

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
Revised April 14, 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 **March 12, 2026, at 9:00 AM. (Items 1-6) and 1:30 PM (Items 7-14). 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-9-26-8
Existing Zoning: C-1 BAOD
Location: 3220 East Baseline Road
Quarter Section: Q1-35
Proposal: 1) Use permit to allow a drive-through facility as an accessory to a restaurant (Filiberto's) within 300 feet from a residential zoning district. Use permit required.
2) Variance to reduce a drive-through facility queuing length to 126 feet. Minimum 150 linear feet of queuing space per pick-up window required.
Ordinance Sections: 622.D.150.e 702.B.6.c
Applicant: Jerel Campbell, ACRN Properties, LLC
Representative: Glenn Liptack, Nostdahl Liptack Architects PLC
Owner: Jerel Campbell, ACRN Properties, LLC
Stipulations:
1) 1 year to apply and pay for building permits.
2) Per the site plan date stamped February 10, 2026.

Approved
w/stips

2. Application #: ZA-38-26-4
Existing Zoning: A-1
Location: 3444 North 27th Avenue
Quarter Section: Q16-22(H7)
Proposal: 1) Variance to allow outdoor uses, outdoor storage, or open buildings 0 feet from a public street (28th Avenue). Minimum 75 feet required.
2) Variance to allow outdoor storage at a height of 14 feet setback 0 feet from a public street (28th Avenue). Minimum 24 feet required.
3) Variance to eliminate the screening requirement for 15 gallon trees spaced no more than 25 feet apart and with an adequate watering system within 150 feet of public streets (28th Avenue). Fifteen gallon trees required.
4) Variance to reduce the required side yard setback (north) to 0 feet. Minimum 10 feet required.
Ordinance Sections: 627.F.2.b.(3) 627.F.2.c.(2).(b).(i)
627.F.2.c.(2).(b).(ii) 701.D.3.c.(2)

Applicant: Lindsay C. Schube, Gammage & Burnham, PLC
Representative: Lindsay C. Schube, Gammage & Burnham, PLC
Owner: Philip Sheinbein, Generated Materials Recovery, GMR Acquisition, LLC

Stipulations:

- 1) 18 months to apply and pay for building permits.
- 2) Per site plan "A1.0" date stamped February 4, 2026.
- 3) Outdoor storage fronting 28th avenue shall be limited to truck parking and the shearer and associated accessory materials.

**#1
Approved
w/stip**

3. Application #: ZA-76-26-1
Existing Zoning: RE-35
Location: 5123 West Saguaro Park Lane
Quarter Section: Q46-16(O5) Q46-16(O5)
Proposal: 1) Variance to reduce the rear yard setback (south) for a detached accessory structure to 2 feet. Minimum 3 feet required.
2) Variance to reduce the front yard setback (north) to 27 feet. Minimum 40 feet required.
Ordinance Sections: 706.B.2.a 609.B.Table 619.1
Applicant: Steve Sanders
Representative: John Bzdel, John M. Bzdel Design, Consulting & Construction, LLC
Owner: Steve Sanders

Stipulations:

- 1) 1 year to apply and pay for building permits.
- 2) Variance to reduce the front yard setback (north) to 27 feet for development of a 12 foot wide extension of the porch out to the existing circular drive.

**Approved
w/stips**

4. Application #: ZA-84-26-3
Existing Zoning: C-2, C-3
Location: 10 East Dunlap Avenue
Quarter Section: Q27-28(J8)
Proposal: 1) Variance to reduce the landscape setback (west) adjacent to a public street (Central Avenue) to 14.5 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the frontage.
2) Variance to reduce the landscape setback (south) adjacent to a public street (Dunlap Avenue) to 18 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the frontage.
3) Variance to reduce the landscape setback (south) adjacent to a public street (Dunlap Avenue) to 18 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the frontage.
4) Variance to reduce the landscape setback (north) adjacent to a public street (Eva Street) to 10 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the frontage.

5) Variance to reduce the landscape setback (north) adjacent to a public street (Eva Street) to 10 feet. Average 25 feet required, minimum 20 feet permitted for up to 50% of the frontage.

