

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
****Revised May 27, 2026***

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 **April 23, 2026, at 9:00 AM (Items 1-6) and 1:30 PM (Items 7-13) 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

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

**#3 Denied
as Filed**

9:00 AM

1. Application #: ZA-989-25-2
Existing Zoning: C-2 NBCC
Location: 2888 West Sonoran Desert Drive
Quarter Section: Q55-22
Proposal: 1) Variance to reduce the building setback (east) adjacent to R-3 zoning to 45 feet. Minimum 150 feet required.
2) Variance to reduce the landscape setback (east) not adjacent to a public street to 0 feet. Minimum 10 feet required.
3) Variance to reduce the landscape setback (north) not adjacent to a public street to 0 feet. Minimum 10 feet required.

Ordinance Sections: 623.E.4.d 623.E.4.e 623.E.4.e
Applicant: Preston Johnson, Stewart Reindersma Architecture, PLLC
Representative: Roy Bade, Caliber HS TSMC HOLDCO, LLC
Owner: Terrence Plas, Sonoran Desert Retail, LLC
Stipulations:
 - 1) 1 year to apply and pay for building permits.
 - 2) Per the site plan date stamped March 17, 2026.
 - 3) (Item 3) With a minimum landscape setback on the north side of 6 feet.

**Approved
w/stips**

2. Application #: ZA-128-26-8
Existing Zoning: S-2
Location: 2527 East Southern Avenue
Quarter Section: Q3-33(D9)
Proposal: Use Permit to allow public assembly residential uses with vehicular access on a local or minor collector street (South 26th Street). Use permit required.

Ordinance Sections: 603.A.18
Applicant: Patricia Romano, Pathangay Architects
Representative: Kiran Kumar, Sujnana Religious & Charitable Foundation
Owner: Ida Brown, Browns Hounds, LLC
Taken out from under advisement on May 26, 2026 and approved with the following stipulations:
 - 1) 1 year to apply and pay for building permits.
 - 2) Access to and from South 26th Street shall be limited to one driveway for public use. One additional driveway for emergency

personnel use only is allowed along South 26th Street, per Phoenix Fire Department and Street Transportation Department requirements.

- 3) A sign prohibiting right turns from the site on to South 26th Street shall be placed on private property at the egress point (South 26th Street) for vehicles exiting the site.
- 4) During festivals and other events where increased attendance is expected, the applicant will notify the Police precinct to determine and implement the appropriate traffic control measures (For example: portable bollards and curbing, signs, cones, officer(s)) as necessary to deter traffic into the adjacent residential area (south).
- 5) A 1 year review shall be scheduled from date of the issuance of a Certificate of Occupancy.

***Approved
w/stips**

3. Application #: ZA-188-26-6
Existing Zoning: C-1
Location: 6102 North 16th Street, Suite 13
Quarter Section: Q21-30(I9)
Proposal: Use permit to allow outdoor recreation (play area) as an accessory use to a restaurant (Leo & Luca). Use permit required.

Ordinance Sections: 622.D.150.d
Applicant: Leo & Luca, LLC
Representative: George Pasquel III, Withey Morris Baugh, PLC
Owner: RLC 16th Street, LC

Taken out from under advisement on May 27, 2026 and approved with the following stipulations:

- 1) Per the location of the outdoor area as shown on the site plan date stamped March 2, 2026.
- 2) 12 children maximum are allowed in outdoor play area at any time.
- 3) Hours of operation (non-parties/events) for the outdoor play area are limited to 8:00 AM to 6:00 PM.
- 4) Outdoor parties/events are limited to Saturdays and Sundays between 12:00 PM and 4:00 PM.
- 5) Inflatable devices requiring a compressor or fan are prohibited.
- 6) Outdoor music (amplified and/or live) is not permitted.
- 7) 1 year review to evaluate effectiveness of stipulations and any remaining noise concerns.

