

Mike Castellucci  
*Chair*

Brian Lucas  
*Vice Chair*



Allison Ernst  
*Secretary*

Steve Anselmo

Yvonne Lujan-Slak

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## **Minutes for ZBA Hearing, October 27, 2015**

City Council Chambers, 1 City Hall Place

### **MEETING CALLED TO ORDER**

The meeting was called to order at 7:04 p.m. with Chairman Castellucci presiding.

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

**Board Member Absent:** None

**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 September 22, 2015, by Lujan-Slak, second by Lucas.

**Motion passed 5 - 0**

### **APPROVAL OF AGENDA**

Motion to approve the amended agenda for September 22, 2015, by Ernst, second by Lujan-Slak.

**Motion passed 5 - 0** (Case No. ZBA 15-22 continued to November 24, 2015)

### **REGULAR BUSINESS**

#### **Consent Agenda**

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No items.

#### **Regular Agenda**

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#### **ZBA-15-23 (1816 Mackenzie Road)**

Variance to allow a garage to encroach five feet into the required five foot side yard setback.

*Staff Report by Jerry M. Pacheco*

With this request, the Applicant proposes to construct a freestanding garage on the southern side of the home. The 19 foot wide, 24 foot deep, structure would be placed 1.5 feet from the home and 1.5 feet from the side lot line resulting in a 3.5 foot encroachment. The Applicant has asserted that he has worked with his neighbor on the design and placement of the proposed garage and that the neighbor has no objections. In the neighborhood there are some older garages that have been placed near the side lot lines.

Brian Gray, representative for the Applicant, appeared and spoke in favor of the request answering questions from the Board.

James Johnson appeared and spoke against the request.

At the request of the Applicant, the request was amended to request a three foot variance instead of a five foot variance.

**Commission Action:**

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

**Motion failed 2 – 3, with Lucas, Lujan-Slak and Castellucci voting no.**

**ZBA-15-24 (1739 E. 9<sup>th</sup> Street)**

Variance to a fence/wall greater than six feet in height in the front yard.

*Staff Report by Jerry M. Pacheco*

With this request, the Applicant is requesting approval to complete a fence/wall construction project at the southwest corner of the property. The average height of the structure exceeds six feet in height. Section 17-4-22 of the Pueblo Municipal Code allows for fences and/or walls to be placed within any required yard setback. However, if the fence or wall exceeds six feet in height it warrants a building permit and the general setbacks would be applied as if it were classified as an accessory structure. The subject property has an unusual front yard where a retaining wall was constructed many years ago to retain the front yard area higher than the adjoining street. The effect is that the front yard elevation is between on foot to two feet higher than the street corner.

Roger LeFebre appeared and spoke in favor of his request.

**Commission Action:**

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

**Motion passed 5 – 0**

**ZBA-15-25 (5100 Goldking Road)**

Variance to allow a patio cover to encroach 5.2 feet into the required 15 foot rear yard setback.

*Staff Report by Jerry M. Pacheco*

With this request, Applicant is requesting a variance to allow patio cover to encroach 5.2 feet into the required 15 foot rear yard setback up to the existing 10 foot wide rear yard public utility easement. The Redhawk Home Owners Association Design Review Committee approved the patio cover design on September 30, 2015. Staff has determined that the proposed patio cover addition will actually enhance the backyard appearance of the residence by adding variation to the building rear viewed from Ridge Drive.

Harry Hollifield appeared and answered questions from the board.

**Commission Action:**

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

**Motion passed 5 – 0**

**ZBA-15-26 (Centura Health- St. Mary Corwin Helicopter Hanger)**

Variance from architectural and landscape performance standards necessary for the construction of a helicopter hanger.

*Staff Report by Jerry M. Pacheco*

As part of the hospital's Flight for Life operations it has become necessary for the hospital to construct a helicopter hanger that complies with technical requirements from the Federal Aviation Administration. These requirements involve building dimensional requirements and an unobstructed clear zone area free from trees, debris and other structures. The proposed helicopter hanger will be constructed in an architectural style similar to the main hospital addition built in 2005. Trim details, brick veneers and stucco panels will be incorporated in appropriate locations. Perimeter landscaping will remain along the edges of the property outside of the required clear zone areas.

Applicant's representative John Chrisman appeared and explained the basis of the requested variance.

**Commission Action:**

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

**Motion passed 5 – 0**

**ADJOURN**

There being no further business the meeting was adjourned at 8:04 p.m.