

**NOTICE OF RESULTS  
ZONING ADJUSTMENT HEARING**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to 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 **August 21, 2025, at 9:00 AM (Items 1-8) and 1:30 PM (Items 9-15) 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-373-25-6  
Existing Zoning: R1-10  
Location: 4820 East Osborn Road  
Quarter Section: Q16-39  
Proposal: 1) Use permit to allow detached accessory structure located between the primary dwelling unit and the front property line (south). Use permit required.  
2) Variance to allow an over height fence (6 feet) in the required front yard (south). Maximum 40 inches permitted.  
3) Use permit to allow detached accessory dwelling unit located between the primary dwelling unit and the front property line (south). Use permit required.  
Ordinance Sections: 706.B.1 703.A.2.; 706.A.5  
Applicant: Jacques LeBlanc, Realm Design, LLC  
Representative: Jacques LeBlanc, Realm Design, LLC  
Owner: Elizabeth Dutton and Dave Bush, Tudie 4825, LLC

**Stipulations:**

- 1) Fence shall be white steel open picket fencing on the Osborn frontage extending 25 feet along the east and west property line.
- 2) Fence shall be setback 10 feet from the southern property.
- 3) Per the location of the detached accessory structure and detached accessory dwelling unit as shown on site plan date stamped May 28, 2025.
- 4) 1 year to apply for and pay for building permits.
- 5) Area between Osborn Road and the metal fence to be landscaped with live plant materials to include at least one tree and 2.5 inch caliper.

**Denied**

2. Application #: ZA-424-25-1  
Existing Zoning: R1-18  
Location: 19713 North 39th Drive  
Quarter Section: Q40-19  
Proposal: 1) Variance to reduce the side yard setback (north) for a detached accessory structure to 0 feet. Minimum 3 feet required.

**Approved  
w/stips**

- 2) Variance to reduce the rear yard setback (east) for a detached accessory structure to 0 feet. Minimum 3 feet required.
- Ordinance Sections: 706.B.2.a. 706.B.2.a.  
Applicant: Timothy Green  
Representative: Timothy Green, Monsters Framing, LLC  
Owner: Mark Peters
3. Application #: ZA-430-14-7 (1 Year Review of Use Permit)  
Existing Zoning: A-1  
Location: 5436 West Latham Street  
Quarter Section: 12-16(G5)  
Proposal: 1) Variance to allow a medical marijuana cultivation facility located within 5,280 feet from the same type of use. Minimum of 5,280 feet separation is required.  
2) Variance to allow a medical marijuana cultivation facility located within 1,000 feet of an R-4A zoned property. Minimum 1,000 feet of separation is required.  
3) Use permit to allow a medical marijuana cultivation facility. Use permit required.
- Ordinance Sections: 627.D.93.b 627.D.93.c 627.D.93.a  
Applicant: Eric Capranica, E&M Alliance, LLC  
Representative: Eric Capranica, E&M Alliance, LLC  
Benjamin Tate, Withey Morris, PLC  
Owner: David and Kathleen Seid, Access Enterprises, 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.

**Approved  
w/stips**

4. Application #: ZA-590-16-7 (1 Year Review of Use Permit)  
Existing Zoning: A-1  
Location: 5436 and 5456 West Latham Street  
Quarter Section: 12-16(G5)  
Proposal: 1) Time extension of ZA-544-15, a use permit to allow a medical marijuana dispensary.  
2) Time extension of ZA-544-15, a variance to allow a medical marijuana dispensary within 5,280 feet of another medical marijuana facility.  
Ordinance Sections: 627.D.92.a 627.D.92.d  
Applicant: Adam Baugh, Withey Morris, PLC  
Representative: Adam Baugh, Withey Morris, PLC  
Owner: Turtle RE Investments Fund 1A, 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.

**Approved  
w/stips**

5. Application #: ZA-35-21-5 (1 Year Review of Use Permit)  
Existing Zoning: A-1  
Location: 4636 North 43rd Avenue  
Quarter Section: 18-18(H6)  
Proposal: 1) Time extension of ZA-22-20, use permit to allow a medical marijuana cultivation facility in the A-1 zoning district. Use permit required.

- 2) Time extension of ZA-22-20, variance to allow a medical marijuana cultivation facility within 5,280 feet of an existing medical marijuana facility. Minimum 5,280 feet separation required.
- 3) Time extension of ZA-22-20, use permit to allow a medical marijuana infusion production facility in the A-1 zoning district. Use permit required.
- 4) Time extension of ZA-22-20, variance to allow a medical marijuana infusion production facility within 5,280 feet of an existing medical marijuana facility. Minimum 5,280 feet separation required.

