



# BOARD OF ADJUSTMENT A G E N D A

BOARD OF ADJUSTMENT  
PUBLIC HEARING  
THURSDAY, AUGUST 20, 2009  
9:00 AM

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

The following Agenda will be considered by the **BOARD OF ADJUSTMENT** at its **PUBLIC HEARING** to be held on **August 20, 2009**, in **COUNCIL CHAMBERS**, in **CITY HALL**, located at **201 S. CORTEZ STREET**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

## I. CALL TO ORDER

## II. ATTENDANCE

### MEMBERS

Michael Klein, Chairman  
Duane Famas, Vice Chairman  
E. Calvin Fuchs  
Johnnie Forquer

Tom Kayn  
Ken Mabarak  
Bill Warren

## III. REGULAR AGENDA

1. **Approve the minutes of the July 10, 2009 public hearing.**
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.

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. WITH 48 HOURS ADVANCE NOTICE, SPECIAL ASSISTANCE CAN BE PROVIDED FOR SIGHT AND/OR HEARING IMPAIRED PERSONS AT PUBLIC MEETINGS. PLEASE CALL 777-1272 OR 777-1100 (TDD) TO REQUEST AN ACCOMMODATION TO PARTICIPATE IN THIS MEETING.

3. **Extension request for Variance, V05-014, 1450 Iron Springs Road.** APN: 115-06-191H (now 115-06-191K). The applicant is seeking an extension of time of 3 years regarding a prior variance approval. Owner/Agent; Michael P. Strasser, M.D., Strasser-Mergler Partnership. Community Planner is Ryan Smith (928) 777-1209.

#### IV. REVIEW ITEMS

4. **Staff update of V07-011, 140 N. Pleasant Street.** Variance, V07-011 was approved to allow for a front porch and a detached garage. Lot coverage of 45.9% (40% permitted). No action by the Board is required.
  
5. **Staff update on CUP07-009, 1323 Stetson Road.** This conditional use permit was approved on December 20, 2007 to allow the owner, Prescottonian Motel Limited Partnership, for the use of a self- or mini-storage. No action by the Board is required.

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

#### VI. ADJOURNMENT

---

#### CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall and on the City's website on **August 12, 2009 at 5:00 PM** in accordance with the statement filed with the City Clerk's Office.

  
\_\_\_\_\_  
Kelly Sammeli, Administrative Specialist  
Community Development Department

**BOARD OF ADJUSTMENT  
PUBLIC HEARING  
JULY 16, 2009  
PRESCOTT, ARIZONA**

**MINUTES OF THE PUBLIC HEARING OF THE BOARD OF ADJUSTMENT** held on **JULY 16, 2009** in **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 AM.

**II. ATTENDANCE**

**MEMBERS PRESENT**

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

**OTHERS PRESENT**

Richard Mastin, Development Services Director  
Gary Kidd, City Attorney  
Mike Bacon, Community Planner  
Kelly Sammeli, Recording Secretary

**COUNCIL PRESENT**

Councilman Luzius

**III. REGULAR AGENDA**

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

Mr. Fuchs, **MOTION: to approve the minutes** of the June 18, 2009 public hearing. Ms. Forquer, 2<sup>nd</sup>. **VOTE: 6-0-1** (abstention due to absence: Warren).

**2. CUP09-003, 1455 Sierry Springs Road.** APN: 115-10-241 & 115-10-242 and totaling ± 0.73 acre. LDC Section 2.5.6 and Table 2.3. Zoning is Single-Family-9 (SF-9). Request conditional use permit for a detached guesthouse. Owners are Bruce & Nancy Stamie. Applicant is Mark Temple, Temple Builders, Inc. Community Planner is Mike Bacon (928) 777-1360.

Mike Bacon, Community Planner placed a map of the site location on the overhead projector and reported that the request was for a conditional use permit for a detached guest quarters. The property is located in a new subdivision adjacent to the Forest Trails subdivision. There currently are only three homes located within the new subdivision and the site in question is at the top of a hill. Mr. Bacon indicated that the guest house is approximately 1060 square foot and is located along the side of the main house that is about 4900 square feet including the garage. Mr. Bacon noted that currently there are two lots that are being combined into one parcel and as a condition of approval the building permit can not be issued until the replat application has been completed and

approved. Mr. Bacon reported that the replat is almost completed and the applicant is just waiting for the mylar to be recorded. Mr. Bacon placed a photograph of the area on the overhead and noted where the main house as well as the guest house would be located. Mr. Bacon continued to report that the structure meets the lot coverage as well as the setback requirements for the location. In closing Mr. Bacon noted that staff is recommending approval of the request with conditions, that the guest house will not exceed the 20-foot maximum height limitation for accessory structures and that the building permit will not be issued until the replat application is approved. Mr. Bacon further noted that the applicant was present at the meeting.

Chairman Klien called for questions from the Board for staff.

Mr. Mabarak inquired what the standard height limitation was for SF-12 districts.

Mr. Bacon indicated that the 20-foot height limitation was for accessory structures.

Mr. Mabarak indicated that the overall height of the guest house was higher than 20-feet and inquired if the site plan would be revised.

Mr. Bacon noted that was correct and that the applicant is aware of the height and does not have a problem making the adjustment.

Chairman Klein invited the applicant, Mr. Temple to the podium to speak and called on the Board for questions to the applicant.

Mr. Mark Temple, Temple Builders, 340 W. Willis, Suite 3, Prescott AZ indicated that he had the two lots and instead of building two houses he planned to combine the lots and build a nice house and a compatible guest house.

Chairman Klein thanked Mr. Temple and called for questions to the applicant.

Mr. Kayn inquired if there was a proposed use for the guest house.

Mr. Temple indicated that the family that is building the main home have relatives in the area and will probably utilize the guest house when they visit.

Mr. Mabarak asked Mr. Temple how he would reduce the height of the structure by five feet to meet the requirements.

Mr. Temple indicated that he could change the pitch of the roof and reduce the stem wall.

Chairman Klein opened the item up for public comment.

Mr. Bacon, Community Planner noted that staff has not received any comments from adjoining property owners regarding the request.

Hearing no other comments Chairman Klein closed the public portion of the hearing and called for a motion.

Mr. Fuchs, **MOTION: Move** to approve Conditional Use Permit CUP09-003 for a detached guest quarters in substantial accordance with the site plan dated April 20, 2009 and in accordance with Section 2.5.6 of Land Development Code. The Conditional Use Permit shall not be issued until the following conditions are met: 1) the applicant must obtain the building permit for the primary residence and guest house, and that the building permit shall not be issued until the replat application is approved to combine the two separate lots. And, 2) the guest quarters shall not exceed the 20-foot maximum height for accessory buildings. Mr. Warren, 2<sup>nd</sup>. **Vote: 7-0.**

**IV. REVIEW ITEMS**

None.

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

None.

