

## 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 15, 2025, at 9:00 AM. (Items 1-6) and 1:30 PM (Items 7-11). 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

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|----|--|---|
| 1. | Application #:<br>Existing Zoning:<br>Location:<br>Quarter Section:<br>Proposal: | ZA-92-13-8 (1 Year Review of Use Permit)<br>A-2 RSIOD<br>2512 East Magnolia Street<br>7-33(E9)<br>1) Use permit to allow medical marijuana cultivation. Use permit is required.<br>2) Use permit to allow medical marijuana infusion. Use permit is required.   |
|    | Ordinance Sections:<br>Applicant:<br>Representative:<br><br>Owner:               | 627.D.91.a 627.D.91.b<br>Eric Powers, Green Sky Patient Center of Scottsdale<br>Lauren Niehaus, Green Sky Patient Center of Scottsdale<br><br>Eric Powers, Green Sky Patient Center of Scottsdale   |
| 2. | Application #:<br>Existing Zoning:<br>Location:<br>Quarter Section:<br>Proposal: | ZA-15-19-4 (1 Year Review of Use Permit)<br>A-1<br>2960 Grand Avenue<br>15-22(G7)<br>1) Time extension for ZA-295-18, use permit to allow a medical marijuana cultivation facility. Use permit required.<br>2) Time extension for ZA-295-18, use permit to allow a medical marijuana infusion facility. Use permit required.<br>3) Time extension for ZA-295-18, variance to allow a medical marijuana cultivation facility less than 5,280 feet from another medical marijuana facility. Minimum 5,280 feet of separation required.<br>4) Time extension for ZA-295-18, variance to allow a medical marijuana infusion facility less than 5,280 feet from another medical marijuana facility. Minimum 5,280 feet of separation required. |
|    | Ordinance Sections:<br>Applicant:<br>Representative:<br>Owner:                   | 627.D.91.a 627.D.93.a 627.D.91.c 627.D.93.b<br>Chris Arnold, ACP Real Estate, LLC<br>Brian Greathouse, Burch & Cracchiolo, P.A.<br>Chris Arnold, ACP Real Estate, LLC   |

3.           Application #:           ZA-914-24-6  
Existing Zoning:           C-2  
Location:           2909 North 56th Street  
Quarter Section:           Q15-41(G11)  
Proposal:           1) Use permit to allow outdoor dining as an accessory use to a restaurant within 500 feet of a residential district zoning line. Use permit required  
  2) Use permit to allow outdoor recreation (patio games) as an accessory use to a restaurant within 500 feet of a residential district zoning line. Use permit required.  
  3) Variance to reduce the required building setback (west) to 16 feet. Average of 25 feet, minimum 20 feet permitted for up to 50% of structure, including projections, required.  
  4) Variance to reduce the required building setback (north) to 14 feet. Average of 25 feet, minimum 20 feet permitted for up to 50% of structure, including projections, required.  
  5) Variance to reduce the required landscape setback (west) to 16 feet. Average of 25 feet, minimum 20 feet permitted for up to 50% of structure, including projections, required.  
  6) Variance to reduce the required landscape setback (north) to 8 feet. Average of 25 feet, minimum 20 feet permitted for up to 50% of structure, including projections, required.  
  
                         Ordinance Sections:           623.D.157.c 623.D.157.c 623.E.4.d 623.E.4.d 623.E.4.e 623.E.4.e  
  
                         Applicant:           Ryan Hilbun, Ryan Scott Group  
                         Representative:           Ryan Hilbun, Ryan Scott Group  
                         Owner:           Scott Kaufmann, 56th & Thomas, LLC
4.           Application #:           ZA-255-25-4  
Existing Zoning:           R1-6 HP CNSPD  
Location:           1338 East Granada Road  
Quarter Section:           Q13-30(G9)  
Proposal:           Variance to reduce the side yard (east) setback for an accessory dwelling unit to 1 foot. Minimum 3 feet required.  
  
                         Ordinance Sections:           706.A.4.b.(2)  
                         Applicant:           Eddie Reyes, Ed Reyes Design, LLC  
                         Representative:           Eddie Reyes, Ed Reyes Design, LLC  
                         Owner:           David Dean Dicken
5.           Application #:           ZA-261-25-1  
Existing Zoning:           R1-6  
Location:           4002 West Cholla Street  
Quarter Section:           Q30-19(K6)  
Proposal:           1) Variance to allow an over height fence (7 feet) in the required rear yard (north). Maximum 6 feet allowed.  
  2) Variance to allow an over height fence (7 feet) in the required side yard (east). Maximum 6 feet allowed.

