

**NOTICE OF PUBLIC HEARING  
ZONING ADJUSTMENT HEARING  
\*Revised July 29, 2016**

***(Reordered agenda; case times remain the same.)***

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** will hold a meeting open to the public on **August 4, 2016, at 9:00 a.m. located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona.**

The agenda for the meeting is as follows:

- 9:00 AM**
1. Application #: ZA-256-16-6 (Sign)  
Existing Zoning: C-2 PCD  
Location: 3840 East Ray Road  
Quarter Section: 09-35(B10)  
09-36(B10)  
Proposal: **1)** Use permit for a major amendment to the Mountain Park Pavilions Comprehensive Sign Plan (Breyer Law Team ground sign). Use permit required. **2)** Use permit for an electronic message display as part of a ground sign. Use permit required.  
Ordinance Sections: 705.E.2. 705.C.13.  
Applicant: Chris Gilliland, Bootz and Duke Sign Company  
Representative: Chris Gilliland, Bootz and Duke Sign Company  
Owner: Alexis/Mark Breyer, Kenzie Realty, LLC
  
  2. Application #: ZA-309-16-1  
Existing Zoning: RE-43  
Location: 4112 West Topeka Drive  
Quarter Section: 39-19(M6)  
Proposal: **1)** Time extension of ZA-546-15, a variance to reduce the rear yard setback (north) to 10 feet for a detached accessory structure. Minimum 40 feet required. **2)** Time extension of ZA-5646-15, a variance to reduce the side yard setback (west) to 10 feet for a detached accessory structure. Minimum 30 feet required. **3)** Time extension of ZA-546-15, a variance to reduce the front yard setback (south) to 20.5 feet. Minimum 40 feet required.  
Ordinance Sections: 605.B.4. 605.B.3. 605.B.2.  
Applicant: James Skurka  
Representative: James Skurka  
Owner: James Skurka

3. Application #: ZA-308-16-8  
Existing Zoning: R-3  
Location: 1217 South 14th Avenue  
Quarter Section: 8-26(F8)  
Proposal: Variance to reduce the required side yard setback (north) to 6 feet. 10 feet required.  
Ordinance Sections: 615.B. Table B  
Applicant: John Trevor Guerra  
Representative: John Trevor Guerra  
Owner: John & Lupeni Guerra
  
4. Application #: ZA-310-16-8  
Existing Zoning: R1-6 & R-4, Appr R-3  
Location: Northwest corner of 36th Street and Palm Lane  
Quarter Section: 13-35(G10)  
Proposal: Use permit to use the Single-family attached (SFA) option within the applicable area for property zoned R-3. Use permit required.  
Ordinance Sections: 608.F.5.  
Applicant: Lorne Wallace, RAS Developments Inc.  
Representative: Lorne Wallace, RAS Developments Inc.  
Owner: Palm 36, LLC
  
5. Application #: ZA-313-16-6  
Existing Zoning: R1-6  
Location: 4435 North 35th Street  
Quarter Section: 17-35(H10)  
Proposal: Variance to reduce rear yard setback to 4 feet. 25 feet is required.  
Ordinance Sections: 613.B. Table B  
Applicant: TBA Architecture  
Representative: TBA Architecture  
Owner: William McNichols
  
- \*6. Application #: ZA-316-16-7  
Existing Zoning: DTC-West Evans Churchill  
Location: Approximately 180 feet east of the northeast corner of 2nd Street and Roosevelt Street  
Quarter Section: 12-28(G8)  
Proposal: Use permit to allow outdoor liquor service as an accessory to a restaurant (The Dressing Room). Use permit required.  
Ordinance Sections: 1204.D.  
Applicant: Dressing Room, LLC  
Representative: Dressing Room, LLC  
Owner: Dressing Room, LLC

- \*7. Application #: ZA-315-16-6  
Existing Zoning: R1-10  
Location: 3442 North 47th Place  
Quarter Section: 16-38(H11)  
Proposal: Variance to reduce the front yard setback to 15 feet. 25 feet is required.  
Ordinance Sections: 611.B. Table B  
Applicant: Scott Avery, Avery Design Group  
Representative: Scott Avery, Avery Design Group  
Owner: Daniel Jimenez
- 1:30 PM**
- \*8. Application #: ZA-317-16-6  
Existing Zoning: RE-35 ACSPD  
Location: Approximately 53 feet south of the driveway of 4902 East Red Rock Drive  
Quarter Section: 19-39(H11)  
Proposal: Variance to reduce front yard (north) setback to 20 feet. 40 feet required.  
Ordinance Sections: 605.B. Table  
Applicant: Kim Westberg, Desert Mountain Luxury Homes  
Representative: Nick Sehman, 220-221 Workshop  
Owner: J. Charles Theisen
- \*9. Application #: ZA-320-16-7  
Existing Zoning: C-1  
Location: Southeast corner of 83rd Avenue and Lower Buckeye Road  
Quarter Section: 6-9(E3)  
Proposal: Use permit to allow a hospital. Use permit required.  
Ordinance Sections: 622.D.80.  
Applicant: Bill Arsenault, Mays and Company  
Representative: Sterling Margetts, Kimley-Horn and Associates  
Owner: Lisa Bray, Perez Investments Limited Partnership
- \*10. Application #: ZA-321-16-3  
Existing Zoning: RE-35  
Location: 16637 North 21st Street  
Quarter Section: 36-32(M9)  
Proposal: **1)** Use permit to allow to allow a home occupation (auto repair) that generates traffic. Use permit required. **2)** Use permit to allow a home occupation (auto repair) to be conducted in an accessory building. Use permit required.  
Ordinance Sections: 608.E.3.h.1. 608.E.3.h.2.  
Applicant: Jeff Spooner, Spooner's Automotive

