

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised October 7, 2025*

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 **September 18, 2025, at 9:00 AM. (Items 1-8) and 1:30 PM (Items 9-16). Located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona 85003**

The results of the meeting were as follows:

RESULTS
Approved
w/stips

9:00 AM

1. 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: Jesse Francoeur, Story Companies, LLC
Representative: Lindsay C. Schube, Gammage & Burnham, PLC
Owner: Watkins 951 W., 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.

Withdrawn	2.	Application #: Existing Zoning: Location: Quarter Section: Proposal:	ZA-453-25-6 (Continued from August 7, 2025) R1-10 5752 North 2nd Avenue Q20-27 Use permit to allow an over height (19 feet) detached accessory structure located in the rear yard (west) setback. Maximum 15 feet in height permitted. Ordinance Sections: 706.B.3.b Applicant: Benjamin Graff, Quarles & Brady LLP Representative: Benjamin Graff, Quarles & Brady LLP Owner: David Chamberlin, Chamberlin Living Trust
Approved w/stip	3.	Application #: Existing Zoning: Location: Quarter Section: Proposal:	ZA-454-25-3 (Continued from August 7, 2025) C-2 9501 North 7th Street Q27-29 Use permit to allow package liquor sales as an accessory to a convenience market (Hatcher Beer and Smoke Shop, LLC) located within 300 feet of a residential zoning district. Use permit required. Ordinance Sections: 622.D.102.a Applicant: Rebhi Awawadah, Hatcher Beer and Smoke Shop, LLC Representative: Rebhi Awawadah, Hatcher Beer and Smoke Shop, LLC Owner: RH9501, LLC, Los Defensores, Inc. Stipulation: 1) 90 days to commence the use.
Approved w/stips	4.	Application #: Existing Zoning: Location: Quarter Section:	ZA-331-25-2 C-2 2832 East Bell Road Q37-34

Proposal: Use permit to allow a temporary use (fundraising events) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: Jody Boyd, The Singletons
Representative: Jody Boyd, The Singletons
Owner: Jody Boyd, The Singletons

Stipulations:

- 1) Hours of events shall be from 8:00 AM – 9:00 PM.
- 2) Set up and takedown shall be completed on the same day as the event.
- 3) No more than 6 events per year.

Denied

5. Application #: ZA-471-25-6
Existing Zoning: R1-6
Location: 3110 East Montecito Avenue
Quarter Section: Q17-34
Proposal: Variance to reduce front yard setback (south) to 9 feet. Minimum 20 feet required.
Ordinance Sections: 613.B.Table B
Applicant: Bill Duncan, Duncan Design Group, LLC
Representative: Bill Duncan, Duncan Design Group, LLC
Owner: Jerry Tokoph, Income 3, LLC

***Approved
w/stips**

6. Application #: ZA-550-25-5
Existing Zoning: R1-6
Location: 2952 North 88th Drive
Quarter Section: Q15-7
Proposal: Variance to allow an over height fence (4 feet) within the required front yard setback. Maximum 40 inches permitted.
Ordinance Sections: 703.A.2.a
Applicant: Silvia Pina
Representative: Silvia Pina
Owner: Desiree Cordova

Taken out from under advisement on October 7, 2025 and approved with the following stipulations.

- 1) The owner must obtain one of the following within six months of this approval:
 - a) A certified property survey showing that the fence is constructed entirely within the property boundaries.
 - b) Obtain a revokable easement from the City Of Phoenix, Streets Department, allowing the encroachment of the fence into the street right-of-way.
- 2) 1 year to apply and pay for building permits.

