

City of Prescott

Board of Adjustment



August 21, 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 **August 21, 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 July 17, 2025 Board of Adjustment Meeting Minutes.
Recommended Action: MOVE to approve minutes as presented
 - B. **V25-011:** A Variance to Article 2, Table 2.7.1/Single-Family Dwellings/Max Building Height of the City's Land Development Code (LDC) to Allow for an Increase in Height from the Maximum Allowed 35' to 55' for Construction of a New Single-Family Residence. Zoning: SPC (Special Planned Community). Property Owner: Evans Family Revocable Trust. Applicant: SMC Construction Inc. Location: APN 108-20-159, 1855 Woodland Pines Lane.
Recommended Action: MOVE to approve/deny V25-011
 - C. **V25-012:** A Variance to Article 6, Section 6.12.5.A.2 (Permanent On-Site Signs) of the City's Land Development Code (LDC) to Allow for an Increase in the Maximum Allowed Wall-Mounted Signage from 50 Sq. Ft. to 162 Sq. Ft. for Two (2) Roof Decal Sticker Signs. Zoning: BG (Business General). Property Owner: NDG Investments LLC. Applicant: Yavapai Landscaping. Location: APN 114-06-098B, 1106 E Gurley Street.
Recommended Action: MOVE to approve/deny V25-012
5. **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 8/15/25 at 10:00 a.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: August 21 Board of Adjustment
DATE: August 21, 2025
DEPT: Community Development
ITEM #: 4.A
SUBJECT: Approval of the July 17, 2025 Board of Adjustment Meeting Minutes.

ITEM SUMMARY

This item is for approval of the July 17, 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. July 17, 2025 BOA Minutes



City of Prescott Board of Adjustment

July 17, 2025 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 1st Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

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

2. ROLL CALL

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

3. DISCUSSION & ACTION ITEMS

A. Approval of the June 19, 2025 Board of Adjustment Meeting Minutes.

MOTION BY MEMBER HOKENESS TO APPROVE THE JUNE 19, 2025 MEETING MINUTES AS SUBMITTED; SECONDED BY MEMBER DAVIS: PASSED (6-0)

B. **V25-008:** Variance to Article 2, Section 2.7.3.E.4.E (Accessory Uses & Structures/Accessory Structures Height) of the City's Land Development Code (LDC) to Allow for an Increase in Height From the Maximum Allowed Height of 20' to 27'-3" for Construction of a New Detached Garage. Zoning: SF-18 (Single-Family 18,000 Sq Ft Minimum Lot Size). Property Owner: Scott & Agnes Mount. Applicant: Bighorn Construction & Development. Location: APN 106-03-053, 5750 Symphony Dr.

Kaylee Nunez Community Planner gave a presentation for the variance request and explained that this is to increase the maximum allowed accessory structure height from 20ft to 27ft-3 inches due to topography. She provided maps, imagery, and elevations showing the height and location of the proposed garage. Staff reviewed the proposal against all variance review criteria and recommended to approve or deny V25-008 per the site plan submitted.

Member Hokeness asked if the garage location was a dirt road or driveway.

Ms. Nunez stated that it is the owner's private property and is a driveway.

Member Frederickson asked if the 27ft elevation in the rear is measured from natural grade.

Ms. Nunez said yes and explained that all measurements for residential are from natural grade.

Nick Cowton Bighorn Construction stated that the rear has steep topography, and the garage will be built on a retaining stem wall.

Member Frederickson asked if the roofline will match the current house.

Ms. Nunez said that staff does not have the original home plans to compare the roofline to.

Member Frederickson expressed concerns for the aesthetic issues that opposed neighbors may have.

Mr. Cowton stated he does not have a measurement of the roof height of the home, but the garage will be close to the same height and roofline.

Member Hokeness asked if the request is for an additional 7 feet 3 inches height.

Ms. Nunez said that is correct for the rear portion of the garage.

Member of the public Tony Perroncino expressed concerns about the effects of the proposed garage. He has no concerns with the height of the rear elevation of the garage but has issues with the front of the garage. He believes this will negatively affect the value of his home and does not fit with the neighborhood.

Vice Chair Davis asked if there was a homeowner's association (HOA) and if there was an architectural review.

Ms. Nunez stated that there is no active HOA.

Vice Chair Davis asked why the additional height is needed for the garage.

Mr. Cowton said the height is needed to fit the garage door without changing the slope of the driveway.

Member Hokeness asked how tall the garage door is from the pad to the top.

Mr. Cowton stated the garage door is 14 feet.

Member Hokeness asked what the reason for the extra space above the door is.

Mr. Cowton said the extra space is needed for the structural header.

Member Hokeness stated that a flat roof would put the height closer to 20 feet.

Mr. Cowton said a flat roof would be out of place for the neighborhood.

MOTION BY MEMBER HOKENESS TO DENY V25-008; NO SECOND: MOTION FAILED

MOTION BY MEMBER FREDERICKSON TO APPROVE V25-008; SECONDED BY VICE CHAIR DAVIS: PASSED (5-1). MEMBER HOKENESS DISSENTING.

- C. **V25-009:** Variance to Article 3, Section 3.6.3.E (SF-9/Maximum Building/Structure Height) of the City's Land Development Code (LDC) to Allow for an Increase in Height From the Allowed 35' to 38'-10" for Construction of a New Single-Family Residence and a Variance to Article 2, Section 2.7.3.E.4.E (Accessory Structure Height) to Allow an Increase in Height From the Allowed 20' to 43' for a New Detached Garage. Zoning: SF-9 (PAD) (Single-Family 9,000 Sq Ft Minimum Lot Size). Property Owner: Tatum Brianna Savage. Applicant: Don Savage Building Contractor Inc. Location: APNs 105-04-261 & 105-04-262, 1279 and 1281 Raindagger Dr.

Tammy Dewitt Community Planner gave a presentation for the variance request and explained that this was two lots that were combined through replat. She stated that there are two separate requests related to proposal for V25-009; the first request is for an increase in the allowed maximum structure height for construction of the home to allow for a height of 38 feet – 10 inches; and a second request for an increase to the maximum allowable accessory structure height to 43ft for a detached garage. Additionally, she explained that the lots were designated as hillside lots with 52 feet of vertical relief and required 20 feet of fill to meet fire code requirements for driveway slope of 18% or less. Staff recommended to approve or deny V25-009.

Vice Chair Davis asked for clarification related to the motion.

Ms. Dewitt recommended the board have two separate actions: one for the house and a second for the detached garage.

Member Frederickson believes the discussion will be mostly related to the garage and not the home.

Member Davis agreed and would be comfortable moving forward with the home.

Matt Podracky Deputy City Attorney recommended listening to public comment prior to any motion for approval.

Applicant Terry Savage (Don Savage Building Contractor Inc) believes that the garage being a separate structure matched the community better. Additionally, he explained the current design meets fire code requirements for the 18% driveway slope.

Vice Chair Davis asked if there were similar requests for a garage in the neighborhood for comparison.

Ms. Dewitt stated that there have been no other variance requests in this location and explained that when a garage is attached to the home, the height can be 35 feet instead of the allowed 20 feet for detached structures.

Member of the public Donna Whitmore stated that the Cliff Rose homeowner's association has not received any plans. She does not have issues with the height of the home but does have concerns about the detached garage. She added that the homeowner's association would like a chance to review the plans prior to approval of the variance.

Member of the public Barbara Taylor is opposed to the proposal and believes it will affect her views. She does not have issues or concerns with the home but does have issues with the garage.

Member Frederickson asked if the roofline of the garage would be similar to the home.

Mr. Savage stated that it will be approximately 4 feet taller than the home.

Member Frederickson asked if the neighbors would be able to see that the roofline of the garage is higher than the roofline of the house.

Mr. Savage said that the neighbors will not see this home once the neighboring vacant properties are built out.

Vice Chair Davis asked for clarification regarding the 4-foot height difference between the home and the garage. Additionally, he asked if this would be an RV garage.

Mr. Savage said the 4-foot difference will be from peak to peak of the rooflines and this will be an RV garage.

Member of the public Ryan Savage stated there will be three lots between the subject property and Ms. Taylor's residence and that future development of these lots will obstruct her views regardless.

Terry Savage explained that they do not have to submit plans to the Cliff Rose architectural committee or homeowner's association per the Covenants, Conditions, and Restrictions (CC&Rs).

Member of the public Barbara Taylor clarified that the home being built next to her is not affecting her views.

Member of the public Ryan Savage stated that new construction requiring 18% driveway slopes than the grade on all the surrounding lots will need to be elevated similar to this request due to topography.

MOTION BY MEMBER FREDERICKSON TO APPROVE V25-009 FOR THE HOUSE; SECONDED BY MEMBER HAUBRICH: PASSED (5-1). MEMBER HOKENESS DISSENTING.

MOTION BY MEMBER FREDERICKSON TO APPROVE V25-009 FOR THE DETACHED GARAGE AS SUBMITTED; NO SECOND: MOTION FAILED.

MOTION BY MEMBER HOKENESS TO DENY V25-009 FOR THE DETACHED GARAGE; SECONDED BY VICE CHAIR DAVIS: PASSED (5-1). MEMBER FREDERICKSON DISSENTING.

4. STAFF UPDATES

Ms. Dewitt informed the board that there is currently one application that may be scheduled for the August Board of Adjustments meeting.

5. ADJOURNMENT

Chair Teeters adjourned the meeting at 9:51 a.m.

Anthony Teeters, Chair

Jacob Lund, Board Secretary



TO: MAYOR AND CITY COUNCIL
AGENDA: August 21 Board of Adjustment
DATE: August 21, 2025
DEPT: Community Development
ITEM #: 4.B
SUBJECT: **V25-011:** A Variance to Article 2, Table 2.7.1/Single-Family Dwellings/Max Building Height of the City's Land Development Code (LDC) to Allow for an Increase in Height from the Maximum Allowed 35' to 55' for Construction of a New Single-Family Residence. Zoning: SPC (Special Planned Community). Property Owner: Evans Family Revocable Trust. Applicant: SMC Construction Inc. Location: APN 108-20-159, 1855 Woodland Pines Lane.

ITEM SUMMARY

This item is for the approval of V25-011, the applicant is requesting a Variance to allow for an increase in the allowed height of a new single-family residence due to recent fire code changes in the maximum driveway slope that requires the lot to be built up and make the house exceed the height allowance from natural grade.

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 one other Variance have been approved in the neighborhood for a reduction in the rear setback.

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: This property has a 21% slope. The foundation for the proposed residence is built up 10-15' to accommodate a 16% sloped driveway to meet requirements per the Fire Code.

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 residence is within the approved building setbacks and will not impact any adjacent neighbors.

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 height allowance 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 is currently vacant. The Architect has been working with the City and the HOA to design the house to meet City and HOA Design Requirements.

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 residential lot 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: Due to the 21% slope of the property, the home will be raised 10–15 feet for a proposed 16% driveway slope to meet fire code requirements. The applicant has an approval letter from the HOA for the project.

NEIGHBORHOOD COMMENTS:

Staff has received letters/emails of support and opposition from an adjacent property owners, see attached. Also attached is an approval letter from the HOA for the drawings as submitted.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve/deny V25-011

ATTACHMENTS

1. Variance Questionnaire
2. HOA Approval Letter
3. Goodman Support Letter
4. Elevation Plans
5. Prelim Grading Plans
6. V25-011 Public Comment_1
7. V25-011 BOA Presentation

VARIANCE QUESTIONNAIRE

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.

A. The site's 21% slope begins at the cul-de-sac edge, offering no table land within the building envelope. Beyond height restrictions, this topography requires substantial excavation and soil compaction to support structural foundations. Difficult sites like this are often developed last due to high costs; this lot has changed hands for that reason. The owners acknowledge these expenses and have planned with sensitivity to the neighborhood's character.

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.

A. Many homes in this community, including 1850 Woodland Pines Ln, which is directly west of the subject property (stands approx. 54' from existing rear grade to roof peak), exceed current design standards. The proposed residence will be 44 ft 6 in tall by the same method of measure. In addition, we plan to add a tiered retaining wall with native plants at the rear, resulting in 33 ft 6 in the visible building mass on that side. While we appreciate neighboring homes, it's noteworthy that many existing structures are even taller by comparison than our proposed design.

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).

A. The owners plan to build a home with all essential living areas on one level if needed, while site conditions allow for additional lower-level space. Most of the residence will be well below the 35-foot height limit, and the design remains unobtrusive and complements the natural terrain. Featuring a ranch style with a low-pitch roof, the home maintains a low street profile and includes a driveway with a manageable 16% slope for residents and emergency access. All of

these factors make the argument that even the least demanding of design programs are significantly handicapped by the interpretation of the zoning ordinance.

