

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised November 28, 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 22, 2022 at 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-520-21-1 (1-Year Review of Use Permit)
Existing Zoning: C-2
Location: 2805 West Agua Fria Freeway
Quarter Section: 40-22(N7)
Proposal: Use permit to allow food and beverage to be dispensed from a vehicle within a farmers market. Use permit required.

Ordinance Sections: 622.D.63.b
Applicant: Marie Aliser, Pinnacle Peak Farmers Market
Representative: Marie Aliser, Pinnacle Peak Farmers Market
Owner: DDRA Community Centers Eight, LP

Stipulation:

- 1) Except for stipulation number 1 (1 year review) all other stipulations of the original approved apply.

Approved
w/stips

2. Application #: ZA-475-22-6
Existing Zoning: R1-6
Location: 3831 North 34th Street
Quarter Section: 16-35(H10)
Proposal: Use permit to allow a dependent care facility for 7 to 12 dependents. Use permit required.

Ordinance Sections: 608.F.4
Applicant: Monika Phillips, Blossom Family Preschool
Representative: Monika Phillips, Blossom Family Preschool
Owner: Scott and Monika Phillips

Stipulations:

- 1) Hours of operation are Monday through Friday between the hours of 8:30 AM to 3:30 PM.
2) Employees must park on the property.
3) A 1 year review of the use permit.

Denied

3. Application #: ZA-476-22-4
Existing Zoning: R1-6
Location: 1107 North 27th Lane
Quarter Section: 12-22(G7)

		Proposal:	1) Variance to reduce the side yard setback (north) to 0 feet. Minimum 10 feet required. 2) Variance to reduce the rear yard setback (east) to 18 feet. Minimum 25 feet required. 3) Variance to allow a 40.26 percent lot coverage. Maximum 40 percent lot coverage permitted.
		Ordinance Sections:	613.B.Table B 613.B.Table B 613.B.Table B
		Applicant:	Diego F Munoz, Munoz Complete Drafting Services, LLC
		Representative:	Diego F Munoz, Munoz Complete Drafting Services, LLC
		Owner:	Socorro Fuentes
Approved w/stips	4.	Application #:	ZA-478-22-7
		Existing Zoning:	C-2
		Location:	Southwest corner of 67th Avenue and Broadway Road
		Quarter Section:	4-12(E4)
		Proposal:	Variance to reduce the required landscape setback along Broadway Road to 0 feet. Minimum 20 feet required.
		Ordinance Sections:	703.B.3
		Applicant:	Sean J. Doyle, Tiffany & Bosco, P.A.
		Representative:	Sean J. Doyle, Tiffany & Bosco, P.A.
		Owner:	Taylor Morrison, BTR at 67th Avenue & Broadway, LLC
		Stipulations:	1) Owner shall work in conjunction with the Salt River Project (SRP) to determine areas along Broadway Road where trees and other landscaping are acceptable to the city and SRP. The owner shall include trees and landscaping along Broadway Road subject to the agreement with the city and SRP. 2) 1 year to apply and pay for building permits.
Approved w/stips	5.	Application #:	ZA-479-22-7
		Existing Zoning:	DTC-Van Buren ACOD
		Location:	416 North 7th Avenue
		Quarter Section:	11-26(F8)
		Proposal:	Use permit to allow outdoor liquor service as an accessory to a restaurant (Cocina Adamex). Use permit required.
		Ordinance Sections:	1204.D
		Applicant:	Adriana Zapata, Adamex Restaurant, LLC
		Representative:	Adriana Zapata, Adamex Restaurant, LLC
		Owner:	Felix Lopez, Azteca Bakeries, Inc.
		Stipulations:	1) The area will be sufficiently illuminated and contained to discourage any unlawful activity. 2) "No Trespassing" signs must be posted and an Authority to Arrest

Trespassers form will be signed to deter loitering/unwanted guests inside and surrounding the establishment.

3) No outdoor speakers, live entertainment, or amplified music outside of the banquet hall.

4) 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 the activities at the business warrant it.

