

**NOTICE OF RESULTS**  
**ZONING ADJUSTMENT HEARING**  
*\*Revised May 24, 2024*

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 **May 23 2024 at 9:00 AM (Items 1-7) and 1:30 PM (Items 8-15)**

*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-267-15-3 (1 Year Review of Use Permit)  
Existing Zoning: C-2  
Location: 12620 North Cave Creek Road, Suite #10  
Quarter Section: 31-32(K9)  
Proposal: Use permit to allow non-profit medical marijuana dispensary. Use permit required.  
Ordinance Sections: 623.D.122.a  
Applicant: Ronnie Kassab, Mohave Cannabis Club 4, LLC  
Representative: Ronnie Kassab, Mohave Cannabis Club 4, LLC  
Owner: Roseann Chiulli, [rjchiulli@q.com](mailto:rjchiulli@q.com)

**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 1 year of today's hearing. 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-367-21-8 (1 Year Review of Use Permit)  
Existing Zoning: R-5, C-3, A-1  
Location: 2305 East Jefferson Street  
Quarter Section: 10-32(F9)  
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 medical marijuana facility. Minimum 5,280 feet of separation required.  
3) Variance to allow a medical marijuana cultivation facility within 1,000 feet of a residentially zoned district. Minimum 1,000 feet of separation required.  
4) Variance to allow a medical marijuana cultivation facility within 1,320 feet of a school. Minimum 1,320 feet of separation required.  
5) Use permit to allow a medical marijuana infusion facility. Use permit required.  
6) Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required.  
7) Variance to allow a medical marijuana infusion facility within 1,000 feet of a residentially zoned district. Minimum 1,000 feet of separation required.  
8) Variance to allow a medical marijuana infusion facility within 1,320 feet of a school. Minimum 1,320 feet of separation required.  
Ordinance Sections: 627.D.91.a 627.D.91.c 627.D.91.d 627.D.91.d 627.D.93.a 627.D.93.b 627.D.93.c 627.D.93.d  
Applicant: RCH Wellness Center  
Representative: Lindsay C. Schube, Gammage & Burnham, PLC  
Owner: Power Equipment, 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 1 year of today's hearing. 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.

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| <b>Approved<br/>w/stips</b> | 3. | <p>Application #: ZA-3-24-2 (Continued from April 11, 2024)</p> <p>Existing Zoning: R1-10</p> <p>Location: 14636 North 53rd Place</p> <p>Quarter Section: Q34-40(L11)</p> <p>Proposal: 1) Variance to reduce the front (north) setback to 18 feet. Minimum 25 feet required.<br/>2)Variance to reduce the required rear yard setback (southwest) to 5 feet. Minimum 25 feet required.</p> <p>Ordinance Sections: 611.Table.B 611.Table.B</p> <p>Applicant: Tyler Green, Green Studio</p> <p>Representative: Tyler Green, Green Studio</p> <p>Owner: Mike and Jeri Case</p> <p><b>Stipulations:</b></p> <p>1) 1 year to apply for and obtain building permits.</p> <p>2) Per the setback reductions as shown on site plan date stamped February 29, 2024.</p>                                       |
| <b>Approved<br/>w/stips</b> | 4. | <p>Application #: ZA-290-24-8</p> <p>Existing Zoning: R1-6</p> <p>Location: 4410 East Southern Avenue</p> <p>Quarter Section: Q3-38(D11)</p> <p>Proposal: Use Permit to allow a Public Assembly - Residential (Place of Worship) to have vehicular access to a local street (44th Place). Use permit required.</p> <p>Ordinance Sections: 608.E.22</p> <p>Applicant: St. Edward the Confessor Catholic Church Mater Misericordiae Roman Catholic Parrish Phoenix</p> <p>Representative: William F. Allison, Withey Morris Baugh, PLC</p> <p>Owner: Mater Misericordiae Roman Catholic Church Parrish Phoenix</p> <p><b>Stipulations:</b></p> <p>1) 2 years to apply for and obtain building permits.</p> <p>2) Per the access on 44th Place as shown on site plan date stamped April 10, 2024.</p> |

