



Development Application

Development Application Type:

Please check the appropriate box of the Type(s) of Application(s) you are requesting

Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other:
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input checked="" type="checkbox"/> Zoning Admin decision

Project Name: Green Bee Produce Farmers Market

appeal to BOA per Sec 1.8.D.5

Property's Address: Various locations are subject to this appeal- but permit lists adress 16116 McDowell Mt. Ranch Rd

Property's Current Zoning District Designation: NA

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the City regarding this Development Application. The agent/applicant shall be responsible for communicating all City information to the owner and the owner application team.

Owner: <u>Aaron Shearer</u>	Agent/Applicant:
Company: <u>Green Bee Produce</u>	Company:
Address: <u>PO box 5741, Mesa AZ 85211</u>	Address:
Phone: _____ Fax: _____	Phone: _____ Fax: _____
E-mail: <u>admin@greenbeeproduce.com</u>	E-mail:
Designer:	Engineer:
Company:	Company:
Address:	Address:
Phone: _____ Fax: _____	Phone: _____ Fax: _____
E-mail:	E-mail:

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2).

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications¹ will be reviewed in a format similar to the Enhanced Application Review methodology.

Enhanced Application Review: I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.

Standard Application Review: I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

*BB waives all pre hearing meetings
Requests Hearing w/ BOA in August 2016*

Owner Signature

Agent/Applicant Signature

Official Use Only

Submittal Date:

Development Application No.:

Planning, Neighborhood & Transportation

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000

City of Scottsdale's Website: www.scottsdaleaz.gov

9-BA-2016

7/5/16

NARRATIVE

July 5, 2016

Applicant: Green Bee Produce

Special Event permit # 67-SE-2016 / 222970

REQUEST: Board of Adjustments Hearing per Section 1.805- appealing Zoning Administrators Decision on Special Event Permit restrictions

Green Bee Produce is a mobile farmers market that hosts farmer's markets on private property in Scottsdale. On April 29, 2016 Green Bee was issued a special event permit (253-PA-2016) with restrictions. Green Bee had requested 5 off site directional signs, which was denied by the Special Events Board. Per section 7.928, Green Bee filled a notice of appeal with the Zoning Administrator. The meeting with the Zoning Administrator was held on May 23, 2016. Per Section 7.928, the Zoning Administrator is required to give a written decision no later than 5 days after the appeal meeting. Despite this specific Code Requirement, and despite 6 written requests over a period of 32 days, finally on June 30th the Zoning Administrator, through Brad Carr (Scottsdale's Senior Planner), issued a decision denying Green Bee's request. Per section 1.805, Green Bee is appealing the Zoning Administrators decision to the Board of Adjustments.

Green Bee will prove at the Board of Adjustments hearing that the Zoning Administrators decision to deny Green Bee's request for 5 off site directional signs is unconstitutional, bias, and an abuse of discretion.

Due to the past issue with the Planning Department deciding (without notice to either party) not to present the BOA with all the supporting documents Green Bee had provided at the review meeting, and instead picking and choosing only the documents they wanted the BOA to see (eliminate the most important documents of Green Bee's case.....) Green Bee has decided to present our supporting information directly to the BOA at the appeal hearing.

Since Scottsdale Senior Planner, Brad Carr, was involved in issuing the Zoning Administrators appeal decision on June 30th, and Mr. Carr is also responsible for making the recommendation to the BOA, there is no point in Green Bee partaking in any pre application / review / informational meetings. Senior Planner, Brad Carr, has already made his decision based off the opinion of the Zoning Administrator, so we already know what the recommendation will state. Therefore, Green Bee waives the right to any pre-hearings or review processes and demands that the City issue their Recommendation based on the knowledge and opinions they have already made.

