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 **January 3**, 2013, at 9:00 a.m. located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona.

The results for the meeting were as follows:

RESULTS

9:00 AM

Approved 1. w/ stips

Application #: ZA-392-12-3 (Sign) (Continued from

12/6/12)

Existing Zoning: R-5

Location: 2625 East Cactus Road

Quarter Section: 30-33(K9)

Proposal: 1) Use permit to establish the Arizona

Christian University Comprehensive Sign Plan. Use permit required. 2) Use permit for an electronic message display as part of a sign. Use permit required.

Ordinance Sections: 705. E.2., 705.C.13

Applicant: Scott Mehlhoff Identity Sign Group, Inc. Representative: Scott Mehlhoff Identity Sign Group, Inc.

Owner: Heather Kim Arizona Christian

University

Stipulations:

1) General conformance to the comprehensive sign plan dated November 13, 2012. 2) Illuminated signs to be shut off at 10:00 p.m. until 6:00 a.m. This includes only the illuminated signs facing residential zoning districts. 3) 6 months to apply and pay for sign permits. 4) Maximum 20 copy changes per hour for the message board sign(s).

Withdrawn 2. Application #: ZA-371-12-1 (Continued from 11/20/12)

Existing Zoning: R1-8

Location: 3818 West Sandra Terrace

Quarter Section: 36-20(M6)

Proposal: Variance to reduce side yard setback

(east) to 4 inches. 3 feet required.

Ordinance Sections: 612.B. Table B
Applicant: David Phillips
Representative: David Phillips
Owner: David Phillips

Approved w/ stips

3. Application #: ZA-412-12-7

Existing Zoning: C-3 CMOD

Location: Northeast corner of 20th Avenue and

Van Buren Street

Quarter Section: 11-24(F7)

Proposal: Use permit for display of new

merchandise outdoors as an accessory

use. Use permit required.

Ordinance Sections: 624.C.2

Applicant: Jorge L. Ramirez JLR Design Build LLC Representative: Jorge L. Ramirez JLR Design Build LLC Owner: Juan Ramirez 1944 W Van Buren St

LLC

Stipulations:

1) Displays labeled as option #1 on site plan signed and dated by Zoning Adjustment Hearing Officer, January 3, 2013.

2) The display shall be no higher than 8 feet.

Approved w/ stip

4.

Application #: ZA-413-12-2

Existing Zoning: R-3

Location: 3113 East Danbury Road

Quarter Section: 37-34(M10)

Proposal: 1) Variance to eliminate the required

multi-family loading space. Minimum 1 loading space required. **2)** Variance to delete the requirement to provide one (1) unreserved parking space. Minimum

one (1) unreserved parking space

required.

Ordinance Sections: 702.B.2.c.Table C 702.C.Table

Applicant: GCHI Land Holding LLC

Representative: Grady Gammage, Gammage &

Burnham

Owner: GCHI Land Holding LLC

Stipulation:

1) Apply and pay for permits within two years.

Approved w/ stips

5.

Application #: ZA-414-12-8

Existing Zoning: DTC-COM-2

Location: 717 South Central Avenue

Quarter Section: 9-28(F8)

Proposal: 1) Use permit to allow a bar/night club.

Use permit required. **2)** Use permit to allow outdoor alcohol consumption as an accessory use to a bar (Last Exit

Live). Use permit required

Ordinance Sections: 1204. Land Use Matrix 1204. Land Use

Matrix

Applicant: Brannon Kleinlein Last Exit Live, LLC Representative: Brannon Kleinlein Last Exit Live, LLC

Owner: Chicanos Por La Causa, Inc

Stipulations:

1) Shall provide evidence that parking is permitted on adjacent properties. 2) The employees must have a clear view of the area in order to supervise activities and/or be present while patrons utilize the outdoor area. 3) The area must be sufficiently lighted and contained to discourage unlawful activity. 4) Outdoor noise not to exceed 60 decibels. 5) 90 days to apply and pay for a building permit.

