitted for up to 50 percent of the frontage.

Ordinance Sections: 623.E.4.d 623.E.4.e
Applicant: Benjamin Tate, Withey Morris, PLC
Representative: Benjamin Tate, Withey Morris, PLC
Owner: Mike Kucera, Black Canyon Self Storage, LLC

5. Application #: ZA-328-20-5
Existing Zoning: PSCOD
Location: Northwest corner of 19th Avenue and Northern Avenue

- Quarter Section: 25-24(J7)
 Proposal: Use permit to allow a free-standing or kiosk type service building. Use permit required.
- Ordinance Sections: 659.A.1.c
 Applicant: Raul Reyes, Town West Design Development, Inc.
 Representative: Raul Reyes, Town West Design Development, Inc.
 Owner: 19th and Northern Marketplace, LLC
6. Application #: ZA-329-20-1
 Existing Zoning: R1-8 PCD
 Location: 27413 North 58th Drive
 Quarter Section: 50-15(P5)
 Proposal: **1)** Use permit for 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: Joshua Beckenhauer, JAB One, LLC
 Representative: Joshua Beckenhauer, JAB One, LLC
 Owner: Joshua and Mei Ling Beckenhauer
7. Application #: ZA-294-20-1
 Existing Zoning: A-1 DVAO
 Location: Approximately 575 feet east of the northeast corner of 7th Avenue and Alameda Road
 Quarter Section: 46-27(O8)
 Proposal: **1)** Use permit to allow a medical marijuana cultivation facility in the A-1 zoning district. Use permit required. **2)** Use permit to allow a medical marijuana infusion facility in the A-1 zoning district. Use permit required. **3)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility (dispensary). Minimum 5,280 feet separation required. **4)** Variance to allow a medical marijuana cultivation facility within 1,000 feet of a residential zoning district. **5)** Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility (dispensary). Minimum 5,280 feet separation required. **6)** Variance to allow a medical marijuana infusion facility within 1,000 feet of a residential zoning district. Minimum 1,000 feet of separation required.
- Ordinance Sections: 627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.91.d
 627.D.93.b. 627.D.93.c
 Applicant: Nico D. Howard, Happy Valley II, LLC
 Representative: David Cisiewski, Esq., Law Office of David Cisiewski, PLLC
 Owner: Nico D. Howard, Happy Valley II, LLC
8. Application #: ZA-295-20-5
 Existing Zoning: C-2
 Location: 2444 West Northern Avenue
 Quarter Section: 25-23(J7)

Proposal: **1)** Use Permit to allow a nonprofit medical marijuana dispensary. Use permit required. **2)** Variance to allow a nonprofit medical marijuana dispensary within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required. **3)** Variance to allow a medical marijuana dispensary to be located less than 500 feet from a residentially zoned property. Minimum 500 feet of separation required. **4)** Variance to allow a nonprofit medical marijuana dispensary to be located less than 1,320 feet from a school. Minimum 1,320 feet of separation required. **5)** Variance to allow a nonprofit medical marijuana dispensary to be located less than 1,320 feet from a place of worship. Minimum 1,320 feet of separation required.

