



# BOARD OF ADJUSTMENT DECISIONS

**BOARD OF ADJUSTMENT  
PUBLIC HEARING  
THURSDAY, SEPTEMBER 17, 2009  
9:00 AM**

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

The following Agenda was considered by the **BOARD OF ADJUSTMENT** at its **PUBLIC HEARING** held on **SEPTEMBER 17, 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  
Ken Mabarak  
Bill Warren

### **OTHERS PRESENT**

George Worley, Asst. Development Services Director  
Richard Mastin, Development Services Director  
Mike Bacon, Community Planner  
Kelly Sammeli, Recording Secretary

### **MEMBERS ABSENT**

Tom Kayn

### **COUNCIL PRESENT**

Bob Bell  
Bob Luzius

## III. REGULAR AGENDA

### 1. Approve the minutes of the August 20, 2009 public hearing.

**Action Taken;** Mr. Mabarak, **MOTION:** to approve the minutes of the August 20, 2009 public hearing.

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

### 2. **V09-003, 319 S. Mt. Vernon Street.** APN: 110-03-034 and totaling ± 0.17 acre. *LDC* Section 3.6.3.D; Section 3.6.3.F.2; & *LDC* Section 2.7.3.D.5a Zoning is Single-Family 9 (SF-9). Request variance to increase lot coverage to 46% where 40% is allowed; reduce the side yard setback from 7-feet to 5-feet; and, reduce the rear yard setback from 4-feet to 1-foot for a free-standing garage with a recreational roof deck. 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: to approve Variance 09-003** subject to the following conditions: 1) the site development shall be in substantial conformance with Exhibit "A" dated 9/17/09; 2) the garage architecture shall not to be changed; 3) the accessory building along the north property line in the rear yard is to be removed prior to the issuance of a Building Permit; 4) the two apple trees are to be saved and the large elm tree is to be saved; and, 5) the two apple trees are to be replaced should they die as a result of construction.

Mr. Warren, 2<sup>nd</sup>.

Chairman Klein inquired if there was documentation of the garage architecture for the record.

Mr. Bacon indicated that the garage was being relocated from another property within a historical district and that there were photographs of it. Mr. Bacon added that the garage was made of lap siding, with an observation deck and railing of about three feet high on the top of it.

Chairman Kline noted that there would be documentation if the architecture had been changed or not.

Mr. Warren inquired if item number one of the motion (side development shall be in substantial conformance with Exhibit "A" dated 9/17/09) is where the 46% of the lot coverage would be addressed or if it should be made clearer.

Mr. Bacon noted "yes".

Chairman Kline called for any other questions. Hearing none, called for the vote.

Vote: **6-0**.

**IV. REVIEW ITEMS**

**None.**

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

**None.**

**VI. ADJOURNMENT**

**Chairman Klein adjourned the meeting at 9:12 A.M.**