

City of Prescott

Board of Adjustment



February 19, 2026 | 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 **February 19, 2026**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

1. CALL TO ORDER

2. ROLL CALL

3. DISCUSSION & ACTION ITEMS

A. Approval of the December 18, 2025 Board of Adjustment Meeting Minutes.

Recommended Action: MOVE to approve minutes as presented

B. **V26-001:** Variance to Article 3, Section 3.9.3.F (MF-M/Minimum Setbacks) of the Land Development Code (LDC) Allowing a Reduction of the Required 20' Rear Setback by 17' to Allow for a 3' Rear Setback for the Conversion of an Existing Garage to a Second Residence. Zoning: MF-M (Multi-Family). Property Owner: Tetreau Holdings LLC. Applicant: Broken Arrow Drafting and Design, LLC.

Location: APN 113-02-016, 815 1st Street.

Recommended Action: MOVE to approve or deny V26-001 per the site plan provided

4. ADJOURNMENT

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

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. § 38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));

- (6) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));
- (7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on 2/12/26 at 11:00 a.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Sarah M. Thornhill

Sarah M. Thornhill, City Clerk



TO: MAYOR AND CITY COUNCIL
AGENDA: February 19 Board of Adjustment
DATE: February 19, 2026
DEPT: Community Development
ITEM #: 3.A
SUBJECT: Approval of the December 18, 2025 Board of Adjustment Meeting Minutes.

ITEM SUMMARY

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



City of Prescott Board of Adjustment

December 18th, 2025 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 1st Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

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

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

4. DISCUSSION & ACTION ITEMS

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

MOTION BY MEMBER HOKENESS TO APPROVE THE NOVEMBER 20, 2025 MEETING MINUTES AS SUBMITTED; SECONDED BY MEMBER HUTCHISON: PASSED (4-0).

B. **CUP25-003:** Request for a Conditional Use Permit for a Tattoo Business. Land Development Code (LDC) Sections 4.8 and 9.3. Zoning: Business Regional (BR). Location: 803 E Sheldon Street, APN 114-04-021. Property Owner: Waunch Nathan & Jessica & Waunch Matthew & Haley JT. Applicant/Agent: Deadcorative Décor & Tattoo LLC.

Tammy DeWitt Community Planner gave a presentation for a conditional use permit to allow for a tattoo parlor in a business regional zoning district off Sheldon St. The building is currently vacant and is surrounded by a cemetery, an adjacent business, and single- and multi-family zoning. There are no proposed changes to the building, and the only required change is a sign permit. She shared imagery maps, the proposed site plan, and current images of the property which was formerly a vet clinic. Staff reviewed the proposal against all conditional use permit review criteria and there were no issues. There were no public comments from neighbors. Staff recommended to approve or deny CUP25-003 for a tattoo parlor in a Business Regional (BR) zoning district located at 803 Sheldon Street.

Member Hokeness asked what is across the street from the property on Sheldon and if the side street goes through to Goodwin.

Ms. DeWitt stated she believes the side street is through to Goodwin and that across the street is Wecom Fiber, a business that provides internet infrastructure.

The applicant, Nathan Delguidice, stated that directly across the street is Bennet Auto Glass and the Texaco gas station.

Member Hutchison asked for clarification regarding the business name.

Mr. Delguidice answered that it is in reference to the business' art style, which includes dried flowers, butterflies, and animal skulls, which he described as "oddiy art."

Member Hutchison asked about the building design being "chopped up" and the proposed business workflow.

Mr. Delguidice outlined the proposed workflow for the building with a color-coded diagram to show the different uses within the space, including the tattoo space, an art showroom, an employee break room, mercantile space, and a restroom.

Member Hutchison asked what the primary source of revenue for the business would be.

Mr. Delguidice said that it would be split between tattoos and art.

MOTION BY MEMBER KIMERY TO APPROVE CUP25-003; SECONDED BY MEMBER HOKENESS: PASSED (4-0).

4. STAFF UPDATES

No Staff Updates

5. ADJOURNMENT

Vice Chair Davis adjourned the meeting at 9:11 a.m.

Tony Teeters, Chair

Jacob Lund, Board Secretary



TO: MAYOR AND CITY COUNCIL
AGENDA: February 19 Board of Adjustment
DATE: February 19, 2026
DEPT: Community Development
ITEM #: 3.B
SUBJECT: **V26-001:** Variance to Article 3, Section 3.9.3.F (MF-M/Minimum Setbacks) of the Land Development Code (LDC) Allowing a Reduction of the Required 20' Rear Setback by 17' to Allow for a 3' Rear Setback for the Conversion of an Existing Garage to a Second Residence. Zoning: MF-M (Multi-Family). Property Owner: Tetreau Holdings LLC. Applicant: Broken Arrow Drafting and Design, LLC. Location: APN 113-02-016, 815 1st Street.

