

City of Prescott

Board of Adjustment



February 20, 2025 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 3rd Floor
Prescott, AZ 86301

AGENDA

The following Agenda will be considered by the **Board of Adjustment** at their meeting to be held **February 20, 2025**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **DISCUSSION & ACTION ITEMS**
 - A. Approval of the January 16, 2025 Board of Adjustment Meeting Minutes.
Recommended Action: MOVE to approve minutes as presented
 - B. **CUP24-007:** Conditional Use Permit to Allow a 3-story 77,886 SF Self Storage Building in a BR (Business Regional) Zoning District. Location: APN 103-49-002B, 3528 Ranch Dr. Encompassing 1.11 Acres. Property Owner: Eric Scott Lee. Applicant/Agent: JMC Engineering, PLLC.
Recommended Action: MOVE to approve/deny CUP24-007 with or without conditions
 - C. **V25-001:** Variance to Article 3, Section 3.4.3. (Single Family-18/Minimum Setbacks) of the Land Development Code (LDC) to Allow a Reduction in the Required 15' Rear Yard Setback by 10', to Allow for a Rear Setback of 5', to Accommodate the Construction of a Covered Patio. Zoning: SF-18(PAD). Property Owner: J. Doran Greenburg. Location: APN 107-24-054, 1520 Cougar Trail.
Recommended Action: MOVE to approve/deny V25-001 in conformance with the site plan
 - D. **V24-011:** Variance to Article 3, Section 3.6.3.F (SF-9/Minimum Setbacks) of the Land Development Code (LDC) to Allow a Reduction of the Required 25' Front Setback by 10' to Allow for a 15' Front Setback for a New Detached Garage on a 0.4 Acre Parcel. Zoning: SF-9 (Single Family). Property Owner: Cristy Lee and Brian Jay Rowley. Applicant: Animated Architecture. Location: APN 108-04-046, 846 Fairview Ave.
Recommended Action: MOVE to approve/deny V24-011 per the site plan provided
 - E. **V24-010:** Variance to City of Prescott Land Development Code (LDC) Section 3.4.3 and 2.7.3.E to Allow for an Increase in the Maximum Building Height from 35 Feet to 43 Feet Due to Topographical Challenges. Location: APN 105-08-387A, 1558 Standing Eagle Dr. Property Owner: Shelly McKnight.

Applicant/Agent: Distinctive Homes & Architecture.

Recommended Action: MOVE to approve/deny V24-010

- F. **V23-018:** Variance to Permit a 6' Fence within the Front Building Setback.
Location: 908 Audrey Lane, APN 116-20-038. Zoning: SF-9. Owner: Ronald A. Meneou II.

Recommended Action: MOVE to approve or deny V23-018

5. STAFF UPDATES

6. ADJOURNMENT

Upon a public majority vote of a quorum of the Board, the Board may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. § 38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- (6) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));
- (7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on 2/12/25 at 3:30 p.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Sarah M. Siep

Sarah M. Siep, City Clerk



TO: MAYOR AND CITY COUNCIL
AGENDA: February 20 Board of Adjustments Meeting
DATE: February 20, 2025
DEPT: Community Development
ITEM #: 4.A
SUBJECT: Approval of the January 16, 2025 Board of Adjustment Meeting Minutes.

ITEM SUMMARY

This item is for approval of the January 16, 2025 Board of Adjustments meeting minutes. Staff recommends approval of the minutes as presented.

BACKGROUND

None.

FINANCIAL IMPACT

There is no fiscal impact at this time.

RECOMMENDED ACTION

MOVE to approve minutes as presented

ATTACHMENTS

1. January 16, 2025 Board of Adjustments Meeting Minutes



City of Prescott Board of Adjustment

January 16, 2025 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 3rd Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Chair Lamerson called the meeting to order at 9:00 a.m.

2. ROLL CALL

Jim Lamerson, Chair
Tony Teeters, Vice Chair
Tom Davis, Member
Mary Frederickson, Member
Miriam Haubrich, Member (Excused)
Mark Hokeness, Member
Tom Hutchison, Member (Excused)

3. DISCUSSION & ACTION ITEMS

- A. Approval of the October 17, 2024 and November 21, 2024 Board of Adjustment Meeting Minutes.

MOTION BY MEMBER DAVIS TO APPROVE THE MEETING MINUTES AS PRESENTED; SECONDED BY MEMBER TEETERS: PASSED (5 - 0)

- B. **CUP24-006:** Conditional Use Permit to Allow a 35-Site RV Park in a BG (Business General) Zoning District. Location: 1646 Iron Springs Road, APN 115-06-112E Encompassing 2.14 Acres. Property Owner: KL HB LLC. Applicant/Agent: Leah Beck

Community Planner Tammy Dewitt gave a presentation providing information related to the proposal for CUP24-006. She provided maps and a site plan showing the location for a 35-unit RV park and explained this project is in a commercial corridor that allows additional commercial uses. Additionally, she stated that the conditional use permit is required per the City of Prescott's Land Development Code. Staff recommends approval in general conformance with the site plan with the conditions of no tent camping and fencing where feasible to delineate property boundaries.

Member Frederickson asked if the eastern boundary of the property cannot be fenced with any type of fencing.

Ms. Dewitt replied that staff will work with the public works department to determine what types of fencing can be provided, if any.

Member Frederickson asked what type of fence is being proposed.

Ms. Dewitt deferred to the applicant.

Member Hokeness asked what the hours of operation are and will these be short-term or long-term rentals.

Ms. Dewitt stated it would be a question for the applicant.

Member Hokeness asked if the adjacent school district has any concerns.

Ms. Dewitt replied there were no concerns received from the neighboring school district.

Chair Lamerson asked if the city collects sales tax on short-term rentals.

Deputy Attorney Matt Podracky stated the city does receive sales tax on short term rentals.

Member Davis asked the applicant to provide details for preservation of surrounding trees and asked for clarification about the bowery from the site plan.

Applicants Leah and Kevin Beck provided background information about the project to the board members.

Member Frederickson asked if the nearby school has future plans to develop their land.

Ms. Dewitt replied that she is unsure.

Member Frederickson asked if there would still be no tent camping.

Ms. Beck stated there will not be tent camping.

Member Frederickson asked if this will be a mix of short-term and long-term rentals and what is the maximum length of time for rentals.

Ms. Beck explained that this will be month-to-month rentals but are not opposed to longer term rentals.

Member Frederickson expressed that this would fill a need for temporary workers or citizens building their home needing somewhere to live.

Chair Lamerson asked if the applicant would be against having a condition for a time limit for renters.

Ms. Beck stated there are pros and cons to both long-term and short-term renters.

Chair Lamerson believes there is a need in the community for this type of project.

Mr. Podracky stated if the renters stay longer than 30 days with a lease agreement, the city would not be able to collect tax.

Member Frederickson asked for more details on the proposed Bowery.

Ms. Beck stated it is a fancy term for a covered area.

Member Frederickson asked if this area would be available to everyone in the park.

Ms. Beck said yes, it would be available to everyone.

Member Davis asked the applicant to elaborate on how they will preserve the surrounding trees.

Ms. Beck explained that they would like to keep as many trees as possible and would like the trees to be the natural boundary between properties.

Member Davis asked if the areas on the site plan delineating pads, or open space, would be where the applicant will be preserving trees.

Ms. Beck said that is correct and the pads are for parking areas.

Member Frederickson asked if they would have regulations for animals.

Ms. Beck stated they will limit the number of pets and types of pets for insurance purposes.

Member of the public John Johnson has concerns about noise from the RV park, water runoff, and how this project will impact the city sewer system.

Ms. Dewitt explained that a grading and drainage permit will be required and reviewed by the City's Public Works Department. She added that the city does have the capacity to handle sewer related concerns.

Ms. Dewitt stated the city lacks RV parks and this type of project is needed.

Member Frederickson stated she is a fan of infill and likes that this project provides options for short term or long term rentals.

MOTION TO APPROVE CUP24-006 WITH CONDITIONS OF NO TENT CAMPING AND FENCING IN GENERAL CONFORMANCE WITH THE SITE PLAN BY MEMBER FREDERICKSON; SECONDED BY MEMBER TEETERS: PASSED (5-0).

4. UPDATES

Ms. Dewitt provided information about the 2025 General Plan public hearing process and the next meeting will be held at the Prescott Centennial Center on January 30th, 2025.

5. ADJOURNMENT

Chair Lamerson adjourned the meeting at 9:43 a.m.

Jim Lamerson, Chair

Board Secretary



TO: MAYOR AND CITY COUNCIL
AGENDA: February 20 Board of Adjustments Meeting
DATE: February 20, 2025
DEPT: Community Development
ITEM #: 4.B
SUBJECT: **CUP24-007:** Conditional Use Permit to Allow a 3-story 77,886 SF Self Storage Building in a BR (Business Regional) Zoning District. Location: APN 103-49-002B, 3528 Ranch Dr. Encompassing 1.11 Acres. Property Owner: Eric Scott Lee. Applicant/Agent: JMC Engineering, PLLC.

ITEM SUMMARY

This item is for a request for a Conditional Use Permit (CUP) for a self storage facility in a new building. Per Land Development Code (LDC) Section 2.3/Land Use Table, self storage facilities are allowed in the Business Regional (BR) zoning district by CUP. In compliance with LDC Section 9.1.2/Common Procedure - Pre-Application Conference, and Section 9.3.3/Conditional Use Permits - Conditional Use Application Process, the applicant completed a meeting with staff prior to submitting the CUP application for the proposed use at this site and has met all other requirements of Section 9.1/Common Procedure.

BACKGROUND

SITE INFORMATION:

The proposed self-storage facility is situated on a vacant parcel of land located between State Route 69 and Ranch Drive. Access is off of Ranch Drive and all utility connections are located in Ranch Drive. This project is considered an infill development.

PROPOSED USE:

The applicant proposes a new self-storage facility on a vacant parcel that will be open 7 days a week. There is little traffic with these types of uses.

CONDITIONAL USE REVIEW CRITERIA:

Conditional Uses require special consideration regarding the effect on surrounding properties and the use in relation to the objectives of the ordinance. A conditional use permit may be granted only when the Board of Adjustment finds the proposal meets the general criteria, as detailed in LDC Section 9.3.5/Conditional Use Review Criteria.

Section 9.3.5.A. Effect on Environment

“The location, size, design and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property.”

The proposed self storage facility will be accessible seven days a week. A condition limiting hours of operation to 7:00 am to 9:00 pm would mitigate any impacts from noise or activity associated with customers visiting the storage units.

Section 9.3.5.B. Compatible with Surrounding Area

“The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with respect to landscaping, scale, lot coverage, and the

like.”

The proposed storage facility is a new building. There are two vacant buildings and two hotels along Ranch Drive. There is very little traffic.

Section 9.3.5.C. External Impacts Minimized

“The proposed use shall not have negative impacts on existing uses in the area and in the City through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation response to these impacts.”

Noise from customers arriving/departing and parking are the only potential impacts on neighbors. Imposing limited hours through a condition could mitigate any potential parking and noise impacts.

Section 9.3.5.D. Infrastructure Impacts Minimized

“The proposed use shall not have negative impacts on existing uses in the area and in the City through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.”

The proposed storage facility will be a new building and all infrastructure is available to this lot in Ranch Drive.

Section 9.3.5.E. Consistent with General Plan and Code

“The proposed use will be consistent with the purposes of this Code, the General Plan, Area Plans, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses permitted outright in the zone in which it is located. If the use is permitted outright in another zone, there must be substantial reason for locating the use in an area where it is only conditionally allowed.”

The proposed use, with Conditional Use Permit, is in conformance with the purposes of the LDC and General Plan, and all relevant policies and plans. Self storage facilities are allowed by right in the Industrial Transitional (IT), Industrial Light (IL), and Industrial General (IG) zoning districts.

Section 9.3.5.F. Parcel Size

“The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the affected zoning district.”

This proposed use will not have impacts requiring additional land area.

Section 9.3.5.G. Site Plan

“The proposed use shall comply with the procedures and requirements of Sec. 9.8, Site Plan Review.”

The proposed building meets the setback and lot coverage allowances.

Section 9.3.6. Additional Conditions

“The Board of Adjustment may impose additional reasonable conditions to carry out the spirit and intent of this Code and to mitigate adverse effects of the proposed use.”

The Board may impose hours of operation to limit the availability of the building to customers arriving/leaving the building. Otherwise, there are no other impacts.

Section 9.3.7.C. Expiration/Revocation of Approval

“The Board of Adjustment may revoke a Conditional Use Permit in the event of a subsequent failure

by the property owner or person in possession to comply with an ongoing condition of approval. Such revocation shall not occur without written notice to the property owner, at least 20 calendar days prior, advising of the revocation consideration and an opportunity to appear before the Board. Revocation procedures shall be subject to the Public Notice requirements set forth in Sec 9.1.8.A.”

Section 9.3.8. Appeal

“An appeal from any final decision regarding a Conditional Use Permit shall be in accordance with Sec. 9.18, Appeal of Council or Board of Adjustment Decisions.”

Appeals must be filed within 30 days of Board of Adjustment decision.

HISTORIC PRESERVATION:

The site is not located within a Prescott Preservation or National Register district.

STAFF RECOMMENDATION:

Staff recommend approval of the Conditional Use Permit for a self-storage facility per the site plan submitted with application, with the condition limiting the hours of operation of 7:00 am to 9:00 pm.

NEIGHBORHOOD COMMENTS:

Staff has not received any public comments regarding this Conditional Use Permit request.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve/deny CUP24-007 with or without conditions

ATTACHMENTS

1. Narrative
2. CUP24-007 Self Storage Building Presentation



RKAA
ARCHITECTS, INC

December 19, 2024

To: City of Prescott Planning Department
Prescott, Arizona

From: RCAA Architects, Inc.
2233 East Thomas Road
Phoenix, AZ 85016

Arizona Office
2233 East Thomas Road
Phoenix, AZ 85016
Office: (602) 955-3900
rkaa.com

California Office
501 North El Camino Real
Suite #200
San Clemente, CA 92672
Office: (949) 954-8785

RE: Request for CUP review
3528 Ranch Drive
Prescott, AZ 86303
Project #: PAC24-138

Project Narrative:

The proposed 1.26-acre property is located at 3528 Ranch Drive. StorQuest is proposing to develop a three-story 77,886 SF climate-controlled Self Storage. Our use consists of self-storage, and related retail sales. This infill development will allow StorQuest to better serve the storage needs of the community and activate a property that is currently vacant.

The property is currently zoned BR (Business Regional). The use of self-storage requires a Conditional Use Permit. StorQuest is proposing to apply for the permit to allow this use.

Custom site design for every StorQuest store assures that the facility complements the community it serves. Adherence to community objectives is key in order to ensure each store is both a neighborhood asset and an economic success.

StorQuest is more of a commercial type use that serves the residential communities within a 3-5-mile radius. We feel the StorQuest would be an appropriate use for the property and there are proven benefits for allowing self-storage facilities in communities:

- Self-storage facilities are quiet
- They provide an excellent buffer between zones
- They create very little traffic
- They have little impact on utilities
- They have no impact on schools
- They provide a good tax revenue
- They provide a community service

Licensed in:

- Arizona
- Arkansas
- California
- Colorado
- Connecticut
- Florida
- Georgia
- Idaho
- Illinois
- Indiana
- Kansas
- Kentucky
- Louisiana
- Maryland
- Michigan
- Minnesota
- Mississippi
- Missouri
- Montana
- Nebraska
- Nevada
- New Hampshire
- New Jersey
- New Mexico
- New York
- North Carolina
- North Dakota
- Ohio
- Oklahoma
- Oregon
- Pennsylvania
- South Carolina
- South Dakota
- Tennessee
- Texas
- Utah
- Virginia
- Washington
- West Virginia
- Wisconsin
- Wyoming

Principals:

- Robert W. Kubicek, AIA
- Kathleen D. Rieger, VP
- Steve A. Nosal, VP
- Neil A. Feaser, AIA, VP



Customers will generally arrive in their own automobiles, enter the showroom and may choose from a variety of products and services offered there.

