

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 **July 14, 2022 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

Continued

9:00 AM

1. Application #: ZA-150-13-7 (1 year review of use permit)
Existing Zoning: A-2
Location: 1101 North 21st Avenue
Quarter Section: 12-24(G7)
Proposal: **1)** Use permit to allow medical marijuana cultivation facility. Use permit required.
2) Variance to allow medical marijuana cultivation facility within 3,800 feet of another medical marijuana cultivation facility. Minimum of 5,280 feet of separation required.
Ordinance Sections: 627.D.91.a 627.D.91.c
Applicant: James Harrison Jr., Phoenix Freeway Partner
Representative: Frank Carallie, CMS Ventures
Owner: James Harrison Jr., Phoenix Freeway Partner
Continued to September 8, 2022 at 9:00 AM.

Continued

2. Application #: ZA-542-14-7 (1 year review of use permit)
Existing Zoning: A-2
Location: 1101 North 21st Avenue
Quarter Section: 12-24(G7)
Proposal: **1)** Use permit to allow a medical marijuana infusion facility. Use permit required. **2)** Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum of 5,280 feet of separation required.
Ordinance Sections: 627.D.93.a 627.D.93.b
Applicant: William Stevens, CMS Ventures, LLC
Representative: William Stevens, CMS Ventures, LLC
Frank Carallie, CMS Ventures, LLC
Owner: James Harrison Jr., Phoenix Freeway Partners, LLC
Continued to September 8, 2022 at 9:00 AM.

Approved w/stips	3.	Application #:	ZA-197-22-4
		Existing Zoning:	R1-6
		Location:	2317 West Earll Drive
		Quarter Section:	15-23(G7)
		Proposal:	1) Variance to reduce side setback (west) to 4 feet. Minimum 10 feet required. 2) Use permit to allow a closed projection to project 21 feet into the rear yard (south) setback. Use permit required.
		Ordinance Sections:	613.B.Table B 701.A.3.a.(2).(d)
		Applicant:	Larry Gaston, Gaston Design Group, LLC
		Representative:	Larry Gaston, Gaston Design Group, LLC
		Owner:	Ruby Moss
		Stipulations:	
			1) 1 year to apply and pay for building permits.
			2) Per the setback encroachment as shown on the plan dated May 16, 2022.
Denied as Filed Approved w/stips	4.	Application #:	ZA-229-22-8
		Existing Zoning:	R1-6
		Location:	8615 South 7th Avenue
		Quarter Section:	02-27(C8)
		Proposal:	Variance to reduce the side yard setback (south) to 3 feet. Minimum 10 feet required.
		Ordinance Sections:	613.B.Table B
		Applicant:	Ernesto Marquez
		Representative:	Ernesto Marquez
		Owner:	Jose Torres
		Stipulations:	
			1) 1 year to apply and pay for building permits.
			2) Setback reduction to 4 feet permitted.
			3) Per the setback encroachment as shown on the plan dated May 23, 2022.
Approved w/stips	5.	Application #:	ZA-233-22-6
		Existing Zoning:	R1-10
		Location:	7133 North 23rd Place
		Quarter Section:	23-32(I9)
		Proposal:	1) Variance to reduce the front yard setback (southwest) to 10 feet. Minimum 25 feet required. 2) Variance to reduce the rear yard setback (east) to 10 feet. Minimum 25 feet required.
		Ordinance Sections:	611.B.Table B 611.B.Table B
		Applicant:	Kyle Israel
		Representative:	Michael Golec, Radius Corporation
		Owner:	Ozbun Revocable Living Trust
		Stipulations:	
			1) 1 year to apply and pay for building permits.
			2) Per the building envelope as shown on the site plan dated May 24, 2022.

