

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised September 6, 2023*

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 **August 17, 2023 at 9:00 AM (Items 1-7) and 1:30 PM (Items 8-15)**.

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/stips

9:00 AM

1. Application #: ZA-202-23-2
Existing Zoning: RE-43
Location: 5731 East Shea Boulevard
Quarter Section: 28-41(K11)
Proposal: Use permit to allow public assembly residential use with vehicular access on a local or minor collector street. Use permit required.

Ordinance Sections: 605.A.21
Applicant: Shaine T. Alleman, Tiffany & Bosco, P.A.
Representative: Shaine T. Alleman, Tiffany & Bosco, P.A.
Owner: Bellanca Viking Revocable Living Trust

Stipulations:

- 1) East driveway will be as narrow as possible as determined by Planning and Development Department.
- 2) No parking along 58th Street adjacent to the property.
- 3) East driveway will be for exit only. No right turns signs will be posted on both sides of the east driveway.
- 4) No activities after 8:00 PM.
- 5) Review of this use permit within one year that Certificate of Occupancy is obtained.
- 6) 18 months to apply and pay for building permits.

***#1 Denied**

2. Application #: ZA-216-23-3 (Continued from July 13, 2023)
Existing Zoning: R1-14

#2 and #3
Approved
w/stips

- Location: 5438 East Sweetwater Avenue
Quarter Section: 32-40(L11)
Proposal: **1)** Variance to reduce the required side yard (west) setback to 5 feet. Minimum 10 feet required. **2)** Variance to allow an accessory structure 26 feet in height in the required side yard (east) setback. Maximum of 8 feet in height allowed. **3)** Use permit to allow a 20 foot tall accessory structure to be located in the rear yard (north) setback. Maximum of one story or 15 feet permitted.

Ordinance Sections: 606.B.3. 706.C. 706.G
Applicant: Jason R. Scott & Keri K Amrhein-Scott, Amrhein-Scott Trust
Representative: Jason R. Scott & Keri K Amrhein-Scott, Amrhein-Scott Trust
Owner: Jason R. Scott & Keri K Amrhein-Scott, Amrhein-Scott Trust

Taken out from under on September 06, 2023 and decided on as follows:

#1 – Denied.

#2 and #3 – Approved with the following stipulations:

- 1) 1 year to apply and pay for permits.
- 2) Per the location and size of the proposed accessory structure as shown on the site plan dated June 8, 2023.

**#1 and #3
Approved
w/stips**

3. Application #: ZA-272-23-4
Existing Zoning: R-3 HP
Location: 4722 North 3rd Avenue
Quarter Section: 18-27(H8)
Proposal: **1)** Variance to reduce the landscape setback (south) to 0 feet. Minimum 5 feet required.
2) Variance to reduce the rear yard setback (west) to 5 feet. Minimum 15 feet required.
3) Variance to reduce the surface parking lot landscape to 0 percent. Minimum 5 percent required.
- Ordinance Sections: 703.B.3.b.(3) 615.B.Table B 507 Tab A.II.A.6.1.1
Applicant: Stephanie Espinoza, Fix Design Build, LLC
Representative: Stephanie Espinoza, Fix Design Build, LLC
Owner: Stephanie Espinoza, Fix Design Build, LLC
- Stipulation:**
1) 1 year to pay and apply for building permits.
2) Approval subject to review from Historic Preservation Department.

***Approved
w/stips**

4. Application #: ZA-276-23-6
Existing Zoning: R1-10
Location: 1840 East Berridge Lane
Quarter Section: 21-31(I9)
Proposal: **1)** Use permit to allow an over height (18') RV Garage detached accessory structure within the rear yard setback. Use permit required.
2) Variance to allow a detached accessory structure within the required front yard (east) setback. Detached accessory structures not permitted within the required front yard setback.
- Ordinance Sections: 706.G 706.A
Applicant: Michelle and Jason Wilson, Mountain Valley Contracting, LLC

Representative: Michelle and Jason Wilson, Mountain Valley Contracting, LLC
Owner: Timothy and Kelly Shaughnessy
Taken out from under on September 06, 2023 and approved with the following stipulation:
1) 1 year to apply and pay for building permits.
2) Per the location and size of the detached accessory structure as shown on the site plan dated July 11, 2023.

