NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
***3rd REVISION July 28, 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 **July 16, 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

9:00 AM

Approved	1.	Application #:	ZA-260-15-7 (Sign)
		Existing Zoning:	DTC-Business Core
		Location:	50 North Central Avenue
		Quarter Section:	10-27(F8)
		Proposal:	**1)** Use permit for a major amendment to the Ernst & Young Tower One Renaissance Square Comprehensive Sign Plan. Use permit required. **2)** Variance to allow a projecting sign to be internally illuminated. Projecting signs to be indirectly illuminated from a shielded light source (i.e. not backlit or "cabinet" sign).
		Ordinance Sections:	705.E.2. 1209.B.8.a.(1)(D)
		Applicant:	Mike Donada, Action Sign & Lighting
		Representative:	Mike Donada, Action Sign & Lighting
		Owner:	City of Phoenix
Approved	2.	Application #:	ZA-261-15-5 (Sign)
		Existing Zoning:	C-1, C-2, C-2 SP
		Location:	1901 West Dunlap Avenue
		Quarter Section:	26-24(J7)
		Proposal:	Variance to reduce the spacing between ground signs on Dunlap Avenue to 10 feet. Minimum 100 feet required between ground signs for commercial land uses.
		Ordinance Sections:	705.D.
		Applicant:	Albert Santana, City of Phoenix
		Representative:	Kelly Kvetko, K Squared Consulting
		Owner:	Public Transit Department City of Phoenix, Real Estate

Approved w/ stips	3.	Application #:	ZA-252-15-6
		Existing Zoning:	C-2
		Location:	6101 North 7th Street
		Quarter Section:	21-29(I8)
		Proposal:	**1)** Use permit to allow outdoor dining as an accessory use to a wine bar/coffee shop. Use permit is required. **2)** Use permit to allow outdoor alcohol consumption as an accessory use to a wine bar/coffee shop. Use permit is required. **3)** Variance to reduce the required rear yard landscape setback to 0 feet. 10 feet is required. **4)** Variance to reduce the required front yard landscape setback to 10 feet. 25 feet is required. **5)** Variance to reduce interior parking lot landscape setback to 0 feet. 10 feet is required. **6)** Variance to eliminate the requirement for landscape islands every 110 feet in the parking lot. Landscape island every 110 feet is required. **7)** Variance to reduce the parking lot stall dimensions to 8.5 feet by 18 feet. 9.5 feet by 18 feet is required. **8)** Variance to reduce combined drive aisle/parking stall combined width to 60 feet. 62 feet is required. **9)** Use permit to allow outdoor recreation as an accessory to a wine bar/coffee shop. Use permit required.
		Ordinance Sections:	623.D.156.c. 623.D.156.c. 623.E.4.e. 623.E.4.e. 623.E.4.e. 623.E.4.e. 702.B.2.b.(1).(a) 702.B.2.b.(5) 623.D.156.c.
		Applicant:	Ricardo Cordova, 7th Street Shoppes LLC
		Representative:	Michael J. Curley, Earl, Curley & Lagarde
		Owner:	Ricardo Cordova, 7th Street Shoppes LLC

Stipulations:
1) Outdoor speakers limited to 65 db after 10:00 p.m. **2)** 12 months to apply and pay for building permits.

#1 Approved w/ stip #2 Denied	4.	Application #:	ZA-258-15-6
		Existing Zoning:	R1-14 ACSPD
		Location:	6331 East Calle Del Paisano
		Quarter Section:	16-42(H12)

Proposal:	**1)** Variance to reduce side yard setback (east side) to 1 feet. 15 feet is required. **2)** Variance to increase lot coverage to 34%. 30% is allowed for structures less than 20 feet and one story in height.
Ordinance Sections:	606.B.3.a. 606.B.5.
Applicant:	Mitchell Foy, Meridian Redevelopment
Representative:	Mitchell Foy, Meridian Redevelopment
Owner:	Kris Pond

Stipulation:
1) 90 days to apply and pay for building permits.

