

## **NOTICE OF PUBLIC HEARING 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** will hold a meeting open to the public on **May 1, 2025, at 9:00 AM. (Items 1-6) and 1:30 PM (Items 7-12). Located in Assembly Room C, Phoenix City Hall, 200 West Washington Street, First Floor, Phoenix, Arizona 85003**

### **Notes:**

1. Agenda items may be taken out of order.
2. Anyone wishing to address an agenda item must complete a speaker card.
3. Comments may be limited due to time constraints and to ensure all viewpoints are heard.

The agenda for the meeting is as follows:

### **9:00 AM**

1.      Application #:            ZA-1-16-7 (1 Year Review of Use Permit)  
        Existing Zoning:        A-2  
        Location:                2 North 35th Avenue  
        Quarter Section:        10-20(F6)  
        Proposal:                1) Use permit to allow a medical marijuana cultivation facility. Use permit is required.  
   2) Use permit to allow a medical marijuana dispensary facility. Use permit is required.  
   3) Use permit to allow a medical marijuana infusion facility. Use permit is required.  
   4) Variance to allow a medical marijuana cultivation facility within 750 feet of a residentially zoned district. 1,000 feet separation is required between cultivation facility and residentially zoned districts.  
   5) Variance to allow a medical marijuana infusion facility within 750 feet of a residentially zoned district. 1,000 feet is required between infusion facility and residentially zoned districts.  
  
        Ordinance Sections:    627.D.91.a 627.D.92.a 627.D.93.a 627.D.91.d 627.D.93.c  
        Applicant:               Giovanni M. Dolleton, Esq., Nirvana Center Dispensaries  
        Representative:          Benjamin Graff, Quarles & Brady, LLP  
        Owner:                    Yavapai Herbal Services, Inc.
  
2.      Application #:            ZA-717-24-8  
        Existing Zoning:        C-2  
        Location:                2601 North 44th Street  
        Quarter Section:        Q14-38(G11)  
        Proposal:                Use permit to allow a drive-through facility as an accessory use to a restaurant (7 Brew) within 300 feet of a residential zoning district. Use permit required.  
  
        Ordinance Sections:    623.D.157.d.(2)  
        Applicant:               Miguel Ortega, Encore 7 Brew, LLC  
        Representative:          Jonathan Barraza, Toth & Associates  
        Owner:                    Gen2 Arizona Properties, LLC

3.       Application #:           ZA-185-25-6  
Existing Zoning:           C-2  
Location:                535 West Bethany Home Road  
Quarter Section:        Q20-27(I8)  
Proposal:                Use permit to allow a drive-through facility as an accessory use to a restaurant (Swig Drinks) within 300 feet of a residential zoning district. Use permit required.  
  
Ordinance Sections:   623.D.157.d.(2)  
Applicant:              Jordan Hill, Swig Drinks  
Representative:       Erik Nobel, Barghausen Consulting Engineers  
Owner:                  535 W Bethany, LLC
4.       Application #:           ZA-222-25-5  
Existing Zoning:           C-2  
Location:                7820 West Thomas Road  
Quarter Section:        Q15-10(G4)  
Proposal:                1) Use permit to allow a drive through facility as an accessory to a restaurant (Wienerschnitzel) within 300 feet from a residential zoning district. Use permit required.  
                              2) Variance to reduce a drive-through facility queuing length to 140 feet. Minimum 150 linear feet of queuing space per pick-up window required.  
  
Ordinance Sections:   623.D.157.d.(2) 702.B.6.c  
Applicant:              Keith Gallagher, KGR 7890 RE LLC  
Representative:       Jason Sanks, Iplan Consulting  
Owner:                  Keith Gallagher, KGR 7890 RE LLC
5.       Application #:           ZA-228-25-3  
Existing Zoning:           R1-10  
Location:                3229 East Cholla Street  
Quarter Section:        Q29-35(K10)  
Proposal:                Variance to allow an over height fence (6 feet) within the required front yard setback (north). Maximum 40 inches permitted.  
  
Ordinance Sections:   703.A.2.a  
Applicant:              Kaye Lawson and Justin Wright  
Representative:       Kaye Lawson and Justin Wright  
Owner:                  Kaye Lawson and Justin Wright
6.       Application #:           ZA-240-25-4  
Existing Zoning:           R-3  
Location:                1317 East Weldon Avenue  
Quarter Section:        Q16-30(H9)  
Proposal:                Use permit to allow an over height (22 feet) detached accessory dwelling unit located in the rear yard setback (south). Maximum 15 feet in height permitted.  
  
