

## NOTICE OF PUBLIC HEARING ZONING ADJUSTMENT HEARING

Pursuant to A.R.S. Section 38-431.02, notice is hereby given 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 **October 24, 2019, at 9:00 a.m. Located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona.**

### Notes:

1. Agenda items may be taken out of order.
2. Anyone wishing to address an agenda item must complete a speaker card.
3. 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-468-19-8  
          Existing Zoning:         A-2  
          Location:                3439 and 3459 East University Drive  
          Quarter Section:        6-35(E10)  
          Proposal:                Variance to allow an over height fence (8 feet 6 inches) in the required front (northwest) yard. Maximum 40 inches permitted.  
  
          Ordinance Sections:     703.A.3.a  
          Applicant:               Ben Dineen, FD Stonewater  
          Representative:         Katheryn Stachler, SmithGroup  
          Owner:                  Kristen Franke, Boyd Watterson Asset Management, LLC
  
2.       Application #:               ZA-470-19-6  
          Existing Zoning:         R1-6  
          Location:                4145 North 46th Place  
          Quarter Section:        17-38(H11)  
          Proposal:                **1)** Variance to reduce the required front yard setback (west) to 11 feet. Minimum 20 feet required. **2)** Variance to reduce the required street side yard setback (north) to 4 feet 2 inches. Minimum 10 feet required.  
  
          Ordinance Sections:     613.B.Table B 613.B.Table B  
          Applicant:               Natasha Hartrick, Natasha Marie Hartrick Designs, PLLC  
          Representative:         Natasha Hartrick, Natasha Marie Hartrick Designs, PLLC  
          Owner:                  Brandon & Lindsey Fleetwood
  
3.       Application #:               ZA-471-19-3  
          Existing Zoning:         R-3  
          Location:                2123 East Sharon Drive  
          Quarter Section:        32-32(L9)  
          Proposal:                **1)** Time extension for ZA-415-18, variance to allow a lot with no legal street frontage. Street frontage required. **2)** Time extension for ZA-415-18, variance to increase allowed lot coverage to 62 percent. Maximum 45 percent allowed.  
  
          Ordinance Sections:     307.A.12 307.A.12

- Applicant: Jeff Stephens, No. 8 Enterprises  
 Representative: Jeff Stephens, No. 8 Enterprises  
 Owner: Noah Brocious, Sharon 18, LLC
4. Application #: ZA-472-19-3  
 Existing Zoning: R-3  
 Location: 2123 East Sharon Drive  
 Quarter Section: 32-32(L9)  
 Proposal: Variance to reduce the required perimeter standard setback (north) to 12 feet. Minimum 20 feet required.  
 Ordinance Sections: 615.Table B.  
 Applicant: Jeff Stephens, No. 8 Enterprises  
 Representative: Jeff Stephens, No. 8 Enterprises  
 Owner: Noah Brocious, Sharon 18, LLC
5. Application #: ZA-473-19-6  
 Existing Zoning: R1-14  
 Location: 5542 East Flower Street  
 Quarter Section: 15-40(G11)  
 Proposal: **1)** Variance to allow 33 percent lot coverage. Maximum of 30 percent permitted. **2)** Variance to reduce the required front (east) yard setback to 15 feet. Minimum 30 feet required. **3)** Variance to reduce the required rear (west) yard setback to 7 feet. Minimum 30 feet required.  
 Ordinance Sections: 607.B.5 607.B.2 607.B.4  
 Applicant: Rob Pankow, Pankow Construction Inc  
 Representative: Rob Pankow, Pankow Construction Inc  
 Owner: Steve and Gina Murdough
6. Application #: ZA-474-19-8  
 Existing Zoning: R1-6  
 Location: 2313 and 2309 North 27th Place  
 Quarter Section: 14-33(G9)  
 Proposal: Time extension for ZA-469-16, variance to create 2 lots with lot widths of 50 feet. Minimum 60 feet required.  
 Ordinance Sections: 307.A.12  
 Applicant: Nick Labadie, Rose Law Group  
 Representative: Nick Labadie, Rose Law Group  
 Owner: TSALM Services, LLC
7. Application #: ZA-481-19-7  
 Existing Zoning: A-1  
 Location: 2550 South 51st Avenue  
 Quarter Section: 7-16(E5)  
 Proposal: Variance to reduce the required parking to 63 spaces. Minimum 92 spaces required.  
 Ordinance Sections: 702.C  
 Applicant: Robert Winton, Winton Architects, Inc.  
 Representative: Stephen C. Earl, Earl & Curley  
 Owner: Chamberlain Development
8. Application #: ZA-169-16-4 (1-year review of use permit)  
 Existing Zoning: C-2