Approved w/ stips

5.

Application #:	ZA-259-15-5
Existing Zoning:	R1-6
Location:	8001 West Flower Street
Quarter Section:	15-9(G3)
Proposal:	Variance to reduce the required rear yard setback (south) to 20 feet 11 inches. Minimum 25 feet required.
Ordinance Sections:	613.B. Table B.
Applicant:	Jose C. Mendez, Mendez Enterprises
Representative:	Jose C. Mendez, Mendez Enterprises
Owner:	Laura Rocha

Stipulations:
1) Per site plan approved by Zoning Adjustment Hearing Officer. **2)** Copy of this site plan to be included with building permit application. **3)** Applicant to submit a photograph by July 30, 2015 showing that storage shed had been removed and that west side projection has been removed. **4)** 90 days to apply and pay for building permit.

Approved w/ stip

6.

Application #:	ZA-262-15-4
Existing Zoning:	R1-6
Location:	3825 North 17th Street
Quarter Section:	16-31(H9)
Proposal:	Use permit to expand a non-conforming single family use up to 50% beyond the floor area that it occupied on the date it was rendered non-conforming. Use permit required.
Ordinance Sections:	902.A.
Applicant:	Timothy Jay Ransom
Representative:	Aaron Green
Owner:	Timothy Jay Ransom

Stipulation:
1) 90 days to apply and pay for building permits.

Approved w/ stips

7.

Application #:	ZA-264-15-8
Existing Zoning:	R1-6
Location:	3433 East Yale Street
Quarter Section:	14-35(G10)
Proposal:	Variance to allow an over height wall/ fence (7 feet) in the required side yard. Maximum 6 feet permitted.
Ordinance Sections:	703.2.c.
Applicant:	Gildardo Garcia
Representative:	Gildardo Garcia
Owner:	Gildardo Garcia

Stipulations:

1) Variance is only for 34 linear feet currently in place. **2)** By August 15, 2015 a photograph must be submitted showing storage building has been demolished or placed in compliance with ordinance standards.

***Approved / Stip**

8.

Application #:	ZA-265-15-5
Existing Zoning:	C-2
Location:	1701 North 99 Avenue
Quarter Section:	13-5(G2)
Proposal:	**1)** Use permit to allow a drive through facility accessory to a restaurant (El Pollo Loco) three hundred feet from a residential zoning district. Use permit required. **2)** Use permit to allow outdoor dining accessory to a restaurant (El Pollo Loco) within five hundred feet of a residential zoning district. Use permit required. **3)** Variance to reduce the streetscape landscape setback along 99th avenue to eight feet. An average of twenty five feet is required, minimum of twenty feet is permitted for up to 50 percent of the frontage. **4)** Variance to allow a two foot landscape setback not adjacent to a street. Minimum 10 foot landscape setback required. **5)** Variance to allow a two foot building setback from a property zoned S-1. Minimum 25 foot setback required.
Ordinance Sections:	623.D.156.d. 623.D.156.c. 623.D.156.c. 623.E.4.e. 623.E.4.e. 623.E.4.d.
Applicant:	John Reddell, John Reddell Architects
Representative:	John Reddell, John Reddell Architects

Owner: Reza Amirrezvani, Superstar Carwash

Taken out from under advisement on July 28, 2015 and approved with the following stipulation:

1) 120 days to pay for and obtain a building permit.

1:30 PM

Approved w/ stips

9.

