



City of Prescott

Board of Adjustment

January 18, 2024 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 3rd Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Chair Jim Lamerson called the meeting to order at 9:00 A.M.

2. ROLL CALL

Jim Lamerson, Chair
Tony Teeters, Vice Chair
James Myers, Member
Mark Hokeness, Member
Miriam Haubrich, Member
Mary Frederickson, Member
Tom Davis, Member

3. DISCUSSION & ACTION ITEMS

- A. Approval of the November 16, 2023 Board of Adjustment Meeting Minutes.

MOTION BY BOARD MEMBER HOKENESS TO APPROVE NOVEMBER 16, 2023 MINUTES; SECONDED BY BOARD MEMBER MYERS: PASSED (7 - 0)

- B. **V23-017** - Variance to Article 3, Section 3.3.3.F (SF-35/Minimum Setbacks) of the Land Development Code (LDC) to Allow a Reduction of the Required 12' Side Setback by 7' to Allow for a 5' Side Setback for a New Garage on a 0.51 Acre Parcel. Zoning: SF-35 (Single-Family-35 Density). Property Owner: M/C Stockstell Family Trust. Applicant: Prescott Engineering LLC. Location: APN 108-13-073C, 810 Kopavi Trail.

Tammy DeWitt, Community Planner presented a zoning map and stated that the subject property is located in an SF-35 zoning district. She stated that there are only seven properties that have the SF-35 zoning, which requires a twelve foot side setback. The properties to the north are zoned SF-9 and only require a seven foot side setback.

Ms. DeWitt presented an aerial view of the property and stated that to the north is a section that was part of a right-of-way but is now a part of the applicant's property. He is proposing to build a garage in that area due to other constraints on the property.

Ms. DeWitt stated that notices were sent to property owners within 300 ft of the subject property. She presented a map showing other properties in the area that have requested variances. She stated that the applicant provided three letters of

support from adjacent property owners.

Ms. DeWitt presented a site plan showing site topography and rock outcroppings as well as a sewer line that starts at the north and goes down to the house.

Ms. DeWitt stated that the applicant is asking for a five foot side setback for two reasons:

1. The sewer line runs adjacent to the house and they are trying to avoid it.
2. The property is in the Wildland Urban Interface, which requires a ten foot building separation. They would need the five foot setback to meet the ten foot building separation requirement.

Ms. DeWitt presented photos of the property to show where the garage is being proposed. She stated that the house is on a dead end street so it will not impact anyone else in the area.

Ms. DeWitt stated that the applicant provided three letters of support, staff received one additional letter of support and one letter of opposition was received. The letter of opposition voiced concern that the garage would block a trail. Ms. DeWitt stated that there is no trail through there.

Board Member Frederickson asked why the group of seven residences are zoned SF-35 larger setbacks required as opposed to matching the surrounding zoning.

Ms. DeWitt stated that she believes that when the property was annexed into the City of Prescott, SF-35 zoning was similar to the County zoning. She stated that when property is annexed into the city, they choose similar zoning to the County that maintains the lot size and setbacks unless they ask for a rezoning.

Board Member Frederickson stated that the letter of opposition talked about the trail and wondered if the trail is still there.

Ms. DeWitt stated that there is not a trail there anymore.

Board Member Hokeness asked if staff received opposition from the vacant property adjacent to the subject property.

Ms. DeWitt stated no they did not.

Board Member Davis pointed out an RV in one of the photos and asked if the garage would go in that location.

Ms. DeWitt stated confirmed that is the approximate location of the garage.

Board Member Davis asked why the garage is not attached to the home and if it is because of the sewer line.

Ms. DeWitt stated that it is proposed to be a detached garage. There are terrain issues that would prevent them from attaching it as well as the sewer line in the

area.

Board Member Davis stated that it is possible that the structure would be in the seven feet that was shown one of the site plans.

Ms. DeWitt stated that they need to move the garage two feet to maintain the ten feet building separation required by the Fire Department.

Board Member Davis asked if that is for sure.

Ms. DeWitt stated that it is required by the Fire Department because it is in the Wildland Urban Interface.

**MOTION BY BOARD MEMBER FREDERICKSON TO APPROVE V23-017;
SECONDED BY BOARD MEMBER DAVIS: (7 - 0)**

4. STAFF UPDATES

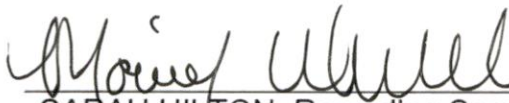
There are no staff updates.

5. ADJOURNMENT

There being no further business to discuss, Chair Lamerson adjourned the meeting at 9:14 A.M.


JIM LAMERSON, Chair

ATTEST:


SARAH HILTON, Recording Secretary

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