

Mike Castellucci
Chair

Brian Lucas
Vice Chair



Allison Ernst
Secretary

Steve Anselmo

Yvonne Lujan-Slak

Minutes for ZBA Hearing, January 26, 2016

City Council Chambers, 1 City Hall Place

MEETING CALLED TO ORDER

The meeting was called to order at 7:00 p.m. with Chairman Castellucci presiding.

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

Board Member Absent: Steve Anselmo

Staff Members Present: Steven Meier, Director Community Planning Parks and Recreation; Todd Zeiller, Senior Planner; and Paul Willumstad, Board Attorney.

APPROVAL OF MINUTES

Motion to approve the minutes from the meeting December 22, 2015, by Ernst, second by Lujan-Slak.

Motion passed 4 - 0

APPROVAL OF AGENDA

Motion to approve the agenda for January 26, 2016, by Ernst, second by Lujan-Slak.

Motion passed 4 - 0 (Case No. ZBA 16-07 continued to March 22, 2016)

REGULAR BUSINESS

Consent Agenda

No items.

Regular Agenda

ZBA-15-32 (111 West B Street)

Special Use Permit to allow a martial arts studio to operate. *(Continued from December 22, 2015 Hearing.)*

Staff Report by Todd Zeiller

Applicant Paul Dougherty attended

The Applicant requested approval to provide martial arts training business on the subject property. The subject property is located within the HB, Historic Business Zone District. The district allows any use by review that is a use by right in the B-4, Regional Business District. The B-4 district allows primarily

retail, office, commercial, finance, transient residence including bed and breakfast homes, adult entertainment, government, service, social or cultural in nature (including parking lot and parking structure), which serves the public good and does not involve the manufacture production, fabrication or rebuilding or the bulk storage, warehousing or wholesaling of merchandise. The Applicant will be required to bring the property into compliance with current City codes for commercial development.

Commission Action:

Motion to grant by Ernst, second by Lujan-Slak.

Motion passed 4 – 0 Standard permit conditions.

ZBA-15-34 (801 S Iola Avenue)

Special Use Permit to allow a salvage yard.

Staff Report by Todd Zeiller

Applicant Willie Ortiz attended

The applicant received a violation from Code Enforcement, on March 19, 2015 for operating a salvage yard without the proper permits. The applicant received an additional violation for storing vehicles on the property without the required screening. The applicant requested approval to operate a salvage yard on the property.

The subject property is located within the I-3, Heavy Industrial District and S-3, Flood Plain District. The I-3 district allows a salvage yard as a use by review. The S-3 allows for parking for motor vehicles as a use by review.

The applicant stated he is willing and able to remove the vehicles from the property for a period of one year to allow contractors to have access to recover material from the berm and reconstruct and recertify the berm. The applicant also stated he is willing to make public improvements required by the conditions of the special use permit.

Conditions if approved:

1. Extend public water to site, which may require fire hydrant as per Pueblo Board of Water works.
2. Extend a curb, gutter, sidewalk and asphalt paved public street on Iola along the property frontage from Fir Street as per Public Works.
3. Install a minimum 7 foot screen along property boundary and along the top of the levee. A property survey will need to be obtained to establish the west boundary along the levee.
4. Public works will require access to the site and excavated material for a minimum of one year prior to operation of the salvage yard.
5. The applicant will need to remove the vehicles in order for Public Works to recover excavated material and repair the levee.
6. The above conditions will need to be completed before operation of the salvage yard can begin.

Commission Action:

Motion to grant by Ernst, second by Lujan-Slak.

Motion passed 4 – 1, with Lujan-Slak voting no. Conditions 1 – 6 in staff report and Standard Permit Conditions.

ZBA-16-01 (164 Cornell Circle)

Variance to allow a carport to encroach into the required 5 foot side yard setback.

Staff Report by Todd Zeiller

Applicant Lloyd Montiel attended.

The applicant proposed to construct of a 32 foot by 12 foot pole barn structure The applicant requested a 0 foot side setback a 0 foot rear setback. The side and rear setback requirements for the R-1 Single Family Residential zone district are 5 feet, side: 15 feet rear.

Commission Action:

Motion to grant made by Ernst second by Lujan-Slak.

Motion failed 2 – 2, with Ernst and Castellucci voting no.

ZBA-16-02 (41 Montebello Road)

Variance to allow a second free standing sign.

Staff Report by Todd Zeiller

Applicant Lloyd Wilson attended.

The sign code, in the R-5 nonresidential commercial use greater than or equal to 40,000 sq ft allows for a single free standing sign per frontage. The site has an existing sign on the corner of Montebello and Jerry Murphy Road. The proposed second sign would be located over 800 feet away at the entrance on Douglas Lane.

Commission Action:

Motion to grant made by Ernst second by Lujan-Slak.

Motion passed 4 – 0 Standard permit conditions 1 - 13.

ZBA-16-03 (3103 N Elizabeth St)

Variance; this is a request to relocate a mobile home that does not meet the minimum age requirement.

Staff Report by Todd Zeiller

Applicant Sandra Bunn attended.

The applicant submitted a request to relocate an elderly woman who has resided in Tony’s Mobile Home Park for the past 23 years to Bonneville Mobile Home Park Space #1. The mobile home is a 1973 model. Current code requires the mobile home to be HUD certified 1976 or later model. Due to Mrs. Yeo’s age and financial limitations a variance from the requirement was requested.

Commission Action:

Motion to grant made by Lucas second by Lujan-Slak.

Motion passed 4 – 0 Standard permit conditions 1 - 13.

ZBA-16-04 (217 Creston Dr)

Variance to allow an existing garage to encroach into the front yard setback.

Continued to February 23, 2016 hearing.

Commission Action:

Motion to continue made by Ernst second by Anselmo.

ADJOURN

There being no further business the meeting was adjourned at 8:42 p.m.