Ordinance Sections: 627.D.91.a 627.D.91.c 627.D.93.a 627.D.93.b  
 Applicant: Lindsay Schube, Gammage and Burnham  
 Representative: Lindsay Schube, Gammage and Burnham  
 Owner: 43rd Enterprises, 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.

**Approved  
w/stips**

6. Application #: ZA-514-25-8  
 Existing Zoning: A-1 RSIOD  
 Location: 209 West Hilton Avenue  
 Quarter Section: Q7-27  
 Proposal: Use permit to allow a residential use (single family residence). Use permit required.

Ordinance Sections: 627.C.1  
Applicant: Patrick Hallman, C & H Associates, LLC  
Representative: Patrick Hallman, C & H Associates, LLC  
Owner: Benito Ortega

**Stipulations:**

- 1) Accessory uses per R1-6 in Section 608 of Zoning Ordinance.
- 2) Development standards per R1-6 Section 613 Table B Column Subdivision of the Zoning Ordinance.
- 3) Accessory structures permitted per the development standards of Section 706 of the Zoning Ordinance.
- 4) Per the location of the proposed residence as shown on stie plan date stamped July 16, 2025.

**Approved  
w/stips**

7. Application #: ZA-522-25-4  
Existing Zoning: C-3 TOD-1  
Location: 4800, 4802, and 4804 North 7th Avenue  
Quarter Section: Q18-26  
Proposal: Use permit to allow liquor retail sales and package retail sales. Use permit required.
- Ordinance Sections: 662.F.1.c  
Applicant: Harun Ozcan, Troy Investment, LLC  
Representative: Harun Ozcan, Troy Investment, LLC  
Owner: Harun Ozcan, Troy Investment, LLC
- Stipulations:**
- 1) 1 year review of use permit.
  - 2) 1 year to commence the use.

**Denied**

8. Application #: ZA-534-25-6  
Existing Zoning: R1-14  
Location: 5533 East Flower Street  
Quarter Section: Q15-40  
Proposal: Variance to reduce the required front yard setback (north) to 20 feet. Minimum 30 feet required.
- Ordinance Sections: 607.B.4.a  
Applicant: Rob Pankow  
Representative: Ray Besignano, Pankow Construction  
Owner: Rob Pankow

**Approved  
w/stips**

- 1:30 PM**
9. Application #: ZA-339-25-8  
Existing Zoning: R1-6  
Location: 3014 North 24th Place  
Quarter Section: Q15-33  
Proposal: Variance to reduce the side yard (south) setback to 0 feet. Minimum 3 feet required.
- Ordinance Sections: 613.B.Table B  
Applicant: Junier Lam, Lam Building Design, LLC  
Representative: Junier Lam, Lam Building Design, LLC  
Owner: L&M Building, LLC
- Stipulations:**
- 1) Per the reductions as shown on site plan date stamped June 4, 2025.

2) 1 year to apply and pay for building permits.

