

Mike Castellucci  
*Chair*

Weston Burrer  
*Vice Chair*

# PUEBLO

Zoning Board of Appeals

Allison Ernst  
*Secretary*

Steve Anselmo

Yvonne Lujan-Slak

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## Minutes for ZBA Hearing, June 24, 2014

City Council Chambers, 1 City Hall Place

### MEETING CALLED TO ORDER

The meeting was called to order at 7:10 p.m. with Yvonne Lujan-Slak as Acting Chairperson presiding.

**Board Members Present:** Yvonne Lujan-Slak, Steve Anselmo and Brian Lucas

**Board Members Absent:** Mike Castellucci and Allison Ernst

**Staff Members Present:** Jerry M. Pacheco, Senior Planner; and Paul Willumstad, Board Attorney.

### APPROVAL OF AGENDA

Motion to approve agenda, as amended, for June 24, 2014, hearing by Luca, second by Anselmo

**Motion passed 3 - 0**

### REGULAR BUSINESS

#### Consent Agenda

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None

#### Regular Agenda

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#### **ZBA 14-11 (2729 Farabaugh Lane - First Farabaugh Rental, LLC)**

A **Variance** from the minimum 1,000 foot separation buffer from an approved Medical Marijuana Facility.

Acting Chairperson Lujan-Slak asked Applicant Don Pagano if he wished for his case to be continued to the July 22nd meeting. Mr. Pagano indicated he wished to present his case before a full board for consideration.

**Commission Action:**

Motion to continue case No. ZBA 14-11 to the July 22, 2014, meeting by Lucas, second by Anselmo

**Motion passed 3 - 0**

**ZBA 14-12 (3125 Bonaventure Court - Kevin Barney)**

A **Variance** to reduce required parking.

*Staff Report by Jerry M. Pacheco*

Kevin Barney from Manhard Consulting, representing the developer, was present and gave testimony about the proposed senior living facility and the request for reduced parking. He stated he fully understood the status and the conditions of the application.

**Commission Action:**

Motion to approve with staff recommendations, motion by Lucas, second by Anselmo.

**Motion passed 3 - 0**

**ZBA 14-14 (1401 E. 4th Street - Lawrence Atencio)**

A **Special Use Permit** to allow a restaurant in a B-1 zone district.

*Staff Report by Jerry M. Pacheco*

Property owner and Applicant Lawrence Atencio presented his request to open a pizza restaurant and takeout at the subject property. Mr. Atencio had no objections to the staff recommendations.

**Commission Action:**

Motion to approve with staff recommendations, motion by Lucas, second by Anselmo, with the following condition(s):

1. Existing landscape areas be pruned and revegetated where practical as approved by Staff.
2. Restriping of the parking lot to be reviewed and approved by Staff..

**Motion passed 3 - 0**

**ZBA 14-16 (4921 Sonoma Drive - Aaron Griffin)**

A **Variance** to allow a 144 square-foot shed to encroach into the 5-foot side yard setback.

*Staff Report by Jerry M. Pacheco*

The Applicant presented his case to the Board requesting permission to place his shed on an existing concrete pad located adjacent to his side yard fence. The Board discussed the three (3) foot encroachment request and had no objections.

**Commission Action:**

Motion to approve with staff recommendations, motion by Lucas, second by Anselmo.

**Motion passed 3 - 0**

**ZBA 14-13 (2041 Columbia Drive)**

A **Variance** from parking requirements

Board Member Lucas explained to the Board a potential conflict in this case relative to his association with a business in the area and his family's assistance in the construction management of the Applicants' business expansion. Based upon the explanation provided the remaining members of the Board had no objection to Board Member Luca's participation in this matter.

*Staff Report by Jerry M. Pacheco*

The Applicant proposes to construct an addition to the Toni and Joe's Pizzeria which necessitates a recalculation of the parking requirement and the installation of more spaces. As proposed, the request is a eight (8) parking space reduction, or 14% of the requirement, to allow the new seating addition to the restaurant. It is important to note that Columbia Drive is a private street owned and maintained by the adjoining property owners in the subdivision where on-street parking is permitted.

Joe Gagliano, project engineer for the Applicant, testified about the merits of the request. Jeremy Van Zandt spoke as a part owner of the business and acknowledged the shared parking arrangement his business has with adjoining businesses in the area.

**Commission Action:**

Motion to approve with staff recommendations, motion by Lucas, second by Anselmo.

**Motion passed 3 - 0**

**ADJOURN**

There being no further business the meeting was adjourned at 8:20 p.m.