

# City of Prescott

## Board of Adjustment



November 20, 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 **November 20, 2025**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **DISCUSSION & ACTION ITEMS**
  - A. Approval of the September 18, 2025 Board of Adjustment Meeting Minutes.  
**Recommended Action: MOVE to approve minutes as presented**
  - B. **CUP25-002**: Conditional Use Permit Allowing for the Addition of Classrooms for Grades K-8 at the Seventh Day Adventist School in a SF-35 and -9 (Single Family) Zoning District. Location: 2980 Willow Creek Road, APN 106-21-237B Encompassing Approximately 3.6 Acres. Owner: Arizona Conf Corp Seventh Day Adventists. Applicant/Agent: Distinctive Homes & Architecture; Tom Terry, PLLC.  
**Recommended Action: MOVE to approve or deny CUP25-002**
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 11/13/25 at 11:00 a.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.



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Sarah M. Siep, City Clerk



TO: MAYOR AND CITY COUNCIL  
AGENDA: November 20 Board of Adjustment  
DATE: November 20, 2025  
DEPT: Community Development  
ITEM #: 4.A  
SUBJECT: Approval of the September 18, 2025 Board of Adjustment Meeting Minutes.

## ITEM SUMMARY

This item is for approval of the September 18, 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. September 18, 2025 BOA Minutes



# City of Prescott Board of Adjustment

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September 18<sup>th</sup>, 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 (Excused)  
Mary Frederickson, Member  
Miriam Haubrich, Member  
Mark Hokeness, Member  
Tom Hutchison, Member (Excused)  
Rick Kimery, Member

### 3. PLEDGE OF ALLEGIANCE

### 4. EXECUTIVE SESSION

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Board of Adjustment and to the general public that the Board will hold a Meeting at 9:00 a.m. on September 18, in the Council Chambers for the purpose of deciding whether to go into executive session. If authorized by a majority vote of the Board of Adjustment, the executive session will be held immediately after the vote and will not be open to the public. The agenda for the meeting is as follows:

- a) Discuss & Consult with the City's Attorneys for Legal Advice and to Consider the City's Position and to Instruct its Attorneys and Necessary City Employees Regarding the Appeal, Pursuant to A.R.S. § 38-431.03(A)(3, 4 and 7).

### 5. DISCUSSION & ACTION ITEMS

- A. Approval of the August 21, 2025 Board of Adjustment Meeting Minutes.

**MOTION BY MEMBER HOKENESS TO APPROVE THE AUGUST 21, 2025 MEETING MINUTES AS SUBMITTED; SECONDED BY MEMBER KIMERY: PASSED (5-0)**

- B. **APL25-001:** Discussion & Possible Action Regarding an Appeal of Administrative Code Interpretation Decision.

Alex Bramlette Planning Manager gave a presentation for APL25-001 regarding the applicability of the City of Prescott's Land Development Code (LDC) section 6.8 for hillside development standards. She outlined the LDC regulations for section 9.17

related to appeals of administrative decisions, LDC section 6.1, LDC section 6.8.2, LDC 6.8.3, LDC 6.8.4 and LDC 6.8.5 all related to hillside development standards. Staff recommended moving to affirm the Community Development Director's interpretation of LDC 6.8.

Veronica Grace Applicant/Appellant stated that the appeal is much larger than just the development located at 500 South Marina Street. She referenced the language of LDC sections 6.1 and 6.8.2 saying "except as otherwise specified herein" and the lack of explicit exceptions being mentioned in the code. Additionally, she said that the intent of the code needs to be met and the intent of the code is to protect Prescott's hillsides.

Member Frederickson stated that the intent of the code should be reviewed when there is ambiguity.

Member of the public Alvin Berke had concerns about the destruction of hillsides at 500 South Marina Street. He agreed that the intent of LDC section 6.8 is to protect Prescott's hillsides.

Member of the public Marti Verrier said the code is meant to be used as a means of preservation of natural resources. She has concerns related to water run-off from hillside developments.

