

**\*Revised 12/2/16**  
**NOTICE 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** will hold a meeting open to the public on **December 20, 2016, at 9:00 a.m. located in Conference Room 10E, Phoenix City Hall, 200 West Washington Street, Tenth Floor, Phoenix, Arizona.**

The agenda for the meeting is as follows:

- 9:00 AM**
1. Application #: ZA-313-12-8 (1-year review for Use Permit)  
Existing Zoning: A-1  
Location: 4116 East Superior Avenue  
Quarter Section: 6-37(E10)  
Proposal: **1)** Time extension for ZA-41-12. Use permit to allow a medical marijuana cultivation facility and infusion production facility. Time extension required. **2)** Variance to allow a medical marijuana infusion production facility within 5,280 feet of another medical marijuana facility. Variance required if located within 5,280 feet of another medical marijuana facility. **3)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Variance required if located within 5,280 feet of another medical marijuana facility.  
Ordinance Sections: 307.A.12. 627.D.93.b. 627.D.91.c.  
Applicant: Ted Pappas, N+A Enterprises, LLC  
Representative: David Dow  
Owner: Superior Industrial Center, LLC
  
  2. Application #: ZA-361-12-8 (1-year review)  
Existing Zoning: A-1  
Location: 4201 East University Drive  
Quarter Section: 6-37(E10)  
Proposal: Time Extension to Case ZA-159-11. Use permit to allow a medical marijuana dispensary facility. Time extension required.  
Ordinance Sections: 307.A.12.  
Applicant: Cecilia Wilson Peace Relief  
Representative: David Dow Law Offices of David W. Dow  
Owner: Cecilia Wilson Peace Relief

3. Application #: ZA-389-12-8 (1-year review for Use Permit)  
Existing Zoning: C-2  
Location: 1613 North 40th Street  
Quarter Section: 13-37(G10)  
Proposal: **1)** Time extension for ZA-202-11, a request for a use permit to allow a medical marijuana dispensary. **2)** Time extension for ZA-202-11, a variance to allow a medical marijuana dispensary to be 190 feet away from a residential district. Minimum 250 feet required.  
Ordinance Sections: 307.A.12. 307.A.12.  
Applicant: Lauren Anton, AZ Compassionate Care  
Representative: Wendy Riddell, Barry & Damore, LLC  
Owner: Ramzi Dugum
4. Application #: ZA-117-12-8 (1-year review for Use Permit)  
Existing Zoning: A-1  
Location: 201 South 36th Street  
Quarter Section: 10-36(F10)  
10-36(F10)  
Proposal: **1)** Variance to allow medical marijuana cultivation facility within 5280 feet of another facility of the same type. 5280 feet of separation required. **2)** Variance to allow a medical marijuana dispensary within 5280 feet of another facility of the same type. 5280 feet of separation required. **3)** Variance to allow a medical marijuana infusion facility within 5280 feet of another facility of the same type. 5280 feet of separation required. **4)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **5)** Use permit to allow a medical marijuana dispensary. Use permit required. **6)** Use permit to allow a medical marijuana infusion facility. Use permit required.  
Ordinance Sections: 627.D.91.c 627.D.92.d. 627.D.93.b 627.D.91.a.  
627.D.92.a. 627.D.93.a.  
Applicant: Carsten Loelke, Natural Relief Clinic, Inc.  
Representative: Carsten Loelke, Natural Relief Clinic, Inc.  
Owner: JJ Empire, LLC - Carsten Loelke
5. Application #: ZA-446-12-8 (1-year review for Use Permit)  
Existing Zoning: A-1  
Location: 14 South 41st Place  
Quarter Section: 10-37(F10)  
Proposal: **1)** Use permit to allow a medical marijuana dispensary. Use permit required. **2)** Variance to allow a medical

marijuana dispensary within 5,280 feet of another approved use permit for a medical marijuana facility. A medical marijuana dispensary shall not be located within 5,280 feet of another medical marijuana facility. **3)** Variance to allow a medical marijuana dispensary within 1,320 feet of a school (Gateway Early College High School). A medical marijuana dispensary shall not be located within 1,320 feet of a school.

