

**NOTICE OF RESULTS**  
**ZONING ADJUSTMENT HEARING**  
*Revised July 25, 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 **June 23, 2022 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:

- |                 |                |   |
|-----------------|----------------|---|
| <b>RESULTS</b>  | <b>9:00 AM</b> |   |
| <b>Approved</b> | 1.             | Application #: ZA-190-22-5  |
| <b>w/stip</b>   |                | Existing Zoning: C-2  |
|                 |                | Location: 7730 West Indian School Road  |
|                 |                | Quarter Section: 17-10(H4)  |
|                 |                | Proposal: <b>1)</b> Time extension of ZA-155-21-5, use permit to allow outdoor dining accessory to a restaurant (Mexicali Tacos LLC) within 500 feet of a residential zoning district. Use permit required if located within 500 feet of a residential zoning district. <b>2)</b> Time extension of ZA-155-21-5, use permit to allow outdoor alcoholic beverage consumption accessory to a restaurant (Mexicali Tacos LLC) within 500 feet of a residential zoning district. Use permit required if located within 500 feet of a residential zoning district. |
|                 |                | Ordinance Sections: 623.D.157.c 623.D.157.c   |
|                 |                | Applicant: Ivan Palomino, Mexicali Tacos  |
|                 |                | Representative: Ivan Palomino, Mexicali Tacos   |
|                 |                | Owner: Ninos Lazar, RS&R Enterprise Group, LLC  |
|                 |                | <b>Stipulation:</b>   |
|                 |                | 1) 1 year to apply and pay for building permits.  |
| <b>Approved</b> | 2.             | Application #: ZA-191-22-8  |
| <b>w/stip</b>   |                | Existing Zoning: R-5 RI HP ACOP   |
|                 |                | Location: 917 and 921 North 8th Street  |
|                 |                | Quarter Section: 11-29(F8)  |
|                 |                | Proposal: <b>1)</b> Time extension for ZA-526-20, variance to reduce the interior property line landscape setback (east) to 0 feet. Minimum 5 feet required. <b>2)</b> Time extension for ZA-526-20, variance to reduce the interior property line landscape setback (south) to 0 feet. Minimum 5 feet required. <b>3)</b> Time extension for ZA-526-20, variance to reduce the side yard (south) setback to 5 feet. Minimum 10 feet required. <b>4)</b> Time extension for ZA-526-20, variance to reduce surface parking landscaping to 0%. Minimum 5%       |

of surface parking lot must be landscaped.  
5) Time extension for ZA-526-20, variance to allow maneuvering in the right-of-way (Alley). Maneuvering must be located on private property.

Ordinance Sections: 703.B.3.b.(3) 703.B.3.b.(3) 618.B.Table B 507 Tab A.II.A.6.1.1 702.A.1.b

Applicant: Gregory Barlow, Project 2 Holdings, LLC

Representative: Gregory Barlow, Project 2 Holdings, LLC

Owner: Gregory Barlow, Project 2 Holdings, LLC  
Pepper Plaza Money Purchase Plan

**Stipulation:**

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

**Approved  
w/stip**

3. Application #: ZA-195-22-6  
Existing Zoning: C-1 CEPCSP  
Location: 2196 East Camelback Road  
Quarter Section: 19-32(H9)  
Proposal: Use permit to reduce parking to 28 spaces in a village core. Use Permit required.  
Ordinance Sections: 702.E.5  
Applicant: Eric Gerster, Sustainability Engineering Group  
Representative: Eric Gerster, Sustainability Engineering Group  
Owner: 2196 Camelback, LLC

**Stipulation:**

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

**\*Denied as  
Filed  
Approved  
w/stips**

4. Application #: ZA-196-22-7  
Existing Zoning: C-3  
Location: 2631 North 24th Drive  
Quarter Section: 14-23(G7)  
Proposal: Variance to reduce the streetscape landscape setback (west) to 5 feet. Average of 30 feet required, minimum 20 feet permitted for up to 50% of the frontage.  
Ordinance Sections: 623.E.4.e  
Applicant: David Richert, Richert and Associates  
Representative: David Richert, Richert and Associates  
Owner: Arif Surmen, Phoenix 2633, LLC

**Taken out from under advisement on July 14, 2022 and was denied as filed and approved with the following stipulations:**

- 1) The landscape setback along 24th Drive shall be no less than 15-feet from the property line.
- 2) The new landscaping area shall include the street right-of-way as well as the setback area.
- 3) Trees with a minimum caliper of 3-inches shall be installed every 20 feet.
- 4) The final landscape plan shall be in accordance with the requirements of the Phoenix Planning and Development Department.
- 5) 12 months to apply and pay for building permits.

