

**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 **March 13, 2025, at 9:00 AM. (Items 1-7) and 1:30 PM (Items 8-12). 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

Revoked

9:00 AM

1. Application #: ZA-446-12-8 (1 Year Review of Use Permit)
Existing Zoning: A-1
Location: 14 South 41st Place
Quarter Section: 10-37(F10)
Proposal:
1) Use permit to allow a medical marijuana dispensary. Use permit required.
2) Variance to allow a medical marijuana dispensary within 5,280 feet of another approved use permit for a medical marijuana facility. A medical marijuana dispensary shall not be located within 5,280 feet of another medical marijuana facility.
3) Variance to allow a medical marijuana dispensary within 1,320 feet of a school (Gateway Early College High School). A medical marijuana dispensary shall not be located within 1,320 feet of a school.
Ordinance Sections: 627.D.92.a. 627.D.92.d. 627.D.92.f.
Applicant: Arizona Natures Wellness
Representative: Michelle Green, Lazarus & Silvyn
Owner: Shirley Bonafasi, Living Trust/ EFG Management, LLC

Use permit has been revoked per ZA-201-24-8.

**Approved
w/stips**

2. Application #: ZA-287-15-4 (1 Year Review of Use Permit)
Existing Zoning: A-2
Location: 3030 North 30th Avenue
Quarter Section: 15-22(G7)
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 5280 feet of another medical marijuana facility. Minimum 5,280 feet separation required.
4) Variance to allow a medical marijuana infusion facility within 5280 feet of another medical marijuana facility. Minimum 5,280 feet separation required.

Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b
Applicant: Chris Arnold, Nature's Wonder, Inc.
Representative: Brian Greathouse, Burch & Cracchiolo, P.A.
Owner: Chris Arnold, ACP Real Estate, 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 3. Application #: ZA-284-20-4 (1 Year Review of Use Permit)
Existing Zoning: C-2 SAUMSO
Location: 4232 North 7th Avenue
Quarter Section: 17-26(H8)
Proposal: 1) Use permit to allow outdoor dining as an accessory use to a restaurant/bar within 500 feet of a residential district. Use permit required.
 2) Use permit to allow outdoor alcoholic beverage consumption as an accessory use to a restaurant/bar within 500 feet of a residential district. Use permit required.
 3) Variance to reduce the building setback (north) from a non Seventh Avenue property line that is not adjacent to a residential district to 0-feet. Minimum 5 feet required.
 4) Variance to allow an over height fence wall (8 feet) along the rear property line. Maximum 6 feet allowed.
Ordinance Sections: 623.D.157.c 623.D.157.c 665.H.Table 1
 703.A.2.c

Applicant: Engin Onural, Sandfish Phoenix, LLC
Representative: Engin Onural, Sandfish Phoenix, LLC
Owner: 4232 N. 7th, LLC

Continued to April 24, 2025 at 1:30 PM.

Continued 4. Application #: ZA-65-25-6
Existing Zoning: RE-24 ACSPD
Location: 5855 East Lafayette Boulevard
Quarter Section: Q16-41(H11)
Proposal: Use permit for official approval of a home occupation (Fisher Firearms LLC). Use permit required.
Ordinance Sections: 608.E.27.h.(5)
Applicant: Ryan Fisher, Fisher Firearms, LLC
Representative: Ryan Fisher, Fisher Firearms, LLC
Owner: Ryan Fisher, Fisher Firearms, LLC
Continued to April 24, 2025 at 1:30 PM.

Approved w/stips 5. Application #: ZA-102-25-7
Existing Zoning: C-2
Location: 2903 South 107th Avenue
Quarter Section: Q6-3
Proposal: Use Permit to allow car wash in an open building. Use Permit Required.
Ordinance Sections: 623.D.41
Applicant: Terry Halbur, Cobblestone Auto Spa Express
Representative: Jesse Macias, M3 Design
Owner: QuikTrip Corporation
Stipulations:
1) 18 months to apply for and obtain building permits.
2) Per the location of the open buildings as shown on site plan date stamped February 4, 2025.

Continued 6. Application #: ZA-111-25-2
Existing Zoning: C-1 PCD
Location: 30845 North Cave Creek Road, Suite 107
Quarter Section: Q54-38(Q11)
Proposal: Use permit to allow sales of alcoholic beverages as an accessory to restaurant (Phat Turtle BBQ). Use permit required.
Ordinance Sections: 622.D.150.a
Applicant: David Richert, Richert & Associates
Representative: Mike and Kelly Sloan, Phat Turtle
Owner: Irwin Pastranack and Randy Raskin, Tuscan Village Center
Continued to April 17, 2025 at 9:00 AM.

Approved w/stip 7. Application #: ZA-118-25-4
Existing Zoning: R-3, R1-6
Location: 1030 East Mitchell Drive

Quarter Section: Q16-29(H8)

Proposal: 1) Time extension for ZA-1-24, use permit to use the single-family attached development option. Use Permit required.
 2) Time extension for ZA-1-24, use permit to allow a less restrictive multi-family use to expand into a more restrictive single-family zoning district on the east side. Use permit required.
 3) Time extension for ZA-1-24, use permit to allow a less restrictive multi-family use to expand into a more restrictive single-family zoning district on the west side. Use permit required.
 4) Time extension for ZA-1-24, variance to reduce the perimeter setback for units siding on the street right-of-way to 4 feet. Minimum 15 feet required.
 5) Time extension for ZA-1-24, variance to reduce the perimeter landscape setback to 4 feet. Minimum 15 feet required.
 6) Time extension for ZA-1-24, variance to reduce the required building setback (north) to 16 feet for a 40-foot-tall building. Minimum 35 feet required.
 7) Time extension for ZA-1-24, variance to reduce the required landscape setback adjacent to a single-family zoned district to 5 feet (north). Minimum 10 feet required.
 8) Time extension for ZA-1-24, variance to reduce the improved common area for bonus density to 0%. Minimum requirement of 18.9% improved open space.