Furthermore, due to the excessive length of time the Zoning Administrator took to issue a decision (over a month) and the fact that the Planning Department collaborated with the Zoning Administrator to issue his decision, (so there is no extra time needed to conduct the timely pre hearing reviews) there is no reason why Green Bee's appeal can't be scheduled for the next BOA meeting in August 2016. According to section 1.803, as long as the application and request is filed at least 15 days prior to the next BOA meeting, the case may be scheduled to be heard at the next meeting. There is plenty enough time to accommodate that request and still adhere to the legal terms outlined in the Scottsdale City Code.

Thank you,

Green Bee Produce
admin@greenbeeproduce.com

9-BA-2016
7/5/16



Board of Adjustment

Development Application Checklist

Minimal Submittal Requirements:

At your pre-application meeting, your project coordinator will identify which items indicated on this Development Application checklist are required to be submitted. A Development Application that does not include all items indicated on this checklist may be rejected immediately. A Development Application that is received by the City does not constitute that the application meets the minimum submittal requirements to be reviewed.

In addition to the items on this checklist, to avoid delays in the review of your application, all Plans, Graphics, Reports and other additional information that is to be submitted shall be provided in accordance with the:

- requirements specified in the Plan & Report Requirements For Development Applications Checklist;
- Design Standards & Policies Manual;
- requirements of Scottsdale Revised Code (including the Zoning Ordinance); and
- stipulations, include any additional submittal requirements identified in the stipulations, of any Development Application approved prior to the submittal of this application.

If you have any question regarding the information above, or items indicated on this application checklist, please contact your project coordinator. His/her contact information is on the page 4 of this application.

Please be advised that a Development Application received by the City that is inconsistent with information submitted with the corresponding pre-application may be rejected immediately, and may be required to submit a separate: pre-application, a new Development Application, and pay all additional fees.

Prior to application submittal, please research original zoning case history to find the original adopted ordinance(s) and exhibit(s) to confirm the zoning for the property. This will help to define your application accurately. The City's full-service Records Department can assist.

PART I -- GENERAL REQUIREMENTS

Req'd	Rec'd	Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1. Board of Adjustment Checklist (this list)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	2. Application Fee \$ <u>153</u> (subject to change every July)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	3. Completed Development Application Form (form provided) <input type="checkbox"/> Variance <input checked="" type="checkbox"/> Appeal
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. Letter of Authorization (from property owner(s) if property owner did not sign the application form)

Planning and Development Services

7447 E Indian School Road Suite 105, Scottsdale, AZ 85251 Phone: 480-312-7000 Fax: 480-3

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Board of Adjustment Application Checklist

<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. Affidavit of Authorization to Act for Property Owner (required if the property owner is a corporation, trust, partnership, etc. and/or the property owner(s) will be represented by an applicant that will act on behalf of the property owner. (form provided)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. Request for Site Visits and/or Inspections Form (form provided)
		7. Addressing Requirements (form provided)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. Neighborhood Notification Process Requirements: (form provided) <ul style="list-style-type: none"> • Provide one copy of the Neighborhood Notification Report • Provide one copy of the Community Input Certification attached to the Neighborhood Notification Report • If substantial modifications are made to an application, additional notification may be required by the Zoning Administrator, or designee. When required, provide one copy of the Neighborhood Notification Report addendum.
<input type="checkbox"/>	<input type="checkbox"/>	9. Homeowners/Property Owners Association Approval (if applicable).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10. Existing Conditions Photo Exhibit: Printed digital photos on 8-1/2"x11" Paper (example provided) <ul style="list-style-type: none"> • 8-1/2" x 11" - 1 copy of the set of prints • See attached Existing Conditions Photo Exhibit graphic showing required photograph locations and numbers.

