

*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 **August 4, 2022 9:00 AM (Items 1-8) and 1:30 PM (Items 9-15)**

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 [2556879571#](tel:2556879571), 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=e487387a6378fd067454cbcad76f93322>
- **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-426-14-7 (1 Year Review of Use Permit)
Existing Zoning: A-1
Location: 15 North 57th Drive
Quarter Section: 10-15(F5)
Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Use permit to allow a medical marijuana infusion facility. Use permit required. **3)** Variance to allow a medical marijuana cultivation facility located within 5,280 feet from the same type of use. Minimum of 5,280 feet separation is required. **4)** Variance to allow a medical marijuana infusion facility located within

5,280 feet from the same type of use. Minimum of 5,280 feet separation is required.

Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.c
Applicant: James Tantillo, CNCTD, LLC, an Arizona, LLC
Representative: Heather Dukes, Esq.
Owner: David D. Schlecht, JD Parts Master

2. Application #: ZA-572-14-4 (1 Year Review of Use Permit)
Existing Zoning: A-2
Location: 3839 North 35th Avenue
Quarter Section: 16-21(H6)
Proposal: **1)** Use Permit to allow a medical marijuana cultivation facility. Use Permit required. **2)** Use Permit to allow a medical marijuana infusion facility. Use Permit required. **3)** Variance to allow a medical marijuana cultivation facility within 1-mile of a similar type of use. Minimum separation of 5,280 feet required. **4)** Variance to allow a medical marijuana infusion facility within 1-mile of a similar type of use. Minimum separation of 5,280 feet required. **5)** Variance to allow a medical marijuana cultivation facility within 1,000 feet of a residential zoning district. Minimum 1,000 feet separation required. **6)** Variance to allow a medical marijuana infusion facility within 1,000 feet of a residential zoning district. Minimum 1,000 feet separation required.

Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b 627.D.91.d 627.D.93.c
Applicant: Wayne Hansen, Medican Enterprises, Inc.
Representative: Ryan Hurley, Rose Law Group
Owner: DT Arizona Rea Estate, LLC

3. Application #: ZA-276-22-8
Existing Zoning: R1-6
Location: 8025, 8026, 8029 and 8030 South 6th Drive
Quarter Section: 01-27(D8)
Proposal: **1)** Variance to reduce the front yard interior setback for Lot 86, Lot 87, Lot 88, and Lot 89 to 8 feet. Minimum 10 feet required. **2)** Variance to reduce the side yard perimeter setback for Lot 87 to 5 feet. Minimum 15 feet required. **3)** Variance to reduce the side yard perimeter setback for Lot 88 to 4 feet. Minimum 15 feet required. **4)** Variance to reduce the rear yard perimeter setback for Lot 86 to 18 feet. Minimum 15 feet required. **5)** Variance to reduce the rear yard perimeter setback for Lot 87 to 18 feet. Minimum 20 feet required. **6)** Variance to reduce the rear yard perimeter setback for Lot 88 to 15 feet. Minimum 20 feet required. **7)** Variance to reduce the rear yard perimeter setback for Lot 89 to 15 feet. Minimum 15 feet required.
Ordinance Sections: 613.B.Table A 613.B.Table A 613.B.Table A 613.B.Table A 613.B.Table A 613.B.Table A 613.B.Table A

- Applicant: Topher Development Services, LLC
 Representative: Christopher P. Coyler, Snell & Wilmer
 Owner: Topher Development Services, LLC
4. Application #: ZA-279-22-4
 Existing Zoning: R-3
 Location: 2843 West Almeria Road
 Quarter Section: 13-22(G7)
 Proposal: Variance to reduce the landscape setback requirement along 29th Avenue to 0 feet. Minimum 25 feet required.
 Ordinance Sections: 703.B.3.a
 Applicant: Susan Phelan and Stefani Sacco
 Representative: Susan Phelan and Stefani Sacco
 Owner: Susan Phelan and Stefani Sacco
5. Application #: ZA-281-22-4
 Existing Zoning: C-2 TOD-1
 Location: 1812 West Camelback Road
 Quarter Section: 19-25(H7)
 Proposal: Use permit to allow food and beverage to be dispensed from a vehicle within a farmers market. Use permit required.
 Ordinance Sections: 622.D.63.b
 Applicant: Luis Gonzalez
 Representative: Luis Gonzalez
 Owner: Luis Gonzalez
6. Application #: ZA-282-22-6
 Existing Zoning: R1-10
 Location: 4713 East Virginia Avenue
 Quarter Section: 14-38(G11)
 Proposal: Variance to reduce the side yard (west) setback to 4 feet. Minimum 10 feet required.
 Ordinance Sections: 611.B.Table B
 Applicant: Richard Dance, Richard C Dance Living Trust
 Representative: Andrew Chi, Andrew Chi Planning
 Owner: Richard Dance, Richard C Dance Living Trust
7. Application #: ZA-284-22-4
 Existing Zoning: R-3
 Location: 1106 East Campbell Avenue
 Quarter Section: 18-29(H8)
 Proposal: **1)** Use permit to allow the Single-Family Attached development option. Use permit required. **2)** Variance to reduce the required perimeter landscape setback (east) to 0 feet. Minimum 5 feet required.
 Ordinance Sections: 608.F.8 608.F.8.c.3
 Applicant: Larry Lazarus, Lazarus & Silvyn, PC

