

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised November 20, 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 **November 2, 2023 9:00 AM (Items 1-9) and 1:30 PM (Items 10-16)**

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

Continued

9:00 AM

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|----|--|---|
| 1. | Application #: | ZA-284-20-4 (1-Year Review of Use Permit) |
| | Existing Zoning: | C-2 SAUMSO |
| | Location: | 4232 North 7th Avenue |
| | Quarter Section: | 17-26(H8) |
| | Proposal: | 1) Use permit to allow outdoor dining as an accessory use to a restaurant/bar within 500 feet of a residential district. Use permit required. 2) Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a restaurant/bar within 500 feet of a residential district. Use permit required. 3) Variance to reduce the building setback (north) from a non Seventh Avenue property line that is not adjacent to a residential district to 0-feet. Minimum 5 feet required. 4) Variance to allow an over height fence wall (8 feet) along the rear property line. Maximum 6 feet allowed. |
| | Ordinance Sections: | 623.D.157.c 623.D.157.c 665.H.Table 1 703.A.2.c |
| | Applicant: | Chris Prado, Elemental Architecture |
| | Representative: | Lucas Lindsey, Venue Projects |
| | Owner: | 4232 N 7th, LLC |
| | Continued to February 1, 2024 at 9:00 AM. | |

**Approved
w/stips**

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| 2. | Application #: | ZA-362-23-3 (Continued from October 12, 2023) |
| | Existing Zoning: | C-3 |
| | Location: | 522 East Dunlap Avenue |
| | Quarter Section: | 27-28(J8) |
| | Proposal: | Use permit to allow a temporary use (North Mountain Blues Brews and Arts Festival) for up to 36 months. Use permit required. |
| | Ordinance Sections: | 708.D.1 |
| | Applicant: | Candy Frogozo, North Mountain Brewing Company |
| | Representative: | Candy Frogozo, North Mountain Brewing Company |

Owner: Robert Berkner, Three Strings Holdings LLC & North Mountain Brewing Company

Stipulations:

- 1) 6 months to commence use.
- 2) Limited to 2 events per year.
- 3) Events shall end no later than 5:00 PM. Events limited to Sundays.

***Denied**

3. Application #: ZA-398-23-6
Existing Zoning: R1-6
Location: 5327 East Pinchot Avenue
Quarter Section: Q15-40(G11)
Proposal: Variance to reduce the required side yard setback (west) to 5 feet. Minimum 10 feet required

Ordinance Sections: 613.B.Table B
Applicant: Felisa Benton
Representative: Felisa Benton
Owner: Khalid Gharib
Taken out from under advisement on November 20, 2023 and denied.

**Approved
w/stip**

4. Application #: ZA-417-23-8
Existing Zoning: C-2
Location: 2415 East Thomas Road
Quarter Section: Q14-33(G9)
Proposal: Use permit to allow tattoo shop (Inked Family Tattoo). Use permit required.

Ordinance Sections: 623.D.187
Applicant: Christian Navarro
Representative: Christian Navarro
Owner: 2415 Thomas, LLC
Stipulation:
1) 6 months to commence use.

**Approved
w/stip**

5. Application #: ZA-423-23-6
Existing Zoning: RE-35 ACSPD
Location: 5111 North Saddlerock Lane
Quarter Section: Q19-39(H11)
Proposal: **1)** Variance to reduce the required side yard (northeast) setback to 10 feet. Minimum 20 feet required. **2)** Variance to reduce the required rear yard (east) setback to 10 feet. Minimum 20 feet required.

Ordinance Sections: 609.B.Table 609.B.Table
Applicant: Lance Robinson
Representative: Lance Robinson
Owner: Clarke, Clinton E III/Daxa P
Stipulation:
1) 1 year to apply and pay for building permits.

Withdrawn to Amend	6.	Application #: Existing Zoning: Location: Quarter Section: Proposal: Ordinance Sections: Applicant: Representative: Owner:	ZA-425-23-4 C-2 SAUMSO 4130 North 7th Avenue Q17-26(H8) Use permit to allow outdoor dining as an accessory use to a restaurant (Modern Manor) within 500 feet of a residential zoning district. Use permit required. 623.D.157.c Troy Vincent Troy Vincent Aaron Klusman
	7.	Application #: Existing Zoning: Location: Quarter Section: Proposal: Ordinance Sections: Applicant: Representative: Owner:	ZA-439-23-5 R1-6 3919 West Lane Avenue Q24-19(J6) 1) Variance to reduce the side yard setback (west) to 0 feet. Minimum 10 feet required. 2) Variance to reduce the side yard setback (east) to 0 feet. Minimum 3 feet required. 609.B.Table 609.B.Table Jamie D. and Kathryn A. Reiman Jamie D. and Kathryn A. Reiman Jamie D. and Kathryn A. Reiman
Continued	8.	1:30 PM Application #: Existing Zoning: Location: Quarter Section: Proposal: Ordinance Sections: Applicant: Representative: Owner:	ZA-296-23-2 (SIGN) Continued from September 14, 2023) C-2C-2 DRSP 20825 North City North Drive 41-39(N11) 41-40(N11) Use permit for a major amendment to the City North Comprehensive Sign Plan. Use permit required. 705.E.2.d (2) Ana Jones, Trademark Visual, Inc. Ana Jones, Trademark Visual, Inc. Crown Realty and Development, LLC Continued to December 14, 2023 at 1:30 PM.
Approved w/stips	9.	Application #: Existing Zoning: Location: Quarter Section: Proposal: Ordinance Sections: Applicant:	ZA-390-23-8 (SIGN) A-1 3232 South 48th Street 6-38(E11) Use permit to adopt the Airport 48 Comprehensive Sign Plan. Use permit required. 705.E.2 Julie Kulka, Airpark Signs & Graphics

