

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 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-298-12-7 (1 Year Review of Use Permit)
Existing Zoning: A-1
Location: 2620 West Encanto Boulevard
Quarter Section: 14-23(G7)
Proposal: Time extension for ZA-74-12, Use Permit to allow a medical marijuana cultivation facility. Use Permit to allow a medical marijuana dispensary facility. Use Permit required.
Ordinance Sections: 627.D.91.a. 627.D.92.a.
Applicant: Nicholas Scavio, Mint Cannabis
Representative: Lindsay Schube, Gammage & Burnham, PLC
Owner: Nicholas Scavio, Mint Cannabis

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-54-13-7 (1 Year Review of Use Permit)
Existing Zoning: A-1
Location: 2439 West McDowell Road
Quarter Section: 12-23(G7)
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) Use permit to allow a Medical Marijuana Infusion Production Facility. Use permit required.
4) Variance to allow a Medical Marijuana Cultivation Facility to be located within 5,280 feet of the same type of use. Shall not be located within 5,280 feet of the same type of use.
5) Variance to allow a Medical Marijuana Dispensary Facility to be located within 5,280 feet of the same type of use. Shall not be located within 5,280 feet of the same type of use.
6) Variance to allow a Medical Marijuana Infusion Production Facility to be located within 5,280 feet of the same type of use. Shall not be located within 5,280 feet of the same type of use.
Ordinance Sections: 627.D.91.a 627.D.92.a 627.D.93.a 627.D.91.c 627.D.92.d 627.D.93.b
Applicant: Sixth Street Enterprises, Inc.
Representative: Lindsay C. Schube, Gammage & Burnham, PLC
Owner: 2439 & 2503 W McDowell, 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**

3. Application #: ZA-442-13-7 (1 Year Review of Use Permit)
Existing Zoning: A-1
Location: 2620, 2626, 2632 West Encanto Boulevard
Quarter Section: 14-23(G7)
Proposal: 1) Use permit to expand an approved medical marijuana cultivation facility. Use Permit required.
2) Use permit to expand an approved medical marijuana infusion facility. Use Permit required.
3) Variance to allow a medical marijuana cultivation facility within 5,280 feet of any medical marijuana facility.
4) Variance to allow a medical marijuana infusion facility within 5,280 feet of any medical marijuana facility.
Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b
Applicant: Nicholas Scavio, Mint Cannabis
Representative: Lindsay Schube, Gammage & Burnham, PLC
Owner: Nicholas Scavio, Mint Cannabis

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-174-15-7 (1 Year Review of Use Permit)
Existing Zoning: A-1
Location: 211 South 57th Drive
Quarter Section: 10-15(F5)
Proposal: 1) Use permit to allow a medical marijuana

- cultivation facility. Use permit required.
- 2) Use permit to allow a medical marijuana infusion facility. Use permit required.
- 3) Variance to allow a medical marijuana cultivation facility within 1-mile of a similar type of use. Minimum separation of 5,280 feet required.
- 4) Variance to allow a medical marijuana infusion facility within 1-mile of a similar type of use. Minimum separation of 5,280 feet required.

Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b
 Applicant: Superior Organics
 Representative: Lindsay C. Schube, Gammage & Burnham, PLC
 Owner: 203-211 Shapiro, 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-117-16-7 (1 Year Review of Use Permit)
 Existing Zoning: A-1
 Location: 211 South 57th Drive
 Quarter Section: 10-15(F5)
 Proposal: 1) Use permit to allow a medical marijuana dispensary. Use permit required.
 2) Variance to allow a medical marijuana dispensary within 5280 feet of another medical marijuana facility. Minimum of 5280 feet separation required.
 Ordinance Sections: 627.D.92.a. 627.D.92.d.
 Applicant: Superior Organics

Representative: Lindsay Schube, Gammage & Burham, PLC
Owner: Steven Shapiro, 203-211 Shapiro, 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.

**Review
Withdrawn**

6. Application #: ZA-409-22-7 (1 Year Review of Use Permit)
Existing Zoning: DTC-Roosevelt South HP
Location: 822 North 6th Avenue
Quarter Section: 11-27(F8)
Proposal: Use permit to allow outdoor entertainment (amplified music) as an accessory use to a bar (Garden Bar Phoenix). Use permit required.

