NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
***REVISED August 27, 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 **August 13, 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 w/ stip 1.

Application #:	ZA-297-15-6
Existing Zoning:	R1-10
Location:	4601 East Indian School Road
Quarter Section:	16-38(H11)
Proposal:	Variance to allow an antenna array width of 6 feet, 6 inches. Maximum width allowed is 4 feet.
Ordinance Sections:	715.B.2.b.4.(a)
Applicant:	Krysten Kitzman, Verizon Wireless c/o Black & Veach Corp.
Representative:	Krysten Kitzman, Verizon Wireless c/o Black & Veach Corp.
Owner:	Daniel O'Brien, Scottsdale Unified School District

Stipulation:
1) 180 days to apply and pay for building permits.

Approved w/ stips 2.

Application #:	ZA-303-15-4
Existing Zoning:	A-2
Location:	4002 North 36th Avenue
Quarter Section:	16-20(H6)
Proposal:	**1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Use permit to allow medical marijuana infusion facility. Use permit required. **3)** Variance to allow a medical marijuana cultivation facility with 5280 feet of another medical marijuana facility. Minimum 5280 feet separation required. **4)** Variance to allow a medical marijuana infusion facility within 5280 feet of another medical marijuana facility.

		Minimum 5280 separation required.
	Ordinance Sections:	627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.93.b.
	Applicant:	Tierra Grow Management, LLC
	Representative:	Adam Baugh, Withey Morris, PLC
	Owner:	Attila Veres Attilas, LLC

Stipulations:

1) The Use Permit shall be reviewed within 365 days of the issuance of the dispensary certificate for a medical marijuana use or approval to operate the cultivation and/or infusion from the Arizona Department of Health Services.

2) The applicant has 1 year to apply and pay for building permits.

3) Obtain a certificate for medical marijuana use from the Arizona Department of Health Services or approval to operate. If no certificate or approval to operate is granted within 1 year of the approval of this Variance/Use Permit, the Zoning Administrator shall schedule a revocation hearing for this Use Permit.

4) The applicant shall submit a security plan provided to the Arizona Department of Health Services to the Planning and Development Department.

5) The 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.

Approved w/ stip	3.	Application #:	ZA-286-15-4 (Sign)
		Existing Zoning:	C-2 & P-1 TOD-1 WSNSPD
		Location:	10 East Camelback Road
		Quarter Section:	19-28(H8)
		Proposal:	**1)** Use permit to establish the Uptown Plaza Comprehensive Sign Plan. Use permit required. **2)** Variance to increase the maximum size of letters for building fronts 30 feet in height or less to 42 inches and the maximum size of logos to 72 inches. Wall signs shall have letters and logos no larger than 12 inches in height for building fronts 30 feet in height or less. **3)** Variance to allow a minimum of 100 square feet of wall signage for suites of 5,000 square feet and 100 feet in depth at a ratio of greater than 1.25 square feet per linear foot of building elevation. Wall signs in a comprehensive sign plan shall be a

maximum of 1.25 square-foot of signage for each lineal foot of building elevation to a maximum of 125 square feet for each business. **4)** Variance to allow non-illuminated painted wall signs not to count toward the allowable wall sign area. Painted wall signs to be counted towards the allowable wall sign area. **5)** Variance to increase the maximum area of the projecting signs to be a maximum of 1.25 square feet per linear foot of building wall length. Maximum area of projecting sign is 3 square feet per sign face. **6)** Variance to allow internal illumination of projecting signs. Projecting signs can be internally illuminated from a shielded light source. **7)** Variance to increase the maximum height and area of freestanding or ground signs to 25 feet and 120 square feet, respectively. Maximum height and area of ground signs are 3 feet high and 30 square feet if located within the public street setback. **8)** Variance to allow a minimum 50 square feet of wall sign area for each business. Signs painted on the building surface or letters mounted directly to the building surface shall be a maximum of 1 square-foot of signage for each lineal foot of building elevation to a maximum of 100 square feet for each business.

Ordinance Sections:	705.E.2. 662.K.1.b. 662.K.2. 662.K.2. 662.K.6.c. 662.K.6.e. 662.K.10. 662.K.1.a.
Applicant:	Katie Weeks, Uptown Plaza Associates, LLC
Representative:	William Allison, Gallagher & Kennedy
Owner:	Katie Weeks, Uptown Plaza Associates, LLC

Stipulation:

1) 180 days to apply and pay for first sign permit.

