

**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 **September 22, 2022 at 9:00 AM (Items 1-8) and 1:30 PM (Items 9-16)**.

*Per the most recent guidelines from the federal government, the Zoning Adjustment Hearing Officer meeting was held electronically, via a video conferencing platform.*

The results of the meeting were as follows:

**RESULTS  
Approved  
w/stips**

**9:00 AM**

1. Application #: ZA-579-15-6 (1 Year Review of Use Permit)
- Existing Zoning: C-2
- Location: 1040 East Camelback Road
- Quarter Section: 19-29(H8)
- Proposal: Use permit to allow a medical marijuana dispensary facility. Use permit required.
- Ordinance Sections: 623.D.122
- Applicant: CCT-Bird, LLC
- Representative: Walter Gilbert, Gilbert Bird Law
- Owner: 1040 E. Camelback, LLC

**Stipulations:**

- 1) The Use Permit shall be reviewed within 365 days of the issuance of the dispensary certificate for a medical marijuana use or approval to operate the cultivation and/or infusion from the Arizona Department of Health Services.
- 2) The applicant has 1 year to apply and pay for building permits.
- 3) Obtain a certificate for medical marijuana use from the Arizona Department of Health Services or approval to operate. If no certificate or approval to operate is granted within 18 months of the approval of this Variance/Use Permit, the Zoning Administrator shall schedule a revocation hearing for this Use Permit.
- 4) The applicant shall submit a security plan provided to the Arizona Department of Health Services to the Planning and Development Department.
- 5) The applicant shall notify in writing the area's Police Precinct Commander of establishing such facility. Notice of this contact shall be submitted in writing to the Planning and Development Department.
- 6) Applicant shall install and maintain per manufacturer's specifications an odor control system within 30 days of Certificate of Occupancy. Applicant shall submit an odor control plan identifying contact person for odor complaints to the Planning and Development Department.
- 7) Applicant shall notify the Planning and Development Department in writing within 30 days of when there is a change in the operator or entity's name.

**Approved  
w/stips**

2. Application #: ZA-227-20-8 (1 Year Review of Use Permit)  
Existing Zoning: A-2 RSIOD  
Location: 951 West Watkins Street  
Quarter Section: 7-26(E8)  
Proposal: **1)** Time extension for ZA-517-18, use permit to permit a medical marijuana cultivation facility. Use permit required. **2)** Time extension for ZA-517-18, use permit to allow a medical marijuana infusion facility. Use permit required. **3)** Time extension for ZA-517-18, variance to permit a medical marijuana cultivation facility within 5,280 feet from another medical marijuana use. Minimum separation of 5,280 feet from another medical marijuana use required. **4)** Time extension for ZA-517-18, variance to permit a medical marijuana infusion facility within 5,280 feet of another medical marijuana use. Minimum separation of 5,280 feet from another medical marijuana use required.
- Ordinance Sections: 627.D.91.a. 627.D.93.a. 627.D.91.c. 627.D.93.b.  
Applicant: Tom Frenkel, 951 W. Watkins, LLC  
Representative: David Dow, David Dow Law Office  
Owner: 640 S Smith, LLC nka 951 W. Watkins, LLC

**Stipulations:**

- 1) The Use Permit shall be reviewed within 365 days of the issuance of the dispensary certificate for a medical marijuana use or approval to operate the cultivation and/or infusion from the Arizona Department of Health Services.
- 2) The applicant has 1 year to apply and pay for building permits.
- 3) Obtain a certificate for medical marijuana use from the Arizona Department of Health Services or approval to operate. If no certificate or approval to operate is granted within 18 months of the approval of this Variance/Use Permit, the Zoning Administrator shall schedule a revocation hearing for this Use Permit.
- 4) The applicant shall submit a security plan provided to the Arizona Department of Health Services to the Planning and Development Department.
- 5) The applicant shall notify in writing the area's Police Precinct Commander of establishing such facility. Notice of this contact shall be submitted in writing to the Planning and Development Department.
- 6) Applicant shall install and maintain per manufacturer's specifications an odor control system within 30 days of Certificate of Occupancy. Applicant shall submit an odor control plan identifying contact person for odor complaints to the Planning and Development Department.
- 7) Applicant shall notify the Planning and Development Department in writing within 30 days of when there is a change in the operator or entity's name.

