

**NOTICE OF RESULTS  
ZONING ADJUSTMENT HEARING  
\*REVISED May 18, 2015**

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 **May 14, 2015, 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**

- |                          |    |                      |  |
|--------------------------|----|----------------------|--|
|                          |    | <b>9:00 AM</b>       |  |
| <b>Approved</b>          | 1. | Application #:       | ZA-149-15-2 (Sign)   |
|                          |    | Existing Zoning:     | R-4 DRSP   |
|                          |    | Location:            | 21021 North 56th Street  |
|                          |    | Quarter Section:     | 41-41(N11)<br>42-41(N11)   |
|                          |    | Proposal:            | Use permit for a major amendment to the Desert Ridge Comprehensive Sign Plan (56 North). Use permit required.  |
|                          |    | Ordinance Sections:  | 705.E.2.   |
|                          |    | Applicant:           | Lynlee Norde, TS&G Signs and Graphics  |
|                          |    | Representative:      | Lynlee Norde, TS&G Signs and Graphics  |
|                          |    | Owner:               | Deer Valley 344, LLC   |
| <b>Approved w/ stips</b> | 2. | Application #:       | ZA-148-15-7  |
|                          |    | Existing Zoning:     | A-1  |
|                          |    | Location:            | 1601 South 35th Avenue   |
|                          |    | Quarter Section:     | 8-21(F6)   |
|                          |    | Proposal:            | Variance to allow an over height fence (8 feet) from all street side setbacks. Maximum 40 inches allowed.  |
|                          |    | Ordinance Sections:  | 703.A.3.a  |
|                          |    | Applicant:           | Jeremy Lear, Evolution Design Inc.   |
|                          |    | Representative:      | Jeremy Lear, Evolution Design Inc.   |
|                          |    | Owner:               | Mike Sacco, Eastgroup Properties   |
|                          |    | <b>Stipulations:</b> |  |
|                          |    |                      | <b>1)</b> Maximum height to the top of the fence shall be 8 feet above the natural grade. <b>2)</b> Maintain visibility triangles at the street intersections. |
| <b>Denied</b>            | 3. | Application #:       | ZA-150-15-6  |

Existing Zoning: RE-35  
 Location: 6130 East Cholla Lane  
 Quarter Section: 19-42(H12)  
 Proposal: Variance to reduce the required front yard setback to 25 feet. Minimum 40 feet required.  
 Ordinance 609.B.  
 Sections:  
 Applicant: Todd Borowsky  
 Representative: Todd Borowsky  
 Owner: Todd Borowsky

**Approved w/ stips**

4. Application #: ZA-152-15-2  
 Existing Zoning: RE-35  
 Location: Northwest corner of 64th Street & Lone Mountain Road  
 Quarter Section: 56-42(R12)  
 Proposal: Variance to increase retaining wall height in the required front yard to 5 feet. Maximum 40 inches allowed.  
 Ordinance 703.A.4.d  
 Sections:  
 Applicant: Zach Hilgart, HilgartWilson, LLC  
 Representative: Zach Hilgart, HilgartWilson, LLC  
 Owner: Randy Christman, Jeff Gunderson, Pulte Homes Corp. and Lennar Communities

**Stipulations:**

**1)** One year to apply and pay for building permits. **2)** The over height walls shall be a maximum of 4 feet on all lots requested; however, up to a maximum of 4 feet 8 inches on lots 613, 614, 628 and 629.

**Approved w/ stips**

5. Application #: ZA-153-15-7  
 Existing Zoning: C-2, R-4  
 Location: 5233 South Central Avenue  
 Quarter Section: 3-28(D8)  
 Proposal: **1)** Use Permit to allow a pawn shop. Use Permit required. **2)** Variance to allow a pawn shop within 500 feet of a residential district. Minimum 500 feet required.  
 Ordinance 623.D.132.a 623.D.132.b  
 Sections:  
 Applicant: Shafat Qazi, Torrance Property Management Corp.  
 Representative: Bart Lafon, Crossroads Real Estate, Inc.  
 Owner: Shafat Qazi, Torrance Property

Management Corp.

**Stipulations:**

**1)** One year to apply and pay for permits. **2)** There shall be no sale of firearms; however, the original pawner may retrieve his/her firearms after pawn surrender.

