

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised June 11, 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 **April 24, 2025, at 9:00 AM. (Items 1-6) and 1:30 PM (Items 7-14). 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-361-12-8 (1 Year Review of Use Permit)
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

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.

Denied	2.	Application #: ZA-119-23-8 (1 Year Review of Use Permit) Existing Zoning: C-2 Location: 2119, 2121, and 2125 North 24th Street Quarter Section: 13-33(G9) Proposal: Use permit to allow multiple temporary events (Wren House Brewing) for up to 36 months. Use permit required. Ordinance Sections: 708.D.1 Applicant: Allister Dueker, Wren House Brewing Co. Representative: Allister Dueker, Wren House Brewing Co. Owner: Omar Alvarez, TPQ Foods, LLC
Approved	3.	Application #: ZA-141-25-5 Existing Zoning: C-1 Location: 7144 North 35th Avenue, Suite B Quarter Section: Q23-20(I6) Proposal: Use permit to allow package liquor sales as an accessory to a convenience market (Big Bear Market) located within 300 feet of a residential zoning district. Use permit required. Ordinance Sections: 622.D.102.a Applicant: Zee Mart LLC, Big Bear Market Representative: Robert Leavitt, Arizona Liquor Industry Consultants Owner: Peter Quach, Quach's Hayward, LLC
Approved w/stips	4.	Application #: ZA-218-25 Existing Zoning: R1-10 Location: 3534 East Mountain View Road Quarter Section: Q28-35(K10) Proposal: 1) Variance to reduce front yard (south) setback to feet. Minimum 25 feet required. 2) Variance to allow an over height fence (6 feet) in the required front setback (south). Maximum 40 inches permitted. Ordinance Sections: 611.B.Table.B 703.A.2.a Applicant: Rezio, LLC Representative: Randy Marks, Rezio, LLC Owner: Kevin and Stacey Harkins Stipulations: 1) Variance 1, setback of 11 feet for hot tub and 15 feet for closet addition. 2) 1 year to apply and pay for building permits. 3) Per the date stamped site plan of March 20, 2025.
Approved w/stip	5.	Application #: ZA-219-25-4 Existing Zoning: C-1 Location: 2024 North 7th Street Quarter Section: Q13-28(G8) Proposal: Use permit to allow sales of alcoholic beverages as an accessory to a restaurant (Presidio Cocina Mexicana). Use permit required.

Ordinance Sections: 622.D.150.a
Applicant: Sergio Nava, El Presidio at Midtown, LLC
Representative: Sergio Nava, El Presidio at Midtown, LLC
Owner: Nava Holding Company, LLC

Stipulation:

- 1) 180 days to commence use.

**Approved
w/stips**

6. Application #: ZA-225-25-6
Existing Zoning: R1-6
Location: 7132 North 12th Place
Quarter Section: Q23-30(I9)
Proposal: Use permit to allow an over height (21') detached accessory dwelling unit, maximum height 15' allowed. Use permit required.

Ordinance Sections: 706.A.4.c.(1)
Applicant: Luke Mykytiuk, Rezio LLC
Representative: Randy Marks, Rezio LLC
Owner: Daniel Cummings

Taken out from under advisement on May 28, 2025 and approved with the following stipulations.

- 1) 1 year to apply and pay for building permits.
- 2) Per the size, location, and height of the proposed detached accessory dwelling unit as shown on the elevation and site plan date stamped March 21, 2025.

1:30 PM

***Approved
w/stips**

7. Application #: ZA-140-25-6 (SIGN)
Existing Zoning: C-2
Location: 3929 East Indian School Road
Quarter Section: Q16-36(H10)
Proposal: Use Permit to rebuild a legal nonconforming off-premise sign not requesting digital; Use permit to rebuild a nonconforming off-premise sign not requesting a digital. Use permit required.
- Ordinance Sections: 705.2.G.5
Applicant: Jacob Zonn, Becker Boards Small, LLC
Representative: Garry D Hays, The Law Offices of Garry D. Hays
Owner: Yee Family Trust

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 April 24, 2025. The east edge of the board will be 12.3 feet away from the right of way.
- 2) Maximum sign height shall be 33 feet.
- 3) The maximum sign face square footage shall be no greater than 238 square feet.
- 4) There shall be no illumination or lighting on the proposed structure.
- 5) 12 months to obtain sign permits for the ground sign.

