

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 **June 1, 2023 at 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
Approved
w/stips

9:00 AM

1. Application #: ZA-370-13-3 (1-Year Review of Use Permit)
Existing Zoning: A-1
Location: 2046 West Ironwood Drive
Quarter Section: 28-24(K7)
Proposal: Use permit to allow a medical marijuana cultivation facility. Use permit required.
Ordinance Sections: 627.D.91.a.
Applicant: Nolan Ryan
Representative: Jacob Cohen
Owner: Nolan Ryan

Stipulations:

- 1) The Use Permit shall be reviewed within 365 days of the issuance of the dispensary certificate for a medical marijuana use or approval to operate the cultivation and/or infusion from the Arizona Department of Health Services.
- 2) The applicant has 1 year to apply and pay for building permits.
- 3) Obtain a certificate for medical marijuana use from the Arizona Department of Health Services or approval to operate. If no certificate or approval to operate is granted within 1 year of the approval of this Variance/Use Permit, the Zoning Administrator shall schedule a revocation hearing for this Use Permit.
- 4) The applicant shall submit a security plan provided to the Arizona Department of Health Services to the Planning and Development Department.
- 5) The applicant shall notify in writing the area's Police Precinct Commander of establishing such facility. Notice of this contact shall be submitted in writing to the Planning and Development Department.
- 6) Applicant shall install and maintain per manufacturer's specifications an odor control system within 30 days of Certificate of Occupancy. Applicant shall submit an odor control plan identifying contact person for odor complaints to the Planning and Development Department.
- 7) Applicant shall notify the Planning and Development Department in writing within 30 days of when there is a change in the operator or entity's name.

Approved w/stip	2.	Application #:	ZA-158-23-4
		Existing Zoning:	R1-6 HP CNSPD
		Location:	2245 North Mitchell Street
		Quarter Section:	13-29(G8)
		Proposal:	Variance to allow an over height fence (7 feet) located in the required side yard (north) and required rear yard (east). Maximum 6 feet allowed.
		Ordinance Sections:	703.A.2.c
		Applicant:	Lance Gray
		Representative:	Lance Gray
		Owner:	Lance Gray
		Stipulation:	1) 1 year to apply and pay for building permits.
Approved w/stip	3.	Application #:	ZA-159-23-6
		Existing Zoning:	R1-6
		Location:	2725 East Fairmount Avenue
		Quarter Section:	16-33(H9)
		Proposal:	Variance to reduce the required side yard setback (west) to 0 feet. Minimum 3 feet required.
		Ordinance Sections:	613.B.Table B
		Applicant:	Linda L. Stuart-Davis
		Representative:	Linda L. Stuart-Davis
		Owner:	Estate of Wayne R. Stuart (Deceased)
		Stipulation:	1) 1 year to apply and pay for building permits.
Approved w/stip	4.	Application #:	ZA-161-23-8
		Existing Zoning:	C-2, R-3
		Location:	2640 East McDowell Road
		Quarter Section:	13-33(G9)
		Proposal:	Variance to allow 16 foot landscape setback adjacent to street (south). Average 25 feet required.
		Ordinance Sections:	623.E.4.e
		Applicant:	Jason Olive, ADM Group, Inc.
		Representative:	Jason Olive, ADM Group, Inc.
		Owner:	Faith Christian Center
		Stipulation:	1) 1 year to apply and pay for building permits.
Approved w/stip	5.	Application #:	ZA-167-23-6
		Existing Zoning:	C-1, C-2
		Location:	3601 East Indian School Road
		Quarter Section:	16-36(H10)
		Proposal:	Use permit to reduce parking up to 37% based on a shared parking model. Use permit required.

Ordinance Sections: 702.E.2.c
Applicant: Ed Bull, Burch & Cracchiolo, P.A.
Representative: Ed Bull, Burch & Cracchiolo, P.A.
Owner: Gaslight Square Retail, LLC

Stipulation:

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

1:30 PM

**Approved
w/stips**

6. Application #: ZA-153-23-4 (SIGN)
Existing Zoning: C-2
Location: 1475 North 51st Avenue
Quarter Section: 12-17(G5)
Proposal: Use permit to allow an electronic message display (EMD) on a ground sign. Use permit required.

Ordinance Sections: 705.C.13
Applicant: Kelli Espinoza, Addisigns, Inc.
Representative: Thomas Dake, Dake Companies
Owner: Holland Real Estate, LLC

Stipulations:

- 1) Sign design shall be in accordance with the drawings date stamped June 1, 2023.
- 2) 12 months to obtain sign permits for the ground sign.

**Approved
w/stips**

7. Application #: ZA-163-23-3
Existing Zoning: PAD-2
Location: 4201 East Vogel Avenue
Quarter Section: 27-37(J10)
Proposal: Variance to reduce the required rear yard (west) setback to 3 feet. Minimum 40 feet required.

Ordinance Sections: 635.D.1
Applicant: Nichole Townsend
Representative: Nate Sonoskey, Blue Lantern Development
Owner: Nichole Townsend

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per setback reduction as shown on the site plan date stamped April 27, 2023.

**Approved
w/stip**

8. Application #: ZA-164-23-1
Existing Zoning: C-1
Location: 12418 North 28th Drive
Quarter Section: 31-22(K7)
Proposal: Use permit to allow sales of alcoholic beverages as an accessory to a restaurant (Anzio's Italian Restaurant). Use permit required.
- Ordinance Sections: 622.D.150.a
Applicant: Bill Pavlov, DP 22, LLC dba: Anzio's Italian Restaurant

Representative: Amy Nations, Arizona Liquor Industry

Consultants

Owner: DBDC Cactus, LLC

Stipulation:

- 1) 1 year to commence the use.

**Approved
w/stips**

9. Application #: ZA-166-23-6
Existing Zoning: CP/GCP
Location: 14601 South 50th Street
Quarter Section: 09-39(B11)
Proposal: Variance to reduce the landscape setback (north) to 0 feet. Minimum 5 feet required.
Ordinance Sections: 703.B.3.b.(3)
Applicant: Dennis Newcombe, Gammage and Burnham PLC
Representative: Manjula Vaz, Gammage and Burnham PLC
Owner: P8 Phoenix Foothills, LLC
Stipulations:
 - 1) 18 months to apply and pay for building permits.
 - 2) Per reduced landscaped setback as shown on the site plan dated stamped April 28, 2023.

ZONING ADJUSTMENT HEARING OFFICER: CAROL BERRY
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.

June 2, 2023