NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
Revised July 8, 2021

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 10, 2021, at 9:00 AM (Items 1-7) and 1:30 PM (Items 8-15).**

Per the most recent guidelines from the federal government, the Zoning Adjustment Hearing Officer meeting was held electronically, via a video conferencing platform.

The results of the meeting were as follows:

RESULTS **9:00 AM**

Denied 1.

Application #:	ZA-15-21-6 (Continued from April 1, 2021)
Existing Zoning:	R1-10
Location:	275 East Sierra Vista Drive
Quarter Section:	22-28(I8)
Proposal:	Variance to allow an over height fence (5 feet) in the required front yard. Maximum 40 inches permitted.
Ordinance Sections:	703.A.2.a
Applicant:	Yisroel Loeb and Leah Erlich
Representative:	Yisroel Loeb and Leah Erlich
Owner:	Yisroel Loeb and Leah Erlich

Approved w/stip 2.

Application #:	ZA-206-21-4
Existing Zoning:	R1-10 HP
Location:	2031 North Alvarado Road
Quarter Section:	13-28(G8)
Proposal:	Variance to allow an over height (13 foot) detached accessory structure in the required side yard (north) setback. Maximum 8 feet in height permitted.
Ordinance Sections:	706.C
Applicant:	Stan Patton, Patton Johnson Contractors, Inc.
Representative:	Stan Patton, Patton Johnson Contractors, Inc.
Owner:	Thomas John & Anandi Creath

Stipulation:

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

Approved w/stips 3.

Application #:	ZA-212-21-7
Existing Zoning:	R-5 RI
Location:	1115 West Roosevelt Street
Quarter Section:	11-26(F8)
Proposal:	**1)** Variance to reduce the surface parking landscape area to 0. Minimum five percent required. **2)** Variance to reduce required open space to not less than 1%. Minimum 5% required.

			3) Variance to reduce perimeter landscape setback adjacent to public street right-of-way (west) to 0 feet. Minimum 10 feet required. **4)** Variance to reduce east side landscape setback to 2 feet. Minimum 5 feet required. **5)** Variance to reduce south rear landscape area to 0 feet. Minimum 5 feet required. **6)** Variance to reduce the minimum required width of open spaces to not less than 2 feet. Minimum 20 feet required. **7)** Variance to reduce the maneuvering drive aisle for two-way traffic to a 20 foot width. Minimum 24 foot width required.
		Ordinance Sections:	507 Tab A(II)(A)(6)(6.1) 703.B.4.a.1 703.B.3.a 703.B.3.b.3 703.B.3.b.3 703.B.4.a.2
		Applicant:	Tom Barber and Mirella Santome
		Representative:	David Cisiewski, Law Office of David Cisiewski, PLLC
		Owner:	Tom Barber and Mirella Santome

Stipulations:

1) 1 year to apply and pay for building permits.
2) Landscaping shall be provided between the sidewalk and curb along Roosevelt Street with shrubs or plant materials. This landscaping shall be maintained by the developer or management company of the property.
3) There shall be a minimum of four 2-inch caliper trees, in addition to other plant materials, between the sidewalk and buildings along Roosevelt Street.
4) There shall be a minimum of four 2-inch caliper trees, in addition to other plant materials, between the sidewalk and curb along 12th Street. This landscaping shall be maintained by the developer or management company of the property.
5) A large evergreen canopy shade tree, with a 2-inch caliper at time of installation, with a minimum mature height of 30 feet and maximum canopy width of 30 feet shall be used in the landscape area in the southeast corner of the parking lot as identified on the site plan. Documentation of consultation between property owner to the south and developer shall be submitted with the landscape plan.

Denied	4.	Application #:	ZA-215-21-8
		Existing Zoning:	S-1
		Location:	6641 South 27th Avenue
		Quarter Section:	2-23(D7)
		Proposal:	**1)** Variance to reduce the side yard (south) setback for a detached accessory structure to 13 feet. Minimum 50 feet required. **2)** Variance to reduce the rear yard (east) setback for a detached accessory structure to 18 feet. Minimum 50 feet required.
		Ordinance Sections:	603.B.3 603.B.3
		Applicant:	Simon Rodriguez
		Representative:	Simon Rodriguez

