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 **May 20, 2021 9:00 AM (Items 1-8) and 1:30 PM (Items 9-16)**

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 **1824993794#**, 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=e5c0d7006b635cbc737c34a13f6ee0c34**

- **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-186-20-3 (1-year review of use permit)
	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.
	Ordinance Sections:	706.B 608.E.3.h.(2) 608.E.3.h.(1) 608.E.3.a
	Applicant:	Riley Ries, 1229 East Mission Lane, LLC
	Representative:	Riley Ries, 1229 East Mission Lane, LLC
	Owner:	1229 East Mission Lane, LLC
2.	Application #:	ZA-188-20-4 (1-year review)
	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 feet 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.
	Ordinance Sections:	623.D.194.b 623.D.194.b 623.D.194.b
	Applicant:	Jeff D. Welker, Welker Development Resources
	Representative:	Jeff D. Welker, Welker Development Resources
	Owner:	Van Winkle II, LLC, Maryvale Strip, LLC
3.	Application #:	ZA-170-21-1
	Existing Zoning:	RE-35
	Location:	4335 West Tierra Buena Lane
	Quarter Section:	35-18(L6)
	Proposal:	Variance to allow an accessory structure 18 feet in height to be located in the side yard (west) setback. Maximum 8 feet permitted.
	Ordinance Sections:	706.C
	Applicant:	Nathan Cottrell, KAEKO, Inc.
	Representative:	Nathan Cottrell, KAEKO, Inc.
	Owner:	Joseph Winfield Vlasity
4.	Application #:	ZA-171-21-1
	Existing Zoning:	PUD
	Location:	Southwest corner of the 51st Avenue and Dove Valley Road alignment
	Quarter Section:	57-17(R5)
	Proposal:	Variance to allow an average noise level, measured at the property line of 63 decibels. Maximum 55 decibels permitted.
	Ordinance Sections:	626.G.3
	Applicant:	Tim Rasnake, Archicon, A & I, LC
	Representative:	Jere Planck, Archicon, A & I, LC

	Owner:	Christian Lenci, Linde Engineering, North America, Inc.

5.	Application #:	ZA-172-21-1
	Existing Zoning:	C-2
	Location:	2804 West Bell Road
	Quarter Section:	37-22(M7)
	Proposal:	Use permit to allow outdoor dining as an accessory use to a restaurant (Raising Canes Chicken Fingers) within 500 feet of a residential zoning district. Use permit required.
	Ordinance Sections:	623.D.157.c
	Applicant:	Robert Vann, Raising Canes Restaurants, LLC
	Representative:	Harold Foutch, PM Design Group, Inc.
	Owner:	Bell Canyon 2804, LLC

6.	Application #:	ZA-173-21-7
	Existing Zoning:	A-1
	Location:	5004 West Lower Buckeye Road
	Quarter Section:	7-17(E5)
	Proposal:	Variance to permit outdoor storage within 25 feet of a public street (50th Avenue). No outdoor uses, outdoor storage, or open buildings are permitted within 75 feet of a public street.
	Ordinance Sections:	627.F.2.b.(3)
	Applicant:	Cevin Case, Truline, LLC
	Representative:	Jade Mendoza, Esencia, LLC
	Owner:	Estenson Investment, LLC

7.	Application #:	ZA-175-21-7
	Existing Zoning:	DTC-Roosevelt North HP RNSPD
	Location:	325 West Willetta Street
	Quarter Section:	12-27(G8)
	Proposal:	Variance to reduce the side yard (east) setback for a detached accessory structure to 0 feet. Minimum 3 feet required.
	Ordinance Sections:	1218.B.4.b.(1)
	Applicant:	Wendy Riddell, Berry Riddell, LLC
	Representative:	Wendy Riddell, Berry Riddell, LLC
	Owner:	Tim & Marcella Wingersky

8.	Application #:	ZA-168-21-7
	Existing Zoning:	A-1
	Location:	5436 West Latham Street
	Quarter Section:	12-16(G5)
	Proposal:	**1)** Use permit to allow a medical marijuana infusion production facility in the A-1 zoning district. Use permit required. **2)** Variance to allow a medical marijuana

		infusion production facility within 5,280 feet of an existing cultivation site and dispensary. Minimum 5,280 feet of separation required. **3)** Variance to allow a medical marijuana infusion production facility within 1,000 feet of an R-4A zoned property. Minimum 1,000 feet of separation required.
	Ordinance Sections:	627.D.93.a 627.D.93.c 627.D.93.d
	Applicant:	5436 West Latham Street, LLC
	Representative:	Benjamin Tate, Withey Morris, PLC
	Owner:	5436 West Latham Street, LLC

