

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 **April 21, 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 [25567181682 #](tel:25567181682), 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=ef4c2490b43b0514c834b3c74af0e6db9>
- **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-75-22-7
Existing Zoning: PUD
Location: 6775 West McDowell Road
Quarter Section: 12-12(G4)
Proposal: **1) Use permit to allow a drive through facility as an accessory use to a restaurant (PAD 1). Use permit required. 2) Use permit to allow a drive through facility as an accessory use to a restaurant (PAD 2). Use permit required. 3) Use permit to allow a drive through facility as an accessory use to a restaurant (PAD 3). Use permit required.**

- Ordinance Sections: 671.C 671.C 671.C
 Applicant: Kurt Waldier, Beus Gilbert McGroder, PLLC
 Representative: Paul Gilbert, Beus Gilbert McGroder, PLLC
 Owner: Ben Swenson, Americal Management Company, Inc.
2. Application #: ZA-77-22-2
 Existing Zoning: R1-14
 Location: 6901 East Friess Drive
 Quarter Section: 33-44(L12)
 Proposal: Variance to allow an over height wall (7 feet) in the required side yard (west). Maximum 6 feet permitted.
- Ordinance Sections: 703.A.2.c
 Applicant: Matthew Swords
 Representative: Marti Estey
 Owner: Matthew Swords
3. Application #: ZA-79-22-4
 Existing Zoning: R1-6
 Location: 2230 West Fairmount Avenue
 Quarter Section: 16-24(H7)
 Proposal: Variance to reduce the side yard setback (west) to 0 feet. Minimum 10 feet required.
- Ordinance Sections: 613.B.Table B
 Applicant: Patricia Gonzalez-Sotelo
 Representative: Miguel Solorio
 Owner: Patricia Gonzalez-Sotelo
4. Application #: ZA-85-22-8
 Existing Zoning: R-3 SPVTABDO
 Location: 1326 East Wier Avenue
 Quarter Section: 4-30(E9)
 Proposal: Use permit to allow a dependent care facility for 13 or more dependents. Use permit required.
- Ordinance Sections: 615.C.8
 Applicant: Mark Abram, Ohana Developmental Homes, LLC
 Representative: Mark Abram, Ohana Developmental Homes, LLC
 Owner: Ryan Senters, Friends of Ohana
5. Application #: ZA-87-22-6
 Existing Zoning: R1-10 NCASPD
 Location: 6035 North Central Avenue
 Quarter Section: 21-28(I8)
 Proposal: Variance to allow a detached accessory structure in the front yard setback (west). Accessory structures are not allowed in the front yard setback.
- Ordinance Sections: 706.A
 Applicant: Jordan Greenman, JE Greenman Consulting
 Representative: Jordan Greenman, JE Greenman Consulting
 Owner: Jeff Moore

6. Application #: ZA-89-22-6
Existing Zoning: RE-35 ACSPD
Location: 5275 East Arcadia Lane
Quarter Section: 17-40(H11)
Proposal: Variance to reduce the rear yard (west) setback to 20 feet. Minimum 40 feet required.
Ordinance Sections: 609.B.
Applicant: Ed Bull, Burch & Cracchiolo
Representative: Ed Bull, Burch & Cracchiolo
Owner: Brett & Larissa Polachek, Brett & Larissa Polachek Family Trust

7. Application #: ZA-90-22-8
Existing Zoning: RE-43 BAOD
Location: 3731 East Saint Anne Avenue
Quarter Section: 2-36(D10)
Proposal: Variance to reduce the side yard setback (west) to 28 feet. Minimum 30 feet required.
Ordinance Sections: 605.B.3
Applicant: Trent Marchuk
Representative: Clifford Ray, Inguz Construction, LLC
Owner: Trent Marchuk

1:30 PM

8. Application #: ZA-70-22-1 (SIGN)
Existing Zoning: A-1
Location: 2723 West Sweetwater Avenue
Quarter Section: 31-22(K7)
Proposal: Use permit to rebuild a nonconforming off-premise sign with one digital face. Use permit required.
Ordinance Sections: 705.2.G.4
Applicant: Jacob Zonn, Becker Boards Small, LLC
Representative: Jacob Zonn, Becker Boards Small, LLC
Owner: RLM Enterprises, LLC

9. Application #: ZA-83-22-8 (SIGN)
Existing Zoning: C-3 TOD-1
Location: 1401 East Washington Street
Quarter Section: 10-30(F9)
Proposal: Variance to increase wall sign letter height to 20 inches. Maximum 12 inches permitted.
Ordinance Sections: Section 662.K.1.b
Applicant: Ray Owens, Royal Sign Company
Representative: Ray Owens, Royal Sign Company
Owner: Laborers International Union

