



**Board of Adjustment Meeting
 May 30, 2019 @ 5:30 pm
 Board of Supervisors Hearing Room
 1415 Melody Lane, Building G
 Bisbee, Arizona 85603**

Action Agenda

The meeting called to order by Dennis Nelson at 5:30 PM

Roll Call - Board Members

	Present	Absent	Excused
Dennis Nelson- Chair			X
Melissa Hartman- Vice Chair	X		
Michael Normand	X		
Vacant			
Vacant			
Thomas Patterson	X		
Peter Von Gundlach	X		
David Smith- Council Liaison to the Board			X

Staff: Planner II Peter Gardner, Building & Zoning Inspector Joe Ward

NEW BUSINESS

Item 1. Appeal by Jennifer Ryan, represented by Doug Nystrom, of the decision of the Bisbee Design Review Board on April 3, 2019 denying DRB Application 19-07 submitted in connection to the replacement of an accessory structure constructed at 822C Pace Avenue. The replacement was done prior to permitting, and the Board rejected the exterior appearance on a 2-2 vote with one member recused.

Vice-Chair Hartman called the meeting to order and identified the appeal that was being heard.

Vice-Chair Hartman introduced the BOA members.

Vice-Chair Hartman explained the hearing appeal process and identified DRB application 19-07.

Vice-Chair Hartman called for the summary of the issues and relevant data by Planning staff.

Mr. Gardner gave a summary of the appeal and the materials that were provided to the BOA

members.

Vice-Chair Hartman called for the applicant's representative, Mr. Doug Nystrom/

The Board requested that Mr. Gardner play the audio of the DRB denial.

Vice-Chair Hartman asked Mr. Ward to make a statement. Mr. Ward explained the permit process and how it had not been followed. He then read zoning regulations regarding the powers of the Board. Mr. Gardner interjected to clarify that the sections in question were not the applicable ones and explained the powers of the Board to overturn an administrative decision as opposed to granting a Variance from the regulations.

Vice-Chair Hartman called for discussion of the three issues to affirm, reverse or modify the action of the DRB. The Board discussed the permitting and fee issues but stated that they were not relevant to the question. They further discussed the standards of appropriate to the site versus historical period. They finished by complimenting the quality of the shed.

A motion to affirm was made and Board discussion ensued.

Vice-Chair Hartman called the question

Motion: Move to grant the appeal overturning the denial of the application by the DRB approval. **Action:** Grant appeal

Moved by: Normand **Seconded by:** Patterson

Vote: Motion passed (**Summary:** Yes = 4, No =, Abstain 0)

Yes: Ms. Hartman, Mr. Normand, Mr. Von Gundlach, Mr. Patterson **No:** None

Vice-Chair Hartman thanked the parties for their testimony and demeanor and adjourned the meeting.

Adjournment: The meeting adjourned at 6:21 PM