



# BOARD OF ADJUSTMENT DECISIONS

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**BOARD OF ADJUSTMENT  
PUBLIC HEARING  
THURSDAY, MAY 21, 2009  
9:00 AM**

**COUNCIL CHAMBERS / CITY HALL  
201 S. CORTEZ STREET  
PRESCOTT, ARIZONA  
(928) 777-1207**

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The following Agenda was considered by the **BOARD OF ADJUSTMENT** at its **PUBLIC HEARING** held on **May 21, 2009, COUNCIL CHAMBERS / CITY HALL**, located at **201 S. CORTEZ STREET**.

## I. CALL TO ORDER

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

## II. ATTENDANCE

### ***MEMBERS PRESENT***

Michael Klein, Chairman  
E. Calvin Fuchs  
Johnnie Forquer  
Tom Kayn  
Ken Mabarak  
Bill Warren

### ***MEMBERS ABSENT***

Duane Famas

### ***OTHERS PRESENT***

Richard Mastin, Development Services Director  
Mike Bacon, Community Planner  
Kelly Sammeli, Recording Secretary

## III. REGULAR AGENDA

### **1. Approve the minutes of the March 19, 2009 and the April 16, 2009 meetings.**

Mr. Fuchs, **MOTION: to approve** the minutes of the March 19, 2009 meeting.

Ms. Forquer, 2<sup>nd</sup>. **VOTE: 6-0.**

Mr. Mabarak, **MOTION: to approve** the minutes of the April 16, 2009 meeting.

Mr. Warren, 2<sup>nd</sup>. **VOTE: 4-0-2.**  
(Abstention due to absence, E. Calvin Fuchs, Tom Kayn).

2. **V09-003, 319 S. Mt. Vernon Street.** APN: 110-03-034 and totaling ± 0.17 acre. LDC Section 3.6.3.D. Zoning is Single-Family 9 (SF-9). Request a variance to increase lot coverage to 46% where 40% is allowed for a free-standing garage and reduce the corner lot setback from 15-feet to 7-feet which would be compatible and in line with the existing 7-foot corner setback of the home. Owner is Warren C. Kuhles. Applicant/agent is Robert Burford, Robert Burford Architects. Community Planner is Mike Bacon (928) 777-1360.

Mr. Kayn, **MOTION:** that the board approves variance request V09-003, 319 S. Mt. Vernon Street, to allow the maximum lot coverage to be increased but not to exceed 46% of the area of the lot, and that the variance include the reduction of the corner lot setback from 15' to 7' to allow for the proposed garage structure to be located on the property with the following conditions: 1) the development be in substantial conformance with the attached Exhibit "A4"; 2) the garage architecture is to be in compliance with what was approved by the Preservation Commission; 3) the accessory building along the north property line with the rear yard is to be removed within 90 days of the issuance of the building permit.

Mr. Warren, 2<sup>nd</sup>. VOTE: 3-3. **Motion was denied.**

**Concurring Board of Adjustment member(s):**  
E. Calvin Fuchs, Mike Klein, Ken Mabarak.

**Dissenting Board of Adjustment member(s):**  
Johnnie Forquer, Tom Kayn, Bill Warren.

#### IV. REVIEW ITEMS

None.

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

None.

#### VI. ADJOURNMENT

Chairman Klein adjourned the meeting at 10: 00AM.