Ordinance Sections: 608.F.6 307.A.8 307.A.8 615.B.Table B 608.F.6.c.(2) 615.B.Table B 608.F.6.c.(3) 608.I.2.b.(2)

Applicant: Marcela Mora-Yatko, Gilbert Blilie, PLLC

Representative: Paul Gilbert, Gilbert Blilie, PLLC

Owner: Jay Hartgraves, 1020 E. Mitchell Dr., LLC

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

1:30 PM

Approved w/stips 8. Application #: ZA-50-25-8 (SIGN)

Existing Zoning: A-1

Location: 4039 East Raymond Street

Quarter Section: Q5-37(E10)

Proposal: Use permit to adopt the ALLRED 40 Comprehensive Sign Plan. Use permit required.

Ordinance Sections: 705.E.2

Applicant: Julie Kulka, Airpark Signs & Graphics

Representative: Janet Ayala, Airpark Signs & Graphics

Owner: DARED 89, LLC, Douglas Allred Company

Stipulations:

- 1) Sign design shall be in accordance with the sign drawings submitted to the Hearing Officer and date-stamped March 13, 2025.
- 2) A total of 10 wall signs shall be permitted on site. The north and south elevations shall have a maximum of three wall signs each and the east and west shall have a maximum of two walls signs per elevation.
- 3) Submittal of a revised 'final' version of the CSP document to the Planning and Development Department incorporating any ZAHO 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.

**Approved
w/stips**

9. Application #: ZA-60-25-5 (SIGN)
Existing Zoning: C-2
Location: 7329 West Indian School Road
Quarter Section: Q16-11
Proposal: Use permit to allow an electronic message display (EMD) on a ground sign. Use permit required.
Ordinance Sections: 705.C.13
Applicant: James Rogers, Davis Signs
Representative: Angela Baucum, One Stop Permit Solutions, LLC
Owner: Adrain Lamb, HP Holdings 73, LLC

Stipulations:

- 1) Sign design and general sign location shall be in accordance with the sign drawings submitted to the Hearing Officer and date-stamped March 13, 2025.
- 2) Maximum sign height shall be 20 feet.
- 3) Provide a wider pole cover, at least 3 feet wide incorporating building materials, color and texture.
- 4) The maximum EMD square footage shall be no greater than 42 square feet.
- 5) Sign illumination shall be automatically shut off daily at 10 p.m. via an automatic dimming device.
- 6) Provide additional property owner (sign location) authorization letter signed and dated from Phoenix Plaza 75 LLC, prior to sign permit approval.
- 7) 12 months to obtain sign permits for the ground sign.

**Approved
w/stips**

10. Application #: ZA-93-25-6
Existing Zoning: C-2 H-R SP CEPCSP
Location: 2425 East Camelback Road
Quarter Section: Q18-33
Proposal: 1) Use permit to allow outdoor dining as an accessory use to a restaurant (Shamrock Test Kitchen) within 500 feet of a residential zoning district. Use permit required.

- 2) Use permit to allow outdoor alcohol consumption as an accessory use to a restaurant (Shamrock Test Kitchen) within 500 feet of a residential zoning district. Use permit required.
- 3) Use permit to allow outdoor recreation (amplified music and loudspeakers) as an accessory use to a restaurant (Shamrock Test Kitchen) within 500 feet of a residential zoning district. Use permit required.

Ordinance Sections: 623.D.157.c 623.D.157.c 623.D.157.c
 Applicant: Keeley Smith, Shamrock Foods Company
 Representative: Heidi Short, Womble Bond Dickinson
 Owner: Esplanade Owner, LLC

Stipulations:

- 1) 2 years to apply for and obtain building permits.
- 2) Hours of operation for the patio shall be 8:00 AM – Midnight daily.
- 3) No live entertainment on the patio.
- 4) Per the location of the patio as shown on site plan date stamped February 7, 2025.

**Approved
w/stips**

11. Application #: ZA-103-25-4
 Existing Zoning: C-3 TOD-1, P-1 TOD-1
 Location: Southwest Corner of Central Avenue and Glenrosa Avenue
 Quarter Section: Q17-27(H8)
 Proposal: Use permit to allow a temporary use (St. George's Day concert) for up to 36 months. Use permit required.
 Ordinance Sections: 708.D.1
 Applicant: Wimberley Investments
 Representative: David Wimberley, Wimberley Investments
 Owner: Wimberley Investments

Stipulations:

- 1) Approved for 36 months for 1 event per year to be held on a Saturday.
- 2) Set-up shall not commence before the Friday before the event.
- 3) Tear down shall be completed no later than the Sunday following the event.
- 4) Event hours 12:00 PM – 8:00 PM.
- 5) Speakers shall be oriented towards Central Avenue.
- 6) 1 year review.

Denied

12. Application #: ZA-122-25-6
 Existing Zoning: R1-6 CEPCSP
 Location: 1815 East Coolidge Street
 Quarter Section: Q18-31(H9)
 Proposal: Variance to reduce the required side yard setback (west) to 3 feet. Minimum 10 feet required.
 Ordinance Sections: 613.B.Table B
 Applicant: Akram Monsour

Representative: Akram Monsour
Owner: Akram Monsour

**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.

March 13, 2025