NOTICE OF PUBLIC MEETING
BOARD OF ADJUSTMENT

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the **BOARD OF ADJUSTMENT** and to the general public, that the **BOARD OF ADJUSTMENT** will hold a meeting open to public on **Thursday, November 7, 2013, at 12:00 p.m. located in City Council Chambers, 200 West Jefferson Street, Phoenix, Arizona.**

(One or more members may participate by telephone conference call.)

The agenda of the meeting is as follows:

A. Approval of Minutes
Approval of August 8, 2013 and September 5, 2013 minutes.

B. Requests for Continuance and/or Withdrawal

C. Items for Consideration

1. Application #: **ZA-248-13-1**
Existing Zoning: RE-35
Location: 5204 West Fallen Leaf Lane
Quarter Section: 46-16(O5)
Proposal: Variance to allow an over height fence (5 feet, 6 inches) in the front yard (south) setback. Maximum 40 inches allowed.
Ordinance Sections: 703.A.2.a.
Applicant: Daniel Istrate / Daniel Designs
Representative: Daniel Istrate / Daniel Designs
Owner: Marcel Zaharia
Appellant: Daniel Istrate / Daniel Designs

D. Other Business

2. Application #: **ZA-201-13-5 (Request for Reconsideration by the Applicant, Continued from October 3, 2013)**
Existing Zoning: A-2
Location: 3840 West Indian School Road
Quarter Section: 17-20(H6)
Proposal: **1)** Use permit to allow a medical marijuana cultivation and infusion facility. Use permit required.
2) Variance to allow medical marijuana cultivation and infusion facility 2,700 feet from another medical marijuana facility. Minimum 5,280 feet

		separation required from the same type of use.
	Ordinance Sections:	627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.93.c.
	Applicant:	Ryan Hurley / Rose Law Group PC
	Representative:	Ryan Hurley / Rose Law Group PC
	Owner:	Nhut Le
	Appellant:	Ryan Hurley / Rose Law Group PC
3.	Application #:	**ZA-236-13-5 (Request for Reconsideration by the Applicant, Continued from October 3, 2013)**
	Existing Zoning:	A-2
	Location:	3840 West Indian School Road
	Quarter Section:	17-20(H6)
	Proposal:	Variance to allow a medical marijuana cultivation and infusion facility to be located within 5,280 feet of the same type of use. Shall not be located within 5,280 feet of the same type of use.
	Ordinance Sections:	627.D.91.c. 627.D.93.c.
	Applicant:	Ryan Hurley / Rose Law Group PC
	Representative:	Ryan Hurley / Rose Law Group PC
	Owner:	Le Nhut
	Appellant:	Ryan Hurley / Rose Law Group PC

4. Update on December Board of Adjustment agenda.

5. Update on pending appeals of the Board of Adjustment.

6. Q & A: Procedure and Process - Board Adjustment case law.

7. The Board may vote to go into Executive Session pursuant to A.R.S Section 38-431.03.A.3 for the purpose of receiving legal advice regarding any of the above Items A-D.

E. Adjournment

For further information, please call Mary L. Brown, Secretary to the Board, in the Planning and Development Department at 602-495-7029, or contact us via electronic mail at zoning@phoenix.gov. This electronic mail address will not accommodate zoning enforcement/violation complaints.

For reasonable accommodations, call Shannon Adams, at voice 602-262-7577 or the City TTY/602-534-5500 as early as possible to coordinate needed arrangements.

October 23, 2013