

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised June 26, 2025*

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 **May 29, 2025, at 9:00 AM (Items 1-3) and 1:30 PM (Items 4-10) 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
Continued

9:00 AM

1. Application #: ZA-370-13-3 (1 Year Review of Use Permit)
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
Continued to July 10, 2025 at 9:00 AM.

Approved
w/stips

2. Application #: ZA-473-21-4 (1 Year Review of Use Permit)
Existing Zoning: A-1
Location: 2985 West Whitton Avenue
Quarter Section: 16-22(H7)
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 5,280 feet of another medical marijuana facility. Minimum 5,280 feet separation required.
4) Variance to allow a medical marijuana infusion facility within 5,280 feet of another medical marijuana facility. Minimum 5,280 feet separation required.
5) Variance to allow a medical marijuana cultivation facility within 1,320 feet of a homeless shelter. Minimum 1,320 feet separation required.
6) Variance to allow a medical marijuana infusion facility within 1,320 feet of a homeless shelter. Minimum 1,320 feet 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
Applicant: MoveOn, LLC

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

Owner: Thomas R. & Patty Ann Melton

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/stip**

3. Application #: ZA-313-25-6
Existing Zoning: PUD and RE-35
Location: 4630 and 4642 North Alta Hacienda Drive
Quarter Section: Q18-41
Proposal: 1) Variance to allow access from a private street (Lot 1). Access from a public street is required
2) Variance to allow access from a private street (Lot 2). Access from a public street required.
Ordinance Sections: 609.B.Table 609.B.Table
Applicant: Alex Hayes, Withey Morris Baugh, PLC
Representative: Alex Hayes, Withey Morris Baugh, PLC
Owner: JPG Holdings, LLC
Stipulation:
1) 1 year to complete the replat process.

***Approved
w/stips**

- 1:30 PM**
4. Application #: ZA-199-25-8
Existing Zoning: R1-6 BAOD
Location: 2115 East Beth Drive
Quarter Section: Q02-32(C9)

Proposal: Variance to reduce side yard setback (east) to 12 feet for a 2-story building. Minimum 15 feet required.
Ordinance Sections: 613.Table.A
Applicant: Chloe Plaisance, Gammage & Burnham, PLC
Representative: Chloe Plaisance, Gammage & Burnham, PLC
Owner: PNC MP Rental, LLC

Taken out from under advisement on June 26, 2025 and approved with the following stipulations:

- 1) Per the location of the east stem wall as shown on the foundation plan date stamped May 12, 2025.
- 2) 1 year to apply and pay for building permits.

Denied

5. Application #: ZA-215-25-6
Existing Zoning: R1-10 ACSPD
Location: 4620 North Avenida Del Puente Avenue
Quarter Section: Q18-38(H11)
Proposal: Variance to reduce front yard (east) setback to 10 feet. Minimum 25 feet required.

Ordinance Sections: 611.B.Table B
Applicant: Bryan Sandler
Representative: Bryan Sandler
Owner: Bryan Sandler

**Approved
w/stips**

6. Application #: ZA-276-25-3
Existing Zoning: C-2 SP
Location: 17202 North Cave Creek Road
Quarter Section: Q37-32(M9)
Proposal: 1) Variance to reduce the building setback (east) to 15 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the structure, including projections.
2) Variance to reduce the required landscape setback (east) to 0 feet. Average of 25 feet, minimum 20 feet permitted for up to 50% of structure required.
3) Variance to reduce the required landscape setback (north) to 11 feet. Average of 25 feet required, minimum 20 feet permitted for up to 50% of structure.

Ordinance Sections: 623.E.4.d 623.E.4.e 623.E.4.e
Applicant: Madison Leake, Burch & Cracchiolo, P.A.
Representative: Madison Leake, Burch & Cracchiolo, P.A.
Owner: Schauwecker Family Revocable Trust, Richard Gordan Schauwecker

Stipulations:

- 1) 1 year to apply for and obtain building permits.
- 2) Per landscape reductions and plantings as shown on landscape plan date stamped April 24, 2025.
- 3) Building setback reduction is for existing building only as shown on site plan date stamped April 24, 2025.

Denied	7.	Application #: ZA-295-25-3 Existing Zoning: R1-10 Location: 15836 North 8th Street Quarter Section: Q35-29(L8) Proposal: Variance to allow an over height fence (6 feet) in the required front setback (east). Maximum 40 inches permitted. Ordinance Sections: 703.A.2.a Applicant: Randall Weaver Representative: Randall Weaver Owner: Randall Weaver and Scott Greise
Approved w/stip	8.	Application #: ZA-303-25-4 Existing Zoning: R1-6 Location: 1635 West Glenrosa Avenue Quarter Section: Q17-25(H7) Proposal: Time extension for ZA-235-24, use permit to allow a 20 foot tall projection of the main building into the required rear yard (east). Maximum 15 foot tall projection permitted. Ordinance Sections: 701.A.3.a.(2).(d) Applicant: Valeriya Nedeva Representative: Valeriya Nedeva Owner: Robert Butler and Valeriya Nedeva Stipulation: 1) 6 months to apply for and obtain building permits.
Approved	9.	Application #: ZA-312-25-2 Existing Zoning: R1-8 Location: 16706 North 49th Way Quarter Section: Q36-39 Proposal: 1) Revocation of ZA-84-24, use permit for official approval of a home occupation (sales of firearms). 2) Revocation of ZA-84-24, use permit to allow a home occupation to generate traffic. Ordinance Sections: 307.A.7.g Applicant: City of Phoenix, Planning and Development Department Representative: City of Phoenix, Planning and Development Department Owner: Shawn Yavari
Approved	10.	Application #: ZA-314-25-8 Existing Zoning: A-1 Location: 4116 East Superior Avenue, Suites 1, 2, 3B, 4D, D Quarter Section: Q6-37 Proposal: 1) Revocation of ZA-41-12, use permit to allow a medical marijuana cultivation facility. 2) Revocation of ZA-41-12, use permit to allow a medical marijuana infusion production facility.

- 3) Revocation of ZA-313-12, time extension for ZA-41-12, use permit to allow a medical marijuana cultivation facility and infusion production facility.
- 4) Revocation of ZA-459-12, use permit to allow a medical marijuana cultivation facility.
- 5) Revocation of ZA-459-12, use permit to allow a medical marijuana infusion production facility.
- 6) Revocation of ZA-543-14, use permit to allow a medical marijuana cultivation facility.
- 7) Revocation of ZA-57-16, use permit to allow a medical marijuana cultivation facility.
- 8) Revocation of ZA-57-16, use permit to allow a medical marijuana infusion facility.
- 9) Revocation of ZA-224-18, use permit to allow a medical marijuana infusion facility.
- 10) Revocation of ZA-692-20, use permit to allow a medical marijuana cultivation facility.
- 11) Revocation of ZA-697-21, time extension of ZA-692-20, use permit to allow a medical marijuana cultivation facility.

Ordinance Sections:	307.A.7.g 307.A.7.g 307.A.7.g 307.A.7.g 307.A.7.g 307.A.7.g 307.A.7.g 307.A.7.g 307.A.7.g 307.A.7.g
Applicant:	City of Phoenix, Planning and Development Department
Representative:	City of Phoenix, Planning and Development Department
Owner:	4116 Superior, LLC

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. To request a reasonable accommodation, please contact Saneeya Mir, 602-686-6461, Saneeya.Mir@phoenix.gov TTY: Use 7-1-1.

June 26, 2025