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 building in the same district.

A. We believe this request is fair and should be extended to all land and/or property owners in the district. This is not a special privilege, but an opportunity to join this community.

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

A. We believe our proposed home aligns with the ordinance's intent and will enhance the neighborhood. We are particularly proud the HOA architectural design review committee approved our design on their first review, an uncommon occurrence and has even asked permission to display the architect's rendering in their office.



February 13, 2025

Lawrence and Jennifer Evans
1855 Woodland Pines Ln.
Prescott, AZ 86303

Re: Hassayampa, 1855 Woodland Pines Ln., Lot 13, Final Plan Approval Letter

Dear Lawrence and Jennifer,

According to the procedures of the Architectural Guidelines for the Hassayampa Community, the Architectural Review Committee has completed the review of the building plans for the above-referenced property. We are pleased to inform you that the Committee has found your plans to be in compliance with the Architectural Guidelines and are approved, subject to the following conditions:

1. Provide a complete landscape/hardscape plan at roof dry-in.
2. Please contact field inspector, Jonathan Brandt at jbrandt@hoamco.com or 928-778-2293 ext. 1123 within 10 days in advance to arrange a pre-construction site meeting prior to beginning any alterations to the property.
3. Please provide a \$20,000.00 construction deposit made payable to Hassayampa HOA before the pre-construction meeting.
4. Construction must commence within 120 days of final approval, or it will be necessary to resubmit plans for reconsideration.
5. Approved plans are in compliance with all the rules and guidelines in effect at the time of approval. The refund of the construction deposits requires that the construction be completed in accordance with these approved plans.
6. Walls near the street are required to be chinked

Any changes to the exterior of any building or to any site work must be reviewed and approved by the ARC prior to the change taking place. Upon completion of your residence please provide written notice that we may perform a final inspection of your home. As always, if you have any questions or we may be of further assistance, please contact us at HOAMCO, 928-776-1997 or email tmethot@hoamco.com.

Sincerely,

Tabitha Methot, EA to Executive Director of Architectural Services
On behalf of the Hassayampa Architectural Review Committee

Subject: Att: Tammy Dewitt
Sent: 8/7/2025, 11:02:27 AM
From: henrycgoodman [REDACTED]
To: Planning

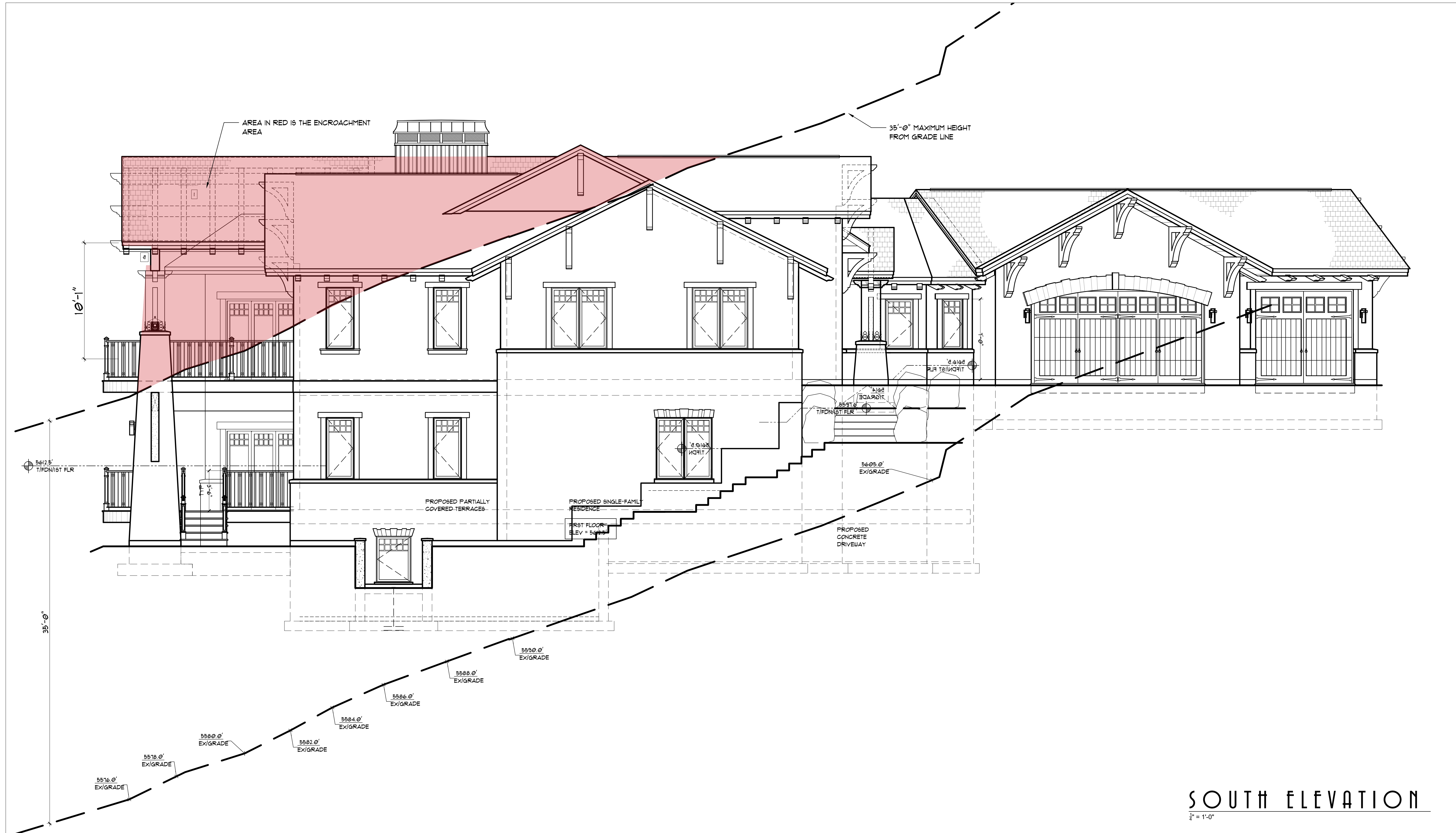
As we spoke by phone this morning, the property you posted the notice about (V25-011) is not on Woodland Pines Drive, but Woodland Pines Lane.

I am in support of the variance. Thank you.

Henry C Goodman

[REDACTED]
Prescott, AZ 86303

Henry C Goodman



SOUTH ELEVATION
 1/4" = 1'-0"

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PROFESSIONAL DESIGN FIRM #18314

THE EVANS RESIDENCE
 WOODLAND PINES LANE
 PRESCOTT, ARIZONA

R.M. SWANSON ARCHITECTS
 1148 E MISSION LN. SCOTTSDALE, ARIZONA 85147
 487.757.5975
 rfc@rmswanson.com

DESIGNED BY:
 R. SWANSON

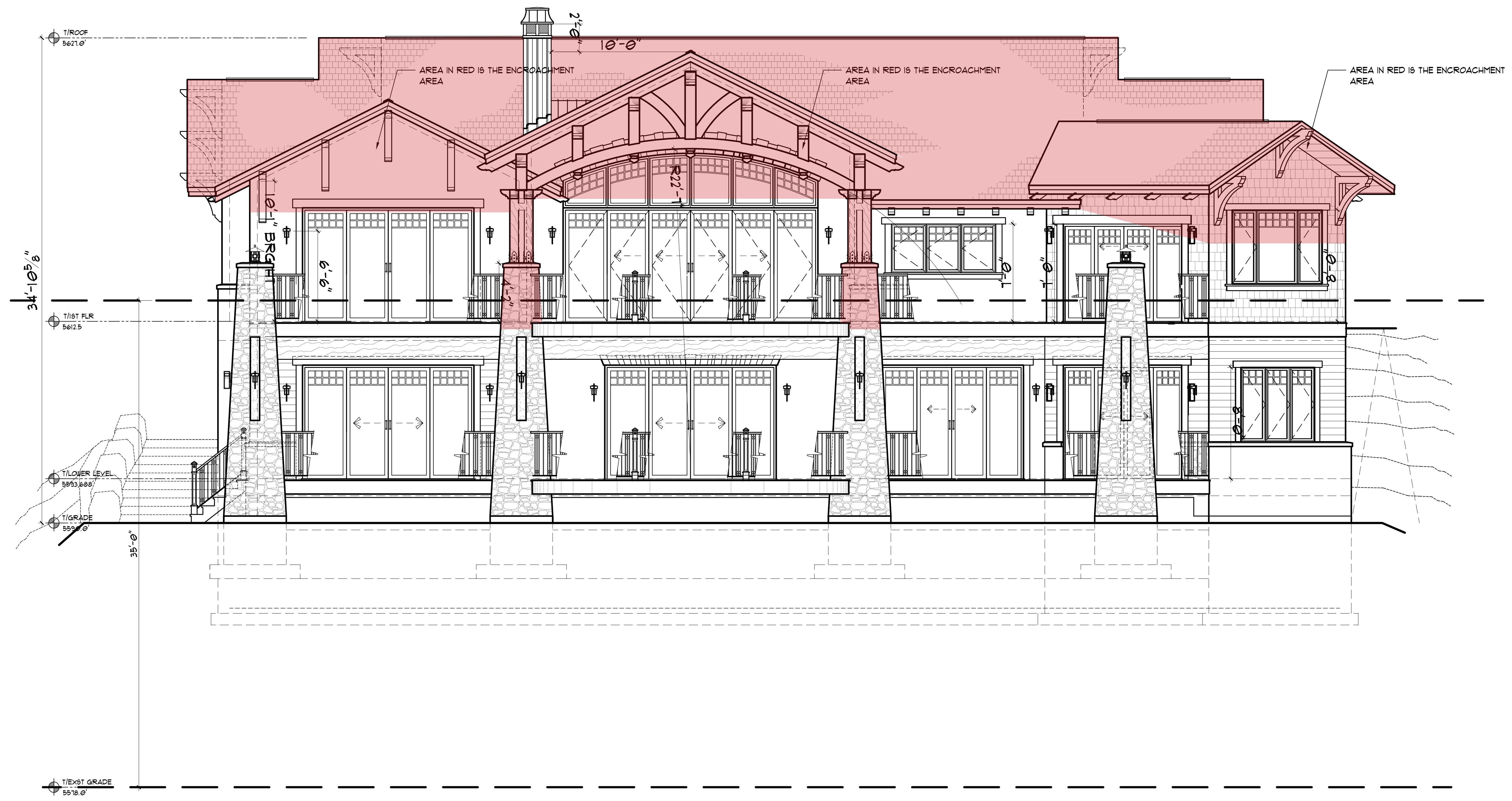
PREPARED BY:

DATE:	COMMENT:

PLAN NO:
 1700

SHEET OF
 -

July 8, 2025



NORTH ELEVATION
 $\frac{1}{2}'' = 1'-0''$

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PROFESSIONAL DESIGN FIRM # 18314
THE EVANS RESIDENCE
 WOODLAND PINES LANE
 PRESCOTT, ARIZONA

R.M. SWANSON ARCHITECTS
 1148 E MISSION LN. 847.757.5975
 SCOTTSDALE, ARIZONA rfc@rmswanson.com

DESIGNED BY:
 R. SWANSON

PREPARED BY:

DATE:	COMMENT:

PLAN NO:
 1700

SHEET OF
 -

July 8, 2025



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PROFESSIONAL DESIGN FIRM #18314

THE EVANS RESIDENCE
 WOODLAND PINES LANE
 PRESCOTT, ARIZONA

R.M. SWANSON ARCHITECTS
 1148 E MISSION LN. 847.757.5975
 SCOTTSDALE, ARIZONA rfc@rmswanson.com

