

**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 **February 27, 2025, at 9:00 AM. (Items 1-5) and 1:30 PM (Items 6-13). 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/stip

9:00 AM

1. Application #: ZA-902-24-6
Existing Zoning: PCD
Location: 14617 South 1st Street
Quarter Section: Q09-28(B8)
Proposal: Use permit for official approval of a home occupation (Federal Firearms License). Use permit required.
Ordinance Sections: 608.E.3.h.(5)
Applicant: William Sherman
Representative: William Sherman
Owner: Anastasia Sherman
Stipulation:
1) 1 year review of use permit.

Approved
w/stip

2. Application #: ZA-17-25-7
Existing Zoning: DTC-Warehouse
Location: 201 South Central Avenue, 17, 25, and 35 East Madison Street
Quarter Section: Q10-28(F8)
Proposal: Use permit to allow interim surface parking. Use permit required.
Ordinance Sections: 1204.D.Table
Applicant: Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC
Representative: Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC
Owner: Suns Legacy Properties, LLC
Stipulation:
1) Valid for 60 months.

Denied

3. Application #: ZA-54-25-6
Existing Zoning: R1-6 ACSPD
Location: 4244 North 45th Place
Quarter Section: Q17-38(H11)
Proposal: Variance to reduce side yard setback (north) to 3 feet. Minimum 10 feet required.
Ordinance Sections: 613.B.Table B
Applicant: Jordan Greenman, Greenman Law Firm

Representative: Jordan Greenman, Greenman Law Firm
Owner: Elizabeth Blutstein

**Approved
w/stip**

4. Application #: ZA-59-25-4
Existing Zoning: R-5 RI
Location: 2620 North 24th Street
Quarter Section: Q14-32(G9)
Proposal: Use permit to allow a copy and reproduction center.
Use permit required.
Ordinance Sections: 618.D.5
Applicant: Jeff Muckerman, Permits Made Easy
Representative: Jeff Muckerman, Permits Made Easy
Owner: Donald Baird Jr., Go Green Reprographics
Stipulation:
1) Commence use in 120 days.

**Approved
w/stips**

5. Application #: ZA-79-25-4
Existing Zoning: R-3
Location: 2930 East Coronado Road
Quarter Section: Q13-33(G10)
Proposal: 1) Time extension for ZA-538-22, variance to allow
a lot with no public street frontage. Frontage on a
public street is required.
2) Time extension for ZA-538-22, variance to reduce
the required side yard setback (southwest) to 1 foot.
Minimum 10 feet required.
3) Time extension for ZA-538-22, variance to reduce
the required side yard setback (north) to 1 foot.
Minimum 3 feet required.
Ordinance Sections: 615.B.Table B 615.B.Table B 615.B.Table B
Applicant: Ayali Delsole Cassel
Representative: Ayali Delsole Cassel
Owner: Ayali Delsole Cassel
Stipulations:
1) 1 year to apply and pay for building permits.
2) All prior stipulations apply.

1:30 PM

Continued

6. Application #: ZA-783-24-8 (SIGN)
Existing Zoning: PUD
Location: 1717 East McDowell Road
Quarter Section: Q12-31(G9)
Proposal: Use permit to adopt the Governor Comprehensive
Sign Plan. Use permit required.
Ordinance Sections: 704.E.2
Applicant: Jared Segel, Associated Sign Company
Representative: Jared Segel, Associated Sign Company
Owner: Tyler Faircloth, Governor Apartments, LLC

