

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised March 10, 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 17, 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-546-17-4 (1 year review of use permit)
Existing Zoning: C-2 TOD-1
Location: 400 and 444 West Camelback Road
Quarter Section: 19-27(H8)
Proposal: **1)** Variance to allow maneuvering in an alley. All maneuvering shall be located entirely on private property. **2)** Variance to reduce the combined depth of the parking space and the aisle width to 60 feet for a double loaded aisle. Minimum 62 feet required for a double loaded aisle. **3)** Variance to reduce the minimum required parking spaces to 86. Minimum 126 spaces required. **4)** Variance to reduce the building frontage to 25%. Minimum 65% required. **5)** Variance to reduce the clear window requirement along the street frontage to 10%. Minimum 60% required. **6)** Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a bar/restaurant. Use permit required. **7)** Use permit to allow outdoor recreation as an accessory to a bar/restaurant. Use permit required.
Ordinance Sections: 702.A.1.b 702.B.2.b.(5) 702.C.Table 662.I.2.a.Table 2 662.I.2.a 662.F.1.d 662.F.1.e
Applicant: Ben Patton, Ameris Construction
Representative: Ben Patton, Ameris Construction
Owner: Sam & Betty Legacy, LLC / 400 W., LLC
Stipulation:
1) All previous stipulations shall apply with the exception of the review.
- Approved** 2. Application #: ZA-335-19-4 (Continued from November 23, 2021) (1 year review of use permit)
Existing Zoning: C-2 HP TOD-1
Location: 400 and 444 West Camelback Road
Quarter Section: 19-27(H8)

	Proposal:	Use permit to allow a bar which exceeds 5,000 square feet in gross floor area and is located within 300 feet of a residential district. Use permit required.
	Ordinance Sections:	623.D.157.e
	Applicant:	Lorenzo Perez, Venue Projects
	Representative:	Lorenzo Perez, Venue Projects
	Owner:	Arrive Camelback, LLC
Approved w/stip	3.	Application #: ZA-522-21-3 (Continued from November 23, 2021) Existing Zoning: C-2 Location: 9620 North 7th Street Quarter Section: 27-28(J8) Proposal: Use permit to allow a tattoo shop (7th Street Tattoo LLC). Use permit required. Ordinance Sections: 623.D.187 Applicant: Miguel Lopez, 7th Street Tattoo, LLC Representative: Miguel Lopez, 7th Street Tattoo, LLC Owner: Charleston Brothers, LLC Stipulation: 1) 1 year to commence use.
Approved w/stips	4.	Application #: ZA-531-21-7 (Continued from November 23, 2021) Existing Zoning: C-3 CMOD Location: 2041 West Van Buren Street Quarter Section: 10-24(F7) Proposal: Use permit to allow an environmental remediation facility. Use permit required. Ordinance Sections: 622.D.60 Applicant: Hal Hatfield, Circle K Stores, Inc. Representative: Hal Hatfield, Circle K Stores, Inc. Owner: Circle K Stores, Inc. Stipulations: 1) Approved for 2 years. 2) 6-foot solid masonry wall or a similar solid structure shall be installed around the equipment to mitigate sound. 3) 1 year to apply and pay for building permits.
Approved w/stips	5.	Application #: ZA-532-21-8 (Continued from November 23, 2021) Existing Zoning: C-3 Location: 966 and 968 East Van Buren Street Quarter Section: 11-29(F8) Proposal: Use permit to allow an environmental remediation facility. Use permit required. Ordinance Sections: 622.D.60 Applicant: Hal Hatfield, Circle K Stores, Inc.

Representative: Hal Hatfield, Circle K Stores, Inc.

Owner: Heller Properties, LP

Stipulations:

- 1) Approved for 2 years.
- 2) 1 year to apply and pay for building permits.

**Approved
w/stips**

6. Application #: ZA-679-21-4
Existing Zoning: R-5
Location: 3946 West McDowell Road
Quarter Section: 13-19(G6)
Proposal: Variance to allow an over height wall (6 feet) in the required front yard (south). Maximum 40 inches permitted.

Ordinance Sections: 703.A.2.a
Applicant: Joe Garcia, Christian Life Church / Iglesia Vida Christiana
Representative: Vanessa Elias, Christian Life Church
Owner: Joe Garcia, Christian Life Church / Iglesia Vida Christiana

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the fence location as shown on the plan dated December 2, 2021.

