

RESULTS OF PUBLIC HEARING 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 23, 2014, 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. | Application #:
Existing Zoning:
Location:
Quarter Section:
Proposal:

Ordinance Sections:
Applicant:
Representative:
Owner: | ZA-452-13-1 (Sign)
IND. PK.
17600 North Black Canyon Highway
37-23(M7)
Use permit for an electronic message display as part of a sign. Use permit required.

705.C.13.
Dane Alvord, Royal Sign Company
Dane Alvord, Royal Sign Company
Scott Fameli, Desert Breeze Community Church |
| Approved w/ stip | 2. | Application #:

Existing Zoning:
Location:
Quarter Section:
Proposal:

Ordinance Sections: | ZA-446-13-2

C-2
13811 North Tatum Boulevard
33-39(L11)
1) Time extension for ZA-494-10-3 1)
Variance to reduce south side setback to 8 feet. Minimum 25 feet required when adjacent to a public street. 2) Variance to reduce landscape setback to 8 feet. Minimum 25 feet average required along street side. 3) Use permit to allow a plant nursery in C-2 zoning district. Use permit required. 2) Use permit to modify the proximity of the display area to the building entrances/exits by 50%. Use permit required. 3) Use permit to install/place temporary outdoor storage containers. Use permit required.

307.A.12. 623.E.5.g. 623.E.5.h. |

Applicant: Joy Mee, Joy A. Mee Planning Strategies Inc.
Representative: Joy Mee, Joy A. Mee Planning Strategies Inc.
Owner: Arthur Holm, Ace Place, LLC, dba Paradise Valley Ace L

Stipulations:

1) Time extension approved, subject to 10 months to apply and pay for building permits. **2)** Use permit approval valid until January 23, 2017, for display area and outdoor storage containers.

**Approved
w/ stips**

3. Application #: ZA-447-13-8

Existing Zoning: DTC - West Evans Churchill
Location: 801 North 3rd Street
Quarter Section: 10-28(F8)
Proposal: Use permit to allow outdoor alcohol service as an accessory use to a restaurant. Use permit required.

Ordinance Sections: 1204.D.
Applicant: Derek Pasioka
Representative: Derek Pasioka
Owner: Derek Pasioka

Stipulations:

1) Patio area to be sufficiently lit and have a containment wall or fence to prevent unlawful removal of alcohol. Precinct Commander or designee will approve lighting and security personnel to monitor patron activities. **2)** Employees must have unobstructed views into the patio area or be present to monitor patron activities. **3)** All laws and city ordinances, including curfew and noise, must be complied with. **4)** Review within one year of Certificate of Occupancy. **5)** 6 months to apply and pay for building permits.

**Approved
w/ stips**

4. Application #: ZA-448-13-7

Existing Zoning: C-2
Location: 2020 North 75th Avenue Suite 14
Quarter Section: 13-10(G4)
Proposal: Use permit to allow a pawn shop (Aztec Pawn & Gold). Use permit required.

Ordinance Sections: 623.D.132.
Applicant: Bill Voorhaar, JA & VO Enterprises, LLC
Representative: Charles Huellmantel, Huellmantel & Affiliates
Owner: Desert Sky Esplanade, LLC

Stipulations:

1) No pornographic materials to be sold. **2)** 12 months to apply and pay for building permits.

**Approved
w/stip**

5. Application #: ZA-449-13-3
- Existing Zoning: R1-14
Location: 2902 East Voltaire Avenue
Quarter Section: 32-34(L10)
Proposal: Variance to reduce the required front yard setback to 14 feet. Minimum 40 feet required.
- Ordinance Sections: 607.B.2.
Applicant: Santos E. Ugalde
Representative: Santos E. Ugalde
Owner: Victoria A. Jarosz
- Stipulation:**
1) 6 months to apply and pay for building permits.

