

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised July 17, 2025*

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 26, 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-92-13-8 (1 Year Review of Use Permit)
(Continued from May 15, 2023)
Existing Zoning: A-2 RSIOD
Location: 2512 East Magnolia Street
Quarter Section: 7-33(E9)
Proposal: 1) Use permit to allow medical marijuana cultivation. Use permit is required.
2) Use permit to allow medical marijuana infusion. Use permit is required.
Ordinance Sections: 627.D.91.a 627.D.91.b
Applicant: Eric Powers, Green Sky Patient Center of Scottsdale
Representative: Lauren Niehaus, Green Sky Patient Center of Scottsdale
Owner: Eric Powers, Green Sky Patient Center of Scottsdale

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-141-20-7 (1 Year Review of Use Permit)
Existing Zoning: A-2
Location: 2220 and 2222 West McDowell Road
Quarter Section: 13-24(G7)
Proposal: 1) Use permit to allow a medical marijuana cultivation facility. Use permit required.
2) Use permit to allow a medical marijuana infusion production facility. Use permit required.
3) Variance to allow a medical marijuana cultivation facility within 5,280 feet of the same type of use. Minimum 5,280 feet of separation required.
4) Variance to allow a medical marijuana infusion production facility within 5,280 feet of the same type of use. Minimum 5,280 feet of separation required.
Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b
Applicant: Ben Myer, Arizona Organix
Representative: Tom Galvin, Rose Law Group, PC
Owner: Kirk Jienkins, J&M McDowell 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.

***Approved w/stips** 3. Application #: ZA-176-25-8
Existing Zoning: R-4 CCSIO
Location: 924 South 4th Avenue
Quarter Section: Q9-27(F8)
Proposal: Use permit to allow an over height building (40 feet) to project 9 feet into the required rear yard setback. Maximum 15-foot-tall projection permitted.

Ordinance Sections: 701.A.3.a.(2).(d).(iii)
Applicant: Richard Norris, Norris Architects
Representative: Richard Norris, Norris Architects
Owner: Christopher Quick, CQ Real Estate Investments & Development, LLC

Taken out from under advisement on July 17, 2025 and approved with the following stipulations:

- 1) Per the projection into the required setback as shown on the site plan date stamped May 22, 2025.
- 2) 1-year to apply and pay for building permits.

Approved w/stip 4. Application #: ZA-374-25-3
Existing Zoning: C-2
Location: 12019 North 19th Avenue
Quarter Section: Q30-25
Proposal: Use permit to allow the outdoor display of new merchandise. Use permit required.

Ordinance Sections: 623.C.2
Applicant: Martin Chacon, Eros Investments, LLC
Representative: William F. Allison, Withey Morris Baugh, PLC
Owner: Martin Chacon, Eros Investments, LLC

Stipulation:

- 1) Per the outdoor display area as shown on the site plan date stamped May 19, 2025.

***Approved w/stips** 5. Application #: ZA-375-25-4
Existing Zoning: C-2 SP, P-1 SP
Location: 301 West Indian School Road
Quarter Section: Q16-27
Proposal: Variance to allow an over height fence (6 feet) within the required front yard setback (north). Maximum 40 inches permitted.

Ordinance Sections: 703.A.3.a
Applicant: John Cooper, Third Avenue Self Storage, LLC
Representative: Julia Moore, Third Avenue Self Storage, LLC
Owner: Third Avenue Self Storage LLC

Taken out from under advisement on July 17, 2025 and approved with the following stipulations:

- 1) The fence shall be relocated a minimum of five feet from the north property line.
- 2) A landscape setback of an average of 15 feet, minimum 5 feet permitted from the right-of-way shall be required along the street frontage of Indian School Road. The landscape area shall be planted with a minimum of 2-inch caliper trees 20 feet on center and drought tolerant shrubs and vegetative groundcovers, to

provide a minimum of 50% live coverage at maturity, as approved by the Planning and Development Department.

3) 180 days to apply and pay for building permits.

**Denied as
Filed
Approved
w/stips**

6. Application #: ZA-376-25-3
Existing Zoning: C-2
Location: 8825 N Black Canyon Highway
Quarter Section: Q26-23
Proposal: Variance to allow an over height fence (8 feet) within the required front yard setback (west). Maximum 40 inches permitted.

