

**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 **February 23, 2017, at 9:00 a.m. located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona.**

The agenda for the meeting is as follows:

9:00 AM

1. Application #: ZA-28-17-6
Existing Zoning: RE-35
Location: 5350 East Palomino Road
Quarter Section: 18-40(H11)
Proposal: **1)** Time extension for ZA-287-16, variance to reduce the rear yard setback (west) to 20 feet. Minimum 40 feet required. **2)** Time extension for ZA-287-16, variance to allow an over height wall in the required front yard setback 6 feet in height. Maximum 40 inches allowed.

Ordinance Sections: 307.A.12
Applicant: Rihcard Bistany, Richard James Bistany Architect
Representative: Rihcard Bistany, Richard James Bistany Architect
Owner: Michael Berkner, Revocable Living Trust

2. Application #: ZA-345-13-8 (1-year review)
Existing Zoning: C-2 ACSBO
Location: 917 North 7th Street
Quarter Section: 11-29(F8)
Proposal: Use permit to allow the sale of alcoholic beverages within 300 feet of a residential district. Use permit required.

Ordinance Sections: 622.D.97.a
Applicant: Circle K Stores, Inc
Representative: David Cisiewski, MD Partners, LLC
Owner: Walter Crutchfield, VP 7th & Roosevelt, LLC

3. Application #: ZA-495-16-6
Existing Zoning: R1-10 North Central Avenue SPD
Location: 6001 North Central Avenue
Quarter Section: 21-28(I8)
Proposal: Variance to allow an over height wall (6 feet) in the required side yard (south) landscape setback. Maximum 40-inch solid wall permitted.

Ordinance Sections: 664.D
Applicant: Nick Wood, Snell & Wilmer

- Representative: Nick Wood, Snell & Wilmer
 Owner: John McDonald
4. Application #: ZA-551-16-6 (Rescheduled from 1/5/17)
 Existing Zoning: R1-10 ACSPD
 Location: 5911 E Calle del Paisano
 Quarter Section: 16-41(H11)
 Proposal: **1)** Variance to allow an over height wall (7 feet, 9 inches) in the required rear yard. Maximum 6 feet permitted. **2)** Variance to allow an over height wall (7 feet, 8 inches) in the required side yard (West). Maximum 6 feet permitted. **3)** Variance to allow an over height wall (6 feet, 5 inches) in the required side yard (East). Maximum 6 feet permitted. **4)** Variance to reduce the minimum percent open for walls adjacent to the Arizona Canal. Minimum 50 percent open required.
- Ordinance Sections: 703.A.2.c 703.A.2.c 703.A.2.c 703.A.1.d.1
 Applicant: Adriana Spragg, The Rachael Richards Group
 Representative: Adriana Spragg, The Rachael Richards Group
 Owner: Henry Michan, Terra Nova Equity, LLC
5. Application #: ZA-571-16-6 (Rescheduled from 1/19/17)
 Existing Zoning: C-2
 Location: 4017 East Indian School Road
 Quarter Section: 16-37(H10)
 Proposal: **1)** Use Permit to allow outdoor dining accessory to a restaurant (The Porch) within 500 feet of a residential district zoning line. Use Permit required. **2)** Use Permit to allow outdoor alcoholic beverage consumption accessory to a restaurant (The Porch) within 500 feet of a residential district zoning line. Use Permit required. **3)** Variance to reduce street side building setback to 20 feet. Minimum 25 feet required.
- Ordinance Sections: 623.D.156.c 623.D.156.c 623.E.4.d
 Applicant: John Dolan, Drake Investments
 Representative: Jason Allen, Skyline Consultants, LLC
 Owner: Ryan Francisco, Jayhawk Partners, LLC
6. Application #: ZA-26-17-8
 Existing Zoning: R-5, C-3, C-3 HR, P-1 TOD-2
 Location: 3820 East Van Buren Street
 Quarter Section: 11-36(F10)
 Proposal: Variance to reduce the required number of parking spaces to 317. Minimum 334 required.
- Ordinance Sections: 702.C
 Applicant: Matt Hess, SmithGroup, JJR

- Representative: Craig Passey, Smith Group, JJR
 Owner: John Swagert, Mountain Park Health Center
7. Application #: ZA-29-17-6
 Existing Zoning: RE-24 ACSPD
 Location: 4030 North 54th Place
 Quarter Section: 16-40(H11)
 Proposal: Variance to reduce the east setback along 54th Place to 22 feet. Per ZA-404-89 structures over 3 feet high shall maintain a setback of 30 feet from the east property line.
- Ordinance Sections: 606.B.3
 Applicant: Nicholas Tsontakis, Nicholas Tsontakis Design
 Representative: Nicholas Tsontakis, Nicholas Tsontakis Design
 Owner: John Dawson
8. Application #: ZA-30-17-2
 Existing Zoning: PSC
 Location: 4601 East Bell Road
 Quarter Section: 36-38(M11)
 Proposal: Variance to allow a bar within 300 feet of a residential district. Minimum 300-foot separation required.
- Ordinance Sections: 637.B.5.C
 Applicant: Kimberly Sue, Odonnell Kimmy's On Bell, LLC
 Representative: Kimberly Sue, Odonnell Kimmy's On Bell, LLC
 Owner: Tammy Palnur, West Valley Properties
9. Application #: ZA-31-17-4
 Existing Zoning: C-1 HRI HGT/WVR TOD-1, C-2
 Location: 2801 North Central Avenue
 Quarter Section: 14-28(G8)
 Proposal: **1)** Variance to increase the maximum letter/logo height for a wall sign to 36 inches. Maximum 12 inches permitted for building fronts 30 feet in height or less. **2)** Variance to increase the wall sign area to 43 square feet. Maximum 1 square foot of wall sign area for each linear foot of building elevation permitted.
- Ordinance Sections: 662.K.1.B
 Applicant: Benjamin Graff, Withey Morris, PLC
 Representative: Benjamin Graff, Withey Morris, PLC
 Owner: Jeffery Geysler, Geysler Management, LLC
10. Application #: ZA-32-17-3
 Existing Zoning: R1-6 HP SNSPD
 Location: 909 West Culver Street
 Quarter Section: 12-26(G8)
 Proposal: **1)** Use permit to allow a 19.5-foot-tall accessory structure

to be located within the required rear yard. Maximum 15 feet allowed. **2)** Variance to allow a 19.5-foot-tall accessory structure to be located within the required side yard. Maximum 8 feet allowed. **3)** Variance to reduce the side yard setback (east) to 0 feet. Minimum 3 feet required.

Ordinance Sections: 706.G
Applicant: James W. Donaldson
Representative: James W. Donaldson
Owner: James W. Donaldson

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.

This publication can be made available in alternate format upon request. Contact Tamra Ingersoll at (602) 534-6648, TTY: use 7-1-1.

To request reasonable accommodations, please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.

February 2, 2017