

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised June 8, 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 **May 26, 2022 9:00 AM (Items 1-8) and 1:30 PM (Items 9-15).**

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-140-22-7
Existing Zoning: R-3 SPVTABDO
Location: 410 West Wier Avenue
Quarter Section: 4-27(E8)
Proposal: Variance to reduce the required lot width to 52 feet. Minimum 60 feet required.
Ordinance Sections: 615.B.Table B
Applicant: Carolina Hernandez
Representative: Alex Hernandez
Owner: Carolina Hernandez
Stipulation:
1) 1 year to complete the lot split process.

Continued

2. Application #: ZA-141-22-4
Existing Zoning: R1-6 HP
Location: 525 West Almeria Road
Quarter Section: 13-27(G8)
Proposal: **1)** Variance to reduce the side yard (east) setback to 0 feet for a detached accessory structure. Minimum 3 feet required. **2)** Variance to allow an over height (12 feet) accessory structure located in the side yard (east) setback. Maximum 8 feet in height permitted.
Ordinance Sections: 706.B 706.C
Applicant: Rodney Sherrard, RSA Design Build / RS Architecture, LLC
Representative: Rodney Sherrard, RSA Design Build / RS Architecture, LLC
Owner: Rod Granberry, Pure Light Investments
Continued to July 21, 2022 at 9:00 AM.

Denied

3. Application #: ZA-144-22-1
Existing Zoning: RE-35
Location: 4703 West Waltann Lane
Quarter Section: 35-17(L5)

		Proposal:	1) Variance to allow an over height (16 feet) detached accessory structure (garage) within the required side yard (west) setback. Maximum 8 feet permitted. 2) Variance to allow an over height (13 feet) detached accessory structure (shed) within the required side yard (west) setback. Maximum 8 feet permitted.
		Ordinance Sections:	706.C 706.C
		Applicant:	Wayne Connolly
		Representative:	Wayne Connolly
		Owner:	Connolly Family Trust
Denied	4.	Application #:	ZA-145-22-6
		Existing Zoning:	R1-6
		Location:	1533 East San Miguel Avenue
		Quarter Section:	20-30(I9)
		Proposal:	Variance to reduce the required side yard setback (east) to 3 feet. Minimum 10 feet required.
		Ordinance Sections:	613.B.Table B
		Applicant:	Casil Libman, and Kevin Fulkerson, Solutions by Design
		Representative:	Casil Libman, and Kevin Fulkerson, Solutions by Design
		Owner:	Byron and Kate Maxwell
Denied	5.	Application #:	ZA-148-22-6
		Existing Zoning:	R1-6
		Location:	5218 North 18th Place
		Quarter Section:	19-31(H9)
		Proposal:	1) Variance to reduce the front yard setback (east) to 4 feet. Minimum 20 feet required. 2) Variance to reduce the side yard setback (south) to 1-foot. Minimum 3 feet required.
		Ordinance Sections:	613.B.Table B 613.B.Table B
		Applicant:	Peter and Rachel Rasmussen
		Representative:	Peter and Rachel Rasmussen
		Owner:	Peter and Rachel Rasmussen
Approved w/stips	6.	Application #:	ZA-149-22-7
		Existing Zoning:	A-1
		Location:	201 South 61st Avenue
		Quarter Section:	10-14(F5)
		Proposal:	Use permit to allow building height up to 80 feet. Use permit required.
		Ordinance Sections:	627.F.2.a
		Applicant:	Joel Darnell, Ryan Companies US, Inc
		Representative:	Garry Hays, Law Offices of Garry D. Hays, PC
		Owner:	Derek Hanson, Vinyltech Corporation

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) 80 feet height shall only apply to the proposed silos.

**Approved
w/stips**

7. Application #: ZA-151-22-2
Existing Zoning: RE-24
Location: 6748 East Camino De Los Ranchos
Quarter Section: 32-43(L12)
Proposal: **1)** Variance to reduce the side yard (east) setback to 4 feet. Minimum 15 feet required.
2) Variance to reduce the rear yard (north) setback to 15 feet. Minimum 30 feet required.
3) Variance to allow a 35 percent lot coverage. Maximum of 30 percent lot coverage permitted.
Ordinance Sections: 606.B.3.a 606.B.4 606.B.5
Applicant: Amber Ann Swanson
Representative: Amber Ann Swanson
Owner: Amber Ann Swanson

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the setback reductions as shown on the plan dated April 1 2022.

**Approved
w/stips**

8. Application #: ZA-142-22-4
Existing Zoning: A-1
Location: 2985 West Osborn Road
Quarter Section: 15-22(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 5,280 feet of separation required. **3)** Use permit to allow a medical marijuana cultivation facility. Use permit required.
4) Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required.
Ordinance Sections: 627.D.93.a 627.D.93.b 627.D.91.a 627.D.91.c
Applicant: Brian Greathouse, Burch and Cracchiolo, PA
Representative: Brian Greathouse, Burch and Cracchiolo, PA
Owner: ACP Real Estate, 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 18 months 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 within 30 days of Certificate of Occupancy. 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	1:30 PM	
	9.	Application #: ZA-143-22-2 (SIGN)
		Existing Zoning: CP/BP DRSP
		Location: 5777 East Mayo Boulevard
		Quarter Section: 38-41(M11) 38-41(M12) 38-42(M11) 38-42(M12) 39-41(N11) 39-41(M11) 39-41(M12) 39-42(M11) 39-42(M12) 40-41(N11) 40-41(M11)
		Proposal: Use permit for a major amendment to the Mayo Clinic Hospital Comprehensive Sign Plan. Use permit required.
		Ordinance Sections: 705.E.2.d (2)
		Applicant: Patrick Tennant, Smithcraft Signs
		Representative: Patrick Tennant, Smithcraft Signs
	Owner: Phil Dinu, Mayo Div. Facilities & Campus Dev.	