- Approved w/stips** 3. Application #: ZA-359-22-6  
Existing Zoning: RE-35 ACSPD  
Location: 4631 North Royal Palm Circle  
Quarter Section: 18-39(H11)  
Proposal: **1)** Use permit to allow a closed projection to project 33 feet into the rear yard (south) setback. Use permit required. **2)** Variance to reduce the side yard setback (east) for a detached accessory structure to 0 feet. Minimum 3 foot setback required. **3)** Variance to allow an over height (15 feet) detached accessory structure within the required side yard setback. Maximum 8 feet permitted.  
Ordinance Sections: 701.A.3.a.(2).(d) 706.B 706.C  
Applicant: Lily and Philip Tirone  
Representative: Lily and Philip Tirone  
Owner: Lily Tirone  
**Stipulations:**  
1) Per the setback reductions as shown in the site plan dated August 4, 2022.  
2) Maximum height of the structure shall not exceed 15 feet.  
3) Shrubs shall be planted to screen detached structure for the neighbor to the east.  
4) 1 year to apply and pay for building permits.
- Approved w/stips** 4. Application #: ZA-360-22-1  
Existing Zoning: R1-6  
Location: 17026 North 31st Drive  
Quarter Section: 37-22(M7)  
Proposal: **1)** Use permit for approval of a home occupation (Federal Firearms License). Use permit required. **2)** Use permit to allow a home occupation to generate traffic. Use permit required.  
Ordinance Sections: 608.E.3.h.(5) 608.E.3.h.(1)  
Applicant: Samuel Rymond, D.O.P.E. Precision  
Representative: Samuel Rymond, D.O.P.E. Precision  
Owner: Samuel Rymond, D.O.P.E. Precision  
**Stipulations:**  
1) Hours for customer visits are limited to 4:00 PM – 8:00 PM Monday through Thursday and 9:00 AM – 3:00 PM Friday – Saturday.  
2) Maximum of 5 trips per week.
- Approved w/stips** 5. Application #: ZA-363-22-6  
Existing Zoning: R1-6  
Location: 3643 East Colter Street  
Quarter Section: 19-36(H10)  
Proposal: **1)** Variance to reduce the required front yard setback (north) to 12 feet. Minimum 20 feet

required. **2)** Variance to reduce the required rear yard setback (south) to 4 feet. Minimum 25 feet required.

Ordinance Sections: 613.B.Table B 613.B.Table B  
Applicant: Brett Drummond  
Representative: Robert Gutierrez, Dezinhead Drawing Company  
Owner: Brett Drummond

**Stipulations:**

- 1) 1 year to apply and pay for building permits.
- 2) Per the setback reductions as shown on the site plan dated August 16, 2022.

**Approved  
w/stips**

6. Application #: ZA-365-22-2  
Existing Zoning: R1-14  
Location: 12642 North 56th Way  
Quarter Section: 31-41(K11)  
Proposal: Variance to reduce the front yard setback to 10 feet. Minimum 30 feet required.  
Ordinance Sections: 606.B.2  
Applicant: Jordan Brett and Sarah Jessica Bronowitz  
Representative: Jordan Brett and Sarah Jessica Bronowitz  
Owner: Jordan Brett and Sarah Jessica Bronowitz

**Stipulations:**

- 1) 1 year to apply and pay for building permits.
- 2) Per the setback reduction as shown on the site plan dated August 23, 2022.

**Approved  
w/stip**

7. Application #: ZA-366-22-2  
Existing Zoning: A-1  
Location: 1610 East Deer Valley Drive  
Quarter Section: 43-31(N9)  
Proposal: **1)** Time extension of ZA-365-21, variance to allow outdoor uses, outdoor storage, or open buildings 15 feet from a public street (16th Street). Minimum 75 feet required. **2)** Time extension of ZA-365-21, variance to allow outdoor uses, outdoor storage, or open buildings 30 feet from a public street (Deer Valley Drive). Minimum 75 feet required. **3)** Time extension of ZA-365-21, variance to reduce the setback from the interior lot line (west) to 15 feet. Minimum 20 feet required.  
Ordinance Sections: 627.F.2.b.(3) 627.F.2.b.(3) 626.H.1.Table  
Applicant: Brian Norris, Norris 1610, LLC  
Representative: Brian Norris, Norris 1610, LLC  
Owner: Brian Norris, Norris 1610, LLC