ITEM SUMMARY

This item is for action on V26-001. The applicant is requesting a Variance to allow for a reduction to the required 20' rear setback by 17' to allow for a rear setback of 3' to allow the existing garage to be converted to a second single-family residence. The detached garage was permitted in 1984 with a 5' rear setback, which meets the required rear setback for a detached accessory structure. With the property being zoned multi-family, the conversion of the garage to a second residence on the property required it to meet the primary rear setback of 20'.

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 that no similar variances have been applied for or approved in the surrounding neighborhood.

VARIANCE REQUIREMENTS:

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

COMPLIANCE WITH REQUIRED VARIANCE CRITERIA:

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

Staff Comments: The building is existing and there are no proposed changes to the size of the structure, only changing the use of the structure from a garage to a second residence.

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 an existing structure with no proposed changes to the size or location of the structure.

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 setback allowance does not grant the applicant special consideration as compared to other existing structures nearby. As such, no special privilege would be conferred on the applicant by the granting of this request. In reviewing the permit and inspections for the garage, it states the setbacks were verified in the field.

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 structure was permitted in 1984 as a garage. The current owners have owned the property since 2004.

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: The applicant would either need to build a new structure on the property or move the existing structure to meet the required setback. The existing structure is accessed off the alley with no proposed changes to the size of the structure.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve or deny V26-001 per the site plan provided

ATTACHMENTS

1. VARIANCE QUESTIONNAIRE
2. V26-001 BOA Presentation

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

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



V26-001

815 1st Street

TAMMY DEWITT-COMMUNITY PLANNER

February 19, 2026
Board of Adjustment



REQUEST

Variance to Article 3, Section 3.9.3.F (MF-M/Minimum Setbacks) of the Land Development Code (LDC) to allow a reduction of the required 20' rear setback by 17' to allow for a 3' rear to allow the conversion of an existing garage to a second residence. [Zoning: MF-M (Multi-Family);



