

City of Prescott Board of Adjustment



May 15, 2025 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 1st Floor
Prescott, AZ 86301

AGENDA

The following Agenda will be considered by the **Board of Adjustment** at their meeting to be held **May 15, 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 March 20, 2025 Board of Adjustment Meeting Minutes.
Recommended Action: MOVE to approve minutes as presented
 - B. **V25-005:** A Variance to Article 3, Section 3.6.3.F (SF-9/ Minimum Setbacks) & Article 3.9.3.F (MF-M/ Minimum Setbacks) of the City's Land Development Code (LDC) to Allow for a Decrease in the Minimum Side Yard Setback from 7 Feet to 5 Feet to Bring Existing, Historic Structures into Compliance with Current Zoning Code. Zoning: SF-9 (Single-Family 9,000 Sq Ft Minimum Lot Size) & MF-M (Multi-Family Medium Density). Property Owner: Neely Living Trust. Applicant: Kelley-Wise Engineering Inc. Location: APNs:108-01-059C, 108-01-060 & 108-01-095B, 925 & 923 Yavapai Dr. & 816 Coronado Ave.
Recommended Action: MOVE to approve V25-005
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 5/8/25 at 12:00 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: May 15 Board of Adjustments
DATE: May 15, 2025
DEPT: Community Development
ITEM #: 4.A
SUBJECT: Approval of the March 20, 2025 Board of Adjustment Meeting Minutes.

ITEM SUMMARY

This item is for approval of the March 20, 2025 Board of Adjustments meeting minutes. Staff recommends approval of the minutes as presented.

BACKGROUND

None.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve minutes as presented

ATTACHMENTS

1. March 20, 2025 BOA Minutes



City of Prescott Board of Adjustment

March 20, 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

3. DISCUSSION & ACTION ITEMS

A. Approval of the February 20, 2025 Board of Adjustment Meeting Minutes.

MOTION BY MEMBER FREDERICKSON TO APPROVE THE FEBRUARY 20, 2025 MEETING MINUTES AS PRESENTED; SECONDED BY MEMBER DAVIS: PASSED (6-0)

B. **V24-009:** Variance to Article 3, Section 3.3.3.F (SF-35/Minimum Setbacks) of the City's Land Development Code (LDC) Allowing for a Reduced Front Setback from 22' to 20' for Construction of a New Single-Family Residence. Zoning: SF-35 (Single-Family 35,000 sq ft Minimum Lot Size). Property Owner: Southwest Sunset Acquisitions AZI LLC. Applicant: Davis Construction Consulting LLC. Location: APN 106-20-521, 1116 S. Lakeview Drive.

Tammy Dewitt Community Planner gave a presentation for the variance request to reduce the front setback from 22 feet to 20 feet for a new single-family residence. She provided imagery maps, a site plan, and photos of adjacent properties for reference. She stated that staff had concerns that a reduced driveway length could create a safety hazard if large vehicles extend into the roadway or sidewalk. Additionally, she provided that the applicants have an approved permit that does meet setback requirements, but this request is to allow the homeowners a larger backyard.

Member Frederickson asked if there were plans for a sidewalk to be installed.

Ms. Dewitt stated that this side of the street does not have a sidewalk.

Member Hutchison noted that the most popular truck in America is a Ford F-150 measuring 19 feet long and with a trailer hitch it could extend into the roadway.

Ms. Dewitt stated this is staff's concern.

Member Frederickson asked how many feet it is from the back of the house to the terrace of the wall in the backyard.

Ms. Dewitt said that it is around 14 feet.

Member Frederickson asked if the house was moved backwards to comply with the code it would have a 12-foot backyard.

Ms. Dewitt stated that is correct.

Member Frederickson asked for clarification on the approved model plans for this area.

Ms. Dewitt said that there are pre-approved model plans that provide a site plan to show how the home will fit on each lot. This particular lot already has an approved site plan that meets code requirements.

Member Frederickson asked if it was approved by the Homeowner's Association (HOA) or by the city.

Ms. Dewitt noted that it was approved by the city.

Member Frederickson asked if there was a way to build a home on this lot that does comply with code.

Ms. Dewitt said yes.

Member Hokeness asked how tall the first wall behind the house is.

Ms. Dewitt deferred to the applicant for clarification.

Chad DeVries Southwest Sunset Homes and Davis Construction explained that the challenge is the retaining wall severely limits usable space in the backyard. Additionally, he stated that the HOA did approve of this variance request to adjust the driveway length and provided exhibits to the board members showing the constraints of the lot.

Member Hutchison asked if the lot is too small or if the house is too big.

Mr. DeVries stated that the floor plan is very small the variance would be beneficial for ingress and egress for first responders.

Member Hutchison asked what lot coverage percentage is allowed.

Ms. Dewitt said they just have to meet the setbacks per the subdivision plat.

Member Hokeness asked if they are measuring from the patio columns or the rear door.

Mr. DeVries stated it is measured to the columns.

Member Hokeness asked if the home did not have the rear patio could they move the house back.

Mr. DeVries said yes, but they would have to go back through the review process.

Member Davis asked if lot 40 will have this same issue.

Mr. DeVries said he does not believe so.

Member Davis asked if the homes to the east comply with the code.

Ms. Dewitt said yes.

Member Frederickson asked what the height of the retaining wall was.

Mr. DeVries stated the retaining wall is at least 5 feet and goes higher towards lot 40.

Member Frederickson asked what changed from the approved plans that requires the variance request.

Ms. Dewitt stated it was to allow more room in the backyard.

Member Frederickson asked if the retaining wall was in place when the original plans were approved that met the setback requirements.

Ms. Dewitt said yes.

Member Hokeness asked if the retaining wall could be moved back.

Ms. Dewitt explained that the wall runs across multiple properties and would need to be re-engineered and redesigned.

Member Hokeness if there is the option of moving the wall back.

Ms. Dewitt stated that due to the terracing it does not appear to be an option.

Chair Lamerson asked if this falls under a self-induced hardship.

Ms. Dewitt said that it could be.