Continued

6. Application #: ZA-450-13-1
- Existing Zoning: IP
Location: 2323 West Behrend Drive
Quarter Section: 40-23(N7)
Proposal: Use permit to allow for a temporary surface parking lot for 36 months. Use permit required.
- Ordinance Sections: 708.D.1.
Applicant: Wendy Riddell, Berry Riddell & Rosensteel, LLC
Representative: Wendy Riddell, Berry Riddell & Rosensteel, LLC
Owner: PRI Deer Valley, LLC
- Continued to April 24, 2014 at 9:00 a.m.**

**Approved
w/ stip**

7. Application #: ZA-451-13-4
- Existing Zoning: C-2
Location: 2309 East Indian School Road
Quarter Section: 16-32(H9)
Proposal: Use permit to allow alcoholic beverage consumption accessory to a bar (Kats) within 500 feet of a residential district. Use permit required.
- Ordinance Sections: 623.D.156.c.
Applicant: Wanda Lee Kats
Representative: Wanda Lee Kats
Owner: Wanda Lee Kats

Stipulations:

1) One year to apply and pay for building permits. **2)** Review in one year after certificate of completion. **3)** Hours of use for outdoor area to be no earlier than 8:00 a.m. and no later than 2:00 a.m. **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 activity. The precinct commander, or his designee, may approve lighting, containment area, and security personnel at their discretion. **6)** Outside speaker volume to be kept at a reasonable level. **7)** Outside lighting must conform to city code. **8)** Rear door to be closed at 8:00 p.m. **9)** Alley to be cleaned up weekly.

**Approved
w/ stips**

8.

1:30 PM

Application #: ZA-454-13-2

Existing Zoning: RE-24

Location: 12215 North 61st Street

Quarter Section: 31-42(K12)

Proposal: **1)** Use Permit requested to allow generation of traffic for a home occupation. Use permit required. **2)** Use Permit requested to obtain official approval of a home occupation. Use permit required.

Ordinance Sections: 606.A.12.h. 606.A.12.h.

Applicant: Donald Wong

Representative: Donald or Cristina Wong

Owner: Wong Family Trust

Stipulations:

1) No home occupation activities on Monday or Friday. **2)** Operation Tuesday, Wednesday and Thursday 6:00 p.m. to 10:00 p.m. for home occupation and Saturdays and Sundays 9:00 a.m. to 5:00 p.m. **3)** No more than 6 clients may be seen per day. **4)** Review in 120 days.

**Approved
w/ stip**

9.

Application #: ZA-455-13-6

Existing Zoning: R1-6

Location: 810 East Ocotillo Road

Quarter Section: 22-29(18)

Proposal: Variance to allow perimeter walls to be 10' high on all sides. Maximum 40" or 6' allowed.

Ordinance Sections: 703.A.2.

Applicant: Ryan Weed, Coe & Van Loo Consultants

Representative: Inc.
Ryan Weed, Coe & Van Loo Consultants
Inc.
Owner: James Looney, Arizona Public Services
(APS)

Stipulation:

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

Denied

10. Application #: ZA-456-13-8
Existing Zoning: R-3
Location: 3022 North 38th Street
Quarter Section: 15-36(G10)
Proposal: Variance to reduce common open space to
1%. Minimum 5% required.
Ordinance Sections: 703.B.4.a.(1)
Applicant: Ron Harris, LVA Urban Design Studio
Representative: Kevin Rust, Silver Fern Companies
Owner: 38 North Development, Karl Tunberg,
Managing Partner

**Approved
w/ stips**

11. Application #: ZA-457-13-2
Existing Zoning: C-2
Location: 28244 North Tatum Boulevard
Quarter Section: 51-38(P11)
Proposal: **1)** Use permit to allow outdoor dining as
accessory use to a restaurant (Cocomo
Joe's) within 500 feet of residential zoning.
Use permit is required.. **2)** Use permit to
allow outdoor alcoholic beverage
consumption as accessory use to a
restaurant (Cocomo Joe's) within 500 feet
of residential zoning. Use permit is required.
Ordinance Sections: 623.D.156.c. 623.D.156.c.
Applicant: Martin Flood, Architecture and Engineering
Solutions
Representative: Martin Flood, Architecture and Engineering
Solutions
Owner: Cornerstone Development Partners Inc.
Stipulations:
1) Employees must have unobstructed views into the patio area or
be present to monitor patron activities. **2)** Patio area will have
adequate lighting and a containment wall or fence to prevent the
unlawful removal of alcohol. **3)** Hours of use of the outdoor patio
area will be no earlier than 6:00 a.m. and no later than 2:00 a.m.
4) Entrance to patio will be from inside of the business. **5)** Police

Precinct Commander or designee may require licensed security guards or off duty police at their discretion after periodic reviews of the activities at the business.

**ZONING ADJUSTMENT HEARING OFFICER: PATRICK PAUL
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.