

**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 **December 28, 2023 9:00 AM (Items 1-6) and 1:30 PM (Items 7-11)**

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-589-23-2
Existing Zoning: R1-14
Location: 6540 East Thunderbird Road
Quarter Section: Q33-43(L12)
Proposal: 1) Time extension for ZA-468-22, variance to reduce the front yard (east) setback to 18 feet. Minimum 30 feet required.
2) Time extension for ZA-468-22, variance to reduce the rear yard (west) setback to 10 feet. Minimum 30 feet required.
Ordinance Sections: 606.B.2 606.B.4
Applicant: Laurie Timmons, David Timmons Architectural Design Studio
Representative: Laurie Timmons, David Timmons Architectural Design Studio
Owner: Tim Werner
Stipulation:
1) All previous stipulations shall remain in effect.

Continued

2. Application #: ZA-597-23-8
Existing Zoning: C-2 HP, R-5 RI HP ACOD
Location: 717 North 7th Street
Quarter Section: Q11-29(F8)
Proposal: Use permit to allow outdoor dining up to 50 percent. Use permit required.
Ordinance Sections: 669.E.2
Applicant: Carlos Dominguez
Representative: Carlos Dominguez
Owner: Joseph Lewis, Red Bricks on 7th Street, LLC

Continued to February 1, 2024 at 9:00 AM.

**Approved
w/stip**

3. Application #: ZA-610-23-7
Existing Zoning: DTC- Evans Churchill West ACSBO
Location: 901 and 905 North 1st Street
Quarter Section: Q11-28(F8)

Proposal: Use permit to modify Stipulation No. 3 of Case No. ZA-579-16, to allow recorded music until 1 AM Friday- Saturday. Recorded music shall be allowed seven days per week until midnight per ZA-579-16.

Ordinance Sections: 307.A

Applicant: Arnott Kell Duncan III, The Churchill, LLC

Representative: Stephen Allen, The Churchill

Owner: The Churchill, LLC

Stipulation:

1) Recorded music shall be allowed Monday through Thursday until Midnight and until 1:00 AM Friday and Saturday.

**Approved
w/stip**

4. Application #: ZA-628-23-8

Existing Zoning: R-3

Location: 3011 East Coronado Road

Quarter Section: Q13-34(G10)

Proposal: Use permit to allow the single-family attached development option. Use permit required.

Ordinance Sections: 615.B.Table B

Applicant: Paul O'Connor, POCA Architecture + Design, LLC

Representative: Paul O'Connor, POCA Architecture + Design, LLC

Owner: Josh Hall

Stipulation:

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

**Approved
w/stips**

5. Application #: ZA-629-23-7

Existing Zoning: R-3

Location: 4110 South 3rd Avenue

Quarter Section: Q5-27(E8)

Proposal: 1) Variance to reduce the interior property line (south) landscape setback to 0 feet. Minimum 5 feet required.
2) Variance to reduce the front (east) building setback to 15 feet. Minimum 25 feet required.
3) Variance to reduce the landscape setback adjacent to a public street right-of-way (3rd Avenue) to 15 feet. Minimum 25 feet required.

Ordinance Sections: 703.B.3.b.(3); 615.B.TableB; 703.B.3.a

Applicant: Paul O'Connor, POCA Architecture + Design, LLC

Representative: Paul O'Connor, POCA Architecture + Design, LLC

Owner: Erica Barraza, EDEE, LLC & KC 2, LLC

Stipulations:

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

2) The area south and west of the garbage enclosure shall be landscaped including one shade tree at the street frontage and

two additional shade trees located in the open space area west of the trash enclosure with another plant material per a landscaping plan to be approved by the Planning and Development Department.