Mr. DeVries stated that the HOA approval should be taken into consideration.

Member Hutchison asked if the board members are trading marketing convenience for public safety.

Matt Podracky Deputy City Attorney stated that it is up to the board to determine if this is a self-induced hardship. He referenced Arizona Revised Statutes (ARS 9-462.06) subsection G2 and provided guidance on variance criteria and self-imposed hardships.

Member Hokeness asked if the garage is a standard depth garage or an extra-large garage.

Mr. DeVries stated it is a standard garage.

Member Hokeness asked for clarification on the opposition letter that was received.

Ms. Dewitt stated that there were concerns that there could be setback issues when this area was developed, and other properties meet the setbacks.

Member Teeters asked if this is the first variance request in that area for this type of exception.

Ms. Dewitt said she believes so.

Member of the public Jim Orr Board of Directors for Prescott Lakes Community Association spoke in support of the variance. He noted that their architectural review committee and Hoa board unanimously approved the request. He stated that their use restrictions govern parking in driveways and do not allow overnight parking.

Member Davis stated that the more serious concern is the two-foot encroachment into the sidewalk and would rather see a two-foot reduction to the backyard.

Member Hokeness agreed with Member Davis and believes the footprint of the home is too large.

Member Frederickson agrees that she would rather see a reduction to the backyard.

MEMBER HOKENESS MOTION TO DENY V24-009; SECONDED BY MEMBER DAVIS: PASSED (5-1); MEMBER LAMERSON DISSENTED; VARIANCE DENIED.

- C. **V25-002:** Variance to Article 3, Section 3.5.3.E (SF-12/Maximum Building/Structure Height) of the City's Land Development Code (LDC) to Allow for an Increase in the Maximum Allowed Height for a New Single-Family Residence to 46' (from 35'). Zoning: SF-12 (Single-Family 12,000 Sq. Ft. Minimum Lot Size). Property Owner: McHenry, Jeannie Filar & Brian. Applicant: Distinctive Homes & Architecture. Location: APN 112-02-226, 691 Cloud Crossing Circle.

Kaylee Nunez Community Planner gave a presentation for a variance request to increase the maximum allowed building height from 35 feet to 46 feet. She provided maps with contours, photos of the site, and elevations of the proposed home. She stated that the average slope of the lot is roughly 30% and the applicant is requesting an 11-foot height increase for a total of 46 feet from natural grade.

Member Frederickson asked how tall the architectural cupola or turret will be.

Tom Terry Distinctive Homes & Architecture stated that the cupola is about 6 feet tall. He stated that the architectural committee approved the cupola to improve the presence of the roof line from the street.

Member Frederickson asked if the taller cupola was removed, would kitchen cupola enhance the aesthetic from the street level.

Mr. Terry stated yes, and they are open to suggestions, but this is what the owner would like.

Member Frederickson asked if the rear cupola was removed what would be the height variance needed and how tall will the kitchen cupola be from natural grade.

Ms. Nunez stated that it would decrease the height to about 40 feet and the need for a 5-foot variance would still be needed.

Mr. Terry stated that the height of the kitchen cupola would be approximately 42 feet.

Member Frederickson stated that a 7-foot height variance would still be required.

Mr. Terry said that the lot will be filled, and the home will appear as a two-story house from the street.

Member Frederickson asked if the lot below was developed, would they view the building as 3-story.

Mr. Terry said yes, it would look tall from the rear, but the applicant also owns the rear property.

Ms. Nunez noted that most homes in the area have vegetation masking the buildings, but the topography makes this lot difficult to build on.

Member Davis asked if there was an elevation from the street included in the staff report.

Ms. Nunez said yes, all four elevations were provided.

Member Frederickson noted that the architect's renderings appear to show more than just the roof line from the street view.

Mr. Terry stated that you see it all, but it is one story lower from the cul-de-sac area.

Member Frederickson asked if from the street you don't see the lower level, but you do see the entire first floor.

Mr. Terry said that is correct.

Member Hokeness asked if the addition of the cupolas are for aesthetic only and do not have a real function to the home.

Mr. Terry explained that the cupolas are for aesthetics, but they do let light into the house.

Member Hokeness asked if the cupolas were removed would this meet the height requirements.

Mr. Terry stated that if the cupolas were removed this home would still need a variance.

Member Davis asked what the height would be if the highest cupola was removed.

Ms. Nunez stated that it would be about 40 feet.

Member of the public Jim Smith does not agree with a 40-foot house being built near him. He has concerns about the home obstructing his views. He believes that he is the only person that will be affected by granting this variance.

Member Hokeness asked if Mr. Smith understood that if the cupolas are not included the house would meet code and the variance would not be required.

Mr. Smith said yes, if the architectural committee approves.

Ms. Nunez noted that if the cupolas were removed a variance would still be needed.

Member Hokeness asked if the owner could combine the lots in the future.

Ms. Nunez replied yes, the owners could do a replat to combine lots.

Member Frederickson asked what the height is from natural grade to before the cupolas.

Ms. Nunez stated it is 41 feet 6 inches.

Member Frederickson asked if both cupolas were removed and skylights included would a variance still be needed.

Ms. Nunez said yes, it would still need a variance.

Mr. Terry stated the owners want to develop this lot any way they can.

Member Frederickson asked for clarification if this variance could be denied or deferred until a redesign is completed.

Mr. Podracky explained that the board could grant a 5-foot variance, or a continuance could be granted for a later date.

Member Frederickson noted that the homeowner might be open to a redesign, and she would be inclined to deny the variance request.

Ms. Nunez clarified that if the request is denied the applicant will have to re-apply and pay the \$1,250 fee again.

Member Frederickson stated that a continuance would be a better option.

Member Hokeness said that if the application is deferred, he would like the applicant to meet the code requirements.

Ms. Nunez stated that if the board would like the code to be met, the variance would not be required and denying the variance would be the best approach.

Mr. Terry referenced The Ranch at Prescott's HOA requirements of a 4:12 pitched roof and the city requiring a 18% driveway slope makes meeting the code requirements difficult.