Ordinance Sections: 1204.D
Applicant: Kim and Kevin Haasarud, Garden Bar PHX/Si
Representative: Kim and Kevin Haasarud, Garden Bar PHX/Si
Owner: Kim and Kevin Haasarud, Garden Bar PHX/Si

**Review
Withdrawn**

7. Application #: ZA-797-24-7 (1 Year Review of Use Permit)
Existing Zoning: DTC-Roosevelt South HP
Location: 822 North 6th Avenue
Quarter Section: Q11-27(F8)
Proposal: Use permit to allow outdoor liquor service as an accessory use to a restaurant. Use permit required.

Ordinance Sections: 1204.D
Applicant: Taylor Earl, Earl & Curley, PC
Representative: Taylor Earl, Earl & Curley, PC
Owner: Chuckie Duff, EQ Sixth and Roosevelt, LLC

**Approved
w/stips**

8. Application #: ZA-748-25-3
Existing Zoning: C-2
Location: 12620 North Cave Creek Road
Quarter Section: Q31-32
Proposal: 1) Use permit to allow a medical marijuana dispensary. Use permit required.
2) Variance to allow a medical marijuana dispensary within 500 feet of a residentially zoned district. Minimum 500 feet of separation required.
3) Variance to allow a medical marijuana dispensary within 5,280 feet of the same type of use. Minimum 5,280 feet of separation required.
4) Variance to allow a medical marijuana dispensary within 1,320 feet of a place of worship. Minimum 1,320 feet of separation required.
- Ordinance Sections: 623.D.124.a; 623.D.124.f; 623.D.124.e; 623.D.124.h
- Applicant: Ronnie Kassab, Wickenburg Alternative Medicine, LLC
- Representative: Fae Sowders, Bergin, Frakes, Smalley & Oberholtzer, PLLC
- Owner: Roseann Chiulli, Roseann J Chiulli Living Trust
- 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.
 - 8) Per site plan date stamped November 10, 2025 for expansion.

		1:30 PM	
Withdrawn to Amend	9.	Application #: ZA-815-25-4 (SIGN) Existing Zoning: C-2 Location: 2342 East Thomas Road Quarter Section: Q15-32 Proposal: 1) Use permit to rebuild a nonconforming off premise sign. Use permit required. 2) Use permit to convert to digital display. Use permit required. 3) Use permit to rebuild a nonconforming off premise sign to a height of 40 feet. Use permit required. 4) Use permit to reduce off premise sign separation from a residential district and residential use to 246 feet. Use permit required. 5) Variance to reduce spacing between of premise signs to 217 feet. Minimum 1,000 foot required.	
		Ordinance Sections: 705.2.G.4 705.2.E.3 705.2.B.4.a 705.2.A.5 705.2.B.2 Applicant: Taylor C. Earl, Earl & Curley, P.C. Representative: Taylor C. Earl, Earl & Curley, P.C. Owner: Scott Levine, Pacific Outdoor Systems Limited Partnership	
Approved w/stips	10.	Application #: ZA-16-24-7 (Continued from October 23, 2025) Existing Zoning: R-3 Location: 1425 South 29th Avenue Quarter Section: Q8-22(F7) Proposal: Variance to reduce the rear yard setback (east) to 3 feet. Minimum 15 feet required.	
		Ordinance Sections: 615.B.Table B Applicant: Hever Lopez, Professional CAD Design, LLC Representative: Hever Lopez, Professional CAD Design, LLC Owner: Saguaro Cactus Properties, LLC Stipulations: 1) 1 year to apply and pay for building permits. 2) Per site plan date stamped March 25, 2025 for setback.	
*Denied	11.	Application #: ZA-803-25-4 Existing Zoning: C-1, C-2 Location: 3250 West Indian School Road Quarter Section: Q17-21 Proposal: Variance to allow a drive-through window for the sale of alcohol (Los Amigo Market & Liquor) within 300 feet of a residential zoning district. Minimum 300 feet required.	
		Ordinance Sections: 622.D.102.b Applicant: Kristin Thoma-Mahan, KTM Design Studio Representative: Kristin Thoma-Mahan, KTM Design Studio Owner: 3250 Investment, LLC Taken out from under advisement on January 8, 2026 and denied.	