**Approved
w/stips**

6. Application #: ZA-482-22-3
Existing Zoning: R1-10
Location: 132 West Las Palmaritas Drive
Quarter Section: 25-27(J8)
Proposal: Variance to reduce the side yard (west) setback to 3 feet. Minimum 10 feet required.
Ordinance Sections: 611.Table.B
Applicant: Amanda Neiman
Representative: Amanda Neiman
Owner: Neiman Tanner 2001 Revocable Trust/Amanda

Stipulations:

- 1) Only approved for enclosing an existing carport. The existing footprint of the carport shall not be modified.
- 2) General compliance with the site plan date stamped October 4, 2022.
- 3) 1 year to apply and pay for building permits.

**Approved
w/stips**

7. Application #: ZA-484-22-4
Existing Zoning: R1-6 HP
Location: 302 West Palm Lane
Quarter Section: 13-27(G8)
Proposal: Variance to allow an over height wall (7 feet) in the rear yard setback (north) and side yard setback (east). Maximum height allowed 6 feet.
Ordinance Sections: 703.A.2.c
Applicant: Eric Chapman and David Weiss
Representative: Eric Chapman and David Weiss
Owner: Eric Chapman and David Weiss

Stipulations:

- 1) The existing wall height must remain "as is".
- 2) 1 year to apply and pay for building permits.

**Approved
w/stip**

8. Application #: ZA-486-22-7
Existing Zoning: C-2 SPVTABDO
Location: 20 and 102 West Roeser Road
Quarter Section: 4-27(E8)
Proposal: Use permit to allow two drive-through facilities as accessory uses to restaurants within 300 feet of a residential district. Use permit required.
Ordinance Sections: 623.D.157.d.(2)
Applicant: Shaine T. Alleman, Tiffany & Bosco, P.A.

Representative: Shaine T. Alleman, Tiffany & Bosco, P.A.

Owner: Roeser Plaza, LLC

Stipulation:

- 1) 18 months to apply and pay for building permits.

1:30 PM

**Approved
w/stips**

9. Application #: ZA-322-22-3
Existing Zoning: C-2
Location: 8831 North Central Avenue
Quarter Section: 26-28(J8)
Proposal: Variance to allow 63% lot coverage. Maximum 50% lot coverage permitted.
Ordinance Sections: 623.E.4.h.
Applicant: Justin Tidwell, Solar Covered Parking, LLC
Representative: Justin Tidwell, Solar Covered Parking, LLC
Owner: Jim Mapstead, 8837 North Central, LLC, Accurate Signs

Stipulations:

- 1) The variance applies only to the solar structure.
- 2) The solar structure shall never be enclosed.
- 3) 1 year to apply and pay for building permits.

**Approved
w/stips**

10. Application #: ZA-481-22-7
Existing Zoning: C-3 ACOD CMOD
Location: 749 West Taylor Street and 750 West Polk Street
Quarter Section: 11-26(F8)
Proposal: **1)** Use permit to allow an assembly/banquet hall of less than 25,000 square feet in gross floor area. Use permit required. **2)** Use permit to allow outdoor uses as an accessory use to a public assembly hall. Use permit is required.
Ordinance Sections: 623.D.9.a 623.D.9.b
Applicant: Jennifer Hall, Rose Law Group, LLC
Representative: Jennifer Hall, Rose Law Group, LLC
Owner: Mark and Dee Dee Daus, American Lifestyle 48, LLC

Stipulations:

- 1) There shall be a review of this use permit in one year.
- 2) One year to apply and pay for building permits, and a Certificate of Occupancy appropriate for this use shall be issued.
- 3) General conformance to the submitted site plan date stamped by PDD October 22, 2022
- 4) An irrevocable parking agreement is required to fully satisfy parking off-site requirements.
- 5) Doors shall remain closed during banquets or assemblies to deter any neighborhood disturbance by the means of live entertainment, other instruments, sounds, or devices.
- 6) No outdoor speakers, live entertainment, or amplified music outside of the banquet hall.
- 7) All areas will be sufficiently illuminated and contained to

discourage any unlawful activity.

- 8) Off-duty Police Officers or professional security personal must be present during events involving the consumption of alcoholic beverages.
- 9) "No Trespassing" signs must be conspicuously posted to deter loitering or unwanted guests inside and surrounding the establishment. Additionally, an Authority to Arrest Trespassers (ATA) form must be signed and maintained on file with the Police Precinct.
- 10) 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.