Member Frederickson asked what the pitch of the driveway is.

Mr. Terry said it is at 18%.

Member Davis believes that a continuance is in order to allow the applicant to redesign.

MOTION BY MEMBER DAVIS TO DEFER V25-002 TO A DATE NOT SPECIFIC TO ALLOW THE APPLICANT TO REDESIGN; SECONDED BY MEMBER TEETERS: PASSED (4-2); REQUEST DEFERRED.

4. STAFF UPDATES

Ms. Dewitt reminded the board members that the council chambers will be closed and there will not be meetings in April. Additionally, she provided updates on the 2025 General Plan.

Ms. Nunez thanked Mr. Lamerson for his service to the Board of Adjustments as this was his last meeting.

5. ADJOURNMENT

Chair Lamerson adjourned the meeting at 10:12 a.m.

Anthony Teeters, Chair

Board Secretary



TO: MAYOR AND CITY COUNCIL
AGENDA: May 15 Board of Adjustments
DATE: May 15, 2025
DEPT: Community Development
ITEM #: 4.B
SUBJECT: **V25-005:** A Variance to Article 3, Section 3.6.3.F (SF-9/ Minimum Setbacks) & Article 3.9.3.F (MF-M/ Minimum Setbacks) of the City's Land Development Code (LDC) to Allow for a Decrease in the Minimum Side Yard Setback from 7 Feet to 5 Feet to Bring Existing, Historic Structures into Compliance with Current Zoning Code. Zoning: SF-9 (Single-Family 9,000 Sq Ft Minimum Lot Size) & MF-M (Multi-Family Medium Density). Property Owner: Neely Living Trust. Applicant: Kelley-Wise Engineering Inc. Location: APNs:108-01-059C, 108-01-060 & 108-01-095B, 925 & 923 Yavapai Dr. & 816 Coronado Ave.

ITEM SUMMARY

This item is for review of a request for a Variance to allow for a decrease in the minimum side yard setbacks (from 7' to 5') per the City's Minimum Setback Requirements for SF-9 (Single Family-9) and MF-M (Multi-Family Medium) zoning districts LDC Articles 3.6.3.F and 3.9.3.F). The setback reduction is requested in two areas: between 925 & 923 Yavapai Dr. and between the southwestern edge of 925 Yavapai Dr. and 816 Coronado Ave. The applicant cites the desire to bring the existing, older structures into zoning compliance to avoid future demolition as the primary reason for the Variance application. There are currently three residences and five accessory buildings among the three subject parcels.

BACKGROUND

Two of the three subject properties are within the Pine Crest Local & National Historic Register District (923 & 925 Yavapai Dr.). Both homes 923 & 925 Yavapai Dr. are individual contributors to the National Register of Historic Places, built in 1922 and ca. 1917, respectively. As such, there is an enhanced desire to preserve the two homes as they are whilst meeting current zoning code by adjusting the property line setback between them from 7' to 5'. The five existing outbuildings, amongst 925 Yavapai Dr. and 816 Coronado Ave also need the side setback reduced to 5' at two points in order to meet the current zoning codes. The northern portions of 923 & 925 Yavapai Dr. are within MF-M zoning. The southern portions of those properties, as well as all of the 816 Coronado Ave property, is within the SF-9 zoning district. Both zoning districts have minimum side yard setback requirements of 7'.

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:

Staff researched the City's Geographical Information System (GIS) for other Variances granted within the vicinity (1,000 ft radius) of the subject property. There were six total found, four of which were granted in the 1980s, the other two being granted in 2013 and 2018. Further information regarding the 1980s variances was not available. Record V13-003, granted 4/18/13, was for a 5-1/2' front yard setback reduction for construction of a front porch (323 Cochise Dr.). Record VAR18-004, granted 5/17/18, was for a side yard setback reduction of 2' for construction of a new, detached garage. These Variance requests involved self-induced hardships, while this Variance request does not. A site visit was performed on 4/22/25 upon which it was observed that the Historic Neighborhood, Pine Crest, has several structures that appear to be nonconforming in their setbacks. Many residences and outbuildings are clustered closely together as many of the structures are 80-100 years old. As such, reducing the side setbacks as mentioned previously to accommodate existing structures, would not have a negative impact on 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 their 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: Two of the three lots are within a Historic District (Pine Crest), which has many homes that do not meet current zoning requirements as they were built 80-100 years ago. It is not known when the out-buildings at 816 Coronado St. were constructed, though it appears to be at least 75 years old (ca 1930s-1950s).

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 Variance does not involve any new construction/conditions. The structures will remain where they are presently. This is simply a request to adjust side setback requirements in two areas. Therefore, it will not be detrimental to 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: Based on staff research, there have been several Variances granted within the vicinity of the subject properties (1000 ft radius). Two of which could be construed as self-imposed. Therefore, this Variance, being not self-imposed, will not set any adverse precedent.

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 subject properties and structures have existed for some time, particularly the homes at 923 & 925 Yavapai Dr. (100+ years old). These hardships are not of the current owner's actions.

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 2015 General Plan designates the northern portions of parcels 108-01-059C and 108-01-060 as medium-high density residential and their southern portions as well as parcel 108-01-095B as low-medium density residential. The current zoning and residential character will be unaffected by this request and, thus, will remain in conformance with the current 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 properties of the same classification in the same zoning district.

Staff Comments: Denying this Variance would deprive the property owner of the opportunity to bring legal non-conforming structures into compliance with the current zoning code (specifically, minimum prescribed side yard setbacks).