**Approved
w/stips**

7. Application #: ZA-584-25-1
Existing Zoning: CP/BP DVAO
Location: 2730 and 2710 West Foothill Drive
Quarter Section: Q43-22

		Proposal:	Use permit to allow a temporary use (customer appreciation event) for up to 36 months. Use permit required.
		Ordinance Sections:	708.D.1
		Applicant:	Jon Roberts, Sandcraft, LLC
		Representative:	Jon Roberts, Sandcraft, LLC
		Owner:	Jon Roberts, J & D Concepts, LLC
		Stipulations:	
		1)	1 event per year.
		2)	Hours not to exceed 10:00 PM.
		3)	Set up and takedown will occur on the date of the event.
Approved w/stips	8.	Application #:	ZA-593-25-4
		Existing Zoning:	C-2 TOD-1, C-3 TOD-1
		Location:	727 West Camelback Road
		Quarter Section:	Q18-26
		Proposal:	Use permit to allow a temporary use for up to 36 months (outdoor entertainment for Charlies Phoenix). Use permit required.
		Ordinance Sections:	708.D.1
		Applicant:	Michael Weidmann, Charlies Phoenix
		Representative:	Michael Weidmann, Charlies Phoenix
		Owner:	John King, NMI One, LLC
		Stipulations:	
		1)	No more than 5 events per year.
		2)	All events will have professional security on site.
		3)	Amplified music will end by 9:00 PM.
Denied	9.	1:30 PM	
		Application #:	ZA-478-25-8 (SIGN)
		Existing Zoning:	A-1 M-R, A-1, CP/GCP M-R, C-2 M-R
		Location:	4615 East Elwood Street
		Quarter Section:	Q5-38
		Proposal:	1) Use permit to rebuild a non-conforming off-premise sign not requesting digital. Use permit required. 2) Variance to reduce required spacing between off-premise signs to 657 feet. Minimum 1,000 foot spacing required.
		Ordinance Sections:	705.2.B.2; 705.2.G.5
		Applicant:	Jacob Zonn, Becker Board Small, LLC
		Representative:	Garry D. Hays, The Law Offices of Garry D. Hays
		Owner:	HM Sky Harbor, LLC
Approved w/stips	10.	Application #:	ZA-487-25-8 (SIGN)
		Existing Zoning:	R-4 CCSIO, R-4 HP CCSIO
		Location:	1425 South 5th Avenue
		Quarter Section:	Q8-27

Proposal: Use permit to allow an electronic message display (EMD) for a ground sign. Use permit required.
Ordinance Sections: 705.C.13
Applicant: Carlos Hernandez, Summit West Signs
Representative: Carlos Hernandez, Summit West Signs
Owner: Mark Binelli, City of Phoenix

Stipulations:

- 1) The maximum sign height shall be 15 feet with Design Review approval prior to issuance of sign permit.
- 2) The maximum EMD square footage shall be no greater than 36 square feet.
- 3) Sign illumination shall be automatically shut off daily at 10:30 PM via an automatic dimming device.
- 4) 12 months to obtain sign permits for the ground sign.

***Approved
w/stips**

11. Application #: ZA-543-25-8 (SIGN)
Existing Zoning: PUD
Location: 5750 West Carver Road
Quarter Section: Q05-15
Proposal: Use permit to build two new off-premise sign with two digital faces. Use permit required.
Ordinance Sections: Phoenix Zoning Ordinance §705.2.E.3.; 705.2.E.3
Applicant: Jesse Laizure, Arc Media Group
Representative: Jason Morris, Withey Morris Baugh, PLC
Owner: Jordan Gaither, AERO Laveen, LLC, IDM Longview, LLC, TPC Management Group, LLC

Taken out from under advisement on October 7, 2025 and approved with the following stipulations:

- 1) The sign design and general sign location shall be in accordance with the sign drawings submitted to the Hearing Officer and date-stamped September 18, 2025.
- 2) Maximum height of both the off-premise signs shall be 48 feet.
- 3) The maximum sign face square footage shall be no greater than 672 square feet (14 feet by 48 feet) per digital sign face.
- 4) Off-premise sign illumination shall be extinguished daily at 10:30 PM via an automatic timer.
- 5) The applicant shall have 12 months to apply and pay for permits for the subject sign.