Member of the public Cathey Rusing stated that the code does not provide city staff or the Community Development Director authority to wave, ignore, or amend the grading, slope or ridgeline sections of the LDC and only City Council has that authority.

Matt Podracky Deputy City Attorney stated the board will want to allow for rebuttal from both parties.

Chelsea Walton Community Development Director stated that all projects are still subject to the city's General Engineering Standards, and all concerns will be addressed by building codes and the general engineering standards. She did recognize that LDC 6.8 mentioned drainage and slopes of driveways, but these issues are covered by other codes outside of LDC 6.8.

Member Hokeness asked what International Building Code the city currently operates from.

Ms. Walton said it is the 2018 International Building Code and the city is in the process of adopting the 2024 building code.

Ms. Grace stated the LDC does contain the maximum allowable disturbable area based on a slope map. She added that the slope of 500 S. Marina Street averages 30-40%, making it difficult to disturb much of the land. She believes that applying LDC section 6.8 to all land development would limit the amount of hillside's that can be disturbed.

Mr. Podracky said the board needs to decide if the hillside development standards apply to all site development and opened the meeting to discussion between board members.

Ms. Rusing stated that only City Council has the authority to determine if the hillside standards shall apply to all land development.

Member Frederickson said that the board's decision cannot be based on prior projects and should only be based on if the Community Development Director's interpretation of LDC 6.8 applies to the project located at 500 S. Marina Street.

**MOTION TO REVERSE THE INTERPRETATION OF THE COMMUNITY DEVELOPMENT DIRECTOR REGARDING LAND DEVELOPMENT CODE (LDC) SECTION 6.8; SECONDED BY CHAIRMAN TEETERS. (MOTION FAILS 3-2) MEMBER HAUBRICH, MEMBER HOKENESS AND MEMBER KIMERY DISSENTING.**

Member Hokeness stated that the permitting process provides protection and is already in place but does agree there are questions on how the code should be interpreted.

Member Haubrich said there needs to be more clarity in the specifics regarding LDC section 6.8.

Member Kimery stated that the intent of the code is to apply to subdivisions and not single site development.

Member Frederickson asked if the board does not come to a conclusion, what are the next steps.

Ms. Bramlette asked if board members were wanting directions on how to apply LDC section 6.8 to single site development.

Member Frederickson said the board was tasked with the decision if LDC section 6.8 applies to this specific project and how LDC section 6.8 applies should be left to individuals with more knowledge.

Ms. Bramlette stated that LDC section 6.8 is hard to apply to single-site development and staff would need directions on how to do that moving forward.

Mr. Podracky clarified that the Board of Adjustments is a board of 7 members and it could be continued to a later date to have a full board or try a new motion.

**MOTION TO AFFIRM THE COMMUNITY DEVELOPMENT DIRECTOR'S INTERPRETATION OF LDC 6.8 WITH THE CONDITION OF CITY COUNCIL DISCUSSING LAND DEVELOPMENT CODE (LDC) SECTION 6.8 AT A FUTURE DATE; SECONDED BY MEMBER HAUBRICH: PASSED (4-1) MEMBER FREDERICKSON DISSENTING.**

Ms. Walton asked if the board's intent was for staff to bring this forward to City Council for review.

Member Hokeness confirmed.

Ms. Rusing stated City Council will have a study session regarding LDC section 6.8.

**4. STAFF UPDATES**

No Staff Updates

**5. ADJOURNMENT**

Chair Teeters adjourned the meeting at 10:29 a.m.