<b>Withdrawn to Amend</b>	5.	<p>Application #: ZA-197-22-4  Existing Zoning: R1-6  Location: 2317 West Earll Drive  Quarter Section: 15-23(G7)  Proposal: <b>1)</b> Variance to reduce side setback (east) to 9 feet. Minimum 10 feet required. <b>2)</b> Use permit to allow a closed projection to project 21 feet into the rear yard (south) setback. Use permit required.</p> <p>Ordinance Sections: 613.B.Table B 701.A.3.a.(2).(d)  Applicant: Larry Gaston, Gaston Design Group, LLC  Representative: Larry Gaston, Gaston Design Group, LLC  Owner: Ruby Moss</p>
<b>Approved</b>	6.	<p>Application #: ZA-198-22-8  Existing Zoning: DTC-BioMed  Location: 720 and 770 North 5th Street  Quarter Section: 11-28(F8)  Proposal: Use permit to allow a farmer's market with food or beverage dispensed from a vehicle. Use permit required.</p> <p>Ordinance Sections: 1204.C.26.b  Applicant: Tanya Chakravarty, Community Food Connections DBA Downtown Phoenix Farmers Market  Representative: Tanya Chakravarty, Community Food Connections DBA Downtown Phoenix Farmers Market  Owner: City of Phoenix Community and Economic Development</p>
<b>Approved w/stip</b>	7.	<p>Application #: ZA-199-22-6  Existing Zoning: R1-10  Location: 202 West Frier Drive  Quarter Section: 24-27(J8)  Proposal: Use permit to expand a non-conforming single family use up to 50% beyond the floor area that it occupied on the date it was rendered non-conforming. Use permit required.</p> <p>Ordinance Sections: 902.A  Applicant: Charles and Sarah Root  Representative: Charles and Sarah Root  Owner: Charles and Sarah Root  <b>Stipulation:</b>  1) 1 year to apply and pay for building permits.</p>
<b>Denied</b>	8.	<p>Application #: ZA-201-22-4  Existing Zoning: C-2 WSNSPD  Location: 322 East Camelback Road  Quarter Section: 19-28(H8)</p>

Proposal: Use permit to allow a drive-through facility accessory to a restaurant (Los Sombreros) within 300 feet of a residential zoning district. Use permit required.

Ordinance Sections: 623.D.157.d.(2)

Applicant: John Westberg, A Sun Down Enterprise

Representative: John Westberg, A Sun Down Enterprise

Owner: John Westberg, A Sun Down Enterprise

**# 1 and #2  
Denied  
w/stips**

**1:30 PM**

9. Application #: ZA-187-22-5 (SIGN)

Existing Zoning: C-2

Location: 1901 West Glendale Avenue

Quarter Section: 22-24(I7)

Proposal: **1)** Variance to increase letter height to 33 inches and logo height to 60 inches. Maximum 12 inches permitted. **2)** Variance to increase wall sign area to 325 square feet. Maximum 100 square feet permitted.

Ordinance Sections: 662.K.1.b 662.K.1.a

Applicant: Nolan Johnson, Coast Sign (High Country Signs)

Representative: Nolan Johnson, Coast Sign (High Country Signs)

Owner: Charlie Shen, CFT NV Developments, LLC

**Stipulations:**

- 1) Twelve months to obtain sign permits for the subject signs.
- 2) Logo size shall have a maximum dimension of 48 inches x 48 inches.
- 3) Maximum size of the mural sign shall be 200 square feet using monotone black or gray.

**Approved**

10. Application #: ZA-561-21-4 (6 month review of use permit)

Existing Zoning: R-3 and R1-6

Location: 1030 East Mitchell Drive

Quarter Section: 16-29(H8)

Proposal: **1)** Time extension for ZA-408-19, use permit to use the single-family attached development option. Use Permit required. **2)** Time extension for ZA-408-19, use permit to allow a less restrictive multi-family use to expand into a more restrictive single-family zoning district on the east side. Use permit required. **3)** Time extension for ZA-408-19, use permit to allow a less restrictive multi-family use to expand into a more restrictive single-family zoning district on the west side. Use permit required. **4)** Time extension for ZA-408-19, variance to reduce the perimeter setback for units siding on the street right-of-way to 4 feet. Minimum 15 feet required. **5)** Time extension for ZA-408-19, variance to reduce the perimeter landscape setback to 4 feet. Minimum 15 feet

required. **6)** Time extension for ZA-408-19, variance to reduce the required building setback (north) to 16 feet for a 40 feet tall building. Minimum 35 feet required. **7)** Time extension for ZA-408-19, variance to reduce the required landscape setback adjacent to a single-family zoned district to 5 feet (north). Minimum 10 feet required. **8)** Time extension for ZA-408-19, variance to reduce the improved common area for bonus density to 0%. Minimum requirement of 18.9% improved open space.

Ordinance Sections: 608.F.6 307.A.8 307.A.8 615.B. Table B SFA column 608.F.6.c.(2) 615.B. Table B SFA column 608.F.6.c.(3) 608.I.2.b.(2)

Applicant: Andy Jochums, Beus Gilbert McGroder, PLLC

Representative: Paul E. Gilbert, Beus Gilbert McGroder, PLLC

Owner: Jay Hartgraves, 1030 East Mitchell Drive, LLC

**Stipulation:**

1) All previous stipulations shall remain.

