

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised January 8, 2026*

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 **December 11, 2025, at 9:00 AM. (Items 1-7) and 1:30 PM (Items 8-14). 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

***Denied**

9:00 AM

1. Application #: ZA-767-25-2
Existing Zoning: R1-10
Location: 6550 East Phelps Road
Quarter Section: Q36-43
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.3
Applicant: Kevin Debuire
Representative: Kevin Debuire
Owner: Kevin Debuire and Melody Cmybor
Taken out from under advisement on January 8, 2026 and denied.

**Approved
w/stips**

2. Application #: ZA-781-25-7
Existing Zoning: C-2
Location: 7425 South 19th Avenue
Quarter Section: Q1-25
Proposal: Use permit to allow a drive-through facility accessory to a restaurant (Scooter's Coffee) within 300 feet from a residential zoning district. Use permit required.
Ordinance Sections: 623.D.157.d.(2)
Applicant: Sara GilBride, Prefling Engineering
Representative: Michael Prefling, Prefling Engineering
Owner: Nineteen Commons, LLC
Stipulations:
1) 1 year to apply and pay for building permits.
2) Per the location of the drive through as shown on site plan date stamped October 10, 2025.

**Approved
w/stips**

3. Application #: ZA-861-25-6
Existing Zoning: C-2
Location: 7023 North 19th Avenue
Quarter Section: Q23-25
Proposal: Use permit to allow a drive through facility accessory to a restaurant (McDonald's) within 300 feet from a residential zoning district. Use permit required.

Ordinance Sections: 623.D.157.d.(2)
Applicant: Scott Audsley, McDonalds USA, LLC
Representative: William Allison, Withey Morris Baugh, PLC
Owner: Andrew Fosberg, Launch Glendale, LLC

Stipulations:

- 1) The required landscape, including setbacks along the perimeters of the site and areas internal to the site, shall include, in addition to trees, native cacti or similar spiny and thorny plants, as approved by the Planning & Development Department.
- 2) Incorporate rip rap in landscape areas, as approved by the Planning & Development Department.
- 3) Site lighting shall be provided at building entrances/exits, along drive aisles, and along the north and east perimeter of the site to promote Natural Surveillance, as approved by the Planning & Development Department.
- 4) Install tamper proof water faucets and electrical outlet covers on the exterior of the building, as approved by the Planning & Development Department.
- 5) Install and maintain cameras on the perimeter of the building to record on-site activity and keep recordings for a minimum of one week.
- 6) 1 year to apply and pay for building permits.
- 7) Per the location of the drive through and menu boards as shown on site plan date stamped November 6, 2025

Withdrawn 4. Application #: ZA-698-25-6 (Continued from November 6, 2025)
Existing Zoning: C-2
Location: 15425 South 48th Street
Quarter Section: Q010-39
Proposal: Use permit to allow a temporary use (Mad Fest Music and Kava Festival) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: John Fitch, MH Investments III, LLC
Representative: John Fitch, MH Investments III, LLC
Owner: Samir Arikat, SR Plaza 4804, LLC

Approved w/stips 5. Application #: ZA-302-12-1 (1 Year Review of Use Permit)
Existing Zoning: A-1 DVAO1 DVAO2
Location: 21617 North 9th Avenue, Suite 100
Quarter Section: 42-26(N8)
Proposal: 1) Use Permit to allow a medical marijuana cultivation facility. Use Permit required.
2) Use Permit to allow a medical marijuana dispensary facility. Use Permit required.
3) Variance to allow a medical marijuana cultivation facility 800 feet from another medical marijuana facility. Minimum 5,280 feet required.
4) Variance to allow a medical marijuana dispensary facility 800 feet from another

medical marijuana facility. Minimum 5,280 feet required.

Ordinance Sections: 627.D.93 627.D.93 627.D.91.c 627.D.91.c

Applicant: Sheraz Warraich, The Giving Tree Wellness Center North Phoenix

Representative: Giovanni Dolleton, Nirvana Center

Owner: Paola Tulliani

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-111-18-2 (1 Year Review of Use Permit)

Existing Zoning: C-2

Location: 21035 North Cave Creek Road, Suite C3 & C4

Quarter Section: 42-33(N9)

Proposal: 1) Time extension for ZA-37-17, a variance to expand an existing medical marijuana dispensary within 1,320 feet of a public park. Minimum 1,320 foot separation required.

