

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

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 [24546742928#](tel:24546742928), 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/r9f02073f5e13bf03b102080dfc5ce29a>
- **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:
 - Register for the event by 5:00 PM on April 4, 2023, at:
<https://cityofphoenix.webex.com/weblink/register/r9f02073f5e13bf03b102080dfc5ce29a>
 - If speaking by phone only, please email zoning.adjustment@phoenix.gov by 5:00 PM on April 4, 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

1. Application #: ZA-197-19-5 (1-Year Review of Use Permit)
Existing Zoning: A-2
Location: 4210 North 39th Avenue
Quarter Section: 17-19(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 5,280 feet of the same type use or medical marijuana dispensary or infusion facility. Minimum 5,280 foot separation required. **4)** Variance to allow a medical marijuana cultivation facility within 1,320 feet of a place of worship. Minimum 1,320 foot separation required. **5)** Variance to allow a medical marijuana infusion facility within 5,280 feet of the same type of use or cultivation

facility. Minimum 5,280 foot separation required.

6) Variance to allow a medical marijuana infusion facility within 1,320 feet of a place of worship. Minimum 1,320 foot separation required.

Ordinance Sections: 627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.91.f.
627.D.93.b. 627.D.93.e.

Applicant: Andrew D. Yancey, Bergin, Frakes, Smalley & Oberholtzer, P

Representative: Fae Sowders, Bergin, Frakes, Smalley & Oberholtzer, P
Owner: Brian W. Leecing, SCF Properties, LLC

2. Application #: ZA-37-23-2
Existing Zoning: C-2 M-R PCD
Location: 15211 North Kierland Boulevard
Quarter Section: 34-44(L12)
Proposal: **1)** Variance to reduce the required front yard setback (northwest, Kierland Boulevard) to 10 feet. Minimum 25 feet required. **2)** Variance to reduce the front yard landscape setback (Northwest) to 10 feet. Minimum 25 feet required. **3)** Variance to reduce the interior side yard landscape setback (Southwest) to 0 feet. Minimum 5 feet required. **4)** Variance to reduce the interior side yard landscape setback (East) to 0 feet. Minimum 5 feet required. **5)** Variance to reduce the required open space to 3%. Minimum 5% open space required.
Ordinance Sections: 701.D.2.b 703.B.3.a 703.B.3.b.3 703.B.3.b.3 703.B.4.a.1
Applicant: David Breen, Streetlights Residential
Representative: Benjamin Graff, Quarles & Brady, LLP
Owner: Jacob Knudsen, PHXAZ Kierland Commons, LLC c/o The Mace
3. Application #: ZA-75-23-8
Existing Zoning: R-4, R-5, C-2, C-3 (RI)
Location: 2334 East Polk Street
Quarter Section: 11-32(F9)
Proposal: Use permit to allow a community residence center. Use permit required.
Ordinance Sections: 618.D.7
Applicant: Tom Shaughnessy
Representative: Doug McCord, Architectural Resource Team
Owner: Child Crisis Arizona
4. Application #: ZA-76-23-8
Existing Zoning: R-3
Location: 104 North 29th Street
Quarter Section: 10-34(F10)
Proposal: **1)** Variance to reduce the required landscaping along a public street (N. 29th Street) to 0 feet. Minimum 10 feet required. **2)** Variance to reduce the landscape setback (west) to 3 feet. Minimum 5 feet required. **3)** Variance to reduce the required minimum open space to 0%. Minimum 5% required. **4)** Variance to reduce the minimum guest parking requirement to 0 spaces. Minimum 1 parking spaces required.

Ordinance Sections: 703.B.3.a 703.B.3.b.(3) 703.B.4.a.(1) 702.C.Table
Applicant: Alma Uzarraga
Representative: Alma Uzarraga
Owner: Dora Castillo

5. Application #: ZA-89-23-6
Existing Zoning: RE-24
Location: 4601 East Arcadia Lane
Quarter Section: 18-38(H11)
Proposal: Variance to reduce the front yard (west) setback to 9 feet. Minimum 30 feet required.

Ordinance Sections: 606.B.2
Applicant: Fred and Debra V. Beaty
Representative: Fred and Debra V. Beaty
Owner: Fred and Debra V. Beaty

6. Application #: ZA-90-23-7
Existing Zoning: R-5 RI
Location: 1529 West Roosevelt Street
Quarter Section: 11-25(F7)
Proposal: **1)** Variance to reduce the perimeter landscape setback (east) to 0 feet. Minimum 5 feet required. **2)** Variance to reduce the perimeter landscape setback (west) to 0 feet. Minimum 5 feet required.

Ordinance Sections: 703.B.3.(b).(3) 703.B.3.(b).(3)
Applicant: Drew Bryck
Representative: Drew Bryck
Owner: Chad Donnelly

1:30 PM

7. Application #: ZA-578-22-4 (SIGN)
Existing Zoning: C-3 General Commercial, TOD-1
Location: 4210 North Central Avenue
Quarter Section: 17-27(H8)
Proposal: **1)** Use permit to convert the north face of a nonconforming off-premise sign to digital. Use permit required. **2)** Use permit to reduce minimum spacing from a residential use for a nonconforming off-premise sign to 77 feet. Use permit required.

Ordinance Sections: 705.2.G.4 705.2.A.5
Applicant: Jacob Zonn, Becker Boards Small, LLC
Representative: Jacob Zonn, Becker Boards Small, LLC
Garry Hays
Owner: 2JW Investments, LLC

8. Application #: ZA-88-23-1
Existing Zoning: R-4A
Location: 2941 West Foothill Drive
Quarter Section: 43-22(N7)
Proposal: Variance to allow an over height wall (6 feet) in the front yard setback (north property line). Maximum 40 inches permitted.

Ordinance Sections: 703.A.2.a
Applicant: John Fox, William Seymour Co. Inc.

Representative: John Fox, William Seymour Co. Inc.
Owner: Ryan Denke, Foothill Developers, LLC

9. Application #: ZA-92-23-1
Existing Zoning: S-1
Location: 3125 West Oberlin Way
Quarter Section: 50-21(P6)
Proposal: **1)** Variance to reduce the side yard (east) setback for a detached accessory structure to 30 feet. Minimum 50 feet required. **2)** Variance to reduce the rear yard (south) setback for a detached accessory structure to 30 feet. Minimum 50 feet required.

Ordinance Sections: 603.B.3 603.B.3
Applicant: Amy Malloy, Evolve Ventures, LLC
Representative: Vinny Coppola, Remsen, LLC
Owner: Jason Simpson, JDS Invest, LLC

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.

3/31/2023