Stipulations:

- 1) Submittal of a revised 'final' version of the Comprehensive Sign Plan document to the Planning and Development Department incorporating any ZAHO stipulations of approval and any staff corrections within 90 days from the date of the hearing.
- 2) Twelve months to apply for and pay for sign permits.

Continued	10.	Application #: ZA-508-21-7
		Existing Zoning: R-3 RSIO
		Location: 745 West Jones Avenue
		Quarter Section: 5-26(E8)
		Proposal: 1) Variance to reduce the required front yard setback (north) to 0 feet. Minimum 25 feet required. 2) Variance to allow 52 percent lot coverage. Maximum 45 percent lot coverage permitted. 3) Variance to allow an over height fence (6 feet) in the required front yard (north).

Maximum 40 inches permitted.
Ordinance Sections: 615.B.Table B 615.B.Table B 703.A.2.a
Applicant: Santos Ugalde, Designer
Representative: Santos Ugalde, Designer
Owner: Ilse Cardenas Viriada

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

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| Denied | 11. | Application #:
Existing Zoning:
Location:
Quarter Section:
Proposal:

Ordinance Sections:
Applicant:
Representative:
Owner: | ZA-17-22-2 (Continued from March 17, 2022)
R1-10
4517 East Acoma Drive
33-38(L11)
1) Variance to reduce the side yard (west) setback to 0 feet for a detached accessory structure. Minimum 3 feet required. 2) Variance to allow an over height (10 feet) accessory structure located in the side yard (west) setback. Maximum 8 feet in height permitted.
706.B 706.C
Shawn and Patience Hoffman
Shawn and Patience Hoffman
Shawn and Patience Hoffman |
| Approved
w/stip | 12. | Application #:
Existing Zoning:
Location:
Quarter Section:
Proposal:

Ordinance Sections:
Applicant:
Representative:
Owner: | ZA-42-22-8 (Continued from March 29, 2022)
R1-6
2332 North 28th Place
14-34(G10)
1) Variance to allow a minimum lot width (Lot No. 1) of 50 feet. Minimum lot width of 60 feet required. 2) Variance to allow a minimum lot width (Lot No. 2) of 50 feet. Minimum lot width of 60 feet required.
613.B.Table B 613.B.Table B
Nick Labadie, Rose Law Group
Nick Labadie, Rose Law Group
EZ Homes, Inc. |
| Stipulation:
1) 1 year to complete the lot split process. | | | |
| Approved
w/stips | 13. | Application #:
Existing Zoning:
Location:
Quarter Section:
Proposal:

Ordinance Sections:
Applicant:
Representative: | ZA-146-22-6
R1-6
5707 North 18th Place
20-31(I9)
Use permit to allow a closed projection to project 10 feet into the rear yard (east) setback for no more than one-half the maximum width of the structure. Maximum 5 foot projection allowed.
701.A.3.a.(2).(d)
Victor Guerrero
Ethan Brunson, 511 Design |

Owner: Victor Guerrero

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) The width of the projection shall be no more than 20 feet.

Denied 14. Application #: ZA-147-22-4
Existing Zoning: R-5 RI
Location: 1623 East Cambridge Avenue
Quarter Section: 14-31(G9)
Proposal: Variance to allow an over height (7 feet) fence located in the side yards (east and west) and rear yard (south). Maximum 6 feet allowed.

Ordinance Sections: 703.A.2.c
Applicant: Molly Lerma
Representative: Molly Lerma
Owner: Molly Lerma

***Approved w/stips** 15. Application #: ZA-150-22-7
Existing Zoning: DTC-Mcdowell-1-HP
Location: 149 West McDowell Road
Quarter Section: 12-27(G8)
Proposal: **1)** Use permit to allow a bar. Use permit required. **2)** Use permit to allow outdoor liquor service as an accessory use to a bar. Use permit required. **3)** Use permit to allow liquor retail sales. Use permit required. **4)** Use permit to allow outdoor cooking. Use permit required. **5)** Use permit to allow outdoor entertainment (outdoor music) until 10:00 pm Sunday through Thursday and midnight on Friday and Saturday. Use permit required.

Ordinance Sections: 1204.D 1204.D 1204.D 1204.D 1204.D
Applicant: Chris Lingua, Sauvage Bottle Shop
Representative: Taylor Earl, Earl and Curley
Owner: EQ Third and McDowell, LLC

Taken out from under advisement on June 8, 2022 and approved with the following stipulations:

- 1) One year to apply and pay for permits.
- 2) Outdoor cooking shall use electric, natural gas, or propane only, wood or charcoal is not permitted.
- 3) Outdoor hours of operation shall be no later than 10:00 PM Sunday through Thursday and no later than midnight on Friday or Saturday.
- 4) Sound levels from outdoor entertainment shall not exceed 60 decibels.

**ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBLAY
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.

June 8, 2022