Approved 6. Application #: w/ stip

Existing Zoning: RE-35

Location: 5604 East Camelback Canyon Drive

ZA-415-12-6

Quarter Section: 20-38(I11)

Proposal: Time extension for ZA-249-12, a

variance to reduce the side setback (southeast side) to 8 feet. Minimum 20

feet required.

Ordinance Sections: 307. A.12.

Applicant: Clark Williams CLW Holdings LLC Representative: John Glenn CCBG Architects Clark Williams CLW Holdings LLC

Stipulation:

1) Apply and pay for permits within 1 year.

Approved w/ stips

7.

Application #: ZA-416-12-6

Existing Zoning: C-1

Location: Approximately 615 feet north of the

northwest corner of 12th Street and

Glendale Avenue

Quarter Section: 23-29(I8)

Proposal: 1) Use permit to allow sale of alcoholic

beverages accessory to a restaurant. Use permit required. 2) Use permit to allow outdoor dining accessory to a restaurant. Use permit required. 3) Use

permit to allow outdoor alcoholic beverage consumption accessory to a restaurant. Use permit required. 4) Variance to reduce the north landscape setback to 6 feet. Minimum 10 feet required. 5) Variance to reduce the south landscape setback to 6 feet. Minimum 10 feet required. 6) Variance to delete the landscaped setback along 12th Street. An average of 25 feet is required, minimum 20 feet permitted for up to 50 percent of the frontage. 7) Variance to reduce the drive aisle width to 24 feet. The combined depth of the parking space and the aisle width shall equal 62 feet for a double loaded aisle and 43 feet for a single loaded aisle. 8) Variance to allow a 6-foot high screen wall and trash enclosure within the required front yard (building and landscape setback along 12th Street). Maximum 40 inches permitted within or bounding the required front yard for lots fronting on a public street.

Ordinance Sections: 622. D.144.a. 622. D.144.d.

622.D.144.d. 622.E.4.e.

622. E.4.e. 622. E.4.e. 702. B.2.b.(5)

703.A.3.a.

Applicant: Shady Lane Investors, LLC

Representative: Lorenzo G. Perez Venue Projects, LLC

Owner: Shady Lane Investors, LLC

Stipulations:

- 1) Employees must have unobstructed views into the patio areas to monitor patron activities. 2) The patio areas will have adequate lighting and a containment wall or fence to prevent the unlawful removal of alcohol. 3) The hours of operation shall be from 7:00 a.m. to 10:00 p.m. Sunday Thursday and 7:00 a.m. to 11:00 p.m. Friday and Saturday. Delivery shall be limited to the above hours of operation. 4) No outdoor speaker use or amplifiers.
- **5)** Valet parking will be provided at no cost to customers.
- **6)** Property shall be gated during non-business hours when first restaurant is open for business to the public. **7)** Shall maintain revocable permit and the trees until the city revokes it.
- 8) 18 months to apply and pay for building permit. 9) Variance to reduce drive aisle widths shall apply to drive aisles on the south of

property and west of the buildings on the subject site.

Approved 8. w/ stip

Application #: ZA-417-12-3

Existing Zoning: C-1

Location: 13843 North Tatum Boulevard Suite 4

Quarter Section: 33-39(L11)

Proposal: Variance to allow second hand or used

merchandise sales within 1,320 feet of another such use. No such use shall be located on a lot within 1,320 feet of

another such use.

Ordinance Sections: 622.D.149.b

Applicant: Zedekiah Masters Zed's Games Inc.
Representative: Zedekiah Masters Zed's Games Inc.
Owner: Westwood Financial Corporation

Stipulation:

1) Confined to selling video games, consoles, and accessories

related to the use of video game consoles.

Approved 9. Application #: ZA-418-12-8

Existing Zoning: C-2

Location: Northeast corner of 24th Place and

McDowell Road (2438-2454 East

McDowell Road)

Quarter Section: 13-33(G9)

Proposal: Use permit to allow a tattoo shop. Use

permit required.

