

Mike Castellucci
Chair

Steve Anselmo
Vice Chair



Yvonne Lujan-Slak
Secretary

Brian Lucas

Rodger Ortiz

Minutes for December 18, 2018

City Council Chambers, 1 City Hall Place

The meeting was called to order at 7:06 p.m. with Chair Lujan-Slak presiding.

Board Members Present: Yvonne Lujan-Slak, Rodger Ortiz, and Elizabeth (Lisa) Bailey.

Board Members Absent: Mike Castellucci, Steve Anselmo

Staff Members Present: Scott Hobson, Assistant City Manager for Community Investment; Daniel Kogovsek, Board Attorney; Chelsea Stromberg, Planner

~ Approval of Minutes

Motion to approve the minutes from the meeting of November 27, 2018, by Bailey, second by Ortiz.
Motion passed 3 - 0

~ Approval of Agenda

Motion to approve the agenda for December 18, 2018 by Ortiz, second by Bailey. **Motion passed 3 - 0**

REGULAR AGENDA

Each case that follows proceeded in a uniform process as directed by Chair Lujan-Slak. Beginning with a staff report presented by Planner Chelsea Stromberg, 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-18-44 801 E. Mesa Ave. (Jose and Rosa Lerma)** A Variance to allow an accessory structure to encroach four (4) feet into the five (5) foot side yard setback in a Mixed Residential (R-4 Zone) District.

Lujan-Slak asked whether the applicant was in the audience to represent the Variance request. Once the applicant confirmed, from the audience, that they were present, Lujan-Slak asked for the staff presentation, which was given by Ms. Stromberg. Lujan-Slak then asked for the

applicant to come forward and be sworn in. **Jose and Rosa Lerma, and their interpreter Rebecca De la Rosa** were sworn in by Mr. Kogovsek, who also asked them to sign in. Following such actions, **Ms. De la Rosa** introduced herself and offered to answer any questions. **Ms. De la Rosa** summarized the proposed variance. Lujan-Slak asked the applicant if they read the staff report, understand the conditions, and can comply with the staff conditions. Ms. De la Rosa stated that the applicants read the staff report, and can comply with the conditions.

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

Lujan-Slak asked the audience if there was anyone attending the meeting wishing to testify in **opposition** to this application, and there were none. Hearing no public testimony in opposition, Lujan-Slak 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 Ortiz, second by Bailey.

Motion passed 3 – 0 with standard permit conditions and staff conditions.

2. **ZBA-18-45 31 Loyola Ln. (Karen Ginther)** A **Limited Use Permit** to allow a home based business (beauty salon) in a Single Family Residential (R-1 Zone) District.

Lujan-Slak asked whether the applicant was present to represent this request. Once the applicant confirmed, from the audience, that she was present, Lujan-Slak asked for the staff presentation, which was given by Ms. Stromberg. Lujan-Slak then asked for the applicant to come forward and be sworn in. **Karen Ginther**, was sworn in by Mr. Kogovsek, who asked her to sign in. Following such actions, **Ms. Ginther** introduced herself and offered to answer any questions. Lujan-Slak asked the applicant if she has read the staff report, understands the conditions, and can comply with the staff conditions. **Ms. Ginther** stated that she read the staff report and can comply with the conditions.

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

Lujan-Slak asked the audience if there was anyone attending the meeting wishing to testify in **opposition** to this application, and there were none. Hearing no public testimony in opposition, Lujan-Slak 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, Lujan-Slak requested a motion on the request.

Commission Action:

Motion to grant by Ortiz, second by Bailey

Motion passed 3 – 0 with standard permit conditions and staff conditions.

3. **ZBA-18-46 2000 Acero Ave. (Kennette Oldham)**. A **Limited Use Permit** to allow a home based business (massage establishment) in a Single Family Residential (R-2 Zone) District.

Lujan-Slak asked whether the applicant was present to represent this request. Once the applicant confirmed, from the audience, that she was present, Lujan-Slak asked for the staff presentation, which was given by Ms. Stromberg. Lujan-Slak then asked for the applicant to come forward and be sworn in. **Kennette Oldham**, was sworn in by Mr. Kogovsek, who asked her to sign in. Following such actions, **Ms. Oldham** introduced herself and offered to answer any questions. Lujan-Slak asked the applicant if she has read the staff report, understands the conditions, and can comply with the staff conditions. **Ms. Oldham** stated that she read the staff report and can comply with the conditions.

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

Lujan-Slak asked the audience if there was anyone attending the meeting wishing to testify in **opposition** to this application, and there were none. Hearing no public testimony in opposition, Lujan-Slak 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, Lujan-Slak requested a motion on the request.

Commission Action:

Motion to grant by Ortiz, second by Bailey.

Motion passed 3 – 0 with standard permit conditions and staff conditions.

~ **Adjourn:** Meeting adjourned at 7:48 p.m.

Minutes respectfully submitted by Chelsea Stromberg.