		Owner:	Simon Rodriguez
Denied	5.	Application #:	ZA-219-21-4
		Existing Zoning:	R1-6
		Location:	4010 West Cypress Street
		Quarter Section:	13-19(G6)
		Proposal:	Variance to reduce the side yard (east) setback to 6 feet. Minimum 10 feet required.
		Ordinance Sections:	613.B.Table B
		Applicant:	Arnaud Irakoze, IRA House 1, LLC
		Representative:	Arnaud Irakoze, IRA House 1, LLC
		Owner:	IRA House 1, LLC
Approved w/stip	6.	Application #:	ZA-220-21-4
		Existing Zoning:	R-3 RI
		Location:	380 East Windsor Avenue
		Quarter Section:	14-28(G8)
		Proposal:	Variance to reduce the required front yard setback (south) to 10 feet. Minimum 25 feet required.
		Ordinance Sections:	615.B.TableB(a)
		Applicant:	William F. Allison, Withey Morris, PLC
		Representative:	William F. Allison, Withey Morris, PLC
		Owner:	Wiran P. Korala, 380 E Windsor Avenue, LLC
		Stipulation:	
		1) 1 year to complete the lot split.	
Approved w/stip	7.	Application #:	ZA-221-21-6
		Existing Zoning:	R1-10
		Location:	1909 East Berridge Lane
		Quarter Section:	21-31(I9)
		Proposal:	**1)** Variance to allow an over height fence (6 feet) in the required front yard (east) setback. Maximum 40 inches permitted. **2)** Variance to allow a swimming pool within the required front yard (east) setback. Swimming pools are not permitted within the required front yard setback.
		Ordinance Sections:	703.A.2.a 706.A
		Applicant:	Bryan and Miranda Preston
		Representative:	William F. Allison, Withey Morris, PLC
		Owner:	Bryan and Miranda Preston
		Stipulation:	
		1) 18 months to apply and pay for building permits.	
		1:30 PM	
Approved w/stips	8.	Application #:	ZA-500-18-8 (SIGN)
		Existing Zoning:	DTC - Bio Med
		Location:	445 North 5th Street
		Quarter Section:	11-28(F8)
		Proposal:	**1)** Use Permit to establish the T-GEN Comprehensive Sign Plan. Use permit required.

2) Use Permit to allow an electronic message display as part of a ground sign. Use permit required.

Ordinance Sections: 705.E.2 705.C.13

Applicant: Jason Shano, Associated Sign Company

Representative: Jason Shano, Associated Sign Company

Owner: City of Phoenix

Stipulations:

1) Ground sign electronic message display (EMD) luminance during dark hours shall be limited to 4% of EMD's brightness. Prior to the issuance of sign permits, a certification statement sealed by a qualified electrical engineer verifying sign luminance settings do not exceed this standard shall be submitted by the permit applicant to the Planning and Development Department.
2) Portions of the ground sign emitting white light shall be dimmed to 80 nits during dark hours. Prior to the issuance of sign permits, a certification statement sealed by a qualified electrical engineer verifying sign luminance settings do not exceed this standard shall be submitted by the permit applicant to the Planning and Development Department.
3) A revised CSP document incorporating all stipulations of approval shall be submitted by the applicant prior to the issuance of any sign permit for TGEN.
4) The applicant shall have 12 months to pay for and obtain permits for the proposed sign.
5) The sign plan shall only include the proposed monument sign and parking sign. Any additional signage shall require an amendment to the plan.

Approved w/stips

9. Application #: ZA-213-21-6 (SIGN)

Existing Zoning: PUD

Location: 5110 North 44th Street 4350 East Camelback Road

Quarter Section: 19-37(H10)

Proposal: Use permit to adopt the 44 Camelback Comprehensive Sign Plan. Use permit required.

Ordinance Sections: 705.E.2

Applicant: Alberto Varela, Nelsen Partners

Representative: Alberto Varela, Nelsen Partners

Owner: Camel Square, LLC

Stipulations:

1) Remove all sign band locations above 56 feet on the east and south elevations of Building H (office building at the northwest corner of 44th St. and Camelback).
2) Remove all sign band locations above 56 feet for the west elevation of Building F (the hotel).
3) For all wall signs above 56 feet in the CSP, limit the color temperature of illuminated white sign face elements to 4,000K and the luminance (brightness) to 80 nits. Prior to the issuance of sign permits, a certification statement sealed by a qualified electrical engineer verifying sign luminance settings do not exceed this

standard shall be submitted by the permit applicant to the Planning and Development Department.

4) For all wall signs above 56 feet in the CSP with illuminated white sign face elements, install automatic dimming devices that reduce sign luminance to 40 nits from 9:30 PM until sunrise. Prior to the issuance of sign permits, a certification statement sealed by a qualified electrical engineer verifying dimmer settings do not exceed this standard shall be submitted by the permit applicant to the Planning and Development Department.
5) Remove the proposed ground sign located on 44th Street near the northern boundary of the 44 Camelback project from the CSP.
6) A revised CSP document incorporating any stipulations of approval and all staff corrections dated June 2, 2021 shall be submitted by the applicant prior to the issuance of any sign permits within the 44 Camelback CSP.
7) The Camel Square CSP is hereby repealed by the adoption of the 44 Camelback Comprehensive Sign Plan.
8) The applicant shall have 12 months to pay for and obtain permits for a proposed sign within the CSP.

#1 Withdrawn

#2 Approved w/stips

#3 Denied

10.