**V. ADJOURNMENT**

Chairman Klein adjourned the meeting at 9:14

\_\_\_\_\_  
Michael Klein, Chairman

\_\_\_\_\_  
Kelly Sammeli  
Recording Secretary

COMMUNITY DEVELOPMENT - PLANNING & ZONING DIVISION  
BOARD OF ADJUSTMENT  
**STAFF REPORT**  
Meeting Date: 8/20/09

**TO:** Board of Adjustment Members  
**FROM:** Tom Guice, Community Development Director  
George Worley, Assistant Director  
Mike Bacon, Community Planner  
**DATE:** 8/7/09

**Location:** 319 S. Mt. Vernon St.    **Zoning:** SF-9    **Parcel Number:** 110-03-034  
**Applicant/Agent:** Robert Burford, 339 S. Cortez St., Prescott, AZ  
**Owner:** Warren Kuhls, 319. S. Mt. Vernon St., Prescott, AZ 86303

---

**REQUEST.** This variance request is to increase the lot coverage from 40% to 46% to accommodate a 480 sq. ft. detached garage in the rear yard. The garage is being relocated from another location to this site.

**Prior Commission Action.**

2009, June 11. Approved the applicant's request to reconsider the Board's May 21 denial of the lot coverage variance. A hearing date was set for August 20.

2009, May 21, V09-003. Denied a corner yard variance from 15-feet to 7-feet for a detached garage and an increase in the lot coverage from 40% to 46%.

2006, January, V06-008. Approved a corner yard variance from 15-feet to 7-feet for conversion of a deck to a porch.

**PRESCOTT PRESERVATION COMMISSION.**

The property is located in the Southeast Prescott Historic Preservation District and the Joslin-Whipple National Register District. The Prescott Preservation Commission voted 6:0 to support the variance for maximum lot coverage at its March 8, 2009 meeting.

**STAFF ANALYSIS.**

**Lot Size:** 7,500 sq. ft.)

**Land Development Code Requirement:** Section 3.6.3E4

**Compliance with Zoning Code and ARS 9-462.06:** Yes

**Neighborhood Residents Concerns.** As of this date, no comments have been received from any area residents.

**Variance Criteria (LDC Section 9.13)**

The Board of Adjustment shall consider the following specific criteria (*Italicized* text indicates staff comments).

**1. Extraordinary Conditions.**

There are extraordinary or special conditions affecting the land involved such that strict application of the provisions of the code will deprive the applicant of the reasonable use of his land. *The house is listed on the National Register and has the support of the Prescott Preservation Commission for the requested variance.*

**2. Substantial Detriment.**

Granting of the Variance will not be detrimental to the public health, safety, or welfare or injurious to other property in the area, or to the City in administering this Code.  
*There are none.*

**3. Special Privileges**

Granting of a Variance shall be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is located. *No other similar variances have been applied for in the surrounding neighborhood area. The architect has submitted a detailed analysis (see attached letter and maps), however, which reveals other corner lots in the neighborhood area have buildings that do not meet the maximum lot cover.*

**4. Self-Induced Hardship**

The hardship is not the result of the applicant's own actions. *The proposal is of his own actions.*

**5. General Plan**

Granting of the Variance would be in substantial compliance with the General Plan or other relevant area plans or neighborhood plans.

**General Plan Consistency.** *The project area is designated as "Low-Medium-Family Residential (1-7 DU/Acre)" on the 2003 General Plan Land Use Map. Applicable 2003 Prescott General Plan Polices include:*

- "Goal 1. Maintain the integrity and character of existing neighborhoods." (p36).*
- "Goal 6. Encourage more compact development..."(p39).*

*Single-family homes surround the property site. The request is considered to be in compliance with the General Plan.*

**6. Utilization**

Because of special circumstances applicable to the property, including size, shape topography, location or surroundings, the strict application of the ordinance will deprive such property of privileges enjoyed by other property of the same zoning district.

*There are no special circumstances.*

**STAFF RECOMMENDATION**

Staff recommends approval.

**SUGGESTED MOTION:**

MOVE TO APPROVE VARIANCE 09-003 in substantial conformance with Exhibit A dated August 20, 2009.



**MF-M**

S PLEASANT ST

O N A V E

VIRGINIA ST

WASHINGTON AVE

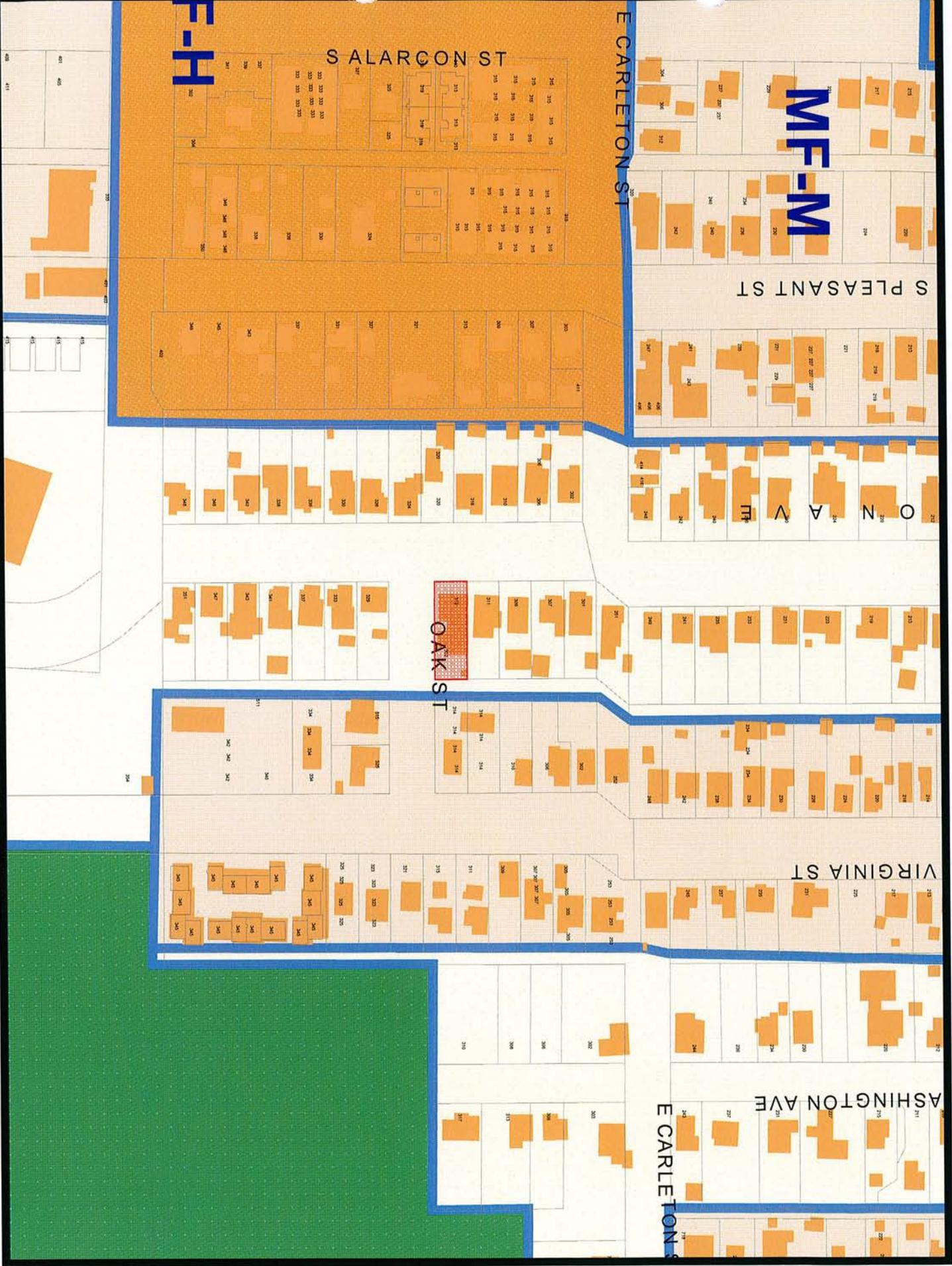
E CARLETON ST

E CARLETON ST

S ALARCON ST

OAK ST

E-H





**RECEIVED**

VARIANCE APPLICATION

MAR 18 2009

CITY OF PRESCOTT  
 COMMUNITY DEVELOPMENT

V# 09-003

Property Address: 319 SO. MT. VERNON AVE.

