

**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 **June 25, 2026, at 9:00 AM. (Items 1-8) and 1:30 PM (Item 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-883-25-4
Existing Zoning: R1-6 HP
Location: 52 East Hoover Avenue
Quarter Section: Q14-28
Proposal: 1) Use permit to allow an over height (18 feet) detached accessory dwelling unit located in the rear yard setback (north). Maximum 15 feet in height permitted.
2) Use permit to allow an over height (18 feet) detached accessory dwelling unit located in the side yard setback (east). Maximum 15 feet in height permitted.
Ordinance Sections: 706.A.4.c.(1) 706.A.4.c.(1)
Applicant: Contrial D. Davis
Representative: Contrial D. Davis
Owner: Contrial D. Davis
Stipulations:
 - 1) Per the location and elevations as shown on site plan and elevation exhibits date stamped May 20, 2026
 - 2) All second story windows on the north and east sides will have fixed non-removeable obscure glass or fixed non-removable privacy louvers.
 - 3) 2 years to apply and pay for building permits.

**Approved
w/stips**

2. Application #: ZA-121-26-7 (Continued from May 14, 2026)
Existing Zoning: C-2
Location: 7191 South 51st Avenue
Quarter Section: Q1-17(D5); Q1-17(D5); Q1-17(D5)
Proposal: Use permit to allow a car wash in an open building. Use permit required.
Ordinance Sections: 623.D.41
Applicant: Quick Quack Car Wash, LLC
Representative: Hannya Moritz, Permit Advisors a Milrose Consultants
Owner: John Foertsch, Cafe Investments, LLC
Stipulations:
 - 1) Per the location of the open vacuum areas as shown on site plan date stamped April 9, 2026.
 - 2) 1 year to apply and pay for building permits.

Approved w/stips	3.	Application #:	ZA-181-26-2
		Existing Zoning:	R1-8
		Location:	18816 and 18830 North 29th Place
		Quarter Section:	Q39-34(M10)
		Proposal:	1) Variance to allow a lot (Lots 2, 3, 4, and 5) with no public street frontage. Frontage on a public street is required. 2) Variance to reduce the rear yard setback (west) to 3 feet (Lots 1 and 6). Minimum 25 feet required.
		Ordinance Sections:	612.B.Table 612.1
		Applicant:	Samantha DeMoss, Rose Law Group PC
		Representative:	Samantha DeMoss, Rose Law Group PC
		Owner:	Tim Hammer, H & H Developers, LLC
		Stipulations:	
			1) For lots 4 and 5 the front setback shall be taken from the south property line, for lots 2 and 3 the front setback will be taken from the north property line.
			2) Per the setback reductions for lots 1 and 6 per the site plan date stamped May 21, 2026.
			3) 2 years to apply and pay for building permits.
Withdrawn	4.	Application #:	ZA-376-26-3
		Existing Zoning:	R1-10
		Location:	8050 North 3rd Avenue
		Quarter Section:	Q25-27(J8)
		Proposal:	1) Variance to reduce the rear yard (north) setback (Lot 6) to 10 feet. Minimum 25 feet required. 2) Variance to reduce the rear yard (south) setback (Lot 7) to 3 feet. Minimum 25 feet required.
		Ordinance Sections:	611.B.Table 611.1 611.B.Table 611.1
		Applicant:	Matthew Telban, Shea Homes
		Representative:	William Allison, Withey Morris Baugh, PLC
		Owner:	Greg Hartman, Fromm Hartman 3rd Avenue Partners, LLC
Approved w/stips	5.	Application #:	ZA-382-26-6
		Existing Zoning:	R1-10 ACSPD
		Location:	4411 North 46th Place
		Quarter Section:	Q17-38(H11)
		Proposal:	1) Variance to reduce the side yard setback (northeast) to 2 feet. Minimum 10 feet required. 2) Variance to reduce the rear yard setback (south) to 0 feet. Minimum 25 feet required.
		Ordinance Sections:	611.B.Table.Standard Option
		Applicant:	Michael Buschbacher, Earl & Curley, P.C.
		Representative:	Taylor Earl, Earl & Curley, P.C.
		Owner:	Jerrid and Samantha Anderson
		Stipulations:	
			1) 1 year to apply and pay for building permits.

2) Per the setback reductions only as shown on the survey date stamped May 29, 2026.

Approved w/stips 6. Application #: ZA-393-26-1
Existing Zoning: CP/GCP DVAO
Location: 1333 West Fallen Leaf Lane
Quarter Section: Q46-26(O8)
Proposal: 1) Variance to allow a building height of 28 feet at 50 feet of setback from a perimeter line (south). Minimum 60 foot setback required.
2) Variance to allow a building height of 28 feet at 20 feet of setback from a perimeter line (north). Minimum 60 foot setback required.
3) Variance to reduce the perimeter landscape setback (north) to 20 feet. Minimum 30 feet required.
Ordinance Sections: 626.H.1 Table 626.H.1 Table 626.H.2.b
Applicant: Jacob Tyler, SMT Investors Limited Partnership, Suzette C Tyler Descendants Irrevocable Trust et al.
Representative: William Allison, Withey Morris Baugh, PLC
Owner: Jacob Tyler, SMT Investors Limited Partnership, Suzette C Tyler Descendants Irrevocable Trust et al.

Stipulations:

- 1) Per the reductions as shown on site plan date stamped May 21, 2026.
- 2) 1 year to apply and pay for building permits.

Approved w/stips 7. Application #: ZA-92-13-8 (1 Year Review of Use Permit)
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**

8. 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.

1:30 PM

Approved w/stip 9. Application #: ZA-136-26-8 (Continued from May 21, 2026)
Existing Zoning: R-3 RI HP MH
Location: 1312 East Diamond Street
Quarter Section: Q12-30(G9)
Proposal: 1) Variance to reduce the minimum lot depth (Lot 19) to 50 feet. Minimum 94 feet required.
2) Variance to reduce the minimum lot width (Lot 19) to 57 feet. Minimum 60 feet required.
Ordinance Sections: 615.B.Table 615.1 615.B.Table 615.1
Applicant: Ronnie McGuire, City of Phoenix Neighborhood Services Department
Representative: Ronnie McGuire, City of Phoenix Neighborhood Services Department
Owner: Ronnie McGuire, City of Phoenix Neighborhood Services Department

Stipulation:
1) 1 year to complete the lot split process.

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.

June 26, 2026