NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
*REVISED 6/12/17

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 June 8, 2017, 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

Continued 1. Application #: ZA-249-16-7 (1-year review)
Existing Zoning: C-3
Location: 711 North 7th Avenue
Quarter Section: 11-27(F8)
Proposal:
1) Use Permit to allow outdoor dining, outdoor alcohol consumption, outdoor recreational uses (live music and non-live music via speakers) as an accessory to a bar/cocktail lounge within 500 feet of a residential district. Use Permit required.
2) Use Permit to allow the noise level to exceed 55 dba. Use Permit required.
3) Variance to reduce required on-site parking in a C-3 zoned property for a restaurant/bar/lounge and outdoor patio to 6 spaces. 35 on-site parking spaces required.

Ordinance Sections: 624.D.112.c 624.D.112.a(2) 702.C
Applicant: Taylor Earl, Earl, Curley, & Lagarde P.C.
Representative: Taylor Earl, Earl, Curley, & Lagarde P.C.
Owner: EQ Seventh and McKinley, LLC
Continued to December 7, 2017 at 9:00 a.m.

Approved w/ stip 2. Application #: ZA-191-17-3
Existing Zoning: R1-6
Location: Approximately 1000 feet north of the northeast corner of 34th Street & Sweetwater
Quarter Section: 32-35(L10)
Proposal: Use permit to use PRD option of Section 613 Table B for development. Use permit required.
Ordinance Sections: 613.b.TableB
Applicant: David Kob, Fedzin Enterprises
Representative: David Kob, Fedzin Enterprises
Owner: David Kob, Fedzin Enterprises

Stipulations:
1) Per site plan dated June 8, 2017 and signed by Hearing Officer.
2) One year to apply and pay for building permits.

Approved w/ stips

3. Application #: ZA-192-17-8
Existing Zoning: R1-6
Location: 7848 South 5th Avenue
Quarter Section: 01-27(D8)
Proposal: Use permit to use the PRD development option. Use permit required.

Ordinance Sections: 613.B.Table B
Applicant: Cipriano Pineda
Representative: Jacobs Wallace, LLC
Owner: Cipriano Pineda

Stipulations:
1) One year to apply and pay for building permits. 2) Per site plan dated February 2017. 3) Developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owner or tenants of the property.

Approved w/ stips

4. Application #: ZA-193-17-8
Existing Zoning: R-3
Location: 2948 and 3006 North 38th Street
Quarter Section: 15-36(G10) 15-36(G10)
Proposal: Use permit to use the SFA development option of Table B. Use permit required.

Ordinance Sections: 615.B.TableB
Applicant: Jeff LaFrance, Weststone Group of Companies
Representative: Trevor Ridley, K&I Architects and Interiors, LLC
Owner: Reed Henkelman, The Henkelman Trust

Stipulations:
1) Per site plan dated April 26, 2017. 2) One year to apply and pay for building permits. 3) Developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owner or tenants of the property.
Approved w/ stips

5. Application #: ZA-194-17-6
Existing Zoning: R-3
Location: 1740 East Ocotillo Road
Quarter Section: 22-31(I9)
Proposal: 1) Variance to front properties onto a private drive of 20 feet. Public street or 29.16' foot private access way required.
  2) Variance to reduce the front yard setback to 0 feet. 10 feet required. 3) Use permit to use the PRD development option of Table B. Use permit required.
Ordinance Sections: 615.B.Table B 615.B.Table B
   615.B.Table B
Applicant: Austin Trautman, 1740 Ocotillo, LLC
Representative: Austin Trautman, 1740 Ocotillo, LLC
Owner: Austin Trautman, 1740 Ocotillo, LLC

Stipulations:
1) Per site plan dated May 10, 2017. 2) One year to apply and pay for building permits.

Approved w/ stips

6. Application #: ZA-195-17-2
Existing Zoning: R1-18, S-1
Location: Approximately 230 feet west of the southwest corner of 68th Street and Mayo Boulevard
Quarter Section: 37-43(M12)
   38-43(M12)
   39-43(M12)
Proposal: Use permit to allow an ornamental entry to be up to 16 feet in height. Use permit required to exceed forty inches
Ordinance Sections: 703.A.2.b.
Applicant: Patrick Brown, D R Horton
Representative: Thomas Durant, AndersonBaron
Owner: Patrick Brown, D R Horton

Stipulations:
1) 6 months to apply and pay for appropriate permits. 2) Per site plan dated June 6, 2017.