Ordinance Sections: 703.A.3.a
Applicant: Darin Garcia, 8825 Black Canyon, LLC
Representative: Darin Garcia, 8825 Black Canyon, LLC
Owner: Darin Garcia, 8825 Black Canyon, LLC
Stipulations:
1) Approved for 6 feet maximum.
2) Fence must be setback 11 feet 10 inches from the west property line.
3) Fence facing the west property line must be at least 50% open.
4) Area between the front property line and the fence shall be landscaped with continuous evergreen (broad leaf or conifer) shrubs or hedges spaced 3 feet on center to screen the fence. Screening material shall be a minimum of 3 feet in width and 3 feet in height at the time of installation for effective screening. Landscaping shall be planted to grow as a natural screen and shall be maintained in a living condition. Screening material should be from the Appendix A: Approved Plant Species List for Black Canyon/Maricopa Freeway Specific Plan – Segment 7.

**#1
Approved
w/stips**

**#2 Denied
as Filed**

7. Application #: ZA-383-25-6
Existing Zoning: R1-14 ACSPD
Location: 5749 East Calle Del Paisano
Quarter Section: Q16-41
Proposal: 1) Variance to reduce the required front yard setback (north) to 20 feet. Minimum 30 feet required.
2) Variance to reduce the required side yard setback (west) to 3 feet. Minimum 10 feet required.

Ordinance Sections: 607.B.4.a 607.B.4.c
Applicant: Kevin Fulkerson, Cornerstone Design Group
Representative: Kevin Fulkerson, Cornerstone Design Group
Owner: Andrew Wahl
Stipulations:
1) The side setback west is approved for 5 feet.
2) 18 months to apply for and obtain building permits.
3) Per the front setback reduction as shown on site plan date stamped May 21, 2025.

**Approved
w/stip**

8. Application #: ZA-391-25-6
Existing Zoning: R-5, C-1 PCD, C-2, C-2 PCD
Location: 7611 North 16th Street
Quarter Section: Q24-31

Proposal: Variance to allow accessory uses to hotel with outside entrances (fitness center and spa).
Accessory uses to a hotel with entrances from within the building required.

Ordinance Sections: 618.D.7

Applicant: Benjamin Tate, Withey Morris Baugh, PLC

Representative: Benjamin Tate, Withey Morris Baugh, PLC

Owner: Julia Najafi, Peak Hotel, LLC

Stipulation:

- 1) 2 years to apply for and obtain building permits.

**Approved
w/stips**

1:30 PM

9. Application #: ZA-203-25-7 (SIGN) (Continued from May 8, 2025)

Existing Zoning: C-2

Location: 5046 South Central Avenue

Quarter Section: Q4-27(E8)

Proposal: Variance to increase the height of a ground sign up to a height of 24 feet. Maximum 20 feet permitted.

Ordinance Sections: 705.D.1 Table D-1

Applicant: Jon Zamora, Royal Sign Company

Representative: Jon Zamora, Royal Sign Company

Owner: Jose Antonio Casillas, La Bodega Furniture

Stipulations:

- 1) Sign design and general sign location shall be in accordance with the sign drawings submitted to the Hearing Officer and date-stamped June 26, 2025.
- 2) Maximum sign height shall be 24 feet.
- 3) Maximum sign area shall be 48 square feet.
- 4) 12 months to obtain sign permits for the ground sign.

**Approved
w/stips**

10. Application #: ZA-316-25-1 (SIGN)

Existing Zoning: C-3

Location: 17023 North Black Canyon Highway

Quarter Section: Q37-23

Proposal: 1) Use permit to rebuild single face of a non-conforming off-premise sign to digital display. Use permit required.
2) Use permit to increase the height of an off-premise sign to a height of 62 feet. Use permit required.

Ordinance Sections: 705.2.G.4; 705.2.B.4.b

Applicant: Brent Wood, Outfront Media

Representative: Cassandra Ayres, Berry Riddell, LLC

Owner: Jonathan Levine, I-17 Allstate, LLC, Tang Enterprises, LTD

Stipulations:

- 1) Maximum height of the off-premise sign shall be 62 feet.
- 2) The south face of the board shall be 14 feet by 48 feet for an area of 672 square feet.
- 3) Off-premise sign illumination shall be extinguished daily at 11 p.m. via an automatic timer.

- 4) For digital sign faces catwalks and railings shall not be installed on the outside or external side of the sign faces.
- 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.

