



City of Prescott

Board of Adjustment

July 20, 2023 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 3rd Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Chairman Jim Lamerson called the meeting to order at 9:01 A.M.

2. ROLL CALL

Members:

Jim Lamerson, Chairman
Tony Teeters, Vice Chairman
Thomas Davis
Mary Frederickson
Mark Hokeness
Miriam Haubrich
James Myers, Absent

Staff:

Chelsea Walton, Interim Community Development Manager
Tammy Dewitt, Community Planner
Sarah Hilton, Recording Secretary

3. DISCUSSION & ACTION ITEMS

- A. Approval of the February 16, 2023 Board of Adjustment Meeting Minutes.
MOTION BY BOARD MEMBER DAVIS TO APPROVE THE FEBRUARY 16, 2023 BOARD OF ADJUSTMENT MINUTES; SECONDED BY BOARD MEMBER TEETERS: (5-0). BOARD MEMBER HOKENESS WAS NOT PRESENT FOR THE VOTE.
- B. Public Hearing and Possible Action Regarding V23-003, Variance to Article 3, Section 3.4.3.F (SF-18/Minimum Setbacks) of the Land Development Code (LDC) to Allow a Reduction of the Required 25' Front Setback by 10' Allowing for a 15' Front Setback for a New Single-family Residence on a 0.98 Acre Parcel. Zoning: SF-18 (Single Family). Owner: Steven Letch & Andrea Hlosek RS. Applicant: B&L Custom Homes Inc. Location: APN 115-07-113A, 1359 Rockwood Dr.
- Community Planner Tammy DeWitt stated that the subject property is considered a flag lot in which the flag does not count toward the setback. The setback would start where the property expands and meets the front width requirement. For the zoning district that the property is in (SF-18), that would be one hundred feet. The Northwest property line would be considered the front of the property.

Ms. DeWitt stated that the subject property is located in a subdivision that is

being developed and that some of the lots have been re-platted due to the terrain.

Ms. DeWitt stated that the properties in the subdivision usually qualify lots for a Topographic Exception, where the front setback can be reduced by ten feet. This property didn't qualify because it didn't meet the slope requirements.

The request for variance was sent to all properties within 300 ft, no comments were received to date.

Ms. DeWitt displayed photos from the property that showed the building pad and where it is in relation to adjacent properties. She stated that it is set down and will not block any other properties views.

She then presented Variance criteria per the City's Land Development Code:

- Extraordinary Conditions
- Substantial Detriment
- Special Privileges
- Self-Induced Hardship
- General Plan
- Utilization

She stated that it is not a special privilege, there is no self-induced hardship, and that there are terrain issues on the lot that the developers have tried to accommodate. The property meets criteria for a Variance.

Board Member Mary Frederickson asked if the house to the northwest (the property closest to the subject property) is occupied.

Ms. Dewitt answered that it is still being built.

Board Member Frederickson asked if the owners of that property received notice.

Ms. DeWitt replied that they were noticed.

Board Member Mark Hokeness asked if the area that the subject property is in has an HOA and if they received notice.

Ms. DeWitt replied that they do have an HOA but the developer is working with the HOA and they were noticed.

Board Member Thomas Davis asked for clarification on the flag lot and how they determine the front of the property.

Ms. DeWitt answered that the end of the flag area is where the property line starts, which is the northwest side of the property. Where the property breaks out of the flag is where they can measure the front.

Board Member Frederickson asked if the lot to the northwest is higher than the

subject property.

Ms. DeWitt replied that it is.

Board Member Frederickson asked if the subject property is one story.

Ms. DeWitt replied that it is.

**MOTION BY BOARD MEMBER FREDERICKSON TO APPROVE V23-003 AS
SUBMITTED; SECONDED BY BOARD MEMBER DAVIS: (6 - 0)**

- C. Public Hearing and Possible Action Regarding CUP23-001, a Conditional Use Permit Request for Tattoo Business Bold As Love Tattoo Per Land Development Code (LDC) Sections 4.8 and 9.3. Location: APN 113-10-039, 625 Schemmer Dr. Zoning: Business Regional (BR). Owner: Beverly Family Revokable Trust. Applicant: Ricky Henderson (Bold as Love Tattoo).

Ms. DeWitt presented a map of the location of the subject property. She stated that there is one access point to the property. There are multiple businesses at this location. The subject business will be located in one of the suites. The property is zoned BR and requires a Conditional Use Permit (CUP).

Ms. DeWitt showed a photo of the parking area which also showed access and entrance to the building. She stated that there is adequate parking for all of the businesses at this location.

Ms. DeWitt presented a floor plan that showed the office area and tattoo station.

CUP Review Criteria per the City's Land Development Code:

Effect on Environment
Compatible with Surrounding Area
External Impacts Minimized
Infrastructure Impacts Minimized
Consistent with General Plan and Code
Parcel Size
Site Plan
Additional Conditions

Ms. DeWitt stated that they are looking for any impacts to adjacent neighbors in regards to noise, lighting, and hours of operation. She stated that they have not received any complaints for tattoo parlors in the area.

Ms. DeWitt stated that the property is not in a Historic District. They also noticed all property owners within three hundred feet and did not receive comments from any of the neighbors.

Board Member Hokeness expressed concern about parking. He asked if there is adequate parking.

Ms. DeWitt answered that there is adequate parking.

**MOTION BY BOARD MEMBER FREDERICKSON TO APPROVE CUP23-001 AS
SUBMITTED; SECONDED BY BOARD MEMBER HOKENESS: (6 - 0)**

4. STAFF UPDATES

Ms. DeWitt announced the General Plan and Historic Preservation Master Plan Open House will take place on August 30th from 3:00 to 6:00 p.m. at the Rowle Simmons Adult Center.

5. ADJOURNMENT

There being no further business to discuss Chairman Lamerson adjourned the meeting at 9:16 a.m.


JIM LAMERSON, Chairman

ATTEST:


SARAH HILTON, Recording Secretary