Assessor's Parcel Number (s)(APN): 110.03.034

Township 13N Section 03 Range 2W Current Zoning: SF-9

Subdivision Name: BASHFORD TRACT

<p>Owner Name &amp; Address:  <u>WARREN C. KUHLES</u>  <u>319 SO. MT. VERNON AVE.</u>  <u>PRESCOTT, AZ. 86303</u></p> <p>Phone: <u>928 445-1064</u> <u>899.8915</u>        Fax: _____        Email: _____</p>	<p style="text-align: center;"><i>For Staff Use Only</i></p> <p>Date Received: <u>3/18/09</u>        Taken In By: <u>Ryan Smith</u>        Assigned To: <u>Mike Bacon</u>        Date Application Complete: <u>3/18/09</u>        Fees &amp; Charges: <u>821.00</u>        Receipt #/Date: <u>P000312</u>        PAC Date: _____        BOA Date: _____</p>
<p>Applicant/Agent Name &amp; Address        (If different than property owner, Agent letter must accompany submittal):  <u>ROBERT BURFORD, ARCHITECT</u>  <u>339 SO. CORTEZ ST.</u>  <u>PRESCOTT, AZ. 86303</u></p> <p>Phone: <u>778-5610</u>        Fax: <u>778-0650</u>        Email: <u>bandr@northlink.com</u></p>	

Description of Request: ~~1. CORNER LOT SETBACK DISTANCE TO 7' FROM 15' REQ'D.~~  
~~2. LOT COVERAGE 0% TO 46%± FROM 40% REQ'D.~~  
~~BOTH REQUESTS ARE TO ALLOW THE ADDITION OF A DETACHED GARAGE TO BE LOCATED IN THE REAR YARD ADJACENT TO THE ALLEY.~~

RB ROBERT BURFORD Robert Burford 3.18.09  
 Name Signature Date

# ROBERT BURFORD

## ARCHITECT

March 17, 2009

### CITY OF PRESCOTT

#### Variance Application for 319 So. Mt. Vernon Ave.

Variance includes Lot Coverage, percentage and corner yard setback distance

Questionnaire answers:

#### A. Describe the special or unique conditions...

The project involves an historic residence on south Mt. Vernon Avenue. Oak Street borders the site on the south and runs for only one block to Virginia Street. The site slopes down from Mt. Vernon to the alley to the east approximately 9' in elevation. Existing conditions include a retaining wall and steps along the south property line, mature canopy street trees along both streets, existing structure built beyond current setback lines on the front side and corner sides (see previous variance for corner yard setback January 2007), and Oak street pavement 20 feet from the property line (please see **attached photos** for Oak Street views of this area).

#### B. Indicate how the literal interpretation...

This neighborhood was developed several decades ago under quite different ordinances. There are no vacant lots nearby and most properties were built to then current setbacks which were less than the setback requirements now. Site planning of residential lots most often included a detached garage in the rear of the property. Access varies from street frontage to ally to corner lot side street access. Mt. Vernon is a corridor of S-9 zoning with MF-M and Mf-H zoning flanking either side. MF-M zoning is adjacent to this property across the alley to the east. MF-M lot coverage allows for 50% lot coverage for multi-family development, In the MF-m and MF-H zoned area nearby, lot coverage appears to be in the 40-50% range. In the S-9 zoned area along Mt. Vernon, it appears that some properties including corner lots exceed the 40% lot coverage required under current zoning (see attached **list and comments**). ~~The setback request would allow the garage to align with the existing residence side porches and would allow more private rear yard and open space on site that complying with the 15' setback. The request is for the same setback as a side without street (see attached **list and comments** previously submitted to support corner yard variance approved in 2007.)~~

**C. Describe how the alleged hardships caused by...**

The project has been reviewed by the Preservation Commission and will be resubmitted to the Commission due to this request for variance. Preliminary comments indicate the appropriateness of the proposed additions and the benefit to the district for the project. The literal interpretation of the lot coverage requirements would not allow adding any garage because the lot coverage of the residence and covered decks is currently at approximately 40%. ~~Literal interpretation of the corner setback distance should expand driveway land coverage and reduce private yard area and open space (as indicated in the description of S-O zoning as an intent).~~

**D. Indicate why granting the requested variance will not confer...**

As stated, this district is built out and the original residences were built under different ordinances, mostly less restrictive in nature. The Oak street side of this residence already had components beyond the current corner setback. Oak Street has no sidewalk or curb and gutter and the asphalt edge is 20 feet from the property line with mature trees in this planting strip. ~~Other properties may indeed fall under similar situations should they desire to request a variance to a corner setback along this one block street, or other corner street setback locations. The setback request is not for less than an interior side setback and other properties may be due similar consideration to this adjustment in the area, mainly due to the previously stated historical precedents.~~

**E. Indicate why granting the variance will not interfere with or injure the...**

The proposed garage has a roof top deck with railings thereby reducing the overall height and impact on the neighborhood. No existing views from other residences would be appreciable lessened. By granting the setback variance, the garage will be located close to Oak Street and further away from the adjacent property to the north thereby reducing the effect of the roof top deck upon the neighboring rear yard. No mature trees or land features are proposed to be removed. The garage would not be located closer to Oak Street than the existing porch columns and footprint. The style, materials and colors of the proposed garage will complement and/or match the historic residence on site and the neighborhood. (please see **attached photos** of garage proposed to be relocated to this site). The COP Preservation Commission has reviewed and approved the concept in support of this variance request and will review it again during the process. Please note that a discussion about the site triangle at Oak Street to the alley has been discussed with the COP Engineering Department. It is determined that the triangle be located with the possibility of increasing Oak Street to a 32' width (currently 22' paved) which begins the triangle leg 5' closer to the property line. This is shown on the site plan submitted. This allows for future street improvements without affecting the provisions of the sight triangle for the neighborhood use.

