

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 5, 2022 9:00 AM (Items 1-7) and 1:30 PM (Items 8-15)**

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 [25509105149#](tel:25509105149), 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=e56a96bf43fe47db536ab931e401bd72b>
- **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-92-13-8 (1 year review of use permit)
Existing Zoning: A-2 RSIOD
Location: 2512 East Magnolia Street
Quarter Section: 7-33(E9)
Proposal: **1) Use permit to allow medical marijuana cultivation. Use permit is required. 2) Use permit to allow medical marijuana infusion. Use permit is required.**
Ordinance Sections: 627.D.91.a 627.D.91.b
Applicant: Steve White, Green Sky Patient Center of Scottsdale N.
Representative: Lauren Niehaus, Harvest, Inc.
Owner: Steve White, Green Sky Patient Center of Scottsdale N.

6. Application #: ZA-104-22-4
Existing Zoning: C-2 TOD-1
Location: 5120 North Central Avenue
Quarter Section: 19-27(H8)
Proposal: **1)** Use permit to allow outdoor dining as an accessory to a restaurant (Jinya Ramen Bar). Use permit required. **2)** Use permit to allow outdoor alcohol consumption as an accessory to a restaurant (Jinya Ramen Bar). Use permit required.
Ordinance Sections: 662.F.1.d 662.F.1.d
Applicant: Daradee Olson, Twelve 30 Central DBA Jinya Ramen Bar
Representative: Daradee Olson, Twelve 30 Central DBA Jinya Ramen Bar
Owner: Steven Grady, Latigo Investments, LLC

7. Application #: ZA-106-22-3
Existing Zoning: RE-43
Location: 4670 East Sunset Drive
Quarter Section: 26-38(J11)
Proposal: Variance to modify Stipulation No. 1 of Case No. ZA-173-97-2, to allow a structure taller than 3 feet within 30 feet of Sunset Drive. No more than 3 foot high structures within 40 feet of Sunset Drive per ZA-173-97-2.
Ordinance Sections: 307.A.9
Applicant: Braden Santarcangelo, ABL Design Studio
Representative: Braden Santarcangelo, ABL Design Studio
Owner: Patricia Tate

1:30 PM

8. Application #: ZA-1-16-7 (1 year review of use permit)
Existing Zoning: A-2
Location: 2 North 35th Avenue
Quarter Section: 10-20(F6)
Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit is required. **2)** Use permit to allow a medical marijuana dispensary facility. Use permit is required. **3)** Use permit to allow a medical marijuana infusion facility. Use permit is required. **4)** Variance to allow a medical marijuana cultivation facility within 750 feet of a residentially zoned district. 1,000 feet separation is required between cultivation facility and residentially zoned districts. **5)** Variance to allow a medical marijuana infusion facility within 750 feet of a residentially zoned district. 1,000 feet is required between infusion facility and residentially zoned districts.
Ordinance Sections: 627.D.91.a 627.D.92.a 627.D.93.a 627.D.91.d 627.D.93.c
Applicant: Benjamin Graff, Quarles & Brady, LLP
Representative: Benjamin Graff, Quarles & Brady, LLP
Owner: 35th Avenue Investments, LLC

9. Application #: ZA-58-22-4
Existing Zoning: R1-6 PPSP
Location: 1902 East Osborn Road
Quarter Section: 16-31(H9)
Proposal: Variance to reduce the rear yard (north) setback to 20 feet.
 Minimum 25 feet required.
Ordinance Sections: 613.B.Table B
Applicant: Jonathon Tyler Wheaton
Representative: Jonathon Tyler Wheaton
Owner: Jonathon Tyler Wheaton
10. Application #: ZA-105-22-1
Existing Zoning: A-1 DVAO
Location: 21617 North 9th Avenue
Quarter Section: 42-26(N8)
Proposal: **1)** Time extension of ZA-42-21, use permit to allow a
 medical marijuana infusion facility. Use permit required.
 2) Time extension of ZA 42-21, variance to allow a medical
 marijuana infusion facility within 5,280 feet of another
 medical marijuana facility. Minimum 5,280 feet of
 separation required.
Ordinance Sections: 627.D.93.a 627.D.93.b
Applicant: Lindsay C. Schube, Gammage & Burnham, PLC
Representative: Lindsay C. Schube, Gammage & Burnham, PLC
Owner: B & P Property Holdings, LLC
11. Application #: ZA-108-22-6
Existing Zoning: R-3
Location: 906 East Pasadena Avenue
Quarter Section: 19-29(H8)
Proposal: **1)** Variance to reduce the landscape setback requirement
 along Pasadena Avenue to 0 feet. Minimum 25 feet
 required. **2)** Variance to allow maneuvering to occur in the
 public right-of-way. All maneuvering must be located on
 private property.
Ordinance Sections: 703.B.3.a 702.A.1.b
Applicant: Laith Rabadi
Representative: Paul Almond, Almond ADG Architects
Owner: Laith Rabadi
12. Application #: ZA-109-22-1
Existing Zoning: PUD
Location: Southwest corner of Norterra Parkway and Jomax Road
Quarter Section: 48-22(P7) 48-23(P7)
Proposal: **1)** Use permit to allow outdoor dining as an accessory use
 to a restaurant (Someburros) within 500 feet of a
 residential district zoning. Use permit required. **2)** Use
 permit to allow a drive through facility as an accessory use
 to a restaurant (Someburros) within 300 feet of a
 residential zoning district. Use permit required.

- Ordinance Sections: 623.D.157.c 623.D.157.d.(2)
 Applicant: Justin Gregonis, Upward Architects
 Representative: Justin Gregonis, Upward Architects
 Owner: Kevin Kruff, Someburros
13. Application #: ZA-111-22-7
 Existing Zoning: DTC-Business Core
 Location: 303 North 2nd Avenue
 Quarter Section: 11-27(F8)
 Proposal: Use permit to expand a structure that does not conform to existing development standards. Use permit required.
 Ordinance Sections: 906.D
 Applicant: Jeremy Legg, c/o City of Phoenix
 Representative: Jeremy Legg, c/o City of Phoenix
 Owner: City of Phoenix
14. Application #: ZA-112-22-3
 Existing Zoning: R1-10
 Location: 504 West Harmont Drive
 Quarter Section: 25-27(J8)
 Proposal: Variance to reduce the rear yard setback to 8 feet. Minimum 25 feet required.
 Ordinance Sections: 611.B.Table B
 Applicant: Aaron Michalenko, DBE Surveying, LLC
 Representative: Aaron Michalenko, DBE Surveying, LLC
 Owner: Aaron Michalenko, DBE Surveying, LLC
15. Application #: ZA-114-22-3
 Existing Zoning: R1-10
 Location: 921 West Gleneagles Drive
 Quarter Section: 34-26(L8)
 Proposal: **1)** Variance to delete the stipulation from ZA-578-86 regarding no further construction to the west or south sides of the house. Variance required. **2)** Variance to reduce the rear yard setback to 13 feet. Minimum 25 feet required.
 Ordinance Sections: 307.A.9 611.B.Table B
 Applicant: Steve Shinn, Homework Remodels
 Representative: Steve Shinn, Homework Remodels
 Owner: James Patrick and Brianna Bowlus

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