**Approved
w/stips**

8. Application #: ZA-155-25-6 (SIGN)
Existing Zoning: C-2
Location: 3950 East Indian School Road

Quarter Section: Q17-36(H10)
 Proposal: Use permit to rebuild a nonconforming off-premise sign not requesting a digital. Use permit required.
 Ordinance Sections: 705.2.G.5
 Applicant: Jacob Zonn, Becker Board Small, LLC
 Representative: Garry D Hays. The Law Offices of Garry D. Hays
 Owner: NRF-Arcadia Place, LLC

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 April 24, 2025.
- 2) Maximum sign height shall be 20 feet or height of existing sign whichever is less.
- 3) The maximum sign face square footage shall be no greater than 240 square feet or less or size of existing sign.
- 4) 12 months to obtain sign permits for the ground sign.

**Approved
w/stips**

9. Application #: ZA-567-24-2 (6 Month Review of Use Permit)
 Existing Zoning: R1-6
 Location: 3357 East Wickieup Lane
 Quarter Section: Q40-35(N10)
 Proposal: 1) Variance to allow the Zoning Administrator to hear an application concerning property upon which a previous application has been heard within a period of one year. One year required.
 2) Use permit to allow the generation of traffic for a home occupation (Federal Firearms License). Use permit required.
 Ordinance Sections: 307.A.15.d; 608.E.27.h.(1)
 Applicant: John Shaw, King Tactical, LLC
 Representative: John Shaw, King Tactical, LLC
 Owner: John and Marlene Shaw, King Tactical, LLC
Stipulations:
 1) Remove Stipulation #3 – 6 month review.
 2) 90 days to commence the use.
 3) Traffic associated with the home occupation is limited to:
 a. 2 days per week, Tuesday and Thursday.
 b. 3:00 PM to 7:00 PM 4 hours.
 c. 4 customers per day.
 d. 1 customer at a time.

Denied

10. Application #: ZA-65-25-6 (Continued from March 13, 2025)
 Existing Zoning: RE-24 ACSPD
 Location: 5855 East Lafayette Boulevard
 Quarter Section: Q16-41(H11)
 Proposal: Use permit for official approval of a home occupation (Fisher Firearms LLC). Use permit required.
 Ordinance Sections: 608.E.27.h.(5)
 Applicant: Ryan Fisher, Fisher Firearms, LLC
 Representative: Ryan Fisher, Fisher Firearms, LLC
 Owner: Ryan Fisher, Fisher Firearms, LLC

**Approved
w/stips**

11. Application #: ZA-284-20-4 (1 Year Review of Use Permit)
(Continued from March 13, 2025)
Existing Zoning: C-2 SAUMSO
Location: 4232 North 7th Avenue
Quarter Section: 17-26(H8)
Proposal: 1) Use permit to allow outdoor dining as an accessory use to a restaurant/bar within 500 feet of a residential district. Use permit required.
2) Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a restaurant/bar within 500 feet of a residential district. Use permit required.
3) Variance to reduce the building setback (north) from a non Seventh Avenue property line that is not adjacent to a residential district to 0-feet. Minimum 5 feet required.
4) Variance to allow an over height fence wall (8 feet) along the rear property line. Maximum 6 feet allowed.
Ordinance Sections: 623.D.157.c 623.D.157.c 665.H.Table 1 703.A.2.c
Applicant: Engin Onural, Sandfish Phoenix, LLC
Representative: Lindsay C. Schube, Gammage & Burnham, PLC
Owner: 4232 N. 7th, LLC

Stipulations:

- 1) Stipulation # 8 – 1 year review deleted.
- 2) The hours of use for the rear patio outdoor area shall be no later than 12:30 AM every day of the week.
- 3) The rear patio outdoor area shall not emit noise at a decibel level exceeding current ambient conditions. To this end, Sandfish shall hire a professional sound consultant within 30 days of the use permit approval to assess sound propagation. In particular, the professional sound consultant is to determine current ambient sound conditions and an acceptable “do not exceed” decibel level both at the rear alley and adjacent residential property lines in consultation with the adjacent residential properties. The sound consultant shall then review proposed sound mitigation designs and provide feedback and solutions to Sandfish to mitigate noise levels experienced outside of the property prior to material back patio construction activity. Finally, Sandfish shall install a decibel reader at the rear alley property line to monitor ongoing compliance.
- 4) Prior to the issuance of a certificate of occupancy for Sandfish, an 8-foot high solid wall shall be constructed along the west property line adjoining the rear alley.
- 5) The 8-foot-high solid wall shall have a single gated point of ingress/egress reserved for staff and emergency exit only. Signage shall be posted to indicate ingress/egress it reserved for staff and emergency exit only.
- 6) Landscape speakers and/or lighting shall be directed away from Woodlea-Melrose residents located to the west.
- 7) Odor-controlling carbon filters shall be installed at all applicable

building exhaust points.

- 8) Per the site plan submitted to the Hearing Officer and originally date-stamped August 20, 2020 in regards to the location of the patio location/size, building setback reduction, and over height fence location requested in this case.

**Approved
w/stip**

12. Application #: ZA-178-25-8
Existing Zoning: R-3 SPVTABDO
Location: 1204 East Roeser Road
Quarter Section: Q4-30(E9)
Proposal: 1) Use permit to use the SFI (Single Family Infill) development option. Use permit required.
2) Variance to reduce the perimeter setback for units fronting on the street right-of-way to 8 feet (Lots 1-14). Minimum 10 feet required.
3) Variance to reduce the perimeter setback adjacent to a property line (east) to 5 feet (Lots 1-14). Minimum 10 feet required.
4) Variance to reduce the required landscape setback (west) to 8 feet (Lots 1-14). Minimum 10 feet required.
5) Variance to reduce the required open space to 3%. Minimum 5% required.
Ordinance Sections: 608.F.6 615.B.Table B 615.B.Table B 615.B.Table B 615.B.Table B
Applicant: Jack Zhang, Fen Investments Inc
Representative: Stephanie Rowe, RAR Architects
Owner: Jack Zhang, Fen Investments Inc
Stipulation:
1) 2 years to apply for permits.

**Withdrawn
to Amend**

13. Application #: ZA-180-25-6
Existing Zoning: R1-10
Location: 5955 East Orange Blossom Lane
Quarter Section: Q15-41(G11)
Proposal: 1) Variance to reduce the side yard setback (south) to 5 feet. Minimum 10 feet required.
2) Variance to allow an over height fence (6 feet) in the required front setback (west). Maximum 40 inches permitted.
3) Variance to reduce front yard setback (west) to 0 feet for a detached accessory structure (garage). Minimum 25 feet required.
4) Use permit to allow detached accessory structure (garage) located behind the required front setback but between the primary dwelling unit and the front property line. Use permit required.
5) Variance to allow 100 percent vehicle parking and maneuvering within the required front yard setback (west). Maximum 50 percent allowed.
Ordinance Sections: 611.B.Table B 703.A.2.a 611.B.Table B 706.B.1 702.F.1.b

	Applicant:	Stephen Roach
	Representative:	Stephen Roach
	Owner:	Stephen Roach
Approved w/stips	14. Application #:	ZA-205-25-6
	Existing Zoning:	RE-35 ACSPD
	Location:	5023 East Red Rock Drive
	Quarter Section:	Q19-40(H11)
	Proposal:	Variance to reduce the required front yard setback (north) to 10 feet. Minimum 40 feet required.
	Ordinance Sections:	609.B.Table
	Applicant:	Victor Sidy, Victor Sidy Architect
	Representative:	Victor Sidy, Victor Sidy Architect
	Owner:	Shahin and Yasmin Madi, Anarm Trust
	Stipulations:	
	1)	Per the site plan date stamped March 15, 2025 for location of building and setbacks.
	2)	18 months to apply and pay for permits.

ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBLAY
PLANNER: GREGORY HARMON, 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.

June 11, 2025