- Approved w/stips** 6. Application #: ZA-235-22-6
Existing Zoning: R1-10
Location: 5611 North 20th Place
Quarter Section: 20-32(I9)
Proposal: Use permit to allow a closed projection to project 12 feet into a required rear yard (east) setback. Maximum 5 foot projection for no more than one-half the maximum width of the structure permitted.
Ordinance Sections: 701.A.3.a.2.(d)
Applicant: Antone and Carrie Perrone
Representative: Antone and Carrie Perrone
Owner: Antone and Carrie Perrone
Stipulations:
1) 1 year to apply and pay for building permits.
2) Per setback reduction as shown on the site plan dated May 24, 2022.
- Approved w/stips** 7. Application #: ZA-236-22-8
Existing Zoning: R-3 RI HP
Location: 515 North 11th Street
Quarter Section: 11-29(F8)
Proposal: Variance to reduce the front yard setback (west) to 15 feet. Minimum 25 feet required.
Ordinance Sections: 615.B.Table B
Applicant: Eric Meyerowitz
Representative: Eric Meyerowitz
Owner: 515 North 11th Street Partners, LLC
Stipulations:
1) 1 year to apply and pay for building permits.
2) Per setback reduction as shown on the site plan dated May 25, 2022.
- Approved w/stips** 8. Application #: ZA-239-22-6
Existing Zoning: RE-35
Location: 58 Biltmore Estates
Quarter Section: 19-33(H9)
Proposal: Variance to reduce the required side yard setback (west) to 8 feet. Minimum 20 feet required.
Ordinance Sections: 609.B.Table
Applicant: Nicholas Tsontakis, Dwell Boldly
Representative: Nicholas Tsontakis, Dwell Boldly
Owner: Joel Fernebok, Fernebok Family Trust
Stipulations:
1) 1 year to apply and pay for building permits.
2) Per setback reduction as shown on the site plan dated June 16, 2022.

1:30 PM		
Approved w/stips	9.	Application #: ZA-224-22-5 (SIGN) Existing Zoning: PUD PCD Location: 5700 North 101st Avenue Quarter Section: 20-4(I2) Proposal: Use permit to adopt the Park Aldea 2 Comprehensive Sign Plan. Use permit required. Ordinance Sections: 705.E.2 Applicant: Jason Shano, Associated Sign Company Representative: Jason Shano, Associated Sign Company Owner: TC Park Aldea Phase 2 Venture, LLC Stipulations: 1) Submit a revised CSP document within 90 days that incorporates the staff review comments dated July 12, 2022. 2) Twelve months to obtain sign permits for the subject sign.
	10.	Application #: ZA-225-22-1 (SIGN) Existing Zoning: C-2 Location: 4000 and 4025 West Arroyo Norte Drive Quarter Section: 70-19(U6) Proposal: Use permit to adopt the Alexan Black Canyon Comprehensive Sign Plan. Use permit required. Ordinance Sections: 705.E.2 Applicant: Trammell Crow Residential Representative: Nick Wood, Snell & Wilmer, LLP Owner: AV 203, LLC Stipulations: 1) Submit a revised CSP document within 90 days that incorporates the staff review comments dated July 11, 2022. 2) For the illuminated wall sign and illuminated projecting blade sign located west elevations of 2 of the apartment buildings, install an automatic timer to extinguish sign illumination daily from 10:00 PM until sunrise. 3) 18 months to obtain sign permits for the subject sign.
	11.	Application #: ZA-133-22-4 (Continued from May 19, 2022) Existing Zoning: C-2 SAUMSO, C-3 SAUMSO Location: 4610 North 7th Avenue Quarter Section: 18-26(H8) Proposal: 1) Variance to reduce the building setback to 18 feet adjacent to a street (Hazelwood Street) for structures exceeding two stories or 30 feet in height. Minimum 30 feet required. 2) Variance to reduce the required parking by 39%. Maximum 15% reduction allowed when a bicycle parking facility is located on site within 50 feet of the primary building's front entrance. 3) Variance to allow maneuvering to occur in the public right-of-way. All maneuvering must be located on private property.
*Denied		

Ordinance Sections: 623.E.4.d 665.H.Table 1 702.A.1.b
Applicant: Natalie Maikoski, EPS Group, Inc.
Representative: Natalie Maikoski, EPS Group, Inc.
Owner: Alicia Hernandez, DAP Management Group, LLC
Taken out from under advisement on August 18, 2022 and denied.