**Approved
w/stips**

4. Application #: ZA-189-26-6
Existing Zoning: R1-6
Location: 3802 North 36th Street
Quarter Section: Q16-35(H10)
Proposal: Variance to reduce street side setback from 10 feet to 0 feet. Minimum of 10 feet required.

Ordinance Sections: 613.B.Table 613.1
Applicant: Kyle and Paloma Kwiedacz
Representative: Kyle and Paloma Kwiedacz
Owner: Kyle and Paloma Kwiedacz

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the site plan date stamped March 16, 2026 with regard to the carport.

Approved w/stips

5. Application #: ZA-204-26-1
 Existing Zoning: R1-6
 Location: 2915 West Greenway Road
 Quarter Section: Q34-22(L7)
 Proposal: Variance to allow an over height wall (6 feet) in the required front yard setback (west). Maximum 40 inches permitted.

Ordinance Sections: 703.A.2.a
 Applicant: Patrick Simpson, Goban Saor Design
 Representative: Patrick Simpson, Goban Saor Design
 Owner: Aaron Phetteplace, Jesus Church of Arizona

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per the STUBE Fence detail as shown on site plan A.02 date stamped March 23, 2026.
- 3) Fence shall be located on the front property line.

Approved w/stips

6. Application #: ZA-361-12-8 (1 Year Review of Use Permit)
 Existing Zoning: A-1
 Location: 4201 East University Drive
 Quarter Section: 6-37(E10)
 Proposal: Time Extension to Case ZA-159-11. Use permit to allow a medical marijuana dispensary facility. Time extension required.

Ordinance Sections: 307.A.12.
 Applicant: Cecilia Wilson, Peace Relief
 Representative: David Dow, Law Offices of David W. Dow
 Owner: Cecilia Wilson, Peace Relief

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	1:30 PM	
	7.	Application #: ZA-169-26-2 (SIGN) Existing Zoning: C-1 Location: 3719 East Bell Road Quarter Section: Q36-36(M10) Proposal: Use permit to allow an electronic message display (EMD) for one ground sign. Use permit required. Ordinance Sections: 705.C.13 Applicant: Kimberly Gile, ArkVets Representative: Kimberly Gile, ArkVets Owner: Vetfund, LLC Stipulations: 1) Per site plan date stamped March 16, 2026. 2) The maximum ground sign height shall be 48 feet above grade. 3) The maximum EMD square footage shall be no greater than 65.3 square feet for a total sign area of 197 square feet. 4) Sign illumination shall be automatically shut off daily at 11:00 PM via an automatic dimming device. 5) Submit and obtain Design Review approval prior to sign permit issuance. 6) 12 months to obtain sign permits for the ground sign.
Approved w/stips	8.	
	Application #: ZA-175-26-6 (SIGN) Existing Zoning: R-O Location: 1750 East Glendale Avenue Quarter Section: Q23-31(I9) Proposal: Use permit to allow an electronic message display (EMD) for a ground sign. Use permit required. Ordinance Sections: 705.C.13 705.C.13 Applicant: Lori Burgardt, Xcelerate Permits, LLC Representative: William Hayes, Sign Dealz Corporation Owner: Alan Gordon, Member of VistaHQ Properties, LLC Stipulations: 1) Per the site plan date stamped March 16, 2026. 2) The maximum ground sign height shall be 12 feet 8 inches above grade. 3) The maximum EMD square footage shall be no greater than 32 square feet. 4) Sign illumination shall be automatically shut off daily at 9:00 PM via an automatic dimming device. 5) 12 months to obtain sign permits for the ground sign.	
Denied	9.	
	Application #: ZA-79-26-6 Existing Zoning: R1-10 Location: 2305 North 54th Street Quarter Section: Q14-40(G11)	

Proposal: 1) Variance to allow a minimum lot area of 8,785 square feet for resulting parcels. Minimum lot area of 10,000 square feet required.
2) Variance to allow a minimum lot depth of 87 feet for resulting parcels. Minimum lot depth of 94 feet required