Approved w/ stips

7. Application #: ZA-196-17-3
Existing Zoning: R1-6
Location: 9637 North 1st Avenue
Quarter Section: 26-27(J8)
Proposal: 1) Variance to reduce the rear yard
setback (east) to 10 feet. Minimum 25 feet required. 2) Variance to reduce the side yard setback (south) to 6 feet. Minimum 10 feet required.

Ordinance Sections: 613.B.table B 613.B.table B
Applicant: Stephen Snyder, Provident Investments, LLC
Representative: Stephen Snyder, Provident Investments, LLC
Owner: Stephen Snyder, Provident Investments, LLC

Stipulations:
1) 6 months to apply and pay for building permits. 2) Per site plan dated February 16, 2017. 3) Removal of smaller driveway on site.

Approved w/stips 8. Application #: ZA-198-17-5
Existing Zoning: C-2
Location: 4121 North 59th Avenue
Quarter Section: 17-15(H5)
Proposal: Use Permit to reduce the required setback for a disguised wireless facility from a property zoned for residential purposes to 50 feet. Use Permit required to reduce setback less than 150 feet.

Ordinance Sections: 715.B.2.a(2)(a)(i)
Applicant: Gary Cassel, Clearblue Services
Representative: Gary Cassel, Clearblue Services
Owner: Douglas Cole, Palmcrest Properties, LLC

Stipulations:
1) One year to apply and pay for building permits. 2) Per site plan dated June 5, 2017.

1:30 PM 9. Application #: ZA-206-17-4
Existing Zoning: C-2 (Approved C-2 H-R)
Location: Southwest corner of Camelback Road and Central Avenue
Quarter Section: 18-27(H8)
Proposal: 1) Time extension for ZA-407-11, a request to modify stipulations of approval for a variance to reduce the minimum lot area for each dwelling unit to 125 square feet and 50 square feet for each hotel guestroom. Not less than 450 square feet for each dwelling unit and 200 square feet for each guestroom required.
2) Time extension for ZA-407-11, a request to modify stipulations of approval for a variance to increase the lot coverage to 80%. Maximum 50 percent allowed. 3) Time extension for ZA-407-11, a request to modify stipulations of approval for a variance to allow up to a 20-foot build-to line along Central Avenue and Camelback Road. Maximum 6-foot build-to required. Approved subject to general conformance to site plan and elevations. 4) Time extension for ZA-407-11, a request to modify stipulations of approval for a variance to reduce the required shading method ratios: 25% structured shading along entire length of building proposed, 50% required; and 25% other methods of shading along entire length of proposed building, 50% required. Approved subject to conditions and general conformance to site plan and elevations. 5) Time extension for ZA-407-11, a request to modify stipulations of approval for a variance to allow a maximum of 150% of the City required parking spaces. Maximum 125% allowed. Approved subject to general conformance to site plan and elevations. 6) Time extension for ZA-407-11, a request to modify stipulations of approval for a variance to reduce the required number of loading berths to 5. Minimum 7 loading berths for up to 490,000 square feet of aggregate floor area plus 1 additional berth for each additional 90,000 square feet of aggregate gross floor area required. Approved subject to conditions and general conformance to site plan and elevations. 7) Time extension for ZA-407-11, a request to modify stipulations of approval for a variance to reduce minimum building frontage to 45% along Camelback Road and 35% along Central Avenue. Minimum 75% building frontage required. Approved subject to general
conformance to site plan and elevations. 8) Time extension for ZA-407-11, a request to modify stipulations of approval for a variance to allow non-clear windows along the building façade length fronting onto Camelback Road and Central Avenue. Minimum 50% clear windows required. Approved subject to conditions and general conformance to site plan and elevations. 9) Time extension for ZA-407-11, a request to modify stipulations of approval for a variance to not provide a main building entry oriented toward transit platform. Main building entry oriented toward transit platform and/or primary pedestrian access way required. Approved subject to conditions and general conformance to site plan and elevations.

Ordinance Sections:

Applicant: Reid Butler, Cornerstone at Camelback, LLC
Representative: Reid Butler, Cornerstone at Camelback, LLC
Owner: Cornerstone at Camelback

**Stipulations:**
1) Extended until June 8, 2021. 2) Previous stipulations remain in place: *1) 5 years to apply for permits. 2) Eliminating requirement for general conformance to site plan and elevations. 3) With no changes to previous stipulation from ZA-882-06-4. 3) 90 days to present to adjacent Four Corners Neighborhood Associations with site plan for interim beautification plan. 4) One year to complete construction of interim beautification.

