

**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 **April 17, 2025, at 9:00 AM. (Items 1-4) and 1:30 PM (Items 5-8). Located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona 85003**

The results of the meeting were as follows:

**RESULTS
Approved
w/stips**

9:00 AM

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|----|---------------------|--|
| 1. | Application #: | ZA-111-25-2 (Continued from March 13, 2025) |
| | Existing Zoning: | C-1 PCD |
| | Location: | 30845 North Cave Creek Road, Suites 107, 108, 109, and 111 |
| | Quarter Section: | Q54-38(Q11) |
| | Proposal: | Use permit to allow sales of alcoholic beverages as an accessory to restaurant (Phat Turtle BBQ). Use permit required. |
| | Ordinance Sections: | 622.D.150.a |
| | Applicant: | David Richert, Richert & Associates |
| | Representative: | Mike and Kelly Sloan, Phat Turtle |
| | Owner: | Randy Raskin, and Irwin Pastranack, Tuscan Village Center |

Stipulations:

- 1) 90 days to commence the use.
- 2) Per the floor plan date stamped April 16, 2025.

**Approved
w/stips**

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| 2. | Application #: | ZA-77-25-5 |
| | Existing Zoning: | C-2 |
| | Location: | 5708 North 27th Avenue |
| | Quarter Section: | Q20-22(I7) |
| | Proposal: | 1) Variance to reduce the streetscape landscape setback (east) to 10 feet. Average 25 feet, minimum 20 feet permitted for up to 50% of the frontage required.
2) Variance to reduce the streetscape landscape setback (south) to 12 feet. Average 25 feet, minimum 20 feet permitted for up to 50% of the frontage required.
3) Variance to reduce the landscape setback (west) not adjacent to a street to 0 feet. Minimum 10 feet required.
4) Variance to reduce the building setback (west) not adjacent to a street to 15 feet. Minimum 50 feet required.
5) Use permit to allow a drive-through facility as an accessory use to a restaurant (The Twisted Lope) within 500 feet of a residential district zoning line. Use permit required.
6) Use permit to allow outdoor dining as an |

accessory use to a restaurant (The Twisted Lope) within 500 feet of a residential district zoning line. Use permit required.
Ordinance Sections: 623.E.4.e 623.E.4.e 623.E.4.e 623.E.4.e 623.D.157.d.(2) 623.D.157.c
Applicant: Ann Gregory, RentsPHX
Representative: Raelynn Pring, Studio Pring
Owner: Ann Gregory, Revocable Trust

Stipulations:

- 1) 1 year to apply for and obtain building permits.
- 2) Per the reductions, drive through, and patio location as shown on site plan date stamped March, 19, 2025.

**Approved
w/stips**

3. Application #: ZA-201-25-6
Existing Zoning: R1-10
Location: 321 East Keim Drive
Quarter Section: Q21-28(I8)
Proposal: Variance to reduce the front yard setback (north) to 14 feet. Minimum 25 feet required.
Ordinance Sections: 611.B.Table B
Applicant: Sean McCarthy
Representative: Sean McCarthy
Owner: Sean and Molly McCarthy
Stipulations:
1) 1 year to apply for and obtain building permits.
2) Per the location of the setback reduction as shown on site plan date stamped March 13, 2025.

**Approved
w/stips**

4. Application #: ZA-204-25-6
Existing Zoning: C-O, P-1
Location: 3279, 3333 and 3343 East Camelback Road
Quarter Section: Q18-35(H10)
Proposal: 1) Use permit to allow the sales of alcoholic beverages as an accessory use to a cafeteria/restaurant within the C-O Zoning District. Use permit required.
2) Use permit to allow outdoor dining as an accessory use to a cafeteria/restaurant within the C-O Zoning District. Use permit required.
3) Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a cafeteria/restaurant within the C-O Zoning District. Use permit required.
Ordinance Sections: 621.B.1.h.(5).a 621.B.1.h.(6) 621.B.1.h.(6)
Applicant: Patrick Hallman, C&H Associates LLC
Representative: Patrick Hallman, C&H Associates LLC
Owner: Robert Garrett, Talon 1 Properties LLC
Stipulations:
1) 18 months to apply for and obtain building permits.
2) Per the location of the patio area as shown on site plan date stamped March 14, 2025.

- 3) Employees must have a clear view of the patio area in order to supervise the activities and/or be present while patrons utilize outdoor area.
- 4) Hours of operation of the outdoor patio are to be no later than 12:00 AM.
- 5) Access ramp adjacent to Camelback Road shall be for emergency exit egress only.

