



City of Prescott Board of Adjustment

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

MINUTES

1. CALL TO ORDER

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

2. ROLL CALL

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

3. DISCUSSION & ACTION ITEMS

A. Approval of the January 16, 2025 Board of Adjustment Meeting Minutes.

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

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.

Community Planner Tammy DeWitt gave a presentation providing information regarding the request for a 3-story self-storage facility. She shared maps and renderings showing the location of this project and stated that self-storage facilities have one of the lowest impacts of all business types. Additionally, she added that staff have reviewed this proposal based on the Conditional Use Permit review criteria and this is in conformance with the City of Prescott's General Plan. Staff recommends to approve or deny with or without the condition of limiting the hours of operation of 7:00am to 9:00pm.

Member Frederickson asked if mailing notices went to the adjacent property owner across Highway 69 and if there are plans for the work being done there.

Ms. DeWitt replied that there are no plans at this time.

Member Frederickson asked if there was a reason for staffs recommendation of operating hours.

Ms. Dewitt stated it was recommended to ensure the surrounding area is not impacted.

Tyler Bush Store Quest Self-Storage clarified the hours of operations will be Monday-Saturday 9am-6pm and Sunday 10am-5pm.

Member Frederickson asked if there were plans to change to 24 hours of operation.

Mr. Bush said there is not.

Member Frederickson asked if the applicant would have any problems with the city staff's recommendation of operation hours.

Mr. Bush replied they would be open to the recommendation.

Member Davis asked if the applicant is committed to reduced hours on Sunday.

Mr. Bush stated that it is a case-by-case determination.

Member Davis asked if there will be an employee on site to control operation hours.

Mr. Bush said there will be an on-site manager and assistant manager.

Member of the public Mary Hinton asked if anyone has done a traffic impact analysis and has concerns that there will be an increase in traffic. Additionally, she believes that a storage facility will attract vagrants to the area.

Member Frederickson asked if the site includes on-site parking spaces to keep vehicles from parking along Ranch Road.

Ms. DeWitt stated that there is a loading and unloading area on site for trucks.

Member Hutchison asked how staff rates the generated traffic from a storage unit.

Ms. DeWitt replied very low.

Chair Teeters asked if a traffic impact study was done.

Ms. DeWitt said that a traffic impact analysis is not required since self-storage facilities do not generate enough traffic.

Planning Manager George Worley stated that this project was looked at by the City Traffic Engineer and it was determined that a traffic impact analysis was not required.

MOTION BY MEMBER FREDERICKSON TO APPROVE CUP24-007 WITH THE CONDITION OF LIMITING CURRENT OR FUTURE HOURS OF OPERATION, 7

DAYS A WEEK 7:00AM TO 9:00PM; SECONDED BY MEMBER HUTCHISON (PASSED 5-0).

- 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 to 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.

Community Planner Tammy DeWitt gave a presentation of the proposal. She shared imagery and maps showing the location of the rear setback request for a covered patio. Additionally, she stated that this project was previously reviewed by the Board of Adjustments to allow for a reduction in the rear setback from 10' to 8'. Staff recommends to approve or deny V25-001.

Member Frederickson asked if the applicant is open to changing the request to 8' instead of 5'.

Ms. DeWitt said the applicant is open to this change.

Member Frederickson asked if the roof of the patio cover will be the same footprint as the existing concrete pad.

Ms. DeWitt deferred to the applicant.

JD Greenberg stated that the roof will be short of the depth of the patio.

Member Hutchison asked if the impacted neighbor is attending the meeting.

Ms. DeWitt responded that she does not know.

Ms. Greenberg stated that approval of this variance will provide more privacy.

Member Hutchison asked if they would be creating a neighbor feud if approved.

Ms. Greenberg stated she would rather not comment.

Member Davis asked if staff's recommendation would be changed from 5' to 8' for the rear setback request.

Ms. Greenberg said yes.

MOTION BY MEMBER DAVIS TO APPROVE V25-001 TO REDUCE REAR YARD SETBACK TO 8' TO ALLOW A COVERED PATIO, IN CONFORMANCE WITH THE SITE PLAN; SECONDED BY MEMBER HAUBRICH (PASSES 5-0).

- 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: Christy Lee and Brian Jay Rowley. Applicant: Animated Architecture. Location: APN 108-04-046, 846 Fairview Ave.

Community Planner Tammy Dewitt provided a presentation of the variance request and informed the Board Members that this was previously approved, and the variance had since expired. She provided maps, images, and renderings of the proposed project. Additionally, she added that other variances have been approved in the proposed neighborhood. Staff recommends to approve or deny V24-011 to allow an attached garage within the front setback per the site plan.

Member Hutchison asked what the owner's reason for attaching the garage is.

