

**NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING**

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 **July 24, 2025, at 9:00 AM. (Items 1-5) and 1:30 PM (Items 5-10). 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-602-21-7 (1 Year Review of Use Permit)
Existing Zoning: A-2
Location: 2239 North Black Canyon Highway
Quarter Section: 14-23(G7) 13-23(G7)
Proposal:
 - 1) Time extension of ZA-588-20, use permit to allow a medical marijuana cultivation facility. Use permit required.
 - 2) Time extension of ZA-588-20, use permit to allow a medical marijuana infusion facility. Use permit required.
 - 3) Time extension of ZA-588-20, variance to allow a 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-588-20, variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet of separation required.
 - 5) Time extension of ZA-588-20, variance to allow a medical marijuana cultivation facility within 1,320 feet of a homeless shelter. Minimum 1,320 feet of separation required.
 - 6) Time extension of ZA-588-20, variance to allow a medical marijuana infusion facility within 1,320 feet of a homeless shelter. Minimum 1,320 feet of separation required.
 - 7) Time extension of ZA-588-20, variance to allow a medical marijuana cultivation facility within 1,000 feet of a residentially zoned district. Minimum 1,000 feet of separation required.
 - 8) Time extension of ZA-588-20, variance to allow a medical marijuana infusion facility within 1,000 feet of a residentially zoned district. Minimum 1,000 feet of separation required.
 - 9) Time extension of ZA-588-20, variance to allow a medical marijuana cultivation facility within 1,320 feet of a school. Minimum 1,320 feet of separation required.
 - 10) Time extension of ZA-588-20, variance to

allow a medical marijuana infusion facility within 1,320 feet of a school. Minimum 1,320 feet of separation required.

Ordinance Sections: 627.D.91.a. 627.D.93.a. 627.D.91.c 627.D.93.b. 627.D.91.e 627.D.93.d 627.D.91.d 627.D.93.c 627.D.91.e 627.D.93.d

Applicant: Theodore Pappas, MIOT Properties, LLC

Representative: David W. Dow, Dow Law Office

Owner: Saia Family Limited Partnership

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.

Continued 2. Application #: ZA-431-22-8 (1 Year Review of Use Permit)

Existing Zoning: C-2

Location: 3001 North 24th Street

Quarter Section: 15-33(G9)

Proposal: 1) Use permit to allow a medical marijuana dispensary facility. Use permit required.
 2) Variance to allow a medical marijuana dispensary facility within 500 feet of a residentially zoned district.
 3) 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.h

Applicant: Ronnie Kassab, JARS Cannabis/Legacy & Co., Inc.
Representative: Lindsay C. Schube, Gammage & Burnham, PLC
Owner: 24 Thomas, LLC

Continued to September 4, 2025 at 9:00 AM.

Denied

3. Application #: ZA-370-25-6
Existing Zoning: R1-6 ACSPD
Location: 4654 East Montecito Avenue
Quarter Section: Q17-38
Proposal: 1) Variance to reduce the side yard (east) setback to 2 feet. Minimum 3 feet required.
2) Variance to reduce front yard setback (south) to 10 feet. Minimum 20 feet required.
Ordinance Sections: 613.B.Table B 613.B.Table B
Applicant: Linda Buscemi
Representative: Wesley Seiter, Coveted Homes and Remodeling
Owner: Linda Buscemi and Scarlett Spring

**Approved
w/stips**

4. Application #: ZA-445-25-8
Existing Zoning: DTC- Evans Churchill East
Location: 504 East Roosevelt Street
Quarter Section: Q12-28
Proposal: 1) Use permit to allow liquor retail sales. Use permit required.
2) Use Permit to allow a bar. Use Permit required.
3) Use permit to allow outdoor liquor service as an accessory to a bar. Use Permit required.
Ordinance Sections: 1203.C.Table 1203.C.Table 1203.C.Table
Applicant: Oly Salgado, Salgado Cellars, Inc. DBA Turquoise Wine Bar
Representative: Carlie Tomazewski, Keller Williams
Owner: Roberto Miranda, 9420 - 9430 W Van Buren, LLC

Stipulations:

- 1) The employees must have a clear view of the area in order to supervise the activities and/or be present while patrons utilize the outdoor area.
- 2) "No Trespassing" signs must be posted and an authority to arrest trespassers form be signed to deter loitering/unwanted guests inside and surrounding the establishment.
- 3) 90 days to commence the use.

1:30 PM

**Approved
w/stips**

5. Application #: ZA-345-25-1 (SIGN)
Existing Zoning: C-2 M-R
Location: 20414 North 27th Avenue
Quarter Section: Q41-22

Proposal: Use permit for a major amendment to add two wall signs over 56 feet in height to the Deer Valley Medical Center and Lifeprint Health Center Comprehensive Sign Plan. Use permit required.

