

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised February 24, 2022*

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 **January 20, 2022 at 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:

- | | | |
|------------------------|----------------|---|
| RESULTS | 9:00 AM | |
| Approved w/stip | 1. | Application #: ZA-387-21-5 (Continued from December 9, 2021)
Existing Zoning: R1-10
Location: 802 West Rose Lane
Quarter Section: 21-26(I8)
Proposal: 1) Time Extension for ZA-267-19, variance to reduce the front yard setback (south) to 10 feet. Minimum 25 feet required. 2) Time Extension for ZA-267-19, variance to reduce the side yard setback (west) to 0 feet. Minimum 10 feet required.

Ordinance Sections: 611.B.Table B 611.B.Table B
Applicant: Stefan Thompson
Representative: Wolfgang Annerl
Owner: Stefan Thompson
Stipulation:
1) 1 year to apply and pay for building permits. |
| Approved w/stip | 2. | Application #: ZA-615-21-2
Existing Zoning: R-3
Location: 2502 East Paradise Lane
Quarter Section: 35-33(L9)
Proposal: Variance to reduce the front landscape setback (south) to 0 feet. Minimum 25 feet required.

Ordinance Sections: 703.B.3.a
Applicant: Jared Lineberger, JCL Design Build, LLC
Representative: Jared Lineberger, JCL Design Build, LLC
Owner: Anthony Hooks
Stipulation:
1) 1 year to apply and pay for building permits. |
| Approved w/stip | 3. | Application #: ZA-616-21-8
Existing Zoning: R1-6
Location: 2329 North 29th Street
Quarter Section: 14-34(G10) |

Proposal: **1)** Variance to allow a minimum lot width (Lot No. 1) of 50 feet. Minimum lot width of 60 feet required. **2)** Variance to allow a minimum lot width (Lot No. 2) of 50 feet. Minimum lot width of 60 feet required.

Ordinance Sections: 613.B.Table B 613.B.Table B

Applicant: Wende Valentine, F&F 2, LLC
Jared Lineberger, JCL design Build, LLC

Representative: Jared Lineberger, JCL design Build, LLC

Owner: Wende Valentine, F&F, 2 LLC

Stipulation:

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

**Approved
w/stips**

4. Application #: ZA-617-21-4
Existing Zoning: C-1
Location: 3508 North 7th Street, Suite 140
Quarter Section: 16-28(H8)
Proposal: Use permit to allow package liquor sales as an accessory use to a convenience market (Monsoon Market) within 300 feet of a residential district. Use permit required.

Ordinance Sections: 622.D.102.a

Applicant: Michela Ricci, Monsoon Market/Two Valley Girls, LLC

Representative: Michela Ricci, Monsoon Market/Two Valley Girls, LLC

Owner: Mercury Office Building Management, LLC

Stipulations:

- 1) 1 year to commence the use.
- 2) The front windows are to be cleaned and removed of advertisement or banners that obstruct the owners or employees view, of trespassers, bikers, and other criminal activities occurring outside the store.
- 3) The area be sufficiently illuminated and contained to discourage any unlawful activity. The precinct commander, or his designee, may approve lighting, containment area, and security personnel at their discretion.

**Approved
w/stip**

5. Application #: ZA-618-21-4
Existing Zoning: R1-10 HP
Location: 301 West Oregon Avenue
Quarter Section: 19-27(H8)
Proposal: Variance to reduce the side yard setback (east) to 3 feet for a detached accessory structure. Minimum 10 feet required.

Ordinance Sections: 706.E

Applicant: Thomas M Hoidal

Representative: William F. Allison, Withey Morris, PLC

Owner: Thomas M Hoidal

Stipulation:

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

Continued 6. Application #: ZA-619-21-4
Existing Zoning: R1-6 HP WSNSPD
Location: 221 East Orange Drive
Quarter Section: 19-28(H8)
Proposal: Variance to allow required parking spaces within the required front yard setback. Required parking spaces not permitted within the front yard setback.
Ordinance Sections: 702.F.1
Applicant: David Schwinghamer, Third Dimension Design
Representative: David Schwinghamer, Third Dimension Design
Owner: Varma Jay K. and Lindra M. Fishleder, White Construction Group

Continued to March 29, 2022 at 9:00 AM.

