

**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 **December 6, 2018, at 9:00 a.m. located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona**

Notes:

1. Agenda items may be taken out of order.
2. Anyone wishing to address an agenda item must complete a speaker card.
3. Comments may be limited due to time constraints and to ensure all viewpoints are heard.

The results of the meeting were as follows:

RESULTS

9:00 AM

Withdrawn to Amend

1. Application #: ZA-500-18-8 (Sign)
Existing Zoning: DTC - Bio Med
Location: 445 North 5th Street
Quarter Section: 11-28(F8)
Proposal: **1) Use Permit to establish the T-GEN Comprehensive Sign Plan. Use permit required. 2) Use Permit to allow an electronic message display as part of a ground sign. Use permit required.**

Ordinance Sections: 705.E.2 705.C.13
Applicant: Jason Shano, Associated Sign Company
Representative: Jason Shano, Associated Sign Company
Owner: City of Phoenix
Withdrawn to Amend.

Approved w/stips

2. Application #: ZA-139-17-5 (3 Month Review)
Existing Zoning: R1-6
Location: 8520 West College Drive
Quarter Section: 18-8(H3)
Proposal: Use permit to allow a dependent care facility for up to 12 children. Use permit required.

Ordinance Sections: 608.F.1
Applicant: Carol Webb Knight, New Birth Child Care
Representative: Carol Webb Knight, New Birth Child Care
Owner: Carol Webb Knight, New Birth Child Care

Stipulations:

- 1) Review in 3 months.
- 2) The hours of operation of the day care facility shall not begin earlier than 7 a.m. and shall not extend past 5:30 p.m. Mondays through Fridays. There shall be no operation of day care activities, at any scale, on Saturdays,

Sundays or holidays.

- 3) The 'strolling' (walk) of the caretakers and children that currently occurs along College Drive in the mornings starting from the residence shall not cross in front of the front yard of 8516 West College Drive; instead, the children and their attendants shall only walk westward from the subject property along College Drive, so that the east-most extent of that morning walk shall be the front yard of 8520 West College Drive.
- 4) Applicant shall notify parents that cars stopping to drop off or pick up children at the applicant's property shall not park or pause in front of 8520 West College Drive but shall park or pause in the driveway of, or in front of, 8516 West College or west of applicant's residence.

**Approved
w/stips**

3. Application #: ZA-503-18-7 (Continued from October 25, 2018)
Existing Zoning: DTC- West Evans Churchill ACSB
Location: 222 East Portland Street
Quarter Section: 12-28(G8)
Proposal: **1)** Use permit to allow a bar. Use permit required. **2)** Use permit to allow outdoor liquor service as an accessory to a bar. Use permit required. **3)** Use permit to allow outdoor liquor service as an accessory to a restaurant. Use permit required.

Ordinance Sections: 1204.D.Land Use Matrix 1204.D.Land Use Matrix
1204.D.Land Use Matrix
Applicant: Chris Colyer, Esq., Snell & Wilmer, LLP
Representative: Chris Colyer, Esq., Snell & Wilmer, LLP
Owner: RO2 CAM, LLC

Stipulations:

- 1) The 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.
- 2) The area be sufficiently illuminated and contained to discourage any unlawful activity. The precinct commander, or his designee, may approve lighting, containment area, and security personal at their discretion
- 3) Outside speaker volume to be kept at a reasonable level and cease at 11:00 PM Monday through Thursday.
- 4) 'No trespassing' signs must be posted and an authority to arrest trespassers form be signed to deter loitering/unwanted guests inside and surrounding the establishment.
- 5) 18 months to commence use.

**Approved
w/stips**

4. Application #: ZA-507-18-3 (Continued from November 1, 2018)
Existing Zoning: RE-43
Location: 8610 North Skyline Drive
Quarter Section: 26-38(J11)
Proposal: **1)** Variance to reduce the front yard (south) setback to 30 feet. Minimum 40 feet required. **2)** Variance to reduce the side yard (east) setback to 27 feet. Minimum

30 feet required.
Ordinance Sections: 605.B.2 605.B.3
Applicant: Dan Curtis
Representative: Dan Curtis
Owner: Dan Curtis

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per site plan dated November 2016.

Withdrawn to Amend

5. Application #: ZA-540-18-6
Existing Zoning: R-3
Location: 1611 East Lamar Road
Quarter Section: 22-31(I9)
Proposal: Use permit to allow a community residence center in an R-3 zoning district. Use permit required.

Ordinance Sections: 615.C.3.
Applicant: Haider Mansoori, Haiman, LLC
Representative: Haider Mansoori, Haiman, LLC
Owner: Haider Mansoori, Haiman, LLC

Withdrawn to Amend.

Withdrawn

6. Application #: ZA-549-18-3
Existing Zoning: C-2
Location: 2150 E Sweetwater Avenue
Quarter Section: 32-32(L9)
Proposal: Revocation of ZA-364-17-3, a use permit to allow a car wash in an open building.

Ordinance Sections: 307.A.h.
Applicant: City of Phoenix
Representative: City of Phoenix
Owner: Sean Campbell, Campbell's Carwash

Withdrawn.

Approved w/stips

7. Application #: ZA-574-18-4 (Sign)
Existing Zoning: PUD
Location: 240 West Osborn Road
Quarter Section: 16-27(H8)
Proposal: **1)** Variance to allow one projecting sign with a sign area of 42 square feet. Maximum 6 square feet allowed. **2)** Variance to allow one projecting sign with a copy height of 14 inches. Maximum 8 inches allowed.

