

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 28, 2022 at 9:00 AM (Items 1-6) and 1:30 PM (Items 7-14).**

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-153-22-1 (Continued from June 2, 2022)
Existing Zoning: C-2 SP
Location: 4139 West Bell Road
Quarter Section: 36-19(M6)
Proposal: Variance to reduce the required parking to 198 spaces. Minimum 223 spaces required.
Ordinance Sections: 702.C.Table
Applicant: Jeffrey Winter, RA, Esencia, LLC
Representative: Frank Gawdun, Esencia, LLC
Owner: Marvin Rose, Butterfield Trail, LLC
Continued to September 1, 2022 at 1:30 PM.

**Approved
w/stips**

2. Application #: ZA-259-22-6
Existing Zoning: C-2 PCD
Location: 1238 East Chandler Boulevard, Suite 104
Quarter Section: 010-30(A9)
Proposal: Use permit to allow an assembly/banquet hall of less than 25,000 square feet in gross floor area. Use permit required.
Ordinance Sections: 623.D.9.a
Applicant: Valarie-Mila Holt-McAfee, M.A.S. Events, LLC
Representative: Miguel Solorio, Sandbox Projects, PLLC
Owner: Mike Ewbank, Hope Foothills Family, LTD

Stipulations:

- 1) 1 year to begin use and apply and pay for building permits.
- 2) Limiting number of guests to 80.
- 3) Operation hours Friday, Saturday, and Sunday 9:00 AM – Midnight.
- 4) All doors will remain closed during banquets or assemblies to deer any neighborhood disturbance by the means of live entertainment, other instruments or devices.
- 5) The area will be sufficiently illuminated and contained to discourage any unlawful activity. Preference given to the selection and utilization to accomplish proper illumination of the property with particular focus given to the rear of the property.

- 6) No outdoor speakers, live entertainment, or amplified music outside of the banquet hall.
- 7) Parking for the banquet hall shall be confined to the existing parking lot to prevent patron parking in the surrounding residential neighborhood. They may submit a parking plan to be approved by the Precinct Commander or their designee should the event require more parking.
- 8) The Police Precinct Commander or their designee may require cameras, licensed security guards or off duty police, or other security measures at the Commander's discretion, should periodic reviews of activities at the business warrant it.

**Approved
w/stips**

3. Application #: ZA-260-22-1
Existing Zoning: PUD DVAO
Location: 777 West Alameda Road
Quarter Section: 45-26(O8)
Proposal: Use permit to allow over height retaining walls (7 feet) within 50 feet of the property lines of an unplatted parcel (north, south, east, and west). Maximum 40 inches permitted.

Ordinance Sections: 703.A.4.c
Applicant: Bobby Magness, Weiss Magness Architects
Representative: Kevin Chang, Sunlit Arizona, LLC
Owner: Chien Wei Lin, Sunlit Arizona, LLC
Stipulations:
1) Subject to site plan date stamped June 7, 2022.
2) 2 years to apply and pay for building permits.

**Approved
w/stips**

4. Application #: ZA-261-22-3
Existing Zoning: R-2 DNS/WVR
Location: 14115 North Cave Creek Road
Quarter Section: 33-32(L9)
Proposal: **1)** Variance to reduce the rear setback (east) to 25 feet. Minimum 30 feet required. **2)** Variance to allow an over height fence (6 feet) within the required front yard setback (west). Maximum 40 inches permitted. **3)** Variance to reduce the landscape setback adjacent to a public street right-of-way (Cave Creek Road) to 25 feet. Minimum 30 feet required. **4)** Variance to allow a residential structure height of 30 feet (from natural grade) at 32 feet of setback from the front (west) property line. Minimum 45 feet of setback required. **5)** Variance to allow a residential structure height of 30 feet (from natural grade) at 25 feet of setback from the side (north) property line. Minimum 30 feet of setback required. **6)** Variance to allow a residential structure height of 30 feet (from natural grade) at 15 feet of setback from the side (south) property line. Minimum 30 feet of setback required.

