



PUBLIC HEARING AGENDA

FINAL ACTION
AGENDA
BOARD OF ADJUSTMENT
W E D N E S D A Y
MAY 25, 2016

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 E. 5th Street, Tempe, AZ 85281
Study Session at 5:30 PM

6:00 PM

1. **Consideration of Meeting Minutes:**
Study Session & Formal Meeting Minutes from April 27, 2016 **MINUTES APPROVED**
2. Pursuant to ZDC Section 6-705, reconsideration of the Board of Adjustment's decision (dated February 24, 2016), which denied the appeal of the zoning administrator's decision regarding the application of **HEALING HEALTHCARE 3 INC. (d.b.a. Swell Pharmacy) (PL150524)** for a medical marijuana dispensary. The Board shall limit their discussion to the issue raised in the motion for reconsideration (dated March 9, 2016), which is the asserted conflict of interest of Board member Lyons, and the merits of that issue. New evidence or testimony provided by the applicant or staff shall be limited only to grounds upon which the motion for reconsideration was granted. The applicant is Gallagher and Kennedy.

The Board's decision was that there was no conflict of interest on the part of Board Member David Lyon and, therefore, the February 24, 2016 Board decision to uphold the Zoning Administrator's decision to deny the location for Healing Healthcare was upheld.

VOTE WAS 4 TO 3 IN FAVOR OF THIS DECISION

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