Ordinance Sections: 623.E.4.e 623.E.4.e 624.E.4.e 623.E.4.e 624.E.4.e

Applicant: George Willett, LASCO Development Corporation

Representative: William Allison, Withey Morris Baugh, PLC

Owner: William Finch, MFG CRE, LLC, MFG 10 Dunlap, LLC

Stipulations:

- 1) 18 months to apply and pay for building permits.
- 2) Per site plan date stamped March 11, 2026.
- 3) Provide a screen wall separating the 2 driveways.
- 4) Per City of Phoenix landscape standards (quantity, size, etc.)

**Approved
w/stips**

5. Application #: ZA-124-26-5

Existing Zoning: C-2

Location: 1701 North 99th Avenue

Quarter Section: Q13-5(G2)

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 reduce the canal right-of-way landscape setback to 2 feet (East). Average of 20 feet required, minimum 15 feet permitted for up to 50% of frontage.
4) Variance to reduce the streetscape landscape setback (99th Avenue) to an average of 17 feet, minimum 15 feet required. Average of 25 feet required, minimum 20 feet permitted for up to 50% of frontage.
5) Variance to reduce the required parking to 44 spaces. Minimum 48 parking spaces required.

Ordinance Sections: 623.D.124.f 623.E.4.c 623.E.4.e 702.C.Table 623.D.124.a

Applicant: Michelle Green, Lazarus & Silvyn P.C.

Representative: Larry Lazarus, Lazarus & Silvyn P.C.

Owner: Arvin Saloum, Ninety-Nine Holdings, 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.

**Approved
w/stips**

6. 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, ACP Real Estate, LLC
Representative: Justin M. Brandt, Esq., Bianchi & Brandt
Owner: Chris Arnold, ACP Real Estate, LLC

Stipulation:

- 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

- Continued**
7. Application #: ZA-754-25-4 (SIGN) (Continued from February 5, 2026)
- Existing Zoning: C-2 H-R TOD-1
- Location: 2020 North Central Avenue
- Quarter Section: Q13-27
- Proposal: Use permit for a major amendment to the Microage Comprehensive Sign Plan. Use permit required.
- Ordinance Sections: 705.2.E.2
- Applicant: Jared Segel, Associated Sign Company
- Representative: Jared Segel, Associated Sign Company
- Owner: 2020 Central SPE, LLC, Cushman & Wakefield
- Continued to April 16, 2026 at 1:30 PM.**

- Approved w/stips**
8. Application #: ZA-1005-25-8 (SIGN)
- Existing Zoning: R-2, S-1
- Location: 3635 West Baseline Road
- Quarter Section: Q01-20
- Proposal: Use permit to allow an electronic message display (EMD) for a ground sign. Use permit required.
- Ordinance Sections: 705.C.13
- Applicant: Carlos Hernandez, Summit West Signs
- Representative: Carlos Hernandez, Summit West Signs
- Owner: Mark Binelli, City of Phoenix
- Stipulations:**
- 1) The maximum sign height shall be 18 feet above grade.
 - 2) The maximum EMD square footage shall be no greater than 64 square feet.
 - 3) Sign illumination shall be automatically shut off daily at 9:00 PM via an automatic dimming device.
 - 4) The copy shall be displayed for a minimum of eight (8) seconds per code Section 705.C.13.b.
 - 5) The intensity of lighting shall not exceed three hundred (300) nits from dusk until dawn per code Section 705.C.13.c.
 - 6) 12 months to obtain sign permits for the ground sign.

- Approved w/stips**
9. Application #: ZA-77-26-2 (SIGN)
- Existing Zoning: RE-43
- Location: 5631 East Shea Boulevard

Quarter Section: Q28-41(K11)
Proposal: Use permit to allow an electronic message display (EMD) for a ground sign. Use permit required.
Ordinance Sections: 705.C.13
Applicant: Carlos Hernandez, Summit West Signs
Representative: Carlos Hernandez, Summit West Signs
Owner: Barbara Bellamy, New Church of Phoenix

Stipulation:

- 1) The maximum sign height shall be 6 feet above grade.
- 2) The maximum EMD square footage shall be no greater than 12 square feet.
- 3) Sign illumination shall be automatically shut off daily at 9:00 PM via an automatic dimming device.
- 4) The copy shall be displayed for a minimum of eight (8) seconds per code Section 705.C.13.b.
- 5) The intensity of lighting shall not exceed three hundred (300) nits from dusk until dawn per code Section 705.C.13.c.
- 6) 12 months to obtain sign permits for the ground sign.

