



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

March 16, 2015, 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:

Rick Corley *Excused*
Keith Dennis *P*
Jeff Harris *P*
David Smith *P*
Peter Von Gundlach *P*

City Staff

Ron Oertle, Mayor *P*
Jestin Johnson, City Manager *P*
Anne Carl, City Attorney *P*
Joel Ward, Building Inspector *P*

CALL TO THE PUBLIC – No member of the public spoke.

NEW BUSINESS

Item1. Discussion and Possible Action to Elect a Chair and Vice Chair for the Board of Adjustment. Jeff Harris was nominated to be Chair of the Board.

Action Failed (2 aye, 2 nay)

Keith Dennis was nominated to be Chair of the Board and Dave Smith as Vice-Chair. Action Failed (2 aye, 2 nay)

Dave Smith was nominated to be Chair of the Board.

Action Failed (2 aye, 2 nay).

Item2. Discussion and Possible Approval of tentatively updating the Board of Adjustment's By-Laws and Procedures. **The Board voted on a motion to table this agenda item. Action Failed (2 aye, 2 nay)**

The Board voted on a motion to reject this agenda item.

Action Failed (2 aye, 2 nay)

Item3. Discussion and Possible Action on all other preliminary matters, necessary and proper. **City Attorney Ann Carl asked that any board members with a material bias for or against Mr Hoese or the City, excuse themselves from the consideration of Agenda Item 4. Ms Carl also spoke to the Board regarding the need to keep the "Open Meetings Law" in mind and refrain from any discussion of BoA business outside of a properly noticed meeting. No Action Taken.**

Item4. Appeal by Allen Hoese of the Decision of the Bisbee Historic District's Design Review Board dated January 7, 2015 in case no. 14-049 regarding appellant's Application for approval of smooth cement plaster on non-contributing structure located at 430 Garden Avenue in the Historic District of downtown Old Bisbee.

Mr Hoese asked the board to postpone the hearing of his appeal because he received a e-mail at 300PM on the 16th from a Board member and Mr Hoese had not had a chance to review this memorandum with his legal counsel and further he did not want his customer's case heard by a four member Board since a tie is a no vote.

Action: The Board voted unanimously in favor of Mr Hoese's request for a continuance until next month.

COMMISSIONER'S COMMENTS : None

ADJOURNMENT 6:23 PM