

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised March 1, 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 **February 10, 2022 at 9:00 AM (Items 1-8) and 1:30 PM (Items 9-16)**.

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/stips

9:00 AM

1. Application #: ZA-660-21-2
Existing Zoning: RE-24
Location: 6701 East Eugie Terrace
Quarter Section: 32-43(L12)
Proposal: **1)** Variance to reduce the required front yard setback (north) to 19 feet. Minimum 30 feet required. **2)** Variance to reduce the required rear yard setback (south) to 20 feet. Minimum 30 feet required. **3)** Variance to allow a 32 percent lot coverage. Maximum of 30 percent lot coverage permitted.
Ordinance Sections: 606.B.2 606.B.4 606.B.5
Applicant: Alexandra Anderson
Representative: Alexandra Anderson
Owner: Alexandra Anderson
Stipulations:
1) 1 year to apply and pay for building permits.
2) Per the setback reductions as shown on the plan dated November 18, 2021.

Continued

2. Application #: ZA-661-21-3
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

Continued to April 14, 2022 at 9:00 AM.

***Denied**

3. Application #: ZA-662-21-3
Existing Zoning: R1-14

Location: 13451 North 50th Street
Quarter Section: 32-39(L11)
Proposal: Variance to reduce the required front yard setback to 10 feet. Minimum 30 feet required.
Ordinance Sections: 606.B.2
Applicant: Renee Ervanian
Representative: Renee Ervanian
Owner: Renee Ervanian

Taken out from under advisement on March 1, 2022 and denied.

**Approved
w/stips**

4. Application #: ZA-665-21-2
Existing Zoning: C-2
Location: 20043 and 20049 North 24th Way
Quarter Section: 40-33(N9)
Proposal: **1)** Variance to reduce the street side building setback along Beardsley Road (north) to 15 feet. Average of 25 feet is required, minimum 20 feet permitted for up to 50 percent of structure, including projections. **2)** Variance to reduce the streetscape landscape setback along Beardsley Road (north) to 15 feet. An average of 25 feet is required, minimum of 20 feet permitted for up to 50 percent of the frontage. **3)** Variance to reduce the streetscape landscape setback along 24th Way (west) to 11 feet. An average of 25 feet is required, minimum 20 feet permitted for up to 50 percent of the frontage. **4)** Variance to allow a drive-through facility accessory to a restaurant with access from a local street. Access from an arterial or collector street required.
Ordinance Sections: 623.E.4.d 623.E.4.e 623.E.4.e 623.D.157.d.(1)
Applicant: Ken Jacobs, EvCap Management
Representative: Chris Colyer, Esq., Snell and Wilmer, LLP
Owner: Augustine Woods Development Company, LLC
Stipulations:
1) 18 months to apply and pay for building permits.
2) Per the setback reductions as shown on the site plan dated November 18, 2021.

**Approved
w/stips**

5. Application #: ZA-666-21-4
Existing Zoning: C-O, P-1
Location: Approximately 237 feet west of the southwest corner of 7th Street and Palm Lane
Quarter Section: 13-28(G8)
Proposal: **1)** Variance to reduce the required minimum landscape width long a Local Street (Private Drive) to 0 feet. Minimum 5 feet required.
2) Variance to reduce the required sidewalk along a Local Street (Private Drive) to 0 feet.

