

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised February 28, 2024*

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 on **January 25, 2024 9:00 AM (Items 1-7) and 1:30 PM (Items 8-14)**

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
Approved
w/stip

9:00 AM

1. Application #: ZA-648-23-4
Existing Zoning: R-3
Location: 2843 West Almeria Road
Quarter Section: Q13-22(G7)
Proposal: 1) Use permit to allow a community residence center. Use permit required.
2) Variance to allow 27 percent lot coverage for a community residence center. Maximum 25 percent allowed.
Ordinance Sections: 608.E.14 608.E.14.d
Applicant: Susan Phelan, SSD Investments, LLC
Representative: Susan Phelan, SSD Investments, LLC
Owner: Susan Phelan, SSD Investments, LLC
Stipulation:
1) 2 year review.

Approved
w/stips

2. Application #: ZA-654-23-2
Existing Zoning: C-2
Location: 3321 East Bell Road
Quarter Section: Q36-35(M10)
Proposal: Use permit to allow a temporary use (Annual Beer Festival Event) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: Tyler Smith, Kitsune Brewing Company
Representative: Kristan Drewes, Beta Agency AZ
Owner: Stewart Ferber, Marni Retail Partners, LLC
Stipulations:
1) Must provide fencing and security at each event.
2) One event per year during the hours of 2:00 PM to 6:00 PM.

Approved
w/stips

3. Application #: ZA-659-23-7
Existing Zoning: PUD
Location: 7474 South 59th Avenue
Quarter Section: Q2-15(D5)

Proposal: Use permit to allow a temporary use (temporary enrollment center for 3 months). Use permit required.
Ordinance Sections: 708.D.1
Applicant: EOS Fitness, Fitness Alliance, LLC
Representative: Hilery Hixon and Marcel Kuerzi, EOS Fitness, Fitness Alliance, LLC
Owner: Laveen Spectrum, LLC

Stipulations:

- 1) Per the location shown on the site plan date stamped December 13, 2023.
- 2) Use permit approved for up to 4 months.

**Approved
w/stips**

4. Application #: ZA-662-23-4
Existing Zoning: R1-6 HP
Location: 359 East Verde Lane
Quarter Section: Q15-28(G8)
Proposal: Variance to reduce the side yard setback (east) to 0 feet. Minimum 3 feet required.
Ordinance Sections: 613.B.Table B
Applicant: Zach Mykytiuk, Rezio, LLC
Representative: Zach Mykytiuk, Rezio, LLC
Owner: Chandra and Thomas P. Reilly Jr.

Stipulations:

- 1) Per the setback reduction shown on the site plan date stamped December 14, 2023.
- 2) Must apply and pay for building permits within 1 year.

***Approved
w/stips**

5. Application #: ZA-671-23-4
Existing Zoning: C-3
Location: 2020 Grand Avenue
Quarter Section: Q13-24(G7)
Proposal: 1) Variance to allow the required covered parking spaces to front on perimeter street right-of-way (Holly Street). Required covered parking spaces shall not front on perimeter street rights-of-way.
2) Variance to allow the required covered parking spaces to front on perimeter street right-of-way (20th Avenue). Required covered parking spaces shall not front on perimeter street rights-of-way.
3) Variance to reduce the street side perimeter landscape setback (north) to 0 feet. Minimum 10 feet required.
4) Variance to reduce the street side perimeter landscape setback (east) to 0 feet. Minimum 10 feet required.
5) Variance to reduce the number of required guest parking spaces to 0 spaces. Minimum 16

guest parking spaces required.

6) Use permit to allow the Single-Family Attached development option. Use permit required.

Ordinance Sections: 608.F.6.d.(2) 608.F.6.d.(2) 608.F.6.e.(1)
608.F.6.e.(1) 608.F.6.g.(4) 608.F.8

Applicant: Tana Nichols, Habitat for Humanity Central Arizona

Representative: Christian Solorio, Architectural Resource Team

Owner: Habitat for Humanity Central Arizona

Taken out from under advisement on February 28, 2024 and approved with the following stipulations:

1) Per the location of the covered parking spaces and landscape reductions as shown on the site plan date stamped December 20th, 2023.

2) 2 years to apply and pay for building permits.

