

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 **September 14, 2023 9:00 AM (Items 1-6) and 1:30 PM (Items 7-12)**

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 **26302554676#**, 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/r6f8e6bb6b190219226c79dfc34e6b962>
- **Submit a comment** on an agenda item:
 - At: zoning.adjustment@phoenix.gov by 5:00 PM on **September 12, 2023**
 - Indicate: Item Number and Case Number
- **Register to speak** on an agenda item:
 - Register for the event by 5:00 PM on **September 12**, at:
<https://cityofphoenix.webex.com/weblink/register/r6f8e6bb6b190219226c79dfc34e6b962>
 - If speaking by phone only, please email zoning.adjustment@phoenix.gov by 5:00 PM on **September 12**.

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-302-23-1
 Existing Zoning: R1-18 PRD
 Location: Southeast corner of 67th Avenue and Soft Wind Drive
 Quarter Section: 45-13(O4)
 Proposal: Variance to reduce the common area requirement for the PRD to 0%. Minimum 5% of gross area required.

 Ordinance Sections: 610.B.Table
 Applicant: Alex Carnes, Carnes Construction Group
 Representative: Jessica Sarkissian, Upfront Planning & Entitlements, LLC
 Owner: Alex Carnes, Carnes Construction Group

2. Application #: ZA-308-23-6
 Existing Zoning: RE-35 CROD ACSPD
 Location: 4453 North 54th Street
 Quarter Section: 17-40(H11)

- Proposal: **1)** Time extension for ZA-652-21, variance to reduce the required front yard (north) setback to 20 feet. Minimum 40 feet required. **2)** Time extension for ZA-652-21, variance to reduce the required rear yard (south) setback to 20 feet. Minimum 40 feet required.
- Ordinance Sections: 609.B.Table B 609.B.Table B
Applicant: Greg Loper
Representative: Greg Loper
Owner: Isaac Davis
3. Application #: ZA-320-23-8
Existing Zoning: R1-6
Location: 9833 South 7th Avenue
Quarter Section: 03-27(C8)
Proposal: **1)** Use permit to use the Planned Residential Development (PRD) option. Use permit required. **2)** Variance to reduce the perimeter setback (west) adjacent to a street to 15 feet. Minimum 20 feet required.
- Ordinance Sections: 608.B 613.B.Table B
Applicant: Jordan Evan Greenman, Greenman Law
Representative: Jordan Evan Greenman, Greenman Law
Owner: Roberto Vargas, C+V Capital Investments, LLC
4. Application #: ZA-325-23-6
Existing Zoning: **RE-35 ACSPD**
Location: **5040 North Arcadia Drive**
Quarter Section: 19-39(H11)
Proposal: Variance to allow an over height fence 7 feet high in the required front yard setback. Maximum 40 inches allowed.
- Ordinance Sections: 703.A.2.a
Applicant: Arvin Thomas, LifeDevine5040 LLC
Representative: Alexander Haro, Haro Design
Owner: Arvin Thomas, LifeDevine5040 LLC
5. Application #: ZA-326-23-3
Existing Zoning: R-4
Location: 1223 West Vogel Avenue
Quarter Section: 27-26(J8)
Proposal: Use permit to use the Planned Residential Development (PRD) option. Use permit required.
- Ordinance Sections: 608.B
Applicant: John Fox, William Seymour Co Inc
Representative: John Fox, William Seymour Co Inc
Owner: Roger Allen Scott
6. Application #: ZA-329-23-5
Existing Zoning: C-2
Location: 2348 West Northern Avenue
Quarter Section: 25-23(J7) 25-24(J7)
Proposal: Variance to allow a tobacco-oriented retailer to be located within 1,320 feet of a place of worship. Minimum 1,320 feet of separation required.
- Ordinance Sections: 623.D.194.b

Applicant: Joy Pena, Capital Asset Management
Representative: Mustafa Al-Jubury,
Owner: Northern Village Center, LLC

1:30 PM

7. Application #: ZA-296-23-2 (SIGN)
Existing Zoning: C-2
Location: 20825 North City North Drive
Quarter Section: 41-39(N11) 41-40(N11)
Proposal: Use permit for a major amendment to the City North Comprehensive Sign Plan. Use permit required.
Ordinance Sections: 705.E.2.d (2)
Applicant: Ana Jones, Trademark Visual, Inc
Representative: Ana Jones, Trademark Visual, Inc
Owner: Crown Realty and Development, LLC
8. Application #: ZA-246-23-2 (Continued from August 3, 2023)
Existing Zoning: R1-14
Location: 6429 East Friess Drive
Quarter Section: 33-43(L12)
Proposal: Variance to allow an over height wall/fence (6 feet) in the required front yard (west) setback. Maximum 40 inches permitted.
Ordinance Sections: 703.A.2.a
Applicant: Mandy Dalton
Representative: Mike Maerowitz, Snell & Wilmer, LLP
Owner: Mandy Dalton
9. Application #: ZA-321-23-6
Existing Zoning: C-1 PCD
Location: 3113, 3115 and 3165 East Lincoln Drive, 6232 North 32nd Street
Quarter Section: 21-34(I10)
Proposal: Time extension for ZA-21-22, use permit to reduce parking up to 25 percent based on a shared parking model. Use permit required.
Ordinance Sections: 702.E.2.c.
Applicant: Lincoln View Plaza, LLC / 32nd-Medley, LLC
Representative: Stephen W. Anderson, Gammage & Burnham, PLC
Owner: Lincoln View Plaza, LLC / 32nd-Medley, LLC
10. Application #: ZA-322-23-6
Existing Zoning: C-1 PCD
Location: 3113 East Lincoln Drive
Quarter Section: 21-34(I10)
Proposal: **1)** Time extension for ZA-20-22, use permit to allow outdoor dining as an accessory use to a restaurant (Starbucks). Use permit required. **2)** Time extension for ZA-20-22, use permit to allow a drive-through facility accessory to a restaurant (Starbucks) within 300 feet from a residential zoning district. Use permit required.
Ordinance Sections: 622.D.150.d 622.D.150.e.(2)
Applicant: Lincoln View Plaza, LLC / 32nd-Medley, LLC

Representative: Stephen W. Anderson, Gammage & Burnham, PLC
Owner: Lincoln View Plaza, LLC / 32nd-Medley, LLC

11. Application #: ZA-323-23-7
Existing Zoning: C-2
Location: 7425 South 19th Avenue
Quarter Section: 1-25(D7)
Proposal: Use permit to allow a drive through facility as an accessory to a restaurant (Angie's Lobster) within 300 feet from a residential zoning district. Use permit required.
- Ordinance Sections: 623.D.157.d.(2)
Applicant: Jeff Williams, R.B. Williams & Associates, Inc.
Representative: Jeff Williams, R.B. Williams & Associates, Inc.
Owner: Nineteen Commons, LLC

12. Application #: ZA-328-23-8
Existing Zoning: R1-6
Location: 2522 North 28th Place
Quarter Section: 14-34(G10)
Proposal: **1)** Time extension for ZA-325-22, variance to reduce the required lot width (lot 1) to 50 feet. Minimum 60 feet required. **2)** Time extension for ZA-325-22, variance to reduce the required lot width (lot 2) to 50 feet. Minimum 60 feet required.
- Ordinance Sections: 613.B.Table B 613.B.Table B
Applicant: RBR Holdings III, LLC
Representative: Ryan Miller, RBR Holdings III, LLC
Owner: RBR Holdings 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 TTY: Use 7-1-1.

9/3/2023