NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
***Revised June 23, 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 28, 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 are as follows:

RESULTS

9:00 AM

	1.	Application #:	ZA-168-15-6
Denied		Existing Zoning:	R1-6 ACSPD
		Location:	4605 East Glenrosa Avenue
		Quarter Section:	17-38(H11)
		Proposal:	**1)** Variance to reduce side yard setback (West) to 7 feet. Minimum 10 feet required. **2)** Variance to allow 46% lot coverage. Maximum of 40% lot coverage permitted.
		Ordinance Sections:	613.B.Table B. 613.B.Table B.
		Applicant:	Gene Morrison John Arlienne
		Representative:	John Arlienne
		Owner:	
Denied	2.	Application #:	ZA-169-15-6
		Existing Zoning:	R1-6
		Location:	3844 North 48th Place
		Quarter Section:	16-39(H11)
		Proposal:	**1)** Variance to reduce the side yard setback (North) to 7 feet. Minimum 10 feet required. **2)** Variance to allow 47.1% lot coverage. Maximum of 40% lot coverage permitted.
		Ordinance Sections:	613.B.tableB 613.B.TableB
		Applicant:	John Arlienne, Ball Architects
		Representative:	John Arlienne, Ball Architects
		Owner:	Gene Morrison
***SCHEDULED FOR JULY**	3.	Application #:	ZA-170-15-6
		Existing Zoning:	PUD

16, 2015		Location:	4730 North 44th Street
		Quarter Section:	18-37(H10)
		Proposal:	**1)** Use permit to allow outdoor dining as an accessory use to a restaurant (Charlie Fine). Use permit is required. **2)** Use permit to allow outdoor alcohol consumption as an accessory use to a restaurant (Charlie Fine). Use permit is required.
		Ordinance Sections:	PUD-Z-25-12.G.1.l).(3) PUD-Z-25-12.G.1.l).(3)
		Applicant:	Patrick Flanigan, Vera's Hospitality, LLC
		Representative:	Theresa Moore, Avant Garde Alcohol Training & Education
		Owner:	Patrick Flanigan, Vera's Hospitality, LLC
		Taken out from under advisement on June 23, 2015 and scheduled to be heard on July 16, 2015 at 1:30 p.m.	
Approved w/ stips	4.	Application #:	ZA-171-15-2
		Existing Zoning:	RE-35
		Location:	31410 North 49th Way
		Quarter Section:	55-39(Q11)
		Proposal:	**1)** Variance to allow an over height (6 feet) wall in the front yard. Maximum 40 inches allowed. **2)** Variance to reduce the required front yard setback to 30 feet. Minimum 40 foot required.
		Ordinance Sections:	703.A.3 609.B
		Applicant:	Leodra Bowdell, Phoenix Permit Services
		Representative:	Leodra Bowdell ,Phoenix Permit Services
		Owner:	Uri Schumm
		Stipulations: **1)** 9 months to apply and pay for building permits. **2)** Substantial conformance with site plan signed and dated by Zoning Adjustment Hearing Officer.	
Approved w/ stip	5.	Application #:	ZA-179-15-6
		Existing Zoning:	R-3
		Location:	1350 East Bethany Home Road
		Quarter Section:	21-30(I9)
		Proposal:	**1)** Use Permit to allow the PRD development option of Section 615

			Table B. Use Permit required. **2)** Variance to reduce the front yard setback to 0 feet. Minimum 10 feet required. **3)** Variance to reduce the perimeter street setback along Berridge Lane to 10 feet. Minimum 20 feet required. **4)** Variance to allow access via a private driveway. Public street or access way required. **5)** Variance to increase lot coverage to 47%. Maximum 45% allowed. **6)** Variance to increase maximum height to 33 feet. Maximum 30 feet height allowed within the first 150-feet from a property line.
		Ordinance Sections:	615.B Table B 615.B Table B 615.B Table B 615.B Table B 615.B Table B 615.B Table B
		Applicant:	Scott Fisher, Baron Real Property Holdings, LLC
		Representative:	Michael Curley, Earl, Curley, and Lagarde
		Owner:	Bethany Biltmore Apartments c/o Zeliga M
		Stipulation:	
		1) 24 months to apply and pay for building permits.	
Approved w/ stips	6.	Application #:	ZA-180-15-6
		Existing Zoning:	R1-10
		Location:	3344 East Weldon Avenue
		Quarter Section:	16-35(H10)
		Proposal:	Variance to reduce the side (east) yard setback (street side) to 0 feet. 10 feet is required.
		Ordinance Sections:	611.B.Table B
		Applicant:	Kevin Fullerson, Cornerstone Design
		Representative:	Kevin Fullerson, Cornerstone Design
		Owner:	Tom Maison
		Stipulations:	
		1) 180 days to apply and pay for building permits. **2)** Southeast corner of property to remain grass or similar permeable surface.	
Approved w/ stips	7.	Application #:	ZA-201-15-4
		Existing Zoning:	DTC

Location:	520 West McDowell Road
Quarter Section:	13-27(G8)
Proposal:	Variance to reduce the front street setback for surface parking to zero feet. Minimum 30 feet required or parking located behind building.
Ordinance Sections:	1206.B.3.a
Applicant:	George Pasquel III, Withey Morris PLC
Representative:	Jeff Geyser, L&G McDowell, LLC
Owner:	Jeff Geyser, L&G McDowell, LLC

Stipulations:
1) 6 months to apply and pay for building permits.**2)** Design shall incorporate measures to screen the new parking spaces along McDowell Road frontage as approved by Zoning Administrator.

