

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 9, 2020, at 9:00 AM (Items 1-5) and 1:30 PM (Items 6-11)**

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 **1267120961#**, 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/q.php?MTID=ef3fafa1cc259132468731b8e6b39e1d6>
- **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-216-20-8
 Existing Zoning: R1-14 BAOD
 Location: 3150 East Baseline Road
 Quarter Section: 1-34(D10)
 Proposal: **1)** Use permit to extend a use which is a less restricted district (R-3) into a more restricted district (R1-14) to a maximum of 25 feet. Use permit required. **2)** Variance to allow a 110 feet encroachment into a more restrictive zoning district. Maximum 25 feet encroachment allowed.

3) Variance to reduce the landscape setback from the property line along Baseline Road to 29 feet. Minimum 50 feet required. **4)** Variance to reduce the landscaped separation between the sidewalk and multi-use trail along Baseline Road to 1 foot. Minimum 5 feet required.

Ordinance Sections: 307.A.8 307.A.8 651.D.2.a 651.E.1.a.(5)
Applicant: William Allison, Withey Morris, PLC
Representative: William Allison, Withey Morris, PLC
Owner: Rainer Place, LLC

2. Application #: ZA-269-20-2
Existing Zoning: C-2 M-R NBCC
Location: 32900 North Valley Parkway
Quarter Section: 56-22(R7)
Proposal: Time extension of ZA-600-18-2, use permit to allow a car wash in an open building. Use Permit required.

Ordinance Sections: 307.A.12
Applicant: Michael Mosharrafa, Identity Mutual, LLC
Representative: Michael Mosharrafa, Identity Mutual, LLC
Owner: Quick Quack Car Wash Holdings, LLC

3. Application #: ZA-273-20-4
Existing Zoning: C-2
Location: 2915 North 43rd Avenue
Quarter Section: 15-19(G6)
Proposal: Use permit to allow outdoor dining as accessory use to a restaurant (Mariscos El Vuelve) within 500 feet of a residential zoning district. Use permit required if located within 500 feet of a residential zoning district.

Ordinance Sections: 623.D.157.c.
Applicant: Jairo Tellez, Seafood Lounge, Inc.
Representative: Jairo Tellez, Seafood Lounge, Inc.
Owner: John Paul Tellez, Buena Vista Property, LLC

4. Application #: ZA-274-20-3
Existing Zoning: R1-10
Location: 2322 East Mountain View Road
Quarter Section: 28-32(K9)
Proposal: Variance to reduce the required street frontage to 64 feet. Minimum 80 feet required.

Ordinance Sections: 611.B.Table B
Applicant: Harry Vaupell, Harry F. III and Joyce A. Vaupell Family
Representative: Harry Vaupell, Harry F. III and Joyce A. Vaupell Family
Owner: Harry Vaupell, Harry F. III and Joyce A. Vaupell Family

5. Application #: ZA-222-20-6
Existing Zoning: C-2
Location: 6107 North 7th Street
Quarter Section: 21-29(I8)

Proposal: **1)** Use permit to allow a medical marijuana dispensary facility. Use permit required. **2)** Variance to allow a medical marijuana dispensary facility within 960 feet of a place of worship. Minimum 1,320 feet of separation required. **3)** Variance to allow a medical marijuana dispensary facility within 960 feet of a school. Minimum 1,320 feet of separation required. **4)** Variance to allow a medical marijuana dispensary facility within 193 feet of a residential zoning district. Minimum 500 feet of separation required.

Ordinance Sections: 623.D.124.a 623.D.124.h 623.D.124.g 623.D.124.f
Applicant: Reggie Candelaria, 7th Street Shoppes, LLC
Representative: Jenifer Corey, Zoning Strategies, LLC
Owner: 7th Street Shoppes, LLC