NEIGHBORHOOD COMMENTS:

Staff has not received any comments from the public as of the submittal of this Staff Report on 05/07/25. Any comments received after this point will be delivered to the Board Members directly via email.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve V25-005

ATTACHMENTS

1. V25-005 SITE PLAN
2. V25-005 VARIANCE QUESTIONNAIRE
3. V25-005 Presentation

LEGEND:

- AC. ACRE
- ABND. ABANDONMENT
- APN. ASSESSOR'S PARCEL NUMBER
- BK. BOOK
- EX. EXISTING
- INST. INSTRUMENT NUMBER
- LS. LAND SURVEYS
- MP. MAPS AND PLATS
- OR. OFFICIAL RECORDS
- PG. PAGE
- R- DIMENSION PER REFERENCE DOCUMENT
- SF. SQUARE FEET
- UNO. UNLESS NOTED OTHERWISE
- YCR. YAVAPAI COUNTY RECORDER
- LINE OF CENTER
- - - - LINE OF EASEMENT
- LINE OF PROJECT
- ||||| LINE OF ZONING
- - - - LINE OF CONVEYANCE 580/412

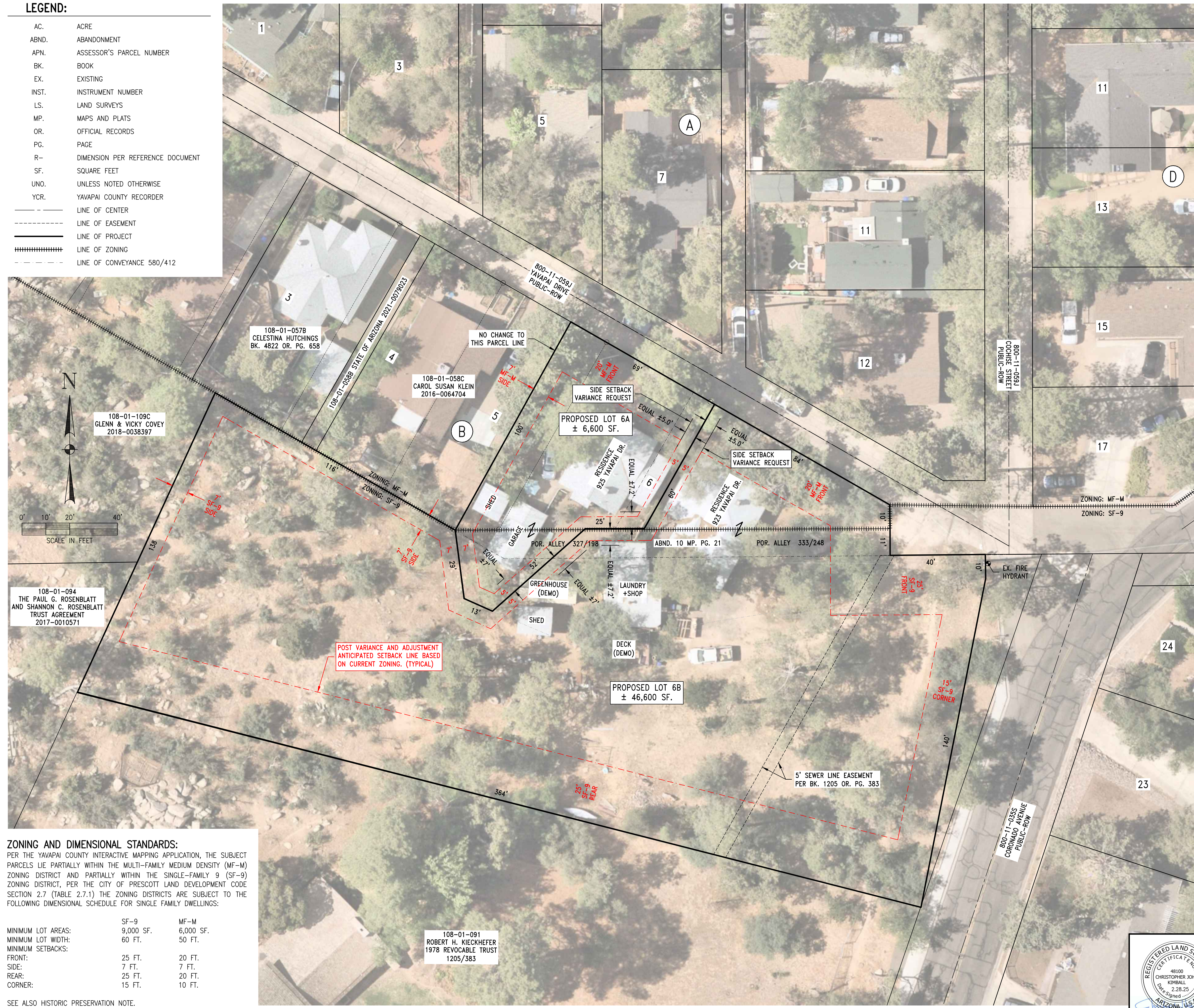


EXHIBIT FOR VARIANCE TO ACCOMPANY REVISION OF PLAT

APN. 108-01-059C AND 108-01-060 AND 108-01-095B
 PORTIONS OF BLOCK B, PINE CREST,
 PORTIONS OF ALLEY, PINE CREST (BK.2 MP. PG.70)
 AND PORTIONS OF SECTION 5, T13N, R2W,
 GILA AND SALT RIVER MERIDIAN,
 YAVAPAI COUNTY, ARIZONA

OWNERS:
 NEELY LIVING TRUST AND
 LISA MARIE NEELY REYES
 c/o: MR. CHARLIE REYES
 925 YAVAPAI DRIVE
 PRESCOTT, AZ. 86303
 (928) 237-0050