Continued to April 10, 2025 at 9:00 AM

- Approved w/stips** 7. Application #: ZA-899-24-1 (SIGN)
Existing Zoning: RE-43
Location: 4102 West Union Hills Road
Quarter Section: Q39-19(M6)
Proposal: 1) Use permit to allow an electronic message display (EMD) on a ground sign. Use permit required.
2) Variance to increase the area of a ground sign to 40 square feet. Maximum 32 square feet allowed.
Ordinance Sections: 705.C.13; 705.D.1 Table D-1
Applicant: Carlos Hernandez, Summit West Signs
Representative: Carlos Hernandez, Summit West Signs
Owner: Episcopal Church of St. John Baptist
Stipulations:
1) Sign design and general sign location shall be in accordance with the sign drawings submitted to the Hearing Officer and date-stamped February 27, 2025. Existing Sign, Monument Sign must remain in place and be modified to accommodate the EMD.
2) Maximum sign height shall be 8 feet.
3) The maximum EMD square footage shall be no greater than 18 square feet.
4) Sign illumination shall be automatically shut off daily at 10 p.m. via an automatic dimming device.
5) 12 months to obtain sign permits for the ground sign.
- Approved w/stip** 8. Application #: ZA-26-25-6
Existing Zoning: C-1 PCD
Location: 3131 East Lincoln Drive
Quarter Section: Q21-34(I10)
Proposal: 1) Use permit to allow outdoor dining as an accessory to a restaurant (Starbucks). Use permit required.
2) Use permit to allow a drive-through facility accessory to a restaurant (Starbucks) within 300 feet from a residential zoning district. Use permit required.
Ordinance Sections: 622.D.150.d 622.D.150.e.(2)
Applicant: Bryan Wright, Kimley-Horn
Representative: Bryan Wright, Kimley-Horn
Owner: 32nd & Lincoln Holdings, LLC
Stipulation:
1) Per the location and size of the patio and the location and capacity of the drive thru shown on the site plan date stamped January 13, 2025.
- Approved w/stip** 9. Application #: ZA-57-25-2
Existing Zoning: R-5 RI
Location: 2629 North 7th Street
Quarter Section: Q14-29(G8)

Proposal: 1) Variance to reduce the required number of parking spaces to 3. Minimum 4 spaces required.
2) Variance to allow vehicle maneuvering within the alley (east). Maneuvering must be located on private property.

Ordinance Sections: 702.E.9.a.(3) 702.A.1.b

Applicant: Drew Bryck

Representative: Drew Bryck

Owner: Drew Bryck

Stipulation:
1) 1 year to apply and pay for permits.

Approved w/stip 10. Application #: ZA-61-25-7

Existing Zoning: IND. PK

Location: 431 North 47th Avenue

Quarter Section: Q11-18(F6)

Proposal: 1) Variance to reduce the perimeter setback (north) to 98 feet. Minimum 111 foot setback required.
2) Variance to reduce the perimeter setback (east) to 43 feet. Minimum 111 foot setback required.
3) Variance to allow a 47 percent lot coverage. Maximum of 40 percent lot coverage permitted.

Ordinance Sections: 626.H.1.Table 626.H.1.Table 626.H.1.Table

Applicant: Icon Owner Pool 1 West / Southwest LLC, Link Logistics

Representative: Michael Maerowitz, Snell & Wilmer, LLP

Owner: Icon Owner Pool 1 West / Southwest LLC, Link Logistics

Stipulation:
1) 1 year to apply and pay for building permits.

Approved w/stips 11. Application #: ZA-68-25-7

Existing Zoning: DTC-Evans Churchill West

Location: 1109 North 2nd Street

Quarter Section: Q12-28(G8)

Proposal: 1) Use permit to allow a bar (Pemberton PHX). Use permit required.
2) Use permit to allow outdoor liquor service accessory to a bar (Pemberton PHX). Use permit required.
3) Use permit to allow liquor service accessory to a restaurant (Pemberton PHX). Use permit required.
4) Use permit to allow alcohol sales and service within 300-feet of a church in an entertainment district. Use permit required.
5) Use permit to allow outdoor entertainment Monday through Thursday, between 9:00 AM and 12:00 AM. Outdoor entertainment permitted on Friday through Sunday only. Use permit required.
6) Use permit to allow outdoor entertainment (amplified music or loudspeakers) between the

hours of 1:00 PM and 11:00 PM on Sunday through Thursday. Use permit required.

7) Use permit to allow outdoor entertainment (amplified music or loudspeakers) between the hours of 9:00 AM and 12:00 AM on Friday and Saturday. Use permit required.