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| <b>Approved<br/>w/stips</b> | 5. | Application #:       | ZA-304-24-8                                                                                                                                                                                                                                                                                                        |
|                             |    | Existing Zoning:     | C-1, R-4, R-5, WU Code T4:3 EG, WU Code T5:5 EG                                                                                                                                                                                                                                                                    |
|                             |    | Location:            | 1940 East Villa Street                                                                                                                                                                                                                                                                                             |
|                             |    | Quarter Section:     | Q11-31                                                                                                                                                                                                                                                                                                             |
|                             |    | Proposal:            | Variance to reduce the primary building frontage along Villa Street to 37%. Minimum 60% frontage required along primary frontage.                                                                                                                                                                                  |
|                             |    | Ordinance Sections:  | 1303.Table 1303.2 Transect T4                                                                                                                                                                                                                                                                                      |
|                             |    | Applicant:           | Brad Puffer, City of Phoenix, Housing Department                                                                                                                                                                                                                                                                   |
|                             |    | Representative:      | Dan Klocke, Gorman & Company                                                                                                                                                                                                                                                                                       |
|                             |    | Owner:               | City of Phoenix Housing Department                                                                                                                                                                                                                                                                                 |
|                             |    | <b>Stipulations:</b> |                                                                                                                                                                                                                                                                                                                    |
|                             |    |                      | 1) 2 years to apply for and obtain building permits.                                                                                                                                                                                                                                                               |
|                             |    |                      | 2) Per the building frontage reduction as shown on site plan date stamped April 25, 2024.                                                                                                                                                                                                                          |
| <b>Approved<br/>w/stips</b> | 6. | Application #:       | ZA-306-24-5                                                                                                                                                                                                                                                                                                        |
|                             |    | Existing Zoning:     | C-2                                                                                                                                                                                                                                                                                                                |
|                             |    | Location:            | 7550 West Indian School Road                                                                                                                                                                                                                                                                                       |
|                             |    | Quarter Section:     | Q17-10(H4)                                                                                                                                                                                                                                                                                                         |
|                             |    | Proposal:            | Use permit to allow a temporary use (Farmers Market) for up to 36 months. Use permit required.                                                                                                                                                                                                                     |
|                             |    | Ordinance Sections:  | 708.D.1                                                                                                                                                                                                                                                                                                            |
|                             |    | Applicant:           | Jose M. Cazarez, Legends Event Center                                                                                                                                                                                                                                                                              |
|                             |    | Representative:      | Jose M. Cazarez                                                                                                                                                                                                                                                                                                    |
|                             |    | Owner:               | Jose M. Cazarez                                                                                                                                                                                                                                                                                                    |
|                             |    | <b>Stipulations:</b> |                                                                                                                                                                                                                                                                                                                    |
|                             |    |                      | 1) Farmers Market will be held no more than twice per month.                                                                                                                                                                                                                                                       |
|                             |    |                      | 2) Hours are limited to Friday – Sunday 12:00 PM – 7:00 PM                                                                                                                                                                                                                                                         |
|                             |    |                      | 3) Maximum of 2 food-trucks permitted as shown on site plan date stamped May 22, 2024.                                                                                                                                                                                                                             |
|                             |    |                      | 4) No amplified sound.                                                                                                                                                                                                                                                                                             |
|                             |    |                      | 5) 1 year review of use permit.                                                                                                                                                                                                                                                                                    |
|                             |    |                      | 6) Approved for 3 years.                                                                                                                                                                                                                                                                                           |
| <b>Approved<br/>w/stip</b>  | 7. | Application #:       | ZA-307-24-8                                                                                                                                                                                                                                                                                                        |
|                             |    | Existing Zoning:     | R-3 AIO EBRO and C-3 AIO EBRO                                                                                                                                                                                                                                                                                      |
|                             |    | Location:            | 909 East Buckeye Road                                                                                                                                                                                                                                                                                              |
|                             |    | Quarter Section:     | Q8-29(F8)                                                                                                                                                                                                                                                                                                          |
|                             |    | Proposal:            | 1) Time Extension for ZA-121-23, Variance to reduce the front yard setback (west) to 20 feet. Minimum 25 feet required.<br>2) Time Extension for ZA-121-23, Variance to reduce the street side (Buckeye Road) building setback to 20 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 |

percent, including projections.

3) Time Extension for ZA-121-23, Variance to reduce the street side (Buckeye Road) landscape setback to 20 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections.

