

**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 **July 6, 2023 at 9:00 AM (Items 1-4) and 1:30 PM (Items 5-6)**.

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-204-23-4
Existing Zoning: WU Code T5:2 MT
Location: 336, 342, 346 East Thomas Road
Quarter Section: 15-28(G8)
Proposal: **1)** Variance to allow maneuvering to occur in the public right-of-way (north alley side). All maneuvering must be located on private property. **2)** Variance to allow maneuvering to occur in the public right-of-way (east alley side). All maneuvering must be located on private property. **3)** Variance to reduce the primary building frontage along Thomas Road to 20%. Minimum 70% frontage required along primary frontage. **4)** Use permit to allow outdoor dining as an accessory use to a restaurant within 500 feet of a single-family residential zoning district. Use permit required. **5)** Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a restaurant within 500 feet of a single-family residential zoning district. Use permit required.
Ordinance Sections: 702.A.1.b 702.A.1.b 1303.B.Transect T5 1306.G.5.a 1306.G.5.a
Applicant: David Chamberlin, D.B. Chamberlin & Associates LLC
Representative: Benjamin Graff, Quarles & Brady LLP
Owner: David Chamberlin, Suncor Partners Thomas Office, LLC
Stipulations:
1) 2 years to apply and pay for building permits.
2) Patio hours shall be limited to no later than midnight.

**Approved
w/stips**

2. Application #: ZA-278-21-4 (2 Year Review of Use Permit)
Existing Zoning: A-2
Location: 3422 West Clarendon Avenue
Quarter Section: 16-21(H6)
Proposal: Time extension of ZA-532-18, use permit to allow an environmental remediation facility. Use permit required.

Ordinance Sections: 622.D.60
Applicant: Kirk Craig, Geosyntec Consultants, Inc.
Representative: Kirk Craig, Geosyntec Consultants, Inc.
Owner: Lisa Zanin, HCZ Custom Homes, Inc.

Stipulations:

- 1) Permitted for an additional 2 years.
- 2) 2-year review.

**Approved
w/stips**

3. Application #: ZA-148-23-3 (Continued from May 25, 2023)
Existing Zoning: C-1
Location: 1512 West Bell Road
Quarter Section: 37-25(M7)
Proposal: Use permit to allow a drive-through facility as an accessory to a restaurant (Scooter's Coffee) within 300 feet from a residential zoning district. Use permit required.
- Ordinance Sections: 622.D.150.e.(2)
Applicant: Dan Hedrick
Representative: Michele McCoy, FM Group, Inc.
Owner: Bell Center, LLC
- Stipulations:**
- 1) 1 year to apply and pay for building permits.
 - 2) Per the drive through location as shown on the site plan dated April 18, 2023.

**Approved
w/stips**

4. Application #: ZA-206-23-1
Existing Zoning: RE-35
Location: 4425 West Country Gables Drive
Quarter Section: 34-18(L6)
Proposal: Variance to allow an over height fence (6 feet) in the required front yard (north). Maximum 40 inches permitted.
- Ordinance Sections: 703.A.2.a
Applicant: Duane W. Clements, DWC Design
Representative: Duane W. Clements, DWC Design
Owner: Marchiafava Family Living Trust
- Stipulations:**
- 1) 1 year to apply and pay for building permits.
 - 2) Per the proposed fence elevation and proposed fence location as shown on the plans dated June 9, 2023.

**#1, 2, 3, 4
Denied**

**#5, 6, 7, 8
Approved
w/stip**

- 1:30 PM**
5. Application #: ZA-205-23-3
Existing Zoning: R-3
Location: 1750 West Desert Cove Avenue
Quarter Section: 29-25(K7)
Proposal: **1)** Variance to allow an over height wall (13 feet) (north). Maximum 10 feet allowed. **2)** Variance to allow an over height wall (13 feet) (south). Maximum 10 feet allowed. **3)** Variance to allow

an over height wall (13 feet) (east). Maximum 10 feet allowed. **4)** Variance to allow an over height wall (13 feet) (west). Maximum 10 feet allowed. **5)** Variance to allow spike strips visible from adjacent property (north). Not permitted when visible from public streets or adjacent property. **6)** Variance to allow spike strips visible from public streets (south). Not permitted when visible from public streets or adjacent property. **7)** Variance to allow spike strips visible from adjacent property (east). Not permitted when visible from public streets or adjacent property. **8)** Variance to allow spike strips visible from adjacent property (west). Not permitted when visible from adjacent property.

Ordinance Sections: 703.A.5 703.A.5 703.A.5 703.A.5 703.A.5.a
703.A.5.a 703.A.5.a 703.A.5.a

Applicant: Charles Wurl, Kimley-Horn

Representative: Julio Hamburger, Arizona Public Service Company

Owner: Arizona Public Service Company

Stipulation:

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

**Approved
w/stips**

6. Application #: ZA-207-23-6
Existing Zoning: C-2, P-1
Location: 3101 East Camelback Road
Quarter Section: 18-34(H10)
Proposal: Time extension of ZA-390-21, variance to reduce the building setback adjacent to a street (Camelback Road) to 12 feet. Average of 25 feet required, minimum of 20 feet permitted for up to 50% of the structure.

Ordinance Sections: 623.E.4.d

Applicant: Hillstone Restaurant Group, Inc.

Representative: William E. Lally Tiffany & Bosco, P.A.

Owner: Hillstone Restaurant Group, Inc.

Stipulations:

- 1) 18 months to apply and pay for building permits.
- 2) Per the landscape proposal as shown on the plan signed by the Hearing Officer and dated July 6, 2023.

**ZONING ADJUSTMENT HEARING OFFICER: CAROL BERRY
PLANNER: ERIC MORALES, PLANNER III**

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.

July 6, 2023