

**NOTICE OF PUBLIC MEETING
BOARD OF ADJUSTMENT**

* Revised January 24, 2024 (2nd Revision)

* Revised January 30, 2024 (3rd Revision)

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the **BOARD OF ADJUSTMENT** and to the general public, that the **BOARD OF ADJUSTMENT** will hold a meeting open to public on **Thursday, February 1, 2024 at 12:00 p.m.** The meeting will be held virtually and in-person in the City Council Chambers, 200 West Jefferson Street, Phoenix, Arizona.

OPTIONS TO ACCESS THE MEETING

- **Participate in-person at the City Council Chambers, 200 West Jefferson Street, Phoenix, Arizona.** Speaker and comment cards will be available at the meeting site.
- **Call-in to listen** to the live meeting: Dial **602-666-0783**. Enter meeting access code **2634 399 7491#**, and press **#** again when prompted for the attendee ID.
- **Observe the live meeting virtually.**
 - Register for the event at:
<https://cityofphoenix.webex.com/weblink/register/r58211fa38b966b59e88868aa9af622ef>
- **Register to speak** on an agenda item:
 - Register for the event by 5:00 p.m. on Tuesday, January 30, 2024, at:
<https://cityofphoenix.webex.com/weblink/register/r58211fa38b966b59e88868aa9af622ef>
 - If speaking by phone only, please email pdd.boardofadjust@phoenix.gov by 5:00 p.m. on Tuesday, January 30, 2024.

Indicate: Item Number and Case Number

Staff will make every effort to accommodate requests to speak beyond the date above. Due to the added demands of facilitating the virtual environment for the public, applicants and other staff members, we cannot consider any request less than 6 business hours before the start of the hearing.

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 item.

The agenda of the meeting is as follows:

A. Approval of Minutes

B. Approval of Agenda

C. Requests for Continuance and/or Withdrawal

- * 1. Application #: **ZA-567-22-2 (Continued from December 7, 2023) (Withdrawn)**
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

D. Items for Consideration

2. Application #: **ZA-212-23-6 (Continued from December 7, 2023)**
Existing Zoning: R1-6
Location: 1035 East Ocotillo Road
Quarter Section: 22-29(I8)
Proposal: **1)** Variance to allow an over height fence (5 feet) in the required front yard (north) setback. Maximum height of 40 inches permitted.
2) Variance to allow a detached accessory structure within the required front yard (north) setback. Detached accessory structures not permitted within the required front yard setback.
Ordinance Sections: 703.A.3.a, 706.A
Applicant: Yossi Dror
Representative: Yossi Dror
Owner: Yossi Dror
Appellant: Yossi Dror
3. Application #: **ZA-529-16-6 (1-Year Review)**
Existing Zoning: C-1
Location: 4602 East Thomas Road
Quarter Section: 15-38(G11)
Proposal: **1)** Use Permit to allow the sale of alcoholic beverages accessory to a restaurant (Muse and Market). Use Permit required.
2) Use Permit to allow outdoor dining accessory

to a restaurant (Muse and Market). Use Permit required.

3) Use Permit to allow outdoor alcoholic beverage consumption as an accessory use to a restaurant (Muse and Market). Use Permit required.

Ordinance Sections:

622.D.150.a, 622.D.150.d, 622.D.150.d

Applicant:

Karin Santiago, Lightvox Studio

Representative:

Karin Santiago, Lightvox Studio

Owner:

Jeff Beraznik, Meridian One LLC

Appellant:

Neal Haddad, Neighborhood Coalition Greater Phoenix

4. Application #:

ZA-407-23-6 (SIGN)

Existing Zoning:

PUD CEPCSP

Location:

1720 East Camelback Road

Quarter Section:

Q19-31(H9)

Proposal:

1) Use permit to adopt the Alta Bluewater Comprehensive Sign Plan and amend the boundary of the Camelback Center CSP. Use permit required.

2) Variance to increase the area of wall signs for a multifamily residential use along the east building elevation to 155 square feet. Maximum area permitted is 140 square feet.

3) Variance to increase the area of wall signs for a multifamily residential use along the south building elevation to 66 square feet. Maximum area permitted is 52 square feet.

4) Variance to allow wall signs at the top of the fifth story at a maximum height of 69 feet for two signs. Multi-family buildings shall have wall signs no higher than the top of the second story.

5) Variance to allow wall signs at the top of the fifth story at a maximum height of 51 feet for one sign. Multi-family buildings shall have wall signs no higher than the top of the second story.

Ordinance Sections:

705.E.2.b, 705.D.1 Table D-1, 705.D.1 TableD-1, Camelback East Primary Core Specific Plan, Camelback East Primary Core Specific Plan

Applicant:

Maggie Dellow, Snell & Wilmer

Representative:

Maggie Dellow, Snell & Wilmer

Owner:

Todd Taylor

Appellant:

Mike Maerowitz, Snell & Wilmer

5. Application #:

ZA-395-23-7

Existing Zoning:

C-2 PCD

Location:	2640 South 99th Avenue
Quarter Section:	Q7-4(E2)
Proposal:	1) Use permit to allow outdoor dining as an accessory use to a restaurant (Federico's Mexican Restaurant) within 500 feet of a residential zoning district. Use permit required. 2) Use permit to allow a drive-through as an accessory use to a restaurant (Federico's Mexican Restaurant) within 300 feet of a residential zone. Use permit required. 3) Variance to reduce the required trees to 0 in the landscape setback adjacent to street (east). Minimum 5 trees required.
Ordinance Sections:	623.D.157.c, 623.D.157.d(2), 623.E.4.e
Applicant:	Robert Lepore
Representative:	Robert Lepore
Owner:	LM & Sons III, LLC
Appellant:	Robert Lepore

6.	Application #:	ZA-558-23-3
	Existing Zoning:	PSC
	Location:	830 East Greenway Parkway
	Quarter Section:	Q36-29(M8)
	Proposal:	Use permit to allow patron dancing as an accessory use to a restaurant (Lookout Tavern). Use permit required.
	Ordinance Sections:	622.D.150.c
	Applicant:	Kevin Stout
	Representative:	David Dow
	Owner:	Wael Rabadi
	Appellant:	Kevin Stout

E. Other Business

** 7.	Application #:	ZA-290-23-3 (Request for Reconsideration)
	Existing Zoning:	R1-8
	Location:	13831, 13837 and 13839 North 12th Street
	Quarter Section:	33-30(L9)
	Proposal:	1) Variance to allow a minimum lot width (Lot No. 1) of 62 feet. Minimum lot width of 70 feet required. 2) Variance to allow a minimum lot width (Lot No. 2) of 62 feet. Minimum lot width of 70 feet required.
	Ordinance Sections:	612.B.Table, B.(a), 612.B.Table, B.(a)
	Applicant:	Brian Fracasse, NCARB, AIA, Taylor Fracasse Architecture, Inc.

Representative: Brian Fracasse, NCARB, AIA, Taylor Fracasse
Architecture, Inc.
Owner: 13839 N. 12th St, LLC
Appellant: Brian Fracasse, NCARB, AIA, Taylor Fracasse
Architecture, Inc.

8. Update on next Board of Adjustment agenda.
9. Update on pending appeals of the Board of Adjustment.
10. Q & A: Procedure and Process - Board of Adjustment case law.

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 Teleia Galaviz at 602-291-2559 or teleia.galaviz@phoenix.gov. TTY: Use 7-1-1.

January 30, 2024