- Customers typically use StorQuest Self-Storage rooms to store furniture, household goods, sporting equipment, or holiday decorations. During transition periods between moves, moving to a smaller home, combining households, or clearing away clutter to prepare a home for sale, storage customers will typically rent a room for a period of two months to one year.
- Customers who need packing supplies in advance of a move or to ship personal packages can choose from a variety of retail sales items, including cartons, tape and sustainable packing materials.
- Moving and storage are synergistic businesses. Over half of our storage customers tell us they used StorQuest storage because of a household move. Customers will typically use StorQuest equipment or their personal vehicle to approach the loading area and enter the building through the singular customer access.

Significant Policies:

- Typical Hours of Operation:
Mon. - Saturday. 9:00 a.m. to 6:00 p.m.
Sun. 10:00 a.m. to 5:00 p.m.
- All customers are issued a pin style identification that must be used to gain access to the building. This is but one of many security policies which protects the customer's belongings and decrease the ability of unauthorized access to the facility.
- It is against policy for a business to be operated from a StorQuest storage room.
- Customers and community residents who wish to use the on-site dumpsters for disposing of refuse must gain permission to do so, and are assessed an additional fee.
- Items that may not be stored include: chemicals, flammables, and paints.
- StorQuest stores are protected by video surveillance.
- StorQuest stores are non-smoking facilities.

We believe the proposed uses are an excellent fit for this location and neighborhood, and achieves the highest and best use for this site; eliminating an unattractive infill vacant parcel within the City of Prescott. It will also serve an existing demand for self-storage in the neighborhood.

In conclusion, StorQuest looks forward to working with the City of Prescott as you consider the Conditional Use Permit, we are currently submitting.



Thank you for your review, and we look forward to working with the City of Prescott.

Regards,

A handwritten signature in blue ink, appearing to read 'N. Feaser'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Neil Feaser, AIA
President
RKAA Architects, Inc.

CUP24-007 Self-Storage Building

TAMMY DEWITT

February 20th Board of
Adjustment

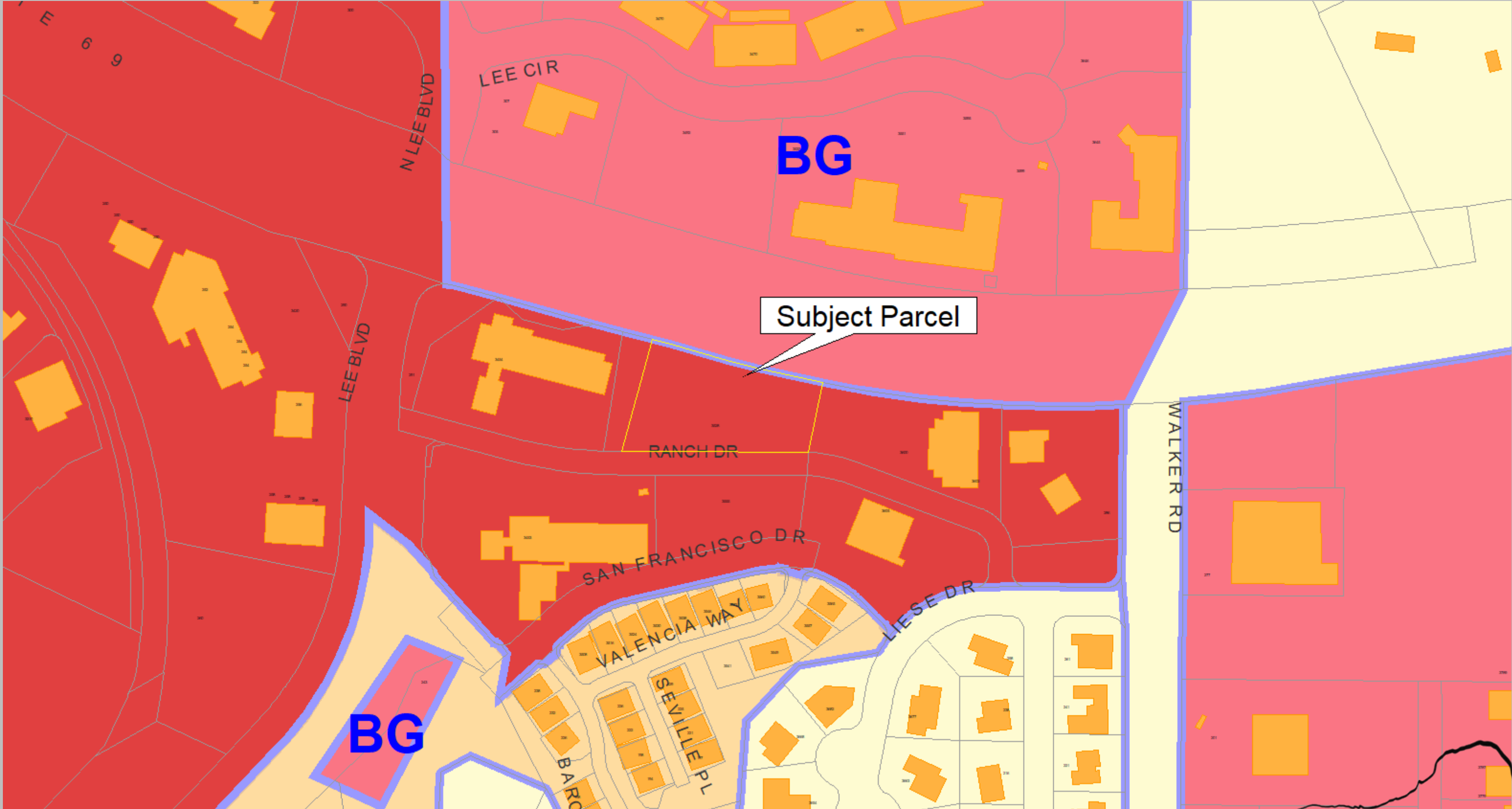


Request

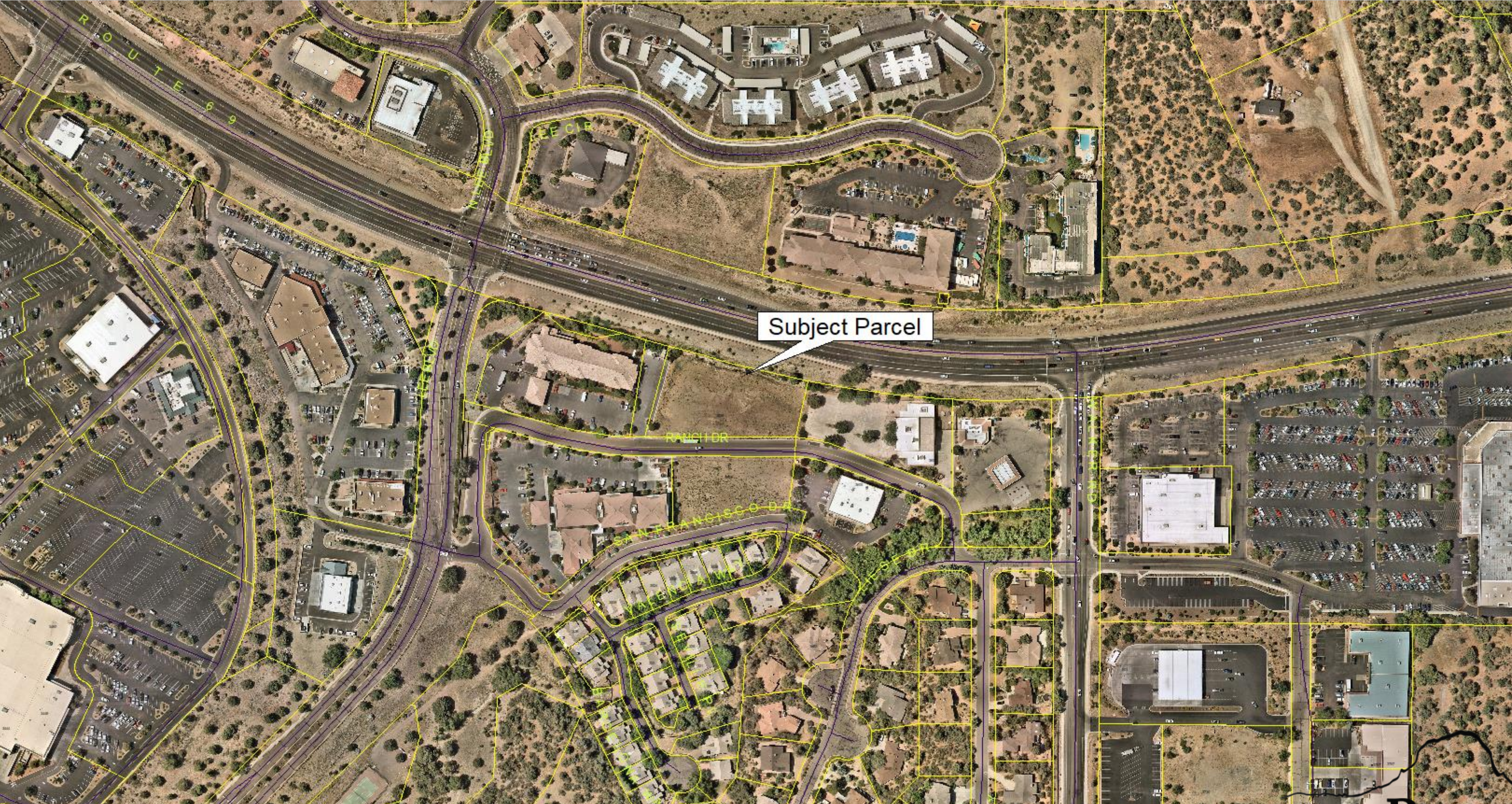
Conditional Use Permit to allow a new 3-story
77,886 sq. f.t Self-Storage Building in a BR
(Business Regional) zoning district located off
of Ranch Drive and adjacent to SR 69.



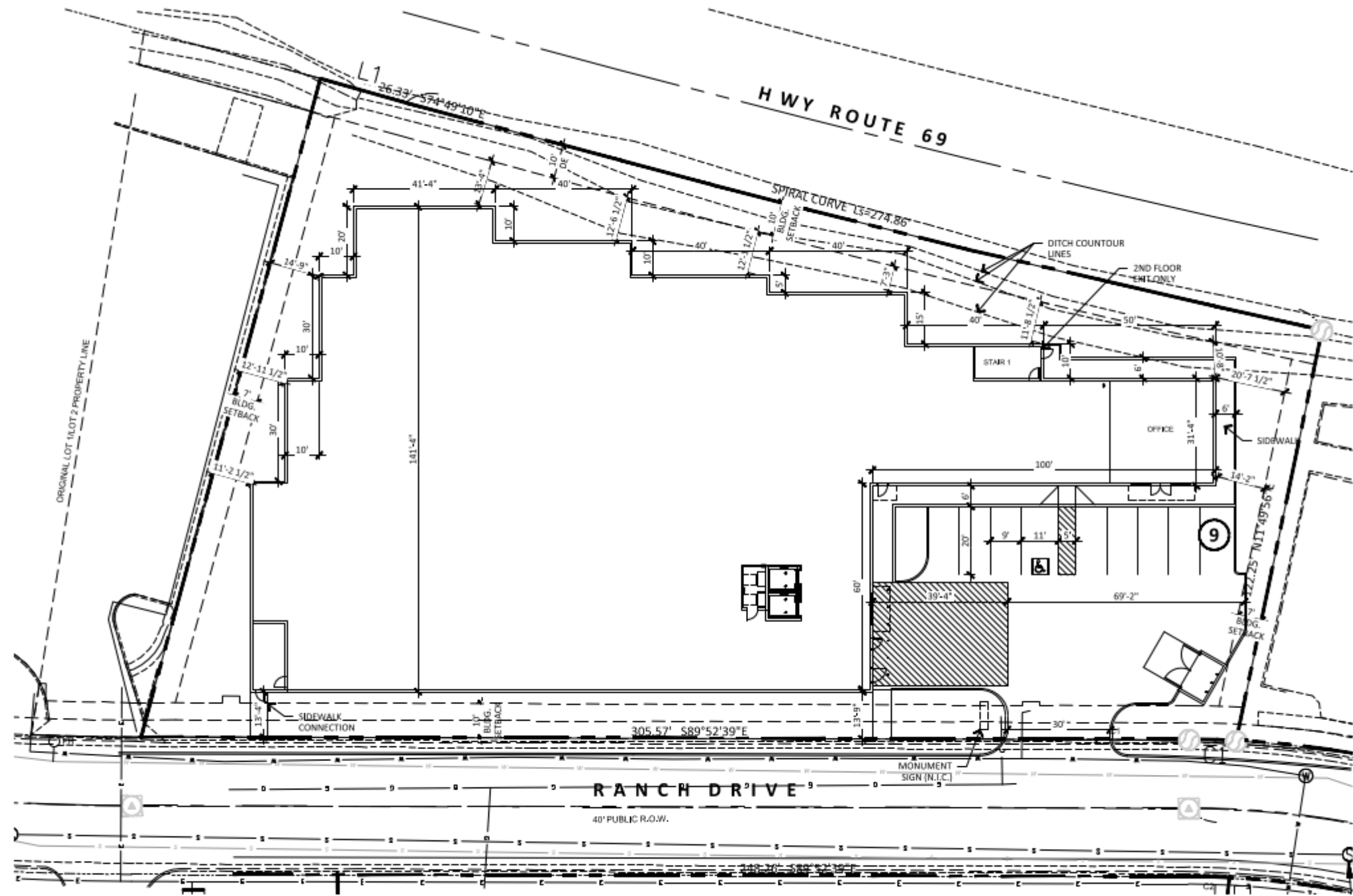
ZONING MAP



IMAGERY MAP



SITE PLAN



SITE PLAN

SCALE: 1" = 20'-0"

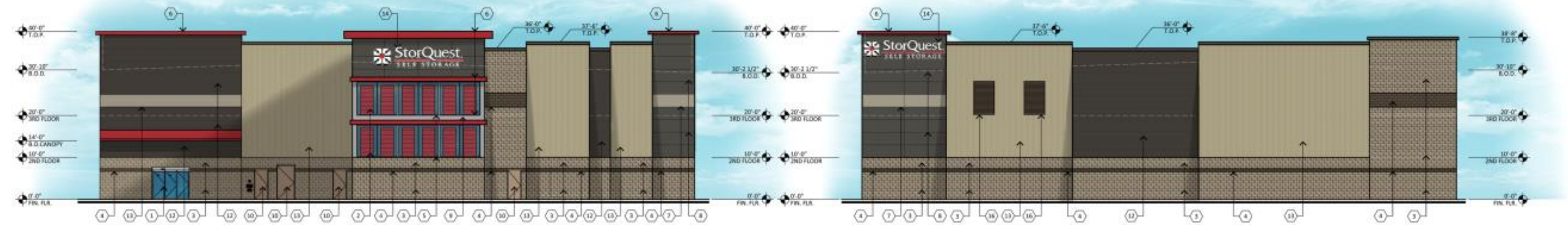
SITE DATA

PARCEL NUMBER:	103-49-002B
EXISTING ZONING:	BR: BUSINESS REGIONAL
NET SITE AREA:	1.11 ACRES (48,613 S.F.)
GROSS SITE AREA:	1.26 ACRES (55,044 S.F.)
MAX. BUILDING HEIGHT:	50'-0"
PROPOSED MAX. HEIGHT:	40'-0"
TOTAL AREA:	77,886 S.F.
SITE COVERAGE:	47%
CONSTRUCTION TYPE:	II-B
PROPOSED USE:	SELF STORAGE
BUILDING AREA:	
1ST FLOOR:	25,022 S.F.
OFFICE:	960 S.F.
2ND FLOOR:	25,962 S.F.
3RD FLOOR:	25,962 S.F.
TOTAL BUILDING AREA:	77,886 S.F.
TOTAL PARKING REQUIRED:	
1 PER 100 LOCKERS INSIDE FENCED AREA (600 UNITS)	6 SPACES
OFFICE: 1:300 S.F. (960 S.F./300= 3.2 SPACES)	3 SPACES
TOTAL SPACES REQUIRED	9 SPACES
TOTAL PARKING PROVIDED:	11 SPACES (INCLUDING 2 @ LOADING AREA)
ACCESSIBLE SPACES REQUIRED:	01 SPACES
ACCESSIBLE SPACES PROVIDED:	01 SPACES



