

**DECISIONS OF THE
BOARD OF ADJUSTMENT
PUBLIC HEARING
APRIL 15, 2010
PRESCOTT, ARIZONA**

**DECISIONS OF THE PUBLIC HEARING OF THE BOARD OF ADJUSTMENT held on
APRIL 15, 2010 in the COUNCIL CHAMBERS, CITY HALL located at 201 S.
CORTEZ STREET, Prescott, Arizona.**

I. CALL TO ORDER

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

II. ATTENDANCE

MEMBERS PRESENT

Mike Klein, Chairman
Duane Famas, Vice Chairman
Johnnie Forquer
E. Calvin Fuchs
Ken Mabarak
William Warren

OTHERS PRESENT

George Worley, Asst. Community Development Director
Richard Mastin, Development Services Manager
Steve Gaber, Community Planner
Kathy Dudek, Recording Secretary

MEMBERS ABSENT

Tom Kayn

III. REGULAR AGENDA

1. **Approve the minutes** of the March 18, 2010 public hearing.

Mr. Mabarak, **MOTION: to approve minutes** of the March 18, 2010 public hearing. Ms. Forquer, 2nd. **Vote: 5-0-1** (abstention due to absence: Fuchs).

2. **V09-006, 1373 Dalke Point.** APN: 113-10-312 and totaling ± 0.73 acre. *Land Development Code, Section 3.3.3.F.* Zoning is Single-Family 35 (SF-35). Request is for a variance to reduce side yard setbacks. Owner/applicant is Hehlen Family Trust--Rob & Susie Hehlen. Community Planner is Steve Gaber (928) 777-1206.

(Continued from the March 18, 2010 public hearing).

Mr. Warren: **MOTION: to approve V06-006, 1373 Dalke Point**, variance request (referring to the site plan dated 04-07-2010) subject to the following conditions:

- a) to allow the northeast wall of the garage to encroach into the side setback a maximum of 2'2" leaving a 7'10" minimum side yard setback where 10' is required;

- b) to allow the roof overhang of the garage to be a maximum of 3' on all sides of the building;
- c) that drainage control measures occur to insure that runoff from the Hehlen's roof and property does not impact the adjoining lots; and,
- d) that the trees that are located along the easterly and westerly property lines not be removed and that any required trimming of the trees to meet fire-wise requirements be as minimal as possible.

Mr. Mabarak, 2nd. **Vote: 4-2** (Dissenting: Forquer, Fuchs).

(Board members Fuchs and Warren were excused from the meeting at 10:55 am).

IV. REVIEW ITEM

- 3. Request for extension V08-001, 324 S. Mt. Vernon.** APN: 110-03-021. Zoning is Single Family 9 (SF-9). Historic Preservation District #12. **BOA Approved 08-29-08.**

(Continued from the March 18, 2010 public hearing).

Mr. Famas, **MOTION: to extend Variance** V08-001, 324 S. Mt. Vernon Avenue, for a one-year period to end on April 15, 2011. Ms. Forquer, 2nd. **Vote: 4-0.**

IV. SUMMARY OF CURRENT OR RECENT EVENTS

V. ADJOURNMENT

Chairman Klein adjourned the public hearing at 11:07 am.

Prepared by Kathy Dudek 04-15-10
Administrative Assistant
Community Development Department