

**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 **September 19, 2024 at 9:00 AM (Items 1-5) and 1:30 PM (Items 6-12)**

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
Approved
w/stips**

9:00 AM

1. Application #: ZA-227-20-8 (1 Year Review of Use Permit)
Existing Zoning: A-2 RSIOD
Location: 951 West Watkins Street
Quarter Section: 7-26(E8)
Proposal:
1) Time extension for ZA-517-18, use permit to permit a medical marijuana cultivation facility. Use permit required.
2) Time extension for ZA-517-18, use permit to allow a medical marijuana infusion facility. Use permit required.
3) Time extension for ZA-517-18, variance to permit a medical marijuana cultivation facility within 5,280 feet from another medical marijuana use. Minimum separation of 5,280 feet from another medical marijuana use required.
4) Time extension for ZA-517-18, variance to permit a medical marijuana infusion facility within 5,280 feet of another medical marijuana use. Minimum separation of 5,280 feet from another medical marijuana use required.
Ordinance Sections: 627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.93.b.
Applicant: Jesse Francoeur, Story Companies, LLC
Representative: Lindsay C. Schube, Gammage & Burnham, PLC
Owner: Watkins 951 W., 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**

2. Application #: ZA-584-24-3
 Existing Zoning: R-4
 Location: 8925 North 10th Street
 Quarter Section: Q26-29(J8)
 Proposal: 1) Variance to reduce the front landscape setback (north) to 0 feet. Minimum 20 feet required.
 2) Variance to allow 0% parking lot landscaping. Minimum 5% parking lot landscaping required.
 Ordinance Sections: 703.B.3.a; 507 Tab A.II.A.6.1.1
 Applicant: Randy Marks, Rezio, LLC
 Representative: Randy Marks, Rezio, LLC
 Owner: Vinay Thadani, GT Investment Holdings, Inc.
Stipulations:
 1) 18 months to apply and pay for building permits.
 2) Per the front landscape setback and parking lot landscape reductions shown on plans date stamped July 31, 2024.

**Approved
w/stips**

3. Application #: ZA-611-24-7
 Existing Zoning: R-3 SPVTABDO
 Location: 5617 South Montezuma Street
 Quarter Section: Q3-27(D8)
 Proposal: Use permit to utilize the Single-Family Infill (SFI) development option. Use permit required.
 Ordinance Sections: 608.F.6
 Applicant: Robert Lepore, RLeporeArchitecture, LLC
 Representative: Robert Lepore, RLeporeArchitecture, LLC
 Owner: Wolff Wholesale, LLC, Wolff Development
Stipulations:
 1) 12 months to apply and pay for building permits.
 2) To be developed utilizing the Single Family Infill Development option shown on plans date stamped August 19, 2024.

Approved w/stips	4.	Application #: ZA-621-24-6 Existing Zoning: R1-10 Location: 1116 West Vista Avenue Quarter Section: Q24-26(J8) Proposal: Variance to reduce the rear yard setback (east) to 5 feet. Minimum 25 feet required. Ordinance Sections: 611.B.Table B Applicant: Stewart Vaghti and Kori Stekcer Representative: Stewart Vaghti Owner: Stewart Vaghti and Kori Stekcer Stipulations: 1) 12 months to apply and pay for and obtain building permits. 2) Per the rear yard reduction shown on plans date stamped August 16, 2024.
	5.	Application #: ZA-598-24-3 Existing Zoning: RE-43 Location: 3801 East Shea Boulevard Quarter Section: Q28-36(K10) Proposal: 1) Variance to allow a home occupation (Studio Artise) to display an exterior sign. Exterior display of signage is not permitted. 2) Variance to allow a home occupation (Studio Artise) to have outside employees. No one outside the family residing in the dwelling unit shall be employed in the home occupation. Ordinance Sections: 608.E.27.b 608.E.27.a Applicant: Pauline Thomas, 3801 Shea, LLC Representative: Taylor Earl, Earl & Curley, PC Owner: Pauline Thomas, 3801 Shea, LLC Stipulations: 1) Sign not to exceed 37.25 square feet. 2) The sign shall have no illumination, no upward lighting and not to be visible at night. 3) Employees will park along Shea Boulevard and enter and exit at Shea Boulevard entrance. 4) 12 months to apply and pay for sign permits. 5) Limit 1 to 2 employees on property per day.
Continued	1:30 PM	
	6.	Application #: ZA-566-24-4 (SIGN) Existing Zoning: C-2 Location: 905 North 43rd Avenue Quarter Section: Q11-19(F6) Proposal: Use permit to allow an electronic message display (EMD) on a ground sign. Use permit required. Ordinance Sections: 705.C.13 Applicant: Steve Skye, Christy Signs

Representative: Steve Skye, Christy Signs
Owner: Three JS 43rd and Roosevelt, LLC

Continued to October 31, 2024 at 1:30 PM.