DESIGNED BY:
 R. SWANSON

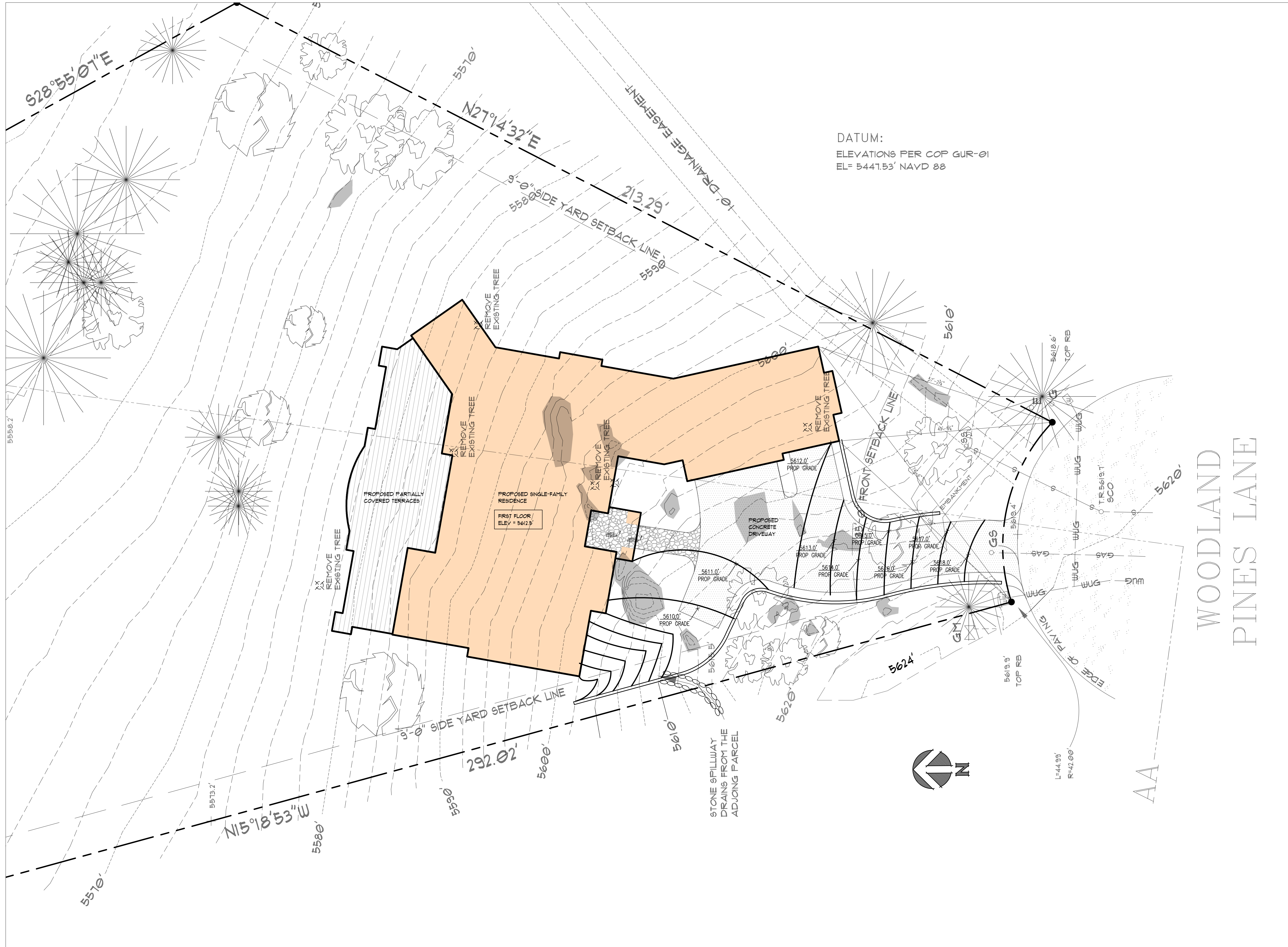
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PLAN NO:
 1700

SHEET	OF
-	-

July 8, 2025



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PROFESSIONAL DESIGN FIRM #18314
THE EVANS RESIDENCE
 WOODLAND PINES LANE
 PRESCOTT, ARIZONA

R.M. SWANSON ARCHITECTS
 1148 E MISSION LN. 847.757.5975
 SCOTTSDALE, ARIZONA rfc@rmswanson.com

DATE:	COMMENT:

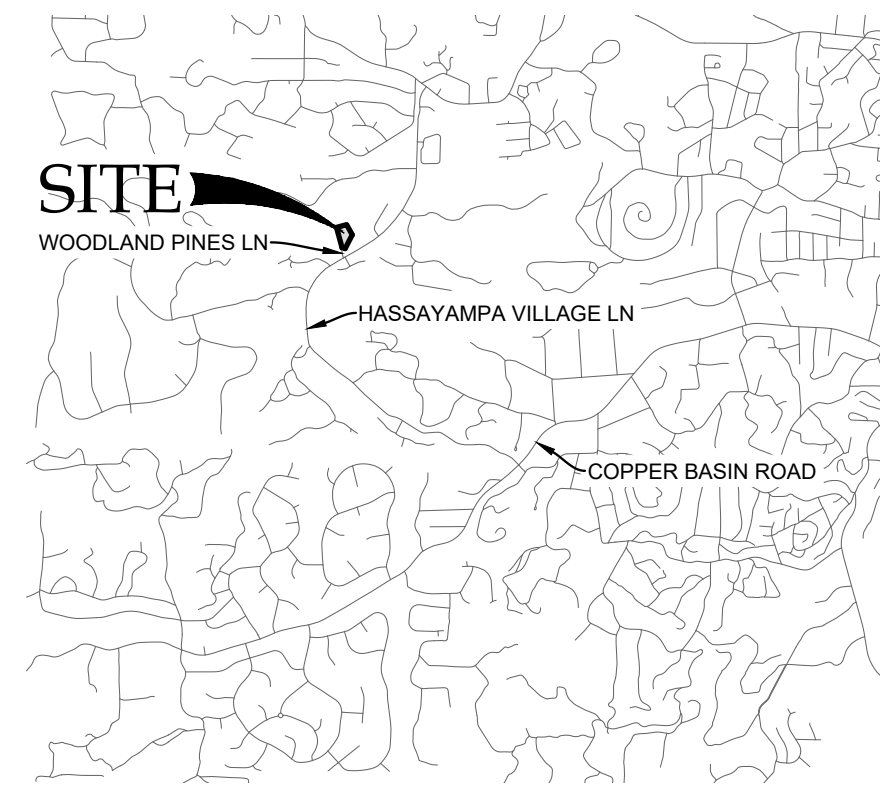
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 R. SWANSON

PREPARED BY:

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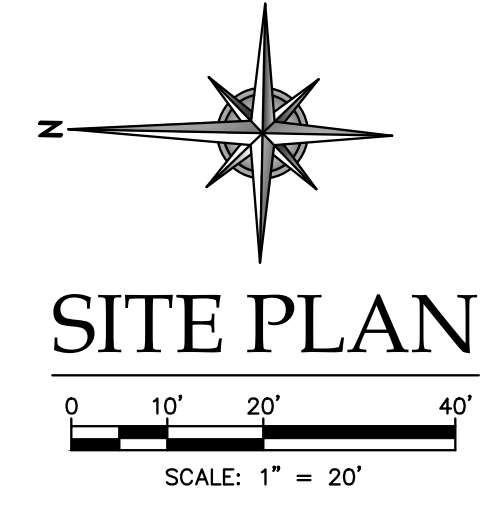
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GRADING & DRAINAGE PLAN EVANS RESIDENCE

1855 WOODLAND PINES LANE
PARCEL 108-20-159
LOT 13 OF PARCEL C-2 AT HASSAYAMPA PLAT
LOCATED IN SECTION 6, TOWNSHIP 13N, RANGE 2W
GILA AND SALT RIVER MERIDIAN
YAVAPAI COUNTY, ARIZONA



SITE PLAN NOTES

- TOPOGRAPHY PROVIDED BY EMPIRE SURVEYING, INC.
- BOUNDARY BASED ON RECORD INFORMATION.
- SITE PLAN PROVIDED BY RM SWANSON ARCHITECTS.

CONSTRUCTION SPECIFICATIONS

GENERAL

ALL MATERIALS AND WORKMANSHIP SHALL COMPLY WITH APPLICABLE COMMUNITY DESIGN GUIDELINES; APPLICABLE CITY, TOWN OR COUNTY STANDARDS, DETAILS AND SPECIFICATIONS; "MARICOPA ASSOCIATION OF GOVERNMENTS" (MAG) UNIFORM STANDARD SPECIFICATIONS AND DETAILS FOR PUBLIC WORKS CONSTRUCTION" (MAG SPECS AND DETAILS); QUAD CITY STANDARD DETAILS (QCS); AND GENERALLY ACCEPTED GOOD CONSTRUCTION PRACTICES.

ALL IMPROVEMENTS SHALL BE CONSTRUCTED BY CONTRACTORS LICENSED BY THE ARIZONA STATE REGISTRAR OF CONTRACTORS WITH A CLASS OF LICENSE(S) FOR THE SPECIFIC WORK BEING PERFORMED.

WORK PERFORMED WITHOUT APPROVAL OF THE JURISDICTIONAL AUTHORITY OR OWNER AND/OR ALL WORK AND MATERIALS NOT IN CONFORMANCE WITH THE SPECIFICATIONS IS SUBJECT TO REMOVAL AND REPLACEMENT AT THE CONTRACTOR'S EXPENSE.

ANY DEFECTS WHICH APPEAR IN THE WORK WITHIN TWO YEARS FROM THE DATE OF ACCEPTANCE AND WHICH ARE DUE TO IMPROPER WORKMANSHIP OR INFERIOR MATERIALS SUPPLIED SHALL BE CORRECTED BY OR AT THE EXPENSE OF THE CONTRACTOR.

QUANTITIES OF CONSTRUCTION MATERIALS ARE PROVIDED AS A GUIDE AND FOR INFORMATION ONLY. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING AND PROVIDING ALL QUANTITIES REQUIRED.

CONTRACTOR IS RESPONSIBLE FOR ALL CONSTRUCTIONS METHODS, SEQUENCING, AND SAFETY DURING CONSTRUCTION.

CONTRACTOR IS REQUIRED TO COMPLY WITH ALL LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS APPLICABLE TO THE CONSTRUCTION OF THIS PROJECT.

APPROVAL OF A PORTION OF THE WORK IN PROGRESS DOES NOT GUARANTEE ITS FINAL ACCEPTANCE. TESTING AND EVALUATION MAY CONTINUE UNTIL WRITTEN FINAL ACCEPTANCE OF A COMPLETE WORKABLE UNIT. ACCEPTANCE OF COMPLETED IMPROVEMENTS WILL NOT BE GIVEN UNTIL DEFECTIVE OR UNAUTHORIZED WORK IS REMOVED AND FINAL CLEAN-UP IS COMPLETE.

THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING AND COMPLYING WITH ANY REQUIRED PERMITS NECESSARY FOR CONSTRUCTION.

THE JURISDICTIONAL AUTHORITY MAY REQUIRE A PERMIT FOR SITE GRADING INCLUDING EXCAVATION (CUT) AND PLACEMENT OF EMBANKMENT (FILL) RIGHT OF WAY PERMITS REQUIRED PRIOR TO COMMENCING ANY WORK WITHIN THE PUBLIC RIGHT OF WAY.

THESE PLANS ARE SUBJECT TO THE INTERPRETATION OF INTENT BY THE ENGINEER. ALL QUESTIONS REGARDING THESE PLANS SHALL BE DIRECTED TO THE ENGINEER. ANY INTERPRETATION OF THE PLANS BY ANYONE OTHER THAN THE ENGINEER SHALL BE RESPONSIBLE FOR ANY CONSEQUENCES THEREOF.

REVISIONS

NO.	DESCRIPTION	DATE	BY

FOR REVIEW ONLY

FOR REVIEW ONLY

FOR BID ONLY

FOR APPROVAL ONLY

FOR RECORDING ONLY

FOR CONSTRUCTION ONLY

FOR AS-BUILT ONLY

DRAINAGE

POSITIVE DRAINAGE OF SURFACE WATER AWAY FROM STRUCTURES SHALL BE PROVIDED DURING CONSTRUCTION AT ALL TIMES AND WITH FINAL GRADING OF LOT.

PONDING OF SURFACE WATER SHALL NOT BE PERMITTED DURING CONSTRUCTION OR BE PRESENT AFTER FINAL LOT GRADING.

ROOF DRAINS SHALL DISCHARGE A MINIMUM OF FIVE (5) FEET AWAY FROM BUILDING STRUCTURE.

UTILITIES

THESE PLANS REPRESENT A REASONABLE EFFORT TO SHOW LOCATIONS OF EXISTING UNDERGROUND UTILITIES WITHIN THE PROJECT LIMITS. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO UTILITIES CAUSED DURING CONSTRUCTION. THE CONTRACTOR IS TO VERIFY THE LOCATION AND THE ELEVATIONS OF ALL EXISTING UTILITIES PRIOR TO ANY EXCAVATION OR CONSTRUCTION. SHOULD ANY LOCATION OR ELEVATION DIFFER FROM THAT SHOWN ON PLANS, THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE PROPER UTILITY OWNER'S AGENT.

