

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 **February 3, 2022 9:00 AM (Items 1-8) and 1:30 PM (Items 9-15)**

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 [25532741574#](https://cityofphoenixpdd.webex.com/cityofphoenixpdd/onstage/g.php?MTID=e96549b0a0252f69419a4df62a05ee76c), 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/g.php?MTID=e96549b0a0252f69419a4df62a05ee76c>
- **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-117-12-8 (6 month review of use permit) (Continued from October 28, 2022)
Existing Zoning: A-1
Location: 201 South 36th Street
Quarter Section: 10-36(F10) 10-36(F10)
Proposal: **1)** Variance to allow medical marijuana cultivation facility within 5280 feet of another facility of the same type. 5,280 feet of separation required. **2)** Variance to allow a medical marijuana dispensary within 5,280 feet of another facility of the same type. 5,280 feet of separation required.
3) Variance to allow a medical marijuana infusion facility

- within 5,280 feet of another facility of the same type. 5,280 feet of separation required. **4)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **5)** Use permit to allow a medical marijuana dispensary. Use permit required. **6)** Use permit to allow a medical marijuana infusion facility. Use permit required.
- Ordinance Sections: 627.D.91.c 627.D.92.d. 627.D.93.b 627.D.91.a. 627.D.92.a. 627.D.93.a.
- Applicant: Carsten Loelke, Natural Relief Clinic, Inc.
- Representative: Carsten Loelke, Natural Relief Clinic, Inc.
- Owner: Carsten Loelke, JJ Empire, LLC
2. Application #: ZA-538-17-6 (1 year review of use permit)
- Existing Zoning: C-2
- Location: 1616 East Glendale Avenue
- Quarter Section: 23-31(I9)
- Proposal: **1)** Use Permit to allow a medical marijuana dispensary in the C-2 zoning district. Use Permit required. **2)** Variance to allow a medical marijuana dispensary facility within 500 feet of residentially zoned property. Minimum 500 feet separation required. **3)** Variance to allow a medical marijuana dispensary facility within 1320 feet of a place of worship. Minimum 1320 feet separation required.
- Ordinance Sections: 623.D.124.a 623.D.124.f 623.D.124.h
- Applicant: George Pasquell III, Withey Morris, PLC
- Representative: George Pasquell III, Withey Morris, PLC
- Owner: Larry Lazarus, Lazarus, Silvyn & Bangs, PC
- Mitchell Song, 64 Alpha, LLC
3. Application #: ZA-353-21-2
- Existing Zoning: R1-8 PCD
- Location: 2020 West Bajada Road
- Quarter Section: 49-24(P7)
- Proposal: Use permit for official approval of a home occupation (internet firearms sales). Use Permit required.
- Ordinance Sections: 608.E.h.(5)
- Applicant: Ruth and Christopher Nastasi, Wide Body, LLC
- Representative: Ruth and Christopher Nastasi, Wide Body, LLC
- Owner: Ruth and Christopher Nastasi, Wide Body, LLC
4. Application #: ZA-479-21-8 (Continued from October 28, 2021)
- Existing Zoning: R1-6
- Location: 4248 East Oak Street
- Quarter Section: 14-37(G10)
- Proposal: Variance to reduce the required side yard setback (west) to 4 feet. Minimum 10 feet required.
- Ordinance Sections: 613.B.Table B
- Applicant: Jacob and Amanda Messner
- Representative: Jacob and Amanda Messner