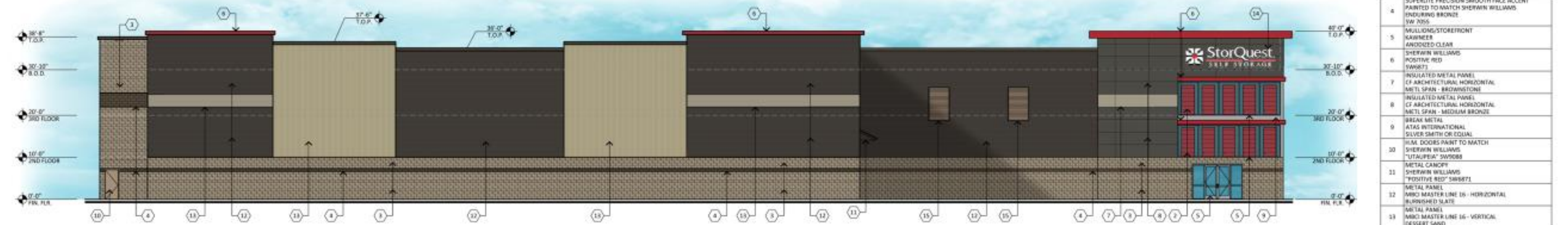


1 NORTH ELEVATION
SCALE: 3/32" = 1'-0"



2 EAST ELEVATION
SCALE: 3/32" = 1'-0"

3 WEST ELEVATION
SCALE: 3/32" = 1'-0"



4 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

MATERIALS	
1	STANLEY AUTO-DOOR
2	ROLL UP DOOR
3	IRANUS PATTERED RED
4	SUPERLITE SPLIT FACE CMU PAINTED TO MATCH SHERWIN WILLIAMS "UTAUPEIA" SW9088
5	SUPERLITE PRECISION SMOOTH FACE ACCENT PAINTED TO MATCH SHERWIN WILLIAMS "ENDURING BRONZE" SW 7055
6	MULLIONS/STOREFRONT KAWNEER ANODIZED CLEAR
7	SHERWIN WILLIAMS "POSITIVE RED" SW671
8	INSULATED METAL PANEL OF ARCHITECTURAL HORIZONTAL METL SPAN - BROWNSTONE
9	INSULATED METAL PANEL OF ARCHITECTURAL HORIZONTAL METL SPAN - MEDIUM BRONZE
10	BREAK METAL ATAS INTERNATIONAL SILVER SMITH OR EQUAL
11	H.M.E. DOORS PAINT TO MATCH SHERWIN WILLIAMS "UTAUPEIA" SW9088
12	METAL CANOPY SHERWIN WILLIAMS "POSITIVE RED" SW671
13	METAL PANEL MBO MASTER LINE 16 - HORIZONTAL BLOSSHED SLATE
14	METAL PANEL MBO MASTER LINE 16 - VERTICAL DESERT SAND
15	STORQUEST SIGNAGE BY OTHERS
16	TRELLIS ACCENT: BY OTHERS - PAINT TO MATCH SHERWIN WILLIAMS "UTAUPEIA" SW9088
17	TRELLIS ACCENT: BY OTHERS - PAINT TO MATCH SHERWIN WILLIAMS "ENDURING BRONZE" SW7055

STORQUEST PRESCOTT
3528 RANCH DRIVE
PRESCOTT, AZ
DATE: 12-17-2024 (PRELIMINARY)

EL-1
original
RKA# 24255.50





Vacant Parcel across Ranch Drive

Ranch Drive

View looking west towards two hotels



View Looking across SR 69 to the North



Subject Parcel

View Looking East towards vacant buildings

Subject Parcel

View Looking across SR 69 to the North



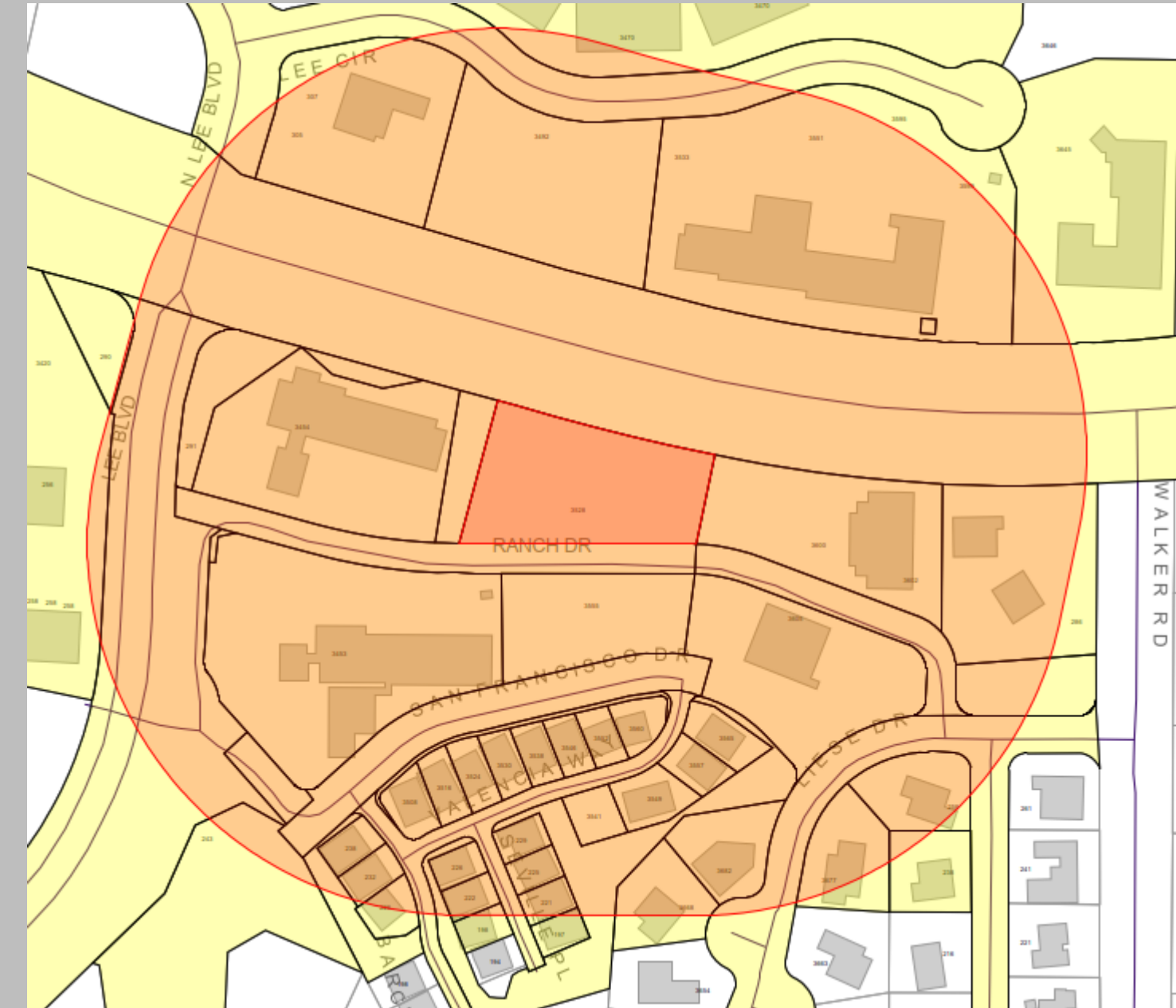
Subject Parcel

Conditional Use Permit Review Criteria

- Effect on Environment
- Compatibility with Surrounding Area
- External Impacts Minimized
- Infrastructure Impacts Minimized
- Consistent with General Plan and Code
- Parcel Size
- Site Plan

Neighborhood Outreach

Staff has sent mailings to the owners of record within 500' of the property, posted the property, and published notices in the local paper. Staff has not received public comments regarding this CUP request.





Recommended Action

Move to Approve/Deny CUP24-007
with/without a condition.

Possible Condition: limiting the hours of
operation of 7:00 a.m. to 9:00 p.m.





TO: MAYOR AND CITY COUNCIL
AGENDA: February 20 Board of Adjustments Meeting
DATE: February 20, 2025
DEPT: Community Development
ITEM #: 4.C
SUBJECT: **V25-001:** Variance to Article 3, Section 3.4.3. (Single Family-18/Minimum Setbacks) of the Land Development Code (LDC) to Allow a Reduction in the Required 15' Rear Yard Setback by 10', to Allow for a Rear Setback of 5', to Accommodate the Construction of a Covered Patio. Zoning: SF-18(PAD). Property Owner: J. Doran Greenburg. Location: APN 107-24-054, 1520 Cougar Trail.

ITEM SUMMARY

This item is for a request for a Variance to allow a reduction in the required 15' rear yard setback by 10' to allow for a rear setback of 5' accommodating the construction of a covered porch in a Single-family 9 (SF-9) zoning district.

BACKGROUND

The applicant's proposed covered porch is along the back of the house over an existing paved patio that is a secondary access out of the home. The home is set back on the property due to large granite boulders and existing Ponderosa Pine trees throughout the property. In looking at the site plan, the house was placed at an angle and leaves little room on that side of the house to add the covered patio over that access.

A Variance was approved for this project in December of 2019 to allow for an 8' setback for a covered patio. Variance approvals are valid for 12 months unless the applicant requests an extension, and the applicant never started the project.

STAFF ANALYSIS AND RECOMMENDATION:

The staff analysis and recommendation is based on a review of the request's consistency with the 2015 General Plan, and consistency with neighborhood characteristics, as well as the Variance requirements of LDC Section 9.13.4.

COMPATIBILITY WITH THE NEIGHBORHOOD:

Hidden Valley Ranch was platted as a PAD (Planned Area Development) which allows for flexibility in lot sizes, setbacks, and other development criteria to preserve trees and other geologic features. The development has areas that are platted as townhomes with 0 foot side setbacks and minimal rear setbacks.

VARIANCE REQUIREMENTS:

Variances may be granted only if, because of special and unusual circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning code will deprive such property of privileges enjoyed by other properties in the district. Such Variance shall not constitute a grant of special privileges inconsistent with other properties in the vicinity or be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

COMPLIANCE WITH REQUIRED VARIANCE CRITERIA:

1. **Extraordinary Conditions (LDC Section 9.13.4.A.1).** There are extraordinary conditions affecting the land involved such that strict application of the provisions of this Code will deprive the applicant of the reasonable use of his land. For example, a Variance may be justified because of topography, or size, shape, intrusive off-site impacts, or other special conditions unique to the property and development involved.

Staff Comments: The property is impacted by large granite boulders which required the house to be positioned to the back of the property at an angle with limited area to create a covered area over the secondary egress out of the house.

2. **Substantial Detriment (LDC Section 9.13.4.A.2).** Granting the Variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this Code.

Staff Comments: The proposed reduced rear setback would still allow adequate space for emergency access, and there are no other detrimental effects with regard to public health, safety, or welfare on other properties in the area.

3. **Special Privileges (LDC Section 9.13.4.A.3).** Granting of a Variance shall be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

Staff Comments: The Hidden Valley Ranch Architectural Committee will review all construction renderings per their HOA requirements.

4. **Self-induced Hardship (LDC Section 9.13.4.A.4).** The hardship is not the result of the applicant's own actions

Staff Comments: The house was constructed in 1990 and the current owner purchased the home in 2002. As constructed, the house meets the required setbacks but a patio cover is not a requirement of a residential structure.

5. **General Plan (LDC Section 9.13.4.A.5).** It will be in substantial compliance with the General Plan or other relevant area plans or neighborhood plans.

Staff Comments: The proposed Variance is on an existing lot with no change of use and is, therefore, in compliance with the General Plan.

6. **Utilization.** Because of special circumstances applicable to the property, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.

Staff Comments: The applicant states that this is the secondary exit from the property in an emergency and that side of the house is exposed to the elements

NEIGHBORHOOD COMMENTS:

Staff has received 1 letter of opposition from the adjacent neighbor to the east and most affected with concerns in regard to property value and fire risk.

FINANCIAL IMPACT

There is no fiscal impact associated with this item

RECOMMENDED ACTION

MOVE to approve/deny V25-001 in conformance with the site plan

ATTACHMENTS

1. Request and Questionnaire
2. V25-001 Presentation
3. Opposition Letter

Description of Request: Allow a variance of the 15' setback on the eastside, or back, of the house to an ^{5 1/2'}8' setback to allow the construction of a roof extension over an existing 12'6" x 35' concrete patio. The upright support posts would be positioned approximately 10' from the house, with a 2'-2'6" roof overhang.

VARIANCE QUESTIONNAIRE

All questions must be answered prior to acceptance of the application.

1. Describe the special or unique conditions and circumstances which are peculiar to the land (e.g. large trees, rocks, outcrops, washes, steep topography, etc.), structure or building, which are not applicable to other lands, structures or buildings in the same zoning district in other locations.

Initially the lot on which my house is situated would have had an average 20-degree slope. However, after the pad was leveled for construction that average was reduced despite the fact that there are steep drops in the terrain. The house placement also was limited by extremely large granite boulders and Ponderosa pine trees. The number of those pine trees subsequently has been decreased as a result of the Bark Beetle infestation.

2. Indicate how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance. If citing other properties, their addresses must be given.

I purchased my house as built, and had no involvement in the design process. If I had, I would not have situated the house so close to the setbacks. These slanted setbacks now are preventing me from constructing a patio roof extension that would protect my house from the elements.

3. Describe how the alleged hardships caused by the literal interpretation of the provisions of the Zoning Ordinance include more than personal inconvenience and financial hardship, which do not result from the actions of the applicant(s).

Health concerns factor into my request for a variance. When I purchased my home 17 years ago, I was more physically able than I am currently. I now find shoveling snow much more strenuous, and help is not always available. Consequently, it is difficult for me to clear snow from my driveway and entry sidewalk, as well as the back patio, and puts considerable strain on my well-being.

Safety is the second key reason I need to cover the patio area. Covering the back patio is critical because it has the only exit door on that side of the house. If there were an emergency, and I had

January, 2025

to use that door, I would not be able to do so if there were snow as the current 2' roof overhang is insufficient to prevent a build-up.

4. Indicate why granting the requested variance will not confer upon the applicant any special privilege that is denied by the Land Development Code to other owning lands, structures or buildings in the same district.

There would be no special privilege attached to allowing a setback variance in this area. It is a relatively minimal variance that only affects one small area of open space between lots.

5. Indicate why granting the variance will not interfere with or injure the rights of other properties in the same district.

Reducing the existing setback from 15' to 8' in order to cover the existing concrete patio would not encroach into my closest neighbor's property any further than the present patio. The roof line would be a continuation of the current angle. The permanent upright support posts only would be 10' out from the house with a 2' roof overhang.

This project faces the open space of my northeast neighbor's property and will be separated from their house by their driveway and parking area. It will be quite a distance from my other two immediate neighbors to the north and south, who only will have limited visibility.