Ordinance Sections: 627.D.92.a. 627.D.92.d. 627.D.92.f.  
Applicant: Arizona Natures Wellness  
Representative: Adam Baugh, Withey Morris, PLC  
Owner: Shirley Bonafasi Living Trust/ EFG Management, LLC

6. Application #: ZA-459-12-8 (1-year review for Use Permit)  
Existing Zoning: A-1  
Location: 4116 East Superior Avenue  
Quarter Section: 6-37(E10)  
Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Use permit to allow a medical marijuana infusion production facility. Use permit required. **3)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. A medical marijuana cultivation facility shall not be located within 5,280 feet of another medical marijuana facility. **4)** Variance to allow a medical marijuana infusion production facility within 5,280 feet of another medical marijuana facility. A medical marijuana infusion production facility shall not be located within 5,280 feet of another medical marijuana facility.

Ordinance Sections: 627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.93.b.  
Applicant: Theodore C. Pappas, N+A Enterprises, LLC  
Representative: David W. Dow, Law Offices of David W. Dow  
Owner: Superior Industrial Center, LLC

7. Application #: ZA-67-13-8 (1-year review for Use Permit)  
Existing Zoning: A-2  
Location: 4105 East Magnolia Street  
Quarter Section: 7-37(E10)  
Proposal: **1)** Use permit to allow a medical marijuana cultivation facility. Use permit required. **2)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another proposed medical marijuana facility. A medical marijuana cultivation facility shall not be located within 5,280 feet of another medical marijuana

facility. **3)** Use permit to allow a medical marijuana infusion production facility. Use permit required.  
**4)** Variance to allow a medical marijuana infusion production facility within 5,280 feet of another proposed medical marijuana facility. A medical marijuana infusion production facility shall not be located within 5,280 feet of another medical marijuana facility.

Ordinance Sections: 627.D.91.a. 627.D.91.c. 627.D.93.a. 627.D.93.b.  
Applicant: Patrick Romo, Phoenix Relief Center Incorporated  
Representative: Patrick Romo, Phoenix Relief Center Incorporated  
Owner: Wade Smith, Smith Real Estate Investments, LLC

8. Application #: ZA-81-13-8 (1-year review for Use Permit)  
Existing Zoning: A-1  
Location: 3303 South 40th Street  
Quarter Section: 6-37(E10)  
Proposal: **1)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet separation required. **2)** Use Permit to allow a medical marijuana cultivation facility. Use permit required.

Ordinance Sections: 627.D.91.c. 627.D.91.a.  
Applicant: Arizona Natures Wellness  
Representative: Adam Baugh, Withey Morris PLC  
Owner: AMZ, LLC

9. Application #: ZA-92-13-8 (1-year review)  
Existing Zoning: A-2 RSIOD  
Location: 2512 East Magnolia Street  
Quarter Section: 7-33(E9)  
Proposal: **1)** Use permit to allow medical marijuana cultivation. Use permit is required. **2)** Use permit to allow medical marijuana infusion. Use permit is required.

Ordinance Sections: 627.D.91.a 627.D.91.b  
Applicant: Banyan Cultivation Management, LLC  
Representative: Kurt Merschman, Merschman Legal Group, PLLC  
Owner: Draft Horse Holdings, LLC

- \*10. Application #: ZA-103-14-8 (1-year review for Use Permit)  
Existing Zoning: A-2 RSIOD  
Location: 2315 South 15th Avenue  
Quarter Section: 7-26(E8)  
Proposal: **1)** Variance to allow a medical marijuana cultivation facility within 5,280 feet of the same type of use. Variance required. **2)** Use Permit to allow a medical marijuana cultivation facility. Use Permit required.

Ordinance Sections: 627.D.91.c 627.D.91.a  
Applicant: Maschmeier Fuels, LLC  
Representative: Maschmeier Fuels, LLC  
Owner: Maschmeier Fuels, LLC

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.

November 16, 2016