

## 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 **September 19, 2019, at 9:00 a.m. Located in City Council Chambers, 200 West Jefferson Street, Lower Level, Phoenix, Arizona.**

**\*Note: Hearing Location Has Changed**

### 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-315-19-7  
              Existing Zoning:       R-5 RI  
              Location:            1101 West Roosevelt Street  
              Quarter Section:     11-26(F8)  
              Proposal:            **1)** Variance to reduce the required rear yard setback (south) to 2 feet. Minimum 15 feet required. **2)** Variance to reduce the side yard setback (east) to 6 feet. Minimum 10 feet required. **3)** Variance to allow 1 required parking space within the required front yard. Not permitted.  
  
              Ordinance Sections: 618.B.1. Table B 618.B.1. Table B 702.C  
              Applicant:           Dennis Rogers  
              Representative:     Dennis Rogers  
              Owner:              Ping-Hsuan Chen
  
2.           Application #:           ZA-392-19-3  
              Existing Zoning:       RE-43  
              Location:            10424 North 38th Street  
              Quarter Section:     28-36(K10)  
              Proposal:            **1)** Variance to reduce the side yard setback (north) for an accessory structure to 25 feet. Minimum 30 feet required. **2)** Variance to reduce the rear yard setback (west) setback for an accessory structure to 15 feet. Minimum 40 feet required.  
  
              Ordinance Sections: 605.A.1.a 605.A.10.a  
              Applicant:           Nick and Kolette Hysong  
              Representative:     Nick and Kolette Hysong  
              Owner:              Charles Hysong
  
3.           Application #:           ZA-399-19-7  
              Existing Zoning:       DTC West Evans Churchill  
              Location:            218 East Portland Street

- Quarter Section: 12-28(G8)  
 Proposal: **1)** Use permit to allow alcohol sale and service within 300 feet of a church in an entertainment district. Use permit required. **2)** Use permit to allow outdoor entertainment (amplified music or loudspeakers) between the hours of 7:00 AM to 12:00AM on Friday through Sunday. Use permit required. **3)** Use permit to allow outdoor entertainment between the hours of 7:00 AM to 12:00 AM on Friday through Sunday. Use permit required. **4)** Variance to allow outdoor entertainment on Monday through Thursday, between 7:00 AM and 12:00 AM. Outdoor entertainment permitted Friday through Sunday only.
- Ordinance Sections: 307.A.17.a. 1204.C.5. 1204.C.18. 1204.C.16.  
 Applicant: Nick Wood, Esp., Snell & Wilmer, LLP  
 Representative: Nick Wood, Esp., Snell & Wilmer, LLP  
 Owner: True North Holdings, LLC
4. Application #: ZA-400-19-7  
 Existing Zoning: DTC-West Evans Churchill  
 Location: 222 East Portland Street  
 Quarter Section: 12-28(G8)  
 Proposal: **1)** Use permit to allow alcohol sales and services within 300 feet of a church in an entertainment district. Use permit required. **2)** Use permit to allow outdoor entertainment (amplified music or loudspeakers) between the hours of 7:00 AM to 12:00 AM on Friday through Sunday. Use permit required. **3)** Use permit to allow outdoor entertainment between the hours of 7:00 AM and 12:00 AM on Friday through Sunday. Use permit required. **4)** Variance to allow outdoor entertainment on Monday through Thursday, between 7:00 AM and 12:00 AM. Outdoor entertainment permitted Friday through Sunday only.
- Ordinance Sections: 307.A.17.a. 1204.C.5. 1204.C.18. 1204.C.16.  
 Applicant: Nick Wood, Esp., Snell & Wilmer, LLP  
 Representative: Nick Wood, Esp., Snell & Wilmer, LLP  
 Owner: RO2 CAM, LLC
5. Application #: ZA-402-19-4  
 Existing Zoning: R-3  
 Location: 4221 North 20th Street  
 Quarter Section: 17-32(H9)  
 Proposal: **1)** Time extension for ZA-333-18, variance to reduce the street-side (west) landscape setback to 0. Minimum 25 feet required. **2)** Time extension for ZA-333-18, variance to reduce the rear (east) landscape setback to 0. Minimum 5 feet required.
- Ordinance Sections: 703.B.3.a 703.B.3.b  
 Applicant: Leodra Bowdell, Phoenix Permit Service  
 Representative: Leodra Bowdell, Phoenix Permit Service  
 Owner: 4221 North 20th Street, LLC

