

**NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING**

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 **June 20, 2024 at 9:00 AM (Items 1-6) and 1:30 PM (Items 7-10).**

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-326-24-2
Existing Zoning: RE-35
Location: 12028 North 60th Street
Quarter Section: Q30-41(K11)
Proposal: 1) Variance to reduce the required side yard setback (south) to 5 feet. Minimum 20 feet required.
2) Variance to reduce the required front yard setback (east) to 31 feet. Minimum 40 feet required.
Ordinance Sections: 609.B.Table 609.B.Table
Applicant: Randy Marks, Rezio, LLC
Representative: Randy Marks, Rezio, LLC
Owner: Noah and Jenna Brocious
Stipulations:
1) 1 year to apply for and obtain building permits.
2) Per the setback reductions as shown on site plan date stamped May 16, 2024.

Denied

2. Application #: ZA-349-24-3
Existing Zoning: R1-6
Location: 12642 North 20th Street
Quarter Section: Q31-31(K9)
Proposal: Variance to allow a minimum lot width (Parcel 1, Parcel 2) of 48 feet. Minimum lot width of 60 feet required.
Ordinance Sections: 613.B.Table B
Applicant: Francisco Bobadilla, Crux Solutions, LLC
Representative: Francisco Bobadilla, Crux Solutions, LLC
Owner: Daniela Atanasovski

**Approved
w/stip**

3. Application #: ZA-365-24-6
Existing Zoning: R-4
Location: 836 East Maryland Avenue
Quarter Section: Q22-29(I8)

		Proposal:	Use permit to allow a dependent care facility (Kindertots Preschool) for more than 13 dependents (30). Use permit required.
		Ordinance Sections:	608.E.17
		Applicant:	Cassandra Ayres, Berry Riddell LLC
		Representative:	Cassandra Ayres, Berry Riddell LLC
		Owner:	836 E. Maryland Ownership, LLC
		Stipulation:	
			1) 6 months to apply for and obtain building permits.
Approved w/stips	4.	Application #:	ZA-396-24-4
		Existing Zoning:	R1-6 HP
		Location:	1001 West Encanto Boulevard
		Quarter Section:	Q13-26(G8)
		Proposal:	1)Variance to allow an over height wall (7 feet) in the required side yard setback (west). Maximum 6 feet permitted. 2)Variance to allow an over height wall (7 feet) in the required front yard setback (north). 40 inches permitted.
		Ordinance Sections:	703.A.2.c 703.A.2.a
		Applicant:	Brenda Howard
		Representative:	Brenda Howard
		Owner:	Brenda A. and James D. Jr. Howard
		Stipulations:	
			1) 1 year to apply for and obtain building permits.
			2) Per the location of the proposed wall as shown on site plan date stamped May 15, 2024.
Approved w/stip	5.	Application #:	ZA-399-24-2
		Existing Zoning:	C-2
		Location:	21043 North Cave Creek Road, Suite A14
		Quarter Section:	Q42-33(N9)
		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:	Shushanth Vangapally, Bellevue AZ, LLC
		Representative:	Chris Ladner, Diversified Construction, LLC
		Owner:	Samir Holdings, Inc.
		Stipulation:	
			1) 6 months to commence the use.
Approved w/stip	6.	Application #:	ZA-413-24-7
		Existing Zoning:	C-2 SPVTABDO
		Location:	20 and 102 West Roeser Road
		Quarter Section:	Q4-27(E8)
		Proposal:	Time Extension for ZA-486-22, use permit to allow two drive-through facilities as accessory

uses to restaurants within 300 feet of a residential district. Use permit required.
Ordinance Sections: 623.D.157.d.(2)
Applicant: Shaine Alleman, Tiffany & Bosco, P.A.
Representative: Shaine Alleman, Tiffany & Bosco, P.A.
Owner: Roeser Plaza, LLC

Stipulation:

- 1) 18 months to apply for and obtain building permits.

1:30 PM

**Approved
w/stips**

7. Application #: ZA-295-24-1 (SIGN)
Existing Zoning: C-2
Location: 20410 North 19th Avenue
Quarter Section: Q41-24(N7)
Proposal: Use permit to adopt the Deer Valley Office Park Comprehensive Sign Plan. Use permit required.
Ordinance Sections: 705.E.2.
Applicant: Jared Segel, Associated Signs
Representative: Jared Segel, Associated Signs
Owner: Matt Moorner, BVEM Deer Valley, LLC

Stipulations:

- 1) 1 year to apply for and obtain sign permits.
- 2) Per the Comprehensive Sign Plan documents submitted and date stamped June 18, 2024.

