

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised April 18, 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 **March 21, 2024 at 9:00 AM (Items 1-5) and 1:30 PM (Items 6-9).**

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	9:00 AM		
	Approved	1.	
w/stip		Application #:	ZA-18-24-8
		Existing Zoning:	S-2
		Location:	2517 East Southern Avenue
		Quarter Section:	Q3-33(D9)
		Proposal:	1) Time extension for ZA-207-22, variance to reduce the required side yard (west) setback to 15 feet for an accessory structure. Minimum of 50 feet required for an accessory structure. 2) Time extension for ZA-207-22, variance to allow 24 percent lot coverage. Maximum 10 percent lot coverage permitted.
		Ordinance Sections:	604.B.3 604.B.4
		Applicant:	Ramesh Somalya
		Representative:	Arpan Tailor, Arun, Inc.
		Owner:	Ramesh Somalya
		Stipulation:	
			1) 18 months to apply for and obtain building permits.
*Denied	2.		
		Application #:	ZA-49-24-2
		Existing Zoning:	R1-10
		Location:	5619 East Monte Cristo Avenue
		Quarter Section:	Q35-41(L11)
		Proposal:	1) Variance to allow an over height wall (10 feet) in the required rear yard (south) setback. Maximum 6 feet permitted. 2) Variance to allow an over height wall (10 feet) in the required side yard (east) setback. Maximum 6 feet permitted. 3) Variance to allow an over height wall (10 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:	Max Fetzer
		Representative:	Max Fetzer
		Owner:	Max Fetzer, Fetzer Surgical
		Taken out from under advisement on April 18, 2024 and denied.	

Approved w/stip 3. Application #: ZA-107-24-3
Existing Zoning: R1-8
Location: 12835 North 32nd Street
Quarter Section: Q31-35(K10)
Proposal: Use permit to allow public assembly-residential use with vehicular access on a local or minor collector street (Sweetwater Avenue). Use permit required.

Ordinance Sections: 608.E.22
Applicant: Adam Maynard, Global Minds Preschool
Representative: Aaron Francis, triARC Design
Owner: Cross In The Desert United Methodist Church
Stipulation:
 1) 6 months to commence the use.

***Approved w/stips** 4. Application #: ZA-115-24-8
Existing Zoning: R-3 AIO
Location: 1128 East Papago Street
Quarter Section: Q8-29(F8)
Proposal: Use permit to allow a 26 foot tall projection of the main building into the required rear yard (south). Maximum 15 foot tall projection permitted.

Ordinance Sections: 701.A.3.a.(2).(d)
Applicant: Quincy Wright, Housing Done Wright, LLC
Representative: Quincy Wright, Housing Done Wright, LLC
Owner: Quincy Wright, Housing Done Wright, LLC
Taken out from under advisement on April 18, 2024 and approved with the follow stipulations:
 1) Per the dimensions and location of the proposed projection as shown on the site plan date stamped February 21, 2024.
 2) 6 months to pay for and obtain permits.

Continued 5. Application #: ZA-186-24-8
Existing Zoning: DTC-Biomed
Location: 550 East McKinley Street
Quarter Section: Q11-28(F8)
Proposal: Use Permit to allow a temporary use (First Friday) for up to 36 months. Use Permit Required.

Ordinance Sections: 708.D.1
Applicant: Adan Madrigal
Representative: Adan Madrigal
Owner: City of Phoenix
CONTINUED TO APRIL 4, 2024 to April 4, 2024 at 9:00 AM.

Approved w/stips 6. Application #: ZA-88-24-1 (SIGN)
Existing Zoning: C-2 DNS/WVR PCD
Location: 4311 West Anthem Way
Quarter Section: Q68-18(U6)

Proposal: Use permit to allow an electronic message display (EMD) on a ground sign. Use permit required.
Ordinance Sections: 705.C.13
Applicant: Victoria Boardman, Above All Signs, LLC
Representative: Victoria Boardman, Above All Signs, LLC
Owner: Stephen A. Horn Jr. NNN REIT, LP

Stipulations:

- 1) Electronic message display (EMD) use shall be limited to business hours of the carwash. EMD illumination shall be extinguished during non-business hours.
- 2) Sign design shall be in accordance with the sign drawings submitted to the Hearing Officer date stamped March 28, 2024.
- 3) 12 months to obtain sign permits for the ground sign.

***Denied**

7. Application #: ZA-732-23-2 (Continued from February 22, 2024)
Existing Zoning: R1-14
Location: 5302 East Friess Drive
Quarter Section: Q33-40(L11)
Proposal: Variance to reduce the side setback (east) for a detached accessory structure to 0 feet. Minimum 3 feet required.
Ordinance Sections: 706.B.3
Applicant: Ernest D. Bianchi
Representative: Ernest D. Bianchi
Owner: Ernest D Bianchi

Taken out from under advisement on April 18, 2024 and denied.

**Approved
w/stip**

8. Application #: ZA-120-24-3
Existing Zoning: C-2
Location: 11835 North 19th Avenue
Quarter Section: Q30-25(K7)
Proposal: 1) Variance to allow a tobacco-oriented retailer (Phoenix Labz Mini Mart) to be located within 1,320 feet of three places of worship. Minimum 1,320 feet of separation required.
2) Variance to allow a tobacco-oriented retailer (Phoenix Labs Mini Mart) to be located within 1,320 feet of a park. Minimum 1,320 feet of separation required.
Ordinance Sections: 623.D.194.b 623.D.194.b
Applicant: Phoenix Labz Mini Mart, LLC
Representative: Joseph B. Urtuzuastegui III, REI Law Firm
Owner: Oanh Truong for AV Capital, LLC

Stipulation:

- 1) 6 months to commence the use.

**Approved
w/stips**

9. Application #: ZA-123-24-3
Existing Zoning: C-1, C-2

Location: 1935 West Dunlap Avenue
Quarter Section: Q26-24(J7)
Proposal: 1) Variance to reduce the required setback along the street frontage (19th Avenue) to 0 feet. Minimum 25 feet required.
2) Variance to allow an over height fence (6 feet) within the required front yard setback (east). Maximum 40 inches permitted.
Ordinance Sections: 701.D.3.a 703.A.3.a
Applicant: Laura Stahley, Valley Metro
Representative: Laura Stahley, Michael Tocco-Castillo, Valley Metro
Owner: City of Phoenix Public Transit Department
Stipulations:
1) 6 months to apply for and obtain building permits.
2) Per the location of the fence as shown on site plan date stamped March 1, 2024.

ZONING ADJUSTMENT HEARING OFFICER: JON FROKE
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.

April 18, 2024