6. Application #: ZA-404-19-4  
Existing Zoning: DTC-McDowell-1-HP  
Location: 520 West McDowell Road  
Quarter Section: 13-27(G8)  
Proposal: Use Permit to allow a Pet Care Facility. Use Permit required.  
Ordinance Sections: 1204.D  
Applicant: Henry Jennings, Dogtopia  
Representative: William Allison, Withey Morris  
Owner: KEH Legacy Trust / CRH Legacy Trust
7. Application #: ZA-405-19-8  
Existing Zoning: C-3 TOD-2  
Location: 330 North 24th Street  
Quarter Section: 11-32(F9)  
Proposal: Use permit to allow automobile leasing and rental. Use permit required.  
Ordinance Sections: 663.F.1.a  
Applicant: Dustin Chisum, Deutsch Architecture Group  
Representative: Enterprise Leasing Company of Phoenix, LLC  
Owner: Edmond Vartughian, VB Auto Group, LLC
8. Application #: ZA-407-19-7  
Existing Zoning: A-2  
Location: 1026, 1034, and 1040 North 21st Avenue  
Quarter Section: 12-24(G7)  
Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Use permit to allow a medical marijuana infusion production facility. Use permit required. **3)** Variance to allow a medical marijuana cultivation facility within 5,280 feet the same type of use. Minimum 5,280 feet separation required. **4)** Variance to allow a medical marijuana infusion production facility within 5,280 feet of the same type of use. Minimum 5,280 feet separation required. **5)** Variance to allow a medical marijuana cultivation facility within 1,000 feet of a residentially zoned district. Minimum 1,000 feet separation required. **6)** Variance to allow a medical marijuana infusion production facility within 1,000 feet of a residentially zoned district. Minimum 1,000 feet separation required.  
Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b 627.D.91.d 627.D.93.c  
Applicant: Benjamin L. Tate, Withey Morris, PLC  
Representative: Benjamin L. Tate, Withey Morris, PLC  
Owner: Black Rock Venture, LLC

**1:30 PM**

9. Application #: ZA-406-19-6 (SIGN)  
Existing Zoning: C-2 M-R  
Location: Southeast corner of Chandler Boulevard and 50th Street  
Quarter Section: 011-39(A11)

- Proposal: Use permit to establish the Chandler at 50th Comprehensive Sign Plan. Use permit required.  
 Ordinance Sections: 705.E.2  
 Applicant: Michael Donada, Signs Plus  
 Representative: Gary Johnson, Signs Plus  
 Owner: Ron Ault, The Ault Company
10. Application #: ZA-412-19-2 (SIGN)  
 Existing Zoning: C-1  
 Location: 2644 East Greenway Parkway  
 Quarter Section: 35-33(L9)  
 Proposal: Use permit to allow an electronic message display as part of a ground sign. Use permit required.  
 Ordinance Sections: 705.C.13  
 Applicant: Matt Rayes, George Signs, LLC  
 Representative: Matt Rayes, George Signs, LLC  
 Owner: Nasir Sulaiman, Day Low, Inc.
11. Application #: ZA-408-19-4  
 Existing Zoning: R-3, R1-6  
 Location: 1030 East Mitchell Drive  
 Quarter Section: 16-29(H8)  
 Proposal: **1)** Time extension for ZA-357-17-4, use permit to use the single-family attached development option. Use Permit required. **2)** Time extension for ZA-357-17-4, use permit to allow a less restrictive multi-family use to expand into a more restrictive single-family zoning district on the east side. Use permit required. **3)** Time extension for ZA-357-17-4, use permit to allow a less restrictive multi-family use to expand into a more restrictive single-family zoning district on the west side. Use permit required. **4)** Time extension for ZA-357-17-4, variance to reduce the perimeter setback for units siding on the street right-of-way to 4 feet. Minimum 15 feet required. **5)** Time extension for ZA-357-17-4, variance to reduce the perimeter landscape setback to 4 feet. Minimum 15 feet required. **6)** Time extension for ZA-357-17-4, variance to reduce the required building setback (north) to 16 feet for a 40 feet tall building. Minimum 35 feet required. **7)** Time extension for ZA-357-17-4, variance to reduce the required landscape setback adjacent to a single-family zoned district to 5 feet (north). Minimum 10 feet required. **8)** Time extension for ZA-357-17-4, variance to reduce the improved common area for bonus density to 0%. Minimum requirement of 18.9% improved open space.  
 Ordinance Sections: 608.F.6 307.A.8 307.A.8 615.B. Table B SFA column 608.F.6.c(2) 615.B. Table B SFA column 608.F.6.c(3) 608.I.2.b(2)  
 Applicant: Andy Jochums, Beus Gilbert, PLLC  
 Representative: Paul Gilbert, Beus Gilbert, PLLC  
 Owner: Jove I, LLC