LOCATION OF UNDERGROUND UTILITIES SHALL BE ACCOMPLISHED IN ACCORDANCE WITH ARS 40-360.22 PRIOR TO ANY EXCAVATION. CONTRACTOR PERFORMING EXCAVATING OPERATIONS IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL UNDERGROUND UTILITIES. BLUE STAKE SHALL BE CALLED AT 1-800-STAKE-IT FOR ACCURATE LOCATION OF UTILITIES AS NECESSARY AND PRIOR TO ANY EXCAVATION.

LOCATION OF ALL WATER VALVES MUST BE REFERENCED AT ALL TIMES DURING CONSTRUCTION AND MADE AVAILABLE TO THE WATER COMPANY. ONLY WATER COMPANY EMPLOYEES ARE AUTHORIZED TO OPERATE THE WATER VALVES AND FIRE HYDRANT CONNECTIONS TO THE COMPANY'S WATER SYSTEM.

RELOCATIONS

SIGNS, TREES, SHRUBS, MAILBOXES AND OTHER INCIDENTALS REQUIRING RELOCATION SHALL BE MOVED ONLY FAR ENOUGH TO ALLOW CONSTRUCTION OF THE PROJECT AND CAUSE THE LEAST DISRUPTION TO PRIVATE PROPERTY, AND LANDSCAPE. FINAL POSITIONS SHALL BE APPROVED BY THE ENGINEER PRIOR TO RELOCATION. ALL RELOCATED ITEMS SHALL CONTINUE TO WORK IN THEIR INTENDED CAPACITY AFTER THE RELOCATION HAS BEEN ACCOMPLISHED. NO SIGNS SHALL BE RELOCATED TO POSITIONS OUTSIDE DESIGNATED PUBLIC RIGHT OF WAY. SAFETY SHALL BE A PRIMARY CONSIDERATION IN THE PLACEMENT OF SHRUBBERY AND SIGNS WHICH COULD POSSIBLY DISRUPT THE SIGHT DISTANCE OF MOTORISTS.

GRADING

ALL EARTHWORK SHALL BE DONE IN ACCORDANCE WITH APPLICABLE COMMUNITY DESIGN GUIDELINES AND RECOMMENDATIONS IN THE GEOTECHNICAL REPORT.

TESTING:

A. TESTING OF MATERIALS AND CONSTRUCTION PERFORMANCE BY AN APPROVED TESTING LAB IS REQUIRED.

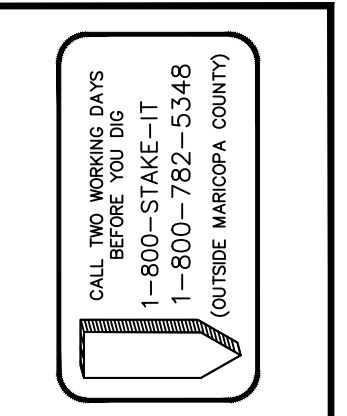
B. THE GEOTECHNICAL LAB SHALL DETERMINE THE NUMBER AND TYPE OF TESTS NEEDED.

C. THE OWNER/CONTRACTOR SHALL NOTIFY THE TESTING LAB OF THE NEEDED TESTS, COORDINATE WITH THE INSPECTOR AND TESTING LAB AND PAY THE COSTS TO PERFORM THE TESTS.

THE MAXIMUM SLOPE IS 2:1 IN CUT SECTIONS AND 2:1 IN FILL SECTIONS, HORIZONTAL TO VERTICAL.

THE MAXIMUM SLOPE IN FILL SECTIONS IS NOT TO EXCEED 6". ALL FILL IS TO BE COMPACTED TO 95% COMPACTION.

THE CONTRACTOR SHALL VERIFY THE LOCATION, ELEVATION AND GENERAL CONDITION OF ALL EXISTING TIE-IN AND MATCHING POINTS OF PAVEMENT PRIOR TO ANY STREET CONSTRUCTION. SHOULD ANY LOCATIONS, ELEVATIONS, CROSS SLOPES, OR CONDITIONS DIFFER FROM WHAT IS SHOWN ON THE PLANS, THE CONTRACTOR SHALL CONTACT THE OWNER'S AGENT IMMEDIATELY FOR APPROPRIATE CORRECTIVE ACTION. THE CONTRACTOR IS RESPONSIBLE FOR ANY COSTS INCURRED IF THIS PROCEDURE IS NOT FOLLOWED.



GRANITE BASIN ENGINEERING, INC.
1981 Commerce Center Circle, Suite B
Prescott, AZ 86301
928.717.0171

SMC CONSTRUCTION, INC
1951 COMMERCE CENTER CIRCLE, SUITE B
PRESCOTT, ARIZONA 85301

EVANS RESIDENCE
1855 WOODLAND PINES LANE
GRADING & DRAINAGE COVER

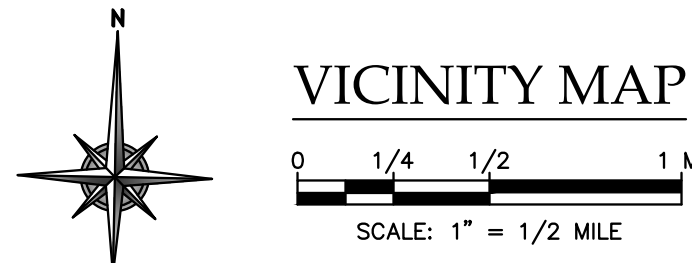
**PRELIMINARY
NOT FOR
CONSTRUCTION**

NO.	DATE	SCALE	DRAWN	DESIGNED	CHECKED
25048	7/19/2025	1" = 20'	TIL	TIL	DB

1

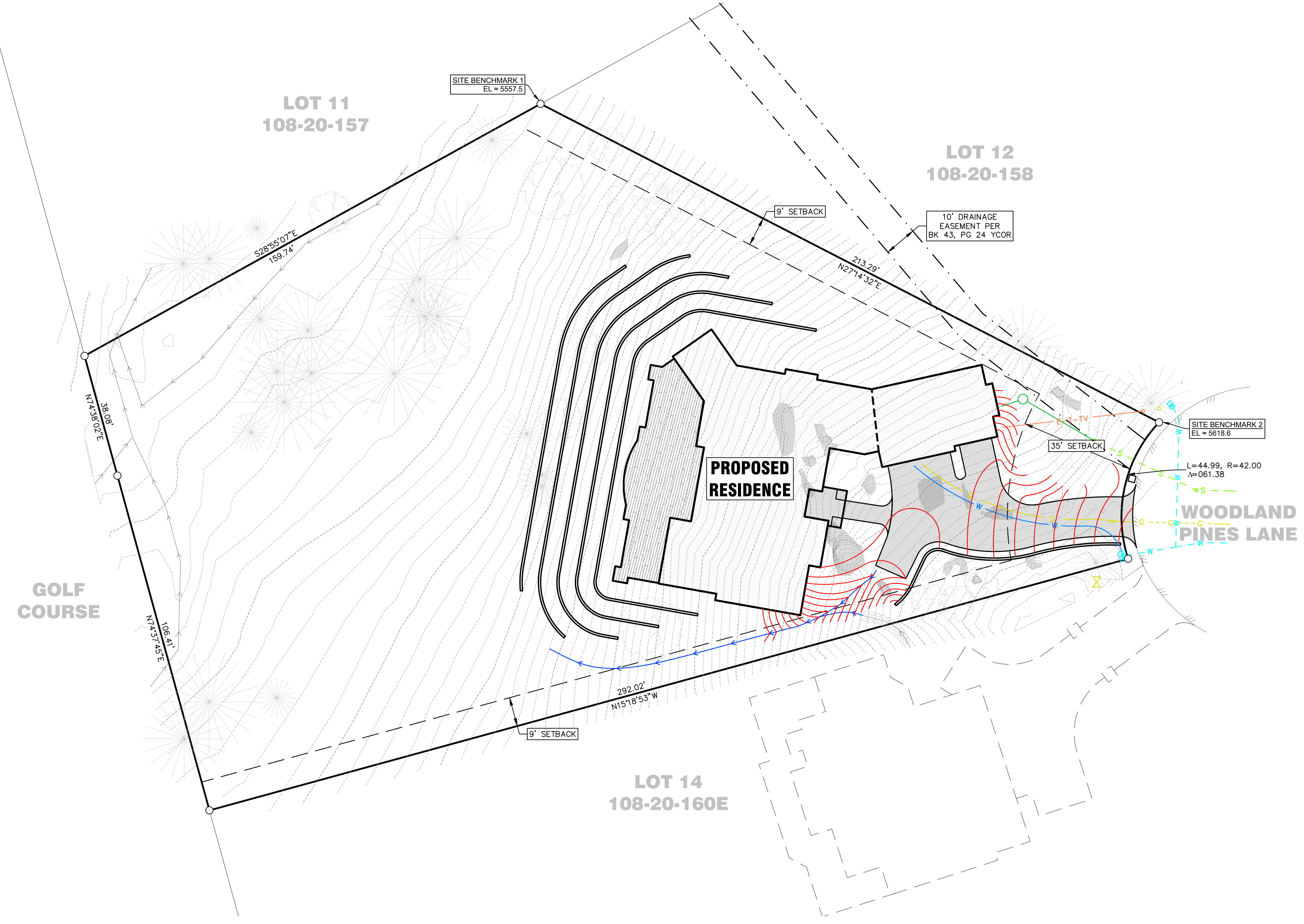
SHEET 1 OF 2

VICINITY MAP



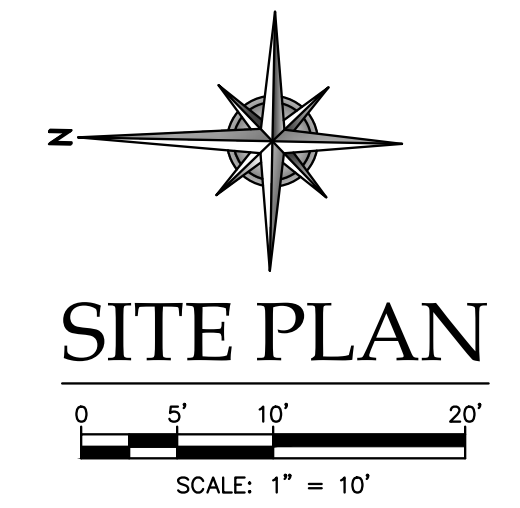
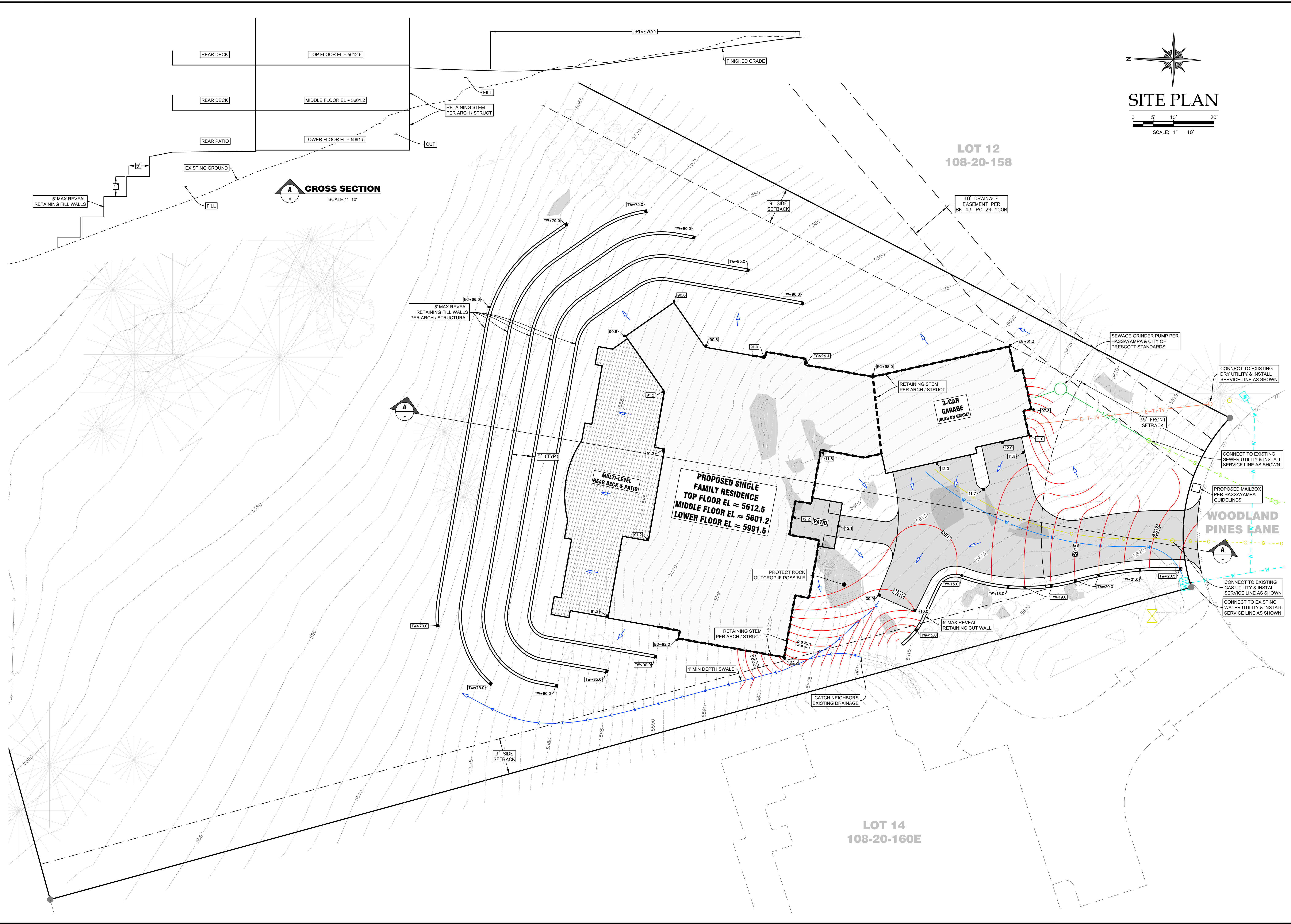
LEGEND