**Approved
w/stips**

10. Application #: ZA-29-26-1
Existing Zoning: PUD
Location: 5088 West Innovation Circle
Quarter Section: Q57-16(R6,R5,Q6,Q5)
Proposal: Use permit to allow five buildings up to 100 feet in height. Use permit required.
Ordinance Sections: PUD Z-37-20 Section 5.a.Table 3
Applicant: Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC
Representative: Walter Gay, Bergin, Frakes, Smalley & Oberholtzer, PLLC
Owner: TSMC Arizona Corporation

Stipulations:

- 1) 18 months so apply and pay for building permits.
- 2) Per site plan "TC-B" date stamped February 4, 2026.

***Approved
w/stips**

11. Application #: ZA-89-26-8
Existing Zoning: R-3
Location: 2549 East Wier Avenue
Quarter Section: Q4-33(E9)
Proposal: 1) Variance to reduce the side building setback (west) to 5 feet. Minimum 10 feet required.
2) Variance to allow a minimum lot width of 48 feet. Minimum lot width of 60 feet required.
Ordinance Sections: 615.Table 615.1 615.Table 615.1
Applicant: Diego Munoz, Munoz Complete Drafting Services
Representative: Diego Munoz, Munoz Complete Drafting Services
Owner: Kamran Afshari, 123 Flooring, Inc.

Taken out from under advisement on April 14, 2026 and approved with the following stipulations:

- 1) Per the setback reduction as shown on the site plan date stamped February 6 ,2026.
- 2) 1 year to apply and pay for building permits.

**#1 Denied
as Filed**

**#2
Approved
w/stips**

12. Application #: ZA-91-26-3
Existing Zoning: R1-10
Location: 19 West Pershing Avenue
Quarter Section: Q32-27(L8)
Proposal: 1) Variance to reduce the required front yard setback (north) to 13 feet. Minimum 25 feet required
2) Use permit to allow a detached accessory dwelling unit between the primary dwelling unit and the front property line (West Pershing Avenue). Use permit required.
Ordinance Sections: 611.Table 611.1 706.A.5
Applicant: David Bennett
Representative: David Bennett
Owner: David Bennett
Stipulations:
1) 1 year to apply and pay for building permits.
2) Per site plan date stamped February 6, 2026 with consideration of 17 foot front setback.
3) ADU materials and colors shall match the primary residence on the property.
4) Variance to reduce the required front setback (north) to 17 feet minimum 75 feet required.

**Approved
w/stips**

13. Application #: ZA-99-26-7
Existing Zoning: DTC-Warehouse
Location: 201 South Central Avenue and 17, 25, 35, and 41 East Madison Street
Quarter Section: Q10-28(F8)
Proposal: Use permit to allow a temporary use (broadcast support venue) for up to 36 months. Use permit required.
Ordinance Sections: 708.D.1
Applicant: Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC
Representative: Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC
Owner: Bobby Ollman, Suns Legacy Properties, LLC
Stipulations:
1) For 36 months from date of approval.
2) Broadcast events shall not operate for more than 15 consecutive days per calendar year for a maximum of 2 broadcast events.
3) Broadcast events may operate for 30 consecutive days for an event in which either the Phoenix Suns or Phoenix Mercury complete beyond their regular season. (Championship Playoffs).
4) Setup and teardown shall occur withing listed event schedule.
5) Temporary use allows for Broadcast setup for trucks and trailers, and associated employees to conduct broadcast operations and meet employee needs, amenities and food service.
6) Site shall not be open to the public.
7) Per event area as shown on site plan date stamped February 11, 2026.

**Approved
w/stips**

14. Application #: ZA-103-25-4 (1 Year Review of Use Permit)
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) Setup shall not commence before the Friday before the event.
- 3) Teardown 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.

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.

April 14, 2026