Ordinance Sections: Table 1308.1 Table 1308.1
Applicant: Broadstone Apartments
Representative: Amanda Lauridsen, Precise Sign Co., Inc.
Owner: Alliance Residential

Stipulations:

- 1) 90 days to apply and pay for sign permits.
- 2) Per site plan dated December 6, 2018.

Approved w/stip 8. Application #: ZA-569-18-8
Existing Zoning: R1-6 SPVTABDO
Location: 2754 East Roeser Road
Quarter Section: 4-33(E9)
Proposal: Variance to reduce the required lot width to 58 feet for 2 lots. Minimum 60 feet required.

Ordinance Sections: 613.B.Table B
Applicant: City of Phoenix, Neighborhood Services Department
Representative: Chris Christensen, City of Phoenix, Neighborhood Services Department

Owner: City of Phoenix, Neighborhood Services Department

Stipulation:

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

1:30 PM

Approved w/stip 9. Application #: ZA-570-18-8
Existing Zoning: R1-6 SPVTABDO
Location: 2719 East Wier Avenue
Quarter Section: 4-33(E9)
Proposal: Variance to reduce the required lot width to 58 feet for 2 lots. Minimum 60 feet required.

Ordinance Sections: 613.B.Table B
Applicant: City of Phoenix, Neighborhood Services Department
Representative: Chris Christensen, City of Phoenix, Neighborhood Services Department

Owner: City of Phoenix, Neighborhood Services Department

Stipulation:

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

Approved w/stip 10. Application #: ZA-571-18-8
Existing Zoning: R1-6 SPVTABDO
Location: 2702 and 2706 East Atlanta Avenue
Quarter Section: 4-33(E9)
Proposal: **1)** Variance to reduce the required lot width to 58 feet for lot 1. Minimum 60 feet required. **2)** Variance to reduce the required lot width to 58 feet for lot 2. Minimum 60 feet required.

Ordinance Sections: 613.B.Table B 613.B.Table B
Applicant: City of Phoenix, Neighborhood Services Department
Representative: Chris Christensen, City of Phoenix, Neighborhood Services Department

Owner: City of Phoenix, Neighborhood Services Department

Stipulation:

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

- Withdrawn** 11. Application #: ZA-575-18-6
Existing Zoning: R1-6
Location: 1918 East Missouri Avenue
Quarter Section: 20-31(I9)
Proposal: Variance to allow an over height fence (6 feet) in the required front yard (south). Maximum 40 inches permitted.

Ordinance Sections: 703.A.2.a
Applicant: Luis Gonzalez, Peak One Builders
Representative: Luis Gonzalez, Peak One Builders
Owner: Joyce Eng
Withdrawn.
- Continued** 12. Application #: ZA-576-18-8
Existing Zoning: R1-6
Location: 2803 North 29th Street
Quarter Section: 14-34(G10)
Proposal: Variance to allow a street frontage of 52 feet for 2 lots. Minimum of 60 feet required.

Ordinance Sections: 613.B Table B
Applicant: Nick Labadie, Rose Law Group
Representative: Nick Labadie, Rose Law Group
Owner: Tsalm Services, LLC
Continued to January 10, 2019 at 9:00 AM.
- Continued** 13. Application #: ZA-577-18-8
Existing Zoning: R1-10
Location: 2224 North 37th Place
Quarter Section: 13-36(G10)
Proposal: Variance to reduce street frontage to 76 feet for two lots. Minimum 80 feet required.

Ordinance Sections: 611.B Table B.
Applicant: Nick Labadie, Rose Law Group
Representative: Nick Labadie, Rose Law Group
Owner: Tsalm Services, LLC
Continued to January 10, 2019 at 9:00 AM.
- Approved w/stip** 14. Application #: ZA-578-18-8
Existing Zoning: C-1 BAPOD
Location: 9029 South 16th Street and 1610 and 1620 East Dobbins Road

Quarter Section: 02-31(C9)
Proposal: **1)** Use permit to use the PRD development option. Use

permit required. **2)** Variance to reduce side (north) setback for a two story building to 6 feet. Minimum 15 feet required for two story building. **3)** Variance to reduce side (east) setback for a two story building to 3 feet. Minimum 15 feet required for two story building. **4)** Variance to reduce the required open space to 0 percent. Minimum 5 percent required.

Ordinance Sections: 608.D 613.B Table A 613.B Table A 613.B Table A
Applicant: Kris Rigsby, The Paxton at South Mountain
Representative: Kris Rigsby, The Paxton at South Mountain
Owner: Kris Rigsby, The Paxton at South Mountain

Stipulation:

- 1) 1 year to complete subdivision plat.

Continued 15. Application #: ZA-442-13-7 (1 Year Review)
Existing Zoning: A-1
Location: 2620 West Encanto Boulevard
Quarter Section: 14-23(G7)
Proposal: **1)** Use permit to expand an approved medical marijuana cultivation facility. Use Permit required. **2)** Use permit to expand an approved medical marijuana infusion facility. Use Permit required. **3)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of any medical marijuana facility. **4)** Variance to allow a medical marijuana infusion facility within 5,280 feet of any medical marijuana facility.
Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b
Applicant: Encanto Green Cross Dispensary
Representative: Ryan Hurley, Rose Law Group, PC
Owner: 2620, LLC
Continued to January 3, 2019 at 9:00 AM.

**ZONING ADJUSTMENT HEARING OFFICER: FRANK DOLASINSKI
PLANNER: ED KEYSER, PLANNER II**

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.

This publication can be made available in alternate format upon request. Contact Angie Holdsworth at (602) 495- 5622, TTY: use 7-1-1. To request reasonable accommodations, please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.

December 7, 2018