

**NOTICE OF PUBLIC MEETING
ZONING ADJUSTMENT HEARING
Revised January 4, 2024*

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 **January 18, 2024 9:00 AM (Items 1-8) and 1:30 PM (Items 9-16)**

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 **26315873533#**, 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/r4be11af96b783481a8d2bde21b6111c3>
- **Submit a comment** on an agenda item:
 - At: zoning.adjustment@phoenix.gov by 5:00 PM on **January 16, 2024**
 - Indicate: Item Number and Case Number
- **Register to speak** on an agenda item:
 - Register for the event by 5:00 PM on **January 16, 2024**, at:
<https://cityofphoenix.webex.com/weblink/register/r4be11af96b783481a8d2bde21b6111c3>
 - If speaking by phone only, please email zoning.adjustment@phoenix.gov by 5:00 PM on **January 16, 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-92-13-8 (Continued from July 13, 2023) (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-325-23-6 (Continued from December 7, 2023)
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
3. Application #: ZA-375-23-7 (Continued from December 7, 2023)
Existing Zoning: DTC - Van Buren
Location: 353, 357, 361 North 4th Avenue
Quarter Section: 11-27(F8)
Proposal: 1) Variance to allow 100% lot coverage. Maximum 55% lot coverage allowed.
2) Variance to decrease the minimum side yard primary building setback (north) to 0 feet. Minimum 10 feet required.
3) Variance to decrease the minimum side yard primary building setback (south) to 0 feet. Minimum 10 feet required.
4) Variance to decrease the minimum rear yard primary building setback (east) to 0 feet. Minimum 10 feet required.
Ordinance Sections: 1221.B.3 1221.B.4.a.1 1221.B.4.a.1 1221.B.4.a.1
Applicant: 353 N. 4TH Ave, LLC
Representative: Benjamin Tate, Withey Morris Baugh, PLC
Owner: 353 N. 4TH Ave, LLC
4. * Application #: ZA-537-23-8
Existing Zoning: C-3
Location: 1738, 1742, and 1746 East Washington Street
Quarter Section: Q10-31(F9)
Proposal: 1) Variance to allow maneuvering within an alleyway. All maneuvering must be located entirely on private property.
2) Variance to allow an over height fence (8 feet) within the required street front setback (east). Maximum 40 inches permitted.
3) Variance to allow an over height fence (8 feet) within the required street front setback (south). Maximum 40 inches permitted.
4) Variance to reduce the street side (18th Street) building setback to 0 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections.
5) Variance to reduce the street side (Washington Street) building setback to 5 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections.

6) Variance to reduce the street side (18th Street) landscape setback to 0 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections.
7) Variance to reduce the street side (Washington Street) landscape setback to 5 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent of the frontage.

Ordinance Sections: 624.E.4.d 624.E.4.d 624.E.4.e 624.E.4.e 702.A.1.b
703.A.3.a 703.A.3.a
Applicant: Phoenix EV Holdings, LLC
Representative: Benjamin Tate, Withey Morris Baugh, PLC
Owner: Phoenix EV Holdings, LLC

5. Application #: ZA-681-23-6
Existing Zoning: R-O ACSPD
Location: 4633 North 44th Street
Quarter Section: Q18-38(H11)
Proposal: 1) Variance to reduce the required front yard setback (west) to 8 feet. Minimum 20 feet required.
2) Variance to reduce the rear yard setback (northeast) to 5 feet. Minimum 25 foot setback required.
3) Variance to delete the required landscape strip around the principal structure to 0 feet. Minimum 3 feet of landscape required.
4) Variance to eliminate requirement for 200 square feet of additional landscaping, including 24-inch box shade trees between the wall and parking area a maximum of 20 feet on center.
Ordinance Sections: 620.C.3 620.C.5 620.C.1.c 620.C.1.e.2
Applicant: Jordan Greenman
Representative: Jordan Greenman
Owner: Chris Morrison, 4633 N 44th Street, LLC, Retsy Real Estate

6. Application #: ZA-685-23-4
Existing Zoning: R-3
Location: 4123 North 21st Street
Quarter Section: Q17-32(H9)
Proposal: Use permit to utilize the Single-Family Attached (SFA) development option. Use permit required.
Ordinance Sections: 608.F.6
Applicant: Sara Donnelly
Representative: Sara Donnelly
Owner: Biltmore Villas Investments, LLC

7. Application #: ZA-693-23-7
Existing Zoning: DTC - Evans Churchill West
Location: Southwest Corner of 1st Street and McKinley Street
Quarter Section: Q11-28(F8)

Proposal: Time Extension for ZA-284-23, use permit to allow a temporary use (construction staging area) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: Patrick Tarkowski, Clayco
Representative: Patrick Tarkowski, Clayco
Owner: City of Phoenix, Christopher P. McKee for Downtown PHX Resi Owner, LLC

8. Application #: ZA-699-23-7
Existing Zoning: DTC - Business Core
Location: Southwest corner of Central Avenue and Adams Street
Quarter Section: Q10-27(F8)
Proposal: Use permit to allow a temporary use (for Wren & Wolf) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: Kaitlin Myers
Representative: Kaitlin Myers
Owner: City of Phoenix