			7) Variance to allow a residential structure height of 30 feet (from natural grade) at 25 feet of setback from the rear (east) property line. Minimum 45 feet of setback required. Ordinance Sections: 710.C.2.Table 1 703.A.3.a 703.B.3.a 710.C.2.Table 1 710.C.2.Table 1 710.C.2.Table 1 710.C.2.Table 1 Applicant: Legacy Park at Cave Creek, LLC Representative: David Cisiewski, Law Office of David Cisiewski, PLLC Owner: Legacy Park at Cave Creek, LLC Taken out from under advisement on August 18, 2022 and approved with the following stipulations: 1) Subject to site plan date stamped June 7, 2022. 2) Rear yard and perimeter site walls shall be finished and painted to match the houses. 3) 2 years to apply and pay for building permits.
Approved w/stips	5.	Application #: ZA-262-22-6 Existing Zoning: R-3 Location: 2632 East Glenrosa Avenue Quarter Section: 17-33(H9) Proposal: 1) Use permit to utilize the Planned Residential Development (PRD) option. Use permit required. 2) Variance to reduce the required perimeter setback (west) adjacent to property line to 3 feet. Minimum 15 feet required. 3) Variance to reduce the required perimeter landscape width (west) to 3 feet. Minimum 5 feet required. 4) Variance to reduce the required setback (south) adjacent to a public street to 15 feet. Minimum 20 feet required. Ordinance Sections: 615.B.Table B 615.B.Table B 703.B.3 615.B.Table B Applicant: Cam Miller, Brightstar Group Representative: Cam Miller, Brightstar Group Owner: 35th Indian School, LLC Stipulations: 1) Subject to site plan date stamped June 8, 2022. 2) 1 year to apply and pay for building permits.	
Approved w/stips	6.	Application #: ZA-264-22-2 Existing Zoning: R1-10 Location: 5111 East Winchcomb Drive Quarter Section: 33-39(L11) Proposal: Variance to reduce the side yard (east) setback to 4 feet. Minimum 10 feet required. Ordinance Sections: 611.B.Table B Applicant: James Potter Representative: James Potter	

Owner: James Potter

Stipulations:

- 1) Subject to site plan date stamped June 9, 2022.
- 2) 1 year to apply and pay for building permits.

1:30 PM

**Approved
w/stip**

7. Application #: ZA-254-22-7 (SIGN)
Existing Zoning: DTC-Business Core
Location: 2 North Central, 40 North Central
Quarter Section: 10-27(F8)
Proposal: Time extension for ZA-172-20, a variance to allow high-rise wall signs to identify different occupants within each of the Renaissance Square Towers. High-rise wall signs are limited to either identification of the building or one occupant per building.

Ordinance Sections: 705.D.3.i (4)
Applicant: Ben Graff, Quarles & Brady, LLP
Representative: Ben Graff, Quarles & Brady, LLP
Owner: Phoenix RS One, LLC & Phoenix RS Two, LLC
Stipulation:
1) 2 years to apply and pay for building permits.

Continued

8. Application #: ZA-258-22-2 (SIGN)
Existing Zoning: PUD
Location: 4725 East Dynamite Blvd
Quarter Section: 50-38(P11)
Proposal: Use permit for a Major amendment to the Diamond Creek Plaza Comprehensive Sign Plan. Use permit required.

Ordinance Sections: 705.E.2.d.(2)
Applicant: Chris Gilliland, Bootz and Duke Sign Company
Representative: Kristi Trisko, Bootz and Duke Sign Company
Owner: Tatum & Dynamite Self Storage Partners

Continued to September 15, 2022 at 1:30 PM.