**Approved
w/stips**

6. Application #: ZA-712-23-6
Existing Zoning: R-5
Location: 4510 North 24th Street and 2312 East Campbell Avenue
Quarter Section: Q18-32(H9)
Proposal: 1) Variance to reduce the minimum parking requirement to 216 spaces. Minimum 339 spaces required.
2) Variance to reduce the interior landscape setback (north) to 0 feet. Minimum 5 feet required.
3) Variance to reduce the interior landscape setback (west) to 0 feet. Minimum 5 feet required.
4) Variance to reduce the perimeter landscape setback (south) to 0 feet. Minimum 5 feet required.
5) Variance to allow an over height wall (12 feet) in the required rear yard (north) setback. Maximum 6 feet permitted.
6) Variance to reduce the required landscaping for a surface parking lot to 4 percent. Minimum 5 percent of surface parking lots to be landscaped.
Ordinance Sections: 507 Tab A.II.A.6.1.1 702.C 703.A.2.c 703.B.3.b.3 703.B.3.b.3 703.B.3.b.3
Applicant: Zach Kilgas, Hamilton Architecture
Representative: Zach Kilgas, Hamilton Architecture
Owner: Roman Catholic Diocese of Phoenix

Stipulations:

1) 18 months to apply and pay for building permits.

2) Subject to the parking reductions, landscape setback reductions, and over height wall depicted on the site plan date stamped December 18, 2023.

7. Application #: ZA-720-23-4
Existing Zoning: R-5 TOD-1
Location: 77 East Weldon Avenue
Quarter Section: Q16-28(H8)
Proposal: 1) Use permit to reduce parking for special needs population to 37 spaces. Minimum 53 spaces required.
2) Use permit to use the Planned Residential Development (PRD) option. Use permit required.
Ordinance Sections: 702.E.6 608.B
Applicant: Michael S. Buschbacher II, AICP, Earl & Curley, PC
Representative: Taylor C. Earl, Earl & Curley, PC
Owner: PM Solutions, LLC
Stipulation:
1) 2 years to apply and pay for building permits.

8. Application #: ZA-665-23-7 (SIGN)
Existing Zoning: C-2
Location: 7215 South 51st Avenue
Quarter Section: Q1-17 (D5)
Proposal: Use permit for a major amendment to the Dignity Health Comprehensive Sign Plan to add a ground sign. Use permit required.
Ordinance Sections: 705.E.2.d (2)
Applicant: Suzie Preidt, National Permit Expeditors, Inc.
Representative: Jessica Steele, Driven Brands
Owner: John Foertsch, Cafe Investments, LLC

Stipulations:

- 1) Sign design shall be in accordance with the sign drawings submitted to the Hearing Officer and date stamped January 25, 2024. Subject to review by Laveen Citizens for Responsible Development.
- 2) 12 months to obtain sign permits for the ground sign.

| | | |
|----|---------------------|--|
| 9. | Application #: | ZA-592-23-8 |
| | Existing Zoning: | DTC-Evans Churchill West ACSBO |
| | Location: | 333 East Roosevelt Street |
| | Quarter Section: | Q11-28(F8) |
| | Proposal: | Use permit to allow liquor retail sales (Milk & Honey). Use permit required. |
| | Ordinance Sections: | 1204.D.Table |
| | Applicant: | IAI Market LLC, Milk & Honey |
| | Representative: | Jeffrey C. Miller, Arizona Liquor Industry Consultants |
| | Owner: | RP Property Owner, LP / etal, c/o Greystar Property Management |