- SUBJECT PARCEL BOUNDARY
- SETBACKS
- EASEMENT PER PLAN
- PROPOSED FLOW
- PROPOSED SEWER SERVICE
- PROPOSED WATER SERVICE
- PROPOSED GAS SERVICE
- PROPOSED DRY UTILITY SERVICE
- RETAINING STEM PER ARCH / STRUCT
- PROPOSED ELEVATION CONTOUR
- EXISTING ELEVATION CONTOUR



ESTIMATED EARTHWORK
RAW CUT ≈ 600 CY
RAW FILL ≈ 1950 CY

- EARTHWORK ASSUMPTIONS**
- EARTHWORK SHALL FOLLOW RECOMMENDATIONS OF THE GEOTECHNICAL REPORT.
 - EXCAVATION FOR SLAB ON GRADE ASSUMED TO BE 8" BELOW FFE.
 - EXCAVATION FOR PAVED DRIVEWAY SECTION ASSUMED TO BE 9" BELOW FINAL GRADE.
 - EXCAVATION NOT ACCOUNTED FOR FOUNDATION STEM OR UNSUITABLE SOIL CONDITIONS.
 - CONTRACTOR SHALL OBTAIN SEPARATE GRADING PERMIT FOR SURPLUS MATERIAL PLACED OFF-SITE IN CONFORMANCE WITH THE YAVAPAI COUNTY GRADING ORDINANCE.



A
CROSS SECTION
 SCALE 1"=10'

LOT 12
108-20-158

LOT 14
108-20-160E

WOODLAND PINES LANE

CALL FOR PRICING QUOTES
 BEFORE WORK BEGINS
 1-800-STAKE-IT
 1-800-782-5348
 (OUTSIDE MARICOPA COUNTY)

NO.	REVISIONS DESCRIPTION	DATE	BY

GRANITE BASIN
 ENGINEERING, INC.
 1981 Commerce
 Center Drive, Suite B
 Prescott, AZ 86301
 928.717.0171

SMC CONSTRUCTION, INC
 1951 COMMERCE CENTER CIRCLE, SUITE B
 PRESCOTT, ARIZONA 85301
 EVANS RESIDENCE
 1855 WOODLAND PINES LANE
 GRADING & DRAINAGE PLAN

PRELIMINARY
NOT FOR
CONSTRUCTION

NO.	25048
DATE	7/17/2025
SCALE	1" = 10'
DRAWN	TIL
DESIGNED	TIL
CHECKED	DB

7/01/2025

Prescott City Council
Prescott, AZ


RE: Support for Variance Request – Lot 13, 1855 Woodland Pines Ln., Prescott, AZ

To Whom It May Concern,

I/we, the undersigned neighbor(s) of Lot 13, located at 1855 Woodland Pines Ln., Prescott, AZ, have been informed by the property owner, Mr. Larry Evans, of his plans to construct a residence on the above-mentioned lot.

I/we understand that the proposed plans have already been reviewed and approved by the homeowner association. However, due to the City of Prescott’s building height ordinance limiting structures to 35 feet, a variance is being requested to allow for an increased height at the rear decking area of the home.

I/we have reviewed the proposed plans and understand the nature of the variance request. I/we do not object to Mr. Evans proceeding with the construction as described and support his request for a variance from the City of Prescott.


Signature: 

Printed Name: HENRY C GOODMAN Date: 6-30-25

Property Address:  LN. PRESCOTT 86303

Thank you for your consideration.

Sincerely,

Larry Evans


7/01/2025

Prescott City Council
Prescott, AZ

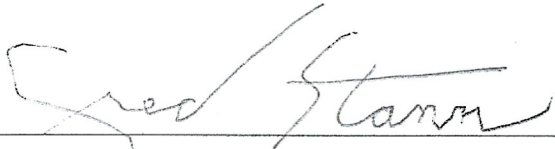
RE: Support for Variance Request – Lot 13, 1855 Woodland Pines Ln., Prescott, AZ

To Whom It May Concern,

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I/we understand that the proposed plans have already been reviewed and approved by the homeowner association. However, due to the City of Prescott’s building height ordinance limiting structures to 35 feet, a variance is being requested to allow for an increased height at the rear decking area of the home.

I/we have reviewed the proposed plans and understand the nature of the variance request. I/we do not object to Mr. Evans proceeding with the construction as described and support his request for a variance from the City of Prescott.


Signature: 

Printed Name: Frederic Stann Date: 7/16/2025

Property Address:  Ln., Prescott, AZ

Thank you for your consideration.

Sincerely,

Larry Evans


Alex Bramlette

From: Kathy Alvord <[REDACTED]>
Sent: Friday, August 8, 2025 6:25 PM
To: Planning
Subject: V25-011 Variance to Article 2, Table 2.7.1/single Family Dwelling/Max Building Height
1855 Woodland Pines Ln.

Follow Up Flag: Follow up
Flag Status: Flagged

City of Prescott Board of Adjustment,

As a homeowner in Hassayampa community, I vehemently oppose to an increase in height for new single family residence. Not only will this increase in residence height negatively impact the other homes on Woodland Pines Lane, it will impact homes in the surrounding area. My husband and I own a home across Hassayampa Lane on Rustling Oaks Lane and this height will eliminate any view of the golf course along the 15th and 16th hole for all homes on our street.

I also would like to mention that this will set a height increase precedence for construction of other homes within the Hassayampa Community.

Hassayampa is a very unique and beautiful community within the City of Prescott. Please let's preserve the beauty of this community. There have been so many adjustments to building codes in Prescott. Please don't allow this variance in our community.

I appreciate the Boards consideration of ours and other homeowners of this community.

Sincerely,
Mike and Kathy Shetler
Shetler Living Trust

[REDACTED]
Prescott, AZ 86303
[REDACTED]

Sent from my iPhone

Alex Bramlette

From: Rick McManus <[REDACTED]>
Sent: Friday, August 8, 2025 8:32 PM
To: Planning
Subject: V25-011 Variance to Article 2 Table 2.7 Max Building height

Follow Up Flag: Follow up
Flag Status: Completed

City of Prescott Board of Adjustment

As a nearby neighbor to the location requesting the variance, we are opposed to the variance being approved. Beyond creating a significant difference in house skyline from home to home it also impacts existing views from current homes built in the general vicinity, who were able to build within the code established by the city. The property requesting the variance, should be able to retain their proposed floor plan layout and square footage without raising the home height by 20 ft above the current standard or a 57% variance request as I understand it. Approval I think will create a bad precedent especially in Prescott HOA communities going forward.

Richard and Sheree McManus /JT

Sent from my iPhone

Alex Bramlette

From: waldo israel <[REDACTED]>
Sent: Sunday, August 10, 2025 5:54 PM
To: Planning
Cc: Waldo Israel; Suzi Israel
Subject: V25-011 1855 Woodland Pines Ln. Evans Variance

Follow Up Flag: Follow up
Flag Status: Completed

Our names are Waldo and Suzi Israel and we live at 1860 Woodland Pines Ln. , adjacent to the subject property. We believe that the variance should be denied.

The property has no unique characteristics. It is on a sloping hill like our property and the lot adjacent to the subject property which is under construction. Most of the lots in the neighborhood are sloping. Nothing prevents construction on the lot.

The problem is not a construction problem, it is a design issue. It was designed too tall. The design needs to be redone to conform with the height restrictions.

Allowing this variance takes away some of our light and air. We should not have to experience this.

Thank you,
Waldo and Suzi Israel

V25-011 1855 Woodland Pines Lane

TAMMY DEWITT, COMMUNITY PLANNER

August 21st, 2025
Board of Adjustment

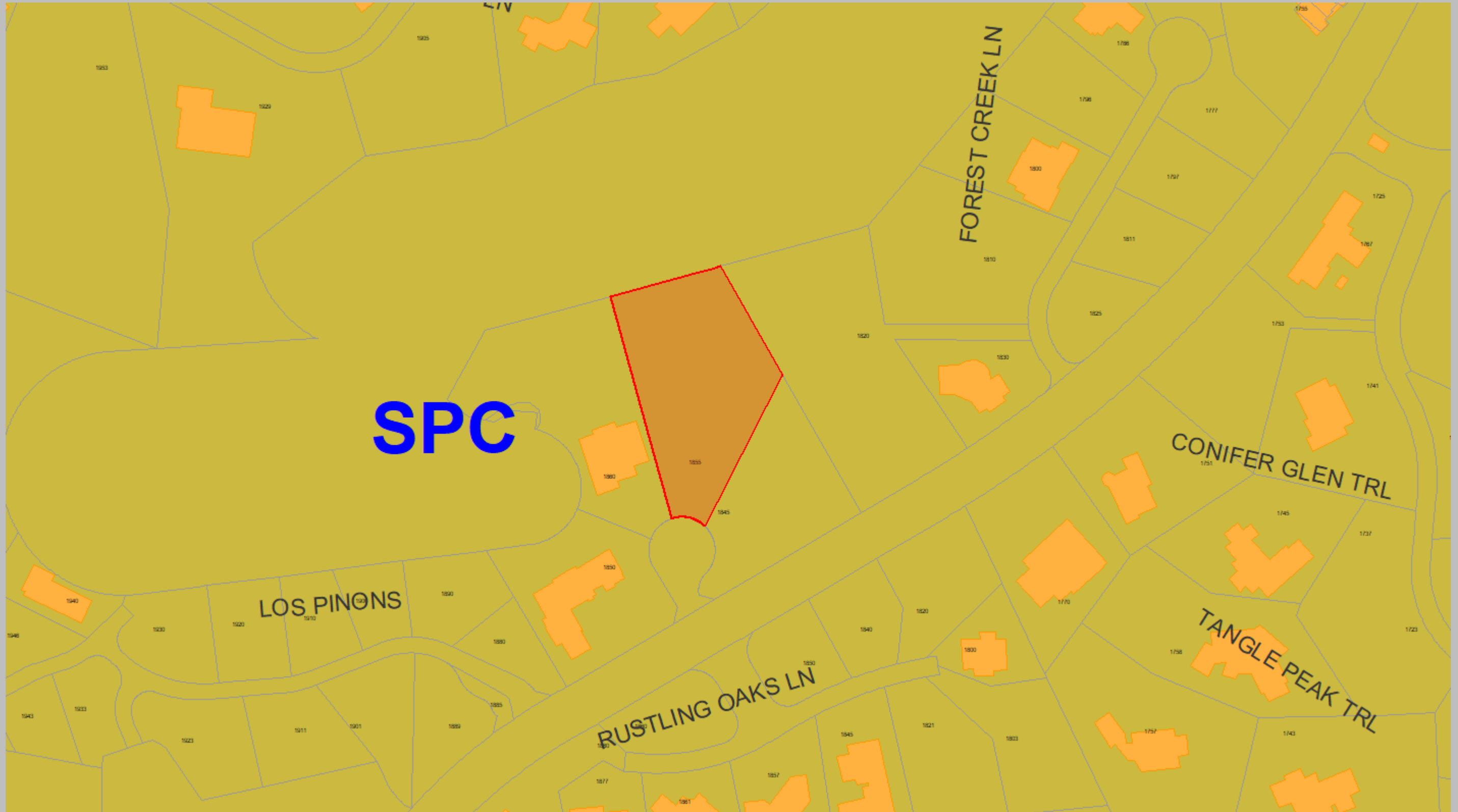


REQUEST

Variance to Article 2, Table 2.7.1/Single-Family Dwellings/Max Building Height of the City's Land Development Code (LDC) to allow for an increase in height from the maximum allowed 35' to 55' (from natural grade) for construction of a new single-family residence. [Zoning: SPC (Special Planned Community);

