

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 4, 2024 9:00 AM (Items 1-8) and 1:30 PM (Items 9-17)**

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 **26314209220#**, 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/r8c717384581502d724462d669ca5e2fb>
- **Submit a comment** on an agenda item:
 - At: zoning.adjustment@phoenix.gov by 5:00 PM on **April 2, 2024**
 - Indicate: Item Number and Case Number
- **Register to speak** on an agenda item:
 - Register for the event by 5:00 PM on **April 2, 2024**, at:
<https://cityofphoenix.webex.com/weblink/register/r8c717384581502d724462d669ca5e2fb>
 - If speaking by phone only, please email zoning.adjustment@phoenix.gov by 5:00 PM on **April 2, 2024**.

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-56-24-2 (Continued from February 29, 2024)
 Existing Zoning: RE-35
 Location: 6003 East Calle Marita
 Quarter Section: Q55-42(Q11, Q12)
 Proposal: Variance to allow a 35% lot coverage. Maximum 30% allowed.

 Ordinance Sections: 609.Table B
 Applicant: David Hay, Extreme Backyards
 Representative: David Hay, Extreme Backyards
 Owner: Jennifer and Steven Day

2. Application #: ZA-57-24-6 (Continued from February 29, 2024)
 Existing Zoning: RE-24
 Location: 5615 North 45th Street
 Quarter Section: Q20-38(I11)

- Proposal: Variance to reduce the required front yard setback (west) to 27 feet. Minimum 40 feet required.
 Ordinance Sections: 606.B.2
 Applicant: David E. Richert, Richert & Associates
 Representative: David E. Richert, Richert & Associates
 Owner: Nico and Patrick Fricchione
3. Application #: ZA-186-24-8 (Continued from March 28, 2024)
 Existing Zoning: DTC-Biomed
 Location: 550 East McKinley Street
 Quarter Section: Q11-28(F8)
 Proposal: Use Permit to allow a temporary use (First Friday) for up to 36 months. Use Permit Required.
 Ordinance Sections: 708.D.1
 Applicant: Adan Madrigal
 Representative: Adan Madrigal
 Owner: City of Phoenix
4. Application #: ZA-75-24-2
 Existing Zoning: R1-6
 Location: 3357 East Wickieup Lane
 Quarter Section: Q40-35(N10)
 Proposal: 1) Use permit to allow the generation of traffic for a home occupation (King Tactical, LLC). Use permit required.
 2) Use permit for official approval of a home occupation (Federal Firearms License). Use permit required.
 Ordinance Sections: 608.E.27.h.(1) 608.E.27.h.(5)
 Applicant: John Shaw, King Tactical, LLC
 Representative: John Shaw, King Tactical, LLC
 Owner: John H. and Marlene Shaw, King Tactical, LLC
5. Application #: ZA-85-24-4
 Existing Zoning: R-2, R-3 SP
 Location: 1550 West Colter Street
 Quarter Section: Q19-25(H7)
 Proposal: Variance to reduce the minimum parking requirement to 79 spaces. Minimum 108 parking spaces required.
 Ordinance Sections: 702.C.Table
 Applicant: John Szafran, DPA Architects, Inc.
 Representative: Kip Murray, Arizona Recreation Center for the Handicapped
 Owner: Kip Murray, Arizona Recreation Center for the Handicapped
6. Application #: ZA-135-24-8
 Existing Zoning: R-4 CCSIOD
 Location: 1006 South Montezuma Avenue
 Quarter Section: Q9-27 (F8)
 Proposal: 1) Variance to allow a minimum lot width of 37 feet. Minimum lot width of 60 feet required.
 2) Variance to reduce the required side setback (south) to 4 feet. Minimum 10 feet required.
 Ordinance Sections: 617.B.Table 617.B 617.B.Table 617.B

Applicant: Drew Bryck
Representative: Drew Bryck
Owner: Tyler Bruggman

7. Application #: ZA-147-24-6
Existing Zoning: RE-35 ACSPD
Location: 5353 East Rockridge Road
Quarter Section: Q18-40(H11)
Proposal: Variance to reduce the required rear yard setback (east) to 20 feet. Minimum 40 feet required.
- Ordinance Sections: 609.B.Table
Applicant: Robert and Casey Commisso
Representative: Alan Gorzynski, Aspect Design, Jeff Guerin, Guerin T. Construction
Owner: Robert and Casey Commisso

8. Application #: ZA-150-24-6
Existing Zoning: RE-43
Location: 7236 North 40th Street
Quarter Section: Q23-36(I10)
Proposal: 1) Variance to reduce the required front yard setback (north) to 22 feet. Minimum 40 feet required.
2) Variance to reduce the side yard setback (west) to 16 feet. Minimum 30 feet required.
- Ordinance Sections: 605.B.2 605.B.3
Applicant: Ed Henry, Bedrock Developers, LLC
Representative: Ed Henry, Bedrock Developers, LLC
Owner: Kevin Groman, Crown Canyon Capital 6, LLC

1:30 PM

9. Application #: ZA-106-24-7 (SIGN)
Existing Zoning: A-1
Location: 302 North 51st Avenue
Quarter Section: Q11-16(F5)
Proposal: Use Permit to allow an electronic message display (EMD) on a ground sign. Use permit required.
- Ordinance Sections: 705.C.13
Applicant: Zelig Hess, Universal Sign Installations, LLC
Representative: Zelig Hess, Universal Sign Installations, LLC
Owner: Cobblestone Phoenix Propco, LLC
10. 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: Nalee Pham, New Gen Phx LLC, Herbal Wellness Center
 Representative: Fae Sowders, Bergin, Frakes, Smalley & Oberholtzer
 Owner: Nalee Pham, New Gen Phx LLC, Herbal Wellness Center

