

## 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 13, 2023 9:00 AM (Items 1-7) and 1:30 PM (Items 8-14)**

**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 **26302293071#**, 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/r2c01015e3b8826132dd9e1cd29863bdc>
- **Submit a comment** on an agenda item:
  - At: [zoning.adjustment@phoenix.gov](mailto: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 **July 11**, 2023, at:  
<https://cityofphoenix.webex.com/weblink/register/r2c01015e3b8826132dd9e1cd29863bdc>
  - If speaking by phone only, please email [zoning.adjustment@phoenix.gov](mailto:zoning.adjustment@phoenix.gov) by 5:00 PM on **July 11**, 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-92-13-8 (1 Year Review of Use Permit)  
              Existing Zoning:       A-2 RSIOD  
              Location:            2512 East Magnolia Street  
              Quarter Section:    7-33(E9)  
              Proposal:            **1)** Use permit to allow medical marijuana cultivation. Use permit is required. **2)** Use permit to allow medical marijuana infusion. Use permit is required.  
  
              Ordinance Sections: 627.D.91.a 627.D.91.b  
              Applicant:           Eric Powers, Green Sky Patient Center of Scottsdale  
              Representative:    Lauren Niehaus, Green Sky Patient Center of Scottsdale  
              Owner:             Eric Powers, Green Sky Patient Center of Scottsdale
2.           Application #:           ZA-165-23-4  
              Existing Zoning:       C-2 H-R, P-2  
              Location:            2800 North Central Avenue, Suite A100  
              Quarter Section:    14-27(G8)

- Proposal: Use permit to allow outdoor alcohol consumption as an accessory use to a bar (CC's on Central) within 500 feet of a residential zoning district. Use permit required.
- Ordinance Sections: 623.D.157.c
- Applicant: Sharon Cunningham, CC's on Central, LLC dba CC's on Central
- Representative: Jeffrey Craig Miller, Arizona Liquor Industry Consultants
- Owner: Laura Crosby, Gaedeke Group, LLC
3. Application #: ZA-202-23-2
- Existing Zoning: RE-43
- Location: 5731 East Shea Boulevard
- Quarter Section: 28-41(K11)
- Proposal: **1)** Variance to allow a minimum lot depth of 110 feet. Minimum lot depth of 175 feet required. **2)** Variance to allow a minimum lot area of 39,647 square feet. Minimum lot area of 44,055 square feet required. **3)** Use permit to allow public assembly residential use with vehicular access on a local or minor collector street. Use permit required.
- Ordinance Sections: 605.B.1 605.B.1 605.A.21
- Applicant: Shaine T. Alleman, Tiffany & Bosco, P.A.
- Representative: Shaine T. Alleman, Tiffany & Bosco, P.A.
- Owner: Balencia Viking Revocable Living Trust
4. Application #: ZA-214-23-7
- Existing Zoning: R-3
- Location: 2746 West Pima Street
- Quarter Section: 8-22(F7)
- Proposal: Variance to allow an over height (10 feet) accessory structure within the side yard setback (west). Maximum 8 feet permitted.
- Ordinance Sections: 706.C
- Applicant: Stephanno Salazar, Group Development, LLC
- Representative: Stephanno Salazar, Group Development, LLC
- Owner: Stephanno Salazar, Group Development, LLC
5. Application #: ZA-216-23-3
- Existing Zoning: R1-14
- Location: 5438 East Sweetwater Avenue
- Quarter Section: 32-40(L11)
- Proposal: **1)** Variance to reduce the required side yard (west) setback to 5 feet. Minimum 10 feet required. **2)** Variance to allow an accessory structure 26 feet in height in the required side yard (east) setback. Maximum of 8 feet in height allowed. **3)** Use permit to allow a 20 foot tall accessory structure to be located in the rear yard (north) setback. Maximum of one story or 15 feet permitted.
- Ordinance Sections: 606.B.3. 706.C. 706.G
- Applicant: Jason R. Scott and Keri K. Amrhein-Scott, Amrhein-Scott Trust
- Representative: Jason R. Scott and Keri K. Amrhein-Scott, Amrhein-Scott Trust
- Owner: Jason R. Scott and Keri K. Amrhein-Scott, Amrhein-Scott Trust

6. Application #: ZA-218-23-7  
Existing Zoning: C-2 PUD  
Location: 2710 South 99th Avenue  
Quarter Section: 7-4(E2)  
Proposal: Time Extension for ZA-385-21 - Use Permit to allow for a drive-through as an accessory use to a restaurant (Whataburger) when the queuing lane is within 300-feet of a residential district. Use permit required.  
  
Ordinance Sections: 623.D.157.d  
Applicant: Abraham Vazquez, Whataburger  
Representative: Jenifer Tedrick, SEG  
Owner: Tony Padilla

7. Application #: ZA-220-23-8  
Existing Zoning: R-5 RI, C-3, A-1  
Location: 1401 East Van Buren Street  
Quarter Section: 10-30(F9)  
Proposal: 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.  
  