4) Time Extension for ZA-121-23, Variance to reduce the street side (9th Street) building setback to 20 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections.

5) Time Extension for ZA-121-23, Variance to extend a use permitted in a less restricted district into a more restricted district 90 feet. Variance required for extending more than 25 feet.

6) Time Extension for ZA-121-23, Use permit to allow an extension of a use which is permitted in a less restricted district into a more restricted district to a maximum of 25 feet. Use permit required.

7) Time Extension for ZA-121-23, Variance to reduce the street side (9th Street) landscape setback to 20 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections.

Ordinance Sections: 624.E.4.d 624.E.4.d 624.E.4.d 624.E.4.d 307.A.8 307.A.8 624.E.4.e

Applicant: William D. Down, William D. Down & Associates, LLC

Representative: William D. Down, William D. Down & Associates, LLC

Owner: Jess Encinas, Arroyo Vista Properties, LLC

**Stipulation:**

1) 6 months to apply for and obtain building permits.

**1:30 PM**

**Approved  
w/stips**

8. Application #: ZA-25-24-1 (SIGN) (Continued from April 18, 2024)  
Existing Zoning: PUD DVAO  
Location: 125 and 555 West Pinnacle Peak Road  
Quarter Section: Q45-27(O8)  
Proposal: Use Permit to adopt the MAC Innovation Park Comprehensive Sign Plan, Site B&C. Use Permit required.  
Ordinance Sections: 705.E.2  
Applicant: Ana Jones, Trademark Visual, Inc.  
Representative: Ana Jones, Trademark Visual, Inc.  
Owner: Scott Denham, DV Parcel B Owner, LLC  
Scott Denham, DV Parcel C Owner, LLC

**Stipulations:**

1) Submit a revised CSP document adequately addressing PDD

Staff review comments within 60 days of the date of the ZAHO Hearing.

2) 1 year to apply for and obtain sign permits.

**Approved  
w/stips**

9. Application #: ZA-125-24-1 (SIGN) (Continued from April 18, 2024)  
Existing Zoning: PUD DVAO  
Location: 23869 North 19th Avenue  
Quarter Section: Q45-26(O7,O8)  
Proposal: Use permit to adopt the MAC Innovation Park Site A Comprehensive Sign Plan. Use permit required.  
Ordinance Sections: 705.E.2  
Applicant: Ana Jones, Trademark Visual, Inc.  
Representative: Ana Jones, Trademark Visual, Inc.  
Owner: Scott Denham, DV Parcel A-1 Owner, LP

**Stipulations:**

- 1) Submit a revised CSP document adequately addressing PDD Staff review comments within 60 days of the date of the ZAHO Hearing.
- 2) 1 year to apply for and obtain sign permits.

**Approved  
w/stips**

10. Application #: ZA-261-24-8 (SIGN)  
Existing Zoning: R1-6  
Location: 7810 South 42nd Place  
Quarter Section: Q01-37(D10)  
Proposal: Use permit to allow an electronic message display (EMD) on a ground sign. Use permit required.  
Ordinance Sections: 705.C.13  
Applicant: Dylan Hansen, Advanced Signs and Lighting  
Representative: George Kim, MEGA LED Tech  
Owner: Arizona Cultural Academy

**Stipulations:**

- 1) Electronic Message Display illumination shall be extinguished daily no later than 10:00 PM and until sunrise.
- 2) Final sign design including color and materials shall require PDD staff approval.
- 3) Twelve months to obtain sign permits for the ground sign.

**Approved  
w/stips**

11. Application #: ZA-264-24-8 (SIGN)  
Existing Zoning: PSC BAOD  
Location: 1523 East Southern Avenue  
Quarter Section: Q2-30(D9)  
Proposal: Use permit to allow an electronic message display (EMD) on a ground sign. Use permit required.  
Ordinance Sections: 705.C.13  
Applicant: Jenny Hodges, Signs Plus

Representative: Jenny Hodges, Signs Plus  
Owner: James Devlin, White Water Holdings, LLC

**Stipulations:**

- 1) Twelve months to obtain sign permits for the ground sign.
- 2) Electronic Message Display illumination to extinguish when business is closed.