Ordinance Sections: 3) Variance to allow an over height fence (7 feet) in the required side yard (west). Maximum 6 feet allowed.  
703.A.2.c. 703.A.2.c. 703.A.2.c.  
Applicant: David Smith, D.S. Welding Services, LLC  
Representative: David Smith, D.S. Welding Services, LLC  
Owner: Jerry Kinder

6. Application #: ZA-264-25-4  
Existing Zoning: C-2  
Location: 1720 East McDowell Road  
Quarter Section: Q13-31(G9)  
Proposal: Use permit to allow a tattoo shop (The Afterparty LLC).  
Use permit required.  
Ordinance Sections: 623.D.187  
Applicant: Ryce Thiel and Sierra Sussha, The Afterparty, LLC  
Representative: Ryce Thiel and Sierra Sussha, The Afterparty, LLC  
Owner: Jack Zhang, Fen Investments Inc.

**1:30 PM**

7. Application #: ZA-241-25-8 (SIGN)  
Existing Zoning: DTC-Warehouse  
Location: 475 East Lincoln Street  
Quarter Section: Q9-28  
Proposal: Variance to increase sign area of a wall sign up to 350 square feet. Maximum allowed 100 square feet of sign area.  
Ordinance Sections: 1222. B.7.c.(1)  
Applicant: Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC  
Representative: Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC  
Owner: ISH Phoenix Real Estate, LLC
8. Application #: ZA-98-19-7 (1 Year Review of Use Permit)  
Existing Zoning: C-2  
Location: 2175 North 83rd Avenue  
Quarter Section: 13-9(G3)  
Proposal: Time extension of ZA-34-18, use permit to allow a medical marijuana dispensary facility. Use permit required.  
Ordinance Sections: 623.D.124.a.  
Applicant: Steve Cottrell, CLF AZ Management, LLC  
Representative: Larry Lazarus, Lazarus, Silvyn & Bangs, PC  
Owner: Gilbert Bird Law Firm
9. Application #: ZA-235-25-4  
Existing Zoning: C-3  
Location: 2922 East McDowell Road  
Quarter Section: Q13-34  
Proposal: 1) Variance to reduce the canal side (northeast) building setback to 10 feet. An average of 20 feet is required, minimum of 15 permitted for up to 50 percent, including projections.

		<p>2) Variance to reduce the canal side (northeast) landscape setback to 5 feet and 342 square feet of landscape area. A minimum of 15 feet setback and 1,024 square feet of landscape area are required.</p> <p>3) Variance to reduce the front parking lot setback to 10 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections.</p> <p>4) Variance to reduce the front parking lot landscape setback to 10 feet. An average of 25 feet is required, minimum of 20 permitted for up to 50 percent, including projections.</p> <p>5) Variance to reduce the rear building setback (north) to 10 feet. An minimum of 25 feet is required.</p> <p>6) Variance to reduce the parking lot landscape area to 5 percent. A minimum of 10 percent is required.</p>
	Ordinance Sections:	624.E.4.c 624.E.4.c 624.E.4.d 624.E.4.e 624.E.4.d 624.E.4.e
	Applicant:	Luis Ayala, KAEKO, Inc.
	Representative:	Tom Stitt, Pro Steel STR
	Owner:	Bryan Owen, Starz, LLC
10.	Application #:	ZA-252-25-1
	Existing Zoning:	IND PK
	Location:	2402 West Beardsley Road
	Quarter Section:	Q41-23
	Proposal:	<p>1) Variance to allow a building height of 42 feet at 65 feet of setback from a perimeter line (south). Minimum 102 foot setback required.</p> <p>2) Variance to allow a building height of 42 feet at 65 feet of setback from a perimeter line (west). Minimum 102 foot setback required.</p> <p>3) Variance to allow a building height of 42 feet at 80 feet of setback from a perimeter line (north). Minimum 102 foot setback required.</p> <p>4) Variance to allow a 43 percent lot coverage. Maximum of 40 percent lot coverage permitted.</p>
	Ordinance Sections:	626.H.1.Table 626.H.1.Table 626.H.1.Table 626.H.1.Table
	Applicant:	Alex Boles, ViaWest Group
	Representative:	Benjamin Tate, Withey Morris Baugh, PLC
	Owner:	Verde Investments, Inc.
11.	Application #:	ZA-266-25-3
	Existing Zoning:	C-2
	Location:	9204 North 7th Street, Suites 7, 8, and 9
	Quarter Section:	Q27-28(J8)
	Proposal:	Use permit to allow package liquor sales as an accessory to a convenience market (De Mi Pais Market) located within 300 feet of a residential zoning district. Use permit required.
	Ordinance Sections:	622.D.102.a
	Applicant:	Gilda Schwendener, Comunidad Latina, LLC

Representative:  
Owner:

Gilda Schwendener, Comunidad Latina, LLC  
Sherry Wong, 9204 N 7th, LLC

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