

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised October 4, 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 **September 9, 2021 9:00 AM (Items 1-8) and 1:30 PM (Items 9-16)**.

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:

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|-------------------------|----------------|---|
| RESULTS | 9:00 AM | |
| Approved w/stips | 1. | Application #: ZA-332-18-8 (1-year review of use permit)
Existing Zoning: S-1
Location: 8430 South 19th Avenue
Quarter Section: 02-24(C7)
Proposal: Use permit to allow a sales stand for the sale of farm or ranch products produced on the premises. Use permit required.

Ordinance Sections: 603.A.10
Applicant: Zachary Brooks, Arizona Worm Farm
Representative: Zachary Brooks, Arizona Worm Farm
Owner: Zachary Brooks, Arizona Worm Farm
Stipulations:
1) Hours of operation limited to 8:00 AM - 4:00 PM Monday through Friday and 8:00 AM - 1:00 PM on Saturdays for the sales stand.
2) General conformance to the location of the sales as shown on the site plan dated September 2018. |
| Approved w/stips | 2. | Application #: ZA-391-21-6
Existing Zoning: R1-6
Location: 6608 and 6616 North 16th Street
Quarter Section: 22-30(I9)
Proposal: Variance to allow an over height (6 foot) wall in the required street side setback (east). Maximum 40 inches permitted.

Ordinance Sections: 703.A.3.a
Applicant: Edmir Dzudza, E-Project, LLC
Representative: Stella Dzudza, E-Project, LLC
Owner: VKF Enterprises, LLC
Stipulations:
1) 1 year to apply and pay for building permits.
2) Landscaping between the fence and sidewalk shall include 8 palo verde trees. Landscaping shall also be provided between the sidewalk and the back of the curb as approved by the Planning and Development Department. |

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|------------------------|----|---|
| Denied | 3. | Application #: ZA-395-21-6
Existing Zoning: R1-6
Location: 3428 East Roma Avenue
Quarter Section: 17-35(H10)
Proposal: Variance to reduce the side yard setback (east) for a detached accessory structure to 0 feet. Minimum 3 feet required.

Ordinance Sections: 706.B
Applicant: Timothy and Sarah Keil
Representative: Timothy and Sarah Keil
Owner: Timothy and Sarah Keil |
| Approved w/stip | 4. | Application #: ZA-397-21-6
Existing Zoning: R1-10
Location: 4701 East Clarendon Avenue
Quarter Section: 16-38(H11)
Proposal: Variance to reduce the rear yard (east) setback to 15 feet. Minimum 25 feet required.

Ordinance Sections: 611.B.TableB
Applicant: Scott Avery
Representative: Scott Avery
Owner: Jason and Rhonda Rush
Stipulation:
1) 1 year to apply and pay for building permits. |
| Approved w/stip | 5. | Application #: ZA-402-21-4
Existing Zoning: C-2
Location: 4445 North 7th Street
Quarter Section: 17-29(H8)
Proposal: 1) Use permit to allow outdoor recreation (game area) as an accessory use to a restaurant (Fate Brewing Company) within 500 feet of a residential district. Use permit required. 2) Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a restaurant (Fate Brewing Company) within 500 feet of a residential district. Use permit required. 3) Use permit to allow outdoor dining as an accessory use to a restaurant (Fate Brewing Company) within 500 feet of a residential district. Use permit required. 4) Variance to reduce the required combined depth of the parking space and the drive aisle to 60 feet. Minimum 62 combined feet required. 5) Variance to reduce the required surface parking space width to 8 feet 6 inches. Minimum 9 feet 6 inches required. 6) Variance to reduce the required perimeter property line landscape setback (east) to 0 feet. Minimum 10 feet |

required.
Ordinance Sections: 623.D.157.c 623.D.157.c 623.D.157.c
702.B.2.b.(5) 702.B.2.a.(1).(a) 623.E.4.e
Applicant: Brian Krob, Aline Architectural Concepts
Representative: Brian Krob, Aline Architectural Concepts
Owner: Tom Frenkel, 4445 N. 7th, LLC

Stipulation:

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

**Approved
w/stip**

6. Application #: ZA-404-21-3
Existing Zoning: C-2 PCD
Location: 4801 East Cactus Road
Quarter Section: 31-39(K11)
Proposal: **1)** Use permit to allow outdoor dining as an accessory use to a restaurant (The Mexicano) within 500 feet of residential zoning. Use permit required. **2)** Use permit to allow outdoor consumption of alcoholic beverages as an accessory use to a restaurant (The Mexicano) within 500 feet of residential zoning. Use permit required.
Ordinance Sections: 623.D.157.c 623.D.157.c
Applicant: Maurita Harris, PHX Architecture
Representative: John Erlandson, The Maggiore Group
Owner: Anthony Santo, Village Crossroads 1662, LLC

Stipulation:

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

Denied

7. Application #: ZA-406-21-5
Existing Zoning: R1-6
Location: 8006 West Minnezona Avenue
Quarter Section: 18-9(H3)
Proposal: **1)** Variance to reduce the required side yard setback (east) to 0 feet. Minimum 10 feet required. **2)** Variance to eliminate the rear yard (north) setback for an accessory structure to 0 feet. Minimum 3 feet required. **3)** Variance to eliminate the side yard (east) setback for an accessory structure to 0 feet. Minimum 3 feet required.
Ordinance Sections: 613.B.Table B 706.B 706.B
Applicant: Maria Isela Valdez Lerma
Representative: Maria Isela Valdez Lerma
Owner: Maria Isela Valdez Lerma