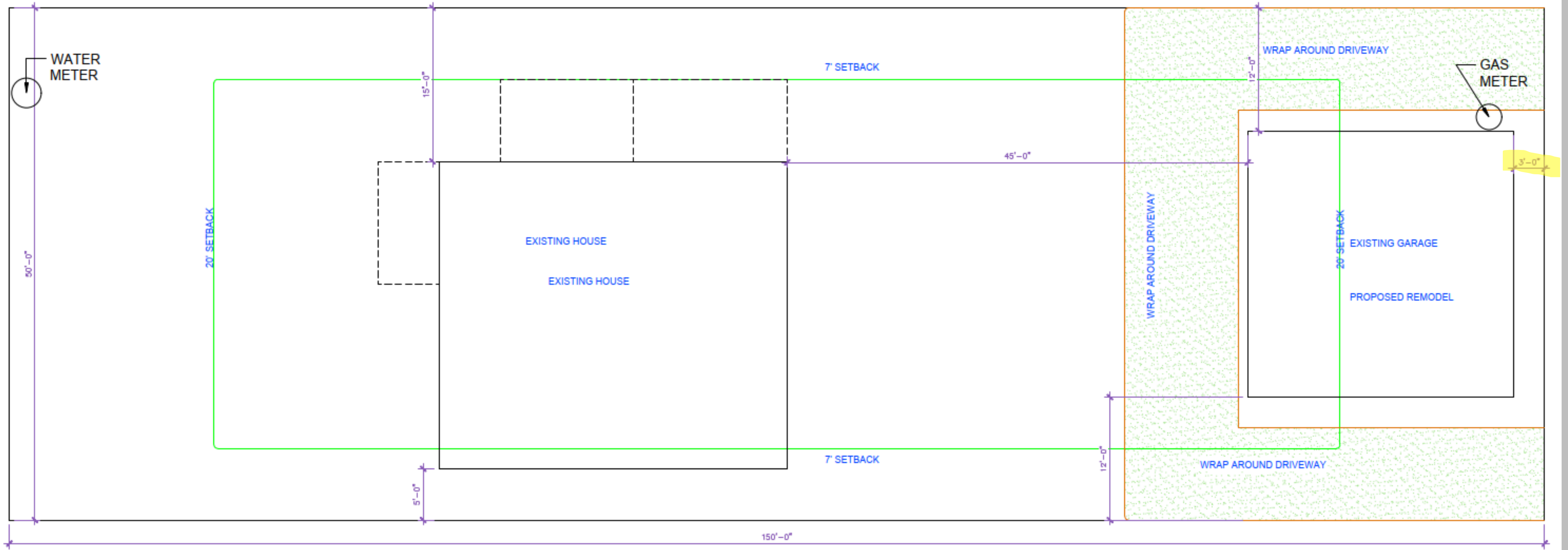
Other Properties Nearby with Variances



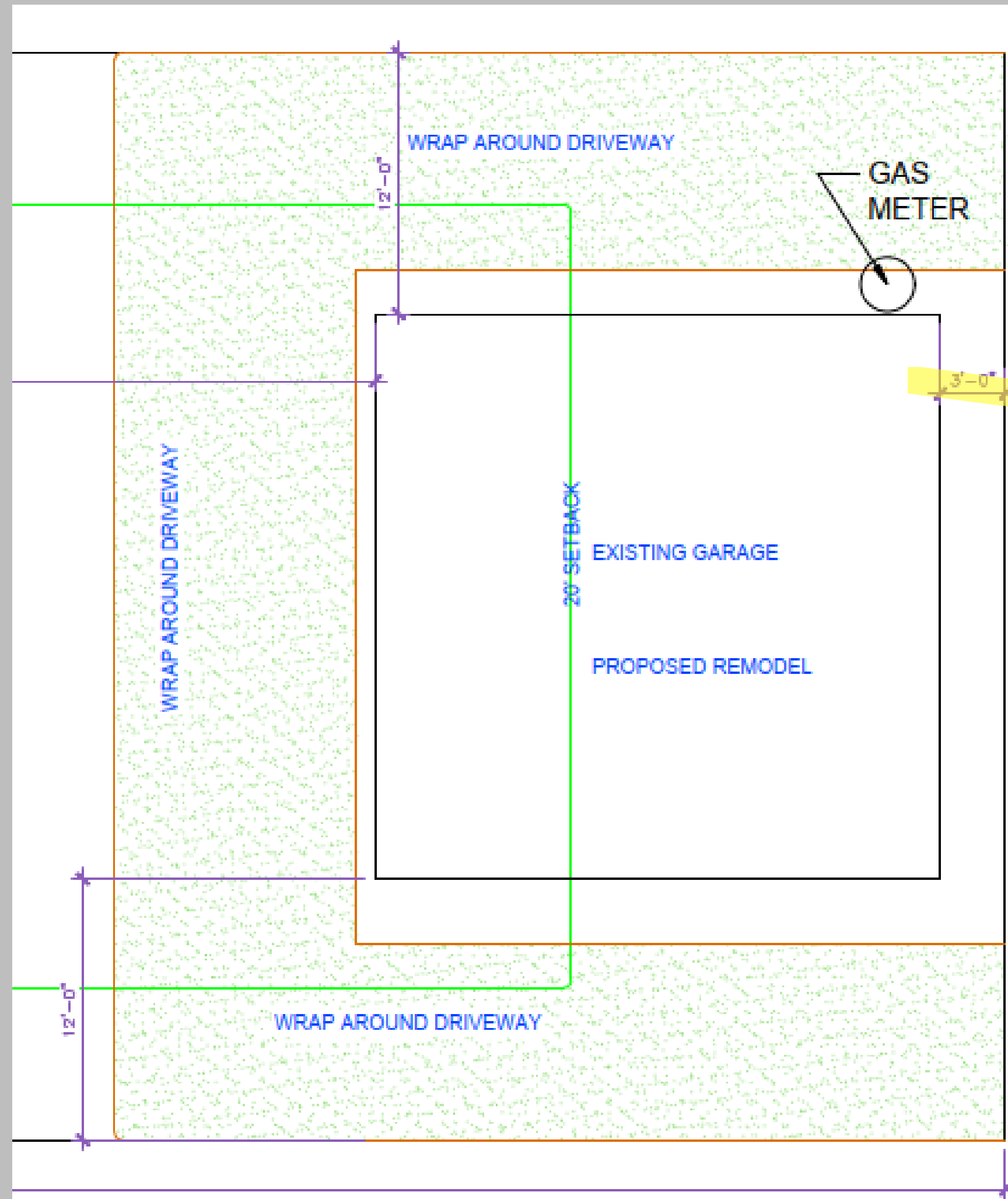
★ Properties with Variances For setback reduction



SITE PLAN



SITE PLAN



AREA OF ENCROACHMENT FROM ALLEY

PICTURES OF SITE



FRONT OF PROPERTY

PICTURES OF SITE



GARAGE TO BE CONVERTED
TO A RESIDENCE

PICTURES OF SITE CONT...