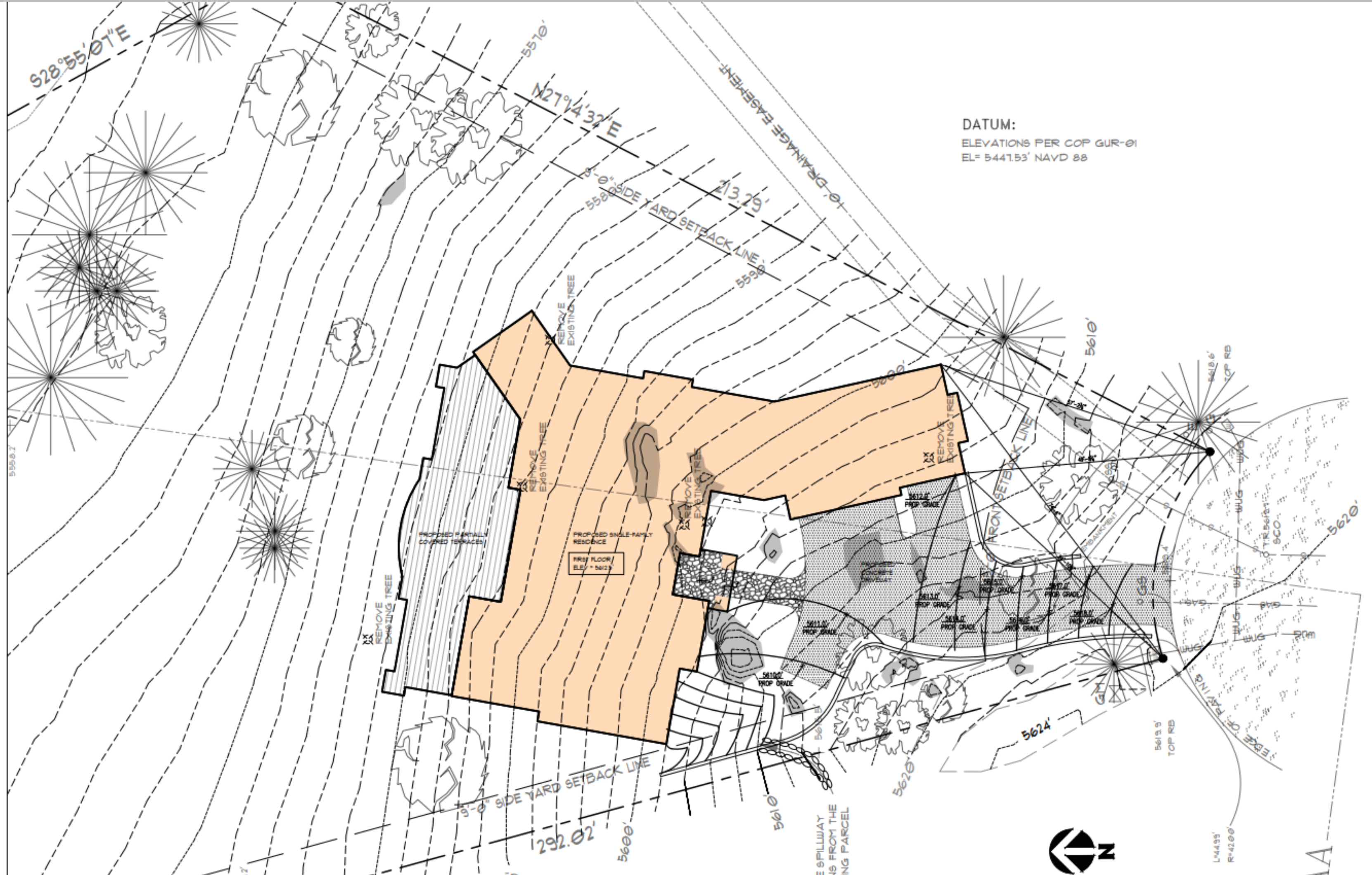


ZONING MAP



IMAGERY MAP

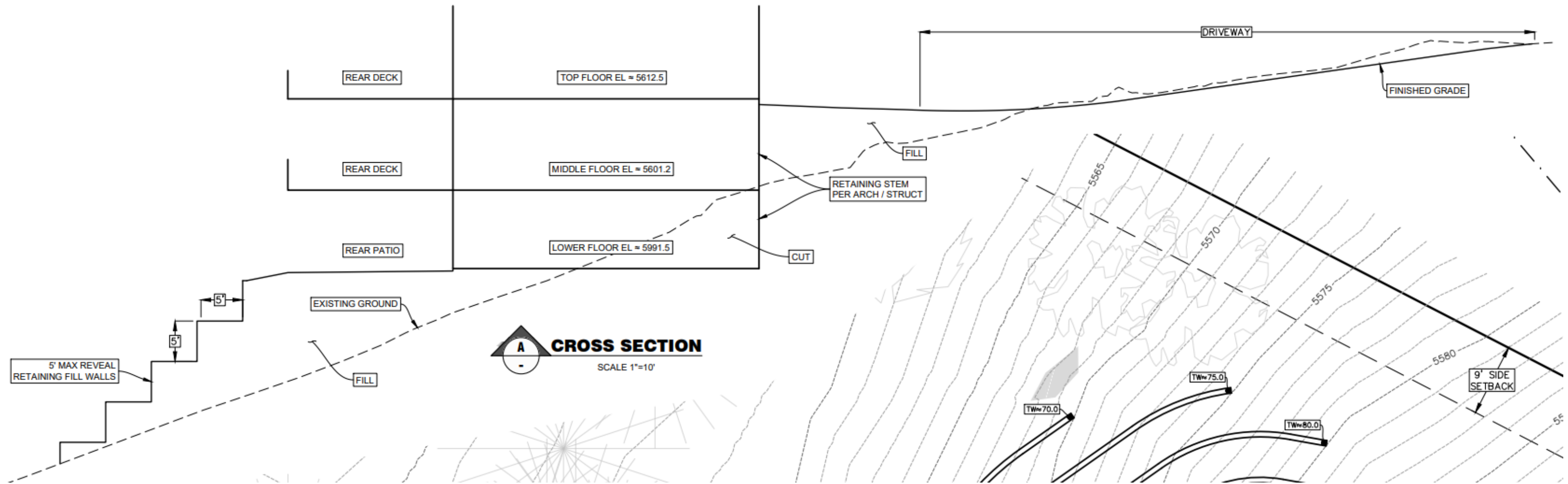




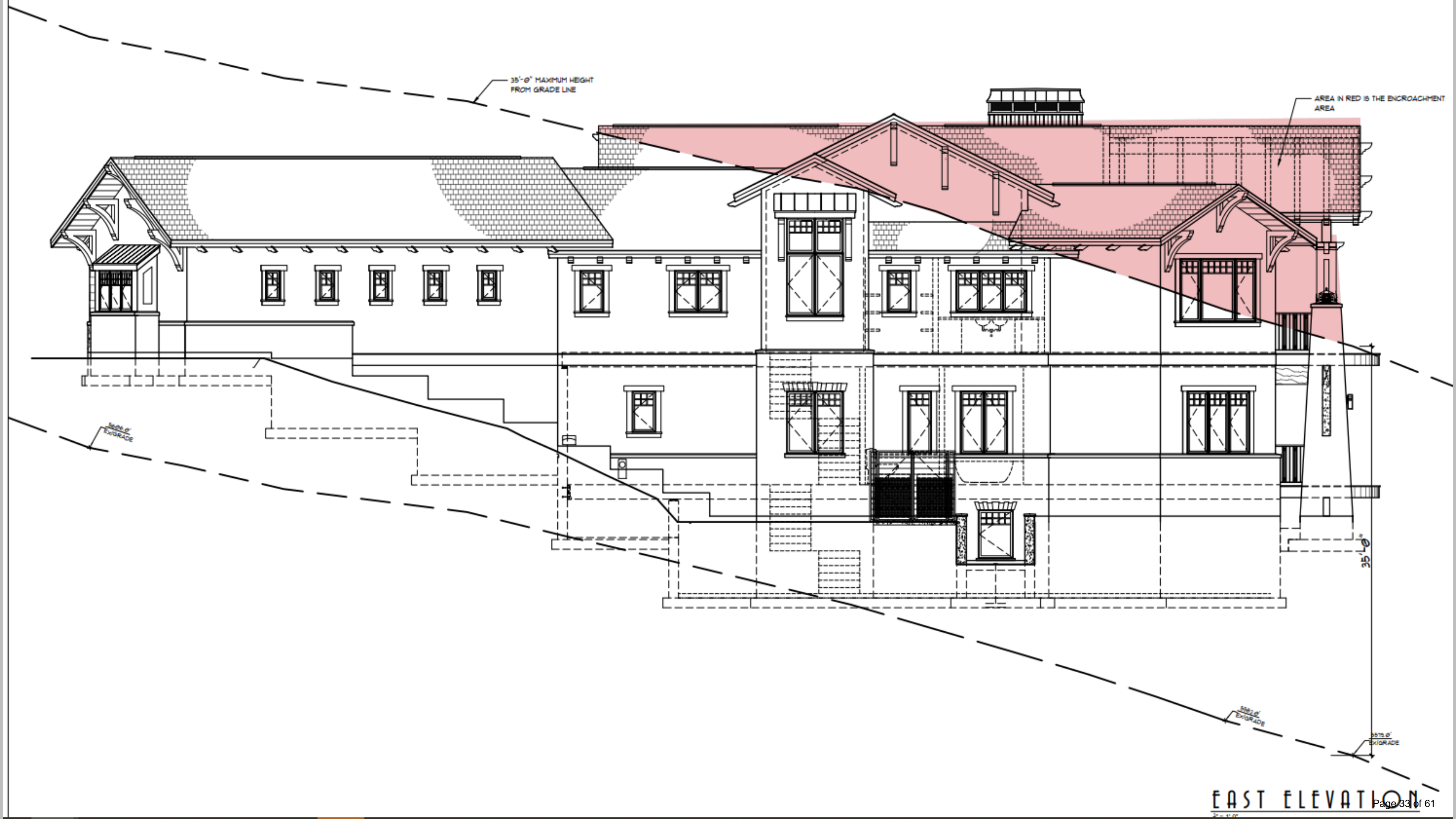
DATUM:
 ELEVATIONS PER COP GUR-01
 EL= 5441.53' NAVD 88

WOODLAND
 PINES LANE





Grading Elevation Cross Section





AREA IN RED IS THE ENCROACHMENT AREA

35'-0" MAXIMUM HEIGHT FROM GRADE LINE

10'-1"

502' TYPICAL FLR

35'-0"

PROPOSED PARTIALLY COVERED TERRACE

PROPOSED SINGLE-FAMIL RESIDENCE

TRUST RECORD ELEV + 54.00

5405.0' EXIGRADE

PROPOSED CONCRETE DRIVEWAY

5550.0' EXIGRADE

5550.0' EXIGRADE

5554.0' EXIGRADE

5552.0' EXIGRADE

5550.0' EXIGRADE

5578.0' EXIGRADE

5576.0' EXIGRADE

SOUTH ELEVATION
 1/2" = 1'-0"



