

NOTICE OF RESULTS ZONING ADJUSTMENT HEARING

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 **September 1, 2022 at 9:00 AM (Items 1-6) and 1:30 PM (Items 7-13)**.

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-318-22-6
Existing Zoning: C-1 CEPCSP, P-1 CEPCSP
Location: 1902 East Camelback Road
Quarter Section: 19-31(H9)
Proposal: **1)** Use permit to allow outdoor dining as an accessory to a restaurant (The Crack Shack). Use permit required. **2)** Use permit to allow outdoor alcoholic beverage consumption as an accessory to a restaurant (The Crack Shack). Use permit required. **3)** Use permit to allow outdoor recreation as an accessory to a restaurant (The Crack Shack). Use permit required. **4)** Use permit to allow sales of alcoholic beverages as an accessory to a restaurant (The Crack Shack). Use permit required.
Ordinance Sections: 622.D.150.d 622.D.150.d 622.D.150.d 622.D.150.a
Applicant: Cass Tenney, Savory Management
Representative: Pranavi Koka, Bowman
Owner: Pacific Camelback, Inc.
Stipulations:
 - 1) Hours of outdoor activity to be limited to between 11:00 AM and 10:00 PM.
 - 2) 1 year to obtain and pay for building permits.
 - 3) General conformance to site plan date stamped August 17, 2022.
 - 4) The employees must have a clear view of the area to supervise the activities and/or be present while patrons utilize the outdoor area.
 - 5) The area be sufficiently illuminated and contained to discourage any unlawful activity. The precinct commander, or his designee, may approve lighting, containment area, and security personnel at their discretion.
 - 6) Outside speaker volume to be kept at a reasonable level.
 - 7) 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	2.	Application #:	ZA-319-22-1
		Existing Zoning:	R1-8
		Location:	3546 West Voltaire Avenue
		Quarter Section:	32-20(L6)
		Proposal:	Variance to reduce the side yard setback (east) for a detached accessory structure to 0 feet. Minimum 3 feet required.
		Ordinance Sections:	706.B
		Applicant:	Wendy and Orentha Jones
		Representative:	Wendy and Orentha Jones
		Owner:	Wendy and Orentha Jones
		Stipulations:	
			1) 1 year to apply and pay for building permits.
			2) No additional construction on the east side yard.
			3) General conformance with site plan date stamped July 15, 2022 as relates to shed location.
Withdrawn to Amend	3.	Application #:	ZA-322-22-3
		Existing Zoning:	C-2
		Location:	8831 North Central Avenue
		Quarter Section:	26-28(J8)
		Proposal:	Variance to allow 80% 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
Approved w/stips	4.	Application #:	ZA-323-22-5
		Existing Zoning:	R-4
		Location:	3221 West El Camino Drive
		Quarter Section:	25-21(J6)
		Proposal:	Variance to reduce the required parking to 349 spaces. Minimum 387 spaces required.
		Ordinance Sections:	702.C.Table
		Applicant:	Martha Baker, Mod A+P
		Representative:	Martha Baker, Mod A+P
		Owner:	Kevin Tanna, KA MRE Park Vista, LLC
		Stipulations:	
			1) General conformance with site plan date stamped July 18, 2022.
			2) 1 year to obtain and pay for building permits.
Approved w/stips	5.	Application #:	ZA-325-22-8
		Existing Zoning:	R1-6
		Location:	2522 North 28th Place
		Quarter Section:	14-34(G10)

		Proposal:	1) Variance to reduce the required lot width (lot 1) to 50 feet. Minimum 60 feet required. 2) Variance to reduce the required lot width (lot 2) to 50 feet. Minimum 60 feet required.
		Ordinance Sections:	613.B.Table B 613.B.Table B
		Applicant:	RBR Holdings III, LLC
		Representative:	Ryan Miller, RBR Holdings III, LLC
		Owner:	RBR Holdings III, LLC
		Stipulations:	1) General conformance with site plan date stamped July 19, 2022. 2) 1 year to obtain and pay for building permits.
Approved w/stips	6.	Application #:	ZA-326-22-1
		Existing Zoning:	RE-35 (Approved C-2 PCD)
		Location:	3630 West Happy Valley Road
		Quarter Section:	47-20(O6)
		Proposal:	1) Use permit to allow outdoor dining as an accessory use to a restaurant (Slim Chickens) within 500 feet of a residential zoning district. Use permit required. 2) Use permit to allow a drive through facility as an accessory use to a restaurant within 300 feet of a residential zoning district. Use permit required.
		Ordinance Sections:	623.D.157.c 623.D.157.d.(2)
		Applicant:	Brad Flahiff, Barnett Management Company
		Representative:	Brad Flahiff, Barnett Management Company
		Owner:	Pederson Group, Inc, 35th & Happy Valley, LLC
		Stipulations:	1) Provide perimeter screen wall as required. 2) Hours of outdoor operations limited to 8:00 AM to midnight. 3) General conformance with site plan date stamped July 19, 2022. 4) 1 year to apply and pay for building permits.
Withdrawn	7.	1:30 PM	
		Application #:	ZA-153-22-1 (Continued from July 28, 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 267 spaces required.
		Ordinance Sections:	702.C.Table
		Applicant:	Jeffrey Winter, RA, Esencia, LLC
		Representative:	Frank Gawdun, Esencia, LLC
		Owner:	Marvin Rose, Butterfield Trail, LLC
Approved	8.	Application #:	ZA-307-22-4
		Existing Zoning:	R1-6 HP
		Location:	745 West Monte Vista Road