			Minimum 5 feet required. 3) Variance to reduce the required minimum landscape width along a secondary parking frontage (Private Drive) to 0 feet. Minimum 8 feet required.
		Ordinance Sections:	1312.C.1.c 1312.C.1.c 1303.B.Table1303.2.Transect T4.(i)
		Applicant:	George Pasquel III, Withey Morris, PLC
		Representative:	George Pasquel III, Withey Morris, PLC
		Owner:	Goldwater Institute
		Stipulations:	
			1) 2 years to apply and pay for building permits.
			2) General conformance to the setback reductions as shown on the plan dated November 18, 2021.
Approved w/stips	6.	Application #:	ZA-668-21-8
		Existing Zoning:	C-2 BAOD
		Location:	1510 East Baseline Road
		Quarter Section:	1-30(D9)
		Proposal:	Use permit to allow a drive-through facility as an accessory use to a restaurant (Carl's Jr) within 300 feet of a residential district zoning line. Use permit required.
		Ordinance Sections:	623.D.157.d.(2)
		Applicant:	Kevin Zenk, Sustainability Engineering Group, LLC
		Representative:	Kevin Zenk, Sustainability Engineering Group, LLC
		Owner:	Niels Kreipke, Desert Viking-Baseline, LLC
		Stipulations:	
			1) 2 years to apply and pay for building permits.
			2) Drive-through hours limited to 6:00 AM – Midnight.
			3) Per the location of the drive-through as shown on the plan dated November 19, 2021.
*Denied	7.	Application #:	ZA-669-21-3
		Existing Zoning:	R1-10 RPSPD
		Location:	910 West El Caminito Drive
		Quarter Section:	25-26(J8)
		Proposal:	Variance to reduce the required front yard setback (west) to 10 feet. Minimum 25 feet required.
		Ordinance Sections:	611.B.Table B
		Applicant:	Kristen Steger-Graham
		Representative:	Travis Howe, Travis Howe Design
		Owner:	Kristen Steger-Graham
		Taken out from under advisement on March 1, 2022 and denied.	
		1:30 PM	
Approved w/stip	8.	Application #:	ZA-597-21-8 (SIGN)
		Existing Zoning:	DTC - Warehouse

Location: 602 East Grant Street
Quarter Section: 9-28(F8)
Proposal: **1)** Use permit to rebuild two faces of a nonconforming, digital, off-premise sign with each face attached to a new building. Use permit required. **2)** Variance to relocate a nonconforming off-premise sign within 102 feet of another off-premise sign. Minimum 1,000 foot spacing required. **3)** Variance to reduce the required setback for an off-premise sign to 0 feet. Minimum 25 foot setback from public right-of-way required. **4)** Use permit to relocate a nonconforming off-premise sign within 20 feet of a historic preservation district. Use permit required.
Ordinance Sections: 705.2.G.4 705.2.B.2 705.2.B.1 705.2.A.4.a
Applicant: Paul Hickman, Clear Channel Outdoor
Representative: Taylor Earl, Earl & Curley
Owner: Eller Media Company

Stipulation:

- 1) The applicant shall have 48 months to apply and pay for permits for the rebuilt, building- mounted sign.

**Approved
w/stips**

9. Application #: ZA-659-21-8 (SIGN)
Existing Zoning: A-1
Location: 4221 East Raymond Street
Quarter Section: 5-37(E10)
Proposal: Use permit to convert one face of a nonconforming, freeway off-premise sign to digital. Use permit required.
Ordinance Sections: 705.2.G.4
Applicant: Wendy Riddell, Berry Riddell, LLC
Representative: Wendy Riddell, Berry Riddell, LLC
Owner: Megan Caywood, Raymond Trust Partners, LLC

Stipulations:

- 1) Install a Planning and Development Department design-approved, decorative pole cover on the rebuilt off-premise freeway sign. Any access ladder, if included, shall be on the north or west side of the pole cover and concealed from eastbound freeway traffic.
- 2) Prior to the issuance of sign permits for the subject sign, the applicant shall obtain demolition permits and completely remove off-premise sign structures including 16232 N. Cave Creek Road, permit# 37656, (APN 214-25-083A) with sign faces totaling 288 square feet and 1306 E. Van Buren Street, permit# 03470 (APN 116-25-114) with sign faces totaling 600 square feet.
Alternative, acceptable off-premise sign structures with sign faces totaling a minimum of 672 square feet may be removed to satisfy the sign removal requirements of the digital conversion

use permit. Acceptable documentation for sign(s) to be removed shall be provided prior to the issuance of the permits to rebuild the sign at 4221 E. Raymond Street.

All off-premise sign privileges, including nonconforming status, associated with the signs to be removed shall be extinguished with the removal of the signs. Prior to the issuance of sign permits for the subject sign, acceptable, written acknowledgement from the property owner of record indicating the removed off-premise signs cannot be rebuilt shall be provided to the Planning and Development Department.

- 3) The applicant shall have 12 months to apply and pay for permits for the subject sign.