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Anthony Teeters, Chair

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Jacob Lund, Board Secretary



TO: MAYOR AND CITY COUNCIL  
AGENDA: November 20 Board of Adjustment  
DATE: November 20, 2025  
DEPT: Community Development  
ITEM #: 4.B  
SUBJECT: **CUP25-002:** Conditional Use Permit Allowing for the Addition of Classrooms for Grades K-8 at the Seventh Day Adventist School in a SF-35 and -9 (Single Family) Zoning District. Location: 2980 Willow Creek Road, APN 106-21-237B Encompassing Approximately 3.6 Acres. Owner: Arizona Conf Corp Seventh Day Adventists. Applicant/Agent: Distinctive Homes & Architecture; Tom Terry, PLLC.

## ITEM SUMMARY

This item is requesting a Conditional Use Permit (CUP) to expand an existing K-8 school per Land Development Code (LDC) Section 2.3/Land Use Table, Schools, public or private, K-8, are allowed in the SF-35 and -9 (Single Family) zoning district by CUP. Previous CUP for the school use were obtained in 1998.

In compliance with LDC Section 9.1.2/Common Procedure - Pre-Application Conference, and Section 9.3.3/Conditional Use Permits - Conditional Use Application Process, the applicant completed a meeting with staff prior to submitting the CUP application for the proposed use at this site and has met all other requirements of Section 9.1/Common Procedure.

## BACKGROUND

### SITE INFORMATION:

The school is situated on approximately 3.6 acres on the northwest corner of Willow Creek Road and Nicholet Trail. Access is off of Nicholet Trail with egress only on to Willow Creek Road.

### PROPOSED USE:

The school purchased the vacant land behind their current facility to allow the construction of additional classrooms for grades K-8. At this time, grades 9-12 are not allowed unless the property is rezoned to BG (Business General).

### CONDITIONAL USE REVIEW CRITERIA:

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

#### Section 9.3.5.A. Effect on Environment

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

The property is currently being used as a school. Recently, the church purchased vacant land in the rear and had it combined with the front parcel to allow additional classrooms for the current and future growth of the school.

### **Section 9.3.5.B. Compatible with Surrounding Area**

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

The Prescott Adventist Christian School is growing and is now in need of adding more classrooms to accommodate the current and future growth. The access and circulation already exists on-site.

### **Section 9.3.5.C. External Impacts Minimized**

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

Noises from parents arriving/departing and parking are impacts that already exist but may have more students being dropped off with the growth of the school. There is a buffer between the school and adjacent residential properties due to a floodplain that will need to be maintained. There is also an existing 6' wood fence to buffer the use.

### **Section 9.3.5.D. Infrastructure Impacts Minimized**

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

The proposed expansion is on property that has been combined with the existing school property and there is existing infrastructure that will be expanded for the new classrooms.

### **Section 9.3.5.E. Consistent with General Plan and Code**

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

The proposed use, with Conditional Use Permit, is in conformance with the purposes of the LDC and General Plan, and all relevant policies and plans. Public or private K-8 schools are allowed by right in the Business General (BG), Business Regional (BR), Downtown Business (DTB), Industrial Transition (IT) and Industrial Light (IL) zoning districts.

### **Section 9.3.5.F. Parcel Size**

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

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

### **Section 9.3.5.G. Site Plan**

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

The proposed buildings meet the setbacks, located outside FEMA Floodplain, and lot coverage allowances.

**Section 9.3.6. Additional Conditions**

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

The Board may impose the requirement for additional landscaping between the new classrooms and the adjacent residential neighborhood. Otherwise, there are no other impacts.

**Section 9.3.7.C. Expiration/Revocation of Approval**

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

**Section 9.3.8. Appeal**

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

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

**HISTORIC PRESERVATION:**

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

**STAFF RECOMMENDATION:**

Staff recommends approval of the Conditional Use Permit for the expansion of the existing K-8 school. If the school decides to add additional grades beyond 8<sup>th</sup> grade, they will have to rezone the property to BG (Business General).

**NEIGHBORHOOD COMMENTS:**

Staff has received an email with questions/concerns regarding this Conditional Use Permit request, which is contained in your agenda packet.

**FINANCIAL IMPACT**

There is no fiscal impact associated with this item.

