

**BOARD OF ADJUSTMENT
PUBLIC HEARING
THURSDAY, MARCH 15, 2018
9:00 AM**

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

MINUTES OF THE PUBLIC HEARING OF THE BOARD OF ADJUSTMENT held on MARCH 15, 2018 in Council Chambers, City Hall, located at 201 S. Cortez Street, Prescott, Arizona 86303.

- I. **CALL TO ORDER** - Chairman DiRienzo called the meeting to order at 9:00 a.m. He thanked Councilman Lamerson for attending.

II. **ATTENDANCE**

MEMBERS	STAFF PRESENT
James Di Rienzo, Chairman	Tom Guice, Director
Johnnie Forquer	Katie Peterson, Community Planner
Paddie Braden	Matt Podracky, Assistant City Attorney
Ray Everett	George Worley, Planning Manager
Stephen Silvernale - Absent	Darla Eastman, Recording Secretary
Tony Teeters - Absent	COUNCIL PRESENT
Bryn Stotler	James Lamerson, Councilman

III. **REGULAR AGENDA**

I. **REGULAR AGENDA**

- 1. Approval of the February 15, 2018 Minutes

Ms. Forquer, **MOTION** to approve the February 15, 2018 minutes. Ms. Stotler, 2nd.
VOTE 5-0; passed.

IV. **PUBLIC HEARING ITEMS**

I. **PUBLIC HEARING ITEMS**

- 1. **VAR18-00002, Variance to Article 3, Section 3.6.3.F.1 (Single-family-9 Minimum Setback) A proposed change to allow a reduction in the front yard setback to accommodate the construction of a single-family home. Property owner: John F Matthews. Site APN is 111-09-126. Location: 1414 Oregon Ave.**

Katie Peterson, Community Planner, presented the project to the Commission with a site map on the overhead projector. Ms. Peterson stated that this is a request is for a Variance from the minimum front yard setback requirement of 25 feet to 15 feet to allow an approximately 1,000 square foot single-family house on a buildable pad in the single-family 9 zoning district.

She said that the applicant's proposed building pad encroaches 10 feet into the front yard setback area on the south side of the house, facing the street. Nearly half of the lot area

features large boulder formations and a floodway on the north end of the sloping lot. She said that the applicant is requesting a reduced front yard setback to accommodate a building pad on the more buildable portion of the lot, and believes the requested variance allows a style and size of house in conformance with the modestly-sized, cottage-style houses on surrounding lots. Ms. Peterson commented that the proposed size and style of structure is consistent with the character of the other houses on Oregon Avenue. Ms. Peterson said that the boulder formations and floodway on the northern portion of the subject lot prevent construction on nearly half of the lot. The level, buildable area on the lot is located on the southern portion, leaving limited space for a building pad.

The Board Members agreed that the proposed site is a buildable lot; however, due to the boulders and according to the site plan, it is obvious that the structure needs to be built in the center of the lot. They also agreed that this is why the City has a Variance process in place because of these types of situations and it is an appropriate request.

John Matthews, 13230 N Victor Hugo, Phoenix, AZ, he said that it is his dream home and he will be living at this property when he retires soon.

Buss Nichols, 1412 Oregon Ave., the adjacent homes are significantly set-back from the road, next door is 50 feet and the home to the east is over 100 feet. He said he feels it is wildly keeping out of character of the neighborhood. The Board Members responded that the City has deemed it a buildable lot and due to the location of the boulders and the floodway, there is only a portion of the lot where a structure can be placed. Ms. Peterson clarified that part of the legal and staff reviews of the site plan, the adjacent lots are evaluated for consistency and character. Ms. Peterson stated that the site plan for this request meets those requirements.

J Dianne Brederson, 1412 Oregon Ave., asked if the footprint of the home is impeding on the required setback why not consider a smaller footprint and then the applicant would not need a Variance. The Board Members responded that they cannot dictate, but the property dictates, the size of home the owner wishes to build. The Board Members stated that they review a site plan for reasonable square footage of a home compared to other homes in the neighborhood and the size of the lot.

Marriner Cardon, 1502 Oregon Ave., stated that he owner the home to the west and is most impacted. Mr. Cardon asked about the height of the house and the parking. The new neighbors, Mr. Cardon and Mr. Nichols shook hands and greeted each other. Mr. Nichols demonstrated on the site plan the height of the house and the parking.

The Board Members discussed that the request before them is for a reduction in the front setback only and not for height of the home or an amendment to the parking requirements. The Board Members provided the Applicant with additional information if he needed to come back to the Board with another request. They continued that if the applicant wishes to come back to request Variance in the height of the home or within the parking restrictions, he may do so at another meeting.

Mr. Everett, MOTION to approve VAR18-00002, Variance to change to allow a reduction in the front yard setback to accommodate the construction of a single-family home. Ms. Stolter, 2nd. VOTE 5-0; passed.

V. ADJOURNMENT

Chairman Di Rienzo adjourned the meeting at 9:30 a.m.



Darla Eastman, Recording Secretary

James Di Rienzo, Chairman