

Mike Castellucci  
Chair

Steve Anselmo  
Vice Chair



Yvonne Lujan-Slak  
Secretary

Brian Lucas

Rodger Ortiz

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## Minutes for August 28, 2018

City Council Chambers, 1 City Hall Place

The meeting was called to order at 7:03 p.m. with Chairman Castellucci presiding.

**Board Members Present:** Mike Castellucci, Steve Anselmo, Yvonne Lujan-Slak, Rodger Ortiz, and Elizabeth (Lisa) Bailey.

**Board Members Absent:** None

**Staff Members Present:** Scott Hobson, Assistant City Manager for Community Investment; Daniel Kogovsek, Board Attorney; Chelsea Stromberg, Planner; and Tasha Brackin, Senior Planner.

### ~ Approval of Minutes

Motion to approve the minutes from the meeting of June 26, 2018, by Anselmo, second by Lujan-Slak.  
**Motion passed 5 - 0**

### ~ Approval of Agenda

Motion to amend the agenda for August 28, 2018, to move the following items to the consent agenda: **ZBA-18-27; ZBA-18-28; ZBA-18-29.**

Castellucci asked whether the applicants for the above-noted items are present at the meeting, which they were. Castellucci then asked whether there was anyone present in opposition to the three items noted above that are proposed to be acted upon under the Consent Agenda. There being none, Castellucci asked for a motion to amend the agenda to move three items to Consent.

Motion by Anselmo, second by Lujan-Slak. **Motion passed 5 - 0**

### CONSENT AGENDA

Motion to approve the consent agenda for August 28, 2018, as amended, by Anselmo, second by Lujan-Slak. **Motion passed 5 - 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 Tasha Brackin, 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 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.

1. **ZBA-18-30 (411 McClelland Avenue) David Pass:** A **Variance** to allow an attached accessory structure to be built two (2) feet into the required five (5) foot side setback in a Single-Family Residential (R-2 zone) District.

Castellucci then asked for the applicant to come forward to represent the Variance request. Once the applicant confirmed, from the audience, that he was present, Castellucci asked for the staff presentation, which was given by Ms. Brackin. Castellucci then asked for the applicant to come forward and be sworn in. **David Pass**, applicant's representative, was sworn in by Mr. Kogovsek, who also asked him to sign in. Following such actions, Mr. **Pass** introduced himself and offered to answer any questions. Mr. **Pass** spoke on behalf of the applicant and summarized the proposed patio cover construction. He stated that the property owner has an extended family that frequently uses the yard, and that the additional shade structure will enable this part of the yard to be occupied when it had been too hot in the past. Castellucci asked the applicant if he has read the staff report, understands the conditions, and can comply with the staff conditions. Mr. **Pass** stated that he read the staff report, and can comply with the conditions.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **support** of this application, and there were none.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **opposition** to this application, and no one raised their hands. Hearing no public testimony in opposition, Castellucci requested that the secretary read the required findings statements associated with the application, and board members responded with their opinions.

**Commission Action:**

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

**Motion passed 5 - 0 with standard permit conditions.**

2. **ZBA-18-31 (1212 Bohmen Avenue) Fidelia Banegas:** A **Variance** to allow an attached accessory structure to be built nine (9) feet into the required twenty-five (25) foot front yard setback in a Mixed Residential (R-4 zone) District, where the home already projects sixteen feet in to the setback..

Castellucci asked whether the applicant was present to represent this request. Once the applicant confirmed, from the audience, that he was present, Castellucci asked for the staff presentation, which was given by Ms. Brackin. Castellucci then asked for the applicant to come forward and be sworn in. **Terry Riley**, applicant's representative, was sworn in by Mr. Kogovsek, who asked him to sign in. Following such actions, Mr. **Riley** introduced himself and

offered to answer any questions. Castellucci asked the applicant if he has read the staff report, understands the conditions, and can comply with the staff conditions. Mr. **Riley** stated that he read the staff report, and can comply with the conditions.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **support** of this application, and there were none.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **opposition** to this application, and no one raised their hands. Hearing no public testimony in opposition, Castellucci requested that the secretary read the required findings statements associated with the application, and board members responded with their opinions.

Having heard the statements of findings, Castellucci requested a motion on the request.

**Commission Action:**

Motion to grant by Anselmo, second by Ortiz.

**Motion passed 5 – 0 with standard permit conditions.**

**OLD/NEW BUSINESS**

**None**

~ **Adjourn:** Meeting adjourned at 7:39 p.m.

Minutes respectfully submitted by Tasha Brackin.