Representative: Larry Lazarus, Lazarus & Silvyn, PC
Owner: Michael Dooley, Signal Mountain, LLC

8. Application #: ZA-285-22-6
Existing Zoning: R1-10
Location: 3808 East Pasadena Avenue
Quarter Section: 19-36(H10)
Proposal: Variance to allow an over height detached accessory structure (11 feet) in the side yard setback (south). Maximum 8 feet permitted.
Ordinance Sections: 706.C
Applicant: Eric and Jana Wood
Representative: Eric and Jana Wood
Owner: Eric and Jana Wood

1:30 PM

9. Application #: ZA-238-22-6 (SIGN)
Existing Zoning: A-2
Location: 402 South 54th Place
Quarter Section: 9-40(F11) 10-40(F11)
Proposal: Use permit to convert one sign face to digital. Use permit required.
Ordinance Sections: 705.2.E.3
Applicant: Tom LeClair, American Outdoor Advertising, LLC
Representative: Ben Graff, Quarles & Brady
Owner: Youngs Market Company of Arizona, LLC

10. Application #: ZA-270-22-8 (SIGN)
Existing Zoning: PSC
Location: 5850 South 19th Avenue
Quarter Section: 3-24(D7)
Proposal: Use permit to allow an electronic message display (EMD) on two ground signs. Use Permit required.
Ordinance Sections: 705.C.13
Applicant: Gary Spinner, Pearson's Signs Company
Representative: Gary Spinner, Pearson's Signs Company
Owner: Circle K Stores, Inc.

11. Application #: ZA-273-22-3
Existing Zoning: C-2
Location: 12019 North 19th Avenue
Quarter Section: 30-25(K7)
Proposal: **1)** Use permit to allow a pawn shop. Use permit required.
2) Variance to allow a pawn shop less than 500 feet from a residential district. Minimum 500 feet of separation required.
Ordinance Sections: 623.D.134.a 623.D.134.b
Applicant: Mary Renee Pomeroy

- Representative: Mary Renee Pomeroy
 Owner: Quanzhi Liu and Oi Hing Chan
12. Application #: ZA-274-22-6
 Existing Zoning: RE-24
 Location: 5610 East Monterosa Street
 Quarter Section: 17-41(H11)
 Proposal: Variance to allow a 37 percent lot coverage. Maximum of 30 percent lot coverage permitted.
 Ordinance Sections: 606.B.5
 Applicant: Travis Reid, Travis Custom Homes
 Representative: Travis Reid, Travis Custom Homes
 Owner: 5610 East Monterosa Street LLC
13. Application #: ZA-277-22-8
 Existing Zoning: R1-6
 Location: 401 West Winston Drive
 Quarter Section: 02-27(C8)
 Proposal: Variance to reduce the side yard setback (west) to 4 feet. Minimum 10 feet required.
 Ordinance Sections: 613.B.Table B
 Applicant: Jose Luiz Angulo-Lopez and Myrna Angelo
 Representative: Jose Luiz Angulo-Lopez and Myrna Angelo
 Owner: Jose Luiz Angulo-Lopez and Myrna Angelo
14. Application #: ZA-280-22-3
 Existing Zoning: A-1
 Location: 9630 North 25th Avenue
 Quarter Section: 27-23(J7) 28-23(K7)
 Proposal: Use permit to allow a residential use. Use permit required.
 Ordinance Sections: 627.C.1
 Applicant: David Ehrman, Diamond Elite Park LLC
 Representative: Ashley Z. Marsh, Gammage & Burnham, PLC
 Owner: David Ehrman, Diamond Elite Park, LLC
15. Application #: ZA-271-22-8
 Existing Zoning: A-1 TOD-2
 Location: 2312 East Washington Street
 Quarter Section: 10-32(F9)
 Proposal: **1)** Use permit to allow a medical marijuana dispensary facility. Use permit required. **2)** Variance to allow a medical marijuana dispensary facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required. **3)** Variance to allow a medical marijuana dispensary facility within 500 feet of a residentially zoned district. Minimum 500 feet of separation required. **4)** Variance to allow a medical marijuana dispensary facility within 1,320 feet of a school. Minimum 1,320 feet of separation required.

Ordinance Sections: 627.D.92.a. 627.D.92.d 627.D.92.e. 627.D.92.f.
Applicant: 2312 Washington, LLC
Representative: Joseph G. Urtuzuastegui III, Winsor Law Group, PLC
Owner: 2312 Washington, LLC

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.

7/27/2022