**Approved  
w/ stips**

- 6. Application #: ZA-155-15-6
- Existing Zoning: R-3A
- Location: 1231 & 1217 North 48th St
- Quarter Section: 12-39(G11)
- Proposal: **1)** Use permit to utilize the R-3A PRD development option. Use permit required. **2)** Variance to reduce the required front interior building setback to 0 feet. Minimum 10 feet required. **3)** Variance to reduce the required street side interior building setback to 0 feet. Minimum 10 feet required. **4)** Variance to allow 0 feet from back of sidewalk for front-loaded garages. Minimum 18 feet required. **5)** Variance to create 19 lots that do not front on a public street or private access way. Frontage on public or private street required.
- Ordinance Sections: 616.B Table A 616.B Table A 616.B Table A 616.B Table A
- Applicant: 616.B Table A Mark Funk, Funk Family Enterprises, LLC
- Representative: Mark Funk, Funk Family Enterprises, LLC
- Owner: Funk Family Enterprises, LLC

**Stipulations:**

**1)** One year to apply and pay for building permits. **2)** One guest parking space shall be provided per dwelling unit.

**Approved  
w/ stip**

- 7. Application #: ZA-156-15-8
- Existing Zoning: R1-6 HP
- Location: 1810 East Culver Street
- Quarter Section: 12-31(G9)
- Proposal: Variance to reduce the east side yard setback to 1 feet 6 inches. Minimum 10 feet required.
- Ordinance Sections: 613.B.table B
- Applicant: Barry Stein

Representative: Barry Stein  
Owner: Barry Stein

**Stipulation:**

1) 6 months to apply and pay for building permits.

**Continued** 8. **1:30 PM**

Application #: ZA-43-15-5 (Sign)  
Existing Zoning: PUD  
Location: 4600 North 98th Avenue  
Quarter Section: 18-5(H2)  
Proposal: **1)** Use permit for an electronic message display as part of an off-premise sign. Use permit required. **2)** Variance to allow an off-premise advertising structure in a PUD that is less than 20 acres. Off-premise signs allowed in a PUD with a minimum area of 20 acres.  
Ordinance: 705.2.E.3 705.2.A.2  
Sections:  
Applicant: Adam Baugh, Withey Morris  
Representative: Adam Baugh, Withey Morris  
Owner: 99th Campbell Seventeen, LLC

**Continued to June 25, 2015 at 9:00 a.m.**

**\* #1, #2  
Denied as  
filed  
  
#3, #4  
Approved  
  
Stips**

9. Application #: ZA-138-15-6 (Continued from 4/30/15)  
Existing Zoning: R-5  
Location: 4640 North 24th Street  
Quarter Section: 18-32(H9)  
Proposal: **1)** Variance to reduce the required perimeter setback adjacent to the property line to 0 feet for the carriage buildings on the north, west, and south sides. Minimum 10 feet required. **2)** Variance to reduce the landscape setback to 0 feet on the north, west, and south sides. Minimum 5 feet required. **3)** Variance to reduce the required perimeter setback adjacent to a public street to 10 feet for a roof overhang. Minimum 20 feet required. **4)** Variance to reduce the required perimeter setback adjacent to the property line to 5 feet for a roof overhang. Minimum 10 feet required.  
Ordinance: 618.B.1.Table B. 703.B.3.b(3)  
Sections: 618.B.1.Table B. 618.B.1.Table B.

Applicant: Derek Cayton, Gray Development, LLC  
Representative: Paul Gilbert, Beus Gilbert, PLLC  
Owner: Derek Cayton, Biltmore 24 Investor

Taken out from under advisement on May 18, 2015 and decided as follows:

**#1 denied as filed and approved as:** Variance to reduce the required perimeter setback adjacent to the property line to 0 feet for the carriage buildings on the south side only.

**#2 denied as filed and approved as:** Variance to reduce the landscape setback to 0 feet on the south side only.

**#3 and #4 approved as filed.**

**Stipulations:**

- 1) The development shall be in substantial conformance to the site plan submitted to the Zoning Administrator dated May 8, 2015, as updated by applicant's architect if any changes were made since that date.
- 2) That the height of the carriage buildings shall be no taller than 31 feet with no greater than a 42 inch screen wall located only around the air conditioning units, which are to be placed in the center of the carriage buildings' roofs.
- 3) Architectural variation on south and west facing walls that are newly constructed by the developer shall be reflected on the plans for building permits.
- 4) In variances 3 and 4, the overhang of encroachments shall be only for roof structures and no other purpose.
- 5) One year to apply and pay for building permits.

**ZONING ADJUSTMENT HEARING OFFICER: MICHAEL WIDENER  
PLANNER: MATTEO MORIC, PLANNER II**

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](mailto:zoning@phoenix.gov). This electronic mail address will not accommodate zoning enforcement/violation complaints.