Approved w/stips 7. Application #: ZA-622-21-8
Existing Zoning: R1-10 BAOD
Location: 1750 East Desert Drive
Quarter Section: 02-31(C9)
Proposal: Variance to reduce the required front yard setback (southwest) to 15 feet. Minimum 25 feet required.
Ordinance Sections: 611.B.Table B
Applicant: Maximo Cabellos, MXD Solutions, LLC
Representative: Maximo Cabellos, MXD Solutions, LLC
Owner: Dustin Matz

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per site plan date stamped November 16, 2021.

Approved w/stips 8. Application #: ZA-624-21-1
Existing Zoning: PUD
Location: Southwest corner of Norterra Parkway and Jomax Road
Quarter Section: 48-22(P7) 48-23(P7)
Proposal: **1)** Use permit to allow a drive-through facility as an accessory use to a restaurant (Chick-fil-a) within 300 feet of a residential zoning district. Use permit required. **2)** Use permit to allow outdoor dining as an accessory use to a restaurant (Chick-fil-a) within 500 feet of a residential zoning district. Use permit required.
Ordinance Sections: 623.D.157.d 623.D.157.c
Applicant: Brandi Loper, 4G Development and Consulting
Representative: Brandi Loper, 4G Development and Consulting

Owner: Keith Gilbert, Chick-fil-A, Inc.

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per site plan date stamped October 19, 2021, pertaining to the location of the patio and drive-through lanes.

- 1:30 PM**
- Approved w/stips** 9. Application #: ZA-623-21-6 (SIGN)
Existing Zoning: A-2
Location: 802 South 56th Street
Quarter Section: 9-40(F11)
Proposal: Use permit for one digital sign face on an existing off-premise, freeway sign. Use permit required.
Ordinance Sections: 705.2.E.3
Applicant: Jacob Zonn, Becker Boards Small
Representative: William Lally, Tiffany & Bosco
Owner: Salt River Project
- Stipulations:**
- 1) Install a Planning and Development Department design-approved, decorative pole cover on the upgraded, freeway off-premise sign. Any access ladder, if included, shall be on the north or west side of the support pole and concealed from westbound freeway traffic.
 - 2) Twelve months to obtain sign permits.
- Approved w/stip** 10. Application #: ZA-625-21-6 (SIGN)
Existing Zoning: R1-6 HP
Location: 455 North Galvin Parkway
Quarter Section: 10-42(F12) 10-43(F12)
Proposal: **1)** Variance to allow four 60 square foot ground signs. Maximum 32 square feet permitted. **2)** Variance to allow two grounds signs at two driveway entrances. Maximum one ground sign per driveway permitted. **3)** Variance to reduce ground sign spacing to 49 feet. Minimum 150 foot spacing required. **4)** Variance to reduce ground sign spacing to 94 feet. Minimum 150 foot spacing required.
Ordinance Sections: 705.D.1 Table D-1 705.D.1 Table D-1 705.D.1 Table D-1 705.D.1 Table D-1
Applicant: Julie Kulka, Airpark Signs & Graphics
Andrew Chi, Andrew Chi Planning
Representative: Julie Kulka, Airpark Signs & Graphics
Andrew Chi, Andrew Chi Planning
Owner: City of Phoenix
- Stipulation:**
- 1) Twelve months to obtain sign permits.
- Approved w/stip** 11. Application #: ZA-620-21-2
Existing Zoning: C-2

Location: 28242 North Tatum Boulevard
 Quarter Section: 51-38(P11)
 Proposal: **1)** Use permit to allow outdoor dining as an accessory to a bar (Dynamite Beer Company) within 500 feet of a residential zoning district. Use permit required. **2)** Use permit to allow outdoor alcohol consumption as an accessory to a bar (Dynamite Beer Company) within 500 feet of a residential zoning district. Use permit required.
 Ordinance Sections: 623.D.157.c 623.D.157.c
 Applicant: Laura Chapman, Chapman Craft
 Representative: Michael Maerowitz, Gammage & Burnham, PLC
 Owner: Dynamite Creek JV, LLC

Stipulation:

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

**Approved
w/stips**

12. Application #: ZA-626-21-8
 Existing Zoning: R-3 SPVTABDO
 Location: Northeast corner of 12th Street and Wier Avenue
 Quarter Section: 4-30(E9)
 Proposal: **1)** Variance to reduce the minimum perimeter front building setback (west) for lots 1-10 to 5 feet. Minimum 15 feet required. **2)** Variance to eliminate the requirement to plant trees within the landscape setback (south). Trees must be spaced a maximum of 20 to 30 feet on center. **3)** Variance to reduce minimum interior building front setbacks to 2 feet for lots 11-38. Minimum 10 feet required. **4)** Variance to reduce minimum garage setback to 2 feet for all lots. Minimum 18 feet required for front-loaded garages. **5)** Variance to reduce the street side setback (Tamarisk Avenue) for lots 5, 6, 15, 16, 24, 25, 32 and 31 to 3 feet. Minimum 10 feet required. **6)** Use permit to use the Planned Residential Development option. Use permit required.
 Ordinance Sections: 615.Table A 615.Table A 615.Table A 615.Table A 615.Table A 608.B
 Applicant: Glenn Karlson, Trellis Community Development
 Representative: Clarisa Del Castillo, Merge Architectural Group
 Owner: VRL-TCD, LLC

Stipulations:

- 1) 2 years to apply and pay for building permits.
- 2) Per site plan date stamped December 9, 2021.

***Denied**

13. Application #: ZA-627-21-6
 Existing Zoning: RE-24 ACSPD
 Location: 5035 East Lafayette Boulevard
 Quarter Section: 17-39(H11)

Proposal: Variance to reduce the rear yard setback (southwest) to 4 feet. Minimum 30 feet required.
Ordinance Sections: 606.B.4
Applicant: Troy and Jamey Zurawski
Representative: Zahir Poonawala, Zahir Poonawala Architect, LLC (ZPA)
Owner: Troy and Jamey Zurawski

Taken out from under advisement on February 24, 2022 and denied.

**Approved
w/stip**

14. Application #: ZA-628-21-1
Existing Zoning: PUD
Location: 25309, 25313, 25317, 25321, 25325, 25423, 25427, 25431, 25435, 25439, 25505, 25509, 25513, 25517, 25521, and 25525 North 21st Avenue
Quarter Section: 47-24(O7)
Proposal: **1)** Variance to reduce the side yard setback for a detached accessory structure (east and west) on Lots 1 through 16 to 0 feet. Minimum 3 feet required. **2)** Variance to allow an over height (15 feet) detached accessory structure within the side yard setback (east and west) on Lots 1 through 16. Maximum 8 feet permitted.
Ordinance Sections: 706.B 706.C
Applicant: Ron Homyak, Cachet-Union Park Parcel E, LLC
Representative: Ron Homyak, Cachet-Union Park Parcel E, LLC
Owner: Ron Homyak, Cachet-Union Park Parcel E, LLC
Stipulation:
1) 1 year to apply and pay for building permits.

***Denied**

15. Application #: ZA-629-21-6
Existing Zoning: C-2
Location: 5544 East Thomas Road
Quarter Section: 15-40(G11)
Proposal: **1)** Variance to reduce the required open space to 3%. Minimum 5% required. **2)** Variance to allow maneuvering in right-of-way (alley). Maneuvering must be located on private property. **3)** Variance to reduce the required interior property line landscape setback (north) to 0 feet. Minimum 5 feet required. **4)** Variance to reduce the required interior property line landscape setback (northwest) to 0 feet. Minimum 5 feet required. **5)** Variance to reduce the required interior property line landscape setback (west) to 0 feet. Minimum 5 feet required. **6)** Variance to allow an over height wall (6 feet) in the required front yard (east). Maximum 40 inches permitted.
Ordinance Sections: 703.B.4.a(1) 702.A.1.b 703.B.3.b.(3) 703.B.3.b.(3) 703.B.3.b.(3) 703.A.2.a

Applicant: George Pasquel III, Withey Morris, PLC
Representative: George Pasquel III, Withey Morris, PLC
Owner: Dan Yee, Yee Holdings Limited Partnership
Taken out from under advisement on February 24, 2022 and denied.

Approved w/stip 16. Application #: ZA-630-21-4
Existing Zoning: DTC-McDowell Corridor HP
Location: 1605 North 7th Avenue
Quarter Section: 13-27(G8)
Proposal: Use permit to allow liquor retail sales. Use permit required.
Ordinance Sections: 1204.D.Table
Applicant: Dustin James Dahlin, Underbelly Meat, Co.
Representative: Dustin James Dahlin, Underbelly Meat, Co.
Owner: Summit Hurley Plaza, LLC
Stipulation:
1) 1 year to commence the use.

**ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE
PLANNER: JAZMINE BRASWELL, 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 Les Scott at 602-376-3981, les.scott@phoenix.gov
TTY: Use 7-1-1.

February 24, 2022