

NOTICE OF PUBLIC MEETING BOARD OF ADJUSTMENT

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the **BOARD OF ADJUSTMENT** and to the general public, that the **BOARD OF ADJUSTMENT** will hold a meeting open to public on **Thursday, June 1, 2023 at 12:00 p.m.** The meeting will be held virtually and in-person in the City Council Chambers, 200 West Jefferson Street, Phoenix, Arizona.

To participate, see instructions outlined below.

OPTIONS TO ACCESS THE MEETING

- **Participate in-person at the City Council Chambers, 200 West Jefferson Street, Phoenix, Arizona.** Speaker and comment cards will be available at the meeting site.
- **Call-in to listen** to the live meeting: Dial **602-666-0783**. Enter meeting access code **2469 156 5097#**, and press # again when prompted for the attendee ID.
- **Observe the live meeting virtually.**
 - Register for the event at:
<https://cityofphoenix.webex.com/weblink/register/r3f1748016d396607e4d2c12314889152>

Register to speak on an agenda item:

- Register for the event by 5:00 p.m. on May 30, 2023, at:
<https://cityofphoenix.webex.com/weblink/register/r3f1748016d396607e4d2c12314889152>
- If speaking by phone only, please email boardofadjust@phoenix.gov by 5:00 p.m. on May 30, 2023.

Staff will make every effort to accommodate requests to speak beyond the date above. 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 hearing.

Indicate: Item Number and Case Number

The agenda of the meeting is as follows:

- Approval of Minutes**
- Approval of Agenda**
- Requests for Continuance and/or Withdrawal**

1. Application #: **ZA-350-20-7 (1-Year Review) (Auto Continued to July 6, 2023)**
Existing Zoning: DTC-McDowell
Location: 509 West McDowell Road
Quarter Section: 12-27(G8)
Proposal: **1)** Use permit to allow a microbrewery (Roses by the Stairs Brewing). Use permit required.
2) Use permit to allow outdoor liquor service accessory to a microbrewery. Use permit required.
3) Use permit to allow liquor retail sales. Use permit required.
Ordinance Sections: 1204.D.Table, 1204.D.Table, 1204.D.Table
Applicant: Jordan Ham, Roses by the Stairs Brewing, LLC
Representative: Jordan Ham, Roses by the Stairs Brewing, LLC
Owner: Erick Harrell, 509 West McDowell, LLC
Appellant: Andie Abkarian, Roosevelt Action Association

D. Items for Consideration

2. Application #: **ZA-567-22-2 (Continued from April 6, 2023)**
Existing Zoning: R1-18
Location: 5917 East Anderson Drive
Quarter Section: 37-41(M11)
Proposal: Variance to allow 28% lot coverage. Maximum 25% permitted.
Ordinance Sections: 610.B.Table
Applicant: Alan Christensen, A Christensen Architect, LLC
Representative: Alan Christensen, A Christensen Architect, LLC
Owner: Norman M. and April D. Kvalvik Trust
Appellant: Jeffrey Gross, Berry Riddell
3. Application #: **ZA-89-23-6**
Existing Zoning: RE-24
Location: 4601 East Arcadia Lane
Quarter Section: 18-38(H11)
Proposal: Variance to reduce the front yard (west) setback to 9 feet. Minimum 30 feet required.
Ordinance Sections: 606.B.2
Applicant: Fred and Debra V. Beaty
Representative: Fred and Debra V. Beaty
Owner: Fred and Debra V. Beaty
Appellant: Fred and Debra V. Beaty
4. Application #: **ZA-553-22-2**
Existing Zoning: R1-10
Location: 6127 East Carolina Drive

Quarter Section: 35-42(L12)
Proposal: Use permit to allow a home occupation (cooking school) that generates traffic. Use permit required.

Ordinance Sections: 608.E.3.h.1
Applicant: Cassandra Ayres, Berry Riddell, LLC
Representative: Cassandra Ayres, Berry Riddell, LLC
Owner: Connie Kirchner, Love Nest Trust
Appellant: Cassandra Ayres, Berry Riddell, LLC

5. Application #: **ZA-446-22-7 (Continued from April 6, 2023)**
Existing Zoning: DTC-West Evans Churchill
Location: 1005 North 2nd Street
Quarter Section: 12-29(G8)
Proposal: **1)** Use permit to allow outdoor liquor service as an accessory to a bar/restaurant. Use permit required.

2) Variance to reduce the minimum building setback along Roosevelt Street to 0 feet. Minimum 5 feet required.

3) Variance to allow required parking to be located on another lot up to 520 feet away. 300 feet required.

4) Use permit to allow a bar. Use permit required.

Ordinance Sections: 1204.D, 1215.F, 702.A.4.a.(1), 1204.D
Applicant: Nick Wood, Snell & Wilmer
Representative: Nick Wood, Snell & Wilmer
Owner: HSG Roosevelt & 2nd Street LLC
Appellants: Sean Johnson, Evans Churchill Community Association
Kenny Barrett, Roosevelt Row Merchant Association

6. Application #: **ZA-36-23-7**
Existing Zoning: A-1 RSIO, A-2 RSIO
Location: Northeast corner of 7th Avenue and Elwood Street

Quarter Section: 6-27(E8)
Proposal: Use permit to allow development within 500 feet of the Rio Salado Habitat Restoration Project. Use permit required.

Ordinance Sections: 655.E.4
Applicant: George Pasquel III, Withey Morris PLC
Representative: George Pasquel III, Withey Morris PLC
Owner: Sky Harbor BP Realty Company LLC

Appellants:

George Pasquel III, Withey Morris PLC
Victor Vidales, SoPho Convening

E. Other Business

7. Update on next Board of Adjustment agenda.
8. Update on pending appeals of the Board of Adjustment.
9. Q & A: Procedure and Process - Board of Adjustment case law.
10. The Board may vote to go into Executive Session pursuant to A.R.S Section 38-431.03.A.3. for the purpose of receiving legal advice regarding any of the above Items A-E.

F. Adjournment

For further information, please call Julie Garcia in the Planning and Development Department at 602-495-7029, or contact us via electronic mail at pdd.boardofadjust@phoenix.gov. This electronic mail address will not accommodate zoning enforcement/violation complaints.

This publication can be made available in alternate format upon request. To request a reasonable accommodation, please contact Angie Holdsworth at angie.holdsworth@phoenix.gov or TTY: 7-1-1.

May 17, 2023