**Approved
w/stips**

7. Application #: ZA-569-24-8
Existing Zoning: R-4 CCSIO
Location: 1006 South Montezuma Avenue
Quarter Section: Q9-27(F8)
Proposal: Variance to allow 77% vehicle parking and maneuvering within the required front yard setback (east). Maximum 50% allowed.

Ordinance Sections: 702.F.1.b
Applicant: Tyler Bruggman
Representative: Tyler Bruggman
Owner: Tyler Bruggman
Stipulations:
1) 12 months to apply and pay for building permits.
2) Per the vehicle parking and maneuvering in the front setback as shown on the site plan date stamped August 20, 2024.

**Approved
w/stips**

8. Application #: ZA-581-24-2
Existing Zoning: S-1
Location: 26506 North 11th Avenue
Quarter Section: Q48-26 (P8)
Proposal: Variance to have a detached nonresidential accessory building 17 feet from a side property line (south). Minimum 50 feet required.

Ordinance Sections: 603.B.3
Applicant: Lucas Daniels
Representative: Lucas Daniels
Owner: Lucas Daniels
Stipulations:
1) 12 months to apply and pay for building permits.
2) Per the location of the detached non residential accessory building shown on the plans date stamped July 30, 2024.

**#1 Denied
as Filed
Approved
w/stips**

9. Application #: ZA-600-24-7
Existing Zoning: R-4 SPVTABDO
Location: 358 East Roeser Road
Quarter Section: Q4-28(E8)
Proposal: 1) Variance to allow an over height fence (6 feet) within the required front yard (south) setback. Maximum 40 inches permitted.
2) Variance to allow an over height fence (8 feet) within the required rear yard (north) setback. Maximum 6 feet permitted.

Ordinance Sections: 703.A.2.a 703.A.2.c
Applicant: Sake Reindersma, SRA360 Architecture
Representative: Sake Reindersma, SRA360 Architecture

#2 Denied

Owner: Moise Hendeles, MVP Apartments II, LLC

Stipulations:

- 1) Approved to allow an over height fence to 5 feet in height.
- 2) 12 months to apply and pay for building permits.

**Approved
w/stips**

10. Application #: ZA-612-24-8
Existing Zoning: R1-6 BAOD
Location: 3719 East Baseline Road and 7833, 7965, 7977, 7989, and 8035 South 36th Street
Quarter Section: Q01-36(D10)
Proposal: 1) Variance to allow interior streets to have an attached sidewalk. Interior streets shall have detached sidewalks that are separated from the street with six-foot landscaped areas.
2) Variance to eliminate row of trees on each side of the sidewalk. Row of trees planted on each side of the sidewalk required.
Ordinance Sections: 651.E.1.b.2 651.E.1.b.3
Applicant: K. Hovnanian Great Western Homes, LLC
Representative: Adam Baugh, Withey Morris Baugh, PLC
Owner: All Other Property LLP, Miguel and Yvonne Montiel, Family Trust, DK Square Investments, LLC

Stipulations:

- 1) Trees will be planted close enough to the front sidewalk to shade it properly per the Baseline Overlay Plan requirements.
- 2) Per the attached sidewalks and eliminated trees shown on the site plan date stamped September 19, 2024.
- 3) 18 months to apply and pay for building permits.

**Denied as
Filed
Approved
w/stips**

11. Application #: ZA-618-24-7
Existing Zoning: R-4 SPVTABDO
Location: 330 East Roeser Road
Quarter Section: Q4-28(E8)
Proposal: Variance to allow an over height fence (6 feet) in the required front yard (south) setback.
Maximum 40 inches allowed.
Ordinance Sections: 703.A.2.a
Applicant: Sake Reindersma, SRA360 Architecture
Representative: Sake Reindersma, SRA360 Architecture
Owner: Moise Hendeles, MV Development, LLC

Stipulations:

- 1) Approved to allow an over height fence to 5 feet in height.
- 2) 12 months to apply and pay for building permits.

**Approved
w/stips**

12. Application #: ZA-573-24-6
Existing Zoning: C-2
Location: 6101 North 7th Street
Quarter Section: Q21-29(I8)

Proposal: 1) Use permit to allow outdoor cooking as an accessory to a restaurant (Bad Jimmy's). Use permit required.
2) Variance to reduce the distance for outdoor cooking as an accessory to a restaurant (Bad Jimmy's) from a residential zoning district to 247 feet. Minimum 300 feet required.

Ordinance Sections: 623.D.157.f.(1) 623.D.157.f.(4)

Applicant: Charles Duff, EQ Bethany and Seventh, LLC

Representative: Taylor C. Earl, Earl & Curley

Owner: Charles Duff, EQ Bethany and Seventh, LLC

Stipulations:

- 1) The outdoor cooking equipment will only be equipment that is predominantly a closed door smoker.
- 2) 12 months to apply and pay for building permits.
- 3) There will be a 1 year review from the commencement of operations.
- 4) Per the location of the outdoor cooking equipment as shown on the site plan date stamped August 26, 2024.

ZONING ADJUSTMENT HEARING OFFICER: CAROL BERRY
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.

September 20, 2024