

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 21, 2023 9:00 AM (Items 1-6) and 1:30 PM (Items 7-11)**

Meeting will be held virtually. To participate, see instructions outlined below.

OPTIONS TO ACCESS THE MEETING

- **Call-in to listen** to the live meeting: Dial **602-666-0783**. Enter meeting access code **26332995449#**, 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://cityofphoenix.webex.com/weblink/register/r2a2bfc129cff5651e87372b4a26fef63>
- **Submit a comment** on an agenda item:
 - At: zoning.adjustment@phoenix.gov by 5:00 PM on **September 19, 2023**
 - Indicate: Item Number and Case Number
- **Register to speak** on an agenda item:
 - Register for the event by 5:00 PM on **September 19, 2023**, at:
<https://cityofphoenix.webex.com/weblink/register/r2a2bfc129cff5651e87372b4a26fef63>
 - If speaking by phone only, please email zoning.adjustment@phoenix.gov by 5:00 PM on **September 19, 2023**.

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

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| 1. | Application #:
Existing Zoning:
Location:
Quarter Section:
Proposal: | ZA-227-20-8 (1-Year Review of Use Permit)
A-2 RSIOD
951 West Watkins Street
7-26(E8)
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 |
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- 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
2. Application #: ZA-331-23-6
 Existing Zoning: R1-6 ACSPD
 Location: 4702 East Devonshire Avenue
 Quarter Section: 17-38(H11)
 Proposal: Variance to reduce side yard setback (west) to 3 feet. Minimum 10 feet required.
- Ordinance Sections: 613.Table B
 Applicant: Kelly Parent
 Representative: Robert Wilkinson, Worksite, Inc.
 Owner: Kelly Parent
3. Application #: ZA-336-23-8
 Existing Zoning: C-2
 Location: 1837 East McDowell Road
 Quarter Section: 12-31(G9)
 Proposal: Use permit to allow a tattoo shop (Inferno Ink LLC). Use permit required.
- Ordinance Sections: 623.D.187
 Applicant: Alia Cummins, Inferno Ink, LLC
 Representative: Alex Rodenburg
 Owner: Barca Investments, LLC
4. Application #: ZA-337-23-4
 Existing Zoning: R1-6 HP
 Location: 31 East Ashland Avenue
 Quarter Section: 14-28(G8)
 Proposal: **1)** Variance to reduce the side setback (east) for a detached accessory structure to 1 foot. Minimum 3 feet required. **2)** Variance to allow an over height (12 feet) accessory structure within the side yard setback (east). Maximum 8 feet permitted.
- Ordinance Sections: 706.B 706.C
 Applicant: Robert Walker
 Representative: Robert Walker
 Owner: Robert Walker
5. Application #: ZA-338-23-6
 Existing Zoning: RE-43
 Location: 6738 North 36th Street
 Quarter Section: 22-36(I10)
 Proposal: Variance to reduce the required front yard setback (east) to 30 feet. Minimum 40 feet required.
- Ordinance Sections: 605.B.2
 Applicant: Cathleen Kebert, Kendle Design Collaborative
 Representative: Brent Kendle, Kendle Design Collaborative
 Owner: Martin and Judith Solomon

6. Application #: ZA-340-23-8
Existing Zoning: A-2 CCSIOD
Location: 1510 West Lincoln Street
Quarter Section: 9-25(F7)
Proposal: Time extension for ZA-28-23, use permit to allow an 80-foot-tall building. Use permit required.

Ordinance Sections: 628.E.2.a
Applicant: Robert Cordero, Cemex Construction Materials South, LLC
Representative: Timothy Poe, Civil & Environmental Consultants, Inc.
Owner: Cemex Construction Materials Pacific, LLC

1:30 PM

7. Application #: ZA-260-23-1 (Continued from August 10, 2023)
Existing Zoning: RE-35
Location: 4602 West Tierra Buena Lane
Quarter Section: 35-18(L6)
Proposal: Use permit to allow an over height (22 feet) two-story detached accessory structure within the rear yard setback. Use permit required.

Ordinance Sections: 706.G
Applicant: Dennis Newcombe, Gammage and Burnham, PLC
Representative: Lindsay Schube, Gammage and Burnham, PLC
Owner: Ricky L. Lofrese Jr.
8. Application #: ZA-327-23-6
Existing Zoning: R1-18
Location: 4102 East Palo Verde Drive
Quarter Section: 20-37(I10)
Proposal: Variance to allow 28% lot coverage. Maximum 25% permitted.

Ordinance Sections: 610.B.Table
Applicant: Withey Morris Baugh, PLC
Representative: Withey Morris Baugh, PLC
Owner: Jason Barclay Morris
9. Application #: ZA-332-23-3
Existing Zoning: RE-43
Location: 4149 East Cochise Road
Quarter Section: 28-37(K10)
Proposal: **1)** Variance to allow a 41 percent lot coverage. Maximum of 30 percent lot coverage permitted. **2)** Variance to reduce the rear yard setback (south) to 30 feet. Minimum 40 feet required.

Ordinance Sections: 605.B.5 605.B.4
Applicant: Paul Winegarner, PBW Design
Representative: Ace, Sunset Construction LLC
Owner: Christopher and Lindsay Nelson, Christopher and Lindsay Nelson Trust
10. Application #: ZA-333-23-2
Existing Zoning: S-1, App. R-3A PCD, CP/BP PCD
Location: Northeast corner of 64th Street and Mayo Boulevard
Quarter Section: 39-43(M12)

Proposal: **1)** Variance to allow a building height of 48 feet at 30 feet of setback (west). Minimum 190 feet of setback required.
2) Variance to allow a building height of 48 feet at 100 feet of setback (north). Minimum 190 feet of setback required.
3) Variance to allow a building height of 48 feet at 40 feet of setback (east). Minimum 190 feet of setback required.
4) Variance to allow a building height of 48 feet at 170 feet of setback (south). Minimum 190 feet of setback required.
5) Variance to reduce the required perimeter setback adjacent to a public street (north) to 15 feet. Minimum 20 foot perimeter setback required.

Ordinance Sections: 616.B.Table 616.B.Table 616.B.Table 616.B.Table 616.B.Table

Applicant: Halsten Ransil, JLB Partners
Representative: Mike Maerowitz, Snell and Wilmer, LLP
Owner: 64th and Mayo Bidder, LLC

11. **Application #:** ZA-334-23-2
Existing Zoning: RE-35
Location: 11660 North St Andrews Way
Quarter Section: 30-41(K11)
Proposal: Variance to reduce the required side yard (south) setback to 8 feet. Minimum 20 feet required.

Ordinance Sections: 609.B.Table
Applicant: Gregg and Jamie Davis, Davis Revocable Trust
Representative: Gregg and Jamie Davis, Davis Revocable Trust
Owner: Gregg and Jamie Davis, Davis Revocable Trust

For further information please call Eric Morales, Planner III, Planning and Development Department at 602-262-7927 or to request a reasonable accommodation, please contact Angie Holdsworth at 602-495-5622, angie.holdsworth@phoenix.gov TTY: Use 7-1-1.

9/6/2023