VIEW DOWN ALLEY TO MERRITT ST



VIEW TO END OF ALLEY

Variance Review Criteria LDC Section 9.13

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

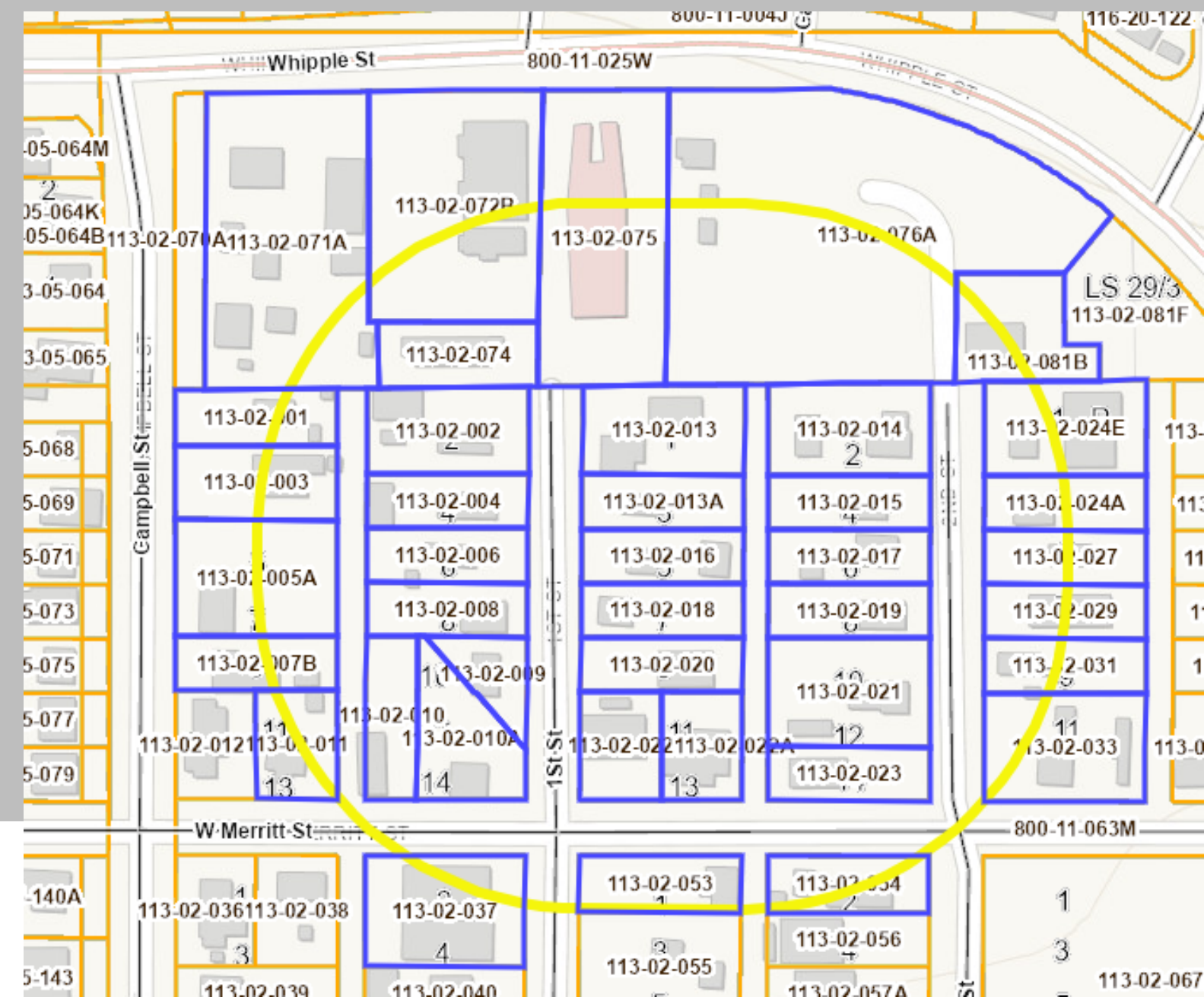


STAFF ANALYSIS

- Weighed against six review criteria per the LDC.
- Researched records and did find other adjacent properties that had Variances approved for setback reductions.



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 V26-001
per site plan provided.**

Questions & Comments?

