

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 **July 14, 2022 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 [25550618176#](tel:25550618176), 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=ea56d46ec73a191bc7a7264b7560c2da7>
- **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-150-13-7 (1 year review of use permit)
Existing Zoning: A-2
Location: 1101 North 21st Avenue
Quarter Section: 12-24(G7)
Proposal: **1)** Use permit to allow medical marijuana cultivation facility. Use permit required. **2)** Variance to allow medical marijuana cultivation facility within 3,800 feet of another medical marijuana cultivation facility. Minimum of 5,280 feet of separation required.
Ordinance Sections: 627.D.91.a 627.D.91.c
Applicant: James Harrison Jr., Phoenix Freeway Partner

- Representative: Frank Carallie, CMS Ventures
 Owner: James Harrison Jr., Phoenix Freeway Partner
2. Application #: ZA-542-14-7 (1 year review of use permit)
 Existing Zoning: A-2
 Location: 1101 North 21st Avenue
 Quarter Section: 12-24(G7)
 Proposal: **1)** Use permit to allow a medical marijuana infusion facility. Use permit required. **2)** Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum of 5,280 feet of separation required.
 Ordinance Sections: 627.D.93.a 627.D.93.b
 Applicant: William Stevens, CMS Ventures, LLC
 Representative: William Stevens, CMS Ventures, LLC
 Frank Carallie, CMS Ventures, LLC
 Owner: James Harrison Jr., Phoenix Freeway Partners, LLC
3. Application #: ZA-197-22-4
 Existing Zoning: R1-6
 Location: 2317 West Earll Drive
 Quarter Section: 15-23(G7)
 Proposal: **1)** Variance to reduce side setback (west) to 4 feet. Minimum 10 feet required. **2)** Use permit to allow a closed projection to project 21 feet into the rear yard (south) setback. Use permit required.
 Ordinance Sections: 613.B.Table B 701.A.3.a.(2).(d)
 Applicant: Larry Gaston, Gaston Design Group, LLC
 Representative: Larry Gaston, Gaston Design Group, LLC
 Owner: Ruby Moss
4. Application #: ZA-229-22-8
 Existing Zoning: R1-6
 Location: 8615 South 7th Avenue
 Quarter Section: 02-27(C8)
 Proposal: Variance to reduce the side yard setback (south) to 3 feet. Minimum 10 feet required.
 Ordinance Sections: 613.B.Table B
 Applicant: Ernesto Marquez
 Representative: Ernesto Marquez
 Owner: Jose Torres
5. Application #: ZA-233-22-6
 Existing Zoning: R1-10
 Location: 7133 North 23rd Place
 Quarter Section: 23-32(I9)
 Proposal: **1)** Variance to reduce the front yard setback (southwest) to 10 feet. Minimum 25 feet required. **2)** Variance to reduce the rear yard setback (east) to 10 feet. Minimum 25 feet required.

Ordinance Sections: 611.B.Table B 611.B.Table B
Applicant: Kyle Israel
Representative: Michael Golec, Radius Corporation
Owner: Ozibun Revocable Living Trust

6. Application #: ZA-235-22-6
Existing Zoning: R1-10
Location: 5611 North 20th Place
Quarter Section: 20-32(I9)
Proposal: Use permit to allow a closed projection to project 12 feet into a required rear yard (east) setback. Maximum 5 foot projection for no more than one-half the maximum width of the structure permitted.

Ordinance Sections: 701.A.3.a.2.(d)
Applicant: Antone and Carrie Perrone
Representative: Antone and Carrie Perrone
Owner: Antone and Carrie Perrone

7. Application #: ZA-236-22-8
Existing Zoning: R-3 RI HP
Location: 515 North 11th Street
Quarter Section: 11-29(F8)
Proposal: Variance to reduce the front yard setback (west) to 15 feet. Minimum 25 feet required.

Ordinance Sections: 615.B.Table B
Applicant: Eric Meyerowitz
Representative: Eric Meyerowitz
Owner: 515 North 11th Street Partners, LLC

8. Application #: ZA-239-22-6
Existing Zoning: RE-35
Location: 58 Biltmore Estates
Quarter Section: 19-33(H9)
Proposal: Variance to reduce the required side yard setback (west) to 8 feet. Minimum 20 feet required.

Ordinance Sections: 609.B.Table
Applicant: Nicholas Tsontakis, Dwell Boldly
Representative: Nicholas Tsontakis, Dwell Boldly
Owner: Joel Fernebok, Fernebok Family Trust

1:30 PM

9. Application #: ZA-224-22-5 (SIGN)
Existing Zoning: PUD PCD
Location: 5700 North 101st Avenue
Quarter Section: 20-4(I2)
Proposal: Use permit to adopt the Park Aldea 2 Comprehensive Sign Plan. Use permit required.