Denied

12. Application #: ZA-317-25-6
Existing Zoning: R1-6
Location: 4911 East Fairmount Avenue
Quarter Section: Q16-39
Proposal: 1) Use permit to allow detached accessory structure located between the primary dwelling unit and the front property line. Use permit required.
2) Variance to reduce the front yard setback (north) to 0 feet. Minimum 20 feet required.

		Ordinance Sections:	706.B.1 613.B.Table B
		Applicant:	Greg Aran
		Representative:	Greg Aran
		Owner:	Greg Aran
Approved w/stips	13.	Application #:	ZA-573-24-6 (1 Year Review of Use Permit)
		Existing Zoning:	C-2
		Location:	6101 North 7th Street
		Quarter Section:	Q21-29(I8)
		Proposal:	1) Use permit to allow outdoor cooking as an accessory to a restaurant (Bad Jimmy's). Use permit required. 2) Variance to reduce the distance for outdoor cooking as an accessory to a restaurant (Bad Jimmy's) from a residential zoning district to 247 feet. Minimum 300 feet required.
		Ordinance Sections:	623.D.157.f.(1) 623.D.157.f.(4)
		Applicant:	Charles Duff, EQ Bethany and Seventh, LLC
		Representative:	Taylor C. Earl, Earl & Curley
		Owner:	Charles Duff, EQ Bethany and Seventh, LLC
		Stipulations:	
			1) The outdoor cooking equipment will only be equipment that is predominantly a closed smoker.
			2) 12 months to apply and pay for building permits.
			3) Per the location of the outdoor cooking equipment as shown on site plan date stamped August 26, 2024.
Approved w/stips	14.	Application #:	ZA-333-25-7 (Continued from August 7, 2025)
		Existing Zoning:	DTC-Roosevelt North HP RNSPD
		Location:	70 West Lynwood Street
		Quarter Section:	Q12-27
		Proposal:	Variance to reduce the side yard (east) setback for an accessory dwelling unit to 2 feet. Minimum 3 feet required.
		Ordinance Sections:	706.A.4.b.(2)
		Applicant:	William Francis Leipart III, WL3 Designs
		Representative:	William Francis Leipart III, WL3 Designs
		Owner:	Lawrence Abeln
		Stipulations:	
			1) 1 year to apply and pay for building permits.
			2) Per the location of the accessory dwelling unit as shown on site plan date stamped May 16, 2025.
Approved w/stip	15.	Application #:	ZA-355-25-8 (Continued from August 7, 2025)
		Existing Zoning:	R-3 RI HP
		Location:	1327 East McKinley Street
		Quarter Section:	Q11-30
		Proposal:	Variance to allow vehicle maneuvering within the alley (south). Maneuvering must be located on private property.

Ordinance Sections: 702.A.1.b
Applicant: David Agado, OLMG Properties, LLC
Representative: Jens Kolb, Adrienne Briseno, Merge Architectural Group
Owner: David Agado, OLMG Properties, LLC

Stipulation:

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

**Approved
w/stip**

16. Application #: ZA-356-25-8 (Continued from August 7, 2025)
Existing Zoning: R-3 RI HP
Location: 1323 East McKinley Street
Quarter Section: Q11-30
Proposal: Variance to allow vehicle maneuvering within the alley (south). Maneuvering must be located on private property.
- Ordinance Sections: 702.A.1.b
Applicant: David Agado, OLMG Properties, LLC
Representative: Jens Kolb, Adrienne Briseno, Merge Architectural Group
Owner: David Agado, OLMG Properties, LLC
- Stipulation:**
1) 1 year to apply and pay for building permits.

**ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBLAY
PLANNER: DOMINIC AMODIO, PLANNER II**

For further information please call Eric Morales, Planner III, Planning and Development Department at 602-262-7927 or via electronic mail at zoning.adjustment@phoenix.gov. To request a reasonable accommodation, please contact Saneeya Mir, 602-686-6461, Saneeya.Mir@phoenix.gov TTY: Use 7-1-1.

October 8, 2025