



Design Review Board  
P.O. Box 27210  
Tucson, Arizona 85726-7210  
Phone: (520) 791-4213  
TDD: (520) 791-2639  
Fax: (520) 791-4017

**\*\*\*DESIGN REVIEW BOARD (DRB)\*\*\***  
**MEETING NOTICE AND AGENDA**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the **Design Review Board (DRB)** and to the general public that the Board will hold the following meeting which will be open to the public on:

**Friday, October 1, 2021, 7:30 AM**

Pursuant to safe practices during the COVID 19 pandemic, all in-person public meetings are cancelled until further notice. This meeting will be held virtually to allow for healthy practices and social distancing. All materials related to the agenda items noted below can be accessed at: [www.tucsonaz.gov/pdsd/design-review-board-agenda-materials](http://www.tucsonaz.gov/pdsd/design-review-board-agenda-materials). Meeting materials will also be presented as part of the virtual meeting.

**Join on your computer or mobile app:** [Click here to join the meeting](#)

**Or call in (audio only):** [+1 213-293-2303,147004915#](tel:+12132932303147004915) United States, Los Angeles

Phone Conference ID: 147 004 915#

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*For materials in accessible formats, and/or materials in a language other than English, please contact María Gayosso at (520) 837-6972, [maria.gayosso@tucsonaz.gov](mailto:maria.gayosso@tucsonaz.gov), or (520) 791-2639 for TDD, no later than Monday September 27, 2021.*

*Para solicitar materiales es formatos accesibles, y/o materiales en español, por favor comuníquese con María Gayosso al (520) 837-6972, [maria.gayosso@tucsonaz.gov](mailto:maria.gayosso@tucsonaz.gov), a más tardar el Lunes 27 de Septiembre de 2021.*

**AGENDA**

**1. Call to Order / Roll Call**

Rosemary Bright  
Susannah Dickinson  
Caryl Clement  
Nathan Kappler (Chair)  
Chris Stebe (Vice Chair)

**2. Review and Approval of the 9/17/2021 Legal Action Report & Meeting Minutes**

**Action**

**3. Call to the Audience**

4. Case # DRB-21-18 – TEP Power Poles on Silverbell Road – Variance Request

Associated Board of Adjustment Case # C10-21-08 ([T21SA00376](#))

Associated Construction Documents: [T21CM05552](#)

[3800 N SILVERBELL RD](#), Parcel # [10310001C](#)

Scenic Corridor Overlay Zone (SCZ)

Action

**The Applicant's Request:**

The applicant is proposing to relocate and modify existing power poles and add new poles and service lines above ground in the right of way, along both sides of Silverbell Road, a designated Scenic Route in the Major Streets and Routes (MS&R) Plan, to accommodate road widening associated with regional transportation improvement project. The project area starts approximately at the intersection of Goret Road, continuing north approximately to the intersection of El Camino del Cerro. Tucson Unified Development Code (UDC) sections applicable to this project include, but are not limited to, Section 5.3.9, which regulates location of power lines along designated Scenic Routes.

The applicant is requesting a variance to the following section of the UDC:

***5.3.9, Scenic Corridor Zone (SCZ), Utilities: All new utilities for development on private property and on public right-of-way along Scenic Routes shall be underground.***

**The DRB's Purview:**

Variances from the Scenic Corridor Overlay Zone (SCZ) standards are processed in accordance with Sections [3.10.1](#) and [3.10.3](#), *Board of Adjustment Variance Procedure*. In accordance with UDC Sections [2.2.6.C.2](#) and [5.3.14](#), the DRB reviews, for recommendation to the Board of Adjustment, all requests for variances from SCZ provisions and shall forward its recommendations in accordance with Subsection [2.2.6.B.6](#). The DRB recommendation shall apply the same findings required in Section [3.10.3.K](#) (*see Attachment A*) for granting a variance. In addition, the DRB may make any recommendation that would assist in mitigating any negative impacts which might occur should the request be granted.

**Motion: THE DESIGN REVIEW BOARD (DRB) HAS REVIEWED THE PROPOSED SCENIC CORRIDOR ZONE (SCZ) MODIFICATIONS, REDUCTIONS, AND DELETIONS AND RECOMMENDS TO THE BOARD OF ADJUSTMENT (APPROVAL) (DENIAL), FINDING THE PROJECT (IN COMPLIANCE) (NOT IN COMPLIANCE) WITH THE CRITERIA ESTABLISHED IN UDC SECTION 3.10.3.K (SEE ATTACHMENT A) (SUBJECT TO THE FOLLOWING CONDITIONS).**

5. Staff Announcements

Informational

6. Adjournment

**ATTACHMENT A:**  
**VARIANCE FOR SCENIC CORRIDOR ZONE (SCZ) MODIFICATIONS,  
REDUCTIONS, AND DELETIONS**

Variations from the Scenic Corridor Overlay Zone (SCZ) standards are processed in accordance with Sections [3.10.1](#) and [3.10.3](#), *Board of Adjustment Variance Procedure*. In accordance with UDC Sections [2.2.6.C.2](#) and [5.3.14](#), the DRB reviews, for recommendation to the Board of Adjustment, all requests for variances from SCZ provisions and shall forward its recommendations in accordance with Subsection [2.2.6.B.6](#). The DRB recommendation shall apply the same findings required in Section [3.10.3.K](#) for granting a variance. In addition, the DRB may make any recommendation that would assist in mitigating any negative impacts which might occur should the request be granted.

**UDC Section [3.10.3.K](#) Findings for Approval**

The Board of Adjustment may approve a variance only if it finds:

1. That, because there are special circumstances applicable to the property, strict enforcement of the UDC will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district;
2. That such special circumstances were not self-imposed or created by the owner or one in possession of the property;
3. That the variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located;
4. That, because of special circumstances applicable to the property, including its size, shape, topography, location, and surroundings, the property cannot reasonably be developed in conformity with the provisions of the UDC;
5. That the granting of the variance shall not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
6. That the proposed variance shall not impair an adequate supply of light and air to adjacent property, substantially increase congestion, or substantially diminish or impair property values within the neighborhood; and,
7. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the UDC provisions that are in question.