

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised November 14, 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 **October 24, 2024, at and 1:30 PM (Items 1-7). Located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona**

The results of the meeting were as follows:

RESULTS	1:30 PM	
#1 and 5	1.	Application #: ZA-502-24-7
Approved		Existing Zoning: R-3, A-1
w/stips		Location: 3540, 3815, 3833, 3735, and 3637 West Sherman Street
#2, 3, 4, 6, 9,		Quarter Section: Q9-20(F6)
and 10		Proposal: 1) Variance to allow a chain link fence visible from public streets (39th Avenue and Sherman Street). Chain link fencing shall not be used when visible from public street.
Denied as		2) Variance to allow an over height fence (7 feet) in the required front yard (east). Maximum 40 inches permitted.
Filed		3) Variance allow a fence topped with razor wire in non-residential development where visible from public streets (39th Avenue and Sherman Street) and adjacent residential areas. Fences topped with razor, concertina, or barbed wire not allowed.
#7, 8, and		4) Variance to allow an over height fence (7 feet) in the required front yard (north). Maximum 40 inches permitted.
11		5) Variance to allow a chain link fence visible from public streets (35th Avenue and Sherman Street). Chain link fencing shall not be used when visible from public street.
Denied		6) Variance to allow a fence topped with razor wire in a multifamily zoning district. Fences topped with razor, concertina, or barbed wire not allowed.
		7) Variance to allow an over height wall (7 feet) in the required side yard (south) setback. Maximum 6 feet permitted.
		8) Variance to allow an over height wall (7 feet) in the required side yard (north) setback. Maximum 6 feet permitted.
		9) Variance to allow an over height fence (7 feet) in the required front yard (west). Maximum 40 inches permitted.
		10) Variance to allow an over height fence (7 feet) in the required front yard (north). Maximum 40 inches permitted.

11) Variance to allow an over height wall (7 feet) in the required rear yard (south) setback. Maximum 6 feet permitted.

Ordinance Sections: 703.D.2.a 703.A.2.a 703.A.3.a 703.D.2.a 703.D.2.b 703.A.2.c 703.A.2.c 703.A.3.a 703.A.2.a 703.A.2.c

Applicant: Ryan Weed, Coe & Van Loo Consultants, Inc.

Representative: Krista Zinser, Coe & Van Loo Consultants, Inc.

Owner: Austin Smith, Arizona Public Service Company

Stipulations:

- 1) Requests 2, 4, 9 and 10 approved for maximum height of 6 feet.
- 2) Requests 3 and 6 approved for barbed wire.
- 3) Per the location of the proposed fence as shown on site plan date stamped September 16, 2024.
- 4) 1 year to apply for and obtain building permits.

***#1 and 2
Approved
w/stips
#2, 3, 4, 5,
and 6
Denied as
Filed**

2. Application #: ZA-503-24-7

Existing Zoning: R-5, R-3

Location: 1003 South 35th Avenue

Quarter Section: Q9-21(F6)

Proposal:

- 1) Variance to allow a chain link fence visible from public streets (35th Avenue and Sherman Street). Chain link fencing shall not be used when visible from public street.
- 2) Variance to allow a fence topped with razor wire in a multifamily zoning district. Fences topped with razor, concertina, or barbed wire not allowed.
- 3) Variance to allow an over height fence (7 feet) in the required front yard (west). Maximum 40 inches permitted.
- 4) Variance to allow an over height wall (7 feet) in the required side yard (south) setback. Maximum 6 feet permitted.
- 5) Variance to allow an over height wall (7 feet) in the required side yard (north) setback. Maximum 6 feet permitted.
- 6) Variance to allow an over height wall (7 feet) in the required rear yard (east) setback. Maximum 6 feet permitted.

Ordinance Sections: 703.D.2.a 703.D.2.b 703.A.2.a 703.A.2.c 703.A.2.c 703.A.2.c

Applicant: Ryan Weed, Coe & Van Loo Consultants, Inc.

Representative: Krista Zinser, Coe & Van Loo Consultants, Inc.

Owner: Austin Smith, Arizona Public Service Company

Taken out from under advisement on November 14, 2024 and decided on as follows:

#1 and 2 – Approved with the following stipulations:

- 1) Per the location of the proposed fence as shown on site plan date stamped September 16, 2024.
- 2) 1 year to apply for and obtain building permits.

#3, 4, 5, 6 – Denied as Filed

- 3) Approved for maximum height of 6 feet.