		Quarter Section:	13-26(G8)
		Proposal:	Variance to allow an over height (7 feet) fence located in the side yard (north) and (up to 10 feet) in the rear yard (east). Maximum 6 feet allowed.
		Ordinance Sections:	703.A.2.c
		Applicant:	Larry Lazarus, Lazarus and Silvyn, P.C.
		Representative:	Larry Lazarus, Lazarus and Silvyn, P.C.
		Owner:	Andy Roediger
Continued	9.	Application #:	ZA-324-22-6
		Existing Zoning:	R1-6
		Location:	4524 East Walatowa Street
		Quarter Section:	05-38(C11)
		Proposal:	1) Use permit to allow a home occupation that generates traffic. Use permit required. 2) Use permit for an official approval of a home occupation (Federal Firearms License). Use permit required.
		Ordinance Sections:	608.E.3.h(1) 608.E.3.h(5)
		Applicant:	Andrew Hartweck
		Representative:	Andrew Hartweck
		Owner:	Andrew Hartweck
		Continued to October 27, 2022 at 1:30 PM.	
Withdrawn to Amend	10.	Application #:	ZA-328-22-4
		Existing Zoning:	C-1
		Location:	3326 and 3336 North 7th Street
		Quarter Section:	15-28(G8)
		Proposal:	1) Variance to reduce a drive-through facility queuing length to 113 feet. Minimum 150 linear feet of queuing space per pick-up window required. 2) Use permit to allow outdoor dining as an accessory to a restaurant (ChopShop). Use permit required. 3) Use permit to allow a drive-through facility as an accessory use to a restaurant (ChopShop) within 300 feet of a residential zoning district. Use permit required.
		Ordinance Sections:	702.B.6.c 622.D.150.d 622.D.150.e.2
		Applicant:	Todd Bessire, Sustainability Engineering Group, LLC
		Representative:	Todd Bessire, Sustainability Engineering Group, LLC
		Owner:	513 South 1st Avenue, LLC & Mulsev, LLC
Approved w/stips	11.	Application #:	ZA-329-22-4
		Existing Zoning:	A-1
		Location:	1736, 1738, and 1746 West Latham Street
		Quarter Section:	12-25(G7)

Proposal: 1) Variance to allow outdoor uses, outdoor storage, or open buildings 29 feet from a public street (18th Avenue). Minimum 75 feet required.
 2) Variance to allow outdoor uses, outdoor storage, or open buildings 0 feet from a public street (Latham Street). Minimum 75 feet required.

Ordinance Sections: 627.F.2.b.(3) 627.F.2.b.(3)

Applicant: Denisse Taniyama, Morales Artistic Wrought Iron, LLC

Representative: Jeff Stephens, Searer, Robbins, & Stephens Inc. Architect

Owner: MT Real Estate Investment, LLC

Stipulations:

- 1) General conformance with site plan dated stamped July 21, 2022.
- 2) 1 year to apply and pay for building permits.
- 3) Outdoor storage shall not be higher than 6 feet in height.

Approved

12. Application #: ZA-331-22-3
 Existing Zoning: C-2
 Location: 1926 West Cactus Road
 Quarter Section: 31-24(K7)
 Proposal: 1) Variance to allow a tobacco oriented retailer (Hookah Cash N Carry) to be located within 1,320 feet of a school. Minimum 1,320 feet separation required. 2) Variance to allow a tobacco oriented retailer (Hookah Cash N Carry) to be located within 1,320 feet of a park. Minimum 1,320 feet separation required.

Ordinance Sections: 623.D.194.b 623.D.194.b

Applicant: Rami Yousif, Hookah Investments, LLC

Representative: Rami Yousif, Hookah Investments, LLC

Owner: Basem Aqra, A&N AZ Investments, LLC

Approved w/stips

13. Application #: ZA-332-22-4
 Existing Zoning: C-2
 Location: Southeast corner of 7th Street and Devonshire Avenue
 Quarter Section: 17-29(H9)
 Proposal: Use permit to allow a car wash in an open building. Use permit required.

Ordinance Sections: 623.D.41

Applicant: William Allison, Withey Morris, PLC

Representative: William Allison, Withey Morris, PLC

Owner: Quick N Clean 44, LLC

Stipulations:

- 1) Hours of operation are limited to between 7:00 AM and 9:00 PM.
- 2) General conformance with the site plan date stamped July 22, 2022.
- 3) 1 year to apply and pay for building permits.

ZONING ADJUSTMENT HEARING OFFICER: RAY JACOBS
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.

September 2, 2022