

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 27, 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 [1429904473#](tel:1429904473), 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=eda7aa3a1000742bd4499a185955988>
- **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-181-21-6
Existing Zoning: R1-6
Location: 1240 East Tuckey Lane
Quarter Section: 22-30(I9)
Proposal: Variance to reduce the required side yard (west) setback to 2 feet. Minimum 10 feet required.
Ordinance Sections: 613.B.Table B
Applicant: Troy Mohr,
Representative: Bill Duncan, Duncan Design Group, LLC
Owner: Bill Duncan, Duncan Design Group, LLC

2. Application #: ZA-182-21-4
 Existing Zoning: R-5 HP CNSPD
 Location: 705 East Granada Road
 Quarter Section: 13-27(G8)
 Proposal: Use permit to obtain official approval of a home
 occupation (Durable Medical Equipment). Use permit
 required.
 Ordinance Sections: 608.E.3.h.(5).
 Applicant: Cassie Smith, Pacific Biomedical
 Representative: Cassie Smith, Pacific Biomedical
 Owner: Stephan Williams, Pacific Biomedical

3. Application #: ZA-183-21-8
 Existing Zoning: S-1 (C-2 Approved)
 Location: 5775 West Baseline Road
 Quarter Section: 01-15(D5)
 Proposal: Variance to allow 9 trees in the landscape setback (north)
 adjacent to frontage (Baseline Road). Minimum 30 trees
 required.
 Ordinance Sections: 623.E.4.e
 Applicant: Wendy Riddell, Berry Riddell, LLC
 Representative: Wendy Riddell, Berry Riddell, LLC
 Owner: ALDI (Arizona), LLC

4. Application #: ZA-184-21-4
 Existing Zoning: C-1 (C-1 P-1 Approved)
 Location: 2002 East Osborn Road
 Quarter Section: 16-32(H9)
 Proposal: Use permit to allow a hospital (medically supervised
 detoxification). Use permit required.
 Ordinance Sections: 622.D.85
 Applicant: Wendy Riddell, Berry Riddell, LLC
 Representative: Wendy Riddell, Berry Riddell, LLC
 Owner: Crossroads, Inc.

5. Application #: ZA-186-21-7
 Existing Zoning: DTC-Business Core
 Location: 333 North 2nd Avenue
 Quarter Section: 11-27(G8)
 Proposal: **1)** Variance to increase the maximum building setback
 (west) along 2nd Avenue to 18 feet. Maximum 10 feet
 allowed. **2)** Variance to reduce the combined depth of the
 parking space and the aisle width to 60 feet for a double
 loaded aisle. Minimum 62 feet required. **3)** Variance to
 reduce the number of on-site loading spaces required for
 all development greater than 40,000 square feet to 4
 spaces. Minimum 5 on-site loading spaces required.
 4) Variance to reduce the width of the maneuvering aisles
 for two-way traffic to 19 feet. Minimum 24 feet required.

Ordinance Sections: 1209.D.Table 702.B.2.b.(5) 1206.D.1 702.B.2.a.(5)
Applicant: Geoff Jacobs, 333 2nd Ave., LLC
Representative: Nick Wood, Esq., Snell & Wilmer
Owner: Geoff Jacobs, 333 2nd Ave., LLC

6. Application #: ZA-187-21-3
Existing Zoning: R1-10
Location: 11851 North 24th Street
Quarter Section: 30-33(K9)
Proposal: **1)** Variance to allow required parking spaces within the required front yard setback. Required parking spaces not permitted within the front yard setback. **2)** Use Permit to allow public assembly-residential uses with vehicular access on local or minor collector streets. Use permit required.

Ordinance Sections: 702.F.1 608.E.6
Applicant: Lesley Partch, Fun Form Architecture, PLLC
Representative: Lesley Partch, Fun Form Architecture, PLLC
Owner: Paradise Valley Christian School

7. Application #: ZA-188-21-6
Existing Zoning: R1-10
Location: 816 East Circle Road
Quarter Section: 24-29(J8)
Proposal: **1)** Variance to allow a lot that does not front onto a public street. Street frontage required. **2)** Variance to reduce the rear (north) setback to 10 feet. Minimum 25 feet required.

Ordinance Sections: 608.H.1 611.B.Table B.(a)
Applicant: Robert and Heather Singer
Representative: Robert and Heather Singer
Owner: Robert and Heather Singer

8. Application #: ZA-225-21-4
Existing Zoning: R-3 HP
Location: 97 West Mariposa Street
Quarter Section: 18-27(H8)
Proposal: Variance to reduce the required side yard setback (west) to 3 feet. Minimum 10 feet required.

