

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised May 19, 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 on **April 14, 2022 at 9:00 AM (Items 1-8) and 1:30 PM (Items 9-17)**.

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-661-21-3 (Continued from February 10, 2022)
Existing Zoning: RE-35
Location: 11215 North 52nd Street
Quarter Section: 29-40(K11)
Proposal: Variance to allow an over height (10 feet) accessory structure in the side yard setback (south). Maximum 8 feet permitted.
Ordinance Sections: 706.C
Applicant: Andrew Franks, ABF Construction, LLC
Representative: Andrew Franks, ABF Construction, LLC
Owner: Richard and Jennifer Primus
Stipulation:
1) 1 year to apply and pay for building permits.

Approved
w/stip

2. Application #: ZA-13-22-8
Existing Zoning: C-2, C-2 HGT/WVR, PAD-14, P-1
Location: Approximately 415 feet west of the northwest corner of 36th Street and McDowell Road
Quarter Section: 13-35(G10)
Proposal: Use permit to utilize the Single-Family Attached development option. Use permit required.
Ordinance Sections: 608.F.8
Applicant: Danielle Crowell Jared Vidales, McDowell Partners I, LLC
Representative: Ron Harris, Norris Design
Owner: Danielle Crowell Jared Vidales, McDowell Partners I, LLC
Stipulation:
1) 18 months to apply and pay for building permits.

Approved
w/stip

3. Application #: ZA-61-22-6
Existing Zoning: C-1, C-2 (App. C-2 SP)
Location: 3701 East Indian School Road
Quarter Section: 16-36(H10)

		Proposal:	Use permit to allow for outdoor dining as an accessory use to a restaurant (Freshly Laid) within 500 feet of a residential district. Use permit required.
		Ordinance Sections:	623.D.157.c
		Applicant:	Vince Dalke, Dalke Design Group, LLC
		Representative:	Vince Dalke, Dalke Design Group, LLC
		Owner:	Gaslight Square Retail, LLC
		Stipulation:	
			1) 1 year to apply and pay for building permits.
Approved w/stip	4.	Application #:	ZA-62-22-6
		Existing Zoning:	R-3
		Location:	3112 and 3116 North 38th Street
		Quarter Section:	15-36(G10)
		Proposal:	1) Variance to allow a minimum lot width of 52 feet (Lot 1). Minimum lot width of 60 feet required. 2) Variance to allow a minimum lot width of 10 feet (Lot 2). Minimum lot width of 60 feet required. 3) Variance to reduce the required side yard (south) setback for Lot 1 to 5 feet. Minimum 10 feet required.
		Ordinance Sections:	615.B.Table B 615.B.Table B 615.B.Table B
		Applicant:	Lauren Proper Potter, Huellmantel & Affiliates
		Representative:	Lauren Proper Potter, Huellmantel & Affiliates
		Owner:	Theodore Gladish, Homesaver Solutions, Inc.
		Stipulation:	
			1) 18 months to apply and pay for building permits.
*Denied	5.	Application #:	ZA-64-22-8
		Existing Zoning:	R-2
		Location:	3107 North 32nd Way
		Quarter Section:	15-35(G10)
		Proposal:	Variance to reduce the side yard setback (south) for a detached accessory structure to 0 feet. Minimum 3 foot setback required.
		Ordinance Sections:	706.B
		Applicant:	Sheldon Aberman
		Representative:	Sheldon Aberman
		Owner:	Sheldon Aberman
		Taken out from under advisement on May 19, 2022 and denied	
Approved w/stip	6.	Application #:	ZA-65-22-6
		Existing Zoning:	R1-6
		Location:	4241 East Glenrosa Avenue
		Quarter Section:	17-37(H10)
		Proposal:	1) Variance to reduce the required lot width to 57 feet (Lot 1). Minimum 60 feet required. 2) Variance to reduce the required side yard

