

MINUTES
Design Review Board
ZOOM MEETING
June 2, 2021, at 5:30 PM
City of Bisbee, 76 Erie Street,
Bisbee, Arizona 85603

The Meeting Called to Order by SHAWN YOUNG at 5:30PM

Roll Call-Board Members

Design Review Board	Present	Absent	Excused
Peter Gaffer	X		
Stephan Green	X		
Yvette Ponte	X		
Scot Perfect	X		
Linda Santellanes, Vice Chair	X		
Ben Lepley	X		
Shawn Young, Chair	X		
Frank Davis , City Council Liaison	X		
Nina Williams, Staff Liaison	X		
Joe Ward, Bldg. Inspector	5:33PM		

The staff would like to inform all applicants

1. That all applications on this DRB agenda will require a building permit or a sign permit.
2. That Design Review Board approval does not necessarily reflect the views and policies of the State Historic Preservation Office, which controls decisions impacting tax status of designated contributing historic properties. Please review SHPO’s polices. If necessary, contact them directly before making any exterior changes to your property.

The intent of the Design Review process as applied within the Bisbee Historic District is to:

- A. Improve and encourage uses leading to the conservation and/or rehabilitation of buildings, structures, sites, objects and spaces within the Historic District, while allowing for a vibrant, creative and livable community.
- B. Encourage harmonious growth and orderly development.
- C. Assure that future setting, design and construction will correspond to and enhance the visual characteristics of the district.
- D. Prevent construction, alteration or remodeling from occurring in a manner that would be detrimental to the historical or visual characteristics of the district.

Zoning Code 2.6 Design Review Board; 2.6.2 Powers and Duties:

- A) The Design Review Board shall have the power in the Historic District Overlay Zone to review proposals for exterior construction, reconstruction,

alterations or structural changes and to approve, conditionally approve, or disapprove an application.

- C) It shall be the responsibility of the applicant to prove to the Design Review Board or its designee, that the project in question conforms with the intent and purpose established in Ordinance and with the adopted design guidelines.**

Approval should solely be based on the application submitted as a whole, and the information given to render a decision. Along with the Design Review Board Guidelines and the State of the Interior's Standards for the Treatment of Historic Properties.

The Boards decisions should not be based on whether you are in good standing or not with the applicant.

The Design Review Board has no authority regarding Fire Access, Planning, Zoning, Sewer, Water, Parking, or Drainage.

The Board can encourage the applicant to use certain materials, but cannot deny the applicants' application on the basis of their financial means.

The Board and City Staff cannot preserve Bisbee's Historic Districts by themselves. They need help of every property and business owner in order to preserve Bisbee's unique and historical character.

LET US ALL CONTINUE TO WORK TOGETHER.

CALL TO THE PUBLIC: Residents of the City of Bisbee may speak at this time regarding Design Review Board topics that **ARE NOT ON THE AGENDA** (Please note that the public may address the Board regarding individual items on this agenda following the applicant's initial presentation of their agenda item) Speaking time limits will be observed during the Call to the Public, the speaking time limit is three (3) minutes per person.

OLD BUSINESS

Agenda Item 1.

This item was tabled at the April 7th and May 5th DRB meeting.

Application 21-24 Bisbee Residential Historic District, Non-Contributing Property #188 located at 921 Tombstone Canyon, Applicant Patricia Carbajal.

The application is seeking approval for the following:

- To erect a 4' chain-link fence around yard, include swing gate on Tombstone Canyon Street and 4' pedestrian gate; from base of rock, 20ft. into property line along perimeter as shown on 40' side -6ft chain-link due to high volume of traffic and area is pitched higher' and in front and Tombstone Canyon they would like to build 7' from the curb.
- Retroactive approval for skirting/siding that required repairs. (Removed old siding replaced with cement backing board a-fixed to pier blocks to withstand the weather and not rot in the rain).

- To remove broken stringer and broken boards. Replace with new stringer and new step boards where needed.
- Add shed to keep tools secure and safe.
- Add shade on existing cement slab for seating gazebo. Materials 4x6 post. Plywood or metal sheeting for shade.

Please Note: that 921 Tombstone Canyon is in the middle of ADOT property.

The applicant has contacted ADOT for approval. The applicant requested something in writing from ADOT stating that they have permission from ADOT. On May 17, 2021 the applicant was informed that they had reviewed their application submissions and will issue their permit within 3-5 weeks.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building's exterior feature.

Mrs. Carbajal spoke regarding her application to the Board and answered questions.

