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 September 3, 2020, at 9:00 a.m. (Items 1-7) and 1:30 p.m. (Items 8-16)

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 1267296702#, 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=eb50934af831d704283fd9f7b076c14a1

- **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-340-20-5
   Existing Zoning: C-2 (Pending R-5)
   Location: 8242 North Black Canyon Highway
   Quarter Section: 25-23(J7)
   Proposal: 1) Variance to allow an over height fence (6 feet) in the required front yard setback. Maximum 40 inches permitted. 2) Variance to reduce the required landscape setback (west) to 2 feet. Minimum 5 feet required. 3) Variance to reduce the required landscape setback (south) to 4 feet. Minimum 5 feet required.
2. **Application #:** ZA-504-20-6  
**Existing Zoning:** R-3  
**Location:** 2645 East Clarendon Avenue  
**Quarter Section:** 16-33(H9)  
**Proposal:**  
1) Variance to reduce the minimum lot depth to 90 feet for a lot (Parcel 1). Minimum 94 feet required.  
2) Variance to reduce the minimum lot depth to 60 feet for a lot (Parcel 2). Minimum 94 feet required.  
3) Variance to reduce the required side yard setback (east) to 7 feet (Parcel 1). Minimum 10 feet required.  
4) Variance to reduce the required rear yard setback (west) to 7 feet (Parcel 2). Minimum 15 feet required.

3. **Application #:** ZA-508-20-1  
**Existing Zoning:** R1-6  
**Location:** 3730 West Mercer Lane  
**Quarter Section:** 29-20(K6)  
**Proposal:**  
1) Variance to reduce the required side yard (east) setback to 3 feet. Minimum 10 feet required.  
2) Use permit to allow a closed projection to project 10 feet into the required rear yard (north) setback. Maximum 5 foot projection permitted.

4. **Application #:** ZA-509-20-6  
**Existing Zoning:** C-2 ACSPD  
**Location:** 4910 East Indian School Road  
**Quarter Section:** 17-39(H11)  
**Proposal:**  
1) Variance to reduce the required off-street parking to 6 spaces. Minimum 12 parking spaces required.  
2) Variance to reduce the canal right-of-way building setback to 8 feet 6 inches (east). 20 foot average building setback (15 foot minimum) is required.  
3) Use permit to allow outdoor dining accessory to a restaurant (O.H.S.O Too Go) within 500 feet of a residential zoning district. Use permit required if located within 500 feet of a residential zoning district.  
4) Use permit to allow outdoor alcoholic beverage consumption accessory to a restaurant (O.H.S.O Too Go) within 500 feet of a residential zoning district. Use permit required if located within 500 feet of a residential zoning district.
5. Application #: ZA-512-20-3
   Existing Zoning: R1-6
   Location: 14007 North 38th Street
   Quarter Section: 33-36(L10)
   Proposal: Variance to reduce the required side yard setback (south) to 3 feet. Minimum 10 feet required.

6. Application #: ZA-513-20-8
   Existing Zoning: R-2
   Location: 3107 North 32nd Way
   Quarter Section: 15-35(G10)
   Proposal: 1) Variance to allow an over height wall (8 feet) in the required rear yard (east). Maximum 6 feet permitted.
            2) Variance to allow an over height wall (8 feet) in the required side yard (north and south). Maximum 6 feet permitted.

7. Application #: ZA-505-20-1
   Existing Zoning: A-1 DVAO
   Location: 2103 West Parkside Lane
   Quarter Section: 44-24(O7)
   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 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) Variance to permit a medical marijuana infusion facility within 5,280 feet from another medical marijuana use. Minimum separation of 5,280 feet from another medical marijuana use required.

1:30 PM

8. Application #: ZA-502-20-Y
   Existing Zoning: C-O
   Location: Citywide
Quarter Section: 13-28(G8)
Proposal: Formal Determination: Can an Urgent Care Center, a permissible use, be open 24-hours within the Commercial-Office (C-O) districts?

