



City of Prescott Board of Adjustment

June 18, 2026 | 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
Miriam Haubrich, Vice Chair
Tom Davis, Member
Mark Hokeness, Member
Tom Hutchison, Member (Excused)
Larry Meads, Member
Rick Kimery, Member (Excused)

3. DISCUSSION & ACTION ITEMS

- A. Approval of the May 21, 2026, Board of Adjustment Meeting Minutes.

MOTION BY MEMBER MEADS TO APPROVE THE MAY 21, 2026, MEETING MINUTES WITH MODIFICATIONS; SECONDED BY MEMBER DAVIS: PASSED (5-0).

- B. **V26-007:** Variance to Article 6, Section 6.4.4.B (Fence and Wall Location and Height) of the City's Land Development Code (LDC) Allowing for an Increase of the Maximum Allowed Fence Height from 6ft to 7ft within the Required Side & Rear Yard Setback for Trinity Christian School within a SPC (Specially Planned Community) Zoning District. Property Owner: 1212 Warrior Way LLC. Location: APNs 102-20-001H, 102-19-001A, & 102-20-001E, 1212 Warrior Way.

Mr. Lund, Community Planner, presented to the Board regarding the Trinity Christian School property located at 1212 Warrior Way. This site is designated as a Specially Planned Community (SPC) within the Deep Well Ranch master where applicant is requesting a seven-foot iron fence continuous around the property to match the existing fence.

Mr. Lund explained that the Land Development Code (LDC) permits fences up to six feet in height within the required setbacks. Outside the setbacks, the City of Prescott allows fences to reach a maximum height limit for this specific zone. Given that the applicant's existing setbacks meet these requirements (two feet in the front, seven feet

in the rear, and ten feet on the sides), along with the Deep Well Ranch Master Plan, the site plan is substantially in compliance. The sole exceptions are the delineated areas highlighted on the presented aerial map.

Mr. Lund confirmed staff reviewed the proposed school fence height increase against all six Land Development Code (LDC) criteria in section 9.13

Staff found that school fences average six to eight feet to enhance student safety and provide a needed buffer from nearby roadways and homes.

Per State Statute Requirements, staff notified the public by sending out mailings to property owners extending 300 feet. Additionally, they posted signs and published notices in the local paper. Following this process, staff found no other areas with similar height variances or privileges were noted.

Member Hokeness inquired about the areas where the fence does not currently exist and the specific necessity for a seven-foot height.

Mr. Lund deferred the question to the applicant, accenting the request highlighting student safety per their questionnaire.

Applicant Michael Taylor supported Mr. Lund's focus on student safety and noted uniform fence height. Additionally, Mr. Taylor stated that a seven-foot fence is necessary to prevent climbing and contain recreational equipment within site. Furthermore, he clarified that an emergency fire easement was granted to a neighboring subdivision at the City's request. This easement pushed the site's boundary line out, which enforced the school's fence to the edge of the State Trust Land.

Mr. Hokeness asked if a seven-foot fence was standard for municipal schools.

Mr. Lund clarified that public schools are exempt from local zoning codes.

MEMBER HOKENESS MOVED TO APPROVE V26-007 AS PRESENTED; SECOND BY MEMBER MEADS: PASSED (5-0).

- C. **CUP26-002:** Conditional Use Permit to Allow an Ambulance Service (Ground and Air with Helicopter Landing Pad) to Service Exceptional Healthcare Adjacent to State Route 69 in a BR (Business Regional) Zoning District. Location: APN 103-15-160A Encompassing Approximately 9.2 Acres, 4822 E State Route 69. Property Owner: Exceptional Healthcare. Applicant: BMH As-Built USA.

Mrs. DeWitt, Community Planner provided a brief history of previous approval held on November 21, 2024, for a CUP to permit a helicopter landing pad designated as a helistop, to which it was subsequently revoked on June 19, 2025, due to non-

compliance with the three noted conditions: (1) A screening six-foot masonry wall to be placed on the North and West property line under Building Permit B2503-018. (2) Approved landscaping designated along the frontage State Route 69 adjacent to the helistop per the rendering provided by applicant under Building Permit B2503-018. (3) The applicant shall submit building permits and receive approval for the helistop. To remedy the current violations, the applicant proposed a solid concrete panel fence. This will act as a continuous property screen intended to reduce noise from helicopter transport to neighboring communities.

Mrs. DeWitt confirmed construction for the fence has initiated with an anticipated completed date of approximately six weeks. Furthermore, the planting phase has also taken place. Staff have provided directions to the applicant for the best approach regarding landscaping according to parcel size and site plan. The guidance of a shorter oak tree species will minimize external impacts to infrastructure and will be consistent with the general plan and code. Additionally, Mrs. DeWitt confirmed that the Arizona Department of Transportation (ADOT) raised no objections.

Per State Statute Requirements, staff is required to extend publish notification up to 300 feet, but given its potential impact, the extension was recorded within 1000 feet of the subject's property with published notices in the local paper.