Representative: Julie Kulka, Airpark Signs & Graphics

Owner: Gilbert Romero, Via West Group

Stipulations:

- 1) Submittal of a revised Comprehensive Sign Plan (CSP) as needed to address any corrections identified by Planning and Development Department Staff.
- 2) 2 years to obtain a sign permit for 1 of the signs identified in the CSP.

**Approved
w/stip**

10. Application #: ZA-150-23-3
Existing Zoning: R-4
Location: 8939 North 8th Street and 801 East Dunlap Avenue
Quarter Section: 26-29(J8)
Proposal: **1)** Use permit for a Community Residence Center (North Star Independent Living Services) for 11 or more residents. Use permit required. **2)** Variance to increase lot coverage to 39%. Maximum 25% lot coverage for a community residence center allowed. **3)** Variance to allow vehicular access on a local street (8th Street). Vehicular access for a community residence center from an arterial or collector street required.
Ordinance Sections: 617.C.3 617.C.3.d 617.C.3.f
Applicant: North Star Independent Living Services
Representative: Kurt Forrest, North Star Independent Living Services
Owner: Footprint Properties LLC
Stipulation:
1) 1 year to apply and pay for building permits.

**Approved
w/stips**

11. Application #: ZA-151-23-4
Existing Zoning: R-3 RI
Location: 1753 and 1757 East Harvard Street
Quarter Section: 14-31(G9)
Proposal: **1)** Use permit for a Community Residence Center for 11 or more residents. Use permit required. **2)** Variance to increase lot coverage to 33%. Maximum 25% lot coverage for a community residence center allowed. **3)** Variance to allow vehicular access on a local street (Harvard Street). Vehicular access for a community residence center from an arterial or collector street required.
Ordinance Sections: 615.C.3 615.C.3.d 615.C.3.f
Applicant: Kurt Forrest, North Star Independent Living Services
Representative: Thomas Delehanty, North Star Independent Living Services
Owner: Footprint Properties, LLC

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) 4 shade trees to be planted between the fence at the north property line and Harvard Street with a minimum 2.5 inch caliper.
- 3) Trees to be planted prior to issuance of building permits.

**Approved
w/stips**

12. Application #: ZA-416-23-3
Existing Zoning: R1-14
Location: 4322 East Beryl Lane
Quarter Section: Q28-37(K10)
Proposal: Use permit to allow tennis court and outdoor game court lights. Use permit required.
Ordinance Sections: 608.G.5
Applicant: Gregory Umphrey
Representative: Gregory Umphrey
Owner: Gregory Umphrey

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Lights to be shielded to illumination at property lines does not exceed 1 foot-candle.

**Approved
w/stips**

13. Application #: ZA-418-23-8
Existing Zoning: A-2 RSIOD
Location: 3646 South 16th Street
Quarter Section: Q5-30(E9)
Proposal: Variance to allow an over height fence (8 feet) within the required front yard (east) setback. Maximum 40 inches permitted
Ordinance Sections: 703.A.3.a
Applicant: Robert Winton
Representative: Robert Winton
Owner: Douglas R. Mastin Trust

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the site plan date stamped September 25, 2023 pertaining to the location of the fence, landscaping as shown and multi-use trail location.

**Approved
w/stip**

14. Application #: ZA-426-23-7
Existing Zoning: C-3 CMOD
Location: 1001,1005, 1007, 1009 West Jefferson Street
Quarter Section: Q10-26(F8)
Proposal: Variance to increase the lot coverage to 55%. Maximum lot coverage 50% permitted.
Ordinance Sections: 624.E.4.h
Applicant: Ed Bull
Representative: Ed Bull
Owner: Muchaslinguas, LLC c/o Aaron Stouffer, Architekton

Stipulation:

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

**Approved
w/stips**

15. Application #: ZA-445-23-7
Existing Zoning: C-3
Location: 364 North 7th Avenue
Quarter Section: Q11-26(F8)
Proposal: Use permit to allow a temporary use (outdoor event with amplified sound and reduced parking) for up to 36 months. Use permit required.

Ordinance Sections: 708.D.1
Applicant: Patrick Mays
Representative: Patrick Mays
Owner: City of Phoenix

Stipulations:

- 1) One event November 11, 2023.
- 2) No music after 6:30 PM.

ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE
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.

November 20, 2023