**RECOMMENDED ACTION**

MOVE to approve or deny CUP25-002

**ATTACHMENTS**

1. Narrative
2. Site Plan
3. Public Concern\_Comment
4. CUP25-002 School Presentation



October 17, 2025


Re: Seventh Day Adventist Church School (K-8)  
Parcel No.: 106-21-228C  
2828 Willow Creek Road, Prescott, AZ 96305

Amended Letter of Intent

This is a request for a Conditional Use Permit for grades K-8.

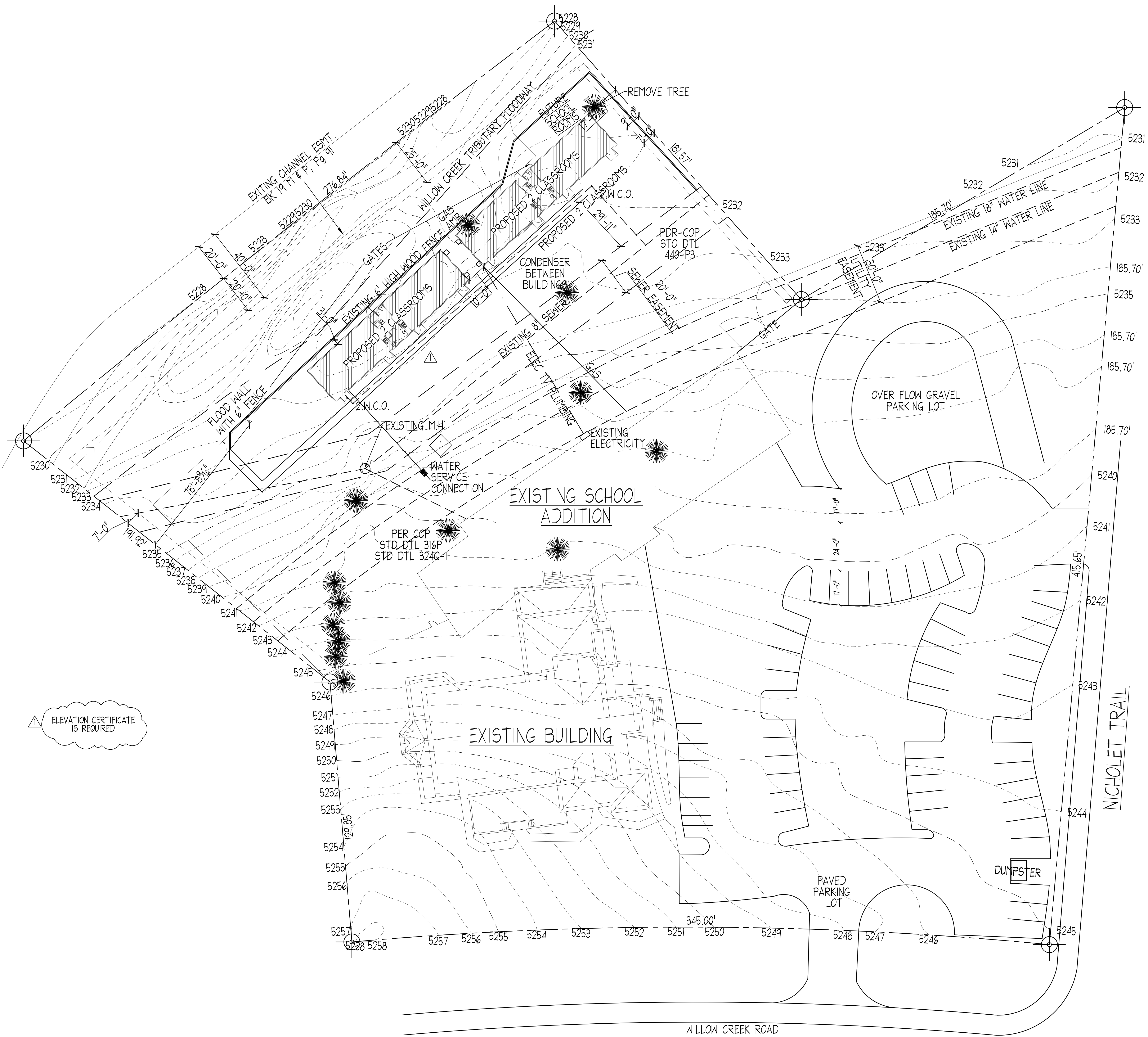
The Seventh Day Adventist School is proposing the addition of some classrooms for K-8 grades at the rear of the property.



