

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised October 1, 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 **September 12, 2024 at 9:00 AM (Items 1-4) and 1:30 PM (Items 5-11)**.

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 w/stip	1.	Application #: ZA-519-24-8 Existing Zoning: R-3 SPVTABDO Location: 2435 East Wier Avenue Quarter Section: Q4-33(E9) Proposal: Variance to allow a minimum lot width of 59 feet (Lot 1 & 2). Minimum lot width of 60 feet required. Ordinance Sections: 615.B.Table B Applicant: Michael S. Buschbacher II, AICP, Earl & Curley, PC Representative: Taylor C. Earl, Earl & Curley, PC Owner: Kyle Gardner, KG Rentworth Stipulation: 1) 18 months to apply for and obtain building permits.
*Denied	2.	Application #: ZA-590-24-4 Existing Zoning: R1-6 HP SNSPD Location: 901 West Culver Street Quarter Section: Q12-26(G8) Proposal: Variance to reduce the side yard setback (east) to 0 feet. Minimum 10 feet required. Ordinance Sections: 613.B.Table B Applicant: Tyler Bruggman Representative: Tyler Bruggman Owner: Sylvia Menchaca, Date Creek LLC Taken out from under advisement on October 1, 2024 and denied.	
Approved w/stips	3.	Application #: ZA-605-24-2 Existing Zoning: C-2 DRSP Location: 21001 North Tatum Boulevard Quarter Section: Q41-39(N11) Proposal: Use Permit to allow a temporary use (Dome Tent) for up to 36 months. Use permit required. Ordinance Sections: 708.D.1 Applicant: Tim Ray, Vestar DRM-OPCO, LLC	

Representative: Tim Ray, Vestar DRM-OPCO, LLC

Owner: Tim Ray, Vestar DRM-OPCO, LLC

Stipulations:

- 1) Only permitted on the following dates:
November 2, 2024 – January 15, 2025
November 2, 2025 – January 15, 2026
November 2, 2026 – January 15, 2027
- 2) Hours are limited to 10:00 AM – 2:00 AM daily.

**Approved
w/stips**

4. Application #: ZA-606-24-2
Existing Zoning: RE-24
Location: 7123 East Dreyfus Avenue
Quarter Section: Q32-44(L12)
Proposal: Use permit to allow an over height (18 feet) accessory structure. Maximum 15 feet in height permitted.

Ordinance Sections: 706.B.2.b
Applicant: Daniel Levato, DLLO Studio
Representative: Daniel Levato, DLLO Studio
Owner: Janet Leathers and Douglas Fallon, Ozark Revocable Living Trust

Stipulations:

- 1) 1 year to apply for and obtain building permits.
- 2) Per the location of the accessory structure as shown on site plan date stamped August 12, 2024.

Denied

1:30 PM

5. Application #: ZA-591-24-7 (SIGN)
Existing Zoning: DTC-Van Buren
Location: 222 North 5th Avenue
Quarter Section: Q10-27(F8)
Proposal: Variance to allow a wall sign to project 48 inches into the right of way. Maximum 18 inch projection permitted.

Ordinance Sections: 705.B.3.a; 705.B.3.a(1)
Applicant: Mark Sanchez, Rising Sign
Representative: Mark Sanchez, Rising Sign
Owner: John Colonna

**Approved
w/stips**

6. Application #: ZA-507-24-2 (Continued from August 8, 2024)
Existing Zoning: C-1
Location: 18725 North 32nd Street
Quarter Section: Q39-35(M10)
Proposal: 1) Use permit to allow outdoor dining as an accessory to a restaurant (Cornish Pasty). Use permit required.
2) Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a restaurant (Cornish Pasty). Use permit required.

Ordinance Sections: 622.D.150.d 622.D.150.d

Applicant: Stephanie Solley, Run Run Design
Representative: Stephanie Solley, Run Run Design
Owner: Craig and Judy Jennings Revocable Trust,
Gregory Yeager Jennings Separate Property
Trust

Stipulations:

- 1) 1 year to apply for and obtain building permits.
- 2) Per the location of the patio as shown on site plan date stamped July 8 2024.

**Approved
w/stip**

7. Application #: ZA-446-24-8
Existing Zoning: R-4 MPNSPD
Location: 9013 South 2nd Avenue
Quarter Section: Q02-28(C8)
Proposal: 1) Variance to reduce the front yard setback (west) to 25 feet. Minimum 50 feet required.
2) Variance to reduce the side yard setback (north) to 15 feet. Minimum 25 feet required.
3) Variance to reduce the side yard setback (south) to 15 feet. Minimum 25 feet required.
4) Variance to increase the allowable building height to 2 stories for a multi-family development. Maximum single story permitted.
Ordinance Sections: 668.A.7.c 668.A.7.c 668.A.7.c 668.A.7.c
Applicant: Dora E. Castillo, RD Design Team, Inc.
Representative: Dora E. Castillo, RD Design Team, Inc.
Owner: Saul Duarte, Duarte Realty Sales, LLC

Stipulation:

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

**Approved
w/stips**

8. Application #: ZA-597-24-8
Existing Zoning: C-3 CCSIOD
Location: 1302, 1306, 1310 South Central Avenue
Quarter Section: Q8-27(F8)
Proposal: 1) Use permit to allow for outdoor dining as an accessory use to a restaurant (Lolo's Event Center) within 500 feet of a residential district. Use permit required.
2) Use permit to allow outdoor recreation (event entertainment) as an accessory use to a restaurant (Lolo's Event Center) within 500 feet of a residential district. Use permit required.
3) Use permit to allow outdoor alcohol consumption as an accessory use to a restaurant (Lolo's Event Center) within 500 feet of a residential district. Use permit required.
4) Use permit to allow an assembly/banquet hall of less than 25,000 square feet in gross floor area. Use permit required.

