

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 **September 22, 2022 at 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 [25534725396#](tel:25534725396), 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=e6b958b6b1f97f273b44eab1733d94bf8>
- **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-579-15-6 (1 Year Review of Use Permit)
Existing Zoning: C-2
Location: 1040 East Camelback Road
Quarter Section: 19-29(H8)
Proposal: Use permit to allow a medical marijuana dispensary facility. Use permit required.
Ordinance Sections: 623.D.122
Applicant: CCT-Bird, LLC
Representative: Walter Gilbert, Gilbert Bird Law
Owner: 1040 E. Camelback, LLC

2. Application #: ZA-227-20-8 (1 Year Review of Use Permit)
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
3. Application #: ZA-359-22-6
Existing Zoning: RE-35 ACSPD
Location: 4631 North Royal Palm Circle
Quarter Section: 18-39(H11)
Proposal: **1)** Use permit to allow a closed projection to project 33 feet into the rear yard (south) setback. Use permit required. **2)** Variance to reduce the side yard setback (east) for a detached accessory structure to 0 feet. Minimum 3 foot setback required. **3)** Variance to allow an over height (15 feet) detached accessory structure within the required side yard setback. Maximum 8 feet permitted.
- Ordinance Sections: 701.A.3.a.(2).(d) 706.B 706.C
Applicant: Lily and Philip Tirone
Representative: Lily and Philip Tirone
Owner: Lily Tirone
4. Application #: ZA-360-22-1
Existing Zoning: R1-6
Location: 17026 North 31st Drive
Quarter Section: 37-22(M7)
Proposal: **1)** Use permit for 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: Samuel Rymond, D.O.P.E. Precision
Representative: Samuel Rymond, D.O.P.E. Precision
Owner: Samuel Rymond, D.O.P.E. Precision

5. Application #: ZA-363-22-6
Existing Zoning: R1-6
Location: 3643 East Colter Street
Quarter Section: 19-36(H10)
Proposal: **1)** Variance to reduce the required front yard setback (north) to 12 feet. Minimum 20 feet required. **2)** Variance to reduce the required rear yard setback (south) to 4 feet. Minimum 25 feet required.
Ordinance Sections: 613.B.Table B 613.B.Table B
Applicant: Brett Drummond
Representative: Robert Gutierrez, Deesignhead Drawing Company
Owner: Brett Drummond
6. Application #: ZA-365-22-2
Existing Zoning: R1-14
Location: 12642 North 56th Way
Quarter Section: 31-41(K11)
Proposal: Variance to reduce the front yard setback to 10 feet. Minimum 30 feet required.
Ordinance Sections: 606.B.2
Applicant: Jordan Brett and Sarah Jessica Bronowitz
Representative: Jordan Brett and Sarah Jessica Bronowitz
Owner: Jordan Brett and Sarah Jessica Bronowitz
7. Application #: ZA-366-22-2
Existing Zoning: A-1
Location: 1610 East Deer Valley Drive
Quarter Section: 43-31(N9)
Proposal: **1)** Time extension of ZA-365-21, variance to allow outdoor uses, outdoor storage, or open buildings 15 feet from a public street (16th Street). Minimum 75 feet required. **2)** Time extension of ZA-365-21, variance to allow outdoor uses, outdoor storage, or open buildings 30 feet from a public street (Deer Valley Drive). Minimum 75 feet required. **3)** Time extension of ZA-365-21, variance to reduce the setback from the interior lot line (west) to 15 feet. Minimum 20 feet required.
Ordinance Sections: 627.F.2.b.(3) 627.F.2.b.(3) 626.H.1.Table
Applicant: Brian Norris, Norris 1610, LLC
Representative: Brian Norris, Norris 1610, LLC
Owner: Brian Norris, Norris 1610, LLC
8. Application #: ZA-367-22-4
Existing Zoning: R1-6
Location: 5610 West Cambridge Avenue
Quarter Section: 14-15(G5)
Proposal: **1)** Use permit to allow a home occupation that generates traffic. Use permit required. **2)** Use permit for an official approval of a home occupation (Federal Firearms License). Use permit required.

Ordinance Sections: 608.E.3.h(1) 608.E.3.h(5)
Applicant: Jerron-Khely Lee Grimm, BLou Creations, LLC
Representative: Jerron-Khely Lee Grimm, BLou Creations, LLC
Owner: Deanna Reyes