- Owner: Jacob and Amanda Messner
5. Application #: ZA-650-21-3
Existing Zoning: R1-6
Location: 8603 and 8607 North 14th Street
Quarter Section: 26-30(J9)
Proposal: **1)** Variance to reduce the required hillside lot size to 6,050 square feet (north lot). Minimum 18,000 square feet required. **2)** Variance to reduce the required hillside lot size to 7,709 square feet (south lot). Minimum 18,00 square feet required. **3)** Variance to allow a lot with a depth of 101 feet (north lot). Minimum 120 feet depth required. **4)** Variance to allow a lot with a depth of 101 feet (south lot). Minimum 120 feet depth required.
Ordinance Sections: 710.C.2.Table-1.a 710.C.2.Table-1.a 710.C.2.Table-1.a 710.C.2.Table-1.a
Applicant: Erik and Linda Fjellbo
Representative: Erik and Linda Fjellbo
Owner: Erik and Linda Fjellbo
6. Application #: ZA-651-21-2
Existing Zoning: R1-8
Location: 19819 North 22nd Street
Quarter Section: 40-32(N9)
Proposal: Variance to allow a lot (Lot 3) that does not front onto a public street. Public street frontage required.
Ordinance Sections: 608.H.1
Applicant: Kevin Nguyen
Representative: Kevin Nguyen
Owner: Kevin Nguyen
7. Application #: ZA-652-21-6
Existing Zoning: RE-35 CROD ACSPD
Location: **4453 North 54th Street**
Quarter Section: 17-40(H11)
Proposal: **1)** Variance to reduce the required front yard (north) setback to 20 feet. Minimum 40 feet required. **2)** Variance to reduce the required rear yard (south) setback to 20 feet. Minimum 40 feet required.
Ordinance Sections: 609.B.TableB 609.B.TableB
Applicant: Jason Allen, Skyline Consultants, LLC
Representative: Jason Allen, Skyline Consultants, LLC
Owner: Isaac B. Davis
8. Application #: ZA-654-21-6
Existing Zoning: R1-6
Location: 3430 East Monterosa Street
Quarter Section: 17-35(H10)

Proposal:	Variance to reduce the side yard setback (east) to 5 feet. Minimum 10 feet required.
Ordinance Sections:	613.B.Table B
Applicant:	Deleigh Crawford, Southerly Enterprises, LLC
Representative:	Deleigh Crawford, Southerly Enterprises, LLC
Owner:	Sudanaco, LLC

1:30 PM

- | | | |
|----|---------------------|--|
| 9. | Application #: | ZA-563-21-7 (SIGN) |
| | Existing Zoning: | A-2 |
| | Location: | 2045 West Hilton Avenue |
| | Quarter Section: | 7-24(E7) |
| | Proposal: | Use permit to convert a nonconforming, off-premise sign to digital. Use permit required. |
| | Ordinance Sections: | 705.2.G.4 |
| | Applicant: | William Lally, Tiffany & Bosco |
| | Representative: | William Lally, Tiffany & Bosco |
| | Owner: | Demund Place, LLC |
-
- | | | |
|-----|---------------------|--|
| 10. | Application #: | ZA-647-21-4 (SIGN) |
| | Existing Zoning: | C-2; P-1; TOD-1 |
| | Location: | 2918 North Central Avenue |
| | Quarter Section: | 15-27(G8) |
| | Proposal: | Variance to increase the height of three wall sign logos to 19 inches, 40 inches and 46 inches. Maximum 12 inches permitted. |
| | Ordinance Sections: | 662.k.1.b |
| | Applicant: | Gary Spinner, Pearsons Sign, Co. |
| | Representative: | Gary Spinner, Pearsons Sign, Co. |
| | Owner: | Larry Furlong, Pamala, Inc. |
-
- | | | |
|-----|---------------------|--|
| 11. | Application #: | ZA-649-21-4 (SIGN) |
| | Existing Zoning: | WU T5:6 MT |
| | Location: | 3883 North Central Avenue |
| | Quarter Section: | 16-28(H8) |
| | Proposal: | 1) Variance to allow wall sign height of 34.5 feet. Maximum 15 feet permitted. 2) Variance to allow 32 inch copy height on a projecting sign. Maximum 8 inch copy height permitted. 3) Variance to allow a 39 square foot projecting sign. Maximum 6 square feet permitted. |
| | Ordinance Sections: | 705.D.1 Table D-1 1308.C.1 Table 1308.1 1308.C.1 Table 1308.1 |
| | Applicant: | Ana Jones, Trademark Visual, Inc. |
| | Representative: | Ana Jones, Trademark Visual, Inc. |
| | Owner: | Todd Gosselink, TRG Midtown AZ, LLC |
-
- | | | |
|-----|------------------|---|
| 12. | Application #: | ZA-446-12-8 (1 year review of use permit) |
| | Existing Zoning: | A-1 |