Ordinance Sections: 705.D.3.i.(4)

Applicant: Jared Segel, Associated Sign Company

Representative: Jared Segel, Associated Sign Company

Owner: Lori Reynolds-Linn, WSH AZ Deer Valley, LLC, Crescendo Commercial Realty

Stipulations:

- 1) Sign design shall be in general conformance with the sign drawings submitted to the Hearing Officer date-stamped June 26, 2025.
- 2) Two high-rise signs above 56 feet on north and south elevations shall not be higher than 75 feet above grade and no more than 84 square feet each. Any hi-rise signs (signs at or over 56 feet) on north elevation shall be automatically dimmed to a maximum of 80 Nits luminance at 10:30 PM daily until sunrise.
- 3) Submittal of a revised 'final' version of the CSP document to the Planning and Development Department incorporating any ZAH0 stipulations of approval and related changes to sign designs contained in the CSP, and any staff comments/corrections within 60 days from the date of the hearing and prior to the issuance of any sign permits for the project.
- 4) 12 months to pay for and obtain sign permits.

Continued 6. Application #: ZA-16-24-7 (Continued from June 12, 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

Continued to September 11, 2025 at 1:30 PM.

Approved w/stips 7. Application #: ZA-82-25-8

Existing Zoning: C-2, C-2 SP

Location: 2303 North 44th Street

Quarter Section: Q14-38(G11)

Proposal: 1) Use permit to allow outdoor dining as an accessory use to a bar (Dirty Drummer) within 500 feet of a residential district zoning line. Use permit required.

2) Use permit to allow outdoor alcohol consumption as an accessory use to a bar (Dirty Drummer) within 500 feet of a residential district zoning line. Use permit required.

Ordinance Sections: 623.D.157.c 623.D.157.c
Applicant: Andrew Smith, Dirty Drummer, Inc.
Representative: Robert Leavitt, Arizona Liquor Industry
Consultants
Owner: Josh Katzner, ACD-DO

Stipulations:

- 1) Hours of use for the outdoor area are to be no earlier than 7:00 AM and no later 10:00 PM Sunday through Thursday and 12:00 AM on Friday and Saturdays.
- 2) The employees must have a clear view of the area to supervise the activities and/or be present while patrons utilize the patio area.
- 3) Per the patio area as shown on site plan date stamped June 25, 2025.

**Approved
w/stips**

8. Application #: ZA-382-25-7
Existing Zoning: R-3 RSIOD, R1-6 RSIOD
Location: 4114 South 3rd Avenue
Quarter Section: Q5-27
Proposal: 1) Variance to reduce the landscape setback (north) to 0 feet. Minimum 5 feet required.
2) Variance to reduce the landscape setback (south) to 0 feet. Minimum 5 feet required.
3) Variance to reduce the required open space to 2 percent. Minimum 5 percent required.
- Ordinance Sections: 703.B.3.b.(3) 703.B.3.b.(3) 703.B.4.a.(1)
Applicant: Rob Scott
Representative: Andrew Fastle, Design Balance, Inc.
Owner: Rob Scott, 4114 3rd Avenue, LLC
- Stipulations:**
- 1) 1 year to apply and for and obtain building permits.
 - 2) Per the reductions as shown on site plan date stamped June 17, 2025.
 - 3) Each area labeled retention on the site plan date stamped June 17, 2025 shall be landscaped with an average of 3 6 inch caliper trees.

**Approved
w/stips**

9. Application #: ZA-393-25-2
Existing Zoning: R1-10
Location: 4920 East Sheena Drive
Quarter Section: Q33-39
Proposal: 1) Variance to allow an over height fence (7 feet) in the required front yard (south). Maximum 40 inches permitted.
2) Variance to allow an over height fence (7 feet) within the required side yard setback (east). Maximum 6 feet permitted.
3) Variance to allow an over height fence (7 feet) within the required rear yard setback (north). Maximum 6 feet permitted.
- Ordinance Sections: 703.A.2.a; 703.A.2.c

Applicant: Sergio Robles, Land-Co Landscape
Representative: Sergio Robles, Land-Co Landscape
Owner: Thomas and Lesli Hanson

Stipulations:

- 1) 6 months to apply and for and obtain building permits.
- 2) Per the location of the proposed wall as shown on site plan date stamped June, 17, 2025.
- 3) Per the elevation as shown on the elevation exhibit date stamped June 17, 2025.

**Approved
w/stips**

10. Application #: ZA-409-25-3
Existing Zoning: C-1, C-2
Location: 10810 North Tatum Boulevard, Suite 105
Quarter Section: Q29-38
Proposal: Use permit to allow outdoor dining as an accessory use to a restaurant (Sweetgreen).
Use permit required.
Ordinance Sections: 622.D.150.d
Applicant: Lindsay Friedman, Sweetgreen Arizona, LLC
Representative: Whitney Schmidt, JSD Professional Services, Inc.
Owner: KRG Phoenix, LLC

Stipulations:

- 1) 6 months to apply and for and obtain building permits.
- 2) Per the location of the patio area as shown on site plan date stamped June 25, 2025.

**ZONING ADJUSTMENT HEARING OFFICER: MICHAEL 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.

July 25, 2025