

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised July 12, 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 **June 22, 2023 9:00 AM (Items 1-8) and 1:30 PM (Items 9-13)**

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-180-23-1
Existing Zoning: PSC
Location: 4241 West Thunderbird Road, Suite B
Quarter Section: 32-19(L6)
Proposal: Use permit to allow sales of alcoholic beverages as an accessory to a restaurant (MEXcelente).
Use permit required.
Ordinance Sections: 622.D.150.a
Applicant: Alfredo Rodriguez, MEXcelente
Representative: Alfredo Rodriguez, MEXcelente
Owner: 29 Bell, LLC Deerhix, LLC
Stipulations:
1) 1 year to commence use.
2) Limited to 1,262 square feet as shown on the plan dated May 15, 2023.

Approved
w/stips

2. Application #: ZA-184-23-4
Existing Zoning: UR TOD-1
Location: 4325 North Central Avenue
Quarter Section: 17-28(H8)
Proposal: Variance to reduce the interior property line landscape setback (north) to 2 feet. Minimum 5 feet required.
Ordinance Sections: 703.B.3.b
Applicant: Wade Kempton, Midtown Central Hotel Crop
Representative: Ron Harris, Norris Design
Owner: Wade Kempton, Midtown Central Hotel Crop
Stipulations:
1) 1 year to apply and pay for building permits.
2) Per the landscape reduction as shown on the site plan dated May 17, 2023.

Approved
w/stips

3. Application #: ZA-185-23-8
Existing Zoning: DTC-Evans Churchill East
Location: 508, 516, and 520 East Portland Street

Quarter Section: 12-28(G8)
 Proposal: Variance to allow maneuvering to occur in the public right-of-way (north alley side). All maneuvering must be located on private property.
 Ordinance Sections: 702.A.1.b
 Applicant: True North Studio
 Representative: Mike Maerowitz, Snell and Wilmer, LLP
 Owner: Jonathon Vento, Bungalows on Portland, LLC
Stipulations:
 1) 1 year to apply and pay for building permits.
 2) Per the location of the parking spaces along the alley as shown on the plan dated May 17, 2023.

Denied 4. Application #: ZA-186-23-7
 Existing Zoning: DTC-Roosevelt South HP
 Location: 618 North 5th Avenue
 Quarter Section: 11-27(F8)
 Proposal: Variance to allow an over height wall (5 feet) in the required front yard within a Historic Preservation (HP) Overlay District. Maximum 3 feet permitted.
 Ordinance Sections: 703.A.2.a.1
 Applicant: Nikolaos Lionakis, G R Holdings, LLC
 Representative: Gregory A. Robinson, Farley Robinson & Larsen
 Owner: Nikolaos Lionakis, G R Holdings, LLC

Denied 5. Application #: ZA-187-23-7
 Existing Zoning: DTC-Roosevelt South HP
 Location: 629 and 631 North 5th Avenue
 Quarter Section: 11-27(F8)
 Proposal: Variance to allow an over height wall (5 feet) in the required front yard within a Historic Preservation (HP) Overlay District. Maximum 3 feet permitted.
 Ordinance Sections: 703.A.2.a.1
 Applicant: Nikolaos Lionakis, G R Holdings, LLC
 Representative: Gregory A. Robinson, Farley Robinson & Larsen
 Owner: Nikolaos Lionakis, G R Holdings, LLC

Approved w/stips 6. Application #: ZA-188-23-6
 Existing Zoning: R1-6 and R1-6 SP
 Location: 1751 East Maryland Avenue
 Quarter Section: 21-31(I9)
 Proposal: Use permit to allow a disguised wireless communication facility in a tract within a residential subdivision that is platted for open space or retention area. Use permit required.
 Ordinance Sections: 715.B.2.a.(3).(b)
 Applicant: Heath Reed, Crown Castle

Representative: Michael J. Campbell, Campbell A&Z, LLC

Owner: MS & TCP Homeowners Association

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the location of the proposed facility as shown on the site plan dated May 18, 2023.

**Approved
w/stips**

7. Application #: ZA-190-23-6
Existing Zoning: R-3
Location: 4840, 4846, 4832, 4830 and 4840 East Virginia Avenue
Quarter Section: 14-39(G11)
Proposal: Use permit to utilize the Planned Residential Development (PRD) option. Use permit required.
Ordinance Sections: 615.B.Table B
Applicant: Leodra Bowdell, Phoenix Permit Service, LLC
Representative: Leodra Bowdell, Phoenix Permit Service, LLC
Owner: Avtar and Ajay Verma, Camelback View Apartments, LLC

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) North-facing windows on the second stories of units #10-16 shall be screened with louvers or other materials to protect the privacy of the adjacent homes. Design to be approved by the Planning and Development Department.
- 3) Limited to 28 units and a height limitation of the two stories as shown on the plan dated May 19, 2023.

