

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
***December 21, 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 **November 3, 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

***Approved
w/stips**

9:00 AM

1. Application #: ZA-249-22-2 (Continued from September 29, 2022)
Existing Zoning: R1-8
Location: 18816 North 29th Place
Quarter Section: 39-34(M10)
Proposal: **1)** Variance to create a lot (Lot 2) that does not front on a public street. Public street frontage required. **2)** Variance to create a lot (Lot 3) that does not front on a public street. Public street frontage required. **3)** Variance to reduce the rear (west) setback (Lot 1) to 3 feet. Minimum 25 feet required.
Ordinance Sections: 608.H.1 608.H.1 612.B.Table B
Applicant: Peter Furlow, Rose Law Group
Representative: Peter Furlow, Rose Law Group
Owner: Tim Hammer
Taken out from under advisement on December 21, 2022 and approved with the following stipulations:
1) 1 year to pay for and pull permits.
2) Development to be consistent with the site plan date stamped by the City of Phoenix on September 14, 2022.

Denied

2. Application #: ZA-433-22-6
Existing Zoning: R1-10
Location: 2028 East Rancho Drive
Quarter Section: 20-32(I9)
Proposal: Variance to reduce the front yard (south) setback to 18 feet. Minimum 25 feet required.
Ordinance Sections: 611.Table B
Applicant: Marius Lupascu
Representative: Marius Lupascu
Owner: Marius Lupascu

**Approved
w/stip**

3. Application #: ZA-434-22-4
Existing Zoning: R-5
Location: 500 East Thomas Road

		Quarter Section:	15-28(G8)
		Proposal:	1) Variance to allow maneuvering to occur in the public right-of-way. All maneuvering must be located on private property. 2) Variance to reduce the required landscape setback (west) to 0 feet. Minimum 10 feet required.
		Ordinance Sections:	702.A.1.b 622.E.4.e
		Applicant:	David Chamberlin, D.B. Chamberlin and Associates, LLC
		Representative:	Benjamin Graff, Quarles and Brady, LLP
		Owner:	David Chamberlin, D.B. Chamberlin and Associates, LLC
		Stipulation:	
			1) 18 months to apply and pay for building permits.
Denied	4.	Application #:	ZA-436-22-5
		Existing Zoning:	R1-6
		Location:	1316 West McLellan Boulevard
		Quarter Section:	22-26(I8)
		Proposal:	1) Variance to reduce the side yard setback (west) for a detached accessory structure to 0 feet. Minimum 3 feet required. 2) Variance to allow an over height (14 feet) accessory structure within the side yard setback (west). Maximum 8 feet permitted.
		Ordinance Sections:	706.B 706.C
		Applicant:	Jose Pina
		Representative:	Jose Pina
		Owner:	Jose Pina
Approved w/stip	5.	Application #:	ZA-437-22-1
		Existing Zoning:	IND. PK. DVAO
		Location:	1502 West Williams Drive
		Quarter Section:	44-25(O7)
		Proposal:	1) Time extension of ZA-501-21, variance to reduce the setback from the interior lot line (east) to 10 feet. Minimum 20 feet required. 2) Time extension of ZA-501-21, variance to reduce the perimeter landscape setback (east) to 10 feet. Minimum 20 foot landscape setback required. 3) Time extension of ZA-501-21, variance to allow a building height of 28 feet at 44 feet of setback from a perimeter line (south). Minimum 62 feet of setback required.
		Ordinance Sections:	626.H.1.Table 626.H.2.B 626.H.1.Table
		Applicant:	Taylor Earl, Earl & Curley P.C.
		Representative:	Michael S. Buschbacher II, Earl & Curley P.C.
		Owner:	Mark Schouten, Bravo Zulu Holdings, LLC
		Stipulation:	
			1) 1 year to apply and pay for building permits.

Approved w/stip	6.	Application #:	ZA-438-22-2
		Existing Zoning:	C-2
		Location:	3322 East Greenway Road
		Quarter Section:	35-35(L10)
		Proposal:	1) Use permit to allow outdoor dining as an accessory use to a restaurant (Black Rock Coffee) within 500 feet of a residential district. Use permit required. 2) Use permit to allow a drive through facility accessory to a restaurant (Black Rock Coffee) within 300 feet from a residential zoning district. Use permit required.
		Ordinance Sections:	623.D.157.c 623.D.157.d.2
		Applicant:	Wendy Rocco, HFA
		Representative:	Kelsey Kreher, HFA
		Owner:	Roy Weibe, AP Capital Holdings, LP
		Stipulation:	
			1) 1 year to apply and pay for building permits.
Approved	7.	Application #:	ZA-440-22-7
		Existing Zoning:	C-1
		Location:	6115 South 51st Avenue, Suite #204
		Quarter Section:	2-17(D5)
		Proposal:	Use permit to allow the sale of alcoholic beverages. Use permit required.
		Ordinance Sections:	622.D.150.a
		Applicant:	PGL, LLC DBA Almuerzo
		Representative:	Santos Nogales, PGL LLC DBA Almuerzo
		Owner:	Hawk Real Estate Investments, LLC
Denied	8.	Application #:	ZA-443-22-5
		Existing Zoning:	RE-35
		Location:	10663 West Rancho Drive
		Quarter Section:	20-3(I2)
		Proposal:	Variance to reduce the required front yard (north) setback to 19 feet. Minimum 25 feet required.
		Ordinance Sections:	609.B.Table
		Applicant:	Cristina Aguirre
		Representative:	Cristina Aguirre
		Owner:	Aguirre Living Trust
		1:30 PM	
Approved w/stips	9.	Application #:	ZA-435-22-2 (SIGN)
		Existing Zoning:	C-2
		Location:	7015 East Mayo Boulevard
		Quarter Section:	38-44(M12)
		Proposal:	Use Permit for a major amendment to the Shops at Chauncey Ranch Comprehensive Sign Plan. Use permit required.