**Approved
w/stips**

7. Application #: ZA-680-21-4
Existing Zoning: C-2 and R-4A
Location: 1201 North 35th Avenue and 1280 North 34th Avenue
Quarter Section: 12-21(G6)
Proposal: **1)** Variance to reduce the required parking to 196 spaces. Minimum 288 spaces required.
2) Variance to reduce the landscape setback requirement along 34th Avenue to 15 feet. Minimum 20 feet required.

Ordinance Sections: 702.C.Table 703.B.3.a
Applicant: Lauren Proper Potter, Huellmantel & Affiliates
Representative: Lauren Proper Potter, Huellmantel & Affiliates
Owner: QuikTrip Corporation

Stipulations:

- 1) 2 years to apply and pay for building permits.
- 2) An ADA compliant pedestrian connection shall be provided between the residential community and 35th Avenue through the commercial site.

Continued

8. Application #: ZA-685-21-7
Existing Zoning: R-3
Location: 760 West Jones Avenue
Quarter Section: 5-26(E8)
Proposal: **1)** Variance to reduce the front yard setback (south) to 11 feet. Minimum 25 feet required.

2) Variance to reduce the side yard setback (west) to 1 foot. Minimum 3 feet required.

3) Variance to reduce the rear yard setback (north) to 4 feet. Minimum 15 feet required.

Ordinance Sections: 615.B.Table B 615.B.Table B 615.B.Table B

Applicant: Cristobal Diosdado

Representative: Cristobal Diosdado

Owner: Cristobal Diosdado

Continued to April 21, 2022 at 1:30 PM.

1:30 PM

**Withdrawn
to Amend**

9. Application #: ZA-676-21-8 (SIGN)
Existing Zoning: A-1
Location: 4615 East Elwood Street
Quarter Section: 5-38(E11)
Proposal: **1)** 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. **2)** Use permit to rebuild a nonconforming off-premise sign adding a second sign face. Use permit required.
- Ordinance Sections: 705.2.B.2 705.2.G.5
Applicant: Jacob Zonn, Becker Boards Small, LLC
Representative: William Lally, Tiffany & Bosco, PA
Owner: HM Sky Harbor, LLC

**Approved
w/stips**

10. Application #: ZA-684-21-8 (SIGN)
Existing Zoning: MUA BAOD & R1-14 BAOD
Location: 2020 East Baseline Road
Quarter Section: 01-32(D9)
Proposal: Use permit to allow an electronic message display (EMD) on a ground sign. Use permit required.
- Ordinance Sections: 705.C.13
Applicant: Emily Arredondo, Fluoresco Services, LLC
Representative: Emily Arredondo, Fluoresco Services, LLC
Owner: Andrew Cunningham, 91st Psalm Ministries
- Stipulations:**
- 1) Maximum sign height shall be 8 feet.
 - 2) Electronic Message Display panel to be turned off daily by an automatic timer from 11:00 PM until sunrise.
 - 3) Sign shall be re-designed and the new design shall be approved by the Planning and Development Department. The re-design shall follow Baseline Area Overlay District Sign Design Guidelines and shall include wood and or stone, or materials that give the appearance of wood or stone. The top of the sign shall mimic the parapet design of the main structure.
 - 4) Removal of non-permitted temporary banner and A-frame signs prior to permit issuance.

5) The applicant shall have 12 months to apply and pay for permits for the proposed sign.

Approved w/stips 11. Application #: ZA-677-21-6
Existing Zoning: PSC CEPCSP
Location: 1935 East Camelback Road, Suite C-130
Quarter Section: 18-31(H9)
Proposal: **1)** Use permit to allow outdoor dining as an accessory to a restaurant (Torchy's Tacos). Use permit required. **2)** Use permit to allow outdoor alcoholic beverage consumption as an accessory to a restaurant (Torchy's Tacos). Use permit required. **3)** Use permit to allow sales of alcoholic beverages as an accessory to a restaurant (Torchy's Tacos). Use permit required.
Ordinance Sections: 622.D.150.d 622.D.150.d 622.D.150.a
Applicant: Leodra Bowdell, Phoenix Permit Service, LLC
Representative: Leodra Bowdell, Phoenix Permit Service, LLC
Owner: Camelback Colonnade, RED A Commercial Real Estate Company

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Patio hours limited to 7:00 AM – 10:00 PM Monday – Thursday, 7:00 AM – 11:00 PM on Friday, 8:00 AM – 11:00 PM on Saturday and 8:00 AM – 10:00 PM on Sunday.

