

NOTICE OF RESULTS
ZONING ADJUSTMENT HEARING
**Revised June 1, 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 **May 7, 2026, at 9:00 AM. (Items 1-6) and 1:30 PM (Items 7-8). 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-995-25-5 (Continued from March 26, 2026)
Existing Zoning: C-2
Location: 7550 West Indian School Road
Quarter Section: Q17-10
Proposal: Use permit to allow a temporary use (Farmers Market) for up to 36 months. Use permit required.

Ordinance Sections: 708.D.1
Applicant: Jose Cazarez
Representative: Jose Cazarez
Owner: Jose Cazarez
Stipulations:
1) Per site plan date February 12, 2026.
2) For 36 months.

**Approved
w/stips**

2. Application #: ZA-82-26-4
Existing Zoning: C-3 ACOD MH
Location: 1555 and 1559 Grand Avenue
Quarter Section: Q12-25(G7)
Proposal: 1) Variance to allow an over height fence (7 feet) in the required front yard (south). Maximum 40 inches permitted.
2) Variance to allow an over height fence (7 feet) in the required front yard (north). Maximum 40 inches permitted.
3) Variance to allow an over height fence (7 feet) in the required front yard (northeast). Maximum 40 inches permitted.

Ordinance Sections: 703.A.3.a
Applicant: Michael Rust, Michael Rust-Architect, LLC
Representative: Michael Rust, Michael Rust-Architect, LLC
Owner: Tim Wingersky, Wingersky Construction, LLC
Stipulations:
1) Per site plan date stamped April 3, 2026 for walls and gates.
2) 12 months to apply and pay for building permits.

**Approved
w/stips**

3. Application #: ZA-192-26-4
Existing Zoning: R-3
Location: 1305 East Campbell Avenue
Quarter Section: Q17-30(H9)
Proposal: Use permit to utilize Single Family Infill (SFI) subdivision standards. Use permit required.

Ordinance Sections: 608.I.1.d
Applicant: Mike March, Moderna Architects
Representative: Mike March, Moderna Architects
Owner: Salvatore DeMuro 2012 Irrevocable Trust

Stipulations:

- 1) 12 months to apply and pay for building permits.
- 2) Per site plan date stamped April 1, 2026 for building locations.

***Approved
w/stips**

4. Application #: ZA-229-26-4
Existing Zoning: 3008 North 3rd Street
Location: C-2 H-R TOD-1
Quarter Section: Q15-28(G8)
Proposal: 1) Variance to increase the maximum building setback along 2nd Street (west) to 90 feet. Maximum 6 foot building setback within 1,000 feet of a transit station allowed.
2) Variance to reduce the minimum building frontage along 2nd Street (west) to 0%. Minimum 50% building frontage as a percentage of lot frontage not along a transit street within 2,000 feet of a transit station required.
- Ordinance Sections: 662.I.1.a.Table 1 662.I.1.a.Table 2
Applicant: Marcela Mora-Yatko, Gilbert Blilie, PLLC
Representative: Paul Gilbert, Gilbert Blilie, PLLC
Owner: Sherylene Yazzie, Navajo Nation Department of Health, Navajo Nation of Indians

Taken out from under advisement on June 1, 2026 and approved with the following stipulations:

- 1) The area denoted as "Healing Grounds/Place of Worship" on the site plan date-stamped April 1, 2026 shall be set back 90 feet from the western property line.
- 2) 2 years to apply and pay for building permits.

**Approved
w/stips**

5. Application #: ZA-241-26-4
Existing Zoning: R-3
Location: 4145 North Mitchell Street
Quarter Section: Q17-29(H8)
Proposal: Variance to reduce the required front yard setback (west) to 9 feet. Minimum 25 feet required.
- Ordinance Sections: 615.B.Table 615.1
Applicant: YinLam Cheuk, Home-Mony LLC
Representative: Seth Barba
Owner: YinLam Cheuk, Home-Mony LLC
Taken out from under advisement on May 19, 2026 and approved with the following stipulations:
- 1) 1 year to apply and pay for building permits.
 - 2) Per the encroachments into the front setback as shown on the site plan date stamped April 3, 2026.

**Approved
w/stips**

6. Application #: ZA-103-14-8 (1 Year Review of Use Permit)
Existing Zoning: A-2 RSIOD
Location: 2315 South 15th Avenue
Quarter Section: 7-26(E8)

Proposal: 1) Variance to allow a medical marijuana cultivation facility within 5,280 feet of the same type of use. Variance required.
2) Use Permit to allow a medical marijuana cultivation facility. Use Permit required.

Ordinance Sections: 627.D.91.c 627.D.91.a

Applicant: Fred Petermann, Cold Fusion Lighting

Representative: Fred Petermann, Cold Fusion Lighting

Owner: Maschmeier Fuels, 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**

1:30 PM

7. Application #: ZA-93-26-4 (SIGN) (Continued from March 26, 2026)

Existing Zoning: PSC TOD-1

Location: 5648 North 15th Avenue

Quarter Section: Q20-25(17)

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 16 feet above grade.

- 2) The maximum EMD square footage shall be no greater than 36 square feet.
- 3) Sign illumination shall be automatically shut off daily at 9:00 PM. via an automatic dimming device.
- 4) 12 months to obtain sign permits for the ground sign.

**Approved
w/stips**

8. Application #: ZA-154-26-1
Existing Zoning: RE-43
Location: 3701 West Beardsley Road
Quarter Section: Q40-20(N6)
Proposal: Use permit to reduce setback for a disguised wireless communications facility to 55 feet adjacent to a residentially zoned property (west).
Use permit required.
Ordinance Sections: 715.B.2.a.(2)(a)(i)
Applicant: Aaron Wilson
Representative: Michael Campbell
Owner: Pastor David Litzenberger
Stipulations:
1) 1 year to apply and pay for building permits.
2) Per site plan date stamped April 2, 2025, for location of the mono palm and setbacks.

**ZONING ADJUSTMENT HEARING OFFICER: BETTY DRAKE
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.

June 1, 2026