1:30 PM

9. Application #: ZA-596-23-2 (SIGN)
Existing Zoning: CP/GCP PCD
Location: 16220 North Scottsdale Road
Quarter Section: Q36-44(M12)
Proposal: Use permit for a major amendment to the Max at Kierland Comprehensive Sign Plan to add wall signs. Use permit required.
Ordinance Sections: 705.D.3.i.(1-4)
Applicant: Julie Kulka
Representative: Julie Kulka
Owner: Marie Dunn, Artis REIT c/o AX MAXK LP

10. Application #: ZA-632-23-2 (SIGN)
Existing Zoning: R-3A PCD
Location: 28575 North Black Canyon Highway
Quarter Section: Q51-22(P7)
Proposal: Use permit for a major amendment to the Dynamite Mountain Ranch Comprehensive Sign Plan to add a ground sign. Use permit required.
Ordinance Sections: 705.E.2.d(2)
Applicant: William Fields
Representative: William Fields
Owner: Marie Dunn, Artis REIT c/o AX MAXK, LP

11. Application #: ZA-691-23-6 (SIGN)
Existing Zoning: PAD-9, RE-35 CROD ACSPD
Location: 5225 East Camelback Road
Quarter Section: Q17-40(H11)
Proposal: Revocation of ZA-454-21-6, a use permit for an electronic message display (EMD) on a ground sign.
Ordinance Sections: 705.C.13

Applicant: Ronald Butler
Representative: Ronald Butler
Owner: Camelback Church of Christ, Inc.

12. Application #: ZA-166-19-7 (1 Year Review of Use Permit)
Existing Zoning: DTC-West Evans Churchill HP
Location: 1121 North 2nd Street
Quarter Section: 12-28(G8)
Proposal: 1) Use permit to allow a bar (Pemberton House). Use permit required.
2) Use permit to allow outdoor liquor service accessory to a bar. Use permit required.
3) Use permit to allow liquor service accessory to a restaurant. Use permit required.
4) Use permit to allow alcohol sales and service within 300-feet of a church in an entertainment district. Use permit required.
5) Use permit to allow outdoor entertainment (amplified music or loudspeakers) between the hours of 7:00 AM and 12:00 AM on Friday through Sunday. Use permit required.
6) Use permit to allow outdoor entertainment between the hours of 7:00 AM and 12:00 AM on Friday through Sunday. Use permit required.
7) Variance to allow outdoor entertainment Monday through Thursday, between 7:00 AM and 12:00 AM. Outdoor entertainment permitted on Friday through Sunday only.
Ordinance Sections: 1204.D.Table 1204.D.Table 1204.D.Table 307.A.17.a
1204.C.5 1204.C.18 1204.C.16
Applicant: Nick Wood, Snell & Wilmer, LLP
Representative: Nick Wood, Snell & Wilmer, LLP
Owner: True North Holdings, LLC

13. Application #: ZA-17-21-7 (1 Year Review of Use Permit)
Existing Zoning: DTC-Evans Churchill West ACOD
Location: 1109 and 1115 North 2nd Street
Quarter Section: 12-28(G8)
Proposal: 1) Use permit to allow a farmer's market with food or beverage dispensed from a vehicle. Use permit required.
2) Use permit to allow a temporary use for up to 36 months. Use permit required.
Ordinance Sections: 1204.C.26.b 708.D.1
Applicant: Nate Sonoskey, True North Studio
Representative: Nick Wood Esq., Snell & Wilmer, LLP
Owner: Jonathon Vento, True North Holdings, LLC

14. Application #: ZA-547-23-6
Existing Zoning: R1-6
Location: 1201 East Glenn Drive
Quarter Section: Q23-30(I9)

Proposal: Variance to reduce front yard setback (west) from 20 feet to 5 feet. Minimum 20 feet required.
Ordinance Sections: 613.table B
Applicant: Daniel Cifuentes
Representative: Daniel Cifuentes
Owner: Yeshiva High School of Arizona Inc

15. Application #: ZA-692-23-8
Existing Zoning: R-3, R-4 (Approved C-2 H-R)
Location: 1000 North 44th Street
Quarter Section: Q12-37(G10)
Proposal: Variance to allow an over height wall (6 feet) within the required street front setback (north). Maximum 40 inches permitted.
Ordinance Sections: 703.A.3.a
Applicant: Halsten Ransil
Representative: Michael Maerowitz
Owner: CH DOF I-JLB MF Phoenix Runway, LLC

16. Application #: ZA-695-23-6
Existing Zoning: R-3
Location: 2001 North 51st Street
Quarter Section: Q13-39(G11)
Proposal: 1) Variance to reduce the perimeter setback (south) to 7 feet. Minimum 15 feet required.
2) Variance to reduce the perimeter setback (east) to 3 feet. Minimum 15 feet required.
3) Variance to allow 3 stories, 34 feet height for structures within 100 feet of the perimeter. Maximum 2 stories or 30 feet for first 150 feet allowed.
4) Variance to reduce the 5 foot wide landscape area to 3 feet along the east side. Minimum 5 feet required..
Ordinance Sections: 615.B.Table 615.B.(c) 703.B.3.b.(3)
Applicant: John Landry
Representative: John Landry
Owner: J Frederic Mays

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.

1/4/2024