Approved w/ stips

8.

Application #:	ZA-174-15-7
Existing Zoning:	A-1
Location:	211 South 57th Drive
Quarter Section:	10-15(F5)
Proposal:	**1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Use permit to allow a medical marijuana infusion facility. Use permit required. **3)** Variance to allow a medical marijuana cultivation facility within 1-mile of a similar type of use. Minimum separation of 5,280 feet required. **4)** Variance to allow a medical marijuana infusion facility within 1-mile of a similar type of use. Minimum separation of 5,280 feet required.
Ordinance Sections:	627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b
Applicant:	AZ med INC - Operator
Representative:	Ryan Hurley, Rose Law Group, PC
Owner:	203-211 Shapiro, LLC

Stipulations:
1) No Use Permit or Variance application fees are refundable. **2)** That the Use Permit shall be reviewed within 365 days of the issuance of the Arizona Department of Health Services license for a medical marijuana use. **3)** Obtain a license for medical marijuana use from the Arizona Department of Health Services

for medical marijuana use. If no license is granted within 180 days of the approval of this Use Permit the Zoning Administrator shall schedule a revocation hearing for this Use Permit. **4)** That that applicant has 1-year to apply for building permits. **5)** That the applicant shall submit a security plan approved by the Arizona Department of Health Services to the Planning and Development Department. **6)** That the applicant shall notify in writing the areas Police Precinct Commander of establishing such facility. Notice of this contract shall be submitted in writing to the Planning and Development Department. **7)** No exterior signage for the medial marijuana use is allowed. **8)** Applicant shall install carbon air filters to mitigate any odors.

1:30 PM

Approved w/ stips

9.

Application #:	ZA-173-15-6
Existing Zoning:	C-2
Location:	5625 North 7th Street
Quarter Section:	20-29(I8)
Proposal:	**1)** Use permit to allow outdoor dining as an accessory use to a restaurant. Use permit is required. **2)** Use permit to allow outdoor alcohol consumption as an accessory use to a restaurant. Use permit is required.
Ordinance Sections:	623.D.156.c 623.D.156.c
Applicant:	Barrett Rinzler CB&CB 7th Street LLC
Representative:	Amy Nations, Arizona Liquor Industry Consultants
Owner:	John Cornforth, Cornforths Inc.

Stipulations:

1) 1 year to apply and pay for building permits. **2)** Entrance to and from the outdoor patio areas shall be through the restaurant.

3) Employees must have unobstructed views into the patio or be present to monitor patron activities. **4)** The patio areas will be sufficiently lighted and contained to prevent the unlawful removal of alcohol. **5)** The hours for use of the outdoor patio areas will be no earlier than 6:00 a.m. and no later than midnight. **6)** No deliveries or trash pickup between the hours of 10:00 p.m. and 6:00 a.m.

Approved w/ stip

10.

Application #:	ZA-163-15-4
Existing Zoning:	R1-6
Location:	2045 East Earll Drive
Quarter Section:	15-32(G9)

		Proposal:	Variance to allow an open projection 12 feet into the required front yard setback. 5 feet is allowed.
		Ordinance Sections:	701.A.3.c.(1).(a)
		Applicant:	Bradley F. Speck
		Representative:	Daniel Rodriguez
		Owner:	Bradley F. Speck
		Stipulation:	
		1) 90 days to apply and pay for building permits.	
#1 and 3 Approved w/ stip #2 Denied as filed, Approved for a maximum height of 16 feet.	11.	Application #:	ZA-130-15-3
		Existing Zoning:	R1-14
		Location:	3311 East Sunnyside Lane
		Quarter Section:	34-35(L10)
		Proposal:	**1)** Variance to allow an accessory structure (solar structure) 1.5 feet from the west side yard property line. Minimum 3 feet is required from the property line. **2)** Variance to allow an accessory structure (solar structure) 18 feet in height in the required west side yard setback. Maximum 8 feet in height is allowed. **3)** Variance to reduce the required west side yard setback for a guest house to 3 feet. Minimum 10 foot side setback required.
		Ordinance Sections:	706.B 706.G 706.B
		Applicant:	Claude Barker SISU Technical Consulting LLC
		Representative:	Claude Barker SISU Technical Consulting LLC
		Owner:	Brian Beitman
		Stipulation:	
		1) 90 days to apply and pay for building permits.	

ZONING ADJUSTMENT HEARING OFFICER: MICHAEL WIDENER AND TERESA HILLNER, PLANNER III
PLANNER: EDWARD KEYSER, PLANNER II

For further information, please call Matteo Moric, Planner II, Planning and Development Department at 602-262-7927, or contact via electronic mail at zoning@phoenix.gov. This electronic mail address will not accommodate zoning enforcement/violation complaints.