Ordinance Sections: 705.E.2.d(2)
Applicant: Julie Kulka, Airpark Signs & Graphics
Representative: Julie Kulka, Airpark Signs & Graphics
Owner: Andrew Cohn, Levine Investments, LP

Stipulations:

- 1) 1 year to apply and pay for sign permits.
- 2) General conformance to the plans date stamped September 12, 2022.

***Approved
w/stips**

10. Application #: ZA-439-22-3
Existing Zoning: R1-10
Location: 1516-1520 East Paradise Lane
Quarter Section: 36-30(M9)
Proposal: Use permit to use the Planned Residential Development (PRD) option. Use permit required.
Ordinance Sections: 608.B.3
Applicant: Edmir Dzudza, E-project, LLC
Representative: Leonard Saguid, E-project, LLC
Owner: Andrea Perrin, Vicaire Well Spaces, LLC

Taken out from under advisement on December 21, 2022 and approved with the following stipulations:

- 1) 18 months to apply and pay for permits.
- 2) Applicant to be responsible for maintenance of the floodwater crossing on both north and south sides of Paradise Lane.

**Approved
w/stips**

11. Application #: ZA-441-22-8
Existing Zoning: R-5 RI TOD-1
Location: 1305 East Madison Street
Quarter Section: 10-30(F9)
Proposal: **1)** Variance to reduce the required side yard (east) landscape setback to 0 feet. Minimum 5 feet required. **2)** Variance to reduce the required rear yard (south) landscape setback to 0 feet. Minimum 5 feet required.
Ordinance Sections: 703.B.3.b.3 703.B.3.b.3
Applicant: Leodra Bowdell, Phoenix Permit Service
Representative: Leodra Bowdell, Phoenix Permit Service
Owner: 6810 South Central, LLC

Stipulations:

- 1) 18 months to apply and pay for building permits.
- 2) Regarding request number 1 the landscape setback is eliminated in the parking lot area only, from the alley, northward.

Denied

12. Application #: ZA-442-22-6
Existing Zoning: R1-6
Location: 4026 East Turney Avenue
Quarter Section: 17-37(H10)
Proposal: Variance to reduce front setback (south) to 9 feet. 20 feet minimum required.
Ordinance Sections: 613.B.Table B

		Applicant:	Robert Pearce, Pearce Design Studio, LLC
		Representative:	Robert Pearce, Pearce Design Studio, LLC
		Owner:	Jody and Charles Steele, Steele Living Trust
Approved w/stip	13.	Application #:	ZA-444-22-4
		Existing Zoning:	R-3
		Location:	13 West Missouri Avenue
		Quarter Section:	19-27(H8)
		Proposal:	Use permit to allow single family attached development option. Use permit required.
		Ordinance Sections:	608.F.8
		Applicant:	Ryan Benscoter, 13 Missouri, LLC
		Representative:	Megan Le, Kimley-Horn
		Owner:	13 Missouri, LLC
		Stipulation:	
			1) 18 months to apply and pay for building permits.
Approved w/stip	14.	Application #:	ZA-445-22-6
		Existing Zoning:	R1-6
		Location:	6707 North 10th Place
		Quarter Section:	22-29(I8)
		Proposal:	Variance to reduce the side yard setback (south) to 5 feet. Minimum 10 feet required.
		Ordinance Sections:	613.B.Table B
		Applicant:	Sergio Valencia, Arquitectura
		Representative:	Sergio Valencia, Arquitectura
		Owner:	Bangy Rent 1, LLC
		Stipulation:	
			1) 1 year to apply and pay for building permits.
Continued	15.	Application #:	ZA-446-22-7
		Existing Zoning:	DTC-West Evans Churchill
		Location:	1005 North 2nd Street
		Quarter Section:	12-28(G8)
		Proposal:	1) Use permit to allow outdoor liquor service as an accessory to a bar/restaurant. Use permit required. 2) Variance to reduce the minimum building setback along Roosevelt Street to 0 feet. Minimum 5 feet required.
		Ordinance Sections:	1204.D 1215.F
		Applicant:	Federales, Federales Phoenix, LLC
		Representative:	Noel J. Griemsmann, Snell & Wilmer
		Owner:	HSG Roosevelt & 2nd Street LLC
		Continued to December 29, 2022 at 1:30 PM.	
Approved w/stip	16.	Application #:	ZA-447-22-8
		Existing Zoning:	R-4 CCSIO
		Location:	822 South 4th Avenue

Quarter Section: 9-27(F8)
Proposal: **1)** Variance to reduce the landscape setback requirement along public facing street (Hadley Street) for parking and driveway to 0 feet. Minimum 10 feet required. **2)** Variance to reduce the interior property line (north) landscape setback to 2 feet. Minimum 5 feet required.
Ordinance Sections: 703.B.3.a 703.B.3.b.(3)
Applicant: Jeff Wagner, Wagner Architects, LLC
Representative: Jeff Wagner, Wagner Architects, LLC
Owner: Keith Grayson, Eco Properties, LLC
Stipulation:
1) 18 months to apply and pay for building 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.

December 21, 2022