

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised on May 22, 2024*

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 **April 18, 2024 at 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

Denied

9:00 AM

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| 1. | Application #: | ZA-541-23-2 (Continued from March 14, 2024) |
| | Existing Zoning: | RE-24 |
| | Location: | 13222 North 64th Street |
| | Quarter Section: | Q32-42(L12) |
| | Proposal: | Variance to allow an over height fence (6 feet) within the required front yard setback. Maximum 40 inches permitted. |
| | Ordinance Sections: | 703.A.2.a |
| | Applicant: | Paul Gilbert |
| | Representative: | Paul Gilbert |
| | Owner: | Paul and Jodie Gilbert |

**Approved
w/stip**

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|----|---------------------|---|
| 2. | Application #: | ZA-171-24-1 |
| | Existing Zoning: | CP/GCP DVAO |
| | Location: | 2350 West Corporate Center Drive |
| | Quarter Section: | Q45-23(O7) |
| | Proposal: | 1) Time extension for ZA-399-22, variance to allow a building height of 38 feet at 64 feet of setback from a perimeter line (east). Minimum 90 feet of setback required.
2) Time extension for ZA-399-22, variance to reduce the streetscape landscape setback (east) along 23rd Avenue to 20 feet. An average of 30 feet is required. |
| | Ordinance Sections: | 626.H.1.Table; 626.H.2.b |
| | Applicant: | Josh Tracy, Ryan Companies US, Inc. |
| | Representative: | Garry Hays, Law Offices of Garry D. Hays |
| | Owner: | Josh Tracy, Ryan Companies US, Inc. |
| | Stipulation: | 1) 1 year to apply and pay for building permits. |

**Approved
w/stip**

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| 3. | Application #: | ZA-173-24-1 |
| | Existing Zoning: | CP/GCP DVAO |
| | Location: | 2415 West Corporate Center Drive |

Quarter Section: Q45-23(O7)
Proposal: 1) Time extension for ZA-407-22, variance to allow a building height of 38 feet at 21 feet of setback from a perimeter line (northwest). Minimum 90 feet of setback required.
2) Time extension for ZA-407-22, variance to reduce the streetscape landscape setback to 20 feet along I-17 Frontage Road. Minimum 30 feet required.
3) Time extension for ZA-407-22, variance to reduce the streetscape landscape setback to 20 feet along Corporate Center Drive. Minimum 30 feet required.
Ordinance Sections: 626.H.1.Table 626.H.1.2.b 626.H.1.2.b
Applicant: Josh Tracy, Ryan Companies US, Inc.
Representative: Garry Hays, Law Offices of Garry D. Hays
Owner: Josh Tracy, Ryan Companies US, Inc.

Stipulation:

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

**Approved
w/stips**

4. Application #: ZA-174-24-1
Existing Zoning: C-2
Location: 8035 North 43rd Avenue
Quarter Section: Q25-19(J6)
Proposal: Use permit to allow an assembly/banquet hall of less than 25,000 square feet in gross floor area. Use permit required.
Ordinance Sections: 623.D.9.a
Applicant: Kristopher Ontiveros, 312 Architect and Design
Representative: Miguel Rivero, Delux Banquet Hall
Owner: MJ Corporate Management, LLC, Delux Banquet Hall

Stipulation:

- 1) 1 year review after use has commenced.
- 2) 1 year to apply and pay for building permits.
- 3) All entertainment/event held at the venue must be kept within the designated space provided by the use permit.
- 4) Ensure sufficient sound barriers are in place to prevent any events with live bands, music, etc. from disturbing the peace to the surrounding community and businesses.
- 5) The owners will maintain a current authority to arrest form with the Phoenix Police Department with "No Trespassing" signs posted per Phoenix City Code on the exterior of the building in both English and Spanish.
- 6) The Police Precinct Commander or their designee may require cameras, licensed security guards or off duty police or other security measures at the Commanders discretion, should periodically reviews of activities at the business warrant it.

Approved 5. Application #: ZA-191-24-3

w/stip	Existing Zoning: RE-35	
	Location: 1921 West Waltann Lane	
	Quarter Section:	Q35-24(L7)
	Proposal:	1) Variance to allow an over height wall (8 feet) in the required rear yard (south) setback. Maximum 6 feet permitted. 2) Variance to allow an over height wall (8 feet) in the required side yard (east) setback. Maximum 6 feet permitted. 3) Variance to allow an over height wall (8 feet) in the required front yard (north) setback. Maximum 40 inches permitted.
	Ordinance Sections:	703.A.2.c 703.A.2.c 703.A.2.a
	Applicant:	Eve Lee Collins
	Representative:	Bruce Raymie
	Owner:	Eve Lee Collins
	Stipulation:	1) 1 year to apply and pay for building permits.
Approved w/stip	6.	Application #: ZA-214-24-1
		Existing Zoning: RE-43
		Location: 3701 West Beardsley Road
		Quarter Section: Q40-20(N6)
		Proposal: Use permit to reduce setback for a disguised wireless communications facility to 55 feet adjacent to a residentially zoned property (west). Use permit required.
		Ordinance Sections: 715.B.2.a.(2)(a)(i)
		Applicant: Ryan Quintel, Crown Castle
		Representative: Michael Campbell, Campbell A&Z, LLC
		Owner: Pastor David Litzenberger, Meadows Baptist Church
	Stipulation:	1) 1 year to apply and pay for building permits.
Continued	1:30 PM	
	7.	Application #: ZA-25-24-1 (SIGN)
		Existing Zoning: PUD (DVAO)
		Location: 125 and 555 West Pinnacle Peak Road
		Quarter Section: Q45-27(O8)
		Proposal: Use Permit to adopt the MAC Innovation Park Comprehensive Sign Plan, Site B&C. Use Permit required.
		Ordinance Sections: 705.E.2
		Applicant: Ana Jones, Trademark Visual, Inc.
		Representative: Ana Jones, Trademark Visual, Inc.
		Owner: DV Parcel B Owner, LLC, DV Parcel C Owner LLC

