

**NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING**

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 **August 29, 2024 at 9:00 AM (Items 1-4) and 1:30 PM (Items 5-7)**

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:

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| RESULTS | 9:00 AM | |
| Approved | 1. | Application #: ZA-482-24-4 |
| w/stip | | Existing Zoning: C-2, R-3 |
| | | Location: 2640 East McDowell Road |
| | | Quarter Section: Q13-33(G9) |
| | | Proposal: 1) Time extension for ZA-557-22, variance to reduce the street side building setback along McDowell Road (south) to 16 feet. Average of 25 feet is required, minimum 20 feet permitted for up to 50 percent of structure, including projections.
2) Time extension for ZA-557-22, variance to reduce the street side building setback along 26th Place (west) to 16 feet. Average of 25 feet is required, minimum 20 feet permitted for up to 50 percent of structure, including projections.
3) Time extension for ZA-557-22, variance to reduce the streetscape landscape setback adjacent to 26th Place to 20 feet average. Average of 25 feet for structures not exceeding two stories or 30 feet, minimum 20 feet permitted for up to 50% of frontage. |
| | | Ordinance Sections: 623.E.4.d 623.E.4.d 623.E.4.e |
| | | Applicant: Jason Olive, ADM Group, Inc. |
| | | Representative: Jason Olive, ADM Group, Inc. |
| | | Owner: Faith Christian Center |
| | | Stipulation: |
| | | 1) 6 months to apply and pay for building permits. |
| Approved | 2. | Application #: ZA-564-24-8 |
| w/stips | | Existing Zoning: C-3, R-3 |
| | | Location: 4728 East Van Buren Street |
| | | Quarter Section: Q11-38(F11) |
| | | Proposal: Use permit to extend a use which is permitted in a less restricted district (C-3) into the more restricted district (R-3) to a maximum of 25 feet. Use permit required. |

Ordinance Sections: 307.A.8
Applicant: Brian Fracasse, Taylor Fracasse Architecture, Inc.
Representative: Brian Fracasse, Taylor Fracasse Architecture, Inc.
Owner: Gord Nicodermus, Desert Drives, LLC

Stipulations:

- 1) Substantial conformance to the site plan date stamped August 29, 2024 as it pertains to proposed development within R-3 zoning.
- 2) 60 days to apply and pay for building permits.

**Approved
w/stip**

3. Application #: ZA-571-24-7
Existing Zoning: C-2 HGT/WVR DNS/WVR, C-2
Location: 8225 South 63rd Avenue
Quarter Section: Q01-14(D5)
Proposal: 1) Variance to reduce the required landscape setback to 0 feet along an interior property line (proposed lot split line) for the Multifamily-1 Apartments. Minimum 5 feet required.
2) Variance to reduce the required landscape setback to 0 feet along an interior property line (proposed lot split line) for the Multifamily-2 Apartments. Minimum 5 feet required.

Ordinance Sections: 703.B.3.b.(3) 703.B.3.b.(3)
Applicant: Dennis Newcombe, Gammage & Burnham, PLC
Representative: Lindsay Schube, Gammage & Burnham, PLC
Owner: David Koval, Laveen Baseline, LLC

Stipulation:

- 1) 24 months to apply and obtain building permits.

**Approved
w/stip**

4. Application #: ZA-574-24-7
Existing Zoning: C-3
Location: 4032 West Buckeye Road
Quarter Section: Q9-19(F6)
Proposal: 1) Variance to reduce the rear building setback along the alley (north) to 2 feet. 25 feet is required when adjacent to an R-3 zoning district.
2) Variance to reduce the front building setback along Buckeye Road (south) to 0 feet. 25 feet is required, minimum 20 feet permitted for up to 50% of structure, including projections.
3) Variance to reduce the landscape setback along 41st Avenue (west) to 0 feet. An average of 25 feet is required, minimum of 20 feet permitted for up to 50 percent, including projections.
4) Variance to reduce the landscape setback along Buckeye Road (south) to 0 feet. An average of 25 feet is required, minimum of 20

feet permitted for up to 50 percent, including projections.

5) Variance to reduce the alley side landscape setback (north) to 0 feet. A minimum of 10 feet is required.

6) Variance to allow an over height fence (7 feet) within the required front yard setback (south). Maximum 40 inches permitted.

7) Variance to allow an over height fence (7 feet) within the required front yard setback (west). Maximum 40 inches permitted.

Ordinance Sections: 624.E.4.d 624.E.4.d 624.E.4.e 624.E.4.e
624.E.4.e

703.A.3.a 703.A.3.a

Applicant: Paul Almond, Almond ADG Architects

Representative: Paul Almond, Almond ADG Architects

Owner: Omar Arratia

Stipulation:

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

1:30 PM

**Approved
w/stips**

5. Application #: ZA-386-24-8 (SIGN)

Existing Zoning: A-1

Location: 4022 East Broadway Road

Quarter Section: Q5-37(E10)

Proposal: Use Permit to rebuild a non-conforming off-premise sign with one digital face. Use permit required.

Ordinance Sections: 705.2.G.4

Applicant: Jacob Zonn, Becker Boards Small, LLC

Representative: Garry D. Hays, Law Offices of Gary D. Hays

Owner: Williams Portfolio 28, LLC

Stipulations:

- 1) Install Planning and Development Department (PDD) design-approved vertical louvers on the digital sign face that effectively reduce digital image visibility for areas outside of eastbound Interstate 10 traffic. Prior to final inspection of the sign, effectiveness of vertical louvers to be verified via a sign inspection performed by Planning and Development Department (PDD) staff.
- 2) For digital sign face(s) catwalks and railings shall not be installed on the outside or external side of the sign face(s).
- 3) Install a Planning and Development Department design-approved metallic screen treated with a graffiti resistant coating on south end of the V-shaped sign.
- 4) Add a PDD design approved decorative trim cap to the top of the existing pole cover.
- 5) The applicant shall have 12 months to apply and pay for permits for the subject sign.

Approved w/stip 6. Application #: ZA-555-24-8
Existing Zoning: DTC-Evans Churchill East
Location: 925 North 5th Street
Quarter Section: Q11-28(F8)
Proposal: 1) Use permit to allow outdoor liquor service as an accessory to a restaurant/microbrewery (Formation Brewing Company). Use permit required.
2) Use permit to allow a microbrewery (Formation Brewing Company). Use permit required.
Ordinance Sections: 1204.D 1204.D
Applicant: John Szafran, DPA Architects, Inc.
Representative: John Szafran, DPA Architects, Inc.
Owner: Desert Viking - Roosevelt Row, LLC, Niels Kreipke
Stipulation:
1) 6 months to apply and obtain building permits.

Approved 7. Application #: ZA-558-24-8
Existing Zoning: A-1
Location: 1802 South 7th Street
Quarter Section: Q8-28 (F8)
Proposal: Use permit to allow package liquor sales accessory to a convenience market on a lot less than 300 feet from a residential district. Use permit required.
Ordinance Sections: 622.D.102.a
Applicant: De Rito Partners
Representative: William Allison, Withey Morris Baugh, PLC
Owner: De Rito 7th Street & Mohave, LLC

**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.

August 29, 2024