



**Board of Adjustment Meeting
118 Arizona Street
Bisbee, Arizona 85603**

February 2nd, 2017, 6:00 pm

Action Agenda

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING.

CALL TO ORDER

Roll Call:

All Present

Keith Bogue

Ken Budge

Keith Dennis

Dennis Nelson

Peter Von Gundlach, acting Vice Chair

City Staff

Lauri Owen, City Attorney

Nina Williams, Deputy City Clerk

Frank Davis, City Council Liaison

CALL TO THE PUBLIC – Any member of the public may speak about Board of Adjustment Issues, subject to reasonable time limitations.

No members of the public requested to speak.

NEW BUSINESS

Item 1. For Discussion And Possible Action: Election of A Chair and A Vice Chair For The Board Of Adjustment.

Board Member Dennis Nelson nominated Peter Von Gundlach to be Chair of the Board of Adjustment.

Board Member Kenneth Budge seconded the nomination

MOTION PASSED UNANIMOUSLY

Board Member Peter Von Gundlach nominated Kenneth Budge to be Vice-Chair of the Board of Adjustment.

Board Member Dennis Nelson seconded the nomination

MOTION PASSED UNANIMOUSLY

Item 2. Richard Obenchain's Appeal Of A Notice of Violation, Regarding A Violation Of Bisbee's Zoning Code, Section 6.14 Prohibition Of Occupancy Of Vehicles and Trailers.

- A. Call of the Docket
- B. Summarization of the issues and relevant data by the Planning Director or his designee.
- C. Open Public Hearing
- D. Presentation by the Appellant
- E. Comments by other persons in favor of the Appellant's position.
- F. Comments by other persons opposed to the Appellant's position. The Planning Director or his designee may respond to the substance of this appeal at this time.
- G. Rebuttal by the Appellant.
- H. Closure of the comments from the public.
- I. Close Public Hearing
- J. Discussion of the issues among the Board members.
- K. Call for motion and decision by the Board.

MOTION: Board Member Keith Dennis moved to accept the appeal in full.

SECOND: Board Member Peter Von Gundlach

Board Member Kenneth Budge asked for the motion to be clarified.

MOTION: Board Member Keith Dennis moved to grant the appeal based on testimony and some evidence that this was a legal non-conforming use and that it was grandfathered.

SECOND: Board Member Peter Von Gundlach

ROLL CALL VOTE:

AYES: Board Member Dennis, Bogue, Budge, Nelson and Von Gundlach

NAYS: 0

MOTION PASSED UNANIMOUSLY

Item 3. For Discussion And Possible Action: Approval Of Updating The Board Of Adjustment's By-Laws And Procedures.

Board Member Keith Dennis moved to table this item.

Board Member Keith Budge seconded

MOTION PASSED UNANIMOUSLY

ADJOURNMENT: 8:16PM