Ordinance Sections: 615.B.Table B
Applicant: Gary Wiener, Linda and Gary Wiener Trust
Representative: Gary Wiener, Linda and Gary Wiener Trust
Owner: Gary Wiener, Linda and Gary Wiener Trust

1:30 PM

9. Application #: ZA-189-21-8
Existing Zoning: R1-6
Location: 2907 East Earll Drive
Quarter Section: 15-34(G10)

- Proposal: Variance to reduce the side (west) setback to 4 feet.
 Minimum 10 feet required.
- Ordinance Sections: 613.B.Table B
 Applicant: Andrew Howerzyl, AHA Design Workshop
 Representative: Andrew Howerzyl, AHA Design Workshop
 Owner: Matthew and Melissa Kreek
10. Application #: ZA-190-21-5
 Existing Zoning: C-2
 Location: 2624 West Bethany Home Road
 Quarter Section: 21-23(I7)
 Proposal: Use permit to allow a drive-through facility accessory to a restaurant within 300 feet of a residential zoning district. Use permit required.
 Ordinance Sections: 623.D.157.d.(2)
 Applicant: W. Ralph Pew, Pew & Lake, PLC
 Representative: W. Ralph Pew, Pew & Lake, PLC
 Owner: Michael Pollack, Bethany Plaza, LLC
11. Application #: ZA-191-21-3
 Existing Zoning: R1-8
 Location: 11419 North 29th Place
 Quarter Section: 30-34(K10)
 Proposal: **1)** Variance to reduce the side (south) setback to 3 feet. Minimum 10 feet required. **2)** Variance to reduce the rear (east) setback to 14 feet. Minimum 25 feet required.
 Ordinance Sections: 612.B.Table B 612.B.Table B
 Applicant: Jonathan and Jane Dick
 Representative: Tommy Marquez, Wolfpack Contracting, LLC
 Owner: Jonathan and Jane Dick
12. Application #: ZA-192-21-2
 Existing Zoning: R1-14
 Location: 5312 East Winchcomb Drive
 Quarter Section: 33-40(L11)
 Proposal: Variance to reduce the side yard setback (east) to 5 feet. Minimum 10 feet required.
 Ordinance Sections: 606.B.3.b
 Applicant: Stephen and Kathryn Mosley
 Representative: Stephen and Kathryn Mosley
 Owner: Stephen and Kathryn Mosley
13. Application #: ZA-194-21-2
 Existing Zoning: C-2, C-3
 Location: 3155, 3175 and 3185 East Bell Road
 Quarter Section: 36-34(M10)

Proposal: Use permit to allow outdoor dining as an accessory use to a restaurant (coffee shop) when located within 500 feet of a residential zoning district. Use permit required.
Ordinance Sections: 623.D.157.c.
Applicant: Josh Oehler, Arc One Associates, LLC
Representative: Josh Oehler, Arc One Associates, LLC
Owner: James Aaron Klusman, KFH Bell & 32nd, LLC

14. Application #: ZA-197-21-6
Existing Zoning: C-2 SP HGT/WVR
Location: 6829 North 7th Street and 736 East Flynn Lane
Quarter Section: 22-29(18)
Proposal: **1)** Time Extension for ZA-307-19, Variance to allow 10 foot building setback adjacent to street (south). Average 30 feet required. **2)** Time Extension for ZA-307-19, Variance to allow 10 foot landscape setback adjacent to street (south). Average 30 feet required. **3)** Time Extension for ZA-307-19, Variance to allow 10 foot building setback adjacent to R-4 zoning (east). Minimum 30 feet required. **4)** Time Extension for ZA-307-19, Variance to allow maneuvering in right-of-way (alley). Maneuvering must be located on private property. **5)** Time Extension for ZA-307-19, Variance to enable access from a street not considered an arterial or collector. Arterial or collector street required. **6)** Time Extension for ZA-307-19, Variance to allow 4% parking lot landscaping. Minimum 10% required. **7)** Time Extension for ZA-307-19, Variance to allow 63% lot coverage. Maximum 50% lot coverage permitted.
Ordinance Sections: 623.E.4.d 623.E.4.e 623.E.4.d 702.A.1.b 647.2.A.1.4 623.E.4.e 623.E.4.h
Applicant: George Pasquell II, Withey Morris, PLC
Representative: George Pasquell II, Withey Morris, PLC
Owner: Jeff Clements, Flynn 720, LLC and Flynn 6829, LLC

15. Application #: ZA-185-21-8
Existing Zoning: A-2
Location: 930 West Magnolia Street
Quarter Section: 7-26(E8)
Proposal: **1)** Use permit to allow a medical marijuana dispensary facility. Use permit required. **2)** Variance to allow a medical marijuana dispensary facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet required from another medical marijuana facility.
Ordinance Sections: 627.D.92.a 627.D.92.d
Applicant: Tom Frenkel, 640 S Smith LLC nka 951 W. Watkins, LLC
Representative: David Dow, David Dow Law Office
Owner: Tom Frenkel, 640 S Smith LLC nka 951 W. Watkins, LLC

16. Application #: ZA-195-21-8
 Existing Zoning: A-2 RSIO
 Location: 1146 West Hilton Avenue
 Quarter Section: 7-26(E8)
 Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet separation required. **3)** Variance to allow a medical marijuana cultivation facility within 1,000 feet of a residentially zoned district. Minimum 1,000 feet separation required. **4)** Variance to allow a medical marijuana cultivation facility within 1,320 feet of a public park. Minimum 1,320 feet separation required. **5)** Variance to allow a medical marijuana cultivation facility within 1,320 feet of a place of worship. Minimum 1,320 feet separation required.
 Ordinance Sections: 627.D.91.a 627.D.91.c 627.D.91.d 627.D.91.e 627.D.91.f
 Applicant: Jason Stevens, Attn: Nick Labadie 5C farms, LLC
 Representative: Nick Labadie
 Owner: Richard Perlman 7 Julie Ann Perlman 1986

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.

5/11/2021