**Approved w/ stips** 10. Application #: ZA-197-17-5
Existing Zoning: C-2
Location: 4126 North 73rd Avenue
Quarter Section: 17-11(H4)
Proposal: Use Permit to reduce the required setback for a disguised wireless facility from a property zoned for residential purposes to 50 feet. Use Permit required to reduce setback less than 150 feet.
Ordinance Sections: 715.B.2.a(2)(a)(i)
Applicant: Gary Cassel, Clearblue Services
Representative: Gary Cassel, Clearblue Services
Owner: Abbey Jiles, AEJ Properties, LLC

Stipulations:
1) One year to apply and pay for building permits. 2) Compound to be enclosed by CMU wall. 3) Per site plan dated June 6, 2017.

Withdrawn to modify & reschedule

11. Application #: ZA-199-17-8
Existing Zoning: R-3
Location: 3708 East Pierce Street
Quarter Section: 11-36(F10)
Proposal: 1) Variance to reduce front yard (south) setback to three feet. Minimum 25 feet required. 2) Variance to reduce rear yard (north) setback to three feet. Minimum 15 feet required. 3) Variance to reduce side yard (west) to three feet. Minimum 10 feet required.

Ordinance Sections: 615.B.Table B 615.B.Table B
Applicant: Thalina S Valerdi
Representative: Thalina S Valerdi
Owner: Thalina S Valerdi

Approved w/ stips

12. Application #: ZA-200-17-3
Existing Zoning: R1-14
Location: 5420 East Larkspur Drive
Quarter Section: 31-40(K11)
Proposal: Variance to reduce the required side yard setback (west) to 8 feet. Minimum 10 feet required.

Ordinance Sections: 607.B.3
Applicant: Glenn and Lori Roberts
Representative: Glenn and Lori Roberts
Owner: Glenn and Lori Roberts

Stipulations:
1) 9 months to apply and pay for building permits. 2) Per site plan dated June 8, 2017.

Approved w/ stips

13. Application #: ZA-201-17-6
Existing Zoning: RE-35 ACSPD
Location: 5629 East Rockridge Road
Quarter Section: 18-41(H11)
Proposal: Variance to reduce the required street
frontage to 20 feet. Minimum 150 feet required.

<table>
<thead>
<tr>
<th>Application #</th>
<th>Existing Zoning</th>
<th>Location</th>
<th>Quarter Section</th>
<th>Proposal</th>
<th>Ordinance Sections</th>
<th>Applicant</th>
<th>Representative</th>
<th>Owner</th>
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<tbody>
<tr>
<td>ZA-202-17-2</td>
<td>RE-24</td>
<td>6231 East Corrine Drive</td>
<td>31-42(L12)</td>
<td>Variance to reduce the required west side yard setback to 5 feet. Minimum 10 feet required.</td>
<td>606.B.3.b</td>
<td>Chad Shimek, Phoenix Drifting Services</td>
<td>Beau Goff, Phoenix Drafting Services</td>
<td>Chad Shimek, Phoenix Drifting Services</td>
<td>1) 6 months to apply and pay for building permits. 2) Per site plan dated March 28, 2017.</td>
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14. Approval w/ stips

15. Approval w/ stips

16. Approval w/ stips
Proposal:

1) Use Permit to allow a medical marijuana cultivation facility in the A-1 zoning district. Use permit required.

2) Variance to allow a medical marijuana cultivation facility within 5,280 feet of an existing medical marijuana facility. Minimum 5,280 feet separation required.

3) Variance to allow a medical marijuana cultivation facility within 1,000 feet of a residentially zoned property. Minimum 1,000 feet separation required.

Ordinance Sections:

627.D.91.a 627.D.91.c 627.D.91.d

Applicant:

Adam Baugh, Withey Morris, PLC

Representative:

Adam Baugh, Withey Morris, PLC

Owner:

Paul Goetz, Turtle RE Investments Fund, LLC

Stipulations:

1) 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) 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 180 days of the approval of this Variance/Use Permit, the Zoning Administrator shall schedule a revocation hearing for this 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.

6) Applicant shall install and maintain per manufacturer’s specifications an odor control system within 180 days of today’s hearing. Applicant shall submit an odor control plan identifying contact person for odor complaints to the Planning and Development Department.

7) Applicant shall notify the Planning and Development Department in writing within 30 days of when there is a change in the operator or entity’s name.

8) Per site plan dated April 14, 2017.

ZONING ADJUSTMENT HEARING OFFICER: RAY JACOBS, AICP
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.