Approved w/stips	5.	1:30 PM	Application #: ZA-734-23-7 (1 Year Review of Use Permit) Existing Zoning: A-1 Location: 11 South 71st Avenue Quarter Section: Q10-12(F4) Proposal: Use permit to allow a shelter for individuals experiencing homelessness. Use permit required if located on a lot within 1,320 feet from a residential district. Ordinance Sections: 627.D.1 Applicant: Rachel Milne, City of Phoenix Office of Homeless Solutions Representative: Rachel Milne, City of Phoenix Office of Homeless Solutions Owner: City of Phoenix, Attn: Property Management
		Stipulations:	1) A maximum of 300 program participants ("Residents") shall be permitted on site. 2) An Operational Plan shall be developed to govern operational features. The plan shall address, at minimum, the following: a. Regular ongoing communication shall be provided to the surrounding communities on any issues, concerns, follow up requests, etc. b. The facility shall operate as a closed campus (defined as no walk-up admission to the program with all screening of potential program participants to be held off-site). c. Priority shall be given to unsheltered individuals around the proposed shelter. d. On-site security 24 hours a day, seven days a week. e. Coordination with the Phoenix Police Department with regular communication protocols. f. Monitoring of the grounds of the shelter to ensure compliance with the Neighborhood Preservation Ordinance. g. Drugs and/or alcohol are to be prohibited for possession and/or use. h. Curfew parameters will be implemented to ensure resident and community safety. i. A code of conduct will be posted, provided to, and required of all guests. j. No services will be provided to any individuals that are not program residents. k. To keep a bed at the shelter, every resident must participate with supportive services staff daily to ensure continued progress on their housing plan.

- l. A phone number shall be maintained for surrounding businesses and residents to notify the operator of any potential issues.
 - m. Development of a maximum 15-member Advisory Committee with a minimum of 50 percent community member representation, and regularly scheduled meetings. During the first six months of shelter operation, the committee will meet every two months. After six months, the committee will decide the frequency of future meetings.
 - n. Facilitate written and verbal communication in English and Spanish by providing translation and interpretation.
- 3) The applicant shall discourage loitering on and around the property by installing signage and conducting community engagement and outreach.
- 4) Final design of site improvements shall incorporate Crime Prevention Through Environmental Design (CPTED) standards and best practices by:
 - a. The perimeter of the site shall be fenced to secure the site, as approved by the Planning and Development Department.
 - b. Access to the property shall be controlled via a gate. The 71st Avenue gate shall be the primary point of ingress/egress from the site.
 - c. Adequate site lighting shall be provided to ensure sufficient visibility for security personnel to light parking areas as required by City ordinances and as approved by the Planning and Development Department.
 - d. Security cameras shall be activated to monitor, at a minimum, outdoor areas around the building, as approved by the Planning and Development Department.
 - e. Operator shall enroll in the Virtual Block Watch Program with the Phoenix Police Department.
- 5) There shall be a 6-month and 18-month review from issuance of the Certificate of Occupancy. The Zoning Adjustment Hearing Officer may require subsequent reviews at an interval of their choosing as established at the review hearing. The applicant shall send written notification per the notification requirements outlined in the Zoning Adjustment Application handout, at least 30 calendar days prior to the scheduled review hearing, to all property owners within 150-feet, registered neighborhood associations within 600-feet of the subject property, and the following neighborhood groups:
 - a. For the Office-Casa Pedro Ruiz
Si Se Puede Neighborhood Association
Brenda Montoya
6327 West Fillmore Street
Phoenix, AZ 85043
 - b. Fowler School District
Nora Ulloa
1617 South 67th Avenue
Phoenix, AZ 85043
- 6) The applicant shall maintain updated facility contact information and provide the contact information to the community leaders outlined in Stipulation 5 to address any issues that may arise.

7) 12 months to apply and pay for building permits.

**Hearing
Held
Revocation
Requested**

6. Application #: ZA-84-24-2 (1 Year Review of Use Permit)
Existing Zoning: R1-8
Location: 16706 North 49th Way
Quarter Section: Q36-39(M11)
Proposal: 1) Use permit for official approval of a home occupation (sales of firearms). Use permit required.
2) Use permit to allow a home occupation to generate traffic. Use permit required.
Ordinance Sections: 608.E.27.h.(5) 608.E.27.h.(1)
Applicant: Jack D Shiles, JS Firearms Sales & Accessories, LLC
Representative: Jack D Shiles, JS Firearms Sales & Accessories, LLC
Owner: Shawn Yavari

**Approved
w/stip**

7. Application #: ZA-92-25-8 (Continued from March 6, 2025)
Existing Zoning: R-4 RSIOD
Location: 3638 South 12th Street
Quarter Section: Q5-29(E8)
Proposal: Time extension for ZA-15-24, use permit to use the Single-Family Attached (SFA) Development Option. Use permit required.
Ordinance Sections: 608.F.8
Applicant: Robert Lepore, RLeporeArchitecture, LLC
Representative: Robert Lepore, RLeporeArchitecture, LLC
Owner: Stacy Lowenschuss, Forever and A Day Properties, Inc.

Stipulation:

- 1) 9 months to apply for and obtain building permits.

**Approved
w/stips**

8. Application #: ZA-167-25-3
Existing Zoning: C-1 RPSPD
Location: 8001 North 19th Avenue
Quarter Section: Q25-25(J7)
Proposal: Use permit to allow sales of alcoholic beverages as an accessory to a restaurant (Barro's Pizza). Use permit required.
Ordinance Sections: 622.D.150.a
Applicant: Bruce Barro, Barros Pizza
Representative: Bruce Barro, Barros Pizza
Owner: Bruce Barro, B & B Pizza 19, LLC, dba Barro's Pizza

Stipulations:

- 1) 1 year to commence the use.
2) Per the floor plan date stamped March 18, 2025.

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 Saneeya Mir, 602-686-6461, Saneeya.Mir@phoenix.gov TTY: Use 7-1-1.

April 18, 2025