

Mike Castellucci
Chair

Steve Anselmo
Vice Chair



Yvonne Lujan-Slak
Secretary

Brian Lucas

Rodger Ortiz

Minutes for January 23, 2018
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, Steve Anselmo, Yvonne Lujan-Slak, and Rodger Ortiz.

Board Member Absent: Brian Lucas

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

APPROVAL OF MINUTES

Motion to approve the corrected minutes from the meeting November 28, 2017, by Anselmo, second by Ortiz.

Motion passed 4 - 0

APPROVAL OF AGENDA

Motion to approve the agenda for January 23, 2018, by Lujan-Slak, second by Ortiz.

Motion passed 4 - 0

REGULAR BUSINESS

Consent Agenda

Case No. ZBA 18-03 (4412 Erindale Lane), Tom Hausman, Crestwood Management, LLC: A Variance to allow a single-family residence to be constructed six (6) feet into the required twenty-five (25) foot front yard setback.

Case No. ZBA 18-05 (4413 Meadowlark Lane), Tom Hausman, Crestwood Management, LLC: A Variance to allow a single-family residence to be constructed five (5) feet into the required twenty-five (25) foot front yard setback.

Motion to approve the consent agenda for January 23, 2018, by Ortiz, second by Anselmo.

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

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 members. Next, the applicant is sworn in by Board Attorney Daniel Kogovsek, then the applicant states his or her name and address. The Board questions the applicant and confirms understanding of staff

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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-18-01 (5236 La Randa Drive)

A variance to allow a detached garage to be built six (6) feet from the second front yard lot line.

Applicant present: Justin Richardson

Castellucci asked Planner Sherman to clarify how many feet the garage would be from the second front yard lot line. Planner Sherman clarified that it would be six (6) feet.

Castellucci asked Planner Sherman if Savannah Drive would eventually be extended to the south of the property. Mr. Hobson stated that due to the large arroyo behind the site, it would not be probable that Savannah Drive would be extended.

Castellucci asked Mr. Richardson if he read the staff report, understood the conditions, and can comply with the staff conditions. Mr. Richardson stated that he read the staff report and can comply with the staff conditions.

No public testimony in support.

No public testimony in opposition.

Commission Action:

Motion to grant by Anselmo, second by Ortiz.

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

ZBA-18-02 (2850 O'Neal Avenue)

A Special Use Permit to allow a flea market and outdoor storage facility in a Central Business (B-4 zone) district.

Applicants present: John and Leah Russell

Lujan-Slak asked Planner Sherman to clarify where the sidewalk would need to be widened. Planner Sherman stated that the sidewalk would need to be widened to six feet on the S. Prairie Avenue frontage.

Castellucci asked Planner Sherman if there were grants available through the city for the sidewalk project. Mr. Hobson stated that there were grants for certain projects however if there is a change in use, then the planning department can require the applicant to upgrade the sidewalk.

Castellucci asked Planner Sherman if the city can require landscaping in the right-of-way, as well as sidewalk improvements in the right-of-way. Mr. Kogovsek stated that the city can require landscaping

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and sidewalk improvements in the right-of-way. Mr. Kogovsek also stated that the city must treat everyone equally.

Mr. Russell asked Planner Sherman to clarify how far around the corner onto O'Neal Avenue the landscaping had to go. Planner Sherman clarified that the landscape must go around the corner onto O'Neal up to the first curb cut.

Castellucci asked Mr. Russell if he read the staff report, understood the conditions, and can comply with the staff conditions. Mr. Russell stated that he read the staff report, and can comply with the conditions.

Ortiz asked Mr. Russell about the outside storage and what kind of vehicles would primarily be stored there. Mr. Russell stated that there will mainly be 5th wheels, motorhomes, and boats. Ortiz also asked Mr. Russell if the storage area will be accessible at night. Mr. Russell stated that people will have 24 hour access, but they expect to do most of the business during the day.

Castellucci asked Mr. Russell if he would be complying with the lighting standards, such as down facing lights, to ensure it would not encroach on the residences. Mr. Russell stated that they do not want to infringe on the residential area and they would be following the lighting standards.

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-18-06 (1416 East 4th Street)

A Special Use Permit to allow a religious institution in a Neighborhood Business (B-1 zone) district.

Applicants present: Jose Melgares

Lujan-Slak asked Planner Sherman to clarify where the fence needs to be placed and where it would be required to be solid. Planner Sherman stated that the fence would need to go along the alley at the south side of the property, and next to the residential use on the east side of property, from the alley up to the rear edge of the building. Planner Sherman clarified that the fencing needs to be solid.

Ortiz asked Planner Sherman if there had been any thought to the level of noise that may come from the church, such as music. Planner Sherman stated that as far as she could recall, there were no windows or doors on the back side of the building adjacent to the residential home.

Castellucci asked Mr. Melgares if he read the staff report, understood the conditions, and can comply with the staff conditions. Mr. Melgares stated that he read the staff report, and can comply with the staff conditions.

Mr. Melgares stated that they do not have music in their church service so, there will not be noise from music.

No public testimony in support.

No public testimony in opposition.

Commission Action:

Motion to grant by Ortiz, second by Anselmo.

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

ZBA-18-07 (3980 Ivywood Lane)

A Variance to allow a forty (40) square foot electronic variable message sign.

Applicants present: Jeanne Willey, Aspen Sign & Lighting Co., Inc.

Castellucci asked Planner Sherman if the required landscaping would go in the rock area or in the grass areas. Planner Sherman stated that the landscaping would go in the grass areas.

Castellucci asked Ms. Willey if she read the staff report, understood the conditions, and can comply with the staff conditions. Ms. Willey stated that she read the staff report and can comply with the staff conditions.

Ms. Willey explained that the current way employees must change the sign, is to use a tall ladder. She stated that by having an EVM sign that changes electronically, it would be much safer for the employees.

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.

Old Business

No items.

ADJOURNMENT

Meeting adjourned at 8:05 p.m.

Minutes respectfully submitted by Sherman.