			setback (east) to 5 feet. Minimum 10 feet required.
		Ordinance Sections:	613.B.Table B 613.B.Table B
		Applicant:	Paul O'Connor, POCA Architecture & Design, LLC
		Representative:	Paul O'Connor, POCA Architecture & Design, LLC
		Owner:	Joseph R. & Carmen T Roberts, Neo Classic Home, LLC
		Stipulation:	1) 1 year to complete the lot split process.
#2 Approved w/stip	7.	Application #:	ZA-69-22-8
		Existing Zoning:	R-3 SPVTABDO
		Location:	3148 East Atlanta Avenue
		Quarter Section:	4-34(E10)
#1 Withdrawn		Proposal:	1) Variance to allow the required parking within the required front yard (south) setback. Required parking not permitted within the front yard setback. 2) Variance to reduce the side yard (east) setback to 3 feet. Minimum 10 feet required.
		Ordinance Sections:	702.F.1.a 615.B.TableB
		Applicant:	Isaiah Washington, Caring People, LLC
		Representative:	Isaiah Washington, Caring People, LLC
		Owner:	Isaiah Washington, Caring People, LLC
		Stipulation:	1) 1 year to apply and pay for building permits.
Approved w/stip	8.	Application #:	ZA-73-22-6
		Existing Zoning:	R1-6 CEPCSP
		Location:	4623 North 24th Place
		Quarter Section:	18-33(H9)
		Proposal:	1) Variance to reduce side yard setback (south) to 0 feet. Minimum 10 feet required. 2) Variance to reduce side yard setback (north) to 0 feet. Minimum 3 feet required. 3) Variance to increase lot coverage to 45 percent. Maximum 40 percent allowed.
		Ordinance Sections:	613.B.TableB 613.B.TableB 613.B.TableB
		Applicant:	Zenara Daley
		Representative:	Zenara Daley
		Owner:	Zenara Daley
		Stipulation:	1) 1 year to apply and pay for building permits.
		1:30 PM	
Denied	9.	Application #:	ZA-676-21-8 (SIGN) (Continued from February 17, 2022)

		Existing Zoning:	A-1
		Location:	4615 East Elwood Street
		Quarter Section:	5-38(E11)
		Proposal:	Variance to modify Stipulation #3 of ZA-647-19, regarding off-premise sign spacing, decreasing spacing to 647 feet and adding a second sign face. Minimum 1,000 feet of spacing required.
		Ordinance Sections:	705.2.B.2
		Applicant:	Jacob Zonn, Becker Boards Small, LLC
		Representative:	Jacob Zonn, Becker Boards Small, LLC
		Owner:	HM Sky Harbor, LLC
Approved w/stip	10.	Application #:	ZA-66-22-2 (SIGN)
		Existing Zoning:	C-2 M-R NBCOD, FH NBCOD
		Location:	3025 West Dove Valley Road
		Quarter Section:	56-22(R7)
		Proposal:	Use permit to adopt the Dove Valley Plaza Comprehensive Sign Plan. Use permit required
		Ordinance Sections:	705.E.2
		Applicant:	Andy Gibson, Bootz and Duke Sign Company
		Representative:	Kristi Trisko, Bootz and Duke Sign Company
		Owner:	Kramer PSP Properties LLC /Hardy Property
		Stipulation:	
			1) Twelve months to apply and pay for sign permits.
Approved w/stip	11.	Application #:	ZA-71-22-8 (SIGN)
		Existing Zoning:	C-2 HGT/WVR
		Location:	1048 North 44th Street
		Quarter Section:	12-37(G10)
		Proposal:	Use permit to adopt the Gateway Center Comprehensive Sign Plan. Use permit required.
		Ordinance Sections:	705.E.2
		Applicant:	Chris Totton, Bootz and Duke Sign Company
		Representative:	Kristi Trisko, Bootz and Duke Sign Company
		Owner:	5019 Kalaniana'ole, LLC
		Stipulation:	
			1) 2 years to apply and pay for a sign permit.
Approved w/stips	12.	Application #:	ZA-25-22-7
		Existing Zoning:	R-5 RI
		Location:	838 and 846 North 8th Avenue and 801 West Roosevelt Street
		Quarter Section:	11-26(F8)
		Proposal:	1) Variance to allow vehicle maneuvering within the alley. Maneuvering must be located on private property. 2) Variance to reduce the required perimeter landscape setback (south) to 0 feet. Minimum 5 feet required. 3) Variance to

reduce the required perimeter landscape setback (west) to 0 feet. Minimum 5 feet required.