  
Thomas C. Terry,  
Architect  
President, Distinctive Homes & Architecture

Expires 9/30/2025

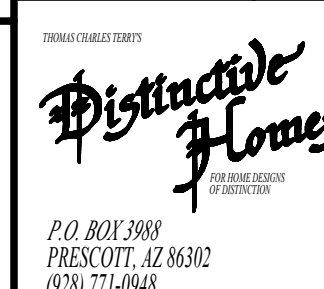
P . O .   B O X   3 9 8 8   P R E S C O T T ,   A R I Z O N A   8 6 3 0 2  
P : 9 2 8 - 7 7 1 - 0 9 4 8   T o m . T e r r y @ D H o m e s A z . c o m



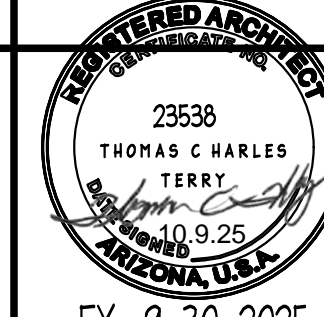
LEGEND		REVISIONS	BY
---	PROPERTY BOUNDARY	07.15.24	RT
---	SETBACK/EASEMENT	10.1.25	TT
---	EXISTING MAJOR TOPO LINE		
---	EXISTING MINOR TOPO LINE		
---	SWALE		
---	UTILITIES		
---	PAVERS		
---	CONCRETE		

**SITE NOTES**

- PROVIDE VISIBLE & LEGIBLE ADDRESS # ON BUILDING.
- CONTRACTOR TO VERIFY ALL MEASUREMENTS PRIOR TO CONSTRUCTION.
- FINAL INSPECTION REQUIRED PRIOR TO OCCUPANCY.
- VERIFY ALL UTILITY LOCATIONS.
- LANDSCAPE TO REMAIN NATURAL; REPLANT ALL DISTURBED AREAS W/ FESCUE GRASS & WILD NATURAL BLEND.



PROJECT INFO	
OWNER:	SEVENTH DAY ADVENTIST PO BOX 12340 JOANNA JUSTINO : (481) 535-3630 CHURCH : (928) 224-8022 FACEBOOK@CHURCHOFFICIAL.COM
ARCHITECT:	DISTINCTIVE HOMES P.O. BOX 3908 PRESCOTT, YAVAPAI, ARIZONA 86302 (928) 771-0948 INFO@DISTINCTIVEHOMESAZ.COM
CONTRACTOR:	TO BE DETERMINED



TYPE OF PROJECT	NEW CLASSROOM BUILDINGS
OCCUPANCY	A-2
TYPE OF CONSTRUCTION	A-2
LOT SIZE	2.48 ACRES
PARKING	78 EXISTING
ZONED	SF-35, SF-4
SETBACKS	FRONT _____ SIDE _____ REAR _____
LOT COVERAGE	15.4%
HEIGHT	15'-0"
CODES	2018 IRC, IPC, IMC, 2017 NEC, 2012 IECC

SUBDIVISION # LOT#				
PARCEL# 106-21-237A & 106-21-228B				
JOB ADDRESS 2160 WILLOW CREEK RD.				
TOTAL	LOWER	MAIN	UPPER	
188		1882		