Ordinance Sections:   706.A.4.c.(1)  
Applicant:              Roberto Vera, Coli Studios, Inc.  
Representative:       Roberto Vera, Coli Studios, Inc.  
Owner:                  Maria Del Carmen Hernandez

**1:30 PM**

7.      Application #:            ZA-156-25-7 (SIGN)  
Existing Zoning:            A-1  
Location:                    5150 West Lower Buckeye Road  
Quarter Section:           Q7-16(E5)  
Proposal:                    Use permit to allow electronic message display (EMD) for digital price sign on a gas canopy for Circle K Fuel facility. Use permit required.  
  
Ordinance Sections:      705.C.13  
Applicant:                  Colton Laumb, Pearson Signs  
Representative:           Colton Laumb, Pearson Signs  
Owner:                      Danielle Burgess, Circle K Stores, Inc.
8.      Application #:            ZA-868-24-1  
Existing Zoning:            S-1  
Location:                    23428 North 64th Avenue  
Quarter Section:           Q45-13(O4)  
Proposal:                    1) Variance to allow an over height fence (16 feet) within the required side yard setback (north). Maximum 6 feet permitted.  
                                     2) Variance to allow an over height fence (16 feet) within the required rear yard setback (west). Maximum 6 feet permitted.  
  
Ordinance Sections:      703.A.2.c 702.A.3.c  
Applicant:                  Denisa Istrate, Kontexture, LLC  
Representative:           Denisa Istrate, Kontexture, LLC  
Owner:                      Daniel Budure
9.      Application #:            ZA-16-24-7  
Existing Zoning:            R-3  
Location:                    1425 South 29th Avenue  
Quarter Section:           Q8-22(F7)  
Proposal:                    Variance to reduce the rear yard setback (east) to 3 feet. Minimum 15 feet required.  
  
Ordinance Sections:      615.B.Table B  
Applicant:                  Hever Lopez, Professional CAD Design, LLC  
Representative:           Hever Lopez, Professional CAD Design, LLC  
Owner:                      Saguaro Cactus Properties, LLC
10.     Application #:            ZA-212-25-6  
Existing Zoning:            RE-24 ACSPD  
Location:                    6144 East Calle Del Norte  
Quarter Section:           Q17-42(H12)  
Proposal:                    1) Variance to reduce the front yard setback (east) for a detached accessory dwelling unit to 0 feet. Minimum 30 feet required.  
                                     2) Use permit to allow detached accessory dwelling unit located between the primary dwelling unit and the front property line. Use permit required.  
  
Ordinance Sections:      606.B.4.a 706.A.5  
Applicant:                  Chris Ford, 4Line Studio  
Representative:           Chris Ford, 4Line Studio  
Owner:                      Michael and Paulina Stanley

11.      Application #:            ZA-220-25-2  
Existing Zoning:            PUD  
Location:                    Southwest corner of the 24th Street alignment and  
   Sonoran Desert Drive  
Quarter Section:            Q52-30(Q9) Q52-31(Q9) Q51-33(Q9) Q53-32(Q9)  
Proposal:                    Use permit to allow an accessory dwelling unit located  
   between the primary dwelling unit and the front property  
   line. Use permit required.  
Ordinance Sections:        706.A.5  
Applicant:                   Elizabeth Pietrack, Taylor Morrison Arizona, Inc.  
Representative:            Nicholas Sobraske and Susan Demmitt, Gammage &  
   Burnham, PLC  
Owner:                        Taylor Morrison, Arizona, Inc.
12.      Application #:            ZA-243-25-6  
Existing Zoning:            RE-24 ACSPD  
Location:                    4735 East Calle Del Medio  
Quarter Section:            Q18-38(H11)  
Proposal:                    1) Variance to reduce the front yard setback (east) for a  
   detached accessory structure to 5 feet. Minimum 30 feet  
   required.  
   2) Use permit to allow detached accessory structure  
   located between the primary dwelling unit and the front  
   property line. Use permit required.  
   3) Variance to allow an over height fence (6 feet) in the  
   required front yard (east). Maximum 40 inches permitted.  
Ordinance Sections:        606.B.4.a 706.B.1 703.A.2.a  
Applicant:                   Benjamin Haught, Red Rock Design Build  
Representative:            Benjamin Haught, Red Rock Design Build  
Owner:                        Andre and Maggie Ethier Revocable Living Trust

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](mailto:zoning.adjustment@phoenix.gov). To request a reasonable accommodation, please contact Saneeya Mir, 602-686-6461, [Saneeya.Mir@phoenix.gov](mailto:Saneeya.Mir@phoenix.gov) TTY: Use 7-1-1.

May 1, 2025