

**RESULTS OF PUBLIC MEETING
BOARD OF ADJUSTMENT**

Pursuant to A.R.S. Section 38-431.02, notice was hereby given to the members of the **BOARD OF ADJUSTMENT** and to the general public, that the **BOARD OF ADJUSTMENT** held a meeting open to public on **Thursday, April 6, 2023 at 12:00 p.m.**

The Board of Adjustment was held in-person and virtually.

The results of the meeting were as follows:

RESULTS

- Approved** **A. Approval of Minutes – February 2, 2023
Approval of Minutes – March 2, 2023**
- (Hill/James – Vote of 6-0) (Beuerlein absent).*
- Approved** **B. Approval of Agenda – April 6, 2023**
- (Hill/James - Vote of 6-0) (Beuerlein absent).*
- C. Requests for Continuance and/or Withdrawal**
- Continued** 1. Application #: **ZA-567-22-2 (Continued from March 2, 2023)**
Existing Zoning: R1-18
Location: 5917 East Anderson Drive
Quarter Section: 37-41(M11)
Proposal: Variance to allow 28% lot coverage.
 Maximum 25% permitted.
Ordinance Sections: 610.B.Table
Applicant: Alan Christensen, A Christensen
 Architect, LLC
Representative: Alan Christensen, A Christensen
 Architect, LLC
Owner: Norman M. and April D. Kvalvik, Trust
Appellant: Jeffrey Gross, Berry Riddell
- Continued by motion to June 1, 2023.***
- (Eigo/Dodds - Vote of 6-0) (Beuerlein absent).***
- Continued** 5. Application #: **ZA-446-22-7**
Existing Zoning: DTC-West Evans Churchill
Location: 1005 North 2nd Street

Quarter Section: 12-29(G8)
 Proposal: **1)** Use permit to allow outdoor liquor service as an accessory to a bar/restaurant. Use permit required.
2) Variance to reduce the minimum building setback along Roosevelt Street to 0 feet. Minimum 5 feet required.
3) Variance to allow required parking to be located on another lot up to 520 feet away. 300 feet required.
4) Use permit to allow a bar. Use permit required.

Ordinance Sections: 1204.D, 1215.F, 702.A.4.a.(1), 1204.D
 Applicant: Nick Wood, Snell & Wilmer
 Representative: Nick Wood, Snell & Wilmer
 Owner: HSG Roosevelt & 2nd Street LLC
 Appellant 1: Sean Johnson, Evans Churchill Community Association
 Appellant 2: Kenny Barrett, Roosevelt Row Merchant Association

Continued by motion to June 1, 2023.

(Cole/James - Vote of 6-0) (Beuerlein absent).

D. Items for Consideration

**Upheld
ZAHO**

2. Application #: **ZA-549-22-1**
 Existing Zoning: RE-35
 Location: 4602 West Tierra Buena Lane
 Quarter Section: 35-18(L6)
 Proposal: **1)** Variance to reduce the required side yard setback (west) to 10 feet. Minimum 20 feet required.
2) Variance to reduce the rear yard setback (north) to 18 feet. Minimum 40 feet required.
3) Variance to allow a 3,504 square foot guest home. Maximum of 900 square feet allowed.
4) Variance to allow a guesthouse that exceeds the height and stories (24 feet and 2 stories) of the primary dwelling unit. Maximum 12 feet and 1 story permitted.

Ordinance Sections: 609.B.Table, 609.B.Table, 609.C.1.a,
609.C.1.h
Applicant: Ricky Louis LoFrese Jr.
Representative: Ricky Louis LoFrese Jr.
Owner: Ricky Louis LoFrese Jr.
Appellant: Ricky Louis LoFrese Jr.

Upheld the Zoning Adjustment Hearing Officer's decision and denied the variances.

(Cole/Dodds - Vote of 6-0) (Beuerlein absent).

**Upheld
ZAHO**

3. Application #: **ZA-18-23-1**
Existing Zoning: RE-35
Location: 24219 North 62nd Drive
Quarter Section: 46-14(O5)
Proposal: **1)** Variance to increase lot coverage to 30% for a 2 story residence. Maximum 25% coverage for 2 story residence permitted.
2) Variance to increase the building height to 33 feet. Maximum 30 feet permitted.
Ordinance Sections: 609.B.Table, 609.B.Table
Applicant: Navdeep S. Gill
Representative: Sukhman S. Gill
Owner: Navdeep S. Gill
Appellant: Sukhman S. Gill

Upheld the Zoning Adjustment Hearing Officer's decision and denied the variances.

(Cole/Hill - Vote of 5-1) (Eigo) (Beuerlein absent).

**Overtured
ZAHO with
stipulations**

4. Application #: **ZA-6-23-7 (SIGN)**
Existing Zoning: A-1
Location: 7840 West Lower Buckeye Road
Quarter Section: 7-10(E4)
Proposal: Use permit to allow electronic message displays (EMDs) on a ground sign. Use Permit required.
Ordinance Sections: 705.C.13
Applicant: Amanda Lauridsen, Precise Sign, Co.
Representative: Amanda Lauridsen, Precise Sign, Co.
Owner: Christian Fellowship Church of Phoenix

Appellant: Amanda Lauridsen, Precise Sign, Co.

Overtured the Zoning Adjustment Hearing Officer's decision and approved the use permit with the following stipulations:

Stipulations:

- 1. Twelve months to obtain sign permits for the electronic message display.***
- 2. The electronic message display shall not include white backgrounds.***
- 3. The use permit shall be reviewed in 1 year.***

(Eigo/Ammon - Vote of 5-1 (Hill) (Beuerlein absent).

E. Other Business

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| Updated | 6. Update on next Board of Adjustment agenda. |
| Updated | 7. Update on pending appeals of the Board of Adjustment. |
| No Action | 8. Q & A: Procedure and Process - Board of Adjustment case law. |
| No Action | 9. The Board may vote to go into Executive Session pursuant to A.R.S Section 38-431.03.A.3. for the purpose of receiving legal advice regarding any of the above Items A-E. |

Adjourned F. Adjournment

For further information, please call Julie Garcia in the Planning and Development Department at 602-495-7029 or contact us via electronic mail at pdd.boardofadjust@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 Angie Holdsworth at 602-495-5622, TTY: Use 7-1-1.

April 7, 2023