

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised February 12, 2026*

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 **January 8, 2026, at 9:00 AM. (Items 1-4) and 1:30 PM (Items 5-9). 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-912-25-6
Existing Zoning: R-O, C-2 SP
Location: 1705 East Griswold Road
Quarter Section: Q25-31
Proposal: Variance to allow access to an R-O site from a local street (Griswold Road). Access must be from an arterial or collector street.

Ordinance Sections: 620.C.8
Applicant: William F. Allison, Withey Morris Baugh, PLC
Representative: William F. Allison, Withey Morris Baugh, PLC
Owner: Evan Boxwell, Sawyer Grace LLC
Stipulations:
 - 1) No vehicular access, except for Fire access, shall be allowed along Griswold Road.
 - 2) All Fire access shall be mountable curb with reinforced concrete per MAG detail as approved by the City of Phoenix Planning and Development Department.
 - 3) 18 months to apply and pay for building permits.
 - 4) Per site plan date stamped November 18, 2025 for Fire gate access.

Approved
w/stips

2. Application #: ZA-959-25-6
Existing Zoning: RE-35
Location: 6230 East Hillcrest Boulevard
Quarter Section: Q18-42
Proposal: 1) Variance to allow an over height wall (20 feet) in the required rear yard setback (north). Maximum 6 feet permitted.
2) Variance to allow an over height wall (20 feet) in the required side yard setback (west). Maximum 6 feet permitted.

Ordinance Sections: 703.A.2.c
Applicant: Justin Adams, Patterson Homes LLC
Representative: Marvin Lunt, Illini Design Group, LLC
Owner: Rebecca McClure, Grey Collective, LLC
Stipulations:
 - 1) 12 months to apply and pay for permits.
 - 2) Per site plan date stamped December 4, 2025 for golf net.

**Approved
w/stips**

3. Application #: ZA-21-16-8 (1 Year Review of Use Permit)
Existing Zoning: A-2 RSIOD ANIZO
Location: 2340 East University Drive
Quarter Section: 7-32(E9)
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.
Ordinance Sections: 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b
Applicant: Anthony Rein
Representative: Adam Baugh, Withey Morris, PLC
Owner: Verdes Family Investment Partnership, LP

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**

4. Application #: ZA-564-19-3 (1 Year Review of Use Permit)
Existing Zoning: C-2
Location: 12401 North Cave Creek Road
Quarter Section: 31-32(K9)

Proposal: 1) Use permit to allow a medical marijuana dispensary. Use permit required.
 2) Variance to allow a medical marijuana dispensary within 500 feet of a residentially zoned district. Minimum 500 feet of separation required.
 3) Variance to allow a medical marijuana dispensary within 1,320 feet of a park. Minimum 1,320 feet of separation required.
 4) Variance to allow a medical marijuana dispensary within 5,280 feet of the same type of use. Minimum 5,280 feet of separation required.

Ordinance Sections: 623.D.124.a 623.D.124.f 623.D.124.g 623.D.124.e

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

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

Owner: Cave Creek RE, 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.

1:30 PM

***Denied** 5. Application #: ZA-802-25-2 (Continued from November 20, 2025)
 Existing Zoning: C-2 PCD NBCC
 Location: 3160 West Carefree Highway
 Quarter Section: Q59-21

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. Minimum 500 feet of separation required.
 3) Variance to allow a medical marijuana dispensary within 1,320 feet of a public park. Minimum 1,320 feet of separation required.
 4) 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.g 623.D.124.h

Applicant: Michelle Green, Lazarus & Silvyn P.C.
 Representative: Larry Lazarus, Lazarus & Silvyn P.C.
 Owner: Andrew Fosberg, FCTE Carefree, LLC

Taken out from under advisement on February 12, 2026 and denied.

**Withdrawn
to Amend**

6. Application #: ZA-883-25-4
 Existing Zoning: R1-6 HP
 Location: 52 East Hoover Avenue
 Quarter Section: Q14-28
 Proposal: Use permit to allow an over height (20 feet) detached accessory dwelling unit located in the rear yard setback (north). Maximum 15 feet in height permitted.

Ordinance Sections: 706.A.4.c.(1)
 Applicant: Contrial D. Davis
 Representative: Contrial D. Davis
 Owner: Contrial D. Davis

**Approved
w/stips**

7. Application #: ZA-921-25-5
 Existing Zoning: R-5
 Location: 4848 East Thomas Road
 Quarter Section: Q15-39
 Proposal: 1) Variance to allow an over height wall (8 feet) in the required front yard setback (south). Maximum 40 inches permitted.
 2) Variance to allow an over height wall (8 feet) in the required side yard setback (west). Maximum 6 feet permitted.

Ordinance Sections: 703.A.2.a 703.A.2.c
 Applicant: Karli Roller, Montessori Room
 Representative: Karli Roller, Montessori Room
 Owner: Julie Vance, Arizona, LLC

Stipulations:
 1) Per site plan date stamped December 1, 2025.
 2) 12 months to apply and pay for building permits.

- Approved w/stips**
8. Application #: ZA-940-25-5
Existing Zoning: R1-6
Location: 3720 West Maryland Avenue
Quarter Section: Q22-20
Proposal: Use permit to allow a temporary use (Arizona Ukrainian Festival) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: Father Hugo Soutus, Dormition of the Mother of God Ukrainian Catholic Church
Representative: Father Hugo Soutus, Dormition of the Mother of God Ukrainian Catholic Church
Owner: Father Hugo Soutus, Dormition of the Mother of God Ukrainian Catholic Church, St. Nicholas Diocese in Chicago for Ukrainians
- Stipulations:**
- 1) Event will be held from 11:30 AM to 7:00 PM.
 - 2) Setup and takedown will occur after 8:00 AM and before 8:00 PM.
 - 3) Lighting shall be directed toward stage, only lighting necessary, no spotlights.
 - 4) Music performances shall be at ambient noise levels.
 - 5) Event shall end by 7:00 PM.
 - 6) Event shall be held annually for up to 36 months (one event per year).
 - 7) Per site plan date stamped December 1, 2025.
- *Denied**
9. Application #: ZA-961-25-1
Existing Zoning: C-1
Location: 13828 North 35th Avenue
Quarter Section: Q33-20
Proposal: Variance to allow a drive-through window for the sale of alcohol (Grab N Go Market) within 300 feet of a residential zoning district. Minimum 300 feet required.
Ordinance Sections: 622.D.102.b
Applicant: Sammy Mikhail, Grab N Go Market, LLC
Representative: Michael Maerowitz, Snell & Wilmer, LLP
Owner: Nayel Rabadi, Nayel-Christy Investments, LLC
Taken out from under advisement on February 12, 2026 and denied.

ZONING ADJUSTMENT HEARING OFFICER: CAROL BERRY
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.

February 12, 2026