|                             |     |                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                         |
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| <b>Approved<br/>w/stips</b> | 10. | Application #:<br>Existing Zoning:<br>Location:<br>Quarter Section:<br>Proposal:<br><br>Ordinance Sections:<br>Applicant:<br>Representative:<br>Owner:<br><b>Stipulations:</b><br>1) 1 year to apply and pay for building permits.<br>2) Per the location of the detached accessory structure as shown<br>on site plan date stamped July 18, 2025. | ZA-467-25-1<br>R1-6<br>4416 West Paradise Lane<br>Q36-18<br>Use permit to allow an over height (17 feet)<br>detached accessory structure located in the<br>rear yard (north) setback. Maximum 15 feet in<br>height permitted.<br>706.B.3.b<br>Phillip Woolbright, A&B Homes, Inc.<br>Phillip Woolbright, A&B Homes, Inc.<br>Chris Olsen                                 |
|                             |     |                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Approved<br/>w/stips</b> | 11. | Application #:<br>Existing Zoning:<br>Location:<br>Quarter Section:<br>Proposal:<br><br>Ordinance Sections:<br>Applicant:<br>Representative:<br>Owner:<br><b>Stipulations:</b><br>1) 90 days to commence the use.<br>2) Per the location of the proposed trailers per the site plan date<br>stamped July 16, 2025.                                 | ZA-469-25-6<br>A-2<br>555 South 48th Street<br>Q9-39<br>Use permit to allow a temporary use (Valley<br>Metro office trailers) for up to 36 months. Use<br>permit required.<br>708.D.1<br>Chase Fox, Kimley-Horn and Associates, Inc.<br>Chase Fox, Kimley-Horn and Associates, Inc.<br>City of Phoenix Aviation Department,<br>Superintendent of Commercial Real Estate |
|                             |     |                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Approved<br/>w/stips</b> | 12. | Application #:<br>Existing Zoning:<br>Location:<br>Quarter Section:<br>Proposal:<br><br>Ordinance Sections:<br>Applicant:<br>Representative:<br>Owner:<br><b>Stipulations:</b><br>1) 1 year to apply and pay for building permits.<br>2) Per the site plan date stamped July 22, 2025.                                                             | ZA-510-25-3<br>R1-6<br>17225 North 17th Street<br>Q37-31<br>Use permit to allow the Planned Residential<br>Development (PRD) option. Use permit<br>required.<br>608.B.<br>Raad Salih, Saif Engineering, LLC<br>Raad Salih, Saif Engineering, LLC<br>Arkadi Babaganov                                                                                                    |
|                             |     |                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Approved<br/>w/stips</b> | 13. | Application #:<br>Existing Zoning:<br>Location:                                                                                                                                                                                                                                                                                                    | ZA-520-25-4<br>R1-6 HP<br>361 East Alvarado Road                                                                                                                                                                                                                                                                                                                        |
|                             |     |                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                         |

Quarter Section: Q13-28  
Proposal: Variance to reduce the side yard setback (west) for a detached accessory structure to 1 foot. Minimum 3 feet required.  
Ordinance Sections: 706.B.2.a.  
Applicant: Jesse Hunt  
Representative: Erik Ryden, Ryden Architects, Inc.  
Owner: Jesse Hunt

**Stipulations:**

- 1) 1 year to apply and pay for building permits.
- 2) Per the location of the detached accessory structure as shown on site plan date stamped July 22, 2025.

**Approved  
w/stips**

14. Application #: ZA-523-25-3  
Existing Zoning: C-2  
Location: 12401 North Cave Creek Road  
Quarter Section: Q31-32  
Proposal: Use permit to allow a temporary use (Promotional event with food trucks and outdoor music) for up to 36 months. Use permit required.  
Ordinance Sections: 708.D.1  
Applicant: Lindsay Schube, Gammage & Burnham, PLC  
Representative: Lindsay Schube, Gammage & Burnham, PLC  
Owner: Cave Creek RE, LLC, Verano, d/b/a Zen Lead Dispensary

**Stipulations:**

- 1) Hours of the events shall be 12:00 PM – 9:00 PM.
- 2) 4 events per year.
- 3) Maximum of 3 days per event.
- 4) Events to be on Fridays, Saturdays and Sundays.
- 5) No vendor to be located on north side of building.
- 6) All existing landscaping is to be protected and preserved.
- 7) A temporary sound barrier shall be placed extending from Zen building to the adjacent retail buildings across the open drive through.
- 8) No staging equipment to be located in the north drive or parking north of the drive.
- 9) Take down to be completed no later than 12:00 PM on Mondays.
- 10) 6 month review required.
- 11) Event parking areas shall be prominently posted.

**Approved  
w/stip**

15. Application #: ZA-533-25-2  
Existing Zoning: C-2  
Location: 21041 North Cave Creek Road  
Quarter Section: Q42-33  
Proposal: 1) Use permit to allow a pawn shop. Use permit required.  
2) Variance to allow a pawn shop less than 500 feet from a residential district. Minimum 500 feet of separation required.

Ordinance Sections: 623.D.134.a 623.D.134.b  
Applicant: Guy Dryer, 1 Stop Companies, LLC  
Representative: Guy Dryer, 1 Stop Companies, LLC  
Owner: Thomas Rosztoczy, FER Properties  
**Stipulation:**  
1) 1 year to commence the use.

**ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE**  
**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](mailto:zoning.adjustment@phoenix.gov). To request a reasonable accommodation, please contact Saneeya Mir, 602-686-6461, [Saneeya.Mir@phoenix.gov](mailto:Saneeya.Mir@phoenix.gov) TTY: Use 7-1-1.

August 22, 2025