Location: 14 South 41st Place
Quarter Section: 10-37(F10)
Proposal: **1)** Use permit to allow a medical marijuana dispensary. Use permit required. **2)** Variance to allow a medical marijuana dispensary within 5,280 feet of another approved use permit for a medical marijuana facility. A medical marijuana dispensary shall not be located within 5,280 feet of another medical marijuana facility. **3)** Variance to allow a medical marijuana dispensary within 1,320 feet of a school (Gateway Early College High School). A medical marijuana dispensary shall not be located within 1,320 feet of a school.
Ordinance Sections: 627.D.92.a. 627.D.92.d. 627.D.92.f.
Applicant: Arizona Natures Wellness
Representative: Adam Baugh, Withey Morris, PLC
Owner: Shirley Bonafasi Living Trust/, EFG Management, LLC

13. Application #: ZA-655-21-6
Existing Zoning: C-1
Location: 3222 and 3228 East Indian School Road
Quarter Section: 17-35(H10)
Proposal: **1)** Use permit to allow outdoor dining as an accessory to a restaurant (Frasher's Smokehouse). Use permit required. **2)** Use permit to allow outdoor alcoholic beverage consumption as an accessory to a restaurant (Frasher's Smokehouse). Use permit required. **3)** Use permit to allow outdoor recreation as an accessory to a restaurant (Frasher's Smokehouse). Use permit required.
Ordinance Sections: 622.D.150.d 622.D.150.d 622.D.150.d
Applicant: George Frasher, Frasher's Smokehouse
Representative: Jeffrey C. Miller, Arizona Liquor Industry Consultants
Owner: TMC Income Properties XI, LLC

14. Application #: ZA-656-21-4
Existing Zoning: C-2
Location: 719 West Missouri Avenue
Quarter Section: 19-26(H8)
Proposal: **1)** Variance to reduce the required front yard setback (north) to 0 feet. Minimum 25 feet required. **2)** Variance to reduce the required side yard setback (east) to 0 feet. Minimum 3 feet required. **3)** Variance to reduce the required front yard landscape setback (north) to 0 feet. Minimum 25 feet required. **4)** Variance to reduce the required side yard landscape setback (east) to 0 feet. Minimum 5 feet required. **5)** Variance to reduce the required side yard landscape setback (west) to 0 feet. Minimum 5 feet required. **6)** Variance to reduce the width of the maneuvering aisles for two-way traffic to 17 feet. Minimum 24 feet required.

Ordinance Sections: 615.B.Table B 615.B.Table B 703.B.3.a 703.B.3.a
703.B.3.a 702.B.2.a.(5)
Applicant: Leodra Bowdell, Phoenix Permit Service, LLC
Representative: Leodra Bowdell, Phoenix Permit Service, LLC
Owner: 719 W. Missouri, LLC

15. Application #: ZA-657-21-4
Existing Zoning: R1-6
Location: 1842 East Weldon Avenue
Quarter Section: 16-31(H9)
Proposal: Variance to reduce the required rear yard setback (north)
to 15 feet. Minimum 25 feet required.
Ordinance Sections: 613.B.Table B
Applicant: Christian Zeitler
Representative: Christian Zeitler
Owner: Christian Zeitler

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 Les
Scott at 602.376-3981 or TTY: 7-1-1.

1/26/2022