V25-001 1520 Cougar Trail

TAMMY DEWITT, COMMUNITY PLANNER

February 20, 2025
Board of Adjustment



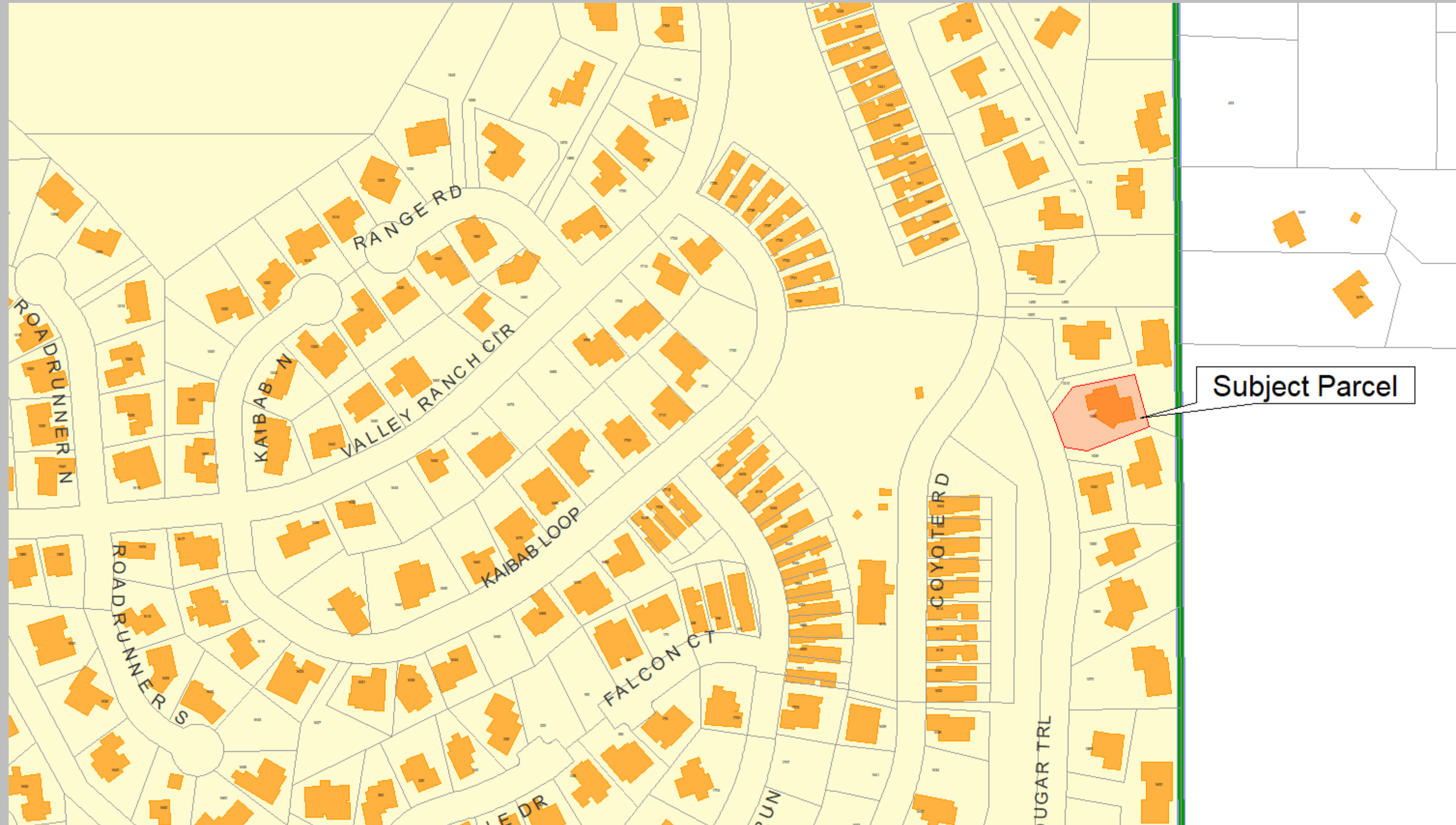
REQUEST

Variance to Article 3, Section 3.4.3. (Single Family-18/Minimum Setbacks) of the Land Development Code (LDC) to allow a reduction in the required 15' rear yard setback by 10', to allow for a rear setback of 5', to accommodate the construction of a covered patio.

[Zoning: SF-18(PAD);



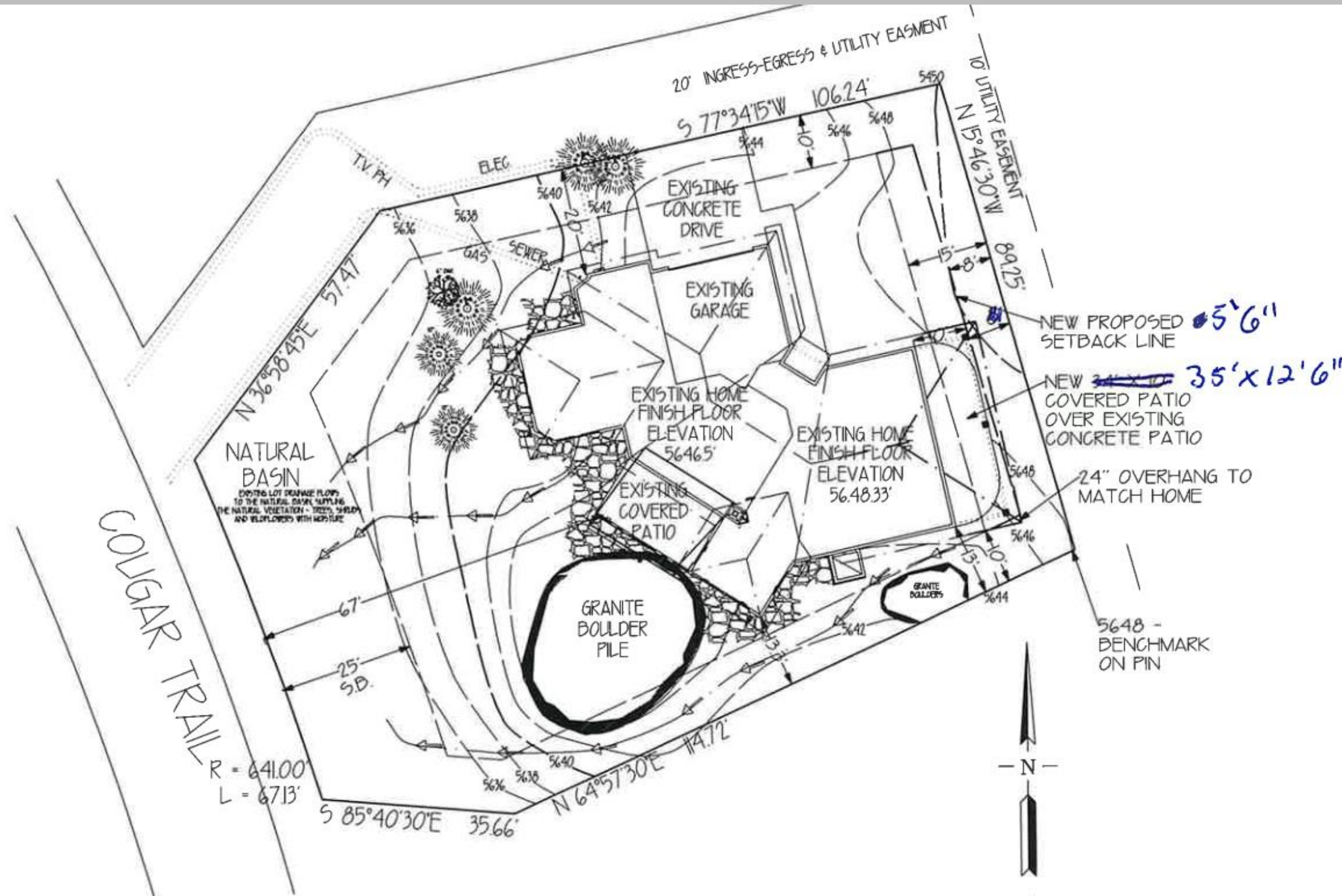
ZONING MAP



IMAGERY MAP



Subject Parcel







Property
Line



Property
Line



Front of Property

Variance Review Criteria LDC Section 9.13

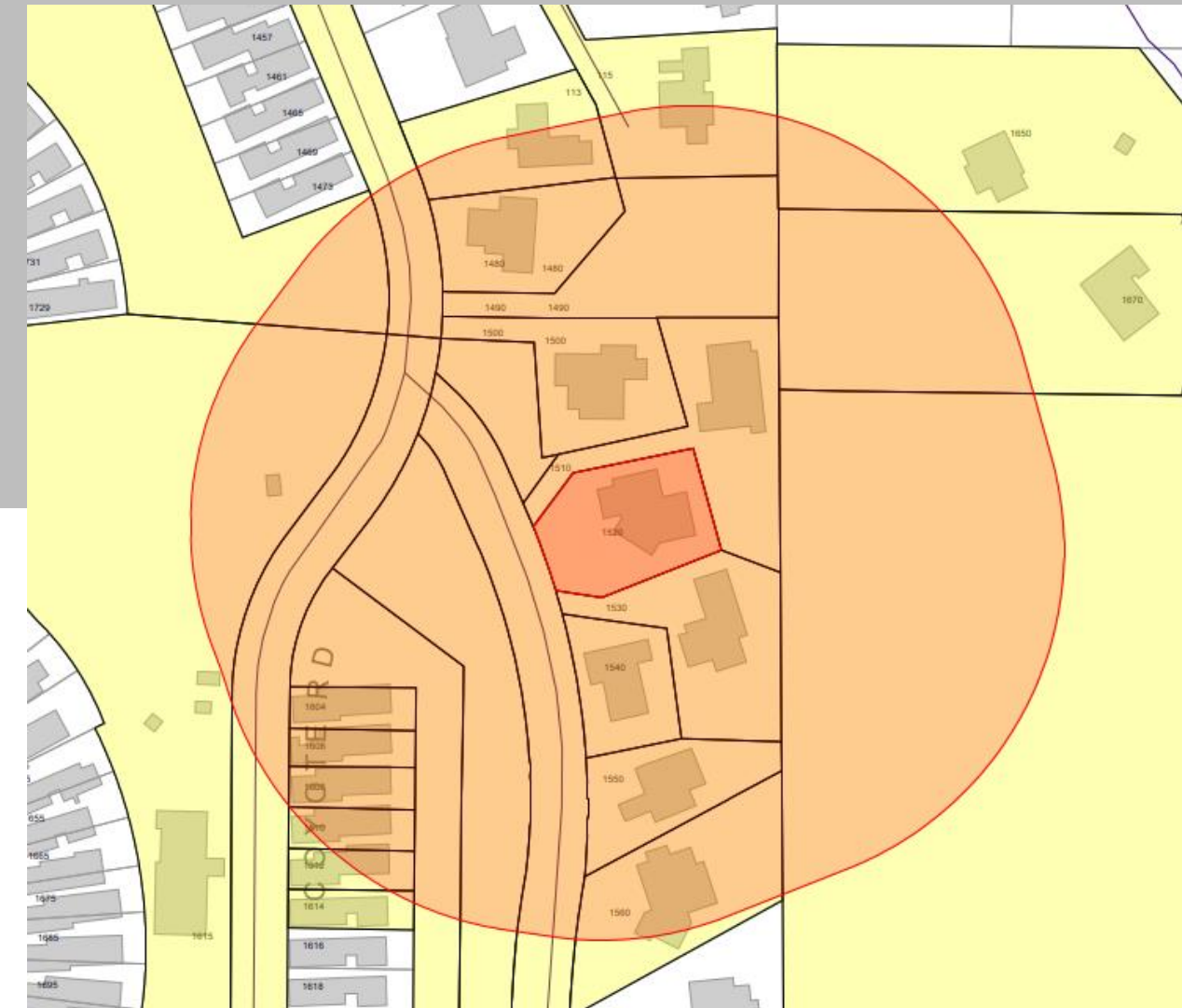
- Extraordinary
Conditions
- Substantial Detriment
- Special Privileges
- Self-Induced hardship
- General Plan
- Utilization

STAFF ANALYSIS

A similar request was approved in 2019 for an 8' rear setback for a new covered patio but was never started. Variances are only valid for 12 months unless a permit is submitted, or an extension was requested.

Neighborhood Outreach

Staff sent mailings to the owners of record within 300' of the property, posted the property, and published a notice in the local paper pursuant to statutory requirements. Staff has not received any public comments regarding this Variance request.

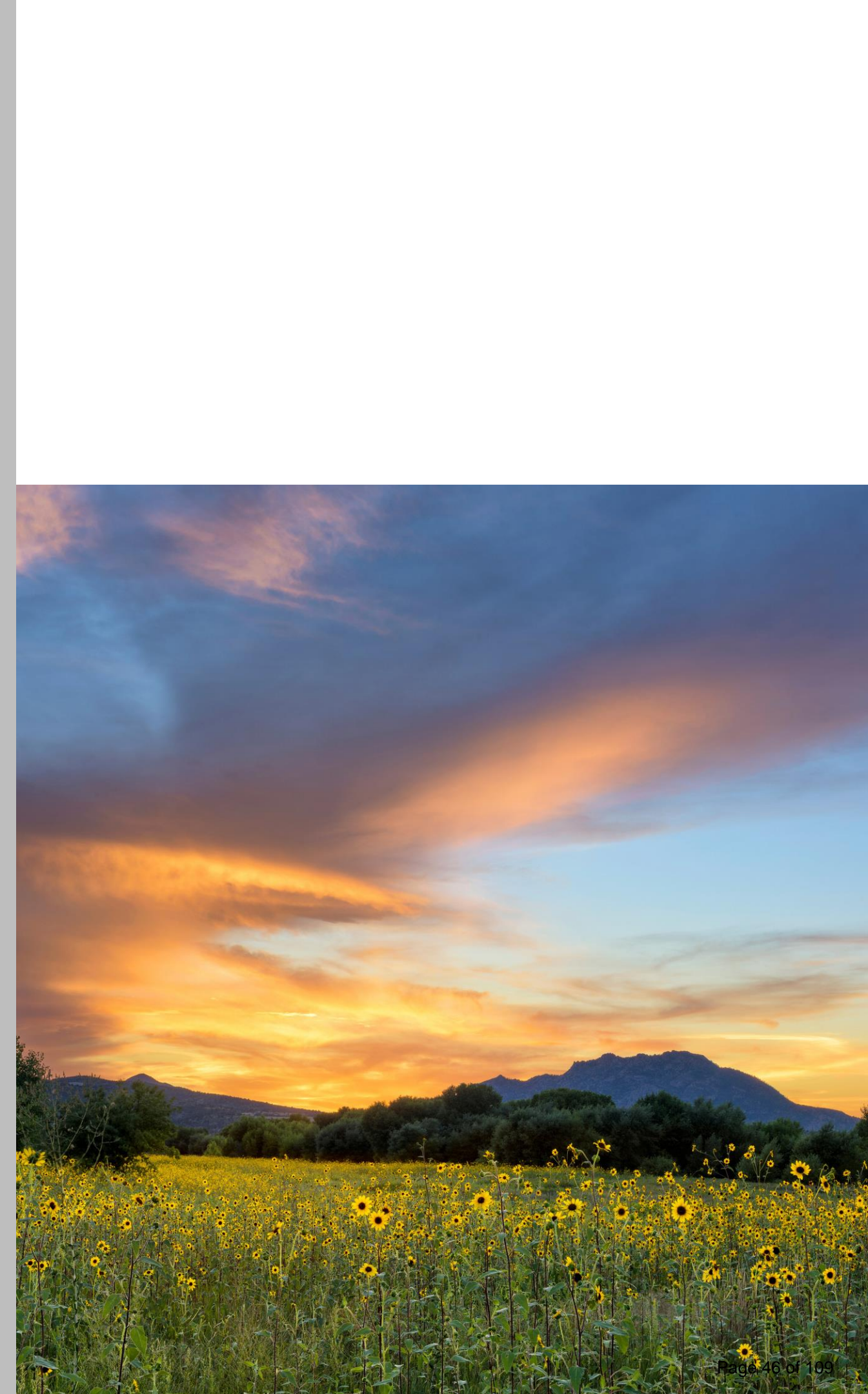




Recommended Action

Move to Approve/Deny V25-001, to reduce the rear yard setback to 5' to allow the addition of a covered patio to the house, in conformance with the site plan.

Questions & Comments?



Tammy Dewitt

From: Jeff Phillips [REDACTED]
Sent: Monday, February 10, 2025 12:14 PM
To: Tammy Dewitt
Subject: V25-001 Variance

Hello Tammy,

I am the owner of [REDACTED] and my property is located on the east side of the subject parcel. I just have a couple of concerns.

When I look at LDC Article 3, Section 3.4.3 I see the rear yard setback is specified at 25 ft not 15 ft as indicated in the letter I received. I don't understand where the 15 ft rear setback is specified.