# ROBERT BURFORD

## ARCHITECT

March 18, 2009

**CITY OF PRESCOTT**  
**Variance Application for 319 So. Mt. Vernon Ave.**  
Addendum

The following is a short list of properties in the general locale of the site that do not appear to conform to the current lot coverage requirements. The assessment is based on a visual comparison of the building areas shown on the GIS information maps attached and from walking the area. It is difficult to obtain the precise lot coverage, either from the GIS data on each property or from field work. Several SF-9 properties are currently near to or at the 40% lot coverage and perhaps a select few are somewhat over the 40% criteria. Several MF-M and MF-H properties adjacent to the SF-9 zoning, and also in the neighborhood, are approaching the allowed 50% lot coverage for multi-family use. This list is offered to further address the criteria the Board of Adjustment is to consider, specifically 9.13.4.A.1 Substantial Detriment and .A.6 Utilization. Although comparing area lot coverage to the requested variance is important, the inability to add a detached garage due to lot coverage for this specific site is also a factor to consider. Also be advised that a portion of the total footprint is covered decks and porches to the front and side of the existing residence. These present a less solid look and feel than if these were actual interior walled spaces comprising the lot coverage.

416 E. Carlton	SF-9	110-01-040
Corner lot with alley at the rear. 2 buildings		
248 S. Mt. Vernon	SF-9	110-01-039
A corner lot at 2 streets		
240 S. Mt. Vernon	SF-9	110-01-035
Interior lot. 2 buildings		
146 S. Mt. Vernon	SF-9	110-01-020
Interior lot. Multiple buildings		
123 S. Mt. Vernon	SF-9	110-01-050A
Interior lot. 2 buildings		
119 S. Mt. Vernon	SF-9	110-01-049C
Interior lot. 2 buildings		

202 S. Mt. Vernon SF-9 110-01-022  
Corner lot with alley at the rear. Multiple buildings

145 S. Mt. Vernon SF-9 110-01-060  
Corner lot with alley at the rear. 2 buildings

148 S. Virginia MF-M 110-01-059  
Corner lot. Single family residence. Lot immediately adjacent to SF-9 zone

406 E. Carleton St MF-M 110-01-041  
Corner lot with alley at the rear. Multi-family building. Lot immediately adjacent to SF-9 zone

402 E. Goodwin MF-M 110-01-021A  
Corner lot with alley at the rear. Multi-family building. Lot immediately adjacent to SF-9 zone

Again, these are representative of the properties in the immediate neighborhood. Other SF-9 areas in Prescott were not surveyed for possible lot coverage non-conformance.