**Withdrawn
to Amend**

11. Application #: ZA-173-25-8
 Existing Zoning: R-4 RSIOD
 Location: 1419 East Wood Street
 Quarter Section: Q5-30(E9)
 Proposal: Variance to reduce the lot width (Lot 2) to 23 feet. Minimum 60 feet required.
 Ordinance Sections: 617.B.Table B
 Applicant: Mariah Alejandro
 Representative: Mariah Alejandro
 Owner: Mariah Alejandro

**Approved
w/stips**

12. Application #: ZA-229-25-1
 Existing Zoning: R1-8
 Location: 14434 North 28th Avenue
 Quarter Section: Q33-22(L7)
 Proposal: 1) Use permit for official approval of a home occupation (Federal Firearms License). Use permit required.
 2) Use permit to allow the generation of traffic for a home occupation (Federal Firearms License). Use permit required.
 Ordinance Sections: 608.E.27.h.(5); 608.E.27.h.(1)
 Applicant: John David Waters, DKM Hunt Precision, LLC
 Representative: John David Waters, DKM Hunt Precision, LLC
 Owner: John David Waters, DKM Hunt Precision, LLC
Stipulations:
 1) 120 days to commence the use.
 2) No more than 5 customers per week.
 3) Hours will be 5:00 PM to 8:00 PM Monday – Friday. 8:00 AM – 12:00 PM on Saturday and 12:00 PM – 5:00 PM on Sunday.

**#1 and 2
Approved
w/stips**

**# 3
Denied as
Filed**

13. Application #: ZA-268-25-4
 Existing Zoning: P-1 TOD-1 (Approved C-2 H-R TOD-1) and R-5 TOD-1 (Approved C-2 H-R TOD-1)
 Location: 3008 North 3rd Street
 Quarter Section: Q15-28(G8)
 Proposal: 1) Use permit to allow Community Residence Center. Use permit is required.
 2) Variance to increase lot coverage to 33%. Maximum 25% allowed.
 3) Variance to reduce the required open space to 850 square feet. Minimum 2,200 square feet required.
 Ordinance Sections: 608.E.14 608.E.14.d 608.E.14.e

Applicant: Marcela Mora-Yatko, Gilbert Blilie, PLLC
Representative: Paul Gilbert, Gilbert Blilie, PLLC
Owner: Sherylene Yazzie, Navajo Nation Department of Health

Stipulations:

- 1) 1 year to commence the use.
- 2) Request 3 approved for 1,840 square feet of open space.

**Approved
w/stips**

14. Application #: ZA-310-25-7
Existing Zoning: R1-6 PCD PRD
Location: 7364 West Alicia Drive
Quarter Section: Q01-11
Proposal: 1) Use permit for official approval of a home occupation (Federal Firearms License). Use permit required.
2) Use permit to allow a home occupation to generate traffic. Use permit required.
- Ordinance Sections: 608.E.27.h.(5) 608.E.27.h.(1)
Applicant: Charles Eckert, Stay Ready Tactical, LLC
Representative: Charles Eckert, Stay Ready Tactical, LLC
Owner: Charles Eckert, Stay Ready Tactical, LLC
- Stipulations:**
- 1) 120 days to commence the use.
 - 2) No more than 5 appointments per week for customers.
 - 3) Hours of operation will be Tuesday and Wednesday from 4:00 PM – 8:00 PM and Saturday – Sunday 8:00 AM – 12:00 PM only.

**Approved
w/stips**

15. Application #: ZA-351-25-7
Existing Zoning: R-3
Location: 2317 West Hadley Street
Quarter Section: Q9-23
Proposal: Use permit to allow a 25 foot tall projection of the main building into the required rear yard (south). Maximum 15 foot tall projection permitted.
- Ordinance Sections: 701.A.3.a.(2).(d)
Applicant: Quincy Wright, Housing Done Wright, LLC
Representative: Quincy Wright, Housing Done Wright, LLC
Owner: Alford Pittman, Small Time Hauling and Construction
- Stipulations:**
- 1) 1 year to apply for and obtain building permits.
 - 2) Per the encroachment as shown on site plan date stamped May 7, 2025.

**Approved
w/stips**

16. Application #: ZA-352-25-8
Existing Zoning: R-3 CCSIOD
Location: 1512 West Yuma Street
Quarter Section: Q8-25
Proposal: Use permit to allow a 25 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)
Applicant: Quincy Wright, Housing Done Wright, LLC

Representative: Quincy Wright, Housing Done Wright, LLC

Owner: Sean Seecharan, Reliable One, Inc.

Stipulations:

- 1) 1 year to apply for and obtain building permits.
- 2) Per the encroachment as shown on site plan date stamped May 20, 2025.

ZONING ADJUSTMENT HEARING OFFICER: CRAIG STEBLAY

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 17, 2025