Withdrawn

8. Application #: ZA-403-21-8
Existing Zoning: A-1
Location: 4038, 4140 and 4142 East Winslow Avenue

Quarter Section: 6-37(E10)
Proposal: **1)** Use permit to allow a medical marijuana infusion facility. Use permit required. **2)** Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required.
Ordinance Sections: 627.D.93.a 627.D.93.b
Applicant: Trudy Licano, FWA, Inc.
Representative: Trudy Licano, FWA, Inc.
Owner: Anna Johnson, Super Maj, LLC

Approved w/stips 9. **1:30 PM**
Application #: ZA-392-21-8 (SIGN)
Existing Zoning: WU T5:7 GWY* TOD
Location: 400 North 32nd Street
Quarter Section: 11-34(F10)
Proposal: Use permit to adopt the Phoenix VA Outpatient Clinic Comprehensive Sign Plan. Use permit required.
Ordinance Sections: 705.E.2
Applicant: Sarah Spradlin, Signs Plus
Representative: Andrew Chi, Andrew Chi Planning
Owner: Daniel Carr, Phoenix VA, LLC

Stipulations:

- 1) The two high-rise "VA" wall signs shall be limited to halo illumination only. Revise the Sign Matrix (pg. 6) and wall sign details (pg. 12) to indicate halo illumination only. Add a 'night view' image of these signs (pg. 12).
- 2) Revise the Comprehensive Sign Plan Narrative (pg. 3) to address the six required criteria in Section 705.E.2.b. Remove the Sign Code text in the document related to requests for more than two wall signs over 56 feet.
- 3) Revise the building elevations on pgs. 8 and 9 using callouts or highlighting to clearly show the VA wall sign locations.
- 4) Submittal of a revised 'final' version of the CSP document to the Planning and Development Department incorporating any ZAHO stipulations of approval and any staff comments/corrections within 60 days from the date of the hearing.
- 5) Twelve months to apply for and pay for sign permits.
- 6) Monument sign approved without an Electronic Message Board. A separate use permit is required.

Continued 10. Application #: ZA-398-21-2 (SIGN)
Existing Zoning: C-O
Location: 28750 N. North Valley Parkway
Quarter Section: 51-23(P7)
Proposal: **1)** Use permit to amend the boundary of the North Gateway Functional Unit One Comprehensive Sign Plan by removing a parcel.

Use permit required. **2)** Use permit for an electronic message display (EMD) on a ground sign. Use permit required.

Ordinance Sections: 705.E.2.d 705.C.13
Applicant: Glenn Probert, Arizona Commercial Signs
Representative: Glenn Probert, Arizona Commercial Signs
Owner: David Bowen, Standing Stones Church

Continued to December 16, 2021 at 9:00 AM.

**Approved
w/stips**

11. Application #: ZA-399-21-6 (SIGN)
Existing Zoning: C-1
Location: 2420 East Liberty Lane and 16402 South 23rd Way
Quarter Section: 012-32(A9) 012-33(A9)
Proposal: Use permit to add an electronic message display to an existing ground sign. Use permit required.
Ordinance Sections: 705.C.13
Applicant: Amanda Lauridsen, Precise Sign Company
Representative: Amanda Lauridsen, Precise Sign Company
Owner: Bridgeway Community Church

Stipulations:

- 1) Sign design to be in accordance with the drawing date stamped June 24, 2021.
- 2) The applicant shall have 12 months to apply and pay for building permits.
- 3) Copy change permitted every 16 seconds.
- 4) Electronic Message Display must shut off at 10:00 PM.

Denied

12. Application #: ZA-405-21-6 (SIGN)
Existing Zoning: C-2
Location: 4234 East Indian School Road
Quarter Section: 17-37(H10)
Proposal: Use permit to convert one face of a nonconforming off-premise sign to digital display. Use permit required.
Ordinance Sections: 705.2.G.4
Applicant: Jacob Zonn, Becker Boards Small
Representative: William Lally, Tiffany & Bosco
Owner: Little Woody's Building, Inc.

**Approved
w/stip**

13. Application #: ZA-400-21-4
Existing Zoning: R-3
Location: 4630 North 11th Place
Quarter Section: 18-29(H8)
Proposal: Variance to reduce side (south) setback to 0 feet. Minimum 10 feet required.
Ordinance Sections: 615. Table B
Applicant: Rene and Kim Singleton

Representative: Mike Alexander
Owner: Rene and Kim Singleton

Stipulation:

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

***Approved
w/stip**

14. Application #: ZA-401-21-5
Existing Zoning: R-3
Location: 7532 and 7536 North 23rd Avenue
Quarter Section: 24-23(J7)
Proposal: **1)** Variance to reduce the minimum lot width to 49 feet for lot A. Minimum 60 feet required.
2) Variance to reduce the minimum lot width to 50 feet for lot B. Minimum 60 feet required.
Ordinance Sections: 615.B.Table B 615.B.Table B
Applicant: Arturo Alatorre
Representative: Rafael Cancino, Imagine Design Solutions, LLC
Owner: Arturo Alatorre

Taken out from under advisement on October 4, 2021 and approved with the following stipulation:

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

**Approved
w/stip**

15. Application #: ZA-407-21-2
Existing Zoning: C-1
Location: 6339 East Greenway Road
Quarter Section: 34-42(L12)
Proposal: **1)** Use permit to allow outdoor dining as an accessory to a restaurant (Tutti Santi). Use permit required. **2)** Use permit to allow outdoor alcoholic beverage consumption as an accessory to a restaurant (Tutti Santi). Use permit required.
Ordinance Sections: 622.D.150.d 622.D.150.d
Applicant: Mike Hall, Michael A Hall Architect, LLC
Representative: Mike Hall, Michael A Hall Architect, LLC
Owner: Barclay Holdings XXI, LLC

Stipulation:

- 1) 1 year 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.

October 4, 2021