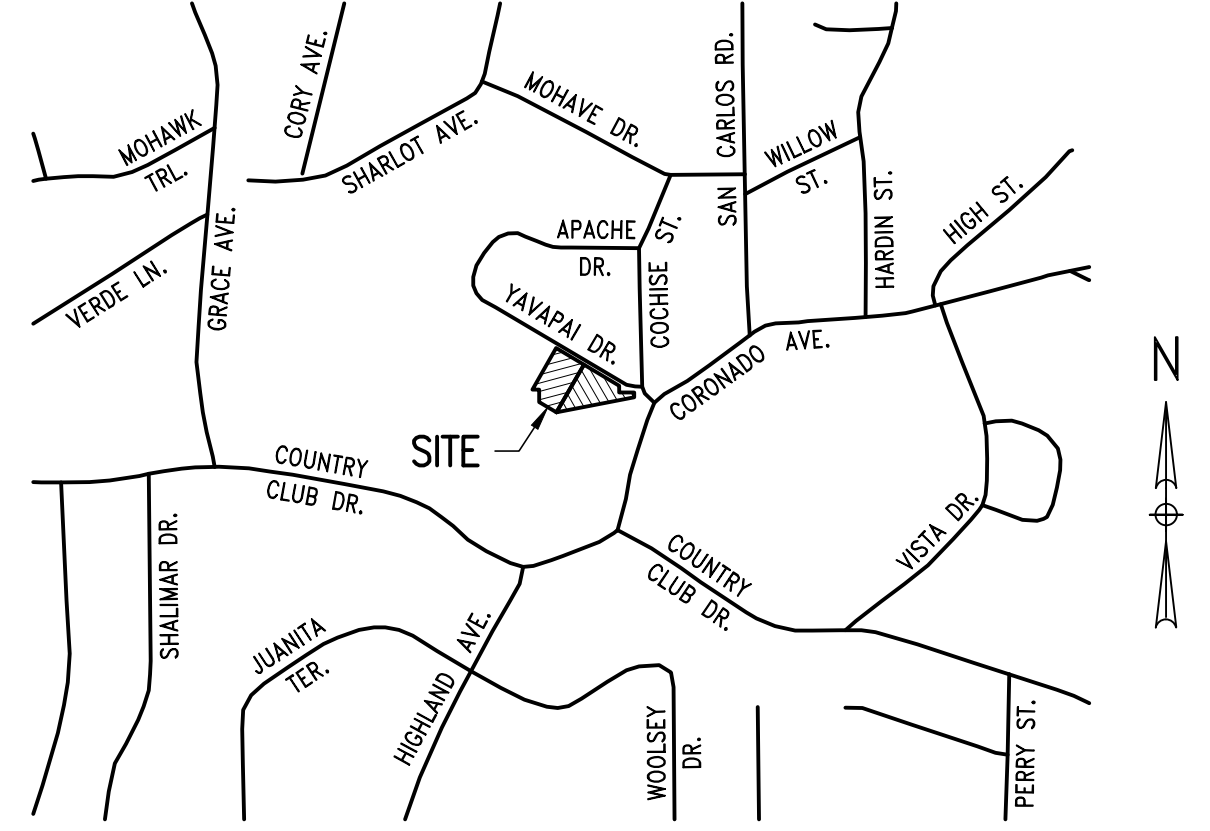
LAND SURVEYOR:
 KELLEY/WISE ENGINEERING, INC.
 CHRISTOPHER J. KIMBALL LS 48100
 146 GROVE AVENUE
 PRESCOTT, AZ. 86301
 (928) 771-1730

- NOTE:**
- 1) THIS EXHIBIT TO ACCOMPANY A REQUEST FOR SIDE SETBACK VARIANCE WHICH SHALL ACCOMPANY A REVISION OF PLAT APPLICATION TO COMBINE/ADJUST THE THREE CURRENT PARCELS INTO TWO PARCELS AND VACATE ANY INTERIOR LINES OF SUBDIVISION BOUNDARY, HISTORIC LOT(S) AND HISTORIC RIGHTS-OF-WAY.
 - 2) THIS EXHIBIT DOES NOT REPRESENT A LAND BOUNDARY SURVEY. THE APPROXIMATE BOUNDARY LINES, AS SHOWN, ARE BASED UPON RECORD DOCUMENTS AND LIMITED CORNER MONUMENTS RECOVERED IN THE FIELD.
 - 3) EASEMENTS OF RECORD SHOWN ON THE PLAT OF RECORD OR DISCOVERED DURING DEED DESCRIPTION RESEARCH HAVE BEEN PLOTTED HEREON. NO TITLE REPORT LISTING EASEMENTS OF RECORD WAS PROVIDED TO THIS FIRM. ALL EASEMENTS OF RECORD MAY NOT BE SHOWN.
 - 4) IMAGERY OBTAINED FROM NEAR MAP, IMAGERY DATED 06/07/2024.

HISTORIC PRESERVATION:
 THE SUBJECT PARCELS ARE LOCATED WITHIN OR ADJOINING THE PINE CREST HISTORIC DISTRICT, A NATIONAL REGISTER AND PRESCOTT HISTORIC PRESERVATION DISTRICT, AND PORTIONS ARE SHOWN AS CONTRIBUTING PROPERTY IN THE HISTORIC PRESERVATION MASTER PLAN. THE ZONING CLASSIFICATION(S) NOTED IN THE HISTORIC PRESERVATION MASTER PLAN DIFFER FROM THOSE CURRENTLY RECOGNIZED ON THE YAVAPAI COUNTY INTERACTIVE MAP.

- RECORD DEED DOCUMENTS:**
 ON FILE WITH THE YAVAPAI COUNTY RECORDER:
 R1 - SPECIAL WARRANTY DEED: INSTRUMENT NUMBER 2021-0030206. (APRIL 2021).
 R2 - SPECIAL WARRANTY DEED: INSTRUMENT NUMBER 2021-0076394. (OCT. 2021).
 R3 - WARRANTY DEED: INSTRUMENT NUMBER 2023-0035726. (AUGUST 2023).
 R4 - WARRANTY DEED: INSTRUMENT NUMBER 2023-0035727. (AUGUST 2023).
 R5 - ABANDONMENT: BOOK 10 MAPS AND PLATS, PAGE 21 (APRIL 1964).
 R6 - DEED: BOOK 327 OF OFFICIAL RECORDS, PAGE 198 (JUNE 1964).
 R7 - DEED: BOOK 333 OF OFFICIAL RECORDS, PAGE 248 (JUNE 1964).

FLOOD ZONE DESIGNATION:
 PER FIRM MAP NUMBER 04025C2061H, EFFECTIVE MARCH 6, 2018, THE SUBJECT PARCELS/LOTS LIE WHOLLY WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.