| | | | |
|-----------------------------|-----|----------------------|--|
| Approved w/stips | 10. | Application #: | ZA-698-23-4 |
| | | Existing Zoning: | C-2, C-3, P-1 |
| | | Location: | 3502 West Van Buren Street |
| | | Quarter Section: | Q11-20(F6) |
| | | Proposal: | 1) Variance to reduce the landscape setback (north) adjacent to a public street (Melvin Street) to 1 foot. Minimum average 25 feet required. 2) Variance to reduce the landscape setback (east) adjacent to a public street (35th Avenue) to 8 feet. Minimum average 25 feet required. 3) Variance to reduce the landscape setback (south) adjacent to a public street (Van Buren Street) to 7 feet. Minimum average 25 feet required. 4) Variance to reduce the landscape setback (south) adjacent to a public street (Van Buren Street) to 7 feet. Minimum average 25 feet required. 5) Variance to reduce the landscape setback (northwest) adjacent to R-3 zoning to 5 feet. Minimum 10 feet required. 6) Use permit to allow a drive-through facility as an accessory use to a restaurant (Panda Express) located within 300 feet of a residential zoning district. Use permit required. |
| | | Ordinance Sections: | 623.E.4.e 623.E.4.e 623.E.4.e 624.E.4.e 624.E.4.e 624.D.112.d.(2) |
| | | Applicant: | Brian Greathouse, Burch & Cracchiolo, P.A. |
| | | Representative: | Brian Greathouse, Burch & Cracchiolo, P.A. |
| | | Owner: | S K & M Investments, Inc. c/o GWA Architects, Inc. |
| | | Stipulations: | 1) 2 years to apply and pay for building permits. 2) In accordance with the landscape setback reductions and drive through location as shown on the site plan date stamped January 4, 2024. |
| Denied | 11. | Application #: | ZA-670-23-4 |
| | | Existing Zoning: | R1-10 HP |
| | | Location: | 501 West Georgia Avenue |
| | | Quarter Section: | Q19-27(H8) |
| | | Proposal: | Variance to reduce the side yard (east) setback to 3 feet. Minimum 10 feet required. |
| | | Ordinance Sections: | 611.B.Table B |
| | | Applicant: | David Bee, Bee Flips, LLC |
| | | Representative: | David Bee, Bee Flips, LLC |
| | | Owner: | David Bee, Bee Flips, LLC |

| | | | |
|--------------------------|-----|--|--|
| Denied | 12. | Application #: | ZA-686-23-2 |
| | | Existing Zoning: | R1-14 |
| | | Location: | 5418 East Everett Drive |
| | | Quarter Section: | Q34-40(L11) |
| | | Proposal: | 1) Variance to allow a 35 percent lot coverage. Maximum of 30 percent lot coverage permitted. 2) Variance to allow an over height (20 feet) accessory structure located in the side yard (west) setback. Maximum 15 feet in height permitted. 3) Variance to allow an over height (20 feet) accessory structure located in the rear yard (north) setback. Maximum 15 feet in height permitted. |
| | | Ordinance Sections: | 606.B.5 706.B.2.a 706.B.2.a |
| | | Applicant: | Sabrina Thompson |
| | | Representative: | Sabrina Thompson |
| | | Owner: | Sabrina Thompson |
| *Approved w/stips | 13. | Application #: | ZA-702-23-8 |
| | | Existing Zoning: | R-3 |
| | | Location: | 4604 East McKinley Street and 814 North 48th Street |
| | | Quarter Section: | Q11-38(F11) |
| | | Proposal: | 1) Variance to reduce the interior side yard landscape setback (North) to 0 feet. Minimum 5 feet required. 2) Variance to reduce the interior side yard landscape setback (South) to 0 feet. Minimum 5 feet required. |
| | | Ordinance Sections: | 703.B.3.b.3 703.B.3.b.3 |
| | | Applicant: | Michael Dooley, Crosscut Commons, LLC |
| | | Representative: | Michael Dooley, Crosscut Commons, LLC |
| | | Owner: | Crosscut Commons, LLC |
| | | Taken out from under advisement on February 28, 2024 and approved with the following stipulations: | |
| | | 1) Per the location of the landscape setback reductions as shown on site plan date stamped January 29, 2024. | |
| | | 2) 2 years to apply and pay for building permits. | |
| Continued | 14. | Application #: | ZA-732-23-2 |
| | | Existing Zoning: | R1-14 |
| | | Location: | 5302 East Friess Drive |
| | | Quarter Section: | Q33-40(L11) |
| | | Proposal: | Variance to reduce the side setback (east) for a detached accessory structure to 0 feet. Minimum 3 feet required. |
| | | Ordinance Sections: | 706.B.3 |
| | | Applicant: | Ernest D Bianchi |

Representative: Ernest D Bianchi
Owner: Ernest D Bianchi
Continued to February 22, 2024 at 1:30 PM.

**ZONING ADJUSTMENT HEARING OFFICER: CRAIG TRIBKEN
PLANNER: NATASHA HUGHES, PLANNER II**

For further information please call Eric Morales, Planner III, Planning and Development Department at 602-262-7927 or via electronic mail at zoning.adjustment@phoenix.gov. To request a reasonable accommodation, please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov TTY: Use 7-1-1.

February 28, 2024