The house on 1520 Cougar Trail is approximately 20 ft from our property line. I see no reason a variance should be granted so a patio cover can be extended within 5 ft of the property line. Why not at least maintain a 10ft setback and that would still allow ample room for a patio cover?

My property sits higher on the hill than the subject property. On the north eastern half of the proposed patio cover, there is an approximately 4 to 5 ft high embankment 5 ft inside the property line. The top of that embankment then matches the elevation of my property at that location. Allowing the variance would allow the patio cover to extend to that embankment and the top of the roof would only be approximately 3 foot above the the top of the embankment. I have real concerns about how that will impact the appearance of my property, curb appeal and ultimately the value of my property.

We have large mature trees along our property line at the location of the proposed setback variance. Allowing the variance will allow the patio cover to be built within 5 ft of those trees which does not provide sufficient separation in the event of a fire. More so, due to the embankment of that property and the elevation difference, the high limbs of those mature trees will be directly over the patio cover, which increases the fire risk.

Appreciate you taking my concerns into consideration in deciding this variance request. Please respond at your earliest convenience and please offer any guidance you may have.

Thank you,
Jeff Phillips
[REDACTED]



TO: MAYOR AND CITY COUNCIL
AGENDA: February 20 Board of Adjustments Meeting
DATE: February 20, 2025
DEPT: Community Development
ITEM #: 4.D
SUBJECT: **V24-011:** Variance to Article 3, Section 3.6.3.F (SF-9/Minimum Setbacks) of the Land Development Code (LDC) to Allow a Reduction of the Required 25' Front Setback by 10' to Allow for a 15' Front Setback for a New Detached Garage on a 0.4 Acre Parcel. Zoning: SF-9 (Single Family). Property Owner: Cristy Lee and Brian Jay Rowley. Applicant: Animated Architecture. Location: APN 108-04-046, 846 Fairview Ave.

ITEM SUMMARY

This item is for a request for a Variance to allow for a decrease in the front setback to allow for an attached garage to the residence. Per the site plan, the house is at an angle on the property and the proposed attached garage will follow the same angle. In the request, the applicant states that due to the existing trees and rock outcroppings on the property, there is limited area to put an attached garage.

A Variance was approved for this project in November of 2022 to allow for a 14'3" setback for a new garage. Variance approvals are valid for 12 months unless the applicant requests an extension.

BACKGROUND

STAFF ANALYSIS AND RECOMMENDATION:

The staff analysis and recommendation is based on a review of the request's consistency with the 2015 General Plan, and consistency with neighborhood characteristics, as well as the Variance requirements of LDC Section 9.13.4.

COMPATIBILITY WITH THE NEIGHBORHOOD:

In review, Staff does note other Variances have been approved in the neighborhood.

VARIANCE REQUIREMENTS:

Variances may be granted only if, because of special and unusual circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning code will deprive such property of privileges enjoyed by other properties in the district. Such Variance shall not constitute a grant of special privileges inconsistent with other properties in the vicinity or be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

COMPLIANCE WITH REQUIRED VARIANCE CRITERIA:

1. **Extraordinary Conditions (LDC Section 9.13.4.A.1).** There are extraordinary conditions affecting the land involved such that strict application of the provisions of this Code will deprive the applicant of the reasonable use of his land. For example, a Variance may be justified because of topography, or size, shape, intrusive off-site impacts, or other special conditions unique to the property and development involved.

Staff Comments: The applicant states that due to the small lot, trees, and rock outcrops on the property, there is a limited area to build an attached garage with covered access to the house. Currently, the property has a detached garage that will be demoed to allow for the proposed attached garage.

2. **Substantial Detriment (LDC Section 9.13.4.A.2).** Granting the Variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this Code.

Staff Comments: The proposed garage will not affect any of the neighboring properties.

3. **Special Privileges (LDC Section 9.13.4.A.3).** Granting of a Variance shall be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

Staff Comments: The requested garage does not grant the applicant special consideration as compared to other existing residences nearby. As such, no special privilege would be conferred on the applicant by the granting of this request.

4. **Self-induced Hardship (LDC Section 9.13.4.A.4).** The hardship is not the result of the applicant's own actions.

Staff Comments: The property currently has a detached garage. In the request, the applicant states the proposed attached garage would allow for covered access to the residence.

5. **General Plan (LDC Section 9.13.4.A.5).** It will be in substantial compliance with the General Plan or other relevant area plans or neighborhood plans.

Staff Comments: The proposed Variance is on an existing lot with no change of use and is, therefore, in compliance with the General Plan.

6. **Utilization.** Because of special circumstances applicable to the property, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.

Staff Comments: The proposed attached garage is angled to match the house. In the request, the applicant states that the topography and geology of the site limits the area for an attached garage.

NEIGHBORHOOD COMMENTS:

Staff has not received any comments from the public.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve/deny V24-011 per the site plan provided

ATTACHMENTS

1. Questionnaire
2. V24-011 Presentation

4. Indicate why granting the requested variance will not confer upon the applicant any special privilege that is denied by the Land Development Code to other owning lands, structures or buildings in the same district.

5. Indicate why granting the variance will not interfere with or injure the rights of other properties in the same district.

V24-011

846 Fairview Ave

TAMMY DEWITT, COMMUNITY PLANNER

February 20, 2025
Board of Adjustment

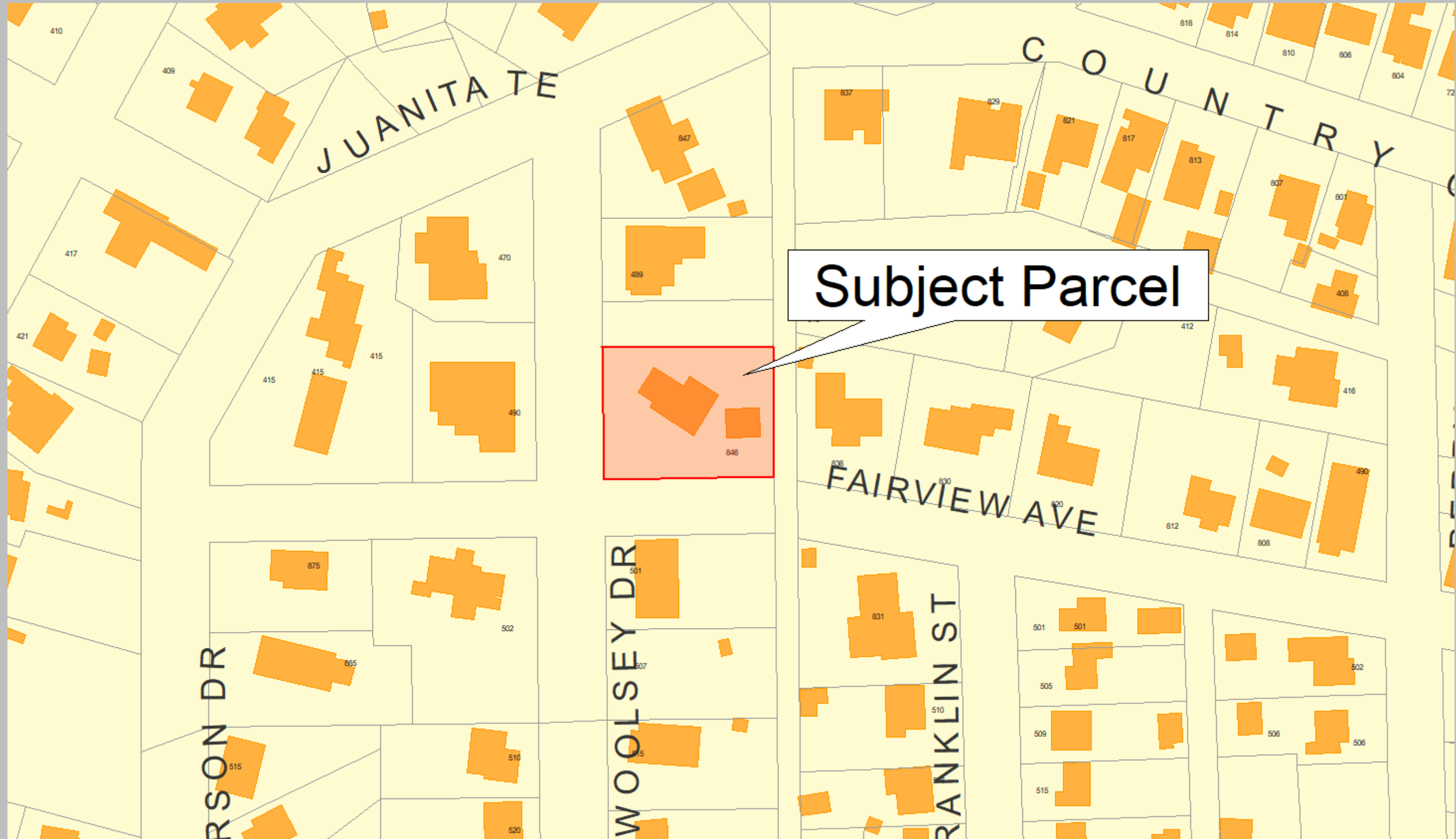


REQUEST

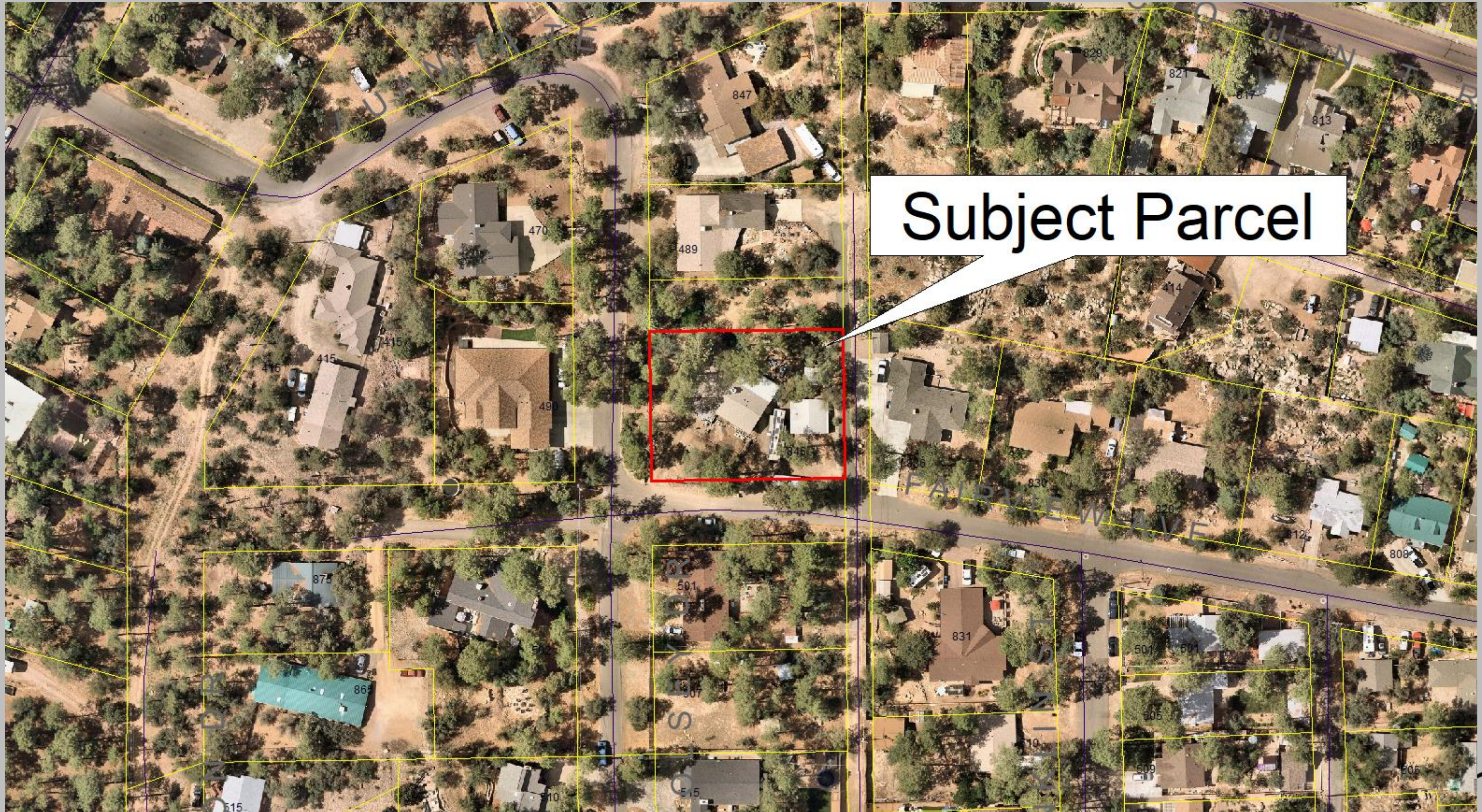
Variance to Article 3, Section 3.6.3.F (SF-9/Minimum Setbacks) of the Land Development Code (LDC) to allow a reduction of the required 25' front setback by 10' to allow for a 15' front setback for a new detached garage on a 0.4 acre parcel. [Zoning: SF-9 (Single Family);



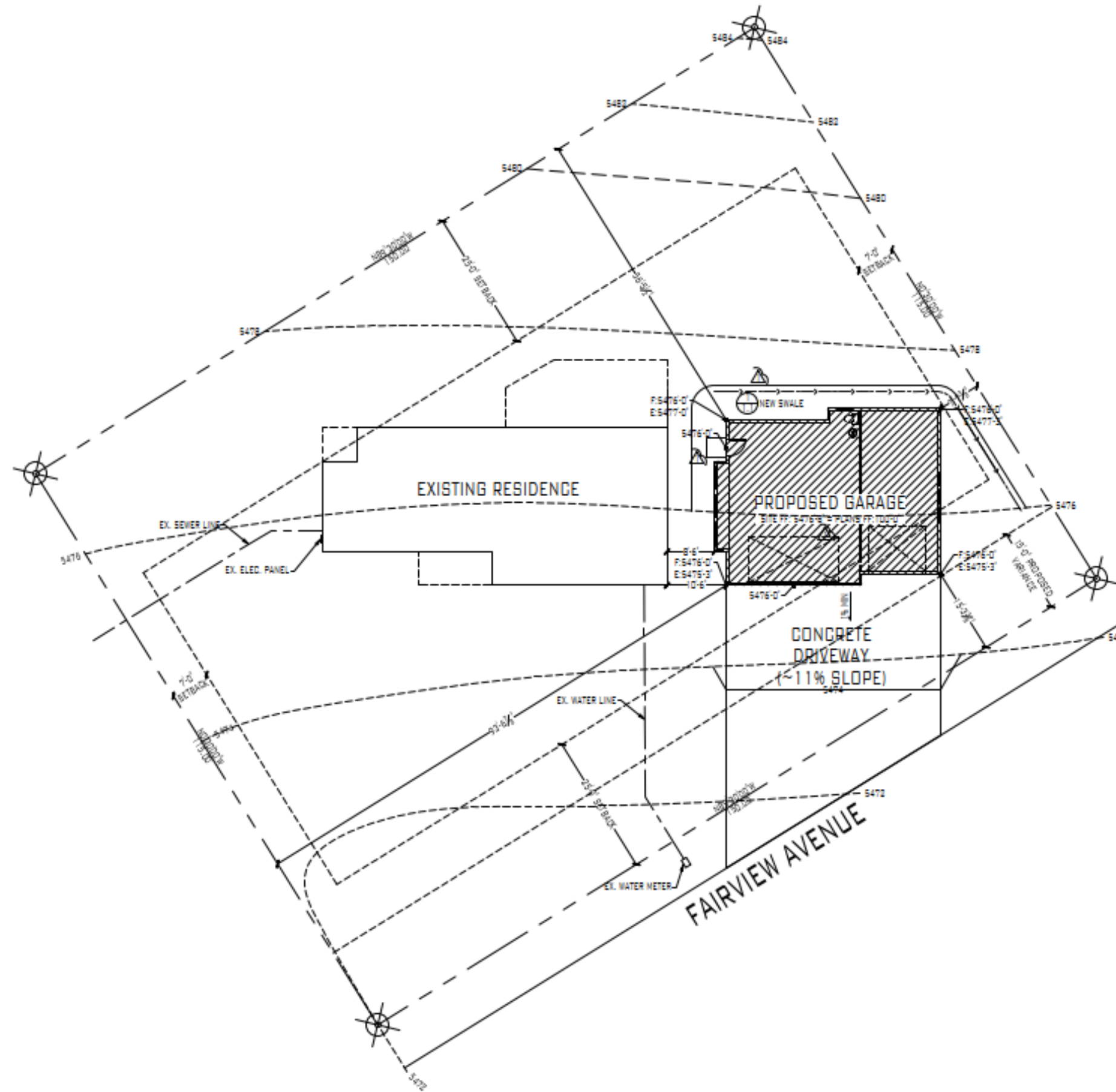
ZONING MAP



IMAGERY MAP



SITE PLAN



SITE PLAN

SCALE 1" = 10'-0"



Color Renderings of proposed garage



ALL RENDERINGS ARE ARTISTIC INTERPRETATIONS OF THE DESIGN AND MAY NOT BE AN EXACT REPRODUCTION.

