



## Report to the Board of Adjustment

Prepared by the Maricopa County Planning and Development Department

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**Case:** BA2019014 – XLNT Investments LLC  
**Hearing Date:** May 23, 2019 (Continued from the April 18, 2019)  
**Supervisor District:** 1

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\*Indicates changes from the 4/18/19 staff report.

**\*Applicant / Owner:** Tim La Sota, PLC / XLNT Investments LLC

**\*Requests:** **Variances to the development standards of the Maricopa Zoning Ordinance to permit:**

- 1) A proposed medical marijuana dispensary and cultivation site to be separated 251' from an existing medical marijuana facility and;
- 2) A proposed medical marijuana dispensary and cultivation site separated 1,294' from an existing park and;
- 3) A proposed medical marijuana dispensary and cultivation site separated 83' from an existing adult oriented business where 1,500' is required per MCZO, Article 901.2.20.a, Article 901.2.20.b.4, and 901.2.20.b.5

**Site Location:** APNs 132-19-001J, -001K, -002F, & -002H @ 825 N. Scottsdale Rd. – approx. 400' south of Curry Rd., in the Tempe area

**Site Size:** 53,980 sq. ft.

**Current Use / Zoning:** Retail/IND-2

**Open Violation:** **No Violation on property**

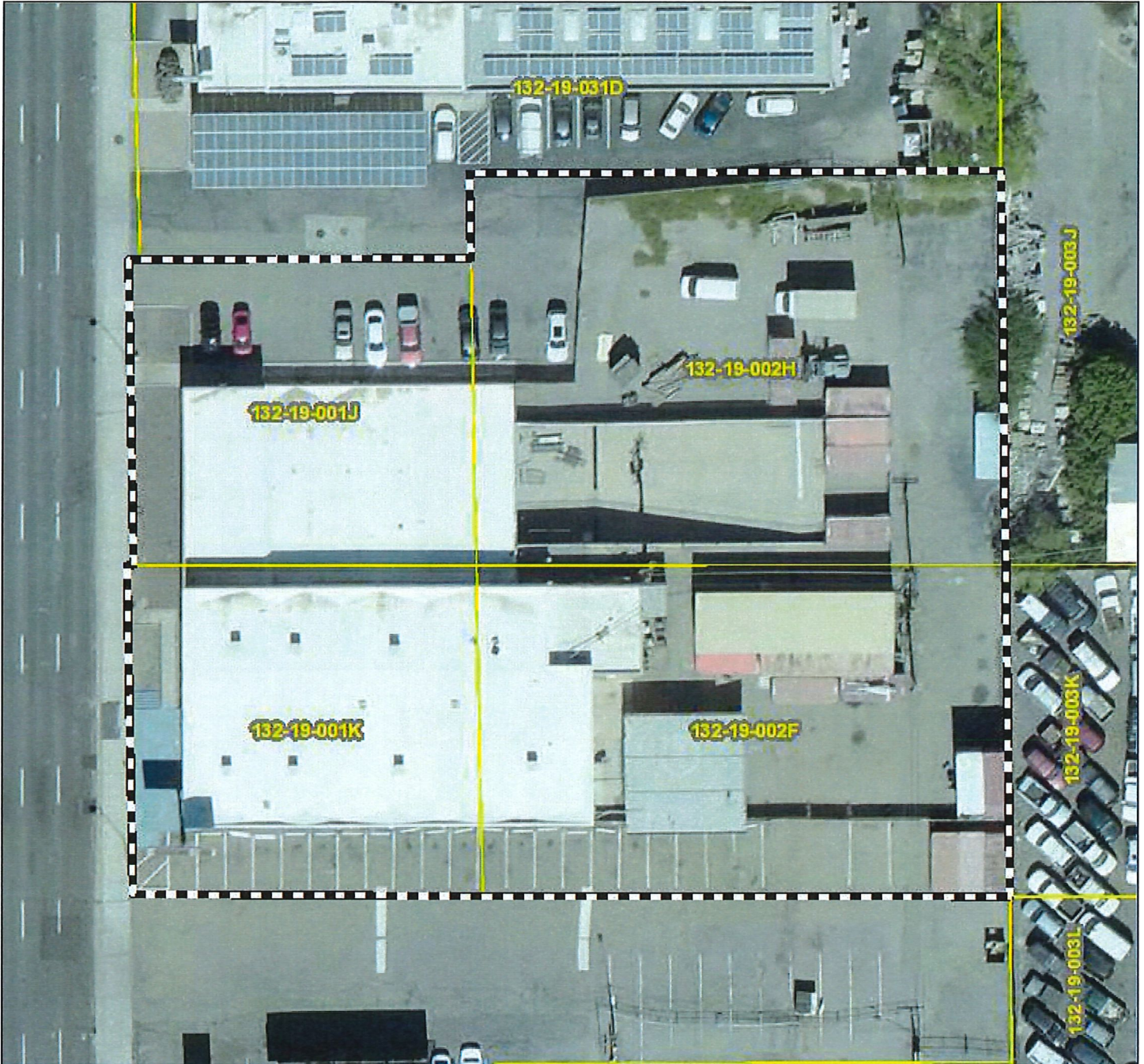
**\*Citizen Support/Opposition:** Seven opposition letters received to date

**Findings:** The applicant has requested a continuance to the June 20, 2019 hearing.

Attachments: Case Map (1 page)  
Request for continuance (1 page)



# MARICOPA COUNTY



**Application Name:** Cosgrove Investments LLC

**Legal Description**

T01N R04E 011,

**Applicant**

ERIC BROWSKY

**Applicant Phone/Email**

480.586.1158  
SNOWBOWL@EARTHLINK.NET

**BA2019014**

**Case Address**

825 N SCOTTSDALE Rd  
TEMPE AZ 85281

**Parcel Primary:** 132-19-001K

132-19-001J, 132-19-002F, 132-19-002H+

Generated April 3, 2019 16:06 PM

Gross Acres: 1.24 approx.

Map scale 1:655

Supervisor District No. 1

TO ALLOW A MEDICAL MARIJUANA DISPENSARY AND CULTIVATION



## **Darren V. Gérard (PND)**

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**From:** tim timlasota.com <tim@timlasota.com>  
**Sent:** Wednesday, May 15, 2019 1:54 PM  
**To:** Darren V. Gérard (PND)  
**Subject:** JD's River Bottom, LLC

Darren, this email is intended to confirm that I will be representing JD's River Bottom, LLC in its application for variances pending before the Board of Adjustment. We would ask that the matter be continued to the meeting in June. I think all parties have an interest in seeing how this legal matter that seeks to resolve the question of whether there is a valid variance on the neighboring property to allow a medical marijuana use.

I wanted to get in touch with you ASAP via email. I will follow up with a formal letter later today.

Very truly yours,

Tim  
**TIMOTHY A. LA SOTA, PLC**  
2198 E. Camelback Road, Suite 305  
Phoenix, Arizona 85016  
602-515-2649