

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised August 18, 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 **July 7, 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

Denied

1. **9:00 AM**
- Application #: ZA-124-22-4 (Continued from May 12, 2022)
- Existing Zoning: R1-10 WSNSPD
- Location: 505 East Missouri Avenue
- Quarter Section: 19-28(H8)
- Proposal: Variance to allow an over height wall (6 feet) in the required front yard (east) setback. Maximum 40 inches permitted.
- Ordinance Sections: 703.A.2.a
- Applicant: Steve Watson, True Performance Construction, Inc.
- Representative: Nick Wood, Snell & Wilmer, LLP
- Owner: John and Jane Doe

**Approved
w/stip**

2. Application #: ZA-214-22-3
- Existing Zoning: A-1
- Location: 9841 North Black Canyon Highway
- Quarter Section: 28-23(K7)
- Proposal: Use permit to allow a banquet hall of less than 25,000 square feet in gross floor area. Use permit required.
- Ordinance Sections: 623.D.9.a
- Applicant: Jose Aguirre, Architierra Design, LLC
- Representative: Jose Aguirre, Architierra Design, LLC
- Owner: I17 and Dunlap, LLC
- Stipulation:**
- 1) 1 year to obtain and pay for permits.

**Approved
w/stip**

3. Application #: ZA-215-22-7
- Existing Zoning: C-2 HGT/WVR
- Location: 8388 South 59th Avenue
- Quarter Section: 01-14(D5) 01-15(D5)
- Proposal: Variance to allow a disguised wireless communication facility 85 feet in height. Maximum 65 feet permitted.

Ordinance Sections: 715.B.2.a.(1)
Applicant: Heath Reed, Crown Castle
Representative: Michael J Campbell, Campbell A&Z, LLC
Owner: Laveen Baseline, LLC

Stipulation:

1) 1 year to obtain and pay for permits.

**Approved
w/stip**

4. Application #: ZA-216-22-6
Existing Zoning: R1-10
Location: 3102 North 46th Place
Quarter Section: 15-38(G11)
Proposal: Variance to reduce the street side (south) building setback on a corner lot contiguous to a key lot to 10 feet for a detached accessory structure that exceeds 8 feet in height. Minimum 25 foot setback required for a distance equal to the required front yard setback of the adjoining key lot.

Ordinance Sections: 706.D
Applicant: Alex Romanelli
Representative: Andrew Chi, Andrew Chi Planning
Owner: Alex Romanelli

Stipulation:

1) 1 year to obtain and pay for permits.

**Approved
w/stip**

5. Application #: ZA-217-22-6
Existing Zoning: R1-10 ACSPD
Location: 4717 East Calle Redonda
Quarter Section: 17-38(H11)
Proposal: Variance to reduce the side yard setback (west) to 3 feet. Minimum 10 feet required.

Ordinance Sections: 611.B.Table B
Applicant: Alice Brangan
Representative: Alice Brangan
Owner: Alice Brangan

Stipulation:

1) 1 year to obtain and pay for permits.

Continued

6. Application #: ZA-219-22-8
Existing Zoning: C-2
Location: 1919 West Baseline Road
Quarter Section: 01-24(D7)
Proposal: Use permit to allow a drive through facility as an accessory use to a restaurant (Taco Bell) within 300 feet of a residential zoning district. Use permit required.

Ordinance Sections: 623.D.157.d.(2)
Applicant: Haulapai Investments, Inc.

Representative: Ryan Banning Olsson
Owner: Haulapai Investments, Inc.

Continued to August 25, 2022 at 1:30 PM.

**Approved
w/stip**

7. Application #: ZA-220-22-8
Existing Zoning: PSC
Location: 4410 East McDowell Road
Quarter Section: 13-38(G11)
Proposal: Use permit to allow a drive-through facility accessory to a restaurant (Scooter's Coffee) within 300 feet from a residential zoning district. Use permit required.

Ordinance Sections: 622.D.157.d.(2)
Applicant: Andrew Davault III, A3 Coffee, LLC
Representative: Michele McCoy, FM Group Inc.
Owner: Kruft Enterprises, LLC, Arcadia Management Group, Inc.

Stipulation:

- 1) 1 year to obtain and pay for permits.

**Approved
w/stip**

8. Application #: ZA-221-22-8
Existing Zoning: R-3 RI
Location: 1101 and 1109 East Garfield Street
Quarter Section: 11-29(F8)
Proposal: **1)** Variance to allow vehicle maneuvering within the alley. Maneuvering must be located on private property. **2)** Variance to reduce the required common area to 0% of the gross area. Minimum 5% required. **3)** Variance to reduce the perimeter yard (south) setback to 0 feet. Minimum 10 feet required.

Ordinance Sections: 702.A.1.b 615.B.Table B.d 615.B.Table B.d
Applicant: Tiffany Halperin, Diana James Community Partners
Representative: Tiffany Halperin, Diana James Community Partners
Owner: City of Phoenix

Stipulation:

- 1) 1 year to obtain and pay for permits.