Approved w/stips 5. Application #: ZA-280-23-3
Existing Zoning: R1-10
Location: 15644 North 18th Street
Quarter Section: 35-31(L9)
Proposal: Variance to reduce side yard (south) setback to 5 feet. 10 feet required.
Ordinance Sections: 611.Table B
Applicant: Karen and Jody Stocks, Karen and Jody Stocks Trust
Representative: Jody Stocks
Owner: Karen and Jody Stocks, Karen and Jody Stocks Trust

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Approval only for addition per site plan date stamped July 23, 2023.

Approved w/stips 6. Application #: ZA-283-23-6
Existing Zoning: R1-10
Location: 7133 North 23rd Place
Quarter Section: 23-32(I9)
Proposal: **1)** Time extension for ZA-233-22, Variance to reduce the front yard setback (southwest) to 10 feet. Minimum 25 feet required. **2)** Time extension for ZA-233-22, Variance to reduce the rear yard setback (east) to 10 feet. Minimum 25 feet required.
Ordinance Sections: 611.B.Table B 611.B.Table B
Applicant: Kyle Israel
Representative: Michael Golec, Radius
Owner: Kyle Israel

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the building envelope as shown on the site plan dated May 24, 2022.

Approved w/stip 7. Application #: ZA-284-23-7
Existing Zoning: DTC - Evans Churchill West
Location: Southwest Corner of 1st Street and McKinley Street
Quarter Section: 11-28(F8)

Proposal: Use permit to allow a temporary use (construction staging area) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: Clayco
Representative: Patrick Tarkowski, Clayco
Owner: Christopher P. McKee, Downtown PHX Resi Owner, LLC

Stipulation:

- 1) 120 days to commence the use.

1:30 PM

Continued 8. Application #: ZA-177-23-6 (SIGN) (Continued from July 13, 2023)
Existing Zoning: C-2
Location: 3227 East Indian School Road
Quarter Section: 16-35(H10)
Proposal: Use permit to convert the west face of a nonconforming off-premise sign to digital. Use permit required.
Ordinance Sections: 705.2.G.4
Applicant: Jacob Zonn, Becker Boards Small, LLC
Representative: Garry Hays
Owner: Kar Yee Investments LLC

Continued to September 28, 2023 at 1:30 PM.

Approved w/stips 9. Application #: ZA-259-23-6
Existing Zoning: R-3
Location: 3451 North 38th Street
Quarter Section: 16-36(H10)
Proposal: **1)** Variance to reduce perimeter landscape setback (north) not adjacent to a street to 0 feet. Minimum 5 feet required. **2)** Variance to reduce perimeter landscape setback (south) not adjacent to a street to 0 feet. Minimum 5 feet required. **3)** Variance to reduce perimeter landscape setback (west) not adjacent to a street to 0 feet. Minimum 5 feet required. **4)** Variance to reduce perimeter building setback (west) to 0 feet. Minimum 15 feet required.
Ordinance Sections: 703.B.3.b(3) 703.B.3.b(3) 703.B.3.b(3) 615.B.Table B
Applicant: Dawn Augusta, Risome Residential, LLC
Representative: Jerry Palmer, Palmer Architects, LTD
Owner: Dawn Augusta, Risome Residential, LLC

Stipulations:

- 1) 2 years to apply and pay for building permits.
- 2) Per the landscape and building setback reductions as shown on the site plan date stamped June 30, 2023.

