

RESULTS OF PUBLIC MEETING BOARD OF ADJUSTMENT

Pursuant to A.R.S. Section 38-431.02, notice was hereby given to the members of the **BOARD OF ADJUSTMENT** and to the general public, that the **BOARD OF ADJUSTMENT** held a meeting open to public on **Thursday, May 1, 2025 at 12:00 p.m.**

The Board of Adjustment was held in-person and virtually.

The results of the meeting were as follows:

RESULTS

Approved A. Approval of Minutes – April 3, 2025

(Dodds/James - Vote of 5-0) (Ammon, Beuerlein absent).

Approved B. Approval of Agenda – May 1, 2025

(Dodds/James - Vote of 5-0) (Ammon, Beuerlein absent).

No Action C. Requests for Continuance and/or Withdrawal

D. Items for Consideration

**Approved
review with
deletion of
Stipulation
#4**

1. Application #: **ZA-558-23-3 (9-Month Review)**
 Existing Zoning PSC
 Location: 830 East Greenway Parkway
 Quarter Section: Q36-29(M8)
 Proposal: Use permit to allow patron dancing as
 an accessory use to a restaurant
 (Lookout Tavern). Use permit required.

 Ordinance Sections: 622.D.150.c
 Applicant: Kevin Stout
 Representative: David Dow
 Owner: Wael Rabadi
 Appellant: Kevin Stout

***Approved the 9-month review with the deletion of
Stipulation #4.***

- 1) Patron dancing approved for the interior Dining Room
area as depicted on the site plan date stamped
October 27, 2023.***
- 2) All doors and windows are to remain closed during
patron dancing.***
- 3) The business shall designate a manager level staff as
a primary point of contact for surrounding neighbors
and neighborhood associations. Contact information***

for the Primary Contact must be provided to any interested neighbors or neighborhood associations and the manager must respond to identified concerns within 7 business days. A copy of the designated Primary Contact person's name and phone number shall be provided to the Planning and Development Department for inclusion in the case file and must be updated within 48 hours of any changes.

~~4) The use permit shall be reviewed in nine months to ensure noise concerns and neighborhood complaints are being addressed.~~

(Ammon/Dodds - Vote of 6-0) (Beuerlein absent).

**Upheld
ZAHO**

2. Application #: **ZA-830-24-6**
Existing Zoning: R-3
Location: 1926 East Colter Street, Unit 1, 2, 3, 4, 5, 6
Quarter Section: Q19-31(H9)
Proposal: **1)** Variance to reduce the building setback (south) to 0 feet (Lots 2, 4, 6, 8). Minimum 10 feet required.
2) Variance to allow vehicle maneuvering within the right of way (Colter Street). Maneuvering must be located on private property.
3) Variance to allow vehicle maneuvering within the alley (north). Maneuvering must be located on private property.
4) Variance to reduce the perimeter setback (east) to 12 feet. Minimum 15 feet required.
5) Variance to reduce the building setback (west) to 0 feet. Minimum 15 feet required.
6) Variance to reduce the landscape setback (west) to 0 feet. Minimum 5 feet required.
7) Variance to reduce the landscape setback (north) to 0 feet. Minimum 5 feet required.
8) Variance to allow lots (Lots 1, 3, 5, 7) with no street frontage. Frontage on a public street is required.
Ordinance Sections: 615.B.Table B; 702.A.1.b; 702.A.1.b; 615.B.Table B; 615.B.Table B; 703.B.3.b.(3); 703.B.3.b.(3); 615.B.Table B

Applicant: Harry M. Lourimore, Lourimore Land & Development, LLC
Representative: Dane Astle, EDIFICE Architecture
Owner: Phillip Dyer, Dyer Family Trust
Appellant: Shaine Alleman, Tiffany & Bosco PA

Upheld the Zoning Adjustment Hearing Officer's decision and denied the variances.

(Graham/Dodds - Vote of 6-0) (Beuerlein absent).

**Overtured
ZAHO with a
stipulation**

3. Application #: **ZA-891-24-1**
Existing Zoning: R1-8
Location: 3214 West Voltaire Avenue
Quarter Section: Q32-21(L6)
Proposal: Variance to allow the required parking within the required front yard setback (south). Required parking not permitted within the front yard setback.

Ordinance Sections: 702.F.1.a
Applicant: Nathaniel King, Copperhead Homes, LLC
Representative: Nathaniel King, Copperhead Homes, LLC
Owner: Nathaniel King, Copperhead Homes, LLC
Appellant: Nathaniel King, Copperhead Homes, LLC

Overtured the Zoning Adjustment Hearing Officer's decision and approved the variance with a stipulation:

1) 18 months to apply and pay for building permits.

(Eigo/James - Vote of 5-1) (Dodds) (Beuerlein absent).

E. Other Business

- Updated** 4. Update on next Board of Adjustment agenda.
Updated 5. Update on pending appeals of the Board of Adjustment.
No Action 6. Q & A: Procedure and Process - Board of Adjustment case law.

Adjourned F. Adjournment

For further information, please call Julie Garcia in the Planning and Development Department at 602-495-7029 or contact us via electronic mail at

pdd.boardofadjust@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 Saneeya Mir at saneeya.mir@phoenix.gov or 602-686-6461, TTY: Use 7-1-1.

May 1, 2025