

**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 **July 10, 2025, at 9:00 AM (Items 1-4) and 1:30 PM (Items 5-7) 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-370-13-3 (1 Year Review of Use Permit)  
(Continued from May 29, 2025)  
Existing Zoning: A-1  
Location: 2046 West Ironwood Drive  
Quarter Section: 28-24(K7)  
Proposal: Use permit to allow a medical marijuana cultivation facility. Use permit required.  
Ordinance Sections: 627.D.91.a.  
Applicant: Nolan Ryan  
Representative: Jacob Cohen  
Owner: Nolan Ryan  
**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-419-24-6 (1 Year Review of Use Permit)  
Existing Zoning: R1-6

Location: 4233 North 40th Street  
Quarter Section: Q17-37(H10)  
Proposal: Use permit to allow a temporary use (temporary school buildings) for up to 36 months. Use permit required.  
Ordinance Sections: 708.D.1  
Applicant: Lance Robinson, B. E. Development Group  
Representative: Lance Robinson, B. E. Development Group  
Owner: Arcadia Gospel Fellowship, SBC

**Stipulations:**

- 1) Buildings will not be used for any purpose and shall remain vacant until removed from the site.
- 2) The site shall be cleaned of all trash and maintained.
- 3) 6 months to remove the temporary buildings from the property.
- 4) 6 month review to check the status of the building removal.

**Approved  
w/stips**

3. Application #: ZA-399-25-4  
Existing Zoning: WU Code T6:HWR MT  
Location: 3105 North 3rd Avenue  
Quarter Section: Q15-27  
Proposal: 1) Variance to eliminate the requirement for one entry per 80 feet of secondary building frontage (west). One entry per 80 feet of secondary building frontage required.  
2) Variance to increase the parking structure to exceed building height. Parking structure cannot exceed building height.  
3) Variance to reduce parking setback along 3rd Avenue to 11 feet. Minimum 20 feet of parking setback required for secondary frontage.  
Ordinance Sections: 1303.2. Transect T6 1303.B. Table 1303.2  
Transect T6 1303.B. Table 1303.2 Transect T6  
Applicant: Lynton Smith, TDC Properties  
Representative: William F. Allison, Withey Morris Baugh, PLC  
Owner: Stan Shafer, HPPC, LLC

**Stipulations:**

- 1) Per the reductions and height of the garage as shown on site plan date stamped July 10, 2025.
- 2) Per the landscaping as shown on landscape plan date stamped July 10, 2025.
- 3) 2 year to apply for and obtain building permits.

**Denied**

4. Application #: ZA-414-25-2  
Existing Zoning: R1-14  
Location: 16006 North 38th Street  
Quarter Section: Q35-36  
Proposal: Variance to allow 28% lot coverage. Maximum 25% lot coverage permitted.  
Ordinance Sections: 607.B.5.  
Applicant: Luke Mykytiuk, Rezio, LLC  
Representative: Randy Marks, Rezio, LLC  
Owner: Randy Stoltz, RJ Group Home 1, LLC

|                             |    |                      |                                                                                                                                                                                                                                           |
|-----------------------------|----|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Approved<br/>w/stips</b> | 5. | <b>1:30 PM</b>       |                                                                                                                                                                                                                                           |
|                             |    | Application #:       | ZA-322-25-4 (SIGN)                                                                                                                                                                                                                        |
|                             |    | Existing Zoning:     | C-3 SAUMSO                                                                                                                                                                                                                                |
|                             |    | Location:            | 4545 North 7th Avenue                                                                                                                                                                                                                     |
|                             |    | Quarter Section:     | Q18-27                                                                                                                                                                                                                                    |
|                             |    | Proposal:            | 1) Use permit to rebuild a nonconforming off-premise sign not requesting digital. Use permit required.<br>2) Use permit to rebuild an off-premise sign 187 feet from residential district. Minimum 500 feet is required.                  |
|                             |    | Ordinance Sections:  | 705.2.G.5 705.2.A.5.c                                                                                                                                                                                                                     |
|                             |    | Applicant:           | Todd Lowder, Harkey Media                                                                                                                                                                                                                 |
|                             |    | Representative:      | William E. Lally, Tiffany & Basco P.A.                                                                                                                                                                                                    |
|                             |    | Owner:               | Perry Miller Trust, Fry Bread House                                                                                                                                                                                                       |
|                             |    | <b>Stipulations:</b> |                                                                                                                                                                                                                                           |
|                             |    |                      | 1) Maximum height of the off-premise sign shall be 35 feet.                                                                                                                                                                               |
|                             |    |                      | 2) The north and south faces of the board shall be for an area of 250 square feet for each sign face.                                                                                                                                     |
|                             |    |                      | 3) Off-premise sign illumination shall be extinguished daily at 10:30 PM via an automatic timer.                                                                                                                                          |
|                             |    |                      | 4) Install a Planning and Development Department (PDD) design-approved, decorative pole cover on the sign.                                                                                                                                |
|                             |    |                      | 5) 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. |
|                             |    |                      | 6) The applicant shall have 12 months to apply and pay for permits for the subject sign.                                                                                                                                                  |
| <b>Approved<br/>w/stips</b> | 6. | Application #:       | ZA-372-25-2                                                                                                                                                                                                                               |
|                             |    | Existing Zoning:     | C-2                                                                                                                                                                                                                                       |
|                             |    | Location:            | 4731 East Union Hills Drive                                                                                                                                                                                                               |
|                             |    | Quarter Section:     | Q38-38                                                                                                                                                                                                                                    |
|                             |    | Proposal:            | Use permit to allow outdoor dining as an accessory use to a restaurant (Bruster's Real Ice Cream) within 500 feet of a residential zoning district. Use permit required.                                                                  |
|                             |    | Ordinance Sections:  | 623.D.157.c                                                                                                                                                                                                                               |
|                             |    | Applicant:           | Tim Rasnake, Archicon Architecture & Interiors, LC                                                                                                                                                                                        |
|                             |    | Representative:      | Tim Rasnake, Archicon Architecture & Interiors, LC                                                                                                                                                                                        |
|                             |    | Owner:               | Shree La Piazza, LLC, S&V La Piazza, LLC, Polo La Piazza, LLC                                                                                                                                                                             |
|                             |    | <b>Stipulations:</b> |                                                                                                                                                                                                                                           |
|                             |    |                      | 1) Per the location and size of the patio area as shown on site plan date stamped May 28, 2025.                                                                                                                                           |
|                             |    |                      | 2) 1 year to commence the use.                                                                                                                                                                                                            |
| <b>Approved<br/>w/stips</b> | 7. | Application #:       | ZA-408-25-6                                                                                                                                                                                                                               |
|                             |    | Existing Zoning:     | R1-6                                                                                                                                                                                                                                      |
|                             |    | Location:            | 4018 East Hazelwood Street                                                                                                                                                                                                                |

Quarter Section: Q18-37  
Proposal: Use permit to allow a 17 foot tall projection of the main building into the required rear yard (north). Maximum 15 foot tall projection permitted.  
Ordinance Sections: 701.A.3.a.(2).(d).(iii)  
Applicant: Robert and Lauren Daily  
Representative: Kathy Daily  
Owner: Robert and Lauren Daily

**Stipulations:**

- 1) Per the encroachment as shown on site plan date stamped June 5, 2025.
- 2) Per the elevations as shown on elevation exhibit date stamped June 13, 2025.
- 3) 1 year to apply for and obtain building permits.

**ZONING ADJUSTMENT HEARING OFFICER: FRANK DOLASINSKI**  
**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.

July 10, 2025