Ordinance Sections: 621
Applicant: Dennis Newcombe, Beau Gilbert McGroder, PLLC
Representative: Paul Gilbert, Beus Gilbert McGroder, PLLC
Owner: Michelle Morelli, Judith D. Morelli Family Trust

9. Application #: ZA-503-20-7 (SIGN)
Existing Zoning: A-1
Location: 1300 North 24th Avenue
Quarter Section: 12-23(G7)
Proposal: 1) Use Permit for electronic message display for new off-premise sign. Use Permit required. 2) Use permit to allow an off-premise sign at 70 feet in height where 48 feet is permitted. Use permit required. 3) Variance to reduce the spacing between off-premise signs to 520 feet. Minimum 1,000 feet of separation is required.

Ordinance Sections: 705.2.E.3 705.2.B.4.b 705.2.B.2
Applicant: Jacob Zonn, Becker Boards
Representative: William Lally, Tiffany & Bosco, PA
Owner: Voyles Enterprises, Inc.

10. Application #: ZA-261-20-4 (Continued from July 30, 2020)
Existing Zoning: R1-6
Location: 5032 North 20th Avenue
Quarter Section: 19-24(H7)
Proposal: Variance to reduce the required rear yard (west) setback to 18 feet. Minimum 25 feet required.

Ordinance Sections: 613.B.Table B.
Applicant: Rita Corella and Jessica Isles
Representative: Rita Corella and Jessica Isles
Owner: Rita Corella and Jessica Isles

11. Application #: ZA-311-20-1 (Continued from July 30, 2020)
Existing Zoning: R1-6
Location: 3614 West Acapulco Lane
Quarter Section: 34-20(L6)
Proposal: 1) Variance to allow required off-street parking in the required front yard (south) setback. Required parking may not be located in the required front yard setback. 2) Variance to increase the lot coverage to 51 percent. Maximum 40 percent allowed.

Ordinance Sections: 702.F.1.a 613.B.TableB
Applicant: Daniel & Candice Protz
Representative: Daniel & Candice Protz
Owner: Donald Bettner

12. Application #: ZA-312-20-7 (Continued from July 30, 2020)
Existing Zoning: S-1 (Approved C-2)
Location: 5911 West Baseline Road
Quarter Section: 01-14(D5) 01-15(D5)
Proposal: Use permit to allow outdoor dining as an accessory use to a restaurant (Five Guys) within 500 feet of a residential district zoning line. Use permit required.

Ordinance Sections: 623.D.157.c
Applicant: Five Guys Operations, LLC
Representative: Leanne Andrysco, GPD Group, Inc.
Owner: LB 59th, LLC

13. Application #: ZA-315-20-5 (Continued from July 30, 2020)
Existing Zoning: C-2
Location: 7002 North 23rd Lane
Quarter Section: 23-23(I7)
Proposal: Use permit to allow the outdoor display of new merchandise (tire rims). Use permit required.

Ordinance Sections: 623.C.2
Applicant: Jorge Ramirez
Representative: Jorge Ramirez
Owner: Gustavo Gonzalez

14. Application #: ZA-506-20-4
Existing Zoning: R1-6
Location: 2028 West Medlock Drive
Quarter Section: 19-24(H7)
Proposal: Variance to reduce the side yard setback west to 0 feet. Minimum 3 feet required.

Ordinance Sections: 613.B.Table B
Applicant: Rosalie Presseller, CagninaTrust
Representative: Rosalie Presseller, CagninaTrust
Owner: Rosalie Presseller, CagninaTrust

15. Application #: ZA-507-20-8
Existing Zoning: A-2
Location: 2620 South 12th Place
Quarter Section: 7-30(E9)
Proposal: Variance to remove a 62 foot long portion of an 8 foot high CMU screen wall along the north property line. Minimum 8 foot high solid fence or freestanding wall adjacent to residential uses required.

Ordinance Sections: 703.A.3.b.(1)
Applicant: Robert Winton, Winton Architect, Inc.
Representative: Robert Winton, Winton Architect, Inc.
Owner: Jim Harrison, AZCF Riverview, LLC

16. Application #: ZA-510-20-6
Existing Zoning: R1-6
Location: 751 East Myrtle Avenue
Quarter Section: 23-29(I8)
Proposal: 1) Variance to reduce the side yard (east) setback to 0 feet for an detached accessory structure. Minimum 3 feet required. 2) Variance to reduce the rear yard (south)
setback to 0 feet for a detached accessory structure. Minimum 3 feet required.

Ordinance Sections: 706.B 706.B
Applicant: Alana Wingfield
Representative: Alana Wingfield
Owner: Alana Wingfield

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.

8/20/2020