DESIGN PARAMETERS			
SNOW LOAD	30 PSF	FROST DEPTH	18"
ROOF DEAD LOAD	25 PSF	TERMITE	MODERATE
DECK LIVE LOAD	60 PSF	DECAY	SLIGHT
DECK DEAD LOAD	10 PSF	WINTER TEMP	15°
FLOOR LIVE LOAD	40 PSF	FLOOD HAZARD	COP TITLE XIII
FLOOR DEAD LOAD	15 PSF	AIR FREEZE INDEX	194
WEATHERING	NEGLECTIBLE	MEAN ANNUAL TEMP	53°
SEISMIC CAT	B/C	RISK CAT I	95
EXPOSURE	C	RISK CAT II	105
WIND SPEED	115 MPH	RISK CAT III & IV	115
TOPO EFFECT	NONE	RISK CAT III & IV	115

- ① WATER BACK WATER
- ② SEWER BACK FLOW
- ③

ELEVATION CERTIFICATE IS REQUIRED

# SITE PLAN

SCALE 1" = 20'-0"

Seventh Day Adventist School Building

DATE	01/04/2023
SHEET	1

Alex Bramlette

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From: Tammy Dewitt  
Sent: Wednesday, November 12, 2025 9:05 AM  
To: VJean Keyes; Planning  
Subject: RE: Public Hearing, Nov. 20: school addition  
Attachments: Site Plan.pdf

Good Morning,

Attached is the site plan showing the location of the new buildings for the proposed school expansion. All buildings will be located outside the floodplain and will not impact the drainage from the site. The existing fencing will remain, which borders the floodplain.

Please let me know if you have any additional questions.

Cheers,  
Tammy

Tammy DeWitt

Community Planner

Community Development

*City of Prescott Community Development has moved to 201 N Montezuma.*

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From: VJean Keyes <vjeankeyes@gmail.com>  
Sent: Tuesday, November 11, 2025 1:40 PM  
To: Planning <planning@prescott-az.gov>  
Subject: Public Hearing, Nov. 20: school addition

To: Board Members

From: V. Keyes, I Szecsody, homeowners

My family has owned property in the residential neighborhood on Pleasant Valley Dr. for 35 years. Our property lies directly behind the 7th Day Adventist Church and school.

My first question is: How close will the proposed 3.6 acre school addition be built to the residential properties on Pleasant Valley Dr.? This would impact our property values.

My second question is: Will the school addition be built in close proximity to the existing drainage ditch/dry wash which is located directly behind the church and the back of our properties? In the occurrence of a moderate or severe rain event, our properties would likely be flooded by runoff with nowhere definite to go (without the usual drainage provision). This would endanger our properties, and also impact property values.

Thank you for your time and consideration .