1:30 PM

9. Application #: ZA-357-22-8 (SIGN)
Existing Zoning: C-2 HP, P-1 HP
Location: 440 North 32nd Street
Quarter Section: 11-34(F10)
Proposal: Use permit to allow two electronic message displays (EMD) on a ground sign. Use permit required.
Ordinance Sections: 705.C.13
Applicant: Jared Segel, Associated Sign Company
Representative: Corey Shano, Associated Sign Company
Owner: Celebrity Theater, LLC
10. Application #: ZA-276-22-8
Existing Zoning: R1-6
Location: 8025, 8026, 8029 and 8030 South 6th Drive
Quarter Section: 01-27(D8)
Proposal: **1)** Variance to reduce the front yard interior setback for Lot 86, Lot 87, Lot 88, and Lot 89 to 8 feet. Minimum 10 feet required. **2)** Variance to reduce the side yard perimeter setback for Lot 87 to 5 feet. Minimum 15 feet required. **3)** Variance to reduce the side yard perimeter setback for Lot 88 to 4 feet. Minimum 15 feet required. **4)** Variance to reduce the rear yard perimeter setback for Lot 86 to 18 feet. Minimum 20 feet required. **5)** Variance to reduce the rear yard perimeter setback for Lot 87 to 18 feet. Minimum 20 feet required. **6)** Variance to reduce the rear yard perimeter setback for Lot 88 to 15 feet. Minimum 20 feet required. **7)** Variance to reduce the rear yard perimeter setback for Lot 89 to 15 feet. Minimum 20 feet required. **8)** Variance to reduce the minimum garage setback to 8 feet from back of sidewalk for a front-loaded garage for lots 86, 87, 88, and 89. Minimum 18 feet of setback required.
Ordinance Sections: 613.B.Table A 613.B.Table A 613.B.Table A 613.B.Table A 613.B.Table A 613.B.Table A 613.B.Table A
Applicant: Topher Development Services, LLC
Representative: Christopher P. Colyer, Snell & Wilmer
Owner: Topher Development Services, LLC
11. Application #: ZA-361-22-6
Existing Zoning: R1-6
Location: 1018 East Las Palmaritas Drive
Quarter Section: 25-29(J8)
Proposal: Variance to reduce the side yard (west) setback to 6 feet. Minimum 10 feet required.

Ordinance Sections: 613.Table.B
Applicant: Martin Sandino, Martin Sandino Architecture & Planning LLC
Representative: Martin Sandino, Martin Sandino Architecture & Planning LLC
Owner: Palmaritas, LLC

12. Application #: ZA-362-22-6
Existing Zoning: R1-6
Location: 5642 North 13th Street
Quarter Section: 20-30(I9)
Proposal: **1)** Variance to reduce the front yard setback (north) to 10 feet. Minimum 20 feet required. **2)** Variance to modify Stipulation No. 1 from ZA-548-74 regarding the front and side yard setbacks. Variance required.

Ordinance Sections: 613.B.Table B ZA-548-74
Applicant: Ross White, WCG
Representative: Ross White, WCG
Owner: Ross White, WCG

13. Application #: ZA-368-22-4
Existing Zoning: C-2, P-1
Location: 1003 East Indian School Road
Quarter Section: 16-29(H8)
Proposal: **1)** Use permit to allow outdoor dining accessory to a restaurant (Ono Hawaiian BBQ) within 500 feet of a residential zoning district. Use permit required. **2)** Use permit to allow outdoor dining accessory to a restaurant (Coffee Concept) within 500 feet of a residential zoning district. Use permit required. **3)** Use permit to allow a drive-through facility accessory to a restaurant (Ono Hawaiian BBQ) within 300 feet of a residential zoning district. Use permit required. **4)** Use permit to allow a drive-through facility accessory to a restaurant (Coffee Concept) within 300 feet of a residential zoning district. Use permit required.

Ordinance Sections: 623.D.157.c 623.D.157.c 623.D.157.d.(2) 623.D.157.d.(2)
Applicant: Tim Rasnake, Archicon, Architecture & Interiors, LLC
Representative: Tim Rasnake, Archicon, Architecture & Interiors, LLC
Owner: Fairway Colima AZ Four, LLC

14. Application #: ZA-372-22-1
Existing Zoning: R1-6
Location: 20425 North 14th Lane
Quarter Section: 41-26(N8)
Proposal: **1)** Variance to reduce the side yard setback (north) for a detached accessory structure to 1 foot. Minimum 3 foot setback required. **2)** Variance to reduce the rear yard setback (east) for a detached accessory structure to 2 feet. Minimum 3 foot setback required.

- Ordinance Sections: 706.B 706.B
 Applicant: Gay Ilo McClain
 Representative: Scott McClain
 Owner: Gay Ilo McClain
15. Application #: ZA-373-22-1
 Existing Zoning: RE-43
 Location: 3847 West Yorkshire Drive
 Quarter Section: 39-20(M6)
 Proposal: **1)** Variance to reduce the rear yard setback (south) to 10 feet for an accessory structure. Minimum 40 feet required.
2) Variance to reduce the side yard setback (west) to 0 feet for an accessory structure. Minimum 30 feet required.
3) Variance to reduce the side yard setback (east) to 10 feet for an accessory structure. Minimum 30 feet required.
- Ordinance Sections: 605.B.4 605.B.3 605.B.3
 Applicant: Bruce Sandberg
 Representative: Bruce Sandberg
 Owner: Bruce Sandberg
16. Application #: ZA-394-22-6
 Existing Zoning: R1-6, RE-35 SP, C-1
 Location: 4700 East Warner Road
 Quarter Section: 07-38(B11)
 Proposal: Use permit to allow a temporary use (outdoor fundraising events with amplified sound) for up to 36 months. Use permit required.
- Ordinance Sections: 708.D.1
 Applicant: Lisa Robinson, Ahwatukee Board of Management
 Representative: Lisa Robinson, Ahwatukee Board of Management
 Owner: Ahwatukee Board of Management

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 Leslie Scott at 602-376-3981, leslie.scott@phoenix.gov TTY: Use 7-1-1.

9/7/2022