Lot is constrained by slope



House being constructed next
Door to subject parcel

Variance Review Criteria LDC Section 9.13

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

STAFF ANALYSIS

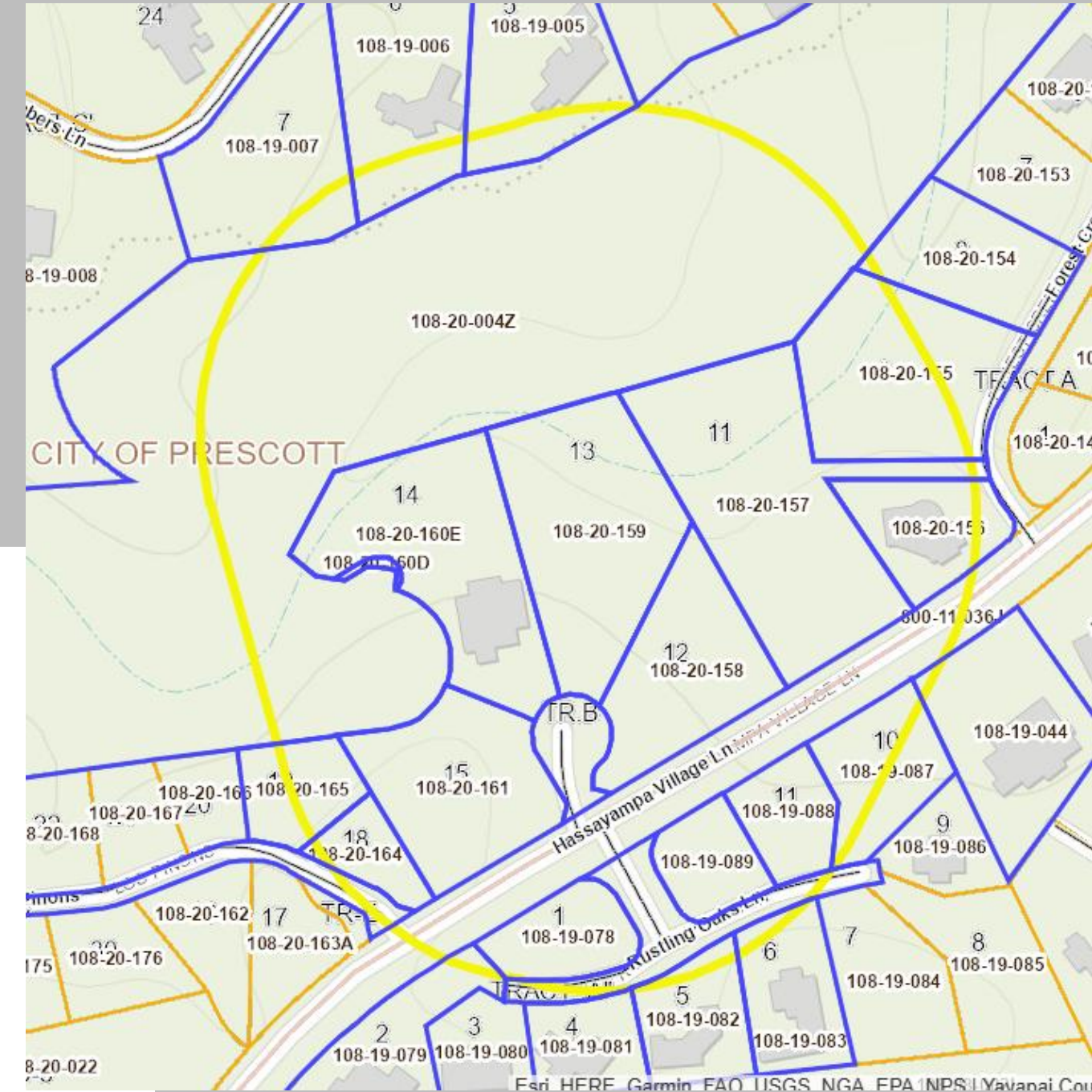
Staff does note other Variances have been approved in the neighborhood.





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.

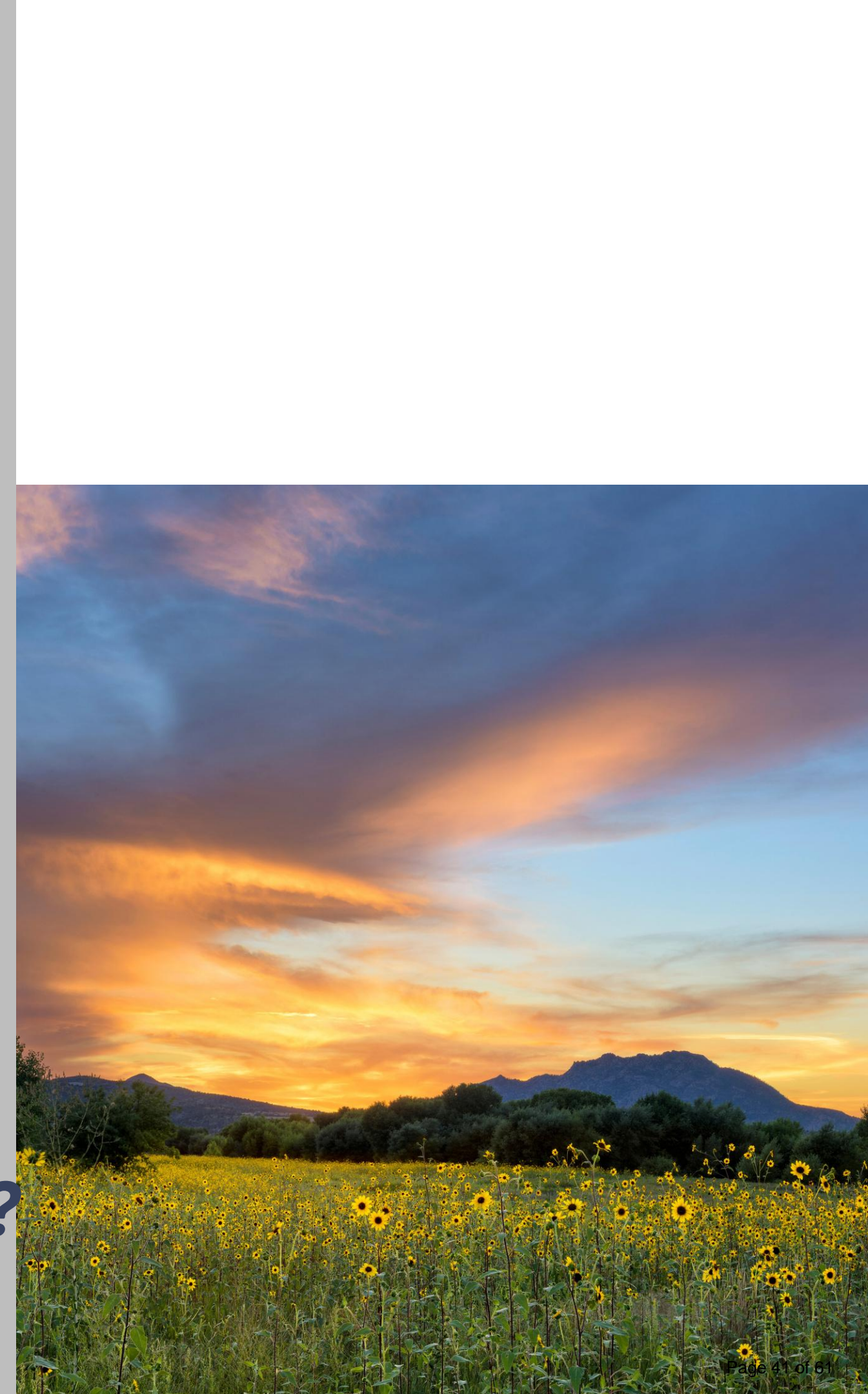




Recommended Action

**MOVE to approve/deny V25-011
per the site plan and renderings
provided.**

Questions & Comments?





TO: MAYOR AND CITY COUNCIL
AGENDA: August 21 Board of Adjustment
DATE: August 21, 2025
DEPT: Community Development
ITEM #: 4.C
SUBJECT: **V25-012:** A Variance to Article 6, Section 6.12.5.A.2 (Permanent On-Site Signs) of the City's Land Development Code (LDC) to Allow for an Increase in the Maximum Allowed Wall-Mounted Signage from 50 Sq. Ft. to 162 Sq. Ft. for Two (2) Roof Decal Sticker Signs. Zoning: BG (Business General). Property Owner: NDG Investments LLC. Applicant: Yavapai Landscaping. Location: APN 114-06-098B, 1106 E Gurley Street.

ITEM SUMMARY

This item is for the approval of V25-012, the applicant is requesting a Variance for an increase in the allowed wall-mounted signage from 50 Sq. Ft. to 162 Sq. Ft. to accommodate two existing roof-mounted decal sticker signs. The applicant's existing signage is on both sides of the roof of the building. The location of the signs are due to the A-frame roof design, which limits the wall space for the existing signage. In looking at the site plan, the applicant is requesting two roof sticker signs to remain, and proposes to remove the existing wall-mounted sign located on the front of the building along E. Gurley St. Staff worked with the applicant to determine the maximum allowable wall-mounted signage, and to determine if the signs could be reduced in size or removed to meet the allowable signage requirements of the Land Development Code (LDC). A Variance was the last option to allow an increase in the maximum allowable signage.

BACKGROUND

STAFF ANALYSIS AND RECOMMENDATION:

The staff analysis and recommendation are 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:

The property is located in the Business General zoning district which is intended to be used for small to mid-sized business, office, or service uses and is surrounded by business use properties.

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 the unique shape/design of the building limited wall space and is covered by a large high-pitched A-frame roof, which resulted in the signs being placed on the roof positioned to face traffic incoming from both directions on Gurley Street.

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 increase in signage would not have any 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: No relevant Variances in the vicinity were found in research of past planning records. Due to this, it is hard to determine whether this is a special privilege as it is not a request that has been made historically.

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 building was constructed in 1980, and the current owner purchased the property in 2020. The previous tenant met the required sign allowance of the Land Development Code (LDC), but the new roof decal signs are not a requirement of the existing commercial use and were installed without a permit.

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 the unique design of their building, and the neighboring businesses that block their signage creates confusion and traffic safety issues for their customers.

NEIGHBORHOOD COMMENTS:

Staff have not received any comments from the public.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve/deny V25-012

ATTACHMENTS

1. V25-012 - NARRATIVE
2. V25-012 - VARIANCE QUESTIONNAIRE
3. V25-012 - SITE PLAN
4. V25-012 - BOA PRESENTATION



Yavapai Landscaping

1106 E Gurley St
Prescott, AZ 86301
7/22/25

City of Prescott

Signage Department

Re: Request for Signage Variance – Yavapai Landscaping, 1106 E Gurley St, Prescott, AZ 86301

To Whom It May Concern,

We respectfully submit this request for a signage variance for our property located at 1106 E Gurley St, Prescott, AZ 86301. Our request is based on unique and challenging circumstances that limit the visibility and effectiveness of our current signage under the standard city regulations. We believe these circumstances warrant special consideration, and we would like to outline the reasons for our request:

1. Obstruction by Neighboring Building:

The building adjacent to ours blocks one side of our signage, which significantly reduces visibility for passing traffic. Due to this obstruction, our signage is only visible once individuals are within approximately 20 feet of our building, limiting our ability to adequately identify our business.

2. Opportunity Zone Redevelopment:

Our property is located within an officially designated “Opportunity Zone.” We have invested in and remediated an older building in a previously undesirable location, contributing to local revitalization efforts. Over the past five years, we have not requested or utilized any of the incentives or perks available to us within this zone. We are now requesting this signage variance as a modest and reasonable accommodation in recognition of these ongoing efforts.

3. A-Frame Building Structure:

Our building is not a traditional structure with a standard façade for signage placement. As an A-frame, the most suitable location for signage is on the roof, which results in the signage being angled toward the sky and not as easily visible as signage on a conventional building. To improve visibility and effectiveness, we are requesting approval for a larger decal on the roof, which is proportionate to our building’s unique shape and design.

4. Consistent Customer Confusion Due to Lack of Visibility:

In the five years that Yavapai Landscaping has operated on Gurley Street, we have received numerous phone calls from customers asking:

- “Where are you located?”
- “What side of the street are you on?”
- “I’m on Gurley Street and I can’t turn around—how did I miss it?”
- “I’ve been driving for 15 minutes and never saw your company.”

These repeated comments demonstrated the ongoing issue caused by our building's structure and the visibility limitations of the current signage. Respectively, the current limitations imposed by the Land Development Code show an unintentional but extreme disadvantage toward our business due to the ARC-style structure we occupy.

Since the installation of our roof sticker on the A-frame building, we have not received a single call from customers asking where we are located. This clearly shows that the roof signage has directly addressed a longstanding visibility issue, improving our business's accessibility and reducing confusion for customers.

5. Speed Limit Relevance and Traffic Behavior on Gurley Street:

We understand that signage visibility requirements along Gurley Street are based on the posted speed limit. However, it is a consistent and observable fact that traffic does not adhere to this speed limit in the area near our property, particularly because it serves as a transition zone between higher and lower speed areas. This traffic behavior undermines the assumptions on which the current signage guidelines are based. Unless the posted speed limit is actively enforced or increased, the current code does not reflect the reality of the traffic conditions, which further supports the need for increased visibility through a variance approval.

Given these factors, we respectfully ask that the City grant this variance to allow for signage that will adequately serve our business needs and align with the spirit of the zoning code, while also recognizing our contributions to improving the area.