1:30 PM

9.	Application #:	ZA-137-21-5
	Existing Zoning:	C-2
	Location:	2260 West Glendale Avenue
	Quarter Section:	23-23(I7)
	Proposal:	**1)** Variance to allow a drive-through facility accessory to a restaurant (Drive-thru Coffee) with access from a local street. Access from an arterial or collector street required. **2)** Use permit to allow outdoor dining as an accessory use to a restaurant (Drive-thru Coffee) within 500 feet of a residential zoning district. Use permit required. **3)** Use permit to allow a drive-through facility accessory to a restaurant (Drive-thru Coffee) within 300 feet of a residential zoning district. Use permit required.
	Ordinance Sections:	623.D.157.d.(1) 623.D.157.c 623.D.157.d.(2)
	Applicant:	Chris Walton, Gotham Partners, LLC
	Representative:	Cameron Carter, Rose Law Group, PC
	Owner:	Blue Pearl Real Estate, LLC
10.	Application #:	ZA-98-19-7 (1-year review of use permit)
	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
	Ordinance Sections:	623.D.124.a.
	Applicant:	Steve Cottrell, CLF AZ Management, LLC
	Representative:	Heather Dukes, Lazarus, Silvyn & Bangs, PC
	Owner:	Gilbert Bird Law Firm
11.	Application #:	ZA-720-20-8
	Existing Zoning:	C-2 CCSIOD
	Location:	1216 South 7th Avenue
	Quarter Section:	8-26(F8)
	Proposal:	Use permit to allow package liquor sales accessory to a convenience market (Real Dollar Store) located within 300 feet of a residential zoning district. Use permit required.

	Ordinance Sections:	622.D.102.a
	Applicant:	Sultan Kanjiyani, Real Dollar Store
	Representative:	Sultan Kanjiyani, Real Dollar Store
	Owner:	Park Seventh Ave., LLC
12.	Application #:	ZA-169-21-4
	Existing Zoning:	R1-6
	Location:	5615 West Granada Road
	Quarter Section:	13-15(G5)
	Proposal:	**1)** Variance to reduce to the front yard setback (north) to 1-foot. Minimum 20 feet required. **2)** Variance to reduce the side yard setback (west) to 3 feet. Minimum 10 feet required.
	Ordinance Sections:	613.B.Table B 613.B.Table B
	Applicant:	Hugo Mendoza
	Representative:	Hugo Mendoza
	Owner:	Nancy Moreno
13.	Application #:	ZA-176-21-8
	Existing Zoning:	R-4 TOD-2
	Location:	2418 East Monroe Street
	Quarter Section:	10-33(F9)
	Proposal:	**1)** Variance to reduce the rear (north) landscape setback to 0 feet. Minimum 5 feet required. **2)** Variance to reduce the side (west) landscape setback to 0 feet. Minimum 5 feet required. **3)** Variance to reduce the side yard (west) building setback to 0 feet. Minimum 10 feet required. **4)** Variance to reduce the surface parking lot landscaping to 0%. Minimum 5% required. **5)** Variance to reduce the public sidewalk width to 6 feet. Minimum 8 feet required.
	Ordinance Sections:	703.B.3.b.(3) 703.B.3.b.(3) 663.I.Table 1 507 Tab A.II.A.6.1.1 662.I.2.3
	Applicant:	Justin Novak, NVK, LLC
	Representative:	Justin Novak, NVK, LLC
	Owner:	Scott Henry, 2418 East Monroe, LLC
14.	Application #:	ZA-178-21-6
	Existing Zoning:	R1-6
	Location:	14260 South 47th Street
	Quarter Section:	09-38(B11)
	Proposal:	Variance to reduce the rear yard (46th Place) setback to 16 feet. Minimum 21 feet required.
	Ordinance Sections:	613.B.Table B
	Applicant:	Donald McKenna, Dreamstyle Remodeling
	Representative:	Donald McKenna, Dreamstyle Remodeling
	Owner:	Scott Nagie

15.	Application #:	ZA-179-21-2
	Existing Zoning:	R-3, C-1, C-2
	Location:	2720 East Greenway Parkway
	Quarter Section:	35-33(L9)
	Proposal:	**1)** Variance to allow vehicular access from a more restrictive district (C-1 and R-3) to a less restrictive district (C-2). Variance required. **2)** Variance to reduce the streetscape landscape setback along Greenway Parkway to 10 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 required minimum open space to 3%. Minimum 5% required.
	Ordinance Sections:	600 623.E.4.e 703.B.4.a.(1)
	Applicant:	Farhan Rod, Design Consortium, LLC
	Representative:	Farhan Rod, Design Consortium, LLC
	Owner:	Nasir Sulaiman
16.	Application #:	ZA-193-21-6
	Existing Zoning:	RE-24 ACSPD
	Location:	6318 East Monterosa Street
	Quarter Section:	17-42(H12)
	Proposal:	**1)** Variance to reduce the required front yard setback (south) to 15 feet. Minimum 30 feet required. **2)** Variance to reduce the side yard setback (west) to 6 feet. Minimum 10 feet required. **3)** Variance to allow 33% lot coverage. Maximum 30% permitted.
	Ordinance Sections:	606.B.2 606.B.3.b 606.B.5
	Applicant:	Scott Avery, Avery Design Group
	Representative:	Scott Avery, Avery Design Group
	Owner:	Wes and Laine Wooldridge

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.

5/5/2021