

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised October 11, 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 **September 14, 2023 9:00 AM (Items 1-6) and 1:30 PM (Items 7-12)**

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/stip

9:00 AM

1. Application #: ZA-302-23-1
Existing Zoning: R1-18 PRD
Location: Southeast corner of 67th Avenue and Soft Wind Drive
Quarter Section: 45-13(O4)
Proposal: Variance to reduce the common area requirement for the PRD to 0%. Minimum 5% of gross area required.
Ordinance Sections: 610.B.Table
Applicant: Alex Carnes, Carnes Construction Group
Representative: Jessica Sarkissian, Upfront Planning & Entitlements, LLC
Owner: Alex Carnes, Carnes Construction Group
Stipulation:
1) 1 year to apply and pay for building permits.

Approved
w/stips

2. Application #: ZA-308-23-6
Existing Zoning: RE-35 CROD ACSPD
Location: 4453 North 54th Street
Quarter Section: 17-40(H11)
Proposal: **1)** Time extension for ZA-652-21, variance to reduce the required front yard (north) setback to 20 feet. Minimum 40 feet required. **2)** Time extension for ZA-652-21, variance to reduce the required rear yard (south) setback to 20 feet. Minimum 40 feet required.
Ordinance Sections: 609.B.Table B 609.B.Table B
Applicant: Greg Loper
Representative: Greg Loper
Owner: Isaac Davis
Stipulations:
1) 1 year to apply and pay for building permits.
2) The west and east building setbacks shall be a minimum of 40 feet for the main building.

- Approved w/stips** 3. Application #: ZA-320-23-8
 Existing Zoning: R1-6
 Location: 9833 South 7th Avenue
 Quarter Section: 03-27(C8)
 Proposal: **1)** Use permit to use the Planned Residential Development (PRD) option. Use permit required.
 2) Variance to reduce the perimeter setback (west) adjacent to a street to 15 feet. Minimum 20 feet required.
 Ordinance Sections: 608.B 613.B.Table B
 Applicant: Jordan Evan Greenman, Greenman Law
 Representative: Jordan Evan Greenman, Greenman Law
 Owner: Roberto Vargas, C+V Capital Investments, LLC
 Stipulations:
 1) 1 year to apply and pay for building permits.
 2) Per the proposed plan dated August 9, 2023.
- Continued** 4. Application #: ZA-325-23-6
 Existing Zoning: RE-35 ACSPD
 Location: 5040 North Arcadia Drive
 Quarter Section: 19-39(H11)
 Proposal: Variance to allow an over height fence 7 feet high in the required front yard setback. Maximum 40 inches allowed.
 Ordinance Sections: 703.A.2.a
 Applicant: Arvin Thomas, LifeDevine5040 LLC
 Representative: Alexander Haro, Haro Design
 Owner: Arvin Thomas, LifeDevine5040 LLC
 Continued to October 26, 2023 at 9:00 AM.
- Approved w/stip** 5. Application #: ZA-326-23-3
 Existing Zoning: R-4
 Location: 1223 West Vogel Avenue
 Quarter Section: 27-26(J8)
 Proposal: Use permit to use the Planned Residential Development (PRD) option. Use permit required.
 Ordinance Sections: 608.B
 Applicant: John Fox, William Seymour Co Inc
 Representative: John Fox, William Seymour Co Inc
 Owner: Roger Allen Scott
 Stipulation:
 1) 1 year to apply and pay for building permits.
- *Denied** 6. Application #: ZA-329-23-5
 Existing Zoning: C-2
 Location: 2348 West Northern Avenue
 Quarter Section: 25-23(J7) 25-24(J7)

Proposal: Variance to allow a tobacco-oriented retailer to be located within 1,320 feet of a place of worship. Minimum 1,320 feet of separation required.
Ordinance Sections: 623.D.194.b
Applicant: Joy Pena, Capital Asset Management
Representative: Mustafa Al-Jubury
Owner: Northern Village Center, LLC

Taken out from under advisement on October 11, 2023 and denied.