**Stipulation:**

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

**Approved w/stips** 8. Application #: ZA-367-22-4  
 Existing Zoning: R1-6  
 Location: 5610 West Cambridge Avenue  
 Quarter Section: 14-15(G5)  
 Proposal: **1)** Use permit to allow a home occupation that generates traffic. Use permit required. **2)** Use permit for an official approval of a home occupation (Federal Firearms License). Use permit required.  
 Ordinance Sections: 608.E.3.h(1) 608.E.3.h(5)  
 Applicant: Jerron-Khely Lee Grimm, BLou Creations, LLC  
 Representative: Jerron-Khely Lee Grimm, BLou Creations, LLC  
 Owner: Deanna Reyes  
**Stipulations:**  
 1) Maximum of 10 trips per week.  
 2) Hours for customer visits are limited to 4:30 PM – 8:00 PM Monday – Thursday and 8:00 AM – 7:00 PM Friday – Sunday.  
 3) No outdoor uses permitted for the home occupation.

**Approved w/stips** 9. **1:30 PM**  
 Application #: ZA-357-22-8 (SIGN)  
 Existing Zoning: C-2 HP, P-1 HP  
 Location: 440 North 32nd Street  
 Quarter Section: 11-34(F10)  
 Proposal: Use permit to allow two electronic message displays (EMD) on a ground sign. Use permit required.  
 Ordinance Sections: 705.C.13  
 Applicant: Jared Segel, Associated Sign Company  
 Representative: Corey Shano, Associated Sign Company  
 Owner: Celebrity Theater, LLC  
**Stipulations:**  
 1) Adherence to the sign drawings date-stamped September 15, 2022 including sign height and sign design.  
 2) 12 months to obtain sign permits for the subject sign.

**Approved w/stips** 10. Application #: ZA-276-22-8  
 Existing Zoning: R1-6  
 Location: 8025, 8026, 8029 and 8030 South 6th Drive  
 Quarter Section: 01-27(D8)  
 Proposal: **1)** Variance to reduce the front yard interior setback for Lot 86, Lot 87, Lot 88, and Lot 89 to 8 feet. Minimum 10 feet required. **2)** Variance to reduce the side yard perimeter setback for Lot 87 to 5 feet. Minimum 15 feet required. **3)** Variance to reduce the side yard perimeter setback for Lot 88 to 4 feet. Minimum 15 feet required.  
**4)** Variance to reduce the rear yard perimeter setback for Lot 86 to 18 feet. Minimum 20 feet

required. **5)** Variance to reduce the rear yard perimeter setback for Lot 87 to 18 feet. Minimum 20 feet required. **6)** Variance to reduce the rear yard perimeter setback for Lot 88 to 15 feet. Minimum 20 feet required. **7)** Variance to reduce the rear yard perimeter setback for Lot 89 to 15 feet. Minimum 20 feet required. **8)** Variance to reduce the minimum garage setback to 8 feet from back of sidewalk for a front-loaded garage for lots 86, 87, 88, and 89. Minimum 18 feet of setback required.

Ordinance Sections: 613.B.Table A 613.B.Table A 613.B.Table A  
613.B.Table A 613.B.Table A 613.B.Table A  
613.B.Table A 613.B.Table A

Applicant: Topher Development Services, LLC

Representative: Christopher P. Colyer, Snell & Wilmer

Owner: Topher Development Services, LLC

**Stipulations:**

- 1) 1 year to apply and pay for building permits.
- 2) No vehicle parking on driveways of lots 86, 87, 88, and 89 when driveway is less than 18 feet of depth.

**Approved  
w/stip**

11. Application #: ZA-361-22-6  
Existing Zoning: R1-6  
Location: 1018 East Las Palmaritas Drive  
Quarter Section: 25-29(J8)  
Proposal: Variance to reduce the side yard (west) setback to 6 feet. Minimum 10 feet required.  
Ordinance Sections: 613.Table.B  
Applicant: Martin Sandino, Martin Sandino Architecture & Planning LLC  
Representative: Martin Sandino, Martin Sandino Architecture & Planning LLC  
Owner: Palmaritas, LLC

**Stipulation:**

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

**Approved  
w/stips**

12. Application #: ZA-362-22-6  
Existing Zoning: R1-6  
Location: 5642 North 13th Street  
Quarter Section: 20-30(I9)  
Proposal: **1)** Variance to reduce the front yard setback (north) to 10 feet. Minimum 20 feet required.  
**2)** Variance to modify Stipulation No. 1 from ZA-548-74 regarding the front and side yard setbacks. Variance required.  
Ordinance Sections: 613.B.Table B ZA-548-74  
Applicant: Ross White, WCG  
Representative: Ross White, WCG  
Owner: Ross White, WCG

**Stipulations:**

- 1) 1 year to apply and pay for building permits.
- 2) Per the setback reductions as shown on the plan dated August 5, 2022.

