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 **September 12, 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 a.m.

Approved w/ stip	1.	Application #:	ZA-239-13-4 (Sign) (Continued from 8/8/13)
		Existing Zoning:	C-2 H-R TOD-1
		Location:	2828 North Central Avenue
		Quarter Section:	14-27(G8)
		Proposal:	**1)** Use permit to establish the One Thomas Building / 2828 North Central Avenue Comprehensive Sign Plan. Use permit required. **2)** Variance to increase the maximum height to 11.88 feet and the maximum sign area to 49.43 square feet. Maximum height with a comprehensive sign plan is 3.75 feet and maximum sign area with a comprehensive sign plan is 37.5 square feet. **3)** Variance to allow two high-rise wall signs to be placed in the top twelve percent of the wall to which they are attached. Wall signs over 56 feet in height shall be placed in the top ten percent of the wall to which they are attached.
		Ordinance Sections:	705. E.2. 662.K. 705.D.3.i.(2)
		Applicant:	Dan Kronenberg, Trademark Visual, Inc.
		Representative:	Dan Kronenberg, Trademark Visual, Inc.
		Owner:	One Thomas Building, LLC

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

Continued	2.	Application #:	ZA-152-13-6 (Continued from 8/8/13)
		Existing Zoning:	R1-10 ACSPD
		Location:	4743 East Lafayette Boulevard
		Quarter Section:	17-38(H11)
		Proposal:	**1)** Variance to reduce front yard setback to 10 feet. 25 feet required. **2)** Variance to reduce street (north) side setback to 3 feet. 10 feet required.
		Ordinance Sections:	611.B. Table 2 611.B. Table 2
		Applicant:	Kirk Harmon Mitchell McCabe, LLC
		Representative:	Kirk Harmon Mitchell McCabe, LLC
		Owner:	Gayle Harmon Mitchell McCabe LLC
		Continued to October 17, 2013 at 9:00 a.m.	
Continued	3.	Application #:	ZA-219-13-6 (Continued from 7/18/13)
		Existing Zoning:	RE-35 ACSPD
		Location:	6230 East Exeter Boulevard
		Quarter Section:	17-42(H12)
		Proposal:	Variance to allow accessory structure 11 feet 4 inches high in the required side yard setback. Maximum 8 feet is allowed.
		Ordinance Sections:	706.C
		Applicant:	Christopher Richardson
		Representative:	Mike Schern Schern Richardson Fineter Decker, PLC
		Owner:	Christopher Richardson
		Continued to October 17, 2013 at 9:00 a.m.	
Approved	4.	Application #:	ZA-219-12-7 (1-year review)
		Existing Zoning:	
		Location:	2102 North 23rd Avenue
		Quarter Section:	13-23(G7)
		Proposal:	**1)** Variance to allow a non-residential use to use parking spaces on another lot approximately 500 feet away towards their parking requirements. Maximum distance

			of lot to be 300 feet away. **2)** Variance to reduce parking to 90 spaces. Minimum of 100 parking spaces required.
		Ordinance Sections:	702.A.4.a(1) 702.C. Table
		Applicant:	Eduardo "Lalo" Gonzalez
		Representative:	Eduardo "Lalo" Gonzalez
		Owner:	NRES Phoenix Portfolio 1, LLC
Approved w/ stips	5.	Application #:	ZA-269-12-4 (1-year review)
		Existing Zoning:	C-3
		Location:	2300 West Indian School Road
		Quarter Section:	17-23(H7)
		Proposal:	Use permit to allow a neighborhood collection center. Use permit required.
		Ordinance Sections:	624.D.91.a
		Applicant:	Fortunato S. Beltran, DSYMAS
		Representative:	Fortunato S. Beltran, DSYMAS
		Owner:	Combined Commercial, LLC
		Stipulations:	
		1) One year review. **2)** Hours for can collection 8:00 a.m. – 6:00 p.m. **3)** Subject to site plan signed and dated by Hearing Officer on September 13, 2012. **4)** Signage must be in compliance with current sign standards.	
Approved w/ stips	6.	Application #:	ZA-270-13-6
		Existing Zoning:	R1-6
		Location:	4301 North 34th Street
		Quarter Section:	17-35(H10)
		Proposal:	Variance to reduce rear yard (east) setback to 10 feet. 25 feet required.
		Ordinance Sections:	612.B Table B
		Applicant:	Michael Kolejka, AIA MK Architects
		Representative:	Michael Kolejka, AIA MK Architects
		Owner:	Chadwic Gifford
		Stipulations:	
		1) Conformance to site plan dated August 3, 2013. **2)** One year to apply and pay for building permits.	
Approved	7.	Application #:	ZA-273-13-4

w/ stips

Existing Zoning:	C-2
Location:	5202 North Central Avenue
Quarter Section:	19-27(H8)
Proposal:	**1)** Use Permit to permit outdoor dining accessory to a restaurant (Joy Ride) within 500 feet of residential zoning. Use Permit required. **2)** Use Permit to permit outdoor alcoholic beverage consumption accessory to a restaurant (Joy Ride) within 500 feet of residential zoning. Use Permit required. **3)** Use permit to permit outdoor recreation uses accessory to a restaurant (Joy Ride). Use permit is required. **4)** Variance to reduce the required landscape setback to 0 feet (Colter Street). Minimum 20 feet permitted for up to 50% of the frontage.
Ordinance Sections:	623.D.154.c 623.D.154.c 623.D.154.c 623.E.4.e
Applicant:	Michael Rumpeltin, RSP Architects, Ltd.
Representative:	William Hawking, RSP Architects, Ltd.
Owner:	Pat Mahoney Properties