PART II -- REQUIRED NARRATIVE, PLANS & RELATED DATA

Req'd	Rec'd	Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.
		11. Plan & Report Requirements For Development Applications Checklist (form provided)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12. Application Narrative <ul style="list-style-type: none"> • 8 ½" x 11" – 4 copies
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13. Context Aerial with the proposed site improvements superimposed <ul style="list-style-type: none"> • 24" x 36" – 2 color copies, folded • 11" x 17" – 1 color copy • 8 ½" x 11" – 1 color copies (quality suitable for reproduction) <p>Aerial shall not be more than 1 year old and shall include and overlay of the site plan showing lot lines, tracts, easements, street locations/names and surrounding zoning for a radius from the site of:</p> <p>_____ 750 foot radius from site</p> <p>_____ 1/4 mile radius from site</p> <p>_____ Other: _____</p>

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Board of Adjustment Application Checklist

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	14. Site Plan <ul style="list-style-type: none"> • 24" x 36" - 4 copies, folded • 11" x 17" - 1 copy (quality suitable for reproduction) • 8 ½" x 11" - 1 copy (quality suitable for reproduction) • Digital - 1 copy (Text and drawing shall be black and white, and in the DWF format)
<input type="checkbox"/>	<input type="checkbox"/>	15. Elevations <ul style="list-style-type: none"> • 24" x 36" - 2 folded black and white line drawing copies <i>(a grayscale copy of the color elevations will not be accepted.)</i> • 11" x 17" - 1 black and white line drawing copy, folded (quality suitable for reproduction) • 8 ½" x 11" - 1 black and white line drawing copy, folded (quality suitable for reproduction) • Digital - 1 copy (Text and drawing shall be black and white, and in the DWF format)
<input type="checkbox"/>	<input type="checkbox"/>	16. Floor Plans <ul style="list-style-type: none"> • 24" x 36" - 2 folded black and white line drawing copies • 11" x 17" - 1 black and white line drawing copy, folded (quality suitable for reproduction) • 8 ½" x 11" - 1 black and white line drawing copy, folded (quality suitable for reproduction) • Digital - 1 copy (Text and drawing shall be black and white, and in the DWF format)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	17. Other: <u>SUPPORTING DOCUMENTATION</u> <hr/> <hr/>

PART III – SUBMITTAL OF THE DEVELOPMENT APPLICATION

Req'd	Rec'd	Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18. An appointment must be scheduled to submit this application. To schedule your submittal meeting please call 480-312-7000. Request a submittal meeting with a Planning Specialist and provide your case pre-app number; _____-PA-_____.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19. Submit all items indicated on this checklist pursuant to the Submittal Instructions provided.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20. Submit all additional items that are required pursuant to the stipulations of any other Development Application that this application is reliant upon
<input type="checkbox"/>	<input type="checkbox"/>	21. Other: <hr/> <hr/>

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Board of Adjustment Application Checklist



22. If you have any question regarding this application checklist, please contact your Project Coordinator.

Coordinator Name (print): BRAD LORN Phone Number: 312-2713

Coordinator email: bcarri@scottsdaleaz.gov Date: 7-8-2016

Coordinator Signature: 

If the Project Coordinator is no-longer available, please contact the Current Planning Director at the phone number in the footer of this page if you have any question regarding this application checklist.

This application needs a: New Project Number, or
 A New Phase to an old Project Number: _____

Required Notice

Pursuant to A.R.S. §9-836, an applicant/agent may request a clarification from the City regarding an interpretation or application of a statute, ordinance, code or authorized substantive policy, or policy statement. Requests to clarify an interpretation or application of a statute, ordinance, code, policy statement administered by the Planning, Neighborhood and Transportation Division, including a request for an interpretation of the Zoning Ordinance, shall be submitted in writing to the One Stop Shop to the attention of the Planning, Neighborhood & Transportation Administrator. All such requests must be submitted in accordance with the A.R.S. §9-839 and the City's applicable administrative policies available at the Planning, Neighborhood and Transportation Division's One Stop Shop, or from the city's website: <http://www.scottsdaleaz.gov/bldgresources/forms>.