Application #: ZA-266-15-7
Existing Zoning: C-3
Location: 2222 West Encanto Boulevard
Quarter Section: 14-24(G7)
Proposal: **1)** Variance to allow an over height fence (7 feet tall) within the building and landscape setbacks along Encanto Boulevard, 22nd Avenue, and 23rd Avenue. Maximum 40 inches tall allowed. **2)** Variance to reduce street side landscape to 0 feet along Encanto Boulevard, 22nd Avenue, and 23rd Avenue. Average of 25 feet required.
Ordinance Sections: 703.A.3.a., 624.E.4.e
Applicant: Andrew May, Arizona Department of Public Safety
Representative: Andrew May, Arizona Department of Public Safety
Owner: Richard Sheinfeld, Top Ten Properties

Stipulations:

1) Wall/fence to be 4 foot of block with metallic treatment.
2) 90 days to apply and pay for building permits.

Approved w/ stip

10.

Application #: ZA-268-15-2
Existing Zoning: C-2
Location: 16635 North Tatum Boulevard
Quarter Section: 36-39(M11)
Proposal: Use permit to allow outdoor dining as an accessory use to a restaurant (Chipotle) within 500 feet of residential zoning district line. Use permit required.
Ordinance Sections: 623.D.156.c
Applicant: Kim Ogenesian, Chipotle Mexican Grill, Inc.
Representative: Brett Gray, Dungan Design Group, LLC
Owner: Per Guy, Blockbuster, LLC

Stipulation:

1) 90 days to apply and pay for building permits.

#1 & #2 Denied #3 Withdrawn	11.	Application #:	ZA-272-15-4
		Existing Zoning:	R1-6
		Location:	4701 North Central Avenue
		Quarter Section:	18-28(H8)
		Proposal:	**1)** Variance to allow a building (proposed gymnasium) 35 feet in height. Maximum building height of 30 feet is allowed. **2)** Variance to reduce side yard (north) setback to 0 feet. 3 feet is required. **3)** Use permit to allow an expansion of a non-conforming use greater than 50 percent of the floor area of the existing building. Use permit is required.
		Ordinance Sections:	613.B. Table B. 613.B. Table B. 902.B.
		Applicant:	Paul Schmidt, Architekton
		Representative:	Father Edward A. Reese, Brophy College Preparatory
		Owner:	Father Edward A. Reese, Brophy College Preparatory
		Taken out from under advisement on July 21, 2015 and denied Items #1 and ##2. Item #3 was withdrawn during the hearing.	
Approved w/ stips	12.	Application #:	ZA-170-15-6
		Existing Zoning:	PUD
		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
		Stipulations:	
		1) Trees to be planted 20 feet on center. **2)** Exhaust from kitchen to be tipped/tilted to the north. **3)** No murals/logos, etc. on the west side of the building. **4)** No speakers on west patio. **5)** One year to apply and pay for building permits. **6)** Existing trees to remain in place.	

Approved w/ stips	13.	Application #:	ZA-267-15-3
		Existing Zoning:	C-2
		Location:	12620 North Cave Creek Road Suite #10
		Quarter Section:	31-32(K9)
		Proposal:	Use permit to allow non-profit medical marijuana dispensary. Use permit required.
		Ordinance Sections:	623.D.122.a.
		Applicant:	Curtis Devine, Choice Cannabis
		Representative:	Curtis Devine, Choice Cannabis
		Owner:	William Chiulli

Stipulations:

1) Use Permit shall be reviewed within 365 days of the issuance of the dispensary certificate for a medical marijuana use from the Arizona Department of Health Services. **2)** 1 year to apply and pay for building permits. **3)** Obtain a certificate for medical marijuana use from the Arizona Department of Health Services. If no certificate is granted within 1 year of the approval of this Use Permit, the Zoning Administrator shall schedule a revocation hearing for the Use Permit. **4)** Applicant shall submit a security plan provided to the Arizona Department of Health Services to the Planning and Development Department. **5)** Applicant shall notify in writing the area's Police Precinct Commander of establishing such facility. Notice of this contact shall be submitted in writing to the Planning and Development Department.

ZONING ADJUSTMENT HEARING OFFICER: MICHAEL WIDENER AND TERESA HILLNER, PLANNER III
PLANNER: EDWARD KEYSER, 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. This electronic mail address will not accommodate zoning enforcement/violation complaints.