Ordinance Sections: 705.E.2
Applicant: Jason Shano, Associated Sign Company

- Representative: Jason Shano, Associated Sign Company
 Owner: TC Park Aldea Phase 2 Venture, LLC
10. Application #: ZA-225-22-1 (SIGN)
 Existing Zoning: C-2
 Location: 4000 and 4025 West Arroyo Norte Drive
 Quarter Section: 70-19(U6)
 Proposal: Use permit to adopt the Alexan Black Canyon Comprehensive Sign Plan. Use permit required.
 Ordinance Sections: 705.E.2
 Applicant: Trammell Crow Residential
 Representative: Nick Wood, Snell & Wilmer, LLP
 Owner: AV 203, LLC
11. Application #: ZA-133-22-4 (Continued from May 19, 2022)
 Existing Zoning: C-2 SAUMSO, C-3 SAUMSO
 Location: 4610 North 7th Avenue
 Quarter Section: 18-26(H8)
 Proposal: **1)** Variance to reduce the building setback to 18 feet adjacent to a street (Hazelwood Street) for structures exceeding two stories or 30 feet in height. Minimum 30 feet required. **2)** Variance to reduce the required parking by 39%. Maximum 15% reduction allowed when a bicycle parking facility is located on site within 50 feet of the primary building's front entrance. **3)** Variance to allow maneuvering to occur in the public right-of-way. All maneuvering must be located on private property.
 Ordinance Sections: 623.E.4.d 665.H.Table 1 702.A.1.b
 Applicant: Natalie Maikoski, EPS Group, Inc.
 Representative: Natalie Maikoski, EPS Group, Inc.
 Owner: Alicia Hernandez, DAP Management Group, LLC
12. Application #: ZA-180-22-3
 Existing Zoning: R1-6 HROD, C-2 HROD
 Location: 118 West Hatcher Road
 Quarter Section: 27-27(J8)
 Proposal: **1)** Use permit to allow an extension of a use which is permitted in a less restricted district into a more restricted district to a maximum of 25 feet. Use permit required. **2)** Variance to allow an extension of a use which is permitted in a less restricted district into a more restricted district to a maximum of 44 feet. Maximum 25 feet permitted. **3)** Variance to reduce the landscape setback (east) not adjacent to a public street to 2 feet. Minimum 10 feet required.
 Ordinance Sections: 307.A.8 307.A.8 623.E.4.e
 Applicant: Sherwood Wang, Pattern Design Studio, LLC
 Representative: Sherwood Wang, Pattern Design Studio, LLC
 Owner: Jason Boysel, Symmetry Real Estate Holdings, LLC

13. Application #: ZA-234-22-3
Existing Zoning: RE-43
Location: 4126 East Beryl Lane
Quarter Section: 28-37(K10)
Proposal: Variance to allow a 40 percent lot coverage. Maximum of 30 percent lot coverage permitted.
Ordinance Sections: 605.B.5
Applicant: Keegan Healey
Representative: Tanner Roe, The TL Roe Company, LLC
Owner: Keegan Healey
14. Application #: ZA-237-22-7
Existing Zoning: DTC-Business Core
Location: 424 West Adams Street
Quarter Section: 10-27(F8)
Proposal: Variance to allow three antenna arrays (east, south, and west) to project 3 feet from the building face. Maximum 12 inches permitted.
Ordinance Sections: 715.B.3.b.(9).(a)
Applicant: Krystal Nelmes, Tower Engineering Professionals
Representative: Krystal Nelmes, Tower Engineering Professionals
Owner: City of Phoenix
15. Application #: ZA-240-22-6
Existing Zoning: R1-6
Location: 1851 East Ocotillo Road
Quarter Section: 22-31(I9)
Proposal: Variance to reduce the side yard setback (north) to 7 feet. Minimum 10 feet required.
Ordinance Sections: 613.B.Table B
Applicant: Maria S Mondragon, Horizon's Diamond Homes, LLC
Representative: Franklin Soriano, JFA Construction, LLC
Owner: Maria S Mondragon, Horizon's Diamond Homes, LLC
16. Application #: ZA-266-22-6
Existing Zoning: RE-35 ACSPD
Location: 5302 East Palomino Road
Quarter Section: 18-40(H11)
Proposal: **1)** Variance to reduce the rear yard (east) setback to 20 feet. Minimum 40 feet required. **2)** Variance to increase the height of a wall (6 feet) located in the front yard setback. Maximum 40 inches permitted. **3)** Variance to reduce the front yard (west and south) to 35 feet. Minimum 40 feet required.
Ordinance Sections: 609.B.Table 703.A.2.a 609.B.Table
Applicant: Sean B. Lake, Pew & Lake PLC
Representative: Sean B. Lake, Pew & Lake PLC
Owner: The Perry and Brenda Rea Trust

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.

7/4/2022