**Approved  
w/stips**

13. Application #: ZA-368-22-4  
Existing Zoning: C-2, P-1  
Location: 1003 East Indian School Road  
Quarter Section: 16-29(H8)  
Proposal: **1)** Use permit to allow outdoor dining accessory to a restaurant (Ono Hawaiian BBQ) within 500 feet of a residential zoning district. Use permit required. **2)** Use permit to allow outdoor dining accessory to a restaurant (Coffee Concept) within 500 feet of a residential zoning district. Use permit required. **3)** Use permit to allow a drive-through facility accessory to a restaurant (Ono Hawaiian BBQ) within 300 feet of a residential zoning district. Use permit required. **4)** Use permit to allow a drive-through facility accessory to a restaurant (Coffee Concept) within 300 feet of a residential zoning district. Use permit required.  
Ordinance Sections: 623.D.157.c 623.D.157.c 623.D.157.d.(2) 623.D.157.d.(2)  
Applicant: Tim Rasnake, Archicon, Architecture & Interiors, LLC  
Representative: Tim Rasnake, Archicon, Architecture & Interiors, LLC  
Owner: Fairway Colima AZ Four, LLC

**Stipulations:**

- 1) 18 months to apply and pay for building permits.
- 2) Hours of operation for drive-through facilities and patios shall be limited to 5:00 AM – 10:00 PM.
- 3) Per the drive-through and patio locations as shown on the plan dated August 8, 2022.

**Under  
Advisement**

14. Application #: ZA-372-22-1  
Existing Zoning: R1-6  
Location: 20425 North 14th Lane  
Quarter Section: 41-26(N8)  
Proposal: **1)** Variance to reduce the side yard setback (north) for a detached accessory structure to 1 foot. Minimum 3 foot setback required. **2)** Variance to reduce the rear yard setback (east) for a detached accessory structure to 2 feet. Minimum 3 foot setback required.  
Ordinance Sections: 706.B 706.B  
Applicant: Gay Ilo McClain  
Representative: Scott McClain  
Owner: Gay Ilo McClain

- Under Advisement** 15. Application #: ZA-373-22-1  
Existing Zoning: RE-43  
Location: 3847 West Yorkshire Drive  
Quarter Section: 39-20(M6)  
Proposal: **1)** Variance to reduce the rear yard setback (south) to 10 feet for an accessory structure. Minimum 40 feet required. **2)** Variance to reduce the side yard setback (west) to 0 feet for an accessory structure. Minimum 30 feet required. **3)** Variance to reduce the side yard setback (east) to 10 feet for an accessory structure. Minimum 30 feet required.  
Ordinance Sections: 605.B.4 605.B.3 605.B.3  
Applicant: Bruce Sandberg  
Representative: Bruce Sandberg  
Owner: Bruce Sandberg
- Approved w/stips** 16. Application #: ZA-394-22-6  
Existing Zoning: R1-6, RE-35 SP, C-1  
Location: 4700 East Warner Road  
Quarter Section: 07-38(B11)  
Proposal: Use permit to allow a temporary use (outdoor fundraising events with amplified sound) for up to 36 months. Use permit required.  
Ordinance Sections: 708.D.1  
Applicant: Lisa Robinson, Ahwatukee Board of Management  
Representative: Lisa Robinson, Ahwatukee Board of Management  
Owner: Ahwatukee Board of Management  
**Stipulations:**  
1) Maximum of 9 events per year.  
2) 10:00 AM to 9:00 PM limited hours for events.  
3) Submit a revised parking agreement with the commercial plaza within 60 days.  
4) Approved for 2 years maximum.

**ZONING ADJUSTMENT HEARING OFFICER: RAY JACOBS  
PLANNER: ERIC MORALES, PLANNER II**

For further information, please call Eric Morales, Planner II, Planning and Development Department at 602-262-7927, or contact via electronic mail at [zoning.adjustment@phoenix.gov](mailto:zoning.adjustment@phoenix.gov). This electronic mail address will not accommodate zoning enforcement/violation complaints.

This publication can be made available in alternate format upon request. To request a reasonable accommodation, please contact Les Scott at 602-261-8980, [leslie.scott@phoenix.gov](mailto:leslie.scott@phoenix.gov) TTY: Use 7-1-1.

September 23, 2022