ZONING AND DIMENSIONAL STANDARDS:
 PER THE YAVAPAI COUNTY INTERACTIVE MAPPING APPLICATION, THE SUBJECT PARCELS LIE PARTIALLY WITHIN THE MULTI-FAMILY MEDIUM DENSITY (MF-M) ZONING DISTRICT AND PARTIALLY WITHIN THE SINGLE-FAMILY 9 (SF-9) ZONING DISTRICT, PER THE CITY OF PRESCOTT LAND DEVELOPMENT CODE SECTION 2.7 (TABLE 2.7.1) THE ZONING DISTRICTS ARE SUBJECT TO THE FOLLOWING DIMENSIONAL SCHEDULE FOR SINGLE FAMILY DWELLINGS:

	SF-9	MF-M
MINIMUM LOT AREAS:	9,000 SF.	6,000 SF.
MINIMUM LOT WIDTH:	60 FT.	50 FT.
MINIMUM SETBACKS:		
FRONT:	25 FT.	20 FT.
SIDE:	7 FT.	7 FT.
REAR:	25 FT.	20 FT.
CORNER:	15 FT.	10 FT.

SEE ALSO HISTORIC PRESERVATION NOTE.

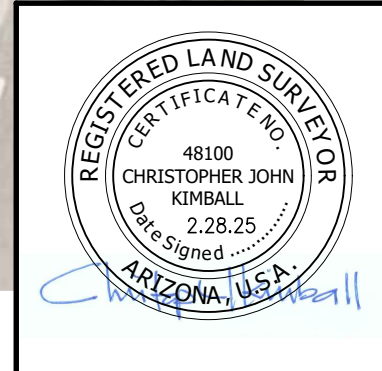


EXHIBIT		DRAWN	CJK	REVISED
SIDE SETBACK VARIANCE TO ACCOMPANY REVISION OF PLAT		CREW	---	2.11.25
KELLEY / WISE ENGINEERING, INC.		CHECK	GRK	2.28.25
146 GROVE AVENUE PRESCOTT, ARIZONA 86301 (928) 771-1730 FAX (928) 778-2220		DATE	1.14.25	
		JOB	24-101	
		SHEET NO.	1 OF 1	

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 V25-005

923 & 925 Yavapai Dr. & 816 Coronado Ave.

**TAMMY DEWITT,
COMMUNITY PLANNER-
CITY OF PRESCOTT**

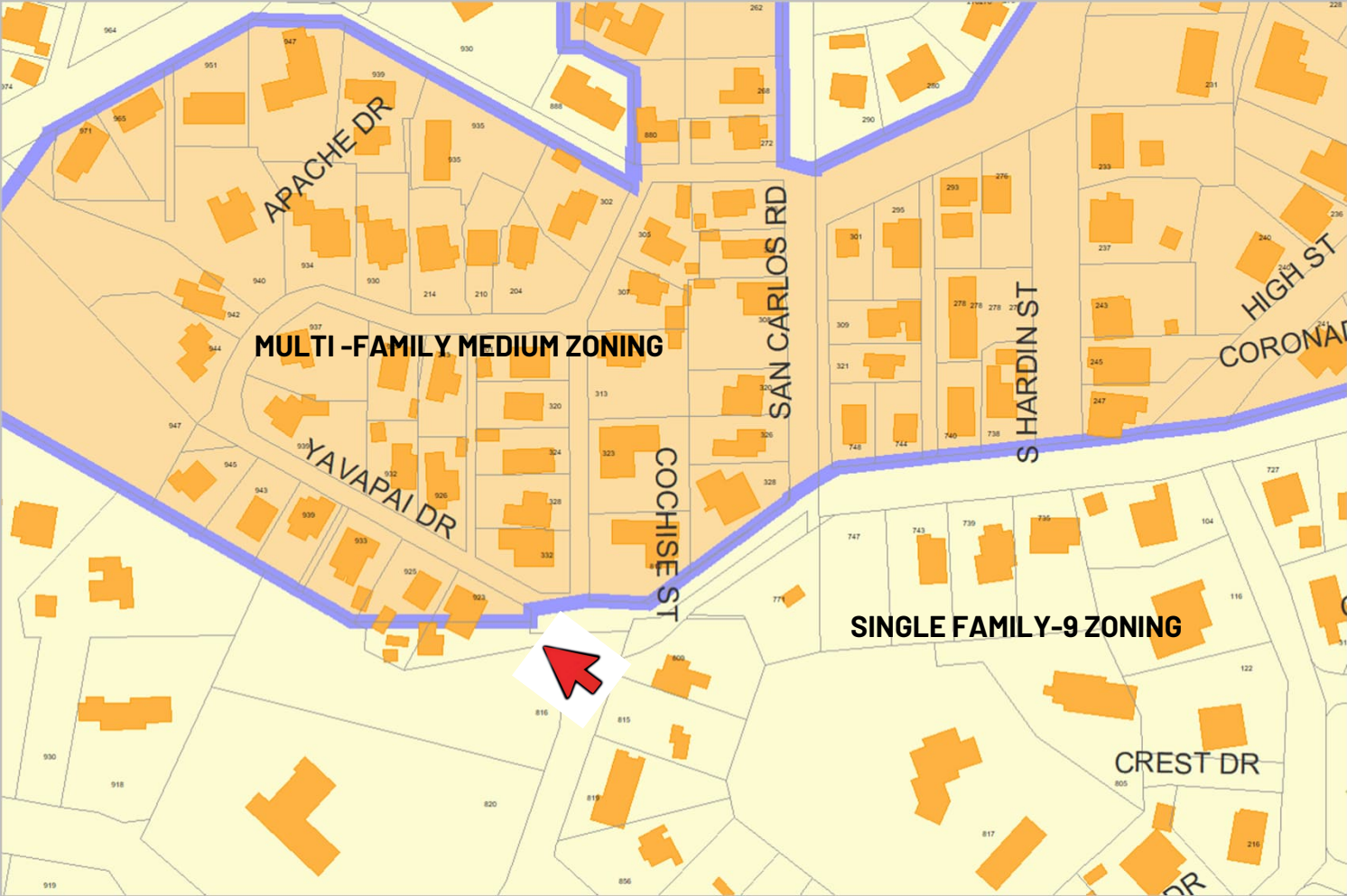


REQUEST

V25-005, Variance to Article 3, Section 3.6.3.F (SF-9/ Minimum Setbacks) and Article 3.9.3.F (MF-M/ Minimum Setbacks) of the City's Land Development Code (LDC) to allow for a decrease in the minimum side yard setback from 7' to 5' to bring existing, historic structures into compliance with current zoning code.



