

**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 **June 17, 2025, at 9:00 AM. (Items 1-4) and 1:30 PM (Items 5-11). 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 #:
Existing Zoning:
Location:
Quarter Section:
Proposal:

ZA-914-24-6

C-2

2909 North 56th Street

Q15-41(G11)

1) Use permit to allow outdoor dining as an accessory use to a restaurant within 500 feet of a residential district zoning line. Use permit required.

2) Use permit to allow outdoor recreation (patio games) as an accessory use to a restaurant within 500 feet of a residential district zoning line. Use permit required.

3) Variance to reduce the required building setback (west) to 16 feet. Average of 25 feet, minimum 20 feet permitted for up to 50% of structure, including projections, required.

4) Variance to reduce the required building setback (north) to 14 feet. Average of 25 feet, minimum 20 feet permitted for up to 50% of structure, including projections, required.

5) Variance to reduce the required landscape setback (west) to 16 feet. Average of 25 feet, minimum 20 feet permitted for up to 50% of structure, including projections, required.

6) Variance to reduce the required landscape setback (north) to 8 feet. Average of 25 feet, minimum 20 feet permitted for up to 50% of structure, including projections, required.

7) Variance to reduce the width of landscape planters in parking lots to 1 feet. Minimum 5 feet required.

Ordinance Sections: 623.D.157.c 623.D.157.c 623.E.4.d 623.E.4.d 623.E.4.e 623.E.4.e 507 Tab A.II.A.6.1.2

Applicant: Ryan Hilbun, Ryan Scott Group

Representative: Ryan Hilbun, Ryan Scott Group

Owner: Scott Kaufmann, 56th & Thomas, LLC

Stipulations:

1) Per site plan date stamped May 16, 2025.

2) 24 months to apply and pay for permits.

Approved w/stips	2.	Application #: ZA-15-25-8 Existing Zoning: R-5 RI HP Location: 1001 East McKinley Street Quarter Section: Q11-29(F8) Proposal: 1) Variance to allow vehicle maneuvering within the alley (south). Maneuvering must be located on private property. 2) Variance to reduce the required open space requirements to 0 percent. Minimum 5 percent required. 3) Variance to reduce the landscape setback (west) to 0 feet. Minimum 10 feet required. 4) Variance to reduce the landscape setback (east) to 0 feet. Minimum 5 feet required. 5) Variance to reduce the landscape setback (south) to 0 feet. Minimum 5 feet required. 6) Variance to reduce the surface parking lot landscape to 0 percent. Minimum 5 percent required. 7) Variance to allow an over height fence (6 feet) in the required front yard setback from the facade of a Historic Preservation Designated Property. Maximum 40 inches permitted. Ordinance Sections: 702.A.1.b 703.B.4.a.(1) 703.B.3.a 703.B.3.b 703.B.3.b 507 Tab A.II.A.6.1.1 703.A.2.a.(1) Applicant: Ron Elliott, Ron Elliott Studio Representative: Ron Elliott, Ron Elliott Studio Owner: Ryan Kruse, McKinley 1001, LLC Stipulations: 1) Per site plan date stamped April 28, 2025. 2) 18 months to apply and pay for permits.	
Denied	3.	Application #: ZA-348-25-6 Existing Zoning: RE-35 ACSPD Location: 4545 North 54th Street Quarter Section: Q18-40 Proposal: Variance to allow a 33% lot coverage. Maximum of 25% lot coverage permitted. Ordinance Sections: 609.B.Table Applicant: Yanela Nunez Ventura, Architecture-Infrastructure-Research, Inc. Representative: Yanela Nunez Ventura, Architecture-Infrastructure-Research, Inc. Owner: Clayton Bain	
Approved w/stips	4.	Application #: ZA-359-25-8 Existing Zoning: R1-6 (SPVTABDO) Location: 950 East Pecan Road Quarter Section: Q3-29 Proposal: Variance to allow an over height fence (7 feet) in the required front setback (south). Maximum 40 inches permitted.	

Ordinance Sections: 703.A.2.a
Applicant: Pavel Dubinetsky, Slavic Baptist Church Trust
Representative: Pavel Dubinetsky, Slavic Baptist Church Trust
Owner: Tymotey Balzhyk

Stipulations:

- 1) Per site plan date stamped May 12, 2025.
- 2) Per the elevations date stamped May 12, 2025 "Titled Iron Gates".
- 3) 1 year to apply and pay for building permits.

1:30 PM

**Approved
w/stips**

5.

Application #: ZA-83-25-1 (SIGN)
Existing Zoning: A-1 M-R DVAO
Location: 2355 West Pinnacle Peak Road
Quarter Section: Q44-23(O7)
Proposal: Use permit for a major amendment to add four wall signs over 56 feet in height to the Corridors Phoenix Comprehensive Sign Plan. Use permit required.

