



BOARD OF ADJUSTMENT MINUTES

**BOARD OF ADJUSTMENT
PUBLIC HEARING
THURSDAY, January 17, 2019
9:00 AM**

**COUNCIL CHAMBERS
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 at 9:00 AM on January 17, 2019 in COUNCIL CHAMBERS, CITY HALL, 201 S. CORTEZ STREET, PRESCOTT, ARIZONA.

CALL TO ORDER

I. ATTENDANCE

Members	
James Di Rienzo, Chairman	Raymond Everett
Paddie Braden	Stephen Silvernale, Vice Chair
Johnnie Forquer	Tony Teeters
Larry Meads (Absent)	
Staff	
Bryn Stotler, Community Development Director	Katie Peterson, Community Planner
George Worley, Planning Manager	Michelle Chavez, Recording Secretary
Council	
James Lamerson	

II. MINUTES

Minutes from previous meeting: 1/7/19. 1/14/19 on next month's agenda

III. PUBLIC HEARING ITEM

- CUP18-002, 440 S Montezuma Street.** APN: 109-03-071. LDC Sections 4.8, and 9.3. Zoning is Business Regional (BR). Request is for a Conditional Use Permit for a Tattoo business operating Wednesday through Sunday 12:00PM to 8:00PM and by appointment Monday and Tuesday. **Owner:** Cal-Dan-D, LLC. **Applicant:** Modern Craft Tattoo. Community Planner Katie Peterson (928) 777-1319.

Katie Peterson gave a brief overview of the request for the conditional use permit including hours, site location, access points, parking locations, site plan including back patio location. She also gave an overview of the conditional use permit criteria. Staff recommends the CUP conditions include operations no later than 8pm daily.

Applicant and BOA members had a discussion regarding the Modern Craft Tattoo application for CUP including the hours. Appointments do sometimes run late. Chairman DiRienzo expressed that CUPs can be revoked if the conditions are broken and it can take quite some time to get it re-approved.

Vice Chair Silvernale moved to approve CUP 18-001 and that motion was seconded by member Braden.

Member Everett expressed concern with the hours of operation stipulation.

The original motion by Vice Chair Silvernale was withdrawn.

A new motion by Member Everett was made to approve CUP 18-001 without any restrictions on hours of operation. The motion died for lack of a second.

Member Silvernale moved to approve CUP 18-001, 440 S Montezuma Street. APN: 109-03-071 for a Conditional Use Permit for a Tattoo business, LDC Sections 4.8, and 9.3, with an amended condition:

Business operating hours from 8am to 8pm for all days.

Motion was seconded by Member Braden and voted yes by DiRienzo, Braden, Forquer, Teeters, and Silvernale. Motion was voted no by Everett. **Motion carried, item approved.**

- V18-010, 669 E Sheldon Street.** APN: 114-05-001 and 114-05-002 totaling ±0.38 acre. LDC Sections 4.8 and 9.13. Zoning is Business Regional (BR). Request is for a six foot porch encroachment into the 10 front and corner setback. **Owner/Applicant:** Joseph and Lisa Lucidi. Planning Manager is George Worley (928) 777-1287.

George Worley gave an overview of the application for variance including porch information, zoning, encroachment, surrounding business uses, site plan, existing non-conformance, setbacks, right of way, and posting of notices for variance.

A conversation between the members of BOA occurred regarding the patio. The applicant spoke to the site being the location of the former Cattleman's Steakhouse. It will be remodeled and they plan to open a quick serve BBQ restaurant. The applicant explained the needs for a porch overhang, landscaping, impacts to surrounding area, lighting, etc.

Member Everett moved to approve V18-010, 669 E Sheldon Street. APN: 114-05-001 and 114-05-002 totaling ±0.38 acre. LDC Sections 4.8 and 9.13 for a six foot porch encroachment into the 10 front and corner setback. This motion was seconded by Braden and approved unanimously.

IV. ADJOURNMENT

Meeting adjourned at 9:37am.


Michelle Chavez, Recorder


James DiRienzo, Chairman