**Approved
w/stips**

12. Application #: ZA-180-22-3
Existing Zoning: R1-6 HROD, C-2 HROD
Location: 118 West Hatcher Road
Quarter Section: 27-27(J8)
Proposal: **1)** Use permit to allow an extension of a use which is permitted in a less restricted district into a more restricted district to a maximum of 25 feet. Use permit required. **2)** Variance to allow an extension of a use which is permitted in a less restricted district into a more restricted district to a maximum of 44 feet. Maximum 25 feet permitted. **3)** Variance to reduce the landscape setback (east) not adjacent to a public street to 2 feet. Minimum 10 feet required.
- Ordinance Sections: 307.A.8 307.A.8 623.E.4.e
Applicant: Sherwood Wang, Pattern Design Studio, LLC
Representative: Sherwood Wang, Pattern Design Studio, LLC
Owner: Jason Boysel, Symmetry Real Estate Holdings, LLC
- Stipulations:**
1) 1 year to apply and pay for building permits.
2) General conformance to the site plan dated April 20, 2022.

**Approved
w/stip**

13. Application #: ZA-234-22-3
Existing Zoning: RE-43
Location: 4126 East Beryl Lane
Quarter Section: 28-37(K10)
Proposal: Variance to allow a 40 percent lot coverage. Maximum of 30 percent lot coverage permitted.
- Ordinance Sections: 605.B.5
Applicant: Keegan Healey
Representative: Tanner Roe, The TL Roe Company, LLC
Owner: Keegan Healey
- Stipulation:**
1) 1 year to apply and pay for building permits.

**Approved
w/stips**

14. Application #: ZA-237-22-7
Existing Zoning: DTC-Business Core
Location: 424 West Adams Street
Quarter Section: 10-27(F8)
Proposal: Variance to allow three antenna arrays (east, south, and west) to project 3 feet from the building face. Maximum 12 inches permitted.

Ordinance Sections: 715.B.3.b.(9).(a)
Applicant: Krystul Nelmes, Tower Engineering Professionals
Representative: Krystul Nelmes, Tower Engineering Professionals
Owner: City of Phoenix

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the location of the equipment related to this case as shown on the plan dated May 25, 2022.

**Approved
w/stips**

15. Application #: ZA-240-22-6
Existing Zoning: R1-6
Location: 1851 East Ocotillo Road
Quarter Section: 22-31(I9)
Proposal: Variance to reduce the side yard setback (north) to 7 feet. Minimum 10 feet required.
Ordinance Sections: 613.B.Table B
Applicant: Maria S Mondragon, Horizon's Diamond Homes, LLC
Representative: Franklin Soriano, JFA Construction, LLC
Owner: Maria S Mondragon, Horizon's Diamond Homes, LLC

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the setback reduction as shown on the site plan dated May 26, 2022.

**Approved
w/stips**

16. Application #: ZA-266-22-6
Existing Zoning: RE-35 ACSPD
Location: 5302 East Palomino Road
Quarter Section: 18-40(H11)
Proposal: **1)** Variance to reduce the rear yard (east) setback to 20 feet. Minimum 40 feet required. **2)** Variance to increase the height of a wall (6 feet) located in the front yard setback. Maximum 40 inches permitted. **3)** Variance to reduce the front yard (west and south) to 35 feet. Minimum 40 feet required.
Ordinance Sections: 609.B.Table 703.A.2.a 609.B.Table
Applicant: Sean B. Lake, Pew & Lake PLC
Representative: Sean B. Lake, Pew & Lake PLC
Owner: The Perry and Brenda Rea Trust

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the over height wall location and setback reductions as shown on the site plan dated July 14, 2022.

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 602-261-8980, leslie.scott@phoenix.gov TTY: Use 7-1-1.

August 18, 2022