1:30 PM

Continued 7. Application #: ZA-296-23-2 (SIGN)
Existing Zoning: C-2
Location: 20825 North City North Drive
Quarter Section: 41-39(N11) 41-40(N11)
Proposal: Use permit for a major amendment to the City North Comprehensive Sign Plan. Use permit required.
Ordinance Sections: 705.E.2.d (2)
Applicant: Ana Jones, Trademark Visual, Inc
Representative: Ana Jones, Trademark Visual, Inc
Owner: Crown Realty and Development, LLC

Continued to November 2, 2023 at 1:30 PM.

***Approved w/stips** 8. Application #: ZA-246-23-2 (Continued from August 3, 2023)
Existing Zoning: R1-14
Location: 6429 East Friess Drive
Quarter Section: 33-43(L12)
Proposal: Variance to allow an over height wall/fence (6 feet) in the required front yard (west) setback. Maximum 40 inches permitted.
Ordinance Sections: 703.A.2.a
Applicant: Mandy Dalton
Representative: Mike Maerowitz, Snell & Wilmer, LLP
Owner: Mandy Dalton
Taken out from under advisement on October 11, 2023 and approved with the following stipulations:
1) 1 year to apply and pay for building permits.
2) Wall to be finished to match the house in color and materials/texture.
3) Landscaping to be provided between wall and street, subject to staff approval. To include, as a minimum: three trees (min. 2-1/2-inch caliper, live groundcover and shrubs).

Approved w/stip 9. Application #: ZA-321-23-6
Existing Zoning: C-1 PCD
Location: 3113, 3115 and 3165 East Lincoln Drive, 6232 North 32nd Street
Quarter Section: 21-34(I10)

Proposal: Time extension for ZA-21-22, use permit to reduce parking up to 25 percent based on a shared parking model. Use permit required.
Ordinance Sections: 702.E.2.c.
Applicant: Lincoln View Plaza, LLC / 32nd-Medley, LLC
Representative: Stephen W. Anderson, Gammage & Burnham, PLC
Owner: Lincoln View Plaza, LLC / 32nd-Medley, LLC

Stipulation:

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

**Approved
w/stips**

10. Application #: ZA-322-23-6
Existing Zoning: C-1 PCD
Location: 3113 East Lincoln Drive
Quarter Section: 21-34(I10)
Proposal: **1)** Time extension for ZA-20-22, use permit to allow outdoor dining as an accessory use to a restaurant (Starbucks). Use permit required.
2) Time extension for ZA-20-22, use permit to allow a drive-through facility accessory to a restaurant (Starbucks) within 300 feet from a residential zoning district. Use permit required.
Ordinance Sections: 622.D.150.d 622.D.150.e.(2)
Applicant: Lincoln View Plaza, LLC / 32nd-Medley, LLC
Representative: Stephen W. Anderson, Gammage & Burnham, PLC
Owner: Lincoln View Plaza, LLC / 32nd-Medley, LLC
Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the location of the drive-through and patio as shown on the plan dated August 10, 2023.

Continued

11. Application #: ZA-323-23-7
Existing Zoning: C-2
Location: 7425 South 19th Avenue
Quarter Section: 1-25(D7)
Proposal: Use permit to allow a drive through facility as an accessory to a restaurant (Angie's Lobster) within 300 feet from a residential zoning district. Use permit required.
Ordinance Sections: 623.D.157.d.(2)
Applicant: Jeff Williams, R.B. Williams & Associates, Inc.
Representative: Jeff Williams, R.B. Williams & Associates, Inc.
Owner: Nineteen Commons, LLC

Continued to October 26, 2023 at 1:30 PM.

**Approved
w/stips**

12. Application #: ZA-328-23-8
Existing Zoning: R1-6
Location: 2522 North 28th Place

Quarter Section: 14-34(G10)
Proposal: **1)** Time extension for ZA-325-22, variance to reduce the required lot width (lot 1) to 50 feet. Minimum 60 feet required. **2)** Time extension for ZA-325-22, variance to reduce the required lot width (lot 2) to 50 feet. Minimum 60 feet required.
Ordinance Sections: 613.B.Table B 613.B.Table B
Applicant: RBR Holdings III, LLC
Representative: Ryan Miller, RBR Holdings III, LLC
Owner: RBR Holdings III, LLC

Stipulations:

- 1) 1 year to complete the lot split process.
- 2) Per the lot split proposal shown on the plan dated August 14, 2023.

ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE
PLANNER: ERIC MORALES, PLANNER III

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.

October 11, 2023