1:30 PM

6. Application #: ZA-503-19-8 (Continued from April 2, 2020) (1-year review of use permit)
Existing Zoning: DTC-East Evans Churchill ACOD
Location: 916 and 918 North 5th Street
Quarter Section: 11-28(F8)
Proposal: **1)** Use permit to allow outdoor entertainment on Wednesdays and Thursdays. Use permit required. **2)** Use permit to allow outdoor entertainment later than 12:00 AM on Wednesdays, Thursdays, Fridays, and Saturdays. Use permit required. **3)** Use permit to allow outdoor amplified music later than 10:00 PM on Wednesdays, Thursdays, Fridays, and Saturdays. Use permit required. **4)** Use permit to modify approval stipulations of ZA-490-14 for outdoor alcohol consumption. Use permit required.
- Ordinance Sections: 1204.C.16 1204.C.18 1204.C.5 307
Applicant: Taylor C. Earl, Earl, Curley and Lagarde, P.C.
Representative: Taylor C. Earl, Earl, Curley and Lagarde, P.C.
Owner: Fifth Street 918, LLC
7. Application #: ZA-275-20-6
Existing Zoning: RE-24
Location: **5501 North Camelback Canyon Drive**
Quarter Section: 19-38(I11)
Proposal: **1)** Use permit to allow an over height retaining wall (3 feet 6 inches) within 50 feet of a subdivision perimeter (east). Maximum 40 inches permitted. **2)** Variance to allow an over height retaining wall (6 feet 6 inches) in the required side yard (west) setback. Maximum 40 inches permitted. **3)** Variance to allow an over height retaining wall (6 feet 6 inches) in the required rear yard (south) setback. Maximum 6 feet permitted.
- Ordinance Sections: 703.A.4.c 703.A.4.d 703.D.4.f
Applicant: Scott Kaufmann
Representative: Ben Mathews, USA Infrastructure, LLC
Owner: Scott Kaufmann

8. Application #: ZA-276-20-2
Existing Zoning: R-2
Location: 26201 North 47th Street
Quarter Section: 48-38(P11)
Proposal: Use permit to receive official approval of a home occupation (Federal Firearms License). Use permit required.

Ordinance Sections: 608.E.3.h.(5)
Applicant: Nicholas Allen
Representative: Nicholas Allen
Owner: Sarah Jarvis
9. Application #: ZA-278-20-4
Existing Zoning: R1-6
Location: 4235 North 34th Avenue
Quarter Section: 17-21(H6)
Proposal: **1)** Variance to reduce the required side yard setback (south) to 2 feet. Minimum 10 feet required. **2)** Variance to allow required off-street parking in the front yard setback (west). Required parking may not be located in the required front yard. **3)** Variance to allow 47 percent paving in the required front yard (west). Maximum 45 percent paving allowed in the front yard.

Ordinance Sections: 613.B.Table B 702.F.1.a 702.F.1.b
Applicant: Sergio & Brenda Gallardo
Representative: Sergio & Brenda Gallardo
Owner: Sergio & Brenda Gallardo
10. Application #: ZA-279-20-4
Existing Zoning: C-2
Location: 4101 North 27th Avenue
Quarter Section: 17-23(H7)
Proposal: Variance to allow an over height fence (7 feet) in the required street side (west). Maximum 40 inches permitted.

Ordinance Sections: 703.A.3.a.
Applicant: Zane Simmons, Maintenance Depot
Representative: Zane Simmons, Maintenance Depot
Owner: 7 Eleven Corp
11. Application #: ZA-277-20-4
Existing Zoning: A-2
Location: 2825 West Thomas Road
Quarter Section: 14-22(G7)
Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Use permit to allow a medical marijuana dispensary facility. Use permit required. **3)** Use permit to allow a medical marijuana infusion facility. Use permit required. **4)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet required from another medical marijuana facility. **5)** Variance to allow a

medical marijuana cultivation facility within 1,320 feet of a place of worship. Minimum 1,320 feet required from a place of worship. **6)** Variance to allow a medical marijuana dispensary within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet required from another medical marijuana facility. **7)** Variance to allow a medical marijuana dispensary within 1,320 feet of a place of worship. Minimum 1,320 feet required from a place of worship. **8)** Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet required from another medical marijuana facility. **9)** Variance to allow a medical marijuana infusion facility within 1,320 feet of a place of worship. Minimum 1,320 feet required from a place of worship.

Ordinance Sections: 627.D.91.a 627.D.92.a 627.D.93.a 627.D.91.c 627.D.91.f
627.D.92.d 627.D.92.g 627.D.93.b 627.D.93.e
Applicant: Brian Greathouse, Burch & Cracchiolo, PA
Representative: Brian Greathouse, Burch & Cracchiolo, PA
Owner: Chris Arnold, MRM Investments Limited Partnership

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 Tamra Ingersoll at 602.534-6648 or TTY: 7-1-1.

5/27/2020