

Mike Castellucci
Chair

Brian Lucas
Vice Chair



Allison Ernst
Secretary

Steve Anselmo

Yvonne Lujan-Slak

Minutes for ZBA Hearing, June 23, 2015

City Council Chambers, 1 City Hall Place

MEETING CALLED TO ORDER

The meeting was called to order at 7:13 p.m. with Chairman Castellucci presiding.

Board Members Present: Mike Castellucci, Allison Ernst, Steve Anselmo, and Yvonne Lujan-Slak

Board Member Absent: Brian Lucas

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

APPROVAL OF MINUTES

Motion to approve the minutes from the meeting May 19, 2015, by Anselmo, second by Lujan-Slak.

Motion passed 4 - 0

APPROVAL OF AGENDA

Motion to approve the amended agenda for June 23, 2015, by Ernst, second by Lujan-Slak.

Motion passed 4 - 0

REGULAR BUSINESS

ZBA-14-10 (1820 E. Evans Avenue)

Variance to allow a greenhouse in the front yard of the property.

Staff Report by Jerry M. Pacheco

The Applicant is requesting a variance and special permit to allow the fabric greenhouse constructed in 2014 to remain. In 2014, the Applicant erected a 240 square foot fabric greenhouse in the front yard of the residence. Her request is to allow the greenhouse to remain.

Leilani Miller appeared and spoke in favor of her request.

Jodi Ottersberg appeared and spoke against the variance

Leilani Miller rebutted the testimony against the variance by stating that she spoke with the neighbors in the area and no of them voiced any opposition.

Commission Action:

Motion to approve with staff recommendations, by Ernst, second by Lujan-Slak.

Motion passed 4 - 0

ZBA-15-10 (4798 Desert Candle Drive)

Variance to allow asphalt shingles pursuant to PUD Guidelines

Staff Report by Jerry M. Pacheco

The Walking Stick Vista Planned Unit Development Design Guidelines allow for the installation of asphalt shingles via a variance request through the Zoning Board of Appeals. Generally, tile roofs are required in the PUD. Staff had no objection to the request.

Jim Gilberson and Colleen Peterson appeared and spoke in favor of the request.

Kathy Hilton appeared and spoke against the variance.

Jim Gilberson rebutted opposing testimony stating that the asphalt shingles would better suit the architectural style of the proposed residence.

Commission Action:

Motion to approve with staff recommendations, by Ernst, second by Lujan-Slak.

Motion passed 4 - 0

ZBA-15-11 (5100 Peregrine Drive)

To be granted a variance to allow a carport to encroach into the required five foot side yard setback.

Staff Report by Jerry M. Pacheco

The Applicant began construction of a carport on the west side of his residence without a building permit. A Stop Work Notice and Order was issued by the Pueblo Regional Building Department on June 2, 2015. Mr. Trujillo's request is to be granted a variance to allow the carport to remain and fully encroach into the five foot side yard setback. The subject property is a conforming lot in a subdivision approved in 2000. There are no specific circumstances or other hardships not common in the surrounding area. A survey of the neighborhood did not reveal any other side yard variances on Peregrine Drive. Strict adherence to the requirements of the R-2 zoning district are appropriate in this case.

Mauricio Trujillo, through his interpreter Jose Beaschochea, appeared and spoke in favor of the request.

Berry Braum, Jody Ottersberg and Molly Abbott appeared and spoke against the variance.

Mr. Trujillo reiterated he was sorry that he did not follow proper procedures and secure a building permit prior to constructing the carport.

Commission Action:

Motion to deny request, by Anselmo, second by Lujan-Slak.

Motion passed 4 - 0

ADJOURN

There being no further business the meeting was adjourned at 8:50 p.m.