Approved w/stips	6.	Application #: Existing Zoning: Location: Quarter Section: Proposal: Ordinance Sections: Applicant: Representative: Owner: Stipulations: 1) 1 year to apply and pay for building permits. 2) 1 year review after use commences.	ZA-633-23-7 A-1 317 South 9th Avenue Q10-26(F8) Use permit to allow a temporary event (arts fairs, festivals, farmers market with amplified sound and multiple vendors) for up to 36 months. Use permit required. 708.D.1 Korhan Kaftanoglu, 9th And Jackson Real Estate Holding, LLC Korhan Kaftanoglu, 9th And Jackson Real Estate Holding, LLC 9th And Jackson Real Estate Holding, LLC
		1:30 PM	
Continued	7.	Application #: Existing Zoning: Location: Quarter Section: Proposal: Ordinance Sections: Applicant: Representative: Owner: Continued to February 1, 2024 at 1:30 PM.	ZA-306-23-8 (SIGN) C-3 123 East Durango Street 7-28(E8) 1) Variance to reduce required spacing between off-premise signs to 485 feet. Minimum 1,000 foot spacing required. 2) Use permit to increase the height of a nonconforming off-premise sign to 70 feet. Use permit required. 3) Use Permit to rebuild a nonconforming off-premise sign not requesting a digital. Use Permit required. 705.2.B.2 705.2.B.4.b 705.2.G.5 Jacob Zonn, Becker Boards Small, LLC Garry Hays Case Properties, LTD Partnership
		1:30 PM	
Approved w/stips	8.	Application #: Existing Zoning: Location: Quarter Section: Proposal:	ZA-527-23-5 (SIGN) PUD PCD 4411 North 99th Avenue 705.E.2.d.(2) Use permit for a Major amendment to the Algodon Center Comprehensive Sign Plan for an additional ground sign. Use permit required.

Ordinance Sections: 705.E.2.d.(2)
Applicant: Jared Segel
Representative: Jared Segel
Owner: Alta 99th Ave, LP

Stipulations:

- 1) Ground sign design shall require Design Review approval and shall reflect common ground sign design elements with the adopted Algodon Comprehensive Sign Plan as determined by Planning and Development Department staff.
- 2) 12 months to obtain sign permits for the ground sign.

**Approved
w/stip**

9. Application #: ZA-550-23-8
Existing Zoning: R-3 SP (Approved A-1) RSIOD
Location: 3850 South 18th Street
Quarter Section: Q5-31(E9)
Proposal: Variance to allow an over height fence (6 feet) in the required front yard (east). Maximum 40 inches permitted.
- Ordinance Sections: 703.A.2.a
Applicant: Cassandra Ayres, Berry Riddell, LLC
Representative: Cassandra Ayres, Berry Riddell, LLC
Owner: Aaron Wallace, 18th & Raymond Pl, LLC

Stipulation:

- 1) 2 years to apply and pay for building permits.

**Approved
w/stips**

10. Application #: ZA-627-23-7
Existing Zoning: C-3 ACOD CMOD
Location: 749 West Taylor Street
Quarter Section: Q11-26(F8)
Proposal: 1) Time Extension for ZA-481-22, 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: Mark and Dee Dee Daus, Daus Events
Representative: Jen Hall, Rose Law Group
Owner: American Lifestyle 48, LLC

Stipulations:

- 1) Time extension approved for 6 months.
- 2) 6 month review to address any parking concerns the neighbors may have.

**Approved
w/stip**

11. Application #: ZA-630-23-8
Existing Zoning: PUD
Location: 4775 East Washington Street
Quarter Section: Q10-38(F11)

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

Ordinance Sections: 703.A.4.c

Applicant: Mike Maerowitz, Snell & Wilmer, LLP

Representative: Mike Maerowitz, Snell & Wilmer, LLP

Owner: Tadd Miller, 48th And Washington Street, LLC

Stipulation:

1) 1 year to apply and pay for 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 via electronic mail at zoning.adjustment@phoenix.gov. To request a reasonable accommodation, please contact Teleia Galaviz at 602-291-2559, teleia.galaviz@phoenix.gov TTY: Use 7-1-1.

December 29, 2023