4) Variance to reduce the required off-street guest parking to 2 spaces. Minimum 3 guest parking spaces required. **5)** Variance to reduce the lot width to 19 feet for Lots 1-12. Minimum 20 feet required. **6)** Variance to reduce the common area to 0%. Minimum 5% of gross area required.

Ordinance Sections: 702.A.1.b 608.F.8.c.3 608.F.8.c.3 608.F.8.f.1
618.B.Table B 618.B.1.Table B

Applicant: Andy Nametz, Roosevelt 8 Zero 1, LLC

Representative: William F. Allison, Withey Morris, PLC

Owner: Andy Nametz, Roosevelt 8 Zero 1, LLC

Stipulation:

- 1) 18 months to apply and pay for building permits.
- 2) Roosevelt Street shall have a 50/50 mix of red Pistache and other arid region/arid-adapted shade trees.

**Approved
w/stip**

13. Application #: ZA-34-22-4
Existing Zoning: R1-6
Location: 1012 West Clarendon Avenue
Quarter Section: 16-26(H8)
Proposal: **1)** Use permit to allow a home occupation to generate traffic. Use permit required. **2)** Use permit to allow a home occupation to be conducted in an accessory structure. Use permit required.
- Ordinance Sections: 608.E.3.h.(1) 608.E.3.h.(2)
Applicant: Carla R. Parola, Seven Centers Counseling
Representative: Carla R. Parola, Seven Centers Counseling
Owner: Carla R. Parola, Seven Centers Counseling
- Stipulation:**
1) No more than 8 clients per day.

**Approved
w/stip**

14. Application #: ZA-63-22-1
Existing Zoning: PUD
Location: 2615 West Jomax Road
Quarter Section: 48-22(P7) 48-23(P7)
Proposal: Use permit to allow a drive-through facility accessory to a restaurant (McDonald's) within 300 feet of a residential zoning district. Use permit required.
- Ordinance Sections: 623.D.157.d.(2)
Applicant: Jason Morris, Withey Morris, PLC
Representative: Jason Morris, Withey Morris, PLC
Owner: US Real Estate, Limited Partnership
- Stipulation:**
1) 18 months to apply and pay for building permits.

- Approved w/stip** 15. Application #: ZA-67-22-8
Existing Zoning: C-3
Location: 1629 East Jefferson Street
Quarter Section: 10-31(F9)
Proposal: **1)** Variance to reduce the streetscape landscape setback to 6 feet along Jefferson Street. Average 25 feet for structures not exceeding two stories or 30 feet, minimum 20 feet permitted for up to 50% of the frontage. **2)** Variance to allow an over height fence (7 feet) within the required front yard setback (north). Maximum 40 inches permitted. **3)** Variance to reduce the landscape setback (south) not adjacent to a street to 0 feet. Minimum 10 feet required.
Ordinance Sections: 624.E.4.e 703.A.3.a 624.E.4.d
Applicant: Wali Azim, WHA, LLC
Representative: Eric Lai, Architect, PLC
Owner: Wali Azim, WHA, LLC
Stipulation:
1) 1 year to apply and pay for building permits.
- Continued** 16. Application #: ZA-72-22-5
Existing Zoning: R1-6
Location: 4228 North 82nd Avenue
Quarter Section: 17-9(H3)
Proposal: Variance to reduce the required side yard setback (south) to 1 foot for a detached accessory structure. Minimum 3 feet required.
Ordinance Sections: 706.B
Applicant: Unique Cad and Design
Representative: Unique Cad and Design
Owner: Uribe Legacy LLC
Continued to June 16, 2022 at 1:30 PM.
- Approved w/stip** 17. Application #: ZA-76-22-7
Existing Zoning: PSC (Approved C-2)
Location: 1625 North 75th Avenue
Quarter Section: 13-11(G4)
Proposal: Use permit to allow a carwash in an open building. Use permit required.
Ordinance Sections: 623.D.41
Applicant: Josh Perrault, 75th Avenue Carwash, LP
Representative: Vanessa Samuelson, Larson Associates Architects, Inc.
Owner: Josh Perrault, 75th Avenue Carwash, LP
Stipulation:
1) 18 months to apply and pay for building permits.

ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE
PLANNER: JAZMINE BRASWELL, 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. 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 602-376-3981, les.scott@phoenix.gov
TTY: Use 7-1-1.

May 19, 2022