1:30 PM

**Approved
w/stip**

9. Application #: ZA-122-22-7 Continued from May 12, 2022)
Existing Zoning: C-2 PCD
Location: 7719 West Lower Buckeye Road
Quarter Section: 6-10(E4)
Proposal: **1)** Time Extension for ZA-52-21, use permit to allow for a drive-through as an accessory use to a restaurant (Dunkin' Baskin Robbins) within 300 feet of a residential district. Use permit required.

2) Time Extension for ZA-52-21, use permit to allow for outdoor dining as an accessory use to a restaurant (Dunkin' Baskin Robbins) within 500 feet of a residential district. Use permit required.

3) Time Extension for ZA-52-21, variance to allow a 0 foot landscape setback (west) not adjacent to a street. Minimum 10 foot landscape setback required.

Ordinance Sections: 623.D.157.d.(2) 623.D.157.c 623.E.4.e

Applicant: Jason Rieke, Bar Napkin Productions, LLC

Representative: Paul Faust, ABDD AZ

Owner: Richard Hearn, Vestar Arizona LXI, LLC

Stipulation:

1) 1 year to obtain and pay for permits.

**#2
Approved**

10. Application #: ZA-218-22-6
Existing Zoning: R1-6 ACSPD
Location: 4558 East Campbell Avenue
Quarter Section: 17-38(H11)
Proposal:

**#1
Denied**

1) Variance to reduce the rear yard setback (east) to 10 feet. Minimum 25 feet required.

2) Variance to reduce the side yard setback (north) to 3 feet. Minimum 10 feet required.

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

Applicant: Holly Fechtmeyer

Representative: Bill McFarland, Integrity One Construction

Owner: Holly Fechtmeyer

**Approved
w/stip**

11. Application #: ZA-223-22-2
Existing Zoning: R-3A
Location: 3420 and 3240 East Bell Road
Quarter Section: 37-35(M10)
Proposal: **1)** Variance to allow an over height wall/fence (6 feet) in the front yard setback (Bell Road). Maximum 40 inches permitted. **2)** Variance to allow an over height wall/fence (6 feet) in the front yard setback (Danbury Road). Maximum 40 inches permitted.

Ordinance Sections: 703.A.2.a 703.A.2.a

Applicant: The Wolff Company

Representative: Benjamin Tate, Withey Morris, PLC

Owner: KIW Phoenix Bell Venture, LLC

Stipulation:

1) 18 months to obtain and pay for permits.

**Approved
w/stip**

12. Application #: ZA-226-22-7
Existing Zoning: C-2
Location: 2825 South 107th Avenue

Quarter Section: 6-3(E2)
Proposal: Use permit to allow a car wash in an open building. Use permit required.
Ordinance Sections: 623.D.41
Applicant: Michael Mosharrafa, Cobblestone Auto Spa
Representative: Jesse Macias, M3 Design
Owner: Michael Hale Norman

Stipulation:

- 1) 18 months to obtain and pay for permits.

Continued 13. Application #: ZA-227-22-7
Existing Zoning: R1-10 BAOD
Location: 39 East Vineyard Road
Quarter Section: 1-28(D8)
Proposal: **1)** Variance to allow an over height fence 6 feet in height in the required front yard (north) setback. Maximum 40 inches permitted. **2)** Variance to allow a detached accessory structure within the required front yard (north) setback. Detached accessory structures not permitted within the required front yard setback.
Ordinance Sections: 703.A.2.a 706.A
Applicant: Ralph A. Carrasco
Representative: Ralph A. Carrasco
Owner: Ralph A. Carrasco
Continued to August 25, 2022 at 1:30 PM.

Continued 14. Application #: ZA-228-22-4
Existing Zoning: R-3 HP CNSPD
Location: 2325 North 8th Street
Quarter Section: 14-29(G8)
Proposal: Variance to reduce the side yard (south) setback to 0 feet. Minimum 10 feet required.
Ordinance Sections: 615.B.TableB
Applicant: Marco Ballesteros
Representative: Marco Ballesteros
Owner: Guadalupe Ballesteros
Continued to August 25, 2022 at 1:30 PM.

***Denied** 15. Application #: ZA-230-22-2
Existing Zoning: R-3A, R-4
Location: 16625 and 16801 North 31st Street
Quarter Section: 36-34(M10)
Proposal: Variance to reduce the number of required parking spaces to 122. Minimum 133 parking spaces required.
Ordinance Sections: 702.C

Applicant: Benjamin Barbes
Representative: Benjamin Barbes
Owner: Mark Petz, Alara Azul Verde, LLC
Taken out from under advisement on August 18, 2022 and denied.

Approved w/stip 16. Application #: ZA-231-22-7
Existing Zoning: C-2
Location: 2627 North 83rd Avenue
Quarter Section: 14-9(G3)
Proposal: Use permit to allow a car wash in an open building. Use permit required.
Ordinance Sections: 623.D.41
Applicant: Michael Mosharrafa, Cobblestone Auto Spa
Representative: Jesse Macias, M3 Design
Owner: Columbia Group, LTD
Stipulation:
1) 18 months to obtain and pay for permits.

**ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE
PLANNER: KIM STEADMAN, 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 602-261-8980, leslie.scott@phoenix.gov TTY: Use 7-1-1.

August 18, 2022