Approved w/ stip

4.

Application #:	ZA-299-15-6
Existing Zoning:	RE-24
Location:	5225 East Fresno Drive
Quarter Section:	16-40(H11)

		Proposal:	Variance to reduce the required west front yard setback to 16 feet, 11 inches. Minimum 30 foot setback required.
		Ordinance Sections:	606.B.2.
		Applicant:	Brian Qualls, Kimberly Kleski
		Representative:	Brian Qualls, Kimberly Kleski
		Owner:	Brian Qualls, Kimberly Kleski
		Stipulation:	
		1) 2 years to apply and pay for building permits.	
***Denied**	5.	Application #:	ZA-300-15-6
		Existing Zoning:	RE-35 ACSP
		Location:	4423 North Camino Allenada
		Quarter Section:	17-41(H11)
		Proposal:	**1)** Variance to reduce the west front setback to 20 feet. Minimum 40 feet required. **2)** Variance to reduce the east rear setback to 20 feet. Minimum 40 feet required.
		Ordinance Sections:	609.B.11. 609.B.11.
		Applicant:	Jason Allen, Skyline Consultants LLC
		Representative:	Jason Allen, Skyline Consultants LLC
		Owner:	Terrence Ormsbee
		Taken out from under advisement on August 27, 2015 and denied.	
Approved w/ stip	6.	Application #:	ZA-305-15-6
		Existing Zoning:	R1-14 ACSPD
		Location:	5827 East Calle Tuberia
		Quarter Section:	16-41(H11)
		Proposal:	**1)** Variance to reduce the front yard setback to 16 feet. Minimum 30 feet required. **2)** Variance to reduce the side yard setback to 5 feet. Minimum 10 feet required.
		Ordinance Sections:	607.B.2. 607.B.3.
		Applicant:	Jared Messenger, Gabrielle Kepes
		Representative:	Natasha Hatrick, Natasha Marie Hatrick Designs, PLLC
		Owner:	Jared Messenger, Gabrielle Kepes
		Stipulation:	
		1) 180 days to apply and pay for building permits.	
Approved w/ stip	7.	Application #:	ZA-306-15-6
		Existing Zoning:	R1-6
		Location:	4246 East Avalon Drive

		Quarter Section:	15-37(G10)
		Proposal:	Variance to reduce the side yard setback (east side) to 6 inches. Minimum 3 feet required.
		Ordinance Sections:	613.B. Table B.
		Applicant:	Douglas Gnas
		Representative:	Douglas Gnas
		Owner:	Douglas Gnas
		Stipulation:	
		1) 1 year to apply and pay for building permits.	
Approved w/ stip	8.	Application #:	ZA-309-15-4
		Existing Zoning:	R1-6, R-3, R-5, C-2 TOD-1
		Location:	Northwest corner of Central Avenue and Glenrosa Avenue
		Quarter Section:	17-27(H8)
		Proposal:	Use Permit to allow sale of produce cultivated on-site at a Community Garden within ten days of harvest. Use Permit required.
		Ordinance Sections:	608.F.3.
		Applicant:	Michael McMahon, Agave Farms
		Representative:	Jason Allen, Skyline Consultants LLC
		Owner:	Michael McMahon, Agave Farms
		Stipulation:	
		1) 1 year to apply and pay for building permits.	
		1:30 PM	
Denied	9.	Application #:	ZA-307-15-6
		Existing Zoning:	RE-35 Arcadia Camelback SPD
		Location:	5050 East Red Rock Drive
		Quarter Section:	19-39(H11) 20-39(I11)
		Proposal:	Variance to reduce side yard setback (main structure) to 0 feet. 20 feet is required.
		Ordinance Sections:	609.B.4.
		Applicant:	Bob Pazderka
		Representative:	Jason P. Allen, Skyline Consultants, LLC
		Owner:	Bob Pazderka
***Denied**	10.	Application #:	ZA-292-15-3
		Existing Zoning:	RE-43
		Location:	9829 North 39th Street
		Quarter Section:	28-36(K10)
		Proposal:	**1)** Variance to reduce side yard setback to

