NOTICE OF RESULTS
BOARD OF ADJUSTMENT

Pursuant to A.R.S. Section 38-431.02, notice is 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, September 12, 2013, at 12:00 p.m. located in City Council Chambers, 200 West Jefferson Street, Phoenix, Arizona.**

The results of the meeting were as follows:

(ZAHO = Zoning Adjustment Hearing Officer)

RESULTS

Approved **A. Approval of Agenda**
(Gaynor/Ryan – Vote of 5-0. (Hunter, Adams absent)

No Action **B. Requests for Continuance and/or Withdrawal**

C. Items for Consideration

Upheld ZAHO with modified stip #2

1. Application #: **ZA-226-13-7 (Continued from September 5, 2013)**
Existing Zoning: DTC - Warehouse
Location: 17 East Madison Street
Quarter Section: 10-28(F8)
Proposal: Use permit to allow an interim surface parking lot in the DTC-Warehouse Character Area for 72-months. Use permit is required.
Ordinance Sections: 1204.D.
Applicant: Suns Legacy Properties, LLC
Representative: Withey Morris, PLC
Owner: Suns Legacy Properties, LLC
Appellant #1/ Representative: Michael Levin / Dustin Jones / JonesLaw.Biz, PLC
Appellant #2: Sean Sweat / Thunderdome Neighborhood Association for Non-Auto Mobility

Upheld the ZAHO's decision of approved with stipulations, with an emphasis on stipulation #2:
1) For five years.
2) Landscaping as proposed on the site plan along Madison Street and as approved by the Planning and Development Department.
3) 6 months to apply and pay for building permits.

(Ryan/Jeffries – Vote of 5-0. (Hunter, Adams absent)

Overturned ZAHO

2. Application #: **ZA-159-13-6 (Continued from September 5, 2013)**
Existing Zoning: RE-35
Location: 11 N Biltmore Estates
Quarter Section: 20-34(I10)
Proposal: Variance to increase the building height to 36 feet. Maximum 30 feet permitted.
Ordinance Sections: 609.B. Table
Applicant: Steve Cooper / 11 Biltmore Estates LLC
Representative: Blaine Brunson
Owner: Steve Cooper / 11 Biltmore Estates LLC
Appellant: Steve Cooper / 11 Biltmore Estates LLC
Overturned the ZAHO's decision of denied and approved the variance.
(Jeffries/Koester – Vote of 5-0. (Hunter/Adams)

D. Other Business

No Action

3. The Board may vote to go into Executive Session pursuant to A.R.S Section 38-431.03.A.3 for the purpose of receiving legal advice re: any of the above Items A-D.

For further information, please call Mary L. Brown, Secretary to the Board, in the Planning and Development Department at 602-495-7029, or contact us via electronic mail at zoning@phoenix.gov. This electronic mail address will not accommodate zoning enforcement/violation complaints.

For reasonable accommodations, call at Voice/ or the City TTY/602-534-5500 as early as possible to coordinate needed arrangements.

September 12, 2013