ALL RENDERINGS ARE ARTISTIC INTERPRETATIONS OF THE DESIGN AND MAY NOT BE AN EXACT REPRODUCTION.





Garage to be removed





Variance Review Criteria LDC Section 9.13

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

STAFF ANALYSIS

Staff does note other Variances have been approved in the neighborhood. Similar request approved in 2022.

Neighborhood Outreach

Staff sent mailings to the owners of record within 300' of the property, posted the property, and published a notice in the local paper pursuant to statutory requirements. Staff has not received any public comments regarding this Variance request.





Recommended Action

Move to Approve/Deny V24-011,
to allow an attached garage within
the front setback per the site plan
provided.

Questions & Comments?





TO: MAYOR AND CITY COUNCIL
AGENDA: February 20 Board of Adjustments Meeting
DATE: February 20, 2025
DEPT: Community Development
ITEM #: 4.E
SUBJECT: **V24-010:** Variance to City of Prescott Land Development Code (LDC) Section 3.4.3 and 2.7.3.E to Allow for an Increase in the Maximum Building Height from 35 Feet to 43 Feet Due to Topographical Challenges. Location: APN 105-08-387A, 1558 Standing Eagle Dr. Property Owner: Shelly McKnight. Applicant/Agent: Distinctive Homes & Architecture.

ITEM SUMMARY

This item is for a request for a variance to allow for an increase in the maximum building height of the house from 35 feet to 43 feet due to the steep slope of the lot.

Please see applicants responses to variance questions attached to this packet.

BACKGROUND

The subject property is zoned single-family SF-18. Section 3.4.3 sets out the density and dimensional standards for the SF-18 district. The maximum building height permitted in this district is 35 feet. Building height is measured per LDC Section 2.7.3.E, which sets the point of measurement at the natural grade of the lot.

Due to the steepness of the slope and the point of measurement at the natural grade, several portions of the proposed house exceed the allowed 35 feet by a substantial amount. As measured per 2.7.3.E, the maximum height of the house is 43 feet.

The house cannot be moved forward on the lot because of the front building setback. The house cannot be moved back on the lot because there is a Fire Code limitation on the steepness of the driveway, and it is already at the maximum.

STAFF ANALYSIS AND RECOMMENDATION:

The staff analysis and recommendation is based on a review of the request's consistency with the 2015 General Plan, and consistency with neighborhood characteristics, as well as the Variance requirements of LDC Section 9.13.4.

COMPATIBILITY WITH THE NEIGHBORHOOD:

This neighborhood is predominantly made up of steep sloped lots. The proposed 43-foot-tall house will not be substantially different from other existing homes in the area and should be compatible with the neighborhood character.

VARIANCE REQUIREMENTS:

Variances may be granted only if, because of special and unusual circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning code will deprive such property of privileges enjoyed by other properties in the district. Such

Variance shall not constitute a grant of special privileges inconsistent with other properties in the vicinity or be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

COMPLIANCE WITH REQUIRED VARIANCE CRITERIA:

Extraordinary Conditions (LDC Section 9.13.4.A.1). There are extraordinary conditions affecting the land involved such that strict application of the provisions of this Code will deprive the applicant of the reasonable use of his land. For example, a Variance may be justified because of topography, or size, shape, intrusive off-site impacts, or other special conditions unique to the property and development involved.

Staff Comments: *The steep topography of the property contributes to the hardship.*

Substantial Detriment (LDC Section 9.13.4.A.2). Granting the Variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this Code.

Staff Comments: *The proposed building at 43 feet will not create a substantial detriment to nearby properties.*

Special Privileges (LDC Section 9.13.4.A.3). Granting of a Variance shall be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

Staff Comments: *The requested building height variance does grant a privilege to the applicant, however most other lots in the vicinity would be eligible for a similar variance due to the pervasiveness of steep slopes throughout the area.*

Self-induced Hardship (LDC Section 9.13.4.A.4). The hardship is not the result of the applicant's own actions.

Staff Comments: *The subject property is not modified and is naturally steep. As such, the hardship is not caused by the applicant. The applicant could redesign the proposed home to reduce the overall building height.*

General Plan (LDC Section 9.13.4.A.5). It will be in substantial compliance with the General Plan or other relevant area plans or neighborhood plans.

Staff Comments: *The 2015 General Plan designates the area of the project site as residential, so the proposed home is a compliant use.*

Utilization. Because of special circumstances applicable to the property, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.

Staff Comments: *Staff does not believe that the circumstances of this property are substantially different from other nearby properties.*

FINANCIAL IMPACT

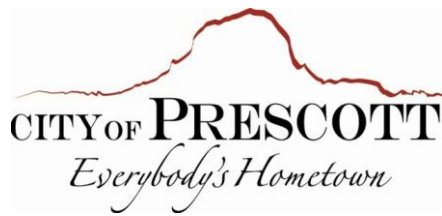
There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve/deny V24-010

ATTACHMENTS

1. Estancia 7172 VARIANCE Checklist- Questionnaire 2
2. HOA APPROVAL LETTER Estancia De Prescott-Lots71-72
3. V24-010 Attachments
4. Support Letter



CITY OF PRESCOTT

VARIANCE SUBMITTAL CHECKLIST

No application will be accepted unless it is complete including, but not limited to, the following:

- An electronic file of the Site Plan. Building Elevations are encouraged to be submitted with the site plan, if applicable.
- Completed Variance Questionnaire. (Page 2 and 3 of this document)
- Filing & Postage* Fee (Invoice to be paid will be sent to applicant after application is submitted).

*Postage Mailing Fee. The Community Development Department will notify adjacent property owners of this application within 300 feet of the subject property (or a greater distance if deemed necessary by the Community Development Director). The applicant will be billed and required to pay the postage-mailing fee prior to the scheduled Public Hearing.

NOTE: A DETERMINATION OF “APPLICATION COMPLETENESS” BY THE STAFF PLANNER AND A RECEIPT FOR THE FILING FEE WILL BE SENT TO THE APPLICANT WITHIN FIFTEEN (15) DAYS OF SUBMITTAL OF THE APPLICATION.

VARIANCE QUESTIONNAIRE

All questions must be answered prior to acceptance of the application.

1. Describe the special or unique conditions and circumstances which are peculiar to the land (e.g. large trees, rocks, outcrops, washes, steep topography, etc), structure or building, which are not applicable to other lands, structures or buildings in the same zoning district in other locations.

This property has very steep topography where as other lots are not as steep in the same zoning district.

2. Indicate how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Ordinance. If citing other properties, their addresses must be given.

Due to the very steep topography, it makes it more difficult to meet the requirements in height. We would like to be able to do similar lot improvements as others have been permitted to do in the same subdivision, such as 1563 Bello Monte Drive, 1564 Via Linda and 1557 Via Linda, SEE photo examples attached.

3. Describe how the alleged hardships caused by the literal interpretation of the provisions of the Zoning Ordinance include more than personal inconvenience and financial hardship, which do not result from the actions of the applicant(s).

The changing of the maximum driveway grades to 18% by the city introduces an additional hardship onto steep lots making it more difficult to meet the height requirements. Thank you for providing a variance process to allow for a development on these difficult lots.

4. Indicate why granting the requested variance will not confer upon the applicant any special privilege that is denied by the Land Development Code to other owning lands, structures or buildings in the same district.

By granting this requested variance this will not confer any special privileges because other homes have been permitted to do conceptually what we are asking, again see the above mentioned example properties with photos provided.

5. Indicate why granting the variance will not interfere with or injure the rights of other properties in the same district.

Granting this variance will not interfere with others on the street or zoning district because many lots on this side of the street remained unbuilt due to the steep terrain. Approving this variance will allow a way possible for these deeply platted, sloped lots to be developed as intended with homes.



22 August 2024

Shelly McKnight
1556 Standing Eagle Dr
Prescott, AZ 86301

Re: Lot 71&72, Estancia, McKnight Residence, Landscape Modification

Dear Shelly:

The Estancia De Prescott Architectural Review Committee has reviewed your Landscape Modification for the slope request for the above referenced property. We are pleased to inform you that your request has been approved by the Committee.

Any future development or changes to the exterior of your home or any changes to the areas outside or inside the disturbable envelopment/set back lines will need to be reviewed and approved by the Estancia De Prescott Architectural Review Committee.

As always, if you should have any questions or we may be of further assistance, please contact us at HOAMCO, 928-776-1997 ext. 1129 or email rburlingame@hoamco.com

Sincerely,

Rhea Burlingame

Rhea Burlingame, *Architectural Administrator*
On behalf of The Estancia De Prescott Architectural Review Committee



Variance V24-010

1558 Standing Eagle Dr

February 20, 2025
Board of Adjustment

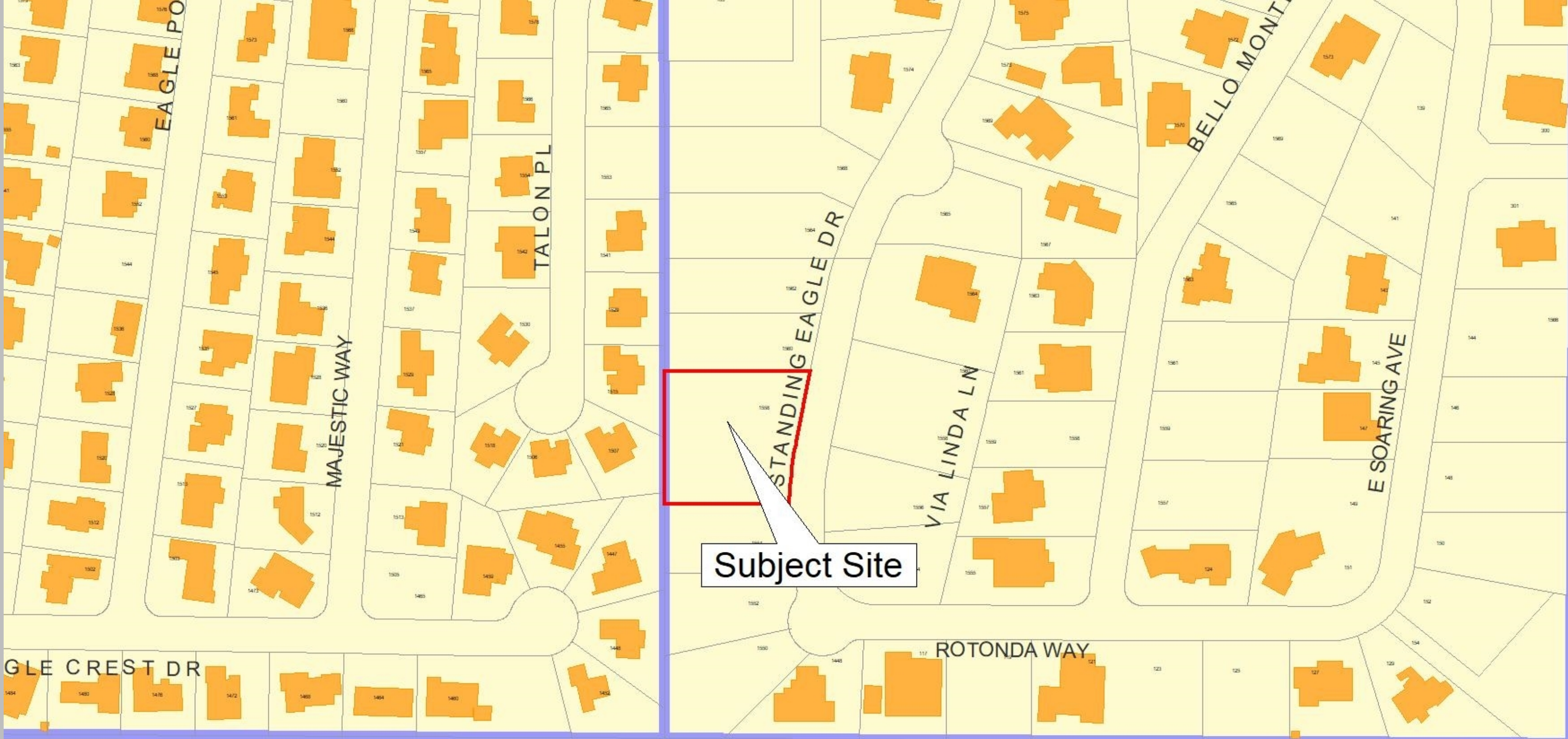
GEORGE WORLEY



REQUEST

Variance to Article 3, Section 3.4.3.F (SF-18/Maximum height) of the Land Development Code (LDC) to allow for an increase to the maximum building height to allow a 43-foot maximum height for a new single-family residence.