Location: 2626 West Indian School Road  
Quarter Section: 17-23(H7)  
Proposal: **1)** Use permit to allow a medical marijuana dispensary facility. Use permit required. **2)** Variance to allow a medical marijuana dispensary facility within 1 mile of another medical marijuana use. **3)** Variance to allow a medical marijuana dispensary facility within 500 feet of R-4 and R-4A residential zoning districts. **4)** Variance to allow a medical marijuana dispensary facility within 1,284 feet of a school. 1,320 feet is required between a medical marijuana dispensary facility and a school. **5)** Variance to allow a medical marijuana dispensary facility within 1,320 feet of a place of worship.  
Ordinance Sections: 623.D.122 623.D.122.e 623.D.122.f 623.D.122.g 623.D.122.h  
Applicant: Brett Carr, Urban Greenhouse  
Representative: Brett Carr, Urban Greenhouse  
Adam Baugh, Withey Morris, PLC  
Owner: ACFC Holdings, LLC

**1:30 PM**

9. Application #: ZA-475-19-8  
Existing Zoning: R-3 RI HP  
Location: 1027 East McKinley Street  
Quarter Section: 11-29(F8)  
Proposal: **1)** Variance to allow vehicle maneuvering in the alleyway. On site vehicular maneuvering required. **2)** Variance to reduce the required landscape setback to 0 feet. Minimum 5 feet required. **3)** Variance to reduce the landscaped area adjacent to public right-of-way to 12 feet. Minimum 25 feet required.  
Ordinance Sections: 702.A.1.b  
Applicant: Mark Burton, M. Burton Design, LLC  
Representative: Mark Burton, M. Burton Design, LLC  
Owner: Amir Ran, Ran, LLC
10. Application #: ZA-476-19-8  
Existing Zoning: R-3 RI HP  
Location: 1022 East Fillmore Street  
Quarter Section: 11-29(F8)  
Proposal: **1)** Variance to allow vehicular maneuvering in the alleyway. Onsite maneuvering required. **2)** Variance to reduce the required landscape setback to 0 feet. Minimum 5 feet required. **3)** Variance to reduce the landscaped area adjacent to public right-of-way to 12 feet. Minimum 25 feet required.  
Ordinance Sections: 702.A.1.b  
Applicant: Mark Burton, M. Burton Design, LLC  
Representative: Mark Burton, M. Burton Design, LLC  
Owner: Amir Ran, Ear Houses, LLC

