

Mike Castellucci
Chair

Brian Lucas
Vice Chair



Allison Ernst
Secretary

Steve Anselmo

Yvonne Lujan-Slak

Minutes for February 28, 2017
City Council Chambers, 1 City Hall Place

MEETING CALLED TO ORDER

The meeting was called to order at 7:05 p.m. with Chairman Castellucci presiding.

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

Board Member Absent: No board members absent.

Staff Members Present: Scott Hobson, Assistant City Manager for Community Investment; Paul Willumstad, Board Attorney, Valerie A. Sherman, Planner; and Alan Lamberg, Planner.

APPROVAL OF MINUTES

Motion to approve the corrected minutes from the meeting January 24, 2016, by Anselmo, second by Lujan-Slak.

Motion passed 4 - 0

APPROVAL OF AGENDA

Motion to approve the agenda for December 20, 2016, by Anselmo, second by Lucas.

Motion passed 4 - 0

REGULAR BUSINESS

Consent Agenda

No items.

Regular Agenda

Each case the follows proceeded in a uniform process as directed by Chair Castellucci. Beginning with a staff report presented by Planner Valerie A. Sherman, then questions, if any, from the Board to staff members. Next, the applicant is sworn in by Board Attorney Paul Willumstad, then the applicant states his or her name and address. The Board questions the applicant and confirms understanding of staff report and conditions for approval. Applicant may add further information, followed by further questions, if any, from the Board. Then the Board asks if anyone present in the audience will state support for the applicant, followed by those who state opposition. Then the Board closes the public hearing and reviews findings of fact. Then the Board may motion to approve or deny the application for permit. In some cases, permits may be conditionally approved.

ZBA-17-03 (4331 Fireweed Drive)

A variance to allow a storage shed to be constructed in the required five (5) foot side yard setback.

Applicants present: Jill Valdez with John Dazzio

Castellucci asked the applicant if she understood the staff conditions and standard permit conditions. Ms. Valdez stated that she received a stop order for the shed and they were eventually going to make it cosmetically correct to match the house. They had not gone that far yet. Ms. Valdez stated that she didn't realize that these rules were in effect. Castellucci asked Ms. Valdez if she talked with the neighbors about agreeing to a maintenance easement and she had not. Castellucci explained that an agreed upon easement in the neighbor's property would be a big factor with the neighbor selling the house. Castellucci reiterated the recommendation taking the shed back 2.5 feet from the side property line.

Mr. John Dazzio stated that the lean-to (shed) is farther over than what it was. Mr. Dazzio stated that the fence was falling on that side of the house so he starting building the lean-to (shed). Mr. Dazzio stated that he didn't realize the extent of what would be involved after building it. He said he put two feet, 4 inch anchors in the concrete. He said he told the neighbor that he was going to put rain gutters to the back of the house. Mr. Dazzio stated that he got matching tile for the roof and the lean-to (shed) was for firewood. Mr. Dazzio claimed that by putting the garage door on the lean-to, it would make it look better. He was planning on changing the garage door's color and paint the whole house to match. Anselmo asked Mr. Dazzio if there was a gate on the other side of the house, because he was concerned about emergency access to the back of the property. Mr. Dazzio stated that there is a gate but there is no handle, and he would put a handle on the gate.

There were no other questions from board members.

No public testimony in support.

No public testimony in opposition.

Commission Action:

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

Motion with staff conditions and standard permit conditions failed 2 - 2.

ZBA-17-04 (230 South Union Avenue)

A Special Use Permit to allow a martial arts instruction studio in a Historic Business District (HB zone) district.

Applicants present: Santiago Barela with Kari Rodarmel

Castellucci asked the applicant if he understood the permit conditions. Mr. Santiago stated that he did. Castellucci stated that he was concerned about the noise from the karate instruction and it disturbing the apartment residents above. Castellucci asked Mr. Santiago what time he is normally done with classes at night and Mr. Santiago stated that he is almost always out by 8pm. Castellucci stated that there needs to be a condition added that requires Mr. Santiago to adhere to an 8:30pm ending time for classes. Mr. Santiago agreed and stated that he is excited about moving there. His students have been

Zoning Board of Appeals, Minutes for January 24, 2017

with him for many years. Castellucci asked him if he would have any problem securing an off-street parking agreement. Mr. Santiago stated that he's confident he can arrange it.

No public testimony in support.

No public testimony in opposition.

Commission Action:

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

Motion passed 4 - 0 with staff conditions and standard permit conditions.

OLD BUSINESS

ZBA-16-07 (NE Corner of Alma/Tucci), Mangini & Associates, Inc.

Request for a one year extension – Special Use Permit for five (5) single family units in lieu of duplexes.

Commission Action:

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

Motion passed 4 - 0

Regular agenda

None

ADJOURNMENT

Meeting adjourned at 8:03 p.m.

Minutes respectfully submitted by Sherman.