Brian Rowley Property Owner stated that vegetation makes access to the garage difficult, and they would like to keep the vegetation.

Member Davis asked if there is a provision for extending a variance approval.

Ms. DeWitt stated they can ask for an extension to be brought before the Board of Adjustments within 12 months of original approval.

**MOTION BY MEMBER HUTCHISON TO APPROVE V24-011 AS PRESENTED;
SECONDED BY MEMBER FREDERICKSON (PASSED 5-0).**

- 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.

Planning Manager George Worley provided a presentation and explained that this variance is to increase the allowed building height from 35' to 43' due to topography issues. He provided maps and elevations of the proposed building. Additionally, he shared examples of similar homes in the nearby area. Staff recommends to approve or deny V24-010 to allow for an increase in the maximum building height from 35' to 43'.

Member Teeters asked if there are other buildings that have had similar height increases approved.

Mr. Worley said yes there are.

Member Frederickson asked if staff views the design as a self-induced hardship.

Mr. Worley said that there are multiple homes in the area with similar pitched roofs.

Member Frederickson asked if the other homes exceeded the maximum building height.

Mr. Worley stated none that he was aware of. Additionally, he provided information related to Administrative Adjustments which staff can approve for internally.

Member Frederickson asked if the developer has a Homeowners Association (HOA) approval letter for architectural design and height.

Tom Terry Distinctive Homes & Architecture stated they have an HOA approval letter for the building height.

Member Frederickson asked if the HOA has approved of the design of the roof as well.

Mr. Terry stated yes, and they have invested in improving the building pad, so the visible height of the house is only 35'.

Member of the public Pat Fuge asked what the maximum height will be from a street view.

Mr. Worley Stated that the height will appear as 25' from the street view.

Mr. Davis asked if it is time to rethink the way the maximum building height is measured due to the fire department's requirements for driveway slopes.

Mr. Worley said city staff is contemplating a review and update of the Land Development Code (LDC) and building height may be included.

**MOTION BY MEMBER FREDERICKSON TO APPROVE V24-010 AS PRESENTED;
SECONDED BY MEMBER HAUBRICH (PASSED 5-0).**

- 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.

Planning Manager George Worley gave a presentation and stated this variance request is for an increase to the maximum fence height in the front setback from 4' to 6' to provide privacy and noise mitigation from Whipple Street. He provided maps and images of the proposed fence. Staff recommends to approve or deny V23-018 to increase the maximum fence height to 6'.

Member Hutchison asked if this request is a want and not a need.

Mr. Worley stated that there are nearby properties that comply with the code under worse circumstances.

Member Hutchison asked what the rationale is for wanting a 6' fence.

Mr. Worley deferred to the applicant.

Alyssa Meneou Property Owner stated the rationale is due to vehicle traffic, noise, privacy, and security.

Member Hutchison asked if noise abatement is a key issue.

Mrs. Meneou said noise and pedestrian traffic or the key issues.

Member Frederickson asked how a 6' fence stops someone from entering the applicant's property versus a 4' fence.

Mrs. Meneou provided an example of a pedestrian going over a neighbors 4' fence but had to go around their 6' fence.

MOTION BY MEMBER DAVIS TO APPROVE V23-018; SECONDED BY MEMBER TEETERS (MOTION FAILS 2-3) DISSENTING MEMBERS HAUBRICH, HUTCHISON, AND FREDERICKSON.

Member Hutchison asked if the fence being brought to 4' instead of 6' fixes the problem.

Mr. Worley stated that it would bring the fence into compliance with the code as it is written.

Member Frederickson asked if a motion to deny was required.

Deputy City Attorney Matt Podracky said that is correct.

Ronald Meneou Property Owner expressed his concern with the Board Members motion.

Chair Teeters apologized to the applicant and stated this is not an unusual occurrence.

Mr. Meneou stated he hopes that this is not a decision made out of spite, and they will appeal the decision.

Member Davis asked if the variance could be reapplied for to have more Board Members present for a future vote.

Mr. Worley stated that he is unsure if the additional 2 members would change the vote.

Mr. Podracky said that if one of the members that voted no would like to change their vote, they can motion to reconsider the item and place it on the next Board of Adjustments meeting agenda.

Mr. Worley explained that there is 180 day waiting period to reapply for the same variance request.

Member Frederickson stated she is not looking to have this request reconsidered and provided her reasoning for her no vote.

4. UPDATES

Ms. DeWitt provided updates for Council Chambers closures and let the Board Members know that we will not have meetings during the dates of April 8th – May 13th.

5. ADJOURNMENT

Chair Teeters adjourned the meeting at 10:26 a.m.



Jim Lamerson, Chair



Board Secretary