11. Application #: ZA-478-19-6  
Existing Zoning: C-2  
Location: 4900 and 4902 East Indian School Road  
Quarter Section: 17-39(H11)  
Proposal: Use permit to allow multiple temporary events for up to 36 months. Use permit required.  
Ordinance Sections: 708.D.1  
Applicant: Jonathan Lane, O.H.S.O. Brewery  
Representative: Jonathan Lane, O.H.S.O. Brewery  
Owner: Ingrid Scherz, F&I Building, LLC
12. Application #: ZA-479-19-2  
Existing Zoning: C-2  
Location: 2340 East Union Hills Drive  
Quarter Section: 39-32(M9)  
Proposal: Use permit to allow package liquor sales accessory to a convenience market (Ponderosa Carniceria) located within 300 feet of a residential zoning district. Use permit required.  
Ordinance Sections: 622.D.102.a.  
Applicant: Rosa Murrieta  
Representative: Kamlesh Patel  
Owner: Charlie Shen, CFT NV Developments, LLC
13. Application #: ZA-480-19-4  
Existing Zoning: C-2  
Location: 1152 East Indian School Road  
Quarter Section: 17-29(H8)  
Proposal: **1)** Use permit to allow a pawn shop. Use permit required. **2)** Variance to allow a pawn shop less than 500 feet from a residential district. Minimum 500 feet separation required.  
Ordinance Sections: 623.D.134.a. 623.D.134.b  
Applicant: Brent Kleinman, Brent Kleinman Architect & Planner  
Representative: Brent Kleinman, Brent Kleinman Architect & Planner  
Owner: Rend Investments, LP
14. Application #: ZA-484-19-7  
Existing Zoning: C-2 M-R DNS/WVR ACOD  
Location: 1315 Grand Avenue, Suite #4  
Quarter Section: 11-26(F8)  
Proposal: **1)** Use permit to allow outdoor dining accessory to a restaurant (El Charro Hipster Bar and Cafe) within 500 feet of a residential district. Use permit required. **2)** Use permit to allow outdoor alcohol consumption accessory to a restaurant (El Charro Hipster Bar and Cafe) within 500 feet of a residential district. Use permit required.  
Ordinance Sections: 623.D.157.c 623.D.157.c  
Applicant: Rebeca Peralta, El Charro Hipster Bar and Cafe  
Representative: Rebeca Peralta, El Charro Hipster Bar and Cafe  
Owner: Vahak Minassian, GAVA, LLC

15.        Application #:            ZA-485-19-6  
Existing Zoning:            R1-6  
Location:                    3647 North 39th Street  
Quarter Section:            16-36(H10)  
Proposal:                    **1) Variance to allow an over height fence (7 feet) in the required side yard (south) setback. Maximum 6 feet permitted. 2) Variance to allow an over height fence (7 feet) in the required rear yard (east) setback. Maximum 6 feet permitted.**  
Ordinance Sections:        703.A.2.c. 703.A.2.c.  
Applicant:                    Kevin Blesh  
Representative:            Kevin Blesh  
Owner:                        Kevin Blesh
16.        Application #:            ZA-494-19-6  
Existing Zoning:            R1-10  
Location:                    2145 East Belmont Avenue  
Quarter Section:            24-32(J9)  
Proposal:                    Variance to reduce the required rear yard setback (west) to 7 feet. Minimum 25 feet required.  
Ordinance Sections:        611.B.Table B  
Applicant:                    Tim Rasnake, Archicon AAI, LC  
Representative:            Tim Rasnake, Archicon AAI, LC  
Owner:                        Christopher Fiorentino
17.        Application #:            ZA-511-19-6  
Existing Zoning:            RE-35 ACSPD  
Location:                    **5527 East Camelback Road**  
Quarter Section:            17-40(H11)  
Proposal:                    **Variance to reduce the required side yard setback (east) to 3 feet. Minimum 20 feet required.**  
Ordinance Sections:        609.B.Table  
Applicant:                    Gordon LeBlanc, Jr., and Marilyn Kay LeBlanc  
Representative:            Heather Dukes, Esq., Lazarus, Silvyn & Bangs, P.C.  
Owner:                        Gordon LeBlanc, Jr., and Marilyn Kay LeBlanc

For further information, please call Eric Morales, Planner II, Planning and Development Department at 602-262-7927, or contact via electronic mail at [zoning@phoenix.gov](mailto:zoning@phoenix.gov). This electronic mail address will not accommodate zoning enforcement/violation complaints.

This publication can be made available in alternate format upon request. To request a reasonable accommodation, please contact Tamra Ingersoll at the Planning and Development Department at 602.534-6648, TTY: Use 7-1-1.

October 18, 2019