

**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 **April 20, 2023 9:00 AM (Items 1-5) and 1:30 PM (Items 6-9)**

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 Denied	9:00 AM	
	1.	Application #: ZA-110-23-8 Existing Zoning: R1-6 Location: 2705 North 25th Place Quarter Section: 14-33(G9) Proposal: Variance to allow an over height fence (5 feet) in the required front yard (west) setback. Maximum height of 40 inches permitted. Ordinance Sections: 703.A.3.a Applicant: Denisse and Ramiro Oceguela Representative: Denisse and Ramiro Oceguela Owner: Denisse and Ramiro Oceguela
Approved w/stips	2.	Application #: ZA-111-23-4 Existing Zoning: R-5 RI Location: 320 East Virginia Avenue and 317, 323, 329, 318, and 330 East Virginia Circle Quarter Section: 14-28(G8) Proposal: Variance to increase lot coverage to 73%. Maximum 50% lot coverage allowed. Ordinance Sections: 618.Table.B Applicant: Lorne Wallace, 320 Virginia, LP/RAS Developments, Inc. Representative: Lorne Wallace, 320 Virginia, LP/RAS Developments, Inc. Owner: Lorne Wallace, 320 Virginia, LP/RAS Developments, Inc. Stipulations: 1) 2 years to apply and pay for building permits. 2) A minimum of 7 drought resistant shade trees with a minimum 2 inch caliper along East Virginia Avenue frontage.
	3.	Application #: ZA-112-23-6 Existing Zoning: C-1, C-2 Location: 3601 East Indian School Road Quarter Section: 16-36(H10) Proposal: Use permit to allow package liquor sales (Trevor's) as a primary use when located within
Approved w/stip		

			300 feet of a residential zoning district. Use permit required.
		Ordinance Sections:	622.D.102.a
		Applicant:	Trevor's
		Representative:	Lauren Proper Potter, Huellmantel & Affiliates
		Owner:	Gaslight Square Retail, LLC
		Stipulation:	
			1) 1 year to apply and pay for building permits.
Approved w/stip	4.	Application #:	ZA-115-23-7
		Existing Zoning:	R-3
		Location:	3707 West Maricopa Street
		Quarter Section:	9-20(F6)
		Proposal:	1) Variance to allow 47 percent lot coverage. Maximum 45 percent lot coverage permitted. 2) Variance to allow a detached accessory structure within the required front yard (north) setback. Detached accessory structures not permitted within the required front yard setback. 3) Variance to allow an over height (10 feet) accessory structure within the side yard setback (west). Maximum 8 feet permitted.
		Ordinance Sections:	615.B.Table B 706.A 706.C
		Applicant:	Hermenegildo Barraza
		Representative:	Hermenegildo Barraza
		Owner:	Hermenegildo Barraza
		Stipulation:	
			1) 1 year to apply and pay for building permits.
Approved w/stip	5.	Application #:	ZA-116-23-5
		Existing Zoning:	PUD, R1-6, R-3
		Location:	Southwest corner of 27th Avenue and Missouri Avenue, 20 lots
		Quarter Section:	19-22(H7)
		Proposal:	Variance to allow 20 lots that do not front onto a public street. Public street frontage required.
		Ordinance Sections:	608.H.1
		Applicant:	Taylor Earl, Earl & Curley, P.C.
		Representative:	Michael Buschbacher II, Earl & Curley, P.C.
		Owner:	David Adame, Casa Loma Affordable Apartments, LLC
		Stipulation:	
			1) 1 year to apply and pay for building permits.
		1:30 PM	
Approved w/stips	6.	Application #:	ZA-67-23-4 (Continued from March 23, 2023)
		Existing Zoning:	C-2 SAUMSOD
		Location:	4343 North 7th Avenue
		Quarter Section:	17-27(H8)

Proposal: Use permit to allow a temporary use (outdoor event with amplified sound) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: Stacy Louis, Stacy's @ Melrose
Representative: Stacy Louis, Stacy's @ Melrose
Owner: Zachary Travis, Apollo Healthcare and Diagnostics, LLC

Stipulations:

- 1) Amplified sound shall end weekdays at 10:00 PM.
- 2) Amplified sound shall end Friday and Saturday at 12:00 AM.
- 3) The use permit is approved for 36 months.

**Approved
w/stip**

7. Application #: ZA-109-23-8
Existing Zoning: R-5, R-I, HP
Location: 1022 East Polk Street
Quarter Section: 11-29(F8)
Proposal: **1)** Variance to reduce the required open space requirements to 0 percent. Minimum 5 percent required. **2)** Variance to allow maneuvering to occur in the public right-of-way (north alley side). All maneuvering must be located on private property. **3)** Variance to reduce the perimeter landscape setback (north alley) to 0 feet. Minimum 5 feet required.
Ordinance Sections: 703.B.4.a.1 702.A.1.b 703.B.3.b.3
Applicant: Chris Derosé, Civic Group, LLC
Representative: Christopher Pela, Studio Pela, PLLC
Owner: Chris Derosé, Civic Group, LLC

Stipulation:

- 1) 1 year to apply and pay for building permits.

**Approved
w/stips**

8. Application #: ZA-114-23-7
Existing Zoning: DTC-Commercial Corridor
Location: 747 West Roosevelt Street
Quarter Section: 11-26(F8)
Proposal: **1)** Use permit to allow multiple temporary outdoor events (four days per month) for up to 36 months. Use permit required. **2)** Use permit to allow a farmers market. Use permit required.
Ordinance Sections: 708.D.1
Applicant: Ryan Tucknott, Walter Studios
Representative: Dennis M. Newcombe, Gammage & Burnham, PLC
Owner: 141, LLC

Stipulations:

- 1) Hours for temporary events are limited from 7:00 AM to 11:00 PM.
- 2) Temporary events and farmers market combined are limited to 4 days per month.

- 3) No amplified sound is allowed for the temporary events or markets.
- 4) Owners will be responsible for clean up of the site and alley.
- 5) The use permit for the multiple temporary outdoor events and farmer market is approved for 36 months.
- 6) 6 months to commence the use.

Approved w/stip 9. Application #: ZA-117-23-2
Existing Zoning: C-2
Location: 810 East Union Hills Drive
Quarter Section: 39-29(M8)
Proposal: Use permit to allow a drive through facility as an accessory use to a restaurant (Starbucks) within 300 feet of a residential zoning district. Use permit required.
Ordinance Sections: 623.D.157.d.(2)
Applicant: Sergio Valencia, Upward Architects
Representative: Matthew Werner, Batis Development
Owner: BDC - 7th & Union Hills, LLC
Stipulation:
1) 1 year to apply and pay for building permits.

ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE
PLANNER: PETER KANN, PLANNER II

For further information, please call Eric Morales, Planner III, 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 Angie Holdsworth at 602-495-5622, angie.holdsworth@phoenix.gov TTY: Use 7-1-1.

April 21, 2023