|                             |     |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| <b>Under<br/>Advisement</b> | 12. | Application #:      | ZA-530-23-3                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                             |     | Existing Zoning:    | R1-6                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                             |     | Location:           | 1515 East Eva Street                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                             |     | Quarter Section:    | Q27-30(J9)                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                             |     | Proposal:           | 1) Variance to reduce the required side yard setback (south) to 3 feet. Minimum 10 feet required.<br>2) Variance to reduce the required side yard setback (north) to 3 feet. Minimum 10 feet required.<br>3) Variance to reduce the required front yard setback (west) to 15 feet. Minimum 20 feet required.<br>4) Variance to allow the required parking within the required front yard setback (west). Required parking not permitted within the front yard setback. |
|                             |     | Ordinance Sections: | 710.C.2.Table 1 710.C.2.Table 1 710.C.2.Table 1 702.F.1.a                                                                                                                                                                                                                                                                                                                                                                                                              |
|                             |     | Applicant:          | William Rodriguez                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                             |     | Representative:     | William Rodriguez                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                             |     | Owner:              | William Rodriguez                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                             |     |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

**Taken out from under advisement on June XX, 2024 and?**

|                            |        |                     |                                                                                                                           |
|----------------------------|--------|---------------------|---------------------------------------------------------------------------------------------------------------------------|
| <b>Approved<br/>w/stip</b> | 13.    | Application #:      | ZA-280-24-6                                                                                                               |
|                            |        | Existing Zoning:    | C-1 PCD, C-2 PCD, C-2, R-5                                                                                                |
|                            |        | Location:           | 7611 North 16th Street, 1632 East Morten Avenue, 1648 East Belmont Avenue                                                 |
|                            |        | Quarter Section:    | Q24-31                                                                                                                    |
|                            |        | Proposal:           | Use permit to reduce parking by 58% based on a shared parking model. Use permit required for reductions greater than 15%. |
|                            |        | Ordinance Sections: | 702.E.2.c                                                                                                                 |
|                            |        | Applicant:          | Rob Lane, Gammage & Burnham, PLC                                                                                          |
|                            |        | Representative:     | Stephen Anderson, Gammage & Burnham, PLC                                                                                  |
|                            | Owner: | CREF3 HSP Owner LLV |                                                                                                                           |

**Stipulation:**

- 1) Per the shared parking model as shown on parking study date stamped April 8, 2024.

|                             |     |                  |                           |
|-----------------------------|-----|------------------|---------------------------|
| <b>Approved<br/>w/stips</b> | 14. | Application #:   | ZA-289-24-6               |
|                             |     | Existing Zoning: | R1-6                      |
|                             |     | Location:        | 3015 East Mariposa Street |

Quarter Section: Q18-34(H10)  
Proposal: Variance to allow an over height fence (6 feet) in the required front yard (west). Maximum 40 inches permitted.  
Ordinance Sections: 703.A.2.a  
Applicant: Jessica Wilson, Carvana  
Representative: Jessica Wilson, Carvana  
Owner: Jessica Wilson, Carvana

**Stipulations:**

- 1) 1 year to apply for and obtain building permits.
- 2) Per the location of the proposed wall as shown on site plan date stamped April 17, 2024.

**Approved  
w/stips**

15. Application #: ZA-308-24-4  
Existing Zoning: C-2, R-3  
Location: 2640 East McDowell Road  
Quarter Section: Q13-33(G9)  
Proposal: 1) Variance to increase the allowable lot coverage in the C-2 zoning district to 51 percent. Maximum 50 percent coverage allowed.  
2) Variance to reduce the landscape setback (south) to 16 feet adjacent to a public street (McDowell Road). Average 25 feet required.  
Ordinance Sections: 623.E.4.h 623.E.4.e  
Applicant: Jason Olive, ADM Group Inc.  
Representative: Cameron Boome, Faith Christian Center  
Owner: Faith Christian Center  
**Stipulations:**  
1) 1 year to apply for and obtain building permits.  
2) Per the lot coverage and setback reductions as show on site plan date stamped April 17, 2024.

**ZONING ADJUSTMENT HEARING OFFICER: CAROL BERRY**  
**PLANNER: DOMINIC AMODIO, PLANNER II**

For further information, please call Eric Morales, Planner III, 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 Angie Holdsworth at 602-495-5622, [angie.holdsworth@phoenix.gov](mailto:angie.holdsworth@phoenix.gov) TTY: Use 7-1-1.

June 11, 2024