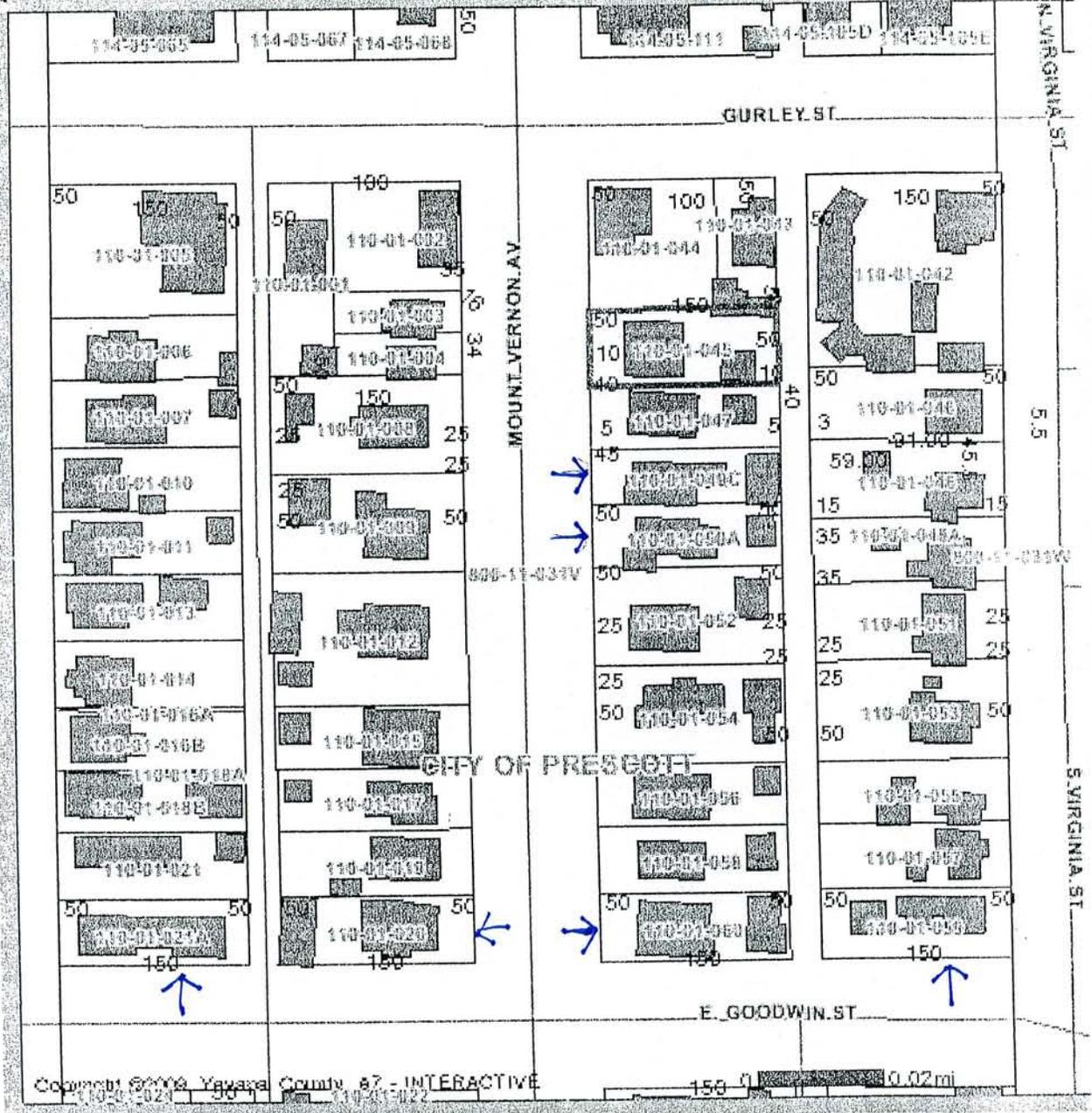
## Interactive Mapping

Search By Property

Search By Location

HELP TUTORIAL

Ap

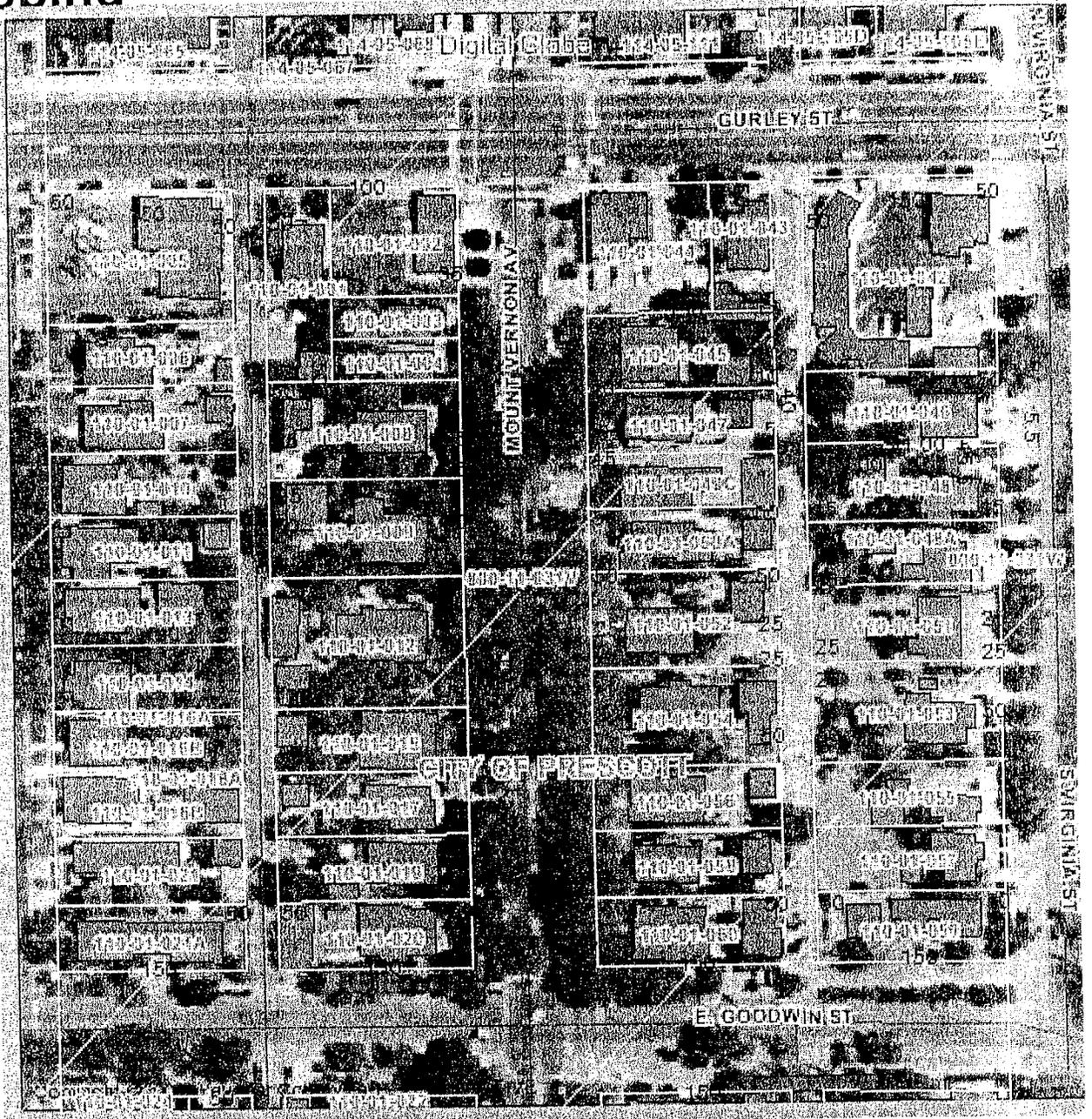


Copyright © 2006 Yavapai County AZ - INTERACTIVE

# Interactive Mapping

Search By Property   Search By Location   HELP TUTORIAL

Ap



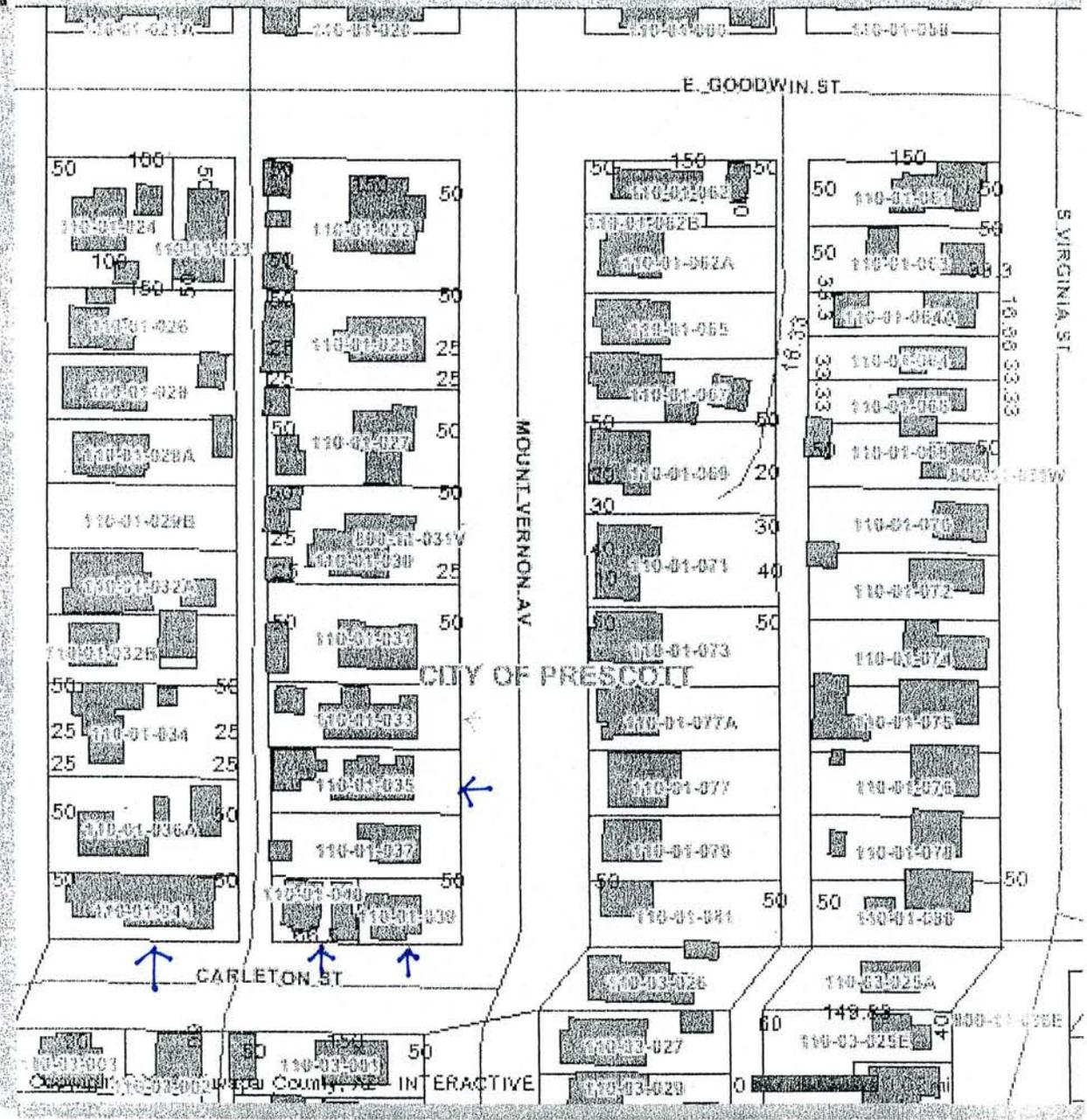
## Interactive Mapping

Search By Property

Search By Location

HELP TUTORIAL

Ap



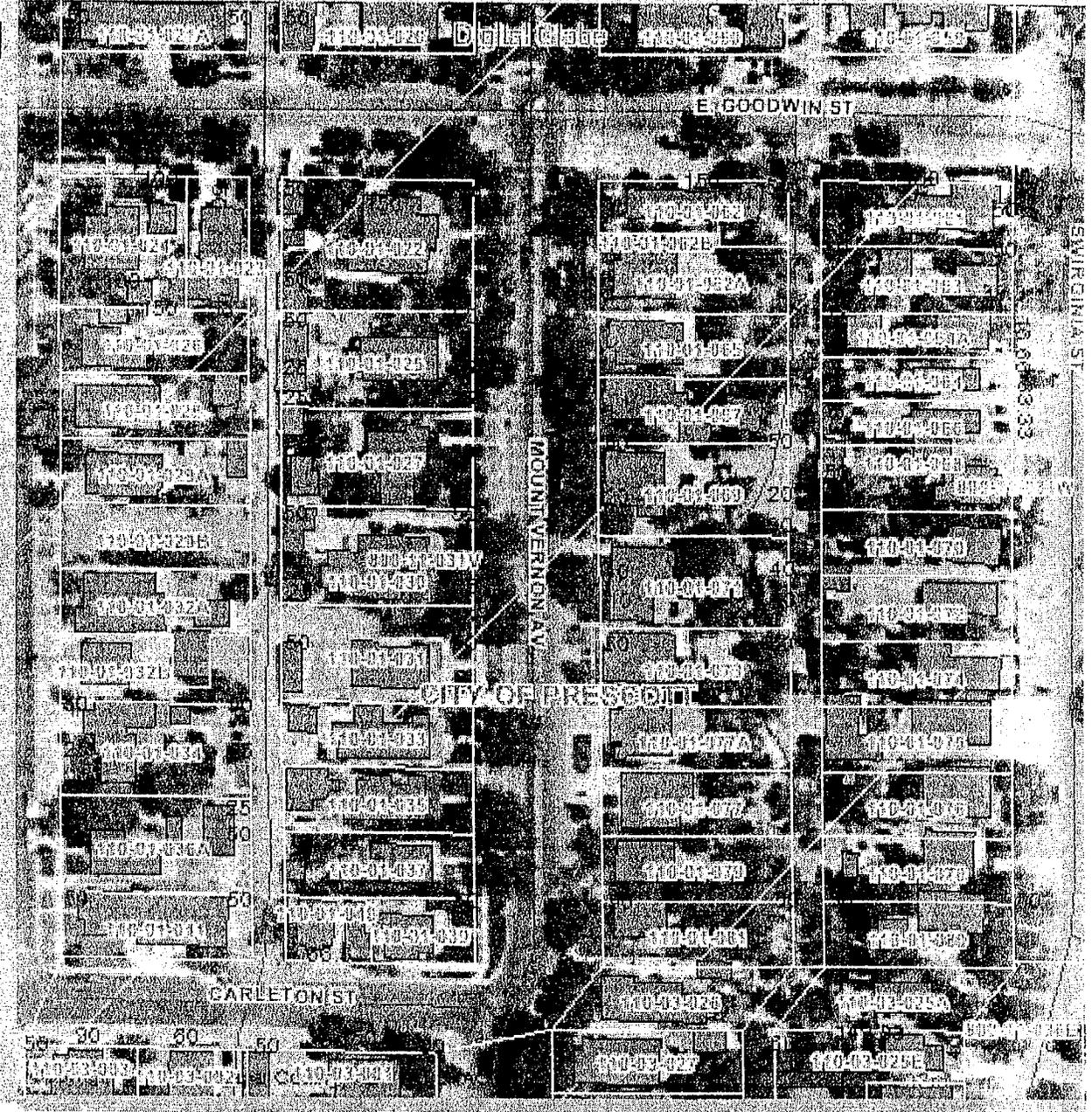
# Interactive Mapping

Search By Property

Search By Location

HELP TUTORIAL

Ap









**VAR # V05-014**

**VARIANCE**

**Agenda# #3**

**Elimination of front yard setback requirement extension of time.**

COMMUNITY DEVELOPMENT – PLANNING AND ZONING DIVISION  
BOARD OF ADJUSTMENT MEETING FOR August 20, 2009

**STAFF REPORT**

**TO:** Board of Adjustment

**FROM:** Tom Guice, Community Development Director  
George Worley, Assistant Community Development Director *GW*  
Ryan Smith, Community Planner *RS*

**Date:** August 13, 2009      **Parcel Number:** 115-06-191H (now 115-06-191K)

**Location:** 1450 Iron springs Road      **Zoning:** BR (Business Regional)

**Owner/Agent:** Michael P. Strasser, M.D., Strasser-Mergler Partnership

**REQUEST:** The applicant is seeking an extension of time of 3 years regarding a prior variance approval. This variance was previously granted an extension of 4 years. Therefore, the total time of extension is proposed to be approximately 7 years from the time of the original expiration. If approved, and the proposed structure is not completed, the variance would expire on November 18, 2013.

**ZONING CODE REQUIREMENT:** Code Section 9.13.5 – Expiration/Revocation of Approval: If construction of the project has not been completed within the first 12 months from the date of approval, an approved variance shall expire.