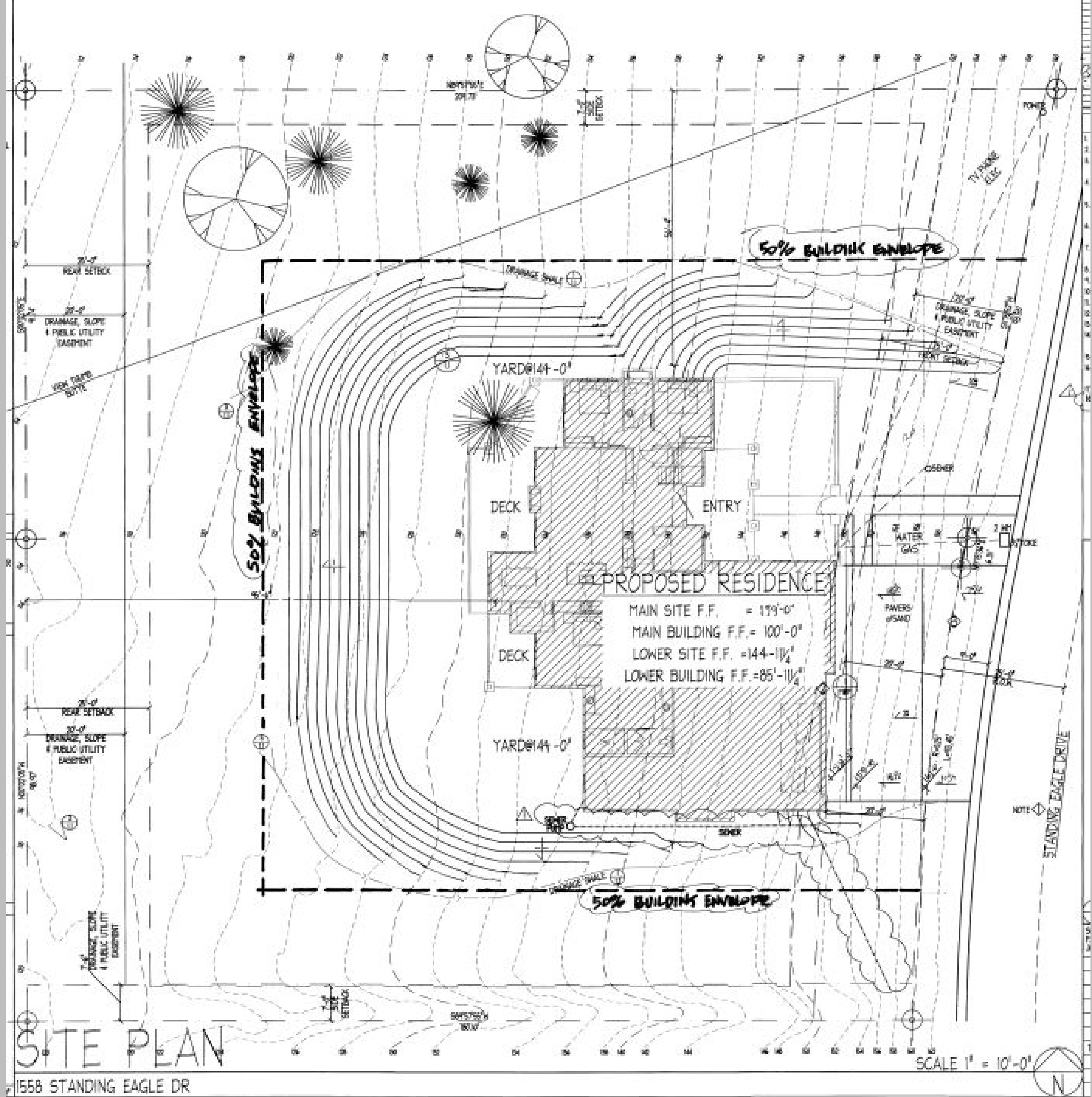
Subject Site

Zoning is SF-18





Aerial Photo



SITE PLAN

1558 STANDING EAGLE DR





Maximum Height is 43 feet



Example
Nearby
home

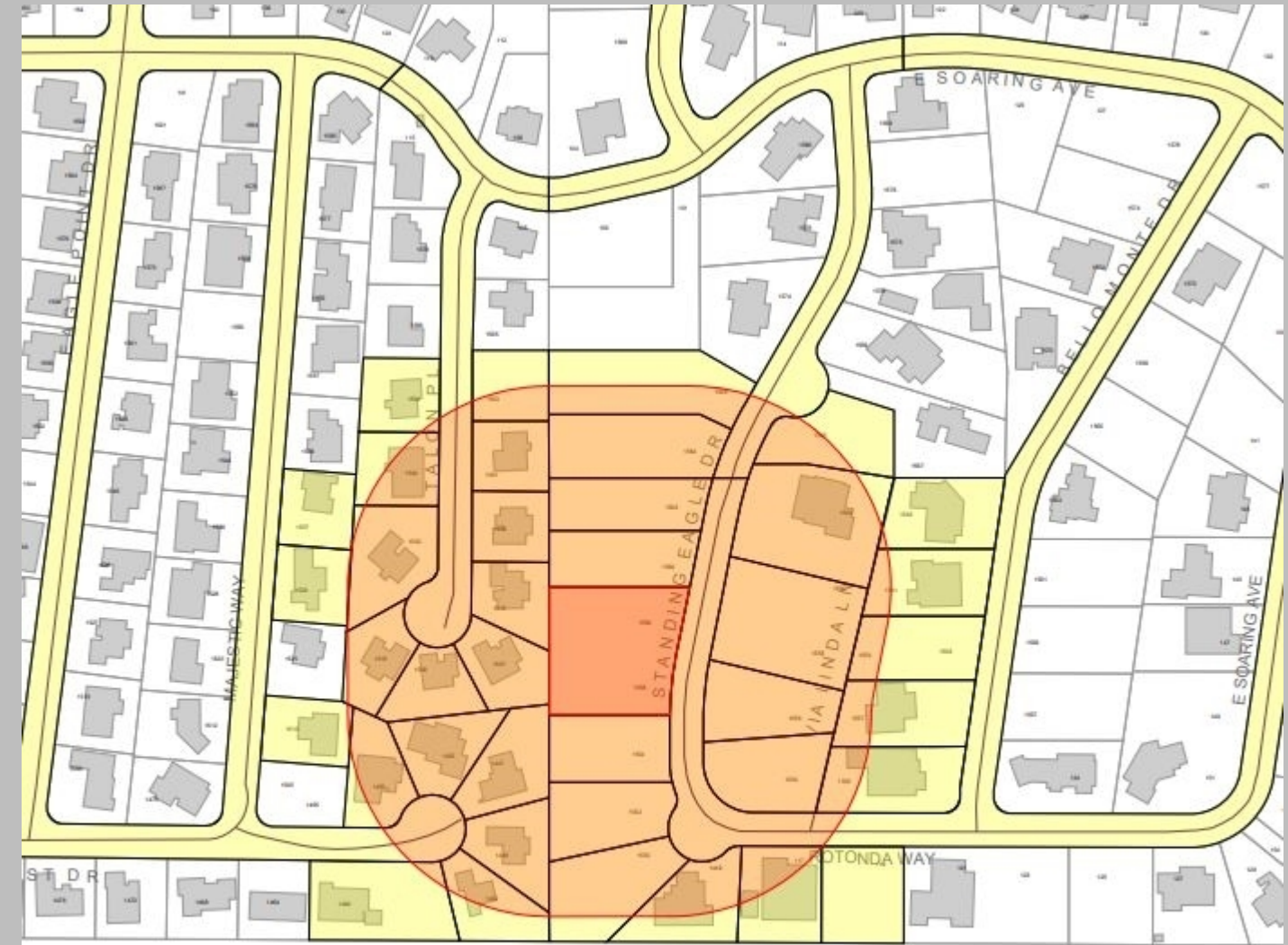


Example
Nearby
home

Variance Review Criteria

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

Neighborhood Outreach



Staff sent mailings to the owners of record within 300' of the property, posted the property, and published notices in the local paper. Staff has not received any public comments regarding this Variance request.



Recommended Action

MOVE to Approve or Deny V24-010, to allow for an increase in the maximum building height from 35 feet to 43 feet due to topographical challenges.



Tammy Dewitt

From: Patricia Bleil [REDACTED]
Sent: Tuesday, February 11, 2025 9:40 AM
To: Planning
Cc: Darcy and Rebecca Howard/Estancia Home Builders, Inc.
Subject: Variance V24-010

My husband and I are the owner of parcel [REDACTED] which is adjacent to the parcel requesting the variance. We are in favor of granting the requested variance to allow for the height of the single-family residence to be built.

Please contact us if there are further questions

Pat Bleil



TO: MAYOR AND CITY COUNCIL
AGENDA: February 20 Board of Adjustments Meeting
DATE: February 20, 2025
DEPT: Community Development
ITEM #: 4.F
SUBJECT: **V23-018:** Variance to Permit a 6' Fence within the Front Building Setback. Location: 908 Audrey Lane, APN 116-20-038. Zoning: SF-9. Owner: Ronald A. Meneou II.

ITEM SUMMARY

This item is a request for a variance to allow for a six-foot-high fence within the front building setback along the south property line. The front setback for the district is 25' and per LDC Section 6.4.4 fences within the front yard (equal to the required setback by definition) shall not exceed 4' in height.

BACKGROUND

The applicant installed a 6' fence prior to obtaining a permit that encroached into the front yard and extended into the city right-of-way. The portion of the fence in the city right-of-way has been removed, but the remainder of the fence remains, pending a decision by the Board on this variance request. An "after-the-fact" permit may be issued for the fence depending upon the action taken by the Board.

Please see applicants' responses to the Variance questionnaire attached to this packet.

STAFF ANALYSIS AND RECOMMENDATION:

The staff analysis and recommendation is based on a review of the request's consistency with the 2015 General Plan, and consistency with neighborhood characteristics, as well as the Variance requirements of LDC Section 9.13.4.

COMPATIBILITY WITH THE NEIGHBORHOOD:

There is an existing 6' fence in violation of the front yard setback across Audrey Lane from the applicant's property. No record of a permit for this fence was found in a search by planning staff. Separate action may be taken against that fence in the future.

VARIANCE REQUIREMENTS:

Variances may be granted only if, because of special and unusual circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning code will deprive such property of privileges enjoyed by other properties in the district. Such Variance shall not constitute a grant of special privileges inconsistent with other properties in the vicinity or be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

COMPLIANCE WITH REQUIRED VARIANCE CRITERIA:

Extraordinary Conditions (LDC Section 9.13.4.A.1). There are extraordinary conditions affecting the land involved such that strict application of the provisions of this Code will deprive the applicant

of the reasonable use of his land. For example, a Variance may be justified because of topography, or size, shape, intrusive off-site impacts, or other special conditions unique to the property and development involved.

Staff Comments: *The property is one lot in from Whipple Street and is certainly subject to traffic noise. The two properties at the corners of Audrey and Whipple have code compliant fences that step down from 6' to 4' from side yard to front yard. The conditions do not appear to be extraordinary.*

Substantial Detriment (LDC Section 9.13.4.A.2). Granting the Variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this Code.

Staff Comments: *The 6' fence may be a detriment to the owner of the property to the south of the applicant's property. The height of the fence interferes with visibility while backing out of the driveway.*

Special Privileges (LDC Section 9.13.4.A.3). Granting of a Variance shall be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

Staff Comments: *The requested variance will allow the applicant a higher fence than would otherwise be permitted by the district. No other property owner would be able to enjoy this privilege without obtaining a variance. This is a grant of special privilege to the applicant.*

Self-induced Hardship (LDC Section 9.13.4.A.4). The hardship is not the result of the applicant's own actions.

Staff Comments: *The applicant claims interference with the enjoyment of their property due to noise from Whipple Street. That interference is not a self-induced hardship.*

General Plan (LDC Section 9.13.4.A.5). It will be in substantial compliance with the General Plan or other relevant area plans or neighborhood plans.

Staff Comments: *The 2015 General Plan designates the area of the project site as Mixed Use, for which residential uses are compliant uses.*

Utilization. Because of special circumstances applicable to the property, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.

Staff Comments: *Given that the two properties closer to Whipple Street appear to be fully functional with compliant walls/fences, it does not appear that strict application of the ordinances would deprive the applicant of privileges enjoyed by other properties in the same district.*

NEIGHBORHOOD COMMENTS:

Staff has received one email from a neighbor in support of this variance.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve or deny V23-018

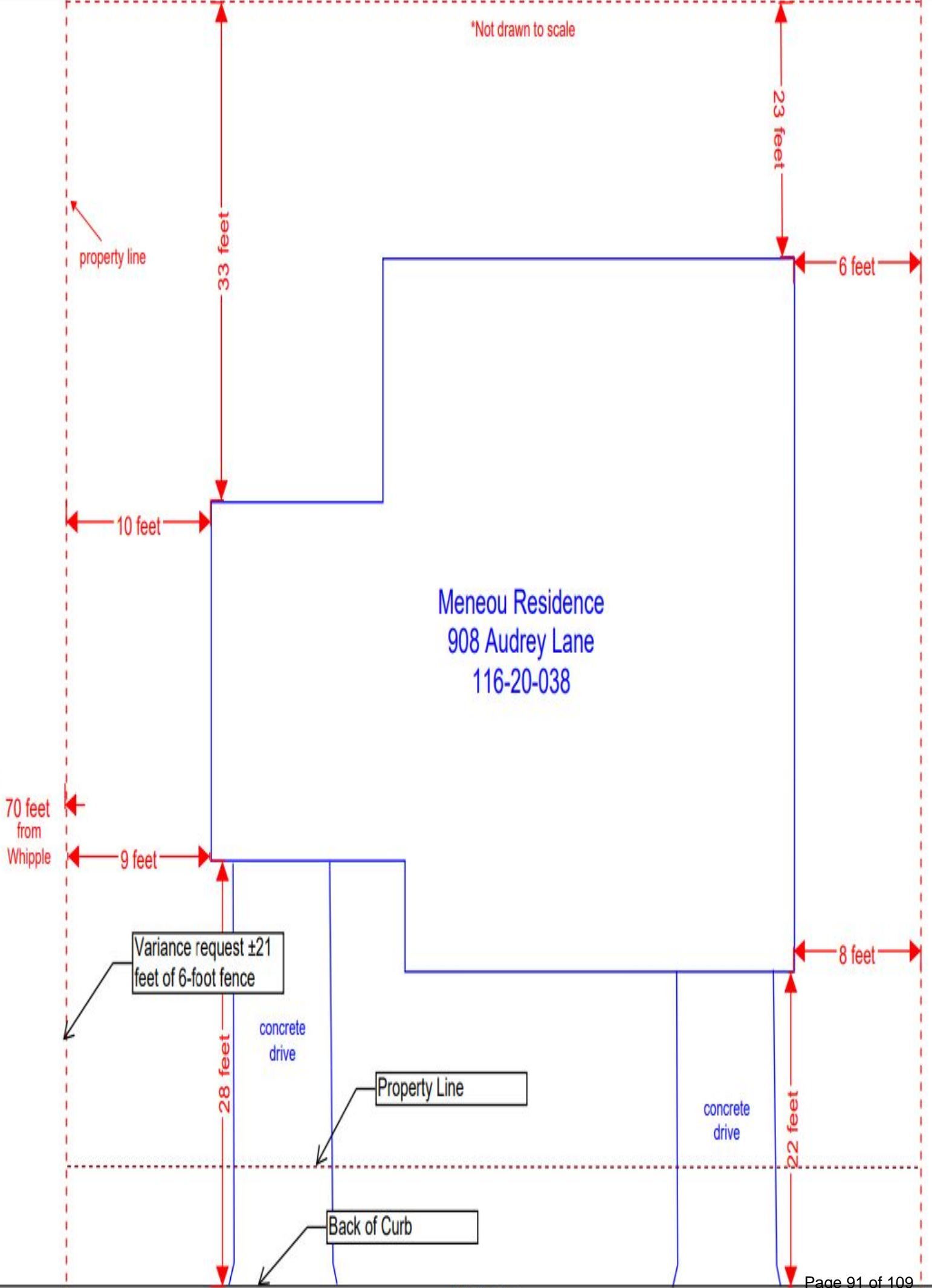
ATTACHMENTS

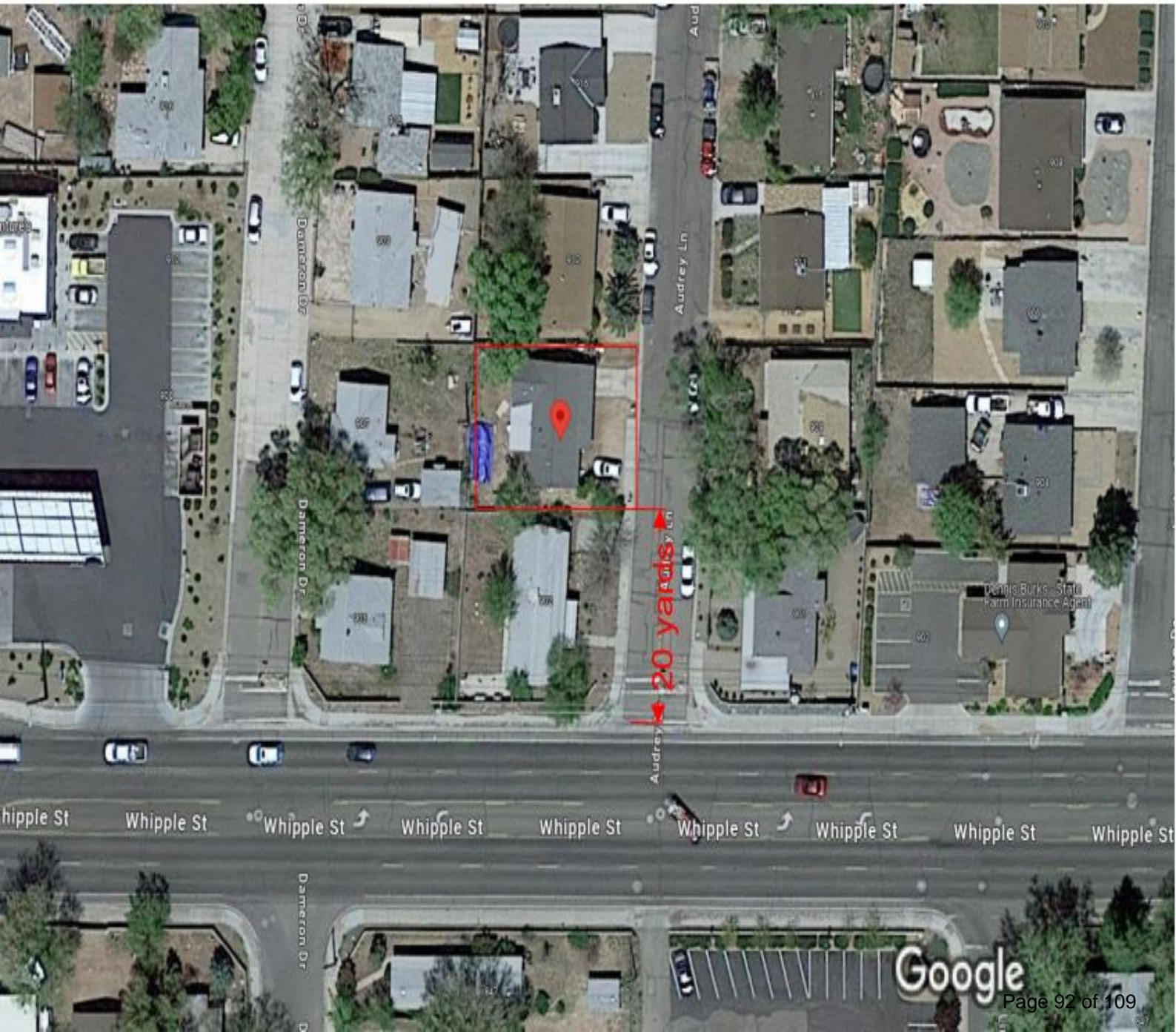
1. Zoning Map
2. Aerial
3. Site Plan
4. Applicant's Aerial
5. Variance Questions
6. Variance V23-018
7. Neighbor1