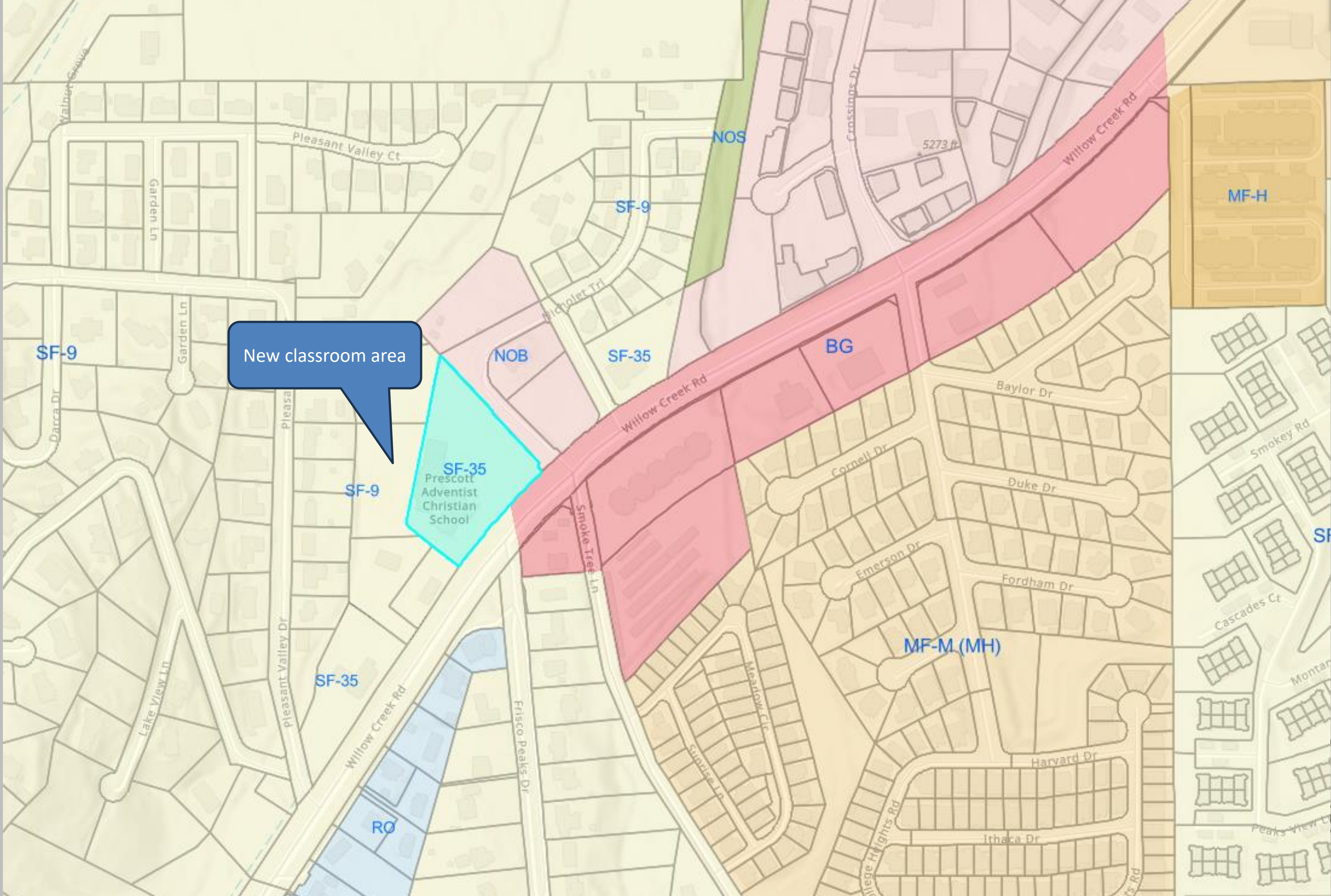
# CUP25-002

# Seventh Day Adventist School

November 20, 2025  
Board of Adjustment

TAMMY DEWITT





New classroom area

SF-35  
Prescott  
Adventist  
Christian  
School



New classroom area



Ingress to property



Additional Parking and circulation area



Egress on to Willow Creek Road



Existing School and parking area



# Conditional Use Permit Review Criteria

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

# Permitted Use Table

PERMITTED USE TABLE																						
SPECIFIC USE	RESIDENTIAL BASE ZONING DISTRICTS										NONRESIDENTIAL BASE ZONING DISTRICTS										Use Standards	
	RE-2	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>	NOS	RS	MU	RO	NOB	BG	BR	DTB	IT	IL		IG
Schools, public or private, 9-12							C	C	C				C	C	C	P	P	P	P	P		--
Schools, public or private, K-8	C	C	C	C	C	C	C	C	C				C	C	C	P	P	P	P	P		--

Schools K-8 require a CUP in any Sf (Single-Family) zoning district.