11. Application #: ZA-621-23-8
 Existing Zoning: CP/BP
 Location: 5005 South 40th street
 Quarter Section: Q4-37(E10)
 Proposal: Variance to reduce the minimum parking requirement to 482 spaces. Minimum 515 spaces required.
 Ordinance Sections: 702.C.Table
 Applicant: Laboratory Corporation of America Holdings a Delaware Corporation
 Representative: Heidi Short, Lewis Roca
 Owner: Laboratory Corporation of America Holdings, a Delaware Corporation

12. Application #: ZA-121-24-6
 Existing Zoning: R-3
 Location: 3933, 3937, 3943 East Monterosa Street
 Quarter Section: Q17-36(H10)
 Proposal: 1) Variance to reduce the minimum lot width to 28 feet (Lots 2, 4, 6). Minimum 60 feet required.
 2) Variance to reduce the minimum lot width to 35 feet (Lots 1, 3, 5). Minimum 60 feet required.
 3) Variance to reduce the required side yard setback (east) to 3 feet (Lots 2, 4, 6). Minimum 10 feet required.
 4) Variance to reduce the required side yard setback (west) to 0 feet (Lots 2, 4, 6). Minimum 3 feet required.
 5) Variance to reduce the required side yard setback (east) to 0 feet (Lots 1, 3, 5). Minimum 3 feet required.
 Ordinance Sections: 615.B.Table B 615.B.Table B 615.B.Table B 615.B.Table B 615.B.Table B
 Applicant: Wendy Riddell, Berry Riddell, LLC
 Representative: Wendy Riddell, Berry Riddell, LLC
 Owner: DB Camelback Investments, LLC

13. Application #: ZA-132-24-6
 Existing Zoning: C-2
 Location: 5749 North 7th Street
 Quarter Section: Q20-29(I8)

Proposal: 1) Time extension for ZA-34-23, use permit to allow outdoor dining as an accessory use to a bar (The Womack) within 500 feet of a residential zoning district. Use permit required.
 2) Time extension for ZA-34-23, use permit to allow outdoor alcoholic beverage consumption as an accessory use to a bar (The Womack) within 500 feet of a residential zoning district. Use permit required.
 3) Time extension for ZA-34-23, use permit to allow outdoor recreation (ambient music) use as an accessory use to a bar (The Womack) within 500 feet of a residential zoning district. Use permit required.

Ordinance Sections: 623.D.157.c 623.D.157.c 623.D.157.c
 Applicant: Tucker Woodbury, Genuine Concepts
 Representative: Taylor Earl, Earl & Curley
 Owner: DV-DWG Palo Verde, LLC

14. Application #: ZA-145-24-7
 Existing Zoning: C-2 HGT/WVR DNS/WVR
 Location: 10600 South 59th Avenue
 Quarter Section: Q04-14(C5)
 Proposal: Variance to allow an over height wall (7 feet) within the required street front setback (59th Avenue). Maximum 40 inches permitted.

Ordinance Sections: 703.A.3.a
 Applicant: Beth Heath, Liv South Mountain, LLC
 Representative: Lindsay C. Schube, Gammage & Burnham PLC
 Owner: VP Elliot 202, LLC

15. Application #: ZA-157-24-3
 Existing Zoning: R1-10 RPSPD
 Location: 8087 North 15th Drive
 Quarter Section: Q25-25(J7)
 Proposal: Use permit to allow an over height (21 feet) detached accessory structure within the side yard setback. Maximum 15 feet in height permitted.

Ordinance Sections: 706.B.2.b
 Applicant: Tim Kacerek
 Representative: Tim Kacerek
 Owner: Tim Kacerek

16. Application #: ZA-158-24-4
 Existing Zoning: R-3, C-2
 Location: 4249 North 16th Street
 Quarter Section: Q17-31(H9)
 Proposal: 1) Variance to reduce the required common area to 0% of the gross area. Minimum 5% required.
 2) Use Permit to use the Single-Family Attached (SFA) Development Option. Use Permit required.

Ordinance Sections: 615.B.Table B 608.F.8
 Applicant: Paul O'Connor, POCA Architecture + Design, LLC
 Representative: Paul O'Connor, POCA Architecture + Design, LLC
 Owner: Hector Medina

17. Application #: ZA-159-24-6
 Existing Zoning: R1-6
 Location: 4241 East Glenrosa Avenue
 Quarter Section: Q17-37(H10)
 Proposal: 1) Variance to allow an over height wall (7 feet) in the
 required rear yard (south) setback. Maximum 6 feet
 permitted.
 2) Variance to allow an over height wall (7 feet) in the
 required side yard (west) setback. Maximum 6 feet
 permitted.
 Ordinance Sections: 703.A.2.c 703.A.2.c
 Applicant: Paul O'Connor, POCA Architecture + Design LLC
 Representative: Paul O'Connor, POCA Architecture + Design LLC
 Owner: Pouya Sardari, Neo Classic Homes, LLC

For further information please call Eric Morales, Planner III, Planning and Development Department at 602-262-7927 or via electronic mail at zoning.adjustment@phoenix.gov. To request a reasonable accommodation, please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov TTY: Use 7-1-1.

3/24/2024