

# BOARD OF ADJUSTMENT MINUTES

**BOARD OF ADJUSTMENT  
PUBLIC HEARING  
THURSDAY, November 19<sup>th</sup> 2020  
9:00 AM**

**Zoom Meeting + Council Chambers  
201 S. CORTEZ STREET  
PRESCOTT, ARIZONA  
(928) 777-1207**

**CALL TO ORDER – Chair Teeters called the meeting to order at 9:01 AM.**

**I. ATTENDANCE**

<b>Board Members</b>	
Tony Teeters, Chair	Mary Frederickson
Larry Meads	Jerry Kaufman, Absent
Thomas Davis	
Johnnie Forquer	
<b>Staff</b>	
Bryn Stotler, Community Dev. Director	Kaylee Nunez, Recording Secretary
George Worley, Planning Manager	Matt Podracky, Assistant City Attorney
Tammy DeWitt, Community Planner	
<b>Council</b>	
Billie Orr, Liaison	Cathey Rusing, Councilmember

**II. MINUTES**

Approve the minutes of the August 20<sup>th</sup>, 2020 Board of Adjustment meeting.

**Board Member Forquer made a motion to approve the August 20<sup>th</sup>, 2020 minutes. The motion was seconded by Chairman Teeters and passed (4-0). \*Board Member Frederickson unable to vote due to technical issues.\***

**III. PUBLIC HEARING ITEMS**

- V20-004:** Variance to Article 3, Section 3.2.3.F. (Rural Estate 2 Acre/Minimum Setbacks) of the Land Development Code (LDC) to allow a reduction of the required 35’ side setback by 25’ to allow for a 10’ side setback for a new RV carport on a 2.0 acre parcel. [Zoning: RE-2 Acre; Property Owner: Bruce and Denise Hebert; APN 108-21-003G]. Location: 2124 Chickadee Creek Pl., Prescott, AZ 86303.

Community Planner Tammy Dewitt summarized the proposed project which involves reducing the southeast side yard setback to accommodate the construction of a new RV carport. Ms. DeWitt presented a site plan depicting existing and proposed structures, as well as topographical lines. She clarified that drainage washes to the north, as well as the septic system on the east side of the property, present challenges for placement of the carport within the required setbacks. Ms. Dewitt also presented photos of the site, indicating that the proposed location for the carport is well screened from adjacent properties by dense

vegetation and trees. She also presented elevation renderings of the carport, which indicate it will be no greater than 20' tall, the maximum allowed for accessory structures in the RE-2 district. Staff recommends to move to approve or deny V20-004.

Chairman Meads asked Ms. DeWitt for clarification on how staff determines the front and sides of the property; Ms. Dewitt clarified that the front is always adjacent to the access road.

Mr. Meads asked for clarification on the dimensions of the proposed carport. Owner Bruce Hebert explained that the carport will likely be 16' x 42', perhaps a bit wider. Mr. Hebert also explained that they would still maintain the 10' proposed side yard setback if they were to make the carport any wider.

Nearby property owners Lisa & Mike Hitt claimed that the applicants could likely move the wash on their property to accommodate construction within their setbacks. Mr. Hitt also exclaimed that he believes 10' is 'awfully close' for the proposed carport to be to the side yard setback.

Ms. DeWitt clarified that applicant could not move the wash due to flood control regulations, and that the septic system also presents a significant challenge to building on the east and north sides.

Denise Hebert, property owner and applicant, clarified that there is currently a toy hauler where the proposed carport will be (to provide further reference).

Board member Tom Davis asked for clarification on whether uses and characteristics of adjacent properties would be considered in this determination.

Ms. DeWitt clarified that this application is solely determined on the basis of hardships presented on this individual property.

Mr. Davis also asked whether there were any other properties with accessory buildings that encroach into the setbacks within the neighborhood. Ms. DeWitt explained that staff did not look in to any variance or pre-existing precedents as part of this application, as variances are determined by hardships associated with an individual property.

Assistant City Attorney Matt Podracky clarified that the City is not required to make a specific finding of similar uses within the neighborhood.

***Board Member Meads made a motion to approve V20-004. The motion was seconded by Board Member Forquer. The motion passed (4-0). \*Board Member Frederickson unable to vote due to technical issues.\****

#### **IV. STAFF UPDATES**

None

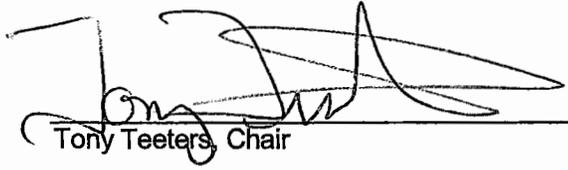
#### **V. ADJOURNMENT**

Meeting adjourned at 9:28 am.



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Kaylee Nunez, Recording Secretary



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Tony Teeters, Chair