**Approved
w/stips**

8. Application #: ZA-68-16-1 (1 Year Review of Use Permit)
(Continued from May 16, 2024)
Existing Zoning: C-2
Location: 4244 West Dunlap Avenue
Quarter Section: 27-19(J6)
Proposal: 1) Use permit to allow a medical marijuana dispensary facility. Use permit is required.
2) Variance to allow a medical marijuana dispensary within 1320 feet of a preschool.
Minimum of 1320 feet of separation required.
Ordinance Sections: 623.D.122.a 623.D.122.g
Applicant: Chris Fotopoulos, Verano Arizona, LLC dba Zen Leaf
Kyra Tracy, Verano Arizona, LLC dba Zen Leaf
Representative: Lindsay C. Schube, Gammage & Burnham, PLC
Owner: Angal Dunlap Properties, LLC

Stipulations:

- 1) The Use Permit shall be reviewed within 365 days of the issuance of the dispensary certificate for a medical marijuana use or approval to operate the cultivation and/or infusion from the Arizona Department of Health Services.
- 2) The applicant has 1 year to apply and pay for building permits.
- 3) Obtain a certificate for medical marijuana use from the Arizona Department of Health Services or approval to operate. If no certificate or approval to operate is granted within 18 months of the approval of this Variance/Use Permit, the Zoning

Administrator shall schedule a revocation hearing for this Use Permit.

- 4) The applicant shall submit a security plan provided to the Arizona Department of Health Services to the Planning and Development Department.
- 5) The applicant shall notify in writing the area's Police Precinct Commander of establishing such facility. Notice of this contact shall be submitted in writing to the Planning and Development Department.
- 6) Applicant shall install and maintain per manufacturer's specifications an odor control system within 1 year of today's hearing. Applicant shall submit an odor control plan identifying contact person for odor complaints to the Planning and Development Department.
- 7) Applicant shall notify the Planning and Development Department in writing within 30 days of when there is a change in the operator or entity's name.

**Approved
w/stips**

9. Application #: ZA-332-24-7
Existing Zoning: WU Code T5:2 SPVTABDO
Location: 4832 South Central Avenue
Quarter Section: Q4-27(E8)
Proposal: 1) Variance to reduce the primary building frontage along Central Avenue to 40%. Minimum 70% frontage required along primary frontage.
2) Variance to increase the maximum building setback for a primary frontage (east) to 97 feet. Maximum 12 feet permitted.
3) Variance to reduce the minimum glazing on the ground floor to 34%. Minimum 75% required.
- Ordinance Sections: 1303.B.Table 1303.2 Transect T5 1303.B.Table 1303.2 Transect T5 1303.B.Table 1303.2 Transect T5
- Applicant: Ed Bull, Burch & Cracchiolo, P.A.
Representative: Ed Bull, Burch & Cracchiolo, P.A.
Owner: AutoZone Parts Inc, c/o Michael Caylor, Westwood
- Stipulations:**
1) 2 years to apply for and obtain building permits.
2) Per the frontage and glazing as shown on site plan and exhibits date stamped May 21, 2024.

**Approved
w/stips**

10. Application #: ZA-387-24-8
Existing Zoning: C-1 BAOD
Location: 3220 East Baseline Road
Quarter Section: Q1-35(D10)
Proposal: 1) Use permit to allow a drive-through facility as an accessory to a restaurant (Filiberto's) within 300 feet from a residential zoning district. Use permit required.
2) Variance to reduce a drive-through facility queuing length to 126 feet. Minimum 150 linear

feet of queuing space per pick-up window required.

Ordinance Sections: 622.D.150.e; 702.B.6.c
Applicant: Jerel Campbell, ACRN Properties, LLC
Representative: Glenn Liptack, R.A., Nostdahl Liptack Architects
Owner: Jerel Campbell, ACRN Properties, LLC

Stipulations:

- 1) 18 months to apply for and obtain building permits.
- 2) Per the location of the drive-through and queuing length reduction as shown on site plan date stamped May 21, 2024.

ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE
PLANNER: DOMINIC AMODIO, PLANNER II

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.

June 21, 2024