Continued to May 23, 2024 at 1:30 PM.

- Continued** 8. Application #: ZA-125-24-1 (SIGN)
Existing Zoning: PUD DVAO
Location: 23869 North 19th Avenue
Quarter Section: Q45-26(O7 O8)
Proposal: Use permit to adopt the MAC Innovation Park Site A Comprehensive Sign Plan. Use permit required.
Ordinance Sections: 705.E.2
Applicant: Ana Jones, Trademark Visual, Inc.
Representative: Ana Jones, Trademark Visual, Inc.
Owner: Scott Denham, DV Parcel A-1 Owner, LP

Continued to May 23, 2024 at 1:30 PM.

- *Denied** 9. Application #: ZA-746-23-3 (Continued from March 14, 2024)
Existing Zoning: R1-6
Location: 1102 East Orchid Lane
Quarter Section: Q26-29(J8)
Proposal: 1) Variance to allow an over height wall (8 feet) in the required rear yard (north) setback. Maximum 6 feet permitted.
2) Variance to allow an over height wall (8 feet) in the required side yard (east) setback. Maximum 6 feet permitted.
3) Variance to allow an over height wall (8 feet) in the required side yard (west) setback. Maximum 6 feet permitted.
Ordinance Sections: 703.A.2.c 703.A.2.c 703.A.2.c
Applicant: Peter Schneider
Representative: Peter Schneider
Owner: Peter Schneider

Taken out from under advisement on May 22, 2024 and denied.

- Denied as Filed Approved w/stips** 10. Application #: ZA-177-24-3
Existing Zoning: R1-10
Location: 10215 North 26th Street
Quarter Section: Q28-33(K9)
Proposal: Variance to allow an over height fence (6 feet) within the required front yard setback (north). Maximum 40 inches permitted.
Ordinance Sections: 703.A.3.a
Applicant: Greg Epstein
Representative: Greg Epstein
Owner: Greg Epstein and Krista LaBruzzo
Stipulations:
1) Approved to have a 6-foot wall at least 10 feet from the north property line.

2) 6 months to accomplish the relocation of the wall.

- Approved w/stips**
11. Application #: ZA-219-24-3
Existing Zoning: PSC PCD, C-2 PCD
Location: 12635 North Tatum Boulevard
Quarter Section: Q32-32
Proposal: 1) Use permit to allow sales of alcoholic beverages as an accessory to a restaurant (Pei Wei Asian Kitchen). Use permit required.
2) Use permit to allow outdoor dining and outdoor alcoholic beverage consumption as an accessory to a restaurant (Pei Wei Asian Kitchen). Use permit required.
Ordinance Sections: 622.D.150.a 622.D.150.d
Applicant: Harleigh Gauna, Pei Wei Asian Kitchen, Pei Wei Asian Diner, LLC
Representative: Andrea Lewkowitz, Lewkowitz Law Office
Owner: WPF Tatum LLC
Stipulations:
1) Employees must have unobstructed views into the patio area or be present to monitor patron activities.
2) The patio area will have adequate lighting and a containment wall or fence to prevent alcohol violations and other illegal activity from occurring outside of the business.
3) The hours of operation for the patio will be limited to between 7:00 AM and midnight on Friday and Saturday.
4) The Police Precinct Commander or their designee may require cameras, licensed security guards or off duty police or other security measures at the Commanders discretion, should periodically reviews of activities at the business warrant it.
- Approved w/stips**
12. Application #: ZA-229-24-4
Existing Zoning: C-2 TOD-1, R-3 TOD-1, P-1 TOD-1
Location: 1815 West Camelback Road
Quarter Section: Q18-25(H7)
Proposal: Use permit to allow a temporary use (outdoor events) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: Anthony Amphonephong
Representative: Anthony Amphonephong
Owner: City of Phoenix
Stipulations:
1) Neighbors shall be notified in writing at least 10 days to an event.
2) Limited to 2 events per year.
3) Events shall be on Friday and Saturday only between 4:00 PM and 11:00 PM excluding set up time.
4) Adequate security and or police shall be on site during any event activity or at the discretion of the Police Precinct Commander.
5) There shall be a review hearing within 90 days of the first event.

ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBLAY
PLANNER: NATASHA HUGHES, 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.

May 22, 2024