**#1, 3 and 6
Denied as
Filed
#2
Approved
w/stips
#4, and 5
Denied**

3. Application #: ZA-504-24-7
Existing Zoning: R-3
Location: 4002 West Sherman Street
Quarter Section: Q9-19(F6)
Proposal: 1) Variance to allow an over height fence (7 feet) in the required front yard (west). Maximum 40 inches permitted.
2) Variance to allow a chain link fence visible from public streets (39th Avenue, 40th Avenue, 41st Avenue). Chain link fencing shall not be used when visible from public street.
3) Variance to allow an over height fence (7 feet) in the required front yard (east). Maximum 40 inches permitted.
4) Variance to allow an over height wall (7 feet) in the required side yard (south) setback. Maximum 6 feet permitted.
5) Variance to allow an over height wall (7 feet) in the required side yard (north) setback. Maximum 6 feet permitted.
6) Variance to allow a fence topped with razor wire in a multifamily zoning district. Fences topped with razor, concertina, or barbed wire not allowed.
Ordinance Sections: 703.A.2.a 703.D.2.a 703.A.2.a 703.A.2.c 703.A.2.c 703.D.2.b
Applicant: Ryan Weed, Coe & Van Loo Consultants, Inc.
Representative: Krista Zinser, Coe & Van Loo Consultants, Inc.
Owner: Austin Smith, Arizona Public Service Company
Stipulations:
1) Requests 1 and 3 are approved for 6 feet.
2) Request 6 is approved for barbed wire.
3) Per the location of the proposed fence as shown on site plan date stamped September 16, 2024.
4) 1 year to apply for and obtain building permits.
5) Fence shall have no cut no climb metal screening material installed for the length of the fence.

**#1
Approved
w/stip
#2 and 6
Denied as
Filed
#3, 4 and 5
Denied**

4. Application #: ZA-592-24-7
Existing Zoning: R-3
Location: 847 South 29th Avenue
Quarter Section: Q9-22(F7)
Proposal: 1) Variance to allow a chain link fence visible from public streets (31st Avenue and Sherman Street). Chain link fencing shall not be used when visible from public street.
2) Variance to allow an over height fence (7 feet) in the required front yard (west). Maximum 40 inches permitted.
3) Variance to allow an over height wall (7 feet) in the required side yard (south) setback. Maximum 6 feet permitted.

4) Variance to allow an over height wall (7 feet) in the required side yard (north) setback. Maximum 6 feet permitted.

5) Variance to allow an over height wall (7 feet) in the required rear yard (east) setback. Maximum 6 feet permitted.

6) Variance to allow a fence topped with razor wire in a multifamily zoning district. Fences topped with razor, concertina, or barbed wire not allowed.

Ordinance Sections: 703.D.2.a 703.A.2.a 703.A.2.c 703.A.2.c 703.A.2.c 703.D.2.b

Applicant: Ryan Weed, Coe & Van Loo Consultants, Inc.

Representative: Krista Zinser, Coe & Van Loo Consultants, Inc.

Owner: Austin Smith, Arizona Public Service Company

Stipulations:

1) Request 2 approved for 6 feet.

2) Request 6 approved for barbed wire.

3) 1 year to apply for and obtain building permits.

4) Per the location of the proposed fence as shown on site plan date stamped September 16, 2024.

5) Fence shall have not cut no climb metal screening material installed for the length of the fence.

**Approved
w/stips**

5. Application #: ZA-648-24-2
Existing Zoning: S-1 (approved C-2)
Location: 20350 North Cave Creek Road
Quarter Section: Q41-32(N9)
Proposal: Use permit to allow a drive through facility as an accessory to a restaurant (Swig) within 300 feet from a residential zoning district. Use permit required.

Ordinance Sections: 623.D.157.d.(2)

Applicant: Russ Orsi, Swig Drinks

Representative: Dawn Fortuna, Bowman

Owner: Glenn Robert W/ Nancy H TR

Stipulations:

1) 1 year to apply for and obtain building permits.

2) Per the location of the drive-through as shown on site plan date stamped October 21, 2024.

**Approved
w/stips**

6. Application #: ZA-651-24-6
Existing Zoning: R1-14 ACSPD
Location: 3916 North 54th Street
Quarter Section: Q16-40(H11)
Proposal: Variance to reduce the required side yard setback (northwest) to 6 feet. Minimum 10 feet required.

Ordinance Sections: 607.B.3

Applicant: Tyler Green, Green Studio

Representative: Tyler Green, Green Studio

Owner: Susan Martin and Dan Bonnett

Stipulations:

- 1) 1 year to apply for and obtain building permits.
- 2) Per the location of the proposed addition as shown on site plan date stamped September 23, 2024.

**Approved
w/stips**

7. Application #: ZA-692-24-6
Existing Zoning: R1-6
Location: 1525 East Loma Lane
Quarter Section: Q25-30(J9)
Proposal: Variance to reduce the side yard (southwest) setback to 5 feet. Minimum 10 feet required.
Ordinance Sections: 613.B.Table B
Applicant: Grace P. Stuckey
Representative: Grace P. Stuckey
Owner: Grace P. Stuckey Living Trust

Stipulations:

- 1) 1 year to apply for and obtain building permits.
- 2) Per the location of the proposed addition as shown on site plan date stamped September 18, 2024.

ZONING ADJUSTMENT HEARING OFFICER: CAROL BERRY
PLANNER: DOMINIC AMODIO, 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.

November 14, 2024