Ordinance Sections: 623.D.124.a 623.D.124.e 623.D.124.f 623.D.124.g 623.D.124.h

Applicant: Verde Natural Health, LLC

Representative: David Cisiewski, Esq., Law Office of David Cisiewski, PLLC

Owner: Ialenti, LLC

1:30 PM

9. Application #: ZA-330-20-8 (SIGN)
 Existing Zoning: S-1
 Location: 5419 West Carver Road
 Quarter Section: 06-16(B5)
 Proposal: Use Permit to establish the Tierra Monterra Comprehensive Sign Plan. Use permit required.
- Ordinance Sections: 705.E.2
 Applicant: Julie Kulka, Airpark Signs
 Representative: Julie Kulka, Airpark Signs
 Owner: Jonathan Bastianelli, Taylor Morrison
10. Application #: ZA-331-20-6
 Existing Zoning: RE-35
 Location: 5740 East Exeter Boulevard
 Quarter Section: 17-41(H11)
 Proposal: Variance to reduce the required side yard (east) setback to 9 feet. Minimum 20 feet required.
- Ordinance Sections: 609.B.Table
 Applicant: Kimberly Riley, Kraemer Design Services
 Representative: Nate Cottrell, Kraemer Design Services
 Owner: Steven Johnson, Ernest Irrevocable 2004 Trust III
11. Application #: ZA-333-20-8
 Existing Zoning: R-3
 Location: 3109 North 39th Street
 Quarter Section: 15-36(G10)
 Proposal: Use Permit to use the Single-Family Attached (SFA) Development Option. Use Permit required.
- Ordinance Sections: 608.F.8
 Applicant: Ben Graff, Quarles & Brady, LLP

Representative: Ben Graff, Quarles & Brady, LLP
Owner: Scott Pfeiffer, 3107 North 39th Street, LLC

12. Application #: ZA-335-20-6
Existing Zoning: R-3
Location: 5649 North 6th Street
Quarter Section: 20-28(18)
Proposal: **1)** Variance to reduce the required side yard setback (north) to 0 feet. Minimum 10 feet required. **2)** Variance to allow 50% lot coverage. Maximum of 45% lot coverage permitted.
Ordinance Sections: 615.B.Table B 615.B.Table B
Applicant: Jason Comer, Jason Comer, Architect
Representative: Jason Comer, Jason Comer, Architect
Owner: JD Kemper, and David Cane
13. Application #: ZA-336-20-6
Existing Zoning: C-O, R1-10
Location: 301 East Bethany Home Road
Quarter Section: 20-28(18)
Proposal: Use permit to reduce the setback for a disguised wireless communication facility (monopine) to 70 feet from a residentially zoned property to the south and 66 feet from a residentially zoned property to the east. Use permit required if less than 150 feet from a residentially zoned property.
Ordinance Sections: 715.B.2.a.(2).(a).(i)
Applicant: Verizon Wireless
Representative: Reg Destree, Destree Development, LLC
Owner: New Town Properties, LLC
14. Application #: ZA-494-20-8
Existing Zoning: R1-10 BAOD
Location: 1407 East Piedmont Road
Quarter Section: 03-30(C9)
Proposal: **1)** A variance to increase the wall height within the required front yard to 6 feet. Maximum 40 inches permitted within or bounding the required front yard. **2)** A variance to increase the retaining wall height to 6 feet, 8 inches within the required front yard. Individual retaining walls shall be limited to a height of 40 inches within the required front yard. **3)** A variance to increase the retaining wall height to 6 feet, 8 inches within the required rear yard. Individual retaining walls may not exceed a height of 6 feet when located in the interior side or rear yards, with the total combined vertical height of each individual wall not to exceed 20 feet. **4)** A variance to increase the retaining wall height to 6 feet, 8 inches within the required side yard. Individual retaining walls may not exceed a height of 6 feet when located in the interior side or rear yards, with the total combined vertical height of each individual wall not to exceed 20 feet.

Ordinance Sections: 703.A.2.a. 703.A.4.d. 703.A.4.e. 703.A.4.e.
Applicant: Alan C. Williams
Representative: Jeffrey Miles, Selimaj, LLC
Owner: Alan C. Williams

15. Application #: ZA-334-20-4
Existing Zoning: A-1
Location: 2960 Grand Avenue
Quarter Section: 15-22(G7)
Proposal: **1)** Time extension for ZA-274-19, use permit to allow a medical marijuana dispensary facility. Use permit required.
2) Time extension for ZA-274-19, variance to allow a medical marijuana dispensary facility within 5,280 feet of an existing medical marijuana facility. Minimum 5,280 feet of separation required.
- Ordinance Sections: 307.A.12
Applicant: Nick Labadie, Rose Law Group
Representative: Nick Labadie, Rose Law Group
Owner: Greater Century Holdings, LLC

For further information please call Eric Morales, Planner II, Planning and Development Department at 602-262-7927 or to request a reasonable accommodation, please contact Tamra Ingersoll at 602.534-6648 or TTY: 7-1-1.

7/29/2020