Subject Property



*Not drawn to scale

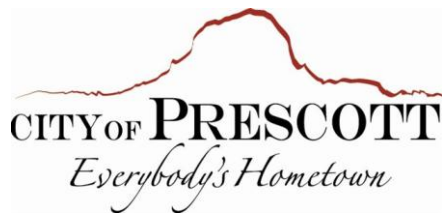




20 yards

Dennis Burks - State Farm Insurance Agent

Google



CITY OF PRESCOTT

VARIANCE SUBMITTAL CHECKLIST

No application will be accepted unless it is complete including, but not limited to, the following:

- An electronic file of the Site Plan. Building Elevations are encouraged to be submitted with the site plan, if applicable.
- Completed Variance Questionnaire. (Page 2 and 3 of this document)
- Filing & Postage* Fee (Invoice to be paid will be sent to applicant after application is submitted).

*Postage Mailing Fee. The Community Development Department will notify adjacent property owners of this application within 300 feet of the subject property (or a greater distance if deemed necessary by the Community Development Director). The applicant will be billed and required to pay the postage-mailing fee prior to the scheduled Public Hearing.

NOTE: A DETERMINATION OF “APPLICATION COMPLETENESS” BY THE STAFF PLANNER AND A RECEIPT FOR THE FILING FEE WILL BE SENT TO THE APPLICANT WITHIN FIFTEEN (15) DAYS OF SUBMITTAL OF THE APPLICATION.

4. Indicate why granting the requested variance will not confer upon the applicant any special privilege that is denied by the Land Development Code to other owning lands, structures or buildings in the same district.

5. Indicate why granting the variance will not interfere with or injure the rights of other properties in the same district.

Variance

V23-018

908 Audrey Ln

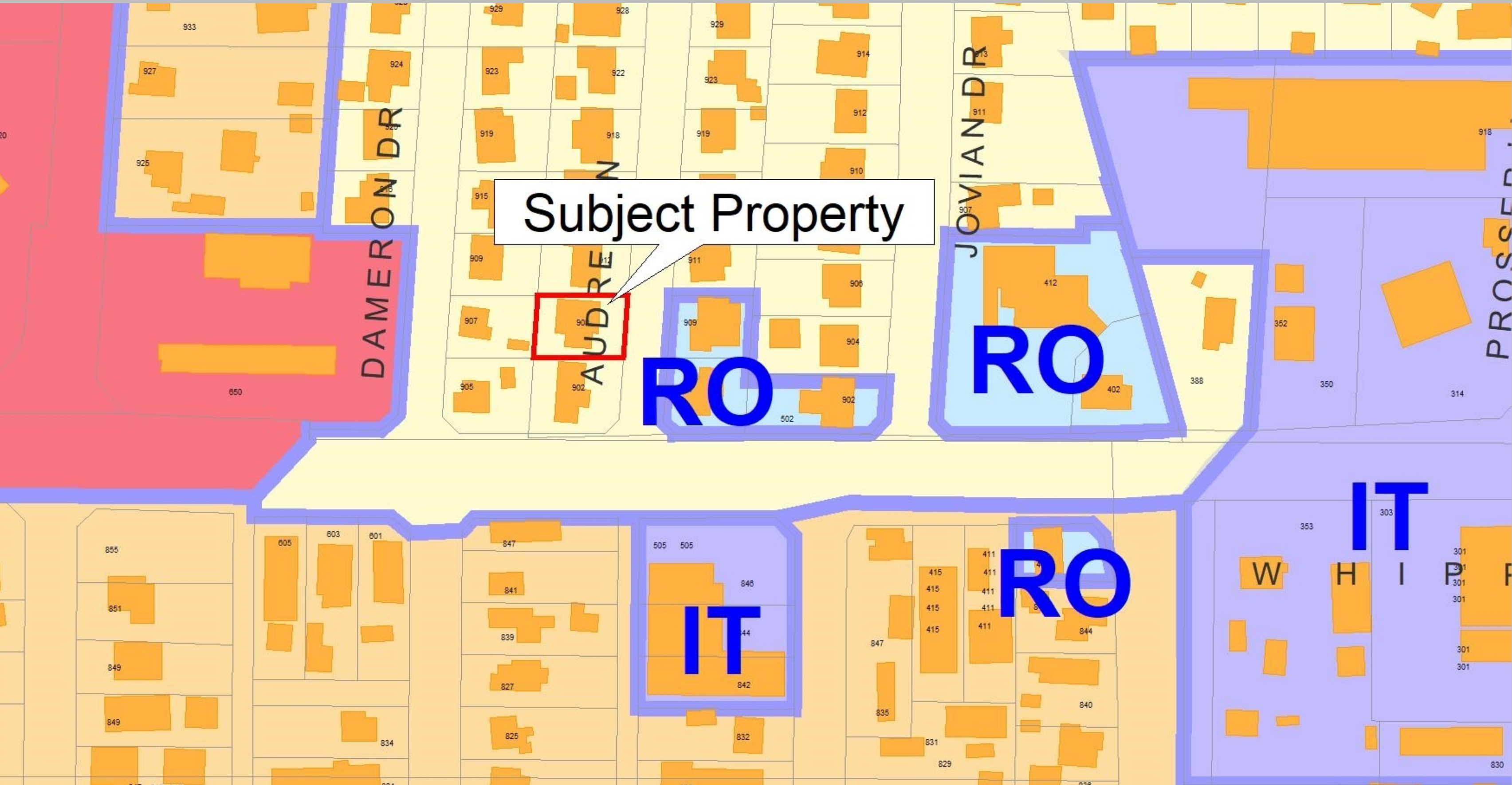
GEORGE WORLEY



REQUEST

V23-018, Request for a Variance to City of Prescott Land Development Code (LDC) Section 3.6 and 6.4.4. to permit a 6' fence within the front building setback of property at 908 Audrey Ln.





Zoning Map



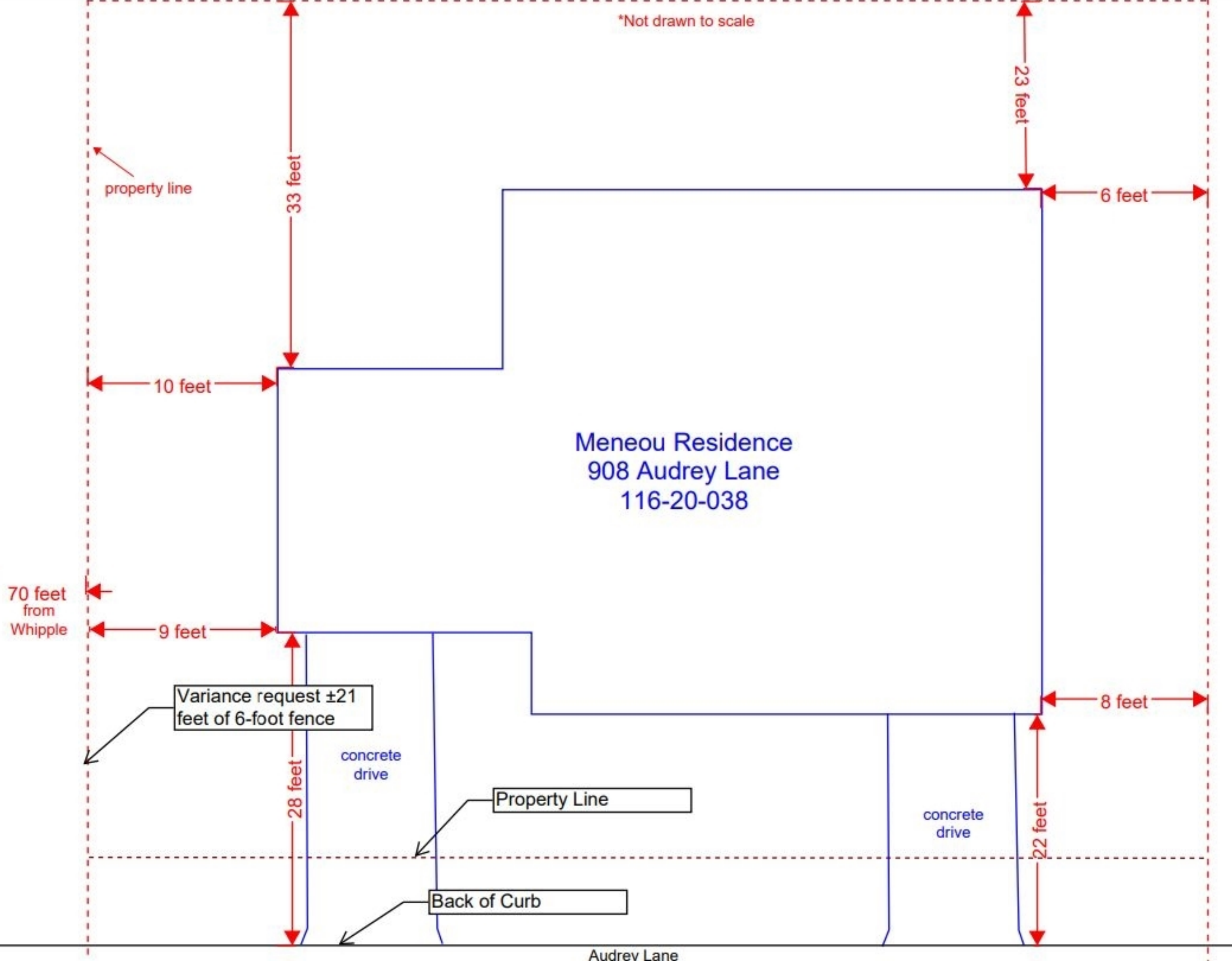
Subject Property

Aerial Photo



Aerial Photo

*Not drawn to scale



Site Plan





Aerial From Applicant

543 Whipple St
Prescott, Arizona
Google Street View
Jul 2023 See more dates



Navigation controls for the Google Street View interface, including a compass, zoom in (+) and zoom out (-) buttons, and a street view pegman icon.

View from Whipple St





View toward south



View toward south



View from Whipple St



View toward north

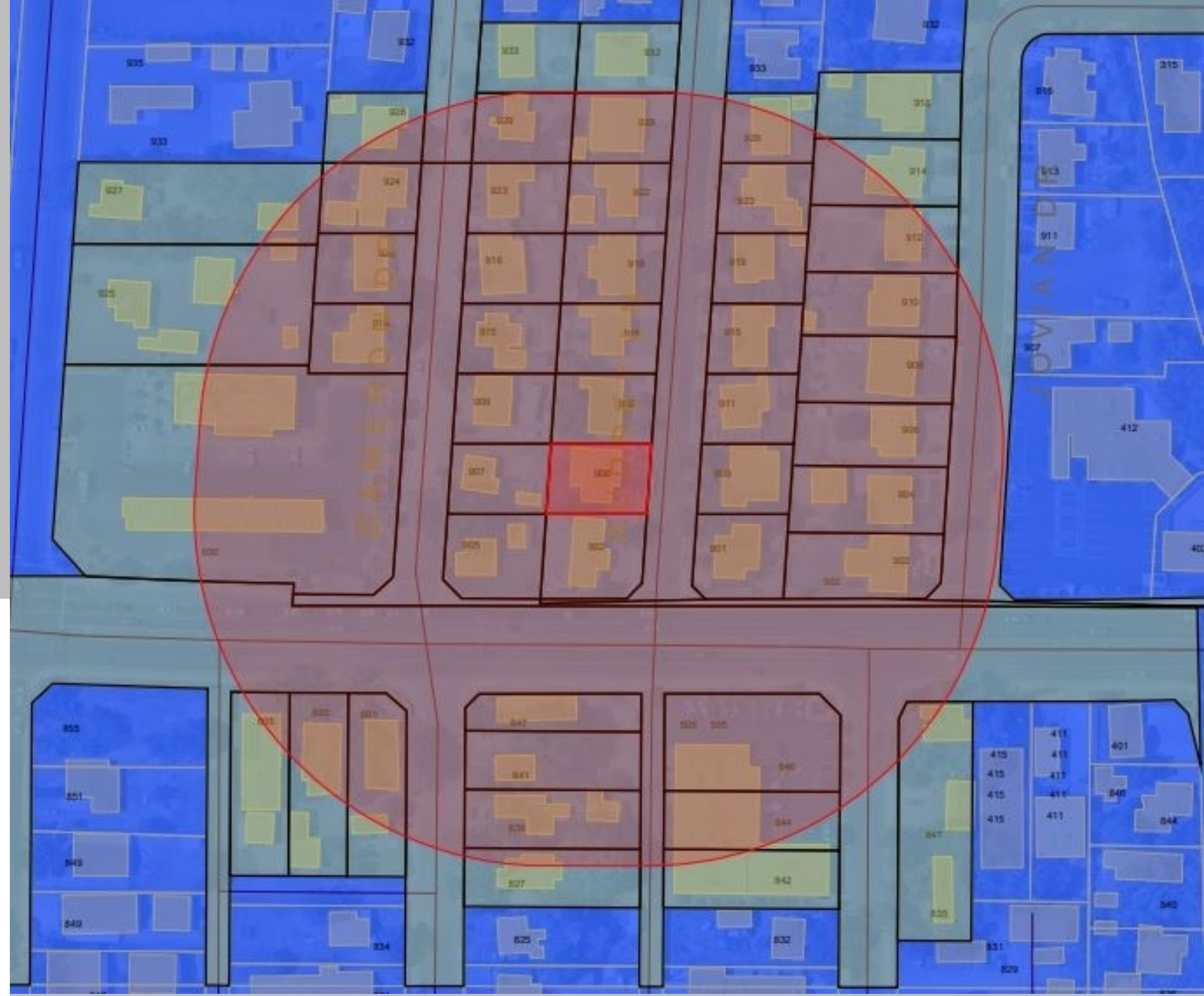
Variance Review Criteria

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



Neighborhood Outreach

Staff sent mailings to the owners of record within 300' of the property, posted the property, and published notices in the local paper.





Recommended Action

MOVE to Approve or Deny V23-018 for a 6' fence within the front building setback at 908 Audrey Ln.



Fence variance 998 Aubrey Lane



Dennis Burks

To Planning



Regarding the application for a variance in fence height from 4' to 6' at 908 Aubrey Ln. APN number 116-20-038.

I have no issues with that variance and would agree to the change in fence height.

Thanks, Dennis Burks

State Farm insurance

502 Whipple St.

Prescott, Arizona, 86301

928-925-2008

Sent from my iPhone