MOTION: Mr. Perfect moved to accept application 21-24 with the stipulation that a second application be submitted for the approval of the shed.

SECOND: Mr. Gaffer

MOTION PASSED: UNANIMOUSLY

Agenda Item 2.

This item was tabled at the May 5th DRB meeting.

Application 21-38 Bisbee Residential Historic District, Contributing Property #697 located at 819 A Tombstone Canyon, Applicant Michelle Marsh.

The application is seeking approval to replace existing windows (10 on front and one on each side) for building. Existing windows have significant termite damage and many broken panes. They intend to reuse the old, weathered wood for the aesthetics in between each window on the exterior; new pressure treated, termite wood will be used inside to provide structural framing for the windows.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building's exterior feature.

This item will need to be tabled again since applicant was unable to get the information requested before the cut off time for the agenda.

MOTION: Mr. Young moved to table application 21-38; 819 A Tombstone Canyon for an additional thirty (30) days.

SECOND: Ms. Gaffer

MOTION PASSED: UNANIMOUSLY

NEW BUSINESS

Agenda Item 3.

Application 21-45 Bisbee Residential Historic District, Undetermined- Assumes Contributing located at 816 C Tombstone Canyon, Applicant James D. Tauch.

This application is seeking approval to replace damaged siding with similar siding, replace windows with same style door (back), correct foundation leaks with roof and basement, replace front iron fence, and repair rock wall in front.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building's exterior feature.

Mr. Tauch spoke regarding his application to the Board and answered questions.

MOTION: Mr. Perfect moved to table this for seven days and hold a Special Session to expedite the application.

**SECOND: Ms. Santellanes
Green, Ponte, Lepley and Young)**

MOTION FAILED: 2/5 (Gaffer,

MOTION: Mr. Lepley moved to accept application 21-45 with the change that the stucco line up with front porch

SECOND: Ms. Ponte

MOTION PASSED: 5/2 (Perfect/ Santellanes)

Agenda Item 4.

Application 21-46 Bisbee Residential Historic District, Undetermined Status Property #963 located at 513 F Bailey Hill, Applicants William and Anne Moats.

The application is seeking approval to convert existing garage to guest house.

The Applicant was made aware that the proposed auxiliary dwelling unit is not currently permitted by our Zoning and Zoning Code. We currently permit accessory dwellings, there is a difference. Accessory structures are not independent dwellings.

The Applicant will consider making changes to the interior design in an attempt to meet all zoning requirements. The applicant noted that no changes appear to be needed for the exterior design, the applicant will move forward with the exterior changes.

The Exterior changes include the following:

- Construct covered porch over existing concrete pad on east side
- Add new doors on east side and on west side
- Close off existing retractable garage doors
- Add mini split compressor on north side
- Add awning on west side
- Remove and close off small window at west end of south side
- Move to larger windows from west half on south side and relocate them to east side of existing building
- Stucco exterior and construct copper roof over porch to match existing building

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building's exterior feature.

Mr. Moats spoke regarding his application to the Board and answered questions.

MOTION: Mr. Gaffer moved to approve application 21-46 as presented.

SECOND: Mr. Green

MOTION PASSED: UNANIMOUSLY

Agenda Item 5.

Application 21-47 Bisbee Historic District, located at 15 Wood Canyon (Parent Parcel-Locklin side), Applicant Yancey Garner.

The application is seeking approval for New Construction of 2 single family residence, 2 stories, approx. 1500 SF each.

The 300ft. Notification went out on May 10, 2021.

Public Comment: 8 Public Comments in favor 2 opposed 6 (At the time the agenda was put together)

Zoning Code Article 6.15(C) this installation as proposed will require a public hearing and neighborhood notification since it does not meet the design standards of this article.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building's exterior feature, by remodeling or alteration, and prior to any new construction within the district.

For Clarification: (THERE WILL BE NO DISCUSSION)

The property for each home would need to be split off of the original parcel prior to the Building Inspector issuing a building permit, since the zoning is R-1. This does not pose a problem as the original parcel is large. The minimum size for a newly created residential lot is 4000 square feet.

The subdivision code does not apply, since the original parcel would be split into three (3) parcels and this does not constitute a subdivision. The DRB application if OK'd only grants DRB acceptance of the aesthetics, form and materials for the proposed homes.

AS STATED-

Approval should solely be based on the application submitted as a whole, and the information given to render a decision. Along with the Design Review Board Guidelines and the State of the Interior's Standards for the Treatment of Historic Properties.