2) Time extension for ZA-37-17, a variance to expand an existing medical marijuana dispensary within 1-mile of another medical marijuana facility. Minimum 1-mile separation required.

3) Time extension for ZA-37-17, a use permit to expand an existing medical marijuana dispensary. Use permit required.

Ordinance Sections: 623.D.122.g 623.A.122.e 623.D.122.a

Applicant: Michael O'Brien, Abaca Ponderosa, LLC dba Ponderosa Dispensary
Representative: Michael O'Brien, Pitchfork Partners, LLC dba Sonoran Root
Owner: Michael Watts, Watts Investments, 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**

7. Application #: ZA-1-20-2 (1 Year Review of Use Permit)
Existing Zoning: C-2
Location: 701 West Union Hills Drive
Quarter Section: 38-26(M8)
Proposal: 1) Use permit to allow a medical marijuana dispensary. Use permit required.
2) Variance to allow a medical marijuana dispensary facility within 500 feet of a residentially zoned district. Minimum 500 foot separation required.
Ordinance Sections: 623.D.124.a 623.D.124.f
Applicant: Solid Green Management, LLC
Representative: Lindsay Schube, Gammage & Burnham, PLC
Owner: Victoria Fresno Realty, 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	8.	1:30 PM Application #: ZA-531-25-8 (SIGN) Existing Zoning: R1-6 BAOD Location: 3607 East Harwell Road Quarter Section: Q01-35 Proposal: Variance to increase the height of a ground sign to a height of 8 feet for a single-family residential use. Maximum 5 feet permitted. Ordinance Sections: 705.D.1 Table D-1 Applicant: Jeff Giles, Clouse Engineering, Inc. Representative: Ryan Larsen, Porchlight Homes Owner: Ryan Larsen, Porchlight Homes Stipulations: 1) The maximum sign height shall be 8 feet. 2) The maximum square footage shall be no greater than 134 square feet. 3) 90 days to obtain sign permits for the ground sign.	
Approved w/stips	9.	Application #: ZA-804-25-2 (SIGN) Existing Zoning: C-2 Location: 15612 North 32nd Street Quarter Section: Q35-34 Proposal: 1) Use permit to rebuild a nonconforming off premise sign to digital display. Use permit required. 2) Use permit to rebuild a nonconforming off premise sign to a height of 40 feet. Use permit required. 3) Variance to reduce spacing between off	

premise signs to 738 feet. Minimum 1,000 foot spacing required.

Ordinance Sections: 705.2.G.4 705.2.B.4.a 705.2.B.2
Applicant: Brent Wood, Outfront Media, LLC
Representative: William F. Allison, Withey Morris Baugh, PLC
Owner: Stephen and Mariam Ovanessoff

Stipulations:

- 1) Maximum height of the off-premise sign shall be 40 feet.
- 2) The maximum sign face square footage shall be no greater than 300 square feet per digital sign face (11 feet by 22 feet).
- 3) Install a Planning and Development Department design-approved metallic screen treated with a graffiti resistant coating on the west end of the sign towards the residential uses.
- 4) Electric service shall utilize underground connections to the off-premise sign where feasible as determined by the Planning and Development Department. Any approved above ground service lines shall be placed in electrical conduit.
- 5) Off-premise sign illumination shall be extinguished daily from 11:00 PM to sunrise via an automatic timer device.
- 6) The applicant shall have 12 months to apply and pay for permits for the subject sign.
- 7) Per the location and pole cover design as shown on the plans date stamped November 13, 2025.