Ordinance Sections: 623. D.184.

Applicant: Roy Gutierrez Purgatory Tattoo
Representative: Steve Rosati Arcadia Management
Owner: Donna Walker D&M Family LLP and

ICB LLC

Approved w/ stips

10. Application #: ZA-421-12-7

Existing Zoning: C-2 BAOD

Location: 36 East Baseline Road

Quarter Section: 1-28(D8)

Proposal: Use Permit to modify stipulations from

ZA-19-10 for a previously approved pawn shop. Use permit required.

Ordinance Sections: 623. D.131.a.

Applicant: Bill Voorhaar JA & VO Enterprises, LLC

Representative: Charles Huellmantel, Huellmantel &

Affiliates

Owner: Vanessa Poster Baseline, LLC

Stipulations:

1) No buying or selling of pornographic materials. 2) No buying or selling of ammunition. 3) Hours of operation Monday through Sunday will be 9:00 a.m. to 9:00 p.m. Open from 9:00 a.m. to 10:00 p.m. in November and December.

1:30 PM

Continued 11. Application #: ZA-422-12-8

Existing Zoning: R1-10

Location: Northeast Corner of 14th Street and

East Dobbins Road

Quarter Section: 02-30(C9)

Proposal: Use permit to exceed height of 40

inches for retaining wall. Use permit required for retaining walls over 40

inches.

Ordinance Sections: 703.A.4.c

Applicant: Mandalay Homes, Inc.

Representative: Cardno

Owner: Mandalay Homes, Inc. Continued to January 31, 2013 at 9:00 a.m.

Denied 12. Application #: ZA-423-12-3

Existing Zoning: R1-6

Location: 1342 East Shangri La Road

Quarter Section: 29-30(K9)

Proposal: 1) Variance to allow a detached

accessory structure 2 feet, 5 inches from the side property line within the required side yard (east). Minimum 3 feet required within the required side yard. 2) Variance to allow a detached accessory structure 4 feet, 7 inches from a structure on the same lot. Minimum 6 feet required between

structures on the same lot. 3) Variance

to allow a a detached accessory

structure at a height of 10 feet within the required side yard (east). Maximum height of 8 feet is permitted within the

required side yard.

Ordinance Sections: 706.B. 706.B. 706.C.

Applicant: Harold Leeds
Representative: Harold Leeds
Owner: Harold Leeds

Denied 13. Application #: ZA-425-12-1

Existing Zoning: C-3 DVAO

Location: Approximately 150 feet south of the

southeast corner of North Black Canyon Highway and West Lone Cactus Drive

Quarter Section: 42-23(N7)

Proposal: Use permit to allow a Neighborhood

Collection Center. Use permit required.

Ordinance Sections: 624.D.91.a

Applicant: Joseph F. Anselmo Representative: Laurie E. Sorkin Owner: Pauline A. Henry

Approved 14. / w/ stips

Application #: ZA-427-12-6

Existing Zoning: R1-14

Location: 5240 East Calle Ventura

Quarter Section: 16-40(H11)

Proposal: Variance to allow 29.86% lot coverage.

Maximum of 25% lot coverage

permitted.

Ordinance Sections: 607. B.5.

Applicant: Michael Gilson Accurate Estimating

Services

Representative: Michael Gilson Accurate Estimating

Services

Owner: Mary Lyn Hammer, Hammer Qualified

Personal Residence Trust

Stipulations:

1) 6 months to apply and pay for building permit. 2) Shall not have

second-story construction on any portion of the lot.

ZONING ADJUSTMENT HEARING OFFICERS: MICHAEL WIDENER PLANNER: RACELLE ESCOLAR

For further information, please call Ed Keyser, Planner II, Planning and Development Department at 602-495-0382, or contact via electronic mail at zoning@phoenix.gov. This electronic mail address will not accommodate zoning enforcement/violation complaints.