Ordinance Sections: 705.E.2
Applicant: Jenifer Weskalnies, ADM Group, Inc.
Representative: Jenifer Weskalnies, ADM Group, Inc.
Owner: Joseph Husentrut, One AZ Credit Union

Stipulations:

- 1) Sign design and location shall be in accordance with the sign drawings submitted to the Hearing Officer and date-stamped June 17, 2025.
- 2) Two high-rise wall signs above 56 feet height shall be allowed on the west and north elevation per Section 705.E.2.
- 3) Maximum sign height shall be 58 feet (north and west elevation).
- 4) Maximum square footage shall be 150 square feet (north & west elevation) for the wall signs above 56 feet of height.
- 5) Wall signs 56 feet or higher shall be automatically dimmed to a maximum of 80 Nits luminance at 10:30 pm daily until sunrise. The dimmer setting values (required to dim the sign to a maximum of 80 NITS luminance measured at the sign face) shall be verified by a qualified electrical engineer and submitted in writing to PDD prior to the final sign inspection.
- 6) 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.
- 7) 12 months to pay for and obtain sign permits.

**Approved
w/stips**

6.

Application #: ZA-326-25-8 (SIGN)
Existing Zoning: CP/GCP RSIOD
Location: Northeast corner of the 12th Street and Jones Avenue alignment
Quarter Section: Q5-30

Proposal: Use permit to adopt the Airport Center Comprehensive Sign Plan. Use permit required.

Ordinance Sections: 705.E.2

Applicant: Jared Segel, Associated Sign Company

Representative: Jared Segel, Associated Sign Company

Owner: Vicente Ruiz, Trammel Crow Company; Phoenix Airport Center, LLC

Stipulations:

- 1) Sign design shall be in general conformance with the sign drawings submitted to the Hearing Officer date-stamped June 17, 2025.
- 2) 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.
- 3) 12 months to pay for and obtain sign permits.

Denied

7. Application #: ZA-340-25-6 (SIGN)

Existing Zoning: C-1 & P-1

Location: 1219 East Glendale Avenue

Quarter Section: Q22-30

Proposal: Use permit to allow 50 square feet of an electronic message display (EMD) on a wall sign at 15 feet of height. Use permit required.

Ordinance Sections: Section 705.D.1.a; 705.C.13

Applicant: Darshan Dawson, Arizona Commercial Signs

Representative: Carl Hawke, Arizona Commercial Signs

Owner: Andrew Klemmer, Startford, LLC

**Approved
w/stips**

8. Application #: ZA-68-16-1 (1 Year Review of Use Permit)

Existing Zoning: C-2

Location: 4244 West Dunlap Avenue

Quarter Section: 27-19(J6)

Proposal: 1) Use permit to allow a medical marijuana dispensary facility. Use permit is required.
2) Variance to allow a medical marijuana dispensary within 1320 feet of a preschool. Minimum of 1320 feet of separation required.

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

Applicant: Chris Fotopouls, Verano Arizona, LLC dba Zen Leaf
Kyra Tracy, Verano Arizona, LLC dba Zen Leaf

Representative: Lindsay C. Schube, Gammage & Burnham, PLC

Owner: Angal Dunlap Properties, 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.

Continued	9.	Application #:	ZA-333-25-7
		Existing Zoning:	DTC-Roosevelt North HP RNSPD
		Location:	70 West Lynwood Street
		Quarter Section:	Q12-27
		Proposal:	Variance to reduce the side yard (east) setback for an accessory dwelling unit to 2 feet. Minimum 3 feet required.
		Ordinance Sections:	706.A.4.b.(2)
		Applicant:	William Francis Leipart III, WL3 Designs
		Representative:	William Francis Leipart III, WL3 Designs
		Owner:	Lawrence Abeln

Continued to August 7, 2025 at 1:30 PM.

Approved w/stips	10.	Application #:	ZA-350-25-2
		Existing Zoning:	R-3 NBCOD, FH NBCOD
		Location:	2233 West Sonoran Desert Drive
		Quarter Section:	Q54-23
		Proposal:	1) Time extension of ZA-411-23, variance to allow 26 feet of building height at 15 feet of building setback adjacent to a single family zoning district (north). Minimum 21 feet required.
			2) Time extension of ZA-411-23, variance to allow 26 feet of building height at 15 feet of building setback adjacent to a single family zoning district (south). Minimum 21 feet required.

Ordinance Sections: 615.B.Table B
Applicant: Kurt Waldier, Gilbert Blilie, PLLC
Representative: Kurt Waldier, Gilbert Blilie, PLLC
Owner: Felipe Zubia, Simpatico Communities,
Sonoran Reems Holdings, LLC

Stipulations:

- 1) 18 months to apply and pay for building permits.
- 2) Per site plan date stamped May 20, 2025.

**Approved
w/stips**

11. Application #: ZA-354-25-8
Existing Zoning: C-2
Location: 6150 South 35th Avenue
Quarter Section: Q2-20
Proposal: Use permit to allow package liquor sales as an accessory to a convenience store (Walmart Fuel Center) within 300 feet of a residential district. Use permit required
- Ordinance Sections: 622.D.102.a
Applicant: Madison Leake, Burch & Cracchiolo, P.A.
Representative: Madison Leake, Burch & Cracchiolo, P.A.
Owner: Walmart, Inc.
- Stipulations:**
- 1) 1 year to apply and pay for building permits.
 - 2) Per site plan date stamped May 8, 2025.

ZONING ADJUSTMENT HEARING OFFICER: CRAIG TRIBKEN
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.

June 23, 2025