Approved w/stips 12. Application #: ZA-678-21-6
Existing Zoning: R-3
Location: 4830, 4832, 4840, and 4846 East Virginia Avenue
Quarter Section: 14-39(G11)
Proposal: Use permit to utilize the Planned Residential Development (PRD) option. Use permit required.
Ordinance Sections: 615.B.Table B
Applicant: Leodra Bowdell, Phoenix Permit Service, LLC
Representative: Leodra Bowdell, Phoenix Permit Service, LLC
Owner: Paradise View 5474, LLC

Taken out from under advisement on March 10, 2022 and approved with the following stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Development to be consistent with plans date stamped February 17, 2022 by the City of Phoenix.
- 3) North-facing windows on the second stories of Units #10-16 shall be screened with louvers or other materials to protect the privacy of adjacent homes. Design to be approved by the Planning and Development Department.

Approved w/stip 13. Application #: ZA-682-21-3
Existing Zoning: R1-8
Location: 18120 North 14th Street

Quarter Section: 38-30(M9)
Proposal: Variance to delete Stipulation No. 3 from ZA-741-02-2 regarding natural grade and elevation. Variance required.
Ordinance Sections: 307.A.9
Applicant: Ed Bull, Burch & Cracchiolo, P.A.
Representative: Ed Bull, Burch & Cracchiolo, P.A.
Owner: Kevin & Roseanne Boyle, Boyle Revocable Trust

Taken out from under advisement on March 10, 2022 and approved with the following stipulation:

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

Denied

14. Application #: ZA-683-21-7
Existing Zoning: R1-6
Location: 2528 North 19th Avenue
Quarter Section: 14-24(G7)
Proposal: **1)** Variance to allow an over height wall (8 feet) within the side yard (south) setback. Maximum 6 feet permitted. **2)** Variance to allow an over height wall (8 feet) within the rear yard (west) setback. Maximum 6 feet permitted. **3)** Variance to allow an over height wall (8 feet) within the side yard (north) setback. Maximum 6 feet permitted.
Ordinance Sections: 703.A.2.c 703.A.2.c 703.A.2.c
Applicant: Joseph McGuire
Representative: Joseph McGuire
Owner: Joseph McGuire

**Approved
w/stip**

15. Application #: ZA-687-21-1
Existing Zoning: RE-35
Location: 4631 West Tierra Buena Lane
Quarter Section: 35-18(L6)
Proposal: **1)** Use permit to allow an over height (18 feet) detached accessory structure within the rear yard setback. Maximum 15 feet permitted. **2)** Variance to reduce the required setback (west) for a detached accessory structure to 1 foot. Minimum 3 feet required. **3)** Variance to allow an over height (9 feet) detached accessory structure within the required side yard setback. Maximum 8 feet permitted.
Ordinance Sections: 706.G 706.B 706.C
Applicant: Mike Grassmyer
Representative: Mike Grassmyer
Owner: Heaven and Mike Grassmyer
Stipulation:
1) 1 year to apply and pay for building permits.

Approved

16. Application #: ZA-688-21-3

w/stip Existing Zoning: C-2
Location: 10654 North 32nd Street
Quarter Section: 29-34(K10)
Proposal: Use permit to allow a plant nursery as an outdoor use. Use permit required.
Ordinance Sections: 622.D.141
Applicant: Andrew Merchant, Merchant Design BGroup
Representative: Brent Howard, AEI Paradise Hills, LLC
Owner: AEI Paradise Hills, LLC
Stipulation:
1) 1 year to apply and pay for building permits.

Approved w/stips 17. Application #: ZA-18-22-5
Existing Zoning: C-1, C-2, C-2 SP
Location: 10845 North Tatum Boulevard, Suite M1
Quarter Section: 29-39(K11)
Proposal: Use permit to allow a temporary use (pop-up Friends Experience) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: Rob Gray, Site Centers
Representative: Jorge Calderon, MCG Architecture
Owner: S&T Property, LLC
Stipulations:
1) Approved for 3 months.
2) No outdoor uses permitted.
3) Uses shall comply with those proposed in the narrative dated January 14, 2022.

ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE
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 10, 2022