**Approved
w/stips**

11. Application #: ZA-483-22-8
Existing Zoning: R-5, C-O and P-1
Location: 2627 and 2645 East Thomas Road
Quarter Section: 14-33(G9)
Proposal: **1)** Use permit to allow a nursing home. Use permit required. **2)** Variance to allow 37 percent lot coverage. Maximum 25 percent lot coverage permitted. **3)** Variance to reduce the front yard setback (north) to 10 feet. Minimum 20 feet required. **4)** 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.
Ordinance Sections: 618.D.17 618.D.17.a 618.B.Table B 307.A.8
Applicant: Michelle Bach, EAPC Architects Engineers
Representative: Michelle Bach, EAPC Architects Engineers
Owner: Shawn McAfee, Haven Land, LLC
Stipulations:
1) 1 year to apply and pay for building permits.
2) East yard reduced to 10 feet.

**Approved
w/stips**

12. Application #: ZA-487-22-4
Existing Zoning: R-3
Location: 1046 East Fairmount Avenue
Quarter Section: 16-29(H8)
Proposal: Variance to reduce the interior property line landscape setback (west) to 0 feet. Minimum 5 feet required.
Ordinance Sections: 703.B.3.b.(3)
Applicant: Artin Knadjian, AAK Architecture and Interiors, Inc.
Representative: Artin Knadjian, AAK Architecture and Interiors, Inc.
Owner: Vahagh "Vick" Kagramanyan, Aurum Funding, Inc.
Stipulations:
1) 1 year to apply and pay for building permits.
2) General conformance with the site plan date stamped October 10,

2022.

**Withdrawn
to Amend**

13. Application #: ZA-489-22-6
Existing Zoning: R1-6 CEPCSP
Location: 2613 East Elm Street
Quarter Section: 18-33(H9)
Proposal: **1)** Variance to reduce the required rear yard setback (south) to 8 feet. Minimum 25 feet required. **2)** Variance to reduce the side yard setback (west) to 6 feet. Minimum 10 feet required.

Ordinance Sections: 613.B.Table B 613.B.Table B
Applicant: Randazzo Chris/Cheryl L TR
Representative: Michael Golec, Radius Contractors, LLC
Owner: Randazzo Chris/Cheryl L TR

**Approved
w/stips**

14. Application #: ZA-491-22-2
Existing Zoning: PSC PCD
Location: 6501 East Greenway Parkway, Bldg 7 Suites 101 and 102
Quarter Section: 34-43(L12)
Proposal: **1)** Use permit to allow the sale of alcoholic beverages as an accessory to a restaurant (Zipps Sports Grill). Use permit required. **2)** Use permit to allow outdoor dining as an accessory to a restaurant (Zipps Sports Grill). Use permit required. **3)** Use permit to allow outdoor alcoholic beverage consumption as an accessory to a restaurant (Zipps Sports Grill). Use permit required. **4)** Use permit to allow outdoor recreation as an accessory to a restaurant (Zipps Sports Grill). Use permit required.

Ordinance Sections: 622.D.150.a 622.D.150.d 622.D.150.d 622.D.150.d
Applicant: Zipps Sports Grill
Representative: Lisa Kadeg, Goldman Group IV, LLC
Owner: LIPT Greenway Parkway, LLC
Stipulations:
1) 1 year to commence use.
2) The outdoor area shall be sufficiently illuminated and contained to discourage any illegal activity, and there shall be no outdoor entertainment.

**Approved
w/stips**

15. Application #: ZA-504-22-8
Existing Zoning: WU T5:6 EG
Location: Northeast corner of 16th Street and Polk Street
Quarter Section: 11-31(F9)
Proposal: Variance to allow primary frontages to have 6 foot walls along 16th Street (west) and 17th Street (east). Maximum 40 inches allowed.

Ordinance Sections: 1303.C.2.(a)
Applicant: Ed Bull, Burch & Cracchiolo, P.A.
Representative: Ed Bull, Burch & Cracchiolo, P.A.
Owner: Dan Richards, Streamliner 16th, LLC

Stipulations:

- 1) 2 years to apply and pay for building permits.
- 2) 60% of fencing shall be open fencing with artistic elements.
- 3) General compliance with the plans date stamped October 14, 2022 and enlarged details date stamped November 22, 2022.

***ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBLAY**
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.

November 28, 2022