

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised June 14, 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 **June 2, 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
Approved
w/stips

9:00 AM

1. Application #: ZA-370-13-3 (1 year review of use permit)
Existing Zoning: A-1
Location: 2046 West Ironwood Drive
Quarter Section: 28-24(K7)
Proposal: Use permit to allow a medical marijuana cultivation facility. Use permit required.
Ordinance Sections: 627.D.91.a.
Applicant: Nolan Ryan
Representative: Jacob Cohen
Owner: Nolan Ryan

Stipulations:

- 1) The Use Permit shall be reviewed within 365 days of the issuance of the dispensary certificate for a medical marijuana use or approval to operate the cultivation and/or infusion from the Arizona Department of Health Services.
- 2) The applicant has 1 year to apply and pay for building permits.
- 3) Obtain a certificate for medical marijuana use from the Arizona Department of Health Services or approval to operate. If no certificate or approval to operate is granted within 1 year of the approval of this Variance/Use Permit, the Zoning Administrator shall schedule a revocation hearing for this Use Permit.
- 4) The applicant shall submit a security plan provided to the Arizona Department of Health Services to the Planning and Development Department.
- 5) The applicant shall notify in writing the area's Police Precinct Commander of establishing such facility. Notice of this contact shall be submitted in writing to the Planning and Development Department.
- 6) Applicant shall install and maintain per manufacturer's specifications an odor control system prior to the commencement of operations. Applicant shall submit an odor control plan identifying contact person for odor complaints to the Planning and Development Department.
- 7) Applicant shall notify the Planning and Development Department in writing within 30 days of when there is a change in the operator or entity's name.

**Approved
w/stips**

2. Application #: ZA-43-22-8 (Continued from March 29, 2022)
Existing Zoning: A-2 RSIO
Location: 1146 West Hilton Avenue
Quarter Section: 7-26(E8)
Proposal: **1)** Time extension for ZA-195-21, use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Time extension for ZA-195-21, variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet separation required. **3)** Time extension for ZA-195-21, variance to allow a medical marijuana cultivation facility within 1,000 feet of a residentially zoned district. Minimum 1,000 feet separation required. **4)** Time extension for ZA-195-21, variance to allow a medical marijuana cultivation facility within 1,320 feet of a public park. Minimum 1,320 feet separation required. **5)** Time extension for ZA-195-21, variance to allow a medical marijuana cultivation facility within 1,320 feet of a place of worship. Minimum 1,320 feet separation required.
- Ordinance Sections: 627.D.91.a 627.D.91.c 627.D.91.d 627.D.91.e 627.D.91.f
- Applicant: Christian Chamberlain, Greenspace, RE
- Representative: Nick Labadie
- Owner: GS Hilton, LLC

Stipulations:

- 1) The Use Permit shall be reviewed within 365 days of the issuance of the dispensary certificate for a medical marijuana use or approval to operate the cultivation and/or infusion from the Arizona Department of Health Services.
- 2) The applicant has 1 year to apply and pay for building permits.
- 3) Obtain a certificate for medical marijuana use from the Arizona Department of Health Services or approval to operate. If no certificate or approval to operate is granted within 1 year of the approval of this Variance/Use Permit, the Zoning Administrator shall schedule a revocation hearing for this Use Permit.
- 4) The applicant shall submit a security plan provided to the Arizona Department of Health Services to the Planning and Development Department.
- 5) The applicant shall notify in writing the area's Police Precinct Commander of establishing such facility. Notice of this contact shall be submitted in writing to the Planning and Development Department.
- 6) Applicant shall install and maintain per manufacturer's specifications an odor control system prior to the commencement of operations. Applicant shall submit an odor control plan identifying contact person for odor complaints to the Planning and Development Department.
- 7) Applicant shall notify the Planning and Development Department in writing within 30 days of when there is a change in the operator

or entity's name.

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|------------------------------|----|---|--|
| Approved
w/stip | 3. | Application #:
Existing Zoning:
Location:
Quarter Section:
Proposal:

Ordinance Sections:
Applicant:
Representative:
Owner:
Stipulation:
1) 1 year to apply and pay for building permits. | ZA-45-22-8 (Continued from March 29, 2022)
R-3 RSIOD
1817 East Encinas Lane
5-31(E9)
1) Variance to allow an over height fence (6 feet) in the required front yard setback (north). Maximum 40 inches permitted. 2) Variance to allow an accessory structure (fence) without a primary use. Primary use required.
703.A.2.a 608.C.3
Noemi Mayte Soto Del Pro
Noemi Mayte Soto Del Pro
Noemi Mayte Soto Del Pro |
| Approved
w/stips | 4. | Application #:
Existing Zoning:
Location:
Quarter Section:
Proposal:

Ordinance Sections:
Applicant:
Representative:
Owner:
Stipulations:
1) Per site plan date stamped April 24, 2022.
2) 1 year to apply and pay for building permits. | ZA-152-22-6
R1-6 ACSPD
4457 East Campbell Avenue
17-38(H11)
Variance to reduce the side yard setback (southeast) to 3 feet. Minimum 10 feet required.
613.B.Table B
Mike Alexander, HYPE: a design studio
Mike Alexander, HYPE: a design studio
Martin Moran and Cara Gallagher |
| Continued | 5. | Application #:
Existing Zoning:
Location:
Quarter Section:
Proposal:

Ordinance Sections:
Applicant:
Representative:
Owner:
Continued to July 28, 2022 at 9:00 AM. | ZA-153-22-1
C-2 SP
4139 West Bell Road
36-19(M6)
Variance to reduce the required parking to 198 spaces. Minimum 223 spaces required.
702.C.Table
Jeffrey Winter, Ra, Esencia, LLC
Frank Gawdun, Esencia, LLC
Marvin Rose, Butterfield Trail, LLC |
| *Approved
w/stips | 6. | Application #:
Existing Zoning:
Location:
Quarter Section: | ZA-155-22-2
C-2 SP
2838 East Greenway Road
35-34(L10) |

Proposal: Variance to allow an over height fence (7 feet) in the required front yard (south). Maximum 40 inches permitted.
Ordinance Sections: 703.A.2.a
Applicant: Jeff Muckerman, Permits Made Easy
Representative: Jeff Muckerman, Permits Made Easy
Owner: Fast and Easy Storage Inc.