Planning, Neighborhood and Transportation Division
One Stop Shop
Planning, Neighborhood & Transportation Administrator
7447 E. Indian School Rd, Suite 105
Scottsdale, AZ 85251
Phone: (480) 312-7000

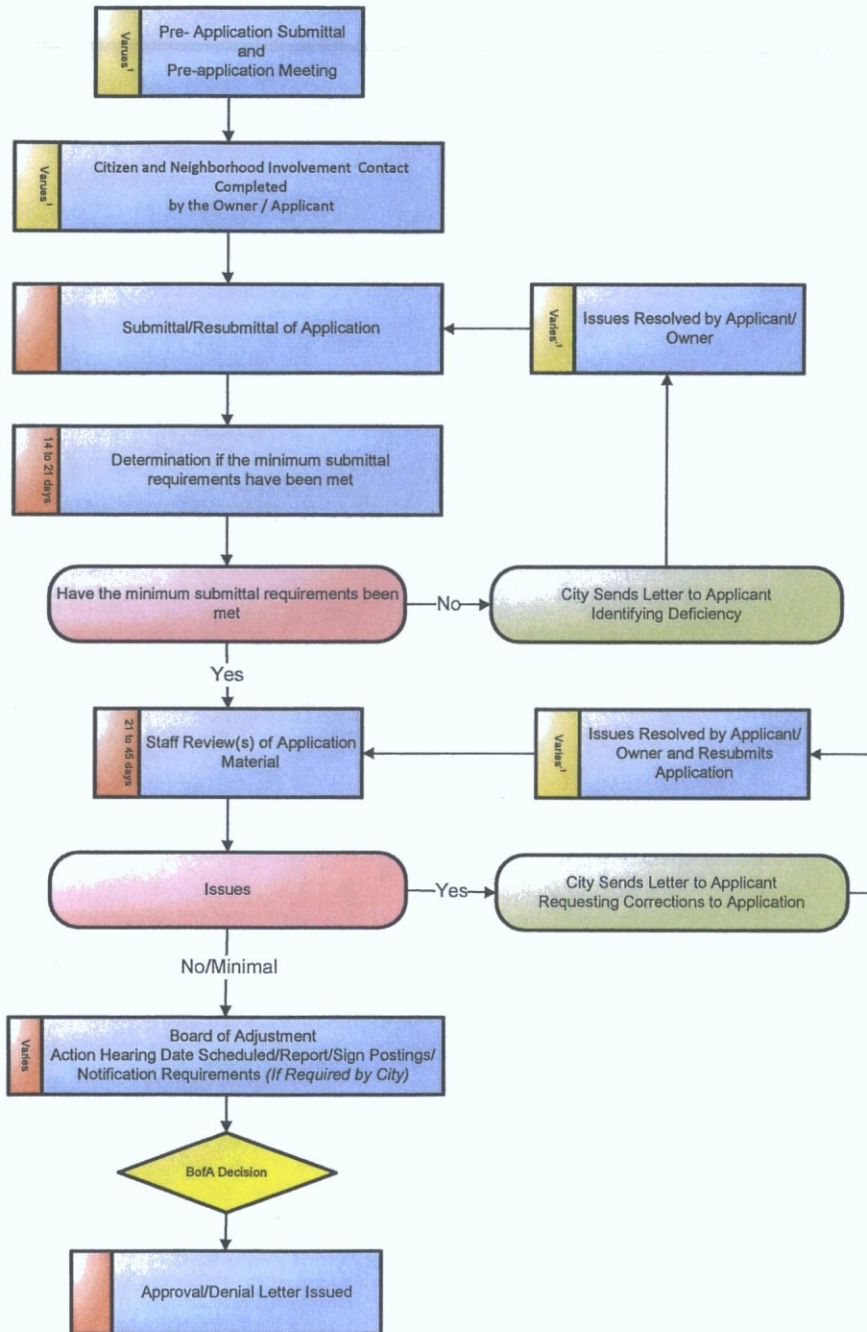
Planning and Development Services

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Development Applications Process

Board of Adjustment Application (BA)



Note:

1. Time period determined by owner/applicant.