The Design Review Board has no authority regarding Fire Access, Planning, Zoning, Sewer, Water, Parking, or Drainage. These subjects WILL NOT BE DISCUSSED at this meeting.

Mr. Hope, Representative and Mr. Garner, Owner spoke regarding this application to the Board and answered questions.

Mr. Young declared the public hearing open and received public comments.

Jodi Feuerhelm and Elizabeth Lueck spoke in opposition of this application.

Mark Apel spoke in favor of this application.

Mr. Young declared the public hearing closed.

The Board discussed the application

MOTION: Mr. Green moved to accept application 21-47 with the consent for the front setback variance of 5' and a building height variance of +4' (27' from lowest point of abutment).

SECOND: Mr. Lepley

MOTION PASSED: UNANIMOUSLY

Agenda Item 6.

Application 21-48 Bisbee Residential Historic District, Non-Contributing Property #170 located at 804 A Tombstone Canyon, Applicant Susan Underhill.

The application is seeking approval to construct decorative "Trellis" using existing garage walls.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building's exterior feature.

Ms. Underhill and husband spoke regarding their application to the Board and answered questions.

MOTION: Ms. Santellanes moved to approve application 21-48 as is.

SECOND: Mr. Young

MOTION PASSED: UNANIMOUSLY

Agenda Item 7.

Application 21-49 Bisbee Residential Historic District, Contributing Property Bi-146 located at 60 Opera Drive, Applicants Thomas and Nanette Slusser.

The application is seeking approval for the following:

- Repair concrete retaining wall
- Install new metal fence between 60 Opera and the adjacent property (Install previously approved wrought iron gate)
- Install corrugated metal and wood hacienda doors to hide the trash and water harvesting barrels.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building's exterior feature.

Mr. and Mrs. Slusser spoke regarding their application to the Board and answered questions.

MOTION: Mr. Gaffer moved to approve application 21-49 as presented.

SECOND: Mr. Young

MOTION PASSED: UNANIMOUSLY

Agenda Item 8.

Application 21-50 Bisbee Residential Historic District, Contributing Property #1039 located at 9A Temby, Applicant Andrew Miller Firebrand Group LLC

The application is seeking approval for the following:

- New and replacement windows
- Change mezzanine approved siding from 11” wide, painted pine shiplap to 8” (8.25” actual) painted smooth cement horizontal lap siding
- Change basement facing material from wide siding to native stone
- Addition of an approximate 8’x10’ dormer on the rear (west) elevation
- Approval of balcony/railings details
- Replacement of three doors on east elevation
- Security metal pipe railing between street and basement

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building’s exterior feature.

Mr. Miller spoke regarding his application to the Board and answered questions.

MOTION: Mr. Gaffer moved to approve application 21-50 as presented.

SECOND: Mr. Perfect

MOTION PASSED: UNANIMOUSLY

Agenda Item 9.

Application 21-51 Bisbee Residential Historic District, Contributing Property #312 located at 24 Moon Canyon, Applicant Dale Turner/ Representative Jon Sky.

The application is seeking approval to Demo both additions and rebuild to code.

The applicant will submit application for the windows and doors at a later date. Focus on only the Demo and rebuild.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building’s exterior feature.

The 300ft. Notification went out on May 10, 2021.

Public Comment: No Comments at the time of this agenda.

Zoning Code Article 6.15(C) this installation as proposed will require a public hearing and neighborhood notification since it does not meet the design standards of this article.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building’s exterior feature, by remodeling or alteration, and prior to any new construction within the district.

Mr. Sky, Representative spoke regarding this application to the Board and answered questions.

Mr. Young declared the public hearing open and received public comments.

No one spoke in opposition.

No one spoke in favor.

Mr. Young declared the public hearing closed.

The Board discussed the application

MOTION: Mr. Young moved to approve application 21-51 as presented to include the windows and doors.

SECOND: Mr. Lepley

MOTION PASSED: UNANIMOUSLY

Agenda Item 10.

Approval of the Minutes of the April 21, 2021 Special Session Meeting.

MOTION: Mr. Perfect moved to approve the minutes of the April 21, 2021 Special Session Meeting.

SECOND: Mr. Gaffer

MOTION PASSED: UNANIMOUSLY

Agenda Item 11.

Approval of the Minutes of the May 5, 2021 Meeting.

MOTION: Mr. Perfect moved to approve the minutes of the May 5, 2021 Meeting.

SECOND: Mr. Green

MOTION PASSED: UNANIMOUSLY

Agenda Item 12.

Reviewed 300ft. notification.