Taken out from under advisement on June 14, 2022 and approved with the following stipulations:

- 1) The fence shall not exceed 6-feet in height.
- 2) The new fence shall be placed within 3-feet of the existing fence.
- 3) Upon completion of the new fence, the old fence shall be completely removed to within 8-inches of the ground.
- 4) New landscaping, per the approval of PPD, shall be installed on both sides of the new fence and shall include at least four trees with a trunk caliper of at least 3 inches.
- 5) One year to apply and pay for permits.

Denied

7. Application #: ZA-157-22-1
Existing Zoning: RE-35
Location: 4714 West Greenway Road
Quarter Section: 35-17(L5)
Proposal: **1)** Use permit to allow an over height (16 feet) detached accessory structure within the rear yard (north) setback. Maximum 15 feet permitted. **2)** Use permit to allow a home occupation to be conducted in an accessory building. Use permit required.
Ordinance Sections: 706.G 608.E.3.h.(2)
Applicant: Timothy A La Sota, Timothy A La Sota, PLC
Representative: Timothy A La Sota, Timothy A La Sota, PLC
Owner: Javier Munoz Ruiz

1:30 PM

Continued

8. Application #: ZA-38-22-5 (Continued from March 29, 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

Continued to July 28, 2022 at 1:30 PM.

- Continued** 9. Application #: ZA-101-22-6
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
Continued to July 28, 2022 at 1:30 PM.
- Withdrawn** 10. Application #: ZA-119-22-7
Existing Zoning: DTC-Downtown Gateway, DTC-McDowell
Location: 1500 North Central Avenue
Quarter Section: 12-27(G8)
Proposal: **1)** Variance to reduce the required combined depth of the parking space and the drive aisle to 60 feet for a double loaded drive aisle. Minimum 62 foot combined depth required. **2)** Variance to reduce the required surface parking space width to 8 feet 6 inches (non-residential uses). Minimum 9 feet 6 inches required.
Ordinance Sections: 702.B.2.b.(5) 702.B.2.a.(1).(a)
Applicant: Kage Brown, McDowell & Central, LLC
Representative: Nick Wood, Esq., Snell & Wilmer, LLP
Owner: Donnelley Financial, LLC
- Approved w/stip** 11. Application #: ZA-154-22-4
Existing Zoning: R-3
Location: 2341 and 2349 West Campbell Avenue
Quarter Section: 17-23(H7)
Proposal: Use permit to utilize the Planned Residential Development (PRD) option. Use permit required.
Ordinance Sections: 615.B.Table B
Applicant: Virginia Senior, Vida Architects
Representative: Virginia Senior, Vida Architects
Owner: Manpret Singit, Live Lyfe, LLC
Stipulation:
1) 1 year to apply and pay for building permits.
- Approved** 12. Application #: ZA-158-22-5
Existing Zoning: R1-6
Location: 3902 West Bethany Home Road
Quarter Section: 21-19 (I6)
Proposal: Use permit to allow a home occupation (Process Server/Notary) to generate traffic. Use permit required.

Ordinance Sections: 608.E.3.h.(1)
Applicant: Yesenia Feliciano, Legal Works, LLC
Representative: Yesenia Feliciano, Legal Works, LLC
Owner: Yesenia Feliciano, Legal Works, LLC

**Approved
w/stip**

13. Application #: ZA-160-22-7
Existing Zoning: C-2, R-5 (Approved C-2)
Location: 7424, 7428, and 7436 South Central Avenue and 48 West Baseline Road
Quarter Section: 1-27(D8)
Proposal: **1)** Variance to reduce the required building setback adjacent to Central Avenue to 0 feet. Average of 25 feet required. **2)** Variance to reduce the required landscape setback adjacent to Central Avenue to 0 feet. Average of 25 feet required. **3)** Variance to reduce the required canal right-of-way landscape setback to 0 feet. Average of 20 feet required.
Ordinance Sections: 623.E.4.d 623.E.4.e 623.E.4.c
Applicant: Luis Mota, City of Phoenix/Valley Metro Rail
Representative: Kim Wheeler, Olsson
Owner: Jami Spear, City of Phoenix
Stipulation:
1) 1 year to apply and pay for building permits.

Denied

14. Application #: ZA-163-22-6
Existing Zoning: R1-6
Location: 4008 East Osborn Road
Quarter Section: 16-37(H10)
Proposal: Variance to reduce the front yard setback (south) to 12 feet. Minimum 20 feet required.
Ordinance Sections: 613.B.TableB
Applicant: Reggie Horton, JBR Remodeling, LLC
Representative: Reggie Horton, JBR Remodeling, LLC
Owner: Lauren Attianese

**ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBLAY
PLANNER: JAZMINE BRASWELL, 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.

June 14, 2022