Application #:	ZA-223-21-7 (SIGN)
Existing Zoning:	A-1
Location:	5743 West Washington Street
Quarter Section:	10-15(F5)
Proposal:	**1)** Variance to reduce required spacing between off premise signs to 842 feet. Minimum 1,000 foot spacing required. **2)** Use permit to construct one digital sign face on a new off premise sign. Use permit required. **3)** Use permit to construct an off premise, freeway sign at a height of 60 feet. Use permit required.
Ordinance Sections:	705.2.B.2 705.2.E.3 705.2.B.4.b
Applicant:	Jacob Zonn, Becker Boards
Representative:	William Lally, Tiffany & Bosco, PA
Owner:	GB Edifice, LLC

Stipulation:

1) Install a Planning and Development Department design-approved, decorative pole cover on the new off-premise sign. Any access ladder, if included, shall be concealed from northbound freeway traffic.
2) Prior to the issuance of the sign permit, provide evidence of final approval of land combination permit PRLC #210055.
3) The applicant shall have 12 months to apply and pay for permits for the subject sign.

Approved w/stips

11.

Application #:	ZA-232-21-4 (SIGN)
Existing Zoning:	C-2 HR TOD-1
Location:	3200 North Central Avenue
Quarter Section:	15-27(G8)
Proposal:	Use permit to approve the 3200 Central Comprehensive Sign Plan. Use permit required.

Ordinance Sections: 705.E.2
Applicant: Jason Shano, Associated Sign Company
Representative: Jason Shano, Associated Sign Company
Owner: ROC III DPC 3200 N. Central, LLC

Stipulations:

1) Remove any standards related to wall signs over 56 feet in height or to roofline sign standards. No signs over 56 feet or near the building roofline are included or approved with the adoption of this CSP.
2) Wall signs between 25 feet and 56 feet in height are limited to halo (indirect) illumination only.
3) Three elevations are approved for wall signs including the north/northeast elevation, the east/southeast elevation and the south/southwest elevation. No signs are approved for the west/northwest building elevation.
4) A revised CSP document incorporating any stipulations of approval and all staff corrections dated May 25, 2021 shall be submitted by the applicant prior to the issuance of any sign permits within the 3200 Central CSP.
5) Sign design shall be in accordance with the CSP document date stamped June 8, 2021 and as amended by any stipulations of approval for the CSP.
6) The applicant shall have 12 months to pay for and obtain permits for a proposed sign within the CSP.

Approved w/stips

12. Application #: ZA-214-21-2
Existing Zoning: CP/GCP DVAO
Location: 2232 East Quail Avenue
Quarter Section: 42-32(N9)
Proposal: **1)** Variance to reduce the setback from the interior lot line (north) to 10 feet. Minimum 20 feet required. **2)** Variance to reduce the setback from the interior lot line (east) to 10 feet. Minimum 20 feet required.
Ordinance Sections: 626.H.1.Table 626.H.1.Table
Applicant: Richard Starr, Garrett Real Estate Development, LLC
Representative: Richard Starr, Garrett Real Estate Development, LLC
Owner: Quail Equities, LLC, 10K Development, LLC

Stipulations:

1) 18 months to apply and pay for building permits.
2) Per the site plan dated April 5, 2021 and landscape plan dated April 12, 2021.

***Denied**

13. Application #: ZA-216-21-3
Existing Zoning: R1-10 RPSPD
Location: 8039 North 8th Avenue
Quarter Section: 25-26(J8)
Proposal: Variance to reduce the required side yard setback (south) to 7 feet. Minimum 10 feet required.

		Ordinance Sections:	611.B.Table B.(a)
		Applicant:	Samir and Abdul Slatewala, Architecture All & Associates
		Representative:	Samir and Abdul Slatewala, Architecture All & Associates
		Owner:	Justin Kinsey Kenneth, and Elizabeth Blaire
		Taken out from under advisement on July 8, 2021 and denied.	
Approved w/stip	14.	Application #:	ZA-222-21-6
		Existing Zoning:	A-1
		Location:	5108 East Taylor Street
		Quarter Section:	11-39(F11)
		Proposal:	Variance to permit open storage within 75 feet of a public street (51st Street and Taylor Street). No storage is permitted within 75 feet of a public street.
		Ordinance Sections:	627.F.2b(3)
		Applicant:	Tim Hundelt, Blue Box Holdings, LLC
		Representative:	William F. Allison, Withey Morris, PLC
		Owner:	Tim Hundelt, Blue Box Holdings, LLC
		Stipulation:	
		1) 18 months to apply and pay for building permits.	
Approved w/stip	15.	Application #:	ZA-224-21-5
		Existing Zoning:	C-2
		Location:	3575 West Northern Avenue
		Quarter Section:	24-20(J6)
		Proposal:	Use permit to allow a drive-through facility accessory to a restaurant (Filibertos Mexican Food) within 300 feet of a residential zoning district. Use permit required.
		Ordinance Sections:	623.D.157.d.(2)
		Applicant:	Carlos Dominguez, A&E Design Group
		Representative:	Carlos Dominguez, A&E Design Group
		Owner:	Dan Rubenstein, Rubenstein Family Partnership
		Stipulation:	
		1) 18 months to apply and pay for building permits.	

ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE
PLANNER: ERIC MORALES, PLANNER II

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

This publication can be made available in alternate format upon request. To request a reasonable accommodation, please contact Tamra Ingersoll at the Planning and Development Department at 602.534-6648, TTY: Use 7-1-1.

July 8, 2021