Ordinance Sections: 307.A.8  
Applicant: Patrick Hallman, C & H Associates, LLC  
Representative: Patrick Hallman, C & H Associates, LLC  
Owner: CPLC Pickle House, LLC

**1:30 PM**

8. Application #: ZA-176-23-6 (SIGN)  
Existing Zoning: A-2 Heavy Industrial  
Location: 802 South 56th Street  
Quarter Section: 9-40(F11)  
Proposal: Use permit to rebuild an off-premise sign with two digital faces. Use permit required.  
  
Ordinance Sections: 705.2.E.3  
Applicant: Jacob Zonn, Becker Boards Small, LLC  
Representative: Garry Hays  
Owner: SRP Agricultural Improvement and Power District

9. Application #: ZA-177-23-6 (SIGN)  
Existing Zoning: C-2 Intermediate Commercial  
Location: 3227 East Indian School Road  
Quarter Section: 16-35(H10)  
Proposal: Use permit to convert the west face of a nonconforming off-premise sign to digital. Use permit required.  
  
Ordinance Sections: 705.2.G.4  
Applicant: Jacob Zonn, Becker Boards Small, LLC  
Representative: Garry Hays  
Owner: Kar Yee Investments LLC

10. Application #: ZA-211-23-6  
Existing Zoning: RE-35  
Location: 4848 East Red Rock Drive  
Quarter Section: 19-39(H11)  
Proposal: Variance to reduce the required front yard setback (south) to 22 feet. Minimum 40 feet required.

- Ordinance Sections: 609.B.Table  
 Applicant: Scott Young, The Scott W Young Trust/Andrew Bridge  
 Representative: William F. Allison, Withey Morris Baugh, LLC  
 Owner: Scott Young, The Scott W. Young Trust/Andrew Bridge
11. Application #: ZA-215-23-7  
 Existing Zoning: DTC-Van Buren  
 Location: 337, 333, and 331 North 7th Avenue and 324 North 6th Avenue  
 Quarter Section: 11-27(F8)  
 Proposal: **1)** Variance to reduce the minimum streetscape zone width along 7th Avenue to 5 feet. Minimum 7 feet required. **2)** Variance to reduce the required combined depth of the parking spaces and the drive aisle to 60 feet for a double loaded drive aisle. Minimum 62 feet required. **3)** Variance to reduce the required combined depth of the parking space and the drive aisle to 42 feet for a single loaded drive aisle. Minimum 43 feet required.
- Ordinance Sections: 1221.G 702.B.2.b.5 702.B.2.b.5  
 Applicant: Michael Sansone, Ridgehouse Capital  
 Representative: Mike Maerowitz, Snell & Wilmer, LLP  
 Owner: Milum Textile Services, Co.
12. Application #: ZA-219-23-6  
 Existing Zoning: R-3  
 Location: 2619 East Glenrosa Avenue  
 Quarter Section: 17-33(H9)  
 Proposal: Variance to allow the required parking within the required front yard (north) setback. Required parking not permitted within the front yard setback.
- Ordinance Sections: 702.F.1.a  
 Applicant: Michael Gilson, Accurate Estimating Services  
 Representative: Michael Gilson, Accurate Estimating Services  
 Owner: Sergio E. Hueck & Olga E. Fernandez
13. Application #: ZA-221-23-7  
 Existing Zoning: A-2  
 Location: 2229 West Roosevelt Street  
 Quarter Section: 11-24(F7)  
 Proposal: Variance to allow a fence topped with razor wire in non-residential development where visible from public streets (Roosevelt Street and North Black Canyon Highway East). Fences topped with razor, concertina, or barbed wire not allowed.
- Ordinance Sections: 703.D.2.c  
 Applicant: B & S Roosevelt, LLC  
 Representative: Timothy A. La Sota, Timothy A. La Sota, PLC  
 Owner: B & S Roosevelt, LLC
14. Application #: ZA-213-23-1  
 Existing Zoning: PUD  
 Location: 13610 North Black Canyon Highway  
 Quarter Section: 32-23(L7)

Proposal: **1)** Time Extension for ZA-163-21, use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Time Extension for ZA-163-21, variance to allow medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required. **3)** Time Extension for ZA-163-21, variance to allow medical marijuana cultivation facility within 1,000 feet of a residential zoning district. Minimum 1,000 feet of separation required. **4)** Time Extension for ZA-163-21, use permit to allow a medical marijuana infusion facility. Use permit required. **5)** Time Extension for ZA-163-21, variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required. **6)** Time Extension for ZA-163-21, variance to allow a medical marijuana infusion facility within 1,000 feet of a residential zoning district. Minimum 1,000 feet of separation required.

Ordinance Sections: 627.D.91.a 627.D.91.c 627.D.91.d 627.D.93.a 627.D.93.b 627.D.93.c

Applicant: David Richert, Richert and Associates  
Representative: David Cisiewski, Law Office of David Cisiewski, PLLC  
Owner: Jerry Tokoph, CMB III, 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](mailto:angie.holdsworth@phoenix.gov) TTY: Use 7-1-1.

7/16/2023