



**DECISIONS**  
**BOARD OF ADJUSTMENT**  
**Thursday, October 18, 2007 - 9:00 AM**  
**City Council Chambers**  
**201 S. Cortez Street, Prescott, AZ**

**I. CALL TO ORDER**

Chairman Pro Tempore Klein called the public hearing to order at 9:00 AM.

**II. ATTENDANCE**

<b>MEMBERS PRESENT</b> Mike Klein, Vice-Chairman Duane Famas Johnnie Forquer Tom Kayn Ken Mabarak Bill Warren	<b>OTHERS PRESENT</b> George Worley, Assistant Community Development Director Gary Kidd, City Attorney Ryan Smith, Community Planner Bob Bell, Council Liaison Bob Luzius, Councilman Kathy Dudek, Board Recording Secretary
<b>MEMBERS ABSENT</b> Calvin Fuchs, Chairman	

**III. REGULAR AGENDA**

1. **Approve the minutes** of the September 20, 2007 public hearing.

Mr. Mabarak, **MOTION: to approve the minutes** of the September 20, 2007 public hearing. Ms. Forquer, 2<sup>nd</sup>. **Vote: 5-0-1** (abstention due to absence: Famas).

2. **V07-007, Pinnacle of Prescott Lakes, Unit 2.** Located at the Northside of Lakeview Drive. APN: 106-51-054 and totaling ±10.99 acres. Request variance to reduce setback distance for two retaining walls. *LDC* Section 6.8.4.D. Owner is Prescott Lakes Homeowners Community Association. Applicant/agent is EFO/PL Pinnacle, LLC. Community Planner is Wendell Hardin.

Mr. Warren, **MOTION: to approve V07-007** as submitted conforming to the City-approved planting and irrigation requirements and that the variance be subject to City Council approval of the removal of the plat note. Mr. Kayn, 2<sup>nd</sup>. **Vote: 6-0.**

3. **CUP07-007, 401 E. Aubrey.** APN: 109-04-095 and totaling ± 1.15 acres. *LDC* Section 9.3. Zoning is Multi-Family Medium (MF-M) density. Request conditional use permit for a private club. Owner is City of Prescott, Acker Trust Land.

Applicant/agent is Casey Knight for Boys & Girls Clubs of Central Arizona.  
Community Planner is Ryan Smith (928) 777-1209.

*Mr. Mabarak recused himself from this item due to a potential conflict of interest.  
He then left the dais.*

Mr. Kayn, **MOTION: to approve CUP07-007** for the Boys and Girls Clubs of Central Arizona at 401 E. Aubrey Street. Mr. Warren, 2<sup>nd</sup>. **Vote: 5-0-1** (recused: Mabarak).

#### IV. REVIEW ITEMS

4. **CUP06-002, St. Paul's Anglican Church, 325 Eastwood Drive.** APN: 110-03-067F. Request a Conditional Use Permit for a church/place of worship with the condition that additional uses or expansions, not expressed in this application, shall require the applicant to return to the public hearing process and obtain approval by the BOA amending the CUP.  
**BOA Approved 04-20-06**

Letter received on September 17, 2007, indicating that the church will not ask for an extension. Conditional Use Permit, CUP06-002, becomes null and void on October 21, 2007. (*See letter attached*).

*No action taken.*

5. **V06-003, 400 S. Marina Street.** APN: 109-04-058. LDC Sections 3.10.3D & 3.10.3F. Request variance for a reduction of the required side and rear yard setbacks to accommodate a single-car attached carport to within 2 feet of the property line and to allow a 53.4% lot coverage with the following conditions of approval: 1) replace the wood fence with a 6' concrete masonry unit (CMU) wall above the high side of the property extending to the rear property line; and, 2) be in substantial conformance with the site plan dated 05/18/06.  
**BOA Approved 05-18-07.**

Letter received on October 1, 2007, requesting extension of V06-003 for one year. Original approval due to expire on 11-18-07. (*See letter attached*).

Mr. Warren, **MOTION: to extend Variance V06-003** for one year ending on October 18, 2008. Mr. Kayn, 2<sup>nd</sup>. **Vote: 6-0.**

#### V. SUMMARY OF CURRENT OR RECENT EVENTS

6. **Boards & Commissions Conference,** Black Canyon Conference Center, Phoenix, Friday, December 7, 2007. Please RSVP to Kathy Dudek as the deadline for registration is October 31, 2007.

#### VI. ADJOURNMENT

Chairman Klein, *pro tempore*, adjourned the public hearing at 10:22 AM.