**PAST CITY OF PRESCOTT ACTIONS ON SUBJECT PROPERTY:** On May 9, 1999, the City of Prescott acquired 3280 square feet from this parcel. The City Council approved ordinance 3983 for the re-alignment of Meadowridge Road using a portion of the subject property along its Southeast boundary.

On September 15, 2005, the Board of Adjustment approved a variance which eliminated the required front yard setback associated with the development of a commercial property. This action was initiated by the Community Development Department to facilitate the acquisition of property to expand the Iron Springs Road right-of-way.

On November 17, 2005, the BOA approved an extension of time regarding the variance approval extending the variance expiration to November 18, 2010 (if no development of the site occurs).

**BACKGROUND:** The subject property is located at the Northwest corner of the intersection of Iron Springs Road and Meadowridge Road. This parcel is zoned BR (Business Regional) and is currently unimproved. The applicant is planning to build a 2400 square foot commercial building. The variance was granted to satisfy an LDC requirement for a 24 foot maneuvering area behind on site parking spaces.

The Iron Springs Road right-of-way expansion took approximately 18 months to complete. In order to allow the property owner ample time to complete the project, City staff requested that the variance approval be extended an additional 4 years.

**STAFF RECOMMENDATION:** Staff recommends approval based on adverse impacts to the property owner from road improvements.

**SUGGESTED MOTION:**

Move to approve Variance V05-014 extension of time allowing an additional 3 years for project completion with the following conditions:

1. Construction shall be in general conformance with the site plan dated August 31, 2005.
2. If construction of the project has not been completed, the approved variance shall expire on November 18, 2013.