- 5) Use permit to allow outdoor uses as an accessory use to a public assembly hall. Use permit is required.
- 6) Variance to reduce the required parking to 26 spaces. Minimum 179 spaces required.
- 7) Variance to reduce the streetscape landscape setback along Yuma Street to 0 feet. An average of 25 feet is required, minimum of 20 feet is permitted for up to 50 percent of the frontage.
- 8) Variance to reduce the streetscape landscape setback along Central Avenue to 0 feet. An average of 25 feet is required, minimum of 20 feet is permitted for up to 50 percent of the frontage.
- 9) Variance to reduce the landscape setback (west) to 0 feet. Minimum of 10 feet required.
- 10) Variance to allow maneuvering within an alleyway. All maneuvering must be located entirely on private property.

Ordinance Sections: 624.D.112.c 624.D.112.c 624.D.112.c 623.D.9.a 623.D.9.b 702.C.Table 624.E.4.e 624.E.4.e 624.E.4.e 702.A.1.b

Applicant: Carlos Elias, LGE Design Build

Representative: Carlos Elias, LGE Design Build

Owner: Larry White, White Girls, LLC

Stipulations:

- 1) There shall be a review within 1 year after the use commences.
- 2) 3 years to apply for and obtain building permits.
- 3) The use permit will not be valid until a Certificate of Occupancy appropriate for this use is issued by Planning and Development Department.
- 4) Per the setback reductions and parking reduction as shown on sit plan dated August 7, 2024.
- 5) An irrevocable parkin agreement is required to fully satisfy off-site parking requirements.
- 6) Doors shall remain closed during banquets or assemblies to deter any neighborhood disturbance by the means of live entertainment, other instruments, bands, or devices.
- 7) All areas will be sufficiently illuminated and contained to discourage unlawful activity.
- 8) Off-duty police officers or professional security must be present during events involving the consumption of alcoholic beverages.
- 9) "No Trespassing" signs must be conspicuously posted to deter loitering or unwanted guests inside and surrounding the establishment. Additionally, an Authority to Arrest Trespassers form must be signed and maintained on file with the appropriate Police Precinct.
- 10) The Police Precinct Commander or his designee may require cameras, licensed security guards or off-duty police, additional lighting, or other security measures at the Commander's discretion.

Approved w/stips	9.	Application #:	ZA-599-24-3
		Existing Zoning:	R-3
		Location:	1339 West Peoria Avenue
		Quarter Section:	Q28-26(K8)
		Proposal:	Variance to reduce the required front yard setback (north) to 6 feet. Minimum 25 feet required.
		Ordinance Sections:	615.B.Table B
		Applicant:	Jeff Wagner, Wagner Architects, LLC
		Representative:	Jeff Wagner, Wagner Architects, LLC
		Owner:	James Lee, G & J Capital, LLLP
		Stipulations:	
		1)	Setback reduction only applies to the trash enclosure as shown on site plan date stamped August 1, 2024.
		2)	18 months to apply for and obtain building permits.
Approved w/stips	10.	Application #:	ZA-603-24-1
		Existing Zoning:	A-1 DVAO
		Location:	1515 West Deer Valley Drive, Suite 101A
		Quarter Section:	Q42-25(N7)
		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:	Aram Sarkisyan
		Representative:	Aram Sarkisyan
		Owner:	Aram Sarkisyan
		Stipulations:	
		1)	1 year to apply and pay for the appropriate remodel building permits.
		2)	The use permit will not be valid until a Certificate of Occupancy appropriate for this use is issued by Planning and Development Department.
		3)	Doors shall remain closed during banquets or assemblies to deter any neighborhood disturbance by the means of live entertainment, other instruments, sounds, or devices.
		4)	No live entertainment, speakers, video monitor, TVs or amplified music outdoors of the banquet hall.
		5)	All areas will be sufficiently illuminated and contained to discourage any unlawful activity.
		6)	"No Trespassing" signs must be conspicuously posted to deter loitering or unwanted guests inside and surrounding the establishment. Additionally, an Authority to Arrest Trespassers (ATA) form must be signed and maintained on file with the appropriate Police Precinct.
Approved w/stips	11.	Application #:	ZA-607-24-4
		Existing Zoning:	R1-6
		Location:	1208 East Cambridge Avenue
		Quarter Section:	Q14-30(G9)

Proposal: 1) Variance to reduce the side yard setback (east) to 6 feet. Minimum 10 feet required.
2) Variance to reduce the side yard setback (west) to 2 feet. Minimum 3 feet required.

Ordinance Sections: 613.B.Table B 613.B.Table B

Applicant: Benjamin and Nicole Unger

Representative: Benjamin and Nicole Unger

Owner: Benjamin and Nicole Unger

Stipulations:

- 1) 1 year to apply for and obtain building permits.
- 2) Per the setback reductions as shown on the site plan date stamped August 12, 2024.

ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBLAY
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.

October 1, 2024