We appreciate your time and consideration of this request and would be happy to provide any additional documentation or meet to discuss this matter further.

Thank you for your attention.

Sincerely,

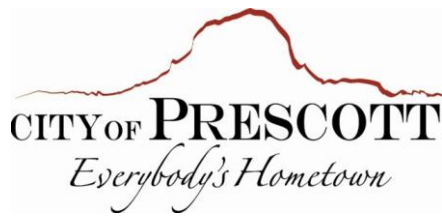
Nathan Green

Owner

Yavapai Landscaping

928-910-4147

office@yavapailandscaping.com



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.

The property at 1106 E Gurley St is uniquely impacted by several factors not commonly shared by other properties in the same zoning district, such as Building, Obstruction by Neighboring Building, and opportunity zone redevelopment site, please see attached letter for more details.

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.

Strict interpretation of the zoning ordinance, which limits the size and placement of signage, would prevent Yavapai Landscaping from adequately identifying its location to the public—something that neighboring properties are clearly able to do without issue. The building's A-frame structure and obstructed sight lines put it at a distinct disadvantage compared to other businesses along Gurley Street, such as:

Apache Lodge – 1130 E Gurley St

Heritage House – 819 E Gurley St

Prescott Sports Pub – 801 E Gurley St

These properties all have conventional building façades with ample space and frontage on Gurley Street, allowing them to install standard signage that is easily visible from a significant distance before arriving at the property. In contrast, Yavapai Landscaping's visibility is impaired until vehicles are within roughly 20 feet, offering virtually no reaction time for drivers unfamiliar with the location.

Without a variance to adjust the signage regulations for this uniquely challenged property, the applicant is deprived of fair and reasonable visibility that other businesses in the same zoning district naturally enjoy.

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 hardship in question extends beyond inconvenience or financial strain. It directly impacts public accessibility, business visibility, and customer safety:

Numerous customers have reported being unable to find the business, missing turns, or getting lost, despite being on the correct street.

Traffic conditions and limited turn-around options on Gurley Street create logistical challenges for customers who pass the business without seeing it.

These issues are structural and locational—not due to any action or decision by the applicant.

Additionally, since the addition of a larger roof decal, there have been zero calls from customers struggling to find the location, clearly demonstrating that the hardship was real and that a variance is functionally necessary to serve the public.

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.

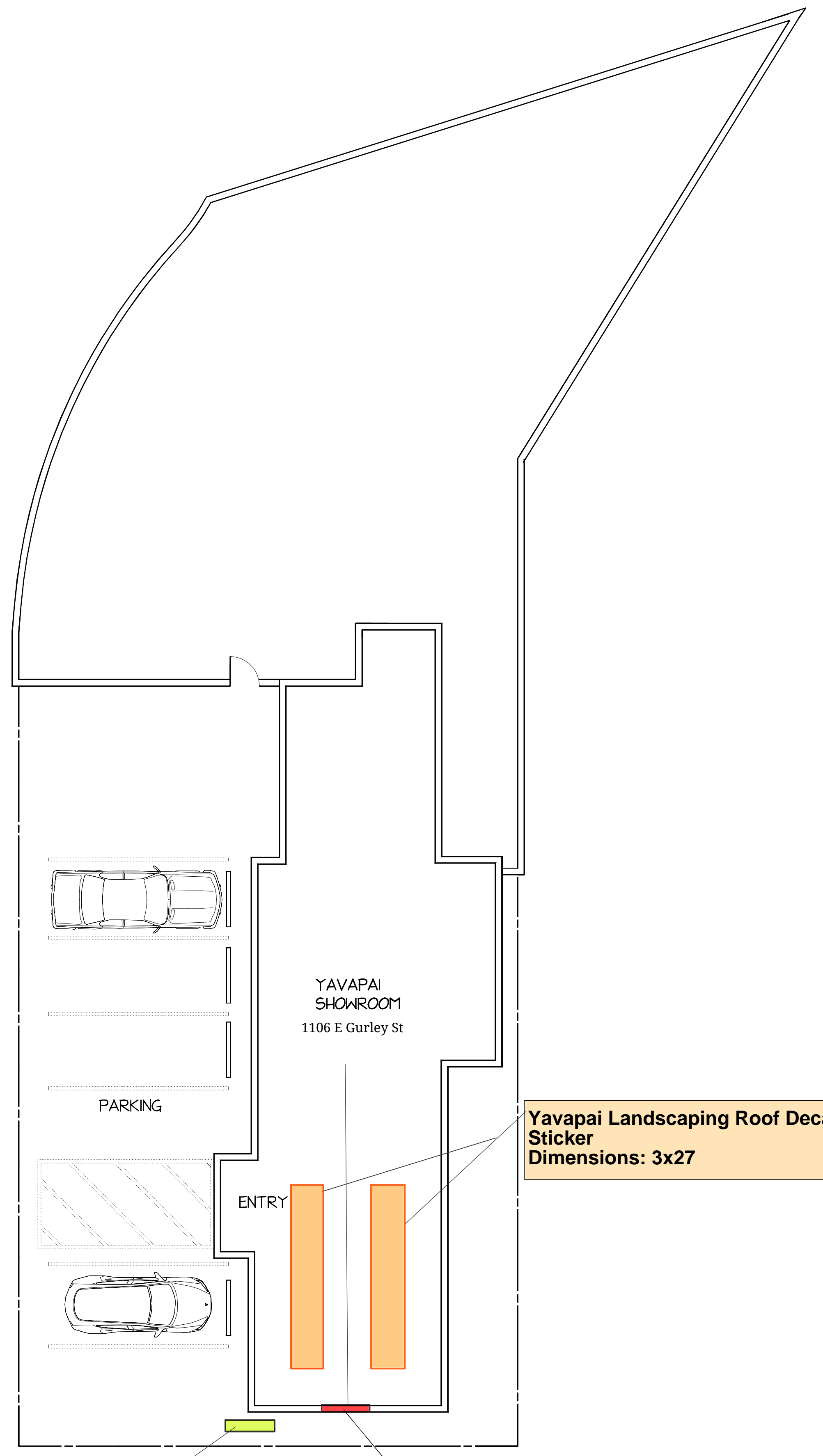
The requested variance is not a special privilege, but a reasonable accommodation for the specific challenges of an A-frame structure with obstructed visibility. Other businesses in the same district enjoy full visibility due to conventional structures and clear façades that comply naturally with zoning requirements. The variance would simply level the playing field, not provide additional advantage.

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

The requested variance is not a special privilege, but a reasonable accommodation for the unique visibility limitations of an A-frame structure that is further obstructed by an adjacent building. Unlike neighboring properties with standard façades and clear frontage which enjoy full visibility due to conventional structures that comply naturally with zoning requirements, Yavapai Landscaping faces architectural and locational constraints that are beyond its control.

Importantly, we are not requesting additional signage beyond what is currently in place, nor are we seeking to increase the signage on the property. Instead, we are requesting the ability to retain the existing signage, which has effectively resolved long-standing visibility issues.

This variance simply brings the business to a level of visibility comparable to others in the district and does not provide an unfair advantage or special privilege.



3 x 6 As-Built Sign
Not lighted
Not illuminated

Front Sign
4x6 landscaping sign
Not lighted
Not illuminated

Yavapai Landscaping Roof Decal
Sticker
Dimensions: 3x27

YAVAPAI
SHOWROOM
1106 E Gurley St

PARKING

ENTRY

YAVAPAI LANDSCAPING
1106 E. GURLEY ST
PRESCOTT, ARIZONA

NORTH



YAVAPAI - A FRAME

SCALE DATE DRAWING #





V25-012 1106 E. Gurley St.

JACOB LUND- COMMUNITY PLANNER

August 21, 2025
Board of Adjustment



REQUEST

Variance to Article 6, Section 6.12.5.A.2 (Permanent On-Site Signs) of the City's Land Development Code (LDC) to allow for an increase in the maximum allowed wall mounted signage from 50 Sq. Ft. to 162 Sq. Ft. for two (2) roof decal sticker signs. [Zoning: BG (Business General); Property Owner NDG Investments LLC; Applicant: Yavapai Landscaping; APN 114-06-098B; Location: 1106 E Gurley St].



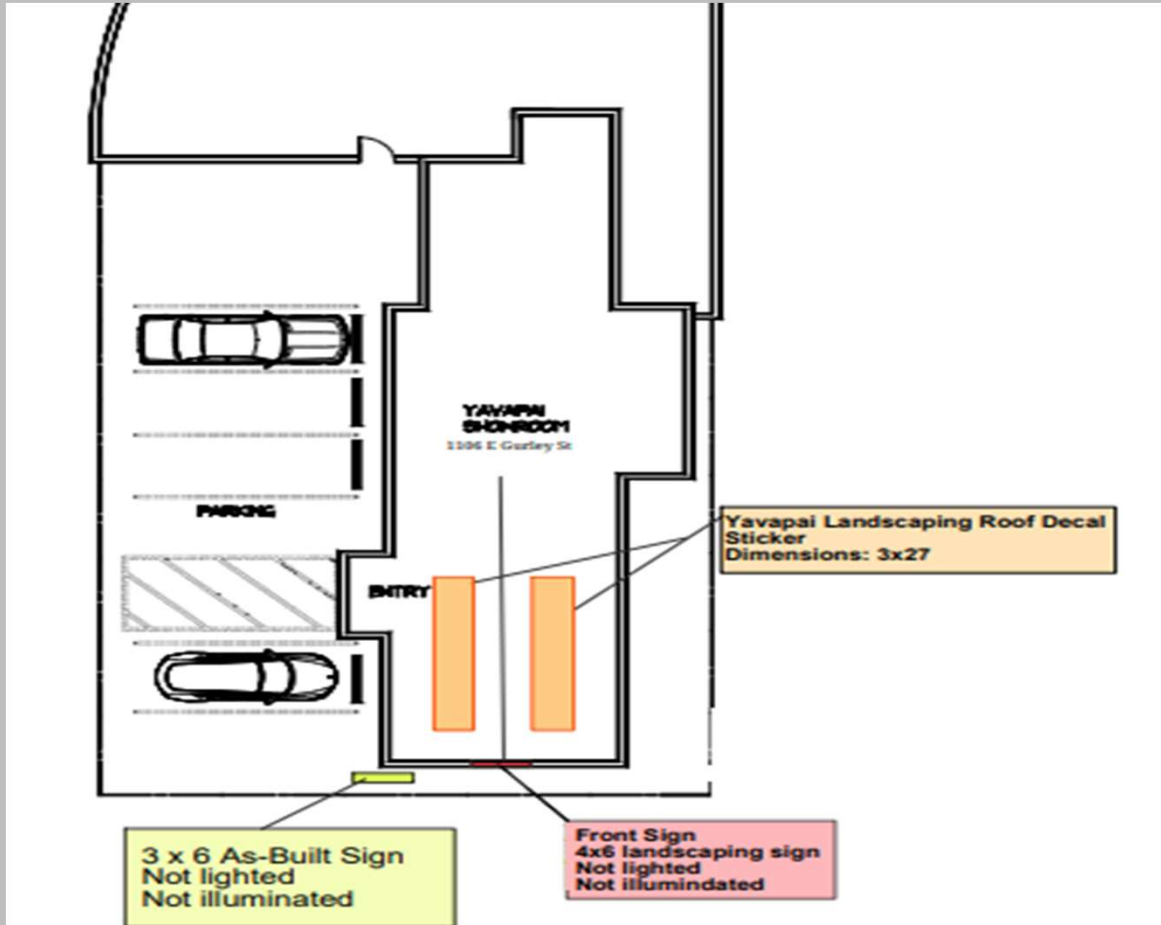
ZONING MAP



AERIAL IMAGERY MAP



SITE PLAN



2 roof decal sticker signs were placed on the roof facing both East and West. The sticker signs are a total of 162 Sq. Ft without permits. The existing wall mounted sign on the front (north facing) wall will be removed in order to only have the existing monument sign and 2 roof decal sticker signs.

PICTURES OF SITE



VIEW OF PROJECT AREA



PICTURES OF SITE CONT...



VIEW OF PROJECT AREA - FACING EAST



VIEW OF PROJECT AREA - FACING WEST

**Variance
Review Criteria
LDC Section
9.13**

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



STAFF ANALYSIS

- Weighed against six review criteria per the LDC.
- Researched records and did not find any other relevant Variances applied for or approved within the neighborhood. Historically, this is not a request that has been made.



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.



Recommended Action

**MOVE to approve or deny V25-012
To allow an increase in the
allowed signage from 50' to 162'
for 2 roof decal sticker signs.**

Questions & Comments?