Denied

9. Application #: ZA-38-22-5 Continued from June 2, 2022)
Existing Zoning: R1-6 PCD
Location: 9003 West Granada Road
Quarter Section: 13-7(G3)
Proposal: **1)** Variance to reduce the side yard setback for a detached accessory structure (east) to 1 foot. Minimum 3 feet required. **2)** Variance to reduce the rear yard setback for a detached accessory structure (south) to 1 foot. Minimum 3 feet required.

Ordinance Sections: 706.B 706.B
Applicant: Hugo Ortega
Representative: Fabiola Ortega
Owner: Hugo Ortega

Denied as Filed Approved w/stips	10.	Application #:	ZA-101-22-6 Continued from June 2, 2022)
		Existing Zoning:	R1-6
		Location:	4933 East Piccadilly Road
		Quarter Section:	16-39(H11)
		Proposal:	Variance to reduce the front yard setback (north) to 13 feet. Minimum 20 feet required.
		Ordinance Sections:	613.B. Table B
		Applicant:	Brian Goharriz, Advanced CAD Services
		Representative:	Brian Goharriz, Advanced CAD Services
		Owner:	Pamela Serbin
		Stipulations:	
		1)	Reduce front setback to 15 feet for both bedroom and porch addition per plan date stamped March 7, 2022.
		2)	1 year to apply and pay for building permits.
Approved w/stips	11.	Application #:	ZA-265-22-8
		Existing Zoning:	R-5 CCSIO
		Location:	1102 South 4th Avenue
		Quarter Section:	9-27(F8)
		Proposal:	Variance to eliminate the side yard (north) setback. Minimum 10 feet required.
		Ordinance Sections:	618.B. Table B
		Applicant:	Leodra Bowdell, Phoenix Permit Service, LLC
		Representative:	Leodra Bowdell, Phoenix Permit Service, LLC
		Owner:	Quincy Wright
		Stipulations:	
		1)	General conformance to site plan date stamped June 9, 2022.
		2)	18 months to apply and pay for building permits.
Approved w/stips	12.	Application #:	ZA-267-22-1
		Existing Zoning:	CP/GCP DVAO
		Location:	1750 West Alameda Road
		Quarter Section:	46-25(O7)
		Proposal:	Use permit to allow over height retaining walls (5 feet) within 50 feet of a subdivision perimeter (north and east). Maximum 40 inches permitted.
		Ordinance Sections:	703.A.4.c
		Applicant:	Charles Wurl, P. E., Kimley-Horn
		Representative:	Chris Lamon, Opus Design Build, LLC
		Owner:	Deer Valley Industrial Venture, Opus Design Build, LLC
		Stipulations:	
		1)	1 year to apply and pay for building permits.
		2)	General conformance to site plan date stamped June 13, 2022.
Approved w/stips	13.	Application #:	ZA-268-22-6
		Existing Zoning:	R1-6
		Location:	1930 East Montebello Avenue

Quarter Section: 20-31(I9)
Proposal: Variance to reduce front setback (south) to 5 feet. 20 feet minimum required.
Ordinance Sections: 613.B.Table B
Applicant: Jeffrey Tyler Mossor
Representative: Jeffrey Tyler Mossor
Owner: 1930 East Montebello, LLC

Stipulations:

- 1) General conformance to site plan date stamped June 13, 2022.
- 2) 1 year to apply and pay for building permits.

**Approved
w/stips**

14. Application #: ZA-269-22-3
Existing Zoning: RE-43
Location: 4102 East Cochise Road
Quarter Section: 28-37(K10)
Proposal: Variance to allow the required parking within the required front yard (south) setback. Required parking not permitted within the front yard setback.
Ordinance Sections: 702.F.1.a
Applicant: Tim R. Jones
Representative: Tim R. Jones
Owner: Matthew Randall

Stipulations:

- 1) Off street parking shall be restricted to the driveway.
- 2) General compliance with site plan date stamped June 13, 2022.

ZONING ADJUSTMENT HEARING OFFICER: FRANK DOLASINSKI
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