12.       Application #:           ZA-409-19-3  
Existing Zoning:           C-1  
Location:                   10810 North Tatum Boulevard, Suite 116  
Quarter Section:           29-38(K11)  
Proposal:                   Use permit to allow massage therapy as an accessory use to a beauty shop. Use permit required.  
  
Ordinance Sections:       622.D.15.a  
Applicant:                 Gordon Meng, First Class Foot Spa  
Representative:           Cassandra H. Ayres, Beus Gilbert, PLLC  
Owner:                     Inland Western Phoenix, LLC
13.       Application #:           ZA-410-19-6  
Existing Zoning:           C-1  
Location:                   4231 East Indian School Road  
Quarter Section:           16-37(H10)  
Proposal:                   **1)** Use permit to allow sale of alcoholic beverages as an accessory to a restaurant (Nook Kitchen). Use permit required. **2)** Use permit to allow outdoor dining as an accessory to a restaurant. Use permit required. **3)** Use permit to allow outdoor alcoholic beverage consumption as an accessory to a restaurant. Use permit required.  
  
Ordinance Sections:       622.D.150.a 622.D.150.d 622.D.150.d  
Applicant:                 Heidi Grimwood, Aline Architecture Concepts  
Representative:           Heidi Grimwood, Aline Architecture Concepts  
Owner:                     Levine Investments Limited Partnership
14.       Application #:           ZA-411-19-4  
Existing Zoning:           R1-6  
Location:                   4328 North 11th Avenue  
Quarter Section:           17-26(H8)  
Proposal:                   Variance to reduce the required rear yard setback (west) to 11 feet. Minimum 25 feet required.  
  
Ordinance Sections:       613.B.Table B.  
Applicant:                 Gerald Killian, Killian Construction Company, LLC  
Representative:           Gerald Killian, Killian Construction Company, LLC  
Owner:                     Boonchai Siriswangporn
15.       Application #:           ZA-413-19-2  
Existing Zoning:           R1-8  
Location:                   2744 East Utopia Road  
Quarter Section:           40-33(N9)  
Proposal:                   Variance to allow an over height perimeter wall (6 feet, 8 inches) in the required rear and side (north and east/west) yards. Maximum 6 feet permitted.  
  
Ordinance Sections:       703.A.2.c  
Applicant:                 Julie Vermillion, Coe and Van Loo Consultants, Inc.  
Representative:           Julie Vermillion, Coe and Van Loo Consultants, Inc.  
Owner:                     Augustine Family Trust
16.       Application #:           ZA-433-19-4

Existing Zoning: R1-6  
Location: 1352 East Weldon Avenue  
Quarter Section: 16-30(H9)  
Proposal: Variance to reduce the side yard setback (east) to 4 feet.  
Minimum 10 feet required.  
Ordinance Sections: 613.B.Table B  
Applicant: Travis Bryant, Relic Builders  
Representative: Travis Bryant, Relic Builders  
Owner: Gregg Woodnick, Woodnick Holdings, LLC

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.

September 4, 2019