



# BOARD OF ADJUSTMENT DECISIONS

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**BOARD OF ADJUSTMENT  
PUBLIC HEARING  
THURSDAY, JUNE 18, 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 **June 18, 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  
Duane Famas  
Johnnie Forquer  
Tom Kayn  
Ken Mabarak

### **MEMBERS ABSENT**

Bill Warren

### **OTHERS PRESENT**

George Worley, Asst. Community Development Director  
Richard Mastin, Development Services Director  
Matthew Podracky, Sr. Asst. City Attorney  
Mike Bacon, Community Planner  
Steve Gaber, Community Planner  
Kelly Sammeli, Recording Secretary

### **COUNCIL PRESENT**

Councilman Bell

## III. REGULAR AGENDA

### 1. Approve the minutes of the June 18, 2009 public hearing.

**Action Taken;** Mr. Kayn, **MOTION:** to approve the minutes of the June 18, 2009 meeting.

Mr. Fuchs, 2<sup>nd</sup>. **VOTE:** 5-0-1 (Abstention due to absence Famas)

### 2. Reconsideration of 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 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 lot 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.

**Action Taken;** Mr. Fuchs, **MOTION:** that the Board reconsider the request for Variance with respect to maximum lot coverage at 319 S. Mt. Vernon Street, as the applicant has withdrawn the request for the corner yard setback and the new position of the applicant, that we reconsider the Variance, V09-003.

Mr. Mabarak, 2<sup>nd</sup>. **VOTE: 6-0.**

**Chairman Klein noted that the Variance request would be back for reconsideration on the August, 20, 2009 hearing.**

3. **CUP09-002, 648 Cherry Road.** APN: 108-09-027 and totaling ± 0.46 acre. LDC Section 2.5.6 and Table 2.3. Zoning is Single-Family 18 (SF-18). Request conditional use permit for a detached guesthouse. Owner/Applicant is Gary Stogsdill. Community Planner is Steve Gaber (928) 777-1207.

**Action Taken;** Mr. Fuchs, **MOTION:** that the Board approve the Conditional Use Permit application, CUP09-002 for a detached guest house located at 648 Cherry Drive subject to the guest house being constructed in substantial conformance with the site plan dated June 10, 2009.

Mr. Famas, 2<sup>nd</sup>. **VOTE: 6-0.**

4. **V09-004, 1102 Iron Springs Road.** APN: 115-09-057A and totaling ± 7840 square feet. LDC Table 6.12.5A & 6.12.5B and Section 6.12.8.A. Zoning is Business General (BG). Request variance to relocate the existing free-standing sign to the roof of Lloyd's Liquors. Owner is Don Moon. Applicant/agent is Otwell and Associates Architects. Community Planner is Mike Bacon (928) 777-1360.

**Action Taken;** Mr. Kayn, **MOTION:** that the Board approves Variance V09-004, for the removal and relocation of an existing iconic sign for the property located at 1102 Iron Springs Road, per the site plan submitted April 20, 2009.

Mr. Mabarak, 2<sup>nd</sup>. **VOTE: 6-0.**

#### IV. REVIEW ITEMS

5. **Staff review and update of V07-009, 128 S. Mt. Vernon Avenue**  
Variance, V07-009 was approved to allow an accessory building at 25 feet 8 inches (20 feet permitted) and lot coverage of 45.9% (40% permitted). The city has been informed that the property owner, Belveal Trust, will not proceed with this project. No action by the Board is required.

**No Action Taken.**

6. **Staff review and update on CUP06-003, 2001, 2015, 2023, 2027, 2039 Willow Lake Road.** APNs: 106-13-025P, 025Q, 025R, 025S, 025T. This conditional use permit was approved to allow the owner, Fred Brown, to convert the "Green Acres Apartments" to offices. The conversion has been slowed for a variety of reasons. At this time, one unit is occupied as an office, several units are residentially occupied and several units are vacant. No action by the Board is required.

**No Action Taken.**

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

Mr. Kayn announced that on June 28, 2009, the Nazarene Church will hold their annual “Celebrate America” show that is open for the public to attend.

**VI. ADJOURNMENT**

**Chairman Klein adjourned the meeting at 9:45.**