3.5 Architectural Design Review for Historic Preservation (HP) Overlay District

3.5.2 Review Requirements and Procedures

G. Certain applications for work that may have a greater potential to impact the character of the historic district shall require additional notification, to be completed by City staff, prior to presentation to the Design Review board.

These shall include the following proposed activities:

1. The construction of a new building or structure within the District, other than the construction of a sign, fence or wall;
2. The demolition of any building or structure, other than minor storage facilities or accessory buildings;
3. The increase of the height of any existing building; or
4. Any substantial modification to any building or structure that has been designated as having special significance or as a contributing structure within the District.

Written notification of the application, including a description of the proposed action a drawing depicting the proposed exterior elevations, must be mailed by first class mail to all property owners within 300 feet of the subject property not less than fifteen (15) days prior to the Design Review Board hearing. The subject property must be posted with this same information for this same time period.

The City uses the County GIS system to get the 300ft. notification addresses.

Agenda Item 13.

Reviewed Administrative Approval

Property owners of the historic district shall have the right and are encouraged to maintain their property. The Building Inspector may approve a building permit without Design Review Board approval for any work that consists of nothing more than repair work where there will be no exterior change that will alter the character of the structure or where only similar replacement materials will be used. Repairs and improvements such as re-roofing, the replacement of windows, doors and stairs in the same locations, and the replacement of gutters, fencing, utility connections, and other similar non-structural elements may also be directly authorized by the Building Inspector. An Administrative Approval from the Community Development Director must be obtained prior to the issuance of a building permit for any such work.

2.6.2 Powers and Duties – said powers may be delegated by the Design Review Board to the Planning and Zoning Administrator to approve, conditionally approve, or deny an application for minor remodel, signs, or demolition.

This power is delegated to the Building Inspector Joe Ward, the City does not have a Planning and Zoning Administrator.

Agenda Item 14.

Review regarding Sign/Murals Administrative Approval

As previously stated in item 13, signs can be administratively approved without going to the Design Review Board.

Article 7.8 Murals in the Historic District

7.8.4 Guidelines

A. Location

1. Murals are not permitted on unpainted contributing or landmark structures. Murals on unpainted non-contributing buildings or walls will be considered on a case-by-case basis.
2. Paint or mount all murals or other similar forms of visual art on the side or rear walls of the building, and not on its primary façade, above its roof line, or on any of its decorative elements.
3. The installation of a mural should complement and enhance the building or wall and be incorporated architecturally into the character of the historic district.
4. The location of a mural on the building should not cover or detract from significant or character-defining architectural features.
5. The location, size, nature, or type of mural shall not create a hazard to the safe and efficient operation of vehicles, or create a condition that endangers the safety of persons or property thereon. Murals may not extend beyond the eaves, parapet, or sides of a building.
6. If a mural is allowed to be mounted onto the building it must be done to prevent damage from moisture/condensation behind the attached panel. Generally, the hanging and/or anchoring of a mural should be reversible.

B. Design & Materials

1. The mural shall not obscure key features of the building or wall.
2. Paint utilized should be intended for exterior use and which will not compromise the integrity of the material to which it is applied. Reflective neon and fluorescent paint should not be used.
3. The application of murals on historic material should follow all relevant Preservation Briefs as published by the National Park Service's; "The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings Technical Preservation Services."

In conclusion Murals are subjective and need to be brought before the Board.

MOTION: Mr. Gaffer moved to defer until the Special Session Meeting.

SECOND: Ms. Ponte

MOTION PASSED: UNANIMOUSLY

Agenda Item 15.

Discussion and Possible Approval to hold a Special Session in June to review the Design Review Board Guidelines. (I have June 23rd available)

MOTION: Mr. Perfect moved to hold a Special Session on June 23, 2021 to review the Design Review Board Guidelines.

SECOND: Mr. Gaffer

MOTION PASSED: UNANIMOUSLY

Staff Comments

- Reminded Board to get their comments, suggestions, changes and/or no changes regarding the Design Review Board Guidelines to Ms. Williams by no later than the end of the day June 10, 2021.

FUTURE AGENDA ITEM SUGGESTIONS (Board members may suggest topics for future meeting agendas, but Board will not discuss, deliberate or take any action on these topics.)

- Discussion regarding holding Special Meetings.
- Bisbee Social Club (Ms. Williams noted that she would get back to Mr. Perfect).

Adjournment: 8:21PM

MOTION: Mr. Perfect moved to adjourn.

SECOND: Ms. Santellanes