Stipulations:

1) 9 months to apply and pay for building permits. **2)** Per site plan signed and dated by Zoning Adjustment Hearing Officer. **3)** Hours of use for outdoor uses no earlier than 10:00 a.m. and no later than 11:00 p.m. Sunday through Thursday, 10:00 a.m. to midnight Friday and Saturday. **4)** Employees must have a clear view of the area in order to supervise the activities and/or be present while patrons utilize the outdoor area. **5)** Area be sufficiently illuminated and contained to discourage any unlawful activities. Precinct Commander, or designee, may approve lighting containment area and security personnel at their discretion.

Approved w/ stips

8.

Application #:	ZA-274-13-6
Existing Zoning:	R1-18, R1-6 PCD
Location:	Northwest corner of 19th Avenue and Chandler Boulevard

		Quarter Section:	012-23(A7) 011-23(A7) 011-24(A7)
		Proposal:	Use permit to allow temporary use (parking). Use permit is required.
		Ordinance Sections:	708.D.1
		Applicant:	City of Phoenix - Parks and Recreation Dept
		Representative:	City of Phoenix - Parks and Recreation Dept
		Owner:	City of Phoenix - Parks and Recreation Dept

Stipulations:
1) Per site plan approved by the Zoning Administrator. **2)** One year to apply and pay for permits. **3)** Temporary parking allowed for three years.

Approved w/ stip	9.	Application #:	ZA-275-13-6
		Existing Zoning:	R-5, RE-35
		Location:	2101 East Maryland Avenue
		Quarter Section:	21-32(I9)
		Proposal:	Use permit to allow a disguised wireless communications facility on public/quasi-public space. Use permit required.
		Ordinance Sections:	715.B.2.a.(3).a
		Applicant:	Declan Murphy, Coal Creek Consulting LLC, for AT&T Mobi
		Representative:	Declan Murphy, Coal Creek Consulting LLC, for AT&T Mobi
		Owner:	Simon Amavisca, City of Phoenix

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

1:30 p.m.

Approved w/ stips	10.	Application #:	ZA-277-13-6
		Existing Zoning:	R1-14 ACSPD
		Location:	3816 North 54th Court
		Quarter Section:	16-40(H11)
		Proposal:	Request to increase lot coverage to 26.4%. Maximum lot coverage of 25% permitted.
		Ordinance Sections:	607.B.5
		Applicant:	Robert and Joan Lipson

		Representative:	Robert and Joan Lipson
		Owner:	Robert and Joan Lipson
		Stipulations:	
		1) Per site plan signed and dated by Zoning Adjustment Hearing Officer. **2)** Signed site plan to be included with building permit submittal. **3)** One year to apply and pay for building permits.	
Under Advisement	11.	Application #:	ZA-278-13-6
		Existing Zoning:	R1-10
		Location:	3003 North Marigold Drive
		Quarter Section:	15-41(G12) 15-41(G11) 15-42(G12) 15-42(G11)
		Proposal:	Variance for an over height (6 foot) wall in the front yard. Maximum height of 40 inches allowed.
		Ordinance Sections:	703.A.2.a
		Applicant:	Greg S. Kertman & Lindsey M. Clyde
		Representative:	Paul Kertman, Carson Messinger, PLLC
		Owner:	Greg S. Kertman & Lindsey M. Clyde
Approved w/ stip	12.	Application #:	ZA-279-13-7
		Existing Zoning:	C-2
		Location:	3502 West Baseline Road
		Quarter Section:	1-20(D6)
		Proposal:	Use Permit to allow a drive-through queuing lane as an accessory use to a restaurant (Wendy's) within 300 feet of a residential district.
		Ordinance Sections:	623.D.154.d.(2)
		Applicant:	Donald Andrews, Jr. Andrew's Design Group, Inc.
		Representative:	John Moore JMJ-LLC
		Owner:	James Neal HH-Laveen, Inc.
		Stipulation:	
		1) 90 days to apply and pay for building permits.	
Approved	13.	Application #:	ZA-296-13-6

w/ stips

Existing Zoning:	PSC approved C-1
Location:	3153 East Lincoln Drive
Quarter Section:	21-34(I10)
Proposal:	Use permit to allow alcohol sales and service as an accessory use to a Dance Studio. Use permit required.
Ordinance Sections:	622.C.97
Applicant:	Tammy Fannin, Take the Floor Dance Studio, LLC
Representative:	Darin Sender, Esq. Sender Associates, Chtd.
Owner:	Keith Moser, Lincoln View Plaza, LLC

Stipulations:
1) Hours of operation no earlier than 10:00 a.m. or later than midnight for alcohol service. **2)** No exterior signage regarding alcohol sales allowed. **3)** Use permit only applies to 3153 East Lincoln Drive. **4)** 9 months to apply and pay for building permits.

ZONING ADJUSTMENT HEARING OFFICER: HEIDI SHORT AND TERESA HILLNER, PLANNER III
PLANNER: EDWARD KEYSER

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.