NOTICE OF RESULTS
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** held a meeting open to the public on **June 27, 2013, at 9:00 a.m. located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona.**

The results for the meeting were as follows:

RESULTS

9:00 AM

Approved / Stips

1.

Application #:	ZA-201-13-5
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. 627D.93.c.
Applicant:	Ryan Hurley, Rose Law Group, PC
Representative:	Ryan Hurley, Rose Law Group, PC
Owner:	Nhut Le

Stipulations:

1) No Use Permit or Variance application fees are refundable.

2) That the Use Permit shall be reviewed within 365 days of the issuance of the Arizona Department of Health Services license for a medical marijuana use.

3) Obtain a license for medical marijuana use from the Arizona Department of Health services for a medical marijuana use. If no license is granted within 180 days of the approval of this Use Permit, the Zoning Administrator shall schedule a revocation hearing for this Use Permit.

4) That the applicant has 180 days to apply and pay for building permits.

5) That the applicant shall submit a security plan approved by the Arizona Department of Health Services to the Planning and Development Department.

6) That the applicant shall notify in writing the areas Police Precinct Commander of establishing such facility. Notice of this

contact shall be submitted in writing to the Planning and Development Department.

7) No signage for this use allowed.

Approved / Stips

2.

Application #:	ZA-198-13-4
Existing Zoning:	R-4 PRD
Location:	325 East Coronado Road
Quarter Section:	13-28(G8)
Proposal:	**1)** Variance to reduce the required front yard setback to 0 feet for 20 lots. Minimum 10 feet required. **2)** Variance to reduce the required side yard setback to 0 feet for 20 lots. Minimum 10 feet required. **3)** Variance to eliminate the requirement to provide 18 feet setback from the back of sidewalk for front loaded garage for 20 lots. Minimum 18 feet required. **4)** Variance to reduce the common perimeter landscape requirement to 5 feet. Average 15 feet common perimeter landscape required. **5)** Variance to increase the lot coverage to 85% for 20 lots. Maximum 50% lot coverage allowed. **6)** Variance to create lots without legal street frontage for 20 lots. Public street frontage required.
Ordinance Sections:	617.Table B. 617.Table B. 617.Table B. 617.Table B. 617.Table B. 617.Table B.
Applicant:	Ben Patton, Tiffany & Bosco, P.A.
Representative:	Ben Patton, Tiffany & Bosco, P.A.
Owner:	Maricopa County Medical Society

Stipulations:

1) One year to apply and pay for building permits.

2) General conformance to site plan dated February 12, 2013.

Approved / Stips

3.

Application #:	ZA-199-13-6
Existing Zoning:	C-2
Location:	2401 East Indian School Road
Quarter Section:	16-33(H9)
Proposal:	Use permit to allow an environmental remediation facility. Use permit required.
Ordinance Sections:	622.D.57.
Applicant:	Eric Savage, Circle K Stores, Inc
Representative:	Brett McDaniel, EnCore Consulting, LLC
Owner:	Willauer Investment Co.

Stipulations:

1) 180 days to apply and pay for building permits.

2) For three years.
3) General conformance to site plan dated May 22, 2013.

Approved / Stips

4.

Application #:	ZA-200-13-6
Existing Zoning:	R1-14 ACSPD
Location:	6202 East Calle Redonda
Quarter Section:	16-42(H12)
Proposal:	**1)** Variance to reduce the rear yard (east) setback to 3 feet. Minimum 10 feet required by previous Zoning Adjustment case ZA-352-01. **2)** Variance to increase lot coverage to 33%. Maximum lot coverage 30.4% permitted by previous Zoning Adjustment case ZA-765-00.
Ordinance Sections:	607.B.4. 607.B.5.
Applicant:	Matthew Massimi
Representative:	Matthew Massimi
Owner:	Matthew & Cathy Massimi

Stipulations:
1) 6 months to apply and pay for building permits.
2) Proposed addition to maintain height of existing garage.

Approved / Stips

5.

Application #:	ZA-202-13-6
Existing Zoning:	C-1
Location:	2820 East Indian School Road
Quarter Section:	17-34(H10)
Proposal:	**1)** Use permit to allow outdoor dining accessory to a restaurant. Use permit required. **2)** Use permit to allow outdoor alcoholic beverage consumption accessory to a restaurant. Use permit required.
Ordinance Sections:	622.D.146.d. 622.D.146.d.
Applicant:	John Salazar, Salazar Investments Partnership
Representative:	Robert Gomez, Robert Gomez Architects, A.I.A.
Owner:	John Salazar, Salazar Investments Partnership

Stipulations:
1) Hours of use for the outdoor area no earlier than 11:00 AM and no later than 11:00 PM.
2) Employees must have a clear view of the area in order to supervise the activities and/or be present while patrons utilize the area.
3) Area to be sufficiently illuminated and contained to discourage any unlawful activity. Precinct Commander or designee may

approve lighting, containment area, and security personnel at their discretion.

4) No live entertainment in the outdoor area.
5) 6 months to apply and pay for building permits.
6) Per site plan dated June 27, 2013.

Under Advisement

6.

Application #:	ZA-203-13-6
Existing Zoning:	R1-6
Location:	3813 North 49th Place
Quarter Section:	16-39(H11)
Proposal:	Variance to reduce the front yard setback to 5 feet (for carport). 20 feet is required.
Ordinance Sections:	613.B.
Applicant:	David Mercuri
Representative:	David Mercuri
Owner:	David Mercuri

Approved / Stips

7.

Application #:	ZA-209-13-4
Existing Zoning:	R-5
Location:	4154 North 12th Street
Quarter Section:	17-29(H8)
Proposal:	Use permit to allow a dependent care facility and/or school for the mentally or physically handicapped. Use permit required.
Ordinance Sections:	618.D.6.
Applicant:	12th St LLC
Representative:	John Addison 12th St LLC
Owner:	12th St LLC

Stipulations:

1) 6 months to apply and pay for building permits.
2) Operating hours 7:00 AM to 6:00 PM.
3) No residential component allowed.

#1 Denied as filed, approved for setback to 10 feet

#2 Withdrawn

#3 Denied as filed, approved

8.

Application #:	ZA-79-13-2 (Continued from 5/23/13)
Existing Zoning:	RE-35
Location:	6923 East Larkspur Drive
Quarter Section:	31-44(K12)
Proposal:	**1)** Variance to reduce the side yard setback (west side) to 4 feet 6 inches. Minimum 20 feet required. **2)** Variance to reduce the rear yard setback to 15 feet 2 inches. Minimum 40 feet required. **3)** Variance to increase lot coverage to 31.9 percent. Maximum 25 percent lot coverage allowed.
Ordinance Sections:	609.B.Table B. 609.B.Table B.

for 26.59% 609.B.Table B.

Applicant:	Michael Curley, Earl Curley & Lagarde, P.C.
Representative:	Michael Curley, Earl Curley & Lagarde, P.C.
Owner:	Anita Schuchman

Stipulations:

1) One year to apply and pay for building permits.
2) Per site plan dated June 27, 2013.
3) Shielding of existing sports court lighting so it will not be visible from adjacent properties.
4) Height of proposed addition will be limited to height of existing residence.

ZONING ADJUSTMENT HEARING OFFICER: RAY JACOBS, AICP
PLANNER: EDWARD KEYSER

For further information, please call Ed Keyser, Planner II, Planning and Development Department at 602-495-0382, or contact via electronic mail at zoning@phoenix.gov. This electronic mail address will not accommodate zoning enforcement/violation complaints.