ZONING MAP



AERIAL MAP



AERIAL MAP #2



PICTURES OF 923 & 925 YAVAPAI



PICTURES OF SUBJECT PROPERTIES



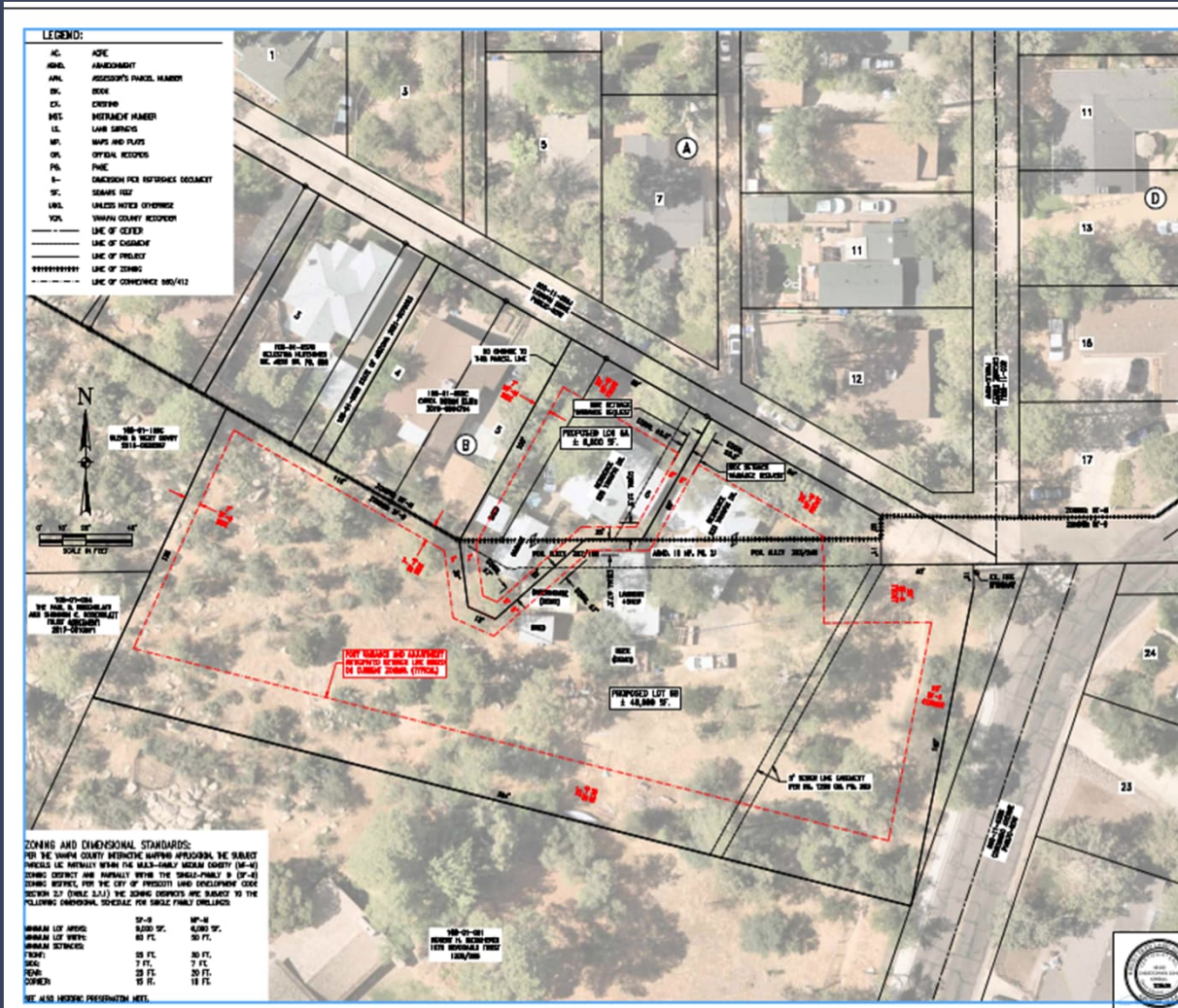
Left: Backyard of 923 Yavapai

Above: Out-buildings at 816 Coronado

OTHER, NONCONFORMING STRUCTURES IN NEIGHBORHOOD (MANY DUE TO HISTORIC NATURE)