			5 feet for an accessory building. Any accessory building shall maintain the same yard requirements as the main building. **2)** Variance to reduce rear yard setback to 5 feet for an accessory building. Any accessory building shall maintain the same yard requirements as the main building.
		Ordinance Sections:	605.A.10. 605.A10.
		Applicant:	Mark and Patti Sennette, Sennette Family Trust
		Representative:	Mark and Patti Sennette, Sennette Family Trust
		Owner:	Mark and Patti Sennette, Sennette Family Trust
		Taken out from under advisement on August 27, 2015 and denied.	
***Denied**	11.	Application #:	ZA-308-15-4
		Existing Zoning:	R-3
		Location:	4116 North 21st Street
		Quarter Section:	17-32(H9)
		Proposal:	Variance to reduce the minimum width of the lot to 24 feet. Minimum 60 feet required.
		Ordinance Sections:	615.B. Table B.
		Applicant:	Natan Jacobs, Vestis Group
		Representative:	Jason Allen, Skyline Consultants, LLC
		Owner:	Shane O'Neil, Somonojo Investments, LLLP
		Taken out from under advisement on August 27, 2015 and denied.	
Approved w/ stip	12.	Application #:	ZA-310-15-1
		Existing Zoning:	A-1 M-R
		Location:	2355 West Pinnacle Peak Road
		Quarter Section:	45-23(O7)
		Proposal:	Use permit to allow a temporary use (temporary auto sales.). Use permit required.
		Ordinance Sections:	708.D.
		Applicant:	Crystal Wangler, Cars-net, Inc.
		Representative:	Rob Montoya, Credit Union Advantage
		Owner:	Arizona State Credit Union
		Stipulation:	
		1) For October 17 and 18, 2015 only.	

Approved w/ stip	13.	Application #:	ZA-311-15-6
		Existing Zoning:	R-5
		Location:	3142 East Glenrosa Avenue
		Quarter Section:	17-34(H10)
		Proposal:	**1)** Use permit to allow single family attached development. Use permit required. **2)** Variance to eliminate the 5 foot landscaped setback on non-right-of-way (west) perimeter. Minimum of 5 feet landscaping required. **3)** Variance to allow over-height perimeter wall/fence within front setback. Maximum 40 inches allowed.
		Ordinance Sections:	608.F.5. 608.F.5.c.(3) 703.A.2.a.
		Applicant:	Evan Boxwell, Boxwell Development, LLC
		Representative:	Evan Boxwell, Boxwell Development, LLC
		Owner:	Evan Boxwell, Boxwell Development, LLC

Stipulation:

1) 180 days to apply and pay for building permits.

Approved w/ stip	14.	Application #:	ZA-312-15-2
		Existing Zoning:	C-2
		Location:	19411 North Cave Creek Road
		Quarter Section:	40-33(N9)
		Proposal:	Use permit to allow a tattoo shop. Use permit required.
		Ordinance Sections:	623.D.186.
		Applicant:	Todd and Rachel Ring, Forever True Tattoo, LLC
		Representative:	Todd and Rachel Ring, Forever True Tattoo, LLC
		Owner:	George Salameh, Crown Investments, LLC

Stipulation:

1) 180 days to apply and pay for building permits.

Approved w/ stip	15.	Application #:	ZA-313-15-4
		Existing Zoning:	R1-6
		Location:	4150 North 34th Avenue
		Quarter Section:	17-21(H6)
		Proposal:	Variance to reduce side yard setback (south side) to 5 feet. 10 feet is required.
		Ordinance Sections:	613.B. Table B.
		Applicant:	Kevin Fulkerson, Cornerstone Design
		Representative:	Kevin Fulkerson, Cornerstone Design

		Owner:	Amelia Enriquez

Stipulation:

1) 120 days to apply and pay for building permits.

Approved w/ stip	16.	Application #:	ZA-314-15-8
		Existing Zoning:	RE-35 PCD SP BAPOD
		Location:	3636 East Baseline Road
		Quarter Section:	1-35(D10) 1-36(D10)
		Proposal:	Use permit to allow a disguised wireless communication facility (monopine) on public/quasi-public property. Use permit required.
		Ordinance Sections:	715.B.2.a.(3).(a)
		Applicant:	Steve Ciolek, Coal Creek Consulting for Verizon Wireless
		Representative:	Steve Ciolek Coal Creek Consulting for Verizon Wireless
		Owner:	Kevin Weber CF Raven Phoenix Arcis LLC

Stipulation:

1) 1 year to apply and pay for building permits.

ZONING ADJUSTMENT HEARING OFFICERS: MICHAEL WIDENER, HEIDI SHORT, TRICIA GOMES, ZONING ADMINISTRATOR, AND CRAIG MAVIS, 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.