Withdrawn	10.	Application #:	ZA-665-25-8
		Existing Zoning:	S-1 S-1 SP
		Location:	6500 South 36th Street
		Quarter Section:	Q2-35
		Proposal:	Variance to install a satellite earth station within 300 feet from a property line that abuts land zoned for residential purposes. Minimum 300 feet setback required.
		Ordinance Sections:	715.A.2.d
		Applicant:	Caillou Pena, Space Exploration Technologies Corp.
		Representative:	Robin Walters, State 48 Consulting
		Owner:	Vertical Bridge dba Vertical Bridge LandCo, LLC
Approved w/stips	11.	Application #:	ZA-838-25-7
		Existing Zoning:	C-3 CMOD
		Location:	1001, 1005, 1007, 1009, and 1011 West Jefferson Street
		Quarter Section:	Q10-26
		Proposal:	1) Variance to reduce the streetside (Jefferson Street) building setback to 0 feet. Minimum 25 feet required. 2) Variance to reduce the streetside (10th Avenue) building setback to 0 feet. Minimum 25 feet required. 3) Variance to reduce the streetside (11th

Avenue) building setback to 4 feet. Minimum 25 feet required.

4) Variance to reduce the street side (Jefferson Street) landscape setback to 0 feet. Minimum 25 feet required.

5) Variance to reduce the street side (10th Avenue) landscape setback to 0 feet. Minimum 25 feet required.

6) Variance to reduce the street side (11th Avenue) landscape setback to 4 feet. Minimum 25 feet required.

7) Use permit to reduce required parking from 30 spaces to 13 spaces for special needs population. Use permit required.

8) Variance to increase the lot coverage to 55%. Maximum lot coverage 50% permitted.

Ordinance Sections: 624.E.4.d, 624.E.4.d 624.E.4.d 624.E.4.e
624.E.4.e 624.E.4.e 702.E.6 624.E.4.h

Applicant: Area Agency on Aging Region One
Incorporated

Representative: Madison Leake and Edwin Bull, Burch &
Cracchiolo, P.A.

Owner: Muchas Linguas, LLC

Stipulations:

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

2) Per the reductions as shown on site plan date stamped
November 7, 2025.

**Approved
w/stips**

12. Application #: ZA-843-25-2
Existing Zoning: PUD
Location: 6902 East Greenway Parkway
Quarter Section: Q35-44
Proposal: Use permit to allow a temporary use (Bonhams
Car Auction) for up to 36 months. Use permit
required.
Ordinance Sections: 708.D.1
Applicant: Taylor Earl, Earl & Curley, P.C.
Representative: Teri Avakian, Earl & Curley, P.C.
Owner: Derek Ellis, Westin Kierland

Stipulations:

- 1) Approved for 1 event from January 22, 2026 to January 23, 2026.
2) Hours of the event will be 8:00 AM – 6:00 PM.
3) Set up will be from January 14, 2026 to January 21, 2026 from
8:00 AM to 6:00 PM.
4) Tear down will be from January 24, 2026 to January 30, 2026
from 8:00 AM to 6:00 PM.
5) No live entertainment.
6) Per the event area as shown on site plan date stamped
November 10, 2025.

**Approved
w/stip**

13. Application #: ZA-854-25-1
Existing Zoning: R1-6

Location: 8840 North 39th Avenue and 3901 West Dunlap Avenue
Quarter Section: Q26-19
Proposal: Use Permit to allow public assembly residential uses with vehicular access on a local or minor collector street (39th Avenue). Use permit required.
Ordinance Sections: 608.E.22
Applicant: Sara GilBride, Prefling Engineering
Representative: Michael Prefling, Prefling Engineering
Owner: Tansy Kadoe, Arizona Karen Baptist Church

Stipulation:

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

**Approved
w/stips**

14. Application #: ZA-94-13-5 (1 Year Review of Use Permit)
Existing Zoning: C-3
Location: 4126 West Indian School Road
Quarter Section: 17-19(H6)
Proposal: 1) Use permit to allow a nonprofit medical marijuana dispensary facility. Use permit required.
2) Variance to allow a nonprofit medical marijuana dispensary facility to be located within 5,280 feet of the same type of use or a medical marijuana facility. Shall not be located within 5,280 feet of the same type of use.
Ordinance Sections: 623.D.122.a 623.D.122.e
Applicant: Nalee Pham New Gen Real Estate, Services, LLC, Herbal Wellness Center
Representative: Justin Brandt, Esq., Bianchi & Brandt
Owner: Nalee Pham New Gen Real Estate, Services, LLC, Herbal Wellness Center

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.
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- 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.

ZONING ADJUSTMENT HEARING OFFICER: MICHEAL WIDENER
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.

January 8, 2026