Continued	10.	Application #:	ZA-277-23-4
		Existing Zoning:	C-2 TOD-1
		Location:	1925 West Camelback Road
		Quarter Section:	18-24(H7)
		Proposal:	Use permit to allow packaged liquor sales at a convenience store (Carniceria Los Reyes) within 300 feet of a residential district. Use permit required.
		Ordinance Sections:	622.D.102.a
		Applicant:	Edel Alcaraz, Carniceria Los Reyes #3, LLC
		Representative:	Alexander Moctezuma, Moctezuma Accounting & Tax Svc
		Owner:	Ismail Ataria Investments, LLC
		Continued to September 28, 2023 at 9:00 AM.	
Approved w/stips	11.	Application #:	ZA-279-23-4
		Existing Zoning:	R1-6
		Location:	2215 East Mitchell Drive
		Quarter Section:	16-32(H9)
		Proposal:	Variance to reduce the side yard setback (west) to 4 feet. Minimum 10 feet required.
		Ordinance Sections:	613.B.Table B
		Applicant:	Charlotte Koestner
		Representative:	Bill Duncan, Duncan Design Group, LLC
		Owner:	Charlotte Koestner
		Stipulations:	
			1) Per the side yard setback reduction as shown on the site plan dated June 13, 2023.
			2) 1 year to apply and pay for building permits.
Approved	12.	Application #:	ZA-282-23-4
		Existing Zoning:	C-2 HRI TOD-1
		Location:	2807 North Central Avenue
		Quarter Section:	14-28(G8)
		Proposal:	Variance to allow a tobacco oriented retailer (Puffinz) to be located within 1,320 feet of a school. Minimum 1,320 feet separation required.
		Ordinance Sections:	623.D.194.b
		Applicant:	Shaine T. Alleman, Tiffany & Bosco, P.A.
		Representative:	Shaine T. Alleman, Tiffany & Bosco, P.A.
		Owner:	Michael Koss, Phoenix Midtown Plaza, LLC
Approved w/stip	13.	Application #:	ZA-286-23-1
		Existing Zoning:	PUD DVAO and A-1 DVAO
		Location:	23355 North 7th Avenue, 333 and 555 West Pinnacle Peak Road
		Quarter Section:	44-27(O8)

Proposal: Use permit to allow over height retaining walls (6 feet) within 50 feet of the property line (west) of an unplatted parcel. Maximum 40 inches permitted.

Ordinance Sections: 703.A.4.c

Applicant: Scott Denham, DV Parcel B Owner LP, c/o Mack Real Estate

Representative: Karen Ohmann, Deutsch Architecture Group

Owner: Mack Real Estate Group, DV Parcel B Owner LP, c/o Mack Real Estate

Stipulation:

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

**Approved
w/stip**

14. Application #: ZA-287-23-4

Existing Zoning: R-3

Location: 4307 North 13th Place

Quarter Section: 17-30(H9)

Proposal: Use permit to allow the Single-Family Attached (SFA) option. Use permit required.

Ordinance Sections: 608.B

Applicant: Quattro on 13th, LP

Representative: Adam Wallace, AW Residential, Inc.

Owner: Quattro on 13th, LP

Stipulation:

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

**Approved
w/stips**

15. Application #: ZA-288-23-2

Existing Zoning: C-3

Location: 3148 and 3152 East Bell Road

Quarter Section: 37-34(M10)

Proposal: **1)** Use permit to allow package liquor sales accessory to a convenience market (7-Eleven) located within 300 feet of a residential zoning district. Use permit required. **2)** Variance to reduce the streetscape landscape setback along Bell Road to 7 feet. An average of 25 feet is required, minimum of 20 feet is permitted for up to 50 percent of the frontage.

Ordinance Sections: 622.D.102.a 624.E.4.e

Applicant: Tanner Kinde, The Dimension Group

Representative: Natalie Maikoski, EPS Group, Inc.

Owner: KFH Truck Masters Bell 32, LLC, The Dimension Group

Stipulations:

- 1) Post Area Leader and Asset Protection Contact info on front door.
- 2) Post "No loitering" signs around building.
- 3) Post "No trespassing" signs within 30 days of this approval.
- 4) Trash enclosure to be roofed and locked at all times.
- 5) Building exterior, site and fuel canopy will have cameras for security. Cameras will be monitored from store.

- 6) Graffiti onsite and building to be removed within 24 hours.
- 7) Trash pickup shall be between 6:00 AM and 6:00 PM.
- 8) 2 years to apply and pay for building permits.

ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBLAY
PLANNER: KIM STEADMAN, 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.

September 7, 2023