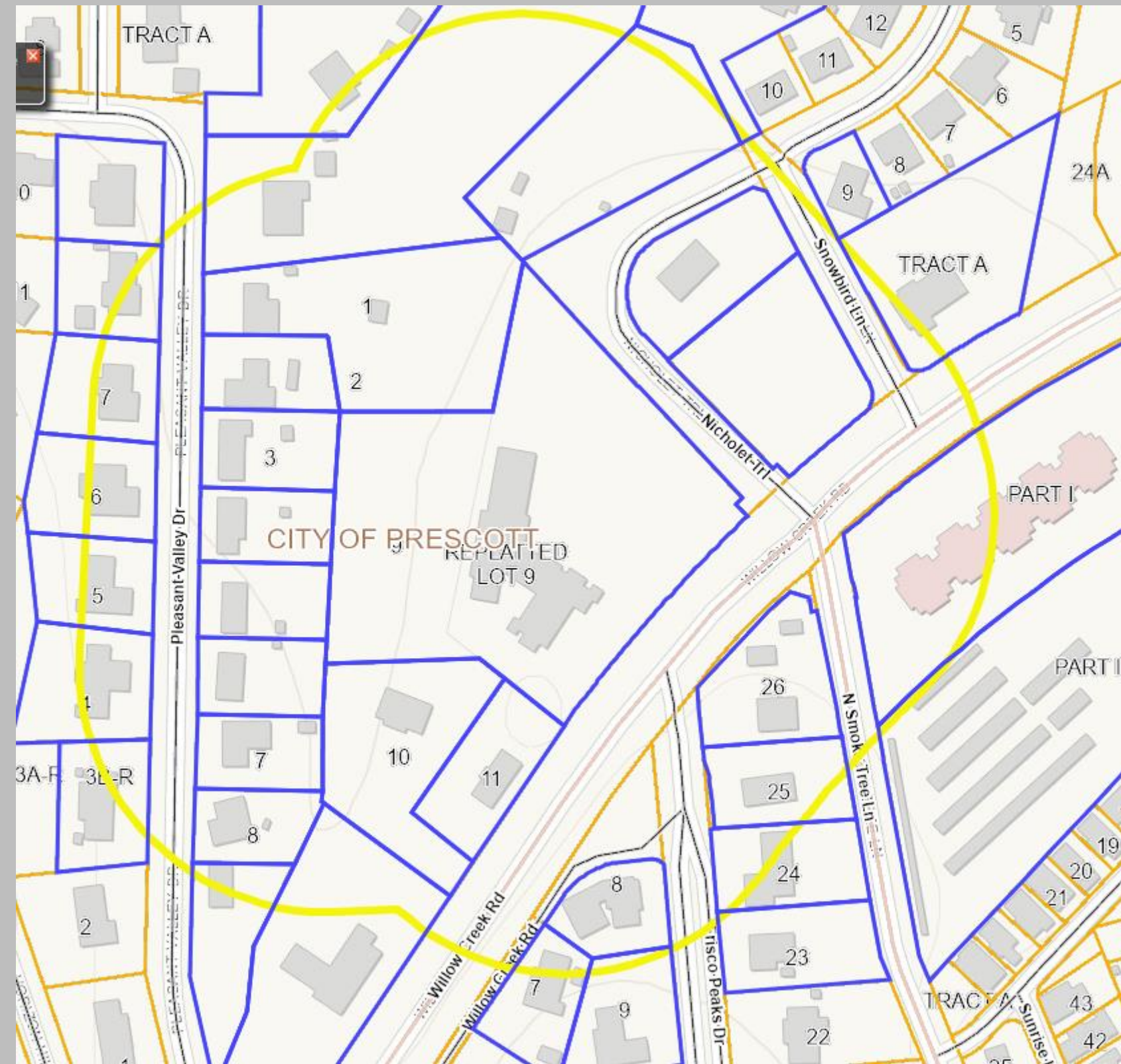
Schools 9-12 not allowed in the SF (Single-Family ) zoning districts and will require a rezoning.



# Neighborhood Outreach

Staff has 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 CUP request.

We did receive an email with questions/concerns that is in the packet.





## ***Recommended Action***

Move to Approve/Deny CUP25-002 with or without conditions.