**Approved
w/stips**

8. Application #: ZA-191-23-6
Existing Zoning: RE-24 ACSPD
Location: 6232 East Lafayette Boulevard
Quarter Section: 17-42(H12)
Proposal: Variance to allow an over height (11 feet) accessory structure 5 feet from the street side property line (west). Maximum 8 feet in height allowed.
Ordinance Sections: 706.E
Applicant: Jeff Woudenberg
Representative: Jason Chouinard, Chouinard Design Studio
Owner: Jeff Woudenberg

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the setback encroachment for the proposed garage addition as shown on the site plan dated May 19, 2023.

**Withdrawn
to Amend**

- 1:30 PM**
9. Application #: ZA-578-22-4 (SIGN) (Continued from 5/18/23)
Existing Zoning: C-3, TOD-1
Location: 4210 North Central Avenue
Quarter Section: 17-27(H8)

	Proposal:	1) Use permit to convert the north face of a nonconforming off-premise sign to digital. Use permit required. 2) Use permit to reduce minimum spacing from a residential use for a nonconforming off-premise sign to 77 feet. Use permit required.
	Ordinance Sections:	705.2.G.4 705.2.A.5
	Applicant:	Jacob Zonn, Becker Boards Small, LLC
	Representative:	Jacob Zonn, Becker Boards Small, LLC
	Owner:	Garry Hays 2JW Investments, LLC
Approved w/stips	10. Application #:	ZA-108-23-1 (SIGN) (Continued from 5/4/23)
	Existing Zoning:	PUD
	Location:	2615 West Jomax Road
	Quarter Section:	48-23(P7)
	Proposal:	Use permit for a Major amendment to the Norterra Market Comprehensive Sign Plan. Use permit required.
	Ordinance Sections:	705.E.2.d (2)
	Applicant:	Ryan Foran, Signarama
	Representative:	Karen Schellinger, Signarama
	Owner:	US Real Estate, Limited Partnership
	Stipulations:	
		1) Sign design, including sign height of the 12 feet, shall be in accordance with the drawings date stamped June 22, 2023.
		2) 12 months to obtain sign permits for the ground sign.
*Denied	11. Application #:	ZA-182-23-6
	Existing Zoning:	RE-24
	Location:	3135 North 53rd Place
	Quarter Section:	15-40(G11)
	Proposal:	Variance to reduce the required front yard setback (east) to 10 feet. Minimum 30 feet required.
	Ordinance Sections:	606.B.2
	Applicant:	Peter Furlow, Rose Law Group
	Representative:	Peter Furlow, Rose Law Group
	Owner:	Singleton Living Trust
	Taken out from under advisement on July 12, 2023 and denied.	
Withdrawn to Amend	12. Application #:	ZA-192-23-7
	Existing Zoning:	C-3 CMOD
	Location:	Southeast corner of 11th Avenue and Jefferson Street
	Quarter Section:	10-26(F8)
	Proposal:	1) Variance to reduce the streetside (Jefferson Street) building setback to 0 feet. An average of 25 feet is required, minimum of 20 feet permitted for up to 50 percent of structure, including

projections. **2)** Variance to reduce the streetside (10th Avenue) building setback to 0 feet. An average of 25 feet is required, minimum of 20 feet permitted for up to 50 percent of structure, including projections. **3)** Variance to reduce the streetside (11th Avenue) building setback to 4 feet. An average of 25 feet is required, minimum of 20 feet permitted for up to 50 percent of structure, including projections. **4)** Variance to reduce the street side (Jefferson Street) landscape setback to 0 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent of structure, including projections. **5)** Variance to reduce the street side (10th Avenue) landscape setback to 0 feet. An average of 25 feet is required, minimum of 20 feet permitted for up to 50 percent of structure, including projections. **6)** Variance to reduce the street side (11th Avenue) landscape setback to 4 feet. An average of 25 feet is required, minimum of 20 feet permitted for up to 50 percent of structure, including projections.

Ordinance Sections: 624.E.4.d 624.E.4.d 624.E.4.d 624.E.4.e 624.E.4.e 624.E.4.e

Applicant: Ed Bull, Burch & Cracchiolo, P.A.

Representative: Ed Bull, Burch & Cracchiolo, P.A.

Owner: Aaron Stouffer, Muchaslinguas, LLC and Architekton

**Approved
w/stip**

13. Application #: ZA-193-23-4
Existing Zoning: C-2
Location: 4818 North 7th Street
Quarter Section: 18-28(H8)
Proposal: Use permit to allow outdoor alcoholic beverage consumption as an accessory to a restaurant (Tequila Cocina and Cantina) within 500 feet of a residential zoning district. Use permit required.

Ordinance Sections: 623.D.157.c
Applicant: Yazmin Cortez, Tequila Cocina and Cantina, LLC
Representative: Yazmin Cortez, Tequila Cocina and Cantina, LLC
Owner: Gavriel Gilkarov, Segal's One Stop, LLC

Stipulation:

1) 1 year to commence use.

**ZONING ADJUSTMENT HEARING OFFICER: FRANK DOLASINSKI
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 12, 2023