10. Application #: ZA-685-21-7 (Continued from February 17, 2022)
Existing Zoning: R-3
Location: 760 West Jones Avenue
Quarter Section: 5-26(E8)
Proposal: **1)** Variance to reduce the front yard setback (south) to 11 feet. Minimum 25 feet required. **2)** Variance to reduce the side yard setback (west) to 1 foot. Minimum 3 feet required. **3)** Variance to reduce the rear yard setback (north) to 4 feet. Minimum 15 feet required.
Ordinance Sections: 615.B.Table B 615.B.Table B 615.B.Table B
Applicant: Cristobal Diosdado
Representative: Cristobal Diosdado
Owner: Cristobal Diosdado
11. Application #: ZA-68-22-3
Existing Zoning: R1-6
Location: 13231 North 18th Street
Quarter Section: 32-31(L9)
Proposal: **1)** Variance to reduce the side yard (north) setback for an open projection to 2 feet. Minimum 3 feet required. **2)** Variance to reduce the side yard (south) setback for an open projection to 1 foot. Minimum 3 feet required. **3)** Variance to reduce rear yard (east) setback to 8 feet. Minimum 25 feet required. **4)** Variance to increase the lot coverage to 60%. Maximum 40% allowed.
Ordinance Sections: 701.A.3.a.(1).(b) 701.A.3.a.(1).(b) 613.B.TableB
613.B.TableB
Applicant: Casey Koldoff
Representative: Casey Koldoff
Owner: Casey Koldoff
12. Application #: ZA-80-22-6
Existing Zoning: R1-10
Location: 7040 North 23rd Place
Quarter Section: 23-32(I9)
Proposal: **1)** Variance to increase the retaining wall height to 18 feet within the required side yards (north, south). Individual retaining walls may not exceed a height of 6 feet when located in the interior side or rear yards, with the total combined vertical height of each individual wall not to exceed 20 feet. **2)** Variance to increase the retaining wall height to 18 feet within the required rear yard (west). Individual retaining walls may not exceed a height of 6 feet when located in the interior side or rear yards, with the total combined vertical height of each individual wall not to exceed 20 feet. **3)** Variance to increase the total combined vertical retaining wall height to 24 feet. Individual retaining walls may not exceed a height of 6 feet when located in the interior side or rear yards, with the total combined vertical height of each individual wall not to exceed 20 feet.

Ordinance Sections: 703.A.4.e 703.A.4.e 703.A.4.e
Applicant: William and Candice Lee
Representative: Michael Kolejka, NCARB, AIA, MK Architects, PLC
Owner: CB40 Living Trust

13. Application #: ZA-81-22-2
Existing Zoning: C-2
Location: 7077 East Bell Road
Quarter Section: 36-44(M12)
Proposal: **1)** Use permit to allow outdoor dining as an accessory use to a restaurant (Uncle Bears Grill and Tap) within 500 feet of a residential district. Use permit required. **2)** Use permit to allow outdoor alcohol consumption as an accessory use to a restaurant (Uncle Bears Grill and Tap) within 500 feet of a residential district. Use permit required.

Ordinance Sections: 623.D.157.c 623.D.157.c
Applicant: Vince Dalke, Dalke Design Group, LLC
Representative: Vince Dalke, Dalke Design Group, LLC
Owner: GDC Scottsdale Crossings, LLC

14. Application #: ZA-82-22-7
Existing Zoning: C-3
Location: Approximately 85 feet south of the southeast corner of 7th Avenue and McKinley Street
Quarter Section: 11-27(F8)
Proposal: **1)** Use Permit to allow outdoor dining as an accessory use to a bar within 500 feet of a residential district. Use permit required. **2)** Use permit to allow the noise level to exceed 55 dBA at any point on the property. Use permit required. **3)** Use permit to allow outdoor alcohol consumption as an accessory use to a bar within 500 feet of a residential district. Use permit required. **4)** Use permit to allow outdoor recreation uses (live performances and amplified music) as an accessory use to a bar within 500 feet of a residential district. Use permit required. **5)** Variance to reduce the required parking to 2 spaces. Minimum 6 spaces required per ZA-249-16.

Ordinance Sections: 624.D.112.c 624.D.112.a.(2) 624.D.112.c 624.D.112.c ZA-249-16
Applicant: Charlie Levy
Representative: Taylor Earl, Earl and Curley
Owner: EQ Seventh and McKinley, LLC

15. Application #: ZA-132-22-6
Existing Zoning: RE-35 ACSPD
Location: 4519 North 61st Place
Quarter Section: 18-42(H12)
Proposal: Variance to reduce the required rear yard (east) setback to 20 feet. Minimum 40 feet required.

Ordinance Sections: 609.B.Table
Applicant: Monica Perez, Drattr, LLC
Representative: Monica Perez, Drattr, LLC
Owner: James and Janine Harris

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.

4/6/2022