

Mike Castellucci
Chair

Steve Anselmo
Vice Chair



Yvonne Lujan-Slak
Secretary

Brian Lucas
Vacant

Minutes for May 23, 2017

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, Steve Anselmo, Yvonne Lujan-Slak, and Brian Lucas

Board Member Absent: None

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

APPROVAL OF MINUTES

Motion to approve the corrected minutes from the meeting April 18, 2017, by Lucas, second by Lujan-Slak.

Motion passed 4 - 0

APPROVAL OF AGENDA

Motion to approve the agenda for May 23, 2017, by Lucas, second by Lujan-Slak.

Motion passed 4 - 0 (Case No. ZBA 17-17 withdrawn)
(Case No. ZBA 17-18 continued to June 27, 2017)

REGULAR BUSINESS

Consent Agenda

Case No. ZBA 17-21, Joseph Fortino, Fortino's Painting: Special Use Permit to allow a contractor's shop in a Central Business (B-4 zone) district.

Case No. ZBA 17-22, Stephanie Mizer, A Child's Experience: Special Use Permit to allow a child care center in a Single-Family Residential (R-2 zone) district.

Motion to approve the consent agenda for May 23, 2017, by Anselmo, second by Lucas.

Motion passed 4 - 0

Regular Agenda

Each case that 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

Zoning Board of Appeals, Minutes for May 23, 2017

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-17-19 (2601 West Street)

A Variance to allow more than one accessory structure, and to allow the accessory covered patio to be constructed in the required twelve and a half (12½) foot second front yard setback.

Applicant present: Edward Ortiz

Castellucci asked Mr. Ortiz if he understood the staff conditions. Mr. Ortiz stated that he did understand the conditions. Mr. Ortiz stated that the patio cover will not affect any traffic site lines.

No public testimony in support.

No Public testimony in opposition.

Commission Action:

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

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

ZBA-17-20 (1226 Rio Grande Avenue)

A Variance to allow an enclosed front porch to remain, as built, in the required twenty-five (25) foot front yard setback and five (5) foot side yard setback.

Applicant present: Leroy Ayala

Lujan-Slak asked Mr. Ayala, if he could have built the patio about four (4) feet in where the 2nd pane of glass is, so it would be flusher with the side of the house. Mr. Ayala stated that he didn't think about that, as he was not a pro at building and did the best he could with it. Lujan-Slak expressed concern about having at least a two (2) foot distance between the fence and patio wall, for emergency access.

Castellucci stated that if the wall of the patio was moved in by two (2) feet, then it may make the patio too small for the purpose it was built. Castellucci asked Mr. Ayala if he was going to completely close in the patio by building the walls on the sides, and the back of the patio which faces the side of the house. Mr. Ayala stated that he was going to finish building the side walls, and he was going to leave an opening to the back, facing the side of the house.

Castellucci asked Mr. Ayala if he talked with the neighbors about the patio. Mr. Ayala stated that he did ask the neighbors if they had any problem with him building the patio, and they were fine with it.

Zoning Board of Appeals, Minutes for May 23, 2017

Castellucci asked Mr. Ayala if he understood the staff conditions. Mr. Ayala stated that he did understand the conditions.

No public testimony in support.

No public testimony in opposition.

Commission Action:

Motion to grant by Anselmo, second by Lucas.

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

OLD BUSINESS

None

Regular agenda

None

ADJOURNMENT

Meeting adjourned at 7:40 p.m.

Minutes respectfully submitted by Sherman.