Mrs. DeWitt affirmed that though the property is currently in violation, the goal is to get the subject's property in compliance. Staff recommended approval with a strict completion deadline of July 31, 2026, to allow for 20 days' statutory notice prior to the potential revocation procedures at the August 20, 2026, meeting if compliance is unmet.

Member Meads asked if the applicant was operating in good faith. Mrs. DeWitt confirmed they have been cooperative, applied for the necessary building permits and actively commenced grading and have installed posts for wall.

Speaker Pamela Boyer, who resides in Robin Drive voiced her opposition towards citing unpermitted flight operations since January with a 24-hour lighting on the helipad, severe noise disruption during early morning hours, and safety hazards from tumbleweed blowing onto State Route 69 due to unmaintained upper area.

Speaker Vern McKinney (13605 E. Agua Fria Lane, Humboldt) spoke on behalf of the almost 100 employees where decisions not only affect patients but also staff. Mr. McKinney in favor of the request, emphasized the needs to emergency necessity, critical shortages of ground transportation units to which he cited multiple instances where wait time has been for at least six hours and up to 24 hours during the Wickenburg fire.

Legal Counsel Blake Moscatello representing Exceptional Healthcare, located at 9375 E. Shea Boulevard, Scottsdale, AZ detailed the regional healthcare gap and reaffirmed that all construction materials are on-site to ensure a rapid fulfillment of the conditions.

He has represented the subject over the years and assisted with setting up ambulatory surgical centers like the one in the City of Prescott. He reinstated the subject's goal is to provide a helipad service within a 50-mile radius per emergency necessity.

Member Hokeness sought confirmation regarding operational liability and transportation alternatives.

Mr. Moscatello noted that failure to transport critical patients poses liability, and without a helipad, emergency services would potentially lead to coordinating with local fire departments to shut down State Route 69 for emergency landings.

Member Meads requested clarification on unpermitted operations.

Mrs. DeWitt confirmed conditional use permit is currently revoked, active violation notices have been noted and recorded due to continued operations.

Member Davis highlighted the Land Development Code (LDC) lacks a formal definition for a "helipad" to which is prohibited in the zone. To prevent the site from morphing into a fully operation "helipad" explicit operations constraints must be added. He proposed an amendment to Condition 3 to state that fueling, fuel storage, storage repairing or maintenance of helicopters is prohibited on site.

Mrs. DeWitt along with City Attorney Elaine Moore agree to the inclusion of the proposed definition within the CUP framework, noting that a broader amendment to the city-wide LDC would be addressed during the upcoming code update cycle so that the definition is not exclusive to the subject's address but to ongoing proposals within the City of Prescott.

Mrs. Bramlette confirmed the Land Development Code (LDC) currently lacks distinction, making the CUP condition necessary.

MEMBER MEADS MOVED TO AMEND THE LANGUAGE OF CONDITION 3 REGARDING ACTION TOWARDS A HELISTOP. THE MOTION WAS SECONDED BY VICE CHAIR HAUBRICH; PASSED (5-0).

Member Teeters raised his concern if the non-compliance continues and the motion is brought up again 6 months from now.

Mrs. DeWitt reinstated that applicant has been noted that a given date of July 31st has been determined where if subject remains uncompliant a notice of violation for revocation will be issued following a Board Of Adjustment Meeting to be held on August 20, 2026, to consider a revocation of the conditional use permit as noted under Action 4: *The applicant shall complete the installation of the above three conditions and complete their final inspection on or before July 31, 2026. If the conditions are not met, the Community Development Director will issue notice per LDC 9.3.7.C that the CUP*

will be considered for revocation during the august 20, 2026 Board of Adjustment meeting.

Member Hokeness requested assurance from subject's representative that requirements will be set forward by given date of July 31, 2026.

Mr. Moscatello confirmed the given date is feasible given constant communication with applicant and action has taken place to ensure compliance with the City.

Ms. Moore clarified that the city has active civil citations pending against the property. Fines up to \$2,500 per day can potentially be assessed for continuous non-compliance, and a third civil conviction permits escalation to a Class 1 criminal misdemeanor carrying potential jail time.

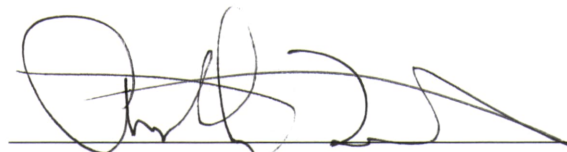
MOTION BY MEMBER HOKENESS TO APPROVE CUP26-002 WITH THE AFOREMENTIONED CHANGE TO TERM NUMBER THREE THAT THE BOARD APPROVED; SECONDED BY VICE CHAIR HAUBRICH: PASSED (5-0).

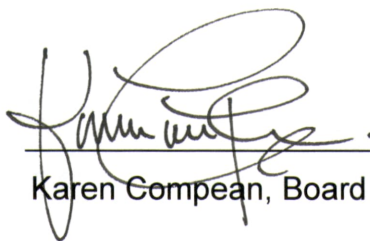
4. STAFF UPDATES

No further staff updates were provided.

5. ADJOURNMENT

Chair Teeters adjourned the meeting at 9:50 a.m.



Anthony Teeters, Chair

Karen Compean, Board Secretary