**Approved  
w/stip**

11. Application #: ZA-96-22-6 (Continued from April 28, 2022)

Existing Zoning: R1-10

Location: 3102 North 61st Place

Quarter Section: 15-42(G12)

Proposal: **1)** Variance to reduce the rear yard (north) setback to 5 feet. Minimum 25 feet required.  
**2)** Variance to reduce the side yard (east) setback to 5 feet. Minimum 10 feet required.  
**3)** Variance to reduce the side yard (west) setback to 1 foot. Minimum 3 feet required.

Ordinance Sections: 611.Table.B 611.Table.B 611.Table.B

Applicant: Scott King

Representative: Scott King

Owner: Scott King

**Stipulation:**

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

**Approved  
w/stip**

12. Application #: ZA-192-22-4

Existing Zoning: R-3

Location: 4307 North 13th Place

Quarter Section: 17-30(H9)

Proposal: Use permit to allow the Single-Family Attached development option. Use permit required.

Ordinance Sections: 608.F.8

Applicant: Adam Wallace, Quattro on 13th, LP

Representative: Adam Wallace, Wall2Wall Consultancy Company

Owner: Adam Wallace, Quattro on 13th, LP

**Stipulation:**

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

**\*Withdrawn** 13. Application #: ZA-193-22-6  
Existing Zoning: R1-14  
Location: 4214 East Saint Joseph Way  
Quarter Section: 20-37(I10)  
Proposal: Variance to reduce the required front yard setback (south) to 25 feet. Minimum 30 feet required.  
Ordinance Sections: 606.B.2  
Applicant: Cassandra Ayres, Berry Riddell, LLC  
Representative: Cassandra Ayres, Berry Riddell, LLC  
Owner: Nick Blue, Blue Enterprises, LLC  
**On July 22, 2022 the applicant requested the case be withdrawn.**

**Continued** 14. Application #: ZA-194-22-6  
Existing Zoning: RE-35 ACSPD  
Location: 5649 East Rockridge Road  
Quarter Section: 18-41(H11)  
Proposal: **1)** Variance to reduce the required minimum lot depth to 160 feet for Lot K. Minimum 175 feet required. **2)** Variance to reduce the required front setback (north) to 15 feet for Lot K. Minimum 40 feet required. **3)** Variance to reduce the minimum lot width to 20 feet for Lot L. Minimum 150 feet of width required.  
Ordinance Sections: 609.B.Table 609.B.Table 609.B.Table  
Applicant: Cassandra Ayres, Berry Riddell, LLC  
Representative: Cassandra Ayres, Berry Riddell, LLC  
Owner: Sam Kendrick, K2 Signature Homes, LLC  
**Continued to August 18, 2022 at 9:00 AM.**

**Approved w/stip** 15. Application #: ZA-200-22-4  
Existing Zoning: WU T6:HWR MT  
Location: 3110 North Central Avenue, Suite #185  
Quarter Section: 15-27(G8)  
Proposal: Use permit to allow outdoor liquor service as an accessory use to a craft beer and wine bar. Use permit required.  
Ordinance Sections: 1306.F.Table  
Applicant: Michael Swofford, The Green Woodpecker, LLC  
Representative: Amy Nations, Arizona Liquor Industry Consultants  
Owner: Stanton A. Shafer, HPPC, LLC  
**Stipulation:**  
1) 1 year to apply and pay for building permits.

**Approved w/stips** 16. Application #: ZA-202-22-3  
Existing Zoning: C-3  
Location: 701 East Dunlap Avenue  
Quarter Section: 26-29(J8)

Proposal: **1)** Time Extension for ZA-715-20, use permit to allow a medical marijuana dispensary facility. Use permit required. **2)** Time Extension for ZA-715-20, variance to allow a medical marijuana dispensary facility within 500 feet of a residentially zoned district. Minimum 500 feet of separation required. **3)** Time Extension for ZA-715-20, variance to allow a medical marijuana dispensary facility within 1,320 feet of a school. Minimum 1,320 feet of separation required. **4)** Time Extension for ZA-715-20, variance to allow a medical marijuana dispensary facility within 1,320 feet of a place of worship. Minimum 1,320 feet of separation required. **5)** Time Extension for ZA-715-20, variance to allow a medical marijuana dispensary facility within 1,320 feet of a dependent care facility. Minimum 1,320 feet of separation required. **6)** Time Extension for ZA-715-20, variance to allow a medical marijuana dispensary facility within 1,320 feet of a public park. Minimum 1,320 feet of separation required.

Ordinance Sections: 623.D.124.a 623.D.124.f 623.D.124.g 623.D.124.h 623.D.124.g 623.D.124.g

Applicant: Sixth Street Enterprises, Inc.

Representative: Lindsay Schube, Gammage & Burnham, PLC

Owner: Devi Arizona RE Holding, 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.
- 6) Applicant shall install and maintain per manufacturer's specifications an odor control system prior to the commencement of operations. 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) The applicant shall provide 24 hour/7 day a week in-person security at the property, to be reviewed at their first annual review.

**ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBLAY  
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](mailto: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 602-261-8980, [leslie.scott@phoenix.gov](mailto:leslie.scott@phoenix.gov) TTY: Use 7-1-1.

July 26, 2022