Exhibits

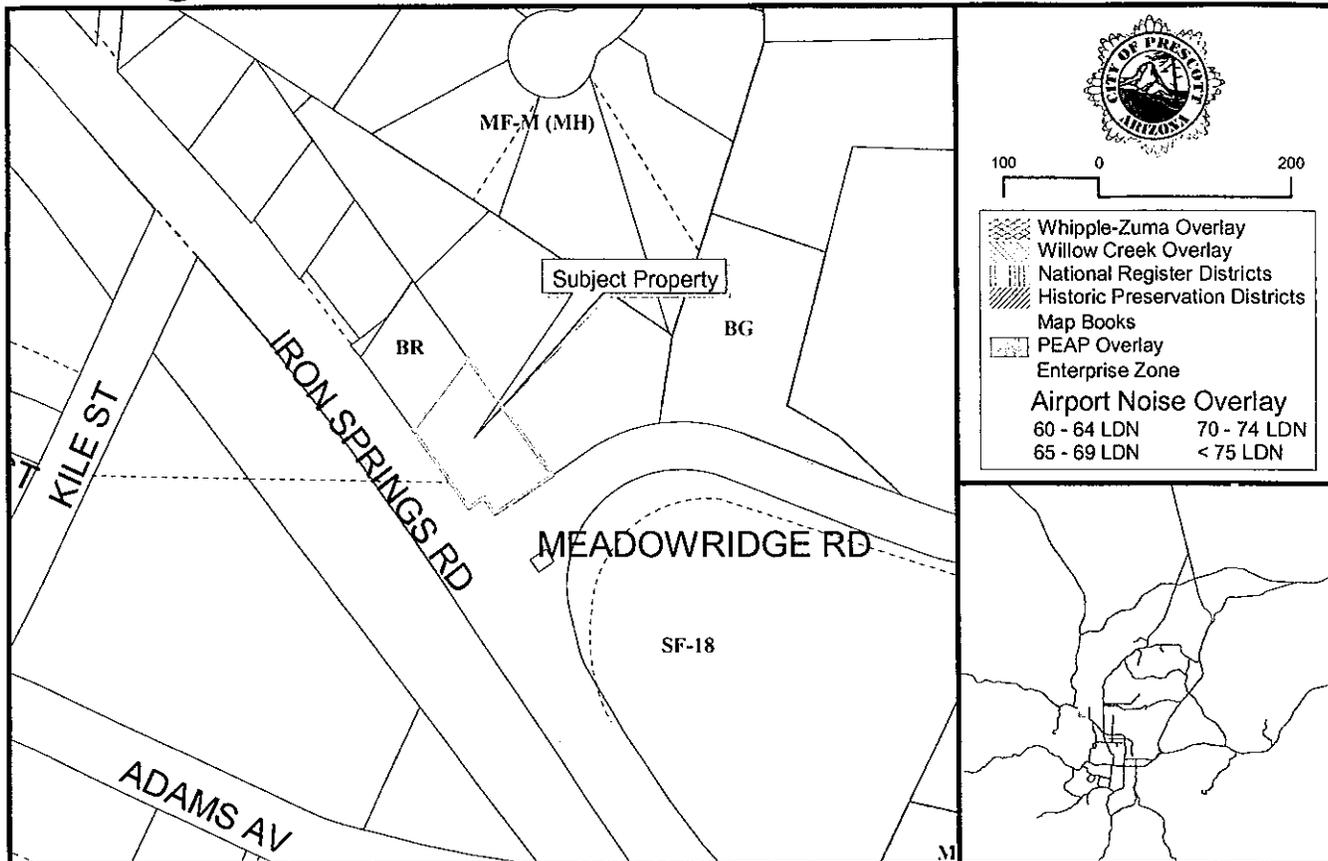
Vicinity & Zoning Map.

Site Plan.

Letter of Request.

Prior Variance Approvals.

# Zoning Information for Parcel 115-06-191H



## Parcel Information

Parcel Number: 115-06-191H  
 Owner Name: STRASSER-MERGLER PARTNERSHIP  
 Owner Address: 1125 IRON SPRINGS RD  
 Owner City: PRESCOTT  
 Owner State: AZ  
 Owner Zip: 86301

Subdivision Name:  
 Acres (GIS): 0  
 Acres (DOR): 0.3  
 TRS: T014N-02W-S0029

DOR Usage Code: 22  
 DOR Usage Description: VACANT COMMERCIAL URBAN NON-SUBDIVIDED

Site Address: None Available

## ZONING Information

ZONING 1 : BR  
 ZONING 2 : SF-18

Other Zoning Info 1 : V-8504 NONE  
 Other Zoning Info 2 : CU-8502 NONE

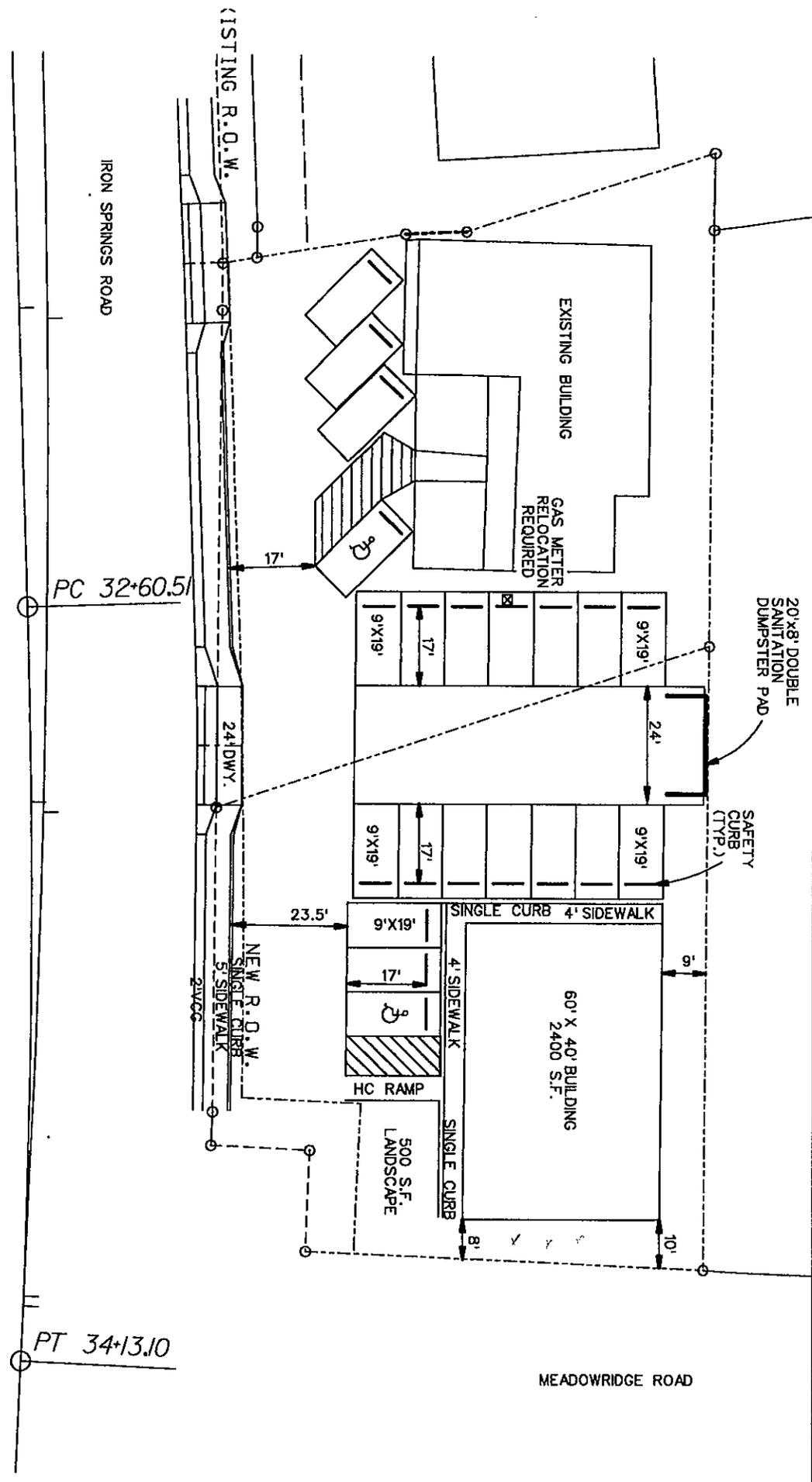
Full Cash Value (Land): 58806  
 Full Cash Value (Improvements): 0  
 Full Cash Value (TOTAL): 58806  
 Full Cash Value (Prior year): 58806  
 Limited Property Value (DOR): 58806  
 Limited Property Value (Prior year): 58806