- Representative: Jeff Spooner, Spooner's Automotive  
 Owner: Jeff Spooner, Spooner's Automotive
- \*11. Application #: ZA-322-16-4  
 Existing Zoning: R1-6 and R-5  
 Location: Northeast corner of 40th Avenue and McDowell Road  
 Quarter Section: 13-19(G6)  
 Proposal: Use permit to allow public assembly-residential from a local or minor collector street. Use permit required.  
 Ordinance Sections: 608.E.6.  
 Applicant: James Ternosky, James Ternosky Architect  
 Representative: James Ternosky, James Ternosky Architect  
 Owner: Joe Garcia, Christian Life Church
- \*12. Application #: ZA-314-16-6  
 Existing Zoning: C-2  
 Location: 4117 North 44th Street  
 Quarter Section: 17-38(H11)  
 Proposal: **1)** Use permit to allow outdoor alcohol consumption as an accessory use to a restaurant (The Shed) within 500 feet of a residential district zoning line. Use permit is required. **2)** Use permit to allow outdoor dining as an accessory use to a restaurant (The Shed) within 500 feet of a residential district zoning line. Use permit is required. **3)** Use permit to allow outdoor recreation (including music and entertainment) as an accessory use to a restaurant (The Shed) within 500 feet of a residential district zoning line. Use permit is required. **4)** Variance to delete the requirement for all parking lot landscape planters. Requires one planter at end of each row and approximately every 110 feet. **5)** Variance to reduce the required parking lot landscaping to zero percent. Minimum ten percent is required. **6)** Variance to reduce the required perimeter landscape setback to 0 feet. Minimum 10 feet is required.  
 Ordinance Sections: 623.D.156.c. 623.D.156.c. 623.D.156.c. 623.E.4.e. 623.E.4.e. 623.E.4.e.  
 Applicant: William F. Allison, Withey Morris PLC  
 Representative: William F. Allison, Withey Morris PLC  
 Owner: 4117 North 44<sup>th</sup>, LLC
- \*13. Application #: ZA-318-16-6  
 Existing Zoning: R-3  
 Location: 3838 North 30th Street  
 Quarter Section: 16-34(H10)

- Proposal: Use permit to allow single family attached development. Use permit required.  
 Ordinance Sections: 602.F.5.  
 Applicant: Les Litwin, 4127 North 9th Avenue, LLC  
 Representative: Les Litwin, 4127 North 9th Avenue, LLC  
 Owner: Les Litwin, 4127 North 9th Avenue, LLC
- \*14. Application #: ZA-319-16-4  
 Existing Zoning: R-3  
 Location: 4222 North 21st Street  
 Quarter Section: 17-32(H9)  
 Proposal: Use permit to allow single family attached development. Use permit required.  
 Ordinance Sections: 608.F.5.  
 Applicant: Les Litwin, 4127 North 9th Avenue, LLC  
 Representative: Les Litwin, 4127 North 9th Avenue, LLC  
 Owner: Les Litwin, 4127 North 9th Avenue, LLC
15. Application #: ZA-323-16-2  
 Existing Zoning: RE-35  
 Location: 6212 East Desert Cove Avenue  
 Quarter Section: 29-42(K12)  
 Proposal: **1)** Variance to reduce the required front yard setback (south) to 22 feet. 40 feet required. **2)** Variance to reduce the required side yard setback (west) to 10 feet. 20 feet required.  
 Ordinance Sections: 609.B. 609.B.  
 Applicant: Jennifer Corey, Zoning Strategies, LLC  
 Representative: Jennifer Corey, Zoning Strategies, LLC  
 Owner: Matthew Belmont
16. Application #: ZA-325-16-6  
 Existing Zoning: R1-6  
 Location: 3301 East Roma Avenue  
 Quarter Section: 17-35(H10)  
 Proposal: Variance to increase the height of an accessory structure in the side yard to 12 feet. Maximum of 8 feet is allowed.  
 Ordinance Sections: 613.B. Table B.  
 Applicant: Michael Gilson, Accurate Estimating Services, LLC  
 Representative: Michael Gilson, Accurate Estimating Services, LLC  
 Owner: Daniel Downs

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](mailto:zoning@phoenix.gov).

This electronic mail address will not accommodate zoning enforcement/violation complaints.

For reasonable accommodations, call Elaine Noble at Voice/602-495-0256 or TTY use 7-1-1 as early as possible to coordinate needed arrangements.

July 21, 2016