Withdrawn to Amend	10.	Application #:	ZA-663-21-8 (SIGN)
		Existing Zoning:	DTC-Business Core
		Location:	651 East Buchanan Street
		Quarter Section:	9-28(F8)
		Proposal:	Use permit to rebuild a nonconforming, off-premise sign to 48 feet in height, 242 square feet in area and two digital sign faces. Use permit required.
		Ordinance Sections:	705.2.G.4
		Applicant:	Brent Wood, Outfront Media
		Representative:	William Allison, Withey Morris, PLC
		Owner:	6th Street and Lincoln, LLC
Approved w/stips	11.	Application #:	ZA-667-21-4
		Existing Zoning:	R-3
		Location:	1648 West Colter Street
		Quarter Section:	19-25(H7)
		Proposal:	Variance to allow an overheight fence (6 feet in height) located within the required front yard (south) setback. Maximum 40 inches permitted.
		Ordinance Sections:	703.A.3.a
		Applicant:	Epta Construction, LLC
		Representative:	Orlando Enrique, Epta Construction, LLC
		Owner:	Brad Gilboe, Edge Piece, LLC
		Stipulations:	
			1) 1 year to apply and pay for building permits.
			2) Per the fence proposal as shown on the site plan and elevation dated November 18, 2021.
Approved w/stip	12.	Application #:	ZA-670-21-3
		Existing Zoning:	R1-6
		Location:	13204 North 19th Street
		Quarter Section:	32-31(L9)
		Proposal:	1) Variance to reduce the required rear yard setback (west) to 19 feet. Minimum 25 feet required. 2) Variance to reduce the required front yard setback (east) to 15 feet. Minimum 20

feet required. **3)** Variance to allow a 45 percent lot coverage. Maximum of 40 percent lot coverage permitted.

Ordinance Sections: 613.B.Table B 613.B.Table B 613.B.Table B

Applicant: Jeffrey and Dawn M. Fuller

Representative: Jeffrey and Dawn M. Fuller

Owner: Jeffrey and Dawn M. Fuller

Stipulation:

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

**Approved
w/stips**

13. Application #: ZA-673-21-1
Existing Zoning: C-O
Location: 3233 West Peoria Avenue
Quarter Section: 28-21(K6)
Proposal: **1)** Use permit to allow outdoor dining as an accessory use to a restaurant (PAD A) within 500 feet of a residential district. Use permit required. **2)** Use permit to allow a drive-through facility accessory to a restaurant (PAD A) within 300 feet of a residential zoning district. Use permit required. **3)** Use permit to allow outdoor dining as an accessory use to a restaurant (PAD B) within 500 feet of a residential district. Use permit required. **4)** Use permit to allow a drive-through facility accessory to a restaurant (PAD B) within 300 feet of a residential zoning district. Use permit required.
- Ordinance Sections: 623.D.157.c 623.D.157.d.(2) 623.D.157.c 623.D.157.d.(2)
- Applicant: Neil Feaser, RKAA Architects, Inc.
Representative: Neil Feaser, RKAA Architects, Inc.
Owner: Brian Page, Page Holdings
- Stipulations:**
- 1) 1 year to apply and pay for building permits.
 - 2) Drive-through and patio hours for both pads shall be limited to 10:00 AM – 10:00 PM.
 - 3) Per the patio and drive-through locations as show on the plan dated November 23, 2021.

**Approved
w/stips**

14. Application #: ZA-674-21-8
Existing Zoning: R-3 CCSIOD
Location: 1233, 1235, and 1241 South 15th Avenue
Quarter Section: 8-26(F8)
Proposal: Use Permit to use the Single-Family Attached development option. Use permit required.
- Ordinance Sections: 615. Table B
- Applicant: Lee Crawford, Arizona central Properties, LLC
Representative: Clint Scherf, SSE
Owner: Lee Crawford, Arizona central Properties, LLC
- Stipulations:**

- 1) 1 year to apply and pay for building permits.
- 2) General conformance to the site plan dated November 24, 2021.

Approved w/stips 15. Application #: ZA-675-21-8
Existing Zoning: R-4 RSIOD
Location: 1301 East Wood Street
Quarter Section: 5-30(E9)
Proposal: Variance to reduce the streetscape landscape setback along East Wood Street to 10 feet. Minimum 20 feet required.

Ordinance Sections: 703.B.3.a.
Applicant: Jerry Reyes, ALC Designers, LLC
Representative: Jerry Reyes, ALC Designers, LLC
Owner: Aaron Nelson, A5 Residential, LLC
Stipulation:
1) 18 months to apply and pay for building permits.
2) Per setback reduction as shown on the site plan dated November 30, 2021.

ZONING ADJUSTMENT HEARING OFFICER: RAY JACOBS
PLANNER: ERIC MORALES, 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.

March 1, 2022