Legal Classification: 02.R  
 FCV Total Net Average: 9409  
 Limited Property Value Net Average: 9409  
 Full Cash Value Combined Ratio: 16

## Overlay District Information

HPD Overlay District: None Found  
 NR District: None Found  
 Willow Creek Overlay District: Not in District  
 Whipple-Zuma Overlay District: Parcel not in District  
 HWY 69 Overlay District: Parcel not in District  
 Prescott East Area Plan: No Entries found  
 Neighborhood: MEADOW RIDGE  
 Prescott Enterprise Zone: OUTSIDE  
 Airport Noise Overlay District: Parcel not in District

POP'S MUSIC & CORNER LOT  
PARKING & BLDG. CONCEPT PLAN



# PRESCOTT EAR, NOSE AND THROAT P.L.L.C.

DISEASES AND SURGERY OF THE EAR, NOSE & THROAT  
HEAD AND NECK SURGERY • ALLERGY

MICHAEL P. STRASSER, M.D., P.C.

DENNIS W. BERRY, M.D., F.A.C.S.

MARK D. STRASSER, M.D.

July 23, 2009

Mr. Tom Guice  
Community Development Director  
Chairman of Board of Adjustments  
City of Prescott

RECEIVED  
CITY OF PRESCOTT  
COMMUNITY DEVELOPMENT DEPARTMENT  
JUL 23 2009

Dear Mr. Guice:

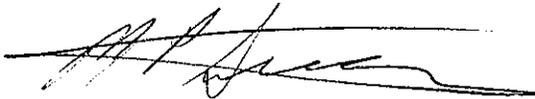
*extended to 11-18-10*

We have had a variance on the below-mentioned property which will extend to November of 2010. However, due to the construction and widening of Iron Springs Road, followed immediately by the catastrophic economy, it would appear that we are not going to be able to build the approved retail space in the time allotted. It is our intention to either build it or sell the lot to the neighboring retail store to expand. We are requesting a variance extension for another 3 years beyond our current deadline to allow us the time to construct.

It would seem clear that the city would benefit more by having the previously planned retail space rather than a blacktop parking lot for this parcel. I appreciate your consideration.

Property: 1450 Iron Springs, APN11506191H  
Variance # V05-014  
Ownership of property: SM Partnership

Sincerely,



Michael P. Strasser, M.D.  
1125 Iron Springs Road  
Prescott, AZ 86301  
Phone: 778-4116



## DECISION OF CITY OF PRESCOTT BOARD OF ADJUSTMENT

The request to approve Variance V05-014, filed by the City of Prescott, Community Development Department, for owners Strasser-Mergler Partnership, for property located at 1450 Iron Springs Road, APN: 115-06-191H having come for review by this City of Prescott Board of Adjustment on September 15, 2005, the Board of Adjustment having heard and considered the testimony and evidence presented, and the majority having concurred in the finding and decision;

**THE CITY OF PRESCOTT BOARD OF ADJUSTMENT Approves Variance V05-014** subject to the following condition:

1) The variance is subject to include that the site be developed in substantial conformance to the site plan dated August 31, 2005.

**IT IS HEREBY ORDERED** that the application of the City of Prescott, Community Development Department, for owners Strasser-Mergler Partnership be hereby **APPROVED**.

**DATED** this 15<sup>th</sup> day of September, 2005.

---

Calvin Fuchs, Chairman Pro Tempore

**Concurring Board of Adjustment members:**

Duane Famas, Johnnie Forquer, Calvin Fuchs & William Warren.

**Dissenting Board of Adjustment members:**

Mike Klein.

**Absent Board of Adjustment member:**

Thomas Kayn.

**NOTE TO APPLICANT:** You may be required to obtain a building permit to continue with the project. Please call 777-1356 to determine if a building permit is necessary. You need to request a time extension for your variance and/or conditional use permit if you do not complete/realize it prior to its expiration. The variance/conditional use permit expires 12 months from the date it was approved. (Section 9.13.5 Expiration/Revocation of Approval, *Land Development Code*, attached).

Attachment: LDC 9.13.5



## DECISION OF CITY OF PRESCOTT BOARD OF ADJUSTMENT

The request to approve an extension of Variance V05-014, filed by the City of Prescott, Community Development Department, for owners Strasser-Mergler Partnership, for property located at 1450 Iron Springs Road, APN: 115-06-191H having come for review by this City of Prescott Board of Adjustment on November 17, 2005, the Board of Adjustment having heard and considered the testimony and evidence presented, and the majority having concurred in the finding and decision;

**THE CITY OF PRESCOTT BOARD OF ADJUSTMENT Approves the extension of Variance V05-014** subject to the following conditions:

- 1) The variance is subject to include that the site be developed in substantial conformance to the site plan dated August 31, 2005.
- 2) The 5-year variance extension will expire on November 18, 2010.

**IT IS HEREBY ORDERED** that the application of the City of Prescott, Community Development Department, for owners Strasser-Mergler Partnership be hereby **APPROVED**.

**DATED** this 17<sup>th</sup> day of November, 2005.

---

Thomas N. Kayn, Chairman

**Concurring Board of Adjustment members:**

Duane Famas, Johnnie Forquer, Calvin Fuchs, Tom Kayn & Mike Klein.

**Absent Board of Adjustment member:**

Bill Warren.

**NOTE TO APPLICANT:** You may be required to obtain a building permit to continue with the project. Please call 777-1356 to determine if a building permit is necessary. You need to request a time extension for your variance and/or conditional use permit if you do not complete/realize it prior to its expiration. The variance/conditional use permit expires 12 months from the date it was approved. (Section 9.13.5 Expiration/Revocation of Approval, *Land Development Code*, attached).

Attachment: LDC 9.13.5