**#1, 2, 3,
Approved
w/stips**

**#4
Denied as
Filed**

12. Application #: ZA-835-25-8
Existing Zoning: C-1 WU Code T5:5 EG
Location: 2001 East Roosevelt Street
Quarter Section: Q11-32
Proposal: 1) Variance to allow an over height fence (7 feet) in the required streetscape setback (north) adjacent to a public street (Roosevelt Street). Maximum 40 inches permitted.
2) Variance to allow an over height fence (7 feet) in the required streetscape setback (west) adjacent to a public street (20th Street). Maximum 40 inches permitted.
3) Variance to reduce the required street side landscape setback (Roosevelt Street) to 0 feet. 25-foot average and 20 foot minimum for up to 50% of structures required.
4) Variance to reduce the required street side landscape setback (20th Street) to 0 feet. 25-foot average and 20 foot minimum for up to 50% of structures required.
- Ordinance Sections: 703.A.3.a 703.A.3.a 622.E.4.e 622.E.4.e
Applicant: Michelle Green, Lazarus & Silvyn P.C.
Representative: Larry Lazarus, Lazarus & Silvyn P.C.
Owner: Steven Rogers, Domain Properties, LLC
- Stipulations:**
1) 18 months to apply and pay for building permits.
2) Request 4 approved variance to reduce the required street side landscape setback (20th Street) to 5 feet.

**Approved
w/stips**

13. Application #: ZA-862-25-8
Existing Zoning: A-1
Location: 4201 and 4205 East University Drive
Quarter Section: Q6-37
Proposal: 1) Time extension of ZA-170-23, variance to reduce the required side yard (west) setback to 4 feet. Minimum 25 feet required.
2) Time extension of ZA-170-23, use permit to allow a medical marijuana cultivation facility. Use permit required.
3) Time extension of ZA-170-23, variance to allow medical marijuana cultivation facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required.
4) Time extension of ZA-170-23, use permit to allow a medical marijuana infusion facility. Use permit required.
5) Time extension of ZA-170-23, variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required.
6) Time extension of ZA-170-23, use permit to allow a medical marijuana dispensary facility. Use permit required.

7) Time extension of ZA-170-23, variance to allow a medical marijuana dispensary facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required.

Ordinance Sections: 701.D.3.c 627.D.91.a 627.D.91.c 627.D.93.a 627.D.93.b 627.D.92.a 627.D.92.d

Applicant: Madison Leake, Burch & Cracchiolo, P.A.

Representative: Madison Leake, Burch & Cracchiolo, P.A.

Owner: Cottontails, LLC and Cottontails Part Deux, LLC

Stipulations:

- 1) 2 year to apply and pay for building permits.
- 2) All prior stipulations in affect.

**Approved
w/stip**

14. Application #: ZA-878-25-2
Existing Zoning: R1-6 PCD
Location: 31910 North North Foothills Drive
Quarter Section: Q55-24
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: Joshua Eden Fine, Veil Church

Representative: Anthony Petterson, First Service Residential

Owner: Sonoran Foothills Community Association

Stipulation:

- 1) 1 event per year on Christmas Eve for 3 years.

***Approved
w/stip**

15. Application #: ZA-881-25-6
Existing Zoning: R-3
Location: 3451 North 38th Street
Quarter Section: Q16-36
Proposal: 1) Variance to reduce perimeter landscape setback (north) not adjacent to a street to 0 feet. Minimum 5 feet required.
2) Variance to reduce perimeter landscape setback (south) not adjacent to a street to 0 feet. Minimum 5 feet required.
3) Variance to reduce perimeter landscape setback (west) not adjacent to a street to 0 feet. Minimum 5 feet required.
4) Variance to reduce perimeter building setback (west) to 0 feet. Minimum 15 feet required.

Ordinance Sections: 703.B.3.b.(3); 615.B.Table B

Applicant: Dawn Augusta, Risome Residential, LLC

Representative: Jerry Palmer, Palmer Architects

Owner: Dawn Augusta, Risome Residential, LLC

Taken out from under advisement on January 8, 2026 and approved with the following stipulations:

- 1) 18 months to apply and pay for building permits.
- 2) Per the setback reductions as shown on the site plan dated December 18, 2025.

Approved w/stip 16. Application #: ZA-888-25-8
Existing Zoning: DTC-Evans Churchill East
Location: 330 East Roosevelt Street
Quarter Section: Q12-28
Proposal: Use permit to allow liquor, retail sales in DTC-Evans Churchill East. Use permit required.
Ordinance Sections: 1203.C.Table
Applicant: Supply & Sip, LLC
Representative: Harun Ozcan
Owner: AZ Roosevelt Row Apartments LLC
Stipulation:
1) 1 year to commence use.

ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE
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.

January 8, 2026