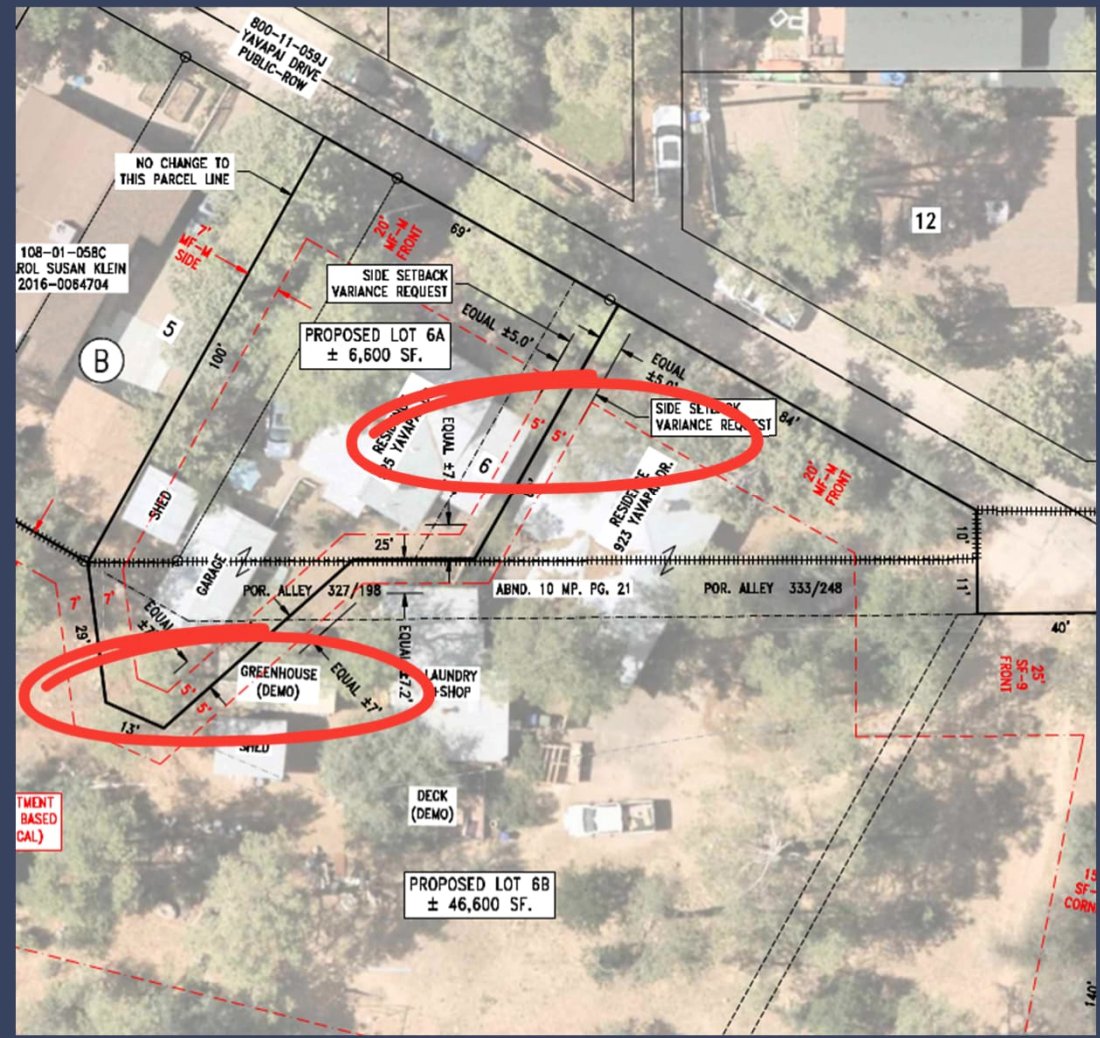


SUMMARY & BACKGROUND



- Request for decrease in minimum side yard setbacks (7' to 5') in two areas
- All structures existing, desire is to bring them into conformance with current zoning code.
- 923 & 925 Yavapai in Pine Crest Historic District and both over 100 years old.
- 816 Coronado Ave out-buildings built 50+ yrs. ago
- Several Variances found within vicinity (1000 ft buffer). Two granted within last 15 yrs. qualified as self induced. This situation is not.

SITE PLAN- ZOOMED IN ON AREAS OF REQUESTED VARIANCE



Variance Review Criteria

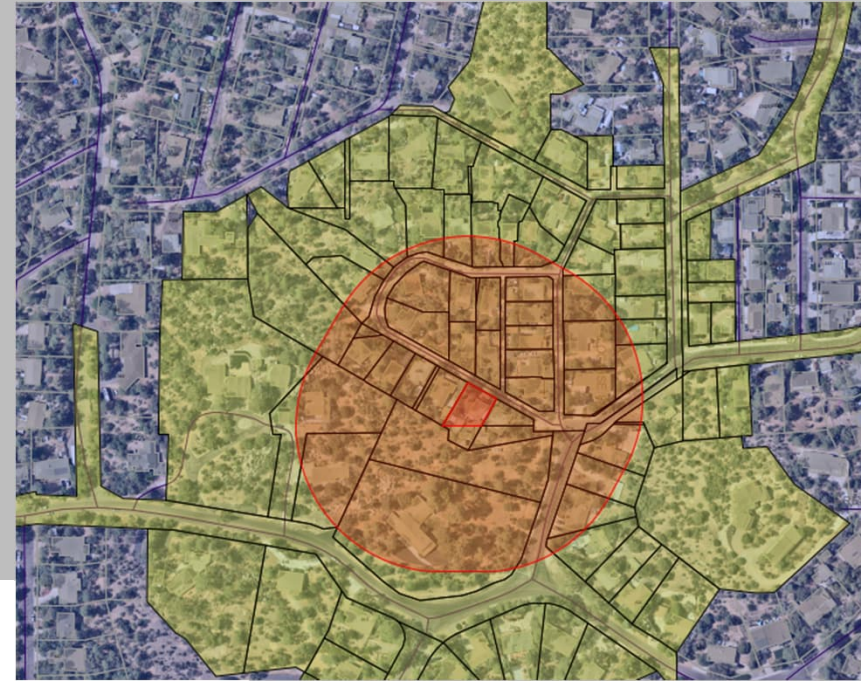
- Extraordinary Conditions
- Substantial Detriment
- Special Privileges
- Self-Induced hardship
- General Plan
Conformance
- Utilization

ANALYSIS PER LDC 9.13

- Extraordinary Conditions: Two of three lots are within a Historic District and homes were built well before the current zoning code requirements were established.
- Substantial Detriment: Proposal does not involve any new construction/conditions. No additional detriment created.
- Special Privileges: There have been several Variances granted within vicinity of subject properties, two of the more recent cases being self imposed. This hardship is not self imposed.
- General Plan: The zoning and residential character of subject parcels will be unaffected and in conformance with current General Plan as a result.
- Utilization: Denying this Variance would deprive property owner of opportunity to bring legal non-conforming structures into compliance with the current zoning code (specifically, minimum prescribed side yard setbacks).



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 as of 5/7/25.



Recommended Action

MOVE to Approve V25-005, to allow for a decrease in the minimum side yard setback from 7' to 5' to bring existing, historic structures into compliance with current zoning code and in compliance with the site plan.

