

RESULTS OF PUBLIC MEETING BOARD OF ADJUSTMENT

Pursuant to A.R.S. Section 38-431.02, notice was hereby given to the members of the **BOARD OF ADJUSTMENT** and to the general public, that the **BOARD OF ADJUSTMENT** held a meeting open to public on **Thursday, November 2, 2023 at 12:00 p.m.**

The Board of Adjustment was held in-person and virtually.

The results of the meeting were as follows:

RESULTS

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| Approved | A. | Approval of Minutes – October 5, 2023

<i>(James/Hill - Vote of 6-0) (Beuerlein absent).</i> | | | | | | | | | | | | | | | | | | | | |
| Approved | B. | Approval of Agenda – November 2, 2023

<i>(James/Hill - Vote of 6-0) (Beuerlein absent).</i> | | | | | | | | | | | | | | | | | | | | |
| None | C. | Requests for Continuance and/or Withdrawal | | | | | | | | | | | | | | | | | | | | |
| | D. | Items for Consideration | | | | | | | | | | | | | | | | | | | | |
| Continued | 1. | <table border="0"><tr><td>Application #:</td><td>ZA-573-21-6 (6-Month Review)</td></tr><tr><td>Existing Zoning:</td><td>C-2</td></tr><tr><td>Location:</td><td>6148 North 7th Street</td></tr><tr><td>Quarter Section:</td><td>21-28(18)</td></tr><tr><td>Proposal:</td><td>Use permit to allow a pet care facility.
Use permit required.</td></tr><tr><td>Ordinance Sections:</td><td>622.D.131.a.</td></tr><tr><td>Applicant:</td><td>Henry Jennings, Surfing Pup Uptown
Phoenix, LLC</td></tr><tr><td>Representative:</td><td>William Allison, Withey Morris, PLC</td></tr><tr><td>Owner:</td><td>Aaron Klusman, KFH 7th & Rose
Lane, LLC</td></tr><tr><td>Appellant:</td><td>Jackie Rich, Murphy Trail Estates
Neighborhood Association</td></tr></table> | Application #: | ZA-573-21-6 (6-Month Review) | Existing Zoning: | C-2 | Location: | 6148 North 7th Street | Quarter Section: | 21-28(18) | Proposal: | Use permit to allow a pet care facility.
Use permit required. | Ordinance Sections: | 622.D.131.a. | Applicant: | Henry Jennings, Surfing Pup Uptown
Phoenix, LLC | Representative: | William Allison, Withey Morris, PLC | Owner: | Aaron Klusman, KFH 7th & Rose
Lane, LLC | Appellant: | Jackie Rich, Murphy Trail Estates
Neighborhood Association |
| Application #: | ZA-573-21-6 (6-Month Review) | | | | | | | | | | | | | | | | | | | | | |
| Existing Zoning: | C-2 | | | | | | | | | | | | | | | | | | | | | |
| Location: | 6148 North 7th Street | | | | | | | | | | | | | | | | | | | | | |
| Quarter Section: | 21-28(18) | | | | | | | | | | | | | | | | | | | | | |
| Proposal: | Use permit to allow a pet care facility.
Use permit required. | | | | | | | | | | | | | | | | | | | | | |
| Ordinance Sections: | 622.D.131.a. | | | | | | | | | | | | | | | | | | | | | |
| Applicant: | Henry Jennings, Surfing Pup Uptown
Phoenix, LLC | | | | | | | | | | | | | | | | | | | | | |
| Representative: | William Allison, Withey Morris, PLC | | | | | | | | | | | | | | | | | | | | | |
| Owner: | Aaron Klusman, KFH 7th & Rose
Lane, LLC | | | | | | | | | | | | | | | | | | | | | |
| Appellant: | Jackie Rich, Murphy Trail Estates
Neighborhood Association | | | | | | | | | | | | | | | | | | | | | |

Continued to March 7, 2024.

(Dodds/Hill - Vote of 6-0) (Beuerlein absent).

**Overtured
ZAHO with
stipulations**

2. Application #: **ZA-235-23-4**
Existing Zoning: R1-6
Location: 124 West Granada Road
Quarter Section: 13-27(G8)
Proposal: **1)** Variance to reduce the side yard setback (east) to 1 foot. Minimum 3 feet required.
2) Variance to reduce the rear yard setback (north) to 15 feet. Minimum 25 feet required.
Ordinance Sections: 613.B.Table B, 613.B.Table B
Applicant: Joseph A. & Deidre Turley
Representative: Joseph A. & Deidre Turley
Appellant: Mark Rumold

Overtured the Zoning Adjustment Hearing Officer's decision and approved the variances with the following stipulations:

Stipulations:

- 1) Per the site plan date stamped June 20, 2023.**
2) 1 year to apply and pay for building permits.

(Hill/Eigo - Vote of 5-1) (Graham) (Beuerlein absent).

**Overtured
ZAHO**

3. Application #: **ZA-291-23-2**
Existing Zoning: R1-14
Location: 15014 North 56th Street
Quarter Section: 34-40(L11)
Proposal: Use permit to allow tennis court and outdoor game court lights. Use permit required.
Ordinance Sections: 608.G.5
Applicant: Mark Burton, M. Burton Design, LLC
Representative: Mark Burton, M. Burton Design, LLC
Owner: Oasis World Outreach Ministry
Appellant: Steven Roulo

Overtured the Zoning Adjustment Hearing Officer's decision and denied the use permit.

(Graham/Hill - Vote of 6-0) (Beuerlein absent).

**Upheld
ZAHO**

4. Application #: **ZA-292-23-6 (SIGN)**
Existing Zoning: C-2
Location: 3545 East Indian School Road

Quarter Section: 16-35(H10)
 Proposal: Use permit to allow an electronic message display (EMD) on a ground sign. Use permit required.
 Ordinance Sections: 705.C.13
 Applicant: Ana Jones, Trademark Visual, Inc.
 Representative: Ana Jones, Trademark Visual, Inc.
 Owner: Katrina Barrett, Local Commercial, LLC
 Appellant: Ana Jones, Trademark Visual, Inc.

Upheld the Zoning Adjustment Hearing Officer's decision and denied the use permit.

(Graham/Eigo - Vote of 6-0) (Beuerlein absent).

E. Other Business

- | | |
|--------------------------|---|
| Training provided | 5. Boards and Commissions Ethics Training by the Law Department. |
| Approved | 6. Discussion and vote on 2024 Board of Adjustment meeting dates. |

2024 meeting calendar approved.

(Hill/Dodds - Vote of 6-0) (Beuerlein absent).

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| Updated | 7. Update on next Board of Adjustment agenda. |
| Updated | 8. Update on pending appeals of the Board of Adjustment. |
| No Action | 9. Q & A: Procedure and Process - Board of Adjustment case law. |
| No Action | 10. The Board may vote to go into Executive Session pursuant to A.R.S Section 38-431.03.A.3. for the purpose of receiving legal advice regarding any of the above Items A-E. |

Adjourned F. Adjournment

For further information, please call Julie Garcia in the Planning and Development Department at 602-495-7029 or contact us via electronic mail at pdd.boardofadjust@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 Teleia Galaviz at 602-291-2599 or teleia.galaviz@phoenix.gov, TTY: Use 7-1-1.

November 2, 2023