8) Use permit to allow outdoor entertainment between the hours of 9:00 AM and 12:00 AM on Friday and Saturday. Use permit required.

Ordinance Sections: 1204.D.Table 1204.D.Table 1204.D.Table
307.A.17.a 1204.C.16 1204.C.5 1204.C.5
1204.C.18

Applicant: Jonathan Vento, True North Holdings, LLC

Representative: Michael Maerowitz, Snell & Wilmer, LLP

Owner: Jonathan Vento, True North Holdings, LLC

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) 8 month review.
- 3) Pemberton Business Management shall be responsible for all activities at the site, including amplified sound, live entertainment, and security.
- 4) Pemberton Business Management shall provide property owners within 300 feet and neighborhood associations within 600 feet, the current contact information (name, telephone and email) of daytime and evening premises managers. Management must respond to identified concerns within 7 business days. Changes to management shall require new notifications to be delivered within 15 days. Evidence of completion, including a copy of the letter/ mailing lists shall be submitted to the Planning and Development Department for inclusion in the case file.
- 5) The employees must have a clear view of all outdoor and entertainment areas in order to supervise the activities and be present while patrons utilize the outdoor area.
- 6) "No Trespassing" signs must be conspicuously posted on all sides of the property.
- 7) An Authority to Arrest form (ATA) must be submitted/maintained with the City of Phoenix Central City Police Precinct.
- 8) The total number of speakers shall not exceed 31.
- 9) Speakers are not permitted within 20 feet of the west property line and 10 feet of the south and east property lines. All speakers shall be oriented toward the interior of the site.
- 10) Amplified sound and loudspeakers limited to 1:00 PM to 11:00 PM on Sunday through Thursday and 9:00 AM to 12:00 AM on Friday and Saturday.
- 11) The sound / noise levels, measured at the west, south, or east property line, shall not exceed 55 dBa. An occurrence where the sound level increases up to 60 dBa for five continuous seconds or less shall not be deemed a violation of this stipulation as long as there are no more than five occurrences within an hour-long interval.
- 12) Flashing or strobe type lighting is prohibited.
- 13) Live entertainment and/or stages are allowed on Friday & Saturday only. Hours are limited to 9:00 AM to 12:00 AM.

14) Live performances and/or stages are not permitted within 50 feet of the west property line.

Approved w/stips 12. Application #: ZA-71-25-3
Existing Zoning: RE-35
Location: 5426 East Cortez Avenue
Quarter Section: Q30-40(K11)
Proposal: Use permit to allow an over height (21 feet) detached accessory structure located in the rear yard (north) setback. Maximum 15 feet in height permitted.
Ordinance Sections: 706.B.3.a
Applicant: Michael Elmore, Elmore Family Trust
Representative: Rick Hamilton, Hamilton Architecture
Owner: Michael Elmore, Elmore Family Trust
Stipulations:
1) 1 year to apply and pay for building permits.
2) Per the location of the detached RV garage, as shown on the site plan date stamped January 27, 2025.

Approved w/stips 13. Application #: ZA-86-25-6
Existing Zoning: RE-35 SP, C-1, R1-6
Location: 4700 East Warner Road
Quarter Section: Q07-38(B11)
Proposal: Use permit to allow a temporary use (outdoor fundraising event with amplified sound) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: Lisa Robinson, Ahwatukee Board of Management
Representative: Lisa Robinson, Ahwatukee Board of Management
Owner: Ahwatukee Board of Management
Stipulations:
1) No more than 6 events per year.
2) Any and all events must end by 9:00 PM.
3) Within 7 days prior to any event, the event organizer, Ahwatukee Board Management, shall notify the adjacent business of the event date, event type, event Hours and contact name and phone number in case they have issues with the event.
4) 1 year review of the use permit.

**ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBLAY
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 Saneeya Mir, 602-686-6461, Saneeya.Mir@phoenix.gov TTY: Use 7-1-1.

February 28, 2025