Ordinance Sections: 611.B.Table 611.1 611.B.Table 611.1

Applicant: Louis Maccarone, Upfront Planning & Entitlements, LLC

Representative: Jessica Sarkissian; Upfront Planning & Entitlements, LLC

Owner: Louis Maccarone, Upfront Planning & Entitlements, LLC

**Approved
w/stips**

10. Application #: ZA-119-26-6
Existing Zoning: RE-24
Location: 4633 North 49TH Place
Quarter Section: Q18-39(H11); Q34-29(L8)
Proposal: Use permit to allow detached accessory structure (shed) located behind the required front setback but between the primary dwelling unit and the front property line. Use permit required.

Ordinance Sections: 706.B.1

Applicant: Lori Shuman, Tuff Shed, Inc.

Representative: Lori Shuman, Tuff Shed, Inc.

Owner: Alissa Chen

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Per site plan and elevations date stamped March 9, 2026.
- 3) Walls and roof materials and colors to match the house.

**Approved
w/stips**

11. Application #: ZA-197-26-1
Existing Zoning: PUD
Location: 9802 North Metro Parkway West
Quarter Section: Q28-21(K7,K6,J6)
Proposal: Use permit to allow an assembly hall. Use permit required.

Ordinance Sections: PUD Z-59-13 Section F Table 2.9

Applicant: Nohee Araujo, Casa Blanca Reception Hall

Representative: Dulce Cruz, Casa Blanca Reception Hall

Owner: Metro Pavilion, LLC

Taken out from under advisement on May 26, 2026 and approved with he following stipulations:

- 1) Approval of this use permit is limited to the Metro Power Center building, Suite 153 per site plan date stamped March 7, 2026.
- 2) 6 months to begin operations or apply and pay for building permits, as required.
- 3) Event hours shall be limited to 4:00 PM to 10:00 PM Sunday through Thursday and 11:00 AM through 12:00 AM on Friday and Saturday.
- 4) During all forms of indoor music, exterior doors must be kept closed.

- 5) "No Trespass" signs shall be conspicuously posted on the outside of the building to deter loitering and unwanted guests.
- 6) An "Authority to Arrest" Trespassers form shall be signed and maintained with the local Police Precinct.
- 7) All events after 7:00 PM shall have security on site.
- 8) 1 year review.

Approved w/stips

12. Application #: ZA-202-26-6
 Existing Zoning: R1-10
 Location: 2302 East Lincoln Drive
 Quarter Section: Q22-32(I9)
 Proposal: Variance to reduce the front yard setback (south) to 10ft. Minimum 25 feet required.
 Ordinance Sections: 611.Table 611.1
 Applicant: Tommy Thomas, Ezquerro Living Trust
 Representative: Tommy Thomas, Ezquerro Living Trust
 Owner: Tommy Thomas, Ezquerro Living Trust
Stipulations:
 1) Per site plan date stamped March 19, 2026.
 2) 25 foot setback shall be maintained along street side and side yard setback Lincoln Drive.

Approved w/stips

13. Application #: ZA-210-26-8
 Existing Zoning: C-1 HGT/WVR, C-2, C-2 HGT/WVR, R-3
 Location: 1375 East Broadway Road
 Quarter Section: Q4-30(E9)
 Proposal: Variance to allow an over height wall (8 feet) within the required street front setback (14th Street). Maximum 40 inches permitted.
 Ordinance Sections: 703.A.3.a
 Applicant: Jeff Muckerman, Western Fence Co Inc
 Representative: Jeff Muckerman, Western Fence Co Inc
 Owner: James Ellis, The Salvation Army
Stipulations:
 1) 1 year to apply and pay for building permits.
 2) Per site plan date stamped March 23, 2026 for wrought-iron fence adjacent to recreation fields.

ZONING ADJUSTMENT HEARING OFFICER: FRANK DOLASINSKI
PLANNER: PATRICK H ZAIA-ROBERTS, 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.

May 28, 2026